



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2018-03-14

**MINUTES**

**MAYORAL COMMITTEE MEETING:**

**2018-03-14 AT 10:00**

# MINUTES

## MAYORAL COMMITTEE MEETING

2018-03-14

### TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	<b>OPENING AND WELCOME</b>	
1.1	COMMUNICATION BY THE CHAIRPERSON	
1.2	DISCLOSURE OF INTERESTS	
2.	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	
3.	<b>CONFIRMATION OF MINUTES</b> The minutes of the Mayoral Committee held on <b>2018-02-14</b> , refers. <b>(The minutes are distributed under separate cover)</b> <b>FOR CONFIRMATION.</b>	
4.	<b>REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MAYORAL COMMITTEE MEETINGS</b>	
	NONE	2
5.	<b>STATUTORY MATTERS</b>	
5.1	<b><u>COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: (PC: CLLR AR FRAZENBURG)</u></b>	
	NONE	2
5.2	<b><u>CORPORATE AND STRATEGIC SERVICES: (PC: CLLR E GROENEWALD (MS))</u></b>	
	NONE	2
5.3	<b><u>ECONOMIC DEVELOPMENT AND PLANNING: (PC: ALD JP SERDYN (MS))</u></b>	
	NONE	2
5.4	<b><u>FINANCIAL SERVICES: (PC: CLLR S PETERS)</u></b>	
	NONE	2
5.5	<b><u>HUMAN SETTLEMENTS: (PC: CLLR PW BISCOMBE)</u></b>	
5.5.1	PROPOSED POLICY ON THE MANAGEMENT OF STELLENBOSCH MUNICIPALITY'S IMMOVABLE PROPERTY	3
5.5.2	APPLICATION TO RELAX DEED OF SALE CONDITION: ANTI-SPECULATION CLAUSE: ERF 9194, TECHNOPARK	4
5.5.3	NOTICE OF MOTION: EARLY TERMINATION OF LEASE AGREEMENT: KWV (PTY) LTD: LEASE FARM 369P, STELLENBOSCH	5

5.5.4	PROPOSED EXCHANGE OF LAND A PORTION OF FARM 183 (CLOSED STREET) FOR A PORTION OF FARM 183/7: WOODMILL DEVELOPMENT PROJECT	6
5.5.5	STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW 2018-2021)	7
5.5.6	KAYAMANDI TOWN CENTRE REDEVELOPMENT PROJECT: FEASIBILITY REPORT	10

<b>5.6</b>	<b><u>INFRASTRUCTURE: (PC: CLLR J DE VILLIERS)</u></b>	
5.6.1	SECTION 78(2) REPORT FOR THE EXPANSION OF THE SOLID WASTE LANDFILL SITE	11
5.6.2	SECTION 78(2) REPORT ON THE PROVIDING OF SUFFICIENT PUBLIC PARKING	13
5.6.3	PNIEL ELECTRICITY NETWORK TAKEOVER FROM DRAKENSTEIN MUNICIPALITY: PROJECT TIMELINE AND MOU	15
5.6.4	UPDATE REPORT ON THE DROUGHT SITUATION AS WELL AS THE COSTING THEREOF	17

<b>5.7</b>	<b><u>PARKS, OPEN SPACES AND ENVIRONMENT: (PC: CLLR N JINDELA)</u></b>	
	NONE	18

<b>5.8</b>	<b><u>PROTECTION SERVICES: (PC: CLLR Q SMIT)</u></b>	
	NONE	18

<b>5.9</b>	<b><u>YOUTH, SPORT AND CULTURE: (PC: CLLR XL MDEMKA (MS))</u></b>	
	NONE	18

<b>6.</b>	<b>REPORTS SUBMITTED BY THE MUNICIPAL MANAGER</b>	
	NONE	18

<b>7.</b>	<b>REPORTS SUBMITTED BY THE EXECUTIVE MAYOR</b>	
	NONE	18

<b>8.</b>	<b>MOTIONS AND QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER</b>	
	NONE	18

<b>9.</b>	<b>URGENT MATTERS</b>	
	NONE	18

<b>10.</b>	<b>MATTERS TO BE CONSIDERED IN-COMMITTEE</b>	
	NONE	18

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

**Ald:** JP Serdyn (Ms)

**Councillors:** PW Biscombe  
JN De Villiers  
AR Frazenburg  
E Groenewald (Ms)  
XL Mdemka (Ms)  
S Peters

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

**Officials:** Municipal Manager (G Mettler (Ms))  
Director: Strategic and Corporate Services (A de Beer (Ms))  
Director: Community and Protection Services (G Esau)  
Acting Director: Human Settlements (L van Stavel)  
Chief Financial Officer (M Wüst)  
Director: Infrastructure Services (D Louw)  
Acting Director: Economic Development and Planning (B de la Bat)  
Manager: Property Management (P Smit)  
Head: Committee Services (EJ Potts)  
Committee Clerk (B Mgcushe (Ms))  
Committee Clerk (N Mbali (Ms))

\*\*\*\*\*

<b>1.</b>	<b>OPENING AND WELCOME</b>
-----------	----------------------------

The Executive Mayor welcomed everyone present.

<b>1.1</b>	<b>COMMUNICATION BY THE CHAIRPERSON</b>
------------	---

The Executive Mayor remarked on the full schedule of events taking place across WCO24, and paid a compliment to the Traffic Services Department for their great work in managing the logistics.

<b>1.2</b>	<b>DISCLOSURE OF INTERESTS</b>
------------	--------------------------------

NONE

<b>2.</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>
-----------	--

The following applications for leave were approved in terms of the Rules of Order of Council:-

Councillor Q Smit	- 14 March 2018
Director: Human Settlements (T Mfeya)	- 14 March 2018

<b>3.</b>	<b>CONFIRMATION OF PREVIOUS MINUTES</b>
-----------	---

The minutes of the Mayoral Committee Meetings held on 2018-02-14 were **confirmed as correct.**

<b>4.</b>	<b>REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MAYORAL COMMITTEE MEETINGS</b>
-----------	--

NONE

<b>5.</b>	<b>STATUTORY MATTERS</b>
-----------	--------------------------

<b>5.1</b>	<b>COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: (PC: CLLR AR FRAZENBURG)</b>
------------	---

NONE

<b>5.2</b>	<b>CORPORATE AND STRATEGIC SERVICES: (PC: CLLR E GROENEWALD (MS))</b>
------------	---

NONE

<b>5.3</b>	<b>ECONOMIC DEVELOPMENT AND PLANNING: (PC: ALD JP SERDYN (MS))</b>
------------	--

NONE

<b>5.4</b>	<b>FINANCIAL SERVICES: (PC: CLLR S PETERS)</b>
------------	--

NONE

5.5	<b>HUMAN SETTLEMENTS: (PC: CLLR PW BISCOBE)</b>
-----	---

5.5.1	<b>PROPOSED POLICY ON THE MANAGEMENT OF STELLENBOSCH MUNICIPALITY'S IMMOVABLE PROPERTY</b>
-------	--

## 1. PURPOSE OF REPORT

To consider the Draft Policy on the Management of Stellenbosch Municipality's Immovable Property.

## 2. BACKGROUND

### 2.1 Approval of Draft Policy

On 2016-06-15 Council considered the Draft Policy on the Management of Stellenbosch Municipality. Having considered the report, Council resolved as follows:

**RESOLVED** (nem con)

*“(a) that Council approves the attached updated Draft Policy on the Management of Stellenbosch Municipality's Immovable Property as a draft policy; and*

*(b) that the Draft Policy be advertised for a further round of public participation”.*

### 2.2 Notice calling for inputs/objections

Following the above resolution, an official notice was published in the Eikestad News of 15 June 2017, a copy of which is attached as **APPENDIX 1**. In terms hereof the public had until 6 July 2017 to submit written communication, objections or representative in connection with the proposed policy.

At the closing date **no such comments, objections or representation were received.**

## 3 DISCUSSIONS

### 3.1 Inputs received from Webber Wentzel

During this period, however, a so-called Memorandum/Discussion document was received from Webber Wentzel, as a follow-up on their previous legal inputs received during June 2016, a copy of which is attached as **APPENDIX 2**.

Most of the comments and/or remarks are of a **technical nature**. As far as possible these comments and or remarks were incorporated into the draft Policy, shown as track changes on **APPENDIX 3**.

## MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.5.1

### RESOLVED

#### That it be recommended to Council:

that the Draft Policy on the Management of Stellenbosch Municipality's Immovable Property, hereto attached as **APPENDIX 4** as amended, be approved with immediate effect.

---

5.5.2	<b>APPLICATION TO RELAX DEED OF SALE CONDITION: ANTI-SPECULATION CLAUSE: ERF 9194, TECHNOPARK</b>
-------	---

Collaborator No: 567123  
IDP KPA Ref No:  
Meeting Date: 14 March 2018

---

**1. SUBJECT:**

**APPLICATION TO RELAX DEED OF SALE CONDITION: ANTI-SPECULATION CLAUSE: ERF 9194, TECHNOPARK**

**2. PURPOSE OF REPORT**

To consider the written offer received from ENS Africa Attorneys, on behalf of Elsabe Daneel Properties (Pty) Ltd, in relation to erf 9194, TechnoPark, following Council's decision not to approve the request for the relaxation of the anti-speculation clause, i.e. to enforce the buy-back clause.

**3. DELEGATED AUTHORITY**

**FOR DECISION BY MUNICIPAL COUNCIL.**

Although the Executive Mayor has the delegated authority to acquire immovable property or rights in immovable property, it is limited to a contract value of R5M (see delegation 526).

For this reason the Municipal Council must take the decision, as the property under discussion is valued in excess of R5M.

**4. EXECUTIVE SUMMARY**

Following Council's decision to enforce the buy-back clause in relation to erf 9194, due to non-performance by the owner (obligation to develop within a prescribed period), a written offer has been received from the owner indicating that he is willing to sell the property to Stellenbosch Municipality for R19M. Our own valuator has valued the property at R15M (excluding of VAT).

**MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.5.2**

**RESOLVED**

that this item be referred back for refinement.

---

5.5.3	<b>NOTICE OF MOTION: EARLY TERMINATION OF LEASE AGREEMENT: KWV (PTY) LTD: LEASE FARM 369P, STELLENBOSCH</b>
-------	---

Collaborator No: 571382  
IDP KPA Ref No:  
Meeting Date: 14 March 2018

---

**1. SUBJECT:**

**NOTICE OF MOTION: EARLY TERMINATION OF LEASE AGREEMENT: KWV (PTY) LTD: LEASE FARM 369P, STELLENBOSCH**

**2. PURPOSE**

The purpose of this item is to consider a Notice of Motion submitted by Cllr D.A Hendrickse.

**3. DELEGATED AUTHORITY**

There is no specific delegation in place dealing with the early termination of long term lease agreements, where the Lessee is not at fault. By default the decision making power is therefor with the Municipal Council.

**4. EXECUTIVE SUMMARY**

Cllr Hendrickse submitted a Notice of Motion at the Council meeting held on 30 August 2017, recommending that the Municipal Manager be instructed to cancel the lease agreement with KWV, as they are a foreign-owned company.

As KWV is not in default, Council will have to prove that they need the land for *bona fide* municipal purposes, in which case a process of early termination can be considered.

**MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.5.3**

**RESOLVED**

that this matter be withdrawn and be referred to Council for consideration.



---

5.5.4	<b>PROPOSED EXCHANGE OF LAND A PORTION OF FARM 183 (CLOSED STREET) FOR A PORTION OF FARM 183/7: WOODMILL DEVELOPMENT PROJECT</b>
-------	--

Collaborator No: 566798  
IDP KPA Ref No:  
Meeting Date: 14 March 2018

---

**1. SUBJECT:**

**PROPOSED EXCHANGE OF LAND A PORTION OF FARM 183 (CLOSED STREET) FOR A PORTION OF FARM 183/7: WOODMILL DEVELOPMENT PROJECT**

**2. PURPOSE**

To obtain Council's approval for the exchange of certain portions of land, each measuring  $\pm 5560\text{m}^2$  in size, to allow for the re-alignment of the Devon Valley Road, following the recent approval of the proposed Woodmill Development .

**3. DELEGATED AUTHORITY**

As there are no delegations in place authorising the exchange of land, the Municipal Council must decide on the matter.

**4. EXECUTIVE SUMMARY**

At the commencement of the planning process for the redevelopment of the Woodmill Area, the Provincial Roads Engineer insisted that the Devon Valley Road (located on Farm 183) be realigned as to ensure an intersection with the current access road to Distell. When the land-use application was approved, it was made subject to the successful exchange of land. The Director: Planning and Economic Development, however, did not have the delegated authority to approve the actual exchange of land.

**MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.5.4**

**RESOLVED**

that item be referred back for further refinement.

5.5.5	<b>STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW 2018-2021)</b>
-------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

*14 March 2018*

**1. SUBJECT:**

**STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW 2018-2021)**

**2. PURPOSE**

To request Council to approve the Stellenbosch Municipality's Housing Pipeline (projects) for the next 3 financial years, for submission to the Provincial Department of Human Settlements (PDoHS).

**3. DELEGATED AUTHORITY**

**FOR DECISION BY MUNICIPAL COUNCIL**

In terms of system of delegations which reads as follows:

- Item 515 (Section 2 of the Housing Act) (Page 115) – Apply the general principals set out in Section 2, when deciding on housing projects.

**4. EXECUTIVE SUMMARY**

The report relates to the annual review of the Stellenbosch Municipality Housing Pipeline. This particular review relates to the period 2018 to 2021.

The report requests the support of Council for the following housing projects and initiatives:

- (a) Those projects with appropriate funding and relevant provincial approvals as well as available bulk infrastructure capacity;
- (b) Those projects that require Council's support in principle in order to allow these to be submitted to the Provincial Department of Human Settlements for funding to initiate pre-feasibility studies; and
- (c) A report to be compiled and submitted to Council for consideration following the completion of pre-feasibility studies as envisaged in b) above.

**MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.5.5****RESOLVED****That it be recommended to Council:**

- (a) that the projects as reflected in the table below be supported in accordance with the appropriate funding and relevant provincial approvals (see attached **ANNEXURE 1**) as well as available bulk infrastructure capacity:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	Stellenbosch Ida's Valley (166/265 services)	IRDP/FLISP	Await planning approval (LUPA)	265	
2.	Klapmuts (Phase 4 Of 2053:15) 298 services & TRA	IRDP	Construction	298	
3.	La Rochelle, Klapmuts (80 sites)	UISP / ISSP	Planning		
4.	Longlands, Vlotenburg (144 Services and units)	IRDP	Contractual matters to be finalised	144	
5.	Stellenbosch Jamestown (Phases 2) (133 sites)	IRDP	Planning Phase 2		
6.	Erf 7001 and other possible sites for mix-used development in Cloeteville	IRDP/FLISP	Proposal Call		
7.	Kayamandi: Zone O (±711 services) & Watergang (277 services)	UISP / ISSP	Planning		
8.	Kayamandi Enkanini Enhanced Services (1300 sites)	UISP / ISSP	Planning (LUPA & EIA)		
9.	Kayamandi Enkanini (Pilot project)	UISP / ISSP	Construction (Electricity and upgrading of toilets) 300 electricity connections and 20 additional communal toilets		
10.	Kayamandi Town Centre Regeneration (700units)	UISP/ Institutional	Planning		
11.	Northern Extension, Stellenbosch (5600 opportunities)	IRDP/FLISP	Land acquisition and planning		
12.	Kylemore (171 services & 171 units)	IRDP	Await transfer of land		
13.	Franschhoek Langrug Enhanced Services (1200 services)	UISP	Planning and feasibility study for decanting site		
14.	Stellenbosch La Motte Old Forest Station (430 services & 430 units)	IRDP/FLISP	Await planning approval		
15.	Meerlust, Franschhoek (200 services & 200 units)	IRDP	Planning		
16.	De Novo (374 sites) Project managed by PDoHS	IRDP / Institutional	Planning		
<b>TOTAL</b>				707	

**Note:** IRDP – Integrated Residential Development Programme  
 FLISP – Finance Linked Individual Subsidy Programme  
 UISP – Upgrading of Informal Settlement Programme  
 ISSP – Informal Settlements Support Programme  
 LUPA – Land Use Planning Act  
 EIA – Environmental Impact Assessment

- (b) that the projects in the table below, be supported in principle and submitted to Provincial Department of Human Settlements for funding to commence with pre-feasibility studies;

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	La Motte, Franschhoek	IRDP/FLISP	Pre-planning phase		
2.	Erf 2, La Motte (±70 services)	IRDP	Pre-planning phase		
3.	Drodyke	IRDP	Pre-planning phase		
4.	Botmaskop (±1500 opportunities)	Social Housing / IRDP	Pre-planning phase		
5.	Stellenbosch Transit Orientated Development complex precinct (±3500 opportunities)	IRDP	Pre-planning phase		

- (c) that after the completion of the pre-feasibility studies of these projects as listed in (b) above, a report be submitted to Council for consideration; and
- (d) that the housing pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation.

5.5.6	<b>KAYAMANDI TOWN CENTRE REDEVELOPMENT PROJECT: FEASIBILITY REPORT</b>
-------	--

Collaborator No: **572529**  
 IDP KPA Ref No:  
 Meeting Date: **14 March 2018**

**1. SUBJECT: KAYAMANDI TOWN CENTRE REDEVELOPMENT PROJECT: FEASIBILITY REPORT**

**2. PURPOSE**

To report on the feasibility of the redevelopment of Kayamandi Town Centre.

**3. DELEGATED AUTHORITY**

In terms of system of delegations which reads as follows:

- Item 516 (Section 9 of the Housing Act) (Page 115) - Take all reasonable and necessary steps, within the framework of national and provincial housing legislation and policy to ensure –
  - (a) that the inhabitants of its area of jurisdiction have access to adequate housing on a progressive basis;
  - (b) services in respect of water, sanitation, electricity, roads, stormwater drainage and transport are provided in a manner which is economical/efficient; and
  - (c) that appropriate housing development is initiated, planned and co-ordinated.

**4. EXECUTIVE SUMMARY**

The objective of this project is to:

- (a) Submit a planning application for the Town Centre of Kayamandi;
- (b) conduct geotechnical investigation;
- (c) compile engineering design and submit for approval; and
- (d) apply for funding approval to install services and build multi-storey top structures.

**MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.5.6**

**RESOLVED**

**That it be recommended to Council:**

- (a) That the recommendations of the feasibility report be implemented with regard to the:
  - detailed planning and land use rights;
  - detailed engineering designs;
  - installation of civil and electrical engineering;
  - high density residential development layout; and
- (b) that funding be sourced from the Provincial Department of Human Settlements (PDoHS) to implement the project.

5.6	INFRASTRUCTURE: (PC: CLLR J DE VILLIERS)
-----	--

5.6.1	SECTION 78(2) REPORT FOR THE EXPANSION OF THE SOLID WASTE LANDFILL SITE
-------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

14 March 2018

**1. SUBJECT**

**SECTION 78(2) REPORT FOR THE EXPANSION OF THE SOLID WASTE LANDFILL SITE**

**2. PURPOSE**

To report via a Section 78(2) Report on the Section 78(1) investigation in to expansion of the Solid Waste Landfill site at the Stellenbosch Devon Valley Landfill Site

**3. DELEGATED AUTHORITY**

Municipal Council.

Schedule 5B of the Constitution of SA, determines that “Refuse removal, refuse dumps and solid waste disposal” (“refuse dump” and “landfilling” being synonymous) is a Local Government competence and Section 77 of the Municipal Systems Act .

**4. EXECUTIVE SUMMARY**

The current landfill site for solid waste within the Devon Valley site of Stellenbosch Municipality is rapidly nearing the end of its licensed capacity. It is estimated that only a further 18 months of capacity remain. Stellenbosch has two options to proceed and that is the transporting of Waste to the Vissershok facility of City of Cape Town or to develop a neighbouring portion of ground upon which High Voltage lines of Eskom are running. In order to consider this option, which entails that Stellenbosch will significantly expand its landfill site, it was determined to conduct a MSA Section 78(1) assessment. Council resolved that this may be done and this process has now been completed.

The two internal options were assessed and it was found that the extension of the site and moving of Eskom lines and equipment as well as the operation of the site, would cost the Municipality an amount of transporting of waste to Vissershok would cost the Municipality an estimated amount of R115 000 000 over the expected useful life of 10 years for this site. On the other hand, the transporting of waste to Vissershok, would cost the Municipality R1 074 000 000 over the period of 10 years. It is therefore much more economically advantageous to opt to expand the current site and also to continue with the business as usual. Council is requested to approve this scenario as the way forward.

**MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.6.1****RESOLVED****That it be recommended to Council:**

- (a) that this report be noted;
- (b) that Council notes the report on the Devon Valley Solid Waste Landfill site and the plans to expand this site through the request to Eskom to move high voltage circuitry in order to open space for the expansion of the current Landfill site;
- (c) that Council accepts that all the requirements of Section 78(1) in terms of investigating the feasibility of expanding the current landfill site have been satisfactorily attended to;
- (d) that Council, in terms of the Municipal Systems Act, Act 32 of 200, as amended, Section 78(2), accepts the scenario to continue with the planning and implementation of the internal mechanism of expanding the current landfill site to the area south west of the current site;
- (e) that the Director: Infrastructure Services be tasked to negotiate a process of moving the Eskom 66kV lines to a position away from the current landfill site and expansion site thereof;
- (f) that any Town Planning-, Environmental-, licensing and any other legislative requirement be adhered to; and
- (g) that a report indicating accurate costing, licensing and other related matters be submitted to Council once they are known, at which time Council will consider a final approval of the expansion of this landfill site.

5.6.2	<b>SECTION 78(2) REPORT ON THE PROVIDING OF SUFFICIENT PUBLIC PARKING</b>
-------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

14 March 2018

**1. SUBJECT**

**SECTION 78(2) REPORT ON THE PROVIDING OF SUFFICIENT PUBLIC PARKING**

**2. PURPOSE**

To report in terms of a Section 78(2) Report on the Section 78(1) investigation on the providing of sufficient parking in the Greater Stellenbosch Municipal Area.

**3. FOR DISCUSSION**

Municipal Council.

Schedule 5B of the Constitution determines that Traffic and Parking is a Local Government competence. Section 77 of the MSA determines

“77. Occasions when municipalities must review and decide on mechanisms to provide municipal services.—A municipality must review and decide on the appropriate mechanism to provide a municipal service in the municipality or a part of the municipality—

(a) in the case of a municipal service provided through an internal mechanism contemplated in section 76, when—

(i) an existing municipal service is to be significantly upgraded, extended or improved;

(ii) .....

**4. EXECUTIVE SUMMARY**

Due to a high number of external persons visiting Stellenbosch on a daily basis as well as the historical nature of Stellenbosch, a huge back log parking exists. It is calculated that currently a shortage of 2200 bays of parking exist within the Greater Stellenbosch Area.

Council decided that a study and an assessment be done on how such parking should be provided. Council resolved on 27 September 2017 that a Municipal Systems Act (MSA) Section 78 process be commenced.

A Section 78(1) process has been conducted to determine what manners of internal processes can be utilised to expand the current parking situation. It has very soon become clear that additional parking will have to be provided through parking garages with several floors. It became clear that this would be a highly capital intensive project at a cost of nearly R300 million.



It is therefore proposed that Council opts to also look at the provision of such a parking service through an external means. It is recommended that Council follows the Section 78(3) process to find appropriate external service provision scenarios. Council could then take a fully advised decision on the best appropriate way forward once an external assessment has also been done.

**MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.6.2**

**RESOLVED**

**That it be recommended to Council:**

- (a) that this report be noted;
- (b) that Council notes the attached report on the providing of sufficient public parking;
- (c) that Council accepts that all the requirements of Section 78(1) in terms of investigating the feasibility of the provision of sufficient parking have been complied with;
- (d) that Council, in terms of the Municipal Systems Act, Act 32 of 200, as amended, Section 78(2), accepts the scenario to “after having applied subsection (1), a municipality may, before it takes a decision on an appropriate mechanism, explore the possibility of providing the service through an external mechanism mentioned in section 76 (b).”;
- (e) that Council formally proceeds to the Municipal Systems Act, Section 78(3) process of exploring the possibility of providing the municipal service of parking through an external mechanism; and
- (f) that a report on the outcome of this investigation be provided to Council, upon the completion of a Section 78(3) exercise in order for Council to take a Section 78(4) decision.

5.6.3	<b>PNIEL ELECTRICITY NETWORK TAKEOVER FROM DRAKENSTEIN MUNICIPALITY: PROJECT TIMELINE AND MOU</b>
-------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

14 March 2018

**1. SUBJECT**

**PNIEL ELECTRICITY NETWORK TAKEOVER FROM DRAKENSTEIN MUNICIPALITY: PROJECT TIMELINE AND MOU**

**2. PURPOSE**

To report on the proposed timeline for the taking over of the Pniel Electricity Takeover from Drakenstein as well as the updated Memorandum of Understanding (MOU).

**3. DELEGATED AUTHORITY**

Municipal Council.

In terms of the Constitutional Act 108 of 1994 Chapter 7, S151(3) and Schedule 4B.

**4. EXECUTIVE SUMMARY**

It has the wish of Stellenbosch Municipality to include the Pniel/Hollandsche Molen electricity network into its fold since 2008. This matter has now culminated in a joint Memorandum of Understanding (MOU) between the Municipalities of Drakenstein and Stellenbosch. After an independent assessment of the network to be taken over by Stellenbosch from Drakenstein, the electricity network cost of R16 236 253 has been arrived at.

It is now the intention to conduct a formal public participation process in order to formally apply to NERSA for an extension of the electricity supply licence of Stellenbosch Municipality. It is endeavoured to take over the network, customer and metering systems on the evening of 30 June 2018 and to operate the electricity network beyond that date. Council is requested to provide approval for the signing of the MOU plus the performing of all the processes necessary to complete a successful takeover.

**MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.6.3**

**RESOLVED**

**That it be recommended to Council:**

- (a) that this report be noted;
- (b) that the Final MOU be accepted;
- (c) that the Municipal Manager be authorised to sign the MOU on behalf of the Municipality;

- (d) that the amount of R16 236 253 for the purchase of the Pniel/Hollandsche Molen Electricity Network from Drakenstein be considered at the setting up of the 2018/2019 Capital Budget;
- (e) that an application be forwarded to NERSA to incorporate the Pniel/Hollandsche Molen Electricity Network into the license of Stellenbosch Municipality; and
- (f) that an application be forwarded to Drakenstein Municipality to supply bulk electricity to the Pniel/Hollandsche Molen upon a successful response from NERSA and the appropriate capital amount be placed on the 2018/2019 capital budget.

5.6.4	<b>UPDATE REPORT ON THE DROUGHT SITUATION AS WELL AS THE COSTING THEREOF</b>
-------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

*14 March 2018*

**1. SUBJECT:  
UPDATE REPORT ON THE DROUGHT SITUATION AS WELL AS THE COSTING THEREOF**

**2. PURPOSE**

To provide an update on the Drought Situation and the Preparation of augmenting the supply of water as well as the costing thereof.

**3. FOR DISCUSSION**

Executive Mayor and Mayoral Committee.

**MAYORAL COMMITTEE MEETING: 2018-03-14: ITEM 5.6.4**

**RESOLVED**

**That it be recommended to Council:**

- (a) that this report be noted;
- (b) that Council notes the total required funding to complete the full project at R77 980 756.94 rounded off to R78 000 000;
- (c) that Council notes that a total of R67 071 468.66 must be spent this year to complete a workable borehole water networked system;
- (d) that an amount of R10 400 000.00 be considered in the 2018/19 budget to formally complete all borehole augmentation work;
- (e) that the 2017/18 budget be adjusted to accommodate the R67 071 468.66 intended expenditure and that the shortfall be found from other projects; and
- (f) that an updated report be brought to Council in May 2018.

5.7	<b>PARKS, OPEN SPACES AND ENVIRONMENT: (PC: CLLR N JINDELA)</b>
-----	---

NONE

5.8	<b>PROTECTION SERVICES: (PC: CLLR Q SMIT)</b>
-----	---

NONE

5.9	<b>YOUTH, SPORT AND CULTURE: (PC: XL MDEMKA (MS))</b>
-----	---

NONE

6.	<b>REPORTS SUBMITTED BY THE MUNICIPAL MANAGER</b>
----	---

NONE

7.	<b>REPORTS SUBMITTED BY THE EXECUTIVE MAYOR</b>
----	---

NONE

8.	<b>MOTIONS AND QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER</b>
----	--

NONE

9.	<b>URGENT MATTERS</b>
----	-----------------------

NONE

10.	<b>MATTERS TO BE CONSIDERED IN-COMMITTEE</b>
-----	--

NONE

The meeting adjourned at 12:35.

**CHAIRPERSON:** .....

**DATE:** .....

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