



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Collaborator No:
IDP KPA Ref No:
Meeting Date:

File number 1/3/1/20
Institutional Transformation
27 July 2022

1. SUBJECT:

RETURN ITEM: DRAFT REVISED STELLENBOSCH MUNICIPALITY RULES OF ORDER BY-LAW: 2022

2 PURPOSE

To provide feedback to Council on comments received after the draft revised Stellenbosch Municipality Rules of Order By-law was published for public comment.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Council approved a draft revised Stellenbosch Municipality Rules of order By-Law on 26 April 2022. The document was published for public comment. A copy of the notice is attached as **Appendix 3**. We received one comment from the Chief Legal Advisor of Council attached as **Appendix 1**. The suggested change have been accommodated in the draft on page 16.

The draft revised Stellenbosch Municipality Rules of Order Bylaw is attached as **Appendix 2** for final approval and promulgation in the Government Gazette. It will come into operation on the date of promulgation. The delegations as per this by-law has already be taken into consideration when the amended delegations register was approved.

5. RECOMMENDATIONS

- 5.1 that Council takes note of the input received and approved the accommodation of the input in the draft document;

- 5.2 that the draft revised Stellenbosch Municipality Rules of Order By-law (**Appendix 2**) be approved;
- 5.3 that the Stellenbosch Rules of Order By-Law be promulgated in the Government Gazette.

6. **DISCUSSION / CONTENTS**

6.1. **Background**

When Council constituted in November 2021 the rules of order By-law promulgated in July 2019 was approved to be used for meetings and it was further resolved that the Rules of Order By-Law must be revised before June 2022.

The Rules committee met during February and March 2022 to discuss changes to the existing document. Given the changes of the Structures Amendment Act and the Covid pandemic that lead to the use of virtual platforms to conduct meetings several amendments have been made during the discussions. The draft revised Draft Rules of Order By-Law was approved by Council for public participation on 26 April 2022.

6.2 **Discussion**

Council's approval of the draft document is requested before it is advertised for public comment. All comments received will be discussed by the Rules Committee before the final draft revised By-law will be submitted to Council for consideration and promulgation.

The document was published for public comment. We received one comment from the Chief Legal Advisor of Council attached as **Appendix 1**. The suggested change have been accommodated in the draft on page

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6.3. **Financial Implications**

With on-line meetings the costs to hold a council meeting is drastically reduced as councillors do not have to travel to a central space, no costs have to be incurred to ensure compliance with covid regulations whatever they may be now and in future. No catering costs are incurred. Catering costs may in any case in terms of the cost containment regulations only be incurred where a meeting takes more than 5 hours.

6.4 Legal Implications

The recommendations in this report comply with Council's policies and all applicable legislation.

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

**4TH COUNCIL MEETING: 2022-04-26: ITEM 13.1
RESOLVED (nem con)**

that the draft revised Stellenbosch Municipality Rules of Order By-law (**APPENDIX 1**) be advertised for public comments for 30 days, after which it be resubmitted to Council for final approval.

6.7 Risk Implications

This risks are addressed through this report.

6.8 Comments from Senior Management:

The item was not circulated for input from senior management

6.8.1 Municipal Manager:

Agree with the recommendations

ANNEXURES

APPENDIX 1 – Input received during public Participation process

APPENDIX 2 – Revised Stellenbosch Municipality Rules of Order By-Law 2022.

APPENDIX 3 – Notice that was published.

FOR FURTHER DETAILS CONTACT:

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