



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2023-03-29

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MINUTES

12TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2023-03-29 AT 10:00

MINUTES
12TH MEETING OF COUNCIL
OF STELLENBOSCH MUNICIPALITY
2023-03-29

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	(SEE PINK DOCUMENTATION)	

PRESENT

The Speaker, Cllr Q Smit [Chairperson]
 The Executive Mayor, Ald GMM Van Deventer (Ms)
 The Deputy Executive Mayor, Cllr JS Fasser
 The Council Whip, Cllr P Crawley (Ms)

COUNCILLORS

J Andrews	RS Nalumango
Ald JC Anthony	NR Ndalasi
MM Danana	CD Noble
I De Taillerfer	L Nkamisa
R Du Toit	M Nkopane
A Ferns	N Ntsunguzi
E Groenewald	N Olayi
AJ Hanekom	WC Petersen
RB Hendrikse	RO Pheiffer
P Johnson	WF Pietersen
J Joon	MG Rataza
X Kalipa	Ald JP Serdyn
N Mananga-Gugushe	MJ Slabbert
C Manuel	A Tomose (until 11:50)
EP Masimini	RB Van Rooyen
NE Mcombring	M Van Stade
XL Mdemka	CA Van Wyk
NM Mkhontwana	J Williams

OFFICIALS

Municipal Manager (G Mettler)
 Chief Financial Officer (K Carolus)
 Director: Community and Protection Services (G Boshoff)
 Director: Corporate Services (A De Beer)
 Director: Planning and Economic Development (A Barnes)
 Acting Director: Infrastructure (N Zwane)
 Chief Audit Executive (F Hoosain)
 Senior Administration Officer (T Samuels)

1.	OPENING AND WELCOME
	<ul style="list-style-type: none"> - The Speaker, Cllr Q Smit, extended a warm welcome to the following people at the 12th Council meeting: Executive Mayor Deputy Mayor Members of the Mayoral Committee MPAC Chair All Councillors Speaker of Kouga Municipality (Alderman Brenton Williams) Municipal Manager Directors Members of the Administration Members of the public - He introduced and welcomed the newly elected Ward 21 Councillor – Cllr Maynard Slabbert and confirmed that Cllr Slabbert was sworn in as Councillor by the local Magistrate the previous day. The Executive Mayor, Speaker and Acting Municipal Manager were present to welcome Cllr Slabbert.

2.	MAYORAL ADDRESS
	<ul style="list-style-type: none"> - Sincere condolences to the family and friends of late councillor Ansaaf Crombie. Not only was she a phenomenal councillor but also a person who left a legacy in her community. May her soul rest in eternal peace. There will be a memorial service at 13h00 today in the Stellenbosch Town hall. - A warm welcome to the new Councillor of Ward 21, Cllr Mynard Slabbert. Cllr Slabbert was officially sworn in and took his pledge and oath for councillors on Tuesday, 28 March 2023. - I want to wish all our Muslim residents and staff all the best with the fast that started last Friday. Ramadan Mubarak. - Was the birthday of Premier Winde on 18 March 2023. We wish him a belated happy birthday and thank him for all the good work he is doing for our province. - Premier Winde and Minister Tertius Simmers (Infrastructure – Western Cape Provincial Government) visited Stellenbosch on 16 March 2023 for high level discussions about road infrastructure and safety concerns. As everyone is aware, traffic issues and road infrastructure are major concerns everywhere in the Stellenbosch municipality. As a municipality, we are doing everything in our power and according to the mandates and legislative prescripts to address the concerns of our residents. - Loadshedding remains a major concern and problem for the municipality, and we are doing everything in our power to ensure we will be able to assist our residents. I encourage residents to read the information on the municipal website about the plans and timeline Stellenbosch will follow to ensure the reduction of loadshedding for Stellenbosch residents in the future. - As with loadshedding, water consumption also remains a problem. We welcome the first rains that fell but this is hardly enough to ensure the dam levels in the Western Cape, and specifically the Cape Winelands, will reach the levels where there will be no concern about this resource. Water is a scarce resource, and every resident of Stellenbosch municipality must do their bit to ensure the water consumption does not spiral out of control. Please report leaks and pipe bursts immediately on the Let's Fix It portal. Close taps properly and try to save water wherever you can.

- We celebrated Human Right's Day on 21 March 2023, an important day on the South African calendar. It is fundamental that we protect and cherish these rights afforded to us in the Constitution. We must always remember that human rights go hand in hand with responsibility and respect for others and oneself.
- As part of Human Rights Day, we handed over another 27 title deeds to beneficiaries in Kayamandi on Monday, 27 March 2023. This is part of the municipality's commitment to give communities full ownership of their properties to attain security of tenure. The municipality will try and speed up the processes towards the transfer of more title deeds, and in more areas.
- On Monday, 20 March 2023, Stellenbosch municipality was privileged to welcome the graduation of new peace officers. This is part of an initiative of the Provincial government, with the training facilitated by the City of Cape Town. These peace officers will strengthen our efforts to ensure by-law enforcement and the safety of residents in Stellenbosch. I can ensure you this will be an ongoing partnership to bring about the goal of a safer Stellenbosch for all.
- And ending on a very positive note for Stellenbosch, Stellenbosch and Franschhoek Wine Routes were number one and number two for the top 5 most visited Wine Routes in the Western Cape for 2022. Congratulations to Stellenbosch and Franschhoek Wine Routes.

3.	COMMUNICATION BY THE SPEAKER
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1. Birthdays

- The Speaker congratulated the following Councillors who celebrated their birthdays during March 2023:
Cllr Isabelle De Taillefer – 6 March
Cllr Marius Van Stade – 15 March
Cllr Monwabisi Rataza – 25 March

2. MPAC Chairperson: Cllr WF Pietersen

- Congratulations to the MPAC Chairperson, Cllr WF Pietersen, who was elected as the Deputy-Chairperson of the Western Cape MPAC Chairman's Forum on 9 March 2023. This is a wonderful accomplishment and Council is grateful that you will be representing Stellenbosch Municipality in such a senior position.

3. Local Government Law Library Sets

- The Local Government Law Library Sets was received and is ready for collection at the Office of the Council Chief Whip. The Chief Whip will send out a communication via email indicating when and how the sets can be collected at her office.

4. Points of Clarity/Rules of Order

- Speaker attended a Chief Whips' meeting with all parties and a question was raised regarding "Points of Clarity". A Rules of Order Committee meeting will be held shortly to discuss and incorporate a points of clarity into the existing Rules of Order By-law.

5. Recess period June/July 2023

Recess period for the June/July 2023 school holidays will be from 23 June – 17 July 2023).

6. Public Protector's Report

Speaker read "verbatim" on the Ruling of the High Court of South Africa on the Public Protector's Report:

"Report number 109 of 21\2022 dated 30 March 2022, compiled and issued by the Respondent

The report is unconstitutional, invalid and unlawful and is reviewed and set aside."

The Speaker commended and congratulated the Administration who has taken this public protector's report on a full review and it ultimately ended up in the High Court and therefore was ruled to be unconstitutional, unfair and unlawful. He said this was a long and tedious process and he thinks it is a shame that certain individuals are allowed to bring such documents that takes up so much time of our administrative personnel and our staff. Many months were wasted on this public protector's report that has been ruled upon. The Administration has protected the integrity of our Council and he urged Councillors to seriously reconsider the amount of time that is wasted with this report, and the amount of money that has been spent on an unlawful report such as this. *"Having said this, Madam Mayor, I am grateful to say we can now put this to bed and conclude and not talk about the public protector's report ever again"*, the Speaker concluded.

7. Memorial Service for the Late Cllr A Crombie

A Memorial Service of the late Councillor Ansaaf Crombie will be taking place in the Stellenbosch Town Hall at 13h00.

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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- "On behalf of the Administration, we convey our condolences to the family and friends of Councillor Ansaaf Crombie who passed away recently. The Administration also conveys their condolences with the Executive Mayor and her family on the passing of her eldest sister.
- We are in the Easter holidays and schools are closing, we urge people to be carefully on the roads in terms of traffic for those who are travelling. Easter Friday is on the 7th April 2023 and this is a time of introspection and renewal for the Christians. To the Muslims, Ramadan Kareem on their fast.
- Welcome to our new Ward Councillor of Ward 21, Cllr Maynard Slabbert.
- As soon as the Administration receives confirmation on the appointment of the replacement for Cllr A Crombie, it will be given through to everyone. The period for the IEC to make the announcement is 21 days".

5.	DISCLOSURE OF INTERESTS
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NONE

6.	APPLICATION FOR LEAVE OF ABSENCE
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- 6.1 The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr R Adams – 29 March 2023
 Cllr Z Dalling – 29 March 2023
 Cllr O Jooste – 29 March 2023
 Cllr E Vermeulen – 29 March 2023

7.	CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING/S
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7.1	11TH COUNCIL MEETING: 2023-02-22
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The minutes of the 11th Council Meeting: 2023-02-22 was **confirmed as correct without any changes.**

8.	STATUTORY MATTERS
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8.1	ANNUAL REPORT OVERSIGHT REPORT 2021/22
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Collaborator No: 746217
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023 29 March 2023

1. SUBJECT: ANNUAL REPORT OVERSIGHT REPORT 2021/22

2. PURPOSE

To submit to Council, the Annual Report Oversight Report 2021/22 for **Adoption**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The draft Annual Report 2021/22 was referred by the Council, on 30 January 2023, to the Municipal Public Accounts Committee (MPAC) which fulfilled the function of the Oversight Committee. The appointment and mandate of the MPAC / Oversight Committee were informed as per the MFMA Circular 32 of 2006.

The MPAC members, including the two co-opted members, scrutinised the draft Annual Report 2021/22 and requested, where necessary, responses from the relevant Directorates. The draft Annual Report 2021/22 was objectively reviewed by the MPAC members to ascertain whether the draft Annual Report 2021/22 is a true and accurate reflection of the municipality's performance for the 2021/22 financial year.

The public was invited to attend a public hearing and to submit any representations on the draft Annual Report 2021/22. All the councillors were also invited to attend the public hearing and to deliberate on the draft Annual Report 2021/22.

No members of the community attended the public hearing.

12TH COUNCIL MEETING: 2023-03-29: ITEM 8.1

RESOLVED (nem con)

- (a) that the Council, having fully considered the Annual Report Oversight Report 2021/22 of the Stellenbosch Municipality, **ADOPTS** the Annual Report Oversight Report 2021/22;
- (b) that the Council, having fully considered the Annual Report 2021/22, attached as **ANNEXURE B** to the Annual Report Oversight Report 2021/22, **APPROVES** the Annual Report 2021/22 without any reservations;
- (c) that the Annual Report Oversight Report 2021/22 be made public in accordance with Section 129(3) of the MFMA; and;
- (d) that the Annual Report Oversight Report 2021/22 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.

NAME	<i>Geraldine Mettler</i>
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>mm@stellenbosch.gov.za</u></i>
REPORT DATE	<i>06 March 2023</i>

8.2	DRAFT 1st REVIEW OF THE 5th GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027 AND THE IDP AND BUDGET PUBLIC PARTICIPATION MEETING SCHEDULE FOR APRIL 2023
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Collaborator No: 746216
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023

1. SUBJECT: DRAFT 1st REVIEW OF THE 5th GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027 AND THE IDP AND BUDGET PUBLIC PARTICIPATION MEETING SCHEDULE FOR APRIL 2023

2. PURPOSE

To table to the Council for consideration:

- (a) The draft 1st Review of the 5th Generation IDP 2022 – 2027, attached as **ANNEXURE A**, to be released for public comment/s; and
- (b) The IDP and Budget Public Participation Meeting Schedule, April 2023, attached as **ANNEXURE B**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

In terms of Section 34(a)(i)(ii) of the Local Government: Municipal Systems Act, 2000 (Act. No. 32 of 2000) (MSA), each municipal council must review its Integrated Development Plan annually in accordance with an assessment of its performance measurements in terms of Section 41 of MSA and to the extent the changing circumstances so demand. Therefore, taking into account the changing circumstances in the municipal environment, including the community's needs and priorities.

The draft 1st Review of the 5th Generation IDP 2022 – 2027 informs the budget of the municipality and also details the municipality's actions to address the vision, mission, strategic objectives and needs of the community.

The municipal IDP must be reviewed annually to ensure that:

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

The Council should take note that the Safety and Security Plan information will be updated in the final IDP document, which will be presented to the Council in May 2023.

A once-off close-out report on the 4th Generation IDP 2017 – 2022 is attached as an annexure to the draft 1st Review of the 5th Generation IDP 2022 – 2027 to provide the Council with a summary of the IDP deliverables achieved during the 4th Generation IDP period of 2017 – 2022. The report also contains multi-year projects and programmes that are scheduled for completion during the 5th Generation IDP 2022 – 2027 period.

At an All-Ward Councillor meeting on Friday, 10 February 2023 it was resolved that the Stellenbosch Municipality will return to the traditional public participation approach for April 2023. Therefore, area-based physical meetings will be held in the respective areas of Stellenbosch, see attached **ANNEXURE B** for the IDP and Budget public participation meeting schedule.

The public participation period will comprise the period Monday, 3 April – Monday, 24 April 2023, to allow members of the community and stakeholders ample time to provide written inputs and or comments on the draft 1st Review of the 5th Generation IDP 2022 – 2027. The area-based public participation meetings will be held from Wednesday, 12 April to Tuesday, 18 April 2023 in the respective areas with a central venue. The municipality will provide transportation, with pick-up points specified on the meeting schedule.

The listed platforms below will be made available for the community and stakeholders to provide input and comments on the draft 1st Review of the 5th Generation IDP 2022 – 2027:

- A link to an electronic submission form will be active from Monday, 3 April – Monday, 24 April 2023 on the municipal website: www.stellenbosch.gov.za;
- The link to the electronic form will be broadcast via WhatsApp and Email and published on Facebook, Twitter and Stellenbosch Citizen App;
- ‘Have your Say’ boxes will be placed at ward offices and libraries; and
- Submissions may be done via:
 - Email: idp@stellenbosch.gov.za;
 - WhatsApp: 067 427 1556;
 - Stellenbosch Citizen App: Download from Google Play Store, iStore, Windows Store and Java.

12TH COUNCIL MEETING: 2023-03-29: ITEM 8.2

During deliberations on the matter, the Speaker issued a warning to Cllr M Van Stade in terms of Rule ___ of Council’s Rules of Order By-Law.

RESOLVED (nem con)

- (a) that the Draft 1st Review of the 5th Generation IDP 2022 – 2027 of Stellenbosch Municipality be approved in terms of Section 34 (a)(i)(ii) of the Municipal Systems Act (MSA) for the purpose of obtaining public inputs and comments, attached as **ANNEXURE A**;
- (b) that an advertisement be placed on the official website of the municipality and the local newspaper notifying the public that the Draft 1st Review of the 5th Generation IDP 2022 – 2027 is open for public inputs and comments for a period of 21 days;
- (c) that the Draft 1st Review of the 5th Generation IDP 2022 – 2027 be submitted to the Western Cape: Department of Local Government, Western Cape: Provincial Treasury, National Treasury and the Cape Winelands District Municipality; and
- (d) that the IDP and Budget Public Participation Meeting Schedule for April 2023 be noted, attached as **ANNEXURE B**

FOR FURTHER DETAILS CONTACT:

NAME	<i>Geraldine Mettler</i>
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 – 808 8025</i>
E-MAIL ADDRESS	<i>geraldine.mettler@stellenbosch.gov.za</i>
REPORT DATE	<i>06 March 2023</i>

8.3	TABLING OF THE REVISED CAPITAL EXPENDITURE FRAMEWORK
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 March 2023 & 29 March 2023

1. SUBJECT: TABLING OF THE REVISED CAPITAL EXPENDITURE FRAMEWORK

2. PURPOSE

Is to obtain Council's approval of the Revised Capital Expenditure Framework (CEF).

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Integrated Urban Development Framework (IUDF) was approved by Cabinet in April 2016, which led to the Integrated Urban Development Grant (IUDG). The IUDG was introduced in the 2019/2020 Division of Revenue Act as a Consolidated Grant for Intermediate City Municipalities (ICMs). Stellenbosch Municipality was identified as one of the municipalities to benefit from this new grant, subject to specified criteria.

The purpose of the ICMs support strategy is to help translate IUDF policy into practical programmes of action in the ICMs.

The business plan for the IUDG is a three-year capital programme that is aligned with a long-term plan (CEF). With the revisions to the SDF and the implementation of the Adam Tas Corridor it required a review of the current Capital Expenditure Framework.

12TH COUNCIL MEETING: 2023-03-29: ITEM 8.3

RESOLVED (nem con)

that Council approves the revised Capital Expenditure Framework for public comment.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Mr. Kevin Carolus</i>
POSITION	<i>Chief Financial Officer</i>
DIRECTORATE	<i>Financial Services</i>
CONTACT NUMBERS	<i>021 – 808 8528</i>
E-MAIL ADDRESS	<i>Kevin.Carolus@ Stellenbosch.gov.za</i>
REPORT DATE	<i>15 March 2023</i>

8.4	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2023/2024-2025/2026
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 March 2023 & 29 March 2023

1. SUBJECT: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2023/2024-2025/2026

2. PURPOSE

The purpose of this report is as follows:

- a) The Executive Mayor to table the Medium-Term Revenue and Expenditure Framework (inclusive of property rates charges and taxes, tariffs and service charges), annexures and proposed amendments to the budget related policies and other policies to Council for approval in terms of Section 16(2) of the Municipal Finance Management Act, (Act 56 of 2003).
- b) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the amount of R560 million of which over the MTREF R200 million will be required in year one, R200 million in year two and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms draft approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

EXECUTIVE SUMMARY

BUDGET

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

12TH COUNCIL MEETING: 2023-03-29: ITEM 8.4

RESOLVED (majority vote)

- (a) that the Draft High Level Budget Summary, as set out in APPENDIX 1 – PART 1 – SECTION C; be approved for public release;
- (b) that the Draft Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1** – PART 1 – SECTION D, be approved for public release;
- (c) that the proposed Grants-In-Aid allocations as set out in APPENDIX 1 – PART 2 – SECTION J, be approved for public release;
- (d) that the three-year Capital Budget for 2023/2024, 2024/2025 and 2025/2026, as set out in **APPENDIX 1** – PART 2 – SECTION N, be approved for public release;

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- (e) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3**, be approved for public release;
- (f) that the proposed amendments to existing budget related policies and other policies as set out in **APPENDICES 5 - 34**, be approved for public release;
- (g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R560 millions of which R200 million will be required in year one, R200 million in year two and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirm approval of same;
- (h) that Council specifically takes note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially; and
- (i) that Council takes note of MFMA circulars 122 and 123 that was published to guide the MTREF for 2023/2024 to 2025/2026 as set out in APPENDICES 35 – 36.

FOR FURTHER DETAILS CONTACT:

NAME	KEVIN CAROLUS
POSITION	DIRECTOR: FINANCIAL SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	kevin.carolus@ Stellenbosch.gov.za
REPORT DATE	14 March 2023

8.5	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2023
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 March 2023 & 29 March 2023

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2023**2. PURPOSE**

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2022/2023 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 (2022/2023) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during February 2023.

12TH COUNCIL MEETING: 2023-03-29: ITEM 8.5**NOTED**

that there are no deviations listed for the month of February 2023.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Kevin Carolus</i>
POSITION	CFO
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	<i>Kevin.Carolus@ Stellenbosch.gov.za</i>
REPORT DATE	<i>02 February 2023</i>

9.	REPORT BY THE MUNICIPAL MANAGER ON OUTSTANDING RESOLUTIONS
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No report submitted as outstanding resolutions serves at Section 80 Committees.

10.	ITEMS FOR NOTING
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10.1	REPORT/S BY THE EXECUTIVE MAYOR
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10.1.1	REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 10 NOVEMBER 2022
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

29 March 2023

1. SUBJECT: REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 10 NOVEMBER 2022

2. PURPOSE

To inform Council of the matters under discussion at the Mayor – Rector Forum meeting held on 10 November 2022.

3. DELEGATED AUTHORITY

For information.

4. EXECUTIVE SUMMARY

The Executive Mayor has since her election reported to Council on discussions that takes place at the regular meetings of the Mayor – Rector Forum. The meeting was held on 10 November 2022. The minutes is attached as **Annexure A** and was only submitted to the municipality by the University in February 2023.

12TH COUNCIL MEETING: 2023-03-29: ITEM 10.1.1

NOTED

the report from the Executive Mayor on the Mayor – Rector Forum meeting: 10 November 2022.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	MANAGER: COUNCILLOR SUPPORT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	<u>Donovan.Muller@ Stellenbosch.gov.za</u>
REPORT DATE	03 March 2023

10.2	REPORT/S BY THE SPEAKER
10.2.1	QUARTERLY REPORT – WARD COMMITTEE FUNCTIONING (OCT – DEC 2022)

Collaborator No:

IDP KPA Ref No:

Meeting Date:

*Good Governance**29 March 2023***1. SUBJECT: QUARTERLY REPORT – WARD COMMITTEE FUNCTIONING (OCT – DEC 2022)****2. PURPOSE**

For Council to take note of the Functioning of Ward Committees within the Stellenbosch municipal areas.

3. DELEGATED AUTHORITY

For Notification by Municipal Council

4. EXECUTIVE SUMMARY

In terms of section 73 of the Local Government: Municipal Structures Act, no 117 of 1998 and Regulations, Ward Committees must be established for each ward within the municipal area within 120 days after the election.

The system of delegations of the Stellenbosch Municipality (S6 and S7) designates the Speaker of Stellenbosch Municipality to facilitate the establishment of Ward Committees in line with the provisions and stipulations of the Municipal Structures Act and Council's policy for the establishment of Ward Committees.

At the Council meeting of 30 March 2022, Council noted the establishment of Ward Committees for all 23 wards within the Stellenbosch Municipality.

Wards who did not have the full complement of Ward Committees members were allowed to co-opt members in line with Council Policy and Procedures for Ward Committees. Ward 3 co-opted 4 new members in September 2022. All ward committees are fully functional and are performing all duties as set out in the Policy and Procedures for Ward Committees.

Attached herewith as ANNEXURE A is a table outlining the functioning of all Ward Committees for the period October 2022 – December 2022, including dates and number of Ward Committee meetings held to date.

12TH COUNCIL MEETING: 2023-03-29: ITEM 10.2.1**NOTED**

- (a) the functioning of Ward Committees in all 23 wards; and
- (b) the number of Ward Committee and Sector meetings held to date in all 23 wards from October 2022 – December 2022.

FOR FURTHER DETAILS CONTACT:

NAME	Jacqueline Beerwinkel
POSITION	EXECUTIVE SUPPORT OFFICER
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021808 8618
E-MAIL ADDRESS	Jacqueline.Beerwinkel@ Stellenbosch.gov.za
REPORT DATE	29 March 2023

10.3	REPORT/S BY THE MUNICIPAL MANAGER
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NONE

11.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER (MS)]
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11.1	PROTECTION SERVICES
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NONE

11.2	YOUTH, SPORTS AND CULTURE: [PC: CLLR R ADAMS]
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NONE

11.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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NONE

11.4	FINANCIAL SERVICES: (PC: CLLR P JOHNSON)
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NONE

11.5	HUMAN SETTLEMENTS: (PC: CLLR J FASSER)
11.5.1	THE ANNUAL REVIEW OF STELLENBOSCH MUNICIPALITY HOUSING PIPELINE FOR THE MTREF PERIOD OF 2023 – 2026

Collaborator No: 746213
 IDP KPA Ref No: Good Governance
 Meeting Date: 22 March 2023 & 29 March 2023

1. SUBJECT: THE ANNUAL REVIEW OF STELLENBOSCH MUNICIPALITY HOUSING PIPELINE FOR THE MTREF PERIOD OF 2023 – 2026

2. PURPOSE

To seek Council's approval of the Stellenbosch Municipality's Housing Pipeline (Projects) for the Medium-Term Revenue and Expenditure Framework (MTREF) period 2023 to 2026 attached herein as **ANNEXURE A**.

To inform Council of the draft Human Settlement Development Grant (HSDG) and the draft Informal Settlements Upgrading Partnership Grant (ISUPG) allocation for human settlements development projects received from the Provincial Department of Human Settlements (PDoHS) for the (MTREF) 2023 to 2026.

To request that the Housing Pipeline be submitted to the Provincial Department of Human Settlements (PDoHS) upon attainment of Council's approval.

To inform Council of the new strategic shifts pertaining the provision of human settlements development from the National Department of Human Settlements (NDoHS) and Provincial Departments of Human Settlements (PDoHS).

To provide a status report to Council on the progress of existing human settlement development projects that were previously on the approved Housing Pipeline.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

This Council item relates to the annual review of the Stellenbosch Municipality's Housing Pipeline for the MTREF period 2023 – 2026.

The PDoHS requires that every Municipality must have a Housing Pipeline. The Housing Pipeline is premised on a ten-year horizon and serves as the planning and budgeting tool for the implementation of Human Settlements initiatives. Each Municipality's Housing Pipeline is an integral component of the Department of Human Settlements' Business Plan. It is required that the Housing Pipeline must be annually reviewed.

According to the PDoHS housing demand database, Stellenbosch Municipality's current housing demand waiting list comprises of 18 263 applicants. The Municipality currently has numerous housing development projects under consideration to ensure a healthy delivery pipeline towards fulfilling the housing demand and its legislative mandate. The overall housing pipeline of the Municipality articulates active housing development projects that are at various stages of planning and implementation.

In 2020, the Minister of Human Settlements Gazetted the declaration of the Priority Human Settlements and Housing Development Areas (PHSHDA's). The PHSHDAs intends to advance Human Settlements Spatial Transformation and Consolidation by ensuring that the delivery of housing is used to restructure and revitalise towns and cities, strengthen the livelihood prospects of households and overcome apartheid spatial patterns by fostering integrated urban forms.

In 2020, the Provincial Department of Human Settlements (PDoHS) presented new strategic shifts in human settlements development projects to enable the residents of the Western Cape to have access to liveable, accessible, safe, and multi-opportunity settlements. The specific strategic objectives are radical acceleration of housing opportunities, radical integration approach to human settlements, radical implementation of innovative solutions and radical economic growth and job creation.

The Department: Spatial Planning has collaborated with the Department of Environmental Affairs and Development Planning (DEA&DP) and undertaken a Housing Market Study for the Stellenbosch CBD to determine the needs and demand for affordable housing within the government housing subsidy programmes and private sector housing developments.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.5.1

RESOLVED (majority vote)

- (a) that **Council approve** the reviewed annual Housing Pipeline (Projects) for the Medium-Term Expenditure Framework ("MTREF") period 2023 to 2026 for Stellenbosch Municipality, attached as **ANNEXURE A** to this report;
- (b) that **Council takes note** of the draft Human Settlement Development Grant ("HSDG") and draft Informal Settlements Upgrading Partnership Grant ("ISUPG") budget allocations for human settlements development projects received from the Provincial Department of Human Settlements (PDoHS) for the MTREF period of 2023 to 2026;
- (c) that **Council takes note** of the new strategic shifts pertaining the provision of human settlements development from the National Department of Human Settlements (NDoHS) and Provincial Departments of Human Settlements (PDoHS);
- (d) that **Council takes note** that the reviewed annual Housing Pipeline is aligned to the Stellenbosch Municipality's Spatial Development Framework ("MSDF") as amended in 2023; and the Stellenbosch Municipality's Capital Expenditure Framework (CEF);
- (e) that **Council approves** the submission of the revised Stellenbosch Municipality's Housing Pipeline to the Provincial Department of Human Settlements;
- (f) that **Council takes note** of the progress of the human settlements development projects that are at pre-planning, and/or planning phase as reflected in table 1 below, as contained in this report;
- (g) that **Council takes note** of the projects under construction (within the implementation phase which is dealt by the Department: Project Management Unit) as reflected in table 2 below contained in this report; and
- (h) that **Council approves** that the reviewed Housing Pipeline for the MTREF period of 2023 to 2026 be advertised as an appendix to the Stellenbosch Municipality's Municipal Spatial Development Framework (MSDF) as amended during 2023.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Lester van Stavel</i>
POSITION	<i>Manager: Housing Development</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	<i>021 808 8462</i>
E-MAIL ADDRESS	<i>Lester.vanstavel@ Stellenbosch.gov.za</i>
REPORT DATE	<i>6 March 2023</i>

11.6	INFRASTRUCTURE SERVICES : (PC : CLLR Z DALLING (MS))
11.6.1	PROGRESS ON THE PROVISION OF A PUBLIC TRANSPORT SERVICE FOR STELLENBOSCH

Collaborator No: 742663
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023 & 29 March 2023

1. SUBJECT: PROGRESS ON THE PROVISION OF A PUBLIC TRANSPORT SERVICE FOR STELLENBOSCH

2. PURPOSE

Council to note the Section 78(1) Assessment Report, and to note the proposed approach by the Infrastructure Services Directorate.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Western Cape Government's Department of Transport and Public Works (DTPW) had previously provided assistance to Stellenbosch Municipality and compiled a Section 78 (1) Assessment Report on the provision of a public transport service, for Stellenbosch. See attached **APPENDIX 1**. The report was based on a study that, at the time, proposed a conventional (largely bus-based) public transport system, that would be managed by the Municipality.

The key findings by the DTPW's, Section 78(1) Assessment Report is as follows:

- The municipality is better suited to an incremental upgrade rather than a brand new large scale bus-based system.
- Irrespective of the mechanism selected to deliver a public transport service (internal vs. external) and based on the lessons learned from the public transport implementation of George, Cape Town etc, the Municipality should consider pursuing an alternative approach to a public transport service.
- The municipality does not have the capacity nor potential future capacity to furnish the skills, expertise and resources necessary for the provision of a municipal public transport service.

Taking into account recommendations from the current Comprehensive Integrated Transport Plan (CITP), advice from industry experts, advice from the DTPW, and lessons learned from other Municipalities (where conventional public transport services were rolled out), an alternative approach to a public transport service for Stellenbosch is proposed.

The Directorate therefore proposes that the municipality adopts an incremental approach to bring about improvements to existing systems. This will allow adaptations to existing public transport modes, incremental budgeting to be used for those improvements, as well as existing arrangements with the bus and taxi operators and associations to be tweaked accordingly, rather than a "Big-Bang" new approach to be implemented.

The incremental approach, being more flexible at incorporating and assigning the different modes of public transport is most suitable for a developing area such as Stellenbosch.

The Directorate also proposes that a Public Transport Plan first be developed. The Public Transport Plan will set the framework and context of the public transport service and identify necessary projects to be implemented.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.6.1

RESOLVED (nem con)

- (a) that Council notes the Section 78(1) Assessment Report on the provision of public transport services. (**APPENDIX 1**);
- (b) that Council accepts that all the requirements of Section 78(1), has been complied with;
- (c) that Council concurs with the finding of the study i.e.
 - The municipality is better suited to an incremental upgrade rather than a brand new large-scale bus-based system.
 - Based on the lessons learned from the public transport implementation of George, Cape Town etc, the Municipality should consider pursuing an alternative approach to a public transport service.
 - The municipality does not have the internal capacity nor potential future capacity to furnish the skills, expertise and resources necessary for the provision of a municipal public transport service.
- (d) that Council considers an alternative approach, namely the Incremental Approach that progressively moves towards improved public transport services and, over time, establishes the most efficient public transport service; and
- (e) that a Public Transport Plan be compiled to facilitate improvements to existing public transport services, identifying necessary projects to ultimately establish an efficient public transport service.

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	Shane.Chandaka@ Stellenbosch.gov.za
Report Date	6 January 2023

11.6.2	LEASING OF EIKESTAD PARKING AREA, CONSIDERATION OF COMMENTS RECEIVED
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Collaborator No: 746262

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 22 March 2023 & 29 March 2023

1. SUBJECT: LEASING OF EIKESTAD PARKING AREA, CONSIDERATION OF COMMENTS RECEIVED

2. PURPOSE

That Council takes note of this report and approves the proposals contained herein.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Municipality reviewed parking management models previously implemented, and also reviewed proposals received for the management of parking areas by adjacent landowners. The Municipality subsequently approved in-principal, the short-term lease and management of Eikestad Parking Area by Eikestad Mall until the Public Private Partnership (PPP), currently underway, is finalized.

The Municipality published its intention to lease and outsource the management of the parking area on 26 July 2022, on the Municipal Website, and on 28 July 2022 in the Eikestad News.

Comments were received from 2 organisations namely, the Economic Freedom Fighters (EFF) and Stellenbosch Interest Group (SIG). Meetings were held with both groups to address concerns and to provide clarity.

Although organisations both were not opposed to the proposed leasing, it was requested that the concerns be taken into account in processes that follow.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.6.2

RESOLVED (majority vote)

- (a) that Council takes note of a public participation process that was followed;
- (b) that Council considers the comments received;
- (c) that Council approves the leasing and management of the Eikestad Parking Area, on a short-term basis with the option of an annual renewal until the PPP process or any other process to build the parking garage decided on, is finalised; and

- (d) that the Municipal Manager be authorised to negotiate and conclude the lease agreement, taking into account inputs from public participation process, including the use of local labour.

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

Cllrs J Andrews; M Danana; R Hendrikse; N Mananga-Gugushe; E Masimini; N Mkontwana; RS Nalumango; Z Ndalazi; M Nkopane; C Noble; N Ntsunguzi; M Rataza; A Tomose and M Van Stade.

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	Director
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	<u>Shane.chandaka@ Stellenbosch.gov.za</u>
REPORT DATE	09 November 2022

11.6.3	LEASING A PORTION OF THE BERGZICHT TAXI RANK UPGRADE FOR THE DEVELOPMENT OF AN ELECTRIC MINIBUS TAXI (E-MBT'S) CHARGING FACILITIES
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Collaborator No: 746239
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023 & 29 March 2023

1. SUBJECT: LEASING A PORTION OF THE BERGZICHT TAXI RANK UPGRADE FOR THE DEVELOPMENT OF AN ELECTRIC MINIBUS TAXI (E-MBT'S) CHARGING FACILITIES

2. PURPOSE

Is to inform the Executive Mayor in consultation with the Executive Mayoral Committee about an application of FLX EV to lease a portion of the Bergzicht Taxi Rank with the purpose to create a facility where electric taxis can be charged.

3. DELEGATED AUTHORITY

Executive Mayor in consultation with the Mayoral committee if the lease if valued less than R5 million and for a period of less than 10 years.

4. EXECUTIVE SUMMARY

The Stellenbosch Municipality sought to create places that are attractive and have a distinct identity by fusing the various threads of environmental responsibility, social equity, and economic viability together. With this goal in mind, the Municipality adopted a design of the proposed upgrade of the Bergzicht taxi rank to create a facility that is more environmentally friendly, can be fully sustainable, and uses photovoltaics to generate its own energy to run the facility and feed any excess energy back into the grid.

FLX EV approached the municipality and expressed interest in establishing an E-charging facility for electric minibuses. The design at the Taxi rank already made provision for a space that could be utilize in the future as a charging facility.

Flex EV is a private startup company with support from the Industrial Development Corporation (IDC) and funding from uYilo kick start projects to develop South Africa's first e-MBT public transport interchange. The company will implement all related charging equipment associated with the system with its own capital funds and does not need any funding for the necessary equipment.

The goal is to use electric minibus taxis to decarbonize the minibus taxi industry. For these vehicles to have a sufficient daily range, public charging stations are required. After conducting a thorough investigation into the operations of the 65-minibus taxi (MBT's) that currently uses the taxi rank, it has been found that the taxi rank is the best location for these facilities.

Detailed plans have been developed for the installation of electric minibus taxis (e-MBT) charging stations at the taxi rank using a data-driven methodology. These facilities, which incorporate cutting-edge technologies to effectively address potential electrical grid supply issues, are built to support the daily charging of 60–80 e-MBTs. The facility's main energy supply will be solar-generated energy, with grid-tied electricity as a backup option. The facility will have its own solar power system and will aim to use the extensive solar power generation network of the Stellenbosch municipality on a prepaid basis in order to ensure a sustainable and efficient power supply.

Due to its emphasis on innovation and transformation, Stellenbosch Municipality is the preferred location for the first charging facility. The MBT charging station is slated to become the first public electric minibus taxi charging station in the entire world and is a significant step in the direction of lowering the environmental impact of African paratransit systems.

The Municipality will derive income from the electricity usage by the charging facility and also from the leasing of Bergzicht taxi rank. Clarification needs to be reached as to which of the Infrastructure will be retained by the Municipality at the end of the lease period. FLX EV will be responsible for their own security and surveillance to monitor and manage the e-charging facility.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.6.3

RESOLVED (majority vote with 1 abstention)

- (a) that the Executive Mayor, in consultation with the Mayoral Committee, notes the application of FLX EV to lease a portion of the Bergzicht Taxi rank on a private treaty basis (**ANNEXURE A**);
- (b) that Council identify the portion of Bergzicht Taxi rank identified (950 square meters) as land not needed to provide the minimum level of basic municipal services;
- (c) that Council resolve to lease the identified portion to FLX EV in principle, provided that the intention to lease the portion be advertised for public input/comments/alternative proposals;
- (d) that a lease term be proposed in the return item taking into consideration the capital investment that FLX EV intends to make;
- (e) that the Municipal Manager be mandated to negotiate a market related rental with FLX EV taking into account the capital advantage for the municipality; and
- (f) that the item be returned to the Executive Mayor in consultation with the Executive Mayoral Committee after the public participation process to consider the inputs before a final decision is taken.

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

Cllrs J Andrews; M Danana; R Hendrikse; N Mananga-Gugushe; E Masimini; N Mkontwana; RS Nalumango; Z Ndalazi; M Nkopane; C Noble; N Ntsunguzi; M Rataza; A Tomose and M Van Stade.

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	Director
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Shane.chandaka@ Stellenbosch.gov.za
REPORT DATE	23 February 2023

11.6.4	ACCEPTANCE OF THE FINAL REPORT OF THE MUNICIPAL ELECTRICITY MASTERPLAN (MEMP) ON ELECTRICITY PATHWAYS FOR STELLENBOSCH MUNICIPALITY: MINIMISING ELECTRICITY COSTS WHILST IMPROVING ENERGY SECURITY AND DECARBONIZING POWER SUPPLY
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Collaborator No: 746353
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 March 2023 & 29 March 2023

1. SUBJECT: ACCEPTANCE OF THE FINAL REPORT OF THE MUNICIPAL ELECTRICITY MASTERPLAN (MEMP) ON ELECTRICITY PATHWAYS FOR STELLENBOSCH MUNICIPALITY: MINIMISING ELECTRICITY COSTS WHILST IMPROVING ENERGY SECURITY AND DECARBONIZING POWER SUPPLY

2. PURPOSE

To present to Council the final report of the Municipal Electricity Masterplan (MEMP) on electricity pathways for Stellenbosch Municipality: Minimising electricity costs whilst improving energy security and decarbonizing power supply.

3. DELEGATED AUTHORITY

For notification by the Municipal Council.

4. EXECUTIVE SUMMARY

During the advent of more frequent loadshedding periods by Eskom, Council decided to investigate ways and means to reduce the impact on civil society and businesses by means to co-generate electricity. To this end, the Municipality entered into a Memorandum of Understanding with:

- The University of Stellenbosch
- Council for Scientific and Industrial Research (CSIR) as well
- The Western Cape Government

The Investigation into the best ways forward were made into the following topics:

- Energy Master plan – Requested CSIR to do this investigation
- Cost-of-Supply study – Appointed Consultants to investigate the cost of supply
- Energy Storage Investigation – Appointed the University of Stellenbosch to conduct this viability study
- Electricity Master Plan – Appointed Consultants adjust the network to cater for all future possible additions.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.6.4

RESOLVED (nem con)

- (a) that this report be noted; and
- (b) that Council accepts the report on “MUNICIPAL ELECTRICITY MASTER PLAN (MEMP) - Electricity pathways for Stellenbosch Municipality” as authored by the CSIR.

-
- (c) that Council accepts the report on “MUNICIPAL ELECTRICITY MASTER PLAN (MEMP) - Electricity pathways for Stellenbosch Municipality” as authored by the CSIR.

FOR FURTHER DETAILS CONTACT:

NAME	Preshane Chandaka
POSITION	<i>Director: Infrastructure Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	<i><u>shane.chandaka@ Stellenbosch.gov.za</u></i>
REPORT DATE	<i>27 February 2023</i>

11.6.5	ACCEPTANCE OF STELLENBOSCH MUNICIPALITY'S ELECTRICITY RINGFENCING AND COST OF SUPPLY STUDY FINAL REPORT
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Collaborator No: 746224
 IDP KPA Ref No: Governance and Compliance
 Meeting Date: 22 March 2023 & 29 March 2023

1. SUBJECT: ACCEPTANCE OF STELLENBOSCH MUNICIPALITY'S ELECTRICITY RINGFENCING AND COST OF SUPPLY STUDY FINAL REPORT

2. PURPOSE

To present to Council the final report of Stellenbosch Municipality's Electricity Ringfencing and Cost of Supply Study for acceptance and approval.

3. DELEGATED AUTHORITY

For notification by the Municipal Council.

4. EXECUTIVE SUMMARY

During the advent of more frequent loadshedding periods by Eskom, Council decided to investigate ways and means to reduce the impact on civil society and businesses by means to co-generate electricity. To this end, the Municipality entered into a Memorandum of Understanding with:

- The University of Stellenbosch
- Council for Scientific and Industrial Research (CSIR) as well
- The Western Cape Government

Conducting an electricity Cost of Supply Study has been identified as one of the three investigations to be done.

The electricity Cost of Supply (COS) study contains 2 main components.

- Ringfencing electricity. The key objective of this part of the study is to establish the true cost and revenue of electricity supply in the municipality.
- The Cost of Supply study. The objective of the cost of supply study is to know the cost of supplying customers on each tariff and to compare this with the revenue from current tariffs and thus the cross-subsidies.

This report describes the details relating to the two components of the study undertaken for Stellenbosch Municipality. It contains the detailed results for the whole area.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.6.5

RESOLVED (majority vote with 2 abstentions)

- (a) that Council accepts the report on "ELECTRICITY RINGFENCING AND COST OF SUPPLY STUDY" - as authored by the Neil Lyners and Associates Consulting Engineers;

-
- (b) that Council notes the recommendations made in the report regarding the pricing and setting of future electricity tariffs;
- (c) that Council adopts the final cost of supply study report, as the report to be used in future to develop new electricity tariffs and derive percentage increases on the existing electricity tariffs.

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

Cllrs J Andrews; R Hendrikse; C Noble and M Van Stade.

FOR FURTHER DETAILS CONTACT:

NAME	Preshane Chandaka
POSITION	<i>Director: Infrastructure Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	<i><u>shane.chandaka@ Stellenbosch.gov.za</u></i>
REPORT DATE	<i>07 March 2023</i>

11.6.6	STATUS UPDATE AND MAINTENANCE PLAN OF THE STELLENBOSCH WASTEWATER TREATMENT WORKS
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Collaborator No: 746259
 IDP KPA Ref No: Governance and Compliance
 Meeting Date: 22 March 2023 & 29 March 2023

1. SUBJECT: STATUS UPDATE AND MAINTENANCE PLAN OF THE STELLENBOSCH WASTEWATER TREATMENT WORKS

2. PURPOSE

To inform the Executive Mayor and Mayoral Committee about the current status and maintenance plan at the Stellenbosch Wastewater Treatment Works (WWTW) for this financial year.

3. DELEGATED AUTHORITY

FOR NOTIFICATION.

4. EXECUTIVE SUMMARY

The Municipality experienced a temporary outage at the Stellenbosch WasteWater Treatment Works (WWTW) on 9th February 2023 due to a pump issue as a result of wear and tear due to loadshedding. This was resolved within two hours of the outage being experienced.

A secondary temporary outage was experienced on 28th February 2023, due to an unplanned breakdown in the mechanical screens works. The Municipality immediately activated our internal maintenance team as well as the service provider to repair the screens and unblock the flow. The repair was completed by 17.30 the same day on 28th February 2023.

It is further recorded that the second outage was unrelated to the first outage and that this was not a continuous flow of treated effluent from the first to the second outage.

The status of maintenance items at the plant at present are as follows:

All flow has been stabilized and operations have resumed to acceptable treated effluent discharge standards.

Mechanical Membranes: All 48 mechanical membranes have been inspected by the Infrastructure Water Services Senior Manager and will be inspected by our qualified water treatment service provider. All but one is operational, which is not a risk at present.

Inlet Screens: The Inlet screens are being manually raked by staff where required. Our specialist service provider has also been to site to repair the one defective inlet screen.

Fine Screens: Three of the four repaired fine screens are operational at present. The fourth screen requires a bearing to be replaced and this is being sourced at present.

Emergency overflow sludge Ponds: Emergency ponds are only an emergency facility for unplanned spillages and have been maintained in order to ensure that they are fit for purpose should the need arise again.

The Telemetry SCADA (Supervisory Control and Data Acquisition) software system is in working order and may require an upgrade within the next financial year.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.6.6**RESOLVED** (nem con)

- (a) that Council notes that the status of the plant, in light of recent outages, is intact and operational; and
- (b) that longer term maintenance items which may be required will be packaged and presented in terms of budget, staff and equipment items and will be presented in preparation for the 2023-24 budget process.

11.6.7	REQUEST FOR APPROVAL OF THE DRAFT COMPREHENSIVE INTEGRATED TRANSPORT PLAN 2022-2026
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Collaborator No: 746231
 IDP KPA Ref No: Governance and Compliance
 Meeting Date: 22 March 2023 & 29 March 2023

1. SUBJECT: REQUEST FOR APPROVAL OF THE DRAFT COMPREHENSIVE INTEGRATED TRANSPORT PLAN 2022-2026

2. PURPOSE

That Council approves the Draft Comprehensive Integrated Transport Plan (CITP) 2022-2026.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Provincial Minister of Transport and Public Works had designated Stellenbosch Municipality as a Type 1 Planning Authority, in terms of the National Land Transport Act 2009, Stellenbosch Municipality must therefore compile a Comprehensive Integrated Transport Plan (CITP). CITP's are valid for a five-year period, are overhauled / reviewed every 5 years and are updated annually.

The CITP is strategic in nature and focusses on the longer-term outcomes as derived from national, provincial legislation as well as from local policies and inputs. The CITP guides the restructuring and development of the transportation network and services. Extensive consultations had been carried out with the public and with interested and affected parties in order to achieved the desired outcomes of the CITP. Outcomes from the CITP includes:

- Improved mobility, access and travel times;
- Reduction of congestion and parking challenges;
- Affordability of transport to all users of the system,
- An increased use of non-motorised transport (NMT).

The CITP also presents the Municipality's long term transport vision and objectives, and provides the strategy that would enable the Municipality to realise its transport vision. The proposed draft transport vision for the Municipality is:

Stellenbosch Municipality has an integrated, effective and sustainable transport system, which unlocks economic opportunities and is accessible, safe, reliable and affordable to all communities serviced by the Municipality.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.6.7

RESOLVED (nem con)

- (a) that Council notes that extensive consultations had been carried out with the public and with interested and affected parties;
- (b) that Council takes note of the proposed draft transport vision;

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- (c) that the Draft Comprehensive Integrated Transport Plan (CITP), attached as **ANNEXURE A**, be accepted;
 - (d) that Council grants approval for the draft CITP to be published for public comment;
 - (e) that the comments received from the public be considered before approval of the CITP;
and
 - (f) that the CITP, once approved by council, be submitted to the Provincial Minister of Transport and Public Works for final approval.

11.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J JOON)
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NONE

11.8	PLANNING :(PC: CLLR C VAN WYK)
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11.8.1	PRECINCT PLAN: FUTURE DEVELOPMENT AND UTILIZATION OF THE RHENISH COMPLEX AND SURROUNDS
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

22 March 2023 & 29 March 2023

1. SUBJECT: PRECINCT PLAN: FUTURE DEVELOPMENT AND UTILIZATION OF THE RHENISH COMPLEX AND SURROUNDS

2. PURPOSE OF REPORT

To obtain approval from Council to commence with a public participation process for the possible future development of the Rhenish Complex and surrounding area. It has generally been recognized that the Rhenish Complex is of significant cultural and heritage importance and is an invaluable asset for the town which demands proper maintenance and appropriate utilization. Several municipally initiated and supported studies and development frameworks have focused on the complex and its surrounds over preceding years. The report is the result of the evaluation and analysis of all existing planning and planning related documentation, current lease agreements and any documentation as it relates to the future utilization of the Rhenish Complex, its buildings and open space, the Braak and public spaces around the Braak including the potential linkage of Church Street with the Braak and Rhenish Complex.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Several municipally initiated and supported studies and development frameworks have focused on the complex and its surrounds over preceding years. These include:

- 1) Stellenbosch Conservation Strategy; Kruger Roos; 1997. (Approved by Council in 1997).
- 2) Die Braak, Voorlopige Ontwikkelingsraamwerk & Rekonstruksie; Kruger Roos, 1997.
- 3) Stellenbosch Historical Centre, Mill Square and Surrounds; Kruger Roos, 1998.
- 4) Heritage Study, Binnetuin Park, Stellenbosch; Pistorius and Harris, 2005.
- 5) Het Erfgoedbeleid van Stellenbosch. Het opstellen van ondersteunende komen – Die Braak en het Rijnse Complex als katalysator; Carton & Ryckebouer, 2012.
- 6) Kerkstraat sluiting, Piet Louw & Dave Dewar, 2020
- 7) Proposals call for the utilization of the Braak, Mayor 2019

While there are many relevant and good ideas included in the above-mentioned studies, the project allowed for an opportunity to consider the study area as a totality, as well as the site's integrated relationship with the general surroundings. A key question therefore is:

'What should structure the whole or the totality, in urban design terms, and how can the site, most of which is embedded, be unlocked to become part of the daily-use fabric of the town, from a public perspective?'

The project entailed the following processes.

- 1) The evaluation and analysis of all existing planning and planning related documentation, current lease agreements and any documentation as it relates to the future utilization of the Rhenish Complex, its buildings and open space, the Braak and public spaces around the Braak including the potential linkage of Church Street with the Braak and Rhenish Complex.
- 2) The identification of and exploratory discussions with Interested and Affected Parties as it relates to their understanding and ideas for the future use of the Rhenish Complex and gardens including the keeping of notes and minutes of such discussions.
- 3) The preparation and drafting of professional urban design proposals based on the existing studies and proposals linked to the preferred future use of the buildings, gardens and/or portions of buildings/gardens as well as other public space which might have an impact on the Rhenish Complex.
- 4) Drafting a framework for the Rhenish complex and surrounding properties linking the site to the historical centre and public spaces such as Die Braak, Dorp Street, Church Street etc.
- 5) The preparation of an urban design report and power point presentation with illustrations summarizing and motivating the future use of the Rhenish Complex.

The report provides an urban design framework which serves as a precinct plan that guides the future utilization, preservation and development of the study area with a view to unlock the potential of this area to play an important role to activate the Rhenish complex as a key site of cultural and heritage significance.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.8.1

RESOLVED (majority vote)

- (a) that Council takes note of the precinct plan for the Rhenish Complex attached as **APPENDIX 1** to the agenda;
- (b) that Council gives approval for the commencement of a public participation process and advertisement of the precinct plan for the Rhenish Complex for a period of 60 days; and
- (c) that after the process of public participation is concluded, the precinct plan for the Rhenish Complex must be resubmitted to Council together with all comments received for consideration within 2 months.

FOR FURTHER DETAILS, CONTACT:

NAME	BJG de la Bat Pr Pln
POSITION	Manager: Spatial Planning
DIRECTORATE	PLANNING AND ECONOMIC DEVELOPMENT
CONTACT NUMBERS	021 808 8653
E-MAIL ADDRESS	Bernabe.delabat@ Stellenbosch.gov.za
REPORT DATE	10 November 2022

11.8.2	APPROVAL OF THE FIRST DRAFT AMENDED MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) AND TO OBTAIN COUNCIL APPROVAL FOR THE COMMENCEMENT OF THE PUBLIC PARTICIPATION PROCESS
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

22 March 2023 & 29 March 2023

1. SUBJECT: APPROVAL OF THE FIRST DRAFT AMENDED MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) AND TO OBTAIN COUNCIL APPROVAL FOR THE COMMENCEMENT OF THE PUBLIC PARTICIPATION PROCESS

2. PURPOSE

For Council to:

- a) Support and adopt the status quo report of the MSDF, 2019 as recommended by the project steering committee.
- b) Support and approve the first draft of the amendments to the MSDF as proposed by the project steering committee for public comment and to request comment from the Provincial Minister of Environmental Affairs and Development Planning and the Cape Winelands District Municipality.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Council approved the commencement of the proposed amendment of the Municipal Spatial Development Framework, 2019 to achieve strategic, spatial, and financial alignment and to enable the coordination of policies within the municipality.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.8.2

RESOLVED (majority vote with 2 abstentions)

- (a) that Council supports and approve the status quo report of the first draft of the proposed amendments to the MSDF;
- (b) that the first draft of the proposed amendments to the MSDF, February 2023, be approved in principle; and
- (c) that the first draft amended MSDF, February 2023, be advertised for public comment for 60 days where after same be resubmitted to Council for final consideration and subsequent approval in terms of the relevant legislation.

FOR FURTHER DETAILS CONTACT:

NAME	Chantel Hauptfleisch
POSITION	Senior Spatial Planner
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8607
E-MAIL ADDRESS	Chantel.hauptfleisch@ Stellenbosch.gov.za
REPORT DATE	7 March 2023

11.9	LOCAL ECONOMIC DEVELOPMENT AND TOURISM:(PC: CLLR R DU TOIT)
11.9.1	APPROVAL TO COMMENCE WITH THE PUBLIC PARTICIPATION PROCESS FOR THE ECONOMIC DEVELOPMENT STRATEGY FOR THE STELLENBOSCH MUNICIPALITY IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, NO 32 OF 2000 AND REGUALTIONS

Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

22 March 2023 & 29 March 2023

1. SUBJECT: APPROVAL TO COMMENCE WITH THE PUBLIC PARTICIPATION PROCESS FOR THE ECONOMIC DEVELOPMENT STRATEGY FOR THE STELLENBOSCH MUNICIPALITY IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, NO 32 OF 2000 AND REGUALTIONS

2. PURPOSE OF REPORT

To obtain approval from Council to commence with the public participation process for the draft Economic Development Strategy in line with The Local Governement: Municipal Systems Act, No 32 of 2000 and Regualtions, to obtain comment on the draft Economic Development Strategy that will enable the Directorate Planing and Economic Development to finalise the Economic Development Strategy and submit the strategic document to Council for consideration.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The purpose of the Economic Development Strategy is to enable economic development and build up the economic capacity of a local area to improve its economic future and the quality of life for all. It is a process by which public, business and non-governmental sector partners work collectively to create better conditions for economic growth and employment generation.

Therefore to enable this strategy in terms of the The Local Governement : Municipal Systems Act, No 32 of 2000 and Regulations Section 26C requires that the council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.9.1

RESOLVED (majority vote with abstentions)

- (a) that Council takes note of the draft Economic Development Strategy attached as **APPENDIX 1** to the agenda;
- (b) that Council gives approval for the commencement of the public participation process in respect of the draft Economic Development Strategy subject to the following conditions:

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- i) The public participation phase of the project will take place over 60 days (2 months).
 - ii) The draft Economic Development Strategy will be advertised in the local newspaper, municipal web page and notice boards within two weeks after the decision by Council.
- (c) that after the public participation process is concluded, the draft Economic Development Strategy must be resubmitted to Council together with all comments received for consideration.

Councillor J Andrews requested that his vote of dissent be minuted.

11.10	RURAL MANAGEMENT: (PC: CLLR J WILLIAMS)
11.10.1	FEEDBACK ON THE PUBLIC PARTICIPATION PROCESS ON THE REQUEST TO LEASE ERF 502 BH 1 AND 2, LYNEDOCH, STELLENBOSCH TO STELLENBOSCH UNIVERSITY FOR A EUROPEAN UNION FUNDED RESEARCH ENDEAVOUR

Collaborator No: 746264
 IDP KPA Ref No: Good Governance
 Meeting Date: 22 March 2023 & 29 March 2023

1. SUBJECT: FEEDBACK ON THE PUBLIC PARTICIPATION PROCESS ON THE REQUEST TO LEASE ERF 502 BH 1 AND 2, LYNEDOCH, STELLENBOSCH TO STELLENBOSCH UNIVERSITY FOR A EUROPEAN UNION FUNDED RESEARCH ENDEAVOUR

2. PURPOSE

To provide feedback to Council on the notice that was published to inform the public of the municipality's intention to lease Erf 502 for the purposes of European Union (EU) funded Research Endeavour, in Partnership with Lynedoch Farmers, to Stellenbosch University.

3. DELEGATED AUTHORITY

In terms of Delegation EM85 the Executive Mayor, in consultation with the Executive Mayoral Committee, has the delegated authority to "*Approve Lease Agreements on Council properties for a period shorter than 10 years and a contract value of less than R5M*".

4. EXECUTIVE SUMMARY

The item deals with the outcomes of a public participation process that was followed in terms of the Policy on the Management of Council-owned Properties allow for direct negotiations (private treaty) in specific circumstances, *inter alia* for the purpose of Agricultural Purposes, with the intention of following an appropriate process for the consideration of the application from Stellenbosch University for a lease period of 3 (three) years.

The ownership of Erf 502 vests with the Municipality. The Policy on the Management of Council-owned properties allow for direct negotiations (private treaty) in specific circumstances, *inter alia* for the purpose of agricultural purposes.

A copy of the request is attached as **APPENDIX 1**.

12TH COUNCIL MEETING: 2023-03-29: ITEM 11.10.1

RESOLVED (majority vote with 2 abstentions)

- (a) that Council take note of the fact no submissions were received on the notice published to express the municipality's intention of following an appropriate process for the consideration of the application from Stellenbosch University for a short-term lease agreement for Erf 502, Lynedoch where they are involved in a project assessing the potential value of seven technologies to enhance the productivity of emerging farmers;

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- (b) that the Municipal Manager be authorized to conclude the contract or agreement after above is finalized in terms of the applicable Act/Regulation;
 - (c) that the Municipal Manager be mandated to determine the monthly rental amount;
 - (d) that farm No.502BH, Stellenbosch Division, be identified as land not needed for Municipal Services;
 - (e) that the importance of the study be noted as it will enhance the sustainability of emerging farmers and other farmers as far as possible; and
 - (f) that Stellenbosch University enter into an agreement with the Municipality and be responsible for the payment of all services.

11.11	MUNICIPAL MANAGER
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NONE

12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
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NONE

12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
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NONE

13.	REPORTS BY THE MUNICIPAL MANAGER
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NONE

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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NONE

15.	CONSIDERATION OF URGENT MOTIONS
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NONE

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

17.	REPORTS SUBMITTED BY THE SPEAKER
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NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

19.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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SEE PINK DOCUMENTATION

The meeting adjourned at 14:35.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments**