

# Municipality • Umasipala • Munisipaliteit

Ref. no.3/4/1/5 2021-03-31 **MINUTES** 41ST MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY 2021-03-31 AT 10:00 Detailed account of the meeting proceedings is available on audio recording, which is obtainable from The Municipal Manager's Office per Request for Information (RFI)

# MINUTES

# MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY 2021-03-31

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**MINUTES** 41<sup>ST</sup> MEETING OF THE COUNCIL

OF STELLENBOSCH MUNICIPALITY

2021-03-31

**PRESENT** The Speaker, Cllr WC Petersen (Ms) [Chairperson]

> The Executive Mayor, Ald G Van Deventer (Ms) The Deputy Executive Mayor, Cllr N Jindela

**COUNCILLORS** F Adams MC Johnson

> FJ Badenhorst **DD** Joubert FT Bangani-Menziwa (Ms) C Manuel

Ald PW Biscombe NE Mcombring (Ms) G Cele (Ms) XL Mdemka (Ms) PR Crawley (Ms) C Moses (Ms)

RS Nalumango (Ms) A Crombie (Ms)

Z Dalling (Ms) N Olayi C Davidse **SA Peters** R Du Toit (Ms) WF Pietersen J Fasser SR Schäfer A Florence Ald JP Serdyn (Ms)

AR Frazenburg N Sinkinya (Ms) T Gosa P Sitshoti (Ms)

E Groenewald (Ms) Q Smit JG Hamilton LL Stander AJ Hanekom RB Van Rooyen JK Hendriks E Vermeulen

LK Horsband (Ms)

\*

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 Services (D Louw)

Director: Planning and Economic Development (AP Barnes)

Chief Audit Executive (F Hoosain) Manager: Secretariat (EJ Potts)

Senior Administration Officer (T Samuels (Ms))

# 1. OPENING AND WELCOME

The Speaker, Cllr W Petersen (Ms) extended a warm welcome to all, and requested Cllr MM Johnson to open proceedings with Scripture and Prayer.

"Good Morning to you all present in this the 41st Council Meeting.

Special welcoming to:

- The Executive Mayor, Alderman Gesie Van Deventer
- Deputy Executive Mayor, Nyaniso Jindela
- The Municipal Manager, Geraldine Mettler @ Directors
- The Members of the Executive Committee
- All Councillors present
- And the broader Stellenbosch Public tuned in on the Virtual Platform

We, in Stellenbosch find ourselves still in the **Pandemic** – and our future looks bleak – We should therefore be **positive**, **and as a** vibrant Community not sit **back** – but move forward – challenge the possibility of a third wave.

During this time of Holy Week, allow me to take you to scripture:

Lamentations / 3:22-23 which you could read on your own:

Because of the Lord's great love, we are not consumed, for his compassions never fail.

They are new every morning; great is his faithfulness. **Amen** 

We will now have a moment of **silence**, thinking back on all the sick and needy people in the broader Stellenbosch area of jurisdiction. We also pay tribute to those in our town who have passed on during this difficult time.

I thank you."

#### 2. MAYORAL ADDRESS

"Speaker, Munisipale Bestuurder, Burgemeesterskomiteelede, Direkteure

Goeiedag, Good Morning, Molweni, As-salaam Alaikum

- Start on a positive note:
- Last week we open our new Material Waste Recovery Facility or MRF as it is known.
  - This state of the art facility will serve as a place where recyclables are taken to, grouped, baled and provided to companies for use as raw material in the manufacturing of new products.
  - o The sorted recyclables have a much higher value than mixed recyclables and will be easily accepted into the booming recycling market.
  - Also features a public drop-off area, which will allow residents to bring garage and recyclable waste to dispose of responsibly.
  - Our new facility is part of the process of taking the minimisation of waste to

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- the next level in conjunction with other waste minimisation initiatives.
- Construction of the facility began in August 2019 and the total budget for the project was R29 million.
- The MRF has the capacity to process 450 tons of recyclable material per month and will employ up to 40 people once it becomes fully operational, from 1 April 2021.
- Thank you to Director Louw and his team who have worked tirelessly to ensure the completion of this project.
- As part of our Human Rights Day celebrations, we handed out another 48 title deeds to beneficiaries in Mooiwater, Franschhoek
  - These title deeds form part of the Mooiwater Housing Project that was completed in 2010.
  - A total of 231 houses were built and residents started moving in during April 2011.
  - o Since taking office in 2016, we have handed over 1932 title deeds.
  - Of these title deeds, 65% were for newly built projects and 35% were for historical projects.
  - o The handover forms part of our commitment as a local government to ensure dignified living conditions for all our residents.
  - o A title deed gives a resident ownership of their property. With this ownership comes financial security and a passport to economic participation.
- The threat of COVID is not yet over,
  - As we continue to anticipate the possibility of a third wave, I want to urge all residents, visitors, students, councillors and officials to please adhere to the COVID regulations and protocols.
  - The students from the University have returned and there are a definite increase in activity on the streets, in the interest of everyone therefore, I ask that we continue to be careful.
  - European countries have entered another lockdown since the outbreak of the pandemic, and it will provisionally last until after Easter, and if we want to avoid a similar situation here, we need everyone to cooperate.
- To all our residents who will be celebrating Easter this upcoming weekend, may
  you have a blessed time with family and friends as we celebrate the cornerstone
  event of our faith, the death and resurrection of Jesus.
- This week, our Jewish Residents are also celebrating Passover. Blessings and good wishes to our Jewish Residents during this week. May it be a time filled with peace.
- And in two weeks' time, our Muslim residents will commence with the holy month
  of Ramadan, on 13 April. May this be a blessed time of reflection and growth.
  Ramadan Kareem.
- I know many residents and officials will take the opportunity of a long weekend for a break and possible getaway. Please be safe on our roads. Drive carefully and also be COVID smart wherever you go.
- Thank you to all our officials who are on duty as well, sacrificing time with family to continue to serve our residents, it is greatly appreciated.

#### 3. COMMUNICATION BY THE SPEAKER

1. "Madame Mayor and Deputy Mayor, - today you will present your fifth Budget to Council – You are doing this against the backdrop of a **pandemic** which is still with us for a year now, bringing more uncertainty. However, we must just continue to **support you and your team** with the good work.

We also notice that there is speculation of the Local Government **elections** this year – so we expect the work of you as Councillors will therefore not always be as normal.

We have just observed Human Rights Day and I want to urge all Councillors to think at this particular moment of the personal sacrifices of so many people Drawing on their bravery, and the memory of all those who have fought for a better future, let's stand together and commit now to a recovery that will make a real, positive and lasting change to the lives of all people in our beautiful town. Let us during this time also think of the plight of **women** in particular, for their plight of attack from their fellow partners.

It has indeed been a time of great loss and pain for so many people in the broader Stellenbosch, and as a result, a hammer blow to the basic rights all our people deserve.

2. Regarding Birthdays

The following Councillors birthdays in April:

- 1st April Councillor Achmat Florence
- 9th April Councillor Gaynore Cele
- 18<sup>th</sup> April Councillor Esther Groenewald
- 19<sup>th</sup> April Councillor Patricia Crawley
- 24<sup>th</sup> April Councillor Natasha Mcombring
- Regarding outstanding Councillor matters, I am trying hard to finalise the outstanding matters during April 2021 and request from all involved their co-operation in this regard.
- 4. We now move to the agenda items.

Thank you."

#### 4. COMMUNICATION BY THE MUNICIPAL MANAGER

"Good morning Speaker,

Madam Mayor,

Councillors,

Members of the public and colleagues,

• It's indeed a very special day for us – the last day of International Women's Month. Myself and the Executive Mayor were pleasantly surprised today by the local football team, Stellenbosch Football Club – who wished us a happy International Women's Day. We are truly appreciative of that, and our team is doing very well and has been flying the Stellenbosch Flag high – one of the members were taken up in the National Team and a few has joint International Teams in Europe as well.

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- This is a very holy week for us as Christians and I want us all to reflect on this time of Easter, especially around covid, which taught us humanity and that we should realise what is important and what should be prioritised.
- The Executive Mayor will present the budget today, it is indeed a well thoughtthrough budget, under very difficult circumstances where we had to decline and cut and prioritise to ensure that we have a balanced budget, but I'm very proud with what the Executive Mayor will present.
- Easter weekends are always tragic with regard to accidents on the roads. I want
  to urge all residents and staff to take care during this Easter weekend when you
  travel and please observe the covid regulations at all times in terms of social
  distancing. My plea to everyone is to be safe, be responsible and look after your
  own health, because our own health is our own responsibility.

Thank you."

#### 5. DISCLOSURE OF INTERESTS

**NONE** 

# 6. APPLICATIONS FOR LEAVE OF ABSENCE

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

Cllr E Fredericks (Ms) – 31 March 2021 Cllr N Mananga-Gugushe Ms) – 31 March 2021

6.2 ABSENT

Cllr MD Oliphant – 31 March 2021

#### 7. CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING

# 7.1 40<sup>TH</sup> COUNCIL MEETING: 2021-01-27

The minutes of the 40<sup>th</sup> Council Meeting: 2021-01-27 were **confirmed as correct.** 

# 7.2 SPECIAL COUNCIL MEETING: 2021-02-24

The minutes of a Special Council Meeting: 2021-02-24 were confirmed as correct.

# 8. STATUTORY MATTERS

8.1 APPROVAL OF THE DRAFT FOURTH REVIEW OF THE FOURTH GENERATION IDP 2017 – 2022

Collaborator No: 703774

IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 24 March 2021 & 31 March 2021

# 1. SUBJECT: APPROVAL OF THE DRAFT FOURTH REVIEW OF THE FOURTH GENERATION IDP 2017 – 2022

#### 2. PURPOSE

To submit the following to MayCo and Council for consideration:

- (a) The Draft Fourth Review of the Fourth Generation IDP 2017 2022; and
- (b) The Draft Public Participation Schedule, April 2021.

#### 3. DELEGATED AUTHORITY

Council.

#### 4. EXECUTIVE SUMMARY

The Integrated Development Plan is a 5-year Strategic Plan that is reviewed annually to accommodate changes in the municipal environment, including community priorities. It also informs the budget of the Municipality. The Draft Fourth Review of the Fourth Generation IDP 2017 – 2022 details the Municipality's actions to address the needs of the community.

The Municipal IDP must be reviewed every year to ensure that:

- Municipalities and communities keep track of progress in implementing development projects and spending the municipal budget; and
- Communities are provided with an opportunity to review their needs and make possible revisions to the priorities listed in the municipal IDP.

#### 41<sup>ST</sup> COUNCIL MEETING: 2021-03-31: ITEM 8.1

# **RESOLVED** (majority vote)

- (a) that Council adopts the Draft Fourth Review of the Fourth Generation IDP 2017 2022 of the Stellenbosch Municipality as tabled in terms of section 34 of the MSA for the purposes of obtaining public inputs and comments;
- (b) that an advertisement be placed on the official website of the Municipality, municipal notice boards and in the local newspapers notifying the public that the Draft Fourth Review of the Fourth Generation IDP 2017 2022 is open for public inputs and comments during April 2021;

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- (c) that the Draft Public Participation Schedule, April 2021, be approved; and
- (d) that the Draft Fourth Review of the Fourth Generation IDP 2017 2022 be submitted to the Department of Local Government, Provincial Treasury, National Treasury and the Cape Winelands District Municipality.

NAME	Shireen de Visser
Position	Senior Manager: Governance
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8035
E-MAIL ADDRESS	shireen.devisser@stellenbosch.gov.za
REPORT DATE	10 March 2021

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8.2 MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2021/2022-2023/2024

**Collaborator No:** 

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2021

# 1. SUBJECT: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2021/2022-2023/2024

## 2. PURPOSE

The purpose of this report is as follows:

- a) The Executive Mayor to table the Medium Term Revenue and Expenditure Framework (inclusive of property rates charges and taxes, tariffs and service charges), annexures and proposed amendments to the budget related policies and other policies to Council for approval in terms of Section 16(2) of the Municipal Finance Management Act, (Act 56 of 2003).
- b) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the amount of R444 million of which over the MTREF R144 million will be required in year one, R140 million in year two and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms draft approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

#### 3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

#### 4. EXECUTIVE SUMMARY

#### **BUDGET**

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

#### 41ST COUNCIL MEETING: 2021-03-31: ITEM 8.2

The Speaker afforded the Executive Mayor the opportunity to deliver her Budget Speech (attached as an **APPENDIX**).

#### **RESOLVED** (majority vote)

- (a) that the Draft High Level Budget Summary, as set out in APPENDIX 1 PART 1 SECTION C; be approved for public release;
- (b) that the Draft Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in APPENDIX 1 PART 1 SECTION D, be approved for public release;
- (c) that the proposed Grants-In-Aid allocations as set out in APPENDIX 1 PART 2 SECTION J, be approved for public release;

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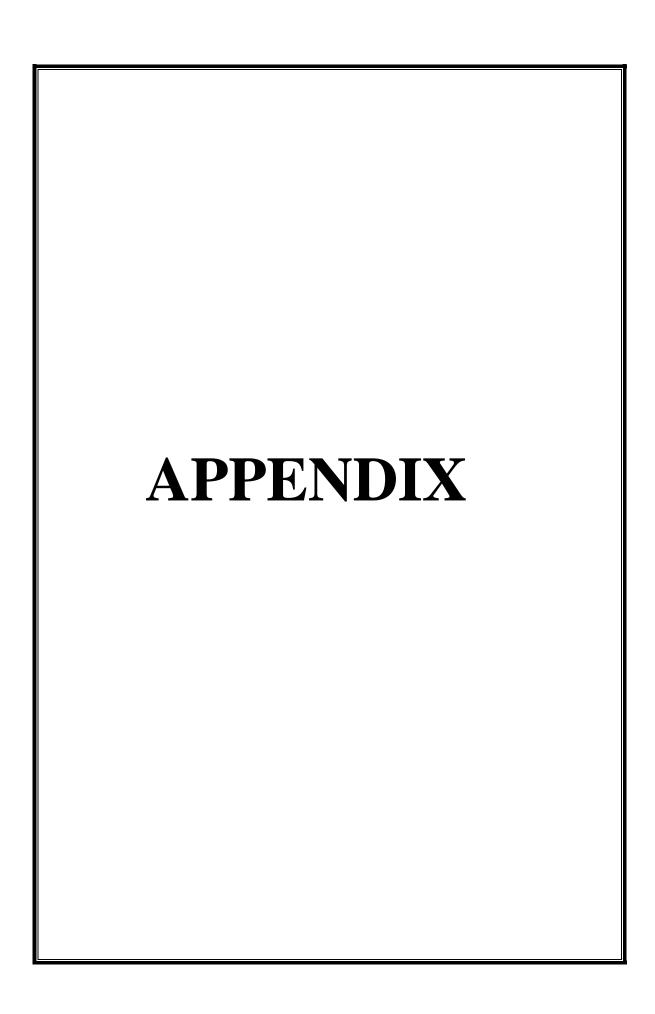
- (d) that the three-year Capital Budget for 2021/2022, 2022/2023 and 2023/2024, as set out in APPENDIX 1 PART 2 SECTION N, be approved for public release;
- (e) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in APPENDIX 3, be approved for public release;
- (f) that the proposed amendments to existing budget-related policies and other policies as set out in APPENDICES 5 31, be approved for public release;
- (g) that Council specifically notes and considers the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R444 million of which R144 million will be required in year one, R140 million in year two and R160 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms approval of same;
- (h) that Council specifically takes note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially; and
- (i) that Council takes note of MFMA circulars 107 and 108 that were published to guide the MTREF for 2021/2022 to 2023/2024 as set out in APPENDICES 32 33.

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

Cllr F Adams; FT Bangani-Menziwa (Ms); G Cele (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

#### FOR FURTHER DETAILS CONTACT:

NAME	KEVIN CAROLUS
POSITION	DIRECTOR: FINANCIAL SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	kevin.carolus@stellenbosch.gov.za
REPORT DATE	24 & 30 March 2021





# STELLENBOSCH MUNICIPALITY

A caring and sustainable budget – striking a balance post pandemic

**EXECUTIVE MAYOR: Adv Gesie van Deventer** 

PROPOSING THE ITEM ON TABLING THE TABLED (DRAFT) BUDGET – FOR PUBLIC PARTICIPATION.

Speaker;
Deputy Mayor;
Chief Whip of the Ruling Party;
Members of the Mayoral Committee;
Ordinary members of Council;
Municipal Manager and senior management;
Ward Committee Members;
Members of the public;
Members of the media present; and
All protocol observed

Good afternoon ladies and gentlemen.

# Introduction

Speaker, it is with great pleasure that I motivate to and enlighten Council on the proposed draft budget for the 2021/2022 period, which must now be circulated to the public for public participation.

Speaker, it has been a year since South Africa has gone into hard lockdown. We could not leave our homes for months on end. COVID-19 has taken many of our residents, closed many businesses, cut many jobs and has left many with a feeling of loss, confusion, anger and sometimes even hopelessness.

Despite the anguish and devastation caused by the global pandemic, our human spirit has rallied.

Christopher Reeves was a, well-known actor who played Superman in the 1970's and 1980's, but who was left paralysed following a horse-riding accident. We are inspired by what he said, after the accident changed his future and life-expectancy dramatically, we are inspired by his words, "Once you choose hope, everything is possible".

Yes, we must stand up and fight back, persevering in hope, uniting as a community to weather this COVID storm.

This budget is thus centred around a balancing act, continuing as a sustainable Municipality and simultaneously assisting our residents to **SURVIVE** and recover the impact of COVID.

The impact of the virus on our budget cannot be ignored. Stats SA figures reflect the impact of the pandemic on our economy on a national level as follow:

- Income generated by the food and beverages industry decreased by 36,6% in November 2020 compared with November 2019.
- Total income for the tourist accommodation industry decreased by 65,5% in November 2020 compared with November 2019.
- Income from accommodation decreased by 66,8% year-on-year in November 2020.
- SA electricity generation decreased by 2,4% year-on-year in November 2020. Whilst, generation only increased by 0,5% in November 2020 compared with October 2020.
- Manufacturing production (including food and beverages), decreased by 3,5% in November 2020 compared with November 2019.
- The real value of recorded building plans decreased by 40,8% year-onyear during January to October 2020. The real value of buildings completed decreased by 49,9% over the same period.

Loss of revenue at every level and the shrinking economy has therefore forced us to be extremely conservative in our planning. As I said during the adjustment budget, which we approved in February, we have to tighten our belts! This has to be and is a strictly needs driven budget. There is no room for" nice to haves". We have to focus solely on the needs of our residents. Thus our focus for the next financial year will be on infrastructure investment, ensuring a solid base on which to build our economy, creating opportunities for economic recovery. An important step in this process is setting tariffs as low as possible to make it possible for residents to recover from the disastrous effects of COVID.

This budget is aligned to Stellenbosch Municipality's Integrated Development Plan (IDP) with its vision statement, mission statement, corporate values, key performance areas and its key focus areas but also from inputs by all councillors and our communities' right through the year.

This budget was drawn up in line with guidelines set by political leadership and reflects our determination to reduce poverty, create jobs, expand our economy and build and maintain our infrastructure and better service delivery. We are indeed delivering to our people and it is our target to spend this year at least 90% of this capital budget in our program for Stellenbosch to become truly, a place of opportunity for all residents.

This budget is fairly distributed to ensure a fair cut for all communities, taking into consideration the impact of COVID, load shedding and the economic climate. As per the advice of Minister David Maynier, we have been conservative in our planning, not knowing how COVID will continue to affect our local economy.

Our focus has therefore been urgent projects and basic service delivery for our entire region. We are going back to basics, focussing on service delivery and applying the budget to projects that matter most and benefit our residents. There is not space for luxuries, only necessities.

The draft budget has been prepared in accordance with National Treasury's circular guidelines and the Municipal Budget and Reporting Regulations, taking cognisance of scarce available resources. Section 152(2) of The Constitution of the Republic of South Africa, 1996 clearly determines that "a municipality must strive, within its financial and administrative capacity, to achieve the objects of local government." And we are doing that.

Speaker, I present the 2021/2022 financial year and the two outer years' budget patterns. Our limited resources continues to force us to work much smarter and to carefully manage our spending.

Speaker, as to revenue of the tabled 2021/2024 forecast it is important to note: Affordable revenue streams through affordable property rates and service charges tariffs formed the basis of the operating budgeted revenue. Our revenue streams were severely affected by the COVID pandemic, but we do foresee some recovery in the next financial year. It will not fully recover in one year to pre-COVID levels, but there will be an improvement. The capital programme's capital project expenditure was also reduced to affordable own funding and external borrowing levels. Should we see by December a better than expected recovery, we shall address capital growth more aggressively in the adjustment budget.

Speaker, the IDP informs the budget and the Service Delivery and Budget Implementation Plan (SDBIP). The SDBIP with performance indicators with smart targets are developed to ensure that progress in achieving the objectives as set out in the IDP are achieved. Room for improvement and inputs are welcome from our councillors and residents.

The public participation process will again be done differently than in the past, as we must take COVID-19 restrictions into consideration. We will communicate the processes and procedures on all our media platforms as well as in the news media to ensure that every citizen has an equal and fair chance to give their input.

Thereafter, I and my Mayoral Committee will consider all the comments received on the reviewed IDP and Budget from the local community, stakeholders, National and / or Provincial Treasury, councillors and senior management before I will table the final budget before Council for final approval before 31 May 2021.

Speaker, the Tabled MTREF Budget Report clearly spells out the legislative requirements this budget is governed by. The capital and operating budget

was compiled compliant with these legislative requirements, taking also the budget circulars guidelines received National Treasury into consideration.

# Total Expenditure Budget Overview

Speaker, our tabled 2021/2022 capital budget expenditure rounded amounts to R 398 million our operating budget expenditure amounts to R 2,017 billion. Our total budgeted expenditure therefore amounts to R 2,414 billion compared to our current budget of R 2, 282 billion. This amount is estimated to increase to R 2, 468 billion and R2, 567 billion respectively for the two outer years of the MTREF.

# Capital Budget Expenditure

The tabled capital budget decreased from R454,4 million in 2020/2021 to R397,7 million in 2021/2022. This is in part due to the completion of several major capital infrastructure projects.

The MTREF proposes capital expenditure of R 384,5 million and R 381,5 million for the two outer financial years. A comprehensive list of all our capital programme needs is attached as Appendix 1, Section N to the Tabled 2021/2022 MTREF Budget Report.

Speaker, as I set out earlier herein, with our focus on fulfilling our core mandate of service delivery and caring for the needs of our community, the largest part of our capital budget has been directed towards infrastructure over the next three years.

Maintaining, replacing and updating aging or out-of-date infrastructure, as well as our providing for our growing towns, necessitates sufficient investment in infrastructure that will support our economic growth and recovery as we move beyond the pandemic. Across South Africa we continue to see what happens to basic service delivery when sufficient investment in infrastructure has been neglected.

Premier Alan Winde also alluded to the importance of infrastructure investment during his State of the Province address. Infrastructure led growth to stimulate economic growth, which will in turn attract private sector investment in new business and initiatives, is a priority.

I cannot help but be reminded of the parable in the Bible that tells of the house built on rock versus the house built on sand. With no solid foundation, any other projects and plans cannot succeed. This is reflected in the following examples of what we have budgeted for the next three year budget cycle:

#### Water:

Bulk Water Supply Pipeline and Reservoir James Town	28 000 000
Dwarsrivier Bulk Supply Augmentation and Network Upgrades	7 518 000
Bulkwater Supply for new developments in WC024	4 000 000
New Reservoir and Pipeline Vlottenburg	104 000 000
Bulk Sewer Outfall Jamestown	6 400 000
Water Pipe Replacement	12 000 000
Franschhoek Sewer Network Upgrade	12 000 000
Bulk Sewer Upgrade for Dwarsrivier Area	6 000 000
Upgrade of WWTW Pniel and Decommissioning of Franschhoek	48 000 000
Upgrade of WWTW Wemmershoek	90 000 000
Upgrade of WWTW Klapmuts	16 000 000
Sewer Pipe Replacement Dorp Street	20 000 000
Bulk Water Supply Klapmuts	20 000 000

#### Sanitation:

The upgrading of the various WWTW are especially important as these communities continue to expand and grow and the existing infrastructure is not sufficient to meet their needs. This contributes to our commitment to be a green valley and provide dignified living spaces to all residents.

Speaker, electricity is an absolute necessity for all our residents to live in safety and dignity and for economic growth. Load shedding has a devastating effect on all our communities and our economy. We have decided enough is enough and intend to rid our Municipality over time of the disastrous effect of load shedding. We have already done the preliminary research and also signed an MOU with the Stellenbosch University and CSIR. We shall be responsible, but continue steadfast with this process.

As we step up this process, we also need to ensure that our existing electrical infrastructure is sufficient and well maintained to continue to provide essential services. It is also vital as we continue to rebuild our economy after the

pandemic. We are therefore making the following provisions over the next 3 years:

11 kV Network Cable Replacement	6 000 000
Kwarentyn Sub Cables	5 700 000
Infrastructure improvement Franschhoek	4 500 000
Stellenbosch Switchgear	14 334 268
Bien Donne new substation	37 200 000
Electricity Network Pniel	10 000 000
General System improvements Stellenbosch	10 663 126
La Terra Substation	8 798 839
Upgrade of electrical network	36 571 200

# **Human Settlements:**

Housing opportunities is a top priority for many residents. It provides, safety and security and creates an asset that allows greater economic freedom. Housing remains a challenge however, as the resources and allocations from National and Provincial Government remains limited and the backlog tremendous. However, the following has been budgeted for housing projects over the next 3 years to create more housing opportunities:

Stellenbosch Idas Valley (166) FLISP Erf 9445	11 288 000
Jamestown Housing (Phases 2,3 &4)	500 000
Feasibility of the Northern Extension	2 000 000
Enkanini Planning	1 500 000
Kayamandi Town Centre	12 000 000
Erf 7001 and other possible sites for mix-used development in Cloetesville	3 000 000

The FLISP grant is for the next phase of the Ida's Valley housing project. We have been very fortunate to receive the necessary grant funding to make this possible.

# **Upgrades:**

Although housing opportunities remain limited, as a municipality we are committed to improve the living conditions for our residents. That is why we are making provisions in the budget to improve the living conditions for residents, making sure that the can live in dignity and addressing inequality over the next 3 years for our residents in informal settlements:

Upgrading of the Steps/Orlean Lounge	11 000 000
Northern Extension Phase 2 water and sanitation infrastructure	11 000 000
Basic Improvements in Langrug	2 490 248
Integrated National Electrification Programme Enkanini	30 000 00
Kayamandi Watergang Basic Services	6 500 000
Franschhoek Langrug (1900) Upgrading of informal settlement Grant on erf 3229	22 380 000
Kayamandi Zone O (approximately 711 serviced sites)	45 820 000

# Safety and Security:

This is of utmost importance to all our residents and has been highlighted by both the President and the Premier during their respective speeches earlier this year. The Provincial Government has made significant commitments to improve safety across the province. We are falling in line with this and have made the following provisions for the next three years:

Ad hoc provision of street lighting and lighting of public spaces	6 993 375
Rapid Response vehicle for Fire and Rescue Services	2 500 000
Vehicle Fleet Law Enforcement	2 000 000
Neighbourhood Watch Safety Equipment	1 050 000
Bicycle Lock Up Facilities	400 000
Fencing around various parks and gardens	200 000
Installation and upgrade of CCTV/ LPR Cameras in WC024	3 000 000

### **Roads and Traffic:**

We will also invest in infrastructure related projects over the next 3 years that will assist in improving road safety as well as improving traffic conditions in our towns of all residents:

Pedestrian Crossing Implementation	900 000
Resealing of Roads – Klapmuts, Raithby, Meerlust, Wemmershoek, La Motte, Maasdorp	1 000 000
Reseal of roads – Kylemore and Surrounding Area	1000 000
Reseal of roads – Stellenbosch and Surrounding	5 000 000
Reseal of roads – Franschhoek and Surround	5 000 000
Traffic Signal Control: Installation and upgrading of Traffic Signals and associated components	1 500 000
Main Road Intersection Improvements Strand/Adam Tas/Alexander Road	4 000 000
Main Road Intersection Improvements R 44/ Merriman	3 500 000

# **Cleaner Communities and Environment:**

Clean, healthy and environmentally sustainable towns are a priority as we plan for the future and well-being of our beautiful valley. We are continuing our work to expand our landfill site, and have recently opened our new Material Recovery Facility, of which we are exceptionally proud. To continue this essential service for the next three years we have budgeted as follows:

Expansion of the landfill site (new cells)	22 000 000
Formalized skip areas in Franschhoek and Kayamandi	500 000
Skips (5,5kl)	600 000
Street Refuse Bins	1000 000
Transfer Station Stellenbosch planning and design	7 000 000

We have a responsibility towards our environment to think differently about waste management and apply more environmentally sound and safe

solutions. Reduce, reuse and recycle will be our focus over the next few years in an effort to promote our goal as a green valley and to become part of the green economy. Over the next three years we will invest in the following:

Waste minimization projects	1 000 000
Waste to Energy Planning	500 000
Waste to Energy Implementation	4,500,000
Landfill Gas to Energy	16 000 000

Speaker, these initiatives also tie in with our exciting plans to rid the greater Stellenbosch of the effects of load shedding. As we continue to explore alternative energy resources like waste to energy and landfill gas to energy we will have also budgeted R18 million over the next three years for alternative energy sources including the installation of solar panels. As we make progress in our mission to eradicate load shedding, we will be closely watched by other municipalities and stakeholders on the progress we make.

# **Sport Facilities and Parks:**

Creating opportunities for especially the youth through sport and recreation is very important. Sport has the ability to unite, uplift and create opportunities in a unique and positive way. Through the course of the next three years we are investing in the upgrading of various sport facilities, equipment as well as maintaining existing facilities.

Upgrade of Sport Facilities	600 000
Upgrading of swimming pool	50 000
Integrated Spray Parks	6 000 000
Upgrading of Parks	2 000 000

# Transport:

A large number of residents rely on public transport. Although roads is mostly a provincial mandate, it is also important to reduce congestion on our roads. To work towards better and safer transport opportunities for our people over the next 3 years, we have budgeted for public transport as follows:

Comprehensive Integrated Transport Master Plan	2200 000
Redesigning of Bergzicht Public Transport facility	4 000 000
Pedestrian and Cycle paths, design and phased implementation	500 000
Jamestown Transport Network	3 000,000
Non-motorized Transport Implementation	3 000 000
Taxi Rank: Franschhoek	100 000
Taxi Rank Klapmuts	500 000
Stellenbosch NMT : Jamestown – side walks	1 000 000

Speaker, to sum up, it is clear that the greatest part of our capital budget expenditure is geared towards infrastructure. This is done, with the goal of excellent service delivery for all residents in mind and also to create greater long term sustainability equality, economic opportunities and dignified living conditions for our disadvantaged residents.

# Capital Budget Funding

Our capital budget is funded from the following funding sources –

- Own reserves (Capital Replacement Reserve)
- External loans to be taken up
- Government grants and
- Public Contributions and donations.

# **Operating Budget Expenditure**

The proposed operating budget expenditure sees an increase in annual operating expenditure from R1, 827 billion in 2020/2021 to R2, 017 billion in 2021/2022. This 10.36 % increase is primarily due to increases in several expenditure categories, our operating expenditure for the 2022/2023 to 2023/2024 outer financial years will increase respectively to R 2, 083 billion (3.28 %) in 2022/2023 and R 2, 186 billion (4.94 %) in 2023/2024.

The main contributors to the operating expenditure of the 2021/2022 financial year are –

Employee related costs;

- Remuneration of Councillors
- Depreciation and impairment
- Finance Charges
- Bulk electricity and water purchases
- Other expenditure

The need to fill critical vacancies to continue effective and efficient service delivery has increased the employee related costs. There has also been an increase in investment in infrastructure and new assets which resulted in the increased expenditure. Every effort has however been made to curb unnecessary expenses.

# **Operating Budget Revenue**

Our additional revenue will be obtained from interest on selected investments, traffic fine income and various other revenue items. We have conservatively budgeted for our operating revenue due to our current economic challenges faced by the country that will directly impact on our residents.

The overall proposed revenue budget increase was limited to 9.28% resulting in annual operating revenue increasing from R1, 928 billion in 2020/2021 to R2 125 billion in 2021/2022. Taking cognisance of the economic conditions and the severe impact of COVID on employment levels and levels of disposable income, it was important to keep services affordable by critically looking at the costs associated with providing the service.

The exact percentage increase or decrease of each tariff type is reflected in the Tariff List that will available for inspection at municipal offices and all libraries during the public participation process.

Speaker, the part most residents is looking forward to, is our tariff setting for the next financial year. As set out in the budget assumptions in the 2021/2022 MTREF Budget Report of the reviewed IDP, the 2021/2022 revenue streams increase approximately with the following percentages. Speaker in setting these tariffs we have been very mindful of the challenging economic conditions in the country as well as and inflation. As we care about our residents, the following increases are proposed:

Electricity Tariffs increase with 14.59% (This is an increase imposed by NERSA.)• Water Tariffs increase with 5.5% (last year the increase was 6.00%)

- Sanitation Tariffs increase with 6% (last year 6.50%)
- Refuse Removal tariff will increase with 12% (last year 16.50%)

- Property rates: We have heard the many complaints of residents about the rise in valuation of their property. The process of new evaluation is a legally prescribed process, by the Local Government: Municipal Property Rates Act, No 6 of 2004, Chapters 1-9; that we MUST follow. Council may not interfere and it is very prescriptive. The only role Council have, is to set the tariff in the tariff book. The tariff is what determines eventually the amounts payable by residents. We understand the hardship of residents during COVID and have therefore taken the unusual step to decrease the tariff to enable residents to recover from the economic hardships of COVID. As we had an increase in revenue of 6,11% due to new property registrations, property improvements and increased valuations, our revenue is expected to increase by 6.11%. This makes it possible for us to decrease property rates tariff by 17.17% for residential property, 17.28% for agricultural property and 20.93% for business property.
- We have wonderful news for our residents! You no longer have to wonder about how much your rates will be in the new year. Simply find our rates calculator on our website, input the valuation of your property and see how much you will pay! What an innovative yet simple tool to assist our residents!

We have also increased the rate rebate threshold from R200,000 to R250,000 for properties valued less than R5million. This rebate means residents with properties of less than R5 Million in value are exempt from taxes on the first R250 000.

Speaker, the rates for refuse removal has been reduced from last year's 16,5% to 12%. We are continuing the work on rehabilitating our landfill site and have also just opened our new Material Recovery Facility, helping us to reduce the costs of refuse removal.

Council is also recommending a lower tariff increase on electricity. NERSA, who determines the price of bulk electricity purchases has approved an increase of 17,8% for the new financial year. Taking cognisance of the severe economic hardship faced by our residents and the fact that we are purchasing less electricity, we however recommend a 14,59% increase.

Speaker, I want to take this opportunity to thank all our residents, who have continued to pay their rates and taxes every month this past year, despite the extremely difficult economic circumstances. They have made it possible for us to continue service delivery to our residents.

# Financial Support to Indigent Households

Speaker, Stellenbosch Municipality does provide free basic services to poor households as a means of poverty alleviation. We mainly provide support to households who are unable to pay or struggle to pay for their basic services. This includes households with an income base below a determined threshold (two times the government social grant paid to a pensioner plus 25%), to the

unemployed, child-headed households, retired persons and disabled persons. These consumers must apply to be registered as an indigent household on our indigent register in order to obtain this benefit or to qualify for rebates from their municipal basic services or property rates levied.

Indigent households in 2021/2022 will receive:

- 100 units of free electricity per month;
- 6 kilolitres of free water per month,
- free refuse removal services.
- free sanitation services.

This indigent subsidy will be credited to the customer's account during the monthly billing run. The indigent subsidy is funded through our equitable share allocation. It is important to note that it is expected from indigent households only to pay for electricity consumption above 100 units of electricity per month and only for water consumption above 6 kilolitres of water per month.

For the 2021/2022 financial year the qualifying criteria for indigent status is households (main bread winner/s) earning less than R 6,500 per month as indicated by the Municipality's amended Indigent Policy.

The percentage rebate granted to senior citizens and disabled persons based on the different monthly household income levels will be determined according to the schedule below. The income bands and rebates for the effective financial period of the Rates Policy are as follows:

Gross Monthly Household Income			% Rebate	
Income bands				
Up to			8 000	100%
From	8 001	То	10 000	75%
From	10 001	То	12 000	50%
From	12 001	То	15 000	25%

#### Conclusion

Speaker, this budget is a statement from a caring government and this Council hereby makes a statement-budget that we should look after all residents and do more especially during these challenging times. We are working to create greater sustainability and economic growth within our communities. We are also setting milestones to eliminate inequality as far as possible.

As the Executive Mayor, it is my strategic vision that we can achieve economic prosperity, dignity and equality, as it is set out in our constitution. This is a work in progress, but we must never give up on the dreams of our communities.

As Madiba said: "It always seems impossible until it is done".

We unfortunately also have to be realistic in these difficult times, with limited resources. I have no doubt, that with hard work and perseverance, we will move emerge from these challenging times, stronger and wiser.

# As Samuel Johnson said: "Great works are performed not by strength, but by perseverance."

As we move forward we will continue to invest in the future, opportunities and prosperity of all our residents in this beautiful valley.

# "And once the storm is over, you won't remember how you made it through, you won't be the same person who walked in. That's what this storm is all about – Haruki Murakami"

The Municipality's strategic objectives are aligned to the national and the provincial priorities as articulated by the national outcomes and provincial strategic objectives. The budget assumptions are realistically based on available information and the projected cash flow budget is credible and sustainable over the MTREF. Our draft budget is fully funded.

Speaker, with these remarks, I herewith present Stellenbosch's DRAFT **2021/2024** Medium Term Revenue and Expenditure Framework Budget Report with its recommendations to Council for consideration and approval as is set out in item 8.2 on page 420 with recommendations a to i.

2021-03-31

8.3 TABLING OF REVISED CAPITAL EXPENDITURE FRAMEWORK 2021 AS PART OF THE INTEGRATED URBAN DEVELOPMENT GRANT

Collaborator No: 704203

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: Council 31 March 2021

1. SUBJECT: TABLING OF REVISED CAPITAL EXPENDITURE FRAMEWORK 2021
AS PART OF THE INTEGRATED URBAN DEVELOPMENT GRANT

#### 2. PURPOSE

For Council to:

- (a) Adopt the 2021 Capital Expenditure Framework as revised; and
- (b) Support and approve the submission of the Revised Capital Expenditure Framework (CEF) to the National Department of Cooperative Government and Traditional Affairs (CoGTA) as part of the Integrated Urban Development Grant.

#### 3. DELEGATED AUTHORITY

Council.

#### 4. EXECUTIVE SUMMARY

According to section 21(n) of the Spatial Planning and Land Use Management Act (SPLUMA), Act No. 16 of 2013, the content of a municipal spatial development framework must determine a Capital Expenditure Framework (CEF) for the municipality's development programmes. This means that the CEF is informed by the Spatial Development Framework i.e. stating the spatial vision of the municipality where the CEF states the spatial and strategic, vision of the municipality supported by a clear financial strategic plan.

The Integrated Urban Development Framework (IUDF) was approved by Cabinet in April 2016, which led to the Integrated Urban Development Grant that was introduced in the 2019/2020 Division of Revenue Act as a Consolidated Grant for Intermediate City Municipalities (ICM's). Stellenbosch Municipality was identified as one of the municipalities to benefit from this new grant, subject to specified criteria. The purpose of the ICMs support strategy is to help translate IUDF policy into practical programmes of action in the ICMs.

The business plan for the IUDG is a three-year capital programme that is aligned with a long-term CEF (10 year plan). The draft Revised Capital Expenditure Framework must be submitted to the Department of Cooperative Governance (DCoG), by 31 March 2021.

41ST COUNCIL MEETING: 2021-03-31: ITEM 8.3

**RESOLVED** (majority vote with abstentions)

that the Draft Revised Capital Expenditure Framework be approved for submission to CoGTA by 31 March 2021.

2021-03-31

#### 8.4 TABLING OF THE DRAFT ANNUAL REPORT 2019/20

Collaborator No: 704227

File No: 3/4/5/2/32 X 8/1/2/6

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: Council, 31 March 2021

#### 1. SUBJECT: TABLING OF THE DRAFT ANNUAL REPORT 2019/20

#### 2. PURPOSE

- a) To table to Council the Draft Annual Report 2019/20 for consideration and to be released for public comment; and
- b) Furthermore, it is also the purpose of this submission to, after adoption of the Draft Annual Report 2019/20 by Council, to refer the Draft Annual Report 2019/20 to the Municipal Public Accounts Committee (MPAC) to fulfil the role of an Oversight Committee and to make a recommendation to Council as contemplated in terms of Section 129(1) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA).

#### 3. DELEGATED AUTHORITY

Council.

#### 4. EXECUTIVE SUMMARY

The Annual Report must be tabled by the Executive Mayor within 7 months after the end of the financial year. The Draft Annual Report must be made public and the Municipal Manager must invite the public to provide input into the draft report. It has become practise that the Oversight Committee also invites the public to make verbal representations at meetings where the report is being discussed.

A schedule with proposed dates for the meetings is also included hereto as **ANNEXURE A**. Council resolved in 2017 that MPAC has, as part of its terms of reference, the role to sit as the Oversight Committee to consider the Draft Annual Report.

The commencement of the external audit process was delayed, as a result of the COVID-19 pandemic in 2020, which has had an impact in the timelines of finalising the Draft Annual Report. Council should therefore also take notice that the Auditor General of South Africa (AGSA) has not concluded, at the time of this submission to Council, its audit on the Annual Financial Statements 2019/20 and on the Annual Performance Report 2019/20.

#### 41ST COUNCIL MEETING: 2021-03-31: ITEM 8.4

**RESOLVED** (majority vote with abstentions)

- (a) that Council takes note of the Draft Annual Report 2019/20;
- (b) that Council takes note that the Municipal Manager will make the Draft Annual Report 2019/20 public for comment on the official website of the Stellenbosch Municipality and at the offices of the municipality for a period of 21 days; the public will be invited through the local print media to provide written inputs / comments on the draft report on or before 26 April 2021, at 23:59;

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- (c) that Council refer the Draft Annual Report 2019/20 (ANNEXURE B) to the MPAC to consider the Draft Annual Report 2019/20 and to make recommendations to Council as contemplated in terms of Section 129(1) of the MFMA;
- (d) that Council takes note of the proposed dates for the MPAC / Oversight meetings, where the Draft Annual Report 2019/20 will be discussed, as detailed in Annexure A hereto. These dates are subject to change. Final dates will be published on the municipality's website and in the local media; and
- (e) that Council approves the MPAC's mandate to co-opt two members of the public with expertise in specific fields to assist and advise the Committee;

Rates for additional nominated community members as per Treasury Regulation 20.2.2. The once-off preparation tariff was used as a guide since the national Treasury does not have guidance in that regard. Consultation must take place to decide if the rate will remain the same.

Tariff	Number of co-opted Members	Not exceeding no. of hours	Remuneration
Per hour tariff for attendance of meeting as a member	2	45 hours	R 327.00 per hour
Once-off Tariff for duties performed in preparation	2	6 hours	R 1 500 (for six hours)

- (f) that Council approve that the co-opted members can be remunerated in line with the recommendations of National Treasury Regulation in this regard;
- (g) that Council takes notice that the AGSA has not yet concluded its audit on the Annual Financial Statements 2019/20 and the Annual Performance Report 2019/20; and
- (h) that Council takes notice that the AGSA audit outcome will be made available to Council as soon as it is available.

# FOR FURTHER DETAILS CONTACT:

NAME	Shireen De Visser	
Position	Senior Manager: Governance	
DIRECTORATE	Municipal Manager	
CONTACT NUMBERS	021 808 8035	
E-MAIL ADDRESS	shireen.devisser@stellenbosch.gov.za	
REPORT DATE	24 March 2021	

**MINUTES** 

# 41<sup>ST</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2021-03-31

8.5 MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2021

Collaborator No: 8/1

BUDGET KPA Ref No: Good Governance and Compliance

Meeting Date: 31 March 2021

# 1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2021

#### 2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2020/2021 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 (2020/2021) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during February 2021.

41ST COUNCIL MEETING: 2021-03-31: ITEM 8.5

#### **NOTED**

the deviations as listed for the month of February 2021.

#### 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	01 March 2021

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# 9. REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS

ITEM	Pg	INPUT	MM'S RESPONSE
Cllr XL Mdemka (Ms)  21st Council meeting: 2018-10-31: Item 7.2.3  Sale of undeveloped erven in Kayamandi	2090	What is the real status of this item	A process must be followed in terms of the sale of any Council property, and this takes time, we have to make sure the erven is identified correctly.
Cllr G Cele (Ms)  29 <sup>th</sup> Council meeting: 2019-07:24: Item 12.2  Van der Stel Sport Facility	2094	At what stage is the implementation of the Hybrid Model at the Van der Stel Sport Facility?	The Hybrid Model was approved at a previous Council meeting. Talks and consultations with various sports bodies now have to proceed, which will take some time. The Sports Council indicated that they were not happy with the Hybrid Model but they were informed about the consultation process that needs to continue.
Cllr G Cele (Ms)  Special Council: 2021-02-24: Item 8.1  Erf 13246, Stellenbosch: Dutch Reformed Church	2118	At what stage is the negotiations on the price to buy back the erf from the Dutch Reform Church?	A letter was submitted to the Dutch Reformed Church, and Council is awaiting feedback.

41ST COUNCIL MEETING: 2021-03-31: ITEM 9

# **NOTED**

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

**MINUTES** 

# 41<sup>ST</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

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10. ITEMS FOR NOTING

10.1 REPORT/S BY THE EXECUTIVE MAYOR

10.1.1 REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: OCTOBER 2020 TO DECEMBER 2020

**Collaborator No:** 

IDP KPA Ref No:Good GovernanceMeeting Date:24 February 2021

1. SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: OCTOBER 2020 TO DECEMBER 2020

#### 2. PURPOSE

To inform Council of the decisions taken by the Executive Mayor from April 2020 to September 2020 (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."

41ST COUNCIL MEETING: 2021-03-31: ITEM 10.1.1

#### **NOTED**

the decisions by the Executive Mayor for the period October to December 2020.

**MINUTES** 

# 41<sup>ST</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

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10.2 REPORT/S BY THE SPEAKER

NONE

10.3 REPORT/S BY THE MUNICIPAL MANAGER

NONE

11. ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]

11.1 COMMUNITY DEVELOPMENT AND PROTECTION SERVICES: (PC: CLLR R BADENHORST)

NONE

11.2 | CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)

11.2.1 LEASE PORTIONS 528A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK

Collaborator No: 702286

IDP KPA Ref No: Good Governance Meeting Date: 24 March 2021

# 1. SUBJECT: LEASE PORTIONS 528A AND 529CC: MOUNTAIN BREEZE CARAVAN PARK

#### 2. PURPOSE

To inform Council that the current lease agreement comes to an end on 31 March 2021. Council has to resolve on a way forward.

# 3. DELEGATED AUTHORITY

The Municipal Council must consider the matter. The property is worth more than 10 Million Rand.

#### 4. EXECUTIVE SUMMARY

Stellenbosch Municipality and Stellenbosch Caravan Park cc (Malan) concluded a long term Lease Agreement during 1992 for a period of 30 years (1 April 1991-31 March 2021)

This Lease Agreement was later ceded to the Mountain Breeze Caravan Park cc (Visser).

The lease Agreement will expire on 31 March 2021. The current Lessee send a letter attached as **APPENDIX 6** expressing her interest to continue with a lease provided that it is a 10 year period to get some returns on investment.

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A letter and email was also received from a one of the persons occupying a stand on a long term basis requesting to rent the land from Council – **APPENDIX 7.** 

Council must now decide on how to deal with this property, i.e. whether to dispose of it, or enter into a further rental agreement with the current lessee or someone else or use the property for another purpose. A decision also needs to be taken on the short term process (after March 2021) until a final decision has been reached.

The item was discussed at the January 2021 Mayco meeting and further information was requested and the item referred back.

Attached hereto please find **APPENDIX 8**, a further letter from Me Sonnekus, writer of appendix 7, is also attached providing some information on the people living on the land. **APPENDIX 9** is an email response received from the current lessee on the questions raised in Mayco. The rates are paid up and we could find no approval of building plans. We therefore have to deduct that the structures were not approved by the Building plan section. Proof of the current members of the close corporation is attached as **APPENDIX 10**. The Executive Mayor requested the Municipal Manager to provide a report categorising all council properties by December 2021 to enable the Council to make a determination on how the different categories of properties should be dealt with.

#### 41ST COUNCIL MEETING: 2021-03-31: ITEM 11.2.1

During deliberations on the matter, Cllr F Adams raised his concern that the Administration waits until the last minute that contracts expire.

#### **RESOLVED** (majority vote)

- (a) that lease portions 528a and 529cc, known as Mountain Breeze Caravan Park, be identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- (b) that the lease agreement be extended on a month-to-month basis until a property register has been compiled and considered by Council to determine the future of Council properties per category;
- (c) that the lessee be informed to strictly adhere to the conditions of the lease agreement;
- (d) that the Caravan Park pay their municipal account and that the Municipal Manager be mandated to determine the lease amount;
- (e) that the Municipal Manager be mandated to take the necessary steps to ensure the drafting and finalisation of the property register and submit it to Council by not later than December 2021; and
- (f) that the item be brought back to Council as soon as the property register has been adopted by Council.

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

Cllr F Adams; FT Bangani-Menziwa (Ms); G Cele (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

**MINUTES** 

#### 41<sup>ST</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

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11.3 FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]

NONE

11.4 HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)

NONE

11.5 INFRASTRUCTURE: (PC: CLLR Q SMIT)

11.5.1 NEW WASTE MATERIAL RECOVERY FACILITY

Collaborator No: 702616

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2021

1. SUBJECT: NEW WASTE MATERIAL RECOVERY FACILITY

#### 2. PURPOSE

To note that the construction of our new waste Material Recovery Facility (MRF) has now been completed.

#### 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

Stellenbosch Municipality has completed the construction of its new MRF. This facility will allow the municipality to expand on its waste minimization initiatives, divert waste away from landfill and maximize the landfill lifespan.

The facility also includes a public drop off which will allow residents to bring all waste to be disposed of. This will assist in combating illegal dumping giving residents a responsible option of disposing their waste.

#### 41<sup>ST</sup> COUNCIL MEETING: 2021-03-31: ITEM 11.5w.1

#### **RESOLVED** (majority vote)

- (a) that the completion of the Material Recovery Facility (MRF), be noted;
- (b) that a formal opening ceremony was arranged for Thursday, 25 March 2021 at 10h00 on the premises of the Material Recovery Facility, Devon Valley; and
- that communication be sent to the public informing them of the Material Recovery Facility (MRF) and the public drop-off.

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11.6 PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))

NONE

11.7 PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: (PC: CLLR E GROENEWALD (MS))

**NONE** 

11.8 RURAL MANAGEMENT: (PC: CLLR S PETERS)

NONE

11.9 YOUTH, SPORTS AND CULTURE: (PC: CLLR J FASSER)

NONE

11.10	MUNICIPAL MANAGER

11.10.1 ESTABLISHMENT OF THE MUNICIPAL HONOURS AND MEDALS ADVISORY PANEL

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2021

### 1. SUBJECT: ESTABLISHMENT OF THE MUNICIPAL HONOURS AND MEDALS ADVISORY PANEL

#### 2. PURPOSE

To establish the Municipal Honours and Medals Advisory Panel in terms of clause 5 of the Stellenbosch Municipal Honours By-Law of 2002.

#### 3. DELEGATED AUTHORITY

Council

#### 4. EXECUTIVE SUMMARY

The Stellenbosch Municipal Council in 2002 promulgated The Municipal Honours By-Law (Annexure A) in terms of which Council can recognise and consider persons for exceptional achievements or for rendering of exceptional, meritorious service in the interest of the municipality. The By-law requires that a Municipal Honours Advisory Panel should advise Council on the conferral of Municipal Honours. The Municipality has recently received such an application; the candidate is over 90 years of age and is in frail health. However, due to the fact that no advisory panel is currently approved by Council, the administration is unable to process the application.

#### 41<sup>ST</sup> COUNCIL MEETING: 2021-03-31: ITEM 11.10.1

**RESOLVED** (majority vote with abstentions)

- (a) that Council establishes the Municipal Honours and Medals Advisory Panel;
- (b) that Council appoints the following five (5) Councillors as envisaged in S5(1)(a) of the Stellenbosch Municipal Honours By-Law:

Cllr G Cele - ACDP

Cllr LL Stander - ANC

Cllr WF Pietersen – PDM (MPAC Chairperson)

Cllr N Jindela – DA

Cllr NE Mcombring - DA; and

(c) that the Municipal Manager be mandated to appoint 5 people as envisaged in S5(1)(b) of the Stellenbosch Municipal Honours By-Law.

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	Municipal.manager@stellenbosch.gov.za
REPORT DATE	23 March 2021

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12. CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER

12.1 MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]

NONE

13. REPORTS BY THE MUNICIPAL MANAGER

13.1 MORATORIUM ON FILLING OF VACANCIES ON WARD COMMITTEES

**Collaborator No:** 

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 31 March 2021

## 1. SUBJECT: MORATORIUM ON FILLING OF VACANCIES ON WARD COMMITTEES

#### 2. PURPOSE

To submit to Council a report to consider placing a moratorium on the filling of vacancies on ward committees.

#### 3. DELEGATED AUTHORITY

Council.

#### 4. EXECUTIVE SUMMARY

Stellenbosch Municipality has opted for a Mayoral Committee System coupled with a Ward Participatory System. In terms of Section 73(1) of the Local Government: Municipal Structures Act, 117 of 1998:

"If a metro or local council establishes ward committees, it must establish a ward committee for each ward in the municipality"

Section 73(2) determines that a ward committee consists of –

- "(a) the councillor representing that ward in the council who is the chairperson of the committee; and
- (b) not more than 10 other persons".

Ward committee members were elected during January and February 2017 in line with the Policy and Procedures for Ward Committees. Vacancies that occurred during the term of this Council were filled through a process of co-option<sup>1</sup> as stipulated in paragraph 14 of said Policy.

<sup>&</sup>lt;sup>1</sup> (3) The intention to fill a vacancy through a process of co-option must be placed on the ward committee's agenda beforehand, and the agenda must be circulated to members at least seven days before the meeting.

<sup>(4)</sup> The geographical area representation of the member who vacated his/her position must be taken into account when filling a vacancy.

<sup>(5)</sup> A person co-opted as a ward committee member must comply with the criteria stipulated in clause 6 above

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Table I below provides a layout of the current number of ward committee members as well as the number of vacancies per ward. The filling of vacancies were discussed at the All Ward Councillors Meeting held on 01 March 2021. During deliberations the ward councillors concur with the idea of putting a moratorium on the filling of vacancies until after the upcoming local elections in October 2021 (predicted date). A representative from the Provincial Department of Public Participation also attended the meeting virtually and suggested that, should Council resolve to place a moratorium on the filling of vacancies the said Department be informed accordingly.

#### 41ST COUNCIL MEETING: 2021-03-31: ITEM 13.1

#### **RESOLVED** (majority vote)

- (a) that a moratorium be placed on the filling of vacancies on ward committees for the remainder of Council term of office;
- (b) that, where the number of ward committee members drop below five members, such ward committee be allowed to co-opt a new member/s in line with the Policy and Procedures for Ward Committees until they have 5 members; and
- (c) that the Administration be commissioned to inform the Provincial Government Department of Public Participation of this decision.

NAME	Nicky Ceasar
Position	Executive Support Officer
DIRECTORATE	Corporate Services
<b>C</b> ONTACT <b>N</b> UMBERS	021 808 8618
E-MAIL ADDRESS	nicky.ceaser@stellenbosch.gov.za
REPORT DATE	23 March 2021

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13.2 PAYMENT OF WARD COMMITTEE MEMBERS FEBRUARY 2021

**Collaborator No:** 

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 31 March 2021

1. SUBJECT: PAYMENT OF WARD COMMITTEE MEMBERS FEBRUARY 2021

#### 2. PURPOSE

To submit to Council a report to consider payment to be made to ward committee members for February 2021 as per schedule of meetings.

#### 3. DELEGATED AUTHORITY

Council

#### 4. EXECUTIVE SUMMARY

The coronavirus pandemic, is still prevalent in most countries around the world including South Africa. Since the declaration of a disaster in terms of the Disaster Management Act, 2002, the country has been placed under various alert levels.

The country experienced a second wave of the virus during December 2020 and January 2021. Stellenbosch Municipality was also badly hit by this waive and this subsequently prompted Management and the Speaker to engage in discussions surrounding the safety at ward offices. Management sent out a communication to ward councilors on 7<sup>th</sup> January stating that the ward offices will be closed effective from 08 January 2021. The closing of ward offices was prompted amongst other as a result of protective screens for ward offices not being installed by then. Ward administrators had instructions however to be available and attend to ward councillor and ward committee business. (See e-mail/s attached as **APPENDIX 1**).

The ward offices were closed until 12 February 2021 and re-opened on 15 February 2021. A communication in this regard is attached as **APPENDIX 2**. The notice of re-opening of ward offices to the public clearly emphasized the Covid-19 protocols that must be observed at all times.

41<sup>ST</sup> COUNCIL MEETING: 2021-03-31: ITEM 13.2

#### **RESOLVED** (majority vote)

- (a) that the following stipulations in Clause 25 (2) of the Policy outlining the payment of ward committee members where meetings did not take place, be waived:
  - "(1) Members of ward committees will be reimbursed for out-of-pocket expenses as contemplated in clause 25(2)(a)(i) below.
  - (2) The Municipality will annually budget for the reimbursement of:
    - (a) out-of-pocket expenses for members of ward committees in respect of their participation in ward committees subject to the following criteria as approved by the Council on 20 June 2012 and revised by the Council on 28 October 2015:

- (i) that 14 ward committee meetings which will comprise one ward committee meeting every month and one open public meeting every semester (every six months) be identified and approved by the ward committee as paid meetings and that each serving member present at these meetings be paid an out-of-pocket allowance of R350.00 per meeting (R350 x 14 = R4 900.00). Payment of out-of-pocket allowances will be made quarterly.
- ... (iii) that reimbursements only be paid on verification of the attendance register of meetings attended and that reimbursements only be electronically transferred to the bank account of the relevant ward committee members ..."
- (b) that this waiving of Clause 25 be applicable for the month of February 2021 for wards where meetings did not take place;
- (c) that the Administration be commissioned to make payments of R350.00 for February 2021 to active ward committee members for all wards; and
- (d) that it be noted that ward committee members continued their work in assisting the ward councillor and attending to their other duties as ward committee members.

Councillor G Cele (Ms) requested that her vote of dissent be minuted.

NAME	Nicky Ceasar
Position	Executive Support Officer
DIRECTORATE	Corporate Services
<b>C</b> ONTACT <b>N</b> UMBERS	021 808 8618
E-MAIL ADDRESS	nicky.ceaser@stellenbosch.gov.za
REPORT DATE	23 March 2021

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14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
14.1	MOTION BY COUNCILLOR F ADAMS: AMENDMENT OF THE RULES OF ORDER BY-LAW

A Notice of a Motion, dated 2021-03-05, was received from Councillor F Adams regarding the amendment of the Rules of Order By-Law.

The said Motion is attached as APPENDIX 1.

#### FOR CONSIDERATION

#### 41ST COUNCIL MEETING: 2021-03-31: ITEM 14.1

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

The matter was put to the vote, yielding a result of the majority of Councillors voting against the Motion.

#### **RESOLVED** (majority vote)

that this Motion not be accepted.

NAME	Geraldine Mettler (Ms)
Position	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	

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14.2 MOTION BY COUNCILLOR C MOSES (MS): REQUEST FOR URGENT MAINTENANCE: REPAIRS TO LOW COST HOUSING IN CLOETESVILLE

A Notice of a Motion, dated 2021-03-08, was received from Councillor C Moses (Ms) Request for urgent maintenance: Repairs to low cost housing in Cloetesville.

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

#### FOR CONSIDERATION

#### 41ST COUNCIL MEETING: 2021-03-31: ITEM 14.2

The Speaker allowed Councillor C Moses (Ms) to put her Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.

The matter was put to the vote, yielding a result of the majority of Councillors voting against the Motion.

#### **RESOLVED** (majority vote)

that this Motion not be accepted.

NAME	Geraldine Mettler (Ms)
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	

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## 14.3 QUESTION BY COUNCILLOR F ADAMS: HAWKS: STATUS OF THE INVESTIGATION

A Notice of a Question, dated 2021-03-05, was received from Councillor F Adams regarding the Hawks: Status of the investigation.

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

#### FOR CONSIDERATION

#### 41ST COUNCIL MEETING: 2021-03-31: ITEM 14.3

It is noted that the Speaker RULED that Cllr F Adams is welcome to submit, in writing, a follow-up question.

NAME	Geraldine Mettler (Ms)
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	

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15. CONSIDERATION OF URGENT MOTIONS

NONE

16. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

16.1 REPORT IN TERMS OF SECTION 126 (4) OF THE MUNICIPAL FINANCIAL MANAGEMENT ACT: REASONS FOR THE DELAY IN COMPLETING THE AUDIT OF STELLENBOSCH MUNICIPALITY FOR THE FINANCIAL YEAR ENDED 30 JUNE 2020

**Collaborator No:** 

IDP KPA Ref No: Good governance and Compliance

Meeting Date: 31 March 2021

1. REPORT IN TERMS OF SECTION 126 (4) OF THE MUNICIPAL FINANCIAL MANAGEMENT ACT: REASONS FOR THE DELAY IN COMPLETING THE AUDIT OF STELLENBOSCH MUNICIPALITY FOR THE FINANCIAL YEAR ENDED 30 JUNE 2020

#### 2. PURPOSE OF REPORT

To notify Council on the communication received from the Auditor-General for the delay in completing the Audit of the municipality for the financial year ended 30 June 2020.

#### 3. DELEGATED AUTHORITY

**Municipal Council** 

#### 4. EXECUTIVE SUMMARY

The Accounting Officer received notification from the Auditor General on the challenges currently being experienced with the audit, which leads to non-compliance with the legislative deadlines.

#### 5. RECOMMENDATION

For Council notification.

#### 6 DISCUSSION / CONTENTS

#### 6.1 Background

In terms of section 126(4) of the Local Government: MFMA, the Auditor-General must promptly submit a report to the relevant municipality, outlining the reasons for the delay if the Auditor-General is unable to complete the audit within three months of receiving the financial statements from the Accounting Officer.

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#### 6.2 <u>Discussion</u>

Attached is the communication received from the Auditor-General.

#### 6.3 <u>Financial Implications</u>

No financial implication.

#### 6.4 <u>Legal Implications</u>

S126 (4) MFMA

#### 6.5 **Staff Implications**

None

#### 6.6 <u>Previous / Relevant Council Resolutions</u>

Item 7.2 - Council meeting: 2021-02-24

41ST COUNCIL MEETING: 2021-03-31: ITEM 16.1

#### **NOTED**

the report in terms of Section 126 (4) of the Municipal Financial Management Act: Reasons for the delay in completing the Audit Of Stellenbosch Municipality for the Financial Year ended 30 June 2020.

NAME	Kevin Carolus
POSITION	Chief Financial Officer
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	kevin.carolus@stellenbosch.gov.za
REPORT DATE	31 March 2021

17. REPORTS SUBMITTED BY THE SPEAKER

17.1 REPORT TO COUNCIL REGARDING INVESTIGATION INTO AN ALLEGATION OF MISCONDUCT BY CLLR MD OLIPHANT

**Collaborator No:** 

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 31 March 2021

# 1. SUBJECT: REPORT BY THE DISCIPLINARY COMMITTEE REGARDING INVESTIGATION INTO AN ALLEGATION OF MISCONDUCT BY COUNCILLOR MD OLIPHANT: NON-ATTENDANCE OF THREE OR MORE CONSECUTIVE MEETINGS

#### 2. PURPOSE

To consider the report submitted by the Municipal Disciplinary Committee in regard to the disciplinary hearing of Cllr MD Oliphant as per the resolution taken by Council on 28/10/2020 for non-attendance of three consecutive meetings of Council by a Councillor.

#### 3. DELEGATED AUTHORITY

Municipal Council.

#### 4. EXECUTIVE SUMMARY

The Office of the Speaker received a formal complaint from the Single Whip against Cllr MD Oliphant, for being absent for three consecutive Council Virtual Meetings. The Office of the Speaker was requested to assist with the investigation into this allegation. A report was tabled in Council on 28 October 2020. Council considered the report on 28 October 2020 where it was resolved that the Municipal Disciplinary Committee investigates the matter and reports back to Council.

The Disciplinary Committee hearing was set for 22 February 2021 and Councillor Oliphant was informed of the hearing and also informed of his right to have a representative present. A copy of the notice is attached as **APPENDIX A**. Neither Councillor MD Oliphant nor his representative attended the disciplinary hearing held on 22<sup>nd</sup> February 2021.

The Minutes of the Disciplinary Committee hearing is attached as **APPENDIX B**.

41ST COUNCIL MEETING: 2021-03-31: ITEM 17.1

**RESOLVED** (majority vote with abstentions)

that the MEC be requested to remove Councillor MD Oliphant from office.

NAME	JC Anthony
POSITION	Support Staff
DIRECTORATE	Office of the Speaker
CONTACT NUMBERS	021 808-8042
E-MAIL ADDRESS	Speaker.admin@stellenbosch.gov.za
REPORT DATE	2021-03-15

**MINUTES** 

#### 41<sup>ST</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2021-03-31

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
	NONE

19. MATTERS TO BE CONSIDERED IN-COMMITTEE

SEE IN-COMMITTEE DOCUMENTATION

The meeting adjourned at 13:50.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments