



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2018-05-28

MINUTES

SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2018-05-28 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
SPECIAL MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2018-05-28
TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.1	APPLICATION FOR LEAVE OF ABSENCE	
1.2	COMMUNICATIONS BY THE SPEAKER	
2.	DISCLOSURE OF INTEREST	
3.	TABLING OF DRAFT REVIEW OF THE SPATIAL DEVELOPMENT FRAMEWORK 2018/2019	3
4.	APPROVAL OF FIRST REVIEW OF THE FOURTH GENERATION IDP (2017/18 – 2021/2022)	5
5.	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2018/2019-2020/2021	6

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2018-05-28 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT The Speaker, Cllr DD Joubert [Chairperson]
The Executive Mayor, Ald G Van Deventer (Ms)

COUNCILLORS

F Adams	C Manuel
DS Arends (from 10:25)	XL Mdemka (Ms)
FJ Badenhorst	RS Nalumango (Ms)
FT Bangani-Menziwa (Ms)	N Olayi
PW Biscombe	MD Oliphant
PR Crawley (Ms)	SA Peters
A Crombie (Ms)	WC Petersen (Ms)
JN De Villiers	MM Pietersen
R Du Toit (Ms)	WF Pietersen
A Florence	SR Schäfer
AR Frazenburg	Ald JP Serdyn (Ms)
E Fredericks (Ms)	N Sinkinya (Ms)
AJ Hanekom	P Sitshoti (Ms)
JK Hendriks	Q Smit
NS Louw	E Vermeulen (Ms)
N Mananga-Gugushe (Ms)	

Officials: Municipal Manager (Ms G Mettler)
Chief Financial Officer (M Wüst)
Director: Community and Protection Services (G Esau)
Director: Human Settlements (T Mfeya)
Director: Infrastructure Services (D Louw)
Manager: Budget Office (K Carolus)
Manager: Communications (S Grobbelaar)
Manager: Spatial Planning, Heritage & Environment (B de la Bat)
Senior Manager: Governance (Ms S De Visser)
Committee Clerk (T Samuels (Ms))
Interpreter (J Tyatyeka)

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

- (1) The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr GN Bakubaku-Vos	– 28 May 2018
Cllr MC Johnson	– 28 May 2018
Cllr E Groenewald	– 28 May 2018
Cllr N Jindela	– 28 May 2018

- (2) Permission was granted to Cllr DS Arends to join the meeting later (at 10:25).

- (3) ABSENT

Cllr MB De Wet	– 28 May 2018
Cllr J Hamilton	– 28 May 2018
Cllr DA Hendrickse	– 28 May 2018
Cllr LK Horsband (Ms)	– 28 May 2018
Cllr NE Mcombring (Ms)	– 28 May 2018

1.2	COMMUNICATIONS BY THE SPEAKER	(3/6/2/2)
------------	--------------------------------------	------------------

The Speaker announced that 2 Councillors will finish their tenure soon, namely Cllr LM Mapeba from the ANC and Cllr DS Arends from the ACDP. The Speaker thanked both Councillors in their absence for the valuable efforts and contributions they added to their various communities and Council. A letter of gratitude will be sent to both Councillors.

Before Council commenced, the LGMTEC 3 Findings Report from Province was distributed to all Councillors (**see APPENDIX**). The Speaker allowed a break for Councillors to peruse the document.

Speaker alluded to the following Rule as per Council's Rules of Order By-law and urged Councillors to adhere to these Rules:

24. PRECEDENT OF SPEAKER

24.1 Whenever the Speaker speaks, any member then speaking or offering to speak must be silent and the members shall be silent so that the Speaker may be heard without interruption.

24.2 A member addressing the Council shall do so by addressing the Speaker.

2.	DISCLOSURE OF INTERESTS	(3/6/2/2)
-----------	--------------------------------	------------------

NONE

3.	TABLING OF DRAFT REVIEW OF THE SPATIAL DEVELOPMENT FRAMEWORK 2018/2019
-----------	---

Collaborator No:

File No:

9/1/2/4/2017-2018 – 2021-2022

IDP KPA Ref No:

Valley of Possibility

Meeting Date:

2018-05-28

1. SUBJECT: TABLING OF DRAFT REVIEW OF THE SPATIAL DEVELOPMENT FRAMEWORK 2018/2019

2. PURPOSE

To request Council to consider minor amendment to the approved Stellenbosch Municipality's Spatial Development Framework (MSDF) as it pertains to the approved urban edges.

3. DELEGATED AUTHORITY

MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

Section 20(2) of SPLUMA and Section 26 of the Municipal Systems Act require that the MSDF must be prepared as part of the IDP.

The 12(1) sets out the general provision that are applicable to the preparation of the SDF including (amongst other considerations):

- Contribute to a coherent, planned approach to spatial development in the national, provincial and municipal spheres.
- Provide clear and accessible information to the public and private sector and provide direction for investment purposes.
- Include previously disadvantaged areas, areas under traditional leadership, rural areas, informal settlements, slums and land holdings of state-owned enterprises and government agencies and address their inclusion and integration into the spatial, economic, social and environmental objectives of the relevant sphere.
- Address historical spatial imbalances in development.
- Identify the long-term risks of spatial patterns of growth and development and the policies and strategies necessary to mitigate those risks.
- Provide direction for strategic developments, infrastructure investment, promote efficient, sustainable and planned investments by all sectors and indicate priority areas for investment in land development.
- Promote a rational and predictable land development environment to create trust and stimulate investment.
- Take cognizance of any environmental management instrument adopted by the relevant environmental management authority.

Chapter 2 of SPLUMA further sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land, to which municipality are also required to adhere. These principles include spatial justice, spatial sustainability, efficiency, spatial resilience and good administration.

Council resolved at their meeting of March 2018:

- (a) that Council considers and accepts this document as the first review of the Spatial Development Framework, as prescribed by SPLUMA;
- (b) that Council notes this as the strategic component of the SDF and as the focus of work to be completed during the 2018/19 business year to complete a full five-year review of the SDF; and
- (c) that Council note that legal prescripts in Chapter 4 of the Systems Act, including public participation, will be adhered to

This agenda item has regard to the interim minor amendments to the approved MSDF that will be included in the 2018/19 IDP only.

SPECIAL COUNCIL MEETING: 2018-05-28: ITEM 3

RESOLVED (majority vote)

- (a) that the interim, minor amendments to the urban edges as depicted in **ANNEXURE 1** be approved;
- (b) that a portion of the Farm Braemar, Farm 742/2 and Farm 748/2 be included into the urban edge of Klappmuts due to the dire need for additional space for the development of schools; and
- (c) that all other proposed amendments to the MSDF that have been received be considered in the MSDF process culminating in the Final Draft MSDF to be submitted in the first quarter of 2019.

Cllr F Adams requested that it be minuted that he supports the item, with reservations.

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

Cllrs FT Bangani-Menziwa (Ms); (Ms); N Mananga-Gugushe (Ms); RS Nalumango (Ms); MD Oliphant; N Sinkinya (Ms) and P Sitshoti (Ms).

4.	APPROVAL OF FIRST REVIEW OF THE FOURTH GENERATION IDP (2017/18 – 2021/2022)
----	--

Collaborator No: 590875
 IDP KPA Ref No: *Good Governance and Compliance*
 Meeting Date: 23/05/2018 and 28/05/2018

1. SUBJECT: APPROVAL OF FIRST REVIEW OF THE FOURTH GENERATION IDP (2017/18 – 2021/2022)

2. PURPOSE

To submit the following for consideration:

- (a) The public participation inputs, written submissions and Provincial Government LGMTEC 3 findings on the Draft First Review of the 2017/18 – 2021/22 Fourth Generation IDP, attached as **APPENDIX 1**; and
- (b) The First Review of the 2017/18 – 2021/22 Fourth Generation Integrated Development Plan (IDP), attached as **APPENDIX 2**.

3. DELEGATED AUTHORITY

MUNICIPAL COUNCIL.

In terms of Section 34 of the Local Government: Municipal Systems Act 32 of 2000 prescribes that the Municipal Council:–

“(a) must review its Integrated Development Plan-

- (i) annually in accordance with an assessment of its performance measurements in terms of section 41; and*
- (ii) to the extent that changing circumstances so demand”.*

SPECIAL COUNCIL MEETING: 2018-05-28: ITEM 4

RESOLVED (majority vote)

- (a) that the public participation inputs and written submissions on the First Review of the 2017/18 – 2021/22 Fourth Generation Integrated Development Plan (IDP) attached as **APPENDIX 1**, be noted;
- (b) the Stellenbosch Municipality’s First Review of the 2017/18 – 2021/22 Fourth Generation Integrated Development Plan (IDP), attached as **APPENDIX 2**, be adopted;
- (c) that the recommended minor changes to the SDF, as tabled, be noted; and
- (d) 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 Stellenbosch Municipal Council has adopted its First Review of the 2017/18 – 2021/22 Fourth Generation Integrated Development Plan (IDP).

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

Cllrs F Adams; FT Bangani-Menziwa (Ms); N Mananga-Gugushe (Ms); RS Nalumango (Ms); MD Oliphant; N Sinkinya (Ms) and P Sitshoti (Ms).

5.	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2018/2019-2020/2021
----	--

Collaborator No:

File No:

8/1

BUDGET KPA Ref No:

Good Governance and Compliance

Meeting Date:

21 May 2018

**1. SUBJECT: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK
2018/2019-2020/2021**

2. PURPOSE

The purpose of this report is three fold:-

- a) To consider the views/submissions of the local community in terms of Section 23(1)(a) of the Municipal Finance Management Act (Act 56 of 2003), herein after called the MFMA and to allow the Executive Mayor to respond to the views of the public as envisaged in terms of Section 23 (2) (a) and (b).
- b) To approve the Medium Term Revenue and Expenditure Framework for 2018-2021, the prescribed appendices, property tax increases, tariffs and tariff structures and revisions to the Budget and related Policies (where appropriate) in terms of Section 17 (1) – (3) of the MFMA (Act 56 of 2003); and
- c) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the tune of R 340 million of which over the MTREF R160 million will be required in year 1, R100 million in year 2 and R80 million in year 3 (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

EXECUTIVE SUMMARY

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

SPECIAL COUNCIL MEETING: 2018-05-28: ITEM 5

The Executive Mayor's Budget Speech is attached as an **APPENDIX**.

RESOLVED (majority vote)

- (a) that the High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved;
- (b) that the Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved;

- (c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved;
- (d) that the three year Capital Budget for 2018/2019, 2019/2020 and 2020/2021, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved;
- (e) that the proposed rates on properties in WC024, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3**, be approved;
- (f) that the proposed amendments to existing budget related policies and other policies as set out in **APPENDICES 4 - 29**, be approved.
- (g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the tune of R340 million of which R160 million will be required in year 1 and R 100 million in year 2 and R80 million in year 3 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirm approval of same;
- (h) that Council specifically take note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially;
- (i) that Council takes note of MFMA circulars 89 and 91 that was published to guide the MTREF for 2018/2019 to 2020/2021 as well as the Draft Cost Containment Regulations as set out in **APPENDICES 30 – 32**; and
- (j) that Council takes note that the public comments and submissions were taken into account in the compilation of the final budget.

Councillor F Adams requested that his vote of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	KEVIN CAROLUS
POSITION	MANAGER: BUDGET OFFICE
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8509
E-MAIL ADDRESS	kevin.carolus@ Stellenbosch.gov.za
REPORT DATE	21 May 2018

The meeting adjourned at 12:15.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.