



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2021-12-10

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## **MINUTES**

### **SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY**

**2021-12-10 AT 10:00**

# MINUTES

## SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2021-12-10

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**MINUTES OF A SPECIAL MEETING OF STELLENBOSCH COUNCIL HELD ON  
2021-12-10 AT 10:00 IN THE TOWN HALL, PLEIN STREET, STELLENBOSCH**

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<b>PRESENT</b>	The Speaker, Cllr Q Smit [Chairperson] The Executive Mayor, Ald GMM Van Deventer (Ms) The Deputy Executive Mayor, Cllr JS Fasser	
<b>COUNCILLORS</b>	J Andrews Ald JC Anthony FJ Badenhorst PR Crawley (Ms) A Crombie (Ms) ZJ Dalling (Ms) MM Danana I De Taillerfer (Ms) R Du Toit (Ms) A Ferns (Ms) E Groenewald (Ms) AJ Hanekom P Johnson J Joon O Jooste X Kalipa N Mananga-Gugushe (Ms) C Manuel	EP Masimini NE Mcombring [Ms] XL Mdemka (Ms) NM Mkhontwana (Ms) ZR Ndalasi L Nkamisa M Nkopane [Ms] N Ntsunguzi (Ms) N Olayi WC Petersen [Ms] RO Pheiffer WF Pietersen MG Rataza Ald JP Serdyn [Ms] A Tomose J Williams RB Van Rooyen CA Van Wyk

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<b>Officials:</b>	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 (T Samuels (Ms))
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<b>1.</b>	<b>OPENING AND WELCOME</b>
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The Speaker, Cllr Q Smit extended a warm welcome to all attending the Special Council meeting. He requested that a moment of silent reflection be observed.

<b>2.</b>	<b>MAYORAL ADDRESS</b>
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- “Good morning, Goeiemore, Molweni, Assalamu alaikum;
- Today marks our last council meeting for this year;
- This year had its fair share of challenges between Covid and the Elections;
- All our Councillors and staff have worked extremely hard and deserve to spend time with family and friends;
- Wherever you go this Festive Season, please be safe when you travel;
- Always take the necessary precautions to prevent infection from Covid;
- Happy Holidays, Merry Christmas and a prosperous New year to everyone from our various dorpias;
- I look forward to seeing everyone next term and continuing to deliver services to all our residents;
- In light of the devastating fourth wave and in order to ensure we cut down on as much costs as possible, we will not have a festive light ceremony this year;
- The festive lights will however still be switched on;
- In conclusion, have a wonderful break and return safely. Make good choices, rest if you are on the road for long hours, take regular breaks, make good choices, and reach your destinations safely;
- May you all have a very safe and blessed Christmas;
- Baie dankie, Thank you very much, Enkosi kakhulu.”

<b>3.</b>	<b>COMMUNICATION BY THE SPEAKER</b>
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- Councillors are requested to note the following important dates:
  - SALGA induction dates: 31 January 2021 - 4 February 2021
  - Recess is from 13 December 2021 – 10 January 2022. Recess powers as delegated.
  - Closing date for nominations of Ward Committee Members is 17 January 2022.
  - The 1st Establishment of Ward meetings to commence on 24 January 2022.
- Councillors are requested to email their preference/s on which Section 80 Portfolio Committee they would like to serve to either the Office of the Speaker, the Council Whip, Cllr P Crawley (Ms); or the Speaker’s Personal Assistant, Ms F Le Roux. There are 9 Portfolios to choose from (Councillors can refer to the previous Council minutes for the names of the Portfolio Committees).

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- The two Councillors who did not collect their laptops from the ICT Department, should do so as soon as possible.
  - The Speaker emphasized that for purposes of communication, the Office of the Mayor, Office of the Municipal Manager or the Office of the Speaker does not deem sms and whatsapp as official communication to them. Although we live in a new era where social media is quite prevalent, it does not constitute official communication to these Offices. The official manner to communicate is via email and if Councillors have a certain proclivity to communicate via sms or whatsapp, and choose to do so, they are advised to reconsider, because it is not a manner in which any organisations or a municipality that is bound by laws and regulations, should communicate.
  - It is each Councillor's responsibility to ensure that their emails are active, working and that their email addresses are correct. It is not the responsibility of the Administration to phone Councillors, asking them if their emails are active. If Councillors experience any trouble with their official emails, they should log a complaint with the ICT Department who will assist as soon as possible.

<b>4.</b>
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<b>COMMUNICATION BY THE MUNICIPAL MANAGER</b>
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"Good morning Honourable Executive Mayor and Honourable Councillors.

- To everyone, please be safe during this festive season.
- Directors, please convey to the staff that I say thank you for their hard work during the year, it hasn't been an easy year with the pandemic and also the elections - having to do a lot of things in a short period of time. Thank you for the commitment you've shown during the year.
- Those that are going on leave, please be safe, and those who are travelling, travel safe, there are lots of fatalities on the roads during the Christmas period. Please rest when you feel tired and be careful.
- Always observe covid protocols considering that our covid numbers have quite rapidly escalated during the last week.
- To everyone who celebrates Christmas, have a joyous Christmas, be safe, wishing you all joy, love and happiness during this season. Remember those that does not have when you are giving.
- The Offices will be closed during the Christmas period, from 27 November 2021 until 2 January 2022. Offices will officially open on 3 January 2022. Our emergency lines and Personnel are and will be working during this festive period, but the Offices will be closed.

Thank you."

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<b>5.</b>	<b>DISCLOSURE OF INTEREST</b>
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The Municipal Manager, Ms G Mettler requested to be recused during the In-Committee meeting.

<b>6.</b>	<b>APPLICATION 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 and Order By-law of Council:-

Cllr R Adams	– 10 December 2021
Cllr R Hendrickse (Ms)	– 10 December 2021
Cllr C Noble	– 10 December 2021
Cllr WC Pietersen	– 10 December 2021
Cllr M Van Stade	– 10 December 2021

6.2 ABSENT

Cllr RS Nalumango (Ms) – 10 December 2021

<b>7.</b>	<b>APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING</b>
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NONE

8.	<b>STRUCTURING OF COUNCIL: ESTABLISHMENT OF SECTION 79 COMMITTEES / STATUTORY COMMITTEES</b>
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8.1	<b>ESTABLISHMENT OF A MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) AND OVERSIGHT COMMITTEE</b>
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: Council: 15 November 2021

**1. SUBJECT: ESTABLISHMENT OF A MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) AND OVERSIGHT COMMITTEE**

**2. PURPOSE OF REPORT**

For Council to establish a Municipal Public Accounts Committee (MPAC) and Oversight Committee.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

The former Council had established an 8-member Municipal Public Accounts Committee (MPAC), which was fully functional.

By virtue of the termination of the 2016-2021 Council's term of office, the former MPAC has also dissolved. Council is obliged to establish a MPAC that also acts as an oversight committee to exercise oversight over the executive obligations of council.

In terms of Section 79 of the Structures Act, a municipal council may establish one or more Committees necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers, and appoint the members of such Committee(s) from among its members.

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 8.1**

Nominations were called for the Chairperson of the MPAC. The ANC nominated Cllr N Mananga-Gugushe (Ms) and the DA nominated Cllr WF Pietersen. **(duly nominated forms attached)**. The Speaker RULED that voting be done by the raising of hands, resulting in 8 in favour of Cllr N Mananga-Gugushe (Ms) and 28 voting in favour of Cllr WF Pietersen.

**RESOLVED** (nem con)

- (a) that Council establishes a Municipal Public Accounts Committee (MPAC) in accordance with Section 79 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and as per the "Guideline for Establishment of Municipal Public Accounts Committees" issued by the Department of Cooperative Governance (CoGTA) and National Treasury;



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- (b) that the function of an oversight committee in relation to the Annual Report be incorporated into the roles and responsibilities of MPAC;
- (c) that Council determines the amount of Councillors and their secundi to serve on the Municipal Public Accounts Committee (MPAC), based on the following principles:
- (i) that the composition of the Municipal Public Accounts Committee (MPAC) be a total of 7 members of which the DA has 4 members and the Opposition has 2 members, namely:
- DA: Cllr Crombie (Ms)  
Cllr Ferns (Ms)  
Cllr Kalipa  
Cllr N Olayi
- ANC: Cllr N Mananga-Gugushe (Ms)
- PDM: Cllr WF Pietersen
- ACDP: Cllr O Jooste
- (ii) MPAC must be represented by a wide range of experience and expertise available in Council and should reflect the various political parties represented in Council;
- (iii) The Executive Mayor, Deputy Executive Mayor, Speaker, Whip or a member of the Mayoral Committee be excluded from membership of MPAC;
- (d) that Council elects Councillor WF Pietersen as Chairperson for the Municipal Public Accounts Committee (MPAC); and
- (e) that the Chairperson of this Committee be designated as a full-time Councillor.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Geraldine Mettler</i>
<b>POSITION</b>	<i>Municipal Manager</i>
<b>DIRECTORATE</b>	<i>Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8025</i>
<b>E-MAIL ADDRESS</b>	<i><a href="mailto:municipal.manager@stellenbosch.gov.za">municipal.manager@stellenbosch.gov.za</a></i>
<b>REPORT DATE</b>	<i>10 November 2021</i>

<b>8.2</b>	<b>MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR OCTOBER 2021</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

Special Council: 10 December 2021

**1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR OCTOBER 2021**

**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 October 2021.

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 8.2**

**NOTED**

the following deviations with the reasons as indicated below as listed for the month of October 2021:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 02/21	06/10/2021	MAD Architechts	Provision of professional engineering services for the internal refurbishment of the office building located on ERF 1852, Stellenbosch, known as the NPK Building.	Exceptional case and it is impractical or impossible to follow the official procurement processes	The construction phase for the refurbishment of the NPK Building is estimated for completion by end April 2022, and therefore the professional team must finalise the tender documentation, which include the Bill of quantities ("BoQ") in order to submit to the Bid Specifications Committee. To embark on a procurement process to a professional engineering service provider would be impractical as it would not only delay the finalisation of the tender	R 562 018.8 (VAT Incl.)

					specifications, but also the construction phase of the project. This could in turn result in possible escalation in costs. and continued obligation of Council to rent offices.	
D/SM 03/22	15 October 2021	Nu-Law Firearms Compliance (PTY) LTD	Firearms training for a period until June 2022	Exceptional case and it is impractical or impossible to follow the official procurement processes	Firearms training (competency and refresher) according to Firearms Regulation 21, is compulsory for officials to carry their firearms lawfully. Protection Services department's firearms permits have expired, and an extension was issued until end October 2021. The training needs to take place immediately or else the relevant officials will not be allowed to carry firearms. The need for such training has been addressed in the tender B/SM 32/21. The tender has been evaluated, served at the BEC, however there are no responsive/successful bidders for the Firearms. Therefor it is impractical to follow another competitive bidding process as there were no successful bidders the first time around.	R 14 700.00 (VAT incl) per learner

## FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	Dalleel Jacobs
<b>POSITION</b>	<b>Senior Manager: Supply Chain Management</b>
<b>DIRECTORATE</b>	<b>Financial Services</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8528</b>
<b>E-MAIL ADDRESS</b>	<u><a href="mailto:Dalleel.Jacobs@stellenbosch.gov.za">Dalleel.Jacobs@stellenbosch.gov.za</a></u>
<b>REPORT DATE</b>	06 December 2021

8.3	<b>MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER 2021</b>
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

Special Council: 10 December 2021

**1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER 2021**

**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 November 2021.

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 8.3**

**NOTED**

that there were no deviations for the month of November 2021.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Dalleel Jacobs
<b>POSITION</b>	<b>Senior Manager: Supply Chain Management</b>
<b>DIRECTORATE</b>	<b>Financial Services</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8528</b>
<b>E-MAIL ADDRESS</b>	<b>Dalleel.Jacobs@stellenbosch.gov.za</b>
<b>REPORT DATE</b>	06 December 2021

9.	<b>ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]</b>
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9.1	<b>COMMUNITY SERVICES (PARKS, OPEN SPACES AND ENVIRONMENT): CLLR J JOON</b>
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NONE

9.2	<b>CORPORATE SERVICES: [PC: CLLR L NKAMISA]</b>
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NONE

9.3	<b>FINANCIAL SERVICES: [PC: CLLR P JOHNSON]</b>
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NONE

9.4	<b>HUMAN SETTLEMENTS: [PC: CLLR JS FASSER]</b>
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NONE

9.5	<b>INFRASTRUCTURE: [PC: CLLR ZJ DALLING]</b>
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NONE

9.6	<b>LOCAL ECONOMIC DEVELOPMENT &amp; TOURISM: [PC: CLLR R DU TOIT (MS)]</b>
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NONE

9.7	<b>PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: [PC: CLLR C VAN WYK (MS)]</b>
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NONE

9.8	<b>PROTECTION SERVICES: [PC: CLLR FJ BADENHORST]</b>
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NONE

9.9	RURAL MANAGEMENT: [PC: CLLR J WILLIAMS]
9.9.1	APPROVAL OF EXCHANGE OF THE LEASE PORTIONS NAMELY, FARM No.: 502S AND 502V, STELLENBOSCH DIVISION: GIELIE HANEKOM FAMILIE TRUST & HYLTON P ARENDSE

Collaborator No:

IDP KPA Ref No: Valley of Opportunity

Meeting Date: Special Council: 10 December 2021

1. **SUBJECT: APPROVAL OF EXCHANGE OF THE LEASE PORTIONS NAMELY, FARM No.: 502S AND 502V, STELLENBOSCH DIVISION: GIELIE HANEKOM FAMILIE TRUST & HYLTON P ARENDSE**

2. **PURPOSE**

To provide Council with the pertinent factors to consider the request to transfer / exchange the land parcels allocated between the Gielie Hanekom Familie Trust (Farm No. 502S, Stellenbosch Division) and Hylton P Arendse (Farm No. 502V, Stellenbosch Division), and to register a right-of-way servitude over Farm No(s). 502S and 502T in favour of Farm No(s). 502T and 502V, respectively.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

4.1 The Lessees of both portions entered into an exchange of land agreement without the prior written approval of Stellenbosch Municipality as the Lessor as stipulated in Clause 13 of the Lease Agreement entered into with the Gielie Hanekom Familie Trust, copy attached as **APPENDIX 2** to this report, and Clause 10 of the Lease Agreement entered into with Hylton P Arendse, copy attached as **APPENDIX 3** to this report.

4.2 Therefore, the proposed report and recommendations aims to remedy the unlawful exchange of the lease areas, in accordance with the existing lease period. Thereby, allocating Farm No. 502S in the extent of 23,60ha to Hylton P Arendse for the remainder of the lease period, and allocating Farm No. 502V in the extent of 21,6ha to Gielie Hanekom Familie Trust for the remainder of the lease period. This exchange includes all rights, which include the water rights, etc as per the agreed terms of the respective original lease agreements.

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 9.9.1**

**RESOLVED** (nem con)

- (a) that Council takes note of the 'Memorandum van Ruil Ooreenkoms' which was entered into by Hylton P Arendse and Gielie Hanekom during November 2019, copy attached as **APPENDIX 4**;

- (b) that Council approves the exchange of the two (2) lease portions, Farm No(s). 502S and 502V between the parties concerned, whereby the portions will be re-allocated as follows:
- (i) Farm No. 502S, Stellenbosch Division in the extent of 23,60ha with 7.9ha of water be awarded to Hylton P Arendse for the remainder of such lease period of 9 years and 11months, calculated from 01 January 2020;
  - (ii) Farm No. 502V, Stellenbosch Division, to the extent of 21,6ha with 8ha of water be awarded to the Gielie Hanekom Familie Trust for the remainder of his lease until 31 March 2041; and
  - (iii) That all monetary obligations for each respective lease agreement as per the tariff structure.
- (c) that Council approves the registration of a right-of-way servitude over Farm No(s) 502S in favour of Farm No.(s) 502T and 502V, respectively, and that the Section: Property Management with the assistance of the Department: Development Planning be tasked to ensure that the processes to register the aforementioned servitude be implement within a reasonable timeframe; and
- (d) that Council approves, if one of the parties contest the exchange as indicated above, that Council mandates the Municipal Manager to commence with the required process to cancel both the leases due to the breach of the lease agreements not to lease to another person/entity without Council approval.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Craig Alexander Pr Pln</i>
<b>POSITION</b>	<i>Senior Manager: Development Planning</i>
<b>DIRECTORATE</b>	<i>Planning and Economic Development</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8196</i>
<b>E-MAIL ADDRESS</b>	<i>Craig.alexander@stellenbosch.gov.za</i>
<b>REPORT DATE</b>	<i>01 September 2021</i>

<b>9.10</b>	<b>YOUTH, SPORT AND CULTURE: [CLLR RA ADAMS]</b>
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NONE

<b>10.</b>	<b>REPORTS BY THE MUNICIPAL MANAGER</b>
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<b>10.1</b>	<b>RECRUITMENT AND SELECTION PROCESS OF THE DIRECTOR: INFRASTRUCTURE SERVICES</b>
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**Collaborator No:**

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

**Meeting Date:** Special Council: 10 December 2021

**1. RECRUITMENT AND SELECTION PROCESS OF THE DIRECTOR:  
INFRASTRUCTURE SERVICES**

**2. PURPOSE OF REPORT**

To obtain Council approval to start recruitment and selection process for Director Infrastructure Services.

**3. DELEGATED AUTHORITY**

Municipal Council

**4. EXECUTIVE SUMMARY**

contract period of Mr Deon Louw, Director Infrastructure Services comes to an end on 30 April 2022. It is therefore critical to commence with the recruitment and selection process for the Director Infrastructure Services to cultivate stability within the Directorate.

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 10.1**

**RESOLVED** (nem con)

- (a) that Council approves the recruitment and selection process of the Director Infrastructure Services;
- (b) that Council approves the recruitment and selection panel of the Director Infrastructure Services as set out in the Government Gazette 37245: Local Government Regulations on Appointment and Conditions of Employment of Senior Manager that constitute as follows:
- The Municipal Manager;
  - A member of the Mayoral Committee responsible for the Portfolio under this directorate (Cllr Zelda Dalling);
  - At least one person who is not a councillor or staff member, and who has expertise or experience in the area;



- 
- (c) that an independent external consultant be appointed to assist with the recruitment and selection process in line with abovementioned Regulations (name to be provided at Council);
- (d) that the advertisement indicates a minimum of 10 years and/or open a negotiated period for the preferred candidate; and
- (e) that Council request permission from the Minister of Local Government for a further extension of the contract of Director Louw until a replacement can be appointed, should the process not be finalised.

**FOR FURTHER DETAILS CONTACT:**

<i>NAME</i>	Geraldine Mettler
<i>POSITION</i>	<i>Municipal Manager</i>
<i>DIRECTORATE</i>	<i>Municipal Manager</i>
<i>CONTACT NUMBERS</i>	021 808 8025
<i>E-MAIL ADDRESS</i>	<u><a href="mailto:municipal.manager@ Stellenbosch.gov.za">municipal.manager@ Stellenbosch.gov.za</a></u>
<i>REPORT DATE</i>	29 November 2021

<b>10.2</b>	<b>SALGA PROVINCIAL CONFERENCE 18-19 JANUARY 2022: GEORGE</b>
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Collaborator No:

IDP KPA Ref No: Good governance and Compliance

Meeting Date: Special Council: 10 December 2021

**1. SALGA WESTERN CAPE PROVINCIAL CONFERENCE 18 -19 JANUARY 2022: GEORGE**

**2. PURPOSE OF REPORT**

To inform Council of the notice of the sitting of the SALGA Western Cape Provincial Conference scheduled for 18 – 19 January 2022 in George. Council needs to appoint representatives to represent Stellenbosch Municipality as a member of SALGA at the conference.

**3. DELEGATED AUTHORITY**

Municipal Council

**4. EXECUTIVE SUMMARY**

The SALGA constitution in clause 22.2 (attached as **APPENDIX 1**) determines that a Provincial Conference must be held within 90 days after every general local government election. To meet the constitutional requirements a provincial conference must be constituted before 1 February 2022. SALGA send out a notice (attached as **APPENDIX 2**) to invite Municipalities to the Western Cape provincial Conference set for 18 and 19 January 2022 in George. Every Municipality is entitled to one (1) vote but may send up to three (3) delegates. The preferred delegates are Executive Mayor; Speaker; Municipal Manager.

Council must appoint representatives to represent the Municipality at the conference.

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 10.2**

**RESOLVED** (majority vote)

that the delegates for Stellenbosch Municipality are the Executive Mayor and the Deputy Executive Mayor.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Annalene de Beer
<b>POSITION</b>	Director: Corporate Services
<b>DIRECTORATE</b>	Corporate Services
<b>CONTACT NUMBERS</b>	021 808 8018
<b>E-MAIL ADDRESS</b>	Annalene.deBeer@stellenbosch.gov.za
<b>REPORT DATE</b>	6 December 2021

<b>10.3</b>	<b>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 [JULY 2021 – OTOBER 2021]</b>
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: Special Council: 10 December 2021

**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 [JULY 2021 – OTOBER 2021]**

**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 July 2021 to June 2021 (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.”*

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 10.3**

**NOTED**

the decisions by the Executive Mayor taken in consultation with the Mayoral committee meeting from July 2020 until June 2021.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	DONOVAN MULLER
<b>POSITION</b>	<b>MANAGER: COUNCIL SUPPORT</b>
<b>DIRECTORATE</b>	<b>CORPORATE SERVICES</b>
<b>CONTACT NUMBERS</b>	<b>021 8088314</b>
<b>E-MAIL ADDRESS</b>	<b><a href="mailto:Donovan.Muller@stellenbosch.gov.za">Donovan.Muller@stellenbosch.gov.za</a></b>
<b>REPORT DATE</b>	<b>08 November 2021</b>

<b>10.4</b>	<b>REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JULY 2021 – SEPTEMBER 2021</b>
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: Special Council: 10 December 2021

**1. SUBJECT: SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JULY 2021 – SEPTEMBER 2021**

**2. PURPOSE**

To inform Council of the decisions taken by the Executive Mayor from July 2021 to September 2021 (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.”*

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 10.4**

**NOTED**

the decisions by the Executive Mayor for the Quarter: July 2021 – September 2021.

**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>08 November 2021</b>

<b>10.5</b>	<b>REPORT IN TERMS OF SECTION 126 (4) OF THE MUNICIPAL FINANCIAL MANAGEMENT ACT: REASONS FOR THE DELAY IN COMPLETING THE AUDIT OF STELLENBOSCH MUNICIPALITY FOR THE FINANCIAL YEAR ENDED 30 JUNE 2021</b>
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: Special Council: 10 December 2021

**1. SUBJECT: REPORT IN TERMS OF SECTION 126 (4) OF THE MUNICIPAL FINANCIAL MANAGEMENT ACT: REASONS FOR THE DELAY IN COMPLETING THE AUDIT OF STELLENBOSCH MUNICIPALITY FOR THE FINANCIAL YEAR ENDED 30 JUNE 2021**

**2. PURPOSE OF REPORT**

To notify Council on the communication received from the Auditor-General for the delay in completing the Audit of the municipality for the financial year ended 30 June 2021.

**3. DELEGATED AUTHORITY**

Municipal Council

**4. EXECUTIVE SUMMARY**

The Accounting Officer received notification from the Auditor General on the challenges currently being experienced with the audit, which leads to non-compliance with the legislative deadlines.

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 10.5**

**NOTED**

the communication received from the Auditor-General for the delay in completing the Audit of the municipality for the financial year ended 30 June 2021.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Kevin Carolus
<b>POSITION</b>	Chief Financial Officer
<b>DIRECTORATE</b>	Financial Services
<b>CONTACT NUMBERS</b>	021 808 8528
<b>E-MAIL ADDRESS</b>	<a href="mailto:kevin.carolus@ Stellenbosch.gov.za">kevin.carolus@ Stellenbosch.gov.za</a>
<b>REPORT DATE</b>	10 December 2021

10.6	<b>QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 JANUARY 2021 TILL 31 MARCH 2021</b>
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Collaborator No:

File No:

IDP KPA Ref No: Good Governance

Meeting Date:

**1. SUBJECT: QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 JANUARY 2021 TILL 31 MAY 2021**

**2. PURPOSE**

To inform Council of the activities of the Audit Committee for the period 01 January 2021 till 31 March 2021 (3<sup>rd</sup> Quarter). The Minutes of the meeting held for this period mentioned is herewith attached as **APPENDIX 1** which outlines the activities of the Audit and Performance Audit Committee.

**3. DELEGATED AUTHORITY**

Audit and Performance Audit Committee reports to Council periodically.

**4. EXECUTIVE SUMMARY**

In terms of Section 166 of the Municipal Finance Act (MFMA), Act No 56 of 2003, each municipality must have an Audit and Performance Audit Committee. The Audit and Performance Audit Committee is an independent advisory body which must advise Council, the political office bearers, the accounting officer, the management and staff of the municipality.

The Audit Committee has executed its duties and responsibilities during the period under review in accordance with its terms of reference as they relate to Council's accounting, internal auditing, internal control and financial reporting practices.

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 10.6**

**NOTED**

the concerns and the report of the Audit Committee for the period 01 January 2021 till 31 May 2021.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Faiz Hoosain</i>
<b>POSITION</b>	<i>Chief Audit Executive</i>
<b>DIRECTORATE</b>	<i>Municipal Manager's Office</i>
<b>CONTACT NUMBERS</b>	<i>021-808 8555</i>
<b>E-MAIL ADDRESS</b>	<i>Faiz.Hoosain@ Stellenbosch.gov.za</i>
<b>REPORT DATE</b>	

<b>10.7</b>	<b>QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 April 2021 TILL 30 JUNE 2021</b>
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Collaborator No:

File No:

IDP KPA Ref No: Good Governance

Meeting Date: Special Council: 10 December 2021

**1. SUBJECT: QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 APRIL 2021 TILL 30 JUNE 2021**

**2. PURPOSE**

To inform Council of the activities of the Audit Committee for the period 01 April 2021 till 30 June 2021 (4<sup>th</sup> Quarter). The Minutes of the meeting held for this period mentioned is herewith attached as **APPENDIX 1** which outlines the activities of the Audit and Performance Audit Committee.

**3. DELEGATED AUTHORITY**

Audit and Performance Audit Committee reports to Council periodically.

**4. EXECUTIVE SUMMARY**

In terms of Section 166 of the Municipal Finance Act (MFMA), Act No 56 of 2003, each municipality must have an Audit and Performance Audit Committee. The Audit and Performance Audit Committee is an independent advisory body which must advise Council, the political office bearers, the accounting officer, the management and staff of the municipality.

The Audit Committee has executed its duties and responsibilities during the period under review in accordance with its terms of reference as they relate to Council's accounting, internal auditing, internal control and financial reporting practices.

**SPECIAL COUNCIL MEETING: 2021-12-10: ITEM 10.7**

**NOTED**

the concerns and the reports of the Audit Committee for the period 01 April 2021 till 30 June 2021.

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Faiz Hoosain</i>
<b>POSITION</b>	<i>Chief Audit Executive</i>
<b>DIRECTORATE</b>	<i>Municipal Manager's Office</i>
<b>CONTACT NUMBERS</b>	<i>021-808 8555</i>
<b>E-MAIL ADDRESS</b>	<i>Faiz.Hoosain@ Stellenbosch.gov.za</i>
<b>REPORT DATE</b>	

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11.	<b>URGENT MATTERS</b>
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NONE

12.	<b>MATTERS TO BE CONSIDERED IN-COMMITTEE</b>
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(See pink documentation)

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The meeting adjourned at 10:50.

**CHAIRPERSON:** .....

**DATE:** .....

**Confirmed on** ..... **with/without amendments**