



STELLENBOSCH

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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2024-09-12

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MINUTES

SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2024-09-12 AT 10:00

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OF STELLENBOSCH MUNICIPALITY
2024-09-12

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	NONE	

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

COUNCILLORS	RA Adams	NM Mkhontwana
	J Andrews	NR Ndalasi
	Ald JC Anthony	L Nkamisa
	ZJ Dalling	M Nkopane
	MM Danana	N Ntsunguzi
	JA Davids	N Olayi
	I De Taillerfer	GA Petersen
	R Du Toit	WC Petersen
	A Ferns	RO Pheiffer
	AJ Hanekom	WF Pietersen
	RB Hendrikse	Ald JP Serdyn
	SC Heneke	SR Schäfer
	J Joon	MJ Slabbert
	X Kalipa	A Tomose
	N Mananga-Gugushe	RB Van Rooyen
	C Manuel	M Van Stade
	EP Masimini	E Vermeulen
	NE Mcombring	J Williams
	XL Mdemka	

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

1.	OPENING AND WELCOME
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The Speaker, Cllr Q Smit welcomed all to the Special Council meeting which was held via MS Teams.

2.	COMMUNICATION BY THE EXECUTIVE MAYOR
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- Congratulations to the Deputy Executive Mayor, Cllr J Fasser, who was elected as the Ward Councillor for Ward 17.
- Due to the recent resignation of two Councillors who were Mayco members as well, it prompted me to reconsider the Mayoral Committee. It gives me great pleasure then to share with everyone this morning the new mayoral committee:

PROPOSED NEW MAYORAL COMMITTEE	
Executive Mayor	Cllr GMM van Deventer
Deputy Mayor, incl Protection Services	Cllr Jeremy Fasser
Infrastructure	Cllr Reginald Pheiffer
Planning, LED and Tourism	Cllr Mynard Slabbert
Corporate Services	Cllr Lwando Nkamisa
Community Services	Cllr Xolile Kalipa
Human Settlements	Cllr Rozette du Toit
Rural Management and Environmental Management	Cllr James Williams
Finance	Ald John Cornelius (JC) Anthony
Sport, Youth and Culture	Deputy Mayor will act as MMC
Parks, Open Spaces	Cllr Ndipiwe Olayi

- A warm welcome to the new Councillor, Cllr Stephanie Heneke. We trust Cllr Heneke will settle in quickly, and it is always good to have fresh new insight into municipal matters.
- Tans besig met die IDP proses, en dit is 'n baie belangrike deel van die munisipale proses om insette vanaf die publiek te ontvang. Moedig alle inwoners aan om deel te neem aan die proses. Jou insette as inwoner is belangrik vir die munisipaliteit.
- We are incredibly proud to celebrate two of our newest firefighters, Mr. Bruno Herrman and Mr. Terence Januarie, who were honored at last week's Cape Winelands District Fire Services Passing Out Parade!
- The Municipality is aware of an email scam currently circulating, where fraudulent emails are being sent to stakeholders/residents, falsely claiming to be from the Municipality. These emails may request personal information or payments, using official logos or names/signatures to appear legitimate. We would like to emphasise that the Municipality will never ask for sensitive information or payment details via email. If you receive a suspicious email, please do not respond or click on any links. Delete the email from your inbox immediately and also remove it from your Deleted Items. Thank you for your vigilance.

Thank you."

3.	COMMUNICATION BY THE SPEAKER
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The Speaker expressed his concern regarding Councillors who still did not adhere to the **Request for information (RFI) for the audit of Stellenbosch Municipality for the year ended 30 June 2024** which the Auditor-General sent. The cut-off date for submission was Wednesday, 11 September 2024 and all Councillors who did not submit their information yet are requested to do so within the next 48-72 hours via the Office of the Manager: Councillor Support, Mr Donovan Muller. This is not just a request, but a legislative requirement and non-submission will result in the Speaker reporting those Councillors to the MEC for Local Government, because not submitting your request for information is the same as not declaring your interest to Council.

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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- The Municipal Manager, Ms G Mettler welcomed the newly elected PR Councillor, Ms SC Heneke, as well as the newly elected Ward Councillor, Cllr JS Fasser.
- She reiterated the importance of submitting information to the Auditor-General timeously when requested to do so, because failure to comply with this legislation affects the municipality's clean audit status.
- A By-election will be held on 23 October 2024 in Ward 8. The names of candidates for the new election should be signed off by 17 September 2024.

Thank you.

5.	DISCLOSURE OF INTERESTS
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NONE

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

Cllr E Groenewald	- 12 September 2024
Cllr MG Rataza	- 12 September 2024

6.2 **ABSENT**

Cllr O Jooste	- 12 September 2024
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7.	STATUTORY MATTERS
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NONE

8.	REPORTS BY THE MUNICIPAL MANAGER
8.1	ESTABLISHMENT OF SECTION 80 COMMITTEES (PORTFOLIO COMMITTEES)

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

12 September 2024

1. SUBJECT: ESTABLISHMENT OF SECTION 80 COMMITTEES (PORTFOLIO COMMITTEES)

2. PURPOSE

Council must approve the established the Section 80 Committee and must appoint the members on these Committees. This item serves to amend the Committees and the members as appointed in May 2023.

3. DELEGATED AUTHORITY

Council establishes the committees and appoints the members, whilst the Executive Mayor appoints the Chairpersons.

4. EXECUTIVE SUMMARY

In terms of Section 80 of the Structures Act, if a municipality has an Executive Mayor, it may appoint Committees of Councillors to assist the Executive Mayor.

Such Committees may not in number exceed the number of members of the Executive Committee (10, including the Deputy Executive Mayor).

The Executive Mayor, *inter alia*:-

- appoints a Chairperson for each Committee; and
- may delegate any powers and duties of the Executive Mayor to the Committee.

Such Committee(s) must assist the Executive Mayor in accordance with the directions of the Executive Mayor and in line with the provisions as indicated in Section 80.

The members are appointed by Council in accordance with the principle of representation amongst the amount of members allocated to each committee.

Council established the Section 80 Committees on 23 February 2022 as indicated in 6 below.

The Administration received an indication from the Speaker that amendments should be made to the Section 80 committees as well as the members of the Committees to be appointed by Council and these amendments were affected in May 2023. Some of these functions previously resided under Youth Sport and Culture Committee. The Terms of Reference will have to be amended by the Committees for Planning, Local Economic Development and Tourism, Sport Youth and Culture and the newly established Community Services Committee.

Due to resignations amongst the Councillors including the Chairpersons of the portfolio committees the Executive Mayor has appointed new chairpersons to the portfolio committee and the Speaker has also indicated that some of the functions for the portfolio committees are changing.

The letter from the Executive Mayor regarding the appointment of the Portfolio Chairpersons is attached as **APPENDIX 2**.

SPECIAL COUNCIL MEETING: 2024-09-12: ITEM 8.1**RESOLVED** (majority vote)

(a) that it be noted that Council approved the following Section 80 Portfolio Committees:

- Corporate Services;
- Planning, LED and Tourism
- Financial Services;
- Human Settlements;
- Infrastructure Services;
- Protection Services
- Community Services
- Rural Management and Environment
- Youth, Sport and Culture
- Parks and Open Spaces

(b) that Council approves the amendment of the establishment of the Section 80 Committees as follows:

1. **Corporate Services**, total 5 members:

- | | | |
|-----|---|------------------------------|
| DA | – | Cllr L Nkamisa (Chairperson) |
| DA | – | Cllr Z Dalling |
| DA | – | Cllr JP Serdyn |
| ANC | – | Cllr M Rataza |
| FF+ | – | Cllr I De Taillerfer |

2. **Planning, Local Economic Development and Tourism**, total 5 members:

- | | | |
|------|---|-------------------------------|
| DA | – | Cllr M Slabbert (Chairperson) |
| DA | – | Cllr A Hanekom |
| DA | – | Cllr SC Heneke |
| ANC | – | Cllr M Danana |
| GOOD | – | Cllr GA Petersen |

3. **Financial Services**, total 5 members:

- | | | |
|------|---|------------------------------|
| DA | – | Ald JC Anthony (Chairperson) |
| DA | – | Cllr E Groenewald |
| DA | – | Cllr WC Petersen |
| ANC | – | Cllr A Tomose |
| GOOD | – | Cllr R Hendrikse |

4. **Human Settlements**, total 5 members:

- | | | |
|------|---|------------------------------|
| DA | – | Cllr R Du Toit (Chairperson) |
| DA | – | Cllr E Vermeulen |
| DA | – | Cllr X Mdemka |
| ANC | – | Cllr E Masimini |
| GOOD | – | Cllr M Van Stade |

5. **Infrastructure Services**, total 5 members:

- | | | |
|-----|---|-------------------------------|
| DA | – | Cllr R Pheiffer (Chairperson) |
| DA | – | Cllr R van Rooyen |
| DA | – | Cllr N Mcombring |
| ANC | – | Cllr N Ntsunguzi |
| EFF | – | Cllr Z Ndalasi |

6. **Protection Services**, total 5 members:

- | | | |
|-----|---|-----------------------------|
| DA | – | Cllr J Fasser (Chairperson) |
| DA | – | Cllr C Manuel |
| DA | – | vacant (Ward 8 Cllr) |
| ANC | – | Cllr A Tomose |
| EFF | – | Cllr N Mkhontwana |

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7. **Rural Management and Environment**, total 4 members:
- DA – Cllr J Williams (Chairperson)
 DA – Cllr JP Serdyn
 DA – Cllr C Manuel
 ANC – Cllr J Davids
8. **Sport, Youth and Culture**, total 5 members:
- DA – Cllr J Fasser (Acting Chairperson)
 DA – Cllr R Van Rooyen
 DA – Cllr N Mcombring
 GOOD – Cllr G Petersen
 PA – Cllr J Andrews
9. **Parks & Open Spaces**, total 4 members
- DA – Cllr N Olayi (Chairperson)
 DA – Cllr E Vermeulen
 DA – Cllr Z Dalling
 ANC – Cllr M Nkopane
10. **Community Services** total 5 members:
- DA – Cllr X Kalipa (Chairperson)
 DA – Cllr N Mcombring
 DA – Cllr R Van Rooyen
 ANC – Cllr M Nkopane
 EFF – Cllr N Mkhontwana
- (c) that it be noted that the Executive Mayor has amended the appointment of the Chairpersons of Committees as from 4 September 2024 as per **APPENDIX 2**;
- (d) that the Terms of Reference for the following Section 80 Committees be amended to reflect the changes in the Committees:
- (i) Rural Management that now has Environment added; and
 (ii) Parks & Open Spaces that no longer deals with Environment;
- (e) that the amended Terms of References be referred to the relevant Section 80 Committees for revision and adoption.
- (f) that Council appoints the members of the Section 80 Committees as per **APPENDIX 3**; and
- (h) that the members of the Section 79 Committee – MPAC be amended as follows:
- Cllr WF Pietersen (PDM) – (Chairperson) Full time Councillor
 Cllr SR Schäfer (DA)
 Cllr A Ferns (DA)
 Cllr R Adams (DA)
 Cllr J Joon (DA)
 Cllr N Mananga-Gugushe (ANC)
 Cllr O Jooste (ACDP)

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	<i>Director</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021 808 8018</i>
E-MAIL ADDRESS	<i>Annalene.deBeer@stellenbosch.gov.za</i>
REPORT DATE	<i>9 September 2024</i>

MINUTES

SPECIAL COUNCIL MEETING

2024-09-12

SECTION 80 COMMITTEES AS APPROVED BY THE EXECUTIVE MAYOR ON 5 SEPTEMBER 2024

FINANCIAL SERVICES	INFRASTRUCTURE	PLANNING, LED & TOURISM	PROTECTION SERVICES
1) Ald JC Anthony (Chairperson) (DA) 2) Cllr WC Petersen (DA) 3) Cllr E Groenewald (DA) 4) Cllr A Tomose (ANC) 5) Cllr R Hendrikse (GOOD)	1) Cllr R Pheiffer (Chairperson) (DA) 2) Cllr R van Rooyen (DA) 3) Cllr N Mcombring (DA) 4) Cllr N Ntsunguzi (ANC) 5) Cllr Z Ndalasi (EFF)	1) Cllr M Slabbert (Chairperson) (DA) 2) Cllr A Hanekom (DA) 3) Cllr SC Heneke (DA) 4) Cllr M Danana (ANC) 5) Cllr G Petersen (GOOD)	1) Cllr J Fasser (Chairperson) (DA) 2) Cllr C Manuel (DA) 3) vacant (Ward 8 Cllr) (DA) 4) Cllr A Tomose (ANC) 5) Cllr N Mkhontwana (EFF)
SPORT, YOUTH & CULTURE	RURAL MANAGEMENT & ENVIRONMENT	CORPORATE SERVICES	HUMAN SETTLEMENT
1) Cllr J Fasser (Act Chairperson) (DA) 2) Cllr R van Rooyen (DA) 3) Cllr N Mcombring (DA) 4) Cllr G Petersen (GOOD) 5) Cllr J Andrews (PA)	1) Cllr J Williams (Chairperson) (DA) 2) Ald JP Serdyn (DA) 3) Cllr C Manuel (DA) 4) Cllr J Davids (ANC)	1) Cllr L Nkamisa (Chairperson) (DA) 2) Cllr Z Dalling (DA) 3) Ald JP Serdyn (DA) 4) Cllr M Rataza (ANC) 5) Cllr I De Taillerfer (FF+)	1) R Du Toit (Chairperson) (DA) 2) Cllr E Vermeulen (DA) 3) Cllr X Mdemka (DA) 4) Cllr E Masimini (ANC) 5) Cllr M van Stade (GOOD)
PARKS & OPEN SPACES	COMMUNITY SERVICES		MPAC (SECTION 79) (FULLTIME)
1) Cllr N Olayi (Chairperson) (DA) 2) Cllr E Vermeulen (DA) 3) Cllr Z Dalling (DA) 4) Cllr M Nkopane (ANC)	1) Cllr X Kalipa (Chairperson) (DA) 2) Cllr N Mcombring (DA) 3) Cllr R van Rooyen (DA) 4) Cllr M Nkopane (ANC) 5) Cllr N Mkhontwana (EFF)		1) Cllr WF Pietersen (Chairperson) (PDM) 2) Cllr SR Schäfer (DA) 3) Cllr A Ferns (DA) 4) Cllr R Adams (DA) 5) Cllr J Joon (DA) 6) Cllr N Mananga-Gugushe (ANC) 7) Cllr O Jooste (ACDP)

9.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

10.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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NONE

The meeting adjourned at 10:35.

CHAIRPERSON:

DATE:

Confirmed onwith/without amendments.