



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-10-23

MINUTES

32ND MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-10-23 AT 11:00

Detailed account of the meeting proceedings is available on audio recording, which is obtainable from The Municipal Manager's Office per Request for Information (RFI)

MINUTES

MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-10-23

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MINUTES OF THE 32ND MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2019-10-23 AT 11:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT	The Speaker, Cllr WC Petersen (Ms) [Chairperson] The Executive Mayor, Ald G Van Deventer (Ms) The Deputy Executive Mayor, Cllr N Jindela	
COUNCILLORS	F Adams FJ Badenhorst Ald PW Biscombe G Cele (Ms) PR Crawley (Ms) A Crombie (Ms) Z Dalling (Ms) R Du Toit (Ms) J Fasser A Florence AR Frazenburg E Fredericks (Ms) (until 12:00) T Gosa E Groenewald (Ms) (from 11:45) JG Hamilton AJ Hanekom DA Hendrickse	JK Hendriks LK Horsband (Ms) MC Johnson N Mananga-Gugushe (Ms) C Manuel NE Mcombring (Ms) XL Mdemka (Ms) C Moses (Ms) SA Peters MM Pietersen WF Pietersen SR Schäfer Ald JP Serdyn (Ms) N Sinkinya (Ms) P Sitshoti (Ms) (until 13:10) Q Smit E Vermeulen

Officials:	Municipal Manager (Ms G Mettler) Acting Chief Financial Officer (D Jacobs) Director: Corporate Services (Ms A De Beer) Director: Infrastructure Services (D Louw) Director: Planning and Economic Development (T Mfeya) Director: Community and Protection Services (G Boshoff) Senior Manager: Governance (Ms S De Visser) Manager: Communications (S Grobbelaar) Chief Audit Executive (F Hoosain) Manager: Secretariat (EJ Potts) Senior Administration Officer (T Samuels (Ms)) Committee Clerk (N Mbali (Ms)) Interpreter (J Tyatyeka)
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1.	OPENING AND WELCOME
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The Speaker, Cllr WC Petersen (Ms) welcomed all present at the 32nd Council meeting. Councillor A Florence opened the meeting with a prayer.

2.	MAYORAL ADDRESS
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“Goeie dag, Good Morning, Molweni, As-salaam Alaikum

1. Good news: Our Stellenbosch Municipality Heritage Inventory and Conservation Management Plan has won top honours at the Institute for Landscape Architecture in South Africa (ILASA)
 - Our heritage mapping project has recently won the ILASA Presidents Award as well as the first place in the ILASA Awards of Excellence for a Publication.
 - This in-depth mapping of our cultural and environmental heritage is the first of its kind in Africa and is considered to be one of only five similar studies worldwide.
 - It produced an advanced Heritage Inventory that identifies all heritage resources and measures their significance. The inventory is a living document that can be expanded when required and will inform our Conservation Management Plan (CMP) to ensure compliance with the National Heritage Resources Act.

2. Last Thursday, 17 October 2019, I had the great privilege to attend the old Victoria Street Public Participation Event opening.
 - Local non-profit organisation, Ranyaka Community Transformation, has been awarded a ten-year lease for the old Victoria Street Clinic.
 - In 2020, the historical clinic building will be transformed into a unique space that will unlock opportunities for entrepreneurs coming from previously disadvantaged backgrounds.
 - It will provide local entrepreneurs with training on how to develop, grow and manage their business
 - It will give especially entrepreneurs from the townships and outlying areas access to prime retail space and clientele at the heart of town
 - Very special occasion for me
 - Met with some of our local entrepreneurs, and was astonished and overjoyed at the businesses they were able to build, despite difficult circumstances.
 - Ranyaka will now continue to raise funds and work with all stakeholders and role-players to create a space that will present our young entrepreneurs with a future.

3. This is also the message of hope we want to spread with the GET STARTED entrepreneurship expo, currently taking place in the Town Hall
 - This is our first ever expo of this sort and brings together stakeholders and role-players who can assist and guide our entrepreneurs of the future.
 - As a municipality we want to assist in creating sustainable opportunities for jobs and businesses for residents.
 - Promoting and supporting entrepreneurship is a critical component in job creation.
 - Being an entrepreneur, especially from a disadvantaged background is very challenging.

- Do not have access to funding, infrastructure or technology that can help establish and grow a business
 - Successful entrepreneurs are major job creators in our economy
 - As a Municipality, we want to make sure to provide our residents with the best possible opportunities to establish and grow their own businesses.
 - Our region is known for its innovation and GET STARTED aims to connect the various stakeholders with one another to explore and implement all this potential.
- 4. Verlede week die geleentheid gehad om met besigheidsverteenwoordigers van Cloetesville te vergader
 - So lekker om te kan gesels met inwoners wat soveel passie het vir hul gemeenskap.
 - Ons het die toekoms van plaaslike besighede in die omgewing bespreek.
 - Deel van voortdurende gesprekke met die besigheidsektor in ons omgewing.
 - Beplan om ook 'n vergadering te hou met spesifiek die besigheidsvroue in ons streek en om met hulle te gesels oor geleenthede en uitdagings.
- 5. I recently had the honour to welcome representatives from various municipalities and government departments for the Annual Air Quality Governance Lekgotla
 - The first time this event hosted in our region
 - The lekgotla discussed the seriousness of air quality, air pollution and the extreme adverse effects on climate change, health and the economy.
 - The greater Stellenbosch region is not subjected to extreme air pollution, but it is important that we are vigilant and do everything in our power to ensure that our air quality remains high.
 - The decline of air quality has seen an increase in health issues across the world.
- 6. Oktober is Vervoermaand
 - Dorp en streek waar drukverkeer daaglik 'n uitdaging is, wil ons inwoners veral aanmoedig om, waar moontlik, alternatiewe vervoer as motors gebruik te maak
 - Ry fiets of stap waar moontlik.
 - Ry-klubs is ook 'n baie goeie opsie om voertuie op die pad te verminder en kostes te bespaar.
 - Ons het ons wetstoepassers ook toegerus met fietse om kostes te bespaar, voertuie op die pad te verminder.
 - U sal ons dapper trappers op patrollie sien, waar hulle besig is met sigbare polisiëring.
 - Volgende week het die Infrastruktuurdienste ook 'n program as deel van Vervoermaand. Kyk gerus op ons sosiale media platforms vir besonderhede.
- 7. Matriekleerders het begin met die finale eksamens
 - Baie sterkte aan al die leerders, ouers en onderwysers
 - Sit alles in vir die laaste deel en moenie moet opgee nie
 - As jy vasval by die eerste geleentheid, probeer weer!
- 8. Congratulations to Retired Constitutional Court Justice Edwin Cameron who has been elected as the new Chancellor of Stellenbosch University.
 - He will officially begin his term as chancellor on 1 January 2020.

Thank you”.

3.	COMMUNICATION BY THE SPEAKER
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“Good morning to:

- The Executive Mayor, Alderman Van Deventer
- The Municipal Manager, Ms. Geraldine Mettler
- All other Alderman and Ladies
- All Councilors
- All Directors and Staff members present
- All Members of the Public and especially Mr. Pelsler from the Stellenbosch Ratepayers Association

Allow me to WELCOME ALL of YOU TO THIS Beautiful Month of October. I sincerely hope that you will enjoy the inputs and discussions from the different speakers and may this be a fruitful meeting as we also think of the students and scholars (matriculates) who will soon be starting with their final exams.

Madam Mayor may I use this opportunity to Congratulate Mr. Johru Robyn from the Human Settlement Department who is currently flying off to the United States of America to present a speech at the Global Symposium on Sustainable Cities and Neighborhoods at the University of Chicago @ UN-Habitat.

On a more serious note Members, may I bring under your attention that the Office of the Speaker has been undaunted with complaints against the behavior of certain Councilors? May I mentioned as Speaker of this Council that certain cases has been brought against certain councilors which prompted me to take certain action against them. If disciplinary cases will be constituted against any Councilor, I humbly request all Councilors to please assist the Independent Investigator in his investigations to bring the matters at hand to finality and not burden the taxpayers with further expenses.

- Ward Committees - Filling of Vacancies – Co-Option – wards are reminded to please fill the vacancies on the ward committees – those wards who have not done so are reminded to please follow the procedure of co-option within the next two months.

Birthdays

The following Councilors have had their birthdays during the month of October

- Executive Councilor Salie Peters – 4/10/2019
- Cllr. Emily Fredericks – 16/10/2019
- Cllr. Ndipiwe Olayi – 21/10/2019

On a more somber note Madam Mayor and Municipal Manager – we note

That it is with great sadness that the Administration and Planning Department in particular have to say goodbye to one of our beloved colleagues, **Ms Martha Ndabambi**, better known to all as **Jessie**, who passed away on Sunday.

Please join me in keeping her friends and family in our thoughts and prayers during this difficult time. Let us therefore have a minute of Silence.”

The Speaker allowed the following Councillors to comment on her communications:

- Cllrs DA Hendrickse (on behalf of the EFF) and Cllr F Adams (on behalf of the DNCA), expressed their condolences to the family and colleagues of Jessie who passed away on Sunday;
- Cllr DA Hendrickse requested the Administration to investigate how staff members can be employed on a temporary basis for such a long period. He urged the Administration to see how they can assist the family of Jessie, because she was employed on a temporary contract for ± 7years and died without any benefits.

- Cllr F Adams said that the Administration is failing its employees, because there are a number of staff members with the same scenario as Ms Ndabambi as temporary appointments, and he requested Council to intervene.

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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- The Municipal Manager, Ms G Mettler, expressed her sincere condolences towards the family with the passing of Ms Martha (Jessie) Ndabambi.
- She placed it on record that the Administration was busy with the placement of temporary employees working in the municipality and that Jessie was indeed placed as a permanent employee. She urged Cllrs DA Hendrickse and F Adams to verify their facts before making statements as if it is the truth.
- In response to the Municipal Manager's statement, Cllr DA Hendrickse posed a question, namely: "how long was Jessie temporary as well as permanently employed"? The Speaker **RULED** that Cllr DA Hendrickse is welcome to conduct his own investigation through the correct procedures.
- The Municipal Manager informed Council that the municipality received another award from the National Department of Environmental Affairs for Good Green Deeds towards a recycling economy and sustainable land remediation.
- She expressed her well wishes to all the matriculants of 2019 with the matric exams.
- The Municipal Manager mentioned that October is Breast Cancer Awareness month and she congratulated the Administration for the successful event they organised for all women of the municipality.

5.	DISCLOSURE OF INTERESTS
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NONE

6.	APPLICATIONS 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 FT Bangani-Menziwa (Ms)	–	23 October 2019
Cllr DD Joubert	–	23 October 2019
Cllr RS Nalumango (Ms)	–	23 October 2019
Cllr N Olayi	–	23 October 2019
Cllr LL Stander	–	23 October 2019
CFO (Mr K Carolus)	–	23 October 2019

- 6.2 Permission was granted to Councillors E Fredericks (Ms) and P Sitshoti (Ms) to leave the meeting earlier (at 12:00 & 13:10 respectively), and Councillor E Groenewald (Ms) to join the meeting later (from 11:45).

- 6.3 ABSENT

Cllr MD Oliphant

7.	APPROVAL OF MINUTES OF PREVIOUS COUNCIL
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7.1	CONFIRMATION OF MINUTES OF THE 31ST COUNCIL MEETING: 2019-09-25
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The minutes of the 31st Council Meeting: 2019-09-25 were **confirmed as correct.**

8.	STATUTORY MATTERS
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NONE

9.	REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS
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ITEM	Pg	INPUT	MM'S RESPONSE
<u>Cllr DA Hendrickse</u> Resolution on housing allocation in the Idas Valley Housing project.		How was this resolution implemented by ASLA?	A meeting was held with the community and a feedback report will be submitted at the next Council meeting.
<u>Cllr DA Hendrickse: Item 7.3.1</u> Future use and maintenance of Council Heritage buildings	48	Item on 30% but the Mayor mentioned in her speech that the municipality received an award. Where is the report, item only indicate 30% completed? Why did it take 2 years?	There's a difference between heritage inventory and heritage houses, must not confuse the two. The one that the Mayor referred to was in terms of the planning aspects.
<u>Cllr DA Hendrickse: Item 7.6.2</u> Solid Waste Upgrade Report	51	2 years that this item is on 90%. What is being done to mitigate this?	The Cllr is aware of the legislation around NEMA that speaks about the EIA's that needs to be done, which takes time. The process must be advertised. Must adhere to regulatory processes.
<u>Cllr DA Hendrickse: Item 8.3.3</u> Problem Properties By-Law	52	Next month 2 years outstanding. Council in 2017 resolved that this should be advertised within 90 days from Council resolution. Still not resolved.	Input NOTED
<u>Cllr DA Hendrickse: Item 7.5.1</u> Jamestown Housing Project	53	This project has already gone through a public participation process. Why do another draft layout?	Input NOTED
<u>Cllr DA Hendrickse: Item 8.2.3</u> Northern Extension	55	The comment in the feedback column has got nothing to do with the item. There was a separate item regarding the sale of Mr Smith's farm earlier this year. Why is the sale of the land linked to the northern extension?	The MM was mandated to look for additional land to do the transfer. The purchasing of the land was additional to that.
<u>Cllr DA Hendrickse: Item 7.2.4</u> Proposed service delivery in Jonkershoek	58	The Administration and Portfolio members of Working Groups at SALGA should take note of the engagement that SALGA had with the Dept of Public Works, Forestry and the community of Jonkershoek. SALGA is in talks with Treasury to make funding available for municipalities to budget for the take-over of these sites.	Input NOTED

<u>Cllr DA Hendrickse: Item 8.2.4</u> Multi-stakeholder engagement with Adam Tas Corridor	63	Did not see any engagement by the Stellenbosch Municipality, nor did the MM submit any report to Council on the feasibility study. Cllr Hendrickse raised a concern that the Project Manager of the Adam Tas Corridor had meetings with the communities. The Adam Tas Steering Committee with the University are running their own thing without the municipality taking control of this matter.	Input NOTED
<u>Cllr DA Hendrickse: Item 7.4.1</u> Backyard dwellers – site opposite Kayamandi	65	Item 60% complete, when can Council expect feedback?	Input NOTED
<u>Cllr DA Hendrickse: Item 7.4.1</u> Van der Stel Sport facility	66	What is the details of the MOU that was signed with the SSRA?	There is a tender in place; it is explained in the recommendations.
<u>Cllr F Adams: Item 7.3.2</u> Extension of burial space: Louw's Bos and Culcatta Bos	49	In what year will this be implemented? How long do you envisage this capacity to last (years)?	These processes takes time, EIA and GIA needs to be done.
<u>Cllr F Adams: Item 7.3.2</u> Jamestown Housing	53	No timeframes 160 houses took almost 20 years	Input NOTED
<u>Cllr F Adams: Item 7.4.1</u> Proposed development of Erf 81/2 and Erf 81/9, Stellenbosch for backyarders	65	Where are these 2 portions of land situated?	There is a process underway, which is explained in (a) - (d) of the resolution.

NOTED

The report by the Municipal Manager re outstanding resolutions taken at previous meetings of Council.

10.	ITEMS FOR NOTING
10.1	REPORT/S BY THE EXECUTIVE MAYOR
10.1.1	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JULY 2019 TO SEPTEMBER 2019

File No.:

Collaborator No:

IDP KPA Ref No:

Meeting Date:

N/A

2019-10-23

1. PURPOSE OF THE REPORT

To inform Council of the decisions taken by the Executive Mayor from July 2019 to September 2019 (see **APPENDIX 1**).

2. BACKGROUND

In terms of the Municipal Structures Act 117 of 1998 Section 56 (5) it is stated that:

“An Executive Mayor must report to the municipal council on all decisions taken by the Executive Mayor.”

According to the Municipal Systems Act 60 (1)(b)

“(1) the following powers may, within policy framework determined by the municipal council be delegated to an executive committee or executive mayor only (b) the determination or alternation of the remuneration, benefits or other conditions of service of the municipal manager or managers directly responsible to the municipal manager.

3. FINANCIAL IMPLICATIONS

None

32ND COUNCIL MEETING: 2019-10-23: ITEM 10.1.1**NOTED**

the decisions taken by the Executive Mayor for the period July to September 2019.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	OFFICE MANAGER: EXECUTIVE MAYOR
DIRECTORATE	CORPORATE AND STRATEGIC SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	Donovan.Muller@stellenbosch.gov.za
REPORT DATE	01 October 2019

10.2	REPORT/S BY THE SPEAKER
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10.2.1	SALGA WOMEN'S COMMISSION AND OTHER WORKING GROUPS REPORTS ON IT'S ACTIVITIES
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

23 October 2019

1. SUBJECT: SALGA WOMEN'S COMMISSION AND OTHER WORKING GROUPS REPORTS ON IT'S ACTIVITIES

2. To inform the Stellenbosch Municipal Council of the workings of the SALGA Women Commission at its last meetings as held. The report is also worth noting on certain discussions that did take place. This report is for NOTING.

3. DELEGATED AUTHORITY

The Speaker should table all the aspects of SALGA through the different working committees of the relevant standing committees to Council for noting.

4. EXECUTIVE SUMMARY

Speaker and other Mayoral Committee members attended various SALGA working group committee workshops and meetings. It is important that Council be informed of their attendance to the different working groups and the different topics that have been discussed for us to take note of.

32ND COUNCIL MEETING: 2019-10-23: ITEM 10.2.1

NOTED

The report from the SALGA Women's Commission and other related Working Groups.

FOR FURTHER DETAILS CONTACT:

NAME	WC Petersen
POSITION	<i>Speaker</i>
DIRECTORATE	<i>Office of the Speaker</i>
CONTACT NUMBERS	021 808-8009
E-MAIL ADDRESS	wilhelmina.petersen@stellenbosch.gov.za
REPORT DATE	2019-10-15

10.3	REPORT/S BY THE MUNICIPAL MANAGER
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10.3.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR SEPTEMBER 2019
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Collaborator No: 8/1
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 23 October 2019

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR SEPTEMBER 2019

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2019/2020 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 (2019/2020) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during September 2019.

32ND COUNCIL MEETING: 2019-10-23: ITEM 10.3.1

NOTED

the deviations as listed for the month of September 2019.

The following deviations were approved with the reasons as indicated below:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 05/20	08 September 2019	Re A Letamisa	Construction of retaining wall in Watergang, Kayamandi	Emergency.	The existing retaining wall in Watergang, Kayamandi was damaged due to vandalism. This is a safety hazard to residents occupying the nearby housing and could result in property damage or injury.	R 660 000 (Excl.Vat)
D/SM 06/20	30 September 2019	Liquid Telecom	Appointment of liquid telecom for the provision of voice services on a month to month basis but not exceeding 30 June 2020	Exceptional case and it is impractical or impossible to follow the official procurement processes	A tender was awarded to Telkom for the provision of voice services. On 26 September 2019 TELKOM requested an extension due to way leave approvals that they did not receive in time for them to install the	R 100 000 (Excl.Vat) per month

			starting form 1 October 2019 until a new contract is in place		<p>infrastructure. The municipality indicated that the situation is unacceptable, and it is not prepared to provide further extensions given that they have not started with the infrastructure installation.</p> <p>If we do not extend the contract with our current voice service provider, Liquid telecom, we will not be able to deliver services to the community from 1 October 2019.</p> <p>Telkom has indicated that they will be able to provide the services within two weeks. They were also requested to provide a project implementation plan.</p> <p>The voice service is a critical service for the Municipality and the interruption of this essential support is critical to the effective functioning of the municipality as a whole. Given the circumstances it is not practical or possible to follow the normal procurement processes.</p>	
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FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	CFO
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Kevin.Carolus@ Stellenbosch.gov.za
REPORT DATE	02 October 2019

10.3.2	MFMA SECTION 52 REPORTING UP TO SEPTEMBER 2019
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Collaborator No: 8/1
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 23 October 2019

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO SEPTEMBER 2019

2. PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the budget; financial and service delivery budget implementation plan by the Municipality for quarter 1 of the 2019/20 financial year.

3. DELEGATED AUTHORITY

THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL

In terms of section 52 (d) of the Municipal Finance Management Act:

“The mayor of a municipality—

(d) must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget as well as the non-financial performance of the municipality;”

4. EXECUTIVE SUMMARY

The Executive Mayor, must provide general political guidance over the fiscal and financial affairs of the Municipality and is required by Section 52(d) of the Municipal Finance Management Act to submit a report on the implementation of the budget and the financial and non-financial performance of the Municipality, to the Council within 30 days after end of each quarter.

The Section 52 report is a summary of the budget performance. It compares the implementation of the budget to the commitments made and contained in the Service Delivery and Budget Implementation Plan (SDBIP), and is intended to enable Council to give effect to their oversight responsibility.

This report provides the overall performance of the Municipality for the period 1 July 2019 to 30 September 2019.

32ND COUNCIL MEETING: 2019-10-23: ITEM 10.3.2

Cllr DA Hendrickse requested that it be minuted that there is a statutory duty on Council to perform an oversight role and not just note these reports. The Speaker responded that she will discuss the matter at the Speaker’s Forum for clarity and report back to Council.

NOTED

the MFMA Section 52 Report (including quarterly performance report) – The first Quarter, 2019.

10.3.3	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY 01 JULY 2019 – 30 SEPTEMBER 2019
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Collaborator No:

IDP KPA Ref No:

Good governance and Compliance

Meeting Date:

23 October 2019

1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 JULY 2019 UNTIL 30 SEPTEMBER 2019

2. PURPOSE OF REPORT

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period 01 July 2019 until 30 September 2019, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

In view of the legislative stipulations, attached is a summary as **ANNEXURE 1** of decisions taken by each Directorate. The report is for noting purposes.

Please note that these delegations only indicate the delegations exercised as delegated by Council to the various Senior Managers.

32ND COUNCIL MEETING: 2019-10-23: ITEM 10.3.3

NOTED

the decisions taken, for the period 01 April 2019 until 30 June 2019, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (01 July 2019 – 30 September 2019).
- Director Corporate Services – Ms A de Beer (01 July 2019 – 30 September 2019).
- Director Infrastructure Services – Mr D Louw (01 July 2019 – 30 September 2019).
- Director Community and Protection Services – Mr G Boshoff (01 July 2019 – 30 September 2019).
- Director Planning and Economic Development – Mr T Mfeya (01 July 2019 – 30 September 2019).

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	mm@stellenbosch.gov.za
REPORT DATE	09 October 2019

11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]
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11.1	COMMUNITY AND PROTECTION SERVICES: (PC : CLLR Q SMIT)
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NONE

11.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
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11.2.1	TRANSFER OF 80 HOUSES: LA MOTTE VILLAGE
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Collaborator No:

IDP KPA Ref No: *Institutional Transformation*

Meeting Date: 16 October 2019

1. SUBJECT: TRANSFER OF 80 HOUSES: LA MOTTE VILLAGE

2. PURPOSE

To provide feedback in regard to the transfer of the 80 houses at La Motte.

3. DELEGATED AUTHORITY

(FOR DECISION BY MUNICIPAL COUNCIL,

In terms of paragraph 3.1 of Stellenbosch Municipality's Irrecoverable Debt Policy the CFO has the delegated authority to consider applications up to an amount of R20 000.00. In the circumstances under discussion the Municipal Council must make a decision.

4. EXECUTIVE SUMMARY

The transfer of the 80 houses in the La Motte Village to identified beneficiaries has a very long history. A new Transferring Attorney had to be appointed to attend to this long outstanding matter. Due to the long delay in attending to the transfers, and due to the fact that no municipal accounts were rendered as no properly completed and signed agreements were concluded, none of the Lessees made any payments with regards to occupational rental. For this reason the outstanding debt in respect of rental was an amount of R15 770 700.11 (**APPENDIX 1**)

It would be very difficult to recoup the outstanding amounts. The outstanding debt should be recouped before the transfer of the houses can take place as the payment of the rental amounts was provided for in the 2010 and 2014 Council resolutions. Council will have to approve that the debt to be written off or change the 2014 council resolution to allow for the.

The matter was referred back to the department to provide the outstanding updated annexure and to make changes to the recommendations in line with the discussion at MAYCO.

32ND COUNCIL MEETING: 2019-10-23: ITEM 11.2.1**RESOLVED** (majority vote with abstentions)

- (a) that transfer to the 10 households that are paid up be effected as a matter of urgency;
- (b) that a monthly progress report from the transferring attorney on the status quo and progress of the transfer be provided to the Municipality;
- (c) that letters be given as a matter of urgency to the 9 beneficiaries who allowed illegal occupants to occupy the houses to provide reasons why the houses should not be transferred to other beneficiaries;
- (d) that letters be given as a matter of urgency to all illegal occupying households to provide reasons why they should not be evicted from the houses they are occupying illegally as they were not recognised as the beneficiaries for the houses they occupy;
- (e) that an investigation as a matter of urgency be lodged as to how the 10 illegal occupants of unallocated houses were allowed to occupy the houses; and
- (f) that letters be given as a matter of urgency to all beneficiaries who are in arrears on the outstanding rental amounts to inform them that council intend to assist them, should they qualify for financial assistance from financial institutions or government subsidies to buy the houses. They will however still be liable for outstanding amounts on services.

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	Manager: Property Management
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	<u>Piet.smit@ Stellenbosch.gov.za</u>
REPORT DATE	2019-02-07

11.2.2	ACQUISITION OF ERF 1852
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Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 16 October 2019

1. SUBJECT: ACQUISITION OF ERF 1852

2. PURPOSE

To obtain council's permission to enter into a tender process to purchase the property, Erf 1852 on the corner of Plein and Ryneveld Street. The acquisition of Erf 1852 will address some of the need for municipal office space currently addressed through rental contracts.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

Council is currently renting office space in the CBD in three different buildings from 3 different companies. These lease agreements are concluded for a three-year period and is not a permanent solution to address the lack of office space.

There are currently 3 (three) lease agreements in place for office space in Stellenbosch CBD:

Name of building	Landlord	Size
Oude Bloemhof Building	Absa Bank Ltd	764.41m ²
Ecclesia	Octofin Commercial (Pty) Ltd	2254.49m ²
Eikestad Mall	Eikestad Joint Venture	989.31m ²
Total		4008.21m²

The lease agreements will cost the municipality **R33 192 125.20** over the next three financial years.

An advert was placed in the Eikestad newspaper for the sale of property Erf 1852 on the corner of Plein and Ryneveld Street. This is a unique opportunity to acquire office space on a large scale that does not come round regularly and for the CBD is rare. The property offers office space of 2065 m². The last municipal valuation of the property was R 20 Million. This amount will be higher in the next valuation.

Erf 1852 offers office space of 2065 m², which will be sufficient to accommodate staff that's situated in the ABSA Bank and Eikestad Mall buildings. In total the municipality will spend R14 187 974.36 over the next three financial years on rental cost for these two buildings.

The Chief Financial Officer made financial projections based on financing using own funds as well as external financing in order to determine the breakeven point (attached as Annexure B). In both instances the breakeven point would be reached in less than 10 years. The lifetime of the asset will evidently be much longer than 10 years and hence it would make sense to procure Erf 1852. The property also houses some commercial space that can bring additional income.

32ND COUNCIL MEETING: 2019-10-23: ITEM 11.2.2**RESOLVED** (majority vote with abstentions)

- (a) that the Municipal Manager be authorised to enter into a tender process for the acquisition of Erf 1852, Stellenbosch; and
- (b) that should the Municipality be the successful tenderer it be subject to Council's approval.

Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	ANNALENE DE BEER
POSITION	DIRECTOR
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.gov.za
REPORT DATE	2019 –10-16

11.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]
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NONE

11.4	HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)
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11.4.1	DRAFT HOUSING ALLOCATION POLICY
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Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 16 & 23 October 2019

1. SUBJECT: DRAFT HOUSING ALLOCATION POLICY

2. PURPOSE

To obtain Council's approval for public consultation of the Draft Housing Allocation Policy for Stellenbosch Municipality.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The application is for Council to approve the Housing Allocation Policy to ensure the proper management of the Housing Demand Database system and that all prospective housing beneficiaries are selected from the Council's Database System. Council has noticed that there is confusion, perceived bias and favouritism in the allocation of houses. There is also widespread dissatisfaction around queue-jumping. Council is also concerned that many people do not understand the procedure for applying for government subsidy houses. It is Council's feeling that allocation procedures for subsidy houses should be transparent and accessible to all the residents of WC024

Council therefore supports the following objectives:

- Promotion of equal access to housing for WC024 residents
- Transparency
- Prevention of unfair discrimination
- Promotion of fair administrative justice
- Apply the principle of "first come first serve"
- Proper recording of all housing applicants

32ND COUNCIL MEETING: 2019-10-23: ITEM 11.4.1**RESOLVED** (majority vote with abstentions)

- (a) that Council adopts the Housing Allocation Policy as a draft, in principle; and
- (b) that the Draft Housing Allocation Policy for Stellenbosch Municipality be advertised for public comments, whereafter it be resubmitted to Council for final consideration and subsequent adoption.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	ROTANDA NONA SWARTBOOI
<i>POSITION</i>	MANAGER: HOUSING ADMINISTRATION
<i>DIRECTORATE</i>	PLANNING AND ECONOMIC DEVELOPMENT
<i>CONTACT NUMBERS</i>	021 808 8757
<i>E-MAIL ADDRESS</i>	<u>Rotanda.Swartbooi@stellenbosch.gov.za</u>
<i>REPORT DATE</i>	

11.4.2	IDENTIFICATION OF POSSIBLE INFILL HOUSING DEVELOPMENTS IN THE CLOETESVILLE AREA
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Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 9 October 2019

1. SUBJECT: IDENTIFICATION OF POSSIBLE INFILL HOUSING DEVELOPMENTS IN THE CLOETESVILLE AREA

2. PURPOSE

- (i) To inform Council of studies that were undertaken to identify properties in Cloetesville for possible future development.
- (ii) To inform Council of a site visit that was undertaken by officials, the Ward Councillor, the Deputy Mayor and the representatives of the Backyarders Committee. During the site visit a few additional possible development sites were identified by the visiting group.
- (iii) To obtain Council's approval to enter into a tender process to develop some of the sites as identified in the paragraphs hereunder.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Municipality commissioned two desktop studies in order to determine the suitability of Municipal owned vacant erven in Cloetesville for further infill development.

The first desktop study was undertaken to identify all Municipal owned vacant property in Cloetesville.

The second study zoomed in on the services available to all properties and from that four (4) properties have been identified with a higher possibility of successful development.

A site visit was undertaken by officials, the Ward Councillor, the Deputy Mayor and the representatives of the Backyarders Committee. During the site visit a few additional possible development sites were identified by the visiting group and will be elaborated on under paragraph 6, table 1, hereunder.

32ND COUNCIL MEETING: 2019-10-23: ITEM 11.4.2

RESOLVED (majority vote)

- (a) that the Directorate: Planning and Economic Development be requested to conduct feasibility studies on all the erven that were identified in the Aurecon report, as well as the sites identified by the representatives of the Backyarders Committee except those mentioned in paragraph (c) below;

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- (b) that these studies include the feasibility for housing, including emergency housing, different housing typologies that address the challenges the communities are facing in the Cloetesville area; or whether it will be better suited for other community needs;
- (c) that the Municipal Manager be mandated to start an investigation into non-municipal land including properties owned by the national or provincial government that may be acquired by Council for housing purposes; and
- (d) that a feasibility study report be submitted as soon as possible but not later than the end of the current financial year.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director</i>
DIRECTORATE	<i>Planning & Economic Development</i>
CONTACT NUMBERS	<i>021-808 8493</i>
E-MAIL ADDRESS	<i><u>Tabiso.Mfeya@ Stellenbosch.gov.za</u></i>
REPORT DATE	

11.5	INFRASTRUCTURE SERVICES: (PC: CLLR Q SMIT)
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11.5.1	APPROVAL AND ADOPTION OF THE WATER SERVICE DEVELOPMENT PLAN 2019
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

09 October 2019

1. SUBJECT: APPROVAL AND ADOPTION OF THE WATER SERVICE DEVELOPMENT PLAN 2019

2. PURPOSE

To submit the proposed Water Service Development Plan of the Stellenbosch Municipality to Council for approval.

3. DELEGATED AUTHORITY

COUNCIL.

The Water Service Development Plan must, in terms of the Water Services Act (Act 108 of 1997), be adopted by the Municipal Council.

4. EXECUTIVE SUMMARY

The current Water Service Development Plan (WSDP) must be updated every five years as directed by the Water Services Act. (Act 108 of 1997) and regulations relating to compulsory National Standard Measures to Conserve Water”.

The Water Services Development Plan contains provisions in support of basic human services, replacement and upgrading of old infrastructure, cleaned piped water, sanitation services and procedures relating to service connections to consumers, services specifications, compliance regulations and obligation matters relating to municipality's Constitutional obligation to effective service delivery, to all relevant legislation.

The WSDP propose to regulate all activities, infrastructure and entities associated with potable water, waste water generation, the disposal of sewerage effluent by all types of consumers

The proposed plan is also not in contradiction with any existing policies (e.g. credit control policy).

32ND COUNCIL MEETING: 2019-10-23: ITEM 11.5.1

RESOLVED (majority vote)

- (a) that the content of this report be noted;
- (b) that the attached Draft Water Service Development Plan (2019) be approved in principle by Council;

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- (c) that the Department: Water & Wastewater Services invite public comment on the Water Services Development Plan (2019) by means of a notice in the local media; and
- (d) that Council approves the Water Services Development Plan (2019) after public comment has been considered.

Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	<u>Deon.louw@ Stellenbosch.gov.za</u>
REPORT DATE	04 October 2019

11.6	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))
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11.6.1	DRAFT TREE MANAGEMENT POLICY OF MUNICIPAL TREES WITHIN WC024
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Collaborator No: 664071
IDP KPA Ref No: Strategic Focus Area 2
Meeting Date: 09 October 2019

1. SUBJECT: DRAFT TREE MANAGEMENT POLICY OF MUNICIPAL TREES WITHIN WC024

2. PURPOSE

For Council to consider and approve the Draft Tree Management Policy on municipal trees within WC024.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The policy is developed for the management of trees within the WCO24. The tree policy addresses all tree related aspects to ensure effective functionality of daily operations. The amendments will ensure the consistent application of the policy by all users.

32ND COUNCIL MEETING: 2019-10-23: ITEM 11.6.1

RESOLVED (nem con)

- (a) that the attached Draft Tree Management Policy be accepted by Council;
- (b) that Council approves the advertisement of the Draft Tree Management Policy (August 2019) for a period of 60 days for public input; and
- (c) that the inputs received during the above public participation process be worked into a final draft Tree Management Policy to be presented to Council for approval.

FOR FURTHER DETAILS CONTACT:

NAME	TAMMY LEIBRANDT
POSITION	MANAGER: ENVIRONMENTAL MANAGEMENT
DIRECTORATE	COMMUNITY AND PROTECTION SERVICES
CONTACT NUMBERS	021 808 8180
E-MAIL ADDRESS	tammy.leibrandt@stellenbosch.gov.za
REPORT DATE	30 July 2019

11.7	PLANNING AND ECONOMIC DEVELOPMENT: (PC:CLLR E GROENEWALD (MS))
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NONE

11.8	RURAL MANAGEMENT AND TOURISM: (PC: CLLR S PETERS)
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NONE

11.9	YOUTH, SPORTS AND CULTURE: (PC: CLLR M PIETERSEN)
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11.9.1	REVIEWING OF THE POLICY ON LEASING AND USE OF MUNICIPAL HALLS
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Collaborator No: 662957
IDP KPA Ref No: Good Governance
Meeting Date: 09 October 2019

1. **SUBJECT: REVIEWING OF THE POLICY ON LEASING AND USE OF MUNICIPAL HALLS**
2. **PURPOSE**
To inform Council about the revision done on the Leasing and Use of Municipal Halls Policy and to obtain Council approval.
3. **DELEGATED AUTHORITY**
COUNCIL
4. **EXECUTIVE SUMMARY**
The policy has reached its maturity and the department identified elements to be revised. The amendments will ensure the consistent application of the policy by all respective users.

32ND COUNCIL MEETING: 2019-10-23: ITEM 11.9.1

RESOLVED (majority vote)

that the attached draft revised policy on the hiring and use of municipal halls be approved in principle, and be circulated for public comments for 30 days before it is re-submitted for final approval.

Councillors F Adams; DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

11.10	MUNICIPAL MANAGER
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NONE

12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
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12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
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12.1.1	THE OUTCOME OF THE INVESTIGATION INTO THE APPOINTMENT OF PLAN ASSOCIATES TOWN AND REGIONAL PLANNERS INC AND THE SEQUENCE OF EVENTS THAT ULTIMATELY ENDED UP IN A SECTION 116 APPOINTMENT BY COUNCIL
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

18 & 23 October 2019

1. SUBJECT: THE OUTCOME OF THE INVESTIGATION INTO THE APPOINTMENT OF PLAN ASSOCIATES TOWN AND REGIONAL PLANNERS INC AND THE SEQUENCE OF EVENTS THAT ULTIMATELY ENDED UP IN A SECTION 116 APPOINTMENT BY COUNCIL

2. PURPOSE OF REPORT

To report the outcome of the investigation into the appointment of Plan Associates Town and Regional Planners INC and the sequence of events that ultimately ended up in a Section 116 appointment by council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

At the MPAC meeting of 20 March 2019, it requested the Financial Services directorate to lodge a comprehensive internal investigation into the appointment of Plan Associates Town and Regional Planners INC and to investigate the sequence of events that ultimately ended up in a Section 116 appointment by council.

The outcome of the investigation is attached as **ANNEXURE A**.

32ND COUNCIL MEETING: 2019-10-23: ITEM 12.1.1**RESOLVED** (majority vote)

- (a) that Council takes note of the content of the report attached hereto as ANNEXURE A;
and
- (b) that Council certifies the irregular expenditure of R1 042 362.57 as irrecoverable and
that this amount be written off.

Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

12.1.2	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY SG SUPPLY CHAIN SERVICE PTY LTD
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

18 & 23 October 2019

1. SUBJECT: CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY SG SUPPLY CHAIN SERVICE PTY LTD

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to write off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2). The irregular expenditure with regard to the procurement of services for the repairs to Selwood Diesel Pump is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council to write off the irregular expenditure as irrecoverable as the specific nature of the breach is a breach of the procurement process, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness, for the payment of SG Supply Chain Services Pty Ltd.

4. EXECUTIVE SUMMARY

The Wastewater Treatment Department make use of a Selwood diesel driven mobile pump, with registration number CL 23859 to clean process units at Wemmershoek and Klappmuts Wastewater Plants on a regular basis. On the 26th April 2018 the pump caught fire while in operation. Due to previous non-starting problems of the diesel pump the department followed an FQ process to source a pump for hire from prospective service providers. SG Supply Chain Services Pty Ltd was the successful service provider for FQ 38/19, issued on the 2nd May 2018 order number 348009. The department would make use of the said FQ 38/19 to hire a six inch (6inch) diesel pump as and when needed. On the 2nd May a need aroused that we had to urgently clean a Klappmuts Wastewater Plants' process unit (Chlorine Contact Channel) urgently and requested a pump from the service provider to be used the next day as per order number 348009. The department was informed that SG Supply Chain Service Pty Ltd don't have a pump available the next week (by 9th May 2018) but the service provider could inspect the Selwood diesel pump as they were busy in the Stellenbosch area at the time.

The intent was in good faith as it was in the interest of service delivery. The benefits are that Environmental compliance into the Berg River was maintained, Effluent compliance in terms of Green Drop as managed by the Department of Water and Sanitation (DWS). The Stellenbosch Municipality subscribes to the pillars of a "Green and Sustainable Valley" and "Good Governance & Compliance".

While the process was admittedly flawed, it is agreed that there were no *male fide*, personal gain or loss for Council, and it is requested that consideration be given to certify the irregular expenditure as irrecoverable and that it be written off.

32ND COUNCIL MEETING: 2019-10-23: ITEM 12.1.2**RESOLVED** (nem con)

- (a) that Council takes note of the content of the report by the officials; and
- (b) that Council certifies the irregular expenditure of R7 306.00 as irrecoverable and that this amount be written off.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	<i>Director: Infrastructure Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	<i><u>Deon.louw@Stellenbosch.gov.za</u></i>
REPORT DATE	<i>2019/05/29</i>

13.	REPORTS BY THE MUNICIPAL MANAGER
13.1	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY - REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: <u>QUARTER 1 (01 JULY 2019 - 30 SEPTEMBER 2019)</u>

Collaborator No:

IDP KPA Ref No: Financial Sustainability (KFA 59: Supply Chain Management)

File nr: 8/1/3/3/2

Meeting Date: 23 October 2019

1. SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY - REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 1 (01 JULY 2019 - 30 SEPTEMBER 2019)

2. PURPOSE

To submit to Executive Management a report for the period 01 July 2019 – 30 September 2019 on the implementation of Council's Supply Chain Management Policy. The report covers the performance of the various delegated functions and the implementation thereof.

3. FOR DECISION BY MUNICIPAL COUNCIL

Section 6 (3) & 4 of the SCM Policy 2019/2020 determines that the Accounting Officer must within 10 days at the end of each quarter; submit a report on the implementation of the SCM Policy to the Executive Mayor. This report must be made public in accordance with section 21A of the Municipal Systems Act (32 of 2000).

4. EXECUTIVE SUMMARY

On a quarterly basis the Accounting Officer must submit a report on the implementation of the Supply Chain Management Policy to the Executive Mayor. In terms of the SCM Regulations and Council's SCM Policy the SCM unit has been delegated to perform powers and functions that related to the procurement of goods and services, disposal of goods no longer needed, the selection of contractors to provide assistance in the provision of municipal services.

32ND COUNCIL MEETING: 2019-10-23: ITEM 13.1

RESOLVED (majority vote)

- (a) that Council takes note of this report and **ANNEXURE A** attached to the report; and
- (b) that the report be made public in accordance with section 21A of the Municipal Systems Act.

13.2	INTEGRATED HUMAN SETTLEMENTS PLAN: STELLENBOSCH MUNICIPALITY
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Collaborator No:

IDP KPA Ref No:

Meeting Date: 23 October 2019

1. SUBJECT: INTEGRATED HUMAN SETTLEMENTS PLAN: STELLENBOSCH MUNICIPALITY

2. PURPOSE

To provide Council with a draft Integrated Human Settlements Plan (IHSP) which follows the Urban Development Strategy (UDS) and a number of other national, provincial, regional and local *planning* studies.

The key objectives of this IHSP is to:

- Be compliant with relevant legislation and policy directives;
- Confirm and apply the following elements of human settlement addressed in the UDS:
 - a) Statement of vision;
 - b) Growth-and-development paths with specific reference to housing demand (land and units) including the social need for houses i.e. housing for the indigent;
 - c) Investment framework with specific reference to the dimensions of funds-flow that are of importance for the Stellenbosch Municipality; and
 - d) Management framework, i.e. guidelines to steer decision-making on the implementation of the preferred growth-and-development path(s);
- Review and consolidate housing supply (in particular, by government); and
- Facilitate dialogue about preferred interventions and preferred growth-and-development outcomes.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Stellenbosch Municipality identified the need to set a 'new' growth-and-development path. A growth-and-development path essentially guides land development to effect change, i.e. to deal with urban challenges, opportunities and constraints. The Urban Development Strategy (UDS) attempts to ensure a principle-led response to the use and development of land over a 20-year period. In this context and following the UDS, the Integrated Human Settlement Plan (as previously distributed) addresses the entire spectrum of housing across different socio-economic categories and price gradients. The 'rural' component of the growth-and-development path was, amongst others, informed by the Status Quo Report (dated March 2017) of the Rural Area Plan.

32ND COUNCIL MEETING: 2019-10-23: ITEM 13.2**RESOLVED** (majority vote)

- (a) that Council notes the responses received from the public participation process with respect to the Integrated Human Settlements Plan (IHSP);
- (b) that Council takes note of the request for an additional information session with especially with the residents of Onder-Papegaaiberg and other stakeholders;
- (c) that a public meeting is scheduled on 29 October 2019 to address the concerns raised in the comments received from the public; and
- (d) that the departments Roads, Transport, Stormwater and Traffic Engineer, Spatial Planning and Housing Development make presentations as suggested in the correspondence of Stellenbosch Interest Group.

Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director</i>
DIRECTORATE	<i>Director: Planning & Economic Development</i>
CONTACT NUMBERS	<i>021 808 8491</i>
E-MAIL ADDRESS	<i>tabiso.mfeya@stellenbosch.gov.za</i>
REPORT DATE	

13.3	ADOPTION OF THE STELLENBOSCH INFORMAL TRADING POLICY
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

23 October 2019

1. SUBJECT: ADOPTION OF THE STELLENBOSCH INFORMAL TRADING POLICY**2. PURPOSE**

To request Council to adopt the Informal Trading Policy after considering comments received from the public.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Stellenbosch Informal Trading Policy, which guides the strategic direction in terms of informal trading, has been advertised for public comments and are now presented to Council for adoption after considering the comments from the public.

32ND COUNCIL MEETING: 2019-10-23: ITEM 13.3**RESOLVED** (majority vote)

- (a) that, after considering the comments made by the public, Council adopts the Stellenbosch Informal Trading Policy; and
- (b) that the Stellenbosch Informal Trading By-Law be amended to incorporate the objectives and provisions as incorporated in the Informal Trading Policy.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director</i>
DIRECTORATE	<i>Planning & Economic Development</i>
CONTACT NUMBERS	<i>021 808 8491</i>
E-MAIL ADDRESS	<i>tabiso.mfeya@stellenbosch.gov.za</i>
REPORT DATE	<i>10-10-2019</i>

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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14.1	QUESTION 1 BY CLLR F ADAMS: PUBLIC MEETINGS: WARD COUNCILLORS AND WARD COMMITTEES
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A Notice of Question, dated 2019-09-26, was received from Councillor F Adams.

The said Question is attached as **APPENDIX 1** and the appropriate response **will be distribute under separate cover in due course as APPENDIX 2.**

FOR CONSIDERATION

30TH COUNCIL MEETING: 2019-10-23: ITEM 14.1

The response on Cllr F Adams's question was NOTED. The Speaker RULED that Cllr F Adams is welcome to pose a follow-up question at the next Council meeting.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@stellenbosch.gov.za</i>
REPORT DATE	<i>2019-10-23</i>

14.2	MOTION BY COUNCILLOR F ADAMS: PARKING CHARGES / PAYMENTS OF MUNICIPAL STAFF
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A Notice of a Motion, dated 2019-09-30, was received from Councillor F Adams regarding the parking charges / payments of municipal staff.

The said Motion is attached as **APPENDIX 1**.

FOR CONSIDERATION

30TH COUNCIL MEETING: 2019-10-23: ITEM 14.2

The Speaker allowed Councillor F Adams to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.

The matter was put to the vote, yielding a result of 7 in favour and 24 against.

RESOLVED (majority vote)

that this Motion not be accepted.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i><u>Municipal.Manager@ Stellenbosch.gov.za</u></i>
REPORT DATE	<i>2019-10-23</i>

14.3	MOTION BY COUNCILLOR DA HENDRICKSE: CANCELLATION OF LEASE ON FARM 502X
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A Notice of a Motion, dated 2019-10-08, was received from Councillor DA Hendrickse regarding the cancellation of lease on Farm 502X.

The said Motion is attached as **APPENDIX 1**.

FOR CONSIDERATION

30TH COUNCIL MEETING: 2019-10-23: ITEM 14.3

The Speaker allowed Councillor DA Hendrickse to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.

The matter was put to the vote, yielding a result of 3 in favour and 24 against.

RESOLVED (majority vote)

that this Motion not be accepted.

The Executive Mayor requested that the Municipal Manager investigate this matter as a matter of urgency.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i><u>Municipal.Manager@stellenbosch.gov.za</u></i>
REPORT DATE	<i>2019-10-23</i>

14.4	MOTION BY COUNCILLOR DA HENDRICKSE: LEASE AGREEMENT OF KVV PTY (LTD) ON FARM 369P, STELLENBOSCH
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A Notice of a Motion, dated 2019-10-08, was received from Councillor DA Hendrickse regarding lease agreement of KVV PTY (LTD) on Farm 369P, Stellenbosch.

The said Motion is attached as **APPENDIX 1**.

FOR CONSIDERATION

30TH COUNCIL MEETING: 2019-10-23: ITEM 14.4

The Speaker allowed Councillor DA Hendrickse to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.

The matter was put to the vote, yielding a result of 3 in favour and 25 against.

RESOLVED (majority vote)

that this Motion not be accepted.

Councillors DA Hendrickse and LK Horsband (Ms) requested that it be minuted that they were in favour of the Motion.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@stellenbosch.gov.za</i>
REPORT DATE	<i>2019-10-23</i>

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 15:50.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments**