



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2016-11-29

MINUTES

4TH COUNCIL MEETING

2016-11-23 AT 15:00

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
4TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2016-11-23
TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
2.	COMMUNICATIONS	
2.1	MAYORAL ADDRESS	
2.2	COMMUNICATION BY THE SPEAKER	
2.3	COMMUNICATION BY THE MUNICIPAL MANAGER	
3.	OFFICIAL NOTICES	
3.1	DISCLOSURE OF INTERESTS	
3.2	APPLICATIONS FOR LEAVE OF ABSENCE	
4.	CONFIRMATION OF MINUTES	
	The minutes of the 3 rd Council Meeting: 2016-10-26 refers. (The minutes were distributed under separate cover). FOR CONFIRMATION	
5.	STATUTORY MATTERS	
	NONE	5
6.	REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS COUNCIL MEETINGS (Appendix 1)	6
7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: (ALD G VAN DEVENTER (MS))	6
7.1	COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: (PC: CLLR AR FRAZENBURG)	
7.1.1	INTERNATIONAL CONFERENCE: UD 2016, YORK, UNITED KINGDOM (Appendices 1-3)	7
7.2	CORPORATE AND STRATEGIC SERVICES: (PC: CLLR E GROENEWALD (MS))	
7.2.1	TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) REPORT FOR THE FIRST QUARTER (1 JULY 2016 TO 30 SEPTEMBER 2016) (Appendix 1 distributed under separate cover)	8
7.2.2	BUSINESS CASE FOR RESEARCH AND ASSESSMENT OF AN ALTERNATIVE ICT ENTERPRISE RESOURCE PLAN SOLUTION (ERP) (Appendices 1-2)	9
7.2.3	MFMA SECTION 116 (3) – EXTENSION OF THE CURRENT NETWORKED MULTI-FUNCTIONAL PRINTER & SCANNING CONTRACT TO 31 DECEMBER 2018 (Appendices 1-2)	11
7.3	ECONOMIC DEVELOPMENT AND PLANNING: (PC: ALD JP SERDYN (MS))	
	NONE	12
7.4	FINANCIAL SERVICES: (PC: CLLR S PETERS)	
7.4.1	NEW OFFICE BUILDING – PROCUREMENT PROCESS (Appendix 1)	12
7.4.2	mSCOA PROJECT PROGRESS REPORT AS AT 31 OCTOBER 2016	14
7.4.3	MFMA S116(2)(d) REPORT: MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 30 SEPTEMBER 2016 (Appendix 1)	15
7.5	HUMAN SETTLEMENTS: (PC: CLLR PW BISCOBE)	
7.5.1	REVISED EMERGENCY HOUSING ASSISTANCE POLICY (EHAP) (Appendices 1-4)	16

ITEM	SUBJECT	PAGE
7.6	INFRASTRUCTURE: (PC: CLLR J DE VILLIERS)	
7.6.1	PLANNING OF AN INTEGRATED PUBLIC TRANSPORT SERVICE NETWORK AND THE PROVINCIAL PUBLIC TRANSPORT INSTITUTIONAL FRAMEWORK (Appendices 1-4)	17
7.6.2	SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARD TO PUBLIC TRANSPORT (Appendices 1-2)	18
7.6.3	AMENDMENT OF CONTRACT B/SM 21/16: THE OPERATING AND MANAGEMENT OF THE LANDFILL SITE (CELL 3) FOR A PERIOD OF 6 MONTHS (Appendices 1-4)	20
7.6.4	THE THIRD GENERATION INTEGRATED WASTE MANAGEMENT PLAN (IWMP) FOR STELLENBOSCH MUNICIPALITY (Appendix 1)	22
7.6.5	WATER SERVICES BY-LAW (Appendix 1)	23
7.7	PROTECTION SERVICES: (PC: CLLR Q SMIT)	
7.7.1	IMPOUNDMENT OF ANIMALS BY-LAW (Appendix 1)	24
7.7.2	BY-LAW ON THE PREVENTION OF PUBLIC NUISANCES AND THE KEEPING OF ANIMALS (Appendices 1-7)	25
7.7.3	EVENTS POLICY (Appendix 1)	26
7.7.4	FESTIVE SEASON READINESS (Appendices 1-3)	27
7.8	YOUTH, SPORTS AND CULTURE: (PC: CLLR XL MDEMKA (MS))	
	NONE	28
8.	CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED BY THE MUNICIPAL MANAGER	
8.1	SCHEDULE OF MEETINGS OF COUNCIL AND MAYORAL COMMITTEE FOR 2017 (Appendix 1)	28
8.2	ACTING ARRANGEMENTS IN THE ABSENCE OF THE EXECUTIVE MAYOR AND DEPUTY EXECUTIVE MAYOR	30
8.3	FIXING OF CONTRAVENTION LEVY IN TERMS OF SECTION 40(3) OF THE LAND USE planning ordinance 15 of 1985 IN RESPECT OF THE FARM NO 1353/1, PAARL DIVISION AS WELL AS THE DETERMINATION OF A DEEMED ZONING IN TERMS OF SECTION 40(4)(c) of the land use planning ordinance 15 of 1985 (Appendices 1-25 previously distributed on CD and Appendix 26 distributed under separate cover)	31
8.4	STRUCTURING OF COUNCIL: ESTABLISHMENT OF SECTION 79 - / STATUTORY COMMITTEES	32
	8.4.1 Appointment of Councillors to serve on the Local Labour Forum (Appendix 1)	32
8.5	APPOINTMENT OF REPRESENTATIVES ON SALGA - WESTERN CAPE (Appendices 1-2)	33
8.6	APPOINTMENT OF COUNCILLORS TO SERVE ON EXTERNAL BODIES	34
9.	MATTERS FOR NOTIFICATION	
9.1	REPORT/S BY THE EXECUTIVE MAYOR	
	NONE	36
9.2	REPORT/S BY THE MUNICIPAL MANAGER	
	NONE	36
10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER	
10.1	QUESTION 1 BY COUNCILLOR DA HENDRICKSE: TOTAL MONETARY VALUE CONTRIBUTED BY BLAAUWKLIPPEN AGRICULTURAL ESTATE (Appendices 1-2)	36
10.2	QUESTION 2 BY COUNCILLOR DA HENDRICKSE: BENEFICIARIES ON THE JAMESTOWN HOUSING LIST THAT DO NOT QUALIFY FOR SOCIAL HOUSING (Appendices 1-2)	37
10.3	QUESTION 3 BY COUNCILLOR LK HORSBAND (MS): COUNCIL POLICY ON ISSUING OF COUNCIL RELATED DOCUMENTATION ON CD'S AND FLASH DRIVES TO COUNCILLORS (Appendix 1)	38
10.4	QUESTION 4 BY COUNCILLOR LK HORSBAND (MS): COST CONTAINING MEASURES – NATIONAL TREASURY CIRCULAR 82 (Appendix 1)	39
10.5	QUESTION 5 BY COUNCILLOR F ADAMS: EMPOWERMENT AND WEALTH CREATION OPPORTUNITIES FOR BLACK PEOPLE (Appendix 1)	40
11.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER	
	NONE	

ITEM	SUBJECT	PAGE
12.	CONSIDERATION OF MOTIONS OF EXIGENCY	
	NONE	
13.	CONSIDERATION OF REPORTS	
13.1	REPORTS SUBMITTED BY THE SPEAKER	
	NONE	
13.2	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR	
	NONE	
14.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
	(SEE PINK DOCUMENTATION)	

**MINUTES OF THE 4TH MEETING OF STELLENBOSCH COUNCIL HELD ON
2016-11-23 AT 15:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET,
STELLENBOSCH**

PRESENT: The Speaker, Cllr DD Joubert [**Chairperson**]
The Executive Mayor, Ald G Van Deventer (Ms)
The Deputy Executive Mayor, Cllr N Jindela

COUNCILLORS

F Adams	LK Horsband (Ms)
DS Arends	MC Johnson
FJ Badenhorst	NS Louw
GN Bakubaku-Vos (Ms)	N Mananga-Gugushe (Ms)
FT Bangani-Menziwa (Ms)	C Manuel
PW Biscombe	LM Maqeba
PR Crawley (Ms)	NE McOmbring(Ms) (from 15:30)
A Crombie (Ms)	XL Mdemka (Ms)
JN De Villiers	RS Nalumango (Ms)
MB De Wet	N Olayi
R Du Toit (Ms)	SA Peters
E Groenewald (Ms)	WC Petersen (Ms)
A Florence	MM Pietersen
AR Frazenburg	WF Pietersen
E Fredericks (Ms)	SR Schäfer
JG Hamilton	N Sinkinya (Ms)
AJ Hanekom	P Sitshoti (Ms)
DA Hendrickse	Q Smit
JK Hendriks	E Vermeulen (Ms)

Officials: Acting Municipal Manager (R Bosman)
Chief Financial Officer (M Wüst)
Director: Community and Protection Services (G Esau)
Director: Economic Development and Planning (D Lombaard)
Director: Human Settlements (T Mfeya)
Acting Director: Strategic and Corporate Services (B Mkaza)
Acting Director: Infrastructure (A Swart)
Chief Audit Executive (F Hoosain)
Manager: Community Development (M Aalbers (Ms))
Head: Committee Services (EJ Potts)
Committee Clerk (T Samuels (Ms))
Interpreter

1.	OPENING AND WELCOME
-----------	----------------------------

The Speaker, Councillor DD Joubert, welcomed all present, and requested that a moment of silent reflection be observed. Thereafter Pastor Simon Morris opened the meeting with a scriptural message and a prayer.

2.	COMMUNICATIONS
-----------	-----------------------

2.1	MAYORAL ADDRESS
------------	------------------------

“Goeie middag, good afternoon, molweni, as-salaam alaikum.

Daar is 'n Afrikaanse spreekwoord wat lui: “Hoe meer dae, hoe meer dinge”. In plaaslike regering werk dit inderdaad so. Soos die eerste 100 dae van die nuwe raad verby geloop het, het ons die bul by die horings gepak en die groot uitdagings wat ons in die gesig staar tromp op geloop en begin werk aan oplossings en innoverende planne. Party sake is baie makliker as wat dit aanvanklik gelyk het en kon ons vinnig aanspreek terwyl ander baie meer kompleks is en ons nog ver is van 'n oplossing. Ek wil u egter gerus stel, ek gee nie moed op nie en elke probleem wat oor my tafel kom probeer ek die beste moontlike oplossing voor vind.

- As a municipality we are not aware of every problem that arises, we do not have the resources or the funds to send people out every day to walk the streets inspecting every inch of our municipality. I request to be our eyes and ears in addition to our existing resources. All information is welcomed.
- We are very much aware of our developmental role and the backlog in some historically disadvantaged areas. Executive Deputy Mayor Jindela visited Kayamandi with Mayco and directors to gather information on problems facing residents in the area.
- Will consider the report and discuss solutions to challenges in the area so that it can be included in IDP and budget.
- Brandseisoen is hier
- Ongelukkig reeds lewens verlies die naweek in twee afsonderlike brandgevälle in Franschoek en Kayamandi
- Groot brand ook in Banhoek wat nou onder beheer is
- Inwoners word gemaan om versigtig te wees, droe en warm toestande verhoog die moontlikheid van brande
- Wenke om brande te voorkom
 - Moenie oop vure maak nie, braaivleisvure kan net in gepaste aangewese areas gemaak word,
 - maak seker kole word geblus wanneer u klaar is sodat die wind nie 'n kool of vonk waai na gras en 'n brand veroorsaak,
 - geen beheerde brande word toegelaat tydens brandseisoen,
 - hou u erf skoon van Rommel en brandbare material,
 - Gaan binnekort optree...
 - hou kerse, vuurhoutjies en klappers weg van kinders
 - Moenie sigaret stompies by ruite of vensters uitgooi nie, maak seker dit is geblus.
 - Meld asseblief brande so gou moontlik aan, skakel die brandweer by 021 808 8888
- Still in the midst of terrible drought
- Dam levels are much lower than the same time last year.
- Residents are reminded that water restrictions are still in place and will remain in place for the foreseeable future.
- We must cut water consumption with at least 20%, if not we might face a situation in the future which necessitates water shedding.

-
- Residents are reminded that water tariffs have been adjusted in accordance with the 20% savings goal, please see the website for details on how the tariff changes affect you.
 - Vergadering met Minister Donald Grant gehad onlangs om probleem met verkeerskongestie en padsterftes te bespreek.
 - Minister Grant is bewus van ons probleem en wil dit graag saam met ons aanspreek.
 - Aandag word gegee aan die druk verkeer binne Stellenbosch en maniere waarop dit aangespreek kan word
 - Hoë padsterftes bly ook 'n ernstige probleem en gesprek saam met die provinsiale verkeersdepartement en minister Grant het verskeie voorstelle opgelewer wat oplossings kan bied. Soos die gesprekke en besluite vorder, sal ons gemeenskap ingelig hou. Weet egter dit is 'n probleem wat ons aandag en toewyding geniet.
 - Met groot hartseer ook verneem van die afsterwe van 'n leerder aan Paul Roos Gimnasium, Rohan Nieuwoudt wat oorlede is in 'n ongelukkig. Innige meegevoel aan sy ouers, familie, vriende en die skool gedurende hierdie moeilike tyd.
 - As Mayor I am very proud to inform council that Stellenbosch have three finalists in the Western Cape Premier's Entrepreneurship Recognition Awards.
 - Total prize money for this award is R 2 million.
 - Polymorph Systems (Pty)Ltd – Mobile device company that creates high quality mobile applications for the global market;
 - Praelexis – Has products and solutions in education, banking and insurance;
 - and ButtaNutt product that was founded in 2013 made from grounded nuts and is free from added sugar, stabilisers and preservatives.
 - The awards are an initiative of the Western Cape Department of Economic Development, since 2013, to honour excellence in entrepreneurship.
 - Entrepreneurship is extremely important in creating new jobs and growing a strong and sustainable economy.
 - Nog goeie nuus is dat 4 van die top 10 restaurante in Suid-Afrika, soos aangewys deur die 2016 Eat Out Mercedes-Benz Restaurant toekennings, binne ons munisipale area geleë is.
 - Op nommer 4 is The Tasting Room at Le Quartier Francais in Franschhoek
 - Op nommer 6 is Overture in Stellenbosch
 - Op Nommer 8 is The Kitchen at Maison in Franschhoek
 - Op nommer 9 Foliage in Franschhoek
 - Dis 'n wonderlike hupstoot om hierdie area te vestig as 'n kulinêre hoofstad van die Wêreld.
 - On Thursday I will be hosting the Annual Mayoral Tea with some of our older residents.
 - It is an honour to launch our festive season in Stellenbosch by celebrating and spending time with our elderly residents
 - This is time well spent to meet and share in the wisdom of those who have walked before us.
 - Our elderly residents are fountains of wisdom that we so often neglect and it is important for me as Mayor to give them recognition and spend time in their company, we are never too old to learn.
 - 16 Dae van aktivisme teen geweld teen vroue en kinders begin op Vrydag, 25 November 2016.
 - Jaarliks kom hierdie veldtog verby, ons hoor egter steeds daaglik van geweld teen vroue en kinders
 - Doen 'n ernstige beroep op u as raadslede en die inwoners van Stellenbosch om die stilte te breek.
 - As u weet van iemand wat fisies of emosioneel mishandel word, meld dit aan, praat daaroor.
 - Die situasie sal net verbeter indien ons erken daar is 'n probleem. Tot dan sal alle veldtogte onsuksesvol.
 - Ek nooi ook slagoffers uit om my te kontak indien hulle hulp nodig het, ek sal hul saak met die nodige sensitiwiteit en diskresie hanteer en seker maar u kry hulp.

- Earlier today, I signed a memorandum of Understanding with the Free Market Foundation for to form part of the Khaya Lam Reform Project.
- Very excited as this project, will help the municipality to expedite the handing over 2700 of title deeds from various housing projects in our Municipal area.
- The Khaya Lam Project will assist the Municipality with the legwork and human resources to deal with the outstanding transfers effectively.
- The first 1000 will be completed by March 2017.
- So excited about this as it will enable people to live with dignity on their OWN property.
- Ownership enables people to access economic resources not previously available to them.
- Once again proof of what can be achieved when the private sector and government engages constructively.

The tenure of our acting MM, Mr Richard Bosman, at the Stellenbosch Municipality is coming to an end. I want to thank Mr Bosman for his hard work and dedication, during sometimes trying and difficult circumstances. He has done excellent work and is leaving the Municipality behind in a more positive state than when he first came. Thank you for all the time and effort you have invested in the municipality and the lives of our residents. We wish you all the best for your future endeavours.

Ek dank u / I thank you.”

2.2	COMMUNICATION BY THE SPEAKER
------------	-------------------------------------

- 2.2.1 The Speaker congratulated all Councillors who celebrated, and who will be celebrating, their birthdays during November and December.
- 2.2.2 A Special Council meeting will be held on 8 December 2016 at 14:00 and the Agenda of said meeting will be distributed by 5 December 2016.
- 2.2.3 The Speaker urged Councillors to familiarize themselves with the Rules of Order, particularly with reference to debate management and the progressive way of dealing with consensus items.

2.3	COMMUNICATION BY THE ACTING MUNICIPAL MANAGER
------------	--

NONE

3.	OFFICIAL NOTICES
-----------	-------------------------

3.1	DISCLOSURE OF INTERESTS
------------	--------------------------------

(3/6/2/2)

Councillor SR Schäfer requested to be recused when item 8.3 is being discussed.

3.2	APPLICATIONS FOR LEAVE OF ABSENCE	(3/4/1/6)
------------	--	------------------

The following applications for leave of absence were approved in terms of the Rules of Order of Council:-

- (1) Ald JP Serdyn (Ms) - 23 November 2016
- (2) Cllr MD Oliphant - 23 November 2016

It was further approved that Councillor NE McOmbring (Ms) join the meeting later (15:30).

4.	CONFIRMATION OF MINUTES	(3/4/1/5)
-----------	--------------------------------	------------------

The minutes of the 3rd Council Meeting held on 2016-10-26 was **confirmed as correct, subject to the following amendments:**

Items 8.9 (page 22) and 8.10 (page 23) to be correctly indicated as Additional Items.

Item 10.2 (page 28)

Replace the following:

"The matter was put to the vote yielding a result of 13 in favour and 28 against".

RESOLVED (majority vote)

that this Motion not be accepted'

with

At 18:15, the Speaker ordered Councillor DA Hendrickse to leave the Council Chamber on account of breach of order.

Hence, in view of the absence of the mover,

the Speaker **RULED**

that this Motion has lapsed.

5.	STATUTORY MATTERS	(3/4/1/4)
-----------	--------------------------	------------------

NONE

6.	REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS COUNCIL MEETINGS (3/4/2/5)
----	--

The following outstanding items do not appear on the list of outstanding resolutions:

- (i) Immovable Property Policy
- (ii) Tender 34
- (iii) Decisions taken by the Acting Mayor during the previous recess

The Acting Municipal Manager undertook to circulate a written response on the above matters to all Councillors by 30 November 2016.

NOTED

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: (ALD G VAN DEVENTER (MS))
7.1	COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: CLLR AR FRAZENBURG
7.1.1	INTERNATIONAL CONFERENCE: UD 2016, YORK, UNITED KINGDOM

1. PURPOSE OF REPORT

To provide feedback to Council on the lessons learned at the International UD 2016 Conference, and to share opportunities emanating from information obtained at the conference and through contacts.

2. BACKGROUND

To ensure social inclusion of Persons with Disabilities, Stellenbosch Municipality has over the past two years achieved some milestones. This include the establishment of a civil body to represent Persons with Disabilities, the development of a policy aiming to ensure the rights of Persons with Disabilities and the completion of a study on accessibility of municipal facilities and infrastructure. The study resulted in the alignment of the Stellenbosch Municipal Universal Access Policy (a first in South Africa) to other municipal policies and the development of an implementation plan for deliverables identified through the study still to be approved by council.

In March 2016 an opportunity arose to present the above mentioned process as a theoretical paper (**APPENDIX 1**) and best practice case study at an international conference. Subsequent approval to attend and present the paper at the UD2016 Conference: *Learning from the past; designing for the Future* hosted in York, UK was obtained resulting in the Manager: Community Development attending and presenting the Stellenbosch case study at said conference. The conference was hosted by the University of York from 21 August 2016 to 24 August 2016.

The Stellenbosch presentation was very well received.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.1.1

RESOLVED (nem con)

- (a) that the presentation at the International Conference UD 2016 in York, UK, presenting a Stellenbosch Good Practice, **be noted**;
- (b) that Council supports capacity-building and development of officials through the recognition of international exposure as a driver for service excellence; and
- (c) that the Department: Community Development submits an item on the Universal Access way forward, dependant on the response received.

Meeting: Ref No:	4 th Council: 2016-11-23 4/5/8/4	Submitted by Directorate: Author: Referred from:	Community Development M Aalbers Mayco: 2016-11-16
---------------------	--	--	---

7.2	CORPORATE AND STRATEGIC SERVICES: (CLLR E GROENEWALD (MS))
7.2.1	TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) REPORT FOR THE FIRST QUARTER (1 JULY 2016 TO 30 SEPTEMBER 2016)

1. PURPOSE OF REPORT

To report on the progress made with the achievement of key performance indicators, development priorities and objectives as determined in the Top Layer Service Delivery and Budget Implementation Plan (SDBIP) for the 1st Quarter (1 July 2016 to 30 September 2016).

2. BACKGROUND

In terms of Section 1 of the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003) the service delivery and budget implementation plan (SDBIP) is defined as a detailed plan approved by the mayor of a municipality within 28 days after the approval of the budget for implementing the municipality's delivery of municipal services and its annual budget.

The format of the Service Delivery and Budget Implementation Plan (SDBIP) is prescribed by MFMA Circular Number 13 issued by National Treasury. In terms of the said Circular Number 13 the Service Delivery and Budget Implementation Plan (SDBIP) must depict the service delivery areas, budget allocations and enable monitoring and evaluation. It specifically requires the Service Delivery and Budget Implementation Plan (SDBIP) to include, inter alia, the following:

- Monthly projections of revenue to be collected for each source;
- Monthly projections of expenditure (operating and capital) and revenue for each vote;
- Quarterly projections of service delivery targets and performance indicators for each vote;
- Information for expenditure and delivery; and
- Detailed capital works plan.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.2.1

RESOLVED (nem con)

that the 2016/17 Top Layer Service Delivery and Budget Implementation Plan (SDBIP) Report for the 1st Quarter (1 July 2016 to 30 September 2016), **be noted.**

Meeting: Ref No:	4 th Council: 2016-11-23 4/5/8/4	Submitted by Directorate: Author: Referred from:	Strategic & Corp Services U Cupido Mayco: 2016-11-16
---------------------	--	--	--

7.2.2	BUSINESS CASE FOR RESEARCH AND ASSESSMENT OF AN ALTERNATIVE ICT ENTERPRISE RESOURCE PLAN SOLUTION (ERP)
-------	--

1. PURPOSE OF REPORT

To provide recommendations to Council on the outcome of the research and assessment that was conducted by Zimele Technologies for an alternative Enterprise Resource Planning (ERP) solution in compliance with National Treasury system requirements.

2. BACKGROUND

An Enterprise Resource Planning (ERP) system is an application that replaces many standalone systems of individual departments – such as finance, budget, procurement, customer billing, project accounting, grants management, payroll and human resource management. It integrates the functions into a single, automated system that runs off a single database.

On the 30 March 2016, Council took a strategic resolution to extend all ICT contracts for only six (6) months pending research and assessment of alternative ERP solution in compliance with National Treasury requirements.

Subsequently, Zimele was appointed through the proper SCM tender process to conduct the research and assessment of an alternative ERP solution and produce a business case for Council approval and all ICT contracts were approved for 6 months from (1 July 2016 – 31 December 2016).

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.2.2**RESOLVED** (majority vote)

- (a) that the new central government regulation e.g. the Municipal Standard Charter of Accounts (mSCOA) that has also recommended that the Stellenbosch Municipality relook the efficiency and effectiveness of the current ICT systems in order to comply with the regulations, **be noted**;
- (b) that Council approves that the Accounting Officer proceed in terms of the process plan to investigate an ERP solution for the municipality and that he does that in alignment with the letter from Provincial Treasury, Western Cape Government, dated 2016-10-26, attached hereto as **APPENDIX 2**.
- (c) that Council takes note that the Accounting Officer will provide, as a baseline, a comparative analysis with a proposed project plan and implementation timelines from at least 3 municipalities of similar size that have implemented an ERP system and subsequently report on progress made in the procurement of an ERP system by the 30 June 2017;
- (d) that Council amends all current ICT contracts through Section 116 (3) for 18 months (starting from the 1 January 2017 to 30 June 2018) to ensure mSCOA compliance by 1 July 2017, whilst testing the market for an ERP system, and work towards a go-live and roll-out of the said system by 1 July 2018; and

- (e) that Council reprioritizes the existing ICT budget allocation to provide funding for the new ERP system.

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

Councillors GM Bakubaku-Vos (Ms); FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); LM Mqeqeba; RS Nalumango (Ms); N Sinkinya (Ms) and P Sitshoti (Ms).

Meeting:	<i>4th Council: 2016-11-23</i>	Submitted by Directorate:	<i>Strategic & Corp Services</i>
Ref No:	<i>4/5/8/4</i>	Author:	<i>B Mkaza</i>
		Referred from:	<i>Mayco: 2016-11-16</i>

7.2.3	MFMA SECTION 116 (3) – EXTENSION OF THE CURRENT NETWORKED MULTI-FUNCTIONAL PRINTER & SCANNING CONTRACT TO 31 DECEMBER 2018
-------	---

1. PURPOSE OF REPORT

To obtain approval from Council to follow the MFMA S116 (3) process to extend the existing networked multi-functional printer and scanning contract for a further period of 24 months.

2. BACKGROUND

The Stellenbosch Municipality is renting 50 printers from Pinnacle Business Solutions (PBS) and 2 scanners which were installed during the months of June and July 2014. The current agreement expires on 31 December 2016. This short period of 29 months means that the machines are still fairly new.

The Utilization table, (**APPENDIX 1**), is a summary of the utilization % which, through a calculation, you can arrive at the months of life left in each machine, based on factory specifications.

Due to the fact that nearly all the machines still have a lot of life left, it is our recommendation that we internally move the machines that are being underutilized to departments where they can be better used. We would do this internal movement at no cost. Going to tender towards the end of the year would result in a substantial jump in rental costs.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.2.3

RESOLVED (majority vote)

that the current multi-functional printing and scanning contract be extended for a period of 24 months till 31 December 2018 after the required process as outlined in S116 (3) of the MFMA 56 of 2003 has been duly followed.

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

Councillors F Adams; GM Bakubaku-Vos (Ms); FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); LM Maqeba; RS Nalumango (Ms); N Sinkinya (Ms) and P Sitshoti (Ms).

Meeting: Ref No:	4 th Council: 2016-11-23 4/5/8/4	Submitted by Directorate: Author: Referred from:	Strategic & Corp Services B Mkaza Mayco: 2016-11-16
-----------------------------	--	---	---

7.3	ECONOMIC DEVELOPMENT AND PLANNING: (CLLR JP SERDYN (MS))
-----	---

NONE

7.4	FINANCIAL SERVICES: [CLLR S PETERS]
-----	--

7.4.1	NEW OFFICE BUILDING – PROCUREMENT PROCESS
-------	--

1. PURPOSE OF REPORT

To obtain a mandate from Council to proceed with the Public Private Partnership (PPP) procurement process of a New Office Building.

It should be noted that the outcome of a PPP process is not necessarily to proceed with a PPP, but could result in other procurement strategies than a PPP.

From the attached memo from Property Management it follows that the Municipality requires about 8700m² (2006 assessment) of office space being addressed by:

- 4400m² Plein Street office (municipality owned)
- 1852m² of 6 decentralised offices (municipality owned)
- 3115m² of leases at 3 locations

The Municipality needs to optimize its service delivery also through the utilization of effective office accommodation. A PPP process will address the optimization of the utilization of effective office accommodation.

2. BACKGROUND

Following the amalgamation of the former Stellenbosch, Pniel and Franschhoek Municipalities as well as taking over functions from the former Winelands District Council, it became evident that the current office space at the Plein Street Offices was not adequate to cater for the growing needs for additional office space.

As a consequence, Stellenbosch Municipality entered into various lease agreements during 2004 in terms whereof additional office space were leased. Currently space is being leased in the ABSA (Oude Bloemhof) and Ecclesia Building to house the following departments and directorates:

- Informal Settlements
- New Housing
- Property Management
- Engineering Services
- Strategic and Corporate Services

An in principal decision was taken by Council to extend the Office Space at Plein Street in order to accommodate the growing number of employees.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.4.1**RESOLVED** (majority vote)

- (a) that Council approves the registration of a new office building as a PPP at National Treasury;
- (b) that Council considers budgetary requirements to proceed with the PPP procurement strategy for the new office building; and
- (c) that Council appoints the CFO as the PPP Project Officer.

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

Councillors GM Bakubaku-Vos (Ms); FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); LM Maqeba; RS Nalumango (Ms); N Sinkinya (Ms) and P Sitshoti (Ms).

Councillor F Adams indicated that he supports the item, with reservations.

Meeting: Ref No:	<i>4th Council: 2016-11-23 4/5/8/4</i>	Submitted by Directorate: Author: Referred from:	<i>Financial Services CFO Mayco: 2016-11-16</i>
-----------------------------	---	---	---

7.4.2	mSCOA PROJECT PROGRESS REPORT AS AT 31 OCTOBER 2016
-------	--

1. PURPOSE OF REPORT

- (a) To inform Council of the mSCOA progress leading up to 1 July 2017;
- (b) To inform Council of mSCOA documents issued by National Treasury;
- (c) To inform Council of anticipated National Treasury documents/outcomes that will impact on our mSCOA project phase progress;
- (d) To inform Council of important external party engagements relating to mSCOA that were held; and
- (e) To inform Council of material internal processes that have a potential material impact on mSCOA compliance.

2. LEGISLATIVE FRAMEWORK

The Local Government: Municipal Finance Management Act (56/2003): Municipal Regulations on Standard Chart of Accounts (mSCOA) was issued on 22 April 2014. The mSCOA regulation takes effect on 1 July 2017 and applies to municipalities and municipal entities.

The objective of mSCOA *“is to provide for a national standard for the uniform recording and classification of municipal budget and financial information at a transaction level by prescribing a standard chart of accounts for municipalities and municipal entities which-*

(a) are aligned to the budget formats and accounting standards prescribed for municipalities and municipal entities and with the standard charts of accounts for national and provincial government; and

(b) enable uniform information sets recorded in terms of national norms and standards across the whole of government for the purposes of national policy coordination and reporting, benchmarking and performance measurement in the local government sphere.”

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.4.2**RESOLVED** (nem con)that the mSCOA update report, **be noted.**

Meeting: Ref No:	4 th Council: 2016-11-23 4/5/8/4	Submitted by Directorate: Author: Referred from:	Financial Services CFO Mayco: 2016-11-16
-----------------------------	--	---	--

7.4.3	MFMA S116(2)(d) REPORT: MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 30 SEPTEMBER 2016
-------	---

1. PURPOSE OF REPORT

To report in accordance with MFMA, Section 116(2)(d) on the management of contracts or agreements and the performance of contractors.

2. BACKGROUND

2.1 Oversight role of council

The Council must maintain oversight over the implementation of the SCM Policy and Chapter 11 of the MFMA. For the purpose of such oversight the accounting officer must regularly submit a report on the management of contracts or agreements and the performance of contractors to the Council of the municipality in terms of MFMA S116(2)(d).

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.4.3

RESOLVED (nem con)

that the MFMA S116(2)(d) Report: Management of contracts or agreements and contractor performance as at 30 September 2016, **be noted.**

Meeting: Ref no:	4 th Council:2016-11-23 8/1/Financial	Submitted by Directorate: Author Referred from:	Finance Chief Financial Officer: M Wüst Mayco:2016-11-16
---------------------	---	---	--

7.5	HUMAN SETTLEMENTS: [CLLR PW BISCOMBE]
-----	---------------------------------------

7.5.1	REVISED EMERGENCY HOUSING ASSISTANCE POLICY (EHAP)
-------	--

1. PURPOSE OF REPORT

To provide Council with the revised Emergency Housing Policy (EHAP) for final approval.

2. BACKGROUND

The Emergency Housing Assistance Policy was adopted by Council on 25 October 2012. It was however found (over time) that the EHAP did not necessarily address and include the prescripts of the most recent judgments in terms of evictions and the resultant emergency housing assistance.

The Emergency Housing Assistance Policy was advertised (**APPENDICES 3 and 4**) in the local newspapers being the Gazette and the Eikestadnuus. At closing date of 13 October 2016 no written comments were received from the public.

All comments from the respective Departments were included in the revised policy and therefore Council can make a final decision.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.5.1

RESOLVED (nem con)

that Council approves the revised Emergency Housing Assistance Policy (EHAP) attached as **APPENDIX 1**.

Councillor F Adams indicated that he supports the item, with reservations.

Meeting: Ref no:	4 th Council:2016-11-23 17/4/3	Submitted by Directorate: Author Referred from:	Human Settlements T Mfeya Mayco:2016-11-16
---------------------	--	---	--

7.6	INFRASTRUCTURE: [CLLR J DE VILLIERS]
-----	--------------------------------------

7.6.1	PLANNING OF AN INTEGRATED PUBLIC TRANSPORT SERVICE NETWORK AND THE PROVINCIAL PUBLIC TRANSPORT INSTITUTIONAL FRAMEWORK
-------	--

1. PURPOSE OF REPORT

To inform Council of the signing of a memorandum of agreement with the Western Cape Department of Transport and Public Works.

2. BACKGROUND

The Stellenbosch Municipality compiled a Comprehensive Integrated Transport Plan (CITP) which was approved by Council on 30 March 2016 (**APPENDIX 1**). The document was submitted to the MEC for approval as required in terms of the National Land Transport Act (**APPENDIX 2**). The CITP in Chapter 6 refers to the preparation of an Integrated Public Transport Network Plan (IPTN) and recommends the municipality apply for a Public Transport Network Grant (**APPENDIX 3**). The municipality has engaged with the Department of Transport and Integrated Planning in this regard and a Memorandum of Agreement (**APPENDIX 4**) was signed to guide and direct future engagement in support of its application for the Public Transport Network Grant.

The Province will through its Provincial Public Transport Institutional Framework assist the municipality with the development of an IPTN.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.1

RESOLVED (nem con)

that the attached signed Memorandum of Agreement (**APPENDIX 4**) for Stellenbosch Municipality's participation in the PPTIF and the subsequent development of the IPTN, as it is aligned with the approved Comprehensive Integrated Transport Plan, **be noted**.

Meeting: Ref No:	4 th Council: 2016-11-23 8/1Engineering	Submitted by Directorate: Author: Referred from:	Infrastructure W Pretorius Mayco: 2016-11-16
-----------------------------------	---	---	--

7.6.2	SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARD TO PUBLIC TRANSPORT
-------	--

1. PURPOSE OF REPORT

To obtain Council's approval to start with the Section 78 process in terms of the Municipal Systems Act (Act No 32 of 2000) to investigate the best service delivery mechanism for the implementation of the Stellenbosch Integrated Public Transport Network. The Systems Act requires that a municipality that is in the process of deciding a mechanism to provide a municipal service to first assess the provision of that service through an internal mechanism and thereafter, either decide to provide that service through an internal mechanism or explore the possibility of providing the municipal service through an external mechanism. It further requires that, should a municipality decide to provide that service through an external mechanism, it must, inter alia, conduct a feasibility study in accordance with the requirements set forth in the said Municipal Systems Act Section 78. The purpose of the memorandum is to request Council's approval for assessing the municipal's internal capacity to deliver the Public Transport service for the IPTN and make a recommendation as to the appropriate service delivery mechanism to be followed and to further obtain Council's approval to conduct a feasibility study in terms of the said Act.

2. BACKGROUND

The Stellenbosch Municipality has identified the implementation of the Public Transport Network as a priority project in the latest Comprehensive Integrated Transport Plan. The municipality approached the Western Cape Department of Transport and Public Works (WCDTPW) for assistance with the implementation of the Public Transport Network. The Department informed Stellenbosch that Stellenbosch has been identified as a priority town for assistance in terms of their Provincial Sustainable Transport Programme (PSTP). The WCDPT has entered into a partnership with the Stellenbosch Municipality to jointly develop sustainable transport projects in the municipal area (see copy of agreement attached as **APPENDIX 1**). This initiative forms part of the Department's (PSTP) that aims to drive improvement to local transport, and build on the success and lessons of the George Integrated Public Transport Network (GIPTN), which has been driven and funded by the WCDTPW.

In Stellenbosch, the WCDTPW intends to provide the necessary planning, capacity building, implementation and funding support required to develop improvements to public transport, non-motorised transport and travel demand management with the aim of shifting Stellenbosch onto a more sustainable transport trajectory (refer **APPENDIX 2**). During the 2016/17 financial year, the WCDTPW will work with the Municipality, the University, Business and other stakeholders to plan for an integrated programme of delivery to commence properly in the 2017/18 financial year.

The WCDTPW indicated that it is committed to building a lasting and supportive relationship with the Municipality, as it has done with the Municipality of George.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.2**RESOLVED** (majority vote)

- (a) that Council approves the proposal that an assessment of the municipality's capacity be done to determine its ability to provide the proposed public transport service through an internal mechanism and that the recommendation of the assessment be submitted to Council for consideration and decision; and
- (b) that, should the above assessment recommend the use of an external mechanism for the provision of the public transport service, a feasibility study be conducted for the provision of the service through an external mechanism.

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

Councillors F Adams; DA Hendrickse and LK Horsband (Ms).

Meeting:	4 th Council: 2016-11-23	Submitted by Directorate:	Infrastructure
Ref No:	8/1Engineering	Author:	W Pretorius
		Referred from:	Mayco: 2016-11-16

7.6.3	AMENDMENT OF CONTRACT B/SM 21/16: THE OPERATING AND MANAGEMENT OF THE LANDFILL SITE (CELL 3) FOR A PERIOD OF 6 MONTHS
-------	--

1. PURPOSE OF THE REPORT

To obtain Council's approval for the extension of the contract of Interwaste (Pty) Ltd (B/SM 21/16) for a period of 6 months as per Section 116(3) of the Municipal Finance Management Act (Act 56 of 2003) (Refer to **APPENDIX 1**).

2. BACKGROUND

Interwaste was appointed through B/SM 21/16 for the operating and management of Stellenbosch's Devon Valley Landfill site (cell 3) for a period of 12 months.

Their scope of works for this project included:

- Managing day-to-day operations on site (including waste minimisation activities)
- Waste deposition and compaction including the provision and placement of cover material
- Control of nuisances
- Operating the weighbridge
- Providing adequate staff on site for site supervision, gate controlling, weighbridge operating and tipface managing
- Maintaining access control on site for pedestrians and vehicles
- Providing adequate security on site
- Providing the required plant and machinery on site
- Monthly reporting of weighbridge statistics including waste types, quantities and sources of waste
- Attending and participating in quarterly Landfill Monitoring Committee meetings

The offer and rates indicated by the service provider on their submission dated 25 May 2015 was accepted by the Municipality. Monthly rates indicated in Section C2.2 Pricing Schedule of the Tender Contract B/SM 21/16 by Interwaste amounted to R 377,131.00 (excl. VAT) per month with an annual cost of R 4,525,572.00 (excl. VAT) (**APPENDIX 2**).

Work on this contract started 01 October 2015. The contract thus expires on 30 September 2016.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.3

RECOMMENDED (majority vote)

that Council approves the extension of the contract/agreement (BSM21/16) for a period of 6 months to the value of R 2,397,648.00 (excl. VAT) in terms of the MFMA S116(3) (a).

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

Councillors F Adams; GM Bakubaku-Vos (Ms); FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); LM Maqeba; RS Nalumango (Ms); N Sinkinya (Ms) and P Sitshoti (Ms).

Meeting: Ref No:	<i>4th Council: 2016-11-23 6/3/3/6 x 16/5/3</i>	Submitted by Directorate: Author: Referred from:	<i>Infrastructure W Pretorius Mayco: 2016-11-16</i>
-----------------------------	--	---	---

7.6.4	THE THIRD GENERATION INTEGRATED WASTE MANAGEMENT PLAN (IWMP) FOR STELLENBOSCH MUNICIPALITY
-------	---

1. PURPOSE OF REPORT

To submit the proposed Third Generation Integrated Waste Management Plan (IWMP) (**APPENDIX 1**) for Stellenbosch Municipality to Council for consideration and in-principle approval, prior to going out for comment from the provincial authorities and the public.

2. BACKGROUND

In terms of the National Environmental Management: Waste Act (Act 59 of 2008) (NEM:WA), each municipality is required to compile an integrated waste management plan and submit to provincial government (D:EA&DP) for assessment, the recommendations of which must be incorporated into the final IWMPs, before being submitted to the municipal council for approval and implementation.

The manner in which the IWMPs are developed must be consultative and municipalities are required to follow the prescriptions of Section 29 of the Municipal Systems Act. Municipalities are obliged to integrate their IWMPs into their integrated development plans (IDP).

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.4**RESOLVED** (nem con)

- (a) that the attached Draft 3rd Generation IWMP be supported by Council for approval in principle; and
- (b) that the proposed Draft 3rd Generation IWMP be duly advertised for public comment until the end of February 2017, and be re-submitted together with any comments / objections by D:EA&DP and the public, for final approval and adoption by Council.

Meeting: Ref No:	4 th Council: 2016-11-23 16/9/12	Submitted by Directorate: Author: Referred from:	Infrastructure S Haider Mayco: 2016-11-16
-----------------------------	--	---	---

7.6.5	WATER SERVICES BY-LAW
--------------	------------------------------

1. PURPOSE OF REPORT

To request approval from Council, in principle, to advertise the proposed Water Services By-Law for public participation.

2. BACKGROUND

The current By-law, Water Supply, Sanitation Services and Industrial Effluent By-Law is not aligned with the Water Services Act 108 of 1997 and its associated regulations.

The proposed Water Supply, Sanitation Services and Industrial Effluent By-Law will in comparison with the existing By-law address a wider spectrum of Water and Sewerage (Sanitation) Management matters thus ensuring that the Municipality conforms to its mandate in terms of the Constitution ensuring for clean and safe water services for its citizens.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.5**RESOLVED** (nem con)

- (a) that the attached Draft Water Services By-law be supported by Council in principle;
- (b) that the proposed Draft By-law be duly advertised for public comment until the end of February 2017, and be re-submitted together with any comments/objections by the public, for final approval and adoption by the Council; and
- (c) that the Draft By-Law, once approved and adopted by Council, be promulgated by the Directorate: Strategic and Corporate Services' legal team in the Provincial Gazette.

Meeting: Ref No:	4 th Council: 2016-11-23 1/3/14	Submitted by Directorate: Author: Referred from:	Infrastructure W Pretorius Mayco: 2016-11-16
-----------------------------	---	---	--

7.7	PROTECTION SERVICES: [PC: CLLR Q SMIT]
-----	---

7.7.1	IMPOUNDMENT OF ANIMALS BY-LAW
-------	--------------------------------------

1. PURPOSE OF REPORT

To submit the Impoundment of Animals By-Law to Council for approval.

2. BACKGROUND

Currently, a need exist for the proper control and management of stray animals within the WC024 area of Stellenbosch. Many of these animals are grazing without any supervision, and in some instances creates a health risk due to the locality and conditions these animals are found.

The municipality is in the process of erecting a pound for the safekeeping of impounded animals and has purchased the necessary equipment to transport impounded animals.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.7.1

RESOLVED (nem con)

- (a) that Council considers the adoption and approval of the Draft Impoundment of Animals By- Law; and
- (b) that the proposed By-Law be duly advertised for public comment until the end of February 2017 and be re-submitted together with any comment/objections by the public, for final approval and adoption by Council.

Meeting: Ref No:	4 th Council: 2016-11-23 1/3/17	Submitted by Directorate: Author: Referred from:	Protection Services Acting Manager: Law Enforcement Mayco: 2016-11-16
-----------------------------	---	---	---

7.7.2	BY-LAW ON THE PREVENTION OF PUBLIC NUISANCES AND THE KEEPING OF ANIMALS
-------	--

1. PURPOSE OF REPORT

To submit the repealed draft "By-Law on the Prevention of Public Nuisances and the Keeping of Animals," to the Council for in principle adoption.

2. BACKGROUND

Several complaints regarding various types of nuisances have been received. Methods to address said complaints were investigated by the Administration. It was proven that the previous By-laws were not adequate to address the problems experienced. Copies of said By-laws are attached hereto as **APPENDICES 1 – 5**. A new By-law has thus been drafted and is herewith submitted to Council for consideration, which is attached as **APPENDIX 6**.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.7.2

RESOLVED (nem con)

- (a) that Council approves the amended Draft By-Law on the Prevention of Public Nuisances and the Keeping of Animals, in principle; and
- (b) that the Administration be mandated to advertise said By-Law for public comment until the end of February 2017, whereafter same be re-submitted to Council for approval.

Meeting: Ref No:	4 th Council: 2016-11-23 1/3/1/8	Submitted by Directorate: Author: Referred from:	<i>Protection Services</i> <i>Acting Manager: Law Enforcement</i> <i>Mayco: 2016-11-16</i>
-----------------------------------	--	---	--

7.7.3	EVENTS POLICY
--------------	----------------------

1. PURPOSE OF REPORT

To request Council to approve and adopt the Events Policy for Stellenbosch Municipality.

2. BACKGROUND

The Events Policy, attached as **APPENDIX 1**, sets the strategic direction for Stellenbosch and its region, and aims to create mutually beneficial outcomes for the Greater Stellenbosch residents, businesses and visitors by using the platforms created by events to contribute to Stellenbosch's, growth, development and inclusivity.

Stellenbosch is known for hosting major local, national and international events. The Events Policy will assist and guide the municipality in managing event related activities in an efficient and effective manner thereby providing clarity to all role players and stakeholders. Stellenbosch Municipality would like to ensure that it becomes a town for great events for visitors to the town and the events industry, by creating stability in the town's events calendar and clearly defining processes and systems that support events. The Municipality plays an important role in: the regulations of events, partnerships with events organized in the WC024, events organization, facilitation and the provision of services at events. Currently events are regulated by the Events Act of 2010 and are applicable to events which accommodate more than 2000 people. The municipality has recently approved the Events Bylaw which was promulgated on 12 February 2016. The Events Bylaw gives the legal parameters under which the Events Policy will function in terms of processes to be followed and implemented.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.7.3**RESOLVED** (nem con)

- (a) that Council considers the adoption and approval of the Draft Events Policy in principle; and
- (b) that the Draft Events Policy be advertised for public comment until the end of February 2017 and be re-submitted for final approval and adoption by Council.

Meeting: Ref No:	4 th Council: 2016-11-23 1/3/1/16	Submitted by Directorate: Author: Referred from:	Protection Services Acting Manager: Law Enforcement Mayco: 2016-11-16
-----------------------------	---	---	---

7.7.4	FESTIVE SEASON READINESS
--------------	---------------------------------

1. PURPOSE OF REPORT

To provide an overview of the organisational readiness for the upcoming festive season starting from November 2016 until February 2017. (See attached plans, **APPENDICES 1- 3**). The plans focus on the deployment of staff and resources in the WC024.

2. BACKGROUND

The Festive Season period, commencing in November 2016 and running well into the New Year, bring increased risk of incidents that could adversely affect public safety as well as the delivery of services by the Stellenbosch Municipality. This is mainly broad about by an influx of visitors and increased leisure activities such as events and festivities during this period.

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.7.4**RESOLVED** (nem con)

that the organizational readiness plans for the 2016/17 Festive Season, **be noted**.

Meeting: Ref No:	4 th Council: 2016-11-23 17/8/5	Submitted by Directorate: Author: Referred from:	<i>Protection Services Acting Manager: Disaster Management Mayco: 2016-11-16</i>
-----------------------------	---	---	--

7.8	YOUTH, SPORTS AND CULTURE: [PC: XL MDEMKA (MS)]
-----	---

NONE

8.	CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED BY THE MUNICIPAL MANAGER
----	---

8.1	SCHEDULE OF MEETINGS OF COUNCIL & MAYORAL COMMITTEE FOR 2017
-----	--

1. PURPOSE OF REPORT

To obtain Council's approval of the schedule of meetings of Council and the Mayoral Committee for 2017.

2. BACKGROUND

Section 19 of the Local Government: Municipal Systems Act, 32 of 2000 stipulates that:

"The municipal manager of a municipality must give notice to the public, in a manner determined by the municipal council, of the time, date and venue of every -

- (a) *ordinary meeting of the council; and*
- (b) *special or urgent meeting of the council, except when time constraints make this impossible."*

Furthermore, the By-Law on the Rules of Order of Stellenbosch Council stipulates, in Rule 6, as follows:

"6. Notice of Meetings

- 6.1 *The Speaker must determine the date, time and venue of meetings of the Municipal Council, and must ensure that such meetings take place at least quarterly.*
- 6.2 *A separate Special Meeting of Council shall be called to approve the Annual Budget.*

4TH COUNCIL MEETING: 2016-11-23: ITEM 8.1

RESOLVED (majority vote)

- (a) that the schedule of meetings for 2017, be approved;
- (b) that the Municipal Manager be mandated to give notice to the wider public of the time, date and venue of the said meetings in compliance with Section 19 of the Local Government: Municipal Systems Act, 32 of 2000; and

-
- (c) that pertaining to Council recess on the schedule of meetings, it be from 12 December 2016 until 8 January 2017.

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

Meeting: Ref No:	<i>Council: 2016-11-23 3/4/1/1</i>	Submitted by Directorate: Author: Referred from:	<i>Office of the Municipal Manager Acting Director: Corporate & Strategic Services</i>
-----------------------------	--	---	--

8.2	ACTING ARRANGEMENTS IN THE ABSENCE OF THE EXECUTIVE MAYOR AND DEPUTY EXECUTIVE MAYOR
------------	---

1. PURPOSE OF REPORT

For Council to approve the nomination of an Acting Executive Mayor in the absence of the Executive Mayor and the Deputy Executive Mayor.

2. BACKGROUND

The standard legal practice for the acting arrangements of the Executive Mayor is that the Deputy Executive Mayor exercises the powers and performs the duties of the Executive Mayor if the Executive Mayor is absent or not available.

It can however be anticipated that there will be occasions when the Executive Mayor and Deputy Executive Mayor will be away from office at the same time.

In order to therefore proactively put measures in place to deal with instances as described above, it will be prudent for Council to consider a nomination of an Acting Executive Mayor to act in these instances.

4TH COUNCIL MEETING: 2016-11-23: ITEM 8.2

RESOLVED (nem con)

that Council nominates Councillor PW Biscombe (Portfolio Chairperson: Human Settlements) to act as Executive Mayor in the absence of the Executive Mayor and Deputy Executive Mayor.

Meeting: Ref No:	4 th Council: 2016-11-23 4/4/1	Submitted by Directorate: Author: Referred from:	<i>Office of the Municipal Manager Acting MM: (R Bosman)</i>
-----------------------------	--	---	--

8.3	FIXING OF CONTRAVENTION LEVY IN TERMS OF SECTION 40(3) OF THE LAND USE PLANNING ORDINANCE 15 OF 1985 IN RESPECT OF THE FARM NO 1353/1, PAARL DIVISION AS WELL AS THE DETERMINATION OF A DEEMED ZONING IN TERMS OF SECTION 40(4)(C) OF THE LAND USE PLANNING ORDINANCE 15 OF 1985
------------	---

1. PURPOSE OF THE REPORT

This report was compiled by the Manager: Land Use Management (the Manager) to be considered by Council after re-consideration for the following matters:

- 1.1. The fixing of a Contravention Levy in terms of Section 40(3) of the Land Use Planning Ordinance No. 15 of 1985 (the "LUPO") payable by the owner (Brashville Properties 51 (Pty - "Brashville") Ltd) of Farm No. 1353/1, Paarl Division (the "Property").
- 1.2. The determination of a deemed zoning of a portion of the Property in terms of Section 40(4)(c) of the LUPO.

2. BACKGROUND

The factual background to this matter will be evident for the members of the COUNCIL from the **APPENDICES** available for perusal and the members are requested to have due and proper regard to all the appendices. It should be noted that although appendices 1 to 7 are not referred to in the body of this document under the section background, such appendices still form an integral part of this report.

4TH COUNCIL MEETING: 2016-11-23: ITEM 8.3

Before this matter was debated, Councillor SR Schäfer recused himself.

RESOLVED (majority vote)

that this matter be referred back to the Administration for further refinement.

Meeting: Ref No:	4 th Council: 2016-11-23 PL1353/1P	Submitted by Directorate: Author: Referred from:	Economic Development & Planning Dir: Plan & Econ Dev: (D Lombaard) 3 rd Council: 2016-10-26
-----------------------------	--	---	--

8.4	STRUCTURING OF COUNCIL: ESTABLISHMENT OF SECTION 79 -/ STATUTORY COMMITTEES
-----	--

8.4.1	APPOINTMENT OF COUNCILLORS TO SERVE ON THE LOCAL LABOUR FORUM
-------	--

1. PURPOSE OF REPORT

For Council to consider the appointment of Councillors to serve on the Local Labor Forum.

2. BACKGROUND

The termination of the 2011-2016 Council's term of office necessitates the appointment of Councillors to represent the Employer on the Local Labour Forum.

As per the SALGBC Main Collective Agreement, the Employer representatives shall consist of at least 2 (two) Councillors, and Management.

During the previous term of office, 6 (six) Councillors were appointed to serve on the Local Labour Forum.

4TH COUNCIL MEETING: 2016-11-23: ITEM 8.4.1

RESOLVED (nem con)

that Council approves the following nominations to serve on the Local Labour Forum (LLF):

Councillors: E Groenewald (Ms)
R du Toit (Ms)
E Fredericks (Ms)
XL Mdemka (Ms)
LK Horsband (Ms); and
RS Nalumango (Ms)

Meeting: Ref No:	4 th Council: 2016-11-23 3/3/3/6/4	Submitted by Directorate: Author: Referred from:	<i>Office of the Municipal Manager Acting MM: (R Bosman) Council: 2016-10-05</i>
-----------------------------	--	---	--

8.5	APPOINTMENT OF REPRESENTATIVES ON SALGA – WESTERN CAPE
-----	---

1. PURPOSE OF REPORT

For Council to appoint representatives and secundi to serve on the various SALGA Provincial Working Groups.

2. BACKGROUND

The Council must appoint representatives to serve on the various SALGA provincial working groups.

The following are the SALGA Working Groups on which nominated councillors from Stellenbosch Municipality should serve:

SALGA Provincial Working Groups	
1	Economic Development and Planning
2	Municipal Finance
3	Community Development
4	Human Resource Development and Collective Bargaining
5	Municipal Infrastructure and Related Services [which includes] – <ul style="list-style-type: none"> • Climate Change, Environmental Affairs and Sustainability • Municipal Infrastructure Planning • Municipal Trading Services
6	Governance, Intergovernmental and International Relations

4TH COUNCIL MEETING: 2016-11-23: ITEM 8.5

During debate on the matter, the DA requested a caucus which the Speaker allowed.

RESOLVED (nem con)

that Council approves the following nominations to serve on the SALGA Provincial Working Groups:

	SALGA PROVINCIAL WORKING GROUP	PRIMARY REP: COUNCILLOR	SECUNDI: COUNCILLOR
1	Economic Development and Planning	JP Serdyn (Ms)	FJ Badenhorst
2	Municipal Finance	S Peters	PR Crawley (Ms)
3	Community Development	Q Smit	XL Mdemka (Ms) AR Frazenburg
4	Human Resource Development and Collective Bargaining	E Groenewald (Ms)	JG Hamilton
5	Municipal Infrastructure and Related Services (which include): <ul style="list-style-type: none"> • Climate Change, Environmental Affairs and Sustainability • Municipal Infrastructure Planning • Municipal Trading Services 	JN de Villiers	AJ Hanekom
6	Governance, Intergovernmental and International Relations	E Groenewald (Ms)	MB de Wet

Meeting: Ref No:	4 th Council: 2016-11-23 3/6/3	Submitted by Directorate: Author: Referred from:	Office of the Municipal Manager Acting MM: (R Bosman) 3 rd Council: 2016-10-26
-----------------------------	--	---	---

8.6	APPOINTMENT OF COUNCILLORS TO SERVE ON EXTERNAL BODIES
-----	---

1. PURPOSE OF REPORT

For Council to consider the appointment of Representatives of Council to serve on external bodies.

2. BACKGROUND

The table below indicates the various external bodies where the former Council was represented:

BODY/INSTITUTE	Number of Council Reps
Jan Marais Nature Reserve Advisory Committee	1
Mont Rochelle Nature Reserve Advisory Committee	2
Pension Fund and Retirement Fund	1
Stellenbosch Tourism and Information Bureau	2
Stellenbosch Museum Trustee	1
Franschhoek Museum	1
Franschhoek Valley Tourism	2
Community Police Forum Stellenbosch	3
Community Police Forum Kayamandi	3
Community Police Forum Franschhoek	2
Community Police Forum Klapmuts	2
Community Police Forum Cloeteville	2
Community Police Forum Groot Drankenstein	1
SWOKK (Stellenbosch Welsyns en Ontwikkelings-koördinerings Komitee)	3
FREMCO Trust	3
Hospital Board	1
University Board	1
Winelands Water Utilisation Association	1
Dilbeek Trust Committee	3

4TH COUNCIL MEETING: 2016-11-23: ITEM 8.6**RESOLVED** (nem con)

that Council approves the following nominations to serve on the external bodies:

BODY/INSTITUTE	Name of Council Reps
Jan Marais Nature Reserve Advisory Committee	XL Mdemka (Ms)
Mont Rochelle Nature Reserve Advisory Committee	AR Frazenburg C Manuel
Pension Fund and Retirement Fund	E Groenewald (Ms)
Stellenbosch Tourism and Information Bureau	Ald JP Serdyn (Ms)
Stellenbosch Museum Trustee	AldJP Serdyn (Ms) NS Louw
Franschhoek Museum	SR Schäfer WC Petersen (Ms)
Franschhoek Valley Tourism	SR Schäfer
Community Police Forum Stellenbosch	A Hanekom M De Wet E Groenewald (Ms) Q Smit F Badenhorst
Community Police Forum Kayamandi	N Mananga-Gugushe (Ms) F Bangani-Menziwa (Ms) P Sitshoti (Ms) N Sinkinya (Ms)

Community Police Forum Franschhoek	WC Petersen (Ms) AR Frazenburg C Manuel
Community Police Forum Klapmuts	E Fredericks (Ms) LK Horsband (Ms)
Community Police Forum Cloetesville	DD Joubert E Vermeulen (Ms) NE McOmbring (Ms) PW Biscombe R du Toit (Ms)
Community Police Forum Groot Drakenstein	MM Johnson C Manuel
SWOKK (Stellenbosch Welsyns en Ontwikkelings-koördinerings Kommittee)	WF Pietersen DS Arends A Crombie (Ms) LK Horsband (Ms)
Hospital Board	E Vermeulen (Ms)
University Board	Ald G van Deventer (Ms)
Winelands Water Utilisation Association	JN de Villiers

Meeting:	4 th Council: 2016-11-23	Submitted by Directorate:	Office of the Municipal Manager
Ref No:	3/6/3	Author:	Acting MM: (R Bosman)
		Referred from:	3 rd Council: 2016-10-05

9.	MATTERS FOR NOTIFICATION
----	---------------------------------

9.1	REPORT ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR
-----	---

NONE

9.2	REPORT BY THE MUNICIPAL MANAGER
-----	--

NONE

10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
-----	---

10.1	QUESTION 1 BY COUNCILLOR DA HENDRICKSE: TOTAL MONETARY VALUE CONTRIBUTED BY BLAAUWKLIPPEN AGRICULTURAL ESTATE
------	--

A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2016-11-09, was received from Councillor DA Hendrickse.

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

FOR CONSIDERATION

4TH COUNCIL MEETING: 2016-11-23: ITEM 10.1

RESOLVED (nem con)

that it be noted that Cllr DA Hendrickse responded that he is not satisfied with the response and posed a follow-up question, namely:

“What is so confidential/private between Blaauwklippen and the Municipality that cannot be reported to Council, because the Court Order does not refer to confidential/private?”

The Acting Municipal Manager responded that the court order has a confidentiality clause with regard to the terms of the settlement, and that Cllr DA Hendrickse would have to follow the PAIA route to obtain further information.

Meeting: Ref No:	4 th Council: 2016-11-23 3/4/1/4	Submitted by Directorate: Author: Referred from:	Office of Municipal Manager Acting MM: (R Bosman)
-----------------------------	--	---	--

10.2	QUESTION 2 BY COUNCILLOR DA HENDRICKSE: BENEFICIARIES ON THE JAMESTOWN HOUSING LIST THAT DO NOT QUALIFY FOR SOCIAL HOUSING
-------------	---

A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2016-11-09, was received from Councillor DA Hendrickse.

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

FOR CONSIDERATION

4TH COUNCIL MEETING: 2016-11-23: ITEM 10.2

RESOLVED (nem con)

that it be noted that Cllr DA Hendrickse responded that he is not satisfied with the response and posed a follow-up question, namely:

“What is so confidential that Council cannot receive an answer?”

The Acting Municipal Manager responded that he received email correspondence which will be made available to Cllr Hendrickse.

Meeting:	4 th Council: 2016-11-23	Submitted by Directorate:	Office of Municipal Manager
Ref No:	3/4/1/4	Author:	Acting MM: (R Bosman)
		Referred from:	

10.3	QUESTION 1 BY COUNCILLOR LK HORSBAND (MS): COUNCIL POLICY ON ISSUING COUNCIL RELATED DOCUMENTS ON CD'S AND FLASH DRIVES TO COUNCILLORS
-------------	---

A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2016-11-15, was received from Councillor LK Horsband (Ms).

The said Question is attached as **APPENDIX 1**. The appropriate response will be provided separately.

FOR CONSIDERATION

4TH COUNCIL MEETING: 2016-11-23: ITEM 10.3

During debate on the matter, the DA requested a caucus, which the Speaker allowed.

RESOLVED (nem con)

that it be noted that Cllr LK Horsband indicated that she did not receive a written response to her question.

The Acting Municipal Manager addressed Councillor LK Horsband's question verbally, and he further undertook to provide relevant hard copies to Cllr Horsband (Ms).

Meeting:	4 th Council: 2016-11-23	Submitted by Directorate:	Office of Municipal Manager
Ref No:	3/4/1/4	Author:	Acting MM: (R Bosman)
		Referred from:	

10.4	QUESTION 2 BY COUNCILLOR LK HORSBAND (MS): COST CONTAINING MEASURES – NATIONAL TREASURY CIRCULAR 82
-------------	--

A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2016-11-15, was received from Councillor LK Horsband (Ms).

The said Question is attached as **APPENDIX 1**. The appropriate response will be provided separately.

FOR CONSIDERATION

4TH COUNCIL MEETING: 2016-11-23: ITEM 10.4

RESOLVED (nem con)

that it be noted that the Acting Municipal Manager responded verbally to Cllr Horsband's question, and he further undertook to provide relevant hard copies to all Councillors.

Meeting:	4 th Council: 2016-11-23	Submitted by Directorate:	Office of Municipal Manager
Ref No:	3/4/1/4	Author:	Acting MM: (R Bosman)
		Referred from:	

10.5	QUESTION 5 BY COUNCILLOR F ADAMS: EMPOWERMENT AND WEALTH CREATION OPPORTUNITIES FOR BLACK PEOPLE
-------------	---

A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2016-11-15, was received from Councillor F Adams.

The said Question is attached as **APPENDIX 1**. The appropriate response will be provided separately.

FOR CONSIDERATION

4TH COUNCIL MEETING: 2016-11-23: ITEM 10.4

RESOLVED (nem con)

that it be noted that Councillor F Adams did not receive a response in respect of his question posed, and he requested that a written response be provided at the next meeting.

Meeting:	4 th Council: 2016-11-23	Submitted by Directorate:	Office of Municipal Manager
Ref No:	3/4/1/4	Author:	Acting MM: (R Bosman)
		Referred from:	

11.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
-----	--

NONE

12.	CONSIDERATION OF MOTION OF EXIGENCY
-----	--

NONE

13.	CONSIDERATION OF REPORTS
-----	---------------------------------

13.1	CONSIDERATION OF REPORTS SUBMITTED BY THE SPEAKER
------	--

NONE

13.2	CONSIDERATION OF REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
------	--

NONE

14.	MATTERS TO BE CONSIDERED IN-COMMITTEE
-----	--

(SEE PINK DOCUMENTATION)

The meeting adjourned at 19:00.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**