



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2024-01-24

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## MINUTES

**19<sup>TH</sup> MEETING OF THE  
COUNCIL OF STELLENBOSCH MUNICIPALITY**

**2024-01-24 AT 10:00**

**MINUTES**  
**19<sup>TH</sup> MEETING OF COUNCIL**  
**OF STELLENBOSCH MUNICIPALITY**

2024-01-24

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**PRESENT** 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

<b>COUNCILLORS</b>	RA Adams	RS Nalumango
	J Andrews	NR Ndalasi
	Ald JC Anthony	CD Noble
	ZJ Dalling	L Nkamisa
	I De Taillerfer	M Nkopane
	E Groenewald	N Ntsunguzi
	RB Hendrikse	N Olayi
	P Johnson	WC Petersen
	J Joon	RO Pheiffer
	O Jooste	WF Pietersen
	X Kalipa	Ald JP Serdyn
	N Mananga-Gugushe	MJ Slabbert
	C Manuel	SR Schäfer
	EP Masimini	A Tomose
	NE Mcombring	RB Van Rooyen
	XL Mdemka	E Vermeulen
	NM Mkhontwana	J Williams

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

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<b>1.</b>	<b>OPENING AND WELCOME</b>
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“A warm welcome to the Executive Mayor  
Deputy Mayor  
Council whip  
Members of the Mayoral Committee  
MPAC Chair  
All Councillors  
Members of Parliament and esteemed guests  
Municipal Manager  
Directors  
Members of the administration  
Members of the public  
and all protocols observed.

**History of Council Chambers**

Today is a very historical day, as it is our first official Council meeting after the outbreak of covid. The last in-person Council meeting was held in the Council Chambers 3 years ago on 25 February 2020. The first Covid case was reported on 5 March 2020 and covid lockdown started on 27 March 2020.

An extensive fire broke out in the foyer which affected a large section of the Chamber as well and I want to thank the Municipal Manager and her Administration for cleaning up and re-assessing our Council Chamber. Due to upgrading/renovations/ fire at reception in Council Chambers – no in-person meetings were held until today.

<b>2.</b>	<b>MAYORAL ADDRESS</b>
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- “Welkom terug aan alle raadslede en amptenare. Hoop almal het ‘n goeie rus gehad, en die Feesgety geniet met familie en vriende. Laat ons die geleentehede en uitdagings van 2024 in die gesig staar, en saamwerk om te verseker dat 2024 nog ‘n beter jaar sal wees. Stellenbosch has always thrived on the strength of its residents, and together, we can build on our successes and face any challenges that may arise.
- I also want to express my deepest gratitude to our dedicated emergency and essential service staff who tirelessly worked through the festive season, ensuring the safety and well-being of our community. Their unwavering commitment, even during the holiday period, reflects the true spirit of service and sacrifice. These individuals are the backbone of our community, and their hard work does not go unnoticed. Let us appreciate and thank our emergency responders, law enforcement officers, disaster management professionals, and essential workers for their selfless dedication to keeping Stellenbosch safe and thriving. Your resilience is truly commendable, and we are indebted to you for your contributions.
- In light of this, I want to inform all councillors that there was a huge fire in Strongyard, Kayamandi. Mop up operations ongoing. thank you to our Disaster Management team for the quick response.
- Wishing all learners and teachers all the best for the new school year! Werk hard, leer baie en geniet elke oomblik.

- Wil asseblief alle inwoners en voertuigbestuurders herinner – u kry 21 dae grasie om 'n motorlisensie te hernu nadat dit verval het. Daarna is u aanspreeklik om boetes en agterstallige lisensiegelde te betaal. Dit is u verantwoordelikheid as voertuigeienaar en bestuurder om te sorg dat u voertuig 'n geldige lisensie het.
- I want to encourage matriculants interested in gaining on-the-job experience in the public sector to look at the Premier's Advancement of Youth Programme. Applications for the First Work Experience PAY Programme open annually. The programme provides youth between the ages of 17-24 with work experience and training within one of the 13 Western Cape Government Departments from 1 April 2024 till 31 March 2025. All the information is available on the municipal website. Applications close on 26 January 2024.
- 2024 is ook die jaar van Provinsiale en Nasionale verkiesings. Kiesersregistrasie naweek is 3 en 4 Februarie 2024. Ek moedig alle nuwe intrekkers aan om te herregistreer om sodoende in die komende verkiesing te stem. Persone wat ook nog nooit geregistreer het nie moet asseblief gaan registreer om te stem.

Maak asseblief seker u weet waar u stempunt is en alle nuwe inwoners / intrekkers in Stellenbosch munisipaliteit word aangemoedig om te herregistreer om te verseker u kan in die komende verkiesing van 2024 u stem uitbring.

Indien u nie weet waar u moet stem en of u dalk moet herregistreer, maak asseblief met u wyksraadslid kontak.

In die komende verkiesing sal u slegs kan stem in die wyk waar u geregistreer is.

- Neem asseblief kennis van die jaarlikse Oesparade en seëning van die oes wat op Saterdag, 27 Januarie 2024 voor die stadsaal plaasvind.
- Baie hoë temperature word vir die volgende paar dae voorspel so neem asseblief die nodige voorsorgmaatreëls om te sorg u en die troeteldiere is veilig, koel en beskud van die warm son.
- Ask all our residents to be very mindful of water usage, and to use water sparingly. Although we had a very wet winter, we must always remain resilient and conserve water at all costs. Residents must also be aware that reservoirs levels can be low at times due to loadshedding, and that water pressure is then affected. Once reservoirs are filled, the water pressure returns to normal.

Thank you.”

<b>3.</b>	<b>COMMUNICATION BY THE SPEAKER</b>
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- As per the approved Schedule of meeting dates for 2024, all Section 80 Committee meetings will commence in the Council Chambers forthgoing. The Administration will assist with the recording of the meetings. All other meetings not on the yearly schedule must be booked via the Office of the Speaker for availability.
- All the whips of political parties have received a template which was drafted for a Notice of a Question and a Notice of a Motion. The template itself is just a cover page for the motion or question itself and is merely for record-keeping purposes. All notices of questions and motions must be submitted to the Office of the

Speaker for signature. It will then be submitted to the Office of the Municipal Manager for verification and signature by the Municipal Manager whereafter it will be submitted to the Administration for inclusion in the Council Agenda.

- Translation services will be available in the meetings.
- The following Councillors celebrated their birthdays in January:

Councillor Nokuthula Mananga-Gugushe – 5 January

Councillor Annemarie Ferns – 9 January

Councillor Joseph Joon – 21 January

Councillor Roy Benjamin Van Rooyen – 23 January

Councillor Maynard Slabbert – 30 January

<b>4.</b>	<b>COMMUNICATION BY THE MUNICIPAL MANAGER</b>
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- “This year was not a very great start for Stellenbosch municipality, as we lost three staff members at the beginning of January 2024, namely Mr Willie August, Ms Riana Lindoor and Mr Ernest Lupalule. Sincere condolences to the families and friends of these three staff members.
- As we kick off the new year, I want to take a moment to express my sincere gratitude for your hard work and commitment. The past year posed its challenges, but your resilience and dedication have truly made a difference. I am confident that, together, we will overcome any obstacles that come our way and achieve new heights of success. Let's approach our work with renewed energy and enthusiasm. Your contributions are invaluable, and I am excited to see what we can achieve together in the coming months. Remember that every task, no matter how big or small, plays a crucial role in our collective success. In the face of challenges, let's remain positive and supportive of one another. Your positive attitude is infectious and has a profound impact on our work environment. Together, we can create a workplace that fosters creativity, collaboration, and success.
- I want to make Councillors aware that the Public Private Partnership for the parking garage at the Eikestad Mall will be published on Saturday, 27 January 2024 (feasibility study for public participation). In terms of legislation Council must be aware of it 60 days prior to the publication of it. It is a very stringent process and it's a lot of redtape, but it is a very important process in terms of compliance.
- The start of the school year had its own problems with students trying to get placement. We've been in contact with the Department of Education trying to assist learners to find placement. I ask everyone's indulgence as the university will open soon. We know during this time there will be a lot of traffic, we are ultimately living in an university town, but hopefully this will subside by the 2<sup>nd</sup> or 3<sup>rd</sup> week of February 2024.
- With that being said, I wish everyone a good year ahead. This is an election year, and I hope we will take hands and work together for the better of the community of Stellenbosch.
- Thank you very much.”



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5.	<b>DISCLOSURE OF INTERESTS</b>
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NONE

6.	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>
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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 MM Danana – 24 January 2024  
Cllr R Du Toit – 24 January 2024  
Cllr A Ferns – 24 January 2024  
Cllr A Hanekom – 24 January 2024  
Cllr MG Rataza – 24 January 2024  
Cllr M Van Stade – 24 January 2024  
Cllr CA Van Wyk – 24 January 2024

7.	<b>CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING/S</b>
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7.1	<b>18<sup>TH</sup> COUNCIL MEETING: 2023-11-29</b>
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The minutes of the 18<sup>th</sup> Council meeting: 2023-11-29 **were confirmed as correct without any changes.**

<b>8.</b>	<b>STATUTORY MATTERS</b>
<b>8.1</b>	<b>TABLING OF THE DRAFT ANNUAL REPORT 2022/23</b>

**Collaborator No:**

**IDP KPA Ref No:** Good Governance and Compliance

**Meeting Date:** 17 January 2024 & 24 January 2024

**1. SUBJECT: TABLING OF THE DRAFT ANNUAL REPORT 2022/23**

**2. PURPOSE**

- a) To table to Council the Draft Annual Report 2022/23 for consideration and to be released for public comment.
- b) Furthermore, it is also the purpose of this submission, after the adoption of the Draft Annual Report 2022/23 by the Council, to refer the Draft Annual Report 2022/23 to the Municipal Public Accounts Committee (MPAC) to fulfil the role of an Oversight Committee and to make a recommendation to Council as contemplated in terms of Section 129(1) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA).

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

The annual report must be tabled by the executive mayor within seven months after the end of the financial year. The draft annual report must be made public, and the municipal manager must invite the public to provide input into the draft report. It has become a practice for the MPAC to also invite the public to make verbal representations at meetings where the report is being discussed.

A schedule with proposed dates for the MPAC meetings is also attached hereto as **ANNEXURE A**. The Council resolved that MPAC has, as part of its terms of reference, the role of sitting as the Oversight Committee to consider the Draft Annual Report 2022/23.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 8.1**

**RESOLVED** (majority vote with 3 abstentions)

- (a) that the Council takes note of the draft Annual Report 2022/23;
- (b) that the Council takes note that the Municipal Manager will make the draft Annual Report 2022/23 public for comment on the official website of the Stellenbosch Municipality, the local print media, and at the offices of the municipality for 21 days;
- (c) that the commencement of the public participation process will be the date the draft Annual Report 2022/23 is published on the municipal website;

- (d) that the Council refer the draft Annual Report 2022/23 (**ANNEXURE B**) to the MPAC to consider the draft Annual Report 2022/23 and to make a recommendation to the Council as contemplated in terms of Section 129(1) of the MFMA;
- (e) that the Council takes note of the proposed dates for the MPAC meetings where the draft Annual Report 2022/23 will be discussed, as detailed in **ANNEXURE A**. These dates are subject to change. The final dates will be published on the municipality's website and in the local media;
- (f) that the Council approves the MPAC's mandate to co-opt two members of the public with expertise in specific fields to assist and advise the MPAC; and
- (g) that the Council approves that the co-opted members can be remunerated in line with the recommendations of National Treasury Regulation in this regard.

*Rates for additional nominated community members as per Treasury Regulation 20.2.2. The once-off preparation tariff was used as a guide since the National Treasury does not have guidance in that regard. Consultation must take place to decide if the rate will remain the same.*

Tariff	Number of co-opted Members	Not exceeding no. of hours	Remuneration
Per-hour tariff for attendance of meeting as a member	2	45 hours	R 337.00 per hour
Once-off Tariff for duties performed in preparation	2	6 hours	R 2 698 (for six hours)

**FOR FURTHER DETAILS CONTACT:**

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	mm@stellenbosch.gov.za
REPORT DATE	09 January 2024

<b>8.2</b>	<b>MFMA SECTION 52 REPORTING UP TO DECEMBER 2023</b>
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 January 2024

**1. SUBJECT: MFMA SECTION 52 REPORTING UP TO DECEMBER 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 2<sup>nd</sup> quarter of the 2023/24 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 October 2023 to 31 December 2023.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 8.2**

**NOTED**

the Section 52 Report (including quarterly performance report) for second quarter of the financial year.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Monique Steyl
<b>POSITION</b>	Senior Manager Financial Management Services
<b>DIRECTORATE</b>	Financial Services
<b>CONTACT NUMBER</b>	021 – 808 8512
<b>E-MAIL ADDRESS</b>	Monique.Steyl@ Stellenbosch.gov.za
<b>REPORT DATE</b>	16 January 2024

<b>8.3</b>	<b>SECTION 72 REPORT: MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2023/2024</b>
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 January 2024

**1. SUBJECT: SECTION 72 REPORT: MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2023/2024**

**2. PURPOSE**

To submit the Section 72 report (Mid-year Budget and Performance Assessment Report) to Council.

**3. DELEGATED AUTHORITY**

**FOR NOTING**

In terms of Section 54 of the Municipal Finance Management Act (MFMA), 56 of 2003.

**4. EXECUTIVE SUMMARY**

This report provides the progress made by the Municipality in terms of the Service Delivery Budget and Implementation Plan (SDBIP) for the period 1 July 2023 to 31 December 2023.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 8.3**

**RESOLVED** (majority vote with 3 abstentions)

After reviewing the mid-year budget and performance assessment for the period ending 31 December 2023, the following are recommended:

- (a) that Council take note of the report and more specifically the assessment and forecasts contained in the report;
- (b) that Council take note that an Adjustments Budget will be tabled to Council as a result of the following:
  - the appropriation of additional allocations received and increased realistically anticipated revenue during the financial year;
  - the reprioritization of projects in line with being completed by the communicated cut-off dates to facilitate year- end preparation;
- (c) that Council note the performance of the Municipality against the set objectives contained in Appendix 1 - Section 2; and
- (d) that the Accounting Officer attend to ensuring that Directors put the necessary corrective measures in place to ensure that projects are managed proactively in a bid to ensure that Council meet its strategic objectives contained in the Service Delivery and Budget Implementation Plan.

8.4	<b>MID-YEAR ADJUSTMENTS BUDGET FOR 2023/2024</b>
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 17 January 2024 & 24 January 2024

**1. SUBJECT: MID-YEAR ADJUSTMENTS BUDGET FOR 2023/2024**

**2. PURPOSE**

To table the adjustments budget as envisaged by section 28 of the Municipal Finance Management Act (Act No.56 of 2003), for the 2023/2024 financial year, for approval. The Western Cape Adjustments Appropriation Act, 2023, was enacted on 28 November 2023 and arising from this, grant allocations were amended for Stellenbosch Municipality, for the 2023/24 financial year.

**3. DELEGATED AUTHORITY**

Approval is required by the Municipal Council.

**4. EXECUTIVE SUMMARY**

Attached as **APPENDIX 1** is an executive summary by the Accounting Officer.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 8.4**

The Speaker afforded the Executive Mayor an opportunity to table the **Mid-Year Adjustments Budget 2023/24** (see **ANNEXURE A**).

**RESOLVED** (majority vote)

- (a) that the Adjustments Budget for 2023/2024 as set out in **APPENDIX 1**, be approved;
- (b) that the following capital projects be adjusted over the MTREF (2023 - 2026) as follows:

Project	2024/2025
Housing Projects (Social housing planning)	1 130 000
Flats: Interior Upgrading - Kayamandi	1 650 000
Expansion of the landfill site (New cells)	30 000 000
Landfill Gas to Energy	22 000 000
Transfer Station: Stellenbosch Planning and Design	1 029 000
Waste Minimization Projects	800 000
Alternative Energy	40 984 801
Bien don 66/11kV substation new	47 420 700
Bien don 66/11kV substation new	847 227
General Systems Improvements – Stellenbosch	872 000
Jan Marais Upgrade: Remove Existing Tx and replace with 20MVA	2 359 587
Uninterrupted Power Supply for buildings	2 872 000
Bulk Water Supply Pipe and Reservoir: Stellenbosch	2 219 352
Bulk Water Supply Pipe and Reservoir: Kayamandi	298 093

Project	2024/2025
Bulk Water Supply Pipeline & Pumpstations: Franschhoek	10 000 000
Bulk Water Supply Pipe: Idas Valley/Papegaaiberg and Network Upgrades	2 000 000
Bulk Water Supply Pipeline & Reservoir - Jamestown	13 716 870
Dwarsriver Bulk Supply Augmentation and Network Upgrades	7 320 153
New Reservoir & Pipeline: Vlotenburg	5 630 324
Reservoirs and Dam Safety	1 950 000
Water Treatment Works: Franschhoek	2 500 000
Water Treatment Works: Idasvalley	1 174 131
Waterpipe Replacement	8 700 000
Franschhoek Sewer Network Upgrade (Langrug/Mooiwater)	272 213
Industrial Effluent Monitoring	1 500 000
Refurbish Plant & Equipment - Raithby WWTW	8 500 000
Sewerpipe Replacement	5 750 000
Upgrade Auto-Samplers	200 000
Upgrade of WWTW Wemmershoek	57 000 000
Upgrade of WWTW: Klapmuts	48 000 000
Bridge Assessment and Design	1 000 000
Lanquedoc Access road and Bridge	13 609 906
River Rehabilitation Implementation	2 600 000
Upgrade Stormwater Retention Facilities	1 200 000
Bird Street Dualling - Adam Tas to Kayamandi	5 500 000
Main road intersection improvements: Helshoogte rd/La Colline	400 000
Stellenbosch Tour Bus Parking	600 000
Kayamandi: Upgrading of Makapula Hall	3 000 000
Structural Maintenance/Upgrade: Beltana	4 000 000
Structural Upgrade: Jamestown Ward Office and Library	3 900 000

- (c) that that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 2**, be approved; and
- (d) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>MONIQUE STEYL</b>
<b>POSITION</b>	<b>SENIOR MANAGER: FINANCIAL MANGEMENT SERVICES</b>
<b>DIRECTORATE</b>	<b>FINANCIAL SERVICES</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8512</b>
<b>E-MAIL ADDRESS</b>	<b>Monique.Steyl@stellenbosch.gov.za</b>
<b>REPORT DATE</b>	<b>11 January 2024</b>

# **ANNEXURE A**





**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK  
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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## **MID-YEAR ADJUSTMENTS BUDGET 2023/24**

Tabled by Executive Mayor Gesie van Deventer -  
24 January 2024



“The road to success is always under construction –  
keep building”

- Speaker;
- Deputy Mayor;
- Chief Whip;
- Members of the Mayoral Committee;
- Members of Council;
- Municipal Manager and senior management;
- Members of the public and special guests;
- Members of the media present;
- All protocol observed

Good morning ladies and gentlemen, hartlike goeiemore, molweni, As-salamu alaykum

### **1. Introduction**

Speaker, as the Executive Mayor of Stellenbosch Municipality, it is my responsibility to submit the Adjustments Budget for the ongoing fiscal year of 2023/24, as mandated by section 28(4) of the Municipal Finance Management Act. As outlined in section 28(2) of the same Act, an adjustments budget:

1. must adjust the revenue and expenditure estimates downwards if there is material under collection of revenue during the current year;
2. may appropriate additional revenue that has become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;
3. may authorize the utilization of projected savings in one vote towards spending in another vote; and
4. may correct any errors in the annual budget.

In terms of section 23(1) of the Municipal Budget and Reporting Regulations, the above-mentioned adjustments can only be done after the mid-year budget and performance assessment has been tabled to Council, but not later than 28 February. We are therefore very early this year and will be one of the first councils that I know of that will be tabling the Adjustments Budget long before the legislated deadline.

Speaker, in tabling the 2023/24 Adjustments Budget, I would like to highlight some of the main reasons for proposing this Adjustments Budget. As is clear from the Council Item in front of councillors, the Western Cape Adjustments Appropriation Act 2023 was enacted on 28 November 2023 which means that grant allocation for Stellenbosch Municipality was amended for the 2023/24 financial year.

Furthermore, the municipality was also allocated an amount of R30 132 000 from the Municipal Disaster Response Grant (MDRG) by National Government for the devastating flooding disaster that happened in September 2023.

It is important to highlight that this is a three-year budget cycle and that the budget does not decrease over the three years, but rather increases to make provision for the municipality's Alternative Energy Generation project, as well as the Municipal Disaster Response Grant received from National Government.

Over the three-year MTREF period, the municipality has budgeted a considerable R1 508 755 979 (one point five billion rand) for Infrastructure Services capital projects. This massive infrastructure investment will make economic growth possible for the municipality.

Stellenbosch Municipality is fortunate to have the flexibility to implement these adjustments and withstand the financial challenges which are looming over many towns and cities in our country. This resilience is a result of years of effective governance, strategic financial planning, and fiscal prudence. Our primary emphasis for the remainder of this fiscal year and the upcoming one will be the completion of ongoing projects, particularly those deemed critical. I want to make it clear that no money is being taken away. As a result of a full day of planning between Mayco and Directors, the projects in the budget were reprioritised to better deliver for the remaining part of the financial year and were shifted to critical projects or moved to the outer financial years in line with more realistic expectations and responsible financial planning.

The main purpose of this adjustments budget is therefore to adjust the material under and over budgeted figures as well as to accommodate additional revenues received or cuts made in terms of government grants. Speaker, the Municipal Manager and the Chief Financial Officer, in accordance with their mandate, streamlined the compilation of the Adjustments Budget in consultation with the Executive Mayor and the Budget Steering Committee.

## **2. Capital Adjustment Budget**

Taking all proposed adjustments into consideration, it will result in the current approved Capital Budget of R561,998,373 decreasing with R70,272,357. The proposed adjusted Capital Budget for 2023/2024 will be R491,726,016. Speaker, it should be noted that with careful planning we managed to not remove any projects permanently, but simply put them on hold, hence the roll overs of multi-year projects in the Adjustment Budget.

This Capital Budget continues to represent our investment and dedication to our communities throughout the Municipality to improve service delivery and the creation of job opportunities through economic growth.

We continue to work relentlessly by making every effort to balance the needs of our residents with the funds available. Once again, funds are being shifted to outer years in line with planning and construction timelines and funds are not being taken away from any critical project.

A massive 84% of the proposed adjusted capital budget is going towards Infrastructure Services – this includes the provision of basic and essential services such as water, sanitation, electricity, roads, stormwater, refuse removal as well as infrastructure development and maintenance.

Some highlights include:

- **Landfill site.** An additional **R19 million** has been allocated to the expansion of the landfill site. It is important that this project be finalised as soon as possible as the finalisation of this project will positively impact future refuse removal tariffs. The project is progressing well and is now in the construction phase. Funding will be rolled forward from the outer years to cover the shortfall experienced in the current year. R19 000 000 was rolled forward from the outer MTREF year to complete Part 1 of the project. Part 1 is envisaged to be completed at the end of March 2024.
- **Alternative Energy.** In our efforts to get off the grid, we sadly discovered that various upgrades had to be affected to the ageing system of ESKOM in Stellenbosch. However, this does not discourage us, but it unfortunately slows down the progress. To facilitate the necessary upgrades, an additional R35 916 311 was added to year 2 of the MTREF. This is the total estimated cost to complete Phase 2 of the Supervisory Control and Data Acquisition system (SCADA) which is the implementation of remote switching of 7 main substations and remote monitoring of the 11 secondary substations.
- Having received various requests from various wards, an additional R200 000 will go towards the procurement of waste **Skips** in informal areas while an additional R250 000 will go towards **Street Refuse Bins**.
- In order to step up the cleaning of our towns, an additional R2.5 million will go towards expanding our **Solid Waste Fleet**, ensuring improved pickup times of household refuse.
- Franschhoek experienced widespread devastation during last year's floods. Damages to the **Franschhoek Huguenot substation** Switchgears was severe and the **La Terra Mini substation** was washed away, and as such, funding is required for general electrical system improvements to the value of R2.37 million.
- To work towards creating a safer municipality, an additional R500 000 will go towards the installation of **Street lighting** in various areas to ensure that residents can move around more safely at night.

- Having assessed the damage of the recent floods, an additional R1 million from the Municipal Disaster Response Grant will go towards the **Sewer Network Upgrade** in Langrug and Mooiwater.
- The allocation of the Municipal Disaster Response Grant will also make it possible for us to allocate R6.59 million towards **Sewer Pipe Replacements** in the Franschoek area.
- The **Upgrade of the Pniel Waste-Water Treatment Works** is very important but has proven to be more costly than expected. Therefore, an additional R2 million is required during this financial year to finalise the project within the correct timeframe.
- The **Vlottenburg Outfall Sewer** and the Digteby Sewerpipe Construction Project is of vital importance to deliver services to Vlottenburg, Kayamandi, Cloetesville and the amazing Adam Tas project. An additional R1.5 million is allocated this year to ensure that the project is completed within the expected timeframe.
- Having assessed our roads, we recognised the needs for additional re-sealing to create safer roads. The **Resealing of Roads** will also be adjusted upwards with R2 million.
- Parking is a serious challenge throughout the municipality. Therefore, the planning and development for the provision of **Bulk Parking** will be allocated an additional R2.76 million this financial year.
- Recognising the importance of additional burial space and the importance thereof to our communities, the extension of **Cemetery Infrastructure** will be allocated an additional R2.5 million.

### 3. Operational Adjustment Budget

The Adjustment Budgets in Stellenbosch is not just a formality but a serious process to re-prioritise and re-align the most important operational projects of the municipality.

The Operational Income Budget for 2023/2024 increases from R2 397 743 562 (R2.397 billion) to the proposed budget of R2 456 088 829 (R2.457 billion).

The Operational Expenditure Budget for 2023/2024 increases **from R2 259 622 633 (R2.259 billion) to the proposed budget amount R2 360 377 441 (R2.360 billion).**

## Operational Income Budget

### Material changes to the operating budget:

- **Water Service Charges:** The municipality has billed R6 856 218 less revenue than initially anticipated. The largest underperformance was noted for the sale of conventional water. This decline in billings is as a result of the decline in consumption. Considering the monthly average over the past 6 months, it is recommended that the budget be adjusted downwards with R13 755 346.
- **Waste Water Service Charges:**The municipality has billed R3 995 745 more revenue than initially anticipated. The largest overperformance was noted for the sale of sanitation charges and industrial wastewater. This incline in billing is a result of an exponential increase in usage. Considering the monthly average over the past 6 months, it is recommended that the budget be adjusted upwards with R5 030 768.
- **Fines, penalties and forfeits:** The fines revenue budget will increase due to the increase in fines issued. Considering the issued fines, it is recommended that the budget increase with R23 966 884.
- **Interest earned - external investments:** An over performance was noted for interest earned – external investments to the amount of R8 147 891. This is attributed to fluctuations in the interest rates over the past few years and an increase in investments. It is recommended that the budget be increased with R2 974 857
- **Rental of facilities and equipment:** An under performance is noted for the Rental of facilities and equipment to the amount of R236 660 and the annual billings are levied in March 2024. It is recommended that the budget be increased by R2 409 848 during the mid-year adjustment process.

## Operational Expenditure Budget

Various line items were adjusted due to requests received from user departments and operational pressure to improve efficiencies.

There are line items where we noted an overspending when compared to the year-to date budget and we anticipate that additional funds will be required, over and above those already included and approved in the annual budget.

### Material changes to the Operational Expenditure Budget include:

- **Security Services:** budget increased with R19 847 000. This is for the safeguarding of key municipal infrastructure that is used to provide services to our community.

- Additional funding was also allocated to our EPWP Safety Monitor Project to assist municipal law enforcement in creating a safer environment for our community.
- **Finance cost:** The budget for finance costs will be increased based on the repayment of the external loans with R9 246 246.
- **Management of Informal Settlements.** The budget increases with R3 037 613. The additional funding is for reallocation (wendy houses) in the informal settlement areas and to provide alternative accommodation for the evictees. The department must also rectify or replace dilapidated and old structures in Mountainview as highlighted by a visit from the Parliamentary Committee on Human Settlements.
- **Repairs and maintenance WWTW Stellenbosch.** The budget had to be increased with R5 804 655. The additional funding is required for Maintenance of Wastewater Treatment works equipment.
- **Repairs and Maintenance: Sanitation Infrastructure.** The budget had to be increased with R3 500 000. The additional funding is required for Kainos' Operation & Maintenance Service.
- **Repairs and Maintenance WWTW Wemmershoek.** The budget had to be increased with R3 307 206. The additional funding is required for Maintenance of Wastewater Treatment works.
- **The Budget for non-cash (accounting) items such as Depreciation and Debt Impairment** are upward adjusted in line with the municipality's accounting policy so as to ensure that sufficient provision is made in the budget to account for these items.

#### **4. Conclusion**

The cost of living is rising day by day, load shedding is having a very negative impact on our economy, interest rates are high and the average South African is struggling to make ends meet.

It is crucial to adopt a conservative approach now and to plan and adjust while we can, to ensure our ongoing sustainability. As one of the most sustainable municipalities in South Africa, we are in a favourable financial position, and I want to reassure everyone that, as Executive Mayor, I am committed to maintaining this standing. Unfortunately, many municipalities in the country are not as fortunate.

Speaker, fortunately, it is important to stress this is **not our new budget** for the upcoming financial year. It is just an adjustment to ensure that we streamline and best spend the funds for the last couple of months of the current financial year. The formal presentation will take place in May of this year, with implementation scheduled for July 1st.

Speaker, I am proud to say we have demonstrated ourselves as one of the top municipalities in South Africa, owing to our diligence, hard work, and commitment to our residents. I am steadfast in my determination to uphold this standard at any cost. Our relentless mission to deliver services and opportunities to our beautiful valley will persist.

I extend my gratitude to the CFO, the Municipal Manager, and the entire administration for their dedicated efforts in steering us through these challenging times we are seeing nationally.

In the words of Gary Paulsen, a famous American author – **“Do what you can as you can. Trouble, problems, will come no matter what you do, and you must respond as they come”**.

I table this Adjustments Budget, with great responsibility. We shall continue to work hard to provide the best leadership and guidance during this difficult time and to create a business-ready environment, which attracts investment and creates jobs and opportunities for all who call this beautiful valley home.

Speaker, in the item serving before Council, the recommendations are set out as recommended in the Mid- Year Adjustments Budget 2023/2024 Item. I herewith formally submit recommendations on page 641 and 642, (a) to (d), in the Council Agenda, for consideration and approval of the 2023/2024 Adjustments Budget.

I thank you,

Baie dankie,

Enkosi kakhulu,

**EXECUTIVE MAYOR**

**GESIE VAN DEVENTER**



<b>8.5</b>	<b>REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2023/24</b>
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**Collaborator No:**

**IDP KPA Ref No:** Good Governance and Compliance

**Meeting Date:** 17 January 2024 & 24 January 2024

**1. SUBJECT: REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2023/24**

**2. PURPOSE**

To obtain the Council's approval for the revisions made to the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2023/24.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

The TL SDBIP 2023/24 was approved by the Executive Mayor on 27 June 2023. It is common practice for a municipality, as provided for in the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), to review its performance indicators and targets after approving the adjustments budget.

All the necessary changes, which must be deleted or amended, are indicated with a strikethrough and an underline, respectively (for ease of reference). It should be noted that the Top Layer SDBIP 2023/24 is the in-year plan of the municipality, and amendments made to the Top Layer SDBIP 2023/24 must be read in conjunction with the Integrated Development Plan (IDP). Therefore, changes made in the Revised TL SDBIP 2023/24 are considered to be made in the IDP as well.

The reasons for the amendments to the following KPIs are as follows:

- a) KPI004 – Editorial change made.
- b) KPI010 – The wording of the deliverable was revised.
- c) KPI049 – The target date of the deliverable was revised from 01 July to 31 March.
- d) KPI060 – The wording of the deliverable was revised.
- e) KPI061 – The KPI was removed as it was achieved in the previous financial year.
- f) KPI062 – The wording of the deliverable was revised.

Any detected spelling, grammatical and or alignment errors in the document were also corrected where needed.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 8.5****RESOLVED** (majority vote)

- (a) that the Revised Top Layer SDBIP 2023/24 be approved;
- (b) that the Revised Top Layer SDBIP 2023/24 be published on the Municipal Website;  
and
- (c) that the Revised Top Layer SDBIP 2023/24 be submitted to:
  - i. Internal Audit Unit (for notification);
  - ii Department of Local Government: Western Cape;
  - iii Provincial Treasury: Western Cape;
  - iv Auditor General of South Africa; and
  - v. National Treasury.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Geraldine Mettler</i>
<b>POSITION</b>	<i>Municipal Manager</i>
<b>DIRECTORATE</b>	<i>Office of the Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 – 808 8025</i>
<b>E-MAIL ADDRESS</b>	<i><a href="mailto:mm@stellenbosch.gov.za">mm@stellenbosch.gov.za</a></i>
<b>REPORT DATE</b>	<i>11 January 2024</i>

8.6	<b>OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 2 (01 OCTOBER 2023 – 31 DECEMBER 2023)</b>
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 17 January 2024 & 24 January 2024

**1. SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 2 (01 OCTOBER 2023 – 31 DECEMBER 2023)**

**2. PURPOSE**

To submit to Management a report for the period 01 October 2023 – 31 December 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 2023/2024, 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.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 8.6**

**RESOLVED** (majority vote)

- (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.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Dalleel Jacobs</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8137</i>
<b>E-MAIL ADDRESS</b>	<i><a href="mailto:Dalleel.Jacobs@ Stellenbosch.gov.za">Dalleel.Jacobs@ Stellenbosch.gov.za</a></i>
<b>DIRECTORATE</b>	<i>Financial Services</i>
<b>REPORT DATE</b>	<i>03 January 2024</i>

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<b>8.7</b>	<b>MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JULY 2023 – 31 DECEMBER 2023 MFMA S116(2)(d) REPORT</b>
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 17 January 2024 & 24 January 2024

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**1. SUBJECT: MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JULY 2023 – 31 DECEMBER 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**

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 July 2023 to 31 December 2023.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 8.7**

**NOTED**

the MFMA S116(2)(d) report on the management of contracts or agreements and contractor performance from 01 July 2023 to 31 December 2023.

<b>8.8</b>	<b>MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER AND DECEMBER 2023</b>
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**Collaborator No:**

**IDP KPA Ref No:** Good Governance and Compliance

**Meeting Date:** 17 January 2024 & 24 January 2024

**1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER AND DECEMBER 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 2023/2024 to report the deviations to Council.

**3. DELEGATED AUTHORITY**

Council

FOR NOTING.

**4. EXECUTIVE SUMMARY**

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2023/2024) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during November and December 2023.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 8.8**

**NOTED**

the deviations as listed for the months of November and December 2023.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Dalleel Jacobs
<b>POSITION</b>	Senior Manager: Supply Chain Management
<b>DIRECTORATE</b>	Financial Services
<b>CONTACT NUMBERS</b>	021 808 8137
<b>E-MAIL ADDRESS</b>	Dalleel.Jacobs@stellenbosch.gov.za
<b>REPORT DATE</b>	03 January 2023

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

<b>10.</b>	<b>ITEMS FOR NOTING</b>
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<b>10.1</b>	<b>REPORT/S BY THE EXECUTIVE MAYOR</b>
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<b>10.1.1</b>	<b>REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: OCTOBER 2023 – DECEMBER 2023</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

24 January 2024

**1. SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: OCTOBER 2023 – DECEMBER 2023**

**2. PURPOSE**

To inform Council of the decisions taken by the Executive Mayor from October 2023 to December 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.”*

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 10.1.1**

**NOTED**

the report on the decisions taken by the Executive Mayor for the Quarter: October 2023 – December 2023

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	DONOVAN MULLER
<b>POSITION</b>	<b>MANAGER: COUNCILLOR SUPPORT</b>
<b>DIRECTORATE</b>	<b>CORPORATE SERVICES</b>
<b>CONTACT NUMBERS</b>	<b>021 8088314</b>
<b>E-MAIL ADDRESS</b>	<b><u><a href="mailto:Donovan.Muller@ Stellenbosch.gov.za">Donovan.Muller@ Stellenbosch.gov.za</a></u></b>
<b>REPORT DATE</b>	<b>04 January 2024</b>

<b>10.2</b>	<b>REPORT/S BY THE SPEAKER</b>
<b>10.2.1</b>	<b>QUARTERLY REPORT – WARD COMMITTEE FUNCTIONING 2<sup>ND</sup> QUARTER OF 2023/2024 FINANCIAL YEAR</b>

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

24 January 2024

**1. SUBJECT: QUARTERLY REPORT – WARD COMMITTEE FUNCTIONING  
2<sup>ND</sup> QUARTER OF 2023/2024 FINANCIAL YEAR**

**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. 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 October - December 2023, including dates and number of Ward Committee meetings held to date.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 10.2.1**

**NOTED**

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

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Jacqueline Beerwinkel
<b>POSITION</b>	<b>EXECUTIVE SUPPORT OFFICER</b>
<b>DIRECTORATE</b>	<b>CORPORATE SERVICES</b>
<b>CONTACT NUMBERS</b>	<b>021808 8618</b>
<b>E-MAIL ADDRESS</b>	<b>Jacqueline.Beerwinkel@stellenbosch.gov.za</b>
<b>REPORT DATE</b>	<b>24 January 2024</b>

<b>10.3</b>	<b>REPORT/S BY THE MUNICIPAL MANAGER</b>
<b>10.3.1</b>	<b>DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 1 OCTOBER 2023 UNTIL 31 DECEMBER 2023</b>

Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

24 January 2024

**1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 1 OCTOBER 2023 UNTIL 31 DECEMBER 2023**

**2. PURPOSE**

To report to Council on the decisions taken by the Municipal Manager and the Directors in terms of Council's System of Delegations for the period 1 October 2023 until 31 December 2023, 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.

Furthermore, these delegations only indicate the delegations exercised as delegated by Council to the various Senior Managers.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 10.1.3**

**NOTED**

the decisions taken for the period 1 October 2023 until 31 December 2023, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (1 October 2023 – 31 December 2023)
- Chief Financial Officer – Mr K Carolus (1 October 2023 – 31 December 2023)
- Director Infrastructure Services – Mr S Chandaka (1 October 2023 – 31 December 2023)
- Director Corporate Services – Ms A de Beer (1 October 2023 – 31 December 2023)
- Director Community and Protection Services – Mr G Boshoff (1 October 2023 – 31 December 2023).

**FOR FURTHER DETAILS CONTACT:**

<i>NAME</i>	<i>G Mettler</i>
<i>POSITION</i>	<i>Municipal Manager</i>
<i>DIRECTORATE</i>	<i>Office of the Municipal Manager</i>
<i>CONTACT NUMBERS</i>	<i>021 808 8025</i>
<i>E-MAIL ADDRESS</i>	<i>municipal.manager@ Stellenbosch.gov.za</i>
<i>REPORT DATE</i>	<i>17 January 2024</i>



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

11.2	<b>SPORTS, YOUTH AND CULTURE: [PC: CLLR JC ANTHONY]</b>
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NONE

11.3	<b>CORPORATE SERVICES: (PC: CLLR L NKAMISA)</b>
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11.3.1	<b>POSSIBLE DISPOSAL OF ERF 5 WEMMERSHOEK</b>
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Collaborator No: 761556

IDP KPA Ref No: Good Governance

Meeting Date: 17 January 2024 & 24 January 2024

**1. SUBJECT: POSSIBLE DISPOSAL OF ERF 5 WEMMERSHOEK**

**2. PURPOSE**

To obtain Council's in principle approval for the disposal of Erf 5 Wemmershoek.

**3. DELEGATED AUTHORITY**

For decision by Municipal Council.

**4. EXECUTIVE SUMMARY**

In 2007 the Cape Winelands Municipality donated several properties in La Motte and Wemmershoek to the Stellenbosch Municipality. Erf 5 Wemmershoek was one of the properties donated in the Deed of Donation and was registered in the name of the Municipality in 2012.

The current zoning of the erf is "Local Business Zone" and the property is situated next to the Community Hall in Wemmershoek.

The erf has always been vacant and several enquiries have been received from the public about the intentions of council with this property. In 2021 the ward councillor for Wemmershoek made a request that this property, amongst others, be considered for disposal by way of tender or public auction. Council must therefore consider the way forward for the erf.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 11.3.1****RESOLVED** (majority vote with 3 abstentions)

- (a) that Council confirms that the property is not needed to provide the minimum basic municipal services;
- (b) that Council in principle approve the disposal of erf 5 Wemmershoek through a public auction; and
- (c) that a valuation be obtained to be used as the reserve price for the auction process.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>Annalene de Beer</b>
<b>POSITION</b>	<b>Director</b>
<b>DIRECTORATE</b>	<b>Corporate Services</b>
<b>CONTACT NUMBERS</b>	<b>021-8088018</b>
<b>E-MAIL ADDRESS</b>	<b><u><a href="mailto:annalene.debeer@stellenbosch.gov.za">annalene.debeer@stellenbosch.gov.za</a></u></b>
<b>REPORT DATE</b>	<b>11/01/2024</b>

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11.4	<b>FINANCIAL SERVICES: (PC: CLLR J FASSER)</b>
	NONE
11.5	<b>HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)</b>
	NONE
11.6	<b>INFRASTRUCTURE SERVICES : (PC : CLLR P JOHNSON)</b>
	NONE
11.7	<b>PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J WILLIAMS)</b>
	NONE
11.8	<b>PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM: (PC: CLLR C VAN WYK)</b>
	NONE
11.9	<b>COMMUNITY SERVICES:(PC: CLLR X KALIPA)</b>
	NONE
11.10	<b>RURAL MANAGEMENT: (PC: CLLR J JOON)</b>
	NONE

11.11	MUNICIPAL MANAGER
11.11.1	MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS: PROGRESS REPORT BY THE MUNICIPAL MANAGER

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 17 January 2024 & 24 January 2024

## 1. SUBJECT: MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS: PROGRESS REPORT BY THE MUNICIPAL MANAGER

### 2. PURPOSE

- 2.1 To report to Council in terms of Council Item 11.11.1 of the 17<sup>th</sup> Council meeting of 25 October 2023 . See attached **ANNEXURE 1**, in particular reference to resolution and resolution (g), respectively of the minutes of this meeting.

**Resolution (d):** “that Council take note of the Municipal Manager’s progress report / feedback .”

**Resolution (g):** “That Council re-evaluate and confirm the delegates / representatives from Stellenbosch Municipality that will serve on the Steering Group created by the multi-year agreement, by no later than end January of every calendar year.”

To report on the procedure as suggested by ICLD on how to implement Resolution (g) See attached **ANNEXURE 2**.

- 2.2 To bring to Council’s attention the proposed pilot project for the upgrading / re-imagining of the Upper George Blake Avenue area.

### 3. DELEGATED AUTHORITY

Council.

### 4. EXECUTIVE SUMMARY

Stellenbosch Municipality entered into a partnership agreement with Jönköping Municipality on the topic of Human Rights on 17 December 2020, which culminated in a multi-year agreement in December 2022. Therefore, and in accordance with the reporting standards created in the preceding years, the Municipal Manager must provide an annual report and / or alternatively an interim progress report to Council (as and when required), detailing the relevant activities undertaken during the reporting period.

The feedback to Council will deal with the following:

- 4.1 Visit by representatives from Stellenbosch Municipality to Jönköping Municipality;
- 4.2 Report on Steering Group / Committee meetings and activities;
- 4.3 Proposals for the multi-year programme;
- 4.4 The conclusion of the International Training Programme of Swedish International Centre for Local Democracy;

- 4.5 The alignment of the municipal partnership programme with the; Stellenbosch Municipality's Employee Wellness Programme; and
- 4.6 Pilot Project – Upper George Blake Avenue - Urban and Social Revitalisation Project

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 11.11.1****RESOLVED** (majority vote with 11 abstentions)

- (a) that Council takes note of the visit by representatives of Stellenbosch Municipality to Jönköping Municipality during December 2023;
- (b) that Council takes note of the Municipal Manager's progress report / feedback dated 25 October 2023;
- (c) that Council takes note of the integration between the Employee Wellness Programme (EWP) and the Municipal Partnership Programme (MPP);
- (d) that Council takes note of the guidelines by ICLD for changing Steering Group members;
- (e) that Council replaces Cllr Z Dalling as office bearer, as representatives to the Swedish International Centre for Local Democracy with Deputy Mayor, Cllr J Fasser and secondi Cllr C van Wyk and second secondi Cllr L Nkamisa;
- (f) that Council takes cognizance that the ICLD requires an annual inter-partnership visit, i.e. that Stellenbosch Municipality visits Jönköping Municipality in Sweden once a year for the duration of the multi-year programme; and
- (g) that Council takes note of the proposed pilot project for upgrading / re-imagining of the Upper George Blake Avenue (RUGBA) area.

**FOR FURTHER DETAILS CONTACT:**

<i>NAME</i>	<i>Geraldine Mettler</i>
<i>POSITION</i>	<i>Municipal Manager</i>
<i>DIRECTORATE</i>	<i>Municipal Manager</i>
<i>CONTACT NUMBERS</i>	<i>021- 808 8025</i>
<i>E-MAIL ADDRESS</i>	<i>municipal.manager@stellenbosch.gov.za</i>
<i>REPORT DATE</i>	<i>2024-01-04</i>

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

<b>13.</b>	<b>REPORTS BY THE MUNICIPAL MANAGER</b>
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<b>13.1</b>	<b>CIRCULAR 1/2024: OUTCOMES OF MUNICIPAL BOUNDARY REDETERMINATION PROPOSALS AS DECIDED BY THE MUNICIPAL DEMARCATION BOARD IN TERMS OF THE LCOAL GOVERNMENT: MUNICIPAL DEMARCATION ACT, ACT NO. 27 OF 1998</b>
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Collaborator No:  
IDP KPA Ref No: Good Governance  
Meeting Date: 24 January 2024

**1. SUBJECT: CIRCULAR 1/2024: OUTCOMES OF MUNICIPAL BOUNDARY REDETERMINATION PROPOSALS AS DECIDED BY THE MUNICIPAL DEMARCATION BOARD IN TERMS OF THE LCOAL GOVERNMENT: MUNICIPAL DEMARCATION ACT, ACT NO. 27 OF 1998**

**2. PURPOSE**

To provide Council with an update regarding the municipal boundary determination process, following the consideration of public meetings and formal investigations in terms of Local Government: Municipal Demarcation Act, Act No. 27 of 1998 ("MDA"), and to provide information in respect of the publication of notices in the Provincial Gazette regarding the boundaries as redetermined by the MDB in terms of Section 21 of the MDA.

This report aims to provide Council with the outcomes / decisions made by the Municipal Demarcation Board ("MDB") in respect of the three (3) submissions affecting Stellenbosch Municipality.

**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).

The MDB conducted formal investigations and public hearing during August 2023 to October 2023 on the proposed municipal boundary re-determinations.

The MDB issued its decision in this regard, which have been published in the Provincial Gazette from 12 January 2024.

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**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 13.1****RESOLVED** (nem con)

- (a) that Council **takes note** of MDB Circular 1/2024 and the extract of Annexure A to this Circular related to the outcomes the Municipal Boundary Redetermination Proposals that have an impact on Stellenbosch Municipality, attached as **Appendices 1 and 2 respectively**;
- (b) that Council **takes note** of the resolution of the Municipal Demarcation Board (“MDB”) **TO NOT PROCEED** to Section 21 of the MDA, in respect of DEM8250 related to the inclusion of Klipmuts North into the Stellenbosch Municipal Area, as the proposal does not meet the demarcation criteria, thereby not supporting the Municipality’s submission, copy of outcome attached as **Appendix 2**;
- (c) that Council **takes note** of the reasons for the above outcome (DEM8250) as requested by the Department, that was submitted on 16 January 2024, copy attached as **Appendix 3**;
- (d) that Council **take notes** of the resolution of the Municipal Demarcation Board (“MDB”) **TO NOT PROCEED** to Section 21 of the MDA, in respect of DEM8251 related to a public received proposal to include a portion of the Farm Hazendal No. 222, located within the City of Cape Town into the Stellenbosch Municipal Area, as the proposal does not meet the demarcation criteria, thereby not supporting the submission of members of the public, see **Appendix 2**;
- (e) that Council **takes note** that the above proposal DEM8251, was not supported by Council and the decision is therefore in accordance with the Council resolution at its 13<sup>th</sup> Council Meeting dated 26 April 2023 to object to this proposal;
- (f) that Council **takes note** of the resolution of the Municipal Demarcation Board (“MDB”) **TO PROCEED** to Section 21 of the MDA, in respect of DEM8252 related to a submission of the City of Cape Town to exclude Farm 115, Stellenbosch Division from Stellenbosch Municipality and to include the property into the City of Cape Town, see **Appendix 2**. This submission was supported by Council and is therefore in accordance with the Council resolution at its 13<sup>th</sup> Council Meeting dated 26 April 2023;
- (g) that Council **takes note** that the above submission, DEM8252 will be published in the Provincial Gazette for objections;
- (h) that Council authorise the Municipal Manager to submit an objection against the decision of the Municipal Demarcation Board, TO NOT PROCEED to Section 21 of the Municipal Demarcation Act, Act 27 of 1998, in respect of DEM8250 related to the inclusion of Klipmuts North into the Stellenbosch Municipal Area in accordance with the prescripts and procedure as indicated in the Provincial Gazette, within thirty (30) days of the date of such publication.

**REASONS FOR OBJECTION (h)**

Section 6.2 of this report and the Response received from the Municipal Demarcation Board, attached as Appendix 3 does not provide the detail and rationale for the decision of the Municipal Demarcation Board. It is further clear from the departmental responses that these reasons provided, has been addressed within the submission document of Council.

Council has also not received any record of the deliberations held at the MDB Sitting, as requested to establish the reasonable grounds for such decision. It is therefore the recommendation that the Municipal Manager obtain the said publication in the Provincial Gazette and submit an objection before the closing date in respect of the application with reference DEM8250.

13.2	<b>AMENDMENT OF SYSTEM OF DELEGATIONS FOR LAND USE PLANNING</b>
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 24 January 2024

**1. SUBJECT: AMENDMENT OF SYSTEM OF DELEGATIONS FOR LAND USE PLANNING**

**2. PURPOSE**

To amend the system of delegation for land use planning to assign the authority to land use inspectors to review compliance of building plan application with the provisions of the Zoning Scheme Bylaw.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

Council adopted an amended Bylaw on Municipal Land Use Planning, as well as the updated system of delegations for the associated statutory operations of the land use planning functionality, vide item 11.8.1 on 24 May 2023 (Effective from 1 July 2023).

In its quest to constantly improve work performance, which includes the optimal application of available human resource capital, the Department proposes to amend the system of delegations to include and permit the functionalities of Senior Land Use Inspector and Land Use Inspector to review and comment on building plan applications for its compliance to the Zoning Scheme By-law.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 13.2**

**RESOLVED** (nem con)

that the amendment of Delegation LUP 137 attached as **ANNEXURE "A"**, of the system of delegations associated with the statutory operations of the land use planning functionality, as approved by Council Vide Item 11.8.1 on 24 May 2023, to include and permit the functionalities of Senior Land Use Inspector and Land Use Inspector to comment on building plan applications, **BE APPROVED** in terms of Section 59 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Stiaan Carstens</i>
<b>POSITION</b>	<i>Senior Manager: Development Management</i>
<b>DIRECTORATE</b>	<i>Planning and Economic Development</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8674</i>
<b>E-MAIL ADDRESS</b>	<i><a href="mailto:Stiaan.carstens@ Stellenbosch.gov.za">Stiaan.carstens@ Stellenbosch.gov.za</a></i>
<b>REPORT DATE</b>	<i>18 January 2024</i>



<b>13.3</b>	<b>SUPPLY CHAIN MANAGEMENT POLICY AND PREFERENTIAL PROCUREMENT POLICY</b>
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**Collaborator No:**

**BUDGET KPA Ref No:** Good Governance and Compliance

**Meeting Date:** 24 January 2024

**1. SUBJECT: SUPPLY CHAIN MANAGEMENT POLICY AND PREFERENTIAL PROCUREMENT POLICY**

**2. PURPOSE**

To request council to approve the draft revised Preferential Procurement and Supply Chain Management Policies.

**3. DELEGATED AUTHORITY**

COUNCIL

**4. EXECUTIVE SUMMARY**

Stellenbosch Municipality approved a new Preferential Procurement Policy on 12 January 2023. However, a difference in interpretation arose between the Auditor – General, Provincial Treasury as well as several Municipalities in the Western Cape pertaining to the allocation of specific goals for goods and services under R30 000.00 (Thirty Thousand Rand). To address the interpretation challenges and eliminate any ambiguity the Municipality's Preferential Procurement Policy will be revised to include the allocation of specific goals for procurement of goods and services under R30 000.00 (Thirty Thousand Rand).

Amendments to the Supply Chain Regulations as per Government Gazette of 14 December 2023, No, 49863, issued by National Treasury also requires a revision to the Municipality's Supply Chain Management Policy. These amendments are to ensure the effective functioning of our Supply Chain Management system. Before the policies can be approved the draft revised policy must be advertised for public comment.

**19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 13.3**

**RESOLVED** (majority vote)

- (a) that Council approved the draft revised Preferential Procurement and Supply Chain Management Policies attached as Appendix 1 and Appendix 2; and
- (b) that the revised Preferential Procurement and Supply Chain Management Policies be advertised for public comment, whereafter same be resubmitted to Council for final consideration and approval.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>DALLEEL JACOBS</b>
<b>POSITION</b>	<b>SENIOR MANAGER: SUPPLY CHAIN MANAGEMENT</b>
<b>DIRECTORATE</b>	<b>FINANCIAL SERVICES</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8541</b>
<b>E-MAIL ADDRESS</b>	<b>Dalleel.Jacobs@ Stellenbosch.gov.za</b>
<b>REPORT DATE</b>	<b>17 January 2024</b>

<b>14.</b>	<b>CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER</b>
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NONE

<b>15.</b>	<b>CONSIDERATION OF URGENT MOTIONS</b>
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NONE

<b>16.</b>	<b>URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER</b>
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NONE

<b>17.</b>	<b>REPORTS SUBMITTED BY THE SPEAKER</b>
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<b>17.1</b>	<b>APPEAL OF DISCIPLINARY CASE 220719/02: COUNCILLOR VERMEULEN</b>
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**Collaborator No:**

**IDP KPA Ref No:** *Good Governance*

**Meeting Date:** 24 January 2024

**1. SUBJECT: APPEAL OF DISCIPLINARY CASE 220719/02: COUNCILLOR VERMEULEN**

**2. PURPOSE**

For Council to take note of the Provincial Minister of Local Government's decision to set aside the finding as well as the sanction against Councillor Elsabe Vermeulen pertaining to case 220719/02 that served during the 18<sup>th</sup> Council held on 29 November 2023.

**3. DELEGATED AUTHORITY**

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.

**Breached of Code** – 1) IF the speaker of a municipal Council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the speaker must-

- 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

Councillor Elsabe Vermeulen allegedly contravened the Code of Conduct for Councillors by not acting in the best interest of the Municipality and in such a way that the integrity of the Municipality was compromised, bringing Council into disrepute. A disciplinary process was instituted and Councillor Vermeulen was found guilty. (**APPENDIX B**). The decision was reported to Council and the recommendation from the disciplinary committee was accepted by Council on 29 November 2023 (See **APPENDIX C**) The sanction of a warning was issued by the Speakers office after the Council meeting.

The letter received from the Minister's office is attached as **APPENDIX D**. As can be seen from the letter from the Minister the decision is reflected in a letter dated 6/12/23. Councillor Vermeulen lodged the appeal before Council made a ruling on the disciplinary Committee recommendation and the Minister was informed of the Council resolution of 29 November 2023. The minister's office requested input from Council before making the decision as reflected in **APPENDIX D** in October 2023. The speaker's office responded to the October request as per **APPENDIX E**.

#### 19<sup>TH</sup> COUNCIL MEETING: 2024-01-24: ITEM 17.1

#### NOTED

the decision of the MEC as reflected in **APPENDIX D**.

#### FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	Office of the Speaker
<b>POSITION</b>	<b>PA SPEAKER'S OFFICE</b>
<b>DIRECTORATE</b>	<b>CORPORATE SERVICES</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8941</b>
<b>E-MAIL ADDRESS</b>	
<b>REPORT DATE</b>	<b>23 NOVEMBER 2023</b>

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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 (IN-COMMITTEE MINUTES ONLY)

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The meeting adjourned at 13:10.

**CHAIRPERSON:** .....

**DATE:** .....

**Confirmed on** .....**without amendments.**