



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-06-12

## MINUTES

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

**2019-06-12 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**  
**28<sup>TH</sup> MEETING OF THE COUNCIL**  
**OF STELLENBOSCH MUNICIPALITY**  
**2019-06-12**

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**MINUTES OF THE 28<sup>th</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY  
HELD ON 2019-06-12 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN  
STREET, STELLENBOSCH**

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<b>PRESENT</b>	The Speaker, Cllr WC Petersen (Ms) [Chairperson] The Acting Executive Mayor, Cllr N Jindela	
<b>COUNCILLORS</b>	F Adams (until 10:20) FJ Badenhorst FT Bangani-Menziwa (Ms) Ald PW Biscombe PR Crawley (Ms) A Crombie (Ms) Z Dalling (Ms) A Florence J Fasser AR Frazenburg E Fredericks (Ms) T Gosa E Groenewald (Ms) DA Hendrickse JK Hendriks	LK Horsband (Ms) MC Johnson DD Joubert N Mananga-Gugushe (Ms) C Manuel XL Mdemka (Ms) SA Peters MM Pietersen WF Pietersen SR Schäfer N Sinkinya (Ms) P Sitshoti (Ms) Q Smit LL Stander E Vermeulen (Ms)

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<b>Officials:</b>	Municipal Manager (Ms G Mettler) Director: Corporate Services (Ms A De Beer) Director: Infrastructure Services (D Louw) Director: Planning and Economic Development (T Mfeya) Chief Financial Officer (K Carolus) Director: Community and Protection Services (G Boshoff) Senior Manager: Governance (Ms S De Visser) Manager: Communications (S Grobbelaar) Manager: Secretariat (EJ Potts) Senior Administration Officer (T Samuels (Ms)) Committee Clerk (N Mbali (Ms)) Interpreter (J Tyatyeka)
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<b>1.</b>	<b>OPENING AND WELCOME</b>
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The Speaker welcomed all present at the Council meeting. A moment of silence was observed for those who lost loved ones recently.

<b>2.</b>	<b>COMMUNICATIONS</b>
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<b>2.1</b>	<b>MAYORAL ADDRESS</b>
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The communications of the Acting Executive Mayor, Cllr N Jindela, can be summarized as follows:

1. On behalf of Council, conveyed sincere condolences to family and friends with the sudden death of Mr S Smit of Louisenhof, Stellenbosch.
2. Minister Ivan Meyer: Western Cape Provincial Minister of Agriculture and Minister Albert Fritz: Minister of Community Safety, visited Stellenbosch Municipality on Monday, 3 June 2019. Together with National Government, all measures are taken to ensure that the safety of the entire Stellenbosch are taken serious.
3. "Youth Day" will be commemorated on 16 June. On 17 June this legacy will be celebrated with a Mayoral Cup where teams from across the municipality will be competing in a soccer tournament. This tournament will take place in Jamestown and everyone is encouraged to come and support this event and our youth. This event will be celebrated annually, on a rotational basis and at different venues.
4. Everyone travelling are encouraged to travel safe and not to drink and drive.

<b>2.2</b>	<b>COMMUNICATION BY THE SPEAKER</b>
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- "1. A Big Thank you to all the Councillors present who continuously work so hard to make sure that Stellenbosch deliver good, quality services to its people during this Winter time.
2. Councillors must please note the funeral service of the Late Stefan Smit on Friday 11:00 at the NG Moederkerk in Stellenbosch.
3. With the School holidays looming - let us focus this holiday on the Protection of our young children during Child Protection Week/month and remind ourselves of the slogan: *"Your Child is my Child"*.
4. As we go into recess let us think of those who have to counter the winter weather, rest enough and come back to do better for the next part of the year.
5. Welcome to the new Councillor, Cllr Jeremy Fasser, who replaces Cllr J De Villiers."

<b>2.3</b>	<b>COMMUNICATION BY THE MUNICIPAL MANAGER</b>
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The Municipal Manager requested Council to take cognizance that on 7 June 2019, the Minister of Finance promulgated the new Municipal Cost Containment Regulations, 2019. The Regulations are applicable to all municipal officials and political office bearers in municipalities and will come into effect as from 1 July 2019. The Regulations will be made available.

<b>3.</b>	<b>OFFICIAL NOTICES</b>
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<b>3.1</b>	<b>DISCLOSURE OF INTEREST</b>
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NONE

<b>3.2</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>(3/4/1/6)</b>
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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 F Adams	– 12 June 2019
Cllr R Du Toit (Ms)	– 12 June 2019
Cllr JG Hamilton	– 12 June 2019
Cllr AJ Hanekom	– 12 June 2019
Cllr NE Mcombring (Ms)	– 12 June 2019
Cllr RS Nalumango (Ms)	– 12 June 2019
Cllr N Olayi	– 12 June 2019
Cllr MD Oliphant	– 12 June 2019
Ald JP Serdyn (Ms)	– 12 June 2019
Ald G Van Deventer (Ms)	– 12 June 2019

3.2.2 Permission was granted to Cllr P Sitshoti (Ms) to leave the meeting earlier (at 12:00).

<b>4.</b>	<b>CONFIRMATION OF MINUTES</b>	<b>(3/4/1/5)</b>
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NONE

<b>5.</b>	<b>STATUTORY MATTERS</b>	<b>(3/4/1/4)</b>
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NONE

<b>6.</b>	<b>REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS COUNCIL MEETINGS</b>
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NONE

<b>7.</b>	<b>CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: (ALD G VAN DEVENTER (MS))</b>
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<b>7.1</b>	<b>COMMUNITY AND PROTECTION SERVICES: (PC : CLLR Q SMIT)</b>
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NONE

<b>7.3</b>	<b>FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]</b>
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NONE

<b>7.4</b>	<b>HUMAN SETTLEMENTS: [CLLR N JINDELA]</b>
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NONE

<b>7.5</b>	<b>INFRASTRUCTURE: [CLLR Q SMIT]</b>
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NONE

<b>7.6</b>	<b>PARKS, OPEN SPACES AND ENVIRONMENT: [PC: CLLR N JINDELA]</b>
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NONE

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

<b>7.8</b>	<b>RURAL MANAGEMENT AND TOURISM: [PC: CLLR S PETERS]</b>
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NONE

<b>7.9</b>	<b>YOUTH, SPORTS AND CULTURE: [PC: M PIETERSEN ]</b>
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NONE

<b>7.10</b>	<b>REPORTS SUBMITTED BY THE MUNICIPAL MANAGER</b>
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NONE

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

<b>8.2</b>	<b>OFFICE OF THE MUNICIPAL MANAGER</b>
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<b>8.2.1</b>	<b>STELLENBOSCH MUNICIPALITY: REVISION OF DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) FOR WC024</b>
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**Collaborator No:**

**File No:**

**IDP KPA Ref No:**

*Valley of Possibility*

**Meeting Date:**

*2019-06-12*

**1. SUBJECT: REVISION OF THE DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK IN RESPONSE TO COMMENT AND INPUT RECEIVED FROM THE PUBLIC AND OTHER KEY PLATFORMS**

**2. PURPOSE**

To inform council of the comments received during public participation process and to obtain permission to advertise the revised Draft municipal Spatial Development Framework (*mSDF*) in terms of the Municipal Systems Act, no 32 of 2000 (MSA) for a period of 21 days.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

The purpose of the item is to inform Council of the comments received during the official public participation period and to obtain permission to re-advertised the *mSDF* in terms of the Stellenbosch Municipal Land Use Planning By-law, 2015 and Section 20(3) of the Spatial Planning and Land Use Planning Act, No 16 of 2013 (SPLUMA) and the MSA for a further period of 21 days. The final amendment of the draft MSDF must serve before Council in August 2019 for approval and inclusion in the 2019/20 Integrated Development Plan (IDP).

Due to the scale of changes proposed by the public, interest group and the provincial government, it has become apparent that the *mSDF* as previously advertised require some key revisions, which would substantially alter the document. In addition, the section 34(b) of the MSA requires that the municipality undergo an IDP Amendment, since the SDF contributes to key policy changes to the IDP.



The proposed amendments to the SDF, therefore provides an opportunity to advertise the Revised Draft *mSDF* and IDP Amendment to provide the public a further opportunity to comment on the *mSDF* and the IDP Amendment for a period of 21 days.

#### 28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.1

#### RESOLVED (majority vote)

- (a) that Council notes input and comments received on the Draft Municipal Spatial Development Framework attached as **ANNEXURE 1** of the agenda;
- (b) that Council gives consent that the public participation process as prescribed by the Spatial Planning and Land Use Management Act, Act 16 of 2013 and the Stellenbosch Municipality Land Use Planning By-Law, 2015 read together with the Municipal Systems Act proceed once the draft *MSDF* is amended for a period of 21 days;
- (c) that Council approves the advertisement of the Revised Draft *mSDF* for a period of 21 days for public comment; and
- (d) that the final draft Municipal Spatial Development Framework be submitted for consideration with the Integrated Development Plan Amendment.

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

*Cllrs FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.*

<b>NAME</b>	<i>Tabiso Mfeya</i>
<b>POSITION</b>	<i>Director Planning and Economic Development</i>
<b>DIRECTORATE</b>	<i>Planning and Economic Development</i>
<b>CONTACT NUMBERS</b>	<i>021 – 808 8491</i>
<b>E-MAIL ADDRESS</b>	<i>Tabiso.mfeya@stellenbosch.gov.za</i>
<b>REPORT DATE</b>	<i>6 June 2019</i>

<b>8.2.2</b>	<b>STELLENBOSCH MUNICIPALITY ENVIRONMENTAL MANAGEMENT FRAMEWORK (2018)</b>
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**Collaborator No:** 646695  
**File No:** 15/2/1/3  
**IDP KPA Ref No:**  
**Meeting Date:** 12 June 2019

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

**2. PURPOSE**

On the 26<sup>th</sup> meeting of Council it was resolved that the Stellenbosch Environmental Management Framework (SEMF, September 2018) be advertised for public input (**ANNEXURE 1**) and that the document be brought back to Council for approval. The required public participation process has been concluded and the SEMF finalized. The purpose of this item is to acquire Council's approval and adoption of the SEMF (2018 **ANNEXURE 2**).

**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 wellbeing. Through the same section an obligation is placed on the state to put in place reasonable legislative and other measures to realise this right<sup>1</sup>.

In terms of the Municipal Systems Act (MSA) municipalities have the duty to strive to ensure that municipal services are provided to the local community in a financially and environmentally sustainable manner<sup>2</sup>. To achieve this each Municipal Council must adopt an Integrated Development Plan (IDP), a single, inclusive and strategic plan for development of the municipality<sup>3</sup>. An IDP must include a Spatial Development Framework that makes provision for guidelines for land use management within the municipality<sup>4</sup>. 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 applicable<sup>5</sup>. As a sector plan to the MSDF it is envisioned that the SEMF will fulfil this function.

Following the previous Council resolution (included under Section 6.6 below) the relevant public participation process and opportunity to submit written comment was advertised in the Eikestad News on 25 April 2019 (Annexure 1). The document was

<sup>1</sup> Bill of Rights, Section 24

<sup>2</sup> MSA, Section 4.

<sup>3</sup> MSA, Section 25.

<sup>4</sup> MSA, Section 26.

<sup>5</sup> SPLUMA, Section 21(j)

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loaded on the municipal website and hardcopies placed at all municipal libraries. No comment were received. As per the above Council decision, the document is brought back for approval.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.2**

**RESOLVED** (majority vote)

- (a) that Council approves the Stellenbosch Municipality Environmental Management Framework (2018) as its environmental management policy, and
- (b) that the Stellenbosch Municipality Environmental Management Framework be included as a sectoral plan of the IDP at its next revision.

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

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>Schalk van der Merwe</b>
<b>POSITION</b>	<b>Environmental Planner</b>
<b>DIRECTORATE</b>	<b>Community and Protection Services</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8679</b>
<b>E-MAIL ADDRESS</b>	<b><i>schalk.vandermerwe@stellenbosch.gov.za</i></b>

<b>8.2.3</b>	<b>REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2018/19</b>
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**Collaborator No:**

**File No:**

*3/4/5/2/32 X 8/1/2/6*

**IDP KPA Ref No:**

Good Governance and Compliance

**Meeting Date:**

12 June 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**

Council

**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. The TL SDBIP 2018/19 (as approved by the Executive Mayor) is attached hereto. All changes, for ease of reference, 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 amendment process of the IDP 2017-2022 to be submitted to Council for approval during August 2019.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.3**

**RESOLVED** (nem con)

- (a) that the Revised TL SDBIP 2018/19 be noted;
- (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.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Ms. Shireen De Visser</i>
<b>POSITION</b>	<i>Senior Manager: Governance</i>
<b>DIRECTORATE</b>	<i>Office of the Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 – 808 8035</i>
<b>E-MAIL ADDRESS</b>	<a href="mailto:Shireen.devisser@ Stellenbosch.gov.za">Shireen.devisser@ Stellenbosch.gov.za</a>
<b>REPORT DATE</b>	<i>5 June 2019</i>

8.2.4	<b>KERBSIDE COLLECTION OF MUNICIPAL SOLID WASTE GENERATED IN FRANSCHHOEK, GROENDAL, WEMMERSHOEK AND LA MOTTE AND TRANSPORT OF THE WASTE TO STELLENBOSCH LANDFILL SITE, FOR A CONTRACT PERIOD ENDING 30 JUNE 2019</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date: 12 June 2019

1. **SUBJECT: KERBSIDE COLLECTION OF MUNICIPAL SOLID WASTE GENERATED IN FRANSCHHOEK, GROENDAL, WEMMERSHOEK AND LA MOTTE AND TRANSPORT OF THE WASTE TO STELLENBOSCH LANDFILL SITE, FOR A CONTRACT PERIOD ENDING 30 JUNE 2019**

2. **PURPOSE**

To obtain the necessary approval for the extension of the contract for the refuse collection service in the greater Franschhoek.

3. **DELEGATED AUTHORITY**

Council.

4. **EXECUTIVE SUMMARY**

BSM 21/17 was awarded in the 2017/18 financial year as a rates based tender for a three (3) year contract period. The directorate has drafted a new tender specification which has been approved and advertised (BSM 65/19). The directorate wishes to extend the current period by two (2) months or until new service provider is appointed, whichever comes first. This will ensure for continued service delivery in the Franschhoek area until such time a new service provider is in place.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.4**

**RESOLVED** (nem con)

- (a) that Council notes in terms of MFMA Section 116(3) the reasons for the increase of the tender term;
- (b) that the total tender amount (B/SM 21/17) will increase due to the 3 year tender period going beyond 30 June 2019; and
- (c) that Council gives reasonable notice of the intention to amend the contract or agreement in terms of Section 116(3) (b)(i).

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Deon Louw
<b>POSITION</b>	<i>Director</i>
<b>DIRECTORATE</b>	<i>Infrastructure Services</i>
<b>CONTACT NUMBERS</b>	021 808 8213
<b>E-MAIL ADDRESS</b>	<a href="mailto:Deon.louw@ Stellenbosch.gov.za">Deon.louw@ Stellenbosch.gov.za</a>
<b>REPORT DATE</b>	

8.2.5	<b>CLEANING OF STELLENBOSCH CBD FOR A CONTRACT PERIOD ENDING 30 JUNE 2019</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date: 12 June 2019

**1. SUBJECT: CLEANING OF STELLENBOSCH CBD FOR A CONTRACT PERIOD ENDING 30 JUNE 2019**

**2. PURPOSE**

To obtain the necessary approval for the extension of the contract for the cleaning of the Central Business District (CBD) in Stellenbosch.

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

BSM 6/17 was awarded in the 2017/18 financial year as rates based tender for a three (3) year contract period. The directorate has drafted a new tender specification which has been approved and advertised (BSM 101/19). The directorate wishes to extend the current period to four (4) months or until new service provider is appointed, whichever comes first. This will ensure for continued service delivery until such time a new service provider is in place.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.5**

**RESOLVED** (majority vote)

- (a) that Council notes in terms of MFMA Section 116(3) the reasons for the increase of the tender term;
- (b) that the total tender amount (B/SM 6/17) will increase due to the 3 year tender period going beyond 30 June 2019; and
- (c) that Council gives reasonable notice of the intention to amend the contract or agreement in terms of Section 116(3) (b)(i).

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

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Deon Louw
<b>POSITION</b>	<b>Director</b>
<b>DIRECTORATE</b>	<b>Infrastructure Services</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8213</b>
<b>E-MAIL ADDRESS</b>	<a href="mailto:Deon.louw@stellenbosch.gov.za">Deon.louw@stellenbosch.gov.za</a>
<b>REPORT DATE</b>	

<b>8.2.6</b>	<b>PROGRESS REPORT: ELECTRICITY MASTER PLAN</b>
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**Collaborator No:**

**IDP KPA Ref No:**

*Valley of Possibility*

**Meeting Date:**

*2019-06-12*

**1. SUBJECT:PROGRESS REPORT: ELECTRICITY MASTER PLAN**

**2. PURPOSE**

To inform Council on the progress of the review of the Electricity Master Plan which had to be done upon approval of the final Spatial Development Framework (SDF).

**3. DELEGATED AUTHORITY**

In terms of the Electricity Regulation Act, 2000 (Act no 4 of 2000), the National Energy Regulator of South Africa (NERSA) must monitor the supply and demand balance of the electricity systems to achieve an efficient, effective, sustainable and orderly development and operation of the electricity network.

To achieve this objective, NERSA through its licensing conditions require municipalities to perform master planning which is valid for and reviewed every five years.

**4. EXECUTIVE SUMMARY**

The Electricity Master-plan is the strategic planning document that informs the Electrical Services Department in terms of planning, management and budgeting processes for current and future Electrical Services projects. The Electricity Master-plan also informs the operations and maintenance of the electricity network infrastructure to address the increase in electricity demand and supply in the WC024.

The current Electricity master-plan was updated in September 2015 and is valid for five years therefore the current Master-plan will be due for review by September 2020.

During the finalisation and approval of the Spatial Development Framework, provision was made in the capital budget to have the current valid Master Plan aligned with the latest approved Spatial Development Framework.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.6**

**NOTED**

- (a) the content of this report;
- (b) that the current valid Electricity master-plan that was tabled at the 38<sup>th</sup> council meeting held on 24 February 2016 attached as **APPENDIX A**, be noted as a copy of the master-plan that is currently in usage;
- (c) that upon the finalization of the Spatial Development Framework, Supply Chain Management processes be followed for the appointment of a service provider to update the master-plan; and
- (d) that, if the finalization of the Spatial Development Framework is delayed beyond September 2020, the Master Plan will still be updated since it will be due for review in September 2020.

## FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	Deon Louw
<b>POSITION</b>	<i>Director</i>
<b>DIRECTORATE</b>	<i>Infrastructure Services</i>
<b>CONTACT NUMBERS</b>	021 808 8213
<b>E-MAIL ADDRESS</b>	<a href="mailto:Deon.louw@ Stellenbosch.gov.za">Deon.louw@Stellenbosch.gov.za</a>
<b>REPORT DATE</b>	



8.2.7	<b>REGIONAL SOCIO-ECONOMIC PROGRAMME (RSEP)</b>
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**Collaborator No:**

**IDP KPA Ref No:**

*Valley of Possibility*

**Meeting Date:**

*2019-06-12*

**1. SUBJECT: REGIONAL SOCIO-ECONOMIC PROGRAMME (RSEP)**

**2. PURPOSE**

For Council to consider and approve the Implementation Protocol for the RSEP programme, between the Western Cape Government and the Stellenbosch Municipality.

**3. DELEGATED AUTHORITY**

Municipal Council

**4. EXECUTIVE SUMMARY**

The Stellenbosch Municipality's application to be included in the RSEP programme was approved by the Provincial Cabinet on 8 February 2017.

The RSEP programme is a regional inter-governmental development programme focussing on:

- Improving the quality of life of underprivileged, poor communities through urban, social and spatial upgrading;
- Building safe and sustainable neighbourhoods;
- Promoting the "Whole-of-Society" Approach;
- Promoting a "Whole of Government" Approach and
- Promoting joint learning and mainstreaming.

In terms of the approval of Stellenbosch Municipality as a beneficiary of the RSEP programme, the municipality has been allocated funding to the amount of R4 million, spread over the 2019/20 and 2020/2021 financial years. In order to ensure the successful implementation of this programme the agreement between the parties should be concluded as soon as possible.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.7**

**RESOLVED** (nem con)

- (a) that Council takes note of the allocation of R4 million by the Provincial Government to Stellenbosch Municipality in terms of the RSEP programme;
- (b) that Council approves the Implementation Protocol for the RSEP programme as per **ANNEXURE 1**; and
- (c) that the Municipal Manager be authorised to sign all agreements and documents regarding the RSEP program, on behalf of Stellenbosch Municipality.

<b>8.2.8</b>	<b>APPLICATION TO WRITE BACK THE AMOUNT LEVIED FOR PUNITIVE RATES: ERF 9194, TECHNOPARK</b>
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**Collaborator No:**

**IDP KPA Ref No:**

**Good Governance**

**Meeting Date:**

**12 June 2019**

**1. SUBJECT: APPLICATION TO WRITE BACK THE AMOUNT LEVIED FOR PUNITIVE RATES: ERF 9194, TECHNOPARK**

**2. PURPOSE**

To consider the request received from ENS Africa Attorneys, on behalf of Elsabe Daneel Properties (Pty) Ltd, to write back the amount levied for punitive rates in relation to Erf 9194, TechnoPark.

**3. DELEGATED AUTHORITY**

For decision by Municipal Council.

**4. EXECUTIVE SUMMARY**

Following Council's decision to buy back Erf 9194, Technopark, a self-explanatory letter has now been received, requesting that the amount levied for punitive rates in relation to Erf 9194, be written back. Council must now consider this request.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.8**

**RESOLVED** (majority vote)

- (a) that the amount of R145 008-00, levied for punitive rates for the period 1 November 2018 to 30 June 2019, in relation to Erf 9194, Technopark, be written back; and
- (b) that the Municipal Manager be authorised to sign all documents necessary to effect the transfer of Erf 9194 to Stellenbosch Municipality.

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

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>Piet Smit</b>
<b>POSITION</b>	<b>Manager: Property Management</b>
<b>DIRECTORATE</b>	<b>Corporate Services</b>
<b>CONTACT NUMBERS</b>	<b>021-808 8189</b>
<b>E-MAIL ADDRESS</b>	<a href="mailto:Piet.smit@stellenbosch.gov.za">Piet.smit@stellenbosch.gov.za</a>
<b>REPORT DATE</b>	<b>2019-05-07</b>

8.2.9	<b>TO APPROVE THE TRANSFER OF FUNDS TO THE STELLENBOSCH WINE ROUTES AND STELLENBOSCH 360</b>
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Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

12 June 2019

**1. SUBJECT: TO APPROVE THE TRANSFER OF FUNDS TO THE STELLENBOSCH WINE ROUTES AND STELLENBOSCH 360**

**2. PURPOSE**

To obtain Council's approval to transfer funds to Stellenbosch Wine Routes and Stellenbosch 360 in the current financial year.

**3. DELEGATED AUTHORITY**

Municipal Council

**4. EXECUTIVE SUMMARY**

To obtain approval to transfer funds to the Stellenbosch Wine Routes (R120 000.00) to design and manufacture a mobile tourism kiosk (equipped with tourism information, booking technology and Wi-Fi) and to Stellenbosch 360 (R120 000.00) to keep their Visitor's Information Centre operational for the remainder of current financial year

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.9**

**RESOLVED** (majority vote)

that Council approves the transfer of funds to the following organisations:

Stellenbosch Wine Routes	R120 000.00
Stellenbosch 360	R120 000.00

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

*Cllrs FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.*

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Widmark Moses
<b>POSITION</b>	<b>MANAGER: LED &amp; TOURISM</b>
<b>DIRECTORATE</b>	<b>PLANNING AND ECONOMIC DEVELOPMENT</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8974 / 082 879 8490</b>
<b>E-MAIL ADDRESS</b>	<b>Widmark.moses@stellenbosch.gov.za</b>
<b>REPORT DATE</b>	<b>6 June 2019</b>

8.2.10	<b>INTEGRATED DEVELOPMENT PLAN (IDP) AND SPATIAL DEVELOPMENT FRAMEWORK(SDF)AMENDMENT PROCESS 2019</b>
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**Collaborator No:**

**IDP KPA Ref No:**

**Good Governance**

**Meeting Date:**

**12 June 2019**

**1. SUBJECT: INTEGRATED DEVELOPMENT PLAN (IDP) AND SPATIAL DEVELOPMENT FRAMEWORK (SDF) AMENDMENT PROCESS 2019**

**2. PURPOSE**

To obtain Council's approval for the Integrated Development Plan (IDP) and Spatial Development Framework (SDF) amendment process 2019 as outlined in the attached IDP/ SDF amendment process in terms of section 34 and section 29 of the Municipal Systems Act.

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

By virtue of the fact that a municipality is in a state of readiness to adopt the new municipal Spatial Development Framework (SDF) in accordance with section 20 (2) and 21 of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), an IDP Amendment process has been necessitated. The proposed amendments to the SDF, therefore provides an opportunity to advertise the Revised Draft mSDF and IDP Amendment to provide the public a further opportunity to comment on the mSDF and the IDP Amendment for a period of 21 days.

It is therefore necessary for Council to adopt an IDP Amendment Process Plan to give effect to the IDP Amendment, which is anticipated to be tabled in Council August 2019 (as per the annexed IDP/SDF Amendment Process Plan).

The Draft *mSDF* has undergone a first phase of public consultation of 60 days which commenced on 8 March and ended on 8 May 2019. An additional 21 days public consultation will be undertaken alongside the IDP Amendment Process.

The process for amending a municipal integrated development plan is outlined in regulation 3 of the Local Government Municipal Planning and Performance Management Regulations of 2001 (MP&PMR).

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.10**

**RESOLVED** (majority vote)

that Council approves the Integrated Development Plan (IDP) and Spatial Development Framework (SDF) Amendment Process Plan of 2019.

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

<b>8.2.11</b>	<b>APPROVAL OF DEBT AGREEMENT</b>
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**Collaborator No:**

**IDP KPA Ref No:**

**Good Governance and Compliance**

**Meeting Date:**

**12 June 2019**

**1. SUBJECT: APPROVAL OF DEBT AGREEMENT**

**2. PURPOSE**

To obtain Council's approval for the debt agreement in terms of Section 46 (2) of the Municipal Finance Management Act (Act No 56 of 2003).

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

During April 2019 an advertisement was placed inviting interested parties to make submissions regarding the financing of the proposed loan of R160 million. Submissions were received from 6 authorized financial institutions:

- (a) Development Bank of Southern Africa (DBSA);
- (b) ABSA Bank;
- (c) Nedbank;
- (d) Standard Bank
- (e) First National Bank (FNB); and

After due process, in terms of the municipality's approved Supply Chain Policy, the offer of Nedbank for the term of 10 years, was adjudicated by the Bid Adjudication Committee and approved by the Municipal Manager as being the most favorable for Council.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.11**

**RESOLVED** (majority vote)

- (a) that Council approves the debt agreement as stipulated in **APPENDIX 1**; and
- (b) that the Municipal Manager be mandated to enter into a loan agreement with Nedbank (PTY) Ltd.

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

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Kevin Carolus
<b>POSITION</b>	<b>Chief Financial Officer</b>
<b>DIRECTORATE</b>	<b>Finance</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8528</b>
<b>E-MAIL ADDRESS</b>	<a href="mailto:Kevin.carolus@ Stellenbosch.gov.za">Kevin.carolus@ Stellenbosch.gov.za</a>
<b>REPORT DATE</b>	

<b>8.2.12</b>	<b>SALARY AND WAGE INCREASE 2019/2020</b>
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Collaborator No: 4/12/1/1  
IDP KPA Ref No: Good Governance  
Meeting Date: 12 June 2019

**1. SUBJECT: SALARY AND WAGE INCREASE 2019/2020****2. PURPOSE**

To inform Council in regard to the SALGBC Salary and Wage increases 2019/2020.

**3. DELEGATED AUTHORITY**

For notification.

**4. EXECUTIVE SUMMARY**

The 2019/20 salary and wage increase is contained in the SALGBC Collective Agreement to which Stellenbosch Municipality is bound as a member of SALGA. Should the Municipality not be able to afford the increase, exemption must be applied for. There is no need to apply for an exemption as enough funding was budgeted in the approved budget for 2019/20 to accommodate the increase.

The parties to the South African Local Government Bargaining Council (SALGBC) concluded a multi-year Salary and Wage Collective Agreement for the period of 01 July 2018 until 30 June 2021. The agreement contains the provisions of the increase for 2019/2020 financial year indicating inter alia CPI plus 1, 5% culminating in a 6.5% increase on salary and wages. Attached is a letter received from the SALGBC (circular 01/2019) setting out the increase for 2019/2020 (**APPENDIX 4**).

This matter served before the Local Labour Forum and the Forum supports the recommendations.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.12****NOTED**

- (a) the Salary and Wage Collective Agreement for the period of 01 July 2018 until 30 June 2021 as well as Circular 01 of 2019;
- (b) that implementation will take place with the July 2019 salary run; and
- (c) that these increases do not apply to the Municipal Manager and the Section 56 Managers reporting directly to the Municipal Manager.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Annalene De Beer</i>
<b>POSITION</b>	<i>Director Corporate Services</i>
<b>DIRECTORATE</b>	<i>Corporate Services</i>
<b>CONTACT NUMBERS</b>	<i>021-808 8018</i>
<b>E-MAIL ADDRESS</b>	<i>Annalene.Debeer@stellenbosch.gov.za</i>
<b>REPORT DATE</b>	<i>20 May 2019</i>

8.2.13	<b>RENTAL OF OFFICE SPACE IN STELLENBOSCH CBD</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

12 June 2019

**1. SUBJECT: RENTAL OF OFFICE SPACE IN STELLENBOSCH CBD**

**2. PURPOSE**

To obtain the necessary authorisation to conclude lease agreements with Absa Bank Ltd, Eikestad Joint Venture and Octofin Commercial (Pty) Ltd regarding office space in the CBD within a 500 meter radius from the Town Hall building for staff that cannot be accommodated in Municipal-owned buildings for operational reasons.

**3. DELEGATED AUTHORITY**

Council must consider the matter.

**4. EXECUTIVE SUMMARY**

The staff that needs to work within the CBD cannot all be accommodated in Council-owned buildings. The staff structure has also been adjusted and is constantly adjusting to make provision for the delivery of service which on a constant basis is growing.

There are currently 3 (three) lease agreements in place for office space in Stellenbosch CBD, namely:

Absa Bank building

Ecclesia building

Stellenbosch Mall

All three lease agreements terminate in 2019: the agreements regarding Absa Bank building and Ecclesia building on 30 June 2019, and the Eikestad Mall lease on 30 September 2019.

We advertised and called on service providers to indicate the office space available in the radius of 500 meters from the Town Hall building. The decision to rent office space should be dealt with through a Council resolution as it is not goods or services that are procured that is dealt with through a normal tender procurement process.

Directors were requested to indicate the additional office space that is needed to accommodate the growing staff needs and a total of 1094m<sup>2</sup> was indicated as set out below under the discussion.

Only three potential service providers attended the clarification meeting and they are the same companies we are currently renting office space from in the CBD. The Eikestad Mall did not include the space currently being rented from them as part of their offer. It is recommended that the leasing of office space at the Eikestad Mall be dealt with as a whole and not separate rentals (current and new). A further item in this regard will serve before Council in months to come.

The additional space in the Absa Building is only available before 1 September 2019.

**28<sup>TH</sup> COUNCIL MEETING: 2019-06-12: ITEM 8.2.13****RESOLVED** (majority vote)

- (a) that Council approves the conclusion of lease agreements for the period 1 July 2019 to 30 June 2022 as set out below:

<b>Description</b>	<b>Absa</b>	<b>Octofin</b>
1. Office space Rand/m <sup>2</sup> /month	414.41m <sup>2</sup> R175.25 350 m <sup>2</sup> (from 1 September 2019) R175.25	2254.49m <sup>2</sup> R218.50
2. Parking Rand/parking/month	- -	16 R1941.00
3. Municipal Services (estimate)	R9253.74	R123 044.25
4. Escalation	9%	7%
5. Total estimated cost for contract period (Excluding Municipal Services)	R2 856 878.01 plus R2 290 170.51 (period 1 October 2019 to 30 June 2022)	R19 004 150.85
6. Average cost/month/m <sup>2</sup> (Excluding Municipal Services)	R191.50	R234.15

- (b) that it be noted that the additional space in the Absa building will only be rented from 1 October 2019;
- (c) that the Municipal Manager be authorised to conclude lease agreements for the period ending 30 June 2022, as per the financial offers received; and
- (d) that the Municipal Manager be authorised to allocate the new office space to the department(s), as needed.

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

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>Piet Smit</b>
<b>POSITION</b>	<b>Manager: Property Management</b>
<b>DIRECTORATE</b>	<b>Corporate Services</b>
<b>CONTACT NUMBERS</b>	<b>021-8088189</b>
<b>E-MAIL ADDRESS</b>	<b><a href="mailto:Piet.smit@ Stellenbosch.gov.za">Piet.smit@ Stellenbosch.gov.za</a></b>
<b>REPORT DATE</b>	<b>2019-06-05</b>



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9.	<b>MATTERS FOR NOTIFICATION</b>
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9.1	<b>REPORT BY THE EXECUTIVE MAYOR</b>
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NONE

9.2	<b>REPORT BY THE SPEAKER</b>
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NONE

9.3	<b>REPORT BY THE MUNICIPAL MANAGER</b>
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NONE

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

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

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

<b>13.</b>	<b>CONSIDERATION OF REPORTS</b>
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<b>13.1</b>	<b>REPORTS SUBMITTED BY THE SPEAKER</b>
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NONE

<b>13.2</b>	<b>REPORTS SUBMITTED BY THE EXECUTIVE MAYOR</b>
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NONE

<b>14.</b>	<b>IN-COMMITTEE</b>
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NONE

The meeting adjourned at 12:40.

**CHAIRPERSON:** .....

**DATE:** .....

**Confirmed on** ..... **with/without amendments.**