



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2023-09-27

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## **MINUTES**

### **SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY**

**2023-09-27 AT 10:00**

**MINUTES**  
**SPECIAL MEETING OF COUNCIL**  
**OF STELLENBOSCH MUNICIPALITY**

**2023-09-27**

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|             | NONE  |             |

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|             | SEE PINK DOCUMENTATION   |      |

**PRESENT** The Speaker, Cllr Q Smit [Chairperson]  
The Executive Mayor, Ald GMM Van Deventer  
The Council Whip, Cllr P Crawley

**COUNCILLORS**

|                         |               |
|-------------------------|---------------|
| RA Adams                | NM Mkhontwana |
| J Andrews               | CD Noble      |
| Ald JC Anthony          | M Nkopane     |
| ZJ Dalling              | N Olayi       |
| MM Danana               | WC Petersen   |
| I De Taillerfer         | RO Pheiffer   |
| R Du Toit               | WF Pietersen  |
| A Ferns                 | Ald J Serdyn  |
| AJ Hanekom (from 10:30) | MJ Slabbert   |
| P Johnson               | SR Schäfer    |
| J Joon                  | A Tomose      |
| O Jooste                | RB Van Rooyen |
| X Kalipa                | M Van Stade   |
| C Manuel                | CA Van Wyk    |
| EP Masimini             | J Williams    |
| NE Mcombring            |               |

\*\*\*\*\*

**OFFICIALS**

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

\*\*\*\*\*

|           |                            |
|-----------|----------------------------|
| <b>1.</b> | <b>OPENING AND WELCOME</b> |
|-----------|----------------------------|

The Speaker, Cllr Q Smit, extended a warm welcome to all present at the Special Council meeting.

1.1

**COMMUNICATION BY THE EXECUTIVE MAYOR**

- As all residents of Stellenbosch municipality is aware, the province and municipality were severely battered and damaged by severe storms the past few days and mopping up operations could only really commence yesterday due to an improvement in weather conditions. There are still many areas that are waterlogged and without electricity, and the entire management team and officials are working around the clock to attend to, as well as report all the problems. We are asking residents and councillors to be patient because the municipality is concentrating on Disaster relief efforts and actions at the moment. Some people are stranded and roads, water, electrical and sewer rehabilitation work are being prioritized with the available resources. The Stellenbosch municipality remains committed and will ensure all items are ultimately attended to.
- I want to especially thank our Disaster Management team, Roads and Stormwater, Electricity and Area cleaning, as well as Urban Forestry who have been at the forefront the past four days, attending to multiple problems to assist with flooding, fallen trees, fallen electricity poles and cables and general mopping up. To the entire team of Stellenbosch Municipality, we are proud of you and the hard work and effort you put in. Thank you also to the leadership and guidance from the Provincial Government.
- Since 12 September 2023, the municipality experimented with the new format IDP Public participation open days. This is an opportunity not to be missed. It is a non-stop shop where you will get all the information you need about municipal services, projects and programmes, and where you can inform the municipality about your community needs. The immediate feedback was that this format was really well received by residents, and a format to consider going forward. The only outstanding wards to be targeted remain wards 10, 16, 17 and 19, where the open days had to be rescheduled due to ongoing gang related incidence, and the safety of residents and officials are of utmost importance.
- Congratulations to all the firefighters from Stellenbosch Municipality who graduated from the CWDM Firefighter Training Academy on 8 September 2023. They are Matthew Farao, Ricco Johannes, Aaliyah Abrahams, Keandre Kok and Suzanne Pietersen. Special mention of Aaliyah Abrahams, who was awarded the certificate for the "Most Disciplined Student". They make the municipality proud.
- Special congratulations must go to Banhoek Chilli Oil on winning the UK "Customer Product of the Year" at the Ocado 2023 Conference. We all need to support local products as well.
- Congratulations to Van Ryn Cellar, whose brandy was crowned world's best brandy for the second consecutive year at the 2023 World Brandy Awards.
- Congratulations to two teachers from schools within the Stellenbosch municipal area for their Provincial Teacher awards. Jasmin Joy Meyer from Dorothea Special School in Cloetesville is the Provincial winner for Excellence in Special Needs Teaching. Shanley Amy Cyster from Rietenbosch Primary School in Cloetesville is the Provincial Winner for Excellence in Technology-Enhanced Teaching and Learning.
- On 3 September 2023 I attended the 180<sup>th</sup> year Church celebration service at the Pniel Congregational Church. This was really a momentous occasion, and I am very proud to have been part of the celebrations.
- September is National Arbor month, and the idea is to highlight the value and importance of trees and forests to all South Africans. The municipality still various

events around the municipal area, and the Mayoral tree planting event will take place on 28 September 2023, in ward 7.

- Achieved 2<sup>nd</sup> place in the National Arbor city award. Commemoration will follow.
- Must mention to everyone that Stellenbosch Municipality took 2<sup>nd</sup> place for Waste Management at the recent Municipal Waste Management Recognition Awards, hosted Ministry of Local Government: Environmental Affairs & Development Planning as part of their Integrated Waste Management Recognition Programme. We must all congratulate our team for their efforts to make Stellenbosch municipality a green and sustainable municipality and encourage them to improve their effort.
- More good news: on Thursday, 28 September 2023, we will be handing over title deeds to the residents of Longlands. An expected 89 title deeds are to be handed over. The hand-over of title-deeds remains one of the Mayoral commitments, as I have stated in 2016, when I took office, that the process to hand over historical title deeds must be a priority. With the support of Khaya Lam, we all well on our way and our efforts now also include to hand over new title deeds as soon as they become available.

Thank you.”

|            |                                     |
|------------|-------------------------------------|
| <b>1.2</b> | <b>COMMUNICATION BY THE SPEAKER</b> |
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“Executive Mayor

Deputy Mayor

Members of the Mayoral Committee

MPAC Chair

All Councillors

Municipal Manager

Directors

Members of the administration

Members of the public

**All Wards Councillors meeting**

02 October 2023 at 10:00AM in Library Hall, Plein Street Library

Extended to all Councillors - Agenda point: Commissioner of oath stamp and legality

**Birthdays – September 2023**

Cllr Lwando Nkamisa – 22 September

Cllr Johannes Andrews – 23 September (**60years**)

Executive Mayor: Gesie van Deventer – 24 September

Cllr RONALDA NALUMANGO – 27 September

**In Commemoration of Alderman Paul Biscombe**

The Speaker afforded the Executive Mayor & Councillors an opportunity to commemorate on the memory of Ald PW Biscombe who passed away recently.

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| <b>1.3</b> | <b>COMMUNICATION BY THE MUNICIPAL MANAGER</b> |
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NONE

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|-----------|--------------------------------|
| <b>2.</b> | <b>DISCLOSURE OF INTERESTS</b> |
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NONE

|           |  |
|-----------|--|
| <b>3.</b> | <b>APPLICATIONS FOR LEAVE OF ABSENCE</b> |
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- 3.1 The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

|  |                     |
|--|---------------------|
| Deputy Executive Mayor, Cllr JS Fasser | - 27 September 2023 |
| Cllr XL Mdemka                         | - 27 September 2023 |
| Cllr NR Ndalasi                        | - 27 September 2023 |
| Cllr L Nkamisa                         | - 27 September 2023 |
| Cllr MG Rataza                         | - 27 September 2023 |

3.2 **ABSENT**

|                        |                     |
|------------------------|---------------------|
| Cllr E Groenewald      | - 27 September 2023 |
| Cllr RB Hendrikse      | - 27 September 2023 |
| Cllr N Mananga-Gugushe | - 27 September 2023 |
| Cllr RS Nalumango      | - 27 September 2023 |
| Cllr N Ntsunguzi       | - 27 September 2023 |
| Cllr E Vermeulen       | - 27 September 2023 |

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| <b>4.</b> | <b>STATUTORY MATTERS</b> |
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| <b>4.1</b> | <b>MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2023</b> |
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Collaborator No: 756501

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: Mayco: 13 September 2023 & Special Council: 27 September 2023

**1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2023**

**2. PURPOSE**

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2023/2024 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 (2023/2024) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during August 2023.

**SPECIAL COUNCIL MEETING: 2023-09-27: ITEM 4.1**

**NOTED**

the deviations as listed for the month of August 2023.

**FOR FURTHER DETAILS CONTACT:**

|                        |  |
|------------------------|--|
| <b>NAME</b>            | Dalleel Jacobs                                 |
| <b>POSITION</b>        | <i>Senior Manager: Supply Chain Management</i> |
| <b>DIRECTORATE</b>     | <i>Financial Services</i>                      |
| <b>CONTACT NUMBERS</b> | <i>021 808 8528</i>                            |
| <b>E-MAIL ADDRESS</b>  | <i>Dalleel.Jacobs@ Stellenbosch.gov.za</i>     |
| <b>REPORT DATE</b>     | 07 September 2023                              |



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| <b>5.</b> | <b>CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR:<br/>[ALD G VAN DEVENTER]</b> |
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| <b>5.1</b> | <b>PROTECTION SERVICES: [PC: CLLR R PHEIFFER]</b> |
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NONE

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| <b>5.2</b> | <b>SPORTS, YOUTH AND CULTURE: [PC: CLLR JC ANTHONY]</b> |
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NONE

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| <b>5.3</b> | <b>CORPORATE SERVICES: [PC: CLLR L NKAMISA]</b> |
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| <b>5.3.1</b> | <b>RETURN ITEM COMMENTS RECEIVED AFTER PUBLIC PARTICIPATION PROCESS: INFORMATION STATEMENT: TRANSVALIA COMPLEX</b> |
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Collaborator No: 755779

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: Mayco: 13 September 2023 & Special Council: 27 September 2023

**1. SUBJECT: RETURN ITEM COMMENTS RECEIVED AFTER PUBLIC PARTICIPATION PROCESS: INFORMATION STATEMENT: TRANSVALIA COMPLEX**

**2. PURPOSE**

To inform Council about the comments that was received after the public participation process with the publication of the information statement regarding potential developments at the Transvalia Complex and for Council to resolve on the way forward.

**3. DELEGATED AUTHORITY**

Council must consider the matter.

**4. EXECUTIVE SUMMARY**

The Transvalia complex as it is commonly known consists of erven 825, 1123, 1125, 1130, 1133, 1128, 1129, 1124, 1134, 1142 and 1160. Erven 1125 and 1130 is used as a street and provides access to the private erven situated adjacent to it. Erf 825 provides access to the Stelkor complex and is mainly used for parking for the middle of town as the Checkers centrum lies across the street.

The "Dorp Street flats" currently rented to the IEC (unit 1) and used as office space for the Informal Settlements Department and some of Infrastructure Directorate (PMU) staff, are situated along Dorp Street and is located on portions of erven 1123, 1133, 1128, 1134, 1142. These buildings are heritage buildings and to make any changes to them will require approval from Heritage Western Cape. All heritage approvals will have to be obtained.

**SPECIAL COUNCIL MEETING: 2023-09-27: ITEM 5.3.1****RESOLVED** (majority vote with 5 abstentions)

- (a) that Council identifies the erven 825, 1123, 1125, 1130, 1133, 1128, 1129, 1124, 1134, 1142 and 1160 is not needed for Municipal Services;
- (b) that Council in principle approve of the disposal of the property to a qualified bidder sourced through a competitive supply chain process through a long-term lease; and
- (c) that the tender specifications comply with the submissions in the information statement that was published and the content of this item.

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

*Councillors J Andrews; N Mkhontwana; C Noble; and M van Stade.*

**FOR FURTHER DETAILS CONTACT:**

|                        |  |
|------------------------|--|
| <b>NAME</b>            | <b>Annalene de Beer</b>                    |
| <b>POSITION</b>        | <b>Director</b>                            |
| <b>DIRECTORATE</b>     | <b>Corporate Services</b>                  |
| <b>CONTACT NUMBERS</b> | <b>021-8088018</b>                         |
| <b>E-MAIL ADDRESS</b>  | <b>Annalene.deBeer@stellenbosch.gov.za</b> |
| <b>REPORT DATE</b>     | <b>2023-09-07</b>                          |

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| <b>5.4</b> | <b>FINANCIAL SERVICES: (PC: CLLR J FASSER)</b> |
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NONE

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| <b>5.5</b> | <b>HUMAN SETTLEMENTS: (PC: CLLR R DU TIOT)</b> |
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NONE

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| <b>5.6</b> | <b>INFRASTRUCTURE SERVICES : (PC : CLLR P JOHNSON)</b> |
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| <b>5.6.1</b> | <b>AMENDMENT OF THE DEVELOPMENT CHARGE TARIFF FOR THE “OUTDOOR DINING / FUNCTION AREA” CATEGORY</b> |
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Collaborator No:

IDP KPA Ref No: *Good Governance and Compliance*

Meeting Date: Mayco: 13 September 2023 & Special Council: 27 September 2023

**1. SUBJECT: AMENDMENT OF THE DEVELOPMENT CHARGE TARIFF FOR THE “OUTDOOR DINING / FUNCTION AREA” CATEGORY**

**2 PURPOSE**

To obtain Council's approval for the deletion of the development charges for “outdoor dining/function area” calculated based on m<sup>2</sup> for all areas (Stellenbosch Town/ Klapmuts/ Dwarsrivier/ Franschoek/ Raithby/ Polkadraai/ Koelenhof) and the amendment of the Development Charge “Outdoor Function / Picnic Area” tariff calculated based on number of persons for all areas (Stellenbosch Town/ Klapmuts/ Dwarsrivier/ Franschoek/ Raithby/ Polkadraai/ Koelenhof).

**3. DELEGATED AUTHORITY**

For decision by the Municipal Council, in terms of Clause 7.9 and Clause 8 of the Stellenbosch Municipality Development Charges Policy 2023/24.

**4. EXECUTIVE SUMMARY**

This Item is not to be confused with the current outdoor dining items which are currently being presented to Council though delegated authority to the Executive Mayor in consultation with the Mayoral committee regarding compliances by existing facilities for outside dining.

This item refers primarily to new developments where the developer requests the approval for a communal outdoor function / picnic area within the development or estate, and the Development Charge tariff in the tariff book applicable to that area is stipulated in the tariff book approved by Council for the financial year 2023/2 read with stipulated in the Municipality's Development Charges Policy. In terms of Clause 7.9 of the current approved Council DC policy, the Municipality may review the DC's by means of a Council resolution to correct any gross errors discovered in the determination of DC's as long as the amendments is a reduction of the tariff and not an increase.

**SPECIAL COUNCIL MEETING: 2023-09-27: ITEM 5.6.1****RESOLVED** (majority vote)

- (a) that the development charges tariff for “outdoor dining/function area” for all the areas (Stellenbosch Town/ Klappmuts/ Dwarsrivier/ Franschhoek/ Raithby/ Polkadraai/ Koelenhof) calculated per 100m<sup>2</sup> be deleted from the tariff tables;
- (b) that the factors for the development charges tariff “outdoor dining/function area ” for all the areas (Stellenbosch Town/ Klappmuts/ Dwarsrivier/ Franschhoek/ Raithby/ Polkadraai/ Koelenhof) calculated per number of persons be amended as follows:
- Roads factor (Trip generation rate) be changed to 0.5 trips per person per day.
  - Water factor changed to 0.05 kl/day per person
  - Sewer factor changed to 0.035kl/day per person
- (c) that the amended factors indicated in b) be used to calculate the factors regarding “roads; water and sewer” when calculating the tariff for development charges for outdoor dining/function area per persons from 1 July 2023 for the 2023/24 financial year; and
- (d) That the wording in the tariff book tables for the category of “outdoor dining/function” calculated per person be amended and replaced with “Outdoor Function / Picnic Area” calculated per person.

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

*Councillors J Andrews; MM Danana; EP Masimini; N Mkhontwana; M Nkopane; C Noble; A Tomose and M van Stade.*

**FOR FURTHER DETAILS CONTACT:**

|                        |  |
|------------------------|--|
| <b>NAME</b>            | Shane Chandaka   |
| <b>POSITION</b>        | Director   |
| <b>DIRECTORATE</b>     | Infrastructure Services  |
| <b>CONTACT NUMBERS</b> | 021 808 8213   |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:Shane.chandaka@ Stellenbosch.gov.za">Shane.chandaka@ Stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | 14 September 2023  |

|       |   |
|-------|---|
| 5.6.2 | <b>RETURN ITEM: TRANSFER OF THE PORTIONS OF FARM 502 OWNED BY STELLENBOSCH MUNICIPALITY TO THE PROVINCIAL GOVERNMENT OF THE WESTERN CAPE, FOR ROAD PURPOSES</b> |
|-------|---|

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: Mayco: 13 September 2023 & Special Council: 27 September 2023

**1. SUBJECT: RETURN ITEM: TRANSFER OF THE PORTIONS OF FARM 502 OWNED BY STELLENBOSCH MUNICIPALITY TO THE PROVINCIAL GOVERNMENT OF THE WESTERN CAPE, FOR ROAD PURPOSES**

**2. PURPOSE**

To consider valuations carried out on portions of Farm 502 for the transfer of the land owned by Stellenbosch Municipality to Provincial Government of the Western Cape (PGWC), for road purposes.

**3. DELEGATED AUTHORITY**

Municipal Council.

**4. EXECUTIVE SUMMARY**

Farm No. 502 is located just south of Stellenbosch and is surrounded by agricultural areas, Annandale Road which belongs to the Provincial Government of the Western Cape (PGWC), runs through portions of Farm 502. The PGWC had intended to widen the road, and additional portions of land were required to accommodate the widening.

In 2016 the PGWC commissioned valuations for the various portions of Farm 502, that would be required for the widened road reserve. On the 7<sup>th</sup> of June 2016 the Provincial Government Western Cape submitted to the Municipality, an Acquisition Letter requesting that Council respond, and indicate whether Council has any objection to the transfer of the land, **see ANNEXURE A**. Although the correspondence was received by the Municipality, the Municipality did not however submit a response to the Acquisition Letter at the time.

During 2017 and 2018 the Provincial Government Western Cape proceeded to relocate fence lines to accommodate the widening of the road. The upgrade and widening of Annandale Road commenced in 2018 and was completed in 2019.

Follow-up Acquisition Letters were received by the Municipality in March 2022 and September 2022 **see ANNEXURE B**, indicating that Provincial Government Western Cape is prepared to compensate the Municipality an amount of R884 085.00. This amount is however based on a valuation carried out by the PGWC in 2016, **see ANNEXURE C**.

In November 2022 Council decided, amongst others, that new valuations were be obtained, and that a public participation process be followed. The Municipality subsequently commissioned new valuations, the value of the new 2023 valuations amounts to R1 121 755, **see ANNEXURE D**. It should also be noted that when the public notice was advertised, no comments or inputs were received, **see ANNEXURE E**.

**SPECIAL COUNCIL MEETING: 2023-09-27: ITEM 5.6.2****RESOLVED** (majority vote with 5 abstentions)

- (a) that Council notes that a public participation process was followed and that no comments were received;
- (b) that Council decided to accept the 2016 valuation to the amount of R884 085.00 to Provincial Government Western Cape for further consideration; and
- (c) that the Municipal Manager be authorized to conclude the deed of sale.

**FOR FURTHER DETAILS CONTACT:**

|                        |   |
|------------------------|---|
| <b>Name</b>            | <b>Shane Chandaka</b>   |
| <b>Position</b>        | <b>Director</b>   |
| <b>Directorate</b>     | <b>Infrastructure Services</b>  |
| <b>Contact Numbers</b> | <b>021 808 8213</b>   |
| <b>E-mail Address</b>  | <b><a href="mailto:Shane.Chandaka@ Stellenbosch.gov.za">Shane.Chandaka@ Stellenbosch.gov.za</a></b> |
| <b>Report Date</b>     | <b>6 September 2023</b>   |

|            |   |
|------------|---|
| <b>5.7</b> | <b>PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J WILLIAMS)</b> |
|------------|---|

NONE

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| <b>5.8</b> | <b>PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM:<br/>(PC: CLLR C VAN WYK)</b> |
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|              |   |
|--------------|---|
| <b>5.8.1</b> | <b>RETURN ITEM: REQUEST FOR THE APPROVAL FOR THE FINAL DRAFT STELLENBOSCH MUNICIPALITY EVENTS AND OUTDOOR DINING OVERLAY ZONE IN ORDER TO BE INCLUDED WITHIN THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW, 2019</b> |
|--------------|---|

Collaborator No: 755783

IDP KPA Ref No: Valley of Opportunity

Meeting Date: Mayco: 13 September 2023 & Special Council: 27 September 2023

**1. SUBJECT: RETURN ITEM: REQUEST FOR THE APPROVAL FOR THE FINAL DRAFT STELLENBOSCH MUNICIPALITY EVENTS AND OUTDOOR DINING OVERLAY ZONE IN ORDER TO BE INCLUDED WITHIN THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW, 2019**

**2. PURPOSE**

To provide Council with the pertinent facts in order to obtain approval of the Final Draft Stellenbosch Municipality Events and Outdoor Dining Overlay Zone that would be included as part of the Stellenbosch Municipality Zoning Scheme By-law, 2019.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

The Directorate: Planning & Economic Development compiled a Draft Events and Outdoor Dining Overlay Zone, with the assistance of Planning Partners.

The purpose of the abovementioned overlay zone is specifically to deal with land use rights associated with events and outdoor dining within the Stellenbosch Municipality, whereas the current zoning scheme bylaw only permitted the land use activity of occasional use to one event per year on properties zoned Mixed Use and Agricultural. The problem arose where event organisers and coordinators spent months preparing for an event, and then get by tripped by land use issues at the late stage of planning an event. Events has become an ever-increasing activity within the Stellenbosch Municipal Area, specifically within the Central Business District Areas and on farms, and the demand has increased significant post the COVID-19 pandemic.

It must be noted that the zoning scheme was promulgated during 2019, and at the time the events activities were not as prevalent, and therefore only one event was permitted per annum on a property. Events has however become a frequent activity and therefore the municipality as noticed through request from the industry and the various tourism organisations that we must amend the land use management process, as well as the permitting process as set out in terms of the Stellenbosch Municipality Events By-law, 2016. In essence, currently there are two (2) statutory processes, which must be concluded.

**SPECIAL COUNCIL MEETING: 2023-09-27: ITEM 5.8.1****RESOLVED** (majority vote with 1 abstention)

- (a) that Council take note of the Final Draft Stellenbosch Municipality Events and Outdoor Dining Overlay Zone was advertised for a period of 30 days, and that copies of the proposed overlay was placed at the venues as indicated in the advertisement, copy attached as **APPENDIX 2** to this report;
- (b) that Council **approves and adopts** the Final Draft Stellenbosch Municipality Events and Outdoor Dining Overlay Zone, attached as **APPENDIX 1**; and
- (c) that Council **approves** the Final Draft Stellenbosch Municipality Events and Outdoor Dining Overlay Zone and approves that it be promulgated and incorporated into the Stellenbosch Municipality Zoning Scheme By-law, 2019.

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

*Councillors Mkhontwana; C Noble; and M van Stade.*

**FOR FURTHER DETAILS CONTACT:**

|                        |  |
|------------------------|--|
| <b>NAME</b>            | Craig Alexander  |
| <b>POSITION</b>        | <b>Senior Manager: Development Planning</b>  |
| <b>DIRECTORATE</b>     | <b>Planning and Economic Development</b>   |
| <b>CONTACT NUMBERS</b> | <b>021 808 8196</b>  |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:Craig.alexander@stellenbosch.gov.za">Craig.alexander@stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <b>8 September 2023</b>  |



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| 5.9 | <b>COMMUNITY SERVICES:(PC: CLLR X KALIPA)</b> |
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| 5.9.1 | <b>GRANT IN AID POLICY REVIEW</b> |
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Collaborator No: 755699

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: Mayco: 13 September 2023 & Special Council: 27 September 202

**1. SUBJECT: GRANT IN AID POLICY REVIEW**

**2. PURPOSE**

To illicit comments from Senior Management for suggested changes to the Grant in Aid Policy prior to submitting same to Council for approval.

**3. DELEGATED AUTHORITY**

For approval by Council.

**4. EXECUTIVE SUMMARY**

Feedback reports and comments received during the April 2023 period for comments on the draft budget raised concern and led the department to reconsider the Grant in Aid policy with specific reference to:

- a. Consequences relating to misappropriation of funds and
- b. The misuse of the comment/appeal period after the closing date for applications.

The recommended changes in the attached GiA Policy (**ANNEXURE 1**) aims to address the above concerns.

**SPECIAL COUNCIL MEETING: 2023-09-27: ITEM 5.9.1**

**RESOLVED** (majority vote with 1 abstention)

- (a) that the Revised Grant in Aid Policy be approved in principle, whereafter it be advertised for public comments; and
- (b) that all comments received be brought back to Council for final approval of the Revised Grant in Aid Policy.

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

*Councillors C Noble; and M van Stade.*

**FOR FURTHER DETAILS CONTACT:**

|                        |                                      |
|------------------------|--------------------------------------|
| <b>NAME</b>            | Michelle Aalbers                     |
| <b>POSITION</b>        | Manager Community Development        |
| <b>DIRECTORATE</b>     | Community and Protection Services    |
| <b>CONTACT NUMBERS</b> | 8408                                 |
| <b>E-MAIL ADDRESS</b>  | Michelle.aalbers@stellenbosch.gov.za |
| <b>REPORT DATE</b>     | 30-08-2023                           |

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| <b>5.10</b> | <b>RURAL MANAGEMENT: (PC: CLLR J JOON)</b> |
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NONE

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| <b>5.11</b> | <b>MUNICIPAL MANAGER</b> |
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NONE

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| <b>6.</b> | <b>REPORTS SUBMITTED BY THE MUNICIPAL MANAGER</b> |
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| <b>6.1</b> | <b>RETURN ITEM: THE FUTURE USE OF ERVEN RE/279, RE/119 AND FARM 181/0 FOR POSSIBLE ALTERNATIVE ENERGY GENERATION</b> |
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**Collaborator No:**

**KPA Ref No: GOOD GOVERNANCE**

**Meeting Date: 27 September 2023**

**1. SUBJECT: RETURN ITEM: THE FUTURE USE OF ERVEN RE/279, RE/119 AND FARM 181/0 FOR POSSIBLE ALTERNATIVE ENERGY GENERATION PROJECTS**

**2. PURPOSE**

To provide Council with the comments from the Participation Process in order to consider the in principle approval the future use of RE/279, RE/119 and Farm 181/0 for alternative energy generation projects through long term leases of the sites for a period of up to 50 years (as required in n Regulation 34(3)(b)).

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

As part of Stellenbosch Municipality's loadshedding mitigation strategy, the Municipality is investigating possible sites on which alternative energy can be generated from.

Stellenbosch Municipality who is the owner of Erven RE/279 (SBP279/BN, SBP279/CN and SBP279/DN (Opposite Landfill site – Devonvalley) X Erven RE/119 (Idas Valley site) x Farm 181/0 (the sites) (Area below Kayamandi Reservoir) has been identified by administration as possible suitable sites from where alternative energy can be generated.

**SPECIAL COUNCIL MEETING: 2023-09-27: ITEM 6****RESOLVED** (nem con)

- (a) that Council takes note of the comments received during the public participation process as well as the municipality's response, attached hereto as Appendix "B";
- (b) that Council confirms that erven RE/279, RE/119 and Farm 181/0, Stellenbosch as land not needed to provide the minimum level of basic municipal services;
- (c) that Council in principle approves the future use of RE/279, RE/119 and Farm 181/0 for alternative energy generation projects through long-term leases of the sites for periods of up to 50 years;
- (d) that Council mandates the administration to commence with the legislative process to procure Independent Power Producers who will through long-term lease agreements with the municipality generate alternative electricity for municipal consumption; and
- (e) that when the procurement process is completed the matter be brought back to council for a final decision on the disposal of the erven through long term leases.

**FOR FURTHER DETAILS CONTACT:**

|                               |   |
|-------------------------------|---|
| <b><i>NAME</i></b>            | <b><i>Kevin Carolus</i></b>                     |
| <b><i>POSITION</i></b>        | <b><i>Chief Financial Officer</i></b>           |
| <b><i>DIRECTORATE</i></b>     | <b><i>Financial Services</i></b>                |
| <b><i>CONTACT NUMBERS</i></b> | <b><i>021 808 8528</i></b>                      |
| <b><i>E-MAIL ADDRESS</i></b>  | <b><i>Kevin.Carolus@stellenbosch.gov.za</i></b> |
| <b><i>REPORT DATE</i></b>     | <b><i>21 September 2023</i></b>                 |

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| 7. | URGENT MATTERS |
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NONE

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| 8. | MATTERS TO BE CONSIDERED IN-COMMITTEE |
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(SEE PINK DOCUMENTATION)

The meeting adjourned at 11:10.

**CHAIRPERSON:** .....

**DATE:** .....

**Confirmed on** .....