



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2024-03-27

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MINUTES

21ST MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2024-03-27 AT 10:00

MINUTES
21ST MEETING OF COUNCIL
OF STELLENBOSCH MUNICIPALITY

2024-03-27

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TO

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

COUNCILLORS

RA Adams	XL Mdemka
J Andrews	RS Nalumango
Ald JC Anthony	CD Noble
MM Danana	L Nkamisa
I De Taillerfer	M Nkopane
R Du Toit	N Ntsunguzi
A Ferns	N Olayi
E Groenewald	WC Petersen
AJ Hanekom	RO Pheiffer
P Johnson	WF Pietersen
J Joon	Ald JP Serdyn
O Jooste	MJ Slabbert
X Kalipa	SR Schäfer
N Mananga-Gugushe	A Tomose
C Manuel	RB Van Rooyen
EP Masimini	M Van Stade
NE Mcombring	J Williams

OFFICIALS

Municipal Manager (G Mettler)
 Chief Financial Officer (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)

1.	OPENING AND WELCOME
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The Speaker, Cllr Q Smit welcomed all present at the 21st Council meeting.

2.	MAYORAL ADDRESS
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MAYORAL COMMUNICATIONS – COUNCIL [27/03/2024]

- It is not too late to wish all our Muslim residents and staff Ramadaan Kareem. May this sacred month be filled with peace, joy and spiritual enrichment for you and your loved ones.
- As we gear up to celebrate Easter, let us remember to spread love, and above all, safety. With Good Friday approaching on 29 March and Family Day on 1 April, many of us will take to the roads to reunite with our loved ones. To all our residents embarking on journeys near and far, please take extra precautions while traveling. Whether you are driving or hopping on public transport, prioritise your safety and the safety of those around you.

Let us ensure every moment of this Easter season is filled with happiness and warmth.

- On 5 March 2024, I convened a crucial meeting with the five Station Commanders of the South African Police Service (SAPS) within the Stellenbosch Municipal Area (WC024). The meeting focussed on addressing current security concerns and strategizing collaborative efforts for the future, emphasising a shared commitment to enhancing community safety and well-being.
- On 12 March 2024, I was joined by Minister Ivan Meyer when 4 new lease agreements were signed with small scale farmers. The initial success unfolded in 2019 when the municipality entered into agreements with the first batch of five farmers. This initiative aligns with the Stellenbosch Municipal Council's 2016 Policy on the Management of Municipal Agricultural Land, allowing effective utilisation of previously unused land to empower emerging and historically disadvantaged farmers. As a caring and responsible government, Stellenbosch Municipality continues to pioneer practices that boost the local agricultural sector, demonstrating the crucial role local governments play in creating opportunities and supporting residents' economic empowerment.
- Stellenbosch Municipality is conducting a Customer Satisfaction Survey between 15 March and 31 March 2024. The survey is accessible through a link on the Stellenbosch Municipal Website and forms will also be available at all Municipal Libraries, Ward Offices, and Municipal Service desks that can be completed and dispensed in the collection boxes that will be made available at these offices or handed to the officials that are working at these offices.

The purpose of the survey is to continuously monitor, improve and assess the provision and quality municipal services to our residents/customers in the municipal area (WC024).

- Plans to revive the northern corridor of Metrorail are moving forward, as trains were recently tested along the Eerste River and Stellenbosch route. Repair works on the line included station upgrades, perway rehabilitation, overhead traction equipment repairs that includes signalling work between Lynedoch and Vlothenburg. It is pleasing to see that our persistent requests and meetings are finally translating into tangible actions.

3.	COMMUNICATIONS BY THE SPEAKER
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Opening and Welcome:

Executive Mayor
Deputy Mayor
Council whip
Members of the Mayoral Committee
MPAC Chair
All Councillors

Municipal Manager
Directors
Members of the administration
Members of the public

Certification of foreigner's documents and proof of address

A circular was sent to Councillors on 18 March 2024 pertaining to the certification of foreign national documentation.

Birthdays – February 2024

Councillor De Tailleur – 6 March
Councillor Van Stade – 15 March
Councillor Rataza – 25 March

4.	COMMUNICATIONS BY THE MUNICIPAL MANAGER
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- “Good morning Councillors, Colleagues and members of the public joining us,
- This is a holy time of the year for the Christians as they celebrate Easter. During this time we experience a lot of accidents on the roads and the carnage is high, because a lot of people go on holiday as it coincide with school holidays. My plea to everyone is to be vigilant on the roads, ensure that your car you are travelling in is roadworthy, observe the rules of the roads and be on the lookout and take note of pedestrians in particular.
- We are busy with preparations for the elections which will take place on 29 May 2024. I am the MEO of the municipality and the area and I want to urge MPLC members to attend the MPLC meetings on a regular basis, because crucial and valuable information is shared in these meetings which is critical for all political parties to observe. These meetings are held online and do not last long.
- To everyone who celebrates, have a blessed Easter.

Thank you.”

5.	DISCLOSURE OF INTERESTS
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NONE

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

Cllr ZJ Dalling	-	27 March 2024
Cllr RB Hendrikse	-	27 March 2024
Cllr NM Mkhontwana	-	27 March 2024
Cllr NR Ndalasi	-	27 March 2024
Cllr MG Rataza	-	27 March 2024
Cllr CA Van Wyk	-	27 March 2024
Cllr E Vermeulen	-	27 March 2024

7.	CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING/S
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7.1	20TH COUNCIL MEETING: 2024-02-21
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The minutes of the 20th Council meeting: 2024-02-21 **were confirmed as correct without any changes.**

8.	STATUTORY MATTERS
8.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2024

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 20 March 2024 & 27 March 2024

1. **SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2024**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 February 2024.

21ST COUNCIL MEETING: 2024-03-27: ITEM 8.1**NOTED**

that there were no deviations for the month of February 2024.

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	<i>Senior Manager Supply Chain Management</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8588</i>
E-MAIL ADDRESS	<i>Dalleel.Jacobs@ Stellenbosch.gov.za</i>
REPORT DATE	14 March 2024

8.2	ANNUAL REPORT OVERSIGHT REPORT 2022/23
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Collaborator No: 3/4/5/2/32 X 8/1/2/6
 IDP KPA Ref No: Good Governance and Compliance
 Date: Council: 27 March 2024

1. **SUBJECT: ANNUAL REPORT OVERSIGHT REPORT 2022/23**

2. **PURPOSE**

To submit the Annual Report Oversight Report 2022/23 to Council for **Adoption**.

3. **DELEGATED AUTHORITY**

Council.

4. **EXECUTIVE SUMMARY**

The draft Annual Report 2022/23 was referred by the Council on 24 January 2024, to the Municipal Public Accounts Committee (MPAC), which fulfilled the function of the Oversight Committee. The appointment and mandate of the MPAC / Oversight Committee were informed as per Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) Circular 32 of 2006.

Committee members, including the two co-opted members, have scrutinised the Draft Annual Report 2022/23 and requested, where required, responses from the relevant Directorates. The Annual Report 2022/23 was objectively reviewed by the MPAC Members to ascertain whether the Annual Report 2022/23 is a true and accurate reflection of the municipality's performance for the year under review.

The public was invited to attend a public hearing and to submit any representations on the Draft Annual Report 2022/23. All the councillors were also invited to attend the public hearing, which was held on 09 February 2024, and to deliberate on the Draft Annual Report 2022/23.

21ST COUNCIL MEETING: 2024-03-27: ITEM 8.2

RESOLVED (majority vote with 2 abstentions)

In accordance with Section 129(1) of the MFMA:

- (a) that the Council, having fully considered the Annual Report Oversight Report 2022/23 of the Stellenbosch Municipality, **ADOPTS** the Annual Report Oversight Report 2022/23;
- (b) that the Council, having fully considered the Annual Report 2022/23, attached as Annexure B to the Annual Report Oversight Report 2022/23, **APPROVES** the Annual Report 2022/23 without any reservations;
- (c) that the Annual Report Oversight Report 2022/23 be made public in accordance with Section 129(3) of the MFMA, and;
- (d) that the Annual Report Oversight Report 2022/23 be submitted in accordance with Sections 129(2) and 132(2) of the MFMA to the Auditor General of South Africa (AGSA), the Provincial Treasury: Western Cape, the Department of Local Government: Western Cape, and the Provincial Legislature: Western Cape.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8025
E-MAIL ADDRESS	mm@stellenbosch.gov.za
REPORT DATE	04 March 2024

8.3	DRAFT 2ND REVIEW OF THE 5TH GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027 AND THE IDP AND BUDGET OPEN DAYS SCHEDULE FOR APRIL 2024
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 20 March 2024 & 27 March 2024

1. SUBJECT: DRAFT 2ND REVIEW OF THE 5TH GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027 AND THE IDP AND BUDGET OPEN DAYS SCHEDULE FOR APRIL 2024

2. PURPOSE

To table to the Council for consideration:

- (a) the draft 2nd review of the 5th Generation IDP 2022–2027, attached as **ANNEXURE A**, to be released for public comment; and
- (b) the IDP and Budget Open Days Schedule, April 2024, attached as **ANNEXURE B**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

In terms of Section 34(a)(i)(ii) of the Local Government: Municipal Systems Act, 2000 (Act. No. 32 of 2000) (MSA), each municipal council must review its Integrated Development Plan annually in accordance with an assessment of its performance measurements in terms of Section 41 of MSA and to the extent the changing circumstances so demand. Therefore, considering the changing circumstances in the municipal environment, including the community's needs and priorities.

The draft 2nd Review of the 5th Generation IDP 2022 – 2027 informs the budget of the municipality and details the municipality's actions to address the vision, mission, strategic objectives, and needs of the community.

The municipal IDP must be reviewed annually to ensure that:

- municipalities and communities monitor the progress in the implementation of development projects and the spending of the municipal budget; and
- communities are provided with an opportunity to review their community needs and to recommend changes to the ward priorities outlined in the municipality's IDP.

The Council should take note that the Disaster Management and Safety and Security Plan information will be updated in the final IDP document, which will be presented to the Council in May 2024.

At an all-ward councillor meeting on Friday, 23 February 2024 it was resolved that the Stellenbosch Municipality will conduct public participation open days in April 2024. Therefore, area-based open days will be held in the respective areas of the Stellenbosch municipal area, see attached **ANNEXURE B** for the IDP and Budget open days schedule.

21ST COUNCIL MEETING: 2024-03-27: ITEM 8.3**RESOLVED** (nem con)

- (a) that the draft 2nd review of the 5th Generation IDP 2022 – 2027 of Stellenbosch Municipality be approved in terms of Section 34 (a)(i)(ii) of the MSA for the purpose of obtaining public input and comments, attached as **ANNEXURE A**;
- (b) that an advertisement be placed on the official website of the municipality and the local newspaper notifying the public that the draft 2nd review of the 5th Generation IDP 2022 – 2027 is open for public input and comments for a period of 21 days;
- (c) that the draft 2nd review of the 5th Generation IDP 2022 – 2027 be submitted to the MEC for Local Government, Environmental Affairs and Development Planning, Western Cape: Department of Local Government, Western Cape: Provincial Treasury, the Cape Winelands District Municipality, and the Office of the Provincial Speaker; and
- (d) that the IDP and Budget open days schedule for April 2024 be approved, attached as **ANNEXURE B**.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Geraldine Mettler</i>
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 – 808 8025</i>
E-MAIL ADDRESS	<i>geraldine.mettler@stellenbosch.gov.za</i>
REPORT DATE	<i>20 March 2024</i>

8.4	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2024/2025-2026/2027
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 20 March 2024 & 27 March 2024

**1. SUBJECT: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK
2024/2025-2026/2027**

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 R600 million of which over the MTREF R200 million will be required in year one, R200 million in year two and R200 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.

21ST COUNCIL MEETING: 2024-03-27: ITEM 8.4

RESOLVED (majority vote with 2 abstentions)

- (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 2024/2025, 2025/2026 and 2026/2027, 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 4 - 35**, be approved for public release;
- (g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R600 million of which R200 million will be required in year one, R200 million in year two and R200 million in year three (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; and
- (i) that Council takes note of MFMA circulars 126 and 128 that was published to guide the MTREF for 2024/2025 to 2026/2027 as set out in APPENDICES 36 – 37.

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	27 March 2024

9. REPORT BY THE MUNICIPAL MANAGER ON OUTSTANDING RESOLUTIONS

No report submitted as outstanding resolutions serves at Section 80 Committees.

10. ITEMS FOR NOTING**10.1 REPORT/S BY THE EXECUTIVE MAYOR**

NONE

10.2 REPORT/S BY THE SPEAKER

NONE

10.3 REPORT/S BY THE MUNICIPAL MANAGER

NONE

**11. CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR:
[ALD G VAN DEVENTER]****11.1 PROTECTION SERVICES: (PC: CLLR R PHEIFFER)**

NONE

11.2 SPORTS, YOUTH AND CULTURE: [PC: CLLR JC ANTHONY]

NONE

11.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
11.3.1	PROPOSED EMPLOYMENT EQUITY PLAN 01 OCTOBER 2023 – 30 SEPTEMBER 2028 FOR APPROVAL

Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 20 March 2024 & 27 March 2024

1. SUBJECT: PROPOSED EMPLOYMENT EQUITY PLAN 01 OCTOBER 2023 – 30 SEPTEMBER 2028 FOR APPROVAL

2. PURPOSE

To approve the appended Employment Equity Plan 01 October 2023 – 30 September 2028 as consulted by the Employment Equity Committee of Council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Employment Equity plan submitted was on 13 October 2023 to the Employment Equity Committee for consultation. The municipality should have a 5-year plan in place to measure the targets and achievements against which is reported annually to the Department of Labour. The purpose of the plan is to set out targets based on the Western Cape Economic Active Population, and it addresses barriers that may exist in policies and practices. The plan was workshoped by the Employment Equity Committee and revised based on inputs that was received from the Committee. The committee exists of employees that represent the different groups as per the Employment Equity Act and Regulations and Senior Management. The revised plan is attached as **APPENDIX 1**. The plan is reviewed on an annual basis to ensure that the information is updated.

21ST COUNCIL MEETING: 2024-03-27: ITEM 11.3.1

RESOLVED (majority vote with 2 abstentions)

- (a) that Council notes that the plan was workshoped by the Employment Equity Committee and revised as per the inputs received; and
- (b) that the Employment Equity Plan 1 October 2023 – 28 February 2028 be approved by Council.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene De Beer
POSITION	Director Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-808 8018
E-MAIL ADDRESS	Annalene.debeer@ Stellenbosch.gov.za
REPORT DATE	23 February 2024

11.4	FINANCIAL SERVICES: (PC: CLLR J FASSER)
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NONE

11.5	HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)
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NONE

11.6	INFRASTRUCTURE SERVICES : (PC : CLLR P JOHNSON)
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11.6.1	STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME
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Collaborator No: 764144

IDP KPA Ref No: Green & Sustainable Valley

Meeting Date: 20 March 2024 & 27 March 2024

1. **SUBJECT: STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME**

2. **PURPOSE**

For Council to note the progress of the Municipality's as well as Provincial Government initiatives regarding the loadshedding mitigation initiatives underway, in order to ultimately reduce the impact of electricity loadshedding in the Municipality.

3. **DELEGATED AUTHORITY**

Municipal Council.

4. **EXECUTIVE SUMMARY**

4.1 Eskom in 2022-23, advised the Municipality to prepare an application to serve at their Loadshedding Committee, for the Municipality to be considered as a curtailment customer. Upon receipt of the said application, Eskom then rejected the application. A follow up meeting was held with Eskom and the outcome is that a revised application must be resubmitted for representation to the Eskom Loadshedding Committee. The draft application has been prepared and is due to serve at the Eskom Loadshedding Committee at the end of April 2024. Note that this is still on a load curtailment premise.

4.2 The Municipality has advertised a tender on 03 February 2024, for the possible purchase of 20MW of electricity from an Independent Power Producer (IPP), with a closing date being 20 March 2024.

4.3 The Supervisory Control and Data Acquisition (SCADA) project is continuing on track with the implementation and the fitting of main substations with the additional equipment. Two main substations have been completed to date.

4.4 Municipal Court Building: Inverter has been successfully installed to ensure business continuity.

4.5 An official order for five generators was issued to the service provider and the expected delivery date was originally middle of March 2024 however the service provider indicated that they are experiencing challenges and it is expected that the generators will be delivered and installed by end of April 2024. The department has engaged the Contract Management Section to pursue possible consequence management against the service provider for not meeting their original delivery date.

4.6 The tender for the Stellenbosch Fire Station battery storage system closed on 26 February 2024 with tender evaluation underway at present.

4.7 Provincial Initiative to Establish a 50MW Solar Plant

Provincial Government Western Cape (PGWC) has appointed a Project Manager and Transactional Advisory Consultancy Team to facilitate a possible 50 MW Independent Power Producers project, with the following deliverables:

- Inception report has been completed by the Project Team.
- A Feasibility Study is now underway at present.
- The service level agreement between Province, their Project Management firm and the Municipality has been provided by PGWC and commented on by the Municipality.
- The Memorandum of Understanding between PGWC and Stellenbosch Municipality for the Energy Resilience programme has been signed and finalised.
- Provincial Government has expressed concerns about the Municipality's 20MW IPP tender, as per Item 4.2 above, and has been requested to submit these concerns in writing.

4.8 Provincial Project: Municipal Pooled Buying initiative:

The Provincial Government held a series of workshops with the Municipality's Legal, Financial and Technical teams. The Municipality has submitted comments during 2023 to PGWC. A follow up workshop is to be scheduled by PGWC by end March 2024.

21ST COUNCIL MEETING: 2024-03-27: ITEM 11.6.1

NOTED

the Alternative Energy Generation project updates identified by the AEG Committee and the latest progress with the Alternative Energy Generation projects in implementation at present.

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	Director Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	shane.chandaka@ Stellenbosch.gov.za
REPORT DATE	11 March 2024

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

11.8	PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: CLLR C VAN WYK)
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11.8.1	REQUEST FOR THE APPROVAL AND ADOPTION OF THE FINAL DRAFT STELLENBOSCH MUNICIPALITY BUSKING POLICY, 2024
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Collaborator No:	764000
IDP KPA Ref No:	Good Governance and Compliance
Meeting Date:	20 March 2024 & 27 March 2024

1. SUBJECT: REQUEST FOR THE APPROVAL AND ADOPTION OF THE FINAL DRAFT STELLENBOSCH MUNICIPALITY BUSKING POLICY, 2024

2. PURPOSE

To provide Council with the pertinent facts in order to obtain approval of the Final Draft Stellenbosch Municipality Busking Policy, 2024.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch is known for its rich cultural heritage and is home to a diverse community of artists, musicians and performers. Busking provides these artists and performers with a platform to showcase their skills and interact with a diverse audience.

The aim of the Busking Policy is to encourage artistic expression of these artists and musicians while addressing potential concerns related to noise, public safety, and the overall well-being of the community of Stellenbosch. The implementation of the Busking Policy will have several benefits, contributing to the cultural, social and economic vibrancy of the Municipality.

At the 17th Council Meeting dated 25 October 2023, Council resolved that the draft Stellenbosch Municipality Busking Policy be advertised to solicit public comments, and thereafter will be evaluated and resubmitted to Council for consideration. The subject Policy was advertised in the Eikestadnuus and Paarl post on 02 November 2023, with a closing date of 04 December 2023. Copy of the advertisement attached as Appendix 2 to this report.

21ST COUNCIL MEETING: 2024-03-27: ITEM 11.8.1**RESOLVED** (majority vote with 3 abstentions)

- (a) that Council takes note of the final Draft Stellenbosch Municipality Busking Policy was advertised for a period of 30 days, and that copies of the proposed Policy was placed at the venues as indicated in the advertisement, copy attached as **APPENDIX 2** to this report; and
- (b) that Council **approves and adopts** the final Draft Stellenbosch Municipality Busking Policy, attached as **APPENDIX 1**.

FOR FURTHER DETAILS CONTACT:

NAME	Joh-ne Jansen
POSITION	<i>Senior Economic Development Officer: Tourism & Business Development</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	021 808 8144
E-MAIL ADDRESS	<u>joh-ne.jansen@ Stellenbosch.gov.za</u>
REPORT DATE	29 February 2024

11.9	COMMUNITY SERVICES:(PC: CLLR X KALIPA)
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NONE

11.10	RURAL MANAGEMENT: (PC: CLLR J JOON)
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NONE

11.11	MUNICIPAL MANAGER
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11.11.1	ADOPTION OF THE REVISED RISK MANAGEMENT POLICY AS WELL AS THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2023/24 FINANCIAL YEAR
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 20 March 2024 & 27 March 2024

1. SUBJECT: ADOPTION OF THE REVISED RISK MANAGEMENT POLICY AS WELL AS THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2023/24 FINANCIAL YEAR

2. PURPOSE

To submit the Risk Management Policy as well as the Strategic and Operational Risk Register for the 2023/24 financial year to Council for approval.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Municipal Governance best practice as well the Municipal Finance Management Act (MFMA), Act 56 of 2003, requires municipalities to have an effective risk management mechanism to stay abreast of prevalent risks and to determine the risk appetite. To ensure effectiveness, a municipality must focus its attention and resources on the areas of most significant risk and concern to stakeholders.

To this end, Stellenbosch Municipality has undertaken the practice of adopting a Risk Management Policy which identifies, explains and gives structure to risk management in the Municipality. Due to the changing dynamics in the external environment which impacts municipal services, amendments and revisions had to be done to the Risk Management Policy as necessitated to ensure that the municipalities remain appropriately responsive to the risk environment.

The same approach and diligence are applied by Stellenbosch Municipality with regards to the practice of adopting a Strategic and Operational Risk Register which identifies strategic and operational risks at a corporate level to ensure that risks which could

hamper service delivery and the strategic objectives are identified and linked to appropriate actions to mitigate the risks.

The Stellenbosch Municipality is committed to effective risk management in order to achieve the municipality's vision, service delivery, and strategic objectives and to ensure appropriate outcomes for the community.

21ST COUNCIL MEETING: 2024-03-27: ITEM 11.11.1

RESOLVED (majority vote with 2 abstentions)

- (a) that Council approves the Revised Risk Management Policy for the 2023/24 financial year; and
- (b) that Council approves the Revised Strategic and Operational Risk Register for the 2023/24 financial year.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Helena Priem</i>
POSITION	<i>Chief Risk Officer</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>X8157</i>
E-MAIL ADDRESS	<i>helena.priem@stellenbosch.gov.za</i>
REPORT DATE	<i>8 March 2024</i>

11.11.2	PERMISSION TO JOIN THE INCA CAPACITY BUILDING FUND STUDY TOUR TO SWITZERLAND FROM 07TH JUNE 2024 TO 16TH JUNE 2024
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 20 March 2024 & 27 March 2024

1. SUBJECT: PERMISSION TO JOIN THE INCA CAPACITY BUILDING FUND STUDY TOUR TO SWITZERLAND FROM 07TH JUNE 2024 TO 16TH JUNE 2024

2. PURPOSE OF REPORT

To obtain Council approval to attend the INCA study tour on behalf of the municipality, in Switzerland over the period of 7 June 2024 to 16 June 2024.

3. DELEGATED AUTHORITY

In terms of 9.2 of the Cost Containment Policy 2019, only the municipal council in a council meeting can approve the international travel for any official or political bearer.

4. EXECUTIVE SUMMARY

Following the INCA Capacity Building Fund's Summer School held in 2022 and the Summer School held in Johannesburg from 5 – 7 February 2024, the INCA Capacity Building Fund (ICBF), is undertaking a study tour to Switzerland from 07 June 2024 to 16 June 2024. During the attendance, officials were selected to participate in the study tour.

The Chief Financial Officer, Mr Kevin Carolus, was nominated as one the 6 Municipal Chief Financial Officers to form part of the INCA study tour. The objective of the study tour is to have a dialogue with a South African group of municipal financial practitioners, who can represent the municipal sector and who are knowledgeable on the challenges municipalities are facing in South Africa. Subsequently, the group is expected to reflect on real and potential successes notwithstanding the challenges.

The INCA Capacity Building Fund (ICBF) will cover all costs related to the official programme including meals, transport, accommodation and excursions. State Secretariat for Economic Affairs (SECO) will cover the cost for the Visa application.

21ST COUNCIL MEETING: 2024-03-27: ITEM 11.11.2

RESOLVED (majority vote)

- (a) that Council approves the request for attendance of the CFO of the study tour in Switzerland over the period of 7 June 2024 to 16 June 2024; and
- (b) that Council approves the daily allowance for the duration of the tour.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@ Stellenbosch.gov.za
REPORT DATE	14 March 2024

11.11.3	CONSIDERATION FOR ADDITIONAL FUNDING OF EXTERNAL BODIES PERFORMING A MUNICIPAL FUNCTION AS PROVIDED BY THE POLICY FUNDING OF BODIES PERFORMING A MUNICIPAL FUNCTION, READ WITH SECTION 80(2) OF THE LOCAL GOVERNMENT SYSTEMS ACT, 32 OF 2000, FINANCIAL YEAR 2023 / 2024: (LOCAL TOURISM ORGANISATIONS)
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 20 March 2024

- SUBJECT: CONSIDERATION FOR ADDITIONAL FUNDING OF EXTERNAL BODIES PERFORMING A MUNICIPAL FUNCTION AS PROVIDED BY THE POLICY FUNDING OF BODIES PERFORMING A MUNICIPAL FUNCTION, READ WITH SECTION 80(2) OF THE LOCAL GOVERNMENT SYSTEMS ACT, 32 OF 2000, FINANCIAL YEAR 2023 / 2024: (LOCAL TOURISM ORGANISATIONS)**

- PURPOSE**

To discuss and consider the amendment to the funding application for the 2023 / 2024 financial year received from external bodies performing a Municipal function as provided by the Policy for the Funding of External Bodies Performing a Municipal Function, read with Section 80(2) of the Municipal Systems Act No. 32 of 2000, as approved by Council at the Special Council Meeting dated 27 June 2023.

- DELEGATED AUTHORITY**

Council

- EXECUTIVE SUMMARY**

In terms of Section 7(2) of the Policy relating to External Bodies Performing a Municipal Function of which budget allocation is delegated to the Grants Committee to make recommendations to Council, as approved by Council.

The following body submitted an additional application to perform the local tourism function for Council for the 2023 / 2024 financial year:

Applicant	2023 / 2024 Additional Funding Requested in Rand Value	2023 / 2024 Total additional funding to be considered for approval.
Visit Stellenbosch	R280 000	R280 000
Franschhoek Wine Valley	R1 387 500	R250 000

Currently, Council allocated the above amount of R6 359 855 to the Local Tourism Organisations (LTO's) for the 2023/24 financial year.

21ST COUNCIL MEETING: 2024-03-27: ITEM 11.11.3**RESOLVED** (majority vote with 7 abstentions)

- (a) that an additional amount of R 280 000 be allocated to Visit Stellenbosch for the 2023/2024 financial year breakdown as follow:
- i) WSI safety sector informal car guard support R50 000;
 - ii) Papegaaiberg Nature reserve safety and forest guards R200 000;
 - iii) Wine Tourism Conference R30 000; and
- (b) that an additional amount of R 250 000 be allocated to Franschhoek Wine Valley Tourism Association for the 2023 / 2024 financial year.

NAME	<i>Lesley van Gensen</i>
POSITION	<i>Manager: Economic Development and Tourism</i>
DIRECTORATE	<i>PLANNING AND ECONOMIC DEVELOPMENT</i>
CONTACT NUMBERS	<i>021 808 8179</i>
E-MAIL ADDRESS	<i><u>Lesley.vangensen@ Stellenbosch.gov.za</u></i>
REPORT DATE	<i>23 January 2023</i>

12.	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
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NONE

13.	REPORTS BY THE MUNICIPAL MANAGER
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13.1	QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 JULY 2023 TILL 30 SEPTEMBER 2023
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Collaborator No:

File No:

IDP KPA Ref No: Good Governance

Meeting Date: 27 March 2023

1. **SUBJECT: QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 JULY 2023 TILL 30 SEPTEMBER 2023**

2. **PURPOSE**

To inform Council of the activities of the Audit Committee for the period 01 July 2023 till 30 September 2023 (1st Quarter). The Minutes of the meeting held for this period mentioned is herewith attached as **APPENDIX 1** which outlines the activities of the Audit and Performance Audit Committee.

3. **DELEGATED AUTHORITY**

Audit and Performance Audit Committee reports to Council periodically.

4. **EXECUTIVE SUMMARY**

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

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

21ST COUNCIL MEETING: 2024-03-27: ITEM 13.1

NOTED

the concerns and the report of the Audit Committee for the period 01 July 2023 till 30 September 2023.

FOR FURTHER DETAILS CONTACT:

NAME	Faiz Hoosain
POSITION	Chief Audit Executive
DIRECTORATE	Municipal Manager's Office
CONTACT NUMBERS	021-808 8555
E-MAIL ADDRESS	Faiz.Hoosain@ Stellenbosch.gov.za
REPORT DATE	27 March 2024

13.2	SUBJECT: EXTENSION OF THE BOUNDARIES OF THE JONKERSHOEK SPECIAL RATING AREA (SRA) FOR THE PERIOD FROM 1 JULY 2024 TO 30 JUNE 2025
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Collaborator No:

BUDGET KPA Ref No:

Meeting Date:

Good Governance and Compliance

27 March 2024

1. **SUBJECT: EXTENSION OF THE BOUNDARIES OF THE JONKERSHOEK SPECIAL RATING AREA (SRA) FOR THE PERIOD FROM 1 JULY 2024 TO 30 JUNE 2025**
2. **PURPOSE**

To inform Council to consider and possible approve the extension of the boundaries of the Jonkershoek Special Rating Area for the period from 1 July 2024 to 30 June 2025 in terms of Council Policy and Bylaw and Section 22 of the Municipal Property Rates Act (MPRA), ACT 6 of 2004 as amended.

3. **DELEGATED AUTHORITY**
COUNCIL

4. **EXECUTIVE SUMMARY**

Stellenbosch Municipality has an approved Special Rating Area Bylaw and Policy which give any owner within the jurisdiction of the municipality and who owns property within the proposed special rating area, the right to lodge an application to council for the establishment of a special rating area.

Any application for the establishment of a special rating area must include a motivation report and business plan.

The Jonkershoek Special Rating Area (SRA) was first established in 2015 for a period of 5 years and a further extension was granted from 2020 until 2025.

An application was received from the SRA for the extension of the current Jonkershoek Special Rating Area.

21ST COUNCIL MEETING: 2024-03-27: ITEM 13.2

RESOLVED (majority vote)

- (a) that Council approves the application received for the extension the Special Ratings Area (SRA) in Jonkershoek, Stellenbosch with effect from 1 July 2024 to 30 June 2025; and
- (b) that the approval be on condition that a Financial Agreement as envisaged in Paragraph 14.3 of the SRA policy be entered into between the municipality and the management structure of the Jonkershoek SRA before any payments are made towards the SRA.

FOR FURTHER DETAILS CONTACT:

NAME	Henry Mitchell
POSITION	Senior Manager: Revenue & Expenditure
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8016
E-MAIL ADDRESS	<u>Henry.Mitchell@ Stellenbosch.gov.za</u>
REPORT DATE	20 March 2024

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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NONE

15.	CONSIDERATION OF URGENT MOTIONS
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NONE

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

17.	REPORTS SUBMITTED BY THE SPEAKER
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NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

19.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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SEE PINK DOCUMENTATION

The meeting adjourned at 12:45.

CHAIRPERSON:

DATE:

Confirmed onwithout amendments.