



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2023-08-23

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## **MINUTES**

### **16<sup>TH</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY**

**2023-08-23 AT 10:00**

**MINUTES**  
**16<sup>TH</sup> MEETING OF COUNCIL**  
**OF STELLENBOSCH MUNICIPALITY**

**2023-08-23**

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	NONE	
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**TO** The Speaker, Cllr Q Smit [Chairperson]  
The Executive Mayor, Ald GMM Van Deventer  
The Deputy Executive Mayor, Cllr JS Fasser  
The Council Whip, Cllr P Crawley

**COUNCILLORS**

RA Adams	RS Nalumango
J Andrews	NR Ndalasi
Ald JC Anthony	CD Noble
ZJ Dalling	L Nkamisa
MM Danana	M Nkopane
I De Taillerfer	N Ntsunguzi
R Du Toit	N Olayi
A Ferns	RO Pheiffer
E Groenewald	WF Pietersen
AJ Hanekom	MG Rataza
RB Hendrikse	Ald JP Serdyn
J Joon	MJ Slabbert
O Jooste	SR Schäfer
X Kalipa	A Tomose
N Mananga-Gugushe	RB Van Rooyen
C Manuel	M Van Stade
EP Masimini	CA Van Wyk
NE Mcombring	E Vermeulen
XL Mdemka	J Williams
NM Mkhontwana	

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**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)  
Director: Infrastructure (S Chandaka)  
Chief Audit Executive (F Hoosain)  
Senior Administration Officer (T Samuels)

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<b>1.</b>	<b>OPENING AND WELCOME</b>
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The Speaker, Cllr Q Smit, extended a warm welcome to all present in the 16<sup>th</sup> Council meeting.

<b>2.</b>	<b>MAYORAL ADDRESS</b>
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- Nearing the end of August, which is also known as Women's Month. Due to the taxi strike the official Women's Day celebration of the municipality was cancelled. However, on 29 August 2023, we will celebrate the Women of Stellenbosch Municipality at a special event.
- On 16 August 2023, Premier Winde and Minister Reagan Allen visited Stellenbosch as part of the oversight visit to see the damage to the Kayamandi Police Station that happened during the recent taxi strike. They also conducted a roadblock because the safety of both drivers and pedestrians are important.
- Stellenbosch hosted the very successful Wine Festival as part of the Stellenbosch Town 2023. This event showcases the best of Stellenbosch wines, culinary creations and atmosphere during winter. I want to thank all the stakeholders and participants who helped making this event a major success, as well as all guests that attend the event.
- A reminder of the annual Mayoral Golf Day taking place on 1 September 2023. This is an important event because the funds from the golf day supports the charitable account. Raadslede, soos julle reeds in een van die items gesien het, help ons baie persone en organisasies vanuit die gemeenskap met befondsing vir verskeie doelwitte en navrae.
- Vra dat ons almal as Stellenbosch inwoners ons steun gooi agter ons plaaslike sokkerspan, Stellenbosch FC, wat op die oomblik baie goed doen. Hulle volgende wedstryd is Saterdag, 26 Augustus 2023 teen Supersport United. Ons wens hulle alle sterkte toe.
- Acknowledge the passing of Derrek Watts, presenter of Carte Blanche. On behalf of Stellenbosch, we express our deepest sympathy with his family.
- Innige simpatie met die familie van Theuns Stofberg, wie oorlede is tydens 'n ongeluk.
- Children's diseases on increase. Try not to spread diseases. Go back to the protocol of sanitizing and good hygiene to assist with the combatting of these diseases.

<b>3.</b>	<b>COMMUNICATION BY THE SPEAKER</b>
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- The following items on the Agenda were withdrawn:-
  - Item 13.2 due to late submission
  - Item 13.6 referred to a combined Section 80 Committee. Further information will be distributed shortly.
- Amendments were received on the following items on the Agenda:  
Item 11.6.1; 11.6.2 and 13.1
- Congratulations to the following Councillors who celebrated their birthdays during August:
 

Cllr N Ntsunguzi	= 8 August
Cllr O Jooste	= 11 August
Cllr M Nkopane	= 11 August
Cllr J Fasser	= 13 August

4.	<b>COMMUNICATION BY THE MUNICIPAL MANAGER</b>
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- August is Women's Month, and the women of the municipality will celebrate Women's Day on 29 August 2023.
- The MTN8 semi-final between Stellenbosch FC and Orlando Pirates which will take place on Athlone Stadium as well as the Mayoral Golf Day in September 2023.
- Congratulations to the CFO, Mr K Carolus who celebrated his 40<sup>th</sup> birthday on 21 August 2023.

5.	<b>DISCLOSURE OF INTERESTS</b>
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NONE

6.	<b>APPLICATION FOR LEAVE OF ABSENCE</b>
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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 P Johnson – 23 August 2023  
Cllr WC Petersen – 23 August 2023

7.	<b>CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING/S</b>
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7.1	<b>SPECIAL COUNCIL MEETING: 2023-06-27</b>
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The minutes of a Special Council Meeting: 2023-06-27 were **confirmed as correct without any changes.**

7.2	<b>15<sup>TH</sup> COUNCIL MEETING: 2023-07-26</b>
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The minutes of the 15<sup>th</sup> Council Meeting: 2023-07-26 were **confirmed as correct without any changes.**

8.	STATUTORY MATTERS
8.1	SDF / IDP / BUDGET TIME SCHEDULE / PROCESS PLAN FOR 2024/25

Collaborator No: 754168  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 16 August 2023 & 23 August 2023

**1. SUBJECT: SDF / IDP / BUDGET TIME SCHEDULE / PROCESS PLAN FOR 2024/25**

**2. PURPOSE**

To table to the Council for consideration and approval the SDF / IDP / Budget Time Schedule / Process Plan for 2024/25, attached as **ANNEXURE A**.

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

Each municipality is legally required to adopt a time schedule listing the key activities and deadlines 10 months before the start of the new financial year.

The Spatial Development Framework (SDF) / Integrated Development Plan (IDP) / Budget Time Schedule / Process Plan for 2024/25 outlines the key strategic activities and public participation processes that will guide the planning, drafting, and adoption of the **1<sup>st</sup> Amendment of the 5<sup>th</sup> Generation IDP 2022 – 2027**, the **2<sup>nd</sup> Review of the 5<sup>th</sup> Generation IDP 2022 – 2027** and the Medium – Term Revenue Expenditure Framework (Budget) for the period 2024/25 – 2026/27.

The SDF / IDP / Budget Time Schedule / Process Plan for 2024/25 is, therefore, compiled in terms of Section 21(b) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), which states that “the mayor of a municipality **must** – at least **10 months** before the start of the budget year table in the municipal council a time schedule outlining key deadlines for –

- (i) the preparation, tabling and approval of the annual budget;
- (ii) the annual review of-
  - (aa) the integrated development plan in terms of section 34 of the Municipal Systems Act; and
  - (bb) the budget-related policies;
- (iii) the tabling and adoption of any amendments to the integrated development plan and budget-related policies; and
- (iv) any consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii)

The SDF / IDP / Budget Time Schedule / Process Plan for 2024/25 is also compiled in terms of Section 29 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA).

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 8.1****RESOLVED** (nem con)

- (a) that the Council adopts the SDF / IDP / Budget Time Schedule / Process Plan for 2024/25 for the compilation of the annual budget in terms of Section 21(1) of the MFMA and Section 29 of the MSA, to guide the planning, drafting and adoption of the 1<sup>st</sup> Amendment of the 5<sup>th</sup> Generation IDP 2022 – 2027 and the 2<sup>nd</sup> Review of the 5<sup>th</sup> Generation IDP 2022 – 2027, attached as **ANNEXURE A**; and
- (b) that an advertisement is placed on the official website of the municipality and in the local newspaper notifying the public of the adopted SDF / IDP / Budget Time Schedule / Process Plan for 2024/25.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Geraldine Mettler</i>
<b>POSITION</b>	<i>Municipal Manager</i>
<b>DIRECTORATE</b>	<i>Office of the Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8025</i>
<b>E-MAIL ADDRESS</b>	<i>geraldine.mettler@stellenbosch.gov.za</i>
<b>REPORT DATE</b>	<i>01 August 2023</i>

8.2	<b>DRAFT 1<sup>st</sup> AMENDMENT OF THE 5<sup>th</sup> GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027</b>
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Collaborator No: 754256  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 16 August 2023 & 23 August 2023

**1. SUBJECT: DRAFT 1<sup>st</sup> AMENDMENT OF THE 5<sup>th</sup> GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027**

**2. PURPOSE**

To table to Council for consideration:

- (a) Memorandum in terms of Regulation 3(2)(a) of the Municipal Planning and Performance Management, 2001, attached as **ANNEXURE A**; and
- (b) The draft 1<sup>st</sup> Amendment of the 5<sup>th</sup> Generation IDP 2022 – 2027, attached as **ANNEXURE B**, is to be released for public comments.

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

The Stellenbosch Municipality concluded an extensive process to amend the municipal Spatial Development Framework (*mSDF*), which was finalised and approved in June 2023. The *mSDF* is regarded as a core component of the IDP, as noted in Section 26(e) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA), and as a critical developmental tool as an enabler for development. Hence, the *mSDF* must be incorporated into the IDP to give expression to its developmental importance.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 8.2**

**RESOLVED** (majority vote)

- (a) that Council approve the Memorandum in accordance with Regulation 3(2)(a) of the Municipal Planning and Performance Management Regulations, 2001, attached as **ANNEXURE A**;
- (b) that the draft 1<sup>st</sup> Amendment of the 5<sup>th</sup> Generation IDP 2022 – 2027 of Stellenbosch Municipality be approved in terms of Section 34(b) of the MSA to obtain public input and comments, attached as **ANNEXURE B**;
- (c) that an advertisement be placed on the official website of the municipality and the local newspaper notifying the public that the draft 1<sup>st</sup> Amendment of the 5<sup>th</sup> Generation IDP 2022 – 2027 is open for public input and comments for a period of 21 days; and

- 
- (d) that the Memorandum in terms of Regulation 3(2)(a) of the Municipal Planning and Performance Management, 2001 and the draft 1<sup>st</sup> Amendment of the 5<sup>th</sup> Generation IDP 2022–2027 be submitted to the Western Cape: Department of Local Government, Western Cape: Provincial Treasury, and the Cape Winelands District Municipality.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Geraldine Mettler</i>
<b>POSITION</b>	<i>Municipal Manager</i>
<b>DIRECTORATE</b>	<i>Office of the Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 – 808 8025</i>
<b>E-MAIL ADDRESS</b>	<i>geraldine.mettler@stellenbosch.gov.za</i>
<b>REPORT DATE</b>	<i>04 August 2023</i>

8.3	<b>MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JULY 2023</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

16 August 2023 &amp; 23 August 2023

**1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JULY 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 2023/2024 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 (2023/2043) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during July 2023.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 8.3**

**NOTED**

that there were no deviations listed for the month of July 2023.

<b>NAME</b>	Dalleel Jacobs
<b>POSITION</b>	<b>Senior Manager Supply Chain Management</b>
<b>DIRECTORATE</b>	<b>Finance</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8137</b>
<b>E-MAIL ADDRESS</b>	<b>Dalleel.jacobs@ Stellenbosch.gov.za</b>
<b>REPORT DATE</b>	07 August 2023

8.4	<b>ADJUSTMENTS BUDGET (ROLL-OVER) 2023/2024</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

16 August 2023 &amp; 23 August 2023

**1. SUBJECT: ADJUSTMENTS BUDGET (ROLL-OVER) 2023/2024****2. PURPOSE**

Is to present the adjustments budget roll-over for the 2023/2024 financial year to Council for approval.

**3. DELEGATED AUTHORITY****FOR APPROVAL BY MUNICIPAL COUNCIL****EXECUTIVE SUMMARY**

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

**4. RECOMMENDATIONS**

- (a) that the Adjustments Budget for 2023/2024 as set out in **APPENDIX 1-4**, be approved;
- (b) that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 3**, be approved; and
- (c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 8.4****RESOLVED** (majority vote with 1 abstention)

- (a) that the Adjustments Budget for 2023/2024 as set out in **APPENDIX 1-4**, be approved;
- (b) that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 3**, be approved; and
- (c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>MONIQUE STEYL</b>
<b>POSITION</b>	<b>SENIOR ANAGER: FINANCIAL MANGEMENT SERVICES</b>
<b>DIRECTORATE</b>	<b>FINANCIAL SERVICES</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8512</b>
<b>E-MAIL ADDRESS</b>	<b>Monique.Steyl@stellenbosch.gov.za</b>
<b>REPORT DATE</b>	<b>08 August 2023</b>

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

<b>10.</b>	<b>ITEMS FOR NOTING</b>
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<b>10.1</b>	<b>REPORT/S BY THE EXECUTIVE MAYOR</b>
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NONE

<b>10.2</b>	<b>REPORT/S BY THE SPEAKER</b>
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NONE

<b>10.3</b>	<b>REPORT/S BY THE MUNICIPAL MANAGER</b>
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<b>10.3.1</b>	<b>REPORTING ON THE RELIEF AND CHARITABLE FUND (MAYORAL FUND) 1 JANUARY 2023 – 30 JUNE 2023</b>
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**Collaborator No:**

**IDP KPA Ref No:**

**Meeting Date:**

**Good governance and Compliance**

**23 August 2023**

**1. REPORTING ON THE RELIEF AND CHARITABLE FUND (MAYORAL FUND) –  
1 JANUARY 2023 – 30 JUNE 2023**

**2. PURPOSE**

The purpose of the report is to provide feedback to council on the donations that was paid out to applicants from 1 January 2023 until 30 June 2023 as per the approved Guidelines.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

The Executive Mayor receives on a regular basis applications for grants, donations and financial assistance from various organisations, groups and individuals. Most of these are dealt with through the normal Grants-in-Aid Policy, but some deserving applications fall outside the ambit of the policy.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 10.3.1****RESOLVED** (majority vote with 10 abstentions)

- (a) that Council notes the income and expenditure of the Relief and/or Charitable Fund (Mayoral Fund) from 1 January 2023 – 30 June 2023; and
- (b) that Council notes that the Stellenbosch Municipal Relief and Charitable Fund will be reviewed.

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

*Councillors J Andrews; R Hendrikse; C Noble and M van Stade.*

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Geraldine Mettler</i>
<b>POSITION</b>	<i>Municipal Manager</i>
<b>DIRECTORATE</b>	<i>Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8025</i>
<b>E-MAIL ADDRESS</b>	<i><a href="mailto:municipal.manager@stellenbosch.gov.za">municipal.manager@stellenbosch.gov.za</a></i>
<b>REPORT DATE</b>	<i>17 August 2023</i>

11.	<b>CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER]</b>
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11.1	<b>PROTECTION SERVICES: (PC: CLLR R PHEIFFER)</b>  NONE
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11.2	<b>SPORTS, YOUTH AND CULTURE: [PC: CLLR JC ANTHONY]</b>  NONE
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11.3	<b>CORPORATE SERVICES: (PC: CLLR L NKAMISA)</b>
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11.3.1	<b>REPEAL OF STAFF ATTRACTION AND RETENTION POLICY OF 2008 AND THE GUIDELINES ON NEGOTIATION OF REMUNERATION (WITHIN THE NATIONAL NEGOTIATED FRAMEWORK) FOR THE RETENTION AND ATTRACTION OF STAFF</b>
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Collaborator No: 754485  
IDP KPA Ref No: Good Governance  
Meeting Date: 16 August 2023 & 23 August 2023

**1. SUBJECT: REPEAL OF STAFF ATTRACTION AND RETENTION POLICY OF 2008 AND THE GUIDELINES ON NEGOTIATION OF REMUNERATION (WITHIN THE NATIONAL NEGOTIATED FRAMEWORK) FOR THE RETENTION AND ATTRACTION OF STAFF**

**2. PURPOSE**

To request Council to repeal the Staff Attraction and Retention Policy of 2008 and the guidelines on negotiation of remuneration (within the national negotiated framework) for the retention and attraction of staff.

**3. DELEGATED AUTHORITY**

The delegated authority for approval of policies is Council.

**4. EXECUTIVE SUMMARY**

On 23 September 2008 Council approved a Staff Attraction and Retention policy and on 24 April 2019 the Guidelines on Negotiation of Remuneration (within the national negotiated framework) for the retention and attraction of staff. Part of these documents contained provisions about the scarcity allowance. Council approved the Recruitment and Selection policy in June 2022 with implementation date of 1 July 2022. The provisions of the Recruitment and Selection Policy has now absorbed the scarcity allowance as well as the provisions around the retention of staff. When the Recruitment and Selection Policy was approved the resolution did not contain the provision that the previous policies are abolished/repealed.

Although it is common cause that a latter decision would replace an earlier one when dealing with the same issue the scarcity allowance was the subject of an arbitration and the arbitrator found that he is of the view that the 2008 policy still stands despite the provisions contained in the recruitment and selection policy. The administration therefore does not agree with the award made. To ensure however that there is no ambiguity around the 2008 policy and guidelines we are requesting that the policy and guidelines and any decision made in terms of that policy or guidelines or otherwise be repealed and that the provisions of the Recruitment and Selection Policy of June 2022 replace the provisions that are repealed. The recruitment and selection policy has been consulted extensively in the LLF prior to council approving it.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.3.1**

**RESOLVED** (majority vote)

that the following policies/guidelines be repealed and abolished as the provisions of the Recruitment and Selection Policy of June 2022 replaced it:

- (a) Staff Attraction and Retention Policy of 2008;
- (b) Guidelines on Negotiation of Remuneration (within the National Negotiated Framework) for the Retention and Attraction of Staff;
- (c) All previous Recruitment and Selection Policies;
- (d) Probation Policy dated 25 February 2015;
- (e) Succession Planning and Career Pathing Policy dated 25 February 2015; and
- (f) Any decisions taken under the abovementioned policies/guidelines.

<b>NAME</b>	<i>Annalene De Beer</i>
<b>POSITION</b>	<i>Director Corporate Services</i>
<b>DIRECTORATE</b>	<i>Corporate Services</i>
<b>CONTACT NUMBERS</b>	<i>021-808 8018</i>
<b>E-MAIL ADDRESS</b>	<i><a href="mailto:Annalene.DeBeer@stellenbosch.gov.za">Annalene.DeBeer@stellenbosch.gov.za</a></i>
<b>REPORT DATE</b>	<i>10 August 2023</i>

11.4	<b>FINANCIAL SERVICES: (PC: CLLR J FASSER)</b>
11.4.1	<b>CONTRACTS HAVING FUTURE BUDGETARY IMPLICATIONS – MUNICIPAL VALUER</b>

Collaborator No: 754220  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 16 August 2023 & 23 August 2023

**1. SUBJECT: CONTRACTS HAVING FUTURE BUDGETARY IMPLICATIONS – MUNICIPAL VALUER**

**2. PURPOSE**

Council to approve in terms of Section 33(1) (c) MFMA, the contract to be entered into between the Municipality and the Municipal Valuer for the compilation of the General Valuation Roll to be implemented on 1 July 2025.

**3. DELEGATED AUTHORITY**

Council to approve.

**4. EXECUTIVE SUMMARY**

A process as envisaged in Section 33, MFMA, is to be followed in order for the Municipality to enter into a contract having budgetary implications beyond the three years covered in the current financial year's budget.

This process has been initiated and is to be concluded by the Council considering this report and adopting the relevant resolution.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.4.1**

**RESOLVED** (majority vote)

- (a) that Council notes the Municipality's intention to enter a contract with a Municipal Valuer that will have future budgetary implications;
- (b) that Council notes that the Municipality's intention to enter into a contract with a Municipal Valuer that will have future budgetary implications was advertised in terms of Section 33, MFMA and that no comments were received;
- (c) that the views and recommendations of National Treasury, Provincial Treasury and the Departments responsible for Local Government were solicited and that no reasons for opposing the contract were received;
- (d) that the Council is satisfied that the Municipality will derive a financial benefit from the contract in the form of cost savings;

- 
- (e) that the contract attached as **APPENDIX 1** is accepted and approved; and
- (f) that the Municipal Manager be authorised to sign the contract on behalf of the municipality.

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

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

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b><i>H Mitchell</i></b>
<b>POSITION</b>	<b><i>Senior Manager Revenue and Expenditure</i></b>
<b>DIRECTORATE</b>	<b><i>Finance</i></b>
<b>CONTACT NUMBERS</b>	<b><i>021 808 8016</i></b>
<b>E-MAIL ADDRESS</b>	<b><i>Henry.Mitchell@stellenbosch.gov.za</i></b>
<b>REPORT DATE</b>	<b><i>10 August 2023</i></b>

<b>11.5</b>	<b>HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)</b>
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NONE

<b>11.6</b>	<b>INFRASTRUCTURE SERVICES : (PC : CLLR P JOHNSON)</b>
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<b>11.6.1</b>	<b>PROPOSED IMPLEMENTATION OF A ONE-WAY SYSTEM ALONG PIET RETIEF AND KOCH STREETS</b>
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Collaborator No: 753995  
IDP KPA Ref No: Good Governance  
Meeting Date: 16 August 2023 & 23 August 2023

**1. SUBJECT: PROPOSED IMPLEMENTATION OF A ONE-WAY SYSTEM ALONG PIET RETIEF AND KOCH STREETS**

**2. PURPOSE**

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

**3. DELEGATED AUTHORITY**

Municipal Council

**4. EXECUTIVE SUMMARY**

Developments and population growth have resulted in increases in vehicular traffic which in turn leads to congestion on the road network. The Municipality has in the past and continues to implement measures that would mitigate congestion, however upgrades and improvements to the road network are still required.

The Municipality has recently received a request from the community to consider the implementation of one-way system along Piet Retief and Koch Streets.

The implementation of one-way systems has the potential to reduce congestion and improve traffic flow. It is also advantages in that it has negligible cost implications, however one-way systems must be backed with supporting analysis.

The Department therefore proposes that an analysis be carried out to determine all impacts associated with the proposed one-way system. The analysis should include the identification and mitigation of any undesirable impacts. It is expected that the analysis will be concluded in three months, thereafter the results of the analysis will be tabled before Council for further consideration.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.6.1****RESOLVED** (nem con)

- (a) that Council takes note of this report and approves the proposals for public participation contained herein;
- (b) that a public participation process be undertaken once the traffic analysis has been finalised;
- (c) that on completion of the public participation process, the matter be brought back to Council for further consideration.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>Shane Chandaka</b>
<b>POSITION</b>	<b>Director Infrastructure Services</b>
<b>DIRECTORATE</b>	<b>Infrastructure Services</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8213</b>
<b>E-MAIL ADDRESS</b>	<b><a href="mailto:shane.chandaka@ Stellenbosch.gov.za">shane.chandaka@stellenbosch.gov.za</a></b>
<b>REPORT DATE</b>	<b>28 July 2023</b>

11.6.2	<b>REQUEST TO PRIORITISE THE DUALLING OF THE BRIDGE IN DIE LAAN</b>
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Collaborator No:	753994
IDP KPA Ref No:	Green and Sustainable Valley
Meeting Date:	16 August 2023 & 23 August 2023

**1. SUBJECT: REQUEST TO PRIORITISE THE DUALLING OF THE BRIDGE IN DIE LAAN**

**2. PURPOSE**

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

**3. DELEGATED AUTHORITY**

Municipal Council

**4. EXECUTIVE SUMMARY**

The limited number of vehicle crossings over the Eerste River and particularly the single lane bridge over the Eerste River on "Die Laan" near Coetzenberg Stadium contributes to traffic congestion.

The Municipality has recently received request from the community to prioritise and implement an additional bridge in "Die Laan", due to the heavy congestion experienced.

The department supports the implementation of an additional bridge, that would accommodate two (2) lanes of vehicular traffic. The need was previously identified and is listed as a project for implementation in approved planning documentation.

The Department therefore proposes that budgets be made available in the 2024- 2025 financial year budget process to commence with the designs of the additional bridge. Once designs are completed and approvals are in place, the department proposes that budget be made available for the implementation of an additional two-lane bridge.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.6.2**

**RESOLVED** (majority vote)

- (a) that Council takes note of this report and approves the proposals for public participation contained herein;
- (b) that a public participation process be undertaken once the analysis of the design and heritage aspects of the existing bridge have been finalised;
- (c) that on completion of the public participation process, the matter be brought back to Council for further consideration.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>Shane Chandaka</b>
<b>POSITION</b>	<b>Director Infrastructure Services</b>
<b>DIRECTORATE</b>	<b>Infrastructure Services</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8213</b>
<b>E-MAIL ADDRESS</b>	<b><a href="mailto:shane.chandaka@stellenbosch.gov.za">shane.chandaka@stellenbosch.gov.za</a></b>
<b>REPORT DATE</b>	<b>28 July 2023</b>

11.6.3	<b>STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION (AEG) INITIATIVES – AUGUST 2023</b>
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Collaborator No: 754250  
 IDP KPA Ref No: Good Governance  
 Meeting Date: 16 August 2023 & 23 August 2023

**1. SUBJECT: STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION (AEG) INITIATIVES – AUGUST 2023**

**2. PURPOSE**

To inform Council about the progress with the different energy-related projects in the Municipality in order to ultimately reduce the impact of Electricity Loadshedding on the Municipality.

**3. DELEGATED AUTHORITY**

For notification by the Municipal Council.

**4. EXECUTIVE SUMMARY**

The Municipality is investigating a number of initiatives to reduce the impact of load shedding, namely:

- a. Initial application submitted to Eskom to be considered for Load Shedding mitigation.
- b. The successful appointment of a Lead Consulting Project Management Firm and in-house project manager.
- c. The successful tender and award of the supervisory control and data acquisition (SCADA) Telemetry system contract in July 2023.
- d. Council approval obtained and advertisement of three possible land parcels for public comment, for possible use for the alternative energy plant construction site.
- e. Investigation of solar photovoltaic and battery storage to ensure business continuation at critical Municipal buildings and critical water and wastewater treatment plants.
- f. The Western Cape Government Municipal Energy Resilience project and municipal pool buying initiative.
- g. Possible establishment of an internal solar plant.
- h. Analysis and current preparation of a Request for Proposals for alternative energy Independent Power producers (IPP's).

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.6.3**

**NOTED**

the progress of the Alternate Energy Generation initiatives and studies.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Shane Chandaka
<b>POSITION</b>	Director Infrastructure Services
<b>DIRECTORATE</b>	Infrastructure Services
<b>CONTACT NUMBERS</b>	021 808 8815
<b>E-MAIL ADDRESS</b>	<a href="mailto:shane.chandaka@ Stellenbosch.gov.za">shane.chandaka@Stellenbosch.gov.za</a>
<b>REPORT DATE</b>	7 August 2023

11.7	<b>PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J WILLIAMS)</b>
11.7.1	<b>ESTABLISHMENT OF A MEMORIAL PARK, CALCUTTA ON FARM 29, NORTH OF KOELENHOF</b>

Collaborator No:  
IDP KPA Ref No: Good Governance and Compliance  
Meeting Date: 16 August 2023 & 23 August 2023

1. **SUBJECT: ESTABLISHMENT OF A MEMORIAL PARK, CALCUTTA ON FARM 29, NORTH OF KOELENHOF**

2. **PURPOSE**

To provide progress on the establishment of a Memorial Park (Calcuttabos).

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

During 2023 Stellenbosch Municipality commenced with the appointing of a consultant for the Design, Construction & Construction Monitoring of a Memorial Park on Remainder Farm No.29 (CALCUTTA). The project is managed under the leadership of the PMU of the municipality.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.7.1**

**NOTED**

the report on the establishment of a Memorial Park, Calcutta on Farm 29, north of Koelenhof.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b><i>Albert van der Merwe</i></b>
<b>POSITION</b>	<b><i>Senior manager Community Services</i></b>
<b>DIRECTORATE</b>	<b><i>Community and Protection Services</i></b>
<b>CONTACT NUMBERS</b>	<b><i>021 808 8165</i></b>
<b>E-MAIL ADDRESS</b>	<b><i>albert.vandermerwe@stellenbosch.gov.za</i></b>
<b>REPORT DATE</b>	<b><i>29 June 2023</i></b>

11.8	<b>PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM: (PC: CLLR C VAN WYK)</b>
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11.8.1	<b>AUTHORISE THE MUNICIPAL MANAGER TO START THE PRESCRIBED PUBLIC PARTICIPATION PROCESS AS PER CHAPTER 4 OF THE MUNICIPAL ASSEST TRANSFER REGULATIONS, WITH THE VIEW OF FOLLOWING A TENDER / CALL FOR PROPOSAL PROCESS FOR OUTSOURCING THE MANAGEMENT / USE OF CLOETESVILLE, IDAS VALLEY AND KLAPMUTS INFORMAL TRADING HUBS</b>
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Collaborator No: 754146  
IDP KPA Ref No: Good Governance  
Meeting Date: 16 August 2023 & 23 August 2023

**1. SUBJECT: TO AUTHORISE THE MUNICIPAL MANAGER TO START THE PRESCRIBED PUBLIC PARTICIPATION PROCESS AS PER CHAPTER 4 OF THE MUNICIPAL ASSEST TRANSFER REGULATIONS, WITH THE VIEW OF FOLLOWING A TENDER / CALL FOR PROPOSAL PROCESS FOR OUTSOURCING THE MANAGEMENT / USE OF CLOETESVILLE, IDAS VALLEY AND KLAPMUTS INFORMAL TRADING HUBS**

**2. PURPOSE**

To obtain Council's authorisation for the Municipal Manager to start the prescribed public participation process as per Chapter 4 of the Municipal Asset Transfer Regulations, with the view of following a tender / call for proposal process in order to outsource the management / use of the Cloetesville, Idas Valley and Klapmuts Informal Trading Hubs.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

The Cloetesville, Idas Valley and Klapmuts Informal Trading hubs continues to be underutilised. It is of critical importance that the Municipality adopts the correct strategy and operational model for the Informal Trading Hubs in order to bring benefit to the community.

This will include possible mixed – use outcomes and appointing a suitable capacitated operator that will have the financial resources and operational experience to deliver sustainable and relevant facilities that will serve the real needs within the community.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.8.1**

**RESOLVED** (majority vote)

- (a) that Council authorises the Municipal Manager to start the Public Participation Process as per Chapter 4 of the Asset Transfer Regulations with the intention of following an appropriate process for the outsourcing and management of the Cloetesville, Idas Valley and Klapmuts Informal Trading Hubs;

- (b) that the item will return to Council after the public participation process for a final decision; and
- (c) that the Municipal Manager be authorised to conclude the contract or agreement after (b) above is finalised in terms of the applicable Act / Regulation.

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

*Cllrs M Danana; N Mananga-Gugushe; E Masimini; RS Nalumango; M Nkopane; N Ntsunguzi; M Rataza and A Tomose.*

11.9	<b>COMMUNITY SERVICES: (PC: CLLR X KALIPA)</b>
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NONE

11.10	<b>RURAL MANAGEMENT: (PC: CLLR J JOON)</b>
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NONE

11.11	<b>MUNICIPAL MANAGER</b>
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11.11.1	<b>DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 1 APRIL 2023 UNTIL 30 JUNE 2023</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

16 August 2023 & 23 August 2023

**1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 1 APRIL 2023 UNTIL 30 JUNE 2023**

**2. PURPOSE**

To report to Council on the decisions taken by the Municipal Manager and the Directors in terms of Council's System of Delegations for the period 1 April 2023 until 30 June 2023, in compliance with Section 63 of the Local Government: Municipal Systems Act, read in conjunction with the System of Delegations as approved by Council.

**3. DELEGATED AUTHORITY**

Municipal Council.

**4. EXECUTIVE SUMMARY**

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

The report outlines the delegations exercised by the various Senior Managers as delegated by Council.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.11.1****NOTED**

the decisions taken for the period 1 April 2023 until 30 June 2023, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (1 April 2023 – 30 June 2023)
- Chief Financial Officer – Mr K Carolus (1 April 2023 – 30 June 2023)
- Director Infrastructure Services – Mr S Chandaka (1 April 2023 – 30 June 2023)
- Director Planning and Economic Development – Mr A Barnes (1 April 2023 – 30 June 2023)
- Director Corporate Services – Ms A de Beer (1 April 2023 – 30 June 2023)
- Director Community and Protection Services – Mr G Boshoff (1 April 2023 – 30 June 2023).

**FOR FURTHER DETAILS CONTACT:**

<i>NAME</i>	<i>N Tshefu</i>
<i>POSITION</i>	<i>Manager</i>
<i>DIRECTORATE</i>	<i>Office of the Municipal Manager</i>
<i>CONTACT NUMBERS</i>	<i>021 808 8025</i>
<i>E-MAIL ADDRESS</i>	<i>nomie.tshefu@ Stellenbosch.gov.za</i>
<i>REPORT DATE</i>	<i>24 July 2023</i>

11.11.2	<b>THE 4<sup>th</sup> SOUTH AFRICAN – GERMAN PEER LEARNING NETWORK WORKSHOP AND FUTURE ENGAGEMENTS</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

16 August 2023 & 23 August 2023

**1. SUBJECT: THE 4<sup>th</sup> SOUTH AFRICAN – GERMAN PEER LEARNING NETWORK WORKSHOP AND FUTURE ENGAGEMENTS**

**2. PURPOSE**

To report back to Council on the 3<sup>rd</sup> Network Meeting *South African – German Peer Learning Network Workshop* that was hosted by Stellenbosch Municipality in terms of Council Item 11.11.3 of the 6<sup>th</sup> Council meeting of 27 July 2022.

To obtain Council's permission to attend the 4<sup>th</sup> South African - German Peer Learning Network and a hospitation as well as further engagements that are linked to the partnership.

**3. DELEGATED AUTHORITY**

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

**4. EXECUTIVE SUMMARY**

Stellenbosch Municipality is part of the IUDF Intermediate City Support Programme which is being implemented in partnership with the Cooperative Governance and Traditional Affairs (COGTA) and the South African-German City Network. Dialogues for Urban Change (D4UC) is a project implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH on behalf of the Federal Ministry for Housing, Urban Development and Building (BMWSB). It is framed by the visions for sustainable cities included in the New Urban Agenda, the UN's Sustainable Development Goal 11, the New Leipzig Charter, and the German National Urban Development Policy. D4UC aims at bringing these ideas and approaches into the daily practice of cities by creating an environment for mutual learning among practitioners of urban development. The core of the D4UC project are three city networks from partners in the USA, Ukraine, South Africa and Germany. The feedback to Council will deal with the following:

- 4.1 The extended learning opportunities beyond the eight participating cities during the Stellenbosch learning Network engagement;
- 4.2 The nomination of Senior Manager: Protection Services and Senior Manager: Asset Management & Systems, Development Services & Project Management Unit (PMU) that will represent Stellenbosch Municipality;
- 4.3 Council take note that only two selected participants that have been part of the previous meetings will be financed by GIZ. This includes the cost for accommodation, transport (air tickets economy class, ground transport in Germany);

- 4.4 Council to cover the cost in terms of hospitation in Nuremberg (6<sup>th</sup> - 7<sup>th</sup> and 13<sup>th</sup> -16<sup>th</sup> October 2023) for 4 nights, visa costs and take care of any further travel related costs (daily allowances, local transport to and from airport). See attached as **APPENDIX 1**; and
- 4.5 Council take note that there will be further engagements linked to the partnership that will entail financial implications.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.11.2****RESOLVED** (nem con)

- (a) that Council note the feedback report with regards to the 3<sup>rd</sup> South African – German Peer Learning Network workshop that was held in Stellenbosch;
- (b) that Council approves the request for attendance of the 4th South African – German peer learning network workshop and a hospitation by Germany from 6 - 20 October 2023;
- (c) that Council approves the hospitation in Nuremberg (6<sup>th</sup> - 7<sup>th</sup> and 13<sup>th</sup> - 16<sup>th</sup> October 2023) for 4 nights, visa costs and take care of any further travel related costs (daily allowances, local transport to and from airport); and
- (d) that Council approves all further engagements linked to the partnership that will entail financial implications.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Geraldine Mettler</i>
<b>POSITION</b>	<i>Municipal Manager</i>
<b>DIRECTORATE</b>	<i>Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8025</i>
<b>E-MAIL ADDRESS</b>	<i>Municipal.manager@stellenbosch.gov.za</i>
<b>REPORT DATE</b>	<i>8 August 2023</i>

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

13.	REPORTS BY THE MUNICIPAL MANAGER
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13.1	AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER 2023-2024
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

Council: 23 August 2023

1. **SUBJECT: AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER 2023-2024**

2. **PURPOSE**

To obtain Council's approval of the Audit and Performance Audit Committee Charter attached as **APPENDIX 1** and for Council to consider the request of the Audit and Performance Audit Committee to be remunerated the AGSA rates.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

The Audit and Performance Audit Committee reviews its Charter annually to incorporate any legislative changes or to implement new best practice principles in line with the IIA Standards. Council approves this Charter Annually.

The Audit and Performance Audit Committee members at their meeting held on 29 June 2023 requested that the Municipal Manager relook at the fees being paid to the members and that the possibility be looked at to pay the members AGSA rates as is the case at City of Cape Town and also the Western Cape Provincial Government.

### 16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 13.1

**RESOLVED** (majority vote with 5 abstentions)

- (a) that Council approves the Audit and Performance Audit Committee Charter; and
- (b) that the remuneration of the Audit and Performance Audit Committee remain as approved in the Audit and Performance Audit Committee Charter.

#### FURTHER DETAILS CONTACT:

<b>NAME</b>	<i>Faiz Hoosain</i>
<b>POSITION</b>	<i>Chief Audit Executive (CAE)</i>
<b>DIRECTORATE</b>	<i>Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>0218088555</i>
<b>E-MAIL ADDRESS</b>	<i><a href="mailto:Faiz.Hoosain@stellenbosch.gov.za">Faiz.Hoosain@stellenbosch.gov.za</a></i>
<b>REPORT DATE</b>	<i>23 August 2023</i>

<b>13.2</b>	<b>RETURN ITEM: THE FUTURE USE OF ERVEN RE/279, RE/119 AND FARM 181/10 FOR POSSIBLE ALTERNATIVE ENERGY GENERATION</b>
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The item was withdrawn due to late submission.

<b>13.3</b>	<b>STATUS REPORT ON THE WESTERN CAPE GOVERNMENT ALTERNATIVE ENERGY GENERATION INITIATIVES</b>
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Collaborator No:

IDP KPA Ref No: DIGNIFIED LIVING / GREEN AND SUSTAINABLE VALLEY

Meeting Date: 23 August 2023

**1. SUBJECT: STATUS REPORT ON THE WESTERN CAPE GOVERNMENT ALTERNATIVE ENERGY GENERATION INITIATIVES**

**2. PURPOSE**

To inform Council about the progress with the Western Cape Government alternative energy initiatives, of which Stellenbosch Municipality is one of the participating Municipalities, namely:

1. Municipal Energy Resilience Project;
2. Municipal Pool Buying Initiative;
3. Possible construction of a 50 MW Solar Plant

(NB: This Status report is not to be confused with a separate item: "Progress Report on Stellenbosch Municipality Alternative Energy Generation Initiatives" which is a Stellenbosch Municipality own internal energy initiatives report.)

**3. DELEGATED AUTHORITY**

For notification by the Municipal Council.

**4. EXECUTIVE SUMMARY**

The Western Cape Government under the Department of Infrastructure (DOI), and previously the Department of Economic Development and Tourism (DEDAT), currently has a Unit co-ordinating various alternative energy initiatives to assist Municipalities to respond to energy resilience. This unit has been co-ordinating the different projects and in certain instances has provided funding to the Municipality as well.

4.1 The main overarching initiative is called the Municipal Energy Resilience (MER) programme, and dedicated monthly engagements have been held with Stellenbosch Municipality on this aspect. The item that has been funded by the DOI to date is the Energy Master Plan and the Cost of Supply Study, which were completed and approved by Council in 2022-23.

4.2 A secondary initiative is the Municipal Pool Buying initiative where the DOI has appointed a service provider to investigate the various aspects of the project, to possibly construct one or more power plants via Independent Power Producers (IPP's), and whether it is viable for multiple municipalities to purchase power from these IPP's.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 13.3****NOTED**

the progress with the Western Cape Government alternative energy initiatives, as well as the concerns and challenges raised with the Province.

**FOR FURTHER DETAILS CONTACT:**

<b><i>NAME</i></b>	Shane Chandaka
<b><i>POSITION</i></b>	<i>Director Infrastructure Services</i>
<b><i>DIRECTORATE</i></b>	<i>Infrastructure Services</i>
<b><i>CONTACT NUMBERS</i></b>	<i>021 808 8213</i>
<b><i>E-MAIL ADDRESS</i></b>	<i><a href="mailto:shane.chandaka@ Stellenbosch.gov.za">shane.chandaka@stellenbosch.gov.za</a></i>
<b><i>REPORT DATE</i></b>	<i>17 August 2023</i>

13.4	<b>INTEGRATED DEVELOPMENT PLAN (IDP) PUBLIC PARTICIPATION METHOD FOR SEPTEMBER 2023</b>
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Date: Council 23 August 2023

**1. SUBJECT: INTEGRATED DEVELOPMENT PLAN (IDP) PUBLIC PARTICIPATION METHOD FOR SEPTEMBER 2023**

**2. PURPOSE**

To table to the Council for consideration:

- (a) The proposed IDP Public Participation method to consult with the community and stakeholders; and
- (b) The proposed IDP Public Participation Open Day Schedule for September 2023, attached as **ANNEXURE A**.

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

Chapter 4 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) states that each municipality must start a public participation process to get input from the community during the planning phase for the review of the Integrated Development Plan (IDP). The public participation process entails creating spaces and platforms for active public participation and engagement. Through creating public participation spaces and platforms, the Stellenbosch Municipality wants to ensure a process of integrated planning, inclusivity, and, most importantly, accessible spaces and platforms for all residents and stakeholders to participate in the IDP process.

A proposal to the Council is to consider an alternative public participation method for the review of the IDP.

The proposal to the Council is to consider **IDP Public Participation Open Days** for the planning phase of the 2<sup>nd</sup> Review of the 5<sup>th</sup> Generation IDP 2022 – 2027. The IDP Public Participation Open Days aim to create a broader platform for dialogue and the analysis of community needs. It will serve as a one-stop municipal desk for the community to get information on municipal services, projects, and programmes and to engage with senior municipal officials about ward issues, share ideas, and ask questions.

At an all-ward councillor meeting on Monday, 21 August 2023 it was recommended that the Stellenbosch Municipality adopt the IDP Public Participation Open Days as a public participation method to consult with the community and stakeholders on the IDP and Budget. Therefore, area-based open days will be held in the respective areas of the Stellenbosch Municipal Area (see attached **ANNEXURE A** for the IDP Public Participation Open Days schedule).

The IDP public participation period will comprise the period Monday, 04 September – Wednesday, 04 October 2023, to allow members of the community and stakeholders ample time to provide community input and needs. The area-based public participation open days will be held from Tuesday, 12 September to Monday, 18 September 2023 in the respective areas within a central venue. In total, eight (8) IDP Public Participation Open Days will be held over a four-day period, with two (2) open days per day. The municipality will provide transportation, with pick-up points specified on the open day's schedule. A Sector Engagement will be convened in October 2023, where sector organisations will have the opportunity to submit verbal inputs.

In addition to the public participation open days, alternative platforms will be made available to community members and stakeholders to submit their community input and needs. The list of platforms is listed below:

- A link to an electronic submission form will be active from Monday, 04 September – Wednesday, 04 October 2023 on the municipal website: [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za);
- The link to the electronic form will be broadcast via WhatsApp, Email and published on Facebook, and the Stellenbosch Citizen App;
- 'Have Your Say' boxes will be placed at ward offices and libraries; and
- Submissions may be done via email at: [idp@stellenbosch.gov.za](mailto:idp@stellenbosch.gov.za) or WhatsApp at 067 427 1556.

#### 16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 13.4

**RESOLVED** (majority vote with 15 abstentions)

- (a) that the Council approves the IDP Public Participation Open Days as a public participation method;
- (b) that the IDP Public Participation Open Day Schedule for September 2023 be approved, attached as **ANNEXURE A**;
- (c) that any subsequent amendments to the IDP Public Participation Open Day Schedule, the Municipal Manager is given the mandate to approve the amendments; and
- (d) that an advertisement be placed on the municipal website and in the local newspaper notifying the public of the IDP Public Participation Open Days for September 2023.

#### FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	<i>Geraldine Mettler</i>
<b>POSITION</b>	<i>Municipal Manager</i>
<b>DIRECTORATE</b>	<i>Office of the Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 – 808 8025</i>
<b>E-MAIL ADDRESS</b>	<i>geraldine.mettler@stellenbosch.gov.za</i>
<b>REPORT DATE</b>	<i>17 August 2023</i>

13.5	<b>REPORT ON FRANSCHHOEK JEUGONTWIKKELINGSTRUST</b>
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 23 August 2023

**1. SUBJECT: REPORT ON FRANSCHHOEK JEUGONTWIKKELINGSTRUST**

**2. PURPOSE**

For Council to consider further action in the matter.

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

Erf 580 was donated to the “Voortrekkerbeweging van Suid Afrika, Franschhoek Kommando”, however, the fall-back clause was activated during 2001. The “Voortrekkerbeweging” agreed to give the erf back on conditions. One of the conditions was that a Youth Trust be establishment. Subsequently, the Franschhoek Jeugontwikkelingstrust was established on 19 June 2002. The then Councillor, Andricus van der Westhuizen, was appointed to act on behalf of the Municipality when the Trust was registered.

Further to this, the fall-back clause is applicable should the Trust not perform it's role as per the Trust provisions. The Trust has ostensibly not been operational for time now.

During 2011 the provision of the Trust was changed as it relates to the fall-back clause, which effectively removed the Municipality as the beneficiary of the fall-back clause.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 13.5**

**RESOLVED** (nem con)

that this matter be referred back to allow all Councillors to peruse the new information that was distributed, whereafter this item be resubmitted to the next Council meeting scheduled for 25 October 2023.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Annalene de Beer
<b>POSITION</b>	Director
<b>DIRECTORATE</b>	Corporate Services
<b>CONTACT NUMBERS</b>	021 808 8018
<b>E-MAIL ADDRESS</b>	Annalene.deBeer@stellenobsoch.gov.za
<b>REPORT DATE</b>	11 August 2023

13.6	<b>REQUEST TO SUPPORT APPLICATION TO WESTERN CAPE HERITAGE FOR THE DECLARATION OF THE "AAN DE WAGEN" AREA AS A HERITAGE SITE</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

23 August 2023

1. **SUBJECT: REQUEST TO SUPPORT APPLICATION TO WESTERN CAPE HERITAGE TO DECLARE AAN DE WAGEN WEG AS A HERITAGE SITE**

2. **PURPOSE**

To inform Council of the request received from REMGRO and for council to resolve if they will support the application.

3. **DELEGATED AUTHORITY**

Council must consider the matter.

4. **EXECUTIVE SUMMARY**

Remgro send an application they want to submit to Heritage Western Cape (**APPENDIX 1**) and requested the Municipal Manager to provide a letter to support the application. The land where the road is Municipal Land. The surrounding owners have all send letter to indicate that they support the application. The Municipal Manager first want Council to indicate if they support the application before she submits any response.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 13.6**

**RESOLVED**

that this item be withdrawn and referred to a combined Section 80 Committee.

**FOR FURTHER DETAILS CONTACT:**

<i>NAME</i>	<i>Annalene de beer</i>
<i>POSITION</i>	<i>Director</i>
<i>DIRECTORATE</i>	<i>CORPORATE SERVICES</i>
<i>CONTACT NUMBERS</i>	<i>021-8088018</i>
<i>E-MAIL ADDRESS</i>	<i>Annalene.deBeer@stellenbosch.gov.za</i>
<i>REPORT DATE</i>	<i>2023-08-17</i>

13.7	<b>IMPLEMENTATION OF THE DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILS</b>
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File ref:

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 23 August 2023

**1. SUBJECT: IMPLEMENTATION OF THE DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILS**

**2. PURPOSE OF REPORT**

To inform Council of the provisions of Notice 49142 dated 18 August 2023 published in Government Gazette 3807 dated 18 August 2023 in regard to the determination of the upper limits of salaries allowances and benefits for different members of Municipal Councils and to request Council to resolve on the implementation of the provisions for the period from 1 July 2022.

**3. DELEGATED AUTHORITY**

The notice is published annually in terms of the Remuneration of Public Office Bearers Act, Act 20 of 1998. The notice requires full council to resolve on the implementation of the provisions in the Upper Limits Notice. The implementation can only take place after concurrence by the MEC for Local Government.

**4. EXECUTIVE SUMMARY**

The Minister of Local Government annually publishes a notice that provides for the upper limits of salaries, allowances and benefits of different members of Municipal Councils. The notice that provides for the period from 1 July 2022 to was published on 18 August 2023 and is attached hereto as **APPENDIX 1**.

The provisions indicate an upper limit increase of around 3,8 % for full-time and part-time Councillors. The cell phone allowances in the provisions are R3 600.00 per month (R200 per month increase) and a data allowance of R317 per month (R17 per month increase). The increase is applicable from 1 July 2022 and the increase will be backdated for the period and up until a new upper limit provision is published.

Council resolved during 2017 to provide laptops to all Councillors as a tool of the trade. Councillors received laptops after the elections in 2021. Agendas are distributed electronically and most meetings takes place via Teams. Councillors must use the data allowance to provide data for these meetings and to download council information.

The notice requires Council to consider the provisions and by resolution of a supporting vote of the majority of its members to determine the implementation of the provisions as set out in the Notice. Stellenbosch Municipality is a category 4 (66.67) municipality as indicated in the calculations in **APPENDIX 2**. In making the decision the Municipal Council must have regard to the financial situation of the municipality and the affordability of implementing the provisions set out in the Notice. A copy of the financial implications is attached as **APPENDIX 2**. The Municipality must get the concurrence of the Member for Local Government in the Province before the Council resolution can be implemented.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 13.7****RESOLVED** (majority vote with 7 abstentions)

- (a) that Council notes the provisions of Notice 49142 dated 18 August 2023;
- (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 49142 dated 18 August 2023 from 1 July 2022;
- (c) that the implementation be effected 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 600 per month to all councillors;
- (e) that Council approves a data allowance of R317 per month for all councillors;
- (f) that Council notes that the total cost for the Municipality of all councillor salaries, allowances and reimbursement benefits will amount to R21 667 047 which expenditure is within the budgeted amount;
- (g) 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;
- (h) that Part-time Proportional Representation (PR) Councillors to have access to multi-digital facilities including facsimile, printer, photocopier and scanner through the office of the Speaker or Council Whip. It is noted that such facilities are available to part-time ward councillors at the ward office;
- (i) that Council considers the provision of security under the circumstances set out in item 14 (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 2022, before it be implemented.

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

*Cllr M Danana; N Mananga-Gugushe; E Masimini; RS Nalumango; M Nkopane; N Ntsunguzi; M Rataza and A Tomose.*

**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>21 August 2023</b>

<b>14.</b>	<b>CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER</b>
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NONE

<b>15.</b>	<b>CONSIDERATION OF URGENT MOTIONS</b>
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NONE

<b>16.</b>	<b>URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER</b>
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NONE

<b>17.</b>	<b>REPORTS SUBMITTED BY THE SPEAKER</b>
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NONE

<b>18.</b>	<b>REPORTS SUBMITTED BY THE EXECUTIVE MAYOR</b>
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NONE

<b>19.</b>	<b>MATTERS TO BE CONSIDERED IN-COMMITTEE</b>
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SEE PINK DOCUMENTATION

The meeting adjourned at 13:40.

**CHAIRPERSON:** .....

**DATE:** .....

**Confirmed on** .....