



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2023-07-26

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MINUTES

15TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2023-07-26 AT 10:00

MINUTES
15TH MEETING OF COUNCIL
OF STELLENBOSCH MUNICIPALITY
2023-07-26

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

COUNCILLORS

RA Adams	RS Nalumango
J Andrews	NR Ndalasi
Ald JC Anthony	CD Noble
ZJ Dalling	L Nkamisa
MM Danana	N Ntsunguzi
I De Taillerfer	WC Petersen
R Du Toit	RO Pheiffer
A Ferns	WF Pietersen
E Groenewald	MG Rataza (until)
AJ Hanekom	Ald JP Serdyn
RB Hendrikse	MJ Slabbert
P Johnson	SR Schäfer
J Joon	A Tomose
X Kalipa	RB Van Rooyen
N Mananga-Gugushe	M Van Stade
C Manuel	CA Van Wyk
NE Mcombring	E Vermeulen
XL Mdemka	J Williams
NM Mkhontwana	

OFFICIALS

Municipal Manager (G Mettler)
Chief Financial Officer (K Carolus)
Director: Community and Protection Services (G Boshoff)
Director: Corporate Services (A De Beer)
Director: Planning and Economic Development (A Barnes)
Director: Infrastructure (S Chandaka)
Chief Audit Executive (F Hoosain)
Senior Manager: Development Planning (C Alexander)
Senior Administration Officer (T Samuels)

1.	OPENING AND WELCOME
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The Speaker, Cllr Q Smit, extended a warm welcome to all present in the 15th Council meeting.

2.	MAYORAL ADDRESS
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- Welcome back to all councillors. We enjoyed a well-deserved recess, and now it is time to focus again on the projects and budget of the new financial year.
- Also welcome back to all the students. May the second semester be a productive, safe one with a positive outcome. Learners are also back at school and all this activity brings new life but also some traffic issues to the town. Please be careful on the roads and plan your trips well.
- We celebrated Mandela day on 18 July 2023, and on this day, we offer up 67 minutes of our time for charity work. I know there were many projects undertaken by various departments within the municipality. It is not too late to do your bit. The entire month of July is still Mandela month, and we must always strive to give up of our time for good causes and the less fortunate.
- Gelukwense aan twee wynplase wat binne die Stellenbosch munisipaliteit geleë is, wat onder die top 100 gelys is as die "World's Best Vineyards Awards" vir 2023. Delaire Graff Estate is nommer 36 op die lys, en Tokara Winery nommer 94. Baie geluk.
- From 1 until 6 August 2023, the Wine Town Stellenbosch is back for another celebration. It is a celebration of wine, food, and hospitality. The Stellenbosch Wine Festival will round off celebrations in the Stellenbosch Town Hall, on 4 and 5 August 2023.
- 9 August is Women's Day, and the month of August is National Women's Month. This is an opportunity to celebrate women's achievements and the important role that women of all races and religions have played and continue to play in South African society.
- Soos u reeds weet, gaan die Provinsie tans gebuk onder baie strawwe nat en koue winter. Ons is steeds besig met opruim en skoonmaak na die eerste stormweer, en die skade aan veral landbou- infrastruktuur beloop reeds meer as R 1, 053 biljoen. In die Wes-kaap is daar ook baie skade aan oeste aangerig. Ons is natuurlik dankbaar vir die reën want die damme is reeds 100% vol maar ons moet steeds waaksaam wees teen die koue weer, en ook water spaarsamig gebruik.

3.	COMMUNICATION BY THE SPEAKER
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- The deadline for the submission of declaration of interest forms was 18 July 2023 and for SASRIA forms was 21 July 2023.
- Birthdays for May were as follows:
- Congratulations to the following Councillors who celebrated their birthdays:
 - Councillor Peter Johnson – 18 July
 - Councillor Robin Hendrikse – 20 July
 - Councillor Christie Noble – 23 July (60 years)

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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The Municipal Manager, Ms G Mettler, urged Councillors to familiarize themselves with the new Code of Conduct that was distributed to them.

5.	DISCLOSURE OF INTERESTS
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The following Councillors requested to be recused when the following items will be tabled:

Executive Mayor, Ald G Van Deventer	-	Items 11.8.3; 14.1 & 14.2
Cllr R Pheiffer	-	Items 14.1 & 14.2

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

Cllr M Slabbert – 26 July 2023

6.2 Absent:

Cllr O Jooste	–	26 July 2023
Cllr EP Masimini	–	26 July 2023
Cllr NM Mkhontwana	–	26 July 2023
Cllr M Nkopane	–	26 July 2023
Cllr N Olayi	–	26 July 2023

7.	CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING/S
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7.1	14TH COUNCIL MEETING: 2023-05-24
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The minutes of the 14th Council Meeting: 2023-05-24 were **confirmed as correct without any changes**.

7.2	SPECIAL COUNCIL MEETING: 2023-06-27
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The minutes of a Special Council Meeting: 2023-06-27 will stand over to the next Council meeting to allow the Administration to verify the correctness thereof.

7.3	URGENT COUNCIL MEETING: 2023-06-30
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The minutes of an Urgent Council Meeting: 2023-06-30 were **confirmed as correct without any changes**.

8.	STATUTORY MATTERS
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8.1	MFMA SECTION 52 REPORTING UP TO JUNE 2023
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Collaborator No: 752650
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 July 2023 & 26 July 2023

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO JUNE 2023

2. PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the implementation of the budget; and service delivery budget plan of the Municipality for the 4th quarter of the 2022/23 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 and the financial affairs 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 April 2023 to 30 June 2023.

The Office of the CFO is currently, in terms of s126 (1)(a) of the MFMA, preparing the Annual Financial Statements for the financial period ended 30 June 2023. It is important to note that the information in this report are preliminary results and may not be an accurate reflection of the financial position of the municipality as same will materially be influenced by year-end journals and processes still to be finalised which will influence the financial position. The latter process alluded to will only be finalised by the end of August 2023.

15TH COUNCIL MEETING: 2023-07-26: ITEM 8.1

NOTED

the Section 52 Report (including Quarterly Performance Report) – Fourth Quarter.

8.2	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY: REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: <u>QUARTER 4 (01 APRIL 2023 – 30 JUNE 2023)</u>
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Collaborator No: 752647
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 July 2023 & 26 July 2023

1. SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY: REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 4 (01 APRIL 2023 – 30 JUNE 2023)

2. PURPOSE

To submit to Management a report for the period 01 April 2023 – 30 June 2023 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 2022/2023, 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 aid in the provision of municipal services.

15TH COUNCIL MEETING: 2023-07-26: ITEM 8.2

RESOLVED (majority vote with 9 abstentions)

- (a) that Council approves 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.

The following Councillors requested that their votes of dissent be minuted:

Cllrs J Andrews; R Hendrikse; C Noble and M Van Stade.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Kevin.Carolus@Stellenbosch.gov.za
DIRECTORATE	Financial Services
REPORT DATE	10 July 2023

8.3	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: ANNUAL IMPLEMENTATION REPORT (01 JULY 2022 - 30 JUNE 2023)
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Collaborator No: 752647
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 July 2023 & 26 July 2023

1. SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: ANNUAL IMPLEMENTATION REPORT (01 JULY 2022 - 30 JUNE 2023)

2. PURPOSE

To submit to Management a report for the period 01 July 2022 - 30 June 2023 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 (2) (i) & 4 of the SCM Policy 2022/2023 determines that the Accounting Officer must, within 30 days of the end of each financial year; 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

Within 30 days of the end of each financial year 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.

15TH COUNCIL MEETING: 2023-07-26: ITEM 8.3

RESOLVED (majority vote with 8 abstentions)

- (a) that Council approves 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.

The following Councillors requested that their votes of dissent be minuted:

Cllrs J Andrews; R Hendrikse; C Noble and M Van Stade.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Kevin.Carolus@ Stellenbosch.gov.za
DIRECTORATE	Financial Services
REPORT DATE	

8.4	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER 2022
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Collaborator No: 752649
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 July 2023 & 26 July 2023

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER 2022

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2022/2023 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 (2022/2023) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during November 2022.

15TH COUNCIL MEETING: 2023-07-26: ITEM 8.4

NOTED

the deviations as listed for the month of November 2022.

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	05 December 2022

8.5	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JUNE 2023
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Collaborator No: 752648
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 July 2023 & 26 July 2023

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JUNE 2023

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2022/2023 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 (2022/2023) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during June 2023.

15TH COUNCIL MEETING: 2023-07-26: ITEM 8.5

NOTED

the deviations as listed for the month of June 2023.

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	05 June 2023

9.	REPORT BY THE MUNICIPAL MANAGER ON OUTSTANDING RESOLUTIONS
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No report submitted as outstanding resolutions serves at Section 80 Committees.

10.	ITEMS FOR NOTING
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10.1	REPORT/S BY THE EXECUTIVE MAYOR
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10.1.1	REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 14 JUNE 2023
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Collaborator No: 753165
IDP KPA Ref No: Good Governance
Meeting Date: 26 July 2023

1. SUBJECT: REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 14 JUNE 2023

2. PURPOSE

To inform Council of the matters under discussion at the Mayor – Rector Forum meeting held on 14 June 2023.

3. DELEGATED AUTHORITY

For information.

4. EXECUTIVE SUMMARY

The Executive Mayor has since her election reported to Council on discussions that takes place at the regular meetings of the Mayor – Rector Forum. The meeting was held on 14 June 2023. The minutes is attached as **ANNEXURE A**.

15TH COUNCIL MEETING: 2023-07-26: ITEM 10.1

NOTED

the report from the Executive Mayor on the Mayor – Rector Forum Meeting: 14 June 2023.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	MANAGER: COUNCILLOR SUPPORT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	<u>Donovan.Muller@ Stellenbosch.gov.za</u>
REPORT DATE	17 July 2023

10.1.2	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: APRIL 2023 – JUNE 2023
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Collaborator No: 753186
IDP KPA Ref No: Good Governance
Meeting Date: 26 July 2023

1. SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: APRIL 2023 – JUNE 2023

2. PURPOSE

To inform Council of the decisions taken by the Executive Mayor from April 2023 to June 2023 (see **APPENDIX 1**).

3. DELEGATED AUTHORITY

As per the delegations from Council and powers vested in the Executive Mayor by legislation.

For Notification

4. EXECUTIVE SUMMARY

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.”

15TH COUNCIL MEETING: 2023-07-26: ITEM 10.1.2

NOTED

the decisions by the Executive Mayor for the Quarter: April 2023 – June 2023.

For further details contact:

NAME	DONOVAN MULLER
POSITION	MANAGER: COUNCILLOR SUPPORT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	<u>Donovan.Muller@stellenbosch.gov.za</u>
REPORT DATE	14 July 2023

10.1.3	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR ON MATTERS RESOLVED UNDER AUTHORITY DELEGATED TO THE EXECUTIVE MAYOR IN CONSULTATION WITH THE MAYORAL COMMITTEE [APRIL 2023 – JUNE 2023]
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Collaborator No: 753188
IDP KPA Ref No: Good Governance
Meeting Date: 26 July 2023

1. SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR ON MATTERS RESOLVED UNDER AUTHORITY DELEGATED TO THE EXECUTIVE MAYOR IN CONSULTATION WITH THE MAYORAL COMMITTEE [APRIL 2023 – JUNE 2023]

2. PURPOSE

To inform Council of the decisions taken by the Executive Mayor on matters resolved under the authority delegated to the Executive Mayor, in consultation with the Mayoral Committee, for meetings from April 2023 to June 2023 (see **APPENDIX 1**).

3. DELEGATED AUTHORITY

As per the delegations from Council and powers vested in the Executive Mayor by legislation. In terms of the Stellenbosch Municipality System of Delegations (2019) EM12 and section 56(5) of the Structures Act, the Executive Mayor must report to Council at such intervals as the latter may determine on decisions taken.

The Executive Mayor is herewith reporting on the decisions taken by the Executive Mayor in consultation the Mayoral Committee.

4. EXECUTIVE SUMMARY

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.”

15TH COUNCIL MEETING: 2023-07-26: ITEM 10.1.3

NOTED

the decisions by the Executive Mayor taken in consultation with the Mayoral committee meeting from April 2023 until June 2023.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	MANAGER: COUNCILLOR SUPPORT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	<u>Donovan.Muller@stellenbosch.gov.za</u>
REPORT DATE	14 July 2023

10.2	REPORT/S BY THE SPEAKER
10.2.1	QUARTERLY REPORT – WARD COMMITTEE FUNCTIONING: 4TH QUARTER

Collaborator No: 753164
IDP KPA Ref No: Good Governance
Meeting Date: 26 July 2023

1. SUBJECT: QUARTERLY REPORT – WARD COMMITTEE FUNCTIONING: 4TH QUARTER

2. PURPOSE

For Council to take note of the Functioning of Ward Committees within the Stellenbosch municipal areas.

3. DELEGATED AUTHORITY

For Notification by Municipal Council.

4. EXECUTIVE SUMMARY

In terms of Section 73 of the Local Government: Municipal Structures Act, no 117 of 1998 and Regulations, Ward Committees must be established for each ward within the municipal area within 120 days after the election.

The System of Delegations of the Stellenbosch Municipality (S6 and S7) designates the Speaker of Stellenbosch Municipality to facilitate the establishment of Ward Committees in line with the provisions and stipulations of the Municipal Structures Act and Council's policy for the establishment of Ward Committees.

At the Council meeting of 30 March 2022, Council noted the establishment of Ward Committees for all 23 wards within the Stellenbosch Municipality.

Wards who did not have the full complement of Ward Committees members were allowed to co-opt members in line with Council Policy and Procedures for Ward Committees. Wards 9 and 17 co-opted 2 new members in the 4th quarter. Ward 21 currently has 1 vacancy which need to be filled. All ward committees are fully functional and are performing all duties as set out in the Policy and Procedures for Ward Committees.

Attached herewith as ANNEXURE A is a table outlining the functioning of all Ward Committees for the period April - June 2023, including dates and number of Ward Committee meetings held to date.

15TH COUNCIL MEETING: 2023-07-26: ITEM 10.2.1

NOTED

- (a) the functioning of Ward Committees in all 23 wards;
- (b) the number of Ward Committee and Sector meetings held to date in all 23 wards from April - June 2023.

FOR FURTHER DETAILS CONTACT:

NAME	Jacqueline Beerwinkel
POSITION	EXECUTIVE SUPPORT OFFICER
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021808 8618
E-MAIL ADDRESS	Jacqueline.Beerwinkel@stellenbosch.gov.za
REPORT DATE	26 July 2023

10.2.2	REPORT TO COUNCIL BY SPEAKER ON THE DISCIPLINARY CASES TO BE INVESTIGATED
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Collaborator No: 753164
IDP KPA Ref No: Good Governance
Meeting Date: 26 July 2023

1. SUBJECT: REPORT TO COUNCIL BY SPEAKER ON THE DISCIPLINARY CASES TO BE INVESTIGATED

2. PURPOSE

For Council to take note of the disciplinary cases that the Speaker has authorised the Municipal Manager to appoint a service provider to investigate the facts and circumstances in terms of the Municipal Structures Act 117 of 1998 and Regulations.

3. DELEGATED AUTHORITY

For Notification by Municipal Council.

4. EXECUTIVE SUMMARY

In terms of item 15 of Schedule 7 of the Municipal Structures Act, no 117 of 1998 and Regulations, Code of Conduct for Councillors.

REPORT TO COUNCIL BY SPEAKER ON THE DISCIPLINARY CASES TO BE INVESTIGATED

- a) Authorise and investigation of the facts and circumstances of the alleged breach
- b) give the councillor a reasonable opportunity to reply in writing regarding the alleged breach; and
- c) report the matter to a meeting of the municipal council after paragraph (a) and (b) have been compiled with.

15TH COUNCIL MEETING: 2023-07-26: ITEM 10.2.2

NOTED

the report of the Speaker regarding disciplinary complaints.

FOR FURTHER DETAILS CONTACT:

NAME	Donovan Muller
POSITION	<i>Manager: Councillor Support</i>
DIRECTORATE	<i>CORPORATE SERVICES</i>
CONTACT NUMBERS	<i>021 808 8314</i>
E-MAIL ADDRESS	<i>Donovan.Muller@stellenbosch.gov.za</i>
REPORT DATE	<i>18 July 2023</i>

10.3	REPORT/S BY THE MUNICIPAL MANAGER
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NONE

11.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER]
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11.1	PROTECTION SERVICES: (PC: CLLR R PHEIFFER)
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NONE

11.1	SPORTS, YOUTH AND CULTURE: [PC: CLLR JC ANTHONY]
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NONE

11.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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11.3.1	WORK FROM HOME POLICY
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 July 2023 & 26 July 2023

1. SUBJECT: WORK FROM HOME POLICY

2. PURPOSE

To request approval of the Work from Home Policy after consultation with the Labour Unions.

3. DELEGATED AUTHORITY

The delegated authority for approval of policies is Council.

4. EXECUTIVE SUMMARY

The Work from Home Policy was initially at the Local Labour Forum who in turn referred the policy to the Human Resources Development Sub-Committee for consultation. The policy was devised during 2020/2021 as a method of minimising COVID-19 exposure within the workplace by allowing staff to work from home. However, with the latest developments in terms of COVID-19 the need for the policy decreased and the Employer did not want to proceed with the implementation of the policy based on Covid requirements.

Management however believes that although Covid does not require the policy anymore it can be used as an alternative manner to do business. The policy is now being submitted with the inputs from the respective parties after consultation in the LLF and sub-committee.

15TH COUNCIL MEETING: 2023-07-26: ITEM 11.3.1**RESOLVED** (majority vote with 1 abstention)

- (a) that the consultations with the unions be noted; and
- (b) that the Work from home policy be approved. ~~Council approves by Council.~~

The following Councillors requested that their votes of dissent be minuted:

Cllrs J Andrews; R Hendrikse; C Noble and M Van Stade.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene De Beer</i>
POSITION	<i>Director Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-808 8018</i>
E-MAIL ADDRESS	<i>Annalene.DeBeer@ Stellenbosch.gov.za</i>
REPORT DATE	<i>10 July 2023</i>

11.3.2	APPLICATION FOR SEPERATION OF NOTARIALLY TIED PROPERTIES, PORTION 17 OF FARM 369 AND PORTION 3 OF FARM 527 FROM THE MOTHER ERF, PORTION 837 OF THE FARM BLAAUW KLIP NUMBER 510
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

14 June 2023

1. SUBJECT:APPLICATION FOR SEPERATION OF NOTARIALLY TIED PROPERTIES, PORTION 17 OF FARM 369 AND PORTION 3 OF FARM 527 FROM THE MOTHER ERF, PORTION 837 OF THE FARM BLAAUW KLIP NUMBER 510

2. PURPOSE

To obtain Council-approval for the separation of Notarial tied properties, portion 17 of Farm 369 and portion 3 of Farm 527 from the Mother Erf, Portion 837 of the farm Blaauw Klip number 510.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

During October 2004 a Deed of Sale was entered into between the Stellenbosch Municipality, the Cape Dutch Estate Stellenbosch (Pty) Ltd and Blaauwklippen Agricultural Estates (Pty) Ltd. A copy of the Deed of Sale is attached hereto as **APPENDIX 1**. In terms of the Deed of Sale various portions of Council-owned land were sold to the purchasers (now the applicants).

In terms of Clause 2.2.3 it was recorded that:

“The seller shall be entitled to impose a notarial tie condition between the property hereby sold and the existing property of the purchaser, so that the purchaser or its successor in title shall not be entitled to sell or otherwise alienate or transfer any portion of the property hereby sold without the simultaneous sale or alienation or transfer of the property collectively referred to as Blaauwklippen Estate, being the existing property of the Purchaser, or its successor in title, to the same transferee.”

The reason for inserting the clause was to ensure that the Purchaser would not be able to sell or otherwise dispose of the property that was sold to them. For this reason, the municipal properties were first consolidated into one portion, and then notarially tied to the property collectively referred to as Blaauwklippen. The Notarial Deed, registering the notarial tie (condition of sale), was registered with the Registrar of Deeds on 25 July 2006, a copy of which is attached hereto as **APPENDIX 2**.

An application is now brought to un-tie Portion 17 of the Farm 369 (Paradyskloof Erf) and Portion 3 of the Farm 527 (Skilpadrug Erf) from the Mother Erf (**APPENDIX 4**). The application is brought on the basis that the fact that Blaauwklippen cannot sell these properties is placing a financial strain on the business and they are not able to raise the necessary funds they require for operational purposes. COVID had, and continues to have, a devastating effect on Blaauwklippen’s wine and hospitality businesses. They say it is not an application for change in land use for development purposes, but merely to enable the current owners to utilise the properties individually to raise funds. They say it will not necessarily lead to the urban development of the properties as the farm will remain zoned for agricultural purposes and be protected by the MSDF.

The properties are situated outside the urban edge (**APPENDIX 5**). Council however in March 2023 approved the inclusion of "portion of remainder, portion 3 and a broader portion of portion 7 of farm 527 portion 7 of Farm 527" to form part of the housing pipeline (**APPENDIX 6**).

The item served before council in May and was referred back for further info. It is resubmitted for consideration.

15TH COUNCIL MEETING: 2023-07-26: ITEM 11.3.2

Before the items was tabled, the Speaker sought clarity from the Municipal Manager on the status of the item and the amendment he received on the item.

Cllr Noble raised a point of relevance, which the Speaker did not allow, because the item was not tabled yet. The Municipal Manager explained the reason for the item and amendment.

Before Council tabled the item, the Executive Mayor recused herself from the meeting, because she is an appeal authority.

The Speaker afforded Cllr Nkamisa an opportunity to table the item and the Administration to give clarity on the item.

The Speaker RULED that after taking the amendment into consideration, there is no need for any debate or questions on the item, because the item should not have served before Council for consideration.

Cllr Rataza raised several points of order, which the Speaker did not allow. After several warnings the Speaker requested that Cllr Rataza be removed from the meeting for his refusal to adhere to the Speaker's warnings in terms of Council's Rules of Order By-Law. Councillor Rataza was removed from the teams meeting by Administration.

RESOLVED (majority vote with 5 abstentions)

that Council is not mandated to take a decision on the subject application and the applicant is advised to submit an appropriate land use application to the Directorate: Planning & Economic Development for consideration in this regard.

REASONS FOR DECISION

The application submitted by Blaauwklippen for the separation of the notarial tie which currently does not permit the Purchaser, in this instance Cape Dutch Estate Stellenbosch Pty Ltd and its Lessee, Blaauwklippen Agricultural Estates Pty Ltd " ... to sell or otherwise alienate or transfer any portion of the property hereby sold without the simultaneous sale or alienation or transfer of the property collectively referred to as Blaauwklippen Estate, being the existing property of the Purchaser, or its successor in title, to the same transferee."

After further scrutiny of the Deed of Sale it is evident that the notarial tie was established as a result of the Special Conditions of sale contained in point 13 of such Deed of Sale that "13. 1 It is recorded that the Purchaser has applied to the Council for the rezoning of a portion of its existing property for purposes of the construction thereon of a wine cellar, the approval of which has been withheld owing to the fact that an insufficient quantity of grapes had been produced on the existing property of the Purchaser. Notwithstanding, the fact that final approval of this Deed of Sale still has to be granted by Council, consent is hereby granted to the Purchaser to proceed with the construction of a wine cellar subject to the approval of the plans thereof in the normal course of events; .. "

The current wine cellar located on the Mother Erf has a capacity of approximately 450 and based on the abovementioned stipulation in the Deed of Sale, insufficient quantity of grapes is produced on the existing property. The purpose of the notarial tie was thus to ensure that the wine cellar complies with the application definition of agricultural industry as stipulated within the applicable zoning scheme regulations at the time, which in that instance was the Section 8 Zoning Scheme Regulations. The current Stellenbosch Municipality Zoning Scheme By-law defines agricultural industry as follows: "agricultural industry is an industry for the processing of fresh agricultural products, and where the agricultural industry activity is subservient to the dominant agricultural production on the land unit or farm, and may include ancillary buildings such as storage, a point of sale, tasting facilities, staff facilities and/or administrative offices and examples thereof include a winery, wine cellar, distillery, cheese making industry, cannery, juice factory or fruit ripening plant facility;"

The zoning category Agricultural and Rural Zone contained within the said bylaw further stipulate in 203(1): "At least 50% of the produce used in an agricultural industry shall be grown or produced on the particular farm on which the agricultural industry is located."

Council further notes that during 2008 approval was granted to permit the removal of the notarial tie in respect of Portions 52, 53 and 54 of Farm Blaauwklippen, colloquially known as the Kreefgat properties, by the Mayoral Committee of Council as per the applicable delegations.

It must however be noted that current and as from the commencement of the Spatial Planning and Land Use Planning Act, Act 16 of 2013 on July 2015, where municipalities were required to compile Municipal Planning Bylaws to management and deal with land use applications and these land use applications including in Sections 20 (Subdivision) and 33 (Removal, suspension or amendment of restrictive conditions) of the Stellenbosch Municipality Bylaw on Municipal Land Use Planning, 2023, which aim is to regulate and control municipal land use planning.

Based on the above reasons Council is not mandated to take a decision on the subject application and the applicant is advised to consult the Directorate: Planning & Economic Development to determine the appropriate land use application to be submitted for consideration in this regard.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene de Beer</i>
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-8088073</i>
E-MAIL ADDRESS	<i>annalene.debeer@stellenbosch.gov.za</i>
REPORT DATE	<i>2023-05-11</i>

11.4	FINANCIAL SERVICES: (PC: CLLR J FASSER)
11.4.1	MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JANUARY 2023 – 30 JUNE 2023 MFMA S116(2)(d) REPORT

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 July 2023 & 26 July 2023

1. **SUBJECT: MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JANUARY 2023 – 30 JUNE 2023 MFMA S116(2)(d) REPORT**

2. **PURPOSE**

To report in accordance with MFMA, Section 116(2)(d) on the management of contracts or agreements and the performance of contractors.

3. **DELEGATED AUTHORITY**

(FOR DECISION BY MUNICIPAL COUNCIL, EXECUTIVE MAYOR AND MAYORAL COMMITTEE, PORTFOLIO COMMITTEE, EXECUTIVE MANAGEMENT, ETCETERA)

None

4. **EXECUTIVE SUMMARY**

The report indicates the performance of service providers who were active on contracts secured by means of a competitive bidding process for the period 01 January 2023 to 30 June 2023.

15TH COUNCIL MEETING: 2023-07-26: ITEM 11.4.1

NOTED

the Annual MFMA S116(2)(d) report: Management of contracts or agreements and contractor performance from 01 January 2023 to 30 June 2023.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	<i>Chief Financial Officer</i>
DIRECTORATE	<i>Financial services</i>
CONTACT NUMBERS	<i>021 808 8528</i>
E-MAIL ADDRESS	<i>Kevin.carolus@ Stellenbosch .gov.za</i>
REPORT DATE	<i>07 July 2023</i>

11.5	HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)
NONE	
11.6	INFRASTRUCTURE SERVICES : (PC : CLLR P JOHNSON)
NONE	
11.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J WILLIAMS)
NONE	
11.8	PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: CLLR C VAN WYK)
11.8.1	REQUEST FOR THE APPROVAL TO UNDERTAKE A PUBLIC PARTICIPATION PROCESS (“PPP”) IN ORDER TO AMEND THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BYLAW, 2019 TO INCLUDE THE DRAFT EVENTS AND OUTDOOR DINING OVERLAY ZONE

Collaborator No: 751448
 IDP KPA Ref No: Good Governance
 Meeting Date: 19 July 2023 & 26 July 2023

1. SUBJECT: REQUEST FOR THE APPROVAL TO UNDERTAKE A PUBLIC PARTICIPATION PROCESS (“PPP”) IN ORDER TO AMEND THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW, 2019 TO INCLUDE THE DRAFT EVENTS AND OUTDOOR DINING OVERLAY ZONE

2. PURPOSE

To provide Council with the pertinent facts in order to obtain approval to commence with the legislative Public Participation Process (“PPP”) of the Draft Events and Outdoor Dining Overlay Zone that would be included as part of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Directorate: Planning & Economic Development compiled a Draft Events and Outdoor Dining Overlay Zone, with the assistance of Planning Partners.

The purpose of the abovementioned overlay zone, is specifically to deal with land use rights associated with events and outdoor dining within the Stellenbosch Municipality, whereas the current zoning scheme bylaw only permitted the land use activity of occasional use to one event per year on properties zoned Mixed Use and Agricultural. The problem arose where event organisers and coordinators spent months preparing for an event, and then get by tripped by land use issues at the late stage of planning an event.

Events has become an ever-increasing activity within the Stellenbosch Municipal Area, specifically within the Central Business District Areas and on farms, and the demand has increased significant post the COVID-19 pandemic. It must be noted that the zoning scheme was promulgated during 2019, and at the time the events activities were not as prevalent, and therefore only one event was permitted per annum on a property. Events has however become a frequent activity and therefore the municipality as noticed through request from the industry and the various tourism organisations that we must amend the land use management process, as well as the permitting process as set out in terms of the Stellenbosch Municipality Events By-law, 2016. In essence, currently there are two (2) statutory processes, which must be concluded. The proposed overlay zone will remove to a large extent one of the processes, and therefore only the process as required in terms of the Safety at Sports and Recreational Events, Act 2 of 2010 must be obtained.

The Directorate in compilation of this draft overlay zone has consulted all the municipal departments, as well as events promoters and the tourism organisations prevalent in Stellenbosch Municipal Area, who have all in principle supported the draft format tabled before Council.

15TH COUNCIL MEETING: 2023-07-26: ITEM 11.8.1

RESOLVED (majority vote with 7 abstentions)

- (a) that Council takes note of the Draft Stellenbosch Municipality Events and Outdoor Dining Overlay Zone. Copy attached as **APPENDIX 1** to this report; and
- (b) that Council **approves** that the draft Stellenbosch Municipality Events and Outdoor Dining Overlay Zone, be subjected to the legislative Public Participation Process in terms of the Local Government Municipal Systems Act No. 32 of 2000 for a period of thirty (30) days, whereafter such comments, if any, will be evaluated and resubmitted to Council for approval, adoption and promulgation of the overlay zone and included in the Stellenbosch Municipality Zoning Scheme Bylaw.

Councillor J Andrews requested that his vote of dissent be minuted.

11.8.2	REQUEST FOR THE APPROVAL OF THE FINAL DRAFT STELLENBOSCH MUNICIPALITY ECONOMIC DEVELOPMENT STRATEGY
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Collaborator No: 751447
 IDP KPA Ref No: Good Governance
 Meeting Date: 19 July 2023 & 26 July 2023

1. SUBJECT: REQUEST FOR THE APPROVAL OF THE FINAL DRAFT STELLENBOSCH MUNICIPALITY ECONOMIC DEVELOPMENT STRATEGY

2. PURPOSE

To provide the Council with the pertinent facts to consider the approval and adoption of the Final Draft Stellenbosch Municipality Economic Development Strategy.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

“The purpose of local economic development (LED) is to build up the economic capacity of a local area to improve its economic future and the quality of life for all. It is a process by which public, business and non-governmental sector partners work collectively to create better conditions for economic growth and employment generation.” (The World Bank, 2006)¹

The final draft Stellenbosch Municipality Economic Development Strategy starts by highlighting key factors of how the municipality should approach economic development. The strategy further focusses on population growth over the past years and evaluates the extent service delivery has managed to keep up. It further considers trends in regional output and employment to identify which economic sectors contribute most to the municipal area’s economy.

The strategy also delves deeper into the role of tourism in the economy of the municipality, and finally focusses on the implementation plan and various specific strategies (**APPENDIX 1**).

15TH COUNCIL MEETING: 2023-07-26: ITEM 11.8.2

RESOLVED (majority vote)

- (a) that Council takes note that no comments and / objections were received during the Public Participation Process which concluded on 06 June 2023, and
- (b) that Council in terms of Section 26(c) of the Municipal Systems Act, Act 32 of 2000, **approves and adopts** that Final Draft Stellenbosch Municipality Economic Development Strategy, 2023 as core component of the Municipal IDP.

The following Councillors requested that their votes of dissent be minuted:

Cllrs J Andrews; R Hendrikse; C Noble and M Van Stade.

11.8.3	CIRCULAR 2/2023: OUTCOMES OF SECTION 26 PROCESS FOLLOWING THE CONSIDERATION OF VIEWS AND REPRESENTATIONS FOR CLASS 2 – 4 MAJOR BOUNDARY REDETERMINATION MUNICIPAL BOUNDARY REDETERMINATION PROPOSALS
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Collaborator No: 752987
 IDP KPA Ref No: Good Governance
 Meeting Date: 19 July 2023 & 26 July 2023

1. SUBJECT: CIRCULAR 2/2023: OUTCOMES OF SECTION 26 PROCESS FOLLOWING THE CONSIDERATION OF VIEWS AND REPRESENTATIONS FOR CLASS 2 – 4 MAJOR BOUNDARY REDETERMINATION MUNICIPAL BOUNDARY REDETERMINATION PROPOSALS

2. PURPOSE

To provide Council with an update regarding the major municipal boundary redetermination proposals which has an impact of Stellenbosch Municipality, following the considerations of views and representations received from the public in terms of Section 26 of the Local Government: Municipal Demarcation Act 27 of 1998, and to provide information about the forthcoming processes regarding the finalisation of major municipal boundary redetermination proposals.

This report also aims to request Council as an affected municipality to assist with making available suitable venues for public meetings and also to share the contents of Circular 2/2023, attached as **APPENDIX 1** to this report and encourage members of the public to provide comments and to participate in the forthcoming public meetings and / or formal investigations.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Municipal Demarcation Board (MDB) initiated the process of municipal boundary redetermination and three (3) proposals were submitted from the public – including the municipality – for consideration during May 2023 and the municipality supported the two proposals contained in DEM8250 (Stellenbosch Municipality submission) and DEM 8252 (City of Cape Town submission); and objects to DEM8251 (private submission).

15TH COUNCIL MEETING: 2023-07-26: ITEM 11.8.3

RESOLVED (majority vote)

- (a) that Council takes note of Circular 2/2023 related to the outcomes of the process following Class 2 – 4 Major Municipal Boundary Redetermination Proposals, attached as **APPENDIX 1**;
- (b) that Council take note of the resolution of the Municipal Demarcation Board (“MDB”) to proceed with to Public Meeting and Formal Investigation in respect of DEM8251, which proposal that Council objected to;

- (c) that Council take note of the resolution of the Municipal Demarcation Board (“MDB”) to proceed to Formal Investigation in respect of DEM8252, which proposal Council supported;
- (d) that Council take note that the proposal DEM8250, related to the inclusion of Klappmuts North into the Stellenbosch Municipal Area does not form part of Circular 2/2023 as the proposal is receiving further consideration by the Board and the outcomes thereof will be communicated in due course,
- (e) that Council approves that the notice be placed in the local newspapers and also on the municipal website to inform the public of Circular 2/2023 and encourage the members of the public to provide their inputs in respect of the municipal boundary re-determination proposals DEM8251 and DEM8252, and also to participate in the forthcoming public meetings and / or formal investigations; and
- (f) that Council supports the recommendation that the public meetings and / or formal investigations be conducted as part of the Draft Integrated Development Planning (“IDP”) Public Participation Meetings scheduled for September 2023.

The following Councillors requested that her vote of dissent be minuted:

Cllr M Danana; M Gugushe-Mananga; RS Nalumango; N Ntsunguzi and A Tomose.

FOR FURTHER DETAILS CONTACT:

NAME	Craig Alexander Pr Pln
POSITION	Senior Manager: Development Planning
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8196
E-MAIL ADDRESS	Craig.alexander@stellenbosch.gov.za
REPORT DATE	18 July 2023

11.9	COMMUNITY SERVICES: (PC: CLLR X KALIPA)
11.9.1	UNIVERSAL ACCESS POLICY (UAP) IMPLEMENTATION PROGRESS REPORT

Collaborator No: 750875
 IDP KPA Ref No: Good Governance
 Meeting Date: 14 June 2023

1. SUBJECT : UNIVERSAL ACCESS POLICY (UAP) IMPLEMENTATION PROGRESS REPORT

2. PURPOSE

To present to the Mayoral Committee a report reflecting progress on the implementation of the UA Policy.

3. DELEGATED AUTHORITY

Mayoral Committee

4. EXECUTIVE SUMMARY

Stellenbosch is home to persons of different ages, cultures, genders, nationalities, languages and physical, emotional and cognitive abilities. In order to ensure inclusivity, the Municipality adopted a Universal Access Policy in 2016 and reviewed same in 2021, making it the first municipality in South Africa to do so.

The policy aims to remove barriers to access information, employment opportunities, physical infrastructure and services for all persons in our municipality, not just persons with disabilities.

The policy is for the municipality as a whole and aims to address all services. The implementation thereof is thus a shared responsibility among all directorates. It illustrates a holistic and collective response to citizens with different levels of abilities and the White Paper on the Rights of Persons with Disabilities.

The UAP thus stipulates that “although specific roles and responsibilities are outlined with specific attention to the Office of the Municipal Manager and the Department Community Development, all directorates and departments have a responsibility in mainstreaming the rights of persons with disability within their realm of responsibilities. Each directorate has a specific function in service delivery to the community and is responsible for the inclusion of UA and UD in the conceptualization, implementation and reporting of projects.”

This report aims to provide information on the progress made with the implementation of the policy.

15TH COUNCIL MEETING: 2023-07-26: ITEM 11.9.1**RESOLVED** (nem con)

- (a) that the progress made with the implementation of the Universal Access Policy be noted; and
- (b) that reporting on progress made with the implementation of the policy be included as a performance indicator for all the Directorates per the approved budget as and when applicable.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Michelle Aalbers</i>
POSITION	<i>Manager Community Development</i>
DIRECTORATE	<i>Community and Protection Services</i>
CONTACT NUMBERS	<i>8408</i>
E-MAIL ADDRESS	<i>Michelle.aalbers@stellenbosch.gov.za</i>
REPORT DATE	<i>22-05-2023</i>

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

11.11	MUNICIPAL MANAGER
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NONE

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

13.	REPORTS BY THE MUNICIPAL MANAGER
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NONE

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
14.1	MOTION BY COUNCILLOR R HENDRIKSE OF THE GOOD PARTY: COUNCIL TO INVESTIGATE THE ROLE OF THE EXECUTIVE MAYOR AS APPEAL AUTHORITY IN DECISION OF MPT

A Notice of a Motion, dated 2023-06-13, was received from Councillor R Hendrikse of the GOOD Party: Council to investigate the role of the Executive Mayor as appeal authority in decision of MPT.

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

FOR CONSIDERATION

15TH COUNCIL MEETING: 2023-07-26: ITEM 14.1

NOTED

The Speaker allowed Cllr R Hendrikse 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 majority of Councillors not in support of the Motion.

RESOLVED (majority vote)

that this Motion not be accepted.

14.2	MOTION BY COUNCILLOR C NOBLE OF THE GOOD PARTY: HIGH COURT JUDGEMENT: CASE NO 5057/2022
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A Notice of a Motion, dated 2023-06-13, was received from Councillor C Noble regarding the High Court Judgement: Case No 5057/2022.

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

FOR CONSIDERATION

15TH COUNCIL MEETING: 2023-07-26: ITEM 14.2

NOTED

The Speaker allowed Cllr Noble 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 majority of Councillors not in support of the Motion.

RESOLVED (majority vote)

that this Motion not be accepted.

14.3	QUESTION BY COUNCILLOR C NOBLE OF THE GOOD PARTY: APPOINTMENT OF LEGAL FIRM
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A Notice of a Question, dated 2023-06-13, was received from Councillor C Noble.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

15TH COUNCIL MEETING: 2023-07-26: ITEM 14.3

NOTED

It is noted that a response to the question was provided and the Speaker RULED that Cllr Noble is welcome to submit, in writing, a follow-up question on the response.

14.4	QUESTION BY COUNCILLOR M VAN STADE OF THE GOOD PARTY: AMOUNT OF COURT CASES: STELLENBOSCH MUNICIPALITY
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A Notice with two questions, dated 2023-06-13, was received from Councillor M Van Stade.

The said Questions is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

15TH COUNCIL MEETING: 2023-07-26: ITEM 14.4

NOTED

It is noted that a response to the two questions was provided and the Speaker RULED that Cllr Van Stade is welcome to submit, in writing, a follow-up question on the response.

15.	CONSIDERATION OF URGENT MOTIONS
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NONE

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

17.	REPORTS SUBMITTED BY THE SPEAKER
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NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

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

The meeting adjourned at 12:45.

CHAIRPERSON:

DATE:

Confirmed on