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**NOTICE OF MUNICIPAL PLANNING
TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2021-06-18 FROM 10:00-15:00**

VOLUME 1



**NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2021- 06 -18 FROM 10:00-15:00**

Ref. no. 3/4/5/2/40

2021-06-18

Chairperson

Dr DJ Du Plessis

Deputy-Chairperson

Ms C Havenga

External Members

Mr C Rabie

Dr R Pool-Stanvliet

Mrs H Crooijmans-Lemmer

Mr J Knight

Mr E Delport

Internal Members

Mr B de la Bat: Manager - Spatial Planning

Mr M Williams - Senior Legal Advisor

Mr S van der Merwe - Environmental Planner

Ms J Mowers- Senior Manager: Development, Asset Management and Systems & Project Management Unit (PMU)-Infrastructure Services

Ms M Francis - Manager: Project Management Unit

Mr G Cain: Manager- IDP & Performance Management

Mr A van der Merwe: Senior Manager-Community Services

Technical Advisor

Mr K Munro-Director Environmental & Spatial Planning: Department of Environmental Affairs and Development Planning

*Notice is hereby given in terms of Section 75(1) of the Stellenbosch Municipality Land Use Planning By-Law (2015), of the Municipal Planning Tribunal Meeting which will be via **MS TEAMS (Virtual Meeting)** on **FRIDAY, 2021-06-18 from 10h00-15:00** to consider the items on the Agenda.*

Dr DJ Du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



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MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 19 MARCH 2021**MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING
HELD ON FRIDAY, 19TH OF MARCH 2021, AT THE STELLENBOSCH COUNCIL CHAMBERS, PLEIN
STREET, STELLENBOSCH AT 10H00-15H00**

Ref. no. 3/4/5/2/40

2021-03-19

Chairperson

Dr DJ Du Plessis

Deputy Chairperson

Ms C Havenga

External Members

Dr R Pool-Stanvliet

Mrs H Crooijmans-Lemmer

Mr E Delport

Mr J Knight

Internal Members

Mr M Williams: Senior Legal Advisor

Mr S van der Merwe: Environmental Planner

Ms J Mowers- Senior Manager: Development, Asset Management and Systems & Project Management Unit - Infrastructure Services

Mr G Cain: Manager: IDP & Performance Management

Mr A van der Merwe: Senior Manager: Community Services

Mr B de la Bat: Manager - Spatial Planning

Mrs M Francis: Manager- Project Management Unit- Infrastructure Services

Officials

Mr S Carstens: Senior Manager Development Management

Mr R Fooy: Senior Town Planner

Ms B Zondo: Senior Town Planner

Ms O Sims: Administrative Officer MPT

Ms L Kamineth: Senior Administrative Officer

Technical Advisor

Mr K Munro: Director - Development Management, Department Environmental Affairs and Development Planning.

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 19 MARCH 2021

ITEM	SUBJECT
SMPT 01/03/21	OPENING AND WELCOME
	Chairperson du Plessis welcomed all present.
SMPT 02/03/21	LEAVE OF ABSENCE
	None
SMPT 03/03/21	DISCLOSURE OF INTERESTS
	No conflict of interests were noted.
SMPT 04/03/21	MINUTES OF THE PREVIOUS MEETING DATED 27 NOVEMBER 2020
	The minutes of the previous meeting was noted.
	MATTERS FOR CONSIDERATION
SMPT 05/03/21	APPLICATION FOR REZONING,SUBDIVISION AND DEPARTURES ON ERF 3, JOHANNESDAL (LU/7472)
	Chairperson Du Plessis handed over to Mr Tristan Sandwith from Headland Town planners and Mr Paul Winter to proceed with their oral presentation. Senior Town Planner, Ms Zondo presented a summary of the application. Members of the Tribunal posed questions in respect of the application for the purposes of clarity. An in-depth discussion followed between the members of the tribunal. The Tribunal agreed with the concerns raised in the planning report and the impact that the development as proposed at this location will have. After the discussion, Chairperson Du Plessis indicated that tribunal members vote by the show of hands as to who is in support that the application be referred back to the Administration to address the concerns of the Tribunal members, or; alternatively that the recommendation to not approve the application be adopted. The counting of votes were as follows:

	SUPPORTED	NOT SUPPORTED
	Chairperson Du Plessis	Ms Mowers
	Deputy-Chairperson Havenga	Mr Williams
	Mr Delport	Mr Cain
	Mr Rabie	Ms Francis
	Dr Pool-Stanvliet	
	Mr Knight	
	Mrs Crooijmans-Lemmer	
	Mr de la Bat	
	Mr S van der Merwe	
	Mr A van der Merwe	
	RESOLVED	
	<p>THE APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE ON ERF 3, JOHANNESDAL (LU/7472) BE REFERRED BACK TO THE ADMINISTRATION TO ADDRESS THE CONCERNS OF THE MUNICIPAL PLANNING TRIBUNAL AS HIGHLIGHTED IN THE SUBJECT PLANNING REPORT.</p>	
SMPT 06/03/21	<p>APPLICATION FOR REZONING AND SUBDIVISION ON REMAINDER PORTION 7 OF FARM 373, STELLENBOSCH DIVISION(LU/10807)</p> <p>Chairperson Du Plessis handed over to Senior Town Planner, Ms Zondo to present a summary of the application. The application previously served before the tribunal on the 27th of November 2020. Members of the Tribunal posed questions in respect of the application for the purposes of clarity. An in-depth discussion followed between the members of the Tribunal.</p> <p>UNANIMOUSLY RESOLVED</p> <p>1. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on the Remainder of Portion 7 of Farm 373, Stellenbosch Division, namely:</p> <p>1.1 The Rezoning from Agriculture and Rural Zone to Subdivisional Area in terms of Section 15 (2)(a) of the Stellenbosch Municipality Land Use Planning By-law, in order to allow for the following uses:</p>	

- i. 11 Conventional Residential Zone erven (dwelling house) (11 904 m²)
- ii. 1 Transport Facilities Zone erven (private road) (1 820 m²)

1.2 The Subdivision of Remainder Portion 7 of Farm 373 in terms of Section 15 (2)(d) of the Stellenbosch Municipality Land Use Planning By-law, in accordance with the Subdivisional Plan No: 3, Project No: 3645-P, drawn by WH (TV3 Architects and Town Planners), dated 21/11/2019 (See **Annexure F**);

BE APPROVED in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw:

2. Conditions of Approval:

2.1 The approval applies only to the proposed development under consideration as indicated on Subdivisional Plan No: 3, Project No:3645-P, drawn by WH (TV3 Architects and Town Planners), dated 21/11/2019 and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

2.2 The development be undertaken in accordance with the Subdivisional Plan No: 3, Project No:3645-P, drawn by WH (TV3 Architects and Town Planners), dated 21/11/2019, attached as **Annexure F** to the report;

2.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use;

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| | <p>2.4 A service agreement be entered into with the municipality prior to the construction of any services or infrastructure in terms of Section 66(3) and Section 82(4) of the said bylaw;</p> <p>2.5 The development contributions are payable before the transfer of the first property or submission of the first building plans and which amount will be calculated in accordance with the council tariffs in force at the time of payment;</p> <p>2.6 The proposed development and the new erven / owners shall either be incorporated as part of the existing L'Hermitage residential estate Home Owners' Association and for which purpose written agreement from the existing L'Hermitage HOA needs to be submitted together with the necessary amendments to this effect to the existing constitution for the Municipality's approval in terms of Section 29(6) of the said Bylaw prior to the transfer of the first land unit; or alternatively, if no agreement is reached with the existing L'Hermitage HOA, a new Home Owners Association for the subject development will come into force by virtue of Section 29(1) of the said Bylaw, and for which purpose a new constitution in accordance with Section 29(3) of the said Bylaw be submitted to the Municipality for approval prior to the transfer of the first land unit;</p> <p>2.7 The approved Architectural guidelines of the existing L'Hermitage Estate will apply to the subject development and all building plan applications must adhere to the subject Architectural guidelines;</p> <p>2.8 A formal application be submitted for the erection of advertising signs and that all signage be in line with the signage policy of the municipality and be approved by the Municipality prior to any signage being erected;</p> <p>2.9 Building plans be submitted for approval by the Municipality for the external boundary walls prior to the first property being transferred;</p> |
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- 2.10 Consent be obtained from the Municipality for the temporary access before the development's construction period commence;
- 2.11 The proposed development's refuse wheelie bins be placed on Houtkapper Street for collection by the Municipality.
- 2.12 The conditions imposed by the Director: Engineering Services as contained in their memo dated 28 July 2020, attached as **Annexure P**, be complied with;
- 2.13 The conditions imposed by the Manager: Electrical Services as contained in their memo dated 28 October 2020, attached as **Annexure L**, be complied with;
- 2.14 The approval on the name of the development and the naming and number of streets as per proposed subdivision plan, with reference to Annexure F, be obtained from the duly authorised decision maker on such matters;
- 2.15 Building plans for any houses only be approved when all conditions of subdivision have been complied with;
- 2.16 The approval will lapse if not confirmed within 5 years from date of final notification of approval of the application.

3. REASONS FOR THE DECISION

- 3.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape considering that it will offer residential opportunities in the area.
- 3.2 The proposed development will contribute to the sensible infill densification and the efficient use of available resources.
- 3.3 There will be limited negative impact on existing infrastructure and additional traffic can be accommodated.
- 3.4 The road which will provide access to the development is a public road.

<p>SMPT 07/03/21</p>	<p>APPLICATION FOR SUBDIVISIONAL AREA ZONING, AMENDMENT OF A SUBDIVISION PLAN, CONSENT USES AND PERMISSION IN TERMS OF THE STELLENBOSCH ZONING SCHEME BYLAW IN ORDER TO RECONFIGURE THE EXISTING DEVELOPMENT TO THE PROPOSED STELLENBOSCH BRIDGE DEVELOPMENT: PORTION 5 OF FARM 742, PAARL (LU/10577)</p> <p>Chairperson Du Plessis handed over to Mr Anton Lotz from Anton Lotz Town and Regional Planning to proceed with his oral presentation. Senior Manager, Mr Carstens presented a summary of the application. Members of the Tribunal posed questions in respect of the application for the purposes of clarity. An in-depth discussion followed between the members of the tribunal.</p> <p>UNANIMOUSLY RESOLVED</p> <p>1. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the proposed development on Portion 5 of Farm 742, Klapmuts:</p> <p>1.1 Consent use in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law (2015) to permit Conference facilities, Gambling places, Hospitals, Indoor sport, Liquor Stores, Occasional use (one event/year), Places of assembly, Places of education, Places of entertainment, and houses on Portion 2 (zoned Mixed-Use Zone).</p> <p>1.2 Council's permission in terms of Section 15(2)(g) of the Stellenbosch Municipality Land Use Planning By-Law (2015) and Item 106(1) of the Stellenbosch Municipality Zoning Scheme By-Law (2019) to permit flats at ground floor on Portion 2 (zoned Mixed-Use Zone).</p> <p>1.3 Application for approval of the proposed Stellenbosch Bridge Development Framework Plan;</p> <p>BE REFUSED in terms of Section 60 of the said Bylaw for the following reasons:</p>

(a) No detail was provided in respect of the extent of the Consent Uses which unqualified approval may result in an unintended development context which can be potentially detrimental for the intended development of the area.

(b) Flats on ground floor in a mix used zoned may result therein that vast areas which are supposed to be readily accessible as vibrant areas are sterilised by needed security measures.

(c) The Development Framework cannot be approved or given any statutory status as it did not follow any prescribed legal process to obtain a formal approval.

2. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the proposed development on Portion 5 of Farm 742, Klapmuts:

2.1 For the purpose of reconfiguring the existing development rights and the allocation of additional supporting land use rights to facilitate the proposed Stellenbosch Bridge Development, the existing subdivisional area for the Klapmuts Heights Development be rezoned in terms of Section 15(2)(a) of said Bylaw to Subdivisional area to permit the following development of Stellenbosch Bridge on **Precincts A1, A3 and B1** in terms of the Development Framework Plan, Plan No 18096-003, Rev B, dated 2020-08-17:

2.1.1 The existing rights for 1577 residential units and

2.1.2 Additional non-residential uses with a maximum floor area 28 000m² for business, industrial and institutional uses.

2.2 The amendment of the approved subdivision plan in terms of Section 15(2)(h) of the said Bylaw in accordance with the subdivisional area to make provision for the associated land use rights as indicated on

the proposed Subdivision Plan, Plan No 18096-001, rev F, dated 2020-09-14:

- 2.2.1 Portion 1: Multi-Unit Residential Zone (± 31.7ha)
- 2.2.2 Portion 2: Mixed-Use Zone with Industrial spot-zoning (± 35ha)
- 2.2.3 Portion 3: Industrial Zone (± 1.57ha)
- 2.2.4 Portion 4: Industrial Zone (±0.27ha)
- 2.2.5 Portion 5: Private Open Space (± 1.19ha)
- 2.2.6 Portion 6: Agricultural & Rural Zone (± 33.1ha)
- 2.2.7 Portion 7: Public Roads & Parking Zone (± 3ha)
- 2.2.8 Portion 8: Public Roads & Parking Zone (±2.04ha)

2.3 Consent use in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law (2015) to permit Commercial gymnasiums, Day care, Parking garages, Rooftop base telecommunication stations, to only be accommodated in **Precincts A1 and A3** of the amended Development Framework Plan, Plan No 18096-003, Rev B, dated 2020-08-17, (see **Annexure C**);

2.4 Consent use in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law (2015) to permit Business Premises on the Industrial Zone Spot zoning on **Portion 2** (zoned Mixed-Use Zone).

BE APPROVED in terms of Section 60 of the said Bylaw, **SUBJECT** to conditions in terms of Section 66 of the said Bylaw.

3. Conditions of Approval

3.1 The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

3.2 The applicant submits an electronic copy (shp,dwg,dxf) of the Subdivision Plan which was preliminary approved by the SG. The following information must be indicated:

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| | <p>3.2.1 Newly allocated Erf Numbers</p> <p>3.2.2 Co-ordinates</p> <p>3.2.3 Survey Dimensions</p> <p>3.2.4 Street names (if approved by Council)</p> <p>3.3 All public places and public streets be transferred to the Local Authority upon transfer of the first unit/erf in the subdivision. All cost for the surveying and transfer of public land be for the account of the applicant/developer.</p> <p>3.4 No subdivided portion of land be transferred prior to the construction of the link road across Farm 739 that provides access for the development to the Old Main Road / R101.</p> <p>3.5 A development framework with the accurate allocation of development rights to development precincts and the phasing thereof be submitted to the municipality for approval prior to any subdivisional applications being made and approved.</p> <p>3.6 A detailed subdivision plan be submitted for each portion / precinct that is created by this approval to further develop these portions / precincts.</p> <p>3.7 A detailed Landscaping Plan be submitted for approval prior to the first subdivision for the total development that implements the recommendations made in the Visual Impact Assessment done by Megan Anderson Landscape Architect attached as Annexure N of the report.</p> <p>3.8 A site development plan, landscaping plan, and architectural guidelines be submitted for approval with each property that is created by the approval with the subdivision plan for each precinct.</p> <p>3.9 A bulk register be submitted with each Site Development Plan for record keeping purposes.</p> |
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- 3.10 The industrial activities be limited to light industrial activities aimed primarily at Information Technology and related uses and which may not include manufacturing which will have a negative impact on the adjoining residential areas as well as cause a noise disturbance, air pollution or is dependent on heavy vehicles or freight transfer.
- 3.11 Architectural and Aesthetic Guidelines be submitted for approval to the municipality with the subdivision application for each precinct and that these guidelines comply with the recommendations made in the Visual Impact Assessment done by Megan Anderson Landscape Architect attached as **Annexure N** of this report.
- 3.12 The development of the property and all subsequent subdivisions, and notwithstanding the approved rights for 1577 residential units and 28 000m² of non-residential floor area, will remain subject to all applicable development parameters in terms of the Stellenbosch Municipality Zoning Scheme By-law 2019, and should any departure be required from such development parameters due application be made for consideration.
- 3.13 Any consent uses approved in terms of the application will not be attached unqualified to the associated base zonings and may only be vested with the exclusive consideration and approval of a subdivision plan. Any other consent uses will only be vested in terms of a duly approved application.
- 3.14 All consent uses will require a site development plan approval from the municipality to determine inter alia, but not limited to, the nature, scale and extent of such consent use.
- 3.15 The internal road layout plans for the subdivision of the various precinct makes provision for NMT routes / public transport parking embayment's and Pedestrian routes which link the industrial area to the adjoining residential area and public roads.
- 3.16 The applicant submits a detailed plan for the Social Investment Strategy for approval by the Municipality, with the identification of

thresholds which will activate the required implementation of the various identified community programs prior to the first property being transferred.

3.17 A Service agreement be entered into with the municipality, which agreement contains all the conditions of approval as imposed by the Directorate: Infrastructure Service in their memo dated 17 December 2020 and that these conditions be complied with, as attached as **Annexure L** of the report.

3.18 The Development contributions are payable in accordance with the prevailing Council Tariffs for such Development Contributions at the time of payment.

3.19 The conditions of approval as imposed by the Road Network Management Directorate of the Department of Transport and Public Works be complied with, as **attached as Annexure J** of the report.

3.20 A phasing plan be submitted, based on a traffic study assessing the traffic demand for each phase and indicating the road improvements required per phase, taking into account recent traffic count data and reasonable background traffic growth forecasts for 5 years after completion of the relevant phases, and such phasing plan, once accepted by Stellenbosch Municipality and the Road Network Management Directorate of the Department of Transport and Public Works, can be changed by mutual agreement between Stellenbosch Municipality, the Road Network Management Directorate of the Department of Transport and Public Works and the developer.

3.21 The design of all road improvements be initiated in time for construction to commence before each phase is allowed to commence to the satisfaction of the Directorate Infrastructure Services.

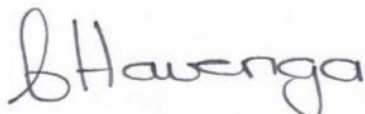
	<p>3.22 No development may commence prior to the approval of a precinct plan for the relevant portion of the subject property, for which a traffic impact statement/assessment shall be prepared, in which the impact on proclaimed roads and associated intersections shall be determined and necessary upgrades to accommodate the additional traffic shall be identified, and approval of any precinct plan will require commitment by the applicant for the funding and implementation of such upgrades as the Road Network Management Directorate of the Department of Transport and Public Works cannot commit to providing any funding for these upgrades.</p> <p>3.23 The applicant submits for approval by the Road Network Management Directorate of the Department of Transport and Public Works a traffic impact statement/assessment report for any proposed change of use, or of the scale of any particular use for consideration.</p> <p>4. REASONS FOR THE DECISIONS</p> <p>4.1 The property is well located for a mixed-use development, being on the periphery of the existing Klapmuts settlement.</p> <p>4.2 The proposal will be consistent with the provisions and proposals of the MSDF as the property is situated within the urban edge and delineated by the SDF for urban development.</p> <p>4.3 The MSDF recognises the “innovation precinct” and “smart city” development in Klapmuts South, of which the application under consideration will form a major part of.</p>
<p>SMPT 08/03/21</p>	<p>APPLICATION FOR REZONING FROM AGRICULTURE & RURAL ZONE TO SUBDIVISIONAL AREA OVERLAY ZONE, SUBDIVISION INTO 7 PORTIONS AND CONSENT TO PERMIT AN INDUSTRIAL AND BUSINESS DEVELOPMENT: PORTION 2 OF FARM 744, PAARL (LU/11252)</p> <p>Chairperson Du Plessis handed over to Mr Anton Lotz from Anton Lotz Town and Regional Planning to proceed with his oral presentation. Senior Manager, Mr Carstens presented a summary of the application. Members of the Tribunal posed questions in respect of the application for clarity purposes. It became evident during the in-depth discussion that members of the tribunal had a concern with the use of the property for industrial purposes as well as the limited linkages and access</p>

	<p>to and through this development between the existing Klapmuts Town and the new proposed The Bridge development and which creates the impression that it is created to serve as a buffer area between the existing Klapmuts Town and the new proposed The Bridge Development.</p> <p>UNANIMOUSLY RESOLVED</p> <p>THE APPLICATION FOR REZONING FROM AGRICULTURE AND RURAL ZONE TO SUBDIVISIONAL AREA OVERLAY ZONE, SUBDIVISION INTO 7 PORTIONS AND CONSENT TO PERMIT AN INDUSTRIAL AND BUSINESS DEVELOPMENT: PORTION 2 OF FARM 744, PAARL (LU/11252), BE REFERRED BACK TO THE ADMINISTRATION IN ORDER FOR THE APPLICANT TO ADDRESS THE CONCERNS RAISED BY THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL REGARDING THE REQUIRED INTEGRATION THAT THIS PROPERTY SHOULD FACILITATE BETWEEN THE EXISTING KLAPMUTS TOWN AND THE NEW PROPOSED THE BRIDGE DEVELOPMENT, AND FOR WHICH PURPOSE TO SUBMIT A SUPPORTING DETAILED PRECINCT PLAN TO SPATIALLY ILLUSTRATE HOW THESE CONCERNS WILL BE ADDRESSED.</p>
<p>SMPT 09/03/21</p>	<p>OTHER MATTERS</p> <p>The Chairperson thanked all role-players for attending the meeting.</p> <p>The meeting adjourned at 16h35.</p>



Dr D du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



Mrs C Havenga

DEPUTY CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



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THE STELLENBOSCH MUNICIPALITY

PLANNING REPORT: LAND USE AND LAND DEVELOPMENT APPLICATION:

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE DEVELOPMENT PLAN AND
 STREET NAMING AND NUMBERING: UNREGISTERED FARM NO. 510/845, STELLENBOSCH
 DIVISION (JAMESTOWN)**

Application Reference number	JT510/845 (LU/11047)	Application Date	2020/01/27
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PART A: APPLICANT DETAILS

First name(s) & Surname	Clifford Heys		
Company name	TV3 Projects (PTY) LTD		
SACPLAN registration number	N/A		
Registered owner(s)	Edwin Daniel February & Wesley Everest February	Is the applicant properly authorised to submit the application	Yes

PART B: PROPERTY DETAILS

Property description	Unregistered Farm No. 510/845	Town/ City	Stellenbosch Division (Jamestown)
Physical address	Fresno Street (see ANNEXURE A)		
Extent (m² /ha)	1,2938ha	Current zoning	Agriculture and Rural Zone
Existing Development and Current land use	Vacant		

Any unauthorised land use/building work	No
Title Deed Nr.	T62575/1996 (see ANNEXURE B)

PART C: APPLICATION DETAILS

Applications(s)	<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, for the following on Unregistered Farm No. 510/845, Stellenbosch Division (Jamestown):</p> <ol style="list-style-type: none"> 1. The rezoning of the subject property from Agriculture and Rural Zone to Subdivisional Area in terms of Section 15(2)(a) of the said By-law to allow for the following uses (<i>and in accordance with the land use framework plan and such phasing as depicted in plan with reference 3646-P(4), dated 18 October 2019, and drawn by TV3 Architects and Town Planners</i>): <ol style="list-style-type: none"> (a) 42 x Multi-Unit Residential Zone erven (portions 1 – 42), and $\pm 5\,692\text{m}^2$ in extent, for group housing purposes; (b) 1 x Multi-Unit Residential Zone erf (portion 43), and $\pm 2\,189\text{m}^2$ in extent, for purposes of a block of flats consisting of 20 units; (c) 3 x Private Open Space erven (portions 44, 45 & 46), and $\pm 652\text{m}^2$ in extent, for private open space purposes, (d) 1 x Private Open Space (portion 47), and $\pm 2\,368\text{m}^2$ in extent, for private road purposes, (e) 1 x Mixed-Use Zone property (portion 48), and $\pm 2\,014\text{m}^2$ in extent, for parking purposes, (f) 1 x Utility Zone erf (portion 49) and $\pm 10\text{m}^2$ in extent, for purposes of an electric substation, (g) 1 x Utility Zone erf (portion 50) and $\pm 15\text{m}^2$ in extent, for public road purposes, (h) The phasing of the development into four (4) phases.
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2. The **subdivision** of the subject property in terms of Section 15(2)(d) of the said by-law into 50 portions and in accordance with the subdivisional plan 3646-P(4), dated 18 October 2019, and drawn by TV3 Architects and Town Planners, to allow for the development in accordance with the subdivisional zone above;
3. The **consolidation** in terms of Section 15(2)(e) of the said by-law of Portion 48 with the abutting Erf 172, Jamestown;
4. **Departure** in terms of Section 15(2)(b) of the said by-law for:
 - a) The relaxation of the group house erven's external building lines from **3,0m** to **1,5m**;
 - b) The relaxation of the flat erf's external building line from **4,5m** to **1,5m** and **0m** respectively;
 - c) To increase the group house erven's permissible coverage from **50%** to **65%**;
 - d) To provide **±318m²** outdoor space for flats in lieu of **438m²**;
 - e) To exceed the height of the boundary walls from **1,8m** to **2,1m** and **2,524m** as per site development plan nr. 3631-A401 (rev A), dated 18 October 2019; 3631-A-402 (rev A), dated 18 October 2019; 3631-A-403 (rev A), dated 18 October 2019, drawn by TV3 Architects and Town Planners.

OTHER APPLICATIONS:

1. Application in terms of Section 98 of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the **naming and numbering of streets** as per the proposed subdivision plan.
2. Approval of **Site Development Plan** Nr. 3631-A-101 (rev H), dated 06 November 2019; 3631-A-200 (rev D), dated 02 October 2019; 3631-A-201 (rev B), dated 02 October 2019; 3631-A-202 (rev B), dated 02 October 2019; 3631-A-201R (rev B), dated 02 October 2019; 3631-A-201A (rev B), dated 02 October 2019; 3631-A-210A (rev A), dated 02 October 2019; 3631-A-210 (rev B), dated 02 October 2019; 3631-A-

	<p>301 (rev B), dated 02 October 2019; 3631-A-310 (rev A), dated 02 October 2019; 3631-A-401 (rev A), dated 18 October 2019; 3631-A-402 (rev A), dated 19 October 2019; 3631-A-403 (rev A), dated 18 October 2019, drawn by TV3 Architects and Town Planners.</p> <p>See ANNEXURE C for Subdivisional Plan.</p>
Purpose of Application	To obtain approval for a multi-unit residential development which consist of 42 single group houses and 20 sectional title flats, and a parking area which is to be incorporated with the Stellenbosch Square Shopping Centre.
Pre-consultation	No

PART D: APPLICATION BACKGROUND

Jamestown is a quiet rural settlement on the southern outskirts of Stellenbosch. It is situated next to Blaauwklippen Vineyards on the eastern side of the R44 from Stellenbosch to Somerset West. The main access from the R44 is via Webersvallei Road, the main road in Jamestown with water erven – long, narrow agricultural erven on the southern bank of Blaauwklippen River – on the north side of the road and residential plots on the south side of the road.

The subject property is located on Fresno Street in Jamestown, directly behind the Stellenbosch Square Shopping Centre. The property is zoned for Agriculture and Rural Zone purposes, is currently vacant and is not used for any agricultural activities.

The subject property is located in an area with mixed land uses, such as offices, supermarkets, shops, service station, retirement village, residential erven and social housing.

The developments of La Clemence and Aan-de-Weber have already established the principle of high-density residential developments in Jamestown.

PART E: APPLICATION OVERVIEW AND MOTIVATION (See ANNEXURE D)

1. The application property is located within the approved urban edge for Stellenbosch (and Jamestown) as identified by the Stellenbosch Municipality's Spatial Development Framework. It is a piece of undeveloped land, ideally suited for infill urban development.
2. The proposed higher density residential development on infill land will support the recommendations of the MSDF. According to the MSDF, "*current densities remain below 10 du/ha....densities are still significantly lower than the targeted density of 25du/ha...provision should also be made for redevelopment and densification as a means to accommodate market demand*". By providing a more affordable housing product with a residential density of ± 50 du/ha, the town's average residential density will increase. The proposed development can therefore be deemed desirable as it complies with the principles of the MSDF.
3. According to the Stellenbosch Municipality the inadequate supply of affordable housing in Stellenbosch is a main concern. The greater municipal area has a current and future housing backlog and the availability of developable land for housing opportunities is extremely limited. The proposed development to create 62 more affordable residential units will contribute towards addressing the housing needs and backlog and can therefore be deemed desirable.
4. The construction sector is one of the largest single contributors to employment. Construction opportunities should therefore be supported as it will create many new employment opportunities (ranging from skilled to unskilled labour). It is anticipated that the proposed development will create ± 300 new employment opportunities in the construction sector.
5. The proposed development will also pay $\pm R4$ million in development contributions to the Stellenbosch Municipality, it will contribute to the upgrading of municipal bulk infrastructure and it will annually pay municipal rates and taxes to the amount of $\pm R600\ 000$. The proposed development will therefore have a positive impact on the local economy and infrastructure and it can be deemed desirable.
6. The development of La Clemence and Aan-De-Weber have already established the principle of high-density residential developments in Jamestown and the proposed development will therefore not be new to Jamestown, but rather compliant with the integrated and mixed development. The proposed development will therefore not create a precedent for other high-density developments.

7. The development will have a positive effect on surrounding property values and Jamestown's residents will subsequently benefit from it. An increase in property values will lead to higher property taxes, but a land owner can petition Council for a rebate, but if a landowner does sell their property, then they will be able re sell it at a profit.
8. Heritage Western Cape supported the proposal.
9. Bart Senekal Inc. civil engineers were instructed to investigate the availability of civil engineering services for the proposed development. According to their services report no problems are foreseen in this regard.
10. ICE traffic engineers were instructed to undertake a transport impact study for the proposed development. According to their transport impact study report the proposed development is acceptable from a traffic point of view.
11. The development will provide more affordable housing opportunities in Stellenbosch and support local economic development.

PART F: PUBLIC PARTICIPATION, COMMENTS AND RESPONSE (See ANNEXURE E)

1. Process followed

The applicant has, in terms of the said bylaw, notified the external departments, advertised the proposal in the local newspaper and notified (serving of notices) all interested and affected parties, as well as community organisations. Notices were also placed on the property.

The advertising period was from **23 July 2020** to **24 August 2020**. Five (5) objections were received (see **ANNEXURE F**).

Methods of advertising				Date published	Closing date for Objections/comments
Press (Eikestad News)	Y	N	N/A	23 July 2020	24 August 2020
Notices	Y	N	N/A	23 July 2020	24 August 2020
Ward councillor	Y	N	N/A	15 July 2020	15 August 2020
On-site display	Y	N	N/A	23 July 2020	24 August 2020
Community organisation(s)	Y	N	N/A	23 July 2020	24 August 2020
State departments	Y	N	N/A	23 July 2020	23 August 2020

2. Public & stakeholder inputs

a) Jamestown Ratepayers Association

- i) The community cannot handle further pressure on the infrastructure, especially not that of a high density development. There is currently only one legal access road to Jamestown and the sewer system is still being upgraded. Further high density developments are not possible without having serious negative consequences on the Jamestown community. The traffic within the residential area is already unbearable.
- ii) We do not support the relaxation of building lines. Fresno Street currently connects Webersvalley Road with "School Street" which is furthermore the passageway to the cemetery. With the planned permanent closure of "School Street" by the Regional Services Council, it is by no means practical to relax the external building lines from 1,5m to 0m. Fresno Street is also used by numerous pedestrians, which makes it necessary to establish pedestrian space.
- iii) We wish to receive the environmental impact study to establish what impact the proposed development will have on the agricultural erven as well as the surrounding area.
- iv) Due to previous development such as La Clemence, Stellenbosch Square and "Aan-De-Weber", Jamestown has been disadvantaged in terms of higher property valuations and rates and taxes.

- v) The proposed development will definitely detract from the character of Jamestown. The community will be boxed in by developments that do not contribute to the unique character. The proposed development will have its own homeowner's association, which will further shut them off from the interests and values of the Jamestown community.
- vi) Future developments must be community-oriented. Single residential housing, instead of luxury security complexes, will naturally fit in with the already existing houses as well as Jamestown's character.

b) HG Eggers (Ward 21 Committee Member)

- i) The subject property is in a very special location. It is close to the R44 and should play a pivotal role in satisfying land needs of a Stellenbosch public transport infrastructure (taxi, NMT and Park-and-Ride). Developing this land for yet more housing would block a declared MSDF goal. The planning department should encourage the applicant to submit a proposal for a Park-and-Ride development.
- ii) Jamestown is under intense pressure from the moneyed classes. The poorer households cannot afford the higher taxes and have to sell, thereby accelerating the destruction of the present community (gentrification).
- iii) In Jamestown there is a far larger population with housing needs in not the mid-level, but in the low-end housing categories. The development would therefore do nothing to alleviate the existing housing shortages of locals.
- iv) Neither Portion 9 nor Portion 845 of Farm No. 510 appears on the Stellenbosch Municipal Valuation Roll. For how many decades has the effective tax-free status of the property persisted? The present process should be suspended until the valuations and rates/tax liabilities of the properties in question have been resolved.

c) Jamestown Heritage

- i) During the development of the residential area in Jamestown, owners had to cede a portion of their properties, without compensation, for the creation of the current streets and open spaces. They also had to cede up to as much as 30% of the value of the erven sold to the Regional Services Council as an endowment fee used for development and

infrastructure in Jamestown. The then Jamestowners therefore paid for the development and upgrading of Jamestown's infrastructure.

- ii) Jamestown is boxed in by development around which has no long-term benefit to the community to a point where the community can no longer afford to survive.
- iii) Currently more than 800 households from Jamestown, Mountain View, La Clemence, Aan-De-Weber as well as the additional Stellenbosch Square businesses and adjacent businesses / Blaauwklip Office Park / new businesses in Webersvalley Road's staff as well as clients use the Webersvallei-R44 junction. This is currently the only legal access road to Jamestown, which should also serve as an access road to the next phase RDP development, known as Mountain View.
- iv) With the establishment of the high density residential developments for higher income groups, it will definitely put more pressure on the infrastructure. With the insufficient infrastructure, especially access roads, it could also prevent the long-awaited RDP development from taking place on Mountain View, bringing affordable housing to many Jamestown families.
- v) Jamestown's property valuations and taxes have already been greatly increased making it difficult for the mostly middle and lower income group as well as pensioners and also the unemployed in the community to keep up with current inflation.
- vii) It would only be fair to the Jamestown community's holders as private owners to place Jamestown between the "School Street" and Blaauwklippen River outside the so-called urban edge to prevent similar future applications.
- viii) Previous application for high density developments were refused by Council.
- ix) The proposal will definitely have a detrimental impact on the character of the surrounding area.
- x) Approval of this residential development will certainly open the door for other opportunistic and money-hungry developers to erect group housing and apartment buildings on other plots in the area and it will not only do injustice to the unique character of Jamestown, but completely destroy it.
- xi) The owner of Unregistered Farm No. 510/845, was aware that the erf was zoned for agricultural purposes when he bought it. The owner must use the property for alternative

purposes such as a memorial garden / herb garden / vegetable garden that is in line with the agricultural activities and at the same time can serve as a tourist attraction or apply for a use that is in line with the rest of the Jamestown neighbourhood.

d) De Zalze Winelands Golf Estate

- i) De Zalze confirms that it has approved rights for 558 units and that the availability of services for the development of the remaining units may not be affected by the provision of services to the proposed development.
- ii) The traffic impact report does not mention if the additional traffic impact that will be created by the Capitec & De Waldorf Developments were included in the calculations. The applicant must confirm if these impacts were taken into account in the traffic study.
- iii) Although the EA for the upgrades to the R44 were given, there is at this time no indication when construction will commence. There is also no indication as to where the improvements will start as the work required include major construction at the Steynsrust bridge and the intersections at Winery and Annandale Road.

e) Stellenbosch Interest Group

- i) The scale and design of the development is inappropriate to the context of the strong historical and closely knit community. A more subtle design will provide for a better transition from the "hard" design of the adjacent shopping mall to the rest of Jamestown. SIG suggests a drastically reduced number of units as well as a more humane architectural design.
- ii) The price range of the properties may also have an impact on the property values of the neighbouring area and municipal rates may become unaffordable for the residents, escalating the process of gentrification.
- iii) The Jamestown hamlet has undergone some major developments on its periphery over the past two decades. These developments have started to erode the socio-cultural heritage of Jamestown. The rich heritage in the hamlet must not be allowed to be lost in the wake of gentrification and fortification. Developments driven by powerful entities seeking financial gain have been detrimental to local-time residents.

3. Government related inputs received

- a) **Heritage Western Cape** supported the proposal (see **ANNEXURE G** for letter dated 14 April 2020)
- b) **Department of Agriculture (Eisenburg)** supported the proposal (see **ANNEXURE H** for letter dated 08 October 2020).
- c) No response was received from the Department of Transport and Public Works.

4. Comments from internal service departments

- a) The **Manager: Spatial Planning** supported the application, but encourages the developer to have a look at inclusionary housing options (see **ANNEXURE I** for memo dated 15 September 2020)
- b) The **Director: Engineering Services** supported the proposal subject to certain conditions (see **ANNEXURE J** for memo dated 03 November 2020).

5. Response by Applicant to Comments Received (see ANNEXURE K)

- a) Municipal bulk infrastructure not be able to cope with additional pressure of the proposed development's engineering services.
 - i) Bart Senekal Ic. Civil engineers investigated the availability of civil engineering services for the proposed development. They have confirmed that the proposed development can be accommodated from a civil engineering services point of view.
 - ii) The application has also been submitted to the municipal civil engineers for their comments and support, and the developer will have to pay development contributions to Council for the upgrading of bulk infrastructure.
- b) The current traffic situation in Jamestown is untenable and the proposed development's traffic will further exacerbate this problem
 - i) A traffic impact assessment was undertaken by iCE traffic engineers and they confirmed that the proposed development is supported from a traffic point of view.

- ii) The application has also been submitted to the municipal traffic engineers for their comment and support, and the developer will have to pay development contributions to Council for the upgrading of public transport infrastructure.
- c) The relaxation of all building lines as it will impede pedestrian and vehicular movement on the public roads.
- i) The purpose of the proposed building line relaxations is to permit a more sensible and optimal architectural design of the proposed residential units. It will not impact on the movement of pedestrians or traffic on the public walkways and road.
 - ii) None of the abutting landowners have objected to the proposed building line relaxations.
- d) The subject property should remain single residential
- i) The subject property is zoned Agriculture and Rural Zone. It is located within an urban environment and borders on a commercial centre. It would not make sense to farm the property, but rather to create a higher density residential development that will act as a transition zone between the commercial land uses and the single residential land uses.
- e) A copy of the environment impact assessment is requested.
- i) The proposed development does not require the Department of Environment Affairs and Development Planning's environmental authorisation in terms of the National Environmental Act, 1998 because the subject property is located within an urban area, it is smaller than 5ha, there are no indigenous vegetation on the subject property and the subject property is not zoned for any conservation purposes.
- f) The proposed development will – similar to La Clemence, Stellenbosch Square and Aan-De-Weber – improve the area, which will lead to higher property values and higher property taxes. These higher property taxes will force residents to sell their properties and relocate to more affordable areas.
- i) The proposed development will improve the area (as opposed to worsening the area). It will consequently have a positive effect on surrounding property values and Jamestown's residents will subsequently benefit from it. An increase in property values will lead to higher property taxes, but a landowner can petition Council for a rebate. If a landowner does sell their property, then they will be able to sell it at a profit.

- ii) With the approval of the MSDF 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 private farms) will be supported. The direct result of this policy is that existing urban areas (such as Jamestown) will now be redeveloped to absorb the town's development pressures and that Jamestown property values will increase. By creating a very tight urban edge and by 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 subject property is therefore a direct result of this Council policy – and not the proposed development.
- g) The proposed development is gentrification and will destroy Jamestown's character.
- i) A new development on vacant land is not by definition gentrification.
 - ii) Gentrification is considered the phenomenon of affluent people moving into less wealthy neighbourhoods, renovating the old buildings and attracting new businesses. In the process, property values increase, rents increase, and poorer neighbourhood residents are displaced. Because of gentrification's complex relationship with developments and economic tensions, people sometimes confuse gentrification with new developments.
 - iii) The proposed development, however, aims to provide an affordable housing product with expected prices to range from ±R1,3 million to ±R3 million. This is in line with the house prices of Jamestown. It can therefore not be considered gentrification.
- h) Approval of the development will open the door for another opportunistic developer that will destroy the character of the area.
- i) 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 like these residential developments and will therefore not be new or foreign to Jamestown.
 - ii) The MSDF recommends high density infill development on vacant urban land (including Jamestown) and Heritage Western Cape has already approved the development proposal.

- i) The developer knowingly purchased the site with an agricultural zoning and they should therefore utilize 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 attracts tourists.
- i) 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.
- j) The development proposal complies with the MSDF, however it should rather be used as a public transport node.
- i) The development proposal does comply with the recommendations of the MSDF which states "infill opportunities also exist in Stellenbosch town, specifically in Cloeteville, Idas Valley, Stellenbosch Central, along the edges of Jamestown" – i.e according to the MSDF the subject property is deemed to be an infill development opportunity.
- ii) The proposed infill development on the subject property is therefore compliant with the purpose and recommendations of the MSDF, and to refuse the application will be considered incompatible with the recommendations of the MSDF.
- iii) A public transport node – as suggested by the objector – should rather be located on public land.
- k) The proposed development will address the town's housing needs and backlogs, but in Jamestown there is a need for more housing opportunities in the low-end housing category (and not in the mid-level housing category).
- i) There is a huge demand for middle-income housing in Stellenbosch and Jamestown. Most of the housing options available in Stellenbosch are either low-income housing or high-income housing (because Council's spatial planning policies that limit new private opportunities on green fields). Most of the land available for development in Stellenbosch is Council land and is used predominantly for low cost housing projects.
- ii) Council is currently providing many new low-income housing opportunities in Jamestown – on a ±50ha portion of Farm No. 527 (directly south of Jamestown). It is therefore accepted that the low-income housing demand in Jamestown is being addressed. But what about the middle-income housing demand?

- iii) Middle income housing opportunities is scarce in Stellenbosch. For this reason, many workers must commute every day from Somerset West of Bellville to Stellenbosch, because they cannot afford housing in Stellenbosch. The proposed development aims to address this problem by providing an affordable housing product in the middle-income market.

- l) The objector claims that the subject property does not appear on the Stellenbosch Municipal Valuation Roll and has never paid any property taxes.
 - i) This is a concern for the Stellenbosch Municipality's rates and taxes department and is not pertinent to the land use planning application.

- m) The scale and design of the proposed development is inappropriate to the context of the area. A more subtle design will provide a better transition from the shopping mall to Jamestown.
 - i) The architecture of the proposed development is very good when considering the constraints of the site and the aim of the proposed development.

 - ii) The architecture of the town houses is sympathetic (i.t.o scale and design) to the single residential character of Jamestown, whilst still shielding the monolithic structure of the Stellenbosch Square commercial building. With a clever design and the use of limited space, the architecture manages to provide a multi-level residential unit (for a family) with a private outdoor area and a garage in a very small area. This allows the developer to limit the costs and to provide an affordable product.

 - iii) The proposed town houses will act as the buffer between the single residential and commercial parts of Jamestown. This is a natural progression in the intensity of land uses.

- n) The number of units should be reduced.
 - i) All new developments must be sustainable, and the three pillars of sustainability are economic, environmental and social pillars. If any one of these pillars is weak then the development will become unsustainable.

 - ii) The number of units makes the development proposal economically viable. If the number of units is reduced – as suggested by the objector – then the development will become unsustainable.

- o) The prize range of the development may have an impact on the surrounding property values and lead to gentrification.
- i) The proposed development aims to provide an affordable housing product with expected prices to range from ±R1.3 million to ±R3 million for a residential unit.
 - ii) A vacant erf in the proposed development will cost ±R600 000. This similar to vacant erven in Jamestown that sell for ±R750 000.
 - iii) The proposed development's price range is therefore in line with house prices of Jamestown.
- p) All new development in Jamestown has eroded the heritage of Jamestown. The proposed development will lead to gentrification and fortification and a loss of community.
- i) Heritage Western Cape has assessed the proposed development's impact on Jamestown's heritage and has approved the development proposal.
 - ii) All towns must grow (or they die) and growth goes hand in hand with change. It is normal for people to fear change, but this fear can become irrational and harmful. Change and growth in a town is good (even in Jamestown) because it will lead to improvements, progress and new opportunities.

PART G: ASSESSMENT OF LAND USE AND LAND DEVELOPMENT APPLICATION

1. Legislative and Policy Context of land use and land development application

The legislative/ principles/ policies/ guidelines/ plans which are considered as relevant to the subject land use and land development application, are as follows:

- 1.1 Stellenbosch Municipality Land Use Planning Bylaw, 2015
- 1.2 Stellenbosch Municipality Zoning Scheme By-Law, 2019
- 1.3 Stellenbosch Municipality Spatial Development Framework (2018)

2. Assessment of grounds of the land use and land development application

2.1 SPLUMA Principles

The application under consideration has insignificant bearing on development principles of spatial justice, sustainability, efficiency and good administration as specified in Section 2 of SPLUMA. See table below:

2.2 Applicable MSDF and LSDF's

DEVELOPMENT PRINCIPLES	KEY CONSIDERATIONS
Spatial Justice	The development promotes access to ownership of land and it supports the goals of the Stellenbosch Spatial Development Framework.
Spatial Sustainability	The development will make provision for a range of income groups. The development can be seen as infill development and will therefor limit urban sprawl. The proposal has the potential in future to contribute to the financial viability of the municipality.
Efficiency	The development will contribute to achieving the desired mix of land uses.
Good Administration	All relevant spheres of government were consulted and their comments were taken into consideration.
Spatial Resilience	This principle will have no direct bearing on the application.

The subject property is located within an urban area and within the urban edge in the residential town of Jamestown. It is a piece of undeveloped land, ideally suited for infill urban development.

Infill development and densification is encouraged in terms of the approved MSDF. The development of future developments must be contained within existing urban areas to promote compact towns in close proximity to existing services. Stellenbosch municipal area is in need for the provision of more affordable residential units.

The property is located in an area with mixed land uses and will be compatible with the integrated and mixed surrounding area.

2.3 Applicable planning policies and guidelines

The Provincial Spatial Development Framework (PSDF) sets out a policy framework within which the Western Cape Government will carry out its spatial planning responsibilities. The proposed development aligns with key themes covered in this framework i.e. promoting infill and compact development within the urban edge, ensure functional integration between people of different income groups, the proposal does not perpetuate urban sprawl, opening up opportunities for community and business development and to develop integrated and sustainable settlements.

2.4 Service infrastructure capacity and sustainability

A report on the provision of civil engineering services was done by Bart Senekal Consulting Civil and Structural Engineers (see **ANNEXURE L**, dated 12 November 2019). It was concluded that the required basic civil engineering services for the proposed development, i.e. potable water, sewerage and solid waste removal can be accommodated by the Stellenbosch Municipality in their existing infrastructure, subject to the implementation of the Jamestown Outfall Sewer that is already under construction. Attenuation of peak stormwater run-off from the developed site will be implemented.

2.5 Any investigations carried out in terms of other laws that are relevant to the consideration of the subject application (e.g. EIA, TIA, HIA etc.)

A Traffic Impact Assessment was done by ICE Consulting Services and the proposal is supported from a traffic impact point of view subject to certain conditions (see **ANNEXURE M**, dated December 2019).

- i) That sidewalks be provided along the "public road" to complete the pedestrian accommodation between Jamestown and Stellenbosch Square;*
- ii) That the existing faded pedestrian crossing across the "public road" along Webersvalley Road be reinstated;*
- iii) That the additional visitor's parking bays be set back to accomplish at least 7,0m isle width; and*
- iv) That the road authorities (WCG and Stellenbosch Municipality) should consider providing a second access to Jamestown in view of the WCG's intention to close the existing School Street-intersection on the R44.*

2.6 The proposal

The proposed development will consist of sixty-two (62) residential dwelling units, of which forty-two (42) will be group housing dwelling units (two- and three-bedroom), and twenty (20) two-bedroom apartments (flats). It is also proposed to subdivide the southern portion of the subject property (measuring $\pm 2014\text{m}^2$ in extent) to be consolidated with the Stellenbosch Square property (Erf 172, Jamestown). The proposal will be subdivided in four phases.

According to information, Stellenbosch Square currently has allowable bulk not yet acted upon but require additional space for the parking required to be able to act on the said bulk. Parking is thus proposed on the said southern section of the subdivision. The proposed parking will be linked to Stellenbosch Square by way of pedestrian access.

Access to the subject property is proposed from the intersection of the "public road" and the Stellenbosch Square Delivery/Services access. Access to the proposed parking area will be via an existing roundabout along Fresno Street.

a) Residential component (group houses and flats):

The development rules for the residential component are as follows:

Development Rules	Group houses	Flats
Erf size(s)	$\pm 135\text{m}^2$	$\pm 2\,189\text{m}^2$
Coverage	$\pm 65\%$ (in lieu of 50%)	$\pm 35\%$
Height	2 storeys	2 storeys
Floor area	N/A	$\pm 0,7$
Building lines (external)	1,5m (In lieu of 3,0m)	1,5m and 0m (in lieu of 4,5m)
Building line (internal)	0m	N/A
Parking	84 parking bays (@2 bays per unit)	30 parking bays (@1.5 bays per unit)
Outdoor space	$\pm 1\,911\text{m}^2$	$\pm 318\text{m}^2$ (in lieu of 438m²)
Boundary wall	2,1m and 2,525m (in lieu of 1,8m)	2,1m (in lieu of 1,8m)

The property sizes for the group housing component range from $\pm 135\text{m}^2$ to $\pm 139\text{m}^2$ in extent. Each property will be developed with a double storey dwelling unit with outdoor space to the back of each property. The group housing component will have a density of ± 56 dwelling units per hectare (the zoning scheme provides for a maximum density of a group housing development to be 50 units per hectare).

The zoning scheme prescribes outdoor space, including private outdoor space, in a **group housing** development shall be provided at a rate of at least 25m^2 per dwelling unit. This outdoor space may be provided in any combination of private and/or communal open space, provided that each dwelling unit has a private outdoor space measuring at least $2\text{m} \times 5\text{m}$. A total of $\pm 1911\text{m}^2$ outdoor space has been provided.

The zoning scheme further states that on land units used for **flats** and hostels, communal outdoor space shall be provided at a rate of at least 20% of the area of the land unit and shall be landscaped to the Municipality's satisfaction and reserved for recreation purposes for residents. A total of $\pm 438\text{m}^2$ is thus required. A total of $\pm 318\text{m}^2$ has been provided with a private open space property of $\pm 545\text{m}^2$ in extent been provided for in the centre of the development.

The size of the Portion 43 is $\pm 2\,189\text{m}^2$ in extent and will accommodate the 20 flats (sectional title). The height of the flats is limited to two storeys and each apartment will consist of a ground and first floor.

A homeowners association will be established to manage the residential component and will consist of all the residential units' landowners (group housing and flats).



FIGURE 1: ELEVATION FOR GROUP HOUSE

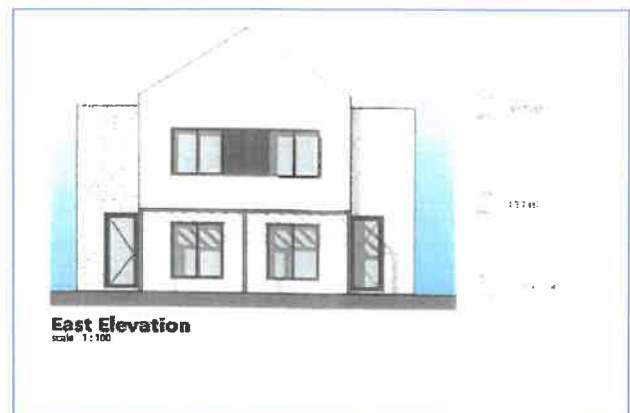


FIGURE 2: ELEVATION FOR FLATS

b) Mix-Use property:

This property (Portion 48) will be consolidated with the Stellenbosch Square Shopping Centre. No buildings are proposed on the mixed use erf and will provide additional parking (as well as basement parking) for the shopping centre and direct access from the shopping centre to Fresno Street to integrate the existing commercial facility with the community it serves.

c) Departures

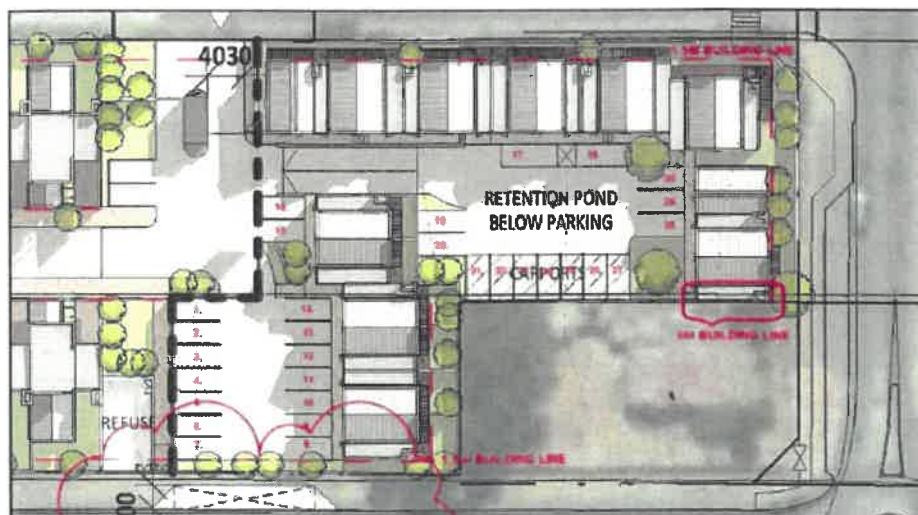


FIGURE 3: RELAXATION OF BUILDING LINES

The applicant motivates that the relaxation of the development's external building lines, and the increase in coverage is to accommodate a sensible and optimal urban design of the proposed residential units. The departure application for the relaxation of the building lines and to exceed the permissible coverage may result in the over-development on relatively small properties. If slightly larger erven are proposed, the layout can be remodelled so the proposed structures comply with the parameters of the zoning scheme.

Adequate open space in a development is very important as it provides a safe and secure environment for its residents and it also provides a place for its residents to socialize, therefore increasing a social bond between the residents. The under-provision of outdoor space for the flats will have a negative impact on the inhabitants of this component even though a central open space is proposed in the group housing section. The location of the communal garden in the proposed development is not practical as it means the residents have to walk through a gate to another part of the development to make use of the communal area. The departures for applied for are therefore not supported.

3. General desirability in accordance with possible impacts on neighbouring properties and surrounding areas.

a) Compatibility with surrounding properties:

Two residential estates (Le Clemence and Aan-De-Weber) are already present in Jamestown. In terms of the Municipal Spatial Development Framework gated residential development is not favoured. The proposed development will however not be foreign to the area and should blend in with the surrounding existing land uses. The position of the proposed development is such that no further expansion in will take place in that direction (adjacent to Stellenbosch Square Shopping Centre).

b) Impact on existing rights:

The proposed development borders on a business component to the west, a single residential component to the east with the graveyard and low-cost housing component (Mountain View) to the south. The agricultural component and high density residential development is to the north. The proposed development forms a physical barrier between the business component and the residential component.

The properties in Fresno Street are looking unto the back of Stellenbosch Square Mall which currently has a blank, hard exterior. The proposed development will, to some extent, soften the

exterior of the shopping centre. The development is designed in sections to soften the appearance of a long row of semi-detached houses.

The development will also not detract from the surrounding neighbourhood, as the apartment component (flats) will consist of two floors only. It will be the same height of that of a double-storey, residential dwelling house and will therefore not tower over the existing residential houses.

The proposal will not have a detrimental impact on the existing rights of the neighbouring properties as the character of the area, privacy, amenity, views, etc will not be compromised.

c) Benefits of Densification:

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. Considering the configuration of the subject property, the development attempts to provide for the highest possible densities.

Higher density residential development of ± 50 du/ha, as per the Stellenbosch Municipality Zoning Scheme By-Law, can be deemed desirable. It should be pointed out that the density for the proposed development (*total size of property minus the extent of the business component*) is ± 56 du/ha.

d) Positive impact on 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.

e) Traffic:

The application property is located within the urban edge and densification and infill development is encouraged. Development is thus inevitable and it is clear that any type of development will lead to an increase in traffic. The proposed development will have the potential to generate 62 peak hour trips. It is stated in the traffic impact statement that no short term upgrades are suggested at the R44/Webbersvalley Road signalized intersection and that the provision of the additional through lanes at the intersections along the R44 as part of the "R44 Safety Project" would address the traffic flow problems at the intersection (see **Annexure M**). The proposal was also supported by the Director: Engineering Services (see **Annexure J**).

f) Inclusionary housing:

The Spatial Development Framework stipulates that the Municipality must expand its housing opportunities for a broader range of groups. In order to achieve this, an inclusionary housing policy and guidelines needs to be developed (no policy exists). It is important to note that Farm No. 527, Stellenbosch Division, to the south of the subject property, has been earmarked in the MSDF to accommodate RDP, social and gap housing.

The proposed development will provide different housing sizes at different prices in the same residential development. It will consist of 2-3 bedroom single title units. The expected prices of these housing units will range from ±R1.3 million to ±R3.3 million.

g) Public transport:

Webersvalley Road forms part of the public transport route through Jamestown. It is proposed that the proposed refuse embayment along Fresno Street be utilized as a public transport embayment as refuse collection usually occurs during off peak times, about once a week.

h) Integration:

It is however clear that the new development is not integrated with the existing Jamestown Community. Access to the proposed development is from the public road that runs past the filling station and also gives access to the service area of the shopping centre. No access is proposed from Fresno Street thereby not allowing for integration with the existing area. It is suggested that the applicant submits an amended proposal that will consider the surrounding existing area and address the issue of integration.

i) Concept:

Even though the application includes a component zoned for flats, the proposed concept of the units is that of a typical group housing unit with a ground and first floor, albeit very small. The concept of typical flats has not been supported in the past in the context of Jamestown, which may be the rationale for the proposed concept. The use of a group housing concept with a proposed zoning for flats however also circumvents requirements for density, outdoor living space and parking. This misrepresentation of flats results in a development which does not carry the associated development parameters of the concept.

The impact of such development in the context of Jamestown, with due consideration of the required departures as well as the sentiments raised by the interested and affected parties, will in effect result in the over-development of the subject property. The undesirable outcome to present

a development typology of group housing on the basis of development parameters of flats is evident and not supported.

The proposed development, in its current format as group housing units, consequently, results in 56 du/ha which will require a departure application. It is thus proposed that an amended proposal is required. Although the concept of higher density development is supported by the department, it is proposed that the applicant amend the proposal to comply with the prescribed densities in the zoning scheme and ensure that the associated development parameters of densities, building lines, open space and parking is met.

The development proposal is also not well integrated with the existing Jamestown community and it is proposed that the integration of the development with the existing Jamestown community is improved.

4. Assessment of comments on application

- a) Bart Senekal Consulting Civil & Structural Engineers confirmed that the required basic **civil engineering services** (see **ANNEXURE L**) for the proposal can be accommodated by the Stellenbosch Municipality in their existing infrastructure, subject to the implementation of the Jamestown Outfall Sewer that is already under construction. Certain infrastructure upgrades are proposed as a result of the development proposal and will be implemented by the Municipality with the aid of the development contributions payable.
- b) A traffic impact assessment (see **ANNEXURE M**) was undertaken by ICE traffic engineers and they confirmed that the proposed development is supported from a traffic point of view. The engineering department identified the upgrade at the R44/Webervallei Road intersection to mitigate the additional **traffic impact** on the intersection which is already experience congestion problems.
- c) The **relaxation of the building lines will not impede on the movement** of the pedestrians and/or vehicles as the proposed structures will not encroach unto the road reserve but will still be in the confines of the erf boundaries. The relaxation of the building lines is however not supported and it is proposed to require a revised proposal.
- d) The **current zoning** of the property is Agriculture and Rural Zone and is located within an urban area and within the urban edge in Jamestown. It is a portion of undeveloped land, ideally suited for infill urban development.

- e) The proposed development does not require the Department of Environment Affairs and Development Planning's **environmental authorisation** in terms of the National Environmental Act, 1998 because the subject property is located within an urban area, it is smaller than 5ha, and there is no indigenous vegetation on the subject property.
- f) Any open piece of land, within the urban edge, designated for urban development, has the potential to be developed. By developing that piece of land, an increase in **higher property values (and eventually higher property taxes)** are envisaged as it will add value to the area.
- g) **Gentrification** can generally be seen as the displacement of low-income families or to prevent low-income families from moving into previously affordable neighbourhoods. Even though the development is proposed on a completely vacant site (Greenfield site), the proposal can still be seen as 'indirect' gentrification.
- h) The two developments (La Clemence and Aan-De-Weber) have already, to some extent, **altered the character of the existing environment**. "The James" is therefore not a first in the area and will therefore fit in with these developments. It is also important to note that these three developments are located almost on the edges of Jamestown.
- i) The location of Farm No. 510/845, Stellenbosch Division lends itself for the establishment of a residential development, even though it's **zoned for agricultural purposes**. The property is enmeshed between the business component on one side and the residential component on the other. All agricultural erven are located adjacent to Webervalley Road, along the Blaauwklippen River.
- j) A **public transport node** should rather be located on public land. It is proposed that the proposed refuse embayment along Fresno Street be utilized as a public transport embayment as refuse collection usually occurs during off peak times, about once a week.
- k) Council is currently providing many new **low-income housing opportunities** in Jamestown – on a ±50ha portion of Farm No. 527 (directly south of Jamestown). It is therefore accepted that the low-income housing demand in Jamestown is being addressed.
- l) The subject property does not appear on the Stellenbosch Municipal **Valuation Roll**. This issue, unfortunately, has no bearing on the land use application and needs to be addressed

by the rates and taxes department. If the development is approved, each individual property will pay rates and taxes.

- m) The development is **designed in segments** to soften the appearance of a long row of semi-detached houses.
- n) The Stellenbosch Municipality Zoning Scheme By-law, 2019 prescribes that the maximum density for a group housing development shall be **50 dwelling units per hectare**. As the proposed flats are presented as in the concept of typical group housing units, the proposed development in fact results in a development of 56 du/ha and as proposed above, an amended proposal is required.

All objections and comments from the relevant departments were adequately addressed in the assessment of the report.

5. Additional planning evaluation for removal of restrictions

Not applicable.

PART H: SUMMARY OF KEY FINDINGS OF ASSESSMENT

After having independently considered and weighted all the relevant information the evaluation of the subject land use and land development application concludes that:

1. The subject property is located within the urban edge and in an area designated for "urban development" in the Stellenbosch Spatial Development Framework.
2. The development will bring new stock to the market and arguably improve the value of surrounding land.
3. The development of unutilized property contributes to improved safety and security and is desirable in terms of forward planning by densifying existing urban areas.
4. The proposed development will to some extent alter the character of the area but is not foreign to the area as similar development exists on the edges of Jamestown.
5. The proposed development can provide different housing sizes at different prices in the same residential development.

6. 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.
7. The new development is however not integrated with the existing Jamestown Community. It is suggested that the applicant submits an amended proposal that will consider the surrounding existing area and address the issue of integration. It is thus proposed that an amended proposal is required.
8. The design of the proposed flats represents typical group housing units which format will result in the overdevelopment of the property. The under-provision of outdoor space for the flats, together with the very small properties, is a result thereof and will have a negative impact on the development and is also not supported.
9. The departure application for the relaxation of the building lines and to exceed the permissible coverage may result in over-development of rather small erven and is therefore not supported.

PART I: RECOMMENDATION

1. That the following application in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Unregistered Farm No. 510/845, Stellenbosch Division (Jamestown), namely:
 - 1.1 The **rezoning** of the subject property from Agriculture and Rural Zone to Subdivisional Area in terms of Section 15(2)(a) of the said By-law to allow for the following uses:
 - (a) 1 x Mixed Use Zone portion with an extent of $\pm 2\,014\text{m}^2$ for parking purposes;
 - (b) 1 x Multi-Unit Residential Zone purposes inclusive of group housing erven; private road purposes; private open space purposes and utility service purposes; with a total extent of $\pm 10\,926\text{m}^2$)

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

2. Conditions of approval:

- 2.1 An amended **Subdivisional Plan, Phasing Plan** and **Consolidation Plan** be submitted to the Municipality for approval. The amended proposal must include the following:
- a) *Density requirements (maximum of 50 dwelling units per hectare);*
 - b) *Open Space requirements (as per the Stellenbosch Municipality Zoning Scheme By-Law)*
 - c) *Land uses and extent thereof;*
 - d) *Phasing plan;*
 - e) *Street naming and numbering.*
- 2.2 An amended **Site Development Plan** be submitted to the Municipality for approval. The amended proposal must include the following:
- a) *The position, use and extent of all proposed buildings;*
 - b) *Elevations of the new development;*
 - c) *The details of proposed vehicle access, roads, parking areas and pedestrian footpaths.*
 - d) *Details of the proposed fencing or walls around the perimeter of the land unit.*
 - e) *The position and extent of proposed private, public and communal space and general landscaping proposals;*
 - f) *The building development parameters as per the Stellenbosch Municipality Zoning Scheme By-Law, 2019.*
- 2.3 The approval will lapse if not exercised within **5 years** from date of final notification.

3. Reasons for the approval are as follows:

- a) The proposal will develop underutilized land within the urban edge for urban development.
- b) The proposed residential development constitutes infill development and is therefore in line with the principles of the Spatial Development Framework.
- c) The proposed development of the subject property will not impact negatively on the safety and welfare of the members of the community or have an effect on existing rights concerned.

d) 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.

4. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Unregistered Farm No. 510/845, Stellenbosch Division (Jamestown), namely:

4.1 The **rezoning** of the subject property from Agriculture and Rural Zone to Subdivisional Area in terms of Section 15(2)(a) of the said By-law for Multi-Unit Residential Zone for the construction of flats;

4.2 The **subdivision** in terms of Section 15(2)(d) of the said by-law into 50 portions and in accordance with the subdivisional plan 3646-P(4), dated 18 October 2019, and drawn by TV3 Architects and Town Planners, to allow for the development in accordance with the subdivisional zone;

4.3 The **consolidation** in terms of Section 15(2)(e) of the said by-law of Portion 48 with the abutting Erf 172, Jamestown;

4.4 **Departure** in terms of Section 15(2)(b) of the said by-law for:

(a) The relaxation of the townhouse erven's external building lines from **3,0m** to **1,5m**;

(b) The relaxation of the flat erf's external building line from **4,5m** to **1,5m** and **0m** respectively;

(c) To increase the townhouse erven permissible coverage from **50%** to **65%**; and

(d) To provide **±318m²** outdoor space for flats in lieu of **±438m²**;

(e) To exceed the height of the boundary walls from **1,8m** to **2,1m** and **2,524m** as per site development plan nr. 3631-A401 (rev A), dated 18 October 2019; 3631-A-402 (rev A), dated 19 October 2019; 3631-A-403 (rev A), dated 18 October 2019, drawn by TV3 Architects and Town Planners.

NOT BE APPROVED in terms of Section 60 of the said Bylaw.

5. The reasons for the **refusal** are as follows:

a) The proposed subdivisional plan does not promote functional integration between the new development and the existing Jamestown Community.

- b) The departures applied (building lines and coverage) for will lead to the over-development of rather small properties.
- c) The under-provision of outdoor space for the flats will have a negative impact on the inhabitants of this component.

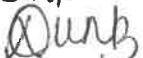
6. Matters on the application TO BE NOTED:

- 6.1 That the approval on the name of the development and the naming and number of streets as per the proposed subdivision plan, **BE OBTAINED** from the Executive Mayor of Stellenbosch as the duly authorised decision maker on such matters.

PART J: ANNEXURES

- 1. **ANNEXURE "A" : LOCALITY PLAN**
- 2. **ANNEXURE "B" : TITLE DEED**
- 3. **ANNEXURE "C" : SUBDIVISIONAL PLAN**
- 4. **ANNEXURE "D" : APPLICANT'S MOTIVATION**
- 5. **ANNEXURE "E" : PUBLIC PARTICIPATION PROCESS**
- 6. **ANNEXURE "F" : OBJECTIONS**
- 7. **ANNEXURE "G" : COMMENT FROM HERITAGE WESTERN CAPE**
- 8. **ANNEXURE "H" : COMMENT FROM THE DEPARTMENT OF AGRICULTURE
(ELSENBURG)**
- 9. **ANNEXURE "I" : COMMENT FROM THE MANAGER: SPATIAL PLANNING**
- 10. **ANNEXURE "J" : COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES**
- 11. **ANNEXURE "K" : RESPONSE OF APPLICANT**
- 12. **ANNEXURE "L" : REPORT ON THE PROVISION OF CIVIL ENGINEERING
SERVICES**
- 13. **ANNEXURE "M" : TRAFFIC IMPACT ASSESSMENT**
- 14. **ANNEXURE "N" : PHOTOS**

PART K: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE DEVELOPMENT PLAN AND
STREET NAMING AND NUMBERING: UNREGISTERED FARM NO. 510/845, STELLENBOSCH
DIVISION (JAMESTOWN)****Author of Planning Assessment Report:**Recommended Categorisation of the Application for Authorised Decision Maker:

Name: Louisa Gumb
Capacity: Senior Town Planner
Signature: 
Date: 28/05/2021

PART M: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING: UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION (JAMESTOWN)****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 and make a recommendation on the above planning 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)2; D(c)2; E(c)2; B(2)

Decision Making Authority: SMPT

Rational: The application is rezoning to subdivisinal area; subdivision land for a property larger than 10 000m², and consolidation of land resulting in an erf larger than 10 000m².

Name:

Stiaan Carstens

Capacity:

Snr. Man. Dev. Man

SACPLAN Registration:

A/1551

Signature:

[Handwritten Signature]

Date:

28/5/2021

PART N: ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE DEVELOPMENT PLAN AND
STREET NAMING AND NUMBERING: UNREGISTERED FARM NO. 510/845, STELLENBOSCH
DIVISION (JAMESTOWN)****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: *18 JUNE 2021*
Date:

Name: *LEARCIA KAMINETA*

Capacity: *SENIOR ADMINISTRATIVE OFFICER*

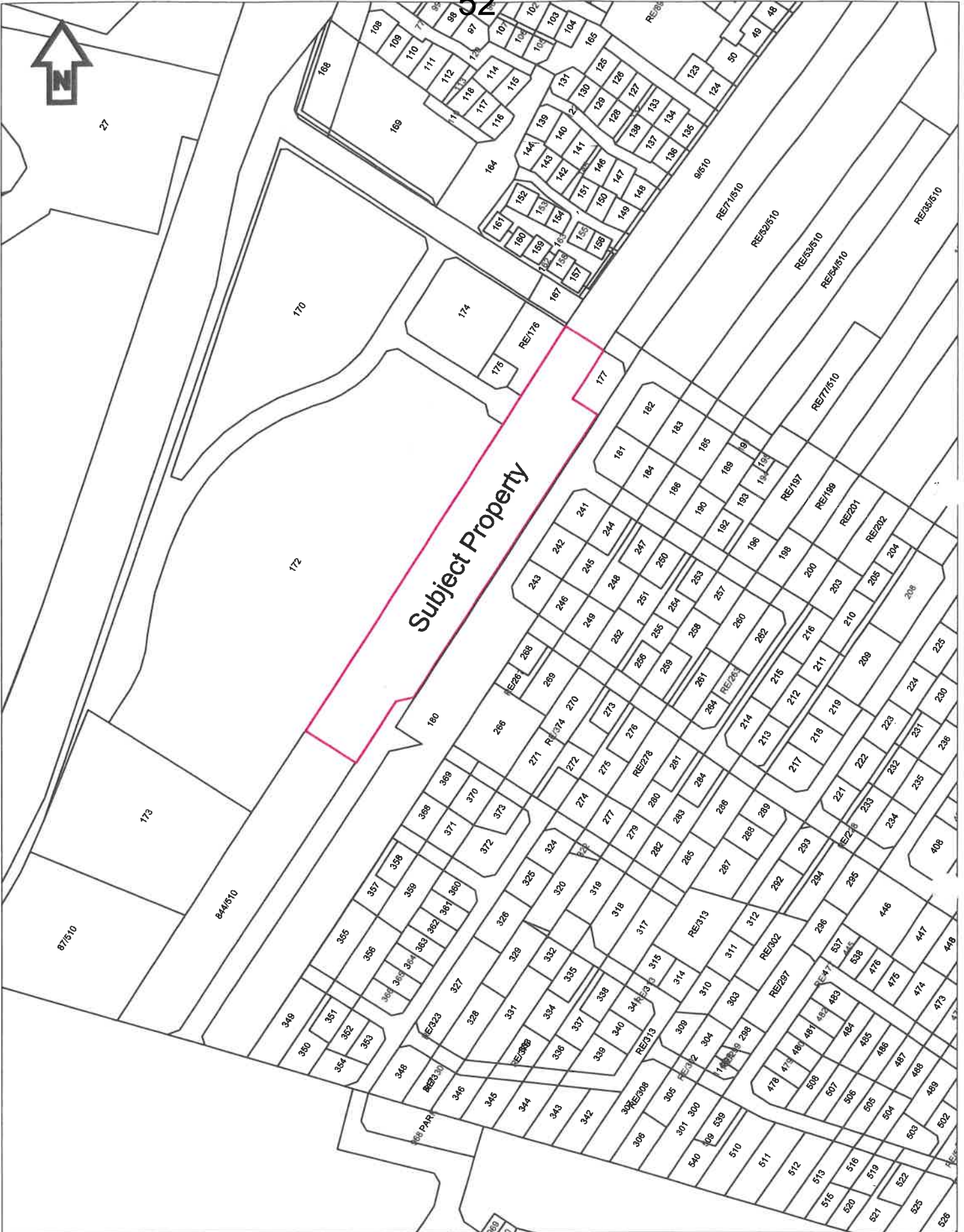
Signature: *[Handwritten Signature]*

Date: *31.05.2021*

ANNEXURE A

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

LOCALITY PLAN

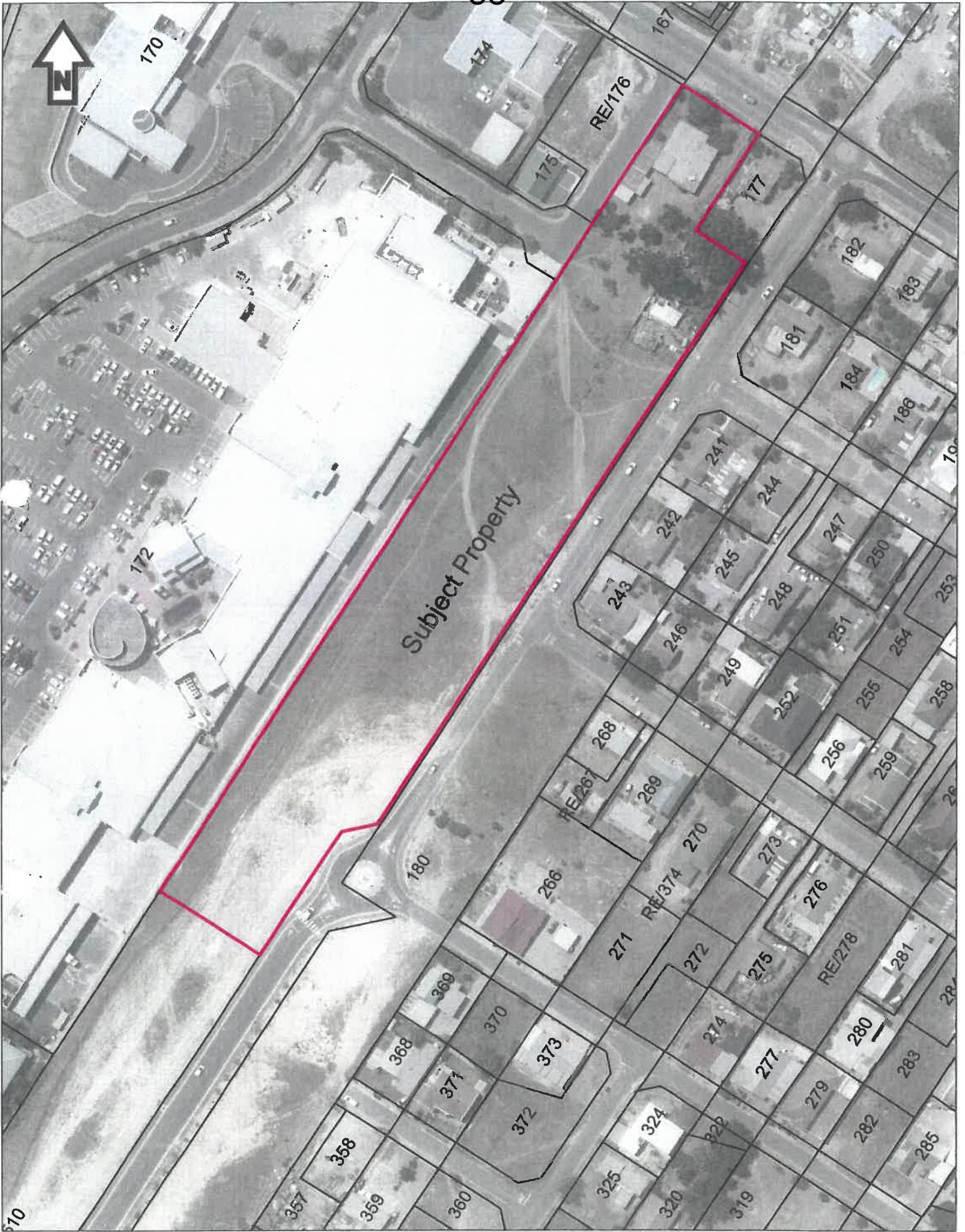



ARCHITECTS AND TOWN PLANNERS
 First Floor • La Gratitude Office Building
 97 Dorp Street • Stellenbosch 7950
 tel: (021) 861 3800
 fax: (021) 862 6025
 e-mail: stl@tv3.co.za
 web: www.tv3.co.za

The James

Property Description:
Portion 845 Farm 510, Stellenbosch

Drawing:		Plan no.:
Local Locality		2
Date:	Scale:	
05/11/2019	1:3 000(A4)	
Project no.:	Drawn:	Checked:
3646-P	WH	CH



tv3
ARCHITECTS AND TOWN PLANNERS

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

The James

Property Description:
 Portion 845 Farm 510, Stellenbosch

Drawing:		Plan no.:	
Aerial Photo		3	
Date:	Scale:		
05/11/2019	1:1 500(A4)		
Project no.:	Drawn:	Checked:	
3646-P	WH	CH	

ANNEXURE B

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

COPY OF TITLE DEED



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



CONVEYANCER'S CERTIFICATE

I/We **JACO MINNIE**

(conveyancer's name and surname)

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

TO BE REGISTERED :

**Portion 845 (PTN of PTN 843) of th Farm
Blaauw Klip No. 510, Stellenbosch**

(erf/ farm number/s and description/s as it appear in the title deed)

In respect of which it was found that there ~~was~~ are no restrictive conditions registered against such property(ies) prohibiting it from being utilised/developed for the following purposes (as elaborated in the accompanying application):

Residential Development

(proposed use/development/zoning of property)

A. LIST OF RESTRICTIVE TITLE CONDITIONS (if any)

Categories	Are there title deed restrictions (indicate below)			Title deed and clause number if restrictive conditions are found
	Y	N	NA	
Use of land	Y	<input checked="" type="radio"/>	NA	
Building lines	Y	<input checked="" type="radio"/>	NA	Deed of Transfer No.
Height	Y	<input checked="" type="radio"/>	NA	
Number of dwellings	Y	<input checked="" type="radio"/>	NA	T 62575/1996
Bulk floor area	Y	<input checked="" type="radio"/>	NA	
Coverage/built upon area	Y	<input checked="" type="radio"/>	NA	and
Subdivision	Y	<input checked="" type="radio"/>	NA	T 34249/2015
Servitudes that may be registered over or in favour of the property	Y	<input checked="" type="radio"/>	NA	
Other restrictive conditions	Y	<input checked="" type="radio"/>	NA	

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

Organ(s) of state that might have an interest in the restrictive condition.	Y	<input checked="" type="radio"/> N	NA
A person whose rights or legitimate expectations will be affected by the removal/suspension/ amendment of a restriction condition.	Y	<input checked="" type="radio"/> N	NA
All persons mentioned in the title deed for whose benefit the restrictive condition applies.	Y	<input checked="" type="radio"/> N	NA

C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

(please tick appropriate box)

<input checked="" type="checkbox"/> Application in terms of the Stellenbosch Municipal Planning By-Law (Section 15)	<input type="checkbox"/> National Deed of Cancellation (submit copy of signed agreement)	<input type="checkbox"/> Expungement by means of 'rule nisi' application to the High Court (submit copy of court order)	<input type="checkbox"/> If other, please specify
---	--	---	---

Signed at Stellenbosch on this 21st day of October 2019

Full names and Surname: Jaco Minnie Signature: 

Firm Postal Address:

Kindly endorse certificate by affixing firm's official stamp here and initial it.

Leon Frank & Partners
PO Box 208
Somerset Mall
7137

LEON FRANK & VENNOTE/PARTNERS
 PO BOX 208, SOMERSET MALL, 7137
 TEL: 021 851 0737


Tel:

E-mail:



CONVEYANCER'S CERTIFICATE

I/We

JACO MINNIE

(conveyancer's name and surname)

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

Remainder Portion 71 (Part of Portion 31) of the
Farm Blaauw Klip No. 510, Stellenbosch
Held by Deed of Transfer No T 34249/2015
(erf/ farm number/s and description/s as it appear in the title deed)

In respect of which it was found that there ~~is~~ are no restrictive conditions registered against such property(ies) prohibiting it from being utilised/developed for the following purposes (as elaborated in the accompanying application):

Residential Development

(proposed use/development/zoning of property)

A. LIST OF RESTRICTIVE TITLE CONDITIONS (if any)

Categories	Are there title deed restrictions (indicate below)			Title deed and clause number if restrictive conditions are found
	Y	N	NA	
Use of land	Y	<input checked="" type="radio"/>	NA	
Building lines	Y	<input checked="" type="radio"/>	NA	Deed of Transfer No. T 34249/2015
Height	Y	<input checked="" type="radio"/>	NA	
Number of dwellings	Y	<input checked="" type="radio"/>	NA	
Bulk floor area	Y	<input checked="" type="radio"/>	NA	
Coverage/built upon area	Y	<input checked="" type="radio"/>	NA	
Subdivision	Y	<input checked="" type="radio"/>	NA	
Servitudes that may be registered over or in favour of the property	Y	<input checked="" type="radio"/>	NA	
Other restrictive conditions	Y	<input checked="" type="radio"/>	NA	

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


Organ(s) of state that might have an interest in the restrictive condition.	Y	<input checked="" type="radio"/> N	NA
A person whose rights or legitimate expectations will be affected by the removal/suspension/ amendment of a restriction condition.	Y	<input checked="" type="radio"/> N	NA
All persons mentioned in the title deed for whose benefit the restrictive condition applies.	Y	<input checked="" type="radio"/> N	NA

C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

(please tick appropriate box)

Application in terms of the Stellenbosch Municipal Planning By-Law (Section 24.5) <input checked="" type="checkbox"/>	National Deed of Cancellation (submit copy of signed agreement)	Expungement by means of 'rule nisi' application to the High Court (submit copy of court order)	If other, please specify
---	---	--	--------------------------

Signed at Stellenbosch on this 21st day of October 2019

Full names and Surname: Jaco Minnie Signature: 

Firm Postal Address:

Kindly endorse certificate by affixing firm's official stamp here and initial it.

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 TEL: 021 851 0737


Tel:

E-mail:



STELLENBOSCH
STELLENBOSCH • NMBI • FRANSCHHOEK
MUNICIPALITEIT • UMASIPALA • MUNICIPALITY



CONVEYANCER'S CERTIFICATE

I/We

JACO MINNIE

(conveyancer's name and surname)

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

Portion 9 (PTN OF PTN 4) of the
Farm Blaauw Klip No 510, Stellenbosch
Held by Deed of Transfer No. T. 62575/1996

(erf/ farm number/s and description/s as it appear in the title deed)

In respect of which it was found that there ~~are~~ are no restrictive conditions registered against such property(ies) prohibiting it from being utilised/developed for the following purposes (as elaborated in the accompanying application):

Residential Development

(proposed use/development/zoning of property)

A. LIST OF RESTRICTIVE TITLE CONDITIONS (if any)

Categories	Are there title deed restrictions (indicate below)			Title deed and clause number if restrictive conditions are found
Use of land	Y	<input checked="" type="radio"/> N	NA	
Building lines	Y	<input checked="" type="radio"/> N	NA	Deed of Transfer No. T 62575/1996
Height	Y	<input checked="" type="radio"/> N	NA	
Number of dwellings	Y	<input checked="" type="radio"/> N	NA	
Bulk floor area	Y	<input checked="" type="radio"/> N	NA	
Coverage/built upon area	Y	<input checked="" type="radio"/> N	NA	
Subdivision	Y	<input checked="" type="radio"/> N	NA	
Servitudes that may be registered over or in favour of the property	Y	<input checked="" type="radio"/> N	NA	
Other restrictive conditions	Y	<input checked="" type="radio"/> N	NA	


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

Organ(s) of state that might have an interest in the restrictive condition.	Y	<input checked="" type="radio"/> N	NA
A person whose rights or legitimate expectations will be affected by the removal/suspension/ amendment of a restriction condition.	Y	<input checked="" type="radio"/> N	NA
All persons mentioned in the title deed for whose benefit the restrictive condition applies.	Y	<input checked="" type="radio"/> N	NA

C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

(please tick appropriate box)

<input checked="" type="checkbox"/> Application in terms of the Stellenbosch Municipal Planning By-Law (Section 15)	<input type="checkbox"/> National Deed of Cancellation (submit copy of signed agreement)	<input type="checkbox"/> Expungement by means of 'rule nisi' application to the High Court (submit copy of court order)	<input type="checkbox"/> If other, please specify
---	--	---	---

Signed at Stellenbosch on this 21st day of October 2019Full names and Surname: Jaco Minnie Signature: 

Firm Postal Address:

Kindly endorse certificate by affixing firm's official stamp here and initial it.

Leon Frank + Partners
PO Box 208
Somerset Mall
7137

LEON FRANK & VENNOTE/PARTNERS
PO BOX 208, SOMERSET MALL, 7137
TEL: 021 851 0737


Tel: 021 - 851 0737E-mail: jaco@leonfrank.com

CLUVER MARKOTTER
117

SLF:REC	<input checked="" type="checkbox"/>
DUTY	
FOCI	75,00
FEC	

Opgesel deur my

TRANSPORTBESORGER
J A L DE WAAL

21/8	
23/8	

Transportakte

T 62575196

CLUVER EN MARKOTTER
PROKUREURS
STELLENBOSCH

HIERBY WORD BEKEND GEMAAK

DAT JACOBUS ADRIAAN LOUW DE WAAL

Aktebesorger, voor my, Registrateur van Aktes in Kaapstad, verskyn het, behoorlik daartoe gemagtig deur 'n volmag geteken te PAARL op die 8ste dag van JULIE 1996 en aan hom verleen deur

Die Eksekuteur in die voedel van wyle
EDWARD FEBRUARY
Nr. 6535/95

EN die Komparant het verklaar dat die eiendom die ondergemelde Transportnemers toekom ingevolge die bepaling van Klousule 1 van die Testament van wyle EDWARD FEBRUARY gedateer 30 November 1990, wie op 15 Junie 1995 oorlede is, onderhewig aan die bepaling van Klousule 3 van gemelde testament, en dat hy in sy hoedanigheid as voorsegde prokureur deur hierdie akte gesedeer en getranspoteer het in volle en vrye eiendomsreg aan en ten behoeve van

1. EDWIN DANIEL FEBRUARY
Identiteitsnommer: 520314 5115 01 5
Ongetroud; en
2. WESLEY EVEREST FEBRUARY
Identiteitsnommer: 570108 5168 01 9
Ongetroud

SY Erfgename, Eksekuteurs, Administrateurs of Gemagtigdes

GEDEELTE 9 ('n Gedeelte van Gedeelte 4) van die ~~Gekonsolideerde~~ Plaas BLAAUW KLIP NO 510 in die Munisipaliteit en Afdeling STELLENBOSCH, Provinsie WES-KAAP

GROOT: 2,2984 (TWEF KOMMA TWEE NEGE AGT VIER) Hektaar

OORSPRONKLIK OORGEDRA kragtens Transportakte No T741/1916 met 'n kaart aangeheg en gehou kragtens Tran. portakte No T1993/1946.

- A. ONDERHEWIG aan sodanige voorwaardes soos na verwys word in Transportakte No T12443/1918.
- B. ONDERHEWIG aan 'n Voorlopige en Finale Endossement kragtens Artikel 31(6) van Wet 47 van 1937 (soos gewysig) gedateer 30 Augustus 1974 op Transportakte No T1993/1946, welke endossement bepaal dat 'n gedeelte van die eiendom hierin vermeld, groot ± 361 m² onteien is deur die Afdelingsraad Stellenbosch kragtens Artikel 12 van Ordonnansie 150 van 1952.

Vide onteieningskennisgewing Nr H/1/15 gedateer 9 Augustus 1974
geliasseer as onteienings caveat EX 1152/74 planne in tweevoud geliasseer
EX 1152/1974.

- C. ONDERHEWIG VERDER aan die bepalings van Klousule 3 van die
Testament van wyle EDWARD FEBRUARY gedatcer 30 November 1990,
welke klousule soos volg lees:

"Ek bepaal dat alle bemakings en voordele wat begunstigdes kragtens
hierdie testament of enige latere kodisil toeval:

- van alle gemeenskaplike boedels kragtens huwelike in
gemeenskap van goed, uitgesluit sal wees; en
- in alle omstandighede teen die skuldeisers van gades
beskerm sal wees."

DERHALWE doen die Komparant q.q., afstand van al die regte en titel wat die bogenoemde

TRANSPORTGEWER-BOEDEL

voorheen op genoemde eiendom gehad het en gevolglik ook erken dat die TRANSPORTGEWER-BOEDEL geheel en al van die besit daarvan onthef is en nie meer daarop geregtig is nie, en dat, kragtens hierdie Akte bogenoemde

TRANSPORTNEMERS

HUL Erfgename, Eksekuteurs, Administrateurs of Gemagtigdes

tans en voortaan daarop geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat; en ten slotte verklaar hy dat die hieringemelde eiendomme vir boעדoelcinds gesamentlik gewaardeer is vir R220 950,00 (TWEEHONDERD EN TWINTIGDUISEND NEGEHONDERD EN VYFTIG RAND).

TEN BEWYSE waarvan ek, die genoemde Registrateur van Aktes, tesame met die Komparant, q.q. hierdie Akte onderteken en met die Ampseel bekragtig het.

ALDUS GEDOEN en geteken op die Kantoor van die Registrateur van Aktes in Kaapstad, Provinsie van die Kaap die Goeie Hoop,

op die 15de Augustus
dag van die maand

in die jaar van onse Heer Eenduisend Negehonderd Ses en Negentig (1996)

q.q.

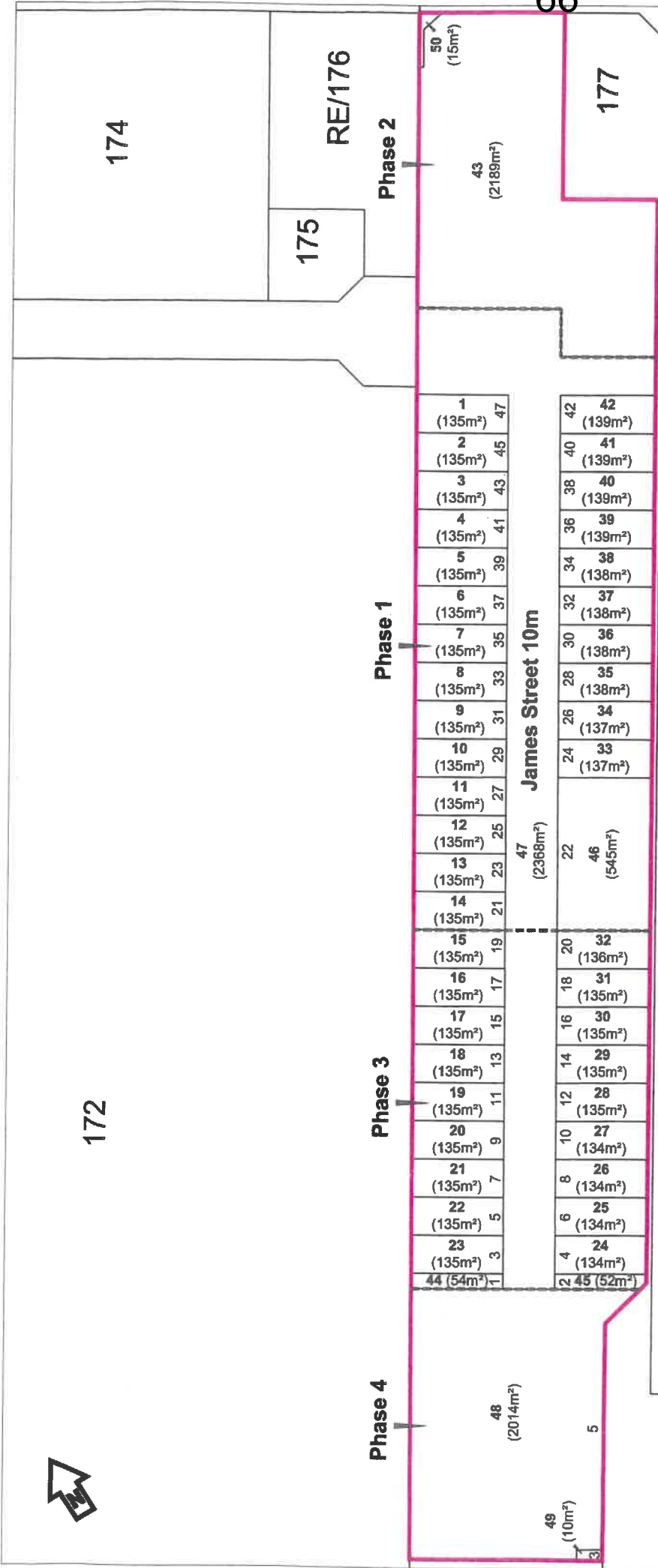
In my teenwoordigheid,


Registrateur van Aktes

ANNEXURE C

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

**SUBDIVISIONAL PLAN & SITE DEVELOPMENT
PLAN**



Fresno Street

Erf No.	Zoning	Land Use	No. of Erven	Area	%
1-42	Multi-Unit Residential	Group House	42	5692m ²	43.99
43	Multi-Unit Residential	Flats	1	2189m ²	16.92
44-46	Private Open Space	Private Open Space	3	652m ²	5.04
47	Private Open Space	Private Road	1	2368m ²	18.30
48	Mixed-Use	Parking	1	2014m ²	15.56
49	Utility Services	Electric Sub Station	1	10m ²	0.08
50	Utility Services	Public Road	1	15m ²	0.12
Total			50	12999m²	100.00

ARCHITECTS AND TOWN PLANNERS

First Floor - La Gratitude Office Building
97 Deryn Street - Stellenbosch 7600
Tel: (021) 881 3100
Fax: (021) 882 8025
e-mail: info@tv3.co.za
www.tv3.co.za

The James

Property Description:
Portion 845 Farm 510, Stellenbosch.

Notation:
Erf 48 (e Subdivided Portion of Portion 845 Farm 510, Stellenbosch) to be consolidated with Erf 172, Jamestown.
The development will consist of 4 development phases.
Cadastral information obtained from Surveys and Mapping (DRDLR).

Plan no.: 4

Scale: 1:1250 (A4)

Date: 18/10/2019

Project no.: 3646-P

Drawn: WH

Checked: CH

* All areas and dimensions are approximate and should be verified by a professional land surveyor.

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

DESIGN



42qdy 2/3 BED UNITS - FULL TITLE
 20qdy 2 BED UNITS - SECTIONAL TITLE

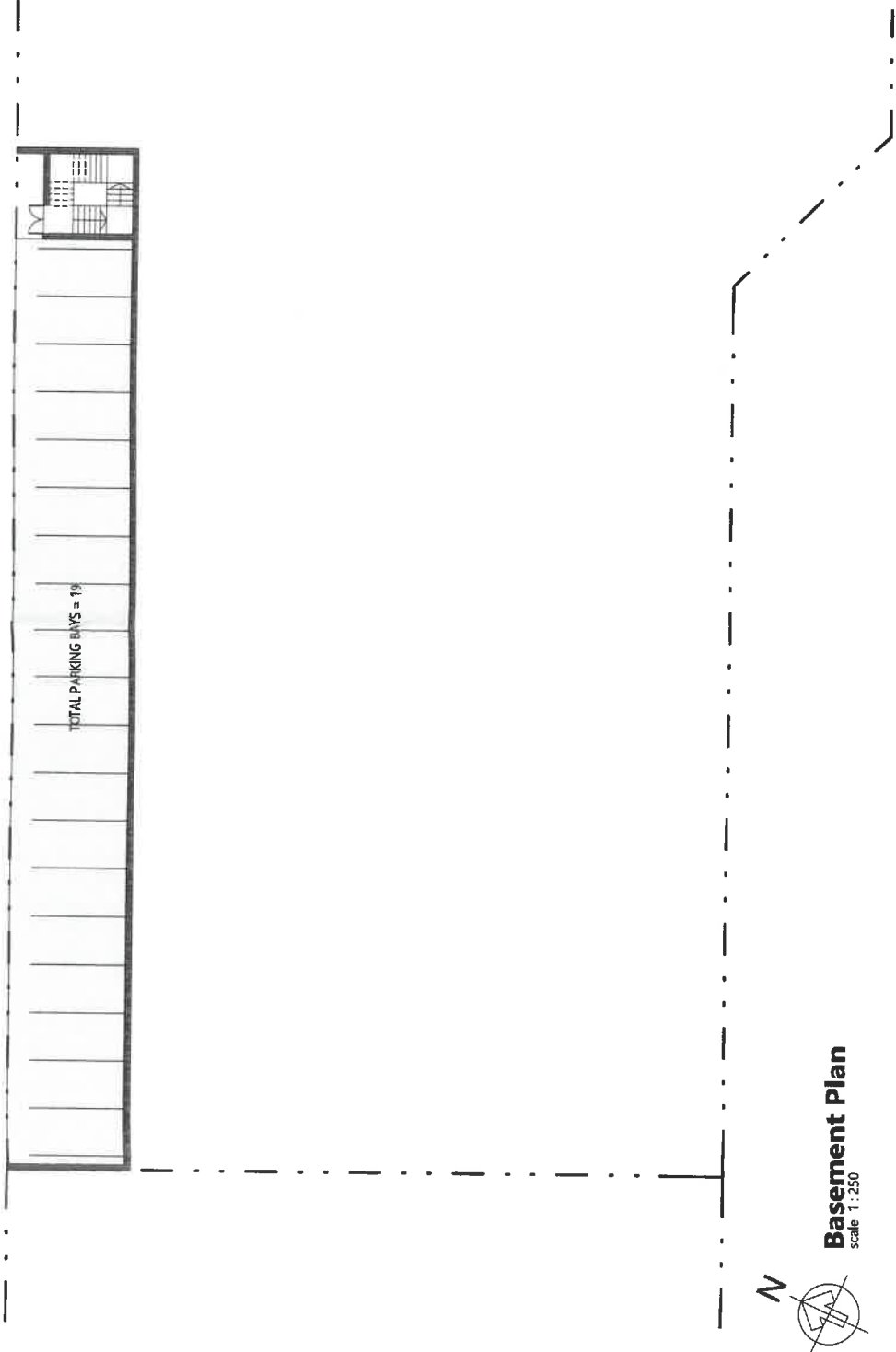
SITE PLAN 1 : 1000
 2019-11-06 - rev H

DORPSTRAAT - THE JAMES
 Portion 845 of Farm Blaauwklippen 510

SITE PLAN
 scale: 1:1000



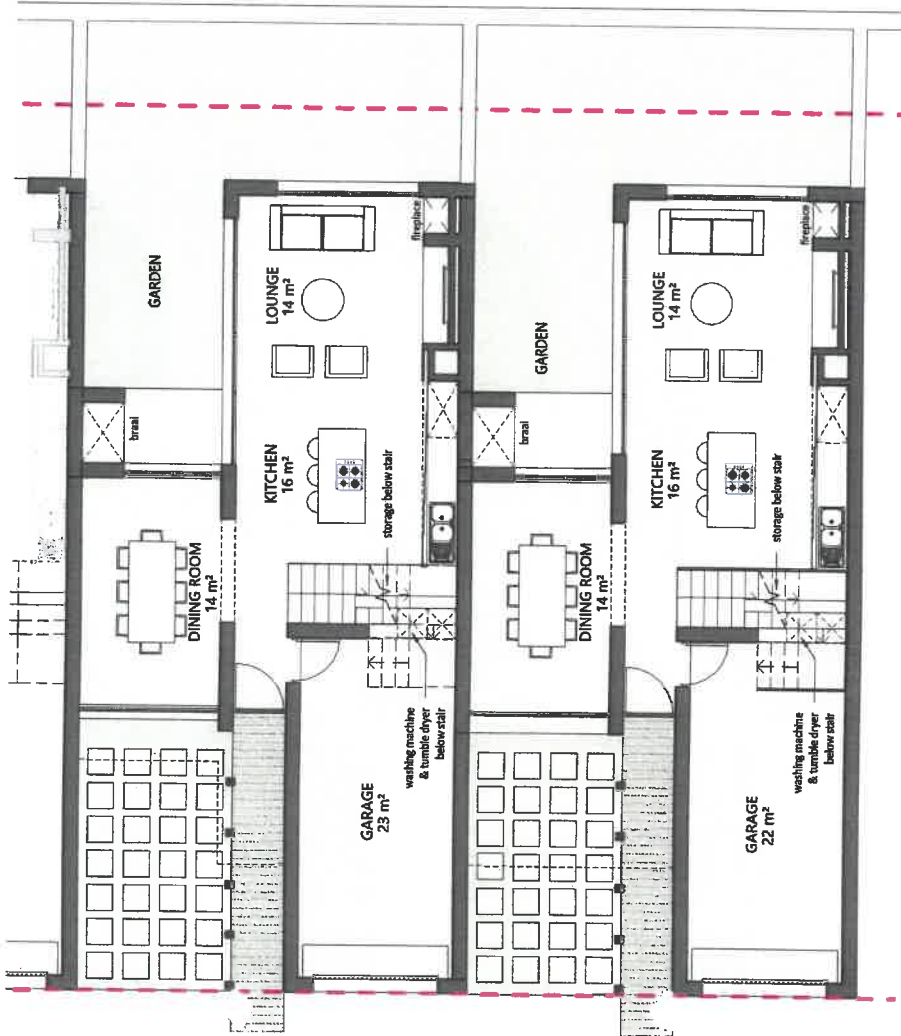
1994 1991



Basement Plan
scale 1:250

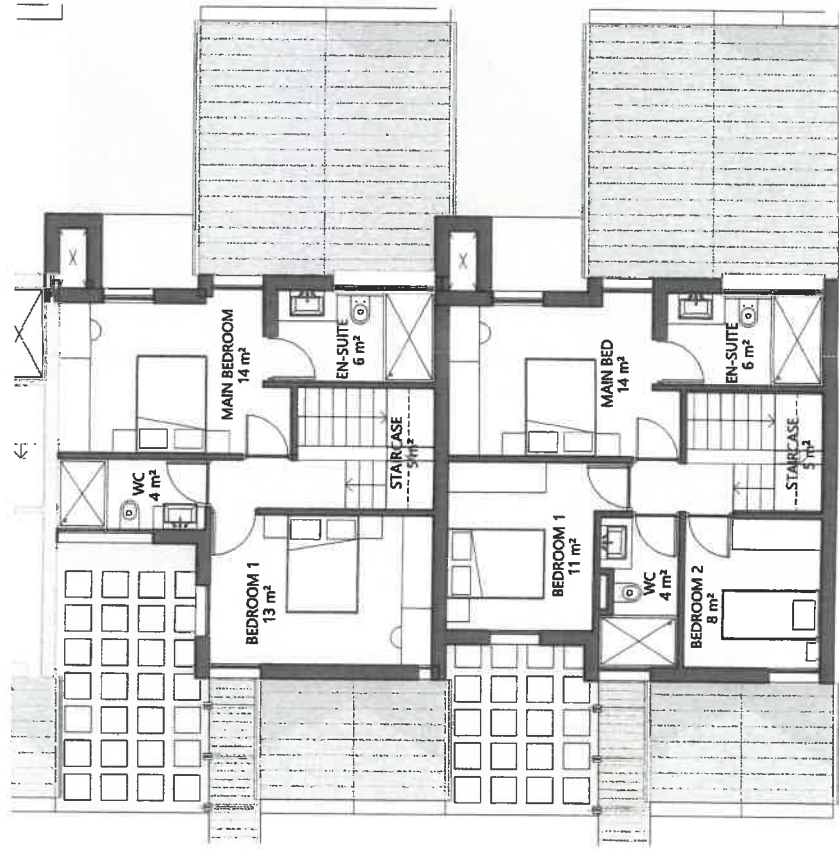
BASEMENT PLAN 1 : 250
2019-10-02 - rev D

DORPSTRAAT-THE JAMES
Portion 945 of Farm Blaauwklippen 510

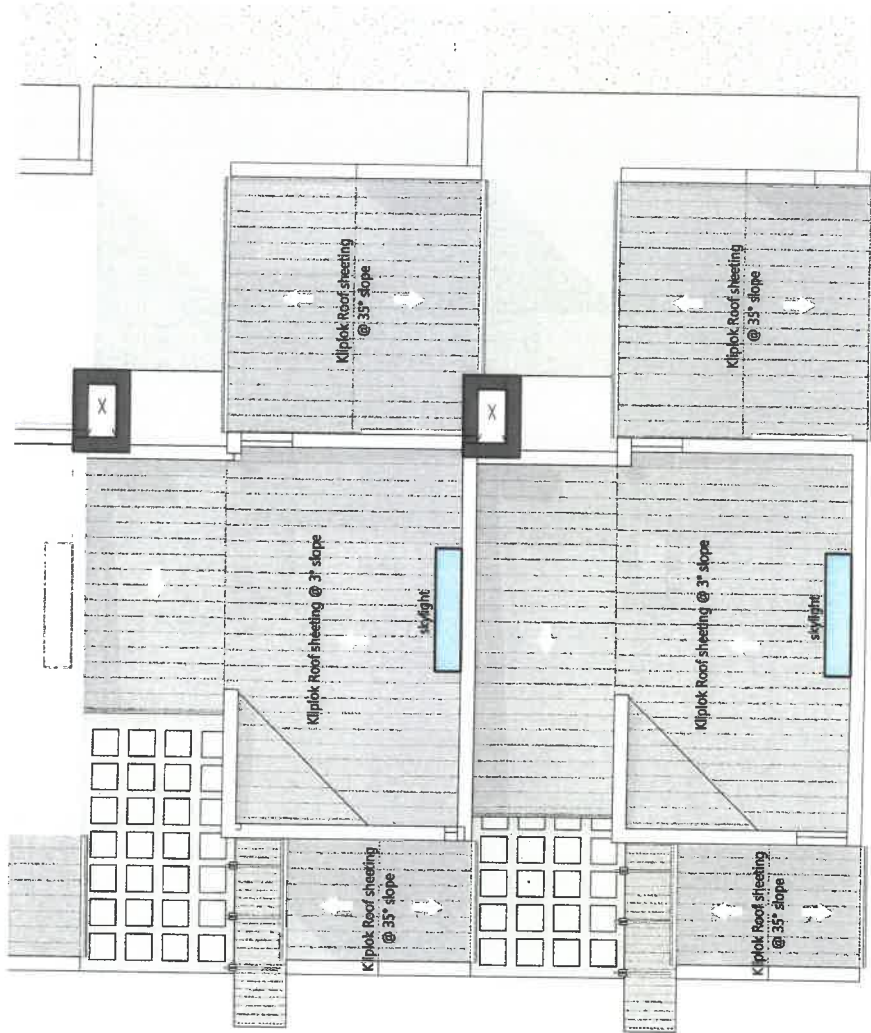


GROUND FLOOR PLAN
scale 1 : 100





FIRST FLOOR PLAN
scale 1 : 100



ROOF PLAN
scale 1 : 100

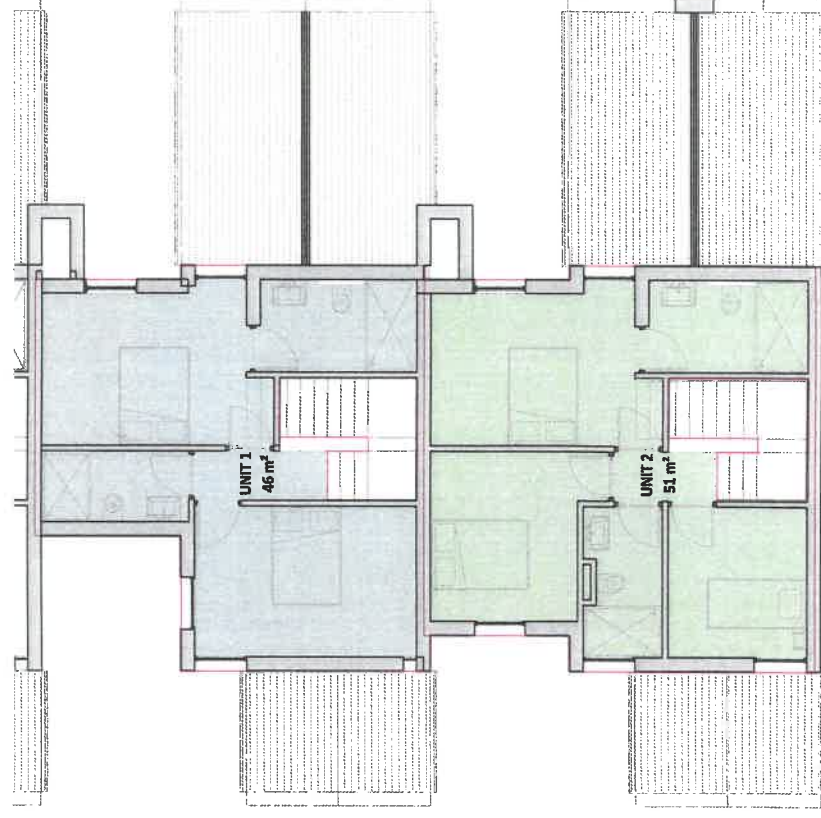


Area Schedule - Unit 1		
NAME	LEVEL	AREA
UNIT 1	01 Ground	56 m ²
UNIT 1	02 First	46 m ²
		102 m ²

Area Schedule - Unit 2		
NAME	LEVEL	AREA
UNIT 2	01 Ground	56 m ²
UNIT 2	02 First	51 m ²
		107 m ²



AREA-GROUND
scale 1 : 100



AREA-FIRST
scale 1 : 100

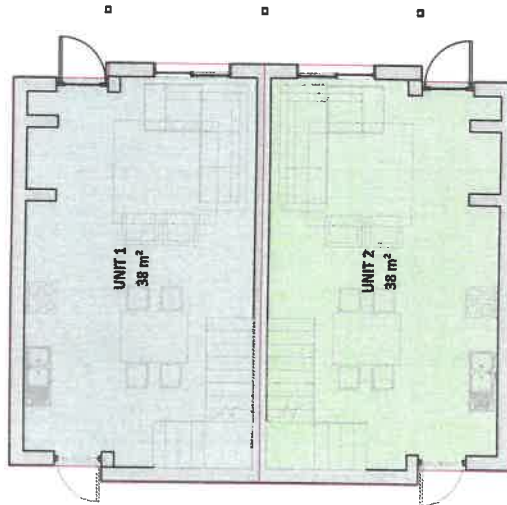
DORPSTRAAT-THE JAMES
Portion 845 of Farm Blaauwklippen 510

AREA PLANS & SCHEDULE 1 : 100
2019-10-02 - rev B

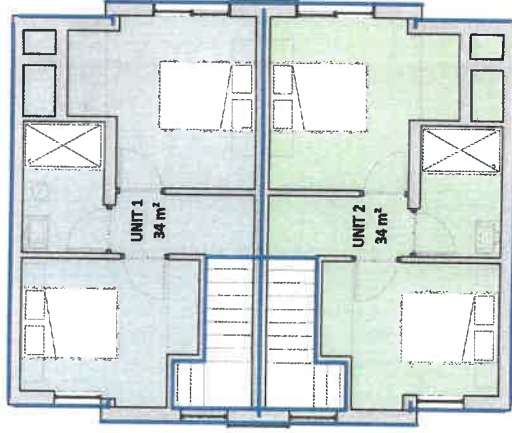
DESIGN

Area Schedule - Unit 1		
NAME	LEVEL	AREA
UNIT 1	01 Ground	38 m ²
UNIT 1	02 First	34 m ²
		72 m ²

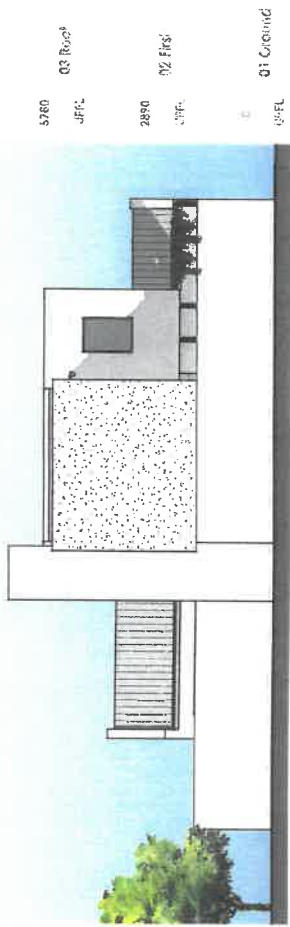
Area Schedule - Unit 2		
NAME	LEVEL	AREA
UNIT 2	02 First	34 m ²
UNIT 2	01 Ground	38 m ²
		72 m ²



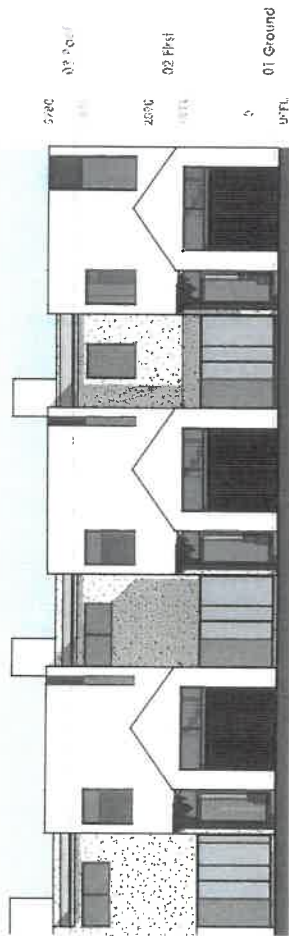
AREA-GROUND
scale 1 : 100



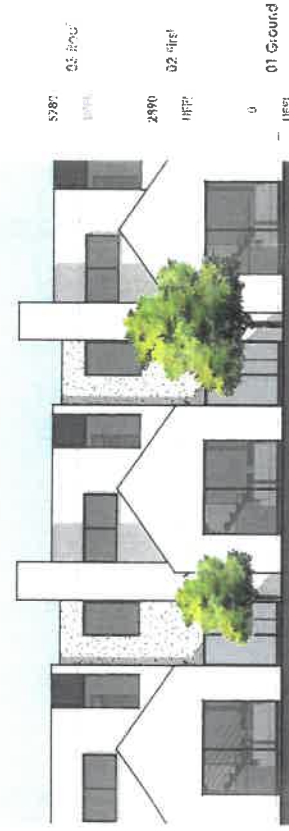
AREA-FIRST
scale 1 : 100



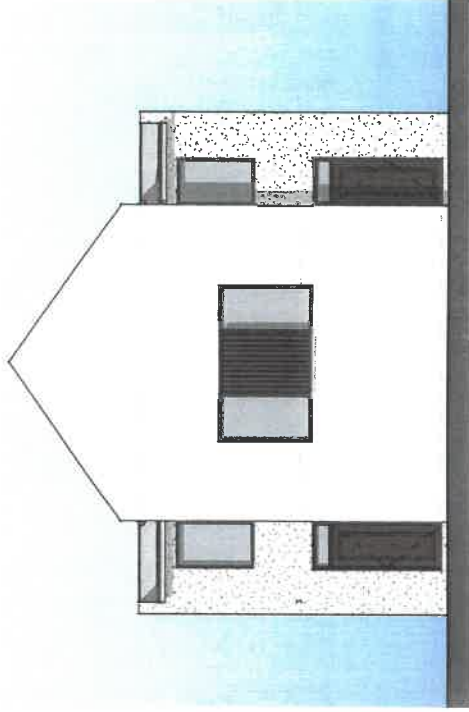
North Elevation
scale 1 : 150



West Elevation
scale 1 : 150



East Elevation
scale 1 : 150



05 Roof
UPFL

0220 02 First
UPFL

0 01 Ground
UPFL

West Elevation
scale 1 : 100

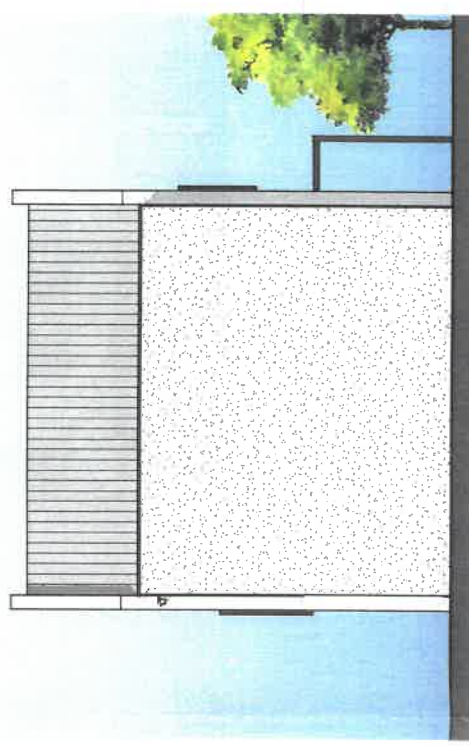


05 Roof
UPFL

0220 02 First
UPFL

0 01 Ground
UPFL

East Elevation
scale 1 : 100

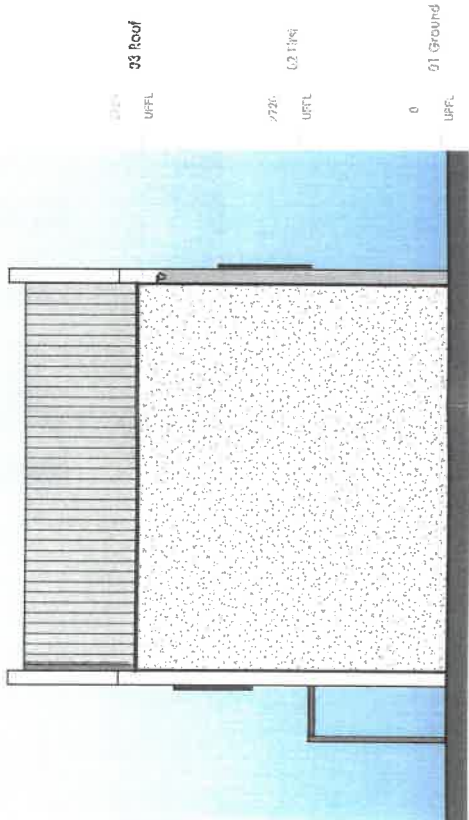


05 Roof
UPFL

0220 02 First
UPFL

0 01 Ground
UPFL

South Elevation
scale 1 : 100

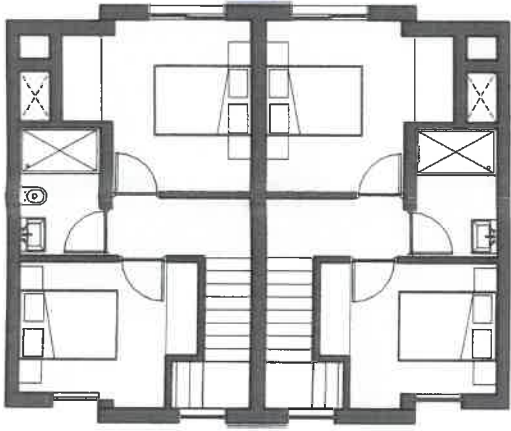


05 Roof
UPFL

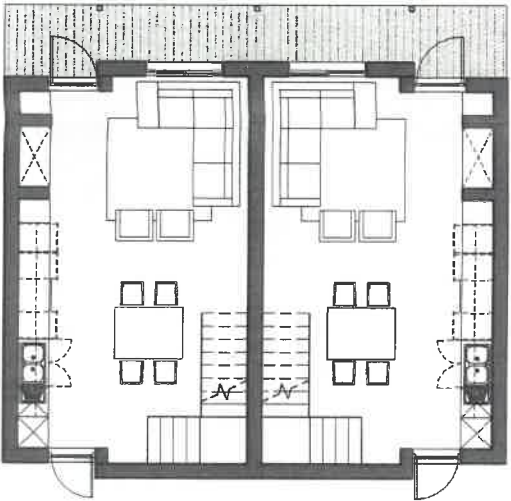
0220 02 First
UPFL

0 01 Ground
UPFL

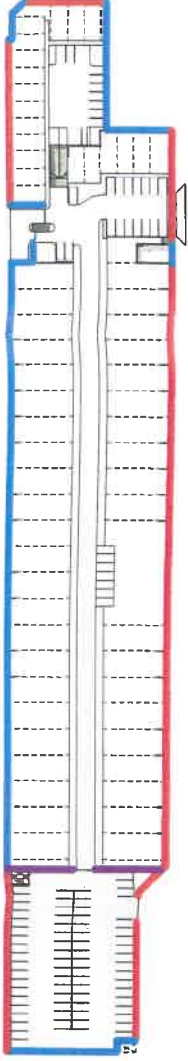
North Elevation
scale 1 : 100



FIRST FLOOR PLAN
scale 1 : 100

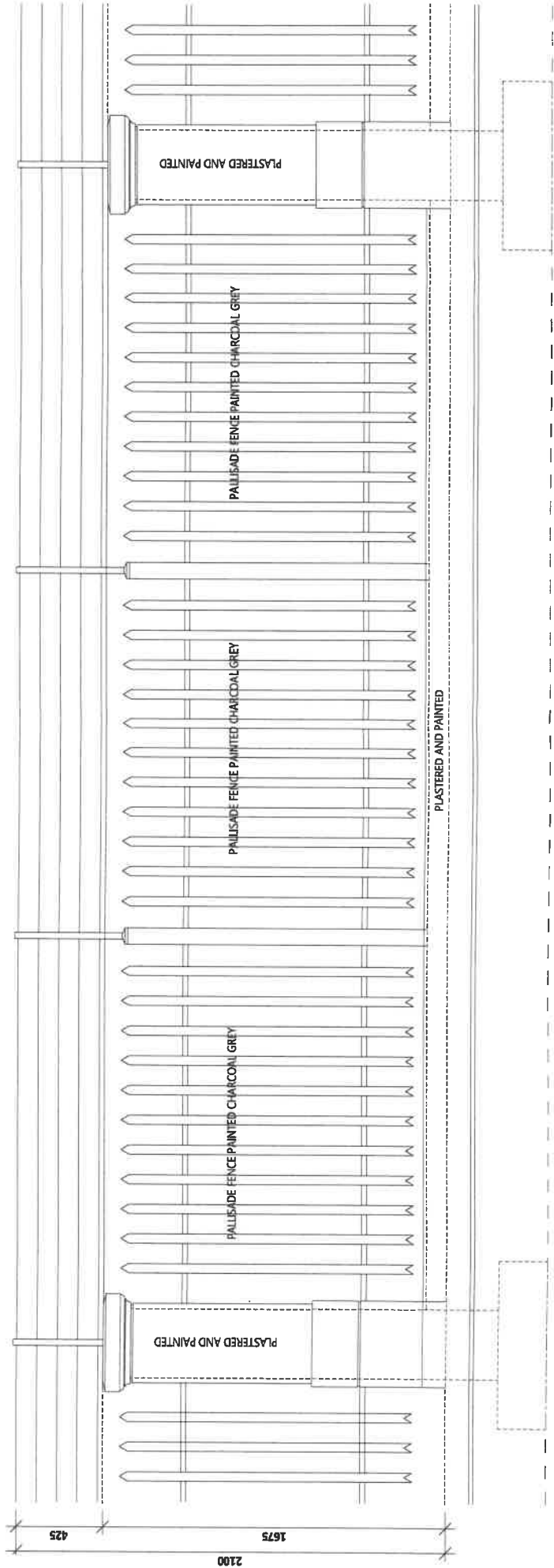


GROUND FLOOR PLAN
scale 1 : 100



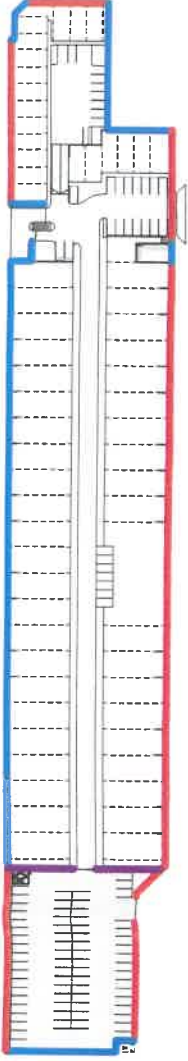
BOUNDARY WALL LEGEND

- █ TYPE A
- █ TYPE B
- █ TYPE C



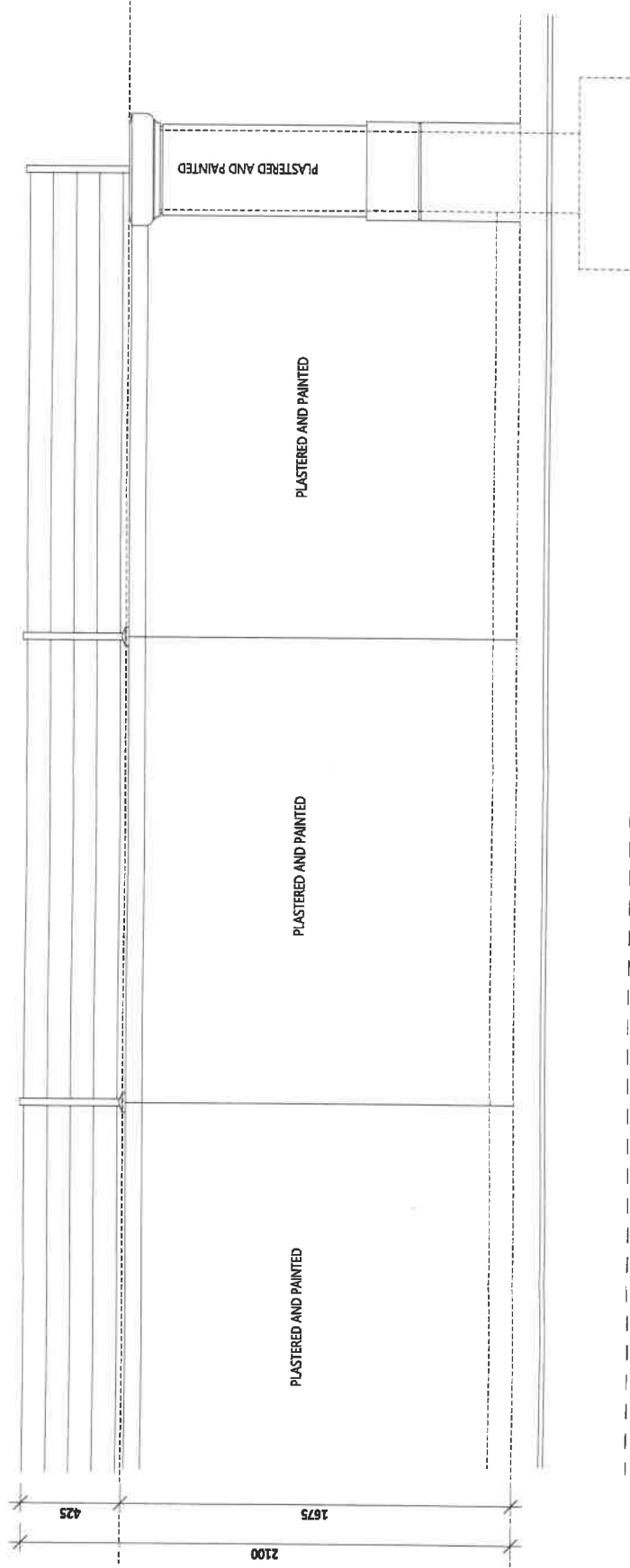
BOUNDARY WALL TYPE A

scale 1:20

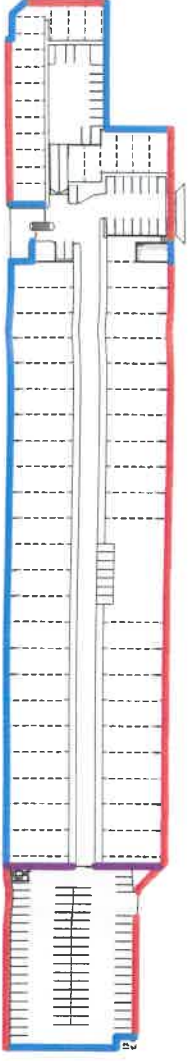


BOUNDARY WALL LEGEND

- TYPE A
- TYPE B
- TYPE C

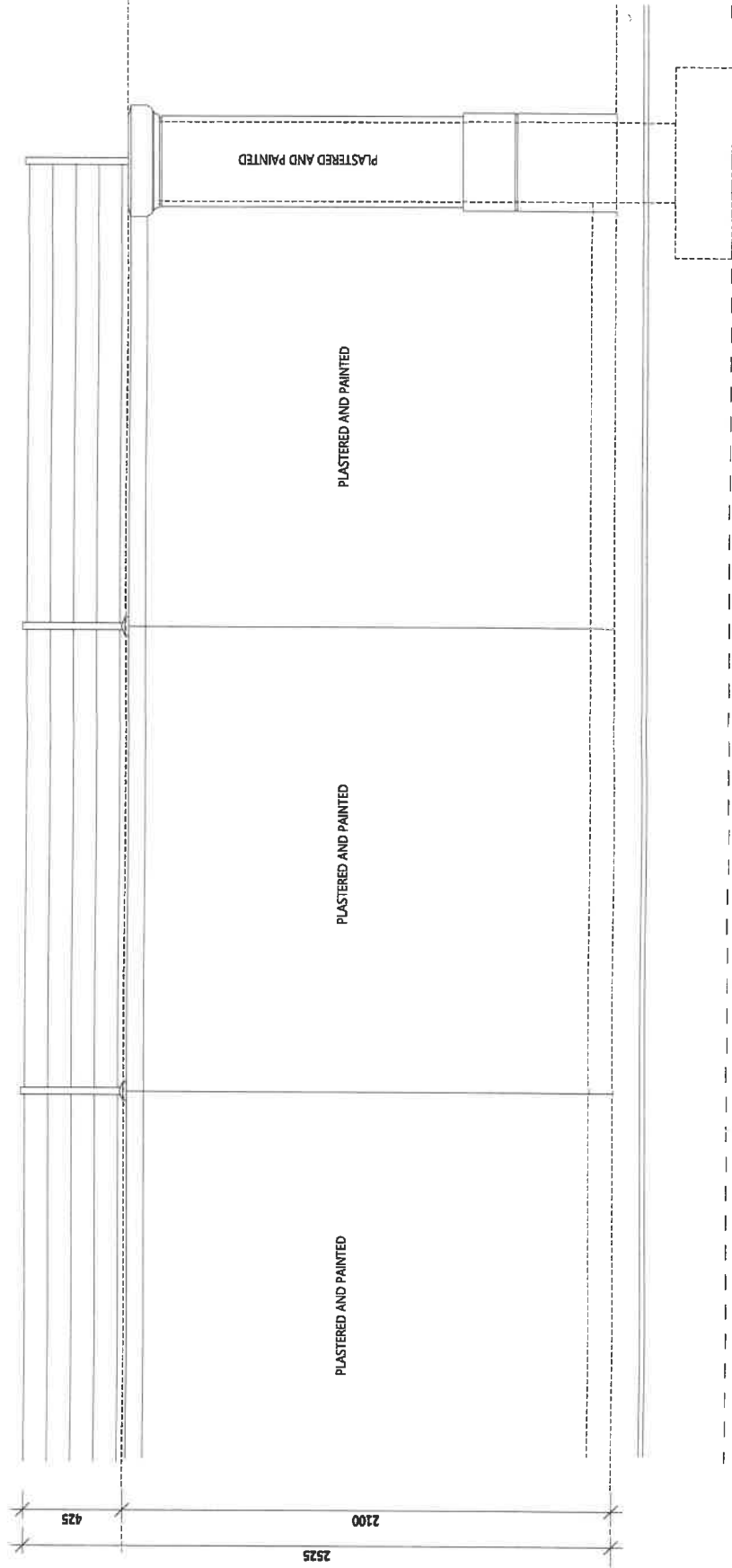


BOUNDARY WALL TYPE B
Scale 1:20



BOUNDARY WALL LEGEND

- █ TYPE A
- █ TYPE B
- █ TYPE C



BOUNDARY WALL TYPE C
scale 1:20

ANNEXURE D

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

APPLICANT'S MOTIVATION

1. BACKGROUND INFORMATION

1.1 Brief

This firm received a brief from the landowners to prepare the necessary documentation for the land use planning application as set out in **Section A** of this report, to obtain planning approval for the proposed general residential development on Farm 510/845, Stellenbosch [hereafter referred to as the subject property]. A power of attorney to this effect is attached hereto (see **Section C**).

1.2 Property description

The subject property is the unregistered Portion 845 (a portion of Portion 9) of the Farm Blaauw Klip No. 510, in the Municipality and Division of Stellenbosch Western. The subject property was created with the Stellenbosch Municipality's subdivision approval of 26 August 2013. A copy of the municipal letter of approval is attached hereto (see **Section G**).

As the subject property has not yet been registered at the Deeds Office (only at the SG's Office), we have attached hereto a copy of Farm 510/9's Title Deed (see **Section D**) as well as a copy of Farm 510/845's registered SG Diagram (see **Section F**).

1.3 Ownership

Edwin Daniel February and Wesley Everest February are the registered owners of the subject property.

1.4 Size

The subject property is 1.2938ha in extent.

1.5 Title deed search

Attorneys have undertaken a title deed search and they have confirmed that there are no title conditions that will restrict the proposed development on the subject property. A copy of their Conveyancer Certificate confirming as much is attached hereto (see **Section D**).

2. LOCAL PLANNING CONTEXT

2.1 Locality

The subject property is located on Fresno Street in Jamestown, directly behind the Stellenbosch Square shopping centre – see Figure 1 below.

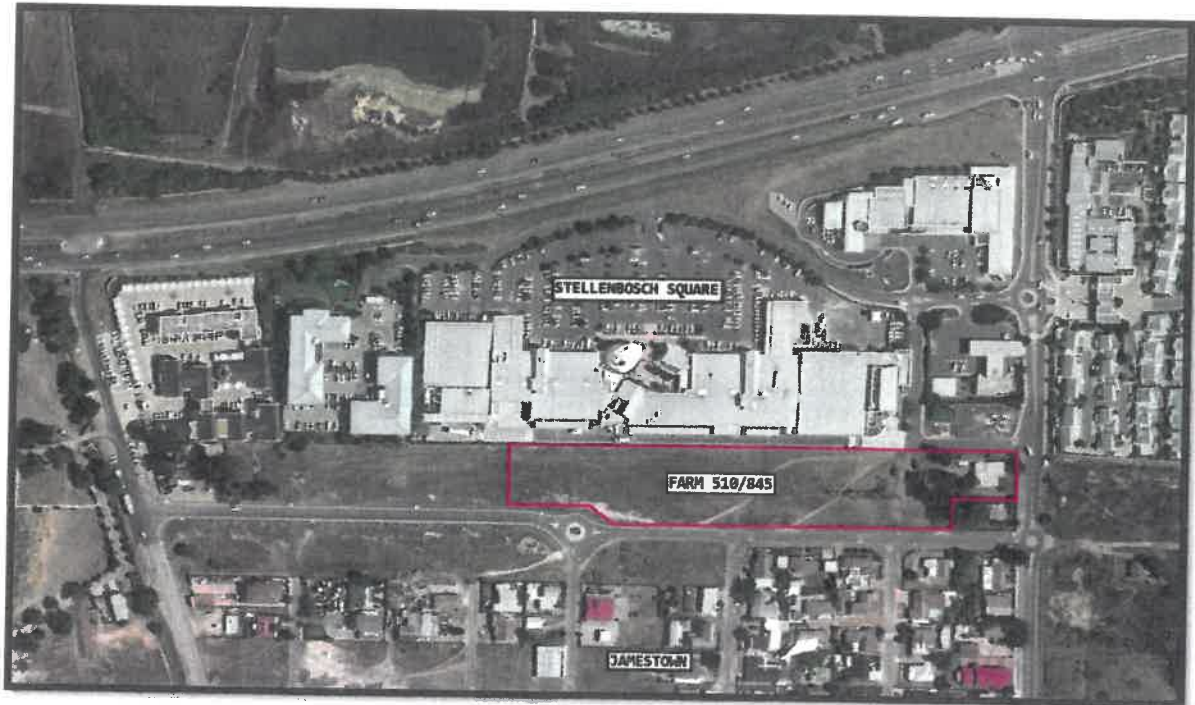


Figure 1: Locality of the subject property

The locality of the subject property is also indicated on the attached locality maps (see **Section E**).

2.2 Surrounding land uses

The subject property is surrounded by Jamestown's urban (primarily commercial and residential) land uses.

2.3 Present zoning and land use

The subject property is zoned *Agriculture and Rural Zone*. The subject property is currently vacant and is not used for any agricultural activities – see Figures 2 and 3 below.

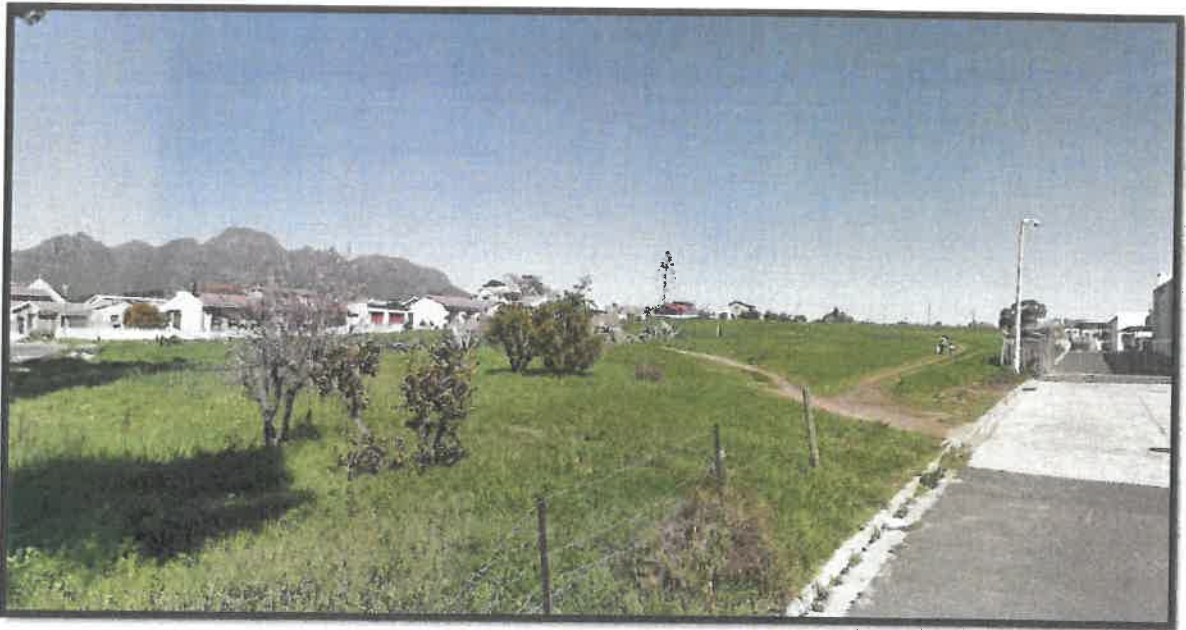


Figure 2: Photo of the subject property taken from the north



Figure 3: Photo of the subject property taken from the south

3. THE JAMES GENERAL RESIDENTIAL DEVELOPMENT PROPOSAL

3.1 General residential component

The subject property is located on Fresno Street in Jamestown, directly behind the Stellenbosch Square shopping centre. It shares a boundary with the shopping centre and acts as a transition zone between the commercial land uses and the residential land uses. For this reason, a high density general residential development is proposed on the subject property, to act as a buffer and a transitional zone between the shopping centre and the Jamestown residential area.

The general residential component will consist of 42 single title townhouses (with a residential density of ± 50 units per hectare) and 20 sectional title flats – see Figures 4 and 5 below.

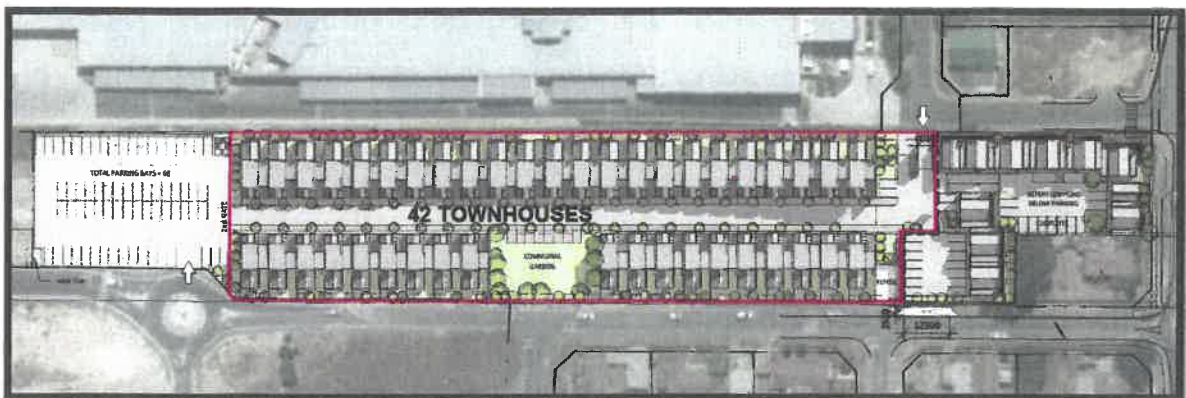


Figure 4: Proposed townhouses (consisting of 42 units)

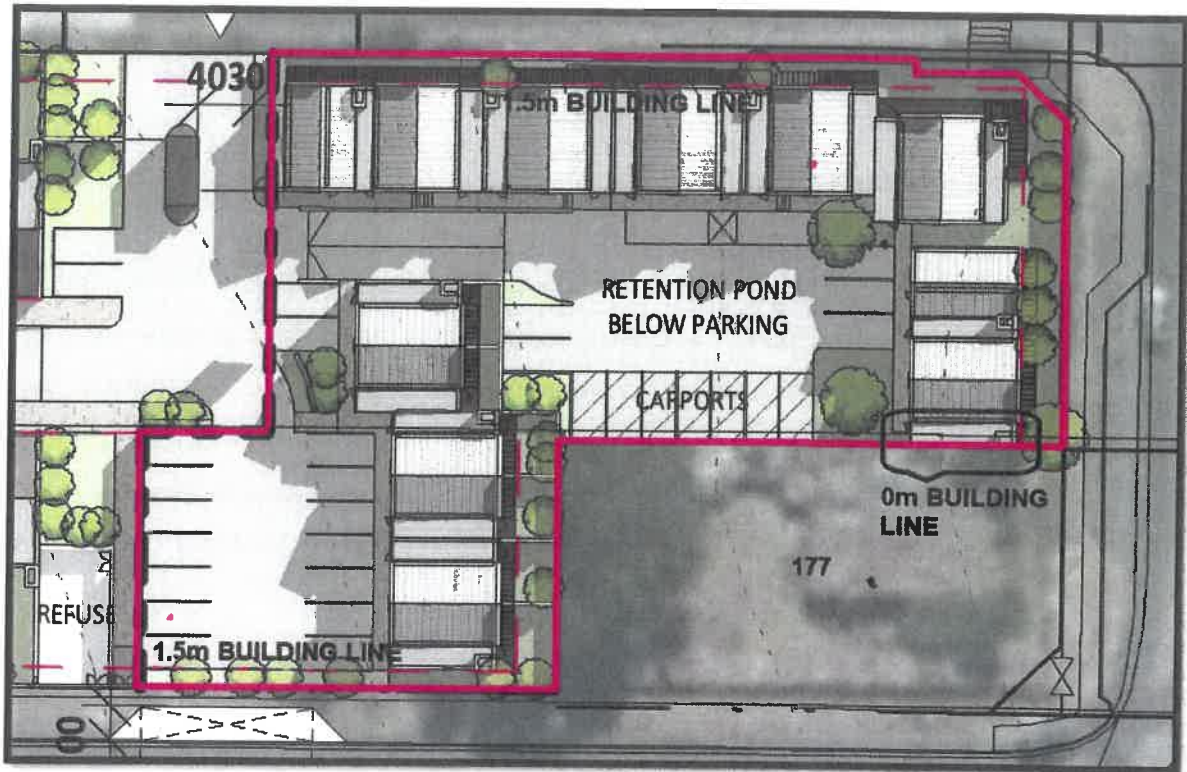


Figure 5: Proposed flats (consisting of 20 units)

A homeowners' association will be established to manage the residential component and will consist of all the residential units' landowners (townhouses and flats).

A refuse yard will be provided on site to the satisfaction of the engineering department and access to the residential component will be via the existing Stellenbosch Square public service roads. A central (functional) open space will be provided for all the residents. Private outdoor spaces for the individual units (especially the flats) will therefore be limited.

These residential units (both the townhouses and flats) will be aimed at a more affordable market (in a Stellenbosch context) with expected prices to range from \pm R1.3 million to \pm R3 million.

3.2 Commercial component

The proposed development also offers the opportunity to link the Stellenbosch Square shopping centre more directly with Jamestown. For this reason, a commercial erf will be created with this application, and will be consolidated with the Stellenbosch Square shopping centre (Erf 172, Jamestown). This commercial erf will provide additional parking for the shopping centre and direct access from the shopping centre onto Fresno Street, to better integrate the existing commercial facility with the community it serves. No commercial buildings are proposed on this erf. Please note, the details of the proposed consolidation and access must still be finalised with the owners of the Stellenbosch Square shopping centre.

3.3 Site development plan and development rules

The development rules (including the required permanent departures) of the residential component is indicated in Table 1 below.

Table 1: Development rules of the residential component

DEVELOPMENT RULES	TOWNHOUSES	FLATS
Erf size(s)	±135m ² each	±2 189m ²
Coverage	±65% (in lieu of 50%)	±35%
Height	2 storeys	2 storeys
Floor area	N/A	±0.7
Building lines (external)	1.5m (in lieu of 3m)	1.5m and 0m (in lieu of 4.5m)
Building lines (internal)	0m	N/A
Parking	84 parking bays (@ 2 bays per unit)	30 parking bays (@ 1.5 bays per unit)
Outdoor space	±1 911m ²	±318m ² (in lieu of 438m ²)

Boundary wall heights	2.1m and 2.525m (in lieu of 1.8m)	2.1m (in lieu of 1.8m)
-----------------------	--------------------------------------	---------------------------

No commercial buildings are proposed on the Mixed-Use erf (only additional parking bays for the Stellenbosch Square shopping centre).

TV3's architects have prepared a detailed Site Development Plan (SDP) with floor plans, elevations, land uses, floor areas, parking bays, landscaping, access, boundary walls, etc. that clearly illustrates the proposed development's details. The SDP is attached hereto for your approval (see **Section H**).

3.4 Motivation for the permanent departures

Application is made for the following permanent departures (and motivated as follows):

- *The relaxation of the townhouse erven's external building lines from 3m to 1.5m and the relaxation of the flats erf's external building lines from 4.5m to 1.5m and 0m respectively.*

Application is made for the relaxation of the developments external building lines to accommodate a sensible and optimal urban design of the proposed residential units and to provide for a pedestrian walkway on Webersvallei Road.

- *To increase the townhouse erven's coverage from 50% to 65%.*

The increased coverage will permit a very sensible unit design on a very small erf, to increase the effectivity of the unit's usable space, as indicated on Figures 6 and 7 below.

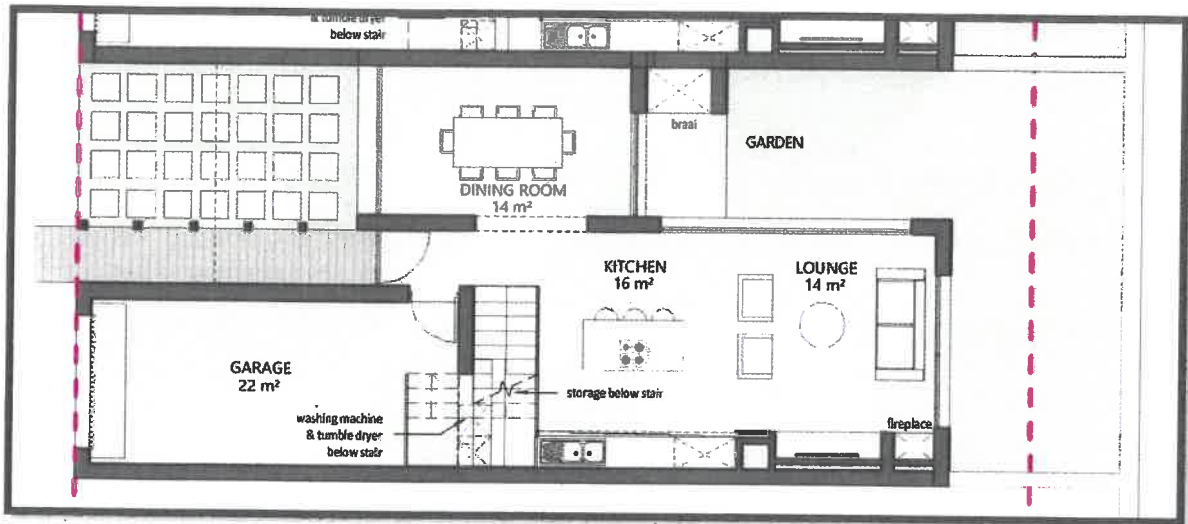


Figure 6: Typical townhouse unit's ground floor

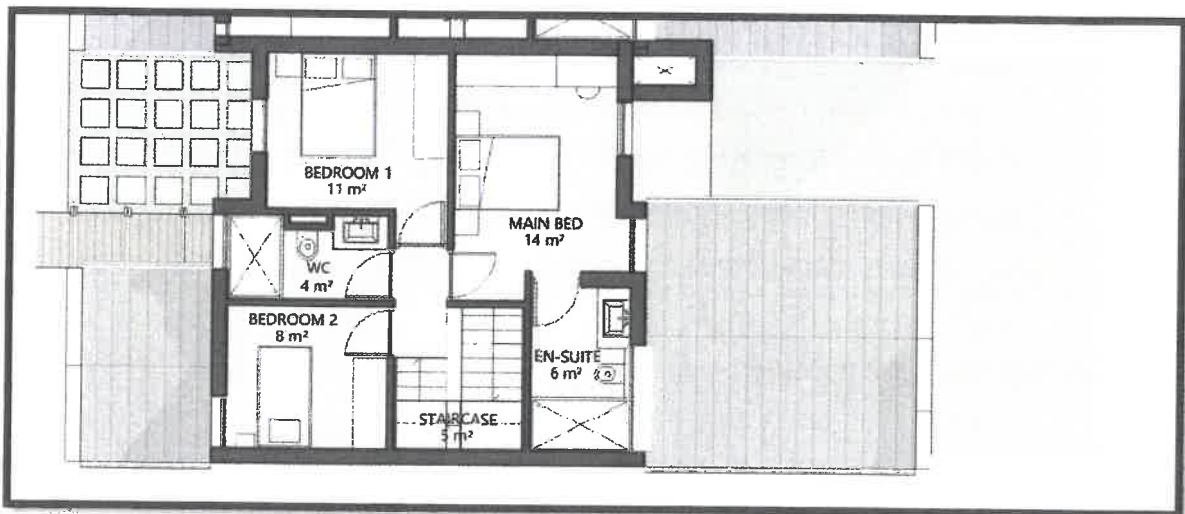


Figure 7: Typical townhouse unit's first floor

- To provide $\pm 318\text{m}^2$ outdoor space for the flats (in lieu of 438m^2).

A central open space for all the residents, will be provided in the estate. The under provision of outdoor space for the flats will therefore not have a negative impact.

4. PLANNING MOTIVATION FOR THE JAMES GENERAL RESIDENTIAL DEVELOPMENT PROPOSAL

Our motivation for the proposed high density general residential development of the subject property is based on the following reasons:

4.1 Land use planning applications

The following land use planning applications are hereby made to obtain Council's planning approval for the proposed The James general residential development, namely:

- The rezoning of the subject property from *Agriculture and Rural Zone* to *Subdivisional Area*;
- The subdivision thereof to create 42 townhouse units, 20 flats and a mixed-use erf (consisting of parking bays) that will be consolidated with the abutting Stellenbosch Square shopping centre;
- permanent departures to relax the proposed residential scheme's development rules; and
- Approval of the SDP.

Attached hereto for you Council's approval is the proposed development's Subdivision Plan (see **Section E**) and the SDP (see **Section H**).

4.2 Compliance with the Stellenbosch Municipality's Spatial Development Framework

The subject property is located within the approved urban edge for Stellenbosch (and Jamestown), as identified by the Stellenbosch Municipality's Spatial Development Framework (MSDF). It is a piece of undeveloped land, ideally suited for infill urban development.

The proposed higher density residential development on infill land will support the recommendations of the MSDF. According to the MSDF, "*current densities [in Stellenbosch] remain below 10du/ha . . . densities are still significantly lower than the targeted density of 25du/ha . . . provision should also be made for redevelopment and densification as a means to accommodate market demand*". By providing a more affordable housing product with a residential density of $\pm 50\text{du/ha}$, the town's average residential density will increase.

The proposed development of the subject property can therefore be deemed desirable as it complies with the principles of the MSDF.

4.3 Addressing the town's housing needs and backlog

According to the Stellenbosch Municipality the inadequate supply of affordable housing in Stellenbosch is a main concern. The greater municipal area has a current and future housing backlog and the availability of developable land for housing opportunities is extremely limited.

The MSDF states that by 2021 the need for non-indigent housing in Stellenbosch will be 8 357 units. The proposed development of the subject property to create 62 more affordable residential units will contribute towards addressing the housing needs and backlog and can therefore be deemed desirable.

4.4 Positive economic impact

The South African economy grew by 0.8% in 2018 after a technical recession in the first half of the year (according to the Moody's Corporation). The economy shrank by 0.8% in the first quarter of 2019 compared to the last quarter of 2018. South Africa's unemployment rate increased to 27.6% in the first quarter of

2019, (according to Stats SA). The jobless rate at the end of the fourth quarter of 2018 was 27.1%, meaning the rate has increased by half a percentage point. Significant economic investment is needed to address these problems.

The construction sector is one of the largest single contributor to employment. Construction opportunities should therefore be supported as it will create many new employment opportunities (ranging from skilled to unskilled labour). It is anticipated that the proposed development will create ± 300 new employment opportunities in the construction sector.

The proposed development will also pay $\pm R4$ million in development contributions to the Stellenbosch Municipality, it will contribute to the upgrading of municipal bulk infrastructure, and it will annually pay municipal rates and tax to the amount of $\pm R600\ 000$.

The proposed development will therefore have a positive impact on the local economy and infrastructure, and it can be deemed desirable.

4.5 Compatibility with the surrounding environment

The subject property is located in an area with mixed land uses, such as offices, supermarkets, shops, motor showroom, service station, retirement village, residential erven and social housing. The developments of La Clemence and Aan de Weber have already established the principle of high-density residential developments in Jamestown and the proposed development will therefore not be new to Jamestown, but rather compatible with this integrated and mixed environment.

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 proposed development will therefore not create a precedent

for other high-density development. All development proposals must be evaluated on its own merits to determine its desirability and benefits to the community and it is our opinion that the proposed development will benefit the broader community of Jamestown by upgrading bulk infrastructure, providing (more) affordable housing opportunities and by supporting Council's vision of the densification of urban areas.

4.6 Positive impact on surrounding property values

The proposed development of the subject property will have a positive effect on surrounding property values and Jamestown's residents will subsequently benefit from it. An increase in property values will lead to higher property taxes, but a landowner can petition Council for a rebate; but if a landowner does sell their property, then they will be able to sell it at a profit.

With the approval of the MSDF 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 private farms) will be supported. The direct result of this policy is that existing urban areas (such as Jamestown) will now be redeveloped to absorb the town's development pressures and that Jamestown property values will increase. By creating a very tight urban edge and by 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 subject property is therefore a direct result of this Council policy.

4.7 Heritage and environmental authorisations

The proposed development does not require the Department of Environmental Affairs and Development Planning's environmental authorisation i.t.o. the National Environmental Management Act, 1998 because the subject property is

located within an urban area, it is smaller than 5ha, there are no indigenous vegetation on the subject property and the subject property is not zoned for any conservation purposes.

An application has been submitted to Heritage Western Cape for their authorisation (i.t.o. the National Heritage Resources Management Act, 1999) of the proposed urban development. Their decision letter will be submitted to the Stellenbosch Municipality with receipt thereof.

5. PROVISION OF ENGINEERING SERVICES

5.1 Civil engineering services

Bart Senekal Inc. civil engineers were instructed to investigate the availability of civil engineering services (water, sewerage, stormwater, etc.) for the proposed development. According to their services report no problems are foreseen in this regard (with certain upgrades). A copy of the civil engineering services report is attached hereto (see **Section I**).

5.2 Transport impact study

iCE traffic engineers were instructed to undertake a transport impact study for the proposed development. According to their transport impact study report the proposed development is acceptable from a traffic point of view (with certain upgrades). A copy of the traffic report is attached hereto (see **Section J**).

6. CONCLUSION

From the above motivation it is clear that the proposed development of the subject property – which entails a higher density (infill) residential development on vacant urban land – is in line with the town's spatial planning principles and

general planning considerations. It will provide more affordable housing opportunities in Stellenbosch and support local economic development. For these reasons, we deem the proposed development of the subject property to be desirable and we recommend that the applications be granted.

7. SIGNATURE OF APPLICANT

.....

CLIFFORD HEYS**PR. PLANNER (SA): A/1158/2000**

2017/12/09
.....
DATE

POWER OF ATTORNEY

We, the undersigned : Edwin Daniel February & Wesley Everest February
 registered owners of : The unregistered Farm 510/845, Stellenbosch
 (a portion of Farm 510/9, Stellenbosch)
 do hereby appoint : TV3 Projects (Pty) Ltd
 La Gratitude Offices (1st Floor)
 97 Dorp Street
 7600 STELLENBOSCH


With power of substitution to be our agent in our name, place and stead and to apply for:

- rezoning, subdivision, departures, etc. in order to obtain all the relevant planning approvals for the proposed urban development (The James) on the subject property.

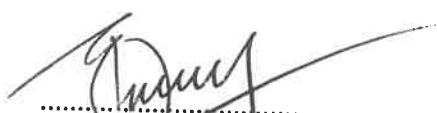
And generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite as fully and effectually for all intents and purposes, as we might or could do if personally present and acting herein -hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and confirm all and whatsoever our said agent shall lawful do or cause to be done, by virtue of these present.


Signed at ~~STELLENBOSCH~~ this 21ST day of AUGUST 2019 in the presence of the undersigned witnesses.

AS WITNESSES:

1 
 (BASIL GEORGE FEBRUARY)

2 


 EDWIN DANIEL FEBRUARY


 WESLEY EVEREST FEBRUARY

ANNEXURE E

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

PUBLIC PARTICIPATION PROCESS



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DEPARTMENT OF DEVELOPMENT MANAGEMENT

LAND DEVELOPMENT APPLICATION:

PUBLIC PARTICIPATION PROCESS PORTFOLIO OF EVIDENCE CHECKLIST AND DECLARATION

Erf/Erven Farm no	Farm 510	Portion(s) if farm	845	Allotment Area	Stellenbosch		
Owner/ Applicant	TV3 Projects (Pty) Ltd			LU/#	LU/11047		
Notice Period	From:	23 July 2020		To:	24 August 2020		
CONFIRMATION OR DOCUMENTATION SUBMITTED				OWNER/APPLICANT			ADMIN VERIFY
				YES	NO	N/A	
1. The declaration is duly signed				X			✓
2. Applicant confirms that the public participation process was duly undertaken as instructed and attached to this POE.				X			✓
3. Approval for notices were obtained prior to the public participation process and attached to this POE.				X			✓
4. Municipality informed of the start date and closure date.				X			✓
5. The advertisement period complies with the required 30 days (60 days for state entities).				X			✓
6. If applicable, confirms that the site notice was placed and kept on site for the duration of the public participation process.				X			✓
7. All communications (other than notices) in respect of the public participation process attached.				X			✓
Proof of notices published							
8. If applicable, photo evidence to confirm site notice.				X			✓
9. Wording of the advertisement accurate as approved & attached.				X			✓
10. Proof of notices published (Publication date visible)				X			✓
Proof of notices served							
11. Wording of notice accurate as approved and attached				X			✓
12. Proof of all notices served to neighbouring properties attached				X			✓
13. Proof of all notices to Interest & Community Groups attached				X			✓
14. Proof of all notices to Govt. Dept's and Entities attached				X			✓
Comments received							
15. All objections/comments received attached				X			✓
16. All comments from internal Municipal Departments received (must also be attached to POE).					X		✓
17. Applicant's comments on all the objections attached				X			✓

Please complete and sign the following declaration on above:

DECLARATION

I, (full names & surname) CLIFFORD HEYS

and ID #: 7205295013080, as the Applicant for the above application,

hereby confirms that the public participation process for the subject application was duly undertaken in accordance with the instruction for such process and the associated requirements stipulated in the Stellenbosch Municipal Land Use Planning Bylaw, and that the information contained in the above checklist and the accompanied information and documentation in the portfolio of evidence for the concluded public participation process, are accurate and complete:

Duly signed by the APPLICANT C. HEYS on this date/ month/ year

2020/09/07 at place STELLENBOSCH

[Signature]
Signature Applicant

2020/09/07
Date

<i>For office use only</i>	
CHECKED BY ADMINISTRATIVE OFFICER	<u>[Signature]</u>
CHECKED BY TOWN PLANNER	
DATE VERIFIED	<u>9/11/2020</u>

NOTES TO BE RECORDED:

PUBLIC PARTICIPATION PROCESS – INTERESTED & AFFECTED PARTIES INFORMED**GOVERNMENT DEPARTMENTS**

Dept. of Agriculture (Elsenburg) BrandonL@elsenburg.com & CorvdW@elsenburg.com

Directorate: Land Use Management (Pretoria) FrancinaMO@Dalrrd.gov.za & NhlakaD@daff.gov.za

Dept. of Transport & Public Roads Lyle.Martin@westerncape.gov.za

DEA&DP enquiries.eadp@westerncape.gov.za

Stellenbosch Agricultural Society stlandbo@mweb.co.za

COMMUNITY ORGANISATIONS

La Clemence HOA elzet@laclearence.co.za

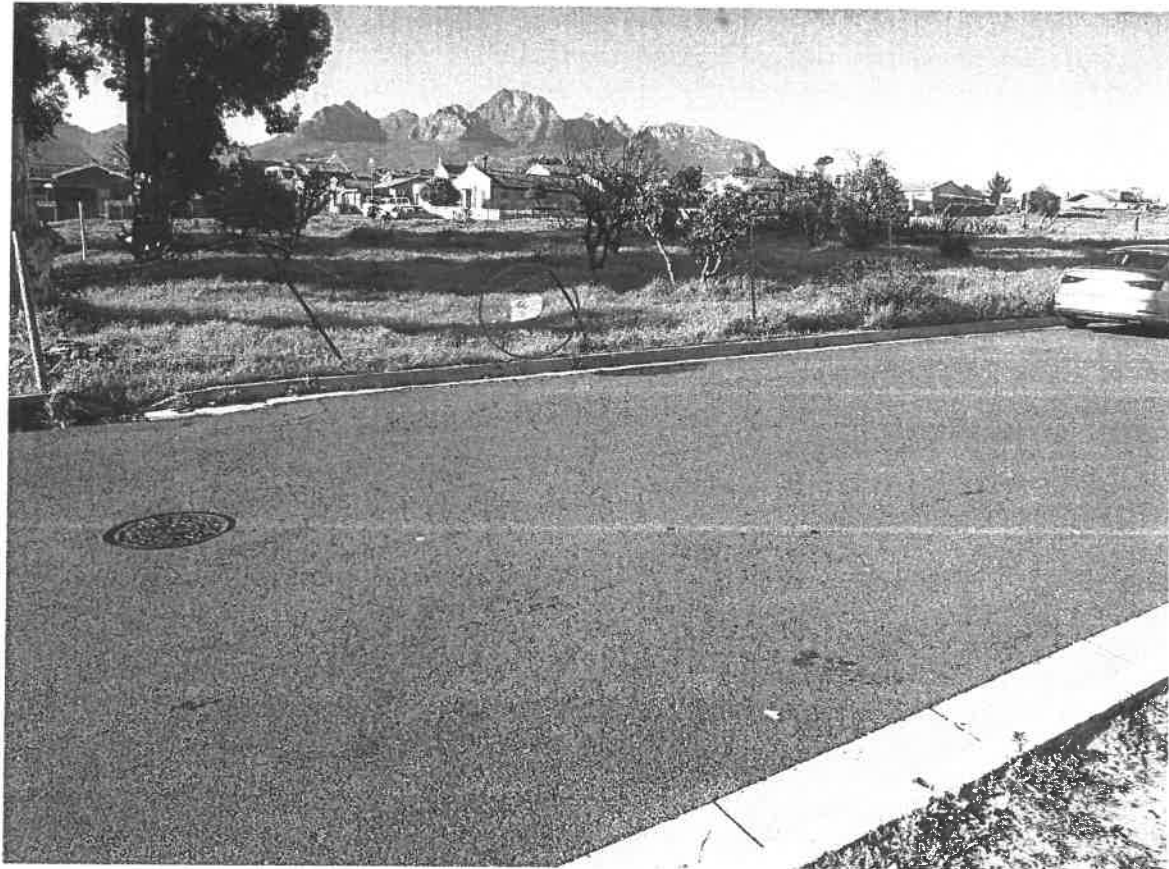
Stellenbosch Ratepayers Association info@stellenboschratedpayers.org

Stellenbosch Interest Group info@stellenboschinterestgroup.org

SURROUNDING LANDOWNERS / I&APs

Farm 510/9	ED & WE February (<i>landowner / applicant</i>)
Farm 510/844 (now Farm 510/9)	ED & WE February (<i>landowner / applicant</i>)
Farm 510/52	Blaauwklippen Agricultural Estate (Pty) Ltd creditors@blaauwklippen.com & donovan@atmg.co.za
Farm 510/71	Blaauwklippen Agricultural Estate (Pty) Ltd creditors@blaauwklippen.com & donovan@atmg.co.za
Erf 157	MMG Bilton (<i>no e-mail / hand delivered</i>)
Erf 158	M Groenewald Family Trust grwld@netactive.co.za
Erf 159	Windsor Trust (JG de Bruyn) (<i>no e-mail / hand delivered</i>)
Erf 160	MA van der Westhuizen vessievdw@gmail.com
Erf 161	CL van Papendorp (<i>no e-mail / hand delivered</i>)
Erf 162	La Clemence HOA elzet@laclearence.co.za
Erf 169	La Clemence Gesondheidsentrum Body Corp elzet@laclearence.co.za
Erf 170 (now Erf 171)	Donford Properties (Pty) Ltd property@selfords.co.za
Erf 172	Stellenbosch Square Inv. (Pty) Ltd joyc@broll.com
Erf 174	Shell South Africa Marketing (Pty) Ltd tmatshinge@broll.com
Erf 175	Eskom Holdings Soc Ltd ERESmallMunics@eskom.co.za

Erf 176 Donford Properties (Pty) Ltd property@selfords.co.za
Erf 177 MDC van Huffel-Prokopes (*no e-mail / hand delivered*)
Erf 180 Dornier Wine Estate raphael@dornier.co.za
Erf 181 JF Hartogh (*no e-mail / hand delivered*)
Erf 182 Stellenbosch Academy of Design and Photography
tougheeda@stellenboschacademy.co.za &
info@stellenboschacademy.co.za
Erf 241 AVD Davids (*no e-mail / hand delivered*)
Erf 242 WL Geldenhuys wlgeldenhuys@gmail.com
Erf 243 IH Adriaanse (*no e-mail / hand delivered*)



NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA

APPLICATION FOR ZONING, SUBDIVISION, CONSOLIDATION, DEPARTURES, SITE DEVELOPMENT PLAN, PHASING, STREET NAMING AND NUMBERING: FARM 510/845, STELLENBOSCH

Application Address: Fresno Street, Jamestown
Applicant: TV3 Projects (Pty) Ltd - C. Heys (contact details: 021 861 3800)
Owner: Edwin & Wesley February - J. Kruger (contact details: 021 883 2600)
Application Reference: LU/11047

Description of land development application:

Pertaining to the unregistered Portion 845 of the Farm No. 510 (a portion of Portion 9 of the Farm No. 510), Jamestown, Division of Stellenbosch - the following land use planning applications are hereby made in order to obtain planning approval for the proposed The James general residential development:

1. Application i.t.o. Section 15.2(a) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the rezoning of Farm 510/845 from Agriculture and Rural Zone to Subdivisional Area.
2. Application i.t.o. Section 15.2(d) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the subdivision of Farm 510/845 into 44 Multi-Unit Residential erven, 3 Private Open Space erven, 1 Mixed Use erf and 2 Utility Services erven.
3. Application i.t.o. Section 15.2(e) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the consolidation of subdivided erf no. 48 with the abutting Erf 172, Jamestown.
4. Application i.t.o. Section 15.2(b) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the following permanent departures:
 - The relaxation of the townhouse erven's external building lines from 3m to 1.5m - as indicated on the Site Development Plan;
 - The relaxation of the flats erf's external building line from 4.5m to 1.5m and 0m respectively - as indicated on the Site Development Plan;
 - To increase the townhouse erven's permissible coverage from 50% to 65%; and
 - To provide ±318m² outdoor space for the flats (in lieu of 438m²).
5. Application i.t.o. Section 15. of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for approval of the Site Development Plan, of the development's name (The James), the development's street name and numbers (The James Street) and for the phasing of the development.

Notice is hereby given in terms of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

Written comments, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person in the application, may be submitted in terms of Section 50 of the said Bylaw to the Applicant by electronic mail as follows: TV3 Projects (Pty) Ltd - C. Heys clifford@tv3.co.za

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 24 August 2020.

For any enquiries on the Application or the above requirements, or if you are unable to write and/or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 021 861 3800 during normal office hours.

KENNISGEWING VAN GRONDONTWIKKELINGSAAANSOEK IN DIE STELLENBOSCH MUNISIPALE AREA

AANSOEK VIR HERSONERING, ONDERVERDELING, KONSOLIDASIE, AFWYKINGS, TERREINONTWIKKELINGSPLAN, FASERING, STRAATNAAM, EN NOMMERS: PLAAS 510/845, STELLENBOSCH

Adres van eiendom: Fresnostraat, Jamestown
Aansoeker: TV3 Projects (Pty) Ltd - C. Heys (kontak besonderhede: 021 861 3800)
Eienaar: Edwin & Wesley February - J. Kruger (kontak besonderhede: 021 883 2600)
Aansoek Verwysing: LU/11047

Beskrywing van grondontwikkelingsaansoek:

Met verwysing na die ongeregistreerde Gedeelte 845 van die Plaas No. 510 (’n gedeelte van Gedeelte 9 van die Plaas No. 510), Jamestown, Afdeling Stellenbosch - die volgende grondgebruiksaansoeke word hiermee gemaak: ten einde beplanningsoedkeuring te ontvang vir die voorgestelde The James algemene residensiële ontwikkeling:

1. Aansoek word gemaak i.t.v. Artikel 15.2(a) van die Stellenbosch Munisipaliteit se Verordening, op Grondgebruikbeplanning, 2015 vir die hersonering van Plaas 510/845 van Landbou en Landelike Sonne na Onderverdelingsgebied.
2. Aansoek word gemaak i.t.v. Artikel 15.2(d) van die Stellenbosch Munisipaliteit se Verordening, op Grondgebruikbeplanning, 2015 vir die onderverdeling van Plaas 510/845 in 44 Multi-eenheid Residensiële erwe, 3 Private Oopruimte erwe, 1 Gemengde Gebruik erf en 2 Nuts Dienste erwe.
3. Aansoek word gemaak i.t.v. Artikel 15.2(e) van die Stellenbosch Munisipaliteit se Verordening, op Grondgebruikbeplanning, 2015 vir die konsolidasie van die onderverdeelde erf no. 48 met die aangrensende Erf 172, Jamestown.
4. Aansoek word gemaak i.t.v. Artikel 15.2(b) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die volgende permanente afwykings:
 - Die verslapping van die dorpshuis erwe se eksterne boulyne vanaf 3m na 1.5m - soos aangedui op die Terreinontwikkelingsplan;
 - Die verslapping van die woonstelle se eksterne boulyne vanaf 4.5m na 1.5m en 0m onderskeidelik - soos aangedui op die Terreinontwikkelingsplan;
 - Om die dorpshuis se dekking te verhoog vanaf 50% na 65%; en
 - Om ±318m² buite ruimte te voorsien vir die woonstelle (in plaas van 438m²).
5. Aansoek word gemaak i.t.v. Artikel 15. van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die goedkeuring van die Terreinontwikkelingsplan, die ontwikkeling se naam (The James), die ontwikkeling se straatnaam en -nommers (The Jamesstraat) en die fasering van die ontwikkeling.

Kennis word hiermee gegee in terme van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydskedule van die publieke deelname proses by die volgende adres: <https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om ’n elektroniese kopie beskikbaar te stel.

Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, kan ingedien word in terme van Artikel 50 van genoemde Verordeninge aan die Aansoeker by wyse van elektroniese pos as volg: TV3 Projects (Pty) Ltd - C. Heys clifford@tv3.co.za. Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van 24 Augustus 2020.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker gestakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 861 3800 gedurende normale kantoor ure.

21 July 2020
23 July 2020

Nolusindiso Momoti

Ward C11r1

From: Nolusindiso Momoti
Sent: Wednesday, 15 July 2020 10:57
To: Rikus Badenhorst
Cc: Nelmari Williams
Subject: FARM 510/845 STELLENBOSCH JAMESTOWN
 REZONING,SUBDIVISION,CONSOLIDATION & DEPARTURE - (COMMENTS)

Large File Send
 Sent Files

Powered by **mimecast**

You shared files with Rikus.Badenhorst@stellenbosch.gov.za Nelmari.Williams@stellenbosch.gov.za.

Files:

FARM 510-845 JAMESTWON.pdf

Good day;

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish your comment by email, if any, in order to enable to submit the application to the decision making authority for consideration.

ERF / FARM NUMBER & APPLICATION NUMBER: Farm 510/845 (LU/11047) Jamestown

DESCRIPTION OF THE PROPOSAL

Application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 for the following on Farm No. 510/845, Stellenbosch Division (Jamestown):

The **rezoning** of the subject property from Agriculture and Rural Zone to Subdivisional Area in terms of section 15(2) (a) of the said Bylaw to allow for the following uses (and in accordance with the land use framework plan and such phasing as depicted in plan with reference 3646-P (4), dated 18 October 2019, and drawn by TV3 Architects and Town Planners:

- (a) 42 x Multi-Unit Residential Zone erven (portions 1 – 42), and approximately 5 692m² in extent for group housing purposes;
- (b) 1 x Multi-Unit Residential Zone erf (portion 43), and approximately 2 189m² in extent for purposes of a block of flats consisting of 20 units;
- (c) 3 x Private Open Space erven (portions 44, 45 & 46), and approximately 652m² in extent for private open space purposes;
- (d) 1 x Private Open Space erf (portion 47), and approximately 2 368m² in extent for private road purposes;
- (e) 1 x Mixed-Use Zone property (portion 48), and approximately 2 014m² in extent for parking purposes;
- (f) 1 x Utility Zone erf (portion 49) and approximately 10m² in extent for purposes of an electric substation;
- (g) 1 x Utility Zone erf (portion 50) and approximately 15m² in extent for public road purposes.

(h) The phasing of the development into four (4) phases

2. The **subdivision** in terms of Section 15(2)(d) of the said bylaw into 50 portions and in accordance with the subdivision plan 3646-P (4), dated 18 October 2019, and drawn by TV3 Architects and Town Planners, to allow for the development in accordance with the subdivisional zone above;

3. The **consolidation** in terms of Section 15(2)(e) of the said bylaw of Portion 48 with the abutting Erf 172, Jamestown.

4. Departure in terms of Section 15(2)(b) of the said bylaw for the:

(a) the relaxation the townhouse erven's external building lines from 3,0m to 1,5m;

(b) the relaxation of the flats erf's external building line from 4,5m to 1,5m and 0m respectively;

(c) To increase the townhouse erven's permissible coverage from 50% to 65%; and

(d) To provide ±318m² outdoor space for flats in lieu of 438m²

(e) To exceed the height of the boundary walls from 1,8m to 2,1m and 2,524m as per site development plan nr. 3631-A-401 (rev A), dated 18 October 2019; 3631-A-402 (rev A), dated 19 October 2019; 3631-A-403 (rev A), dated 18 October 2019, drawn by TV3 Architects and Town Planners.

OTHER APPLICATIONS:

1. Application in terms of Section 98 of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the **naming and number of streets** as per the proposed subdivision plan.

2. Approval of **Site Development Plan** Nr. 3631-A-101 (rev H), dated 06 November 2019; 3631-A-200 (rev D), dated 02 October 2019; 3631-A-201 (rev B), dated 02 October 2019; 3631-A-202 (rev B), dated 02 October 2019; 3631-A-201R (rev B), dated 02 October 2019; 3631-A-201A (rev B), dated 02 October 2019; 3631-A-210A (rev A), dated 02 October 2019; 3631-A-210 (rev B), dated 02 October 2019; 3631-A-301 (rev B), dated 02 October 2019; 3631-A-310 (rev A), dated 02 October 2019; 3631-A-401 (rev A), dated 18 October 2019; 3631-A-402 (rev A), dated 19 October 2019; 3631-A-403 (rev A), dated 18 October 2019, drawn by TV3 Architects and Town Planners

APPLICANT:

TV3 Architects and Town Planners
La Gratitude Offices (1st Floor)
97 Dorp Street
STELLENBOSCH
7600

PROPERTY ADDRESS:

Farm 510/845
Fresno Street
JAMSETOWN
STELLENBOSCH
7600

Please note that your comments must be submitted on or before 18 August 2020 from the date of this email.

ANNEXURE F

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

OBJECTIONS



Webers valley road, Jamestown / Jamestown.erfenis@gmail.com

17 AUGUST 2020-

TV3 Projects (PTY) LTD

1ste vloer, La Gratitude Offices

97 Dorp Straat

Stellenbosch, 7600, SUID AFRIKA

Kontaknommer: 021 861 3800

Faksnommer : 021 882 8025

Epos clifford@tv3.co.za

CC: STELLENBOSCH MUNICIPALITY

Rikus.Badenhorst@stellenbosch.gov.za

Geagte Mnr. Clifford Heys / TV3 Projects (PTY) LTD en Stellenbosch Munisipaliteit,

BESWAAR TEEN ONTWIKKELING VAN "THE JAMES" RESIDENSIELE ONTWIKKELING OP PLAAS 510/845, STELLENBOSCH

Hiermee teken ons as die Jamestown Belastingbetalersvereniging en Jamestown gemeenskap, ten sterkste beswaar aan teen die die voorgenome ontwikkeling en hersoneringsaansoek op Plaas 510/845, Jamestown,

Ons bied ook ons volle ondersteuning aan die punte soos uiteengesit in Mnr. Chrisben February, Jamestown Erfenis kommittee se dokument (14.08.2020), hierdie insluitend;

Infrastruktuur; Die gemeenskap kan nie verdere druk op ons infrastruktuur hanteer nie, veral nie die van 'n hoëdigheidsontwikkeling nie. Dit sluit in toegangspaaie, riool sisteem, water, elektrisiteit, ensovoorts. Tans is daar net een wettige toegangspad tot Jamestown en die rioolkapasiteit is steeds besig om opgegradeer te word. Hierdie infrastruktuur, diens Jamestown, Stellenbosch Square, die skole, die volgende fase RDP ontwikkeling by Mountainview, Aan de Weber estate en die landbou-erwe en ons glo nie dat verdere hoëdigheids ontwikkelings moontlik is, sonder om ernstige negatiewe gevolge op die Jamestown gemeenskap te hê nie. Die verkeer binne ons residensiële gebied is al klaar ondraagbaar en die toename in verkeer is al in verkskeie klagtes rakende skoolbusse en karre wat jaag by die munisipaliteit aangemeld. Ons is ten sterkste gekant teen verder verkeerstoename, wat die residensiële atmosfeer van ons rustige residensiële landboudorpie totaal-en-al sal vernietig.

Ons is ook ten sterkste gekant teen die versoek om die eksterne boulyne vir die dorps huis erwe van 3m na 1.5m te verslap asook die permanente verslapping van eksterne boulyne vir woonsteleenhede van 4.5m na 1.5m en 0m onderskeidelik te verslap met voorsiening vir voetganger paadjies in Webers Valleiweg volgens die motiverings genoem in punt 3.4 in die "Planning Motivation Report". Fresno straat verbind tans Webersvalleiweg met die sogenaamde "Skool-Pad", ook algemeen bekend as die Vallei-pad. Verder is dit ook die deurgangspad na die Begraafplaas. Met die beplande permanente sluiting van die sogenaamde "Skool-pad" deur die Streekdiensteraad - wat ons ondersteun weens onder andere veiligheids redes - is dit geensins prakties om die eksterne boulyne te verslap na 1.5meter tot 0meter nie. Verder word Fresno straat ook deur talle voetgangers gebruik, wat dit noodsaaklik maak om voetganger spasie daar te stel. **Ons versoek dat die eienaar bly by die Munisipale zonerings van enkel residensiële behuisings en hoe dit omskryf word.**

Ons versoek ook om 'n omgewingsimpakstudie te ontvang oor wat die impak van hierdie ontwikkeling op die landbou erwe en omgewing sal hê.

Belasting: Weens vorige ontwikkelings-projekte soos La Clemence, Stellenbosch Square en Aan De Weber is Jamestown op groot skaal benadeel en ingedoen in terme van hoër waardasies en gepaardgaande hoër belasting. 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 belastingtariewe as gevolg staan baie Jamestowners weereens "gedwonge verskuiwing" in die gesig, met die dat hulle geen keuse sal hê as om te verkoop en goedkoper heenkome te soek nie. Dit sal net regverdig wees teenoor die Jamestown gemeenskap se Erfhouers, as privaat eienaars / erfhouers om Jamestown onder verdere belastingdruk te plaas nie. Die Jamestown belastingbetalers, versoek dus dat die eienaar van ERF510/845 sy aansoek terugtrek in belang van die gemeenskap, ons erfenis en voortbestaan.

Gentrifikasie: Die voorgestelde ontwikkeling op enige erf of erwe in Jamestown gaan beslis afbreek doen aan die karakter, beeld en gevoel van Jamestown. Goedkeuring van hierdie residensiële ontwikkeling sal beslis die deur open vir ander opportunistiese en geldgierige ontwikkelaars om op ander erwe in die omgewing ook Groepsbehuisings en Woonstelgeboue op te rig, en dit sal die unieke karakter van Jamestown nie net onreg aandoen nie, maar in totaliteit vernietig. Die gemeenskap sal ook ingeboks wees deur ontwikkelinge wat nie deelneem of bydrae tot ons unieke karakter nie. Per die dokumentasie, sal die voorgestelde ontwikkeling ook hul eie belastingbetalers vereniging hê, wat hulle verder sal afsluit van die belange en waardes van die Jamestown gemeenskap.

Aanbevelings: Die Jamestown belastingbetalersvereniging, beveel die eienaar aan om sy aansoek terug te trek in belang van ons erfenis, geskiedenis en unieke dorpskarakter. U neem volle verantwoordelikheid dat u uit disrespek teen die Jamestown gemeenskap se belange en verwagtinge optree in belang van u eie vooruitgang. Ons stel voor dat dat toekomstige ontwikkelings aansoeke, gemeenskapsgerig moet wees. Enkel Residensiële behuisings in plaas van luukse sekuriteits komplekse gaan natuurliker inpas by die reeds bestaande huise asook Jamestown se karakter.

Vind aangeheg, ter ondersteuning van beswaar van bogenoemde ontwikkeling:

- THE JAMES - Jamestown Erfenis kommentaar

Groete

A handwritten signature in black ink that reads "Dales Simons". The signature is written in a cursive style with a horizontal line underneath the name.

Voorsitter: Dales Simons

Jamestown Belastingbetalersvereniging

Webers valley road, Jamestown

Jamestown.erfenis@gmail.com

A handwritten signature in black ink that reads "Rene van Rooyen". The signature is written in a cursive style.

Getuie: Admin, Rene van Rooyen

jamestown.ratepayers@gmail.com

Comments on the proposed applications re Portion 845 of Farm 510, Jamestown

HC Eggers (Ward 21 Committee Member)

18 August 2020

I wish to comment as follows:

1. Compliance with the Stellenbosch Municipal Spatial Development Framework

Evidently the proposal complies with the MSDF in the sense that the land falls within the Urban Edge and that the proposed density of housing is higher. Those are very generic criteria. Farm 510/845 is, however, in a very special location: It comprises one hectare of only about 3ha of land in Jamestown which is close to the R44 and as such should play a pivotal role in satisfying land needs of a Stellenbosch public transport infrastructure (taxis, NMT and Park-and-Ride). Indeed, Figure 51 and Table 36 of the MSDF identify Jamestown as a Park and Ride node (Table 35). **Any developing this land for yet more housing would block a declared MSDF goal. That is unacceptable, and the proposal should be rejected on these grounds alone.** Following the rejection, the Department of Planning should encourage the Applicant to submit a proposal for a Park-and-Ride development on 510/845.

2. Gentrification

As well documented by the Msc thesis of G Arendse (UWC) and as is obvious to even the casual observer, Jamestown proper is under intense pressure from the moneyed classes. In the process of one erf after another being elevated from its simple surroundings, property prices for the whole area and accompanying valuations rise, and then the rates rise too. The poorer households cannot afford the higher taxes and have to sell, thereby accelerating the destruction of the present community. This is called gentrification. The end result is the death of the original community.

Applications for indigence are helpful but cannot stem the rising tide.

The MPT and Council need to consider that approval would in effect help to destroy the livelihoods of its own constituents, penalising the poor for the benefit of the rich.

3. Addressing the town's housing needs and backlogs

The identified housing segment does have a deficit in the available number of units, as claimed. However, in Jamestown there is a far larger population with housing needs in not the mid-level but in the low-end housing categories. The development would therefore do nothing to alleviate the existing housing shortages of locals. **I am therefore not surprised by the strong objections lodged both by the Jamestown Ratepayers' Association and by Jamestown Erfenis and supports them.**

4. Unregistered status and rates implications

Neither Portion 9 nor Portion 845 of Farm 510 appear on the Stellenbosch Municipal Valuation Roll. This is a serious omission. For how many decades has the effective tax-free status of this property persisted? Given this, **the present application should be suspended until the issues set out below have been resolved.**

Issues to resolve:

- Why did the municipal Planning Department not check the Valuations Roll before the pre-consultation meetings with TV3?
- Were any rates levied and paid on this property in the past decades or its cadastral ancestors?
- If so, under which Farm/Portion or Erf Number were such rates/taxes paid?
- **The present process should be suspended immediately** until the valuations and rates/tax liabilities of the properties in question have been resolved;
- The Municipality should
 - investigate why this property was never registered or included in the valuation roll,
 - rectify the matter and have the property valued at its 2020 value and for at least 20 preceding years. Note that standard agricultural land valuation tools are inappropriate here because the properties are in an urban context now;
 - send monthly rates invoice to the landowners
 - send a retroactive rates invoice including all months since at least December 2019 (the date of this application) and preferably earlier.
- All rates and arrears due to the Municipality in terms of the above questions should be fully paid by the Applicant.

END

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 Vir Aandag: Clifford Heys

JAMESTOWN ERFENIS KOMITEE
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 Chrisben John February
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chrisbenif@hotmail.com
 083 406 1102

Maandag, 18 Augustus 2020

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

Geagte Mnr. Clifford Heys / TV3 Projects (PTY) LTD

**KOMMENTAAR: BESWAAR TEEN ONTWIKKELING VAN "THE JAMES" RESIDENSIELE
 ONTWIKKELING OP PLAAS 510/845, STELLENBOSCH**

Aansoeknommer: LU/11047

Munisipale Lêerverwysingsnommer: Erf 510/845, Jamestown

Aansoeker Verwysingsnommer: 3646-P

Met verwysing na bogenoemde kennisgewing gedateer: 09/12/2019

Hiermee staan ons as Jamestown Gemeenskap die voorgenome hoë densiteit ontwikkeling en hersoneringsaansoek op Plaas 510/845, Jamestown, Afdeling van Stellenbosch ten sterkste teen en teken beswaar aan teen hierdie aansoek.

HISTORIESE AGTERGROND:

Jamestown het in 1902 ontstaan toe Eerwaarde Jacob Weber en James Rattray met verskeie gemeentedele van die Rynse Sendingsgemeente die 8 jaar huurooreenkoms onderteken. Na die 8 jaar Huurooreenkoms tydperk kon die "Huurder" dan die erf teen 'n fooi van Vyf

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Shillings (5s.) koop. Sien aangeheg: **Bylae 1 – 1902 Jamestown Huurooreenkoms.** 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 gemeenskap in die vorige politieke bedeling, met baie van ons voorouers wat talle uitdagings insluitende gedwonge verskuiwings sonder of met minimale vergoeding in die gesig gestaar het. Teen 1976 staar 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 teenkating 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". Sien **BYLAE: 2A en 2B.**

Op 21 Oktober 1964 word n Proklamasie uitgereik om die dorp se naam te verander vanaf die oorspronklike benaming, "JAMESTOWN", na die "*Plaaslike gebied van Webersvallei*" as deel van die Stellenbosch Streekdiensteraad. Met sterk beswaar vanaf die Dorpsbestuur, veral Mnr. H. Gordon wat op die Dorpsbestuur gedien het, (huidige Erfenis Komitee lid) asook die gemeenskap van Jamestown behou die dorp sy oorspronklike historiese naam, JAMESTOWN! Sien **BYLAE 3: Webersvallei Proklamasie 1964**

Teen 1994 word Jamestown deel van die Stellenbosch Munisipaliteit en sou voortaan te doen kry met die Geïntegreerde Ontwikkelingsplanne (Integrated Development Plans – GOP / IDP). 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 direk as gevolg van omliggende ontwikkelings soos Le Clemence, Aan de Weber, Stellenbosch Square, Blaauwklip Office Park, en selfs ontwikkelingsprojekte binne Jamestown, insluitend Studio 54, Platform 43 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 te verkoop of selfs hul eiendom verloor weens onbekostigbaarheid en addisionele lenings wat aangegaan moet word. Die historiese bewyse toon dus dat die Jamestown gemeenskap / erfhouers oor verskeie generasies herhaaldelik moes opstaan en veg in belang van hul (ons) erfporsies en die voortbestaan van die Jamestown gemeenskap asook ons Erfenis belange. 'n Proses wat huidiglik steeds voortduur weens Munisipale wetgewing, veral met betrekking tot die GOP / IDP.

1 ONTWIKKELING – BEGIFTIGINGSFOOIE: 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 en oop ruimtes. 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

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as ander omliggende dorpie in Stellenbosch moes die Jamestown erfhouers grotendeels self betaal vir ontwikkeling, opgradering en vooruitgang deur middel van die Begiftigingsfooi stelsel. (Sien Bylae 4, Struktuurplan – 1989, Webersvallei Plaaslike gebied, bl 27, punt 6.3) Hierdie stelsel het tot gevolg gehad dat talle Jamestowners hul Erwe teen geen wins en minimale inkomste (Nadat Begiftigings Fooie en Landmeter kostes, tesame met rente afgetrek is) op die verkoop transaksies kon maak. (in vergelyking met jare se harde werk en toegewyde betaling van belasting en ander uitgawes om gronde in stand te hou). In kort, het die destydse Jamestowners dus self betaal vir ontwikkeling en opgradering van Jamestown se infrastruktuur!

Dit is ook verder die Jamestown Gemeenskap se bekommernis dat ons oorweldigend ingeboks word deur ontwikkeling reg rondom Jamestown en nou selfs tot binne in 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.

2. INFRASTRUKTUUR: 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 / Blaauwklip office Park / nuwe besighede in Webersvalleiweg se personeel asook kliënte die Webersvallei – R44 aansluiting. Hierdie is tans die enigste wetlike toegangspad tot Jamestown, wat ook moet dien as toegangspad tot die volgende fase RDP ontwikkeling, bekend as Mountainview. 'n Verdere bekommernis is die versoek om die Eksterne boulyne vir die dorps huis erwe van 3m na 1.5m te verslap asook die permanente verslapping van eksterne boulyne vir woonsteleenhede van 4.5m na 1.5m en Om onderskeidelik te verslap met voorsiening vir voetganger paadjies in Webers Valleiweg volgens die motiverings genoem in punt 3.4 in die “Planning Motivation Report”. FRESNO STRAAT verbind tans Webersvalleiweg met die sogenaamde “Skool-Pad”, ook algemeen bekend as die Vallei-pad. Verder is dit ook die deurgangspad na die Begraafplaas. Met die beplande permanente sluiting van die sogenaamde “Skool-pad” deur die Streekdiensteraad, wat ons ondersteun weens onder andere veiligheids redes, is dit geensins prakties om die eksterne boulyne te verslap na 1.5meter tot Ometer nie. Verder word Fresno straat ook deur talle voetgangers gebruik, wat dit noodsaaklik maak om voetganger spasies daar te stel. Met hierdie tipe ontwikkeling kan daar ook verder verwag word dat toekomstige ontwikkelaars ook die oop erwe aan die ander kant van Fresno straat kan oogmerk vir soortgelyke ontwikkeling.

Die rioolkapasiteit vir Jamestown is tans ook besig om steeds opgegradeer te word, die voltooiing van hierdie wat moontlik eers in 2021 sal klaarwees.

Met die daarstelling van die hoëdigheids Residensiele kompleks vir hoër inkomste groepe gaan dit beslis groter druk op ons infrastruktuur plaas. Met die onbevoegde infrastruktuur,

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veral toegangspaaie, kan dit ook verhoed dat die lang verwagte RDP ontwikkeling op Mountainview nie kan plaasvind nie, wat bekostigbare behuising na baie Jamestown families bring.

3. BELASTING: Weens vorige ontwikkelings-projekte soos La Clemence, Stellenbosch Square, Aan De Weber is Jamestown op groot skaal benadeel en ingedoen waar die gemeenskap aan die kortste end trek in terme van hoër waardasies en gepaardgaande hoër belasting. Vir baie huishoudings het hierdie belasting byna verdubbel in 2018-2019.

Die Erfhouers en dorpsbestuur betrokke, tydens hierdie ontwikkelings besluite was ook ten tyde van hierdie vorige projek geensins bewus van die grootskaalse negatiewe impak wat dit op ons dorp, Erfhouers en gemeenskap in die toekoms gaan hê nie. Dit kom basies neer op 'n Wen – Verloor situasie waar die ontwikkelaar wen in terme van winste en inkomste gegeneer uit ontwikkeling en Munisipaliteit wen in terme van onregverdigde Hoër Belastingstariewe, maar die plaaslike Jamestown Gemeenskap Verloor op verskeie gebiede. Jamestown se eiendomswaardasies en gepaardgaande belasting is reeds uitermate verhoog wat dit moeilik maak vir die meestal middel- en laerinkomste groepe asook pensioenarisse, en ook die werkloos in die 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.

Dit sal net regverdig wees teenoor die Jamestown gemeenskap se Erfhouers, as privaat eienaars / erfhouers om Jamestown tussen die "Skool straat" en Blaauwklippen Rivier buite die sogenaamde "Urban Edge" te plaas om soortgelyke toekomstige aansoeke te verhoed. Dit wil voorkom of die belange van Ontwikkelaars Bó die belange van meer as 400 Jamestown belasting betalers / erfhouers gestel word deur die Stellenbosch Munisipaliteit. Vorige aansoeke vir hersonering en afwyking (gedateer, 10 September 2010, vir Erwe 510/469 & 510/470) Asook aansoek vir (Gedeeltes 52, 53, 54 & 71 van die plaas Blaauwklip no. 510, Jamestown, Afdeling Stellenbosch), in Jamestown is deur die Munisipaliteit afgekeur weens beswaar vanuit die gemeenskap en andere wat die belange van Jamestown op die hart dra, wat dus nou weer kan aansoek doen indien Munisipale wetgewing nie in belang van die groter meerderheid belasting betalende Jamestown gemeenskap gaan optree nie.

Die voorgestelde ontwikkeling op enige erf of erwe in Jamestown gaan beslis afbreek doen aan die karakter, beeld en gevoel van Jamestown. Goedkeuring van hierdie residensiele ontwikkeling sal beslis die deur open vir ander opportunistiese en geldgierige ontwikkelaars om op ander erwe in die omgewing ook Groepsbhuisinge en Woonstelgeboue op te rig, en

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dit sal die unieke karakter van Jamestown nie net onreg aandoen nie, maar in totaliteit vernietig.

Jamestown gemeenskap versoek dus dat die ontwikkelaar (En toekomstige ontwikkelaars) 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.

Hiermee dring ons aan en versoek ons as Jamestown gemeenskap ook verder dat Stellenbosh Munisipaliteit hierdie en toekomstige aansoeke vir Hersonering en Ontwikkeling in belang van die Jamestown gemeenskap, ons erfenis en ons voortbestaan as gemeenskap en belastingbetalers afkeur.

GENTRIFIKASIE: Sien die Gentrifikasie verslag (Tesis) vir JAMESTOWN, Stellenbosch, wat die negatiewe aspekte uitbeeld soos uiteengesit deur Gary Arendse, 'n gebore en getoë Jamestownner:

(Web Link) Gary Arendse: "Private property, gentrification, tension and change at the 'urban edge': a study of Jamestown, Stellenbosch." (Aflaibare PDF Dokument)
http://etd.uwc.ac.za/.../11.../4296/arendse_gd_ma_arts_2014.pdf...

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 aarbei-boerdery 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 5 (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). Dit is hierdie karakter as familie dorp, met hoofsaaklik enkel residensiële huishouding, wat beskerm moet word.
2. Tydens ontwikkeling van die residensiële 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 dorpies in Stellenbosch moes die Jamestown erfhouers grotendeels self betaal vir ontwikkeling, opgradering en vooruitgang deur middel van die Begiftigingsfooi stelsel. **(Sien Aangeheg, BYLAE 4: (Struktuurplan, 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

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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 en die beplande volgende fase van ontwikkeling, La Clemence, Aan de Weber asook die addisionele Stellenbosch Square besighede en langsliggende Besigheids / Kantoor park se persoonel 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 infrastruktuur plaas. Sien web link onder aan dokument vir **Bylae 5 (La Clemence, Jamestown & Aan De Weber Erfhouers 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. Dit kom basies neer op 'n Wen – Verloor situasie waar die ontwikkelaar wen i.t.v. winste en inkomste gegenerer 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 uitermate 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. **BYLAE 5: Eiendoms Waardasies – Sien Web Link**

4. Toe die eienaar ERF 510 / 845 gekoop het, was hul bewus dat dit gesoneer is as landbou en landelike gebied. Die Jamestown Gemeenskap beveel dus aan dat die eienaar van ERF 510 / 845 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, en / of dit aanwend binne die munisipale wetgewing en soneringskemas wat in lyn is met die res van die Jamestown gemeenskap.

5. Die oprigting van hoë digtheid wooneenhede sal geensins '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 voorgestelde ontwikkeling op enige erf of erwe in Jamestown gaan beslis afbreuk doen aan die landbou, familiedorp karakter, beeld en gevoel van Jamestown.

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6. Goedkeuring van hierdie residensiele ontwikkeling op die landbousone sal die deur open vir ander opportunistiese ontwikkelaars om op ander erwe in die omgewing ook vir groepsbehuisings op te rig, en dit sal die unieke karakter van Jamestown nie net onreg aandoen nie, maar in totaliteit vernietig.
7. Jamestown gemeenskap versoek dus dat die eienaars van ERF 510 / 845 hul 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.
8. 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.
9. Ten slotte beveel ons verder aan dat toekomstige ontwikkelings aansoeke, hetsy Residensieël of Besigheids-gerig in Jamestown meer gemeenskaps gerig moet wees in belang van die (langsbestaande) plaaslike Jamestown gemeenskap. Enkel Residensiele behuising in plaas van luukse sekuriteits komplekse gaan natuurliker inpas by die reeds bestaande huise asook Jamestown se karakter. Jamestown gemeenskap voel verder uitgeluit by hierdie tipe ontwikkelingsprosesse en aansoeke, aangesien ons slegs hiervan te hore kom wanneer die proses reeds in 'n gevorderde stadium is. Dit sal verder ook sin maak om die bestaande gemeenskap van Jamestown en selfs plaaslike diensverskaffers reeds vanaf die beplanningsfase te betrek in die toekoms.

Vind aangeheg, ter ondersteuning van beswaar van bogenoemde ontwikkeling:

1. BYLAE 1: JAMESTOWN HUUROOREENKOMS 1902
2. BYLAE 2A & 2B: GROEPSGEBIEDEWET
3. BYLAE 3: WEBERSVALLEI PROKLAMASIE 1964
4. BYLAE 4: BEGIFTIGINGSFOOIE (UITTREKSEL UIT WEBERSVALLEI STRUKTUURPLAN: 1989
5. BYLAE 5: WEB LINK – MUNISIPALE WAARDASIES
6. BYLAE 6: FRIENDS OF STELLENBOSCH MOUNTAIN (Sien Web – Link onder)
7. BYLAE 7: GARY ARENDSE: GENTRIFICATION – THESIS
8. BYLAE 8: JAMESTOWN BELASTINGBETALERSVERENIGING (JRA / JBV)
9. BYLAE 9: (PDF Aangeheg) hc-eggerts-comments-f510-845application-200818

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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 Erfporsies te verloor met die nodige erns bejeën.

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

JAMESTOWN ERFENIS KOMITEE

Chrisben John February

Voorsitter / Chairperson

jamestownerfenis1902@gmail.com

chrisbenjf@hotmail.com

083 406 1102

Plot 510/206, Jamestown, Stellenbosch

Handtekening: _____



CHRISBEN JOHN FEBRUARY

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BYLAE / VERWYSINGS:

BYLAE 1: (PDF Aangeheg) 1902 Jamestown Huurooreenkoms: Weber – Rattray - Brandt

BYLAE 2A: / 2B: (PDF Aangeheg) Groepsgebiedewet

BYLAE 3: (PDF Aangeheg) Proklamasie: Webersvallei - 1964

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

BYLAE 5: (Web Link) La Clemence, Jamestown & Aan De Weber Erfhouers volgens 2017 – 2021 Stellenbosch Munisipale Eiendom-Waardasies (Aflaibare 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 6: Vorige Komentaar van Friends of Stellenbosch Mountain vir soortgelyke aansoek.

(Web Link) FRIENDS OF STELLENBOSCH MOUNTAIN: Comments on Application Number LU/8567 Portions 52, 53, 54 and 71 of Farm 510, Jamestown (Aflaibare 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 7: (Web Link) Gary Arendse: "Private property, gentrification, tension and change at the 'urban edge': a study of Jamestown, Stellenbosch." (Aflaibare PDF Dokument)

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

BYLAE 8: (PDF Aangeheg) JAMESTOWN BELASTINGBETALERSVERENIGING (JRA / JBV)

BYLAE 9: (PDF Aangeheg) hc-egggers-comments-f510-845application-200818



I certify that Revenue stamps to the value of £0 16s. 0d. have been affixed to the original hereof and duly cancelled, as by law required.

W. A. Zoull
Civil Commissioner,

Civil Commissioner's Office, Stellenbosch,
6th May, 1902.

AGREEMENT

ENTERED INTO BETWEEN

REV. JACOB WEBER and JAMES RATTRAY

and

Abraham Brandt

For the Lease of Lot No. 21 of the Farm
"JAMESTOWN," District of Stellenbosch.

STELLENBOSCH,

15th MAY, 1902.

4. AND the said Lessors do further engage, at the expiration of the said term, that the said Lessee shall have the right to purchase the said property, for the sum of Five Shillings (5s.) provided he shall have faithfully observed and kept all the stipulations of this lease.

5. THAT in the event the said Lessee shall so decide to purchase the said property, he shall notify his decision to the said Lessors, in writing, within one week of the expiration of this Lease, and shall be liable for the payment of all Government dues upon the Transfer of the said property into his name, as also for the cost of the Deed of Transfer and for a survey and diagram of the said property, according to the extent of the same in his occupation during the currency of this lease.

6. AND the said Lessee doth hereby further engage and agree that he will and shall truly pay, or cause to be paid to the said Lessors, as aforesaid, the sum of Twelve Pounds (£12) sterling, per annum, for the rent or hire of the said property, payable in two instalments of £6 each, upon the 1st day of November and the 1st day of May in each and every year; the first payment to be made on the 1st November, 1902,

7. THAT in the event the said Lessee shall

- (A) *Fail to pay any one instalment of Rent within one month after the same shall have become due and payable,*
- (B) *at any time during the currency of this lease be convicted of treason, murder, rape, theft, perjury any other infamous crime, or*
- (C) *violate any one or more of the provisions contained in the annexed Code of Regulations for the better maintenance of peace and order on the said farm Jamestown, it being expressly stipulated by and between the said parties hereto, that the said annexed Code of Regulations shall be considered to be incorporated in and to form part of this Lease—*

it shall be competent for the said Lessors to terminate this Lease, by giving one month's notice, in writing, to the said Lessee, of their intention so to do.

8. AND upon the issue of such notice to quit, as provided for in the last preceding paragraph, the said Lessee shall forthwith forfeit all his right title and interest in and to this Lease, notwithstanding anything to the contrary herein contained.

CODE OF REGULATIONS¹²³

(Referred to in annexed Lease, and under Paragraph C of Section 7 thereof, incorporated therein)

I. WHEREAS I the Undersigned

of Stellenbosch, in the Colony of the Cape of Good Hope, have on this 1st day of May, in the Year of Our Lord One Thousand Nine Hundred and Two (1902) become the Lessee of Lot No. _____ of the farm "JAMESTOWN," portion of the farm "Blaauwklip," situate in the district of Stellenbosch aforesaid,

II. AND WHEREAS I have, by virtue of Section No. 4 of the said Lease, acquired the right, for certain consideration, to purchase the said Lot No. _____ in course of time,

III. AND WHEREAS it has been found necessary for the better maintenance of peace and order on the said farm "JAMESTOWN," that certain regulations be enacted whereby the various tenants or owners of the twenty-five Lots comprising the said farm "JAMESTOWN" shall be held and firmly bound,

IV. AND WHEREAS it has been mutually agreed upon by and between the said tenants or lessees of the aforesaid 25 Lots, that the following offences, omissions and neglects shall be and are hereby strictly prohibited, in respect of each of the aforesaid Lots, to wit :

- 1.—Washing in, or in any manner defiling or polluting the water of any stream or watercourse, whereto the said tenants or owners shall have acquired a common right.
- 2.—Making a fire in or upon any unauthorized place, or letting off fireworks upon any such place.
- 3.—Wilfully or by any neglectful act depriving any person of the water to which such person is entitled at the time proper for the use thereof.
- 4.—Unlawfully diverting or appropriating the water to which any other person is entitled.
- 5.—Encumbering any road or thoroughfare, or obstructing the free passage along the same, by means of any wagon, cart or other thing whatsoever.
- 6.—Swearing, or making use of obscene, abusive, insulting, or threatening language, or swearing, shouting or screaming, to the annoyance of the said tenants or owners, or any one of them, on the said farm "Jamestown."
- 7.—Allowing any nightsoil or other offensive matter to be spilt or cast into or upon any road, street, footway or other place, to the annoyance of any one or more of the said tenants or owners.
- 8.—Neglecting to clean all private yards, ways, passages, or avenues, by which neglect a nuisance by offensive smell or otherwise shall be caused.
- 9.—Suffering or permitting to be at large any unmuzzled ferocious dog.
- 10.—Wilfully trespassing in any place, and neglecting or refusing to leave such place after being warned to do so by the owner or occupier, or any person duly authorized by or on behalf of the owner or occupier.
- 11.—Keeping a house of ill-fame or brothel, or being privy to the keeping of such house.
- 12.—Permitting drunkenness or dancing to take place upon any Lot of the farm "Jamestown."
- 13.—Suffering fowls, pigs, poultry, dogs, sheep or goats or cattle to stray or roam upon the Lot occupied by any other tenant or owner.

V. AND WHEREAS it has been further mutually agreed upon :

- (a) That these Regulations shall be administered by a Committee of Management (hereinafter styled the said Committee), consisting of five members, elected by the tenants or owners of the said farm "Jamestown" annually out of their own number.

THIS MEMORAN124DM OF AN AGREEMENT
made and entered into at Stellenbosch in the Colony of the
Cape of Good Hope on this the first day of May, in the year
of Our Lord One Thousand Nine Hundred and Two (1902).

BETWEEN the Reverend JACOB WEBER and JAMES
RATTRAY, both of Stellenbosch aforesaid (hereinafter styled
the Lessors), of the one part, and

Abraham Brandt

also of Stellenbosch (hereinafter styled the Lessee) of the
other part

WITNESSETH

That the said Lessors, for themselves, their heirs, executors,
administrators and assigns, do hereby agree to let, and the
said Lessee, for himself, his heirs, executors, administrators
or assigns doth hereby agree to hire, the following property,
to wit, certain Piece of Ground, bring Lot No. 2/ of the
Farm "JAMESTOWN," portion of the farm BLAAUWKLIP, situate
in the district of Stellenbosch, the property of the said
Lessors, upon the following terms and conditions, namely :

1. THAT the tenancy shall be for a period of Eight years,
commencing on the first day of May, 1902, and ending on
the 30th day of April, 1910.

2. THE said Lessors do hereby covenant, promise and
agree to deliver to the said Lessee the said property, and that
he shall have the full, free and undisturbed use and
occupation thereof for the space or term above-mentioned.

3. THE said Lessee shall have the right to dispose of,
assign or sublet all his right, title and interest in and to the
present Lease, provided the joint consent of the said Lessors
be first had and obtained, in writing.

9. THE said Lessors shall be liable for the payment of all Rates and Taxes which are or may hereafter become due and payable in respect of the said property, with the exception of Dog Tax.

10. THE cost of this agreement and the Government Stamp Duty thereon shall be borne in equal shares by the two parties hereto.

FOR THE DUE PERFORMANCE WHEREOF, they, the said parties hereto, bind themselves, each to the other, their persons and property, according to Law.

IN WITNESS WHEREOF, we, the said parties hereto have hereunto set and subscribed our hands at Stellenbosch, on the day of the date first afore-written, in the presence of the subscribing witnesses.

J. Weaver
James Rattray } LESSORS

WITNESSES :

A Brandt LESSEE

1. S. van der Merwe

2. D. Beyers

- (b) That the election of the said Committee shall take place not later than during the first week in December, and that the mode of such election shall be by ballot, and any person occupying or owning more than one Lot of the said farm, shall have one vote in respect of each lot so held by him or her.
- (c) That the said Committee shall meet at least once a quarter, and shall keep a faithful record of their proceedings, which shall be submitted for approval at the annual general meeting of tenants and owners in December, and prior to the election of a Committee to serve for the ensuing year.
- (d) The said Committee shall, from time to time, frame such regulations as they shall think fit, defining the water rights of each tenant or owner, who shall receive due notice thereof.
- (e) That in the event of the said Lessees of the 25 Lots aforesaid becoming also joint Lessees of any portion of the Town Commonage adjacent to the said farm "Jamestown," such portion or portions of the Commonage as may be selected by the said Committee, shall be cultivated by the said Lessees jointly; and proper account shall be kept by the said Committee of all expenditure incurred in such cultivation, and of all income derived therefrom, and all profit and loss shall be equally borne by the said Lessees; the said Committee having the right to regulate the operations,—and to requisition and apportion the labour and disbursements necessary in respect of such cultivation, from and between the aforesaid Lessees.
- (f) All tenants or owners as aforesaid shall contribute equally in respect of labour or payments required for the purposes of constructing, repairing or cleaning roads and water courses.
- (g) Plans and specifications of all buildings proposed to be erected by any tenant or owner on the said farm "Jamestown" shall be first submitted for the approval of the said Committee, who shall also determine upon the site proposed for such buildings.
- (h) All the foregoing Conditions, Regulations and Stipulations *a b c d e f & g* shall be subject to deletion, alteration or addition, in such manner as may be decided by a majority of not less than two thirds of the said Lessees, at a meeting whereof not less than thirty days' notice shall have been given.
- (i) At the expiration of the term of lease *ic.* on the 30th day of April 1910, or so soon as the said Lessee shall acquire the said property by virtue of purchase, all the the provisions of this Code of Regulations then existing, shall be embodied in the deed of Transfer to be passed in favour of such Lessee and shall become a perpetual servitude in respect of the said property.

VI. NOW THEREFORE

I, the undersigned Abraham Brand
for myself, my heirs, executors, administrators, assigns and successors in title, do hereby solemnly and sincerely declare that I will faithfully observe, keep and obey all the foregoing regulations, or such other regulations as may be added or substituted by virtue of paragraph H section V above, to the best of my ability and power; for the due performance whereof I do hereby bind my person and property of every description according to Law.

IN WITNESS WHEREOF I have hereunto set and subscribed my hand at Stellenbosch aforesaid, on the day of the date first aforewritten, in the presence of the undersigned witnesses.

As Witnesses :

1. [Signature]
2. [Signature] of Brand

Posbus 86,

STELLENBOSCH.

23 Mei 1966.

Die Strakkevertegenwoordiger,
Departement Beplanning,
Privaatsak 9006,
KAAPSTAD.

Waarde heer,

1/s: ONDERSOEK INGEVOLGE GROEPSGEBIEDE WET (Nr. 77
van 1957) - JAMESTOWN, DISTRIK STELLENBOSCH.

Ons, die ondergetekendes, in ons hoedanigheid as verteenwoordigers van die Kleurling inwoners van Jamestown en behoorlik daartoe gemagtig, maak hiermee beswaar teen enige voorstel om die Jamestown gebied, soos in Plan A6 aangedui, vir Blanke besit en bewoning te proklameer.

Ter staving van ons beswaar wil ons graag die volgende noem:

1. Tens verakef die bogenoemde gebied behuising vir 184 Kleurling families van wie baie die laaste 30 jaar daar woonagtig is. In teenstelling hiermee is daar alleenlik 4 eiendomme in die hele gebied wat aan lede van die Blanke Groep behoort.
2. Die gebied is 'n geografiese eenheid op sy eie wat van die omliggende plase deur twee pease en die rivier geskei is.
3. Die Jamestown kleinhoue is meestal smal grondstroke ongeveer 70 tree wyd en 1½ morg groot. Die huise daarop is klein en sonder moderne geriewe. Gevolglik is hierdie eiendomme totaal ongeschik vir Blanke bewoning.
4. Verder is daar twee kerke en 'n skool in die gebied wat uitsluitlik vir die gebruik van Kleurlinge ongerig is. Daar is geen soortgelyke geriewe vir Blankes nie.
5. Jamestown is ongeveer 4 myl van Stellenbosch en 8 myl van Somerset Wes geleë. As sulke versakef Jamestown noodsaaklike arbeid vir die boere in die Stellenbosch - Somerset Wes area.
6. 'n Groot persentasie van die Jamestown kleinhoue-eienaars is geheel-en-gesl afhankelijk van die groente- en arbeidboerdery wat hulle op hulle eiendomme voer. In hierdie verband wil ons u aandag op die volgende feite vestig:
 - (a) Indien hierdie persone verplig word om hulle eiendomme te verlaat, sal dit vir hulle ontmoontlik wees om soortgelyke kleinhoue te bekom waarmee hulle hul beroep sal kan voortset.
 - (b) Baie van hierdie persone is bejaarde mense wie niks meer in staat is om 'n nuwe beroep aan te leer nie.
 - (c) Party van die kleinhoue-eienaars het hulle hoerdery uitgebrei tot omliggende Munisipale grond en daar is lusse ongeveer 71 morg in die omgewing wat aan hulle verhuur is. Die huurtermyne van die verskeie kontrakte beloop nog ongeveer 6 jaar vanaf datum hiervan.

Die Streeksverteenwoordiger,
KAAPSTAD.

23 Mei 1966.

- (d) As gevolg van die bogenoemde is die Jamestown kleinhoewe heelwat meer werd aan hulle Kleurling eienaars as hulle intrinsieke waarde. Die feit dat die vroegste verkopings van een in Jamestown aantoon dat die gemiddelde koopprys van 1 $\frac{1}{2}$ morge R4,000 is, moet hierdie bewering verby enige redelike twyfel bewys.

Ons besware kan dus as volg opgesom word:-

Eerstens is die Jamestown gebied vir die laaste drie tot vier geslagte amper uitsluitlik deur Kleurlinge bewoon;

Tweedens is die gebied alleenlik geskik vir Kleurling inwoning;

Derdens, indien die huidige eienaars verplig word om die gebied te verlaat, sal hulle nie alleenlik hulle behuising 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 Regverteenwoordiger voor u Komitee te verskyn.

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

.....*B. Williams*.....
 BAREND WILLIAMS

.....*P. v. d. R. Rhee*.....
 PIETER VAN DER RHEEDE

.....*J. G. Williams*.....
 JARRET GIBSON WILLIAMS

.....*J. Isaacs*.....
 JOHN ISAACS

.....*B. L. Williams*.....
 BASIL LEYO WILLIAMS.

Lêernr.
File No. 4/1/2

DEPARTEMENT VAN KLEURLINGSAKE.
DEPARTMENT OF COLOURED AFFAIRS.

ONDERWERP
SUBJECT

JAMESTOWN, DISTRIK STELLENBOSCH :

TOEKOMSTIGE GROEPSKARAKTER.

DIE MINISTER.

1. Sedert middel 1966 stel die Groepsgebiede- raad ondersoek in om binne die streek Somerset-Wes, Stellenbosch, Kraaifontein, Kuilsrivier, D.F. Malan- lughawe en die see, op strêekbasis 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 mansperson is en 20 pensionarisse. Ongeveer 70 mans boer met aarbeie, groente en blomme en doen ook seisoenswerk op Blanke plase, terwyl on- geveer 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 ont- staan 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 be- staan kon vind.

Die grond is in 64 kleinhoewes 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 liggame 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 hulle 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 Fleurlingleiers 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 messelwerk, seisoensarbeid en gespesialiseerde 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 morg groot is, is dit 'n gebied met 'n baie hoë landboupotensiaal. Met 'n

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, benoort 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 meegedeel 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 groeps karakter nie op hierdie stadium bepaal moet word nie.

[Handwritten signature]
MINISTER VAN KLEURLINGSAKE.

DATUM: *3/4/64*

242/1964

PROCLAMATION

BY THE HONOURABLE JOHANNES NICHOLAS MALAN,

Administrator of the Province of the Cape of Good Hope.

UNDER the powers vested in me by section six of the Divisional Councils Ordinance, 1952 (Ordinance No. 15 of 1952), I hereby declare the area described in the schedule hereto and situated within the division of Stellenbosch a local area to be known as the "Local Area of Webersvallei".

Dated at Cape Town, this 21st day of October, 1964.

J. N. Malan,
ADMINISTRATOR.

No. 242, 1964.

SCHEDULE.

Description of Boundaries.

From the point where the western boundary of Portion 7 of the farm Blaauwklip No. 510 Stellenbosch meets the middle of the Blaauwklip River; thence in a general south-easterly direction along the middle of the said Blaauwklip River to the point where the western boundary of Portion 38 of the farm Blaauwklip meets the middle of the said Blaauwklip River; thence in a south-westerly direction along the boundary of the said Portion 38 so as to exclude it from this area to the south-eastern beacon thereof; thence in a north-westerly direction along the northern boundary of Farm 527 Stellenbosch so as to exclude it from this area to the south-western beacon of Portion 62 of the farm Blaauwklip; thence in a north-easterly direction along the boundaries of the following properties so as to include them in this area, viz: the said Portion 62, Portion 60 of the farm Blaauwklip to the beacon lettered "g" on the diagram of the last-mentioned property; thence in a north-easterly direction in a straight line to the beacon lettered "h" on the diagram of Portion 7 of the farm Blaauwklip; thence north-eastwards along the western boundary of the said Portion 7 to the point first named.

M.H.D.

PROKLAMASIE

DEUR SY EDELE JOHANNES NICHOLAS MALAN,

Administrateur van die Provinsie die Kaap die Goeie Hoop.

KRAGTENS die bevoegdheid my verleë deur artikel ses van die Ordonnansie op Afdelingsrade, 1952 (Ordonnansie no. 15 van 1952), verklaar ek hierby die gebied in die bylae hieraan beskrywe en binne die afdeling Stellenbosch geleë, tot 'n plaaslike gebied wat bekend sal staan as die "Plaaslike Gebied van Webersvallei".

Gedateer te Kaapstad op hede die 21ste dag van Oktober 1964.

J. N. Malan,
ADMINISTRATEUR.

No. 242, 1964.

BYLAE.

Beskrywing van Grense.

Vanaf die punt waar die westelike grens van Gedeelte 7 van die plaas Blaauwklip no. 510 Stellenbosch die middel van die Blaauwkliprivier ontmoet, daarvandaan in 'n algemene suidoostelike rigting langs die middel van die genoemde Blaauwkliprivier tot die punt waar die westelike grens van Gedeelte 38 van die plaas Blaauwklip die middel van die genoemde Blaauwkliprivier ontmoet, daarvandaan in 'n suid-westelike rigting langs die grens van die genoemde Gedeelte 38 om dit van hierdie gebied uit te sluit tot by die suidoostelike baken daarvan; daarvandaan in 'n noordwestelike rigting langs die noordelike grens van die Plaas 527 Stellenbosch om dit van hierdie gebied uit te sluit tot die suidwestelike baken van Gedeelte 62 van die plaas Blaauwklip; daarvandaan in 'n noordoostelike rigting langs die grense van die volgende eiendomme om hulle by hierdie gebied in te sluit, nl.: die genoemde Gedeelte 62, Gedeelte 60 van die plaas Blaauwklip tot by die baken geleë "g" op die kaart van die laasgenoemde eiendom; daarvandaan in 'n noordoostelike rigting in 'n reguit lyn tot by die baken geleë "h" op die kaart van Gedeelte 7 van die plaas Blaauwklip; daarvandaan noordoostwaarts langs die westelike grens van die genoemde Gedeelte 7 tot by die eersgenoemde punt.

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
Kleinhoewes	Landbousone 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
Skrynwerkwerf (erf 510/7)	Nywerheidsone I
Vulstasie	Sakesone V
Strate	Vervoersone 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 Gebiedskomiteede 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 bevindinge 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 dorp 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 afstammelinge het, en sit nog steeds, die voortbestaan van die gemeenskap voort.

Deur die vraelysopname is gepoeg 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 stander 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
Aptek
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 digbehoude area, terwyl 36 % wel 'n digbehoude dorp daar sou sien. Dit is dan ook 'n aspek wat duideliker in vraag 13 na vore gekom het waar 'n mens hulle 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 hulle 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 Gebiedskomiteelede was gepoog om vas te stel wat daar vir die gemeenskap gedoen word en watter



TV 3 ARCHITECTS & TOWN PLANNERS

FOR ATTENTION:

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Stellenbosch 7599

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rec@dezalzeestate.com

www.dezalzeestate.co.za

Reg 2003/009588/08

COMMENT: APPLICATION FOR DEVELOPMENT – THE JAMES

APPLICATION NUMBER: LU/11047

APPLICATION PROPERTY NUMBER: FARM 510/845, JAMESTOWN

21 August 2020

Dear Clifford

De Zalze Winelands Golf Estate is situated in the valley to the north-west of the proposed development and represents over 400 property owners. The Kleine Zalze Group of Companies and the De Zalze Golf Club agrees to, and support the comments below.

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

Water, sewage & electrical services (Section I p. 1-3):

The availability of the above services for the proposed development is noted.

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

Traffic Impact Report (Section J p. 3-5):

R44/Webersvallei road intersection:

The report (although referring to estimated 2024 peak hours) does not mention if the additional traffic impact that will be created by the Capitec & De Waldorf Developments were included in the calculations. Please confirm that these impacts were taken into account in the traffic study.

The statement on page 5 that '*traffic flow problems will be addressed by the proposed upgrades that will be implemented by the WCG*' is noted.

Although the Environmental Authorisation for the upgrades to the R44 was given, there is at this time no indication when construction will commence. There is also no indication as to where the improvements will start as the work required include major construction at the Steynsrust bridge and the intersections at Winery and Annandale roads. It may thus be many years before the improvements required at the R44/Webersvallei intersections are completed, possibly after the completion of The James, if approved.

Best Regards

Elke Watson

Environmental Manager

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Belangegroep Stellenbosch Interest Group

24-08-2020

Application Reference: LU/11047
Property number Farm: 510/847, Jamestown

Clifford Heys
TV3 Projects (Pty) Ltd
clifford@tv3.co.za

Dear Mr. Heys

FARM 510/845. FRESNO STREET, JAMESTOWN: PROPOSED REZONING FROM AGRICULTURE AND RURAL ZONE TO SUBDIVISION AREA, SUBDIVISION INTO 44 MULTI-UNIT RESIDENTIAL ERVEN PLUS ONE ERF FOR MIXED-USE PURPOSES, AND PERMANENT DEPARTURES

The Stellenbosch Interest Group (SIG) does not support the proposed residential development for the following reasons:

- The scale and design of the proposed James residential development is inappropriate to the context of the strong historical and closely knit community. A more subtle design will provide for a better transition from the "hard" design of the adjacent shopping mall to the rest of Jamestown. The SIG suggests a drastically reduced number of units as well as a more humane architectural design.
- The price range of the properties may also have an impact on the property values of the neighbouring area and municipal rates and taxes may become unaffordable for the residents, escalating the process of gentrification.
- The Jamestown hamlet has undergone some major developments on its periphery over the past two decades (La Clémence, the Stellenbosch Square Mall, Aan de Weber Estate). These developments have started to erode the socio-cultural heritage of Jamestown. The rich heritage in the hamlet must not be allowed to be lost in the wake of gentrification and fortification. Developments driven by powerful entities seeking financial gain have been detrimental to local-time residents. The SIG is accordingly in support of the Jamestown Erfenis/Heritage community organisation's resistance to this development arguing that it will contribute to a sense of loss of community.

Kind regards

PE Botha

Patricia Botha (Chairperson)

ANNEXURE G

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

COMMENT FROM HERITAGE WESTERN CAPE



Our Ref: HM/CAPE WINELANDS/STELLENBOSCH/PORCION 845 OF FARM 510, UNREGISTERED PORTION OF PORTION 9
Case No: 20030411SB0311E
Enquiries: Stephanie-Anne Barnardt
E-mail: stephanie.barnardt@westerncape.gov.za
Tel: 021 483 9595
Cell: 076 481 8392 (during lockdown period)
Date: 14 April 2020

Lize Malan
 PO Box 3421
 Matieland
 7602
lize@lizemalan.co.za

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 MIXED-RESIDENTIAL DEVELOPMENT, FRESNO STREET, JAMESTOWN, STELLENBOSCH, PORTION 845 OF FARM 510, UNREGISTERED PORTION OF PORTION 9, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 20030411SB0311E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 18 March 2020. This matter was discussed at the Heritage Officers meeting held on 23 March 2020.

You are hereby notified that, since there is no reason to believe that proposed mixed-residential development, Fresno Street, Jamestown, Stellenbosch 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

.....
 Dr. Mxolisi Dlamuka
 Chief Executive Officer

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
 • **Tel:** +27 (0)21 483 5959 • **E-mail:** ceheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000
 • **Tel:** +27 (0)21 483 5959 • **E-pos:** ceheritage@westerncape.gov.za

Idilesi yendawo: Pundangatho 3, kwisakhiwo lprotea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** thombolo yebhokisi yeposi 1665, eKapa, 8000 • **linombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceheritage@westerncape.gov.za

ANNEXURE H

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE DEPARTMENT OF
AGRICULTURE (ELSENBURG)**



Cor Van Der Walt
LandUse Management
Email: LandUse.Elsenburg@elsenburg.com
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/5/6/916
YOUR REFERENCE : -
ENQUIRIES : Cor van der Walt

TV3
97 Dorp Street
STELLENBOSCH
7600

Att: Clifford Heyes

**APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURES, SITE
DEVELOPMENT PLAN PHASING, STREET NAMING AND NUMBERING:**

DIVISION STELLENBOSCH

PORTION 845 OF THE FARM NO 510

Your email of 23 July 2020 has reference.

From an agricultural point of view the Western Cape Department of Agriculture: Land Use Management has no objection against the proposed application.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



Mr. C. van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2020-10-08

Copies:

Department of Environmental Affairs & Development Planning
1 Dorp Street
Cape Town
8000

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

ANNEXURE I

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE MANAGER: SPATIAL
PLANNING**



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Spatial Planning

To : **Manager: Land Use Management**
From : **Manager: Spatial Planning**
Reference : **Farm 510/845 Jamestown**
LU No : **LU/11047**
Date : **15 September 2020**
Re : **Application for rezoning, subdivision and departures on Farm 510/845 Jamestown**

STELLENBOSCH MUNICIPALITY
 PLANNING AND DEVELOPMENT SERVICES

18 SEP 2020

RECEIVED

I refer to your request for comment on the above application.

1) Opinion/reasoning:

The subject property is located within an urban area and within the urban edge in the residential town of Jamestown. It is a piece of undeveloped land, ideally suited for infill urban development.

FILE NR:

SCAN NR:

F 510/845 ST

COLLABORATOR NR:

693509

Infill development and densification is encouraged in terms of the approved Municipal Spatial Development Framework (MSDF). The development of future developments must be contained within existing urban areas to promote compact towns in close proximity to existing services. Stellenbosch municipal area is in need for the provision of more affordable residential units.

It is located in an area with mixed land uses and will be compatible with the integrated and mixed surrounding area.

2) Supported / not supported:

This department therefore supports the proposal, but encourage the developer to have a look at inclusionary housing options.

BJG de la Bat

BJG de la Bat
MANAGER: SPATIAL PLANNING

ANNEXURE J

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE DIRECTOR:
ENGINEERING SERVICES**



151

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 : 3 November 2020
RE. : Farm 51/845, Jamestown: Development of 42 group housing
erven and 20 flat units
YOUR REF : LU/11047
OUR REF : LU CIVIL 2002

FILE NR:	
SCAN NR:	FS10/845 JJ
COLLABORATOR NR:	697940

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

16 NOV 2020

RECEIVED

Details, specifications and information reflected in the following documents refer:

- The abovementioned application dated 2020-01-17 and motivation report by TV3, dated 9 Dec 2019;
- Proposed Site Plan No. 3631-A-101 by TV3 dated 2020-10-26 rev I;
- Proposed Subdivision Plan No. 4, by TV3 dated 18/010/2019;
- Traffic Impact Statement (TIS) by ICE Group, dated 9 December 2019;
- E-mail from ICE (Yolandi Viljoen) 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 report by Bart Senekal Inc, dated 12 Dec 2019;

These comments and conditions are based on the following proposed development parameters:

- Total Units (townhouses): 42 erven
- Total Units (flats): 20 units

Any development beyond these parameters would require a further approval and/or a recalculation of the Development Charges from this Directorate.

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

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. Definitions

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;
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.**

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units**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 proposed development is not taken into account on the current water and sewer master plans. It should be noted that the municipality is currently in the process of appointing a master planning consultant. The items identified below is based on the current master plan and is subject to review once the master planning consultant has been appointed. Therefore any changes to the below-mentioned upgrades will be provided at engineering drawing approval stage. The Municipality may at that stage require the Developer to provide a capacity analysis report (done by the appointed master planners), which will be for the Developer's cost. The following bulk water items are required to accommodate the development:
 - i. The water can connect to the existing 200mm dia water line in Webersvallei Road. The exact position and details of the connection will be determined during engineering drawing approval stage;
 - ii. 7 ML reservoir (SSWB2)
Estimated cost: R 18 260 700*
Funding: R 20m over three years have been allowed for in the 2020/21 municipal 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.

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

(* GLS 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 proposed development is not taken into account on the current water and sewer master plans. It should be noted that the municipality is currently in the process of appointing a master planning consultant. The items identified below is based on the current master plan and is subject to review once the master planning consultant has been appointed. Therefore any changes or additions to the below-mentioned upgrades will be provided at engineering drawing approval stage. The Municipality may at that stage require the Developer to provide a capacity analysis report (done by the appointed master planners), which will be for the Developer's cost. The following bulk sewer items are required to accommodate the development:
- i. The development will connect to the existing 200mm diameter sewer in Webersvallei Road. The exact position and details of the connection will be determined during engineering drawing approval stage;
 - ii. 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.
- d. **Roads and NMT network:** (The cost estimates provided below include construction costs, professional fees, ECO, H&S, construction monitoring and disbursements)
- i. The following upgrade at the R44/Webersvallei Road intersection has been identified, to mitigate the additional traffic impact on the intersection, which is already experiencing congestion problems. Also see **Annexure A – Road upgrades**.

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

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

Please note that the intention is that Options 1 and 2 are to be implemented by a different development namely Farm 510 portions 52 and 71 (Kreefgat), which is anticipated to be implemented before this "The James" development.

Should the sequence of implementation of the two developments change, the Municipality may revisit which option/s are to be implemented for the Farm 510/845 development. The final decision will be recorded in the Agreement between the Municipality and Developer for the offsetting of DCs against these upgrades.

- ii. The gaps in the existing sidewalks/pedestrian crossings along the public road to the northwest of the development must be completed and the existing faded pedestrian crossing across the public road at its intersections with Webersvallei Road must be reinstated - see **Annexure B**. Details of the sidewalk must be submitted for approval concurrent with the engineering services drawings.

Responsible: Developer (also see **condition 15**)

Funding: Developer's own cost

- iii. In order to improve public pedestrian and vehicular movement between the existing Jamestown residential area and the shopping centre, the newly created Erf 48 – as indicated on the Subdivision Plan (dated 18 Oct 2019) – must be consolidated with Erf 172, Jamestown (the Stellenbosch Square shopping centre erf) and public access from Fresno Street to the Stellenbosch Square shopping centre must be provided for pedestrian and vehicles. The detail design of the pedestrian route – linking Fresno Street with the Stellenbosch Square shopping centre erf, must be submitted to the Engineering Department for approval.

e. Stormwater Network

- i. The difference between the 1:50 year pre- and post-development run-off must be attenuated on-site. A dry, underground storage tank below the parking area at the flats is proposed for this purpose. Details of this infrastructure must be provided at engineering drawing approval stage for further evaluation and approval by the Municipality.

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

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 3 086 554. 40
Upgrades cost	
Road upgrade Option 3	R 2 012 120. 01
Total cost	R 3 677 467. 90
Surplus	R 1 074 434. 39
Comment	Based on the estimates, there are sufficient DCs to cover the costs of the road upgrades to be done in lieu of DCs.

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;

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

9. that the Development Charges levy to the amount of **R 3 895 096. 96** (Excluding VAT) as reflected on the DC calculation sheet, dated 17 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 **42 townhouses units and 20 flat units**, will result in the recalculation of the Development Charges;
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;
13. that the "*Developer*" will enter into an Engineering Services Agreement with the "*Municipality*" in respect of the implementation of any infrastructure or community facilities to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;

Site Development Plan

14. that access widths be generally in accordance with the SDP: one lane in (4,0m) and one lane out (3.0m);
15. that the stacking distance be generally in accordance with the SDP (10m between the access gate and the adjacent street). Normally 12m is required between access gate and edge of sidewalk, but it has been motivated that pedestrians use the opposite side of the road. For this reason the public sidewalks are to be formalized by the Developer as per **4 (d) (ii)** above.
16. that provision be made for a refuse room and refuse embayment as indicated on the SDP and to the specification of the standard development conditions below. The refuse embayment must be designed and positioned in such a way so that it can also function as a public

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

transport embayment. Final details will be agreed during engineering drawing approval stage;

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";

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;
20. Any alterations to existing services necessitated by the new development will be for the Developer's cost;

Bulk Water Meter

21. 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 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

22. 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.

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units**Roads**

23. 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;;

Bulk Electricity

24. Please refer to the conditions attached as **Annexure: Electrical Engineering;**

Damage to municipal infrastructure and assets

25. that the "*Developer*" will be held liable for any damage to municipal infrastructure, 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, prior to any clearance (or occupation certificate where clearance is not applicable) being given;

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:

26. 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;

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

27. 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.
28. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
29. 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;
30. 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;
31. 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);
32. 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.

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

The Developer is also responsible for stipulating this condition in any purchase contracts with buyers of the properties;

33. 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;
 - 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

34. 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*";
35. 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

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

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;

36. 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;
37. 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;

Internal- and Link Services

38. 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;
39. 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;
40. 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;
41. 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;
42. that construction of services may only commence after municipal approval has been obtained;

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

43. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
44. 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;
45. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
46. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
47. 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;
48. 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);
49. 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;
50. 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;
51. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
52. 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;

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units

53. 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*".
54. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;
55. 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

56. 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 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;
57. 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;
58. 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

59. 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

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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.

60. 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;
61. 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;
62. 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;
63. that no disturbance to the river channel or banks be made without the prior approval in accordance with the requirements of the National Water Act;
64. that the consulting engineer, appointed by the "Developer", analyses the existing stormwater systems and determine the expected stormwater run-off for the proposed development, for both the minor and the major storm event. Should the existing municipal stormwater system not be able to accommodate the expected stormwater run-off, the difference between the pre- and post-development stormwater run-off must be accommodated on site, or the existing system must be upgraded to the required capacity at the cost of the "Developer" and to the standards and satisfaction of the Directorate: Infrastructure Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans;
65. that for larger developments, industrial developments or developments near water courses a stormwater management plan for the proposed development area, for both the minor and major storm events, be compiled and submitted for approval to the Directorate: Infrastructure Services.

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66. that the approved management plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services. The management plan, which is to include an attenuation facility, is to be submitted concurrent with the detail services plans;
67. that in the case of a sectional title development, the internal stormwater layout be indicated on the necessary building plans to be submitted for approval.

Roads

68. that, where applicable, the application must be submitted to the District Roads Engineer for comment and conditions . Any conditions set by the District Roads Engineer will be applicable;
69. that the layout must make provision for all deliveries to take place on-site. Movement of delivery vehicles may not have a negative impact on vehicular – and pedestrian movement on public roads and or public sidewalks;
70. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
71. that, prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Infrastructure Services for approval, and that the approved plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services;
72. 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;
73. 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;

Farm 51/845, Jamestown: Development of 42 group housing erven and 20 flat units**Wayleaves**

74. 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;
75. that wayleaves will only be issued after approval of relevant engineering design drawings;
76. 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)

77. 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;
78. 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;
79. 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;
80. 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;
81. 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

82. The reduction, reuse and recycle approach should be considered to waste management:
 - Households to reduce waste produced

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- 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

83. 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;
84. 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;

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85. 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);
86. 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";
87. Road foundation shall be designed to carry a single axle load of 8.2 tons;
88. Refuse storage areas are to be provided for all premises other than single residential erven;
89. 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;
90. 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;
91. 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;
92. 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;
93. 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;
94. 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:

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Commercial and Domestic : 585 mm wide x 730 mm deep x 1100 mm high

95. 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;
96. 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
97. 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

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.

98. 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;
99. 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

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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;

100. 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;
101. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
102. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
103. 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

104. 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 componitization of municipal services installed as part of the development. The Asset Verification Sheet 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;

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- 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;
105. 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*";
106. 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;
107. 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;
108. 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

109. 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;
110. 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;
111. that clearance will only be given per phase and the onus is on the "*Developer*" to phase his development accordingly;

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112. The onus will be on the "Developer" and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law. Verifying documentation (proof of payment in respect of Development Charges, services installation, etc.) must be submitted as part of the application before an application will be accepted by this Directorate;
113. that any application for Certificate of Clearance will only be supported by the "Engineer" once all relevant as-built detail, as reflected in the item "AS-BUILT's" of this document, is submitted to the "Engineer" and approved by the "Engineer".

Avoidance of waste, nuisance and risk

114. Where in the opinion of the "Municipality" a nuisance, health or other risk to the public is caused due to construction activities and/or a lack of maintenance of any service, the "Municipality" may give the "Developer" and or OWNER'S ASSOCIATION written notice to remedy the defect failing which the "Municipality" may carry out the work itself or have it carried out, at the cost of the "Developer" and or OWNER'S ASSOCIATION.

Streetlighting

115. The "Developer" will be responsible for the design and construction at his own expense of all internal street lighting services and street lighting on link roads leading to his development (excluding Class 1, 2 and 3 Roads) according to specifications determined by the municipality's Manager: Electrical Services and under the supervision of the consulting engineer, appointed by the "Developer";
116. Prior to commencing with the design of street lighting services, the consulting electrical engineer, as appointed by the "Developer" must acquaint himself with, and clarify with the municipality's Manager: Electrical Engineering, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;
117. The final design of the complete internal street lighting network of the development must be submitted by the consulting electrical engineer, as appointed by the "Developer", to the municipality's Manager: Electrical Engineering for approval before any construction work commences;

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118. Any defect with the street lighting services constructed by the "Developer" which may occur during the defects liability period of 12 (TWELVE) months and which occurs as a result of defective workmanship and/or materials must be rectified immediately / on the same day the defect was brought to the attention of the consulting electrical engineer, appointed by the "Developer". Should the necessary repair work not be done within the said time the "Municipality" reserves the right to carry out the repair work at the cost of the "Developer";
119. The maintenance and servicing of all private internal street lighting shall be the responsibility and to the cost of the "Developer" and or Home Owner's Association.



TYRONE KING Pr Tech Eng

MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

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ATTACHMENT X

Geographic Information System (GIS) data capturing standards

In drawing up the As-build Plans relating to this development, the consultant must create the following separate layers in ESRI .shp, electronic file format in order for the data to reflect spatially correct.

Layer name	Content
TITLE	Title information, including any endorsements and references
NOTES	All noted information, both from the owner / surveyor and SG
PARENT_PROPLINES	Parent property lines
PARENT_PROPNUM	Parent erf number (or portion number)
PROPLINES	New portion boundaries
PROPANNO	New erf numbers
SERVLINES	Servitude polygons
SERVANNO	Servitude type
STREET_NAMES	Road centre lines with street names
STREET_NUMBERS	Points with street numbers
COMPLEX BOUNDARIES	Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are)
SUBURB	Polygon with suburb name, where new suburb / township extension created
ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)

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When data is provided in a .shp format it is mandatory that the .shx, .dbf, files should accompany the shapefile. The prj file containing the projection information must also accompany the shapefile.

It is important that different geographical elements for the GIS capture process remains separate. That means that political boundaries like wards or suburbs be kept separate from something like rivers. The same applies for engineering data types like water lines, sewer lines, electricity etc. that it is kept separate from one another. When new properties are added as part of a development, a list of erf numbers with its associated SG numbers must be provided in an electronic format like .txt, .xls or .csv format.

For road layer shapefiles; the road name, the from_street and to_street where applicable as well as the start en end street numbers needs to be included as part of the attributes. A rotation field needs to be added to give the street name the correct angle on the map.

In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the Stellenbosch Municipality standard as follows:

- Datum : Hartebeeshoek WGS 84
- Projection : Transverse Mercator
- Central Longitude/Meridian 19
- False easting : 0.00000000
- False northing : 0.00000000
- Central meridian : 19.00000000
- Scale factor : 1.00000000
- Origin latitude : 0.00000000
- Linear unit : Meter

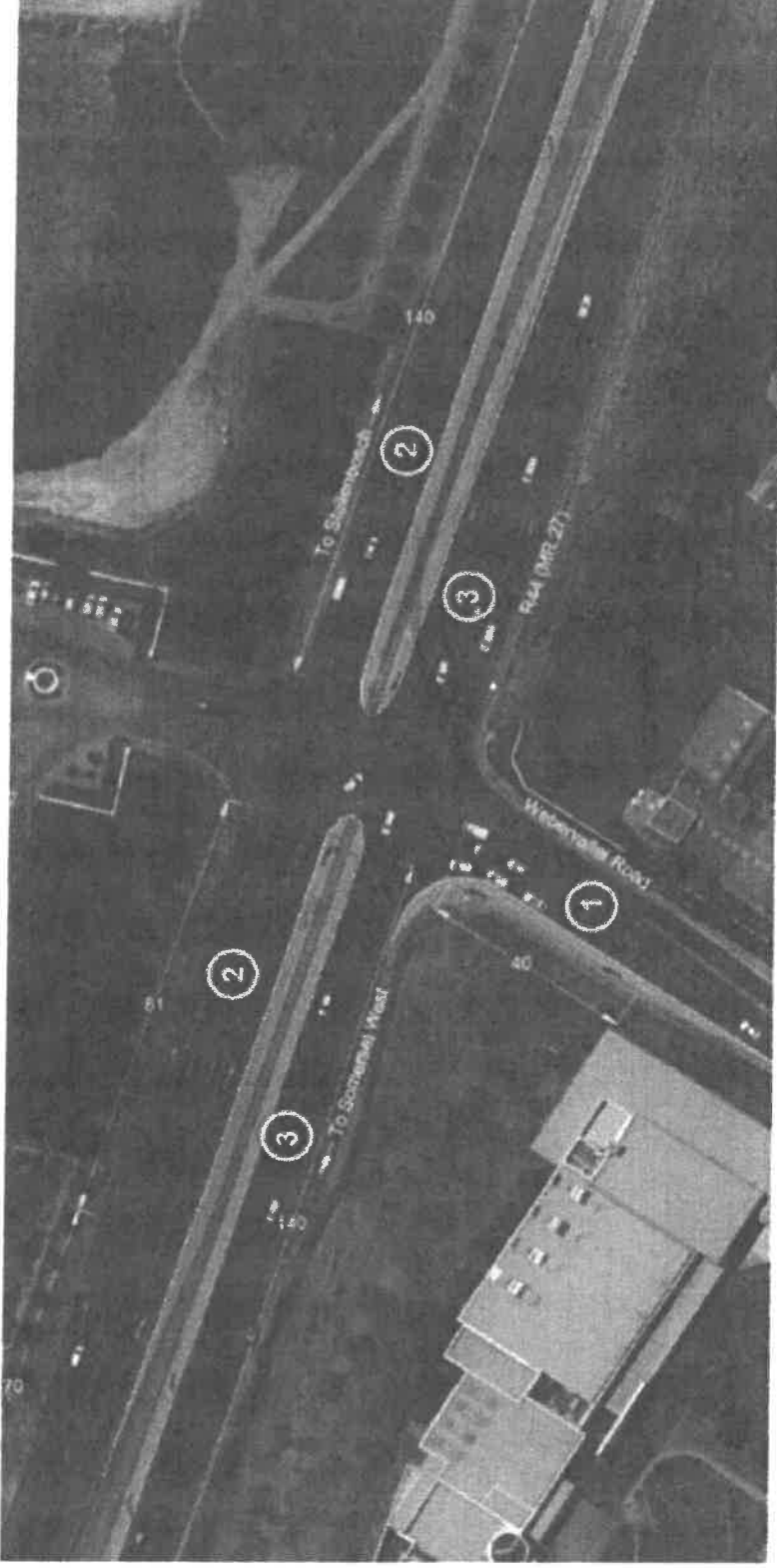


Diagram 1 : Possible upgrade options at R44/Webersvallei Road signalised intersection

intersection with Webersvallei Road – see *Photo 3* below. As the road markings are faded, it is recommended that it be reinstated.



Photo 3 : Existing faded pedestrian crossing across 'public road'

As mentioned in the discussion of the proposed development access and stacking space above, pedestrians are anticipated to travel along the opposite side of the 'public road'. See the pedestrian desire lines in *Diagram 2* below. Based on the positions of the commercial attractions, and the existing sidewalks/pedestrian crossings, it is proposed that the existing 'gaps' in the sidewalks along the 'public road' be completed (red sections marked below).



Diagram 2 : Pedestrian desire line in vicinity of subject property

As mentioned in the previous paragraph, a pedestrian gate will be provided to Fresno Street adjacent to the embayment proposed.

As previously mentioned and indicated in *Diagram 1* above, pedestrian thoroughfare between Jamestown and Stellenbosch Square will be provided via the proposed parking area to be consolidated with the Stellenbosch Square property.

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	Civil LU 2002 (LU/11047)
Date	Friday, 17/Jul/2020
Financial Year	2020/21
Erf Location	Stellenbosch Town
Erf No	Farm 510-845
Erf Size (m ²)	
Suburb	Jamestown
Applicant	
Approved Building Plan No.	Proposed Subdivision Plan No. 4, by TV3 dated 18/01/2019 and Proposed Site Development Plan No. 3631-A-101 by TV3 dated 2019-11-06 rev H

SUMMARY OF DC CALCULATION

Unit(s)	Water	Sewer	Storm-water	ha°C	Solid-Waste	Roads	Community Facilities	Totals
	kl/day	kl/day	kl/day	ha°C	t/week	trips/day	person	
Total Increased Services Usage	34.240	29.035	0.978	2.484	192.40	192.4	192.4	
Total Development Charges before Deductions	R 903 118.35	R 734 502.44	R 97 221.51	R 128 229.39	R 1 223 482.72	R 808 542.56	R 808 542.56	R 3 895 096.96
Total Deductions								
Total Payable (excluding VAT)	R 903 118.35	R 734 502.44	R 97 221.51	R 128 229.39	R 1 223 482.72	R 808 542.56	R 808 542.56	R 3 895 096.96
VAT	R 135 467.75	R 110 175.37	R 14 583.23	R 19 234.41	R 183 522.41	R 121 281.38	R 121 281.38	R 584 264.54
Total Payable (including VAT)	R 1 038 586.10	R 844 677.80	R 111 804.73	R 147 463.80	R 1 407 005.13	R 929 823.94	R 929 823.94	R 4 479 361.51

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 Involved (excl VAT)				Total												
		du	area (m2)	du/ha	% GLA	du	area (m2)	du/ha	% GLA	du	m2 GLA		du	m2 GLA	du	m2 GLA	du	m2 GLA	du	m2 GLA	du	m2 GLA		
Infrastructure Type applicable? (yes/no)		du	area (m2)	du/ha	% GLA	du	area (m2)	du/ha	% GLA	du	m2 GLA	du	m2 GLA	du	m2 GLA	du	m2 GLA	du	m2 GLA	du	m2 GLA	du	m2 GLA	
Residential	Single Residential >100m2	du		0		0		0		R		R		R		R		R		R		R		
	Single Residential >500m2	du		0		0		0		R		R		R		R		R		R		R		
	Single Residential >250m2	du		0		0		0		R		R		R		R		R		R		R		
	Single Residential <250m2	du		0		0		0		R		R		R		R		R		R		R		
	Less Formal Residential >250m2	du		0		0		0		R		R		R		R		R		R		R		
	Less Formal Residential <250m2	du		0		0		0		R		R		R		R		R		R		R		
	Group Residential >250m2	du		0		0		0		R		R		R		R		R		R		R		
	Group Residential <250m2	du		5 692	41	7%	42	5 692	7%	7%	R	531 239.92	R	75 089.10	R	86 725.19	R	867 560.48	R	547 624.24	R	2 772 917.15		
	Medium Density Residential >250m2	du		0		0		0		R		R		R		R		R		R		R		
	Medium Density Residential <250m2	du		0		0		0		0		0		0		0		0		0		0		
High Density Residential - flats	du		2 189	10	9%	20	2 189	9%	9%	R	202 377.11	R	15 891.87	R	41 297.71	R	349 566.49	R	260 773.45	R	1 107 291.71			
High Density Residential - student rooms	du		0		0		0		0		0		0		0		0		0		0			
Commercial	Local Business - office	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	Local Business - retail	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	General Business - office	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	General Business - retail	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	Community	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	Education	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	Light Industrial	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	General Industrial - light	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	General Industrial - heavy	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	Noxious Industrial - heavy	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
Other	Resort	m2 GLA		0%		0%		0%		R		R		R		R		R		R		R		
	Public Open Space	m2		0%		0%		0%		R		R		R		R		R		R		R		
	Private Open Space	m2		0%		0%		0%		R		R		R		R		R		R		R		
	Natural Environment	m2	12 940	100%		652	652	100%		R		R		R		R		R		R		R		
	Utility Services	m2 GLA		0%		10	10	100%		R		R		R		R		R		R		R		
	Public Roads and Parking	m2		0%		4 397	4 397	100%		R		R		R		R		R		R		R		
	Transport Facility	m2		0%		0	0	0%		R		R		R		R		R		R		R		
	Limited Use	m2		0%		0	0	0%		R		R		R		R		R		R		R		
	To be calculated based on equivalent demands																							
	Special																							
Total			12 940				12 940																	
* Complete yellow/green cells.																								
** du = dwelling unit, GLA=Gross lettable area.																								
Total Development Charges before Deductions										R903 118.35	R734 502.44	R97 221.51	R128 229.39	R1 223 482.72	808 542.56	R3 895 096.96								
% Deductions per service (%)										34.06%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%								
% Deductions per service (amount)										R0.00	R0.00	R0.00	R0.00	R0.00	R0.00	R0.00								
Additional Deduction per service - from Service Agreement (sum)																								
Sub Total after Deductions (excluding VAT)										R903 118.35	R734 502.44	R97 221.51	R128 229.39	R1 223 482.72	808 542.56	R3 895 096.96								
VAT										R135 467.75	R110 175.37	R14 583.23	R19 234.41	R183 522.41	121 281.38	R584 264.54								
Total										R1 038 586.10	R844 677.80	R111 804.73	R147 463.80	R1 407 005.13	929 823.94	R4 479 361.51								

*** displays need if not equal to existing area



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Senior Manager: Development Management
Att Aandag: Stiaan Carstens
CC: Nolusindiso Momoti
From ▫ Van: Manager: Development (Infrastructure Services)
Author ▫ Skrywer: Tyrone King
Date ▫ Datum: 23 October 2020
Our Ref ▫ Ons Verw: Civil LU 2002
Your Ref: LU/11047
Re ▫ Insake: Farm 510-845, Jamestown: application for rezoning for a residential development

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

23 OCT 2020

RECEIVED

We herewith submit the following preliminary comment:

Engineering matters to be addressed by the Developer:

1. Please address the following shortcomings on the SDP (3631-A-101 by TV3 dated 2019-11-06 rev H)
 - 1.1 Indicate entrance and exit lanes as proposed in the TIS, show dimensions.
 - 1.2 Indicate and label the visitors parking as proposed in the TIS, for visitors not gaining immediate access to the property. This must be over and above the normal parking requirements.
 - 1.3 Indicate stacking distance as proposed in the TIS, clearly show dimensions.
 - 1.4 Indicate road reserve width of internal road as stated in TIS.
 - 1.5 Indicate blacktop with as stated in TIS.
 - 1.6 Refuse room is indicated – no action necessary.

FILE NR:

SCAN NR:

F 510/845 ST

COLLABORATOR NR:

696497

- 1.7 Refuse bay is indicated but not clearly labelled. Please add the following label: "Refuse Bay/Public Transport Bay".
- 1.8 A public pedestrian route between the existing Jamestown residential area and the Mall will be beneficial. How can this be accommodated? Please indicate on SDP.

Feedback requested from Stellenbosch Municipality Land-Use Management / Spatial Planning on the topic of affordable housing:

2. Affordable housing

- 2.1 We refer to our Memo to the Senior Manager: Development Management dated 4 September 2020, related to the affordability of the housing units to the Jamestown community, and the subsequent response letter from TV3 dated 7 October 2020.
- 2.2 We await your feedback on this matter. If it is to be further explored and if there is any way in which we can assist to achieve a more affordable end product, please let us know.



**Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

W:\2.0 DEVELOPMENT\00 Developments\2002 (TK) Farm 510-845 Jamestown (LU-11047), The James 112002 (TK) Farm 510-845 Jamestown (LU-11047), The James_2 (SDP info).doc

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17

LE NR:	OUTGOING POST
	of 510/845 JT
CAN NR:	
COLLABORATOR NR:	694709

tv3

ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPLANNERS

Our Reference: 3646-P
Application No: LU/11047

97 DORP STREET
FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
STELLENBOSCH 7600
TEL +27 (21) 861 3800
FAX +27 (21) 882 8025
EMAIL stel@tv3.co.za

7 October 2020

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



Attention: Mr. Stiaan Carstens

Sir

RE: THE JAMES I: APPLICATION FOR REZONING, SUBDIVISION, ETC. ON FARM 510/845, JAMESTOWN, DIVISION OF STELLENBOSCH

1. We refer to the meeting on 6 October 2020 regarding the Directorate: Infrastructure Services' memo (dated 4 September 2020).
2. In their memo to Town Planning, the Director: Infrastructure Services stated that the developer must illustrate how the proposed development is aligned with the principles of Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and how they are catering at a more affordable housing market.
3. We find it strange that the municipal engineering department has decided to comment on planning law and spatial planning issues. They should rather focus on the provision of engineering services. It is the function of the municipal spatial planning department and the housing department to

comment on the provision of affordable housing opportunities and how it ties in with Council's spatial planning policies for Stellenbosch.

4. However, as discussed and explained at the meeting, we hereby confirm the following:

4.1 **SPLUMA principles**

The proposed development supports the SPLUMA principles:

- It supports the principle of *spatial justice* by providing more affordable housing opportunities in Stellenbosch, close to employment opportunities and public transport facilities.
- It supports the principle of *spatial efficiency* as the proposed development is located within the urban edge and will result in less time, effort, or cost for governments, businesses, and households to conduct their daily activities and will produce stronger economic growth.
- It supports the principle of *spatial sustainability* by building a new community on a previously undeveloped site without destroying the ecosystem or harming the environment.

4.2 **Spatial planning policy**

According to the Stellenbosch Municipality's Spatial Development Framework (MSDF) the application area is located inside the urban edge on an activity route. Also, in the MSDF the Stellenbosch Municipality has identified Farm 527 (± 100 ha) as developable land for social, affordable and gap housing projects (and not the application area) – see Figure 1 below.

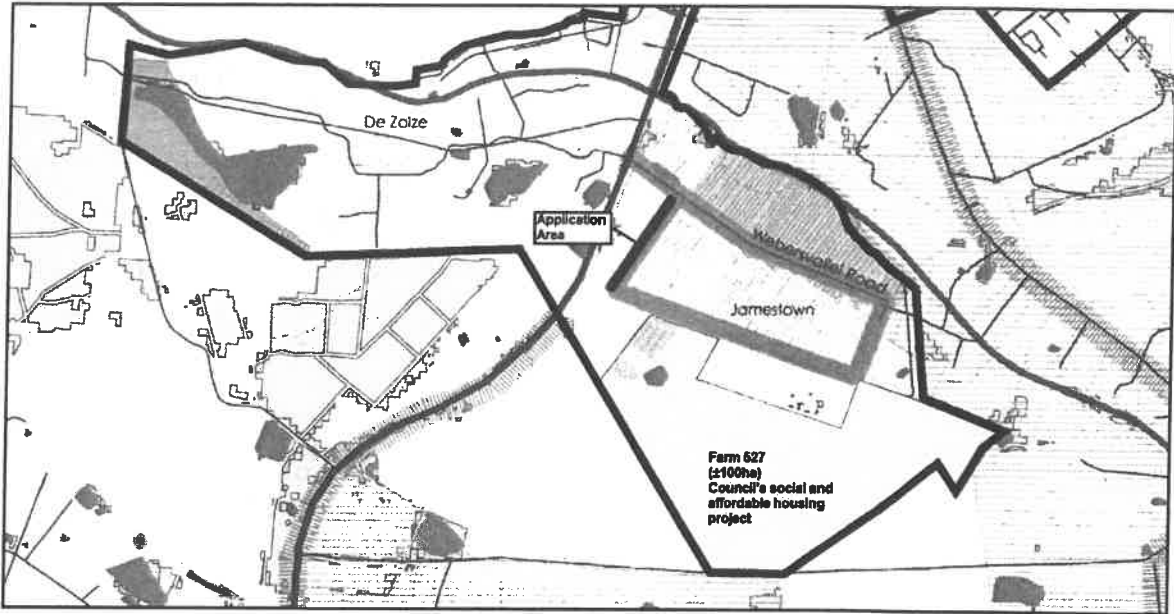


Figure 1: Stellenbosch MSDF (extract)

As indicated on the MSDF, Council is currently developing many new social, affordable and gap housing opportunities in Jamestown, on a ± 100 ha portion of Farm 527 (directly south of Jamestown). It is therefore accepted that the lower-income housing demand in Jamestown is being addressed by these developments.

The development proposal complies with the recommendations of the MSDF which states "*infill opportunities also exist in Stellenbosch town, specifically in Cloeteville, Idas Valley, Stellenbosch Central, along the edges of Jamestown*" – i.e. according to the MSDF the application area is deemed to be an infill development opportunity. However, the MSDF does not require the development of social or affordable housing on the application area.

The proposed infill development on the subject property is therefore compliant with the purpose and recommendations of the MSDF, and to refuse the application will be considered incompatible with the recommendations of the MSDF.

4.3 **Affordable housing**

The proposed development aims to provide a more affordable housing product (in a Stellenbosch context) with expected prices to range from ±R1.3 million to ±R3.3 million for a housing unit.

There is a huge demand for affordable middle-income housing in Stellenbosch and Jamestown. Most of the housing options available in Stellenbosch are either low-income housing or high-income housing (because of Council's spatial planning policies that limits new private development opportunities on green fields) and most of the land available for development in Stellenbosch is Council land and is used predominantly for low cost housing projects.

Affordable middle-income housing opportunities is scarce in Stellenbosch. For this reason, many workers must commute every day from Somerset West or Belville to Stellenbosch, because they cannot afford housing in Stellenbosch. The proposed development aims to address this problem by providing an affordable housing product in the middle-income market.

4.4 **Inclusionary housing**

The proposed development will support the principles of inclusionary housing by providing different housing typologies at different prices in the same residential development. The proposed development will consist of sectional title units, 2-bedroom single title units and 3-bedroom single title units. The expected prices of these housing units will range from ±R1.3 million to ±R3.3 million.

4.5 **Economic viability**

It is important to remember that economic viability is one of the pillars of sustainability and it cannot be ignored in order to implement a

development that is economically unsustainable. The residential market, land price, construction costs, development charges, taxes, etc. all have an impact on a project's viability and must be taken into consideration when assessing a development proposal. The proposed development has been valued and it is currently economically viable. However, by amending the scheme the viability of the project will be compromised.

If Council were to reduce the residential units' selling price, then the number of units will have to be increased in order to sustain the project's economic viability, and the only way to accommodate more residential units on site is by developing 4-storey apartment buildings (i.e. flats). Unfortunately, Council has deemed the development of flats in Jamestown to be undesirable, and numerous land use planning applications for the development of flats have been refused by Council.

5. From the above it is clear that the proposed development of a higher density (infill) residential development on vacant urban land is in line with the town's spatial planning principles and general planning considerations. It will provide more affordable and inclusionary housing opportunities in Stellenbosch and support local economic development. In other words, the proposed development will address the Director: Infrastructure Services' town planning concerns.
6. The land use planning application was submitted to the Director: Infrastructure Services on 23 July 2020. It is now more than two months later and their engineering comments on the development proposal is still outstanding. They are successfully delaying the processing and finalising of the land use planning application. For this reason, we respectfully request that you urgently obtain the Director: Infrastructure Services' comments on the availability of engineering services for the proposed development.

7. We trust this information will suffice in finalising the application. However, if you have any queries please feel free to contact the undersigned at 021 861 3800 or clifford@tv3.co.za.

Yours faithfully

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

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Senior Manager: Development Management
Att Aandag: Stiaan Carstens
CC: Nolusindiso Momoti
From ▫ Van: Manager: Development (Infrastructure Services)
Author ▫ Skrywer: Tyrone King
Date ▫ Datum: 4 September 2020
Our Ref ▫ Ons Verw: Civil LU 2002
Your Ref: LU/11047
Re ▫ Insake: Farm 510-845, Jamestown: application for rezoning for a residential development

SCAN NR:

F 510-845 J

COLLABORATOR NR:

694111

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

29 SEP 2020

RECEIVED

We herewith submit the following preliminary comment, related to the need for affordable / inclusionary housing in the area of the development.

Background: Housing has become so expensive that many of those who work in the Stellenbosch municipal area commute from outside this area and for these and others, the most basic shelter – even of a temporary nature – within this municipal domain remains an unattainable dream. Young families living in areas like Jamestown cannot afford housing within Stellenbosch and are forced to move away to towns where housing is more affordable. This phenomenon is not aligned with the SPLUMA principles of spatial justice, spatial sustainability and spatial resilience. It is recognised that housing challenges cannot be addressed by the public sector alone and this development in Jamestown presents an ideal opportunity for private sector (in partnership with the municipality) to extend its role in catering to an affordable housing market.

1.1 Due to the location of this proposed development and the need for affordable housing for young families living in Jamestown, the topic of affordable housing was discussed at the pre-application meeting with the Developer. The Developer was requested to indicate how this

development can respond to this need. In our opinion, the application received does not address this.

1.2 The motivation report itself acknowledges the inadequate supply of affordable housing, but it does not respond to this in the context of the Jamestown socio-economic situation.

1.3 In its current format the desirability and benefits of the development to the community/average resident of Jamestown in terms of affordable housing opportunities, of which there is a huge demand, is questioned.

1.4 It should also be noted that this is the first of two high density residential development applications on the vacant strip of land adjacent to the Jamestown Mall (Stellenbosch Square). Therefore, whatever is approved on this first application, will set the precedent for what is to follow.

1.5 It our request is that your Department please engage with the Developer on this important topic, before the application is further evaluated. We await your feedback.



Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)



Jeri-Lee Mowers
SENIOR MANAGER: DEVELOPMENT, ASSET MANAGEMENT AND SYSTEMS & PROJECT MANAGEMENT UNIT (PMU)

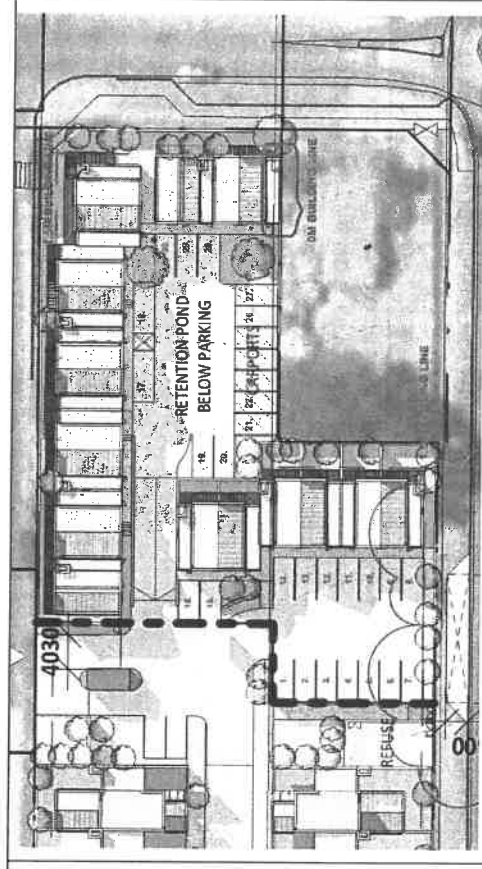
ANNEXURE K

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

RESPONSE OF APPLICANT ON OBJECTIONS

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

OBJECTOR	ISSUES RAISED	APPLICANT'S RESPONSE
<p>Jamesstown Committee Jamesstown Ratepayers' Association</p>	<p>The municipal bulk infrastructure will not be able to cope with the additional pressure of the proposed development's engineering services.</p>	<p>Bart Senekal Inc. civil engineers investigated the availability of civil engineering services for the proposed development. They have confirmed that the proposed development can be accommodated from a civil engineering services point of view.</p> <p>The application has also been submitted to the municipal civil engineers for their comments and support, and the developer will have to pay development contributions to Council for the upgrading of bulk infrastructure.</p>
<p>Jamesstown Committee Jamesstown Ratepayers' Association</p>	<p>The current traffic situation in Jamestown is untenable and the proposed development's traffic will further exacerbate this problem.</p>	<p>A traffic impact assessment was undertaken by iCE traffic engineers and they have confirmed that the proposed development is supported from a traffic point of view.</p> <p>The application has also been submitted to the municipal traffic engineers for their comments and support, and the developer will have to pay development contributions to Council for the upgrading of public transport infrastructure.</p>
<p>Jamesstown Committee Jamesstown Ratepayers' Association</p>	<p>Objection is made against the relaxation of all the building lines as it will impede pedestrian and vehicular movement on the public roads.</p>	<p>The purpose of the proposed building line relaxations is to permit a more sensible and optimal architectural design of the proposed residential units – see image below illustrating the proposed building line relaxations:</p>

		 <p>The site plan shows a building layout with a 'RETENTION POND' and 'BELOW PARKING' area. A 'DSE BUILDING LINE' is indicated. The number '4030' is visible in the top left corner. The plan includes various setbacks and dimensions, such as '1.8', '2.0', '2.1', '2.2', '2.3', '2.4', '2.5', '2.6', '2.7', '2.8', '2.9', '3.0', '3.1', '3.2', '3.3', '3.4', '3.5', '3.6', '3.7', '3.8', '3.9', '4.0', '4.1', '4.2', '4.3', '4.4', '4.5', '4.6', '4.7', '4.8', '4.9', '5.0', '5.1', '5.2', '5.3', '5.4', '5.5', '5.6', '5.7', '5.8', '5.9', '6.0', '6.1', '6.2', '6.3', '6.4', '6.5', '6.6', '6.7', '6.8', '6.9', '7.0', '7.1', '7.2', '7.3', '7.4', '7.5', '7.6', '7.7', '7.8', '7.9', '8.0', '8.1', '8.2', '8.3', '8.4', '8.5', '8.6', '8.7', '8.8', '8.9', '9.0', '9.1', '9.2', '9.3', '9.4', '9.5', '9.6', '9.7', '9.8', '9.9', '10.0'. A 'REFUSE' area is also shown.</p>	<p>From this image it is clear that the building line relaxations will not impact on the movements of pedestrians or traffic on the public walkways and roads.</p>
<p>Jamestown Heritage Committee Jamestown Ratepayers' Association</p>	<p>The subject property should remain single residential.</p>	<p>Furthermore, none of the abutting landowners have objected to the proposed building line relaxations.</p> <p>The subject property is zoned Agriculture and Rural Zone. It is located within an urban environment and borders on a commercial centre. It would not make sense to farm the property, but rather to create a higher density residential development that will act as a transition zone between the commercial land uses and the single residential land uses.</p>	
<p>Jamestown Ratepayers' Association</p>	<p>A copy of the environmental impact assessment report is requested.</p>	<p>The proposed development does not require the Department of Environmental Affairs and Development Planning's environmental authorisation i.f.o. the National Environmental Management Act, 1998 because the subject property is located within an urban area, it</p>	

<p>Jamestown Committee Jamestown Ratepayers' Association</p>	<p>Heritage</p>	<p>is smaller than 5ha, there are no indigenous vegetation on the subject property and the subject property is not zoned for any conservation purposes.</p>	<p>The proposed development will improve the area (as oppose to worsening the area), it will consequently have a positive effect on surrounding property values and Jamestown's residents will subsequently benefit from it. An increase in property values will lead to higher property taxes, but a landowner can petition Council for a rebate. If a landowner does sell their property, then they will be able to sell it at a profit.</p> <p>With the approval of the MSDF 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 private farms) will be supported. The direct result of this policy is that existing urban areas (such as Jamestown) will now be redeveloped to absorb the town's development pressures and that Jamestown property values will increase. By creating a very tight urban edge and by 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 subject property is therefore a direct result of this Council policy – and not the proposed development.</p>
<p>Jamestown Committee Jamestown Ratepayers' Association Hans Eggers</p>	<p>Heritage</p>	<p>A new development on vacant land is not by definition gentrification.</p> <p>Gentrification is considered the phenomenon of affluent people moving into less wealthy neighbourhoods, renovating the old buildings and attracting new businesses. In the process, property values increase, rents increase, and poorer neighbourhood residents are displaced. Because of gentrification's complex relationship with developments and economic tensions, people sometimes confuse gentrification with new developments.</p>	<p>The proposed development will – similar to La Clemencé, Stellenbosch Square and Aan de Weber – improve the area, which will lead to higher property values and higher property taxes. These higher property taxes will force residents to sell their properties and relocate to more affordable areas.</p> <p>The proposed development is gentrification and will destroy Jamestown's character.</p>

<p>Jamestown Committee Jamestown Ratepayers' Association</p>	<p>Heritage</p>		<p>Approval of this development will open the door for other opportunistic developers, that will destroy the character of Jamestown.</p>	<p>The proposed development, however, aims to provide an affordable housing product with expected prices to range from ±R1.3 million to ±R3 million. This is in line with the house prices of Jamestown. It can therefore not be considered gentrification.</p>
<p>Jamestown Committee</p>	<p>Heritage</p>	<p>The developer knowingly purchased the site 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.</p>	<p>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.</p>	<p>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 like these residential developments and will therefore not be new or foreign to Jamestown.</p> <p>The MSDF recommends high density infill development on vacant urban land (including Jamestown) and Heritage Western Cape has already approved the development proposal.</p>
<p>Hans Eggers</p>	<p>The development proposal complies with the MSDF. However, it should rather be used as a public transport node.</p>	<p>We agree – the development proposal does comply with the recommendations of the MSDF which states "infill opportunities also exist in Stellenbosch town, specifically in Cloetesville, Idas Valley, Stellenbosch Central, along the edges of Jamestown" – i.e. according to the MSDF the subject property is deemed to be an infill development opportunity.</p> <p>The proposed infill development on the subject property is therefore compliant with the purpose and recommendations of the MSDF, and</p>		

<p>to refuse the application will be considered incompatible with the recommendations of the MSDF. A public transport node – as suggested by the objector – should rather be located on public land.</p>	
<p>We disagree with the objector's claim. There is a huge demand for middle-income housing in Stellenbosch and Jamestown. Most of the housing options available in Stellenbosch are either low-income housing or high-income housing (because of Council's spatial planning policies that limits new private development opportunities on green fields). Most of the land available for development in Stellenbosch is Council land and is used predominantly for low cost housing projects. Council is currently providing many new low-income housing opportunities in Jamestown – on a ±50ha portion of Farm 527 (directly south of Jamestown). It is therefore accepted that the low-income housing demand in Jamestown is being addressed. But what about the middle-income housing demand? Middle income housing opportunities is scarce in Stellenbosch. For this reason, many workers must commute every day from Somerset West or Belville to Stellenbosch, because they cannot afford housing in Stellenbosch. The proposed development aims to address this problem by providing an affordable housing product in the middle-income market.</p>	<p>The proposed development will address the town's housing needs and backlogs, but in Jamestown there is a need for more housing opportunities in the low-end housing category (and not in the mid-level housing category).</p>
<p>This is a concern for the Stellenbosch Municipality's rates and taxes department and is not pertinent to the land use planning application.</p>	<p>The objector claims that the subject property does not appear on the Stellenbosch Municipal Valuation Roll and has never paid any property taxes.</p>
<p>Hans Eggers</p>	
<p>Hans Eggers</p>	

<p>Stellenbosch Group Interest</p>	<p>The scale and design of the proposed development is inappropriate to the context of the area. A more subtle design will provide a better transition from the shopping mall to Jamestown.</p>	<p>We disagree with the objector's vague comments on the architecture.</p> <p>We feel that the architecture of the proposed development is very good when considering the constraints of the site and the aim of the proposed development.</p> <p>The architecture of the town houses is sympathetic (i.t.o. scale and design) to the single residential character of Jamestown, whilst still shielding the monolithic structure of the Stellenbosch Square commercial building. With a clever design and the use of limited space, the architecture manages to provide a multi-level residential unit (for a family) with a private outdoor area and a garage in a very small area. This allows the developer to limit the costs and to provide an affordable product.</p> <p>The proposed town houses will act as the buffer between the single residential and commercial parts of Jamestown. This is a natural progression in the intensity of land uses.</p>
<p>Stellenbosch Group Interest</p>	<p>The number of units should be reduced.</p>	<p>All new developments must be sustainable, and the three pillars of sustainability are economic, environmental and social pillars. If any one of these pillars are weak then the development will become unsustainable.</p> <p>The number of units makes the development proposal economically viable. If the number of units are reduced – as suggested by the objector – then the development will become unsustainable.</p>
<p>Stellenbosch Group Interest</p>	<p>The price range of the development may have an impact on the surrounding property values and lead to gentrification.</p>	<p>The proposed development aims to provide an affordable housing product with expected prices to range from ±R1.3 million to ±R3 million for a residential unit.</p> <p>A vacant erf in the proposed development will cost ±R600 000. This is similar to vacant erven in Jamestown that sell for ±R750 000.</p>

		The proposed development's price range is therefore in line with house prices of Jamestown.
Stellenbosch Group	Interest All the new development in Jamestown (Stellenbosch Square, Aan De Weber and La Clemencé) have eroded the heritage of Jamestown. The proposed development will lead to gentrification and fortification and a loss of community.	Heritage Western Cape has assessed the proposed development's impact on Jamestown's heritage and has approved the development proposal. All towns must grow (or they die) and growth goes hand in hand with change. It is normal for people to fear change, but this fear can become irrational and harmful. Change and growth in a town is good (even in Jamestown) because it will lead to improvements, progress and new opportunities.
De Zalze	The development may not affect the availability of engineering services for De Zalze.	Noted.
De Zalze	The traffic impact must also take into account the traffic generated by other developments (e.g. Capitec and De Waldorf).	Noted.

ANNEXURE L

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

**REPORT ON THE PROVISION OF CIVIL
ENGINEERING
SERVICES**



BART SENEKAL INC.
Consulting Civil & Structural
Engineers

12 Alexander Street, Stellenbosch 7600
 P.O.Box 1196, Stellenbosch 7599
 Telephone (021) 883-8710
 Fax No. (021) 887-6547
 E-mail info@bs-inc.co.za

DATE: 12 November 2019

YOUR REF:

OUR REF: 1410 / A1

**PROPOSED "THE JAMES" RESIDENTIAL DEVELOPMENT ON
 PORTION 845 OF FARM BLAAUWKLIPPEN No. 510, JAMESTOWN**

REPORT ON PROVISION OF CIVIL ENGINEERING SERVICES

1. INTRODUCTION

The proposed residential development on Farm 510/845, Jamestown comprises 42 group housing and 20 flats units. This report summarises the current situation with regard to the provision of the basic civil engineering services, i.e. water supply, sewerage, stormwater drainage and solid waste removal to the proposed development.

The development proposal is indicated on the Site Development Plan of TV3 Planners & Architects in Annexure B. The concept of the civil engineering services is as indicated on Drawing no. 1410/01 in Annexure C.

2. SITE LOCATION AND DESCRIPTION

The site of ± 1.2 ha is located in Jamestown, approximately 4 km outside Stellenbosch.

The site is bordered to the west by the Stellenbosch Square Shopping Centre, to the north and east by Webersvallei Road and Fresno Street respectively, and to the south by open land in the process of development.

The site has a moderate fall of approximately 1 in 20 in a northerly direction.

3. WATER SUPPLY

3.1 Demand :

The demand for potable water for the proposed development is calculated as follows:

Group housing (erven < 250 m ²)	42 units @ 0,60 kl/unit/day	= 25,2 kl/day
Flats	20 units @ 0,45 kl/unit/day	= <u>9.0 kl/day</u>
	Total	= 34,2 kl/day

The development is classified as a "low-risk" fire protection area, with a required fire flow of 15 l/s at 7m minimum residual head.

3.2 Supply :

The Stellenbosch Municipality's water reticulation network is found in Webersvallei Road in the form of a 200 mm Ø pipeline. Water reticulation infrastructure is also present in Fresno Street. The Municipality's Water Master Plan shows upgrading of the smaller diameter pipes in Webersvallei Road to 160mm Ø to strengthen the network.

3.3 Storage :

The Municipality's water storage for the Jamestown area is from two reservoirs with Top Water Level (TWL) at 171.56 and 175.76 respectively. A 5 Ml reservoir with TWL at 180 is planned to for the area.

4. SEWERAGE

4.1 Run-off :

Sewage run-off from the proposed development is calculated as follows:

Group housing (erven < 250 m ²)	42 units @ 0,50 kl/unit/day	= 21,0 kl/day
Flats	20 units @ 0,40 kl/unit/day	= <u>8,0 kl/day</u>
	Total	= 29,0 kl/day

4.2 Drainage :

The Stellenbosch Municipality's sewerage network is found in Webersvallei Road. The Sewer Master Plan proposes a 355mm Ø collector sewer along the western section of Webersvallei Road for strengthening of the existing sewerage network. Sewerage of the proposed development can be achieved by connecting to the existing or the upgraded pipeline, depending on the timing of each.

Sewerage of the Jamestown area is currently under pressure as a result of the limited capacity of the pump stations servicing the area. The pressure will be relieved through the implementation of the Jamestown Bulk Sewer, which is already under construction and where completion is expected by middle of 2021.

4.3 Treatment :

Sewage from the development will be treated at the municipality's Devon Valley Waste Water Treatment Works where sufficient spare capacity exists.

5. STORMWATER DRAINAGE

5.1 Run-off

The 50-year stormwater run-off from the undeveloped site is estimated at 115 l/s. The 50-year stormwater run-off from the fully developed site is calculated at 240 l/s, thus an increase of 125 l/s from the pre-development run-off.

5.2 Drainage

The Blaauwklippen River along the northern border of Jamestown is the natural drainage course of the area. Stormwater from the village is conveyed to the river via pipes and open channels.

The general stormwater drainage direction within the development is as indicated on the concept engineering services plan. The attenuated stormwater outflow from the development will be connected to the existing, piped, stormwater drainage system along Webersvallei Road from where it is conveyed to the Blaauwklippen River.

5.3 Peak Stormwater Attenuation

Our calculations indicate that a storage volume of 90 m³ will be required to attenuate the post-development 50-year run-off to be in line with the pre-development run-off from the site. Stormwater attenuation will be achieved by way of a dry, underground storage tank below the parking area at the sectional title development. The proposed location for the storage tank is as indicated on Drawing 1410/01 in Annexure C.

6. SOLID WASTE REMOVAL

Solid waste generated by the development is calculated as follows:

Group housing (erven < 250 m ²)	42 units @ 0,04 t/unit/week	= 1,68 t/week
Flats	20 units @ 0,02 t/unit/week	= <u>0,40 t/week</u>
	Total	= 2,08 t/week

The Stellenbosch Municipality indicated that they can provide a waste removal service to the development. A refuse room and refuse embayment will be provided on Fresno Street from where the development will be serviced.

7. CONCLUSION

From the above it is concluded that:

- (a) The required basic civil engineering services for the proposed development, i.e. potable water, sewerage and solid waste removal can be accommodated by the Stellenbosch Municipality in their existing infrastructure, subject to the implementation of the Jamestown Outfall Sewer that is already under construction.
- (b) Attenuation of peak stormwater run-off from the developed site will be implemented. We propose that it be accommodated by way of a dry, underground storage tank below the parking area.

On behalf of: **BART SENEKAL & PARTNERS**


L J Louw Pr. Eng.

ANNEXURE A

LOCALITY PLAN



Subject Property



First Floor • La Gratitude Office Building
 97 Dorp Street • Stellenbosch 7600
 tel (021) 881 3800
 fax (021) 882 8025
 e-mail: atsl@tv3.co.za
 web: www.tv3.co.za

The James

Property Description:
 Portion 845 Farm 510, Stellenbosch

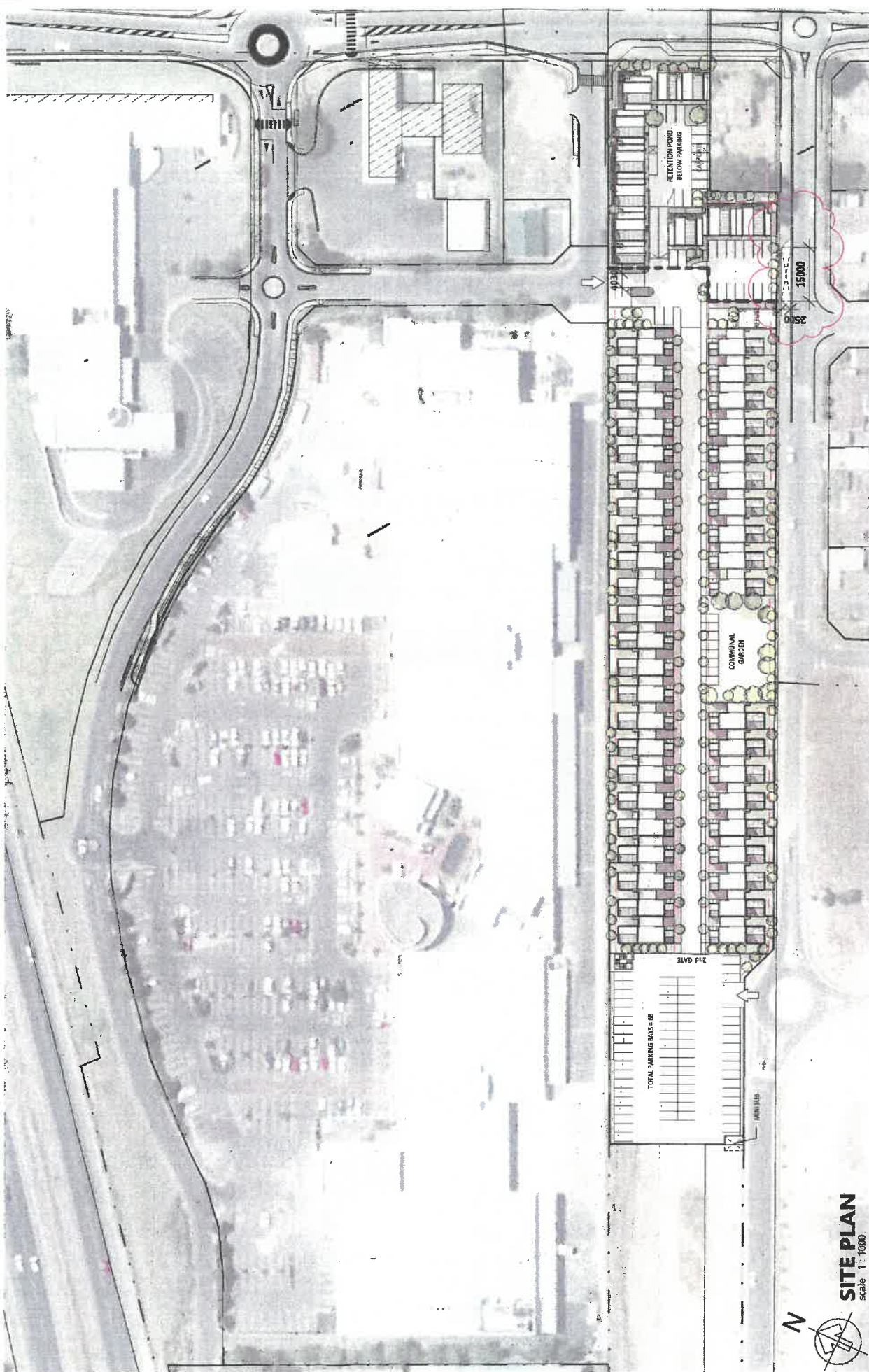
Drawing:		Aerial Photo		Plan no.:
				3
Date:	05/11/2019	Scale:	1:1 500(A4)	
Project no.:	3646-P	Drawn:	WH	Checked:
				CH

ANNEXURE B

SITE DEVELOPMENT PLAN

ANNEXURE B

DESIGN



42x7 2/3 BED UNITS - FULL TITLE
 20x17 2 BED UNITS - SECTIONAL TITLE
 SITE PLAN 1 : 1000
 2019-11-08 - rev H

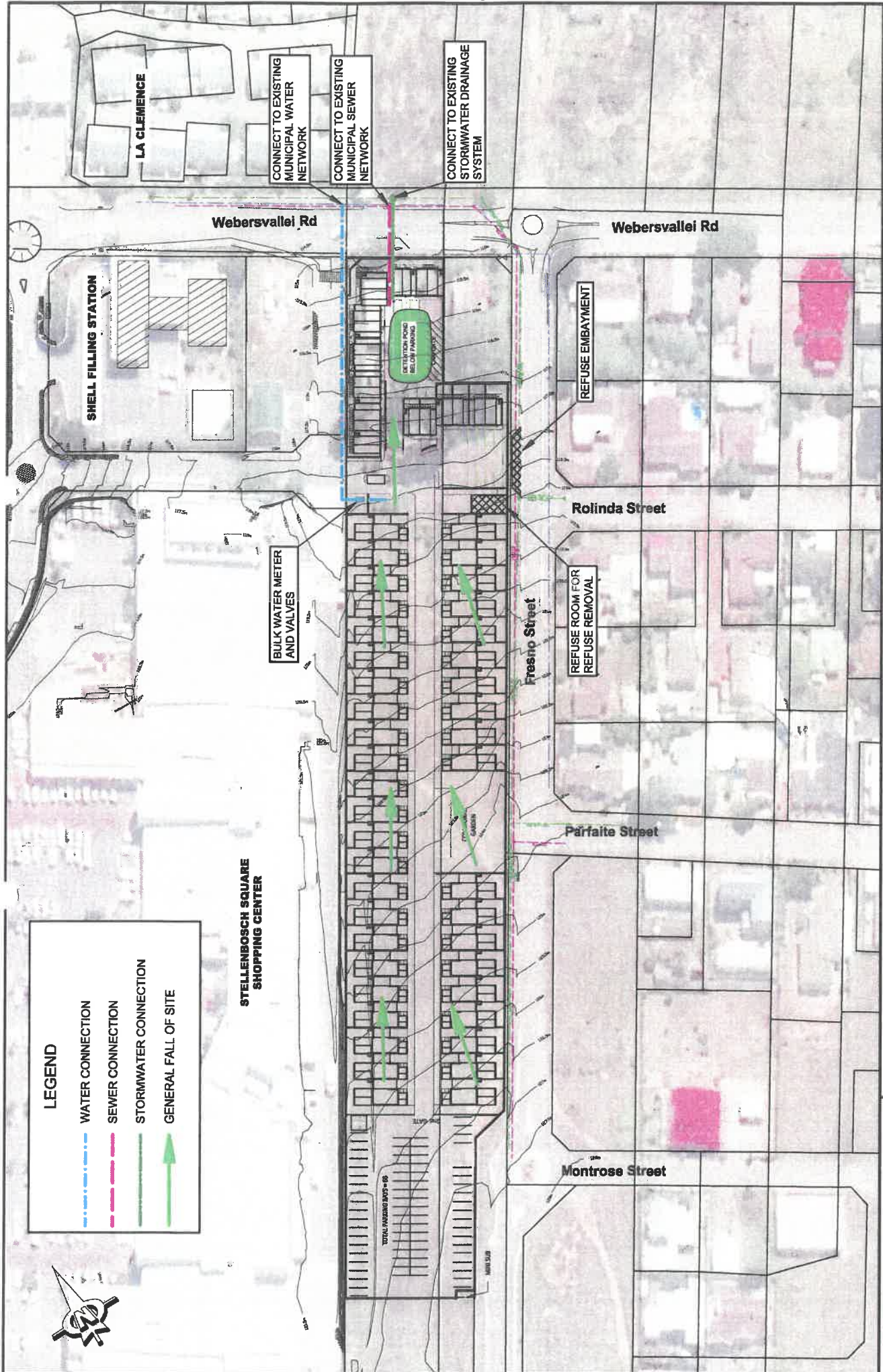
DORPSTRAAT-THE JAMES
 Portion 845 of Farm Blaauwklippen 510

SITE PLAN
 scale 1 : 1000



ANNEXURE C

CONCEPT CIVIL ENGINEERING SERVICES



Scale	1:1000
Figure Size	A3
Drawing No.	1410/01

ENGINEERING SERVICES FOR PORTION 845 OF FARM 510, STELLENBOSCH

CONCEPT CIVIL ENGINEERING SERVICES

BART SENEKAL INC.
 Civil & Structural Consulting
 Engineers
 P.O. Box 1196
 Stellenbosch
 7599
 TEL: (021) 853 8710



ANNEXURE D

EXTRACT FROM WATER MASTER PLAN



ANNEXURE E

EXTRACT FROM SEWER MASTER PLAN



ANNEXURE M

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

TRAFFIC IMPACT ASSESSMENT

Contact Address:

iCE Group (Stellenbosch),
P O Box 131,
Stellenbosch, 7599

Tel No: +27 (0) 21 880 0443
Fax No: +27 (0) 21 880 0390
e-mail: piet@icegroup.co.za



Contact Person: Piet van Blerk
Your Ref: Farm 510/845, Stellenbosch
Our Ref: iCE/S/1308

Date: 9 December 2019

Consulting Services

- Civil Engineering Services
- Roads
- Traffic Engineering

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr Nigell Winter

Sir

**APPLICATION FOR REZONING, SUBDIVISION AND CONSOLIDATION OF FARM
510 PORTION 845, STELLENBOSCH: TRAFFIC IMPACT STATEMENT**

This company was appointed to prepare a Traffic Impact Statement (TIS) for the proposed residential development on Farm 510/845, Stellenbosch.

1. BACKGROUND AND LOCALITY

The subject property is situated between Stellenbosch Square and Fresno Street in Jamestown, Stellenbosch. See the attached **Locality Plan**.

The majority of the subject property is currently vacant, whilst a residential building exists in the northern corner of the property. The said building is proposed to be demolished with the development of the full property.

This TIS accompanies the Application for the Rezoning, Subdivision and Consolidation of Farm 510/845, Stellenbosch.

2. PROPOSED DEVELOPMENT

2.1 Proposed Development

The proposed development will consist of 62 residential units, of which 42 will be townhouse-type dwelling units (two- and three-bedroom), and the remaining 20, two-bedroom apartments.

It is also proposed to subdivide the southern portion of the subject property to be consolidated with the Stellenbosch Square-property. According to information, Stellenbosch Square currently has allowable bulk not yet acted upon, but require additional space for the parking required to be able to act on the said bulk. Parking is thus proposed on the said southern section to be subdivided. The proposed parking will be linked to Stellenbosch Square by way of pedestrian access, as will be discussed.

See the proposed site layout on the attached **Site Plan** (Rev G) prepared by *tv3 architects and town planners*.

2.2 Access to the Property

Access to the subject property is currently obtained from Webersvallei Road (for the existing dwelling unit). Access to the developed property is proposed from the

Stellenbosch office:

Tel: 021 8800 443
Fax: 021 8800 390

Directors:

P.J. Van Blerk, PrEng.

iCE Group (Overberg) t/a
iCE Group (Stellenbosch)

Reg No: 2006/133238/23



intersection of the 'public road' and the Stellenbosch Square Delivery/Services-access. The proposed development access will thus form the fourth leg to the intersection. Access to the proposed parking area will be via an existing roundabout along Fresno Street. Detail on access will be further discussed in *paragraph 4*.

3. TRAFFIC

3.1 Available Traffic Volumes

Available traffic flow information was obtained from counts previously conducted as well as from the *Road Network Information System (RNIS)* of Western Cape Government (WCG). The traffic counts previously conducted are those at the R44/Webersvallei Road- and Webersvallei Road/Fresno Street intersections on Tuesday, 21 August 2018 (from 06h30 to 09h30 and again from 15h30 to 18h30). The information obtained from RNIS was taken on Wednesday, 10 February 2016 on the R44 and Webersvallei Road at the said intersection.

The peak hour traffic volumes derived from these counts are indicated in **Figure 1** attached.

3.2 Traffic Growth

Average annual traffic growth rates were obtained from RNIS. On the R44, $\pm 4,3\%$ per annum growth in the Average Annual Daily Traffic (AADT) was observed, and on Webersvallei Road $\pm 8,0\%$ per annum. The high growth in traffic on Webersvallei Road can be attributed to new development-traffic within the timeframe measured (between the year 1979 and 2016). For the purpose of traffic analyses, and as applied in previous TIAs in the area, average growth rates of 4% per annum and 1% per annum were applied along the R44 and Webersvallei Road, respectively.

For the purpose of traffic analyses, a five-year-projection was applied. The available volumes were therefore increased by the abovementioned growth rates to obtain the estimated 2024 peak hour volumes as indicated in **Figure 2** attached.

3.3 Traffic Generation

To calculate the peak hour traffic that can potentially be generated by the proposed development, trip generation rates as contained in the *TMH17 South African Trip Data Manual* was applied. The TMH17 suggests the following rates for the residential land use:

	<i>AM Peak Hour Rate</i>	<i>Split (in/out)</i>	<i>PM Peak Hour Rate</i>	<i>Split (in/out)</i>
<i>Single Dwelling Units</i>	1,0 trip per unit	25/75	1,0 trip per unit	70/30
<i>Townhouses</i>	0,85 trips per unit	25/75	0,85 trips per unit	70/30
<i>Apartments</i>	0,65 trips per unit	25/75	0,65 trips per unit	70/30

Based on the type of residential development proposed, the peak hour trip generation rate of 1,0 trip per single dwelling unit was applied. The proposed development will thus have the potential to generate 62 peak hour trips (16 in, 46 out during the AM peak hour and 43 in, 19 out during the PM peak hour).

3.4 Traffic Distribution

The peak hour traffic that can potentially be generated by the proposed development as calculated above was distributed towards the R44, Stellenbosch Square and the Stellenpark Business Park. It was assumed that the majority of the trips ($\pm 80\%$) would travel to/from the R44, with the remaining 20% to/from Stellenbosch Square (10%) and Stellenpark (10%). The trips assumed to travel to/from the R44 was mainly distributed via the Webersvallei Road/'Public Road' intersection, with a small portion thereof assumed to travel via the filling station. At the R44/Webersvallei Road intersection, the trips were distributed to the directions of Stellenbosch/Somerset West approximately 70/30 (roughly based on the existing directional split at the intersection).

The abovementioned distribution is indicated in **Figure 3** attached.

3.5 Traffic Analysis

Traffic analyses of the intersections were done by means of the Sidra Intersection 8.0 software. Service levels A to D are considered acceptable, with D the critical.

The layouts of the intersections analysed are as follows:

R44/Webersvallei Road intersection:

The R44/Webersvallei Road intersection is currently signalised, with dedicated right-turn lanes on all approaches and dedicated left-turn lanes on the R44-approaches. The Webersvallei Road-approach consists of two dedicated right-turn lanes. See the lane layout below.



Photo 1 : Existing R44/Webersvallei Road intersection lane layout

Webersvallei Road/Fresno Street- and 'Public Road' intersections:

Both of these intersections are currently T-intersections. The Webersvallei Road/Fresno Street intersection is currently a roundabout with a single circulating lane. The bellmouths of the fourth leg already exists. The 'public road'-intersection is stop-controlled on the said approach, with free-flow conditions along Webersvallei Road. See the lane layouts below.



Photo 2 : Existing Webersvallei Road/Fresno Street intersection lane layout

3.5.1 Analysis of Existing and Estimated Peak Hour Volumes (excluding proposed development)

R44/Webersvallei Road intersection:

According to the Sidra analyses, acceptable service levels D and above are experienced during the existing 2018 peak hours. It should be noted that the said analysis considers the intersection in isolation. As result of congested conditions at intersections further along the R44 (Techno Park-access), queuing is currently experienced at the Webersvallei Road-intersection (especially along the left lane, as vehicles queue from the Techno Park-access in the morning). Upgrades are currently underway at the Techno Park-access, which should improve traffic flow inbound during the morning peak, and thus alleviate the conditions currently experienced at the R44/Webersvallei Road-intersection.

During the estimated 2024 peak hours, service levels D and above are expected on the majority of movements, with unacceptable service levels F on the northbound R44-traffic during the AM peak hour and on the southbound R44-traffic during the PM peak hour. This is as result of the high volume traffic travelling along the R44.

To accommodate the anticipated background traffic volumes along the R44 at the Webersvallei Road-intersection, no short term upgrades are suggested at the intersection. To address the anticipated future traffic volumes along the R44, various options have been investigated, i.e. additional through lanes at the intersections along the R44 as an interim measure, a road that links the existing R44/Techno Avenue-intersection with the Stellenbosch CBD via Blaauwklippen Farm, Paradyskloof (Wildebosch Road) and Brandwacht/Dalsig referred to as the Eastern Link Road as well as a possible Stellenbosch Western Bypass (a provisional alignment has been investigated by ICE Group on behalf of the Stellenbosch Municipality). The road referred to as the Eastern Link Road is a proclaimed main road.

In addition to the above, a possible link between Jamestown and the future Eastern Link Road, via Blaauwklippen Farm, has also been previously investigated. According to information the WCG intends closing the existing "School Street"-intersection with the R44 to the south of Jamestown. It is the opinion that this will result in heavy congestion at the R44/Webersvallei Road intersection and that a

second access to Jamestown will be critical in accommodating future traffic from Jamestown.

A Record of Decision (ROD) was recently issued for the "R44 Safety Project" (*Proposed Improvements to the R44 between Somerset West and Stellenbosch*) of the WCG. The *Traffic Operational Analysis Report* compiled by its engineers as part of the abovementioned project concluded the following:

"The capacity constraints of the R44 at the Stellenbosch end could be improved by adding more through lanes at the signalised intersections through Stellenbosch. This could add another 30 - 40 percent capacity, i.e. a design life of 10 – 15 years. Beyond that, or even before the widening, a by-pass should be considered. The alignment of the by-pass and the various options should be studied and planned as soon as possible to ensure the long term sustainability of Stellenbosch."

With an additional through lane per direction along the R44 as mentioned above, acceptable service levels C and above can be expected on all movements at the R44/Webersvallei Road intersection during the estimated 2024 peak hours, with service level D on the right-turn movement of the Webersvallei Road-approach during the AM peak hour. The provision of the additional through lanes as part of the "R44 Safety Project" would thus address the traffic flow problems at the intersection.

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.

Webersvallei Road/Fresno Street intersection:

According to the Sidra analyses, acceptable service levels A are experienced on all movements during the existing 2018 peak hours.

During the estimated 2024 peak hours, the abovementioned service levels are expected to remain, with marginal increase in delays.

It can thus be concluded that no upgrades at the Webersvallei Road/Fresno Street roundabout is considered necessary to accommodate the background traffic.

3.5.2 Analysis of Expected Peak Hour Volumes (including proposed development)

The traffic that can potentially be generated by the proposed development (**Figure 3**) was added to the estimated 2024 peak hour volumes, i.e. background traffic (**Figure 2**), to obtain the expected 2024 peak hour volumes (**Figure 4**).

R44/Webersvallei Road intersection:

With the addition of the proposed development-traffic, the abovementioned service levels (as discussed during the estimated peak hours) at the R44/Webersvallei Road intersection are expected to remain, with marginal increase in delays/queuing.

It can thus be concluded that no upgrades additional to those required to accommodate the background traffic is considered necessary at the R44/Webersvallei Road intersection as result of the proposed development-traffic.

Webersvallei Road/Fresno Street intersection:

With the addition of the proposed development traffic, the acceptable service levels experienced during the estimated peak hours (i.e. background traffic) can be expected to remain, with marginal increase in delays and queuing.

It can thus be concluded that no upgrades are considered necessary to accommodate the proposed development traffic at the Webersvallei Road/Fresno Street roundabout.



Webersvallei Road/'Public Road' intersection:

According to the Sidra analyses, acceptable service levels A can be expected on all movements at this intersection during the expected peak hours. The maximum delays expected as per the Sidra analyses are on the 'public road'-approach. Average delays of maximum 10 seconds are expected on the said approach, which is not considered problematic.

It can thus be concluded that no upgrades to the Webersvallei Road/'Public Road' intersection are considered necessary to accommodate the proposed development traffic.

4. GEOMETRY

As previously mentioned, access to the proposed residential development will be obtained from the intersection of the 'public road' and the Stellenbosch Square Delivery/Services-access. The said road is accessed via Webersvallei Road. According to information, Webersvallei Road is classified as a Class 4-road, whilst the 'public road' can be classified as a Class 5-road.

The proposed vehicular- and pedestrian-accesses as previously discussed are indicated in **Diagram 1** below.



Diagram 1 : Proposed vehicular (V) and pedestrian (P) access to proposed development

The proposed access layout consists of one lane in, measuring $\pm 4,0$ metres in width, and one lane out measuring 3,0 metres in width. It is usually recommended that two lanes in be provided, but as result of site constraints, visitor accommodation is proposed by way of parking bays (over and above the parking requirements) just to the inside of the security controlled booms. As a guardhouse with a guard will be provided, visitors can be escorted to the said parking bays should problems with access be experienced, as to not affect residents accessing the property. The available stacking space between the access booms and the edge of the adjacent street is ± 10 metres. Usually 12 metres are required to accommodate two vehicles (10 metres) and pedestrians (2 metres), but as pedestrians will be accommodated along the opposite side of the road (which will be discussed in *paragraph 6* below), the 10 metres provided for two vehicles is considered sufficient.

As the edge of the public road is setback less than 1,0 metre from the property boundary (i.e. proposed boundary wall), vehicles exiting the property might have to slightly encroach into the roadway to observe vehicles along the public road (from the direction of Webersvallei Road). Based on the location of the access and the function of this section of the public road, the slight encroachment should not be an issue.

The internal main street measures 5,5 metres in width, which is sufficient for the proposed residential units. A second vehicular gate, which will function as emergency access, is proposed at the end of the internal street, between the proposed residential development and the proposed section of the subject property to be subdivided for parking (as indicated on the attached **Site Plan**).

Refuse removal will be handled by the Municipality. A refuse room is indicated on the Fresno Street-side of the property. It is thus proposed to provide an embayment for refuse vehicles along Fresno Street, with access to the refuse room adjacent thereto.

5. PARKING

Parking to the townhouse type units will be provided in the form of garages/carports/driveways, whilst a parking area is proposed to accommodate the apartment units. Additional visitor's parking is also proposed for the townhouse type units along the internal street (90-degree bays). The townhouse type units will be provided with 2,0 bays per unit, whilst the apartment units will be provided with 1,5 bays per unit. A total of 124 parking bays are indicated on the attached **Site Plan** (84-townhouse + 30-apartment + 2-access visitor + 8-townhouse visitor).

According to the Stellenbosch Zoning Scheme Regulations, 1,0 bay per erf smaller than 400 m² and 2,0 bays per erf larger than 400 m² is required for single residential erven, whilst 2,0 bays per unit is required for group- or town housing schemes. For the apartments, 1,5 bays per unit is required for apartments larger than 30 m². The said requirements include provision for visitors.

Based on the rates required and the rates provided, as well as the additional parking over and above the requirements, the number of parking bays provided is acceptable.

All parking bays indicated on the attached plan consist of widths and depths in line with normal parking standards (2,5 by 5,0 metres). The minimum isle width available behind the parking bays in the vicinity of the apartment buildings measure 7,0 metres, which is considered sufficient for the proposed residential parking. As mentioned, parking for the townhouse type units will be provided on each individual erf. The available space between the individual property boundary (i.e. back of driveway) and the opposite edge of the internal street measures 7,5 metres, which is in line with normal parking standards. The available isle width behind the additional parking provided along the internal street measures the width of the street, i.e. 5,5 metres. It is recommended that the parking bays be set back to accomplish at least 7,0 metres between the back of the bay and the opposite edge of the internal street.

6. PUBLIC AND NON-MOTORISED TRANSPORT

6.1 Public Transport

According to information, Webersvallei Road forms part of the public transport route through Jamestown. The proposed refuse embayment along Fresno Street as indicated on the attached plan could be utilised as a public transport embayment as refuse collection usually occurs during off peak times, about once a week. Although the main access to the proposed residential development is via the opposite side of the property, a pedestrian gate is proposed adjacent to the embayment, providing pedestrian access from Fresno Street.

6.2 Non-Motorised Transport (NMT)

Paved sidewalks exist along sections of Webersvallei Road, and similarly along sections of the 'public road'. According to information, the extension of the existing NMT-facilities along the eastern side of the R44 is currently being planned – the said extension will link the existing facilities along the R44 with those along Webersvallei Road. A pedestrian crossing exists across the 'public road'-approach at its



intersection with Webersvallei Road – see **Photo 3** below. As the road markings are faded, it is recommended that it be reinstated.



Photo 3 : Existing faded pedestrian crossing across 'public road'

As mentioned in the discussion of the proposed development access and stacking space above, pedestrians are anticipated to travel along the opposite side of the 'public road'. See the pedestrian desire lines in **Diagram 2** below. Based on the positions of the commercial attractions, and the existing sidewalks/pedestrian crossings, it is proposed that the existing 'gaps' in the sidewalks along the 'public road' be completed (red sections marked below).



Diagram 2 : Pedestrian desire line in vicinity of subject property

As mentioned in the previous paragraph, a pedestrian gate will be provided to Fresno Street adjacent to the embayment proposed.

As previously mentioned and indicated in **Diagram 1** above, pedestrian thoroughfare between Jamestown and Stellenbosch Square will be provided via the proposed parking area to be consolidated with the Stellenbosch Square property.



Locality Plan

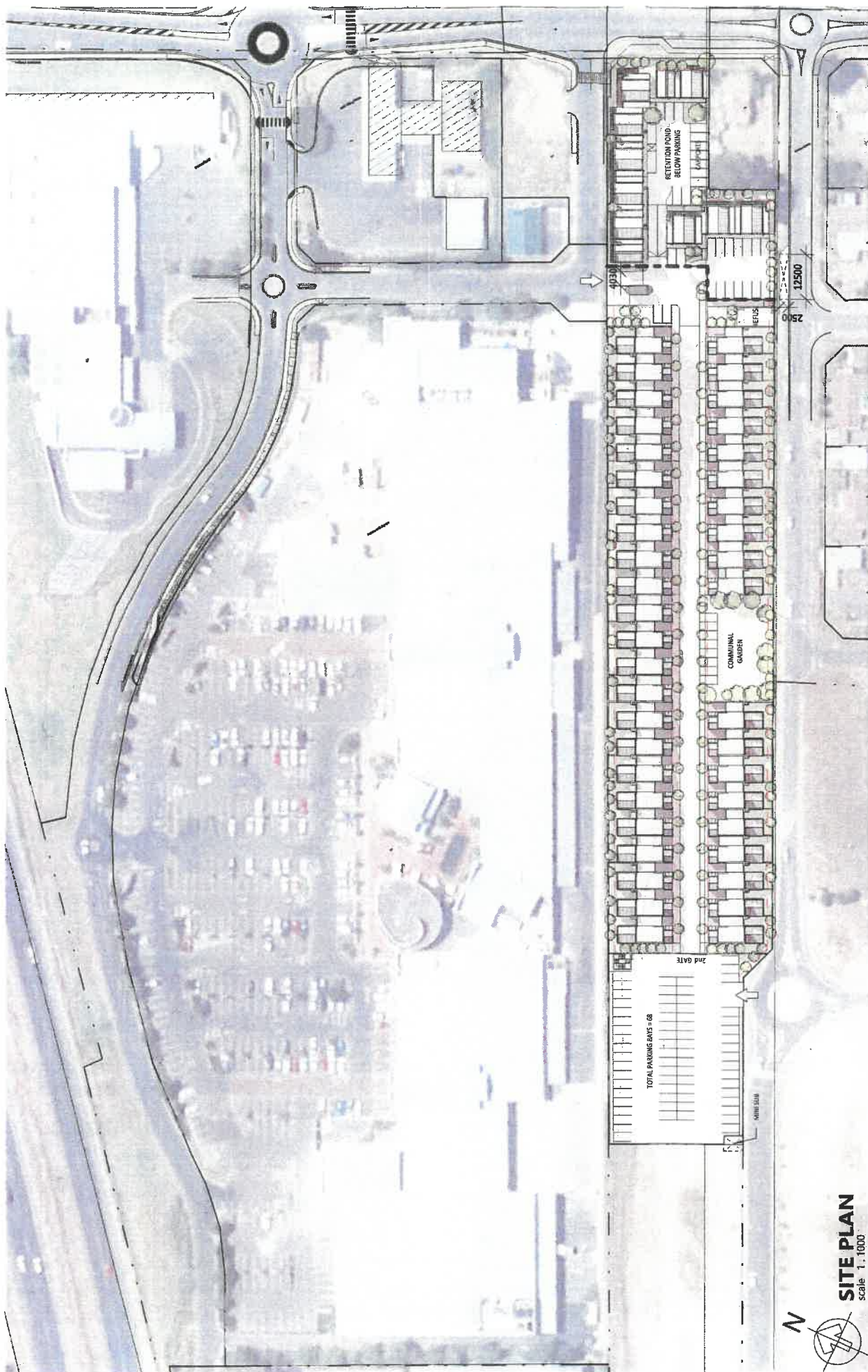


Postbus / PO Box 131
 Stellenbosch 7609

Time Square Unit 8
 9 Electron Street
 Techno Park
 Stellenbosch

Tel. : 021 - 880 0443
 Faks / Fax : 021 - 880 0390
 e-pos / e-mail : piet@icgroup.co.za

DESIGN



42x14 2 1/2 BED UNITS - FULL TITLE
20x14 2 BED UNITS - SECTIONAL TITLE

SITE PLAN 1 : 1000
2019-10-18 - rev G

DORPSTRAAT-THE JAMES
Portion 845 of Farm Bleauwklippen 510



SITE PLAN
Scale 1 : 1000



7. CONCLUSIONS

The following can be concluded from the report:

- 1) That this TIS accompanies the Application for the Rezoning, Subdivision and Consolidation of Farm 510/845, situated between Stellenbosch Square and Fresno Street in Jamestown, Stellenbosch;
- 2) That the proposed development will consist of 62 residential units of which 42 townhouse-type dwelling units and 20 two-bedroom apartments are proposed, and that it is proposed to subdivide the southern portion of the subject property to be consolidated with the Stellenbosch Square-property for additional parking;
- 3) That the proposed development will have the potential to generate 62 peak hour trips (16 in, 46 out during the AM peak hour and 43 in, 19 out during the PM peak hour);
- 4) That to accommodate the background traffic (estimated 2024 peak hour volumes) no short term upgrades are suggested at the R44/Webersvallei Road signalised intersection and that the provision of the additional through lanes at intersections along the R44 as part of the "R44 Safety Project" would address the traffic flow problems at the intersection;
- 5) That a possible link between Jamestown and the future Eastern Link Road, via Blaauwklippen Farm, has also been previously investigated. According to information the WCG intends closing the existing "School Street"-intersection with the R44 to the south of Jamestown. It is the opinion that this will result in heavy congestion at the R44/Webersvallei Road intersection and that a second access to Jamestown will be critical in accommodating future traffic from Jamestown;
- 6) That no external road upgrades additional to those required to accommodate the background traffic is suggested as result of the proposed development-traffic;
- 7) That vehicular access to the proposed development will be via the intersection of the Stellenbosch Square Delivery/Services-access and the adjacent 'public road', whilst pedestrian access will be possible via Fresno Street;
- 8) That the proposed access will consist of one lane in, measuring $\pm 4,0$ metres in width, and one lane out measuring 3,0 metres in width, with visitor accommodation by way of parking bays (over and above the parking requirements) just to the inside of the security controlled booms instead of an additional entrance lane;
- 9) That the available stacking between the access booms and the edge of the adjacent street is ± 10 metres, which accommodates two vehicles – pedestrian accommodation is not made between the vehicular stacking and the road as pedestrian accommodation is along the opposite side of the road;
- 10) That the proposed parking area to be consolidated with the Stellenbosch Square property is proposed to provide pedestrian thoroughfare to Stellenbosch Square, whilst vehicular access to the parking area will be via the existing roundabout along Fresno Street;
- 11) That the main internal street measures 5,5 metres in width, which is considered sufficient for the proposed residential units;
- 12) That a refuse room with accompanying embayment is proposed along Fresno Street;
- 13) That parking will be provided in accordance with the minimum requirements of the Stellenbosch Zoning Scheme Regulations, with some additional



parking bays over and above the said requirements, and that parking bay dimensions are in line with normal parking standards;

- 14) That the proposed embayment along Fresno Street for refuse vehicles could also be utilised as a public transport embayment – a pedestrian gate is proposed adjacent to the said embayment; and
- 15) That paved sidewalks exist along sections of the 'public road', that it is proposed to provide sidewalks to complete the existing 'gaps', and that it is proposed that the existing faded pedestrian crossing across the 'public road' along Webersvallei Road be reinstated.

8. RECOMMENDATIONS

From the above, the following are recommended:

- 1) That sidewalks be provided along the 'public road' to complete the pedestrian accommodation between Jamestown and Stellenbosch Square;
- 2) That the existing faded pedestrian crossing across the 'public road' along Webersvallei Road be reinstated;
- 3) That the additional visitor's parking bays be set back to accomplish at least 7,0 metre isle width; and
- 4) That the road authorities (WCG and Stellenbosch Municipality) should consider providing a second access to Jamestown in view of the WCG's intention to close the existing School Street-intersection on the R44.

We trust that the Traffic Impact Statement will be to your satisfaction and will gladly provide any additional information required on request.

Yours faithfully



Yolandi Obermeyer (B. Eng Civil)
ICE GROUP (STELLENBOSCH)



Piet van Blerk Pr. Eng
ICE GROUP (STELLENBOSCH)

Attachments

Locality Plan

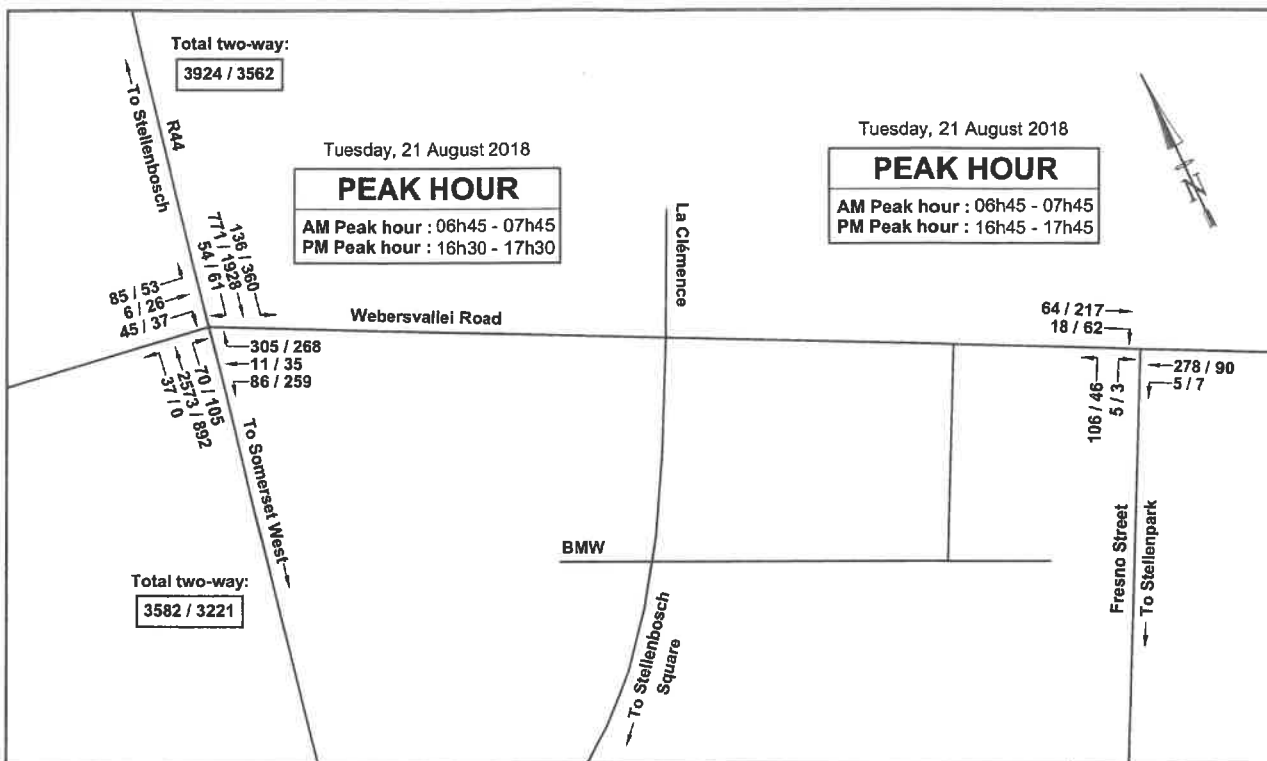
Site Plan (Rev G) (*tv3 architects and town planners*)

Figure 1 Available AM/PM Peak Hour Traffic Volumes (Tuesday, 21 August 2018)

Figure 2 Estimated 2024 AM/PM Peak Hour Traffic Volumes (including 4% and 1% per annum traffic growth)

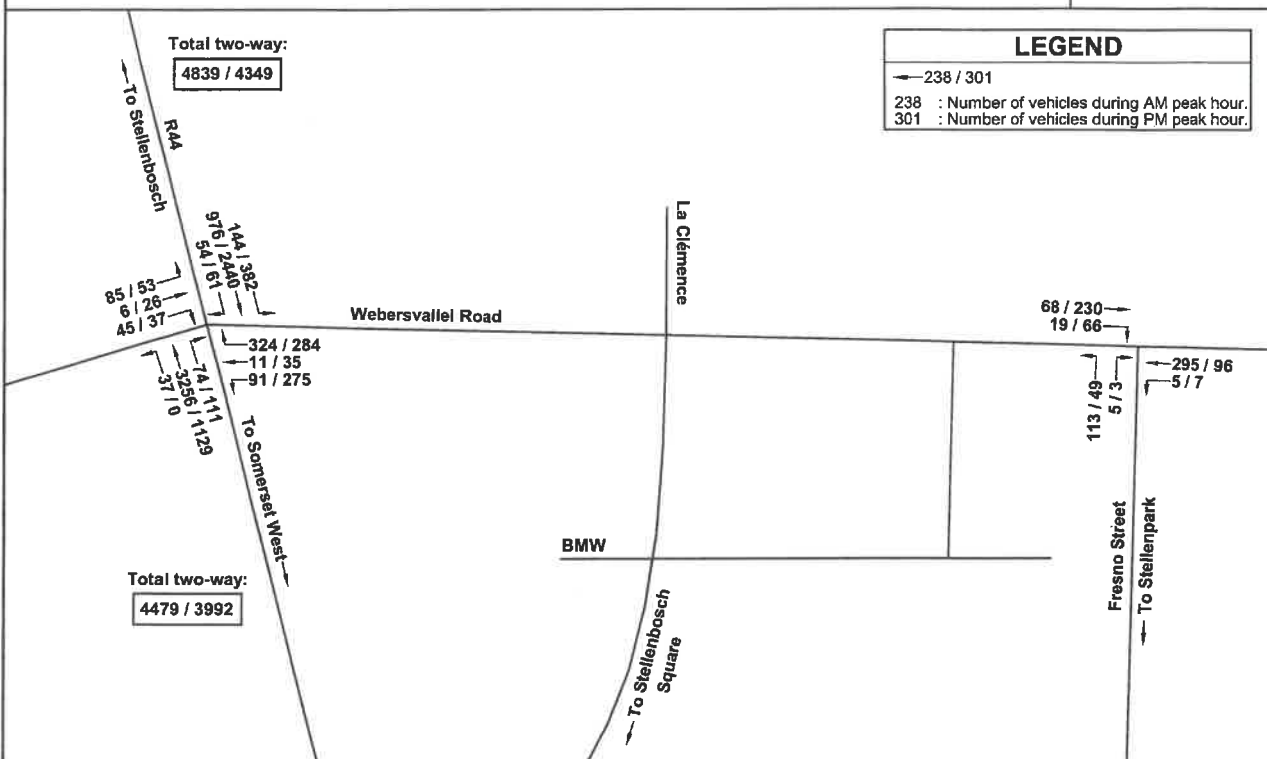
Figure 3 Distribution of Traffic Generated by Proposed Development

Figure 4 Expected 2024 AM/PM Peak Hour Traffic Volumes (including 4% and 1% per annum traffic growth and proposed development)



**Available AM/PM Peak Hour Traffic Volumes
(Tuesday, 21 August 2018)**

Figure 1



**Estimated 2024 AM/PM Peak Hour
Traffic Volumes (including 4% and 1%
per annum traffic growth)**

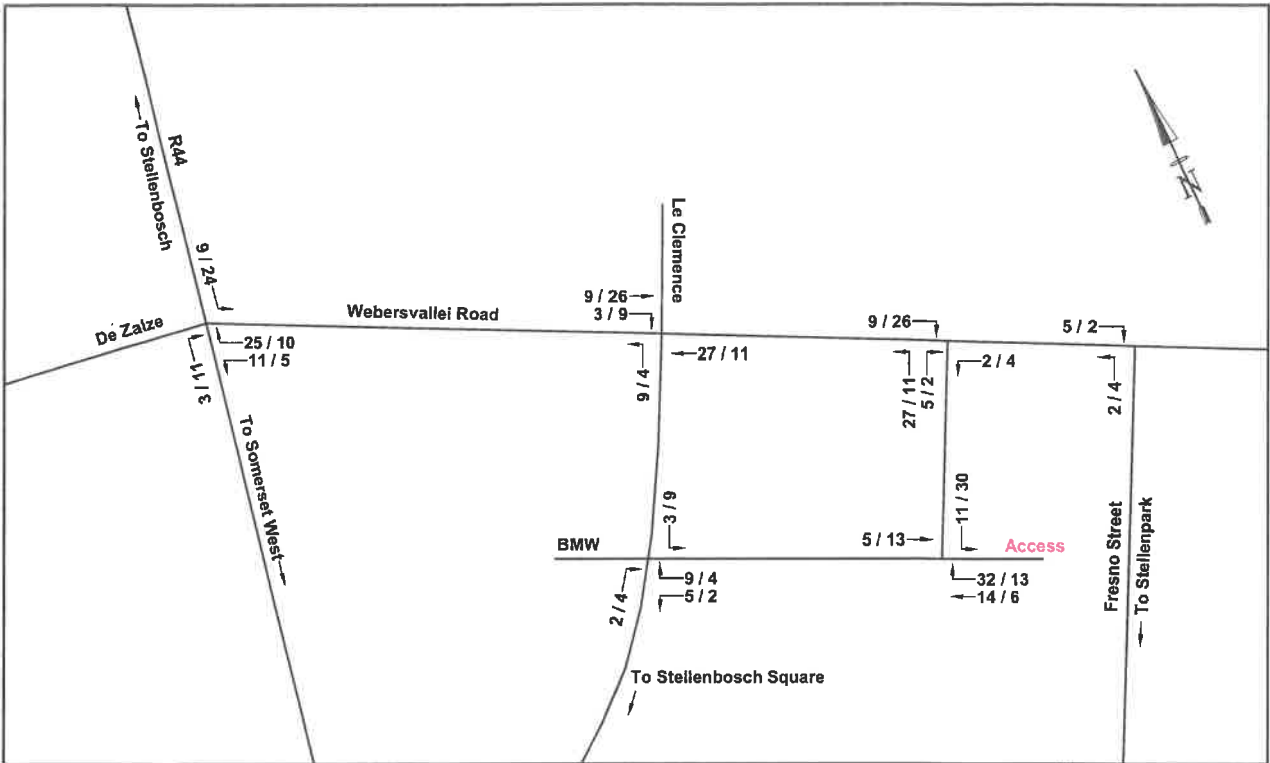
Figure 2

Posbus / PO Box 131
 Stellenbosch 7599

Time Square Unit 8
 9 Electron Street
 Techno Park
 Stellenbosch

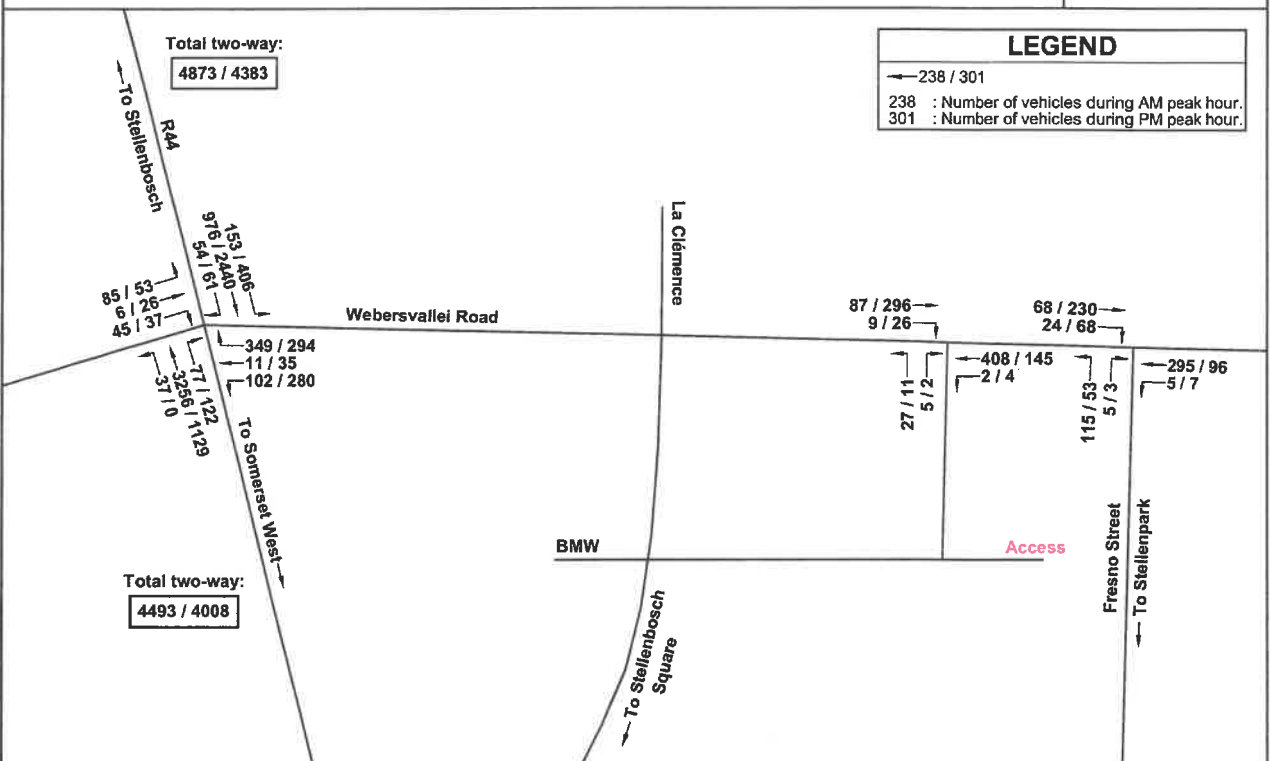
Tel. : 021 - 880 0443
 Faks / Fax : 021 - 880 0390
 e-pos / e-mail : piet@icegroup.co.za





Distribution of Traffic Generated by Proposed Development

Figure 3



Expected 2024 AM/PM Peak Hour Traffic Volumes (including 4% and 1% per annum traffic growth and proposed development)

Figure 4

Postbus / PO Box 131
Stellenbosch 7599

Time Square Unit 8
9 Electron Street
Techno Park
Stellenbosch

Tel. : 021 - 880 0443
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ANNEXURE N

**REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE, SITE
DEVELOPMENT PLAN AND STREET NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/845, STELLENBOSCH DIVISION
(JAMESTOWN)**

PHOTOS



STEUENBOSCH SQUARE
SHOPPING CENTRE

SUBSTATION

ACCESS ROAD TO PROPOSED
DEVELOPMENT



SERVICE AREA OF
STEUENBOSCH SQUARE
MALL

SUBJECT PROPERTY
(VIEW FROM PUBLIC ROAD)



SUBJECT
PROPERTY (FRM 510/845)




FRESNO STREET



SUBJECT PROPERTY
(VIEW FROM FRESNO STREET)



SUBJECT PROPERTY 



↘ DEAR OF SHOPPING CENTRE