



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2019-08-02

MINUTES

URGENT MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-08-02 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
URGENT MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2019-08-02

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
2.	APPLICATION FOR LEAVE OF ABSENCE	
3.	DISCLOSURE OF INTEREST	
4.	STATUTORY MATTERS	
4.1	APPROVAL OF THE DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK IN RESPONSE TO COMMENT AND INPUT RECEIVED FROM THE PUBLIC AND OTHER KEY PLATFORMS	4
4.2	APPROVAL OF THE DRAFT FIRST AMENDMENT OF THE FOURTH GENERATION IDP 2017 – 2022	6
5.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER	
5.1	2019-2020 GRANT IN AID DONATIONS: EDMUND RICE CAMPS	8
5.2	2019-2020 GRANT IN AID DONATIONS	9
5.3	FINAL GRANT ALLOCATIONS OF TOURISM FUNDING TO TOURISM ENTITIES	10
5.4	2019/20 WATER AND REFUSE REMOVAL TARIFF ADJUSTMENTS	11

MINUTES OF AN URGENT MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2019-08-02 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT The Acting Speaker, Cllr Q Smit [Acting Chairperson]
The Executive Mayor, Ald G van Deventer (Ms)

COUNCILLORS	F Adams (until 11:00)	AJ Hanekom
	FJ Badenhorst	DA Hendrickse
	FT Bangani-Menziwa (Ms)	JK Hendriks
	Ald PW Biscombe	MC Johnson
	G Cele (Ms)	C Manuel
	PR Crawley (Ms)	C Moses (Ms)
	A Crombie (Ms)	MD Oliphant
	Z Dalling (Ms)	SA Peters
	R Du Toit (Ms)	MM Pietersen
	J Fasser	WF Pietersen
	A Florence	SR Schäfer
	AR Frazenburg	Ald JP Serdyn (Ms)
	E Fredericks (Ms)	N Sinkinya (Ms)
	T Gosa	Q Smit
	E Groenewald (Ms)	LL Stander
	JG Hamilton	E Vermeulen (Ms)

Officials: Municipal Manager (Ms G Mettler)
Director: Corporate Services (Ms A De Beer)
Director: Infrastructure Services (D Louw)
Director: Planning and Economic Development (T Mfeya)
Chief Financial Officer (K Carolus)
Acting Director: Community and Protection Services (A vd Merwe)
Senior Manager: Governance (Ms S De Visser)
Manager: Spatial Planning (B De la Bat)
Manager: Communications (S Grobbelaar)
Manager: Secretariat (EJ Potts)
Senior Administration Officer (T Samuels (Ms))
Committee Clerk (N Mbali (Ms))
Interpreter (J Tyatyeka)

1.	OPENING AND WELCOME
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The Speaker, Cllr WC Petersen (Ms) welcomed all present.

Her communication can be summarized as follows:

- “Allow me to welcome all to the Urgent Council meeting:
 - Executive Mayor
 - Municipal Manager
 - All Directors and other Officials
 - All members of the public
- A special welcome to all women in the Council, meaning:
 - All women Councillors
 - All women in employment of Council
 - And all women in the WCO24 area of jurisdiction.

May we as women remember our past and use this month to reconcile with the future.

- REASONS FOR THIS SPECIAL COUNCIL MEETING
 - Aldermen and Councillors will recall that during the approval of the IDP and Budget at the Council meeting dated 2019-06-12, a request was made to have another public participation on the MSDF process with the closing date for comments on 5 July 2019.
 - An very important Statutory Inter-Governmental Steering Committee meeting took place 5 June 2019 to discuss certain inputs.
- Based on the above:
 - a special meeting was called for the approval of the Revised Stellenbosch Spatial Development Framework (SDF) after the extended public participation process.
 - the Approval of the Integrated Development Plan (IDP) to update the newly included proposals from the communities.

Moment of silence:

- WF Ortell – Alderman and previous Mayor on three (3) occasions, passed away at the age of 89 years. May His Soul Rest In Peace.
- Council also notes the passing on of other people within the WCO24 and think of the families during this cold winter days.
- A student died and another has been paralysed through unknown student activities at the University of Stellenbosch. Lets keep their families and the university itself in our prayers during these times.
- Another brutal attack took place on a 88-year old farmer of Stellenbosch in the Koelenhof area. Request that the agencies of safety do everything human possible to secure our voters lifes against this evil attacks.
- Two people in Jamestown lost their lives in a mysterious way.
- Let us think of all people within WCO24.
- Let us stand for a moment of silence, please.

Thank You”.

2.	APPLICATION FOR LEAVE OF ABSENCE
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2.1 The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr LK Horsband (Ms)	–	2 August 2019
Cllr N Jindela	–	2 August 2019
Cllr DD Joubert	–	2 August 2019
Cllr N Mananga-Gugushe (Ms)	–	2 August 2019
Cllr NE Mcombring (Ms)	–	2 August 2019
Cllr XL Mdemka	–	2 August 2019
Cllr RS Nalumango (Ms)	–	2 August 2019
Cllr N Olayi	–	2 August 2019
Cllr P Sitshoti (Ms)	–	2 August 2019

2.2 Permission was granted to Councillor F Adams to leave the meeting earlier (at 11:00), because he did not feel well.

3.	DISCLOSURE OF INTEREST
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NONE

4.	STATUTORY MATTERS
4.1	APPROVAL OF THE DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK IN RESPONSE TO COMMENT AND INPUT RECEIVED FROM THE PUBLIC AND OTHER KEY PLATFORMS

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Valley of Possibility

2 August 2019

1. SUBJECT: APPROVAL OF THE DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK IN RESPONSE TO COMMENT AND INPUT RECEIVED FROM THE PUBLIC AND OTHER KEY PLATFORMS

2. PURPOSE

To submit to council the final draft municipal Spatial Development Framework (*mSDF*) in terms of the Municipal Systems Act, no 32 of 2000 (MSA) for formal approval.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The purpose of the item is to inform Council of the comments received during the period that the *mSDF* was re-advertised in terms of the Stellenbosch Municipal Land Use Planning By-law, 2015 and Section 20(3) of the Spatial Planning and Land Use Planning Act, No 16 of 2013 (SPLUMA) and the MSA for a further period of 21 days and to obtain Council approval of the *mSDF* for inclusion in the 2019/20 Integrated Development Plan (IDP).

URGENT COUNCIL MEETING: 2019-08-02: ITEM 4.1

The Administration handed out a map in the meeting, which replaces page 79 in the Agenda (see attached **APPENDIX**). A presentation on the document was done by the Director: Planning and Economic Development, Mr T Mfeya and the Manager: Spatial Planning, Mr B De La Bat.

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

When the meeting resumed, it was

RESOLVED (majority vote)

- (a) that Council notes input and comments received on the Draft Municipal Spatial Development Framework attached as **ANNEXURE 1** of the agenda;

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- (b) that Council approves the final draft *mSDF* as attached as **ANNEXURE 1** to the agenda item; with the exclusion of Erf 1049/3 from the urban edge, as this is currently zoned agriculture;
- (c) that the final draft Municipal Spatial Development Framework be included in the 2019/20 Integrated Development Plan (IDP); and
- (d) that the Municipal Manager be mandated to investigate the approvals of Brandwacht Hotel outside the urban edge and how this proposal was now included in the Brandwacht urban edge.

Cllr DA Hendrickse requested that his vote of dissent be minuted and that an Official confirmed that there is an other rezoning on the land apart from agriculture.

NAME	Tabiso Mfeya
POSITION	Director Planning and Economic Development
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 – 808 8491
E-MAIL ADDRESS	Tabiso.mfeya@ Stellenbosch.gov.za
REPORT DATE	20 July 2019

4.2	APPROVAL OF THE DRAFT FIRST AMENDMENT OF THE FOURTH GENERATION IDP 2017 – 2022
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Collaborator No: 654776
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 2 August 2019

1. SUBJECT: APPROVAL OF THE DRAFT FIRST AMENDMENT OF THE FOURTH GENERATION IDP 2017 – 2022

2. PURPOSE

To submit the draft First Amendment of the Fourth Generation IDP 2017 – 2022 to Council to be released for public comment.

3. DELEGATED AUTHORITY

In terms of Section 34 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) prescribes that the Municipal Council:–

“(b) may amend its integrated development plan in accordance with a prescribed process.

The process referred to in Section 34(b) of the MSA are further regulated by Regulations 3(1) – (6) of the Local Government: Municipal Planning and Performance Management Regulations, 2001.

4. EXECUTIVE SUMMARY

The Municipality concluded an extensive process to review its Municipal Spatial Development Framework (*mSDF*). The *mSDF* is regarded as a core component to the IDP, as noted in Section 26(e) of the MSA. The *mSDF* is regarded as a critical developmental tool as an enabler for development, hence the *mSDF* must be incorporated into the IDP to give expression to its developmental focal.

URGENT COUNCIL MEETING: 2019-08-02: ITEM 4.2

RESOLVED (majority vote)

- (a) that the draft First Amendment of the Fourth Generation IDP (2017 –2022) of the Stellenbosch Municipality be tabled in terms of section 34(b) of the MSA read together with Regulations 3(1) – (6) of the Local Government: Municipal Planning and Performance Management Regulations, 2001;
- (b) that the draft First Amendment of the Fourth Generation IDP (2017 –2022) be released for public comment;
- (c) that the period of 21 days shall commence from the date of the Council resolution;

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- (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 draft First Amendment of the Fourth Generation IDP 2017 – 2022 is open for public inputs and comments during August 2019; and
- (e) that the draft First Amendment 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.

Cllr DA Hendrickse requested that his vote of dissent be minuted.

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	29 July 2019

5.	MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
5.1	2019-2020 GRANT IN AID DONATIONS: EDMUND RICE CAMPS

Collaborator No: 654789
IDP KPA Ref No: Dignified Living: Municipal Focus Area 21
Meeting Date: 2 August 2019

1. SUBJECT: 2019-2020 GRANT IN AID DONATIONS: EDMUND RICE CAMPS

2. PURPOSE

To inform council of the status of the approved Grant in Aid donation for the 2019-2020 financial year.

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

Council approved Grant in Aid donations as part of the Draft MTREF (Budget) 2019-2022 item at the 27th Council meeting on 29 May 2019. After approval of the donations, the Grant in Aid policy requires that a Memorandum of Agreement be signed with each of the recipient organizations prior to making payment. Agreements were signed with all approved organisations apart from Edmund Rice Camps and documentation have been prepared to give effect to the intended donations.

URGENT COUNCIL MEETING: 2019-08-02: ITEM 5.1

NOTED

that the approved donation of R 40 000.00 for Edmund Rice Camps will not be paid.

FOR FURTHER DETAILS CONTACT:

NAME	Michelle Aalbers
POSITION	Manager Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8408
E-MAIL ADDRESS	Michelle.aalbers@stellenbosch.gov.za
REPORT DATE	2019-07-03

5.2	2019-2020 GRANT IN AID DONATIONS
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Collaborator No: 529636
 IDP KPA Ref No: Dignified Living: Municipal Focus Area 21
 Meeting Date: 02 August 2019

1. SUBJECT: 2019-2020 GRANT IN AID DONATIONS

2. PURPOSE

To obtain approval for a Grant in Aid donation for the 2019-2020 financial year.

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

Council approved Grant in Aid donations as part of the Draft MTREF (Budget) 2019-2022 item at the 27th Council meeting on 29 May 2019. A further donation is being recommended for approval after it became apparent that the appeal of Nietvoorbij United Football Club was not included in the documents presented to Council on 29 May 2019.

URGENT COUNCIL MEETING: 2019-08-02: ITEM 5.2

RESOLVED (majority vote)

that a Grant in Aid donation to the amount of R 40 000.00 to Nietvoorbij United Football Club be approved.

FOR FURTHER DETAILS CONTACT:

NAME	Michelle Aalbers
POSITION	Manager Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8408
E-MAIL ADDRESS	Michelle.aalbers@stellenbosch.gov.za
REPORT DATE	2019-07-30

5.3	FINAL GRANT ALLOCATIONS OF TOURISM FUNDING TO TOURISM ENTITIES
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1. SUBJECT: FINAL GRANT ALLOCATIONS OF TOURISM FUNDING TO TOURISM ENTITIES

2. PURPOSE

To make the final grant allocations on applications received from entities/external bodies performing a municipal function.

3. DELEGATED AUTHORITY

COUNCIL

4. EXECUTIVE SUMMARY

In terms of section 6(2) of the Policy for The Financing of External Bodies Performing a Municipal Function, "the Grant Committee will have the power to make recommendations to Council for final appointments and financial allocations", and in terms of section 6(3), "the Grant Committee must submit a report on its decisions to the Council for final approval".

This item deals with the applications received from tourism organisations who applied for funding in terms of the Policy for The Financing of External Bodies Performing a Municipal Function.

URGENT COUNCIL MEETING: 2019-08-02: ITEM 5.3

RESOLVED (majority vote with abstentions)

- (a) that Council takes note of the R 2 071 489 grant allocation available for distribution to tourism organisations; and
- (b) that Council approves the allocation as recommended by the Grant Committee (as per its meeting of 2019-07-12 and contained in this report), to the organisations below as follows:

Franschhoek Wine Valley Tourism	R 1 202 075
Stellenbosch Economic Enterprise Development	R 417 000
Dwarsrivier Tourism Office	R 452 414

FOR FURTHER DETAILS CONTACT:

NAME	Widmark Moses
POSITION	MANAGER: LED & TOURISM
DIRECTORATE	PLANNING AND ECONOMIC DEVELOPMENT
CONTACT NUMBERS	021 808 8179
E-MAIL ADDRESS	Widmark.moses@ Stellenbosch.gov.za
REPORT DATE	30 July 2019

5.4	2019/20 WATER AND REFUSE REMOVAL TARIFF ADJUSTMENTS
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Collaborator No:

IDP KPA Ref No:

Meeting Date: 2 August 2019

1. SUBJECT: 2019/20 WATER AND REFUSE REMOVAL TARIFF ADJUSTMENTS

2. PURPOSE

To obtain Council's approval to adjust the 2019/20 water and refuse removal tariffs in line with the increases approved by council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The water tariffs structure is based on a punitive structure. The purpose of a punitive structure is to force high-volume water users to reduce demand and to bring the municipality's water usage down. This means that the higher block tariffs will increase with a higher percentage.

After assessing the outstanding debt it's evident that water debt substantially increased over last year and considering the outcry from the public about the high water accounts coupled with the improved dam levels. It is recommended that all water block tariffs be adjusted to increase with only 6.5% for the 2019/2020 financial year.

The refuse removal tariffs also need to be adjusted. A calculation error in the input sheet for the refuse removal tariffs resulted in tariffs increasing with 20% and not 16.5% as recommended to council. These tariffs need to be adjusted to reflect the correct increase of 16.5%.

The refuse removal revenue modelling was done on a 16.5% increase, therefore the budgeted refuse removal revenue is correct.

URGENT COUNCIL MEETING: 2019-08-02: ITEM 5.4

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

When the meeting resumed, it was

RESOLVED (majority vote)

that Council approves the adjusted water and refuse removal tariffs in **APPENDIX 1**.

Cllr DA Hendrickse requested that his vote of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	Kevin Carolus
<i>POSITION</i>	CFO
<i>DIRECTORATE</i>	Financial Services
<i>CONTACT NUMBERS</i>	021 808 8528
<i>E-MAIL ADDRESS</i>	kevin.carolus@ Stellenbosch.gov.za
<i>REPORT DATE</i>	31 July 2019

The meeting adjourned at 12:10.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**