



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-09-25

MINUTES

31ST MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-09-25 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

MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-09-25

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MINUTES OF THE 31ST MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2019-09-25 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT	The Speaker, Cllr WC Petersen (Ms) [Chairperson] The Acting Executive Mayor, Cllr N Jindela	
COUNCILLORS	F Adams (until 11:40) FJ Badenhorst FT Bangani-Menziwa (Ms) Ald PW Biscoombe G Cele (Ms) PR Crawley (Ms) A Crombie (Ms) Z Dalling (Ms) R Du Toit (Ms) J Fasser AR Frazenburg E Fredericks (Ms) T Gosa E Groenewald (Ms) JG Hamilton DA Hendrickse (until 12:30) JK Hendriks	MC Johnson C Manuel NE Mcombring (Ms) XL Mdemka (Ms) C Moses (Ms) RS Nalumango (Ms) N Olayi MD Oliphant SA Peters MM Pietersen SR Schäfer Ald JP Serdyn (Ms) N Sinkinya (Ms) P Sitshoti (Ms) Q Smit LL Stander E Vermeulen

Officials:	Municipal Manager (Ms G Mettler) Chief Financial Officer (K Carolus) 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) Senior Manager: Governance (Ms S De Visser) Manager: Communications (S Grobbelaar) Chief Audit Executive (F Hoosain) Manager: Secretariat (EJ Potts) Senior Administration Officer (T Samuels (Ms)) Committee Clerk (N Mbali (Ms)) Interpreter (J Tyatyeka)
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1.	OPENING AND WELCOME
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The Speaker, Cllr WC Petersen (Ms) welcomed all present at the 31st Council meeting. Councillor G Cele (Ms) opened the meeting with a prayer.

2.	MAYORAL ADDRESS
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On behalf of the Executive Mayor, Ald G Van Deventer, the following Mayoral address was delivered by the Acting Executive Mayor, Cllr N Jindela:

Good Morning, Goeiemore, Molweni, As-salaam Alaikum

- With great sadness and shock that I joined the rest of South Africa in mourning for the brutal deaths of so many women the past few weeks.
- Residents, students, learners and our own officials have taken time to peacefully demonstrate against the scourge of violence that women face every day and fall victim to every day.
- Within our own community, Clarissa Lindoor fell victim to femicide
- The person arrested for her murder, was known to her, this is the case with so many of the women being murdered.
- As a community and society, we must change the way we think and deal with issues of violence
 - Cannot ignore violence when we see it amongst our friends, family, neighbours
 - Must raise our children to realise that women and men are equal
 - We must challenge gender stereotypes wherever we find them, and make sure our girl children are not belittled or denied any opportunity because of their gender.
 - Our male colleagues must join us in acting against violence perpetrated against women and children.
 - Every Thursdays, at 13:00 the municipal staff, officials, councillors and anyone who wants to join, conducts a silent protest to show our support of women and raise awareness of what is happening in our communities.
 - Please join us in front of the town hall.
 - Enough is Enough!
- On 24 September 2019, we commemorated Heritage Day.
 - Opportunity to celebrate what is unique about each individual in South Africa as well as what makes us unique as a country.
 - We celebrate language, culture, diversity and we take time to reflect on the lessons learned from the past.
 - Please make every effort to visit museums and other culturally significant spots during this Heritage Month, our history often shows our future.
 - **A nation's culture resides in the hearts and the soul of its people** – Mahatma Gandhi
- Congratulations to Ruan Opperman, one of our Fire Fighters, who won silver in the SA Toughest Fire Fighter Alive Competition, individual category for 30 to 35 year olds.
 - It is a privilege for us to have you as part of our Fire Fighting Team!
- Franschhoek Pass has been reopened.
 - Thank you to the Provincial Minister for Transport and Public Works and his team for their swift work to make the pass safe and reopen it to the public.

- Begin van die maand was boomplantweek en ons parkeafdeling het in samewerking met al die ander afdelings 'n propvol week vol aktiwiteite gehad.
 - Die hoogtepunt was 'n pretstap waaraan skole van die omgewing, amptenare en inwoners deelgeneem het.
 - Dag is afgesluit met 'n boomplantseremonie.
 - Vanjaar se algemene boom van die jaar is die Maroelaboom en die skaars boom vir die jaar is die Appelblaar.
 - Wil inwoners en amptenare aanmoedig om bome te plant.
 - Doen navorsing en fokus veral op die plant van inheemse bome!
 - Bome dra by tot 'n gesonde en mooi omgewing
- Dankie ook aan Parke afdeling wat werklik hard werk om ons dorpe mooi te hou.
 - So baie komplimente ontvang oor hoe mooi ons dorpe lyk hierdie lente met die pragtige blomme wat geplant is.
 - Ons fokus steeds op meer geharde plante wat meer droogte bestand is en ons blomme word natgelei met gryswater.

Thank You!"

3.	COMMUNICATION BY THE SPEAKER
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“Good morning to:

- The Acting Executive Mayor, Cllr N Jindela
- The Municipal Manager, Ms. Geraldine Mettler
- All other Alderman and Ladies
- All Councillors
- All Directors and Staff members present
- All Members of the Public and especially Mr. Pelser from the Stellenbosch Ratepayers Association

Allow me to welcome all of you to this Beautiful Month of Spring and Arbour Month. I sincerely hope that you will enjoy the inputs and discussions from the different speakers and may this be a fruitful meeting as we also think of the children enjoying the school holidays.

Birthdays

The following Councilors have had their birthdays the past month

- **Executive Mayor – Alderman Gesie van Deventer - 24 September**
- Councilor Ronald Nalumango – 27 September

Op 'n somber noot hou ons **Raadslid Malcom Johnson** in ons gedagte met die skielike afsterwe van sy vrou en jarelange eggenoot van 43 jaar. Mag hy as Raadslid en sy gesin sterkte vind in die wete dat God haar geroep het tot sy diens.

MOMENT OF SILENCE – FOR GENDER VIOLENCE

- **Lauren Petersen (19) from Klapmuts**
- **Clarissa Lindoor (27) from Nietverbij, Cloetesville**

We now move to the items on the Agenda / Ons beweeg nou na die items op die Agenda.”

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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- The Municipal Manager wished everyone present a wonderful Heritage Month and Heritage Day. She encouraged residents to make use of the opportunity to visit any Sanpark free of charge during Heritage Month.
- She thanked everyone who joined the silent protest every "Black Thursday" in front of the Town Hall in solidarity with the "#Am I Next" Movement and to show support to all the victims of gender-based violence and abuse. She invited everybody to wear black and join the group every Thursday at 13:00 in the fight against femicide by saying: "Enough is Enough", the violence against our women and children has to stop!
- The Municipal Manager applauded the Department: Community Services who organised a range of school awareness programmes and tree planting ceremonies during National Arbor week and an Arbor Day Community Walk. She thanked all partners, Councillors and Officials who participated in the Arbor Walk and joined in the fun.

5.	DISCLOSURE OF INTERESTS
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NONE

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

Cllr A Florence	–	25 September 2019
Cllr N Mananga-Gugushe (Ms)	–	25 September 2019
Cllr A Hanekom	–	25 September 2019
Cllr LK Horsband (Ms)	–	25 September 2019
Cllr DD Joubert	–	25 September 2019
Cllr WF Petersen	–	25 September 2019
Ald G Van Deventer (Ms)	–	25 September 2019

7.	APPROVAL OF MINUTES OF PREVIOUS COUNCIL
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7.1	CONFIRMATION OF MINUTES OF THE 30TH COUNCIL MEETING: 2019-08-28
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The minutes of the 30th Council Meeting: 2019-08-28, were **confirmed as correct.**

8.	STATUTORY MATTERS
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NONE

9.	REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS
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ITEM	Pg	INPUT	MM'S RESPONSE
<p>Cllr DA Hendrickse: Outstanding Council resolutions that is not reported on in this Agenda. An email was sent to the Municipal Manager requesting the status/outcome of the outstanding matters listed.</p>		<p>Arbitration – Stellenbosch Golf Course (what is the outcome?)</p> <p>What happened to the Council resolutions re the marketing of the Idas Valley Housing Project? There was a criteria that this Council has approved, when will Council receive a report on how this resolution was implemented by ASLA?</p> <p>When will a report be submitted to Council regarding the irregular expenditure that was reported to Council re Sintell and TNT</p>	<p>Is still with Arbitration. MM will report on it in due course.</p> <p>Council approved the criteria and an updated report will follow in due course.</p> <p>There was an update in August 2018. Some of the money was recovered, the case was made and is with the Hawks. MM is following up regarding the investigation thereof.</p>
<p>Cllr F Adams: 7.3.1 THE FUTURE USE AND MAINTENANCE OF COUNCIL HERITAGE BUILDINGS</p> <p>8th Council Meeting: 2017-04-26: Item 7.3.1 RESOLVED (majority vote with abstentions)</p> <p>(a)</p> <p>(b)</p> <p>(c) that in terms of Section 14(2)(a) of the MFMA, the properties listed in paragraph 3.4 (table 2) marked as Category A properties, be identified as properties not needed to provide the minimum level of basic municipal services;</p>	51	<p>Cllr F Adams expressed his concern about the other heritage buildings identified as Category A properties to be considered for possible rental.</p>	<p>This is the current resolution taken at Council on 2017-04-26.</p>
<p>Cllr F Adams: PROPOSED DISPOSAL (THROUGH A LAND AVAILABILITY AGREEMENT) OF MUNICIPAL LAND, A PORTION OF PORTION 4 OF FARM NO 527 AND A PORTION OF THE REMAINDER OF FARM 527, BOTH LOCATED IN JAMESTOWN, STELLENBOSCH AND THE APPOINTMENT OF A TURNKEY DEVELOPER IN ORDER TO FACILITATE THE DELIVERY OF STATE SUBSIDIZED HOUSING UNITS, SERVICED SITES FOR AFFORDABLE HOUSING UNITS, GAP HOUSING UNITS AND HIGH INCOME HOUSING UNITS 14TH COUNCIL MEETING: 2017-11-29: ITEM 7.5.1</p>	56	<p>The current status and planned implementation timeframe?</p> <p>Legal dispute - the old Agriculture Hall, was the agreement finalized?</p>	<p>MM will give update at the next Council meeting.</p> <p>The dispute has been resolved. Will confirm at the next Council meeting.</p>
<p>Cllr F Adams: 7.2.4 PROPOSED SERVICE DELIVERY IN JONKERSHOEK</p> <p>22ND COUNCIL MEETING: 2018-11-28: ITEM 7.2.4</p>	60	<p>What is the current status in terms of progress with the meetings they had with the stakeholders?</p>	<p>Various meetings took place with the Dept of Public Works. Awaiting their response.</p>

<p>Cllr F Adams: 12.2 VAN DER STEL SPORT FACILITY: REVIEW OF THE AGREEMENTS BETWEEN STELLENBOSCH MUNICIPALITY (WC024), STELLENBOSCH SPORT AND RECREATION ASSOCIATION (SSRA) AND VAN DER STEL SPORT COUNCIL</p> <p>29TH COUNCIL MEETING: 2019-07-24: ITEM 12.2</p>		Was the tender advertised?	Must go to the Bid Specification Committee.
<p>Cllr JK Hendriks: 7.10.2 PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (ELSENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY</p> <p>27TH COUNCIL MEETING: 2019-05-29: ITEM 7.10.2</p>	66	How far is the progress with Vaaldraai?	Tender specifications as per Council resolution have been completed and is now at the Bid Specification Committee for tender for Feasibility Study.

NOTED

The report by the Municipal Manager re outstanding resolutions taken at previous meetings of Council.

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

10.2	REPORT/S BY THE SPEAKER
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NONE

10.3	REPORT/S BY THE MUNICIPAL MANAGER
10.3.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2019

Collaborator No: 661598
IDP KPA Ref No: Good Governance
Meeting Date: 25 September 2019

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 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 2019/2020 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 (2019/2020) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during August 2019.

31ST COUNCIL MEETING: 2019-09-25: ITEM 10.3.1

NOTED

the deviations as listed for the month of August 2019.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	CFO
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Kevin.Carolus@ Stellenbosch.gov.za
REPORT DATE	06 August 2019

11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]
11.1	COMMUNITY AND PROTECTION SERVICES: (PC : CLLR Q SMIT)
11.1.1	STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)

Collaborator No: 658594
 IDP KPA Ref No: Good Governance
 Meeting Date: 11 September 2019

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

2. **PURPOSE**

Stellenbosch Municipality, like the rest of the Western Cape, continue to be threatened by veld fires. The Draft Stellenbosch Municipality Integrated Fire Management Plan (SFMP, January 2019) (Annexure A) has been prepared to provide the necessary information for sound veld fire management with an emphasis on Stellenbosch Municipality's legal obligations as landowner. Following a previous Council decision, to advertise the document for public input, the Stellenbosch Municipality Integrated Fire Management Plan is brought back to Council for adoption.

3. **DELEGATED AUTHORITY**

For decision by the Council of Stellenbosch Municipality.

4. **EXECUTIVE SUMMARY**

Stellenbosch Municipality (the Municipality) continue 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 SFMP is to ensure that veld fires are able to serve greater good than harm. It aims to eliminate loss of life, human injury, 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

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.1.1**RESOLVED** (majority vote with abstentions)

that Council adopts the Stellenbosch Municipality Integrated Fire Management Plan (January 2019) to guide fire management within the WC024 area.

Councillor DA Hendrickse requested that it be minuted that he abstained from voting on the matter because he did not receive the Council Agenda.

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	05 August 2019

11.1.2	POLICY FOR THE IMPLEMENTATION OF AN AUXILIARY LAW ENFORCEMENT SERVICE FOR STELLENBOSCH MUNICIPALITY
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Collaborator No: 659698
IDP KPA Ref No:
Meeting Date: 11 SEPTEMBER 2019

1. SUBJECT: POLICY FOR THE IMPLEMENTATION OF AN AUXILIARY LAW ENFORCEMENT SERVICE FOR STELLENBOSCH MUNICIPALITY

2. PURPOSE

To obtain Council's approval of the Auxiliary Law Enforcement Service Policy for Stellenbosch Municipality (WC024).

3. DELEGATED AUTHORITY

For decision by the Municipal Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality encompasses a vast jurisdiction which includes Franschhoek, Klapmuts, Pniel, Kylemore, Raithby and Jamestown. Enforcing municipal bylaws and preventing criminal activity through active visible policing is putting a big strain on the municipal budget. The continued escalation in crime has further heightened the pressure on local law enforcement and municipal traffic services.

This is borne out by the public outcry for help against rising crime in all communities. In order to extend the fight against crime to the community's themselves, the municipality has crafted a draft policy on the creation of a volunteer auxiliary law enforcement service. It is envisaged that the additional law enforcement contingent will improve the municipality's ability to stem the rise in crime experienced in local communities.

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.1.2

RESOLVED (majority vote)

- (a) that Council approves the advertisement of the draft Policy for the implementation of an Auxiliary Law Enforcement Service for Stellenbosch Municipality 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 Policy for the implementation of an Auxiliary Law Enforcement Service for Stellenbosch Municipality to be presented to Council for approval.

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

FOR FURTHER DETAILS CONTACT:

NAME	Charl Kitching
POSITION	Senior Manager Protection Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8815
E-MAIL ADDRESS	Charl.kitching@stellenbosch.gov.za
REPORT DATE	15 July 2019

11.1.3	POLICY ON EXTERNALLY-FUNDED LAW ENFORCEMENT AND TRAFFIC OFFICERS
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Collaborator No: 659698
IDP KPA Ref No:
Meeting Date: 11 SEPTEMBER 2019

1. SUBJECT: POLICY ON EXTERNALLY-FUNDED LAW ENFORCEMENT AND TRAFFIC OFFICERS

2. PURPOSE

To obtain Council's approval for the draft on Externally-Funded Law Enforcement and Traffic Officers Policy for the Stellenbosch Municipality (WC 024).

3. DELEGATED AUTHORITY

For decision by the Municipal Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality comprises of a vast area which includes the towns of Stellenbosch and Franschhoek, as well as the smaller settlement nodes of Klapmuts, Pniel, Kylemore, Raithby and Jamestown. This poses significant challenges to the municipality in terms of its mandate to provide a Traffic and Law Enforcement Service to all these communities. Add to this the annual influx of tens of thousands of university students into central Stellenbosch, the resultant congestion and "over-crowding" tends to cause major traffic and law enforcement challenges for the relevant departments.

The current staff component of the Protection Services Department (Law Enforcement, Traffic Services and Fire Services) is not adequate to provide a quality service to all communities through visible policing. This proposed policy provides private business and non-governmental organisations with the opportunity to partner with the municipality to fund the employment of additional law enforcement and traffic officials in designated areas where crime and traffic congestion has become a challenge.

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.1.3

RESOLVED (majority vote)

- (a) that Council approves the advertisement of the draft Policy on Externally-Funded Law Enforcement and Traffic Officers 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 Policy on Externally-Funded Law Enforcement and Traffic Officers to be presented to Council for approval.

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

The Speaker ordered Cllr F Adams to leave the Council Chamber for disorderly conduct (Rule 32.2).

FOR FURTHER DETAILS CONTACT:

NAME	Charl Kitching
POSITION	Senior Manager Protection Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8815
E-MAIL ADDRESS	Charl.kitching@stellenbosch.gov.za
REPORT DATE	09 July 2019

11.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
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11.2.1	PROPOSED RENEWAL OF LEASE AGREEMENT: BURGERHUIS: HISTORIESE HUISE VAN SUID-AFRIKA BEPERK: ERF 3389, STELLENBOSCH
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

GOOD GOVERNANCE

11 September 2019 and 25 September 2019

1. SUBJECT: PROPOSED RENEWAL OF LEASE AGREEMENT: BURGERHUIS: HISTORIESE HUISE VAN SUID-AFRIKA BEPERK: ERF 3389, STELLENBOSCH

2. PURPOSE

To obtain Council's approval for the renewal of the Lease Agreement on erven 3389 and 607, also known as Burgerhuis with "Historiese Huise".

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

"Historiese Huise" has been renting the properties since 1960. The agreement was renewed on various occasions. The last lease agreement for erven 3389 and 607 with "Historiese Huise" lapsed in 2009. "Historiese Huise" continued to maintain the property also known as "Burgerhuis" and pay the rent. As the Municipality accepted the rent and the lease agreement therefore continued on a silent month to month basis. It is however necessary that the leasing of the property is formalised again.

The new Property Management Policy allow for a process whereby Council can lease a property after Council's intention so lease to a specific company was advertised for public inputs/comments or alternative proposals, before making a final decision.

In terms of the last Lease Agreement Historiese Huise is using a portion of the house for their office space, the remainder portion is managed as a living museum. For this reason it is recommended that they be responsible to pay 50% of market rental, to be determined by an independent valuer.

An application has been received from Historiese Huise van Suid-Afrika Beperk to renew the lease agreement in relation to Die Burgerhuis (erf 3389 and 607 Stellenbosch) for a period of 9 years and 11 months. They are proposing a rental agreement from 1 July 2016 and indicate that they spend R70 000 per year on the maintenance of the buildings and a further R40 000 per year on the gardens.

An audit was done on the historical properties belonging to the municipality and a decision on the management of all the properties will be taken in due course. The lease agreement with the applicants will make provision for a termination if the management of this property changes during the proposed lease period.

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.2.1**RESOLVED** (majority vote)

- (a) that erven 3389 and 607, Stellenbosch, be identified as land not needed for use to provide basic services during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- (b) that Council, **in principle** approves that a lease agreement for 9 years and 11 months to be concluded on a private treaty basis with Historiese Huise van Suid-Afrika Beperk, as provided for in Regulation 34 (1) (b), but subject thereto that Council's intention be advertised for public inputs/comments/objections, as provided for in paragraph 9.2.2 of the Property Management Policy;
- (c) that an independent valuer be appointed to determine the fair market rentals for the properties referred to in (a);
- (d) that the lease agreement provides for a 3 months' notice period to terminate the lease agreement;
- (e) that Council, in principle, approves the rental at 50% of the fair market rental payable by Historiese Huise, as provided for in paragraph 22.1.4 of the Property Management Policy; and
- (f) that a draft agreement be submitted with the return item.

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

Cllr FT Bangani-Menziwa (Ms); G Cele (Ms); DA Hendrickse; C Moses (Ms); RS Nalumango (Ms); MD Oliphant; N Sinkinya (Ms); P Sitshoti (Ms); and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	PIET SMIT
POSITION	MANAGER: PROPERTY MANAGEMENT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@ Stellenbosch.gov.za
REPORT DATE	2019-02-07

11.2.2	PROPOSED RENEWAL OF LEASE AGREEMENTS: BERGZICHT TRAINING CENTRE: PORTION OF REMAINDER ERF 235, STELLENBOSCH
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

GOOD GOVERNANCE

11 September 2019 and 25 September 2019

1. SUBJECT: PROPOSED RENEWAL OF LEASE AGREEMENTS: BERGZICHT TRAINING CENTRE: PORTION OF REMAINDER ERF 235, STELLENBOSCH

2. PURPOSE

To obtain Council's approval for the renewal of the Lease Agreement with Bergzicht Training Centre – erf 235 Stellenbosch.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality and the Bergzicht Training Centre concluded a Lease Agreement during 1992 for a 9 years and 11 months period in relation to a portion of erf 235, Stellenbosch. The agreement was renewed in 2002 for a further period of 9 years and 11 months. The agreement however lapsed in 2013. Bergzicht however continued to lease and use the property as a training center and paid the rent and an informal agreement therefore continued on a month to month basis. It is however necessary to formalize the lease arrangement.

An application has now been received from Bergzicht Training Centre to renew the lease agreement for a further term of 9 years and 11 months. Council must now consider this request in terms of the Property Management Policy.

Seeing that the Training Centre is a NPO, it is used for the benefit of the community and it is maintained and has been updated by the lessee it is recommended that Bergzicht Training Centre pay 20% of market rental, to to be determined by an independent valuer.

The property under discussion is one of the historical properties belonging to the municipality. An audit was done on the historical properties belonging to the municipality and a decision on the management of all the properties will be taken in due course. The lease agreement with the applicants will make provision for a termination if the management of this property changes during the proposed lease period.

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.2.2

RESOLVED (majority vote)

- (a) that the portion of Remainder erf 235, Stellenbosch, as indicated on fig 2 be identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;

-
- (b) that Council, **in principle** approves that a lease agreement for 2 years be concluded on a private treaty basis with Bergzicht, Training Centre, as provided for in Regulation 34 (1) (b), subject thereto that Council's intention be advertised for public inputs/comments/objections, as provided for in paragraph 9.2.2 of the Property Management Policy;
- (c) that an independent valuer be appointed to determine the fair market rental for the property referred to in (a);
- (d) that the lease agreement provides for a 3 months' notice period to terminate the lease agreement;
- (e) that Council, in principle, approves 20% of the fair market value to be the rental payable by Bergzicht Training Centre, as provided for in paragraph 22.1.4 of the Property Management Policy; and
- (f) that a draft agreement be submitted with the return item.

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

FOR FURTHER DETAILS CONTACT:

NAME	PIET SMIT
POSITION	MANAGER: PROPERTY MANAGEMENT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@ Stellenbosch.gov.za
REPORT DATE	2019-08-01

11.2.3	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
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Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 11 and 25 September 2019

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To re-submit the proposed amended System of Delegations for adoption by Council after the input from the Section 80 Committees have been elicited as resolved by council on 28 August 2019.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

In terms of section 59 of the Local Government: Municipal Systems Act, 32/2000, a Municipal Council must develop a System of Delegations that will maximize administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with such system, may:

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

The Delegations have been revised in its totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made. The changes as discussed at the workshop on 13 February 2018 are included in the attached document.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-08-14: ITEM 7.2.3

that this item be deferred to a continuation meeting on 20th August 2019.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-08-20: ITEM 7.2.3

- (a) that Council adopts the attached revised System of Delegations as set out in **APPENDIX 2** as the primary source of the delegations from 1 October 2019;
- (b) that Council takes note that by-laws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended by-law or policy, and that the current delegations attached to those by-laws and policies remain in effect till such time it is revised; and
- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

Council considered the delegation on 28 August 2019 and the following ruling was made by the Speaker:

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

"The Speaker RULED

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via the MAYCO.

The item served at the following section 80 Committees:

Corporate Services	2 September 2019	Appendix 3
Financial Services	10 September 2019	Appendix 4
Infrastructure Services	5 September 2019	Appendix 5
Youth, Sport and Culture	5 September 2019	Appendix 6
Community and Protection Services	10 September 2019	Appendix 7
Parks and Open Spaces	2 September 2019	Appendix 8
Planning and Economic Development	3 September 2019	Appendix 9
Human Settlements	4 September 2019	Appendix 11
Rural management and Tourism	4 September 2019	Appendix 12

Inputs were also from the Municipal Manager (RS1) – change indicated in red and the Director Community and Protection services – (**Appendix 10**). No input was received from the Directorate Planning and Economic Development by Friday 6 September 2019. Input as send by the portfolio chairperson (**Appendix 9A**). All the changes relating to the inputs received since the previous council meeting is contained in red in the electronic appendix 2.

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.2.3

RESOLVED (nem con)

- (a) that Council adopts the attached revised System of Delegations as set out in **APPENDIX 2** as the primary source of the delegations from 1 October 2019;
- (b) that it be noted that by-laws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended by-law or policy, and that the current delegations attached to those by-laws and policies remain in effect till such time it is revised; and
- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

The Speaker ordered Cllr DA Hendrickse (at 12:30) to leave the Council Chamber for disorderly conduct (Rule 32.2).

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 807 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.org.za
REPORT DATE	16 September 2019

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

11.4	HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)
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NONE

11.5	INFRASTRUCTURE SERVICES: (PC: CLLR Q SMIT)
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NONE

11.6	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))
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NONE

11.7	PLANNING AND ECONOMIC DEVELOPMENT: (PC:CLLR E GROENEWALD (MS))
11.7.1	DRAFT PROBLEM PROPERTY BY- LAW FOR STELLENBOSCH MUNICIPALITY ON, 17 MAY 2019

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: *25 September 2019*

1. SUBJECT: DRAFT PROBLEM PROPERTY BY-LAW FOR STELLENBOSCH MUNICIPALITY ON, 17 MAY 2019

2. PURPOSE

To advise the Executive Mayor and Council on the draft By-law on Problem Property for Stellenbosch Municipality.

3. DELEGATED AUTHORITY

For consideration by the Executive Mayor and recommendation to Council for advertisement for public comment.

4. EXECUTIVE SUMMARY

In terms of the **14TH COUNCIL MEETING: 2017-11-29: ITEM 8.3.3**, the Administration advertised the Draft By-law for public comment during 2018 for a period of 90 days. Despite the long period, no written comments were received, except one person who requested a meeting in order to discuss the content of the Draft By-law.

Therefore, the Administration proposes to circulate the draft to all the internal departments, interested and affected parties as well as all ward committees for a second round of comments.

The Draft By-law is pertaining to how the municipality must endeavour to address problem properties (i.e.: derelict, undesirable, abandoned or dangerous properties) throughout the entire WCO24 municipal area.

At present, several properties within Stellenbosch municipality have been identified as problematic, due to their long-term abandonment and neglect and/or failure to develop or maintain. Such properties have the tendency to be used as illegal dumping sites, invite dangerous or illegal activities, create an eyesore for the surrounding community, and/or potentially lead to neighborhood decay due to their negative influence on surrounding property prices and community pride.

At present, Stellenbosch Municipality is working with an outdated by-law, promulgated in 1962 ("Stellenbosch Municipality: Regulations Relating to Dilapidated Buildings and Unsightly and Objectionable Structures, P.N 407/1962), which does not adequately capture the demands of current land use enforcement challenges associated with problematic properties.

Although a relevant draft by-law was developed and approved in-principle by Council in 2013 (Stellenbosch Municipality: Problem Buildings By-law (2013)), this By-law was never promulgated.

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.7.1**RESOLVED** (nem con)

- (a) that the revised Draft By-law on Problem Properties for Stellenbosch Municipality, 17 May 2019, be advertised for public participation for 30 days; and
- (b) that after the comments have been reviewed, the edited By-Law be resubmitted to the Mayoral Committee and Council for final consideration and subsequent approval.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	Director
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	Tabiso.mfeya@stellenbosch.gov.za
REPORT DATE	September 2019

11.7.2	DRAFT POLICY ON PLACE NAMING, STREET NAMING AND RENAMING AND NUMBERING FOR STELLENBOSCH MUNICIPALITY, EDITED 17 MAY 2019
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Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 16 September 2019

1. **SUBJECT: DRAFT POLICY ON PLACE NAMING, STREET NAMING AND RENAMING AND NUMBERING FOR STELLENBOSCH MUNICIPALITY, EDITED 17 MAY 2019**

2. **PURPOSE OF REPORT**

To advise the Executive Mayor and Council on the Draft Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality

3. **DELEGATED AUTHORITY**

For consideration by the Executive Mayor and recommendation to Council for advertisement for public comment.

4. **EXECUTIVE SUMMARY**

Council resolved as follows:

**“JOINT ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE:
2018-03-06: ITEM 5.2.1**

During deliberations on the matter, the following corrections were suggested on the Draft Policy:

- (i) *Under bullet point 4.2, change 2km radius to 5km radius;*
- (ii) *Under bullet point 5.11, change the name of the Director: Engineering Services to Director: Infrastructure.*
- (iii) *Remove bullet point 6.7 Other situations.....on page 6 of the Draft Policy and change the numbering that follows, i.e. 6.8 becomes 6.7, etc.;*
- (iv) *Under bullet point 9.2, replace the word “failure of” with the word “failing”, under paragraph 9.2 on page 8 of the Appendix;*
- (v) *Replace the Afrikaans word “Weg” with the Afrikaans word “Pad” next to the English word Road (Rd) on the 2nd last page of Annexure 1.*

RESOLVED

that it be recommended to Council:

- (a) *that the draft policy on Place naming, Street naming and Renaming and Numbering for Stellenbosch Municipality, August 2017, (including the amendments as listed in (i)-(v) above), be approved in principle; and*
- (b) *that the draft policy on Place naming, Street naming and Renaming and Numbering for Stellenbosch Municipality, August 2017 be advertised for public*

comment where after same be resubmitted to Council for final consideration and approval.”

The administration edited the document on 8 April 2019 as requested in the above-mentioned resolution. Thereafter, the draft policy was re-submitted to the PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE on the 17th of May 2019 for re-consideration.

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.7.2

RESOLVED (nem con)

- (a) that the revised Policy on Place Naming and Street Naming, Renaming and Numbering for Stellenbosch Municipality be advertised for public comment for 60 days;
- (b) that after public participation has been received, the Draft Policy will be brought back to Council for final consideration; and
- (c) that the final approved Policy be translated into all 3 official languages.

FOR FURTHER DETAILS CONTACT:

NAME	Hedre Dednam
POSITION	Land Use Manager
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	hedre.dednam@stellinbosch.gov.za
REPORT DATE	30 July 2019

11.8	RURAL MANAGEMENT AND TOURISM: (PC: CLLR S PETERS)
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NONE

11.9	YOUTH, SPORTS AND CULTURE: (PC: CLLR M PIETERSEN)
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11.9.1	WINELANDS MARATHON AND HALF MARATHON: THREE-YEAR PARTNERSHIP AGREEMENT WITH STELLENBOSCH MUNICIPALITY
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Collaborator No: 660766

IDP KPA Ref No: *Good Governance*

Meeting Date: 11 September 2019

1. SUBJECT: WINELANDS MARATHON AND HALF MARATHON: THREE-YEAR PARTNERSHIP AGREEMENT WITH STELLENBOSCH MUNICIPALITY.

2. PURPOSE

To submit the draft three-year partnership agreement between Stellenbosch Municipality and the Winelands Marathon and Half Marathon to Council for approval.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

The Winelands Marathon and Half Marathon is an established event which annually takes place in WC024. The event is presented by Helderberg Harriers Running Club and organised by Top Events, one of the leading event organising companies in the Western Cape. The events start and finish at Eikestad Primary School.

The event attracts approximately 5000 athletes, but has the potential to grow into a fully-fledged international event if infrastructure support and international marketing platforms can be accessed. The Stellenbosch Municipality, Top Events and new headline sponsor of the event, Sportsmans Warehouse, intends to partner with the events owner, Helderberg Harriers Running Club, to make this happen.

The objective with the partnership is to elevate the event to an international event which in turn would facilitate increased regional and international sport tourists to WC024, economic growth, social inclusion and job creation.

Further to this, the event will provide opportunities for cooperation, connectivity and constructive partnerships with the public and private sectors.

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.9.1**RESOLVED** (nem con)

that Council approves the draft three-year Partnership Agreement (MOU) between the Stellenbosch Municipality and the Winelands Marathon and Half Marathon for the period 2019 – 2021.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Albert van der Merwe</i>
POSITION	<i>Manager: Community Services</i>
DIRECTORATE	<i>Community and Protection Services</i>
CONTACT NUMBERS	<i>021 808 8165</i>
E-MAIL ADDRESS	<i>Albert.vandermerwe@stellenbosch.gov.za</i>
REPORT DATE	<i>19 August 2019</i>

11.10	MUNICIPAL MANAGER
11.10.1	ADOPTION OF THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2019/20 FINANCIAL YEAR WITH RISK APPETITE

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 11 September 2019

1. SUBJECT: ADOPTION OF THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2019/20 FINANCIAL YEAR WITH RISK APPETITE

2. PURPOSE

To obtain approval for the revised Strategic and Operational Risk Register and risk appetite for the 2019/20 financial year from the Mayoral Committee for referral to Council to be adopted.

3. DELEGATED AUTHORITY

For the Mayoral Committee to approve for referral to Council and for Council adoption.

4. EXECUTIVE SUMMARY

Municipal Governance best practice as well the Municipal Finance Management Act (MFMA), Act 56 of 2003, requires municipalities to have an effective risk management mechanism to stay abreast of prevalent risks and to determine the risk appetite. Inherent risk exposure means impact in relation to likelihood of a risk occurring. Risk appetite means the amount (level) of risk a municipality is willing to accept. Municipalities are required to formally assess risk annually to determine the risk severity and decide on the appropriate risk appetite for the municipality. To ensure effectiveness, a municipality must focus its attention and resources on the areas of most significant risk and concern to stakeholders. The risk assessment process is therefore a fundamental element of the risk management process.

The principal aim of the risk assessments process is to:

- Identify the risks threatening the achievement of the IDP's objectives of each directorate;
- Assess the key risks facing each directorate; and
- Identify the processes / functions / directorates / persons the municipality and top management relies upon to manage the identified risks.
- Align the mentioned risk management process with processes as established by provincial and national government (as communicated to the municipality).

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.10.1**RESOLVED** (nem con)

that Council adopts the Strategic Risk Register for the 2019/20.

FOR FURTHER DETAILS CONTACT:

NAME	Shireen De Visser
POSITION	Senior Manager Governance
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8157
E-MAIL ADDRESS	Shireen.Devisser@stellenbosch.gov.za
REPORT DATE	11 September 2019

11.10.2	APPROVAL OF COST CONTAINMENT POLICY
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Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

11 September 2019

1. SUBJECT: APPROVAL OF COST CONTAINMENT POLICY

2. PURPOSE

Council to adopt the Cost Containment Policy.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The objective of this policy is to give effect to the Cost Containment Regulations and the Local Government: Municipal Finance Management Act No. 56 of 2003 to ensure that resources of a municipality are used effectively, efficiently and economically by implementing cost containment measures.

As directed by Regulations, the policy will further set out-

- a) Monitoring measures to ensure implementation of the policy;
- b) Procedures for the annual review implementation of the policy; and
- c) Consequences for non-adherence to the measures contained in the policy.

The policy applies to all officials and political office bearers in Stellenbosch Municipality. In the event of any conflict between a provision of this policy and any other policy of council, the provision of this policy shall apply.

31ST COUNCIL MEETING: 2019-09-25: ITEM 11.10.2

RESOLVED (nem con)

that the Cost Containment Policy be adopted.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	Chief Financial Officer
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Kevin.carolus@stellenbosch.gov.za
REPORT DATE	10 September 2019

12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
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12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
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12.1.1	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO THE UPGRADE OF THE ABLUTION FACILITIES IN THE LANGRUG/MOOIWATER/GROENDAL AREA MOST NOTABLY, BLOCK J IN TERMS OF THE CONTRACT FOR LISO LUKHANYO HOLDINGS: FQ 74/19
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Collaborator No: 659400
IDP KPA Ref No: Good Governance
Meeting Date: 17 September 2019

1. **SUBJECT: CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO THE UPGRADE OF THE ABLUTION FACILITIES IN THE LANGRUG/MOOIWATER/GROENDAL AREA MOST NOTABLY, BLOCK J IN TERMS OF THE CONTRACT FOR LISO LUKHANYO HOLDINGS: FQ 74/19**

2. **PURPOSE**

To obtain Council's approval regarding the irregular expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to write-off the expenditure in terms of the MFMA Section 32 (2).

3. **DELEGATED AUTHORITY**

Council.

4. **EXECUTIVE SUMMARY**

The Informal Settlements Department submitted a variation order request to Supply Chain Management during February 2019 in order to address the increase in scope.

The contractor was asked to continue with the additional work after considering all the factors such as the health risk posed in the community, pressure from the community being affected and the financial and time implications.

31ST COUNCIL MEETING: 2019-09-25: ITEM 12.1.1

NOTED

- (i) that the expenditure incurred is not irregular as defined in the Municipal Finance Management Act, Act 56 of 2003; and
- (ii) that the services were rendered and paid for within the prescripts of the MFMA.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Tabiso Mfeya</i>
POSITION	<i>Director</i>
DIRECTORATE	<i>Planning & Economic Development</i>
CONTACT NUMBERS	<i>021-808 8493</i>
E-MAIL ADDRESS	Tabiso.Mfeya@stellenbosch.gov.za
REPORT DATE	<i>16 August 2019</i>

13.	REPORTS BY THE MUNICIPAL MANAGER
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13.1	STREET PEOPLE POLICY
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Collaborator No: 655303
IDP KPA Ref No: Dignified Living: Municipal Focus Area 21
Meeting Date: 25 September 2019

1. SUBJECT: STREET PEOPLE POLICY

2. PURPOSE

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

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL.

4. EXECUTIVE SUMMARY

The application 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

31ST COUNCIL MEETING: 2019-09-25: ITEM 13.1

RESOLVED (nem con)

that Council approves the Policy on Street People.

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	04/07/2019

13.2	APPROVAL AND ADOPTION OF THE WATER SERVICE DEVELOPMENT PLAN
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance & Compliance

25 September 2019

1. SUBJECT: APPROVAL AND ADOPTION OF THE WATER SERVICE DEVELOPMENT PLAN

2. PURPOSE

To submit the proposed Water Service Development Plan of the Stellenbosch Municipality to Council for approval.

3. DELEGATED AUTHORITY

The Water Service Development Plan is a document that must in terms of the Municipal Systems Act (Act 32 of 2000), Section 12 be adopted by Municipal Council.

4. EXECUTIVE SUMMARY

The current Water Service Development Plan (WSDP) must be updated every five years as directed by the WS Act. (Act 108 of 1997) and regulations relating to compulsory National Standard Measures to Conserve Water”

The WSDP contains provisions in support of basic human services, replacement and upgrading of old infrastructure, cleaned piped water, sanitation services and procedures relating to service connections to consumers, services specifications, compliance regulations and obligation matters relating to municipality’s Constitutional obligation to effective service delivery, to all relevant legislation.

The WSDP proposes to regulate all activities, infrastructure and entities associated with potable water, waste water generation, the disposal of sewerage effluent by all types of consumers

The proposed plan is also not in contradiction with any existing policies (e.g., credit control policy)

31ST COUNCIL MEETING: 2019-09-25: ITEM 13.2

RESOLVED (nem con)

that this matter be withdrawn.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	<i>Director</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@ Stellenbosch.gov.za
REPORT DATE	14 April 2019

13.3	BSM 6/18 MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS FRANSCHHOEK AND KLAPMUTS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance & Compliance

25 September 2019

1. SUBJECT: BSM 6/18 MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS FRANSCHHOEK AND KLAPMUTS

2. PURPOSE

Contract BSM 6/18 Maintenance and Operation of Public Ablutions in Informal Settlements Franschhoek and Klappmuts.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

BSM 6/18 was awarded in the 2017/18 financial year for a 24-month continuous period. The directorate has drafted a new tender specification which has served at BSC and will be advertised as BSM 13/20 (Franschhoek & Klappmuts).

The directorate wishes to extend the current contracts BSM 6/18 with a three (3) month period or until a new service provider is appointed, whichever comes first. This will ensure continued service delivery in Franschhoek and Klappmuts informal settlement areas until such time a new service provider is in place.

31ST COUNCIL MEETING: 2019-09-25: ITEM 13.3

RESOLVED (nem con)

- (a) that Council note in terms of MFMA Section 116(3) the reasons for the increase of the tender term; and
- (b) that the current contract BSM 6/18 be for a three (3) month period or until a new service provider is appointed, whichever comes first.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@stellenbosch.gov.za
REPORT DATE	5 August 2019

13.4	BSM 5/18: OPERATIONS AND MAINTENANCE OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS KAYAMANDI
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Collaborator No:

IDP KPA Ref No:

Good Governance & Compliance

Meeting Date:

25 September 2019

1. SUBJECT: BSM 5/18: OPERATIONS AND MAINTENANCE OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS KAYAMANDI

2. PURPOSE

To obtain the necessary approval for the extension of BSM 5/18: Operations and Maintenance of Public Ablutions in Informal Settlements Kayamandi.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

BSM 5/18 was awarded in the 2017/18 financial year for a 24-month continuous period. The directorate has drafted a new tender specification which has served at BSC and will be advertised as BSM 18/20 during September/October 2019.

The directorate wishes to extend the current contract BSM 5/18 with a three (3) month period or until a new service provider is appointed, whichever comes first. This will ensure continued service delivery in Kayamandi informal settlement areas until such time a new service provider is in place.

31ST COUNCIL MEETING: 2019-09-25: ITEM 13.4

RESOLVED (nem con)

- (a) that Council note in terms of MFMA Section 116(3) the reasons for the increase of the tender term; and
- (b) that the current contract BSM 5/18 be for a three (3) month period or until a new service provider is appointed, whichever comes first.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@stellenbosch.gov.za
REPORT DATE	5 August 2019

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

15.	CONSIDERATION OF URGENT MOTIONS
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NONE

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

17.	REPORTS SUBMITTED BY THE SPEAKER
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NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

19.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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NONE

The meeting adjourned at 13:00.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**