



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2017-09-13

MINUTES

MAYORAL COMMITTEE MEETING:

2017-09-13 AT 10:00

MINUTES
MAYORAL COMMITTEE MEETING
2017-09-13

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
1.1	COMMUNICATION BY THE CHAIRPERSON	
1.2	DISCLOSURE OF INTERESTS	
2.	APPLICATIONS FOR LEAVE OF ABSENCE	
3.	CONFIRMATION OF MINUTES The minutes of the Mayoral Committee held on 2017-08-08 , refers. (The minutes are distributed under separate cover) FOR CONFIRMATION.	
4.	REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MAYORAL COMMITTEE MEETINGS	
	NONE	2
5.	STATUTORY MATTERS	
5.1	<u>COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: (PC: CLLR AR FRAZENBURG)</u>	
	NONE	2
5.2	<u>CORPORATE AND STRATEGIC SERVICES: (PC: CLLR E GROENEWALD (MS))</u>	
	NONE	2
5.3	<u>ECONOMIC DEVELOPMENT AND PLANNING: (PC: ALD JP SERDYN (MS))</u>	
5.3.1	APPLICATION FOR DEVIATION FROM THE PROVISIONS OF THE BYLAW RELATING TO THE CONTROL OF BOUNDARY WALLS AND FENCES ON ERF 4667, C/O DRAAI, KOCH AND WELGEVALLEN STREETS, DALSIG, STELLENBOSCH	3
5.3.2	IDENTIFYING OF MUNICIPAL AGRICULTURAL LAND FOR IMPLEMENTATION OF FARMER PRODUCTION SUPPORT UNIT (FPSU)	4
5.3.3	COMMENT ON THE FINAL ENVIRONMENTAL IMPACT ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAM FOR THE PROPOSED VLOTTENBURG VILLAGE DEVELOPMENT, STELLENBOSCH	5
5.3.4	REDETERMINATION OF MUNICIPAL OUTER BOUNDARIES: STELLENBOSCH MUNICIPALITY AND MUNICIPAL DEMARCATION BOARD CONSULTATIONS	8
5.3.5	STELLENBOSCH MUNICIPALITY: DRAFT TELECOMMUNICATION MAST INFRASTRUCTURE POLICY	10

ITEM	SUBJECT	PAGE
5.4	<u>FINANCIAL SERVICES: (PC: CLLR S PETERS)</u>	
	NONE	12
5.5	<u>HUMAN SETTLEMENTS: (PC: CLLR PW BISCOMBE)</u>	
5.5.1	APPLICATION TO ACQUIRE AN ADDITIONAL PORTION OF LAND FOR THE PURPOSE OF EXTENDING THE CLINIC IN KLAPMUTS	12
5.5.2	FUTURE OF THE EX-KLEINE LIBERTAS THEATRE	14
5.6	<u>INFRASTRUCTURE: (PC: CLLR J DE VILLIERS)</u>	
5.6.1	PARKING UPGRADE REPORT TO EXECUTIVE MAYOR	16
5.6.2	SOLID WASTE UPGRADE REPORT TO EXECUTIVE MAYOR	18
5.6.3	WATER SERVICES: DRAFT DROUGHT RESPONSE PLAN	19
5.7	<u>PARKS, OPEN SPACES AND ENVIRONMENT: (PC: CLLR N JINDELA)</u>	
	NONE	20
5.8	<u>PROTECTION SERVICES: (PC: CLLR Q SMIT)</u>	
	NONE	20
5.9	<u>YOUTH, SPORT AND CULTURE: (PC: CLLR XL MDEMKA (MS))</u>	
	NONE	20
6.	REPORTS SUBMITTED BY THE MUNICIPAL MANAGER	
	NONE	20
7.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR	
	NONE	20
8.	MOTIONS AND QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER	
	NONE	20
9.	URGENT MATTERS	
		20
10.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
	NONE	20

MINUTES OF THE MAYORAL COMMITTEE MEETING HELD ON 2017-09-13 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT: Executive Mayor, Ald GM Van Deventer (Ms) (**Chairperson**)
Deputy Executive Mayor, Cllr N Jindela

Ald: JP Serdyn (Ms)

Councillors: PW Biscombe
J De Villiers
AR Frazenburg
E Groenewald (Ms)
XL Mdemka (Ms)
S Peters
Q Smit

Also Present: Councillor F Adams
Councillor PR Crawley (Ms)
Councillor MC Johnson
Councillor WF Pietersen

Officials: Municipal Manager (G Mettler (Ms))
N Langenhoven deputizing for Director: Community and Protection Services
Chief Financial Officer (M Wüst)
Director: Human Settlements (T Mfeya)
Director: Economic Development and Planning (D Lombaard)
Director: Engineering Services (D Louw)
Manager: Property Management (P Smit)
Head: Committee Services (EJ Potts)
Committee Clerk (B Mgcushe (Ms))
Committee Clerk (N Mbali (Ms))

1.	OPENING AND WELCOME
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The Executive Mayor welcomed everyone present, and in particular, welcomed the non-Mayco councillors namely Cllrs F Adams, P Crawley, M Johnson and WF Pietersen. Mr D Lombaard was requested to open the meeting with a prayer.

1.1	COMMUNICATION BY THE CHAIRPERSON
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The Executive Mayor proposed that it should become standard practice for outstanding service by employees to be acknowledged. In this regard the Executive Mayor cited the following employees for their exceptional service in the recent past: John Muller (Engineering Services); Charlotte Nel (Finance); Carmen Saville (Office of the Mayor); Kevin Adams; John Abrahams; Bongani Nkwelu; and Osric Jumat (Traffic Services).

Capital spending is not in line with the Procurement Plan, which will ultimately result in under-spending. The Executive Mayor expressed her concern about this aspect, and urged all the directorates to be pro-active and disciplined in the management of their respective capital budgets.

1.2	DISCLOSURE OF INTERESTS
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NONE

2.	APPLICATIONS FOR LEAVE OF ABSENCE
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The following applications for leave were approved in terms of the Rules of Order of Council:-

Director: Community and Protection Services (G Esau) – 13 September 2017

Director: Strategic and Corporate Services (A de Beer (Ms)) – 13 September 2017

3.	CONFIRMATION OF PREVIOUS MINUTES
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The minutes of the Mayoral Committee Meetings held on 2017-08-08, were **confirmed as correct.**

4.	REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MAYORAL COMMITTEE MEETINGS
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NONE

5.	STATUTORY MATTERS
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5.1	COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: (PC: CLLR AR FRAZENBURG)
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NONE

5.2	CORPORATE AND STRATEGIC SERVICES: (PC: CLLR E GROENEWALD (MS))
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NONE

5.3	ECONOMIC DEVELOPMENT AND PLANNING: (PC: ALD JP SERDYN (MS))
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5.3.1	APPLICATION FOR DEVIATION FROM THE PROVISIONS OF THE BYLAW RELATING TO THE CONTROL OF BOUNDARY WALLS AND FENCES ON ERF 4667, C/O DRAAI, KOCH AND WELGEVALLEN STREETS, DALSIG, STELLENBOSCH
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1. PURPOSE OF REPORT

To enable the Council to make an informed decision on the waiver from the By-Law Relating to the Control of Boundary Walls and Fences. The application is **recommended for approval**.

2. BACKGROUND

The property owner is applying to erect a retaining wall which forms part of the boundary wall on his property which will not comply with the By-Law relating to the control of boundary walls and fences as it will exceed the maximum allowable height of 2.1m. The proposed retaining / boundary wall on Koch Street will also be a solid boundary wall which is also does not comply with the prescriptions of the By-Law relating to boundary walls and fences.

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.3.1

RESOLVED

That it be recommended to Council:

that **approval be granted** for the application to deviate from the By-Law relating to the control of Boundary Walls and Fences (Provincial Gazette 6671, 30 October 2009) in order to construct a solid boundary wall which exceeds the prescribed height of 2.1m along Koch Street and the common boundary adjoining erf 4666 and along the total length of the common boundary adjoining Erf 4661, on Erf 4667, C/O Draai, Koch and Welgevallen Streets, Dalsig, Stellenbosch, as indicated on the attached Drawing No. A_1001_01, drawn by J H Botha Architects, attached as **APPENDIX 2**, subject to the following conditions:

- (i) The approval applies only to the application for the waiver from the subject by-law in question and shall not be construed as authority to depart from any other legal prescription or requirements of Council;
- (ii) That the application for the waiver from the By-Law relating to the Control Of Boundary Walls and Fences will only come into effect once the application for the removal of the restrictive title deed conditions and building line departures as noted in this report have been approved by the Municipal Tribunal or Authorised Official in terms of section 60 of the Stellenbosch Land Use Planning By-Law;
- (ii) That this Council reserves the right to impose further conditions if deemed necessary.

Meeting: Ref no: Collab:	Mayco: 2017-09-13 4667 530690	Submitted by Directorate: Author Referred from:	Planning & Economic Development Town Planner (R Fooy)
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5.3.2	IDENTIFYING OF MUNICIPAL AGRICULTURAL LAND FOR IMPLEMENTATION OF FARMER PRODUCTION SUPPORT UNIT (FPSU)
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1. PURPOSE OF REPORT

To identify available municipal agricultural land for the possible development of only a Farmer Production Support Unit (FPSU) as requested by the National Department of Rural Development and Land Reform (**APPENDIX 1**), and not any of the other components.

2. BACKGROUND

With the establishment of small farmers throughout South Africa, certain needs have been addressed and opportunities have been identified to create a sustainable environment and increase local job creation within different local municipalities.

The National Department of Rural Development and Land Reform (NDRDLR) have invested in extensive research and the outcome of studies conducted within all municipal areas was the establishment of Farmer Production Support Units which will be funded and implemented by the National Department of Rural Development and Land Reform and monitored by the different District Joint Operations Centres administered by the NDRDLR.

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.3.2

RESOLVED

That it be recommended to Council:

- (a) that Council support and approve the implementation of a Farmer Production Support Unit (FPSU) within the WCO24;
- (b) that Council support and approve the following two sites as identified for the purpose of a Farmer Production Support Unit (FPSU) in accordance with the Policy of the Management of Agricultural Land:
 - Lease portion BH1 of Farm 502, Stellenbosch; and
 - Lease portion BH2 of Farm 502 Stellenbosch.
- (c) that the Local Economic Development Department be mandated to undertake all required land use management applications and processes, which include, amongst others rezoning, registration of lease area and departures for the relevant area to accommodate a Farmer Production Support Unit (FPSU) as the current zoning is for agricultural purposes only, given sufficient funding and budget made available by the National Department of Rural Development and Land Reform (NDRDLR); and
- (d) that the National Department of Rural Development and Land Reform (NDRDLR) draft a MOU between the Stellenbosch Municipality as land owner and the National Department of Rural Development and Land Reform (NDRDLR) on the roles and responsibilities of the different role players for the Council to consider, prior to any lease agreement be entered into or change in land use process commences.

Meeting:	Mayco: 2017-09-13	Submitted by Directorate:	Planning & Economic Development
Ref no:	9/2/1/1/1/3	Author	Manager: LED
Collab:		Referred from:	

5.3.3	COMMENT ON THE FINAL ENVIRONMENTAL IMPACT ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAM FOR THE PROPOSED VLOTTENBURG VILLAGE DEVELOPMENT, STELLENBOSCH
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1. PURPOSE OF REPORT

Stellenbosch Municipality has been requested to comment on the Final Environmental Impact Assessment Report (FEIR) and Environmental Management Programme (Volumes 1 & 2) submitted in terms of the National Environmental Management Act, 107 of 1998 (NEMA) for the Proposed Vloottenburg Village Development. As the previous round of comments submitted in this regard was submitted to Council (**Annexure 1**), the comment below is also submitted to Council for approval.

The process of enquiring Environmental Authorisation in terms of NEMA pre-empts a land use application in terms of the applicable municipal planning legislation which will be submitted to Council for consideration.

The comment below represents this Department's input in the NEMA process as per invitation by the relevant Environmental Assessment Practitioner (EAP).

2. PROPOSED VLOTTENBURG VILLAGE DEVELOPMENT

The information under Sections 2, 3 and 4 below are drawn from the above FEIR.

The FEIR includes four (4) development alternatives, Alternative 1 (or Preferred Alternative), Alternative 2 and 3 as well as a No-go Option.

Alternative 1 (Preferred Alternative)

The Preferred Alternative includes the following:

- Residential:
 - Single Residential (400-500m²) with 2 storey Free Standing Houses [375 units];
 - Townhouses (250-300m²) with 2 storey houses [90 units]
 - Flats/ Apartments with 2 to 3 story apartment/ walk up buildings (45-250m²) [343 units]
 - Mixed Use Flats/ Apartments (45-250m²) [97 units]
- Retail Centre;
- Hotel School (accommodation and skills centre);
- Medical Centre (community medical facility with clinic, consultation rooms, pharmacy and parking);
- Mixed Use Buildings (shops/ retail, restaurants, breweries, deli's, showrooms and galleries, live/work studios, offices and apartments, gymnasium);
- Hotels and conference facility (boutique hotel and 200 bed key hotel);
- Education Facilities (new private school and sports fields);
- Community Facilities (e.g. church, community centre and sports club house);
- Sportsfield;
- Private Open Space;
- Parking; and

- Associated Infrastructure i.e. internal potable water supply, sewage infrastructure, stormwater management infrastructure, public and private roads and electricity infrastructure.

The proposed development area (including roads, open space and landscaping) is approximately 77ha in size.

Alternative 2

The proposed Alternative 2 includes the following components:

- Residential:
 - Single Residential (400-500m²) with 2 storey Free Standing Houses [177 units];
 - Townhouses (250-300m²) with 2 storey houses [90 units]
 - Flats/ Apartments with 2 to 3 story apartment/ walk up buildings (45-250m²) [451 units]
 - Mixed Use Flats/ Apartments (45-250m²) [97 units]
- Retail Centre;
- Hotel School (accommodation and skills centre);
- Medical Centre (community medical facility with clinic, consultation rooms, pharmacy and parking);
- Mixed Use Buildings (shops/ retail, restaurants, breweries, deli's, showrooms and galleries, live/work studios, offices and apartments, gymnasium);
- Hotels and conference facility (boutique hotel and 200 bed key hotel);
- Community Facilities (e.g. church, community centre);
- Private Open Space;
- Parking; and
- Associated Infrastructure i.e. internal potable water supply, sewage infrastructure, stormwater management infrastructure, public and private roads and electricity infrastructure.

Alternative 2 has a smaller development footprint than Alternative 1, and retains a large portion of agricultural land (±25ha).

Alternative 3

Alternative 3 comprised three small development nodes for low- to medium-income single residential development and open space and urban agriculture. The approximate size of the proposed development areas was scaled off the Alternative 1 proposal. The three proposed residential nodes total about 12.2 ha, whilst the open space and urban agriculture totals about 2.2 ha.

In terms of the above report, however, the EAP is of the opinion that Alternative 3 should have been screened out during the Scoping Phase and offers the least opportunity for addressing inequalities, social transformation and environmental rehabilitation. The draft socio-economic assessment pointed to this proposal as having insufficient critical mass to be sustainable as an economic turnaround strategy for the area.

No-go Option

In terms of the No-go option, the land would remain undeveloped. The subject properties are zoned for Agricultural use and can therefore only be utilised for activities that comply with such zoning.

The key differences between Alternative 1 and Alternative 2 are as follows:

- The preferred layout makes provision for a community sports field and clubhouse. In the alternative layout, this area is earmarked for flats/ apartments.
- The preferred layout makes provision for a Private School with sports facilities. In the alternative layout, this area is retained as agriculture.
- The preferred layout includes more single residential erven than that alternative layout, which retains a 25ha area as agriculture;
- The preferred layout includes a 5000m² retail/ business premises, which is earmarked for flats/ apartments in the alternative layout.
- In terms of the residential component, the preferred layout (vs. alternative layout provided in brackets) makes provision for 375 (vs.177 in the alternative layout) single residential erven; 90 townhouses; 343 (vs.451 in the alternative layout) flats/ apartments and 97 mixed use apartment/ flats.

The table below indicates the densities of the two development layouts:

	Alternative 1	Alternative 2
Total approximate area (northern and southern portion)	±77ha (incl. roads, open space and landscaping) (Northern portion - ±70ha; southern Portion - ±6.5ha)	±52ha (incl. roads, open space and landscaping) (Northern portion - ±46ha; southern portion - ±6.5ha)
Residential opportunities	±1130 residential opportunities	±1040 residential opportunities
Gross density (northern portion)	±70ha @ 1075 residential opportunities = ±16u/ha	±46ha @ 987 residential opportunities = ±22units per hectare (excl. agri. area)
Gross density (southern portion)	±6.4ha @ 55 residential opportunities = ±10u/ha	±6.2ha @ 53 residential opportunities = ±9units per hectare
Total development Gross density	±16 units per hectare	±20 units per hectare

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.3.3

RESOLVED

That it be recommended to Council:

that the above comment be submitted in response to the invitation for comments on the Final Environmental Impact Report for the proposed Vlotenburg Village Development, submitted in terms of the National Environmental Management Act, 107 of 1998.

<i>Meeting:</i>	<i>Mayco: 2017-09-13</i>	<i>Submitted by Directorate:</i>	<i>Planning & Economic Development</i>
<i>Ref no:</i>	<i>P387 S</i>	<i>Author</i>	<i>Manager: Spatial Planning</i>
<i>Collab:</i>		<i>Referred from:</i>	

5.3.4	REDETERMINATION OF MUNICIPAL OUTER BOUNDARIES: STELLENBOSCH MUNICIPALITY AND MUNICIPAL DEMARCATION BOARD CONSULTATIONS
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1. PURPOSE OF THIS REPORT

To obtain delegations from Council to participate in the municipal boundary realignment process currently being undertaken by the Municipal Demarcation Board (MDB), to convey the particulars of such alignments and the current proposals affecting the boundaries of Stellenbosch Municipality, and for a decision on the proposals.

2. BACKGROUND

On the 24th of August 2017 the MDB outlined its strategic direction on demarcation for the period between 2017 to 2021 at a meeting held between the MDB, the City of Cape Town (CoCT) and Stellenbosch Municipality. The meeting was held at the City's Transport and Management Centre, Goodwood. The MDB requested the meeting with the purpose to:

- Share the timeframes and activities within the proposed demarcation process between the years 2017 to 2021.
- Share information on the cases of municipal boundary misalignments.
- Afford municipalities an opportunity to make inputs on any possible challenges they are experiencing regarding municipal boundary misalignments.
- Allow municipalities to provide guidance on spatial options for resolving technical municipal boundary misalignments.
- Request municipalities to assist the MDB in identifying communities affected by the misalignments cases affecting settlements.

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.3.4**RESOLVED****That it be recommended to Council:**

- (a) that Council delegates the Municipal Manager to act on its behalf in the Municipal Demarcation Board activities for the current alignment process (2017-2019); and
- (b) that Council approves the boundary alignment proposals detailed:
 - (i) Amend the Rozendal and Groenland boundaries to include the entire farm 1518 and Groenland farm 214 into the Stellenbosch Municipality;
 - (ii) Retain the Croyden / Firgrove boundary and to reject City of Cape Town proposal for the inclusion of farm 664 and the industrial area around Erf 1528 from Stellenbosch Municipality;

- (iii) Amend the Heldervue boundary to retain the agricultural portion of Farm 696 in Stellenbosch Municipality, while the urban portion falls within the City of Cape Town;
- (iv) Amend the Helderberg boundary to include the entire Farm 1325 in Stellenbosch Municipality;
- (v) Amend the Heldervue boundary to align the boundary to the old Faure main road and to reject City of Cape Town proposal for the inclusion of portion of Farm 696, Farm 772 and Erf 6840 from Stellenbosch Municipality along the Bredell Road.

<i>Meeting:</i>	<i>Mayco: 2017-09-13</i>	<i>Submitted by Directorate:</i>	<i>Planning and Economic Development</i>
<i>Ref no:</i>	<i>1/3/1/14 + 1/3/1/25 + 1/3/1/26</i>	<i>Author</i>	<i>Manager: Spatial Planning</i>
<i>Collab:</i>	<i>53943</i>	<i>Referred from:</i>	

5.3.5	STELLENBOSCH MUNICIPALITY: DRAFT TELECOMMUNICATION MAST INFRASTRUCTURE POLICY
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1. PURPOSE OF REPORT

For Council to adopt the Telecommunication Mast Infrastructure (TMI) Policy. The overarching objective of this policy is to facilitate and manage the growth of new and existing telecommunications systems and facilitate the provision of TMI in an efficient, cost-effective, environmentally appropriate and sustainable way.

2. DRAFT TELECOMMUNICATION MAST POLICY

There is increasing importance of telecommunication to the distribution of the economy. This is especially the case in Stellenbosch that has a strong emphasis on business services and information communication technology.

Rapid expansion of the telecommunications industry in recent years has resulted in an increasing demand for radio telecommunication services, and new technologies in the cellular phone industry. The location, siting and development of Telecommunication Mast Infrastructure (TMI) continues to be an issue of particular interest to both local communities and local government alike, with debate focusing on adequate availability of connectivity, visual amenity and public health

Due to improvements in mobile devices (smart phones), the coverage that each mast is able to provide has shrunk. Thus there is continual need to provide more masts. As coverage is lost, the distance between the masts is reducing.

Cell phones have become a part of many people's lives. It is increasingly used for daily social media, the internet, media and communication. However, with the increase in TMI in towns across the country concerns are raised regarding the safety of this technology and people are asking how safe these cellular masts are. Stellenbosch is recognised as a town of cultural and historic significance and heritage and is highly regarded for its environmental and scenic quality. Concerns raised by the public regarding the location and design of telecommunication mast infrastructure are therefore relevant.

This concern was acknowledged and included in the IDP and SDF which recommended that a policy be drafted to address the issues.

A meeting was held with industry towards the end of 2016 where the need to manage the proliferation, location and design of telecommunication mast infrastructure was discussed. At that meeting it was acknowledged that the policy that guides telecommunication mast infrastructure in the City of Cape Town (CoCT) was efficient and accepted as good practise.

Subsequently approval was obtained for CoCT to use their approved 2015 Telecommunication Mast Infrastructure Policy as a base to develop a local policy. A copy of the Stellenbosch Municipality: Draft Telecommunication Mast Infrastructure Policy is attached as **ANNEXURE 1** to the report.

The Director: Planning and Economic Development further requested comment and advice from the Department of Environmental Affairs and Development Planning regarding applications received for the establishment of cellular and telecommunications masts and antennae. The Department's response is attached as **ANNEXURE 2** to the report.

One of the main concerns that are frequently raised is that of the possible health impacts of such infrastructure. Conflicting information and research creates concern and confusion regarding this important issue. From the attachment and in the draft policy it was made clear that the Department of Health (DoH) applies the exposure guidelines published in 1998 by the International Commission on Non-Ionizing Radiation Protection ("ICNIRP") which is based on the official endorsement of the world Health Organisation.

All communication base stations in South Africa are required to conform to the World Health Organisation and National Health Department standards with regard to levels of electromagnetic radiation.

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.3.5

RESOLVED

that the matter be referred back in order for the Rector-Mayor Forum to consider the Draft Telecommunication Mast Infrastructure Policy and give appropriate advice before final consideration of the policy.

<i>Meeting:</i>	<i>Mayco: 2017-09-13</i>	<i>Submitted by Directorate:</i>	<i>Planning and Economic Development</i>
<i>Ref no:</i>	<i>3/1/2</i>	<i>Author</i>	<i>Manager: Spatial Planning</i>
<i>Collab:</i>	<i>539421</i>	<i>Referred from:</i>	

5.4	FINANCIAL SERVICES: (PC: CLLR S PETERS)
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NONE

5.5	HUMAN SETTLEMENTS: (PC: CLLR PW BISCOBE)
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5.5.1	APPLICATION TO ACQUIRE AN ADDITIONAL PORTION OF LAND FOR THE PURPOSE OF EXTENDING THE CLINIC IN KLAPMUTS
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1. PURPOSE OF REPORT

The purpose of this report is to consider a request from the Western Cape Government (Department of Transport and Public Works) to acquire an additional portion of land for the purpose of extending the clinic in Klapmuts.

2. BACKGROUND

2.1 Transfer of health services to provincial government

The State Attorney is in the process of transferring the Klapmuts Clinic, situated on Erf 3630 (portion of erf 1331), Klapmuts, measuring 1115m² in extent, held under Deed of Transfer T42229/2000, as agreed to in term of a Memorandum of Agreement of Transfer, to the Western Cape Government.

2.2 Application for additional land

Hereto attached as **APPENDIX 1** a self-explanatory letter from the provincial Department of Transport and Public Works, requesting Stellenbosch Municipality to dispose of an additional portion of land, to enable them to extend the clinic on erf 3630, Klapmuts.

This would enable the Department of Health to provide better health care services to the existing and growing community of Klapmuts.

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.5.1

RESOLVED

That it be recommended to Council:

- (a) that the portion of erf 342, Klapmuts, measuring ±2272m² in extent, be identified as land not needed to provide the minimum level of basic municipal services;
- (b) that, seeing that the provision of a new clinic for the area is of critical importance, and seeing that the land in question (portion of erf 342) was donated to Stellenbosch Municipality by the Provincial Housing Board in 1972, the land be made available to the Provincial Government free of charge;

- (c) that approval be granted that the portion of erf 342, Klapmuts, as indicated in figure 5, be transferred to the Western Cape Government (Chief Directorate Property Management) for the purpose of constructing a health facility, on condition that:
- i) the Provincial Government be responsible for all costs related to the transfer of the land, including, but not limited to, survey and legal costs;
 - ii) the Provincial Government be responsible for the subdivision and rezoning cost;
 - iii) the Provincial Government be responsible for the upgrading of bulk infrastructure should the need arise, and for making a contribution toward the Bulk Infrastructure Fund, as per the approved tariff structure at the time of approval of the site development plan;
 - iv) the Provincial Government be responsible for all service connections at the prevailing rates;
- (d) that the Provincial Government be given occupancy of the land with immediate effect, to enable them to attend to planning/building plan approval(s); and
- (e) that the Municipal Manager be authorised to sign the Sales Agreement and all documents necessary to effect transfer of the property.

<i>Meeting:</i>	<i>Mayco: 2017-09-13</i>	<i>Submitted by Directorate:</i>	<i>Human Settlements</i>
<i>Ref no:</i>	<i>7/2/1/1</i>	<i>Author</i>	<i>Manager: Property Management</i>
<i>Collab:</i>	<i>529254</i>	<i>Referred from:</i>	

5.5.2

FUTURE OF THE EX-KLEINE LIBERTAS THEATRE

1. PURPOSE OF REPORT

To obtain clarity on the future of the ex-Kleine Libertas Theatre site.

2. BACKGROUND**1.1 Lease Agreements**

During 1962 a Lease Agreement was concluded between Stellenbosch Municipality and the Klein Libertas Theatre. This agreement was renewed at various occasions for further periods of 9 years and 11 months. The last agreement lapsed on 30 November 2015.

1.2 Application to renew agreement

On 11 September 2015 a motivation for the renewal of their lease agreement was received from Klein Libertas Theatre.

Before the application could be considered the building was destroyed in a fire. For this reason a second application was submitted, requesting a renewal for a three (3) year period to allow the parties to rebuild the facility.

When the request was considered by the Acting Municipal Manager, having taken into account the current legislative regime at the time, he decided not to approve the application for a temporary renewal. A copy of the memo is attached as **APPENDIX 1**. This means that there is no current, valid lease agreement in place.

1.3 Destruction of building

On 13 June 2015 the facility was destroyed in a fire. The only remaining part is the new building that was constructed some 10 years ago with Lotto funding.

1.4 Settlement: Insurance Company

Following various meetings with our Insurance company (Lion of Africa) a settlement agreement was eventually reached in terms whereof they paid out an amount of R3,561 million as full and final settlement of the claim. In terms hereof Stellenbosch Municipality would rebuild the facility. See **APPENDIX 2**.

1.5 Appointment of architect and other professionals

During November 2015 a Tender Notice was published, calling for prospective architects to submit tenders for the redesign of the Kleine Libertas Theatre. A copy of the Tender Notice is attached as **APPENDIX 3**.

During February 2016, following the above tender process, SKEP Architects were appointed to attend to the redesign of the Kleine Libertas Theatre at a cost of R627 541.41 (Incl. of VAT). A copy of the tender evaluation report is attached as **APPENDIX 4**.

1.6 Budgetary provision

Provision was subsequently made on the 2016/17 Capital Budget for an additional contribution of R1M towards the funding of the project, thus resulting in a total budget of R4.56M.

1.7 Approval/Authorisation: Heritage Western Cape

Following the appointment of SKEP Architects, they first had to obtain approval/authorisation for the demolition of the remaining portion of the building, in an effort to make it safe to the public. This authorisation was obtained during July 2016. See **APPENDIX 5** attached.

Subsequently draft plans were compiled, with the view of obtaining approval/authorisation from the Western Cape Heritage Council. This application was submitted to WCHC during August 2016. See correspondence attached as **APPENDIX 6**.

On 11 October 2016 the proposed re-development of the site was approved by Heritage Western Cape. See letter attached as **APPENDIX 7**.

1.8 Submission of Building plans

Following the above approval final building plans and a Bill of Quantity were compiled. Hereto attached as **APPENDIX 8** are copies of the building plans that were submitted to the Planning Department during April 2011.

1.9 Approval of MTREF: 2017/18-2019/20

Based on a preliminary estimate, the cost of rebuilding the facility is ±6M. For this reason an additional budget of R2M was added (and approved by Council) to the 2018/19 financial year's budget. See copy of approved budget attached as **APPENDIX 9**.

1.10 Project put on hold

Following a recent discussion at an Informal Mayco, the project was put on hold, to allow Council to make a final decision whether to rebuild the theatre or not. The project team was informed accordingly.

1.11 Further correspondence from Kleine Libertas

On 07 June 2017 a letter was received from Klein Libertas Theatre, motivating why the theatre should be rebuilt. A copy of the letter of motivation is attached as **APPENDIX 10**.

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.5.2**RESOLVED****That it be recommended to Council:**

that a notice be published, inviting public inputs on the matter, whereafter a final decision be made whether to proceed with the rebuilding or to plan/develop an alternative facility/usage.

Meeting:	Mayco: 2017-09-13	Submitted by Directorate:	Human Settlements
Ref no:	7/2/1/1	Author	Manager: Property Management
Collab:	539095	Referred from:	

5.6	INFRASTRUCTURE: (PC: CLLR J DE VILLIERS)
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5.6.1	PARKING UPGRADE REPORT TO EXECUTIVE MAYOR
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1. PURPOSE OF REPORT

To request approval to commence with a Municipal Systems Act (MSA) Section 78 process to investigate the most economically viable provision of parking within the Stellenbosch portion of the Stellenbosch Local Municipality.

2. BACKGROUND

The availability of parking within Stellenbosch has become a huge problem and it has become necessary to create additional parking through various methods. The University currently teaches about 32 000 students of which about 28% do not stay in Stellenbosch but commute from outside. These students would therefore need parking every day that they travel to Stellenbosch. The remaining 72% of students would also need parking but can also be accommodated at university residences or at private residences where students are been lodged.

The town of Stellenbosch has also grown considerably in the past 45 years and parking, which was already a problem in 1970, has become steadily worse as time has progressed. Various solutions has been put in place, all of which has now reached capacity and some of which are in need of upgrading namely, the Eikestad Mall/Town Hall Parking and the Bloemhof Parking.

The general direction of discussions between Stellenbosch Municipality and the University has also indicated a preference to curb vehicular traffic in the University Core and to promote None Motorised Traffic (NMT) in this core.

The proposed solution is to cater for all incoming traffic in parking facilities at the edges of this core and thereafter students could use public transport or NMT to travel to and back from classes

Various exercises have been conducted in the past with various solutions and now is the time to coordinate and consolidate all of these proposals into a final proposal upon which the Council can decide and act on an extended public parking provision.

Once Council has decided on the long term parking provision and the provision of a lighter traffic core, then a decision can be made whether parking at the Eikestad Mall/Town Hall and Bloemhof should merely be rebuilt and same amount of parking provided or whether the parking should upgraded to a larger amount of parking.

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.6.1**RESOLVED****That it be recommended to Council:**

- (a) that a Section 78 process be launched and that an internal parking service delivery increase be investigated through the Section 78(1) approach;
- (b) that parking service delivery increase be based on the towns of:
 - i) Stellenbosch
 - ii) Klapmuts, and
 - iii) Franschoek; and
- (c) that a formal report be submitted to Council as required by Section 78(2), which will indicate the best way of rendering internal parking and any recommendations to a possible external method of rendering parking services.

<i>Meeting:</i>	<i>Mayco: 2017-09-13</i>	<i>Submitted by Directorate:</i>	<i>Engineering Services</i>
<i>Ref no:</i>	<i>17/2/3/6</i>	<i>Author</i>	<i>D Louw</i>
<i>Collab:</i>	<i>538693</i>	<i>Referred from:</i>	

5.6.2	SOLID WASTE UPGRADE REPORT TO EXECUTIVE MAYOR
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1. PURPOSE OF REPORT

To request approval from the Executive Mayor to commence with a Municipal Systems Act (MSA) Section 78 process to investigate the significant expansion of the Landfill site of Stellenbosch Municipality.

2. BACKGROUND

As has been reported frequently in the past, the current Solid Waste Landfill Site is fast reaching its licenced capacity. The site is expected to run out of licenced air space by 2019. Various scenarios have been planned for the future of Solid Waste landfilling (final part of waste disposal), none of which has reached an amicable way forward to date. However another solution to expand the current landfill site is now proposed.

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.6.2

RESOLVED

That it be recommended to Council:

- (a) that a Section 78 process be launched and that an internal waste disposal service delivery increase be investigated through the Section 78(1) approach; and
- (b) that a formal report be submitted to Council as required by Section 78(2), which will indicate the best way of rendering internal waste disposal by landfill and any recommendations to a possible external method of waste disposal landfill.

<i>Meeting:</i>	<i>Mayco: 2017-09-13</i>	<i>Submitted by Directorate:</i>	<i>Engineering Services</i>
<i>Ref no:</i>	<i>16/5/3</i>	<i>Author</i>	<i>D Louw</i>
<i>Collab:</i>	<i>538692</i>	<i>Referred from:</i>	

5.6.3	WATER SERVICES: DRAFT DROUGHT RESPONSE PLAN
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1. PURPOSE OF REPORT

To request in principle approval from Council for the Draft Drought Response Plan for Stellenbosch Municipality.

2. BACKGROUND

The Karoo and West Coast municipalities were declared a disaster area in 2016, but the disaster area has now been extended to the entire province.

On Monday 22 May 2017, MEC Alan Winde announced in Cape Town that the Western Cape Government has declared the entire province a disaster area in order to deal with the ongoing drought. The declaration was made to speed up the reaction time for the deployment of resources to address the water scarcity.

It was planned that the deceleration would be formally be gazetted during the course of that week after it was already adopted by the provincial cabinet the previous week.

MEC Alan Winde stated that the disaster area declaration will help municipalities deal with issues of blockages in the procurement process to tackle the ongoing drought.

The Municipality and the Department: Water & Sanitation (DWS) can only reduce the risk of the consequences of a drought hence the protection of critical water resources and water supply upon which communities depend is imperative. Developing and maintaining a drought management capability within the Stellenbosch Municipal area will contribute to reduce the effects of drought by addressing the following areas:

- Public awareness
- Removal of alien vegetation species
- Optimise water storage
- Reduce water consumption
- Implement early warning and response mechanisms

A steering committee was formed by Stellenbosch Municipality and a Draft 90 Day Action Plan was drawn up. This Plan included comments and additions from various departments.

A formal draft Drought Response Plan was compiled to formalize the response of Stellenbosch Municipality to the Drought Disaster in the Western Cape.

MAYORAL COMMITTEE MEETING: 2017-09-13: ITEM 5.6.3**RESOLVED****That it be recommended to Council:**

- (a) that the attached Draft Drought Response Plan be approved in principle; and
- (b) that the preliminary and potential cost implications, be noted.

Meeting:	Mayco: 2017-09-13	Submitted by Directorate:	Engineering Services
Ref no:	1/3/1/4	Author	Manager: Water Services
Collab:	521825	Referred from:	

5.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: CLLR N JINDELA)
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NONE

5.8	PROTECTION SERVICES: (PC: CLLR Q SMIT)
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NONE

5.9	YOUTH, SPORT AND CULTURE: (PC: XL MDEMKA (MS))
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NONE

6.	REPORTS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

7.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

8.	MOTIONS AND QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER
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NONE

9.	URGENT MATTERS
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NONE

10.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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NONE

The meeting adjourned at 14:20.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**