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**NOTICE OF MUNICIPAL PLANNING
TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2020-11-27 FROM 10:30-15:30**

VOLUME 2



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THE STELLENBOSCH MUNICIPALITY

PLANNING REPORT:

LAND USE AND LAND DEVELOPMENT APPLICATION:

APPLICATION FOR CONSOLIDATION, SUBDIVISION, REZONING, DEPARTURE ESTABLISHMENT OF HOME OWNERS ASSOCIATION, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN, ALLOCATION OF STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES:

PORTION 52, 53, 54 AND 71 OF FARMS NO. 510, STELLENBOSCH.

Application Reference number	File Ref: JT510/52 (LU/8567)	Application Date	2018/09/20
POE submitted	19/07/2019, while final internal comment has only be received on 19/08/2020.	Authorized decision to be taken by	19/12/2020

PART A: APPLICANT DETAILS

First name(s) & Surname	Jan-Hendrik Janse van Rensburg		
Company name	TV3 Projects (Pty) Ltd		
SACPLAN registration number			
Registered owner(s)	Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd	Is the applicant property authorised to submit the application	Yes

PART B: PROPERTY DETAILS

Property description	Farms No. 52, 53, 54 and 71, Stellenbosch	Town/ City	Jamestown
Physical address	Webersvallei Road (See ANNEXURE 1)		
Extent (m ² /ha)	2,3962ha ²	Current zoning	Agricultural Zone I when application was submitted. Now converted to Agriculture and Rural Zone in terms of the new zoning scheme by-law.
Existing Development and Current land use	Uncultivated with occupied cottages on Farm No. 510/52, Stellenbosch.		
Any unauthorised land use/building work	None filed.		

Title Deed No.	T34248/2015
PART C: APPLICATION DETAILS	
Applications(s)	<p>1. Application is made in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015 dated 20 October 2015,</p> <ul style="list-style-type: none"> a) for the consolidation of Portions 52, 53, 54 and 71 of the Farm No. 510, Stellenbosch Division in terms of Section 15(2)(e). b) for the rezoning of the consolidated property from Agricultural Zone I to Subdivisional area for 55 Residential Zone III (townhouses) erven and 1 Residential Zone IV erf (24 flat units), 2 Private Open Space erven (1 private road and 1 private open space) and 1 Transport Zone II erf (public road widening purposes) in terms Section 15(2)(a). c) for the subdivision of the consolidated property into 59 erven, namely 55 Residential Zone III (townhouses) erven and 1 Residential Zone IV erf (24 flat units), 2 Private Open Space erven (1 private road and 1 private open space) and 1 Transport Zone II erf (public road widening purposes) in terms of Section 15(2)(d). d) for departure on the Residential Zone IV erf to relax the internal side building lines from 4m to 3m and the street building line from 8m to 3m in terms of Section 15(2)(b). <p>2. Application is also made for;</p> <ul style="list-style-type: none"> a) the establishment of a Home Owners Association. b) the approval of the development name Blaauwklip-aan-Rivier Residential Estate c) the approval of a Site Development Plan. d) the allocation of the street names Blaauwklip Avenue, Malbec Close, Zinfandel West Street, Zinfandel East Close, Pinot West Street, Pinot East Close, Merlot West Street and Merlot East Close to the internal private roads and the allocation of street numbers; e) the approval of the architectural and landscaping guidelines. <p>See ANNEXURE 2.</p>
Purpose of Application: Background and motivation of Applicant	<p>The applications applied for has been outlined above. The proposed development entails the consolidation, rezoning and subdivision of the applicable area for which planning approval is required. No title deed restriction exist that prohibit the application on currently vacant properties. These properties were for over ±20years illegally occupied by informal dwellers, who has recently been relocated to a subsidy housing site. The owners are however vigilantly cautious of potential re-invasion and illegal occupation of their land, hence the application.</p>

	<p>The owners now intend to develop the land to accommodate 55 townhouse units and 24 flats units in a security estate, with a residential density of ±33 residential units per hectare. A Homeowners Association will be established to carry on the promotion and advancement of the whole development and a set of architectural and landscape guidelines will be finalized for the proposed estate. Access will be obtained from an existing 16m wide Webersvallei public road and existing traffic circle.</p> <p>The proposed application categories have previously been discussed with municipal officials, who informed the applicants that the subject sites are within the urban edge and concerns were raised regarding the impact on the agriculture area, heritage value and possible gentrification. These concerns have been addressed in the report and could therefore be considered favourably pending input during the public participation process and inputs from municipal departments.</p> <p>The water supply, water demand, sewage flows, stormwater and hydrology has been addressed by the engineering consultants for the proposed development. Sufficient parking is provided as per the zoning scheme and no additional public transport facilities are considered necessary and it is suggested that sidewalks be provided along the northern side of Webersvallei Road between the access and the existing sidewalk at La Clemence Retirement Village.</p> <p>Even after the consolidation of the four small holdings, it will be too small for economic viable agricultural production. The properties are also partly within the urban area, which would have a negative implication on surrounding residents if farmed – pesticides, toxic chemicals, etc. The proposal to instead utilise the land for medium to high density housing opportunities would relief some pressure for development on cultivated arable agricultural farm land on the outskirts of Stellenbosch town.</p> <p>Heritage Western Cape confirmed that the proposed development would not impede on nor negatively affect the heritage resources of the application area and surroundings.</p> <p>The proposal will therefore promote economic and geographic integration with the surrounding community. The proposed development would also contribute towards future revenue streams for the Stellenbosch Municipality in the form of rates, tariffs and development charges that could be utilised for infrastructure upgrading.</p> <p>See ANNEXURE 3.</p>
Pre-consultation	Yes
Public participation, comments and response	<p>The applicant advertised the application in the "Eikestadnuus", onsite and send notices to all identified interested and affected parties on 06 June 2019 for 30days. Six objections were received within the prescribed 30day period. See ANNEXURE 4 for the applicants Portfolio of Evidence for the objections and comments on the objections from the applicant.</p>

	<p>The application was also advertised to the following external departments;</p> <ol style="list-style-type: none"> 1. The Department of Water & Sanitation, who did not object to the application. See ANNEXURE 4. 2. Heritage Western Cape who indicated that they have no reason to believe that the proposed development will impact on heritage resources. See ANNEXURE 4. 3. The department of Agriculture and Eskom did not comment on the application. <p>A Public meeting was also held on 18 June 2019 in Jamestown to discuss the development with the community.</p>
Comments from internal service departments	<ol style="list-style-type: none"> 1. The application was recommended for refusal by the Spatial Planning, Heritage and Environment Department. See ANNEXURE 6 for the recommendation from the department and comment from the applicant. 2. The Directorate: Infrastructure Services recommended the application for approval subject to certain conditions. See ANNEXURE 5. 3. No comments were received from the Ward Councillor.

PART D: ASSESSMENT OF LAND USE AND LAND DEVELOPMENT APPLICATION

OUTCOME OF PUBLIC PARTICIPATION PROCESS:

Objections received (See Section G of **ANNEXURE 4** in the applicants Portfolio of Evidence {POE});

- **Margret Voigt** strongly objected to any development adjacent to the Le Clemence Retirement Village, considering that they buy into the development based on the small size of it and likelihood that it would not increase over time.
- **Jesse van der Merwe** objected on behalf of 4 owners in Le Clemence, Blakemore Street and Webersvallei Road. Densification within the existing developed area provide more than enough opportunities for development to retain the agricultural properties and the existing character of Stellenbosch and specifically Jamestown.
- **Hermann J Stipp** although he provided the wrong property reference of the application his objection was relating to the subject application. The construction of flats anywhere in Jamestown would detract from the character, and feel of the neighbourhood and will negatively impact on the value of properties. The high density would impact negatively on

the rural environment. Approval of flats will open the door for opportunistic developers to develop flats on other properties within Jamestown, which will destroy the character of the area.

- **Friends of Stellenbosch Mountains** noted that it appears that the residents of Jamestown who will be most affected by the proposed development, have misconceptions regarding the delineation of the Urban Edge. Unjust administrative action was conducted when illegal occupants of “Kreefgat” was given preferential treatment to low-cost housing in Jamestown due to an agreement between the municipality and the owners, who wanted to develop their property. All development between Webersvallei Road and Blaauwklippen River needed to be excluded from the Urban Edge, as Jamestown was built on the heritage of rural smallholding farming, and there is no reason why the farming heritage area should be made available for development. Current policies are clear enough on the need to conserve agricultural land. The development only caters for high-income housing, while the Integrated Human Settlement Plan clearly indicate a shortage of low-income and affordable housing. Given the history of moving poor people off land in a dubious manner to make provision for luxury gated estates, it should be clear that if any development happens at all, it should be for low-cost or gap/affordable housing.
- **Methodiste Kerk van Suid-Afrika** heavily objected to the proposal which will negatively impact the character, image, the feeling of Jamestown and the extent of the rural environment. The Jamestown community have learned from similar developments in the past that these developments increase the property valuation and accompanied increase in property taxes, which increase the living cost in Jamestown to the detriment of the Jamestown Community who cannot afford these increases in living cost. In the long-term it will mean that property owners that cannot afford this high rising living standard/cost need to start considering selling and find cheaper accommodation elsewhere. Jamestown heritage is not only threatening by this development, but the community is also at danger losing their properties.
- **Jamestown Erfenis/Heritage** is concerned about the community not only being boxed in by development around it, but now also from internal developments with no long-term benefit to the community. The future existence of the Jamestown community is also threatened by these kind of developments. We are also concerned whether Jamestown have sufficient infrastructure capacity to deal with all the current and new developments. The community never benefitted from previous surrounding developments like Stellenbosch Square, Le

Clemence, Aan de Weber, considering that the developers made their profit, the municipal got its property rates, taxes and higher property tariffs, while the community have to live with the long term financial burden of higher rates and taxes with nothing in return from these developments. It is rather suggested that Blaauwklippen alternatively use these agricultural zone properties for agricultural projects beneficial to the Jamestown Community, which could attract tourist. It was previously requested that these agricultural erven be placed outside the Urban Edge to avoid similar applications in future. The location of the group-housing scheme and flats will negatively affect and even destroy the unique character of Jamestown. The celebration of the Jamestown Strawberry festival from 2015 by the Webers Tourism network intends to provide a platform for the small farmers for their products and to encourage other up and coming farmers to cultivate the Jamestown agricultural properties.

Applicant's comments (See **ANNEXURE 4** for the POE):

The applicant's comments on the objections is attached as **Section H** to the Portfolio of Evidence. They also commented on and noted late objections that has been received.

DEPARTMENTAL ASSESSMENT:

The subject land partials were previously occupied by the "Kreefgat" community, which has been relocated to the housing development site on Farm No. 527, Stellenbosch close to the Jamestown graveyard.

Jamestown lies in a scenic valley with remarkable views towards the Stellenbosch mountains and access to the Jamestown village is obtained from the intersection of the R44 (which is a major regional route from Stellenbosch to Somerset West) with Webbersvallei Road. Other than the entrance into De Zalze, this intersection and entrance to Jamestown lack a sense of place, that does not contribute to announcing that a historical settlement with a special character lies beyond.

Jamestown developed into a small scenic village by the subdivision and development of the original "waterweven"/agricultural properties established along the bank of the Blaauwklippen River. These agricultural properties were and are well known for the strawberries and vegetables, which was/are grown here (See **ANNEXURE 7** for photo). Water for irrigation is obtained from the Blaauwklippen River.

The proposed development entails the consolidation of some of these "watererven" to create a housing development. Jamestown consists of a closely-knit, fairly homogenous community who

consider Jamestown a very special place and a village distinct from Stellenbosch and the surrounding residential areas. This is strongly expressed in the comments/objections on the applications as well.

Content of the Municipal Spatial Development Framework (MSDF), its legal status and the municipal comment and intend on the classification of the Jamestown small holdings as "Urban Character Area":

Within the limitations of a MSDF as laid down by the Local Government Municipal Systems Act, 2000 (Act 32 of 2000) i.e. that it should be a guiding and informing document that does not confer real rights on land, It is intended that the MSDF should be a binding document approved by the Municipal Council and approved in terms of the Municipal Systems Act. These SDF principles will assist with the processing of development applications, demonstrating compliance with different sectoral policies, etc.

The remainders of the "watererven" on the northern side of the Webersvallei Road have historically been earmarked for agricultural purposes since the late 1990's, via formally adopted policy documents and draft discussion documents e.g. the 1989 prepared "Webersvallei Plaaslike Gebied Struktuurplan", the 1998 "Gidsplan vir Stellenbosch", the 2002 Jamestown Spatial Development Framework discussion document, the 2013 Stellenbosch Municipal Spatial Development Framework the latest Stellenbosch Heritage Inventory documents and the 2019 MSDF. The extension and growth of Jamestown has also always been promoted in a southern direction on the eastern side of the graveyard, by all forward planning documents prepared for the area. While the protection of the heritage significands of the agricultural zoned "watererven" has always been promoted by the authorities. No current policy document promotes the development of the agricultural zone properties to the north of Webersvallei Road for any other use than agriculture, notwithstanding the fact that the current MSDF gives indication that the area around the long agricultural properties in Jamestown is set aside for a proposed "**Urban Character Area**", which needs to be unpacked and understood in context.

The intend and guidelines of the subject "**Urban Character Area**" is however not been elaborated on in the 2019 MSDF, but need to be considered and read together with the Stellenbosch Heritage Inventory where the "Character areas" has been discussed. These aforementioned concepts and methods, in terms of the subject inventory are not only relevant in rural domains; they also apply to

the towns and other urban nuclei within the municipality. They therefore identify '**urban, or townscape character units**' of cultural significance.

The landscape units in the inventory were identified and evaluated according to four main categories, namely 'natural elements' (such as landform and geology), 'cultural elements' (such as forestry and settlement), 'perceptual elements' (such as view sheds and scenic routes) and 'defining elements'. It is this latter group that dominate in the evaluation of townscape character units which the Jamestown urban agricultural land units are located in.

In terms of the discussions around Jamestown, this area is being referred to as a Special Area "**Jamestown Townscape Character Unit**". See attachments to the comments from the Spatial Planning Department in **ANNEXURE 6**. It is therefore noted that the reference in the Stellenbosch Framework (see **ANNEXURE 8**), in the MSDF to **Urban Character Area** purely refers to the fact that the agricultural plots are now included in the Urban Edge, but does not necessarily mean that it is earmarked for infill residential or other developments. The inventory indicates that the farming allotments are seen to be the most significant element within Jamestown, spatially and symbolically connecting it to the grouping of Mission Settlements, which are of significance in the history of the Cape and the Province. These elements are collectively seen to embody the core remaining townscape character of Jamestown, and should duly be protected, and development controlled to ensure this historic pattern is retained and strengthened.

The document goes as far as to identify its main aim, main value and deviated land use / uses that will likely erode townscape character.

***Main aim:** Enhance (Manage) – the main aim of the proposed Special Area for Jamestown is not to protect each and every structure, but rather to preserve those character-giving elements that extend beyond each individual property and are common to the village as a whole. Special characteristic elements and features include the allotment gardens, the church, and the modest scale of the historic dwellings along Webersvallei Road.*

***Main Value:** Historical; The appropriate use and renewal of heritage features is critical for their preservation. Any development that will result in the loss of the remaining agricultural plots or remnant historic buildings, will completely undermine the heritage value of this townscape unit.*

Deviated Land Use/Uses that will likely erode townscape character: over-scaled private dwellings (including multi-storey residential structures), change in land use to non-residential uses, construction on farming/gardening allotments, cluttered properties, gated residential estates, high and solid boundary treatments, large parking lots, isolated shopping centres or petrol stations."

These shortcomings of the 2019 MSDF were enquired about during the public participation process but were however not fully addressed in the final document, but partially commented on by the municipality.

- **Comment from Stellenbosch Ratepayers Association** - The Jamestown smallholdings are part of its cultural heritage and of course also represent agricultural land, that the MSDF also agrees should not be developed.

Municipal response - The "Tuinerwe"/ "watererven" is not intended for development.

- **Comment from the De Zalze HOA** - The area between the Webbersvallei Road and the Blaauwklippen River is now included in the urban edge and is marked as "existing and proposed urban character areas". The HOA enquires as to what is meant by this description.

Municipal response – No comment was provided.

The Le Clemence development as catalyst and precedent for future development:

The Le Clemence development to the north of the Webbersvallei Road, cannot be seen as a precedent or an intend of the municipality to develop all erven north of the Webbersvallei Road. This property was always zoned out of agriculture. Historically for business and industrial activities and lately for the development of the Le Clemence Retirement Village. This portion of land (the retirement village site) was therefore always included into all previous Urban Edges and was set aside for uses other than agricultural, hence the establishment of the said non-agricultural uses north-west of the Webbersvallei Road.

The fact that illegal occupiers of the subject properties has now been removed from the properties, provides an opportunity to restore its historical significands in the context of the bigger Jamestown, than rather establish developments that can threatens the heritage of the area.

Shortcomings and policy contradictions of the development proposal:

The proposed development does not provide for the integrations with any future development to its east where the remaining agricultural properties are located. It only makes provision for extension to

its west on a single property, between the proposed development area and the Le Clemence Retirement Development. The proposed gated development is also not promoted by the principles of the MSDF and the Heritage Inventory. The adhoc development of a private residential estate with its back turned on the rest of the historical agricultural properties will have a significant impact on the cultural landscape of Jamestown and the rural character, which the spatial planning documents intend to protect for spatial and heritage reasons. The proposed development contradicts as previously mentioned in the departmental assessment, the intend of the MSDF, when the subject area is referred to "**Urban Character Area**". It is rather an area that needs to be protected against gated residential estates, as applied for and the construction on the farming/gardening allotments.

Spatial planning relating to the agricultural properties "watererven" in Jamestown:

At present the agricultural land in Jamestown is not being utilized to its fullest potential, but are predominantly still farmed by subsistent farmers. See **ANNEXURE 7** for photos. Although the municipality need to institute an enquiry into the present use of agricultural activities and the factors influencing success, the future of agricultural activities must first be understood in order to plan and manage the agricultural land or approving adhoc applications, rezoning these properties to none agricultural uses. Only an investigation into the agricultural economy in Jamestown could therefore inform any planning and management decisions to change the historical landscape of Jamestown north of the Webersvallei Road.

The development of the agricultural properties has therefore always been opposed, not for only its historical significance, but considering that there are no documented collective agreement amounts the owners and the municipality over the possibility of developing the historical agriculture propertie. The heritage of this area is therefore now under treat, while the Jamestown community have not been granted an opportunity to reconsider the possibility of development on the agricultural even north of the Webersvallei Road for alternative uses, as a collective.

Should it be the intend of the community and the municipality in future to develop the area, it cannot be considered through adhoc applications without a clear spatial planning document for the entire agricultural area. All owners and the community must buy in to the redevelopment of the agricultural properties, considering that at least a road master plan or a "Jamestown Local Spatial Development Plan" that guide the alignment of roads, subsequently municipal services, land uses, etc. needs to be prepared, consulted with the public and adopted by the municipality. Such a process has not been initiated or discussed and it is therefore premature to consider adhoc development applications that does not lend itself for future integration, promote gated residential developments

within a rural town and applications which contradicts the current Spatial Development Framework principles. As previously indicated, the proposal could establish a development that threatens the heritage, character and townscape of Jamestown in its current form and location.

The importance of spatial planning documents to ensure development control from a land use management perspective:

Land use planning refers to the process by which land is allocated between competing and sometimes conflicting uses in order to secure the rational and orderly development of land in an environmentally sound manner to ensure the creation of sustainable human settlements. These aforementioned functions must be supported by relevant research and mapping which are also major components of the land use planning process, as discussed in this report. Land-use planning does not exist in isolation, it is necessary to view land-use planning as an integral part of the process of managing our resources and impact on growth and development. Among other things, this process seeks to identify, articulate and satisfy the basic social/human needs of a community within the context of its heritage and environmental values, available economic/financial resources and technical knowledge.

While houses must be built for the population, they cannot be provided in areas found undesirable from a heritage, environmental, safety, etc. perspective. Land-use planning seeks to accommodate desirable development within a technical and spatial framework. Due to the absence of a local spatial planning policy, guiding development proposals in this area and the impact on a heritage significant area, the application is premature and deemed undesirable.

The development control function seeks to manage and regulate property development to ensure that all development takes place at an appropriate time and place and in such a manner that it conforms to a pre-determined set of policies or standards. As mentioned, in the absence of these local spatial planning policy frameworks, and the impact on current heritage resources, development applications that threatens the cultural landscape and heritage of an area needs to be considered very carefully due to the uncertainty of its long-term impact.

Concluding planning comments:

- The key aspect that the agricultural roots of Jamestown's "watererven" should be retained and that no development occurs in the defined Jamestown Townscape Character Area is supported, until such time as the owners/community and the municipality agree on and prepare a Local Spatial Development Plan for the area.

- Such a spatial planning document must guide and promote sensible long-term planning for the subject agricultural area. Consideration must be given to the drafting of such a Framework that takes into consideration public landscaping, the river corridor, routes connecting the different subareas, carrying capacity of future roads and where to construct them, developing an approach or take a stand on gated villages in the area, etc.
- Unsympathetic developments that threatens the cultural landscape of Jamestown and that could destroy the agricultural potential of the land should not be supported.
- The authorities should rather look at rates rebates for those portions of properties under bona-fide agricultural activities if not already done so, to promote agricultural activities on properties zoned for primary agricultural purposes at this stage.
- The proposal does not promote function integration for a development within the urban edge, by the proposed gated development, with private roads and no provision for extension to the east.
- In carrying out the development control function in evaluating application, one should always remain alert to changes that have occurred which may signal the need to amend Plans, policies and standards. However, this should not be done arbitrarily or on an adhoc bases. This will create uncertainty, confusion, inconsistency and lack of credibility in the development control process. Instead, we should use the procedures provided for in the legislation or other transparent, administrative procedures for making such amendments that are necessary to ensure that Plans and policies are always current and relevant; that decisions are consistent and that developers/applicants are treated fairly. The department are of the view that this area lacks a local spatial planning framework to regulate future development of the agricultural area, if it's the communities intend, which has not been established. Considering the objections received, it's does not seem that it's the current intend to open up this area for development.
- Current studies and policy prescription for the area do not promote the proposal and in the absence of an overall development framework for future development of the area, there isn't any sound basis or foundation for the application to be approved in its current form and location. In the absence of a policy framework that guide development, decisions are left entirely at the discretion of the authorized authority evaluating a development proposal. The authorized authority will therefore have to consider the contents of the Heritage Inventory, the MSDF principles, the proposed development layout and land used, etc. in the proposed location, in the evaluation of the desirability of the application.

Considering the subject land uses, land development applications, the provisions of the Land Use Planning By-law, other relevant policies and the above planning assessment, the application is not desirable and it is recommended that the proposed development not be approved.

Delegated decision making authority for the respective applications.

Applications	Decision delegated to
<p>Application is made in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015 dated 20 October 2015,</p> <p>a) for the consolidation of Portions 52, 53, 54 and 71 of the Farm No. 510, Stellenbosch Division in terms of Section 15(2)(e).</p> <p>b) for the rezoning of the consolidated property from Agricultural Zone 1 to Subdivisional area for 55 Residential Zone III (townhouses) erven and 1 Residential Zone IV erf (24 flat units), 2 Private Open Space erven (1 private road and 1 private open space) and 1 Transport Zone II erf (public road widening purposes) in terms Section 15(2)(a).</p> <p>c) for the subdivision of the consolidated property into 59 erven, namely 55 Residential Zone III (townhouses) erven and 1 Residential Zone IV erf (24 flat units), 2 Private Open Space erven (1 private road and 1 private open space) and 1 Transport Zone II erf (public road widening purposes) in terms of Section 15(2)(d).</p> <p>d) for departure on the Residential Zone IV erf to relax the internal side building lines from 4m to 3m and the street building line from 8m to 3m in terms of Section 15(2)(b).</p>	<p>Municipal Planning Tribunal {Category: A(d)4 as per the categorisation model approved on 08 April 2020 by the Executive Mayor under delegated Authority via item 7.7.1}</p>
<p>The establishment of a Home Owners Association.</p>	<p>The establishment of a Home Owners Association and adoption of a constitution must be imposed as a condition of approval.</p>
<p>The approval of the development name Blaauwklip-aan-Rivier Residential Estate</p>	<p>Council on recommendation of the Executive Mayor in terms of the system of delegations (LUP7) as part of the POLICY ON PLACE NAMING, STREET NAMING & RENAMING & NUMBERING dated NOVEMBER 2010.</p>

the approval of a Site Development Plan.	Senior Manager: Development Management / Manager: Land Use management in terms of the system of delegations (LUP53).
The allocation of the street names Blaauwklip Avenue, Malbec Close, Zinfandel West Street, Zinfandel East Close, Pinot West Street, Pinot East Close, Merlot West Street and Merlot East Close to the internal private roads and the allocation of street numbers;	Council on recommendation of the Executive Mayor in terms of the system of delegations (LUP7).
The approval of the architectural and landscaping guidelines.	Could be imposed as a condition of approval, that permission.

Should the municipal decision maker consider the application for approval the following advertised applications could be adopted and referred to the relevant decision makers as conditions of approval.

- the establishment of a Home Owners Association.
- the approval of the development name Blaauwklip-aan-Rivier Residential Estate the approval of a Site Development Plan.
- the allocation of the street names Blaauwklip Avenue, Malbec Close, Zinfandel West Street, Zinfandel East Close, Pinot West Street, Pinot East Close, Merlot West Street and Merlot East Close to the internal private roads and the allocation of street numbers;
- the approval of the architectural and landscaping guidelines.

Only the applications within the delegation of the Municipal Planning Tribunal as indicated in the above-mentioned table is under consideration for a decision and will reflect as such in the department recommendation.

PART E: SUMMARY OF KEY FINDINGS OF ASSESSMENT

After considering and weighing all the relevant information the evaluation of the subject land use and land development application concludes that:

- The proposal does not promote functional integration for a development within the urban edge and therefore does not correspond with the local situation.
- The adhoc development of the proposed private residential estate with its back turned on the rest of the historical agricultural properties will have a significant impact on the cultural

landscape of Jamestown and the rural character, which the spatial planning documents intend to protect for spatial and heritage reasons.

- The proposed development is in conflict with, as previously mentioned in the departmental assessment, the intend of the MSDF, when the subject area is referred to "Urban Character Area". It is rather an area that needs to be protected against gated residential estates, as applied for and the construction on the farming/gardening allotments.
- The key aspect that the agricultural roots of Jamestown's "watererven" should be retained and that no development occurs in the defined Jamestown Townscape Character Area is supported, until such time as the community and the municipality agree on and prepare a forward planning document for the area.
- The area currently has no spatial planning document that guide and promote sinful long-term planning for the redevelopment of the subject agricultural area.
- The proposal represents an unsympathetic development that threatens the cultural landscape of Jamestown.
- Any form of development that could destroy the agricultural potential, heritage significands/value of the land should not be supported.
- The authorities at this time should rather look for example at rates rebates for those portions of properties under bona-fide agricultural activities If not already done so, to promote agricultural activities on properties zoned for primary agricultural purposes at this stage.
- The application is undesirable for the reasons given in the assessment.

The proposed land use and land development application is therefore (having regard to the conclusions above and all proposed layout plans), viewed as non-compliant and inconsistent with relevant legislation, planning principles, available policies and guidelines.

PART F: RECOMMENDATION

1. That the application in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015 dated 20 October 2015 for (See **ANNEXURE 2**)
 - 1.1. the consolidation of Portions 52, 53, 54 and 71 of the Farm No. 510, Stellenbosch Division in terms of Section 15(2)(e).
 - 1.2. the rezoning of the consolidated property from Agricultural Zone I to Subdivisional area for 55 Residential Zone III (townhouses) erven and 1 Residential Zone IV erf (24 flat units), 2 Private Open Space erven (1 private road and 1 private open space) and 1 Transport Zone II erf (public road widening purposes) in terms Section 15(2)(a).

- 1.3. the subdivision of the consolidated property into 59 erven, namely 55 Residential Zone III (townhouses) erven and 1 Residential Zone IV erf (24 flat units), 2 Private Open Space erven (1 private road and 1 private open space) and 1 Transport Zone II erf (public road widening purposes) in terms of Section 15(2)(d).
- 1.4. departure on the Residential Zone IV erf to relax the internal side building lines from 4m to 3m and the street building line from 8m to 3m in terms of Section 15(2)(b).

BE REFUSE in terms of Section 60 of the said Bylaw.

2. The reasons (read in conjunction with this planning report) for the above decisions are as follows:
 - 2.1. The proposed land use and land development application is, having regard to the conclusion in the subject planning report, viewed as non-compliant and inconsistent with relevant planning principles, available policies and guidelines.
 - 2.2. The proposal represents an unsympathetic development that threatens the cultural landscape of Jamestown in its current location and intended uses.
 - 2.3. The proposed development is in conflict with the intent of the MSDF, when the subject area is referred to as "Urban Character Area". It is rather an area that needs to be protected against gated residential estates (as applied for) and the construction on the farming/gardening allotments, if read in conjunction with the Heritage Inventory, where these "Urban Character Area" resort from.
 - 2.4. The proposal does not promote functional integration for a development within the urban edge and therefore does not correspond to the local situation.
 - 2.5. In terms of the MSDF the future expansion of Jamestown for mixed use community and residential infill, is currently earmarked in a southern direction and not the area to the north proposed for the subject development.

PART G: ANNEXURES

- | | |
|--------------|--|
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| ANNEXURE 2 - | Proposed Consolidation, Subdivisional, Zoning Plan and SDP |
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| ANNEXURE 4 - | Portfolio of Evidence from applicant |
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- ANNEXURE 6 - Comments from the Spatial Planning, Heritage and Environmental department, with comments from the applicant.
- ANNEXURE 7- Site and area photo's
- ANNEXURE 8- Extract from Municipal Spatial Development Framework 2019 relating the Stellenbosch Urban Edge.

PART H: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT

LAND USE AND LAND DEVELOPMENT APPLICATION:

**APPLICATION FOR CONSOLIDATION, SUBDIVISION, REZONING, DEPARTURE ESTABLISHMENT OF HOME OWNERS ASSOCIATION, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN, ALLOCATION OF STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES:
PORTION 52, 53, 54 AND 71 OF FARMS NO. 510, STELLENBOSCH**

Author of Planning Assessment Report and recommended Categorisation of the Application for Authorised Decision Maker:

Category: A(d)4

Decision Making Authority: SMPT

Rational: Rezoning to Sub-Divisional Area. Objections of interested and affected parties on the application.

Name: Pedro April

Capacity: Senior Town Planner

SACPLAN Registration:

Signature:



Date:

05/1/2020

PART I: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT**LAND USE AND LAND DEVELOPMENT APPLICATION:**

**APPLICATION FOR CONSOLIDATION, SUBDIVISION, REZONING, DEPARTURE
ESTABLISHMENT OF HOME OWNERS ASSOCIATION, APPROVAL OF DEVELOPMENT NAME,
APPROVAL OF SITE DEVELOPMENT PLAN, ALLOCATION OF STREET NAMES, APPROVAL OF
THE ARCHITECTURAL AND LANDSCAPING GUIDELINES:
PORTION 52, 53, 54 AND 71 OF FARMS NO. 510, STELLENBOSCH**

**Authorised Employee to assess and make a recommendation on a land use and land
development application for consideration by the authorised decision maker:**

As the duly authorised official in terms of Section 56 of the Stellenbosch Municipal Land Use Planning Bylaw (2015) to assess the above application, the subject planning report is hereby submitted for consideration to the duly authorised decision maker in accordance with the Categorisation Model for Land Use and Land Development Applications as approved by the Stellenbosch Municipality in accordance with Section 69(1) of the said Bylaw. In terms of the Categorisation Model duly approved in terms of Section 69(1) of the said Bylaw vide Item 7.7.1 and dated 8 April 2020, the subject application is categorised as follows:

Category: A(d)4

Decision Making Authority: SMPT

Rational: Rezoning to Sub-Divisional Area. Objections of interested and affected parties on the application.

Name:

Stiaan Coetzee

Capacity:

SMPT

SACPLAN Registration:

A/ISS1

Signature:

[Handwritten Signature]

Date:

9/11/2020

PART J: ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT**LAND USE AND LAND DEVELOPMENT APPLICATION:**

**APPLICATION FOR CONSOLIDATION, SUBDIVISION, REZONING, DEPARTURE
ESTABLISHMENT OF HOME OWNERS ASSOCIATION, APPROVAL OF DEVELOPMENT NAME,
APPROVAL OF SITE DEVELOPMENT PLAN, ALLOCATION OF STREET NAMES, APPROVAL OF
THE ARCHITECTURAL AND LANDSCAPING GUIDELINES:
PORTION 52, 53, 54 AND 71 OF FARMS NO. 510, STELLENBOSCH**

Administrator to Stellenbosch Municipal Planning Tribunal:

It is hereby confirmed that proper notice was served of the Municipal Planning Tribunal meeting at which this land use and land development application will serve for consideration.

The land use and land development application will serve at the scheduled meeting of the Stellenbosch Municipal Planning Tribunal on:

Date:

Name:

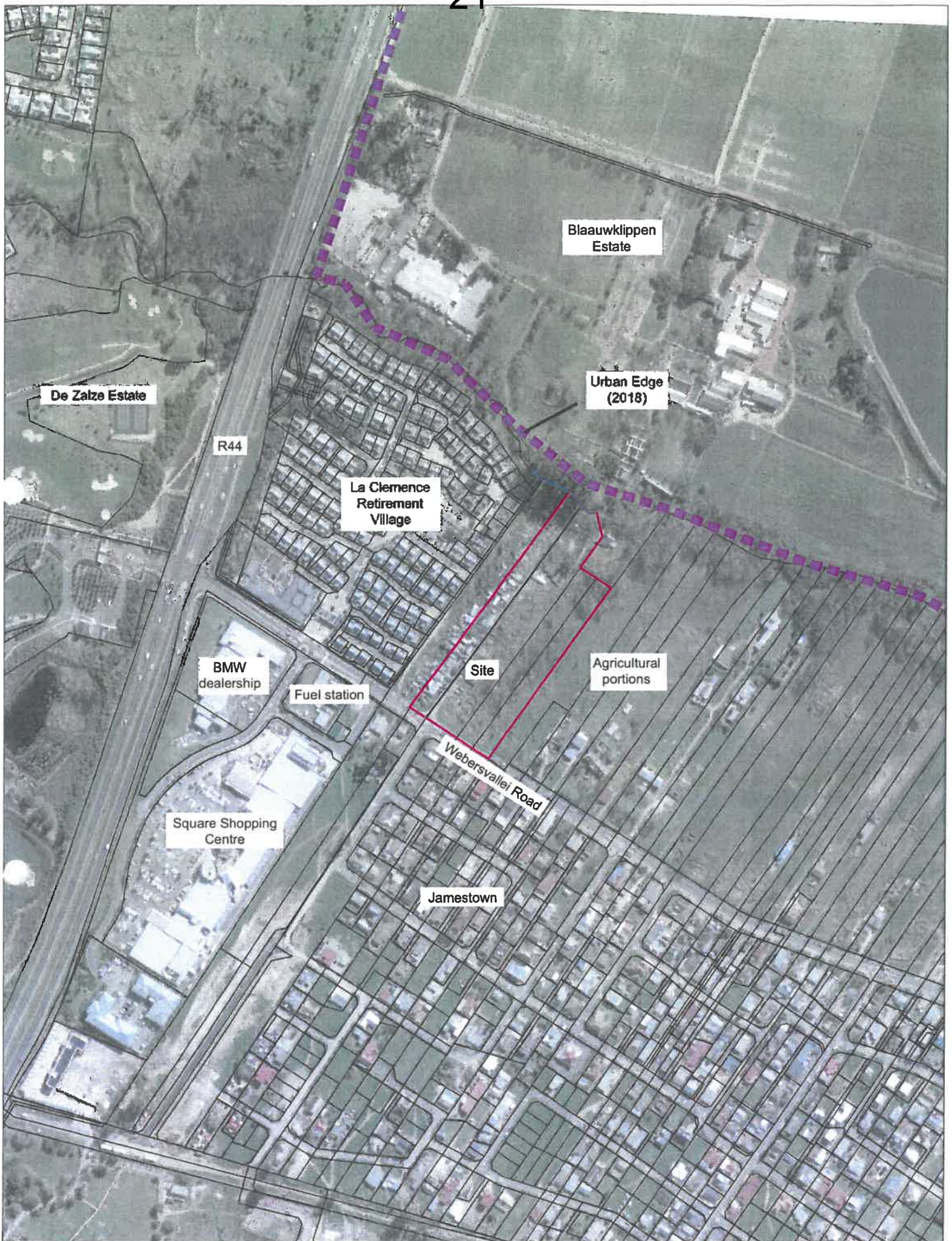
Capacity:

Signature:

Date:

ANNEXURE 1

Locality Plan



tv3
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First Floor • La Gratitude Office Building
 97 Dorp Street • Stellenbosch 7600
 tel (021) 861 3800
 fax (021) 882 8025
 e-mail: stel@tv3.co.za
 web: www.tv3.co.za

**Portions 71, 52, 53, and 54
 of the Farm Blaauw Klip No.
 510, Stellenbosch**



Drawn: CJC	Checked: JVR	Date: 15/08/2018	Scale: NTS (A4)
Project no.: 02002		Revision no.: 1	
Drawing: Broad locality			Plan no.: 1



ANNEXURE 2

Proposed Consolidation, Subdivisional, Zoning Plan and SDP



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 fax: (021) 862 8025
 e-mail: stel@tv3.co.za
 web: www.tv3.co.za

**Portions 71, 52, 53, and 54
 of the Farm Blaauw Klip No.
 510, Stellenbosch**



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 copyright is reserved

Drawn: CJC	Checked: JvR	Date: 15/08/2018	Scale: 1:1500 (A4)
Project no.: 3527-P		Revision no.: 1	
Drawing: Aerial photo			Plan no.: 3

Erf	Zoning	Land Use	No. of erven	Size (m ²)
1-55	Res III	Residential houses	55	13 426
56	Res IV	Accommodation units	1	1 676
		Internal road		
57	POS II		1	2 109
58	POS II	Private open space	1	6 125
59	TR II	Road widening	1	654
TOTAL			59	23 990



**Portions 71, 52, 53, and 54
of the Farm Blaauw Klip No.
510, Stellenbosch**



Drawn:	Checked:	Date:	Scale:
CJC	JWR	14/08/2018	1:1 250 (A4)
Project no.:		Revision no.:	
D2002		1	
Drawing:			Plan no.:
Proposed subdivision			4

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fax (021) 862 8025
e-mail: stel@tv3.co.za
web: www.tv3.co.za

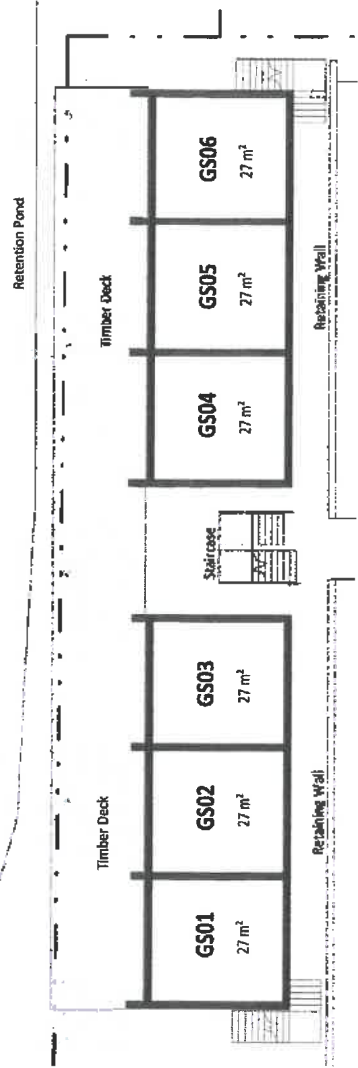
The drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved.

Notation:



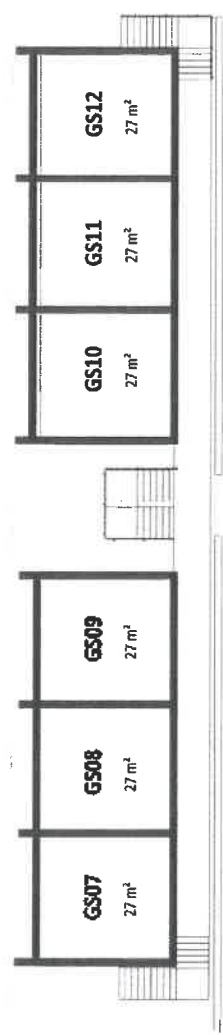
This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

Drawn:	CJC	Checked:	JVR	Date:	15/08/2016	Scale:	NA		
Project no.:	D2002	Revision no.:	1	Revision no.:	1	Revision no.:	1		
Drawing:	Residential IV: SDP							Plan no.:	5



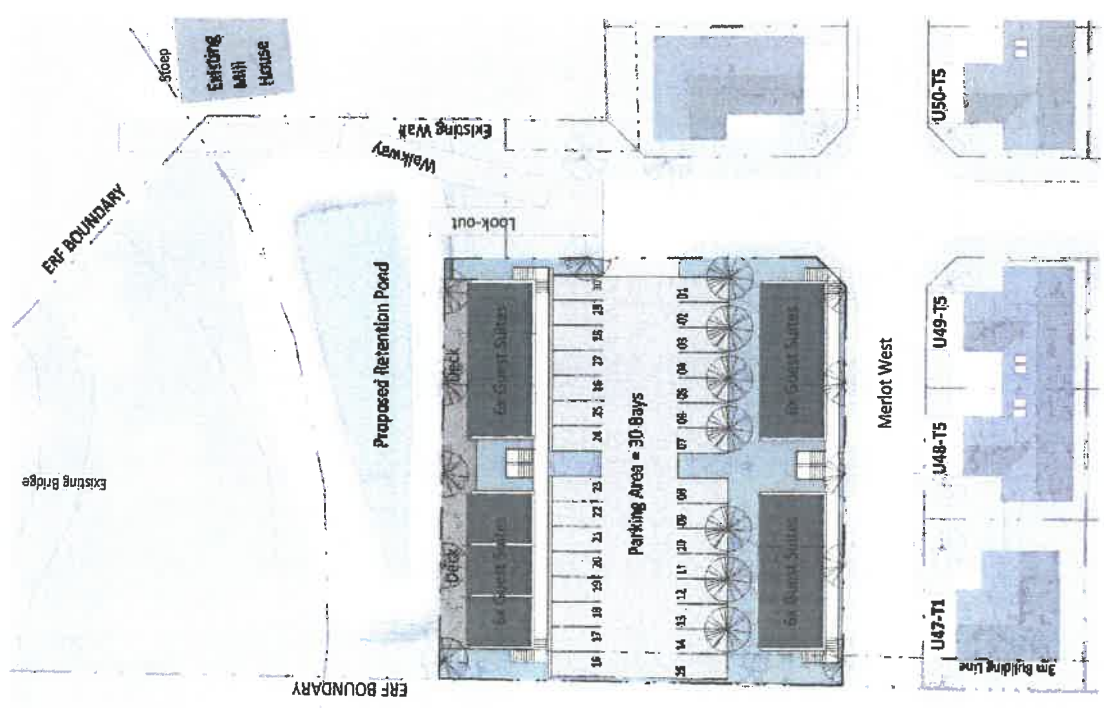
Guest Suites - Typical Ground Floor

SCALE: 1 : 200



Guest Suites - Typical First Floor

SCALE: 1 : 200



SITE DEVELOPMENT PLAN

SCALE: 1 : 500

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 fax (021) 862 6026
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 web: www.tv3.co.za

Portions 71, 52, 53, and 54 of the Farm Blaauw Klip
 No. 510, Stellenbosch



ANNEXURE 3

Applicant's motivational report

**BLAAUWKLIP-AAN-RIVIER
PORTIONS 52, 53, 54 & 71 OF THE
FARM BLAAUW KLIP NO 510,
STELLENBOSCH: CONSOLIDATION,
REZONING, SUBDIVISION &
PERMANENT DEPARTURE**



**REFERENCE NO. 3527-P
TV3 PROJECTS (PTY) LTD
LA GRATITUDE OFFICES (1ST FLOOR)
97 DORP STREET
7600 STELLENBOSCH
SOUTH AFRICA**

**17 September 2018
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SOUTH AFRICA
TEL: +27 21 861 3800
FAX: +27 21 882 8025
e-mail: chris@tv3.co.za**



**ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPLANNERS**

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SECTION 1

LAND USE PLANNING APPLICATION FORM



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



LAND USE PLANNING APPLICATION FORM

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law and other relevant legislation)

KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	JAN-HENDRIK				
Surname	JANSE VAN RENSBURG				
Company name (if applicable)	TV3 PROJECTS (PTY) LTD				
Postal Address	LA GRATITUDE OFFICES (1 ST FLOOR) 97 DORP STREET				
	STELLENBOSCH	Postal Code	7600		
Email	jan@tv3.co.za				
Tel	021 861 3800	Fax	021 882 8025	Cell	

PART B: REGISTERED OWNER(S) DETAILS (if different from applicant)

Registered owner(s)	BLAAUWKLIIPPEN AGRICULTURAL ESTATES STELLENBOSCH PTY LTD				
Physical address	STELLENBOSCH				Postal code
					7600
E-mail	donovan@atmq.co.za				
Tel		Fax		Cell	

PART C: PROPERTY DETAILS (in accordance with title deed)

Erf / Erven / Farm No.	510	Portion(s) if Farm	71, 52, 53, 54	Allotment area	STELLENBOSCH
Physical Address	Webers Vallei Road				
	Jamestown				
	STELLENBOSCH				
	7600				
Current Zoning	Agricultural	Extent	2.3962ha	Are there existing buildings?	N

Applicable Zoning Scheme	STELLENBOSCH MUNICIPALITY ZONING SCHEME REGULATIONS, 1996				
Current Land Use	Vacant				
Title number and date	T	34248/2015			
Attached Conveyance's Certificate	Y	Any Restrictions to the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate			No
Are the restrictive conditions in favour of a third party(ies)?	N	If Yes, list the party(ies)			
Is the property encumbered by a bond?	Y	If Yes, list bondholder(s)			
Any existing unauthorized buildings and/or land use on the subject property(ies)?	N	If yes, is this application to legalize the building / land use?			N
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	N	Are there any land claim(s) registered on the subject property(ies)?			N

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?	Y	If Yes, complete the information below and attach the minutes of the pre-application consultation.			
Official's name	B. de la Bat, etc.	Reference Number		Date of consultation	12 September 2018

PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW AND APPLICATION FEES PAYABLE

Tick	Section	Type of application	Cost
X	2(a)	a rezoning of land;	R 10 000
X	2(b)	a permanent departure from the development parameters of the zoning scheme;	R 2 500
	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
X	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R 5 000
	2(d)	certificate of exemption, in terms of section 24(2), from applying for subdivision in terms of section 15;	R
X	2(e)	a consolidation of land that is not exempted in terms of section 24;	R 5 000
	2(e)	certificate of exemption, in terms of section 24(2), from applying for consolidation in terms of section 15;	R
	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R
	2(g)	a permission required in terms of the zoning scheme;	R
	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R

2(i)	an extension of the validity period of an approval;	R
2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R
2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
2(l)	a permission required in terms of a condition of approval;	R
2(m)	a determination of a zoning;	R
2(n)	a closure of a public place or part thereof;	R
2(o)	a consent use contemplated in the zoning scheme (Special Developments & Special Consent);	R
2(p)	an occasional use of land;	R
2(q)	to disestablish a home owner's association;	R
2(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
2(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.	R

OTHER APPLICATIONS

	Deviation from Council Policies/By-laws;	R
	Other (specify) : _____	R
TOTAL A:		R 22 500

PRESCRIBED NOTICE AND FEES (for completion and use by official)**

Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; data messages	R
	PUBLICATION OF NOTICES	Local Newspaper(s); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES* (TOTAL A + B)			R

* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.

** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.

BANKING DETAILS

Name:	Stellenbosch Municipality
Bank:	NEDBANK
Branch no.:	198765
Account no.:	11 522 716 79
Payment ref.:	Portion 52 of Farm 510, Stellenbosch

PART F: DETAILS OF PROPOSAL							
X	Building line encroachment	Street		From	m	To	m
		Street	Res IV erf	From	8.0 m	To	3.0 m
		Internal Side	Res IV erf	From	4.0 m	To	3.0 m
		Side		From	m	To	m
		Aggregate side		From	m	To	m
		Rear		From	m	To	m
	Exceeding permissible site coverage			From	%	To	%
	Exceeding maximum permitted bulk / floor factor / no of habitable rooms			From		To	
	Exceeding height restriction			From	m	To	m
	Exceeding maximum storey height			From	m	To	m
Consent/Conditional Use/Special Development							
To permit.....							
in terms of Section.....of the.....Zoning Scheme Regulations							
Other (please specify)		<hr/> <hr/> <hr/>					

Brief description of proposed development / intent of application:

Application is made i.t.o of the Planning By-Law, 2015 for the consolidation, rezoning and subdivision of Portion 71, 52, 53, and 54 of Farm Blaauw Klip, Stellenbosch in order to establish a residential development.
Refer to Section 1 of the Motivation Report.

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION [section 15(2)(a) to (s) of the Stellenbosch Municipal Land Use Planning By-Law (2015)]

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required

Y		Power of attorney / Owner's consent if applicant is not owner		N	Bondholder's consent (if applicable)
Y		Resolution or other proof that applicant is authorised to act on		N	Proof of any other relevant right held in the land concerned

		behalf of a juristic person					
Y		Written motivation		Y		S.G. diagram / General plan extract	
Y		Locality plan		Y		Site development plan or conceptual layout plan	
Y		Proposed subdivision plan			N	Proof of agreement or permission for required servitude	
Y		Proof of payment of application fees		Y		Proof of registered ownership (Full copy of the title deed)	
Y		Conveyancer's certificate		Y		Minutes of pre-application consultation meeting (if applicable)	
		N/A	Consolidation plan			N/A	Land use plan / Zoning plan
Y			Street name and numbering plan				
		N/A	Landscaping / Tree plan	Y			1 : 50 / 1:100 Flood line determination (plan / report)
		N/A	Abutting owner's consent			N/A	Home Owners' Association consent
Y			Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	Y			Services Report or indication of all municipal services / registered servitudes
		N/A	Copy of original approval and conditions of approval			N/A	Proof of failure of Home owner's association
		N/A	Proof of lawful use right			N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y			Required number of documentation copies	Y	N	N/A	Other (specify)

PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION

Y		National Heritage Resources Act, 1999 (Act 25 of 1999)		Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))			
	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)			N/A	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)	
	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)	
Y		Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)			N/A	National Water Act, 1998 (Act 36 of 1998)	

	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			N/A	Other (specify)
	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)				
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.				
Y	N	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.				

SECTION I: DECLARATION

I hereby wish to confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.

Applicant's signature:



17 SEPTEMBER 2018

Full name:

JAN-HENDRIK JANSE VAN RENSBURG

TV3 PROJECTS (PTY) LTD – ARCHITECTS & TOWN PLANNERS

Professional capacity:

PR. PLANNER (SA): A/561/1988

FOR OFFICE USE ONLY

Date received:

Received by:

ANNEXURES

The following Annexures are attached for your information, only if applicable:

Please do not submit these Annexures with the application form.

Annexure A: Minimum requirements matrix

Annexure B: Land use planning application submission and protocol

Annexure C: Land use planning application workflow

SECTION 2

MOTIVATION REPORT

1. LAND USE PLANNING APPLICATIONS

Pertaining to *Portions 52, 53, 54, and 71 of the Farm Blaauw Klip No. 510, Stellenbosch* - application is hereby made for:

1. Application is made in terms of Section 2(e) of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the consolidation of Portions 52, 53, 54 and 71 of the Farm Blaauw Klip No. 510, Stellenbosch.
2. Application is made in terms of Section 2(a) of the Stellenbosch Municipality's Land Use Planning By-law, 2015 the rezoning of the consolidated site from Agricultural Zone I to Subdivisional Area.
3. Application is made in terms of Section 2(d) of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the subdivision thereof into fifty five Residential Zone III erven (townhouse units) and one Residential Zone IV erf (flats) with one Transport Zone II (for public road) and two Open Space Zone II erven (for private open space with attenuation dam and internal private road).
4. Application is made in terms of Section 2(b) of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for a permanent departure on the Residential Zone IV erf to relax the internal side building lines from 4.0m to 3.0m and the street building lines from 8.0m to 3.0m.
5. Application is made in terms of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the approval of the internal street names and street numbers.
6. Application is made in terms of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the approval of the architectural and landscaping guidelines.

2. BACKGROUND

2.1 Brief

This firm has been instructed to prepare the necessary documentation for the land use planning applications as set out in **Section 2** of this report, in order to obtain planning approval for the Blaauwklip-aan-Rivier residential estate on Portions 52, 53, 54 and 71 of the Farm Blaauw Klip No. 510, Stellenbosch (hereinafter referred to as 'the application area').

A company resolution and power of attorney to this affect is attached hereto (see **Annexure C**).

2.2 Description of land use planning applications

The proposed development entails the consolidation, rezoning and subdivision of the application area, for which planning approval is required. Consequently we hereby apply for:

- The consolidation of the application area (Portions 71, 52, 53, and 54 of the Farm Blaauw Klip No. 510, Stellenbosch).
- The rezoning of the application area to Subdivisional Area.
- The subdivision thereof into:
 - a. fifty five Residential Zone III erven (townhouse units);
 - b. one Residential Zone IV erf (flats);
 - c. one Transport Zone II (public road);
 - d. two Open Space Zone II erven (private open space with attenuation dam and internal private road);
- A permanent departure on the Residential Zone IV erf to relax the internal side building lines from 4.0m to 3.0m and the street building lines from 8.0m to 3.0m.
- Approval of the internal street names and street numbers.
- Approval of the architectural and landscaping guidelines.

3. PROPERTY DESCRIPTION AND DETAILS

3.1 Description of property

Details relating to the description, ownership, and size of the application area are provided in Table 1:

Table 1: Property description

PROPERTY DESCRIPTION	REGISTERED OWNER	DEED OF TRANSFER NUMBER	SIZE
Remainder Portion 52 (a Portion of Portion 31) of the Farm Blaauwklip No. 510, Stellenbosch	Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd	T4195/1972	±1,0037 ha
Remainder Portion 53 (a Portion of Portion 51) of the Farm Blaauwklip No. 510, Stellenbosch	Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd	T4195/1972	±4280 m ²
Remainder Portion 54 (a Portion of Portion 10) of the Farm Blaauwklip No. 510, Stellenbosch	Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd	T4195/1972	±4290 m ²
Remainder Portion 71 (a Portion of Portion 31) of the Farm Blaauwklip No. 510, Stellenbosch	Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd	T78120/2003	1,4832 ha (±5355 m ²)

Copies of the Title Deed and SG Diagrams are attached hereto as **Annexure A**.

3.2 Power of attorney

The property owner signed a Company Resolution and Special Power of Attorney in which they appointed TV3 Projects (Pty) Ltd to submit the town planning application for the consolidation, rezoning and subdivision of the application area (attached hereto as **Annexure B**).

3.3 Conditions of title

A Conveyancer's Certificate for the application area was prepared by Mr Arend Leopald de Waal from Cluver Markotter Inc. It was confirmed that there are no title conditions (that need to be removed) that will restrict the proposed development of the application area. A copy of the conveyancer's certificate is attached hereto as **Annexure C**.

4. LOCAL PLANNING CONTEXT

4.1 Locality

The application area is located directly east of La Clémence Retirement Village, Jamestown on Webervallei Road in close proximity to the R44 (to the west). The Blouklip River abuts the properties along the north-eastern boundary. Refer to the Locality Plans attached hereto under **Section 3 (Plans)**. Figure 1 below represents an aerial view of the application area's regional location.



Figure 1: Aerial photo of the application area

4.2 Existing zonings and land use

The application area is currently zoned "Agricultural", and is situated within the urban edge of Stellenbosch (see **Plan No. 2** attached hereto). The application area is currently vacant as is visible on Figure 2 below.



Figure 2: View of the application area, currently predominantly vacant, with one dwelling house on the application area.

It should be noted that the application area was until recent illegally occupied (see **Plan no. 3**). It is our understanding that for more than 20 years the application area was occupied by informal dwellers. These settlers have been legally relocated and the application area is currently vacant. There is however ongoing pressure for land invasion and the land owner is vigilantly cautious of potential re-invasion and illegal occupation of their land.

4.3 Surrounding zoning and land uses

Directly to the west abutting the application area is a narrow strip ($\pm 30\text{m}$ wide) of agricultural zoned land, abutting the La Clémence Retirement Village. To the east of the application area is agricultural zoned land. All surrounding agricultural portions are too small for commercially viable agricultural

production. To the south of the application area is Jamestown (refer to Figure 3 below).

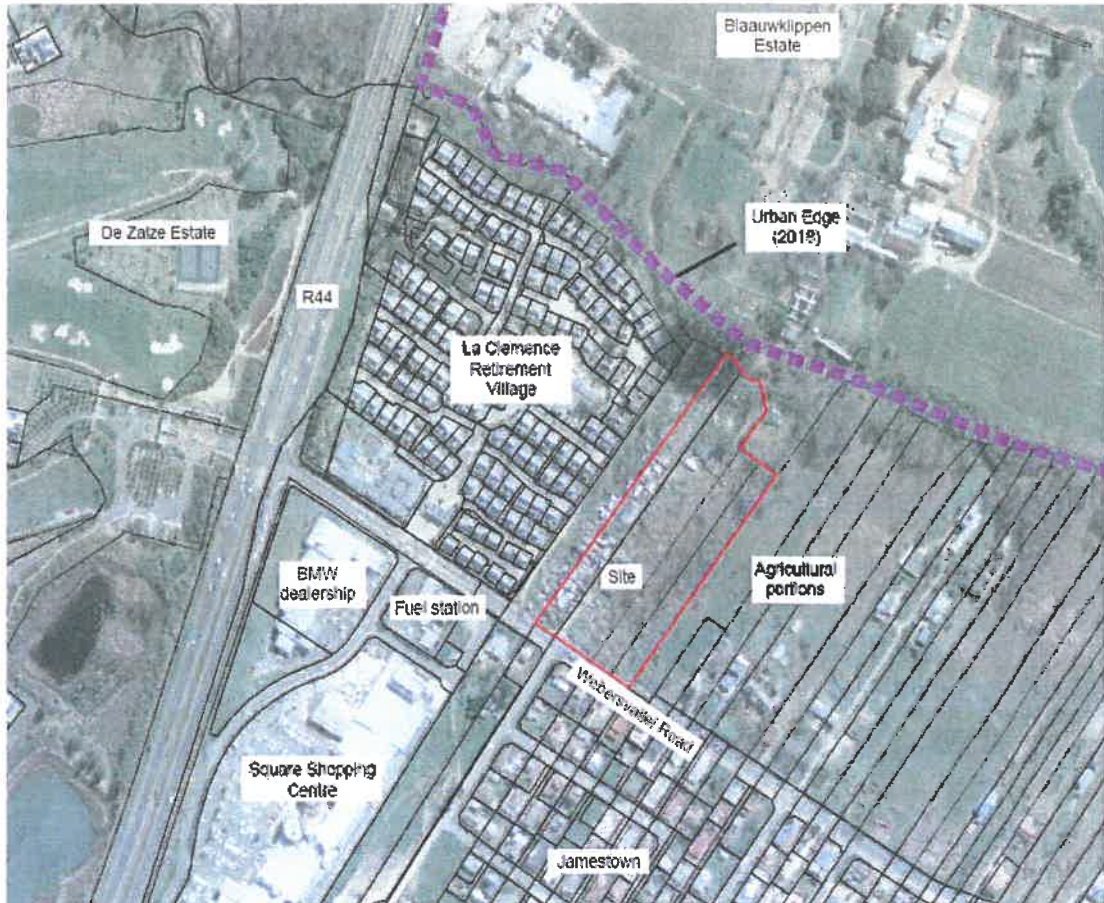


Figure 3: Surrounding land use

5. PROPOSED DEVELOPMENT AND DEVELOPMENT CONTROLS

5.1 Proposed development

The owner of the application area intends to develop the land of the application for to accommodate for 55 townhouse units and 24 flats units in a security estate. The purpose of this application is to obtain rights for the development of a residential estate (see the proposed Subdivision Plan attached as **Plan No. 4**).

Access to the proposed development will be obtained from an existing traffic circle in the Webersvallei Road, a 16m public road as indicated on the Site Development Plan (SDP) (attached hereto as **Annexure D**).

5.2 Residential density

The proposed Blaauwklip-aan-Rivier residential estate will be a private township and consist of 55 Residential Zone III erven (townhouse) and one Residential Zone IV erf (flats with 24 units), with an internal private open space and private street. The proposed estate will therefore have a residential density of ± 33 residential units per hectare, which is similar to many of the surrounding residential developments (such as La Clémence Retirement Village, etc.). Please refer to the Subdivision Plan for a graphic illustration of the proposed layout with proposed land uses attached hereto as **Plan No. 4**.

5.3 Home Owners' Association

A Home Owners' Association (HOA) will be established for the Blaauwklip-aan-Rivier residential estate to carry on the promotion and advancement of the whole development and will be responsible for all the internal engineering services. The final HOA constitution will be submitted to the Municipality for approval (after rezoning approval).

5.4 Architectural and Landscaping Guidelines

Architectural and Landscaping Guidelines that will guide the architectural design of all the proposed dwelling units in the townhouse scheme will be finalized and submitted to the Municipality for approval (after rezoning approval). However, a tentative look and feel diagram was prepared to illustrate the intended architectural design for the residential units (attached hereto **Annexure D**).

The entrance gate, refuse yard and all external walls will comply with the Boundary walls and Fences By-Law of Council. A street names and street numbers plan is also attached hereto as **Plan No. 6**.

5.5 Building lines, coverage, height and parking

The proposed building lines for the **Residential Zone III** erven are:

- Street building line : 2.0 m
- Side building line (common building line): 0m for all buildings on one side with a 2.0 m building line being applicable to the other internal side building line.
- The permissible coverage will be at most 50%.
- The town houses will be limited to 2 storeys and 8.0 m (to the roof apex).
- At least two parking bays will be provided per townhouse, as prescribed by the zoning scheme regulations.

The proposed building lines for the **Residential Zone IV** erf (permanent departure) are:

- Street building line : 3.0 m
- Side building line : 3.0 m
- A floor factor of : 0.7
- The permissible coverage will be at most 40%.
- The dwellings will be limited to 2 storeys and 8.0 m (to the roof apex).
- Parking shall be provided at the prescribed 1.25 parking bays per unit. The Site Development plan indicates 24 units and the required 30 parking bays (2.5 m x 5.0 m) (attached as **Plan No. 5**).

A 3.0 m side or rear building line will be applicable to all properties with boundaries that form part of the external boundary of the development.

Table 2 compares the current rights with the proposed land use rights and development controls in accordance with the Scheme Regulation in terms of Section 8 of the Land Use Planning Ordinance, 1985 of the application area:

Table 2: Current and proposed zoning and land use rights

Current development controls (of consolidated portion*)										
Appl. Area	Extent (ha)	Zoning	Use rights	Coverage	Building lines (m)		Height (to rooftop)	%	Floor factor	Parking
					Street	Side				
Appl. area	2.3990	Agricultural	Agriculture	N/A	30.0	NA	11.0m	100		
Proposed development control										
Erf	Extent (ha)	Zoning	Use rights	Coverage	Building lines (m)		Height (to rooftop)	%	Floor factor	Parking required
					Street	Side				
1-55	1.3366	Residential Zone III	Town house	50%	2.0	0.0	10.0m	55		2 per erf
56	.1676	Residential Zone IV	Flats	40%	3.0	3.0	20.0m	7	0.7	1.25 per unit = 30 bays
57	0.2109	Open Space Zone 2 (OS2)	Private Open space	-	-		-	10		
58	.6186	Open Space Zone 2 (OS2)	Private road					24		
59	0.0654	Transport Zone 2	Public Road (Webers-vallei Road Widening)	-	-		-	4		
TOTAL	2.3990	-	-				-	100		30

The application and subsequent land uses have been discussed with officials at the Stellenbosch Town Planning Division during the pre-submission consultation meeting (minutes and attendance register attached hereto as

Annexure F). The officials informed our office that, given the fact that the application area is located *inside the urban edge*, the only concerns are agriculture, heritage and possible gentrification. These concerns have been addressed in this report and could therefore be considered favourably, pending input during the public participation phase and input from the Municipal Departments.

6. ENGINEERING SERVICES CONSIDERATIONS

6.1 Provision of civil engineering services

Ingerop SA (Pty) Ltd was appointed by the developer as the consulting civil engineers to conduct the necessary studies. In their civil engineering report, attached hereto as **Specialist Report 1**, the topography of the application area is described, as well as assessing the water supply, water demand, sewage flows, stormwater and hydrology.

6.1.1 Topography

The application area is characterized by a hilly topography with mild to steepish slopes towards the north, north east towards the Blaauw Klip River. The slopes vary between 6% and 9%, which would require retaining walls and earthworks to be constructed to achieve acceptable gradients of the driveways.

6.1.2 Water supply

The existing water supply reservoirs to this area can be described as follows:

- A 340 kl reservoir with a top water level of 171.56 m; and
- A 1600 kl reservoir with a top water level of 175.76 m.

A 5000 kl reservoir with a top water level of 180 m is planned for the area.

6.1.3 *Water demand*

The water demand has been calculating on more erven than what is being proposed in the final development proposal. Total peak demand was calculated at 22.1 l/s. The minimum static water pressure will vary between \pm 75 and 60m pressure at the highest property (115m contour) which falls well within the acceptable pressure ranges.

6.1.4 *Sewage flows and sewer masterplan*

A new 160 mm sewer is planned along the Blaauwklippen River which will connect into the existing sewerage system of La Clémence. This development will connect into this sewer.

6.1.5 *Stormwater and hydrology*

The existing stormwater network and catchment areas were determined. Subsequently a stormwater management plan could be designed, which goal is to reduce the 50 year runoff impacts to pre-development levels. In order to achieve this goal it is proposed that an attenuation pond with a capacity of 340 m³ be provided. This pond is incorporated into the proposed subdivision plan and SDP (as attached hereto). The pond would be steep and therefore would be constructed with gabion or terraforce retaining walls to achieve the required volumes, located outside the 1:100 year flood line.

6.1.6 *Flood hydrology report*

Ingerop SA (Pty) Ltd was also instructed to assess the flood hydrology and determine/calculate the flood lines to meet the proposed development's requirements. The flood determination report is attached hereto as **Specialist Report 2**. The 50 year as well as the 100 year peak flows were considered for the interest of the proposed development. It was found that the proposed development would not be situated in any portion of both the 50 year and 100

year flood lines. The attenuation pond, as proposed, would also not be constructed within the flood lines for optimal efficiency.

6.2 Provision of electrical engineering services

Raubicon Consulting Engineers (Pty) Ltd was appointed by the developer to undertake an electrical services report for the proposed development (attached hereto as **Specialist Report 3**).

Eskom is the supply authority and service provider in the area. Supply will be taken from the existing 11kV Jamestown (JAMA6) cable feeder that is supplied from the Jamestown 11kV Switching Station. The required capacity would be 350kVA and hence a new mini substation will be required in the development.

Eskom confirmed available capacity. The Residential Zone III erven (freestanding and duplex town houses) will be supplied directly from the electrical service provider via pre-payment metering. The sectional title development (Res IV erf) will be supplied on the basis of one electrical supply per unit.

6.3 Traffic engineering

ICE Group (Pty) Ltd was appointed to assess the impact the proposed development could have on the traffic flows and existing road network. Their *Traffic Impact Statement* is attached hereto as **Specialist Report 4**.

The proposed development has the potential to generate 65 peak hour trips, with 19 in, 46 out during the AM peak hour and 44 in, 21 out during the PM peak hour. No short term upgrades or external upgrades are suggested at the R44/Webersvallei Road signalised intersection as the provision of the planned additional through lanes at intersections along the R44 as part of the "R44 Safety Project" would address the traffic flow problems at the intersection.

The proposed access layout consists of two lanes in (4.0 and 3.5 metres wide), one lane out (3.5 metres wide) and available stacking space in excess of 20 metres between the security controls and the roundabout.

The internal streets vary between 5.5 and 6.0 metres in width, with bellmouth radii minimum 6.0 metres, and based on the topography of the application area it could be considered raising the intersections of the side streets along the main street to address traffic calming.

The refuse removal will be handled by the Municipality, a refuse room will be provided adjacent to the exit lane and a painted embayment in the shoulder along Webersvallei Road (outbound leg at the access) is considered sufficient to facilitate refuse removal.

Sufficient parking is provided as per the Zoning Scheme and parking bay dimensions are in line with normal parking standards; and no additional public transport facilities are considered necessary and it is suggested that sidewalks be provided along the northern side of Webersvallei Road between the access and the existing sidewalk at La Clémence.

With the above taken into account, it is recommended that the proposed residential development as per the attached **Proposed Subdivision** plan be supported from a traffic point of view.

7. ENVIRONMENTAL CONSIDERATIONS

7.1 NEMA considerations

Mitigative measures were undertaken within the layout and design of the proposed development and associated subdivision plan to reduce the likelihood that the development would trigger a listed activity in terms of Listing Notice 1, 2 and 3 of Environmental Impact Assessment Regulations, 2014 published under the National Environmental Management Act (NEMA)

1998 (Act No. 107 of 1998, as amended). The proposed residential units are located further than 32 m from the edge of the river; the application area is less than 5 hectares in extent situated within the current MSDF's urban edge, the attenuation pond is located outside the pre-determined flood lines.

After perusal of the applicable listed activities, we do not foresee that the development proposal triggers any activities in terms of NEMA (1998) and therefore it is our opinion that the DEA&DP's authorisation is not required.

7.2 Agricultural considerations

The application area is exempted from the Provisions of the Subdivision of Agricultural Land Act, 1970 (No. 70 of 1970) due to the fact that the implicated portions are located in the old municipal boundary prior to 1994.

The application area currently consists of four small holdings, which would even after successful consolidation remain too small for economically viable agricultural production. The application area is also inside the urban edge and partly inside the urban area, which would have negative implications on surrounding residents if farmed – pesticides, toxic chemicals, etc. The proposal to instead utilise the land for medium to high density housing opportunities would relief some pressure for development on cultivated arable agricultural farm land on the outskirts of Stellenbosch town, which are located outside the current urban edge.

7.3 Heritage assessment

Lize Malan Heritage Consultant was appointed to submit a notice of intent to develop to Heritage Western Cape (HWC) for the proposed development. Heritage Western Cape confirmed that the proposed development would not impede on nor negatively affect the heritage resources of the application area and surroundings. A copy of HWC's record of decision is attached hereto as **HWC's Letter**.

8. POLICY PLANNING MOTIVATION

8.1 National Development Guidelines

8.1.1 *Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)*

Section 7 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) confirms that the following principles apply to spatial planning, land development and land use management:

7(a) The principle of **spatial justice**, whereby:-

- (i) Past spatial and other development imbalances must be redressed through improved access to and use of land.
- (ii) Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterized by widespread poverty and deprivation.
- (iii) Spatial planning mechanism, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.
- (iv) Land use management system must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas.
- (v) Land development procedures must include provisions that accommodate access to secure tenure and incremental upgrading of informal areas.

(vi) A Municipal Planning Tribunal considering an application before it, may not be implemented or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application.

- Principles (7)(a) (i) to (vi) relates to obligations imposed on local government, and in this regard the legislation is clear in respect of the procedures to facilitate the development to the property.

7(b) The principle of **spatial sustainability**, whereby spatial planning and land use management systems must-:

(i) Promote land development that is within the fiscal, institutional and administrative means of the Republic.

- The proposed development, as motivated, complies with the fiscal, institutional and administrative means of the Republic as well as the Local Authority.
- Development policies (MSDF and IDP), related administration and laws (Stellenbosch Land Use Planning By-Law, 2015) allow for this application, as submitted, to be entertained.

(ii) Ensure that special consideration is given to the protection of prime and unique agricultural land.

- The application area is not considered to be prime agricultural land and its current use (single dwelling house) illustrates this fact. The proposed development is less than 5 hectares in extent as well as being situated within the current MSDF's urban edge. The proposed application

therefore does not contradict this principle regarding the protection of prime agricultural land.

(iii) Uphold consistency of land use measures in accordance with environmental management instruments.

➤ This principle relates to obligations imposed on local government, and in this regard the legislation is clear in respect of the procedures to facilitate the development to the property.

(iv) Promote and stimulate the effective and equitable functioning of land markets.

➤ This principle relates to obligations imposed on local government, and in this regard the legislation is clear in respect of the procedures to facilitate the development to the property.

(v) Consider all current and future cost to all parties for the provision of infrastructure and social services in land developments.

➤ This principle relates to obligations imposed on local government, and in this regard the legislation is clear in respect of the procedures to facilitate the development to the property.

(vi) Promote land development in locations that are sustainable and limit urban sprawl.

➤ The application area is situated within the urban edge of the Stellenbosch Municipality urban edge and will not

contribute towards urban sprawl, as it is earmarked for urban development according to the MSDF.

(vii) Result in communities that are viable.

- The proposed development is in close proximity to commercial, retail, lifestyle and business opportunities and will therefore ensure that the residents are located close to where they work, with good connectivity routes, sufficiently serving the residents.

7(c) The principle of **efficiency**, whereby:-

(i) Land development optimizes the use of existing resources and infrastructure.

- The proposed development will promote efficient land development, as it entails a high density residential estate in close proximity to places of work. The development of residential land use in the proposed area is in alignment with what policies and legislation intends for this area. The proposed development will create compact residential opportunities within the urban edge.
- The application area is ideally situated in relation to transportation routes, e.g. the R44 towards Stellenbosch / Somerset West. Abutting Webersvallei Road, which connects the application area with the R44 - transportation routes, promoting sustainable and efficient land use markets.
- The availability as well as the capacity of services and upgrades was determined/ confirmed in the relevant

Engineering Service Reports, where results indicated that it is not expected to be problematic, since services are readily available in the area/precinct.

(ii) Decision-making procedures are designed to minimize negative financial, social, economic or environmental impacts.

➤ This principle relates to obligations imposed on local government, and in this regard the legislation is clear in respect of the procedures to facilitate the development to the property.

(iii) Development application procedures are efficient and streamlined and timeframes are adhered to by all parties.

➤ This principle relates to obligations imposed on local government, and in this regard the legislation is clear in respect of the procedures to facilitate the development to the property.

7(d) **Principal of spatial resilience**, whereby:-

(i) Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

➤ This principle relates to obligations imposed on local government, and in this regard the legislation is clear in respect of the procedures to facilitate the development to the property.

7(e) The principle of good administration, whereby:-

- (i)** All spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act.
- (ii)** All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial planning frameworks.
- (iii)** The requirements of any law relating to land development and land use are met timeously.
- (iv)** The preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.
- (v)** Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.

- Principles (7)(e) (i) to (v) relates to obligations imposed on local government. The application will follow all prescribed legislative procedures and will be circulated to relevant internal municipal departments for their comments.

8.1.2 National Development Plan, 2030

The National Development Plan (NDP) identifies five principles for spatial development: spatial justice, spatial sustainability, spatial resilience, spatial quality and spatial efficiency.

It confirms that South African cities are highly fragmented, as little has been achieved in reversing apartheid geography. The Plan proposes that the situation be addressed by establishing new norms and standards: amongst others by densifying cities, improving transport and locating jobs where people live.

The integration of people and their work places are particularly highlighted in the Plan, confirming that the location of proposed new residential as well commercial development should be in close proximity to current work and living locales. The Plan also focuses on the concept containing urban sprawl and the reversal thereof (if possible), "*... as denser forms of development are more efficient in terms of land usage, infrastructure cost and environmental protection.*"

The proposed development aligns with the vision of the NDP, as it will promote compaction of the city and limit urban sprawl (by means of infill development) as the application area is situated within the urban edge of the area; as well as being in close proximity to surrounding commercial, retail and lifestyle centres, which implies shortened travel times for residents of the proposed development.

8.2 Provincial Development Guidelines

8.2.1 *Western Cape Spatial Development Framework, 2014*

The Western Cape Development Framework (SDF), 2014, was, amongst others, compiled to specify a clear set of spatial objectives for municipalities to achieve in order to ensure realisation of the future provincial spatial infrastructure; and to enable and direct growth.

The SDF aims to articulate the spatial objectives of the Western Cape region to assist the alignment of neighbouring municipalities' spatial plans. It is

proposed that key principles in local municipality SDFs should include (applicable to this application):

- Sustainability and resilience

Land development should be spatially compact, resource-frugal; compatible with cultural and scenic landscapes, and should not involve the conversion of high potential agricultural land or compromise ecosystems.

- Accessibility

Accessibility is defined by convenient and dignified access to private and public spaces. Visual access, which implies direct sight lines or unfolding views, signs or other visual cues, facilitates being seen by other people – thereby promotes negotiating places. Accessibility and connectivity is a crucial component in providing sustainable efficient land markets. The proposed development, situated on Webersvallei Road, is ideally located with great connectivity routes towards the Stellenbosch CBD and Somerset West via the R44.

- Spatial efficiency

Efficiency relates to the form of settlements and use of resources – compaction as opposed to sprawl; and residential areas close to work opportunities as opposed to dormitory settlement. The proposed development fully adheres to this principle as it is a medium to high density residential development, and should be regarded as infill development.

- Quality and liveability

The quality of an environment directly contributes to its liveability. A quality built environment is one that is legible, diverse, varied and unique. The proposed development aims to be set apart by its unique ambience and architectural design, with high quality liveable environment and beautiful views

of the Stellenbosch mountain range. Situated on the edge of the urban form, the estate aims to establish a rural setting, connecting the rural and heritage landscape of the abutting landscape with the contemporary living spaces close to La Clémence Retirement Village, Jamestown and the Stellenbosch Square shopping centre.

The SDF illustrates that the development proposal directly aligns itself with the development principles included in the PSDF. The development proposal will facilitate the goal of developing integrated and sustainable settlements.

8.3 Local Development Guidelines

8.3.1 Stellenbosch Spatial Development Framework, 2018

The Spatial Development Framework (SDF) is measured by the triple bottom line of economic efficiency, environmental sustainability and social justice with an emphasis on the issues facing the rural and urban poor. The following principle has been put forward by the SDF:

"Contain urban sprawl through the intensifying of urban areas by means of infill projects and promoting higher densities".

The proposed development could be regarded as infill development and therefore supports the principle of spatial compaction and interconnected nodes. Furthermore, according to the SDF the application area is located within the Stellenbosch urban edge and therefore does not lead to urban sprawl (see Plan No. 1).

The SDF also wants a balance of low, middle and high income housing in each node, which should include some social, GAP-housing and private developments. Given the middle income status of Jamestown residents, the subsidy-linked housing developed south of Jamestown in Phase 1, as well as social and GAP-housing planned as Phase 2 and 3 of Mountain View

Development, the proposed private development north of Jamestown would create the economic balance as pursued / envisioned for this node.

The mix of proposed net densities: 40 townhouse units per hectare; 143 flat units per hectare also allows for an integrated development and optimal use of land, especially privately-owned land which is not considered economically viable for agricultural production.

8.3.2 Stellenbosch Integrated Development Plan (IDP), 2017/2022

The general planning principles contained in the Stellenbosch Municipality's urban structure plan and IDP are of importance and included the following:

- Promote the densification of the urban environment.

The farm is bordered by urban development. Urban use of the farms will meet the Municipality's densification goal.

- Identify areas suitable for urban development (inside the urban edge) and ensure sufficient provision for future growth.

The proposed development meets this criterion as it is located within the town's urban edge.

- New housing schemes should be denser and must be inside the urban edge.

The calculations were done on a maximum density of 79 units - which is a gross density of ±33 residential units per hectare for the entire development - which meets the IDP requirements.

- Residential areas should be set up in such a way as to utilise existing spare capacity of infrastructure, and that it does not impact negatively on any adjacent infrastructure.

The existing infrastructure, with certain upgrades, would accommodate the proposed development.

The motivation to earmark the application area for residential urban development is based on the following Integrated Development Plan (IDP) considerations.

The Stellenbosch IDP acknowledges the fact that Stellenbosch Municipality is experiencing rapid transformation as a result of the influx of job seekers, residents and investors, as well as the overall restructuring of the economy and means of production and wealth creation. The economic sectors, which have shown the greatest growth, are the service industry and construction industry. Future growth, expansion and innovation should be guided by specific development principles, limiting ad hoc urban development that will result in expensive outward low density urban sprawl and the related destruction of valuable eco-systems and agricultural resources.

The objective of the MSDF is to provide maximum certainty to all role players (property developers, financial investors, development planners, municipal officials and ordinary households) with regards to the future form of Stellenbosch and according to the IDP the Stellenbosch Municipality will consider the following amendments to the MSDF (approved in 2018), namely:

- Amendment of the urban edges;
- Adjustments to include the Northern Extension to Stellenbosch;
- Adjustments to include the Jamestown housing development;
- Infill and development areas;
- Major new transport infrastructure;
- Institutional development and facilities; and
- Upgrading of the R44.

The northern extension project and the new Jamestown housing project will unlock additional land for predominantly affordable housing. These amendments to the urban edge will however not address the current and future housing backlog for the middle and upper income households (which are needed to help subsidise the affordable housing projects).

The current approved Stellenbosch 2017 Integrated Human Settlement Plan has a target of ±18 775 residential units to cater for the current housing backlog. This municipal plan aims to guide and facilitate the development processes involved for housing projects aimed at informal settlement upgrade, social housing, formalised home ownership, employer housing and GAP housing. A key proposal was to utilise municipal land provided at reduced cost for formal home ownership in order to cross-subsidise other housing types. A cohesive effort has been made with Provincial and National Departments of Human Settlements to declare Stellenbosch a Restructuring Town with Restructuring Zones where economic, social and ecological sustainability are promoted while improving the lives of communities through rental housing programs. This achievement will accelerate the processes and supply of housing development aimed at the lower income residents.

There is a scarcity in formal guiding policies and plans specifically aimed at addressing the current and future housing demand for the middle to higher income households, who are predominantly attracted by the booming services sector. Development, focused on providing for the much needed residential opportunities on this side of the economic continuum, predominantly derives from the private sector on privately owned land. The IDP makes provision for possible amendments to the SDF (2018) to accommodate for this need through the identification of infill and development areas. The application area, being situated adjacent to the Jamestown development and proposed expansion of the urban edge for affordable housing projects, could be deemed desirable spatially as it would not perpetuate ad hoc or leap frog development. Additionally, middle to higher income household development

within this location would also strategically reduce the notion of creating a poverty trap, further exacerbating old apartheid planning principles where the poor are predominantly housed on the periphery of cities. The proposed development would therefore promote economic and geographic integration with the surrounding community.

The IDP also expresses concerns regarding the limited waste water treatment (WWT) capacity, increasingly putting pressure on the environment, polluting rivers and underground water systems. The Stellenbosch Municipality however addressed this concern through the upgrading of the current WWT works. The Municipality also identifies that limited landfill space necessitates mitigative measures such as waste recycling. The current drought and water scarcity requires additional measures to ensure that this resource is preserved. Limited water capacity should be taken into consideration for future development and more sustainable and innovative solutions are required for future infrastructural development.

The proposed development of the application area would also contribute towards future revenue streams for the Stellenbosch Municipality in the form of rates, tariffs and development charges that could be utilised for infrastructure upgrading.

9. NEED AND DESIRABILITY

9.1 Motivation i.t.o. the Stellenbosch Urban Densification Strategy

The purpose of the Stellenbosch Urban Densification Strategy (2001) is to achieve a more compact urban form of development for the town of Stellenbosch. According to the report – in Jamestown areas for infill development must be investigated. The proposed residential development constitutes infill development and is therefore in line with the densification strategy's vision.

The densification of urban areas is promoted from a planning policy side, as it will lead to the optimal use of a town's existing bulk infrastructure, contain urban sprawl and protect the agricultural hinterland around Stellenbosch. The proposed development will allow for the better and more effective utilising of the available developable land. The proposed higher density residential development can therefore be deemed desirable.

9.2 Addressing housing needs and backlog

The Stellenbosch Municipality's IDP of 2015 / 2016 states that the inadequate supply of shelter is a main concern. The greater municipal area has a current and future housing backlog of 45 000 to 50 000 units, half of which are for middle and more affluent households. The availability of developable land for housing opportunities is extremely limited and the Stellenbosch Municipality will inevitably have to redefine the current Stellenbosch urban edge to identify additional land deemed desirable for urban development and the creation of the much needed housing opportunities in alignment with all goals and objectives of the IDP.

There is very few vacant residential erven available in Stellenbosch – especially if compared to the available erven in the surrounding towns such as Somerset West, Kuils River and Paarl. This lack of available erven forces

people (that work in Stellenbosch) to rather buy properties in these surrounding towns which leads to a loss (for Stellenbosch) of the accompanying economic benefits (i.e. these people earn their salaries in Stellenbosch but spend it in Somerset West / Paarl). The proposed residential development will (to some extent) address this need and provide residential opportunities for persons working in Stellenbosch.

From the above it is evident that the inclusion of the application area for residential purposes will greatly contribute towards addressing the housing needs and backlog by providing much needed additional housing opportunities.

9.3 Providing balanced housing stock

In 2017 the Stellenbosch Municipality approved a development Framework Plan for the Northern Extension of Stellenbosch. This plan makes provision for 5 200 housing opportunities, ranging from subsidised housing to upper GAP housing (R1.2 to R2 million in value). In order to maintain economic balance in Stellenbosch with regards to housing stock, it is only logical that provision for housing opportunities aimed at the medium to higher end of the market should simultaneously be provided in Stellenbosch. The proposed residential development will predominantly provide housing opportunities aimed at the medium to higher end of the market and it is our opinion that the application area is deemed a desirable geographic location for this purpose as well as for maintaining a healthy economic balance for Stellenbosch as a whole.

9.4 Housing demand forecasts

Dr. Jonathan Bloom (Multi-Purpose Business Solutions) was instructed to conduct a market viability assessment of the proposed development and determine the socio-economic implications (benefits) arising from the need

and demand for the scope of housing envisaged by the proposed development.

Dr. Bloom adopted the draft Urban Development Strategy (commonly referred to as the Rode report) to determine the housing demand for various housing typologies over two decades until 2036. Housing demand is divided into four typologies, namely houses bigger than 80m², houses smaller than 80m², townhouses and flats. The Rode report developed three scenarios to reflect different outcomes of possible future land take-up to address the housing demand for Stellenbosch town, based on macro-economic conditions, referred to as Business-as-Usual, Consensus and Junk-forecasts. Housing demand until 2021 in the Rode report was based on the assumption that historically, sufficient developable land has been available in the municipal area.

For the purpose of this report, a combination of Dr. Bloom's various methodological approaches was adopted in order to determine the demand for housing. Forecasts of residential units stated in the Rode Report were adjusted and aligned with traffic volumes and future commercial development; as well as a Housing Development Pipeline. A combined and average demand for housing in Stellenbosch town could be determined for the specific housing typology which the proposed Development aims to provide.

Accurate forecasts of demand related to the housing typology over the next 20 years are impossible to predict. The Rode report's forecasts have been adjusted to more accurately reflect the demand as dictated by the market in Stellenbosch, where a higher demand exists for larger homes and town houses, similar to what the envisaged development aims to provide. Affordability factors and limited available land in Stellenbosch have resulted in the tendency to provide smaller erven and homes in medium-to-high density developments (where townhouses average 130m² & large houses average 260m²). The adjusted combined demand for residential units by 2036 is estimated at 2 793 units (or ±140 units per annum) for houses larger than

80m² and 2 829 town houses (or ±141 per annum) in Stellenbosch – see Table 3 below.

Table 3 Rode adjusted demand forecasts until 2036

Housing type	Rode adjusted demand forecast	
	Cumulative demand	Annual demand
Houses <80m ²	9 277	464
Houses >80m ²	2 793	140
Flats	2 402	120
Townhouses	2 829	141
Total units	17 301	865

The above figures and findings derived from an adjustment of the Rode forecasts could then be compared to a housing need derived from commuters in Stellenbosch Town, as well as demand derived from future commercial, retail and industrial development that could attract an additional 509 employees per annum over the following 20 years. Calculations are based on 40% of employees that work in Stellenbosch Town but originate from outside Stellenbosch, and are therefore regarded as part of the potential need. A sensitivity analysis was applied to determine a more realistic demand of the commuter needs for dwellings in Stellenbosch Town, where effective demand was calculated using 25%; 50%, 75%; and 100% take-up of units, as not all commuters would choose or can afford to relocate to Stellenbosch Town).

Table 4 & 5 below depicts the demand forecast for specific housing typologies based on different percentages of the commuter need, compared to the adjusted Rode forecasts.

Table 4 Annual commuter housing demand for high income groups

Sensitivity for high income (House >80m ²)	Rode adjusted forecast	100%	75%	50%	20%
Commuters		70	53	35	18
Workforce-ext.		32	24	16	8
Workforce-res.		49	37	24	12
Total	140	151	114	75	38

Table 5 Annual commuter housing demand for medium income groups

Sensitivity for medium income (houses <80m², flats & townhouses)	Adjusted Rode forecasts	100%	75%	50%	20%
Commuters		371	278	186	92
Workforce-ext.		171	128	86	43
Workforce-res.		257	193	129	64
Total	725	799	599	401	199

The Rode report's forecasts are similar to a sensitivity level of between 100% and 75% as applied, therefore it could be said that the majority of commuters and employees in Stellenbosch Town have a need for accommodation / housing in Stellenbosch. Based on the methodical approach developed by Dr. Bloom aligned with the UDS (Rode report's forecasts), a model could be developed to determine and plan for annual housing projects and hence developable land required to meet the housing demand as forecasted.

The UDS illustrates the cumulative net land extent required in order to meet the demand for dwelling units and other land uses as forecasted. It was found that $\pm 600\text{m}^2$ net land is required per house larger than 80m^2 , $\pm 120\text{m}^2$ for a house smaller than 80m^2 , 85m^2 for flats and 260m^2 of land for a townhouse. Incorporating this need for land with the Rode report's adjusted forecasts, the required developable land extent could be calculated, in order to successfully and efficiently roll-out the envisaged housing projects (identified in the Housing Development Pipeline and other) based on demand forecasts¹.

¹ For land use planning motivation in this application, the housing category aimed at indigent people (<80m²) is also included in the projected land requirements for all housing typologies over the next 20 years.

Table 6 Net land extent required for housing demand

Housing typology	Net land required per unit (m ²)	Amended Rode forecasts over 20 years (no. of units)	Land extent required (m ²)	Land extent required annually (m ²)	Land required in a 5 year cycle (SDF) (m ²)
Houses < 80m ² (indigent)	120	4 371	524 520	26 226	131 130
Houses < 80m ²	120	9 277	1 113 240	55 662	278 310
Houses > 80m ²	600	2 793	1 675 800	83 790	418 950
Flats	85	2 402	204 170	10 209	51 043
Townhouses	260	2 829	735 540	36 777	183 885
Sub-total for housing	-	21 672	2 577 470	212 664	1 063 318
Infrastructure area ²	-	-	2 577 470	212 664	1 063 318
Gross land required for housing	-	-	5 154 940	425 328	2 126 636
Retail	-	-	129 255	6 463	32 314
Industrial	-	-	201 497	10 075	50 374
Office	-	-	77 590	3 880	19 398
Sub-total for other uses	-	-	408 342	20 417	102 086
Infrastructure area	-	-	408 342	20 417	102 086
Gross land required for other uses	-	-	816 684	40 834	204 171
Total gross land required (all uses)	-	-	5 971 624	466 162	2 330 807

The above figures could be used by the Municipality to guide and inform planning policies and frameworks in order to facilitate the development and

² It should be noted that provision made for infrastructure is not limited to roads and civil engineering services only, but also includes open spaces, social facilities as well as public amenities, such as park, school, sports fields and community facilities.

supply of housing based on demand, through providing sufficient developable land on an annual basis. Due to the fact that a progressive growth trajectory has been applied to Stellenbosch town, the annual need and demand would slightly vary from the above table, as a result of slow initial take-up of land and lengthy processes in order to acquire the necessary rights and approvals before construction could commence.

In total Stellenbosch town would require an estimated 591 hectares of developable land for the effective provision of all forecasted demand which includes residential, retail, office and industrial opportunities in order for Stellenbosch to follow a sustainable development growth path. The residential component, which is of specific relevance to this report, requires an estimated 515 hectares of developable land. Currently, there exists a great disparity between demand and supply of developable land in Stellenbosch town.

The recent amendments adopted by the 2018 MSDF with regards to the urban edge, makes provision for very limited additional residential stock. Infill development and densification in certain areas of the town are also factored into the land extent required, and distributed between appropriate housing typologies for densification projects. Flats and houses smaller than 80m² could predominantly be provided through densification in town, and therefore do not necessitate the expansion of the urban area, however in order to provide additional townhouses and larger homes (>80m²) targeting the middle to high income groups, additional land is needed on the periphery of town, directly abutting the existing urban edge in order to prevent leap frog development from occurring. This additional developable land required to address the middle to high income groups' demand for housing, equates to ±482 hectares of land (outside the current urban edge).

The proposed development, which is inside the existing urban edge, should be optimally developed in the light of this great void between available developable land and huge housing need and demand. The proposed

development could add ± 79 units of housing stock, which based on the specific housing typology, represents 1,4% of the total demand of 5 622 units.

9.5 Socio-economic impact assessment

Dr. Bloom also assessed the socio-economic implications of the proposed development. The proposed development would entail direct and indirect impacts of which a portion would accrue to the Stellenbosch economy during the construction phase. Thereafter operational phase benefits would arise as a result of the proposed development.

The Municipality will be able to recoup all or a major part of the costs associated with bulk infrastructure provision through the development contribution payable by the developer. Given the anticipated time frame for the proposed development, it is envisaged that DCs would be paid as a lump sum and not as part of phasing the project. The Stellenbosch Municipality will also benefit from levying property rates based on the market value of the properties in the proposed development, as well as other service charges i.e. electricity and water sales, which offers a continuous revenue stream for the Municipality.

9.6 Tourism and tourism accommodation in Stellenbosch

Stellenbosch's economy is greatly dependent on tourism and tourism-related industries. The proposed development's short term tourism accommodation opportunities would contribute towards the tourism industry of Stellenbosch. The idea is to utilise some flat units for short term rental accommodation for tourists visiting Stellenbosch – especially the wine farms and outskirts of Stellenbosch. The locality of the application area is favourable as it is located in the beautiful outskirts of Stellenbosch with beautiful views of the Stellenbosch Mountain Range and directly connected to the Blaauwklippen Farm – which is a very strong tourist attraction of Stellenbosch, whilst also optimally connected in close proximity to major transport routes (intersection

at the R44) and Shopping Centre (Stellenbosch Square) to reduce the need to commute far distances or daily trips in town.

9.7 Compatibility with surrounding land uses

The application area is located in a predominantly residential area. It is (primarily) surrounded by residential land uses (Jamestown to the south) and a residential estate (La Clémence Retirement Village to the west). The proposed residential development will therefore not be foreign to the area, but similar in type and scale and consequently compatible with the surrounding and current land uses.

9.8 Agricultural consideration

As stated in Section 7.2, the application area is too small for economically viable agricultural production. The fact that the application area is located inside the urban edge and partly inside the urban area further strengthens the proposal for residential opportunities, instead of possible farming activities which could have negative implications on urban surrounds (pesticides, toxic chemicals, etc.).

9.9 Aesthetics

Taking into account the characteristics of the area and the accessibility of the application area, the proposed estate could be regarded as desirable and strategically situated within a residential area with a rural setting. The proposed development will contribute positively to the improvement of the character of the area as a whole.

9.10 Minimal visual impact

In the context of the locality of the application area, the proposed residential development will have minimal negative visual impact on the surrounding neighbourhood and properties as it is not located in direct view of residential

developments. The proposed land uses will also be non-obtrusive and therefore not disturb the urban environment and its immediate surroundings. The existing and planned road network and essential services are also adequate to accommodate the minimal increase in traffic and capacity, while public transport usage is expected to increase, further minimizing negative impacts on traffic.

9.11 Positive impact on the local economy

The proposed development will have a positive impact on the town's local economy as it will create many new employment opportunities during the construction phase, contribute to the upgrading of the town's bulk infrastructure and lead to a significant increase in municipal rates and taxes.

The proposal would lead to 79 new titles and will also have a positive impact on the surrounding properties, while attracting new economic investments to the area. The tourism-linked accommodation opportunities would also attract additional tourists to Stellenbosch and ensure more overnight tourists, therefore contributing to additional expenditure in the local economy. The required bulk-services contributions, for the planning and upgrading of the external services, will be levied by the Municipality's various engineering departments.

10. CONCLUSION

The proposed 'Blaauwklip-aan-Rivier' residential estate will give rise to a high quality housing development that can be deemed desirable as it will:

- constitute infill development of underutilised land;
- will lead to appropriate densification of the town's urban area;
- be compatible with surrounding land uses;
- have a positive impact on the local economy;
- broaden the municipal tax base;
- lead to efficient use of existing services and facilities;
- provide additional housing opportunities; and
- create new employment opportunities.

Taking into account the contextual characteristics of the area, the accessibility of the application area and its location within close proximity to various public amenities, the proposed development for which there is a proven need could be regarded as strategically situated within a developing and sought-after area. The proposed residential development could be deemed as desirable and addresses a specific need for a specific housing typology from a supply perspective, as indicated in above tables.

The proposed development would provide 79 housing units which addresses a need and conforms to emerging trends in terms of size, affordability and market segmentation, which could attract millennials and persons that work in Technopark and the surrounding areas. The existing housing backlog in Stellenbosch as a result of insufficient developable land resulted in housing prices to increase substantially. If this trajectory continues, market conditions and affordability factors would imply that housing typology integration in future developments could become unrealistic. The only way to reduce the continuous increase in the average equilibrium price for houses in Stellenbosch is to permit new appropriate land development and unlock latent suitable developable land in Stellenbosch town.

The proposed development forms part of a pipeline of projects envisaged by developers over the next 10 years, which could potentially supply an additional 9 100 units over the following 10 to 15 years. The proposed development would represent 1% of the total number of houses larger than 80m² and <1% of the total number of units envisaged in the pipeline (excluding indigent houses smaller than 80m²). Furthermore, the project would not result in a fund flow deficit for the Municipality i.t.o service infrastructure (covered by the DCs); and would benefit the local economy i.t.o direct capital expenditure and job creation with an emphasis on temporary unskilled local labour.

It is our professional opinion that the approval of this land use application and subsequent obtainment of rights for the development of a residential estate would contribute positively to the spatial development of Stellenbosch and provide much needed housing opportunities.

We trust that you will find the above in order. If however you have any queries please feel free to contact Messrs. Jan van Rensburg / Chris Cronjé (TV3) at (021) 861-3800 or at jan@tv3.co.za / chris@tv3.co.za.

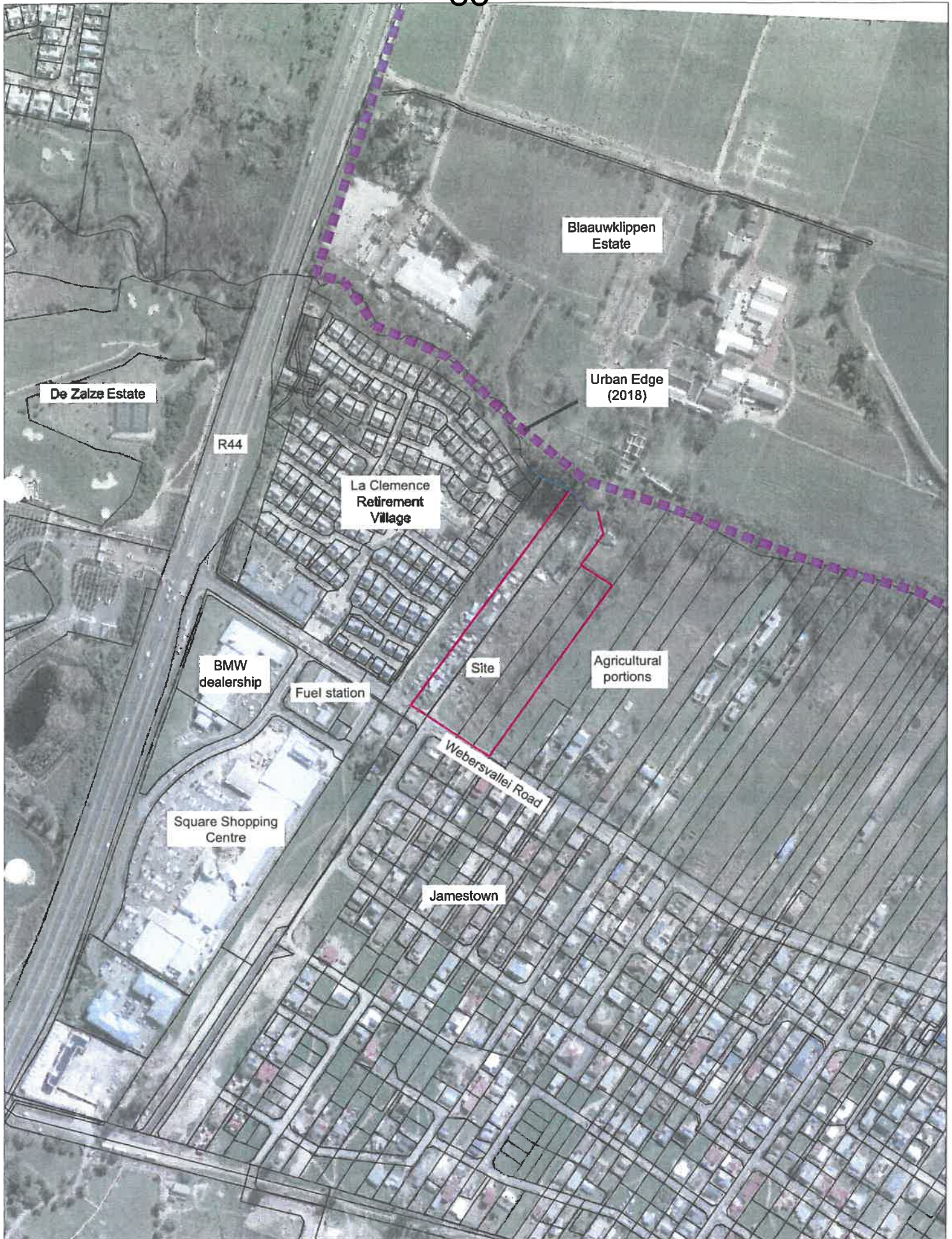
Yours faithfully,



JAN VAN RENSBURG
TV3 PROJECTS (PTY) LTD

SECTION 3

PLANS



Drawn:	Checked:	Date:	Scale:
CJC	JvR	15/08/2018	NTS (A4)
Project no.:		Revision no.:	
D2002		1	
Drawing:			Plan no.:
Broad locality			1



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**Portions 71, 52, 53, and 54
 of the Farm Blaauw Klip No.
 510, Stellenbosch**



Drawn: CJC	Checked: JvR	Date: 15/08/2018	Scale: 1:2 000 (A4)
Project no.: 3527-P		Revision no.: 1	
Drawing: Local locality			Plan no.: 2

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**Portions 71, 52, 53, and 54
 of the Farm Blaauw Klip No.
 510, Stellenbosch**



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Drawn:	Checked:	Date:	Scale:
CJC	JvR	15/08/2018	1:1500 (A4)
Project no.:		Revision no.:	
3527-P		1	
Drawing:			Plan no.:
Aerial photo			3

Erf	Zoning	Land Use	No. of erven	Size (m ²)
1-55	Res III	Residential houses	55	13 426
56	Res IV	Accommodation units	1	1 676
		Internal road		
57	POS II		1	2 109
58	POS II	Private open space	1	6 125
59	TR II	Road widening	1	654
TOTAL			59	23 990



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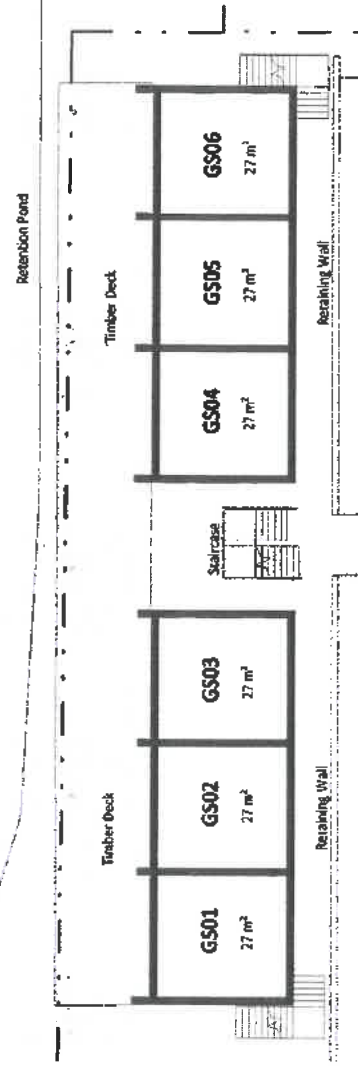
**Portions 71, 52, 53, and 54
 of the Farm Blaauw Klip No.
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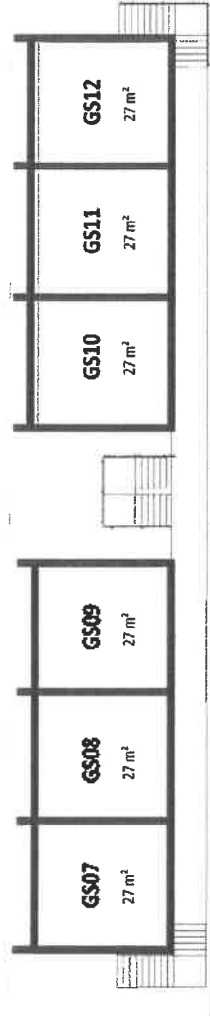
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CJC	JvR	14/06/2018	1:1 250 (A4)
Project no.:		Revision no.:	
D2002		1	
Drawing:			Plan no.:
Proposed subdivision			4

Notation:



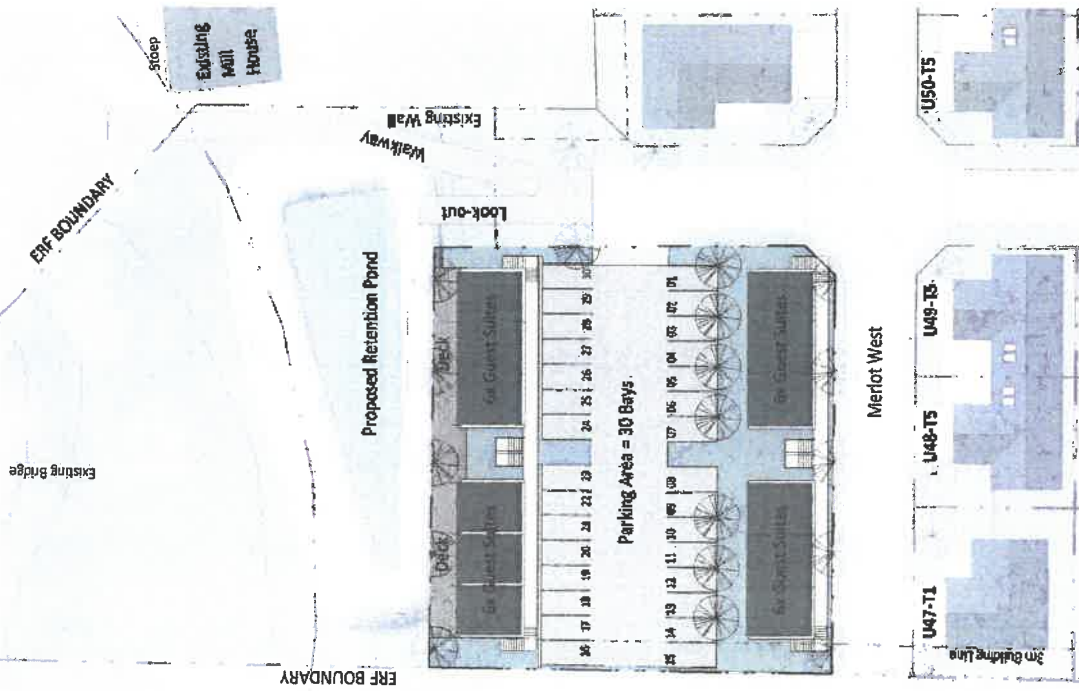
Guest Suites - Typical Ground Floor

SCALE: 1 : 200



Guest Suites - Typical First Floor

SCALE: 1 : 200



SITE DEVELOPMENT PLAN

SCALE: 1 : 500



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Drawn:	CJC	Checked:	JVR	Date:	15/09/2016	Scale:	NA	
Project no.:	D2002	Revision no.:						
Drawing:	Residential IV: SDP						Plan no.:	5

Portions 71, 52, 53, and 54 of the Farm Blaauw Klip
No. 510, Stellenbosch

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Drawn:	Checked:	Date:	Scale:
GJC	JvR	13/09/2018	1:1 250 (A4)
Project no.:	Revision no.:		
D2002	1		
Drawing:	Street name and numbers		Plan no.:
	6		

ANNEXURE A

TITLE DEED AND S.G. DIAGRAMS

117

Cluver Markotter Inc
Cluver Markotter Building
Mill Street

Prepared by me

Stellenbosch		Fee endorsement	
7600		Amount	Office fee
Purchase price/Value	R. 1875416.00	R. 950.00	
Reason for exemption	Cat. section Act.	Exempt i.t.o	


CONVEYANCER
AREND LEOPOLD DE WAAL

FOR ENDORSEMENT PAGE 10

000034249 / 2015

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ANTON LUTHER POSTHUMUS

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at STELLENBOSCH on 1 April 2015 granted to him by

CAPE DUTCH ESTATES STELLENBOSCH PROPRIETARY LIMITED
Registration Number 1971/011401/07

DATA / VERIFY
08 JUL 2015
MURIE LORRAINE

DATA / CAPTURE
07 JUL 2015
LANSI DUYELWA

And the appearer declared that the hereinaftermentioned properties having been disposed of by the Transferor on 1 April 2014 to the Transferee, being its holding Company, in terms of Section 47 of the Income Tax Act Number 58 of 1962

NOW THEREFORE I authorise my said attorney and agent to transfer to and in favour of

BLAAUWKLIPPEN AGRICULTURAL ESTATES STELLENBOSCH PROPRIETARY LIMITED

Registration Number 1972/000312/07

or its Successors in Title or assigns, in full and free property

1. **REMAINDER PORTION 52 (a Portion of Portion 31) OF THE FARM BLAAUW KLIP NUMBER 510 in the Municipality and Division Stellenbosch, Western Cape Province**

IN EXTENT 1,0037 (ONE COMMA ZERO ZERO THREE SEVEN) Hectares

FIRST TRANSFERRED by Deed of Transfer Number T12771/1941 with Diagram Number 3112/1941 relating thereto and HELD BY Deed of Transfer Number T4195/1972

- A. **SUBJECT** to such conditions as are referred to in Deed of Transfer Number 1546 dated 28th February 1918.
- B. **SUBJECT** to the special condition contained in Deed of Transfer Number 1546 dated 28th February, 1918, namely:-

"that the said Transferor for himself, his servants and employees shall have a right of way 3,78 metres in width over the aforementioned property from his farm "Blaauwklip" adjoining thereto to the Municipal lands situate to the South thereof".

the name of the Transferor mentioned in the foregoing condition being Pieter de Waal.

- C. **ENTITLED** to the special condition contained in said Deed of Transfer Number 18088 dated 11th August, 1948 (Paragraph 1), reading:-

"AND ENTITLED to all such warrights as appertain to the remainder of Lot No. 3 Jamestown, part of Lot C of the farm Blaauwklip now called Esperanza, transferred to the said Maatje Willemina Muller, born Langeveldt (formerly Smith, married as aforesaid on this day (No. 18087) such warrights being portion of the warrights to which the registered owner for the time being of the said remainder of Lot No. 3 is entitled to under certain Notarial Agreement re warrights dated 27th March 1916, filed with Transfer No. 2208, dated 23rd

R

February, 1903, the above transferor hereby renouncing in favour of the aforesaid transferee and his successors-in-title as owner of the land hereby conveyed all such warrights."

- D. **SUBJECT FURTHER** to the endorsement in terms of Section 31(6) of Act 47 of 1937 (as amended), dated 29 October 1974, on Deed of Transfer Number T4195/1972, which reads as follows:

"Portions of the herein mentioned property Para 2, Measuring $\pm 197 \text{ m}^2$, Para 3, Measuring $\pm 115 \text{ m}^2$ and Para 4, Measuring $\pm 129 \text{ m}^2$ have been expropriated by Divisional Council of Stellenbosch in terms of Section 130 of Ordinance 15 of 1952. Vide Notice of expropriation No H/1/15 d.d. 9-8-1974 filed as exprop. Caveat EX 1168/74 plans in duplicate filed herewith."

2. **REMAINDER PORTION 53 (a Portion of Portion 51) OF THE FARM BLAAUW KLIP NUMBER 510 in the Municipality and Division Stellenbosch, Western Cape Province**

IN EXTENT 4280 (FOUR THOUSAND TWO HUNDRED AND EIGHTY) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T12771/1941 with Diagram Number 3113/1941 relating thereto and HELD BY Deed of Transfer Number T4195/1972

- A. **SUBJECT** to such conditions as are referred to in Deeds of Transfer Number 2208 dated 23rd February 1903, and Number 7399 dated 10th September, 1907.
- B. **SUBJECT** to the special condition contained relating to the granting of certain water rights referred to in the Endorsement dated 30th July, 1913, on said Deeds of Transfer Number 2208 dated 23rd February, 1903, and Number 7399 dated 10th September, 1907, reading as follows: -

"By Deed of Transfer Number 6087 dated 25th July 1913 certain water rights have been granted to and in favour of the land thereby conveyed as will more fully appear on reference to the said Deed."

- C. **ENTITLED** to the benefit of the condition mentioned in said Deeds of Transfer Number 2208 dated 23rd February, 1903, and number 7399 dated 10th September, 1907, relating to water rights which were apportioned by certain Notarial Deed of Servitude dated 27th March, 1916, referred to in the Endorsement dated 26th April, 1916, on said Deeds of Transfer Number 2208 dated 23rd February, 1903 and Number 7399 dated 10th September, 1907, reading as follows: -

"By Deed of 27th March 1916 the right to the remaining share of all water in the furrow on the South side of Blaauw Klip River has been granted to all present and future owners of the Jamestown allotments as will more fully appear on reference to the copy annexed hereto."

R

- D. **ENTITLED** to the benefit of the special condition contained in said Deed of Transfer Number 18088 dated 11th August, 1948, reading as under: -

"And further entitled to all such warrights as appertain to the remainder of Lot No. 4, Jamestown, part of Lot C of the divided farm Blaauwklip, transferred to the said Maatje Willemina Muller (born Langeveldt) formerly Smith, married as aforesaid, on this day (No. 18087) such warrights being portion of the warrights to which the owner for the time being of the said remainder of Lot No. 4 is entitled to under certain notarial Agreement re warrights dated 27th March 1916, filed with Transfer No. 2208, dated 23rd February, 1903, the above Transferor hereby renouncing in favour of the aforesaid transferee and his successors-in-title as owner of the land hereby conveyed such warrights."

- E. **SUBJECT FURTHER** to the endorsement in terms of Section 31(6) of Act 47 of 1937 (as amended), dated 29 October 1974, on Deed of Transfer Number T4195/1972, which reads as follows:

"Portions of the herein mentioned property Para 2, Measuring $\pm 197 \text{ m}^2$, Para 3, Measuring $\pm 115 \text{ m}^2$ and Para 4, Measuring $\pm 129 \text{ m}^2$ have been expropriated by Divisional Council of Stellenbosch in terms of Section 130 of Ordinance 15 of 1952. Vide Notice of expropriation No H/1/15 d.d. 9-8-1974 filed as exprop. Caveat EX 1168/74 plans in duplicate filed herewith."

3. **REMAINDER PORTION 54 (a Portion of Portion 10) OF THE FARM BLAAUW KLIP NUMBER 510 in the Municipality and Division Stellenbosch, Western Cape Province**

IN EXTENT 4290 (FOUR THOUSAND TWO HUNDRED AND NINETY) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T12771/1941 with Diagram Number 3114/1941 relating thereto and HELD BY Deed of Transfer Number T4195/1972

- A. **SUBJECT** to such conditions as are referred to in Deed of Transfer Number 8434 dated 31st October, 1916.
- B. **ENTITLED** to the special condition contained in said Deed of Transfer Number 18088 dated 11th August, 1948, reading as under: -

"AND ENTITLED to all such warrights as appertain to the remainder of Lot No. 5, Jamestown, part of Lot C of the farm Blaauwklip, now called Esparanza, transferred to the said Maatje Willemina Muller, (born Langeveldt, formerly Smith) married as aforesaid, on this day (No. 18087) such warrights being portion of the warrights to which the owner for the time being of the said remainder of Lot No. 5 is entitled under certain Notarial Agreement re warrights dated 27th March 1916, filed with Transfer No. 2208, dated 23rd February 1903, the above transferor hereby renouncing in favour of the aforesaid transferee and his successors-in-title as owner of the land hereby conveyed all such warrights."

- C. **SUBJECT FURTHER** to the endorsement in terms of Section 31(6) of Act 47 of 1937 (as amended), dated 29 October 1974, on Deed of Transfer Number T4195/1972, which reads as follows:

"Portions of the herein mentioned property Para 2, Measuring $\pm 197 \text{ m}^2$, Para 3, Measuring $\pm 115 \text{ m}^2$ and Para 4, Measuring $\pm 129 \text{ m}^2$ have been expropriated by Divisional Council of Stellenbosch in terms of Section 130 of Ordinance 15 of 1952. Vide Notice of expropriation No H/1/15 d.d. 9-8-1974 filed as exprop. Caveat EX 1168/74 plans in duplicate filed herewith."

4. **REMAINDER PORTION 71 (a Portion of Portion 31) OF THE FARM BLAAUW KLIP NUMBER 510 in the Municipality and Division Stellenbosch, Western Cape Province**

IN EXTENT 1,4832 (ONE COMMA FOUR EIGHT THREE TWO) Hectares

FIRST TRANSFERRED by Deed of Transfer Number T6692/1930 with Diagram annexed thereto and HELD BY Deed of Transfer Number T78120/2003

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No T6692/1930.
- B. **ENTITLED** to the benefit of the following special condition contained in the said Deed of Transfer No T6692/1930, which reads as follows:

"That transferee shall be entitled to lead water from the furrow on the allotments portion of the farm Blaauw Klip abovementioned from 11am to 12 noon on Saturdays, such right being portion of the water rights to which the registered owner for the time being of the said Lot 3 abovementioned is entitled under certain Notarial Agreement re water rights dated 27 March 1916 (filed with Transfer No T 2208/1903 dated 23 February 1903)".

- C. **SUBJECT FURTHER** to the endorsement in terms of Section 31(6) of Act 47 of 1937 (as amended), dated 3 September 1974, which will more fully appear from Deed of Transfer Number T 78120/2003, which reads as follows:

"A portion of the herein mentioned property Measuring $\pm 240 \text{ m}^2$ has been expropriated by Divisional Council of Stellenbosch in terms of Section 130 of Ordinance 15 of 1952. Vide Notice of expropriation No H/1/15 d.d. 9-8-1974 filed as exprop. Caveat EX 1169/74 plans in duplicate filed herewith."

5. **PORTION 837 OF THE FARM BLAAUW KLIP NUMBER 510 in the Municipality and Division Stellenbosch, Western Cape Province**

IN EXTENT 36,4360 (THIRTY SIX COMMA FOUR THREE SIX ZERO) Hectares

FIRST REGISTERED and STILL HELD by Certificate of Consolidated Title Number T7252/2015 with Diagram S.G. Number 2187/2010 relating thereto

h

I In respect of the figure j middle of Blaauw Klip River tH on the hereto annexed Diagram S.G. No 2187/2010:

A. **SUBJECT** to such conditions as are referred to in Deed of Transfer Number 1546 dated 28th February 1918.

B. **SUBJECT** to the special condition contained in Deed of Transfer Number 1546 dated 28th February, 1918, namely:-

"that the said Transferor for himself, his servants and employees shall have a right of way 3,78 metres in width over the aforementioned property from his farm "Blaauwklip" adjoining thereto to the Municipal lands situate to the South thereof".

the name of the Transferor mentioned in the foregoing condition being Pieter de Waal.

C. **ENTITLED** to the special condition contained in said Deed of Transfer Number 18088 dated 11th August, 1948 (Paragraph 1), reading:-

"AND ENTITLED to all such watterights as appertain to the remainder of Lot No. 3 Jamestown, part of Lot C of the farm Blaauwklip now called Esperanza, transferred to the said Maatje Willemina Muller, born Langeveldt (formerly Smith, married as aforesaid on this day (No. 18087) such watterights being portion of the watterights to which the registered owner for the time being of the said remainder of Lot No. 3 is entitled to under certain Notarial Agreement re watterights dated 27th March 1916, filed with Transfer No. 2208, dated 23rd February, 1903, the above transferor hereby renouncing in favour of the aforesaid transferee and his successors-in-title as owner of the land hereby conveyed all such watterights."

II In respect of the figure t middle of Blaauw Klip River uvG on the hereto annexed Diagram S.G. No 2187/2010:

A. **SUBJECT** to such conditions as are referred to in Deed of Transfer Number 2208 dated 23rd February 1903, and Number 7399 dated 10th September, 1907.

B. **SUBJECT** to the special condition contained relating to the granting of certain water rights referred to in the Endorsement dated 30th July, 1913, on said Deeds of Transfer Number 2208 dated 23rd February, 1903, and Number 7399 dated 10th September, 1907, reading as follows: -

"By Deed of Transfer Number 6087 dated 25th July 1913 certain water rights have been granted to and in favour of the land thereby conveyed as will more fully appear on reference to the said Deed."

- C. **ENTITLED** to the benefit of the condition mentioned in said Deeds of Transfer Number 2208 dated 23rd February, 1903, and number 7399 dated 10th September, 1907, relating to water rights which were apportioned by certain Notarial Deed of Servitude dated 27th March, 1916, referred to in the Endorsement dated 26th April, 1916, on said Deeds of Transfer Number 2208 dated 23rd February, 1903 and Number 7399 dated 10th September, 1907, reading as follows: -
- “By Deed of 27th March 1916 the right to the remaining share of all water in the furrow on the South side of Blaauw Klip River has been granted to all present and future owners of the Jamestown allotments as will more fully appear on reference to the copy annexed hereto.”
- D. **ENTITLED** to the benefit of the special condition contained in said Deed of Transfer Number 18088 dated 11th August, 1948, reading as under: -
- “And further entitled to all such waterrights as appertain to the remainder of Lot No. 4, Jamestown, part of Lot C of the divided farm Blaauwklip, transferred to the said Maatje Willemina Muller (born Langeveldt) formerly Smith, married as aforesaid, on this day (No. 18087) such waterrights being portion of the waterrights to which the owner for the time being of the said remainder of Lot No. 4 is entitled to under certain notarial Agreement re waterrights dated 27th March 1916, filed with Transfer No. 2208, dated 23rd February, 1903, the above Transferor hereby renouncing in favour of the aforesaid transferee and his successors-in-title as owner of the land hereby conveyed such waterrights.”
- III **In respect of the figure u middle of Blaauw Klip River eFv on the hereto annexed Diagram S.G. No 2187/2010:**
- A. **SUBJECT** to such conditions as are referred to in Deed of Transfer Number 8434 dated 31st October, 1916.
- B. **ENTITLED** to the special condition contained in said Deed of Transfer Number 18088 dated 11th August, 1948, reading as under: -
- “AND ENTITLED to all such waterrights as appertain to the remainder of Lot No. 5, Jamestown, part of Lot C of the farm Blaauwklip, now called Esparanza, transferred to the said Maatje Willemina Muller, (born Langeveldt, formerly Smith) married as aforesaid, on this day (No. 18087) such waterrights being portion of the waterrights to which the owner for the time being of the said remainder of Lot No. 5 is entitled under certain Notarial Agreement re waterrights dated 27th March 1916, filed with Transfer No. 2208, dated 23rd February 1903, the above transferor hereby renouncing in favour of the aforesaid transferee and his successors-in-title as owner of the land hereby conveyed all such waterrights.”
- IV **In respect of the figure ABCd middle of Blaauw Klip River a on the hereto annexed Diagram S.G. No 2187/2010:**
- A. **SUBJECT** to such conditions as are referred to in Deed of Transfer Number 10420 dated 25 July, 1903;

- B. **SUBJECT** to the condition referred to in the Endorsement dated 18th July 1938 on said Deed of Transfer Number 104/1937, which reads as follows: -

"REGISTRATION OF SERVITUDE.

By Notarial Deed Number 177/1938 dated 3rd May 1938 the Electrical Supply Commission has been granted the right to convey electricity across the land conveyed hereby together with certain ancillary rights subject to conditions, as will more fully appear on reference to the said Notarial Deed registered this day in the servitude Register under No. 177/1938".

- C. **SUBJECT** to the endorsement dated 14th May, 1965 on said Deed of Transfer Number 20249 dated 1st October, 1964, reading:

"Endorsement in terms of Section 31(6) of Act No. 47 of 1937 (As Amended). A Portion of the herein-mentioned property in Para. 1 meas. ± 0.57 Mgn has been expropriated by Divisional Council of Stellenbosch in terms of Sec 130 of Ord 15/1952 as amended. Vide Notice of expropriation No. H/9/3 d.d. 28/4/1965 filed as exprop. Caveat 221/65 plans in duplicate filed."

- D. **SUBJECT FURTHER** to the terms of the servitude as referred to in the endorsement dated, 18 February 2015 on Deed of Transfer Number T4195/1972 and contained in Notarial Deed of Servitude Number K144/2015, namely:

"By Notarial Deed of Servitude Number K144/2015 the right has been granted to Eskom Holdings Soc Limited and Successors to an Electrical servitude of power transmission over the abovementioned property 3,00 (three) metres wide, the lines A-B, B-C, and C-D-E-F-G-H on Servitude Diagram S.G. No 1409/2002 representing the North-eastern, North-western and North-eastern boundaries of the servitude respectively, subject to any existing servitude or other real right, to convey electricity across the property by means of underground cables consisting of structures as may be necessary or convenient for the underground cable network."

Together with ancillary rights as will more fully appear from said Notarial Deed.

(The route of which was defined by a Route Defining Servitude, as being the lines s1-s2, s2-s3, and s-3-s4-s5-s6-s7-s8 representing the North-eastern, North-western and North-eastern boundaries respectively, of an Electrical Powerline Servitude 3,00 metres wide on diagram S.G. No 2187/2010, as will more fully appear from Notarial Deed Number K144/2015.)

WHEREFORE the said Appearer, renouncing all right and title which the said

CAPE DUTCH ESTATES STELLENBOSCH PROPRIETARY LIMITED
Registration Number 1971/011401/07

heretofore had to the premises, did in consequence also acknowledge it to be entirely
dispossessed of, and disentitled to the same, and that by virtue of these presents, the
said

**BLAAUWKLIPPEN AGRICULTURAL ESTATES STELLENBOSCH PROPRIETARY
LIMITED**
Registration Number 1972/000312/07

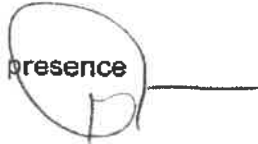
or its Successors in Title or assigns, now is and henceforth shall be entitled thereto,
conformably to local custom, the State, however reserving its rights, and finally
acknowledging that the within properties was disposed of at a base cost of
R1 875 416,00 (ONE MILLION EIGHT HUNDRED AND SEVENTY FIVE THOUSAND
FOUR HUNDRED AND SIXTEEN RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have
subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

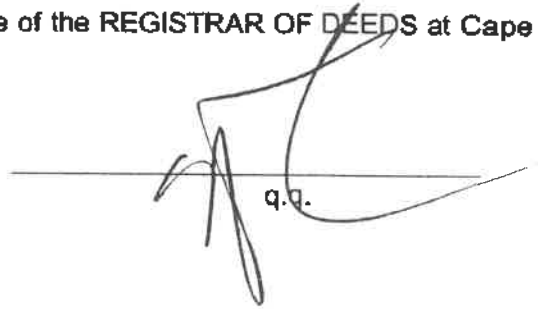
THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at Cape
Town on

24 JUN 2015

In my presence



REGISTRAR OF DEEDS



q.q.

Parts 1-3 (REMAINDERS) & Part 5.

2

ARTIKEL	WET 47 VAN 1937	SECTION	57	ART 47 OF 1937
VERBIND		MORTGAGED		
B 22138/2004				
VIR FOR R 50000000				
BC0032105/2015		[Signature]		
2015-08-24		REGISTRAR		

Part 5.

w.o.p.

3

ARTIKEL	WET 47 VAN 1937	SECTION	57	ART 47 OF 1937
VERBIND		MORTGAGED		
B 978/2010				
VIR FOR R 10 200 000 00				
BC0032106/2015		[Signature]		
[Stamp]		REGISTRAR		

2015-08-24

SIDES		ANGLES OF DIRECTION	SYSTEM L ^o 19 ^o CO-ORDINATES	
Cape	Feet		y	x
ob	523.77	218.57.20	+45805.15	+24360.19
bc	125.05	186.57.10	+24921.26	+25695.57
cd	860.05	35.30.20	+24821.86	+25729.85
da	120.06	123.30.20	+25305.43	+24427.04
oa	18.91	35.57.20	+45416.24	+24375.30
ba	46.00	215.57.20		
ca	80.00	215.50.20		

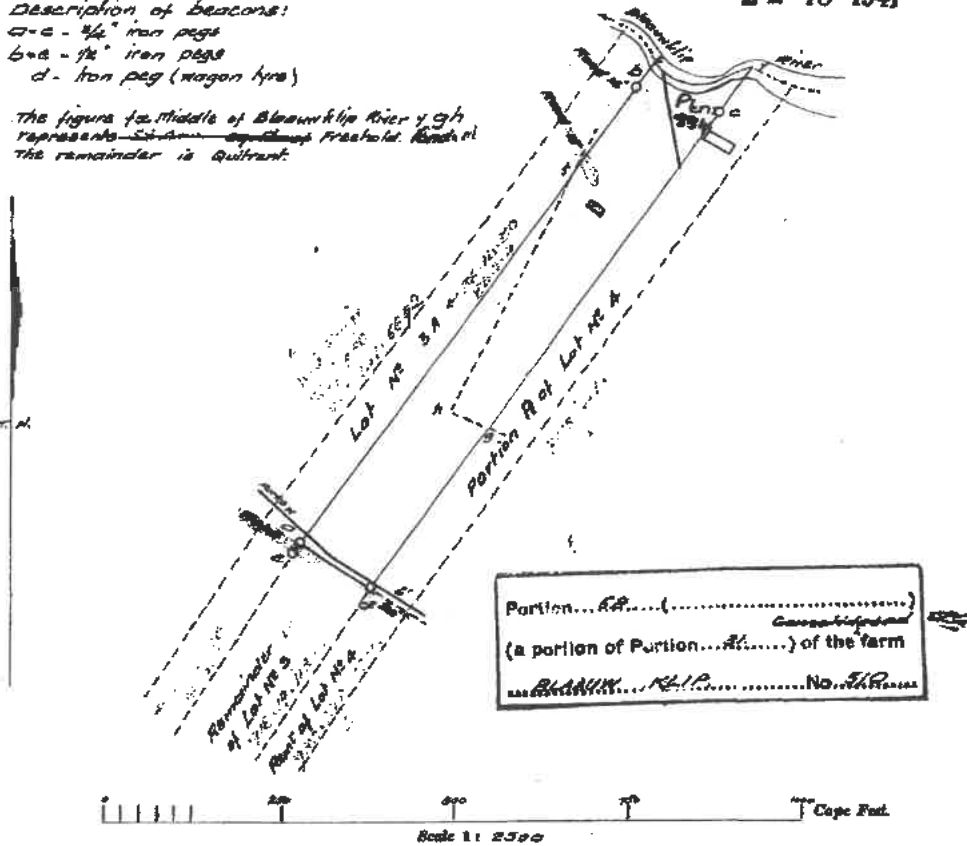
S. G. No. 3112/41

Approved

J. G. J. J. J.
 Surveyor-General.
 22-10-1941

Description of beacons:
 a-c - 1/2" iron pegs
 b-a - 1/2" iron pegs
 d - iron peg (wagon tyre)

The figure *ca* Middle of Blaauwklip River *ca* h
 represents *ca* ~~ca~~ *ca* Freshhold *ca* *ca*
 The remainder is *ca* *ca*



The figure *ca* Middle of Blaauwklip River *ca* h
 represents 1.2148 Morgen of land being
 PORTION B of Lot No 3 Jamestown of Lot C of the farm Blaauw Klip
 situate in the Division of Stellenbosch Province of Cape of Good Hope.
 Surveyed in July 1941 by me *H. H. H.*
 Land Surveyor.

This diagram is annexed to
 Transfer Deed No 12791
 dated 3.12.1941 in favour of
 M. W. Muller, born Lang
 m.w.c.p. to R. C. Muller.
 Registrar of Deeds.

The original diagram is S. G. File No. S2790/1941
 No. 214/1916 annexed S.B. No. E 855/1941.
 D/T 1916-19.1186 Sheet BH-82c
 M 3169 IN. 510/52.
 S
 C
 A. 887.07.

Date: _____
Secretary: _____

Secretary

Approved

Date: 2/28/11 Secretary: _____

Secretary
NATIONAL COUNCIL
ON SCIENTIFIC RESEARCH

THE FOLLOWING INFORMATION IS TO BE TAKEN FROM THE DIAGRAM

SURVEY RECORD	DIAGRAM NO.	SUBJECT	DATE	TRANSFER NO.	INITIALED	REMARKS
E 57/2010	21/24/2010	Plan. 134	3/28/2011	1/24/2011	MT	

SUB-DIVISIONAL DIAGRAM
 Sect. 26 19, Act No. 9 of 1927

S. G. No. 3113/41

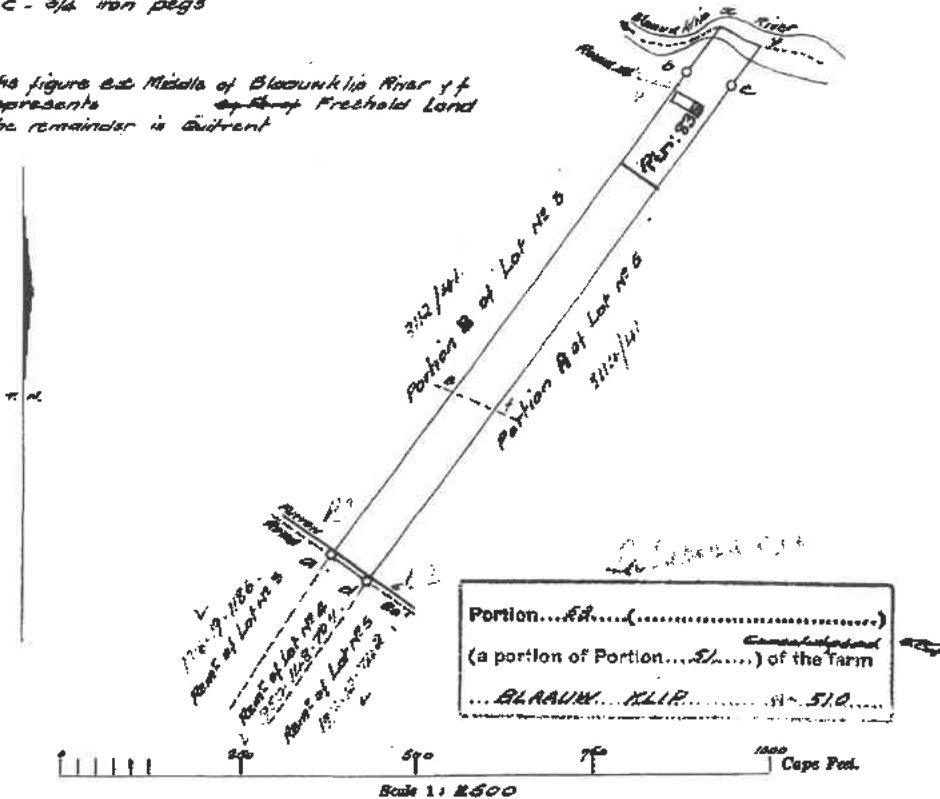
SIDES Cape Feet	ANGLES OF DIRECTION	SYSTEM 19 19° CO-ORDINATES	
		Y	X
ab 860.05	215. 50. 20	a + 45305.43	+ 11920000
bc 65.51	286. 57. 10	b + 44801.86	+ 24427.04
cd 879.18	35. 49. 50	c + 44739.20	+ 23729.83
da 62.13	125. 56. 40	d + 45253.89	+ 24461.73
ba 80.00	215. 50. 20		
cy 70.00	215. 49. 50		

Approved

J. Müller
 Surveyor-General.
 22-10-1941

Description of beacons:
 ✓ a+d. iron pegs (wagon tyre)
 b+c. 3/4 iron pegs

The figure *a b c d* Middle of Blaauwklip River *y d* represents *58380* Sq. Feet of land being *Portion A of Lot No. A* *Jamastann* of Lot C of the farm *Blaauw Klip* situate in the Division of *Stellenbosch* Province of Cape of Good Hope.



The figure *a b c d* Middle of Blaauwklip River *y d* represents *58380* Sq. Feet of land being *Portion A of Lot No. A* *Jamastann* of Lot C of the farm *Blaauw Klip* situate in the Division of *Stellenbosch* Province of Cape of Good Hope. Surveyed in *July 1941* by me *J. Müller* Land Surveyor.

This diagram is annexed to Transfer Deed No 12777 dated 3.12.1941 in favour of *M. W. Müller* born *Langewald, municip. to P. C. Muller* Registrar of Deeds.

The original diagram is No. A5246/1930 annexed to D/T 1930-148-7011. Stal. Q 4-59

S. G. File No. 2790/62
 S.E. No. E. 955/1941
 Sheet BM-6D
 M 3169
 KN. Control 10/53
 A. SPECT.

THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THE DIAGRAM						
SURVEY RECORD	DIAGRAM NO.	SUBDIVISION	AREA HA, SQ. FT.	TRANSFER NO.	INITIALED	REMARKS
1987/2010	2185/2010	Pin. 836	1508 6sqm	1250/2010	OM	

SIDES	FEET		ANGLES OF DIRECTION	SYSTEM 1919 CO-ORDINATES	
	Cape	Feet		y	x
ab	879.18		215.49.50	+45253.89	+11920000
bc	62.91		286.57.10	+44739.20	+24461.73
cd	898.06		35.32.0	+44679.02	+25748.98
da	64.24		124.28.20	+45200.93	+25767.27
bx	70.00		215.49.50		
cy	80.00		215.32.0		

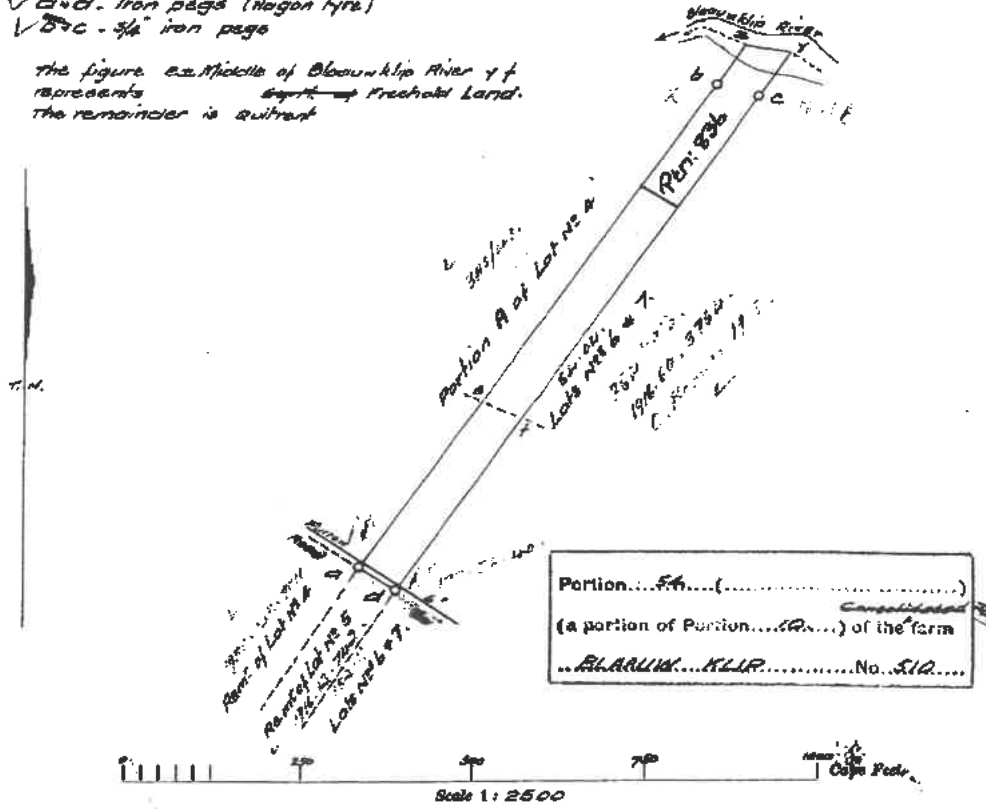
S. G. No. 3114/41

Approved

J. G. J. J. J.
 Surveyor-General.
 22-10-1941

Description of beacons:
 ✓ and. Iron pags (Wagon tyre)
 ✓ D.C. 3/4" iron pags

The figure as Middle of Blaouklip River y d represents 59400 Sq. Feet of land being the remainder is quitrent



The figure as Middle of Blaouklip River y d represents 59400 Sq. Feet of land being PORTION A of Lot No. 3 Jameson of Lot C of the farm Blaou Klip situate in the Division of Stellenbosch Province of Cape of Good Hope.

Surveyed in July 1941 by me *H. K. K.*

Land Surveyor.

This diagram is annexed to Transfer Deed No. 12779 dated 8.12.1941 in favour of *M. W. Muller* (born Langewald, m.w.g. to M.C. Mulley) Registrar of Deeds.

The original diagram is No. 7/1916 annexed to D/T 1916-12-742.

S. G. File No. S 2790/162
 S.R. No. E. 853/1941
 Sheet BN-BDC

M 3169

Cons. 510/51C

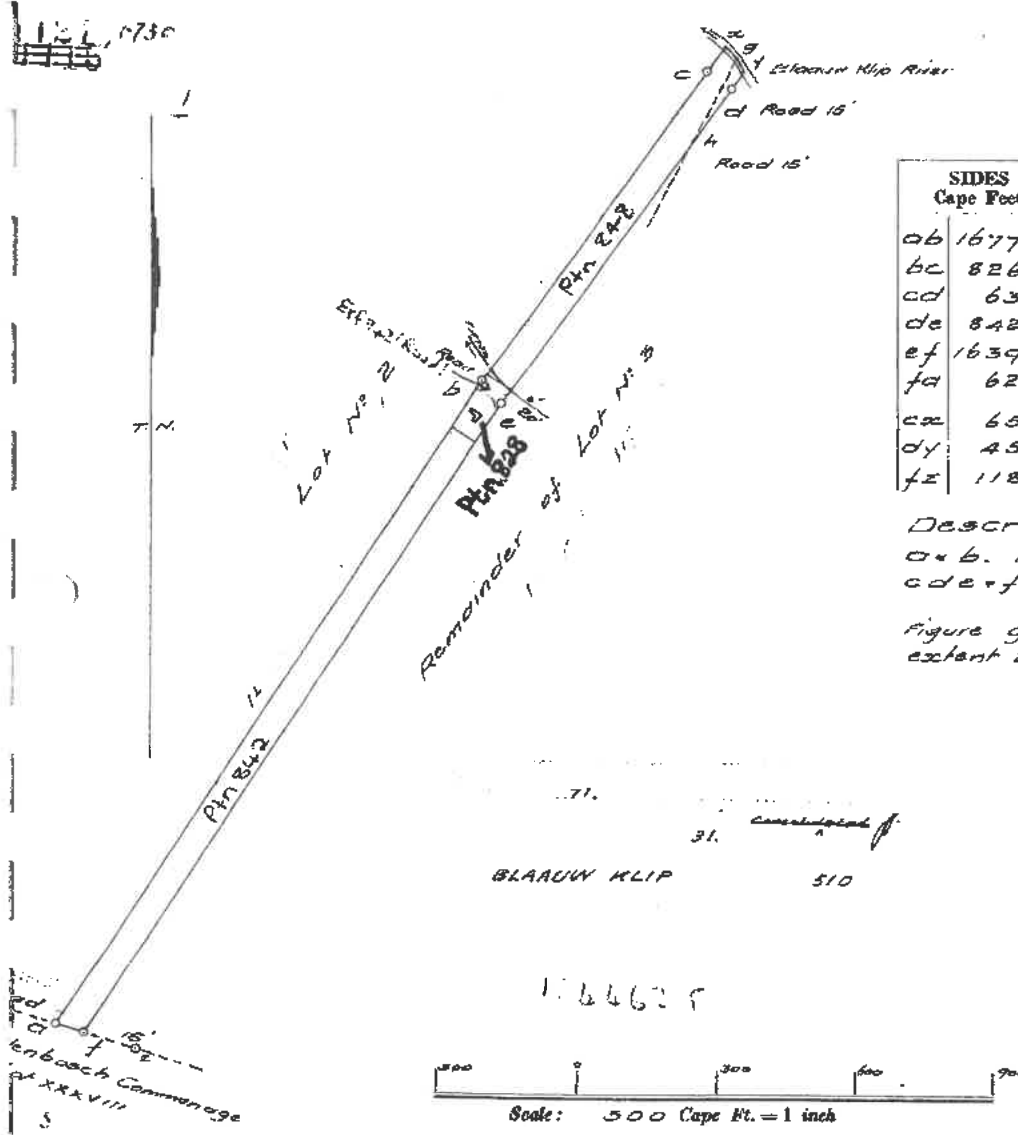
Stat. Q 4-59

A. 01362.

THE FOLLOWING DEFICIENCIES HAVE BEEN MADE FROM THIS DIAGRAM						
DEFECT RECORD	DIAGRAM NO.	SUBDIVISION	AREA NO./SQ. FT.	TRANSFER NO.	INITIALED	REMARKS
E987/2010	2186/2010	P.O. 86	1549 Sqm	1722/2010	27	

Approved

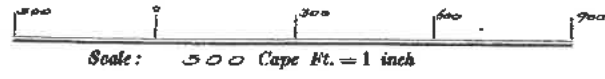
J. J. J. J.
 Surveyor-General
 1/4/1930.



SIDES Cape Feet	ANGLES OF DIRECTION	CO-ORDINATES	
		y	x
ab	1677.1	213. 9. 30	a - 106794.3 + 16349.6
bc	826.2	216. 11. 50	b - 107711.6 + 14945.6
cd	63.1	306. 29. 20	c - 108199.5 + 14278.9
de	842.4	36. 14. 50	d - 108250.2 + 14316.4
ef	1639.7	33. 13. 20	e - 107752.1 + 14995.8
fd	62.0	106. 44. 0	f - 106853.7 + 16367.5
ca	65.0	216. 11. 50	
dy	45.0	216. 14. 50	
fe	118.6		

Description of Beacons:
 a & b. Iron pegs (Nagen type)
 c & d & e & f. Round 1/2 inch iron pegs

Figure g Middle of Blaauw Klip River y h. in extent 2700 39 ft. is Freehold.



bc & Middle of Blaauw Klip River y d e f represents 1 Morgen 70300 Square Feet
 called Lot No. 3 A
 of Lot No. 3 Jamestown being that portion of Lot C of Blaauw Klip which is referred to hereunder,
 in the DIVISION of STELLENBOSCH PROVINCE of CAPE of GOOD HOPE.

Surveyed in Dec. 1929 by me

J. J. J. J.
 Land Surveyor.

Diagram is annexed to Transfer Deed
 6642, dated 11-8-1930,
 in favour of Elias Jansz
 Registrar of Deeds.

The original diagram is No. 214-1916
 annexed to Transfer Deed No. 1186-1916
 dated 25 Feb. 1916
 in favour of E. Linders

1/16/1930

1766/2009	4858/2009	Pln 828	702m ²	147696/10	DA	1100
1431/2014	2068/2014	Pln 842	9109m ²			57222E
	2568	Ext 942	284 sym			
	2015	Jonestown				
1316/2017	2294/2017	Pln 848	5255sqm			

11/10/15

ANNEXURE B

**POWER OF ATTORNEY AND
COMPANY RESOLUTION**

POWER OF ATTORNEY

I, **DONOVAN FRANCO COMERMA**

duly authorised by **BLAAUWKLIPPEN AGRICULTURAL ESTATES Pty Ltd**

do hereby appoint

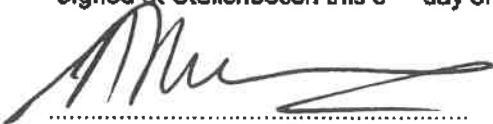
: **TV3 Architects and Town Planners (Pty) Ltd**
 97 Dorp Street
 1st floor La Gratitude Offices
STELLENBOSCH
7599


with power of Substitution to be our agent in our name in order to in respect of the following property:

Portions 71, 52, 53, and 54 of the Farm Blaauw Klip No. 510, Stellenbosch

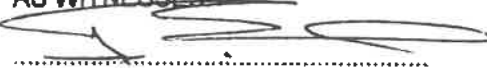
- (a) Prepare any application provided for, or as may be required by the Municipal Manager, in terms of the Stellenbosch Municipal Planning By-Law (2015)
- (b) Prepare any application that may be require in terms of the Subdivision of Agricultural Land Act (Act 70 of 1970);
- (c) submit the above to the relevant authorities for approval; and
- (d) negotiate and to take action regarding any other relevant matter that may deem to be necessary to finalise any application required in the above regard.


Signed at Stellenbosch this 3rd day of July 2018 in the presence of the undersigned witnesses





AS WITNESSES:

1. 

2. 

COMPANY RESOLUTION

We the director(s) of **BLAAUWKLIPPEN AGRICULTURAL ESTATES Pty Ltd**, the registered owner of the property listed below, resolved at a meeting held on 3 JULY 2018 to:

duly authorise: **DONOVAN FRANCO COMERMA**

to sign any necessary documentation in order to appoint

TV3 Architects and Town Planners (Pty) Ltd
97 Dorp Street
1st floor La Gratitude Offices
STELLENBOSCH
7599

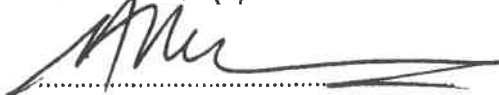

with power of Substitution to be our agent in our name in in order to respect of the following properties:

Portions 71, 52, 53, and 54 of the Farm Blaauw Klip No. 510, Stellenbosch



- (a) Prepare an application for the consolidation, rezoning and subdivision and or any other application provided for, or as may be required by the Municipal Manager, in terms of the Stellenbosch Municipal Planning By-Law (2015) in order to allow for a residential development
- (b) Prepare any application that may be require in terms of the Subdivision of Agricultural Land Act (Act 70 of 1970);
- (c) submit the above to the relevant authorities for approval; and
- (d) negotiate and to take action regarding any other relevant matter that may deem to be necessary to finalise any application required in the above regard.

Signed at Stellenbosch this 3rd day of July 2018 in the presence of the undersigned witnesses

AS DIRECTOR(S):


.....

.....

AS WITNESSES:

1. 
.....
2. 
.....

.....

.....

ANNEXURE C

CONVEYANCER'S CERTIFICATE



STELLENBOSCH

STELLENBOSCH • PNILL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

CONVEYANCER CERTIFICATE

I/We Arend Leopold de Waal

(to be completed by the applicant)

Practising at:

Cluver Markotter Inc.

Cluver Markotter Building, Mill Street

Stellenbosch

(fill in with place of practice)

In respect of:

Remainder of Portions 52, 53, 54 and 71 of the Farm Blaauw Klip No. 510,

Situate in the Municipality and Division of Stellenbosch,

Province of the Western Cape

Held by Deed of Transfer Number T 34249/2015

(if relevant, the applicant will refer to it as a separate deed or deeds)

Hereby certify that a search was conducted in the Deeds Registry, regarding the said property (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer):

1. Deed of Transfer Number 34249/2015

2.

3.

4.

5.

6.

7.

8.

(to be completed by the Registrar of Deeds)



A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)

Categories		Are there deed restrictions (indicate below)		Title Deed and Clause number if restrictive conditions are found
1.	Use of land	Y	<input checked="" type="radio"/> N	
2.	Building lines	Y	<input checked="" type="radio"/> N	
3.	Height	Y	<input checked="" type="radio"/> N	
4.	Number of Dwellings	Y	<input checked="" type="radio"/> N	
5.	Bulk floor area	Y	<input checked="" type="radio"/> N	
6.	Coverage/built upon area	Y	<input checked="" type="radio"/> N	
7.	Subdivision	Y	<input checked="" type="radio"/> N	
8.	Servitudes that may be registered over or in favour of the property	Y	<input checked="" type="radio"/> N	
9.	Other Restrictive Conditions	Y	<input checked="" type="radio"/> N	



B. INDICATE AFFECTED PARTIES AS PER TITLE DEED (if any)


a.	Organ(s) of State that might have an interest in the restrictive condition	No
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	Not applicable
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies	Not applicable

C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015)	Notarial Deed of Cancellation (Submit Copy of Signed Agreement)	Action by way of court order (Submit Copy of the Court Order)	If Other, Please Specify
--	---	---	--------------------------

Signed at Stellenbosch (Place) on this 11 (Day) July (Month) of 2018.

Full names and Surname: Arend Leopold de Waal

Signature: 

CLUVER MARKOTTER ING / INC
 CLUVER MARKOTTER GEBOU / BUILDING
 MEULSTRAAT / MILL STREET
 POSTBUS / P. O. BOX 12
 STELLENBOSCH
 TEL: (021) 808 5600

AREND LEOPOLD DE WAAL
 KOMMISSARIS VAN EDE
 COMMISSIONER OF OATHS
 CLUVER MARKOTTER ING / INC
 PRAKTISERENDE PROKUREUR RSA / PRACTISING ATTORNEY RSA
 NR 7831
 CLUVER MARKOTTER GEBOU / BUILDING
 MEULSTRAAT / MILL STREET
 STELLENBOSCH

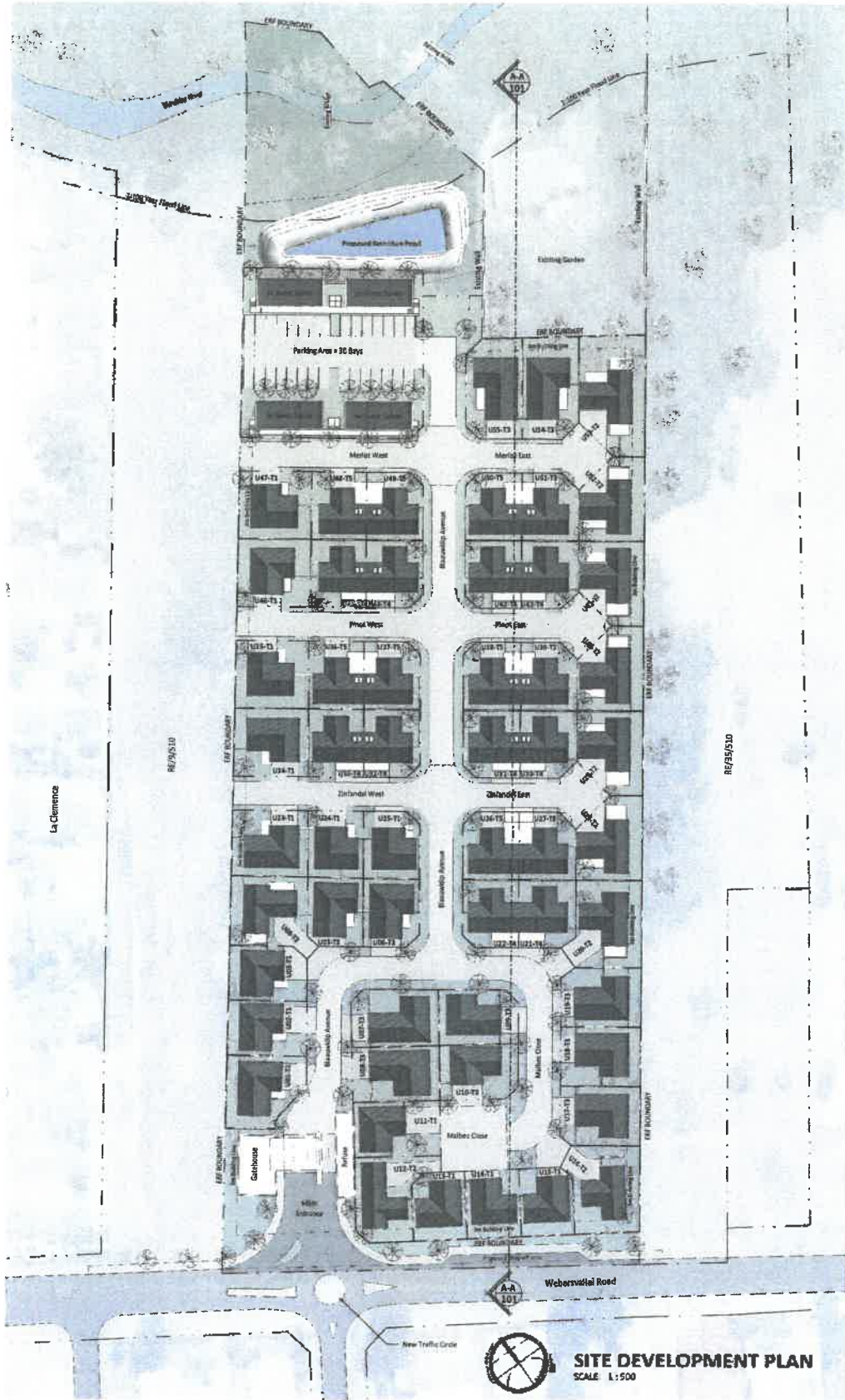
Tel: 021 808 5656

Email: arendw@cluvermarkotter.law

Cell:

ANNEXURE D

ARCHITECTURAL DESIGN



SITE LOCATION PLAN
SCALE: 1 : 5000

DEVELOPMENT INFORMATION:

Single Duplex (180 m²) - TOTAL 35:	
Type 01 (180 m ²) x 14	= 2 520 m ² (RA)
Type 02 (180 m ²) x 10	= 1 800 m ² (RA)
Type 03 (180 m ²) x 11	= 1 980 m ² (RA)
Double Units (150 m²) - TOTAL 20:	
Type 04 (150 m ²) x 20	= 3 000 m ² (RA)
Type 05 (150 m ²) x 30	= 4 500 m ² (RA)
Guest Suite Units (24 m²) - TOTAL 28:	
Total Suites (30 m ²) x 24	= 720 m ² (RA)
TOTAL RA (55 Units @ 24 Suites)	= 9 580 m²
*Total excludes balconies	

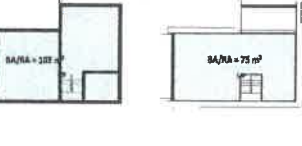
UNIT TYPE 01 - 180 m²:



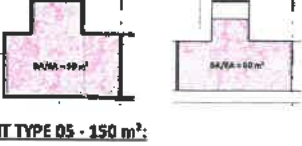
UNIT TYPE 02 - 180 m²:



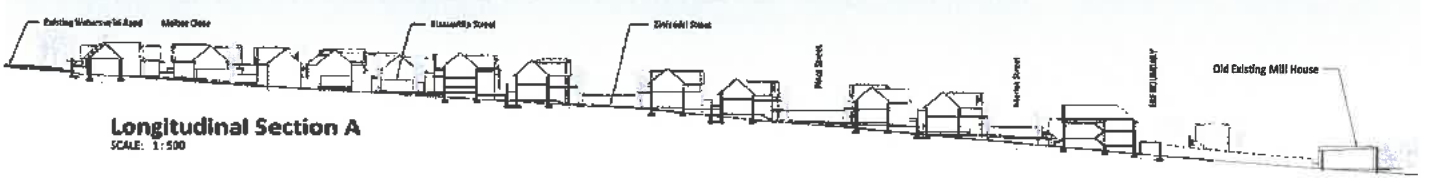
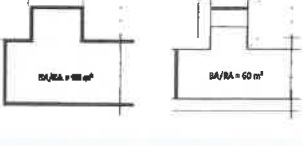
UNIT TYPE 03 - 180 m²:



UNIT TYPE 04 - 150 m²:



UNIT TYPE 05 - 150 m²:



Longitudinal Section A
SCALE: 1 : 500

ORIGINAL DOCUMENT DATE	DATE
DOCUMENT VARIATIONS REGISTER	
NO.	DATE
1	2024/08/28
2	2024/09/11
3	2024/09/11

DRAWING STATUS CODES:
A - Design & Planning - C - Contracting - B - Tender - G - Construction - F - As Built

ALL STRUCTURE REQUIREMENTS (FOUNDATION, BEARING CAPACITY, AND PERMISSIBLE PLACEMENT) SHALL BE OBTAINED FROM THE GEOTECHNICAL ENGINEER AND SHOWN AS AN ADDITIONAL SHEET TO THIS DRAWING. THE ENGINEER'S OFFICIAL CERTIFICATE, WHICH WILL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN, SHALL BE PROVIDED TO THE ARCHITECT AND TOWN PLANNERS BEFORE THE COMMENCEMENT OF CONSTRUCTION AND SHALL BE THE BASIS OF THE DESIGN OF ALL FOUNDATIONS AND STRUCTURES. THE ARCHITECT AND TOWN PLANNERS SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL FOUNDATIONS AND STRUCTURES. THE ARCHITECT AND TOWN PLANNERS SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL FOUNDATIONS AND STRUCTURES.

PROJECT DESCRIPTION:
BLAAUWKLIppen AAN RIVER,
Portions 73, 52, 53, and 54 of the Farm
Blauw Klip No.510, Stellenbosch

DRAWING DESCRIPTION:
SITE DEVELOPMENT PLAN

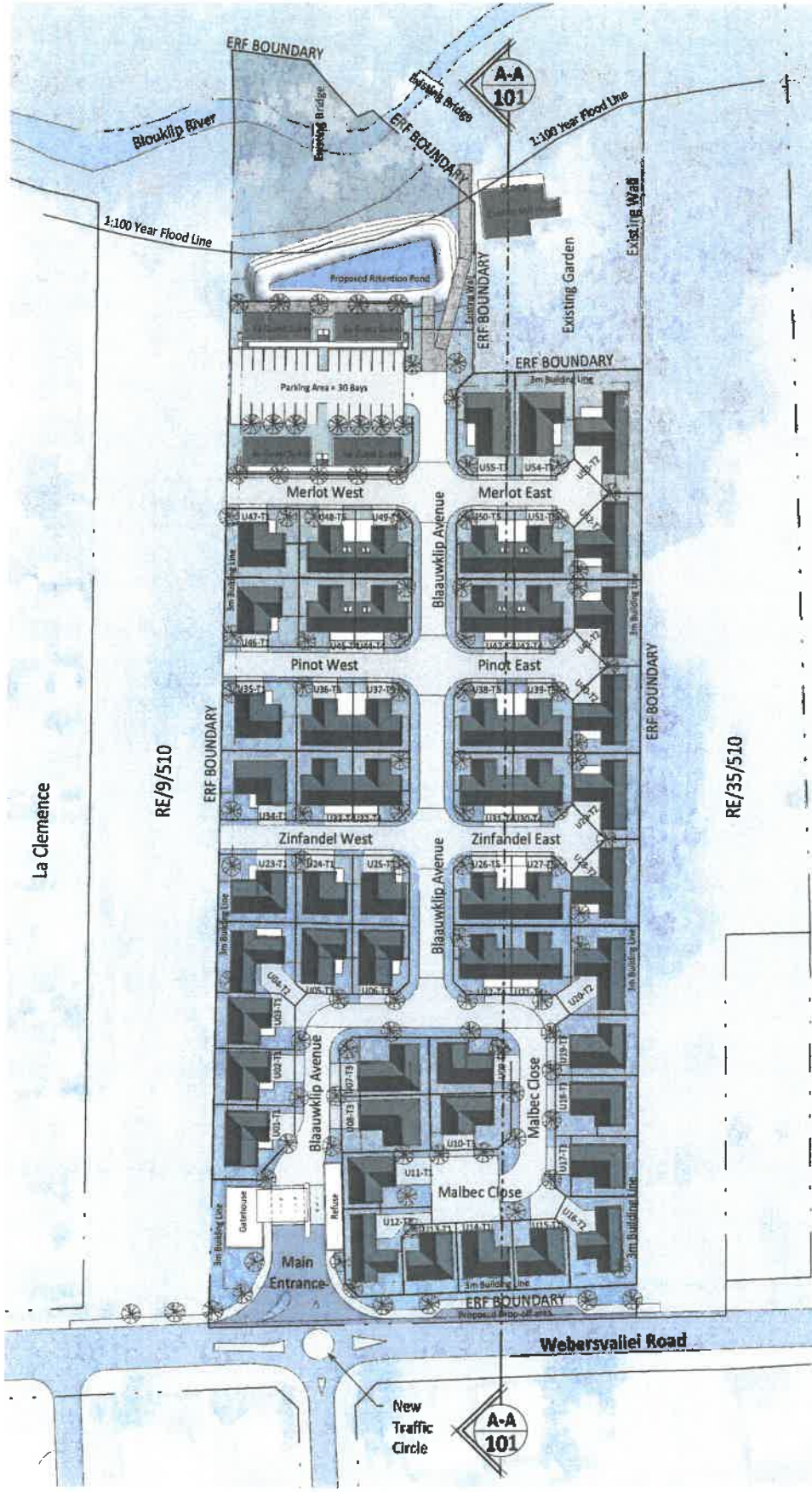
PROJECT / CLIENT:
BLAUWKLIppen

PROJECT MANAGER: A. J. VAN DER MERWE
ARCHITECTS AND TOWN PLANNERS

DATE: 31/08/2024
DRAWN BY: H. LINDO (Ph: 028 29875)
CHECKED BY: E. SWARTZ (Ph: 028 29875)
SCALE: As Indicated

DRAWING No.:
3571/A/101

DRAWING STATUS:
DESIGN



SITE DEVELOPMENT PLAN
SCALE: 1 : 1000



Longitudinal Section A
SCALE: 1 : 1000



DRAWN: _____ Author | CHECKED: _____ Checker
DATE: _____ SCALE/SHEET SIZE: 1 : 1000
DRAWING No.: **3571 /A /110**

CV3
ARCHITECTS AND TOWN PLANNERS

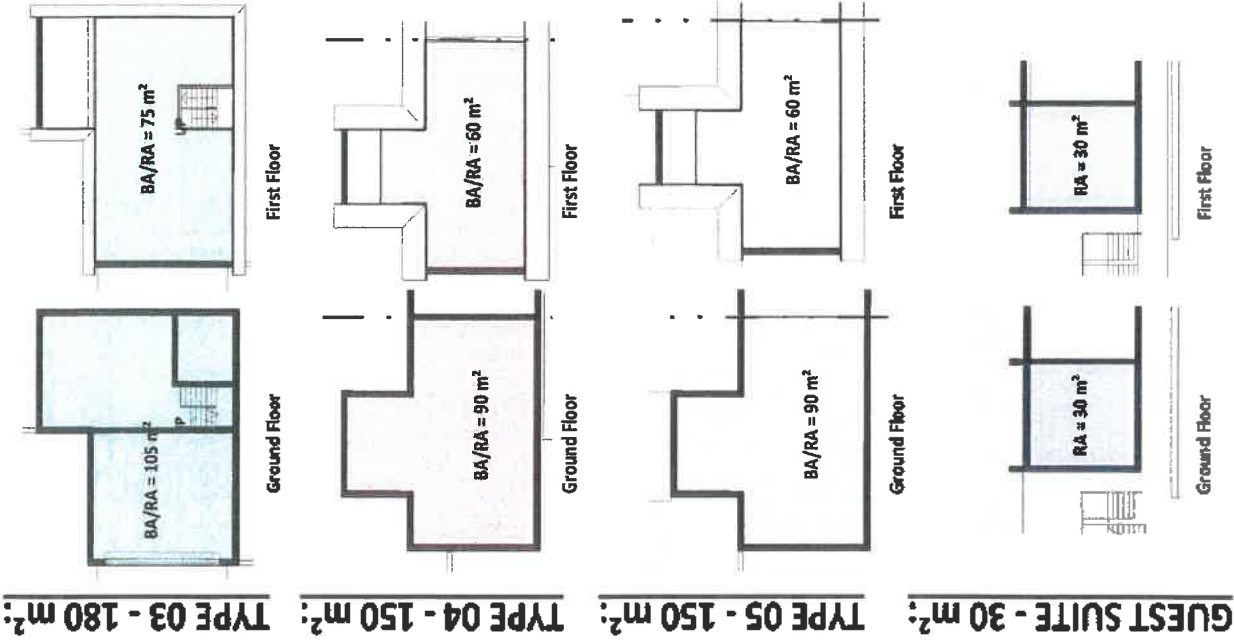
PROJECT ROOM 1 LA GRANTHOPE OFFICE BUILDING
17 DOOP STREET | STELLENBOSCH 7600
TEL: +27(0)271 2860
FAX: +27(0)271 2865
WWW.CV3.CO.ZA

PROJECT / CLIENT:
BLAAUWKLIPPEN

DRAWING DESCRIPTION:
SITE DEVELOPMENT PLAN

NO.	DATE	DESCRIPTION

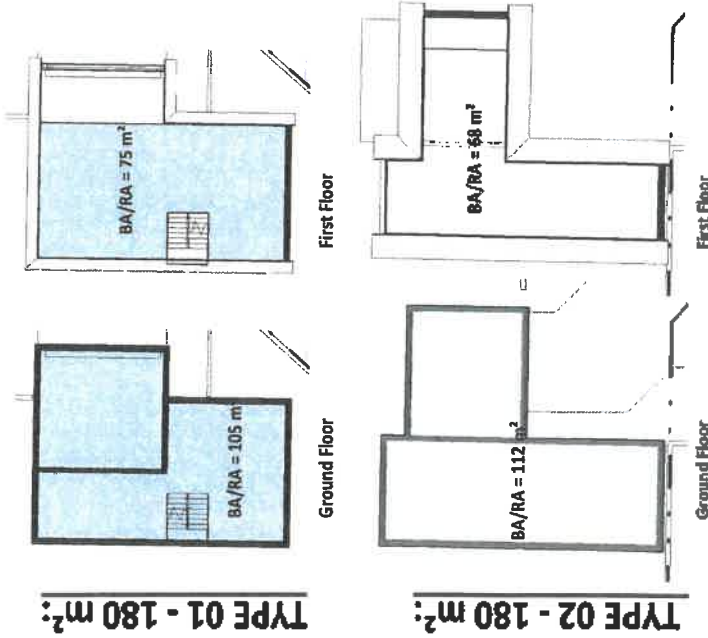




TYPE 03 - 180 m²; TYPE 04 - 150 m²; TYPE 05 - 150 m²; GUEST SUITE - 30 m²

DEVELOPMENT INFORMATION:

Single Houses (180 m²) - TOTAL 35:
 Type 01 (180 m²) x 14 = 2 160 m² (RA)
 Type 02 (180 m²) x 10 = 1 800 m² (RA)
 Type 03 (180 m²) x 11 = 1 980 m² (RA)
 Duplex Units (150 m²) - TOTAL 20:
 Type 04 (150 m²) x 10 = 1 500 m² (RA)
 Type 05 (150 m²) x 10 = 1 500 m² (RA)
 Guest Suite Units (30 m²) - TOTAL 24:
 Total Suites (30 m²) x 24 = 720 m² (RA)
TOTAL RA (55 Units & 24 Suites) = 9 660 m²*
 * Total excludes Balconies



TYPE 01 - 180 m²; TYPE 02 - 180 m²



SITE DEVELOPMENT PLAN

SCALE: 1 : 1000

PROJECT / CLIENT:
BLAAUWKLIPPEN
 DRAWING DESCRIPTION:
Unit Types Areas

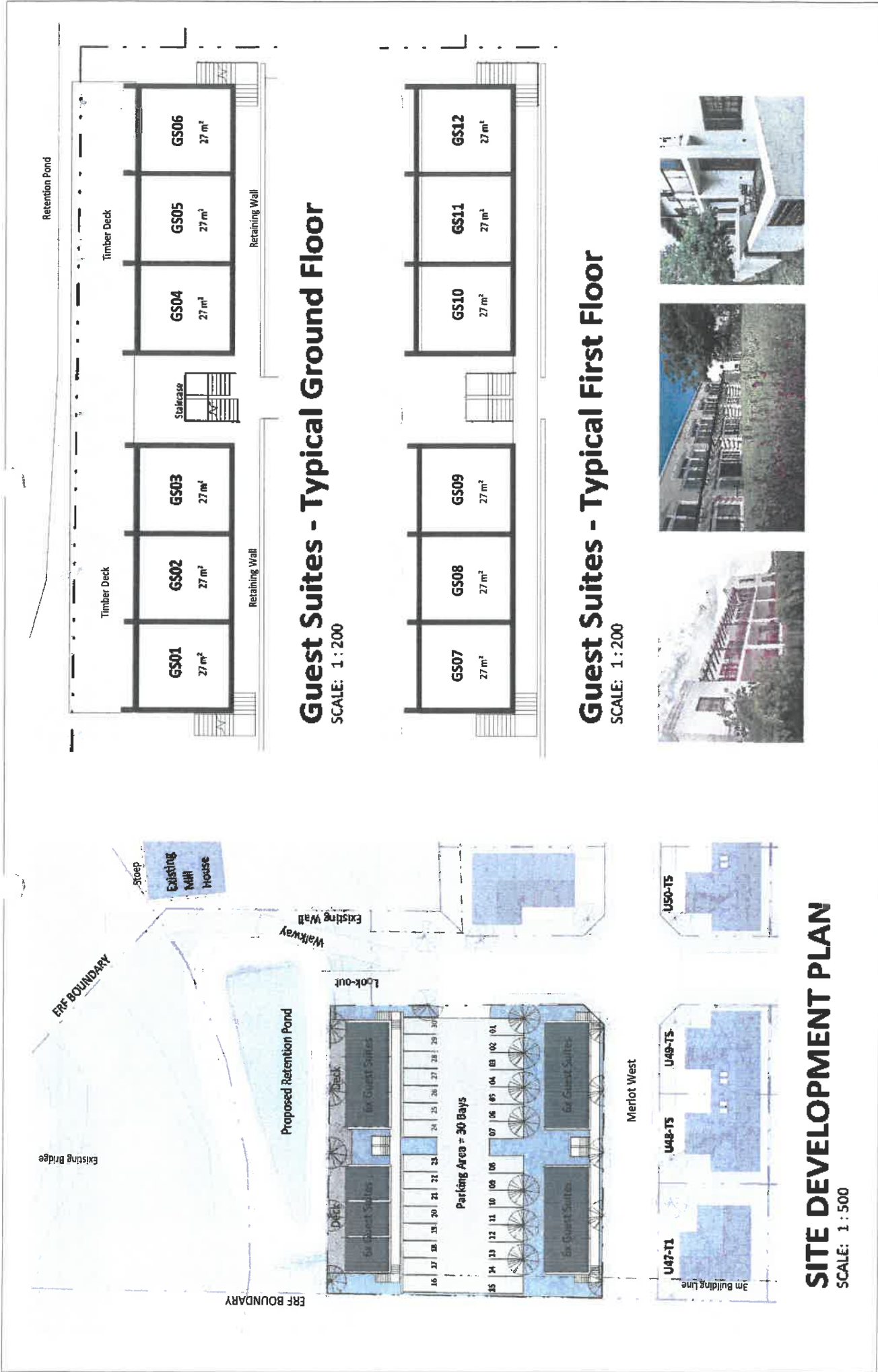
DOCUMENT VARIATIONS REGISTER:
 NO. DATE DESCRIPTION

DRAWN: HC HUGO | CHECKED: E SWANEPOEL
 DATE: | SCALE/SHEET SIZE indicated
 DRAWING NO.:
3571 / A / 111

ARCHITECTS AND PLANNERS
tv3
 ARCHITECTS AND PLANNERS
 1011 LA GRANTVILLE OFFICE BUILDING
 1111 VREDEBURGH ROAD
 1111 VREDEBURGH ROAD
 TEL: +27(0)21 359 3500
 FAX: +27(0)21 359 3501
 EMAIL: info@tv3.co.za

NO.	DATE	DESCRIPTION

REVISION



DOCUMENT VARIATIONS REGISTER:

NO.	DATE	DESCRIPTION
1	11/09/2018	Issued to TWS Township

PROJECT / CLIENT:
BLAAUWKLOPPEN

DRAWING DESCRIPTION:
Guest Suites - Site plan & Layout

DRAWN: HC HUGO | **CHECKED:** ESWANEPOEL
DATE: 11/09/2018 | **SCALE/SHEET SHEET** indicated
DRAWING No.: 3571 / A / 112

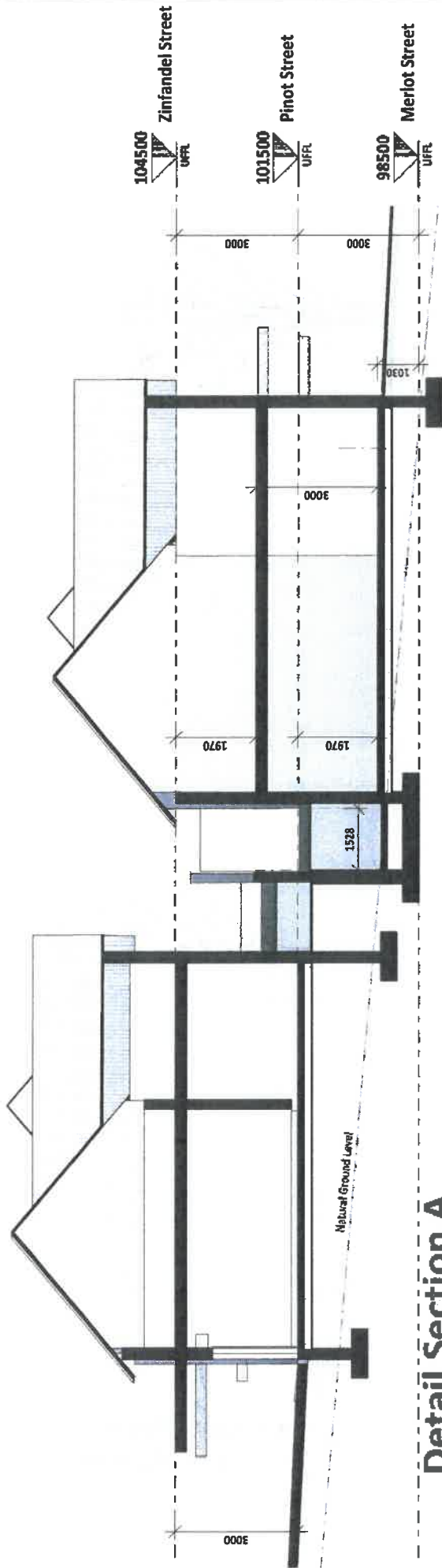
TWS
 ARCHITECTS AND TOWN PLANNERS

RIETJAGDE 1 LA GRANTIDE OFFICE BUILDING
 97 ROCK STREET | STELLENBOSCH 7600
 TEL: +27(0)21 166 1100
 MOB: +27(0)82 982 5023
 E: h.hugo@tws.co.za

SCALE: 1 : 500

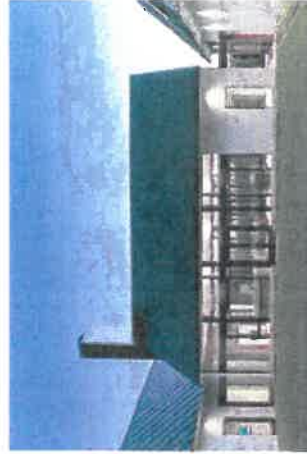
SITE DEVELOPMENT PLAN





Detail Section A

SCALE: 1 : 100



DOCUMENT VARIATIONS REGISTER:

NO.	DATE	DESCRIPTION
A	14/08/2018	Discussion with Client
B	11/09/2018	Issued to TV3 Toompan

PROJECT / CLIENT:
BLAAUWKLIPPEN

DRAWING DESCRIPTION:
Detail Secti A & Precedents

tv3
ARCHITECTS ANE
JWN PLANNERS

FIRST FLOOR 1 LA GRAYSTONE OFFICE BUILDING
17 DOOP STREET 1 PHILLIMORCH 7400
TEL: +27(0)11 461 3000
FAX: +27(0)11 461 0015
EMAIL: info@tv3.co.za

DRAWN: HC HUGO | **CHECKED:** E SWANEPOEL
DATE: 11/09/2018 | **SCALE/SHEET SIZE:** 1 : 100
DRAWING NO.:

3571 / A / 113

REVISION
B



Birdseye - NE

SCALE

PROJECT / CLIENT

BLAAUWKLIPPEN

DRAWING DESCRIPTION:

3D View - North West

FIRST FLOOR II LA GRATITUDE OFFICE BUILDING
 97 DOORP STREET I STELLENBOSCH 7600
 TEL: +27(21)981 3800
 FAX: +27(21)982 8025
 EMAIL: info@ev3.co.za



ARCHITECTS AND TOWN PLANNERS

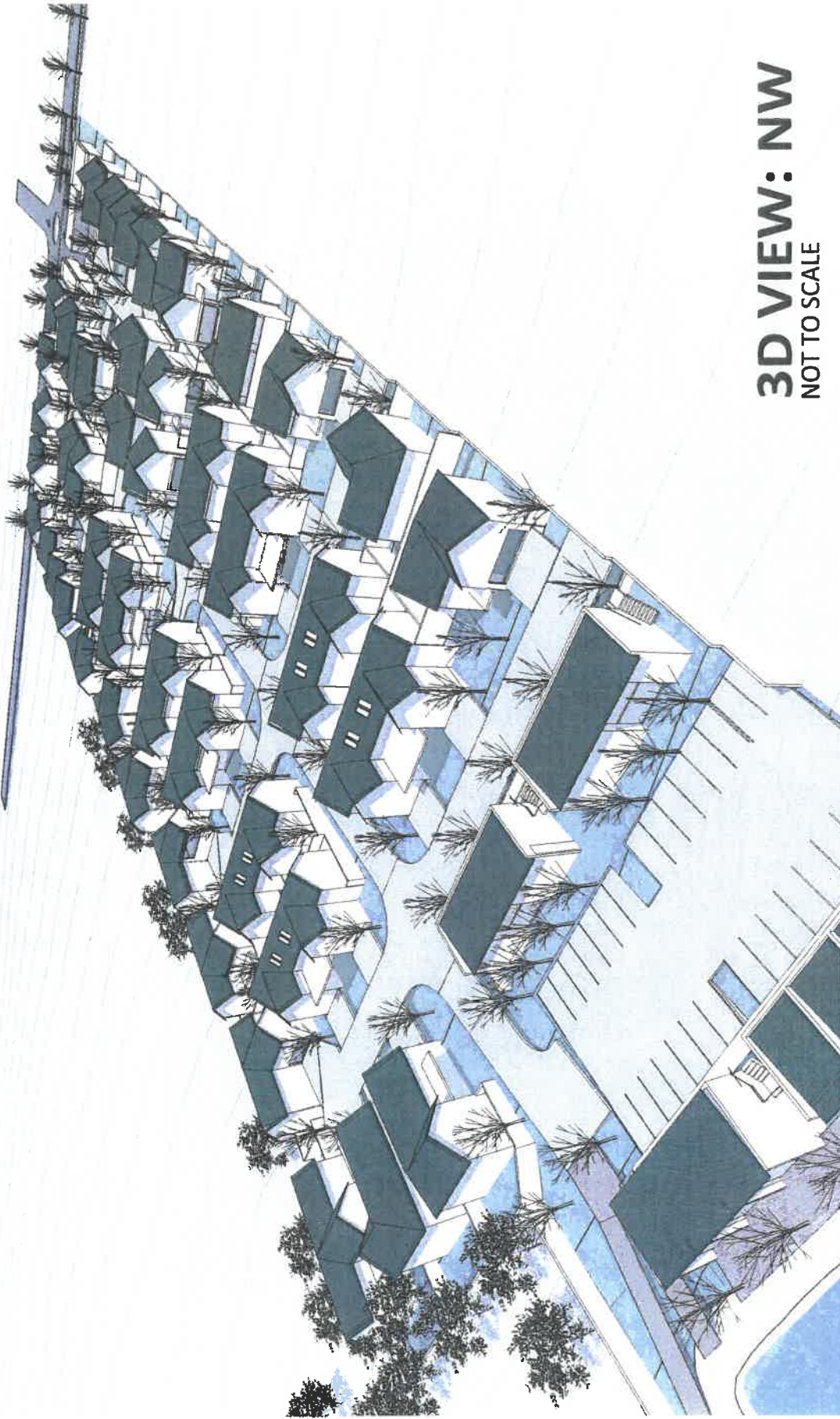
DRAWN: HC HUGO | CHECKED: E SWANEPOEL

DATE: 14/08/2018 | SCALE/SHEET SIZE:

DRAWING No.:

3571 / A / 115





3D VIEW: NW
NOT TO SCALE

PROJECT / CLIENT
BLAAUWKLIPPEN

DRAWING DESCRIPTION:
3D View - North West

FIRST FLOOR & LA GRATITUDE OFFICE BUILDING
97 DONP STREET | STELLERBOSCH 7600
TEL: +27(0)1964 3900
FAX: +27(0)1962 6023
EMAIL: info@tw3.co.za

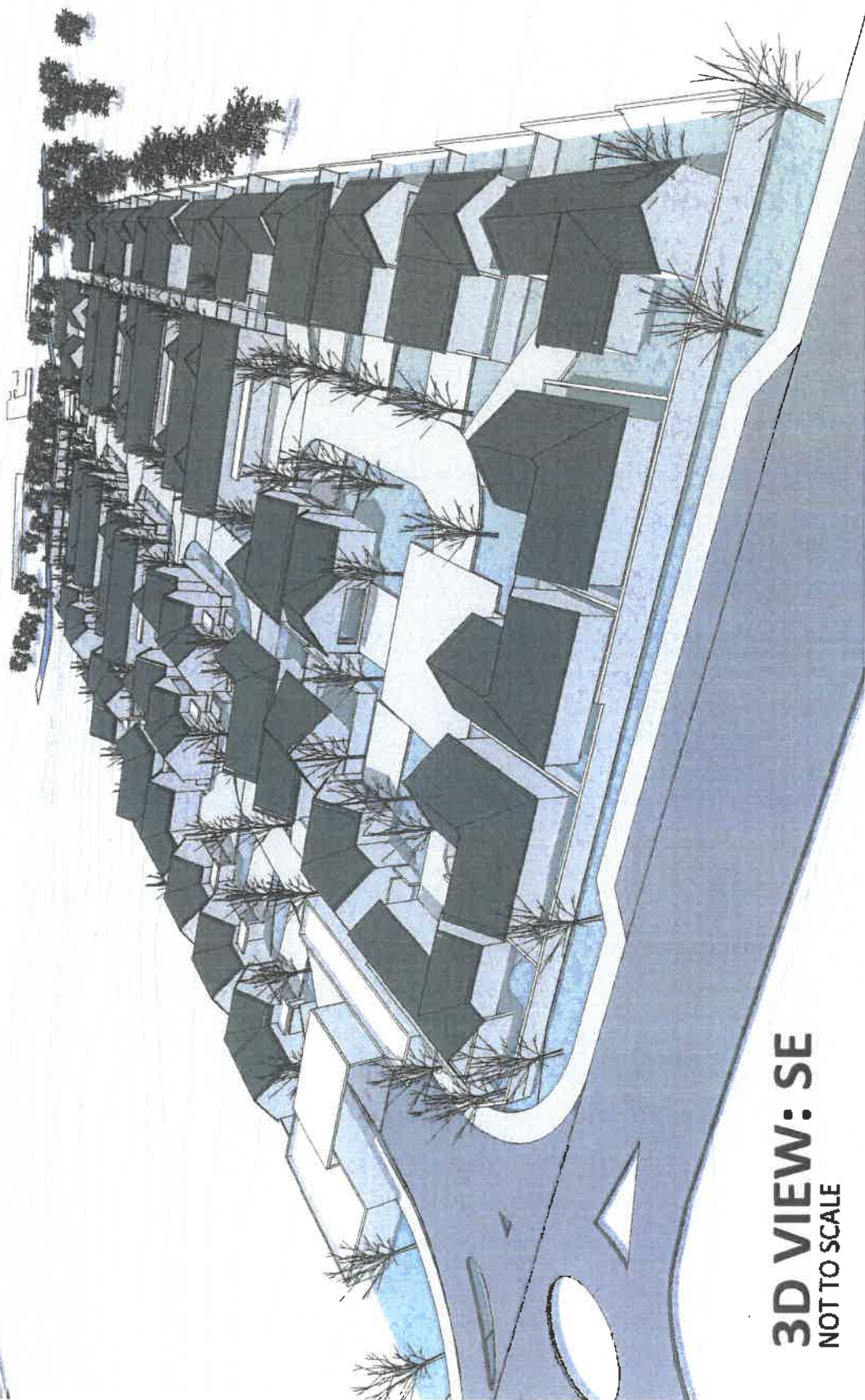


ARCHITECTS AND TOWN PLANNERS

DRAWN: HC HUGO | CHECKED: E SWANEPOEL
DATE: 11/09/2018 | SCALE/SHEET SIZE:
DRAWING No.:



3571 / A / 116



3D VIEW: SE
NOT TO SCALE

PROJECT / CLIENT
BLAAUWKLIPPEN

DRAWING DESCRIPTION:
3D View - South East

FIRST FLOOR | LA GRATITUDE OFFICE BUILDING
97 DONK STREET | STELLENBOSCH 7600
TEL: +27(21)981 3900
FAX: +27(21)982 8025
EMAIL: enq@tv3.co.za

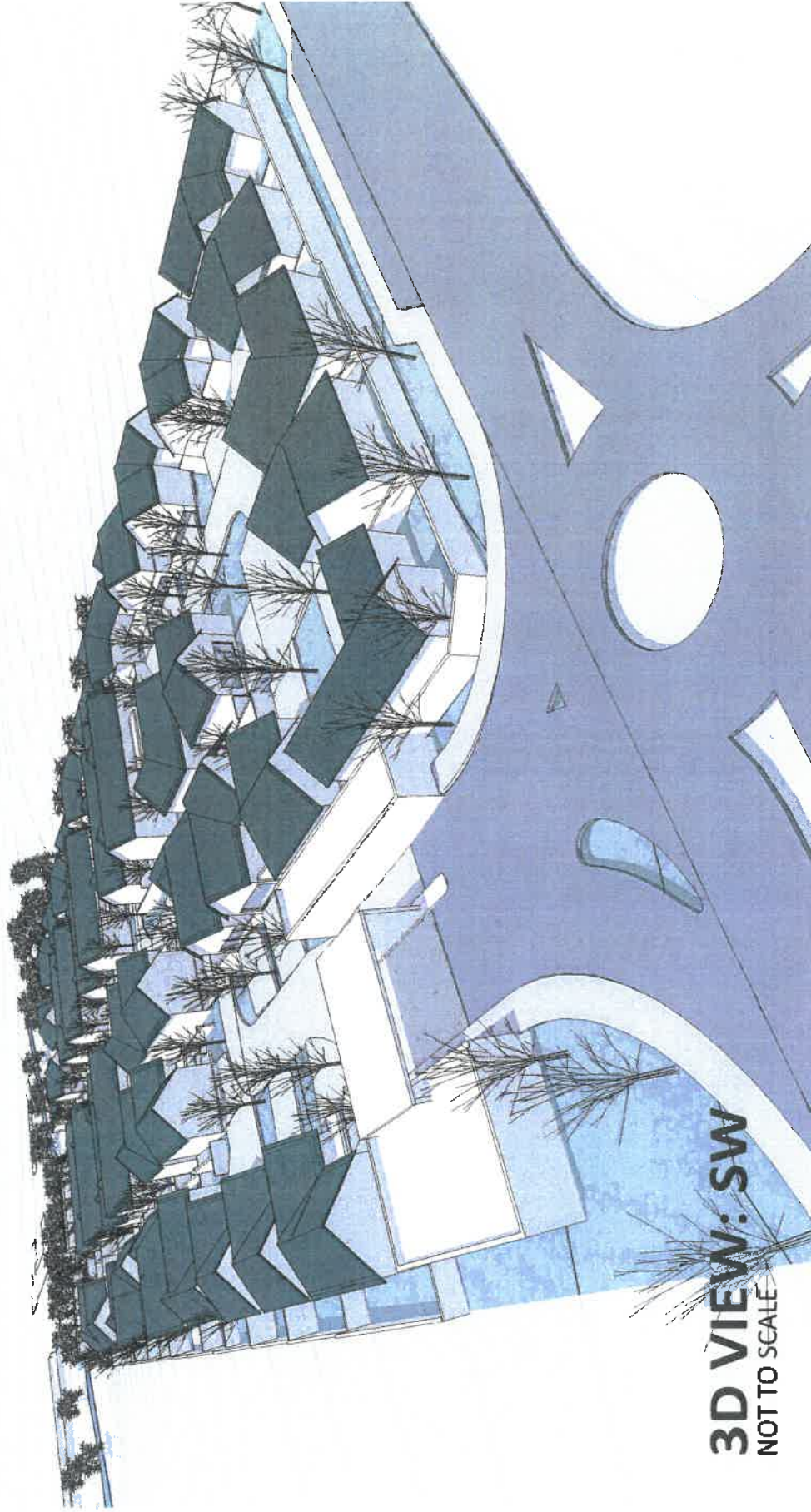


ARCHITECTS AND TOWN PLANNERS

DRAWN: HC HUGO | CHECKED: E SWANEPOEL
DATE: 11/09/2018 | SCALE/SHEET SIZE:
DRAWING No.:



3571 /A /117



3D VIEW: SW
NOT TO SCALE

PROJECT / CLIENT
BLAAUWKLIPPEN

DRAWING DESCRIPTION:
3D View - South West

EV3
ARCHITECTS AND TOWN PLANNERS

FIRST FLOOR | LA GRATITUDE OFFICE BUILDING
97 DORP STREET | STELLENBOSCH 7600
TEL: +27(0)1861 3000
FAX: +27(0)1862 8025
EMAIL: ev3@ev3.co.za

DRAWN: HC HUGO | **CHECKED:** E SWANEPOEL
DATE: 11/09/2018 | **SCALE/SHEET SIZE:**
DRAWING No.: **3571 / A / 118**

REVISION
•

ANNEXURE E

HERITAGE WESTERN CAPE'S LETTER



ILifa leMveli leNtshona Koloni
Erfenis Wes-Kaap
Heritage Western Cape

Our Ref: HM/STELLENBOSCH/REM OF PORTION 71, 52, 53,
54 AND FARM 510
Case No.: 18050314AS0509E
Enquiries: Andrew September
E-mail: andrew.september@westerncape.gov.za
Tel: 021 483 9543
Date: 25 May 2018

Lize Malan
PO Box 3421
Matieland
7602

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape
Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED RESIDENTIAL DEVELOPMENT ON THE REMAINDER OF PORTION 71, 52, 53, 54 OF FARM 510, JAMESTOWN, STELLENBOSCH, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 18050314AS0509E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 09 May 2018. This matter was discussed at the Heritage Officers meeting held on 21 May 2018.

You are hereby notified that, since there is no reason to believe that the proposed development will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully


.....
Mxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/eas

Street Address: 1100th Anniversary Building, Greenfield, Stellenbosch, Cape Town, 7600 • Postal Address: P.O. Box 3421, Matieland, 7602
• Tel: +27 (0)21 483 9543 • E-mail: eeher@westerncape.gov.za

Straatadres: 1100th Anniversary Building, Greenfield, Stellenbosch, Kaapstad, 7600 • Posadres: P.O. Box 3421, Matieland, 7602
• Tel: +27 (0)21 483 9543 • E-pos: eeher@westerncape.gov.za

ANNEXURE F

MUNICIPAL MINUTES

Chris Cronje

From: Chris Cronje
Sent: 12 September 2018 04:41 PM
To: Barbara-Ann Henning (Barbara-Ann.Henning@stellenbosch.gov.za); 'bernabe.delabat@stellenbosch.gov.za'; 'pedro.april@stellenbosch.gov.za'; 'adriaan.kurtz@stellenbosch.gov.za'; 'Tyrone.King@stellenbosch.gov.za'
Cc: Donovan Comerma; Jaco Minnie; 'Yolandi Obermeyer'; 'Malcolm Cerfonteyn'; Michael Duke (michael@raubicon.co.za); Hendro Hugo; Jan van Rensburg
Subject: PRE-SUBMISSION CONSULTATION MEETING MINUTES : BLAAUWKLIP-AAN-RIVIER
Attachments: Pre-sub_attendance form.pdf

Good day all,

Herewith follows the meeting minutes of the pre-submission consultation meeting held this morning, 12 Sept 2018. Attendance register attached hereto. Please add / amend where you deem necessary.

- The purpose of the pre-submission consultation meeting is to discuss the proposed development on Portions 71, 52, 53 and 54 of the Farm Blaauw Klip No. 510.
- The proposal is to develop town houses ($\pm 200 - \pm 300\text{m}^2$) and double-storey flats on the application area.
- The portion in between the application area and the existing La Clémence (Februarie's arbitration case) could possibly, in the future either form part of La Clémence or the proposed development.
- B. de la Bat had three concerns, namely:
 1. Agriculture should ideally be maintained
 - Development area is inside urban edge and portions possibly too small for economically viable agricultural production.
 - The threat of illegal land invasions, especially with the history of the site's illegal occupiers (recently removed).
 2. Gentrification, where local residents' sell their homes to developers who then develop houses the locals cannot afford to live in – thereby worked out of a suburb.
 - Seeing that the proposed site is currently vacant, the proposal will not remove any existing residents from Jamestown; hence will not lead to gentrification.
 3. Heritage significance
 - There is a Heritage Inventory, which was adopted / approved with overlay zones.
 - Stellenbosch Municipality will formulate development rules in the SDF process (2019) for each of the identified overlay zones.
- A Kurtz - Existing sewerage pipeline north of La Clémence which is a private pipeline, hence negotiations would have to take place to link up with this pipeline.
 - Drainage of the site should also be looked at.
- T. King - There is sufficient water available, but will have to assess the capacity of the pipeline and the storage of water in the reservoir.
 - Questioned access condition and impact the proposed development would have on the road network.
- Y. Obermeyer - confirmed that the proposed development do not necessitate any additional road network upgrades
- M. Duke - Eskom area, so electricity is not an issue.
- Mountain View Phase 1, 2 and 3 low cost housing development are in process / being planned for south of Jamestown.
- SDF principles support infill development, rather than further expansion / development to the south.
- F. Adams' 1% should be considered which could be utilised to possibly upgrade / improve security in and around Jamestown.

Best Regards.

CJ (Chris) Cronjé
B Hons (Geog), M (T&RP)
TOWN PLANNER
Cell: +27 (0)81 230 1242

Directions

ANNEXURE 4

Portfolio of Evidence from applicant



ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPLANNERS

Our Reference: 3527-P
Application No: LU/8567



22 July 2019

54 WOOD STREET
FLOOR 1
1A STRATHMORE
OFFICE BUILDING
STELLENBOSCH 7600
TEL: 427 21 001 2000
FAX: 427 21 001 2000
WWW.TV3PROJECTS.CO.ZA

Director: Planning and Economic Development
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

Attention: Ms. Nicole Katts



Madam

PORTFOLIO OF EVIDENCE REPORT: APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION, DEPARTURE, ESTABLISHMENT OF A HOME OWNERS' ASSOCIATION, APPROVAL OF THE DEVELOPMENT NAME, APPROVAL OF A SITE DEVELOPMENT PLAN, ALLOCATION OF THE STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES: PORTIONS 52, 53, 54 & 71 OF THE FARM BLAAUWKLIP NO. 510, JAMESTOWN, DIVISION OF STELLENBOSCH

1. Your letter of 20 May 2019 has reference.
2. We hereby confirm that the public participation process was successfully completed in accordance with Sections 46(5) and 48 of the Stellenbosch Municipal Land Use Planning By-law, 2015 and your memorandum of 18 January 2016 (that provided us with the submission protocol, public participation and advertising requirements).

SCHE NR:	
SCAN NR:	F 510/52 SF
COLLABORATOR NR:	657775

3. The public participation process commenced on 6 June 2019 and continued for 30 days as prescribed.
4. As instructed, notices were sent (via registered mail) to all the interested and affected parties, community organisations and the ward councilor. The application was also advertised in the *Eikestadnuus* and an on-site notice was displayed during the advertising period.
5. A public meeting was held on 18 June 2019 in Jamestown to explain and discuss the development proposal with the community.
6. After advertising only six letters of objection were received from the public, namely from (1) Margret Voight, (2) Jesse van der Merwe, (3) Herman Stipp, (4) Friends of Stellenbosch Mountain, (5) Jamestown Methodist Church and (6) Jamestown Heritage Committee. It can therefore be concluded that the broader community of Jamestown does not oppose the proposed residential development.
7. Copies of the six letters of objection – and our response to the objections received – are attached hereto.
8. As instructed, the application was also sent to the Department of Water Affairs and Forestry, Eskom, Heritage Western Cape and the Department of Agriculture for their comments. Copies of the departmental comments received (supporting the proposed development) are attached hereto.
9. We hereby provide Council with the following proof of advertising and alignment with the relevant legislation and by-laws:
 - **Section A:** Portfolio of evidence checklist.
 - **Section B:** Sworn affidavit by applicant.
 - **Section C:** Proof of publication of advertisement in the *Eikestadnuus*.
 - **Section D:** Copy of reg. letter sent to I&APs.
 - **Section E:** Proof of reg. mail letters sent.

- **Section F:** Proof of on-site notice.
- **Section G:** Public comments / objections received.
- **Section H:** Table of a summary of the objections received and the applicant's response.
- **Section I:** Letters sent to government departments.
- **Section J:** Comments received from government departments.
- **Section K:** Copies of e-mail correspondence with the officials and the ward councilor.

10. The relevant internal departments were informed of the application (and requested to comment) by the Directorate: Planning and Development Services.

11. We trust this information will suffice in finalising the application. However, if you have any queries please feel free to contact the undersigned.

Yours faithfully

A handwritten signature in black ink, appearing to read 'CRH', with a long horizontal flourish extending to the right.


CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD


SECTION A

Portfolio of evidence checklist


PLANNING & ECONOMIC DEVELOPMENT

PORTFOLIO OF EVIDENCE Applicant advertised CHECKLIST				Date	22 Jul 2019	
Erf/Erven Farm no	510	Portion(s) if farm	52	Allotment Area	Jamesstown	
Owner/ Applicant	TV3 Architects & Town Planners			LU/number	LU/8567	
INDICATE WHICH OF THE FOLLOWING DOCUMENTATION (WHERE APPLICABLE) IS ATTACHED TO THE PORTFOLIO OF EVIDENCE				OWNER/APPLICANT TO INDICATE		ADMIN OFFICER/ PLANNER VERIFY <input checked="" type="checkbox"/>
				YES	NO	
Affidavit (TEMPLATE ATTACHED)						
1. Is the affidavit signed by a Commissioner of Oaths				X		✓
2. Does the affidavit confirm that the advertising was undertaken in accordance with the said prescriptions?				X		✓
3. Does the affidavit confirm that the notice was placed and kept on site for the duration of the advertising period (from which date to which date)?				X		✓
Proof of publication						
4. In one local newspaper in two official languages (or in those cases where Council has indicated two local newspapers)				X		✓
5. Extract from the newspaper attached (date of publication visible)				X		✓
6. Does the wording fully address the description of the application?				X		✓
7. <u>If no, define differences:</u> We were not required to advertise in the local newspaper or to place a notice on site.						
8. Advertising period	From	6 June 2019		To	8 July 2019	
9. Does the Advertising period comply with the required 30 days?				X		✓
10. Was Council informed of the commencement date and closure date?				X		✓
The registered slips in respect of all the registered letters addressed to						
11. A copy of the registered letter addressed to the affected parties				X		✓
12. Are the dates concurring				X		✓
13. A copy of the registered letter addressed to the external departments (where required)				N/A	X	✓
14. Affected interested and affected parties (registered property owners)(original registered slips)				X		✓
15. Community organisations (original registered slips)				X		✓
16. Ward Councillor (original registered slip)				X		✓
17. External Departments (where required)(original registered slip)				N/A	X	✓
18. Unclaimed registered mail				X		✓

19. If no to any of the above, define differences :			
20. Were the external departments granted 60 days for comment?	X		✓
Notices placed on the property			
21. Were the notices placed on the property on the same day as the notice in press?	X		✓
22. Have photos been attached? (one close up and one from across the street)	X		✓
23. Was the notice clearly visible on site?	X		✓
24. Were the notices kept on site for the duration of the advertising period?	X		✓
Objections/Comments			
25. From organs of state/external departments must be on a formal letterhead?	X		✓
26. All objections/comments received attached?	X		✓
27. All emails sent or received in respect of this application attached?	X		✓
28. Applicant's comments on the objections attached?	X		✓
SIGNED BY APPLICANT/OWNER			

<i>For office use only</i>	
SIGNED BY ADMINISTRATIVE OFFICER	
VERIFIED & SIGNED BY TOWN PLANNER	
DATE VERIFIED	

SECTION B

Sworn affidavit by applicant

SWORN AFFIDAVIT

I, the undersigned [Full Name (s) and Surname]: C. R. HEYS

Identity Number: 7205295013088

in my capacity as (owner or authorised person through power of attorney):

TOWN PLANNER

do hereby declare under oath that:

1. The application for:

REZONING, SUBDIVISION, ETC.

on Erf/ Farm Number: 510/52, 510/53, 510/54 & 510/71, STB.

Was advertised in at least two of the official languages of the Province in the following newspaper(s)¹:

(a) EIKESTADHUIS (b) _____

From 6 JUN 2019 to 8 JUL 2019

2. The public notices were prominently displayed and maintained in a legible condition for a continuous period of thirty (30) days from the date of the advertisement as indicated in Section (2) aboveⁱⁱ;
3. A notice containing the requirements as set out in the Stellenbosch Land Use Planning By-Law (2015), was posted per registered mailⁱⁱⁱ to all adjoining property owners/occupants/ interested and affected parties, during the same date of the advertising period as specified in Section (2) above;
4. Furthermore, a notice of the application was sent to the relevant Intergovernmental State Departments, per registered mail^{iv}, commencing the same date as in Section (2) above with an additional 30 days (minimum 60 days) for comment;
5. That all comments and objections to the application concerned were forwarded to Stellenbosch Municipality as contemplated in sections 1 – 4 above.

The Deponent acknowledges that he / she knows and understands the contents of this Affidavit.

Signature: [Signature]

Signed at: STELLENBOSCH

On this: 9 day of JUL 2019.

At: _____

Commissioner of Oath's Stamp & Signature

[Signature] 9/7/19

COMMISSIONER OF OATHS
Johannes Frederik Westbier
CA(SA)
Commissioner of Oaths (RSA)
25 Woltemade Street, Stellenbosch, 7600

¹ Must conform to Section 47 of the Stellenbosch Municipality Land Use Planning By-law (2015) [THE BY-LAW]- attach copy of advert (s)
ⁱⁱ Site Displays must conform to Section 48 (2)(a) of the By-law - attach photos
ⁱⁱⁱ Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law
^{iv} Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law

SECTION C

**Proof of publication of advertisement
in the *Eikestadnuus***

NETWORK **GRATIS | FREE**
 Nuus net vir jou sedert 1950

Eikestad

ROOPELS • WILINGS • BEDIENINGS • KENNISGEWINGS • ESTATE • AUCTIONS • WYKANKERS • OFFISIELE KENNISGEWINGS

STELLENBOSCH
 STYLANDERBOES • BURG • FRANSBURG
 MUNISIPALITEIT • GEMEENSAPKAP • MUNISIPALITEIT

Proposed Friends Groups Advertisement:

NOTICE OF INVITATION TO REGISTER AS PARTICIPANT IN A NATURE AREA FRIENDS GROUP

Stellenbosch Municipality is in the process of forming Friends Groups for the following areas:

- Mont Rochelle Nature Reserve
- Papegaaiberg Nature Reserve
- Jan Marais Nature Reserve
- Paradyskloof Nature Area

The purpose of such groups is to increase community involvement in the management of these areas. Notice is hereby given of the opportunity for interested and affected parties to register and submit their information to participate in a Friends Group for one of the above areas. Such information must be sent in writing to Angelique.George@stellenbosch.gov.za or hand delivered at 123 Merriman Street, Stellenbosch 7600 (Community Services Offices) and must include the following:

- Name
- Area of interest (one of the areas listed above)
- Reason for your interest
- Contact details

The closing date for registration is 8 August 2019. For any enquiries or information in this regard please contact Albert van der Merwe at (021) 808 8161/8160 during between 08:00-13:30 on weekdays (Monday to Fridays).

STELLENBOSCH
 STYLANDERBOES • BURG • FRANSBURG
 MUNISIPALITEIT • GEMEENSAPKAP • MUNISIPALITEIT

Voorgestelde Vriende Groepe Advertensie:

KENNISGEWING VAN UITNODIGING OM AS DEELNEMER TE REGISTRER IN 'N NATUURGEBIED VRIENDE GROEP

Stellenbosch Munisipaliteit is besig om Vriende Groepe te vorm vir die volgende areas:

- Mont Rochelle Natuurreservaat
- Papegaaiberg Natuurreservaat
- Jan Marais Natuurreservaat
- Paradyskloof Natuurgebied

Die doel van sulke groepe is om gemeenskaps betrokkeheid by die bestuur van hierdie gebiede te verhoog. Hiermee word kennis gegee van die geleentheid vir belanghabende en geaffekteerde partye om hul inligting te registreer en om die inligting om deel te neem aan 'n vriende Groep vir een van bogenoemde gebiede. Sodanige inligting moet skriftelik aan Angelique.George@stellenbosch.gov.za gestuur word of per hand afgelewer te Merrimanstraat 123, Stellenbosch 7600 (Gemeenskapsdienste Kantore) en moet die volgende insluit:

- Naam
- Belangrike gebied (een van die bogenoemde gebiede)
- Rede vir jou belangstelling
- Kontakbesonderhede

Die sluitingsdatum vir registrasie is 8 Augustus 2019. Vir enige navraag of inligting in hierdie verband kontak asseblief Albert van der Merwe by (021) 808 8161/8160 tussen 08:00 tot 13:30 op weekdae (Maandag tot Vrydae).

Laerskool A.F. Louw

SCHOOL ADMINISTRATION CLERK

Starting date: 01 July 2019

- Minimum requirement is Matric or equivalent with typing skills.
- Computer literacy (MS Office) is essential.
- A vocational qualification would be advantageous.

Experience:

- Minimum of 2 years' general administrative experience in a similar environment.

Competencies required:

- Excellent interpersonal and communication skills.
- Good typing, organisational and administrative skills.
- Able to work adequately under pressure.
- An ability to maintain confidentiality is essential.
- Enthusiastic, energetic and creative.
- Must be a team worker.

Full Job Description available from the school. Closing date: 17:00 on Tuesday 11 June 2019. Submit CV together with 3 contactable references to: The Principal, Mrs A. Ten, principal@lafw.co.za OR hand deliver to the school.

IS ALCOHOL COSTING YOU MORE THAN MONEY?

Alcoholics Anonymous

National Helpline: 0661 435 722

NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPALITY

APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION, DEPARTMENTURE, ESTABLISHMENT OF A HOME OWNERS' ASSOCIATION, APPROVAL OF THE DEVELOPMENT NAME, APPROVAL OF A SITE DEVELOPMENT PLAN, ALLOCATION OF THE STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES, PORTIONS 52, 53, 54 & 71 OF THE FARM BLAAUWKOP NO. 510, JAMES TOWN DIVISION OF STELLENBOSCH

Applicant: TWS Projects (Pty) Ltd - C Heys
Contact details: (021) 801 3800

Owner: Staatsland Open Agric. Estates (Pty) Ltd - D. Coorens
Contact details: (021) 807 9194

Application number: 11/0957

Reference number: EP 51952, James Town

Property Description: Portions 52, 53, 54 & 71 of the Farm Blaauwkop No. 510, James Town, Division of Stellenbosch

Physical Address: Waterbury Road, James Town

Detailed description of proposal: Referring to Portions 52, 53, 54 & 71 of the Farm Blaauwkop No. 510, James Town, Division of Stellenbosch.

1. Application is made in terms of Section 21e of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the consolidation of Portions 52, 53, 54 and 71 of the Farm Blaauwkop No. 510, Stellenbosch.
2. Application is made in terms of Section 21e of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the rezoning of the consolidated site from Agricultural Zone 1 to Subdivisional Area.
3. Application is made in terms of Section 24j of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the subdivision of the site into 15 Residential Zone 11 units (townhouse units), 1 Residential Zone 11 unit (flat), 1 Transport Zone 1 (parking area) and 1 Open Space Zone 8 area for private open spaces, admission dam and internal private roads.
4. Application is made in terms of Section 24j of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for a permanent departure on the Residential Zone 11 unit to relax the internal side boundary lines from 4m to 3m and the street boundary lines from 6m to 3m.
5. Application is made in terms of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the approval of the formal site names and street names, the architectural and landscaping guidelines, the Site Development Plan, the Development Name and the Home Owners' Association.

Approval of this said Land Use Planning application shall allow the land owner to develop a residential estate on the subject property.

Notice is hereby given in terms of the Stellenbosch Municipality's Land Use Planning By-law that the above-mentioned application has been submitted and is available for inspection during weekdays between 08:30 and 13:30 at the Planning and Development Department, 1st Floor, Stellenbosch. Any written comments or objections, with full reasons therefor, may be submitted in terms of section 26 of the said legislation to the applicant in one of the following manners:

REGISTERED OFFICE OR OFFICE HOURS

TWS Projects (Pty) Ltd, 1st Floor, La Grange Office, 97 Goup Street, Stellenbosch 7600

Or faxed to: 021 802 8026

Or hand delivered to: TWS Projects (Pty) Ltd, 1st Floor, La Grange Office, 97 Goup Street, Stellenbosch 7600

Or e-mailed to: Pw1@tws.co.za

As an alternative, during the application number reference number you may send address or contact details, your interest in the application and reasons for comments in writing to the applicant in person or before 30 days from the date of publication of this notice. The applicant will endeavour to provide the applicant TWS Projects (Pty) Ltd at (021) 801 3800. Any comments or objections received after the above-mentioned date will be considered invalid. Any objection which cannot be written will be accepted by a Municipal Officer by the applicant on the requirements.

KENNISGEWING VAN GRONDONTWIKKELINGSANSOEK IN DIE STELLENBOSCH MUNISIPALITEIT

ANSOEK VIR KONSOLIDASIE, REZONERING, OMDERVERDELING, AFWYKINGS, VESTIGING VAN 'N HUISEIGENERSVERENIGING, GOEDKEURING VAN DIE ONTWERPINGSNAAM, GOEDKEURING VAN DIE TERREINONTWIKKELINGSPLAN, ALLOKASIE VAN STRAATNAME, GOEDKEURING VAN DIE ARCHITECTURALE EN LANDSKAPINGSLEIDINGS, PORTIONE 52, 53, 54 & 71 VAN DIE FARM BLAAUWKOP NO. 510, JAMES TOWN DIVISION STELLENBOSCH

Aansoeker: TWS Projects (Pty) Ltd - C Heys
Kontakbesonderhede: (021) 801 3800

Eienaar: Staatsland Open Agric. Estates (Pty) Ltd - D. Coorens
Kontakbesonderhede: (021) 807 9194

Aansoeknommer: 11/0957

Verwysingsnommer: EP 51952, James Town

Eienskapsbeskrywing: Portione 52, 53, 54 & 71 van die Plaas Blaauwkop No. 510, James Town, Afdeling Stellenbosch

Plaaslike Adres: Waterbury Road, James Town

Beskrywing van aansoek: Inligting tot Portione 52, 53, 54 & 71 van die Plaas Blaauwkop No. 510, James Town, Afdeling Stellenbosch.

1. Aansoek word gemaak in ooreenstemming met die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning 2015 vir die konsolidasie van Portione 52, 53, 54 & 71 van die Plaas Blaauwkop No. 510, Stellenbosch.
2. Aansoek word gemaak in ooreenstemming met die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning 2015 vir die rezonering van die gekonsolideerde erf van Landgebruiksoone 1 na Omderverdelingsgebied.
3. Aansoek word gemaak in ooreenstemming met die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning 2015 vir die ontwerping van 15 Residensiële Zone 11 eenhede (dorpshuis eenhede), 1 Residensiële Zone 11 erf (flat), 1 Transport Zone 1 (parkeerarea), 1 Openbare Ruimte Zone 8 gebied vir privaat openbare plekke, opname dam en interne privaat strate.
4. Aansoek word gemaak in ooreenstemming met die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning 2015 vir 'n permanente afwyking op die Residensiële Zone 11 erf se interne kantgrenslyn van 4m na 3m en die straatgrenslyn van 6m na 3m.
5. Aansoek word gemaak in ooreenstemming met die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning 2015 vir die goedkeuring van die formele plaasname en -stratename, die argitektoniese en landskapingsleidings, die Reëlingsplan, die Home Owners' Association en die ontwikkeling van die Blaauwkop-Plaas Residensiële Estate en die vestiging van 'n Huiselike Vereniging.

Die goedkeuring van hierdie aansoek sal die grondgebruiker toelaat om 'n residensiële estate op die plaas te ontwikkel en 'n nuwe gebied te ontwikkel op die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning 2015. Die aansoek is beskikbaar vir inspeksie tydens werkdagse tye tussen 08:30 en 13:30 by die Plaas Blaauwkop, 1ste verdieping, Stellenbosch. enige skriftelike kommentare of objeksies moet voorgelê word voor die afsluiting van die proses. enige kommentare of objeksies wat na die afsluiting van die proses ontvang word, sal nie in ag geneem word nie. enige kommentare of objeksies wat na die afsluiting van die proses ontvang word, sal nie in ag geneem word nie. enige kommentare of objeksies wat na die afsluiting van die proses ontvang word, sal nie in ag geneem word nie.

GOEDKEURING OF OFFISIELE KENNISGEWING

TWS Projects (Pty) Ltd, 1st Floor, La Grange Office, 97 Goup Street, Stellenbosch 7600

Of gegee aan: 021 802 8026

Of per hand afgelewer aan: TWS Projects (Pty) Ltd, 1st Floor, La Grange Office, 97 Goup Street, Stellenbosch 7600

Of per e-pos gegee aan: Pw1@tws.co.za

As alternatief, tydens die aansoeknommer referensienommer kan u ook adres of kontak besonderhede, u belangstelling in die aansoek en redes vir kommentare of objeksies in persoon of voor 30 dae na die publikasiedatum van hierdie kennisgewing aan die aansoeker TWS Projects (Pty) Ltd by (021) 801 3800 stuur. Die aansoeker sal probeer om die aansoeker TWS Projects (Pty) Ltd by (021) 801 3800 te kontak. enige kommentare of objeksies wat na die afsluiting van die proses ontvang word, sal nie in ag geneem word nie. enige kommentare of objeksies wat na die afsluiting van die proses ontvang word, sal nie in ag geneem word nie.

SECTION D

**Copy of registered letters sent to
interested and affected parties**

4. Application is made in terms of Section 2(b) of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for a permanent departure on the Residential Zone IV erf to relax the internal side building lines from 4m to 3m and the street building lines from 8m to 3m.
5. Application is made in terms of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the approval of the internal street names and street numbers, the architectural and landscaping guidelines, the Site Development Plan, the development name of Blaauwklip-aan-Rivier Residential Estate and the establishment of a Home Owners' Association.

Approval of this land use planning application will allow the land owner to develop a residential estate on the subject property.

Notice is hereby given in terms of the Stellenbosch Municipal Land Use Planning By-law that the abovementioned application has been received and is available for inspection during weekdays between 08:30 and 13:30 at the Planning Advice Centre at Stellenbosch Municipality, Plein Street, Stellenbosch. Any written comments/objections, with full reasons therefore, may be addressed in terms of section 50 of the said legislation to the applicant in one of the following manners:

APPLICANT
Registered mail or normal mail
TV3 Projects (Pty) Ltd, 1 st Floor, La Gratitude Offices, 97 Dorp Street, Stellenbosch, 7600
Or faxed to
(021) 882 8025
Or hand delivered to
TV3 Projects (Pty) Ltd, 1 st Floor, La Gratitude Offices, 97 Dorp Street, Stellenbosch, 7600
Or e-mailed to
clifford@tv3.co.za

All comments, quoting the application number, reference number, your name, address or contact details, your interest in the application and reasons for comments should be received by the above party on or before 30 days from the date of publication of this notice. Telephonic enquiries can be made to the applicant, TV3 Projects (Pty) Ltd at (021) 861 3800. Any comment/objection received after the closing date will be considered invalid. Any person who cannot write will be assisted by a Municipal official by transcribing their comments.

Yours faithfully



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD



ARCHITECTS AND TOWN PLANNERS
 ARGITEKTE EN STADREPLANERS

Aansoeknommer: LU/8567
 Munisipale Lêerverwysingsnommer: Erf 510/52, Jamestown
 Aansoeker Verwysingsnommer: 3527-P
 Navrae: Clifford Heys
 Kontaknommer: (021) 861 3800
 E-pos adres: clifford@tv3.co.za
 Datum: 6 Junie 2019

1101 TV 3
 1102 TV 3
 1103 TV 3
 1104 TV 3
 1105 TV 3
 1106 TV 3
 1107 TV 3
 1108 TV 3
 1109 TV 3

AANSOEK VIR KONSOLIDASIE, HERSONERING, ONDERVERDELING, AFWYKINGS, VESTIGING VAN 'N HUISEIENAARSVERENIGING, GOEDKEURING VAN DIE ONTWIKKELING NAAM, GOEDKEURING VAN DIE TERREINONTWIKKELINGSPLAN, ALLOKASIE VAN STRAATNAME, GOEDKEURING VAN DIE ARGITEKTONIESE EN LANDSKAPPERINGS RIGLYNE: GEDEELTES 52, 53, 54 & 71 VAN DIE PLAAS BLAAUWKLIP NO. 510, JAMESTOWN, AFDELING STELLENBOSCH

Aansoeker:	TV3 Projects (Pty) Ltd – C. Heys
	Kontakbesonderhede: (021) 861 3800
Eienaar:	Blaauwklippen Agric. Estates (Pty) Ltd – D. Comerma
	Kontakbesonderhede: (021) 887 9184
Aansoeknommer:	LU/8567
Verwysingsnommer:	Erf 510/52, Jamestown
Eiendomsbeskrywing:	Gedeeltes 52, 53, 54 & 71 van die Plaas Blaauwklip No. 510, Jamestown, Afdeling Stellenbosch
Fisiese Adres:	Webersvalleipad, Jamestown
Beskrywing van aansoek:	Insake Gedeeltes 52, 53, 54 & 71 van die Plaas Blaauwklip No. 510, Jamestown, Afdeling Stellenbosch:

1. Aansoek word gemaak i.t.v. Artikel 2(e) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die konsolidasie van Gedeeltes 52, 53, 54 & 71 van die Plaas Blaauwklip No. 510, Stellenbosch.
2. Aansoek word gemaak i.t.v. Artikel 2(a) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die hersonering van die gekonsolideerde erf vanaf Landbousone I na Onderverdelingsgebied.
3. Aansoek word gemaak i.t.v. Artikel 2(d) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die onderverdeling daarvan in 55 Residensiële Sone III erwe (groepbehuisingseenhede), 1 Residensiële Sone IV erf (woonstelle), 1 Vervoer Sone II erf (publieke pad) en 2 Oopruimte Sone II erwe (vir

TV3 PROJECTS (PTY) LTD • REGISTRATION NO. 2006/015278/07

REPRESENTED BY CLIFFORD HEYS ARCHITECTS AND TOWN PLANNERS

ASSOCIATES: CLIFFORD HEYS ARCHITECTS AND TOWN PLANNERS

- privaat oop ruimtes, 'n retensie dam en interne privaat paaie).
4. Aansoek word gemaak i.t.v. Artikel 2(b) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir 'n afwyking ten einde die Residensiële Sone IV erf se interne kantboulyn te verslap van 4m na 3m en die straatboulyn van 8m na 3m.
 5. Aansoek word gemaak i.t.v. die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die goedkeuring van die interne straatname en -nommers, die argitektoniese en landskapperingsriglyne, die Terreinontwikkelingsplan, die ontwikkeling se naam van Blaauwklip-aan-Rivier Residential Estate en die vestiging van 'n Huiseienaarsvereniging.

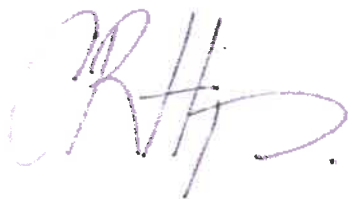
Die goedkeuring van hierdie aansoeke sal die grondeienaar toelaat om 'n residensiële skema op die eiendom te ontwikkel.

Kennis geskied hiermee ingevolge die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning dat die bogenoemde aansoek ontvang is en gedurende weksdae tussen 08:30 en 13:30 by die Beplanningsadvieskantoor by Stellenbosch Munisipaliteit, Pleinstraat, Stellenbosch ter insae lê. Enige geskrewe kommentare/besware, met volledige redes daarvoor, moet ingevolge Artikel 50 van die genoemde wetgewing aan die aansoeker op een van die volgende wyses geadreseer word:

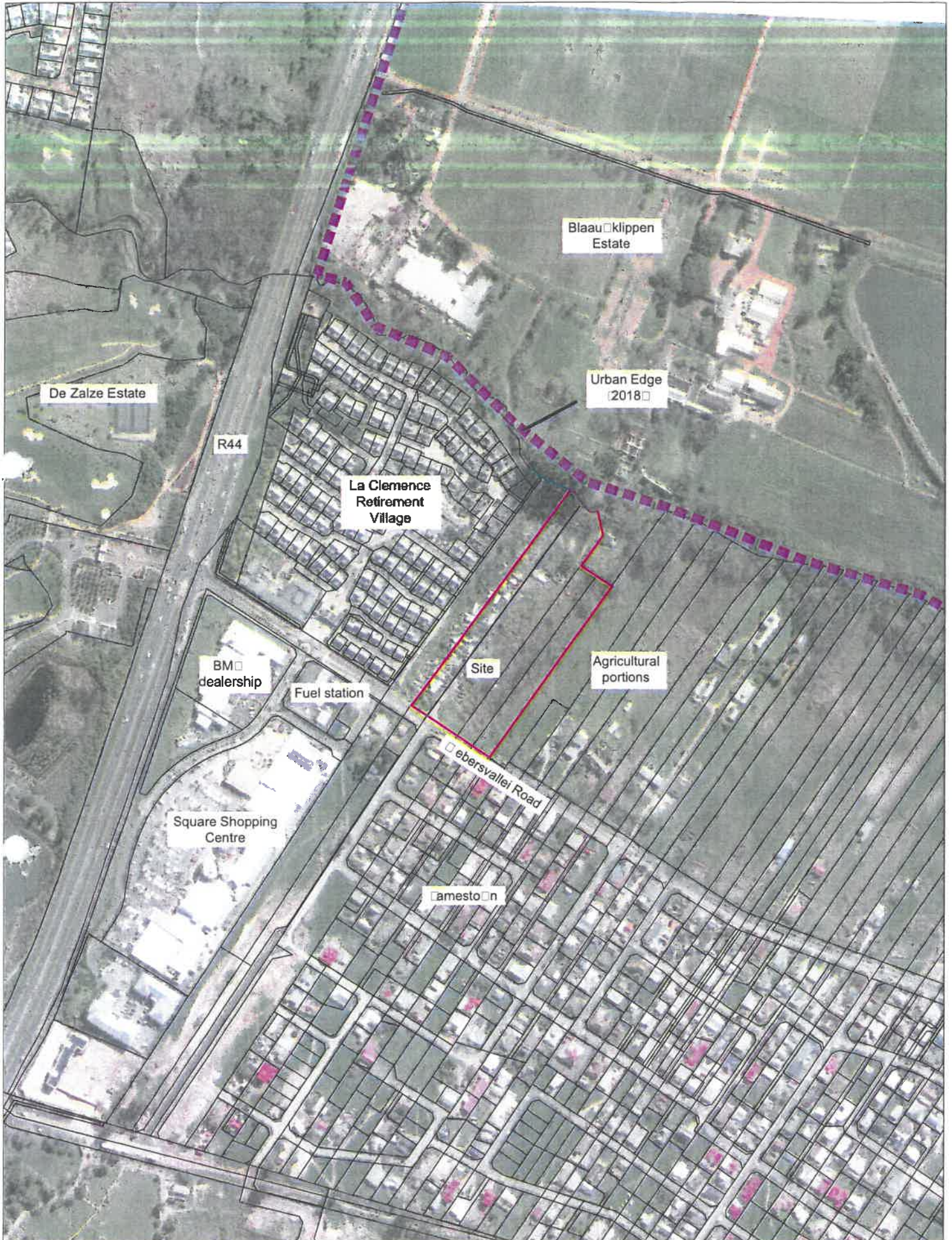
AANSOEKER
Geregistreerde of gewone pos
TV3 Projects (Pty) Ltd, 1 ^{ste} Vloer, La Gratitude Kantore, Dorpstraat 97, Stellenbosch, 7600
Of gefaks aan
(021) 882 8025
Of per hand afgelewer aan
TV3 Projects (Pty) Ltd, 1 ^{ste} Vloer, La Gratitude Kantore, Dorpstraat 97, Stellenbosch, 7600
Of per e-pos gelewer aan
clifford@tv3.co.za

Alle kommentare moet op of voor 30 dae vanaf die datum van publikasie van hierdie kennisgewing, met vermelding van die aansoeknommer, verwysingsnommer, u naam, adres en kontakbesonderhede, belangstelling in die aansoek en redes vir kommentaar, deur die bogemelde party ontvang word. Telefoniese navrae kan aan die aansoeker, TV3 Projects (Pty) Ltd by tel (021) 861 3800 gerig word. Enige kommentaar/beswaar ontvang na die voormelde sluitingsdatum sal as ongeldig geag word. Enige persoon wat nie kan skryf nie sal deur 'n Munisipale-amptenaar bygestaan word om hul kommentaar op skrif te stel.

Die uwe



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD



Dra. Dnr:	Checked:	Date:	Scale:
CDC	DR	15/08/2018	NTS (A4)
Proj. no.:	Revision no.:		
D2002	1		
Drawing:	Plan no.:		
Broad localit			1



tv3
ARCHITECTS AND TOWN PLANNERS

First Floor • La Gratitude Office Building
 97 Dorp Street • Stellenbosch 7600
 tel 021 8 13800
 fax 021 882 8025
 e-mail: ste@tv3.co.za
 web: www.tv3.co.za

**Portions 71, 52, 53, and 54
 of the Farm Blaauw Klip No.
 510, Stellenbosch**



Draft:	Checked:	Date:	Scale:
CLC	LVR	15/08/2018	1:2 000 (A4)
Project no.:	Revision no.:		
3527-P	1		
Drawing:	Local localit		Plan no.:
			2

This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and no right is reserved.

Erf	Zoning	Land Use	No. of erven	Size (m ²)
1-55	Res III	Residential houses	55	13 426
56	Res IV	Accommodation units	1	1 676
		Internal road		
57	POS II		1	2 109
58	POS II	Private open space	1	6 125
59	TR II	Road widening	1	654
TOTAL			59	23 990





SITE DEVELOPMENT PLAN
SCALE: 1 : 1000



Longitudinal Section A
SCALE: 1 : 1000

DOCUMENT VARIATIONS REGISTER:		PROJECT / CLIENT: BLAAUWKLIIPPEN	
NO.	DATE	DESCRIPTION	
DRAWING NO.: 3571 / A / 110		DRAWING DESCRIPTION: SITE DEVELOPMENT PLAN	
DRAWN: _____		CHECKED: _____	
DATE: _____		SCALE/SHEET SIZE: 1 : 1000	
DRAWING NO.: _____		CHECKER: _____	
		REVISION: _____	

tv3
ARCHITECTS AND TOWN PLANNERS

FIRST FLOOR & LA GRANTAGE OFFICE BUILDING
19 DOORN STREET & STELLENBOSCH 7600
TEL: +27(0)181 1900
FAX: +27(0)181 0005
EMAIL: tv3@tv3.co.za

SECTION E

Proof of registered mail letters sent

Stellenbosch Ratepayers Ass.
P O Box 399
Stellenbosch
7599

Stellenbosch Interest Group
P O Box 2217
Dennebaig
7601

Cllr: Rikus Bodenhorst (Ward 21)
17 Watergang Road
Aan de Weber Estate
Webersvallei Road
Jamestown
STELLENBOSCH
7600

Le Clemence Retirement Village Body
Corporate/Home Owners Association
Webersvallei Road
STELLENBOSCH
7600

GL MEYER
WEBERSVALLEIWEG 31
JAMESTOWN
STELLENBOSCH
7600

METHODIST CHURCH OF SA
PARFAITESTRAAT 66
JAMESTOWN
STELLENBOSCH
7600

ANTIC CAPITAL (PTY) LTD
P O BOX 923
STELLENBOSCH
7599

BLAAUWKLIPPEN AGRICULTURAL
ESTATES STE
PO BOX 54
STELLENBOSCH
7599

PAUL BRUNO
9 BLENHEIM STREET
STELLENBOSCH
7600

MONICA VAN NIEKERK TRUST
POSBUS 1564
SOMERSET WES
7129

Mnr/Me WE FEBRUARY & ED
POSBUS 951
STELLENBOSCH
7599

WIMITA TRUST
LA CLEMENCE 107
WEBERSVALLEI PAD
JAMESTOWN
7599

CE SMITH
LE CLEMENCE 106
STELLENBOSCH
7600

MJ VOIGT
3 GISELA CLOSE
SCHOLTZ ROAD
SOMERSET WEST
7130

FJ+J VAN EEDEN
LE CLEMENCE 104
WEBERSVALLEIPAD
JAMESTOWN
7600

M LOUBSER
P O BOX 12308
DIE BOORD
7613

J S LOUBSER TRUST
POSBUS 12048
DIE BOORD
7613

HJ+LA COETZEE
60 LA CLEMENCE
WEBERSVALLEY ROAD
JAMESTOWN
7600

LAFRAS LOURENS FAMILIETRUST
33 LA CLEMENCE
WEBERSVALLEIPAD
STELLENBOSCH
7600

OL LINDENBERG
65 BROOKSIDE VILLAGE
SCHAPENBERGWEG
SOMERSET WES
7129

JI LIKADA TRUST
C/O J.I. VAN DER MERWE
26 AAN DE WEBER ESTATE
WEBERS VALLEY ROAD
7600

JH JANSE VAN RENSBURG
FAMILIETRUST
22 VAN RIEBEECKSTRAAT
STELLENBOSCH
7600

MMG BILTON
UNIT 1 LA CLEMENCE
WEBERSVALLEIPAD
STELLENBOSCH
7600

DONFORD PROPERTIES (PTY) LTD
P.O. BOX 84
STELLENBOSCH
7599

MDC VAN HUFFEL—PROKOPES
FRESNOSTRAAT 1
WEBERSVALLEI
STELLENBOSCH
7600

STELLENBOSCH ACADEMY OF DESIGN
AND PHO
PO BOX 762
STELLENBOSCH
7599

Mnr/Me SB SMITH
POSBUS 11165
JAMESTOWN
7600

Department of Agriculture
Private Bag x1
ELESENBERG
7607

Department of Water Affairs and Forestry
Private Bag X16
SANLAMHOF
7532

Eskom Distribution
Land Development
PO Box 222
BRACKENFELL
7560

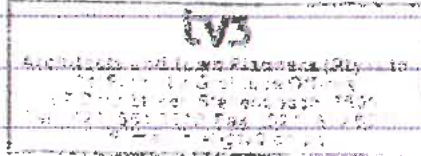
List of REGISTERED LETTERS
Lys van GEREGISTREERDE BRIEWE
(with an insurance option/met 'n versekeringsopsie)



Post Office

Full tracking and tracing/Volledige volg en spoor

Name and address of sender:
 Naam en adres van afsender:



Enquiries/Navrae
 Sharecall
 number/nommer
0860 111 502
 www.postoffice.co.za

No	Name and address of addressee Naam en adres van geadreseerde	Insured amount Versekerde bedrag	Insurance fee Versekeringsgeld	Postage Posgeld	Service fee Diensgeld	Affix Track and Trace customer copy Plak Volg-en-Spoor-Klientafskrif
1	S.B. SMITH P.O. Box 11165 JAMES TOWN 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452690ZA CUSTOMER COPY 3010220R
2	STB. ACADEMY OF DESIGN BOX 762 STB. 7599					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452709ZA CUSTOMER COPY 3010220R
3	MDC. VAN HUFFEL 1 FRESNO STR. STB. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452712ZA CUSTOMER COPY 3010220R
4	ANTIC CAPITAL P.O. BOX 923 STR. 7599					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452726ZA CUSTOMER COPY 3010220R
5	METHODIST CHURCH 66 PARFAITE STR. STB. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452730ZA CUSTOMER COPY 3010220R
6	GE. SMITH LE CLEMENCE 106 STB. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452743ZA CUSTOMER COPY 3010220R
7	GL. MEYER 31 WESTVALE RD STB. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452757ZA CUSTOMER COPY 3010220R
8	P. BRUNO 9 BLEUHEIM STR. STB. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452765ZA CUSTOMER COPY 3010220R
9	H. COETZEE LE CLEMENCE 60 JAMES TOWN 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452774ZA CUSTOMER COPY 3010220R
10	J. LOUBSER TRUST P.O. BOX 12048 DIE WOORD 7613					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452788ZA CUSTOMER COPY 3010220R

Number of letters posted 10 Total R R R R
 Getal briewe gepos Totaal R R R R

Signature of client
 Handtekening van klient

Signature of accepting officer
 Handtekening van aanneembeampte

The value of the contents of these letters is as indicated and compensation is not payable for a letter received unconditionally. Compensation is limited to R100.00. No compensation is payable without documentary proof. Optional insurance of up to R200.00 is available and applies to domestic registered letters only.

Die waarde van die inhoud van hierdie briewe is soos aangedui en vergoeding sal nie betaal word vir 'n brief wat sonder voorbehoud ontvang word nie. Vergoeding is beperk tot R100.00. Geen vergoeding is sonder dokumentêre bewys betaalbaar nie. Opsionele versekering van tot R200.00 is beskikbaar en is slegs binnelandse geregistreerde briewe van toepassing.

Date stamp
 06 JUN 2016
 DIE WOORD 7613
 Datumstempel

List of REGISTERED LETTERS
Lys van GEREGISTREERDE BRIEWE
(with an insurance option/met 'n versekeringsopsie)



Post Office

Full tracking and tracing/Volledige volg en spoor

Name and address of sender:
 Naam en adres van afsender:

lvs
 Architects and Town Planners (Pty) Ltd
 21 Dreyer Street, Stellenbosch, 7600
 Tel: 21 831 3000 Fax: 21 831 3001
 Email: info@lvs.co.za

Enquiries/Navrae
 Sharecall
 number/nommer
0860 111 502
 www.postoffice.co.za

No	Name and address of addressee Naam en adres van geadreseerde	Insured amount Versekerde bedrag	Insurance fee Versekeringsgeld	Postage Posgeld	Service fee Diensgeld	Affix Track and Trace customer copy Plak Volg-en-Spoor Klientafskrif
1	M. LOUWSE P.O. BOX 12308 DIE BOORD 7613					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452781ZA CUSTOMER COPY 00102001
2	J LIKADA TRUST 26 AAN DE WERF WEBERSVALLEY RD. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452805ZA CUSTOMER COPY 00102001
3	O. LUDENBERG 65 BROOKSIDE VILLAGE SCHAFENBERG DR. S'WEST 7129					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452814ZA CUSTOMER COPY 00102001
4	WIMTA TRUST LE CLEMENCE 107 JAMESTOWN 7599					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452828ZA CUSTOMER COPY 00102001
5	LA FRAS LOUBENS TRUST 33 LE CLEMENCE STB. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452831ZA CUSTOMER COPY 00102001
6	DONFORD PROPERTIES P.O. BOX 84 STB. 7599					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452846ZA CUSTOMER COPY 00102001
7	WIE FEBRUARY P.O. BOX 657 STB. 7599					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452859ZA CUSTOMER COPY 00102001
8	M. BILTON LE CLEMENCE 1 STB. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452862ZA CUSTOMER COPY 00102001
9	MONICA V. NIEIGERIC TRUST P.O. BOX 1564 S'WEST 7129					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452876ZA CUSTOMER COPY 00102001
10	F. VAN EEDEN LE CLEMENCE 107 JAMESTOWN 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0202 111 502 www.postoffice.co.za RC231452880ZA CUSTOMER COPY 00102001
Number of letters posted Getal briewe gepos		Total Totaal	R	R	R	R

Signature of client
 Handtekening van klient: *[Signature]*

Signature of accepting officer
 Handtekening van aanneembeampte: *[Signature]*

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 Optional insurance of up to R200.00 is available and applies to domestic registered letters only.

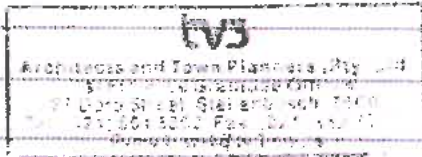
Die waarde van die inhoud van hierdie briewe is soos aangedui en vergoeding sal nie betaal word vir 'n brief wat sonder voorbehoud ontvang word nie. Vergoeding is beperk tot R100.00. Geen vergoeding is sonder dokumentêre bewys betaalbaar nie. Opsionele versekering van tot R200.00 is beskikbaar en is slegs binnelandse geregistreerde briewe van toepassing.

Date stamp
 06 JUN 2010
 DIE BOORD 7613
 Datumstempel

List of REGISTERED LETTERS
Lys van GEREISTREERDE BRIEWE
(with an insurance option/met 'n versekeringsopsie)

Full tracking and tracing/Volledige volg en spoor

Name and address of sender:
 Naam en adres van afsender:



Post Office

Enquiries/Navrae
 Sharecall
 number/nommer
0860 111 502
 www.postoffice.co.za

No	Name and address of addressee Naam en adres van geadreseerde	Insured amount Versekerde bedrag	Insurance fee Versekeringsgeld	Postage Postgeld	Service fee Diensgeld	Affix Track and Trace customer copy Plak Volg-en-Spoor-Klientafskrif
1	JAN V. DENSBURG FAMILY TRUST 22 JAN REBECK STR. STB. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452893ZA CUSTOMER COPY 301020R
2	LE CLEMENCE HOA WEBERSVALEIN RD. STB. 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452902ZA CUSTOMER COPY 301020R
3	CLR. BAHENHORST 17 WATERGANG JANESTOWN 7600					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452916ZA CUSTOMER COPY 301020R
4	M. VOIGT 3 GISELA CLOSE SCHOLTE RD. S'WEST 7130					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452920ZA CUSTOMER COPY 301020R
5	STB. INTEREST GROUP P.O. BOX 2217 DENWESIG 7601					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452933ZA CUSTOMER COPY 301020R
6	STB. RATEPAYERS ASS. P.O. BOX 399 STB. 7599					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.postoffice.co.za RC231452947ZA CUSTOMER COPY 301020R
7						
8						
9						
10						

Number of letters posted
 Getal briewe gepos: 6 Total
 Totaal R R R R

Signature of client
 Handtekening van klient: *[Signature]*

Signature of accepting officer
 Handtekening van aanneembeampte: *[Signature]*

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Date stamp
 06 JUN 2014
 DIE SUID OITS
 Datumstempel

SECTION F

Proof of on-site notice

SECTION G

Public comments received

Clifford Heys

From: Margret Voigt <wokcape@lantic.net>
Sent: 19 June 2019 01:45 PM
To: Clifford Heys
Subject: New Development Plan Blaauwklip No. 510 Jamestown

Dear Sirs

Herewith I very very strongly object against any new development 'next door' as I reside right next on the boarder of your planed new development.

I bought my self into La Clemence due to the fact that it (the retirement village is small) with all its facilities and thats that. I hate staying in places like Helderberg village, for me too crowded etc etc.

Like I wrote - I say NO!!!

Best regards

Margret Voigt

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

From: Jesse I van der Merwe <jesse@concile.co.za>
Sent: 02 July 2019 01:03 PM
To: Clifford Heys <Clifford@tv3.co.za>
Subject: Hersoneringsaansoek Erf 510/52 Jamestown

Goeiedag,

U verwysing 3527-P en Aansoeknr LU/8567.

Hiermee my beswaar teen die hersonering van bogenoemde eiendomme per paragraaf 2 (asook afwykingsaansoeke in daaropvolgende paragrawe) van u skrywe gedateer 6 Junie 2019 vanaf landbousone 1 na "onderverdelingsgebied".

Verdigting binne bestaande "ontwikkelingsgebiede" bied meer as genoeg geleentehede vir ontwikkeling in Stellenbosch sodat bestaande landbousones hul sonering moet behou om sodoende die bestaande karakter van Stellenbosch en veral Jamestown te behou.

Baie dankie vir u vriendelike samewerking.

Namens eienaar : Antic Capital (Pty) Ltd, erf 193, Blakemorestraat, Jamestown.
Namens eienaar : Likada Trust, erf 149, La Clemence Nr10, Jamestown.
Namens eienaar : Bronkhorst Familietrust, erf 7, La Clemence Nr136, Jamestown.
Namens eienaar : Antic Capital (Pty) Ltd, erf 194, Webersvalleiweg 35, Jamestown.

Jesse I van der Merwe
Direkteur

T +27 21 880 0744
26 Aan de Weber Estate,
C <mailto:carissa@concile.co.za> +27 82 800 8477 <mailto:carissa@concile.co.za>
Webers Valley Road,
E jesse@concile.co.z <mailto:jesse@concile.co.za> a
Stellenbosch, <mailto:carissa@concile.co.za>
www.concile.co.za <http://www.concile.co.za/>
7600 <mailto:carissa@concile.co.za>

TV3 Projects (PTY) LTD
 1st floor, La Gratitude Offices
 97 Dorp Street
 Stellenbosch
 7600

Faksnommer : 021 882 8025
 Email : clifford@tv3.co.za

Geagte Mnr. Clifford Heys

WRONG PROPERTY

BESWAAR:

HERSONERING EN AFWYKING: ERWE 510/469 & 510/470 JAMESTOWN

Met verwysing na bogenoemde kennisgewing gepubliseer in die Eikestadnuus op 10 September 2010.

Hiermee teken ek as inwoner van Jamestown beswaar aan teen die voorgenome ontwikkeling op bogenoemde erwe.

My redes is as volg:

1. Die oprigting van 'n woonstelgebou(e) op enige erf of erwe in Jamestown sal afbreuk doen aan die karakter, beeld en gevoel van die woonbuurt.
2. Die oprigting van hoë digtheid woonenhede sal verder aan die landelike omgewing met afbreuk doen.
3. Dit sal nie 'n positiewe bydrae tot die omgewing lewer nie, aangesien dit die omliggende eiendomme se waardes negatief sal beïnvloed.
4. Swakker elemente sal sodoende makliker toegang tot ons redelik veilige woonbuurt verkry, aangesien dit goedkoper is om 'n woonstel te huur as om 'n huis te huur of te koop.
5. Die beoogde woonstelgebou is baie naby aan die Weber Gedenkskool wat ongewenste elemente maklike toegang tot ons kinders gedurende die dag verleen.
6. Goedkeuring van hierdie woonstelgebou sal die deur oop vir ander opportunistiese ontwikkelaars om op ander erwe in die omgewing ook woonstelgeboue op te rig, en dit sal die karakter van Jamestown in totaliteit vernietig, nie net afbreuk doen soos n enkele woonstelgebou sal doen nie.

Ek vertrou u sal hierdie beswaar met die nodige erns bejeën en dat u die beoogde ontwikkeling sal afkeur.

Die uwe

Handtekening:

H. J. Stipp

Naam:

Hermann J. Stipp

Erf 510/ _____ Jamestown

Adres:

Tiobellesingel 13

Telefoonnommer:

021 8800 908

FRIENDS OF STELLENBOSCH MOUNTAIN



Chairperson: VM Steyn

065-994-9943

vmsteyn1@gmail.com

Secretary: HC Eggers

021-808-3523

eggers@sun.ac.za

11 Grandiceps Rd, 7600 Stellenbosch

P.O. Box 3218, 7602 Matieland

Public Benefit Organisation No. 930049434

Comments on Application Number LU/8567 Portions 52, 53, 54 and 71 of Farm 510, Jamestown

29 June 2019

BY EMAIL

1. The timing of this application was unreasonable. It was issued on June 6, 2019, only two days after the monthly meeting of the Ward 21 Ward Committee. FSM does not speak on behalf of the ward committee, but it is thereby clear that the application could not be properly considered by that committee. Was the timing intentional?
2. Many people are away on holidays in the school recess. This application's 30 day comment period falls squarely into that recess. The application and any land use decision based on the inadequate responses received should therefore be considered to be unjust administrative action as defined in the Promotion of Administrative Justice Act of 2000 (PAJA) and Section 33(1) and (2) of the SA Constitution: *everyone has the right to administrative action that is lawful, reasonable and procedurally fair and everyone whose rights have been adversely affected by administrative action has the right to be given written reasons.* See specifically Section 3 of PAJA.
3. The land in question does fall into the Urban Edge. However, it appears that residents of Jamestown, who will be most affected by the proposed development, have misconceptions regarding the delineation of the urban edge. If that misconception was not explicitly clarified by the applicant and his consultants or the municipal officials at the meeting held in Jamestown last week, then that, too, amounts to unjust administrative action.
4. It is well known that the illegal occupants who had previously lived on the land in question have been given preferential treatment to low-cost housing in the first phases already built on the southern side of Jamestown. It would appear that these "Kreefgat" families were given houses in terms of an agreement between the land owner and the municipality. That agreement has as yet not been made public, even though it centrally affects the rights of the existing unhoused residents of Jamestown who did not, as they had good reason to expect, receive houses ahead of the Kreefgat families. This, too, is unjust administrative action.
5. The agreement between Blaauwklippen Agricultural Estates and the Municipality has been kept secret. Given the dire shortage of low-cost and affordable housing in WC24, the secrecy

has created a precedent whereby land owners wishing to develop and/or move tenants can do so out of the public eye and without the opportunity for interested and affected parties to make representations. That, too, is unjust administrative action.

6. As commented at the IDP public meeting, the inclusion of the Jamestown "Tuinerwe" into the Urban Edge has been a fact for years, but was and remains unreasonable. Jamestown was built on a heritage of rural smallholding farming, and there was no reason, even in 2010 or since then, why that farming heritage should be made developable by inclusion into the Urban Edge. We call on the current MSDF consultants and on Council to exclude from the Urban Edge all land between Webersvallei Road and Blaauwklippen River.
7. The application is — once again — for high-income housing. The draft Integrated Human Settlements Plan now coming before Council is clear that there is a dire shortage of low-income and affordable (gap) housing, not of luxury gated estates. Given the above history of moving poor people off the land in a dubious manner and that Plan, it should be clear that, if any development happens at all, it should be low-cost or gap/affordable housing.
8. The revised MSDF currently being advertised for comment contains evidence that three more development proposals have been submitted by Blaauwklippen Agricultural Estates within the IDP/MSDF process: Farm 1457 between Paradyskloof and the R44, Farm 369/17 immediately south of Paradyskloof and Portion 527/3 on the south-eastern edge of Jamestown, along of course with the tuinerwe of Farm 510 as per this application. These Farm portions are marked in pink on the map on page 145 of the revised draft MSDF. They are explicitly named in Comment 43 at the bottom of page 162. The three new proposals are just visible as the hatched areas around Paradyskloof and Jamestown.
9. In other words, Blaauwklippen Agricultural Estates appears intent on developing at least four of its eight cadastral areas. That this is quite unreasonable should be clear to anyone who has read anything at all: the IDP and MSDF and spatial planning legislation, the SEMF, the Agricultural Land Act of 1970, all are clear enough on the need to conserve agricultural land.
10. The Municipal Planning Tribunal and Council would do well to take into account all of the above before making hasty concessions to yet another chance-taker. The application should be rejected on the many grounds provided here.
11. If the MPT does allow any development at all, it should be low-cost and gap housing as per the stated needs and priorities of Stellenbosch Municipality.



METODISTE KERK VAN SUIDER-AFRIKA
Stellenbosch - Omtrek



JAMESTOWN-GEMEENTE

JAMESTOWN METODISTE KERK, WEBERSVALLEIWEG, JAMESTOWN, STELLENBOSCH 7600

JAMESTOWN METODISTE GEMEENTE TRUST & FINANSIES KOMMISSIE

24 Junie 2019

TV3 Projects (PTY) LTD
1st floor, La Gratitude Offices
97 Dorp Street
Stellenbosch
7600

Faksnommer : 021 882 8025
Email : clifford@tv3.co.za

Geagte Mnr. Clifford Heys

BESWAAR TEEN HERSONERING EN AFWYKINGS: GEDEELTES (LANDBOU-ERWE) 52 & 53 & 54 & 71 IN JAMESTOWN, STELLENBOSCH (NAASLIGGEND AAN LA CLEMENCE RETIREMENT VILLAGE)

Namens Jamestown Metodiste Kerk/Gemeente

Hiermee teken ons as 'n dekades-lange gevestigde Jamestown Metodiste Kerk en Gemeente hewig beswaar aan teen hierdie HERSONERING EN AFWYKINGS: GEDEELTES (LANDBOU-ERWE) 52 & 53 & 54 & 71 IN JAMESTOWN, STELLENBOSCH (NAASLIGGEND AAN LA CLEMENCE RETIREMENT VILLAGE).

Inteendeel, ons is hewig gekant daarteen en is erg teleurgesteld dat sodanige inisiatief ons dorp moet tref.

Ons kerkgebou is geleë skuins-oorkant genoemde landbou-erwe in Webersvalleiweg, 'n hanetreetjie van die perseel ter sprake.

Ons gemeente/ kerk is baie goed gevestig in ons dorp en feitlik almal ons lidmate is Jamestowners, vandaar dat ons as 'n kerk erg gegrief is met die inisiatief ter sprake, dit onaanvaarbaar vind en dit heftig teenstaan.

Die voorgestelde ontwikkeling op enige erf of erwe in Jamestown gaan beslis afbreuk doen aan die karakter, beeld en gevoel van Jamestown. Die oprigting van hoë digtheid wooneenhede sal verder aan die landelike omgewing afbreuk doen. Dit sal nie 'n positiewe bydrae tot die omgewing lewer nie, aangesien dit die omliggende eiendomme se waardes negatief sal beïnvloed in terme van hoër waardasies en gepaardgaande hoër belastingstariese vir die groot meerderheid middle inkomste tot laer inkomste gemeenskap.

Die Jamestown gemeenskap het ook geleer uit die verlede: Jamestown is op groot skaal benadeel en ingedoen met vorige ontwikkelings-projekte waar die gemeenskap aan die kortste end trek in terme van hoër waardasies en gepaardgaande hoër belasting. Die plaaslike Jamestown Gemeenskap verloor op verskeie gebiede in terme van bekostigbaarheid van hierdie verhoogde belasting en lewenskostes.

As 'n voorheen benadeelde gemeenskap in die vorige politieke bedeling, het baie van ons voorouers gedwonge verskuiwings in die gesig gestaar. Weens onbekostigbaarheid en hoë belasting tariewe onder andere, staar die huidige en toekomstige nageslagte weereens "gedwonge verskuiwing" in die gesig in die sin dat talle erfhouers geen keuse het of gaan hê as om te verkoop en goedkoper heenkome en opsies te oorweeg nie.

Goedkeuring van hierdie hoë digtheid ontwikkeling op landbougesoneerde grond sal definitief tot presedentskepping lei en sal dus die deur open vir ander opportunistiese ontwikkelaars om op ander erwe in die omgewing ook ontwikkelings met woonstelgeboue op te rig, en dit sal die karakter en dorpsidentiteit van Jamestown in totaliteit sal vernietig,

Ek vertrou u sal hierdie beswaar van 'n gemeenskap wat nie net onder druk is om ons erfenis te verloor nie, maar ook die moontlikheid in die gesig staar om ons eiendom te verloor, met die nodige erns bejeën .

Met dank vir u aandag

Howard A. Gordon

Selfoonnr: 073 421 4010

E-pos: howardgordon53@gmail.com

Jamestown Metodiste Kerk/Gemeente Trust en Finansies Koördineerder en Taakspanleier

Eerw. M Goliath



JAMESTOWN ERFENIS / HERITAGE
1902 – 2019
JAAR • 117 • YEARS
JAMESTOWN > WEBERSVALLEI > JAMESTOWN
“'N STUKKIE VAN DIE PARADYS”

TV3 Projects (PTY) LTD
 1^{ste} vloer, La Gratitude Offices
 97 Dorp Straat
 Stellenbosch
 7600
 Kontaknommer: (021) 861 3800
 Faksnommer : 021 882 8025
 Epos : clifford@tv3.co.za
 Vir Aandag: Clifford Heys

JAMESTOWN ERFENIS KOMITEE

Voorsitter / Chairperson

Chrisben John February

jamestownerfenis1902@gmail.com

chrisbenjf@hotmail.com

083 406 1102

**KOMMENTAAR & BESWAAR NAMENS EN IN BELANG VAN JAMESTOWN ERFHOUERS;
 BELASTINGBETALERS; KLEINBOERE; GEMEENSAP**

Geagte Mnr. Clifford Heys / TV3 Projects

**KOMMENTAAR: Beswaar teen ontwikkeling van Gedeeltes 52, 53, 54 & 71 van die plaas
 Blaauwklip no. 510, Jamestown, Afdeling Stellenbosch**

Aansoeknommer: LU/8567

Munisipale Lêerverwysingsnommer: Erf 510/52, Jamestown

Aansoeker Verwysingsnommer: 3527-P

Met verwysing na bogenoemde kennisgewing gedateer: 6 Junie 2019.

Hiermee staan ons as Jamestown Gemeenskap die voorgenome ontwikkeling op Gedeelte 52, 53, 54 & 71 van die plaas Blaauwklip no. 510, Jamestown, Afdeling Stellenbosch ten sterkste teen en teken beswaar aan.

1. Historiese Agtergrond: Jamestown het in 1902 ontstaan toe Eerw. Jacob Weber en James Rattray met die verskeie huurders van die Rynse Sendingsgemeente die 8 jaar huurooreenkoms onderteken. Na die 8 jaar kon die “Huurder” dan die erf teen 'n fooi van Vyf Shillings (5s.) koop. Baie van die privaat eienaars / erfhouers van hierdie landbou dorp, Jamestown het voorheen in die Stellenbosch dorpsgebied op Munisipale gronde geboer by onder andere die gebied waar die huidige van der Stel Sportgronde is tot teen Markstraat. Jamestown is 'n voorheen benadeelde

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gemeenskap in die vorige politieke bedeling, met baie van ons voorouers wat gedwonge verskuiwings in die gesig gestaar het sonder vergoeding. Teen 1976 staan Jamestown gemeenskap weereens die moontlikheid in die gesig om weens die groepsgebiede-wet as blanke gebied verklaar te word en verskuif te word. Te danke aan die sterk teenkanting van die plaaslike Jamestown Dorpsbestuur, Stellenbosch boerevereniging, omliggende plase, NG-, Rynse- en Methodiste Kerk, Eerwaarde Jacob Weber se kinders en kleinkinders en ander Organisasies en rolspelers se sterk besware behou Jamestown sy status as “kleurling landelike gebied”. As n Voorheen benadeelde gemeenskap in die vorige politieke bedeling, het baie van ons voorouers gedwonge verskuiwings in die gesig gestaar. Weens onbekostigbaarheid en hoë belasting tariewe onder andere, staan die huidige en toekomstige nageslagte weereens “gedwonge verskuiwing” in die gesig in die sin dat talle erfhouers geen keuse het / gaan hê as om te verkoop of selfs verloor weens onbekostigbaarheid en addisionele lenings wat aangegaan moet word.

1. Sedert die ontstaan van Jamestown in 1902 word Jamestown kleinboere blootgestel aan Aarbei-boerdery, vandaar die verskeie aarbei variante as straatname. Hoewel Jamestown bekend is vir aarbeiboerdery het die kleinboere ook met verskeie ander groente, vrugte en selfs met blomme geboer. Die oorblywende boere verskaf natuurlik ook steeds werk aan verskeie Jamestowners asook werkers van buite Jamestown. Soos gesien kan word op *Bylae 3 (Bl. 26 – 44)* is Jamestown 'n familie dorpie waar eiendom van een generasie na die volgende oorgedra word as erfposisie. (*Sien Web Link aan einde van hierdie dokument*).
2. Tydens ontwikkeling van die residensiele area in Jamestown moes erfhouers 'n gedeelte van hul erwe afstaan sonder vergoeding vir die daarstelling van die huidige strate. Hul moes verder ook tot soveel as 30% van die waarde van die erwe wat verkoop word, aan die Streekdiensteraad afstaan as Begiftigingsfooi wat gebruik word vir ontwikkeling en infrastruktuur van Jamestown. Anders as ander omliggende dorpieë in Stellenbosch moes die Jamestown erfhouers grotendeels self betaal vir ontwikkeling, opgradering en vooruitgang deur middel van die Begiftigingsfooi stelsel. (*Sien Aangeheg, BYLAE 4: (Strukturplan, Webersvallei Plaaslike gebied, bl 27, punt 6.3)*) Dit is ook Jamestown gemeenskap se bekommernis dat ons oorweldigend ingeboks word deur ontwikkeling reg rondom Jamestown en nou selfs tot binne Jamestown wat geen langtermyn voordeel vir die gemeenskap inhou nie en tot 'n punt waar die gemeenskap nie meer kan bekostig om voort te bestaan nie. Nog 'n groot bekommernis sluit die vraag of ons dorp se infrastruktuur die kapasiteit het om die groot druk te kan hanteer in terme van water, riool aanleg, paaie, ens. Huidiglik gebruik meer as 800 huishoudings van Jamestown, Mountain View, La Clemence, Aan de Weber asook die addisionele Stellenbosch Square besighede en langsliggende Besigheids / Kantoor park se personeel asook kliënte die Webersvallei – R44 aansluiting. Met die daarstelling van die hoëdigheids Residensiele kompleks vir hoër inkomste groepe gaan dit beslis groter druk op ons

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infrastruktuur plaas. Sien web link onder aan dokument vir **Bylae 3 (La Clemence, Jamestown & Aan De Weber Erfhousers volgens 2017 – 2021 Stellenbosch Munisipale Eiendom-Waardasies (Aflaaibare PDF Dokument)**

3. **Belasting:** Weens vorige ontwikkelings soos La Clemence, Stellenbosch Square, Aan De Weber is Jamestown op groot skaal benadeel en ingedoen met vorige ontwikkelings-projekte waar die gemeenskap aan die kortste end trek in terme van hoër waardasies en gepaardgaande hoër belasting, maar dat daar absoluut niks teruggeploeg is in die gemeenskap nie. Dit kom basies neer op 'n Wen – Verloor situasie waar die ontwikkelaar wen i.t.v. winste en inkomste gegeneer uit ontwikkeling en Munisipaliteit wen i.t.v. onregverdige Hoër Belastingstariewe, maar die plaaslike Jamestown Gemeenskap Verloor op verskeie gebiede. Jamestown se eiendomswaardasies en gepaardgaande belasting is reeds ultermate verhoog wat dit moeilik maak vir die meestal middel- en laerinkomste groepe asook pensioenarisse gemeenskap om by te hou met die huidige inflasie. Weens onbekostigbaarheid en hoë belasting tariewe onder andere, staar die huidige en toekomstige nageslagte weereens “gedwonge verskuiwing” in die gesig in die sin dat talle erfhouers geen keuse het en gaan hê as om ekstra lenings of verbande uit te neem of om te verkoop en goedkoper heenkome en opsies te oorweeg nie en selfs die moontlikheid om hul eiendom te verloor. Geen minimale / eenmalige persentasie van verkope wat teruggeploeg word in Jamestown gemeenskap gaan opmaak of vergoed vir die langtermyn finansiële komplikasies en druk aan die meestal middel- tot laer inkomstegroep erfhouers en belastingbetalers sowel as die oorblywende en veral die jonger opkomende aktiewe kleinboere in Jamestown nie.
4. **Met Verwysing na BYLAE 1, punte 3 & 6 (Sien Web Link onder / Aangeheg),** in ag geneem sal dit net regverdig wees teenoor die Jamestown gemeenskap om die Jamestown “Tuinerwe” tussen Webersvalleiweg en Blaauwklippen Rivier buite die sogenaamde “Urban Edge” te plaas om soortgelyke aansoeke te verhoed. Met verdere verwysing na **punt 5 van Bylae 1** word die belange van Blaauwklippen bo dié van meer as 400 Jamestown erfhouers gestel. 'n Vorige aansoek vir hersonering en afwyking gedateer, 10 September 2010, vir Erwe 510/469 & 510/470 in Jamestown is deur die Munisipaliteit afgekeur. (Sien BYLAE 8)
5. **Toe Blaauwklippen die erwe gekoop het,** was hul bewus dat dit deel van Jamestown se Landbousone 1 erwe is. Die Jamestown Gemeenskap beveel dus aan dat Blaauwklippen die eiendom vir alternatiewe doeleindes soos byvoorbeeld 'n Gedenktuin / Kruietuin / Groentetuin benut wat in lyn is met landbou aktiwiteite en terselfde tyd as toeriste attraksie kan dien om sodoende respek te toon aan die Jamestown Gemeenskap en ons landbou erfenis.
6. **Die oprigting van hoë digtheid wooneenhede sal geensins 'n positiewe bydrae tot die omgewing lewer nie,** aangesien dit die omliggende eiendom se waardes negatief

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sal beïnvloed in terme van hoër waardasies en gepaardgaande hoër belastingstariewe vir die groot meerderheid middle inkomste tot laer inkomste gemeenskap. Die voorgestelde ontwikkeling op enige erf of erwe in Jamestown gaan beslis afbreuk doen aan die landbou karakter, beeld en gevoel van Jamestown.

7. Goedkeuring van hierdie residensiele ontwikkeling op die landbousone sal die deur open vir ander opportunistiese ontwikkelaars om op ander erwe in die omgewing ook groepsbehuisings en selfs woonstelgeboue op te rig, en dit sal die unieke karakter van Jamestown nie net onreg aandoen nie, maar in totaliteit vernietig.
8. Een van die redes vir die herbekendstelling en herlewing van die Jamestown Aarbeifes deur die Webers Toerisme Netwerk in 2015 is juis om ons aarbei- en ander kleinboerdery gemeenskap se erfenis te vier en ook om die bestaande en nuwe opkomende kleinboere aan te moedig om voort te gaan met boerdery aktiwiteite op die landbou-erwe. Die jaarlikse fees gedurende die eerste naweek in November skep natuurlik ook die platvorm vir kleinboere om hul aarbeie en ander vars produkte te verkoop. Die Jamestown Aarbeifes skep die grootste platvorm vir die blootstelling van Jamestown se unieke erfenis en geskiedenis. Deur voort te gaan met die ontwikkeling gaan dit beslis 'n einde bring aan ons unieke kleinboerdery aktiwiteite wat op sy beurt 'n einde gaan bring aan die daarstelling van die jaarlikse Jamestown Aarbeifes gedurende in November.
9. Jamestown gemeenskap versoek dus dat Blaauwklippen sy aansoek sal heroorweeg en terugtrek in belang van ons Jamestown gemeenskap, ons erfenis en ons voortbestaan. U neem volle verantwoordelijkheid dat u uit disrespek teen die Jamestown gemeenskap se belange en verwagtinge optree in belang van u eie vooruitgang.
10. Hiermee versoek ons as Jamestown gemeenskap ook verder dat Stellenbosh Munisipaliteit die aansoek vir hersonering en ontwikkeling in belang van die Jamestown gemeenskap, ons erfenis en ons voortbestaan as kleinboere en belastingbetalers afkeur.
11. Vind aangeheg, ter ondersteuning van beswaar van bogenoemde ontwikkeling:
 - a. BYLAE 1: FRIENDS OF STELLENBOSCH MOUNTAIN
 - b. BYLAE 2: JAMESTOWN METHODISTE GEMEENTE: BESWAAR
 - c. BYLAE 8: Prof. HERMANN STIPP

Ek vertrou u sal hierdie Beswaar en Kommentaar van 'n gemeenskap wat nie net onder druk is om ons erfenis te verloor nie, maar ook die moontlikheid in die gesig staar om ons eiendom (Erfporsies) te verloor met die nodige erns bejeën.

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**KOMMENTAAR & BESWAAR NAMENS EN IN BELANG VAN JAMESTOWN ERFHOUEERS;
 BELASTINGBETALERS; KLEINBOERE; GEMEENSKAP
 JAMESTOWN ERFENIS KOMITEE**

Chrisben John February

Voorsitter / Chairperson

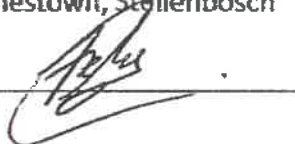
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Plot 510/206, Jamestown, Stellenbosch

Handtekening: _____



Verwysings:

BYLAE 1: (Web Link) FRIENDS OF STELLENBOSCH MOUNTAIN: Comments on Application Number LU/8567 Portions 52, 53, 54 and 71 of Farm 510, Jamestown (Aflaaibare PDF Dokument)

<http://www.physics.sun.ac.za/~egggers/fsm/mn/FSM-Comments-Farm510Jamestown-190629.pdf>

<http://www.physics.sun.ac.za/~egggers/fsm/docs.html>

BYLAE 2: (Web Link) Gary Arendse: "Private property, gentrification, tension and change at the 'urban edge': a study of Jamestown, Stellenbosch." (Aflaaibare PDF Dokument)

http://etd.uwc.ac.za/xmlui/bitstream/handle/11394/4296/arendse_gd_ma_arts_2014.pdf?sequence=1&isAllowed=y

BYLAE 3: (Web Link) La Clemence, Jamestown & Aan De Weber Erfhouers volgens 2017 – 2021

Stellenbosch Munisipale Eiendom-Waardasies (Aflaaibare PDF Dokument)

La Clemence : Bladsy 21 – 25 van 66

Jamestown : Bladsy 26 – 44 van 66

Aan De Weber: Bladsy 44 – 46 van 66

<https://www.stellenbosch.gov.za/documents/property-valuations/z-archive/general-valuation-roll-2017-2021/5030-gv2017-final-general-valuation-roll-vol14-dv-dz-jt-lg/file>

BYLAE 4: (PDF Aangeheg) Struktuurplan, Webersvallei Plaaslike gebied, bl 27, punt 6.3 (Begiftigingsfooi)



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BYLAE 5: (PDF Aangeheg) JAMESTOWN METHODISTE GEMEENTE: BESWAAR TEEN HERSONERING EN AFWYKINGS: GEDEELTES (LANDBOU-ERWE) 52 & 53 & 54 & 71 IN JAMESTOWN, STELLENBOSCH (NAASLIGGENDE AAN LA CLEMENCE RETIREMENT VILLAGE) (PDF Dokument aangeheg)

BYLAE 6: (PDF Aangeheg) i/s: ONDERSOEK INGEVOLGE GROEPSGEBIEDE WET (NR.77 VAN 1957) – JAMESTOWN, DISTRIK STELLENBOSCH (PDF Dokument aangeheg)

BYLAE 7: (PDF Aangeheg) 1989 STRUKTUURPLAN UITTREKSEL

BYLAE 8: (PDF Aangeheg) PROF. HERMANN STIPP: 2010 BESWAAR: HERSONERING EN AFWYKING: ERWE 510/469 & 510/470, JAMESTOWN

FRIENDS OF STELLENBOSCH MOUNTAIN



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Comments on Application Number LU/8567 Portions 52, 53, 54 and 71 of Farm 510, Jamestown

29 June 2019

BY EMAIL

1. The timing of this application was unreasonable. It was issued on June 6, 2019, only two days after the monthly meeting of the Ward 21 Ward Committee. FSM does not speak on behalf of the ward committee, but it is thereby clear that the application could not be properly considered by that committee. Was the timing intentional?
2. Many people are away on holidays in the school recess. This application's 30 day comment period falls squarely into that recess. The application and any land use decision based on the inadequate responses received should therefore be considered to be unjust administrative action as defined in the Promotion of Administrative Justice Act of 2000 (PAJA) and Section 33(1) and (2) of the SA Constitution: *everyone has the right to administrative action that is lawful, reasonable and procedurally fair and everyone whose rights have been adversely affected by administrative action has the right to be given written reasons.* See specifically Section 3 of PAJA.
3. The land in question does fall into the Urban Edge. However, it appears that residents of Jamestown, who will be most affected by the proposed development, have misconceptions regarding the delineation of the urban edge. If that misconception was not explicitly clarified by the applicant and his consultants or the municipal officials at the meeting held in Jamestown last week, then that, too, amounts to unjust administrative action.
4. It is well known that the illegal occupants who had previously lived on the land in question have been given preferential treatment to low-cost housing in the first phases already built on the southern side of Jamestown. It would appear that these "Kreefgat" families were given houses in terms of an agreement between the land owner and the municipality. That agreement has as yet not been made public, even though it centrally affects the rights of the existing unhoused residents of Jamestown who did not, as they had good reason to expect, receive houses ahead of the Kreefgat families. This, too, is unjust administrative action.
5. The agreement between Blaauwklippen Agricultural Estates and the Municipality has been kept secret. Given the dire shortage of low-cost and affordable housing in WC24, the secrecy

has created a precedent whereby land owners wishing to develop and/or move tenants can do so out of the public eye and without the opportunity for interested and affected parties to make representations. That, too, is unjust administrative action.

6. As commented at the IDP public meeting, the inclusion of the Jamestown "Tuinerwe" into the Urban Edge has been a fact for years, but was and remains unreasonable. Jamestown was built on a heritage of rural smallholding farming, and there was no reason, even in 2010 or since then, why that farming heritage should be made developable by inclusion into the Urban Edge. We call on the current MSDF consultants and on Council to exclude from the Urban Edge all land between Webersvallei Road and Blaauwklippen River.
7. The application is — once again — for high-income housing. The draft Integrated Human Settlements Plan now coming before Council is clear that there is a dire shortage of low-income and affordable (gap) housing, not of luxury gated estates. Given the above history of moving poor people off the land in a dubious manner and that Plan, it should be clear that, if any development happens at all, it should be low-cost or gap/affordable housing.
8. The revised MSDF currently being advertised for comment contains evidence that three more development proposals have been submitted by Blaauwklippen Agricultural Estates within the IDP/MSDF process: Farm 1457 between Paradyskloof and the R44, Farm 369/17 immediately south of Paradyskloof and Portion 527/3 on the south-eastern edge of Jamestown, along of course with the tuinerwe of Farm 510 as per this application. These Farm portions are marked in pink on the map on page 145 of the revised draft MSDF. They are explicitly named in Comment 43 at the bottom of page 162. The three new proposals are just visible as the hatched areas around Paradyskloof and Jamestown.
9. In other words, Blaauwklippen Agricultural Estates appears intent on developing at least four of its eight cadastral areas. That this is quite unreasonable should be clear to anyone who has read anything at all: the IDP and MSDF and spatial planning legislation, the SEMF, the Agricultural Land Act of 1970, all are clear enough on the need to conserve agricultural land.
10. The Municipal Planning Tribunal and Council would do well to take into account all of the above before making hasty concessions to yet another chance-taker. The application should be rejected on the many grounds provided here.
11. If the MPT does allow any development at all, it should be low-cost and gap housing as per the stated needs and priorities of Stellenbosch Municipality.

Die verskillende grondgebruike wat voorgestel word in die Ontwikkelingsplan en die toepaslike sonerings, soos bepaal volgens die Artikel 8 Regulasies van die Ordonnansie op Grondgebruikbeplanning, Nr. 15 van 1985, word in die volgende tabel uiteengesit :-

Gebruik	Sonering
Kleinboewes	Landbousones I
Woonerwe	Residensiële Sone III (vergunning : enkelwoning)
Parke	Oopruimtesone I
Ontspanningsgebied	Oopruimtesone I
Kleuterskool	Institusionele Sone I
Kerk	Institusionele Sone II
Gemeenskapsentrum	Institusionele Sone III
Woonbuurtsentrum	Sakesone I (vloerfaktor 1(FAR1))
Ander winkels	Sakesone II
Kantore (erf 510/7)	Sakesone III
Skrynwerkwerv (erf 510/7)	Nywerheidsone I
Vuilstasie	Sakesone V
Strate	Vervoersones II

Tabel 2 : Grondgebruiksonerings

6.3

DIE BEGIFTIGINGSBYDRAE :

As gevolg van die aard van die oorspronklike erwe en die bestaande ontwikkelingspatroon in die Webersvalleigebied, was dit nie moontlik om voorstelle vir die ontwikkeling en onderverdeling so te onderneem dat elke eiendom dieselfde voordele en nadele sou hê nie, selfs nie op 'n verhoudingsbasis nie. Derhalwe staan 'n aantal eiendomme meer grond af vir nuwe paaie en oopruimtes as ander. Om 'n soortgelyke probleem in Kylemore te oorkom, was die persentasie bydrae van eiendomme per erf gemanipuleer om alle wooneiendomme gelyk te stel. Hierdie stelsel manipulasie van bydraes was ook in die verlede vir Webersvallei se ontwikkelingsgebied voorgestel en aanvaar, en is tot op die huidige toegepas.

Die stelsel behels kortliks dat, om 'n regverdige bydrae tot die voorsiening van grond vir paaie en publieke oopruimtes te verseker, word voorgestel dat alle woonerwe 'n 30 % bydrae moet maak. Hierdie 30 % word verminder na gelang van die persentasie grond van die onderverdeling wat afgestaan word vir paaie en oopruimtes. Die fonds wat vanaf hierdie bydraes verkry word, word gebruik om daardie eienaars wat meer as 30 % grond afstaan, te vergoed. Die gevolge van hierdie metode beteken dat verskillende persentasiebydraes vir verskillende eiendomme sal geld.

Hierdie basis was gebruik met die goedkeurings van onderverdelings in terme van die Meesterplan vir ontwikkeling. Om

regverdig te wees word aanbeveel dat die basis van berekening van bydraes behou word. Daar sal egter 'n addisionele bydrae vasgestel moet word op die eiendomme wat ekonomiese funksies gaan huisves volgens die voorgestelde Struktuurplan.

6.4 BELEID EN RIGLYNE VIR ONDERVERDELING EN ONTWIKKELING :

- 6.4.1 Alle aansoeke vir onderverdeling van eiendomme in die Webersvallei Plaaslike gebied moet in ooreenstemming wees met die voorstelle vervat in die voorgestelde Ontwikkelingsplan.
- 6.4.2 Geen ander grondgebruike as die wat voorgestel is op die Ontwikkelingsplanne sal op die perseel toegelaat word nie.
- 6.4.3 Alle aansoeke vir onderverdeling moet vergesel wees van 'n landmetersopmetingsplan van die hele eiendom wat alle besonderhede van bestaande strukture en geboue op die eiendom aandui. Mates, afstande en rigtings moet duidelik en akkuraat aangegee word.
- 6.4.4 Alle gronde wat vir paddoeleindes en oopruimtes bestem is, soos aangetoon op die Ontwikkelingsplan, sal gratis aan die Plaaslike Owerhede afgestaan en oorgedra word. 'n Finansiëlebydrae stelsel sal toegepas word om te verhoed dat sekere grondeienaars benadeel word.
- 6.4.5 Slegs een gebou wat een gesin kan huisves, tesame met die normale buitegeboue sal op elke individuele grondeenheid toegelaat word. In gevalle waar meer as een woning op 'n eiendom bestaan, sal die Raad tydens die oorweging van die aansoek vir onderverdeling gepaste voorwaardes vir die behoud of sloping van sodanige woning, na gelang van die toestand van die woning, oorweeg.
- 6.4.6 Straatboulyne van 5 m sal op erwe langs Webersvalleipad en Valleiweg van toepassing wees. Binne die gebied sal 'n straat- en kantboulyn van nul van toepassing wees.
- 6.4.7 Die maksimum dekking van 50 % van die oppervlakte van 'n perseel in die woonsone sal nie sonder die Raad se spesiale toestemming oorskry mag word nie.
- 6.4.8 Kontantbydraes sal aan die Raad gemaak word op 'n pro rata basis deur die eienaar voor of op die registrasie, oordrag, skenking, verkope of die bou van 'n woning op een van die woonpersele. Geen woonperseel sal uit hierdie voorwaarde uitgesluit word nie.

7. OPSOMMING :

Hierdie verslag en Struktuurplan word aangebied as 'n vervanging van die ou Ontwikkelingsplan vir die Webersvallei Plaaslike Gebied. Die verslag en voorgestelde struktuurplan se

aanbevelings is dus 'n kulminasie van jare se werksaamhede. Soos aangedui was die inwoners van die gebied van die begin af betrek met die opstelling en implementering van die voorstelle soos ook in die vorige meesterplan en selfs vroeër.

Deur die toepassing van hierdie voorstelle, sal die ontwikkeling van die gebied in die toekoms georden word terwyl die woonomstandighede van die inwoners mettertyd verbeter sal word. In alle gevalle sal die samewerking van die inwoners en die privaat sektor ten nouste betrek word en die implementering van die voorstelle met hulle onderneem word.

8. BYLAE A :

'n Vraelys opname is geloods in die Webersvalleigebied om te bepaal wat die inwoners se behoeftes is en om hulle 'n geleentheid te bied om 'n inset te lewer in die ontwikkeling van hul gebied. 'n Honderd persent opname is beoog maar die Raad moes noodgedwonge met 'n 26 % steekproef werk.

Die opname is in twee groepe verdeel om sodoende inligting te verkry oor die landbousone en die stedelike gebied suid van die Webersvalleipad, 'n Voorbeeld van elke vraelys word hierby aangeheg. 'n Vraelys vir die Gebiedskomitee is ook opgestel om fynere detail van die gebied te bekom vanaf mense wat aan die roer van sake in Webersvallei staan.

Die volgende is 'n kort opsomming van die bevindings en antwoorde verkry van die vraelyste.

(a) DIE BEBOUDE GEDEELTE :

Uit die steekproef vir die beboude gedeelte het dit geblyk dat sowat 78 % van die inwoners hul huise besit. Hiervan woon sowat 16 % reeds tussen 10 en 20 jaar in Webersvallei, 36 % tussen 20 en 40 jaar, terwyl 20 % al vir meer as 40 jaar inwoners van die dorpie is. Daar is ook 'n aanduiding dat sowat 84 % van die inwoners se ouers ook inwoners van Webersvallei was. Dit gee 'n idee van die hegte gemeenskap wat oor die jare in Webersvallei ontwikkel het. Dit is 'n sekere groep mense wat daar gevestig het as inboorlinge, en hul afstammeling het, en sit nog steeds, die voortbestaan van die gemeenskap voort.

Deur die vraelysopname is gepoog om vas te stel wat die geslags- en die ouderdomsverhouding in die gebied is en watter stand van geskooltheid die inwoners bereik het. Dit sal 'n riglyn wees in die voorsiening van opvoedkundige funksies en ook ander gebruike wat moontlik afhanklik is van sekere ouderdormsgroepe.

Daar is gevind dat die meerderheid (sowat 58 %) van die inwoners manlik is teenoor die 42 % vroulike geslag. Die opname toon ook dat 'n groot persentasie van die inwoners nog op laerskool is, hoewel die hoërskoolbywoning, veral tot standaard 8, ook baie goed is. Daar is ook verskeie wat huidiglik verder studeer, en ander wat al reeds gekwalifiseer is. Dit is egter moeilik om te bepaal wat die middeljarige mense wat die vraelys ingevul het se kwalifikasievlak is. Dit is waarskynlik dat die vraelys op die punt nie voldoende duidelik was nie.

Verder het die vraelys uitgewys dat die meerderheid van die bevolking op Stellenbosch aangewese is vir hul huishoudelike benodighede. Hoewel die inwoners grootliks per motor en per huurmotor na Stellenbosch reis, word ook baie staatgemaak op die

busdiens vir publieke vervoer. Sowat 68 % van die inwoners sou egter wou sien dat Webersvallei meer inkoopfasiliteite kry. Die fasiliteite wat aangevra word, in prioriteitsorde is die volgende:

Supermark
Slaghuis
Apteek
Groentewinkel
Poskantoor
Vulstasie
Haarsalon
Klerewinkel

Die inligting help met die bepaling van die tipe funksies en fasiliteite wat die inwoners van Webersvallei benodig en verlang.

Wat betref die ontwikkeling van Webersvallei het 51 % hulle ten sterkste uitgespreek teen die kommersiële ontwikkeling van die gebied tot 'n digbeboende area, terwyl 36 % wel 'n digbeboende dorp daar sou sien. Dit is dan ook 'n aspek wat duideliker in vraag 13 na vore gekom het waar mense hul eie voorstelle kon maak. Baie het die onderverdeling van die gebied aangevra maar dit moet nie klein erwe met 'n hoë digtheid per hektaar wees nie, maar wel groot erwe wat die landboukarakter van die dorp sal uitdra.

Die response het klem laat lê op 'n versoek vir die voorsiening van oopruimtes en ontspanningsfasiliteite in die gebied. Mediese dienste, 'n poskantoor en 'n vulstasie is ook besliste tekorte in Webersvallei soos aangetoon deur die antwoorde.

(b) DIE LANDBOUGEDEELTE :

Vanuit die steekproef vir die landbougedeelte is dit duidelik dat die inwoners van die kleinhoewes al 'n geruime tyd die grond besit, die meeste al vir meer as 20 jaar. Die meeste het dan ook aangedui dat hul ouers vroeër die kleinhoewes bewoon en bewerk het.

Op die kleinhoewes word groente en aarbeie gekweek. 63 % van die produksie word verkoop terwyl 37 % vir eie gebruik aangewend word. Die meeste boere gebruik bemestingstowwe, (ongeveer twee maal per jaar) hoewel die grond baie vrugbaar is. Water vir die besproeiing van die lande word grootliks per pypleiding vanuit die rivier en die kanaal verkry.

Die afsetpunte vir die produkte is meestal Stellenbosch en Kaapstad. Bakkies en lorries word gebruik om die produkte na die markte te vervoer.

(c) DIE GEBIEDSKOMITEEVRAELYS :

Met dié vraelysopname onder die Gebiedskomiteeëde was gepoog om vas te stel wat daar vir die gemeenskap gedoen word en watter



METODISTE KERK VAN SUIDER-AFRIKA
Stellenbosch - Omtrek



JAMESTOWN-GEMEENTE

JAMESTOWN METODISTE KERK, WEBERSVALLEIWEG, JAMESTOWN, STELLENBOSCH 7600

JAMESTOWN METODISTE GEMEENTE TRUST & FINANSIES KOMMISSIE

24 Junie 2019

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Geagte Mnr. Clifford Heys

BESWAAR TEEN HERSONERING EN AFWYKINGS: GEDEELTES (LANDBOU-ERWE) 52 & 53 & 54 & 71 IN JAMESTOWN, STELLENBOSCH (NAASLIGGEND AAN LA CLEMENCE RETIREMENT VILLAGE)

Namens Jamestown Metodiste Kerk/Gemeente

Hiermee teken ons as 'n dekades-lange gevestigde Jamestown Metodiste Kerk en Gemeente hewig beswaar aan teen hierdie HERSONERING EN AFWYKINGS: GEDEELTES (LANDBOU-ERWE) 52 & 53 & 54 & 71 IN JAMESTOWN, STELLENBOSCH (NAASLIGGEND AAN LA CLEMENCE RETIREMENT VILLAGE).

Inteendeel, ons is hewig gekant daarteen en is erg teleurgesteld dat sodanige inisiatief ons dorp moet tref.

Ons kerkgebou is geleë skuins-oorkant genoemde landbou-erwe in Webersvalleiweg, 'n hanetreetjie van die perseel ter sprake.

Ons gemeente/ kerk is baie goed gevestig in ons dorp en feitlik almal ons lidmate is Jamestowners, vandaar dat ons as 'n kerk erg gegrief is met die inisiatief ter sprake, dit onaanvaarbaar vind en dit heftig teenstaan.

Die voorgestelde ontwikkeling op enige erf of erwe in Jamestown gaan beslis afbreuk doen aan die karakter, beeld en gevoel van Jamestown. Die oprigting van hoë digtheid wooneenhede sal verder aan die landelike omgewing afbreuk doen. Dit sal nie 'n positiewe bydrae tot die omgewing lewer nie, aangesien dit die omliggende eiendomme se waardes negatief sal beïnvloed in terme van hoër waardasies en gepaardgaande hoër belastingstariewe vir die groot meerderheid middle inkomste tot laer inkomste gemeenskap.

Die Jamestown gemeenskap het ook geleer uit die verlede: Jamestown is op groot skaal benadeel en ingedoen met vorige ontwikkelings-projekte waar die gemeenskap aan die kortste end trek in terme van hoër waardasies en gepaardgaande hoër belasting. Die plaaslike Jamestown Gemeenskap verloor op verskeie gebiede in terme van bekostigbaarheid van hierdie verhoogde belasting en lewenskostes.

As 'n voorheen benadeelde gemeenskap in die vorige politieke bedeling, het baie van ons voorouers gedwonge verskuiwings in die gesig gestaar. Weens onbekostigbaarheid en hoër belasting tariewe onder andere, staar die huidige en toekomstige nageslagte weereens "gedwonge verskuiwing" in die gesig in die sin dat talle erfhouers geen keuse het of gaan hê as om te verkoop en goedkoper heenkome en opsies te oorweeg nie.

Goedkeuring van hierdie hoër digtheid ontwikkeling op landbougesoneerde grond sal definitief tot presedentskepping lei en sal dus die deur open vir ander opportunistiese ontwikkelaars om op ander erwe in die omgewing ook ontwikkelings met woonstelgeboue op te rig, en dit sal die karakter en dorpsidentiteit van Jamestown in totaliteit sal vernietig,

Ek vertrou u sal hierdie beswaar van 'n gemeenskap wat nie net onder druk is om ons erfenis te verloor nie, maar ook die moontlikheid in die gesig staar om ons eiendom te verloor, met die nodige erns bejeën .

Met dank vir u aandag

Howard A. Gordon

Selffoonnr: 073 421 4010

E-pos: howardgordon53@gmail.com

Jamestown Metodiste Kerk/Gemeente Trust en Finansies Koördineerder en Taakspanleier

Eerw. M Goliath



Postbus 86,

STELLERBOSCH,

23 Mei 1966.

Die Streeksverteenwoordiger,
Departement Geplanning,
Privatsek BDOG,
KRIPSTAD.

Waarde heer,

1/2: SKOERSOEK INGEVOLGE GROEPSOESIGKE WET (nr. 77
VAN 1957) - JAMESTON, DISTRIK STELLERBOSCH.

Ons, die ondergetekendes, in ons hoedanigheid as verteen-
woordigers van die Kivurling Inwoners van Jameston en behoorlik
daarvoor gemagtig, maak hiermee kennis teen enige voerstel en die
Jameston gebied, soos in Plan A5 voorgedui, vir Blanke besit en
bewoning te oorkluis.

Ten staping van ons beswaar wil ons graag die volgende
noem:-

1. Tans verkeer die bogenoemde gebied behuising vir 184
Kivurling families van wie baie die laaste 10 jaar daar
voornagtig is. In teenstelling hiermee is daar slegs
4 eiendomme in die hele gebied wat van lade van die Blanke
Groep behoort.
2. Die gebied is in geografiese opsig op sy eie met van die
meeste plekke deur twee riviërs geskied.
3. Die Jameston Kleinboere is meestal heel goedstrik ongeveer
70 lys sye en 1 1/2 burg groot. Die huise daarop is klein en
sonder moderne geriewe. Gewoonlik is hierdie eiendomme heel
ongeskik vir Blanke bewoning.
4. Verder is daar twee kerke en 'n skool in die gebied wat uitsluitlik
vir die gebruik van Kivurlinge opgerig is. Daar is geen soort-
gelyke geriewe vir Blankes nie.
5. Jameston is ongeveer 6 myl van Stellerbosch en 8 myl van Somerset
Burg geleë. As sulke verkeer Jameston noodsaaklik gebied vir
die hoër in die Stellerbosch - Somerset Burg area.
6. 'n Groot persentasie van die Jameston Kleinboere-waarsaam
is gekwalifiseer afkanklik van die gemeen- en arbeidery wat
hulle en hulle eiendomme voer. In hierdie verband wil ons
u verhoor op die volgende punte vestig:-
 - (a) Indien hierdie persone verplig word om hulle eiendomme
te verlaat, sal dit vir hulle ontmoetlik wees om
soortgelyke Kleinboere te bekome wat hulle hul be-
roep sal kan voortset.
 - (b) Baie van hierdie persone is buite hulle area en hulle moet
in staat is om hulle beroep aan te lees nie.
 - (c) Baie van die Kleinboere-waarsaam het hulle hoerery
uitgelei tot omliggende Munisipale grond en daar is
soms ongeveer 72 wurg in die omgewing wat sonder hulle
verhoor is. Die buurtermyne van die verskeie kontrakte
balep het ongeveer 6 jaar vorel datus hiervan.

: 2 :

Die Streeksverteenskondige,
KAAPSTAD.

23 Mei 1966.

- (d) As gevolg van die bogenoemde is die Jamestown kleinhouer heelwat meer werd een hulle Kleurling eieners as hulle intrinsieke waarde. Dit feit dat die vroegste verkopings van een in Jamestown aantoon dat die gemiddelde koopprys van 1½ morge R4,000 is, moet hierdie bewering verby enige redelike twyfel heva.

Ons besware kan dus as volg opgesom word:-

Eerstens is die Jamestown gebied vir die laaste drie tot vier geslagte smpar uitelutlik deur Kleurlinge bewoon;

Tweedens is die gebied alleenlik geskik vir Kleurling inwoners;

Derdens, indien die huidige eieners verplig word om die gebied te verlaat, sal hulle nie alleenlik hulle behouding maar ook hulle bestaansmiddel daardeur verloor.

Ons sal dit baie hoog op prys stel indien u vir ons sal toelaat om persoonlik of deur ons Regsverteenskondige voor u Komitee te verskyn.

GETEKEN te STELLENBOSCH hierdie 25^{ste} dag van MEI 1966.

B. Williams
BAREND WILLIAMS

P. J. d. R. de Klerk
P. J. d. R. DE KLERK

J. G. C. Williams
J. G. C. WILLIAMS

J. Isaacs
JOHN ISAACS

B. J. S. Williams
B. J. S. WILLIAMS

Lêernr.

File No. 4/1/2

DEPARTEMENT VAN KLEURLINGSAKE.
DEPARTMENT OF COLOURED AFFAIRS.

ONDERWERP
SUBJECT

JANESTOWN, DISTRIK STELLENBOSCH.

TOEKOMSTIGE GROEPSEKARAKTER.

DIE MINISTER.

1. Sedert middel 1966 stel die Groepsgebiede-raad ondersoek in om binne die streek Somerset-Wes, Stellenbosch, Krasifontein, Kuilsrivier, D.F. Malan-lughawe en die see, op streekbasis sekere landelike bruin kolle tot groepsgebiede vir Blankes te verklaar.

2. Hierdie Departement het slegs kommentaar ten opsigte van Jamestown wat as moontlike gebied onder die Wet op Landelike Kleurlinggebiede (Wet No. 24 van 1963) nader oorweging verdien.

3. Jamestown is geleë ongeveer 3 myl van Stellenbosch aan die bergkant van die pad na Somerset-Wes. Dit word bewoon deur 181 Kleurling-gesinne met 'n sieletal van ongeveer 1,145, waarvan 190 werkende manspersone is en 20 pensionarisse. Ongeveer 70 mans boer met aarbeie, groente en blomme en doen ook seisoenswerk op Blanke plase, terwyl ongeveer 120 mans en 47 vrouens elders werk. Daar woon ook 3 Blanke gesinne.

4. Jamestown, groot ongeveer 100 morg, en afdelingsraadwaardasie van R165,000, het in 1902 ontstaan toe Eerw. WEBER, 'n sendeling van die Rynse N.G. Sendinggemeente, en 'n sakeman van Stellenbosch, die grond aangekoop het om 'n heenkome aan die Gekleurdes te bied wat destyds baie moeilik 'n bestaan kon vind.

Die grond is in 54 kleinhoeves verdeel en Kleurlinge het oordrag geneem. Volgens inligting

2/.....

2.

is al die grond tans op die name van 50 Kleurlinge en 4 Blankes geregistreer.

Die grootste gedeelte van die grond is uiters geskik vir landbou en word aangewend vir die kweek van aarbeie, groente en blomme. Die aarbeioes beloop tussen 200 en 300 ton per jaar en twee inmaakfabrieke het daar ontvangdepots opgerig. Beweer word dat sommige Kleurlinge 'n jaarlikse inkomste van R1,600 tot R2,000 het en dat die jaarlikse inkomste per morg op R500 tot R1,500 gestel kan word. Besproeiingswater vir ongeveer 60 morg word uit die Bloukliprivier wat die noordelike grens van die gebied vorm, verkry. Die ander bewerkbare grond word op die winterreën bewerk. Gedeeltes van 'n aanliggende stuk grond van 71 morg van die Stadsraad van Stellenbosch word ook aan die Kleurlinge verhuur.

In die gebied is 144 woonhuise waarvan die meeste nie vir bewoning deur Blankes geskik is nie. Daar is winkels, ontspanningsgeriewe en twee kerkgeboue. Op 'n aangrensende stuk grond van 5 morg het die Rynse N.G. Sendingkerk 'n skool teen R21,000 opgerig. Dit het tans 13 onderwysers en 450 skoliere.

Die gebied word as Plaaslike Gebied deur die Afdelingsraad van Stellenbosch beheer.

5. Die ad-hoc komitee van die Groepsgebiede-raad meld in sy verslag -

- (a) dat geen enkele persoon of liggaam van wie vertoë ontvang is die verklaring van Jamestown tot 'n Blanke gebied ondersteun nie. Daarenteen ondersteun die volgende liggane die behoud van die gebied vir die Kleurlinge - die Afdelingsraad, Stadsraad, Boerevereniging en Ned. Geref. Kerk van Stellenbosch;

3.

- (b) Jamestown is 'n de facto Kleurlinggebied en daar heers geen wantoestande van deurmekaarboerdery wat verklaring van 'n groepsgebied noodsaak nie. Verklaring tot 'n groepsgebied vir Blankes word slegs uit die oogpunt van streeksbeplanning bepleit;
- (c) dat Jamestown beskou moet word as 'n gebied waar Gekleurdes grond besit in 'n Blanke omgewing waar hul in die toekoms tussen die uitbreidende Stellenbosch van die een kant en Somerset-Wes van die ander kant vasgedruk en derhalwe misplaas sal wees. Buitendien is daar vir kulle plek in nabygeleë Kleurlinggebiede in dorpe;
- (d) dat ondanks huidige gunstige omstandighede in die gebied, die groeps karakter daarvan as Blank reeds nou vasgelê moet word om onsekerheid uit te skakel, maar dat onmiddellike implementering daarvan nie nodig is nie. Deur die huidige eienaars toe te laat om dit te bly besit en okkupeer vir hul leeftyd, sal die oorgang baie geleidelik wees en sonder ontwrigting.

6. Die afdelingsraad en boerevereniging beklemtoon dat -

- (a) die vreedsame Jamestown uiters geskik is vir die kweek van Kleurlingleiers waaraan daar so 'n tekort is;
- (b) die Kleurlinge self of hul kerkgenootskappe met weinig koste vir die staat alle fasiliteite daar gestel het ook tot voordeel van die Kleurlinge van omliggende Blanke plase;
- (c) dit dien as arbeidsbron vir die omgewing soos karwei- en kasselwerk, seisoensarbeid en gespecialiseerde werk soos die ent en snoei van wingerd en bome;
- (d) baie inwoners selfstandige boere is en geen ander vorm van beroep of lewe ken nie.

7. Hoewel Jamestown slegs 100 horg groot is, is dit 'n gebied met 'n baie hoë landboupotensiaal. Met 'n

4.

1 R500 tot R1.500 per morg per jaar, is 'n
 e grond 'n ekonomiese eenheid vir 'n
 sin. Met uitsondering van Haarlem is die
 ' as enige ander bestaande landelike Kleurling-
 ar word ook intensief geboer op 'n wyse wat
 by die leefwyse van die Kleurling aanpas.
 milieboerdery waarin die hele gesin saamwerk.
 t 'n soort boerdery met weinig mededinging
 ke, maar wat tog vir die volkshuishouding
 is - aarbeie en groente in wisselbou.

t Jamestown sal die land 'n tipiese Kleurling-
 daardie Kleurlinge hul landelike karakter -
 saaklike behoudende element in enige bevolk-
 verloor. Dit sal baie jammer wees as ook
 pie gematigde Kleurlinge van die grond losge-
 rooi tot die wisselvallige en maklik
 e stedelike gemeenskappe toegevoeg word. Dit
 kan word slegs deur die gebied tot 'n lande-
 nggebied te verklaar, waarvoor dit baie
 Vanselfsprekend sal in so'n geval teen
 etree moet word. 'n Groot gedeelte van die
 werkers wat daar woon, werk op omliggende
 ul geakkommodeer behoort te word.

'n persoonlike onderhoud wat ek 'n tydjie
 nr. SMIT, L.V. vir Stellenbosch, aangaande
 Pas gevoer het, het hy aan my laat blyk dat
 unste daarvan is dat Jamestown as 'n
 ied behou word.

e Departement kan hom in die lig van voor-
 vereenselwig met die aanbevelings van die
 eraad se ad-hoc komitee dat Jamestown reeds
 tadium 'n groeps-karakter moet kry nie en dat
 rklaar moet word nie. Die Departement be-
 epsverklaring nie op hierdie stadium nodig
 indien dit wel nodig is, benodig Jamestown
 rling voorbehou te word deur dit as 'n

5.

landelike Kleurlinggebied in te lyf. Die aangeleentheid word derhalwe vir u beslissing in beginsel voorgelê alvorens kommentaar aan die Departement van Beplanning gelewer word.

[Handwritten Signature]
 SEKRETERIS VAN KLEURLINGSAKE.

DATUM:

Goedgekeur dat die Departement van Beplanning ree gedeel word dat ek met inagneming van alle faktore ten gunste daarvan is dat Jamestown -

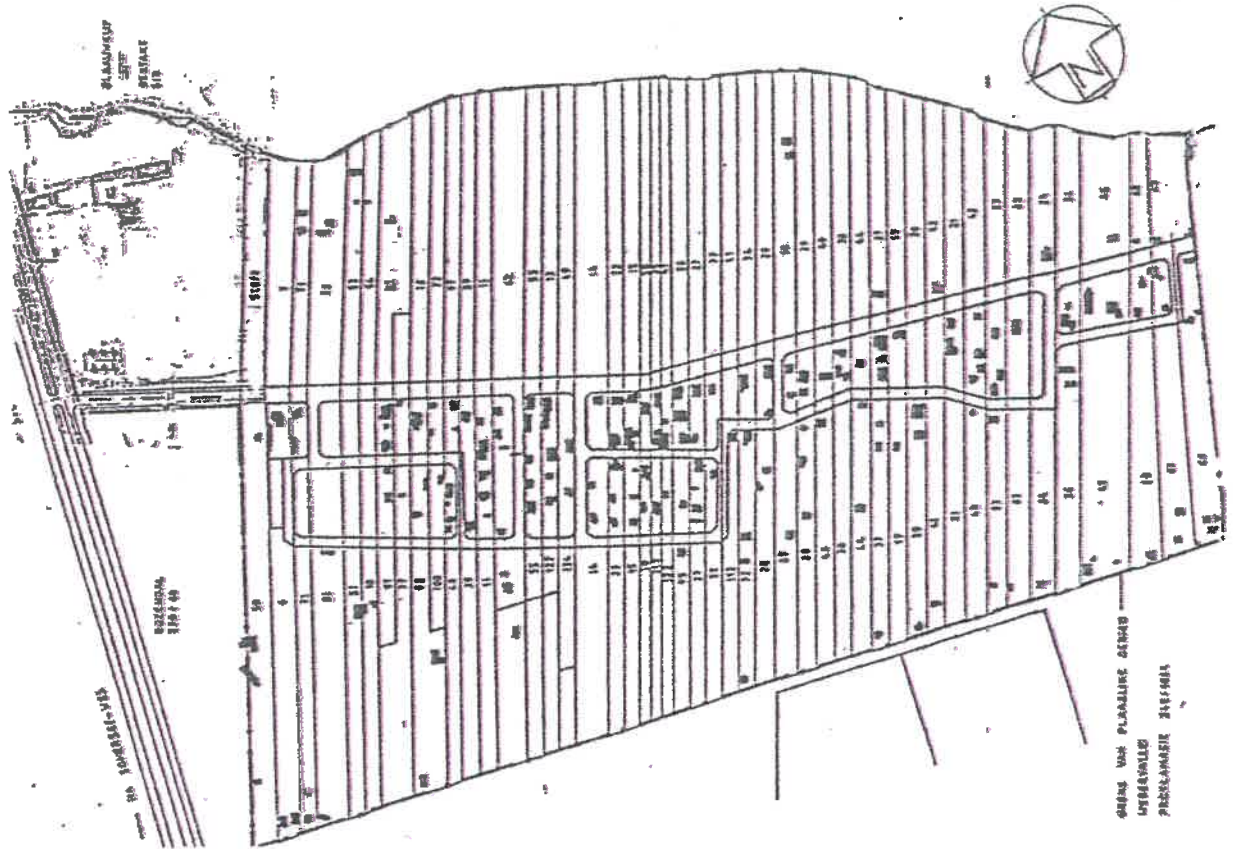
as landelike Kleurlinggebied onder die Wet van ~~op~~ Landelike Kleurlinggebiede (Wet No. 24 van 1963) ingelyf word/

se ~~groes~~ karakter nie op hierdie stadium bepaal moet word nie.

[Handwritten Signature]
 MINISTER VAN KLEURLINGSAKE.

DATUM:

8.



Figuur 4 : Bestaande onderverdelingspatroon

Daar is drie duidelike sones in die gebied met 'n vierde wat net buite die gebied geleë is op die Munisipale meentgronde -

4.6.1 Noordelike deel tussen die Blaauwkliprivier en Webersvalleipad :

Die landbougebied word intensief aangewend vir die verbouing van veral aarbeis en verskeie groentesoorte. Die grond is baie vrugbaar maar aangesien die grond deurentyd intensief gebruik word, is bemesting nodig, gewoonlik twee maal per jaar, soms drie.

Besproeiingswater word meestal verkry direk vanuit die rivier waar dit gepomp word of vanaf 'n kanaal waar waterregte toegeken is. Die meer tradisionele besproeiingsstelsel van pypleiding word algemeen gebruik. Die rivier is standhoudend met syferwater in die droë maande, wat water regdeur die jaar verseker aan die kleinboere.

63% van die produkte wat verbou word word verkoop terwyl 37% self verbruik word. Die produkte word grootliks per voertuig na die afsetpunte geneem, meestal Stellenbosch en Kaapstad.

Afgesien van wonings en ander plaasgeboue, is daar ook 'n slaghuus en 'n skrynwerkerswinkel bedrywig in die landbougebied. Die skrynwerkerswinkel funksioneer al vir jare in die gebied as 'n afwykende gebruik in die landbousone. Daar is sowat 10 tot 12 mense in diens op die perseel en die bedryf lewer 'n goeie diens aan Stellenbosch en die boeregemeenskap.

TV3 Projects (PTY) LTD
 1st floor, La Gratitude Offices
 97 Dorp Street
 Stellenbosch
 7600

Faksnommer : 021 882 8025
 Email : clifford@tv3.co.za

Geagte Mnr. Clifford Heys

BESWAAR:
HERSONERING EN AFWYKING: ERWE 510/469 & 510/470 JAMESTOWN

Met verwysing na bogenoemde kennisgewing gepubliseer in die Eikestadnuus op 10 September 2010.

Hiermee teken ek as inwoner van Jamestown beswaar aan teen die voorgenome ontwikkeling op bogenoemde erwe.

My redes is as volg:

1. Die oprigting van 'n woonstelgebou(e) op enige erf of erwe in Jamestown sal afbreuk doen aan die karakter, beeld en gevoel van die woonbuurt.
2. Die oprigting van hoë digtheid wooneenhede sal verder aan die landelike omgewing met afbreuk doen.
3. Dit sal nie 'n positiewe bydrae tot die omgewing lewer nie, aangesien dit die omliggende eiendomme se waardes negatief sal beïnvloed.
4. Swakker elemente sal sodoende makliker toegang tot ons redelik veilige woonbuurt verkry, aangesien dit goedkoper is om 'n woonstel te huur as om 'n huis te huur of te koop.
5. Die beoogde woonstelgebou is baie naby aan die Weber Gedenkskool wat ongewenste elemente maklike toegang tot ons kinders gedurende die dag verleen.
6. Goedkeuring van hierdie woonstelgebou sal die deur open vir ander opportunistiese ontwikkelaars om op ander erwe in die omgewing ook woonstelgeboue op te rig, en dit sal die karakter van Jamestown in totaliteit vernietig, nie net afbreuk doen soos n enkele woonstelgebou sal doen nie.

Ek vertrou u sal hierdie beswaar met die nodige erns bejeën en dat u die beoogde ontwikkeling sal afkeur.

Die uwe

Handtekening:

H. J. Stipp

Naam:

Hermann J. Stipp

Erf 510/ _____ Jamestown

Adres:

Tiobellesingel 13

Telefoonnummer:

021 8800 908

SECTION H

Applicant's response to the comments

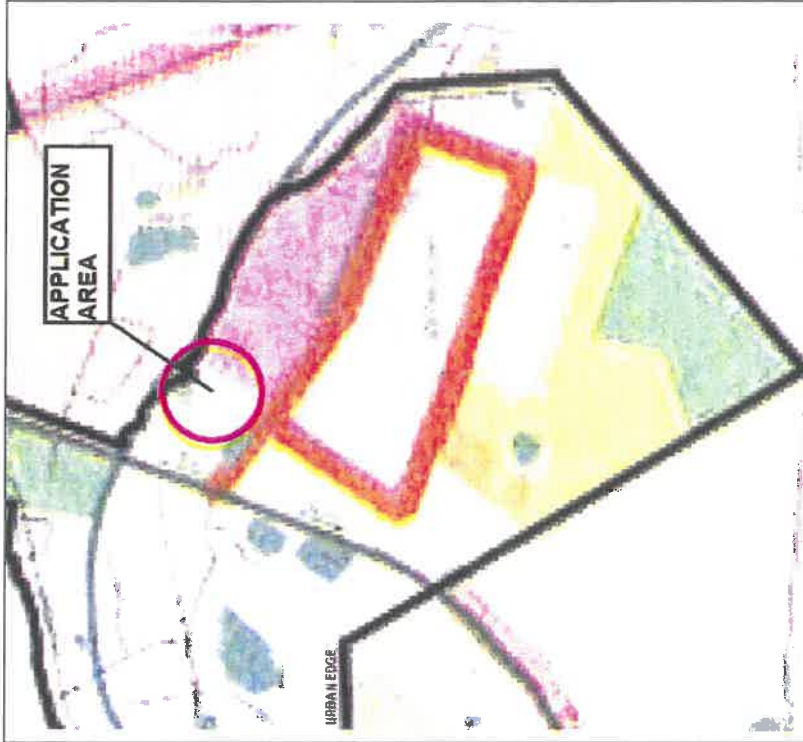
Table 1: Summary of the objections received and the applicant's response.

OBJECTOR	- ISSUES RAISED	APPLICANT'S RESPONSE
Margret Vaight	Resides in La Clemence on the boarder of the proposed development, and objects to any new development next door.	No reasons for the objection are given. Also, the application area is divided from La Clemence by Farm 510/9; i.e. it does not boarder onto La Clemence.
Jesse van der Merwe	Densification should take place in existing development areas to protect existing agricultural zones and the character of Stellenbosch and Jamestown.	The application area is not an agricultural land unit. It was historically used for residential purposes (i.e. it was the Kreefkat informal settlement) - see aerial photograph (circa 2010) below:

			<p>The Kreefgat residents have been relocated (the landowner has complied with Council's relocation conditions) and with the proposed redevelopment the application area's historic informal residential land use will be transformed into a formal residential land use.</p>
<p>Herman Stipp</p>	<p>The objector submitted a copy of his letter of objection against a general residential development proposal on Farms 501/469 and 510/470, that was advertised for comments on 10 Sep 2010.</p>	<p>This letter does not refer to the Blaauwklippen development proposal that has now been advertised. It objects to a 2010 development proposal for flats on Farms 501/469 and 510/470. It is therefore not pertinent to the development proposal and no comment is provided.</p>	

<p>Friends of Stellenbosch Mountain</p>	<p>It is suggested by the objector that the application was advertised on 6 June 2019 to purposely miss the Ward 21 Committee meeting so that the ward could not comment on the application.</p>	<p>The Stellenbosch Municipality is responsible i.t.o. the Planning By-law (2015) for the processing and advertising of the application. The application was advertised in accordance with the Municipality's instructions of 20 May 2019.</p> <p>Furthermore, the development proposal was discussed with the Ward Councillor and he was aware of the proposed development and we find the objector's suggestion that the application was deliberately advertised during the school holiday (to avoid objections), to be disingenuous.</p>
<p>Friends of Stellenbosch Mountain</p>	<p>It is suggested by the objector that the application was purposely advertised during the school holiday to avoid public objections.</p>	<p>As mentioned above, we find the objector's suggestion that the application was deliberately advertised during the school holiday (to avoid objections), to be disingenuous.</p> <p>The developer contacted the community and requested an opportunity to present the development proposal to the public (even though it was not a public participation requirement). A public meeting was held on 18 June 2019 where the development proposal was presented to the community.</p>
<p>Friends of Stellenbosch Mountain</p>	<p>The objector acknowledges that the application area falls within the urban edge.</p> <p>The objector is of the opinion that the residents of Jamestown have a misconception regarding the delineation of the urban edge and if the urban edge was not clarified by the applicant or officials at the public meeting, then it amounts to an unjust administrative action.</p>	<p>Noted.</p> <p>The objector did not attend the public meeting and is therefore not in a position to comment on the public meeting.</p> <p>No objection against the approved urban edge was received from any Jamestown resident.</p>

<p>Friends of Stellenbosch Mountain</p>	<p>The illegal occupants of the application area (i.e. the Kreefgat residents) have been relocated i.t.o. an agreement with the Municipality, and according to the objector, the Kreefgat residents have received preferential treatment at the expense of Jamestown families. This is an unjust administrative action.</p>	<p>If the objector is of the opinion that the Kreefgat residents received preferential treatment at the expense of Jamestown families (even though no proof is provided by the objector to substantiate this claim), then the objector should discuss it with the Municipal Manager.</p> <p>The process to relocate the Kreefgat residents is not pertinent to the development proposal that has now been advertised for comments. The Kreefgat residents have been relocated and the landowner has complied with Council's relocation conditions.</p>
<p>Friends of Stellenbosch Mountain</p>	<p>This agreement between the Stellenbosch Municipality and the landowner has not been made public. The secrecy of this agreement has created a precedent whereby landowners wishing to develop or move tenants can do so out of the public eye without the opportunity for interested and affected parties to make representations. This is an unjust administrative action.</p>	<p>As mentioned above, the process to relocate the Kreefgat residents is not pertinent to the development proposal that has now been advertised for comments.</p> <p>If the objector has any queries regarding this process, then they should address it to the Municipal Manager. The land use planning application process is not the proper forum to debate the relocation of the Kreefgat residents.</p>
<p>Friends of Stellenbosch Mountain</p>	<p>The inclusion of the Jamestown "tuinerwe" (including the application area) was unreasonable. Jamestown was built on a heritage of rural smallholding farming, and there was no reason, since 2010, why the farming heritage should be made developable by inclusion into the urban edge. The urban edge should be amended to exclude the "tuinerwe".</p>	<p>As confirmed by the objector, the Jamestown "tuinerwe" was incorporated into the Stellenbosch urban edge back in 2010. It is now ±9 years later, and they have had numerous opportunities to comment on the urban edge and to petition the Stellenbosch Municipality to amend the urban edge. The reality is, the application area has been included (by the Stellenbosch Municipality) in the urban edge and earmarked for future urban development - see image below:</p>



The delineation of the urban edge is a municipal function. Council has approved an urban edge that includes the application area. The landowner is therefore within his rights to submit a land use planning application to establish development rights (as envisaged and recommended by the Municipal Spatial Development Framework).

Friends of Stellenbosch Mountain	The development proposal is for high income housing. Given that there is a shortage of low-cost and affordable housing and the history of moving poor people off the land in a dubious manner, the development of the application area should be for low-cost or affordable housing.	This is incorrect. The development is aimed more at the middle-income housing market.
Friends of Stellenbosch Mountain	Blaauwklippen Agricultural Estates have submitted development proposals (as part of the MSDP's public participation process) on Farm 1457, Farm 369/17 and Farm 527/3. In other words, Blaauwklippen Agricultural Estates is intent on developing these farms. This is unreasonable i.t.o. the current IDP, MSDP, SEMF and the Agricultural Land Act of 1970.	This is incorrect. Blaauwklippen Agricultural Estate (as the owner of numerous properties in Stellenbosch) have submitted comments on the draft Stellenbosch Municipal Spatial Development Framework (MSDF). They have not submitted any land use planning applications for development rights. Furthermore, the submission of comments on the draft MSDF is not pertinent to this land use planning application.
Jamestown Methodist Church	The proposed high-density residential development will destroy the rural character of Jamestown.	The developments of La Clemence and Aan de Weber have already established the principle of high-density residential developments in Jamestown. The development proposal will therefore not be new to Jamestown. It is also important to note that Heritage Western Cape has approved the proposed development.
Jamestown Methodist Church	It will negatively affect surrounding property values i.t.o. higher property taxes.	The proposed development will have a positive effect on surrounding property values and Jamestown's residents will subsequently benefit from the proposed development.
Jamestown Methodist Church	The higher property taxes will force residents to sell their properties and relocate to more affordable areas.	Not necessarily as a landowner can petition Council for a discount, but if they had to sell their properties, then they will be able to sell it at a profit.

		<p>The Stellenbosch Municipality has decided that all future developments must be contained within existing urban areas and that no green fields planning (i.e. the development of abutting farms) will be supported. The direct result of this policy is that existing urban areas (e.g. Jamestown) will now be re-developed to absorb the town's development pressures and property values will increase. By creating a very tight urban edge and not providing for any private green fields planning, Council has inflated property prices which will lead to higher property taxes. The proposed development of the application area is therefore a direct result of this Council policy.</p>
<p>Jamestown Methodist Church</p>	<p>The proposed development will create a precedent for similar high-density residential developments on the agricultural land.</p>	<p>As mentioned above, the developments of La Clemence and Aan de Weber have already established the principle of high-density residential developments in Jamestown. The development proposal will therefore not be new to Jamestown.</p> <p>Also, all development proposals must be evaluated on its own merits to determine its desirability and benefits to the community and we feel that the proposed development will benefit the broader community of Jamestown by upgrading bulk infrastructure, providing middle-income housing opportunities, supporting the densification of urban areas, positively affecting property prices, redeveloping an informal residential settlement and contribute in developing the tourism potential of Jamestown.</p>
<p>Jamestown Heritage Committee</p>	<p>Jamestown was established in 1902 and the smallholdings were farmed with strawberries, vegetables, etc. Over time the residential component of Jamestown was established (±400 residential erven), and residents had to pay a development contribution for</p>	<p>Noted.</p> <p>As mentioned by the objector, over time Jamestown was developed from smallholdings to ±400 residential erven. Over the last ±20 years further urban developments took place in Jamestown, such as La Clemence, Stellenbosch</p>

		engineering services and provide roads (without compensation) for the newly created residential erven.	Square, Stellenbosch Business Park, Aan de Weber, etc. The proposed development is just the natural progression of Jamestown's spatial expansion.
Jamestown Committee	Heritage	Can the town's infrastructure (water, sewerage and roads) accommodate the additional load?	Yes. The application has been submitted to the municipal engineers for their comments and support. The developer will also have to pay development contributions (DCs) to Council for the upgrading of bulk infrastructure.
Jamestown Committee	Heritage	The proposed development will lead to higher property taxes for Jamestown. These higher property taxes will force residents to sell their properties and relocate to more affordable areas.	As mentioned above, a landowner can petition Council for a discount, but if they had to sell their properties, then they will be able to sell it at a profit. The Stellenbosch Municipality has decided that all future developments must be contained within existing urban areas and that no green fields planning (i.e. the development of abutting farms) will be supported. The direct result of this policy is that existing urban areas (e.g. Jamestown) will now be re-developed to absorb the town's development pressures and property values will increase. By creating a very tight urban edge and not providing for any private green fields planning, Council has inflated property prices which will lead to higher property taxes. The proposed development of the application area is therefore a direct result of this Council policy.
Jamestown Committee	Heritage	The "tuinerwe" should be located outside the urban edge to prevent similar development applications.	The Jamestown "tuinerwe" has since 2010 been included in the Stellenbosch urban edge. It is now ±9 years later, and there have been numerous opportunities for the objector to comment on the urban edge and to petition the Stellenbosch Municipality to amend the urban edge.
Jamestown Committee	Heritage	A previous rezoning application for flats (on Farms 510/469 and 510/470) was refused by Council.	Noted. This application is however for townhouses, similar to La

Jamestown Heritage Committee	Blaauwklippen knowingly purchased the properties with an agricultural zoning and they should therefore utilise it as a garden of remembrance, herb garden or a vegetable garden. Such a land use will be compatible with the agricultural zoning and also attract tourists.	Clemence and Aan de Weber, and not located on Farms 510/469 and 510/470. When the application area was purchased it was used for residential purposes (i.e. the Kreefgat informal residential settlement) and not for any agricultural activities. With this application the informal residential land use will be formalised. The Municipal Spatial Development Framework (MSDF) has included the application area in the urban edge and earmarked it for future urban development. An agricultural land use will therefore contradict the recommendations of the MSDF.
Jamestown Heritage Committee	The proposed high-density residential development will destroy the rural character of Jamestown.	The developments of La Clemence and Aan de Weber have already established the principle of high-density residential developments in Jamestown. The development proposal will be similar to these residential developments and therefore not be new to Jamestown. Heritage Western Cape has also approved the development proposal.
Jamestown Heritage Committee	Approval of this development will open the door for other opportunistic developers, that will destroy the character of Jamestown.	The developments of La Clemence and Aan de Weber have already established the principle of high-density residential developments in Jamestown. The development proposal will be similar to these residential developments and therefore not be new to Jamestown.
Jamestown Heritage Committee	The Jamestown strawberry festival celebrates Jamestown's history and heritage and provides a platform for local farmers to sell their produce. The proposed development will undermine the small farmers and	Blaauwklippen has a family market which is very popular with tourists. They also have plans to further develop the farm's tourist potential by providing tourist accommodation in the proposed flats. The proposed development will therefore support the further development of the area's

	subsequently the strawberry festival.	tourism potential benefitting all (including the Jamestown strawberry festival).
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ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPLANNERS

Our Reference: 3527-P
Application No: LU/8567

97 DORP STREET
FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
STELLENBOSCH 7600
TEL +27 (21) 861 3800
FAX +27 (21) 882 6025
EMAIL stel@tv3.co.za

16 August 2019

Director: Planning and Economic Development
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

Attention: Ms. Nicole Katts

Madam

PORTIONS 52, 53, 54 & 71 OF THE FARM BLAAUWKLIP NO. 510, JAMESTOWN, DIVISION OF STELLENBOSCH: APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION, DEPARTURE, ESTABLISHMENT OF A HOMEOWNERS' ASSOCIATION, APPROVAL OF THE DEVELOPMENT NAME, APPROVAL OF A SITE DEVELOPMENT PLAN, ALLOCATION OF THE STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES:

1. The abovementioned land use planning application was advertised for public comments from 6 June 2019 to 6 July 2019 (for 30 days).
2. After advertising six letters of objection were received from the public.
3. We have finalised and submitted our Portfolio of Evidence report (dated 22 July 2019) to Council.

TV3 PROJECTS (PTY) LTD • REGISTRATION NO: 2006/015278/07

DIRECTORS: HJ van Rensburg | J Swanepoel | JG Brink | NJ Smit | CR Hendrick | MM Walster

ASSOCIATES: J Brouniger | WD Fourie | CR Hoys | A Prinsloo | H Hugo

4. On 22 July 2019 we received a late objection from the De Zalze Winelands Golf Estate. A copy of their letter is attached hereto.

Their objection relates to the development's (possible) visual impact, impact on civil engineering services and traffic, and the rehabilitation of the Blaauwklippen River.

Heritage Western Cape has approved the development proposal; i.e. the development's visual impact (which will be similar to La Clemence) is deemed to be acceptable. The development has also been submitted to the Municipality's civil and traffic engineering departments for their support (the developer will comply with their conditions). Furthermore, the proposed development will provide the opportunity for the rehabilitation of the Blaauwklippen River. A landscaping plan (addressing these issues) will be submitted to Council as a condition of approval.

5. On 26 July 2019 we received a late objection from Rode Plan (Pty) Ltd. A copy of their letter is attached hereto.

In their objection Rode Plan (Pty) Ltd states that his "*client supports any investment in the middle to luxury house-price bands but at the appropriate density, scale and form to fit into the surrounds*". It is therefore clear that the development of the subject property is supported (in principle) by the objector, but there is concern about the scale and density of the proposed development.

Scale: The scale of the proposed development is similar to the adjacent La Clemence retirement village and is supported by Heritage Western Cape.

Density: Council has decided not to expand the town's urban edge and has forced urban developments to be located within the urban edge and to densify. Council's spatial planning policies recommends an average residential density for Stellenbosch of ± 25 units per hectare. The proposed development will have a residential density of ± 33 units per hectare which will contribute in

lifting the town's average residential density in order to comply with this spatial planning recommendation.

6. Cognisance has been taken of the two late objections, however according to the Stellenbosch Municipality's letter of instruction to advertise, any comment or objection received after aforementioned closing date will be considered invalid.

Yours faithfully

A handwritten signature in black ink, appearing to read 'CRH', with a long horizontal flourish extending to the right.

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

Clifford Heys

From: Elke Watson <eco@dezalzeestate.com>
Sent: 22 July 2019 12:35 PM
To: Clifford Heys
Cc: Velete Harvey; Boet Grobler
Subject: Comments on proposed development: Blaauwkip-aan-Rivier
Attachments: Comments on Blaauwkip aan rivier development application letterhead jul....pdf

Dear Clifford

As per our telephonic conversation on Friday, kindly see attached the Estate's comments on the application for development.

Best Regards
Elke



Elke Watson
Manager: Environment
Tel: +27(0)21 880 2708
E-mail: eco@dezalzeestate.com
Website: www.dezalzehoa.co.za



Founder Member of Arc



TV 3 ARCHITECTS & TOWN PLANNERS

FOR ATTENTION:

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Reg 2003/009588/08

COMMENT: APPLICATION FOR DEVELOPMENT – BLAAUWKLIP-AAN-RIVIER

APPLICATION NUMBER: LU/8567

REFERENCE NUMBER: ERF 501/52, JAMESTOWN

18 July 2019

Dear Sir

De Zalze Winelands Golf Estate is situated in the valley to the west of the proposed development and represents over 400 property owners.

The comments will refer to headings and page numbers in the application document for ease of reference:

Building lines, coverage, height and parking (p.8):

The application document states that all the buildings will have a height of 8m to apex. Considering that there will be 79 units all at the height of 8m, the view shed of the Estate may be affected. A visual impact report is requested in order to identify the effects of the height of the buildings on the surrounds as well as any mitigating proposals.

Water, sewage & electrical services (p.10-12):

The availability of the above services for the proposed development is noted. Due to the future increase and utilisation of sewage infrastructure from Developments in Jamestown, Technopark and De Waldorf, De Zalze has requested access from the Municipality to the relevant planning information, data and calculations which have formed the basis of the Municipality's planning in terms of sewage capacity volumes and projections and which have been used for current as well as future requirements and projects. This data has not been received as yet.

De Zalze confirms that it has approved development rights of 558 units and that the availability of services for the development of the remaining units may not be affected by the availability of services to the proposed development.

Traffic (p.12-13) & Traffic Impact Report (p.5):

R44/Webersvallei road intersection:

The TIR states that *'It can thus be concluded that no upgrades are suggested as part of this development to accommodate the background traffic at the R44/Webersvallei Road intersection as the traffic flow problems will be addressed by the proposed upgrades that will be implemented by the WCG.'*

The Environmental Authorisation for the upgrades to the R44 is the subject of an appeal, by inter alia the Ward 21 Committee as well as the Cape Winelands Integrated Planning Coalition, with regards to the upgrade in its current format.

There is thus no certainty that the R44 improvements will definitively be implemented or if so, in which format or when. The traffic impact has therefore not been fully addressed by the application.

Environmental Considerations (p13):

The application makes no mention of any measures planned to protect or rehabilitate the section of the Blaauwklippen river that falls within the erf boundary and information as to the plans here are requested. De Zalze is in the process of implementing its Ecological Management Plan and is affected by positive and negative actions upstream.

Best Regards

Elke Watson

Environmental Manager



RODEPLAN (Pty) Ltd

Land development, property research, land audit

Email: berchtwald@rodeplan.co.za • Cell: 082 658 7545 • Directors: Berchtwald P Rode and Erwin G Rode

TV3 Projects (Pty) Ltd

For attention: Mr C Heys

Dear Sir

Stellenbosch Municipality – Land development application LU/8567

Applicant: TV3 Projects (Pty) Ltd

Objection to:

Application for consolidation, rezoning, subdivision, departure, establishment of home owners' association, approval of the development name, approval of a site development plan, allocation of the street names, approval of the agricultural and landscaping guidelines: Portions 52, 53, 54 and 71 of the Farm Blaauwklip No.510, Jamestown, Division of Stellenbosch

Objector: Dr P Rode, the owner of Remainder of Portion 35 of Farm 510 (the subject property)

We refer to a letter dated 6 June 2019 (letter attached as **Annexure 1**) and provide the following information in terms of section 50 of the Stellenbosch Municipality Land Use Planning Bylaw, August 2015 (hereafter bylaw):¹

- The name of the person concerned: Dr P Rode (hereafter the Client)
- The address or contact details at which the person concerned will receive notice or service of documents: rodepaul@shaw.ca
- The interest of the person in the application: Owner of Remainder of Portion 35 of Farm 510 (the subject property) as land adjoining Portions 52, 53, 54 and 71 of the Farm Blaauwklip No.510 (the application area).
- The reasons for the objection: See §4 below. This then is the purpose of this report.

¹ Stellenbosch Municipality Land Use Planning Bylaw, August 2015 as published in *Provincial Gazette* No. 7512 on Tuesday 20 October 2015.

1. A notice in terms of section 46 of the bylaw was sent by registered mail to a residential address other than the Client's permanent residency. The Client permanently resides in Canada and a residential address in Stellenbosch was used.² Note that the Client receives monthly accounts from the Stellenbosch Municipality sent to the following email address: rodepaul@shaw.ca.
2. The Client is not aware of any reasonable enquiry made to determine the correct residential address or person identification or any of the Client's other contact details. The Client confirms that some of these particulars are known to the applicant (in person Mr Heys).
3. The registered mail was obtained from the Post Office on 8 July 2019 and after the specified commenting period had already expired (see **Annexure 2**).³ The Client then received notice of the application. Immediately after becoming aware of the notice and considering section 50(5) of the bylaw, the Client requested the applicant, viz. TV3 Projects (Pty) Ltd to confirm that any comment by the Client would be considered as valid. The applicant, by return email, stated that such comment would be provided to the Municipality. The applicable land development application was then provided to Client on request.⁴ We take note that 8 February 2019 is listed as the date of submission.
4. In accordance with section 50 of the bylaw, the Client *objects* to the land development application and proposed land development for the following four reasons:
 - 4.1 The owner of land adjoining the land concerned was unable, through no fault of the owner, to comment on the application within the specified commenting period.
 - 4.2 The land development application was submitted under the Stellenbosch Municipality Zoning Scheme Regulations, 1996 which have since been replaced by the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.
 - 4.3 The motivation for the land development is based on several misrepresentations.
 - 4.4 Excessive development-specific density, scale and form at location.
5. The reasons for the *objection* are explained in the next sections in order to:
 - 5.1 Indicate the facts and circumstances that explain the *objection*.
 - 5.2 Where relevant, demonstrate the undesirable effect the application will have if approved.
 - 5.3 Where relevant, demonstrate any aspect of the application that is not considered consistent with applicable policy.
 - 5.4 Enable the applicant to respond to the comments.
6. In doing so, the desirability of the proposed development is addressed from a micro spatial planning and land use perspective. We do not consider the macro perspective presented in *the most recently adopted (municipal) policy directives* (also see §9). These directives, of which a municipal planning tribunal must be informed by the appropriate functionaries, must steer decision making about the development and use of land to effect desired land utilization outcomes.

² Mr P April (from Stellenbosch Municipality) stated by telephone on 19 July that the residential address and person identification listed in the municipal system for Remainder of Portion 35 of Farm 510, had been provided to the applicant for notification purposes.

³ The person residing at the residential address used was out of the country until 8 July 2019 and on his return, obtained the registered mail and provided the Client with a copy of the written notification. Mr C Heys from TV3 Projects (Pty) Ltd confirmed by email that the commenting period had ended on 6 July 2019.

⁴ Report with reference number 3527-P and dated 14 September 2018.

7. Firstly, however, we respond to the listed findings from the Stellenbosch Municipality Urban Development Strategy (UDS), a study with a macro planning perspective.⁵

The aim of the UDS was to serve as a strategic directive to guide urban development within the municipal area, i.e. to develop, set and map a growth and development path with a 20-year planning horizon. The setting of a growth and development path is based on the likely demand for developable land and essentially refers to the 'how much', the 'when', the 'where' and 'what type' of land development should be permissible considering a desired land utilization outcome.⁶

The UDS estimated the cumulative and municipality-wide new demand for residential units by 2036. The estimations were about 3 000 stand-alone houses (in the middle to luxury house-price bands) and between 2 500 and 3 500 flats/ townhouses, depending on the growth scenario used.⁷ About 85% of this growth in demand was allocated to the town of Stellenbosch, i.e. where developable land must be available in order to prevent pent-up demand developing. The UDS included designated areas (or 'priority spatial structuring areas') for the roll-out of potential development over the 20-year forecast period, i.e. where growth and investment are preferred for future urban intensification/expansion. The application area and surrounding area were not designated as a priority spatial structuring area.

The motivation report states that a market viability study was completed – adopting the UDS findings – to determine the need and demand for the development-specific scope of housing. This study confirmed, but at increased levels, the UDS findings of new demand for residential units as well as the associated demand for developable land. The report also identified a job-housing mismatch in the town of Stellenbosch. The UDS ascribed this problem to a supply-side that has not been keeping up with demand, i.e. high house prices presumably because of inelastic supply of land.

The Client supports any investment in the middle to luxury house-price bands but at the appropriate density, scale and form to fit into the surrounds.

8. **Objection No. 1:** The owner of land adjoining the land concerned was unable, through no fault of the owner, to comment on the application within the specified commenting period.

The reasoning for this *objection* is provided in §1 to §3 above.

9. **Objection No. 2:** The land development application was submitted under the Stellenbosch Municipality Zoning Scheme Regulations, 1996, which have since been replaced by the Stellenbosch Municipality Zoning Scheme Bylaw, 2019⁸

⁵ The Stellenbosch Municipality Urban Development Strategy (UDS) was drafted by Rode & Associates and the writer of this *objection* was one of the authors. The UDS was handed to the Stellenbosch Municipality in May 2018 and, at the time, served as the key informant of the Stellenbosch Municipality Spatial Development Framework.

⁶ Developable land means the land has a realistic potential of acquiring development rights. It includes 'brownfields' and 'greenfields' development.

⁷ As stated in the motivation report, the UDS constructed three economic-growth scenarios. Scenario-based models and the long-term trend in square metreage completed were used to forecast demand for residential land over a 5-year forecast period and to extrapolate demand to the end of the 20-year forecast period, viz. 2036.

⁸ The Stellenbosch Municipality Zoning Scheme Bylaw, 2019 was adopted at the 27th meeting of the Council of Stellenbosch Municipality on 29 May 2019.

We take note of section 8(1) of the new bylaw stating and we quote: 'Any application in terms of the Planning Law or in terms of a former zoning scheme submitted prior to the implementation of this Scheme and which is still in process at the date of commencement of this Scheme, will be assessed and finalised within the provisions of such former zoning scheme, unless the applicant has informed the Municipality in writing of the withdrawal of the application' (end of quote).

We state that in addition to the zoning scheme bylaw, the Stellenbosch Municipality recently also adopted a Spatial Development Framework and revised Integrated Development Plan, as *the most recently adopted policy directive(s)* and after the submission of the land development application. The Municipality is currently also considering adopting an Integrated Human Settlement Plan. These directives must be considered if not in the drafting of the land development application, then in decision making (see §6).

We base our *objection* on the following example. A visual impact assessment will be required in terms of the 2019 zoning scheme bylaw, whereas the land development application in its current format, does not include any related study. We also note that no such requirement was listed at the pre-application meeting held on 12 September 2018.

10. *Objection* No. 3: The motivation for the land development is based on several misrepresentations.

In this section, we comment on misrepresentations in the motivation report regarding the development principles (and sub-principles) that apply to spatial planning, land development and land use management.⁹ Decision makers must also consider and weigh up these principles when considering any decision regarding the development or use of land.

The comments below are listed in the same order they are listed in the motivation report, with relevant numbering in italics.

- *8.1.1 - 7(a)(vi)*: The Client's *objection* is not based on the outcome of the application affecting the value or 'highest and best use' of the subject property, but on affecting the 'best use', e.g. unique and high-quality residential and small-scale agricultural opportunities.¹⁰ Quoting from the motivation report: 'The quality of an environment directly contributes to its liveability' (end quote). The Client agrees herewith and caution about the possible impacts of over-densification and a stereotype layout.
- *8.1.1 - 7(b)(i)*: As mentioned, several recently adopted policy directives must be considered in decision making, if not in the drafting of the land development application.
- *8.1.1 - 7(b)(ii)*: The protection of agricultural land must also apply to adjacent and surrounding properties zoned for agriculture. As mentioned, the 'best use' of the subject property can include agricultural practices that can conflict with the proposed land use if appropriate measures are not in place.
- *8.1.1 - 7(b)(iv)*: The market share/contribution of the proposed development is accentuated by the listing of the sub-principle regarding the effective and equitable functioning of land markets. We understand this supply-side intervention to be a high-density high-priced gated residential estate (see the Client's comment in §7).

⁹ Development principles specified in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).

¹⁰ The term 'highest and best use' would, per definition, maximise return on investment, whereas 'best use' has a non-financial element embodied in its meaning, i.e. what is physically and legally possible but not necessarily yielding the maximum financial return.

- 8.1.1 – 7(b)(v): The motivation report does not include any reference to whether social service facilities (schools, hospitals, community hall, etc.) are available and/or required. We caution about the unique local phenomenon where high-order developments encroach on lower-income neighbourhoods, i.e. partitioning of space with limited to no connectivity. We comment that the application does not adequately address the estate's function regarding the sustainability of the location.
- 8.1.1 – 7(c): The principle of efficiency was not achieved because the owner of land adjoining the land concerned was unable, through no fault of the owner, to comment on the application within the specified commenting period.

11. Objection No.4: Excessive development-specific density, scale and form at location.

We next discuss the development-specific features to illustrate that the proposed residential estate does not fit in with the surrounds.¹¹

11.1 Dwelling and population densities

The current development-specific densities are unacceptable based on the following:

The gross dwelling density of the proposed development is about 33 residential units per hectare (du/ha). This number compares well with the 2017 municipal spatial development framework setting as target a gross dwelling density of approximately 25 du/ha in large towns. However, the dwelling units per hectare for Jamestown (by main place and measured for 2012) were a mere 2.21 units per hectare.¹²

The development-specific net dwelling density is about 65 du/ha – a density normally associated with high-density residential developments, e.g. flats and where residential opportunities are provided in the low house-price bands.¹³

The 2011 population density of Jamestown was 17.5 persons per hectare (by main place and measured for 2011).¹⁴ Considering a mere 2 persons per residential opportunity, the development-specific population density would be about 68 persons per hectare.

11.2 Scale and form

The current development-specific scale and form are unacceptable based on the following:

- The portion in between the application area and the existing La Clémence development could possibly, in the future either form part of La Clémence or the proposed development.¹⁵ This implies a continuous high-density built-up area from the R44 up to the western boundary of the subject property, i.e. partitioning of space without any connectivity (eastwards) or density or other gradient. This partition is secured through a proposed 3m side building line and a wall/fence that will separate the built-up area that

¹¹ We refer to the development-specific features as described and illustrated in the land development application.

¹² Status Quo Report completed by Rode & Associates in May 2017.

¹³ The referenced northern extension of Stellenbosch makes provision for 5 200 housing opportunities, ranging from subsidised housing to upper GAP housing (R1.2 to R2 million in value), at a gross density of 57 du/ha.

¹⁴ Status Quo Report completed by Rode & Associates in May 2017.

¹⁵ The application includes mention of this possibility at the pre-application meeting held on 12 September 2018.

covers the entire length of the eastern boundary of the application area, from the subject property.¹⁶ The development-specifics of a wall/fence is not available for comment.

- The absence of a visual impact assessment as part of the land development application contributes to the excessive density, scale and form. For example, it is stated in the 2019 bylaw that such an assessment must assess all relevant aspects of the proposed development, including, but not limited to building height, bulk and the siting of the building and/or structure, proposed design, façade and composition, material, colour, texture, architectural treatment and appearance of the outer elements, as well as any element of such building or structure visible to the public, such as parking, outdoor lighting, landscaping, signage and grading. This study must also include a description of the affected environment – something sorely missing in the application.
- The ratio that applies to 'open or green space' has not been provided and is not available for comment.
- No alternative to the proposed layout is provided.

12. The Client requests the Municipality to obtain the following additional information in terms of section 55(5) of the bylaw and in addressing this *objection*:

- Visual impact assessment
- Architectural and landscaping guidelines
- A revised application (including site development plan/layout) that considers the aforementioned specialist input, recently adopted municipal policy directives, the 'best use' of the subject property, and the estate's function regarding the sustainability of the location.

13. The Client also requests the Municipality to, in terms of section 53(2)(a) of the bylaw, instruct further public notice after receipt of aforementioned information. In this regard, the Client kindly requests a municipal response to confirm the validity/invalidity of this comment/*objection* and the associated action in terms of section 50(5) of the bylaw.

14. This correspondence has also been sent to Ms N Katts from the Stellenbosch Municipality (Nicole.katts@stellenbosch.gov.za).

In the event of any questions or uncertainty, please do not hesitate to contact me.

Yours sincerely



Berchtwald Rode
26 July 2019

¹⁶ The application does not include any description of the eastern-most boundary (or external wall) of the application area.



ART ARCHITECTS AND TOWN PLANNERS
 ARGITEKTE EN STADSBEPLANNERS

Application Number: LU/8567
 File Reference Number: Erf 510/52, Jamestown
 Reference Number: 3527-P
 Enquiries: Clifford Heys
 Contact No: (021) 861 3800
 E-mail address: clifford@tv3.co.za
 Date: 6 June 2019

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PAUL BRUNO
 9 BLENHEIM STREET
 STELLENBOSCH
 7600

APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION, DEPARTURE, ESTABLISHMENT OF A HOME OWNERS' ASSOCIATION, APPROVAL OF THE DEVELOPMENT NAME, APPROVAL OF A SITE DEVELOPMENT PLAN, ALLOCATION OF THE STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES: PORTIONS 52, 53, 54 & 71 OF THE FARM BLAAUWKLIIP NO. 510, JAMESTOWN, DIVISION OF STELLENBOSCH

Applicant: TV3 Projects (Pty) Ltd – C. Heys
 Contact details: (021) 861 3800
 Owner: Blaauwklippen Agric. Estates (Pty) Ltd – D. Comerma
 Contact details: (021) 887 9184
 Application number: LU/8567
 Reference number: Erf 510/52, Jamestown
 Property Description: Portions 52, 53, 54 & 71 of the Farm Blaauwklip No. 510, Jamestown, Division of Stellenbosch
 Physical Address: Webersvallei Road, Jamestown
 Detailed description of proposal: Pertaining to Portions 52, 53, 54 & 71 of the Farm Blaauwklip No. 510, Jamestown, Division of Stellenbosch:

1. Application is made in terms of Section 2(e) of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the consolidation of Portions 52, 53, 54 and 71 of the Farm Blaauwklip No. 510, Stellenbosch.
2. Application is made in terms of Section 2(a) of the Stellenbosch Municipality's Land Use Planning By-law, 2015 the rezoning of the consolidated site from Agricultural Zone I to Subdivisional Area.
3. Application is made in terms of Section 2(d) of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the subdivision thereof into 55 Residential Zone III erven (townhouse units), 1 Residential Zone IV erf (flats), 1 Transport Zone II (public road) and 2 Open Space Zone II erven (for private open spaces, attenuation dam and internal private roads).

4. Application is made in terms of Section 2(b) of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for a permanent departure on the Residential Zone IV erf to relax the internal side building lines from 4m to 3m and the street building lines from 8m to 3m.
5. Application is made in terms of the Stellenbosch Municipality's Land Use Planning By-law, 2015 for the approval of the internal street names and street numbers, the architectural and landscaping guidelines, the Site Development Plan, the development name of Blaauwklip-aan-Rivier Residential Estate and the establishment of a Home Owners' Association.

Approval of this land use planning application will allow the land owner to develop a residential estate on the subject property.

Notice is hereby given in terms of the Stellenbosch Municipal Land Use Planning By-law that the abovementioned application has been received and is available for inspection during weekdays between 08:30 and 13:30 at the Planning Advice Centre at Stellenbosch Municipality, Plein Street, Stellenbosch. Any written comments/objections, with full reasons therefore, may be addressed in terms of section 50 of the said legislation to the applicant in one of the following manners:

APPLICANT
Registered mail or normal mail
TV3 Projects (Pty) Ltd, 1 st Floor, La Gratitude Offices, 97 Dorp Street, Stellenbosch, 7600
Or faxed to
(021) 882 8025
Or hand delivered to
TV3 Projects (Pty) Ltd, 1 st Floor, La Gratitude Offices, 97 Dorp Street, Stellenbosch, 7600
Or e-mailed to
clifford@tv3.co.za

All comments, quoting the application number, reference number, your name, address or contact details, your interest in the application and reasons for comments should be received by the above party on or before 30 days from the date of publication of this notice. Telephonic enquiries can be made to the applicant, TV3 Projects (Pty) Ltd at (021) 861 3800. Any comment/objection received after the closing date will be considered invalid. Any person who cannot write will be assisted by a Municipal official by transcribing their comments.

Yours faithfully



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

Aansoeknommer: LU/8567
 Munisipale Lêerverwysingsnommer: Erf 510/52, Jamestown
 Aansoeker Verwysingsnommer: 3527-P
 Navrae: Clifford Heys
 Kontaknommer: (021) 861 3800
 E-pos adres: clifford@tv3.co.za
 Datum: 6 Junie 2019

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AANSOEK VIR KONSOLIDASIE, HERSONERING, ONDERVERDELING, AFWYKINGS, VESTIGING VAN 'N HUISEIENAARSVERENIGING, GOEDKEURING VAN DIE ONTWIKKELING NAAM, GOEDKEURING VAN DIE TERREINONTWIKKELINGSPLAN, ALLOKASIE VAN STRAATNAME, GOEDKEURING VAN DIE ARGITEKTONIESE EN LANDSKAPPERINGS RIGLYNE: GEDEELTES 52, 53, 54 & 71 VAN DIE PLAAS BLAAUWKIP NO. 510, JAMESTOWN, AFDELING STELLENBOSCH

Aansoeker:	TV3 Projects (Pty) Ltd – C. Heys
Eienaar:	Kontakbesonderhede: (021) 861 3800 Blaauwklippen Agric. Estates (Pty) Ltd – D. Comerma Kontakbesonderhede: (021) 887 9184
Aansoeknommer:	LU/8567
Verwysingsnommer:	Erf 510/52, Jamestown
Eiendomsbeskrywing:	Gedeeltes 52, 53, 54 & 71 van die Plaas Blaauwklip No. 510, Jamestown, Afdeling Stellenbosch
Fisiese Adres:	Webersvalleipad, Jamestown
Beskrywing van aansoek:	Insake Gedeeltes 52, 53, 54 & 71 van die Plaas Blaauwklip No. 510, Jamestown, Afdeling Stellenbosch:

1. Aansoek word gemaak i.t.v. Artikel 2(e) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die konsolidasie van Gedeeltes 52, 53, 54 & 71 van die Plaas Blaauwklip No. 510, Stellenbosch.
2. Aansoek word gemaak i.t.v. Artikel 2(a) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die hersonering van die gekonsolideerde erf vanaf Landbousone I na Onderverdelingsgebied.
3. Aansoek word gemaak i.t.v. Artikel 2(d) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die onderverdeling daarvan in 55 Residensiële Sone III erwe (groepbehuisingseenhede), 1 Residensiële Sone IV erf (woonstelle), 1 Vervoer Sone II erf (publieke pad) en 2 Oopruimte Sone II erwe (vir

- privaat oop ruimtes, 'n retensie dam en interne privaat paaië).
4. Aansoek word gemaak i.t.v. Artikel 2(b) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir 'n afwyking ten einde die Residensiële Sone IV erf se interne kantboulyn te verslap van 4m na 3m en die straatboulyn van 8m na 3m.
 5. Aansoek word gemaak i.t.v. die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die goedkeuring van die interne straatname en -nommers, die argitektoniese en landskapperingsriglyne, die Terreinontwikkelingsplan, die ontwikkeling se naam van Blaauwklip-aan-Rivier Residential Estate en die vestiging van 'n Huseienaarsvereniging.

Die goedkeuring van hierdie aansoeke sal die grondeienaar toelaat om 'n residensiële skema op die eiendom te ontwikkel.

Kennis geskied hiermee ingevolge die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning dat die bogenoemde aansoek ontvang is en gedurende weksdae tussen 08:30 en 13:30 by die Beplanningsadvieskantoor by Stellenbosch Munisipaliteit, Pleinstraat, Stellenbosch ter insae lê. Enige geskrewe kommentare/besware, met volledige redes daarvoor, moet ingevolge Artikel 50 van die genoemde wetgewing aan die aansoeker op een van die volgende wyses geadreseer word:

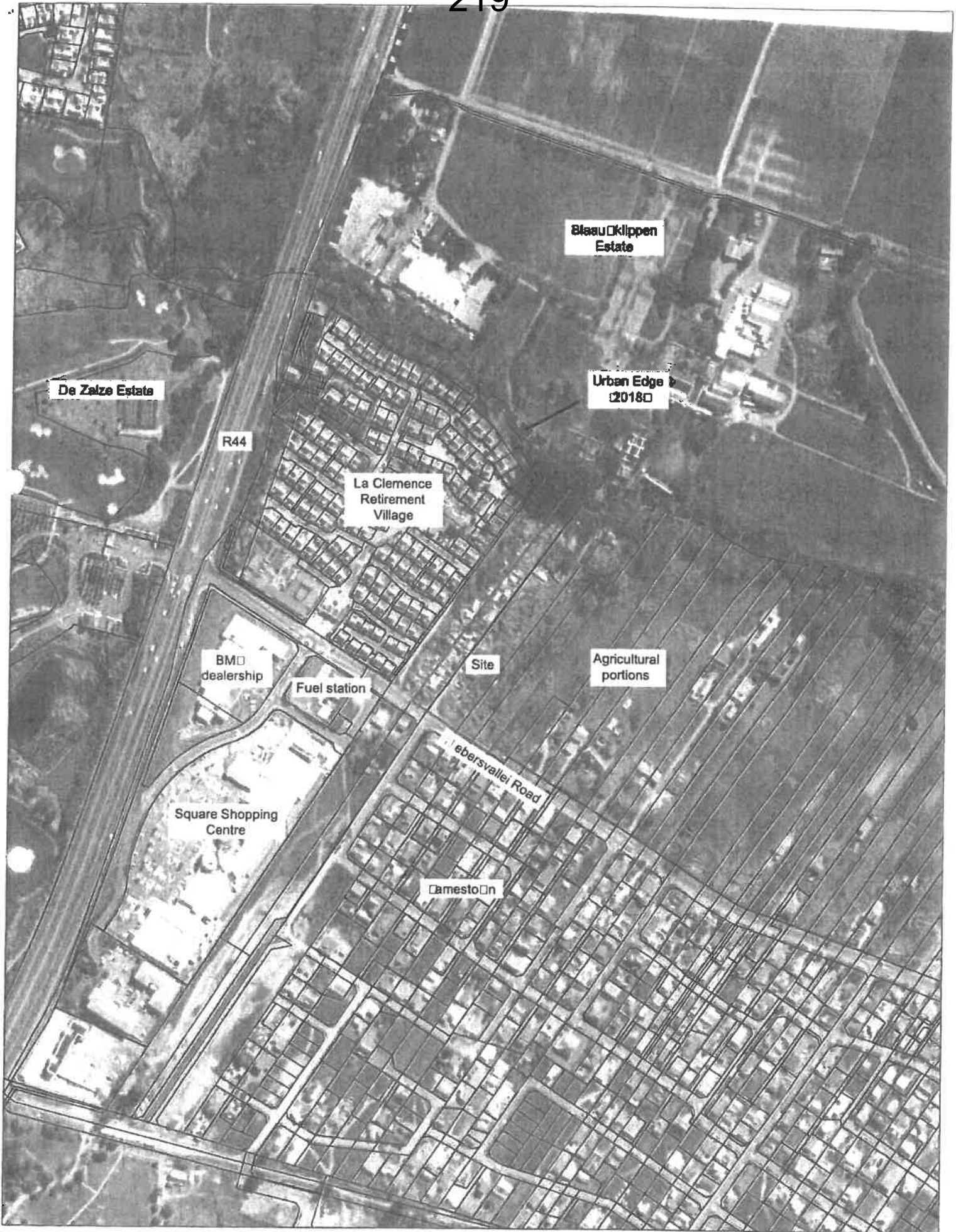
AANSOEKER
Geregistreerde of gewone pos
TV3 Projects (Pty) Ltd, 1 ^{ste} Vloer, La Gratitude Kantore, Dorpstraat 97, Stellenbosch, 7600
Of gefaks aan
(021) 882 8025
Of per hand afgelewer aan
TV3 Projects (Pty) Ltd, 1 ^{ste} Vloer, La Gratitude Kantore, Dorpstraat 97, Stellenbosch, 7600
Of per e-pos gelewer aan
clifford@tv3.co.za

Alle kommentare moet op of voor 30 dae vanaf die datum van publikasie van hierdie kennisgewing, met vermelding van die aansoeknommer, verwysingsnommer, u naam, adres en kontakbesonderhede, belangstelling in die aansoek en redes vir kommentaar, deur die bogemelde party ontvang word. Telefoniese navrae kan aan die aansoeker, TV3 Projects (Pty) Ltd by tel (021) 861 3800 gerig word. Enige kommentaar/beswaar ontvang na die voormelde sluitingsdatum sal as ongeldig geag word. Enige persoon wat nie kan skryf nie sal deur 'n Munisipale-amptenaar bygestaan word om hul kommentaar op skrif te stel.

Die uwe




CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD



tv3
ARCHITECTS AND TOWN PLANNERS

First Floor • La Gradiade Office Building
 87 Dorp Street • Stellenbosch 7800
 tel: 021 21 3100
 fax: 021 282 8025
 e-mail: info@tv3.co.za
 cell: 083 400 28

**Portions 71, 52, 53, and 54
 of the Farm Blaauw Klip No.
 510, Stellenbosch**

	Drawn:	Checked:	Date:	Scale:
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	Project no.:	Revision no.:		
	D2002	1		
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tv3
ARCHITECTS AND TOWN PLANNERS

First Floor - La Gratitude Office Building
 97 Dorp Street - Stellenbosch 7600
 tel 021 8 1 3600
 fax 021 862 8025
 e-mail: stel@tv3.co.za
 www.tv3.co.za

**Portions 71, 52, 53, and 54
 of the Farm Blaauw Klip No.
 510, Stellenbosch**



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CEC	D/R	15/08/2018	1:2 000 O/M
Project no.:		Revision no.:	
3527-P		1	
Drawn by:			Plan no.:
Local locality			2

Erf	Zoning	Land Use	No. of erven	Size (m ²)
1-55	Res III	Residential houses	55	13 426
56	Res IV	Accommodation units	1	1 676
		Internal road		
57	POS II		1	2 109
58	POS II	Private open space	1	6 125
59	TR II	Road widening	1	654
TOTAL			59	23 990



tv3
ARCHITECTS AND TOWN PLANNERS

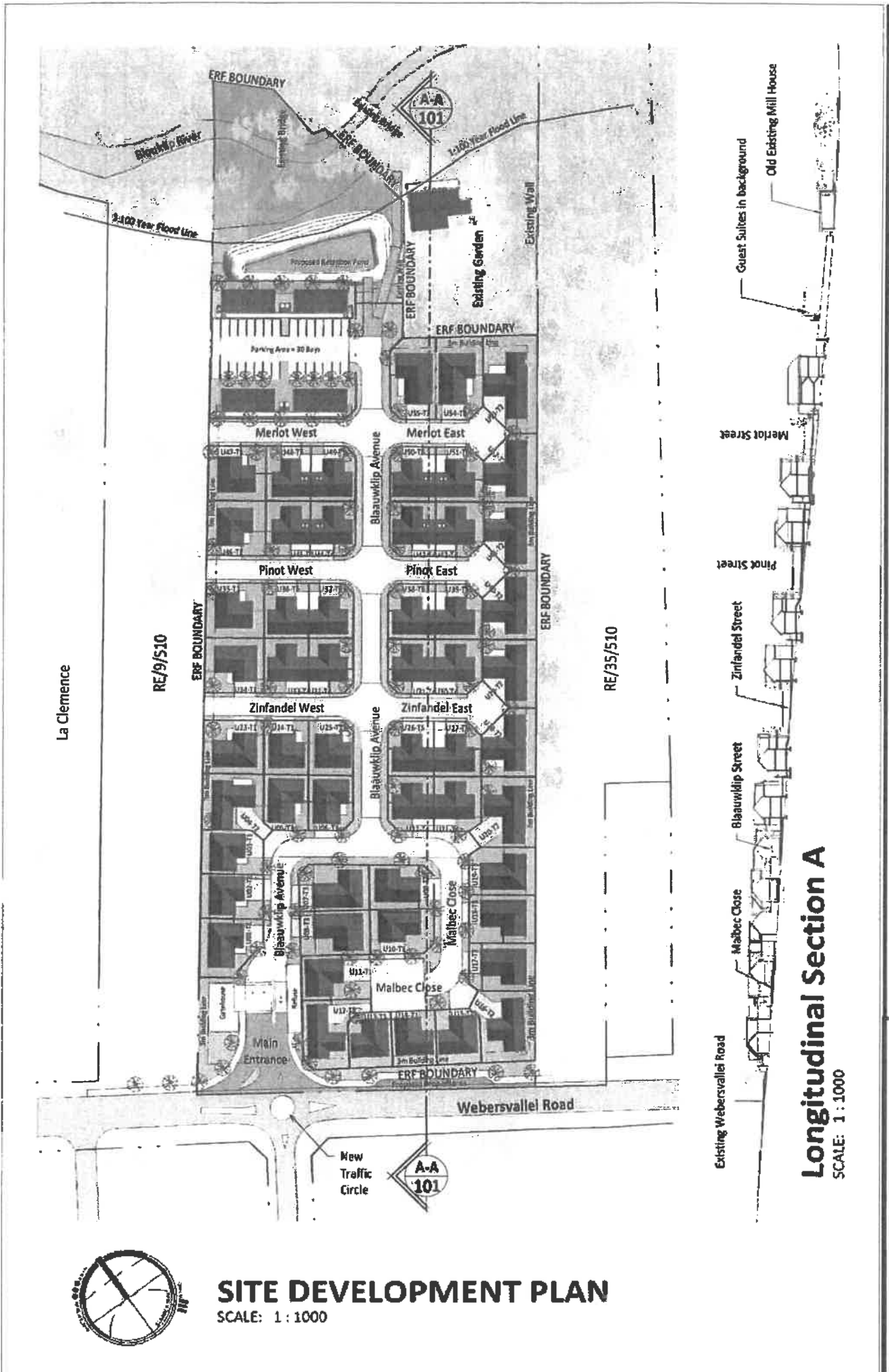
First Floor • La Gratitude Office Building
 97 Dorp Street • Stellenbosch 7800
 tel 021 8 13800
 fax 021 882 8025
 e-mail: ste@tv3.co.za
 cb. tv3.co.za

**Portions 71, 52, 53, and 54
 of the Farm Blaauw Klip No.
 510, Stellenbosch**



Drawn by:	Checked by:	Date:	Scale:
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This drawing is the property of tv3 Architects and Town Planners. It is to be used only for the project for which it was prepared.



SITE DEVELOPMENT PLAN
SCALE: 1 : 1000

Longitudinal Section A
SCALE: 1 : 1000

DRAWN: _____ Author | CHECKED: _____ Checker
DATE: _____ SCALE/SHEET SIZE: 3 : 1000
DRAWING No.: **3571 / A / 110**






PROVISIONAL 1 : 1000 SCALE ONLY. SUBJECT TO APPROVAL BY THE LOCAL AUTHORITY.
TEL: 021 011 1111
FAX: 021 011 1112
WWW.ANDREWS-ARCHITECTS.CO.ZA

AV3
ARCHITECTS AND TOWN PLANNERS

PROJECT / CLIENT:
BLAAUWKLIPPEN

DRAWING DESCRIPTION:
SITE DEVELOPMENT PLAN

NO.	DATE	DESCRIPTION

Date stamp of delivery 		Registered letter GEREGISTREERDE BRIEF (with an insurance option/met 'n verzekeringsoptie)		No. 043719 		Date stamp of delivery 	
Initial of delivery officer Parool van aflevering		Addressee to/Geadresseerd aan PAUL BLUM 9 BLUMHEIM STREET STELLENBOSCH		Signature of recipient Handtekening van ontvanger 		Initial of receiving officer Parool van ontvangsbeoogde	
Official proof of identification essential Amptelike bewys van identifikasie noodsaaklik		Postal code <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Please collect Haal aanstreek af within 30 days of date received at delivery office binne 30 dae vanaf datum ontvang by afleweringskantoor		DIE BOORD Post Office, counter No Postkantoor, toonbank	
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Received from Mr G. Lacey
25.7.2019

SECTION I

**Proof of registered letters to
government departments and their
comments received**



ARCHITECTS AND TOWN PLANNERS
 ARCHITEKTE EN STADSOPLANNERS

Application Number: LU/8567
 File Reference Number: Erf 510/52, Jamestown
 Reference Number: 3527-P
 Enquiries: Clifford Heys
 Contact No: (021) 861 3800
 E-mail address: clifford@tv3.co.za
 Date: 6 June 2019

Department of Agriculture
 Private Bag X1
 ELSENBERG
 7607

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APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION, DEPARTURE, ESTABLISHMENT OF A HOME OWNERS' ASSOCIATION, APPROVAL OF THE DEVELOPMENT NAME, APPROVAL OF A SITE DEVELOPMENT PLAN, ALLOCATION OF THE STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES: PORTIONS 52, 53, 54 & 71 OF THE FARM BLAAUWKIP NO. 510, JAMESTOWN, DIVISION OF STELLENBOSCH

1. The Stellenbosch Municipality has received the abovementioned land use planning application in order to obtain planning approval for a residential development in Jamestown. Find attached hereto a copy of the land use planning application.
2. As requested by Stellenbosch Municipality - kindly provide your written comments on the application in terms of section of the Stellenbosch Municipality Planning By-Law (2015) within 60 days of receipt of this letter. Your comments should be addressed **to the applicant** in one of the following manners:

APPLICANT
Registered mail or normal mail
TV3 Projects (Pty) Ltd, 1 st Floor, La Gratitude Offices, 97 Dorp Street, Stellenbosch, 7600
Or faxed to
(021) 882 8025
Or hand delivered to
TV3 Projects (Pty) Ltd, 1 st Floor, La Gratitude Offices, 97 Dorp Street, Stellenbosch, 7600
Or e-mailed to
clifford@tv3.co.za

3. Should no comments be received, it will be deemed that you have no comment.

Yours faithfully

CLIFFORD HEYS
 TV3 PROJECTS (PTY) LTD

ORDINARY PARCEL

- Full Domestic tracking and tracing
- Domestic Enquiries:
Share Call 0860 111 502 www.sapo.co.za
PE 896 407 427 ZA

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D PE 896 407 427 ZA


RECIPIENT NAME (please print clearly)

ORDINARY PARCEL
PE 896 407 427 ZA
A BOOK COPY

Department of Agriculture
Private Bag x1
EISENBERG
7607



ARCHITECTS AND TOWN PLANNERS
 AND TOWN AND LANDSCAPE PLANNERS

Application Number: LU/8567
 File Reference Number: Erf 510/52, Jamestown
 Reference Number: 3527-P
 Enquiries: Clifford Heys
 Contact No: (021) 861 3800
 E-mail address: clifford@tv3.co.za
 Date: 6 June 2019

Department of Water Affairs and Forestry
 Private Bag X16
 SANLAMHOF
 7532

APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION, DEPARTURE, ESTABLISHMENT OF A HOME OWNERS' ASSOCIATION, APPROVAL OF THE DEVELOPMENT NAME, APPROVAL OF A SITE DEVELOPMENT PLAN, ALLOCATION OF THE STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES: PORTIONS 52, 53, 54 & 71 OF THE FARM BLAAUWKIP NO. 510, JAMESTOWN, DIVISION OF STELLENBOSCH

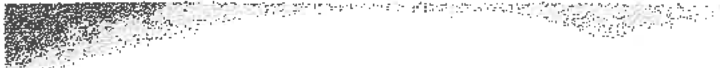
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Or faxed to
(021) 882 8025
Or hand delivered to
TV3 Projects (Pty) Ltd, 1 st Floor, La Gratitude Offices, 97 Dorp Street, Stellenbosch, 7600
Or e-mailed to
clifford@tv3.co.za



3. Should no comments be received, it will be deemed that you have no comment.

Yours faithfully

**CLIFFORD HEYS
 TV3 PROJECTS (PTY) LTD**



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 ShareCall 0860 111 502 www.sapo.co.za
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RECIPIENT NAME (please print clearly)

ORDINARY PARCEL
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Department of Water Affairs and Forests
 Private Bag X16
 SANLAMHOF
 7532



ARCHITECTS AND TOWN PLANNERS
 ARCHITECTS EN STADSBEPLANNERS

Application Number: LU/8567
 File Reference Number: Erf 510/52, Jamestown
 Reference Number: 3527-P
 Enquiries: Clifford Heys
 Contact No: (021) 861 3800
 E-mail address: clifford@tv3.co.za
 Date: 6 June 2019

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Eskom Distribution
 Land Development
 P O Box 222
 BRACKENFELL
 7560

APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION, DEPARTURE, ESTABLISHMENT OF A HOME OWNERS' ASSOCIATION, APPROVAL OF THE DEVELOPMENT NAME, APPROVAL OF A SITE DEVELOPMENT PLAN, ALLOCATION OF THE STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES: PORTIONS 52, 53, 54 & 71 OF THE FARM BLAAUWKIP NO. 510, JAMESTOWN, DIVISION OF STELLENBOSCH

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APPLICANT
Registered mail or normal mail
TV3 Projects (Pty) Ltd, 1 st Floor, La Gratitude Offices, 97 Dorp Street, Stellenbosch, 7600
Or faxed to
(021) 882 8025
Or hand delivered to
TV3 Projects (Pty) Ltd, 1 st Floor, La Gratitude Offices, 97 Dorp Street, Stellenbosch, 7600
Or e-mailed to
clifford@tv3.co.za

3. Should no comments be received, it will be deemed that you have no comment.

Yours faithfully

**CLIFFORD HEYS
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ShareCall 0800 111 202 www.espost.co.za
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RECIPIENT NAME (please print clearly)

ORDINARY PARCEL
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A BOOK COPY

Eskom Distribution
Land Development
PO Box 222
BRACKENFELL
7560
For attention: Ms R McPherson

SECTION J

**Comments received from
Government departments**



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

WESTERN CAPE REGION
Private Bag X16, Sanlamhof, 7532
52 Voortrekker Road, Bellville, 7530

☎	021 941 6039	✉	Mr. Nkosinathi Mkonto
☎	021 941 6082	📁	16/2/17/G200/A/8
☎	082 370 2708	📧	mkonton@dws.gov.za

Attention: Clifford Heys

TV3 Projects (Pty) Ltd
97 Dorp Street
STELLENBOSCH
7600

Dear Sir

APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION, DEPARTURE, ESTABLISHMENT OF HOME OWNER'S ASSOCIATION, APPROVAL OF A SITE DEVELOPMENT PLAN, ALLOCATION OF THE STREET NAMES APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES: PORTION 52, 53, 54 & 71 OF THE FARM BLAAUWKLIP NO 510, JAMESTOWN, STELLENBOSCH DIVISION

The Department acknowledges receipt of your report dated 6 June 2019 for the above mentioned activity.

After evaluating the abovementioned application, you are hereby informed that the Department does not object to your proposed activities from going ahead subject to the following conditions:

1. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use and pollution management must be adhered to.
2. All relevant sections and regulations of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) must be adhered to.
3. No additional use of surface water and/or storage of water is permitted, unless the applicant has formally obtained an authorisation from this Department in terms of Section 22 of the National Water Act (Act 36 of 1998).
4. No activities may take place within a buffer area of 500m radius of any wetland system without prior authorisation from this Department.



NATIONAL DEVELOPMENT PLAN
Our Future - make it work



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

5. No permanent structures may be constructed within the 1:100 year flood line of a watercourse without prior authorisation from this Department.
6. If any property that receives water from an Irrigation Board or Water User Association is subdivided, sold or consolidated, the Board or Association and this Department must be notified within sixty (60) days after the said transaction took place.
7. Please note that if the subdivision will affect the allocation of a water use as registered by this Department, the owner(s) of the new property(ies) must enter into a written mutual agreement to determine each property's share in any allocated water or water use and this must be communicated to this Department.
8. If this subdivision (or consolidation) will affect the allocation of a water use as licences by this Department, the Licencee must contact the Department for the amendment of this licence. This will also be necessary if the property description changes. The Licencee must provide full details of all changes in respect of the properties to the Responsible Authority within 60 days of said change taking place.

The Department reserves the right to revise its initial comments and request additional information that may arise from correspondence and/or upon inspection.

Should you have any queries, please do not hesitate to contact Nkosinathi Mkonto at the contact details provided above.

Yours faithfully

REGIONAL HEAD: WESTERN CAPE

Signed by: Bukelwa Mtandana

Designation: Environmental Officer Specialised

Date: 05/07/2019





Our Ref: HM/STELLENBOSCH/REM OF PORTION 71, 52, 53,
54 AND FARM 510
Case No.: 18050314AS0509E
Enquiries: Andrew September
E-mail: andrew.september@westerncape.gov.za
Tel: 021 483 9543
Date: 25 May 2018

Lize Malan
PO Box 3421
Matieland
7602

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape
Provincial Gazette 4061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED RESIDENTIAL DEVELOPMENT ON THE REMAINDER OF PORTION 71, 52, 53, 54 OF FARM 510, JAMESTOWN, STELLENBOSCH, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 18050314AS0509E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 09 May 2018. This matter was discussed at the Heritage Officers meeting held on 21 May 2018.

You are hereby notified that, since there is no reason to believe that the proposed development will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and palaeontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully


.....
Mxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas

Street Address: 11001, Avenue 1, Bantams, 7800, Matieland, Stellenbosch, Western Cape • Postal Address: PO Box 3421, Matieland, Stellenbosch, Western Cape
• Tel: +27 (0)21 483 9543 • E-mail: cas@westerncape.gov.za

Street Address: 11001, Avenue 1, Bantams, 7800, Matieland, Stellenbosch, Western Cape • Postal Address: PO Box 3421, Matieland, Stellenbosch, Western Cape
• Tel: +27 (0)21 483 9543 • E-mail: cas@westerncape.gov.za



TV3 ARCHITECTS AND TOWN PLANNERS

Date: 2019/07/08

clifford@tv3.co.za

Enquiries:

WayleavesWesternOU@eskom.co.za

**WAYLEAVE APPLICATION: CONSOLIDATION, REZONING, SUBDIVISION, DEPARTURE :
ERF 510/52 : JAMESTOWN**

YOUR REF: 3527-P

ESKOM REF: 01133-19

THIS IS NOT AN APPROVAL TO START CONSTRUCTION

I hereby inform you that Eskom has no objection to the proposed work indicated on your drawing in principle. This approval is valid for **12 months** only, after which reapplication must be made if the work has not been completed.

1. **Eskom services are affected by your proposed works and the following must be noted:**
 - a) Eskom has no objection to the proposed work and include a drawing indicating Eskom 11kV/LV underground services in close proximity.
 - b) Please note that underground services indicated are only approximate and the onus is on the applicant to verify its location.
 - c) There may be LV overhead services / connections not indicated on this drawing.
 - d) The successful contractor must apply for the necessary agreement forms and additional cable information not indicated on included drawing, in order to start construction.

Application for Working Permit must be made to:

Customer Network Centre: Somerset West

Vuyo Mayekiso

021 840 4365

MayekiNM@eskom.co.za

Include Eskom Wayleave as-built drawings and all documentation, when applying for Working Permit.

Should it be necessary to move, relocate or support any existing services for possible future needs, it will be at the developer's cost. Application for relocating services must be made to Sabelo Potela on 084 745 8990 / PotelaS@eskom.co.za.

2. Underground Services

The following conditions to be adhered to at all times:

- a) Works will be carried out as indicated on plans.
- b) No mechanical plant to be used within 3.0m of Eskom underground cables.
- c) All services to be verified on site.
- d) Cross trenches to be dug by hand to locate all underground services before construction work commences.
- e) If Eskom underground services cannot be located or is grossly misplaced from where the wayleave plan indicates, then all work is to be stopped and Graham Hector from the Land Development Office to be contacted on 021 980 3551 / HectorG@eskom.co.za, to arrange the capturing of such services.
- f) In cases where proposed services run parallel with existing underground power cables the greatest separation as possible should be maintained with a minimum of 1000mm.
- g) Where proposed services cross underground power cables the separation should be a minimum of 300mm with protection between services and power cables. (Preferably a concrete slab)
- h) No manholes; catch- pits or any structure to be built on top of existing underground services.
- i) Only walk-behind (2 ton Bomac type) compactors to be used when compacting on top of and 1 metre either side of underground cables.
- j) If underground services cannot be located then the Customer Network Centre (CNC) should be consulted before commencement of any work.

3. O.H. Line Services:

- a) No work or no machinery nearer than the following distances from the conductors:

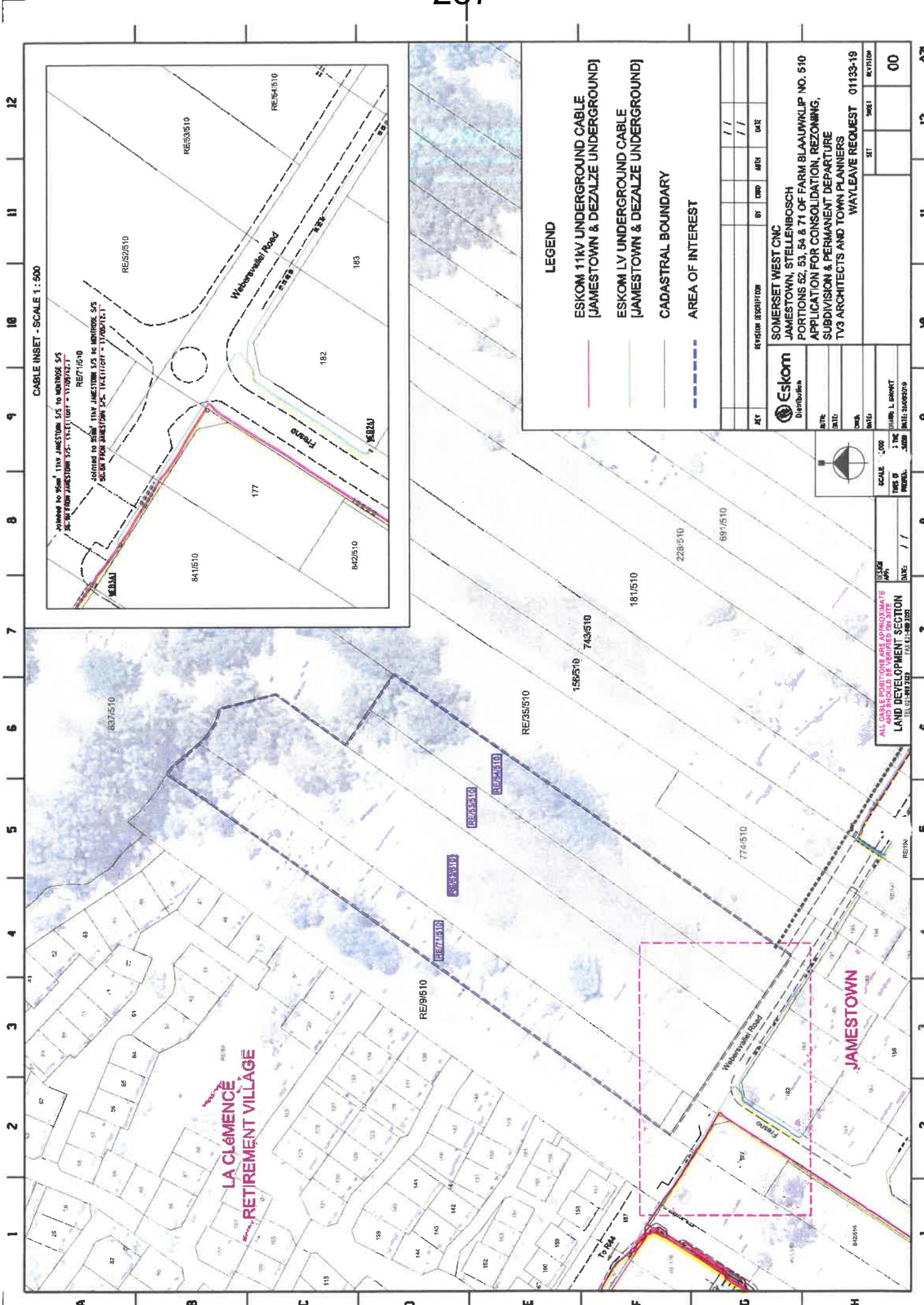
Voltage	Not closer than:
11kV	3.0 m
66kV	3.2 m
132kV	3.8 m

4. NOTE

Wayleaves, Indemnity form (working permit) and all as-built drawings issued by Eskom to be kept on site at all times during construction period.

Yours faithfully

LAND DEVELOPMENT (BRACKENFELL)



CABLE INSET - SCALE 1:500

JOINED TO 95M² 11KV JAMESTOWN S/S TO WINDROSE S/S
30.00 FROM JAMESTOWN S/S. (S-E) (URT - 11/05/12.1)
REF: 1/510

JOINED TO 95M² 11KV JAMESTOWN S/S TO WINDROSE S/S
30.00 FROM JAMESTOWN S/S. (E-W) (URT - 11/05/12.1)
REF: 1/510

LEGEND

- ESKOM 11KV UNDERGROUND CABLE [JAMESTOWN & DEZALZE UNDERGROUND]
- ESKOM LV UNDERGROUND CABLE [JAMESTOWN & DEZALZE UNDERGROUND]
- CADASTRAL BOUNDARY
- AREA OF INTEREST

REV	REVISION DESCRIPTION	BY	CHKD	DATE

Eskom
Distribution

SOMERSET WEST CMC
JAMESTOWN, STELLENBOSCH

PORTIONS 52, 53, 54 & 71 OF FARM BLAAUWKIP NO. 510
APPLICATION FOR CONSOLIDATION, REZONING,
SUBDIVISION & PERMANENT DEPARTURE
SUBDIVISION & TOWN PLANNERS
WAYLEAVE REQUEST 01139-19



SCALE 1:500
DATE: 11/05/12
DRAWN: J. L. BARNETT
CHECKED: S. BARNETT

ESKOM
LAND DEVELOPMENT SECTION
DATE: 11/05/12
FILE NO: 01139-19

00

SECTION K

**Copies of e-mail correspondence
with officials and ward councilor**

Clifford Heys

From: Clifford Heys
Sent: 08 July 2019 08:39 AM
To: 'Nicole Katts'
Subject: RE: INSTRUCTION TO ADVERTISE - ERF 510/52 JAMESTOWN

Hi Nicole

The advertising period has closed (a few objections were received from I&APs).

I will now finalise and submit the PoE report.

Regards

Clifford

From: Clifford Heys
Sent: 05 June 2019 11:27 AM
To: Nicole Katts <Nicole.Katts@stellenbosch.gov.za>
Cc: nelmare.williams@stellenbosch.gov.za; Rdl Rikus Badenhorst <Rikus.Badenhorst@stellenbosch.gov.za>
Subject: RE: INSTRUCTION TO ADVERTISE - ERF 510/52 JAMESTOWN

Hi Nicole

Re. your e-mail below.

I hereby confirm that (as per Council's instructions) the application will be advertised on 6 June 2019. Find attached a copy of the notice that will be sent to all the I&AP's.

Regards

Clifford

From: Nicole Katts <Nicole.Katts@stellenbosch.gov.za>
Sent: 21 May 2019 04:01 PM
To: Clifford Heys <Clifford@tv3.co.za>
Cc: Jan van Rensburg <Jan@tv3.co.za>; Hedre Dednam <Hedre.Dednam@stellenbosch.gov.za>; Pedro April <Pedro-April@stellenbosch.gov.za>
Subject: INSTRUCTION TO ADVERTISE - ERF 510/52 JAMESTOWN

Dear Clifford

I trust that you are well.

Please see attached instruction letter to advertise together with the necessary templates. The original letter as well as templates and addresses is being sent to you via registered mail.

I trust that you find this in order.



Kind regards / Vriendelike Groete

Nicole Katts

Administrative Officer

Land Use Management

Planning & Economic Development

T: +27 21 808 8318

43 Andringa Str, Eikestad Mall, 3rd

Floor

www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link: http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm



About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from nicole.katts@stellenbosch.gov.za sent at 2019-05-21 16:01:27 is confidential and may be legally privileged. It is intended solely for use by clifford@tv3.co.za and others authorized to receive it. If you are not clifford@tv3.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [Afrovation](#)

ANNEXURE 5

Comments from Directorate: Infrastructure Services



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : The Director: Planning and Development
FOR ATTENTION : Nicole Katts
FROM : Manager: Development (Infrastructure Services)
AUTHOR : Tyrone King
DATE : 1 July 2020
RE. : Portions 52, 53, 54 and 71 of Farm 510. Consolidation, rezoning, Sub-division, departures, and SDP approval for the development of 55 townhouses and 24 flat units
YOUR REF : LU/8567
OUR REF : LU CIVIL 1841

RECEIVED

02 JUL 2020

PLANNING AND DEVELOPMENT SERVICES
STELLENBOSCH MUNICIPALITY

FILE NR:

SCAN NR:

COLLABORATOR NR:

[518 / 52] J1

687153

Details, specifications and information reflected in the following documents refer:

- The abovementioned application dated 14 June 2018 and motivation report by Dennis Moss Partnership, dated 31 May 2018;
- Proposed Site Development Plan No. 3571/A/110 Rev A SDP001, by TV3 dated 25/06/2019;
- Proposed Subdivision Plan No. 4, by TV3 dated 14/08/2018;
- Traffic Impact Statement (TIS) by ICE Group, dated 18 June 2020 and e-mail from ICE (Mr Piet van Blerk) dated Friday, 19 June 2020 3:20 PM regarding cost estimates of the traffic impact mitigation measures additional to the R44 upgrades;
- Civil Engineering Services and Stormwater Management report by Ingerop, dated July 2018;
- E-mail from GLS (Flip Du Plessis) dated Thursday, 20 June 2019 13:21; regarding water and sewer capacity requirements
- Outfall sewer capacity confirmation letter dated 1 June 2020, by Bart Senekal ref 1426/A4
- Letter regarding stormwater management from Bart Senekal dated 9 March 2020 ref 1426/A3

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

These comments and conditions are based on the following proposed development parameters:

- Total Units (townhouses): 55 units
- Total Units (flats): 24 units

Any development beyond these parameters would require a further approval and/or a recalculation of the Development Charges from this Directorate.

This document consists of the following sections:

A. Definitions

B. Recommendation to decision making authority

C. Specific conditions of approval: These conditions must be complied with before clearance certificate, building plan or occupation certificate approval; whichever is applicable to the development in question.

D. General conditions of approval: These conditions must be adhered to during implementation of the development to ensure responsible development takes place. If there is a contradiction between the specific and general conditions, the specific conditions will prevail:

A. Definitlons

1. that the following words and expressions referred to in the development conditions, shall have the meanings hereby assigned to except where the context otherwise requires:
 - (a) "*Municipality*" means the STELLENBOSCH MUNICIPALITY, a Local Authority, duly established in terms of section 9 of the Local Government Municipal Structures act, Act 117 of 1998 and Provincial Notice (489/200), establishment of the Stellenbosch Municipality (WC024) promulgated in Provincial Gazette no. 5590 of 22 September 2000, as amended by Provincial Notice 675/2000 promulgated in Provincial Gazette;
 - (b) "*Developer*" means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;
 - (c) "*Engineer*" means an engineer employed by the "*Municipality*" or any person appointed by the "*Municipality*" from time to time, representing the Directorate: Infrastructure Services, to perform the duties envisaged in terms of this land-use approval;

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

2. that all previous relevant conditions of approval to this development application remain valid and be complied with in full unless specifically replaced or removed by the "Engineer";

B. Recommendation:

3. The development is recommended for approval, subject to the conditions as stated below.

C. Specific conditions of approval

4. that the following upgrades are required to accommodate the development. No taking up of proposed rights including Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be allowed until the following upgrades have been completed and/or conditions have been complied with:

a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.

b. **Water Network:** The following bulk water items are required to accommodate the development:

- i. 7 ML reservoir (SSWB2)

Estimated cost: R 18 260 700*

Funding: R 20m over three years have been allowed for in the 2020/21 budget with estimated completion June 2023 (subject to change). The additional reservoir storage capacity is required to accommodate the new development (as well as other new developments in Jamestown) and the development will only receive subdivision clearance once the reservoir has been completed.

(* GLS report estimate including P & G, Contingencies and Fees, but excluding VAT - Year 2018/19 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

c. **Sewer Network:** The following bulk sewer items are required to accommodate the development:

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

- i. The De Zalze outfall sewer project must be completed. This project is currently being implemented by the Municipality with the estimated completion date June 2022 (according to the 2020/21 budget provision). The development will only receive subdivision clearance once the outfall sewer has been completed.
 - ii. The development will connect to the existing 200mm diameter stub at the north eastern corner of the Le – Clemence development. The Municipality will engage with Le Clemence regarding the registration of a servitude over the existing 200 mm dia sewer line through Le Clemence, which was intended to be a municipal bulk sewer line when it was constructed. The current municipal budget does not make provision for the associated costs and if needed, the Municipality may require that these costs be paid by the Developer and offset against the Development Charges.
 - iii. Provision must be made for a 200mm diameter sewer line on the subject property, that will form part of the municipal bulk sewer network (SSS4.7 on master plan) and this sewer must be protected by a registered servitude. No clearance will be given before the servitude is registered. At this point in time this line is regarded as a link service and the cost will be for the Developer.
 - iv. A sewer servitude must also simultaneously be registered over Farm 510/9, which lies between Le Clemence and the subject property. The Developer will be responsible for the registration of this servitude and no clearance will be given before the servitude is registered. At this point in time this line is regarded as a link service and the cost will be for the Developer.
 - v. Additional conditions regarding the sewer may be identified when the detail engineering drawings are evaluated and will form part of the approval conditions of such drawings.
- d. **Roads Network:** (The cost estimates provided below include construction costs, professional fees, ECO, H&S, construction monitoring and disbursements)

The following three upgrades at the R44/Webersvallei Road intersection has been identified in the TIS, to mitigate the additional traffic impact on the intersection, which is already experiencing congestion problems. Also see **Annexure A – Road upgrades.**

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

- i. Option 1 : Dedicated left-turn lane along Webersvallei Road
 Estimated Cost: R 1 421 918, 81 ex VAT
 Responsible: Developer
 Funding: May be offset from DCs
- ii. Option 2 : Third through lane at the intersection along the R44 northbound
 Estimated Cost: R 2 255 549. 09 ex VAT
 Responsible: Developer
 Funding: May be offset from DCs
- iii. Option 3 : Third through lane at the intersection along the R44 southbound
 Estimated Cost: R 2 012 120. 01 ex VAT
 Responsible: Developer
 Funding: May be offset from DCs

The DCs of the development may be used to do these upgrades. At the time of writing, the preferred options that will be able to be covered by the available DCs are Options 1 and 2, and these two upgrades must be completed prior to clearance of the development. Should the conditions change and Option 3 becomes a more preferred option than the other two, the Municipality will inform the Developer timeously. The final decision will be recorded in the Agreement between the Municipality and Developer for the offsetting of DCs against these upgrades.

Furthermore,

- iv. the optimisation of traffic signal settings must be investigated by the Developer's consulting engineer in conjunction with the Manager: Traffic Engineering;
 Responsible: Developer (in conjunction with Stellenbosch Municipality's Manager: Traffic Engineering)
 Funding: May be offset from DCs
- v. A formal sidewalk must be constructed along the full frontage of the development and connect to the existing sidewalk at Le Clemence. Details of the sidewalk must be submitted for approval concurrent with the engineering services drawings.
 Responsible: Developer
 Funding: Developer's own cost

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

e. **Stormwater Network** (refer to letter from **Bart Senekal** dated **9 March 2020** ref **1426/A3**). The development is located directly adjacent to the **Blaauklippen River**. To mitigate the impact of the **Increased run-off** on the river, the following conditions are imposed wrt stormwater management:

- i. a SUDS approach towards managing of stormwater must be implemented. SUDS make use of a variety of controls of which a number can be implemented within the development e.g. silt traps, infiltration swales and a possible constructed wetland in the detention pond. Details hereof must be submitted with the engineering services drawings.
- ii. The detention pond must be a landscaped feature in front of the guest cottages. The detail of the landscaping in the pond must be provided at detail design phase.
- iii. A maintenance and operational schedule must be implemented by the Developer to keep the pond operating effectively. The schedule must be provided at detail design phase when the detail of the landscaping is known.
- iv. As a functional open space along the river is also of great value to the development, proper drainage of the area will be installed to improve the accessibility to the area.
- v. Any fencing along the river must be planned in such a way to have no impact on the flow patterns in the river.

f. **Solid Waste:**

- i. The Municipality will provide a solid waste removal service

g. **Funding source breakdown (all costs excl VAT):**

Total DCs available for civil services (excl Community facilities)	R 3 910 369. 83 ex VAT
Upgrades cost	
Road upgrade Option 1	R1 421 918. 81
Road upgrade Option 2	R 2 255 549. 09
Traffic Signal optimisation	TBC
Sewer servitude registration (estimate)	TBC
Total cost	R 3 677 467. 90
Surplus	R 232 901. 93
Comment	Based on the estimates, there are sufficient DCs to cover the costs of the road upgrades to be done in lieu of DCs. The surplus should be

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

	<p>sufficient to cover the traffic signal and sewer servitude items as well, which are not anticipated to be large cost items.</p>
--	---

Development Charges

5. that the "*Developer*" hereby acknowledges that Development Charges are payable towards the following bulk civil services: water, sewerage, roads, stormwater, solid waste and community facilities as per Council's Policy;
6. that the "*Developer*" hereby acknowledges that the development charges levy as determined by the "*Municipality*" and or the applicable scheme tariffs will be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;
7. that the "*Developer*" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;
8. that the "*Developer*" may enter into an engineering services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services;
9. that the Development Charges levy to the amount of R 4 940 424. 94 (Excluding VAT) as reflected on the DC calculation sheet, dated 1 July 2020, and attached herewith as **Annexure DC**, be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy.
10. that the Development Charges levy be paid by the "*Developer*" per phase –
 - prior to the approval of subdivision clearance (Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law);
11. that the development shall be substantially in conformance with the Site Development Plan submitted in terms of this application. Any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of units i.e. more than 55 townhouses units and 24 flat units, will result in the recalculation of the Development Charges;

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

12. Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

Site Development Plan

13. that provision be made for an access layout of two lanes in (4,0 and 3,5 metres wide), one lane out (3,5 metres wide) and available stacking space in excess of 20 metres between the security controls and the roundabout (as prescribed in the TIS);
14. that provision be made for a refuse room as per the specification of the standard development conditions below;
15. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
16. that provision be made for a refuse embayment off the roadway/sidewalk to accommodate refuse removal. (Embayment to be minimum 15m x 2.5m). This must be clearly indicated on the engineering drawings when submitted for approval. The specifications of such embayment shall be as per the standard development conditions below;
17. that any amendments to cadastral layout and or site-development plan to accommodate the above requirements will be for the cost of the "Developer" as these configurations were not available at land-use application stage;

Ownership and Responsibility of services

18. that it be noted that as per Subdivisional Plan, the roads are reflected as private roads. Therefor all internal services on the said erf will be regarded as private services and will be maintained by the "Developer" and or Owner's Association;

Internal- and Link Services

19. that the "Developer", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;

Bulk Water Meter

20. that the "Developer" shall install a bulk water meter conforming to the specifications of the Directorate: Engineering Services at his cost at the entrance gate and that clearance will only

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units
be issued if the bulk watermeter is installed, a municipal account for the said meter is activated and the consumer deposit has been paid;

Solid Waste

21. For large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site. The Developer will have to indicate and provide evidence of safe re-use or proper disposal at an alternative, licensed facility. This evidence must be presented to the Senior Manager: Solid Waste (021 808 8241; clayton.hendricks), before building plan approval and before implementation of the development. Clean rubble can be utilized by the Municipality and will be accepted free of charge, providing it meets the required specification.

Floodplain Management

22. that the 1:50 and 1:100 year flood lines of the Blaauwklippen River be shown on all plans submitted. The flood lines are to be verified by a suitably qualified registered engineering professional. Where flood lines have not previously been determined, the "Developer" must procure the services of a suitably qualified registered engineering professional to undertake such determinations at his/her own cost. No new development will be allowed under the 1:100 year flood line;
23. that the floor level of all buildings be at least 100 mm above the 1:100 year flood level. These levels must be indicated on all building plans submitted and must be certified by a Registered Professional Engineer;
24. that all perimeter fencing below the 1:50 year flood line be visually permeable from ground level and not adversely affect the free flow of water (e.g. palisade fencing). No fences will be allowed across the watercourse;

Roads

25. that the "Developer", at his/her cost, implement the recommendations of the approved Traffic Impact Statement, and where required, a sound Traffic Management Plan to ensure traffic safety shall be submitted for approval by the Directorate: Infrastructure Services and the approved management plan shall be implemented by the "Developer", at his/her cost. If any requirement of the TIA is in conflict with one of the conditions of approval, the conditions of approval shall govern;;

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

26. that the "Developer" will be held liable for any damage to municipal infrastructure within the road reserves, caused as a direct result of the development of the subject property. The "Developer" will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services;

Bulk Electricity

27. Please refer to the conditions attached as Annexure: Electrical Engineering;

D. General conditions of approval: The following general development conditions are applicable. If there is a contradiction between the specific and general development conditions, the specific conditions will prevail:

28. that the "Developer" will enter into an Engineering Services Agreement with the "Municipality" in respect of the implementation of the infrastructure to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;
29. that should the "Developer" not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Infrastructure Services by the "Developer" for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
30. that the "Developer" indemnifies and keep the "Municipality" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the municipalities' services or apparatus or otherwise) arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.
31. that the "Developer" must ensure that he / she has an acceptable public liability insurance policy in place;

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

32. that, if applicable, the "*Developer*" approach the Provincial Administration: Western Cape (District Roads Engineer) for their input and that the conditions as set by the Provincial Administration: Western Cape be adhered to before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued;
33. that the "*Developer*" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;
34. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 3rd Edition (2015);
35. Should the "*Developer*" wish to discuss the possibility of proceeding with construction work parallel with the provision of the bulk services listed above, he must present a motivation and an implementation plan to the "*Engineer*" for his consideration and approval. The implementation plan should include items like programmes for the construction of the internal services and the building construction. Only if the programme clearly indicates that occupation is planned after completion of the bulk services, will approval be considered. If such proposal is approved, it must still be noted that no occupation certificate will be issued prior to the completion and commissioning of the bulk services. Therefore should the proposal for proceeding with the development's construction work parallel with the provision of the bulk services be agreed to, the onus is on the "*Developer*" to keep up to date with the status in respect of capacity at infrastructure listed above in order for the "*Developer*" to programme the construction of his/her development and make necessary adjustments if and when required. **The Developer is also responsible for stipulating this condition in any purchase contracts with buyers of the properties;**
36. that the "*Developer*" takes cognizance and accepts the following:
- a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
 - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
 - c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
 - d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

- e.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before the approval of internal – and external civil engineering services drawings;
- f.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued unless the “Developer” obtains the approval of the “Engineer” for construction work of his development parallel with the provision of the bulk services.

Site Development Plan

- 37. that it is recognized that the normal Site Development Plan, submitted as part of the land-use application, is compiled during a very early stage of the development and will lack engineering detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the “Developer”;
- 38. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;
- 39. that if the fully detailed Site Development Plan, as mentioned in the above item, contradicts the approved Site Development Plan, the “Developer” will be responsible for the amendment thereof and any costs associated therewith;
- 40. that an amended Site Development Plan be submitted for approval prior to the approval of building plans for new buildings not indicated on the Site Development Plan applicable to this application and or changes to existing buildings or re-development thereof;

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units
Internal- and Link Services

41. that the "*Developer*", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;
42. that the Directorate: Infrastructure Services may require the "*Developer*" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services;
43. that the detailed design and location of access points, circulation, parking, loading - and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;
44. that plans of all the internal civil services and such municipal link services as required by the Directorate: Infrastructure Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
45. that construction of services may only commence after municipal approval has been obtained;
46. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "*Engineer*";
47. that the "*Developer*" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (as amended) and that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with this document, unless otherwise agreed with the Engineer. The said document is available in electronic format on request;
48. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
49. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;

Portions 52, 53, 54 and 71 of Farm 510: Development of 65 townhouses and 24 flat units

50. that prior to the issuing of the Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1, all internal - and link services be inspected for approval by the "Engineer" on request by the "Developer's" Consulting Engineer;
51. that a Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1 be issued before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued (prior to transfer of individual units or utilization of buildings);
52. that Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will only be issued if the bulk watermeter is installed;
53. that a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer be submitted to the "Engineer" on request;
54. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
55. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the "Developer" to determine the location of existing civil and electrical services;
56. that all connections to the existing services be made by the "Developer" under direct supervision of the "Engineer" or as otherwise agreed and all cost will be for the account of the "Developer".
57. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;
58. that the "Developer", at his/her cost, will be responsible for the maintenance of all the internal (on-site) municipal – and private civil engineering services constructed for this development until at least 80% of the development units (i.e. houses, flats or GLA) is constructed and occupied whereafter the services will be formally handed over to the Owner's Association, in respect of private services, and to the Municipality in respect of public services;

Servitudes

59. that the "Developer" ensures that all main services including roads to be taken over by the Directorate: Infrastructure Services, all existing municipal – and or private services including

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units
roads, crossing private - and or other institutional property and any other services/roads crossing future private land/erven are protected by a registered servitude before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be given;

60. The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "*Developer*" will be responsible for the registration of the required servitude(s), as well as the cost thereof;
61. that the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party before final approval of engineering drawings be obtained.

Stormwater Management

62. Taking into account the recent water crisis, and associated increase in borehole usage, it is important that the groundwater be recharged as much as possible. One way of achieving the above is to consider using Sustainable Drainage Systems (SuDS) approach wrt SW management. From Red Book: "SuDS constitute an approach towards managing stormwater runoff that aims to reduce downstream flooding, allow infiltration into the ground, minimise pollution, improve the quality of stormwater, reduce pollution in water bodies, and enhance biodiversity. Rather than merely collecting and discarding stormwater through a system of pipes and culverts, this approach recognises that stormwater could be a resource." The Developer is encouraged to implement SuDS principles that are practical and easily implementable. Details of such systems can be discussed and agreed with the Municipality and must be indicated on the engineering drawings.
63. that the geometric design of the roads and/or parking areas ensure that no trapped low-points are created with regard to stormwater management. All stormwater to be routed to the nearest formalized municipal system;
64. that overland stormwater escape routes be provided in the cadastral layout at all low points in the road layout, or that the vertical alignment of the road design be adjusted in order for the roads to function as overland stormwater escape routes. If this necessitates an amendment of the cadastral layout, it must be done by the "*Developer*", at his/her cost, to the standards of the Directorate: Infrastructure Services;
65. that the design engineer needs to apply his/her mind to ensure a design that will promote a sustainable urban drainage system which will reduce the impacts of stormwater on receiving aquatic environments;

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

75. that visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;
76. that each erf has its own access (drive-way), *(the new access(es) (dropped kerb(s)) to the proposed parking bays be)* constructed to standards as set out by the the Directorate: Infrastructure Services and in line with the Road Access Guideline;

Wayleaves

77. that way-leaves / work permits be obtained from the Directorate: Infrastructure Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;
78. that wayleaves will only be issued after approval of relevant engineering design drawings;
79. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

Owner's Association (Home Owner's Association or Body Corporate)

80. that an Owner's Association be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
81. that the Owner's Association take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
82. that in addition to the responsibilities set out in section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
83. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;
84. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

Solid Waste

85. The reduction, reuse and recycle approach should be considered to waste management:

Portions 52, 53, 54 and 71 of Farm 510: Development of 66 townhouses and 24 flat units

- Households to reduce waste produced
- Re-use resources wherever possible
- Recycle appropriately

To give effect to the above, the following are some typical waste minimization measures that should be implemented by the Developer, to the satisfaction of the Stellenbosch Municipality:

- Procedures should be stipulated for the collection and sorting of recyclable materials;
- Provision should be made for centralized containers for recyclable materials including cardboard, glass, metal, and plastic and green waste;
- A service provider should be appointed to collect recyclable waste. Such service provider must be legally compliant in terms of all Environmental Legislation and/or approved by the Municipality's Solid Waste Management Department;
- Procedures for removal of waste (materials that cannot be reused or recycled) from the site should be stipulated;
- General visual monitoring should be undertaken to identify if these measures are being adhered to;
- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

Where an Owner's Association is to be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Constitution of the Owner's Association shall incorporate the above in the Constitution and:

- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
- A set of penalties for non-compliance should be stipulated in the Constitution

86. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;

87. that the "*Developer*" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person Mr Saliem Haider, 021 808 8241; saliem.haider@stellenbosch.gov.za;

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

88. that should it not be an option for the "Municipality" to enter into an agreement with the "Developer" due to capacity constraints, the "Developer" will have to enter into a service agreement with a service provider approved by the "Municipality" prior to clearance certificate or occupation certificate (where clearance not applicable);
89. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
90. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;
91. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
92. Maximum depth of cul-de-sac shall be 20 meters or 3 erven, whichever is the lesser. Where this requirement is exceeded, it will be necessary to construct a turning circle with a minimum turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Infrastructure Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;
93. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
94. Road foundation shall be designed to carry a single axle load of 8.2 tons;
95. Refuse storage areas are to be provided for all premises other than single residential erven;
96. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;
97. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
98. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 l Municipal wheelie bin;

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

99. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;

100. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;

101. All black 85 l refuse bins or black refuse bags is in the process of being replaced with 240 l black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

Commercial and Domestic : 585 mm wide x 730 mm deep x 1100 mm high

102. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;

103. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224

104. Building specifications for refuse storage area:

Floor

The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).

Walls and Roof

The Refuse Storage Area shall be roofed to prevent any rainwater from entering. The walls shall be constructed of brick, concrete or similar and painted with light color high gloss enamel. The height of the room to the ceiling shall be not less than 2.21 meters.

Ventilation and Lighting

The refuse storage area shall be adequately lit and ventilated. The room shall be provided with a lockable door which shall be fitted with an efficient self-closing devise. The door and ventilated area shall be at least 3 metres from any door or window of a habitable room. Adequate artificial lighting is required in the storage area.

Water Supply and Drainage

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

105. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;
106. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
107. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Infrastructure Services, to ensure their compatibility with the servicing equipment and lifting attachments;
108. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
109. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
110. All refuse storage areas shall be approved by the Directorate: Infrastructure Services, to ensure that the Council is able to service all installations, irrespective of whether these are currently serviced by Council or other companies;

AS-BUILTs

111. The "*Developer*" shall provide the "*Municipality*" with:
 - a. a complete set of as-built paper plans, signed by a professional registered engineer;
 - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the "*Engineer*" and is reflected herewith as Annexure X;
 - c. a completed Asset Verification Sheet in Excell format, reflecting the componentization of municipal services installed as part of the development. The Asset Verification Sheet

Portions 52, 53, 54 and 71 of Farm 510: Development of 55 townhouses and 24 flat units will have to be according to the IMQS format, as to be supplied by the "Engineer", and is to be verified as correct by a professional registered engineer;

- d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;
 - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "Municipality" are fully paid;
112. All relevant as-built detail, as reflected in the item above, of civil engineering services constructed for the development, must be submitted to the "Engineer" and approved by the "Engineer" before any application for Certificate of Clearance will be supported by the "Engineer";
113. The Consulting Civil Engineer of the "Developer" shall certify that the location and position of the installed services are in accordance with the plans submitted for each of the services detailed below;
114. All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;
115. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law shall not be issued unless said services have been inspected by the "Engineer" and written clearance given, by the "Engineer";

Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law

116. It is specifically agreed that the "Developer" undertakes to comply with all conditions of approval as laid down by the "Municipality" before clearance certificates shall be issued, unless otherwise agreed herein;
117. that the "Municipality" reserves the right to withhold any clearance certificate until such time as the "Developer" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "Municipality" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	Civil UV 413 (UV/2792)
Date	Wednesday, 03/Jul/2020 2020-21
Financial Year	Stellenbosch Town
Erf Location	Farm 530, Portions 52,53,54 and 71
Erf No	
Erf Size (m ²)	
Suburb	Jenietown
Applicant	
Approved Building Plan No.	Proposed subdivision plan No 4 rev 1, dated 14/08/2018 by TV3

SUMMARY OF DC CALCULATION

Unit(s)	Water k/day	Sewer k/day	Storm-water ha°C	Solid-Waste t/week	Roads tri/day	Community Facilities person	Total
Total Increased Services Usage	43.800	37.100	0.985	3.160	244.75	244.8	
Total Development Charges before Deductions	R 1 155 274,05	R 938 523,87	R 97 875,06	R 163 128,96	R 1 866 870,89	R 1 030 055,11	R 4 940 424,94
Total Deductions							
Total Payable (excluding VAT)	R 1 155 274,05	R 938 523,87	R 97 875,06	R 163 125,96	R 1 555 570,89	R 1 030 055,11	R 4 940 424,94
VAT	R 173 261,41	R 140 778,58	R 14 661,26	R 24 468,89	R 233 335,63	R 154 508,27	R 741 063,74
Total Payable (including VAT)	R 1 328 535,46	R 1 079 302,45	R 112 536,32	R 187 594,85	R 1 788 906,52	R 1 184 563,38	R 5 681 489,68

APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

Stellenbosch Town		Land Use Category		Unit Type		Existing Usage		Proposed New Usage		Increased Usage		Development Charge Invoiced (incl VAT)				Total				
Infrastructure Type applicable? (yes/no)		area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
Residential		du	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	yes	yes	yes	yes	yes	yes	yes
Single Residential >100m ²	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Single Residential <50m ²	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Single Residential >250m ²	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Single Residential <250m ²	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Less Formal Residential >250m ²	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Less Formal Residential <250m ²	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Group Residential >250m ²	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Group Residential <250m ²	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Medium Density Residential >250m ²	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Medium Density Residential <250m ²	du	13 426	41	0	13 426	55	0	13 426	55	0	13 426	55	0	R	R	R	R	R	R	R
High Density Residential - flats	du	1 676	24	0	1 676	24	0	1 676	24	0	1 676	24	0	R	R	R	R	R	R	R
High Density Residential - student town	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Commercial		du	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	yes	yes	yes	yes	yes	yes	yes
Local Business - office	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Local Business - retail	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
General Business - office	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
General Business - retail	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Community	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Education	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Light Industrial	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
General Industrial - light	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
General Industrial - heavy	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Neofuse Industrial - heavy	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Recreation	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Public Open Space	m ²	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Private Open Space	m ²	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Public Open Space	m ²	6 125	100%	0%	6 125	100%	0%	6 125	100%	0%	6 125	100%	0%	R	R	R	R	R	R	R
Public Open Space	m ²	23 336	23 336	0%	23 336	23 336	0%	23 336	23 336	0%	23 336	23 336	0%	R	R	R	R	R	R	R
Utility Services	m ² GLA	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Public Roads and Parking	m ²	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Transport Facility	m ²	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Limited Use	m ²	0%	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%	R	R	R	R	R	R	R
Special		du	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	yes	yes	yes	yes	yes	yes	yes
To be established based on equivalent demands	du	0	0	0	0	0	0	0	0	0	0	0	0	R	R	R	R	R	R	R
Total		du	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	area (m ²)	du/ha	% GLA	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
Total Development Charges before Deductions					23 336			23 336			23 336			R 1 155 274.05	R 938 523.87	R 97 875.06	R 163 125.96	R 1 555 570.89	1 030 055.11	R 4 540 424.94
% Deductions per service (%)														0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	R 0.00
% Deductions per service (amount)														R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Total Deduction per service - from Service Agreement (sum)														R 1 155 274.05	R 938 523.87	R 97 875.06	R 163 125.96	R 1 555 570.89	1 030 055.11	R 4 540 424.94
Sub Total after Deductions (excluding VAT)														R 179 291.11	R 140 776.58	R 14 663.23	R 24 488.89	R 233 333.83	154 908.27	R 741 063.74
VAT														R 328 565.16	R 1 079 302.65	R 112 556.32	R 187 594.43	R 1 783 906.32	1 100 563.58	R 5 681 488.58

* Complete yellow/white cells.
 ** du = dwelling unit, GLA=total habitable area.
 Total Development Charges before Deductions
 % Deductions per service (%)
 % Deductions per service (amount)
 Total Deduction per service - from Service Agreement (sum)
 Sub Total after Deductions (excluding VAT)
 VAT
 Total

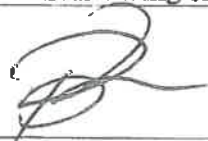
ELECTRICITY SERVICES: CONDITIONS OF APPROVAL
ERF 510/52 James town

GENERAL COMMENTS

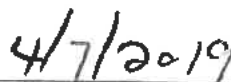
1. Please note that the Stellenbosch Municipality Electrical Department is the supply authority for the new development
2. Development Bulk Levy Contributions are payable

CONDITIONS

1. The electrical consulting engineer responsible for the development shall schedule an appointment with Manager Electricity Services (Engineering Services) before commencing with the construction of the development. As well as to discuss new power requirements if required.
2. The development's specifications must be submitted to Stellenbosch Municipality (Engineering Services) for approval. i.e.
 - a) The design of the electrical distribution system
 - b) The location of substations(s) and related equipment.
3. A separate distribution board/s shall be provided for municipal switchgear and metering. (Shall be accessible & lockable). Pre-paid metering systems shall be installed in domestic dwellings.
4. 24-hour access to the location of the substation, metering panel and main distribution board is required by Technical Services. (On street boundary)
5. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity, should damage occur, the applicant will be liable for the cost involved for repairing damages.
6. On completion of the development, Stellenbosch Municipality (Technical Services) together with the electrical consulting engineer and electrical contractor will conduct a take-over inspection.
7. No electricity supply will be switched on (energised) if the Development contributions, take-over inspection and Certificate(s) of Compliance are outstanding.
8. All new developments and upgrades of supplies to existing projects are subject to SANS 10400-XA energy savings and efficiency implementations such as:
 - Solar water Heating or Heat Pumps in Dwellings
 - Energy efficient lighting systems
 - Roof insulation with right R-value calculations.
 - In large building developments;
 - Control Air condition equipment tied to alternative efficiency systems
 - Preheat at least 50% of hot water with alternative energy saving sources
 - All hot water pipes to be clad with insulation with R-value of 1
 - Provide a professional engineer's certificate to proof that energy saving measures is not feasible.
9. All electrical wiring should be accordance with SANS 10142 and Municipal by-laws.



Signature



Date

ANNEXURE 6

Comments from the Spatial Planning, Heritage and Environmental department,
with comments from the applicant.



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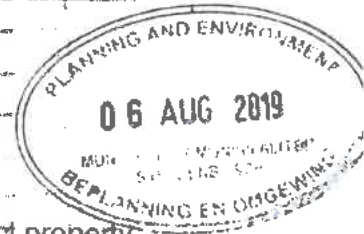
Spatial Planning, Heritage and Environment

To : Manager: Land Use Management (N Katts)
From : Manager: Spatial Planning
Date : 5 August 2019
Re : Application for consolidation, rezoning, subdivision, departure, HOA and SDP for Fam 510/52, Jamestown.

I refer to your request for comment on the above application.

1) Opinion / reasoning:

F 510/52 ST



In terms of the approved MSDF for Stellenbosch Municipality, the subject property is located within the approved urban edge of Jamestown node. However, in terms of the approved Heritage Inventory the subject properties were identified as a Special Area with heritage significance in Jamestown.

Although infill development and densification is encouraged in terms of the MSDF, the subject properties are identified as historical erven and the main aim is to enhance and manage the proposed Special Area for Jamestown. The appropriate use and renewal of heritage features is critical for their preservation. Any development that will result in the loss of the remaining agricultural plots will completely undermine the heritage value of this townscape unit.

Over-scaled private dwellings, change in land use to non-residential uses, construction on the farming, gardening allotments, cluttered properties, gated residential estates, high and solid boundary treatments were all identified deviated land uses that will likely erode the townscape character.

The layout of Jamestown is orientated towards the Blaauwklippen River that edges the allotment-style "water erf" properties. The remaining place-making elements present in the village of Jamestown are the long, narrow agricultural plots which provide visual containment and an agricultural context to the village as a whole. Rezoning of the agricultural strip and over-scaled new development should not be allowed.

The consolidation or subdivision of land units will impact the "grain" of the neighbourhood. Densification should only be contemplated where it respects the historical patterns of subdivision. No new development should be permitted on these productive land units, especially in the form of permanent built structures that are unrelated to the agricultural use.

In terms of the approved Heritage inventory, gentrification should be prevented from threatening the distinctiveness of this unique settlement within the Stellenbosch winelands.

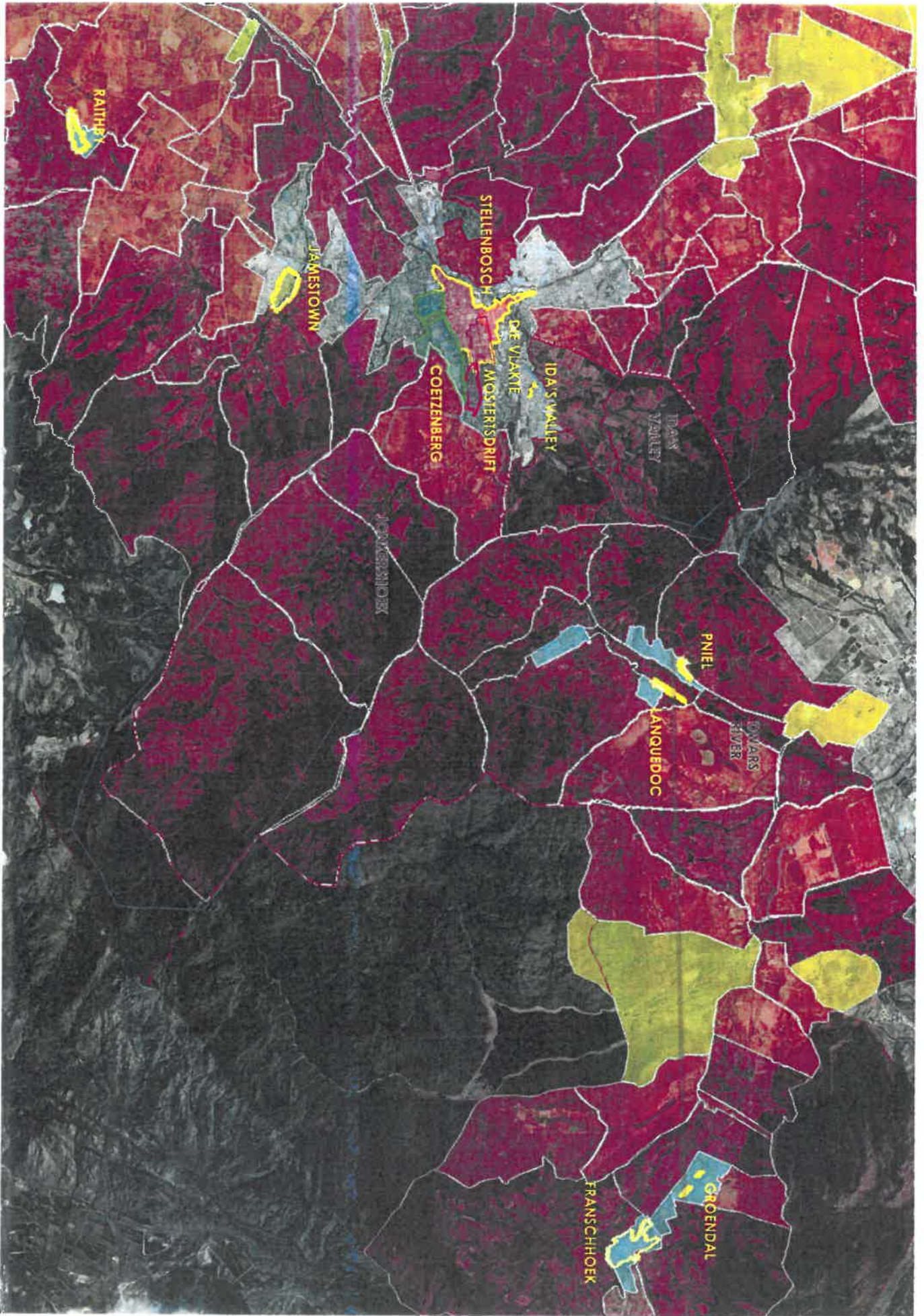
2) Supported / not supported:

This department therefore does not support the application for the reasons mentioned above.

(Please also refer to extract of the approved Heritage Inventory attached to this memo)

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MANAGER: SPATIAL PLANNING



TOWNSCAPE CHARACTER UNITS

Parts of the town of Stellenbosch have been the subject of two recent, stand-alone heritage surveys. Both have been approved by Heritage Western Cape. These are for the historic core of the town and for the core of the Stellenbosch University campus. Therefore, these areas were excluded from the heritage inventory undertaken as part of this project insofar as the evaluation and heritage grading of individual properties is concerned.

However, the concepts and methods devised and adopted for this wider inventory of heritage resources have relied on the identification, inventory and grading of areas as well as of individual sites. Fundamental to the method has been the determination of a 'cascade' in scale from the larger valleys and areas to nested smaller ones: the latter termed 'landscape character units'. Clearly, these concepts and methods are not only relevant in wilderness and rural domains; they also apply to the towns and other urban nuclei within the municipality. Thus, we also identify 'urban, or townscape character units' of cultural significance.

The landscape units were identified and evaluated according to four main categories, namely 'natural elements' (such as landform and geology), 'cultural elements' (such as forestry and settlement), 'perceptual elements' (such as view sheds and scenic routes) and 'defining elements'. It is this latter group that dominate in the evaluation of townscape character units.

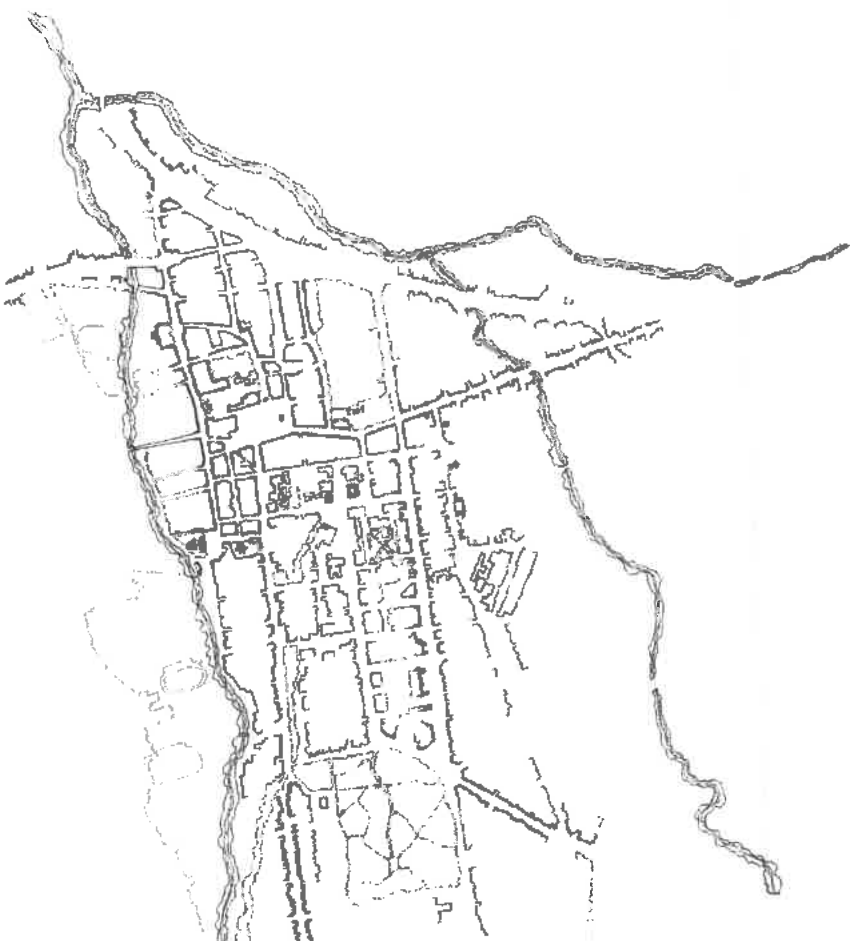
Elements such as structure, pattern, grain (height, mass, size), edge, network, landmarks / view points and nodes are key to the

understanding and day-to-day navigation of any townscape. It is the interplay of these that give particular areas, precincts and neighbourhoods their specific character and identity. Often, these elements combine in public places, spaces and areas within a neighbourhood, and are of higher cultural significance than the specific structures and sites that constitute the 'parts' within the 'whole'. Heritage practice has, for some years, recognised that it is the contribution of these 'parts' to the patterns and character of the 'whole' that is of primary heritage significance.

Therefore, an evaluation and the identification of the urban or townscape character units of cultural significance, and worthy of protection, was seen to be critical to the heritage survey and inventory as a whole.

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Townscape Character Defining Process



METHOD OF PROTECTION

The method of protection most commonly used for townscape character areas in the South African context is the 'Heritage Area' - a geographical space where a specific character is recognised as being of cultural significance and is protected. Furthermore, guidelines are often produced to inform residents and others of the degree of change that could be contemplated within these spaces, and which 'patterns' should be respected and strengthened over time.

While the National Heritage Resources Act (Act 25 of 1999) has within it the means of identifying and protecting Heritage Areas (Section 31), at the local level they can also be identified in the relevant Zoning Schemes as Heritage Protection Overlay Zones (HPOZ). Historically, these spaces are primarily administered at the local authority sphere of government. This 'doubled up' nature of protection means that a Grade I National Heritage Site, such as Ida's Valley, could also be identified as a HPOZ in the Stellenbosch Zoning Scheme.

As the Commission for Architecture and the Built Environment (CABE: a UK-based organisation that advised on architecture, urban design and public spaces) identifies, historic areas have always undergone changes, and the expectation should be that they will continue to change and evolve, to accommodate new uses and meet new priorities. Change should not be taken as automatically undermining the integrity of an historic place. Instead, the special and valued characteristics of an historic place should influence the way it is managed. The type of special historic character the area possesses, be it visual, functional, or social, should be evaluated and identified. Any new

development can then be assessed in terms of its contribution, or otherwise, to the particular character of the neighbourhood.¹

EXISTING TOWNSCAPES WITH RECOGNISED HERITAGE SIGNIFICANCE WITHIN THE MUNICIPALITY

Aside from the historic core of Stellenbosch and the historic core of Stellenbosch University, the Municipal area has several recognised HPOZ / Heritage Areas already protected in law.

Chief among these is the Franschoek Heritage Area, which stems from Toderchini and Joffa's 1988 Conservation Study and Survey of the town. In addition to this space, a 2011 proposal saw the establishment of HPOZ areas in the Jonkershoek, Ida's Valley and Dwars River precincts. 'Special Areas' were identified at Raithby and Jamestown.²

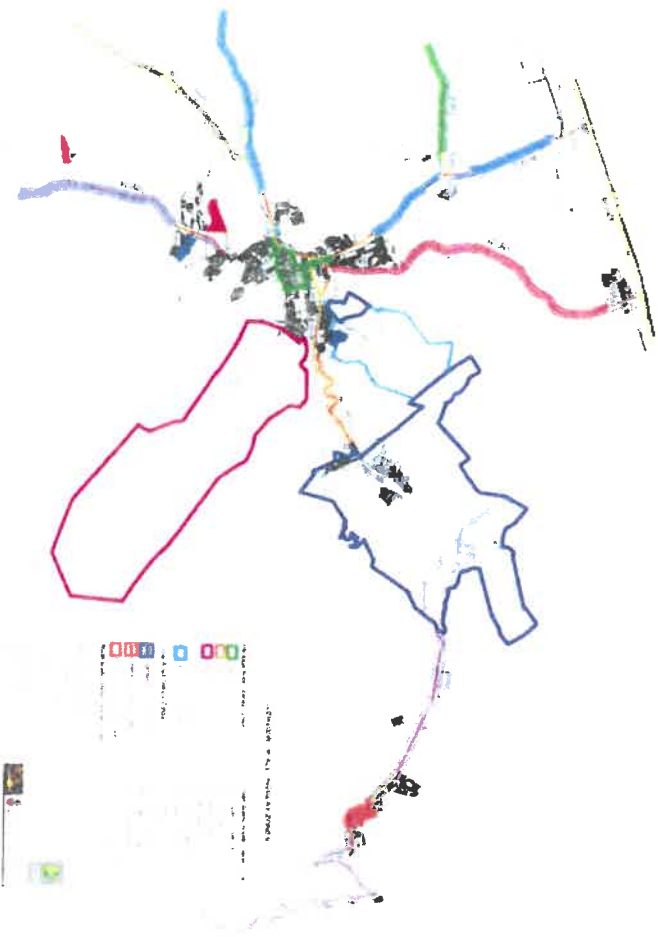
We have duly mapped these identified (although proposed) heritage areas and evaluated them in the field. They have all been incorporated into the proposed new townscape character units, albeit with some modifications and sometimes with slightly more inclusive boundaries. In no instance was an HPOZ or Special Area found to have insufficient heritage significance to warrant its exclusion from a proposed townscape character unit.

¹ <http://www.architecturalandplanning.com>
<http://www.architecturalandplanning.com>

² See the New Stellenbosch Zoning Scheme, Appendix B, for the Zoning Scheme, Table 1, Draft for Public Participation.

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**Townscape Character
Defining Process**



Stellenbosch, Existing HPOZ Areas. (source: New Stellenbosch Zoning Scheme: Appendix to the Zoning Scheme: Overlay Zones, Draft for Public Participation, prepared by @Planning, 30th May 2012.

JAMESTOWN

Identifying the Key Urban Elements and Primary Townscape Character Unit

Jamestown would once have strongly resembled on the archetypal Cape Mission Settlement: a primary street running parallel to a river course; a church occupying a prominent position; cottages lining the road; long, narrow farming allotments running between each cottage and the river course; and an agricultural and wilderness backdrop to the whole.

c1938 aerial photography attests to the strong pattern that would once have existed, with the narrow allotments also extending from the cottages up the hillside, to the south. In essence, Webersvallei Road would have formed the central spine to the settlement, with the church located at the top of the hill.

Unfortunately in Jamestown, gentrification has meant that only the long farming allotments are still clearly legible in the townscape. The area south of Webersvallei Road has been entirely developed, with a mid 20th century suburban pattern of street compromising any village character that remains. The interface with the R44 has also been developed in an insensitive manner, with "strip mall" and car outlets creating a buffer between the main road and the historic village. More worryingly, development has begun to encroach to the north of Webersvallei road, threatening the narrow farming allotments that run down towards the Blaauwklippen River – these being the last townscape element/settlement pattern that visually and symbolically connects Jamestown to the other 19th and early 20th century Mission Settlements at the Cape.

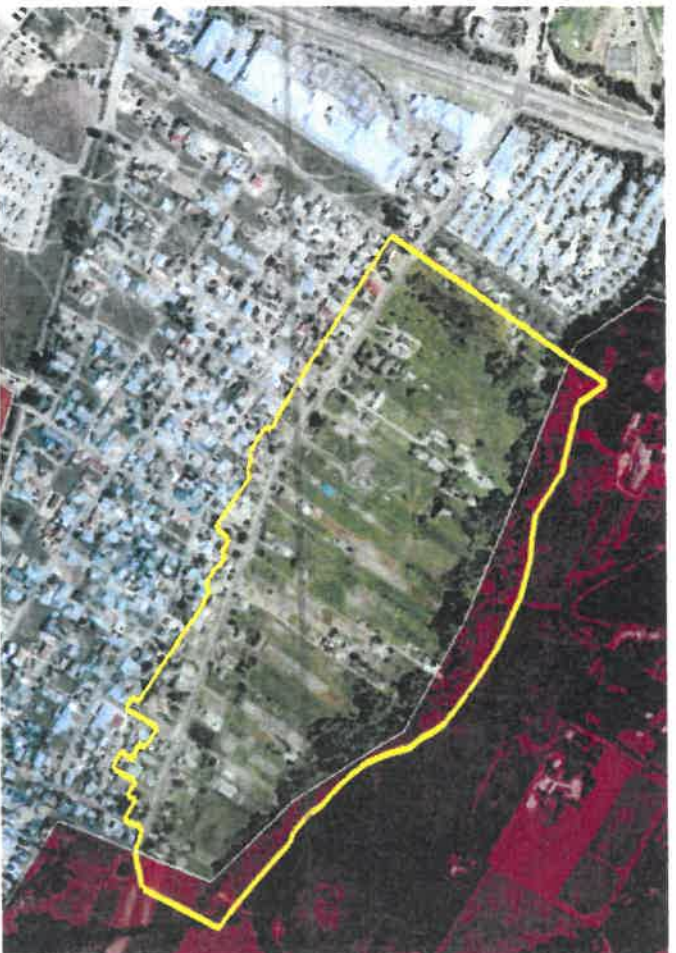
Special Streets, Places and Buildings within the Townscape Character Unit

The farming allotments are seen to be the most significant element within Jamestown, spatially and symbolically connecting it to the grouping of Mission Settlements, which are of significance in the history of the Cape and the Province.

Additionally, Webersvallei Road and the first row of plots facing northwards onto it is included in the townscape character area: it is here that the key community and institutional sites are located (the churches and the general store), but it is also where the historic scale of the cottages, and their relationship to the agricultural allotments, can still be discerned.

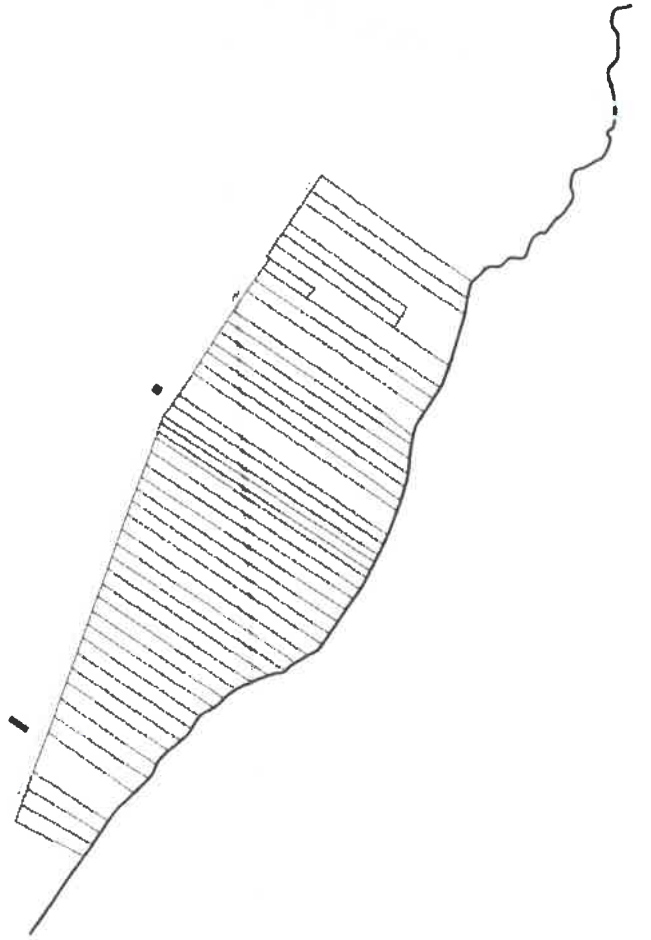
These elements are collectively seen to embody the core remaining townscape character of Jamestown, and should duly be protected, and development controlled to ensure this historic pattern is retained and strengthened.

It must be noted that, during the course of this survey, many sites in Jamestown have been significantly altered. Most notably, the old General Store has been demolished. The heritage of this area is palpably under threat.

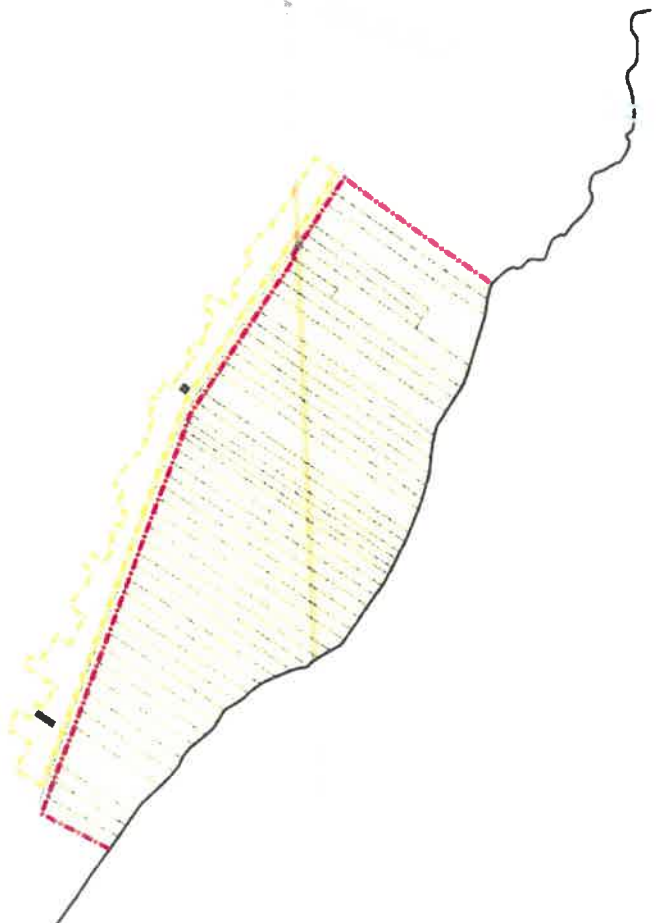





Jamestown, Aerial Photography c1938.

Jamestown: Civic Structure



Jamestown: Special Streets, Places & Buildings



-  Water Even
-  Street and Buildings Fronting Webersvallen Rd
-  Core Townscape Character Area

JAMESTOWN TOWNSCAPE UNIT

Jamestown would once have strongly resembled an the archetypal Cape Mission Settlement: a primary street running parallel to a river course; a church occupying a prominent position; cottages lining the road; long, narrow farming allotments running between each cottage and the river course; and an agricultural and wilderness backdrop to the whole.

Unfortunately in Jamestown, gentrification has meant that only the long farming allotments are still clearly legible in the townscape. The area south of Webersvallei Road has been entirely developed, with a mid 20th century suburban pattern of streets comprising any village character that remains. The interface with the R44 has also been developed in an insensitive manner, with a "strip mall" and car outlets creating a buffer between the R44 and the historic village. More worryingly, development has begun to encroach to the north of Webersvallei Road, threatening the narrow farming allotments that run down towards the Blaauwklippen River – these being the last townscape element/settlement pattern that visually and symbolically connects Jamestown to the other 19th and early 20th century Mission Settlements of the Cape.

The farming allotments are seen to be the most significant element within Jamestown, spatially and symbolically connecting it to the grouping of Mission Settlements, which are of significance in the history of the Cape and the Province. Webersvallei Road and the first row of plots facing it is included in the townscape character area: it is here that the key community and historical sites are located (the church – sadly the general store was demolished during the course of this fieldwork), and where the historic scale of the cottages, and their relationship to the agricultural allotments, can still be discerned.

MAIN AIM: ENHANCE (MANAGE) - The main aim of the proposed Special Area for Jamestown is not to protect each and every structure (aside from those that have been identified as having intrinsic heritage significance) but rather to preserve those character-giving elements that extend beyond each individual property, and are common to the village as a whole. Special characteristic elements and features include the allotment gardens, the church, and the modest scale of the historic dwellings along Webersvallei Road.

MAIN VALUE: HISTORICAL - The appropriate use and renewal of heritage features is critical for their preservation. Any development that will result in the loss of the remaining agricultural plots or remnant historic buildings, will completely undermine the heritage value of this townscape unit.

DEVIATED LAND USE/USES THAT WILL LIKELY ERODE TOWNSCAPE CHARACTER: Over-scaled private dwellings (including multi-storey residential structures), change in land use to non-residential uses, construction on the farming/gardening allotments, cluttered properties, gated residential estates, high and solid boundary treatments, large parking lots, isolated shopping centres or petrol stations.

A ECOLOGICAL

Significance: The layout of Jamestown is orientated towards the Blaauwklippen River, that edges the allotment-style "water erf" properties.

COMPONENTS: Stream course.

Development Criteria:

- Maintain ecological support areas (here associated with Blaauwklippen River).

B AESTHETIC

Significance: The remaining place-making elements present in the village are the long, narrow agricultural plots, the church and the scale of the historic houses facing Webersvallei Road. Importantly, it includes the visually clear to the mountains beyond the church and the cultivated slope leading down to the river, which provide visual containment and an agricultural context to the village as a whole.

COMPONENTS: Social Foci, Grain

(Consolidation, Subdivision, Density and Coverage), Streets, Planting Patterns, Stream Course, Interface between Streets and

Buildings: Boundary Treatments, Parking, Setbacks, Heights, Materials, Colour and Architectural Detail, Security and Modern Fixes, Street Elements.

Public Spaces and Social Foci:

- The character of the Rhenish Mission Church and its siting within an open area at the top of Webersvallei Road must be respected. Negative impacts on its visual-spatial relationship (including to the broader setting) must be avoided.

- The agricultural allotments and church structure, as well as the pattern of the historic cottages (established by street and building interface, building setback, scale and form) have heightened heritage significance as the remnant elements of the historic settlement. Rezoning of the agricultural strip, and over-scaled

new development between historic cottages should not be allowed.

Grain (Consolidation, Subdivision, Density and Coverage):

- The pattern of subdivision of narrow strips of agricultural land are associated with village houses, and are part of an increasingly rare typology still evident in Jamestown. The consolidation or subdivision of land units will impact the "grain" of the neighbourhood. Therefore, the potential impact on the character of the neighbourhood must be carefully considered before consolidation or subdivision is approved.
- Densification should only be contemplated where it respects the historical patterns of subdivision. The prevailing pattern of subdivision consists of a rhythm of long, thin, rectangular plots with their shorter sides facing the street edge (residential lots) and the stream course (agricultural lots).

Streets and Infrastructure:

- While the streets in Jamestown have been "engineered", they remain fairly simple, and adhere to a rectilinear grid. This should be retained and reinforced: the use of traffic circles, signalled interchanges and so on is inappropriate in this environment.
- The scale of roads (especially those that align with historic routes) should be the minimum possible. Inensitive, over-engineered, hard elements can compromise the character of a townscape as a whole.
- Prevent over-engineered and insensitive infrastructure upgrades within historical settlements.
- Existing footpaths and routes for walking, hiking, running and cycling should be reinforced and extended where possible.



Planting Patterns:

- The narrow strips of agricultural land associated with the original village type of settlement are increasingly rare. No new development should be permitted on these productive land units, especially in the form of permanent built structures that are unrelated to the agricultural use.
- The felling of mature exotic or indigenous trees within residential areas should be avoided. Instead continuous tree canopies and longer-term replacement planting with suitable species should be encouraged. While "gardens" are not a characteristic feature of the historic cottages in Jamestown, most historic buildings are surrounded by mature trees.
- Many of the strongest planting patterns that contribute to the historic character of landscape and townscape are within road reserves and on public land. A maintenance and (re)planting plan should be developed. Trees must be regularly maintained.

Stream Course:

- The role of water as a structuring system within the settlement must be respected. The Blaauwkippen River is a significant element in the historic agricultural and gardening activities. Water often serves as a place-making and social element within the settlement fabric, and this role should be preserved and strengthened where possible.

Interface between Streets and Buildings:

- The interface between streets and buildings is a key character-giving component of the Special Area, abutting Webersvlei Road. Pattern of interface should be followed/interpreted in new infill buildings, and reinforced when re-developing existing properties.
- Where historical fabric and elements make up a street interface, they must be conserved.
- Ensure that new buildings within the

Special Area are generally in sympathy with the scale, massing, layout and idiom of the surrounding buildings.

- **Boundary Treatments:** While a range of boundary treatments are evident within Jamestown (some houses have no boundary enclosure), high and solid walls that obscure views to buildings should not be permitted, as well as pre-cast concrete fencing, exposed blockwork, and facebrick walling. Historic boundary elements must be preserved as far as possible.
- **Parking:** Off-street parking should not be located in front of historical structures, but should rather be located alongside or behind the structure. Parking areas and structures should preferably be screened with planting. The Municipality should not unreasonably withhold relief for on-site parking departures where existing requirements will likely result in a degradation of the character of the Special Area.
- **Setbacks:** While there is no prevailing setback of buildings from street edge within Jamestown, the historic cottages typically abut the street edge quite directly, with only a small setback. New buildings should be set back the same distance as the existing historical buildings to either side (and within the streetscape as a whole), and the Municipality should not unreasonably withhold relief for setback departures, or may impose measures more restrictive than those that may typically apply within the applicable zoning category, where existing requirements will likely result in a degradation of the pattern and character of the Special Area. An extension to the side of an historic building should be

set back slightly from the original facade.

- **Height:** Buildings within Jamestown are seldom higher than one storey. New buildings should look to adhere to the same heights as the existing historical buildings to either side (and within the streetscape as a whole). Greater height may be acceptable towards the rear of the site, when not visible from the street edge. The Municipality should not unreasonably withhold relief for height departures, or may impose measures more restrictive than those that may typically apply within the applicable zoning category, where existing requirements will likely result in a degradation of the pattern and character of the Special Area.
- **Materials, Colour and Architectural Detail:** Building materials should be compatible with traditional materials in terms of scale, colour and texture. Historical architectural features should be repaired rather than replaced wherever possible, and alterations that seek to copy an earlier style should be avoided. Rather, the underpinning principle should be that new additions and new buildings must be sympathetic to the architectural character of the Special Area, but should also be of their own time.
- **Security and Modern Fixes:** The use of unobtrusive security systems on historic buildings is encouraged: beams and shutters are preferable to burglar bars, trellisdoors and security gates. If gates and bars are unavoidable, they should be painted the same colour as the element they enclose. Satellite dishes, air conditioning condensers, roof windows and

solar panels should preferably be installed where they are not visible from the street. Solar panels should be mounted flush with the roof, rather than having their own framing element. Where electric fencing is unavoidable, a recessive colour for the fittings must be selected. Barbed wire, spikes (except where part of the fencing) and similar should not be permitted along the street frontage within the Special Area.

- **Street Elements:** Street lighting and street furniture (benches, bins, bollards and so on) should be understated, modern (they should not be pseudo-historical) and neutral in colour and form. Street kerbs, raised zebra-crossings, speed bumps, street signs and so on should be the minimum possible to meet safety requirements, and should again be neutral.

C HISTORIC/ARCHITECTURAL

Significance: The churches and several cottages have heritage significance.

Development opportunities in Jamestown fall into 4 categories: (1) Opportunities for conservation of historic buildings and elements of heritage significance; (2) Opportunities for alterations and additions to historical buildings and elements of heritage significance; (3) Opportunities for new structures within environments of historical significance; and (4) Opportunities to redevelop intrusive buildings, elements and sites in order to better reflect the character-giving elements of Jamestown.

Development Criteria:

Opportunities for conservation of historic buildings and elements of heritage significance:

- Work on historic buildings and elements of historic significance should only

be undertaken by professionals and builders/tradesmen who are sufficiently trained and experienced. Heritage expertise should be sought: it is in the interest of the property owners to have their plans prepared by advisors who have recognised experience and standing in their field of heritage conservation.

- Where the historic function or use of a building is still intact, the function has heritage value and should be protected. Where a new use is sought, every effort should be made to find a use that is compatible with the heritage significance of the element/site, and will require the minimum extent of alteration to historic fabric.

- Distinguishing original features, examples of craftsmanship and so on should not be falsified, destroyed or removed. These elements should be repaired rather than replaced as far as is possible.
- Where repair necessitates replacement, the replacement should be the minimum necessary, and the new material should match that being replaced in composition, design, colour, texture and other visual qualities, but its newness should be apparent on close inspection (its age should not be faked). Traditional materials should be used in repair work.

Opportunities for alterations and additions to historical buildings and elements of heritage significance:

- The basic plan of the historic core of the building should always be retained. Where internal walls are removed, the extent of removal should be the minimum necessary and ribs should be retained to reflect the historic layout of spaces.

- Any intervention should be the minimum necessary to meet the new requirements, reversible when possible, and designed not to prejudice future interventions and/or restoration. For instance, if the addition or alteration

were to be removed in the future, the essential form and integrity of the historic structure would remain intact.

- Alterations and additions to conservation-worthy structures and elements should be sympathetic to their architectural character and period detailing. Distinguish old from new but ensure visual harmony between historical fabric and new interventions in terms of appropriate scale, massing, form and architectural treatment, without directly copying these details.

Opportunities for new structures within environments of historical significance:

- New structures should respect and respond to traditional settlement patterns and siting by considering the entire Special Area as the component of significance. This includes its spatial structure, layout, scale, massing, hierarchy, alignments, access, and landscaping setting. Any development that departs from the inherent character of the Special Area should be discouraged.
- Designers of new structures must have an understanding of the context, traditional patterns of place-making and historical elements that are characteristic of the Special Area. New elements must respond to and interpret these character-giving aspects of the neighbourhood.
- Contemporary designs for infill buildings should not be discouraged, provided they do not destroy significant fabric and are compatible with the size, scale, material, layout and architectural character of the property and Special Area.

Opportunities to redevelop intrusive buildings, elements and sites in order to better reflect the character-giving elements of Jamestown:

- Wherever possible, existing buildings that are intrusive because their scale, style, materials or siting departs from the strong character-giving patterns of the Special Area should

be redeveloped in order to minimize their disruptive effect. This can be done gradually as part of general maintenance – for instance repainting in more sympathetic colours, or replacing mid-20th Century roof tiles with corrugated sheeting or “tiner” roof tiles.

- Encourage mitigation measures (for instance use of vegetation) to “embed” existing intrusive elements and structures within the townscape. This includes the modern houses that have been developed within the agricultural “zone”, to the north of Webersvlei Road.

D SOCIAL

Significance: Established community, with deep roots within the village.

Development Criteria:

- Encourage and support the establishment of local heritage conservation bodies, particularly within Special Areas, as is envisioned in the National Heritage Resources Act. Such bodies can assist with heritage resource identification, assessment and decision-making.
- Proposed development should recognise the relationship of communities to their land and communal facilities. Any development proposal should show a clear understanding of the ‘intangible’ features and values of these sites.

E ECONOMIC

Significance: Jamestown comprises a desirable residential area within close proximity to the Historic Core of Stellenbosch.

Development Criteria:

- Prevent gentrification from threatening the distinctiveness of this unique settlement within the Stellenbosch wineyards.



Remaining allotments



Encroaching suburban development.

2 The study is limited to the completion of a range. The heritage inventory. A formally commissioned intangible heritage study is encouraged, and thereafter we only have limited capacity to operate within the principle and merely point to these occasions encountered whilst out in the field and during public engagements. Please refer to the online map for a reference to these sites.



ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSRUPLANNERS

Our Reference: 3527-P
Application No: LU/8567

97 DORP STREET
FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
STELLENBOSCH 7600
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2 December 2019

Director: Planning and Economic Development
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

Attention: **Ms. Nicole Katts**

Madam

APPLICATION FOR CONSOLIDATION, REZONING, SUBDIVISION, DEPARTURE, ESTABLISHMENT OF A HOME OWNERS' ASSOCIATION, APPROVAL OF THE DEVELOPMENT NAME, APPROVAL OF A SITE DEVELOPMENT PLAN, ALLOCATION OF THE STREET NAMES, APPROVAL OF THE ARCHITECTURAL AND LANDSCAPING GUIDELINES: PORTIONS 52, 53, 54 & 71 OF THE FARM BLAAUWKLIP NO. 510, JAMESTOWN, DIVISION OF STELLENBOSCH

1. Your e-mail of 18 November 2019 has reference.
2. On 17 September 2018 we submitted the abovementioned land use planning application to the Stellenbosch Municipality.
3. On 6 June 2019 the application was advertised to the public and circulated to all the internal line departments for their comments, and on 18 November 2019 we received the Manager: Spatial Planning, Heritage and Environment's comments (dated 5 August 2019) on the application.

TV3 PROJECTS (PTY) LTD • REGISTRATION NO: 2006/015278/07

DIRECTORS: HJ van Rensburg | E Swanepoel | IG Brink | NLSmer | ER Hounes | MM Waltcis

ASSOCIATES: J Brunninger | WD Fourie | CR Hoys | A Prinsloo | H Hugo

4. According to the Manager: Spatial Planning, Heritage and Environment's comments the abovementioned development proposal is not supported based on the following reasons (with the applicant's response below in red):

- *In terms of the approved MSDF for Stellenbosch Municipality, the subject property is located within the approved urban edge of Jamestown node. However, in terms of the approved Heritage Inventory the subject properties were identified as a Special Area with heritage significance in Jamestown.*

The subject property was incorporated into the Stellenbosch urban edge back in 2010. In August 2019 Council approved the Municipal Spatial Development Framework (MSDF) and re-confirmed the urban edge for Jamestown (that included the subject property), and earmarked the subject property for future urban development on an activity route – see Figure 1 below:

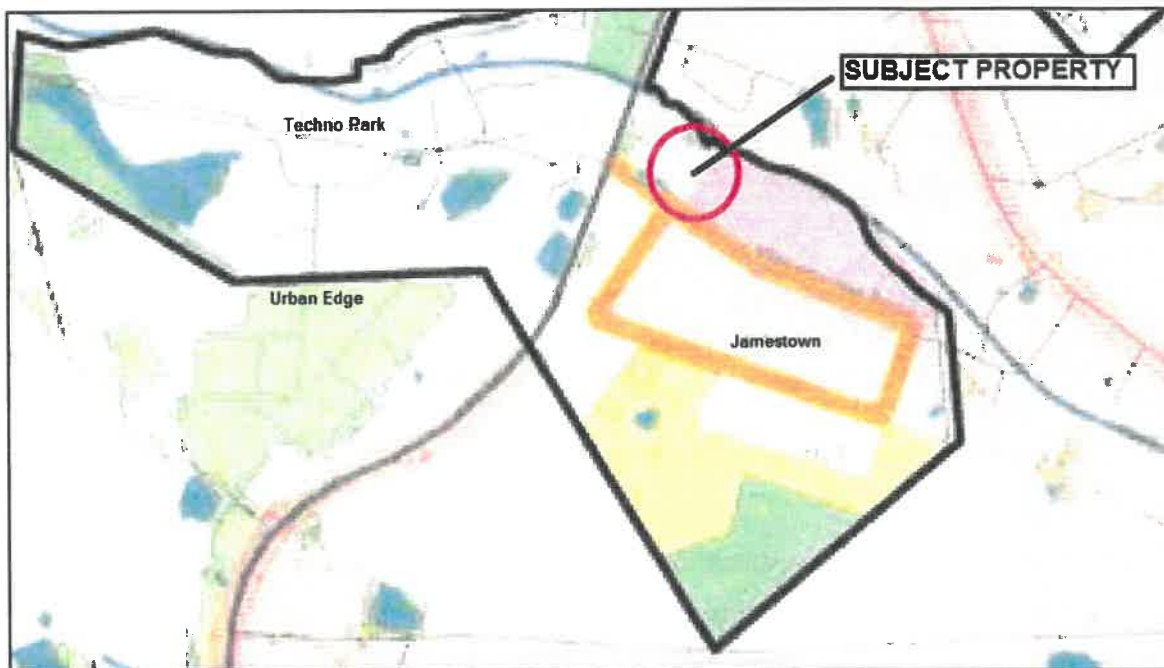


Figure 1: Extract of the Stellenbosch MSDF (2019)

The delineation of the urban edge is a municipal function. Council has approved an urban edge that includes the subject property and the landowner is therefore within his rights to submit a land use planning application to establish development rights (as envisaged and recommended by the MSDF).

As the Municipality states in its MSDF:

"Urban edges are also employed to ensure development in a planned manner for the settlement as a whole. Both the Municipality and private land owners and developers are provided with some certainty as to the preferred focus of development for a planning period."

(Own emphasis)

The comment by the Manager: Spatial Planning, Heritage and Environment understates the significance of the subject property's inclusion within the urban edge and its designation in the MSDF for urban development.

Once approved, the SDF forms part of the IDP, which, in terms of section 35 of the Systems Act, has the following status:

35 Status of integrated development plan

(1) An integrated development plan adopted by the council of a municipality-

(a) is the principal strategic planning instrument which guides and informs all planning and development, and all decisions with regard to planning, management and development, in the municipality;

(b) binds the municipality in the exercise of its executive authority, except to the extent of any inconsistency between a municipality's integrated development plan and national or provincial legislation, in which case such legislation prevails; and

(c) binds all other persons to the extent that those parts of the integrated development plan that impose duties or affect the rights of those persons have been passed as a by-law.

(2) A spatial development framework contained in an integrated development plan prevails over a plan as defined in section 1 of the Physical Planning Act, 1991 (Act 125 of 1991).

The effect of the above provisions have been described as follows by Gildehuys J in *Johannesburg Metropolitan Municipality v Gauteng Development Tribunal and Others (Mont Blanc Projects and Properties (Pty) Ltd and Another as Amici Curiae)* 2008 (4) SA 572 (W):

[33] In terms of the Municipal Systems Act, each municipal council must adopt a single, inclusive and strategic plan for the development of the municipality. This is the so-called integrated development plan. One of the core components of an integrated development plan is a spatial development framework. The spatial development framework incorporates an urban development boundary as one of its components.

[34] An integrated development plan adopted by the council of a municipality *is the principal strategic planning instrument which guides and informs all planning and development within the municipal area. It binds the municipality in the exercise of its executive authority. The municipality's urban development boundary as contained in its spatial development framework*

delineates which areas within the municipality are allocated for urban development. It is a very important town-planning instrument.

(Own emphasis)

The Heritage Inventory report – which focuses primarily on rural areas outside of urban settlements (i.e. not the subject property) – was submitted to and adopted by Heritage Western Cape (the Heritage Inventory was never approved by Council). For this reason, a heritage impact assessment (HIA) was undertaken for the proposed development. The HIA took cognisance of the subject property's historical and cultural context, and the applicable planning and heritage policies. The HIA was submitted to Heritage Western Cape and they approved the proposed development. Find attached hereto a copy of their letter of approval (see *Section A*).

It is therefore safe to say that the proposed development complies with the recommendations of the Heritage Inventory, and that (from a heritage point of view) the proposed development is deemed desirable.

- *Although infill development and densification is encouraged in terms of the MSDF, the subject properties are identified as historical erven and the main aim is to enhance and manage the proposed Special Area for Jamestown. The appropriate use and renewal of heritage features is critical for their preservation. Any development that will result in the loss of the remaining agricultural plots will completely undermine the heritage value of this town space unit.*

With respect, this comment is vague and generic and does not engage with the correct facts. The subject property is not an agricultural land unit with special agricultural or heritage features that is critical for preservation (as confirmed by Heritage Western Cape's approval of the proposed development). It was historically used for high density residential purposes

(i.e. it was the location of the Kreefgat informal settlement) – see Figure 2 below:



Figure 2: Aerial photograph of the Kreefgat informal settlement (2009)

The Kreefgat residents have been relocated (by the landowner and Council) and the landowner has complied with Council's relocation conditions. With the proposed development of the subject property, the informal residential land use will be transformed into a formal residential land use (to the benefit of the surrounding landowners and community). This is in accordance with the property's designation in the MSDF for urban development. We note furthermore that the property is excluded from the areas identified for their cultural heritage significance in the MSDF.

- *Over-scaled private dwellings change in land use to non-residential uses, construction on the farming, gardening allotments, cluttered properties, gated residential estates, high and solid boundary treatments were all identified deviated land uses that will likely erode the township character.*

We reiterate that the proposed development has the approval of Heritage Western Cape, pursuant to a heritage impact study and the fact that the

Municipality has incorporated the property within its urban edge, and designated it for future urban development in the MSDF is clearly irreconcilable with the recommendations in the Heritage Inventory. Having said that, we dispute that the proposed development will "erode the township character" as contended. The proposed development – located on the old Kreefgat informal settlement site – will enhance the township character and be similar in scale and type to the (abutting) La Clemence and Aan de Weber gated residential estates in Jamestown.

- *The layout of Jamestown is oriented towards the Blaauwklippen River that edges the allotment-style "water-erf" properties. The remaining place-making elements present in the village of Jamestown are the long, narrow agricultural plots which provide visual containment and an agricultural context. Rezoning of the agricultural strip and over-scaled new development should not be allowed.*

As explained above, the subject property has historically been used for residential purposes (i.e. the Kreefgat informal settlement) and not for any agricultural purposes. The subject property is furthermore surrounded by (primarily) commercial and residential land uses – similar to the development proposal – see Figure 3 below:



Figure 3: Locality and surrounding land uses

We draw attention again to the significance of the property's incorporation within the urban edge and its designation for future urban development, as motivated above. The rezoning of the property will be consistent with these spatial planning informants.

The abutting Blaauwklippen Farm (to the north) is a popular tourist destination, providing tourist related amenities such as a restaurant, farmers market, wedding venue, wine tasting, etc. It is therefore proposed to link the development with the Blaauwklippen Farm by providing tourist accommodation in the proposed development, for visitors to the farm. This proposal will further support the viability of the historic farm and develop the farm's tourist potential (similar to a Babylonstoren or Boschendal), with associated economic benefits to the local community.

- *The consolidation or subdivision of land units will impact the "grain" of the neighbourhood. Densification should only be contemplated where it respects the historical patterns of subdivision. No new development should*

be permitted on these productive land units, especially in the form of permanent built structures that are unrelated to the agricultural use.

The only reason the subject property is available for urban development, is because the landowner has relocated the Kreefgat informal residents to more formal residential establishments. The subject property was / is not a productive agricultural land unit, and the proposed development (on the old Kreefgat site) will therefore not undermine the agricultural land uses in Jamestown.

- *In terms of the approved Heritage Inventory, gentrification should be prevented from threatening the distinctiveness of this unique settlement within the Stellenbosch winelands.*

The proposed rezoning and its associated development proposal is consistent with the incorporation of the property within the urban edge and designation for urban development in the MSDF. As we have stated, the purpose of the urban edge, as described in the MSDF is to "...ensure development in a planned manner for the settlement as a whole. Both the Municipality and private land owners and developers are provided with some certainty as to the preferred focus of development for a planning period."

Heritage Western Cape (as the custodians of the Heritage Inventory) have approved the proposed development, pursuant to a heritage impact assessment. It must be accepted, based on HWC's findings, that the proposed development will not threaten the distinctiveness of Jamestown.

5. In spite of the Manager: Spatial Planning, Heritage and Environment's objections, the fact remains that the subject property is located within the Jamestown urban edge, is earmarked for future urban development, high density residential developments are promoted by the MSDF, and Heritage Western Cape has approved the proposed development. The proposed

development is therefore deemed to be desirable and we recommend that the approvals be granted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'CRH', with a long horizontal flourish extending to the right.

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

ANNEXURE 7

Site and area photo's





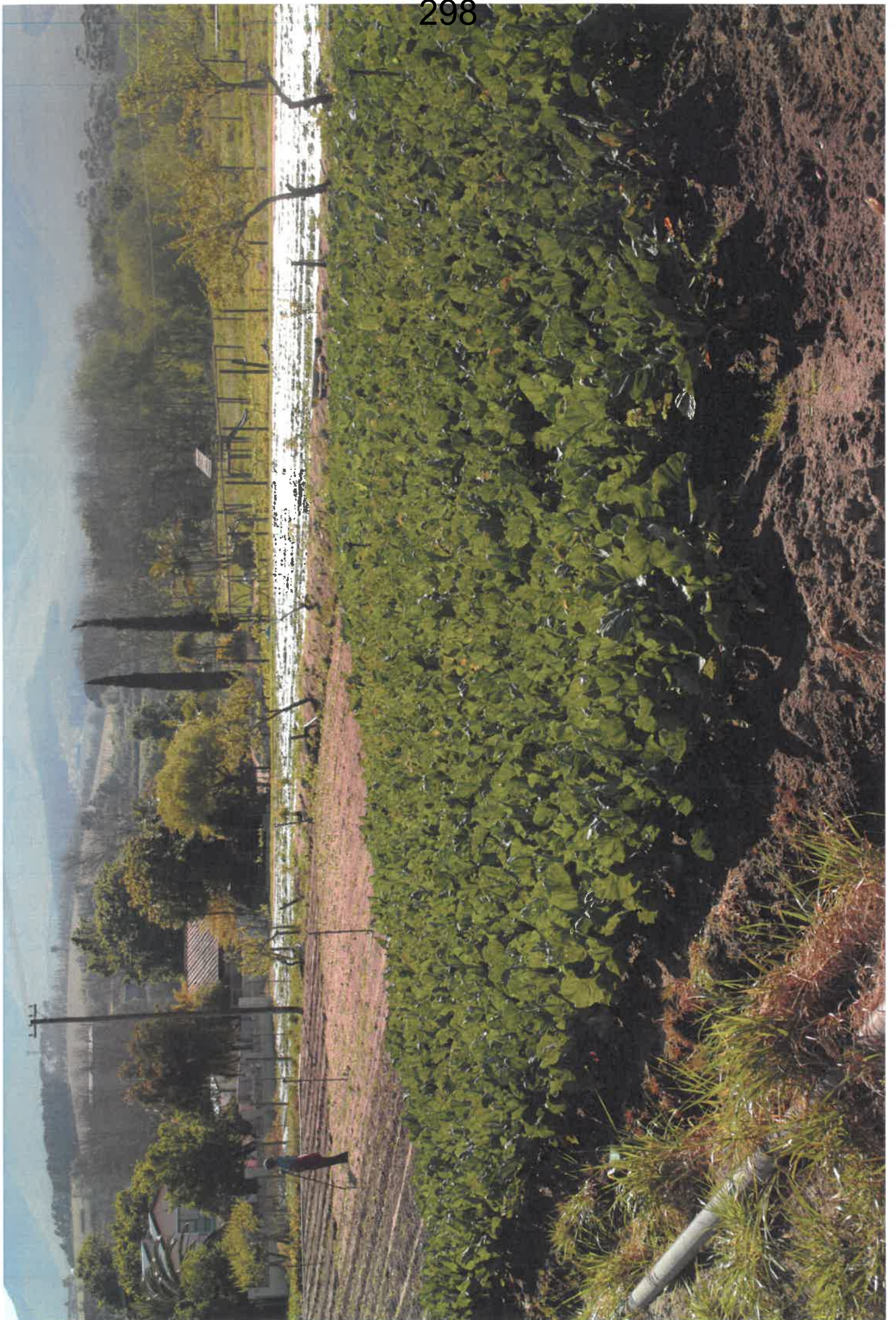








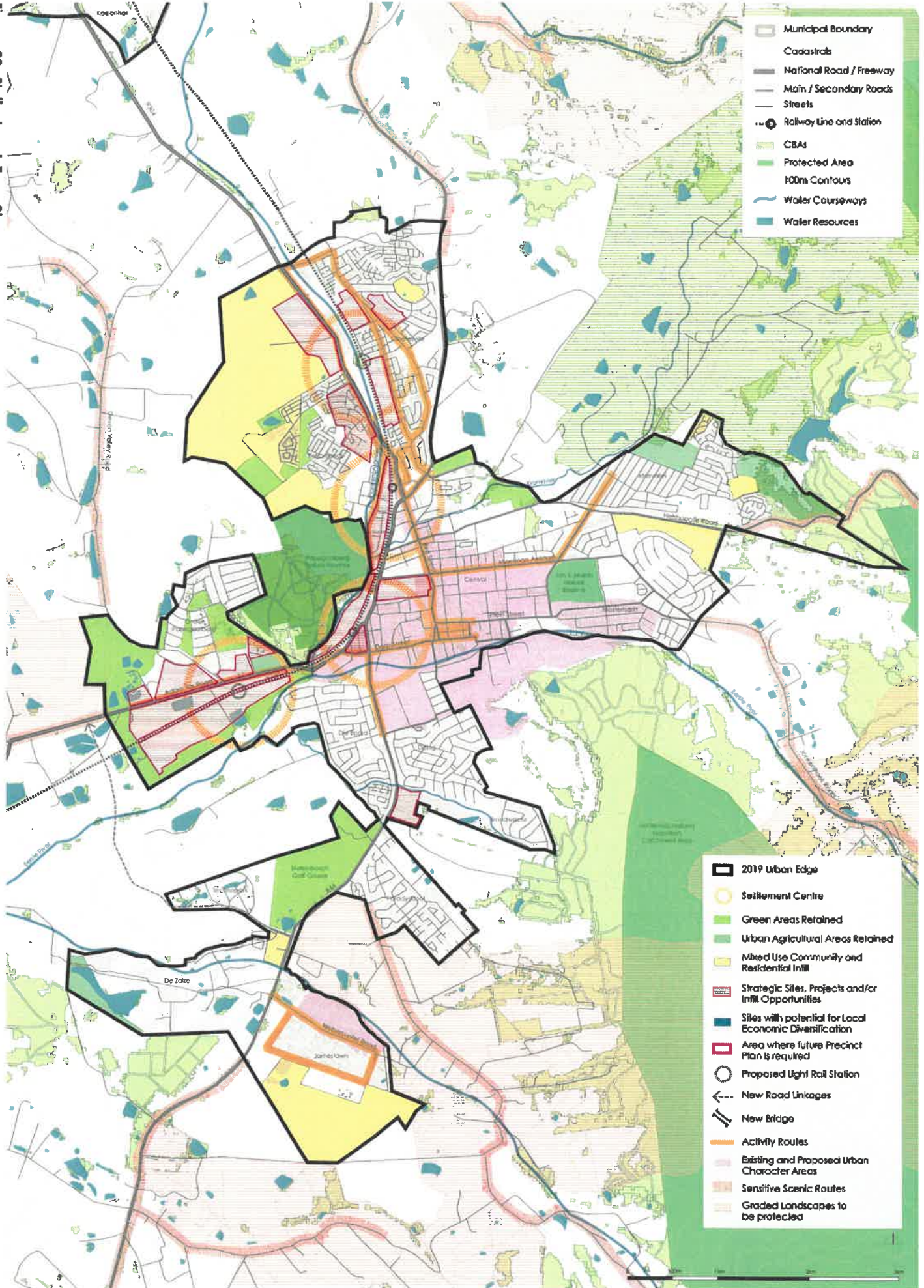




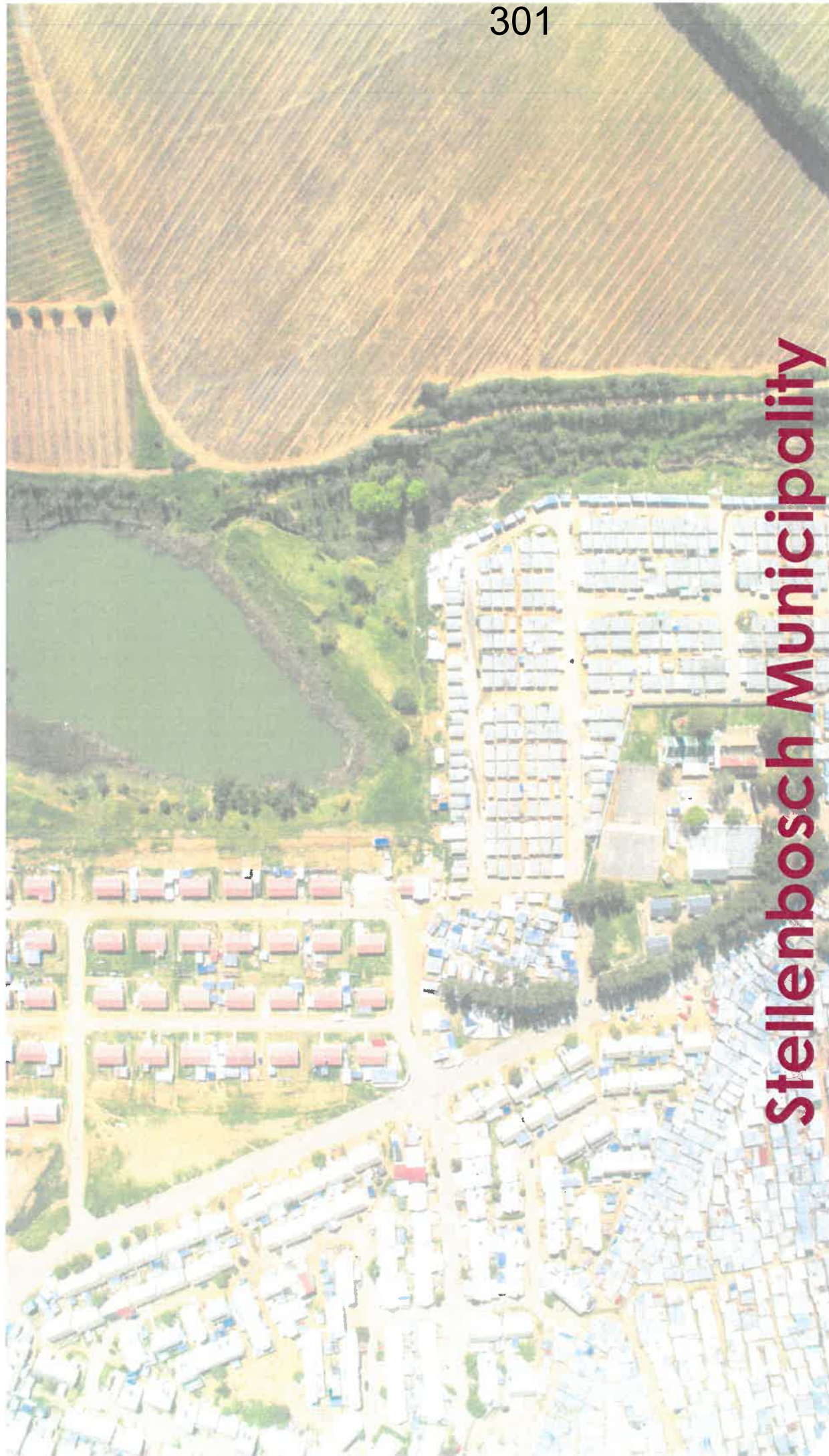
ANNEXURE 8

Extract from Municipal Spatial Development Framework 2019 relating the Stellenbosch Urban Edge.

Figure 28. Stellenbosch Town Plan



STELLENBOSCH FRAMEWORK



Stellenbosch Municipality

Spatial Development Framework

Approved by Council on 11 November 2019



5.3. Stellenbosch Town

Stellenbosch town will remain the major settlement within the municipality; a significant centre comprising extensive education, commercial and government services with a reach both locally and beyond the borders of the municipality, tourism attractions, places of residence, and associated community facilities.

Retaining what is special in Stellenbosch town requires change. The town has grown significantly as a place of study, work, and tourism, while perhaps inadequately providing residential opportunity for all groups, and certainly lacking adequate provision of public transport and NMT options. Managing residential growth of the town, through providing more inclusive housing at higher densities than the norm, is vital. This can and must bring significant reductions in commuting by private vehicles to and within Stellenbosch town, and provide the preconditions for sustainable public transport and NMT to and within the town.

The most significant redevelopment opportunity within Stellenbosch town is the Adam Tas Corridor, stretching from the Droë Dyke and the Old Sawmill sites in the west along Adam Tas Road and the railway line, to Kayamandi, the R304, and Cloetesville in the north. Large industrial spaces – currently disused or to be vacated over time – exist here. Redevelopment offers the opportunity to accommodate many more residents within Stellenbosch town, without a negative impact on agricultural land, nature areas, historically significant precincts, or “choice” lower density residential areas. In many ways, the Adam Tas Corridor represents the key to protect and enhance what is special within Stellenbosch town, as well as the relationship between the town and surrounding nature and agricultural areas.

Conceptually, the Adam Tas Corridor is the focus of new town building, west of the old Stellenbosch town and central business district (CBD). The “seam” between the new and old districts comprises Die Braak and Rhenish complex, which can form the

public heart of Stellenbosch town. The CBD or town centre in itself can be improved, focused on public space and increased pedestrianism. A recent focus on the installation of public art could be used as catalyst for further public space improvements.

Other infill opportunities also exist in Stellenbosch town, specifically in Cloetesville, Idas Valley, Stellenbosch Central, along the edges of Jamestown. There are also opportunities to change the nature of existing places to become more “balanced” as local districts.

Kayamandi has been under new pressure for outward expansion, specifically from new residents moving to Stellenbosch from elsewhere (within and outside the metropolitan region). This pressure, arguably, hinders efforts to upgrade and transform the area. New residents, through land invasion, increase pressure on municipal and other resources which could be utilized for upgrading. Ideally, Kayamandi should not be extended beyond the northern reach of Cloetesville (with Welgevonden Boulevard as the northern edge) and its reach to the east should be minimized as far as possible (in other wards, a band of development along the R304 should be promoted).

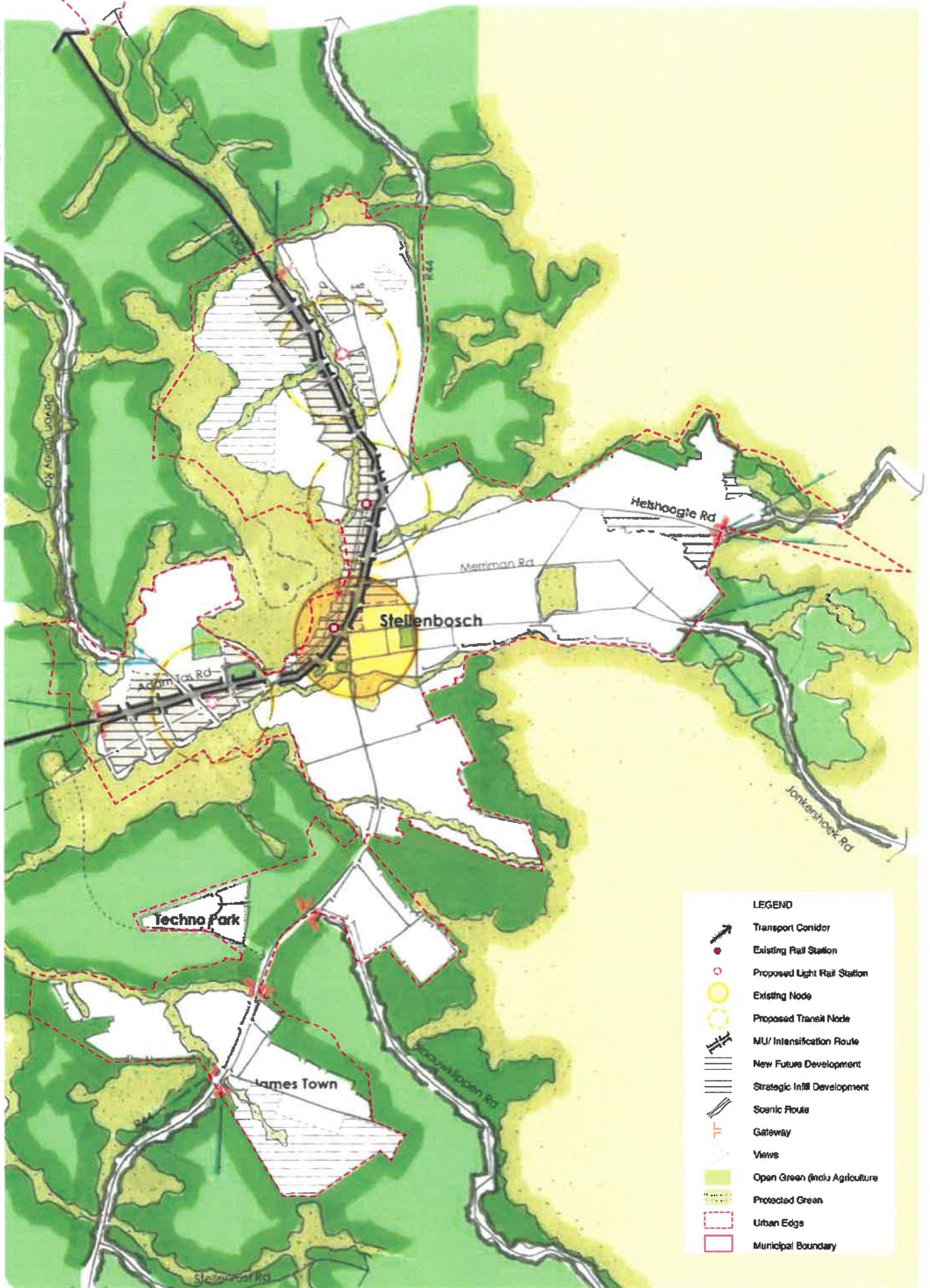
The inclusivity of infill housing opportunity – referring to the extent to which the housing provides for different income and demographic groups – whether as part of the Adam Tas Corridor or elsewhere within Stellenbosch town – is critical. Unless more opportunity is provided for both ordinary people working in Stellenbosch, and students, it will be difficult to impact on the number of people commuting to and from Stellenbosch town in private vehicles on a daily basis.

Further development of Stellenbosch town as a balanced, inclusive settlement, with sustainable public and NMT options available, will require significant partnership between major institutions across sectors. For example, most of the Adam Tas Corridor is in private ownership, and a purely commercial approach to redevelopment of the land may not be in the best interest of the

town. Further, it would appear that much of the traffic congestion in Stellenbosch town relate to the university, whether it is students commuting from other areas in the metropolitan areas, or students living within the town using cars for short trips. A key prerequisite for implementation of the spatial proposals for Stellenbosch town is therefore establishing the institutional arrangements for joint planning and implementation towards common objectives, beyond those of individual institutional or corporate interests.

Also significant for the balanced development of Stellenbosch town, and retaining a compact town surrounded by nature and agriculture, is the development of the Baden Powell Drive-Adam Tas Road-R304 transit and development corridor, enabling public transport to and from Stellenbosch town, and alternative settlement opportunity, proximate to, but outside of Stellenbosch town. Critical will be the feasibility of changing the rail service along the Baden Powell Drive-Adam Tas-R304 corridor to a more frequent, flexible service better integrated into the urban realm. Alternatively, a regular bus service should be explored serving the same route.

Figure 27. Stellenbosch Town Concept



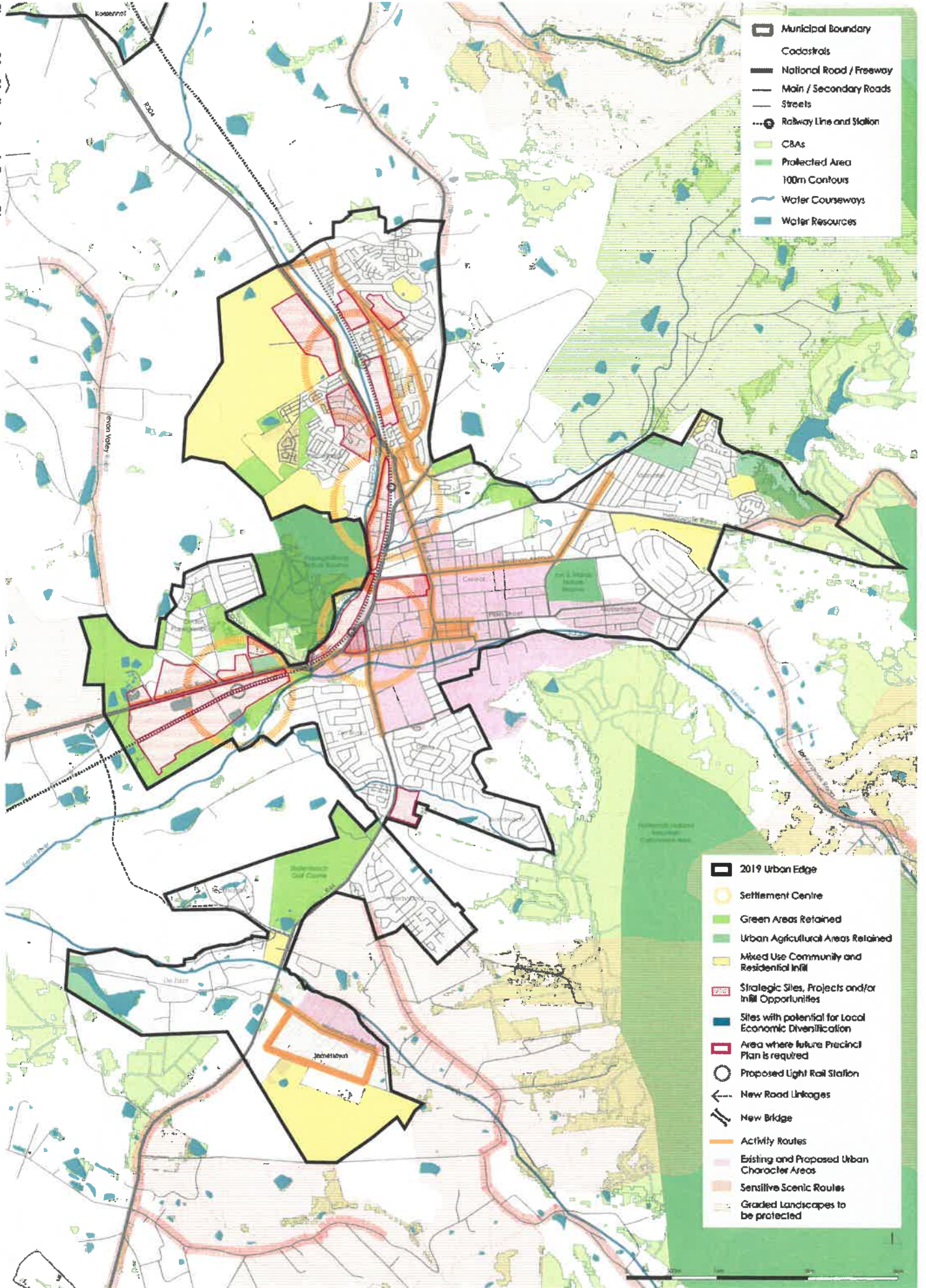
LEGEND

- Transport Corridor
- Existing Rail Station
- Proposed Light Rail Station
- Existing Node
- Proposed Transit Node
- MU/ Intensification Route
- New Future Development
- Strategic Infill Development
- Scenic Route
- Gateway
- Views
- Open Green (incl. Agriculture)
- Protected Green
- Urban Edge
- Municipal Boundary

STELLENBOSCH CONCEPT

TYPE OF ACTION	SDF ELEMENT	SPATIAL PROPOSALS	RELATED NON SPATIAL PROPOSALS
Protective Actions	CBAs, ESA's, Protected areas	<ul style="list-style-type: none"> Maintain and improve the nature areas surrounding Stellenbosch town. Work to increasingly connect and integrate nature areas, also with the urban green areas, to form an integrated green web or framework across the town and its hinterland area. Improve public continuity, access, and space along the Kromrivier, Plankenbrug, Eerste River, and Blaauklippen River corridors. 	<ul style="list-style-type: none"> Implement management actions contained in the SEMF. Improve water quality in the Plankenbrug River (through infrastructure improvements in Koyomondi).
	Water courses	<ul style="list-style-type: none"> Retain and improve the relationship between Stellenbosch town and surrounding agricultural land. 	
	Agricultural land	<ul style="list-style-type: none"> As a general principle, contain the footprint of Stellenbosch town as far as possible within the existing urban edge (while enabling logical, small extensions). 	
	Urban edge	<ul style="list-style-type: none"> Retain the strong sense of transition between agriculture and human settlement of the entrances to the town. 	
	Scenic landscapes, scenic routes, special places	<ul style="list-style-type: none"> Maintain the integrity of historically and culturally significant precincts and places (as indicated in completed surveys). Improve public space and movement routes within historically and culturally significant precincts, with a focus on pedestrianism. Work to grow the extent of historically and culturally significant precincts and places in daily use and accessible to the public (through appropriate re-design and use of specifically disused industrial buildings along the Adam Tas Corridor). Define and hold the northern and eastern edges of Koyomondi. Support land use change along George Blake Road to enable the integration of Koyomondi with the Adam Tas Corridor and Stellenbosch central area. 	<ul style="list-style-type: none"> Utilise government land assets to enable integration between informal settlements and established areas.
	Historically and culturally significant precincts and places	<ul style="list-style-type: none"> Pro-actively support higher density infill residential opportunity in the town centre, areas immediately surrounding it, and along major routes (with consideration of historic areas and structures). Retain and actively support mixed use redevelopment and building within the town centre and surrounding areas, comprising living space above active street fronts. Actively support pedestrianism and improved public space within the old town centre Pro-actively improve conditions for walking and NMT within Stellenbosch town. Improve access to the Techno Park, specifically from the north-west. 	<ul style="list-style-type: none"> Utilise government land assets to enable residential densification and infill development. Support private sector led institutional arrangements assist with urban management in the town centre. Pro-actively, and in partnership with key corporations/ institutions, introduce transport mode demand measurements favouring public and NMT. Ensure that the design of all roads within and surrounding the town provides for appropriate NMT movement. Actively support the shared use of community facilities.
Change Actions	Areas for residential densification and infill	<ul style="list-style-type: none"> Cluster community facilities together with commercial, transport, informal sector and other activities so as to maximise convenience, safety and socio-economic potential. Retain, as far as is possible, University and other educational uses within Stellenbosch town. As far as possible, focus investment in parks, open space, and social facilities accessible by public and NMT, in this way also increasing the surveillance of these facilities. 	<ul style="list-style-type: none"> Actively involve local communities in the development and management of public amenities.
	Areas for mixed land use and improved economic opportunity	<ul style="list-style-type: none"> Develop the Adam Tas Corridor as a mixed-use, high density urban district, with strong internal and external public and NMT connections. 	<ul style="list-style-type: none"> Support private sector led institutional arrangements to enable joint planning and redevelopment. Support redevelopment by making available government land assets.
	Improved access and mobility	<ul style="list-style-type: none"> Support inclusive infill development on vacant public land within Cloeteville, Idas Valley, Central Stellenbosch, and Jamestown. Support infill development on private land within Stellenbosch town in a manner which serves to compact the town, expand residential opportunity, and rationalize the edges between built and unbuilt areas. Support the further development of Techno Park as a balanced community, emphasising residential opportunity. 	<ul style="list-style-type: none"> Support private sector led institutional arrangements to enable joint planning and unlocking of the opportunity.
New Development Actions	Significant new mixed use development	<ul style="list-style-type: none"> Explore the feasibility of changing/ complementing the rail service along the Bodan Powell Drive-Adam Tas-R304 corridor to a system providing a more frequent, flexible service better integrated into the urban realm. Alternatively, a regular bus service should be explored serving the same route. 	
	Significant new residential development	<ul style="list-style-type: none"> Support the further development of Techno Park as a balanced community, emphasising residential opportunity. 	
Significant change to access and mobility provision	<ul style="list-style-type: none"> Support the further development of Techno Park as a balanced community, emphasising residential opportunity. 	<ul style="list-style-type: none"> Support private sector led institutional arrangements to enable joint planning and unlocking of the opportunity. 	

Figure 29. Stellenbosch Town Plan



STELLENBOSCH FRAMEWORK

7.10 JAMESTOWN - DE ZALZE

7.10.1 ANALYSIS, see Figure 7.25

7.10.1.1 Background

This complex has three main components with vastly different histories:

- Jamestown is an historic agricultural Rhenish mission village that managed to avoid forced removals. Its mother church is located next to the Braak in Stellenbosch town. In addition to their individual agricultural plots the community also had access to the surrounding commonage on which they grew strawberries;
- Jamestown shopping centre, "Stellenbosch Square", is a typical out of town shopping centre which application the Municipality turned down but which was approved on appeal by the provincial government. Apart from its weak interface with Jamestown the council's main opposition to this centre was the impact that it would have on Stellenbosch town's CBD. Although it abuts Jamestown it has no direct links with the village and instead is targeted at Stellenbosch town's retail market that shop at the large Somerset Mall super regional shopping centre 20kms away in Somerset West;
- De Zalze is a golf estate with large clusters of upmarket houses around golf course fairways accessed through a security entrance across the double carriageway R44 to Somerset West. The northern clusters of De Zalze on the north bank of the Blaauwklippen take access off the Technopark entry road.

7.10.1.2 Natural Systems

• Topography

The developments occupy the southern, north facing slopes of the Blaauwklippen River valley with spectacular views of the Stellenbosch mountains.

• Rivers and water

The Blaauwklippen River, a major tributary of the Eersteriver, flows westwards along the northern boundary of the settlements. The river is considered Critically Endangered as a result of poor agricultural and urban development practises along its bank, most notably the recent retirement village built on a platform on the edge of the river where it

crosses the R44 below the Stellenbosch Square shopping centre. The riparian fringes of the river are better managed in De Zalze where the river plays an important value adding role to the development.

• Vegetation and land cover

The indigenous vegetation is largely disturbed, with Jamestown having been an agricultural settlement. De Zalze's vegetation largely comprises private and communal gardens, golf course fairways and vineyards.

7.10.1.3 Socio-economic trends

De Zalze continues to develop and attracts a super wealthy market with house prices among the highest in the Western Cape. Stellenbosch Square targets this group but is mainly aimed at the typical shopping centre of LSM 7 – 10 who are able to afford the high prices required to ensure the development viability of the project.

Jamestown has three main socio-economic trends including:

- An aspirational middle class of property owners whose vision is for Jamestown to become one of the wealthy suburbs of Stellenbosch;
- A related population of largely marginalised youth and young couples who are unable to secure their own accommodation and live in backyards;
- Agricultural labourers and their families from surrounding farms who live in informal dwellings where they can rent land.

7.10.1.4 Layout, functionality and built form

• Layout

De Zalze's layout comprises small and large clustered islands of upmarket single dwelling residential stands located within a green matrix of golf course fairways and vineyards. Within the security perimeter residents can commute to the clubhouse and visit each other on foot, cycle, golf cart and private motor vehicle.

Jamestown is slowly transforming into an urban settlement with a street network and services retrofitted across the original watererven.

The shopping centre is laid out according to the typical retail centre format of large parking lots and signage facing the major access route..

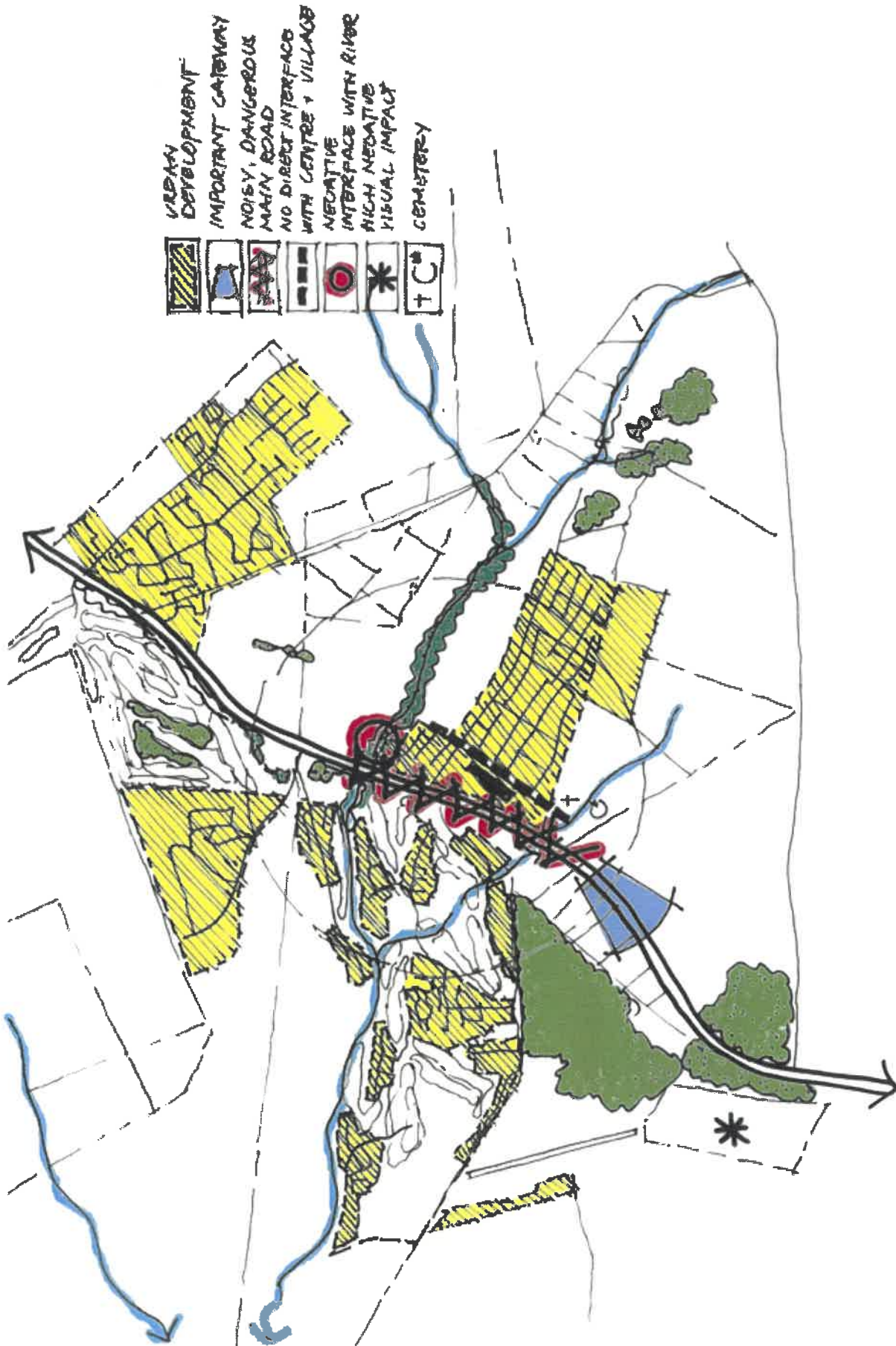


Figure 7.25 Jamestown, De Zaize: Analysis

- **Functionality**

At the regional scale this complex would seem to have the mixed income, mixed use character required for a Model Rural Village. However, the gated, walled detail of how these components interface means that they operate as 3 very separate components most conveniently accessed by private motor vehicle, i.e. they are not integrated at all.

In particular the R44 with its extremely wide double carriageway and wide median cross-section acts as a significant barrier between the western and eastern parts of the settlement.

- **Built form**

Jamestown has largely lost its rural village character that must have previously been similar to Elim or Wupperal and, like Pniel, the historic buildings have either been demolished and rebuilt or converted with a wide range of builders hardware materials.

The shopping centre and De Zalze have attempted to implement a Cape Winelands aesthetic loosely based on the Cape Dutch farm homestead. However, at the landscape scale the clustering of such large buildings has resulted in a landscape which is urban and suburban (themed golf course estate) rather than rural.

7.10.1.5 Urban Development Trends

De Zalze still has a number of units to be completed and there have been discussions about replicating the project, i.e. another golf course estate, on similar land abutting the project to the west.

The municipality has been attempting to develop low income housing projects on its land abutting the southern boundary of Jamestown for a number of years to address the need from this part of the market. This would cater for backyard dwellers who are Jamestown kith and kin as well as the steady trickle of farm workers from surrounding farms.

7.10.2 CURRENT SDF

7.10.2.1 Current Policy, see Figure 7.26

- Neither De Zalze, as an out of town golf course estate, nor the Stellenbosch Square out of town shopping centre have formed part of planning policy for the municipality at either provincial or municipal level, hence their approvals via appeals to the premier.

- Policy for Jamestown has sought to protect and strengthen its attributes as a rural village with the potential of Franschhoek if its main street, Webersvallei Road is appropriately developed with its spectacular northern mountain views. Allowance has also been made for carefully contained low income housing abutting the southern boundary of the settlement with as minimal impact on this excellent arable land as possible.

7.10.3 SYNTHESIS

Jamestown and De Zalze are an example of how, at the regional scale, all the ingredients for a mixed use, mixed income settlement are in place, but at the detailed scale, the nature of the interfaces between them results in a series of ad-hoc developments, two aimed at the upper income private motor vehicle market, De Zalze golf course estate and Stellenbosch Square shopping centre, and one, Jamestown, a transitional rural settlement trying to attract upper income residents to allow property owners to take advantage of high rural lifestyle land prices as well deal with problems of squatting and homelessness.

While the enormous financial returns of the De Zalze golf course estate and to a lesser extent the Stellenbosch Square shopping centre are obvious these developments have demonstrated how they will transform the rural agricultural productive landscape of the municipality into an urban and suburban one. This enables policy makers to appreciate the impact of these development models for the future of the municipality. A proper assessment of the long term costs and benefits of these developments with regard to the following aspects should be undertaken:

- Opportunity cost of land removed from agricultural production with regard as to how it can be replaced elsewhere;
- Opportunity cost of removing land from agricultural production with regard to opportunities for land reform and small scale agricultural businesses and rural employment;
- Revenue, cost and volume contributions to waste water treatment and solid waste disposal;
- Impact on landscape's tourism appeal;
- Impact on transportation and energy costs and benefits.



Figure 7.26 Jamestown Current SDF Proposals (source: CIDV, 2002)

7.10.4 PROPOSALS, see Figure 7.27

There are two aspects to the proposals. The first is to support initiatives to assist Jamestown with addressing its developmental challenges.

The second is how to extend the mixed use, mixed income Model Rural Village principles to the western side of the R44 around De Zalze.

- **Existing Development and infill areas**

Further consolidation of vacant land within Jamestown on an ad-hoc basis according to architectural, urban design and landscape guidelines.

- **Riversides**

Rivers and furrows to be declared river conservation corridors with 10 to 30 m setbacks from the river bank to be determined by fresh water ecologists in which no ploughing or urban development other than roads, pedestrian paths, cycle ways, street side trading and landscaping to occur.

Particular care needs to be given to the interface with the Blaauwklippen River where it passes through Jamestown.

- **Main streets**

The extent to which the R44's cross sections can be amended to make it less of a barrier to the west and east sides of the road should be investigated.

- **Special challenges**

These include providing Jamestown residents with access to viable economic space that gives them opportunities beyond only employment, but also for SMMEs. This space is now largely occupied by Stellenbosch Square shopping centre. Implementing the low income housing, proposed for many years now on the commonage land to the south must also be supported.

- **New Development Areas (56 hectares)**

Two opportunities should be investigated to extend the mixed use, mixed income settlement principles to the western side of the R44; a portion of the municipal land on which the airfield stands as well as the land holding at the entrance to Technopark. These sites would probably be more suited

to Social and Gap housing that RDP housing. How they will take access onto the R44 requires careful investigation.

- **Urban Edge**

See Figure 7.27. It is clear that De Zalze should now be included within an Urban Edge around Jamestown. To what extent it is appropriate to make this Urban Edge contiguous with Technopark and the remainder of Stellenbosch town, i.e. these settlements are no longer outside Stellenbosch town but are now part of it, requires review.

If it is decided that there should be as clear a distinction between Technopark and De Zalze as possible then the possible social/GAP housing site in this vicinity may not be appropriate.

- **Heritage Areas**

Jamestown has an important heritage by virtue of its origins although much of the recent building in the town has obscured its historic mission village architecture. The De Zalze farm homestead is also of heritage importance. The heritage value of the rural and agricultural landscape has been considerably altered by the impact of the housing clusters on De Zalze.

Jamestown and De Zalze also occupy a strategic position on the gateways into Stellenbosch from the R44 of which there are two. First, descending the R44 towards the signalised intersection and the Blaauwklippen River and rising up the other side between the Stellenbosch golf course to the west and the historic Blaauwklippen farm and Medallion Mushrooms to the west. Blaauwklippen farm is now hemmed in between Paradyksloof shopping centre to the north and Stellenbosch Square shopping centre to the south.

- **Economic linkage areas**

In addition to the opportunities mentioned under special challenges there may be opportunities for small scale commercial and retail activities along De Zalze's frontage with the extremely busy R44. These could include a market and a farm stall which could be made available to in part to emerging business people.

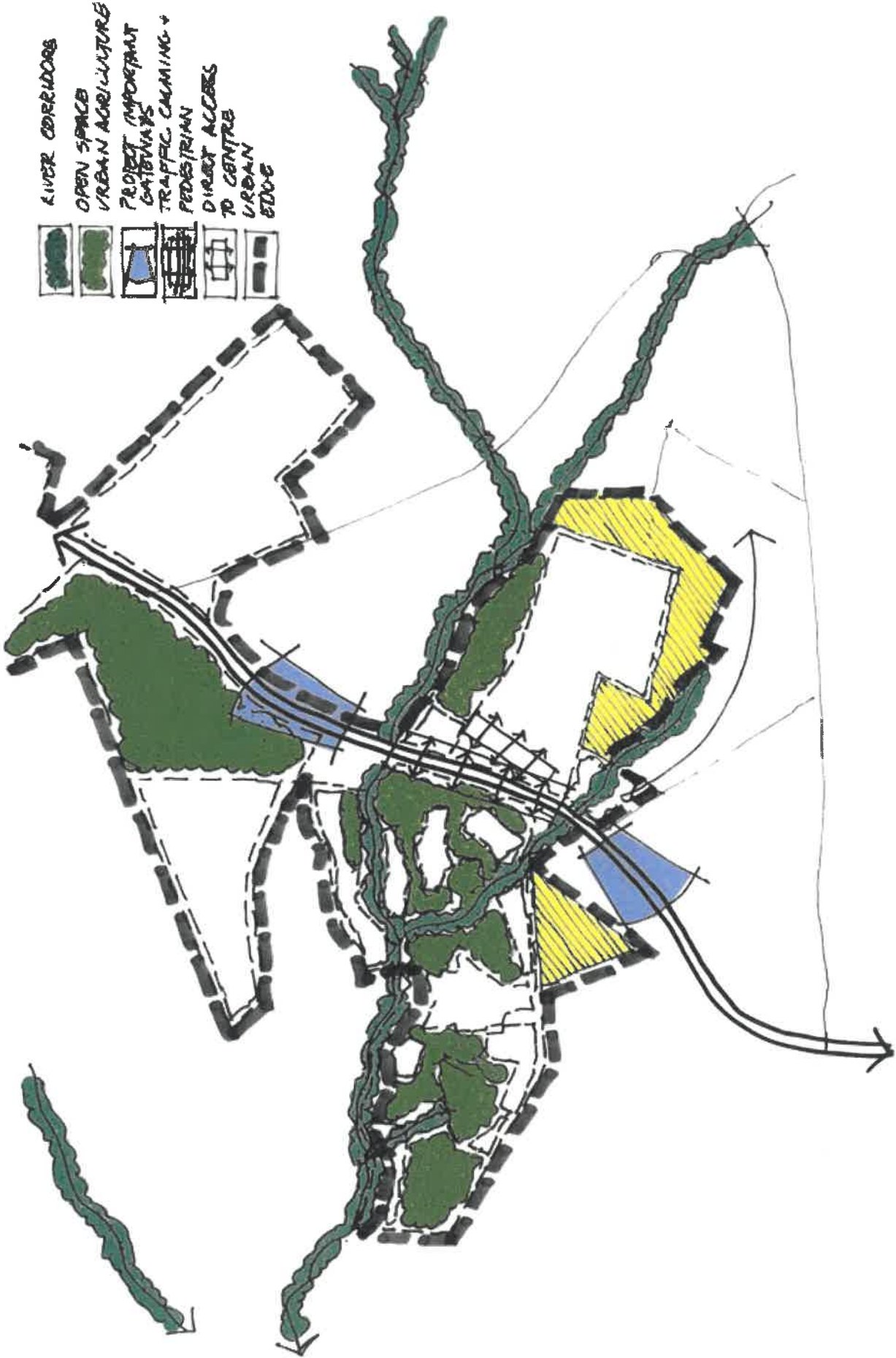


Figure 7.27 Jamestown, De Zalze: Proposals

- **Services**
There has already been considerable provision for water, waste water treatment and electrical services to Jamestown and De Zalze. The extent to which these can accommodate more development must be ascertained.
- **Transport**
Jamestown, Stellenbosch Square and De Zalze function very much as satellites of Stellenbosch leading to considerably motor vehicle traffic between the four. There is little provision for public transport except to Jamestown and, although, there are wide road shoulders these lanes have not been designated as cycle lanes.
A traffic impact study of the traffic generated by the three components should be undertaken.
- **Future lateral growth direction**
Other than southerly expansion to accommodate RDP, social and GAP housing as shown in Figure 7.27 no further lateral expansion should be required for the next decade.

STELLENBOSCH MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK

Prepared for

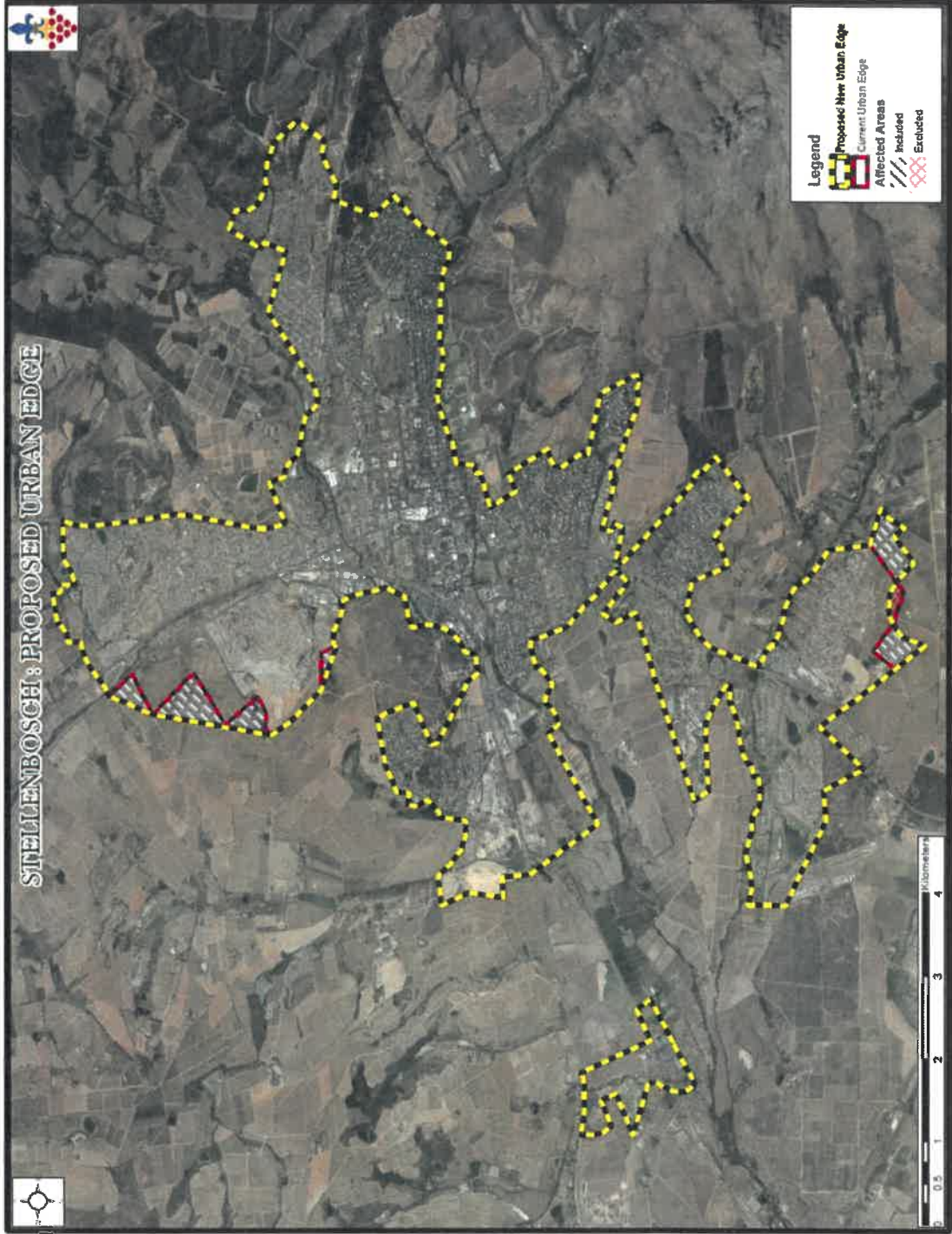


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Prepared by the Sustainability Institute based on the
Stellenbosch Municipal Spatial Development Framework
Draft Status Quo and Draft Strategies reports by CNdV Africa (2010)
and inputs from Stellenbosch Municipality (2012)

Approved 31 May 2017

3.10. JAMESTOWN/DE ZALZE

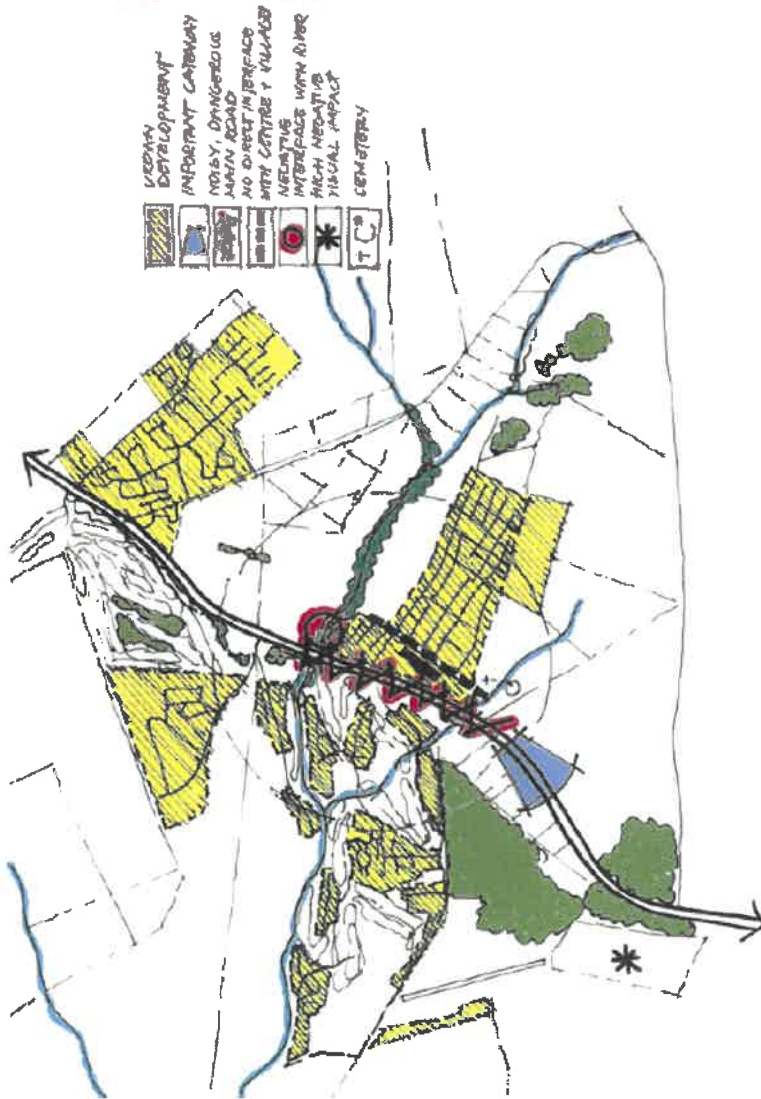


Strategic location	<ul style="list-style-type: none"> • Straddling the R44.
Description	<ul style="list-style-type: none"> • A disjointed semi-rural settlement on the outskirts of Stellenbosch town consisting of three isolated components: a historic Rhenish mission village (Jamestown), an out of town shopping centre (Stellenbosch Square) and an upmarket golf estate (De Zalze).
Advantages	<ul style="list-style-type: none"> • Rural character • Hospital and health functions
Challenges	<ul style="list-style-type: none"> • The three components are not integrated at all due to the high-speed R44 and walling off of De Zalze. • Jamestown residents need access to viable economic space that gives them opportunities for SMMEs and employment. • The Blaauwklippen River is Critically Endangered as a result of poor agricultural and urban development along its banks.
Opportunities	<ul style="list-style-type: none"> • Opportunity to implement low income housing on commonage land to the south. • Small scale commercial and retail activities could be catered for along De Zalze's frontage with the R44 (e.g. a farm stall or market for emerging businesses).
Constraints	<ul style="list-style-type: none"> • The R 44 bisects the node.
Future lateral growth direction	<ul style="list-style-type: none"> • Southerly expansion to accommodate RDP, social and gap housing.
Development areas	<ul style="list-style-type: none"> • A portion of municipal land on which the airfield stands as well as the land holding at the entrance to Technopark has potential to be used for social and gap housing. • Vacant land in Jamestown can be further consolidated. • Further research is required to assess the long term costs and benefits of developments that convert productive agricultural land into new suburbs.
Roads and transport	<ul style="list-style-type: none"> • The extent to which the R44's cross-sections can be amended to make it less of a barrier to pedestrians and cyclists should be investigated. • The impact of traffic generated by each of the three components should be undertaken.
Water	<ul style="list-style-type: none"> • Bulk infrastructure required, e.g. reservoir and feeder pipes.
Sewage	<ul style="list-style-type: none"> • No capacity at Stellenbosch WWTW until end 2018 and outfall sewer required.
Electricity	<ul style="list-style-type: none"> • Area supplied by Eskom. Capacity to be confirmed by Eskom.
Solid Waste	<ul style="list-style-type: none"> • Stellenbosch landfill site is nearly at full capacity.
Rivers and conservation zones	<ul style="list-style-type: none"> • Fresh water ecologists to demarcate 10 to 30m setbacks from the banks of rivers and furrows within which no new development (other than roads, paths, landscaping or street side trading) or ploughing may occur. • Particular care needs to be given to Jamestown's interface with the Blaauwklippen River.

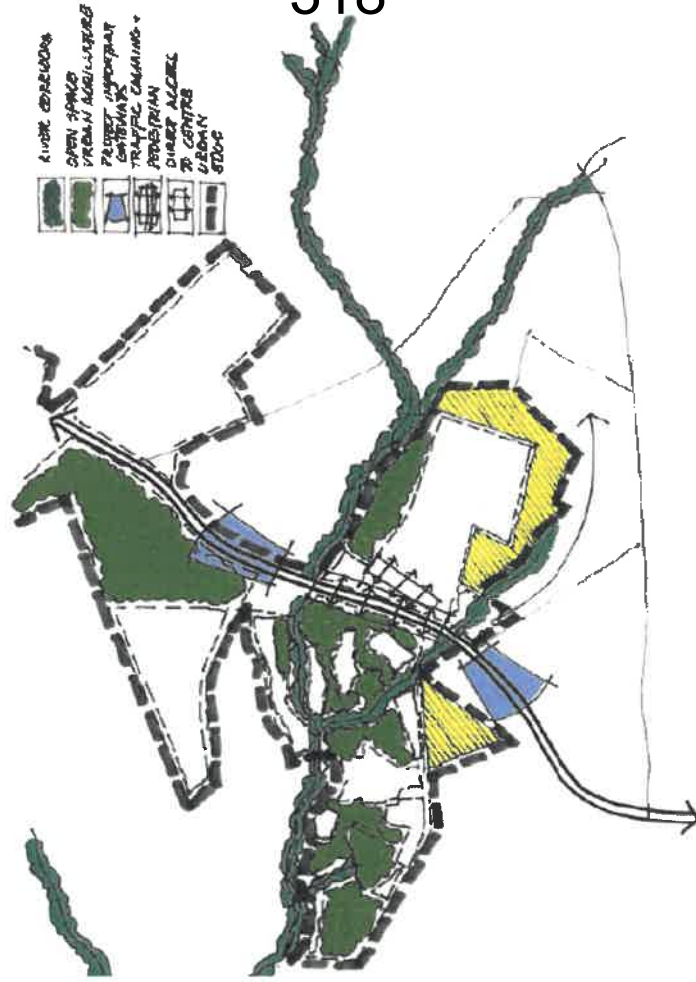
STELLENBOSCH MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK November 2012



3.10. JAMESTOWN/DE ZALZE



JAMESTOWN/DE ZALZE PROPOSALS



JAMESTOWN/DE ZALZE ANALYSIS

Strategic location	<ul style="list-style-type: none"> • Straddling the R44.
Description	<ul style="list-style-type: none"> • A disjointed semi-rural settlement on the outskirts of Stellenbosch town consisting of three isolated components: a historic Rhenish mission village (Jamestown), an out of town shopping centre (Stellenbosch Square) and an upmarket golf estate (De Zalze).
Advantages	<ul style="list-style-type: none"> • Rural character • Hospital and health functions
Challenges	<ul style="list-style-type: none"> • The three components are not integrated at all due to the high-speed R44 and walling off of De Zalze. • Jamestown residents need access to viable economic space that gives them opportunities for SMMIEs and employment. • The Blaauwklippen River is Critically Endangered as a result of poor agricultural and urban development along its banks.
Opportunities	<ul style="list-style-type: none"> • Opportunity to implement low income housing on commonage land to the south. • Small scale commercial and retail activities could be catered for along De Zalze's frontage with the R44 (e.g. a farm stall or market for emerging businesses).
Constraints	<ul style="list-style-type: none"> • The R 44 bisects the node. • Southerly expansion to accommodate RDP, social and gap housing.
Future lateral growth direction	
Development areas	<ul style="list-style-type: none"> • A portion of municipal land on which the airfield stands as well as the land holding at the entrance to Technopark has potential to be used for social and gap housing. • Vacant land in Jamestown can be further consolidated. • Further research is required to assess the long term costs and benefits of developments that convert productive agricultural land into new suburbs.
Roads and transport	<ul style="list-style-type: none"> • The extent to which the R44's cross-sections can be amended to make it less of a barrier to pedestrians and cyclists should be investigated. • The impact of traffic generated by each of the three components should be undertaken.
Water ☹️	<ul style="list-style-type: none"> • Bulk infrastructure required, e.g. reservoir and feeder pipes.
Sewage ☹️	<ul style="list-style-type: none"> • No capacity at Stellenbosch WWTW.
Electricity	<ul style="list-style-type: none"> • Area supplied by Eskom. Capacity to be confirmed by Eskom.
Solid Waste ☹️	<ul style="list-style-type: none"> • Stellenbosch landfill site is at capacity. A new cell is under construction to create airspace up to 2017. Additional landfill sites are urgently required to meet demand after 2017.

Rivers and conservation zones

- Fresh water ecologists to demarcate 10 to 30m setbacks from the banks of rivers and furrows within which no new development (other than roads, paths, landscaping or street side trading) or ploughing may occur.
- Particular care needs to be given to Jamestown's interface with the Blaauwklippen River.

Infrastructure capacity is rated as follows, based on the assumption of conventional technologies (i.e. those that do not explicitly aim to minimise demand for services):

- 😊 Adequate capacity to meet development needs for the next 5 years (2012-2017)
- 😞 Insufficient capacity can be overcome with development contributions within the next 5 years (2012-2017)
- 😞 Insufficient capacity cannot be overcome without additional budget within the next 5 years (2012-2017)