



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2018-10-31

MINUTES

21ST MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2018-10-31 AT 10:00

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

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MINUTES OF THE 21ST MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2018-10-31 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT	The Speaker, Cllr WC Petersen (Ms) [Chairperson] The Executive Mayor, Ald G Van Deventer (Ms) The Deputy Executive Mayor, Cllr N Jindela	
ALDERMEN/WOMAN	Ald PW Biscombe	Ald JP Serdyn (Ms)
COUNCILLORS PRESENT	FJ Badenhorst FT Bangani-Menziwa (Ms) G Cele (Ms) PR Crawley (Ms) A Crombie (Ms) MB De Wet R Du Toit (Ms) A Florence AR Frazenburg E Fredericks (Ms) E Groenewald (Ms) JG Hamilton AJ Hanekom DA Hendrickse JK Hendriks LK Horsband (Ms)	MC Johnson N Mananga-Gugushe (Ms) C Manuel XL Mdemka (Ms) RS Nalumango (Ms) N Olayi SA Peters MM Pietersen WF Pietersen SR Schäfer N Sinkinya (Ms) P Sitshoti (Ms) Q Smit LL Stander E Vermeulen (Ms)

Officials:	Municipal Manager (Ms G Mettler) Chief Financial Officer (M Wüst) Director: Community and Protection Services (G Esau) Director: Economic Development and Planning (T Mfeya) Acting Director: Infrastructure Services (Ms N Zwane) Senior Manager: Governance (Ms S De Visser) Chief: Audit Executive (F Hoosain) Manager: Communications (S Grobbelaar) Manager: Secretariat/Committee Services (EJ Potts) Senior Administration Officer (T Samuels (Ms)) Interpreter (J Tyatyeka)
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1.	OPENING AND WELCOME
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The Speaker, Cllr WC Petersen (Ms) welcomed all present at the 21st Council meeting. A moment of silence was observed in remembrance of the fire fighters that lost their lives in recent fires.

2.	COMMUNICATIONS
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2.1	MAYORAL ADDRESS
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“Goeiemore, Good Morning, Molweni, As salaam-Alaikum

- Ons is onlangs vereer deur die Wes-Kaapse Regering vir die uitnemendheid van ons Uitgebreide Openbare Werk Program, ook bekend as EPWP program.
- Ons het binne die huidige fase van die EPWP program ons teikens oorskry wat beteken dat ons meer werksgeleenthede met hierdie program al geskep het as wat aanvanklik beplan is.
- Die EPWP program bied nie net werksgeleenthede nie maar help ook om vaardighedsopleiding te bied aan inwoners wat deelneem aan die projekte.
- Die vaardighede wat hulle deur die program opdoen, het ook tot gevolg dat die mense wat deelneem baie makliker permanente werksgeleenthede kry omdat hulle ervaring het.
- Ons is een van die top presteerders in die Provinsie en dankbaar vir die groter toekenning wat die provinsie aan ons beskikbaar maak om voort te gaan met die program.
- IDP process is well underway.
- I attended several meetings.
- Thank you to the staff, managers and Councillors who have attended all the meetings every evening,
- Thank you as well to the residents who make the effort to attend this meeting.
- It is a critical part of public participation and the ideal space to inform the municipality about your needs so that we can provide for it in the budget.
- Eerste groot hittegolf van seisoen verby
- Met somer wat hier is, moet al ons inwoners ernstig ag slaan op brandgevaar.
- Klaar voorvalle gehad waar brande in informele nedersettings in Franschoek uitgebreek het
- Twee wynstore/bottelering fasiliteite ook geraak – ernstige skade aangerig.
- Inwoners word gemaan om asseblief versigtig te wees en brande onmiddellik aan te meld.
- Indien u rook of vuur gewaar bel asseblief die brandweer 021 808 8888 or 021 808 8890 of bel die PROVINSIALE noodnommer vir brande 112.
- Residents are reminded that even though our dam levels have improved and we are in a better position than last year, water resources remains limited and we must continue to save water.

- We remain on level 5 water restrictions!
- It includes:
 - All water users are required to use no more than 70 litres of municipal drinking water per person per day in total irrespective of whether you are at home, work or elsewhere.
 - Single residential properties (domestic full tariff category) may consume more than 8 000 litres per month, unless the total of 70l per person per day exceeds the 8 000 litre total, in which case the total calculated amount must not be exceeded, will be liable to an admission of guilt fine in accordance with the various sections of the Water Services By Law.
 - No watering/irrigation with municipal drinking water allowed. Customers involved in agricultural activities, etc. (Nurseries and customers involved in agricultural activities or with historical gardens may apply for exemption. For more information, visit www.stellenbosch.gov.za .)
 - No washing or hosing down of hard-surfaced or paved areas with municipal drinking water allowed. Users, such as abattoirs, food processing industries, care facilities, animal shelters and other industries or facilities with special needs (health/safety related only) must apply for exemption.
 - No topping up (manual/automatic) of swimming pools with municipal drinking water is allowed, even if fitted with a pool cover. The construction of new swimming pools is discouraged during level 5 restrictions in place.
 - No washing of vehicles, trailers, caravans or boats with municipal drinking water allowed. These must be washed with non-drinking water or cleaned with waterless products or dry steam cleaning processes.
- Afgelope paar weke met geestelike leiers vergadering in ons gemeenskap.
 - Kaymandi Ministers Fraternal
 - Ring van die VG en NG Kerke van Stellenbosch
 - Gepraat oor uitdagings binne Stellenbosch
 - Baie dankbaar vir oopkop waarmee geestelike leiers ons wil help om probleme in ons gemeenskappe aan te spreek.
 - Voorsien baie positiewe samewerking wat tot voordeel van ons hele gemeenskap gaan strek.
 - Nooi enige ander geestelike organisasies om my te kontak.
 - Ons het insette van u nodig en ook u samewerking om ons gemeenskappe werklik te help.
- Vergadering saam met Minister Donald Grant onlangs gehou vir inwoners van Franschoek om te praat oor padveiligheid en spesifieke padgebruik uitdagings in die area
 - Positiewe gesprek en het vordering gemaak met uitstaande kwessies
 - Minister en Munisipaliteit onderneem om ernstig aandag te gee aan die uitdagings wat deur die gemeenskap geopper is en ook terugvoer aan die rolspelers te verskaf.
- Early childhood development or ECD, for short, is part of our mandate as a municipality.
- Although the municipality cannot own or manage these types of facilities, we have a policy through which we try and ensure that there are sufficient facilities throughout our communities that are accessible to preschool children.
- Where possible we try to provide buildings or property that can be used as early childhood facilities.

- Nedbank and Ranyaka recently launched the “Proud of my Town” initiative.
- Focuses on helping early childhood development facilities with resources and adhering to regulations to help them to qualify for financial aid from the Provincial Government.
- Early Childhood Development is extremely important because it has an enormous impact on the future of our children and gives them a huge advantage in development.
- Grateful for private partners who are willing to work with us to empower our communities.

“Thank You.”

2.2	COMMUNICATION BY THE SPEAKER
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- The Speaker, Cllr WC Petersen (Ms), congratulated all Councillors who celebrated their birthdays during October;
- She informed the meeting that items 7.3.1 and 13.1.1 will be withdrawn from the Agenda. Any enquiries regarding the items that were withdrawn can be discussed off record in the Office of the Speaker;
- The Speaker informed Councillors that a Ward Committee Summit for all Ward Committee members will be held on 2018-11-29 at 18:00 in the Stellenbosch Town Hall. She requested Councillors to inform their Ward Committee members to attend this summit. A communiqué in this regard will also be circulated in due course;
- The next All Ward Councillors meeting will be held on Thursday, 2018-11-29 at 14:00 and the Agenda for said meeting will be distributed in due course;
- Cllr NS Louw tendered his resignation as Councillor of Stellenbosch Municipality. The Speaker expressed her gratitude for the 2 years that he served as a member of this Council and wished him well with his future endeavours;
- The Speaker thanked the Councillors, Ward Committees and Community members of the wards for the successful IDP meetings that were conducted the past few weeks;
- Ward Councillors were encouraged to monitor the implementation of their ward projects as part of their ward allocation and to ensure that their funds were spent as per their submission to the Administration;
- The Speaker urged Councillors to not just sign, but to verify before signing the proof of addresses. The issue regarding “Commissioner of Oaths” will be addressed in due course.

2.3	COMMUNICATION BY THE MUNICIPAL MANAGER
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- The Municipal Manager, Ms G Mettler, said that the fire season has started and already Stellenbosch area had two fires in Langrug, Franschoek, one fire in Enkanini as well as a wine warehouse was damaged in a fire at Stellenbosch Vineyards. She expressed her gratitude towards the courageous firefighters who put their own lives at risk to save the lives and properties of others.
- She thanked all Officials and Councillors who worked tirelessly to make the recent IDP public participation process successful.

- The public participation on the SDF will start mid November 2018 and will be advertised shortly.

3.	OFFICIAL NOTICES
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3.1	DISCLOSURE OF INTEREST
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Councillors XL Mdemka (Ms) and MB De Wet declared an interest in items 7.2.1 and 7.2.4 respectively and requested to be recused when these matters are dealt with.

3.2	APPLICATIONS FOR LEAVE OF ABSENCE	(3/4/1/6)
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The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr F Adams	– 31 October 2018
Cllr Bakubaku-Vos (Ms)	– 31 October 2018
Cllr JK De Villiers	– 31 October 2018
Cllr DD Joubert	– 31 October 2018
Cllr MD Oliphant	– 31 October 2018
Cllr E Vermeulen (Ms)	– 31 October 2018
Director: Corporate Services (Ms A De Beer)	– 31 October 2018
Director: Infrastructure (Mr D Louw)	– 31 October 2018

4.	CONFIRMATION OF MINUTES	(3/4/1/5)
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The minutes of the 20th Council Meeting dated 2018-09-26 were **confirmed as correct.**

5.	STATUTORY MATTERS	(3/4/1/4)
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NONE

6.	REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS COUNCIL MEETINGS
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ITEM	Pg	INPUT	MM'S RESPONSE
<u>CLLR DA HENDRICKSE:</u>		<u>CLLR DA HENDRICKSE:</u>	
4th Council Meeting: 2016-11-23 <u>Item 7.6.2:</u> Section 78 Process for an external service delivery mechanism w.r.t. public transport	37	Raised Concern that the feedback is still on 22% after 2 years. He requested the MM to take item to the Standing Committee before submitting to Council.	Noted
8th Council Meeting: 2017-04-26 <u>Item 7.3.1:</u> Future use and maintenance of Council Heritage Buildings	40	Requested the MM to take item to the Standing Committee before submitting to Council.	Noted
<u>Item not reflecting on outstanding resolutions</u>		“What happened to an item that served before Council where Officials requested to enter into discussions with Treasury re a public private partnership of municipal offices?”	Council was informed that National Treasury approved it and that the process will follow.
16th Council Meeting: 2018-03-28 <u>Item 7.5.1:</u> Proposed exchange of land a portion of Farm 183 (Woodmill)	56	“The item deals with Woodmill, but the feedback comments relate to the Millstream? Please explain?”	Noted
20th Council Meeting: 2018-09-26: <u>Item 8.2.3:</u> Northern extension / Land for relocation of surplus households, Kayamandi: Progress / Status report	61	Requested a copy of the formal letter that was sent to the HoD of the Provincial Dept of Human Settlements	Noted

NOTED

The concerns raised and the feedback report on Outstanding Resolutions.

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: (ALD G VAN DEVENTER (MS))
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7.1	COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: (PC: CLLR AR FRAZENBURG)
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NONE

7.2	CORPORATE SERVICES: (PC: CLLR E GROENEWALD (MS))
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7.2.1	POSSIBLE DISPOSAL OF ERF 111, KAYAMANDI, TO THE UNITED REFORMED CHURCH IN SOUTHERN AFRICA (URCSA), KAYAMANDI
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Collaborator No: 608622
IDP KPA Ref No: Organisational Transformation
Meeting Date: 17 October 2018

1. SUBJECT: POSSIBLE DISPOSAL OF ERF 111, KAYAMANDI TO THE UNITED REFORMED CHURCH IN SOUTHERN AFRICA (URCSA), KAYAMANDI

2. PURPOSE

To consider an application from URCSA, Kayamandi, for the acquisition of a portion of erf 111, Kayamandi.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The URCSA, Kayamandi, is leasing erf 111, Kayamandi, from Stellenbosch Municipality since 1967. The lease is on a year-to-year basis. As they want to invest in the expansion of the church building, they have now applied to purchase the land from the Municipality.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.2.1

Before deliberations on the matter, Cllr XL Mdemka (Ms) recused herself from the Chamber for the duration of the matter.

RESOLVED (nem con)

- (a) that erf 111, Kayamandi, be identified as land not needed to provide the minimum level of basic municipal services;
- (b) that Council approves the request from the URCSA, Kayamandi;

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- (c) that the request is approved **in principle** on a **private treaty basis**, i.e. without following a public tender process, subject to the following conditions:
- (i) that the property is donated to URCSA, Kayamandi
 - (ii) that a **reversionary clause** be inserted in the title deed of the property, should the property not be used for religious/social care purposes anymore or be sold in future;
- (d) that Council's intention to dispose of the property through a donation be advertised for **public inputs/objections/counter proposals**, as provided for in par 9.2.2.1 of the Property Management Policy;
- (e) the property is donated due to the long history of use by the church and the fact that it is used for, inter alia, for social care purposes for the broader community in Kayamandi; and
- (f) that, following the public participation process, the matter be re-submitted to Council to make a final decision on the disposal, or not.

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	<i>Manager: Property Management</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@ Stellenbosch.gov.za
REPORT DATE	2018-08-20

7.2.2	PROPOSED DISPOSAL OF THREE CHURCH/CRECHE SITES IN MOOIWATER, FRANSCHHOEK
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Collaborator No: 608622
 IDP KPA Ref No: Organisational Transformation
 Meeting Date: 17 October 2018

1. SUBJECT: PROPOSED DISPOSAL OF THREE CHURCH/CRECHE SITES IN MOOIWATER, FRANSCHHOEK

2. PURPOSE

To obtain a resolution on the way forward with the disposal of three properties in Mooiwater, Franschhoek.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Three properties zoned for institutional use (church/crèche sites) in Mooiwater, Franschhoek have been identified as being surplus to the municipality's own needs, i.e. the municipality does not require the properties to provide the minimum level of basic municipal services.

For this reason Council is requested to provide guidance on the manner Council would like to deal with the disposal of these properties.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.2.2

RESOLVED (nem con)

- (a) that erven 3192, 3019 and 3111 be identified as land not needed to provide the minimum level of basic municipal services, i.e. that it can be disposed of;
- (b) that Council considers a public participation process for wards 1 and 2 to indicate what uses they would want on these properties before Council takes a decision on an in principle process to dispose of the properties;
- (c) that the Municipal Manager be authorised to follow a public participation process by requesting the residents of wards 1 and 2 to provide inputs on the type of uses they would want the properties to be used for;
- (d) that the public participation process be advertised in a local newspaper and communicated by the ward Councillors, and that it run for a period of 21 days from date of advertising; and
- (e) that the item be re-submitted to Council after the public participation process.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene De Beer
POSITION	Director
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	annalene.debeer@stellenbosch.gov.za
REPORT DATE	2018-08-21

7.2.3	CONDONATION OF QUALIFYING CRITERIA: SALE OF UNDEVELOPED ERVEN IN KAYAMANDI
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Collaborator No: 611785
 BUDGET KPA Ref No: Institutional Transformation
 Meeting Date: 17 October 2018

1. SUBJECT: CONDONATION OF QUALIFYING CRITERIA: SALE OF UNDEVELOPED ERVEN IN KAYAMANDI

2. PURPOSE

To obtain Council's approval for the condonation of the qualifying criteria advertised in relation to a number of undeveloped erven in Kayamandi (category D).

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

Upon a motion by Cllr Jindela, all undeveloped erven in Kayamandi were identified.

Following a public participation process where beneficiaries could submit inputs on the identified erven, a report was tabled to Council on 2016-05-25, recommending that a number of plots be put out on tender, subject to qualifying criteria (category D).

Following a public tender process, recommendations were made to the BAC. When considering the matter, the BAC decided not to award any tender in the middle of 2017, as the criteria in the Tender Document was not in line with the qualifying criteria approved by Council.

Council must decide to either condone the qualifying criteria or amend the council resolution dated 25 May 2016. If not, the tender will have to be cancelled and re-advertised.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.2.3

RESOLVED (majority vote with abstentions)

- (a) that Council resolves not to condone the criteria set out in the tender documentation published on 12 November 2016; and
- (b) that Council resolves that the following criteria be used in the new tender process, i.e.
 - i) Beneficiary must be a resident of Kayamandi for a minimum period of ten (10) years;
 - i) If younger than 40 years (at date of closing tender), then the beneficiary must be married or have a legal dependent staying with him/her;
 - ii) May not have received any form of financial assistance/subsidy from the State in obtaining a house/serviced site previously;

-
- iii) May not currently own any other fixed asset;
 - iv) Must be a South African citizen;
 - v) Must be a first time home owner; and
 - vi) that a pre-emptive clause be inserted in the title deed of the property that the property be developed within 2 years and not be sold within 5 years of registration.

FOR FURTHER DETAILS CONTACT:

NAME	PIET SMIT
POSITION	MANAGER: PROPERTY MANAGEMENT
DIRECTORATE	HUMAN SETTLEMENTS & PROPERTY MANAGEMENT
CONTACT NUMBERS	021-8088750
E-MAIL ADDRESS	Piet.smit@ Stellenbosch.gov.za
REPORT DATE	2018-10-10

7.2.4	MILLSTREAM CORRIDOR: PROGRESS REPORT
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Collaborator No: 602799
 BUDGET KPA Ref No: Constitutional transformation
 Meeting Date: 17 October 2018

1. SUBJECT: MILLSTREAM CORRIDOR: PROGRESS REPORT

2. PURPOSE

To provide Council with a progress report, following the Council resolution of 28 March 2018.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The old millstream that was initially used inter alia to turn the old mill was declared a National Monument as per Government Gazette 16075 on 18 November. The area covered by the proclamation includes an area of one (1) meter on both sides of the stream. Over the past 30 years, property owners situated next to the stream have put up boundary structures/fences that enclosed the millstream. Council resolved on 28 March 2018 as follows:

- (a) that Stellenbosch Municipality commences with a public participation process, requesting the public to give their input on the future use of Erf 1771, in particular what the public would like to see with regard to the use thereof;
- (b) that the Municipality obtains a legal opinion on its rights and obligations in terms of Erf 1771, if and when it is deemed necessary; and
- (c) that the Municipal Manager be authorised to submit a plan on the best public use and aesthetics, and if necessary, to appoint a specialist(s) to assist in this regard.

A notice was published in a local newspaper, soliciting inputs from the public and affected parties. A number of comments/ inputs were received. A summary of the inputs plus the inputs is attached as **APPENDIX 1**. A legal opinion was obtained from an Attorney: Piet September in 2017, attached hereto as **APPENDIX 2**. It was decided that it is not necessary to get further legal advice at this stage. The Senior Manager Community Services has been consulted and has indicated that the plans are to integrate the area along the stream into a bigger plan for a nature area linking the old mill to the hangbrug along lovers' lane. Plans are to keep the upgrade of the area very natural and that plans will be prepared in this regard including lighting to enhance security. After studying the inputs from the community obtained through the media and a site inspection by the Municipal Manager accompanied by the Director: Corporate Services, Senior Manager: Community Services and the Manager: Properties and Maintenance the following recommendations are made:

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.2.4

Before deliberations on the matter, Cllr MB De Wet recused himself from the Chamber for the duration of the matter.

RESOLVED (majority vote with abstentions)

- (a) that Council notes the legal opinion and comments received;
- (b) that owners be given notice that any and all agreements that may exist with them in writing, or allowances made over the years, in regard to use of land across the Millstream, is cancelled/revoked;
- (c) that the owners be informed to demolish all structures/boundary fences not allowing public access to the Millstream and move any and all boundary fencing to their own erf boundaries within a period of 3 months of receipt of the notice; and
- (d) that the Senior Manager: Community Services clears the area and prepares the plans for the upgrade of the area.

FOR FURTHER DETAILS CONTACT:

NAME	ANNALENE DE BEER
POSITION	DIRECTOR: CORPORATE SERVICES
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-808 8018
E-MAIL ADDRESS	Annalene.deBeer@STELLENBOSCH.GOV.ZA
REPORT DATE	16 OCTOBER 2018

7.3	ECONOMIC DEVELOPMENT AND PLANNING: (PC: ALD JP SERDYN (MS))
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7.3.1	ADOPTION OF THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW, 2018
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Collaborator No: LU1/1/1/40
 IDP KPA:
 Ref No: D534
 Meeting Date: 31 October 2018

1. **SUBJECT: ADOPTION OF THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW, 2018**
2. **PURPOSE**
 - 2.1 To report back to Council on the public participation on the Draft Integrated Zoning Scheme By-law (Version 11) after Council authorised the Municipal Manager through Council Resolution 8.10 dated 30/08/2017, attached as **ANNEXURE A**, to embark on a second round of public participation;
 - 2.2 To obtain approval from Council to adopt the Stellenbosch Municipality Zoning Scheme By-law, (Version 12), attached as **ANNEXURE B** in accordance with Section 156(2) of the Constitution read with Section 12 of the Municipal Systems Act, 2000 (Act 32 of 2000), Section 24(1) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), as well as Section 28 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014);
 - 2.3 And to adopt the Zoning Maps numbered Map 01 to Map 25, dated October 2018 attached as **ANNEXURE C** and captured on the Municipality's GIS as the zoning maps adopted at the commencement of the Scheme in terms of Section 4(1) of the newly approved Stellenbosch Municipality Zoning Scheme.
 - 2.4 To obtain approval from Council, for the proclamation of the Stellenbosch Zoning Scheme By-law, 2018 to be published in the Provincial Gazette in terms of Section 29(2) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) and Section 13(a) of the Municipal Systems Act, 2000 (Act 32 of 2000) for implementation on the 2nd of January 2019;
 - 2.5 To obtain approval from Council to publish the decision to approve the zoning maps in terms of Section 29(2) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA);
 - 2.6 To obtain approval for the Administration to notify the Premier in terms of Section 28 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) that the Stellenbosch Municipality Zoning Scheme was approved and to forward the relevant documentation as prescribed in LUPA to the Premier (Copy of the approved zoning scheme, together with the comments and responses document, attached as **ANNEXURE F**);
 - 2.7 For Council to take cognisance that the additional Delegations for the implementation of the Stellenbosch Zoning Scheme By-Law, 2018, will be submitted to Council for approval accordingly;

2.8 To obtain permission from Council to embark on a tender process, in terms of the Municipal Finance Management Act to undertake a Zoning Audit in order to finalise the Zoning Scheme Register, according to the newly adopted Zoning Categories pertaining to this report. Distributed with this item is an extract of the current zoning register, attached as **ANNEXURE D**.

3. DELEGATED AUTHORITY FOR DECISION BY THE MUNICIPAL COUNCIL OF STELLENBOSCH

The adoption of the Stellenbosch Municipality Zoning Scheme By-law, 2018 is legally mandated by the Municipal Systems Act (2000), read together with the new planning dispensation, which includes the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA), the Spatial Planning and Land Use Planning Act, 2013 (Act 16 of 2013) (SPLUMA) and the Stellenbosch Municipal Land Use Planning By-Law (2015) (the By-law).

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.3.1

The Speaker **RULED** that this matter be withdrawn.

7.4	FINANCIAL SERVICES: (PC: CLLR S PETERS)
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7.4.1	WRITE-OFF OF IRRECOVERABLE DEBTS – TENANTS OF COUNCIL OWNED FLATS
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Collaborator No: 611269
 BUDGET KPA:
 Ref No:
 Meeting Date: 17 October 2018

1. SUBJECT: WRITE-OFF OF IRRECOVERABLE DEBTS – TENANTS OF COUNCIL-OWNED FLATS

2. PURPOSE

To request Council to write off irrecoverable debts of residents living in certain Council-owned flats.

3. DELEGATED AUTHORITY

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

4. EXECUTIVE SUMMARY

The Council-owned flats in Kloof, Lang, Monteray, Monte Christo, Melody and Mount View Streets have now been fitted with individual Water Management Devices for measuring individual water consumption. (204 Dwelling Units).

Residents will now start receiving municipal accounts based on their own individual, actual water consumption and no longer based on an average figure based on the previous year's combined consumption of the entire building.

Although it was the only method to use at the time, the calculation of the municipal services component was unfair to those residents who consumed less water than the average that was used to bill them. This can now be corrected and Council is requested to write off the debt of these residents that arose largely due to the methodology followed by the Municipality in providing accounts for municipal services to indigent residents of these blocks of flats.

Approval for the write-off of R3 027 863.37 as irrecoverable is being requested. **ANNEXURE 1** provides detail in this regard.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.4.1

During debate on the matter, Cllr DA Hendrickse put a Procedural Motion that this matter be referred back to allow the Administration to submit additional information whereafter the matter be resubmitted at the Council meeting in November 2018. The Procedural Motion was put to the vote yielding a result of 8 for and 25 against. The Motion did not carry, and the matter was debated further.

RESOLVED (majority vote with abstentions)

- (a) that Council takes note that Water Management Devices have now been installed in the Council-owned flats of Kloof, Lang, Monteray, Monte Christo, Melody and Mount View Streets;

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- (b) that Council approves that with effect of 1 October 2018, the standard municipal services component be removed from the accounts of the relevant residents as their accounts will now be based on actual consumption;
- (c) that Council approves that the accounts of tenants listed in **ANNEXURE 1**, be written off as irrecoverable at the amounts reflected as being outstanding in the Financial System of the Municipality on the day of actual write-off; and
- (d) that the amounts written off be recovered from the Provision for Bad Debts.

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

FOR FURTHER DETAILS CONTACT:

NAME	A Treurnich
POSITION	Manager: Treasury
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8016
E-MAIL ADDRESS	Andre.treurnich@stellenbosch.org.za
REPORT DATE	10 October 2018

7.4.2	WRITING OFF OF OUTSTANDING INDIGENT DEBT OLDER THAN 90 DAYS AND REGARDED AS IRRECOVERABLE
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Collaborator No: 611268
 BUDGET KPA:
 Ref No:
 Meeting Date: 17 October 2018

1. SUBJECT: WRITING OFF OF OUTSTANDING INDIGENT DEBT OLDER THAN 90 DAYS AND REGARDED AS IRRECOVERABLE

2. PURPOSE

To obtain Council approval to write off an amount of approximately R14.5 million with regards to irrecoverable amounts owed by indigent consumers.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

An amount of R14 470 447.10 is currently reflected in the Books of the Municipality as being outstanding for longer than ninety days and overdue by registered indigent consumers. **ANNEXURE 1** provides the relevant detail.

All credit control and debt collection measures have been undertaken, short of foreclosing on moveable or immovable assets and selling such assets at sales in execution. Any further debt collection efforts will be costly and counter-productive and the amounts are considered to be irrecoverable.

Council is therefore requested to approve that the outstanding amount alluded to above is written off as bad debt and recovered from the Provision for Bad Debts.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.4.2

RESOLVED (nem con)

- (a) that Council takes cognisance that outstanding debt of ninety days or more with regard to indigent consumers currently amounts to R14 470 447.10 as listed in **ANNEXURE 1**;
- (b) that Council approves that the indigent accounts listed in **ANNEXURE 1** be written off as irrecoverable at the amounts reflected as being outstanding for ninety days or more in the Financial System of the Municipality on the day of actual write-off; and
- (c) that the amounts written off be recovered from the Provision for Bad Debts.

FOR FURTHER DETAILS CONTACT:

NAME	<i>A Treurnich</i>
POSITION	<i>Manager: Treasury Office</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8016</i>
E-MAIL ADDRESS	<i>Andre.treurnich@stellenbosch.gov.za</i>
REPORT DATE	<i>2 October 2018</i>

7.4.3	MFMA SECTION 52 REPORTING UP TO SEPTEMBER 2018
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Collaborator No: 611694
 BUDGET KPA:
 Ref No: Good Governance and Compliance
 Meeting Date: 17 October 2018

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO SEPTEMBER 2018

2. PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the budget; financial and Service Delivery Budget Implementation Plan by the Municipality for quarter 1 of the 2018/19 financial year.

3. DELEGATED AUTHORITY

THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL

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

“The mayor of a municipality—

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

4. EXECUTIVE SUMMARY

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

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

This report provides the overall performance of the Municipality for the period 1 July 2018 to 30 September 2018.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.4.3

NOTED

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

FOR FURTHER DETAILS CONTACT:

NAME	Marius Wust
POSITION	Director Financial Services
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 – 807 8528
E-MAIL ADDRESS	Marius.wust@ Stellenbosch.gov.za
REPORT DATE	10 October 2018

7.5	HUMAN SETTLEMENTS: [CLLR N JINDELA]
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7.5.1	APPOINTMENT OF A PROJECT MANAGEMENT CONSULTANT FOR TOWNSHIP APPROVALS FOR THE KAYAMANDI TOWN CENTRE PROJECT
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Collaborator No: 612115
IDP KPA Ref No:
Meeting Date: 17 October 2018

1. SUBJECT: APPOINTMENT OF A PROJECT MANAGEMENT CONSULTANT FOR TOWNSHIP APPROVALS FOR THE KAYAMANDI TOWN CENTRE PROJECT

2. PURPOSE

To obtain the necessary authorization for the intended amendment of a contract concluded with Jubelie Project.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

As part of the planning for the Northern Extension, Jubelie Projects was instructed to do a feasibility study of Kayamandi with emphasis Zone O and the Town Centre. They were duly appointed, subsequent to the initial investigation to formally undertake a feasibility study for the Town Centre, Zone O and to use any information on Kayamandi (including Enkanini) in order to provide a holistic development picture of Kayamandi. The latter resulted in a framework for possible future development opportunities in Kayamandi and environs.

It is therefore not practical or cost effective for Stellenbosch Municipality to appoint new service providers for what is merely a continuation of a second phase of their first appointment which related into the Zone O and the Town Centre of Kayamandi.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.1

RESOLVED (majority vote with abstentions)

- (a) that Council notes, in terms of MFMA Section 116(3), the reasons for the change of scope for Zone O and the Town Centre;
- (b) that Jubelie Project be appointed for the planning and implementation phases for the Kayamandi Town Centre project and Zone O project, and that their scope of work for both projects includes:
 - Detailed Town Planning;
 - Preparation and submission of engineering drawings for approval;
 - Tendering process; and
 - Project and contract management;
- (c) that Council gives reasonable notice of intention to amend the contract or agreement in terms of section 116(3)(b)(i);

-
- (d) that the local community be invited to submit representatives to the Municipality in terms of section 116 (3)(b)(ii); and
- (e) that the Municipal Manager be authorized to conclude the contract or agreement after above is finalized in terms of the applicable Act/Regulation.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director</i>
DIRECTORATE	<i>Planning & Economic Development</i>
CONTACT NUMBERS	<i>021 808 8491</i>
E-MAIL ADDRESS	<i>tabiso.mfeya@ Stellenbosch.gov.za</i>
REPORT DATE	<i>12 October 2018</i>

7.5.2	332 TEMPORARY HOUSING PROJECT: SCOPE CHANGE
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Collaborator No: 612119
 IDP KPA:
 Ref No:
 Meeting Date: 17 October 2018

1. SUBJECT: 332 TEMPORARY HOUSING PROJECT: SCOPE CHANGE

2. PURPOSE

To obtain the necessary authorization for the intended amendment of a contract concluded with Re A Letamisa Projects.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

On 22 May 2018, the entire site which was earmarked to build temporary units in Kayamandi was destroyed by certain community members. This resulted in additional cost and specification changes that exceed the allowed 20% in term of Circular number 62/2012 (National Treasury) as mentioned in paragraph 6.4.3.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.2

During debate on the matter, the Executive Mayor, Ald G Van Deventer (Ms) excused herself from the Chamber to attend to other urgent matters. The Deputy Executive Mayor, Cllr N Jindela acted as Executive Mayor in her absence.

RESOLVED (nem con)

- (a) that Council notes, in terms of MFMA Section 116(3), the reasons for the change of scope/specification of the TRA;
- (b) that the tender amount (B/SM 09/18) be increased from R17 995 476 to R23 479 817.84;
- (c) that Council gives reasonable notice of intention to amend the contract or agreement in terms of section 116(3)(b)(i);
- (d) that the local community be invited to submit representatives to the Municipality in terms of section 116 (3)(b)(ii); and
- (e) that the Municipal Manager be authorized to conclude the contract or agreement after (d) above is finalized in terms of the applicable Act/Regulation.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	Director
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8491
E-MAIL ADDRESS	tabiso.mfeya@stellenbosch.gov.za
REPORT DATE	12 October 2018

7.5.3	AURECON ELECTRICAL CONSULTANT FOR 332 TEMPORARY HOUSING PROJECT: CHANGE OF SCOPE
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Collaborator No: 612120
 IDP KPA:
 Ref No:
 Meeting Date: 17 October 2018

1. SUBJECT: AURECON ELECTRICAL CONSULTANT FOR 332 TEMPORARY HOUSING PROJECT: CHANGE OF SCOPE

2. PURPOSE

To obtain the necessary authorization for the intended amendment of a contract concluded with Aurecon.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

On 22 May 2018, the entire site which was earmarked to build temporary units in Kayamandi was destroyed by certain community members. This resulted in additional cost and specification changes that exceed the allowed 20% in term of Circular number 62/2012 (National Treasury) as mentioned in paragraph 6.4.3.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.3

The Deputy Executive Mayor, Cllr N Jindela, acted as Executive Mayor in the absence of the Executive Mayor, Ald G Van Deventer (Ms).

RESOLVED (nem con)

- (a) that Council notes, in terms of MFMA Section 116(3), the reasons for the change of scope/specification of Aurecon;
- (b) that the tender amount (B/SM 28/16) be increased from R789 753.50 to R1 254 420.22;
- (c) that Council gives reasonable notice of intention to amend the contract or agreement in terms of section 116(3)(b)(i);
- (d) that the local community be invited to submit representatives to the Municipality in terms of section 116 (3)(b)(ii); and
- (e) that the Municipal Manager be authorized to conclude the contract or agreement after (d) above is finalized in terms of the applicable Act/Regulation.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director</i>
DIRECTORATE	<i>Planning & Economic Development</i>
CONTACT NUMBERS	<i>021 808 8491</i>
E-MAIL ADDRESS	<i>tabiso.mfeya@ Stellenbosch.gov.za</i>
REPORT DATE	<i>12 October 2018</i>

7.5.4	ACCREDITATION OF STELLENBOSCH MUNICIPALITY TO PERFORM HUMAN SETTLEMENT FUNCTION: LEVEL 1 AND LEVEL 2
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Collaborator No: 612640
IDP KPA Ref No:
Meeting Date: 17 October 2018

1. SUBJECT: ACCREDITATION OF STELLENBOSCH MUNICIPALITY TO PERFORM HUMAN SETTLEMENT FUNCTION: LEVEL 1 AND LEVEL 2

2. PURPOSE

To inform Council on the accreditation process of the human settlements function by the municipality and to request that a decision be taken on the matter.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

In terms of Schedule 4, Part A of the Constitution, housing is a functional area of concurrent national and provincial legislative competence. However the Housing Act provides for "accreditation" as a capacitation mechanism to allow for the progressive administration of national housing programmes by municipalities on behalf of provinces.

In 2012 the MINMEC adopted the Accreditation and Assignment Framework for Municipalities to Administer National Housing Programmes.

At various SALGA engagements municipalities indicated their interest in becoming accredited. As means to share knowledge and capacitate the municipalities towards becoming accredited and eventually assigned, SALGA convened a workshop to unpack the accreditation and the assignment processes from application requirements to implementation responsibilities.

The workshop was held on 17 April 2018 at Malmesbury. In attendance were officials and councilors from the City of Cape Town, Saldanha Bay, Theewaterskloof, Hessequa, Drakenstein, Cederberg, George, Witzenberg, Stellenbosch, Swartland, Kannaland, Prince Albert, Cape Agulhas, Beaufort West, Eden, West Coast, Breede Valley, Langeberg, Bergrivier, Knysna and Matzikama Municipalities. The provincial and national Departments of Human Settlements were also present.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.4

The Deputy Executive Mayor, Cllr N Jindela, acted as Executive Mayor. The Executive Mayor, Ald G Van Deventer (Ms) joined the meeting during debate on the matter.

RESOLVED (nem con)

- (a) that report be approved;
- (b) that the Municipality performs an internal Pre-Assessment to identify areas for development;

-
- (c) that the Municipality submits a letter of intent to the Provincial Department of Human Settlements; and
- (d) that the Municipality proceeds with the process to be accredited on Level One and Level Two of the Accreditation and Assignment process.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director</i>
DIRECTORATE	<i>Director: Planning & Economic Development</i>
CONTACT NUMBERS	<i>021 808 8491</i>
E-MAIL ADDRESS	tabiso.mfeya@Stellenbosch.gov.za
REPORT DATE	<i>5 October 2018</i>

7.5.5	MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM
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Collaborator No: 611762
 BUDGET KPA:
 Ref No: D647
 Meeting Date: 17 October 2018

1. SUBJECT: MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM

2. PURPOSE

For Council to approve that the administration embarks on a process of updating data on the old Housing Waiting List and import all updated information into the Municipal Housing Demand Database.

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL.

The Municipal Council approves the updating of the old Housing Waiting and its migration into a Municipal Housing Demand Database.

4. EXECUTIVE SUMMARY

The Municipality's Housing Waiting List goes as far back as 1987. With the 1995 amalgamation of the areas and towns that today comprise the Stellenbosch Municipality's area of jurisdiction (WC024), the various waiting lists were fused into one. It is critical that the waiting list is updated and that all the updated information is migrated into the Municipal Housing Demand Database in order to maintain accurate and proper information on the applicants going forward.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.5

RESOLVED (nem con)

- (a) that Council approves that the administration embarks on a process of updating data on the old Housing Waiting List;
- (b) that all updated information be imported into the Municipal Housing Demand Database; and
- (c) that, when the above process has been concluded, the Municipal Housing Demand Database becomes the only reference point and source of information in determining the municipality's housing backlog and the profile of applicants.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director: Planning and Economic Development</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	021 808 8491/3
E-MAIL ADDRESS	Tabiso.Mfeya@stellenbosch.gov.za
REPORT DATE	3 October 2018

7.6	INFRASTRUCTURE: [CLLR J DE VILLIERS]
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7.6.1	THE ESTABLISHMENT OF A STELLENBOSCH TAXI LIAISON COMMITTEE
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Collaborator No: 604014
 IDP KPA:
 Ref No: Good Governance and Compliance
 Meeting Date: 17 October 2018

1. **SUBJECT: THE ESTABLISHMENT OF A STELLENBOSCH TAXI LIAISON COMMITTEE**

2. **PURPOSE**

To inform Council on the advantages of a Taxi Liaison Committee and also to note the Terms Of Reference. (**ANNEXURE A**).

3. **DELEGATED AUTHORITY**

FOR DECISION BY MUNICIPAL COUNCIL

Previous legislation, i.e. **National Land Transport Transition Act – ACT 22/2000** (NLTTA) made provision for Rank Committees to manage taxi ranks, but when the **National Land Transport Act – Act 5 of 2009** (NLTA) came into effect these committees could no longer function, resulting in gaps in the facilitation of local taxi operations. The Stellenbosch Municipality will make provision for the afore-mentioned within the new By-law for Public Transport.

4. **EXECUTIVE SUMMARY**

The establishment of a Taxi Liaison Committee will assist the municipality (planning authority) to better manage unscheduled public transport operations within the municipal boundary. The committee will comment and make recommendations on issues related to public transport operations, facilities and legislation related to public transport. Recommendations will thereafter be tabled at relevant senior municipal management meetings for consideration.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.6.1

RESOLVED (nem con)

- (a) that Council notes the content of the report and recognizes the benefits of a Taxi Liaison Committee; and
- (b) that the Terms Of Reference for the Taxi Liaison Committee, be noted.

FOR FURTHER DETAILS CONTACT:

NAME	Roscoe Bergstedt
POSITION	Manager: Transport and Public Transport
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8204
E-MAIL ADDRESS	Roscoe.bergstedt@stellenbosch.gov.za
REPORT DATE	24 July 2018

7.6.2	POSTER BY-LAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE
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Collaborator No: 611373
IDP KPA:
Ref No: Good Governance and Compliance
Meeting Date: 17 October 2018

1. SUBJECT: POSTER BY-LAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE

2. PURPOSE

To obtain Council's approval to commence with a public participation process for the acceptance of the attached Draft By-Law Relating to Outdoor Advertising and Signage.

3. DELEGATED AUTHORITY

Council to approve, in terms of the Municipal Systems Act Section 12.

"12. Legislative procedures.—(1) Only a member or committee of a municipal council may introduce a draft by-law in the council.

(2) A by-law must be made by a decision taken by a municipal council—

(a) in accordance with the rules and orders of the council; and

(b) with a supporting vote of a majority of its members.

(3) No by-law may be passed by a municipal council unless—

(a) all the members of the council have been given reasonable notice; and

(b) the proposed by-law has been published for public comment in a manner that allows the public an opportunity to make representations with regard to the proposed by-law.

(4) Subsections (1) to (3) also apply when a municipal council incorporates by reference, as by-laws, provisions of—

(a) legislation passed by another legislative organ of state; or

(b) standard draft by-laws made in terms of section 14."

and

Section 156 of The Constitution, Act 108 of 1996, as amended, determines a municipality rights to perform certain functions:

"156.(1)A municipality has executive authority in respect of, and has the right to administer

a. the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5; and

b. any other matter assigned to it by national or provincial legislation.

(2) A municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer.

(3)

Schedule 5, Part B states:

“The following local government matters to the extent set out for provinces in section 155(6)(a) and (7):

.....

Billboards and the display of advertisements in public places

.....”

4. EXECUTIVE SUMMARY

This item deals with the accepting of a Draft By-Law Relating to Outdoor Advertising and Signage.

The purpose of this By-Law is to control, manage and regulate outdoor advertising and signage and to provide mechanisms and guidelines for the control, regulating and management thereof and for matters connected therewith.

Once the Draft By-Law has been accepted, the By-Law will be advertised for public comment and the comments will be adjudicated, whereafter a final report will be submitted to Council.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.6.2

RESOLVED (nem con)

- (a) that the report be accepted;
- (b) that the Draft By-Law Relating to Outdoor Advertising and Signage, attached as **ANNEXURE 1**, be accepted as the copy of the By-Law to be used in a Public Participation process;
- (c) that the Draft By-Law relating to Outdoor Advertising and Signage be duly advertised for the purpose of a public participation process until the end of January 2019; and
- (d) that, upon the completion of the public participation process, the Draft By-Law together with any comments/objections by the public be resubmitted to Council for final approval and adoption.

FOR FURTHER DETAILS CONTACT:

NAME	J G LOUW
POSITION	Director: Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 4004
E-MAIL ADDRESS	deon.louw@ Stellenbosch.gov.za
REPORT DATE	8 October 2018

7.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: CLLR N JINDELA)
7.7.1	DRAFT PARADYSKLOOF NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN

Collaborator No: 611216
 IDP KPA Ref No:
 Meeting Date: 17 October 2018

1. SUBJECT: DRAFT PARADYSKLOOF NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN

2. PURPOSE

The draft Paradyskloof Nature Area Environmental Management Plan (EMP) (September 2018) (**ANNEXURE 1**) has been prepared to establish a distinct vision and overarching goal for the management of the Paradyskloof Nature Area in context off, and giving effect to, the relevant legislation and associated regulations. The purpose of this item is to acquire Council's approval to advertise the draft Paradyskloof Nature Area EMP for public input.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Paradyskloof Nature Area (NA), an approximately 550 ha area consisting of Portion 2 of Farm 368 and portions of Farms 369 and 366 (municipal property), is situated on the south-eastern edge of Stellenbosch town above the neighbourhoods of Brandwacht and Paradyskloof. Most of the area (with specific reference to the northern and eastern, mountainous, area) is in a natural state with ±40 ha of mature pine still left within the old forestry area. The vegetation type of Paradyskloof NA is Cape Winelands Shale Fynbos and is a vulnerable terrestrial ecosystem.

The area is currently used for a range of outdoor recreational activities, research, events as well as for service delivery purposes. With regards to the latter a number of municipal infrastructure, including a water treatment works and reservoir, is located within the above area. Recently the clubhouse within the Paradyskloof NA has been refurbished by the Municipality.

Because of the area's ecological value, its value as public resource and its vulnerability to degradation due to past and present use it is important that an overarching management plan for the area be put in place to ensure that the Paradyskloof NA is managed in a sustainable manner. The proposed Paradyskloof Nature Area EMP is to serve this purpose.

21ST COUNCIL MEETING: 2018-10-31: ITEM 7.7.1**RESOLVED** (nem con)

- (a) that the Paradyskloof Nature Area Environmental Management Plan be duly advertised for the purpose of a public participation process until the end of January 2019; and
- (b) that the inputs received during the above public participation process be worked into a final draft Paradyskloof Nature Area Environmental Management Plan to be presented to Council for approval.

FOR FURTHER DETAILS CONTACT:

NAME	Schalk van der Merwe
POSITION	Environmental Planner
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8679
E-MAIL ADDRESS	schalk.vandermerwe@stellenbosch.gov.za
REPORT DATE	10 October 2018

7.8	PROTECTION SERVICES: [PC: CLLR Q SMIT]
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NONE

7.9	YOUTH, SPORTS AND CULTURE: [PC: XL MDEMKA (MS)]
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NONE

7.10	REPORT(S) BY THE MUNICIPAL MANAGER
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NONE

8.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
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8.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
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NONE

8.2	OFFICE OF THE MUNICIPAL MANAGER
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8.2.1	REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: <u>QUARTER JULY 2018-SEPTEMBER 2018</u>
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File Ref: 8/1/3/3/2
 Collaborator No: 611695
 IDP KPA Ref: 8: Financial Sustainability (KFA 59: Supply Chain Management)
 Meeting Date: 31 October 2018

1. SUBJECT: REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER JULY 2018- SEPTEMBER 2018

2. PURPOSE

To submit to Executive Management a report for the period 1 July 2018 – 30 September 2018 on the implementation of Council's Supply Chain Management Policy. The report covers the performance of the various delegated functions and the implementation thereof.

3. FOR DECISION BY MUNICIPAL COUNCIL

Section 2(3) & 4 of the SCM Policy 2018/2019 determines that the Accounting Officer must within 10 days at the end of each quarter; submit a report on the implementation of the SCM Policy to the Executive Mayor. This report must be made public in accordance with section 21A of the Municipal Systems Act (32 of 2000).

4. EXECUTIVE SUMMARY

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

21ST COUNCIL MEETING: 2018-10-31: ITEM 8.2.1**NOTED**

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

FOR FURTHER DETAILS CONTACT:

NAME	<i>Dalleel Jacobs</i>
CONTACT NUMBERS	<i>021 808 8137</i>
E-MAIL ADDRESS	<i>Dalleel.Jacobs@ Stellenbosch.gov.za</i>
DIRECTORATE	<i>Financial Services</i>
REPORT DATE	<i>17 October 2018</i>

8.2.2	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR SEPTEMBER 2018
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File No: 8/1
 Collaborator No: 611696
 BUDGET KPA Ref No: Good Governance and Compliance
 Meeting Date: 17 October 2018

1. **SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR SEPTEMBER 2018**
2. **PURPOSE**
 To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 4.36.2 of the Supply Chain Management Policy 2018/2019 to report the deviations and ratifications to Council.
3. **DELEGATED AUTHORITY**
 Noted by Municipal Council.

21ST COUNCIL MEETING: 2018-10-31: ITEM 8.2.2

NOTED

the deviations as listed for the month of September 2018.

FOR FURTHER DETAILS CONTACT:

NAME	Marius Wüst
POSITION	CFO
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Marius.wust@stellenbosch.gov.za
REPORT DATE	17 October 2018

8.2.3	WATER TARIFFS
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Collaborator No: 614524
 IDP KPA Ref No:
 Meeting Date: 31 October 2018

1. SUBJECT: WATER TARIFFS

2. PURPOSE

To obtain Council's approval for the NEW rates as per the table below for domestic water consumptions and that the 20% water restriction rates (as opposed to the current 40% water restriction rates) applies from the November 2018 billing run that is payable early December 2018.

3. DELEGATED AUTHORITY

Municipal Council according to s24 of the MFMA

4. EXECUTIVE SUMMARY

The current domestic water tariffs were approved by Council in May 2018 after a public participation process during April 2018.

The 40% water restriction rates applied at the time and until now, because of the drought situation.

It is well known and well communicated that the Western Cape was declared a disaster area by national government as a result of the protracted drought. Moreover, the municipality had to reduce its water consumption by 45%. This also resulted in us amending our top layer SDBIP to include this national target in January 2018.

DAY ZERO when the taps would run dry was an imminent and fast approaching real threat and risk and foreseen to happen late April 2018. The rates were therefore modelled on lower consumption and also to preserve the water sources. The City of Cape Town and Drakenstein Municipality had Level 6 tariffs approved and Stellenbosch Municipality Level 4. It must be noted that the tariffs of Level 6 and even the current reduced Level 5 tariffs applicable at the City of Cape Town and Drakenstein Municipality are even higher than the current Level 4 tariffs applicable at Stellenbosch Municipality.

Given the current water availability after good rains during the winter, Council can consider to apply the 20% water restriction rates that will provide great financial relief to the consumer. It must be noted that water must still be consumed responsibly. Although the water security position improved the Theewaterskloofsdam (which is the main reservoir for the Western Cape) is still only 58% full on 29 October 2018. Wreckless water consumption can therefore potentially bring us to the same dire drought position in 2019.

The financial impact of the new domestic water tariffs has been modelled taking into account the current water consumption and availability. Currently, the Municipality received less revenue from water sales than was budgeted for the first quarter. The remodelled projected revenue is less than the current budget, but can be absorbed in the adjustment budget. The cost of bulk water purchases of the first quarter to September compares favourably with the annual budget. It must be noted that consumption and therefore water revenue can also increase to make up for decreased revenues.

The Infrastructure Directorate has embarked on a program to accelerate the installation of Water Management Devices which will assist consumers to manage their water consumption to affordable levels.

Also the Infrastructure Directorate is presently installing individual water meters per municipal flat which will give the occupant of the flat the benefit of a water bill that is informed by the actual consumption of that flat. The consumers can therefore manage their water consumption and water bill. The Indigent subsidy will also be of greater benefit to the occupant of the municipal flat.

It is therefore proposed that new rates per level are approved to provide more financial relief to consumers and that the tariff level decrease from the current 40% water restriction period to the 20% water restriction period tariffs.

The new tariffs must be advertised for public comment and consideration of public input by Council before implementation. National Treasury was approached by the Municipality to follow a shortened advertisement period.

The rates including up to 18 Kl is lowered and would cater for at least 70 liter per person per day for a household of 8 people. For example the household of 8 people using 70 liters per person per day for 30 days consuming 16,8 Kl for the month will pay 39,2% less after November with the new rates. The calculation based on the new rates and 20% restriction period is excluding VAT and basic charge as follows:

September 2018	December 2018
6 Kl x R5,37=R32,22	6 Kl x R5,37=R32,22
6 Kl x R10,50=R63,00	6 Kl x R8,91=R53,46
4,8 Kl x R39,90 = R191,52	4,8 Kl x R18,50 = R88,80
Total=R286,74	Total=R174,48

21ST COUNCIL MEETING: 2018-10-31: ITEM 8.2.3

Before deliberations on the matter, the EFF requested a caucus, which the Speaker allowed.

When the meeting resumed, it was

RESOLVED (majority vote with abstentions)

- (a) that Council approves the NEW rates as per the table below for domestic water consumptions;
- (b) that the NEW rates as per the table below be advertised for public comment;
- (c) that the 20% water restriction rates (as opposed to the current 40% water restriction tariffs) applies from the November 2018 billing run that is payable early December 2018
- (d) that the installation of Water Management Devices where necessary be approved, in order to support consumers to manage their water consumption and associated water accounts;
- (e) that the installation of individual meters at municipal flats continue;
- (f) that the public awareness campaign to save water is continued;

-
- (g) that credit control measures will continue for outstanding debt that is not related to the higher water tariffs applicable from 1 July 2018;
- (h) that the consumption patterns and revenue be closely monitored to consider future adjustments either up or down; and
- (i) that the Finance Directorate explores options of other billing procedures to enhance the billing effectiveness.

Councillors DA Hendrickse and LK Horsband (Ms) requested that it be minuted that they abstained from voting on the matter.

FOR FURTHER DETAILS CONTACT:

NAME	Marius Wüst
POSITION	CFO
DIRECTORATE	Finance
CONTACT NUMBERS	0218088528
E-MAIL ADDRESS	Marius.wust@stellenbosch.gov.za
REPORT DATE	27 October 2018

9.	MATTERS FOR NOTIFICATION
9.1	REPORT BY THE EXECUTIVE MAYOR
9.1.1	REQUEST TO NOMINATE COUNCILLORS TO SERVE IN THREE CLINIC COMMITTEES: KYLEMORE, KAYAMANDI AND KLAPMUTS

Collaborator No: 611633
 IDP KPA Ref No:
 Meeting Date: 31 October 2018

1. **SUBJECT: REQUEST TO NOMINATE COUNCILLORS TO SERVE IN THREE CLINIC COMMITTEES: KYLEMORE, KAYAMANDI AND KLAPMUTS**
2. **PURPOSE**

To inform Council of nomination of the three (3) ward councillors to serve on the respective Clinic Committees.
3. **DELEGATED AUTHORITY**

FOR INFORMATION

21ST COUNCIL MEETING: 2018-10-31: ITEM 9.1.1

NOTED

the nomination of the following Councillors to the respective Clinic Committees:

Kylemore – Cllr Malcolm Johnson;
 Kayamandi – Cllr N Sinkinya (Ms);
 Klappmuts – Cllr E Fredericks (Ms).

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	mm@stellenbosch.gov.za
REPORT DATE	October 2018

9.2	REPORT BY THE SPEAKER
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NONE

9.3	REPORT BY THE MUNICIPAL MANAGER
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9.3.1	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY : JULY – SEPTEMBER 2018
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Collaborator No:

IDP KPA:

Ref No:

Good governance and Compliance

Meeting Date:

31 October 2018

1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY : JULY – SEPTEMBER 2018

2. PURPOSE OF REPORT

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period July 2018 until September 2018, 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

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period July 2018 until September 2018, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

21ST COUNCIL MEETING: 2018-10-31: ITEM 9.3.1

NOTED

the decisions taken for the period July 2018 until September 2018, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler
- Director Corporate Services – Ms A de Beer
- Director Infrastructure Services – Mr Deon Louw
- Director Community and Protection Services – Mr G Esau
- Chief Financial Officer – Mr M Wüst
- Director Planning and Economic Development – Mr T Mfeya

9.3.2	DISTRIBUTION OF COUNCIL AGENDAS
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Collaborator no:

KPA Ref No:

Good governance and Compliance

Meeting Date:

31 October 2018

1. SUBJECT: DISTRIBUTION OF COUNCIL AGENDAS

2. PURPOSE

To inform Council about the electronic distribution of Council agendas.

3. DELEGATED AUTHORITY

For information

4. EXECUTIVE SUMMARY

Section 29 of the Municipal Structures Act (Act 117/1998) provides that the speaker of a council decide when and where the council meets. For the Council to meet notice of such meeting must be given, but the manner in which that notice is provided (electronic or hard copy) is not addressed in the legislation. The requirement is that enough information must be put before council to ensure an informed decision by the councillors can be made.

The current Rules of Order contains the following provisions:

Rule 6.3 – *The Municipal Manager must give at least seventy –two (72) hours’ notice of the meetings referred to above, to enable members to prepare adequately.*

Rule 6.5 – *The fact that any member(s) has/have not received notice of a meeting in accordance with these Rules will not affect the validity of any proceedings of that meeting*

Rule 6.9 – *Whenever a meeting of the Municipal Council is called, the Municipal Manager must give notice stipulating the time, date and venue of the meeting...*

Rule 6.10 – *Every member of the Municipal Council must specify in writing **an electronic mail address** and/ or physical address within the municipal area of Stellenbosch, when she/he can receive a hardcopy **or electronic notice** of meetings and or other official correspondence. Delivery to this address will constitute proper notice of meetings of the Municipal Council.*

Rule 8.5 – *The Speaker or a person designated by the Speaker must prepare and approve the agenda for a meeting.*

Council resolved on 24 January 2018 under item 8.3 inter alia as follows:

(g) *that Council approves the provision of a laptop as a tool of the trade to each councillor which will enable the councillor inter alia to work with electronic agendas and documentation.*

All Councillors have been issued with laptops. Some Councillors have declined, but it is available. The administration has arranged training for councillors who requested such on the use of a laptop as well as the use of the Adobe Reader used for the distribution of the agendas. Councillors all receive a R300 allowance for data that is intended to be used for council related work. This allowance can be used for pre-paid data, a data router or a 3G card to be used in the laptop. Wi-Fi has been installed to enable councillors to work on Wi-Fi when in the Council chamber.

The Administration is therefore now in a position to implement the Council resolution and ensure that the laptops are used optimally by Councillors for Council work as was envisaged by the regulations on the Upper Limits for councillors.

21ST COUNCIL MEETING: 2018-10-31: ITEM 9.3.2

RESOLVED (majority vote with abstentions)

- (a) that Council takes note that agendas are distributed electronically to the email addresses provided by the councillors or the email addresses the administration has opened for them to receive the official correspondence, including agendas, electronically; and
- (b) that as part of the transition phase, hard copies will be made available on request, but the councillors have to collect the documentation themselves from the administration as the electronic version is considered as the official notice.

FOR FURTHER DETAILS CONTACT:

NAME	<i>ANNALENE DE BEER</i>
POSITION	<i>DIRECTOR: CORPORATE SERVICES</i>
DIRECTORATE	<i>CORPORATE SERVICES</i>
CONTACT NUMBERS	<i>X8018</i>
E-MAIL ADDRESS	<i>Annalene.deBeer@stellenbosch.gov.za</i>
REPORT DATE	<i>29 October 2018</i>

10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
10.1	MOTION 1 BY CLLR F ADAMS: A DEBATE ON LAND REFORM AND ECONOMIC TRANSFORMATION

Collaborator No:

IDP KPA:

Ref No:

3/4/1/4

Meeting Date:

31 October 2018

21ST COUNCIL MEETING: 2018-10-31: ITEM 10.1

In view of the absence of the member,

the Speaker **RULED**

that this matter has lapsed.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	31 October 2018

10.2	MOTION 2 BY CLLR F ADAMS: NAME CHANGES WITHIN WCO24
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Collaborator No:

IDP KPA:

Ref No:

3/4/1/4

Meeting Date:

31 October 2018

21ST COUNCIL MEETING: 2018-10-31: ITEM 10.2

In view of the absence of the member,

the Speaker **RULED**

that this matter has lapsed.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	31 October 2018

10.3	QUESTION 1 BY CLLR DA HENDRICKSE: ARBITRATION BETWEEN STELLENBOSCH GOLF CLUB AND STELLENBOSCH MUNICIPALITY
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Collaborator No:

IDP KPA:

Ref No:

3/4/1/4

Meeting Date:

31 October 2018

21ST COUNCIL MEETING: 2018-10-31: ITEM 10.3

It is noted that Cllr DA Hendrickse will submit his follow-up question in writing.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	31 October 2018

10.4	QUESTION 2 BY CLLR DA HENDRICKSE: IDAS VALLEY HOUSING PROJECT – PRICE OF DIFFERENT TYPES OF HOUSING UNITS
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Collaborator No:

IDP KPA:

Ref No:

3/4/1/4

Meeting Date:

31 October 2018

21ST COUNCIL MEETING: 2018-10-31: ITEM 10.4

It is noted that Cllr DA Hendrickse will submit his follow-up question in writing.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	31 October 2018

10.5	QUESTION 1 BY CLLR LK HORSBAND (MS): SOCIAL AND AFFORDABLE HOUSING NEEDS IN KYLEMORE
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Collaborator No:

IDP KPA:

Ref No:

3/4/1/4

Meeting Date:

31 October 2018

21ST COUNCIL MEETING: 2018-10-31: ITEM 10.5

It was noted that Councillor Cllr LK Horsband (Ms) was satisfied with the written response from the Municipal Manager and that she had no follow-up questions.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	31 October 2018

10.6	QUESTION 2 BY CLLR LK HORSBAND (MS): HOUSING NEEDS OF VARIOUS COMMUNITIES LIVING ON LAND/HOUSES OWNED BY OTHER ORGANS OF STATE
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Collaborator No:

IDP KPA:

Ref No:

3/4/1/4

Meeting Date:

31 October 2018

21ST COUNCIL MEETING: 2018-10-31: ITEM 10.6

It was noted that Councillor Cllr LK Horsband (Ms) was satisfied with the written response from the Municipal Manager and that she had no follow-up questions.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	31 October 2018

11.	CONSIDERATION OF URGENT MOTIONS
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NONE

12.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

13.	CONSIDERATION OF REPORTS
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13.1	REPORTS SUBMITTED BY THE SPEAKER
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13.1.1	REPORT BACK TO COUNCIL REGARDING INVESTIGATION INTO AN ALLEGATION OF MISCONDUCT BY COUNCILLOR MB DE WET
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

31 October 2018

1. **SUBJECT: REPORT BACK TO COUNCIL REGARDING INVESTIGATION INTO AN ALLEGATION OF MISCONDUCT BY COUNCILLOR MB DE WET**

2. **PURPOSE**

To obtain Council resolution for the allegation of misconduct against Councillor MB de Wet.

3. **DELEGATED AUTHORITY**

For decision by Council.

4. **EXECUTIVE SUMMARY**

The Office of the Speaker received a formal complaint from Councillor DA Hendrickse regarding additional remuneration received by Councillor MB de Wet in his capacity as Chairperson of a Section 79 Committee. Subsequent to receiving the e-mail various actions were performed by the Office of the Speaker and the Municipal Manager to resolve this matter.

21ST COUNCIL MEETING: 2018-10-31: ITEM 13.1.1

The Speaker **RULED** that this matter be withdrawn.

FOR FURTHER DETAILS CONTACT:

NAME	Nicky Ceasar
POSITION	<i>Executive Support Officer</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	021 808 8618
E-MAIL ADDRESS	Nicky.ceasar@stellenbosch.gov.za
REPORT DATE	19 October 2018

13.2	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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13.2.1	RECONSTITUTION OF SECTION 80 COMMITTEES
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Collaborator No:

IDP KPA:

Ref No:

Meeting Date:

Good Governance and Compliance

31 October 2018

1. SUBJECT: RECONSTITUTION OF SECTION 80 COMMITTEES

2. PURPOSE OF REPORT

To inform Council on the reshuffling of the Mayoral Committee that has subsequently led to a change in the Section 80 Portfolio Committee chairpersons, including the names of some of the current Section 80 Portfolio Committees, and the introduction of two new S80 Committees.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

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

21ST COUNCIL MEETING: 2018-10-31: ITEM 13.2.1

RESOLVED (majority vote with abstentions)

- (a) that Council rescinds all resolutions taken on item 5.1 held at an Urgent meeting of Council on 16 February 2017;
- (b) that Council approves the establishment of the following Section 80 Committees and its composition, namely:

Human Settlements

DA: 3

EFF: 1

ANC: 1

Financial Services

DA: 4

ANC: 2

Parks, Open Spaces and Environment

To be constituted

Planning and Economic Development

DA: 4
DNCA: 1
ANC: 2

Youth, Sports and Culture

DA: 3
EFF: 1
ANC: 1

Rural Management and Tourism

To be constituted

Community and Protection Services

DA: 4
ANC: 1
ACDP: 1

Infrastructure Services

DA: 4
ANC: 2

Corporate Services

DA: 3
ANC: 2

- (c) that the relevant parties submit their representatives to the Speaker and Whip by 5 November 2018, including the two new Section 80 committees, namely Parks, Open Spaces and Environment and Rural Management and Tourism;
- (d) that it BE NOTED that the Executive Mayor has appointed the following Mayco members as Chairpersons of the Section 80 Committees –

Human Settlements

Deputy Mayor N Jindela

Financial Services

Cllr Patricia Crawley (Ms)

Parks, Open Spaces and Environment

Cllr Xoliswa Mdemka (Ms)

Planning and Economic Development

Cllr Esther Groenewald (Ms)

Youth, Sports and Culture

Cllr Manie Pietersen

Rural Management and Tourism

Cllr Salie Peters

Community and Protection Services

Cllr Jan de Villiers

Infrastructure Services

Cllr Quintin Smit

Corporate Services

Vacant at present. Councillor Esther Groenewald (Ms) will remain Portfolio Chairperson until new Portfolio Chairperson is appointed by the Executive Mayor; and

- (e) that Council approves the terms of reference for these Committees attached as **APPENDIX A**.

FOR FURTHER DETAILS CONTACT:

NAME	Gesie van Deventer
POSITION	<i>Executive Mayor</i>
DIRECTORATE	<i>Council</i>
CONTACT NUMBERS	021 808 8002
E-MAIL ADDRESS	Mayorpa@stellenbosch.gov.za
REPORT DATE	2018-10-21

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

The meeting adjourned at 14:40.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**