



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2024-11-27

**THIS IS A PERMANENT DOCUMENT
PLEASE RETAIN AS IT WILL NOT BE REDISTRIBUTED**

MINUTES

27TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2024-11-27 AT 10:00

MINUTES
27TH MEETING OF COUNCIL
OF STELLENBOSCH MUNICIPALITY
2024-11-27

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
2.	MAYORAL ADDRESS	
3.	COMMUNICATIONS BY THE SPEAKER	
4.	COMMUNICATIONS BY THE MUNICIPAL MANAGER	
5.	DISCLOSURE OF INTERESTS	
6.	APPLICATIONS FOR LEAVE OF ABSENCE	
7.	APPROVAL OF THE MINUTES OF PREVIOUS MEETING/S	
7.1	Minutes of the 26 th Council meeting held on 2024-10-30	3
8.	STATUTORY MATTERS	
8.1	INTEGRATED DEVELOPMENT PLAN (IDP) COMMUNITY INPUTS AND COMMENTS SUBMITTED WITHIN THE PUBLIC PARTICIPATION PERIOD IN 09 – 30 SEPTEMBER 2024	4
8.2	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR OCTOBER 2024	6
8.3	GRANTS ADJUSTMENTS BUDGET 2024/2025	7
9.	ITEMS FOR NOTING	
9.1	REPORT/S BY THE EXECUTIVE MAYOR	
	NONE	
9.2	REPORT/S BY THE SPEAKER	
	NONE	
9.3	REPORT/S BY THE MUNICIPAL MANAGER	
	NONE	
11.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER]	
10.1	PROTECTION SERVICES: [PC: R PHEIFFER]	
10.1.1	REVIEW OF STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION (CCTV) POLICY	9
10.1.2	NANSANA MUNICIPALITY, UGANDA TRAINING INTERVENTION 12-16 AUGUST 2024: FEEDBACK ON THE IMPLEMENTATION OF NEIGHBOURHOOD WATCH AND COMMUNITY SAFETY PROGRAMS	10
10.1.3	FIRE MANAGEMENT PLAN (OCTOBER 2024)	12
10.2	SPORTS, YOUTH AND CULTURE: [ACTING PC: CLLR J FASSER]	
10.2.1	RETURN ITEM: CONSIDERATION OF IN PRINCIPLE DISPOSAL OF VAN DER STEL SPORTS FACILITY TO THE PREFERRED BIDDER IN THE TENDER PROCESS AND APPROVAL OF INFORMATION STATEMENT FOR PUBLIC COMMENT ON THE 30 YEAR LEASE AGREEMENT	13
10.3	CORPORATE SERVICES: [PC: CLLR L NKAMISA]	
10.3.1	CLOSURE OF MUNICIPAL OFFICES DURING THE FESTIVE SEASON	15
10.3.2	ERF 13246, STELLENBOSCH: DUTCH REFORM CHURCH: WELGELEGEN: APPLICATION TO ENFORCE FALL-BACK CLAUSE: WAY FORWARD	16
10.3.3	REPORT TO COUNCIL ON FARM 1653 LA MOTTE	18

TABLE OF CONTENT

ITEM	SUBJECT	PAGE
10.3.4	REPORT BACK ON THE REMOVAL OF RESTRICTIVE CONDITIONS AND FALLBACK CLAUSE: ERF 6128, STELLENBOSCH	20
10.3.5	APPROVAL OF THE INFORMATION STATEMENT. PORTION OF FARM 528 AND PORTION OF FARM 529C ALSO FORMERLY KNOWN AS MOUNTAIN BREEZE CARAVAN PARK	22
10.4	FINANCIAL SERVICES: [PC: ALD JC ANTHONY]	
10.4.1	WRITE-OFF OF IRRECOVERABLE DEBT IN RESPECT OF SPORT GROUNDS	24
10.5	HUMAN SETTLEMENTS: [PC: CLLR R DU TOIT]	
10.5.1	APPROVAL OF THE DRAFT LAND AVAILABILITY AGREEMENT BETWEEN THE STELLENBOSCH MUNICIPALITY AND CROWIE PROPERTY GROUP (PTY) LTD FOR THE DEVELOPMENT OF FARMS 81/2 AND 81/9, STELLENBOSCH FOR SOCIAL HOUSING	26
10.6	INFRASTRUCTURE SERVICES: [PC: CLLR R PHEIFFER]	
10.6.1	STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – NOVEMBER 2024	28
10.6.2	SPECIAL PEDESTRIAN ROUTES PROGRAM	30
10.6.3	REQUEST FOR THE CLOSURE OF NAGTEGAAL ROAD, ONDER-PAPEGAAIBERG	32
10.6.4	STELLENBOSCH STATION PUBLIC TRANSPORT INTERCHANGE PROGRESS REPORT	33
10.7	PARKS AND OPEN SPACES: [PC: CLLR N OLAYI]	
	NONE	
10.8	PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: [PC: CLLR M SLABBERT]	
10.8.1	PERMISSION TO ALLOW FOR AN EXTENSION OF MOBILE UNITS TO TRADE AT PRE-DETERMINED SITES WITHIN THE WC024 AREA	35
10.9	COMMUNITY SERVICE: [PC: CLLR X KALIPA]	
10.9.1	APPROVAL OF GRANT-IN-AID POLICY	36
10.9.2	FEEDBACK FROM TWO GRANT-IN-AID RECIPIENTS	37
10.10	RURAL MANAGEMENT AND ENVIRONMENT: [PC: CLLR J WILLIAMS]	
10.10.1	PARADYSKLOOF NATURE AREA: ENVIRONMENTAL MANAGEMENT PLAN – 5 YEAR REVIEW	39
10.11	MUNICIPAL MANAGER [G METTLER]	
	NONE	
11.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER	
11.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE: (MPAC): [CLLR WF PIETERSEN]	
	NONE	

TABLE OF CONTENT

ITEM	SUBJECT	PAGE
12.	REPORTS BY THE MUNICIPAL MANAGER [G METTLER]	
12.1	ESTABLISHMENT OF DISCIPLINARY BOARD	40
13.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER	
	NONE	
14.	CONSIDERATION OF URGENT MOTIONS	
	NONE	
15.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER [G METTLER]	
15.1	STANDARD DRAFT BY-LAW TOWNSHIP ECONOMIES AND THE REGISTRATION OF SPAZA SHOPS	42
16.	REPORT/S SUBMITTED BY THE SPEAKER	
16.1	REPORT TO COUNCIL BY THE SPEAKER: REPAYMENT ARRANGEMENT OF PROPOSED SANCTIONS BY THE DISCIPLINARY COMMITTEE: CASE NUMBER 220422/01	44
16.2	REPORT TO COUNCIL BY THE SPEAKER: REPAYMENT ARRANGEMENT OF PROPOSED SANCTIONS BY THE DISCIPLINARY COMMITTEE: CASE NUMBER 220422/02/01	45
17.	REPORT/S SUBMITTED BY THE EXECUTIVE MAYOR	
	NONE	
18.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
	(SEE PINK DOCUMENTATION)	

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	NE Mcombring
J Andrews	XL Mdemka
Ald JC Anthony	NR Ndalasi
ZJ Dalling	L Nkamisa
JA Davids	M Nkopane
I De Taillerfer	N Olayi
R Du Toit	GA Petersen
A Ferns (left mtg earlier)	WC Petersen
E Groenewald	RO Pheiffer
RB Hendrikse	WF Pietersen
SC Heneke	Ald JP Serdyn
J Joon	MJ Slabbert
O Jooste	SR Schäfer
X Kalipa	A Tomose (left mtg earlier)
TO Kumm	RB Van Rooyen
N Mananga-Gugushe	M Van Stade
C Manuel	E Vermeulen
EP Masimini	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: Infrastructure (S Chandaka)
 Director: Planning and Economic Development (A Barnes)
 Chief Audit Executive (F Hoosain)
 Senior Administration Officer (T Samuels)

1.	OPENING AND WELCOME
----	----------------------------

The Speaker welcomed all present at the 27th Council meeting.

2.	MAYORAL ADDRESS
----	------------------------

- Verlede week, 21 November 2024 is titelaktes. Hierdie gebeurtenis is die voortsetting van my missie as Burgemeester om historiese en nuwe titelaktes aan hul regmatige eienaars oor te dra, en weg te beweeg van 'n stelsel waar inwoners bloot huurders van die staat is. Sedert 2016 is ongeveer 2 500 titelaktes regoor ons munisipaliteit oorgedra—'n bewys van toewyding om huiseienaars te bemagtig. 'n Titelakte bied meer as net eienaarskap; dit bied finansiële sekuriteit, waardigheid en 'n poort tot ekonomiese deelname. Die munisipaliteit sal voortgaan om titelaktes aan huiseienaars oor te dra.
- This year's Mayoral Garden Competition has been our biggest yet! Now in its third year, the competition received an incredible 290 entries, adding 100 more entries than last year. It's fantastic to see our community's enthusiasm for gardening grow each year. Altogether, we have 13 winners, including four grand prize recipients, who share in an impressive prize pool of R45 000, with R11 000 in Checkers vouchers to enjoy.

Thank you to our partners for the competition:

Remgro (TBC)
Bandakhanya
Hadeco Bulbs
Buco Hardware
The Birchery Terrarium Store

Our winners are:

1st Prize: Belinda Wildschutt from Meerlust
2nd Prize: Daphne Niemand from Ida's Valley
3rd Prize: Esua Floris from Groendal
4th Prize: Nkuleko Mpoza from Kayamandi

- Neem asseblief kennis van die waardasiekennissgewing en die beswaarproses en nodige dokumente wat daarmee gepaard gaan. Die Algemene Waardasierol is 'n omvattende rekord van die eiendomswaardes binne die munisipaliteit. Hierdie waardes bepaal tariewe en belasting, wat plaaslike dienste, projekte en infrastruktuur van die munisipaliteit finansier. U het vanaf 7 November 2024 tot 17 Januarie 2025 kans om by verskeie munisipale kantore en die munisipale webwerf die waardasierol te besigtig. Indien u beswaar teen die waardasie wil aanteken teen 'n spesifieke eiendomsomstandigheid en nie die waardasierol in die algemeen nie, moet dit op die nodige beswaardokument gedoen word. Alle eiendomseienaars word aangemoedig om die waardasierol te besigtig.
- One can feel the magic of the Festive season in the air, and the municipality is busy finalising the planning for the Festive Market and the annual Festival of Lights. The Festive Market will be in the Stellenbosch Town Hall from 25 – 29 November 2024, and the Festival of Lights on Die Braak, 30 November and 1 December 2024.
- Aandag Cloeteville Gemeenskap! Ons het opwindende nuus vir eerste keer huiseienaars in die Bekostigbare Behuising/GAP Behuisingsmark! MDW Cape Town INC, in samewerking met die Stellenbosch Munisipaliteit, stel 'n Eerste Keer Huiseienaar Inisiatief bekend, hier in Cloeteville!
- Hierdie program is ontwerp om gesinne op die behuisingswaglys te ondersteun en jou te lei op jou pad na die besit van jou eie huis.
Meer besonderhede is beskikbaar op die munisipale webwerf.
- Jonkershoek Picnic site is open again for use by the public. This is a well-loved picnic area, and we ask the public to take care of the facility and be mindful of other users. Also be aware certain areas are still under rehabilitation due to storm damage. Check the municipal website for the rates.

- Over the past two weeks, Mayor Gesie van Deventer met with representatives from IMATU and SAMWU to reflect on the shared journey of the past eight years. These unions play a vital role in fostering collaboration, advocating for staff well-being, and supporting improved service delivery. Thank you for your support.
- Yesterday, the Fire Chief, Mr Wayne Smit and staff came to say farewell in true firefighter style. I trust that the support for the investments under my leadership will continue and that the value of their work will never go unnoticed.

3.	COMMUNICATION BY THE SPEAKER
-----------	-------------------------------------

“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

Birthdays

The following Councillors celebrated their birthdays during November:

Ald Serdyn	– 1 November
Cllr Tomose	– 3 November
Cllr Adams	– 4 November
Cllr Mkhontwana	– 9 November
Cllr Mdemka	– 26 November
Cllr Kalipa	– 28 November

Recess

13 December 2024 – 10 January 2025

Urgent matters

Item 15.1 – Item by Municipal Manager (By-Law Implementation)

Amendments

10.3.2
 10.3.4
 10.9.2
 10.10.1

Consensus items

8.2
 10.6.1
 16.1
 16.2

In Committee (Amendment)

22.1

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
-----------	---

- The Municipal Manager bid farewell to the Executive Mayor who is retiring at the end of November 2024.
- Gender Based Violence is a profound and widespread problem in South Africa and this year's theme is about advancing collective action to end violence against women and children.
- It is the start of the festive season. If you will be travelling, please ensure that your vehicle is roadworthy before you embark on a long journey. Please be safe and look after your children and loved ones.

5.	DISCLOSURE OF INTERESTS
-----------	--------------------------------

NONE

6.	APPLICATIONS FOR LEAVE OF ABSENCE
-----------	--

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

Cllr MM Danana	- 27 November 2024
Cllr N Mkhontwana	- 27 November 2024
Cllr N Ntsunguzi	- 27 November 2024

6.2 Permission was granted to Cllrs A Ferns and A Tomose leave the meeting earlier.

6.3 Absent

Cllr A Hanekom	- 27 November 2024
Cllr Rataza	- 27 November 2024

7.	CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING/S
-----------	--

7.1	26TH COUNCIL MEETING: 2024-10-30
------------	--

The minutes of the 26th Council meeting: 2024-10-30 **were confirmed as correct without any changes.**

8.	STATUTORY MATTERS
8.1	INTEGRATED DEVELOPMENT PLAN (IDP) COMMUNITY INPUTS AND COMMENTS SUBMITTED WITHIN THE PUBLIC PARTICIPATION PERIOD IN 09 – 30 SEPTEMBER 2024

Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 21 November 2024 and 27 November 2024

1. SUBJECT: INTEGRATED DEVELOPMENT PLAN (IDP) COMMUNITY INPUTS AND COMMENTS SUBMITTED WITHIN THE PUBLIC PARTICIPATION PERIOD IN 09 – 30 SEPTEMBER 2024

2. PURPOSE

To submit the following to the Council for notification the IDP community inputs and comments submitted within the public participation period of 09 – 30 September 2024 for the 3rd review of the 5th Generation Integrated Development Plan (IDP) 2022 – 2027, attached as **ANNEXURE A**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

In terms of legislation, a municipality is required to conduct a public participation process to solicit community input and comments in preparation for the review of the IDP and budget for the new financial year. In preparation for the drafting of the 3rd review of the 5th Generation IDP 2022 – 2027, open days and a stakeholder engagement were held.

The public participation period commenced on 09 September 2024 and concluded for input and comments on 30 September 2024 at 16:30. The public participation open days occurred at designated venues from 10 - 16 September 2024. A stakeholder engagement was held on 25 September 2024.

The community input and comments will be submitted to the ward councillors to discuss with their respective ward committees and to review (if so required) their ward priorities for the 2025/26 financial year and / or outer financial years in line with the community inputs received.

In addition, the community input and comments will also be submitted to the various directorates for consideration in their respective strategies, projects, programmes, and master plans.

A copy of the combined IDP input and comments are herewith submitted to the Council and are attached as **ANNEXURE A**. As noted above, the due date for submission(s) was 30 September 2024 @ 16:30, however, the municipality received late submissions until 02 October 2024.

27TH COUNCIL MEETING: 2024-11-27: ITEM 8.1**NOTED**

- (a) the community inputs and comments received during 09 – 30 September 2024 public participation process, attached as **ANNEXURE A**;
- (b) the Ward Councillor will, in consultation with the Ward Committee, review the ward priorities of the respective ward; and
- (c) the [re]prioritised ward priorities and community inputs will be considered by the municipality for implementation in the 2025/26 and / or outer financial years.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8025
E-MAIL ADDRESS	Geraldine.Mettler@ Stellenbosch.gov.za
REPORT DATE	01 November 2024

8.2	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR OCTOBER 2024
------------	---

Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

21 November 2024 and 27 November 2024

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR OCTOBER 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 2024/2025 to report the deviations to the 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 (2024/2025) stipulate that SCM deviations be reported to the Council. In compliance thereto, this report presents to the Council the SCM deviations that occurred during October 2024.

27TH COUNCIL MEETING: 2024-11-27: ITEM 8.2

NOTED

the Monthly Financial Statutory Reporting: Deviations for October 2024.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Dalleel Jacobs</i>
POSITION	<i>Senior Manager SCM</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8137</i>
E-MAIL ADDRESS	<i>Dalleel.Jacobs@ Stellenbosch.gov.za</i>
REPORT DATE	<i>04 November 2024</i>

8.3	GRANTS ADJUSTMENTS BUDGET 2024/2025
-----	-------------------------------------

Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

21 November 2024 and 27 November 2024

1. SUBJECT: GRANTS ADJUSTMENTS BUDGET 2024/2025**2. PURPOSE**

Is to table the adjustments budget for the 2024/2025 financial year to Council for approval. The adjustments budget emanates from the approval letter received, dated 29 October 2024, from Western Cape Provincial Government for the roll-over of the unspent portion of the conditional Community Library Service Grant for the 2023/2024 financial year.

3. DELEGATED AUTHORITY**FOR APPROVAL BY MUNICIPAL COUNCIL****4. EXECUTIVE SUMMARY**

Approval was granted for the roll-over of the unspent conditional Community Library Service Grant relating to the 2023/2024 financial year. Attached as **APPENDIX 1** is an executive summary by the Accounting Officer.

27TH COUNCIL MEETING: 2024-11-27: ITEM 8.3**RESOLVED** (majority vote with 5 abstentions)

- (a) that the Adjustments Budget for 2024/2025 as set out in **APPENDIX 1-5**, be approved;
- (b) that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 3**, be approved; and
- (c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

FOR FURTHER DETAILS CONTACT:

NAME	MONIQUE STEYL
POSITION	SENIOR MANAGER: FINANCIAL MANGEMENT SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8512
E-MAIL ADDRESS	Monique.Steyl@ Stellenbosch.gov.za
REPORT DATE	15 November 2024

9.	ITEMS FOR NOTING
----	------------------

9.1	REPORT/S BY THE EXECUTIVE MAYOR
-----	---------------------------------

NONE

9.2	REPORT/S BY THE SPEAKER
-----	-------------------------

NONE

9.3	REPORT/S BY THE MUNICIPAL MANAGER [MS G METTLER]
-----	--

NONE

10.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER]
-----	--

10.1	PROTECTION SERVICES: [PC: CLLR J FASSER]
------	--

10.1.1	REVIEW OF STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION (CCTV) POLICY
--------	---

Collaborator No: 776637
IDP KPA Ref No: Safe Valley
Meeting Date: 21 November 2024 and 27 November 2024

1. SUBJECT:REVIEW OF STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION (CCTV) POLICY

2. PURPOSE

To submit the reviewed Stellenbosch Municipality Closed Circuit Television (CCTV) Policy to Council for approval.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Policy on Stellenbosch Municipality Closed Circuit Television (CCTV) was approved by Council on the 29th of May 2019. The review of the policy is to remain abreast of changing technology and risks with regards to safety.

The reviewed policy addresses the shortcomings identified by the department.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.1.1**RESOLVED** (majority vote with 4 abstentions)

that Council considers and approves the reviewed Policy on Closed Circuit Television (CCTV).

FOR FURTHER DETAILS CONTACT:

NAME	Joan Felix
POSITION	Manager: Traffic and Law Enforcement
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021- 808 8441
E-MAIL ADDRESS	Joan.Felix@ Stellenbosch.gov.za
REPORT DATE	8 November 2024

10.1.2	NANSANA MUNICIPALITY, UGANDA TRAINING INTERVENTION 12-16 AUGUST 2024: FEEDBACK ON THE IMPLEMENTATION OF NEIGHBOURHOOD WATCH AND COMMUNITY SAFETY PROGRAMS
--------	--

Collaborator No: 776636

IDP KPA Ref No: Safe Valley

Meeting Date: 21 November 2024 and 27 November 2024

1. SUBJECT: NANSANA MUNICIPALITY, UGANDA TRAINING INTERVENTION 12-16 AUGUST 2024: FEEDBACK ON THE IMPLEMENTATION OF NEIGHBOURHOOD WATCH AND COMMUNITY SAFETY PROGRAMS

2. PURPOSE

Progress report on the implementation of Neighbourhood Watches and further training provided to the communities of the Nansana Municipality, Uganda.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality was accepted as a Strong Cities Network member on 25 July 2023. Since then, three knowledge-sharing engagements took place whereby information was shared with partnering cities on various crime prevention initiatives. An engagement was held in Cape Town in December 2023 where much interest was shown in Stellenbosch's Neighbourhood Watch support programs and safety initiatives, particularly the safety monitors (eyes and ears) project.

An invitation was received from the Mayor of Nansana Municipality, Ms Regina Bakitte, via the Strong Cities Network platform. Mr Gary Boshoff, Mr Charl Kitching and Ms Joan Felix were invited to provide input, training, sharing of policies, implementation plans, support plans etc. of safety initiatives, especially those related to the establishment of Neighbourhood Watches and similar safety projects. Stellenbosch Municipality was identified as a leader in the design, development and implementation of local safety projects with Neighbourhood Watches as the main pillar of such programs and projects. The municipality was therefore invited to share its knowledge and expertise with the other partner cities of the Strong Cities Network.

Training was conducted in Uganda from 13 – 15 May 2024. A subsequent request to return and deliver practical advice and follow up interventions was received, and Director Boshoff and Mr Kitching was invited to Uganda from 12 – 16 August 2024.

Positive feedback was received from the participants and the leadership of Nansana Municipality. This resulted in the strengthening of the partnership and agreement to roll the program out to other areas in the Nansana Municipality. The local leaders requested Stellenbosch Municipality to possibly assist with the supply of reflective vests, torches and whistles. A follow up visit will be scheduled in April or May 2025 to continue with the training and to increase the do a handover of the items and assist with further roll out of the Neighborhood Watch Program in Nansana Municipality.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.1.2**RESOLVED** (majority vote with 5 abstentions)

- (a) that Council notes the report on progress made with Neighbourhood Watch training in the Nansana Municipality, Uganda;
- (b) that Council supports the sourcing of Neighbourhood Watch equipment to Neighbourhood Watches established in the Nansana Municipality; and
- (c) that Council permits the Protection Services Department to approach potential donors who could support the Nansana Municipality with the provision of basic Neighbourhood Watch equipment.

FOR FURTHER DETAILS CONTACT:

NAME	Charl Kitching
POSITION	Senior Manager
DIRECTORATE	Protection Services
CONTACT NUMBERS	021- 808 8815
E-MAIL ADDRESS	Charl.kitching@ Stellenbosch.gov.za
REPORT DATE	28 October 2024

10.1.3	FIRE MANAGEMENT PLAN (OCTOBER 2024)
--------	-------------------------------------

Collaborator No: 776252

IDP KPA Ref No: Safe Valley

Meeting Date: 21 November 2024 and 27 November 2024

1. SUBJECT: FIRE MANAGEMENT PLAN (OCTOBER 2024)**2. PURPOSE**

Stellenbosch Municipality (the Municipality), like the rest of the Western Cape, continue to be threatened by veld fires. During 2019 Council adopted its first Stellenbosch Municipality Integrated Fire Management Plan (SFMP, January 2019). 5 Year since the latter document was approved it has now been reviewed and updated.

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

The SFMP (2024) (**ANNEXURE A**) has been prepared as update and 5-year review of the plan adopted by Council in 2019. The purpose of the document is to provide the necessary information for sound veld fire management with an emphasis on the Municipality's legal obligations as landowner. As stated above the Municipality continues to be threatened by veld fires. The dominant vegetation type within the region is both fire-prone and fire-dependent. This is exacerbated by the expansion of urban areas, infestations of alien vegetation and windy, hot and dry summer periods typical of the region. The primary goal of the SFMP is to ensure that veld fires are able to serve greater good than harm. It aims to eliminate loss of life, human injury, economic and environmental losses as a result of veld fires.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.1.3**RESOLVED** (majority vote with 1 abstention)

- (a) that Council adopts the Stellenbosch Municipality Integrated Fire Management Plan (October 2024) as its 2nd Generation Integrated Fire Management Plan; and
- (b) that continuous communication be done with the communities regarding the risk of fires.

FOR FURTHER DETAILS CONTACT:

NAME	Schalk van der Merwe
POSITION	Environmental Planner
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8679
E-MAIL ADDRESS	schalk.vandermerwe@stellenbosch.gov.za
REPORT DATE	11 October 2024

10.2	SPORTS, YOUTH AND CULTURE: [ACTING PC: CLLR J FASSER]
10.2.1	RETURN ITEM: CONSIDERATION OF IN PRINCIPLE DISPOSAL OF VAN DER STEL SPORTS FACILITY TO THE PREFERRED BIDDER IN THE TENDER PROCESS AND APPROVAL OF INFORMATION STATEMENT FOR PUBLIC COMMENT ON THE 30-YEAR LEASE AGREEMENT

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 21 November 2024 and 27 November 2024

1. SUBJECT: RETURN ITEM: CONSIDERATION OF IN PRINCIPLE DISPOSAL OF VAN DER STEL SPORTS FACILITY TO THE PREFERRED BIDDER IN THE TENDER PROCESS AND APPROVAL OF INFORMATION STATEMENT FOR PUBLIC COMMENT ON THE 30-YEAR LEASE AGREEMENT

2. PURPOSE

To inform Council that the tender process for the lease of the van der Stel Sports Facility to manage the facility for a period of 3 years has run its course, and a preferred bidder was identified through this process. The tender award is subject to a final decision by council, to dispose of the property through a long-term lease of 30 years, in terms of the Asset Transfer Regulations. Council must consider and approve the information statement and consider in-principal decision to confer long term rights on the property (a 30-year lease). The views of National and Provincial Treasury also needs to be solicited before a final decision to lease the property can be made. The allocation of the tender for the management of the facility and capital investment by the successful bidder and the Accounting Officer's acceptance of the recommendations of the Bid Adjudication Committee will become null and void if Council does not make a final decision after the public participation process and after considering the comments received in the process. The award is "subject to" Council's approval of the lease agreement and the clause suspends the decision award by the accounting officer until Council makes a final resolution.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality is the owner of Erf 235 on which Van Der Stel Sport Complex is situated.

Stellenbosch Municipality is currently managing the facility. The facility is fully fenced and consists of two (2) rugby fields, one (1) soccer field, two (2) cricket fields, one (1) hockey field and one (1) swimming pool. Other facilities on the premises include a pavilion with a seating capacity of 1250, toilets, cloak rooms, function rooms, clubhouse, storeroom, and a demarcated parking area.

Also situated on Erf 235 is Stellenbosch Bowling Club as well as Stellenbosch Tennis and Squash Clubs and other facilities such as the taxi rank, parking area and other buildings. This information statement is only relevant to the sport complex, excluding the Stellenbosch Bowling Club, Tennis Club and the facilities mentioned above.

A public participation process was followed to get the input/comments from the public. After receiving the public comments, a decision was taken to follow the route of a tender process to appoint a service provider to manage the facility and invest capital into the Van der Stel Sport complex over a period of 30 years to improve and maintain the facility.

The tender was advertised, but no compliant bidders tendered. The tender was re-advertised and only one bid was received from STELLENBOSCH FOOTBALL CLUB.

The bidder submitted a bid with a proposed capital investment amount of R395m which amount represents the estimated capital outlay which will form part of the upgrade to capital assets which will remain Council property. It also includes all maintenance of the facility over the next 30 years as part of their responsibility to manage the property. This amount was used for bid evaluation purposes after the responsiveness was evaluated, in terms of the tender specifications. The bidder indicated that the bidder would spend the full amount within the first five years after awarding the tender. A lease agreement must be entered into with the bidder in which all the provisions of the capital spending will be included.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.2.1

RESOLVED (majority vote with 2 abstentions)

- (a) that Council in principle approves a 30 (thirty year) lease of the van der Stel Sports grounds to STELLENBOSCH FOOTBALL CLUB for the management and development of Erf 235;
- (b) that Council notes that although the following three entities are situated on erf 235 namely World Tennis Foundation, Van der Stel Bowling Club, and parking for Medi-Clinic, these entities are excluded from the lease agreement;
- (c) that Council notes that the views of National and Provincial Treasury needs to be solicited before a final decision to the awarding of the tender can be made;
- (d) that Council approves the Information statement attached as **APPENDIX A** for public participation process; and
- (e) that the item return to Council after the public participation process and the views from National and Provincial treasury has been solicited for consideration before a final resolution by Council.

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe
POSITION	Senior Manager Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021-8088165
E-MAIL ADDRESS	albertvandermerwe@stellenbosch.gov.za
REPORT DATE	20 November 2024

10.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
10.3.1	CLOSURE OF MUNICIPAL OFFICES DURING THE FESTIVE SEASON

Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 21 November 2024 and 27 November 2024

1. SUBJECT: CLOSURE OF MUNICIPAL OFFICES DURING THE FESTIVE SEASON

2. PURPOSE

To request Council's approval to close the Municipal Offices during the 2024/2025 festive season.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Over the years there have been numerous decisions by Council with regard to the closure of the municipal offices. In 2020 the Council resolved to close the offices between Christmas and New year. The 2024/2025 festive season therefore will see offices close between midday on 24 December 2024 until 08h00 on Thursday 2 January 2025 in terms of the standing Council resolution.

Management has received a vast number of requests from employees for annual leave for 2 and 3 January 2025. In the light of these leave applications, Council is therefore requested to extend the office closure until 08h00 on 6 January 2025. The previously agreed guidelines attached as **APPENDIX 1** will also apply to the extra two days for the 2024/2025 festive period.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.3.1

RESOLVED (majority vote with 1 abstention)

- (a) that Council approves the closure of the Municipal Offices from 13h00 on 24 December 2024 until 6 January 2025 at 08h00;
- (b) that employees be informed that annual leave must be submitted on the dates the offices are closed;
- (c) that no additional leave be granted to staff;
- (d) that the Municipal Manager ensures that the operations of the municipality continue through inter alia the attached guidelines;
- (e) that the Council resolution of 25 November 2020 remain in place for future years; and
- (f) that proper communication with the community be done to inform them that all essential services will continue during this period and inform them of how to get hold of the essential services. That this is not additional leave to staff, but part of the normal leave compliment be emphasised.

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	12 November 2024

10.3.2	ERF 13246, STELLENBOSCH: DUTCH REFORM CHURCH: WELGELEGEN: APPLICATION TO ENFORCE FALL-BACK CLAUSE: WAY FORWARD
--------	---

Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

21 November 2024 and 27 November 2024

1. SUBJECT: ERF 13246, STELLENBOSCH: DUTCH REFORM CHURCH: WELGELEGEN: APPLICATION TO ENFORCE FALL-BACK CLAUSE: WAY FORWARD

2. PURPOSE

The item is returned to Council for consideration.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality and the Dutch Reform Church: Welgelegen concluded an Exchange of Land Agreement in 1995 in terms whereof erf 13246, Stellenbosch (municipal land) was exchanged for two residential erven in Die Boord, being erven 12758 and 12759 (church land) on an equal in value basis. The Agreement, however, has a fall-back clause, indicating that the land must be transferred back to the Municipality should it no longer needed for church purposes. Seeing that the Dutch Reform Church: Welgelegen does not want to use the property for church purposes they have requested that the fall-back clause be enforced, as per the Agreement. An agreement must be reached on the value at which the property is bought back, as per the Agreement.

On 24 February 2021 Council considered the matter and, *inter alia*, decided to mandate the Municipal Manager "to negotiate a mutually agreed price to buy back erf 13246, Stellenbosch from the Dutch Reform Church, Welgelegen" The council resolution *inter alia* mandated the Municipal Manager to negotiate an agreed price with the church.

Following the above decision, a formal offer was made to the Dutch Reform church, based on the current municipal valuation. Following the above offer, the Dutch Reform Church as submitted a counteroffer, based on a valuation obtained by them. In terms of the council resolution the Municipal Manager is now reporting back on the negotiations.

The item served again before Council in May 2021 and was referred back to the administration for further discussion. The Municipal Manager met with the church on 15 February 2022 where the fall-back clause was discussed and the necessary history pertaining the transaction was obtained. Options, as well as an updated counteroffer, approved by the Church's Council, was submitted after the meeting (**APPENDIX 1**). At the Mayco meeting on 23 March 2022 the item a was again referred back for further discussion. An agreement that Council should consider the way forward as the municipal manager was not able to reach agreement with the church on the value at which the buyback must be done.

We have not been able to reach any consensus with the church. Council should make the church a final offer for the erf, if they do not want to accept it the erf will remain in their possession and the municipality will have to institute legal action should they want to sell it otherwise as the parties were not able to reach an agreement on the re-

purchase of the erf. The item served before Mayco in April 2022 and was referred back for legal input. The item was resubmitted for consideration in July 2023 but referred back for legal input.

We received a legal opinion (it is not attached due to the confidentiality thereof) indicating that due to the fact that the value of the property cannot be determined from the agreement the enforcement of the fall-back clause may be problematic.

The municipality received a letter from the attorneys (**Appendix**) of the church requesting a response to indicate whether the municipality is going to buy the erf back or renounce the buyback right and allow the church to deal with it as they wish. Further discussions with the church took place and it was alluded that they may want to use the property to build an old age home and correspondence would have been sent in this regard. We however received an email to which the same letter on April 2024 was attached demanding that we denounce on the fall back clause and attaching a legal opinion indicating they are not bound by the buyback clause and can deal with it as they please.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.3.2

RESOLVED (majority vote with 1 abstention)

Amended recommendations:

that Council notes that:

- (a) failing to reach consensus on the buy-back price of item 10.3.2, the property described as erf 13246, the Council resolves as follows:
- (b) To rescind previous Council decisions pertaining to the buy-back of erf 13246;
- (c) That Council waives its buy-back right as per paragraph 13 of the RUILOOREENKOMS of 12 May 1995;
- (d) The current agricultural zoning and land use rights of the property remains unchanged, and
- (e) Should the owners, or subsequent owners of the property apply for any rezoning or altered land use rights, that no structural or material alterations to or on the property may commence before the developers have obtained final rezoning or land use rights from the Municipality.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088750
E-MAIL ADDRESS	Annalene.deBeer@ Stellenbosch.gov.za
REPORT DATE	12 November 2024

10.3.3	REPORT TO COUNCIL ON FARM 1653 LA MOTTE
---------------	--

Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

21 November 2024 and 27 November 2024

1. SUBJECT: REPORT TO COUNCIL ON FARM 1653 LA MOTTE**2. PURPOSE**

To provide a feedback report to Council regarding Erf 1653 La Motte.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

In February 2024 Property Management Section was requested to conducted an investigation regarding the different uses on this erf. It is one of the large properties with different uses on the property, most of which, is not accommodated in terms of zoning or sub- division. It was resolved that the property must be subdivided and resolutions taken on those parts of the property that is not used for municipal services.

An investigation was conducted on the uses of the property and herewith the information found. The property was donated to the Stellenbosch Municipality by the Cape Winelands Municipality and registered in the name of the Stellenbosch Municipality in 2017.

It is the department's suggestion that:

- a) those properties required for Municipal Services be subdivided from the bigger property;
- b) it be noted that the property donated to WC Province for a school, is already in the process of been subdivided from the bigger property and transferred to the department of education;
- c) that those properties Council are prepared to lease be subdivided from the bigger property and legalised through lease agreements;
- d) that a decision is made what the future of the rest of the property before any further subdivisions are made.
- e) that the zoning of the properties in a) and b) be brought in line with the usage after subdivision.

The current zoning is Agriculture. The Letter to the Education department was not send off as they are waiting for the subdivision for them to register the property in their name. The notices to the occupiers of the houses have been delivered recently. A update report will be provided in February 2025. In the meantime it is recommended that council consider the subdivision of the properties that the municipality are using.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.3.3**RESOLVED** (majority vote with 5 abstentions)

- (a) that those properties required for Municipal Services be subdivided from the bigger property (marked as building 1, 6 and 7) and be retained as they are required for municipal use;
- (b) that it be noted that the property donated to WC Province, for a school (marked as 5), is already in the process of been subdivided from the bigger property and transferred to the department of education; and
- (c) that eviction proceedings be instituted against people who live in properties and who do not vacate the properties after given notice to vacate.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene de Beer</i>
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-8088018</i>
E-MAIL ADDRESS	<i>annalene.debeer@ Stellenbosch.gov.za</i>
REPORT DATE	<i>2024-11-12</i>

10.3.4	REPORT BACK ON THE REMOVAL OF RESTRICTIVE CONDITIONS AND FALLBACK CLAUSE: ERF 6128, STELLENBOSCH
--------	---

Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

21 November 2024 and 27 November 2024

1. SUBJECT: REPORT BACK ON THE REMOVAL OF RESTRICTIVE CONDITIONS AND FALLBACK CLAUSE: ERF 6128, STELLENBOSCH

2. PURPOSE

To report back on the stale mate regarding the development of erf 6128.

3. DELEGATED AUTHORITY

The Municipal Council must consider the matter.

4. EXECUTIVE SUMMARY

The current owners of erf 6128, Stellenbosch bought the property in 2013 for an amount of R12 000 000. The property was registered in their name on 3 March 2014.

They have subsequently demolished the existing buildings, with the view of redeveloping the site for retail shops and offices which will service the community and upgrade the visual impact of the entrance to Stellenbosch.

With the submission of their building plans, they were, however informed that the property must first be rezoned from Light Industrial to General Business Zone to accommodate the proposed development. They subsequently submitted a rezoning application, together with an application for the relaxation of the restrictive title deed conditions B.1 and 2, i.e. that the property may only be used for industrial purposes, failing which the property shall revert to the Municipality, subject to certain conditions. It should also be noted that the restriction on the title deed condition in terms of the fallback clause is only applicable on a portion of the property. The proposed development also is in line with the Municipalities SDF.

The Planning and Development Department has requested that Council consider the matter, i.e. whether they are going to enforce the title deed conditions (buy back the property) or whether the conditions can be removed from the title deed of the erf.

Council at a Special In-Committee meeting of 2021-09-29 item 12.4.2 mandated the Municipal Manager to enter into discussions with landowners to facilitate an amicable solution given by the buy-back clause. The Municipal Manager subsequently met with the owner on 10 March 2022. An agreement, subject to council approval, was reached that an item will be re-submitted to Council to request Council to approve that the restrictive conditions contained in paragraph 2.B.1 and 2.B.2 of the title Deed T10083/2014, as set out in paragraph 6.2.1, be removed, subject thereto that the necessary processes set out in Section 33(4) of the Stellenbosch Land-use Planning By-Law be followed.

Council resolved on 25 May 2022

- (a) that council agrees not to invoke the fallback condition provided that a written agreement is reached that: the development applied for (**APPENDIX 2**) is completed within a period of 24 months and in accordance with the prevailing planning provisions; and
- (b) that should the property be sold prior to the development as per (b) above the fallback clause will be invoked and the property will fall back to the municipality as per the existing restrictive condition in the title deed.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.3.4**RESOLVED** (majority vote with 1 abstention)**Amended recommendations:**

that Council notes:

- (1) As the owners have withdrawn their rezoning and subsequent appeal, Council resolves as follows:
- (2) As the property is currently in a state of disrepair, due to vandalism:
 - (a) that all previous Council decisions pertaining to the rezoning and land use applications be rescinded, and
 - (b) that the Municipal Manager be mandated by Council to instruct the owners to repair and restore the property pertaining to all safety and health concerns as directed by the Municipal Manager, and
 - (c) that the Municipal Manager be mandated by Council to invoke the stipulations of Problem Property By-Law, and all other statutory instruments available to ensure that the property be repaired as per the Municipal Managers' instructions within the timeframe as per the Municipal Managers' instructions.

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	2024- 11-15

10.3.5	APPROVAL OF THE INFORMATION STATEMENT. PORTION OF FARM 528 AND PORTION OF FARM 529C ALSO FORMERLY KNOWN AS MOUNTAIN BREEZE CARAVAN PARK
--------	--

Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

21 November 2024 and 27 November 2024

1. SUBJECT: APPROVAL OF THE INFORMATION STATEMENT. PORTION OF FARM 528 AND PORTION OF FARM 529C ALSO FORMERLY KNOWN AS MOUNTAIN BREEZE CARAVAN PARK

2. PURPOSE

The purpose of this report is for Council to approve the information statement regarding a possible sale on auction of the property as per the Council Resolution on 30 October 2024.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

At the Council meeting held on 28 July 2021, Council decided to provide an opportunity for the public to submit written inputs on the most possible future use of the facility, before deciding on a way forward. The public notice requested inputs on/before 3 September 2021. Various written submissions were received. Council resolved on 30 March 2022:

- (a) that Council take note of all the proposals received;
- (b) that Council identifies Portions 528 and 529C, Stellenbosch as not currently needed for minimum municipal services;
- (c) that a call for proposal for development of the facilities for Cycling, hiking groups, an Eco-education and Adventure centre for school groups along with overnight facilities be advertised;
- (d) that the existing buildings and infrastructure be use for the above purpose;
- (e) that the facility to be leased for a period of 5 years; and
- (f) that successful lessee enter into a rental agreement with the municipality and be responsible for the security, maintenance and the payment of all services of the facility.

The Administration reported to Council in October 2024 that there are several challenges to implement the Council resolution as intended on 30 March 2022. Council reviewed and rescinded the decision of 30 March 2022 and took a new decision:

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.3.4**RESOLVED** (majority vote with 2 abstentions)

- (a) that Council approves the Information statement for public participation; and
- (b) that it be noted that the item will return to Council for the consideration of an in-principle decision after the public participation process.

NAME	Annalene de Beer
POSITION	Director
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088018
E-MAIL ADDRESS	<i>Annalene.deBeer@ Stellenbosch.gov.za</i>
REPORT DATE	2022 – 07-11

10.4	FINANCIAL SERVICES: (PC: ALD JC ANTHONY)
------	--

10.4.1	WRITE-OFF OF IRRECOVERABLE DEBT IN RESPECT OF SPORT GROUNDS
--------	---

Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

21 November 2024 and 27 November 2024

1. SUBJECT: WRITE-OFF OF IRRECOVERABLE DEBT IN RESPECT OF SPORT GROUNDS

2. PURPOSE

To gain approval from Council to write-off the balance of the long outstanding accumulated debts of all sport codes / Councils and to ensure the finalization of all the various lease agreements with the Sport Councils.

This will give the Council the opportunity to build conditions that will benefit the whole of the community, whilst it will free up the Clubs to maintain the leased properties more effectively and that Revenue be managed properly and effectively by Finance.

3. DELEGATED AUTHORITY

Council to approve in terms of Par 1 and 3 of the Irrecoverable Debt Policy and MFMA.

4. EXECUTIVE SUMMARY

This report contains all information in respect of sport grounds which outstanding debt has prescribed due to various reasons and circumstances and is therefore, according to legislation, no longer recoverable and/or it will be no longer financially viable to continue with further litigation to recover this outstanding debt due to the lack of sign agreements/contracts.

To prevent the municipality from incurring further expenditure that may be regarded as wasteful and fruitless, it is recommended that the outstanding balances as per this report, plus any further costs and interest levy after date of this report, be written off as irrecoverable. It is further recommended that all levies after date of this report be for the account of Council through the Internal Billing processes till finalization and sign of all contracts/agreements with Sport Councils and that the Municipal Manager be instructed to sign, as a matter of urgency, all agreements/contracts to ensure effective management of revenue to the municipality.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.4.1

RESOLVED (majority vote with 4 abstentions)

- (a) that the outstanding balances as per this report, plus any further costs and interest levied after the date of this report, only be written off as irrecoverable, after the following conditions has been complied with:
 - (i) that the new contracts with the sport clubs are firstly signed before 31 January 2025 for implementation on 1 February 2025;

-
- (ii) that the new contracts with the sport clubs clearly indicates that the Sport Clubs are responsible for Property Rates and Service Charges (Water, Electricity, Refuse and Sewerage or any Sundry charges) and are paying such regularly;
 - (iii) that the sport clubs are informed about their responsibility for the payment of future municipal accounts from the February 2025 accounts, for services that are rendered to them;
 - (iv) that all Eskom accounts paid by the Municipality, be recovered from the sport clubs effectively from the February 2025 accounts;
 - (v) that all levies after date of this report be for the account of Council through the Internal Billing processes till finalization and sign of all contracts/agreements with Sport Councils; and
 - (vi) that the Municipal Manager be authorised to sign all agreements/contracts to ensure effective management of revenue to the municipality.

FOR FURTHER DETAILS CONTACT:

NAME	JP WAGENER
POSITION	Manager Revenue
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8531
E-MAIL ADDRESS	pieter.wagener@ Stellenbosch.gov.za
REPORT DATE	13 November 2024

10.5	HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)
10.5.1	APPROVAL OF THE DRAFT LAND AVAILABILITY AGREEMENT BETWEEN THE STELLENBOSCH MUNICIPALITY AND CROWIE PROPERTY GROUP (PTY) LTD FOR THE DEVELOPMENT OF FARMS 81/2 AND 81/9, STELLENBOSCH FOR SOCIAL HOUSING

Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

21 November 2024 and 27 November 2024

- 1. SUBJECT: APPROVAL OF THE DRAFT LAND AVAILABILITY AGREEMENT BETWEEN THE STELLENBOSCH MUNICIPALITY AND CROWIE PROPERTY GROUP (PTY) LTD FOR THE DEVELOPMENT OF FARMS 81/2 AND 81/9, STELLENBOSCH FOR SOCIAL HOUSING**

- 2. PURPOSE**

To seek Council's approval to enter into a Land Availability Agreement (LAA) with Crowie Property Group (Pty) Ltd, the developer selected through the Municipality's tender process, to develop and manage the social housing project envisioned on Farms 81/2 and 81/9, Stellenbosch.

- 3. DELEGATED AUTHORITY**

Council

- 4. EXECUTIVE SUMMARY**

The Western Cape Provincial Administration has designated Stellenbosch Municipality as a "Leader Town" with the capacity to participate in the Social Housing Programme. This initiative aims to provide high-quality, well-managed rental housing for low- and moderate-income households in well-located areas of the Municipality.

As part of this program, Stellenbosch Municipality has leased two specific sites, Farm 81/2 and Farm 81/9, Stellenbosch on a 40-year lease. This decision followed a public consultation process and was approved by the Council on July 29, 2020. The Municipality is responsible for facilitating these developments under the National Social Housing Programme, guided by the Social Housing Act (2008).

The Council now needs to agree to the signing of the specific LAA between the Municipality and Crowie Property Group (Pty) Ltd. Included in the agreement is a set of municipal incentives that will assist in creating a financially viable project. These incentives have been agreed by the Municipality's senior management team and are in line with existing capital incentives for government financed housing projects as well as operational incentives linked to the Municipality's indigency policy.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.5.1**RESOLVED** (majority vote with 1 abstention)

- (a) that Council approves the draft Land Availability Agreement (LAA) between Crowie Property Group (Pty) Ltd and the Stellenbosch Municipality;
- (b) that Crowie Property Group (Pty) Ltd prepares a detailed project plan for approval by Council before the rights to the land on a 40-year leasehold basis is entered into;
- (c) that Council endorses the capital and operational incentives contained in the draft LAA as per **ANNEXURE 2**;
- (d) that the Municipal Manager be authorised to sign the draft LAA and negotiation minimum amendments if required and submit to Council for condonation; and
- (e) that the Municipal Manager be authorized to sign any additional information or documentation required as may be necessary to ensure compliance with regulatory requirements and to facilitate the effective implementation of the project.

FOR FURTHER DETAILS CONTACT:

NAME	Lester van Stavel
POSITION	<i>Manager: Housing Development</i>
DIRECTORATE	<i>Planning & Economic Development</i>
CONTACT NUMBERS	<i>021 808 8462</i>
E-MAIL ADDRESS	<i>Lester.vanstavel@ Stellenbosch.gov.za</i>
REPORT DATE	

10.6	INFRASTRUCTURE SERVICES : (PC : R PHEIFFER)
------	---

10.6.1	STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – NOVEMBER 2024
--------	--

Collaborator No: 776792
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 21 November 2024

1. SUBJECT: STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – NOVEMBER 2024

2. PURPOSE

For Council to note the progress of the Municipality's as well as Provincial Government initiatives regarding the Alternative Energy Programme projects which are underway at present.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

- 4.1** The draft application for load curtailment was submitted to Eskom on 07 March 2024 and is due to serve at the Eskom Loadshedding Committee. Though the indication from Eskom was that this application would serve at the April 2024 Loadshedding Committee, confirmation has been received from Eskom that the application has not yet served. At the meeting held on 31 July 2024, further proposals were provided by Eskom for the Municipality to amend the current application so that Eskom's Loadshedding Committee can take it into consideration. A revised application was submitted to Eskom on 22 August 2024. The Stellenbosch Load Curtailment Application Finalization meeting with Eskom was held on 15 October 2024 to finalize the load curtailment application. Eskom will respond in writing to the Municipal request submitted previously.

Given the considerable amount of time, effort and resources put into this Application, and the fact that Eskom has changed their advice to the Municipality on multiple occasions and has not formally responded to the submitted applications, the Municipality is now considering making the Load-Shedding mitigation aspect of the AEG programme a secondary objective. The primary objective now is to mitigate the rising cost of Electricity from Eskom, especially since Loadshedding has not returned for more than 200 days.

- 4.2** A tender for the purchase of 20MW of electricity from an Independent Power Producer (IPP), was conditionally approved by the BAC on 16th September 2024. Consultation with the successful bidder to conclude the Power Purchase Agreement (PPA) will commence after the 21-day appeal period. A kick-off meeting was held with the winning bidder on 25 October 2024. The initial award was subject to appeal which has now lapsed. No appeals were received, and the contract is now conditionally awarded.
- 4.3** The Supervisory Control and Data Acquisition (SCADA) project is on track with the implementation of remote viewing at six of the seven main substations completed under Phase 1 of the project in the 2023/2024 financial year.

- 4.4** Phase 2 of the project commenced in October 2024 and will include the complete plant to master station verification/testing and implementation of remote switching at Gholf-, Jan Marais-, Markotter, Suidwal- and Cloetesville substations as well as the installation of the SCADA system and implementation of remote viewing and remote switching at Franschoek substation, which could not be completed in Phase 1.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.6.1

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	<i>Nombulelo Zwane / Rendani Makungo</i>
POSITION	<i>Senior Manager: Electrical Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8770/ 021 808 8333</i>
E-MAIL ADDRESS	nombulelo.zwane@ Stellenbosch.gov.za / rendani.makungo@ Stellenbosch.gov.za
REPORT DATE	<i>08 November 2024</i>

10.6.2	SPECIAL PEDESTRIAN ROUTES PROGRAM
--------	--

Collaborator No:

IDP KPA Ref No: Good Governance & Compliance

Meeting Date: 27 November 2024

1. SUBJECT: SPECIAL PEDESTRIAN ROUTES PROGRAM

2 PURPOSE

For Council to note and to support the roll-out of the Special Pedestrian Routes Program.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Municipality has decided to embark on a Special Pedestrian Routes program, in the interests of public safety. Taking into account the importance of a safer environment, the municipality is embarking on an investigation to make certain earmarked routes safer for vulnerable pedestrians and cyclists who use key arterial routes and roadways.

The Municipality has consulted members of the public as well as students and taken their opinions on board. The earmarked routes may include:

- increased lighting to improve visibility,
- possible camera and closed-circuit television (CCTV) installations,
- the option of panic buttons installed en-route,
- the cutting back of some tree branches in accordance with the applicable Municipal By-Laws, to allow the streetlight to filter through more clearly,
- the deployment of more officials to the Municipality's Control Room to monitor the additional CCTV;
- the possible payment of stipends for additional contract staff and / or neighbourhood watches, to improve responsiveness and oversight. This will boost job creation and skills transfer as well.
- the clear mapping, marking and signage of the routes.
- Cutting back of foliage and grass verges to improve visibility en-route.

The primary strategy is to create an environment for all who live, work in and visit Stellenbosch which has improved visibility, and has a safer look and feel through urban design elements.

The Municipality has proceeded with the identification of routes used by pedestrians and cyclists travelling within Stellenbosch Central area. The Provincial Department has assisted with the use of their GIS system. The identified routes will form the basis of the Special Pedestrian Routes Program.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.6.2**RESOLVED** (majority vote with 1 abstention)

- (a) that Council notes the need for, and roll-out of, the Special Pedestrian Routes Program;
- (b) that the Council supports the Special Pedestrian Routes Program in principle;
- (c) that a plan detailing the phased roll-out must be compiled and the feasibility of expanding the Program to other areas in the WC024 be investigated;
- (d) that Special Pedestrian Routes Program be advertised for public comment; and
- (e) that upon the completion of the public participation process, together with any comments/objections, the item be resubmitted to Council for final approval and adoption.

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	Shane.Chandaka@ Stellenbosch.gov.za
Report Date	22 November 2024

10.6.3	REQUEST FOR THE CLOSURE OF NAGTEGAAL ROAD, ONDER-PAPEGAAIBERG
--------	---

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 21 November 2024 and 27 November 2024

1. SUBJECT: REQUEST FOR THE CLOSURE OF NAGTEGAAL ROAD, ONDER-PAPEGAAIBERG

2. PURPOSE

That Council takes note of this report and approves the proposals contained herein.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Municipality had received requests from the public, for the permanent closure of Nagtegaal Road, at its intersection with Devon Valley Road, Onder-Papegaaiberg.

Nagtegaal Road is a narrow access road, 130m long, connecting the Devon Valley Road to Hoepe-Hoep Road. The road provides access to 38 erven but is being used as a “short cut” link between Devon Valley Road and the residential area. Nagtegaal Road has not been designed, and is therefore not suited, to accommodate the cut-through traffic.

In March 2024, the Municipality commissioned a detailed Traffic Impact Study (Annexure A) to confirm the nature and extent of the traffic impacts. The outcomes of the Traffic Impact Study supported the closure of Nagtegaal Road thus the Infrastructure Directorate has no objection to the proposed closure of the road.

Furthermore, the closure of the road would have negligible impact on the mobility of traffic through the area as well as current traffic patterns. Due the nature of proposed closure of the road as well as the impact of the residents in Nagtegaal Road and Hoep Hoep Road, it is proposed that a public participation process be followed first, after which the Item will return to Council for approval.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.6.3

RESOLVED (majority vote with 7 abstentions)

- (a) that the contents of this report, and its ANNEXURE be noted;
- (b) that the Proposed Nagtegaal Road Closure be duly advertised for public comment; and
- (c) that upon the completion of the public participation process, together with any comments/objections, the item be resubmitted to Council for final approval and adoption.

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	Shane.Chandaka@ Stellenbosch.gov.za
Report Date	13 November 2024

10.6.4	STELLENBOSCH STATION PARKING AREA PROGRESS REPORT
--------	--

Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

21 November 2024 and 27 November 2024

1. SUBJECT: STELLENBOSCH STATION PARKING AREA PROGRESS REPORT**2. PURPOSE**

To inform Council of the progress made as per the Council Resolution taken in November 2023 regarding the Stellenbosch Station Parking Area as well as a new site to be leased for public transport facilities.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

A Council Resolution taken in November 2023 regarding the Stellenbosch Station Parking Area (Erf 393), states that the Municipality must commence and make provision for the relocation of the public transport vehicles currently utilizing the parking area. Council also recommended that assessments be undertaken to determine the most appropriate parking management model for the Stellenbosch Station parking area, after the public transport operations would have been relocated.

The Municipality appointed a consultant to identify and analyse alternative public transport sites and the following are outcomes of the analysis:

- Bergzicht Public Transport Interchange was considered not suitable since it will not be able to accommodate the large volumes of public transport vehicles which need to be relocated.
- The PRASA property next to the railway line (Erf RE265) was considered suitable and pursued further by the Municipality. PRASA has agreed to lease the site to the Municipality in principle, and a Lease Agreement with PRASA is currently in the process of being concluded (see Locality Plan below).

Once the Lease Agreement is finalized, the process to relocate the public transport operators to the new facility will commence.

- The current Stellenbosch Station parking area can then be re-established as a parking area.
- It was agreed that the Municipality will manage the parking area.
- The perimeter of the parking area will be secured with fencing and access control will be implemented.
- The area could also be utilised for possible future e-hailing as well as tourist buses parking in the interim.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.6.4**NOTED**

the progress made to date and the status of the Stellenbosch Public Transport Interchange Area.

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	Shane.Chandaka@ Stellenbosch.gov.za
Report Date	22 November 2024

10.7	PARKS AND OPEN SPACES: [PC: CLLR N OLAYI]
------	---

NONE

10.8	PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: [PC: CLLR M SLABBERT]
------	--

10.8.1	PERMISSION TO ALLOW FOR AN EXTENSION OF MOBILE UNITS TO TRADE AT PRE-DETERMINED SITES WITHIN THE WC024 AREA
--------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. **SUBJECT: PERMISSION TO ALLOW FOR AN EXTENSION OF MOBILE UNITS TO TRADE AT PRE-DETERMINED SITES WITHIN THE WC024 AREA**

2. **PURPOSE**

Is to request approval for the extension of the pilot for mobile trucks / kiosks, e.g. food trucks & coffee carts, etc. for a period of one (1) year.

3. **DELEGATED AUTHORITY**

Council.

4. **EXECUTIVE SUMMARY**

Mobile traders, often referred to as street vendors or food trucks, offer several benefits in cities. These mobile businesses have become increasingly popular and have a significant impact on urban areas. Some of the benefits are accessibility to the community, promotion of entrepreneurship. It acts as stimulus for local economic development and growth. Council approved a pilot for one year in pre-determined areas, the department would like to extend this period

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.8.1

RESOLVED (majority vote with 1 abstention)

- (a) that Council approves the extension of the Mobile Trading Pilot for another year; and
- (b) that a progress report be provided every 3 months on implementation to Mayco and Council.

FOR FURTHER DETAILS CONTACT:

NAME	Carmen Saville
POSITION	Local Economic Development Officer: LED & Tourism
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8151
E-MAIL ADDRESS	Carmen.saville@ Stellenbosch.gov.za
REPORT DATE	04 November 2024

10.9	COMMUNITY SERVICES: [PC: CLLR X KALIPA]
10.9.1	APPROVAL OF THE GRANT IN AID POLICY REVIEW

Collaborator No: 776174
IDP KPA Ref No: Dignified Living
Meeting Date: 21 November 2024

1. SUBJECT: APPROVAL OF THE GRANT IN AID POLICY REVIEW

2. PURPOSE

To obtain Council approval for the reviewed Grant in Aid Policy.

3. DELEGATED AUTHORITY

For approval by Council.

4. EXECUTIVE SUMMARY

The Grant in Aid Policy aims to provide a framework for Grant-in-Aid to non-governmental organisations (NGOs), community-based organisations (CBOs), non-profit organisations (NPOs) or non-profit companies (NPC), Public Benefit Organisations (PBO's) in so far as to alleviate the burden on municipal cemeteries and bodies that are used by government as an agency to serve the poor, marginalised or otherwise vulnerable as envisaged by Sections 17 and 67 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003).

MFMA and audit requirements are strict in terms of mechanisms to ensure sound governance and financial practices are applied when donating public funds. Only 30 organisations complied with the requirements and the Department reviewed the policy to determine where changes can make it easier for organisations to comply whilst staying within the margins provided by the MFMA.

The revised Grant in Aid Policy attached as **ANNEXURE A** served at the Section 80 Committee meeting for Community Services where the following was resolved in the draft minutes **ANNEXURE B**:

COMMUNITY DEVELOPMENT COMMITTEE MEETING: 2024-10-03: ITEM 5.2.5

RESOLVED

that the Grant in Aid Policy Review is supported to serve to Mayco before going to Council meeting.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.9.1

RESOLVED (majority vote with 1 abstention)

- (a) that the revised Grant in Aid Policy be approved in principle for public comment; and
- (b) that the Policy be brought back to Council for consideration after the public participation process

10.9.2	FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S
--------	---

Collaborator No: 775728

IDP KPA Ref No: Dignified Living

Meeting Date: 21 November 2024 and 27 November 2024

1. SUBJECT: FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S

2. PURPOSE

To consider and discuss the feedback received in response to the communication sent to Grant in Aid recipients resulting from the Stellenbosch Council Meeting on 23 November 2022.

3. DELEGATED AUTHORITY

GiA donations are approved by council as part of the budget documents.

4. EXECUTIVE SUMMARY

Three grant receiving organisations were found to be in contravention of the Grant in Aid policy and signed MOA as discovered from their feedback reports. The discovery was documented and served at the Grants Committee on 15-08-2022 where it was supported and again on 14-11-2022 where the committee recommended that the decision relating to Smart Mission Entertainment and Ubuntu Hiking to be barred from participating in the Grant in Aid Programme stands and that more information must be requested from Franschhoek Rugby Club. On 23-11-2022 the item served at the Stellenbosch Council meeting where the recommendations were upheld and the Department was mandated to communicate the results of the Council decision to the applicable organisations. The circulated communication to the organisations is attached as **ANNEXURE 1-3**. Written responses were received from Franschhoek Rugby Club and Ubuntu Hiking.

At the Grants Committee meeting of 23-11-2023 it was recommended that the item be discussed with the Portfolio Councillor and Executive Mayor. On 28/11/2023 the item was discussed with the MMC, Cllr X Kalipa who in turn discussed the item with the Executive Mayor. Both the MMC and the Executive Mayor acknowledged the item without additional comment by signing the route form (**ANNEXURE 15**).

At the Grants Committee meeting of 30-01-2024 the recommendations were approved for submission to the Mayoral Committee. (**ANNEXURE 16**) The Executive Mayoral Committee resolved on 20-03-2024 (**ANNEXURE 17**) that the item is withdrawn and referred back for refinement and will be considered after the new policy was approved.

The new Grant in Aid Policy was approved on 21-02-2024 (**ANNEXURE 18**).

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.9.2

RESOLVED (majority vote with 5 abstention)

- (a) that the communication sent to all three applicants, and the written responses received from Ubuntu Hiking and Franschhoek Rugby Club, be noted;
- (b) that Ubuntu Hiking be instructed to pay back the amount of R1481.00;

-
- (c) that Council agree after careful consideration to change that **Ubuntu Hiking** be barred from participation in the Grant in Aid Donation Programme for a period of 12 months despite the stipulations of the Grant in Aid Policy paragraph 8.5;
- (d) that the Franschhoek Rugby Club be instructed to pay back the amount of R 40 000,00;
- (e) that Council agree, after careful consideration, to change the period that Franschhoek Rugby Club be barred from participating in the Grant in Aid Donation Programme for a period of 12 months despite the stipulations of the Grant in Aid Policy paragraph 8.5;
- (f) that Council consider to change the period to be barred from participating in the Grant in Aid Donation Programme for a period of 12 months despite the stipulations of the Grant in Aid Policy paragraph 8.5; and
- (f) that these two Organisations be informed of the decision.

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	02-10-2024

10.10	RURAL MANAGEMENT AND ENVIRONMENT: [PC: CLLR J WILLIAMS]
-------	---

10.10.1	PARADYSKLOOF NATURE AREA: ENVIRONMENTAL MANAGEMENT PLAN – 5 YEAR REVIEW
---------	---

Collaborator No: 776251
IDP KPA Ref No: Dignified Living
Meeting Date: 21 November 2024

1. SUBJECT: PARADYSKLOOF NATURE AREA: ENVIRONMENTAL MANAGEMENT PLAN – 5 YEAR REVIEW

2. PURPOSE

The Paradyskloof Nature Area (NA) Environmental Management Plan (EMP) was adopted by the Council during May 2019. This document was prepared to establish a distinct vision and overarching goal for the management of the Paradyskloof NA in context off and giving effect to relevant legislation and associated regulations. In the interest of adaptive management, the Paradyskloof NA EMP has now been reviewed after 5 years of implementation (**ANNEXURE A**).

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

Paradyskloof NA, an approximately 550 ha area consisting of Portion 2 of Farm 368 and portions of Farms 369 and 366 (municipal property), is situated on the south-eastern edge of Stellenbosch town above the neighbourhoods of Brandwacht and Paradyskloof. Most of the area (with specific reference to the northern and eastern mountainous area) is in a natural state with ±40 ha of mature pine still left within the old forestry area. The vegetation type of Paradyskloof NA is Cape Winelands Shale Fynbos and is a vulnerable terrestrial ecosystem.

The area is used for a range of outdoor recreational activities, research, education and awareness opportunities, events as well as for service delivery purposes. The area also houses a clubhouse, refurbished by Stellenbosch Municipality (the Municipality).

Because of the area's ecological value, its value as public resource and its vulnerability to degradation due to past and present use it was important that an overarching management plan for the area (the Paradyskloof NA EMP [2019]) be put in place to ensure that it is managed in a sustainable manner. Having reviewed the Municipality's implementation of the 2019 EMP an updated Paradyskloof NA EMP (2024) is now presented to Council for adoption for the next 5-year period.

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.10.1

RESOLVED (majority vote with 4 abstentions)

that Council approves the Paradyskloof Nature Area Environmental Management Plan (August 2024) as Paradyskloof Nature Area's 2nd generation environmental management plan and guiding document for the management of the area.

10.11	MUNICIPAL MANAGER (MS G METTLER)
-------	----------------------------------

NONE

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

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

NONE

12.	REPORTS BY THE MUNICIPAL MANAGER (MS G METTLER)
-----	---

12.1	ESTABLISHMENT OF THE DISCIPLINARY BOARD
------	---

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 15 November 2021 and 27 November 2024

1. SUBJECT: ESTABLISHMENT OF THE DISCIPLINARY BOARD**2. PURPOSE**

For Council to establish the Disciplinary Board in line with Stellenbosch Municipality's implementation of the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings

To appoint the Disciplinary Board and the Designated Official as per the regulation.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The above-mentioned regulation R430 Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings hereto attached as **APPENDIX 1** for your information and attention and has been enforceable with effect from 1 July 2014.

The Current Disciplinary Board's 3-year term as required by this regulation expired on 23 November 2024. It is now required that Council appoint a new Board and the designated official.

27TH COUNCIL MEETING: 2024-11-27: ITEM 12.1**RESOLVED** (majority vote with 1 abstention)

- (a) that Council establishes the Disciplinary Board in line with these regulations and that the board consists of:-
- (i) Ms Reyhana Gani, a member of the Audit and Performance Audit Committee as nominated by the Committee;
 - (ii) the Chief Audit Executive;
 - (iii) the Chief Risk Officer; and
 - (iv) the Senior Legal Advisor
- (b) that Council designates the Municipal Manager as the designated official to whom reports on alleged financial offences against Councillors should go.

FOR FURTHER DETAILS CONTACT:

NAME	Faiz Hoosain
POSITION	<i>Chief Audit Executive</i>
DIRECTORATE	<i>Municipal Manager</i>
CONTACT NUMBERS	<i>0218088555</i>
E-MAIL ADDRESS	<i>Faiz.Hoosain@ Stellenbosch.gov.za</i>
REPORT DATE	<i>27 November 2024</i>

13.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
-----	---

NONE

14.	CONSIDERATION OF URGENT MOTIONS
-----	--

NONE

15.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
-----	--

15.1	STANDARD DRAFT BY-LAW TOWNSHIP ECONOMIES AND THE REGISTRATION OF SPAZA SHOPS
------	---

Collaborator No:

IDP KPA Ref No: **VALLEY OF OPPORTUNITY**

Meeting Date: **27 November 2024**

1. SUBJECT: STANDARD DRAFT BY-LAW TOWNSHIP ECONOMIES AND THE REGISTRATION OF SPAZA SHOPS

2. PURPOSE

To inform Council of the Standard By-Law on Township Economies that was published by the Department of Cooperative Governance with a request that Municipality's adopt the By-Law. The Municipality put a in place for a registration process for Spaza Shops, ensuring regulatory compliance in response to the President's announcement on Sunday, 17 November 2024, that all Spaza Shops must register their businesses within 21 days.

3. DELEGATED AUTHORITY

Council for notification

4. EXECUTIVE SUMMARY

Spaza shops are vital to the local economy, especially in townships and rural areas. They provide essential goods, foster entrepreneurship, and create employment. However, challenges such as lack of formal registration, regulatory non-compliance, and health risks from foodborne illnesses necessitate a structured approach to registration and support especially in the light of recent events where children died due to food purchased from spaza shops.

The municipality, in line with national directives and the Standard Draft By-Law for Township Economies that was published, seeks to implement a formal registration process to address these challenges, promote inclusivity, and unlock economic growth.

The Standard By-Law should not be adopted as is, it should be adapted to address the Stellenbosch Municipality specific situation before it can be brought to Council for an in-principle approval for public participation. After a public participation the By-Law will be brought back to Council for approval and publication before implementation.

On 15 November circular 34 of 2024 was published by the Department of Cooperative Governance (**APPENDIX 1**) together with a draft standard By-Law (**APPENDIX 2**).

27TH COUNCIL MEETING: 2024-11-27: ITEM 15.1

NOTED

- (a) the Standard Township Economies By-Law;
- (b) that a By-Law will be brought back to Council for approval in principle before a public participation process is followed; and
- (c) that Council notes the department's plan for the registration of Spaza Shops within the WC024.

FOR FURTHER DETAILS CONTACT:

NAME	Lesley van Gensen
POSITION	<i>Manager: Economic Development and Tourism</i>
DIRECTORATE	<i>Planning and Economic Division</i>
CONTACT NUMBERS	<i>021 808 8179</i>
E-MAIL ADDRESS	<i>Lesley.vangensen@ Stellenbosch.gov.za</i>
REPORT DATE	<i>26 November 2024</i>

16.	REPORTS SUBMITTED BY THE SPEAKER
16.1	REPORT TO COUNCIL BY THE SPEAKER: REPAYMENT ARRANGEMENT OF PROPOSED SANCTIONS BY THE DISCIPLINARY COMMITTEE: CASE NUMBER 220422/01

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 27 November 2024

1. **SUBJECT: REPORT TO COUNCIL BY THE SPEAKER: REPAYMENT ARRANGEMENT OF PROPOSED SANCTIONS BY THE DISCIPLINARY COMMITTEE: CASE NUMBER 220422/01**

2. **PURPOSE**

To inform Council about the progress on repayment as per the agreement to settle the total amount fined by disciplinary Committee.

3. **DELEGATED AUTHORITY**

Council: for noting

4. **EXECUTIVE SUMMARY**

According to the Council resolution item 17.1, Council meeting 29 November 2023 Council accepted the recommendation by the Disciplinary Committee that Councillor Ayanda Tomose, be fined 75 % of the total cost to company of a ward administrator, for a period of three (3) months to Stellenbosch Municipality. Cllr Tomose must pay back these costs to the Municipality between January 2024 – October 2026, before this term of offices comes to an end.

27TH COUNCIL MEETING: 2024-11-27: ITEM 16.1

NOTED

the report to Council by the Speaker: Repayment Arrangement Of Proposed Sanctions by the Disciplinary Committee: Case Number 220422/01.

FOR FURTHER DETAILS CONTACT:

NAME	Office of the Speaker
POSITION	PA - SPEAKERS OFFICE
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 808 8941
E-MAIL ADDRESS	Speaker.Pa@ Stellenbosch.gov.za
REPORT DATE	18 November 2024

16.2	REPORT TO COUNCIL BY THE SPEAKER: REPAYMENT ARRANGEMENT OF PROPOSED SANCTIONS BY THE DISCIPLINARY COMMITTEE: CASE NUMBER 220422/02/01
------	--

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 27 November 2024

- SUBJECT: REPORT TO COUNCIL BY THE SPEAKER: REPAYMENT ARRANGEMENT OF PROPOSED SANCTIONS BY THE DISCIPLINARY COMMITTEE: CASE NUMBER 220422/02/01**

- PURPOSE**

To inform Council about the progress on repayment as per the agreement to settle the total amount fined by disciplinary Committee.

- DELEGATED AUTHORITY**

Council: for noting

- EXECUTIVE SUMMARY**

According to the Council resolution item 17.1, Council meeting 29 November 2023 Council accepted the recommendation by the Disciplinary Committee that Councillor Elliot Masimini, be fined 50 % of the total cost to company of a ward administrator, for a period of four (4) months to Stellenbosch Municipality. Cllr Masimini must pay back these costs to the Municipality between January 2024 – October 2026, before this term of offices comes to an end.

27TH COUNCIL MEETING: 2024-11-27: ITEM 16.2

NOTED

the Report to Council by the Speaker: Repayment Arrangement of proposed sanctions by the Disciplinary Committee: Case Number 220422/02/01.

FOR FURTHER DETAILS CONTACT:

NAME	Office of the Speaker
POSITION	PA - SPEAKERS OFFICE
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 808 8941
E-MAIL ADDRESS	Speaker.Pa@ Stellenbosch.gov.za
REPORT DATE	18 November 2024

17.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
-----	--

NONE

18.	MATTERS TO BE CONSIDERED IN-COMMITTEE
-----	---------------------------------------

SEE PINK DOCUMENTATION

The meeting adjourned at 13:00.**CHAIRPERSON:****DATE:****Confirmed on****without amendments.**