



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2024-08-14

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MINUTES

SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2024-08-14 AT 09:00

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OF STELLENBOSCH MUNICIPALITY

2024-08-14

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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	L Nkamisa
J Andrews	M Nkopane
Ald JC Anthony	N Olayi
ZJ Dalling	GA Petersen
MM Danana	WC Petersen
JA Davids	RO Pheiffer
R Du Toit	WF Pietersen
A Ferns	MG Rataza
E Groenewald	Ald JP Serdyn
J Joon	MJ Slabbert
O Jooste	SR Schäfer
X Kalipa	A Tomose
N Mananga-Gugushe	RB Van Rooyen
C Manuel	M Van Stade
EP Masimini	CA Van Wyk
NE Mcombring	E Vermeulen
XL Mdemka	J Williams
NR Ndalasi	

OFFICIALS

Municipal Manager (G Mettler)
 Chief Financial Officer (K Carolus)
 Director: Corporate Services (A De Beer)
 Director: Planning and Economic Development (A Barnes)
 Director: Infrastructure (S Chandaka)
 Acting Director: Community and Protection Services (A vd Merwe)
 Acting Chief Audit Executive (M Minnie)
 Senior Administration Officer (T Samuels)

ALSO PRESENT

Vanessa Snyman:	(CRESCO Stream lead)
Francois Viljoen:	(Business Matters)
Andrew Johnson:	(Technical Engineering Matters)
Pippa Reyburn:	(Legislative Matters)
Enriko Fourie:	(Engineering Business Matters)

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

2.	COMMUNICATION BY THE EXECUTIVE MAYOR
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- “As we just celebrated Women’s Day on 9 August 2024, I extend my heartfelt wishes to all the incredible women in our beautiful Valley. This day is a powerful reminder of the resilience, strength, and contributions of South African women throughout our history. We honour the heroines of our past who fought tirelessly for the freedoms and rights we enjoy today. We recognize and appreciate the mothers, grandmothers, sisters, nieces, aunts, daughters, step-mothers, step-daughters, cousins, and young girls who make our organization and towns exceptional. Each one of you plays a vital role in shaping our community, and today, we celebrate you. Let us keep on celebrating this Women’s month.
- Was bevoorreg om gisteraand die Provinsiale Department van Landbou, se funksie, VRoue Entrepreneurs in Landbou by te woon. Die was ‘n prestige funksie om vroue te vereer wie ‘n bydrae tot landbou in die Provinsie maak as deel van Vrouemaand.
- Reminder to all Jamestown residents: ESKOM will have a pop-up office on 15 August 2024 at the ward office in Pajaro Avenue, Jamestown. This is to address and assist with customer enquiries such as metering, billing, follow up on logged calls, etc.
- Die Stellenbosch-munisipaliteit waarsku weer inwoners oor individue wat hulle as munisipale amptenare voordoen om toegang tot huise te kry. Veral senior inwoners word geteiken. Hierdie bedrieërs poog om huise onder valse voorwendsels in die naam van die munisipaliteit binne te gaan en gebruik die geleentheid om van inwoners te steel. Dit is belangrik om daarop te let dat die munisipaliteit nooit sal probeer om toegang tot inwoners se huise te kry om items soos muurproppe of krane te tel nie. Water- en elektrisiteitsmeters wat gelees moet word, is hoofsaaklik buite huise geleë, en munisipale werkers het nie toegang tot die binnekant van 'n huis nodig om daardie meters te lees nie. Slegs in sekere seldsame gevalle sal amptenare toegang tot persele benodig, en hulle moet in besit wees van hul amptelike munisipale identiteitskaarte. Dit sluit ad hoc-besoeke in om die werking van voorafbetaalde elektrisiteitsmeters na te gaan. Alle inwoners word aangemoedig om eers die munisipaliteit te kontak om die identiteit van die persoon te verifieer indien hulle onseker of onveilig voel voordat hulle toegang tot hul perseel verleen. Werkers moet bewys van identiteit dra. Skakel gerus 021 808 8215 of stuur 'n boodskap na ons WhatsApp-lyn by 076 951 0768 om die identiteit van 'n munisipale werknemer te verifieer.”

3.	COMMUNICATION BY THE SPEAKER
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NONE

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
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NONE

5.	DISCLOSURE OF INTERESTS
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Cllr R Schäfer disclosed his interest in Item 8.1 and the Speaker requested him to recuse himself when this matter is dealt with.

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 I De Taillerfer - 14 August 2024

6.2 ABSENT

Cllr AJ Hanekom - 14 August 2024

Cllr RB Hendrikse - 14 August 2024

Cllr C Manuel - 14 August 2024

Cllr NM Mkhontwana - 14 August 2024

Cllr N Ntsunguzi - 14 August 2024

7.	STATUTORY MATTERS
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NONE

8.	REPORTS BY THE MUNICIPAL MANAGER
8.1	LANDOWNER CONSENT FOR THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION ASSOCIATED WITH THE PROPOSED FRANSCHHOEK SKYTRAM DEVELOPMENT IN MONT ROCHELLE NATURE RESERVE

Collaborator No: 771622
 Lëer no: 15/10
 IDP KPA Ref No: Valley of Possibility
 Meeting Date: 14 August 2024

1. SUBJECT: LANDOWNER CONSENT FOR THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION ASSOCIATED WITH THE PROPOSED FRANSCHHOEK SKYTRAM DEVELOPMENT IN MONT ROCHELLE NATURE RESERVE

2. PURPOSE

To acquire Council's approval for granting consent for the assessment and application, undertaken in terms of the National Environmental Management Act (107 of 1998), for the proposed Franschhoek Skytram development partially located within Mont Rochelle Nature Reserve.

3. DELEGATED AUTHORITY

Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

The development and related operation of an above ground cableway and associated amenities (Franschhoek Skytram) on Erf 1466, Erf 1467 (Haute Cabrière Wine Estate) and the Remainder of Erf 23 (Mont Rochelle Nature Reserve), Franschhoek, is currently being assessed.

Doug Jeffery Environmental Consultants (Pty) Ltd. was appointed by the applicant, the Franschhoek Cableway Company (Pty) Ltd, as independent Environmental Assessment Practitioner (EAP) to apply for Environmental Authorisation in terms of the National Environmental Management Act (107 of 1998 [NEMA]) and the Environmental Impact Assessment (EIA) Regulations. Various specialist reports have been generated along with a Pre-Application Basic Assessment Report that has been advertised by the developer for public input.

As Mont Rochelle Nature Reserve is municipal property, Stellenbosch Municipality's consent is required to enable the applicant to proceed with the the above process in terms of NEMA. The applicant also requires Stellenbosch Municipality's consent as Management Authority of Mont Rochelle Nature Reserve, which is declared a protected area in terms of the National Environmental Management: Protected Areas Act (57 of 2003 [NEM:PA]).

5. RECOMMENDATIONS

It is recommended that:

- a) The Municipal Manager be authorized to provide consent to Franschhoek Cableway Company (Pty) Ltd. in order for the latter to apply for Environmental Authorization in terms of the National Environmental Management Act (107 of 1998);
- b) The Municipal Manager be authorized to consent to the acknowledgement required in terms of Section 50 of the National Environmental Management: Protected Areas Act (57 of 2003); and

- c) Stellenbosch Municipality's comment on the Basic Assessment Report (compiled in terms of the National Environmental Management Act [107 of 1998]) be submitted to Council for consideration and approval prior to being submitted to Doug Jeffery Environmental Consultants (Pty) Ltd.

6. DISCUSSION / CONTENTS

6.1 Background

The development of the Franschhoek Skytram on Haute Cabrière wine estate and Mont Rochelle Nature Reserve, Franschhoek, is currently being assessed.

Doug Jeffery Environmental Consultants (Pty) Ltd. was appointed as independent EAP to apply for Environmental Authorisation in terms of NEMA. The latter process have not formally commenced and is in an pre-application phase. A draft Basic Assessment Report will be published in the coming months on which the municipality will be providing comment.

The cableway, should it be approved, would be the second of its kind in South Africa after the globally recognised Table Mountain Cableway in Cape Town.

Haute Cabrière wine estate on Lamprechts Road in Franschhoek has been identified as the preferred location for the lower (base) station, with Middagkransberg in the Mont Rochelle Nature Reserve as the preferred location for the upper (top) station.

6.2 Discussion

Stellenbosch Municipality is not the authority that will decide on the above assessment and application being conducted in terms of NEMA. The competent authority in this regard is the Department of Forestry, Fisheries and the Environment (DFFE). Stellenbosch Municipality is the landowner of Erf 23, Mont Rochelle Nature Reserve and the Management Authority of Mont Rochelle Nature Reserve declare in terms of NEM:PA.

For the above application to proceed the applicant, Franschhoek Cableway Company (Pty) Ltd, requires Stellenbosch Municipality's consent as landowner (Annexure 1) and Management Authority (Annexure 2).

6.3 Financial Implications

This item has no financial implications for the Municipality. All costs associated with the relevant NEMA assessment and application is for the applicant's account.

6.4 Legal Implications

Stellenbosch Municipality is not the authority that will decide on the above assessment and application being conducted in terms of NEMA. The competent authority in this regard is the Department of Forestry, Fisheries and the Environment. Stellenbosch Municipality is the landowner of Erf 23, Mont Rochelle Nature Reserve. It is also the Management Authority of the reserve declare in terms of NEMPA.

Stellenbosch Municipality will be providing consent for the said assessment and application to be undertaken.

If the top base station is to be built on municipal land a decision must be made as to whether this land will be leased to the company or if there will be a subdivision and selling of that property. Either way an information statement will have to be published if long term rights will be provided on the council land.

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

There are no previous Council Resolutions in this regard.

6.7 Risk Implications

Risks are addressed in the content of the item.

Signing the attached consent merely allows Franschhoek Cableway Company (Pty) Ltd. to conduct the required assessment of the proposed development and submit the relevant application in terms of NEMA. Stellenbosch Municipality will provide formal comment and input as part of the legislated public participation process that forms part of the NEMA process.

Should Environmental Authorization be issued by the DFFE, Stellenbosch Municipality would become the competent authority on the submission of the relevant land use and building plan applications as well as any related infrastructure impact .

6.8 Comments from Senior Management:

Comments already contained in the item.

6.8.1 Municipal Manager:

Supports the recommendations

SPECIAL COUNCIL MEETING: 2024-08-14: ITEM 8.1

Cllr S Schäfer recused himself from the meeting for the duration of the discussions and decision on the item.

RESOLVED (majority vote with 4 abstentions)

- (a) that Council notes that the Franschhoek cableway Company has to undertake an EIA for submission to National Department of Forestry, Fishery and Environment before any development application can be submitted;
- (b) that Council takes note that this is not an application for development nor an indication of support for a development application;
- (c) that, as Council is one of the affected landowners, Council authorises the Municipal Manager to sign a power of attorney to allow the Franschhoek Cableway company to submit an application for environmental authorisation in terms of NEMA, 107 of 1998; and
- (d) that the Basic Assessment Report, once completed be returned to Council for consideration and comment before final submission to the Environmental Assessment practitioner.

NAME	Schalk van der Merwe
POSITION	Senior Environmental Planner
DIRECTORATE	Community Services
CONTACT NUMBERS	021-808 8679
E-MAIL ADDRESS	Schalk.vandermerwe@ Stellenbosch.gov.za
REPORT DATE	2024-08-05

8.2	STELLENBOSCH MUNICIPAL INDEPENDENT POWER PRODUCER PROCUREMENT PIONEERING PROJECT 2 - FEASIBILITY STUDY
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Collaborator No:

IDP KPA Ref No: Sustainable Valley

Meeting Date: Special Council: 14 August 2024

1. SUBJECT: STELLENBOSCH MUNICIPAL INDEPENDENT POWER PRODUCER PROCUREMENT PIONEERING PROJECT 2 - FEASIBILITY STUDY

2. PURPOSE

For Council to consider the Feasibility Study report (covering the needs, technical and financial viability, legal and regulatory environment, staff implications, economic development impacts and the procurement plan for the recommended option) associated with the procurement of electricity generated from renewable sources, from one or more Independent Power Producers (IPPs)). Approval of the Feasibility Study report, and one of recommendations arising from the report, will allow the process to proceed to the procurement phase of the project.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

4.1 The Portfolio Infrastructure Services five-year plan contained within the IDP lists the Directorate: Infrastructure Services and the Department: Electrical Services as being responsible for developing alternative energy supply, and the purchasing of electricity from IPPs and the conclusion of an IPP tender as a key priority, with a target of 30% of total energy supply to be purchased from IPP's by 2027.

4.2 Further to this, the Council Meeting held on 30 March 2022 included the following statement: "Stellenbosch Municipality to commence with the investigation to generate at least sufficient electricity such that loadshedding up to Level 2 will have no impact on the business of Stellenbosch Consumers."

4.3 Before embarking on a procurement process, it was deemed necessary to conduct a feasibility study to investigate, amongst others, the technical and financial viability of technical solutions, staff implications as well as the legal and regulatory environment. The Transaction Advisor has now completed the Feasibility Study report, which is attached as **Annexure A**.

4.2 The Feasibility Study for the abovementioned project determined that the most feasible options for the Municipality to pursue are:

Option 1: Solar PV of up to 55MW_p only,

or;

Option 2A10S: Solar PV of up to 71MW_p and Battery Energy Storage System (BESS) of approximately 15MWh.

4.3 The Western Cape Government will undertake, in parallel to the above processes, a formal written Eskom confirmation and approval on Grid Capacity on the Municipality's behalf, as well as a formal written Eskom confirmation and approval on how they view aggregated supply between the Municipal Points of Supply ("PoS").

SPECIAL COUNCIL MEETING: 2024-08-14: ITEM 8.2**RESOLVED** (majority vote)

- (a) that Council approves the Feasibility Study Report in Annexure A.;
- (b) that Council approves the initiation of a process for the procurement of electricity energy generated from a combined PV Solar and Battery Storage with a Solar capacity of approximately 71MWp / 59MWAc in total, as well as a Battery Energy Storage System with a capacity of approximately 15MWh in total, for the Stellenbosch Municipal Area as per Option 2A 10 S in Table 3 under paragraph 6.2. 7 .1;
- (c) that the procurement process bid invitation documents include a customised Power Purchase Agreement (PP A) and the process aligns with the requirements of Chapter 11, and Section 33 of the MFMA, the bid invitation documents to be prepared with the support of the Transaction Advisor Team;
- (d) that Council approves that the maximum contracted Solar capacity of the Project as stated in paragraph (b) may be reduced to account for the outcome of the current tender B/SM 60/24 (20MW) IPP plant, should it be successfully concluded and awarded; and
- (e) that Council takes note of the dependencies in the Feasibility Study report, such as a successful award of the contract being contingent upon the Western Cape Government obtaining confirmation from Eskom on Grid Capacity and aggregated supply between the Municipal Points of Supply ("PoS"); and
- (f) that Council agrees that an Expression of Interest (EOI) may be requested from the Public prior to the final bid invitation documents being published.

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	Director Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	shane.chandaka@ Stellenbosch.gov.za
REPORT DATE	1 August 2024

8.3	INVITATION FROM THE STRONG CITIES NETWORK TO FACILITATE THE IMPLEMENTATION OF NEIGHBOURHOOD WATCH AND COMMUNITY SAFETY PROGRAMS IN UGANDA
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Collaborator No:

IDP KPA Ref No: Good governance and compliance

Meeting Date: 14 August 2024

1. SUBJECT: INVITATION FROM THE STRONG CITIES NETWORK TO FACILITATE THE IMPLEMENTATION OF NEIGHBOURHOOD WATCH AND COMMUNITY SAFETY PROGRAMS IN UGANDA

2. PURPOSE

To request Council approval for the travelling arrangements from staff as part of the ongoing relations between Nansana Municipality in Uganda and Stellenbosch Municipality which forms part of the global Strong Cities Network, of which Stellenbosch Municipality is also a member.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality was accepted as a Strong Cities Network member on 25 July 2023. Since then, two knowledge-sharing engagements took place whereby information was shared with partnering cities on various crime prevention initiatives. An engagement was held in Cape Town in December 2023 where much interest was shown in Stellenbosch's Neighbourhood Watch support programs and safety initiatives, particularly the safety monitors (eyes and ears) project.

An invitation was received from the Mayor of Nansana Municipality, Ms Regina Bakitte, via the Strong Cities Network platform. Mr Gary Boshoff, Mr Charl Kitching and Ms Joan Felix were invited to provide input, training, sharing of policies, implementation plans, support plans etc. of safety initiatives, especially those related to the establishment of Neighbourhood Watches and similar safety projects. Stellenbosch Municipality was identified as a leader in the design, development and implementation of local safety projects with Neighbourhood Watches as the main pillar of such programs and projects. The municipality was therefore invited to share its knowledge and expertise with the other partner cities of the Strong Cities Network.

Training was conducted in Uganda from 13 – 15 May 2024. A report giving feedback on the engagements in May served before Council on 30 July 2024 during which meeting it was resolved as follows:

- (a) that Council notes the feedback report;
- (b) that Council supports the continued engagement between Nansana Municipality and Stellenbosch Municipality to advance community safety initiatives in both municipalities; and
- (c) that Council supports the possible signing of a twinning agreement between Nansana Municipality and Stellenbosch Municipality in relation to Community Safety.

Subsequent request to return and deliver practical advice and follow up interventions, Dir Boshoff and Mr Kitching has been invited to Uganda from 12 – 16 August 2024.

The travel arrangements of the two employees must be approved by Council as it involves travelling outside the borders of RSA. In view of Council's approval of the continued involvement and as Council is only responsible for daily allowances, the approval is recommended.

SPECIAL COUNCIL MEETING: 2024-08-14: ITEM 8.3

RESOLVED (majority vote with 4 abstentions)

- (a) Council approves any further engagements which includes international travel associated with Nansana and Stellenbosch Municipality; and
- (b) Council approves the daily allowances for attendees as and when travelling occurs.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Charl Kitching</i>
POSITION	<i>Senior Manager</i>
DIRECTORATE	<i>Protection Services</i>
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E-MAIL ADDRESS	<i>Charl.kitching@ Stellenbosch.gov.za</i>
REPORT DATE	<i>08 August 2024</i>

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 10:10.

CHAIRPERSON:

DATE:

Confirmed on**with/without amendments.**