



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2022-10-26

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MINUTES

8TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2022-10-26 AT 10:00

MINUTES
8TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2022-10-26

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	(SEE PINK DOCUMENTATION)	

PRESENT

The Speaker, Cllr Q Smit [Chairperson]
 The Executive Mayor, Ald GMM Van Deventer (Ms)
 The Deputy Executive Mayor, Cllr JS Fasser
 The Council Whip, Cllr P Crawley (Ms)

COUNCILLORS

RA Adams	NE Mcombring [Ms]
J Andrews	XL Mdemka (Ms)
Ald JC Anthony	NM Mkhontwana (Ms)
FJ Badenhorst	ZR Ndalasi
A Crombie (Ms)	CD Noble
ZJ Dalling (Ms)	L Nkamisa
MM Danana	M Nkopane [Ms]
I De Taillerfer (Ms)	N Olayi
R Du Toit (Ms)	WC Petersen [Ms]
A Ferns (Ms)	RO Pheiffer
E Groenewald (Ms)	WF Pietersen
AJ Hanekom	MG Rataza
RB Hendrikse (Ms)	JP Serdyn [Ms]
P Johnson	A Tomose [Ms]
J Joon	RB Van Rooyen
O Jooste	M Van Stade
X Kalipa	CA Van Wyk
N Mananga-Gugushe (Ms)	E Vermeulen
C Manuel	J Williams
EP Masimini	

OFFICIALS

Municipal Manager (Ms G Mettler)
 Chief Financial Officer (K Carolus)
 Director: Community and Protection Services (G Boshoff)
 Director: Corporate Services (Ms A De Beer)
 Director: Infrastructure (D Louw)
 Director: Planning and Economic Development (A Barnes)
 Chief Audit Executive (F Hoosain)
 Senior Administration Officer (Ms T Samuels)

1.	OPENING AND WELCOME
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The Speaker, Cllr Q Smit, welcomed all present at the 8th Council meeting.

2.	MAYORAL ADDRESS
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“Speaker;

Deputy Mayor;

Chief Whip of the Ruling Party;

Members of the Mayoral Committee;

Municipal Manager and Senior Management;

Members of the public;

Members of the media present;

All protocol observed

Good morning, Goeiemore, Molweni, Assalamu alaikum;

WELCOME

- Thank you Speaker
- A warm welcome to all Councillors present in today’s meeting as well as interested residents, stakeholders and members of the media who have logged in to follow the proceedings;
- **Robert Brault once said: “Enjoy the little things in life, for one day you might look back and realize that they were the big things”**

GARDEN PARADE

- Speaker, we had a very successful start to Garden Town last week with the annual garden parade;
- Hierdie is slegs die 2e keer wat hierdie gebeurtenis plaasvind en dit is vir my baie spesiaal om te sien hoe dit gegroei het van verlede jaar toe dit vir die eerste keer aangebied is;
- It takes place from 20 until 30 October - This 10-day long festival sees events and experiences taking place across the broader Stellenbosch;
- Garden Town Stellenbosch includes presentations and installations from the Western Cape Association for Flower Arrangers, private home gardens, guided tours, a range of workshops, estate and winery show gardens and a whole lot more;
- **Weereens ook baie geluk aan al ons wenners van die eerste Burgemeester – tuin kompetisie.**
- It was my dream to host this competition and in return inspire people to beautify their respective communities;

LONGLANDS

- Speaker, on 04 October we were joined by the Provincial Minister for Infrastructure in Longlands to hand over the final houses;
- This project has been years in the making and I am extremely grateful that through dedication, determination and hard work we were able to provide this community with houses that they have been waiting for, for years.

FINAL EXAMS

- Our matric class of 2022 have started their final exams;
- I wish them well with this extremely important milestone in their lives;
- Study hard, and good luck. We know that you will all make us proud.
- **You are so close to your victory, don't dare to give up now.**

CONDOLENCES

- Speaker, our communities experienced the loss of so many loved ones over the past couple of months;
- I wish to express my sincere condolences to the Van Graan family for their loss;
- The Van Graan family played a very big part in our community, and especially Mr Van Graan during his time at Raithby Primary School;
- I would also like to convey my condolences to the two young children who lost their lives over the weekend in the tragic accident;
- Our thoughts and prayers go out to their families in this difficult time.
- **In life, we loved you dearly. In death we love you still. In our hearts you hold a place, no one will ever fill.**

BREAST CANCER MONTH

- Speaker, October is also Breast Cancer awareness month;
- For everyone who has been fighting this battle, or who has won their battle against cancer, we salute you;
- **Helen Keller once said the following about breast cancer: "Optimism is the faith that leads to achievement. Nothing can be done without hope and confidence".**

CLOSING

- In closing, I would like to leave you with the following quote that I also shared at the Garden Parade;
- **Ek bring vir jou blomme, en lê dit voor jou neer. 'n Rooi roos vir liefde, 'n geel magrietjie vir plesier, 'n aronskelk vir respek, 'n malva vir vreugde voor jou hek. 'n Katjiepiering vir onthou en pers viooltjies vir vertrou. Laat laventelbos se blou heeldag geluk om jou vou en dra in jou sak 'n vergeet-my-nie se tak.**
- **Baie dankie, Thank you very much, Enkosi kakhulu."**

3.	COMMUNICATION BY THE SPEAKER
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1. Ward Councillors

- Delays with process of payments (Submission of attendance registers and minutes and bank details)
- Ward Priorities - to be submitted timeously for report to Council to be accurate.
- In line with the Municipal Structures Act, Section 37 (e), a Compliance Report will be submitted to the November 2022 Council meeting regarding the functioning of Section 79 Committees of Council and the functioning of Ward Committees within the WCO24 municipal area.

2. Attendance at Section 80 meetings

In line with the Municipal Structures Act as well as Council's Rules of Order By-Law, Councillors must attend their Section 80 Committee meetings that they were elected to by Council, failing to attend 3 consecutive meetings without any application for leave of absence will result in a Councillor to be removed from Office.

3. Items referred/Changes

- Item 11.6.4 on page 395 is referred to a combined Section 80 meeting of the following committees whereafter same be submitted to Mayco and thereafter Council.

Planning;
Infrastructure;
Corporate services; and
Protection services

- Item 11.6.5 on page 410 is referred to the Administration for changes to be effected and reworked whereafter it be resubmitted to Council.
- Item 13.1 on page 1116 is referred back to the Administration for additional information and the MM to give feedback on sentence applicable to the Franschhoek Rugby Club.

4. Birthdays (September & October)

Councillor Nkamisa – 22 September
Councillor Johannes Andrews – 23 September
Executive Mayor - Gesie van Deventer – 24 September
Councillor RONALDA NALUMANGO – 27 September
Councillor Carli Van Wyk – 18 October
Councillor Ndipiwe Olayi – 21 October
Councillor Zelda Dalling – 25 October

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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- A successful Garden Parade was held and there is an exhibition in the Town Hall until 30 October 2022.
- The first Nobel Symposium on African was launched by STIAS in conjunction with the University of Stellenbosch. Well done to STIAS and the University of Stellenbosch
- On behalf of the Administration, condolences to the Van Graan family as well as the two students who passed away in an accident.
- Strongly to a staff member in the Electrician Section who had an unfortunate accident. He is doing well and is in a rehab centre before an operation can be undertaken.

- October month is Breast Cancer Awareness Month, something that lies very close to my heart. Woman employees are urged to get tested.
- It is exam times not only for matriculants but also for students. Normally this is a time when people tend to fall into a depression and parents are urged to be vigilant, look at your children and have a conversation with them to make sure they are coping with the pressures they experience.
- October is Transport Month, people are urged to make use of alternative transport rather than get into their cars – walk more, cycle to work – if possible. The non-motorist transport routes are extended, make use of it.

I thank you.”

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:-

NONE

6.2 ABSENT:

Cllr RS Nalumango (Ms) – 26 October 2022
Cllr N Ntsunguzi (Ms) – 26 October 2022

7.	CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING
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7.1	7TH COUNCIL MEETING: 2022-08-24
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The minutes of the 7th Council Meeting: 2022-08-24 was **confirmed as correct without any amendments.**

8.	STATUTORY MATTERS
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8.1	ADJUSTMENTS BUDGET (GRANTS) 2022/2023
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Collaborator No: 736451
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022 & 26 October 2022

1. SUBJECT: ADJUSTMENTS BUDGET (GRANTS) 2022/2023

2. PURPOSE

Is to table the adjustments budget for the 2022/2023 financial year to Council for approval. The adjustments budget emanates from a roll-over allocation approval received from Western Cape Provincial Government.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

EXECUTIVE SUMMARY

Attached as **APPENDIX 1** is an executive summary by the Accounting Officer.

8TH COUNCIL MEETING: 2022-10-26: ITEM 8.1

RESOLVED (majority vote)

- (a) that the Adjustments Budget for 2022/2023 as set out in **APPENDIX 2**, be approved;
- (b) that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 3**, be approved; and
- (c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

FOR FURTHER DETAILS CONTACT:

NAME	MONIQUE STEYL
POSITION	SENIOR ANAGER: FINANCIAL MANGEMENT SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8512
E-MAIL ADDRESS	Monique.Steyl@ Stellenbosch.gov.za
REPORT DATE	03 October 2022

8.2	MFMA SECTION 52 REPORTING UP TO SEPTEMBER 2022
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Collaborator No: 736449
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022 & 26 October 2022

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO SEPTEMBER 2022

2. PURPOSE

To comply with Section 52(d) of the Municipal Finance Management Act and report to Council on the budget; financial and service delivery budget implementation plan by the Municipality for quarter 1 of the 2022/23 financial year.

3. DELEGATED AUTHORITY

THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL

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

“The mayor of a municipality—

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

4. EXECUTIVE SUMMARY

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

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

This report provides the overall performance of the Municipality for the period 1 July 2022 to 30 September 2022.

8TH COUNCIL MEETING: 2022-10-26: ITEM 8.2

NOTED

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

FOR FURTHER DETAILS CONTACT:

NAME	Monique Steyl
POSITION	Senior Manager Financial Management Services
DIRECTORATE	Financial Services
CONTACT NUMBER	021 – 808 8512
E-MAIL ADDRESS	Monique.Steyl@stellenbosch.gov.za
REPORT DATE	SEPTEMBER 2022

8.3	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2022 & SEPTEMBER 2022
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Collaborator No: 736450
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022 & 26 October 2022

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2022 & SEPTEMBER 2022

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2022/2023 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 (2022/2023) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during August 2022 & September 2022.

8TH COUNCIL MEETING: 2022-10-26: ITEM 8.3

NOTED

the deviations as listed for the month of August 2022 and September 2022.

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	07 September 2022

8.4	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 1 (01 JULY 2022 – 30 SEPTEMBER 2022)
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Collaborator No: 736787
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022 & 26 October 2022

1. SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 1 (01 JULY 2022 – 30 SEPTEMBER 2022)

2. PURPOSE

To submit to Management a report for the period 01 July 2022 – 30 September 2022 on the implementation of Council's Supply Chain Management Policy. The report covers the performance of the various delegated functions and the implementation thereof.

3. FOR DECISION BY MUNICIPAL COUNCIL

Section 6 (3) & 4 of the SCM Policy 2022/2023, determines that the Accounting Officer must within 10 days at the end of each quarter; submit a report on the implementation of the SCM Policy to the Executive Mayor. This report must be made public in accordance with section 21A of the Municipal Systems Act (32 of 2000).

4. EXECUTIVE SUMMARY

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

8TH COUNCIL MEETING: 2022-10-26: ITEM 8.4

RESOLVED (nem con)

- (a) that Council approves this report and **APPENDIX 1** attached to the report, and
- (b) that the report be made public in accordance with section 21A of the Municipal Systems Act.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Dalleel Jacobs</i>
CONTACT NUMBERS	<i>021 808 8588</i>
E-MAIL ADDRESS	<i>Dalleel.jacobs@ Stellenbosch.gov.za</i>
DIRECTORATE	<i>Financial Services</i>
REPORT DATE	<i>05 October 2022</i>

9.	REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS
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No report submitted as outstanding resolutions serves at Section 80 Committees.

10.	ITEMS FOR NOTING
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10.1	REPORT/S BY THE EXECUTIVE MAYOR
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10.1.1	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JULY 2022 – SEPTEMBER 2022
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

26 October 2022

1. SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JULY 2022 – SEPTEMBER 2022

2 PURPOSE

To inform Council of the decisions taken by the Executive Mayor from July 2022 to September 2022 (see **APPENDIX 1**).

3. DELEGATED AUTHORITY

As per the delegations from Council and powers vested in the Executive Mayor by legislation.

For Notification

4. EXECUTIVE SUMMARY

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

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

8TH COUNCIL MEETING: 2022-10-26: ITEM 10.1.1

NOTED

the Report on the decisions taken by the Executive Mayor from July 2022 to September 2022.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	MANAGER: COUNCILLOR SUPPORT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	<u>Donovan.Muller@ Stellenbosch.gov.za</u>
REPORT DATE	16 October 2022

10.1.2	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR ON MATTERS RESOLVED UNDER AUTHORITY DELEGATED TO THE EXECUTIVE MAYOR IN CONSULTATION WITH THE MAYORAL COMMITTEE [JULY 2022 – SEPTEMBER 2022]
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

26 October 2022

1. SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR ON MATTERS RESOLVED UNDER AUTHORITY DELEGATED TO THE EXECUTIVE MAYOR IN CONSULTATION WITH THE MAYORAL COMMITTEE [JULY 2022 – SEPTEMBER 2022]

2. PURPOSE

To inform Council of the decisions taken by the Executive Mayor on matters resolved under the authority delegated to the Executive Mayor, in consultation with the Mayoral Committee, for meetings from July 2022 to September 2022 (see **APPENDIX 1**).

3. DELEGATED AUTHORITY

As per the delegations from Council and powers vested in the Executive Mayor by legislation. In terms of the Stellenbosch Municipality System of Delegations (2019) EM12 and section 56(5) of the Structures Act, the Executive Mayor must report to Council at such intervals as the latter may determine on decisions taken.

The Executive Mayor is herewith reporting on the decisions taken by the Executive Mayor in consultation the Mayoral Committee.

4. EXECUTIVE SUMMARY

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

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

8TH COUNCIL MEETING: 2022-10-26: ITEM 10.1.1

NOTED

the decisions by the Executive Mayor taken in consultation with the Mayoral committee meeting from July 2022 until September 2022.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	MANAGER: COUNCILLOR SUPPORT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	<i>Donovan.Muller@stellenbosch.gov.za</i>
REPORT DATE	16 October 2022

10.2	REPORT/S BY THE SPEAKER
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NONE

10.3	REPORT/S BY THE MUNICIPAL MANAGER
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10.3.1	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 1 JULY 2022 UNTIL 30 SEPTEMBER 2022
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and Compliance

26 October 2022

1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 1 JULY 2022 UNTIL 30 SEPTEMBER 2022

2. PURPOSE OF REPORT

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period 01 July 2022 until 30 September 2022, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

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

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

8TH COUNCIL MEETING: 2022-10-26: ITEM 10.1.3

NOTED

the decisions taken, for the period 1 July 2022 until 30 September 2022, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (1 July 2022 – 30 September 2022)
- Chief Financial Officer – Mr K Carolus (1 July 2022 – 30 September 2022)
- Acting Director Infrastructure Services – Mr D Louw (1 – 30 July 2022)
- Director Infrastructure Services – Mr S Chandaka (1 August 2022 – 30 September 2022)

-
- Director Planning and Economic Development – Mr A Barnes (1 July 2022 – 30 September 2022)
 - Director Corporate Services – Ms A de Beer (1 July 2022 – 30 September 2022)
 - Director Community and Protection Services Mr G Boshoff (1 July 2022 – 30 September 2022).

POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@ Stellenbosch.gov.za
REPORT DATE	17 October 2022

11.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER (MS)]
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11.1	PROTECTION SERVICES: (PC: CLLR R BADENHORST)
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NONE

11.2	YOUTH, SPORTS AND CULTURE: [PC: CLLR R ADAMS]
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NONE

11.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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11.3.1	REQUEST TO SECURE PROPERTY FOR AN AERONAUTICAL SCIENCES SCHOOL IN STELLENBOSCH
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 14 September 2022 & 26 October 2022

1. SUBJECT: REQUEST TO SECURE PROPERTY FOR AN AERONAUTICAL SCIENCES SCHOOL IN STELLENBOSCH

2. PURPOSE

To consider a request from the Western Cape Government (Education Department) to acquire land to establish a high school within the Stellenbosch Municipality that specialises in Aeronautical Sciences.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Western Cape Government has initially requested to sub-lease a portion of the Stellenbosch Flying Club's land for the purpose of establishing an aeronautical science school on the flying club's site.

At that time Council had not yet considered the Stellenbosch Flying Club's request for a new Lease Agreement, and for that reason the request for a sub-lease could not be considered. In the meantime, the Flying Club indicated that they would not be able to accommodate the building of a school on their site due to the aviation regulations and the size of the property they are leasing.

For this reason, the Western Cape Government has requested to acquire land from the municipality as close as possible to the flying club to accommodate the building of a school for the purpose of training young people in the aviation industry careers.

The item served at the Mayoral Committee and was referred back for further refinement, i.e., to allow for a public participation process in regard to the possible building of a high school specialising in aeronautical sciences and the impact that may have on noise levels due to a higher usage of planes landing and departing as part of the training sessions of the learners at the school. An advertisement was placed alerting the public to the intentions of the Municipality and the Department of education (attached as **APPENDIX 6**). The closing date for the comments/inputs/objections was 21 June 2021. Inputs were received from:

- De Zalze Wineland Golf Estate: attached as **APPENDIX 7**
- Graceland Wineyards: attached as **APPENDIX 8**.

A return item served at the May 2022 Mayco meeting and was referred to a combined meeting of section 80 committees for consideration and recommendations to the Executive Mayor. That meeting took place on 22 August 2022 and the recommendations from the committee to the Executive Mayor for consideration is indicated below.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.3.1

RESOLVED (majority vote)

For the following reasons, Council does not approve the provision of land for the establishment of an Aeronautical School in the area around the airfield at any of the two sites identified.

- (a) Spatial Development Framework: The 2017 Airfield Precinct Plan refers to the non-suitability of the area as envisaged in Option 1 and 2 for intensive Urban Use and the Southern boundaries of De Zalze and future Jamestown extensions define the ideal urban edge for Stellenbosch which should be protected. The zoning of both properties is also agricultural.
- (b) Environmental: Further development in the area might trigger NEMA as the area is regarded as Swartland Renosterveld with a potential Wetland some 500 meters North of the proposed building sites. Correspondence with the Department of Water and Sanitation will also be required to establish the availability of water use rights.
- (c) Traffic/Access: Provincial Roads Authority has prohibited further development in and around the Airfield (Lease 502L) unless a suitable and safe alternative road is developed. Current access (R44) is too dangerous and will be closed.
- (d) Noise: The Western Cape Noise Regulations will have to have complied with something which historically has proven very difficult at similar airfields like Oudtshoorn, for example.

The applicant is encouraged to look at other alternative sites that might be better suited for the type of School envisaged, for example, the Cape Winelands Airport north of Stellenbosch.

11.4	FINANCIAL SERVICES: (PC: CLLR P JOHNSON)
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NONE

11.5	HUMAN SETTLEMENTS: (PC: CLLR J FASSER)
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NONE

11.6	INFRASTRUCTURE SERVICES : (PC : CLLR Z DALLING (MS))
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11.6.1	THE ORGANIC WASTE DIVERSION PLAN FOR STELLENBOSCH MUNICIPALITY
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Collaborator No: 733494
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 14 September 2022

1. SUBJECT: THE ORGANIC WASTE DIVERSION PLAN FOR STELLENBOSCH MUNICIPALITY

2. PURPOSE

to obtain Council's approval of the Organic Waste Diversion Plan for Stellenbosch Municipality (**APPENDIX 1**).

3. DELEGATED AUTHORITY

Municipal Council, however, the Mayor may request the Portfolio Committee to render assistance in terms of Section 80 of the Local Government Municipal Structures Act, Act 117 of 1998, as amended.

4. EXECUTIVE SUMMARY

The Department of Environmental Affairs and Development Planning (DEA&DP) took a policy decision to implement a 50% restriction on organic waste being disposed to landfill by 2022 and a full prohibition of organic waste disposed to landfill by 2027. The Western Cape Integrated Waste Management Plan (IWMP) (2017- 2022) puts an obligation on municipalities to divert organic waste streams away from landfill sites by 2022 (50%) and a complete ban on organic waste disposed at landfill sites by 2027.

DEA&DP have amended the conditions of authorisations (Permits/Licences) for Waste Disposal Facilities (WDFs) in the Western Cape to make diversion of organic waste a legal requirement. The Municipality has therefore compiled an Organic Waste Diversion Plan (OWDP) to reach these organic diversion targets. This OWDP will form part of the approved IWMP.

The OWDP has been internally reviewed and was circulated for public comment. All comments received has been incorporated in the final OWDP.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.6.1**RESOLVED** (majority vote)

- (a) that Council approves and adopts the Organic Waste Diversion Plan; and
- (b) that the Organic Waste Diversion Plan is seen as part of the Municipality's Integrated Waste Management Plan.

FOR FURTHER DETAILS CONTACT:

NAME	Preshane Chandaka
POSITION	<i>DIRECTOR: INFRASTRUCTURE SERVICES</i>
DIRECTORATE	<i>INFRASTRUCTURE SERVICES</i>
CONTACT NUMBERS	<i>021 -808 8213</i>
E-MAIL ADDRESS	<i>Shane.chandaka@stellenbosch.gov.za</i>
REPORT DATE	<i>19 August 2022</i>

11.6.2	STATUS REPORT ON THE INFRASTRUCTURE SERVICES' BY-LAWS AND POLICIES
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Collaborator No: 736220
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022 and 26 October 2022

1. SUBJECT: STATUS REPORT ON THE INFRASTRUCTURE SERVICES' BY-LAWS AND POLICIES

2. PURPOSE

To inform Council on the status of the Directorate: Infrastructure Services By-Laws and Policies.

3. DELEGATED AUTHORITY

For notification by the Municipal Council.

4. EXECUTIVE SUMMARY

The Directorate: Infrastructure Services is responsible to ensure that all relevant and associated By-Laws and Policies are developed and maintained within a five-year period. This report serves to indicate to Council the current status of each of these By-Laws and Policies.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.6.2

NOTED

the status report on the Directorate Infrastructure Services By-Laws and Policies.

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	<i>Director Infrastructure Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	<u>shane.chandaka@stellenbosch.gov.za</u>
REPORT DATE	20 September 2022

11.6.3	APPROVAL OF THE MUNICIPALITY'S STORMWATER BY-LAW DELEGATIONS AND PROPOSED ADMISSION OF GUILT FINES
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Collaborator No: 736154
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022 and 26 October 2022

1. SUBJECT: APPROVAL OF THE MUNICIPALITY'S STORMWATER BY-LAW DELEGATIONS AND PROPOSED ADMISSION OF GUILT FINES

2. PURPOSE

That Council considers and approves the Municipality's, Stormwater By-Law Delegations and Proposed Admission of Guilt Fines.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

Council had approved the Municipality's By-Law on Stormwater, following a public participation process and all relevant processes, on the 25th November 2020. (**ANNEXURE A**)

The By-Law on Stormwater enables the Municipality to manage its stormwater systems and regulate activities that have a detrimental effect on the development and operation of the stormwater system.

Under Section 59: Delegations of the Municipal Systems Act, Council is to approve the proposed delegations of powers in terms of this By-Law to various key officials and incorporate these into the System of Delegations. A proposed set of delegations is shown under **ANNEXURE B**.

The fines schedule will assist the Municipality with the management and regulation of stormwater systems by allowing for penalties to be imposed for activities that are detrimental to the development and operation of the stormwater system. The proposed fines schedule is attached as **ANNEXURE C**.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.6.3

RESOLVED (nem con)

- (a) that the content of this report be noted;
- (b) that the set of delegations for the Municipality's By-Law on Stormwater as proposed in **ANNEXURE B** be accepted and attached to the System of Delegations; and
- (c) that the proposed set of Admission of Guilt Fines (Attached as **ANNEXURE C**) be accepted as the fines to be sought from the Chief Magistrate for this By-Law.

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	Shane.Chandaka@ Stellenbosch.gov.za
Report Date	20 September 2022

11.6.4	REQUEST FOR APPROVAL OF THE DRAFT POLICY ON SIDEWALK ACCESSIBILITY
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Collaborator No: 736152
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022 and 26 October 2022

1. SUBJECT: REQUEST FOR APPROVAL OF THE DRAFT POLICY ON SIDEWALK ACCESSIBILITY

2. PURPOSE

That Council notes and approves the draft policy on Sidewalk Management in Residential Areas.

3. DELEGATED AUTHORITY

Reserved for decision by Council.

4. EXECUTIVE SUMMARY

The Municipality aims is to promote and prioritize Non-Motorised Transport (NMT), as these were outcomes from IDP consultative processes and forms part of the Municipality's and National Government's Strategic Planning.

Landscaping, outdoor dining and other activities carried out on sidewalks may obstruct drivers' sight distances and pedestrian movements, creating potentially unsafe conditions.

The Municipality endeavours to improve sidewalk management and strive for a safe environment for all sidewalk and roadway users. In order to achieve this, the municipality intends to introduce a policy and processes that would improve safety and make sidewalks more accessible and user friendly to pedestrians.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.6.4

The Speaker **RULED**

that the draft policy on Sidewalk Management in Residential areas be referred to a combined Section 80 Committee meeting between Planning -; Corporate -; Infrastructure - and Protection Services.

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	<i>Director</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	<i><u>Shane.Chandaka@stellenbosch.gov.za</u></i>
REPORT DATE	<i>20 September 2022</i>

11.6.5	REQUEST FOR APPROVAL OF STELLENBOSCH ROADS MASTER PLAN
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

19 October 2022 and 26 October 2022

1. SUBJECT: APPROVAL OF STELLENBOSCH ROADS MASTER PLAN**2. PURPOSE**

That Council approves the 2022 Roads Master Plan (RMP).

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality undertook the development of its first Roads Master Plan (RMP) in 2012 and the new RMP is a full review of the previous edition.

The aim of the RMP is to analyse the capacity of the current road network and identify the current and future road infrastructure requirements. This is undertaken with the aid of a Roads Simulation Model, that simulates existing and future road traffic scenarios. Results of the simulations are analysed and recommendations are made for infrastructure that will ensure an effective road layout for the Municipality.

The Draft Roads Master Plan (RMP) has been tabled at Council in April 2021, where the Draft Roads Master Plan (RMP) was accepted by Council and advertised for public comment. Comments were received from Friends of Stellenbosch Mountain (FSM), Stellenbosch Ratepayers Association (SRA), Stellenbosch Interest Group (SIG) and the University of Stellenbosch (US).

The Draft Roads Master Plan (RMP) received considerable comments from two interest groups in Stellenbosch, while others expressed concerns relating to listed projects. Amendments to increase clarity has subsequently been brought about in the document.

The Directorate's view is that the analysis carried out through the compilation of the Roads Master Plan (RMP) ensures that it is suitable for its purpose, i.e. as an aid to the planning processes, providing input into the Comprehensive Integrated Transport Plan (CITP).

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.6.5

the Speaker **RULED**

that this item be referred back to the Administration for changes to be affected and reworked whereafter it be resubmitted to Council.

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	<u>Shane.Chandaka@stellenbosch.gov.za</u>
Report Date	21 October 2022

11.6.6	APPROVAL OF THE MUNICIPALITY'S PARKING BY-LAW DELEGATIONS AND PROPOSED ADMISSION OF GUILT FINES
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Collaborator No: 736153
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022

1. SUBJECT: APPROVAL OF THE MUNICIPALITY'S PARKING BY-LAW DELEGATIONS AND PROPOSED ADMISSION OF GUILT FINES

2. PURPOSE

That Council considers and approves the Municipality's, Parking By-Law Delegations and Proposed Admission of Guilt Fines.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

Council had approved the Municipality's By-Law on Parking, following a public participation process and all relevant processes, on the 28 April 2021 (**ANNEXURE A**).

Under Section 59: Delegations of the Municipal Systems Act, Council is to approve the proposed delegations of powers in terms of this By Law to various key officials and incorporate these into the System of Delegations. A proposed set of delegations is shown under **ANNEXURE B**.

The fines schedule will assist the Municipality with the management and regulation of parking systems by allowing for penalties to be imposed for parking violations. A set of proposed Admission of Guilt Fines is attached as **ANNEXURE C**.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.6.6

RESOLVED (nem con)

- (a) that the content of this report be noted,
- (b) that the set of delegations for the Municipality's By-Law on Parking as proposed in **ANNEXURE B** be accepted and attached to the System of Delegations, and
- (c) that the proposed set of Admission of Guilt Fines (Attached as **ANNEXURE C**) be accepted as the fines to be sought from the Chief Magistrate for this By-Law.

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	<u>Shane.Chandaka@ Stellenbosch.gov.za</u>
Report Date	20 September 2022

11.6.7	REQUEST FOR APPROVAL OF STELLENBOSCH NON-MOTORISED TRANSPORT MASTER PLAN POLICY
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Collaborator No: 736147
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022 and 26 October 2022

1. SUBJECT: REQUEST FOR APPROVAL OF STELLENBOSCH NON-MOTORISED TRANSPORT MASTER PLAN AND POLICY

2. PURPOSE

That Council notes the 2020 Non-Motorised Transport (NMT) Master Plan and Policy.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality compiled an NMT network plan, a separate cycling plan and an NMT Policy in 2015. The Draft 2020 NMT Master Plan and Policy is a review, update and consolidation of the aforementioned documents.

The aim of the Non-Motorised Transport (NMT) Master Plan and Policy is to analyse the capacity of current network, identify current and future NMT needs, and make recommendations for infrastructure that will ensure an effective NMT network.

The Draft 2020 NMT Master Plan and Policy has been tabled at Council in April 2021, where the Master Plan and Policy was accepted by Council, and thereafter advertised for public comment. Comments were received from, Friends of Stellenbosch Mountain (FMS), Stellenbosch Ratepayers Association (SRA), Stellenbosch Interest Group (SIG), Stellenbosch Cycling and the University of Stellenbosch (US). Public Comments received were largely supportive.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.6.7

RESOLVED (nem con)

- (a) that Council notes that the Non-Motorised Transport Master Plan was published for public comment;
- (b) that Council notes the comments received and the Directorate's view; and
- (c) that Council adopts the revised 2021- 2022 Non-Motorised Transport Plan.

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	Shane.Chandaka@stellenbosch.gov.za
Report Date	20 September 2022

11.6.8	APPROVAL OF THE STELLENBOSCH MUNICIPALITY INTEGRATED WASTE MANAGEMENT BY-LAW DELEGATIONS AND ADMISSION OF GUILT FINES
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Collaborator No: 736144
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022

1. SUBJECT: APPROVAL OF THE STELLENBOSCH MUNICIPALITY INTEGRATED WASTE MANAGEMENT BY-LAW DELEGATIONS AND ADMISSION OF GUILT FINES

2. PURPOSE

To request approval from Council to finally approve the Integrated Waste Management By-Law Delegations and Admission of Guilt Fines.

3. DELEGATED AUTHORITY

The Stellenbosch Municipality By-Law relating to Integrated Waste Management was approved by Council. And published in the Provincial Gazette No. 8441 dated 4 June 2021 (**ANNEXURE A**).

4. EXECUTIVE SUMMARY

The Stellenbosch Municipality Integrated Waste Management By-Law (2020) regulates the avoidance, minimisation, generation, collection, cleaning and disposal of waste; and matters related thereto.

Under Section 59: Delegations of the Municipal Systems Act, Council is to approve the proposed delegation of powers in terms of this By Law to various key officials and incorporate these into the System of Delegations. A proposed set of delegations is shown under **ANNEXURE B**.

Under the provisions of section 45 of the By-Law a person convicted of an offence in terms of section 44(1)(a), (b), (c) or (e) of the By-Law is liable to a fine. A set of proposed Admission of Guilt Fines (AGF) has been attached as **ANNEXURE C**.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.6.8

RESOLVED (nem con)

- (a) that the content of this report be noted,
- (b) that the set of delegations for the Municipality's By-Law relating to Integrated Waste Management as proposed in **ANNEXURE B** be accepted and attached to the System of Delegations, and
- (c) that the proposed set of Admission of Guilt Fines (Attached as **ANNEXURE C**) be accepted as the fines to be sought from the Chief Magistrate for this By-Law

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	Director
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	shane.chandaka@stellenbosch.gov.za
REPORT DATE	20 July 2022

11.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J JOON)
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NONE

11.8	PLANNING: (PC: CLLR C VAN WYK (MS))
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11.8.1	APPROVAL TO COMMENCE WITH THE PUBLIC PARTICIPATION PROCESS FOR THE ADAM TAS CORRIDOR OVERLAY ZONE IN TERMS OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW
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Collaborator No: 736732
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 19 October 2022 and 26 October 2022

1. SUBJECT: APPROVAL TO COMMENCE WITH THE PUBLIC PARTICIPATION PROCESS FOR THE ADAM TAS CORRIDOR OVERLAY ZONE IN TERMS OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW

2. PURPOSE OF REPORT

To obtain approval from Council to commence with the public participation process for the draft Adam Tas Corridor Local Spatial Development Plan (LSDF) Overlay Zone in line with the minimum requirements of the Stellenbosch Municipality Land Use Planning Bylaw to obtain comment on the draft Adam Tas Overlay Zone that will enable the Directorate Planning and Economic Development to finalise the Adam Tas Overlay Zone and submit the policy document to Council for consideration.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Council resolved at their meeting of 29 May 2019 to authorize the Municipal Manager to enter into a multi-stakeholder engagement involving the key national departments, relevant local government institutions, the university, private stakeholders, and various land owners to explore a public private partnership for the Adam Tas Corridor re-generation initiative. Council also authorised the Municipal Manager to undertake further work to explore the feasibility, dependencies, and associated risks, etc. in determining the appropriate path for unlocking the Adam Tas Corridor.

Acting in terms of her delegation from Council, the Municipal Manager gave approval on 20 March 2020 for the commencement of the drafting of a local spatial development framework and overlay zone for the Adam Tas Corridor.

Following a public tender, the Built Environment Partnership (BEP) was appointed by Stellenbosch Municipality (SM) during January 2021 to prepare a Local Spatial Development Framework (LSDF) for the Adam Tas Corridor (ATC) area and draft overlay zone.

The Draft ATC LSDF was submitted to the Section 80 standing Committee for Planning for consideration on 4 October 2022 after which it will be tabled at the Council meeting at the end of October 2022 for final consideration.

With this LSDF, municipal approval is sought to incorporate the area as a Local Area Overlay Zone in the Stellenbosch Zoning Scheme By-Law 2015. The Local Area Overlay Zone is the mechanism for cementing the development rights implied by the LSDF in law. The current zoning – largely related to the manufacturing, storage, and distribution of wine and similar products – cannot support dense, mixed-use development.

The purpose of the overlay zone in terms of Section 239 (1) of the Stellenbosch Municipality: Zoning Scheme Bylaw is to designate land for future subdivision where a change of zoning from the pre-existing base zone will be required once the subdivision is approved and where the principle of future subdivision has been approved through a rezoning process, but the subdivision plan itself has not yet been approved.

This agenda item seek to obtain the approval of Council to commence with the process of advertising the Adam Tas Corridor LSDF. Only once all comments and input have been received, duly considered and taken into account where needed, the final draft LSDF will be brought before Council for consideration.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.8.1

RESOLVED (nem con)

- (a) that Council takes note of the draft Adam Tas Corridor Overlay Zone attached as **APPENDIX 1** to the agenda;
- (b) that Council gives approval for the commencement of the public participation process and advertisement of the draft Adam Tas Overlay Zone subject to the following conditions:
 - i. The public participation phase of the project will take place over 60 days (2 months);
 - ii. The draft Overlay Zone will be advertised in the local newspaper, municipal web page and notice boards within two weeks after the decision by Council.
- (c) that After the process of public participation was concluded, the draft Adam Tas Corridor report must be resubmitted to Council together with all comments received for consideration within 2 months.

FOR FURTHER DETAILS, CONTACT:

NAME	BJG de la Bat Pr Pln
POSITION	Manager: Spatial Planning
DIRECTORATE	PLANNING AND ECONOMIC DEVELOPMENT
CONTACT NUMBERS	021 808 8653
E-MAIL ADDRESS	Bernabe.delabat@stellenbosch.gov.za
REPORT DATE	3 October 2022

11.8.2	APPROVAL OF THE ADAM TAS LOCAL SPATIAL DEVELOPMENT FRAMEWORK AND GUIDELINES FOR THE DEVELOPMENT
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Collaborator No: 736052
 IDP KPA Ref No: Valley of Opportunity
 Meeting Date: 19 October 2022 and 26 October 2022

1. **SUBJECT: APPROVAL OF THE ADAM TAS LOCAL SPATIAL DEVELOPMENT FRAMEWORK AND GUIDELINES FOR THE DEVELOPMENT**

2. **PURPOSE**

To provide Council with the pertinent factors to approve and adopt the Final Draft Adam Tas Local Spatial Development Framework and the Adams Tas Corridor Development Guidelines.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

The development of the land along the Adam Tas Corridor as included as a catalytic project in the approved Stellenbosch Municipal Spatial Development Framework, 2019.

The working vision for the ATC area is follows:

- A **proactive intervention** to address needs in Stellenbosch, including fixing the mistakes of the past and enabling equitable access to urban opportunity for all citizens.
- An **integrated, inclusive environment** for living, work, and enjoyment.
- A **pro-active partnership** between the public, private, and community sectors in response to citizen needs and national, provincial, and municipal policy.
- A place which embodies and expands our **best knowledge and practise** of what constitutes good, equitable, and efficient settlement.
- A **“new town in town”** in Stellenbosch; integrating currently fragmented parts of the town, exploiting underutilized resources, and adopting non-motorized and public transport as the dominant form of access.

The Department: Development Planning prepared the draft ATC LSDF as a policy document that would pave the way for the development to take place over the next 10 to 20 years. The draft LSDF was submitted to the municipality in September 2021 after which Council approved the public participation process which took place during the second quarter of 2022 for a period of sixty (60) days., See copy of advertisement in local newspapers attached as **APPENDIX 1**.

The comments received during the process of public participation were evaluated and considered in evaluating the final draft ATC LSDF which is now serving before Council for formal adoption. The summary of comments is attached as **APPENDIX 2** to this report and include the responses to such comments.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.8.2**RESOLVED** (majority vote)

- (a) that Council approves the Final Draft Adam Tas Local Spatial Development Framework, 2019 attached as **APPENDIX 3**; and
- (b) that Council approves the Adam Tas Corridor Development Guidelines attached as **APPENDIX 4** to this report.

FOR FURTHER DETAILS, CONTACT:

NAME	Bernabe de la Bat
POSITION	Manager Spatial Planning
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 – 808 8653
E-MAIL ADDRESS	Bernabe.delabat@Stellenbosch.gov.za
REPORT DATE	19 September 2022

11.8.3	AERONAUTICAL RECONNAISSANCE COVERAGE GEOGRAPHIC INFORMATION SYSTEM FOR LOCAL AUTHORITY (TOWN PLANNING APPLICATIONS MANAGEMENT SYSTEM AND BUILDING PLANS APPLICATIONS MANAGEMENT SYSTEMS) IMPLEMENTATION REPORT
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Collaborator No: 736052
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 October 2022 and 26 October 2022

1. SUBJECT: AERONAUTICAL RECONNAISSANCE COVERAGE GEOGRAPHIC INFORMATION SYSTEM FOR LOCAL AUTHORITY (TOWN PLANNING APPLICATIONS MANAGEMENT SYSTEM AND BUILDING PLANS APPLICATIONS MANAGEMENT SYSTEMS) IMPLEMENTATION REPORT

2. PURPOSE

To provide Council with the progress of the implementation of Town Planning Applications Management System ("TPAMS") and Building Plans Applications Management Systems ("BPAMS") that were implemented on 01 July 2022.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Council to have an update on the status-quo regarding the implementation of TPAMS and BPAMS, the issues that occurred during the implementation and future systems enhancements.

8TH COUNCIL MEETING: 2022-10-26: ITEM 11.8.3

RESOLVED (nem con)

- (a) that Council takes note of the progress made with the implementation of Version 2 of Town Planning Applications Management System and Building Plans Applications Management System on 01 July 2022; and
- (b) that Council takes note of the improvements to the Town Planning Applications Management System and Building Plans Applications Management System as noted in 8.4 of this report that is included in the funding for the 2022 / 2023 financial year.

FOR FURTHER DETAILS CONTACT:

NAME	Mduduzi Nhleko
POSITION	GIS Technician
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8586
E-MAIL ADDRESS	Mduduzi.Nhleko@ Stellenbosch.gov.za
REPORT DATE	26 September 2022

11.9	LOCAL ECONOMIC DEVELOPMENT AND TOURISM: (PC: CLLR R DU TOIT (MS))
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NONE

11.10	RURAL MANAGEMENT: (PC: CLLR J WILLIAMS)
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11.10.1	REQUEST TO LEASE FARM NO. 502BH, STELLENBOSCH DIVISION: STELLENBOSCH UNIVERSITY FOR A EUROPEAN UNION (EU) FUNDED RESEARCH ENDEAVOUR
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Collaborator No: 736786
IDP KPA Ref No: Valley of Opportunity
Meeting Date: 19 October 2022

**1. SUBJECT: REQUEST TO LEASE FARM NO. 502BH, STELLENBOSCH DIVISION:
STELLENBOSCH UNIVERSITY FOR A EUROPEAN UNION (EU) FUNDED
RESEARCH ENDEAVOUR.**

2. PURPOSE

- a) To provide the Executive Mayor with all the pertinent factors in regard to the request from Stellenbosch University to lease Farm No. 502BH, Stellenbosch Division, for the purposes of an EU funded Research Endeavour in Partnership with Lynedoch Farmers.
- b) To request the Executive Mayor to approve the request from Stellenbosch University.

3. DELEGATED AUTHORITY

In terms of Delegation EM85 the Executive Mayor, in consultation with the Executive Mayoral Committee, has the delegated authority to "Approve Lease Agreements on Council properties for a period shorter than 10 years and a contract value of less than R5M".

4. EXECUTIVE SUMMARY

The Stellenbosch University has applied for a short - term lease agreement (for a period of 3 years) for Farm No. 502BH, Stellenbosch Division where they are involved in a project assessing the potential value of seven technologies to enhance the productivity of emerging farmers.

The Policy on the Management of Council-owned properties allows for direct negotiations (private treaty) in specific circumstances, inter alia, for the purpose of agricultural purposes. The Asset Transfer Regulations provides that rights may be provided to any third party unless there is a public participation process indicating the municipality's intention and requesting any objections to the proposal. This is also contained in the Municipality's Property Management Policy. All land worth more than 10 Million Rand must first go through another public participation process publishing an information statement as provided for in the Asset Management Regulations.

8th COUNCIL MEETING: 2022-10-26: ITEM 11.10.1**RESOLVED** (nem con)

- (a) that Farm No. 502BH, Stellenbosch Division, be identified as land not needed for Municipal Services;
- (b) that the importance of the study be noted as it will enhance the sustainability of emerging farmers;
- (c) that Council in-principle agrees to make the property available to the Stellenbosch University as they will deliver a function in Lynedoch for the benefit of the emerging farmers;
- (d) that the intension of Council to lease the property to the Stellenbosch University for a period of (3) three years be advertised for public comment/input;
- (e) that the item be returned to the Executive Mayor, in consultation with the Mayoral Committee, for a final decision, once the public participation process has been completed;
- (f) that the Municipal Manager be mandated to determine a monthly rental amount; and
- (g) that Stellenbosch University enter into an agreement with the Municipality and be responsible for the payment of all services.

FOR FURTHER DETAILS CONTACT:

NAME	Lesley van Gensen
POSITION	Manager: Economic Development and Tourism
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8179
E-MAIL ADDRESS	Lesley.vangensen@stellenbosch.gov.za
REPORT DATE	11 October 2022

11.11	MUNICIPAL MANAGER (MS G METTLER)
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NONE

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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NONE

13.	REPORTS BY THE MUNICIPAL MANAGER
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13.1	FEEDBACK REPORTS RECEIVED FROM THREE 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

2022-08-24 & 2022-10-26

1. **SUBJECT: FEEDBACK REPORTS RECEIVED FROM THREE 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S**

2. **PURPOSE**

To consider and discuss the feedback reports received from Smart Mission Entertainment, Franschoek Rugby Club and Ubuntu Hiking for funding received for the 2021-2022 financial year.

3. **DELEGATED AUTHORITY**

GiA donations are approved by Council as part of the budget documents.

4. **EXECUTIVE SUMMARY**

Three grant receiving organisations were found to be in contravention of the Grant in Aid policy and signed MOA as discovered from the feedback reports provided to the municipality. The discovery was documented and circulated to the Municipal Manger and Chief Financial Officer who both supported the recommendations of the investigation report and requested that the matter be brought under the attention of the Grant Committee (**ANNEXURE 1**).

8TH COUNCIL MEETING: 2022-10-26: ITEM 13.1

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

13.2	QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 APRIL 2022 TILL 30 JUNE 2022
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Collaborator No:

File No:

IDP KPA Ref No:

Good Governance

Meeting Date:

26 October 2022

1. **SUBJECT: QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 APRIL 2022 TILL 30 JUNE 2022**

2. **PURPOSE**

To inform Council of the activities of the Audit and Performance Audit Committee for the period 01 April 2022 till 30 June 2022 (4th Quarter). The Minutes of the meeting held for this period mentioned is herewith attached as **APPENDIX 1** which outlines the activities of the Audit and Performance Audit Committee.

3. **DELEGATED AUTHORITY**

Audit and Performance Audit Committee reports to Council periodically.

4. **EXECUTIVE SUMMARY**

In terms of Section 166 of the Municipal Finance Act (MFMA), Act No 56 of 2003, each municipality must have an Audit and Performance Audit Committee. The Audit and Performance Audit Committee is an independent advisory body which must advise Council, the political office bearers, the accounting officer, the management and staff of the municipality.

The Audit Committee has executed its duties and responsibilities during the period under review in accordance with its terms of reference as they relate to Council's accounting, internal auditing, internal control and financial reporting practices.

The Audit and Performance Audit Committee also elected a new Chairperson for the Committee at its meeting dated 28 June 2022.

8TH COUNCIL MEETING: 2022-10-26: ITEM 13.2

RESOLVED (nem con)

- (a) that Council takes note of the concerns and the report of the Audit and Performance Audit Committee for the period 01 April 2022 till 30 June 2022; and
- (b) that Council approves the appointment of Mr Linda Cecil Nene as Chairperson of the APAC as elected by the committee.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Faiz Hoosain</i>
POSITION	<i>Chief Audit Executive</i>
DIRECTORATE	<i>Municipal Manager's Office</i>
CONTACT NUMBERS	<i>021-808 8555</i>
E-MAIL ADDRESS	<i>Faiz.Hoosain@ Stellenbosch.gov.za</i>
REPORT DATE	

13.3	COMBINED ASSURANCE POLICY FRAMEWORK
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Collaborator No:

File No:

IDP KPA Ref No: Good Governance

Meeting Date: 26 October 2022

1. SUBJECT: COMBINED ASSURANCE POLICY FRAMEWORK

2. PURPOSE

To approve Combined Assurance Policy Framework as recommended by the Audit and Performance Audit Committee

3. DELEGATED AUTHORITY

Audit and Performance Audit Committee reports to Council.

4. EXECUTIVE SUMMARY

The Audit and Performance Audit Committee are the custodians of Combined Assurance in terms of the approved Audit and Performance Audit Committee Charter approved by Council on 30 March 2022 attached herewith as **APPENDIX 1**.

The Audit and Performance Audit Committee at its meeting dated 28 June 2022 considered the Draft Combined Assurance Policy Framework 2022-23 attached herewith as **APPENDIX 2** and recommended it to Council for approval.

8TH COUNCIL MEETING: 2022-10-26: ITEM 13.3

RESOLVED (nem con)

that Council approves the Combined Assurance Policy Framework 2022-23 of Stellenbosch Municipality.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Faiz Hoosain</i>
POSITION	<i>Chief Audit Executive</i>
DIRECTORATE	<i>Municipal Manager's Office</i>
CONTACT NUMBERS	<i>021-808 8555</i>
E-MAIL ADDRESS	<i>Faiz.Hoosain@stellenbosch.gov.za</i>
REPORT DATE	

13.4	PROGRESS REPORT: THE 2ND SOUTH AFRICAN – GERMAN PEER LEARNING NETWORK WORKSHOP AND FEDERAL NATIONAL URBAN POLICY CONGRESS
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Collaborator No:

File No:

IDP KPA Ref No: Good Governance

Meeting Date: 26 October 2022

1. **SUBJECT: PROGRESS REPORT: THE 2ND SOUTH AFRICAN – GERMAN PEER LEARNING NETWORK WORKSHOP AND FEDERAL NATIONAL URBAN POLICY CONGRESS**

2. **PURPOSE**

To report back to Council in terms of Council Item 11.11.3 of the 6th Council meeting of July 2022. (see attached **ANNEXURE 1**), in reference of the minutes of this meeting.

“To Attend The 2nd South African – German Peer Learning Network Workshop and Federal National Urban Policy Congress, 10 – 16 September 2022, Germany”

3. **DELEGATED AUTHORITY**

Council.

4. **EXECUTIVE SUMMARY**

Stellenbosch Municipality is part of the IUDF Intermediate City Support Programme which is being implemented in partnership with the Cooperative Governance and Traditional Affairs (COGTA) and the South African-German City Network. The feedback to Council will deal with the following:

- 4.1 The extended learning opportunities beyond the seven directly participating cities during the engagements in Germany;
- 4.2 The assistance from external government entities to fast-track service delivery;
- 4.3 The nomination of Stellenbosch Municipality to host the Learning network engagements during February 2023.

8TH COUNCIL MEETING: 2022-10-26: ITEM 13.4

RESOLVED (nem con)

- (a) that Council takes note of the visit to Germany by a delegation from Stellenbosch Municipality; and
- (b) that Council takes note that Stellenbosch Municipality will be hosting the next engagement during February 2023.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Municipal Manager</i>
CONTACT NUMBERS	021- 808 8025
E-MAIL ADDRESS	<i>Municipal.manager@stellenbosch.gov.za</i>
REPORT DATE	

13.5	PROGRESS REPORT: MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS: VISIT TO JÖNKÖPING MUNICIPALITY
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Collaborator No: 11/2/5/2/2

IDP KPA Ref No:

Good governance and compliance

Meeting Date:

26 October 2022

1. SUBJECT: PROGRESS REPORT: MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS: VISIT TO JÖNKÖPING MUNICIPALITY

2. PURPOSE

To report back to Council in terms of Council Item 11.11.7 of the 3rd Council meeting of March 2022. See attached **ANNEXURE 1**, in particular reference to point 4.3 of the minutes of this meeting.

"Para 4.7 Visit to Jönköping Municipality in Sweden."

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality entered into a partnership agreement with Jönköping Municipality on the topic of Human Rights on 17 December 2020. The feedback to Council will deal with the following:

- 4.1 The application to ICLD for a multi-year project;
- 4.2 Proposals for a multi-year programme;
- 4.3 Visit to Jönköping Municipality;
- 4.4 The International Training Programme (ITP) of International Commission for Local Democracy (ICLD);
- 4.5 The Compilation of a Steering committee.

8TH COUNCIL MEETING: 2022-10-26: ITEM 13.5

RESOLVED (nem con)

- (a) that Council takes note of the visit to Jönköping Municipality by a delegation from Stellenbosch Municipality;
- (b) that Council takes note of the visit to Lund Municipality by a delegation from Stellenbosch Municipality as part of the International training programme;
- (c) that Council takes note of the Municipal Manager's progress report / feedback;
- (d) that Council takes note for the multi-year application;

-
- (e) that the Municipal Manager submits an updated (interim) report to Council as soon as the final application to the International Commission for Local Democracy is approved by the latter;
- (f) that the possibility of a Twinning Agreement be investigated and the results be reported to Council; and
- (g) that Council takes note of the training in Lusaka, Zambia during December 2022.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	Geraldine Mettler
<i>POSITION</i>	Municipal Manager
<i>DIRECTORATE</i>	Municipal Manager
<i>CONTACT NUMBERS</i>	021- 808 8025
<i>E-MAIL ADDRESS</i>	Municipal.manager@stellenbosch.gov.za
<i>REPORT DATE</i>	2022-10-20

13.6	REQUESTING PUBLIC INPUT ON THE FUTURE USE OF ERF 235, VAN DER STEL SPORT COMPLEX, STELLENBOSCH
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Collaborator No:

IDP KPA Ref No: Strategic Focus Area 2

Meeting Date: 26 October 2022

1. SUBJECT: APPROVAL OF THE INFORMATION STATEMENT FOR ERF 235, VAN DER STEL SPORT COMPLEX, STELLENBOSCH

2. PURPOSE

To request approval for the information statement for public input in respect of Erf 235, known as VAN DER STEL SPORT COMPLEX, Stellenbosch.

3. DELEGATED AUTHORITY

The Municipal Council.

4. EXECUTIVE SUMMARY

At the 29TH COUNCIL MEETING: 2019-07-24 a resolution was taken that Council notes that the Community Services Department will commence with the process to develop an alternative management model for the Van Der Stel Sport facility.

8TH COUNCIL MEETING: 2022-10-26: ITEM 13.6

RESOLVED (nem con)

that Council approves the information statement for public input in respect of Erf 235, known as VAN DER STEL SPORT COMPLEX, Stellenbosch.

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe
POSITION	Senior Manager Community Services
DIRECTORATE	Community and Protection services
CONTACT NUMBERS	021 808 8165
E-MAIL ADDRESS	albert.vandermerwe@stellenbosch.gov.za
REPORT DATE	20 October 2022

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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(SEE PINK DOCUMENTATION)

The meeting adjourned at 12:25.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**