



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

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2022-07-27

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MINUTES

6TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2022-07-27 AT 10:00

MINUTES
6TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2022-07-27
TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
2.	MAYORAL ADDRESS	
3.	COMMUNICATIONS BY THE SPEAKER	
4.	COMMUNICATIONS BY THE MUNICIPAL MANAGER	
5.	DISCLOSURE OF INTERESTS	
6.	APPLICATIONS FOR LEAVE OF ABSENCE	
7.	APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING	
7.1	The minutes of the 5 th Council meeting: 2022-05-25 refers. FOR CONFIRMATION	6
7.2	The minutes of a Special Council meeting: 2022-06-22 refers. FOR CONFIRMATION	6
8.	STATUTORY MATTERS	
8.1	APPROVED TOP LAYER (TL) SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2022/23	7
8.2	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 2022 - 30 JUNE 2022)	8
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 2021 - 30 JUNE 2022)	9
8.4	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JUNE 2022	10
8.5	MFMA SECTION 52 REPORTING UP TO JUNE 2022	11
9.	REPORT BY THE MUNICIPAL MANAGER ON OUTSTANDING RESOLUTIONS	
	NONE	
10.	ITEMS FOR NOTING	
10.1	REPORT/S BY THE EXECUTIVE MAYOR	
10.1.1	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 2022 – JUNE 2022]	12
10.1.2	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: APRIL 2022 – JUNE 2022	14
10.1.3	REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 26 MAY 2022	15
10.2	REPORT/S BY THE SPEAKER	
	NONE	
10.3	REPORT/S BY THE MUNICIPAL MANAGER	
	NONE	

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
11.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER (MS)]	
11.1	PROTECTION SERVICES: [PC: CLLR R BADENHORST]	
	NONE	
11.2	YOUTH, SPORTS AND CULTURE: [PC: CLLR R ADAMS]	
	NONE	
11.3	CORPORATE SERVICES: [PC: CLLR L NKAMISA]	
11.3.1	SECURITY OF TENURE FOR STELLENBOSCH GOLF CLUB	16
11.3.2	FEEDBACK AFTER PUBLICATION OF INFORMATION STATEMENT: MOUNTAIN BREEZE CARAVAN PARK	17
11.3.3	MANAGEMENT STRATEGY: PROPERTY REGISTER	19
11.3.4	EXTENTION OF RENTAL AGREEMENTS: ABSA BUILDING; ECCLESIA BUILDING; REDUCED SPACE IN EIKESTAD MALL	21
11.4	FINANCIAL SERVICES: [PC: CLLR P JOHNSON]	
11.4.1	MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JANUARY 2022 – 30 JUNE 2022 MFMA S116(2)(d) REPORT	23
11.5	HUMAN SETTLEMENTS: [PC: CLLR J FASSER]	
	NONE	
11.6	INFRASTRUCTURE : [PC : CLLR Z DALLING (MS)]	
11.6.1	LEASING OF PARKING AREAS (CHECKERS / STELMARK) TO RETAILERS ADJACENT TO THE PARKING AREAS, CONSIDERATION OF COMMENTS RECEIVED	24
11.7	PARKS, OPEN SPACES AND ENVIRONMENT: [PC: CLLR J JOON]	
	NONE	
11.8	PLANNING: [PC: CLLR C VAN WYK(MS)]	
11.8.1	TERM OF OFFICE OF THE MEMBERS OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL (MPT)	26
11.8.2	ADOPTION OF THE POLICY FOR THE NAMING AND RENAMING OF STREETS, PUBLIC PLACES, NATURAL AREAS, ARTEFACTS AND COUNCIL-OWNED BUILDINGS AND FACILITIES	28
11.9	LOCAL ECONOMIC DEVELOPMENT AND TOURISM: [PC: CLLR R DU TOIT (MS)]	
	NONE	
11.10	RURAL MANAGEMENT: [PC: CLLR J WILLIAMS]	
	NONE	

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
11.11	MUNICIPAL MANAGER	
11.11.1	SIGNED PERFORMANCE AGREEMENTS 2022/23 OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER (THE CFO AND DIRECTORS)	29
11.11.2	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 1 APRIL 2022 UNTIL 30 JUNE 2022	31
11.11.3	TO ATTEND THE 2ND SOUTH AFRICAN – GERMAN PEER LEARNING NETWORK WORKSHOP AND FEDERAL NATIONAL URBAN POLICY CONGRESS, 10 – 16 SEPTEMBER 2022, GERMANY	32
12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER	
12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]	
	NONE	
13.	REPORTS BY THE MUNICIPAL MANAGER	
13.1	RETURN ITEM: DRAFT REVISED STELLENBOSCH MUNICIPALITY RULES OF ORDER BY-LAW: 2022	33
13.2	ESTABLISHMENT OF WARD COMMITTEES	35
13.3	SUSPENSION OF THE IMPLEMENTATION OF CLAUSE 6.2.1.2 (b) IN APPROVED RECRUITMENT AND SELECTION POLICY	37
14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER	
	NONE	
15.	CONSIDERATION OF URGENT MOTIONS	
	NONE	
16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER	
	NONE	
17.	REPORTS SUBMITTED BY THE SPEAKER	
	NONE	
18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR	
	NONE	
19.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
	(SEE PINK DOCUMENTATION)	

PRESENT

The Speaker, Cllr Q Smit [Chairperson]
The Executive Mayor, Ald GMM Van Deventer (Ms)
The Deputy Executive Mayor, Cllr JS Fasser

COUNCILLORS

RA Adams	EP Masimini
J Andrews	NE Mcombring [Ms]
Ald JC Anthony	XL Mdemka (Ms)
FJ Badenhorst	NM Mkhontwana (Ms)
PR Crawley (Ms)	ZR Ndalasi
A Crombie (Ms)	CD Noble
ZJ Dalling (Ms)	L Nkamisa
MM Danana	M Nkopane [Ms]
I De Taillerfer (Ms)	N Olayi
R Du Toit (Ms)	WC Petersen [Ms]
A Ferns (Ms)	RO Pheiffer
E Groenewald (Ms)	WF Pietersen
AJ Hanekom	MG Rataza
RB Hendrikse (Ms)	JP Serdyn [Ms]
P Johnson	A Tomose [Ms]
J Joon	RB Van Rooyen
O Jooste	M Van Stade
X Kalipa	CA Van Wyk
N Mananga-Gugushe (Ms)	E Vermeulen
C Manuel	J Williams

OFFICIALS

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

1.	OPENING AND WELCOME
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The Speaker welcomed all present at the Special Council meeting.

2.	MAYORAL ADDRESS
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“Speaker;

Deputy Mayor;

Chief Whip of the Ruling Party;

Members of the Mayoral Committee;

Municipal Manager and Senior Management;

Members of the public;

Members of the media present;

All protocol observed

Good morning, Goeiemore, Molweni, Assalamu alaikum;

- “Remember that hope is a powerful weapon, even when everything else is lost”
- These are the wise words of our late President Madiba;
- After celebrating Mandela day this month, I thought it is important to start with these wise words;
- Speaker, sometimes it feels like we are ready to throw in the towel and give up, or like this year has been tough;
- However we should never stop focusing on HOPE;
- Hope for the future of our beautiful country and the future of our children.
- Speaker. It’s all systems go again after a short recess period that coincided with the school holidays.
- Although things were a bit quieter in and around our towns during this period, the work of the municipality continued unabated to ensure service delivery to all communities.
- Die jaar is op ‘n afdraand! Hier sit ons alreeds in Augustus. En al is dit nog maande voor ons by die Somervakansie en Kerstyd uitkom, weet ek dat almal se gedagtes al daar begin dwaal en dat dit die motivering is wat ons almal dryf vir die laaste deel van die jaar.
- Daar is egter nog baie water wat in die spreekwoordelike see moet loop voor dan
- A big congratulations to our national female soccer team Banyana for their win against Morocco on Saturday. You made us and your country proud.

Mandela Day

- Vir ons 67 minute het die munisipaliteit grootliks gefokus op ons vennote wat deel vorm van die Gee Verantwoordelik veldtog. Gee Verantwoordelik is ‘n veldtog wat poog om die verhandeling van kontant van ons strate te verminder en te beperk deur koepons te verkoop wat eerder aan hawelose mense gegee kan word. Die koepons kan dan ingegee word vir ‘n bed in die nagskuiling of ‘n bord kos, waar hawelose mense ook toegang kry tot sosiale en maatskaplike dienste.

- Hierdie veldtog werk! Sedert ons die veldtog met Heartflow geloods het in 2019, is ongeveer 16 000 koepons verkoop.
- Ons vennote sluit in Heartflow, Stellenthombu, Straatlig, Stellenbosch Nagskuiing, Stellenbosch Voedingsaksie en Visit Stellenbosch. As vennote werk ons, asook die Universiteit saam met die organisasies om mense wat in werklike nood verkeer te help.
- Die koepon-stelsel beperk die vloeï van kontant op straat, en keer dat dit vir kansvatters winsgewend is om op straat te bedel. Dit stel ons in staat om te fokus op mense wat werklik hulp nodig het.

Woman's Month

- Speaker, in just a few short days, we will start with Woman's Month;
- Woman's day will be celebrated on 09 August 2022;
- August is Women's Month. A month during which we commemorate the role of women in creating a democratic society and celebrate the women in our lives. I would like to salute all women – every grandmother, mother, mother-in-law, stepmother, aunt, friend, cousin, daughter, and little girl. Over many centuries, the precious value of women has been demonstrated time and time again. Through your courage and strength, we have been carried through many times of crisis.
- Thank you for your contribution to our households, schools, businesses, and governments.
- Alhoewel baie meer vroue vandag in meer prominente en gesaghebbende posisies te sien is, word baie vroue en dogters steeds as minderheidwaardig behandel, aangerand en verkrag.
- Sommige vroue staar elke dag viktimisering en geweld in die gesig en daarom is Vrouemaand uiters relevant in ons moderne tyd. Praat asseblief met u dogters, vriendinne, susters, ma's en oumas oor hulle ervarings en kom ons deel ons stories met mekaar. Ons moet praat hieroor om die euwel van vroue mishandeling aan die lig te bring. Mag u 'n ryklik geseënde Vrouemaand ervaar!

Load Shedding

- While it has taken much too long for concrete action steps to be announced, I welcome President Cyril Ramaphosa's energy plan that was presented to the nation last night. The plan is centered on opening up the electricity sector to Independent Power Producers (IPPs), something that Stellenbosch Municipality has been advocating for, for years.
- We have consistently called for the opening up of the sector to IPPs and private sector investment, as this will stabilise the electricity grid and ensure a competitive energy market that is able to keep the lights on.
- In Stellenbosch, our plans are already well underway to cogenerate electricity, purchase directly from IPPs and invest in alternate energy supplies.
- In January of 2021, council gave the green light for a scientific investigation and feasibility study to be launched, which put us on the map as one of the frontrunners in cogenerating electricity to keep the lights on when load shedding hits.
- This feasibility study will be tabled in council before October 2022.

-
- In April of this year, we switched on the first sets on solar panels on several municipal properties to ease our reliance on the Eskom grid. We have been actively working to bring as many IPPs as possible on board.
 - It is also wonderful to see that there are already approximately 100 private organisations and residents generating roughly 4 MW of electricity through solar panels in our municipal area. Together with the municipal units, the total now exceeds 5MW. Various schools have also responded and are in the process of installing PV panels.
 - We will also be following the route of our neighbours in the City of Cape Town to allow commercial and industrial generators to feed as much energy as they can back to the grid. We are tremendously happy that the 100MW limit has been lifted, allowing commercial and industrial generators with the freedom to generate as much electricity as they can.
 - Whilst we still have a long way to go, great progress is being made. I want to ensure all residents that any decisions taken around our approach will be open for public participation, will serve before open council, and will be made with their best interests at heart.
 - While it seems that load shedding has eased up a bit;
 - I want to reiterate that all Municipal owned traffic lights in the Stellenbosch Municipality had been fitted with a UPS system to keep the traffic light working during load shedding;
 - These systems are able to keep the lights working for approximately 3 hours;
 - We are also in the process of taking over more traffic lights from Province;
 - Residents are reminded that traffic lights that are not working or flashing red should be treated as a four-way stop.
 - It's important that we work together to keep our roads safe;

Franschhoek

- Our beautiful town, Franschhoek has made Time Magazine's prestigious list of 'Greatest Places in the World' for 2022.
- This collection includes 50 destinations from around the world that Time's correspondents and contributors nominated for exploring because of the destination's offer of "new and exciting experiences."
- Speaker, it isn't difficult to see where Franschhoek gets its flair - from the majestic mountains surrounding the historic village to an endless array of activities, from internationally acclaimed wine farms to a wide array of local businesses.
- This gem of a town has cemented itself not only as one of South Africa's culinary capitals but also as a must-see for any local and international tourist.
- We are proud that Franschhoek has made this prestigious list and welcome all visitors to our Valley with open arms.
- Their continued support sustains thousands of jobs

CLOSING

- In closing, I would like to quote Tata Madiba again when he said, "As we let our own light shine, we unconsciously give other people permission to do the same"

- Go out in the world and let your light shine brightly;
- So bright that those who needs it the most can believe in hope for tomorrow again;
- Baie dankie, Thank you very much, Enkosi kakhulu.”

3.	COMMUNICATION BY THE SPEAKER
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- Item 11.3.1 Security of tenure for Stellenbosch Golf Club served at Mayco but is withdrawn from the Council Agenda.
- A Standard Operating Procedure (SOP) was drafted with specific reference to Section 80 Committees and will be circulated to all Councillors. Councillors are requested to read through the document.
- A second (existing) Standard Operating Procedure (SOP) will be distributed to all Councillors regarding the Request for Information (Route Form).
- Congratulations to the following Councillors who celebrated their birthdays:

Cllr P Johnson	-	18 July
Cllr R Hendrikse (Ms)	-	20 July
Cllr C Noble	-	23 July

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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- The Municipal Manager, on behalf of Council, conveyed a special word of gratitude and appreciation to the Director: Infrastructure, Mr D Louw, who is attending his last meeting as Director: Infrastructure for Stellenbosch Municipality, who diligent served this municipality throughout his term. The newly appointed Director: Infrastructure starts on 1 August 2022. Mr Louw is not leaving the service of the municipality but will assist the municipality with the Energy Resilience Programme.
- The municipality is aware of traffic congestion being experienced in town due to much needed infrastructure upgrades in Lower Dorp Street and the closure of the road, which has an impact on traffic. The Municipal Manager requested the public to be patient and bear with the municipality, because these upgrades on the roads are needed to serve the communities to the best of their ability.

5.	DISCLOSURE OF INTERESTS
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NONE

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

None

6.2 ABSENT

Cllr RS Nalumango (Ms) - 27 July 2022

Cllr N Ntsunguzi (Ms) - 27 July 2022

7.	CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING
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7.1	5TH COUNCIL MEETING: 2022-05-25
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The minutes of the 5th Council Meeting: 2022-05-25 was **confirmed as correct without changes.**

7.2	SPECIAL COUNCIL MEETING: 2022-06-22
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The minutes of a Special Council Meeting: 2022-06-22 was **confirmed as correct without changes.**

8.	STATUTORY MATTERS
8.1	APPROVED TOP LAYER (TL) SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2022/23

Collaborator No: 732510
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 20 July 2022 and 27 July 2022

1. SUBJECT: APPROVED TOP LAYER (TL) SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2022/23

2. PURPOSE

To inform the Council that the Executive Mayor has approved the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2022/23.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Section 53(1)(c)(ii) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) requires the Executive Mayor of a municipality to take all reasonable steps to ensure that the municipality's Service Delivery and Budget Implementation Plan (SDBIP) is approved by the mayor within 28 days after the approval of the budget.

The TL SDBIP 2022/23 was approved by the Executive Mayor on 22 June 2022, which falls within the prescribed 28 days after the approval of the Budget.

The TL SDBIP 2022/23 is herewith submitted to Council for notification.

6TH COUNCIL MEETING: 2022-07-27: ITEM 8.1

RESOLVED (nem con)

- (a) that Council **TAKES NOTE** of the approved TL SDBIP 2022/23 attached hereto as **ANNEXURE A**;
- (b) that Council **TAKE NOTES** that the approved TL SDBIP 2022/23 has been made public within 10 working days after the approval of the TL SDBIP 2022/23 and duly submitted to the MEC for Local Government in the Province; and
- (c) that Council **TAKE NOTES** that the Approved TL SDBIP 2022/23 must be read together with the Fifth Generation Integrated Development Plan (IDP) 2022 – 2027 and that the performance indicators and targets contained in the approved TL SDBIP 2022/23 be considered to have been made in the IDP to ensure accurate technical alignment between the IDP 2022 – 2027 and the TL SDBIP 2022/23.

8.2	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 2022 - 30 JUNE 2022)
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Collaborator No: 732804
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 20 July 2022 and 27 July 2022

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 2022 - 30 JUNE 2022)

2. PURPOSE

To submit to Management a report for the period 01 April 2021 - 30 June 2022 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 2021/2022, 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.

6TH COUNCIL MEETING: 2022-07-27: ITEM 8.2

RESOLVED (nem con)

- (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:

NAME	<i>Kevin Carolus</i>
CONTACT NUMBERS	<i>021 808 8528</i>
E-MAIL ADDRESS	<i>Kevin.Carolus@Stellenbosch.gov.za</i>
DIRECTORATE	<i>Financial Services</i>
REPORT DATE	<i>06 May 2022</i>

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 2021 - 30 JUNE 2022)
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Collaborator No: 732510
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 20 July 2022 and 27 July 2022

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 2021 - 30 JUNE 2022)

2. PURPOSE

To submit to Management a report for the period 01 July 2022 - 30 June 2022 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 2021/2022 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.

6TH COUNCIL MEETING: 2022-07-27: ITEM 8.3

RESOLVED (nem con)

- (a) that Council approves the 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.

8.4	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JUNE 2022
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Collaborator No: 732812
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 20 July 2022 and 27 July 2022

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JUNE 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 2021/2022 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 (2021/2022) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during June 2022.

6TH COUNCIL MEETING: 2022-07-27: ITEM 8.4

NOTED

that Council notes the deviation as listed for the month of June 2022 with the reasons as indicated below:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 12/22	24 June 2022	Esri SA (Pty) Ltd	Appointment of Esri south Africa (PTY) ltd for the renewal of annual software maintenance for geographic information system (GIS) licences with training, maintenance and support for a period ending 30 June 2025.	Exceptional case and it is impractical or impossible to follow the official procurement processes.	Esri South Africa (PTY) Ltd is a single/sole provider for the renewal of the Enterprise License agreement for the Geographic Information System (GIS)	R 7 014 445,90 (including VAT) for fixed costs plus an estimated cost of R 1 669 248,00 (including VAT) for support services, totalling R 8 683 693,90 for a period of three years

8.5	MFMA SECTION 52 REPORTING UP TO JUNE 2022
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Collaborator No: 732818
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 20 July 2022 and 27 July 2022

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO JUNE 2022

2. PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the budget; financial and service delivery budget implementation plan by the Municipality for quarter 4 of the 2021/22 financial year.

3. DELEGATED AUTHORITY

THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL

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

“The mayor of a municipality—

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

4. EXECUTIVE SUMMARY

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

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

This report provides the overall performance of the Municipality for the period 1 July 2021 to 30 June 2022.

6TH COUNCIL MEETING: 2022-07-27: ITEM 8.5

NOTED

the Section 52 Report (including quarterly performance report) – Fourth Quarter.

9.	REPORT BY THE MUNICIPAL MANAGER RE 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 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 2022 – JUNE 2022]
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 27 July 2022

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 2022 – JUNE 2022]

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 2022 to June 2022 (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.”

6TH COUNCIL MEETING: 2022-07-27: ITEM 10.1**NOTED**

the decisions by the Executive Mayor taken in consultation with the Mayoral Committee meeting from April 2022 until June 2022.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	DONOVAN MULLER
<i>POSITION</i>	<i>MANAGER: COUNCILLOR SUPPORT</i>
<i>DIRECTORATE</i>	<i>CORPORATE SERVICES</i>
<i>CONTACT NUMBERS</i>	<i>021 8088314</i>
<i>E-MAIL ADDRESS</i>	<i>Donovan.Muller@stellenbosch.gov.za</i>
<i>REPORT DATE</i>	<i>4 July 2022</i>

10.1.2	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: APRIL 2022 – JUNE 2022
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Collaborator No:
IDP KPA Ref No: Good Governance
Meeting Date: 27 July 2022

1. SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: APRIL 2022 – JUNE 2022

2. PURPOSE

To inform Council of the decisions taken by the Executive Mayor from April 2022 to June 2022 (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.”

6TH COUNCIL MEETING: 2022-07-27: ITEM 10.1.2

NOTED

the report on the decisions by the Executive taken by the Executive Mayor for the Quarter: April 2022 – June 2022.

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	05 July 2022

10.1.3	REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 26 MAY 2022
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

July 2022

1. SUBJECT: REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 26 MAY 2022

2. PURPOSE

To inform Council of the matters under discussion at the Mayor – Rector Forum meeting held on 26 May 2022.

3. DELEGATED AUTHORITY

FOR INFORMATION

4. EXECUTIVE SUMMARY

The Executive Mayor has since her election reported to the Council on discussions that takes place at the regular meetings of the Mayor – Rector Forum. The meeting was held on 26 May 2022. The minutes is attached as **ANNEXURE A**.

6TH COUNCIL MEETING: 2022-07-27: ITEM 10.1.3

NOTED

the report by the Executive Mayor on the Mayor – Rector Forum Meeting: 26 May 2022.

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	13 June 2022

10.2	REPORT/S BY THE SPEAKER
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NONE

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 (MS)]
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11.1	PROTECTION SERVICES: (PC: CLLR R BADENHORST)
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NONE

11.2	YOUTH, SPORTS AND CULTURE: [PC: CLLR R ADAMS]
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NONE

11.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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11.3.1	SECURITY OF TENURE FOR STELLENBOSCH GOLF CLUB
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KINDLY NOTE: THIS ITEM SERVED AT AN ADJOURNED MAYCO MEETING ON MONDAY, 25 JULY 2022, BUT WAS REFERRED BACK TO THE ADMINISTRATION FOR AN INFORMATION STATEMENT AND WAS THEREFORE WITHDRAWN FROM THE AGENDA BY THE SPEAKER.

11.3.2	FEEDBACK AFTER PUBLICATION OF INFORMATION STATEMENT: MOUNTAIN BREEZE CARAVAN PARK
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 20 July 2022 & Adjourned Mayco: 25 July 2022 and Council: 2022-07-27

**1. SUBJEC: FEEDBACK AFTER PUBLICATION OF INFORMATION STATEMENT:
MOUNTAIN BREEZE CARAVAN PARK**

2. PURPOSE

To provide feedback to council in regard to the inputs received on the information statement after it was published for inputs/comments from the public.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

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

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

This decision was subject to section 34 and 35 of the Asset Transfer Regulations published under the MFMA that entailed a further public participation process indicating the specific intent for the land moving forward. The combined municipal valuation for the land is R16,7 million and the current zoning is business, taking into consideration that it is situated in an area surrounded by agricultural use and the airfield. Council must approve the Information statement that will be published to adhere to this legislative provisions. Council approved the Information statement on 25 May 2022, which was subsequently published. Reponses were received from four people – see discussion under 6.2.6 below. Council must consider the inputs and make an in-principle decision on the way forward. Should Council resolve to continue on the road as indicated in March 2022, a supply chain process will follow this in-

principle decision to enable us to award a lease to the person that scores the highest points after which it will be re-submitted to Council for a final decision.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.3.2

RESOLVED (majority vote with abstentions)

- (a) that Council considered the input received on the Information Statement;
- (b) that Council confirms the decision to identify Portions 528 and 529C, Stellenbosch as land not needed for municipal services;
- (c) that a call for proposal for development of the facilities for Cycling, hiking groups, an Eco-education and Adventure centre for school groups along with overnight facilities be advertised;
- (d) that the existing buildings and infrastructure be used for the above purpose;
- (e) that the existing facility be leased for a period up to 9 years; and
- (f) the successful lessee must enter into a rental agreement with the municipality and be responsible for the security, maintenance and the payment of all services of the facility.

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

Cllrs R Hendrikse (Ms); CD Noble and M van Stade.

FOR FURTHER DETAILS CONTACT:

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

11.3.3	PROPERTY MANAGEMENT STRATEGY: PROPERTY REGISTER
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 20 July 2022 & Adjourned Mayco: 25 July 2022 and Council: 2022-07-27

1. SUBJECT: PROPERTY MANAGEMENT STRATEGY: PROPERTY REGISTER

2. PURPOSE

To report back on the changes that was requested in regard to the property register and the different categories that is registered under the name of the Stellenbosch Municipality to allow Council to make strategic decisions on the future use of the properties.

3. DELEGATED AUTHORITY

The Municipal Manager as the Accounting Officer constituted a committee and delegated such a committee with authority to investigate and submit a report which relates to property register for MAYCO and Council on request of the Executive Mayor.

When decisions are made it will be by Council or where delegations have been approved by the body that is delegated to make such a decision.

4. EXECUTIVE SUMMARY

Council tasked the Municipal Manager on 31 March 2021 to compile a property register and present the register to Council for consideration. The Municipal Manager as the Accounting Officer constituted an inclusive committee of representatives from various departments and delegated such a committee with the task to investigate all the properties, compile a property register and submit a report which contains all the council properties for consideration as a reliable source on decision making processes in dealing with properties within the WCO24. This will identify all council-owned properties and include all such properties on an asset register. This will enable council to develop a property management strategy to determine the future of these properties.

The report served before the Executive Mayor and Mayoral committee on various occasions, the last time was in March 2022.

The report was referred back for refinement in the clustering of the property groups.

The report is now resubmitted with the change in the property categories as follows:

Categories of properties:

1. Strategic properties

Defined as Buildings and land used for core Municipal Functions/Services

Including the following:

1.1 Office space and related buildings (previously under(f))

1.2 Engineering Service Build Infrastructure (previously under (d))

1.3 Heritage portfolio (previously under (c)).

2. Properties used for Community Benefit (previously listed (e)).
3. Rural Properties/Agricultural (containing all leases and land not under lease used for agricultural purposes).
4. Non-Core Assets (Land not required for municipal purposes)
 - 4.1 Encroachments – outdoor dining
 - 4.2 Encroachments – gardening
 - 4.3 Encroachments – parking
 - 4.4 Leases (long/medium/short term) used for non-agricultural purposes.
5. Other Properties to be considered.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.3.3**RESOLVED** (majority vote with abstentions)

- (a) that the new list of categories be approved by Council;
- (b) that council identify and classify the properties under strategic properties (as discussed under 6.1.2 as strategic properties needed for municipal services and not to be disposed of (kept) unless specifically dealt with per property in future **(APPENDIX 1)**;
- (c) that Corporate Services investigate the possibility of adding this decision on the title deed of these properties;
- (d) that the Municipal Manager be requested to investigate how to maintain the heritage portfolio in a sustainable manner and make a proposal to Council;
- (e) that the properties identified under Community Benefit be classified as properties to be used for community benefit and retained for that purpose until otherwise determined by Council (**APPENDIX 2**);
- (f) that the properties identified as Rural Properties be referred back for further refinement in sub-categories and be brought back to the next Mayco meeting for consideration;
- (g) that the properties identified under non-core assets be referred back for further refinement, whilst council note the process approved to deal with encroachments during the June 2022 Council meeting; and
- (h) that the properties identified under “other properties be referred back for further discussions and refinement.

11.3.4	EXTENSION OF RENTAL AGREEMENTS: ABSA BUILDING; ECCLESIA BUILDING; REDUCED SPACE IN EIKESTAD MALL
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

20 July 2022

1. SUBJECT: EXTENSION OF RENTAL AGREEMENTS: ABSA BUILDING; ECCLESIA BUILDING; REDUCED SPACE IN EIKESTAD MALL

2. PURPOSE

To obtain the necessary authorisation to extend the lease agreements with ABSA Bank Ltd, Eikestad Joint Venture and Octofin Commercial (Pty) Ltd regarding office space in the CBD on a month-to-month basis to accommodate the staff currently occupying the space until the NPK building is ready for occupation.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

The staff that needs to work within the CBD cannot all be accommodated in Council owned buildings. There are currently 3 (three) lease agreements in place for office space in Stellenbosch CBD:

ABSA bank building

Ecclesia Building

Stellenbosch Mall (reduced space)

All three lease agreements terminated on 30 June 2022 although the agreement with Octofin was only signed in September 2019 and therefore the agreement exists with them until 30 September 2022. The contracts were entered into after it was advertised in 2019. Subsequently Council purchased the NPK building and the construction on changes and upgrades started in April 2022. The completion period is an estimated 6 months, and we will not be able to occupy the office side of the building before September 2022, if no delays occur. As with all older buildings there are inevitable hidden issues, but the process is closely monitored. The ground floor will take a month or so longer to finish, but the employees earmarked for those areas does not impact hugely on the current rental occupation. It also needs to be noted that we did not take up the additional space rental in the ABSA building.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.3.4

RESOLVED (majority vote)

- (a) that Council approves the extension of the current lease agreements with ABSA Bank Ltd, Eikestad Joint Venture and Octofin Commercial (Pty) Ltd from 1 July 2022 on a month-to-month basis until the NPK building is ready for occupation;

- (b) that Council note that even when the NPK building is fully occupied there will still be a need to rent office space for at least the Infrastructure Directorate for which a separate process will be followed; and
- (c) that the Municipal Manager be authorised, to allocate the new office space to the department(s) as needed.

11.4	FINANCIAL SERVICES: (PC: CLLR P JOHNSON)
11.4.1	MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JANUARY 2022 – 30 JUNE 2022 MFMA S116(2)(d) REPORT

Collaborator No: 732816
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 20 July 2022 and 27 July 2022

1. **SUBJECT: MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JANUARY 2022 – 30 JUNE 2022 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 2022 to 30 June 2022.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.4.1

NOTED

the Annual MFMA S116(2)(d) report: Management of contracts or agreements and contractor performance from 01 January 2022 to 30 June 2022.

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 2022</i>

11.5	HUMAN SETTLEMENTS: (PC: CLLR J FASSER)
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NONE

11.6	INFRASTRUCTURE SERVICES : (PC : CLLR Z DALLING (MS))
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11.6.1	RETURN ITEM: LEASING OF PARKING AREAS (CHECKERS / STELMARK) TO RETAILERS ADJACENT TO THE PARKING AREAS, CONSIDERATION OF COMMENTS RECEIVED
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Collaborator No: 732885
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 20 July 2022

1. **SUBJECT: RETURN ITEM: LEASING OF PARKING AREAS (CHECKERS/ STELMARK) TO RETAILERS ADJACENT TO THE PARKING AREAS, CONSIDERATION OF COMMENTS RECEIVED**

2. **PURPOSE**

To inform Council of the outcome of the public participation process and to consider the recommendations.

3. **DELEGATED AUTHORITY**

Municipal Council.

4. **EXECUTIVE SUMMARY**

The Municipality had previously commenced formulating its parking strategy and had tabled several Council items that details the Municipality's approach to implementing its parking strategy, which includes amongst others the upgrading and developing of council owned parking areas.

Council launched and completed a Municipal Systems Act, Section 78 process to determine the most appropriate method of providing a parking service and for the development of the Eikestad parking area. The Municipality had also previously embarked upon internal parking management models, however on review these were found to be less favorable and not sustainable. The municipality intends to improve on parking management and reviewed alternative parking management models.

The Municipality had tabled Council items, to improve on parking management and had in principle, approved as pilot projects the management of Checkers Parking Complex and the Stelmark Parking Centre by adjacent retail outlet / owners.

As part of the public participation process, an Information Statement was placed on the Municipal Website on the 11 May 2022 and was published in the Eikestad news on the 19 May 2022. A copy is attached as **APPENDIX 2**. One (1) comment in support of the pilot project was received. The comment is attached as **APPENDIX 1**.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.6.1**RESOLVED** (majority vote)

- (a) that Council takes note that the information statement was published as part of the public participation process that was followed;
- (b) that Council considered the comment received;
- (c) that Council approves the leasing of parking areas (Checkers / Stelmark) to retailers / owners adjacent to the parking areas for a period of three years at a rental price to be determined;
- (d) that the Municipal Manager be authorised to negotiate a rental with the retailers and report back to Council; and
- (e) that the lease agreement, with the relevant parties, be compiled and concluded.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	<i>Director</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	<i><u>Deon.louw@stellenbosch.gov.za</u></i>
REPORT DATE	<i>14 July 2022</i>

11.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J JOON)
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NONE

11.8	PLANNING :(PC: CLLR C VAN WYK (MS)
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11.8.1	TERM OF OFFICE OF THE MEMBERS OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL (MPT)
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Collaborator No: 732759
IDP KPA Ref No: Good Governance
Meeting Date: 20 July 2022 and 27 July 2022

1. SUBJECT: TERM OF OFFICE OF THE MEMBERS OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL (MPT)

2. PURPOSE

The term of office for the members of the current MPT will expire on 31 August 2022. The purpose of this report is to present and consider an approach for the next term of office of the MPT.

3. DELEGATED AUTHORITY

3.1 The extension of the term of office of the serving Municipal Planning Tribunal (MPT): **Council** by virtue of Delegation LUP57 for the appointment of the members of the MPT.

3.2 Conducting the process with a recommendation to Council to appoint a new term of office and Municipal Planning Tribunal (MPT) members: **Senior Administrative Officer (MPT)** by virtue of LUP58; LUP59 and LUP 60.

4. EXECUTIVE SUMMARY

A Municipality is compelled to establish an MPT to decide on a category of land use and land development applications. The three-year term of office of the current MPT members that was appointed by Council, will end on 31 August 2022.

Whilst it is possible to extend the term of office of the current membership, there is also a need to ensure that the MPT benefits from new members with the ideal being a healthy mix of new and experienced members so as to secure long-term continuity of experience amongst the membership.

It is thus proposed to extend the term of office of the current MPT members for a limited time period (6 months) in order to run the prescribed recruitment and selection process for the appointment of some new MPT members to serve together with some of the existing experienced members.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.8.1**RESOLVED** (nem con)

- (a) that the term of office of the current serving Stellenbosch Municipal Planning Tribunal with the following serving members:

4.1.1 External Members:

- (a) Dr. D.J. Du Plessis (Chairperson)
- (b) Mrs. C. Havenga (Deputy Chairperson_
- (c) Mr. C. Rabie
- (d) Dr. R. Pool-Sanvliet
- (e) Mr. E. Delport
- (f) Mr. J. Knight
- (g) Mrs. H. Crooijmans-Lemmer

5.1.2 Internal Members

- (a) Mr. M. Williams (Snr. Manager Legal Services)
- (b) Mr. A. van der Merwe (Snr. Manager Community Services)
- (c) Mr. C. Alexander (Snr. Manager Development Planning)
- (d) Mrs. M. Francis (Snr. Manager Infrastructure Planning, Development and Implementation)

BE EXTENDED in terms of Section 73(1)(b) of the Stellenbosch Municipal Planning Bylaw (2015) for a period of six months up to 28 February 2023.

- (b) that it **BE NOTED** that the Directorate Planning and Economic Development will commence with the prescribed process to appoint a new term of office of the MPT with an external membership which may consist of existing serving members as well as newly recruited members. The outcome with recommendations of the evaluation panel will be submitted to Council for the appointment of the MPT members.

FOR FURTHER DETAILS CONTACT:

NAME	Stiaan Carstens
POSITION	Senior Manager: Development Management
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	Stiaan.Carstens@stellenbosch.gov.za
REPORT DATE	June 2022

11.8.2	ADOPTION OF THE POLICY FOR THE NAMING AND RENAMING OF STREETS, PUBLIC PLACES, NATURAL AREAS, ARTEFACTS AND COUNCIL-OWNED BUILDINGS AND FACILITIES
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Collaborator No: 732801
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 20 July 2022 and 27 July 2022

1. SUBJECT: ADOPTION OF THE POLICY FOR THE NAMING AND RENAMING OF STREETS, PUBLIC PLACES, NATURAL AREAS, ARTEFACTS AND COUNCIL-OWNED BUILDINGS AND FACILITIES

2. PURPOSE

Provide the Executive Mayor and Council feedback on the outcome of the public participation process and to request Council to adopt the policy on **NAMING AND RENAMING OF STREETS, PUBLIC PLACES, NATURAL AREAS, ARTEFACTS AND COUNCIL-OWNED BUILDINGS AND FACILITIES** for Stellenbosch Municipality.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The purpose of this Policy is to provide a standard and consistent policy framework dealing with, naming and renaming of streets, public places, natural areas, artefacts and council-owned buildings and facilities and to set out the responsibilities of the relevant parties involved in the process.

For the Municipality to name or rename streets or places and to allocate street numbers, criteria need to be in place to guide how these names or numbers are allocated and approved. This policy will provide the essential criteria and rules required for effective administrative and decision-making procedures in order to guide the various departmental functions relating to street naming, numbering and renaming.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.8.2

RESOLVED (nem con)

that the policy on **NAMING AND RENAMING OF STREETS, PUBLIC PLACES, NATURAL AREAS, ARTEFACTS AND COUNCIL-OWNED BUILDINGS AND FACILITIES** for Stellenbosch Municipality (WC024) attached as **ANNEXURE 1** be adopted in accordance with Sections 11(3) (a) and (m) of the Local Government Municipal Systems Amendment Act 32 of 20.

FOR FURTHER DETAILS CONTACT:

NAME	Stiaan Carstens
POSITION	Senior Manager: Development Management
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	Stiaan.Carstens@stellenbosch.gov.za
REPORT DATE	14 July 2022

11.9	LOCAL ECONOMIC DEVELOPMENT AND TOURISM:(PC: CLLR R DE TOIT (MS)
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NONE

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

11.11	MUNICIPAL MANAGER
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11.11.1	SIGNED PERFORMANCE AGREEMENTS 2022/23 OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER (THE CFO AND DIRECTORS)
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Collaborator No: 732512
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 20 July 2022

1. SUBJECT: SIGNED PERFORMANCE AGREEMENTS 2022/23 OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER (THE CFO AND DIRECTORS)

2. PURPOSE

To submit to Council, for notification, the following:

- (a) The signed Performance Agreements 2022/23 of the Municipal Manager and Managers Directly Accountable to the Municipal Manager (the Chief Financial Officer (CFO) and Directors).

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

According to Section 57(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) the performance agreement/s must be concluded annually:

- “(a) ...within one month after the beginning of each financial year of the municipality.”

The Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) further requires that the signed performance agreements be promptly submitted to the Council.

Performance Agreements 2022/23 was developed in consultation with the Municipal Manager and each Director and signed on 22 June 2022.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.11.1**NOTED**

the signed Performance Agreements 2022/23 of the Municipal Manager, the CFO and Directors.

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	07 July 2022

11.11.2	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 1 APRIL 2022 UNTIL 30 JUNE 2022
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

20 July 2022 and 27 July 2022

1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 1 APRIL 2022 UNTIL 30 JUNE 2022

2. PURPOSE OF REPORT

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period 1 April 2022 until 30 June 2022, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

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

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

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.11.2

NOTED

the decisions taken, for the period 1 April 2022 until 30 June 2022, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (1 April 2022 – 30 June 2022)
- Chief Financial Officer – Mr K Carolus (1 April 2022 – 30 June 2022)
- Director Infrastructure Services – Act Mr D Louw (1 April 2022 – 30 June 2022)
- Director Planning and Economic Development – Mr A Barnes (1 April 2022 – 30 June 2022)
- Director Corporate Services – Ms A de Beer (1 April 2022 – 30 June 2022)
- Director Community and Protection Services Mr G Boshoff (1 April 2022 – 30 June 2022)

POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@ Stellenbosch.gov.za
REPORT DATE	June 2022

11.11.3	TO ATTEND THE 2 ND SOUTH AFRICAN – GERMAN PEER LEARNING NETWORK WORKSHOP AND FEDERAL NATIONAL URBAN POLICY CONGRESS, 10 – 16 SEPTEMBER 2022, GERMANY
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

20 July 2022 and 27 July 2022

1. **SUBJECT: TO ATTEND THE 2ND SOUTH AFRICAN – GERMAN PEER LEARNING NETWORK WORKSHOP AND FEDERAL NATIONAL URBAN POLICY CONGRESS, 10 – 16 SEPTEMBER 2022, GERMANY**

2. **PURPOSE OF REPORT**

To obtain Council approval to attend the 2nd South African – German peer learning network workshop and Federal National Urban Policy Congress that will be hosted in Germany from 10 to 16 September 2022 under the theme: *“Dialogues for Urban Change Programme”*

3. **DELEGATED AUTHORITY**

In terms of 9.2 of the Cost Containment Policy 2019, only the municipal council in a council meeting can approve the international travel for any official or political bearer.

4. **EXECUTIVE SUMMARY**

The Senior Manager: Protection Services, Mr Charl Kitching, and the Senior Manager: Asset Management & Systems, Development Services & Project Management Unit (PMU), Ms Myrah Francis, was nominated to participate as the two members of the learning network group that will represent Stellenbosch Municipality. The invitation for the 2nd South African – German peer learning network workshop and Federal National Urban Policy Congress that will be hosted in Germany from 10 to 16 September 2022.

The invitation by the Learning Network, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), sponsor’s two people from a municipality to attend the German peer learning network workshop and Federal National Urban Policy Congress that will be hosted in Germany from 10 to 16 September 2022.

As in previous network meetings, costs for accommodation, transport (air tickets in economy class, ground transport in Germany), and visa costs will be covered by GIZ. The municipality must take care of any further travel related costs (daily allowances, transport to and from airport, and dinners). See attached as **APPENDIX 1**.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.11.3

RESOLVED (nem con)

- (a) that Council approves the request for attendance of the 2nd South African – German peer learning network workshop and Federal National Urban Policy Congress that will be hosted in Germany from 10 to 16 September 2022; and
- (b) that Council approves the daily allowance for the duration of the forum.

12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
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12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
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NONE

13.	REPORTS BY THE MUNICIPAL MANAGER
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13.1	RETURN ITEM: DRAFT REVISED STELLENBOSCH MUNICIPALITY RULES OF ORDER BY-LAW: 2022
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Collaborator No:

File number: 1/3/1/20

IDP KPA Ref No: Institutional Transformation

Meeting Date: 27 July 2022

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

2. PURPOSE

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

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

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

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

6TH COUNCIL MEETING: 2022-07-27: ITEM 13.1**RESOLVED** (nem con)

- (a) that Council takes note of the input received and approved the accommodation of the input in the draft document;
- (b) that the draft revised Stellenbosch Municipality Rules of Order By-law (**APPENDIX 2**) be approved;
- (c) that the Stellenbosch Rules of Order By-Law be promulgated in the Government Gazette.

FOR FURTHER DETAILS CONTACT:

NAME	ANNALENE DE BEER
POSITION	DIRECTOR CORPORATE SERVICES
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 808 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.gov.za
REPORT DATE	19 July 2022

13.2	ESTABLISHMENT OF WARD COMMITTEES
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Collaborator No:

File No:

IDP KPA Ref No:

Good Governance

Meeting Date:

27 July 2022

1. SUBJECT: FEEDBACK REPORT: FINAL FEEDBACK ON ESTABLISHMENT OF WARD COMMITTEES AND THE VACANCIES THAT STILL EXIST ON WARD COMMITTEES

2. PURPOSE

To provide Council with a final feedback report on the establishment of ward committees and the vacancies that still exists.

3. DELEGATED AUTHORITY

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 results announced by the IEC.

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, 117 of 1998 and Council's policy for the establishment of ward committees.

Council approves the establishment of ward committees.

4. EXECUTIVE SUMMARY

At the reconvened Council meeting held on 23 November 2021 the Speaker had been delegated to facilitate the establishment of ward committees in line with the provisions and institutions of the Municipal Structures Act and Council's policy for the establishment of ward committees taking into consideration the Covid-19 protocol as outlined in paragraphs 22(3) and 30(4) of Council's Policy and Procedures for Ward Committees.

At the meeting of 30 March 2022 Council resolved as follows:

- (a) *that Council notes the establishment of all 23 wards;*
- (b) *that wards 15, 19 and 21 (with 5 or less members) be allowed to have a further round of elections in the geographic blocks as may be needed;*
- (c) *that those wards with six or more members who do not have the full complement of ward committee members be allowed to co-opt members in line with Council Policy and Procedures for Ward Committees;*
- (d) *that the processes in (b) and (c) above be completed by 31 May 2022;*
- (e) *that the Speaker be commissioned to report to Council in this regard within a period of three (3) months.*

Subsequent to these resolutions the process for a further round of elections in wards 15 and 19 started during the first week in April 2022. The elections for ward 19 were held on 3 and 4 May while the election for ward 15 was held on 5 May. The ward councillor for ward 21 indicated to the Speaker that he will follow a process of co-option to co-opt three more members for a total of eight members.

Attached herewith as **APPENDIX 1** are the results of the nominated Sectors and/or Geographic representatives per ward. The co-opted and elected members (2nd round elections for wards 15 and 19) of the different wards are indicated in italics.

6TH COUNCIL MEETING: 2022-07-27: ITEM 13.2

RESOLVED (nem con)

- (a) that Council notes the final report on the establishment of the ward committees and the current vacancies on ward committees;
- (b) that Council notes the filling of vacancies during the 2nd round of elections for wards 15 and 19;
- (c) that it be noted that Ward Committees may co-opt members where vacancies exists and inform council accordingly.

FOR FURTHER DETAILS CONTACT:

NAME	NICKY CEASAR
POSITION	<i>EXECUTIVE SUPPORT OFFICER</i>
DIRECTORATE	<i>CORPORATE SERVICES</i>
CONTACT NUMBERS	<i>021 808 8618</i>
E-MAIL ADDRESS	<i><u>Nicky.Ceasar@stellenbosch.gov.za</u></i>
REPORT DATE	<i>19 July 2022</i>

13.3	SUSPENSION OF THE IMPLEMENTATION OF CLAUSE 6.2.1.2 (b) IN APPROVED RECRUITMENT AND SELECTION POLICY
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

27 July 2022

1. SUBJECT: SUSPENSION OF THE IMPLEMENTATION OF CLAUSE 6.2.1.2 (b) IN APPROVED RECRUITMENT AND SELECTION POLICY

2. PURPOSE

To inform council that COGTA informed municipalities that chapters 2 and 4 of the Staff Regulations will only be implemented on 1 July 2023 and not on 1 July 2022. The recruitment and selection policy approved by council on 22 June 2022 was compiled to conform to the staff regulations.

To request Council to suspend the implementation clause 6.2.1.2 (b) in the Recruitment and Selection Policy to 1 July 2023 in line with the Staff regulation implementation.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

COGTA, during 2021, promulgated new Staffing Regulations which must be implemented from 1st July 2022. In terms of these regulations many of the recruitment process provisions changed and had to be incorporated into our Recruitment and Selection Policy to ensure that the Municipality becomes compliant and implement the provisions as from 1st July 2022.

Council approved the attached Recruitment and Selection Policy for Stellenbosch Municipality (**APPENDIX 1**) on 22 June 2022.

COGTA informed municipalities that chapters 2 and 4 of the Staff Regulations will only be implemented on 1 July 2023 and not on 1 July 2022. The recruitment and selection policy approved by council on 22 June 2022 was compiled to conform to the staff regulations. Chapter 4 does not form part of the recruitment and selection policy as it deals with performance management. The policy document represents the municipality's position and complies with the newly published staff regulations and therefore it is recommended that those clause 6.2.1.2 (b) in the policy that refers to the suspended implemented staff regulations also be suspended for implementation until 1 July 2023.

6TH COUNCIL MEETING: 2022-07-27: ITEM 13.3**RESOLVED** (nem con)

- (a) that Council notes the suspension of chapters 2 and 4 of the staff regulations until 1 July 2023; and
- (b) that Council approves the suspension of clause 6.2.1.2 (b) until 1 July 2023.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-808 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.gov.za
REPORT DATE	21 July 2022

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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NONE

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 13:50.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.