

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-04-24

MINUTES

26TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-04-24 AT 10:00

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

MINUTES
26TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2019-04-24

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PRESENT

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

COUNCILLORS

F Adams	MC Johnson
FJ Badenhorst (until 11.15)	DD Joubert
FT Bangani-Menziwa (Ms)	N Mananga-Gugushe (Ms)
Ald PW Biscombe	C Manuel
G Cele(Ms)	NE Mcombring (Ms)
PR Crawley (Ms)	XL Mdemka
A Crombie (Ms)	RS Nalumango (Ms)
Z Dalling (Ms)	N Olayi
JN De Villiers	SA Peters
R Du Toit (Ms)	MM Pietersen
A Florence (until 14.00)	WF Pietersen (until 14.00)
AR Frazenburg	SR Schäfer
E Fredericks (Ms)	Ald JP Serdyn (Ms)
T Gosa	N Sinkinya (Ms)
E Groenewald (Ms)	P Sitshoti (Ms)
AJ Hanekom	Q Smit
DA Hendrickse	LL Stander
JK Hendriks	E Vermeulen (Ms)

Officials:

Municipal Manager (Ms G Mettler)
Director: Corporate Services (Ms A De Beer)
Director: Infrastructure Services (D Louw)
Director: Planning and Economic Development (T Mfeya)
Director: Community and Protection Services (G Boshoff)
Chief Audit Executive (F Hoosain)
Senior Manager: Governance (Ms S De Visser)
Manager: Communications: S Grobbelaar
Manager: Secretariat (EJ Potts)
Senior Administration Officer (B Mgcushe (Ms))
Committee Clerk (N Mbali (Ms))
Interpreter (J Tyatyeka)

1.	OPENING AND WELCOME
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The Speaker, Cllr WC Petersen (Ms) welcomed all present at the 26th Council meeting, and extended a warm welcome to the new Councillor, Zelda Dalling (Ms).

A moment of silence was observed.

2.	COMMUNICATIONS
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2.1	MAYORAL ADDRESS
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“Good morning Goeie môre, Molweni

- Dankbaar dat almal veilig terug is na die lang naweek.
- Baie dankie aan ons wetstoepassing en verkeerspersoneel wat hierdie langnaweek hul familietyd opgeoffer het om ons inwoners en padgebruikers te beveilig.
- Dink aan die slagoffers wat die afgelope naweek hul lewens op ons paaie verloor het.
- In happier news, I am excited and proud to provide you with feedback with regards to the upgrade of the Mandela City Upgrade.
- We are now almost at the end of phase one of the project, and will then move top phase 2.
- This project is addressing the living conditions of people in informal settlements
- In 2016, when I first arrived in Stellenbosch I was shocked and saddened to see how the residents lived and promised to improve their living conditions
- Dignified living conditions is a basic human right, and this project helps to realise that by providing residents with basic services, tarred roads and new prefabricated structures.
- There is still a lot of work that must be done, but I am overjoyed to inform you that the first families have moved in!
- The provincial government has sponsored the installation of bulk services, and the municipality has provided the funding for the prefabricated top structures.
- Each unit has their own bathroom, massive upgrade, especially considering the national standard is 7 families sharing one bathroom.
- Will improve safety for especially women, who do not have to walk to a shared distant facility.
- All the units have electricity too.
- It is anticipated that a total of 505 households will be accommodated by the end of the project.
- The upgrade involves a block approach
- The families were allocated in accordance with the emergency housing policy of the municipality as well as the criteria communicated by the residents. The criteria made provision for the current structure sizes of the families currently residing in Mandela City.
- When the families move in, they are required to demolish their old structure.
- As soon as the entire plot of land has been cleared and all the phase 1 families have been moved, the next phase can begin.
- This again involves the installing of bulk services, roads and housing units.
- We are in the process to continue with Phase 2 and request residents of Mandela City to assist the Municipality with the control of new illegal structures being erected in Mandela City.
- Baie opwindende week verlede week

-
- Geleentheid gehad om twee van ons uiters belangrike projekte vir die Klapmuts gemeenskap te open.
 - The first was the satellite fire station.
 - For the community of Klapmuts, it is a critical service facility that saves and protects our residents and their homes.
 - The need for a permanently manned station in this community has been pronounced, because of their distance from main service providers.
 - The closest assistance for this community use to be at least 30 minutes away.
 - The project started in 2016 and staff was already able to take occupation in 2017.
 - Work has continued throughout the last 2 years to continuously upgrade and equip the facility to what we are opening today.
 - The fire station consists of the following:
 - engine room that can accommodate 2 fire trucks
 - wash bay area for the trucks
 - back-up generator
 - reception area
 - fully equipped kitchen
 - entertainment area
 - 2 full bathrooms
 - 3 bedrooms
 - storeroom
 - The station is permanently manned by an officer and three crew members, as well as a cleaner who keeps the facility clean and neat.
 - Wil die geleentheid gebruik om namens die Raad en al ons inwoners, ons brandweerdienste te bedank!
 - Hul selflose diens aan die gemeenskap is en die opofferings wat hulle maak vir ander is werklik heldhaftig en ons kan nie genoeg dankie sê nie.
 - Op 4 Mei, vier ons Internasionale Brandbestryders Dag, en hier gaan ook 'n parade op die Braak wees.
 - Woon gerus die geleentheid by en kom wys u waardering vir ons Brandweermanne.
 - Another wonderful project we opened in Klapmuts last week, is the Klapmuts Multi- Purpose centre.
 - This is a brand new community facility that will positively change the lives of Klapmuts residents and provide them with endless possibilities.
 - This facility has office space, a meeting hall, meeting spaces, training facilities and will host municipal facilities to provide easier access to the community.
 - A Cape Access centre is located in the centre
 - Cape Access is a Provincial Government programme that provides access to information and communication technologies (ICT) to less privileged and rural communities across the Western Cape.
 - Through improved ICT availability, Cape Access is opening doors to better education, employment and business opportunities, fuelling socio-economic development in communities where it is most needed.
 - The Cape Access centre provides the community with the following:
 - use of computers,
 - access to the internet,

- access to email,
- printing
- basic computer training,
- access to government information and services,
- access to jobs, business and research information, and
- accredited computer training.
- The Klapmuts community will now have easy access to opportunities that in the past they had to travel great distances for and at great costs.
- Residents will have access to online information for different uses, such as:
 - school projects,
 - job applications,
 - internet banking,
 - SARS e-filing,
 - research,
 - creating their CVs, and
 - accessing social media
- They will no longer have to travel to do account queries, pay fines or apply for indigent grants.
- Saterdag, 27 April herdenk ons die eerste demokratiese verkiessing wat 25 jaar gelede plaas gevind het.
- Slegs 'n week en 'n half voor ons volgende nasionale en provinsiale verkiesing wat plaasvind op 8 Mei 2019
- Stempunte sal oop wees vanaf 7 uur die oggend tot 9 uur die aand.
- Onthou dat as u in die ry staan teen 9 uur die aand, u nie weg gewys mag word nie en u stem nog mag uitbring.
- Indien u nie seker is waar u naaste stempunt is nie, gebruik gerus die OVK/ IEC se webblad om uit te vind. www.elections.org.za
- Die webblad kan help met al u vrae oor verkiesingsdag.
- Ek doen 'n ernstige beroep op alle geregistreerde kiesers om te gaan stem.
- Dit is nie 'n bonus vakansiedag nie, maar u plig as inwoner om te gaan stem.
- Die reg om te stem is iets waarvoor mense moes baklei en waarvoor mense gesterf het. Dit is iets wat ons nie met apatie kan laat verby gaan nie.
- Ramadan, one of the holiest times on the Muslim calendar, begins on the evening of 5 May. On behalf of Council and the Municipal Manager, I want to wish all our Muslim Residents and officials a blessed and joyous Ramadan.

Thank You".

2.2	COMMUNICATION BY THE SPEAKER
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"1. The following Councillors celebrated their birthdays during April:

Cllr A Florence	- 01 April
Cllr G Cele (Ms)	- 09 April
Cllr E Groenewald (Ms)	- 18 April
Cllr P Crawley	- 19 April
Cllr N Mcombring	- 24 April

We trust that you have been blessed on your birthday and good fortunes accompany you over the next year.

2. Condolences to those who have lost loved ones in recent times.
3. Councillors are cautioned not to get involved with the execution of the CWP projects that are currently running in the respective wards; complaints have been received of councillors getting involvement, which has created havoc in some wards.
4. Councillors, please note that ward administrators should be at their offices and not be commandeered to assist with party-political duties; a concern regarding this matter has been raised.
5. A friendly reminder to all ward Councillors, that the All Ward Councillors' meeting is scheduled for 23 May 2019 at 14:00, in Council Chambers.

Thank You."

2.3	COMMUNICATION BY THE MUNICIPAL MANAGER
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The Municipal Manager confirmed that the public participation process with regard to the IDP, Budget and SDF is well under way and running smoothly. Legislation dictates the timeframe within which these public engagements should be held, and some of the sessions this year fall within the period of sacred events on the Christian calendar, which unfortunately impacts on the public's attendance.

With reference to the upcoming Freedom Day, as well as the general elections, the Municipal Manager urged all to be reminded of the noble value of respect and to enhance the freedom of others. Workers' Day is an opportunity to rest and reflect on the valuable and much-appreciated contribution that everyone in the Stellenbosch municipal workforce had made in rendering a service to others.

3.	OFFICIAL NOTICES
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3.1	DISCLOSURE OF INTEREST
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NONE

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

Cllr GN Bakubaku-Vos (Ms) – 24 April 2019
Cllr LK Horsband (Ms) – 24 April 2019

- 3.2.2 Permission was granted to Cllrs FJ Badenhorst, A Florence and WF Pietersen to leave the meeting earlier (at 11:15 and 14:00 respectively).

3.2.3 ABSENT

Cllr JG Hamilton – 24 April 2019
Cllr MD Oliphant – 24 April 2019

4.	CONFIRMATION OF MINUTES	(3/4/1/5)
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4.1	CONFIRMATION OF MINUTES OF THE 25TH COUNCIL ON 2019-03-27	(3/4/1/5)
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The minutes of the 25th Council Meeting: 2019-03-27, were **confirmed as correct.**

4.2	CONFIRMATION OF MINUTES OF AN URGENT COUNCIL: 2019-04-02	(3/4/1/5)
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The minutes of an Urgent Council Meeting: 2019-04-02, 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> 7.5.1 PROPOSED DISPOSAL OF MUNICIPAL LAND, PORTION 4 OF FARM NO. 527, JAMESTOWN 14TH COUNCIL MEETING: 2017-11-29: ITEM 7.5.1	86	Stage 2 of the tender process is underway; When will the matter be concluded?	The final stage of the tender process is anticipated to be complete by end May 2019.
<u>Cllr DA Hendrickse:</u> THE MEULSLOOT ITEM; THE GOLF COURSE ARBITRATION MATTER		The Meulsloot item, as well as the Golf course arbitration matter, are not reflected on the list of Outstanding Matters; what is the current status with these two items?	With reference to both the Meulsloot issue and the Golf Course Arbitration matter, the Council's resolutions have been actioned by the Administration; if so required by Council, the outcomes and/or a Progress Report on both matters can be brought to Council in due course.

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 AND PROTECTION SERVICES: (PC : CLLR J DE VILLIERS)
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7.1.1	STELLENBOSCH GIVES RESPONSIBLY CAMPAIGN
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Collaborator No: 635004
 IDP KPA Ref No: Dignified Living: Municipal Focus Area 21
 Meeting Date: 24 April 2019

1. SUBJECT: STELLENBOSCH GIVES RESPONSIBLY CAMPAIGN

2. PURPOSE

To inform Council of developments in relation to a collaborative approach to addressing the needs of persons living on the street as part of a holistic approach to dealing with the issue.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Department Community Development drove a process through community participation and collaboration in search of a collective and holistic approach to service delivery to persons living on the street. The process delivered a draft Street People Policy which was recommended to serve at the next available Section 80 committee for Community and Protection Services.

Apart from the development of a policy, participants also explored and mapped a holistic service for persons living on the street with four strategies requiring actions. The strategies include:

1. Educating the public
2. Empowering people to be self sufficient
3. Preserving human dignity
4. Prevention services

This item is to inform Council of developments that were made in relation to educating the public.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.1.1

RESOLVED (nem con)

that Council notes the developments made toward a collaborative action in terms of educating the public by way of an awareness campaign called Stellenbosch Gives Responsibly.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	M Aalbers
<i>POSITION</i>	Manager Community Development
<i>DIRECTORATE</i>	Community and Protection Services
<i>CONTACT NUMBERS</i>	8408
<i>E-MAIL ADDRESS</i>	Michelle.aalbers@stellenbosch.gov.za
<i>REPORT DATE</i>	18/02/2019

7.1.2	DRAFT STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)
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Collaborator No: 632905
IDP KPA Ref No:
Meeting Date: 24 April 2019

1. SUBJECT: DRAFT STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)

2. PURPOSE

To acquire Council's approval to advertise the draft Stellenbosch Municipality Integrated Fire Management Plan for public input.

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality continues to be threatened by veld fires. The dominant vegetation type within the region is both fire-prone and fire-dependent. This is exacerbated by the expansion of urban areas, infestations of alien vegetation and windy, hot and dry summer periods typical of the region.

The primary goal of the Stellenbosch Municipality Integrated Fire Management Plan (SFMP) is to ensure that veld fires are able to serve greater good than harm. The SFMP aims to eliminate loss of life, human injury, and economic and environmental losses as a result of veld fires. In order to fulfil these objectives the SFMP makes provision for the following three components in the approach to the occurrence of veld fires namely:

- Awareness
- Prevention & preparedness
- Response

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.1.2

RESOLVED (majority vote with abstentions)

- (a) that Council approves the advertisement of the draft Stellenbosch Municipality Integrated Fire Management Plan (January 2019) for a period of 30 days for public input; and
- (b) that the inputs received during the above public participation process be worked into a final draft Stellenbosch Municipality Integrated Fire 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	12 February 2019

7.1.3	STREET PEOPLE POLICY
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Collaborator No: 529636
IDP KPA Ref No: Dignified Living: Municipal Focus Area 21
Meeting Date: 2019-04-10

1. SUBJECT: STREET PEOPLE POLICY

2. PURPOSE

To obtain Council's approval of the Stellenbosch Municipality Street People Policy.

3. DELEGATED AUTHORITY

MUNICIPAL COUNCIL.

4. EXECUTIVE SUMMARY

The objective is to present Council with a policy aimed at addressing the needs of persons living on the street through a holistic approach of service delivery in collaboration with civil society. A further aim is to develop a unified response to the reality of persons living on the street as part of an awareness / communication strategy aimed at all citizens and sectors within the municipal boundaries.

Delivery of Social Services is not a municipal competency and The Policy can thus only be implemented through active participation by all relevant stakeholders.

A series of workshops have contributed to starting a network of communication between different local service providers.

In the field of service delivery to persons living on the street, the following local stakeholders have been identified and consulted during three engagements:

Stakeholder	Level of participation
Department Social Development	Did not attend any of the workshops
Stellenbosch Night Shelter	Attended two sessions
Straatlig	Attended two sessions
Youth Outreach	Attended one session
Feeding in Action	Attended three sessions
Youth Empowerment Action	Attended one session

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.1.3**RESOLVED** (majority vote with abstentions)

- (a) that Council approves the Draft Policy on Street People (as amended) in principle;
- (b) that the Draft Policy on Street People be advertised for public comment; and
- (c) that all inputs and comments received be brought back to Council for final consideration and approval of the Street People Policy.

FOR FURTHER DETAILS CONTACT:

NAME	M Aalbers
POSITION	Manager Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8408
E-MAIL ADDRESS	Michelle.aalbers@stellenbosch.gov.za
REPORT DATE	03/12/2018

7.1.4	ALIGNMENT OF INSIGNIA OF LAW ENFORCEMENT RANKS
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Collaborator No: 617136
IDP KPA Ref No: Safest Valley
Meeting Date: 24 April 2019
File Plan: 8/1/4/2/3

1. SUBJECT: ALIGNMENT OF INSIGNIA OF LAW ENFORCEMENT RANKS

2. PURPOSE

To submit the alignment of insignia of Law Enforcement ranks to Council for adoption.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The current rank insignia of Law Enforcement is not in line with the other municipalities in South Africa. The rank insignia of Law Enforcement need to be aligned with the rest of the municipalities across the country. The new rank insignia is in line with the directive of the Institute of Municipal Public Safety of South Africa (IMPS-SA).

The alignment of the rank insignia will not impact on the approved organisational structure of Council, neither will it promote any staff member within the Law Enforcement fraternity or have any financial impact insofar as it concerns the salary of T-levels of staff.

The alignment of the rank insignia will bring uniformity amongst law enforcement officers throughout the country which in effect means from an Inspector to the Chief; Law Enforcement the insignia will be the same in each Law Enforcement Department irrespective of the municipality this will also boost staff morale and influence staff positively.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.1.4

RESOLVED (majority vote with abstentions)

that Council adopts the alignment of the new rank insignia for Law Enforcement.

FOR FURTHER DETAILS CONTACT:

NAME	ALBERT VAN DER MERWE
POSITION	ACTING DIRECTOR COMMUNITY & PROTECTION SERVICES
DIRECTORATE	COMMUNITY & PROTECTION SERVICES
CONTACT NUMBERS	X8437
E-MAIL ADDRESS	Albert.vandermerwe @stellenbosch.gov.za
REPORT DATE	10 October 2018

There is a 50m building restriction applicable, measured from the middle of Lamprecht Street (Northern boundary of site) which would not allow the church to develop on that area.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.1

RESOLVED (majority vote with abstentions)

- (a) that the portion of erf 23, excluding the parking area, Franschhoek, as land indicated in Fig 3, be identified as land not needed to provide the minimum level of basic municipal services;
- (b) that Council, **in principle**, approve the disposal of land to the Franschhoek Methodist Church without following a public tender process, and subject to the following conditions:
- i) that the **purchase price** be determined at **30% of market value**, the market value to be determined by two (2) independent valuers;
 - 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;
 - iii) that the church be responsible for the **sub-division** and rezoning of erf 23, Franschhoek, to allow for a separate unit to be transferred;
 - iv) that a servitude be registered in favour of the Municipality regarding all municipal services crossing the property;
 - v) that a right of access from Bagatelle Street be registered in favour of the church.
- (c) that Council's intention to dispose of the property under the provisions set out above, be advertised for **public inputs/objections/alternative proposals** as provided for in par 9.2.2.1 of the Property Management Policy; and
- (d) that, following the public participation process, the matter be 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	2018-07-30

7.2.2	PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER, FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Organisational Transformation

24 April 2019

1. SUBJECT: PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER, FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS

2. PURPOSE

To make a determination regarding the disposal of erven 3192, 3019 AND 3111 in Mooiwater, following a public participation process.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Before making a decision on the possible disposal of the three (3) erven in Mooiwater, Franschhoek, Council requested that a public participation process first be followed. Notice was published as required and is attached hereto as **ANNEXURE 2**.

No comment/inputs were received. Council must now decide on a way forward. The current zoning of the erven is "Institutional Use".

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.2

RESOLVED (majority vote)

- (a) that it be noted that no comment/inputs were received from the residents of wards 1 and 2 in regard to the future use of the properties;
- (b) 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, in principle, disposed of;
- (c) that Council resolves that the properties be put out on a Call for Proposals for multi-purpose institutional use to the benefit of the community. Proposals will be evaluated based on the type of institutional uses, how it will benefit the greater community, and how many institutions will be accommodated through the proposals;
- (d) that the matter be reported back to Mayco and Council after implementation of resolution (c) above; and
- (e) that the conditional awarding of the tenders by the Bid Adjudication Committee, should in principle disposal be approved, be submitted to Council to make a final determination on the disposal of the properties.

Councillor DA Hendrickse requested that his vote of dissent be minuted, on the grounds that, in his view, the item is not legally compliant.

FOR FURTHER DETAILS CONTACT:

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

7.2.3	ADDITIONAL RESPONSIBILITY ALLOWANCE POLICY
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Collaborator No: 4/P/26
IDP KPA Ref No: Good Governance
Meeting Date: 16 and 24 April 2019

1. SUBJECT: ADDITIONAL RESPONSIBILITY ALLOWANCE POLICY

2. PURPOSE

To request Council to approve the Additional Responsibility Allowance Policy.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Currently there is no provision to pay employees for taking on a higher level of responsibility which functions falls within a higher level post. There is a need to pay employees who take on responsibilities on a higher level for the additional responsibility.

To fill the gap a policy was drawn up to make provision for the payment of employees who do not fall within the ambit of the acting allowance provisions in the Western Cape Conditions of Service collective agreement. Additional responsibility allowances are paid when an employee takes on additional duties or responsibilities of a higher graded post for a limited period of time.

The policy was tabled at the Local Labour Forum and referred to the Human Resources Development Sub-Committee. The committee met on several occasions to discuss the content of the policy and concluded consultation on the 04th of March 2019. The Additional Responsibility Allowance Policy was re-submitted and accepted by the Local Labour Forum on the 25th of March 2019 and recommended for approval to MAYCO and Council.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.3

RESOLVED (majority vote with abstentions)

that the Additional Responsibility Allowance Policy be approved.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene De Beer</i>
POSITION	<i>Director Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-808 8018</i>
E-MAIL ADDRESS	<i>Annalene.DeBeer@stellenbosch.gov.za</i>
REPORT DATE	<i>08 April 2019</i>

7.2.4	GUIDELINES ON NEGOTIATION OF REMUNERATION (WITHIN THE NATIONAL NEGOTIATED FRAMEWORK) FOR THE RETENTION AND ATTRACTION OF STAFF
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Collaborator No: 4/P/49
IDP KPA Ref No: Good Governance
Meeting Date: 16 and 24 April 2019

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

2. PURPOSE

To inform MAYCO and Council of the guidelines for negotiation of remuneration with the view to attract and retain staff.

3. DELEGATED AUTHORITY

The Municipal Manager may appoint staff below the Section 56 Managers within a framework set by Council. The current framework is the provisions in the Collective Agreement and salary scales set in TASK.

4. EXECUTIVE SUMMARY

When employees are appointed it is done on the basis of the first notch of a salary scale applicable to the post. It often happens that candidates request to negotiate their salaries and provide proof of previous remuneration. In an attempt to ensure that the candidate accepts the offer of employment the candidate is offered a different notch. It also often happens that employees get offers of employment from other employers and that the municipality would like to retain the services of such an employee. The only manner to do that is to provide a counter offer to the employee or to offer another post in the municipality that is vacant.

The Municipal Manager may appoint an employee on a salary within the framework set by Council. That framework is the salary scales attached to TASK for the category municipality we are (category 4 for employees other than section 56 employees).

We think it is good practise to develop guidelines within which the negotiations take place to ensure uniformity and curb undue expectations. The Guidelines on the Negotiation of Remuneration (within the National Negotiated Framework) for the Retention and Attraction of Staff was drawn up and tabled at the Local Labour Forum for consultation. It was referred to the Human Resources Development Sub-Committee for consultation and re-submitted to Local Labour Forum. The local Labour Forum approved the guidelines on 25 March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.4

RESOLVED (majority vote)

- (a) that the Guidelines on the Negotiation of Remuneration (within the National Negotiated Framework) for the Retention and Attraction of Staff be noted and supported;
- (b) that it be noted that the salary negotiations fall within the authority of the Municipal Manager and may be delegated as per the content of the guidelines; and
- (c) that, where there is a contradiction between the provisions of this guidelines and other provisions within a Human Resources policy that has not yet been reviewed within this Council's term, the provisions of these guidelines will prevail.

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

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene De Beer</i>
POSITION	<i>Director Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-808 8018</i>
E-MAIL ADDRESS	<i>Annalene.DeBeer@stellenbosch.gov.za</i>
REPORT DATE	<i>08 April 2019</i>

7.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]
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NONE

7.4	HUMAN SETTLEMENTS: [CLLR N JINDELA]
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NONE

7.5	INFRASTRUCTURE: [CLLR Q SMIT]
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NONE

7.6	PARKS, OPEN SPACES AND ENVIRONMENT: [PC: CLLR XL MDEMKA (MS)]
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7.6.1	THE PROPOSAL FOR THE IMPLEMENTATION OF THE REVISED PARKS BY-LAW RELATING TO PLANTATIONS, PLAY PARKS, GARDENS, RECREATION FACILITIES, NATURE RESERVES AND PUBLIC OPEN SPACES
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Strategic Focus Area 2

24 April 2019

1. **SUBJECT: THE PROPOSAL FOR THE IMPLEMENTATION OF THE REVISED PARKS BY-LAW RELATING TO PLANTATIONS, PLAY PARKS, GARDENS, RECREATION FACILITIES, NATURE RESERVES AND PUBLIC OPEN SPACES**

2. **PURPOSE**

To inform Council about the following:

2.1 A revised By-law (**ANNEXURE B**) relating to plantations, play parks, gardens, recreation, facilities, nature reserves and public open spaces in order to implement the following:

2.1.1 To regulate the admission of the general public, animals and vehicles to public parks, to provide for the use and enjoyment of public parks, to determine conduct that will not be allowed within public parks, and to provide for the matters incidental thereto.

2.1.2 To ensure environmental sustainable practices in the development of parks and public open spaces within the community for current and future generations. Furthermore, the aim is to ensure that the rights and obligations of the public in relation to parks and public open spaces are adhered to.

2.1.3 To promote the achievement of a safe and peaceful environment.

2.1.4 To provide procedures, methods and practices that regulate the use and management of public amenities.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

The By-law was revised and served before the Standing Committee and the Mayoral Committee, where it was resolved:

that it be recommended to Council that the attached revised Parks By-law, be approved.

The By-law was advertised for public comments. No public comments were received.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.6.1**RESOLVED** (majority vote with abstentions)

that the revised By-law relating to plantations, play parks, gardens, recreation, facilities, nature conservation and public open spaces, be approved.

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe
POSITION	Manager: Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8161
E-MAIL ADDRESS	albert.vandermerwe@stellenbosch .gov.za
REPORT DATE	24/04/2019

7.6.2	DRAFT STELLENBOSCH MUNICIPALITY ENVIRONMENTAL MANAGEMENT FRAMEWORK (SEPTEMBER 2018)
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Collaborator No: 635707
 IDP KPA Ref No:
 Meeting Date: 24 April 2019

1. SUBJECT: DRAFT STELLENBOSCH MUNICIPALITY ENVIRONMENTAL MANAGEMENT FRAMEWORK (SEPTEMBER 2018)

2. PURPOSE

To acquire Council's approval to advertise the draft Stellenbosch Municipality Environmental Management Framework (SEMF, September 2018) (**ANNEXURE 1**) in terms of the Local Government: Municipal Systems Act, 32 of 2000 (MSA) for a period of 60 days for public comment.

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

South Africa's environmental right is captured in the Constitution which states that every person has a right to an environment that is not harmful to his/her health and well-being. Through the same section an obligation is placed on the state to put in place reasonable legislative and other measures to realise this right¹.

In terms of the MSA, municipalities have the duty to strive to ensure that municipal services are provided to the local community in a financially and environmentally sustainable manner². To achieve this each Municipal Council must adopt an Integrated Development Plan (IDP), a single, inclusive and strategic plan for development of the municipality³. An IDP must include a Spatial Development Framework that makes provision for guidelines for land use management within the municipality⁴.

In terms of the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA), a Municipal Spatial Development Framework (MSDF) must include a strategic assessment of environmental pressures and opportunities within the municipal area, including the spatial location of environmental sensitivities, high potential agricultural land and coastal access strips where applicable⁵. As a sector plan to the MSDF it is envisioned that the SEMF will fulfill this function.

¹ Bill of Rights, Section 24

² MSA, Section 4.

³ MSA, Section 25.

⁴ MSA, Section 26.

⁵ SPLUMA, Section 21(j)

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.6.2**RESOLVED** (majority vote)

- (a) that Council approves the advertisement of the draft Stellenbosch Municipality Environmental Management Framework (September 2018) for a period of 30 days for public input; and
- (b) that the inputs received during the above public participation process be worked into a final draft Stellenbosch Municipality Environmental Management Framework to be presented to Council for approval.

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

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

7.6.3	ESTABLISHMENT OF 'FRIENDS GROUPS' FOR STELLENBOSCH NATURE RESERVES AND DESIGNATED NATURE AREAS
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Collaborator No: 635397
IDP KPA Ref No: 10/5/34/1
Meeting Date: 2019-04-24

1. SUBJECT: ESTABLISHMENT OF 'FRIENDS GROUPS' FOR STELLENBOSCH NATURE RESERVES AND DESIGNATED NATURE AREAS

2. PURPOSE

To obtain Council's approval for:

- (a) Establishing of Friends Groups at the three declared Nature Reserves of Stellenbosch (WC024);
- (b) To officially acknowledge the Friends Groups, after establishment; and
- (c) To convert Mont Rochelle Nature Reserve Advisory Board to a Friends Group.

3. DELEGATED AUTHORITY

For decision the Municipal Council.

In terms of the National Environmental Management: Protected Areas Act, 57 of 2003 and the National Conservation Ordinance, 19 of 1974.

4. EXECUTIVE SUMMARY

The purpose of the 'Friends Groups' is to create a platform for interested members of the public to play an active role in the improvement of the management of nature reserves and designated nature areas by means of volunteerism. This extends the arm of the current capacity which the municipality can expand on this function and allows the general public to contribute to the improvement of these areas.

It is envisaged that the Friends Groups will contribute to the overall efficient management of these areas by assisting and possibly fast-tracking addressing non-technical matters such as security, marketing, events and sourcing of external funding, amongst others.

Technical advice and leadership is currently being provided by the overarching Protected Areas Forum (PAF), established in 2016. This technical group assists the municipality with conservation and biodiversity advice and leadership in alignment with the National Environmental Management Protected Areas Act, 57 of 2003 (NEM:PAA). The Friends Groups will have representation on the PAF.

Significant portions of the Stellenbosch Municipality consist of areas designated and/or declared for conservation purposes. The Stellenbosch Municipality Protected Areas Forum (SMPAF) was created to form an overarching technical advisory body which assists and guides the municipality in the execution of their legislative mandate in respect of biodiversity conservation.

However, this forum is technical of nature and does not give interested public a platform to get actively involved in the improvement of these sites.

In order for the Municipality to enable this platform, the department has investigated at the "Friends Groups" model which is implemented at various other nature sites in South Africa.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.6.3**RESOLVED** (majority vote)

- (a) that Council accepts the concept of “Friends Groups” as a way of creating community involvement in the management of nature areas;
- (b) that approval is granted for the establishment of “Friends Groups” for the declared nature reserves of Papegaaiberg, Mont Rochelle and Jan Marais Nature Reserve as well as informal nature areas as required;
- (c) that the Protected Areas Forum Terms of Reference be revised and brought in alignment with the Norms and Standard of the Department of Environment, Gazette Notice 382 of 31 March 2016, and its purpose as alluded to in this item; and
- (d) that a progress report on the establishment of “Friends Groups” be submitted within 30 days after implementation.

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

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

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe / Schalk van der Merwe
POSITION	MANAGER Community services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021-808 8160
E-MAIL ADDRESS	albert.vandermerwe@ Stellenbosch.gov.za
REPORT DATE	April 2019

7.7	PLANNING AND ECONOMIC DEVELOPMENT: [PC: CLLR E GROENEWALD (MS)]
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NONE

7.8	RURAL MANAGEMENT AND TOURISM: [PC: CLLR S PETERS]
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NONE

7.9	YOUTH, SPORTS AND CULTURE: [PC: MM PIETERSEN]
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NONE

7.10	REPORTS SUBMITTED 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: QUARTER 3 (01 JANUARY 2019-31 MARCH 2019)
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File Ref: 8/1/3/3/2
 Collaborator No: 640511
 IDP KPA Ref: 8: Financial Sustainability (KFA 59: Supply Chain Management)
 Meeting Date: 24 April 2019

1. **SUBJECT: REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 3 (01 JANUARY 2019 - 31 MARCH 2019)**

2. **PURPOSE**

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

3. **DELEGATED AUTHORITY
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. This report contains the details of the implementation of the SCM Policy for Quarter 3: January 2019 – March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.1

RESOLVED (nem con)

- (a) that Council takes note of this 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	Dalleel Jacobs
CONTACT NUMBERS	021 808 8137
E-MAIL ADDRESS	Dalleel.Jacobs@stellenbosch.gov.za
DIRECTORATE	Financial Services
REPORT DATE	05 March 2019

8.2.2	WRITE-OFF OF DEBTS – D&G TRUST AND BAHIA TRUST – ACCOUNT 10812785
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File Ref:**Collaborator No:** 640509**IDP KPA Ref:****Meeting Date:** 24 April 2019**1. SUBJECT: WRITE-OFF OF DEBTS – D&G TRUST AND BAHIA TRUST – ACCOUNT 10812785****2. PURPOSE**

To request Council to write off a debt that arose due to an undetectable underground water leak during 2014/15.

3. DELEGATED AUTHORITY

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

4. EXECUTIVE SUMMARY

An amount of R53 903.39 is being regarded as irrecoverable and should be written off.

This amount arose due an undetectable water leak, coupled with a set of circumstances that could not have been reasonably prevented and a resulting, long standing dispute.

The leak was immediately repaired by the owner upon detection. The Leak Tariff was applied and credits of R67 735 were passed on to the consumer.

Other circumstances however, gave rise to the consumer's continued dissatisfaction and a final offer of R21 000 was made to resolve the dispute.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.2**RESOLVED** (majority vote with abstentions)

- (a) that Council takes note of the circumstances that lead to this particular instance and accept the final settlement offer of R21 000 that has already been paid in good faith by the consumer; and
- (b) that Council approves that the remaining outstanding balance of account number 10812785 be written off. (R53 903.39 at time of writing this report).

Councillor DA Hendrickse requested that his vote 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	27 October 2018

8.2.3	WRITE-OFF OF INTEREST – KYLEMORE BEGRAFNISGENOOTSKAP – ERF 466 KYLEMORE
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File Ref:**Collaborator No:** 640503**IDP KPA Ref:****Meeting Date:** 24 April 2019**1. SUBJECT: WRITE-OFF OF INTEREST – KYLEMORE BEGRAFNISGENOOTSKAP – ERF 466 KYLEMORE****2. PURPOSE**

To request Council to write off interest on the consumer accounts of Kylemore Begrafnisgenootskap that have now been paid in full.

3. DELEGATED AUTHORITY

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

4. EXECUTIVE SUMMARY

For many years, the members of the Begrafnisgenootskap were not in a position to pay the account of their property, erf 466 Kylemore. The outstanding account grew to an amount in excess of R1.5 million.

The property has recently been sold and the outstanding debt was settled during the transfer of the property, but the sellers have requested council to consider graciously writing off interest of R400 000.

The actual amount of interest which was due when the account was paid in full, amounted to R442 368.92, but the sellers only requested an amount of R400 000.00 to be reversed.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.3**RESOLVED** (majority vote)

that Council takes cognizance that the full outstanding amount of erf 466 Kylemore has been settled, and approves that the amount of R400 000.00 (representing interest that accrued to the account) be written back and refunded to the former owners of the property.

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

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

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	11 January 2019

8.2.4	DATE OF NEXT GENERAL VALUATION
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File Ref:**Collaborator No:** 640502**IDP KPA Ref:****Meeting Date:** 24 April 2019**1. SUBJECT: DATE OF NEXT GENERAL VALUATION****2. PURPOSE**

To determine a date, according to Section 31 of the Local Government: Municipal Property Rates Act, No 6, 2004, on which the next new General Valuation Roll is to be implemented.

3. DELEGATED AUTHORITY

Municipal Council.

In terms of Section 31 of the Local Government: Municipal Property Rates Act 6 of 2004.

4. EXECUTIVE SUMMARY

To determine a date, according to Section 31 of the Local Government: Municipal Property Rates Act 6 of 2004, on which the next new General Valuation Roll is to be implemented.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.4**RESOLVED** (majority vote with abstentions)

- (a) that Council, for purposes of the next General Valuation, approves 02 July 2020 as date of the Valuation Roll, to be implemented on 01 July 2021; and
- (b) that Council commits to the successful implementation of the new Valuation Roll on 01 July 2021.

FOR FURTHER DETAILS CONTACT:

NAME	<i>A Treurnich</i>
POSITION	<i>Manager: Treasury</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8016</i>
E-MAIL ADDRESS	<i>Andre.treurnich@stellenbosch.org.za</i>
REPORT DATE	<i>05 April 2019</i>

8.2.5	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR MARCH 2019
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File Ref: 8/1
 Collaborator No: 640499
 IDP KPA Ref: Good Governance and Compliance
 Meeting Date: 24 April 2019

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR MARCH 2019

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2018/2019 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 (2018/2019) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.5

NOTED

the deviations as listed below for the month of March 2019:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 39/19	07/03/2019	Plan Associates Town And Regional Planners	Appointment of Plan Associates Town and Regional Planners Inc. as the consulting team for the Enkanini Pilot project	Exceptional case and it is impractical or impossible to follow the official procurement processes	The project was stopped during the 2017/2018 financial year by the local community, which resulted in standing time of several months for the contractor and accordingly for the consulting team. The contractor moved off site in November 2018 and therefore all processes associated with the management of this contract by the consulting team, also only stopped in November 2018.	R 553 500.00 VAT Excl.

					<p>The contractor is currently on site and there is no appointed consultants to project manage the electrical installation or the civil component of the contractor's contract. This implies that the project will most certainly stop again as there is nobody to certify his progress, quality of work, or check that the work is done according to the approved plans. Failure on any of these points would result in the contractor not being able to submit certified invoices to the Municipality and accordingly not receiving any payment. Which means Enkanini would be left with open trenches and in all probability a very irate community.</p> <p>The appropriate SCM process to follow would be a tender process which could take up to 3-6 months to be finalised, which implies that the Municipality would pay for standing time for the period until a new consultancy team is appointed.</p> <p>Furthermore, we have relocated a number of families from Enkanini and this created space for the contractor to install the required services. Should the open spaces be left undeveloped then land invasion will most certainly occur.</p> <p>Health and safety is a major concern on this project, as the contractor has to work amongst the residents. Therefore, a health and safety officer is absolutely crucial to this project. The health and safety officer is part of the consulting team and he must perform his</p>	
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					work in order to reduce the risk for the Municipality.	
D/SM 40/19	07/03/2019	Van der Spuy	Appointment of attorneys to act on behalf of the Stellenbosch municipality in the arbitration with the Stellenbosch golf club	Exceptional case and it is impractical or impossible to follow the official procurement processes	<p>Stellenbosch Municipality entered into a long term notarial lease agreement with Stellenbosch Golfklub ("the Golfklub") on or about 20 December 1994, which lease agreement was notarial registered under reference number K199/95L on 14 March 1995. In terms of clause 4.6 of the notarial lease agreement the Golfklub is responsible for payment of the rates and taxes levied by the Municipality. The municipality is involved in a dispute with the Stellenbosch Golfklub in regard to outstanding rates the municipality claims from the Golfklub. The golf club leases the property on which the golf course is situated from the Municipality and for that reason is alleging that they do not have to pay rates and taxes to the Municipality.</p> <p>The matter must go through an arbitration process in terms of the provisions of the lease agreement.</p> <p>It took some time to get a final arbitration date. We have been informed of the arbitration date of 19 March 2019 and papers must still be filed. It is therefore urgent to appoint attorney's to act on the Stellenbosch Municipality's behalf. Webber Wentzel are acting in various other matters for us and we therefore would like to use another firm for this case. Du Plessis Hofmeyr Malan Inc is acting on behalf of the Golfklub. Both Webber Wentzel and</p>	R2000,00 per hour and all other fees on High court tariffs

					<p>Van der Spuy and partners were on our previous panel of attorneys and have acted for us in major cases with satisfactory results.</p> <p>It is an exceptional case and impractical to follow the normal procurement process of a formal quotation process due to the time frames having regard to the date set for the arbitration. There is not enough time to follow a normal procurement process. It is also important to appoint a firm in which we have confidence to act in our best interests and with the necessary expertise. Like in the case of the appointment of a doctor for an operation the expertise needed for a particular court case must be the most important reason why an attorney firm is chosen to deal with a court case. We are of the opinion that in this matter van der Spuy and partners is the most suitable firm to deal with the matter.</p>	
D/SM 41/19	19/03/2019	Smith Tabatha Buchanan Boyes Attorneys	Metro City Protection services cc / The Municipality of Stellenbosch and Securitem (PTY) Ltd	Exceptional case and it is impractical or impossible to follow the official procurement processes	The Appeal Authority rejected the appeal on a tender launched by Metro City Protection Services CC. The attorneys of Metro City Protection Services CC informed the Municipality on or about 13 March 2019 that their client instructed them to proceed with an interdict to stop the implementation of the security tender and launch a review application against the decision of the appeal authority, who dismissed the appeal in terms of section 62 of the Local Government Systems Act, 32 of 2000, as amended, submitted	R250 000.00. VAT Excl

					<p>by their client.</p> <p>A Notice of Motion under case number 17811/2018 was forwarded to the Municipality via email, signed by the attorney indicating that the matter will be placed on the court roll on 20 March 2019 to be argued. The Municipality have until Friday, 15 March 2019 to file its intention to oppose and submit its answering affidavit by 19 March 2019.</p> <p>No affidavit accompanied the Notice of Motion and the Notice of Motion was not issued by the court. The intention however is clear that Metro City Protection Services CC will proceed with a court application against the implementation of the tender. The Municipality need to oppose such an interdict and the review as they are the current service provider and has not delivered satisfactory services. Metro City Protection Services CC in the past have taken the Municipality to court and will continue to do so. Time is of the essence and there is not sufficient time to follow the normal supply chain processes. The Municipality will have to appoint an attorney firm via a deviation to oppose any interdict and review application and/or any related applications instituted by Metro City Protection Services CC.</p>	
D/SM 42/19	19/03/2019	Rufus Dercksen Inc.	To apply for an interdict against the owner of Erf 275 Klapmuts ("the property") and	Exceptional case and it is impractical or impossible to follow the official procurement processes	The illegal structures (illegal metal office container, metal silo and conveyor structures) were already erected on or about 22 September 2018 and are being	R179 837.00 VAT Incl.

			the tenant of the property.		<p>utilised by Value Crete Ready Mix who rents the property from Hannel Trust. The operations of Value Crete Ready Mix resulted in various complaints received about inter alia excessive noise pollution and fugitive dust emission. Measurements were subsequently taken by Stellenbosch Municipality and it was found that the noise caused as a result of the operations of Value Crete Ready Mix are in excess of the 70 DBA contour for industrial districts and therefor causes a disturbing noise and a noise nuisance in contravention of the Western Cape Noise Control Regulations, 2013. Fugitive dust emissions were observed by the official/s and were present in the residential area. Dust particulars were also present on the ground, the roof structures, vehicles and garage doors of the neighbouring residential properties. The residents of the Rozenmeer Estate find the noise and dust emissions unbearable which effects them negatively. Furthermore building rubble is being dump which is blocking the storm water system. It is therefore urgent that the tenants be stopped from operating the cement manufacturing and the use of the illegal structures. It is impractical to follow the normal procurement processes as the Municipality needs to act hastily to stop the illegal use.</p>	
D/SM	29/03/2019	Total Cooling Solutions Pty	Urgent repairs	Emergency	The installed equipment	R77 121.30

43/19		Ltd	to Wemmershoek Wastewater Treatment heat exchanger fans and motors.		malfunctioned serve a very important role in ensuring that other equipment further down the wastewater treatment value chain are not damaged or destroyed. It is therefore important that we repair/replace the faulty parts as soon as possible to prevent catastrophic failure. It is therefore critical that an emergency process be followed for the urgent repairs.	VAT Incl.
D/SM 44/19	29/03/2019	John Macrobert Attorneys	Appointment of a service provider to oppose the application for default judgment submitted by Zenobia Campbell in the labour court matter between Zenobia Campbell / Stellenbosch Municipality	Exceptional case and it is impractical or impossible to follow the official procurement processes	Zenobia Campbell applied for default judgment against the Municipality. Mrs Campbell's claim is for projected losses and ranged between R4 million to R7 million. The file is with the Registrar of the Labour Court and was not yet allocated to a judge in chambers to consider the default judgment. Should a normal procurement process be followed there is a real risk that the default judgment could be considered by a judge in chamber and an order granted against the Municipality. In light of the above and therefore a normal supply chain process could not be followed. John Macrobert Attorneys was appointed at a rate of R1750 per hour at the time and the final amount to be paid for the scope are therefore reported to council.	R 22 077.59 VAT Incl
D/SM 45/19	29/03/2019	APEX	Deviation to appoint APEX on a month to month contract starting from March 2019 until the new contract is awarded	Exceptional case and it is impractical or impossible to follow the official procurement processes	The Stellenbosch Municipality decided to participate in the National Treasury Contract RT3-2018. The RT3-2018 contract became available for use as of 1 October 2018 with amendments running through till 03 December 2018. This resulted in an	R99 800.00 per month excl VAT. (Starting March 2019 until new contract is awarded.)

					untimely delay for the Stellenbosch Municipality to participate in such contract.	
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Cllr DA Hendrickse requested that it be minuted that he has serious concerns regarding the legal services' tender.

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	ACTING CFO
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8588
E-MAIL ADDRESS	Dalleel.Jacobs@stellenbosch.gov.za
REPORT DATE	05 April 2019

8.2.6	MFMA SECTION 52 REPORTING UP TO MARCH 2019
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File Ref: 8/1
 Collaborator No:
 IDP KPA Ref: Good Governance and Compliance
 Meeting Date: 24 April 2019

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

2. PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the budget; financial and service delivery budget implementation plan by the Municipality for quarter 3 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 January 2019 to 31 March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.6

NOTED

the Section 52 Report (including quarterly performance report) – Third Quarter 2018/2019.

Note: Cllr DA Hendrickse requested that it be minuted that the Municipal Manager agreed that he may obtain from administration the Council item and resolution regarding the external loan of R160 million.

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	Acting Director Financial Services
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 – 807 8528
E-MAIL ADDRESS	Dalleel.Jacobs@ Stellenbosch.gov.za
REPORT DATE	12 April 2019

8.2.7	PROPOSED RENEWAL OF EXISTING MEMORANDUM OF UNDERSTANDING FOR THE MUNICIPAL COURT OF STELLENBOSCH
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

24 April 2019

1. SUBJECT: PROPOSED RENEWAL OF EXISTING MEMORANDUM OF UNDERSTANDING FOR THE MUNICIPAL COURT OF STELLENBOSCH

2. PURPOSE

To obtain Council's approval for the proposed renewal of the Memorandum of Understanding for the Municipal Court (as *Additional* Court) in the jurisdictional area of Stellenbosch. (The Renewal of the Memorandum of Agreement with the Department of Justice).

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

The priority setting for Local Government is to strive and achieve an acceptable quality of life for all the residents and visitors in its jurisdictional area. Local Government must monitor the role of law and sound order. In pursuing this primary goal, Local Government is also attempting to ensure safety, security and well-being of its residents. At the same time a climate for sustainable development and prosperity is created.

In terms of Section 152 of the Constitution, a Municipality has an obligation to promote a safe and healthy environment, and a Municipality must strive within its financial and administrative capacity to achieve this objective.

Based on this premise and the fact that the Stellenbosch courts could not deal with the case load Council, at its meeting on 2014-06-25 (Item 7.11), resolved that a Municipal Court for the Stellenbosch District be established, in order that through effective and efficient prosecuting of transgressors Municipal related offences like Traffic offences, By-Laws, national building regulations and others.

A 3-year contract was entered into with the Department of Justice. This agreement ends on 30 June 2019.

The Department of Justice have indicated that they are satisfied with the performance of the additional court and is interested in extending the memorandum of agreement (**attached as APPENDIX 1**) to continue the *Additional* (Municipal) Court dedicated to municipal transgressions in Stellenbosch area.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.7**RESOLVED** (majority vote with abstentions)

- (a) that the Memorandum of Agreement with the Department of Justice for the Municipal Court for the Stellenbosch District, be renewed for a 3-year term from 1 July 2019; and
- (b) that the Municipal Manager be delegated to sign all relevant documentation for the extension of the afore-said agreement.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021 – 808 8018</i>
E-MAIL ADDRESS	<i>Annalene.deBeer@stellenbosch.org.za</i>
REPORT DATE	<i>17 April 2019</i>

8.2.8	REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2018/19
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

24 April 2019

1. SUBJECT: REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2018/19

2. PURPOSE

To obtain Council's approval for the revisions made to the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2018/19.

3. DELEGATED AUTHORITY

In terms of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), section 54(1)(c) *"the mayor must, consider and, if necessary, make any revisions to the service delivery, and budget implementation plan, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget..."*

4. EXECUTIVE SUMMARY

The TL SDBIP 2018/19 was approved by the Executive Mayor on 21 June 2018. A Revised TL SDBIP 2018/19 was approved by Council on 29 January 2019.

It is common practice for a municipality, as provided for in the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA), to review its performance indicators and targets after approving the adjustments budget.

The TL SDBIP 2018/19 (as approved by the Executive Mayor) is attached hereto. All changes (for ease of reference) which should be deleted and or amended are indicated with a strikethrough and an underline respectively.

It must also be noted that the TL SDBIP 2018/19 is the in-year plan of the municipality and amendments made to the TL SDBIP 2018/19 must also be read in conjunction with the Integrated Development Plan (IDP). Therefore changes made to the TL SDBIP 2018/19 are considered to be made in the IDP as well.

These changes will be effected with the review process of the IDP 2017-2022 to be submitted to Council for final approval during May 2019.

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

- a) TL20- The SMART principle is applied;
- b) TL26 is allocated to the Department responsible for the deliverable; and
- c) TL27- The SMART principle is applied.

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

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.8**RESOLVED** (majority vote with abstentions)

- (a) that the Revised TL SDBIP 2018/19 be approved;
- (b) that the Revised TL SDBIP 2018/19 be published on the Municipal Website; and
- (c) that the Revised TL SDBIP 2018/19 be submitted to:
 - i. Internal Audit Unit (for notification);
 - ii. Department of Local Government: Western Cape;
 - iii. Provincial Treasury: Western Cape;
 - iv. Auditor General of South Africa; and
 - v. National Treasury.

NAME	Ms Shireen De Visser
POSITION	Senior Manager: Governance
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 - 808 8035
E-MAIL ADDRESS	Shireen.devisser@stellenbosch.gov.za
REPORT DATE	11 April 2019

9.	MATTERS FOR NOTIFICATION
9.1	REPORT BY THE EXECUTIVE MAYOR
9.1.1	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JANUARY 2019 TO MARCH 2019

File No.: 8/1/3/3/8
 Collaborator No:
 IDP KPA Ref No: N/A
 Meeting Date: 2019-04-24

1. **SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JANUARY 2019 TO MARCH 2019**

2. **PURPOSE OF THE REPORT**

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

3. **BACKGROUND**

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

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

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

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

4. **FINANCIAL IMPLICATIONS**

None

26TH COUNCIL MEETING: 2019-04-24: ITEM 9.1.1

NOTED

the decisions taken by the Executive Mayor for the period January 2019 to March 2019 attached as **APPENDIX 1**.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	OFFICE MANAGER: EXECUTIVE MAYOR
DIRECTORATE	CORPORATE AND STRATEGIC SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	Donovan.Muller@ Stellenbosch.gov.za
REPORT DATE	27 March 2019

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: 01 JANUARY 2019 UNTIL 31 MARCH 2019
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Collaborator No:

IDP KPA Ref No:

Good governance and Compliance

Meeting Date:

24 APRIL 2019

1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 JANUARY 2019 UNTIL 31 MARCH 2019

2. PURPOSE OF REPORT

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period 01 January 2019 until 31 March 2019, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

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

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

26TH COUNCIL MEETING: 2019-04-24: ITEM 9.3.1

NOTED

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

- Municipal Manager – Ms G Mettler (01 January 2019 – 31 March 2019).
- Director Strategic and Corporate Services – Ms A de Beer (01 January 2019 – 31 March 2019)
- Director Infrastructure Services – Mr D Louw (01 January 2019 – 31 March 2019)
- Acting Director Community and Protection Services (01 January 2019 – 28 February 2019)
- Director Community and Protection Services – Gary Boshoff (01 – 31 March 2019)
- Acting Chief Financial Officer – Kevin Carolus (01 January 2019 – 31 March 2019)
- Director Planning and Economic Development (01 January 2019 – 31 March 2019)

10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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10.1	MOTION BY COUNCILLOR DA HENDRICKSE: DISBANDMENT OF THE EMPLOYMENT EQUITY COMMITTEE
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A Notice of a Motion, dated 2019-04-03, was received from Councillor DA Hendrickse regarding the disbandment of the Employment Equity Committee.

The said Motion is attached as **APPENDIX 1**.

26TH COUNCIL MEETING: 2019-04-24: ITEM 10.1

The Speaker allowed Councillor DA Hendrickse to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.

The matter was put to the vote, yielding a result of 2 in favour and 28 against.

RESOLVED (majority vote)

that this Motion not be accepted.

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	2019-04-24

10.2	QUESTION 1 BY CLLR LK HORSBAND (MS): ALTERNATIVE MUNICIPAL PROPERTY IN KLAPMUTS TO TELLY TUBBIES CRECHE
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A Notice of Question, dated 2019-04-03, was received from Councillor LK Horsband (Ms).

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

26TH COUNCIL MEETING: 2019-04-24: ITEM 10.2

It is noted that, notwithstanding the leave of absence of Cllr LK Horsband, a written reply to the Councilor's question had been provided.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@ Stellenbosch.gov.za
REPORT DATE	17 April 2019

10.3	QUESTION 2 BY CLLR LK HORSBAND (MS): IDA'S VALLEY HOUSING PROJECT – BENEFICIARIES
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A Notice of Question, dated 2019-04-03, was received from Councillor LK Horsband (Ms).

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

26TH COUNCIL MEETING: 2019-04-24: ITEM 10.3

It is noted that, notwithstanding the leave of absence of Cllr LK Horsband, a written reply to the Councilor's question had been provided.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@ Stellenbosch.gov.za
REPORT DATE	17 April 2019

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	POLICY AND PROCEDURES FOR WARD COMMITTEES
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Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

24 April 2019

1. POLICY AND PROCEDURES FOR WARD COMMITTEES

2. PURPOSE

To submit the Policy and Procedures for Ward Committees (hereafter "Policy") to Council for approval.

3. DELEGATED AUTHORITY

Council approves policy.

4. EXECUTIVE SUMMARY

The Local Government Municipal Structures Act, 117 of 1998 prescribes amongst other that municipalities must devise a regulatory framework in respect of the procedure to elect members of a ward committee, the circumstances under which those members must vacate office and the frequency of meetings of ward committees.

To give effect to this stipulation a Policy and Procedures for Ward Committees was developed and adopted by Council in 2006. It was amended in 2010, 2012 and 2015 and was due for a review following the August 2016 local government elections.

The process of review was started in 2017, and during November 2018 a Ward Committee Summit was held where the Draft Revised Policy was discussed. The plenary requested more time to peruse the Policy. Consequently it was resolved that a follow-up Summit be held early in 2019 to finalise the Policy for submission to Council. The document was again discussed at the second summit. It was subsequently resolved that ward committees be afforded a further opportunity to submit input by not later than 29 March 2019. The revised policy is now ready for adoption.

26TH COUNCIL MEETING: 2019-04-24: ITEM 13.1.1**RESOLVED** (majority vote)

- (a) that Council adopts the revised Policy and Procedures for Ward Committees as per **APPENDIX 1**; and
- (b) that the policy be distributed to ward committees.

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

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

FOR FURTHER DETAILS CONTACT:

NAME	Nicky Ceasar
POSITION	Executive Support Officer
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 808 8618
E-MAIL ADDRESS	nicky.ceasar@ Stellenbosch.gov.za
REPORT DATE	15 April 2019

13.1.2	STELLENBOSCH MUNICIPALITY RULES OF ORDER BY- LAW
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Collaborator No:
IDP KPA Ref No:
Meeting Date:

File number 1/3/1/20
Institutional Transformation
24 April 2019

1. **SUBJECT: STELLENBOSCH MUNICIPALITY RULES OF ORDER BY- LAW**

2. **PURPOSE**

To request Council to approve the final draft Stellenbosch Municipality Rules of Order By-Law, before the process is followed to promulgate the By-law.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

When the current council constituted in 2016 it resolved “that the existing Rules of Order as set out in the APPENDIX be used as the Rules of Order applicable to the Stellenbosch Municipality’s Council and Council Committee meetings”.

After the election of the current Speaker, Councillor Wilhelmina Petersen, a new process was started to review the 2013 Rules of Order. SALGA published a standard draft Rules of Order By-law late in 2018, and the Rules Committee, under the Chairmanship of the Speaker, decided to use that as a basis for the new Rules of Order for Stellenbosch Municipality’s Council and Committees. The Rules Committee met on several occasions over the months from 18 February 2019 to March 2019, with the last meeting being on 25 March 2019 to discuss the draft Rules of Order published by SALGA.

Several changes were made during these discussions and the draft rules were sent out to all councillors on 2 March 2019 to provide input on by 20 March 2019. The input received within the timeframe was discussed on 25 March 2019, and it was resolved that the final draft must be submitted for editing. The final draft has been submitted to the Stellenbosch University for editing. The University indicated that the final edited version will only be ready after 15 April 2019. Attached hereto as **APPENDIX 2** is the final draft of the Stellenbosch Municipality Rules of Order By-law as approved by the Rules Committee on 25 March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 13.1.2

RESOLVED (majority vote with abstentions)

that the final draft of the Stellenbosch Municipality Rules of Order By-law (Appendix 3) be advertised for public comments for 30 days, after which it be resubmitted to Council for final approval

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

Councillors F Adams; DA Hendrickse.

FOR FURTHER DETAILS CONTACT:

NAME	ANNALENE DE BEER
POSITION	DIRECTOR CORPORATE SERVICES
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 808 6006
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.gov.za
REPORT DATE	11 April 2019

13.2	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

14.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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(SEE PINK DOCUMENTATION --- UNDER SEPARATE COVER)

The meeting adjourned at 14:35.

CHAIRPERSON:**DATE:****Confirmed on** **with/without amendments.**