



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**NOTICE OF MUNICIPAL PLANNING
TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2021-11-19 FROM 10:00-15:00**



**NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY**

FRIDAY, 2021-11-19 FROM 10:00-15:00

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

2021-11-19

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 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, 2021-11-19 from 10h00-15:00** to consider the items on the Agenda.

Dr DJ Du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



TABLE OF CONTENT

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	I N D E X P A G E S
2.	LEAVE OF ABSENCE	
3.	DISCLOSURE OF INTERESTS	
4.	MINUTES OF THE PREVIOUS MEETING DATED 20 AUGUST 2021	3 - 8
5.	MATTERS FOR CONSIDERATION	
5.1	APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE, DEPARTURES, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS: ERF 14601, STELLENBOSCH(LU/11728)	9 - 675
5.2	REZONING, SUBDIVISION, DEPARTURE, SITE DEVELOPMENT PLAN, ADOPTION OF THE DEVELOPMENT'S NAME AND STREET NAMING AND NUMBERING: UNREGISTERED FARM NO. 510/844, STELLENBOSCH DIVISION (JAMESTOWN)(LU/11701)	676 - 880
6.	OTHER MATTERS	

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 20 AUGUST 2021**MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING
HELD ON FRIDAY, 20TH OF AUGUST 2021 via MS TEAMS****Ref. no. 3/4/5/2/40****2021-08-20**Chairperson

Dr DJ Du Plessis

Deputy Chairperson

Ms C Havenga

External Members

Dr R Pool-Stanvliet

Mr C Rabie

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 B de la Bat: Manager - Spatial Planning

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

Officials

Mr S Carstens: Senior Manager: Development Management

Mrs C Kriel: Manager: Land Use Management

Ms L Guntz: Senior Town Planner

Ms O Sims: Administrative Officer: MPT

Ms L Kamineth: Senior Administrative Officer: MPT

Technical Advisor

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

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 20 AUGUST 2021

ITEM	SUBJECT
SMPT 01/08/21	OPENING AND WELCOME
	Chairperson Du Plessis welcomed all.
SMPT 02/08/21	LEAVE OF ABSENCE
	Mr A van der Merwe: Senior Manager: Community Services
SMPT 03/08/21	DISCLOSURE OF INTERESTS
	No conflict of interests were noted.
SMPT	MINUTES OF THE PREVIOUS MEETING DATED 16 JULY 2021
04/08/21	The minutes of the previous meeting was noted.
	MATTERS FOR CONSIDERATION
SMPT 05/08/21	<p>APPLICATION FOR SUBDIVISION, REZONING, CONSENT OF TITLE DEED CONDITIONS, PERMANENT DEPARTURE AND APPROVAL OF SITE DEVELOPMENT PLAN: FARM NO. 81/29, STELLENBOSCH DIVISION (LU/10313)</p> <p>DISCUSSION:</p> <ul style="list-style-type: none"> a) The development of the area around the subject property, the alignment of the proposed western bypass, the urban edge and the vision of the Adam Tas Corridor initiative (precinct 10) was discussed to understand the relevant proposal in the larger context. b) Clarity was given on the building line on the R304, the future road network and relevant road upgrades required. c) The difference between the initial layout and the existing layout, the urban design, landscaping, the density and the HIA approval was discussed.

- d) Consent required in terms of the Title Deed and the required process was discussed and it was confirmed that the decision is to be taken in terms of Section 45(6) of SPLUMA by the controlling authority / municipality.
- e) Although the applicant indicated that the comments of the Stellenbosch Ratepayers Association were late and therefore invalid, it was considered by the MPT.

UNANIMOUSLY RESOLVED:

1. 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 Farm Cloetesdal No. 81/29, Stellenbosch Division, namely:

1.1 The **subdivision** (section 15(2)(d)) of the subject property in terms of Section 15(2)(d) of the said by-law into three portions namely **Portion 1** (±2,24ha), **Portion 2** (0,64ha) and **Portion 3** (±0,12ha) as indicated on Subdivision Plan 4 – 3628-P, dated 22 January 2021, and drawn by TV3 Architects and Town Planners.

1.2 The **rezoning** [section 15(2)(a)] of Portion 1 (±2,24ha) from Agriculture and Rural Zone to Subdivisional Area to allow for the following uses: **Multi-Unit Residential Zone erven** and **Private Open Space Zone** for private open space purposes and private road purposes; with a total extent of ±2,24ha.

1.3 The **rezoning** [section 15(2)(a)] of Portion 2 and Portion 3 from Agriculture and Rural Zone to Utility Services Zone for public roads.

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 A **Subdivision Plan** for Portion 1 be submitted to the Municipality for approval and to include the following matters:

- a) Indicate the land uses and extent thereof.

b) Provide a mix of group housing and other housing types within the Multi-Unit Residential Zone.

2.2 The approval will lapse if not exercised within **5 years** from date of final notification.

2.3 Inclusionary housing be considered to expand housing opportunity for a broader range of income groups.

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

2.5 Portion 3 (Public Road) be transferred to the Local Authority before a clearance certificate be issued.

2.6 Portion 2 (Public Road) be transferred to the Department of Transport and Public Works as part of the road reserve of the R304.

3. REASONS FOR APPROVAL

a) The proposal will develop underutilized land within the urban edge for urban development.

b) The subject property is located along the R304 within this area identified by the MSDF for future urban development.

c) The proposed residential development constitutes infill development and is therefore in line with the principles of the Spatial Development Framework, as well as the Northern Extension Project's vision.

d) 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.

e) 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.

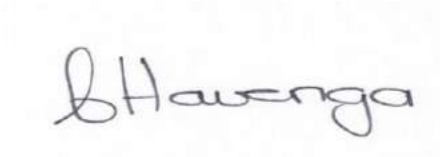
f) The matters raised by the Stellenbosch Ratepayers Association were considered and addressed in the detailed studies and report to the MPT.

	<p>4. 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 Farm Cloetesdal No. 81/29, Stellenbosch Division, namely:</p> <p>4.1 The departure [section 15(2)(b)] to exceed the density of 50 dwelling units per hectare to 71 dwelling units per hectare</p> <p>NOT BE CONSIDERED in terms of Section 60 of the said Bylaw.</p> <p>5. REASON</p> <p>a) The density proposed is not considered at this stage and such an application will be considered in line with the submission of a revised subdivision plan for Portion 1 and in accordance with the conditions of the subdivisional area in condition 2.1.</p> <p>6. MATTERS TO BE NOTED</p> <p>6.1 The application for consent in terms of the relevant Title Deed no. T52460/99, Condition D(a) to (e), to allow for the proposed development in terms of section 45(6) of SPLUMA will be considered by the Municipality.</p>
<p>SMPT 06/08/21</p>	<p>OTHER MATTERS</p>
	<ol style="list-style-type: none"> 1. The next MPT meeting is scheduled for 17 September 2021. 2. The MPT requested the Land Use Management section to always circulate the HIA to the members when it was conducted as part of the planning process. 3. It was agreed that the Land Use Management section will on a regular basis provide feedback to the MPT regarding appeals received on matters decided by the MPT, the draft report for consideration and the final decision taken by the Appeal Authority.



Dr D du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



Mrs C Havenga

DEPUTY CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

THE STELLENBOSCH MUNICIPALITY

**PLANNING REPORT:
 LAND USE AND LAND DEVELOPMENT APPLICATION:
 APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE, DEPARTURES, APPROVAL OF
 DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND
 ALLOCATION OF STREET NAMES AND NUMBERS:
 ERF 14601, STELLENBOSCH.**

Application Reference number	File Ref: 14601 (LU/11728)	Application Date	2020/08/14
POE submitted	16/09/2021	Authorized decision to be taken by	14/01/2022

PART A: APPLICANT DETAILS

First name(s) & Surname	Christine Havenga		
Company name	First Plan Town and Regional Planning		
SACPLAN registration number	A/945/1997		
Registered owner(s)	Catwalk Investments 385 (Pty) Ltd	Is the applicant properly authorised to submit the application	Yes

PART B: PROPERTY DETAILS

Property description	Erf 14601	Town/ City	Stellenbosch
Physical address	Distillery Road, Stellenbosch (See APPENDIX 1)		
Extent (m ² /ha)	2,6905ha ²	Current zoning	Industrial Zone
Existing Development and Current land use	Industrial buildings and manor house		
Any unauthorised land use/building work	None filed.		
Title Deed No.	T18368/2006		

PART C: APPLICATION DETAILS

Applications(s)	<p>1. Application is made in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015 dated 20 October 2015,</p> <p>a) for the rezoning of Erf 14601, Stellenbosch from Industrial Zone to Subdivisional Area in terms Section 15(2)(a) allowing for:</p> <ul style="list-style-type: none"> (i) one (1) Mixed-Use Zone property, consisting of 259 dwelling units in 3 to 5 storey blocks of flats and for private road purposes, (ii) two (2) Mixed-Use Zone properties for commercial/office uses and (iii) one (1) Public Road and Parking Zone property for public road purposes. <p>b) for the subdivision of Erf 14601, Stellenbosch into 4 portions of Portion 1 ($\pm 20493\text{m}^2$ - Mixed-Use Zone), Portion 2 ($\pm 1424\text{m}^2$ - Mixed-Use Zone), Portion 3 ($\pm 2626\text{m}^2$ - for a 13.90m road reserve zoned Public Road and Parking Zone) and Portion 4 ($\pm 2362\text{m}^2$ - Mixed-Use Zone) in terms of Section 15(2)(d).</p> <p>c) for departure in terms of Section 15(2)(b) on Portion 1 (Mixed-Use Zone erf) to relax:</p> <ul style="list-style-type: none"> (i) the common building line (adjacent to Erf 7602) from 4.5m to 3.0m for Residential Block 4. (ii) the common building line (adjacent to Erf 7602) from 4.5m to 3.0m for Residential Block 3. (iii) the common building line (adjacent to the newly created Portion 2) from 4.5m to 2.5m for Residential Block 6. (iv) the common and street building line (adjacent to the newly created Portion 2 and Portion 3) from 4.5m to 0m to allow the ablution/changing room facility for the pool and volleyball court. (v) the street building line (adjacent to the newly created Portion 3) from 4.5m to 1.5m to allow the Mill House. (vi) the street building line (adjacent to the newly created Portion 3) from 4.5m to 3.0m to allow for Residential Block 5. <p>d) in terms of Section 15(2)(g) of Land Use Planning By-law for a permission to permit in terms Section 106 of the Zoning Scheme By-law flats on the ground floor of all residential building blocks in the mixed-use zone.</p> <p>e) in terms of Section 15(2)(o) of Land Use Planning By-law for a consent use to allow a Place of Entertainment (pub) in the existing storage facility located on Portion 4.</p> <p>f) in terms of Section 98 of Land Use Planning By-law for the approval of street names (Extension of Distillery Street) and allocation of street numbers.</p>
-----------------	---

	<p>2. Application is also made for;</p> <ol style="list-style-type: none"> a) the approval of the development name. b) the approval of and overall Site Development Plan (SDP), a SDP for the Residential Precinct (The Mill) and a SDP for the Business Precinct (Manor house and the deli/pub) c) Development Phases plan. d) The landscaping plan. <p>See APPENDIX 2.</p> <p>Note: These plans and submission are the amended proposals after advertising and consideration of comments received. The original submission could be found in ANNEXURE 12 of the applicant motivation attached as APPENDIX 3 to this report.</p>
<p>Purpose of Application: Background and motivation of Applicant</p>	<p>The development proposal for Erf 14601, Stellenbosch makes provision for a mixed-use development comprising:</p> <ul style="list-style-type: none"> • A sectional title scheme of 259 residential units together with private recreational facilities; • The repurposing of an existing warehouse as a deli/bistro/pub linked with a large outdoor piazza to the commercial/retail component of the Bosmans Business Centre on the adjacent Erf 6201 which will provided a vibrant social hub for the precinct, and • The inclusion of the existing Manor House on a separate erf to be used for commercial purposes. <p>The proposed development will contribute to a balanced mixed-use area and it is anticipated that the development itself will act as a catalyst for the Bosmans Crossing precinct with the occupants of the Bosmans Business Centre choosing to reside in the residential component resulting in a safe-live-work-study-play safe neighbourhood.</p> <p>Due to the size and scale the development has the critical mass to transform the Bosmans Crossing precinct into a vibrant, safe community orientated walkable neighbourhood in accordance with the principles of the Stellenbosch Integrated Development Plan (IDP), the Stellenbosch Municipal Spatial Development Framework (MSDF) and the Adam Tas Corridor (ATC) catalytic initiative and provide a access through the property to the adjacent Bergkelder site.</p> <p>See APPENDIX 3 for the applicant's motivational report.</p> <p>It should be noted that the initial proposal made provision for 253 residential unit, was amended to 259 units after the development plans was amended.</p>
<p>Pre-consultation</p>	<p>Yes</p>

<p>Public participation, and external departmental comments and response</p>	<p>The portfolio of evidence was received by the municipality on 10 September 2021.</p> <p>The applicant advertised the application in the "Eikestadnuus", onsite and notices sent to all identified interested and affected parties on 24 September 2020 for 30days. One objection/comment was received within the prescribed 30day period from the Stellenbosch Interest Group. See APPENDIX 4 for the applicants Portfolio of Evidence for the objection and comments on the objection from the applicant.</p> <p>The application was also advertised to the following external departments;</p> <ol style="list-style-type: none"> 1. Heritage Western Cape took a resolution on 21 July 2021 to endorse the recommendations in the HIA and supplementary report prepared by Cindy Postlethwayt and Chris Snelling dated June 202021, subject to certain conditions (See APPENDIX 5); <ul style="list-style-type: none"> • The submission of building plans for any future proposed alterations to the "Manor" House to HWC for approval, prior to the submission of final building plans. • The submission of building plans for any future alterations/additions to the warehouse to HWC for approval, prior to the submission of final building plans. • The retention and display of the mill workings within the Mill House. • Archaeological monitoring of the subsurface excavations when demolition of the large warehouse occurs, to confirm the presence or footprint of the original mill remains. 2. The Director: Development Management from the Department of Environmental Affairs and Development Planning on 01/12/2020 recommended the application for approval but that the Site Development Plan Package, which should include the inclusionary housing institutional arrangements should only be considered at a later stage when all concerns have been addressed and the applicant demonstrate compliance with the SDF. See APPENDIX 6. 3. The Department of Transport and Public Works in a letter dated 15 December 2020 objected to the application, but should the concerns raised by them in the letter be addressed in a revised Traffic Impact Assessment, that they would be willing to review their comments. See APPENDIX 7. The revised TIA make recommendation on a second dedicated left-turn lane on the Oude Libertas Street-approached and provision of traffic signals on the Oude Libertas Street/Distillery Road/Flamingo Road intersection. Subsequently addressing some of the concerns from the department. No revised comments were however obtained from the subject department.
<p>Comments from internal service departments</p>	<p>The applications were internally advertised by the department to Directorate: Infrastructure Services (Civil and Electrical), The Directorate: Community Service (Environmental Planner), Spatial Planning, the Ward and Portfolio Councillors on 17 September 2020 via email.</p>

	<p>Comments received</p> <ol style="list-style-type: none"> 1. The application was recommended for approval by the Spatial Planning Section, but that the Site Development Plan only be considered at a later stage, once the concerns in their report is addressed appropriately. See ANNEXURE 8 for the recommendation from the department. 2. The Directorate: Infrastructure Services (Civil and Electrical) recommended the application for approval subject to certain conditions. See ANNEXURE 9. <p>It should be noted that the applicant responded on certain conditions of the engineering department; In short requested the following amendments;</p> <ul style="list-style-type: none"> • Building plan approval and construction activities to commence prior to the repairs having been completed should an alternative access be identified if necessary. <p>In-lieu of the conditions that no construction may commence before repairs to the Bosman Crossing Bridge is completed.</p> <ul style="list-style-type: none"> • The condition that requires the developer to take the development rights in 2years, be amended to 5years which is aligned to the town planning validity period. • Credit should be given for the buildings classified as General Industrial – light or at the very least the Manor House which is to be retained in it's existing format should be credited as Local Business – office and the remaining buildings as Warehousing which appears to be a new classification in terms of the 2021-2021 tariff Book. <p>These amendments could be address in a final service level agreement between the developer and the municipality.</p> <ol style="list-style-type: none"> 3. The Department of Community Services (Environmental Planner) have no objection to the application, subject to certain conditions. See ANNEXURE 11. 4. No comments were received from the Ward and Portfolio Councillor.
--	---

PART D: ASSESSMENT OF LAND USE AND LAND DEVELOPMENT APPLICATION

OUTCOME OF PUBLIC PARTICIPATION PROCESS:

Objections/Comments received (See **ANNEXURE 8** in the applicants Portfolio of Evidence (POE) attached as **APPENDIX 4**);

- **Stellenbosch Interest Group** did not formally object, but commented that they are "hesitant that a blanket approval be given for the following reasons;

"It is the concern of SIG that this development has been submitted prior to the finalisation of the Adam Tas Corridor Spatial Development Framework (the municipality is in the process of appointing a consultant to prepare this SDF). This type of piecemeal planning approach is not conducive to protecting heritage landscapes. We are of the opinion that all the built environment heritage in the Adam Tas Corridor should first be identified, mapped and then all proposed new developments (such as this application) should holistically be planned for in the context of the Adam Tas Corridor SDF."

Applicant's comments (See **APPENDIX 4** for the POE);

A heritage Impact Assessment was undertaken, addressing the history, the archaeology, heritage context, relevant policy and identified heritage resources and approved by Heritage Western Cape on 21 July 2021. Notwithstanding the afore-mentioned, there was extensive consultation with the consultants appointed for the Adam Tas Local SDF, the Spatial Planning Section of the Municipality as well as the adjacent property owners. It was further recommended by the ATC project team that the Municipality may consider lead projects to commence development prior to completion and adoption of the individual Precinct Plans of the ATC – if it is considered that the specific project will contribute to the overall development objectives for the area, do not impede future opportunity, and assist in learning about and enabling future rollout of development in the area.

The opinion is held that this project went through an intensive process of negotiation and discussion with all relevant role players and would play an important role to kick start development within the ATC in a sustainable and positive manner.

DEPARTMENTAL ASSESSMENT:

The subject land portions are currently occupied by extensive industrial buildings to be demolished and historically significant buildings to be retained. It is located in an area characterized by a mixed of land uses, which includes winery, office, warehousing, industrial, residential and general business activities. See site photos attached as **APPENDIX 12**.

The proposal:

The proposal entails the rezoning of Erf 14601, Stellenbosch from industrial to mixed-use zone and public road purposes. The development proposal will include residential and business sites;

- **Residential**
 - 44 one-bedroom/studio apartments
 - 99 two-bedroom apartments
 - 116 three-bedroom apartments
 - In total 259 residential opportunities, which amounts to ±126 units/ha.
- **Business**
 - 592m² offices
 - 205m² retail
 - 479m² restaurant/pub
- **Clubhouse** of 85m² for private amenities to the residential scheme.
- **Parking** will be provided as required in the zoning scheme bylaw (418 required and 420 provided) with subsequently no departures.
- **Height of buildings** will not exceed 6 storeys as provided by the zoning scheme by-law, considering that 3 to 5 storey buildings are proposed, with the highest building set-back on the north-western side of the development, in the back drop of the mountain.

Access to the property:

Access is obtained from the Adams Tas Road, over Oude Libertas onto Distillery Road which ends at Erf 14601, Stellenbosch. A historical single lane bridge (See photos in APPENDIX 12) over a river grant, access to the development property. The municipality is currently in the process to ensure that safe access could be obtained for specifically construction vehicles over the subject bridge, with the intend to upgrade the bridge to provide dual access lanes. The traffic impact assessment proposed additional upgrades at the Flamingo and Distillery Street intersection and at the Adam Tas and Oude Libertas intersection, which was not objected to by the applicant or the municipality. The proposals were supported by the Municipal Engineering's Directorate.

A 13m public road reserve is also proposed over Erf 14601, Stellenbosch linking up to the Bergkelder site to the north of the property, to provide a future road link for new developments. This road reserve was regarded as sufficient provision for the required road class category by the municipal engineers.

Concerns from SIG and objection from Provincial Roads Authority:

No objections were raised against the development concept from surrounding properties, although concerns were raised by the Stellenbosch Interest Group that the application is premature in the context of the Adam Tas Corridor for which the compilation of a Local SDF is still in process. It is confirmed that the municipality is currently in process to finalize a Local Spatial Development Framework for the Adam Tas Corridor, of which this property forms part. In the absence of a policy, the municipality may not prohibit the applicant from applying and is obligated to proceed with advertising, assessing and make a recommendation for a decision on any application received. Hence this application before the decision maker.

An objection, which was not addresses in the Portfolio of Evidence from the applicant, was also received from the Department of Transport and Public Works dated 15 December 2020 (See **APPENDIX 7**). They however indicated that should the concerns raised by them in the letter, be addressed in a revised Traffic Impact Assessment, that they would be willing to review their comments. As previously mentioned, the revised TIA made recommendations on a second dedicated left-turn lane on the Oude Libertas Street-approach to Adam Tas Road intersection and provision of traffic signals on the Oude Libertas Street/Distillery Road/Flamingo Road intersection, subsequently addressing some of the concerns from the subject department. Although no revised comments were however obtained from the subject roads department, it's this departments opinion that full consideration was given in the municipal engineering comments to deal with the concern of the Provincial Roads Authority at the Adam Tas road intersection. The Provincial Roads Authority's consent must in any event be obtained for any work to be done at the Adam Tas Road intersection. It would therefore be advisable that the Provincial Roads Authorities approval be obtained by the applicant/owners and all conditions be adhered too, should this application be considered for approval by the municipal decision maker.

Content of the Municipal Spatial Development Framework (MSDF) and inclusionary housing requirements in the context of the Adam Tas Corridor.

These MSDF principles will assist with the processing of development applications, demonstrating conformance with different sectoral policies, etc.

Erf 14601, Stellenbosch is located in the Adam Tas Corridor as described by the Municipal Spatial Development Framework (2019) and currently only have access over the Distillery Road to the Adam Tas Road intersection. The MSDF identify the area (the property is located in), as a catalytic site for significant new mixed-use development, with a high-density urban district and strong internal and external public and NMT connections. This proposal tends to present such a proposal, with 259 residential opportunities at ± 126 units/ha and the provision of office space, retail and other business premises, which is supported by most interested and affected parties. Although not in the form presented in this application and specifically the provision of inclusionary housing options.

As mentioned the subject site is located in the Adam Tas Corridor for which the municipality has not yet approved a Local Spatial Development Framework (LSDF). The MSDF however identify the area as the conceptual focus point of new town building, west of the old Stellenbosch Town and Central Business District (CBD). Most of the Adam Tas Corridor sites (this site included) is in private ownership, with a purely commercial approach to redevelopment of the land, which may not be in the best interest of the town. The MSDF stipulates that the Adam Tas Corridor is the most significant redevelopment opportunity within the town, which offers the opportunity to accommodate many more residents within Stellenbosch town and alleviating the pressure of developing lower density residential development area on the periphery of the town on agricultural land. A proposed residential density ratio of ± 126 units/ha would significantly provide in this need.

Concerns was however raised by the Department of Environmental Affairs and Development Plan and the Municipal Spatial Planning Section in particular, on the "inclusivity" of infill housing opportunities proposed in this application and whether it conforms to the prescriptions of the MSDF. These views were challenged by a legal opinion submitted as part of the response but the applicant in the portfolio of evidence in **APPENDIX 4**. Inclusivity in the MSDF refers to the extent to which housing is provided for **different income and demographic groups** in developments.

It should be noted that the initial application only includes ± 12 single bedroom units to accommodate specifically students (see page 52 & 53 of the applicant's motivation attached as **APPENDIX 3**) and was amended to ± 44 one-bedroom/studio apartments (see **APPENDIX 2**) that would assist in broadening the range of housing typologies, enabling access to a greater range of income groups in order to contribute to the inclusivity of housing opportunities as requested.

The concept and requirements of "inclusionary housing" has not been clearly define in the MSDF and subsequently make compliance monitoring and consideration of the proposal submitted, difficult to

assess. The municipality is however currently in process to provide clarity on this matter with the compilation and approval of an "Inclusionary Housing/Zoning Policy".

All relevant provincial or municipal policy provisions relating to "Inclusionary Housing" is also still in draft stage; which includes the Draft Western Cape Inclusionary Housing Policy Framework, Adam Tas Local Area Spatial Development Framework (in progress); Adam Tas Overlay Zone (under discussion) and Draft Stellenbosch Municipality "Inclusionary Zoning Policy".

The provision of an inclusionary housing policy at local municipal level, stems from the Integrated Urban Development Framework (IUDF) approved in 2016, which is a policy initiative of the Government of South Africa, coordinated by the Department of Cooperative Governance and Traditional Affairs (CoGTA). The IUDF seeks to foster a shared understanding across government and society about how best to manage urbanisation and achieve the goals of economic development, job creation and improved living conditions. The IUDF states that "An inclusionary housing policy should be developed that incentivises property developers to include a level of affordable housing in their developments".

In the absence of municipal approved policy provisions in this regard, the municipal decision maker is now challenged to find a balance approached in the financial needs of the developer and the social needs of the community, when considering this application. All in the interest of liveable, safe, resource-efficient developments and towns that are socially integrated and economically inclusive, where residents actively participate in urban life. Once we all accept that spatial redistribution is necessary in Stellenbosch town, the next question is, *What is the practical ways to implement it?*

The applicant noted that the amended application provides for a general residential development on one erf, which could accommodate everyone irrespective of age, gender, occupation, nationality, ethnic background, sexual orientation, etc.

The question now arises; What is inclusionary housing?

The Draft Western Cape Inclusionary Housing Policy Framework provides the following explanation;

- *Inclusionary housing requires new private developments in certain well-located areas with high property values, to include some housing units that are **affordable** (available for rent or sale at prices below the price point of the rest of the development and surrounding*

developments) – or to contribute towards **affordable housing** in well located areas in other ways.

- These affordable units are made available for rental or purchase by people who qualify based on their income and other criteria agreed to between the developer and the municipality.
- This requirement is imposed by a municipality as a condition attached to the approval to grant additional development rights to a developer.

From the above it is clear that in the absence of guidance from an approved municipal inclusionary housing policy, that negotiations will need to be entered into between the developer and municipality to determine the income grouping (beneficiary) and other criteria that will make buyers eligible to apply for an inclusionary unit in a specific development and the number of units to be provided in the development. Including for discussion and agreement will need to be measures to secure this affordable housing unit in the long term, ensuring that it is not sold or sub-let in the open market. Possible options will include restrictive title deed conditions or the option to sell it back to the developer, at what ratio, unit value and other requirements to provide it, without the viability of the development being compromised by the imposition of requested inclusionary housing contributions. No discussion in this regard has taken place between the municipality and the developer to date to concludes this as part of this decision and it is therefore proposed that such a platform be created by a condition of approval, which is not deemed unreasonable for the municipal decision maker to impose. The content of the condition will be explained further in the report.

Consideration of site development plans.

Considering the above proposed negotiations that needs to be entered into between the municipality and the developer, it is therefore proposed that the development proposal plans not be consider in this assessment as final "site development plans" as requested. That the rezoning of Erf 14601, Stellenbosch from Industrial Zone to Subdivisional Area allowing for the three (3) Mixed-Use Zone properties consisting of 3 to 5 storey blocks of flats, commercial/office uses and private road purposes and one (1) Public Road and Parking Zone be recommended for approved, subject to a specific condition around agreements to be reach between the developer and municipality around inclusionary housing options and final approval of Site Developments Plans (SDP's) that address any final urban design proposals from the discussions.

Section 113 of the Zoning Scheme Bylaw (2019) makes provision for the municipality to request a site development plan for any new development, which shall be approved prior to a building plan

submission and shall include a parking layout and landscape plan. We are therefore of the opinion that the SDP's may still be submitted, considered and approved before final building plans are considered.

Basis for imposing proposed condition of approval relating to the implementation of inclusionary housing in the subject development;

Rezoning is an action or process of assigning land or property to a different category of restrictions on use and development rights. In these instances, from Industrial to Mixed-use (business). Rezoning is therefore not an inherit right and there is no way to rezone a property without careful consideration all public participation process, relevant legislation, policies provisions and imposing reasonable conditions, as has been done in this regard. The need for the rezoning of this properties arise considering that the property rights have changed around this property (Industrial to business) and subsequently the market demands have change.

The Constitution:

- The right to housing is enshrined in section 26 of the Country's Constitution, which states that:
 - Everyone has a right to have access to adequate housing.
 - The state must take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right.
- The powers granted to municipalities under the said Constitution to regulate municipal planning provide sufficient authority to impose an inclusionary housing requirement.

Spatial Planning and Land Use Management (SPLUMA)

- SPLUMA's provides the framework under which municipalities may regulate land use, and by implication, implement inclusionary housing. One of the objectives of SPLUMA as stipulated in Section 3 of the act are to ensure that the system of spatial planning and land use management promotes social and economic inclusion.

Western Cape Land Use Planning Act (LUPA)

- LUPA stipulates in section 40(2) that when a municipality approve a land use application, that they may impose conditions relating to (d) settlement restructuring. The inclusion of inclusionary housing proposals in new intended developments, is a mild form of settlement restructuring to provide affordable housing options in developments in or close to the towns

Central Business District. Inclusionary housing is therefore not directly referenced in LUPA, but provide principles that can promote the concept of inclusionary housing.

Stellenbosch Municipal Land Use Planning By-law

- In Section 66(2)(d) of the said by-law, it is reiterated that the municipality may impose conditions of approval relating to *(d) settlement restructuring* as explained above.

The principle objective and vision of the Adam Tas Corridor as per the MSDF is to restructure the thinking around spatial integration, broadening affordable opportunities for a range of stakeholders in developments, to create people orientated developments and walkable environments, etc. with the main intend to establish inclusive communities, without compromising the viability of any development.

The proposal for a high density mixed-uses development is therefore conformant with the prescriptions for the Adam Tas Corridor in terms of the MSDF, with only one shortcoming relating to its inclusivity, which could be address with negotiations between the municipality and the developer.

From the above it's the department opinion that this municipality has the legal responsibility to manage its zoning scheme, other bylaws and land use rights to be obtained by it, in a way that promotes social inclusion and spatial justice. This is however not a shift in the constitutional responsibility of this municipality, being transferred onto the developer, but rather the introduction of an innovative way to mitigate against an unhealthy pattern of exclusionary developments that keeps or pushes working-class people out of well-located economic nodes in Stellenbosch Town specifically, to achieve spatial justice. Both developer and municipality have a responsibility to achieve these goals and hence the proposal to recommend the development rights, but that the final detail of the contributions to inclusionary housing options and Site Development Plans be discussed and negotiated between the developer and the municipality.

A common misconception is that inclusionary housing is a municipal housing delivery tool. It is actually intended as a planning and land use mechanism, municipalities can implement to oblige private developers to provide affordable housing at below market rates in new residential or mixed-use developments. This is a different approach to the state-assisted housing programmes, whereas inclusionary housing units is provided in private developments, without the private sector taking over the obligation of the municipality or government.

Notwithstanding the legal opinion express in the applicant's comments on the comments by the Municipal Spatial Planning Section and the Department of Environmental Affairs and Development Planning, this department is still of the opinion that it would still be reasonable for the municipal decision-maker to impose a condition of approval to create a platform for negotiating the finer details of the principle on which inclusionary housing must be implemented in this development.

Intended condition of approval should the application be deemed desirable by the decision maker, without the approval of a site development plan, which needs to be submitted for consideration and approval prior to building plan submission.

The main intend of such a condition will be to create a platform for the developer and the municipality to reach an agreement around inclusionary housing options, its beneficiation and measures to ensure that such affordable inclusionary housing options are not lost in the free market after a while.

It would therefore be proposed that the following wording be considered for inclusion;

- **The developer and the municipality, represented by the Director: Planning and Economic Development or his delegated official, enter into an agreement on the satisfactorily provision of inclusionary housing within 12 months from final notification of the approval and prior to the submission of building plans, which agreement must inter alia, but not necessarily limited thereto, address the following matters:**
 - **the percentage and form of affordable/inclusionary housing options;**
 - **the designated income group;**
 - **the measures to ensure that the designated inclusionary housing units be retained for the designated income groups;**
 - **the measures to ensure that affordability be retained over the long term to prevent the units from being traded on the open market.**

Consent use for a permission to permit flats on the ground floor.

Application is made in terms of Section 15(2)(g) of Land Use Planning By-law for a permission to permit in terms Section 106 of the Zoning Scheme By-law flats on the ground floor of all residential building blocks in the mixed-use zone.

The intend of the Adam Tas Corridor is to create mixed use and high-density developments, with a predominantly vertical land use mix that includes both business and residential use in one building block, with active ground floors and positive street edges. The conversion of the ground floor business use to predominantly residential will defeat the intend of the Adam Tas Corridor to create multifunctional, active and vibrant street typologies. The current application is subsequently recommended for refusal.

Should, through negotiations between the municipality and the developer of site development plan approval, considerations is given to partially convert some the ground floor storeys from business to residential, it could be dealt with in the submission of the site development plan approval process, prior to the building plan submission process.

Site Development Plans (SDP):

A site development plan is described as a plan which illustrates the overall proposed development sufficiently to allow the Municipality to enable a decision to be made when it accompanies an application, and to assist with the approval of a building plan, and the plan may serve as the development parameters of an approved consent use or additional use. These plans are therefore best considered and approved after all land uses, parameters, layout plans, etc. is finalized after all relevant discussions and negotiations was concluded. The SDP will therefore be used as the tool to implement final approval for the development application.

The development proposal plans, landscaping plans, development names do not therefore present an application requiring approval in terms of Section 15 of the Stellenbosch Municipal Land Use Planning Bylaw (2015).

It could be finalised should the development concept be approved and the finer details for a "Site Development Plan" as contemplated in terms of Section 16 of the Stellenbosch Municipal Zoning Scheme Bylaw (2019) is approved, after discussions between the relevant municipal departments and the developer. The "Site Development Plan" must therefore be submitted for approval prior to building plan submission, as required in terms of Section 113 of the Stellenbosch Municipal Zoning Scheme Bylaw (2019).

Departures applied for:

The building line departures to which no objection was received, could be recommended for approval as no neighbouring property will be negatively affected by it. Should after consideration of

the SDP the layout of the buildings and its location be altered and require a further building line departure, the finalization and approval of the SDP could still be used to finalise those departure applications as well.

PART E: SUMMARY OF KEY FINDINGS OF ASSESSMENT

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

- The development proposal for a high-density mixed-use development on Erf 14601, Stellenbosch, with all parking to be provided onsite, is not out of character in the context of the Adam Tas Corridor.
- Although municipal water services could only be assured once the Papegaaiberg reservoir is complete in 2024 (See Municipal Engineering comment), the completion timeframe will be within the standard municipal validity period of 5years after final notification and any approval.
- Provision is made for a link road to make provision for public access to link-up with future road infrastructure for the Adam Tas Corridor and subsequently providing better integrated movement systems.
- Current access difficulties over a single historical bridge (in Distillery Street) is in process of upgrading by the municipal engineering section to provide in the access needs of the entire Adam Tas Corridor.
- The density and heights of buildings will not detract from the aesthetic appearance of the development site and the area, consider the surrounding 4 to 5 storey buildings and the fact that the property is situated in the backdrop of the Papegaaiberg.
- Although the proposal does not promote and clearly defined functional integration of public places, spaces and public pedestrian access to the river system, it could all be addressed in Site Development Plans, to be submitted for approval after negotiations and discussions with the municipality.
- The alignment of the proposed public road will facilitate pedestrian and other access to the Stellenbosch Station and other public transport systems.
- By retaining the historical buildings, the development retains elements of the area which contributes to the history and place character, but could better contribute to the establishment of new public places, which can contribute to cultural development in the area. These detailed urban design principles must also be negotiated and discussed in the

engagements between the municipality and the developer, within the confines of the propose development bulk and zoning scheme restrictions.

- A condition of approval to put a platform in place for negotiations between the municipality and the developer, providing the developer some flexibility in terms of managing intended inclusionary housing units, do not seems unreasonable in the context of this development. The developer already amended the initial site development plans to increase the one-bedroom units (which they define as affordable options) from 12 to 44 units, which represents less than 20% of the development. Conformance to the general requirements and principles of inclusionary housing units must now be discussed and agree upon between the aforementioned stakeholders. The developer could be set the option to either retain the units and managed it as rental homes or sold, with a title deed condition restricting the resale to the intended designated "affordable housing" market households. Meaning those units can only be sold to those falling within the affordable housing bracket, identified in discussions.
- The applicant's contention that the rezoning of the property to Subdivisional Area and the approval of the subdivision, departures and consent use without the approval of the Site Development Plans is of no benefit to the applicant as the applicant is unable to act hereon, is incorrect. The purpose of a site development plan is to regulate additional matters that have not already been covered in any earlier conditions of approval or the applicable zoning scheme regulations/development parameters. Such matters would typically include the final positioning of buildings (including building footprints and parking), architectural details, the general layout and configuration of a site, street layout, conceptual landscaping, etc. within the confines of the approved zoning rights. The SDP in no way confers the right for the commencement of development, but only a tool to finalize the development rights for implementation before building plan submission.
- Development Proposal Plans, Landscaping plans, Development names does not represent an application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning Bylaw (2015) and could be incorporated in the Site Development Plan submitted for approval.
- The applications for the phasing of the development and the street naming and numbering cannot be considered, seeing that no proposals in that regard was submitted in the application documentation, although it has been applied for and advertised by the applicant.
- Considering the applicants response and contesting of certain conditions of the engineering department, it is recommended that the developer entered into a service-level agreement with the municipality, considering and containing the bulk of the information in the engineering comment and also affording them the opportunity to amend certain conditions

in their initial comment if they intend to amend it based on the additional information and final site development plans provided.

Considering the subject land uses, land development proposals, the provisions of the Land Use Planning By-law, other relevant policies, comments and response received and the above planning assessment, the application is not undesirable or inconsistent with relevant legislation, planning principles, available policies and guidelines, but require an agreement between the developer and the municipality around the implementation of affordable inclusionary housing options in the development and is subsequently partially recommended for approval.

PART F: RECOMMENDATION

1. That the following applications made in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 14601, Stellenbosch, namely:
 - 1.1. Rezoning in terms Section 15(2)(a) of Erf 14601, Stellenbosch from Industrial Zone to Subdivisional Area allowing for:
 - 1.1.1. Three (3) Mixed-Use Zone properties for business and flats, inclusive of roads:
 - (a) Portion 1 (±20493m²)
 - (b) Portion 2 (±1424m²)
 - (c) Portion 4 (±2362m²);
 - 1.1.2. One (1) Public Road and Parking Zone property for public road purposes (Portion 3).
 - 1.2. Subdivision in terms of Section 15(2)(d) of Erf 14601, Stellenbosch into 4 portions, as depicted in subdivisions plan dated February 2020, File Number FP/0220/977, drawn by First Plan Town Planners, namely:
 - 1.2.1. Portion 1 (±20493m² - Mixed-Use Zone),
 - 1.2.2. Portion 2 (±1424m² - Mixed-Use Zone),
 - 1.2.3. Portion 3 (±2626m² - for a 13.90m road reserve zoned Public Road and Parking Zone) and
 - 1.2.4. Portion 4 (±2362m² - Mixed-Use Zone).

- 1.3. Departures in terms of Section 15(2)(b) on Portion 1 (Mixed-Use Zone erf), as indicated on the plans described as "SDP boundaries plan" dated 07/07/2020 and drawn by Boogerman Partners attached as part of **APPENDIX 2**, to relax:
 - 1.3.1. the common building line (adjacent to Erf 7602) from 4.5m to 3.0m for Residential Block 4.
 - 1.3.2. the common building line (adjacent to Erf 7602) from 4.5m to 3.0m for Residential Block 3.
 - 1.3.3. the common building line (adjacent to the newly created Portion 2) from 4.5m to 2.5m for Residential Block 6.
 - 1.3.4. the common and street building line (adjacent to the newly created Portion 2 and Portion 3) from 4.5m to 0m to allow the ablution/changing room facility for the pool and volleyball court.
 - 1.3.5. the street building line (adjacent to the newly created Portion 3) from 4.5m to 1.5m to allow the Mill House.
 - 1.3.6. the street building line (adjacent to the newly created Portion 3) from 4.5m to 3.0m to allow for Residential Block 5.
- 1.4. Consent Use in terms of Section 15(2)(o) of Land Use Planning By-law to allow a Place of Entertainment (pub) in the existing storage facility located on Portion 4.

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

2. Conditions of approval:

- 2.1. The approval applies only to the rezoning, subdivision, departures and consent use in question (See **APPENDIX 2**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.
- 2.2. The developer and the municipality, represented by the Director: Planning and Economic Development or his delegated official, enter into an agreement on the satisfactory provision of inclusionary housing within 12 months from final notification of the approval and prior to the submission of building plans, which agreement must inter alia, but not necessarily limited thereto, address the following matters:
 - 2.2.1. the percentage and form of affordable housing options;

- 2.2.2. the designated income group;
 - 2.2.3. the measures to ensure that the designated inclusionary housing units be retained for the designated income groups
 - 2.2.4. the measures to ensure that affordability be retained over the long term to prevent the units from being traded on the open market.
- 2.3. A service agreement regarding the responsibilities for the provision of engineering services be entered into with the Municipality prior to the construction of any Engineering services or infrastructure in terms of Section 66(3) and Section 82(4) of the said Bylaw, which service agreement must include and comply with the conditions as imposed by the Directorate Infrastructure Services in their letter attached as **APPENDIX 9**.
- 2.4. Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.
- 2.5. A detailed site development plan as contemplated in terms of Section 16 of the Zoning Scheme Bylaw, 2019 be submitted for approval to the Municipality prior to the submission of any building plans, which site development plan must satisfactorily address, but are not necessarily limited to, all the conditions of this approval and the following specific matters to illustrate the conformity of the development to any prevailing principles of the Adam Tas Corridor development:
- 2.5.1. Development parameters conforming to the zoning scheme provisions and taking the principles of the Adam Tas Corridor into account,
 - 2.5.2. provide and promote strong internal and external public and NMT connections with the surrounding area,
 - 2.5.3. provide adequate social facilities for the daily retail needs of residents,
 - 2.5.4. reconsider the 13m road reserve to provide sufficient space for a dedicated NMT to ensure that public transport and NMT routes are addressed pro-actively;
 - 2.5.5. that public access along the Plankenburg River and links to the Papagaalberg Nature Reserve be revised to ensure public access to these amenities, possibly by ways of servitudes and the reconfiguration of the proposed residential buildings along the river edge to the satisfaction of the municipality.
- 2.6. No building plans be submitted prior to the site development plan approval.
- 2.7. The approval will lapse if not implemented within 5 years from date of final notification.
- 2.8. The revised Traffic Impact Assessment be submitted to the Western Cape Government: Transport and Public Works for their consideration, their recommendations be considered with

the finalization of the service-level agreement with the municipality, if need to, and all conditions be adhered to.

- 2.9. The submission of building plans for any future proposed alterations to the "Manor" House and the warehouse building to Heritage Western Cape for approval, prior to the submission of final building plans.
- 2.10. Archaeological monitoring of the subsurface excavations when demolition of the large warehouse occurs, to confirm the presence or footprint of the original mill remains.
- 2.11. The retention and display of the mill workings within the Mill House to the satisfaction of Heritage Western Cape.
- 2.12. Suitable indigenous vegetation be used for the implementation of a Landscaping Plan to be submitted for consideration and approval.
- 2.13. The developer contacts the Municipal Department: Community Services whilst the site is being prepared for construction and access to the river is imposed, to identify trees and biomass to be removed and implement such maintenance work prior to the implementation of the proposed development.

3. The reasons for the above decision are as follows:

- 3.1. The development proposal for a high-density mixed-use development on Erf 14601, Stellenbosch, with all parking to be provided onsite, is not out of character in the context of the identified Adam Tas Corridor initiative and are subsequently promoted by the principles of the Stellenbosch Municipal Spatial Development Framework.
- 3.2. Access to the property is obtained over existing public road infrastructure which are in process of being upgraded to standards that will provide safe access to the proposed development, while the proposed development also makes provision for new road infrastructure to improved road linkage, movement collector streets and accesses to the property and the Adam Tas Corridor.

4. That the application made in terms of Section 15(2)(g) of Land Use Planning By-law for a permission to permit in terms Section 106 of the Zoning Scheme By-law flats on the ground floor of all residential building blocks in the mixed-use zone, **BE REFUSED** in terms of Section 60 of the said Bylaw.

5. The reasons for the above decision are as follows:

- 5.1. The intend of the Adam Tas Corridor is to create mixed use and high-density developments, with a predominantly vertical land use mix that includes both business and residential use in one building block, with active ground floors and positive street edges. The conversion of the ground floor business use to predominantly residential will defeat the intend of the Adam Tas Corridor to create multifunctional, active and vibrant street typologies.

Additional matters to be noted

1. Development proposal plans, Landscaping plans, Development names does not represent application requiring an approval in terms of Section 15 of the Stellenbosch Municipal Land Use Planning Bylaw (2015) and could all be finalized with the submission of the Site Development Plans for considering an approval, prior to the building plan submission.
2. The applications for the phasing of the development and the street naming and numbering cannot be considered, seeing that no proposals in that regard was submitted in the application documentation, although it has been applied for and advertised. These submissions could also be made with the site development plans where it is required, in consultation with the municipality.
3. All the activities on site, during and thereafter, comply with the Western Cape Noise Control Regulations.

PART G: ANNEXURES

APPENDIX 1 -	Locality Plan
APPENDIX 2 -	Proposed Subdivisional, Zoning Plan and SDP
APPENDIX 3 -	Applicant's motivational report
APPENDIX 4 -	Portfolio of Evidence from applicant
APPENDIX 5 -	Heritage Western Cape consent letter
APPENDIX 6 -	Department of Environmental Affairs and Development Planning comment
APPENDIX 7 -	Department of Transport and Public Works objection letter.
APPENDIX 8 -	Spatial Planning Section
APPENDIX 9 -	Comments from Directorate: Infrastructure Services
APPENDIX 10 -	Department of Community Services (Environmental Planner)
APPENDIX 11 -	Site and area photo's

PART H: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT

APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE, DEPARTURES, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS: ERF 14601, STELLENBOSCH.

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

Category: A(d)3, B(2), D(c)(2), O(2)

Decision Making Authority: SMPT

Rational: Mainly rezoning to Sub-Divisional Area. Objections/Concerns from interested and affected party on the application.

Name: Pedro April

Capacity: Senior Town Planner

SACPLAN Registration:

Signature: 

Date: 27/10/2021

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

APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE, DEPARTURES, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND

ALLOCATION OF STREET NAMES AND NUMBERS:

ERF 14601, STELLENBOSCH.

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

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

Category: A(d)3, B(2), D(c)(2), O(2)

Decision Making Authority: SMPT

Rational: Mainly rezoning to Sub-Divisional Area. Objections/Concerns from interested and affected party on the application.

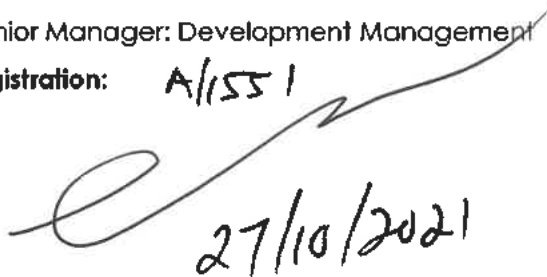
Name: Stiaan Carstens

Capacity: Senior Manager: Development Management

SACPLAN Registration: A/1551

Signature:

Date:


27/10/2021

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

**APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE, DEPARTURES, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS:
ERF 14601, STELLENBOSCH.**

Administrator to Stellenbosch Municipal Planning Tribunal:

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

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

Date: 19 NOVEMBER 2021

Name: LENALIA KAMINETA

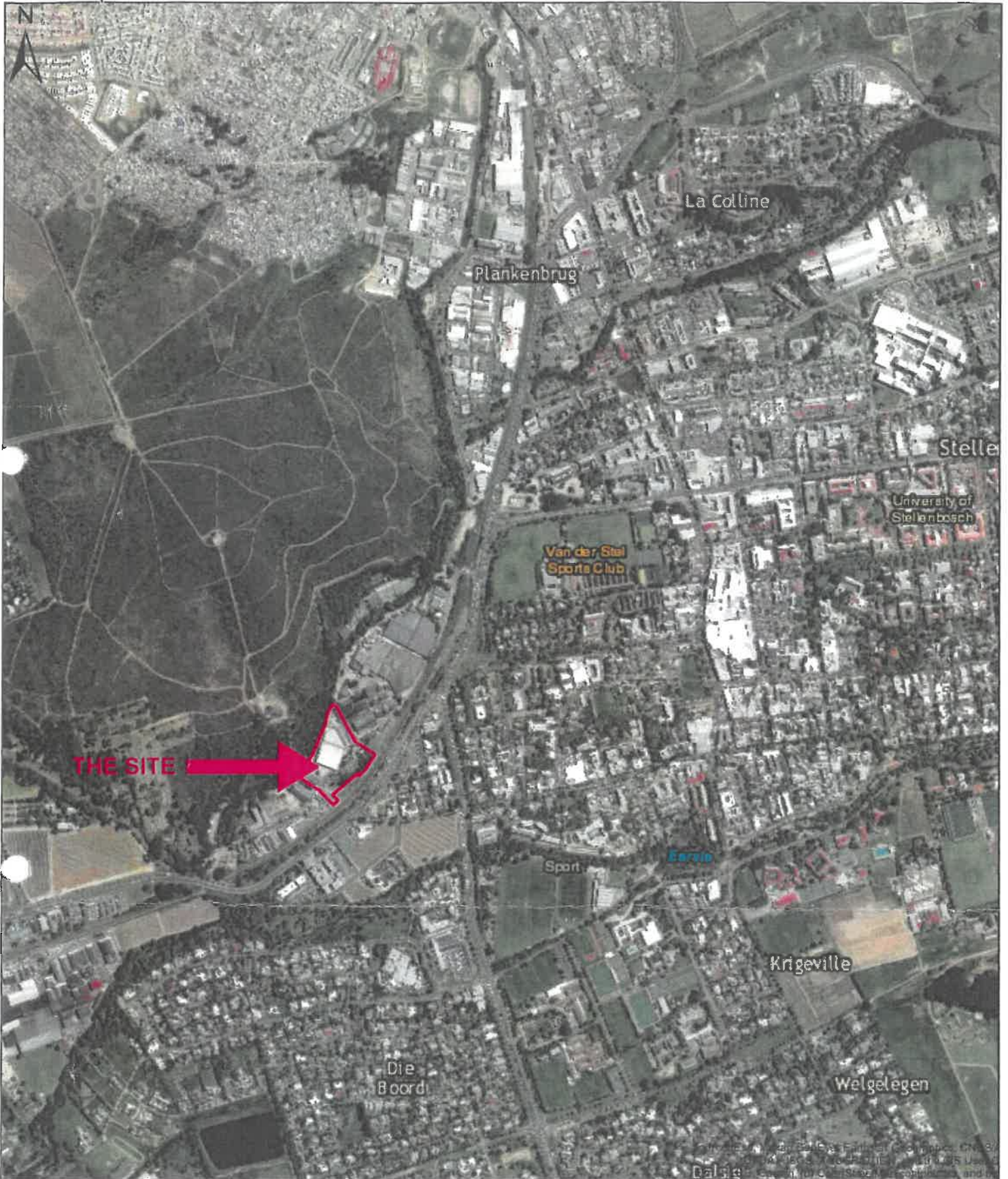
Capacity: SENIOR ADMINISTRATIVE OFFICER

Signature: KAMINETA

Date: 29.10.2021

APPENDIX 1

Locality Plan



LOCALITY PLAN

Erf 14601 Stellenbosch

DATE	June 2020	FILE	FP/0220/977
CLIENT	Catwalk Investments 385m (Pty)Ltd.	ANNEX	-



NOT TO SCALE

FIRST PLAN
 TOWN AND REGIONAL PLANNERS
 8 Essenhart Crescent, Plattekloof, 7500
 PO Box 15865, Panorama, 7505
 Email: gjdeon@firstplan.co.za
 Tel: 021 930 7183 Fax: 021 930 7210



APPENDIX 2

Proposed Subdivisional, Zoning Plan and SDP



TECHNICAL INFORMATION

COLOURS	LAND USE	PORTION	AREA	%
Mixed Use Zone	Plots & Community Facilities	1	52,0493ha	76
Mixed Use Zone	Commercial & Offices	2 & 4	50,2786ha	14
Public Road Zone	Public Road	3	58,2820ha	10
TOTAL			52,8805ha	100

NOTES

Final areas subject to a site survey and/or certification by a registered Land Surveyor

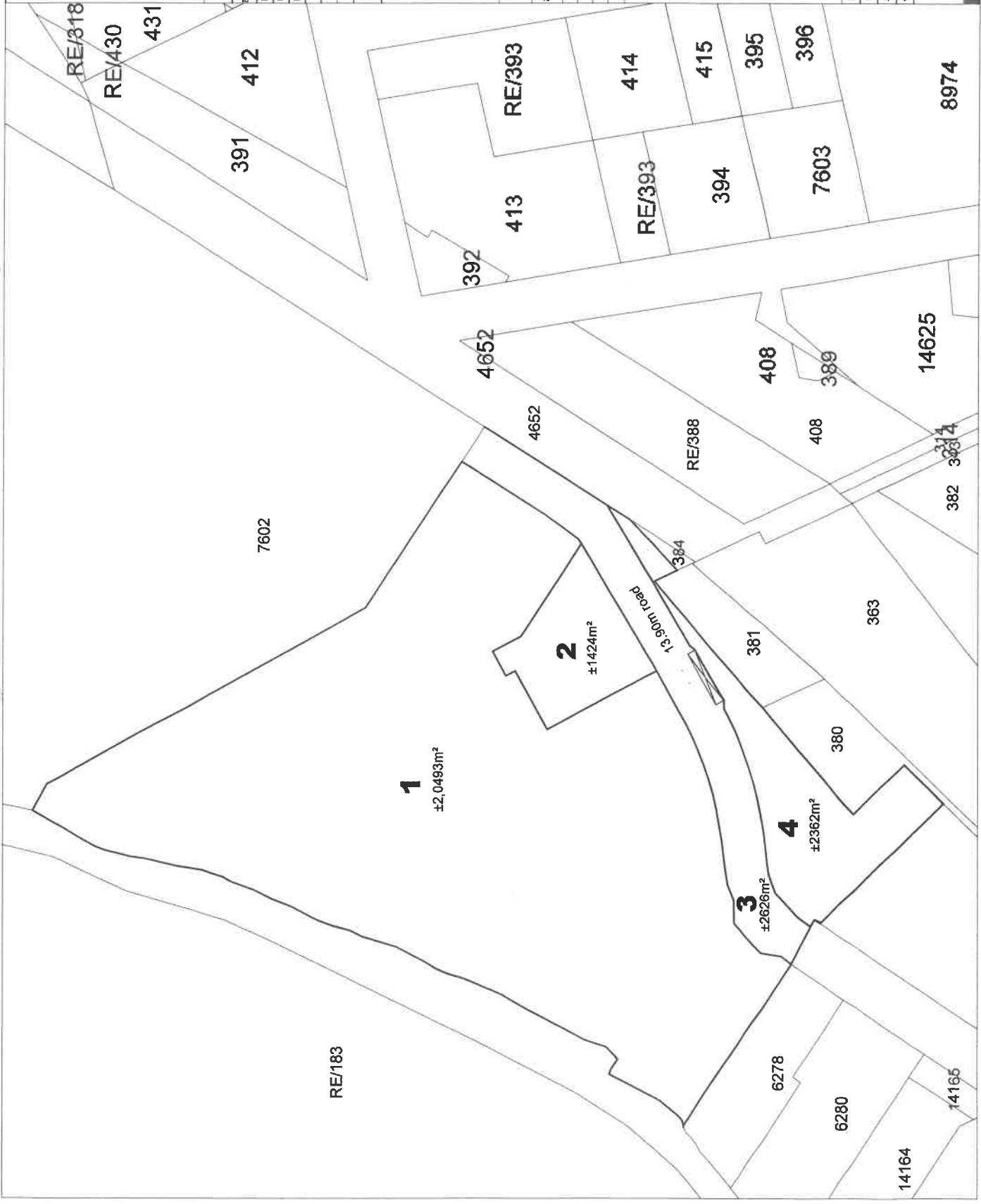
AMENDMENTS

REV.	DESCRIPTION	DATE
1	Amend Portions 2, 3, and 4	22/04/2021
2	Add bus Embayment to Portion 3	14/03/2021
3		
4		

PROPOSED SUBDIVISION PLAN ERF 14601 STELLENBOSCH

Situate in the Local Area of Stellenbosch Administrative District of the Cape Province of the Western Cape

Date	February 2020
Scale	1:1250 A3
File Number	FF0226/977
Client	Calveik Investments 38556 (Pty) Ltd



GENERAL

REVISIONS table with columns for No., Description, and Date.

LOCALITY MAP



DEVELOPMENT DEDICATED DOCUMENT PRIORITIES (SUMMARY)

Table with 4 columns: Item No., Description, Priority, and Status. Includes items like 'SITE AREA', 'BUILDING AREA', 'TOTAL PROGRAM', etc.

DEVELOPMENT DEDICATED DOCUMENT (SUMMARY)

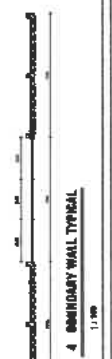
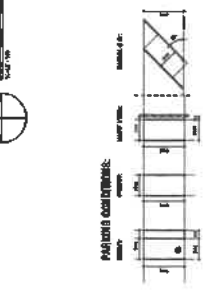
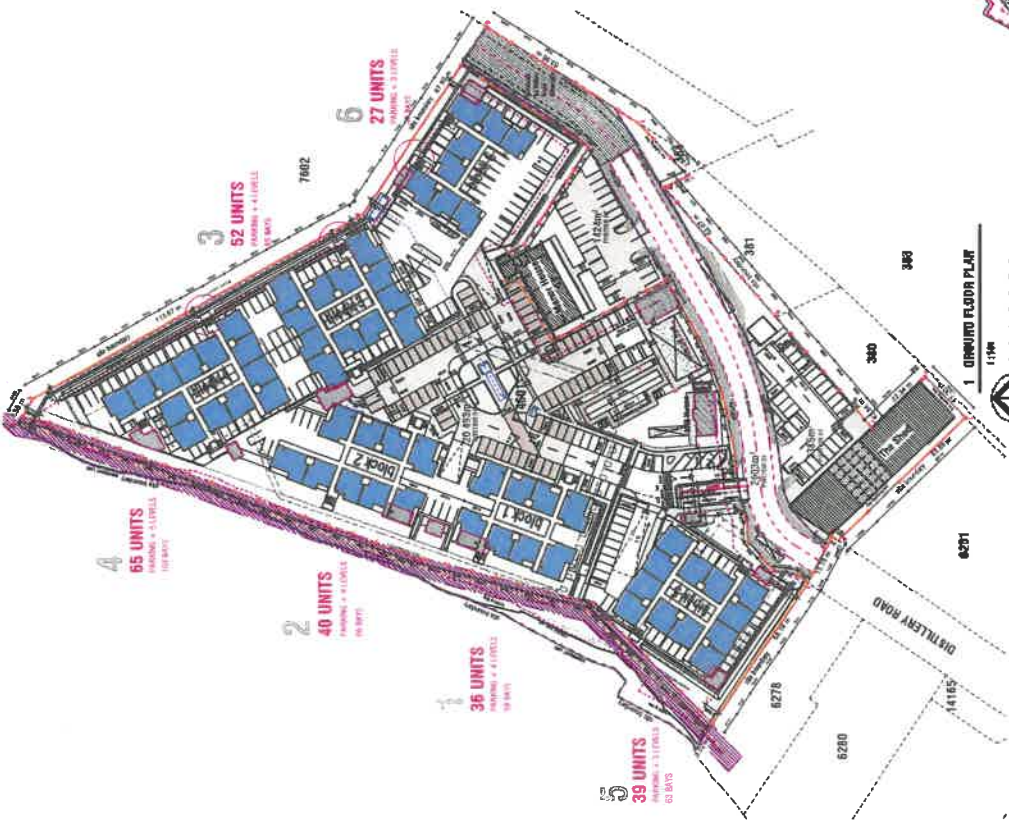
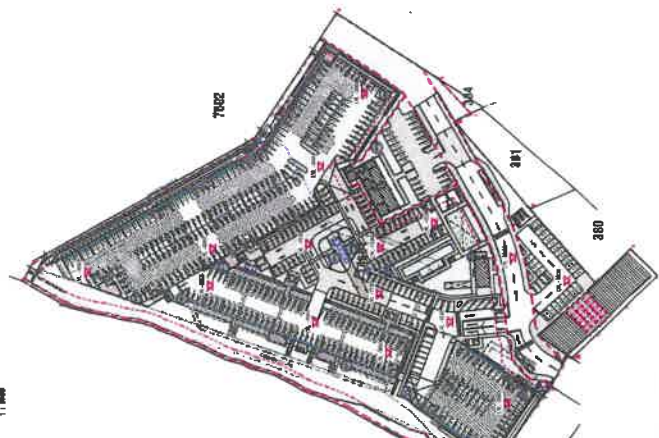
Table with 4 columns: Item No., Description, Priority, and Status. Includes items like 'SITE AREA', 'TOTAL PROGRAM', 'TOTAL SITE COVERAGE', etc.

CLIENT

Partners logo and name.

PROJECT

STELLENBOSCH
1100
1100



GENERAL

1. All work shall be done in accordance with the approved building plans.

2. The contractor shall be responsible for the layout of the works on the site.

3. The contractor shall ensure that the works are completed within the stipulated time frame.

4. The contractor shall ensure that the works are completed in accordance with the approved building plans.

5. The contractor shall ensure that the works are completed in accordance with the approved building plans.

6. The contractor shall ensure that the works are completed in accordance with the approved building plans.

7. The contractor shall ensure that the works are completed in accordance with the approved building plans.

8. The contractor shall ensure that the works are completed in accordance with the approved building plans.

9. The contractor shall ensure that the works are completed in accordance with the approved building plans.

10. The contractor shall ensure that the works are completed in accordance with the approved building plans.

NO	DATE	BY	REVISIONS

CLIENT

BooqerPartners

THE HILL

1501 THE HILL

1501 THE HILL

1501 THE HILL

1501 THE HILL

1501 THE HILL

1501 THE HILL

1501 THE HILL

1501 THE HILL

1501 THE HILL

PROJECT

STELLENBOSCH

SIP - SUBDIVISION + NEW SEWER LINE

07/07/2020

SCALE: AS SHOWN @ A1

PROJECT NO 0884

DATE 07/07/2020

DESIGNED BY A

DRAWN BY A

CHECKED BY A

DATE 07/07/2020

TITLE

SIP - SUBDIVISION + NEW SEWER LINE

07/07/2020

SCALE: AS SHOWN @ A1

PROJECT NO 0884

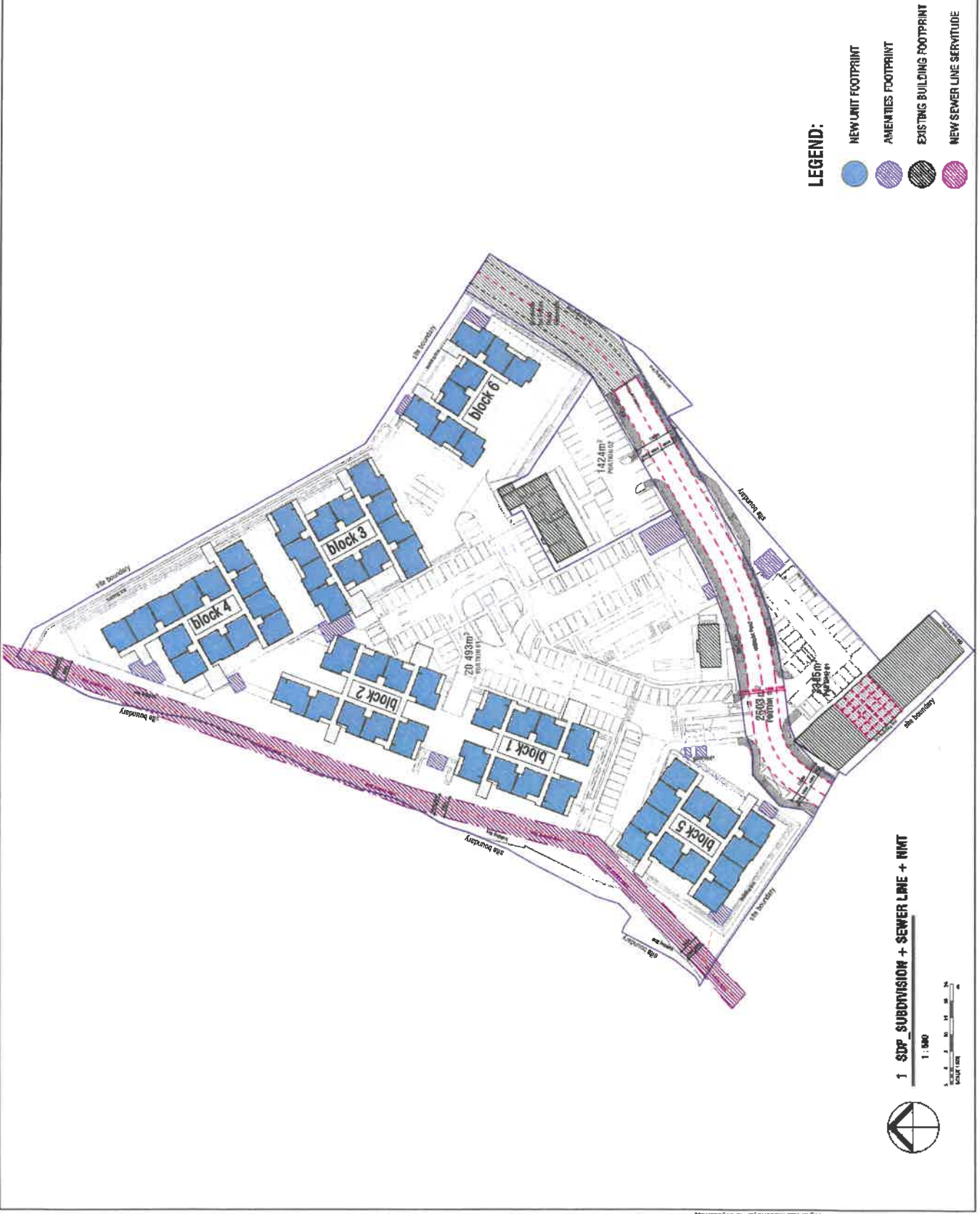
DATE 07/07/2020

DESIGNED BY A

DRAWN BY A

CHECKED BY A

DATE 07/07/2020



LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVITUDE

1 SIP - SUBDIVISION + NEW SEWER LINE + NMT

1:500

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500

GENERAL

1. The work shown on this drawing is the property of the Client and shall remain confidential. It is not to be used for any other project without the written consent of the Client.

2. The Client is responsible for obtaining all necessary permits and approvals from the relevant authorities. The Consultant is not responsible for any delays or costs incurred by the Client in this regard.

3. The Consultant is not liable for any errors or omissions on this drawing. It is the Client's responsibility to verify the accuracy of the information provided.

4. This drawing is provided for informational purposes only. It does not constitute a contract. The contract is the agreement between the Client and the Consultant.

5. The Consultant is not responsible for any damage to or destruction of property, whether on or off the site, caused by the Client's actions or inactions.

6. The Consultant is not responsible for any injury to persons or property, whether on or off the site, caused by the Client's actions or inactions.

7. The Consultant is not responsible for any loss of income or profits, whether on or off the site, caused by the Client's actions or inactions.

8. The Consultant is not responsible for any legal proceedings, whether on or off the site, caused by the Client's actions or inactions.

9. The Consultant is not responsible for any other damages, whether on or off the site, caused by the Client's actions or inactions.

10. The Client shall indemnify and hold the Consultant harmless from and against all claims, damages, losses, costs and expenses, including reasonable attorneys' fees, incurred by the Consultant as a result of the Client's actions or inactions.

11. The Client shall indemnify and hold the Consultant harmless from and against all claims, damages, losses, costs and expenses, including reasonable attorneys' fees, incurred by the Consultant as a result of the Client's failure to obtain necessary permits and approvals from the relevant authorities.

12. The Client shall indemnify and hold the Consultant harmless from and against all claims, damages, losses, costs and expenses, including reasonable attorneys' fees, incurred by the Consultant as a result of the Client's failure to provide accurate information to the Consultant.

REV.	DATE	DESCRIPTION

CLIENT

Booertman Partners

PROJECT

THE MILL

GATWALK INVESTMENTS 385 (PTY) LTD

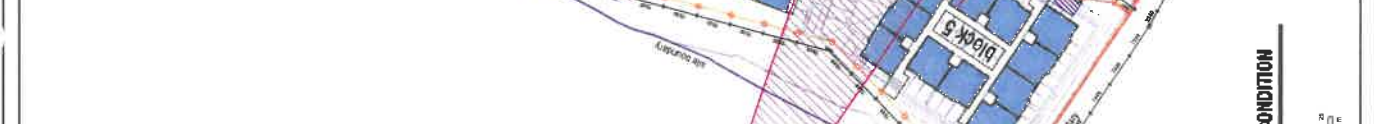
SRIF 140091

STELLENBOSCH

TITLE

SDP_FENCE
07/07/2020

DRAWN BY: AJR
CHECKED BY: [blank]
DATE: 07/07/2020



PERIMETER WALL/FENCE LEGEND

PERMEABLE FENCE (orange line with circles)

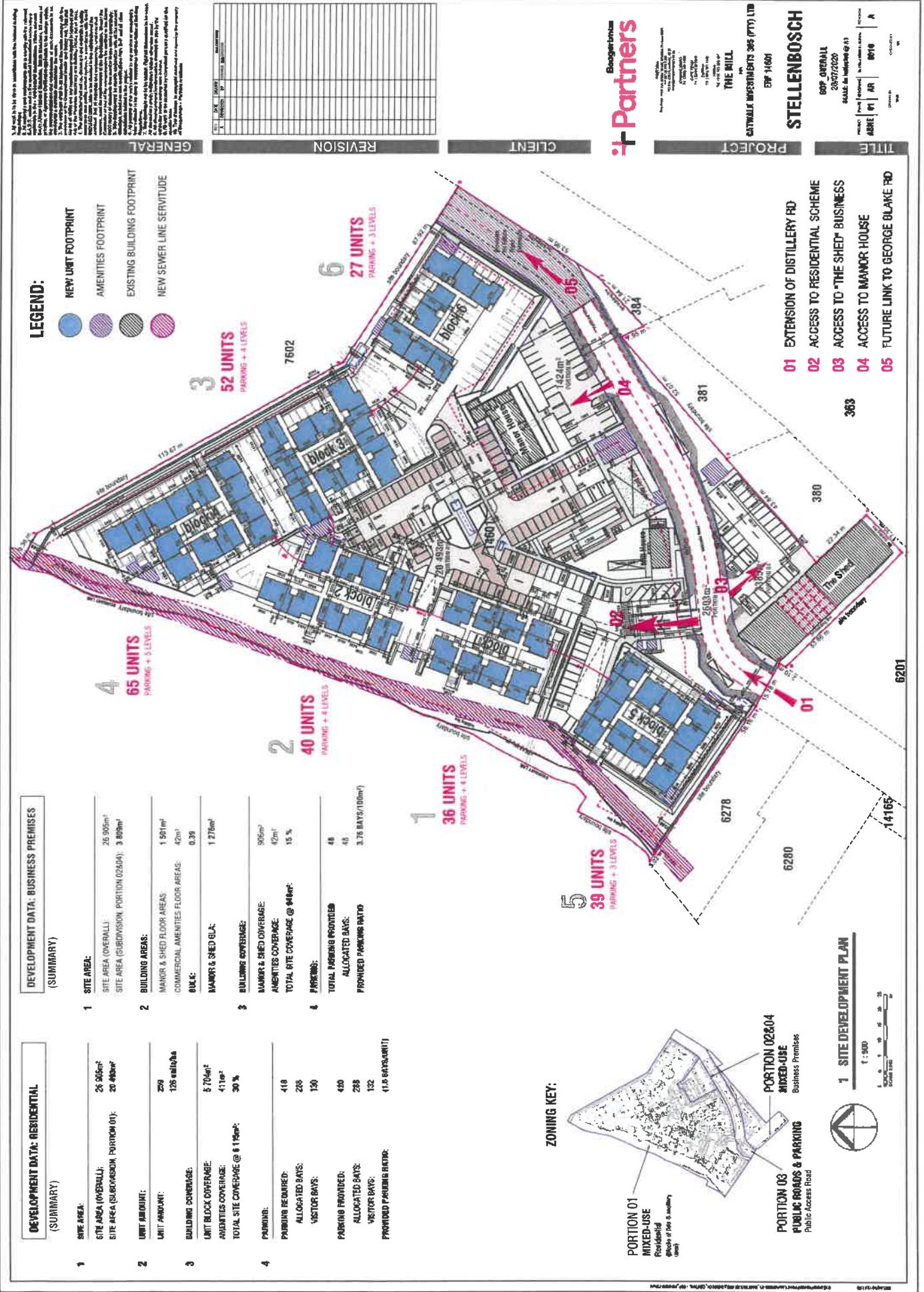
SOLID WALL (orange line)

FETTERED PERMEABLE PANEL (orange line with circles and a cross)

NOTE: FENCING ON STREET FACING BOUNDARIES TO BE 60% SOLID AND 40% PERMEABLE

LEGEND:

- NEW UNIT FOOTPRINT (blue filled circle)
- AMENITIES FOOTPRINT (purple filled circle)
- EXISTING BUILDING FOOTPRINT (hatched circle)
- NEW SEWER LINE SERVITUDE (pink filled circle)



GENERAL

1. All work to be done in accordance with the National Building Code of Canada (NBC) and the Ontario Building Code (OBC).
2. All work to be done in accordance with the Ontario Fire Code.
3. All work to be done in accordance with the Ontario Land Use Act and the Ontario Planning Act.
4. All work to be done in accordance with the Ontario Environmental Protection Act and the Ontario Environmental Protection Regulations.
5. All work to be done in accordance with the Ontario Occupational Health and Safety Act and the Ontario Occupational Health and Safety Regulations.
6. All work to be done in accordance with the Ontario Access to Information Act and the Ontario Access to Information Regulations.
7. All work to be done in accordance with the Ontario Freedom of Information Act and the Ontario Freedom of Information Regulations.
8. All work to be done in accordance with the Ontario Public Access to Information Act and the Ontario Public Access to Information Regulations.
9. All work to be done in accordance with the Ontario Freedom of Information Act and the Ontario Freedom of Information Regulations.
10. All work to be done in accordance with the Ontario Public Access to Information Act and the Ontario Public Access to Information Regulations.

REV	DATE	BY	DESCRIPTION

CLIENT

Boortman Partners

PROJECT

333 WALKWAY SOUTH (PVT) LTD
 689 14601
STELLENBOSCH

TITLE

SDP RESIDENTIAL
 28/07/2020
 SCALE IS INDICATED ON ALL
 AR01 | AR | 001 | A



LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVITUDE

ZONING KEY:

- PORTION 01 MIXED-USE Residential:** District of Use & Density (Residential)
- PORTION 02&04 MIXED-USE Business Premises:**
- PORTION 03 PUBLIC ROADS & PARKING:** Public Access Road

BUILDING LINE DEPARTURES:

01	-2m to face of 4.5m	07.1	-1.5m to face of 4.5m
02	-3m to face of 4.5m	07.2	-1.5m to face of 4.5m
03	-3m to face of 4.5m	08	-1.5m to face of 4.5m
04	-3m to face of 4.5m	09	-30m to face of 4.5m
05	-2.2m to face of 4.5m	10	-4m to face of 4.5m
06	-2m to face of 4.5m		

1 SDP RESIDENTIAL
 1:500
 SCALE 1:500

DEVELOPMENT DATA:

Block	Structure Component	Area (sqm)	Height (m)	Volume (cu m)	Units	Notes
1	2, 2, 2	11,700	4.5	49,050	18	
2	4, 4, 4	11,700	4.5	49,050	18	
3	4, 4, 4	11,700	4.5	49,050	18	
4	4, 4, 4	11,700	4.5	49,050	18	
5	4, 4, 4	11,700	4.5	49,050	18	
6	4, 4, 4	11,700	4.5	49,050	18	
7	4, 4, 4	11,700	4.5	49,050	18	
TOTAL:		70,200	4.5	313,650	126	420 bays provided

DEVELOPMENT DATA: ZONING TABLE

STREET BOUNDARY BUILDING LINES (ft)	COMMON BOUNDARY BUILDING LINES (ft)	COVERAGE:	HEIGHT:
4.5m	4.5m	55%	6 storeys
Proposed	Proposed	30% @ 6115sqm	4 - 8 storeys

PERIMETER WALL/FENCE LEGEND:

- PERMANENT FENCE
- SOIL WALL
- FOOT AND REMEDIABLE WALL

NOTE: FENCING ON STREET FACING BOUNDARIES TO BE 50% SOLID AND 50% PERMEABLE

3 BOUNDARY WALL TYPICAL
 1:100

DEVELOPMENT DATA: RESIDENTIAL (SUMMARY)

1 SITE AREA:	25 803sqm
SITE AREA (OVERALL):	25 803sqm
SITE AREA (SUBDIVISION, PORTION 01):	20 462sqm
2 SUIT AMOUNT:	259
UNIT AMOUNT:	126 UNITS
3 BUILDING COVERAGE:	5 724sqm
UNIT BLOCK COVERAGE:	411sqm
AMENITIES COVERAGE:	30 %
TOTAL SITE COVERAGE @ 0.115sqm/ft:	6 115sqm
4 PARKING:	616
PARKING REQUIRED:	288
ALLOCATED BAYS:	130
VISITOR BAYS:	420
PARKING PROVIDED:	288
ALLOCATED BAYS:	132
VISITOR BAYS:	156 (I.E. BAY:4UNIT)



3 BOUNDARY WALL TYPICAL
 1:100

BUSINESS PREMISES PARKING REQUIREMENTS

BUSINESS PREMISES COMPONENT:	Area:	Level / Where? (sqm)	Number of Parking Bays Provided:
BUSINESS PREMISES COMPONENT:	MARCH MARKET:	572m ²	4
	NEW THEATRE:	846m ²	4
	TOTAL:	1 279m²	8

BUSINESS PREMISES COMPONENT:	Area:	Level / Where? (sqm)	Number of Parking Bays Provided:
BUSINESS PREMISES COMPONENT:	MARCH MARKET:	572m ²	24
	NEW THEATRE:	846m ²	27
	TOTAL:	1 279m²	51

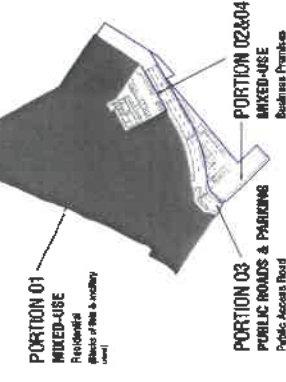
DEVELOPMENT DATA - ZONING TABLE

STREET BOUNDARY BUILDINGS CLASS (D):	Zoning Sub-area:	Proposed:	Zoning Sub-area:	Proposed:	COVERAGE:	HEIGHT:
On	On	On	On	On	65%	15% @ 3M ²
						6 stories

DEVELOPMENT DATA: BUSINESS PREMISES (SUMMARY)

- 1 SITE AREA:**
 - SITE AREA (OVERALL): 25 905m²
 - SITE AREA (SUBDIVISION PORTION 02&04): 3 809m²
- 2 BUILDING AREAS:**
 - MARCH & SHED FLOOR AREAS: 1 807m²
 - COMMERCIAL AMENITIES FLOOR AREAS: 42m²
 - MILL: 839
 - MARCH & SHED GLA: 1 279m²
- 3 BUILDING COVERAGE:**
 - MARCH & SHED COVERAGE: 918m²
 - AMENITIES COVERAGE: 42m²
 - TOTAL SITE COVERAGE @ 44m²: 15%
- 4 PARKING:**
 - TOTAL PARKING PROVIDED: 45
 - ALLOCATED BAYS: 48
 - PROPOSED PARKING RATIO: 3.78 BAYS/100m²

ZONING KEY:



LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVITUDE

NOTE ON BUSINESS PREMISES 'GLA':

BUSINESS PREMISES GLA CALCULATED AS 85% OF BUSINESS PREMISES GBA (BOLLU), AS PER STELLENBOSCH DC POLICY 2020/2021, SECTION 14.4

4 BOUNDARY WALL TYPICAL

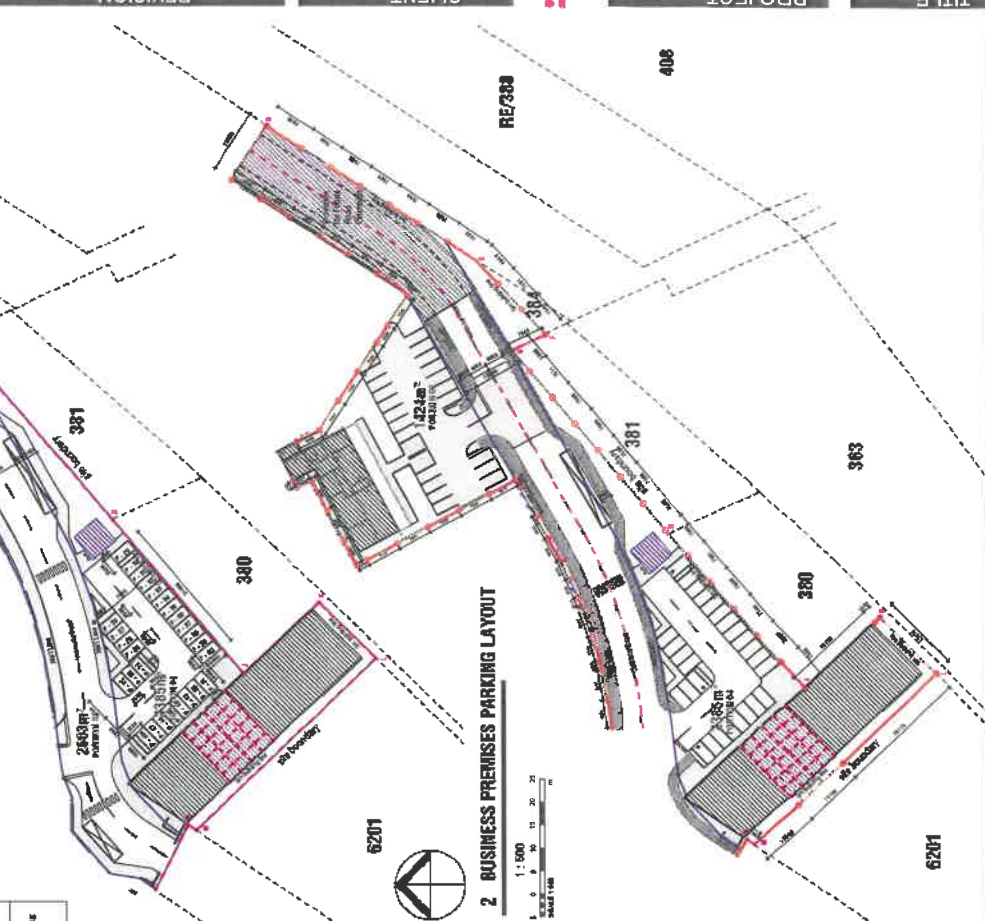


PERIMETER WALL FENCING LEGEND

- REMOVABLE FENCE
- SOLID WALL
- PERMEABLE PANELS

NOTE: FENCING ON STREET FACING BOUNDARIES TO BE 50% SOLID AND 50% PERMEABLE

2 BUSINESS PREMISES PARKING LAYOUT



NO	DATE	BY	REVISION

Booysmans Partners

PROJECT
 NATWALK INVESTMENTS 286 (PTY) LTD
 BP 14801
STELLENBOSCH

CLIENT
 BOOYSMANS PARTNERS
 28/07/2020
 DRAWN: [initials] DATE: 0012 A

GENERAL

1. The design is to be submitted to the Department of Environmental Planning for approval.

2. This design is for the proposed development, which is shown on the site plan.

3. The design is based on the information provided in the title block, and the applicant is responsible for ensuring that all relevant laws and regulations are followed.

4. The design is based on the information provided in the title block, and the applicant is responsible for ensuring that all relevant laws and regulations are followed.

5. The design is based on the information provided in the title block, and the applicant is responsible for ensuring that all relevant laws and regulations are followed.

6. The design is based on the information provided in the title block, and the applicant is responsible for ensuring that all relevant laws and regulations are followed.

7. The design is based on the information provided in the title block, and the applicant is responsible for ensuring that all relevant laws and regulations are followed.

8. The design is based on the information provided in the title block, and the applicant is responsible for ensuring that all relevant laws and regulations are followed.

REVISION

NO.	DATE	DESCRIPTION



CLIENT

Boogetman Partners

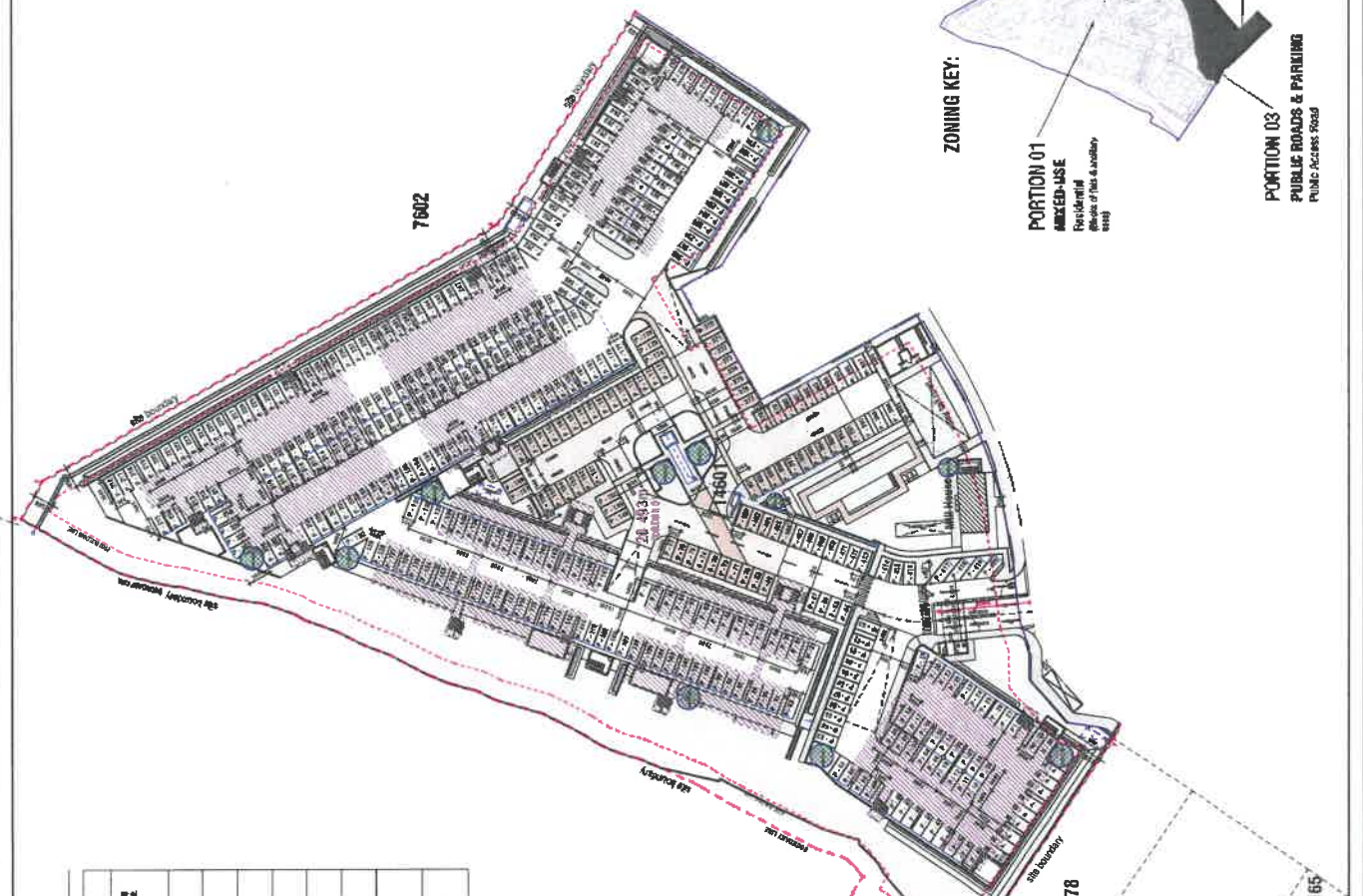
PROJECT

CATWALK IMPROVEMENTS 285 (PTY) LTD
THE MILL
DR# 14601

TITLE

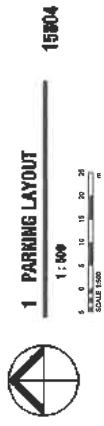
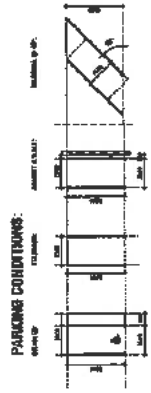
SDP - PARKING
285/17/2/20
SCALE: AS SHOWN ON ST
DATE: 01/AR/2019

STELLENBOSCH



RESIDENTIAL PARKING REQUIREMENTS

UNIT TYPE & DESCRIPTION	Number of Units	Rooms per Unit	Bedroom per Unit	PFR per Unit / Unit Occupancy	Parking Space Required (ASBP)	Number of Parking Spaces Provided	Balance of Parking Spaces
UNIT TYPE A: BEDROOM	2	75	1	0.5	75 + 26	75	36
UNIT TYPE B: COMBED 2 BEDROOM	2	24	1	0.5	24 + 12	24	12
UNIT TYPE C: SMALL BEDROOM	3	77	1.25	0.5	95 + 39	96	40
UNIT TYPE D: LARGES BEDROOM	3	39	1.25	0.5	49 + 20	48	21
UNIT TYPE E: BEDROOM	1	23	1	0.5	23 + 12	23	12
UNIT TYPE F: STUDIO UNIT	1	21	1	0.5	21 + 11	21	11
TOTAL:		259			238 + 138	264	426 bays provided
					418 bays required		



285/17/2/20 - SDP - PARKING - 285 (PTY) LTD - THE MILL - DR# 14601 - 2019/01/AR - SCALE: AS SHOWN ON ST

I warrant that the information contained in this plan is true and correct to the best of my knowledge and belief, and that I am a duly qualified and licensed professional person in the field of architecture, engineering, or surveying, and that I am duly registered and licensed to practice in the State of California. I warrant that I am not providing this plan as a basis for any other professional service, and that I am not providing this plan as a basis for any other professional service, and that I am not providing this plan as a basis for any other professional service.

NO.	DATE	DESCRIPTION
1	2020-07-28	ISSUED FOR PERMITTING
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

GENERAL

REVISION

CLIENT



**Boogartman
Partners**
ARCHITECTS
1100 17th Street, Suite 1000
San Francisco, CA 94103
Tel: (415) 774-2200
Fax: (415) 774-2201
www.boogartman.com

THE MILL
CATWALK INVESTMENTS 366 PTD LTD
CIP 14601
STELLENBOSCH

SOP PHASING
28/07/2020
SCALE: 1:500 @ A1
NAME: OP | AR | ODTB | A
PROJECT NO: 15804



1 PHASING PLAN
1:500
SCALE BAR
15804

1 NORTH WEST SITE ELEVATION 01
1:200

2 NORTH EAST SITE ELEVATION 02
1:200

CLIENT

REVISIONS

CLIENT

KEY PLAN

CLIENT

PRODUCT

TITLE

REVISIONS

CLIENT

KEY PLAN

CLIENT

PRODUCT

TITLE

STELLENBOSCH

GENERAL BUILDINGS

ARCHITECT: [Name]

DATE: [Date]

PROJECT NO: [Number]

SHEET NO: [Number]

REVISIONS

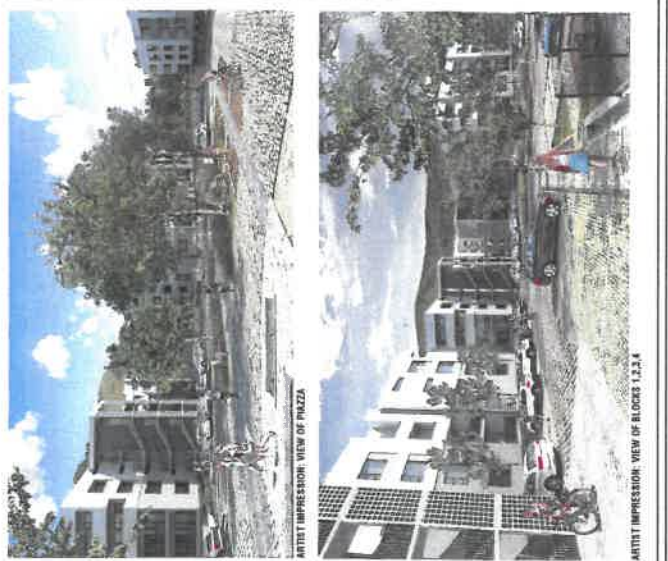
CLIENT

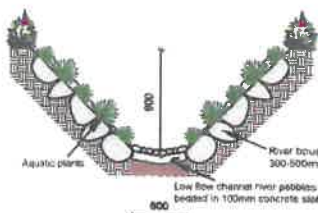
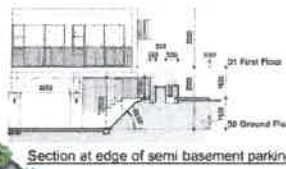
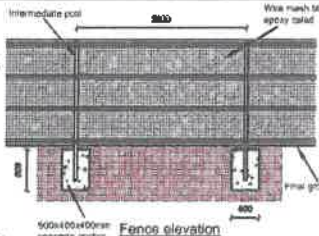
KEY PLAN

CLIENT

PRODUCT

TITLE





- Plant Material - Proposed planting**
- A3 Trees**
- 1.11 *Alnus incana*
 - 1.12 *Alnus matricaria*
 - 1.13 *Alnus matricaria*
 - 1.14 *Alnus matricaria*
 - 1.15 *Alnus matricaria*
 - 1.16 *Alnus matricaria*
 - 1.17 *Alnus matricaria*
 - 1.18 *Alnus matricaria*
 - 1.19 *Alnus matricaria*
 - 1.20 *Alnus matricaria*
 - 1.21 *Alnus matricaria*
 - 1.22 *Alnus matricaria*
 - 1.23 *Alnus matricaria*
 - 1.24 *Alnus matricaria*
 - 1.25 *Alnus matricaria*
 - 1.26 *Alnus matricaria*
 - 1.27 *Alnus matricaria*
 - 1.28 *Alnus matricaria*
 - 1.29 *Alnus matricaria*
 - 1.30 *Alnus matricaria*
 - 1.31 *Alnus matricaria*
 - 1.32 *Alnus matricaria*
 - 1.33 *Alnus matricaria*
 - 1.34 *Alnus matricaria*
 - 1.35 *Alnus matricaria*
 - 1.36 *Alnus matricaria*
 - 1.37 *Alnus matricaria*
 - 1.38 *Alnus matricaria*
 - 1.39 *Alnus matricaria*
 - 1.40 *Alnus matricaria*
 - 1.41 *Alnus matricaria*
 - 1.42 *Alnus matricaria*
 - 1.43 *Alnus matricaria*
 - 1.44 *Alnus matricaria*
 - 1.45 *Alnus matricaria*
 - 1.46 *Alnus matricaria*
 - 1.47 *Alnus matricaria*
 - 1.48 *Alnus matricaria*
 - 1.49 *Alnus matricaria*
 - 1.50 *Alnus matricaria*
- A3 Shrubs & perennials**
- 1.51 *Alnus matricaria*
 - 1.52 *Alnus matricaria*
 - 1.53 *Alnus matricaria*
 - 1.54 *Alnus matricaria*
 - 1.55 *Alnus matricaria*
 - 1.56 *Alnus matricaria*
 - 1.57 *Alnus matricaria*
 - 1.58 *Alnus matricaria*
 - 1.59 *Alnus matricaria*
 - 1.60 *Alnus matricaria*
 - 1.61 *Alnus matricaria*
 - 1.62 *Alnus matricaria*
 - 1.63 *Alnus matricaria*
 - 1.64 *Alnus matricaria*
 - 1.65 *Alnus matricaria*
 - 1.66 *Alnus matricaria*
 - 1.67 *Alnus matricaria*
 - 1.68 *Alnus matricaria*
 - 1.69 *Alnus matricaria*
 - 1.70 *Alnus matricaria*
 - 1.71 *Alnus matricaria*
 - 1.72 *Alnus matricaria*
 - 1.73 *Alnus matricaria*
 - 1.74 *Alnus matricaria*
 - 1.75 *Alnus matricaria*
 - 1.76 *Alnus matricaria*
 - 1.77 *Alnus matricaria*
 - 1.78 *Alnus matricaria*
 - 1.79 *Alnus matricaria*
 - 1.80 *Alnus matricaria*

- Legend:**
- Lawn
 - Planting
 - Hedge planting
 - Walkway paving
 - Road paving
 - Grass blocks
 - Bench
 - River trail
 - Seeded veldgrass
 - Proposed trees
 - Trees to remain
 - Revised contours
 - Existing contours
 - Security fence

Project: OUDE MOLEN

Drawing LAN/sdp7 - 04/08/2021

LANDSCAPE SITE DEVELOPMENT PLAN

Scale: A3 - 1:600 | Rev: 07

Location: STELLENBOSCH

J.d.V. Landscape Studio



APPENDIX 3

Applicant's motivational report

APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE AND DEPARTURES

ERF 14601, STELLENBOSCH



Client: Catwalk Investments 385 (Pty) Ltd

Applicant: First Plan Town Planners

Reference: FP/0215/772

Date: August 2020 Rev 1





APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE AND DEPARTURES ERF 14601, STELLENBOSCH

TABLE OF CONTENTS

SECTION A

EXECUTIVE SUMMARY

1	SUMMARY OF PROPERTY DETAIL	7
2	APPLICATION DESCRIPTION	8
3	DEVELOPMENT OVERVIEW	9
3.1	Development Context	9
3.2	Development Concept	10
3.3	Linkages	10
3.4	Policy	11

SECTION B

BACKGROUND

4	PROPERTY BACKGROUND	12
5	PRECINCT BACKGROUND	12
6	BACKGROUND TO DEVELOPMENT PROPOSAL	12
7	PRE-APPLICATION CONSULTATIONS	13

SECTION C

PROPERTY DETAIL & CONTEXT

8	PROPERTY DETAILS	16
8.1	Property Information	16
8.2	Site Description & Improvements	16
9	LOCATION & CONTEXT	18
9.1	Macro Context	18
9.2	Micro Context	19
9.3	Adam Tas Corridor	20



10	ZONING & LAND USES	21
10.1	Zoning	21
10.2	Land Uses	22
	10.2.1 Bosmans Crossing Precinct	22
	10.2.2 Subject Property	23
11	HERITAGE	24
12	RELEVANT SPATIAL POLICY	24

SECTION D

DEVELOPMENT PROPOSAL

13	DEVELOPMENT PHILOSOPHY AND INFORMANTS	25
13.1	Viability	25
13.2	Policy	25
13.3	Macro Contextual Framework	26
13.4	Precinct and Environs	26
13.5	Site Specific Features	27
13.6	Heritage Informants	27
13.7	Spatial Linkages	28
13.8	The Extension of Distillery Rd as an Activity Road.	28
13.9	Infrastructural Services	28
14	DEVELOPMENT PROPOSAL	29
14.1	Master Plan	30
	14.1.1 Scope & Scale	31
	14.1.2 Site Development Plan	34
	14.1.3 Architectural Ethos	38
14.2	Transport, Access & Roads	39
	14.2.1 Access & Internal Road Circulation	39
	14.2.2 Parking	42
	14.2.3 Traffic Impact Assessment	42
	14.2.4 Non-Motorised Transport (NMT)	44
	14.2.5 Public Transport (PT)	47
14.3	Availability of Municipal Services	48
	14.3.1 Civil Engineering Services	48
	14.3.2 Electrical Services	48
14.4	Development Name	50



14.5	Inclusionary Housing	50
14.5.1	Stellenbosch Inclusionary Housing – Status Quo	50
14.5.2	Offer of Inclusionary Housing Component.	52

SECTION E

LAND USE APPLICATION

15	LAND USE APPLICATION IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPALITY: LAND USE PLANNING BYLAW, 2015	54
15.1	Subdivision in terms of Section 15(d)	54
15.2	Rezoning in terms of Section 15(a)	55
15.3	Permanent departures in terms of Section 15(b)	56
15.4	Permission in terms of Section 15(g)	56
15.5	Consent Use in terms of Section 15(o)	56
15.6	Approval in terms of Section 38 of the Stellenbosch Municipality: Land Use Planning By-law of the proposed street name street numbers as well as the name of the development as indicated on the Plan of Subdivision and SDP package.	56
15.7	Approval of the Site Development Plan Package (which includes an overall SDP, two Site Development Plans for the residential and business use components respectively as well as Landscape Plans).	57
15.7.1	Portion 1 of Erf 14601 Stellenbosch accommodating the residential sectional title scheme	57
15.7.2	Portion 2 of Erf 14601 Stellenbosch, business uses	57
15.7.3	Approval of a Phasing Plan	57
15.8	Compliance with Stellenbosch Zoning Scheme By-Law	57



SECTION F

COMPLIANCE WITH APPLICABLE POLICY AND LEGISLATION

16	STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW 2015	58
16.1	SPATIAL PLANNING LAND USE MANAGEMENT ACT, 2013, (SPLUMA) & LAND USE PLANNING ACT, 2014 (LUPA)	58
16.1.1	Spatial Justice	58
16.1.2	Spatial Sustainability	59
16.1.3	Efficiency	60
16.1.4	Spatial Resilience	61
16.1.5	Good Administration	61
16.2	STELLENBOSCH INTEGRATED DEVELOPMENT PLAN (2017 – 2022) AND MUNICIPAL SPATIAL DEVELOPMENT PLAN 2019	62
16.2.1	Stellenbosch IDP (2017 – 2022)	62
16.2.2	Municipal Spatial Development Framework 2019	63
16.2.3	Adam Tas Corridor	65
16.2.4	Stellenbosch Comprehensive Integrated Transport Plan 2016 – 2020 (CITP)	65
16.3	JOB CREATION	66
17	APPLICATIONS IN TERMS OF OTHER LAWS/LEGISLATION	67
17.1	ENVIRONMENTAL MANAGEMENT ACT, 1998	67
17.2	NATIONAL HERITAGE RESOURCES ACT, 1999	67
18	SUMMARY OF COMPLIANCE WITH CRITERIA FOR DECISION-MAKING AS PER CHAPTER V SECTION 65(1) OF THE STELLENBOSCH LAND USE PLANNING BY-LAW 2015.	68



SECTION G REASONS FOR SUPPORT

19	SUMMARY OF MOTIVATION/REASONS FOR APPROVAL	69
-----------	---	-----------

SECTION H CLOSING STATEMENT

20	CONCLUSION	71
21	RECOMMENDATION	71



List of Annexures

1. POWER OF ATTORNEY/COMPANY RESOLUTION
2. LAND USE APPLICATION FORM
3. CHRONOLOGICAL BACKGROUND
4. PRE-APPLICATION CONSULTATION RECORD
5. LOCALITY PLAN
6. ZONING PLAN OF SURROUNDING AREA
7. LAND USE PLAN OF SURROUNDING AREA
8. DIAGRAM
9. TITLE DEED
10. CONVEYANCER CERTIFICATE
11. BOND HOLDERS CONSENT
12. SUBDIVISION PLAN
13. SITE DEVELOPMENT PLAN PACKAGE
14. OUDE MOLEN ARCHITECTURAL ETHOS
15. TRAFFIC IMPACT ASSESSMENT
16. CIVIL ENGINEERING SERVICES REPORT
17. ELECTRICAL SERVICES REPORT
18. ENVIRONMENTAL OPINION
19. HERITAGE RNID

APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE AND DEPARTURES ERF 14601, STELLENBOSCH

SECTION A EXECUTIVE SUMMARY

1. SUMMARY OF PROPERTY DETAIL

Table 1: Property details

Property description (in accordance with Title Deed)	Erf 14601, Stellenbosch
Property address	Distillery Road, Stellenbosch
Surveyor General Erf Diagrams	SG no. 2474/2004
Site extent	2.6905 ha
Registered owner	Catwalk Investments 385 (Pty) Ltd
Current zoning	Industrial Zone
Overlay Zone applicable	No
Applicable zoning	Stellenbosch Municipality Zoning Scheme By-Law (2019)
Existing buildings on the property	Warehouses and buildings used for office purposes – approximate GLA 11 000m ²
Current Land Use	Warehouses, Manufacture and offices
Title Deed number and date	T18368/2006, dated 7 April 2006
Restrictive title conditions applicable	No (Refer to Annexure 10: Conveyancer Certificate)
Third party conditions applicable	No(Refer to Annexure 10: Conveyancer Certificate)
Unauthorised land use/building work	No
Heritage Compliant	An NID has been submitted and a draft HIA is in the process of being prepared for public participation whereafter the HIA will be submitted to the HWC for a ROD (Refer to Annexure 19: Heritage RNID)
NEMA Compliant	The proposed development does not trigger any of the listed activities in the regulations of the National Environmental Management Act, 1998 and no further environmental studies are required. This has been confirmed by an independent environmental consultant. (Refer to Annexure 18: Environmental opinion letter)

2. APPLICATION DESCRIPTION

First Plan Town and Regional Planners, under power of attorney, were appointed to prepare and submit the following application in terms of the Stellenbosch Municipality: Land Use Planning Bylaw, 2015 promulgated by Notice Number 345/2015, dated 20 October 2015. Copies of the **Power of Attorney/Company Resolution** and **Land Use Application Form** are attached as **Annexures 1 & 2** respectively.

- 2.1. In terms of Section 15(2)(a); the **Rezoning** of Erf 14601, Stellenbosch from Industrial Zone to Subdivisional Area allowing for Mixed-Use Zone (253 dwelling units within six 3- to 5-storey blocks of flats, some commercial/office uses and private roads) and a Public Roads and Parking Zone.
- 2.2. In terms of Section 15(2)(d); the **Subdivision** of Erf 14601 Stellenbosch into 3 portions, namely Portion 1 ($\pm 2,0493 \text{ m}^2$ - Mixed-Use Zone), Portion 2 ($\pm 5 798 \text{ m}^2$ - Mixed-Use Zone) and Portion 3 ($\pm 614 \text{ m}^2$ - Public Roads and Parking Zone) as per proposed Subdivision Plan nr FP/0220/977, dated February 2020, attached as **Annexure 10**.
- 2.3. In terms of Section 15(2)(b) the following **permanent departures**:
 - To relax the common building line (adjacent to Erf 7602) from 4.5m to 3.0m for Block 4.
 - To relax the common building line (adjacent to Erf 7602) from 4.5m to 3.0m for Block 3.
 - To relax the common building line (adjacent to newly created Portion 2) from 4.5m to 2.5m for Block 6.
 - To relax the common building line (adjacent to newly created Portion 2) from 4.5m to 0.0m to allow for the ablution/changing room facility for the pool and volleyball court.
 - To relax the common building line (adjacent to the newly created Portion 2) from 4.5m to 1.5m to allow for the Mill House.
 - To relax the street building line (adjacent to the newly created Portion 2) from 4.5m to 3.0m to allow for Block 5.
- 2.4. In terms of Section 15(g); **Permission** to allow for flats on the ground floor in a Mixed-Use Zone.
- 2.5. In terms of Section 15(o); a Consent Use to allow a Place of Entertainment (pub) within a Mixed Use Zone.
- 2.6 In terms of Section 98; **Approval of the proposed Street Names** (extension of Distillery Road), **additional Street Numbers** and the **Name of the Development** as per the proposed **Subdivision Plan nr FP/0220/977**, dated February 2020, attached as **Annexure 12**.
- 2.6. In terms of Section 15(g); **Approval of Site Development Plan Package** (attached as Annexure 13), containing the following plans;
 - Overall Site Development Plan, plan nr ABNE/01/AR/0010, dated 7 July 2020;
 - Site Development Plan for the Residential Precinct ("The Mill") located on Portion 1 of Erf 14601 Stellenbosch, plan nr ABNE/01/AR/0011 dated 7 July 2020;
 - Site Development Plan for the business precinct (manor house and the deli/pub) located on Portion 2 of Erf 14601 Stellenbosch, plan nr ABNE/01/AR/0012, dated 7 July 2020;
 - Access and Parking Layout Plan, plan nr ABNE/01/AR/0013, dated 7 July 2020;
 - Phasing Plan, plan number ABNE/01/AR/0015, dated 7 July 2020
 - Elevations and 3D images, plan nr ABNE/01/AR/3000; and
 - Landscaping Plans, LAN/sdp1:-09/07/2020.

3. DEVELOPMENT OVERVIEW

3.1. Development Context

The subject property, Erf 14601, is situated in the Bosmans Crossing precinct which was redeveloped in the mid 2000's with the original development application having been approved in 2003 and an amendment approved in 2006. The development was based on "a sound urban renewal and urban design concept" with the purpose of transforming the old KWV Industrial warehouse site into a vibrant node of associated residential and commercial opportunities.

The proposal was supported at the time by, amongst others, the SIG who commented that "the proposals were considered very sound and are wholeheartedly supported. The possible link of Dorp Street through the development is supported".

The Planning Department supported the proposal noting that "this Department is therefore of the opinion that the application to re-develop the site into a mixed land use area can hold huge benefits towards the urban renewal design of the area concerned" and that they "strongly believe that the development could play a significant role in the re-vitalization of this Light Industrial site" and that the "proposed commercial and residential activities will create new life to the area with positive spin-offs"

Redevelopment of the precinct proceeded in accordance with the initial proposals and subsequent applications which initiated the urban renewal of the precinct – the precinct is currently in the process of being transformed into a vibrant mixed use node as originally envisaged.

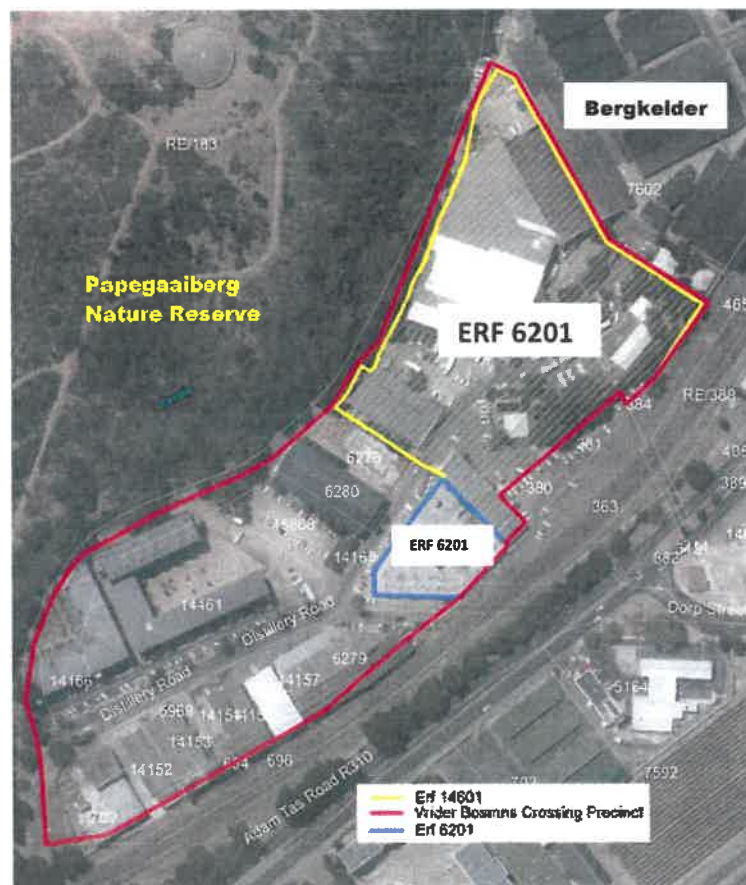


Fig 1. Bosmans Crossing Precinct 2020

3.2. Development Concept

The applicant is in the process of developing the adjacent site, Erf 6201, for commercial purposes with a GLA of approximately 5000m², to be known as Bosmans Business Centre, which once completed will have a significant impact on the commercial “component” of the precinct.

The subject property together with Erf 6201 is 29 544m² in extent which area is greater than the remainder of the Bosmans Crossing precinct which measures 21 907m² – the development proposal should therefore be considered in the context of the entire precinct rather than within the confines of the subject property. The proposal is to compliment the increased commercial capacity of +- 5 000m² at the Bosmans Business Centre with the development of residential units with limited further commercial space.

The development proposal comprises;

- a sectional title scheme of 253 residential units together with private recreational facilities
- the repurposing of an existing warehouse into a “vibey” “hip” deli/bistro/pub – along the lines of the De Warenmarkt in Stellenbosch - linked with a large outdoor piazza to the commercial/retail component of the Bosmans Business Centre which will provide a vibrant social hub for the precinct, and
- the inclusion of the existing Manor House on a separate erf to be used for commercial purposes – the building is suitable for the hospitality/restaurant industry as well as general commercial use.

The proposed development will contribute to a balanced mixed use area and it is anticipated that the development itself will act as a catalyst for the precinct with the occupants of the Bosmans Business Centre choosing to reside in the residential component resulting in a *safe - live - work - study - play* safe neighbourhood.

Due to its size and scale the development has the critical mass to transform the entire Bosmans Crossing precinct into a vibrant, safe community orientated walkable neighbourhood in accordance with the principles of Stellenbosch Integrated Development Plan (IDP), the Stellenbosch Municipal Spatial Development Framework (MSDF) and the Adam Tas Corridor (ATC) catalytic initiative.

3.3. Linkages

As acknowledged in the MSDF (ATC Initiative) Bosmans Crossing is currently not well integrated with the rest of Stellenbosch largely due to the barrier/severance effect of the railway and Adam Tas Road

The proposal includes for the provision of a pedestrian/cycle NMT bridge over the railway line linking the precinct to the lower Dorp Street precinct, which itself is earmarked to be transformed, and makes provision for access through the property to the adjacent Bergkelder site.

The precinct will therefore be linked into and integrated with the rest of Stellenbosch by connecting into Stellenbosch’s planned Non-Motorised Transport (NMT) network in accordance with the approved Comprehensive Integrated Transport Plan (CITP).

3.4. Policy

The proposed development is a “brownfields” development comprising densification in an area identified for densification within the urban edge and is consistent with the approved Stellenbosch Fourth Generation 2017 – 2022 Integrated Development Plan (IDP) (approved 2019) and the Stellenbosch Municipal Spatial Development Framework (MSDF) (approved by Council on 11 November 2019).

The property lies in the centre of the ATC “Catalytic initiative” which is described as

- “the most strategically located land in Stellenbosch”
- “in simple terms, the concept is to launch the restructuring of Stellenbosch town through the redevelopment of the Adam Tas Corridor”
- “the central district is the largest, including Bosmans Crossing, the Bergkelder, and the Van der Stel Sports complex. Here, development should be the most intense, comprising a mix of commercial, institutional, and high density residential use.”

The development application is consistent with ATC initiative as included in the MSDF.

SECTION B

BACKGROUND INFORMATION

4. PROPERTY BACKGROUND

The property was originally the site of the *Oude Molen Brandy Distillery* in the early 1900's and later the distribution centre for *Gilbeys Distillers and Vintners*.

Significant changes were made on the property when Gilbeys redeveloped the site in the early 1990's – a total of 27 buildings were demolished and the large warehouse complex constructed

Catwalk Investments 385 (Pty) Ltd purchased the property in 2006 with the intention of redeveloping the property in line with the redevelopment of the precinct as described below.

5. PRECINCT BACKGROUND

The Bosmans Crossing precinct was redeveloped in the mid 2000's with the original development application having been approved in 2003 and an amendment approved in 2006.

The development was based on "a sound urban renewal and urban design concept" with the purpose of transforming the old KWV Industrial warehouse site into a vibrant node of associated residential and commercial opportunities.

The proposal was supported at the time by, amongst others, the Stellenbosch Interest Group (SIG) who commented that "the proposals were considered very sound and are wholeheartedly supported. The possible link of Dorp Street through the development is supported".

The Planning Department supported the proposal noting that "this Department is therefore of the opinion that the application to re-develop the site into a mixed land use area can hold huge benefits towards the urban renewal design of the area concerned" and that they "strongly believe that the development could play a significant role in the re-vitalization of this Light Industrial site" and that the "proposed commercial and residential activities will create new life to the area with positive spin-offs"

Redevelopment of the precinct proceeded in accordance with the initial proposals and subsequent applications which initiated the urban renewal of the precinct – the precinct is currently in the process of being transformed into a vibrant mixed use node as originally envisaged.

At the time of application, August 2020- the Bosmans Business Centre comprising ± 5 000m² of commercial space was being developed on Erf 6201 by the applicant and the Bosmans Club comprising 41 sectional title residential units together with +- 750m² of commercial space was being developed on Erf 15804 by Vertikal Developments (Pty) Ltd – both development were due for completion by end 2020.

6. BACKGROUND TO DEVELOPMENT PROPOSAL

No formal applications for redevelopment of the property have been submitted to date, however, several proposals which, inter alia, explored various uses such as expo centres, storage facilities, accommodation, guesthouses, multi-functional halls, auditoriums and warehousing have been considered.

Catwalk Investments 385 (Pty) Ltd resolved in 2012 to submit an application for the redevelopment of the property as a mixed use development comprising residential sectional title units together with commercial space.

The above application has been actively pursued since 2012 with the Municipality having been engaged in such process however although the development concept was supported in principle a formal application was not submitted due to various obstacles having been encountered – refer to **Annexure 3: Chronological Background**.

The development application was delayed by, inter alia;

- 2012 – 2016 – a moratorium on all development applications serviced by the Stellenbosch Waste Water Treatment Works (SWWTW) due to a lack of capacity at such works and insufficient municipal funding to maintain and add future capacity.
- 2016 -2019 – delays in the adoption of the Integrated Zoning Scheme (IZS) and clarity on spatial policy which included the 2016 Adam Tas Transit Orientated Development (TOD) proposal which was then superseded by the Adam Tas Corridor (ACT) initiative – the IZS was finally approved and implemented and the ATC included in the approved MSDF in November 2019.

7. PRE-APPLICATION CONSULTATIONS

The development application is the result of various engagements between the owners/developer, the applicant and various departments of the Stellenbosch Municipality as well as with adjacent land owners since 2012 as mentioned above.

The process has included the following pre-application meetings/engagements – Refer to **Annexure 4: Pre-application Consultation Record**.

7.1. 21/06/2012 - Meeting with Stellenbosch planners

The proposed development of a mixed use development was discussed which proposal received a positive reception however the applicant was alerted to capacity constraints at the Stellenbosch Waste Water Treatment Works (SWWTW) and notified of a moratorium on all future applications until such time as sufficient capacity had been secured.

7.2. 14/10/2016 – Formal Pre application meeting

Refer to **Annexure 4: Minutes of Pre-Application Consultation Meeting with Stellenbosch Municipality Held on 24 October 2016**.

The development proposal was presented to representatives of the Land Use Management and Engineering Services Departments.

The development proposal was considered to be compliant with the proposals of the Stellenbosch Municipal Spatial Development Framework in which the area was identified for infill densification.

Notwithstanding the above the applicant was advised to wait for the approval and implementation of the Integrated Zoning Scheme which was expected early in 2017 in order that the application could be submitted in terms of the new scheme.

7.3. 04/12/2018 – Meeting with Spatial Planning to discuss the application

Applicant informed of the Adam Tas Corridor (ATC) initiative and advised to consult with Messrs Stephen Boshoff & Kelvin Campbell who were “heading” the ACT initiative.

7.4. 11/12/2018 – Meeting held with Messrs Boshoff & Campbell

ACT initiative discussed and proposed development concept presented which was supported in principle by Messrs Boshoff & Campbell.

Applicant noted their concerns regarding the time frames given the time elapsed since the first development proposal consultation in 2012 and were assured that an application in terms of the ATC initiative would be able to be submitted by as early as mid 2019.

7.5. 21/10/2019 – Bi-lateral meeting with the “ATC committee”

The ATC committee provided an update on the ATC project which was currently in the pre-feasibility phase and noted that the purpose of the meeting was to explore the views of the various stakeholders and to allow stakeholders to raise their concerns and state their vision for the ATC Initiative in order for the parties to establish common interest.

The applicant was informed that an Interim Steering Committee had been formed and to date the committee had engaged with STIAS, the Stellenbosch Municipality, University of Stellenbosch, Remgro, Distell and the Western Cape Government

The applicant gave an overview of their development proposal and noted their major concerns as;

- Timeframes – the recent past experience of the planning process in Stellenbosch unfortunately did not augur well for the future; and
- The absence of an approved Inclusionary Housing Policy adopted in accordance with the SPLUMA principle of good administration

7.6. 20/02/2020 – Pre-application meeting with Town Planning & Engineering Departments.

Following the approval and implementation of the Stellenbosch Zoning Scheme By-Law 2019 in November 2019 the applicant resolved to submit their development application without further delay.

An official pre-application meeting was held on 20 February 2020 – Refer to **Annexure 4**.

The applicant was advised that, inter alia;

- The principle of the proposed development should be tested with the ATC team and comment or notes/minutes of such meeting should be attached to the application;
- They should consult with the owners, Distell, of the neighbouring property, Bergkelder, regarding access proposals; and
- Although there was currently no approved Inclusionary Housing policy some form of inclusionary housing should be offered on a voluntary basis.

7.7. 09/04/2020 - Meeting with Adam Tas Corridor Steering Committee

In accordance with the above advice a meeting, remote due to the Covid 19 epidemic, was held on 09 April 2020 – Refer to **Annexure 4**.

The applicant was advised to, inter alia;

- Assess the comments as per the minutes and consider implications/possible amendments to existing proposal where possible;
- Meet with Distell to discuss proposed possible linkages with the Bergkelder site;
- arrange a follow-up pre-application consultation with Stellenbosch Planning prior to final submission.

7.8. 12/06/2020 - Meeting with Distell

A meeting with Distell (represented by Johannes Esterhuizen, JE), owners of the adjacent Bergkelder site, was held on 12 June 2020 to discuss the proposed development and possible linkages with the Bergkelder site – See attached **Annexure 4. Notes of meeting with Distell 12/06/2020**.

JE confirmed the intention was for Distell to develop the Bergkelder property in conjunction with a joint venture partner. Distell had called for proposals from a number of developers however the response/interest was less enthusiastic than expected.

At the time of the meeting a JV partner had not yet been secured and no development plan was available although it was confirmed that the BK development would most likely be a mixed land use proposal with some residential, offices and commercial activities.

In the absence of a development plan for the Bergkelder property it was agreed that provision for a possible future linkage road would be provided by means of;

- a) The proposed future road through the applicant site as detailed on the site development plan; or alternatively
- b) A road within the PRASA reserve on the eastern boundary of the Oude Molen & Bergkelder properties which both parties agreed was the preferred route.

Should the above options not be feasible the parties would need to reach agreement on the alignment of the road if deemed necessary.

7.9. Final pre-application consultation meeting with municipality

Due to the Covid 19 epidemic no pre-application meetings were possible with the relevant officials of the Municipality. A request for a pre-application scrutiny was submitted which included the proposed Site Development Package. The application was discussed at an internal meeting of the Directorate Planning during the week of 20 – 24 July 2020. A letter of feedback, dated 27 July 2020, was received which confirms that the submission has been duly scrutinized for the intended land use development application and that it can be formally submitted for processing– Refer to **Annexure 4**.

SECTION C

PROPERTY DETAILS AND CONTEXT

8. PROPERTY DETAILS

8.1. Property Information

Table 2: Property information

Property description (in accordance with Title Deed)	Erf 14601, Stellenbosch
Property address	Distillery Rd Stellenbosch
Surveyor General Erf Diagrams	SG No 2474/2004 – attached as Annexure 8
Site extent	2,6905 ha
Registered owner	Catwalk Investments 385 (Pty) Ltd
Title Deed number and date	T18368/2006 dated 07 April 2006 attached as Annexure 9
Restrictive title conditions applicable	Nil – Refer to Conveyancer Certificate prepared by Bill Tolken and Hendrikse Attorneys – attached as Annexure 10
Encumbrances	Registered Bond – Refer to Bondholders Consent attached as Annexure 11

8.2. Site Description & Improvements

The property is a well-developed industrial site with existing buildings measuring approximately 11 650m² comprising 8 760m² of warehousing and 2 890m² of offices and “other”. Refer to aerial photograph (Figure 2) and photographs below.



Fig 2 Site Improvements



Fig 3 Property Entrance



Fig 4 Manor House



Fig 5 Mill House



Fig 6 "Shed"



Fig 7 Ex Vinlab



Fig 8 Main Warehouse



Fig 9 Main Warehouse

9. LOCALITY AND CONTEXT

9.1. Macro Context

The property is located within the Bosmans Crossing precinct which is situated within the western edge of the town within the urban edge of Stellenbosch and outside the historic core – the Stellenbosch Urban Conservation Area Overlay Zone.

Bosmans Crossing is located between Adam Tas Road/railway line and the Plankenbrug/Papagaaiberg Nature Reserve.

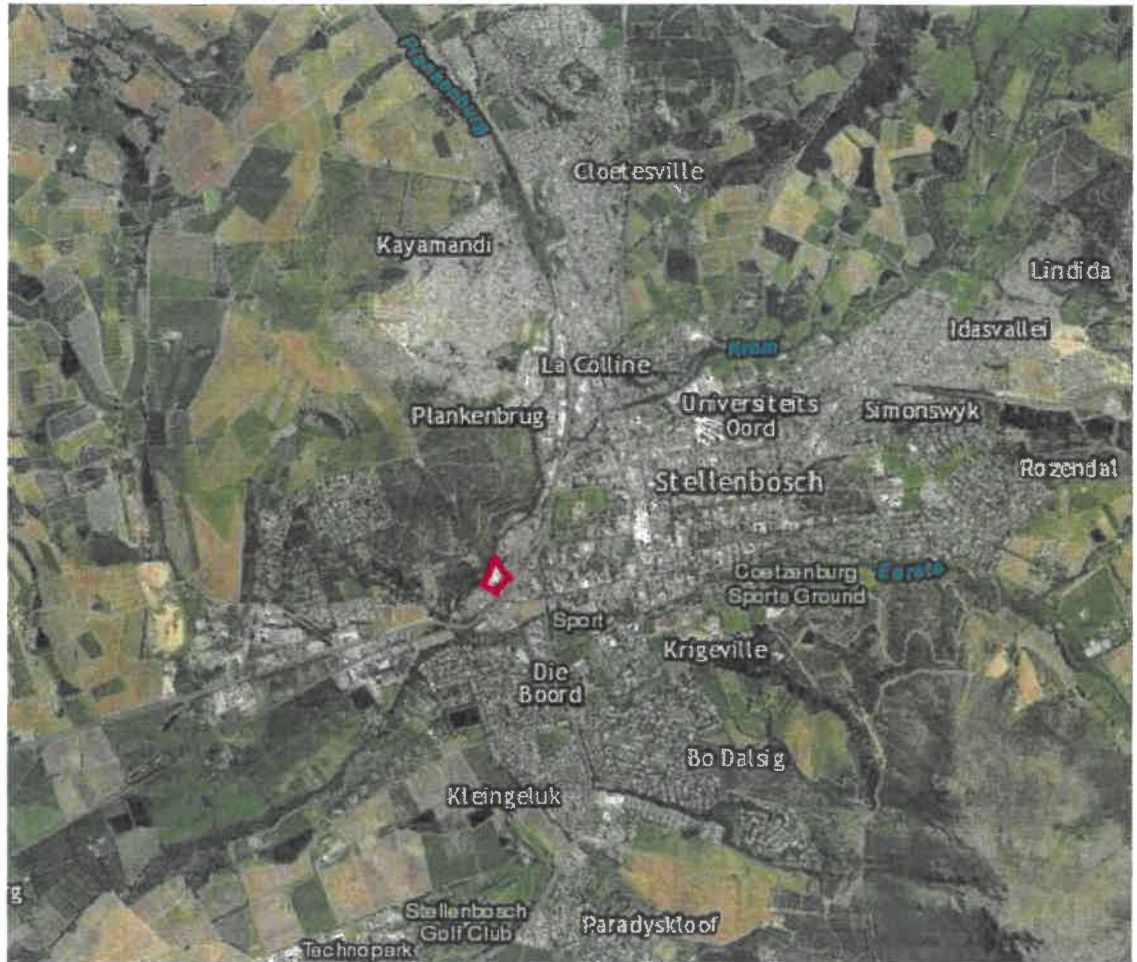


Fig 10 Site in the context of Stellenbosch

9.2. Micro Context

The property is situated in Bosmans Crossing at the termination of Distillery Road. The property is bordered by Bosmans Crossing to the south, the Plankenbrug River/Papagaaiberg Nature Reserve to the west, the Bergkelder Industrial property to the north and the railway line/Adam Tas Rd to the east.

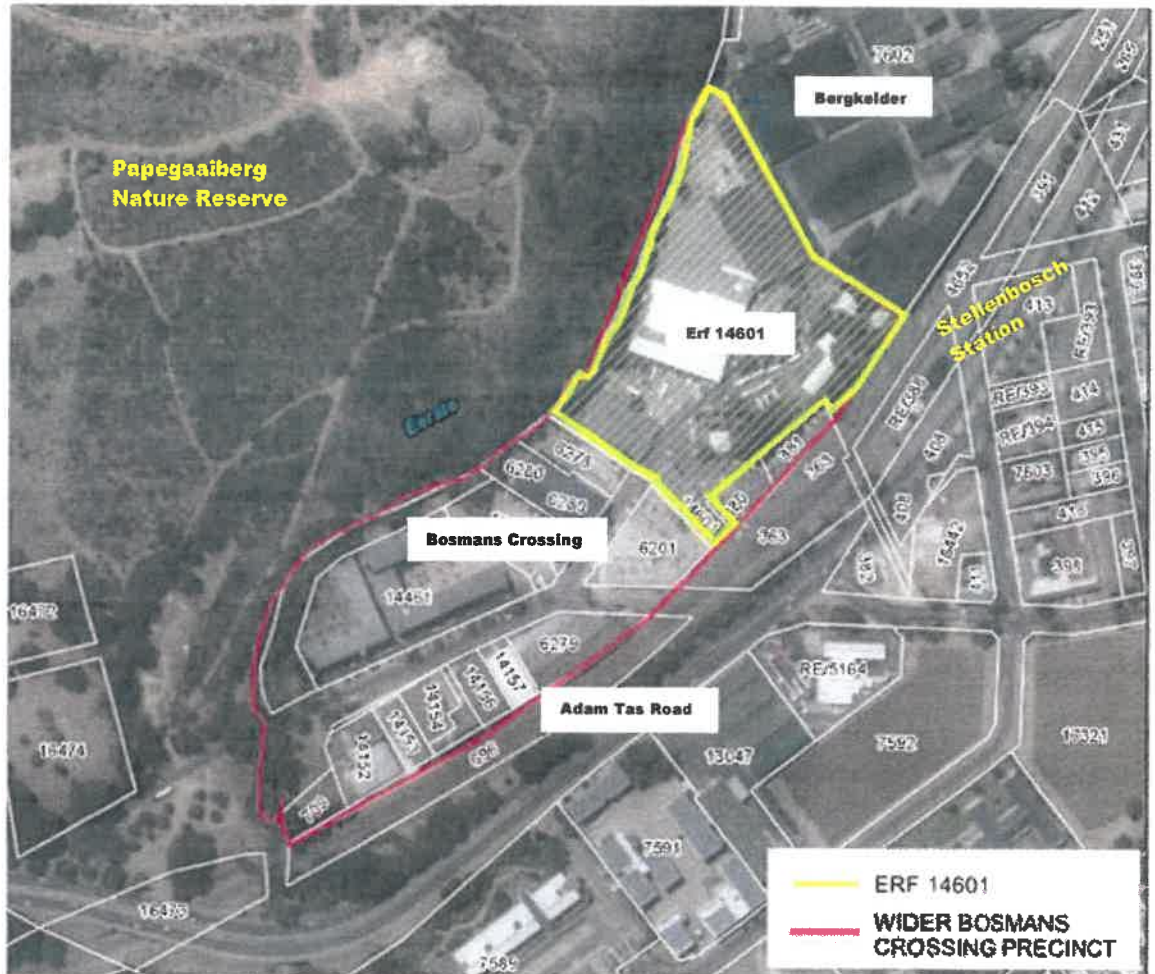


Fig 11 Micro Context

The Bosmans Crossing precinct was redeveloped in the mid 2000’s with the original development application having been approved in 2003 and amendment approved in 2006.

The original development was based on “*a sound urban renewal and urban design concept*” with the purpose of transforming the old KVV Industrial warehouse site into a vibrant node of associated residential and commercial opportunities.

The proposal was supported at the time by, amongst others, the SIG who commented that “*the proposals were considered very sound and are wholeheartedly supported. The possible link of Dorp Street through the development is supported*”.

The Planning Department supported the proposal noting that “this Department is therefore of the opinion that the application to re-develop the site into a mixed land use area can hold huge benefits towards the urban renewal design of the area concerned” and that they “strongly believe that the development could play a significant role in the re-vitalization of this Light Industrial site” and that the “proposed commercial and residential activities will create new life to the area with positive spin-offs”.

Redevelopment of the precinct proceeded in accordance with the initial proposals and subsequent applications which initiated the urban renewal of the precinct – the precinct is currently in the process of being transformed into a vibrant mixed use node as originally envisaged – refer to zonings & land uses below.

9.3. Adam Tas Corridor

The property is located in the “Central District” of the Adam Tas Corridor which is described, in the approved Spatial Development Framework (SDF), as being “the largest, including Bosman’s Crossing, the Bergkelder, and the Van der Stel Sports complex. Here, development should be the most intense, comprising a mix of commercial, institutional, and high density residential use”

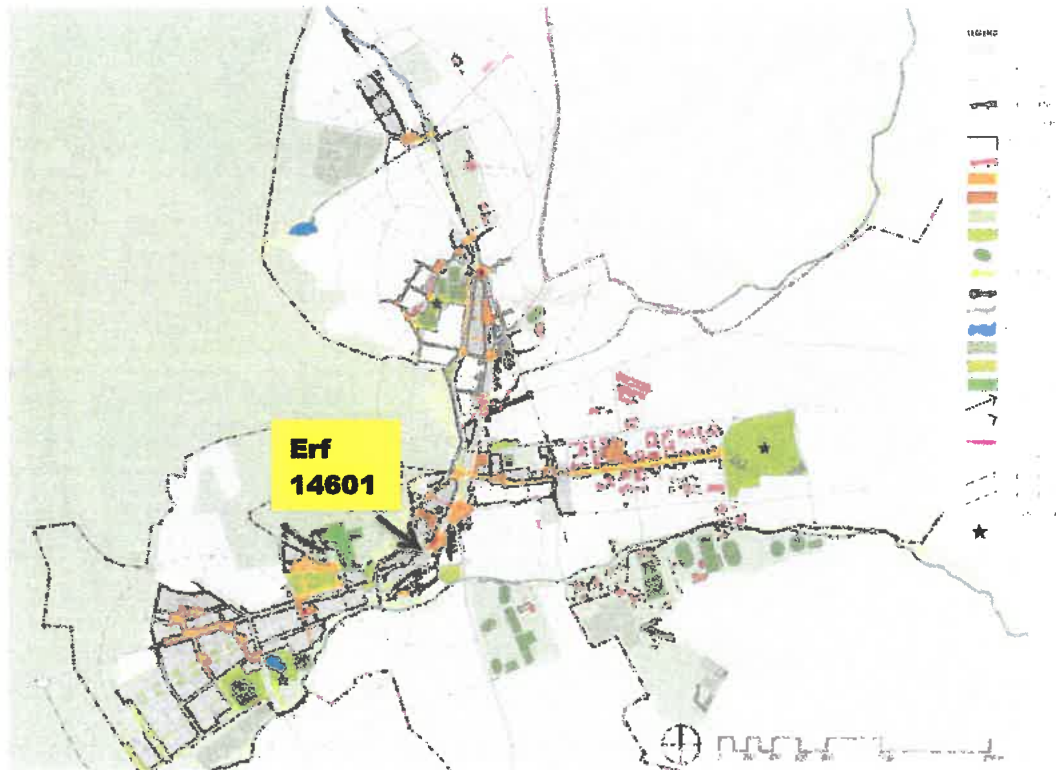


Fig 12 Adam Tas Corridor Concept (source: Stellenbosch SDF, 2019)

10. ZONINGS AND LAND USES

10.1. Zoning

The newly approved Stellenbosch Municipality Zoning Scheme By-Law, 2019 is applicable. The site was originally zoned for Wine Industry in terms of the former Stellenbosch Zoning Scheme. It has been converted to Industrial Zone in terms of the new Zoning Scheme By-Law.

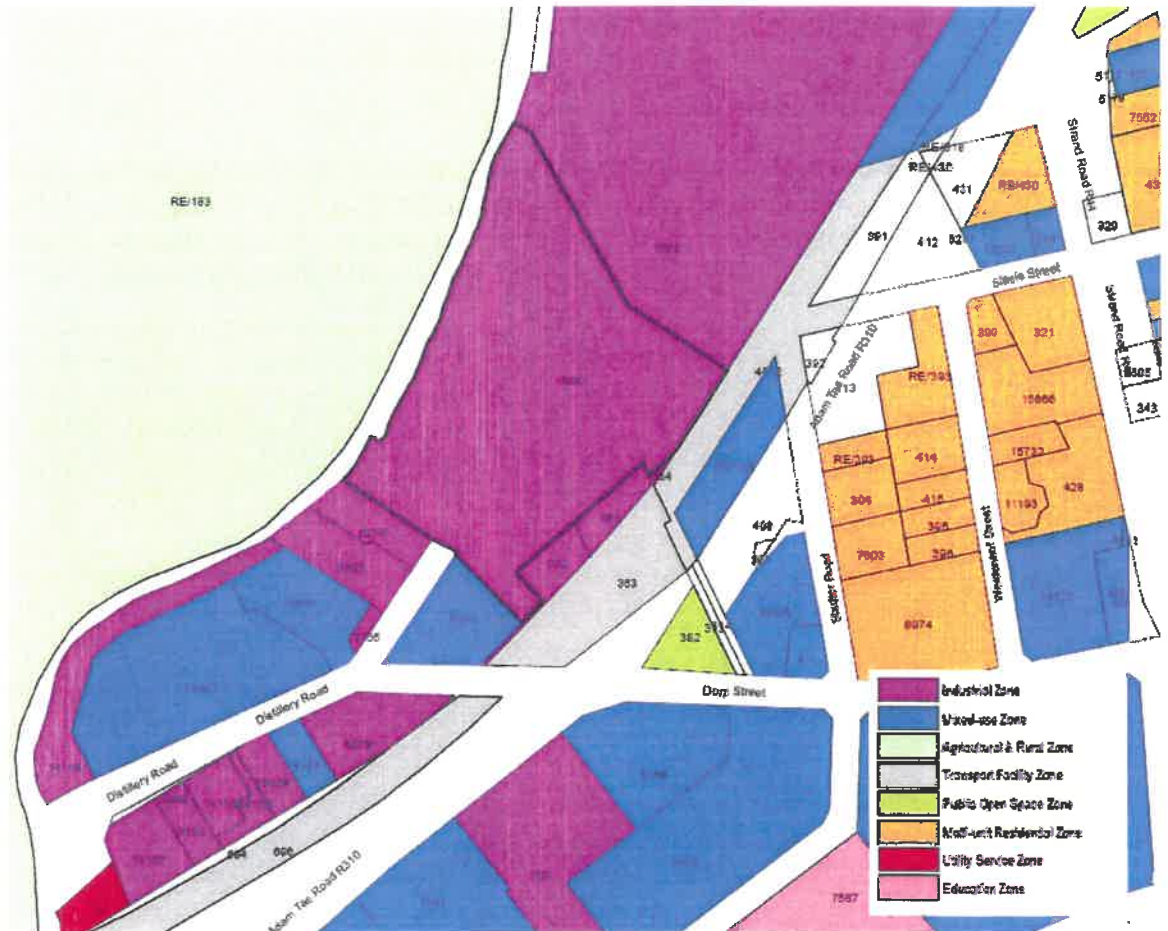


Figure 13: Zoning Map

The properties to the south in the Bosmans Crossing precinct are zoned for a combination of Industrial and Mixed Use purposes.

The properties to the east are generally zoned for Mixed Use and Multi Residential purposes.

Properties to the north of the site are zoned and used for Industrial Purposes and includes primarily the Bergkelder complex.

To the west of the site is the Papagaaiberg Nature Area, zoned for Agricultural/Rural purposes. The area has been declared a nature reserve in terms of Section 23 of the National Environmental Management: Protected Areas Act, 57 of 2003.

10.2. Land Uses

10.2.1. Bosmans Crossing Precinct

As mentioned above the redevelopment of the Bosmans Crossing precinct proceeded in accordance with the initial mid 2000 proposals and subsequent applications which initiated the urban renewal of the precinct.

The precinct is currently in the process of being transformed into a vibrant mixed use node as originally envisaged.

These properties are utilized for a variety of mixed land uses such as light industrial, distribution, offices, professional services, laboratories, winery's, distillery's, apartments, gymnasiums, shops, bakeries and restaurants, etc.

Table 3: Bosmans Crossing Precinct Land Uses

Erf	Res Units	Commercial	Industrial	Comment
14601	253	1 200m ²		Subject property - proposed
14461	102	2 732m ²		The initial mixed use redevelopment
15804	41	738m ²		Bosmans Club currently under construction with completion due end 2020
6280		•		Redeveloped - Hillebrand logistics
6278		•		Redeveloped - Vinlab wine laboratory
6201		5 000m ²		Bosmans Business Centre currently being developed by the applicant with completion due end 2020
6279		•		Redeveloped - Pane e Vino Restaurant and Wine Producers
14157		•		Original building - Antiques & vintage furniture
14156			•	Original building - Stellakaya Winery
14154			•	Original building - Sculpture foundry
14153		•		Original building - Craft Gin distillery
14152				Original building - gutted by fire



Fig 15: Existing mixed-use land uses in Bosmans Crossing

At the time of application the Bosmans Club, comprising 41 residential units with 740m² of commercial space was being developed by Vertikal Developments (Pty) Ltd with completion due by the end of 2020.

Further to the above the applicant is in the process of developing the adjacent site, Erf 6201, which has a Mixed Use zoning, for commercial purposes with a GLA of approximately 5 000 m², to be known as Bosmans Business Centre which is due for completion by end of 2020.

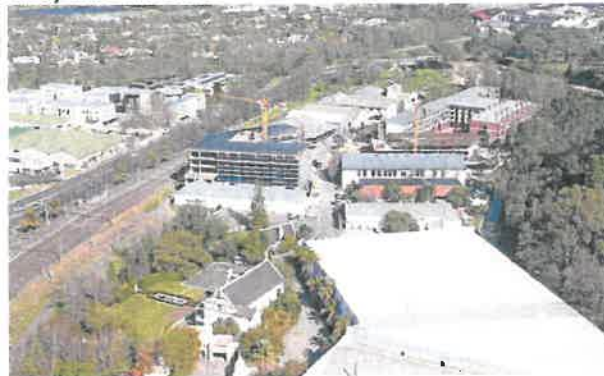


Fig 16: Development of Erf 6201 (left crane) with Erf 14601 in the foreground.

The Business Centre, once completed, will have a significant impact on the commercial ‘component’ of the precinct.

10.2.2. Subject Property

The property was originally the site of the Oude Molen Brandy Distillery in the early 1900’s and later the distribution centre for Gilbeys Distillers and Vintners.

Significant changes were made on the property when Gilbeys redeveloped the site in the early 1990’s – a total of 27 buildings were demolished and the large warehouse complex constructed.

The site consists of a complex of mainly industrial buildings, warehouses, blacktop surfaces together with the Manor and Mill Houses – refer to paragraph 8.2, Site Description and Improvements above.

Table 4: Permitted, existing and proposed building areas

Zoning	Extent	Floor Area	Coverage	Height	Bulk
	26 905 m ²				
Permitted current Zoning & Use					
Previous Scheme	Wine Ind	na	75%	3	60 536
Current	Industrial	na	75%	4	80 715
Existing buildings		na	37%	2	10 794
Proposed Zoning & Use					
Permitted	MUZ	na	85%	6	137 216
Proposed		89%	29%	4 & 5	23 933

The property is currently underutilised as an industrial property due to, inter alia, the decision in 2012 to redevelop the property as herein proposed and the location within an urban renewal precinct.

11. HERITAGE

The subject property has some historical value and has been linked with early brandy production in South Africa.

The 'Manor House' (original farm house), although much altered and containing little or none of the original fabric, is a fine building and can be considered to be associated with the beginnings of the brandy industry in South Africa.

A portion of the historic Mill Stream, an old but rather neglected element of the town's history, used for powering a number of watermills in Stellenbosch, is now channelled through the site in an underground pipe.

The Mill House is a replica mill constructed in 1965.

The proposed development of the property triggers Sections 38(1)(c)(i) and (d) of the National Heritage Resource Act (NHRA) and accordingly a Notification of Intent to Develop (NID) was submitted to Heritage Western Cape (HWC) in 2015.

HWC required that a Heritage Impact Assessment (HIA) be conducted – refer to Section G of this report and Section 38 of the National Heritage Resource Act, 1999.

12. RELEVANT SPATIAL POLICY

The development guidelines of the following spatial policies need to be taken into consideration in any new development within the Stellenbosch Municipal area.

- Provincial Spatial Development Framework
- The Stellenbosch Integrated Development Plan (2017 – 2022) and policies resulting from the approval of the Integrated Development Plan, including:
 - The Stellenbosch Municipality Spatial Development Framework (November 2019)
 - The Adam Tas Catalytic Initiative (included in the approved 2019 Stellenbosch SDF)
 - Stellenbosch Municipality Comprehensive Integrated Transport Plan 2016 – 2020

Compliance with the guidelines/recommendations of these policies, as required in terms of Section 61 of the Stellenbosch Municipal Planning Bylaw, 2015, has been dealt with under cover of Section F of this report.

SECTION D

DEVELOPMENT PROPOSAL

13. DEVELOPMENT PHILOSOPHY AND INFORMANTS

The approach adopted was to ensure that the proposed development acknowledged, responded to and was guided by the macro and micro informants with regards to the value and location of the property in terms of the economic, natural and built environments.

A number of studies were undertaken, including an Urban Design Framework by Piet Louw & Dave Dewar In Association, to identify such informants which were identified as;

13.1. Viability

As the proposed development is a commercial property venture funded by shareholders capital an absolute prerequisite was that the development proposal should be sustainable, viable and should optimise the economic value of the asset within an acceptable risk profile.

Extensive market research was undertaken in order to determine the most suitable form of development in order satisfy this prerequisite

In terms of such research and taking the indicators below into consideration the decision was reached that a mixed use development comprising both residential and commercial opportunities was the most appropriate type of development on the property.

In order to offer flexibility and sustainability it was decided that the development should not be targeted at a specific market segment but rather as a broader general residential sectional title scheme – from past experience such schemes are generally sought after by first time homeowners, young working professionals, young couples, single parents, mature/post graduate students and empty nesters all having similar spatial and security requirements.

It is envisaged that the units will be in demand from the occupants of the adjacent Bosmans Business Centre which will contribute to a safe – live – work – play walkable neighbourhood.

13.2. Policy

The development proposal should be aligned and consistent with legislation and approved local policy.

The following policies were identified as being of particular relevance;

- The 4th Generation Integrated Development Plan 2017 – 2022 First Amendment adopted August 2019
- The Stellenbosch Municipality Spatial Development Plan approved by Council on 11 November 2019 with particular reference to the Adam Tas Corridor Catalytic Initiative (ATC) documented therein.

- The Stellenbosch Municipality Zoning Scheme By-Law 2019 implemented in November 2019.

The development application has been delayed for some eight years pending finalisation of policy and adoption of the Stellenbosch Municipality Zoning Scheme By-Law 2019.

In addition to the above policies the proposed development was informed by the various pre-application engagements with municipal officials, consultants and stakeholders between 2012 and present – refer to paragraph 7. Pre-Application Consultations on page 13.

13.3. Macro Contextual Framework

A macro contextual analysis was undertaken in order to

- Integrate the property into the broader systems of Stellenbosch;
- identify high level constraints and informants and
- understand capacities in terms of land and infrastructure.

The property is located within the central district of the ATC which;

- describes the ATC area as “the most strategically located land in Stellenbosch town”, and states that “In simple terms, the concept is to launch the restructuring of Stellenbosch town through redevelopment of the Adam Tas Corridor, the area stretching along the R310 and R44 along the foot of Papagaaiberg from the disused Cape Sawmills site in the west to Kayamandi and Cloetesville in the north.” and
- describes the central district as “the largest, including Bosman's Crossing, the Bergkelder, and the Van der Stell Sports complex. Here, development should be the most intense, comprising a mix of commercial, institutional, and high density residential use”

13.4. Precinct and Environs

A precinct and local environs contextual analysis was undertaken to ensure integration of the proposed development with the surrounding urban fabric and natural systems which included;

- investigating whether there were positive aspects in the precinct which could be used to the benefit of the development and
- investigating whether there were needs/opportunities in the precinct which could be satisfied/accommodated in the development

As before mentioned the redevelopment of the Bosmans Crossing precinct commenced in the mid 2000's and the precinct is currently in the process of being transformed into a vibrant mixed use node as originally envisaged.

The completion of the Bosmans Business Centre, on the adjacent Erf 6201, comprising approximately 5 000 m² of GLA will have a significant impact on the commercial property supply within the precinct.

The subject property together with Erf 6201 is greater than the remainder of the Bosmans Crossing precinct. The development proposal should therefore be considered in the context of the entire precinct rather than within the confines of the subject property and should take cognisance of and complement the precinct generally.

13.5. Site Specific Features

The natural and built features of the site itself were investigated in order to determine and identify those features which would inform the development and design proposal including, inter alia;

- The scale and natural features of the property, the
- Urban design factors, which included gateways, landmarks, view-cones and axial alignments, the
- Composite constraints including “no-go areas” (if any), “tread lightly areas” (if any) and optimum development zones and the
- Existing built infrastructure.

The following informants were identified in conjunction with the heritage resource indicators mentioned below;

- sight lines from lower Dorp Street and Adam Tas Road towards Papegaaiberg and towards the Manor House and Mill House,
- significant trees on site
- the historical alignments of the existing buildings
- and the possibility/option to “express” portions of the Mill stream which is currently piped underground as part of the stormwater system.

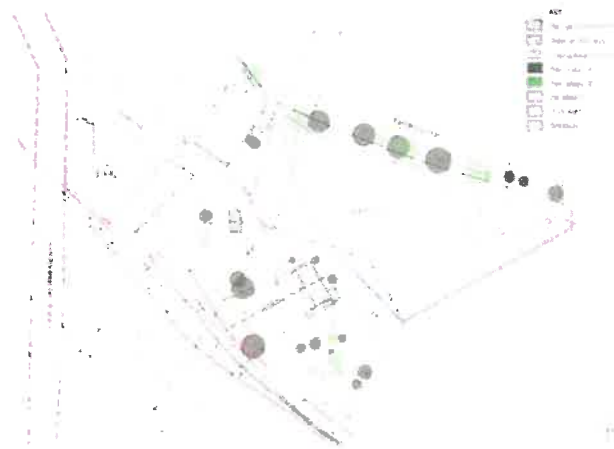


Figure 18: Composite heritage related constraints and informants Dewar & Louw Oude Mofen Urban Design Framework, 2016

These informants were all addressed during the design process.

13.6. Heritage Informants

Heritage practitioners, Chris Snelling and Cindy Postlethwayt, were, from the very outset, engaged to identify the heritage resource indicators, which would include any significant historic and/or archaeological resources that were pertinent to the site and surrounds.

Once identified such indicators were used to determine the development responses that needed to be taken into account in the planning process with every step having been guided by such indicators.

A Notification of Intent to Develop (NID) was submitted to Heritage Western Cape (HWC) in 2015 – Refer to Annexure 19 – Heritage RNID and a Draft Heritage Impact Assessment (HIA) is in the process of being completed for the public participation process whereafter the HIA will be submitted to HWC for an ROD.

13.7. Spatial Linkages

The Bosmans Crossing precinct forms the western edge to the town but is not well integrated with the rest of Stellenbosch, largely because of the barrier/ severance effect of the R44 and the railway line.

Numerous alternative vehicular access options have been investigated including the provision for signalised access off the Adam Tas Road (Arup Report 2005), lowering of the railway line (Royal Haskoning DHV STOD Report 2014 revised 2016) and "lighter rail stock – possibly in the form of a "tram system" – "offering the advantage of safe at grade crossing of the rail line" (Stellenbosch MSDF approved November 2019).

Notwithstanding the above investigations the most viable alternative access would appear to be a Non-Motorised Transport (NMT) bridge catering for pedestrians and cyclists linking the Lower Dorp and Bosmans Crossing precincts and linking Bosmans Crossing into the greater proposed Stellenbosch NMT system as included in the Heritage record of decision for the widening of Lower Dorp Street.

The development of the Bosmans Business Centre (BBC) on Erf 6201 and the proposed development have assumed this NMT linkage and have promoted NMT accordingly – the BBC building incorporates secure storage for bicycles together with showers on all floors for cyclists.

13.8 The extension of Distillery Road as an activity road

The repurposing of an existing warehouse into a deli/bistro/pub – along the lines of the De Warenmarkt in Stellenbosch - linked with a large outdoor piazza to the commercial/retail component of the adjacent Bosmans Business Centre as well as the use of the existing Manor House for commercial purposes (considered suitable for a variety of commercial uses including, inter alia, the hospitality/restaurant industry as well as general commercial use) will ensure an active interface on the proposed future extension of Distillery Road.

13.9 Infrastructural services

The availability of infrastructural services was investigated with the initial application having been delayed between 2012 and 2016 due a moratorium on all new development at the time due to the lack of capacity at the Stellenbosch Waste Water Treatment Works. (SWWTW).

14. DEVELOPMENT PROPOSAL

Having identified the macro and micro informants as above the development proposal was formulated in response to and was guided by such Informants - the resultant proposal being a mixed use development comprising;

- a sectional title scheme of +- 253 two and three bedroom residential units together with private recreational facilities;
- the repurposing of an existing warehouse into a "vibey" "hip" deli/bistro/pub – along the lines of the De Warenmarkt in Stellenbosch - linked with a large outdoor piazza to the business/retail component of the adjacent Bosmans Business Centre which will provide a vibrant social hub for the precinct, and
- the inclusion of the existing Manor House on a separate erf to be used for business purposes which is suitable for a variety of commercial uses including, inter alia, the hospitality/restaurant industry as well as general commercial use.



Fig 19: Development Proposal

The development will contribute to a balanced mixed use precinct - it is anticipated that the development itself will act as a catalyst for the precinct with the occupants of the Bosmans Business Centre choosing to reside in the residential component resulting in a safe - live – work – study – play neighbourhood.

Due to its size and scale the development has the critical mass to transform the entire Bosmans Crossing precinct into a vibrant, safe community orientated walkable neighbourhood.

The development will therefore offer residential and business opportunities within a transport-orientated, mixed use, high density development favouring access by pedestrians and cyclists which will contribute to a compact, less sprawling town that promotes public transport, and pedestrianism which is consistent with the principles as defined in the approved Stellenbosch MSDF.

14.1. Master Plan

Refer to Annexure 13 Site Development Plan Package for the Master Plan together with detailed layouts of the proposal

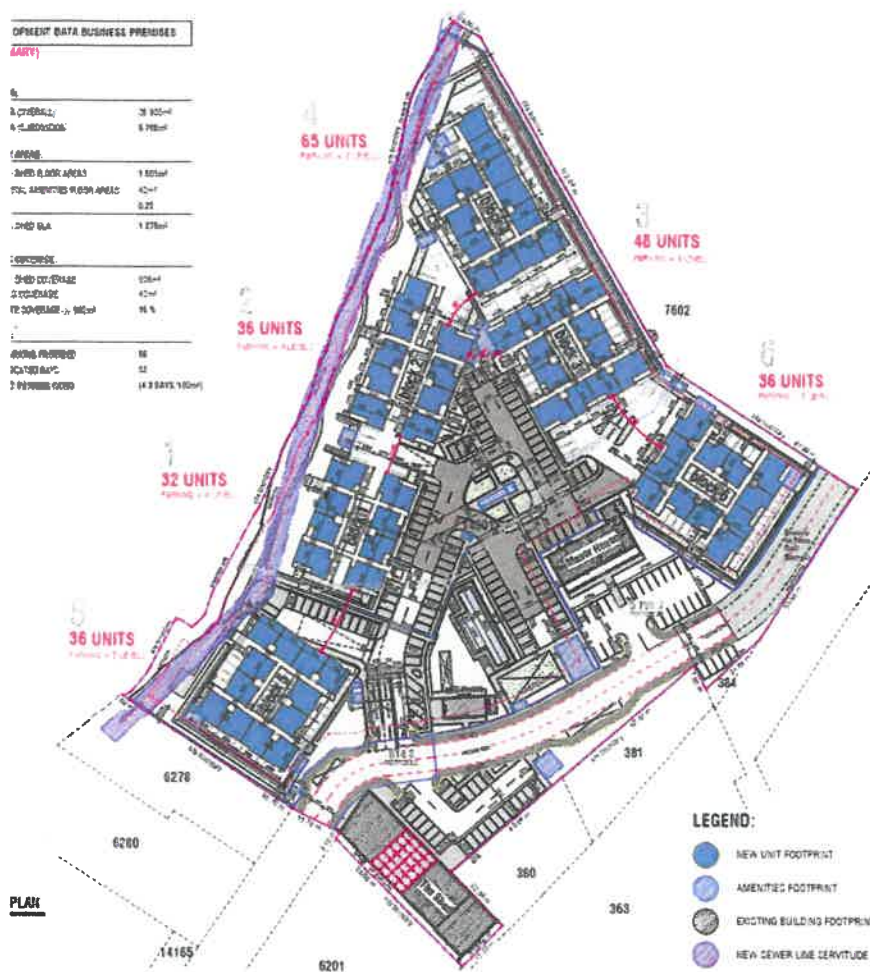


Fig 20: Site Master Plan

The property will initially be subdivided into three portions in order to accommodate the residential scheme and business development on separate erven together with a portion of public road providing access to the two portions.

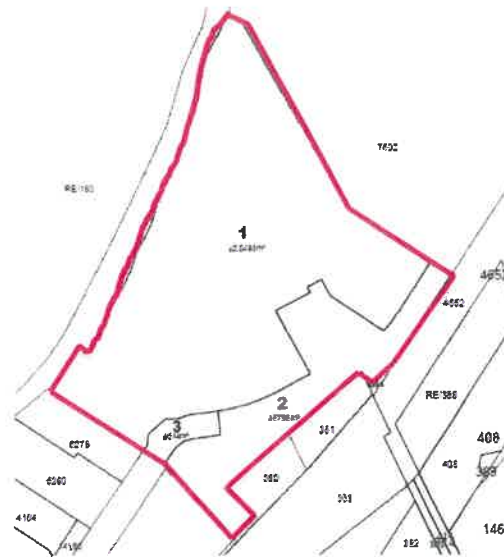


Figure 21: Subdivision Plan

Provision has been made to further subdivide the business portion, Ptn 2, in order to provide access through the property if so required.

14.1.1. Scope & Scale

a) Residential

The Residential scheme will comprise six residential buildings with a total of +- 253 apartments together with private amenities.

Table 5 Residential data

Residential Buildings	Levels above semi-basement *	Storeys	Unit Types			Total
			A ^o	B ^o	C	
			2 Bed 62m ²	3 Bed 61m ²	3 Bed 84m ²	
Block 1	4	5	16	0	16	32
Block 2	4	5	20	0	16	36
Block 3	4	5	32	0	16	48
Block 4	5	6	0	65	0	65
Block 5	3	4	0	36	0	36
Block 6	3	4	27	0	9	36
			95	101	57	253

* In terms of the zoning scheme the semi-basement is deemed to be a storey

^o Unit Types A & B are interchangeable in order to provide flexibility according to market demand

The residential development data can be summarised as follows;

- Overall site area 26 905m² – proposed residential subdivision 20 493m².
- Gross building area – residential units 21 968m² & amenities 553m² = Total 22 521m².
- The residential coverage 6 081 m² (unit block coverage) and 411 m² (amenities) which is 32 % coverage of the proposed residential subdivision (existing coverage of total site 37%)

- The development will range between 4 and 6 storeys – note in terms of the zoning scheme the semi basement parking is deemed a storey.
- The existing Mill House will be converted into a private gym facility with a swimming pool for the exclusive use of the residential complex.
- Parking will be a combination of open surface parking and semi-basement parking. In accordance with the zoning parameters applicable, a total of 419 parking bays are required - 293 dedicated & 127 visitors. 420 parking bays have been provided.

b) Business premises

The commercial component comprises the repurposing of two existing buildings, namely the Manor House and the “Shed” which both front onto the proposed extension of Distillery Road which will contribute to the intended activity character of the road.

- **Manor House**

The existing double storey Manor House will be utilized for business purposes – the building lends itself to a variety of uses in the hospitality and general commercial sectors.

Should access be required/provided through the property the Manor House will be accommodated on a separate subdivision fronting onto such public road.

Extensive internal renovations to the Manor House were undertaken by Gilbeys Distillers and Vintners in the 1990’s when the house was converted into a modern commercial office – should further renovations be required a separate application will be submitted as required.



Fig 22 Existing Manor House

- **The Shed**

The existing single storey warehouse at the entrance of the development (south eastern corner) will be repurposed as a deli/bistro/pub along the lines of the De Warenmarkt in Stellenbosch.

The intention is to “open up” part of the building creating a piazza which will link to the commercial/retail component of the Bosmans Business Centre (on the adjacent Erf 6201).

It is envisaged that “the Shed” will become a vibrant social hub within the precinct enabling residents to entertain and socialise within a safe walkable neighbourhood – such a facility is currently lacking within the precinct which currently does not include any form of “after hours” activities.

The Shed is located on the proposed extension of Distillery Road opposite the entrance to the proposed residential scheme.



Fig 23 Existing Shed

The success of the commercial component is dependent on the increased number of people residing in the precinct as provide for in the residential scheme the attraction of which will be enhanced by the provision of commercial/entertainment facilities within a safe walkable neighbourhood.

The business premises data can be summarised as follows;

- Overall site area 26 905m² – proposed business subdivision including provision for future road access through the property 5 798m².
- Bulk – 1 501m² & amenities 42m² = Total 1 543m².
- Gross leasable area 1 276m².

- The business coverage is 946 m² which is 16 % coverage of the proposed business subdivision including provision for future road access through the property (existing coverage of total site 37%)
- Parking for the business component is provided at grade directly in front of each building – 47 bays required and 51 bays provided.

14.1.2. Site Development Plan

The development philosophy and informants, as discussed in Section D above, were all acknowledged and addressed during the design process

a. Residential

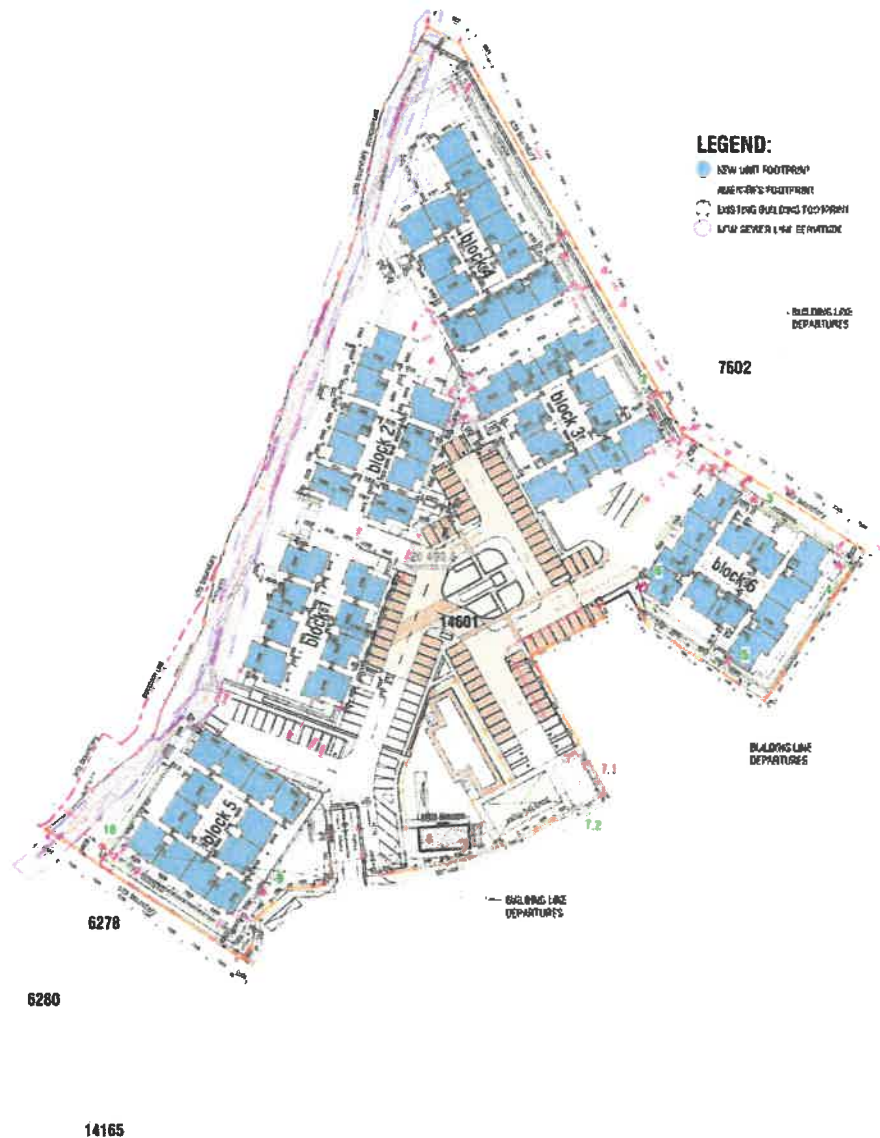


Fig 24: SDP - Residential

○ **Site lines and relationship between buildings**

Particular emphasis was placed on re-establishing the site lines between Adam Tas Road, and the historically significant buildings on site and creating a view corridor towards the Papegaaiberg.

The relationship between the three existing structures was deemed important as their collective identity would uphold historic proportions and legacy against a new, more contemporary architecture.



Fig 25: SDP – Three-D modelling of the proposed development

As much as the contemporary architecture endeavours to simplify itself in order to emphasise the old, so too the old must be given a unified, linked identity with which to stand in contrast to the new - in order to achieve this, site lines between the old structures have been kept clean to enable them to be seen together.

○ **Residential block layout and central “courtyard”**

The residential blocks are designed as clusters rather than linear rows which;

- creates a sense of community and reduces the overwhelming scale of long row-style residential blocks,
- hides circulation space and back-of-house facades from the outside putting all main facades on the exterior of the block and
- optimises parking layouts and vehicular circulation.

The blocks are positioned on the western boundary, fronting the Plankenbrug River, and the northern boundary which together with the three existing structures creates a central courtyard accommodating limited parking and recreational amenities.

Numerous walkways and planter walls have been introduced to treat the central open space as a courtyard. The roads and walkways will be treated with different paving materials, to invoke the feeling of cobbled courtyards together with extensive landscaping.

The Mill House is incorporated as the central recreational hub of the scheme adjacent to the swimming pool and central "activity space".



Figures 26 - 29: 3D modelling of the proposed development

- **Access Control**

Access control and security measures are included to the common property and sectional title units which are located on a single cadastral erf which should not be confused with a "gated village" which incorporates numbers of individual erven within a security estate.

- **Parking**

Parking levels are partially submerged in semi basements which are surrounded by planted 'werf' walls in order to hide the majority of cars from view.

The planted "werf" walls hides the columns and make the buildings seem anchored/grounded, to depart from the 'floating/ hovering' principles of Modernist architecture and to add greenery in the vertical plane.

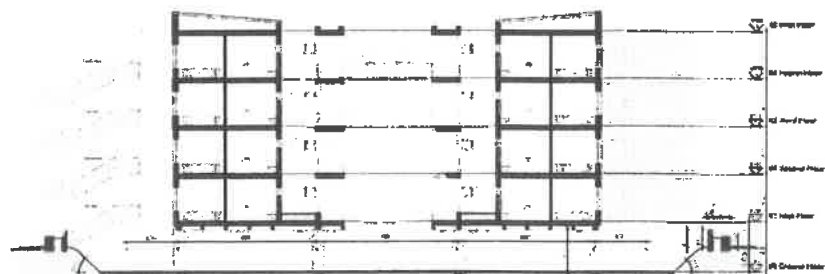


Fig 30: Semi basement parking & "werf" wall

- **Height & density**

The heights and datum lines of existing structures were used as loose reference points in determining the scale of new structures - the blocks situated adjacent the Papegaaiberg are of a greater height and density than those adjacent to the Manor House.

The buildings on site become higher from the railway line towards the foot of Papegaaiberg which creates a gradual visual experience when the development is viewed from Adam Tas Road, with the buildings in the foreground being the lowest and the buildings at the back, with the Papegaaiberg as a backdrop, being the tallest.

- **Millstream**

The Mill Stream is currently diverted in an underground storm water pipe running through the property below the main warehouse and discharging water into the Plankenbrug River.

In order to celebrate the canal culture of old Stellenbosch the stream has been expressed by means of a water feature that runs through the development into the Plankenbrug River – Refer to Annexure 13, Landscape Development and Design Philosophy

- **Access through the property**

The original Urban Design Framework prepared in 2016 preceded the ATC initiative and the closing down of the Bergkelder industrial complex.

The proposals for the Bergkelder site are currently unknown/undetermined however provision for access through the property, linking the Bergkelder site to Bosmans Crossing, has been made if so required.

The provision of a public road through the property would be subject to agreement being reached between the various stakeholders.

- **Plankenbrug Sewer Pipeline Servitude**

The Plankenbrug sewer pipeline was installed, by the Municipality, through the property in 2017 along the western boundary between the existing main warehouse and the Plankenbrug River.

The pipeline was installed prior to the registration of a servitude the terms and conditions of which still need to be agreed between the Municipality and the applicant.

Notwithstanding the above provision has been made for a 6m servitude in accordance with the Municipal notice dated 03 May 2017 and subsequent discussions between the Municipality and the applicant.

b. Business

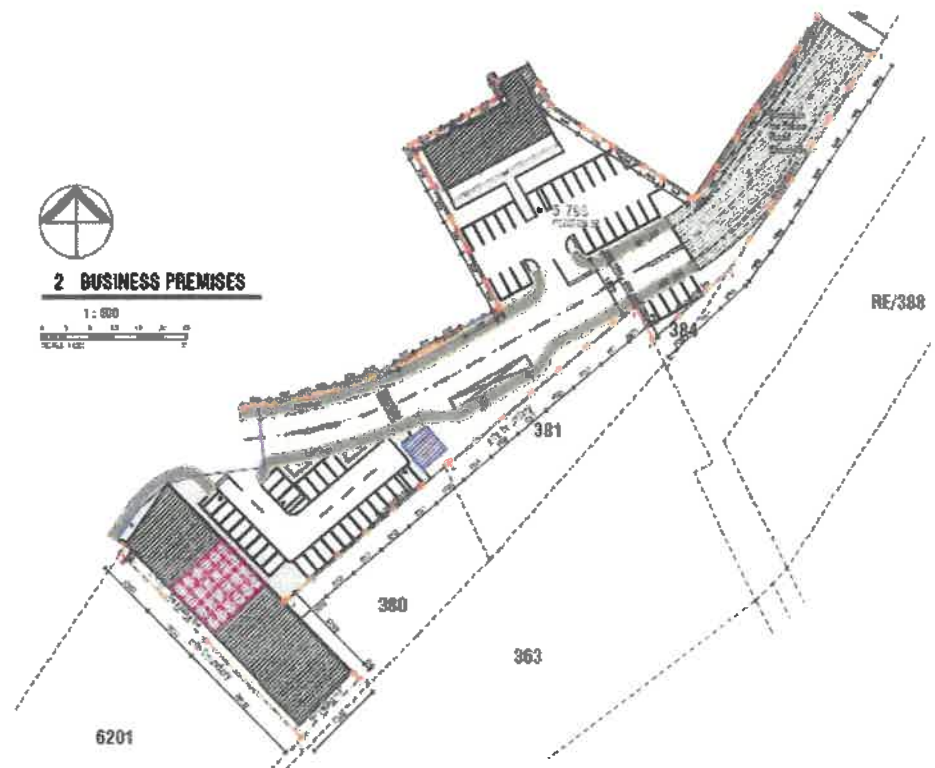


Fig 31: SDP – Business Premises

14.1.3. Architectural Ethos

The approach taken with regards to the architectural design was to respect the proximity of historically significant sites and styles and to draw inspiration where deemed appropriate – Refer to Annexure 14, Oude Molen Architectural Design Ethos.

The surrounding architecture in Bosmans Crossing is mostly industrial whereas the Manor House, Mill House and warehouses on the property incorporate a hybrid architecture visually reminiscent of Cape Dutch - the site itself is therefore predominantly “Cape” in style.

The challenge for the new development would be to marry the two styles in an appropriate ratio of the historically appropriate Cape architectural references for the Manor and Mill Houses on site, and Industrial for the surrounding character of the immediate context.

The parameters of homes built in the Cape Dutch style held a very particular balance and so when applied to larger buildings, the balance between length, width and height had to be carefully altered throughout the change of scale which was difficult, and made the maintaining of the classic orders and principles problematic.

As modernism as an architectural style rose in popularity across the world, the Western Cape adopted a version influenced by its own Cape aesthetic. This is well observed in the works of famous South African Architects like Pius Pahl and Roelof Uytendogaardt - the forms of these two styles differed significantly, but the similarities in material and colour

allowed the new style to fit into the historic context which is how the Cape style was introduced to architecture that outgrew the historic farmstead scale.

Multiple storey buildings adopted the form and design of the Modern Style, whilst staying true to the palate and intention of the Cape Style.

There are many appropriate examples of these contemporary three storey apartment buildings in the heart of Stellenbosch. They abandoned the original Baroque ornamentalations of the original Cape Dutch gables, in favour of cleaner lines and simpler forms, whilst maintaining similar materials and finishes with which to blend into the historical context.

The intention is to use the new architecture as backdrop-architecture to the existing Manor and Mill Houses, in an attempt to emphasise their classical forms and principles without overshadowing them and drawing attention away from the site's historical character - enhancing not copying



Figures 32 – 35: Interpretation of new Architecture

This is achieved by using traditional Cape colours and tonal similarities combined with a form that is more contemporary in its presentation which creates a simplistic architecture that is simple in form, but rich in texture and material application.

14.2. Transport, Access and Roads

Refer to Annexure 15, Traffic Impact Assessment prepared by the ICE Group.

14.2.1. Access and internal road circulation

Access is obtained from Distillery Road, via Oude Libertas Street, both classified as Class 4-roads - distillery Road currently terminates at the subject property boundary.

A future road link to George Blake Road via the subject property (and via the Bergkelder Site) has been provided for should such a link be required.

At a meeting held with the Stellenbosch Municipality in January 2020, attended by Messrs Johan Fullard, Nigel Winter and Roscoe Bergstedt, with the consultant traffic engineers Piet van Blerk and Yolandi Obermeyer, it was agreed that a 13 metre road reserve will suffice for this possible future road link traversing the subject property. The said road reserve is to accommodate a 7,4 metre blacktop, with minimum 2,4 metre NMT-facilities along both sides of the road (wider where additional space exists within the road reserve).

The existing "Bosmans Crossing" bridge across the Plankenbrug River at the entrance to the Bosmans Crossing precinct has limitations with regard to capacity. The Municipality have confirmed, email dated April 2020, that consultants have been appointed to design a new bridge and that the project has been placed on the new capital budget due for approval by Council at the end of May 2020

The current proposal is to provide access to the Residential Scheme and the business component by an extension of Distillery Road into the subject property.

Should a link road through the property be required, and as provided for, three access points are proposed – access to the residential scheme and access to the two business components. To address traffic calming measures it is proposed that the access intersections be raised.

- Access to the Residential Scheme

Access to the residential scheme is provided on the left hand side some 30 meters along the Distillery Road extension.

The controlled entrance will be set back approximately 20 meters from the access intersection and will comprise two incoming lanes and an exit lane.

Internal circulation will be via the isle widths provided between parking bays, which measure 7,0 metres which are considered sufficient to accommodate the two-way traffic expected on-site

A refuse embayment is proposed at the entrance to the Residential Scheme although the intention is that refuse collection will be contracted privately – the embayment will also function as a Public Transport embayment.

- Access to "The Shed" business development

Uncontrolled access to "The Shed" is provided directly opposite the access to the Residential Scheme.

A refuse embayment is proposed which will also be able to function as public transport embayment.

○ Manor House business development

Uncontrolled access to The Manor House is provided +- 80m to the east of The Shed access.

A refuse embayment is proposed which will also be able to function as public transport embayment.



Fig 36: Access and Internal Circulation

14.2.2. Parking.

Parking has been provided in accordance with the scheme regulations.

Table 6: Parking provision

Residential	No of Beds	No of Units	Bays/Unit	Bays Required	Provided
Unit Type A	2	95	1	95	
Unit Type B	3	101	1.25	126	
Unit Type C	3	57	1.25	71	
Total		253		293	293
Visitors	0.5			127	127
Total				419	420
Commercial		GLA	Bays/100 m ²	Bays Required	Provided
Manor House		592	4	24	28
Shed		684	4	27	27
Total				51	55

14.2.3. Traffic Impact Assessment

Refer to Annexure 15 Traffic Impact Assessment prepared by the ICE Group which can be summarised as follows;

a) Analysis of Available Peak Hour Volumes – current excluding future and proposed development

- o Adam Tas Road/Oude Libertas Street intersection

Although relatively congested during peak times, unacceptable service levels are not yet experienced.

- o Oude Libertas Street/Distillery Road/Flamingo Road intersection

According to the Sidra analyses, acceptable service levels A and above were experienced at this intersection during the available peak hours.

b) Analysis of Estimated Peak Hour Volumes – including future development but excluding proposed development

- o Adam Tas Road/Oude Libertas Street intersection

To accommodate the estimated 2025 peak hour traffic volumes (background traffic including surrounding development but excluding the proposed development) at the Adam Tas Road/Oude Libertas Street intersection, the Erf 15804-upgrades will be required, as well as a continuous left-slip lane on the Oude Libertas Road- approach, and the consideration of a third through lane along Adam Tas Road, or a bypass road (as per the Saw Mills-recommendations).

- o Oude Libertas Street/Distillery Road/Flamingo Road intersection

To accommodate the estimated 2025 peak hour traffic volumes (background traffic including surrounding development but excluding the proposed development) at the Oude Libertas Street/Distillery Road/Flamingo Road intersection, the provision of traffic signals be considered.

- c) Analysis of Expected Peak Hour Volumes – including future development and including the proposed development

The upgrades required to accommodate the background traffic should be sufficient to accommodate the addition of the proposed development traffic.

The report concluded, inter alia:

- a) That the proposed development has the potential to generate 271 AM peak hour trips (76 in, 195 out) and 339 PM peak hour trips (222 in, 117 out), which will have a lesser impact on the external road network than the industrial rights;
- b) That to accommodate the proposed development-traffic, no upgrades additional to those required to accommodate the background traffic is considered necessary;
- c) That provision has been made should the overall road network require a link between the existing Bosman's Crossing area and George Blake Road by way of a future road link (extension of Distillery Road) to George Blake Road via the subject property (13 metre road reserve as agreed upon with Stellenbosch Municipality: 7,4 metre blacktop road with minimum 2,4 metre NMT facilities along both sides);
- d) That the existing bridge across the river, currently the only access to the Bosman's Crossing area, has limitations with regard to capacity, but that according to information, consultants have been appointed by Stellenbosch Municipality to investigate required upgrades;
- e) That a pedestrian bridge over the railway line, and possibly over Adam Tas Road, is planned, which will be an important link between Bosman's Crossing and the eastern side of the railway line in order to provide a more direct (and shorter) route for NMT towards Stellenbosch CBD – bridge included in Lower Dorp Street duelling proposal (as part of the heritage application).



And recommended that to accommodate the background traffic:

- a) Adam Tas Road/Oude Libertas Street intersection:
 - a. A continuous left-slip lane on the Oude Libertas Street-approach be considered, and
 - b. consideration be given to a third through lane along Adam Tas Road, or a bypass road (both as per the Saw Mills-recommendations);
- b) Oude Libertas Street/Distillery Road/Flamingo Road intersection
 - a. The provision of traffic signals be considered.

As Adam Tas Road is a Class 2-road, and as the upgrades required are as result of background traffic, the cost of the recommended upgrades should be offset against Development Contributions

14.2.4. Non-Motorised Transport (NMT)

The residential scheme has been designed to encourage the use of bicycles by the provision of storage facilities as has the adjacent Bosmans Business Centre which includes secure bicycle storage together with showers on each floor for cyclists.

NMT pathways and public transport embayments have been allowed for along the proposed extension of Distillery Road traversing the subject property.

However ultimately the actual usage and success is dependent on the linkage into the greater NMT system and the extent and success of such system.

a) Walkable Neighbourhood

There is a symbiotic relationship between residential and retail/commercial development with residential development generally preceding retail/commercial development in an area/precinct. Retail/commercial feasibility studies are largely reliant on the supply and relevant demand drivers of the "catchment area" of the proposed development. The approval of sites by National chains/franchises is dependent on such data— people are a catalyst to commercial/retail development.

The redevelopment of the Bosmans Crossing precinct commenced in the mid 2000's and the precinct is currently in the process of being transformed into a vibrant mixed use node as originally envisaged. However, to date, there are insufficient residents residing in the precinct to justify the feasibility of retail/entertainment with no businesses currently being open after office hours - the applicant has had first-hand experience in attempting to attract a national retailer to the area with the current demand proving insufficient.

The area of the subject property together with Erf 6201, developed by the applicant, is greater than the remainder of the Bosmans Crossing precinct. Due

to its size and scale the proposed development has the critical mass to add sufficient residents to make retail and entertainment businesses in the precinct viable.

Further to the above the applicant is currently developing the Bosmans Business Centre, +- 5 000m² of commercial GLA, on the adjacent site and it is envisaged that many of the occupants will choose to reside in the precinct.

The development of the Bosmans Business Centre and the proposed development of the subject property will transform the area into a diverse balanced mixed use precinct which will result in a safe community orientated - live – work – study – play – walkable neighbourhood which is the ultimate form of NMT.

The intention is to improve the security of the entire precinct through the establishment of a Special Rated Area (SRA) and the deployment of the latest security technologies to further foster the walkable neighbourhood.

b) NMT Bridge

As acknowledged in the MSDP (ATC Initiative) Bosmans Crossing is currently not well integrated with the rest of Stellenbosch largely due to the barrier/severance effect of the railway and Adam Tas Road

The proposal is for a Non-Motorised Transport (NMT) bridge, catering for pedestrians and cyclists, over the railway line linking the precinct to the Lower Dorp Street precinct and into the greater proposed Stellenbosch NMT network in accordance with the Comprehensive Integrated Transport Plan (CITP).

The proposal is for the NMT bridge to follow the original alignment of Dorp Street, a portion of which lies on the western side of the railway line in Bosmans Crossing connecting into Distillery Road – as depicted in red in Fig 37 below.

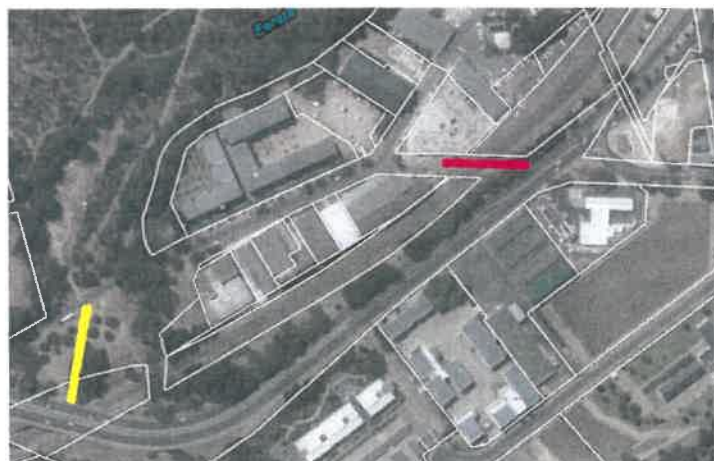


Fig 37: Schematic of the proposed NMT Bridge over the railway line linking Bosmans Crossing to Lower Dorp Street – red line and linkage into existing cycle path – yellow line.



The Record of Decision (ROD) for the Heritage approval for the proposed widening of the Lower Dorp Street – Case No 15031805GT0313E December 2015 – included a condition that *“the historical alignment must be retained. The continuity must be improved by the construction of a pedestrian/cycle bridge over the railway line and a cobble stone or paved strip over Adam Tas Road: the practical execution thereof still to be confirmed by the effected parties.”*

Further to the above the proposed NMT Bridge has the following support;

- At a meeting with representatives of PRASA in 2012, 08/05/2012, 16/05/2012 & 17/05/2012, which included a site visit, it was confirmed that a road servitude existed and that the bridge would be deemed to be “a street to street” access requiring Municipal approval.
- The Municipalities support for the bridge was confirmed at a meeting in November 2014 followed by a written request by the ICE Group, as requested by the Municipality, that the proposed pedestrian/cycle bridge be included in the Stellenbosch Municipalities NMT plan which was being finalised at the time.
- The Municipality recently confirmed, email dated April 2020, that – *“A pedestrian bridge over the railway line located between Stellenbosch Station and Dorp Street, linking existing NMT routes along Adam Tas with proposed NMT routes in the Bosmans crossing area, is certainly desirable. The Municipality’s Non-Motorized Transport (NMT) Masterplan is currently being reviewed and updated, and this bridge is included in this Master Plan.”* and that *“We intend to incorporate the pedestrian bridge as Developments within Bosmans crossing and along the Adam Tas Corridor unfold”*

The proposed bridge will have a significant impact on linking Bosmans Crossing with the Stellenbosch NMT system and due to its close proximity to central Stellenbosch is likely to encourage the use of NMT by the residents.

c) Existing Cycle Route

A NMT cycle path exists along Distillery Road, which links with the NMT cycle path along Adam Tas Road via Oude Libertas Road.

Limited capital expenditure would be required to link the cycle path on Distillery Road directly with the existing cycle path on Adam Tas Road by constructing a cycle path, +- 80m, across the open grass area as indicated in yellow in Fig 37 above which would reduce cycling into town by +- 1,7km (round trip 3,4km)

The cycle path on Adam Tas Road forms part of the Primary Network of the Long Term Cycle Network as depicted in Fig 38 below and a link therein will access the entire proposed Stellenbosch cycle network.



Fig 38 Stellenbosch Long Term Cycle Network (Stellenbosch Municipality 2015)

14.2.5. Public Transport (PT)

The main Public Transport modes serving Stellenbosch are rail, Minibus Taxi (MBT) and e-hailing services such as Uber.

The Stellenbosch Railway Station is situated directly opposite the subject property however the railway station is not accessible in the absence of a bridge over the railway line.

The proposed NMT Bridge will provide direct access to the railway station which in turn acts as a hub for, and links in with, the Stellenbosch Public Transport system.

The current Uber rate is R7,50/km with a minimum trip fee of R25 which provides for a trip of approximately 3 km. With the NMT Bridge connecting into Lower Dorp Street central Stellenbosch is accessible within 3km and the minimum trip fee.

Table 7: Travel distances from Erf 14601

Destination	Travel distance from Adam Tas/Lower Dorp Street junction.
Stellenbosch Town Hall	1,5km
Neelsie Student Union	2 km
Die Boord Shopping Centre	1km



14.3. Availability of Municipal Services

14.3.1. Civil Engineering Services

Refer to **Annexure 16: Civil Engineering Services Report** prepared by Engineering Advice & Services Western Cape (Pty) Ltd.

The initial investigation into the servicing of the proposed development confirmed the following:

- Access to the site will be from the existing Distillery Road.
- An existing 150 mm diameter water main will serve the development.
- The internal sewer network for the development will gravitate to existing 500 mm diameter bulk sewer.
- The proposed development will not require the treatment of storm water to control quantity.
- Treatment of storm water to improve the quality will be incorporated in landscaping.
- The proposed development will reduce the demand on the Municipal Services compared to the current rights that are in place.

It can, therefore, be concluded that the proposed development on Erf 14601, Stellenbosch can be serviced from existing infrastructure

14.3.2. Electrical Services

Refer to **Annexure 17: Electrical Services Report** prepared by Johann de Bruyn Consulting Engineers.

The consulting engineers had a pre-submission meeting with the Electrical Department of the Municipality on 4 March 2020. The minutes of this meeting forms part of the report.

- **Existing Services on the Site**

The existing electrical services on site mainly consist of an 11 kV feeder cable, an 11 kV switchgear unit, a transformer and low voltage distribution cables and switchboards.

- **Bulk Supply Infrastructure**

No transmission/distribution of electricity at a voltage exceeding 11,000 volt (11 kV) will be required in this instance.

The existing bulk supply infrastructure in the vicinity of the site consists of 11 kV substations interconnected with 11 kV underground cables managed by Stellenbosch Municipality (the Supply Authority). The existing infrastructure of the supply authority



has sufficient capacity for the proposed development (see minutes of meeting attached hereto).

The bulk electricity supply to the subdivision will consist of an 11 kV underground feeder cable terminated onto an 11 kV metering unit near the main entrance to Erf 14601. This metering unit will be the point of supply to Erf 14601 where the responsibility of the supply authority will terminate.

- **The Proposed Scheme**

The existing 11 kV bulk electrical supply cable will either be rerouted to the new supply point or disconnected as prescribed by the supply authority. The existing ring main unit will be disconnected and returned to the supply authority. The remaining electrical services on the site will become redundant and replaced with new.

The proposed services in the development downstream of the bulk supply point will consist of underground cables generally installed along roads and driveways. Medium voltage (11 kV) cables will be routed to miniature substations strategically positioned in the development, from where low voltage cables will be routed to distribution pillars, distribution kiosks, meter boxes or the like through the development.

Metering will be by means of energy dispensers (pre-payment meters) installed in consumers' premises.

Street and site lights will consist of decorative poles fitted with post-top luminaires with energy efficient lamps and glare prevention reflectors.

No servitudes will be required for electrical services.

- **Phasing of the Development**

The electrical services can be designed to accommodate phasing of the development if required.

- **Bulk Services Levies and Contributions**

Bulk services levies will be payable to the supply authority in respect of the bulk supply. These levies will be determined according to the current policy of the supply authority and at the appropriate time.

- **Maintenance of Services**

The internal electrical services and street lighting will not be taken over by the supply authority. Upon completion of construction, all such electrical services will be handed over to the Body Corporate who will be responsible for the maintenance thereof.



14.4. Development Name

The obvious name for the development would be Oude Molen, named after the original brandy distillery, and the name by which the property is currently known.

However it is evident that this name is often confused by the following;

- a) The Oude Molen Private Student Organisation (PSO) at the University of Stellenbosch
- b) The Oude Molen Brandy Distillery in Elgin the proprietors of the Oude Molen trademark; and
- c) Numerous properties in and near Stellenbosch which have similar names or derivatives of the name.

The intention is therefor to name the scheme "The Mill", with the Mill House at the entrance, which is likely to be succeeded by @ Bosmans Crossing i.e The Mill @ Bosmans Crossing.

14.5. INCLUSIONARY HOUSING

14.5.1. Stellenbosch Inclusionary Housing - Status Quo

The principle of spatial justice, included in the Spatial Planning Land Use Act (SPLUMA), which requires that Municipal Spatial Development Frameworks (MSDF's), policies, mechanisms/land use schemes, land use management systems etc address the principle of spatial justice is acknowledged however such principles need to be applied in the adoption of such policies/systems - the intention is not for the principle of spatial justice to be applied on a discretionary ad hoc basis which would be in conflict with the requirements of MSDF's and the principle of good governance as noted below.

The legislative/regulatory framework governing land use and spatial planning provides for municipalities to adopt an Inclusionary Housing Policy - SPLUMA specifies the requirements to identify designated areas where a national and provincial inclusionary housing policy may be applicable.

Inclusionary housing policies are applicable in many developed countries, requiring large new developments to make some contribution to the provision of affordable housing. There are a range of different policies including mandatory, voluntary and targeted policies however the following issues are central to all successful policies;

- Inclusionary Housing must promote a partnership approach between the public and private sector towards the development of affordable housing.
- Inclusionary Housing should not act as a disincentive for the private sector to invest in residential, or commercial development.
- Inclusionary Housing policies should incentivise the private sector to provide an element of affordable housing by means of offering "alternative value" - *"international best practice shows that offering developers density bonuses or*



proactive up-zoning, as well as the fast-tracking of the development management approvals process are the two most effective incentives in the context of inclusionary housing.”

- Winning broad public support for new Inclusionary Housing Policies is essential to both the short-term prospects of adopting a successful policy and to the long-term success of the program.
- **Inclusionary Housing policies need to be clearly defined and need to prescribe clear rules in order to promote a predictable investment environment.**

The 4th Generation Integrated Development Plan (2017 – 2022) and the MSDF approved by council in 2019 identify the need to *“develop an inclusionary housing policy and guidelines”* however Stellenbosch, has not as yet, embarked on the process of adopting an Inclusionary Housing Policy.

The “voluntary approach” referred to must be distinguished from a “Voluntary Inclusionary Housing Policy” which is a **policy** whereby developers elect to participate in order to benefit from known incentives defined in such policy – in such instances the development of affordable housing units is not compulsory but is based on willing partners to a mutually beneficial arrangement.

The apparent “moral suasion” /voluntary ad hoc approach seemingly adopted by the municipality is contrary to the requirements of SPLUMA that, inter alia, require municipal spatial development frameworks to;

- *“provide clear and accessible information to the public and private sector and provide direction for investment purposes”; and*
- *“promote a rational and predictable land development environment to create trust and stimulate investment”*

The SPLUMA principle of Good Governance, refer to 17.5 below, requires;

- *“That the preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them”; and*
- *“Policies, legislation and procedures must be clearly set in order to inform and empower members of the public”.*

The Stellenbosch Municipalities approach to attempt to coerce “ad hoc voluntary” affordable housing as part of a development application in the absence of an Inclusionary Housing Policy is unworkable and in direct conflict with the provisions of SPLUMA.



The Stellenbosch Municipal Planning Tribunal (SMPT) has acknowledged the absence of an Inclusionary Housing Policy and the need for such a policy – the minutes of the SMPT meeting on 31 January 2020 note, in dealing with land use applications in the Dennesig Area, that - *“The issue of inclusionary housing was specifically addressed. As there is currently no Council Policy available in this regard, it was recommended that it be made a condition of approval that inclusionary housing should be investigated in a proposed new development to expand housing opportunity for a broader range of income groups, particularly in settlements within Stellenbosch. The Tribunal requested to be provided with future feedback on this matter. The Tribunal further requested that the formulation of a municipal inclusionary housing policy be made a priority by the Spatial Planning Section.”*

The approval of the abovementioned applications included the condition that - *“Inclusionary housing component be included to expand housing opportunity for a broader range of income groups”* – there is no clarity on what constitutes an “Inclusionary housing component” and/or how compliance with this condition will be adjudicated and by whom.

14.5.2. Offer of Inclusionary Housing Component.

Notwithstanding the absence of an Inclusionary Housing Policy and as a measure of its social responsibility the applicant is willing to voluntarily provide a component of affordable housing within the proposed development.

The applicant has identified the need for affordable student accommodation in Stellenbosch which need is identified in the MSDF. The MSDF, inter alia, includes to “expand housing opportunity for a broader range of groups – including lower income groups and students – particularly in settlements forming part of the Baden Powell-Adam Tas-R304 corridor” as a proposed spatial policy to implement the strategy to “Develop all settlements as balanced, inclusive, appropriately serviced, communities, negotiable through NMT and exhibiting a positive relationship with surrounding nature and agricultural land” and it includes to “actively support the development of student housing in Stellenbosch town” as a work guideline in support of such policy and further includes the “broadening of residential opportunity for lower income groups, students and the lower middle housing market segments” as a “Development and Land Use Management Focus”

The need for affordable student accommodation is undeniable with many students being unable to “enjoy university life to the full because there is limited residential opportunity for students” as acknowledged in the IDP.



The proposal is to offer subsidised student rental accommodation in accordance with the following principles;

- 12 three bedroom units (36 beds) will be offered as subsidised student rental accommodation to students at a registered tertiary institution.
- The rental will be linked to the University of Stellenbosch hostel rental which equates to approximately 50% of the open market rental – this will provide an objective manner of determining rental.
- Visitors parking will be provided for the units but no parking will be allocated to the occupants.
- The administration of the “subsidised student rental scheme” needs to be resolved – the proposal is that the scheme be under the administration of the University of Stellenbosch.
- In return the applicant is seeking alternative value in the form of the fast tracking of the application process together with the proposed NMT bridge over the railway line within the regulatory prescripts – **this is material to the proposal.**



SECTION E LAND USE APPLICATION

15. LAND USE APPLICATION IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPALITY: LAND USE PLANNING BYLAW, 2015

15.1. Subdivision in terms of Section 15(d)

Application is made to subdivide the subject property, Erf 14601 measuring 26 905m² in extent, into three portions;

- **Portion 1** - ± 20 493 m² to accommodate the residential sectional title scheme comprising 253 dwelling units together with amenities – to be zoned Mixed Use Zone.
- **Portion 2** - ± 5 798 m² to accommodate the Manor House and “the Shed” to be used for business purposes including offices and restaurant/bistro/pub - to be zoned Mixed Use Zone.

The proposal is to accommodate the Manor House & the Shed on Portion 2 until such time as the “through road” requirements are determined and agreed.

Once determined the Portion can be further subdivided into three Portions in future;

- Portion 2A – The Shed
- Portion 2B – The Manor House; and
- Portion 2C – the extension of Distillery Road through the property.
- **Portion 3** - ± 614 m² to be public road that will accommodate the extension of Distillery Road providing access to Portions 1 & 2 above.

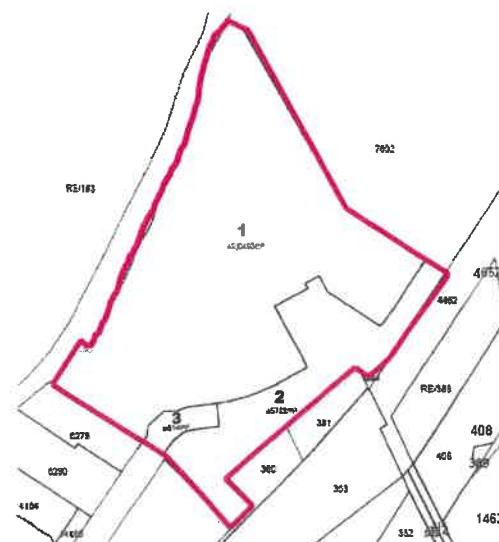


Figure 39: Subdivision Plan



15.2. Rezoning in terms of Section 15(a)

The property was originally zoned as 'Wine Industry' in terms of the former Stellenbosch Zoning Scheme. In terms of the new Stellenbosch Municipality Zoning Scheme By-Law the property was allocated an Industrial zoning- which is the current zoning of the subject property – primarily allowing for general manufacturing and large scale warehousing purposes as well as other industrial related activities.

Due to the mixed-use nature of the proposed development, application is now made for the rezoning of Erf 14601 from Industrial Zone to Subdivisional Area allowing for two Mixed-Use Zone erven and one Public Roads and Parking Zone erf.

- The Mixed-Use Zone was considered to be the most appropriate zoning for the proposed Portions 1 and 2 accommodating both the Oude Molen residential and business premises components and it were confirmed as such with the relevant officials of the Department: Planning & Economic Development of the Municipality during the pre-application consultation. This is also the zoning allocated to the existing mixed-use development in the wider Bosmans Crossing precinct. The proposed Mixed-Use zone allows for a business premises (including shops, markets, restaurants and offices) and flats. This zoning will thus be able to accommodate the different land uses proposed in this development, namely blocks of flats, the clubhouse with pool for the exclusive use of the residential component as well as the proposed commercial land uses (including offices, restaurant(s)/bakery bistro and a local pub)
- A Public Roads and Parking Zoning will be allocated to Portion 3 to accommodate the extension of Distillery Road as a public road into the subject property.

The rights in terms of the current Industrial Zone, the existing buildings and the proposed rights in terms of the application are given in the table below.

Table 8: Permitted, Existing and Proposed building areas

Zoning	Extent	Floor Area	Coverage	Height	Bulk m ²
	26 905				
Current Zoning	Industrial	na	75%	4	80 715
Current Use	Industrial	na	37%	2	10 794
Proposed Zoning & Use					
Permitted	MUZ	na	85%	6	137 216
Proposed	MUZ	na	29%	4 & 5	23 933



15.3. Permanent departures in terms of Section 15(b)

The development proposal complies with the all the zoning scheme parameters for a Mixed-Zone except for some building line departures.

Some common boundary line departures are proposed on the northern boundary of the property to accommodate the proposed position of Blocks 4, 3 and 6 of the residential component (Portion 1). A common boundary building line of 2.5m in lieu of 4.5m is proposed. This departure will not affect any existing land use rights of adjacent properties as the buildings will abut a nature reserve and industrial site. A common building line on the eastern boundary (adjacent to the newly created Portion 2) is also required to allow Block 5 to be 3.0m in lieu of 4.5m.

A street building line, adjacent to the newly created Portion 2, of 0.0m in lieu of 4.5m is required for the ablution/changing room facility for the pool and volleyball court. A common building line departure of 1.5m in lieu of 4.5m is also required for the Mill House. These departures will further contribute to an active interface on the possible future extension of Distillery Road.

15.4. Permission in terms of Section 15(g)

Section 106(i) of the Zoning Scheme By-Law states that no flats shall be permitted at ground floor "except with the permission of the Municipality". The intention of promoting non-residential land uses on the ground floor in a Mixed-Use Zone is to allow for the promotion of mixed uses and communal areas on street level.

As the Oude Molen residential precinct will be a private environment not fronting onto a public street, it was felt that it would improve the operational management and security of the residential component if the non-residential land uses are concentrated on the Portion 2 Mixed-Use Zone. This will further ensure that the commercial uses will be accessible to the general public and as such promote the principles of the Adam Tas Corridor as a mixed-use area/corridor where non-residential and residential land uses can be accommodated vertically above each other or horizontally next to one another.

15.5. Consent Use in terms of Section 15(o)

A Place of Entertainment (in this case the proposed pub) is only allowed as a Consent Use within a Mixed Use Zone. In this case the commercial component is separated from the primarily residential component of the development and will not negatively impact thereon or on any other land uses in the immediate vicinity as it will be adjacent to a public road and a railway line.

15.6. Approval in terms of Section 38

Approval of the proposed street name (extension to Distillery Road) and (the additional) street numbers as well as the name of the development as indicated on the Plan of Subdivision and SDP package.



15.7. Approval of the Site Development Plan Package (containing the Landscape Plans and Phasing Plan) attached as Annexure 13.

15.7.1. Proposed Portion 1 of Erf 14601 Stellenbosch accommodating the residential sectional title scheme

15.7.2. Proposed Portion 2 of Erf 14601 Stellenbosch – Business Use

15.7.3. Approval of Phasing Plan

15.8. Compliance with Stellenbosch Zoning Scheme By-Law

Table 9 Compliance with Stellenbosch Zoning Scheme By-Law

Land Use Parameter	Permitted/ Required for MUZ	Proposed Development	Compliance
Land Use	Commune Business premises (including shops, markets, restaurants, office) Clinic Community residential building Extramural facility Flats Guest house, Hostel and, hotel Occasional use Plant nursery Public institution Public parking area Private road Tourist dwelling unit Tourist accommodation Welfare institution	Flats and business premises	Compliant
Residential Scheme			
Building Lines			
North	4,5m	2.5m	Departure required
East	4.5m	0.0m	
Coverage	85%	32%	Compliant
Height	6 storeys	3- 5 storeys	Compliant
Parking	389	420	Compliant
Business Premises			
Building Lines			
North	0m	No departures	Compliant
East			
Coverage	85 %	16 %	Compliant
Height	6 storeys	1 storey 'The Shed' and 2 storeys, 'Manor House'	Compliant
Parking	4 bays per 100 m ² GLA	1276 m ² GLA- 51 bays 51 bays required 55 bays provided	Compliant



SECTION F

COMPLIANCE WITH APPLICABLE POLICY, LEGISLATION AND JOB CREATION

16. STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW 2015

This application is submitted in terms of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, - Chapter V Section 65 (1) provides that when the Municipality considers an application it must, inter alia, have, regard to the following policies;

- a) Matters referred to in section 42 of the Spatial Planning and Land Use Management Act;
- b) The principles referred to in Chapter VI of the Land Use Planning Act; and
- c) The integrated development plan, including the municipal spatial development framework;

16.1. SPATIAL PLANNING LAND USE MANAGEMENT ACT, 2013, (SPLUMA) & LAND USE PLANNING ACT, 2014 (LUPA)

Section 42 (a) of SPLUMA requires that in considering an application a Municipal Planning Tribunal must "be guided by the development principles set out in Chapter 2" which principles are expanded on in Chapter VI of LUPA – the principles being 'Spatial Justice', 'Spatial Sustainability', 'Efficiency', 'Spatial Resilience' and 'Good Administration'

16.1.1. Spatial Justice

The principal of spatial justice, whereby;

- i. Past spatial and other development imbalances should be redressed through improved access to, and utilisation of, land;
- ii. Spatial development frameworks and policy at all spheres of government should address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements and areas characterised by widespread poverty and deprivation;
- iii. Spatial planning mechanisms, including zoning schemes, should incorporate provisions that enable redress in access to land by disadvantaged communities and persons;
- iv. Land use management systems should include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas and informal settlements;
- v. Land development procedures must include provisions that accommodate access to, and facilitation of, security of tenure and the incremental upgrading of informal areas;



- vi. A competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome of the application; and
- vii. The right of owners to develop land in accordance with current use rights should be recognised.

The principle of spatial justice requires that spatial planning mechanisms, SDF's, spatial policies, land use management systems and land development procedures must address the principle of spatial justice.

There are no provisions as to how this principle may be interpreted and applied to land use applications save that a competent authority in considering an application may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome of the application and a general provision that past spatial and other development imbalances should be redressed through improved access to, and utilisation of, land.

The proposed sectional title development is not targeted at a specific market segment – it is not specifically designed and does not include amenities for a specific market for instance students or retired persons but is designed as a “general” residential sectional title scheme offering a diverse range of two and three bedroom apartments including 57m² two bedroom units, small 61m² three bedroom units and larger 75m² three bedroom units.

It is envisaged that the varying unit sizes will be attractive to a diverse range of income levels which will improve access to opportunities in the central Stellenbosch area.

It is noted that the principle of “Spatial Justice” as contained in SPLUMA and LUPA does not specifically refer to Inclusionary Housing and that Stellenbosch Municipality does not currently have an Inclusionary Housing policy.

Notwithstanding the above the applicant has offered to include an inclusionary housing component subject to certain conditions having been fulfilled – refer to 14.5 Inclusionary Housing above for details thereon.

16.1.2. Spatial Sustainability

The principle of spatial sustainability, whereby spatial planning and land use planning should;

- i. Promote land development that is spatially compact, resource-frugal and within the fiscal, institutional and administrative means of the relevant competent authority in terms of this Act or other relevant authority;
- viii. Ensure that special consideration is given to the protection of prime, unique and high potential agricultural land;



- ix. Uphold consistency of land use measures in accordance with environmental management instruments;
- x. Promote and stimulate the effective and equitable functioning of land markets;
- xi. Consider current and future costs to all parties for the provision of infrastructure and social services in land developments;
- xii. Promote land development in locations that are sustainable and limit urban sprawl; and
- xiii. Result in communities that are viable.
- xiv. Strive to ensure that the basic needs of all citizens are met in an affordable way;

The proposed development is a brownfield development involving the redevelopment of an underutilised industrial property into a high density mixed use development in accordance with the Adam Tas Corridor initiative which is included as a “catalytic initiative” in terms of the approved 2019 Stellenbosch Municipal Development Framework and therefor by definition satisfies the principle of sustainability

16.1.3. Efficiency

The principle of efficiency, whereby –

- i. Land development should optimise the use of existing resources, infrastructure, agriculture, land, minerals and facilities;
- ii. Integrated cities and towns should be developed, whereby-
 - a. The social, economic, institutional and physical aspects of land development is integrated;
 - b. Land development in rural and urban areas in support of each other is promoted;
 - c. The availability of residential and employment opportunities in close proximity to, or integrated with, each other is promoted;
 - d. A diverse combination of land uses is promoted.
 - e. The phenomenon of urban sprawl in urban areas is discouraged and the development of more compact towns and cities with denser habitation is promoted.
 - f. The quality and functionality of the public spatial environment is promoted; and
- iii. Policy, administrative practice and legislation should promote speedy land development.

The proposed brownfields high density mixed use development comprising residential and commercial components utilising existing buildings and infrastructure within the urban edge and the Adam Tas Corridor which is deemed a “catalytic initiative” in terms of the approved Stellenbosch MSDP 2019 and accordingly satisfies the principle of efficiency.

It is noted that the principle of efficiency includes a responsibility on the relevant competent authority to ensure that ***“policy, administrative practice and legislation promote speedy land development.”***



16.1.4. Spatial Resilience

The principle of spatial resilience, *“whereby flexibility in spatial plans, policies and land use management systems is accommodated to ensure sustainable livelihoods in communities most likely to suffer the impact of economic and environmental shocks.”*

The principal of spatial resilience, as above, places the responsibility on the relevant competent authority to ensure flexibility in spatial plans, policies and land use management systems.

Notwithstanding the responsibility on the relevant authorities the proposed development is “resilient” in that it is not targeted at a specific market but will provide general residential accommodation to a variety of uses within a range of income levels.

16.1.5. Good Administration

The principle of good administration, whereby;

- i. All spheres of government should ensure an integrated approach to land use planning;
- ii. All government departments must provide their sector inputs and comply with any statutory requirements during the preparation or amendment of spatial development framework;
- iii. The requirements of any law relating to land and land use must be met timeously
- iv. The preparation and amendment of spatial plans, policy, zoning schemes and procedures for land development and land use applications, should include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them;
- v. **Legislation, procedures and administrative practice relating to land development should be clear, promote predictability, trust and acceptance in order to inform and empower members of the public;**
- vi. A spatial development framework, zoning scheme or policy should be developed in phases and each phase in the development thereof should include consultation with the public and relevant organs of state and should be endorsed by the relevant competent authority.
- vii. Decision-making procedures should be designed to minimise negative financial, social, economic or environmental impacts;
- viii. Development application procedures should be efficient and streamlined and timeframes should be adhered to by all parties; and
- ix. Decision-making in all spheres of government should be guided by and give effect to statutory land use planning systems.



The principal of good governance, as above, places the responsibility on the relevant competent and decision-making authorities to ensure compliance therewith.

The applicant has relied on compliance with such principles in reaching its investment decision with specific reliance on the principal that *“procedures and administrative practice relating to land development should be clear, promote predictability, trust and acceptance in order to inform and empower members of the public.”*

Public participation will be undertaken in accordance with Section 44 – 49 of the Stellenbosch Land Use Planning By-law, 2015 as will be agreed with the relevant officials of the Land Use Management Section of the Municipality. The required pre-submission meetings took place with the relevant Departments of the Municipality.

16.2. STELLENBOSCH INTEGRATED DEVELOPMENT PLAN (2017 – 2022) AND MUNICIPAL SPATIAL DEVELOPMENT PLAN 2019.

16.2.1. Stellenbosch Integrated Development Plan (2017 – 2022)

The Local Government Municipal Systems Act (MSA) 32 of 2000 mandates South African municipalities to formulate a five-year Integrated Development Plan (IDP) to inform the municipal budget and guide all development within the municipal area. The IDP is considered the Municipality’s principle strategic plan that deals with the most critical development needs of the municipal area as well as the critical governance needs of the organisation.

The 4th Generation Integrated Development Plan (2017 - 2022) First Amendment, as prescribed by Section 34 of the MSA was approved by the Stellenbosch Council in August 2019.

In terms of the IDP the vision for the Municipality and the Greater Stellenbosch area is to be the *“Valley of Opportunity and Innovation”* which vision is supported by the following five strategic focus areas;

- *“Valley of Possibility – aimed at attracting investment, growing the economy and employment.*
- *Green and sustainable valley – aimed at ensuring that the asset base of the municipality is protected and enhanced.*
- *Safe Valley – aimed at ensuring that its residents are and feel safe.*
- *Dignified Living – aimed at improving conditions for residents through access to education and economic opportunities.*
- *Good Governance and Compliance – aimed at ensuring that the municipality is managed efficiently and effectively to the benefit of all stakeholders.”*

This vision is reflected in the MSDF which is a *“policy statement that seeks to influence the overall spatial distribution of current and future land use within the municipality or*



other described regions to give effect to the vision, goals and objectives of the IDP or related business plans of government.”

The MSDF provides the Municipality with a single spatial strategy guiding spatial development and accordingly compliance with the MSDF, as below, ensures compliance with the IDP.

16.2.2. Municipal Spatial Development Framework 2019 (MSDF)

The MSDF is a mandatory component of the municipal IDP and “is a public policy statement that seeks to influence the overall spatial distribution of current and future land use within the municipality or other described regions to give effect to the vision, goals and objectives of the IDP or related business plans of government.”

The IDP and MSDF are both informed by numerous policy frameworks including, inter alia, the National Development Plan (NDP), the Western Cape Government's Provincial Spatial Development Framework (PSDF), the Greater Cape Metro (GCM) and Regional Spatial Implementation Framework (RSIF)

The MSDF is a “guiding and informing document that indicates the desired spatial form of an area and defines strategies and policies to achieve this. These strategies and policies inform and guide the Land Use Management Systems which includes town planning or zoning schemes, allocating development rights and the procedures and processes for maintaining the maintenance of or changes in development rights.”

The significance of the MSDF with regards to land use and development of land is embodied in Sections 12 (2) (b) and 22 (1) of SPLUMA which are unambiguous in providing that;

“12 (2) (b) A spatial development framework adopted in terms of this Act must guide and inform the exercise of any discretion or of any decision taken in terms of this Act or any other law relating to land use and development of land by that sphere of government”; and

22 (1) A Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to land development may not make a decision which is inconsistent with the municipal spatial development framework”

The Stellenbosch MSDF 2019, prepared in accordance with the provisions of SPLUMA, was approved by the Stellenbosch Council on 11 November 2019.

In terms of the MSDF the concept for spatial development and management of Stellenbosch Municipality comprises seven key tenets;



- 1: **Maintain and grow our natural assets** - Valuable land areas, including critical biodiversity areas, agricultural land, land affecting the maintenance of water resources, and so on, cannot be built upon extensively, it cannot be the focus for significantly accommodating existing or future settlement need spatially.
- 2: **Respect and grow our cultural heritage** - The areas and spaces – built and unbuilt – that embody the cultural heritage and opportunity of SM needs to be preserved and exposed further. Some areas and spaces need to be maintained intact, others provide the opportunity for new activity, in turn exposing and enabling new expressions of culture.
- 3: **Direct growth to areas of lesser natural and cultural significance as well as movement opportunity** - Within areas of lesser natural and cultural significance, the focus should be on areas where different modes of transport intersect, specifically places where people on foot – or using nonmotorised transport – can readily engage with public transport.
- 4: **Clarify and respect the different roles and functions of settlements** - The role and potentials of different settlements in Stellenbosch require clarification. In broad terms, the role of a settlement is determined by its relationship to natural and cultural assets and the capacity of existing infrastructure to accommodate change and growth.
- 5: **Clarify and respect the roles and functions of different elements of movement structure** - Ensure a balanced approach to transport in SM, appropriately serving regional mobility needs and local level accessibility improvements, aligned with the spatial concept.
- 6: **Ensure balanced, sustainable communities** - Ensure that all settlements are balanced and sustainable, providing for different groups, maintaining minimal development footprints, walkability, and so on.
- 7: **Focus collective energy on critical lead projects** - Harness available energy and resources to focus on a few catalytic areas that offer extensive opportunity fastest and address present risk.

The proposed brownfields high density mixed use safe community orientated walkable neighbourhood development utilising existing buildings and infrastructure within an area identified for densification within the urban edge adjacent to the Stellenbosch train station and linking into the Stellenbosch NMT system is consistent with the above tenets.

Further to the above the “Adam Tas Corridor” together with an “alternative rail service along the Baden Powell Drive – Adam Tas – R304 corridor” have been included as two



of the three catalytic initiatives in the MSDF in accordance with the tenet above to *“harness available energy and resources to focus on a few catalytic areas”*

16.2.3. Adam Tas Corridor

The area stretching along the R310 and R44 along the foot of the Papegaaiberg from the disused Cape Sawmills site in the west to Kayamandi and Cloetesville in the north, defined as the Adam Tas Corridor (ATC) is described as *“the most strategically located land in Stellenbosch”* the redevelopment of which *“can contribute meaningfully to meeting existing challenges and MSDF objectives”*

“in simple terms, the concept is to launch the restructuring of Stellenbosch town through redevelopment of the Adam Tas Corridor”

The ATC is conceptually defined as three areas each linked through a sub-district. The proposed development is located in the Bosmans Crossing precinct which is centrally located within the “central district” which is described as *“the largest district where, development should be the most intense, comprising a mix of commercial, institutional, and high density residential use.”*

At the Municipalities request the applicant met with representatives, at the time, of the Adam Tas Corridor initiative which included;

- 11/12/2018 - A meeting with Messrs Boshoff & Campbell, who were at the time the “representatives” of the ATC;
- 21/10/2019 the ATC committee
- 09/04/2020 the ATC Steering Committee

The applicant presented their development proposal at the above meetings and it was confirmed that the development proposal was consistent with the principles of the ATC initiative.

16.2.4. Stellenbosch Comprehensive Integrated Transport Plan 2016 – 2020 (CITP)

The National Land Transport Act (NLTA), Act 5 of 2009, requires the country’s major cities and towns, including Stellenbosch Municipality, to prepare Comprehensive Integrated Transport Plans (CITP) which is considered as a mechanism by which planning authorities can plan for, develop, manage, integrate and provide for all modes of transport in their areas of jurisdiction.

The CITP is compiled for a five year period with the latest CITP having been prepared and adopted by Council for the 2016 – 2020 period which is updated on an annual basis.



The following areas of strategic interventions have been proposed for Stellenbosch

- “Towards Car Free Living” which refers to strategies that encourage more effective modes of travel such as public transport, NMT and other mechanisms to increase the number of passengers per vehicle;
- “Travel Demand Management” which refers to strategies that manage overall demand for travel during peak periods such as congestion pricing and parking management;
- “Infrastructure and Operational Enhancements” which refer to capacity improvements to transport infrastructure but only as part of the overarching transport philosophy in Stellenbosch. Therefore it could include infrastructure interventions such as by-passes or bus/high occupancy lanes; and
- “Optimal Land-Use and Interconnected nodes” which refers to integrated land use and transport planning which supports and promotes transit orientated development (TOD).

The proposed mix use development comprising densification of residential accommodation in close proximity to central Stellenbosch, the railway station (primary public transport node) and local work opportunities together with the proposed NMT bridge linking the Bosmans Crossing precinct to the greater Stellenbosch NMT – see 14.2 above - is directly aligned and consistent with the proposed strategic interventions by encouraging NMT and public transport and optimising land use within the identified Adam Tas Corridor.

16.3. JOB CREATION

It is widely accepted that the most sustainable form of transformation and economic upliftment is through economic development and job creation.

Whilst job creation, per se, may not be a municipal mandate the need to create an enabling environment that is attractive to investors, in order to generate jobs through economic growth, is promoted in the IDP.

According to the Western Cape Property Development Forum for every one million rand spent in construction 4,7 jobs are created with 25% of the total value of construction capital going towards salaries and 17% being spent on the “poorest” unskilled labour – applying these figures to current day costs (June 2020) the proposed development will generate approximately 1 400 jobs with approximately R50 million being spent on unskilled labour.



The importance of property development as a major employer is recognised by Premier Alan Winde – “The property development and construction sector in the Western Cape is a major employer, and key enabler in creating our future province. Expanding its ability to grow by cutting red tape and making it easier to do business, is a core priority of this government”

In addition to the obligations as prescribed by SPLUMA in the adoption of a municipal spatial development framework and the principle of good administration, as discussed before, the municipality has the ability to encourage investment through

- a) Expediting/fast tracking development applications within the regulatory framework, and
- b) reducing “red tape”

Economic growth and job creation through private sector investment is a necessity for sustainable transformation and economic upliftment

17. APPLICATIONS IN TERMS OF OTHER LAWS/LEGISLATION

17.1. ENVIRONMENTAL MANAGEMENT ACT, 1998

The proposed development does not trigger any of the listed activities in the regulations of the National Environmental Management Act, 1998 and no further environmental studies are required. This has been confirmed by an independent environmental consultant. (Refer to Annexure 18: Environmental opinion letter)

17.2. NATIONAL HERITAGE RESOURCES ACT, 1999

The proposed development triggers Sections 38(1)(c)(i) and (d)1 of the National Heritage Resources Act (NHRA) and a Notification of Intent to Develop (NID) was submitted to Heritage Western Cape (HWC) in 2015. In a response dated 13 February 2015 – HWC Case Number 15012102GT0127E - HWC required that a Heritage Impact Assessment (HIA) be undertaken.

Heritage practitioners Chris Snelling and Cindy Postlethwayt were appointed to undertake the HIA in compliance with the above and to ensure that the applicable processes are followed.

The heritage indicators identified in the HIA have been taken into consideration and have informed the planning process – refer to 13.6 above Heritage Informants.



18. SUMMARY OF COMPLIANCE WITH CRITERIA FOR DECISION-MAKING AS PER CHAPTER V SECTION 65(1) OF THE STELLENBOSCH LAND USE PLANNING BY-LAW 2015.

65 (1) When the Municipality considers an application it must have regard to the following:	Comment	Compliance			
		✓	X	NA	Pend
(a) The application submitted in terms of this By-law;					●
(b) The procedure followed in processing the application;	To be confirmed				●
(c) The desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses;	The application is consistent with the approved MSDF	✓			
(d) The comments in response to the notice of application, including comments received from organs of state, municipal departments and the Provincial Minister in terms of section 45 of the Land Use planning Act;	To be confirmed				●
(e) The response by the applicant, if any, to comments referred investigations to in paragraph (d);	To be confirmed				●
(f) Investigations carried out in terms of other laws that are relevant to consideration of the application	Refer to Section F 17 Applications in terms of NHRA & EMA	✓			
(g) A registered planner's written assessment in respect of an application for	Application prepared by a registered planner	✓			
(h) The impact of the proposed land development on municipal engineering services;	Refer to Section D 14.3 Availability of Municipal Service & Section F 16.2.2 MSDF & 16.2.4 ATC	✓			
(i) The integrated development plan, including the municipal spatial development framework;	Refer to Section F 16.2 Stellenbosch IDP & MSDF	✓			
(j) The integrated development plan and spatial development framework of the district municipality, where applicable ;				●	
(k) The applicable local spatial development frameworks adopted by the Municipality;				●	
(l) The applicable structure plans;				●	
(m) The applicable policies of the Municipality that guide decision making;	The application is consistent with Municipal policies see Section F Compliance with Applicable Policy and Legislation	✓			
(n) The provincial spatial development framework;	See Section F 16.2 IDP & MSDF which are informed by the PSDF	✓			
(o) Where applicable, a regional spatial development framework contemplated in section 18 of the Spatial Planning and Land Use Management Act or provincial regional spatial development framework;	See Section F 16.2 IDP & MSDF which are informed by the RSDF	✓			
(p) The policies, principles and the planning and development norms and criteria set by the national and provincial government;	See Section F Compliance with Applicable Policy and Legislation	✓			
(q) The matters referred to in section 42 of the Spatial Planning and Land Use Management Act;	See Section F 16.1 SPLUMA & LUPA	✓			
(r) The principles referred to in Chapter VI of the Land Use Planning Act; and	See Section F 16.1 SPLUMA & LUPA	✓			
(s) The applicable provisions of the zoning scheme.	See Section E 15.2 Compliance with Stellenbosch Zoning Scheme	✓			



SECTION G

REASONS FOR SUPPORT

19. SUMMARY OF MOTIVATION AND REASONS FOR APPROVAL

- i. The development proposal complies with the criteria for decision making and desirability as set out in Section 65 (1) of the Stellenbosch Municipality Land Use Planning By-Law of 2015.
- ii. The development proposal complies with the land use planning principles (spatial justice, spatial sustainability, efficiency, spatial resilience and good administration) referred to in section 59 of the Land Use Planning Act, 3 of 2014.
- iii. The development proposal is consistent with the approved Integrated Development Plan 2017-2021 and the approved Municipal Spatial Development Framework 2019.
- iv. The mixed use proposal for densification of residential accommodation in close proximity to central Stellenbosch, the railway station (primary public transport node) and local work opportunities together with the proposed NMT bridge linking the Bosmans Crossing precinct to the greater Stellenbosch NMT system is consistent with the Stellenbosch Comprehensive Integrated Transport Plan 2016 – 2020 and will promote and encourage the use of NMT and public transport.
- v. The property is located inside the urban edge where densification and higher density development is encouraged.
- vi. The proposal promotes Council policy as noted in the IDP and MSDF of high-density developments within the Adam Tas Corridor.
- vii. The proposal complies with the guidelines and objectives of the Provincial Spatial Development Framework, the Stellenbosch Integrated Development Plan, the Stellenbosch Municipal Spatial Development Framework and the Stellenbosch Roads Master Plan (which includes the Comprehensive Integrated Transport Plan, the Non-Motorised Transport Plan and Integrated Public Transport Networks).
- viii. The scale and nature of the proposed development is considered to be compatible with the intentions of the Adam Tas Corridor development.
- ix. The proposed development will supply a diverse range of two and three bed residential opportunities which are not targeted at a specific market segment and can accommodate a variety of groups.
- x. The proposal is compatible with the surrounding land uses and built environment and will not have any negative impact on abutting properties or the surrounding area.



- xi. The proposed mixed use development will create employment opportunities which will contribute to socio-economic upliftment.
- xii. The proposal has taken the heritage indicators into account and there will not be a negative impact on heritage or the bio-physical environment.
- xiii. Sufficient municipal infrastructure is available for the proposed development.
- xiv. The proposal is a high density "brownfields" development which will make optimal use of existing infrastructure.
- xv. The upgrades required/planned to accommodate the background traffic in the vicinity are sufficient to accommodate the proposed development traffic.



SECTION H

CLOSING STATEMENT

20. CONCLUSION

It is the opinion of *FIRST PLAN* that this application is consistent with the criteria for decision making and desirability as set out in Section 61 of the Stellenbosch Municipality Land Use Planning By-Law of 2015. The development proposal complies with the land use development principles of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) and is consistent with the approved 2019 Stellenbosch Municipal Spatial Development Framework.

It is well known that Stellenbosch has a severe housing backlog. This backlog is especially evident in the continuous growth in weekday commuter trips from Cape Town Metropole and surrounding areas into Stellenbosch. This, in part, reflects increased employment opportunities but also the shortage of affordable local accommodation requiring employees to commute from areas outside Stellenbosch with cheaper housing.

21. RECOMMENDATION

Due to the above-mentioned *FIRST PLAN* Town and Regional Planners therefore believe that the approval of the proposed application will ensure that valuable land within the urban edge will be used to its full potential and in accordance with the recommendations of the applicable forward planning policies. We therefore submit that there is no reason that this proposal will impede on anybody's rights as it will lead the way for the optimum use and enhancement of the subject property to the long term benefit of all.

The proposal is consistent with the approved 2019 Stellenbosch MSDF and the relevant decision body of the Stellenbosch Municipality is therefore respectfully requested to support this application for approval.

ANNEXURE 1

**POWER OF ATTORNEY/COMPANY
RESOLUTION**

**REGISTERED OWNER'S
CONSENT FORM**

WE CATWALK INVESTMENTS 385 (PTY) LTD

Name(s) of registered owner(s)

THE REGISTERED OWNER(S) OF THE FOLLOWING PROPERTY(IES)

ERF 14601 STELLENBOSCH

Property Description

HEREBY CERTIFY THAT AUTHORITY HAS BEEN GRANTED TO


FIRST PLAN TOWN AND REGIONAL PLANNERS

Name of Applicant

IN TERMS OF THE RESOLUTION ENCLOSED HERewith TO APPLY FOR A REMOVAL OF RESTRICTIONS/ REZONING/ DEPARTURE/ CONSENT USE/ CONDITIONAL USE/ SUBDIVISION IN RESPECT OF THE ABOVE-MENTIONED PROPERTY(IES) TO ENABLE THE PROPERTY(IES) TO BE UTILISED FOR THE FOLLOWING PURPOSE(S)

REDEVELOPMENT OF A MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL AND BUSINESS USE TOGETHER WITH ASSOCIATED AMENITIES

THE UNDERSIGNED THEREFORE NOMINATES, CONSTITUTES AND APPOINTS THE APPLICANT WITH POWER OF SUBSTITUTION TO BE THE REGISTERED OWNER'S LEGAL REPRESENTATIVE/AGENT AND TO ACT IN THE NAME, PLACE AND STEAD OF THE REGISTERED OWNER IN THE ABOVE REGARD. POWER OF ATTORNEY IS ACCORDINGLY HEREBY GRANTED TO THE APPLICANT TO SIGN ALL CORRESPONDENCE IN RESPECT OF MATTER REFERRED TO ABOVE.

OWNER'S REPRESENTATIVE	Mr Colin Cameron Pollock Stevenson
OWNER'S SIGNATURE	
DATE	28/07/2020

**EXTRACT FROM THE MINUTES OF A MEETING OF THE DIRECTORS OF
CATWALK INVESTMENTS 385 (PTY) LTD REGISTRATION NUMBER
1999/010786/07, HELD ON 28 JULY 2020**

Catwalk Investments 385 (Pty) Ltd wishes to submit an application for the development of Erf 14601 to the Stellenbosch Municipality which application will include, inter alia, an application for the rezoning of the property, the subdivision, consent, permissions and various departures from the zoning scheme

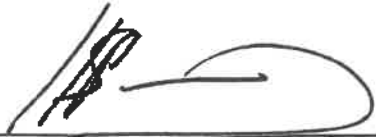
RESOLVED

1. That COLIN CAMERON POLLOCK STEVENSON, ID 6302055009082, and/or ROSS ALLAN STEGMANN, ID 6212195130088, are hereby authorized to sign, in their capacities as director, all documents and to do all such things as required and or necessary to give effect to the above.

SIGNED BY



Ross Alan Stegmann



Colin Cameron Pollock Stevenson

ANNEXURE 2

LAND USE APPLICATION FORM



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

LAND USE PLANNING APPLICATION FORM 2017

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation)

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

PART A: APPLICANT DETAILS

First name(s)	Christine			
Surname	Havenga			
Company name (if applicable)	First Plan Town and Regional Planners			
Postal Address	P.O. Box 15865			Postal Code
	Panorama			7506
Email	christine.havenga@firstplan.co.za			
Tel	021 930 7183	Fax	021 930 7210	Cell
				0731951040

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

Registered owner(s)	Catwalk Investments 385 (Pty) Ltd			
Physical address	8 Berkley Road, Maitland			Postal code
				7405
E-mail	colin@zevdeko.co.za			
Tel	021 510 6720	Fax	n.a.	Cell
				0824540321

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

Erf / Erven / Farm No.	14601	Portion(s) if Farm		Allotment area	Stellenbosch
Physical Address	Distillery Road, Stellenbosch				
Current Zoning	Industrial	Extent	2.690504 / ha	Are there existing buildings?	<input checked="" type="checkbox"/> N

Applicable Zoning Scheme	Stellenbosch Municipality Zoning Scheme ⁽²⁰¹⁹⁾ By-law				
Current Land Use	Warehouses + buildings used for office purposes.				
Title Deed number and date	T	T 18368 / 2006, dated 7 April 2006			
Attached Conveyance's Certificate	X	Any Restrictions in the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate			
Are the restrictive conditions in favour of a third party(ies)?		X	If Yes, list the party(ies):		
Is the property encumbered by a bond?	X		If Yes, list the bondholder(s): Investec		
Is the property owned by Council?		X	If Yes, kindly attach a power of attorney from the Manager Property Management		
Is the building located within the historical core?	X		<p>"Manor House" No demolition is proposed - building retained.</p> <p>Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)?</p>	X	HIA in process
Any existing unauthorized buildings and/or land use on the subject property(ies)?		X	If yes, is this application to legalize the building / land use??		X
Are there any pending court case(s) / order(s) relating to the subject property(ies)?		X	Are there any land claim(s) registered on the subject property(ies)?		X
PART D: PRE-APPLICATION CONSULTATION					
Has there been any pre-application consultation?		X	If Yes, please attach the minutes of the pre-application consultation.		
PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE					
APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)					
Tick	Type of application: Cost are obtainable from the Council Approved tariffs ³				
X	15(2)(a) Rezoning of Land				
X	15(2)(b) a permanent departure from the development parameters of the zoning scheme				
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;				
X	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;				
	15(2)(e) a consolidation of land that is not exempted in terms of section 24;				

¹ All applications triggered by section 38(1)(a)-(e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice have been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015)

³ <http://www.stellenbosch.gov.za/documents/idp-budget/2017-2/4873-appendix-3-tarif-book-2017-2018/file>

	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit;		
X	15(2)(g) a permission required in terms of the zoning scheme;		
	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval;		
	15(2)(i) an extension of the validity period of an approval		
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme;		
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram ;		
	15(2)(l) a permission required in terms of a condition of approval;		
	15(2)(m) a determination of a zoning;		
	15(2)(n) a closure of a public place or part thereof;		
X	15(2)(o) a consent use contemplated in the zoning scheme;		
	15(2)(p) an occasional use of land;		
	15(2)(q) to disestablish a home owner's association		
	15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;		
	15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.		
	15(2)(6) When the Municipality on its own initiative intends to conduct land development or an activity		
	15(2)(f) Amendment of Site Development Plan		
	15(2)(i) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines		
OTHER APPLICATIONS			
	Deviation from Council Policies/By-laws; R		
	Other (specify) : <u>Approval of SDP Package</u> R		
TOTAL A:			
R			
PRESCRIBED NOTICE AND FEES** (for completion and use by official)			
Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; data messages	R
	PUBLICATION OF NOTICES	Local Newspaper(s); Provincial Gazette; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	Provincial Gazette	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES* (TOTAL A + B)			R
* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.			
** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.			
BANKING DETAILS			
Name:	Stellenbosch Municipality		
Bank:	NEDBANK		
Branch no.:	198765		
Account no.:	1152271679		
SWIFT	NEDS2AJJ		
Payment reference: (Erf/Farm number)		

DETAILS FOR INVOICE	
Name & Surname/Company name (details of party responsible for payment)	Colin Stevenson Catwalk Investments 385 (pty) Ltd
Postal Address	
Vat Number (where applicable)	

PART F: DETAILS OF PROPOSAL							
Building line encroachment	Street		From	m	To	m	
	Street		From	m	To	m	
	Side		From	m	To	m	
	Side		From	m	To	m	
	Aggregate side		From	m	To	m	
	Rear		From	m	To	m	
Exceeding permissible site coverage		From	%	To	%		
Exceeding maximum permitted bulk / floor factor / no of habitable rooms		From		To			
Exceeding height restriction		From	m	To	m		
Exceeding maximum storey height		From	m	To	m		
Consent/Conditional Use/Special Development							
To permit <u>a Place of Entertainment (pub) within a Mixed-Use Zone</u> in terms of Section.....of the.....Zoning Scheme Regulations							
Other (please specify)		<u>In terms of Section 15(2)g:</u> <u>Permission to allow for flats on the ground floor in a Mixed-use Zone.</u>					

Brief description of proposed development / Intent of application:

- The rezoning of Erf 14601 from Industrial Zone to Subdivisional area, allowing for Mixed-Use Zone C253 dwelling units with six 3- to 5- storey blocks of flats.
- The subdivision of the erf in 3 portions (Portion 1 - a Mixed Use Zone containing the residential component, Portion 2 a Business Premises and Portion 3 to be a public road which would accommodate the extension of Distillery Road.
- Some permanent departures from the building lines.
- A consent use + special permission in terms of ZScheme.
- Approval of SDP - Package.

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

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

Information and documentation required

<input checked="" type="checkbox"/>	N		Power of attorney / Owner's consent if applicant is not owner	<input checked="" type="checkbox"/>	N		Bondholder's consent (if applicable)
<input checked="" type="checkbox"/>	N		Resolution or other proof that applicant is authorised to act on behalf of a juristic person	<input type="checkbox"/>	N		Proof of any other relevant right held in the land concerned
<input checked="" type="checkbox"/>	N		Written motivation pertaining to the need and desirability of the proposal	<input checked="" type="checkbox"/>	N		S.G. diagram / General plan extract (A4 or A3 only)
<input checked="" type="checkbox"/>	N		Locality plan (A4 or A3 only) to scale	<input checked="" type="checkbox"/>	N		Site development plan or conceptual layout plan (A4 or A3 only) to scale
<input checked="" type="checkbox"/>	N		Proposed subdivision plan (A4 or A3 only) to scale	<input type="checkbox"/>	N		Proof of agreement or permission for required servitude
<input checked="" type="checkbox"/>	N		Proof of payment of application fees	<input checked="" type="checkbox"/>	N		Proof of registered ownership (Full copy of the title deed)
<input checked="" type="checkbox"/>	N		Conveyancer's certificate	<input checked="" type="checkbox"/>	N		Minutes of pre-application consultation meeting (if applicable)
<input type="checkbox"/>	N	<input checked="" type="checkbox"/>	Consolidation plan (A4 or A3 only) to scale	<input checked="" type="checkbox"/>	N	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
<input checked="" type="checkbox"/>	N	N/A	street name and numbering plan (A4 or A3 only) to scale				
<input checked="" type="checkbox"/>	N	N/A	Landscaping / Tree plan (A4 or A3 only) to scale	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
<input type="checkbox"/>	N	<input checked="" type="checkbox"/>	Abutting owner's consent	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>	Home Owners' Association consent
<input checked="" type="checkbox"/>	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	<input checked="" type="checkbox"/>	N	N/A	Services Report or indication of all municipal services / registered servitudes
<input type="checkbox"/>	N	<input checked="" type="checkbox"/>	Copy of original approval and conditions of approval	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>	Proof of failure of Home owner's association
<input type="checkbox"/>	N	<input checked="" type="checkbox"/>	Proof of lawful use right	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>	Any additional documents or information required as listed in the pre-application consultation form / minutes
<input checked="" type="checkbox"/>	N	N/A	Required number of documentation copies	<input checked="" type="checkbox"/>	N	N/A	Other (specify) Confirmation from Environmental Consultant

(Electronic Submission due to Covid-19 situation)

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION			
<input checked="" type="checkbox"/>		If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))
			<input checked="" type="checkbox"/> National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
	<input checked="" type="checkbox"/>	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	<input checked="" type="checkbox"/> National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
<input checked="" type="checkbox"/>		Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	<input checked="" type="checkbox"/> National Water Act, 1998 (Act 36 of 1998)
	<input checked="" type="checkbox"/>	Occupational Health and Safety Act, 1993 (Act 85 of 1993); Major Hazard Installations Regulations	<input checked="" type="checkbox"/> Other (specify)
<input checked="" type="checkbox"/>		Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	
	<input checked="" type="checkbox"/>	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.	

SECTION I: DECLARATION

I hereby wish to confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or

declarations made as to his or her qualification as a Competent person and/or registration as a professional.

12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.

Applicant's signature: _____

Ch Havenga

Date: _____

30 July 2020

Full name: _____

Christine Havenga

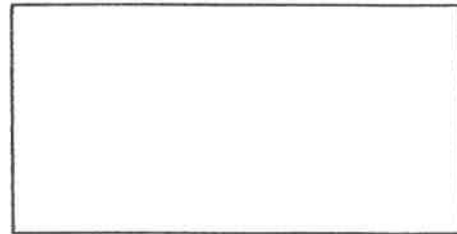
Professional capacity: _____

Professional Town Planner
CSACPLAN Reg nr. A 1945/1997

FOR OFFICE USE ONLY

Date received: _____

Received By: _____



ANNEXURE 3

CHRONOLOGICAL BACKGROUND

BACKGROUND TO DEVELOPMENT APPLICATION ON ERF 14601 STELLENBOSCH – “OUDE MOLEN”

1. 2012 –

- Current shareholders bought into the scheme with the intention of developing a mixed use development on the property comprising residential and commercial/retail.
- 21/06/2012 - Meeting with Stellenbosch planners– received a positive reception re proposal but alerted to possible service constraints.
- Advised that Integrated Zoning Scheme(IZS) would be adopted imminently
- TIA completed – proposed development viable from a traffic perspective
- Services Capacity report completed – sewer/waste water capacity constraints at SWWTW.
- Advised that there was a moratorium on all new development due to the lack of capacity at the SWWTW
- 06/09/2012 - Meeting with Basil Davidson (BD), Director Planning, re moratorium – BD supportive of the development proposal & willing to try and find a solution re capacity constraints at SWWTW.

2. 2016 –

- Advised that SWWTW upgrade likely to be completed by end 2016 and moratorium on applications lifted.
- Messrs Louw & Dewar commissioned to prepare an Urban Design Framework (UDF) to be used as the basis of a rezoning application.
- 14/04/2016 -UDF presented to Spatial Planning – positive response.
- 14/10/2016 - Pre application meeting - planners requested that density be increased and noted that they would support an increase in height to 5 storeys and a reduction in parking requirements – see Annexure __
- Advised to wait for the implementation of the IZS which would come into effect early 2017

3. 2017 –

- Implementation of IZS delayed - advised that the IZS would now be adopted early 2018
- Decision to wait for the adoption of the IZS prior to submitting development application

4. 2018 -

- Made aware of Distell’s intention to shut down the Bergkelder production site.
- Met with Distell (06/02/2018, 13/04/2018 & 08/08/2018) to discuss their intentions in order to make changes to development proposal if necessary
- Messrs Louw & Dewar requested to amend UDF accordingly.
- Implementation of IZS once again delayed - advised that IZS definitely would come into effect January 2019
- Meeting with planners to discuss Erf Rem 6201 & Erf 14601
- Follow up meeting scheduled – 04/12/2018 - with Spatial Planning to discuss Erf 14601 application – informed of the Adam Tas Corridor (ATC) Initiative & advised to

consult with Messrs Stephen Boshoff (SB), Kelvin Campbell (KC) who were “heading” the ACT initiative.

- 11/12/2018 – meeting held with Messrs Boshoff & Campbell – ACT initiative discussed and proposed development concept presented which was supported in principle.

5. 2019

- 28/01/2019 – follow up meeting with Spatial Planning to discuss the application after having met with Messrs Boshoff & Campbell as above
- 15/05/2019 – met with Distell to discuss development proposal and possible future access through Oude Molen
- 30/04/2019 – submitted written comment on draft IDP/SDF setting out concerns regarding, inter alia, time frames and implementation of the ATC, absence of an inclusionary housing policy, delays in the approval/adoption of the IZS and delays in the implementation of the NMT.
- 28/05/2019 – IZS finally approved at Council meeting –to be implemented on 01/11/2019 – advised that applications in terms of the IZS could only be submitted after implementation.
- 21/10/2019 – invited to a bi-lateral meeting with the “ATC committee”
- 28/11/2019 – ATC Bi Lateral Plenary – concerns with regards to the co-operation of the LA, lack of an inclusionary housing policy & timeframes raised.

6. 2020

- 20/02/2020 – pre-application meeting with Town Planning & Engineering – see Annexure 4
- 09/04/2020 – Meeting with Adam Tas Corridor Committee – see Annexure 4
- 12/06/2020 – Meeting with Distell with regards to the future plans for the Bergkelder site – see Annexure 4.
- 27/07/2020 – Final Pre-Application Scrutiny Feedback - see Annexure 4.

ANNEXURE 4

PRE-APPLICATION CONSULTATION RECORD

ERF 14601 STELLENBOSCH**MINUTES OF PRE-APPLICATION CONSULTATION MEETING WITH STELLENBOSCH MUNICIPALITY HELD ON 24 OCTOBER 2016 AT STELLENBOSCH****ATTENDEES:**

Department/Company	Name	E-mail address	Contact nr
Stellenbosch Municipality	Tyrone King	tyrone.king@stellenbosch.gov.za	021 808 8214
Stellenbosch Municipality	Robert Foey	Robert.foey@stellenbosch.gov.za	021 808 8680
Stellenbosch Municipality	Hedre Dednam	pieter.wasserman@capetown.gov.za	021 808 8674
Catwalk Investments	Colin Stevenson	colin@zevdevco.co.za	082 454 0321
ICE	Piet van Blerk	piet@icegroup.co.za	083 230 7321
ICE	Malcolm Cerfonteyn	malcom@icegroup.co.za	083 626 2306
First Plan	Christine Havenga	christine.havenga@firstplan.co.za	073 1951 040
First Plan	Gideon Roos	gideon.roos@firstplan.co.za	082 451 0444

A copy of the attendance list is attached as Annexure 1 to the minutes.

1. The Development Concept and Urban Design Framework for Erf 14601 Stellenbosch (Oude Molen Site) were presented by Gideon Roos and Colin Stevenson.

2. Challenges and positives with regard to the site

The site is perceived to be divorced from the town by the railway line and next to an industrial area. Currently it has only one access point from Distillers Road. Access can however significantly be improved by providing a pedestrian/bicycle bridge across the railway line and possibly towards Lower Dorp Street.

The relative isolation of the site has some advantages from a security point of view. The site is also big enough to provide a critical mass through a proper development that can convert the site into a mini-suburb.

3. Proposed land uses

The site is currently covered by old storage and industrial buildings. The old manor house, mill house (although not authentic) and mill stream (although piped at this stage) will be incorporated as primary features in the development proposal.

The draft development concept currently makes provision for a mixed use development of ± 225 residential units/apartments and a commercial component.

4. Adjacent site

The incorporation of the adjacent site is being investigated and one option is to develop it as either a private tertiary educational facility or additional educational facilities for Stellenbosch University. Should this realise, this will become a more student orientated development, with a bigger focus on student accommodation. It is however not designed as exclusive student accommodation as the development must be able to respond to future market demands.

5. Density and height

The current proposal makes provision for three storeys. Robert Foey indicated that the municipality would prefer higher densities on the site as it was identified for densification. Hedre Dednam supported this view. They would thus be willing to support additional height in the development. This will also provide a desirable background for the manor house.

A traffic study will amongst other indicators, also provide an indication of the desirable density of the site. There is currently only one access point from Distillery Drive, a bicycle and pedestrian access/crossing over the railway line to Adam Tas Road however forms part of the development proposal.

6. Parking

The current parking provision is in line with the parameters of the Stellenbosch Zoning Scheme, market demand however needs to be taken into consideration. The municipality is willing to discuss deviations from the parking requirements. The intention is to create a vehicle free residential area with parking being provided in parking garages on the periphery of the site abutting the industrial developments of Bergkelder to ensure an effective interface between the two land uses.

7. Engineering services

Timeframes of the current sewage pipeline upgrading process in the area needs to be taken into consideration. The current target date for additional capacity by way of the new sewerage infrastructure provided by the municipality is July 2019 (Phase 2 of Plankenbrug outfall sewer). There is, however, capacity in terms of the existing actual usage on the property. There is at this stage not any spare capacity for any additional demand/usage, unless confirmed otherwise by a GLS analysis. In all likelihood a GLS report for sewer and water network analysis will be required – this can be discussed at a later stage when more detail of the development is available, but prior to submission of town planning application.

An overall engineering masterplan for the site is required to inform the SDP layout i.e. to ensure that future development blocks/buildings/erven do not clash with existing services.

SDP must make allowance for SW attenuation as well as refuse room (if it is to be a private development with private roads and services).

SM engineering report template to be used – indicates important engineering aspects to be addressed for the purposes of town planning approval. See attached.

Find Link to SM design guidelines below.

<http://www.stellenbosch.gov.za/about-us/documents/municipal-policy/engineering-services/stellenbosch-municipality-design-guidelines-and-minimum-standards-for-civil-engineering-services-revision-no-0-june-2015>

8. Environmental and heritage issues

Although the proposed development triggered none of the listed activities in terms of National Environmental Act, an environmental consultant oversees the project. A Heritage Impact Assessment is being done by Chris Schelling and the heritage indicators will be incorporated in the design concept.

9. Nature of land use application

The development proposal is considered to be compliant with the proposals of the Stellenbosch Spatial Development Framework in which the area is identified for infill densification.

An overall Masterplan/Development Framework will be submitted, giving an indication of the basic design concepts, heights, GLA, densities, coverage etc. This plan needs to provide information regarding the different phases of the project. It was not intended to submit a final SDP as part of the rezoning and subdivision application, but rather a master plan for the development. Detailed Site Developments will only be submitted during the different phases of the project after rezoning and subdivision approval. A so-called “basket of rights” approach will thus be followed and this approach was supported by the relevant officials present.

Application will be made for a rezoning to Subdivisional Area to allow for General Business and General Residential uses in terms of the Bylaw. It is expected that the new Zoning Scheme will be approved by July 2017. The parameters of the new Zoning Scheme can be used to motivate any deviations from the existing Zoning Scheme’s parameters.

The municipality’s street name policy needs to be taken into consideration.

Different ownership options and the possible subdivision of the site into a residential and commercial component respectively are still being investigated.

10. Conclusion

The meeting was concluded with general support and agreement of the approach and concepts discussed above.

**ANNEXURE 1
ATTENDANCE LIST**

**PRE-APPLICATION CONSULTATION
DEVELOPMENT OF OUDE MOLEN ERF 14601 STELLENBOSCH
MONDAY 24 OCTOBER 2016 AT 09:30
1ST FLOOR / TOWN PLANNING / STELLENBOSCH
LIST OF ATTENDANCE**

	Name	Representing	e-mail	Contact Number
1	Christine Haverge	First Plan	christine.haverge@firstplan.co.za	031 351 0600
2	Girolamo Eves	First Plan	girolamo.eves@firstplan.co.za	082 451 0444
3	Makana Consulting	ICC	makana@iccgroupp.co.za	011 626 2306
4	Pat v Blank	ICC	pat@iccgroupp.co.za	083 230 7221
5	John King	ICG	john.king@icg.co.za	011 555 2111
6	Paula Koenig	ICG	paula.koenig@icg.co.za	011 555 2111
7	John King	ICG	john.king@icg.co.za	011 555 2111
8	Colin Sevidenc	ZIT wtk interm	colin@sevidenc.co.za	012 454 0431
9				
10				
11				
12				
13				
14				
15				

MINUTES
PRE-APPLICATION CONSULTATION
OUDE MOLEN – ERF 14601 STELLENBOSCH
THURSDAY 20 FEBRUARY 2020 at 09:00
STELLENBOSCH TOWN PLANNING / 3RD FLOOR / EIKESTAD MALL
STELLENBOSCH

1. ATTENDANCE

1.1. Invited and in attendance:

NAME	ORGANIZATION
Colin Stevenson	Catwalk Investments
Gideon Roos	First Plan Town Planners
Aelene Rummel	First Plan Town Planners
Piet van Blerk	ICE Transportation Engineers
Johan de Bruyn	JbB Electrical Engineers
Johan De Villiers	JdV Landscape Architects
Werner van Zyl	Boogertman Architects
George du Plessis	EAS Civil Engineers
Stiaan Carstens	Stellenbosch Municipality – Town Planning

Robert Fooy	Stellenbosch Municipality – Town Planning
Tyrone King	Stellenbosch Municipality – Engineering Services
Nombulelo Zwane	Stellenbosch Electrical Services

1.2. Invited and not present

NAME	ORGANIZATION
Mark Benson	Stellenbosch Municipality
Adriaan Kurtz	Stellenbosch Municipality
Johan Fullard	Stellenbosch Municipality

The copy of the attendance list is attached as Annexure 1 to the minutes.

2. INTRODUCTION

2.1. Purpose of the Meeting

The development background and concept for Erf 14601, Stellenbosch (Oude Molen Site) were presented by Colin Stevenson. Mention was made to previous meetings and the last pre-application consultation of 2016, where-after the proposal was held back due to the lack of any spare sewer capacity and the integrated Stellenbosch Zoning Scheme's approval that was deemed imminent at that stage. It was however made clear that from an investment point of view, an application now has to be finalised and submitted and that any further delays must be avoided.

The purpose of the meeting is therefore to discuss the relevant status quo issues and policy applicable to the subject property and its surrounds, to test the development concepts in principle and to determine the minimum requirements and process to be followed for the necessary applications to be submitted.

3. STATUS QUO

3.1. Existing Activities

Gideon Roos and Colin Stevenson provided a background to the subject property being zoned industrial and formerly used by Gilbeys Distillers. The buildings are no longer used for industrial purposes and currently occupied on a short to medium term lease basis.

It has also been acknowledged that there are buildings of heritage significant on the site, specifically the Old Manor House with the Mill House (rebuilt) with some limited value – both to be incorporated into the proposal.

3.2. Applicable Policy

Gideon Roos confirmed that it was the intention of the development to comply with policy and by doing so – to cooperate with the municipality to ensure a most appropriate and desirable development. The two most important aspects of policy to comply with being:

3.2.1. SDF

- Urban infill within the urban edge – to optimise development
- Exclusive student accommodation to be avoided.

3.2.2. ATC

- Approved as part of the SDF
- No detail land use proposals
- To comply with principles of access, linkages etc.

3.2.3. Inclusive Housing

- It has been confirmed that no such policy has to date been approved

3.3. Existing Zoning

The property was zoned Wine Industry in terms of former Stellenbosch Zoning Scheme, but has now been allocated with an Industrial Zoning in terms of new Stellenbosch Municipality Zoning Scheme By-Law.

4. DEVELOPMENT PROPOSAL

4.1. Mixed Use Development

Werner van Zyl introduced the development concept: The concept currently makes provision for a mixed use development of ±249 residential units and some commercial uses.

4.1.1 Residential

A typical perimeter block design philosophy has been followed with residential buildings flanking the boundaries of the site with a central courtyard accommodating limited parking and central facilities. Currently 6 blocks of residential units totalling ±249 units have been accommodated. Parking has mainly been accommodated in basement/semi-basement areas with some additional open parking on ground level. The units range between 2 x bedrooms and 3 x bedrooms. A clubhouse with amenities including swimming pool for the exclusive use of residents/tenants have also be accommodated. The old Mill house will feature as the clubhouse facility.

4.1.2 Commercial

Two buildings will be converted for commercial uses, including offices, restaurant(s)/bakery/bistro and a local pub. The Manor House will be the central focal point of the development.

4.2. Access, future roads and linkages;

- Proposed access from Distillery Road via the Distell Traffic light Intersection.
- A portion of the subject property will be subdivided and rezoned for public road – this will give access to the 2 portions of Mixed Use. The access proposal is in accordance with the principles of the ATC.

- Space will also be reserved in accordance with the ATC concepts across the site for a possible future link with Bergkelder and beyond. This link will not be subdivided as part of the application but will be available in future, should it be required.

5. APPLICATIONS TO BE LODGED

- 5.1. Rezoning to Subdivisional Area to permit 2 Portions zoned Mixed Use Zone and a portion Zoned Public Road.
- 5.2. Subdivision into 3 portions, 2 Mixed Use Zone Portions and 1 Public Road.
- 5.3. Special consent to allow residential on ground floor in the Mixed Use Zone.
- 5.4. Site Development Plan (including Landscape Plan) & phasing of the blocks.
- 5.5. Possible departures subject to final SDP

6. SUPPORT DOCUMENTATION

- 6.1. Heritage: NID/HIA
This will be included as Heritage consultants have done reports in terms of the Mill house and Manor House.
- 6.2. Traffic: TIA/TIS
This will be included as additional reports to the application.
- 6.3. Municipal Services Reports
Civil & electrical services reports will be included
- 6.4. SDP & architecture
Architectural reports, elevations and typical units
- 6.5. Landscape Plans
To form part of the SDP package

7. PROCESS TO FOLLOW

7. GENERAL

7.1. Questions from Municipal Officials

Stiaan Carstens :

- Confirmed that the principle of proposed development to be tested with the ATC team – their comment or notes/minutes of such meeting to be attached to application.
- Request clarity on the connectivity with the adjacent property (Bergkelder) – the alignment of the future road.
- There should be some comment from Bergkelder on the access proposals and referenced in our application.
- Address a possible concern that the development is mostly residential and therefore sterilizing the land for any other uses.
- Connectivity to the existing station, concerns about the NMT and the station relocation. NMT linkages important to indicate
- Indicate different housing options – although inclusionary housing has not yet been approved as a Municipal Policy – some form of inclusionary housing should be offered on a voluntary basis

Robert Fooy

- Density & heights: Why only 4 storeys? Higher densities encouraged.
- River: Require some indication of maintenance on the river edge.
- Basement Level parking: To confirm compliance with Zoning Scheme Regulations
- Units: To indicate on SDP as typical units – allowing for flexibility in floor layouts.
- NMT: Reference to NMT and promotion of bicycle and foot traffic important. Departures from parking requirements also supported. To include non- motorised plan.
- Final meeting: Requested final meeting to discuss application memorandum prior to official submission

Civil Engineering:

- Tyrone King: Sewer line servitude to be indicated
- Landscaping within sewer servitude to be cleared with municipal engineering
- Capacities and detail to be dealt with as internal comments after submission of application

Electrical

- Johan de Bruyn voiced his frustration with an absence of any communication from the Municipal Electrical Services. Nornbulelo offered to assist.

8. CLOSE

**ACTION MINUTES
MEETING BETWEEN THE OUDE MOLEN (OM)
PROJECT TEAM, ATC-TEAM AND
STELLENBOSCH PLANNING
9 APRIL 2020 AT 12:00 VIA MS-TEAMS**

ITEM	DESCRIPTION	
1.	CIRCULATION/INVITED	
1.1.	ATTENDANCE	
	NAME	ORGANIZATION
	Piet van Zyl (PvZ)	DEA&DP
	Kobus Munro (KM)	DEA&DP
	Cathy Stone (CS)	DEA&DP
	Stiaan Carstens (SC)	Stellenbosch Land Use Planning
	Colin Stevenson (CCPS)	Developer
	Christine Havenga (CH)	First Plan
	Gideon Roos (GR)	First Plan
1.2.	APOLOGIES/ABSENT	
	Craig Alexander	Stellenbosch Spatial Planning
	Jerry-Lee Mowers	Stellenbosch Engineering
	Johannes Esterhuizen	Distell
2.	OPENING AND PURPOSE OF THE MEETING	
	<ul style="list-style-type: none"> • PvZ opened the meeting and welcomed every-one, acknowledged the information circulated to all by CH and confirmed that this be used as basis for the discussion. • He further stated that he had an individual discussion with Johannes Esterhuizen from Distell and it was agreed that he would not attend today's meeting and that a new meeting between Distell and the project team need to be arranged before submission of the application. • PvZ further acknowledged that the said info contextualises the precinct well, that it reflects the key aspects of the ATC policy and although strongly residential in character – that it seems to be in keeping with the overall principles of the ATC. • With that as background – GR was requested to present the overall concept for discussion • CCPS highlighted that development concepts have been considered 	

	<p>in close consultation with the local authority and its ever changing officials since 2012. Various obstacles have been faced in the past i.e. a lack of sewerage capacity, ATC-policies to be concluded, the new Zoning Scheme By-Law to be approved etc. and that a decision was taken by the land owners to proceed with an application as further delays cannot be afforded.</p>
3.	<p>OVERVIEW OF DEVELOPMENT CONCEPT</p>
	<ul style="list-style-type: none"> • GR thanked everybody for the opportunity – especially for: <ul style="list-style-type: none"> ○ SC for the last pre-application consultation, his support and his recommendation for this ATC meeting ○ PvZ for arranging this ATC MS-Teams Meeting • GR further confirmed the applicant's understanding of the ATC policy currently being a high level policy with little individual & site specific guidelines • Presentation & discussion will therefore focus on the broad policy principles and not on detail design, zoning parameters etc. and that no decisions will be expected from this meeting, but that it is the goal of the applicant to test the proposals against the ATC policy and to reach consensus as to its compliance thereto – especially when considering the developer's intentions to submit an application in line with policy. • GR further indicated that the focus of the discussion will be on the following 3 main aspects – that is: <ul style="list-style-type: none"> ○ The mixed land use nature of the proposal ○ The linkages to be provided and ○ The aspect of inclusionary housing • On this point CCPS noted that there is no official Inclusionary Housing Policy for Stellenbosch and it therefore cannot be enforced but that it will be considered on a voluntary basis – to be discussed later in the meeting. • GR then presented the development proposal on the basis of the attached document and highlighted the following aspects: • <u>Development background/Context</u> <ul style="list-style-type: none"> ○ The subject property (Erf 14601) is located in the Bosmans Crossing Precinct, currently accommodating a mix of various land uses including ±102 residential units, and various commercial uses including logistics, Vinlab, restaurants, antiques, shops, winery, sculpture/art, gin distillery etc., as well as the two most recent developments comprising of a further ±5000m² commercial (also our client's development) and 41 residential units. ○ With that in mind, the development will be based on sound urban renewal and an urban design concept as well as various other specialist inputs. ○ Intension to create a vibrant mixed-use node with residential and commercial opportunities • <u>The Development Concept</u> <ul style="list-style-type: none"> ○ The development will comprise of: <ul style="list-style-type: none"> ▪ ±253 residential units supported by the necessary open

	<p>space and recreational facilities</p> <ul style="list-style-type: none"> ▪ Two commercial entities, one being a “vibey/hip” deli/bistro/pub in a repurposed old warehouse and some commercial uses in the form of offices/hospitality uses/restaurants in the old manor house ○ In light of the balance of existing land uses in the Bosmans Crossing Precinct it is believed that these additional uses will be a suitable mix to compliment and strengthen the existing node. ○ A copy of the draft development concept is attached as Annexure a to the minutes. • <u>The Linkages Provided</u> <ul style="list-style-type: none"> ○ Two primary linkages have been acknowledged/provided for: <ul style="list-style-type: none"> ▪ The extension of Distillery Road through the site to the boundary with the Bergkelder site. This will allow the further extension to Plankenberg in future. ▪ The pedestrian/cycle bridge across the railway line/Adam Tas Road towards Dorp Street. Provision has already been made for this in the Lower Dorp Street Approvals and this will provide a practical link towards the station and the CBD • <u>The accommodation of Inclusionary Housing</u> <ul style="list-style-type: none"> ○ Although Inclusionary Housing has not been approved as an official policy by Stellenbosch Municipality, mention was made of this during previous ATC meetings and the previous pre-application consultation. The project team acknowledges this and confirm that potential options are currently being investigated and if included will be on a voluntary basis and in exchange for “alternate value” as per discussions with Kelvin Campbell and Steve Boshoff.
4.	COMMENTS FROM ATC
	<ul style="list-style-type: none"> • PvZ <ul style="list-style-type: none"> ○ Linkages important and acknowledged ○ Potential problem with position of the extension of Distillery Road into the Bergkelder site due to the position of a conservation worthy building on their property. CCPS to meet with Distell to obtain their comment ○ Mention was also made to the recently approved Dennesig development and the way inclusive housing was handled as possible precedent to apply here – refer to KM for more detail • KM <ul style="list-style-type: none"> ○ Various land owners involved in Dennesig and an Urban Design Framework and TIA drafted by consultants jointly appointed by the municipality and the developers to ensure integration amongst the different land use applications. ○ This caused some minor amendment by individual developers to accommodate/coordinate open space and linkages and to improve NMT ○ This might also be necessary here as linkages need better understanding • SC <ul style="list-style-type: none"> ○ Confirmed in-principle support of the development

- 2 aspects however questioned:
 - Size and nature of gated residential component
 - Nature of land uses along Distillery Road Extension as it seems to be a mobility route rather than a activity route
- GR
 - Provision of commercial uses along and onto Distillery Rd extension to promote its activity function – therefore not seen as mobility route
 - Residential uses behind community and commercial uses along Distillery Rd extension – should therefore not compromise this principle
- PvZ
 - Suggestion made to consider initial subdivision to Subdivisional Area with detail applications (SDP's etc.) to follow later
- CCPS
 - Developer ready for detail application and not to follow extended process – intention to submit rezoning and detail SDP's to expedite approvals. Cannot afford further delays with initial application to subdivisional area and later applications to follow.
- CS
 - Refer to dilemma that Oude Molen is ready for application but Distell on the Bergkelder not and the difficulty to coordinate linkages and Inclusionary Housing in such instance
- KM
 - Refer to consistency with handling of river edge between all developers adjacent to the river
- CCPS
 - Confirmed that units front onto river edge – not the back of the development
 - Access however problematic due to steep slopes/cliffs
- PvZ
 - Refer to intention of the Municipality to upgrade ATC to Local SDF
 - Developers however cannot wait for SDF to be completed & approved – need to proceed with application(s) while Local SF unfolds
 - CCPS therefore needs to consult with Bergkelder as to linkages onto/through the Bergkelder site
- CCPS
 - Confirm various previous meetings with Distell since 2014 and little progress as they are not yet ready with any development proposals on site
 - Johannes Esterhuizen (Distell) had noted that although the proposed road alignment “clashed” with a heritage worth building on the Bergkelder site the intention was for the road to be accommodated within the PRASA rail reserve. – PvZ noted that CS had previous experience in dealing with PRASA and could possibly assist.
- SC
 - Recommended that a final pre-application consultation be

	<p>scheduled with Stellenbosch Municipality to discuss implications of this meeting prior to submission of official application</p> <ul style="list-style-type: none"> • CCPS <ul style="list-style-type: none"> ○ Referred to Kelvin Campbell's approach of "start by starting" and not waiting for the "grand master plan" which would be outdated by the time of implementation – PvZ acknowledged this. ○ Land owners cannot afford further delays, need to apply their mind and submit an application • CS <ul style="list-style-type: none"> ○ Referred to the MSDF Table 31 – Proposed Spatial Policies which included "Expand housing opportunity for a broader range of groups – including lower income groups and students – particularly in settlements forming part of the Baden Powell-Adam Tas-304 corridor" and believed that such reference was sufficient to impose inclusionary housing however she acknowledged that the associated "Work Guidelines" were to "Develop an inclusionary housing policy and guidelines" – CCPS noted his disagreement with this contention and referred the matter to later debate. ○ Stated that inclusionary housing must be considered – not debateable. ○ Suggested not to fight this and to include some inclusionary housing on a mutually acceptable basis ○ Ideally should be in the form of rental accommodation ○ Target market not subsidy housing but permanently employed families (teachers, police staff, government officials etc.) that can afford monthly rent ○ Might include student accommodation at affordable levels ○ Municipality currently working on official policy with DAG and Province • SC <ul style="list-style-type: none"> ○ All research refers to requirements that such be mutually beneficial i.e. additional rights/streamlined application and approval procedures etc. ○ Need to be based on sound business principles
5.	CONCLUSION AND WAY FORWARD
	<ul style="list-style-type: none"> • Developer to assess above comments and consider implications/possible amendments to existing concepts where possible • Developer to arrange meeting with Distell to discuss proposed linkages with the Bergkelder site • Developer to arrange follow-up pre-application consultation with Stellenbosch Planning. SC to invite the necessary officials to such meeting • Stellenbosch to approach PRASA to negotiate possible availability of rail reserve for future road linkage past the Bergkelder site
6.	CLOSE
	<ul style="list-style-type: none"> • With that, everybody were thanked for their participation and the meeting was adjourned

**MEETING NOTES
PROPOSED DEVELOPMENT OF OUDE
MOLEN ERF 14601 STELLENBOSCH
VIA ZOOM
11:00 ON 12 JUNE 2020**

ITEM	DESCRIPTION	
1.	ATTENDANCE	
	NAME	ORGANIZATION
	Colin Stevenson (CS)	Catwalk Investments 385 (Pty)Ltd
	Johannes Esterhuizen (JE)	Distell
	Christine Havenga (CH)	First Plan
	Gideon Roos (GR)	First Plan
2.	OPENING AND PURPOSE OF THE MEETING	
	<ul style="list-style-type: none"> • CS welcomed everybody to the meeting – especially during lockdown and the Zoom platform • CS confirmed the purpose of the meeting: <ul style="list-style-type: none"> ○ To update JE on the status quo of the Oude Molen (OM) proposals and the intended application ○ To obtain an update from JE on the status quo of the Bergkelder (BK) site and any progress made by Distell on their intended development and ○ To discuss scenarios to accommodate a possible future link road parallel to Adam Tas as indicated in the Adam Tas Corridor Proposals (ATC) 	
3.	DISCUSSION	
	<ul style="list-style-type: none"> • JE confirmed that: <ul style="list-style-type: none"> ○ Some background research has been done by Distell to inform preliminary site assessments and development proposals – the warehouse in the south eastern corner of the site abutting the Oude Molen site was currently deemed to be “heritage worthy” subject to further assessment. ○ Distell decided to follow a JV process due to sensitivities surrounding the site and not to sell outright to a developer ○ A RFP was issued, but unfortunately with a limited response from the market ○ For that reason and due to the current economical climate - no development decisions have been taken and it is unlikely that any will be taken soon ○ No detailed development plans are currently available and it is unlikely that any will be available soon although it was confirmed that the BK development will most likely be a mixed land use proposal with some residential, offices and commercial activities 	

	<ul style="list-style-type: none"> • In response to JE feedback , CS confirmed that the OM development proposals are generally still in accordance to that previously discussed with Distell i.e. mixed-use precinct with residential units, the old manner house accommodating commercial uses and the old shed at the entrance to the OM site to also accommodated some commercial/retail uses. • Of specific importance is that in accordance to recommendations of the ATC – provision should be made for a possible future road link from Bosman’s Crossing past/through the OM and BK sites towards the Plankenburg Industrial area. • Various options were discussed to accommodate such possible future link but due to the fact that a detail development proposal has not yet been finalised for the BK site, a detail road alignment through the BK site will not be possible at this stage or any time soon • Both parties agreed that in terms of the latest OM master plan, sufficient provision has been made on OM to accommodate a possible future road link towards Plankenburg via: <ul style="list-style-type: none"> ○ The area provided on OM and ○ From there to follow a future route to be determined by Distell via the BK site or ○ Via the PRASA reserve on the southeastern boundary of the OM & BK sites. • It was agreed that the latter routing was the preferred route by both parties • Should the above options not be feasible the parties would need to reach agreement on the alignment of the road if deemed necessary.
4.	CLOSE
	With that the meeting was adjourned



PRE-APPLICATION SCRUTINY FEEDBACK

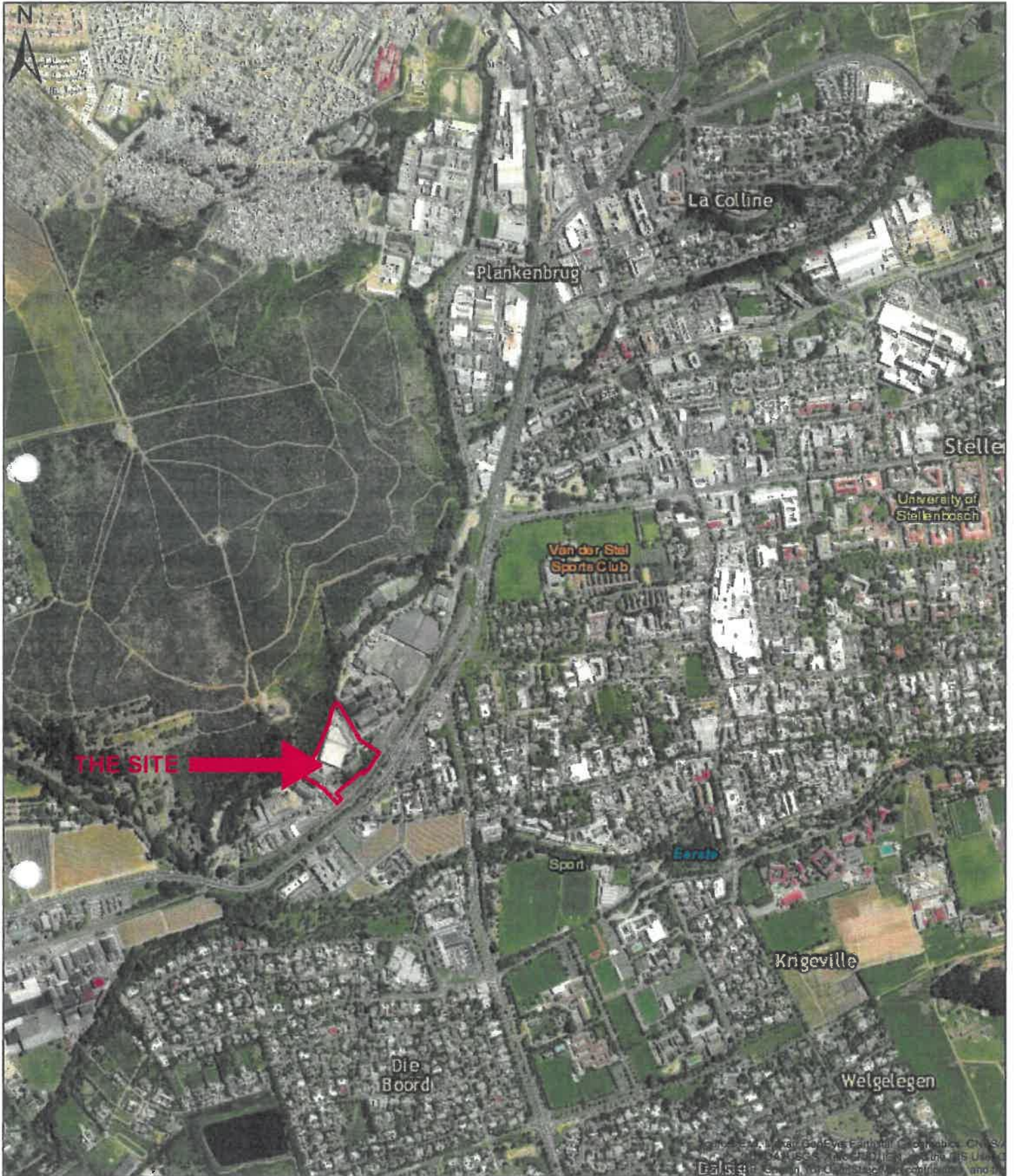
Feedback: Pre-Application Scrutiny – Erf 14601 Stellenbosch, Oude Molen.

1. Your pre-application scrutiny submission on the above property dated **01/07/2020**, refers.
2. Your submission has been duly scrutinized for your intended land use development application can be formally submitted for processing.
3. The intended land use and/ or land development application also needs to fulfil the requirements as stipulated in Section 38 of the SLUPB. The required application documents and related information on any applicable Bylaws, Policies and Spatial Plans are available on the Planning Portal of the Municipal Website. (<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal>)
4. Please note that the sole purpose of this pre-application scrutiny feedback is to facilitate an accurate approach for the intended land use and/ or land development application. The feedback should consequently not be interpreted to represent any position on the merit nor desirability of such intended land use and/ or land development application, which can only be determined once a complete application has been received and duly processed and decided on by the authorised decision maker.
5. It should also be noted that the complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Once proof of payment is received, the application will be regarded as duly submitted in accordance with a notice as contemplated in terms of Section 41(1)(c)(i) of the SLUPB.
6. For any enquiries on this correspondence please respond by e-mail to the writer hereof.

Kind regards

27/07/2020

ANNEXURE 5
LOCALITY PLAN



LOCALITY PLAN

Erf 14601 Stellenbosch

DATE	June 2020	FILE	FP/0220/977
CLIENT	Catwalk Investments 385m (Pty)Ltd.	ANNEX	-



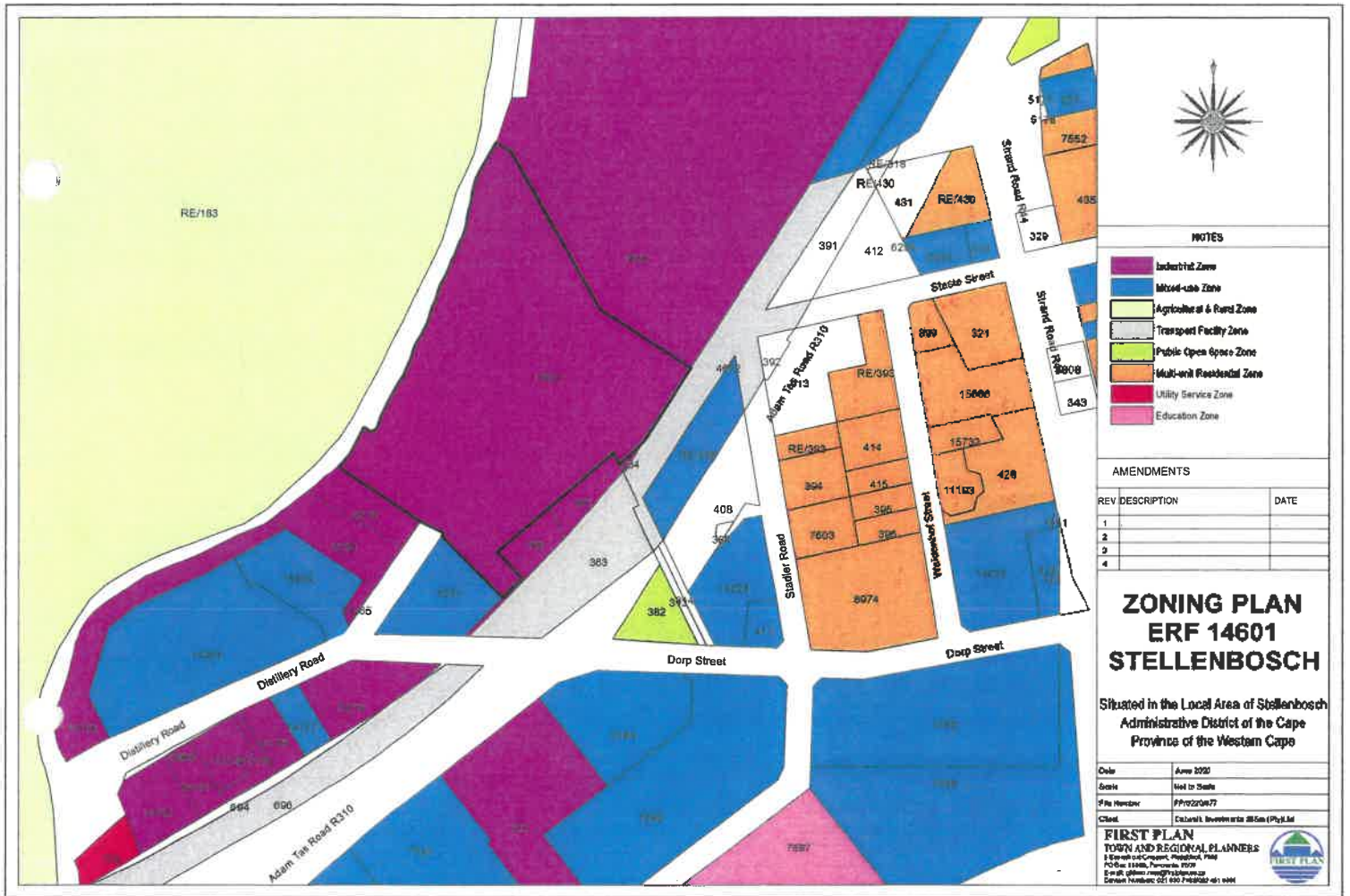
NOT TO SCALE

FIRST PLAN
 TOWN AND REGIONAL PLANNERS
 8 Essenhout Crescent, Plattekloof, 7500
 PO Box 15865, Panorama, 7506
 Email: gideon.roos@firstplan.co.za
 Tel: 021 930 7183 Fax: 021 930 7210



ANNEXURE 6

ZONING PLAN OF SURROUNDING AREA



NOTES

- Industrial Zone
- Mixed-use Zone
- Agricultural & Rural Zone
- Transport Facility Zone
- Public Open Space Zone
- Multi-unit Residential Zone
- Utility Service Zone
- Education Zone

AMENDMENTS

REV	DESCRIPTION	DATE
1		
2		
3		
4		

ZONING PLAN ERF 14601 STELLENBOSCH

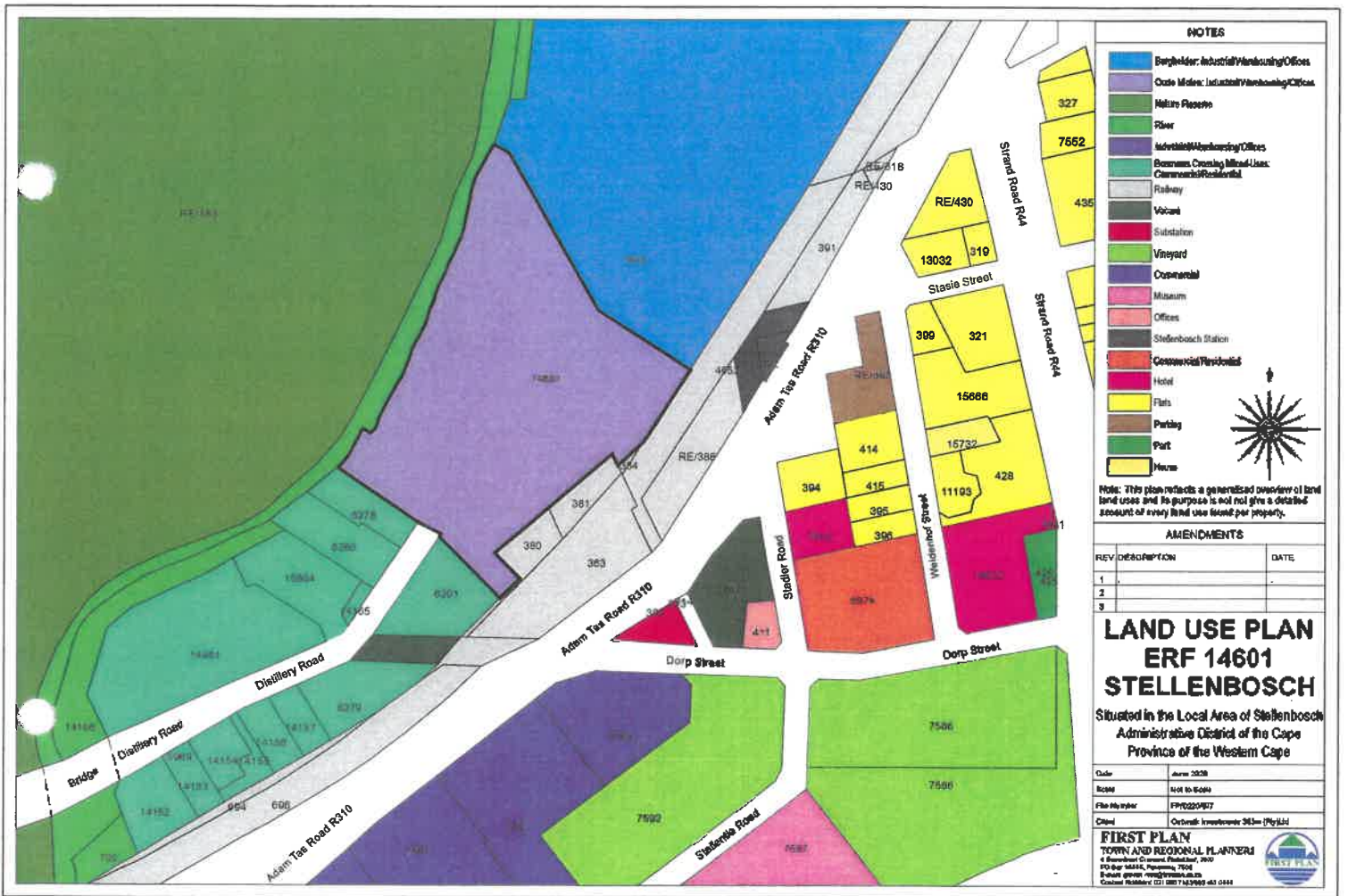
Situated in the Local Area of Stellenbosch
Administrative District of the Cape
Province of the Western Cape

Date	June 2020
Scale	Not to Scale
File Number	PP/20/0677
Client	Estates Investments 2020 (Pty) Ltd

FIRST PLAN
TOWN AND REGIONAL PLANNERS
15000 10th Avenue, Paarl, 7601
P.O. Box 11888, Paarl, 7601
E-mail: info@firstplan.co.za
Contact Number: 021 890 7480 or 021 890 7481

ANNEXURE 7

LAND USE PLAN OF SURROUNDING AREA



NOTES

- Berg/Midex Industrial/Warehousing/Offices
- Outer Midex Industrial/Warehousing/Offices
- Midex Reserve
- River
- Industrial/Warehousing/Offices
- Business/Community/Industrial
- Railway
- Vacant
- Substation
- Vineyard
- Commercial
- Museum
- Offices
- Stellenbosch Station
- Commercial/Residential
- Hotel
- Flats
- Parking
- Port
- Home

Note: This plan reflects a generalised overview of land use and its purpose is not give a detailed account of every detail use found per property.

AMENDMENTS

REV	DESCRIPTION	DATE
1		
2		
3		

**LAND USE PLAN
ERF 14601
STELLENBOSCH**

Situated in the Local Area of Stellenbosch
Administrative District of the Cape
Province of the Western Cape

Date	June 2020
Scale	1:10 000
File Number	FR2209/7
Client	Outsidi: Invoensier 313- (Pty) Ltd

FIRST PLAN
TOWN AND REGIONAL PLANNERS
4 Beaufort Circuit, Stellenbosch, 7600
PO Box 14601, Stellenbosch, 7600
E-mail: info@firstplan.co.za
Contact Number: (021) 887 1439/887 461 0244



ANNEXURE 8

DIAGRAM

S.G. No.

2474/2004

Approved.

D.P. Burger

for

Surveyor - General

Date : 2004-06-18

SHEET 1 OF 2 SHEETS

Servitude Note:

The line s1s2s3s4s5 represents the middle of a servitude sewer vide Diagram No. 5903/1939 (Erf 386), D/T 1940-15-743.

Components:

1. The figure A b middle of Mill Stream c D E F G H J 1e N P q Papagaais River s Mill Stream t inner edge Papagaais River g left bank of Plankenbrug River r represents Erf 9557 Stellenbosch, vide Dgm. No. 1035/1989, D/T 1990 - - 54624
2. The figure 1e K L M represents Erf 14600 Stellenbosch vide Dgm. No. 2473/2004, D/T

The figure A b middle of Mill Stream c D E F G H J K L M N P q Papagaais River s Mill Stream t inner edge Papagaais River g left bank of Plankenbrug River r represents 2,6905 hectares of land, being

ERF 14601 STELLENBOSCH and comprises 1. and 2. as above

Situate in the Stellenbosch Municipality
Administrative District of Stellenbosch
Compiled in May 2004
by me

Province of Western Cape

PLS 0080 D P Burger *D.P. Burger*
Pr Land Surveyor

This diagram is annexed to No. 1056/11/2004 Dated i.f.o. Registrar of Deeds	The original diagrams are as quoted above	File No. S/264/96 S.R. No. Compiled Comp. BHSZ-1364(6963) BHSZ-1362(6961) LPI: C0670022
--	--	---

Stellenbosch Erf 14601

S

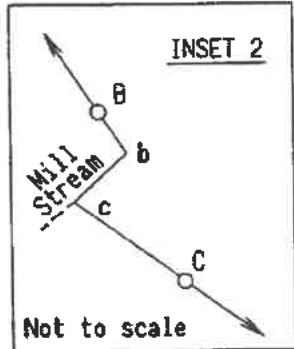
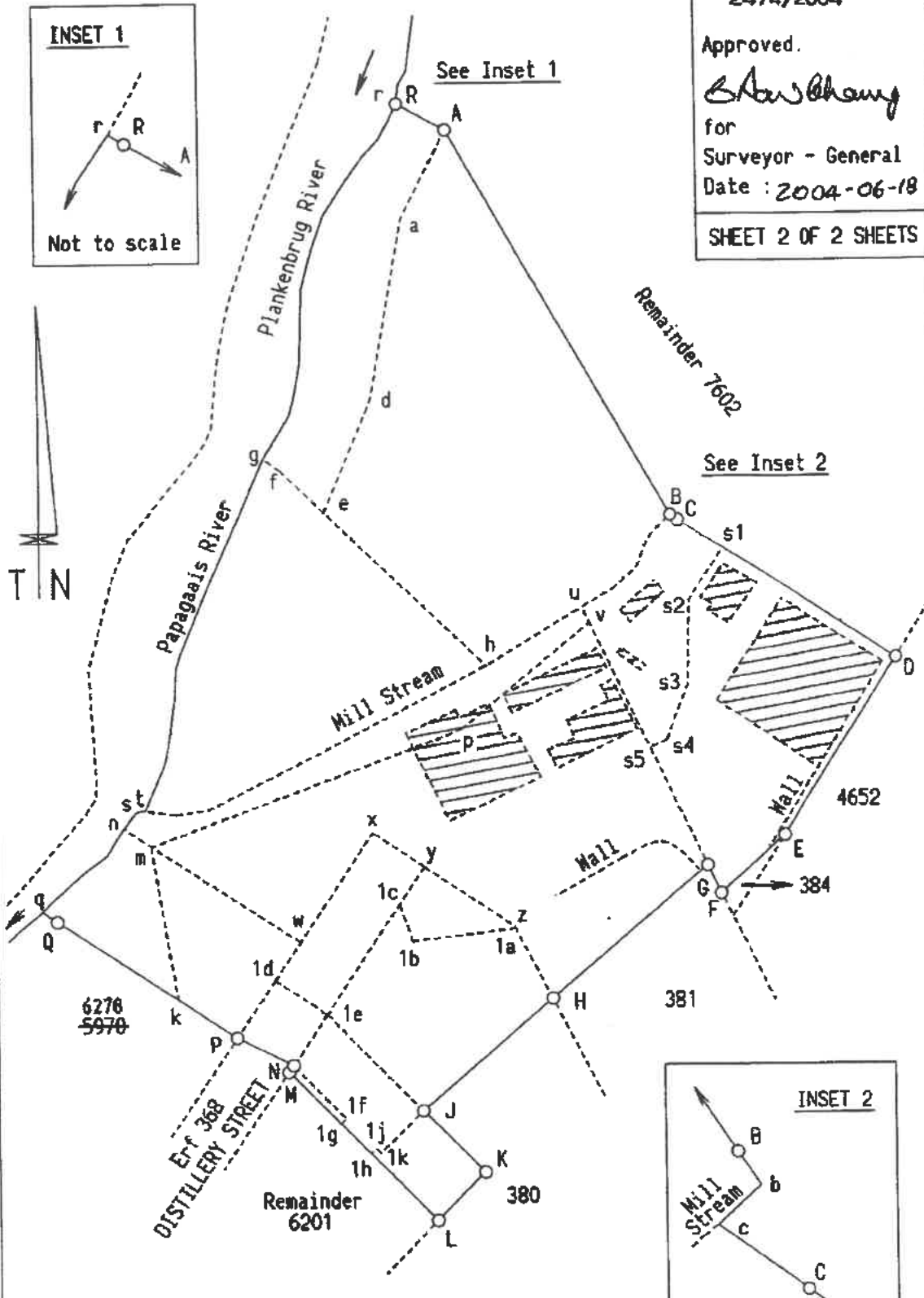
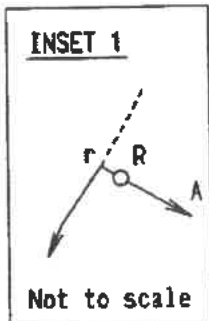
Friedlaender, Burger & Volkmann - Land Surveyors

S.G. No.
2474/2004

Approved.

Burger
for
Surveyor - General
Date : 2004-06-18

SHEET 2 OF 2 SHEETS



ERF 14601 STELLENBOSCH

Administrative District of Stellenbosch

Compiled in May 2004
by me

Burger

PLS 0080 D P Burger Pr Land Surveyor

SCALE 1 : 1500



ANNEXURE 9

TITLE DEED

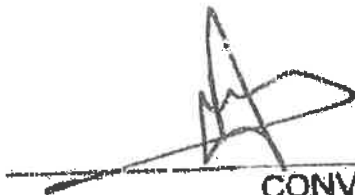
184
HELMING REGSGROEP
TEL: 051 - 1555

168

117
Cluver Markotter Inc
Cluver Markotter Building
Mill Street
Stellenbosch
7600

Prepared by me

FEE
R 500



CONVEYANCER
AL DE WAAL

T000018368 / 2006

VIR VERDERE ENDOSSEMENTE SIEN BLADSY
FURTHER ENDORSEMENT SEE PAGE 11

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

~~PERQAM FAMAAR~~

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said
appearer being duly authorised thereto by a Power of Attorney which said Power
of Attorney was signed at STELLENBOSCH on 19 January 2006 and read to him
by

VINFRUCO (PROPRIETARY) LIMITED
No. 1995/006343/07

DATA / VERIFY
DATA / CARTER
07 APR 2006: WYK Z

A

And the appearer declared that his said principal had, on 2 December 2005, truly and legally sold by Private Treaty a property letting business as a going concern, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

CATWALK INVESTMENTS 385 (PROPRIETARY) LIMITED
No. 1999/010786/07

or its Successors in Title or assigns,

ERF 14601 STELLENBOSCH in the Municipality and Division Stellenbosch,
 Western Cape Province;

IN EXTENT 2,6905 (TWO COMMA SIX NINE ZERO FIVE) hectares

FIRST REGISTERED and STILL HELD by Certificate of Consolidated Title No
 T105671/2004 with Diagram S.G. No 2474/2004 annexed thereto

1. Insofar as the figure **Ab** middle of Mill Stream cDEFGHJleNMq
 Papagaais River s Mill Stream t Inner edge Papagaais River geda on
 said Diagram No 2474/2004 is concerned:

SUBJECT:

- (1) To such conditions as are referred to in Deed of Grant issued under the provisions of Act 9 of 1879 on 10 November 1915 (Stellenbosch Freeholds Vo18 No.26);
- (2) To the condition therein contained, namely: - "Subject, however, to all such duties and regulations as either are already or shall in future be established with regard to such lands."
- (3) To the conditions contained in Deed of Servitude dated 6 November 1942 annexed to Deed of Transfer No.11908 dated 23 October 1919 and referred to in the endorsement thereon dated 9 December 1942, reading as follows:

"By Notarial Deed No. 276/1942, dated 6.11.1942, the owner of the remainder of the land held hereunder cedes, assigns and transfers to and in favour of the Council of the Municipality of Stellenbosch, all such water rights he is entitled to under certain Water Court Orders dated 5.12.1918 and 12.8.1919 of District No.1, as will more fully appear on reference to the said Notarial Deed, copy annexed hereto."

- (4) To the following special condition contained in Deed of Transfer No T18452/1949 rading:-

"That the Transferor Company and its successors in title as owners of:

A

(a) The remaining extent of Portion D of Estate Neethling's Vile, situate in the Municipality and Division of Stellenbosch
Measuring as such: Two(2)Morgen twenty three thousand eight hundred and fifty six decimal eight (23 856,8) square feet

(b) Certain piece of land being Portion 1 of Lot No.2000 situate as above
Measuring: Fifty thousand two hundred and ninety eight (50 298) square feet
Held by the Transferor Company under paragraphs (ii) and (i) of the said Deed of Transfer No.9581 dated 19 July 1945; and

(c) Certain piece of land situate as above, being Portion 2 of Lot N.O 2000
Measuring: Five thousand three hundred and fifty (5 350) square feet
Held by the Transferor Company under Deed of Transfer No. 18451 dated this day, shall in connection with the proposed scheme to pump the "SPENT WINE" and all other waste waters from the cellars and stores from the said landed properties of the Transferor company be entitled to a right-of-way (10)ten feet width over the said Portion J (a portion of Portion D) of Estate Neethling's Vine for purpose of laying down a pipeline.

The course of the said right-of-way shall be along the North-Western boundary of the said Portion J, which said boundary is marked a f e d on the Diagram (No.6464/48) of the aforesaid landed property.

For purposes of laying down the said pipeline and thereafter keeping same in repair, the Transferor Company shall at all reasonable times have the right of ingress to and egress from the said abovementioned landed properties of the Transferee Company."

(ii) (A) To the conditions referred to in Deed of Grant issued under the provisions of Act No.9 of 1879 on 10 November 1915 (Stellenbosch Freeholds Vo 1 & No.26);

(B) To the condition contained in the abovementioned Grant namely:-
"Subject, however, to all such duties and regulations as either are already or shall in future be established with regard to such lands."

(C) To the terms of a servitude referred to in an endorsement dated 14 November 1949 c. Deed of Transfer No. T744/1940, reading as follows:-

"By Not. Deed No 497/49 dated 24.10.49 the owner and its successors in title of Ptn. 1 of Lot 2000 & Remainder of Ptn.D held by Trf 9581/45 and ptn 2 of Lot 2000 held by Trf 18451/49 shall be entitled to a 10ft. right of way over (a) Lot D along boundary c, Papegaa's River, d' on Diagram

A

733/1906 (b) Annex Oude Molen along boundary b, inner edge of Papegaai's River, c' on Diagram 3267/20, (c) Remaining extent of Lot C along boundary 1, Papegaai's River m, on Diagram 732/1906 held by Paras. 1,2 & 4 hereof for the purpose of laying a pipeline and with ancillary rights as will more fully appear on reference to said Not. Deed a copy of which is annexed hereto."

- (D) To the terms of a servitude referred to in an endorsement dated 14th November 1949 on Deed of Transfer No. T.744/1940 reading as follows:-

"By Deed of Trf. 18451/49 dd 14.11.49 Ptn 2 of Lot 2000 as conveyed thereby subject to conditions relating to: construction & laying of concrete pipes, silt sumps, manholes, a siphon, prohibition against the erection of buildings without consent, laying of galvanized pipe for domestic water, the costs of the Remainder of Para. 3 and Paras. 1,2, 4 hereof. Subject to conditions as will more fully appear on reference to said Deed of Transfer."

- (iii) (A) To the conditions as are referred to in Deed of Transfer No. T 4112/1939

- (B) To the condition referred to in the endorsement dated 31 January 1940 on the Deed of Transfer No.T.4112/1939, reading:-

"By Deed of Trf. No.743 dated 31.1.1940 under Condition 3 thereof the owner of the ppty thereby conveyed is given the right by means of underground pipes over the ppty held under Para 5 hereof to connect with & discharge effluent into the Oude Molen Sewage System to Municipal Drainage System subject to conditions as will more fully appear from the said Deed."

- (C) To the terms of a servitude referred to in an endorsement dated 14 November 1949 on Deed of Transfer No. T 744/1940, reading as follows:-

"By Not.Deed No. 497/49 dated 24.10.49 the owner and its successors in title of Ptn 1 of Lot 2000 & remainder of Ptn D held by Trf 9681/45 and Ptn 2 of Lot 2000 held by Trf 18451/49 shall be entitled to a loft right of way over (a) Lot D along boundary c, Papegaai's River, d' on Diagram 733/1906 (b) Annex Oude Molen along boundary b, inner edge of Papegaai's River, c' on Diagram 3267/20, (c) Remaining Extent of Lot C along boundary 1, Papegaai's River iii, on Diagram 732/1906 held by Paras. 1,2,& 4 hereof for the purposes of laying a pipeline and with ancillary rights

as will more fully appear on reference to said Not.Deed a copy of which is annexed hereto."

- (D) To the terms of a servitude referred to in an endorsement dated 14th November 1949 on Deed of Transfer No. 744/1940 reading as follows:-

"By Deed of Trf. 18451/49 dd 14.11.49 Ptn 2 of Lot 2000 as conveyed thereby subject to conditions relating to: construction & laying of concrete pipes, silt sumps, manholes, a siphon, prohibition against the erection of buildings without consent, laying of galvanized pipe for domestic water, the costs of the above works & access to the said ppty in favour of the property held by Remainder of Para.3 and Paras. 1,2, & 4 hereof. Subject to conditions as will more fully appear on reference to the said Deed of Transfer."

- (iv) (A) To the terms of a servitude referred to in Deed of Transfer No. T 6525/1921.
- (B) To the terms of a servitude referred to in an endorsement dated 14 November 1949 on Deed of Transfer No. T 744/1940, reading as follows:
 "By Not.Deed No 497/49 dated 24.10.49 the owner and its successors in title of Ptn. 1 of Lot 2000 & Remainder of Ptn. D held by Tr: 9681/45 and Ptn. 2 of Lot 2000 held by Trf 18451/49 shall be entitled to a loft. Right of way over (a) Lot D along boundary c, Papegaai's Rvier, d' on Diagram 733/1906 (b) Annex Oude Molen along boundary b, inner edge of Papegaai's river, c' on Diagram 3267/20; (c) Remaining extent of Lot C along boundary 1, Papegaai's River m, on Diagram 732/1906 held b: Paras. 1,2, & 4 hereof for the purpose of laying a pipeline and with ancillary rights as will more fully appear on reference to said not. Deed a copy of which is annexed hereto."
- (C) To the terms of servitude referred to in an endorsement dated 14th November 1949 on Deed of Transfer No T744/1940 reading as follows:
 "By Deed of Trf. 18451/49 dd.14.11.49 Ptn.2 of Lot 2000 as conveyed thereby subject to conditions relating to: construction & laying of concrete pipes, silt sumps, manholes, a siphon, prohibition against the erection of buildings without consent, laying of galvanized pipe for domestic water, the cost of the above works & access to the said ppty in favour of the property held by Remainder of para. 3 and Paras 1,2, & 4 hereof. Subject to conditions as will more fully appear on reference to said Deed of Transfer II.
- (v) To such conditions as are referred to in Certificate of Registered Title No. T 8150/1907.
- (vi) (A) To such conditions as are referred to in Deed of Transfer No. T 742/1940.
- (B) TO and WITH THE BENEFIT of the conditions set forth in Deed of Transfer N O.T 743/1940 viz:
- *1. That the transferee and its successors in title as owners of the property above described shall be entitled to use the road crossing the remainder along

A

its South Eastern boundary and leading to the Railway Crossing as indicated on the diagram of said Lot N O.2000 and the diagram annexed thereto, the said remainder being transferred this day to R Santhagens Cape (Proprietary) Limited No. 744.

2. That the transferee and its successors in title as owners of the property above described shall be entitled to a right of way over the strip of land forming part of the remainder of Lot 2000 between the boundary of the property above described and the Mill Stream, and over the Mill Stream, but only for the purpose of providing access to any land which the abovenamed transferee or its successors in title may acquire from C M Neethling (whose Deed of

Transferor is No. 11908 of 23rd October 1919) or his successors in title – the position of the said right of way to be agreed upon between the owners of the above described property and the remainder when this condition comes into operation.

3. The transferee and its successors in title as owners of the property above described shall have the right by means of underground pipes over the remainder of Lot 2000 and the remainder of Lot C held by Appearer's Principal under the said Transfer No. 4112, to connect with and discharge effluent into the Oude Molen Sewage System –for conveyance by means of such sewage system to the Municipal Drainage System, provided, however, that the abovementioned transferee and its successors in title shall be liable for any costs incurred in the removal of any obstruction or stoppage of the Oude Molen drainage pipes caused by the discharge of effluent from the property above described. The sewer for the purpose of discharging such effluent is marked 'p g r s t' on the diagram of the property above described and is also indicated on the diagram of Lot 2000."

(The line marked n.o.p.q.r on the said Diagram No.3316/82 represents the middle of the abovementioned servitude sewer).

4. The transferee and its successors in title as owners of the property above Described shall have the right by means of underground pipes to be laid over the remainder of said Lot No.2000 to connect with the water mains of the Stellenbosch Municipal Council. The pipe line is marked m n o on the said diagram and is also shown on the diagram of the remainder of Lot 2000.
5. That the transferee and its successors in title as owners of the property above described shall leave an open space of a width of 16 feet between the

buildings on the property above described and the remainder of Lot No 2000; and the abovenamed transferee and its successors in title shall not have the right to erect any building or other structures thereon. The Appearer's Principal and her successors in title as owners of the remainder of the said Lot No.2000 shall have access to the said space for the purpose of effecting repairs to the building on the said remainder."

- (C) To the terms of a servitude referred to in an endorsement dated 14 November 1949 on Deed of Transfer No. T.744/1940, reading as follows:
 "By Deed of Trf. 18451/49 dd 14.11.49 Ptn. 2 of Lot 2000 as conveyed thereby subject to conditions relating to: construction & laying of concrete pipes, silt pumps, manholes, a siphon, prohibition against the erection of buildings without consent, laying of galvanized pipe for domestic water, the costs of the above works & access to the said ppty in favour of the property held by Remainder of para.3 and Paras. 1, 2 & 4 hereof. Subject to conditions as will more fully appear on reference to said Deed of Transfer."
- (vii) To the following conditions contained in Deed of Grant issued on 8 October 1912 (Stellenbosch Freeholds Volume 8 No.22) reading:
 "Subject, however, to all such duties and regulations as either are already or shall in future be established with regard to such lands."
- (viii) To such conditions as are mentioned or referred to in Deed of Transfer No. T.49778/1980.
2. Insofar as the figure leMPid on said Diagram No. 2474/2004 is concerned:-
 SUBJECT to the conditions as are mentioned or referred to in Certificate of Registered Title No T8150/1907.
3. Insofar as the figure Aadeq left bank of Plankenbrug river is on said Diagram No. 2474/2004 is concerned:-
 A. SUBJECT to the conditions referred to in the Deed of Grant issued in terms of the provisions of Act 9 of 1879 on 10th November 1915 (Stellenbosch Freeholds Volume 8 No.26).

A

- B. SUBJECT FURTHER to the following condition contained in Deed of Grant dated 10th November 1915 (Stellenbosch Freeholds Volume 8 No.26) namely:

"Subject, however, to all such duties and regulations as either are already or shall in future be established with regard to such lands."

- C. SUBJECT FURTHER to the condition mentioned in the Deed of Servitude dated 6th November 1942 annexed to Deed of Transfer No. T.11908/1919 and referred to in the endorsement thereon dated 9th December 1942 which endorsement reads as follows:

"By Notarial Deed No.276/1942, dated 6.11.1942, the owner of the remainder of the land held hereunder cedes, assigns and transfers to and in favour of the Council of the Municipality of Stellenbosch, all such waterrights he is entitled to under certain Water Court Order dated 5.12.1918 and 12.8.1919 of District No.1, as will more fully appear on reference to the said Notarial Deed, copy annexed hereto."

- D. ENTITLED FURTHER to the benefit of the Servitudes referred to in the two endorsements both dated 14th November 1949 on Deed of Transfer No. T 9681/1945, namely:

"By Notarial Deed No. 497/49 dated 24/10/1949, the owner and its successors in title of Portion 1 of Lot 2000, the Remainder of Portion D held by Paras. 1 & 11 hereof and Portion 2 of Lot 2000 held by Tfr. 18451/49 shall be entitled to right of way 10 feet (3,15 metre) wide over:-

- (a) Lot D along boundary C. Papegaai's river, d, on Diagram 733/1906.
- (b) Annex Oude Molen along boundary b, inner edge of Papegaai's River, c, on Diagram 3267/20.
- (c) Remaining extent of Lot C along boundary 1, Papegaai's River, m, on Diagram 723/1906 held by Paras. 1,2 & 4 of Tfr. 744/1940 for the purpose of laying a pipeline, with ancillary rights, as will more fully appear on reference to said Notarial Deed, a copy of which is annexed hereto.

"By Deed of Transfer No.18452/49 dated 14.11.49 Portion 1 of Lot 2000 and the Remainder of Portion D held by Paras. 1 & 11 hereof and Portion 2 of Lot 2000 held by Tfr. No. 18451/49 are entitled to a right of way 10 feet (3,15 metres) wide along the North

Western boundary of Portion J conveyed this day by Transfer 18452/49 which right of way is along the boundary marked a.f.e.d on Diagram 6464/48, for the purpose of laying a pipeline, with ancillary rights, as will more fully appear on reference to said Deed of Transfer."

- E. SUBJECT FURTHER as mentioned in Deed of Transfer T47251/2000 to the following special condition contained in Deed of Sale dated 18th September 1989 entered into between the Purchaser and the Seller, namely:

"Verder onderhewig daaraan dat alle verkeer na Erf 9556 Stellenbosch oor die Verkoper se eiendom gestaak word vanaf datum van oordrag."

4. Insofar as the figure leJKLihgHN on diagram S.G. No.2474/2004 is concerned

SUBJECT to the conditions referred to in Deed of Transfer No. T3818 dated the 29 June 1915.

5. Insofar as the figure NlfigM and the figure ihlilk.JKL on diagram S.G. No 2475/2004 is concerned

SUBJECT to the conditions referred to in Deed of Transfer No. T4896 dated the 15 July 1910.

6. Insofar as the figure le JKLihgM on diagram S.G. No. 2474/2003 is concerned.

- (a) Entitled in terms of Deed of Transfer No. T34430/1994 to a servitude ~~and~~ of access over portion of Erf 6279 Paarl, held by Deed of Transfer No. T34430/1994, represented by the figure abcB on Diagram No. 10931/93 annexed hereto as will more fully appear from the said Deed of Transfer.
- (b) Subject as mentioned in Deed of Transfer No. T105670/2004 to a service servitude 2 metres wide parallel to the line DC on diagram S.G. No 2473/2004 which represents the southern boundary in favour of the remainder of Erf 6201 Stellenbosch in the Municipality and Division of Stellenbosch Province of the Western Cape; Measuring 2639 square metres and held by Deed of Transfer T108308/2003. (which servitude southern boundary is indicated by the line ML on diagram S.G. No. 2474/2004).

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

VINFRUCO (PROPRIETARY) LIMITED
No. 1995/006343/07

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

CATWALK INVESTMENTS 385 (PROPRIETARY) LIMITED
No. 1999/010786/07

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R20 000 000.00 (TWENTY MILLION RAND).

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

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Cape Town on 15 MARCH 2006

q.q.

In my presence

REGISTRAR OF DEEDS

BY VIRTUE OF COURT ORDER CASE No. 8671/2013 dd 20 /06/2014

THE WITHIN RESTRICTIVE CONDITION OF FREE ALIENATION, LEASE AGREEMENT AND PRE-EMPTIVE RIGHT IS HEREBY CANCELLED AS BY COURT ORDER ABOVE. I.R.O. K277⁽⁴⁾ & K278/2013 S.

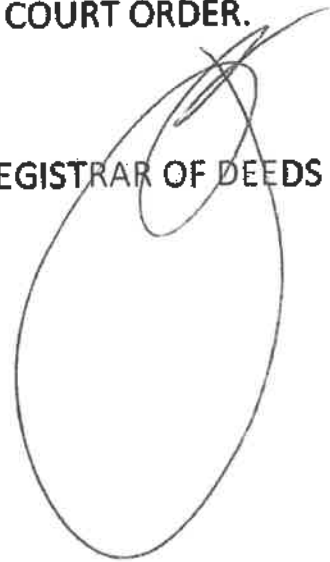
FILED AS BC..... (1)

AS WILL MORE FULLY APPEAR IN SAID COURT ORDER.

DEEDS OFFICE

CAPE TOWN

REGISTRAR OF DEEDS





Amended Title Deed.

M

Whereas the Estate of the late Mathias Lane, is a North...

Chief Registrar of the Land Office... The Registrar of the Land Office...

And Whereas the said piece of land appears to have been...

CANCELLED & EXANCELLED... and endorsed by...

And Whereas the said Mathias Lane...

A Certified copy of this Deed as published in the...

3

Whereas the provisions of the said Act...

Therefore in pursuance of the provisions of the said Act...

January 1915 registered in favour of the present owner the
partly well referred to in the said agreement to have quiet
and the property transferred to the B. Co. of the L. S. Co.
and the B. Co. full power and authority have forth
to possess the same in perpetuity with full power to dispose
of an alienate the same in such manner as if they were
proprietors subject however to all such duties and regulations
as either are already or shall in future be established
with regards to such lands.

And that by virtue of these powers to the said Estate of the
late Matthias Laminatus Neethling in its assignment is
and he and his shall be and the B. Co.

In Witness whereof I, the said Surveyor General of the
Province of Cape of Good Hope, have subscribed to the foregoing

Thus Done and signed at Cape Town on this the 10th
day of November, 1915

No. 10000 17/2/1915 7128	P.N. 10110 1915 7128
--------------------------------	----------------------------

Matthew Bowden
Surveyor General
Province of Cape of Good Hope

Be it
W
1915

Certified a true copy of the duplicate original field of record
 in this Deeds Registry in accordance with the provisions of
 Regulation No. 10 of the Deeds Registries
 Act, 47 of 1937.

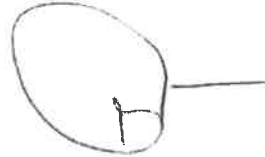
Gesertifiseer 'n ware afskrif van die duplikaat oorspronklike
 getuiseer in hierdie Registrasie van ooreenstemming
 die bepalinge van Regulasie No. 10 van die Registrasie
 van die Aktes Wet,
 47 van 1937.

.....
 Registrar of Deeds
 Registrasie van Aktes

- 12 -

T18368/2006

By virtue of Notarial Deed of Servitude No K 000000278/2013 S, dated 11 March 2013 the within mentioned property being Erf 14601 Stellenbosch is subject to restraint against alienation in favour of the Shofar Christian Church (South Africa).
As will more fully appear from said notarial deed.



Deeds Registry
Cape Town

2013 -04- 05

Registrar of Deeds

VIR ENDOORSSEMENTE MYK BLADSY
FOR ENDORSEMENTS SEE PAGE 13

VA00001422/2013

Certified a true copy of the duplicate original filed of record in this Registry, issued to serve in place of the original thereof under the provisions of Deeds Regulation No. 68 (1)

Deeds Registry
Cape Town

2013-03-04

Asst. Registrar of Deeds

VERHUUR AAN		LEASED TO	
SHAFAR CHRISTIAN CHURCH (SOUTH AFRICA)			
VIR FOR	25	JAAR VANAF YEARS FROM	1 January 2013
K000000277/2013 L		REGISTRATEUR/REGISTRAR	
2013-04-05			

FOR FURTHER ENDORSEMENTS SEE
Vir VERDERE ENDOSEMENTE SIEH.....

pg 12

12452

8149

EXECUTED
11 007 1907

DEED OF TRANSFER

PASSED IN FAVOUR OF

Willem Daniel Malherbe

M 3531

Registrar of Deeds Office,
Cape Town.

190

DEMPERS & VAN RYNEVELD,
Attorneys, Notaries and Conveyancers,
Chiappini Chambers,
113, St. George's Street,
Cape Town.

9
4
0

DEED OF TRANSFER,

BY VIRTUE OF A POWER OF ATTORNEY

Prepared by
DEMPERS & VAN RYNEVELD,
Conveyancers.

Know to all Men whom it may concern,

That **JORNELIUS NICOLAAS GROENEWALD** appeared before me, Registrar of Deeds, he being duly authorised thereto by a Power of Attorney, dated the 3 day of October 1907, drawn up at Robertson and granted to him by

Stephanus Jacobus Malherbe

which Power of Attorney has this day been exhibited to me, and the said Appearer declared that *his said Constituent*

had truly and legally sold, and *He*, the said Appearer, in his capacity as Attorney, aforesaid, did by these Presents, Cede and Transfer in full and free Property, to and on behalf of

Willem Daniel Malherbe

his heirs, executors, Administrators, or Assigns certain piece of land situated in the Village of Robertson being Lot B a part of Erf No. 11 Block II transferred to *L. J. van Zyl* on the 11th April 1854 and lastly transferred to the Appearer's Constituent on the 14th February 1889.

Measuring Eighty square rods and One hundred and five squares feet.

Bounded: - N.E. by Church Street
S.E. by the remainder
S.W. Lot A
N.W. City Street

*as
the
Erf
No. 11*

Where,
acknowledged to be present

His
thereof,
thus so
accordis
of the P.
D
subscrib.

as will more fully appear from the annexed diagram framed by the Surveyor and further subject to such conditions as are mentioned and referred to in the aforesaid Deed of Transfer as also to the Special Condition that the above land shall have the right of twenty minutes water in each and every week being a part of the water right appertaining to the said Erf No 1 Block II and which was originally ninety minutes per week.

Wherefore the Appearer, in his said capacity, renouncing all the Right and Title ^{his} ~~his~~ ^{heretofore had} to the Premises ~~acknowledged and declared~~ ^{his said constituent} to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these Presents, the said

Willem Daniel Malherbe

his Heirs, Executors, Administrators, or Assigns, now ^{is} and henceforth shall be entitled thereto, conformably to local custom; moreover promising to free and warrant the Property thus sold and transferred, as also to ^{clear} ~~leave~~ it from all Encumbrances and Hypothecations, according to Law; ^{Government, however} ~~Government~~ reserving its Right; and finally acknowledging ^{his said constituent} to be satisfactorily paid the whole of the Purchase Money, amounting to a Sum of

Six hundred pounds Stg

In Witness whereof, I, the said Registrar, together with the Appearer, q.q., have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

Thus done and executed at the Office of the Registrar of Deeds, in Cape Town, Cape of Good Hope, on the 13th Day of the Month of Oct, in the Year of Our Lord One Thousand Nine Hundred and Seven

[Signature]

In my presence

[Signature] Registrar.

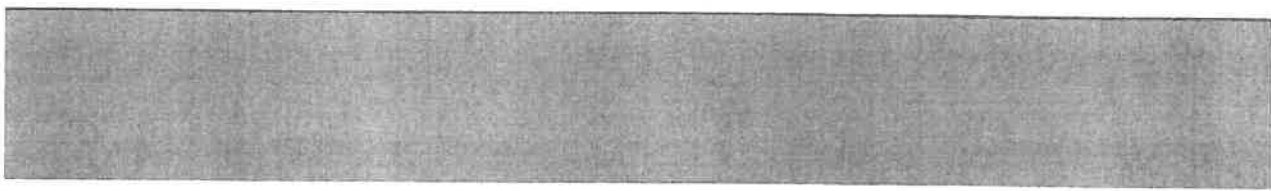
Certified a true copy of the duplicate original book of records
in this Deeds Registry in accordance with the provisions of
Regulation of the Deeds Registry
Act, 47 of 1937

Gedetailleer is hierdie Register in ooreenstemming
met die bepalinge van Regulasie van die Registrasie
wet 47 van 1937

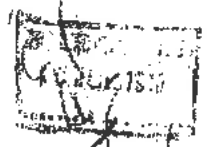
[Signature]

Register of Deeds
Registration Act

[Handwritten scribble]



DEED
11 1910



DEED OF TRANSFER

PASSED IN FAVOUR OF

William Charles Winshaw

Registrar of Deeds Office,
Cape Town,

19

DEMPERS & VAN RYNEVELD,
Attorneys, Notaries and Conveyancers,
Chippell Chambers,
112, St. George's Street,
Cape Town.

DEED OF TRANSFER
BY VIRTUE OF POWER OF ATTORNEY

Prepared by
DEMPERS & VAN RYNEVELD
Conveyancers.

Know all Men whom it may concern,

That CORNELIUS NICOLAAS GROENEWALD appeared before me, Registrar of Deeds, he being duly authorised thereto by a Power of Attorney, dated the 1st day of April 1916, and granted to him

which Power of Attorney has this day been exhibited to me; and the said Appointer declared that

has truly and legally sold, and He, the said Appointer, in his capacity as Attorney aforesaid, did, by these Presents, Cede and Transfer in full and free Property, to and on behalf of

William Charles Winshaw

Executors, Administrators, or Assigns (1). Certain piece of land...
...being...
...in the Township of...
...measuring as per remainder...
...and one square...
...and...
...as the Grant...
...to be...
...of...
...in...
...made on...
...for the...
...more fully...

Handwritten notes:
- 7.2.1918
- 9.6.1918 (No. 3818)
- Para I and Remains Para 2
- By Deed dated 22 November 1915 certain...
- rights have been...
- term of the...
- transfer to 2818...
- 1915
- to Transfer 2818...
- August 1916
- (No. 3818)

Handwritten notes:
- Prepared by
- DEMPERS & VAN RYNEVELD
- Conveyancers.
- Know all Men whom it may concern.
- That CORNELIUS NICOLAAS GROENEWALD appeared before me, Registrar of Deeds, he being duly authorised thereto by a Power of Attorney, dated the 1st day of April 1916, and granted to him

Vertical handwritten notes on the right margin:
- Wherefo
- his
- knowle
- to be ent
- Presents.
- 1916
- 1917
- 1918
- 1919
- 1920
- 1921
- 1922
- 1923
- 1924
- 1925
- 1926
- 1927
- 1928
- 1929
- 1930
- 1931
- 1932
- 1933
- 1934
- 1935
- 1936
- 1937
- 1938
- 1939
- 1940
- 1941
- 1942
- 1943
- 1944
- 1945
- 1946
- 1947
- 1948
- 1949
- 1950
- 1951
- 1952
- 1953
- 1954
- 1955
- 1956
- 1957
- 1958
- 1959
- 1960
- 1961
- 1962
- 1963
- 1964
- 1965
- 1966
- 1967
- 1968
- 1969
- 1970
- 1971
- 1972
- 1973
- 1974
- 1975
- 1976
- 1977
- 1978
- 1979
- 1980
- 1981
- 1982
- 1983
- 1984
- 1985
- 1986
- 1987
- 1988
- 1989
- 1990
- 1991
- 1992
- 1993
- 1994
- 1995
- 1996
- 1997
- 1998
- 1999
- 2000
- 2001
- 2002
- 2003
- 2004
- 2005
- 2006
- 2007
- 2008
- 2009
- 2010
- 2011
- 2012
- 2013
- 2014
- 2015
- 2016
- 2017
- 2018
- 2019
- 2020
- 2021
- 2022
- 2023
- 2024
- 2025

Vertical handwritten notes at the bottom right:
- 1916
- 1917
- 1918
- 1919
- 1920
- 1921
- 1922
- 1923
- 1924
- 1925
- 1926
- 1927
- 1928
- 1929
- 1930
- 1931
- 1932
- 1933
- 1934
- 1935
- 1936
- 1937
- 1938
- 1939
- 1940
- 1941
- 1942
- 1943
- 1944
- 1945
- 1946
- 1947
- 1948
- 1949
- 1950
- 1951
- 1952
- 1953
- 1954
- 1955
- 1956
- 1957
- 1958
- 1959
- 1960
- 1961
- 1962
- 1963
- 1964
- 1965
- 1966
- 1967
- 1968
- 1969
- 1970
- 1971
- 1972
- 1973
- 1974
- 1975
- 1976
- 1977
- 1978
- 1979
- 1980
- 1981
- 1982
- 1983
- 1984
- 1985
- 1986
- 1987
- 1988
- 1989
- 1990
- 1991
- 1992
- 1993
- 1994
- 1995
- 1996
- 1997
- 1998
- 1999
- 2000
- 2001
- 2002
- 2003
- 2004
- 2005
- 2006
- 2007
- 2008
- 2009
- 2010
- 2011
- 2012
- 2013
- 2014
- 2015
- 2016
- 2017
- 2018
- 2019
- 2020
- 2021
- 2022
- 2023
- 2024
- 2025

further subject to such conditions as are therein mentioned and referred to.

Certain piece of ground, situated at ...
 being lot 6 of land registered to ...
 holder on the 5th December 1891.
 measuring four hundred and fifty nine square rods and four cent square feet.
 Entending as the deed of transfer with a diagram annexed made in favor of the Appearer's Constituent on the 18th December 1904, with more fully set out and further subject to such conditions as are therein mentioned and referred to.

NEVER
 1891
 1892
 1893
 1894
 1895
 1896
 1897
 1898
 1899
 1900
 1901
 1902
 1903
 1904
 1905
 1906
 1907
 1908
 1909
 1910

Wherefore the Appearer, in his said capacity, renouncing all the right and Title his said Constituent heretofore had to the Premises acknowledged and declared ~~his said Constituent~~ to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these Presents, the said

William Charles Winshaw

Heirs, Executors, Administrators, or Assigns, now and henceforth shall be entitled to, conformably to local custom; moreover promising to free and warrant the property thus sold and transferred, as also to clear it from all Encumbrances and hypothecations, according to Law; Government, however, reserving its right;—and fully acknowledging his said Constituent to be satisfactorily paid the whole of the Purchase Money, amounting to a sum of

One thousand two hundred and fifty pounds

the said Registrar, together with the Appearer, q.q., have subscribed in these Presents, and have caused the Seal of Office to be affixed thereto.

thus done and executed at the Office of the Registrar of Deeds, in Cape Town, Cape of Good Hope, on the 15th Day of the Month of ... in the Year of our Lord One Thousand Nine Hundred and ...

In my presence

Registrar.

1891
 1892
 1893
 1894
 1895
 1896
 1897
 1898
 1899
 1900
 1901
 1902
 1903
 1904
 1905
 1906
 1907
 1908
 1909
 1910

Certified a true copy of the duplicate original into or record in this Deeds Registry in accordance with the provisions of Regulation 142 of the Deeds Registries Act, 47 of 1937

Gesertifiseer 'n ware afskrif van die duplikaat oorspronklike getuenskaper in hierdie Registrasie deur ooreenskomstig die Bepalings van Regulasie 142 van die Registrasie van die Aktes Wet, 47 van 1937

[Handwritten Signature]

Registrar of Deeds



REGD.
JUN 1916

8127

381

Two 1000
W-9697

EXC.
JUN

Deed of Transfer.

(ORDINARY.)

J. HENNIE KAYSER.

Attorney, Notary and Conveyancer.
CAPE TOWN.



Deed of Transfer.

BY VIRTUE OF POWER OF ATTORNEY.

Know all whom it may concern.

That JOHN FANNIE KAYSER appeared before me, Registrar of Deeds, who being duly authorized thereby by a power of attorney granted to him by

WILLIAM CHARLES WINSHAW

18th day of June 1915 and drawn up at STELLENBOSCH

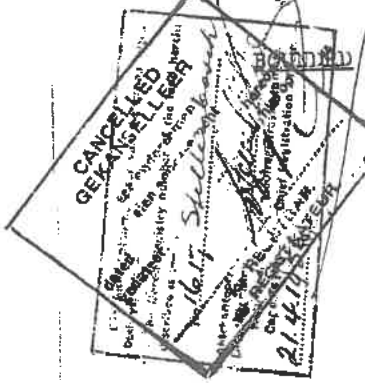
which power of attorney was exhibited to me on this day, declared that his said principal had truly and legally sold, and that he, in his capacity as attorney for said principal, by these presents, cede and transfer, in full and free property, to and on behalf of

STELLENBOSCH DISTILLERY LIMITED

its heirs, executors, administrators or assigns

A PIECE of ground situate in the Town and Division of Stellenbosch, being Lot B, a portion of Lot B transferred to A. J. de Waal on 18th December 1907, lastly transferred to the Appearer's Principal on the 15th July, 1910.

MEASURING forty one square feet 41 sq. rds. 54 sq.



North East by Lot B
South East by Remaining Lot
South West by Remaining Lot B
North West by Remaining Lot B and Street

TRANSFERRED

Die grond... The Land... is registered... is registered... as... Erf...
28-10-1915

CA
This diagram
Vice Diagram
30.10.15

The abc
41
Stellenbosch

Bounde

This area
meas in f
minutes

AS WILL more fully appear from the annexed diagram and subject to such conditions as are mentioned or referred to in the aforesaid deeds of transfer.

Wherefore the said Appearer, renouncing all the right and title his said principal heretofore had to the premises, did, in consequence, also acknowledge his said principal to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said

STELLENBOSCH DISTILLERY LIMITED

its heirs, executors, administrators, or assigns, now is, and henceforth shall be entitled thereto, conformably to local custom; moreover promising to free and warrant the property thus transferred, as also to clear it from all encumbrances and hypothecations according to the laws respecting the purchase and sale of landed property:—Government, however, reserving its right:—and, finally, acknowledging to be satisfactorily paid the whole of the purchase money, amounting to the sum of

FIVE HUNDRED POUNDS STERLING (2500)

In Witness whereof, I, the said Registrar, together with the Appearer, *q.g.*, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

Thus done and executed at the Office of the Registrar of Deeds, at Cape Town, in the Province of the Cape of Good Hope in the Union of South Africa, on the 11th day of the month of June in the year of our Lord one thousand nine hundred and 1918.

[Signature]
q.g., his Principal.

In my presence,

[Signature]
Registrar of Deeds.

12 000
11358
1918

Mortgage of this property of the said Appearer to the said Principal for the sum of Five Hundred Pounds Sterling (2500) as per the conditions hereof.



Certified a true copy of the duplicate original book of records
in this Deeds Registry in accordance with the provisions of
Regulation of the Deeds Registry
Act, 47 of 1937

Gesertifiseer 'n ware afskrif van die duplikaat oorspronklike
boeksaar in hierdie Registrasie vir ooreenkomstige
die bepalinge van Regulasie van die Registrasie
van die Aktes Wet.
47 van 1937

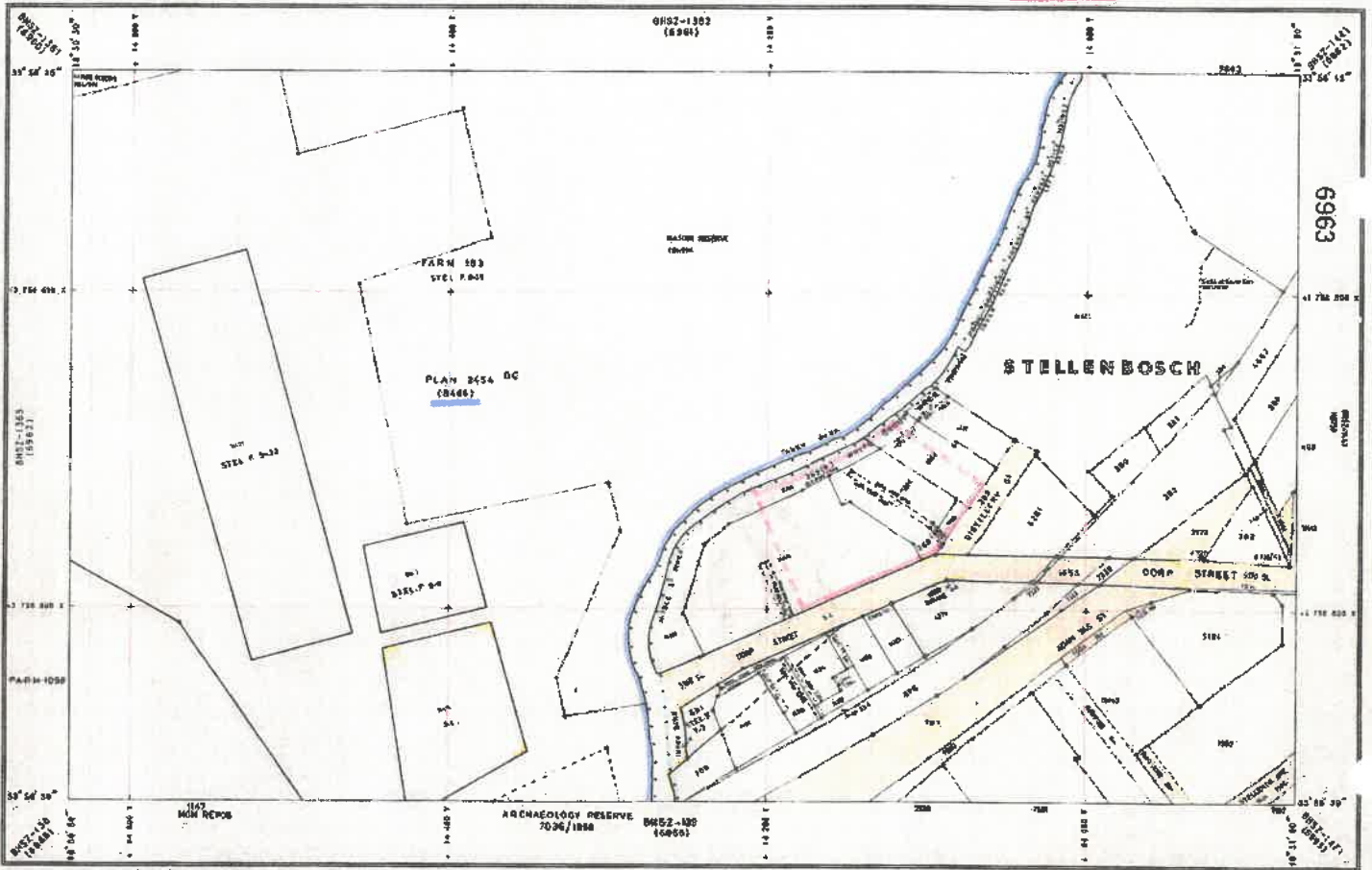
.....
Registrar of Deeds
Registrar of Deeds



1: 1000

STELLENBOSCH T.L.C. PROC 104,71995

BHSZ-1364



6963

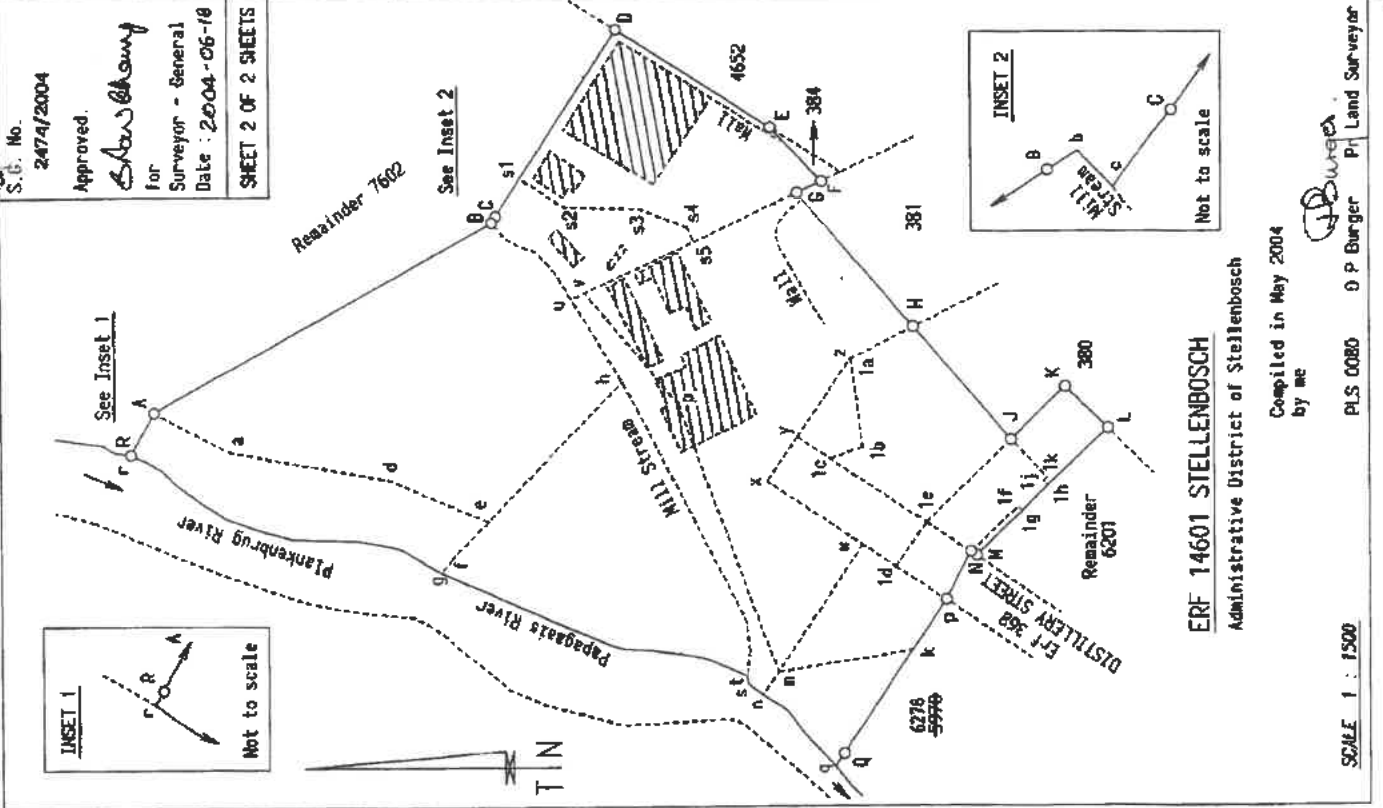
Copyright in the office of the Surveyor-General of the Republic of South Africa
 1974 and 1975
 1976 and 1977
 1978 and 1979
 1980 and 1981
 1982 and 1983
 1984 and 1985
 1986 and 1987
 1988 and 1989
 1990 and 1991
 1992 and 1993
 1994 and 1995
 1996 and 1997
 1998 and 1999
 2000 and 2001
 2002 and 2003
 2004 and 2005
 2006 and 2007
 2008 and 2009
 2010 and 2011
 2012 and 2013
 2014 and 2015
 2016 and 2017
 2018 and 2019
 2020 and 2021

★ BHSZ-1364 S 6963

S

OFFICE COPY

S.G. No. 2474/2004
 Approved: *Steenkamp*
 for Surveyor - General
 Date: 2004-06-18
 SHEET 2 OF 2 SHEETS



ERF 14601 STELLENBOSCH

Administrative District of Stellenbosch

Compiled in May 2004
by me

SCALE 1 : 1500

PLS 0080

O. P. Burger
Pr Land Surveyor

Stellenbosch Erf 14601



Friedlaender, Burger & Volkmann - Land Surveyors

OFFICE COPY

S.G. No.
2474/2004
Approved.
Steen Broug
for
Surveyor - General
Date: 2004-06-18
SHEET 1 OF 2 SHEETS

Servitude Note:
The line s1s2s3s4s5 represents the middle of a servitude sewer vide Diagram No. 5903/1939 (Erf 386), D/T 1940-15-743.

Components:

1. The figure A b middle of Mill Stream c D E F G H J l e N P q Papagaais River s Mill Stream t inner edge Papagaais River g left bank of Plankenbrug River r represents Erf 9557 Stellenbosch, vide Dgm. No. 1035/1989, D/T 1990 - - 50624
2. The figure l e K L M represents Erf 14600 Stellenbosch vide Dgm. No. 2473/2004, D/T

The figure A b middle of Mill Stream c D E F G H J K L M N P q Papagaais River s Mill Stream t inner edge Papagaais River g left bank of Plankenbrug River r represents 2,6905 hectares of land, being

ERF 14601 STELLENBOSCH and comprises 1. and 2. as above

Situate in the Stellenbosch Municipality Administrative District of Stellenbosch Compiled in May 2004 by me

Province of Western Cape

Steen Broug
Pr. Land Surveyor

FLS 0080 D P Burger	File No. S/2649g
The original diagrams are as quoted above	S.R. No. Compiled
This diagram is annexed to	Comp. BHSZ-1364(6963)
Noted to Bureau 1/2004	BHSZ-1362(6961)
Dated	LPI: C0670022
i. f. o.	
Registrar of Deeds	

Stellenbosch Erf 14601

ANNEXURE 10

CONVEYANCER CERTIFICATE

BILL TOLKEN  HENDRIKSE

Ingelyf • Incorporated
Reg. No.: 1996/010313/21
Prokureurs Notarisse & Aktebesorgers
Attorneys Notaries & Conveyancers

STELLENBOSCH MUNICIPALITY

BY HAND

Datum / Date
23/06/2020

Ons verw / Our ref
IT/CHRISTELLE/XF11171
christellek@billtolken.co.za
Direct Tel: 021 944 3060

U verw / Your ref

Dear Sir

RE: CONVEYANCER CERTIFICATE – ERF 14601 STELLENBOSCH

We refer to the above matter wherein we have been requested to prepare a Conveyancer Certificate.

For the sake of clarity we wish to highlight certain conditions contained in the holding title, Deed of Transfer No. T18368/2006, to clarify same.

Such conditions have no negative impact on the intended development of the property.

1. Condition 6(a) on page 9 of the title:

The condition incorrectly refers to Erf 6279 Paarl and should read Erf 6279 Stellenbosch.

The right of way is off-site on erf 6279 below Dorp Street, as indicated on noting sheet 6963 in purple.

2. Condition 6(b) on page 9 of the title

This service servitude is indicated by the line M L on diagram S.G. No. 2474/2004 and in blue on the aforesaid noting sheet 6963.

The servitude runs along the common boundary between erf 14601 and Erf 6201 Stellenbosch.

3. Condition 1(4) on page 2 and 3 of the title, (ii) (C) on page 3 and 4, (iii) (C) on page 4 and (iv) (B) on page 5

These servitude conditions, repeated in the various paragraphs, are not indicated on diagram S.G. No. 2474/2004, but are included as title conditions. For your ease of reference, the location thereof is indicated in green on the noting sheet 6963 and the

1 Sarel Cilliers Street/ -Straat, Bellville 7530, Kaap / Cape
Postbus /PO Box 687 Santamhof 7532
Tel (021) 944 3000 • Fax (021) 945 1120 • Conveyancing e-mail christellek@billtolken.co.za
AKTEBUS/DEEDS OFFICE BOX 10 ♦ DOCEX 10 ♦ BELLVILLE
Direkteurs / Directors JJ van Blerk BA LLB, WJ Tolken B Comm LLB, PJ Delpont BA LLB,
LJ Kritzinger BA LLB IRDP, M Tomé B Comm LLB, I Hendrikse LLB, XP Mbiyo LLB, CC Williams LLB
Assosiaat / Associate E Vrey B Comm LLB
Professionele Assistent / Professional Assistant C Wessels LLB
Konsultant / Consultant EJ Hendrikse BA LLB

Y

servitude runs along the line q r on Diagram S.G. No. 2474.2004 next to the Plankenbrug / Pappegais River.

4. **Condition (vi) (B) 2 (right of way):**

This condition should no longer appear in the title deed as Lot No. 2000 now forms part of the consolidated property and the conditions should have lapsed by virtue of merger. One does not require any servitude over your own property.

5. **Condition (vi) (D) 3 Sewerage**

This sewerage line is indicated by the figure s1 s2 s3 s4 s5 on Diagram S.G. No. 2474/2004 and was initially imposed over Lot 2000, which now forms part of the consolidated property. This condition should have been deleted from the title by virtue of merger when the properties were consolidated. It is no longer applicable. One does not require any servitude over your own property.

6. **Condition (vi) (B) 4 (Water mains)**

This condition should no longer appear in the title deed as Lot No. 2000 now forms part of the consolidated property and the condition should have lapsed by virtue of merger. One does not require any servitude over your own property.

7. **Condition (vi) (B) 5 Building Lines**

This area relates to the buildings bordering the line u G F on Diagram S.G. No. 2474/2004.

As remainder of Lot 2000 forms part of the consolidated property this condition should have been removed by virtue of merger. It is no longer applicable.

We trust that the above provide some clarity, but should you require any further clarification, please do not hesitate to contact me.

Yours faithfully
BILL TOLKEN HENDRIKSE INC.

Per
IWAN TOLKEN





STELLENBOSCH
 STELLENBOSCH • 7919L • FRANSCHHOEK
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

CONVEYANCER CERTIFICATE

I/We

WILLEM JOHANNES TOLKEN

(conveyancer's name and surname)

Practising at:

**BILL TOLKEN HENDRIKSE INC
 1 SAREL CILLIERS STREET
 BELLVILLE
 7530**

(firm and place of practice)

In respect of:

ERF 14601 STELLENBOSCH

IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH

PROVINCE WESTERN CAPE

IN EXTENT: 2, 6905 (TWO COMMA SIX NINE ZERO FIVE) hectares

Held by Deed of Transfer No. T18368/2006

(full property description (erf / farm) as it appears in title deed of same)

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

1. DEED OF TRANSFER NO. T18368/2006
2. DEED OF GRANT DATED 10/11/1915 (STELLENBOSCH FREEHOLDS VOLUME 8 NO. 26).
3. DEED OF TRANSFER NO. T8150/1907
4. DEED OF TRANSFER NO. T4896/1910.
5. DEED OF TRANSFER NO. T3818/1915

For example Deed of Transfer T12345/2000 or Certificate of Registered Sectional Title ST1234/2000 (description of title deed number and date)



A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)

Categories		Are there deed restrictions (indicate below)		Title Deed and Clause number if restrictive conditions are found
1.	Use of land	Y	N	
2.	Building lines	Y	N	
3.	Height	Y	N	
4.	Number of Dwellings	Y	N	
5.	Bulk floor area	Y	N	
6.	Coverage/built upon area	Y	N	
7.	Subdivision	Y	N	
8.	Servitudes that may be registered over or in favour of the property	Y	N	
9.	Other Restrictive Conditions	Y	N	SEE COVERING LETTER DATED 23/6/2020

y



STELLENBOSCH
 STELLENBOSCH • FRANSCHHOEK
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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

In respect of which it was found that there are/are no restrictive conditions with reference to Section 33(4) (a, b or c) of the Land Use Planning By-law (2015) registered against such property (ies) prohibiting it from being utilised/developed for the following purposes (as elaborated in the accompanying application):

a.	Organ(s) of State that might have an interest in the restrictive condition	NOT APPLICABLE
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies	

C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

(please tick appropriate box)

Application in terms of Section 45 of the Stellenbosch Municipal Land Use Planning By-Law (2015)	Notarial Deed of Cancellation (Submit Copy of Signed Agreement)	Action by way of court order (Submit Copy of the Court Order)	If Other, Please Specify
--	---	---	--------------------------

Signed at BELLVILLE on this 23 of June 2020

Full names and Surname: WILLEM JOHANNES TOLKEN

Signature:

PO BOX 687
 SANLAMHOF
 7532

Firm Postal Address:

BILL TOLKEN HENDRIKSE ING/INC
 1 CAREL CILLIERS STREET / STRAAT
 BELLVILLE 7530
 TEL: 021 944 3000

Tel: 021 944 3000

Email: iwan@billtolken.co.za

Cell: 083 457 5588

ANNEXURE 11

BOND HOLDERS CONSENT



Private Banking
Investec Bank Limited

36 Hans Strijdom Avenue Foreshore Cape Town 8001
PO Box 1828 Cape Town 8000 South Africa
T +27 (0) 21 416 1000 F +27 (0) 21 416 1001
www.investec.com

31 July 2020

Bill Tolken Hendrikse
1 Sarel Cilliers Street
Bellville
7530

Your ref: Iwan / Heila
Our ref: Angie Fullard (411513/001)

**BONDHOLDERS CONSENT: CATWALK INV 385 PTY LTD
PROPERTY: ERF 14601 STELLENBOSCH**

We refer to the above matter and hereby confirm the following:-

As bondholders of the abovementioned property, we hereby consent to the Rezoning application being made in terms of Section 15 of the Stellenbosch Municipality : Land Use Planning Bylaw 2015.

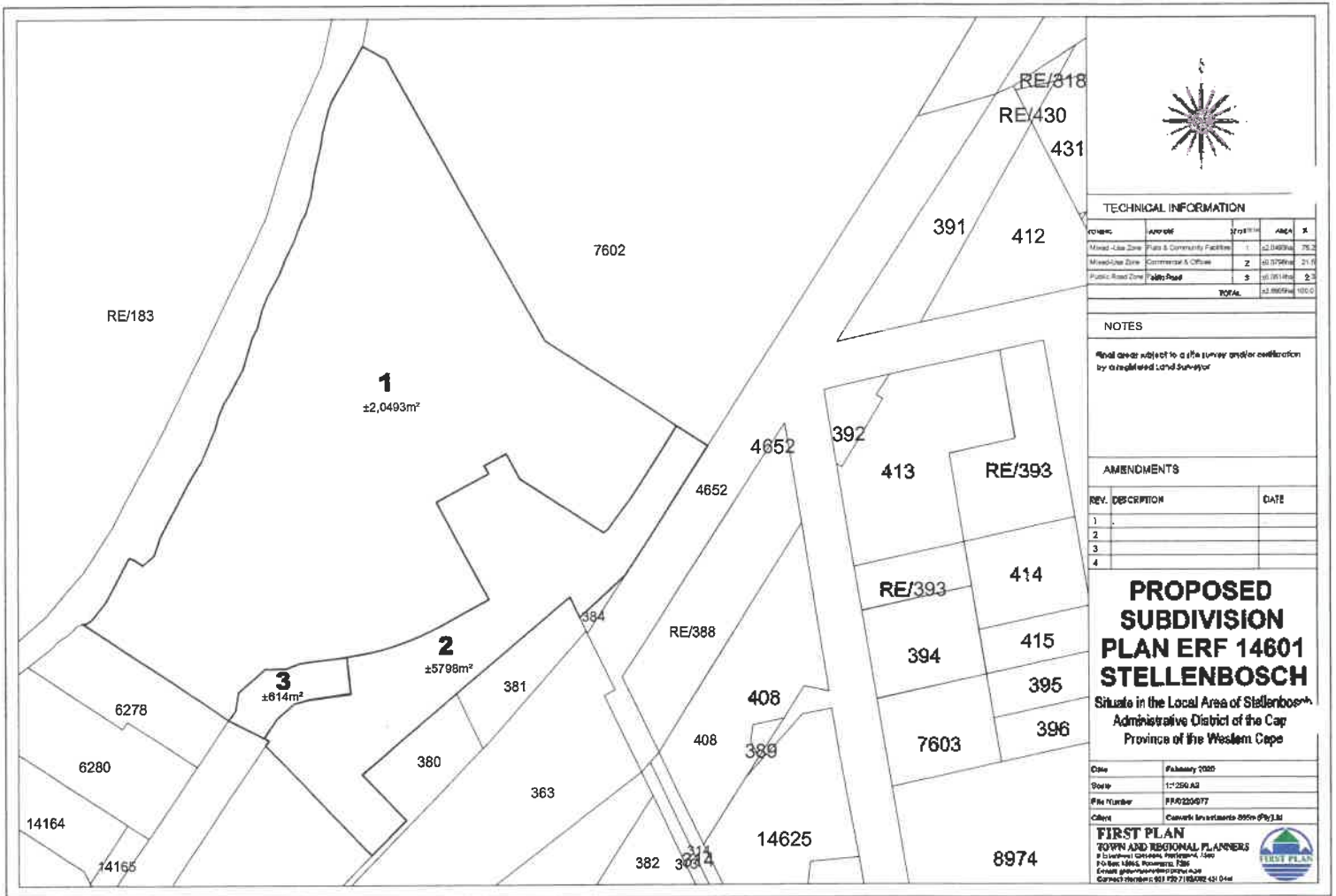
We trust you find the above to be in order.

Yours Faithfully
INVESTEC BANK LIMITED

**FOR AND ON BEHALF OF
INVESTEC BANK LIMITED**

**FOR AND ON BEHALF OF
INVESTEC BANK LIMITED**

ANNEXURE 12
SUBDIVISION PLAN



TECHNICAL INFORMATION

Zone	Area	Scale	Area	X
Mixed-Use Zone	Public & Community Facilities	1	±2,0493m²	75.2
Mixed-Use Zone	Commercial & Office	2	±0,3728m²	21.9
Public Road Zone	Public Road	3	±0,1814m²	2.3
TOTAL			±2,6035m²	100.0

NOTES

Final area subject to a file survey and/or certification by a registered land surveyor

AMENDMENTS

REV.	DESCRIPTION	DATE
1		
2		
3		
4		

PROPOSED SUBDIVISION PLAN ERF 14601 STELLENBOSCH
 Situated in the Local Area of Stellenbosch
 Administrative District of the Cap
 Province of the Western Cape

Date: February 2025
 Scale: 1:250 A3
 File Number: FR0220077
 Client: Camerik Investments 8550 (Pty) Ltd

FIRST PLAN TOWN AND REGIONAL PLANNERS
 8 Duynhoven Crescent, Stellenbosch, 7600
 P.O. Box 14165, Stellenbosch, 7600
 Email: group@firstplan.co.za
 Contact Numbers: 021 521 7100/021 521 0144



ANNEXURE 13

SITE DEVELOPMENT PLAN PACKAGE

DEVELOPMENT DATA: RESIDENTIAL
(SUMMARY)

1 SITE AREA:	
SITE AREA (OVERALL):	21 905m ²
SITE AREA (SUBDIVISION):	21 003m ²
2 UNIT AMOUNT:	
COST AMOUNT:	231
3 BUILDING COVERAGE:	
UNIT FLOOR COVERAGE:	6 001m ²
AMENITIES COVERAGE:	411m ²
TOTAL SITE COVERAGE @ 4.482m ² :	32 %
4 PARKING:	
PARKING PROVIDED:	419
ALLOTTED BAYS:	286.5
VISITOR BAYS:	126.5
PARKING PROVIDED:	
ALLOTTED BAYS:	255
VISITOR BAYS:	127
PROVIDED PARKING RATIO:	(1.68 BAY/UNIT)

DEVELOPMENT DATA: BUSINESS PREMISES
(SUMMARY)

1 SITE AREA:	
SITE AREA (OVERALL):	28 195m ²
SITE AREA (SUBDIVISION):	6 767m ²
2 BUILDING AREAS:	
MAJOR & SHED FLOOR AREAS:	1 691m ²
COMMERCIAL AMENITIES FLOOR AREAS:	42m ²
WALK:	0.37
MINOR & SHED GLA:	1 276m ²
3 BUILDING COVERAGE:	
MAJOR & SHED COVERAGE:	90m ²
AMENITIES COVERAGE:	42m ²
TOTAL SITE COVERAGE @ 8.81m ² :	16 %
4 PARKING:	
TOTAL PARKING PROVIDED:	55
ALLOTTED BAYS:	55
PROVIDED PARKING RATIO:	(4.3 BAYS/400m ²)

ZONING KEY:



1 SITE DEVELOPMENT PLAN



LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVITUDE

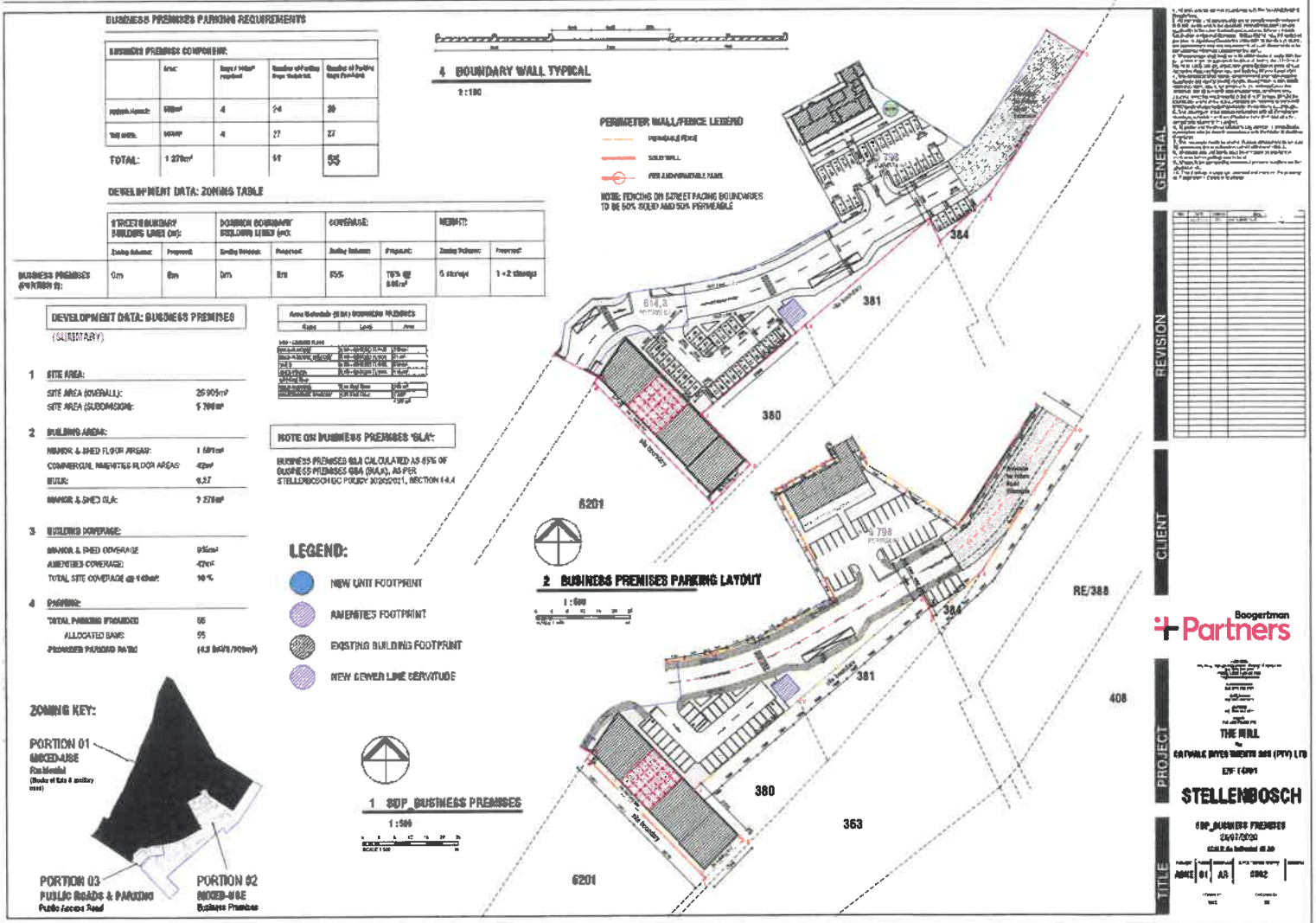
GENERAL REVISION CLIENT PROJECT TITLE

Sooger Partners

THE MILL
CATHOLIC CHURCH - 1000 (PT) 4170
1000 1000

STELLENBOSCH

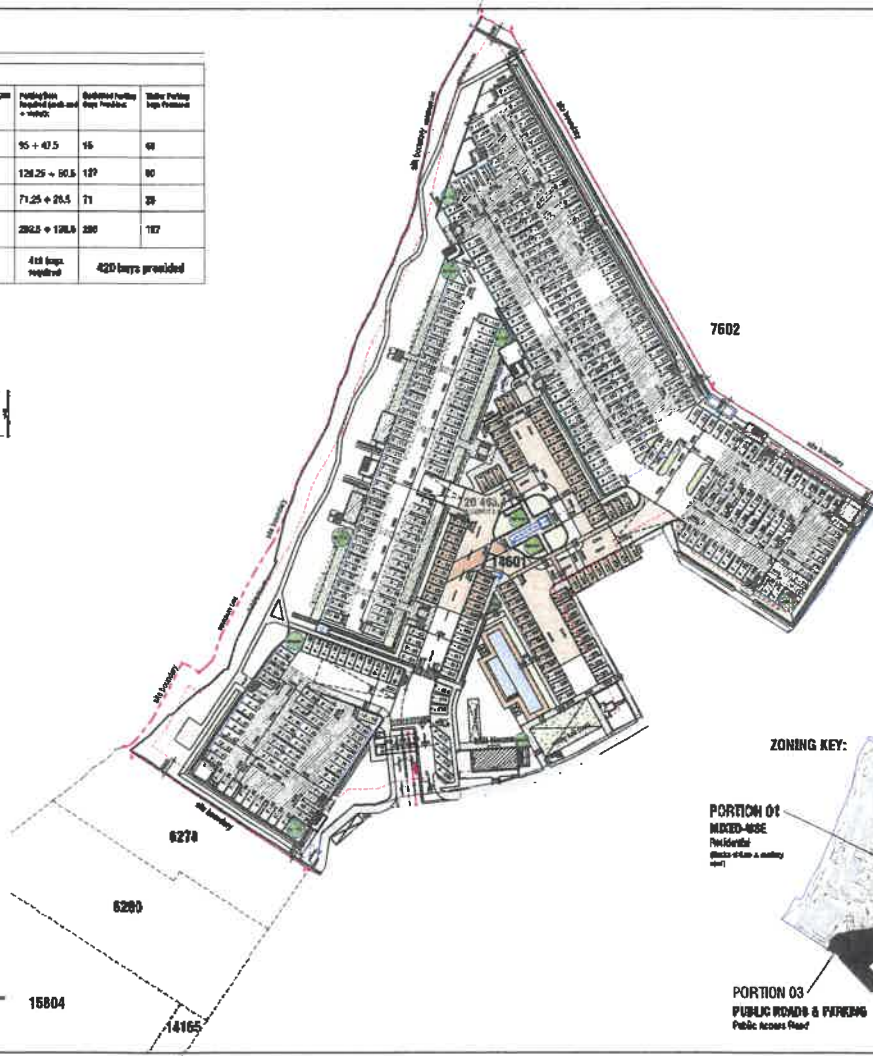
REP. OFFICE
1000 1000
1000 1000
1000 1000



RESIDENTIAL PARKING REQUIREMENTS

RESIDENTIAL COMPONENT:	Number of Units	Number of Vehicles	Allocated Space / Unit (approx.)	Vehicle Ratio / Unit (approx.)	Parking/Space Required (approx. and +/- 10%)	Allocated Vehicle Space Provided	Vehicle Parking Spots Provided
UNIT 710A	2	35	3	0.5	95 + 40.5	15	48
UNIT 710B	3	101	1.25	0.5	128.25 + 50.5	127	80
UNIT 710C	3	67	1.25	0.5	71.25 + 28.5	71	28
					296.25 + 120.5	280	157
TOTAL:		258			418 spots required	420 spots provided	

PARKING CONDITIONS:



ZONING KEY:

PORTION 01
MIXED-USE
Residential
(Block of town & multi-unit)

PORTION 02
MIXED-USE
Business Preferred

PORTION 03
PUBLIC WOODS & PARKING
Public Access Road

1. All building details and sections are preliminary and are subject to change without notice. The user of these drawings is responsible for verifying the accuracy of the information provided. The user of these drawings is also responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user of these drawings is also responsible for obtaining all necessary approvals from the appropriate authorities. The user of these drawings is also responsible for obtaining all necessary approvals from the appropriate authorities.

NO.	DATE	BY	REVISION

TITLE PROJECT CLIENT REVISION

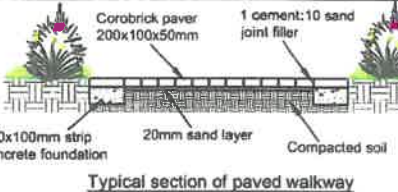
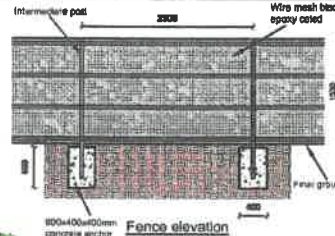
Boopertman + Partners
3887 PARKSIDE
2560-0202
2560-0202
1550-0202
1550-0202
THE MALL
and
CATHOLIC BARRACKS 382 (37) LTD
ENP 14901
STELLENBOSCH
3887 PARKSIDE
2560-0202
2560-0202
2560-0202

JMNE [] **JA** [] **MA** [] **NS** []

1 PARKING LAYOUT
1 : 500
15804
14165



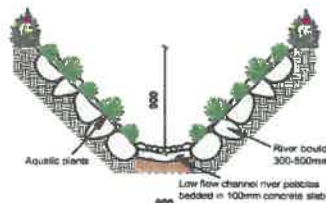
Mill water overflow & s/w channel



Typical section of paved walkway



Section at edge of semi basement parking



Mill water overflow & s/w channel section



Bicycle stand unit



Delaware pedestal bin & Ohio cast iron bench - Wilson Cement or similar

Plant list

1.01 Trees

- Quercus ilex - Winter Oak
- 1.21 Indeciduous trees
- Cornus alba - White Dogwood
- Camellia japonica - Japanese Camellia
- Other species: ...

2.01 Shrubs

- ... (various shrub species)

3.01 Groundcover plants

- ... (various groundcover species)

- Legend:**
- Lawn
 - Planting
 - Walkway paving
 - Road paving
 - Grass blocks
 - Bench
 - Proposed trees
 - Trees to remain

Project:
OUDE MOLEN

Drawing LAN/sdp1: - 14/07/2020
LANDSCAPE SITE
DEVELOPMENT PLAN

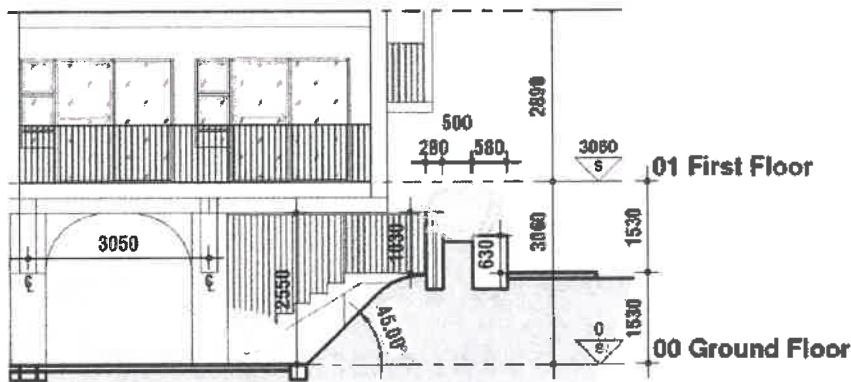
Scale: A3 - 1:800
Location: STELLENBOSCH

J.d.V. Landscape Studio

20 Hoop Street, Pretoria, Tel: 012 333041
Email: jdv@jdv.co.za | info@jdv.co.za

Erf 14601 – Landscape Development – Design Philosophy

The development is situated in Stellenbosch. The buildings are built in the Cape Dutch style, mixed with French Baroque & Rococo. To reduce the impact of the proposed 4-6 storey apartment blocks, the building parking facility were lowered to 1,5m below natural ground level. Parking levels are partially submerged in semi basements which are surrounded by planted 'werf' walls. The planted "werf" walls hide the columns and make the buildings seem anchored/grounded, to depart from the 'floating/ hovering' principles of Modernist architecture and to add greenery in the vertical plane. See section below.



To integrate the old and the new buildings, a traditional village central square was created, with a raised water feature, with the raised pond edges doubling-up as seating.

The water, sourced from the old mills stream, will flow from the raised feature along a "leivoor" through the development, where it will discharge into the existing underground storm water pipe system. The "leivoor" will also collect surface storm water and divert it into the existing storm water system. The water features will symbolise the old mill stream that previously meandered through the property. The village square will be planted with lawn and edges with large Water Oaks, with benches below. Parts of the vehicular roads have been paved with grass blocks to extend/enlarge the central green square. The permeability of the grass block will also aid with the supplementing of the ground water.

The village square will not only be appreciated on ground level, but also when viewing down from the apartments.

The Plankenburg River on the western boundary of the development is a major feature that will visually be integrated with the development, by erecting transparent palisade fencing, lightly covered with creeper plants to provide a certain amount of privacy. Informal walkways will meander through the shrubbery with seating under shade trees, orientated towards the Plankenburg River.

The traditional lawn commonage has been positioned on the western side of the old Mill House

and links up with the green village square. The commonage will be utilised for active recreation facilities and apartment owner's social gathers i.e.; festivals, markets etc. to enhance the community spirit. Additional active recreation facilities will be introduced into the commonage, i.e., a volleyball court and a Boules court.

There are significant amounts of mature trees (indigenous and exotic) on the site which will be retained where possible, but by the lowering the apartment block parking levels, many of the trees will have to be removed or transplanted. According to the tree study dated 6 February 2015, there is a total of 98 trees of which 13 trees are recommended to be retained, 48 trees labelled as "may be retained or removed" and 37 trees recommended to be removed.

The 2 existing *Celtis africana* – White Stinkwoods trees located close to the buildings; roots will be trimmed back (gradual process, over 6 month period) and agricultural trenches will be installed between the building and tree to ensure that the new root growth of the existing trees will not damage any of the new surrounding structures. Several of the trees are deciduous and will be transplanted in winter during the dormant periods.

The 2 *Platanus acerifolia* (London plane), 1 *Sterlitzia nicolii* – Wild Banana and 2 *Ficus nitida* (Indian laurel) can also be successfully transplanted, but should not be transplanted close to buildings, as they have destructive root systems, but they are excellent shade trees, ideal when grouped in the commonage.

The 7 *Cinnamomum camphor* – Camphor tree will be transplanted into 2000lt containers and removed off site by tree specialists and could be traded for large Water Oaks. Camphor trees take 2-3 years to recover when transplanted. 50% of the remaining trees that have to be removed are categorised as aliens; *Schinus* spp., *Grevillea robausta*, *Yucca* spp., *Araucaria heterophylla*, *Ligustrum* spp. and *Melaleuca* spp. Tree palette/selection will be minimalistic and true to the Cape Dutch Era. The English oaks (*Quercus robur*) have been replaced with the much hardier Water Oak (*Quercus nigra*) which are not prone to be infested by the Italian bug/aphids and the oaks are also water wise. White Stinkwood (*Celtis africana/sinensis*) will also be established in the larger open spaces. The mature trees that are retained and transplanted will be established in clusters to aid with the fragmenting and reducing the dominance of the new apartment blocks. One large shade tree will also be planted between every 2 outdoor parking bays. Where possible the shrub, creeper and groundcover plant material will be endemic to the region and shade loving. The planting palette directly around the manor house and old mill will be more traditional to the era.

The landscape theme envisaged is of buildings located in a densely planted parkland. Lawn areas will be limited to active recreation areas.

Oude Molen - Proposed planting palette for additional plant material:**1.0) Trees:****1.1) Exotic trees**

Quercus nigra – Water Oak

1.2) Indigenous trees:

Celtis Africana – Wit Stink wood

Olea capensis spp. *macrocarpa* – Wild Olive

Syzygium guineense – Water Pear

Combretum erythrophyllum - Vaderland Wilger

Podocarpus falcatus – Outeniekwa YellowWood

Vachellia xanthophloea – Fever tree

2.0) Shrubs & restios:

Asparagus densiflorus Mazeppa

Blechnum tabulare - Fern

Cyperus textilis – Mat Sedge

Elegia capensis – Fountain reed

Halleria lucida - Forest fuchsia

Hypoestes aristata – Ribbon Bush

Plectranthus ecklonii – Medley Wood

Rhodocoma capensis – Low Cape reed

Tarhonanthus camphoratus – Wild Camphor

Barleria obtusa

Coleonema album – Confetti

Duvernoia adhatodoides – Pistol Bush

Elegia tectorum – Dakriet

Helichrysum petiolare – Kooigoed

Mackaya bella - Forest Bell Bush

Portulacaria afra – Spekboom

Searsia crenata – Dune Cross Berry

3.0) Bulbs:

Agapanthus praecox – Agapanthus

Chlorophytum saundersiae

Kniphofia praecox – Red Hot Poker

Tulbaghia violacea – Wild Garlic

Zantedeschia aethiopica – Arum Lily

Clivia miniata - Clivia

Diets grandiflora – Blue Wild Iris

Scadoxus puniceus - Paint Brush

Wachendorfia thyrsoiflora – Red Root

4.0 Creepers:

Jasminum multipartitum – Star Jasmine

Senecio tamoides – Canary creeper

Rhoicissus digitata – Bobbejaandruif.

5.0 Groundcover plants:

Asystasia gangetica

Cliffortia ferruginea – Glastee

Gazania rigens – Strand Gousblom

Isolepis ludwigii – Low shade grass/reed

Justica petiolaris - Kissing Leaves

Plectranthus ciliates

Chlorophytum comosum var. – Hen & Chickens

Falkia repens - Oortjie

Hypoestes forskoolii- White Ribbon Bush

Osteospermum fruticosum – Rankmagriet

Phygelius capensis – Cape Fuchsia

Sutera cordata

ANNEXURE 14

OUDE MOLEN ARCHITECTURAL ETHOS

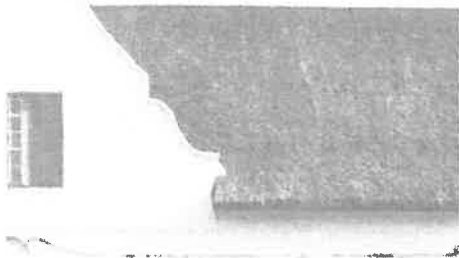
MILLEN

ARCHITECTURAL DESIGN ETHOS

A compiled rationale of contemporary design choices in a historical context_

Draft 08 _ 06/04/2020

1710



1923



INTRODUCTION

Stellenbosch holds a considerable visual archive of the Cape Dutch Vernacular aesthetic within its rural townscape. For years, the style has remained influential to new architecture in the immediate context, especially to refurbishments that are in visual proximity to Cape Dutch buildings.

It is widely acknowledged that Cape Town was the birth place of Cape Dutch. However, as 'n growing city, it has been a receptacle for other styles of architecture over the years, becoming an eclectic tapestry of many classical aesthetics (Georgian, Victorian, Edwardian, Art Deco, Modern etc.). Stellenbosch stayed, for the most part, truer to the original Cape Dutch vision because of its rural scale. And so it is within this rural scale and historical context, that the intervention is proposed. The intention is to respect the proximity of historical sites and styles, and to draw inspiration where deemed appropriate.

RAILWAY LINE SEVERANCE

When the railway line adjacent the site was first built, it split the town fabric in half, placing an industrial zone to the North West and leaving a predominantly residential zone to the South East of the line. Being placed amongst a newly demarcated Industrial Zone, Oude Molen took on the necessary character, slowly abandoning its agricultural roots in favour of industry. It became a prominent Brandy Distillery. As a result, the site gradually became eclectic in its architectural style and function over the years. Oude Molen homestead is an eclectic and eccentric Cape Dutch Revival building with elements of Victorian and Edwardian. To respond to its surroundings, the site had to hold industrial function within an eclectic, historical aesthetic. Whilst the rest of the area (now known as Bosman's Crossing) comfortably adopted the industrial style of architecture in the absence of contextual influences, Oude Molen developed under the guise of industrial architecture incorporating vernacular proportions and materials.

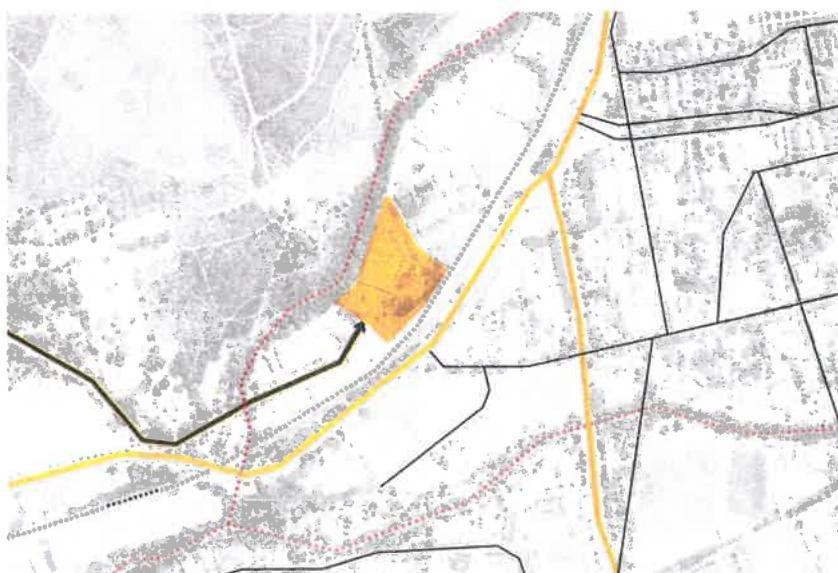


The site is positioned North West of the railway line, separated from the main town that lies to the East.

CAPE DUTCH REVIVAL

Originally, the Cape Dutch and Cape Dutch Revival styles applied to houses, homesteads and stables, governed by particular widths and heights, in turn informed by the spanning and compression capabilities of the available materials at the time. This brought with it a particular set of rules in terms of height, scale and proportion. The parameters of homes built in this style, always held a very particular balance. And so, when applied to larger buildings, the balance between length, width and height had to be carefully altered throughout the change of scale.

This was difficult, and made the maintaining of the classic orders and principles problematic. By a happy coincidence, the advancement of technology and the global introduction of Modernism, allowed South Africa to adopt a version of the global style that complimented the historic Cape architectural references.



MACRO CONTEXT

As Modernism as an architectural style rose in popularity across the world, the Western Cape adopted a version of it influenced by its own Cape Dutch aesthetic. This is well observed in the works of famous South African Architects like Pius Pahl and Roelof Uytendogaardt. The forms of these two styles differed significantly, but the similarities in material and colour allowed the new style to fit into the historic context. This is how Cape Dutch materiality was introduced to architecture that outgrew the historic farmstead scale. Multiple storey buildings adopted the form and design of the Modern Style, whilst staying true to the palate and intention of Cape Dutch.

There are many appropriate examples of these contemporary 3-storey apartment buildings in the heart of Stellenbosch. They abandoned the original Baroque ornamentations of the original Cape Dutch gables, in favour of cleaner lines and simpler forms, whilst maintaining similar materials and finishes with which to blend into the historical context.

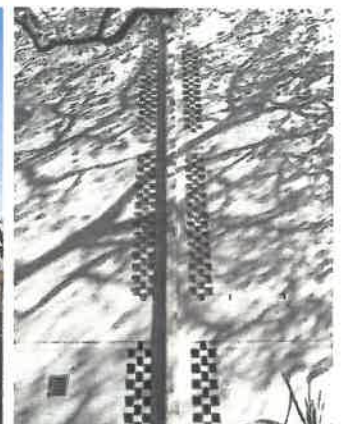
Case Studies from Stellenbosch CBD:



Bastmolen Apartments, Mark Road.



Bastmolen Apartments, Mark Road.



Sybrand Mankadan Building, Dorp Street.



*Stillwater +
Helderwaters,
Ou Strandpad Road.*

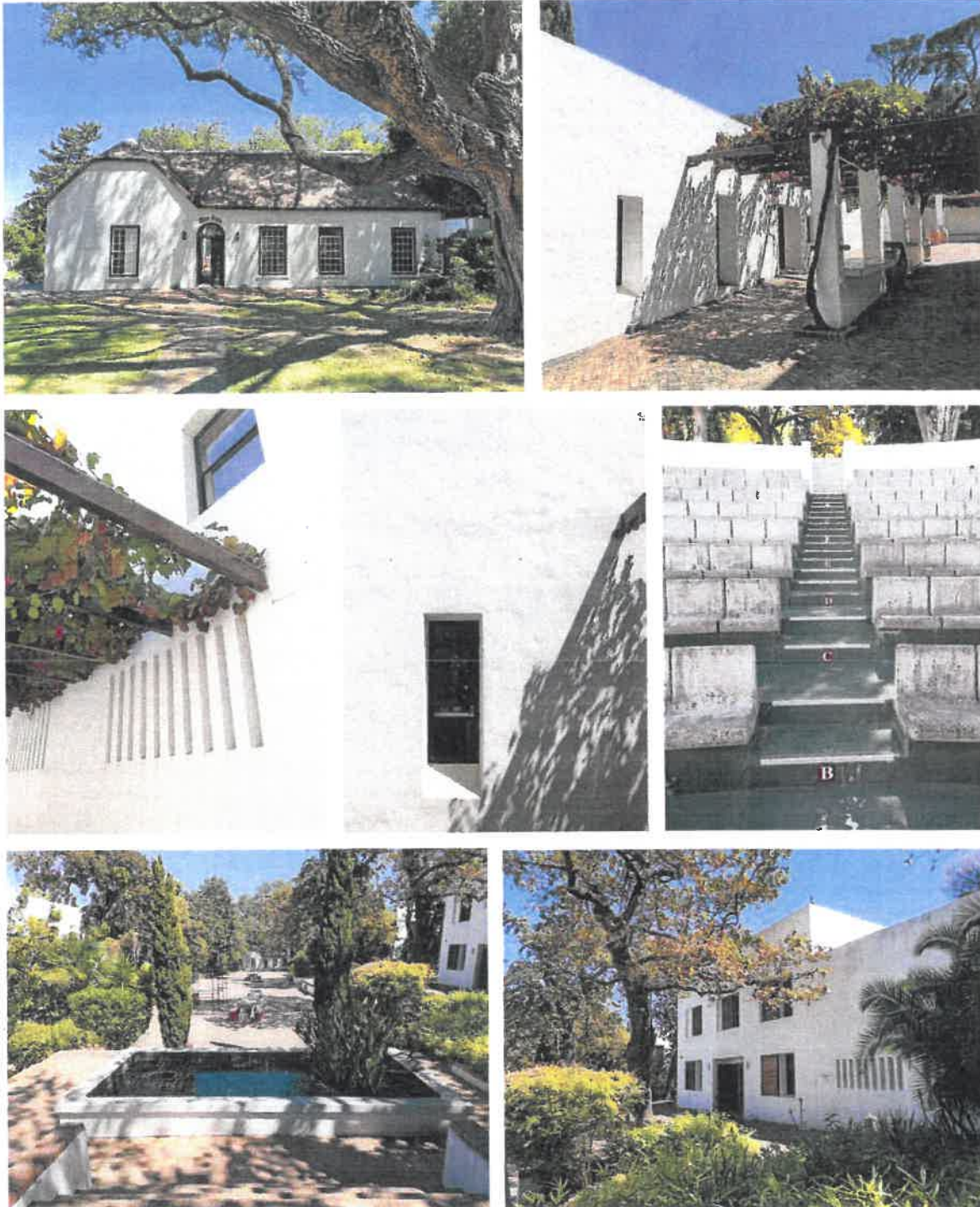


Sybrand Mankadan Building, Dorp Street.



Sybrand Mankadan Building, Dorp Street.

PRECINCT[WERF] PRECEDENT _ OUDE LIBERTAS



Oude Libertas incorporates a similar design ethos to the current proposal at Oude Molen, and both sites are in close proximity to each other; making it an appropriate case study.

OUDE LIBERTAS:

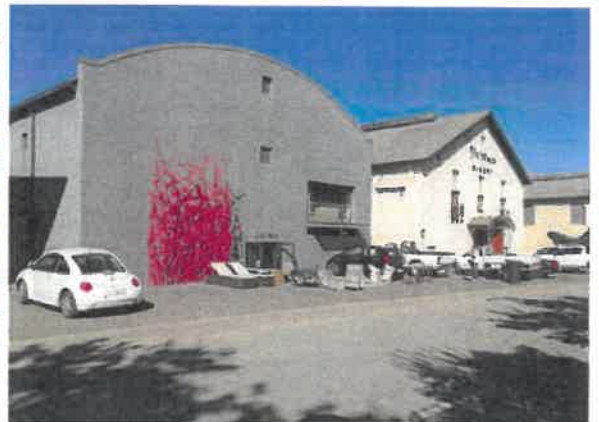
- 1) Holds contemporary architecture that reinterprets the vernacular Cape Dutch Style. The contemporary buildings are juxtaposed with historically significant Cape Dutch buildings on the same site.
- 2) Incorporates the 'werf'-layout to surround a central piazza for recreational use.
- 3) Reinterprets Cape Dutch proportions in contemporary modules.
- 4) Introduces the pedestrian scale of a historic Cape Dutch town with numerous footpaths and walkways.
- 5) Introduces the piazza and amphitheatre as nodes of social interaction.
- 6) Modernizes the use of timber and the iconic pergolas of the wine lands context.
- 7) Keeps closely to the Cape Dutch colour- and material palate.



*left: Piazza of Bosman's Crossing,
below: Pane e Vino food & wine bar*



*below: Archway entrance of Bosman's Crossing,
below right: View of buildings facing piazza.*



MICRO CONTEXT

With the exception of the Manor House and Mill House on the site itself, the surrounding architecture is mostly industrial (owing to historic industrial zoning). In addition to these 2 structures, there are also 3 warehouses / shed structures on site (only one earmarked for retention). These don't take on the industrial character of the surroundings, but incorporate a hybrid architecture visually reminiscent of Cape Dutch. The site itself, therefore, is predominantly Cape Dutch Revival in style.

In contrast, the surrounding industrial character of the area introduced different materials into the context and set different tones for future buildings to follow. Here we find a greater use of facebrick and colour, compared to the mostly white and thatch/painted zinc palate of classic Cape Dutch in the town centre. We also find a greater use of steel and concrete, which aren't used in the historic Cape Dutch style.

The challenge for the new development would be to marry the contextual styles in an appropriate ratio: Eclectic Classical Revival for the Manor and Mill Houses on site, and Industrial for the surrounding character of the immediate context. Similar marriages of style have been successful in the centre of town, and will serve as appropriate inspiration.



above 1+2: Industrial character of non-residential buildings along Distillery Road.

SETTING THE BACKDROP

The intention is to use the new architecture as backdrop-architecture to the existing Manor and Mill Houses, in an attempt to emphasise their Classical forms and principles without overshadowing them and drawing attention away from the site's historical character.

This is achieved by using traditional Cape colours and tonal similarities combined with a form that is more contemporary and simple in its presentation. Concurrently, sufficient principles are drawn from the industrial micro context in the form of monopitch roofs, facebrick and sundry metalwork in mimicry of industrial steel. This creates a simplistic architecture that is simple in form, but rich in texture and material application; simultaneously reminding of the rich material usage and careful ornamentation of the historical style without copying it, and calling on the functionality and simplicity of the contemporary and industrial architecture in the context.



Massing proposal of new architecture.



Intended interpretation of new architecture.

ENHANCING NOT COPYING

SIMPLE LINES, SIMPLE PALATE_

Using the Cape palate combined with a more contemporary form, emphasises the historic buildings without overshadowing them. Simultaneously, keeping the new architecture simple in form will speak to the principles of its time, and make visible the entire legacy of the site; to show how the old feeds into, and inspires, the new.

Due to the scale and height of the Cape style, it lends itself [predominantly] to horizontal proportions. Of course, some verandas and colonnades do introduce a vertical proportion, but this is the exception rather than the rule. With contemporary Cape Dutch reinterpretations, the scale lends itself more to horizontality. As such, the intervention proposes a similar approach.

COLOUR PALATE_

All existing buildings on site (Manor House, Mill House, Shed, warehouses) have a subdued colour palate: the iconic Cape Dutch White. In order to blend in with the holistic site aesthetic, a similarly light colour palate is proposed. The intervention is to incorporate whites and greys in the majority of its facades. In order to link to the surrounding industrial context, minimal amounts of facebrick and sundry metalwork is to be used in selected areas. Any darker or brighter colours would threaten to overpower the existing structures.

BLOCK LAYOUT_

The residential units are proposed in circular clusters, rather than linear rows. The rationale behind this is multi-faceted:

- 1) It mimics the historical Cape 'werf'-layout; where the manor, servant's quarters, stables and outhouses etc. were often clustered around a central courtyard/plain.
- 2) It creates a sense of community and reduces the overwhelming scale of overlong row-style residential blocks.
- 3) It reduces travelling distances.
- 4) It hides circulation space and back-of-house facades from the outside ground-viewer, putting all main facades on the outside of the block.
- 5) It optimises parking layouts and vehicular circulation.

ROOF DESIGN_

The new architecture will incorporate monopitch roofs, to allow the intervention to have a simpler silhouette, and subsequently make the pitched silhouette of the existing heritage buildings stand out. This reinforces the intention for the new buildings to be used as back-drop architecture to the existing Manor and Mill Houses.

PARKING + LANDSCAPING_

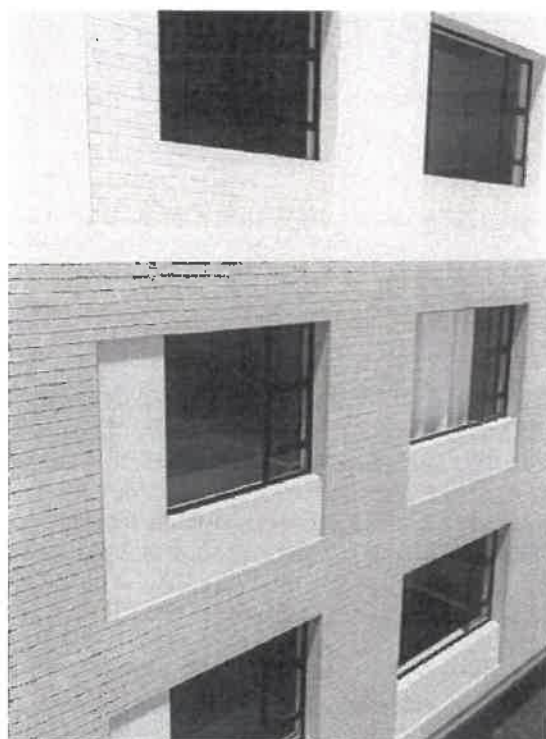
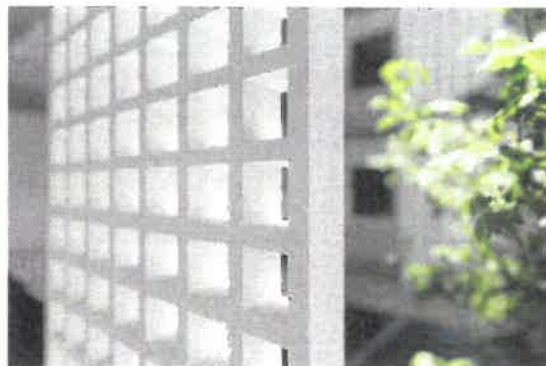
Parking levels are partially submerged and surrounded by planted 'werf'-walls. The submergence of parking is done in order to hide the majority of cars from the view of pedestrians, and create the illusion of a vehicular-free, landscaped piazza. The addition of planted 'werf'-walls hide the remainder of column heads and make the buildings seem anchored/grounded, to depart from the 'floating/hovering' principles of Modernist architecture. It also adds greenery in the vertical plane and distorts the Natural Ground Level, to create further interest.

PIAZZA AREA_

Road surfaces and pedestrian walkways in the large, centralised area, will be paved and treated with different materials and additional landscaping, to create a public piazza. The intention is to break down the scale of a vehicular dominant city- or townscape, and introduce a more pedestrian friendly scale and environment. This reintroduces the 'werf'-layout on a larger/secondary scale to that of the blocks themselves, and further corresponds to the rural scale of the surrounding context.

INCREASED HEIGHT / DENSITY NEXT TO ONDERPAPEGAAIBERG_

To match the height conditions on site, the blocks situated adjacent the Onderpapegaaiberg boundary line will be of a greater height and density than those adjacent the Manor House. In so doing, the buildings on site will become higher from the railway line towards the foot of Onderpapegaaiberg. This will create a gradual visual experience when the development is viewed from Adam Tas Road, with the buildings in the foreground being the lowest and the buildings at the back, against Onderpapegaaiberg, being the tallest.

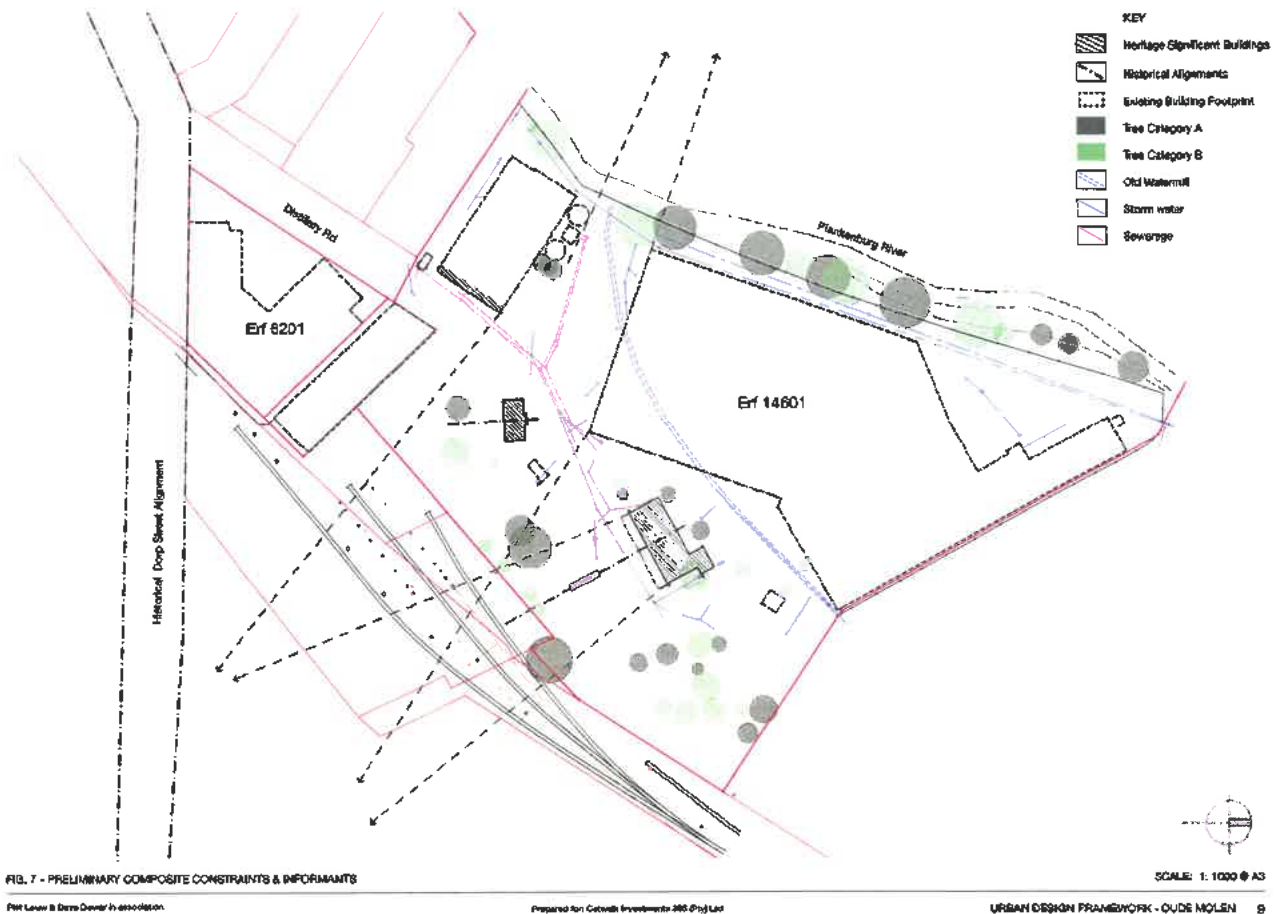


Materiality proposal for new architecture.

CONSIDERATIONS TOWARDS SITE

THE SITE DEVELOPMENT PLAN_

The Urban Design Framework that was prepared in July 2016, documented site informants to take into account during the urban – and landscape planning of the precinct. The most prominent of these were the view lines toward, and from, the Manor and Mill Houses (see image below), the significant trees on site, the historical alignments of the existing buildings, and the Mill Stream.



These were all addressed and adhered to during the design process. Particular emphasis was placed on re-establishing the site lines between Adam Tas Road, and the historically significant buildings on site; placing no structures between them, and exploring a permeable fence solution along the railway boundary.

In an attempt to improve accessibility to, and from, the site, a future through-road was designed into the precinct layout, which would link Distillery Road with the adjacent site to the North, through the Oude Molen Precinct. An official demarcation of such a road as 'public' is of course dependent on a land purchase agreement between the owner and the Municipality. However, to allow for such an intervention, the possibility has been considered.

In conjunction with view lines, the relational spaces between separate existing structures, and between new architecture and existing structures, are equally as important. These will be the spaces that define the relationship between the different styles, and form the majority of the public and recreational space across the site. As a result, particular emphasis was placed on these in-between spaces, and which building facades oppose/front neighbouring structures. This is particularly relevant where new architecture is adjacent existing buildings; ensuring that new façades that will be read next to historic ones, compliment historic elements without detracting from them.

The heights and datum lines of existing structures were used as loose reference points in determining the scale of new structures. For instance, the heights of the buildings increase gradually from the railway line towards Onderpapegaaiberg. The buildings closest to the existing structures are the lowest (to match the historic scale), and the buildings against Onderpapegaaiberg, are the tallest.

A well-established centre point of the site, prior to any intervention, is the Mill House and its surrounding 'werf' walls. To keep to this character, the Mill House will once again be utilised as a central, recreational hub of the scheme. It will sit adjacent the pool and change rooms, where it will be incorporated as part of the central 'activity space'.

A prominent feature of the existing site is the 'village feel' it instils. This is evident [currently] when walking the garden paths and spending time in the Mill House garden. Apart from the warehouse (which will be demolished), the architecture encapsulates a human scale and narrative far removed from corporate dominance. The intent is to stay close to this atmosphere and scale, to support the pedestrian/village concept.

The existing 'werf'-walls will be reinterpreted around the residential blocks as planter-walls: a double skin wall with soil and vegetation sandwiched between. This will distract from the Modernist style of 'floating buildings' on columns, by hiding the tops of the semi-basement columns and creating the illusion of buildings that are grounded. It also brings the scale down, by distorting the Natural Ground Level line, and removing the intimidation of floating structures.

Numerous walkways and planter walls were introduced to create a 'pedestrian oasis'. This is further supported by the choice to treat the central open space as a piazza/courtyard. This section of the roads and walkways will be treated with a different set of paving materials, to invoke the feeling of cobbled courtyards. Should parking requirements become less, the area could be transformed into an exclusive pedestrian zone.

REFURBISHMENT OF EXISTING_

Manor -

The Manor House will be for commercial use without specific demarcations in tenancy (it could be hospitality, offices etc.) Its section of the site will form part of the commercial portion of the precinct, with the intention of fronting the [possible future] public road. Minor changes will be made to the site surrounding the Manor House, including the demolition of the fountain – built in 1989 - for a more practical use of the space. The House itself will undergo restoration and internal division fit-outs, subject to HWC approval at the appropriate time.

Mill -

The Mill House will be converted into a centralised recreational building, to serve the activity zone next to it (pool + change rooms). To accommodate the future access road, the south facing garden will be reduced in size, to provide additional access to the South road (as the current layout provides a main access point on the East side. It will become a centralised 'node' of activity for the Residential portion of the scheme.

Shed -

The Shed will become the new social centre of the scheme to the commercial portion of the precinct. The building is positioned in the bottommost South corner of the site, adjacent the new commercial building on the neighbouring site. The intention is to 'carve' a thoroughfare through the building, towards the site beyond; creating a piazza-link between Oude Molen and its neighbouring building to the South. The new off-site building will be a hub of activity, informing the choice to include such functions as deli/bistro/pub into the newly renovated Shed. These public functions, together with increased human activity in close proximity, will ensure that The Shed becomes a public meeting place on the periphery of the site. It is the hope that this activity will act as gateway into Oude Molen and energise the atmosphere of its inhabitants.

The relationships between these three existing structures are important, as their collective identity will have to uphold historic proportions and legacy against a new, much more contemporary architecture. Therefore, as much as the contemporary architecture endeavours to simplify itself in order to emphasise the old, so too the old must be given a unified, linked identity with which to stand in contrast to the new. In order to achieve this, all site lines between the old structures have been kept clean, to ensure that visitors and pedestrians will mostly see all three together from all the most important angles on site. That way the historic character of the site will be captured simultaneously from most viewpoints.

REINTRODUCTION OF OLD MILL STREAM_

As the name 'Oude Molen' suggests, in conjunction with the presence of a 'Mill House' on site, the Mill Stream has always been 'n prominent feature of the historic industry in the area. It was the only way of creating kinetic energy with which to accomplish industrial scale tasks.

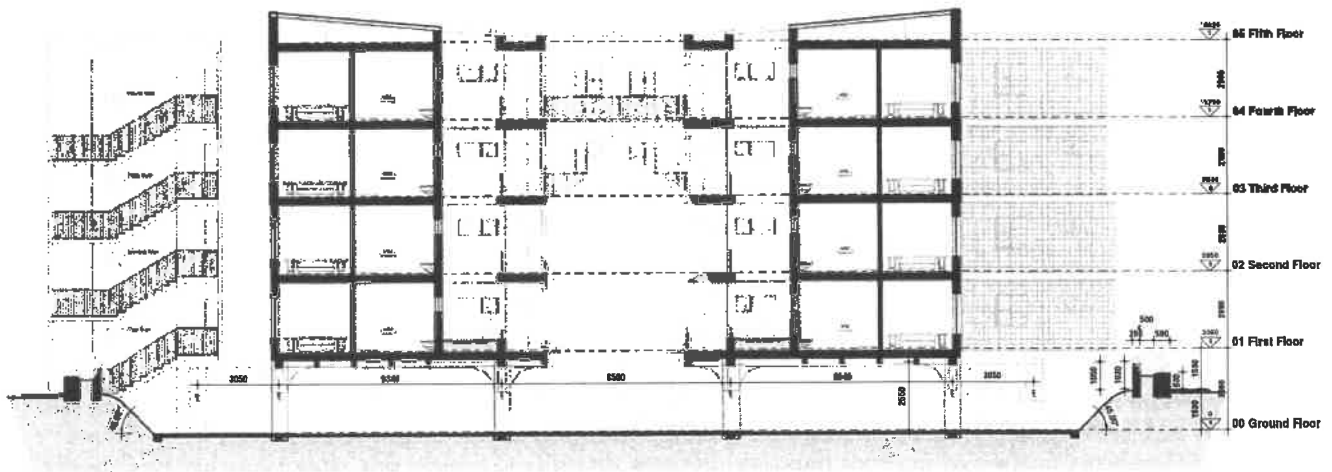
However, with the introduction of improved technology, and the construction of the large shed in the late 80's, the use of water as industrial tool fell out of favour. The stream was diverted to an underground storm water pipe running below the new warehouse, and dispelling water into the Plankenburg River.

In order to celebrate the canal culture of the old town, it is the intention to re-introduce the character of the Mill Stream on site, and design a water feature among the buildings.

'LEVEL' DEFINITION_

The Residential blocks all follow a similar level methodology. In order to minimise the visual impact of vehicles on site, all parking levels are half submerged below Natural Ground Level, to an approximate depth of 1500mm. The topmost halves of all parking levels will continue to protrude approximately 1500mm above Natural Ground. These columns will be hidden behind planted 'werf' walls, to create the illusion of grounded buildings.

Considering the zoning definitions, these parking levels are not basements, but are rather termed 'Lower Ground Levels'. The first official residential level above that (@1500mm above NGL) will be the 1st Storey, the second the 2nd Storey and so on.



ANNEXURE 15

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

**Consulting Services**

- Civil Engineering Services
- Roads
- Traffic Engineering

Contact Person: Piet van Blerk

Your Ref: Erf 14601, Stellenbosch

Our Ref: ICE/S/849A

Date: 7 July 2020

First Plan Town and Regional Planners
P.O. Box 15865
PANORAMA
7506

Attention: Ms Christine Havenga

Madam

**APPLICATION FOR SUBDIVISION AND REZONING OF ERF 14601,
STELLENBOSCH: TRAFFIC IMPACT ASSESSMENT**

This company was appointed to prepare a Traffic Impact Assessment (TIA) for the proposed development on Erf 14601, Stellenbosch.

1. BACKGROUND AND LOCALITY

The subject property is situated to the northeast of the existing Bosman's Crossing Square-development, Stellenbosch. See the attached *Locality Plan*.

According to information the property is zoned Industrial Zone with a permitted bulk of 80 715 m² under the primary rights, with approximately 12 000 m² thereof developed and operational as industrial buildings.

Previous TIAs were compiled by this company for development proposals on the subject property, with the latest dated 12 February 2013 (*Ref: ICE/B/849*).

As far as could be established, the Saw Mills- and Bosman's Crossing Erf 15804 (previously Erven 14163 & 14164)- development applications have been submitted/approved in the area. The TIAs for the said developments were thus considered for the purpose of traffic analyses. The adjacent Erf 6201 is also currently under construction, which, according to information obtained from Stellenbosch Municipality, will be 4 854 m² GLA offices. The location of the said developments is indicated on the attached *Locality Plan*.

This TIA accompanies the Application for Subdivision and Rezoning of Erf 14601, Stellenbosch.

2. PROPOSED DEVELOPMENT

2.1 Proposed Development

The proposed development on the subject property will include the following:

Residential

2-Bedroom Apartments: 95 units

3-Bedroom Apartments: 158 units

Clubhouse (Mill House): 85 m²

Business

Offices (Manor House): 592 m²

Retail (Shed): 205 m²

Restaurant (Shed): 479 m²

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



The proposed clubhouse will be a private amenity to the residential scheme. See the attached *Site Development Plans* prepared by *Boogertman and Partners Architects*.

2.2 Access to the Property

Access to the property is currently obtained from Distillery Road, where the said road terminates. The access-position is proposed to remain. See the photo below. Detail on access will be further discussed in *paragraph 4*.



Photo 1 : Existing access to the subject property

3. TRAFFIC

3.1 Available Traffic

Traffic counts were previously conducted at the Adam Tas Road/Oude Libertas Street- and Oude Libertas Street/Distillery Road/Flamingo Road intersections on Thursday, 3 August 2017 from 06h00 to 08h00 and again from 16h00 to 18h00. The peak hour volumes derived from these counts are indicated in *Figure 1* attached.

3.2 Traffic Growth

Historic peak hour traffic counts at the Adam Tas Road/Oude Libertas Street intersection were obtained from a previous project in the area. From the said counts, an average traffic growth rate of 2% per annum was calculated along Adam Tas Road, with peak hour traffic along Oude Libertas Street remaining relatively constant. A 2% per annum growth in traffic along Adam Tas Road was thus applied. For the purpose of traffic analyses, a five-year projection was applied. The available 2017 peak hour volumes were thus increased by 2% per annum for eight (8) years to obtain 2025 peak hour volumes.

To account for surrounding development in the area, the traffic that can potentially be generated by the Saw Mills- and Erf 15804-developments (as per their respective TIAs) and the adjacent Erf 6201-development (based on its GLA as obtained from Stellenbosch Municipality), were added to the traffic volumes as discussed above, to obtain the estimated 2025 peak hour volumes as indicated in *Figure 2* attached.

3.3 Traffic Generation

Trip generation rates as contained in the TMH17 *South African Trip Data Manual* were applied to calculate the peak hour traffic that can potentially be generated by the proposed development. The following rates were applied:

Land use	Rate	In/Out	Rate	In/Out
Single Dwelling	1,0 trip per unit	25/75	1,0 trip per unit	70/30
Restaurant	n/a		8,0 trips per 100 m ²	65/35
Offices	2,1 trips per 100 m ²	85/15	2,1 trips per 100 m ²	20/80
Retail*	4,0 trips per 100 m ²	65/35	22,67 trips per 100 m ²	50/50

*Based on the TMH17 formulas: $0,6 \times \left[1 + \frac{6}{1 + m^2/3500} \right]$ & $3,4 \times \left[1 + \frac{6}{1 + m^2/3500} \right]$

The TMH17 further suggests trip generation adjustment factors for mixed use developments. For the retail- and restaurant uses a 10% reduction is suggested, and for the office use 20%.

Based on the above, the peak hour traffic that can potentially be generated by the proposed development was calculated as follows:

Land use	AM Peak Hour Trips			PM Peak Hour Trips		
	Total	In	Out	Total	In	Out
Residential (253 units)	253	63	190	253	177	76
Retail (205 m ² GLA)	8	5	3	42	21	21
Offices (592 m ² GLA)	10	8	2	10	2	8
Restaurant (479 m ² GLA)	0	0	0	34	22	12
	271	76	195	339	222	117

As mentioned in *paragraph 1*, TIAs were previously compiled for development proposals on the subject property. The latest TIA contained a potential trip generation of 276 AM peak hour trips (80 in, 196 out) and 339 PM peak hour trips (232 in, 107 out). The existing industrial rights mentioned in *paragraph 1* above, has the potential to generate 484 peak hour trips (based on the trip generation rate contained in the TMH17). The potential peak hour traffic as calculated above can thus be expected to have a lesser impact on the external road network than the industrial rights.

3.4 Traffic Distribution

From the subject property, the proposed development-traffic was distributed towards the Adam Tas Road/Oude Libertas Street intersection via Distillery Road and Oude Libertas Street. At the Adam Tas Road/Oude Libertas Street intersection, the proposed development traffic was distributed to/from Adam Tas Road based on the

existing directional split in traffic at the said intersection. See the distributed peak hour traffic in *Figure 3* attached.

3.5 Traffic Analysis

Traffic analyses of the intersections were done by means of the Sidra Intersection 8.0 software. Link volumes were analysed based on the Highway Capacity Manual method. Service levels A to D are considered acceptable, with D the critical. In congested areas, service level E is also considered acceptable.

The intersections analysed consist of lane layouts as follows:

Adam Tas Road/Oude Libertas Street intersection:

This intersection is currently signalised with dedicated right-turn lanes on the Adam Tas Road-approaches. See the lane layout below.

The Erf 15804-development's Conditions of Approval include the construction of a dedicated left-turn lane along the western Adam Tas Road-approach, and the extension of the existing dedicated right-turn lane along the eastern Adam Tas Road-approach. A Services Agreement was signed between Stellenbosch Municipality and the Developer of the said development to implement the required upgrades in lieu of Development Contributions.

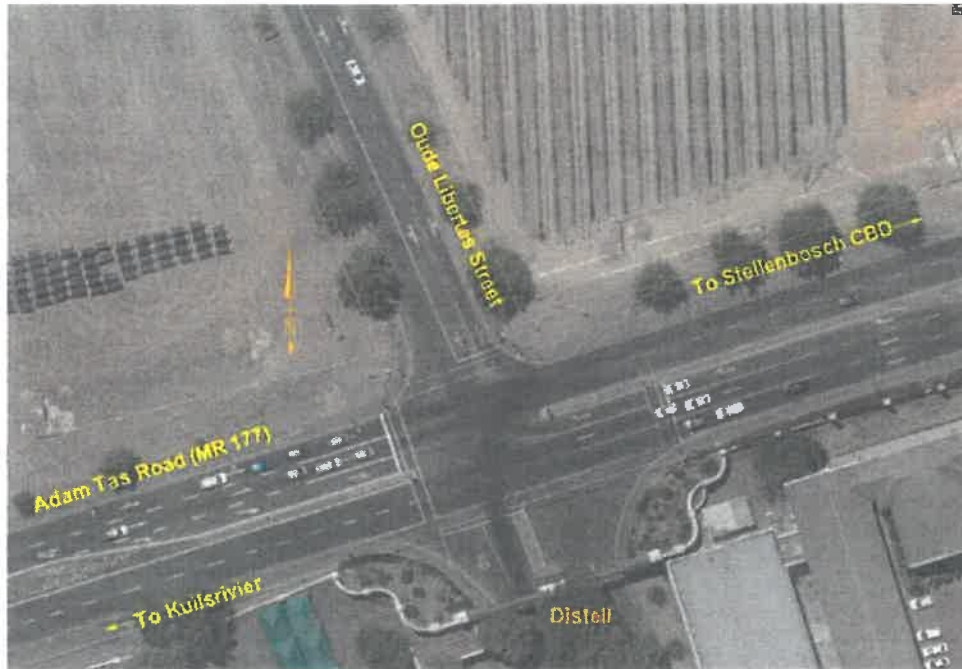


Photo 2 : Existing Adam Tas Road/Oude Libertas Street intersection lane layout

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

This intersection is currently a T-intersection, with stop-control on the right-turn movement on the Distillery Road-approach, yield-control on the left-turn movement on the Distillery Road-approach, as well as the right-turn movement on the Oude Libertas Street-approach and the Flamingo Road-approach. Free-flow conditions are experienced on the Oude Libertas Street-approach towards Flamingo Road. See the lane layout below.

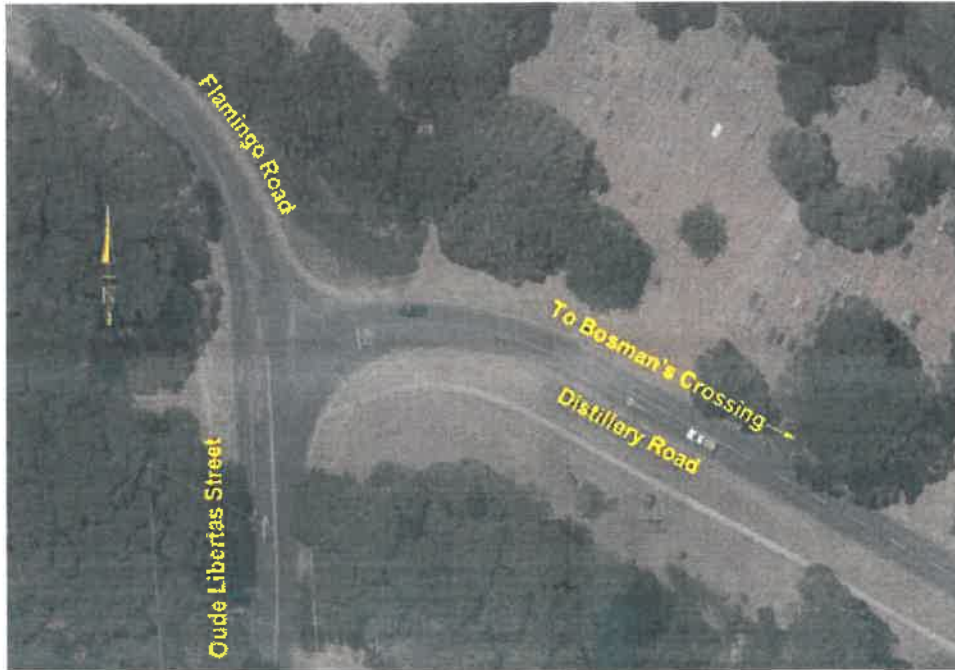


Photo 3 : Existing Oude Libertas Street/Distillery Road/Flamingo Road intersection lane layout

3.5.1 Analysis of Available Peak Hour Volumes (excluding proposed development)

Adam Tas Road/Oude Libertas Street intersection:

According to the Sidra analyses, intersection levels of service C were experienced at this intersection during the available peak hours, with acceptable service levels D and above experienced on all movements.

It was noticed on-site (at the time of the traffic counts) that, although relatively congested during peak times, unacceptable service levels are not yet experienced.

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

According to the Sidra analyses, acceptable service levels A and above were experienced at this intersection during the available peak hours.

3.5.2 Analysis of Estimated Peak Hour Volumes (excluding proposed development)

Adam Tas Road/Oude Libertas Street intersection:

As previously mentioned, upgrades to this intersection are to be implemented with the development of Erf 15804. With the said upgrades in place, services levels F can be expected along Adam Tas Road (eastbound) during the estimated AM peak hour, and along Adam Tas Road (westbound) during the PM peak hour. Unacceptable service levels are also anticipated on the left-turn movement on the Oude Libertas Road-approach and on the right-turn movement on the eastern Adam Tas Road-approach. To accommodate the large turning volumes, an additional dedicated right-turn lane is considered necessary on the eastern Adam Tas Road-approach, and a continuous left-slip lane on the Oude Libertas Road-approach, both of which will necessitate additional exit lanes on Oude Libertas Road and Adam Tas Road, respectively. As discussed in the TIA for the Saw Mills development, to accommodate the background traffic, a third through lane along Adam Tas Road (eastbound) is required irrespective of any developments in the area, or a bypass such as the potential Stellenbosch Western Bypass Road.

It can thus be concluded that to accommodate the estimated 2025 peak hour traffic volumes (background traffic including surrounding development) at the Adam Tas Road/Oude Libertas Street intersection, the Erf 15804-upgrades will be required, as well as a continuous left-slip lane on the Oude Libertas Road-approach, and the consideration of a third through lane along Adam Tas Road, or a bypass road (as per the Saw Mills-recommendations).

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

With the addition of the surrounding development traffic, upgrades to this intersection will be required to accommodate the additional turning movements to/from the Bosman's Crossing area. To accommodate the said traffic, either a roundabout or traffic signals is considered necessary at this intersection. As result of the topography and the existing trees, however, a roundabout does not seem to be a viable option. It is thus suggested that traffic signals at this intersection be considered. The provision of traffic signals will also address the existing sight distance issues at the intersection.

With traffic signals, acceptable service levels can be expected on all movements during the estimated peak hours.

It can thus be concluded that to accommodate the estimated 2025 peak hour traffic volumes (background traffic including surrounding development) at the Oude Libertas Street/Distillery Road/Flamingo Road intersection, the provision of traffic signals be considered.

**3.5.3 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 2025 peak hour volumes, i.e. background traffic (*Figure 2*) to obtain the expected 2025 peak hour volumes (*Figure 4*).

With the addition of the proposed development traffic, similar results can be expected at the Adam Tas Road/Oude Libertas Street- and Oude Libertas Street/Distillery Road/Flamingo Road intersections, as discussed above (estimated peak hours).

It can thus be expected that the upgrades required to accommodate the background traffic should be sufficient to accommodate the addition of the proposed development traffic.

4. GEOMETRY

As previously mentioned, access will be obtained from Distillery Road, via Oude Libertas Street. According to information, both are classified as Class 4-roads.

Provision has been made should the overall road network require a link between the existing Bosman's Crossing area and George Blake Road – as previously mentioned, Distillery Road currently terminates at the subject property boundary. A future road link to George Blake Road will thus be via the subject property (and via the Bergkelder Site). During a meeting held at Stellenbosch Municipality on Thursday, 23 January 2020, with messrs Johan Fullard, Nigell Winter and Roscoe Bergstedt, and our mr Piet van Blerk and ms Yolandi Obermeyer, it was agreed that a 13 metre road reserve will suffice for this future road link traversing the subject property. The said road reserve is to accommodate a 7,4 metre blacktop road, with minimum 2,4 metre NMT-facilities along both sides of the road (wider where additional space exists within the road reserve).

The existing bridge across the river has limitations with regard to capacity. According to information, consultants have been appointed by Stellenbosch Municipality to investigate the upgrades required to improve the bridge across the river (along Distillery Road), which currently provides the only access to the Bosman's Crossing area.

Three accesses are proposed along the road traversing the subject property. Access to the residential portion and access to the commercial portion are proposed opposite one another, with access to the remaining commercial portion \pm 80 metres east thereof. To address traffic calming along this road, it is suggested that the two access-intersections be raised.

Security controls (gates/booms) are proposed to the residential portion only, which will be set back 20 metres from the edge of the road traversing the property. Two lanes in (3,0 metres wide each) and one lane out (4,2 metres wide) will be provided at the said security controlled access. This is considered sufficient to accommodate emergency vehicles (4,0 metres required). The accesses to the two commercial parking areas will not be security controlled, therefore stacking at these accesses should not be problematic.

Internal circulation will be via the isle widths provided behind parking bays, which measure 7,0 metres and thus considered sufficient to accommodate the two-way traffic expected on-site.

Refuse rooms are proposed at the accesses along the road traversing the subject property, with accompanying embayments for refuse vehicles. The intention is that in future, when the said road is extended up to George Blake Road, the proposed embayments function as public transport embayments as well. Ultimately, refuse vehicles will be able to continue along the proposed road traversing the subject property. Until such a time that the said road is constructed up to George Blake Street, space will be available for refuse vehicles to turn, at the point where the road initially terminates. According to the developer, it is the intention that refuse removal be handled privately.

5. PARKING

5.1 Parking Requirement

The parking requirements for the proposed land uses as contained in the Stellenbosch Municipality Zoning Scheme Regulations (2019), are as follows:

Flats*	1- & 2-bedroom	1,5 bay/dwelling unit
	3-bedroom	1,75 bays/dwelling unit
	4 or more-bedroom	2,0 bays/dwelling unit

*These rates include 0,5 bays/dwelling unit for visitors

Commercial	4,0 bays per 100 m ² GLA
------------	-------------------------------------

Based on the said rates, the following parking requirement will be applicable:

<i>Residential</i>	<i>Units</i>	<i>Bays</i>	<i>Business</i>	<i>GLA</i>	<i>Bays</i>
2-Bedroom Apartments	95	142,5	Offices	592	23,68
3-Bedroom Apartments	158	276,5	Retail	205	8,2
			Restaurant	479	19,16
	Subtotal	419		Subtotal	51,04

5.2 Parking Provided

Parking is proposed at-grade, with the majority of parking to the residential units at semi-basement level below the residential buildings. As per the attached plans, 420 bays will be provided on the residential portion of the development and 55 bays on the business portion of the development. Spaces for the accommodation of bicycle

parking/storage is also indicated on the attached plans, over and above the required parking.

Based on the requirements set out above, the parking provided is thus considered sufficient.

5.3 Parking Dimensions/Layout

Parking bays provided consist of dimensions in line with normal parking standards, i.e. 2,5 by 5,0 metre bays, with bays adjacent to walls 2,85 metres wide. Parking bays adjacent to columns measure 2,5 metres in width from the face of the columns, which is acceptable. Parking bays accessible to the physically disabled consist of 3,5 metre widths, which is in line with SANS 10400. The isle widths provided behind 90-degree parking bays are minimum 7,0 metres, which is considered sufficient. Four (4) parking bays are provided at an angle along the exit lane of the residential access – the isle width behind these bays (4,2 metres) is sufficient for angled parking (45-degrees) along a one-way section.

6. PUBLIC AND NON-MOTORISED TRANSPORT (NMT)

6.1 Non-Motorised Transport

An NMT-path exists along the south western side of Distillery Road, which links with the NMT-facility along Adam Tas Road ('Cape Winelands NMT Route') to the southwest of the road-over-river bridge. The only means of crossing the river is thus the said bridge.

A pedestrian bridge over the railway line, and possibly over Adam Tas Road, is planned. This bridge will be an important link between Bosman's Crossing and the eastern side of the railway line in order to provide a more direct (and shorter) route for NMT towards Stellenbosch CBD. According to information, the said bridge was also included in the proposal to dual Lower Dorp Street (as part of the heritage application). The schematic position of the bridge is indicated below – the means of connecting with the facilities along Adam Tas Road is not yet final (i.e. stairs/ramps/etc.).

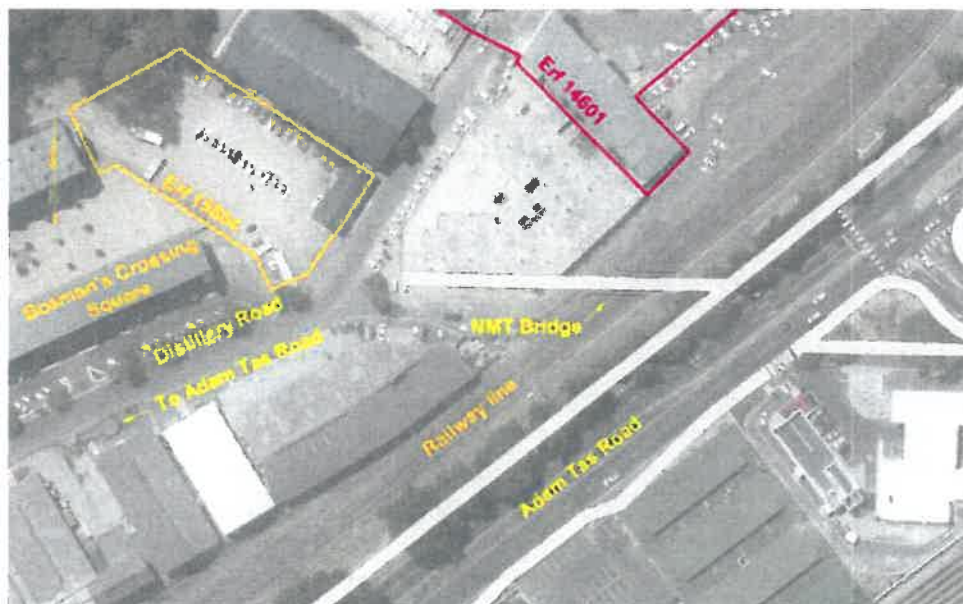


Diagram 1 : Schematic position of NMT bridge over the railway line to directly link the Bosman's Crossing area with the existing NMT along Adam Tas Road

As discussed in *paragraph 4* above, NMT-facilities of minimum 2,4 metres (as agreed upon with Stellenbosch Municipality) will be allowed for along both sides of

the extension of Distillery Road, traversing the subject property. The proposed development will thus be linked to the existing NMT routes in the area.

On-site pedestrian accommodation is by way of paths linking the residential buildings to the clubhouse and to the external NMT-facilities.

6.2 Public Transport

The main public transport modes serving Stellenbosch are rail, minibus taxi (MBT) and e-hailing services such as Uber.

The Stellenbosch Railway Station is situated directly opposite the subject property however the railway station is not accessible in the absence of a bridge over the railway line.

The proposed NMT bridge will provide direct access to the railway station which, in turn, acts as a hub for, and links in with the Stellenbosch Public Transport.

As far as could be established, no further public transport facilities exist in the immediate vicinity of the proposed development. As indicated on the attached plans, embayments are proposed along the proposed road traversing the subject property. As mentioned in *paragraph 4* above, space will be available to turn where the said road initially terminates.

7. CONCLUSIONS

The following can be concluded from the report:

- 1) That the TIA accompanies the application for subdivision and rezoning of Erf 14601, situated to the northeast of the existing Bosman's Crossing Square-development, Stellenbosch;
- 2) That according to information, the property is zoned Industrial, with permitted bulk of 80 715 m² under the primary rights, with approximately 12 000 m² thereof developed and operation as industrial buildings;
- 3) That the development is proposed to consist of 253 apartments (two- and three-bedroom) with accompanying clubhouse, as well as 1 276 commercial space (offices, retail, restaurant), with access from Distillery Road, where the road currently terminates;
- 4) That the proposed development has the potential to generate 271 AM peak hour trips (76 in, 195 out) and 339 PM peak hour trips (222 in, 117 out), which will have a lesser impact on the external road network than the industrial rights;
- 5) That to accommodate the background traffic:
 - a) Adam Tas Road/Oude Libertas Street intersection: A continuous left-slip lane on the Oude Libertas Street-approach be considered, and consideration be given to a third through lane along Adam Tas Road, or a bypass road (both as per the Saw Mills-recommendations);
 - b) Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signals be considered;
- 6) That to accommodate the proposed development-traffic, no upgrades additional to those required to accommodate the background traffic is considered necessary;
- 7) That provision has been made should the overall road network require a link between the existing Bosman's Crossing area and George Blake Road by way of a future road link (extension of Distillery Road) to George Blake Road via the subject property (13 metre road reserve as agreed upon with Stellenbosch Municipality: 7,4 metre blacktop road with minimum 2,4 metre NMT facilities along both sides);



- 8) That the existing bridge across the river, currently the only access to the Bosman's Crossing area, has limitations with regard to capacity, but that according to information, consultants have been appointed by Stellenbosch Municipality to investigate required upgrades;
- 9) That three accesses are proposed to the development portions along the road traversing the subject property: access to the residential portion and to a commercial portion opposite one another, with access to the remaining commercial portion \pm 80 metres east thereof;
- 10) That security controls are proposed to the residential portion only, set back 20 metres from the edge of the road traversing the property, with two lanes in (3,0 metres wide each) and one lane out (4,2 metres wide);
- 11) That internal circulation will be via the aisle widths provided behind parking bays, which measure 7,0 metres and thus considered sufficient to accommodate the two-way traffic expected on-site;
- 12) That refuse removal will be handled privately, and that refuse rooms are proposed at the accesses along the road traversing the subject property, with accompanying embayments for refuse vehicles, with space available to turn until such a time that the road is extended to intersection with George Blake Road;
- 13) That 419 parking bays are required for the residential portion and 51 bays for the business portion, and that 420 bays are provided on the residential site and 55 bays on the business site, with facilities for bicycles over and above the requirements, thus sufficient parking based on the Stellenbosch Municipality Zoning Scheme Regulations, and that parking bay dimensions are in line with normal parking standards;
- 14) That an NMT-path exists along the south western side of Distillery Road, which links with the NMT-facility along Adam Tas Road ('Cape Winelands NMT Route') to the southwest of the road-over-river bridge, with the only means of crossing the river being the said bridge, that 2,4 metre wide NMT-facilities will be provided along both sides of the extension of Distillery Road traversing the subject property, and that on-site pedestrian accommodation is linked to the external NMT-facilities;
- 15) That a pedestrian bridge over the railway line, and possibly over Adam Tas Road, is planned, which will be an important link between Bosman's Crossing and the eastern side of the railway line in order to provide a more direct (and shorter) route for NMT towards Stellenbosch CBD – bridge included in Lower Dorp Street dualling proposal (as part of the heritage application); and
- 16) That the Stellenbosch Railway Station is situated directly opposite the subject property however not accessible in the absence of a bridge over the railway line, and that embayments for public transport are proposed along the road traversing the subject property.

8. RECOMMENDATIONS

From the above the following are recommended:

- 1) That to accommodate the background traffic:
 - a) Adam Tas Road/Oude Libertas Street intersection: A continuous left-slip lane on the Oude Libertas Street-approach be considered, and consideration be given to a third through lane along Adam Tas Road, or a bypass road (both as per the Saw Mills-recommendations); and
 - b) Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signals be considered.

As Adam Tas Road is a Class 2-road, and as the upgrades required are as result of background traffic, it is the opinion that the cost of the recommended upgrades be offset against Development Contributions payable.

We trust that the Traffic Impact Assessment 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)

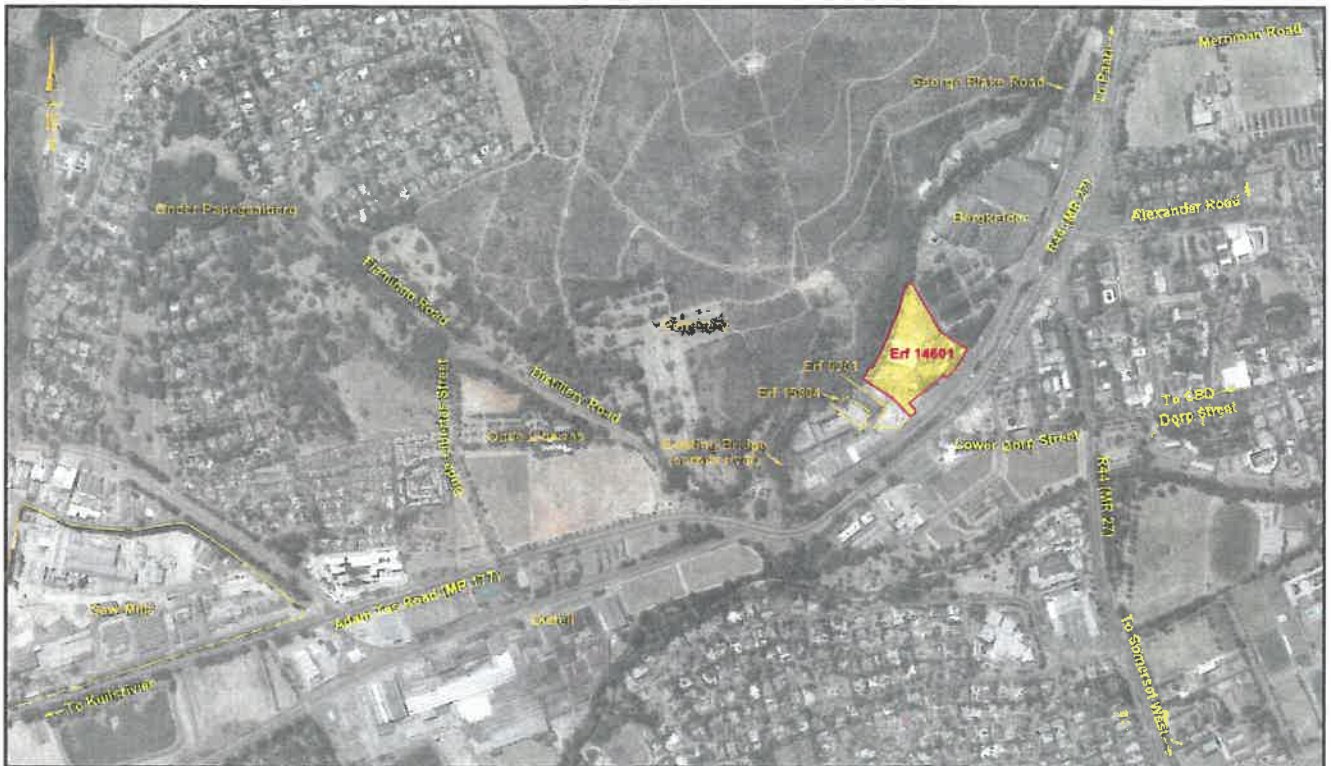
Attachments

Locality Plan

Site Development Plans (*Boogertman and Partners Architects*):

SDP_RESIDENTIAL
SDP_BUSINESS PREMISES
PARKING LAYOUT

- Figure 1 Available AM/PM Peak Hour Traffic Volumes (Thursday, 3 August 2017)
- Figure 2 Estimated 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth and surrounding development)
- Figure 3 Distribution of Traffic Generated by Proposed Development
- Figure 4 Expected 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth, surrounding development and proposed development)



Postnet / PO Box 124
 Midrand 2008
 Three Square Unit 6
 Electronic Service
 Tuckers Park
 011 799 9223-7990
 Tel. : 021-890 8440
 Fax / Pcs : 021-890 0360
 e-mail : info@iagroup.co.za



Locality Plan

DEVELOPMENT DATA:

Block	Stores and non-residential	Change of SFP?	Description	Footprint			
				Existing		Proposed	
				Building	Volume	Building	Volume
BLOCK 1	4	38	24 770 m ²	45	30	65	13
BLOCK 1	6	52	14 770 m ²	36	30	66	13
BLOCK 2	5	60	27 770 m ²	40	30	60	13
BLOCK 3	6	65	14 770 m ²	57.5	32.5	61	33
BLOCK 4	5	48	28 200 m ²	52	24	52	24
BLOCK 5	4	55	27 200 m ²	38.5	16	39	16
TOTAL:		31%		262.5	128.5	299	107

478 bays required
420 bays provided

DEVELOPMENT DATA: ZONING TABLE

RESIDENTIAL PORTION 1:	3 STOREY BOUNDARY BUILDING LINE (B1)		4 STOREY BOUNDARY BUILDING LINE (B2)		COVERAGE:		HEIGHT:	
	Existing Subsect	Proposed	Existing Subsect	Proposed	Existing Subsect	Proposed	Existing Subsect	Proposed
	4.5m	10m	4.5m	10m	85%	82% @ 10m	5 storeys	4 - 8 storeys

DEVELOPMENT DATA: RESIDENTIAL (SUMMARY)

- SITE AREA:**
SITE AREA OVERALL: 25 905m²
SITE AREA (SUBDIVISION): 28 480m²
- UNIT AMOUNT:**
UNIT AMOUNT: 264
- BUILDING COVERAGE:**
UNIT BUILDING COVERAGE: 5 091m²
AMENITIES COVERAGE: 411m²
TOTAL SITE COVERAGE @ 6 400m²: 32%
- PARKING:**
PARKING REQUIREMENT: 419
ALLOCATED BAYS: 232.5
VISITOR BAYS: 126.5

PARKING PROVISIONS: 429
ALLOCATED BAYS: 249
VISITOR BAYS: 127
PROVIDED PARKING BAYS: (1,69 BAYS/UNIT)

PERIMETER WALL/FENCE LEGEND

- PERIMETER WALL
 - 6M GP WALL
 - 6M WALL PERMEABLE FENCE
- NOTE: PERIMETER WALL STREET FACING COULD BE 50% SOLID AND 50% PERMEABLE

LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVITUDE



CLIENT: Stellenbosch Municipality

PROJECT: 1 BDP RESIDENTIAL

REVISION:

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	2011/01/10
2	REVISED PER PERMITS	2011/01/10
3	REVISED PER PERMITS	2011/01/10
4	REVISED PER PERMITS	2011/01/10
5	REVISED PER PERMITS	2011/01/10
6	REVISED PER PERMITS	2011/01/10
7	REVISED PER PERMITS	2011/01/10
8	REVISED PER PERMITS	2011/01/10
9	REVISED PER PERMITS	2011/01/10
10	REVISED PER PERMITS	2011/01/10
11	REVISED PER PERMITS	2011/01/10
12	REVISED PER PERMITS	2011/01/10
13	REVISED PER PERMITS	2011/01/10
14	REVISED PER PERMITS	2011/01/10
15	REVISED PER PERMITS	2011/01/10
16	REVISED PER PERMITS	2011/01/10
17	REVISED PER PERMITS	2011/01/10
18	REVISED PER PERMITS	2011/01/10
19	REVISED PER PERMITS	2011/01/10
20	REVISED PER PERMITS	2011/01/10
21	REVISED PER PERMITS	2011/01/10
22	REVISED PER PERMITS	2011/01/10
23	REVISED PER PERMITS	2011/01/10
24	REVISED PER PERMITS	2011/01/10
25	REVISED PER PERMITS	2011/01/10
26	REVISED PER PERMITS	2011/01/10
27	REVISED PER PERMITS	2011/01/10
28	REVISED PER PERMITS	2011/01/10
29	REVISED PER PERMITS	2011/01/10
30	REVISED PER PERMITS	2011/01/10
31	REVISED PER PERMITS	2011/01/10
32	REVISED PER PERMITS	2011/01/10
33	REVISED PER PERMITS	2011/01/10
34	REVISED PER PERMITS	2011/01/10
35	REVISED PER PERMITS	2011/01/10
36	REVISED PER PERMITS	2011/01/10
37	REVISED PER PERMITS	2011/01/10
38	REVISED PER PERMITS	2011/01/10
39	REVISED PER PERMITS	2011/01/10
40	REVISED PER PERMITS	2011/01/10
41	REVISED PER PERMITS	2011/01/10
42	REVISED PER PERMITS	2011/01/10
43	REVISED PER PERMITS	2011/01/10
44	REVISED PER PERMITS	2011/01/10
45	REVISED PER PERMITS	2011/01/10
46	REVISED PER PERMITS	2011/01/10
47	REVISED PER PERMITS	2011/01/10
48	REVISED PER PERMITS	2011/01/10
49	REVISED PER PERMITS	2011/01/10
50	REVISED PER PERMITS	2011/01/10

Booertman + Partners

THE BULL
DATEVILLE BURGHEIMERS 215 OF 175 170
EST 14801

STELLENBOSCH

BDP RESIDENTIAL
26/01/2010

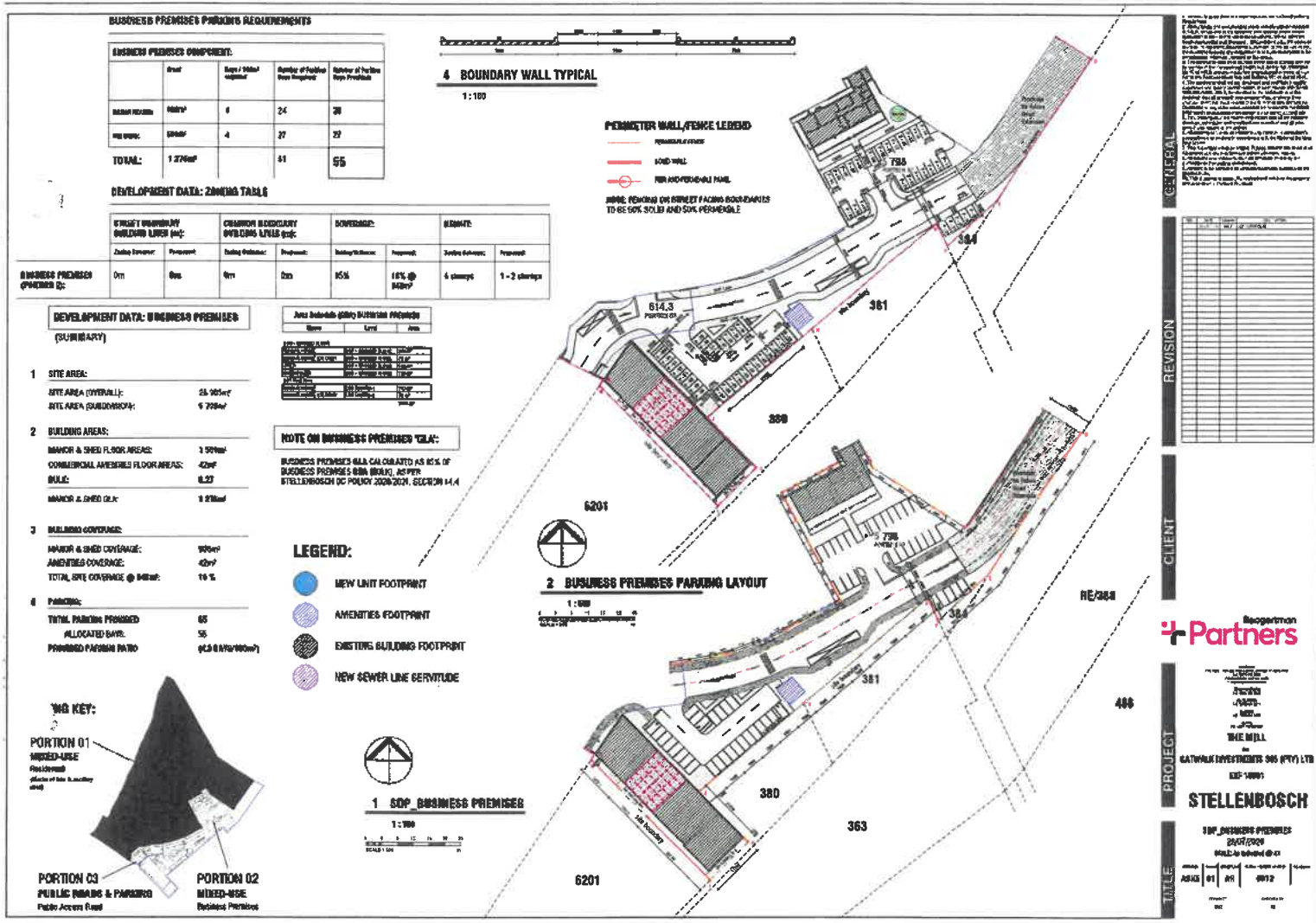
ISSUED FOR PERMITS
2011/01/10

NO. OF SHEETS: 10
SHEET NO.: 01

DATE: 2011

3 BOUNDARY WALL TYPICAL
1 : 100

1 BDP RESIDENTIAL
1 : 500



GENERAL

CLIENT - Beopertom Partners

PROJECT - NATUNAL INVESTMENTS 006 (PTY) LTD

TITLE - 380 BUSINESS PREMISES PROJECT

DATE: 01/01/2024

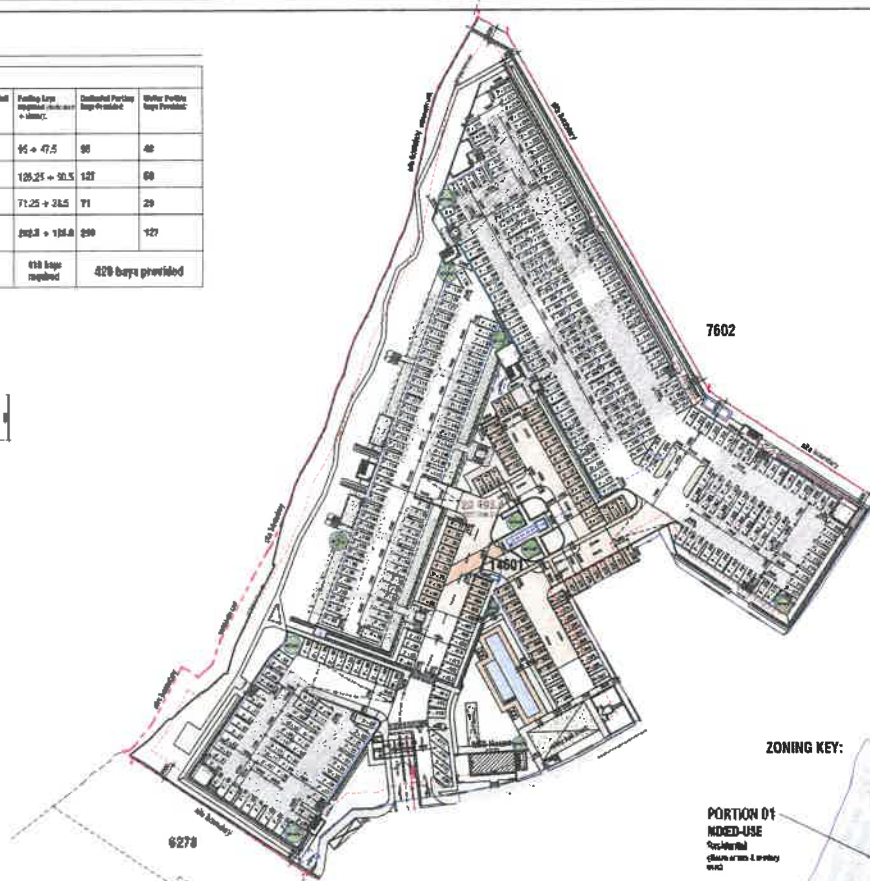
NO.	DATE	REVISION

DRAWN: [Name] | CHECKED: [Name] | DATE: 01/01/2024

RESIDENTIAL PARKING REQUIREMENTS

RESIDENTIAL COMPONENT						
	Number of Units	Number of Storeys	Standard Space / 100 sqm (m²)	Vehicle Space / 100 sqm (m²)	Public Space (m²) incl. street	Other Public Space (m²) excl. street
UNIT TYPE A	2	16	1	0.5	95 ± 47.5	90
UNIT TYPE P	3	101	7.25	0.5	128.25 ± 50.5	60
UNIT TYPE C	3	57	1.25	0.5	71.25 ± 28.5	71
					295.0 ± 136.0	221
TOTAL:		384			618 bays required	420 bays provided

PARKING CONDITIONS:



ZONING KEY:



1 PARKING LAYOUT
 1:100
 1 2 4 8 16 32 64
 METRE
 SCALE 1:100

1. All rights in and to the Project are reserved by the Client. The Client shall be deemed to have authorised the Applicant to use the Project for the purposes of the Project. The Client shall be deemed to have authorised the Applicant to use the Project for the purposes of the Project. The Client shall be deemed to have authorised the Applicant to use the Project for the purposes of the Project. The Client shall be deemed to have authorised the Applicant to use the Project for the purposes of the Project.

GENERAL REVISION CLIENT PROJECT STATION TITLE

NO.	DATE	DESCRIPTION



BOOGER PARTNERS
 ARCHITECTS
 224 THE HILL
 STELLENBOSCH
 WESTERN CAPE
 7130
 TEL: 021 887 8811
 FAX: 021 887 8812
 WWW.BOOGERPARTNERS.CO.ZA

CAPITALE INVESTMENTS 205 (Pty) Ltd
 EFF 14897
STELLENBOSCH
 REP. PARKING
 28.07.2025
 SCALE 1:100

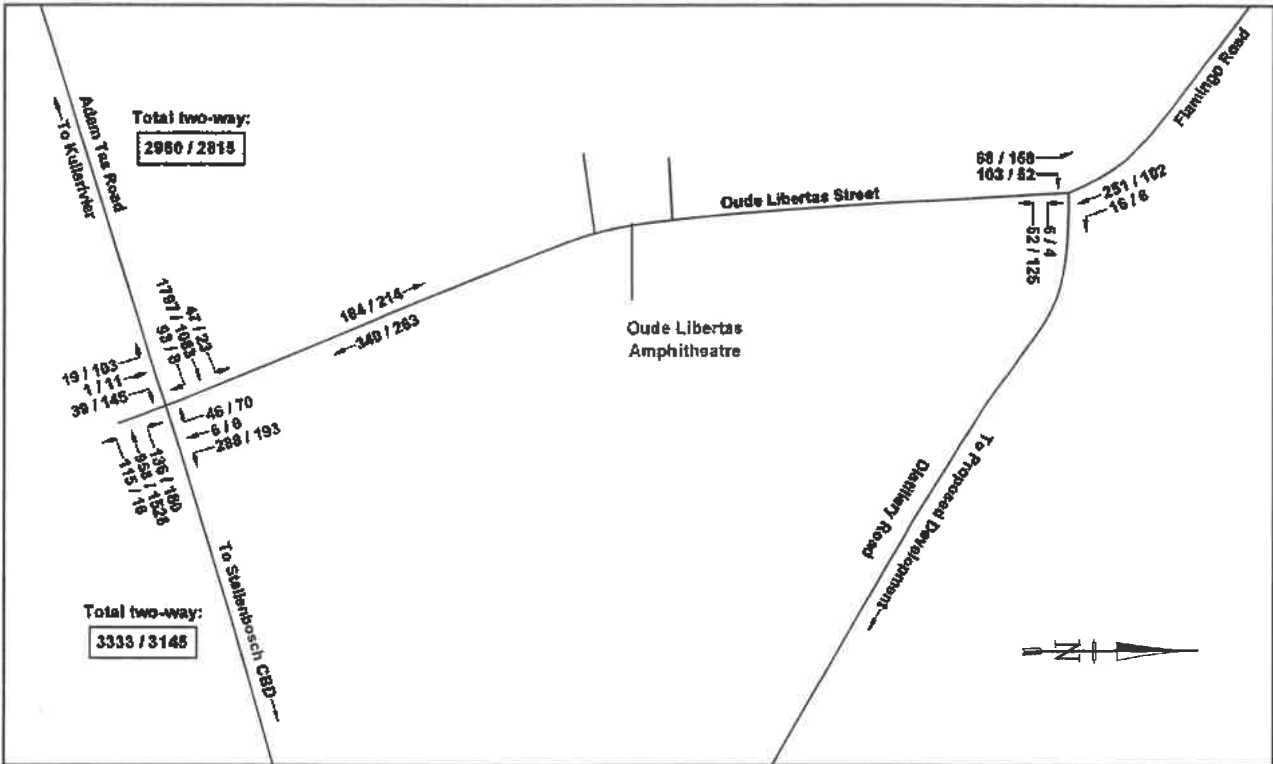


Figure 1

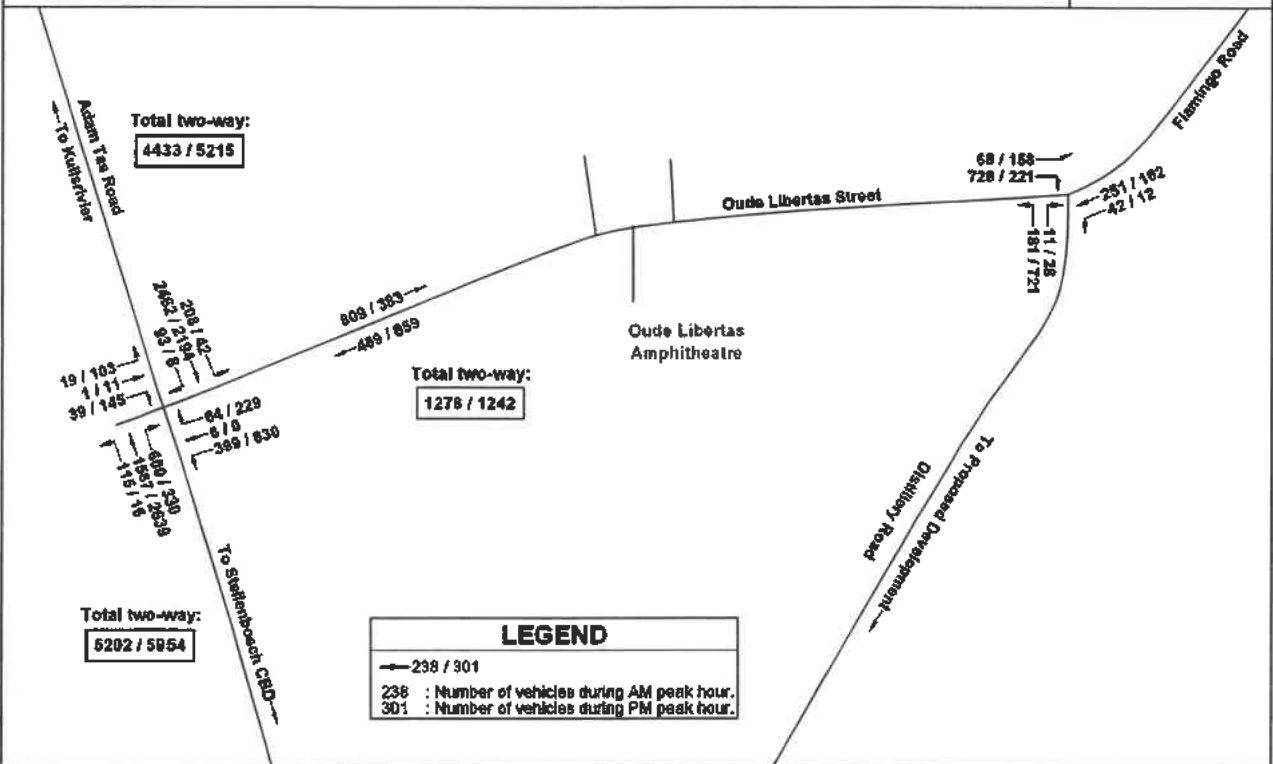


Figure 2

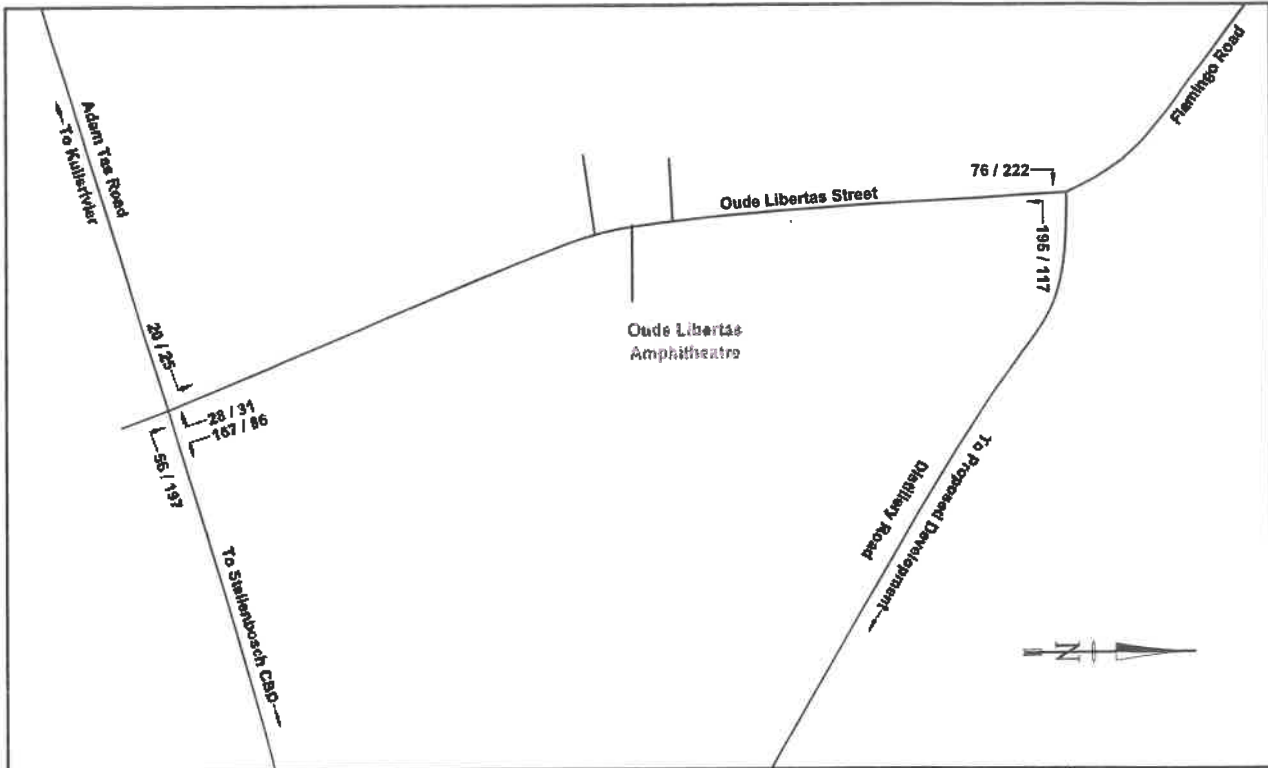
Postbus / PO Box 131
Stellenbosch 7596

Time Square Link 6
9 Electron Street
Techno Park
Stellenbosch

Tel. : 021- 890 0443
Faks / Fax : 021- 890 0390
e-poe / e-mail : piet@icegroup.co.za

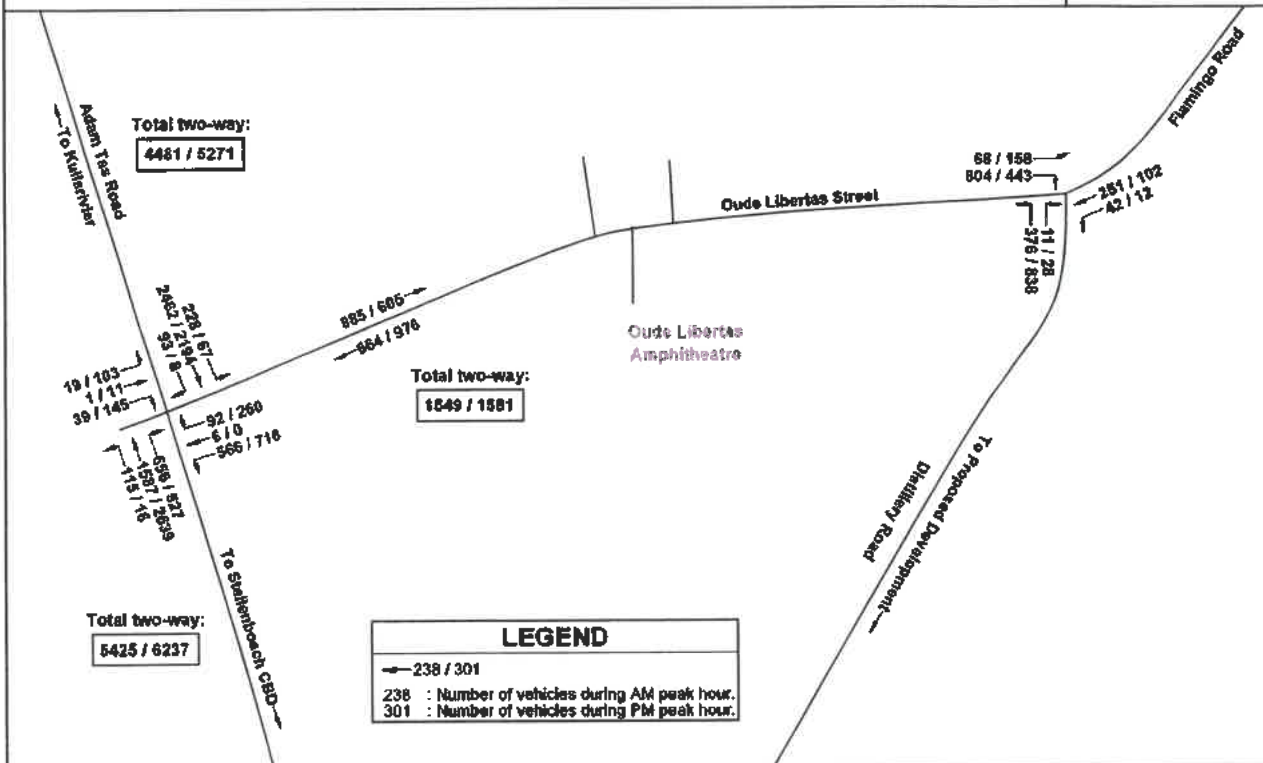
ICE GROUP (Pty) Ltd.

Estimated 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth and surrounding development)



Distribution of Traffic Generated by Proposed Development

Figure 3



Total two-way:
4481 / 5271

Total two-way:
1849 / 1981

Total two-way:
5425 / 6237

LEGEND
 ← 238 / 301
 238 : Number of vehicles during AM peak hour.
 301 : Number of vehicles during PM peak hour.

Postnet / PO Box 131
 Stellenbosch 7599
 Time Square Unit 1
 9 Electron Street
 Techno Park
 Stellenbosch
 Tel. : 021 - 880 0443
 Faks / Fax : 021 - 880 0390
 e-pos / e-mail : piet@oegroup.co.za



Expected 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth, surrounding development and proposed development)

Figure 4

ANNEXURE 16

CIVIL ENGINEERING SERVICES REPORT

CATWALK INVESTMENTS 385 (Pty) Ltd

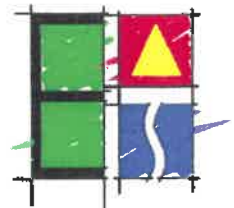
**OUDE MOLEN:
ERF 14601, STELLENBOSCH**

Preliminary Services Report

Prepared by:

Engineering Advice & Services Western Cape (Pty) Ltd
57 Reitz Street
Audas Estate
Somerset West
7130

Tel: 082 562 2296



June 2020

TABLE OF CONTENTS

1. BACKGROUND	1
2. DESCRIPTION OF THE SITE AND ACCESS	2
3. SITE TOPOGRAPHY	3
4. ENGINEERING SERVICES	4
4.1 APPLICABLE SPECIFICATIONS AND DESIGN GUIDELINES	4
4.2 AUTHORITY	4
4.3 ARCHITECTURE	4
4.4 CIVIL INFRASTRUCTURE	4
4.5 ROAD INFRASTRUCTURE	4
5. WATER SUPPLY	5
5.1 DOMESTIC SUPPLY DEMAND	5
5.2 FIRE DEMAND	5
6. SEWERAGE SYSTEM	6
6.1 DOMESTIC SEWERAGE DEMAND	6
7. STORMWATER MANAGEMENT	7
7.1 STORMWATER NETWORK	7
7.2 OVERLAND ESCAPE ROUTES	7
8. ROADS AND ACCESS	8
8.1 ACCESS	8
8.2 INTERNAL ROADWAYS	8
9. CONCLUSION	9
ANNEXURE A	10
ANNEXURE B	11

1. BACKGROUND

Engineering Advice & Services was appointed by **CATWALK INVESTMENTS 385 (Pty) Ltd** for the planning and design of Municipal Services to **Erf 14601, Stellenbosch**. This report is based on a site development plan prepared by **Boorgertman Partners** and aims to provide an overview for the provision of Civil Services to the proposed development.

2. DESCRIPTION OF THE SITE AND ACCESS

The proposed development is located on Erf 14601, in Stellenbosch, approximately 27180m² in size. It is located adjacent top Adam Tas Road, within Stellenbosch, and accessible from Distillery Road.



Figure 1: Locality Plan

The current zoning on the erf is industrial with a bulk permissible building area of approximately 80 000 m². The proposed development will consist of 253 residential units and a small commercial component that will reduce the demand on the Municipal Services compared to the current zoning and rights that are in place.

3. SITE TOPOGRAPHY

There are currently existing buildings on the site that will be demolished to accommodate the new residential units. The existing Manor House and Shed will be retained and developed into the commercial component of the site.

The existing Water, Sewer and Stormwater connection points are indicated in **Annexure A**.

4. ENGINEERING SERVICES

4.1 APPLICABLE SPECIFICATIONS AND DESIGN GUIDELINES

The local authority, Stellenbosch Municipality, has special design requirements and criteria applicable to the provision of engineering services over and above that provided in the following guidelines:

- | | | |
|----------------------|---|---|
| ➤ The "New Red Book" | - | Guidelines for Human Settlement Planning and Design |
| ➤ UTG | - | Urban Transport Guidelines |
| ➤ SARTSM | - | South African Road Traffic Signs Manual |
| ➤ SANS (SABS) 1200 | - | South African National Standards |

4.2 AUTHORITY

The Local Authority is Stellenbosch Municipality.

4.3 ARCHITECTURE

Boorgertman Partners is addressing the Site Development Plan.

4.4 CIVIL INFRASTRUCTURE

Engineering Advice & Services is addressing all civil infrastructure.

4.5 ROAD INFRASTRUCTURE

Engineering Advice & Services is addressing all road infrastructure.

5. WATER SUPPLY

Refer to **Annexure B**.

An existing 150mm water main is located in Distillery Street. The development will be served with a 110mm diameter uPVC ring main that will connect to this existing 150mm water main.

5.1 DOMESTIC SUPPLY DEMAND

The domestic water supply to the apartment blocks and retail area will connect from the 110mm diameter ring main. The water supply requirements are estimated according the design guidelines from the RED BOOK.

$$\begin{aligned} \text{The Annual Average Daily Demand (AADD)} &= \text{AADD (Residential)} + \text{AADD (Commercial)} \\ &= (400 \times 253) + (650 \times 14.63) \\ &= 110\,710 \text{ l/day} \end{aligned}$$

Where:

Residential units	= 253
AADD (Residential)	= 400 l/day
Commercial gross floor area	= 1 463 m ²
AADD (Commercial)	= 650 l/day per 100 m ² of gross floor area

The peak factor (PF) = 2.2

$$\begin{aligned} \text{The estimated Peak Daily Flow (PDF)} &= 110\,710 \times 2.2 / 86400 \\ &= 2.82 \text{ l/s} \end{aligned}$$

5.2 FIRE DEMAND

Fire hydrants and fire hose reels will be provided at strategic positions inside the development in accordance with regulations. The fire supply to the apartment blocks will be from 110mm diameter uPVC connections that will connect to the 110mm uPVC ring main.

6. SEWERAGE SYSTEM

Refer to Annexure B.

An existing 500mm diameter uPVC bulk sewer is located on the Western boundary of the site. The development will be served by a 160mm diameter uPVC Class 34 sewer pipe network that will connect into the existing 500mm uPVC bulk sewer.

6.1 DOMESTIC SEWERAGE DEMAND

Sewage from the apartment blocks and retail areas will gravitate via a number of 110mm diameter uPVC Class 34 connections into the 160mm diameter uPVC main system located in the roads and parking areas. These will ultimately lead to the proposed municipal connection.

The estimated Peak Wet Weather Flow (PWWF) = 3.6 l/s

Where:

Average Daily Flow rate = 1.3 l/s

Peak Factor (PF) = 2.5

Stormwater Infiltration = 15%

7. STORMWATER MANAGEMENT

The proposed development would not require the treatment of stormwater to control quantity. The layout of the proposed development will reduce the hard surface areas and therefore post development flows will be less than the pre-development flows.

The treatment of stormwater to improve quality will be incorporated in the landscape design through permeable paving and open channels that will treat the stormwater to the required standard.

7.1 STORMWATER NETWORK

Stormwater from the site will sheet flow over the roads and parking areas to open channels that will discharge into stormwater catch pits. An underground stormwater system consisting of 375mm diameter class 100D concrete pipes will convey the stormwater from the catch pits to discharge into the adjacent Plankenburg River.

7.2 OVERLAND ESCAPE ROUTES

Overland escape routes will be provided to ensure that there are no trapped low points. If the underground system gets blocked, the stormwater will be led towards discharge points leading into the adjacent Plankenburg River. The 1:10 year storm and the 1:50 year storm will be accommodated overland.

8. ROADS AND ACCESS

8.1 ACCESS

Refer to Annexure B.

Access to the development will be from Distillery Road with a one lane in and one lane out configuration. This main artery will be joined by additional access roads that reach all the individual blocks and units of the development.

8.2 INTERNAL ROADWAYS

The internal road network will be asphalt surfacing with a combination of block paving for the blocks and parking areas.

9. CONCLUSION

The initial investigation into the servicing of the proposed development on Erf 14601 in Stellenbosch confirmed the following:

- Access to the site will be from the existing Distillery Road.
- An existing 150mm diameter water main will serve the development.
- The internal sewer network for the development will gravitate to existing 500mm diameter bulk sewer.
- The proposed development would not require the treatment of stormwater to control quantity.
- Treatment of stormwater to improve the quality will be incorporated in landscaping.
- The proposed development will reduce the demand on the Municipal Services compared to the current rights that are in place.

It can, therefore, be concluded that the proposed development, Oude Molen, on Erf 14601, Stellenbosch can be serviced from existing infrastructure.

ANNEXURE A

EXISTING SERVICES LAYOUT

Engineering Services map



SCALE
1:1 128,5

- Legend**
- Sewer
 - Dam or Weir
 - Dam
 - Weir
 - Reservoir and Tanks**
 - Reservoir
 - Tank
 - Filings
 - Service Connection
 - Valve
 - Hydrant
 - Penetration
 - Treatment Plant
 - Connection Pipes
 - Cemented Sandpipe
 - Service Connection



Stellenbosch Municipality
Planning & Economic Development
Created by: Corporate GIS
Date: 2019-12-05

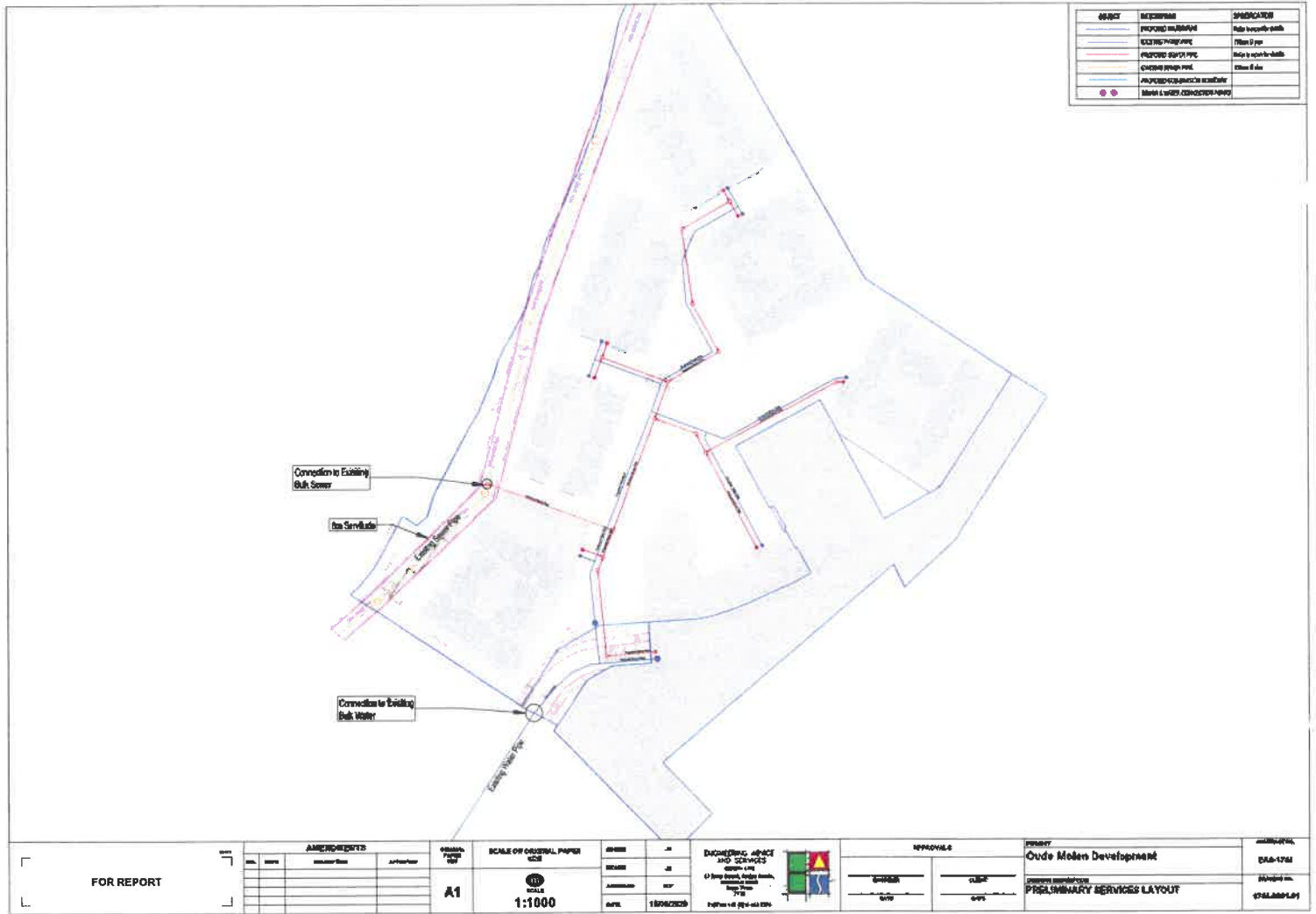
Author: Stellenbosch Municipality

Stellenbosch Municipality
8000 Stellenbosch
71 Peka Street, Stellenbosch, 7600
Tel: 021 806 6659

Copyright © 2019 Stellenbosch Municipality. All rights reserved. This document is the property of Stellenbosch Municipality and is intended for internal use only. It is not to be distributed outside the organization. Any unauthorized use or distribution of this document is strictly prohibited. For more information, please contact the Planning & Economic Development Department.

ANNEXURE B

PRELIMINARY SERVICES LAYOUT



ANNEXURE 17

ELECTRICAL SERVICES REPORT

PROPOSED DEVELOPMENT ON ERF 14601 STELLENBOSCH (OUDE MOLEN)
MINUTES OF PLANNING MEETING HELD ON 4 MARCH 2020
AT STELLENBOSCH MUNICIPALITY ELECTRICITY DEPARTMENT 71 PLEIN STREET STELLENBOSCH

1 ATTENDANCE AND APOLOGIESPresent

Nombulelo Zwane	NZ	S/bosch Municipality	Nombulelo.Zwane@ Stellenbosch.gov.za	021 808-8333	076 3046984
Mark Benson	MB	S/bosch Municipality	Mark.Benson@ Stellenbosch.gov.za	021 808 8770	083 607 6232
Lourens de Lange	LdL	S/bosch Municipality	Lourens.Delange@ Stellenbosch.gov.za	021 808 8302	
Terence Miles	TM	S/bosch Municipality			
Greg Nimb	GN	S/bosch Municipality			
Christiaan Kleynhans	CK	S/bosch Municipality			
Sandiso Ndika	SN	S/bosch Municipality			
Victor Dyusha	VD	S/bosch Municipality			
Johann de Bruyn	JdB	JdB Consulting Eng	jdb@jdbce.co.za	082 372 2685	021 948 9584

Apologies

ITEM	ACTION
1 WELCOME AND INTRODUCTION	
a Nombulelo welcomes all to the meeting and allows everybody to introduce themselves.	
b	
2 ATTENDANCE AND APOLOGIES	
a No apologies were received.	
3 MINUTES OF PREVIOUS MEETING	
a Not applicable.	
4 DISCUSSION	
a Nombulelo welcomes Johann and asks him to introduce the project to the meeting.	
b Johann gives a brief introduction to the project i.e. locality, site development plan and composition (being 249 residential units plus approximately 1285 m ² of offices/shops). The estimated maximum demand is 917 kVA.	MB
c The development will consist of two erven, one for 249 sectional title residential units and another for the commercial portion (offices, deli, etc). No phasing of the development is envisaged at this stage.	All
d Oude Molen is envisaged as a private development and all internal roads and services will be private.	All
e Johann must include details of the proposed metering of tenants and the proposed tariffs in his submission. Tariffs must be approved by Stellenbosch Municipality.	JdB
f Johann shows a picture of the location of the existing RMU and requests details of the existing RMU and 11 kV feeder cable as well as a drawing indicating the cable route.	MB
g It is confirmed that the site is currently on a bulk supply metered at 11 kV. The meeting agrees that the only practical means to facilitate the new supply to the development is by means of a bulk supply metered at 11 kV. Stellenbosch Municipality requires a space of 5m x 3m for an outdoor metering unit. An indoor metering unit can be considered. Johann will take this up with the architect and will include details of the proposed bulk	

	supply point and metering in his submission.	JdB
h	Stellenbosch Municipality requires 24 hour access to the bulk supply point with space to park a service vehicle.	JdB
l	Stellenbosch Municipality requests that the diesel tank outside the existing RMU room be relocated.	JdB
j	Stellenbosch Municipality to forward the specification of the RMU and metering equipment to Johann.	MB / VD
k	Current Indications are that construction will commence by mid 2022 and that the new supply will be required by December 2022.	All
l	Stellenbosch Municipality will advise the notified maximum demand of the current supply to Johann.	MB
m	Development contributions will be charged for additional capacity required by the development. This will be payable upon approval of the application.	JdB
n	Stellenbosch Municipality will advise the current contribution rates to Johann.	MB
o	Johann must include an energy management plan in the application to Stellenbosch Municipality.	JdB

ANNEXURE 18

ENVIRONMENTAL OPINION



Johan Neethling Environmental Services cc

ENVIRONMENTAL IMPACT ASSESSMENTS

Our ref: JN 43/12

Your ref:

24 June 2020

Mr Gideon Roos
Messrs First Plan Town and Regional Planners
P O Box 15865
Panorama
7506

Dear Mr Roos

OPINION ON ENVIRONMENTAL AUTHORISATION AND LISTED ACTIVITIES IN TERMS OF EIA REGULATIONS 2014, AS AMENDED: MIXED USE DEVELOPMENT, OUDE MOLEN, ERF 14601, STELLENBOSCH

I refer to our recent Zoom meeting and discussions around the SDP and the possible triggering of listed activities in terms of the EIA Regulations 2014, as amended.

The site has been developed over many years and used for semi-industrial purposes, mainly in the liquor industry. This resulted in the site being hardened and built-up. There are some buildings and features of historic importance such as the Manor House and Mill House, the latter having been previously demolished and rebuilt in a different location during the 1960's. These are being dealt with by the Heritage Consultant and will be incorporated into the proposed development.

The historic Stellenbosch Millstream (Meulsloot) is a diversion from the Eerste River. It runs through the town and formed a network of historic watercourses that used to serve a number of water mills. The present alignment of the stream, as an open water course, ends at the intersection of Alexander Road and Du Toit Road . From there it is piped under Adam Tass Road, the railway line and the adjacent Bergkelder site and buildings, before entering the Oude Molen site. It traverses the site as a pipe under the whole site and buildings before discharging into the Planckenbrug River.

Posbus 16594 ~ Vlaeberg ~ 8018

Tel 021 4614386, 0834493920~ Faks 021 08655444868 ~ e-mail jneeth@mweb.co.za

www.jnes.co.za

Lid: J H Neethling, PhD (Bosbou), HonsB (Publ Adm). Reg Nr1999/022346/23

The development proposals for the Oude Molen site indicate a break in the mill stream pipe where it enters the site on the boundary with the Bergkelder site and the creation of a small pond before continuing as a pipe.

A shallow escape storm water channel is proposed from this pond along the boundary of the site to the Planckenbrug River. This will act as an emergency overflow should the volume of storm water overwhelm the capacity of the pipe further into the Oude Molen Site.

As part of the development proposal sections of the pipe across the site will be returned to a surface water feature as part of landscaping. This channel and remaining sections of pipe will continue to discharge into the Planckenbrug River at existing locations.

It is my strong opinion that the proposals for development of the Oude Molen Site, Erf 14601, Stellenbosch will not trigger any of the listed activities in the EIA Regulations 2014, as amended. The only caveat is not moving more than 10m² of material at the discharge points into the Planckenbrug River of the escape channel and millstream outlet, combined

Yours sincerely



Johan Neethling
for JNES

ANNEXURE 19

HERITAGE RNID



Enquiries Guy Thomas

Tel: 021 483 9685

Email: guy.thomas@westerncape.gov.za

Date:

13 February 2015

Case No:

15012102GT0127E

Auto IDs:

3031 - 3612

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP
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

Attention: Mr Chris Snelling

8 Ringwood Drive.

Pinelands.

Cape Town

7450

CASE NUMBER: 15012102GT0127E**NID: PROPOSED DEVELOPMENT ON REM ERF 6201 AND ERF 14601, "OUDE MOLEN" DISTILLERY ROAD, STELLENBOSCH**

The matter above has reference.

Your NID received on 27 January 2015 was tabled and the following was discussed:

1. The properties will be rezoned and consolidated to form a single erf with a zoning of general business or general residential. The site will be developed into a mixed use development including student housing retail and office space.
2. The previous warehouse may need to be demolished, while the older significant buildings will be reused.
3. The site has significant built fabric, and may have significant archaeological resources.

Requirement:

1. Since there is reason to believe that heritage resources will be impacted upon, HWC requires an HIA in terms of S. 38(3) of the NHRA (Act 25 of 1999) assessing the impacts on the following heritage resources which it has identified; Built fabric and potential archaeological resources.
2. An HIA is required consisting of an archaeological study, as well as the submission of an urban design component.
3. Conservation bodies registered in the area, as well as any other I&APS must be consulted.
4. An integrated set of recommendations is required.

Our Ref: HMCAPE WINELANDS/STELLENBOSCH/REM ERF 6201 AND ERF 14601



Enquiries: Guy Thomas
 Tel: 021 483 9685
 Email: guy.thomas@westerncape.gov.za

Date: 13 February 2015
 Case No: 15012102GT0127E
 Auto IDs: 3031 - 3612

Terms and Conditions:

Heritage Western Cape reserves the right to request additional information as required. This letter does not constitute conclusion of processes under the National Heritage Resources Act (Act 25 of 1999). These processes may only proceed further once the contents of this letter have been adhered to. Please note that no final documentation may be submitted to the Environmental Authority until the process under the NHRA has been concluded.

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

Yours faithfully

Andrew B Hall
 Chief Executive Officer
 Heritage Western Cape

APPENDIX 4

Portfolio of Evidence from applicant

Ons Verw./Our Ref: FP/0215/772
U Verw./ Your Ref: (LU/11728)
Datum/Date: 10 September 2021

Stellenbosch Municipality
Town Planning Department
Town House Complex
Plein Street
Stellenbosch
7600
South Africa

Dear Ms Newman

ERF 14601 STELLENBOSCH: PORTFOLIO OF EVIDENCE AND RESPONSE TO OBJECTIONS AND COMMENTS

1. With reference to the above subject (LU/11728) and your e-mails of earlier, the following.
2. As requested, please find herewith the complete Portfolio of Evidence and Response to objections and Comments printed and in hard copy format.
3. We trust that this will be in order and are now looking forward to the final evaluation and approvals.
4. If there are however any additional information required, or further clarity needed, please advise and we will respond immediately.

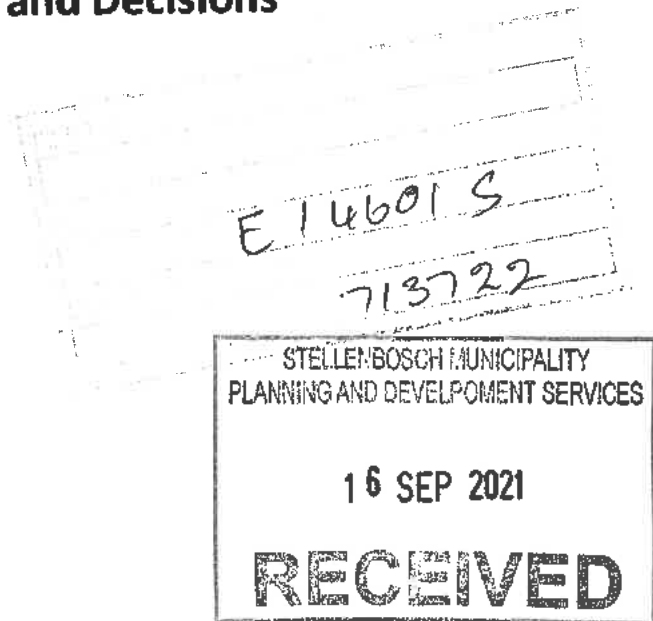
Yours faithfully

Gideon Roos

FIRST PLAN TOWN PLANNERS

Erf 14601 Oude Molen Stellenbosch**Table of Context**

- **Portfolio of Evidence**
- **Responses to the Comments and Objections**
- **Revised Subdivision Plan**
- **Revised Traffic Impact Assessment**
- **Revised Landscaping Plan**
- **Revised Site Development Plan**
- **Heritage Impact Assessment**
 - **Supplementary Report**
 - **IACom Resolutions and Decisions**




STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT
www.stellenbosch.gov.za/planning-portal/
SUBMIT COMPLETED FORM TO RELEVANT LAND USE MANAGEMENT ADMINISTRATOR

LAND USE PLANNING APPLICATION: PUBLIC PARTICIPATION PROCESS						
PORTFOLIO OF EVIDENCE (POE) CHECKLIST AND DECLARATION						
Sections 45, 46 and 55 of the Stellenbosch Municipal Land Use Planning By-Law (2015)						
Erf / Farm no	Erf 14601,	Portion(s) if farm		Allotment Area	Stellenbosch	
Owner/ Applicant	Catwalk Investments 385 (Pty) Ltd/First Plan Town and Regional Planners		LU/#	LU/11/728		
Notice Period	From:		To:			
CONFIRMATION OR DOCUMENTATION SUBMITTED			OWNER/APPLICANT			
			YES	NO	N / A	ADMIN VERIFY
1. The declaration is duly signed			✓ See Annexure 1			✓
2. Applicant confirms that the public participation process was duly undertaken as instructed and attached			✓			✓
3. Municipality informed of the start date and closure date			✓ See Annexure 2			✓
4. The advertisement period complies with the required 30 days (60 days for municipal departments and organs of state)			✓ Notices to IB&AP 25 Sept - 26 October Notices to Government 15 Sept to 23 November			✓
5. If applicable, confirms that the site notice was placed and kept on site for the full duration of the public participation process			✓ See Annexure 3			✓
6. All communications (other than notices) in respect of the public participation process attached			✓ See Annexure 4 copy of newspaper notice			✓
Proof of notices published						
7. If applicable, photo evidence to confirm site notice (one close up and one from across the street)			See Annexure 3 photo evidence of site notice			✓
8. Wording of the advertisement accurate and copy attached			See Annexure 5			✓
9. Proof of notices published (publication date visible)			See Annexure 6 Notice in Eikestad News of 25			✓

	September 2020			
Proof of notices served				
10. Wording of notice accurate and example attached	See Annexure 5 example of notice			✓
11. Proof of all notices served to neighbouring properties attached	See Annexure 7 List of registered mails sent to adjacent land owners and proof of e-mails sent			✓
12. Proof of all notices served to interest and community groups attached	See Annexure 7			✓
13. Proof of all notices served to municipal departments and organs of state (government dept's and entities) attached	Mun. sent notices to internal department . Copy of notice to Gov. Departments See Annexure 7			
Comments received				
14. All objections and comments received attached, including amended comments if relevant	See Annexure 8			✓
15. All comments from municipal departments and organs of state received (must also be attached to POE)	See Annexure 9			✓
16. Consent from abutting property owners obtained and attached	None			None
17. Applicant's written reply / responding comments on all the objections attached	See Letter of Response submitted seperately			✓

KINDLY NOTE:

1. The POE may only be submitted once all relevant municipal departments and organs of state have submitted their comment, inclusive of the applicant's written reply thereto.
2. When any comments have been discussed or amended terms negotiated with the relevant commenting entity, the amended comments and the applicant's written reply thereto must be attached to the POE.
3. The decision-making period will only commence after receipt and confirmation of a complete POE in accordance with section 57 of the Bylaw.

ANNEXURE 1

COMPLETED AND SIGNED DECLARATION

COMPLETE AND SIGN THE FOLLOWING DECLARATION

DECLARATION

I, (full names & surname) Christine Havenga

and ID No: 6610010119089, as the Applicant for the above application, hereby confirms:

- 1) 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;
- 2) 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; and
- 3) the personal information (e.g. name, address, contact details) of interested and affected parties as supplied by the Municipality was only used for official municipal communication matters with reference to the Protection of Personal Information Act 4 of 2013 (POPI).

Duly signed on 3 August 2021 at Durbanville
Date Place

CHavenga

Signature

For office use only

CHECKED BY ADMINISTRATIVE OFFICER

[Signature]

CHECKED BY TOWN PLANNER

DATE VERIFIED

15/09/2021

NOTES TO BE RECORDED:

COPY OF E-MAIL INFORMING THE MUNICIPALITY REGARDING THE PUBLIC PARTICIPATION PROCESS

From: Christine.havenga@firstplan.co.za [mailto:christine.havenga@firstplan.co.za]
Sent: 20 September 2020 10:13 PM
To: 'Salome Newman'; 'Ulrich.Vonmolendorff@stellenbosch.gov.za'
Cc: 'gideon.roos@firstplan.co.za'; 'Colin Stevenson'; 'Bulelwa Mdoda'; 'Robert Fooy'
Subject: RE: Instructions to advertise: Erf 14601, Stellenbosch

Hallo Salome and Ulrich

- I want to confirm that the advertisement of this application for Erf 14601 Stellenbosch will be in the Eikestad News on 24 September 2020 and we will send out the other notices to the listed interested and affected parties simultaneously. See attached proof of the notice in the Eikestad News.
- Attached is an example of a letter to a Government Department and a letter to the Interested and Affected Parties.
- If you can please provide clarity with regard to the nature of the on-site notice. You sent us the new pro forma for such a notice and I added the notice into it – not sure if it is adequate Do we also put in our contact details or only this reference to your website?
- Underneath is a WeTransfer link to a pdf document of the town planning application with all the Annexures for your website. As well as a separate document which is only the town planning report. I will also mail a copy of the SDP and Subdivision Plan which are good quality as the combined document is compressed.

<https://we.tl/t-ETunKF771P>

If you can then please confirm with regard to the on-site notice.

Thank you very much for your assistance.

Kind regards

Christine



Christine Havenga
 FIRST PLAN Stads- en Streekbeplanners / Town and Regional Planners
 Posbus/P O Box 15865 Panorama 7505 Suid-Afrika/South Africa
 Tel: 027 (0)21 930-7183 Self/Mobile: 073 195 1040
 E-pos/E-mail christine.havenga@firstplan.co.za



Think GREEN keep it on your screen
 (en) WEEB Onskuldige skuldere is nie

Instructions to JS Mail: ERF 14601 Stellenbosch - Postage HTML

Message

Reply Reply All Forward More Meeting Print OneNote Categorize Follow Up Flag Fund Rubbed Zone

Delete Move Reply Reply All Forward More Meeting Print OneNote Categorize Follow Up Flag Fund Rubbed Zone

From: Christine Newman <christine@ Stellenbosch.gov.za>
 To: 'Salome Newman'; Ulrich Wöhrle-Widerf@ Stellenbosch.gov.za
 Cc: 'ulrich.woehle-widerf@ Stellenbosch.gov.za'; Cain Stevenson; 'Bulelwa Mkhosi'; Robert Prooy
 Subject: RE: Instructions to advertised ERF 14601, Stellenbosch
 - Message ERF 14601 Stellenbosch Notice to interested and affected parties English...pdf ERF 14601 Stellenbosch Notice to Government.pdf Stellenbosch Notice to interested and affected parties English...pdf Stellenbosch Notice to Government.pdf

Sent: Sun 28/09/20 10:11

Hallo Salome and Ulrich

- I want to confirm that the advertisement of this application for ERF 14601 Stellenbosch will be in the Ekurhuleni News on 24 September 2020 and we will send out the other notices to the listed interested and affected parties simultaneously. See attached proof of the notice in the Ekurhuleni News.
- Attached is an example of a letter to a Government Department and a letter to the interested and affected parties.
- If you can please provide clarity with regard to the nature of the on-site notice. You sent us the new pro forma for such a notice and I added the notice into it - not sure if it is adequate. Do we also put in our contact details or only this reference to your website?
- Underneath is a WeTransfer link to a pdf document of the town planning application with all the Annexures for your website. As well as a separate document which is only the town planning report. I will also email a copy of the SPP and Subdivision Plan which are good quality as the combined document is compressed.

<https://we.tl/EtWnK7Z1P>

If you can then please confirm with regard to the on-site notice.
 Thank you very much for your assistance.

Kind regards
 Christine



Christine Havenga
 Project PLAT Specialist - Streetscape Designer, Town and Regional Planners
 10000 The Strand, 7th Floor, 10000 The Strand, Stellenbosch, South Africa
 Tel: 027 203 8343, Fax: 027 203 8344, Email: chris@christinehavenga.co.za

This email and any attachments are UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It is intended only for the individual named. If you believe this email is in error, please notify the system manager. Please also notify the system manager of any unauthorized disclosure of this email. Content and attachments are confidential. If you have received this email in error, please notify the system manager. Please also notify the system manager of any unauthorized disclosure of this email. Content and attachments are confidential. If you have received this email in error, please notify the system manager. Please also notify the system manager of any unauthorized disclosure of this email.

ANNEXURE 3

PROOF OF ON SITE NOTICE

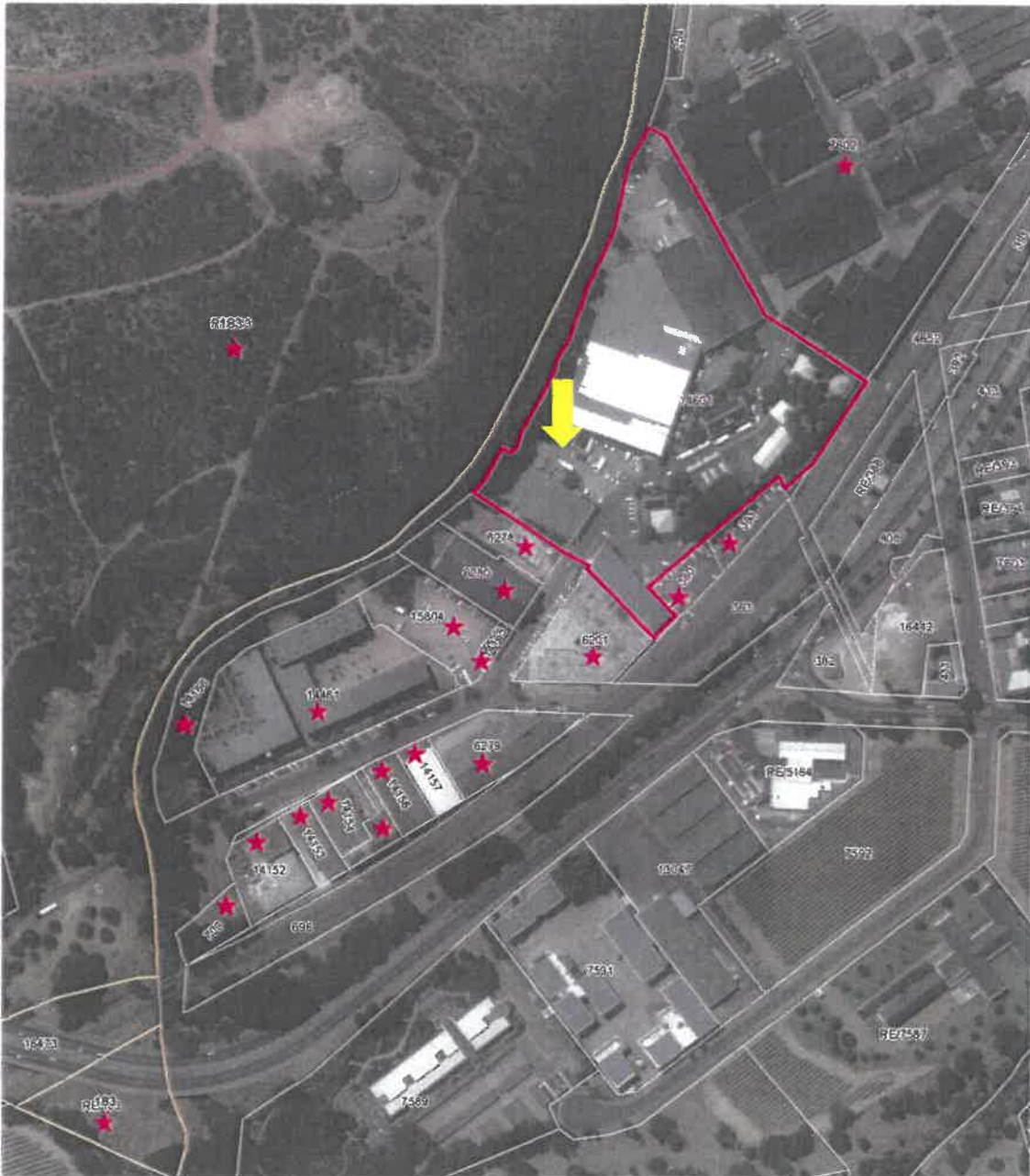


Figure 1: Plan indicating position of the on-site notice (yellow arrow) and the properties notified as per the instructions of the municipality

8



Figure 2: Position of the on-site notice at entrance gate to Erf 14601



Figure 3: Close up of the on-site notice at entrance gate to Erf 14601

From: Berta Hayes [mailto:bertahayes@mweb.co.za]

Sent: 26 October 2020 07:25 PM

To: 'Christine.havenga@firstplan.co.za'; info@stellenboschinterestgroup.org

Subject: RE: APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE, DEPARTURES, STREET NAMES AND NUMBERING AND SITE DEVELOPMENT PLAN: ERF 14601, STELLENBOSCH

Beste Christine

Hierdie epos is net om seker te maak dat jy die Belangegroep se kommentaar wat van ons Info-adres gestuur het, betyds ontvang.

Groete

Berta Hayes

(Sekretaresse)

From: Christine.havenga@firstplan.co.za [mailto:christine.havenga@firstplan.co.za]

Sent: Monday, 26 October 2020 15:36

To: info@stellenboschinterestgroup.org; bertahayes@mweb.co.za

Subject: APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE, DEPARTURES, STREET NAMES AND NUMBERING AND SITE DEVELOPMENT PLAN: ERF 14601, STELLENBOSCH

Beste mev Hayes

Ek heg die kennisgewing aan soos dit in die koerant verskyn het met al die besonderhede en verwysingsnommers. Ek sit sommer die word een ook by vir "cut and paste" doeleindes!

Vriendelike groete

Christine



Christine Havenga
 FIRST PLAN Stads- en Sireekbeplanners / Town and Regional Planners
 Posbus/P O Box 15865 Panorama 7506 Suid-Afrika/South Africa
 Tel: 027 (0)21 930-7183 Sel/Mobile: 073 195 1040
 E-pos/E-mail: christine.havenga@firstplan.co.za



THINK GREEN Keep it off the screen
 RECYCLE WEER Use recycled materials to save

This email and any files transmitted with it are solely intended for the use of the addressee(s) and may contain information that is confidential and privileged. If you receive this email in error, please advise us by return email immediately. Please also disregard the contents of the email, delete it and destroy any copies immediately. First Plan does not accept liability for the views expressed in the email or for the consequences of any computer viruses that may be transmitted with this email. This email is also subject to copyright. No part of it should be reproduced, adapted or transmitted without the written consent of the copyright owner.

ANNEXURE 5

WORDING OF NOTICE

FIRST PLAN BK/CC (Reg no: 2000/002213/23)
STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS



Lede/Members: P A Beukes SS(SA) BA M(SS) G J Roos BA Hons(BA) M(SS)

Applicant Reference Number: FP/0215/772

Date: 25 September 2020

REGISTERED MAIL

Spoornet Property Management

Transnet

PO Box 36

Cape Town

8000

To Whom it may concern

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTRESTED AND AFFECTED PARTIES FOR COMMENT

Neem asseblief kennis dat hierdie kennisgewing in Afrikaans hieronder volg.

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: Distillery Road, Stellenbosch

Application Property Number: Erf 14601, Stellenbosch

Applicant: First Plan Town and Regional Planners,
 Telephone number 021 930 7210,
 E-mail address info@firstplan.co.za

Owner: Catwalk Investments 385 (Pty) Ltd,
 Telephone number 082 454 0321,
 E-mail address colin@zevdevco.co.za

Application Type: Application for Rezoning, Subdivision, Consent Use, Departures, Street Names and Numbering and Site Development Plan

The following application in terms of the Stellenbosch Municipality: Land Use Planning Bylaw, 2015 promulgated by Notice Number 345/2015, dated 20 October 2015.

1. In terms of Section 15(2)(a); the Rezoning of Erf 14601, Stellenbosch from Industrial Zone to Subdivisional Area allowing for Mixed-Use Zone (253 dwelling units within six building consisting of 3 to 5 storey blocks of flats, commercial/office uses and private road purposes) and a Public Roads and Parking Zone.
2. In terms of Section 15(2)(d); the Subdivision of Erf 14601 Stellenbosch into 3 portions, namely Portion 1 ($\pm 2,0493 \text{ m}^2$ - Mixed-Use Zone), Portion 2 ($\pm 5 798 \text{ m}^2$ - Mixed-Use Zone) and Portion 3 ($\pm 614 \text{ m}^2$ - Public Roads and Parking Zone) as per proposed Subdivision Plan.
3. In terms of Section 15(2)(b) for the following permanent departures:
 - To relax the common building line (adjacent to Erf 7602) from 4.5 m to 3.0m for Block 4.
 - To relax the common building line (adjacent to Erf 7602) from 4.5m to 3.0m
 - To relax the common building line (adjacent to newly created Portion2) from 4.5m to 2.5m for Block 6.
 - To relax the common building line (adjacent to newly created Portion 2) from 4.5m to 0.0m to allow for the ablution/changing room facility for the pool and volleyball court.
 - To relax the common building line (adjacent to the newly created Portion 2) from 4.5m to 1.5m to allow for the Mill House.
 - To relax the street building line (adjacent to the newly created Portion 2) 3.0m to allow for Block 5.
4. In terms of Section 15(b) for a Departure to allow for flats on the ground floor in a Mixed-Use Zone.
5. In terms of Section 15(o); a Consent Use to allow a Place of Entertainment (pub) within a Mixed Use Zone. (To use the Existing Storage facility / Industrial Building in phase 2 for place a place of Entertainment / Pub)

6. In terms of Section 98; Approval of the proposed Street Names (extension of Distillery Road), additional Street Numbers and the Name of the Development as per the proposed Subdivision Plan.
7. In terms of Section 15(g); Approval of the attached Site Development Plan Package containing the following plans;
 - Overall Site Development Plan
 - Site Development Plan for the Residential Precinct ("The Mill")
 - Site Development Plan for the business precinct (manor house and the deli/pub)
 - Access and Parking Layout Plan
 - Phasing Plan
 - Landscaping Plans

Notice is hereby given in terms of the provisions of Section 46 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/planning/documents/planning-notice/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed **to the Applicant** by electronic mail as follows: (First Plan Town and Regional Planners, e-mail address info@firstplan.co.za).

The comments must be submitted within 60 days from the date of this notice to be received on or before the closing date of **23 November 2020**.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

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 021 930 7183 during normal office hours.

Yours faithfully



Christine Havenga
FIRST PLAN TOWN AND REGIONAL PLANNERS

Posbus/P O Box 15865 PANORAMA 7506
Essenhoutsingel 8 PLATTEKLOOF 7500 / 8 Essenhout Crescent PLATTEKLOOF 7500
Tel: (021) 930-7183 Faks/Fax: (021) 930-7210 Cell: 073 72 333 99 e-pos/e-mail: info@firstplan.co.za

PROOF OF NOTICE IN NEWSPAPER

ANNEXURE 6

**PROOF OF REGISTERED LETTERS AND E-MAILS SENT TO IDENTIFIED INTERESTED
AND AFFECTED PARTIES AND GOVERNMENT DEPARTMENTS**

ANNEXURE 7

List of REGISTERED LETTERS

1

Full tracking and tracing

Name and address of sender:

First Plan Town and Regional Planners, PO Box 15865, Panorama, 7506, South Africa

No	Name and Address of addressee	Registration Sticker
1	Stellenbosch Municipality Eft 709 P O Box 17, Stellenbosch, 7599	REGISTERED LETTER CUSTOMER COPY 301028N
2	Gerald Esau / Piet Smit Eft 5969 P O Box 17, Stellenbosch, 7599	REGISTERED LETTER CUSTOMER COPY 301028N
3	Gerald Esau (Director) / Piet Smit Eft 14166 P O Box 17, Stellenbosch, 7599	REGISTERED LETTER CUSTOMER COPY 301028N
4	Mrs. M Ackhurst Department Engineering Services P O Box 17, Stellenbosch, 7599	REGISTERED LETTER CUSTOMER COPY 301028N
5	HWB Nolan Eft 14461 P O Box 617, Strand, 7139	REGISTERED LETTER CUSTOMER COPY 301028N
6	PK Freese & Zr Long Eft 14461, Nella Payne Unit 7C, Bosmans Crossing, Stellenbosch, 7600	REGISTERED LETTER CUSTOMER COPY 301028N
7	MA Hepburn & JE Tompkins Eft 14461, 10 Welgevallen Street, Stellenbosch, 7600	REGISTERED LETTER CUSTOMER COPY 301028N
8	B Raats Eft 14461 P O Box 2068, Dennisig, 7601	REGISTERED LETTER CUSTOMER COPY 301028N
9	JA Teubes Eft 14461 P O Box 12419, Die Boord, 7613	REGISTERED LETTER CUSTOMER COPY 301028N
10	LC Wilkins Eft 14461 P O Box 354, Tulbach, 6025	REGISTERED LETTER CUSTOMER COPY 301028N

Date:

First Plan Stamp:

Post Office stamp:

OBJECTION FROM STELLENBOSCH INTEREST GROUP

ANNEXURE 8



Belangegroep Stellenbosch Interest Group

26 October 2020

Application Reference: LU/11728

The Applicant
First Plan Town and Regional Planners
info@firstplan.co.za

Dear Sir/Madam

Application for Rezoning, Subdivision, Consent Use, Departures, Street Names and Numbering and Site Development Plan, Oude Molen, Erf 14601, Stellenbosch

The Stellenbosch Interest Group (SIG) wishes to comment as follows on the proposal:

The property is of historical significance because it is the site where water from the mill stream watered the fourth mill before joining the Plankenbrug River, and where the brandy industry in South Africa originated. In view of this historic uniqueness SIG is hesitant that a blanket approval be given at this stage for the proposed development for the following reason:

It is the concern of SIG that this development has been submitted prior to the finalisation of the Adam Tas Corridor Spatial Development Framework (the municipality is in the process of appointing a consultant to prepare this SDF). This type of piecemeal planning approach is not conducive to protecting heritage landscapes. We are of the opinion that all the built environment heritage in the Adam Tas Corridor should first be identified, mapped and then all proposed new developments (such as this application) should holistically be planned for in the context of the Adam Tas Corridor SDF.

Kind regards

A handwritten signature in dark ink, appearing to read 'PE Botha', written in a cursive style.

Patricia Botha (Chairperson)

**DEPARTMENTAL COMMENTS FROM STELLENBOSCH MUNICIPALITY AND WESTERN
CAPE PROVINCIAL DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND
DEVELOPMENT PLANNING**



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
(REGION 2)**

Helene.Janser@westerncape.gov.za
Tel: +27 21 483 3544 Fax: +27 21 483 3633
1 Dorp Street, Cape Town, 8000
www.westerncape.gov.za/eadp

REFERENCE: 15/3/2/12/BS2

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

FOR ATTENTION: SENIOR MANAGER - DEVELOPMENT MANGEMENT

PROPOSED LAND DEVELOPMENT APPLICATION: ERF 14601, STELLENBOSCH (ADAM TAS CORRIDOR)

1. Your request for comment, dated 3 November 2020, has reference.
2. The matter at hand relates to the development proposal for Erf 14601 Stellenbosch which makes provision for a mixed-use development comprising:
 - A sectional title scheme of 253 residential units, together with private recreational facilities;
 - The repurposing of an existing warehouse as a deli/bistro/pub linked with a large outdoor piazza to the commercial/retail component of the Bosmans Business Centre on the adjacent Erf 6201; and
 - The inclusion of the existing Manor House on a separate erf to be used for commercial purposes.
3. Whilst this Directorate has no in-principle objection to the proposed development of the property as part of the greater Adam Tas Corridor, it is essential that, in the absence of a Precinct Plan, the proposed development sets the tone and contributes progressively toward the vision as set out in the Stellenbosch Municipal Spatial Development Framework (MSDF) with regards to the Adam Tas Corridor and doesn't place the burden of meeting the objectives for the Corridor as set out in the MSDF to future developments.

4. One of seven principles or concepts advocated in the MSDF, geared towards the common good, is the infill and redevelopment of existing settled areas. The inclusivity of infill housing, referring to the extent to which the housing provides for different income and demographic groups, is considered paramount. This is particularly so for the Adam Tas Corridor and it is the reason why as a Directorate we question the provision of only 2- or 3-bedroom apartments in this development proposal. Including studio and/ or one bedroom apartments would increase the diversity of family types being catered for and affordability. Accommodating different income groups and family types is highlighted as a need in the MSDF.
5. The applicant's view that Stellenbosch Municipality is trying to coerce "ad hoc voluntary" affordable housing as part of a development application in the absence of an Inclusionary Housing Policy, which the applicant feels is in direct conflict with the provisions of SPLUMA, is not supported by this Directorate. Whilst there may not currently be an Inclusionary Housing Policy in place at the Municipality, the MSDF provides numerous statements regarding the need for inclusionary housing. One such statement is in section 6.9 "Catalytic Initiatives- Adam Tas Corridor", the statement is made that "A range of housing types in the form of apartments should be provided accommodating different income groups and family types". It is the view of this Directorate that the need for inclusionary housing is set out logically and clearly in the MSDF and should this development not comply with this provision in the MSDF, would be inconsistent with the MSDF and could be refused. In this regard, this Directorate is disappointed in the quantum of the contribution for inclusionary housing which is put forward by the applicant. Out of approximately 253 units, 12 have been put forward for inclusionary housing purposes, which amounts to 4.7% of the total number of units. We doubt whether this proposal could be regarded as being in compliance with the MSDF.
6. Other than the quantum of inclusionary housing put forward in this proposal, the nature of the inclusionary housing requires a great deal more consideration. The applicant states that the units will be rented out to students and that this should be managed through Stellenbosch University as part of their residence offering. There is however an inadequate understanding of how the institutional arrangements will work e.g. will the units be given to the University to own and manage? How will it

be ensured that the students accommodated in these units are actually economically marginalized students? If the units are simply rented to any students this will not further the principle of spatial transformation, nor will it increase inclusivity in the town. This Directorate is of the opinion that whilst the application should go ahead, further detail and resolution on how this will be implemented should be provided in the Site Development Plan (SDP) around inclusionary housing, before the SDP is approved.

7. In return for the voluntary provision of inclusionary housing, the applicant is seeking alternative value in the form of the fast-tracking of the application process together with the proposed NMT bridge over the railway line within the regulatory prescripts.
8. The provision of inclusionary housing and the building of the pedestrian bridge should not be linked. The pedestrian bridge is needed to support non-motorised transport (NMT) which itself is a priority objective in the Adam Tas Corridor. The pedestrian bridge over the railway line, linking the existing NMT routes along Adam Tas with proposed NMT routes in the Bosman's crossing area, is crucial for the vision of the Corridor and it is maintained that the applicant should contribute to the costs of building the infrastructure (in this case the bridge) that supports the new development in the forms of a Development Contribution or Services Agreement.
9. NMT is a key component in the development of the Adam Tas Corridor. This proposed development needs to set the tone and show leadership in support of NMT, which requires that this important pedestrian linkage should come at the start of the development. The MSDF has provided policy certainty for properties along the Adam Tas Corridor in particular, with the result that the risk faced by the developer is limited. The upzoning of the property in question is possible because the planning framework is in place as a result of the SDF. In return the applicant should contribute to what is needed in the area e.g. the pedestrian bridge and inclusionary housing but independently of one another.
10. Given the emphasis placed on Non-Motorised Transport in the MSDF for a more effective distribution of traffic, the adoption of conventional standards for the provision of parking will enable a car-driven environment and may undermine the focus on increased pedestrian-orientation.

11. Several applications for departures from the prescribed norms for the provision of parking were considered favourably in recent applications for high-density development on the eastern side of the Adam Tas Corridor, in the Dennesig neighbourhood. It was argued that the proposal would contribute positively to improve conditions for walking and NMT within Stellenbosch town and would set a precedent for future pedestrian-focused developments in town.
12. The MSDF further states that in Stellenbosch town, it is doubtful whether the desired form of compact, diverse, inclusive, and walkable settlements will be achieved without parallel supportive initiatives to manage the unimpeded use of private vehicles.
13. Given the location of the subject property on the outer edge of the municipal urban edge, along the foot of the Papegaaiberg Nature Reserve, higher densities with an increased height would be encouraged. The Zoning Scheme prescribes a maximum height of 6 storeys for buildings within the Mixed-Use Zone and yet Blocks 1, 2 and 5 that directly abut the Plankenbrug River where the impact would be the least, are only 5 and 4 storeys respectively.
14. The MSDF proposes improved public continuity, access and space along the Plankenbrug River corridors and the matter of maintaining a sense of continuity along the length of the Plankenbrug River was raised with the Oude Molen Project Team in the past. This Directorate would ultimately advocate for the registration of a public Right of Way servitude along the length of the Plankenbrug River created in favour of the general public. The buildings must be located on the site in such a way that sufficient space is provided to accommodate a pedestrian walkway along the river.
15. Whilst this would be premature at this stage, it is suggested that the registration of a public servitude be made conditional to the approval of the application, but that said condition be suspended until such time as it would be practicable to implement.
16. In consideration of the above, this Directorate recommends that the application for the rezoning to Subdivisional area and the subsequent subdivision, departures and consent use to allow a Place of Entertainment within a Mixed Use Zone be approved, but that the Site Development Plan Package, which should include the

inclusionary housing institutional arrangements should only be considered at a later stage when all concerns have been addressed. As a condition of approval of the rezoning the MPT should consider requesting the applicant to demonstrate through the SDP how the development would comply with the MSDF provisions, specifically:

- (Table 31 P106) "Strategy: Develop all settlements as balanced, inclusive, appropriately serviced, communities, negotiable through NMT and exhibiting a positive relationship with surrounding nature and agricultural land.
- Spatial Policy: Expand housing opportunity for a broader range of groups – including lower income groups and students – particularly in settlements forming part of the Baden Powell-Adam Tas-R304 corridor.
- Given the limited income of a large proportion of the population, a settlement structure and form prioritizing walking and public and NMT, should be pursued (Table 12)
- The inclusivity of infill housing opportunity – referring to the extent to which the housing provides for different income and demographic groups – whether as part of the Adam Tas Corridor or.....(p67)

We trust that the above is in order. Should you wish to engage further on any of these aspects please liaise with Helene Janser (contact details on the cover of this communication).

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

INTEROFFICE
MEMORANDUM



STELLENBOSCH
MUNICIPALITY • MUNISIPALITEIT • MUNISIPALITEIT

DEPARTMENT: COMMUNITY SERVICES

Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

To:	Administrative Officer: Land Use Management Salome Newman	From:	Senior Environmental Planner: Schalk van der Merwe
CC:	Manager: Community Services Albert van der Merwe	Date:	08 October 2020
Re:	APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE AND DEPARTURES, ERF 14601, STELLENBOSCH (LU/11728)		

The above application refers. From an environmental planning point of view this department has no objection to the approval of the application on condition that:

1. All the activities on site, during construction and thereafter, comply with the Western Cape Noise Control Regulations.
2. Suitable indigenous vegetation be used for the implementation of the landscaping plan.

The following for consideration:

A number of alien and alien invasive tree species are found on the eastern and western bank of the relevant section of the Plankenbrug River, some of which presents a potential risk to life and property (due to their position, size and height) should they fall naturally or be felled. Should the application be approved it may be advisable for the developer to contact the Department: Community Services, Stellenbosch Municipality, and use the opportunity, whilst the site is being prepared for construction and access to the river is improved, to identify trees and biomass to be removed and implement such maintenance work prior to the implementation of the proposed development.

S VD MERWE
SENIOR ENVIRONMENTAL PLANNER:
COMMUNITY SERVICES



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Spatial Planning, Heritage and Environment

To : Manager: Development Management
From : Manager: Spatial Planning
Reference : Erf 14601; Oude Molen; Stellenbosch
LU Nr : LU/11728
Date : 9 March 2021
Re : Application for rezoning, subdivision, consent use and departure;
 Oude Molen

Your request for comment on the above application dated 17 September 2020 refers.

APPLICATION:

The application under consideration is for the following:

1. The Rezoning of Erf 14601, Stellenbosch from Industrial Zone to Subdivisional Area in terms of Section 15(2)(a) of the Stellenbosch Municipality Land Use Planning By-Law (The By-Law) allowing for Mixed-Use Zone (253 dwelling units within six 3- to 5-storey blocks of flats, some commercial/office uses and private roads) and Public Roads and Parking Zone.
2. The Subdivision of Erf 14601 Stellenbosch in terms of Section 15(2)(d) of the By-Law into 3 portions, namely:
 - a. Portion 1 (±2,0493 m² - Mixed-Use Zone)
 - b. Portion 2 (±5 798 m² - Mixed-Use Zone)
 - c. Portion 3 (± 614 m² - Public Roads and Parking Zone)
3. To relax the common building line (adjacent to Erf 7502) from 4.5m to 3.0m for Block 4.
4. To relax the common building line (adjacent to Erf 7502) from 4.5m to 3.0m for Block 3.
5. To relax the common building line (adjacent to newly created Portion 2) from 4.5m to 2.5m for Block 5.
6. To relax the common building line (adjacent to newly created Portion 2) from 4.5m to 0.0m to allow for the ablution/changing room facility for the pool and volleyball court.
7. To relax the common building line (adjacent to the newly created Portion 2) from 4.5m to 1.5m to allow for the Mill House.

8. To relax the street building line (adjacent to the newly created Portion 2) from 4.5m to 3.0m to allow for Block 5.
9. Permission to allow for flats on the ground floor in a Mixed-Use Zone in terms of Section 15(B) of the By-Law.
10. In terms of Section 15(o); A Consent Use to allow a Place of Entertainment (pub) within a Mixed-Use Zone in terms of Section 15(o) of the By-Law.
11. Approval of the proposed street names (extension of Distillery Road), additional street numbers and the name of the development in terms of Section 98 of the By-Law.
12. Approval of the site development plan package in terms of Section 15(g) of the By-Law.

PROPERTY DESCRIPTION:

The property is located within the Bosman's Crossing precinct at the western edge of Stellenbosch town adjacent to the Plankenbrug River and at the foot of Papagaaiberg Nature Reserve. Erf 14601 is bordered by Bosman's Crossing to the south, the Plankenbrug River and Papagaaiberg Nature Reserve to the west, the Bergkelder Industrial property to the north and the railway line/Adam Tas Road to the east. The location of Erf 14601 is shown in Figure.1 below.

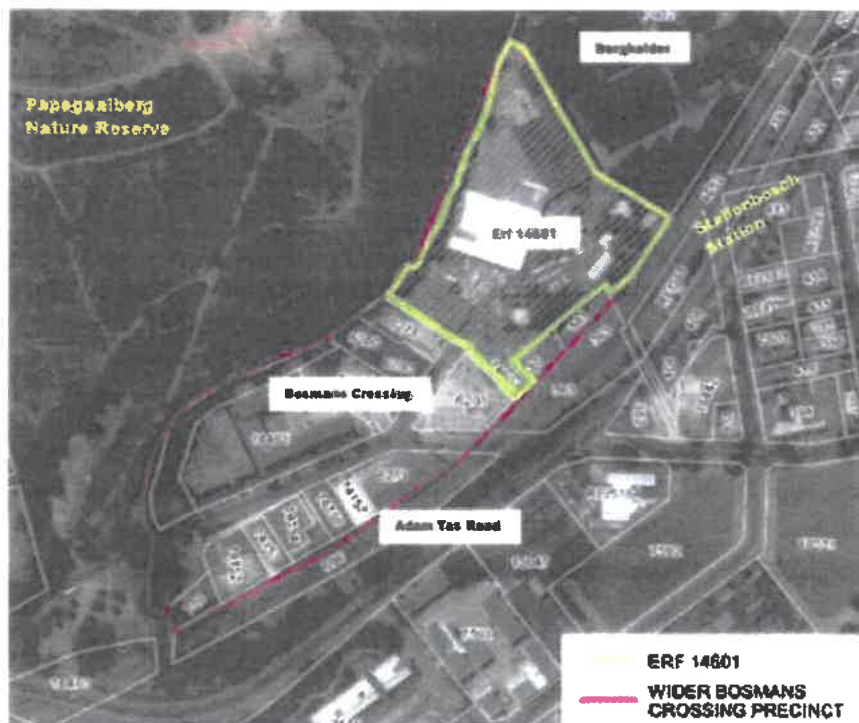


Fig. 1 Locational Plan

The property is a well-developed industrial site with existing buildings measuring 11 650m² comprising 8 760m² of warehousing and 2 890m² of offices and "other."

The only access to the property is obtained at Distillery Road via Oude Libertas Street and across the Plankenbrug. Distillery Road terminates at the property. The site was originally zoned for Wine Industry in terms of the former Stellenbosch Zoning Scheme but has been converted to Industrial Zone in terms of the new Zoning Scheme By-Law.

POLICY CONTEXT:

1. NATIONAL DEVELOPMENT PLAN (NDP)

The National Development Plan's (NDP) key objectives to be achieved by the year 2030 are to eliminate income poverty and reduce inequality. The following NDP spatial priorities are relevant to the planning of Klapmuts:

a) Urban and Rural Transformation:

Spatial transformation is advocated given the enormous costs imposed by existing spatial divides. The NDP recognises that achieving this is a complex long-term process. The NDP's human settlement targets are more people living closer to their places of work; better quality public transport; and more jobs in proximity to townships. To achieve these targets, it advocates strong measures to prevent further development of housing in marginal places, increased urban densities to support public transport, incentivising economic activity in and adjacent to townships; and engaging the private sector in the gap housing market. The NDP also targets the development of a more inclusive and integrated rural economy. Its rural strategy is based on land reform, agrarian transformation, livelihood and employment creation, and strong environmental safeguards.

b) Improving Infrastructure:

The NDP identifies infrastructure as essential for development and prioritises upgrading informal settlements on suitably located land; rolling out public transport systems; improving freight logistics; augmenting water supplies; diversifying the energy mix towards gas (i.e., imported liquid natural gas and finding domestic gas reserves) and renewables; and rolling-out broadband access.

c) Building Environmental Sustainability and Resilience:

“South Africa’s primary approach to adapting to climate change is to strengthen the nation’s economic and societal resilience. This includes ensuring that all sectors of society are more resilient to the future impacts of climate-change by decreasing poverty and inequality; creating employment; increasing levels of education and promoting skills development; improving health care and maintaining the integrity of ecosystems and the many services that they provide” [NDP 2012, p209]. The long-term strategy is to transition to a low carbon economy.

2. INTEGRATED URBAN DEVELOPMENT FRAMEWORK (IUDF)

The 2016 Integrated Urban Development Framework (IUDF) steers urban growth towards a sustainable model of compact, connected and coordinated towns and cities. The IUDF provides a roadmap to implement the NDP’s vision for spatial transformation – creating liveable, inclusive, and resilient towns and cities while reversing apartheid’s spatial legacy. To achieve this transformative vision, the IUDF sets four strategic goals:

1. Spatial integration - To forge new spatial forms in settlement, transport, social and economic areas.
2. Inclusion and access - To ensure people have access to social and economic services, opportunities, and choices.
3. Growth - To harness urban dynamism for inclusive, sustainable economic growth and development.
4. Governance - To enhance the capacity of the state and its citizens to work together to achieve spatial and social integration.

3. PROVINCIAL STRATEGIC PLAN

The Regional Spatial Implementation Framework builds-on the Provincial Strategic Plan (PSP 2015) and gives regional expression to achieving the Western Cape’s Provincial Strategic Goals (PSGs), namely:

- PSG 1: Create opportunities for growth and jobs.
- PSG 2: Improve educational outcomes and opportunities for youth development.
- PSG 3: Increase wellness, safety and tackle social ills.
- PSG 4: Enable a resilient, sustainable, quality, and inclusive living environment.
- PSG 5: Embed good governance and integrated service delivery through partnerships and spatial alignment.

4. PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF)

The Provincial Spatial Development Framework (PSDF 2014) gives spatial expression to the PSP and takes the Western Cape on a path towards:

1. More inclusivity, productivity, competitiveness, and opportunities in its urban and rural space-economies.
2. Better protection of its placed based (i.e., spatial) assets.
3. Strengthened resilience of its natural and built environments; and
4. Improved effectiveness in spatial governance and on-the-ground delivery of public services, facilities, and amenities.

5. STELLENBOSCH MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF)

The MSDF was prepared recently and approved by Council in November 2019. A prerequisite for drafting a MSDF is that it must comply and include National and Provincial policy. Hence the MSDF built upon the policy alluded to in the previous paragraphs as it relates to Klapmuts.

To this extend the MSDF identified 7 principles to guide the spatial development of Stellenbosch and provides planning and design guidelines and principles to direct spatial form in the Stellenbosch Municipal Area. The principles include the following:

1. Maintain and grow natural assets.
2. Respect and grow cultural heritage.
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity
4. Clarify and respect the different roles and functions of settlements.
5. Clarify and respect the roles and functions of different elements of movement structure.
6. Ensure balanced, sustainable communities.
7. Focus collective energy on critical lead projects of which Klapmuts is one.

The MSDF as it relates to the subject property shown in **Figure 2** below.

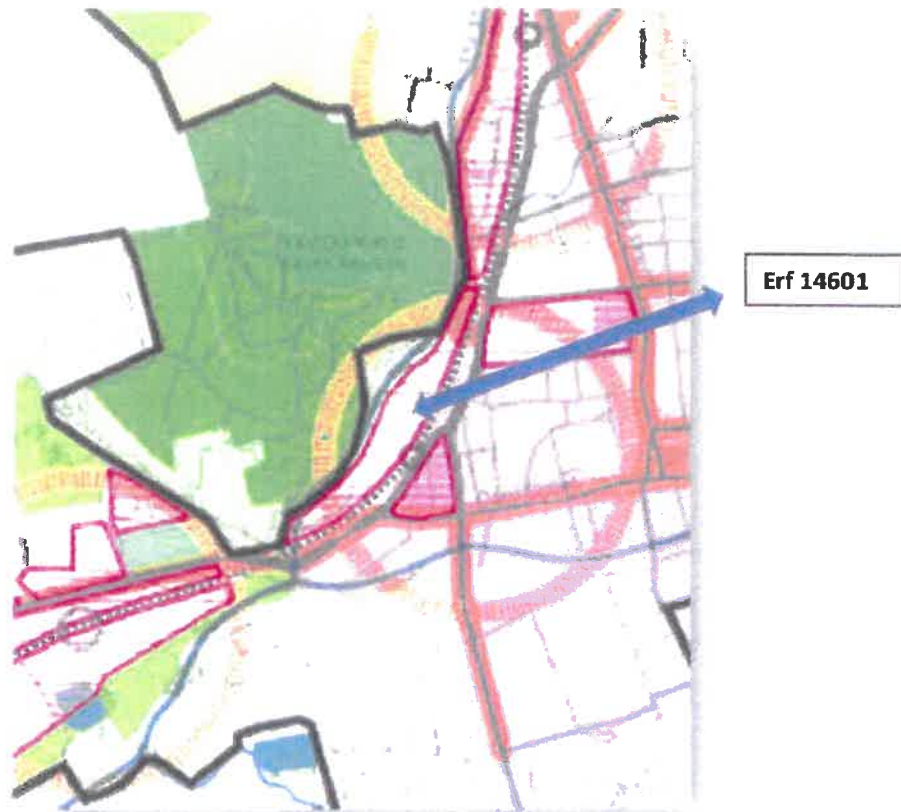


Fig 2. MSDF (Stellenbosch)

In terms of the MSDF Stellenbosch town will remain the major settlement within the municipality; a significant centre comprising extensive education, commercial and government services with a reach both locally and beyond the borders of the municipality, tourism attractions, places of residence, and associated community facilities. Retaining what is special in Stellenbosch town requires change. The town has grown significantly as a place of study, work, and tourism, while perhaps inadequately providing residential opportunity for all groups, and certainly lacking adequate provision of public transport and NMT options.

Managing residential growth of the town, through providing more inclusive housing at higher densities than the norm, is vital. This can and must bring significant reductions in commuting by private vehicles to and within Stellenbosch town, and provide the preconditions for sustainable public transport and NMT to and within the town.

The last core principle of the MSDF attempts to focus energy on a few catalytic areas that offer extensive opportunity and address present risk. The most significant redevelopment opportunity within Stellenbosch town is the Adam Tas Corridor, stretching from the Droë Dyke and the Old Sawmill sites in the west along Adam Tas

Road and the railway line, to Kayamandi, the R304, and Cloetesville in the north. Large industrial spaces – currently disused or to be vacated over time – exist here. Redevelopment offers the opportunity to accommodate many more residents within Stellenbosch town, without a negative impact on agricultural land, nature areas, historically significant precincts, or “choice” lower density residential areas.

In simple terms, the Adam Tas Corridor concept is to launch the restructuring of Stellenbosch town through redevelopment of the Adam Tas Corridor, the area stretching along the R310 and R44 along the foot of Papegaaiberg from the disused Cape Sawmills site in the west to Kayamandi and Cloetesville in the north.

The corridor is not envisaged as homogenous along its length, with uses and built form responding to existing conditions and its relationship with surrounding areas. Conceptually, three areas could be defined, each linked through a sub-district.

The central district – in which werf 14601 is located - is the largest, and includes Bosman’s Crossing, Oude Molen, the Bergkelder, and the Van der Stell Sports complex. Here, development should be the most intense, comprising a mix of commercial, institutional, and high-density residential use. The “seam” between this district and west Stellenbosch is Die Braak and Rhenish complex. The southern and central districts are linked through Oude Libertas. Oude Libertas remains a public place, although some infill development (comprising additional public/ educational facilities) is possible.

The inclusivity of infill housing opportunity – referring to the extent to which the housing provides for different income and demographic groups – whether as part of the Adam Tas Corridor or elsewhere within Stellenbosch town – is critical. Unless more opportunity is provided for both ordinary people working in Stellenbosch, and students, it will be difficult to impact on the number of people commuting to and from Stellenbosch town in private vehicles daily.

Through the envisaged redevelopment in terms of the ATC concept offers the opportunity to *inter alia*:

1. Grow Stellenbosch town – and accommodate existing demand – in a manner which prevents sprawl, and create conditions for efficient, creative living and working.
2. Stimulate and act as a catalyst for the development of improved public transport and NMT along the corridor.
3. Rethink and reconstruct infrastructure, and particularly the movement system, including the possible partial grade separation of east-west and north-south

movement systems, in turn, integrating the east and west of town and releasing land for development.

4. Integrate Kayamandi and Stellenbosch town seamlessly.

A process to draft a local spatial development framework is currently in process and it is envisaged that the process will also produce an overlay zone that gives a clear indication of additional land use rights. In the absence of such policy documents all applications must be considered by the municipality based on the policy direction currently given by the MSDF and the initial work done on the ATC.

To this end, the following spatial principles are critical:

The development must specifically support the following spatial principles:

1. Spatial restructuring and justice: The project must challenge past spatial and other development imbalances through improved access to and use of land and the inclusion of persons and areas that were previously excluded.
2. Resource efficiency: Land development must optimise the use of land, existing structures, and infrastructure, and actively seek alternative, environmentally responsible servicing solutions, including non-motorised transport.
3. Contextual aptness: The project must recognise the special structure and form of Stellenbosch town, current access limitations, and the need to protect environmental resources, historic elements and precincts of value while accommodating further growth and expanded opportunity.
4. Flexibility and responsiveness: Land development processes must ensure both certainty of rights and over time.

THE APPLICATION:

In essence the development entails a mixed-use development consisting of:

- a sectional title scheme of ±253 two- and three-bedroom residential units together with private recreational facilities.
- the repurposing of an existing warehouse into a "vibey" "hip" dell/bistro/pub - linked with a large outdoor piazza to the business/retail component of the adjacent Bosman's Business Centre which will provide a vibrant social hub for the precinct; and
- the inclusion of the existing Manor House on a separate erf to be used for business purposes which is suitable for a variety of commercial uses including, inter alia, the hospitality/restaurant industry as well as general commercial use.

It is envisaged by the developer that the development will offer residential and business opportunities within a transport-orientated, mixed-use, high density development favouring access by pedestrians and cyclists which will contribute to a

compact, less sprawling town that promotes public transport and pedestrianization which will be according to the principles as set out in the MSDF.

DISCUSSION:

The application must be evaluated against current legislative directives – the Spluma principles, - the MSDF and the goals for the development properties within the Adam Tas Corridor. In terms of the MSDF and the goals of the ATC, the development must contribute substantially to the development of the ATC as an integrated, inclusive environment for living, work, and enjoyment; a place which embodies what constitutes good, equitable, and efficient settlement, and supports national, provincial, and municipal policy.

It is essential that, in the absence of a precinct plan, the proposed development sets the tone and contributes progressively toward the vision as set out in the Stellenbosch Municipal Spatial Development Framework (MSDF) with regards to the Adam Tas Corridor and does not place the burden of meeting the objectives for the Corridor as set out in the MSDF to future developments. The project must enable expanded opportunity for all partners and stakeholders over and above what exists today. This applies to all dimensions of “value add”, including returns on investment, community access to opportunity, facilities, and so on.

1. The Principle of Spatial Justice

The SPATIAL JUSTICE principle requires that past spatial and development imbalances should be redressed through improved access to and utilisation of land. It requires that persons which were previously excluded (especially the poor) must be included in land use planning policies, especially to address widespread poverty and deprivation. Access to land for all (including disadvantaged communities should be facilitated.

In this regard the MSDF proposes the following:

1. Providing more inclusive housing at higher densities than the norm. This must bring a significant reduction in commuting by private vehicle to and within Stellenbosch Town.
2. Inclusivity of infill housing opportunity – referring to the extent to which the housing is provided for different income and demographic groups.
3. Expand housing opportunity for a broader range of groups – including lower income groups and students – particularly in settlements forming part of the Baden-Powel, ATC – R304 corridor.
4. All housing projects should focus on a range of typologies, enabling access for a range of income groups.

5. Gated residential development is not favored. Public components of development should remain public, enabling integration of neighborhoods and through movement. Security to private developments could be provided through other means than fencing and access control of large development blocks or areas neighborhoods.

The residential component of the proposed development is located on a separate erf to be subdivided (measuring 2,0493 ha) and will consist of 253 individual residential units - arranged in a configuration of 6 blocks varying in height from 4-6 storeys. This equates to a residential density of ± 123 units/ha. The residential units consist of 2- or 3-bedroom apartments only.

The proposed density is in line with the of the requirements of the MSDF and ATC that higher densities should be the norm. It must be noted that the increase in density is aimed at providing compact, walkable urban centres that supports NMT and a reduction of private motor vehicles on the one hand and to improve efficient use of land and bulk services on the other. Of equal importance is the notion that the higher density should cater for different typologies of housing catering for a broader range of income and demographic groups. Higher density does not necessarily lead to inclusive outcomes. As argued elsewhere in this report, if anything, increased density, and its associated amenities, such as walkable communities and access to public transit, will typically result in rising property values if planning and development are not partnered with equitable land use policies and affordable housing interventions. Consideration should thus be given to a broader variety of housing typologies with, for example bachelor's flats and one-bedroom flats included in the mix of typologies.

Seeing that it is the explicit intention of the MSDF and ATC to transform the spatial form of Stellenbosch and to integrate communities in this well-located precinct, and in view of the nature of the proposed inclusionary housing component, it is questioned if the increased density will support and promote inclusionary housing and particularly the notion of integrating communities.

Although the municipality does not yet have an approved inclusionary housing policy, the MSDF provides numerous statements regarding the need for inclusionary housing. This department supports the view of the Directorate: Development Management in their letter dated 1/12/2020 that, if the proposal does not address the need for inclusionary housing adequately, this development will not comply with this provision in the MSDF and would be inconsistent with the MSDF and could be refused. It is also questioned if the proposal to reserve (only) 12 out of 235 units for students as "inclusionary housing" can be regarded as being in compliance with the

MSDF. The department is of the view that this proposal is inadequate and must be revisited to comply with the requirements of the MSDF.

It is noted that the development will be secured, and access control implemented, and that the development can be characterized as a gated development which is not favored in the MSDF. Gated developments do not promote integration with the immediate surroundings i.e., Bosman's Crossing nor does it promote integration in the wider context of the ATC. Security is however a factor that cannot be ignored and must be acknowledged.

This department is therefore of the view that the proposed development does not address the issue of housing opportunity for a varied and broader range of income groups successfully and therefore did not address the principle spatial justice adequately.

2. The Principle of Spatial Sustainability

The principle of SPATIAL SUSTAINABILITY will be achieved by the development when a development is spatially compact, resource frugal and within the means of the Municipality. It must protect prime agricultural land and must take into consideration all other environmental issues. It must aim to limit urban sprawl, resulting in viable communities, and strive to meet the basic needs of citizens in an affordable way. Development must also ensure the sustained protection of the environment (ecological corridors, biodiversity, heritage resources, promote provincial tourism and avoid development on steep slopes, floodplains, wetlands etc.). Energy efficiency should be promoted.

However, developing at higher densities does not automatically lead to inclusive outcomes. If anything, increased density, and its associated amenities, such as walkable communities and access to public transit, will typically result in rising property values if planning and development are not partnered with equitable land use policies and affordable housing interventions.

The MSDF refers to the following:

1. Actively support residential densification and infill development within urban areas.
2. Develop the ATC as a mixed-use, high density urban district with strong internal and external public and NMT connections.
3. All housing projects should consider the availability of social facilities and the daily retail needs of residents.

4. Overall, development should be mixed, high density and favor access by pedestrians and cyclists.
5. Promote public and NMT routes (design of all roads provide for appropriate NMT movement)
6. Provide and maintain a system of accessible social facilities, integrated with public space and public and NMT routes.

The proposed development proposes significant densification within a "brown fields" development and will contribute to urban compaction and the prevention of urban sprawl – both objectives identified in the MSDF.

However, densification and compaction - particularly in relation to this centrally located precinct, goes hand in hand with the development and provision of public transport and NMT. Despite its location adjacent to the R44 and the railway line, the development is cut off from the rest of Stellenbosch town by the very same infrastructure. The only safe and user-friendly access to the site is via Distillery Road and mostly accessible by private motor vehicle. This is acknowledged in the application through the provision of parking facilities at a ratio prescribed by the IZS. One of the incentives and goals of the ATC is to promote public transport and NMT to reduce the overall use of private vehicles with a view to reduce the amount of traffic in Stellenbosch. The MSDF promotes a high-density urban precinct with "strong internal and external public and NMT connections."

Although the applicant makes provision for a pedestrian bridge over the R44 to connect with lower Dorp Street and provides space for NMT in the road reserve, the fact is that these facilities do not exist at present and will not be put in place by this development. Until such a time, and if the pedestrian bridge is constructed, the development will not contribute to the goal of promoting NMT and public transport. In fact, the development will operate as an extended cul-de sac- with all incoming and out-going traffic accessing the site via distillery Road and across the Plankenbrug River.

The bridge over the Plankenbrug River, is in our view, not adequate to accommodate the traffic generated by the development. Not only when the development is completed but also during the process of construction. All vehicle and particularly heavy vehicles necessary for construction will access Bosman's Crossing via Distillery Road and across the existing Plankenbrug. The bridge is of significant heritage value as it was the original crossing for Dorp Street. A heritage impact assessment was commissioned to widen the bridge to accommodate the increased traffic. A permit for the upgrade and widening of the Plankenbrug Bridge was Issued by Heritage Western Cape on 18 February 2021.

The MSDF promotes strong internal and external links to the surrounding environment. Despite the location of Papagaaiberg Nature Reserve directly to the west of the property and adjacent Plakenbrug River, the development turns it back on these environmental assets and does not provide a link with it. Understandably there might be concerns for safety and about the quality of the water in the Plakenbrug. However, these assets are public amenities that will be developed and improved through the ATC development concept and should be accessible to the broader public as well as the future residents of the development. The SDP should take these public amenities into consideration and provide appropriate space for public use and access as should incorporate such assets in the design of the buildings.

A positive proposal is the provision of a future road link to the Bergkelder development despite uncertainty of the exact alignment of such a road. Considering the emphasis placed by Importantly, the development proposes a public road to link into the future development of the Bergkelder site to the north of the site in future to link this precinct with the rest of the ATC. This future link is critical for the future development of the ATC.

In view of the emphasis placed by the MSDF and ATC on public transport and NMT in the ATC it is questioned if a road reserve of 13 meters will be sufficient to accommodate an extensive and well-planned NMT route which will form the backbone of the NMT route through the entire precinct. Provision is made for 2m wide pavements on both sides of the road which is, in our view, inadequate for the provision of a separate dedicated cycle route and walkway as well as space for street trees, streetlights and street signs. NMT should not be viewed as simply a hard top pavement but must be designed as a movement route on its own separate from the roadway.

The development proposal does not include design proposals to address the critical need for NMT and public transport. This aspect of the design should be revisited and possibly revised to accommodate appropriate NMT infrastructure.

The extension of Distillery Road appears not to include the future road link in totality. As the extension of Distillery Road is critical for the further development of the ATC this road reserve must be a public road and must be subdivided and transferred to the municipality to ensure unobstructed access for further development.

Due to its isolated location to the west of the R44 and railway line, the development is not linked with the central business district of Stellenbosch. The original alignment of Dorp Street used to run past the property. It appears that the extension of Dorp Street along its original alignment is not feasible. However, a link across this infrastructure barrier is critical to integrate the development of this precinct with the

CBD and to give NMT access to the town. One of the ways to achieve a NMT connection between the development and the town is by way of a pedestrian/cycle bridge. The appropriate place to do so is along the original alignment of Dorp Street, hence the condition of approval by Heritage Western Cape. As this structure will benefit the development of the ATC in general, it cannot be expected of the developer to fund and construct such a bridge. It would be expected that the developer contributes to the design and construction of such a bridge through development contributions. In the absence of such facility, crossing this infrastructure barrier safely remains impossible and will residents be obliged to make use of private transport.

3. The Principle of Spatial Efficiency

The principle of SPATIAL EFFICIENCY requires that development should optimise the use of existing resources, including infrastructure, and requires that integrated cities and towns be developed whereby social, economic, and institutional aspects of land development is integrated, and residential opportunities are provided close to employment opportunities. A diversity of land uses is to be incorporated and the spatially distorted patterns of the past are to be corrected. Towns should be of sufficient density and urban sprawl must be discouraged.

Efficiency, noting that a focus should be on “compaction as opposed to sprawl; mixed-use as opposed to mono-functional land uses; residential areas close to work opportunities as opposed to dormitory settlement; and promotion of public transport over car use”.

In this regard specific interventions proposed by the MSDF are the following:

1. Cluster community facilities together with commercial, transport, informal sector, and other activities to maximize convenience, safety and social-economic potential.
2. Provide and maintain a system of accessible social facilities, integrated with public space and public and NMT routes.
3. All housing projects should consider the availability of social facilities and the daily retail needs of residents.
4. Protect critical scenic routes and landscapes.
5. Maintain a clear distinction between urban development and nature/agriculture areas at the entrance to settlements.

Social and recreational facilities are provided but are accessible for residents only. This emphasizes the importance of public access along the Plakenbrug River and link

to Papagaiberg Nature Reserve in future and the reconfiguration of the proposed residential buildings along the river edge.

Commercial facilities are provided for on a separate property and will be accessible to the public. Some commercial facilities are also located in Bosman's crossing and will benefit from the new development.

4. The Principle of Spatial Resilience

The principle of SPATIAL RESILIENCE requires flexibility in land use management systems and policies to ensure sustainable livelihoods for communities most likely affected by economic and environmental shocks. The socio-economic impact assessment concludes that the proposal will benefit local previously disadvantaged communities in a number of ways, namely significant job creation, access to middle-income residential accommodation for local families, access to a greater variety of shops and markets for fresh produce, increased access to open and recreational spaces, opportunities for local businesses and small entrepreneurial enterprises, economic benefit to support businesses and a modernised clinic.

Reference from MSDF

1. Comprise contained, walkable settlements surrounded by nature and agriculture, linked via different transport modes, with the rail line as backbone.
2. No significant growth unless parallel public transport can be provided.
3. Retain the strong sense of transition between agriculture and human settlements at the entrance to the town.
4. Develop the ATC as a mixed-use, high density urban district with strong internal and external public and NMT connections.
5. As far as possible, protect cultural landscape assets – including undeveloped ridgelines, view corridors, scenic routes, and vistas from development.
6. In all settlements transport for NMT should be expanded.

The principle of Spatial Resilience was discussed extensively in the previous paragraphs. It refers mostly to flexibility in land use planning and policies. In the absence of a proper ATC LSDP or precinct plan, care must be taken to ensure that the development of the ACT can in future align to the current development on the one hand, and on the proposed development must be able to align seamlessly with future development envisaged. The provision of alternative accesses, possible road links, appropriate NMT facilities and a public open space system accessible to the public are issues that refer to this principle.

5. The Principle of Good Governance

The principle of GOOD GOVERNANCE requires all spheres of government to ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems and requires transparent processes of public participation that afford all parties the opportunity to participate in them.

Reference from the MSDF

1. Significant partnerships between major institutions across sectors. A purely commercial approach to redevelopment of the land may not be in the best interest of the town.
2. Prepare a Local Spatial Development Framework for the ATC.

The development falls within the ATC for which a LSDF is currently being drafted. Aspects relating to the future link road, pedestrian bridge, Piakenbrug Bridge and NMT facilities are mutual issues that must be planned, funded, and implemented amongst the various landowners, developers, and government jointly. Any development located within this area must contribute to such infrastructure in future. This development can act as a catalyst to set the broader development in motion but cannot isolate itself from future planning interventions and possible negotiations and agreements.

CONCLUSION:

The proposed development of Erf 14601 is located within an area designated by the MSDF as a catalytic project with specific outcomes notably an integrated, inclusive environment for living, work, and enjoyment; a place which embodies our best knowledge in what constitutes good, equitable, and efficient settlement, and supports national, provincial, and municipal policy. To this extent it has a role to play in providing an opportunity for spatial transformation and the implementation of a pedestrian orientated, mixed-use area that will provide employment opportunities and accessible social facilities. In the absence of an approved LSDF or Precinct plan, the development proposal must be seen as to contribute to these goals in practical terms and must be able to merge seamlessly with future developments.

The department is of the view that the development does conform to some of the objectives such as the provision of a high-density development with some commercial activities attached but does not succeed to address in particular the issue of inclusive housing opportunities; does not provide tangible benefits to the stated vision of public transport and NMT and does not contribute notably in

creating strong linkages with the immediate surrounding area and specifically the town of Stellenbosch as well as the Plakenbrug River. As such the development does not live up to the promise of "offering residential and business opportunities within a transport-orientated, mixed-use, high density development favouring access by pedestrians and cyclists which will contribute to a compact, less sprawling town that promotes public transport and pedestrianization which will be according to the principles as set out in the MSDF."

It is acknowledged that some of the issues are difficult to provide in absence of a clear precinct plan and furthermore, it is acknowledged that the proposal is to an extent in line with the future vision of the ACT. As such, this department is of the opinion that the application can be supported in principle and that the outstanding issue can be negotiated and addressed further. The luxury to have planning certainty does not exist at present and further development proposals will have the benefit of enhanced planning certainty.

RECOMMENDATION:

To assist the developer in achieving the goals of the ACT the department concurs with the recommendation of the Directorate: Development Management that the rezoning of the property to subdivisional area is supported and that the subsequent subdivision, departures, and consent use to allow a place of entertainment within a mixed-use zone be approved but that the Site Development Plan only be considered later once the issues identified in the report are addressed appropriately. In this regard the applicant must, through the Site Development Plan demonstrate the following:

1. How will the development contribute substantially to inclusivity of infill housing opportunity – referring to the extent to which the housing is provided for different income and demographic groups. It is questioned if the increased density will support and promote inclusionary housing and particularly the notion of integrating communities.
2. Proposals as to broaden the range of housing typologies, enabling access for a range of income groups.
3. How the development of the property as part of the ATC will provide and promote strong internal and external public and NMT connections with the surrounding area and the lower Dorp Street area.
4. How the development will provide adequate social facilities for the daily retail needs of residents.
5. The development proposal does not include design proposals to address the critical need for NMT and public transport. It is questioned if a road reserve of

13 meters will be sufficient to accommodate an extensive and well-planned dedicated NMT route which will form the backbone of the NMT route in the ATC. This aspect of the design needs greater attention and must be revised to ensure that public transport and NMT are addressed properly and pro-actively.

6. The importance of public access along the Plakenbrug River and link to Papagaalberg Nature Reserve do not receive adequate attention in the development proposal and must be revised to ensure public access to these amenities, possibly by ways of servitudes and the reconfiguration of the proposed residential buildings along the river edge.
7. Vehicle access is of paramount importance must be clarified with regards to the timeline for the construction of the Plakenbrug Bridge and the contribution of the development to the pedestrian bridge linking Bosman's Crossing with lower Dorp Street.



BJG de la Bat

MANAGER : SPATIAL PLANNING



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

30 OCT 2020

TO : **The Director: Planning and Development**

FOR ATTENTION : **Salome Newman**

FROM : **Manager: Development (Infrastructure Services)**

AUTHOR : **Tyrone King**

DATE : **30 October 2020**

RE. : **Erf 14601: Oude Molen redevelopment: 253 flats + 1 276m2 Business GLA**

YOUR REF : **LU/11728**

OUR REF : **2060 CIVIL LU**

FILE NR.	
SCALE	
COLLAB.	
	E 14601 S

Herewith our preliminary comments. Can the applicant please address these issues before the application can be further evaluated and/or approved.

1. **Civil Engineering and roads:**

- a. **Water Network:** A water capacity analysis report (GLS) is required to confirm which bulk water upgrades are triggered by the proposed development.
- b. **Roads Network:** The following comments from the Manager: Traffic Engineering, Mr Nigell Winter: Comments refer to TIA done by ICE Group (ref: ICE/s/849A) dated 7 July 2020:
 - i. please investigate a traffic circle at the Oude Libertas/Distillery Road/ Flamingo Road intersection and make a recommendation in the TIS.
 - ii. Proposed parking bays P24 – P28 on erf 384 is not supported – Please amend SDP accordingly.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

- iii. Please provide high level layout drawings of each proposed upgrade + a cost estimate.

2. Site Development Plan – please indicate the following elements / dimensions clearly on the SDP

- a. indicate a stacking distance of minimum 20m from the edge of the road traversing the property – as recommended in the TIA;
- b. Indicate that the access to the residential portion shall have as a minimum two lanes in (3m wide each) and one lane out (4.2m wide) – as recommended in the TIA. To accommodate emergency vehicles, at least one lane should be 4.0 metres wide and have a minimum height clearance of 4.3 m.
- c. indicate how provision will be made for a 3-point turning head in front of the entrance gate (or a similar turning facility) in order to enable a vehicle to turn around that is not allowed entrance;
- d. the general position of the refuse room on the SDP is acceptable – the exact position and details must be determined in conjunction with the Municipality at detail design stage;

**TYRONE KING Pr Tech Eng****MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : **The Director: Planning and Development**

FOR ATTENTION : **Salome Newman**

FROM : **Manager: Development (Infrastructure Services)**

AUTHOR : **Tyrone King**

DATE : **19 August 2021**

RE. : **Erf 14601: Oude Molen redevelopment: 259 flats + 1 276m2 Business GLA**

YOUR REF : **LU/11728**

OUR REF : **2060 CIVIL LU**

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

- Motivation report by First Plan, dated August 2020 Rev 1;
- Proposed Site Development Plan No. SDP Overall drawing by Bogertman Partners Rev A dated 6 Aug 2021;
- Proposed subdivision plan Rev 2 dated 16/08/2021 by First Plan;
- Traffic Impact Assessment (TIA) by ICE Group, dated 10 Aug 2021;
- Clarification letter in by First Plan dated 10 August 2021 (in response to our Memo dated 30 Oct 2020);
- Traffic Engineering clarification letter by UDS, dated 28 July 2021 regarding road upgrades and SDP matters;
- Water and Sewer capacity analysis report by GLS, dated 17 March 2021;
- Report on Civil Engineering Services, by Engineering Advice & Services Western Cape, dated June 2020;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

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

- Total Units: 259 flats
- Total GLA: 1 276m²

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

This document consists of the following sections:

A. Definitions

B. Recommendation to decision making authority

C. Specific conditions of approval: These conditions must be complied with before clearance certificate, building plan or occupation certificate approval; whichever is applicable to the development in question.

D. General conditions of approval: These conditions must be adhered to during implementation of the development to ensure responsible development takes place. If there is a contradiction between the specific and general conditions, the specific conditions will prevail:

A. <u>Definitions</u>

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;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

2. that all previous relevant conditions of approval to this development application remain valid and be complied with in full unless specifically replaced or removed by the "Engineer";

B. Recommendation:

3. The development is recommended for approval, subject to the conditions as stated below.

C. Specific conditions of approval

4. that the following upgrades are required to accommodate the development. No taking up of proposed rights including Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be allowed until the following upgrades have been completed and/or conditions have been complied with:

a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.

b. **Water Network:**

- i. There is insufficient capacity in the Papegaaiberg reservoir to accommodate new developments in this catchment area. An additional 10ML reservoir is required to accommodate additional development. Provision has been made on the 2012/22-2023/24 budget for this reservoir under the "New Reservoir & Pipeline: Vlottenburg" project, which includes the Papegaaiberg reservoir.

- 2021/22 R40m ex VAT
- 2022/23 R38m ex VAT
- 2023/24 R26m ex VAT

Please note that this budget allocation might change in the coming years, depending on council's re-prioritization of projects.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

Although there is not enough spare capacity to accommodate new developments in this catchment area, it is recognized that this erf does have existing buildings of 11 208m² GLA. This equates to a water demand of 44kl/day. Therefore, this rezoning application can be approved, but building plans in excess of a water demand of 44kl/day will only be approved if a contractor has been appointed for the construction of the Papegaaiberg reservoir and occupation certificates for any buildings in excess of this 44kl/day water demand will only be approved once the reservoir has been commissioned. At this stage, completion is expected to be in **June 2024**, but **this may change should the municipal budget be re-prioritised**. The Developer must plan the implementation of his development accordingly.

In order to manage the above, each building plan submission must be accompanied by a professional engineer's report confirming the cumulative water demand of the development that will be generated by that building plan.

- ii. There is sufficient capacity in the bulk water reticulation network in the vicinity of the development to accommodate the development. A suitable connection point will be identified during detail design drawing approval stage. The Developer will be responsible for any link water pipelines between the development and the municipal network.
- c. **Sewer Network:** There is sufficient capacity in the bulk sewer reticulation network to accommodate the proposed development:
- i. The development will connect to the existing 500mm diameter Plankenbrug Outfall Sewer on the western boundary of the site. The exact position and detail of the connection must be determined during detail design drawing approval stage.
- d. **Roads Network:** The items as indicated in the TIA must be constructed:
- i. As indicated on the subdivision plan: a public road reserve 13m wide must be subdivided from Erf 14601 and zoned as "public road", which will be a future link to George Blake road via the subject property. It is envisaged that the actual road must have a 7.4m blacktop with minimum 2.4m NMT facilities along both sides of the road (wider where additional space exists within the

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

road reserve). Details of the road are to be finalized at detail design stage before construction commences.

- ii. If not implemented timeously by the already approved Erf 15804 Development, then the following upgrades needs to be done: A dedicated left-turn lane along the western Adam Tas Road approach and the extension of the existing dedicated right turn lane along the eastern Adam Tas Road approach.

Estimated cost: R 1 200 000 ex VAT (as per Erf 15804 DC Services Agreement)

Funding: Can be offset from DC's

When: Must be completed before occupation certificate approval.

- iii. Adam Tas Road / Oude Libertas Street intersection: a continuous left-slip lane on the Oude Libertas Street approach;

Estimated cost: R 1 600 000 ex VAT

Funding: Can be offset from DCs – this road section forms part of future link road through the Plankenbrug industrial area.

When: Must be completed before occupation certificate approval.



Diagram 3 : Schematic layout of proposed upgrade at Adam Tas Road/Oude Libertas Street inters

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

- iv. Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signal and road widening to define a left turn lane. Please note that a traffic circle is also considered as an alternative – the final alternative will be agreed at detail design stage.

Estimated cost: R 2 300 000 ex VAT

Funding: Can be offset from DCs – this road section forms part of future link road through the Plankenbrug industrial area.

When: Must be completed before occupation certificate approval.



Diagram 2 : Schematic layout of proposed upgrade at Oude Libertas Street/Distillery Road/Flamingo Road Intersection

- v. Bosmans Crossing Bridge Repair: The municipality is currently doing structural repairs to this bridge. No construction activities may commence before these repairs have been completed. Building plan approval will therefore not be issued prior to the Senior Manager: Roads, Transport, Stormwater & Traffic Engineering has given the go-ahead.
- e. **Stormwater Network:**
- i. Overland escape routes must be provided in the final engineering design to ensure that there are no trapped low points on the site. If the system gets blocked, the stormwater must be led towards discharge points leading into the adjacent Plankenbrug River.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

- ii. 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 for approval;
- f. **Solid Waste:**
- i. The Municipality will provide a solid waste removal service, unless agreed otherwise in writing the Solid Waste Department;
- ii. 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 Manager: Solid Waste (021 808 8241; clayton.hendricks@stellenbosch.gov.za), 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.
- g. **Funding source breakdown (all costs excl VAT):**

Total DCs available for civil services (excl Community facilities)	R 7 469 562
Upgrades cost	
Adam Tas Road / Oude Libertas Street intersection: a continuous left-slip lane on the Oude Libertas Street approach	R 1 600 000
Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signal and road	R 2 300 000

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

widening or define a left turn lane.	
If not implemented timeously by the already approved Erf 15804 Development, then the following upgrades needs to be done: A dedicated left-turn lane along the western Adam Tas Road approach and the extension of the existing dedicated right turn lane along the eastern Adam Tas Road approach.	R 1 200 000
Total cost	R 5 100 000
Surplus	R 2 369 562
Comment	Based on the estimates, there are sufficient DCs to cover the costs of the upgrades to be done in lieu of DCs

5. that the upgrades mentioned above be met by the "Developer" before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be given or on discretion of the Directorate: Infrastructure Services, the "Developer" furnish the Council with a bank guarantee equal to the value of the outstanding construction work as certified by an independent engineering professional, prior to a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law being given;
6. **Bulk infrastructure projects not on municipal budget:** Bulk projects not on municipal budget: Any of the projects listed above, that are not currently on the Municipality's approved budget will be the Developer's responsibility to implement. Where upgrades may be offset against the Development Charges, and should the Development Charges be sufficient, the "Developer" may enter into a Services Agreement with the "Municipality" to do these upgrades in-lieu of Development Charges. Should the Development Charges not be sufficient, the Developer may decide to cover the shortfall. If the Developer is not in a position to cover the shortfall, then the implementation of the development must be re-planned around the availability of the bulk services in question. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates will not be supported by the Directorate: Engineering Services for this development if all bulk services are not available.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)**Development Charges**

7. 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;
8. 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;
9. 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;
10. 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;
11. that the Development Charges levy to the amount as reflected on the DC calculation sheet, 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.
12. that the Development Charges levy be paid by the "Developer" per phase –
 - prior to the approval of any building- and/or services plans;
13. 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 259 units, or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 1 276 m², or a change in land use on which the current DC calc is based, will result in the recalculation of the Development Charges;
14. 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;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)**Site Development Plan**

15. that security gates are only proposed at the residential portion and provision must be made for a stacking distance of +/- 20m – as indicated on the SDP;
16. the access to the residential portion shall have as a minimum two lanes in (3.25m wide each) and one lane out (4.9m wide) – as indicated on the SDP. To accommodate emergency vehicles, at least one lane should be 4, 0 metres wide and have a minimum height clearance of 4.3 m.
17. The accesses to the two commercial parking areas will not be security controlled, therefore stacking at these accesses are not required;
18. that provision be made for a refuse room as per the specification of the standard development conditions below – the exact position and details must be clearly indicated on the building plans submitted for approval;
19. that provision be made for a refuse embayment off the roadway/sidewalk to accommodate refuse removal. This must be clearly indicated on the engineering drawings and building plans when submitted for approval. The specifications of such embayment shall be as per the standard development conditions below;
20. that if the "Developer" reaches agreement with the Municipality 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";
21. that any amendments to cadastral layout and or site-development plan to accommodate the above requirements will be for the cost of the "Developer" as these configurations were not available at land-use application stage;

Ownership and Responsibility of services

22. that it be noted that all internal roads to the development 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.
23. The 13m public road will be the Municipality's responsibility;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)**Internal- and Link Services**

24. that the "*Developer*", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;

Bulk Water Meter

25. 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 of the residential portion, the and at the entrance to the business portion and 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.

Servitudes

26. The 6m sewer servitude indicated on the western boundary must be indicated on all building plans and engineering drawings;

Floodplain Management

27. that the 1:50 and 1:100 year flood lines of the Plankenbrug River be shown on all plans submitted. The flood lines are to be verified by a suitably qualified registered engineering professional. Where flood lines have not previously been determined, the "*Developer*" must procure the services of a suitably qualified registered engineering professional to undertake such determinations at his/her own cost. No new development will be allowed under the 1:100 year flood line;

Roads

28. that the "*Developer*", at his/her cost, implement the recommendations of the approved Traffic Impact Assessment, 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;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

29. that the "Developer" will be held liable for any damage to municipal infrastructure within the road reserves (or elsewhere), 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;

Electricity

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

D. General conditions of approval: The following general development conditions are applicable. If there is a contradiction between the specific and general development conditions, the specific conditions will prevail:

31. that the "Developer" will enter into an Engineering Services Agreement with the "Municipality" in respect of the implementation of the infrastructure to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;
32. 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;
33. 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.
34. that the "Developer" must ensure that he / she has an acceptable public liability insurance policy in place;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

35. 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;
36. 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;
37. 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);
38. Should the "*Developer*" wish to discuss the possibility of proceeding with construction work parallel with the provision of the bulk services listed above, he must present a motivation and an implementation plan to the "*Engineer*" for his consideration and approval. The implementation plan should include items like programmes for the construction of the internal services and the building construction. Only if the programme clearly indicates that occupation is planned after completion of the bulk services, will approval be considered. If such proposal is approved, it must still be noted that no occupation certificate will be issued prior to the completion and commissioning of the bulk services. Therefore should the proposal for proceeding with the development's construction work parallel with the provision of the bulk services be agreed to, the onus is on the "*Developer*" to keep up to date with the status in respect of capacity at infrastructure listed above in order for the "*Developer*" to programme the construction of his/her development and make necessary adjustments if and when required. **The Developer is also responsible for stipulating this condition in any purchase contracts with buyers of the properties;**
39. 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;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

- 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

- 40. 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”;
- 41. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;
- 42. 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;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

43. 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

44. 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;
45. 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;
46. 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;
47. 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;
48. that construction of services may only commence after municipal approval has been obtained;
49. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
50. 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;
51. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

52. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
53. 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;
54. 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);
55. 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, a municipal account for the said meter is activated and the consumer deposit has been paid;
56. 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;
57. that the "Developer" shall adhere to the specifications of Telkom (SA) and or any other telecommunications service provider;
58. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
59. 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;
60. 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".

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

61. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;
62. 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

63. 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;
64. 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;
65. 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

66. Taking into account the recent water crisis, and associated increase in borehole usage, it is important that the groundwater be recharged as much as possible. One way of achieving the above is to consider using Sustainable Drainage Systems (SuDS) approach wrt SW management. From Red Book: "SuDS constitute an approach towards managing stormwater runoff that aims to reduce downstream flooding, allow infiltration into the ground, minimise pollution, improve the quality of stormwater, reduce pollution in water bodies, and enhance biodiversity. Rather than merely collecting and discarding stormwater through a system of pipes and culverts, this approach recognises that stormwater could be a resource." The Developer is encouraged to implement SuDS principles that are practical and easily implementable. Details of such systems can be discussed and agreed with the Municipality and must be indicated on the engineering drawings.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

67. 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;
68. 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;
69. 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;
70. 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.
71. 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;
72. that no overland discharge of stormwater will be allowed into a public road for erven with catchment areas of more than 1500m² and for which it is agreed that no detention facilities are required. The "Developer" needs to connect to the nearest piped municipal stormwater system with a stormwater erf connection which may not exceed a diameter of 300mm.

Roads

73. 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;
74. that no access control will be allowed in public roads;
75. 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

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

approval, and that the approved plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services;

76. 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;

Wayleaves

77. that way-leaves / work permits be obtained from the Directorate: Infrastructure Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;
78. that wayleaves will only be issued after approval of relevant engineering design drawings;
79. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

Owner's Association (Home Owner's Association or Body Corporate)

80. that an Owner's Association be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
81. that the Owner's Association take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
82. that in addition to the responsibilities set out in **section 29** of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
83. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;
84. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)**Solid Waste**

85. The reduction, reuse and recycle approach should be considered to waste management:

- Households to reduce waste produced
- Re-use resources wherever possible
- Recycle appropriately

To give effect to the above, the following are some typical waste minimization measures that should be implemented by the Developer, to the satisfaction of the Stellenbosch Municipality:

- Procedures should be stipulated for the collection and sorting of recyclable materials;
- Provision should be made for centralized containers for recyclable materials including cardboard, glass, metal, and plastic and green waste;
- A service provider should be appointed to collect recyclable waste. Such service provider must be legally compliant in terms of all Environmental Legislation and/or approved by the Municipality's Solid Waste Management Department;
- Procedures for removal of waste (materials that cannot be reused or recycled) from the site should be stipulated;
- General visual monitoring should be undertaken to identify if these measures are being adhered to;
- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

Where an Owner's Association is to be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Constitution of the Owner's Association shall incorporate the above in the Constitution and:

- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
- A set of penalties for non-compliance should be stipulated in the Constitution

86. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

87. that the "Developer" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person: Senior Manager: Solid Waste (021 808 8241; clayton.hendricks@stellenbosch.gov.za)
88. that should it not be an option for the "Municipality" to enter into an agreement with the "Developer" due to capacity constraints, the "Developer" will have to enter into a service agreement with a service provider approved by the "Municipality" prior to clearance certificate or occupation certificate (where clearance not applicable);
89. that if the "Developer" removes the waste by private service provider, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
90. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;
91. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
92. Maximum depth of cul-de-sac shall be 20 meters or 3 erven, whichever is the lesser. Where this requirement is exceeded, it will be necessary to construct a turning circle with a minimum turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Infrastructure Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;
93. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
94. Road foundation shall be designed to carry a single axle load of 8.2 tons;
95. Refuse storage areas are to be provided for all premises other than single residential erven;
96. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

97. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
98. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 l Municipal wheelie bin;
99. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;
100. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;
101. All black 85 l refuse bins or black refuse bags is in the process of being replaced with 240 l black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

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

102. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;
103. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224
104. Building specifications for refuse storage area:

Floor

The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).

Walls and Roof

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

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.

105. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;
106. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
107. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Infrastructure Services, to ensure their compatibility with the servicing equipment and lifting attachments;
108. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
109. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

110. All refuse storage areas shall be approved by the Directorate: Infrastructure Services, to ensure that the Council is able to service all installations, irrespective of whether these are currently serviced by Council or other companies;

AS-BUILTs

111. The "Developer" shall provide the "Municipality" with:
- a. a complete set of as-built paper plans, signed by a professional registered engineer;
 - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the "Engineer" and is reflected herewith as Annexure X;
 - c. a completed Asset Verification Sheet in Excell format, reflecting the 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;
 - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "Municipality" are fully paid;
112. All relevant as-built detail, as reflected in the item above, of civil engineering services constructed for the development, must be submitted to the "Engineer" and approved by the "Engineer" before any application for Certificate of Clearance will be supported by the "Engineer";
113. The Consulting Civil Engineer of the "Developer" shall certify that the location and position of the installed services are in accordance with the plans submitted for each of the services detailed below;
114. All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

115. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law shall not be issued unless said services have been inspected by the "Engineer" and written clearance given, by the "Engineer";

Occupation Certificate in terms of Section 14 of the the National Building Regulations and Building Standards Act 103 of 1977

116. It is specifically agreed that the "Developer" undertakes to comply with all conditions of approval as laid down by the "Municipality" before occupation certificates shall be issued, unless otherwise agreed herein;
117. that the "Municipality" reserves the right to withhold any occupation 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 occupation certificate until such time as the amount owing has been paid;
118. 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 an occupation certificate in terms of the National Building Regulations. 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;

Avoidance of waste, nuisance and risk

119. 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

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

"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.



TYRONE KING Pr Tech Eng

MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\2080 (TK) Erf 14601 Stellenbosch (LU-11728) (Oude Molen), C\2080 (TK) Erf 14601 Stellenbosch (LU-11728) (Oude Molen).doc

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)

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.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

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

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	3060 Civil WJ LU-11728
Date	Tuesday, 10/Aug/2021
Financial Year	2021/22
Erf Location	Stellenbosch Town
Erf No	14561 (Oude Molen development)
Erf Size (m ²)	
Suburb	
Applicant	
Approved Building Plan No.	Ex buildings GLA: Existing GLA drawing by Rogersman Partners Rev A dated 05/08/2021 (See First Plan letter 30 Aug 2021); 6LA as per SDP Overall drawing by Rogersman Partners Rev A dated 6 Aug 2021 (See First Plan letter 30 Aug 2021)

SUMMARY OF DC CALCULATION

Units	Water	Sewer	Stormwater	h ² O	Solid-Waste	Roads	Community Facilities	Totals
Total Increased Services Usage	Monday	Friday	Monday	h ² O	Week	Monday	person	
Total Development Charges before Deductions	R 2 085 240,77	R 1 792 088,05	R 50 375,74	R 50 375,74	R 339 317,46	R 3 375 436,38	R 3 327 227,30	R 10 969 686,69
Total Deductions								
Total Payable (excluding VAT)	R 2 085 240,77	R 1 792 088,05	R 50 375,74	R 50 375,74	R 339 317,46	R 3 375 436,38	R 3 327 227,30	R 10 969 686,69
VAT	R 312 766,12	R 268 613,21	R 7 596,96	R 7 596,96	R 50 687,62	R 566 316,31	R 499 064,09	R 1 648 453,30
Total Payable (including VAT)	R 2 398 006,88	R 2 060 701,26	R 57 936,71	R 57 936,71	R 390 215,06	R 3 961 756,69	R 3 828 311,39	R 12 515 141,99

APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

Steilentsbosch Town

Land Use Category	Unit Type	Existing Usage		Proposed New Usage			Increased Usage		Development Charge levied (incl VAT)				Total										
		du	% GLA	du	du/ha	du	du/ha	du	du/ha	Water	Sewer	Storm-water		Solid-Waste	Roads	Community Facilities							
Infrastructure Type applicable? (yes/no)		du	% GLA	du	du/ha	du	du/ha	du	du/ha	YES	YES	YES	YES	YES	YES								
		m2 GLA	% GLA	m2 GLA	du/ha	m2 GLA	du/ha	m2 GLA	du/ha														
Residential	Single Residential >1000m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	Single Residential >500m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	Single Residential <250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	Single Residential <150m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	Less Formal Residential <250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	Less Formal Residential <150m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	Group Residential >250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	Group Residential <150m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	Medium Density Residential >250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	Medium Density Residential <250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-								
	High Density Residential - flats	du	0	0	259	0	259	0	259	R	2 697 063.54	R	211 789.54	R	550 370.86	R	4 858 641.09	R	3 475 304.18	R	14 756 776.74		
	High Density Residential - studentrooms	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	-	R	-	R	-		
	Commercial	Local Business - office	m2 GLA	0%	0%	0%	0%	0%	0%	0%	R	-	R	-	R	-							
		Local Business - retail	m2 GLA	0%	0%	1 276	0%	1 276	0%	1 276	R	338 544.84	R	116 265.22	R	10 434.11	R	27 114.80	R	834 598.25	R	19 023.97	R
General Business - office		m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
General Business - retail		m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
Convenience		m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
Education		m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
Light Industrial		m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
General Industrial - light		m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
Warehousing		m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
General Industrial - heavy		m2 GLA	0%	0%	11 208	0%	11 208	0%	11 208	R	-1 218 910.70	R	-1 021 238.71	R	-1 71 843.91	R	-2 117 803.96	R	-157 400.85	R	-4 933 066.34		
Industrial	Medium Industrial - heavy	m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
	Resort	m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
	Public Open Space	m2	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
	Private Open Space	m2	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
	Natural Environment	m2	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
Other	Utility Services	m2 GLA	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
	Public Roads and Parking	m2	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
	Transport Facility	m2	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
	Limited Use	m2	0%	0%	0	0%	0	0%	0	R	-	R	-	R	-								
Special	To be established based on approved contracts																						
				0		0																	

R2 085 240.77	R1 792 088.05	R50 379.74	R339 317.45	R3 375 435.38	R 3 327 227.30	R10 969 688.69
R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
R2 085 240.77	R1 792 088.05	R50 379.74	R339 317.45	R3 375 435.38	R 3 327 227.30	R10 969 688.69
R312 786.12	R298 813.21	R7 556.56	R50 697.62	R505 515.31	499 084.09	R1 645 453.30
R2 398 028.88	R4 088 901.26	R57 936.31	R390 015.06	R3 881 750.69	3 828 511.39	R12 615 341.99
Total						

* Complete yellow/green only.
 ** e - existing unit, GLA/Gross (table) info.
 Total Development Charges Before Discounts
 % Discounts per service (N)
 Additional Discount per service - from Service Agreement (eem)
 Sub-Total after Discounts (excluding VAT)
 VAT
 Total

ELETRICITY SERVICES: CONDITIONS OF APPROVAL
Erf 14601

GENERAL COMMENT:

1. Development Bulk Levy Contributions are payable

CONDITIONS

2. The electrical consulting engineer responsible for the development shall schedule an appointment with Manager Electricity Services (Engineering Services) before commencing with the construction of the development. As well as to discuss new power requirements if required.

3. The development's specifications must be submitted to Stellenbosch Municipality (Engineering Services) for approval. i.e.

a) The design of the electrical distribution system

b) The location of substations(s) and related equipment.

4. A separate distribution board/s shall be provided for municipal switchgear and metering. (Shall be accessible & lockable). Pre-paid metering systems shall be installed in domestic dwellings.

5. 24-hour access to the location of the substation, metering panel and main distribution board is required by Technical Services. (On street boundary)

6. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity, should damage occur, the applicant will be liable for the cost involved for repairing damages.

7. On completion of the development, Stellenbosch Municipality (Technical Services) together with the electrical consulting engineer and electrical contractor will conduct a take-over inspection.

8. No electricity supply will be switched on (energised) if the Development contributions, take-over inspection and Certificate(s) of Compliance are outstanding.

9. All new developments and upgrades of supplies to existing projects are subject to **SANS 10400-XA** energy savings and efficiency implementations such as:

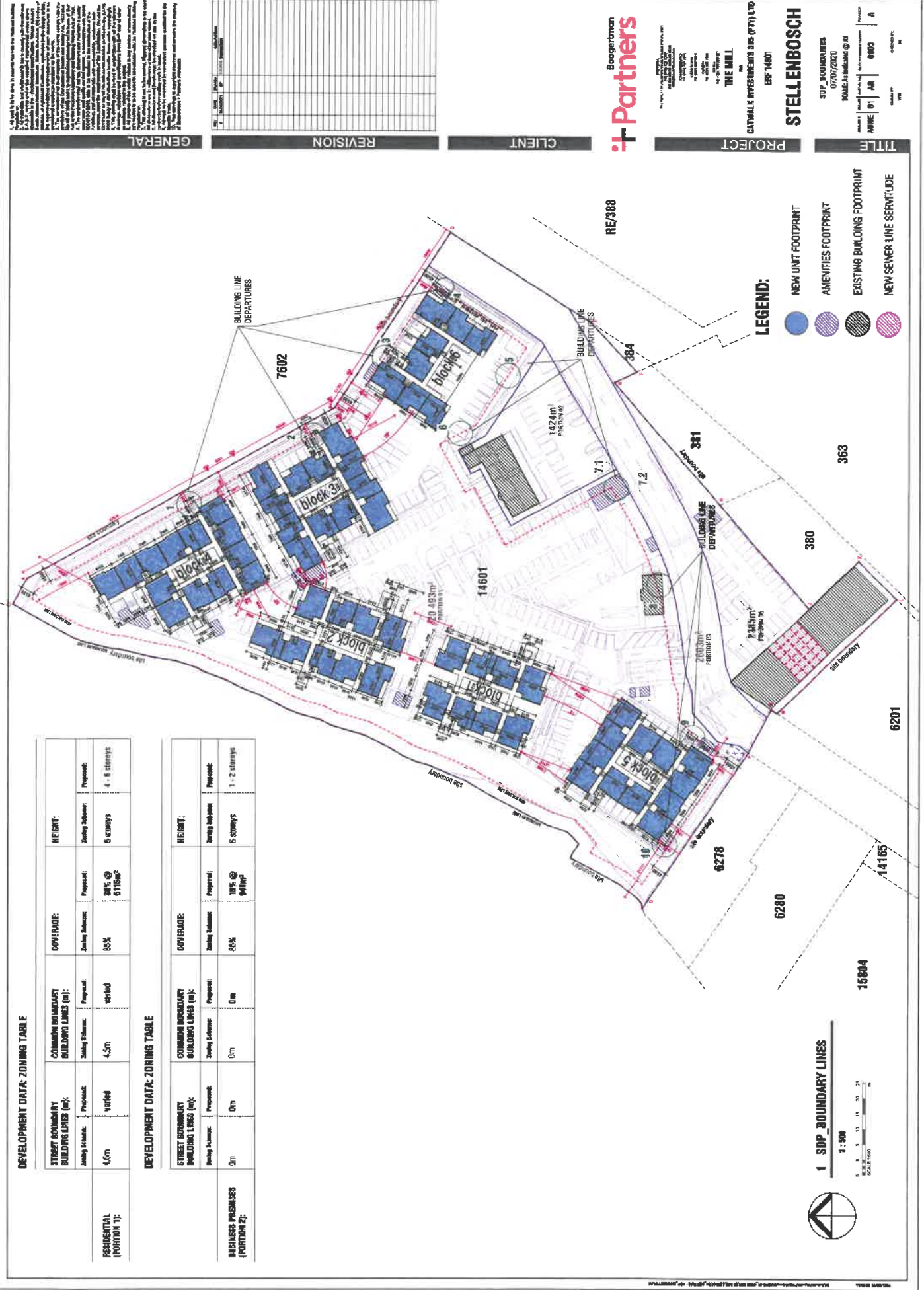
- Solar water Heating or Heat Pumps in Dwellings
- Energy efficient lighting systems
- Roof insulation with right R-value calculations .
 - In large building developments;
 - Control Air condition equipment tied to alternative efficiency systems
 - Preheat at least 50% of hotwater with alternative energy saving sources
 - All hot water pipes to be clad with insulation with R-value of 1
 - Provide a professional engineer's certificate to proof that energy saving measures is not feasible.

Bradley Williams

Date.....25/09/2020.....

Signature 

**Revised Site
Development Plans
A4 & A3**



DEVELOPMENT DATA: ZONING TABLE

STREET BOUNDARY BUILDING LINES (m):	COLLUSION BOUNDARY BUILDING LINES (m):	COVERAGE:	HEIGHT:
4.0m	4.5m	85%	6 storeys
Proposed:	Proposed:	Proposed:	Proposed:
4.0m	4.5m	85%	6 storeys
Proposed:	Proposed:	85% @ 5/10m ²	6 - 8 storeys

DEVELOPMENT DATA: ZONING TABLE

STREET BOUNDARY BUILDING LINES (m):	COLLUSION BOUNDARY BUILDING LINES (m):	COVERAGE:	HEIGHT:
2m	0m	85%	5 storeys
Proposed:	Proposed:	Proposed:	Proposed:
2m	0m	85%	5 storeys
Proposed:	Proposed:	85% @ 5/10m ²	1 - 2 storeys

GENERAL

1. All work to be done in accordance with the relevant Building Regulations, the Building Control Act, the Building Control Regulations, the Planning and Development Act, the Planning and Development Regulations, the Planning and Development Act 2010, the Planning and Development Act 2010 (Amendment) (No. 2) Act, the Planning and Development Act 2010 (Amendment) (No. 3) Act, the Planning and Development Act 2010 (Amendment) (No. 4) Act, the Planning and Development Act 2010 (Amendment) (No. 5) Act, the Planning and Development Act 2010 (Amendment) (No. 6) Act, the Planning and Development Act 2010 (Amendment) (No. 7) Act, the Planning and Development Act 2010 (Amendment) (No. 8) Act, the Planning and Development Act 2010 (Amendment) (No. 9) Act, the Planning and Development Act 2010 (Amendment) (No. 10) Act, the Planning and Development Act 2010 (Amendment) (No. 11) Act, the Planning and Development Act 2010 (Amendment) (No. 12) Act, the Planning and Development Act 2010 (Amendment) (No. 13) Act, the Planning and Development Act 2010 (Amendment) (No. 14) Act, the Planning and Development Act 2010 (Amendment) (No. 15) Act, the Planning and Development Act 2010 (Amendment) (No. 16) Act, the Planning and Development Act 2010 (Amendment) (No. 17) Act, the Planning and Development Act 2010 (Amendment) (No. 18) Act, the Planning and Development Act 2010 (Amendment) (No. 19) Act, the Planning and Development Act 2010 (Amendment) (No. 20) Act, the Planning and Development Act 2010 (Amendment) (No. 21) Act, the Planning and Development Act 2010 (Amendment) (No. 22) Act, the Planning and Development Act 2010 (Amendment) (No. 23) Act, the Planning and Development Act 2010 (Amendment) (No. 24) Act, the Planning and Development Act 2010 (Amendment) (No. 25) Act, the Planning and Development Act 2010 (Amendment) (No. 26) Act, the Planning and Development Act 2010 (Amendment) (No. 27) Act, the Planning and Development Act 2010 (Amendment) (No. 28) Act, the Planning and Development Act 2010 (Amendment) (No. 29) Act, the Planning and Development Act 2010 (Amendment) (No. 30) Act, the Planning and Development Act 2010 (Amendment) (No. 31) Act, the Planning and Development Act 2010 (Amendment) (No. 32) Act, the Planning and Development Act 2010 (Amendment) (No. 33) Act, the Planning and Development Act 2010 (Amendment) (No. 34) Act, the Planning and Development Act 2010 (Amendment) (No. 35) Act, the Planning and Development Act 2010 (Amendment) (No. 36) Act, the Planning and Development Act 2010 (Amendment) (No. 37) Act, the Planning and Development Act 2010 (Amendment) (No. 38) Act, the Planning and Development Act 2010 (Amendment) (No. 39) Act, the Planning and Development Act 2010 (Amendment) (No. 40) Act, the Planning and Development Act 2010 (Amendment) (No. 41) Act, the Planning and Development Act 2010 (Amendment) (No. 42) Act, the Planning and Development Act 2010 (Amendment) (No. 43) Act, the Planning and Development Act 2010 (Amendment) (No. 44) Act, the Planning and Development Act 2010 (Amendment) (No. 45) Act, the Planning and Development Act 2010 (Amendment) (No. 46) Act, the Planning and Development Act 2010 (Amendment) (No. 47) Act, the Planning and Development Act 2010 (Amendment) (No. 48) Act, the Planning and Development Act 2010 (Amendment) (No. 49) Act, the Planning and Development Act 2010 (Amendment) (No. 50) Act, the Planning and Development Act 2010 (Amendment) (No. 51) Act, the Planning and Development Act 2010 (Amendment) (No. 52) Act, the Planning and Development Act 2010 (Amendment) (No. 53) Act, the Planning and Development Act 2010 (Amendment) (No. 54) Act, the Planning and Development Act 2010 (Amendment) (No. 55) Act, the Planning and Development Act 2010 (Amendment) (No. 56) Act, the Planning and Development Act 2010 (Amendment) (No. 57) Act, the Planning and Development Act 2010 (Amendment) (No. 58) Act, the Planning and Development Act 2010 (Amendment) (No. 59) Act, the Planning and Development Act 2010 (Amendment) (No. 60) Act, the Planning and Development Act 2010 (Amendment) (No. 61) Act, the Planning and Development Act 2010 (Amendment) (No. 62) Act, the Planning and Development Act 2010 (Amendment) (No. 63) Act, the Planning and Development Act 2010 (Amendment) (No. 64) Act, the Planning and Development Act 2010 (Amendment) (No. 65) Act, the Planning and Development Act 2010 (Amendment) (No. 66) Act, the Planning and Development Act 2010 (Amendment) (No. 67) Act, the Planning and Development Act 2010 (Amendment) (No. 68) Act, the Planning and Development Act 2010 (Amendment) (No. 69) Act, the Planning and Development Act 2010 (Amendment) (No. 70) Act, the Planning and Development Act 2010 (Amendment) (No. 71) Act, the Planning and Development Act 2010 (Amendment) (No. 72) Act, the Planning and Development Act 2010 (Amendment) (No. 73) Act, the Planning and Development Act 2010 (Amendment) (No. 74) Act, the Planning and Development Act 2010 (Amendment) (No. 75) Act, the Planning and Development Act 2010 (Amendment) (No. 76) Act, the Planning and Development Act 2010 (Amendment) (No. 77) Act, the Planning and Development Act 2010 (Amendment) (No. 78) Act, the Planning and Development Act 2010 (Amendment) (No. 79) Act, the Planning and Development Act 2010 (Amendment) (No. 80) Act, the Planning and Development Act 2010 (Amendment) (No. 81) Act, the Planning and Development Act 2010 (Amendment) (No. 82) Act, the Planning and Development Act 2010 (Amendment) (No. 83) Act, the Planning and Development Act 2010 (Amendment) (No. 84) Act, the Planning and Development Act 2010 (Amendment) (No. 85) Act, the Planning and Development Act 2010 (Amendment) (No. 86) Act, the Planning and Development Act 2010 (Amendment) (No. 87) Act, the Planning and Development Act 2010 (Amendment) (No. 88) Act, the Planning and Development Act 2010 (Amendment) (No. 89) Act, the Planning and Development Act 2010 (Amendment) (No. 90) Act, the Planning and Development Act 2010 (Amendment) (No. 91) Act, the Planning and Development Act 2010 (Amendment) (No. 92) Act, the Planning and Development Act 2010 (Amendment) (No. 93) Act, the Planning and Development Act 2010 (Amendment) (No. 94) Act, the Planning and Development Act 2010 (Amendment) (No. 95) Act, the Planning and Development Act 2010 (Amendment) (No. 96) Act, the Planning and Development Act 2010 (Amendment) (No. 97) Act, the Planning and Development Act 2010 (Amendment) (No. 98) Act, the Planning and Development Act 2010 (Amendment) (No. 99) Act, the Planning and Development Act 2010 (Amendment) (No. 100) Act.

REVISION

NO.	DATE	DESCRIPTION

CLIENT

--

PROJECT

STELLENBOSCH
ERF 14601
THE MILL

Boogertman Partners

385 SOUTH AFRICAN ROAD
WINTERBURG
WESTERN CAPE
7201
SOUTH AFRICA
TEL: 27 (0) 21 452 1111
WWW.BOOGERTMANPARTNERS.CO.ZA

TITLE

SIP, BOUNDARIES
07/07/2020
SCALE: As indicated @ A1
NAME: 01 | 04
NO: 0800
DATE: 2020

LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVITUDE

1 SDP_BOUNDARY LINES
1:500
5 0 5 10 15 20 25
SCALE 1:500

1. The user of this document is advised that the information herein is intended for the client only and should not be distributed to the public. The user of this document is advised that the information herein is intended for the client only and should not be distributed to the public.

REV.	DATE	BY	DESCRIPTION

GENERAL

REVISION

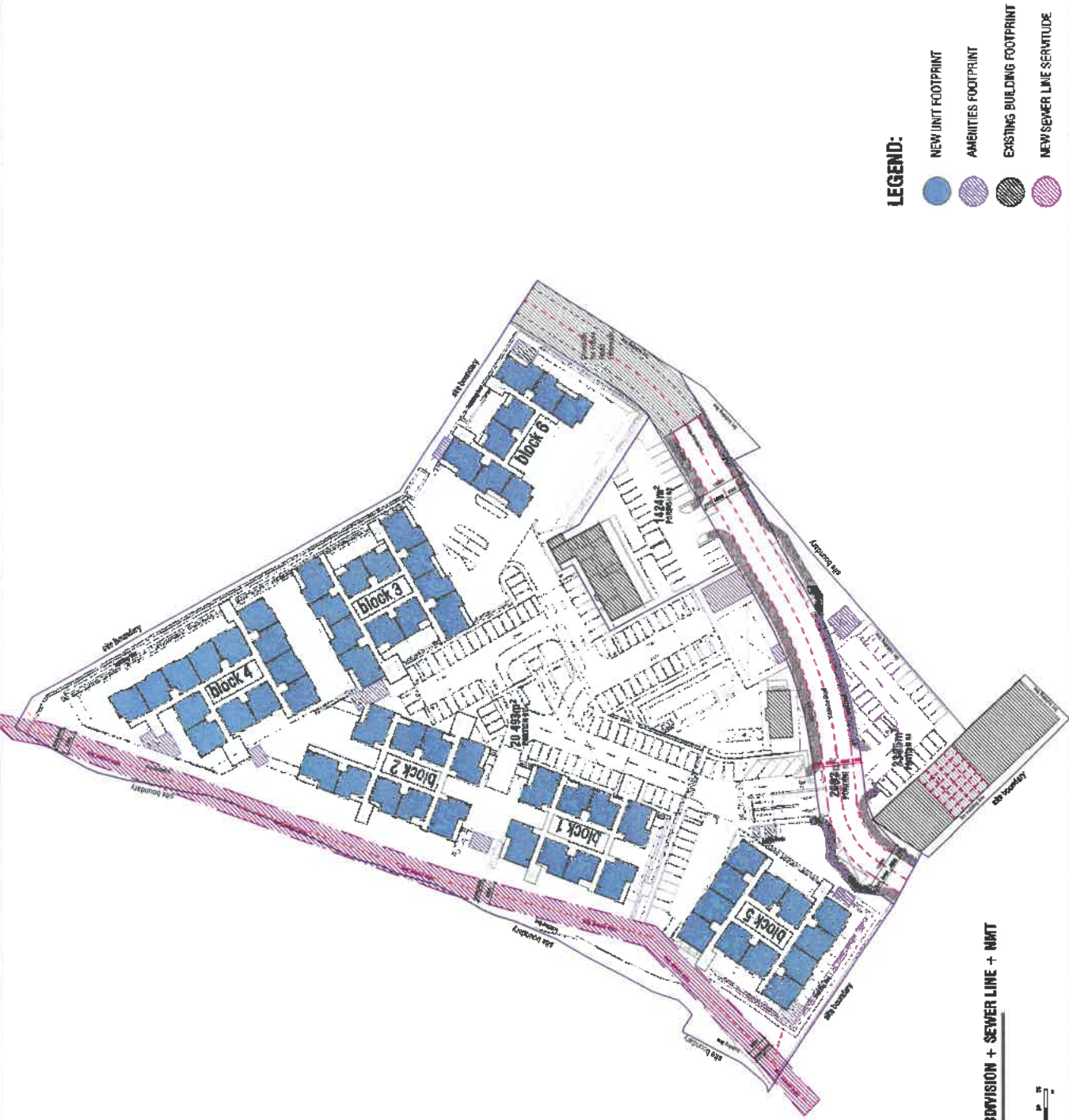
CLIENT



Boegertman Partners

PROJECT
 CATALPA INVESTMENTS 316 (PTY) LTD
 EPF 1401
THE MILL
 STELLENBOSCH

TITLE
 SDP SUBDIVISION + NEW SEWER LINE
 07/07/2020
 KOBEL AS ARCHITECT & CI
 ABN 61 611 0004 A

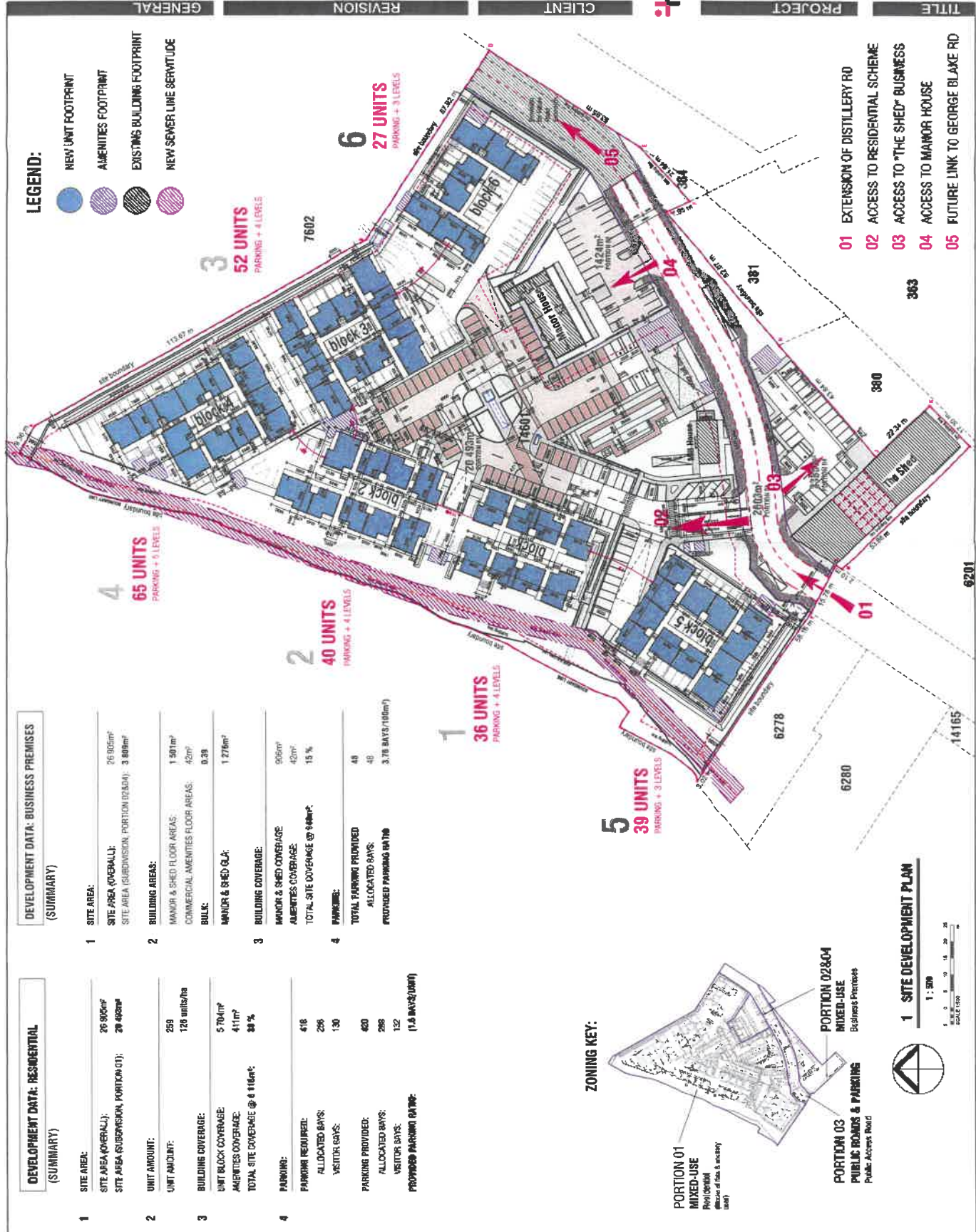


LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVITUDE

1 SDP SUBDIVISION + SEWER LINE + NMT
 1:500
 0 5 10 15 20 25
 METERS

DEVELOPMENT DATA: RESIDENTIAL (SUMMARY)			DEVELOPMENT DATA: BUSINESS PREMISES (SUMMARY)		
1	SITE AREA:	26 906m ²	SITE AREA (OVERALL):	76 608m ²	
	SITE AREA (SUBDIVISION, PORTION 01):	28 492m ²	SITE AREA (SUBDIVISION, PORTION 02&04):	3 008m ²	
2	UNIT AMOUNT:	259	BUILDING AREAS:		
	UNIT AMOUNT/ha	128 units/ha	MANOR & SHED FLOOR AREAS:	1 501m ²	
			COMMERCIAL AMENITIES FLOOR AREAS:	42m ²	
			BULK:	0,39	
3	BUILDING COVERAGE:	5 70m ²	MANOR & SHED GLA:	1 278m ²	
	AMENITIES COVERAGE:	411m ²	BUILDING COVERAGE:		
	TOTAL SITE COVERAGE @ 4 116m²:	88 %	MANOR & SHED COVERAGE	966m ²	
			AMENITIES COVERAGE	42m ²	
			TOTAL SITE COVERAGE @ 1 664m²:	15 %	
4	PARKING:		PARKING:		
	PARKING REQUIRED:	418	TOTAL PARKING PROVIDED	48	
	ALLOCATED BAYS:	266	ALLOCATED BAYS:	48	
	VISITOR BAYS:	130	PROPOSED PARKING RATIO	3,78 BAYS/100m ²	
	PARKING PROVIDED:	420			
	ALLOCATED BAYS:	266			
	VISITOR BAYS:	132			
	PROPOSED PARKING (A/T/M):	(1,0 BAY/3,000m ²)			



NO.	DATE	ISSUE	DESCRIPTION
1	2017/10/10	ISSUED FOR PERMIT	...
2	2017/10/10	ISSUED FOR PERMIT	...
3	2017/10/10	ISSUED FOR PERMIT	...
4	2017/10/10	ISSUED FOR PERMIT	...

BLISSYSTEM Partners

STELLLENBOSCH

SUP OVERALL: 25/07/2020
SCALE: AS SHOWN @ A1

APR 19 09:10

PROJECT: CATWALK INVESTMENTS 326 (PTY) LTD
THE MILL
ERF 14811

CLIENT: [Redacted]

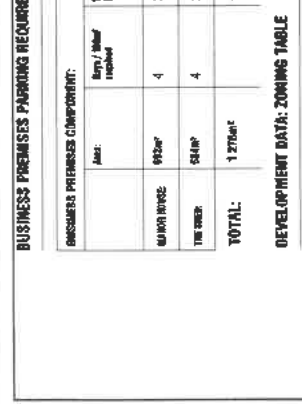
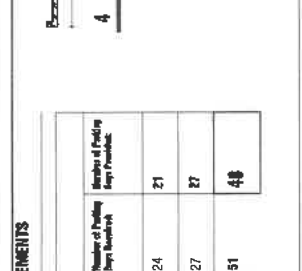
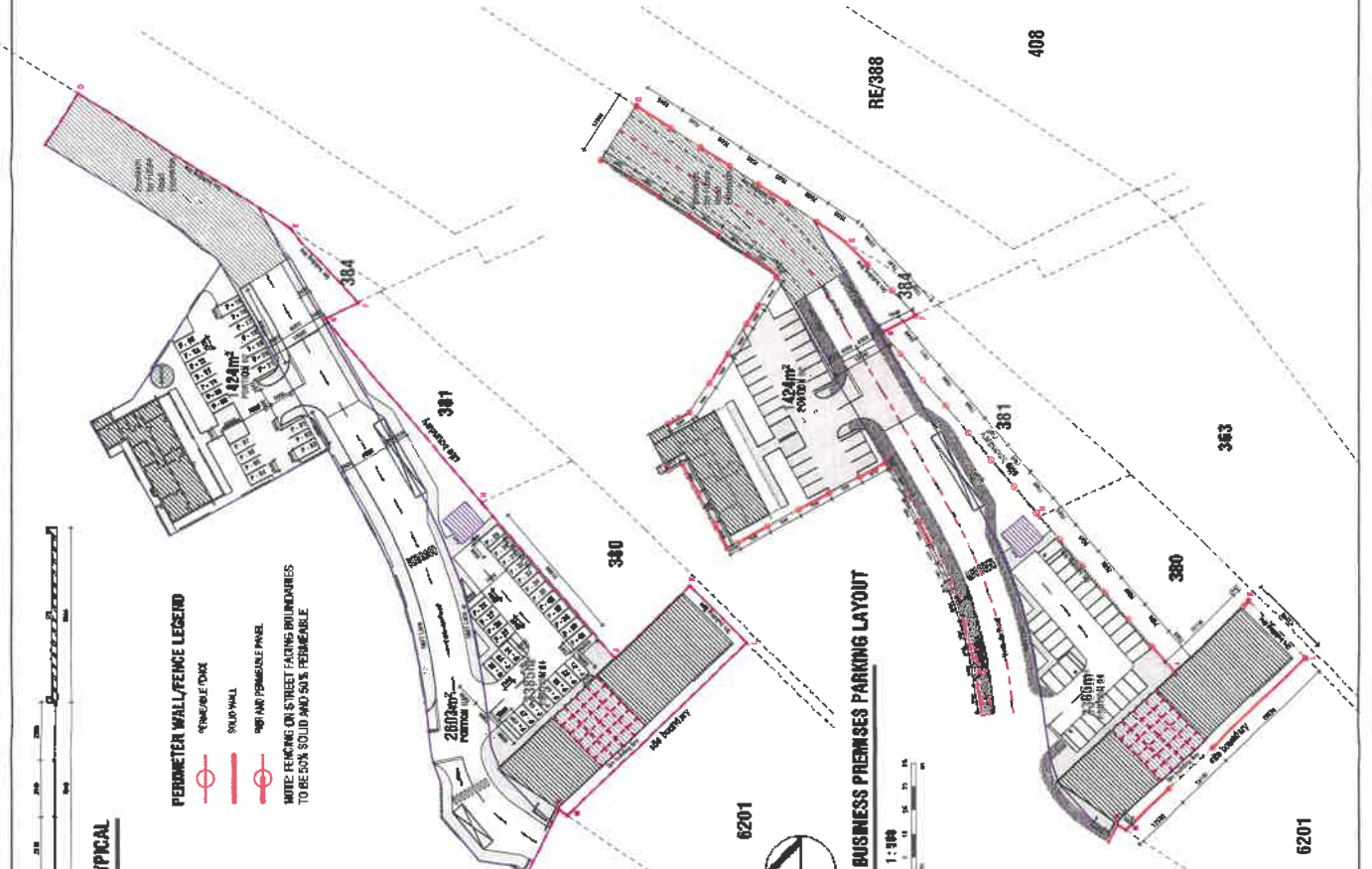
GENERAL



BOOGERTMAN PARTNERS
ARCHITECTS
1000 WESTERN BOULEVARD
SUITE 1000
Cape Town 8001
SOUTH AFRICA
TEL: +27 21 461 4400
WWW.BOOGERTMANPARTNERS.CO.ZA
THE MILL
1000 WESTERN BOULEVARD
SUITE 1000
Cape Town 8001
SOUTH AFRICA
TEL: +27 21 461 4400
WWW.THEMILL.CO.ZA
GATWALK INVESTMENTS 386 (PTY) LTD
ERF 140811
STELLENBOSCH

SDP BUSINESS PREMISES
2907/2020
SCALE: AS INDICATED @ A1
PROJECT / DRAWING NO. / DATE / ISSUE
JABME / 01 / JAN / 2021 / A

GENERAL
REVISION
CLIENT
PROJECT
TITLE



REVISION

NO.	DATE	BY	REVISION

GENERAL

NO.	DATE	BY	REVISION

CLIENT

NO.	DATE	BY	REVISION

PROJECT

NO.	DATE	BY	REVISION

TITLE

NO.	DATE	BY	REVISION

GENERAL

NO.	DATE	BY	REVISION

REVISION

NO.	DATE	BY	REVISION

CLIENT

NO.	DATE	BY	REVISION

PROJECT

NO.	DATE	BY	REVISION

TITLE

NO.	DATE	BY	REVISION

GENERAL

NO.	DATE	BY	REVISION

REVISION

NO.	DATE	BY	REVISION

BUSINESS PREMISES PARKING REQUIREMENTS

Area	Bays / Minut Required	Number of Parking Spaces Available
MAIN DRIVE	4	24
THE COURTYARD	4	27
TOTAL:	1 276m²	51

DEVELOPMENT DATA: ZONING TABLE

STREET BOUNDARY BUILDING LINES (m):	CONTRAST:
Proposed:	6 storeys
Existing:	1 - 2 storeys

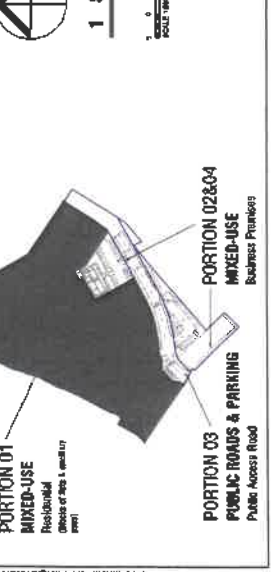
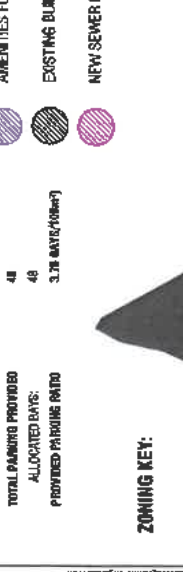
DEVELOPMENT DATA: BUSINESS PREMISES (SUMMARY)

1 SITE AREA:	2 BUILDING AREAS:	3 BUILDING COVERAGE:	4 PARKING:
SITE AREA (OVERALL): 26 900m ² SITE AREA (SUBDIVISION, PORTION 02&04): 3 109m ²	MANOR & SHED FLOOR AREAS: 1 801m ² COMMERCIAL AMENITIES FLOOR AREAS: 429m ² BULK: 0.26	MANOR & SHED GLA: 1 276m ² BUILDING COVERAGE: 605m ² AMENITIES COVERAGE: 429m ² TOTAL SITE COVERAGE @ 4m ² : 18%	MANOR & SHED GLA: 1 276m ² TOTAL PARKING PROVIDED: 48 ALLOCATED BAYS: 48 PROVIDED PARKING RATIO: 3.76 BAYS/100m ²

DEVELOPMENT DATA: BUSINESS PREMISES (SUMMARY)

Area	Level	Area
MANOR & SHED	1st Floor	1 801m ²
COMMERCIAL AMENITIES	1st Floor	429m ²
BULK	1st Floor	0.26

NOTE ON BUSINESS PREMISES 'GLA':
BUSINESS PREMISES GLA CALCULATED AS 85% OF BUSINESS PREMISES GBA (GLA), AS PER STELLENBOSCH DC POLICY 2020/2021, SECTION 14.4



GENERAL

1. This plan is to be read in conjunction with the relevant building regulations and other statutory provisions and should not be used as a basis for construction without the approval of the relevant authorities.

2. The site boundaries shown on this plan are to be agreed with the relevant authorities.

3. The site boundaries shown on this plan are to be agreed with the relevant authorities.

4. The site boundaries shown on this plan are to be agreed with the relevant authorities.

5. The site boundaries shown on this plan are to be agreed with the relevant authorities.

6. The site boundaries shown on this plan are to be agreed with the relevant authorities.

7. The site boundaries shown on this plan are to be agreed with the relevant authorities.

8. The site boundaries shown on this plan are to be agreed with the relevant authorities.

9. The site boundaries shown on this plan are to be agreed with the relevant authorities.

10. The site boundaries shown on this plan are to be agreed with the relevant authorities.

NO.	DATE	REVISION	BY	CHECKED BY

REVISION

CLIENT

PROJECT

TITLE

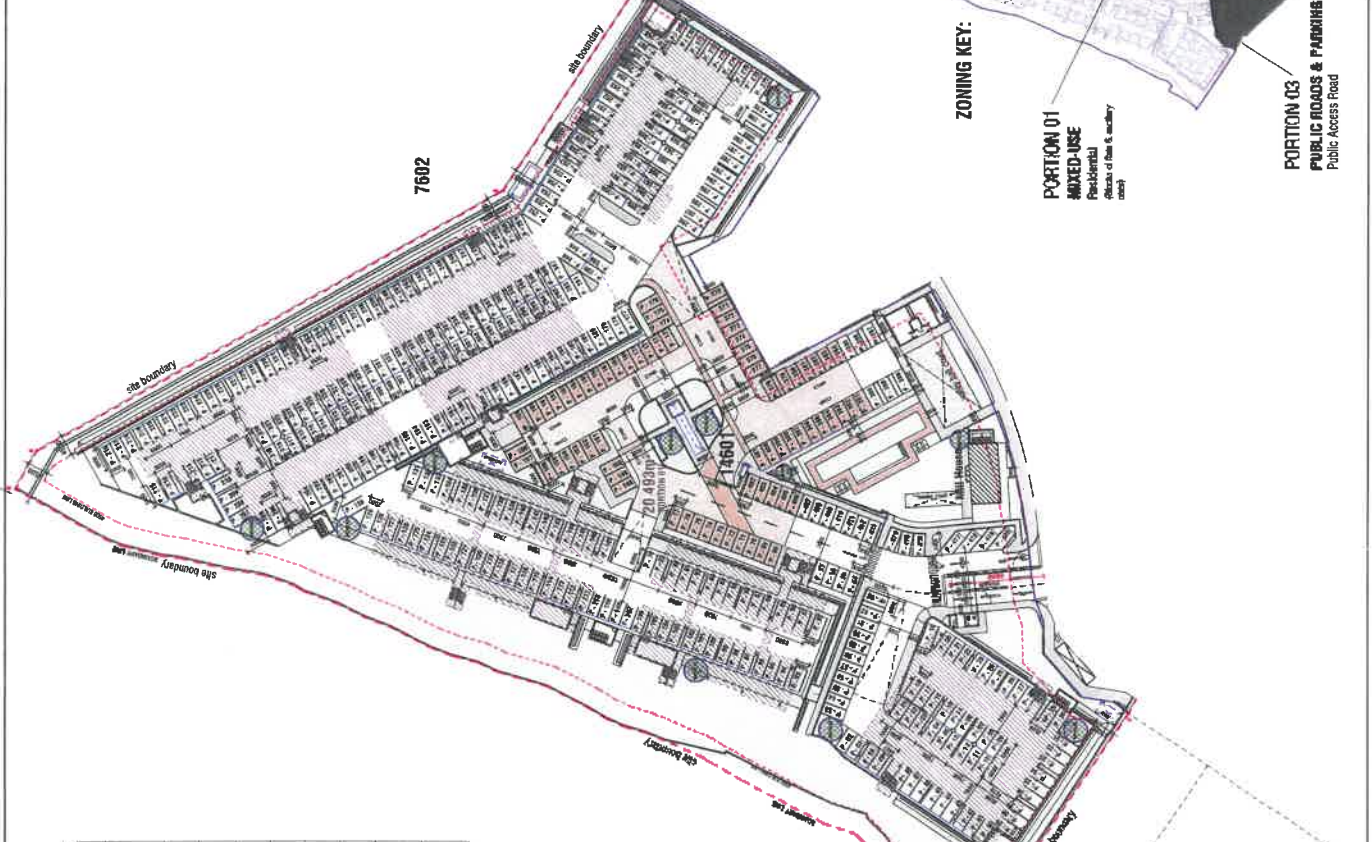


BOOERTMAN PARTNERS
121 THE MILL
STALWALK INVESTMENTS 585 (PTY) LTD
EST 14601

STELLENBOSCH

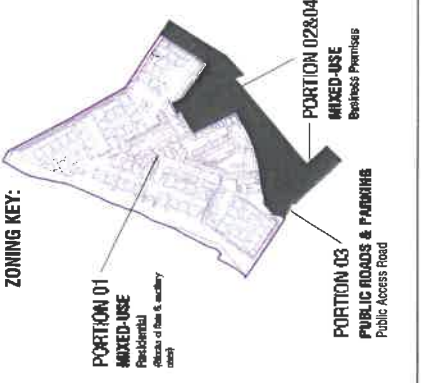
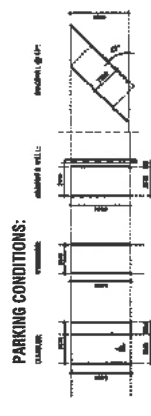
2101, PARKING
21/07/2020
SCALE: AS INDICATED ON PLAN

DATE: 01 | DRAWN: GRS | CHECKED: RA



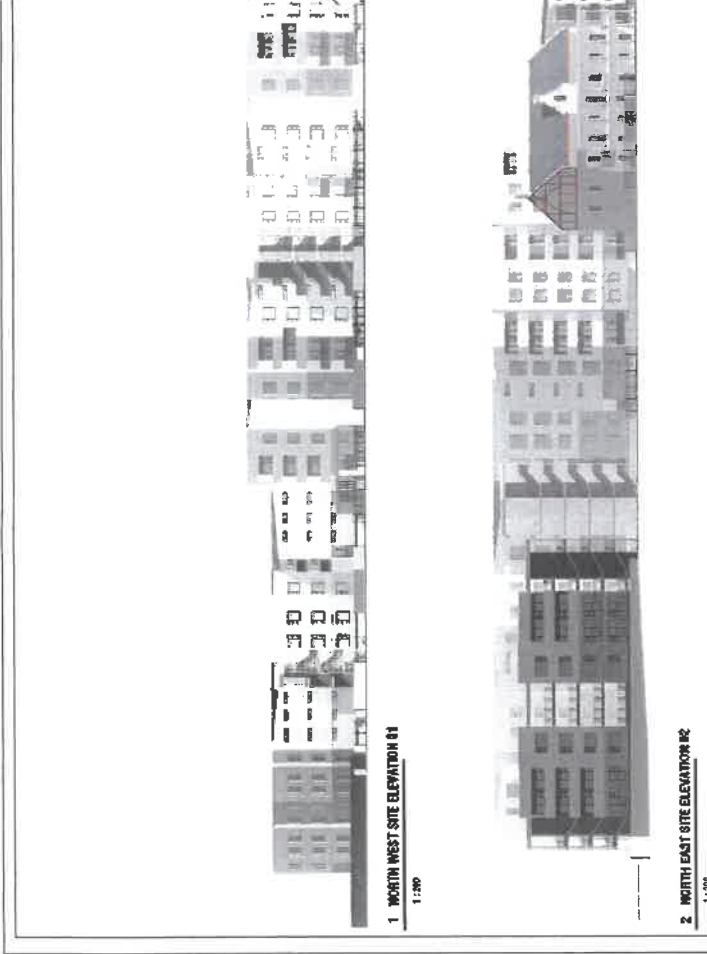
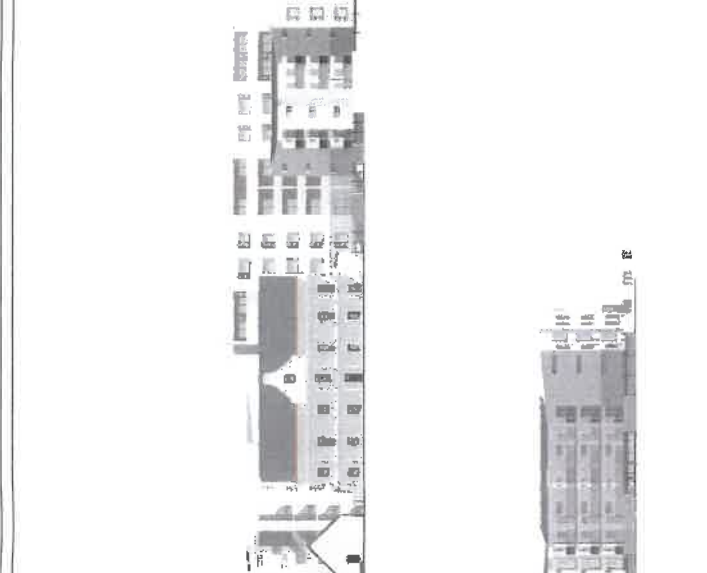
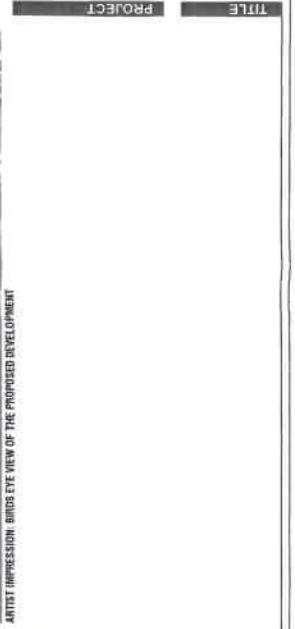
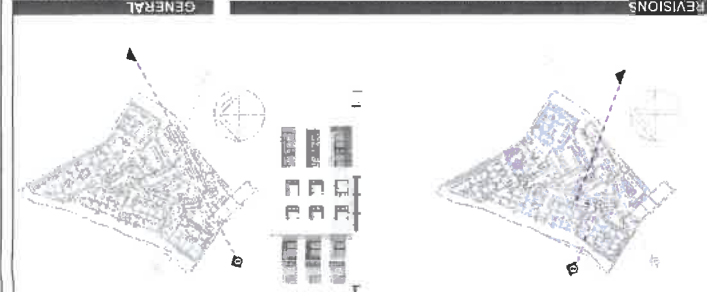
RESIDENTIAL PARKING REQUIREMENTS

UNIT TYPE & COMPONENT	Number of Units	Allocated Bays / Unit (minimum)	Ratio Bays / Unit (Proposed)	Parking Bays / Unit (Proposed (Roundup))	Additional Parking Bays (Proposed)	Ratio parking Bays / Unit (Proposed)
UNIT TYPE A: 2-BEDROOM	75	1	0.5	75 + 38	75	38
UNIT TYPE B: CORNER 2-BEDROOM	24	1	0.5	24 + 12	24	12
UNIT TYPE C: SMALL 2-BEDROOM	77	1.25	0.5	96 + 39	96	39
UNIT TYPE D: LARGE 2-BEDROOM	39	1.25	0.5	48 + 20	48	21
UNIT TYPE E: 1-BEDROOM	23	1	0.5	23 + 12	23	12
UNIT TYPE F: STUDIO UNIT	21	1	0.5	21 + 11	21	11
TOTAL:	259			418 bays required	428 bays provided	132




Partners
 INCORPORATION
 ARCHITECTS
 1105 WEST 20TH AVENUE
 DENVER, CO 80202
 TEL: 303.733.1111
 WWW.INSPIRATIONPARTNERS.COM
 PROJECT:
STELLENBOSCH
 GENERAL ELEVATIONS
 CLIENT: GLENN CO
 LOCATION: 1105 WEST 20TH AVENUE
 PHASE: 1.1
 DATE: 08/11/2011
 SHEET NO.: 370
 SCALE: A
 DRAWN BY: J.A.M.
 CHECKED BY: J.A.M.
 PROJECT MANAGER: J.A.M.
 PROJECT ARCHITECT: J.A.M.
 PROJECT ENGINEER: J.A.M.
 PROJECT SUPERVISOR: J.A.M.
 PROJECT COORDINATOR: J.A.M.
 PROJECT ASSISTANT: J.A.M.
 PROJECT CLERK: J.A.M.
 PROJECT FILE: 1105 WEST 20TH AVENUE
 PROJECT NUMBER: 1105 WEST 20TH AVENUE
 PROJECT TITLE: 1105 WEST 20TH AVENUE

GENERAL	
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	



**Proposed Subdivision
Plan**

Erf 14601

Stellenbosch



TECHNICAL INFORMATION

TOCHNO	LAND USE	PORTION	AREA	%
Mixed-Use Zone	Plaza & Community Facilities	1	52,048sqm	76
Mixed-Use Zone	Commercial & Office	2 & 4	45,378sqm	14
Public Road Zone	Public Road	3	40,202sqm	10
TOTAL			52,999sqm	100

NOTES

Final areas subject to a site survey and/or certification by a registered Land Surveyor.

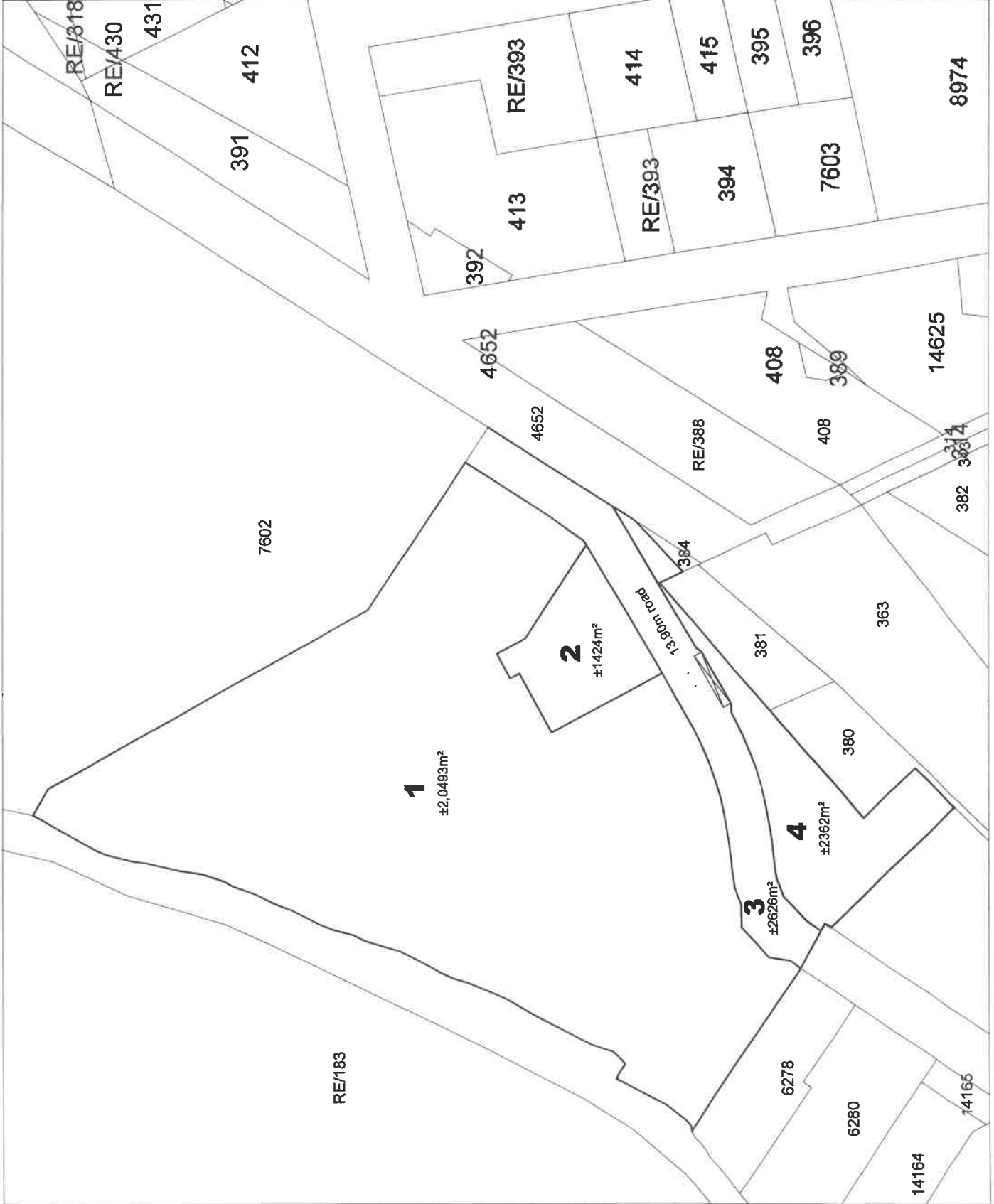
AMENDMENTS

REV.	DESCRIPTION	DATE
1	Amend Portions 2, 3, and 4	22/06/2021
2	Add bus Embayment to Portion 3	14/08/2021
3		
4		

PROPOSED SUBDIVISION PLAN ERF 14601 STELLENBOSCH

Situate in the Local Area of Stellenbosch Administrative District of the Cape Province of the Western Cape

Date	February 2020
Scale	1:1250 A3
File Number	FF02200977
Client	Calvert Investments 385m (Pty) Ltd



Revised 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

**Consulting Services**

- Civil Engineering Services
- Roads
- Traffic Engineering

Contact Person: Piet van Blerk
Your Ref: Erf 14601, Stellenbosch
Our Ref: ICE/S/849A

Date: 10 August 2021

First Plan Town and Regional Planners
P.O. Box 15865
PANORAMA
7506

Attention: Ms Christine Havenga

Madam

**APPLICATION FOR SUBDIVISION AND REZONING OF ERF 14601,
STELLENBOSCH: TRAFFIC IMPACT ASSESSMENT**

This company was appointed to prepare a Traffic Impact Assessment (TIA) for the proposed development on Erf 14601, Stellenbosch.

1. BACKGROUND AND LOCALITY

The subject property is situated to the northeast of the existing Bosman's Crossing Square-development, Stellenbosch. See the attached *Locality Plan*.

According to information the property is zoned Industrial Zone with a permitted bulk of 80 715 m² under the primary rights, with approximately 12 000 m² thereof developed and operational as industrial buildings.

Previous TIAs were compiled by this company for development proposals on the subject property, with the latest dated 12 February 2013 (*Ref: ICE/B/849*).

As far as could be established, the Saw Mills- and Bosman's Crossing Erf 15804 (previously Erven 14163 & 14164)- development applications have been submitted/approved in the area. The TIAs for the said developments were thus considered for the purpose of traffic analyses. The adjacent Erf 6201 is also currently under construction, which, according to information obtained from Stellenbosch Municipality, will be 4 854 m² GLA offices. The location of the said developments is indicated on the attached *Locality Plan*.

This TIA accompanies the Application for Subdivision and Rezoning of Erf 14601, Stellenbosch.

Stellenbosch office:
Tel: 021 8800 443
Fax: 021 8800 390

Directors:
P.J. Van Blerk, PrEng.

ICE Group (Overberg) /va
ICE Group (Stellenbosch)

Reg No: 2006/133238/23



2. PROPOSED DEVELOPMENT

2.1 Proposed Development

The proposed development on the subject property will include the following:

Residential

1-Bedroom/Studio Apartments: 44 units

2-Bedroom Apartments: 99 units

3-Bedroom Apartments: 116 units

Clubhouse (Mill House): 85 m²

Business

Offices (Manor House): 592 m²

Retail (Shed): 205 m²

Restaurant (Shed): 479 m²

The proposed clubhouse will be a private amenity to the residential scheme. See the attached *Site Development Plans* prepared by *Boogertman and Partners Architects*.

2.2 Access to the Property

Access to the property is currently obtained from Distillery Road, where the said road terminates. The access-position is proposed to remain. See the photo below. Detail on access will be further discussed in *paragraph 4*.



Photo 1 : Existing access to the subject property

3. TRAFFIC

3.1 Available Traffic

Traffic counts were previously conducted at the Adam Tas Road/Oude Libertas Street- and Oude Libertas Street/Distillery Road/Flamingo Road intersections on Thursday, 3 August 2017 from 06h00 to 08h00 and again from 16h00 to 18h00. The peak hour volumes derived from these counts are indicated in *Figure 1* attached.

3.2 Traffic Growth

Historic peak hour traffic counts at the Adam Tas Road/Oude Libertas Street intersection were obtained from a previous project in the area. From the said counts, an average traffic growth rate of 2% per annum was calculated along Adam Tas Road, with peak hour traffic along Oude Libertas Street remaining relatively constant. A 2% per annum growth in traffic along Adam Tas Road was thus applied. For the purpose of traffic analyses, a five-year projection was applied. The available 2017 peak hour volumes were thus increased by 2% per annum for eight (8) years to obtain 2025 peak hour volumes.

To account for surrounding development in the area, the traffic that can potentially be generated by the Saw Mills- and Erf 15804-developments (as per their respective TIAs) and the adjacent Erf 6201-development (based on its GLA as obtained from Stellenbosch Municipality), were added to the traffic volumes as discussed above, to obtain the estimated 2025 peak hour volumes as indicated in *Figure 2* attached.

3.3 Traffic Generation

Trip generation rates as contained in the *TMH17 South African Trip Data Manual* were applied to calculate the peak hour traffic that can potentially be generated by the proposed development. The following rates were applied:

Land use	Rate	In/Out	Rate	In/Out
Townhouse	0,85 trips per unit	25/75	0,85 trips per unit	70/30
Single Dwelling	1,0 trip per unit	25/75	1,0 trip per unit	70/30
Restaurant	n/a		8,0 trips per 100 m ²	65/35
Offices	2,1 trips per 100 m ²	85/15	2,1 trips per 100 m ²	20/80
Retail*	4,0 trips per 100 m ²	65/35	22,67 trips per 100 m ²	50/50

*Based on the *TMH17* formulas: $0,6 \times \left[1 + \frac{6}{1 + m^2/3500}\right]$ & $3,4 \times \left[1 + \frac{6}{1 + m^2/3500}\right]$

For the purpose of trip generation calculations, the townhouse trip generation rate was applied to the one-bedroom apartments, whilst the single dwelling unit rate was applied to the two- and three-bedroom apartments.

The *TMH17* further suggests trip generation adjustment factors for mixed use developments. For the retail- and restaurant uses a 10% reduction is suggested, and for the office use 20%.

Based on the above, the peak hour traffic that can potentially be generated by the proposed development was calculated as follows:

Land use	AM Peak Hour Trips			PM Peak Hour Trips		
	Total	In	Out	Total	In	Out
One-bedroom (44 units)	37	9	28	37	26	11
Two-bedroom (99 units)	99	25	74	99	69	30
Three-bedroom (116 units)	116	29	87	116	81	35
Retail (205 m ² GLA)	8	5	3	42	21	21
Offices (592 m ² GLA)	10	8	2	10	2	8
Restaurant (479 m ² GLA)	0	0	0	34	22	12
	270	76	194	338	221	117

As mentioned in *paragraph 1*, TIAs were previously compiled for development proposals on the subject property. The latest TIA contained a potential trip generation of 276 AM peak hour trips (80 in, 196 out) and 339 PM peak hour trips (232 in, 107 out). The existing industrial rights mentioned in *paragraph 1* above, has the potential to generate 484 peak hour trips (based on the trip generation rate contained in the TMH17). The potential peak hour traffic as calculated above can thus be expected to have a lesser impact on the external road network than the industrial rights.

3.4 Traffic Distribution

From the subject property, the proposed development-traffic was distributed towards the Adam Tas Road/Oude Libertas Street intersection via Distillery Road and Oude Libertas Street. At the Adam Tas Road/Oude Libertas Street intersection, the proposed development traffic was distributed to/from Adam Tas Road based on the existing directional split in traffic at the said intersection. See the distributed peak hour traffic in *Figure 3* attached.

3.5 Traffic Analysis

Traffic analyses of the intersections were done by means of the Sidra Intersection 8.0 software. Link volumes were analysed based on the Highway Capacity Manual method. Service levels A to D are considered acceptable, with D the critical. In congested areas, service level E is also considered acceptable.

The intersections analysed consist of lane layouts as follows:

Adam Tas Road/Oude Libertas Street intersection:

This intersection is currently signalised with dedicated right-turn lanes on the Adam Tas Road-approaches. See the lane layout below.

The Erf 15804-development's Conditions of Approval include the construction of a dedicated left-turn lane along the western Adam Tas Road-approach, and the extension of the existing dedicated right-turn lane along the eastern Adam Tas Road-approach. A Services Agreement was signed between Stellenbosch

Municipality and the Developer of the said development to implement the required upgrades in lieu of Development Contributions.

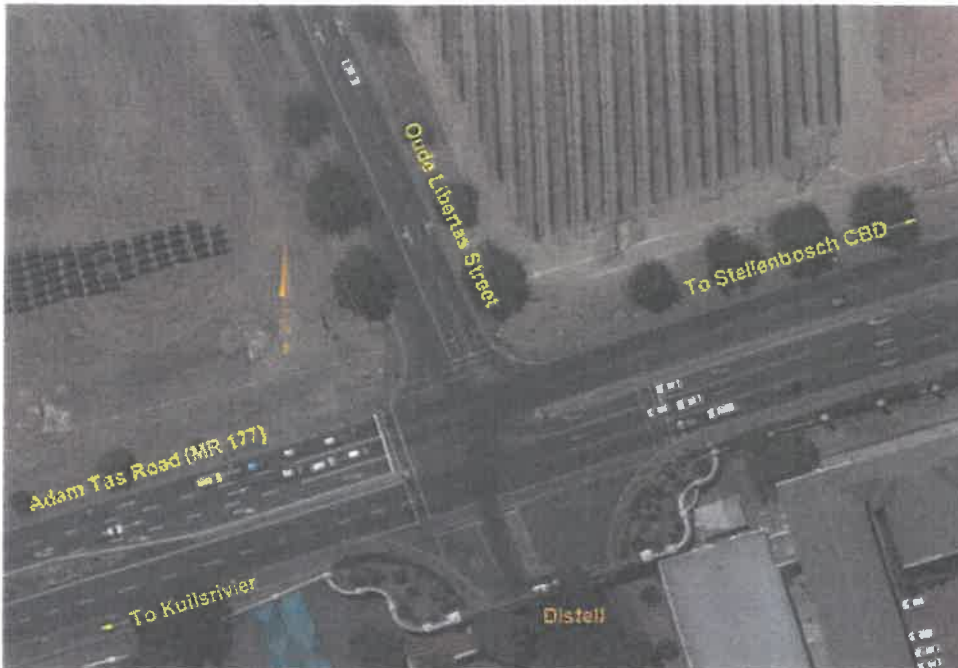


Photo 2 : Existing Adam Tas Road/Oude Libertas Street intersection lane layout

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

This intersection is currently a T-intersection, with stop-control on the right-turn movement on the Distillery Road-approach, yield-control on the left-turn movement on the Distillery Road-approach, as well as the right-turn movement on the Oude Libertas Street-approach and the Flamingo Road-approach. Free-flow conditions are experienced on the Oude Libertas Street-approach towards Flamingo Road. See the lane layout below.

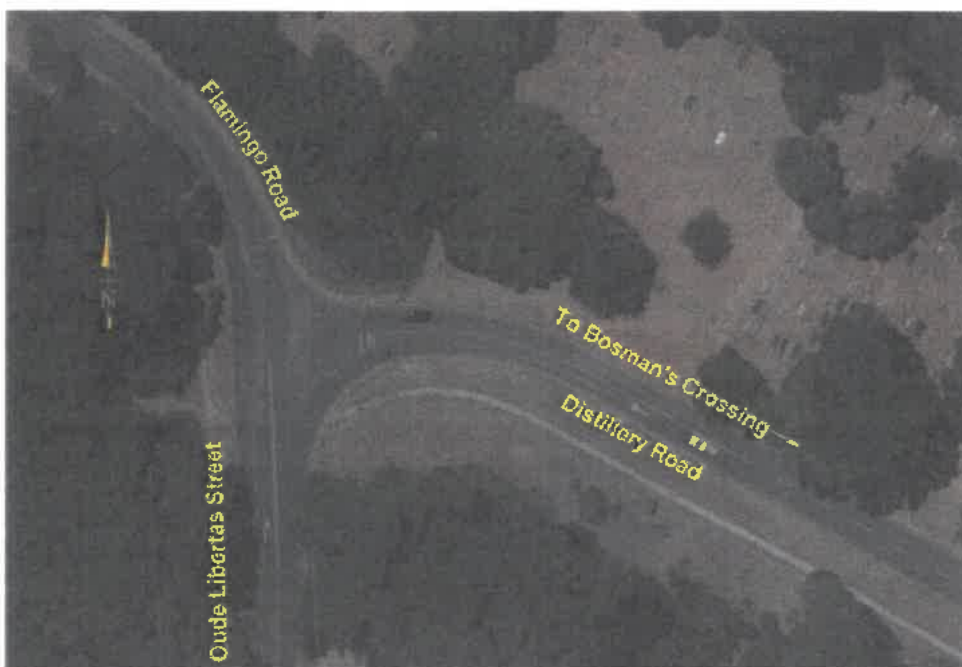


Photo 3 : Existing Oude Libertas Street/Distillery Road/Flamingo Road intersection lane layout

3.5.1 Analysis of Available Peak Hour Volumes (excluding proposed development)

Adam Tas Road/Oude Libertas Street intersection:

According to the Sidra analyses, intersection levels of service C were experienced at this intersection during the available peak hours, with acceptable service levels D and above experienced on all movements.

It was noticed on-site (at the time of the traffic counts) that, although relatively congested during peak times, unacceptable service levels are not yet experienced.

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

According to the Sidra analyses, acceptable service levels A and above were experienced at this intersection during the available peak hours.

3.5.2 Analysis of Estimated Peak Hour Volumes (excluding proposed development)

Adam Tas Road/Oude Libertas Street intersection:

As previously mentioned, upgrades to this intersection are to be implemented with the development of Erf 15804. With the said upgrades in place, services levels F can be expected along Adam Tas Road (eastbound) during the estimated AM peak hour, and along Adam Tas Road (westbound) during the PM peak hour. Unacceptable service levels are also anticipated on the left-turn movement on the Oude Libertas Road-approach and on the right-turn movement on the eastern Adam Tas Road-approach. To accommodate the large turning volumes, a second dedicated left-turn lane on the Oude Libertas Road-approach is suggested. An additional dedicated right-turn lane could in future be considered on the eastern Adam Tas Road-approach. As discussed in the TIA for the Saw Mills development, to accommodate the background traffic, a third through lane along Adam Tas Road (eastbound) is required irrespective of any developments in the area, or a bypass such as the potential Stellenbosch Western Bypass Road as alternative.

It can thus be concluded that to accommodate the estimated 2025 peak hour traffic volumes (background traffic including surrounding development) at the Adam Tas Road/Oude Libertas Street intersection, the Erf 15804-upgrades will be required, as well as a second dedicated left-turn lane on the Oude Libertas Road-approach, and that consideration be given by the Road Authorities to a third through lane along Adam Tas Road, or a bypass road (as per the Saw Mills-recommendations).

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

With the addition of the surrounding development traffic, upgrades to this intersection will be required to accommodate the additional turning movements to/from the Bosman's Crossing area. To accommodate the said traffic, either a roundabout or traffic signals is considered necessary at this intersection. As result of the topography and the existing trees, however, a roundabout does not seem to be a viable option. It is thus suggested that traffic signals at this intersection be considered. The provision of traffic signals will also address the existing sight distance issues at the intersection.

With traffic signals, acceptable service levels can be expected on all movements during the estimated peak hours.

It can thus be concluded that to accommodate the estimated 2025 peak hour traffic volumes (background traffic including surrounding development) at the Oude Libertas Street/Distillery Road/Flamingo Road intersection, the provision of traffic signals be considered.

3.5.3 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 2025 peak hour volumes, i.e. background traffic (*Figure 2*) to obtain the expected 2025 peak hour volumes (*Figure 4*).

With the addition of the proposed development traffic, similar results can be expected at the Adam Tas Road/Oude Libertas Street- and Oude Libertas Street/Distillery Road/Flamingo Road intersections, as discussed above (estimated peak hours).

It can thus be expected that the upgrades required to accommodate the background traffic should be sufficient to accommodate the addition of the proposed development traffic.

4. GEOMETRY

As previously mentioned, access will be obtained from Distillery Road, via Oude Libertas Street. According to information, both are classified as Class 4-roads.

Provision has been made should the overall road network require a link between the existing Bosman's Crossing area and George Blake Road – as previously mentioned, Distillery Road currently terminates at the subject property boundary. A future road link to George Blake Road will thus be via the subject property (and via the Bergkelder Site). During a meeting held at Stellenbosch Municipality on Thursday, 23 January 2020, with messrs Johan Fullard, Nigell Winter and Roscoe Bergstedt, and our mr Piet van Blerk and ms Yolandi Obermeyer, it was agreed that a 13 metre road reserve will suffice for this future road link traversing the subject property. The said road reserve is to accommodate a 7,4 metre blacktop road, with minimum 2,4 metre NMT-facilities along both sides of the road (wider where additional space exists within the road reserve).

The existing bridge across the river has limitations with regard to capacity. According to information, consultants have been appointed by Stellenbosch Municipality to investigate the upgrades required to improve the bridge across the river (along Distillery Road), which currently provides the only access to the Bosman's Crossing area.

Three accesses are proposed along the road traversing the subject property. Access to the residential portion and access to the commercial portion are proposed opposite one another, with access to the remaining commercial portion \pm 80 metres east thereof. To address traffic calming along this road, it is suggested that the two access-intersections be raised.

Security controls (gates/booms) are proposed to the residential portion only, which will be set back 20 metres from the edge of the road traversing the property. Two lanes in (3,0 metres wide each) and one lane out (4,2 metres wide) will be provided at the said security controlled access. This is considered sufficient to accommodate emergency vehicles (4,0 metres required). The accesses to the two commercial parking areas will not be security controlled, therefore stacking at these accesses should not be problematic.

Internal circulation will be via the isle widths provided behind parking bays, which measure 7,0 metres and thus considered sufficient to accommodate the two-way traffic expected on-site.

Refuse rooms are proposed at the accesses along the road traversing the subject property, with accompanying embayments for refuse vehicles. The intention is that in future, when the said road is extended up to George Blake Road, the proposed embayments function as public transport embayments as well. Ultimately, refuse vehicles will be able to continue along the proposed road traversing the subject property. Until such a time that the said road is constructed up to George Blake Street, space will be available for refuse vehicles to turn, at the point where the road

initially terminates. According to the developer, it is the intention that refuse removal be handled privately.

5. PARKING

5.1 Parking Requirement

The parking requirements for the proposed land uses as contained in the Stellenbosch Municipality Zoning Scheme Regulations (2019), are as follows:

Flats*	1- & 2-bedroom	1,5 bay/dwelling unit
	3-bedroom	1,75 bays/dwelling unit
	4 or more-bedroom	2,0 bays/dwelling unit

*These rates include 0,5 bays/dwelling unit for visitors

Commercial	4,0 bays per 100 m ² GLA
------------	-------------------------------------

Based on the said rates, the following parking requirement will be applicable:

Residential	Units	Bays	Business	GLA	Bays
1-Bedroom Apartments	44	66,0	Offices	592	23,68
2-Bedroom Apartments	99	148,5	Retail	205	8,20
3-Bedroom Apartments	116	203,0	Restaurant	479	19,16
	Subtotal	417,5		Subtotal	51,04
Total					468,54 = 469

5.2 Parking Provided

Parking is proposed at-grade, with the majority of parking to the residential units at semi-basement level below the residential buildings. As per the attached plans, 420 bays will be provided on the residential portion of the development and 48 bays on the business portion of the development, i.e. 468 bays total.

Spaces for the accommodation of bicycle parking/storage is indicated on the attached plans, over and above the required parking. Furthermore, similar to the reduction in trip generation as result of the mixed-use concept, it can be expected that fewer vehicular parking bays would be required on the commercial site as it can be expected that residents of the proposed development (as well as surrounding residents) would walk to the commercial facilities. Based on the shared parking principles of the *Access Management Guidelines (AMG) of Western Cape Government (WCG)*, maximum parking bays required in this node (residential plus commercial) calculates to 433 bays.

Based on the above, the total parking provided is considered sufficient.

5.3 Parking Dimensions/Layout

Parking bays provided consist of dimensions in line with normal parking standards, i.e. 2,5 by 5,0 metre bays, with bays adjacent to walls 2,85 metres wide. Parking bays adjacent to columns measure 2,5 metres in width from the face of the columns, which is acceptable. Parking bays accessible to the physically disabled consist of 3,5 metre widths, which is in line with SANS 10400. The isle widths provided behind 90-degree parking bays are minimum 7,0 metres, which is considered sufficient. Four (4) parking bays are provided at an angle along the exit lane of the residential

access – the isle width behind these bays (4,2 metres) is sufficient for angled parking (45-degrees) along a one-way section.

6. PUBLIC AND NON-MOTORISED TRANSPORT (NMT)

6.1 Non-Motorised Transport

An NMT-path exists along the south western side of Distillery Road, which links with the NMT-facility along Adam Tas Road ("Cape Winelands NMT Route") to the southwest of the road-over-river bridge. The only means of crossing the river is thus the said bridge.

A pedestrian bridge over the railway line, and possibly over Adam Tas Road, is planned. This bridge will be an important link between Bosman's Crossing and the eastern side of the railway line in order to provide a more direct (and shorter) route for NMT towards Stellenbosch CBD. According to information, the said bridge was also included in the proposal to dual Lower Dorp Street (as part of the heritage application). The schematic position of the bridge is indicated below – the means of connecting with the facilities along Adam Tas Road is not yet final (i.e. stairs/ramps/etc.).



Diagram 1 : Schematic position of NMT bridge over the railway line to directly link the Bosman's Crossing area with the existing NMT along Adam Tas Road

As discussed in *paragraph 4* above, NMT-facilities of minimum 2,4 metres (as agreed upon with Stellenbosch Municipality) will be allowed for along both sides of the extension of Distillery Road, traversing the subject property. The proposed development will thus be linked to the existing NMT routes in the area.

On-site pedestrian accommodation is by way of paths linking the residential buildings to the clubhouse and to the external NMT-facilities.

6.2 Public Transport

The main public transport modes serving Stellenbosch are rail, minibus taxi (MBT) and e-hailing services such as Uber.

The Stellenbosch Railway Station is situated directly opposite the subject property however the railway station is not accessible in the absence of a bridge over the railway line.

The proposed NMT bridge will provide direct access to the railway station which, in turn, acts as a hub for, and links in with the Stellenbosch Public Transport.

As far as could be established, no further public transport facilities exist in the immediate vicinity of the proposed development. As indicated on the attached plans, embayments are proposed along the proposed road traversing the subject property. As mentioned in *paragraph 4* above, space will be available to turn where the said road initially terminates.

7. CONCLUSIONS

The following can be concluded from the report:

- 1) That the TIA accompanies the application for subdivision and rezoning of Erf 14601, situated to the northeast of the existing Bosman's Crossing Square-development, Stellenbosch;
- 2) That according to information, the property is zoned Industrial, with permitted bulk of 80 715 m² under the primary rights, with approximately 12 000 m² thereof developed and operation as industrial buildings;
- 3) That the development is proposed to consist of 259 apartments (one-, two- and three-bedroom) with accompanying clubhouse, as well as 1 276 commercial space (offices, retail, restaurant), with access from Distillery Road, where the road currently terminates;
- 4) That the proposed development has the potential to generate 270 AM peak hour trips (76 in, 194 out) and 338 PM peak hour trips (221 in, 117 out), which will have a lesser impact on the external road network than the industrial rights;
- 5) That to accommodate the background traffic:
 - a) Adam Tas Road/Oude Libertas Street intersection: A second dedicated left-turn lane on the Oude Libertas Street-approach be provided, and consideration be given by the Road Authorities to a third through lane along Adam Tas Road, or a bypass road (both as per the Saw Mills-recommendations);
 - b) Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signals be considered;
- 6) That to accommodate the proposed development-traffic, no upgrades additional to those required to accommodate the background traffic is considered necessary;
- 7) That provision has been made should the overall road network require a link between the existing Bosman's Crossing area and George Blake Road by way of a future road link (extension of Distillery Road) to George Blake Road via the subject property (13 metre road reserve as agreed upon with Stellenbosch Municipality: 7,4 metre blacktop road with minimum 2,4 metre NMT facilities along both sides);
- 8) That the existing bridge across the river, currently the only access to the Bosman's Crossing area, has limitations with regard to capacity, but that according to information, consultants have been appointed by Stellenbosch Municipality to investigate required upgrades;
- 9) That three accesses are proposed to the development portions along the road traversing the subject property: access to the residential portion and to a commercial portion opposite one another, with access to the remaining commercial portion \pm 80 metres east thereof;
- 10) That security controls are proposed to the residential portion only, set back 20 metres from the edge of the road traversing the property, with two lanes in (3,0 metres wide each) and one lane out (4,2 metres wide);

- 11) That internal circulation will be via the isle widths provided behind parking bays, which measure 7,0 metres and thus considered sufficient to accommodate the two-way traffic expected on-site;
- 12) That refuse removal will be handled privately, and that refuse rooms are proposed at the accesses along the road traversing the subject property, with accompanying embayments for refuse vehicles, with space available to turn until such a time that the road is extended to intersection with George Blake Road;
- 13) That 418 parking bays are required for the residential portion and 51 bays for the business portion, that 420 bays are provided on the residential site and 48 bays on the business site, with facilities for bicycles over and above the requirements, that the parking provided is considered sufficient based on shared parking principles, and that parking bay dimensions are in line with normal parking standards;
- 14) That an NMT-path exists along the south western side of Distillery Road, which links with the NMT-facility along Adam Tas Road ('Cape Winelands NMT Route') to the southwest of the road-over-river bridge, with the only means of crossing the river being the said bridge, that 2,4 metre wide NMT-facilities will be provided along both sides of the extension of Distillery Road traversing the subject property, and that on-site pedestrian accommodation is linked to the external NMT-facilities;
- 15) That a pedestrian bridge over the railway line, and possibly over Adam Tas Road, is planned, which will be an important link between Bosman's Crossing and the eastern side of the railway line in order to provide a more direct (and shorter) route for NMT towards Stellenbosch CBD – bridge included in Lower Dorp Street dualling proposal (as part of the heritage application); and
- 16) That the Stellenbosch Railway Station is situated directly opposite the subject property however not accessible in the absence of a bridge over the railway line, and that embayments for public transport are proposed along the road traversing the subject property.

8. RECOMMENDATIONS

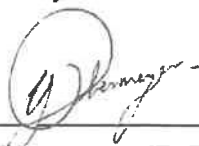
From the above the following are recommended:

- 1) That to accommodate the background traffic:
 - a) Adam Tas Road/Oude Libertas Street intersection: A second dedicated left-turn lane on the Oude Libertas Street-approach be provided; and
 - b) Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signals be considered.

As Adam Tas Road is a Class 2-road, and as the upgrades required are as result of background traffic, it is the opinion that the cost of the recommended upgrades be offset against Development Contributions payable.

We trust that the Traffic Impact Assessment 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)

Attachments

Locality Plan

Site Development Plans (*Boogertman and Partners Architects*):

SDP_OVERALL

SDP_PARKING

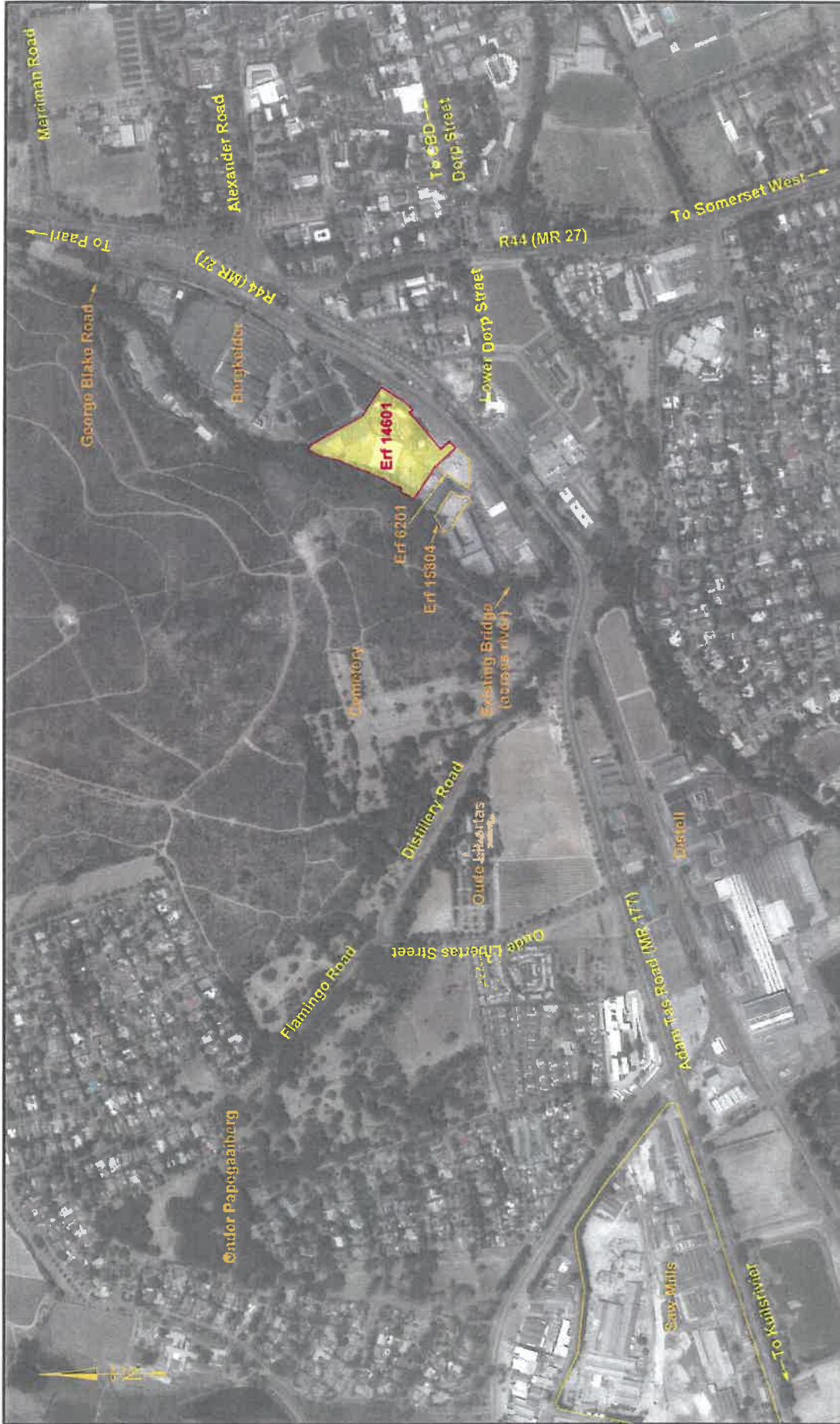
SDP_BUSINESS PREMISES

Figure 1 Available AM/PM Peak Hour Traffic Volumes (Thursday, 3 August 2017)

Figure 2 Estimated 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth and surrounding development)

Figure 3 Distribution of Traffic Generated by Proposed Development

Figure 4 Expected 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth, surrounding development and proposed development)



Locality Plan

Poabus / PO Box 131
 Stellenbosch 7599
 T: 021 - 850 0443
 F: 021 - 850 0380
 E: info@group.co.za
 P: 021 - 850 0443
 F: 021 - 850 0380
 E: info@group.co.za



GROUP (Pty) Ltd.

DEVELOPMENT DATA: RESIDENTIAL

(SUMMARY)

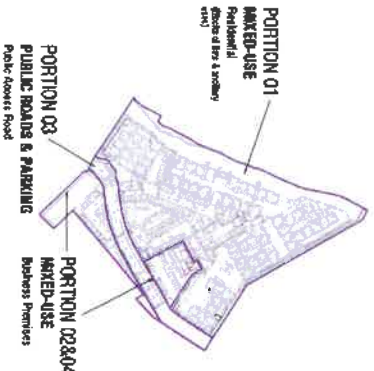
1	SITE AREA:	26 500m ²
1	SITE AREA (OVERALL):	26 905m ²
1	SITE AREA (SUBDIVISION, PORTION 01):	30 483m ²
2	UNIT AMOUNT:	359
2	UNIT AMOUNT:	120 (MANOR)
3	BUILDING COVERAGE:	5 200m ²
3	AMENITIES COVERAGE:	411m ²
3	TOTAL SITE COVERAGE @ 8.11m ² :	26 %
4	PARKING:	
4	PARKING REQUIRED:	418
4	ALLOCATED BAYS:	288
4	VISITOR BAYS:	130
4	PARKING PROVIDED:	428
4	ALLOCATED BAYS:	288
4	VISITOR BAYS:	132
4	PROVIDED PARKING RATIO:	(1.8 BAY/UNIT)

DEVELOPMENT DATA: BUSINESS PREMISES

(SUMMARY)

1	SITE AREA:	26 905m ²
1	SITE AREA (OVERALL):	26 905m ²
1	SITE AREA (SUBDIVISION, PORTION 02/03):	3 800m ²
2	BUILDING AREAS:	
2	MANOR & SHED FLOOR AREAS:	1 501m ²
2	COMMERCIAL AMENITIES FLOOR AREAS:	42m ²
2	DRIVE:	0.28
2	MANOR & SHED G.L.C:	1 270m ²
3	BUILDING COVERAGE:	900m ²
3	MANOR & SHED COVERAGE:	42m ²
3	AMENITIES COVERAGE:	15 %
3	TOTAL SITE COVERAGE @ 3.44m ² :	
4	PARKING:	
4	TOTAL PARKING PROVIDED:	48
4	ALLOCATED BAYS:	31/5 BAYS/100m ²
4	PROVIDED PARKING RATIO:	

ZONING KEY:



1 SITE DEVELOPMENT PLAN



TITLE	PROJECT	CLIENT	REVISION	GENERAL
	STELLENBOSCH	THE MILL		
	BRP OVERALL	BOOPARTNERS		
	24/07/2024			
	DATE	BY	CHK	

Partners Boopartners

THE MILL
CATHULX INVESTMENTS 365 PTY LTD
SRF 14001

BRP OVERALL
24/07/2024
DATE BY CHK
A

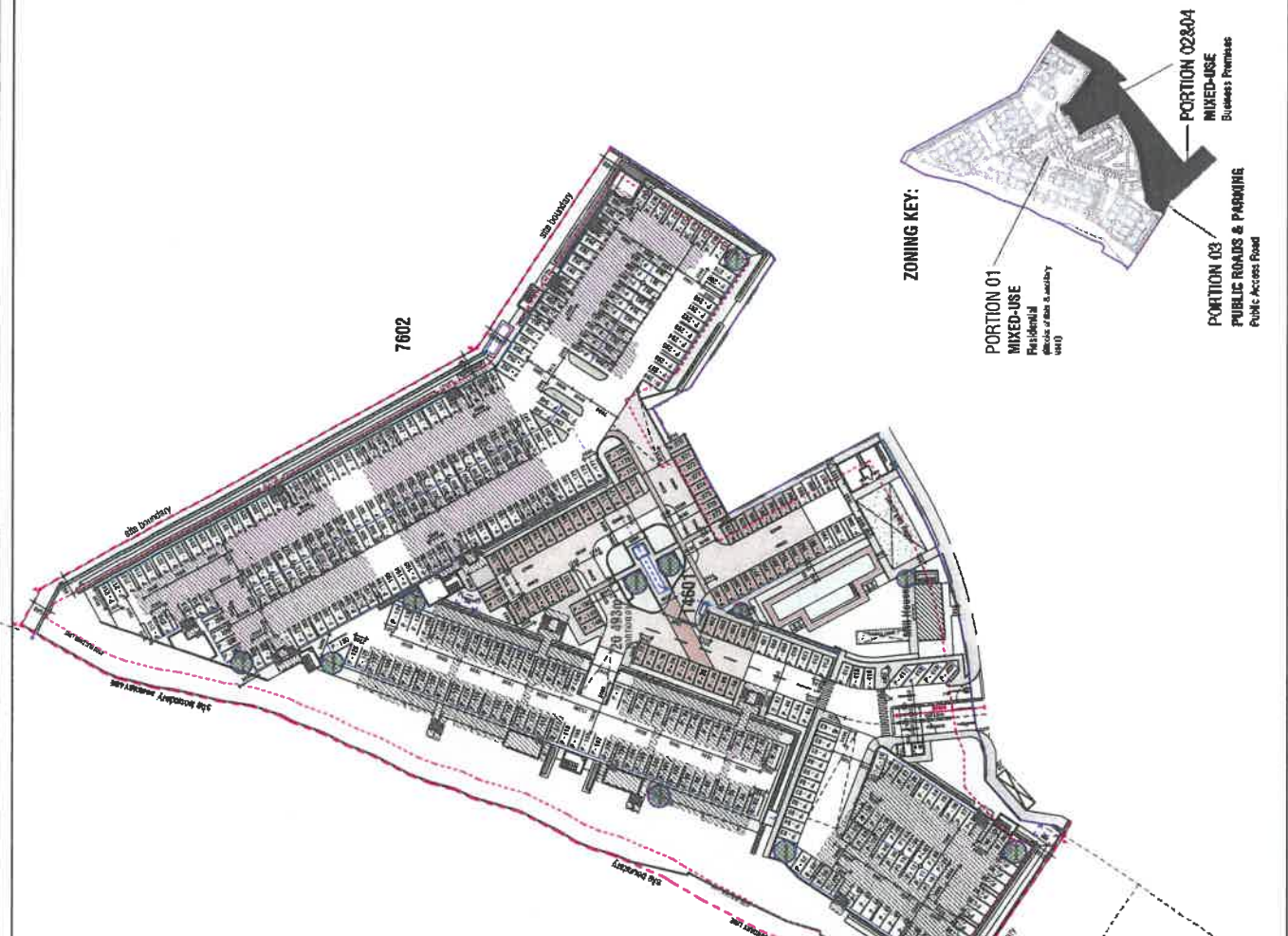
Partners ENGINEERING

THE MILL
 GUYLAB INVESTMENTS 366 (PTY) LTD
 BRF 14891
 S02 PARKING
 24/02/2020
 SCALE: As shown on plan

STELLENBOSCH

TITLE SHEET
 DRAWN: D1
 CHECKED: JR
 APPROVED: A
 DATE: 28 FEB 2020

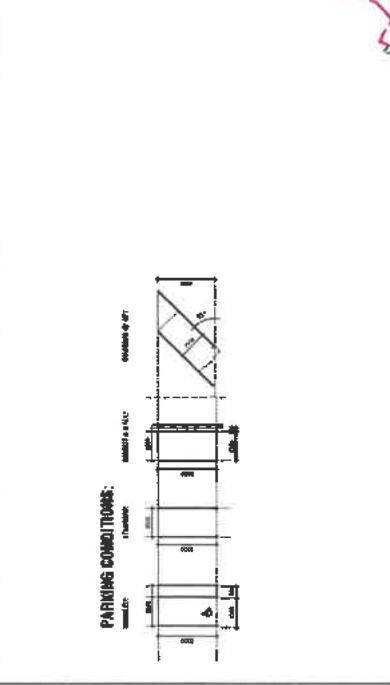
GENERAL REVISION CLIENT PROJECT



RESIDENTIAL PARKING REQUIREMENTS

RESIDENTIAL COMPONENT:

UNIT TYPE & NUMBER	Number of Units	Designated Space / Unit (spaces)	Vehicle Space / Unit (spaces)	Partial Space (Half-space)	Designated (Partial) Space	Vehicle (Partial) Space
UNIT TYPE A: 2 BEDROOM 2	75	1	0.5	75 + 38	76	38
UNIT TYPE A: 2 BEDROOM 2	24	1	0.5	24 + 12	24	12
UNIT TYPE B: SMALL 3 BEDROOM 3	77	1.25	0.5	96 + 29	96	29
UNIT TYPE C: FAMILY 3 BEDROOM 3	39	1.25	0.5	49 + 20	49	21
UNIT TYPE D: 4 BEDROOM 1	23	1	0.5	23 + 12	23	12
UNIT TYPE E: TUDOR UNIT 1	21	1	0.5	21 + 11	21	11
TOTAL:	229			418 Units required	420 Units provided	432 Units provided



1 PARKING LAYOUT
 SCALE: 1:900
 16504

Scale bar: 0 5 10 15 20 30 METRES

North arrow symbol.

Approved for use in accordance with the scope of authority. The user of this drawing is responsible for ensuring that the design complies with all applicable regulations, codes of practice, and standards. The user is also responsible for ensuring that the design is suitable for the intended use and that all necessary approvals have been obtained. The user is also responsible for ensuring that the design is suitable for the intended use and that all necessary approvals have been obtained.

BUSINESS PREMISES PARKING REQUIREMENTS

BUSINESS PREMISES COMMITMENT:				
Area	Area / (sqm)	Number of Parking Spaces Required	Number of Parking Spaces Provided	
MAJOR USE:	2820m²	4	24	21
MINOR USE:	6040m²	4	27	27
TOTAL:	1.879m²	8	51	48

DEVELOPMENT DATA: ZONING TABLE

BUSINESS PREMISES		PORTION 02:		PORTION 03:		PORTION 04:		PORTION 05:	
STREET BOUNDARY	COMMON BOUNDARY	STREET BOUNDARY	COMMON BOUNDARY	STREET BOUNDARY	COMMON BOUNDARY	STREET BOUNDARY	COMMON BOUNDARY	STREET BOUNDARY	COMMON BOUNDARY
Proposed	Proposed	Proposed	Proposed	Proposed	Proposed	Proposed	Proposed	Proposed	Proposed
15% @ 14.8m	15% @ 14.8m	15% @ 14.8m	15% @ 14.8m	15% @ 14.8m	15% @ 14.8m	15% @ 14.8m	15% @ 14.8m	15% @ 14.8m	15% @ 14.8m
6 strips	6 strips	6 strips	6 strips	6 strips	6 strips	6 strips	6 strips	6 strips	6 strips
1-2 strips	1-2 strips	1-2 strips	1-2 strips	1-2 strips	1-2 strips	1-2 strips	1-2 strips	1-2 strips	1-2 strips

DEVELOPMENT DATA: BUSINESS PREMISES (SUMMARY)

Area	Area / (sqm)	Number of Parking Spaces Required	Number of Parking Spaces Provided
MAJOR & SPEED FLOOR AREAS:	2820m²	4	24
COMMERCIAL AMENITIES FLOOR AREAS:	6040m²	4	27
TOTAL:	1.879m²	8	51

- SITE AREA:**
SITE AREA (OVERALL): 28 900m²
SITE AREA (EXCLUDING PORTION 02&04): 3 800m²
- BUILDING AREAS:**
MAJOR & SPEED FLOOR AREAS: 1 600m²
COMMERCIAL AMENITIES FLOOR AREAS: 4 200m²
TOTAL: 6 200m²
MAJOR & SPEED BLK: 1 270m²
- BUILDING COVERAGE:**
MAJOR & SPEED COVERAGE: 900m²
AMENITIES COVERAGE: 4 200m²
TOTAL SITE COVERAGE @ 90%: 15 %
- PARKING:**
TOTAL PARKING PROVIDED: 48
ALLOCATED BAYS: 48
PROVIDED PARKING RATIO: 1.76 (AVG/0.000m²)

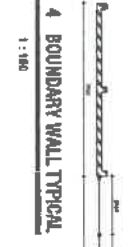
- NOTE ON BUSINESS PREMISES CALC:**
BUSINESS PREMISES CALCULATED AS 85% OF BUSINESS PREMISES AND BUILD AS PER STILLENBOSCH CC POLICY 2020/2021 SECTION 14.4

LEGEND:

- NEW LIMIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVIDUDE

ZONING KEY:

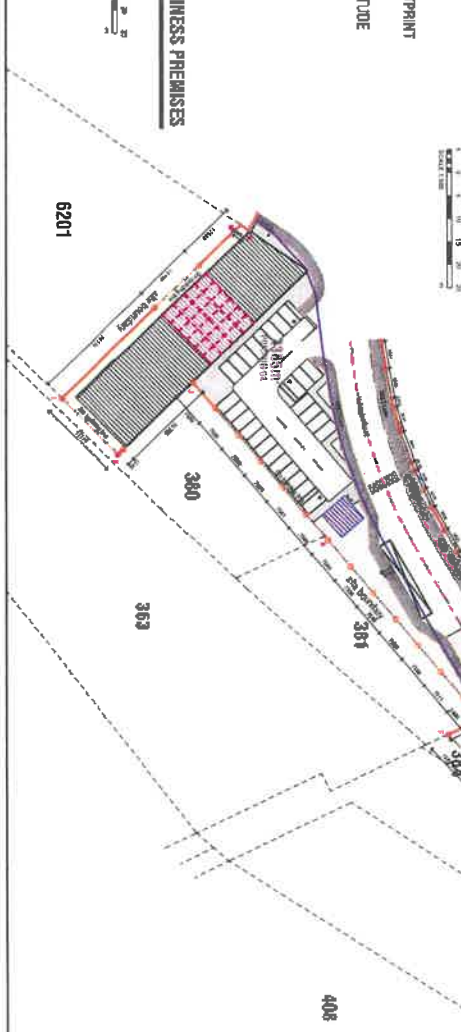
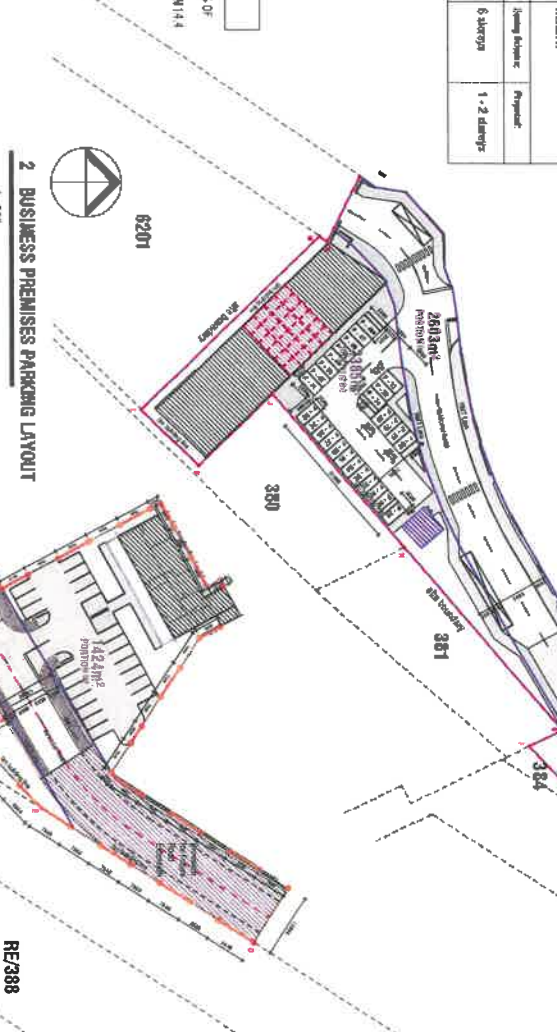
- PORTION 01 MIXED-USE:** Residential, Offices of less than 1 building level
- PORTION 03 PUBLIC ROADS & PARKING:** Public Access Road
- PORTION 02&04 MIXED-USE:** Business Premises



PERIMETER WALL/FENCE LEGEND

- PERIMETER FENCE
- SOLID WALL
- NOT A NEW REMOVABLE FENCE

NOTE: FENCING ON STREET FACING BOUNDARIES TO BE SOLID AND NOT PERIMETER.



GENERAL

1. The Client warrants that all information provided is true and correct to the best of their knowledge and belief.

2. The Client warrants that the site is free from all liabilities, including but not limited to, mortgages, charges, easements, and other rights in favour of third parties.

3. The Client warrants that the site is not subject to any restrictions, conditions, or covenants that would affect the proposed development.

4. The Client warrants that the site is not subject to any planning or zoning restrictions that would affect the proposed development.

5. The Client warrants that the site is not subject to any environmental or heritage restrictions that would affect the proposed development.

6. The Client warrants that the site is not subject to any other restrictions that would affect the proposed development.

REVISION

NO.	DATE	REVISION

CLIENT
CATWALK INVESTMENTS 389 (PTY) LTD

PROJECT
STELLENBOSCH

TITLE
SLP BUSINESS PREMISES

DATE: 20/07/2020

SCALE: As indicated @ M1

DATE: 09/11/2019

SCALE: As indicated @ M1

3+ Partners *Boegertsmen*

THE MILL

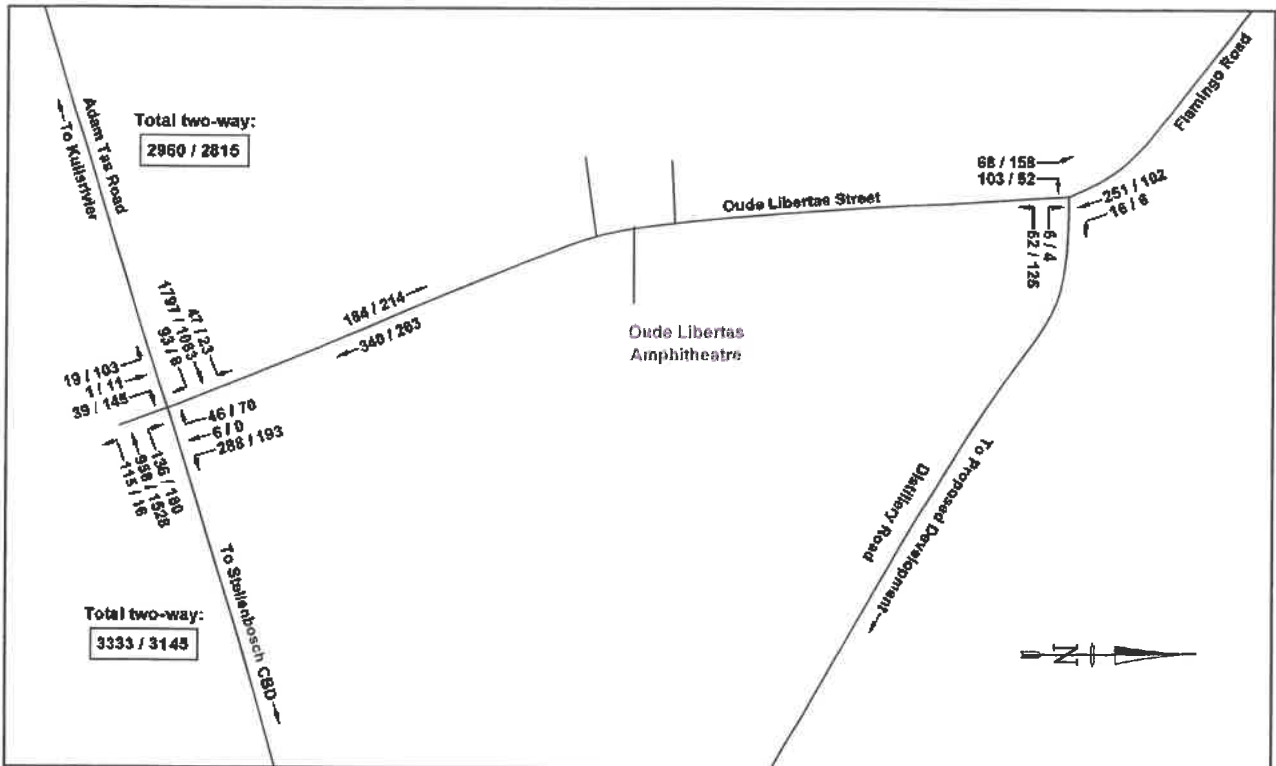
3+ Partners (Pty) Ltd
111/115 Victoria Road
Stellenbosch, 7129
Tel: 021-885-1500
www.3pluspartners.com

ENR 14889

06 20 01 1000

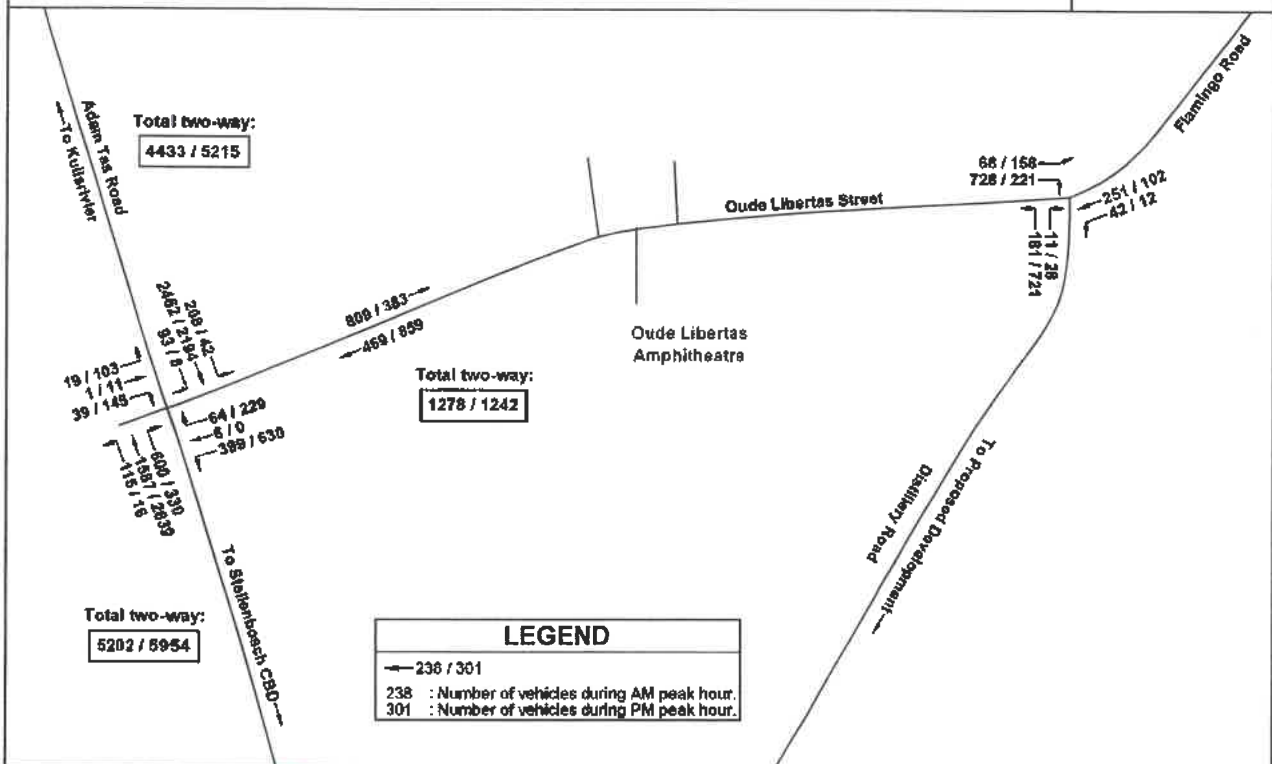
06 20 01 1000

06 20 01 1000



Available AM/PM Peak Hour Traffic Volumes (Thursday, 3 August 2017)

Figure 1



Estimated 2025 AM/PM Peak Hour Traffic Volumes (Including 2% per annum traffic growth and surrounding development)

Figure 2

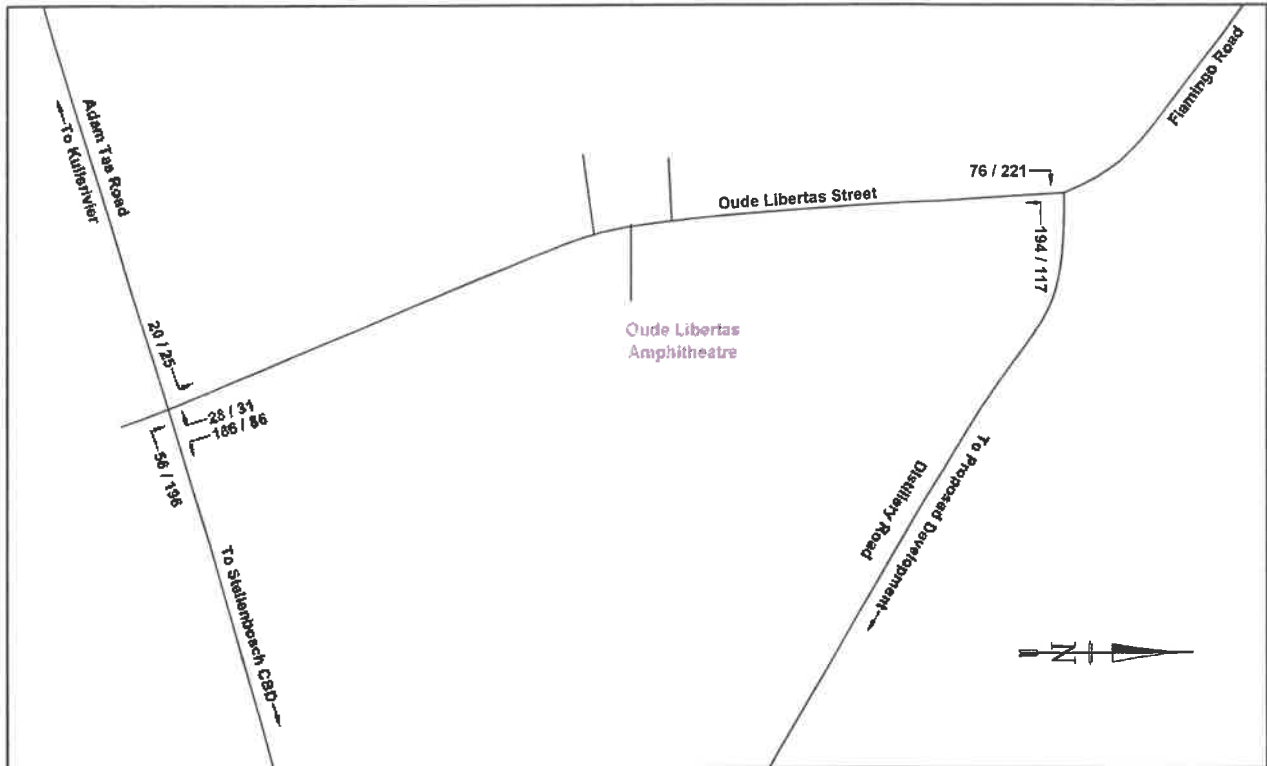
Posbus / PO Box 131
Stellenbosch 7599

Time Square Unit 8
9 Electron Street
Techno Park
Stellenbosch

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

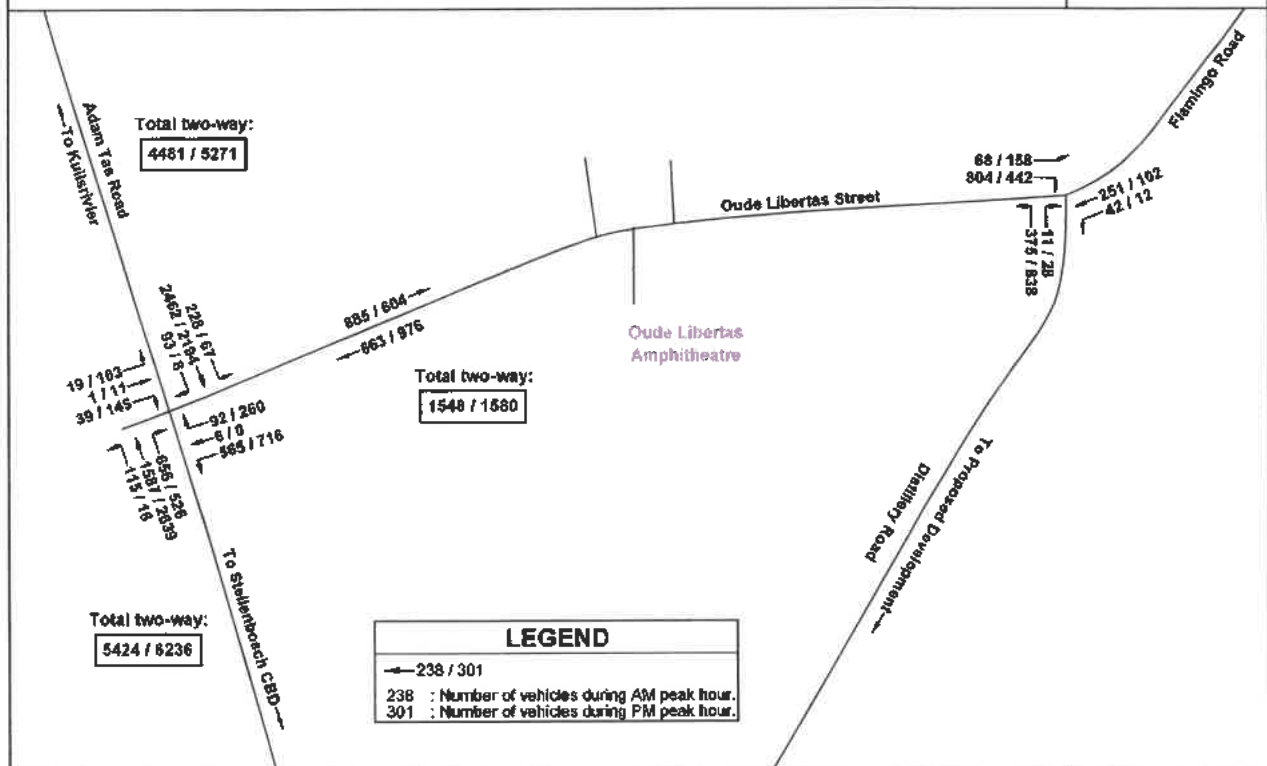


GROUP (Pty) Ltd.



Distribution of Traffic Generated by Proposed Development

Figure 3



Expected 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth, surrounding development and proposed development)

Figure 4

Postbus / PO Box 131
Stellenbosch 7599

Time Square Unit 8
9 Election Street
Techno Park
Stellenbosch

Tel. : 021 - 580 0443
Faks / Fax : 021 - 580 0390
e-pos / e-mail : pist@icegroup.co.za



DEVELOPMENT DATA: ZONING TABLE

STREET BOUNDARY BUILDING LINES 1st:	PROPOSED:	ZONING SCHEME:	PERMITTED:	COVERAGE:	HEIGHT:
4.5m	proposed	4.5m	proposed	85%	15% OF 61.5m*
STREET BOUNDARY BUILDING LINES 2nd: <td>4m</td> <td>proposed</td> <td>4m</td> <td>85%</td> <td>5 stories</td>	4m	proposed	4m	85%	5 stories
COMMON BOUNDARY BUILDING LINES 4th: <td>4m</td> <td>proposed</td> <td>4m</td> <td>85%</td> <td>1-2 stories</td>	4m	proposed	4m	85%	1-2 stories
COVERAGE: <td></td> <td></td> <td></td> <td></td> <td></td>					
HEIGHT: <td></td> <td></td> <td></td> <td></td> <td></td>					

STREET BOUNDARY BUILDING LINES 1st:	PROPOSED:	ZONING SCHEME:	PERMITTED:	COVERAGE:	HEIGHT:
4.5m	proposed	4.5m	proposed	85%	15% OF 61.5m*
COMMON BOUNDARY BUILDING LINES 4th: <td>4m</td> <td>proposed</td> <td>4m</td> <td>85%</td> <td>1-2 stories</td>	4m	proposed	4m	85%	1-2 stories
COVERAGE: <td></td> <td></td> <td></td> <td></td> <td></td>					
HEIGHT: <td></td> <td></td> <td></td> <td></td> <td></td>					



TITLE	PROJECT	CLIENT	REVISION	GENERAL

LEGEND:

- NEW UNIT FOOTPRINT
- APARTMENT FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVICE

STELLENBOSCH

42nd ANNIVERSARY
07/07/2020
42nd ANNIVERSARY

Boogertman Partners

RE/388

THE HILL
CATPAK INVESTMENTS SUB (PT) LTD
ER/14891

DEVELOPMENT DATA:

Block	Number of Units	Bedrooms	Bathrooms	Garages	Staircases	Amplifiers	TVs	Refrigerators	Washing Machines	Freezers
Block 1:	36	447m ²	2,008	4,360m ²	47	41	41	41	41	18
Block 2:	40	477m ²	1,776m ²	3,750m ²	44	38	38	38	38	20
Block 3:	52	617m ²	2,328m ²	4,920m ²	59	51	51	51	51	26
Block 4:	63	757m ²	2,856m ²	6,048m ²	71	61	61	61	61	32
Block 5:	39	467m ²	1,776m ²	3,750m ²	43	37	37	37	37	20
Block 6:	27	327m ²	1,224m ²	2,664m ²	31	27	27	27	27	14
TOTAL:	259				286	248	248	248	248	132

DEVELOPMENT DATA: ZONING TABLE

STREET BOUNDARY BUILDING LINES (m):	COMMON BOUNDARY BUILDING LINES (m):	COVERAGE:	HEIGHT:
Zone 1: 4.5m	Zone 2: 4.5m	Zone 3: 85%	Zone 4: 5 stories
Zone 5: 4.5m	Zone 6: 4.5m	Zone 7: 85%	Zone 8: 5 stories
Zone 9: 4.5m	Zone 10: 4.5m	Zone 11: 85%	Zone 12: 5 stories
Zone 13: 4.5m	Zone 14: 4.5m	Zone 15: 85%	Zone 16: 5 stories
Zone 17: 4.5m	Zone 18: 4.5m	Zone 19: 85%	Zone 20: 5 stories
Zone 21: 4.5m	Zone 22: 4.5m	Zone 23: 85%	Zone 24: 5 stories
Zone 25: 4.5m	Zone 26: 4.5m	Zone 27: 85%	Zone 28: 5 stories
Zone 29: 4.5m	Zone 30: 4.5m	Zone 31: 85%	Zone 32: 5 stories
Zone 33: 4.5m	Zone 34: 4.5m	Zone 35: 85%	Zone 36: 5 stories
Zone 37: 4.5m	Zone 38: 4.5m	Zone 39: 85%	Zone 40: 5 stories
Zone 41: 4.5m	Zone 42: 4.5m	Zone 43: 85%	Zone 44: 5 stories
Zone 45: 4.5m	Zone 46: 4.5m	Zone 47: 85%	Zone 48: 5 stories
Zone 49: 4.5m	Zone 50: 4.5m	Zone 51: 85%	Zone 52: 5 stories
Zone 53: 4.5m	Zone 54: 4.5m	Zone 55: 85%	Zone 56: 5 stories
Zone 57: 4.5m	Zone 58: 4.5m	Zone 59: 85%	Zone 60: 5 stories
Zone 61: 4.5m	Zone 62: 4.5m	Zone 63: 85%	Zone 64: 5 stories
Zone 65: 4.5m	Zone 66: 4.5m	Zone 67: 85%	Zone 68: 5 stories
Zone 69: 4.5m	Zone 70: 4.5m	Zone 71: 85%	Zone 72: 5 stories
Zone 73: 4.5m	Zone 74: 4.5m	Zone 75: 85%	Zone 76: 5 stories
Zone 77: 4.5m	Zone 78: 4.5m	Zone 79: 85%	Zone 80: 5 stories
Zone 81: 4.5m	Zone 82: 4.5m	Zone 83: 85%	Zone 84: 5 stories
Zone 85: 4.5m	Zone 86: 4.5m	Zone 87: 85%	Zone 88: 5 stories
Zone 89: 4.5m	Zone 90: 4.5m	Zone 91: 85%	Zone 92: 5 stories
Zone 93: 4.5m	Zone 94: 4.5m	Zone 95: 85%	Zone 96: 5 stories
Zone 97: 4.5m	Zone 98: 4.5m	Zone 99: 85%	Zone 100: 5 stories

DEVELOPMENT DATA: RESIDENTIAL

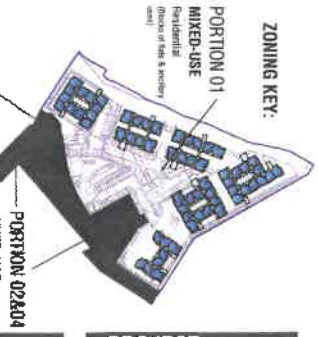
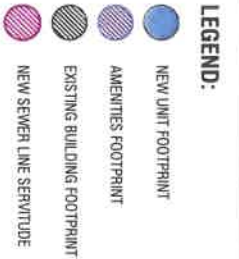
- SITE AREA:** 26 036m²
SITE AREA (SUBDIVISION PORTION 01): 20 464m²
- UNIT AMOUNT:** 259
UNIT AMOUNT: 128 units/m
- BUILDING COVERAGE:** 5.70m²
UNIT BLOCK COVERAGE: 41m²
AMENITIES COVERAGE: 24 %
TOTAL SITE COVERAGE @ 1:150m: 24 %
- PERMITS:** 418
PERMITS REQUIRED: 286
ALLOCATED BAYS: 130
VISITOR BAYS: 439
PROPOSED PERMITS: 132
PROPOSED PERMITS (1:0.5 BAYS/UNIT): (1:0.5 BAYS/UNIT)



3 BOUNDARY WALL TYPICAL



1 SDP RESIDENTIAL



TITLE	PROJECT	CLIENT	REVISION	GENERAL
	STELLENBOSCH			

Boogerthman Partners

THE MIND

STELLENBOSCH

REVISION

GENERAL

1. The site is to be developed in accordance with the approved building plans, and the site is to be developed in accordance with the approved site plan.

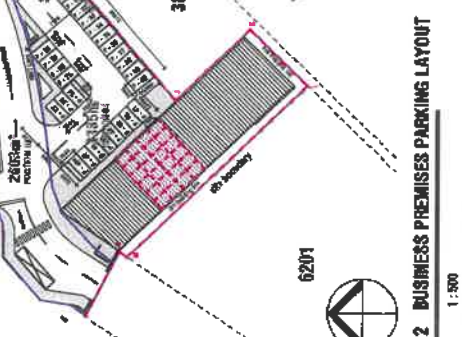
2. The site is to be developed in accordance with the approved building plans, and the site is to be developed in accordance with the approved site plan.

3. The site is to be developed in accordance with the approved building plans, and the site is to be developed in accordance with the approved site plan.

4. The site is to be developed in accordance with the approved building plans, and the site is to be developed in accordance with the approved site plan.



- PERIMETER WALL/FENCE LEGEND**
- PERMISSIBLE FENCE
 - SOLID WALL
 - 50% PERMISSIBLE FENCE
- NOTE: FENCING ON STREET FRONTING BOUNDARIES TO BE 50% SOLID AND 50% PERMISSIBLE.**



BUSINESS PREMISES PARKING REQUIREMENTS

BUSINESS PREMISES COMPONENT:	Area:	Ratio / Area/ 100sqm:	Number of Parking Spaces Required:
MANOR AREAS:	680sqm	4	24
THE MILL:	180sqm	4	27
TOTAL:	1 27sqm		58

DEVELOPMENT DATA: ZONING TABLE

BUSINESS PREMISES PORTION ZI:	Zone/ Subzone:	Proposed:	Existing/ In-use:	Proposed:	Existing/ In-use:	Proposed:	Existing/ In-use:
BUSINESS PREMISES PORTION ZI:	S-1	Shop:	Office:	15%	15%	15%	15%
		1-2 storeys:	5-storeys:	1-2 storeys:	1-2 storeys:	1-2 storeys:	1-2 storeys:

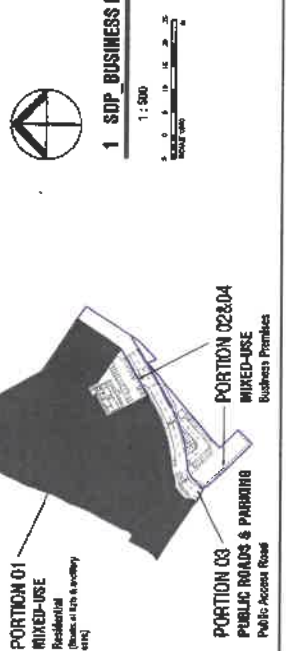
NOTE ON BUSINESS PREMISES RELA-:

BUSINESS PREMISES GLA CALCULATED AS 80% OF BUSINESS PREMISES GBA (GLA), AS PER STELLENBOSCH DOU POLICY 0802/02/04, SECTION 14.4

Area Category:	Area (m²):
MANOR & SHED FLOOR AREA:	1 501
COMMERCIAL/AMENITIES FLOOR AREA:	421
BULK:	8 399
MANOR & SHED GLA:	1 278

LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVICE



1. This drawing is to be used in conjunction with the relevant Planning and Zoning Regulations and the relevant Development Order. It is not to be used as a basis for any other purpose. The drawings are prepared by the Client and the Designer. The Designer is not responsible for the accuracy of the information provided by the Client. The Client is responsible for the accuracy of the information provided to the Designer. The Designer is not responsible for the accuracy of the information provided by the Client. The Client is responsible for the accuracy of the information provided to the Designer.

NO.	DESCRIPTION	DATE

GENERAL

REVISION

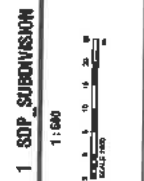
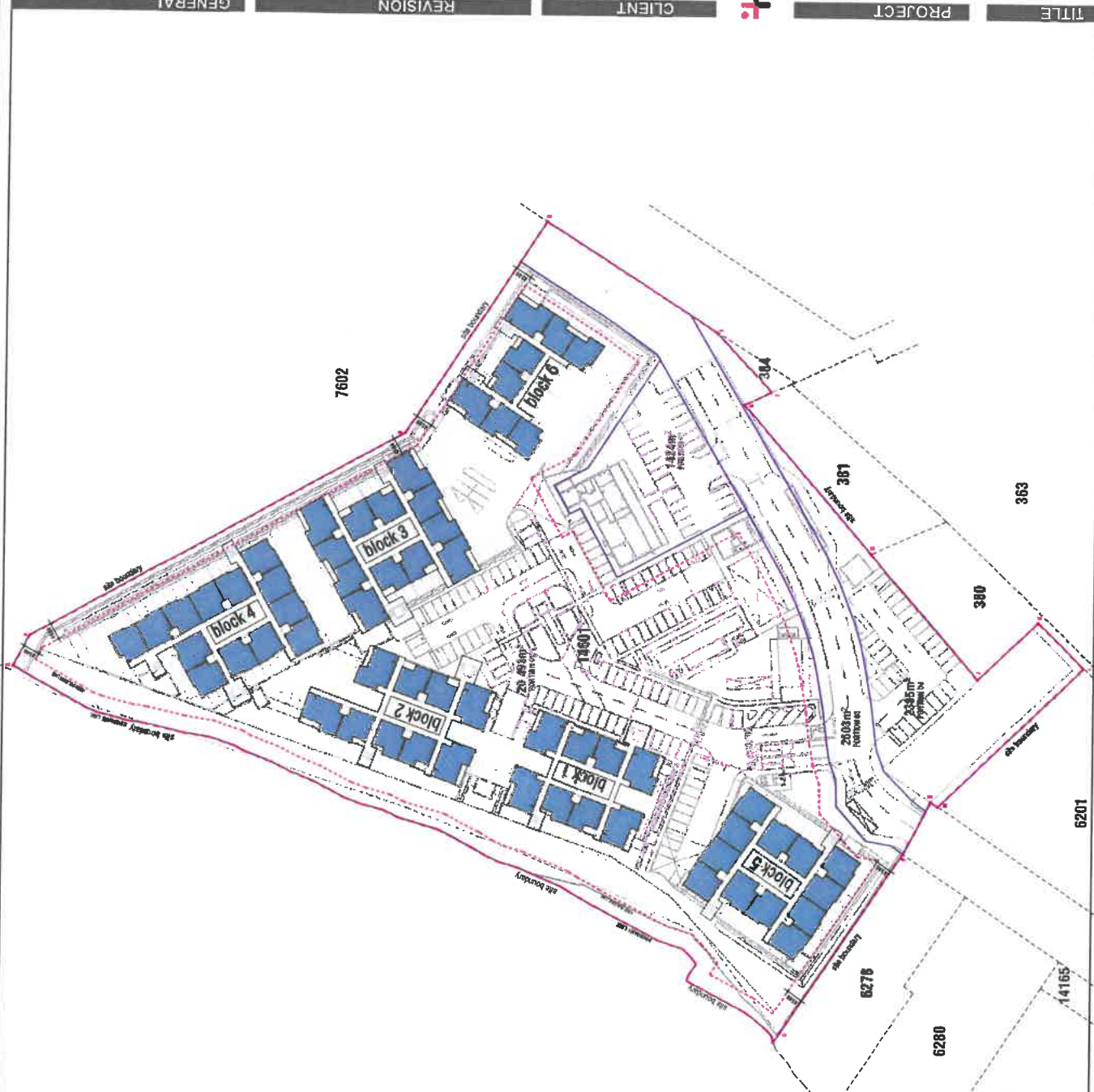
CLIENT



Beaughton Partners
 THE MILL
 DAIWALK INVESTMENTS 365 (PTY) LTD
 365 14601

STELLENBOSCH

SDP PORTION LINES
 07/07/2020
 SCALE: 1:500 (A4)
 DATE: 07/07/2020
 DRAWN BY: J. J. ...
 CHECKED BY: ...
 APPROVED BY: ...



© 2020 Beaughton Partners. All rights reserved. This document is confidential and its use is restricted to the purposes for which it was prepared.



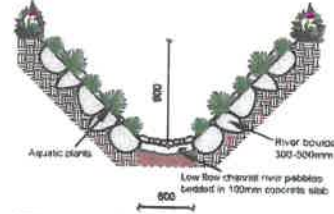
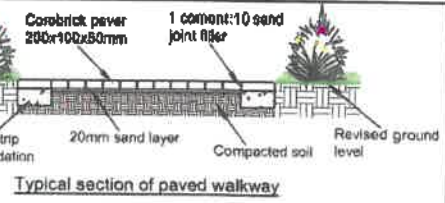
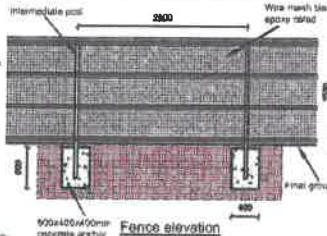
1 PHASING PLAN
1 : 500
0 5 10 15 20 25
SCALE 1:500

158004



TITLE	PROJECT	CLIENT	REVISION	GENERAL																																												
<p>Partners Boogetmann 100 PINEAPPLE AVENUE ROSEBURY VIC 3071 TEL: 03 9307 1100 WWW.PARTNERS.AU</p>			<table border="1"> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>																																													<p>1. This document is the property of Partners Boogertman and shall not be used for any other purpose without the written consent of Partners Boogertman. 2. This document is prepared in accordance with the current legislation in South Africa and is subject to change without notice. 3. The client is responsible for ensuring that the information provided to Partners Boogertman is accurate and complete. 4. Partners Boogertman does not accept liability for any errors or omissions in this document, or for any consequences arising from its use. 5. The information contained in this document is confidential and shall not be disclosed to any third party without the written consent of Partners Boogertman. 6. This document is prepared for the client's use only and is not intended to constitute an offer or a solicitation of any financial product or service. 7. The information contained in this document is not intended to be used as a basis for investment decisions. 8. The information contained in this document is not intended to be used as a basis for any legal proceedings.</p>
<p>STELLENBOSCH SOP PHASING 28/07/2020 SHEET 1.188 OF 1.1 DATE: 11/06/20 DRAWN: [initials] CHECKED: [initials] APPROVED: [initials] SCALE: 1:500</p>																																																

Landscape Site Development Plan



- Plant Species - Proposed planting**
- 1. **Platanus**
 - 2. **Quercus**
 - 3. **Castanea**
 - 4. **Alnus**
 - 5. **Salix**
 - 6. **Populus**
 - 7. **Ulmus**
 - 8. **Prunus**
 - 9. **Malus**
 - 10. **Pyrus**
 - 11. **Amelanchier**
 - 12. **Hamamelis**
 - 13. **Fraxinus**
 - 14. **Juniperus**
 - 15. **Thuja**
 - 16. **Yucca**
 - 17. **Agave**
 - 18. **Sansevieria**
 - 19. **Dracaena**
 - 20. **Philodendron**
 - 21. **Monstera**
 - 22. **Peperomia**
 - 23. **Fittonia**
 - 24. **Polka Dot Plant**
 - 25. **Spider Plant**
 - 26. **Snake Plant**
 - 27. **Zebra Plant**
 - 28. **Golden Pothos**
 - 29. **Philodendron**
 - 30. **Monstera**
 - 31. **Peperomia**
 - 32. **Fittonia**
 - 33. **Polka Dot Plant**
 - 34. **Spider Plant**
 - 35. **Snake Plant**
 - 36. **Zebra Plant**
 - 37. **Golden Pothos**
 - 38. **Philodendron**
 - 39. **Monstera**
 - 40. **Peperomia**
 - 41. **Fittonia**
 - 42. **Polka Dot Plant**
 - 43. **Spider Plant**
 - 44. **Snake Plant**
 - 45. **Zebra Plant**
 - 46. **Golden Pothos**
 - 47. **Philodendron**
 - 48. **Monstera**
 - 49. **Peperomia**
 - 50. **Fittonia**
 - 51. **Polka Dot Plant**
 - 52. **Spider Plant**
 - 53. **Snake Plant**
 - 54. **Zebra Plant**
 - 55. **Golden Pothos**
 - 56. **Philodendron**
 - 57. **Monstera**
 - 58. **Peperomia**
 - 59. **Fittonia**
 - 60. **Polka Dot Plant**
 - 61. **Spider Plant**
 - 62. **Snake Plant**
 - 63. **Zebra Plant**
 - 64. **Golden Pothos**
 - 65. **Philodendron**
 - 66. **Monstera**
 - 67. **Peperomia**
 - 68. **Fittonia**
 - 69. **Polka Dot Plant**
 - 70. **Spider Plant**
 - 71. **Snake Plant**
 - 72. **Zebra Plant**
 - 73. **Golden Pothos**
 - 74. **Philodendron**
 - 75. **Monstera**
 - 76. **Peperomia**
 - 77. **Fittonia**
 - 78. **Polka Dot Plant**
 - 79. **Spider Plant**
 - 80. **Snake Plant**
 - 81. **Zebra Plant**
 - 82. **Golden Pothos**
 - 83. **Philodendron**
 - 84. **Monstera**
 - 85. **Peperomia**
 - 86. **Fittonia**
 - 87. **Polka Dot Plant**
 - 88. **Spider Plant**
 - 89. **Snake Plant**
 - 90. **Zebra Plant**
 - 91. **Golden Pothos**
 - 92. **Philodendron**
 - 93. **Monstera**
 - 94. **Peperomia**
 - 95. **Fittonia**
 - 96. **Polka Dot Plant**
 - 97. **Spider Plant**
 - 98. **Snake Plant**
 - 99. **Zebra Plant**
 - 100. **Golden Pothos**

- Legend:**
- Lawn
 - Planting
 - Hedge planting
 - Walkway paving
 - Road paving
 - Grass blocks
 - Bench
 - River trail
 - Seeded veldgrass
 - Proposed trees
 - Trees to remain
 - Revised contours
 - Existing contours
 - Security fence

Project:
OUDE MOLEN

Drawing: LAN/edp7 - 04/08/2021
LANDSCAPE SITE DEVELOPMENT PLAN

Scale: A3 - 1:600 **Rev:** 07

Location: **STELLENBOSCH**

J.V.V. Landscape Studio

21 Mac Street, Stellenbosch 7600
 021 202 5852 Fax: 021 202 5853



Verw/Ref: FP/0215/772

8 September 2021 :Date/Datum

The Municipal Manager
 The Director: Planning and Economic Development
 Stellenbosch Municipality
 P O Box 17
 STELLENBOSCH
 7599

Application Number: LU/11/728

Dear Sir/Madam

ERF 14601, STELLENBOSCH (THE MILL)

APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE AND DEPARTURES

1. The above mentioned application on Erf 14601 Stellenbosch (The Mill Development) refers.
2. The application was advertised in the Eikestadnuus of 26 September 2020 whilst notices by means of registered letters and e-mails were sent out to a number of interested and affected parties identified by the Directorate Planning and Economic Development of the Municipality. –An on-site notice was also put up at the entrance to the site. The commenting period for said application yielded only a single external response, namely from the Stellenbosch Interest Group.

Comments were received from some of the internal departments of Stellenbosch Municipality (Infrastructure Services, Community Services and Spatial Planning) as well as from the Western Cape Provincial Department of Environmental Affairs and Development Planning: Directorate: Development Management.

3. Resulting from the comments received, the following documents and plans were amended and revised copies thereof are submitted with this response.

3.1 An amended Site Development Plan Package (6 August 2021)

3.2 An amended Subdivision Plan (16 August 2021)

3.3 An amended Master Landscaping Plan (4 August 2021)

3.4 An amended Traffic Impact Assessment (10 August 2021)

3.5 Final approved Heritage Impact Assessment

4. All these comments are summarized and addressed in the Table on the next page. It should be noted that as the comments from the Municipality's Spatial Planning Section and those of the Directorate Development Management are overlapping it will be addressed simultaneously to prevent duplication in the response.

5. The following Appendixes are attached to this letter:

Appendix A: Adopted resolutions and decisions of the meeting of the IACOM of HWC held on 21 July 2021 confirming approval of HIA

Appendix B: Letter of UDS Africa to Directorate Infrastructure Services

Appendix C: Letter of First Plan Town and Regional Planners to Directorate Infrastructure Services

Appendix D: Response to Conditions of Approval of Directorate Infrastructure Services

Appendix E: Response to Site Development Plan Approval Process

Appendix F: Inclusivity Response and Legal Opinion

Appendix G: Response to Non-Motorised Transport

Appendix H: Response Senior Manager Roads, Transport, Stormwater And Traffic Engineering Regarding Pedestrian Crossing Over The Railway Line for The Bosman's Crossing Area

Appendix I: Balanced Neighbourhood Response

1	EXTERNAL COMMENTS FROM INTERESTED AND AFFECTED PARTIES	
	STELLENBOSCH INTEREST GROUP	
	OBJECTION/COMMENT	RESPONSE
1.1	<p>The property is of historical significance because it is the site where water from the mill stream watered the fourth mill before joining the Plankenbrug River, and where the brandy industry in South Africa originated.</p> <p>In view of this historic uniqueness SIG is hesitant that a blanket approval be given at this stage for the proposed development for the following reason:</p> <p>They are concerned that this development has been submitted prior to the finalisation of the Adam Tas Corridor Spatial Development Framework.</p> <p>This type of piecemeal planning approach is not conducive to protecting heritage landscapes. They are of the opinion that all the built environment heritage in the Adam Tas Corridor should first be identified, mapped and then all proposed new developments (such as this application) should holistically be planned for in the context of the Adam Tas Corridor SDF.</p>	<p>A Heritage Impact Assessment (HIA) was undertaken by Cindy Postlethwayt and Chris Snelling and submitted to Heritage Western Cape (HWC) in terms of the provisions of the National Heritage Resource Act (NHRA)</p> <p>The HIA addressed the history, the archaeology, heritage context, relevant policy and identified the heritage resources and significance thereof in order to identify the heritage resource indicators and complete the impact assessment.</p> <p>The HIA was referred back to applicant with comment which comments were addressed through the amendment of the SDP as detailed in the Supplementary report which was tabled and approved by the Impact Assessment Committee (IACOM) at their meeting held on 21 July 2021 – Refer to Appendix A: Adopted Resolutions and Decisions of the Meeting of the IACOM of HWC held on 21 July 2021. A copy of the approved HIA will be provided to the Land Use Management Section.</p> <p>Further to the above he identified heritage resources on the site and the heritage indicators for development on Erf 14601 (Oude Molen node) have been incorporated into the draft <i>Stellenbosch Adam Tas Corridor Local Spatial Development Framework Heritage Considerations</i> prepared by Nicolas Baumnn and Sarah Winter.</p> <p>This application was submitted in August 2020 after a long process of consultation with the municipality since 2012. – Refer to Annexure 3 of the Town Planning Motivation Report. It is not reasonable to expect that it be held back until the Adam Tas Corridor Local SDP has been finalized. Consultants have only been appointed at the beginning of 2021.</p> <p>Notwithstanding the above, there was extensive consultation with the consultants appointed for the Adam Tas Local SDF, the Spatial Planning Section of the Municipality as well as adjacent property owners. The Spatial Planning Section of the Municipality has in the meantime prepared some interim guidelines to access current applications along the Adam Tas Corridor. They evaluated the application in terms of these guidelines and submitted a response to the application which will be addressed in paragraph 2.</p> <p>It was further recommended by the ATC project team that the Municipality may consider lead projects to commence development prior to completion and adoption of the individual</p>

		<p>Precinct Plans of the ATC – if it is considered that the specific project will contribute to the overall development objectives for the area, do not impede future opportunity, and assist in learning about and enabling future roll-out of development in the area.</p> <p>The opinion is held that this project went through an intensive process of negotiation and discussions with all the relevant role players and would play an important role to kick start development within the ATC in a sustainable and positive manner.</p>
2.	STELLENBOSCH MUNICIPALITY	
2.1	DIRECTORATE: INFRASTRUCTURE SERVICES	
	<p>An initial comment was received on 30 October 2020 requiring some issues to be addressed and some additional information. These issues were addressed and a revised comment dated 19 August 2021 was issued confirming support of the application subject to certain conditions of approval. Copies of both comments are attached as part of Annexure 9 of the Portfolio of Evidence.</p>	
	OBJECTION/COMMENT	RESPONSE
2.1.1	<p>Memo dated 30 October 2020 – copy attached as Annexure A, requesting that the applicant address the following issues in order for the application to be further evaluated and/or approved.</p> <ul style="list-style-type: none"> ○ Water Network: A water capacity analysis report (GLS) was requested to confirm which bulk water upgrades are triggered by the proposed development ○ Roads Network: Comments from the Manager: Traffic Engineering, Mr Nigell Winter: with reference to the TIA done by iCE Group (ref: iCE/s/849A) dated 7 July 2020: ○ Site Development Plan – requests to indicate certain elements and dimensions clearly on the SDP 	<p>All issues raised were satisfactorily addressed by the applicant with amended SDP, Subdivision Plan and TIA having been submitted</p> <p>An updated memo dated 19 August 2021 superceding the initial memo was issued by the Directorate Infrastructure Services – see below.</p>

2.1.2	<p>Memo dated 19 August 2021 – copy attached as Annexure 9.</p> <p>The development is recommended for approval, subject to the conditions as detailed in the memo.</p>	<p>The applicant wishes to respond to certain of the conditions as follows:</p> <p>Condition</p> <p>v. Bosmans Crossing Bridge Repair: The municipality is currently doing structural repairs to this bridge. No construction activities may commence before these repairs have been completed. Building plan approval will therefore not be issued prior to the Senior Manager: Roads, Transport, Stormwater & Traffic Engineering has given the go-ahead.</p> <p>Response</p> <p>We seek clarity on the timing of the completion of the structural repairs and the intention of the condition to withhold building plan approval and construction activities.</p> <p>It should be noted that the property is currently developed as an industrial property within its existing rights which need to be taken into account.</p> <p>a. the property currently has approx. 11 200m² of existing industrial buildings and in accordance with the previous zoning of wine industry the permitted bulk under the primary rights was 60 536 m² and now 80 715m² in terms of the Planning By Law.</p> <p>b. The traffic impact on the bridge needs to take into account with the proposed change of use and permitted bulk from Industrial to residential & commercial – the change of use will place a lesser load on the bridge - 6m & 12m container trucks as well as Superlink trucks currently service the property.</p> <p>The condition should be amended to at least allow for</p> <p>a) building plan approval, and</p> <p>b) construction activities to commence prior to the repairs having been completed should an alternative access be identified if necessary</p> <p>Condition</p> <p>32. 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</p>
-------	--	--

		<p>this development if bulk services are not available upon occupation or taking up of proposed rights;</p> <p>Response</p> <p>It is acknowledged that this is a “standard condition” imposed by Infrastructural Services however in this instance the confirmation of the availability of services “lapses” even before the development can proceed in accordance with Condition 4.b Water Network which restricts the development of property until such time as the Papegaaiberg reservoir has been completed which is expected to be in June 2024.</p> <p>The condition should be amended to 5 years to align with the town planning approval validity period.</p> <p>Condition</p> <p>Development Charges</p> <p>11. that the Development Charges levy to the amount as reflected on the DC calculation sheet, 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.</p> <p>Response</p> <p>The applicant is not in agreement with the Development Charge calculation as it is of the opinion that the relevant legislation and as determined by Council’s Policy provides for Development Charges “in respect of land development applications which will result in an intensification of land use which in turn leads to an increase in the use of or need for municipal bulk engineering services infrastructure” – the application is well within the existing rights with regards to the municipal bulk engineering services infrastructure.</p> <p>Notwithstanding the above the DC calculation provides for credit to be given for the existing built infrastructure (not existing rights) – 11 208m² – based on a classification of “General Industrial – Heavy” which is the incorrect classification for the existing zoning, use and infrastructure on the property.</p> <p>The existing buildings include 9 470m² of warehousing and associated office space with the remaining 1 738m² being other including wine laboratory and the Manor House (661m²).</p> <p>Credit should be given for the buildings classified as General Industrial – Light or at the very least the Manor House which is to be retained in its existing format should be credited as Local Business – office and the remaining buildings as Warehousing which appears to be a new classification in terms of the 2021-2022 tariff Book.</p>
--	--	--

2.2	Community Services (Environmental Section)	
	<p>This department has no objection to the approval of the application subject to: (A copy of the response is attached as part of Annexure 9 the Portfolio of Evidence)</p> <ul style="list-style-type: none"> • All the activities on site, during construction and thereafter, comply with the Western Cape Noise Control Regulations. • Suitable indigenous vegetation be used for the implementation of the landscaping plan. <p>A number of alien and alien invasive tree species are found on the eastern and western bank of the relevant section of the Plankenbrug River, some of which presents a potential risk to life and property (due to their position, size and height) should they fall naturally or be felled.</p> <p>Should the application be approved it may be advisable for the developer to contact the Department: Community Services, Stellenbosch Municipality, and use the opportunity, whilst the site is being prepared for construction and access to the river is improved, to identify trees and biomass to be removed and implement such maintenance work prior to the implementation of the proposed development.</p>	<p>The developer will comply with these conditions of approval.</p> <p>A Landscaping Plan and plant specie list has been submitted with the application and complies with the requirements with regard to suitable indigenous planting as required by this Directorate. This plan has since been amended to address some issues raised by the Spatial Planning Section and the Provincial Department of Environmental Affairs and Development Planning. This amended Landscaping Plan will be resubmitted to the Municipality.</p> <p>The applicant has agreed to contact the Department: Community Services, Stellenbosch Municipality, in order to identify trees and biomass to be removed and implement such maintenance work prior to the implementation of the proposed development.</p>
3.	Stellenbosch Municipality Spatial Planning (SMSP) and Directorate Development Management (Provincial Government Western Cape) (PGWC)	
	<p>Both the Spatial Planning Section and the Provincial Directorate of Development Management support the development in principle. It was indicated that being part of the greater ATC, it is essential that, in the absence of a Precinct Plan, the proposed development sets the tone and contributes progressively toward the MSDF vision for the ATC and does not compromise future developments. Copies of these comments are attached as as part of Annexure 9 of the Portfolio of Evidence.</p>	<p>Refer to Appendix E for a comprehensive response which can be summarised as follows;</p> <ul style="list-style-type: none"> ○ The rezoning of the property to Subdivisional Area and the approval of the subdivision, departures and consent use without the approval of the SDP is of no benefit to the applicant as the applicant is unable to act hereon. ○ The application has been delayed since 2012 by firstly a moratorium on all development applications serviced by the SWWTW due to a lack of capacity at such works and consequently by delays in the

	<p><u>It was recommended that the application for the rezoning to Subdivisional area and the subsequent subdivision, departures and consent use to allow a Place of Entertainment within a Mixed Use Zone be approved, but that the Site Development Plan only be considered later once the issues identified in the reports are addressed appropriately.</u></p> <p>In this regard the applicant must address the items listed – 3.1 to 3.6 - below in the SDP.</p> <p>It was indicated that as a condition of approval of the rezoning the MPT should consider requesting the applicant to demonstrate through the SDP how the development would comply with the MSDF provisions, below</p>	<p>adoption of the IZS (finally adopted in November 2019) and clarity on spatial policy which has included the 2016 TOD proposal which was then superseded by the Adam ATC initiative.</p> <ul style="list-style-type: none"> ○ The applicant has repeatedly since 2018 raised their concern that the ATC initiative would delay their development application and has been repeatedly assured that this would not be the case. ○ Protracted permission processes and delays in the process are the greatest contribution to the high property prices in Stellenbosch. ○ The applicant has considered the comments received and has responded to such comments including the amendment of the SDP in order to address the issues identified. ○ The applicant has invested considerable resources in preparing the development application together with the SDP, which amended SDP has already received Heritage approval, and requests that the application for the approval of the amended SDP together with the supporting responses be processed as submitted.
	<p>SUMMARY OF COMMENTS</p>	<p>RESPONSE BY DEVELOPER</p>
<p>3.1</p>	<p>Inclusivity</p> <p>SMSP - How will the development contribute substantially to inclusivity of infill housing opportunity - referring to the extent to which the housing is provided for different income and demographic groups? It is questioned if the increased density will support and promote inclusionary housing and particularly the notion of integrating communities.</p> <p>PGWC - Demonstrate through the SDP how the development would satisfy - The inclusivity of infill housing opportunity – referring to</p>	<p>Refer to Appendix F for a comprehensive response which can be summarised as follows;</p> <ul style="list-style-type: none"> ○ “Inclusionary housing” is topical however the only reference to Inclusionary Housing in the MSDF is the need to develop an Inclusionary Housing Policy and Guidelines – which the Municipality has not done ○ “inclusivity of infill housing opportunity”, as referenced in the MSDF, is defined by the Municipality as “ referring to the extent to which the housing is provided for different income and demographic groups” ○ The proposed development is a general residential development which is not targeted at a specific demographic group but will provide housing opportunities for all

<p>the extent to which the housing provides for different income and demographic groups – whether as part of the Adam Tas Corridor or.....(p67)</p> <p>SMSP - Proposals as to broaden the range of housing typologies, enabling access for a range of income groups</p> <p>PGWC - Expand housing opportunity for a broader range of groups – including lower income groups and students – particularly in settlements forming part of the ATC.</p>	<p>demographic groups irrespective of age, gender, occupation, nationality, ethnic background, sexual orientation etc.</p> <ul style="list-style-type: none"> ○ The diverse range of housing typologies will enable access to a range of income groups. ○ The applicant's offer of a subsidised affordable housing component was rejected outright by the Western Cape Government and by Stellenbosch Municipality as being inadequate and by the Municipality failing to adhere to regulatory timeframes in processing the application. ○ The Municipality cannot force the applicant to include more "inclusionary housing units", as <ul style="list-style-type: none"> • The Draft Western Cape Inclusionary Housing Policy Framework (DWCIHPPF) which aims to provide the legal framework and policy basis for municipal inclusionary housing policy and prescribes what has to be done prior to the introduction of a municipal Inclusionary Housing Policy has yet to be approved and adopted. • In the absence of a policy there is no clear policy direction and there are no guidelines or norms and standards against which to evaluate inclusivity – how does one demonstrate compliance with a non-existent "standard" – in accordance with the Planning By-Law "Conditions requiring a standard to be met must specifically refer to an approved or published standard" • The 2019 MSDF fails to identify the designated areas where a national or provincial inclusionary housing policy may be applicable, as required by SPLUMA and referred to in the DWCIHPPF. ○ The applicant sought legal opinion in order to get clarity on the comments and recommendations of the WCG & Municipality – the opinion concluded that the Municipality could not lawfully refuse the current land use applications based on its interpretation of municipal policy (the MSDF) if the applicant was not prepared to amend its development proposals to provide for more "inclusionary housing units". ○ Notwithstanding the above the proposal has been amended to further broaden the range of housing typologies by including studio & one bedroom apartments, as requested, enabling access to a greater range of income groups in order to contribute to the inclusivity of housing opportunities as requested.
--	---

3.2	<p>Promote Non Motorised Transport</p> <p>PWCG - Given the limited income of a large proportion of the population, a settlement structure and form prioritizing walking and public and NMT, should be pursued (Table 12)</p> <p>SMSP - How the development of the property as part of the ATC will provide and promote strong internal and external public and NMT connections with the surrounding area and the lower Dorp Street area</p>	<p>Refer to Appendix G for a comprehensive response which can be summarised as follows;</p> <p>The application demonstrates how the development, as part of the ATC will provide and promote strong internal and external public and NMT connections with the surrounding area and the lower Dorp Street which includes;</p> <ul style="list-style-type: none"> Providing accommodation in direct proximity to commercial work space and recreational/retail facilities - transforming the area into a diverse balanced mixed use precinct resulting in a safe community orientated - live – work – study – play – walkable neighbourhood which is the ultimate form of NMT. ○ Making provision for a public road linking Bosmans Crossing with the future development of the Bergkelder property as envisaged in the ATC proposal – this link road is crucial to the principle and success of the ATC initiative. ○ Promoting and incentivising of the use of bicycles by the residents by providing bicycle storage facilities and a “bicycle friendly environment” – as has been demonstrated at the BBC where the applicant has entered into a MOU with the Bicycle Mobility Consortium to “promote non-motorised transport in and around Stellenbosch and to provide access between the Stellenbosch centre and Bosmans Crossing precinct” as part of the Provincial Sustainable Transport Plan ○ Actively engaging with the Municipality engineering directorate to expedite the proposed pedestrian/cycle bridge over the railway line. ○ Proposing a viable alternative prior to the bridge being completed by linking the existing NMT cycle path along Adam Tas Road to Bosmans Crossing by “formalising” the pathway, +- 80m, across the open grass area. ○ Further to the above the applicant proposes; <ul style="list-style-type: none"> ● To explore the possibility of linking into the “Remgro Eerste River Pathway” initiative. ● To enhance safety by including sufficient lighting and exploring the establishment of a SRA/CID for the precinct to improve safety and promote NMT. ● To explore the viability of including a communal “bicycle sharing scheme” for occupants of the residential scheme.
3.3	<p>Non Motorised Transport Design Proposals</p>	

	<p>SMSP - The development proposal does not include design proposals to address the critical need for NMT and public transport. It is questioned if a road reserve of 13 meters will be sufficient to accommodate an extensive and well-planned dedicated NMT route which will form the backbone of the NMT route in the ATC. This aspect of the design needs greater attention and must be revised to ensure that public transport and NMT are addressed properly and pro-actively.</p>	<p>At a meeting held with the Stellenbosch Municipality in January 2020, attended by Messrs Johan Fullard, Nigel Winter and Roscoe Bergstedt, with the consultant traffic engineers Piet van Blerk and Yolandi Obermeyer, it was agreed that a 13 metre road reserve will suffice for this possible future road link traversing the subject property. The said road reserve is to accommodate a 7,4 metre blacktop, with minimum 2,4 metre NMT-facilities along both sides of the road.</p> <p>The matter was further discussed with the relevant officials in 2021 following comments from the engineering department who have once again conformed compliance with engineering standards.</p> <p>An amended Subdivision Plan and Site Development Plan were submitted confirming the 13 m width of the road reserve. These plans will also be formally re-submitted to Land Use Planning with this response.</p> <p>An amended TIA was submitted confirming this road and NMT design proposal. The Directorate Infrastructure Services confirmed that they are satisfied with the recommendations of the amended TIA. Refer to their letter of support dated 19 August 2021 attached as part of Annexure 9 of the Portfolio of Evidence.</p>
3.4	<p>Plakenburg Bridge</p> <p>SMSP - Vehicle access is of paramount importance must be clarified with regards to the timeline for the construction of the Plakenbrug Bridge and the contribution of the development to the pedestrian bridge linking Bosman's Crossing with lower Dorp Street.</p>	<p>Mr Johan Fullard (Senior Manager: Roads, Transport, Stormwater & Traffic Engineering) confirmed in an email dated 04 August 2021 – “We are currently at evaluation stage, and may be in a position to make an award within month, thereafter there is an appeal period. Possible start of construction in September / October.” – with reference to September/October 2021. Refer to the attached copy of this e-mail, Appendix H.</p> <p>Mr Johan Fullard (Senior Manager: Roads, Transport, Stormwater & Traffic Engineering) confirmed in an email dated 15 April 2020 – “A pedestrian bridge over the railway line located between Stellenbosch Station and Dorp Street, linking existing NMT routes along Adam Tas with proposed NMT routes in the Bosmans crossing area, is certainly desirable. The Municipality’s Non-Motorized Transport (NMT) Masterplan is currently being reviewed and updated, and this bridge is included in this Master Plan.</p> <p>We have reviewed conceptual plans of the bridge, however preliminary and detailed drawings, associated in principal approvals (on the exact location and type of structure) are the next steps required going forward. We intend to incorporate the pedestrian bridge as Developments within Bosmans crossing and along the Adam Tas Corridor unfold, it is most likely that the bridge will be implemented through Development Contributions from these developments.”</p>

<p>3.5</p>	<p>Balanced neighbourhood requirement</p> <p>The applicant should demonstrate, through the SDP, how the development would satisfy the following MSDF provisions;</p> <ul style="list-style-type: none"> • PWCG - (Table 31 P106) "Strategy: Develop all settlements as balanced, inclusive, appropriately serviced, communities, negotiable through NMT and exhibiting a positive relationship with surrounding nature and agricultural land. • SMSP - How the development will provide adequate social facilities for the daily retail needs of residents. 	<p>Refer to Appendix I for a comprehensive response which can be summarised as follows;</p> <ul style="list-style-type: none"> ○ The proposed development is a commercial property venture funded by shareholders capital which needs to be sustainable and viable - <i>"The best interests of the local authority (and society generally) lie in the success of the development."</i> (The Supreme Court of Appeal in <i>Municipality of Stellenbosch v Shelf-Line 104 (Pty) Ltd</i>) ○ The viability and sustainability of commercial property is reliant on sufficient residents residing in the precinct – Bosmans Crossing requires more residents to improve the viability of the existing commercial space. ○ The applicant has recently completed the Bosmans Business Centre (BBC) on the adjacent property comprising 5 440m² of GLA the viability of which was considered in conjunction with the proposed development. ○ The development proposal should be considered in the context of the entire precinct rather than within the confines of the subject property – the addition of a further 1 500m² is considered to be the appropriate balance to achieve a viable, sustainable mixed use precinct. ○ It is envisaged that many of the occupants of the BBC will choose to reside in the proposed development resulting in a live – work – study – play safe neighbourhood. ○ The development will contribute an amount of R3 327 227 in respect of Community Services in accordance with the proposed Development Contributions.
<p>3.6</p>	<p>Public footpath along the Plankenbrug River</p> <p>SMSP - The importance of public access along the Plakenbrug River and link to Papagaaiberg Nature Reserve do not receive adequate attention in the development proposal and must be revised to ensure public access to these amenities, possibly by ways of servitudes and the reconfiguration of the proposed residential buildings along the river edge</p>	<p>There is currently no "public access" along the Plankenbrug River and no link to the Papagaaiberg Nature Reserve through the property due to the steep embankment on the western bank of the river.</p> <p>The SDP and Landscape Plan have been amended by changing the position of the boundary fence on the eastern boundary of the proposed new sewer line servitude to allow for a public footpath along the Plankenbrug River. This will assist to ensure a web of green and visual connectivity between the Papegaaiberg and the Plankenburg riverine corridor.</p> <p>This walkway will also assist to enhance the integration with the public realm and open space system of the town to ensure a</p>

		<p>continuity of green; a continuous network of public open space integrated with the water network.</p> <p>The boundary fence along this side of the river be permeable which would assist to enhance security on this footpath.</p>
--	--	---

APPENDIX A

**ADOPTED RESOLUTIONS AND DECISIONS OF THE MEETING
OF THE IACOM OF HWC HELD ON 21 JULY 2021 CONFIRMING
APPROVAL OF HIA**

**Adopted Resolutions and Decisions of the Meeting of the Impact Assessment
Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 21 July 2021**



MATTERS DISCUSSED

11. SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP (NID)

11.1 None

12. SECTION 38(1): INTERIM COMMENT

12.1 None

13. SECTION 38(4) RECORD OF DECISION (ROD)

**13.1 Proposed Redevelopment of the Historic Complex as an Agri-Tourism Facility, Phase 2 on Farm 956, Donkerhoek, Simondium, Paarl: MA
HM/ CAPE WINELANDS / DRAKENSTEIN / PAARL/ FARM 956**

Case No: 20030508SB1020E

RECORD OF DECISION:

The Committee supported the proposals as contained within the additional information pack dated 29 June 2021, inclusive of the Arcon June 2021 Method Statement & Model Specifications, Square One landscape details and planting strategies, Open City architectural detailed drawings and finishes schedules.

The HIA dated February 2021 and prepared by Aikman Associates with the supplementary information pack referred to above, as collated by Open City Architects, is together confirmed as meeting the requirements of S38(3) of the NHRA. Therefore, the development may proceed, subject to the following conditions:

1. Monitoring methodology as indicated in the Archaeological Impact Assessment (AIA) (phase 1 dated 2020 prepared by Hearth Heritage) and Fabric Analysis Report dated January 2021 prepared by Hearth Heritage, and the final Spatial Development Plan (SDP) to be submitted to APM
2. Submission of interim and monitoring reports prior to and during construction which should update the Committee on detail development work and findings.
3. Submission of close-out report within 30 days of practical completion

The above authorisation is valid for a period of five years from the date of notification to the applicant thereof in writing. This period may be extended for good reason shown, provided that an application for extension stating the reasons is made prior to the expiration of the five-year period.

SB

**13.2 Erf 14601, Oude Moien, Stellenbosch: MA
HM/STELLEBOSSCH/ERF 14601**

Case No: 20101911KB1020E

RECORD OF DECISION:

The Committee resolved to endorse the HIA and Supplementary Report prepared by Cindy Postlethwayt and Chris Snelling dated June 2021 as meeting the requirements of S38(3) of the NHRA. The Committee supported the recommendations of the HIA and Supplementary report (p 11) as follows:

1. The submission of building plans for any future proposed alterations to the "Manor" House to HWC for approval, prior to the submission of final building plans:
2. The submission of building plans for any future alterations/additions to the warehouse to HWC for approval, prior to the submission of final building plans.
3. The retention and display of the mill workings within the Mill House.
4. Archaeological monitoring of the subsurface excavations when demolition of the large warehouse occurs, to confirm the presence or footprint of the original mill remains.

The above authorisation is valid for a period of five years from the date of notification to the applicant thereof in writing. This period may be extended for good reason shown, provided that an application for extension stating the reasons is made prior to the expiration of the five-year period.

KB

**13.3 Proposed Development of Remainder Farm 1054, Klein Goederust, Franschhoek: NM
HM/CAPE WINELANDS/ STELLENBOSCH / FRANSCHHOEK/ FARM 1054**

Case No: 20120229TZ1203E

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on 13 August 2021 (DG, RF, SW and M5).

SB

14 SECTION 38(8) NEMA RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

14.1 None

15 SECTION 38(8) NEMA INTERIM COMMENTS

**15.1 Proposed Residential Development on a 23d/ha Land, Consisting of a Variety of Residential Typologies of Varying Heights within a Gated Precinct with single access on Ptn 8 of Farm Ronwe 851, Paarl: MA
HM/CAPE WINELANDS/ DRAKENSTEIN/ PAARL / PTN 8 OF FARM 851**

Case No: 17062709HB0804E

FINAL COMMENT:

The Committee endorsed the HIA prepared by Graham Jacobs and dated May 2021 as meeting the requirements of S38(3) of the NHRA. The Committee supports preferred development alternative 2 as indicated within figure 15 (drawing numbered A525, dated 07/05/2021) subject to conditions as indicated within section 10.2 of the HIA:

1. That HWC allow the following detailed aspects of the proposals to be submitted to Drakenstein Municipality (Land Use Planning: Heritage Resources Sub-Section) for negotiation and final approval as part of the planning application, given that the subject site falls within a local authority heritage area, and that this local authority does have the necessary heritage-related resources and expertise:
 - a. A general statement regarding the lighting strategy to be employed to minimize nighttime light spillover. This would include details regarding lighting design/light standards/lighting bollards as set out in the heritage indicators and informed by Section 6.3.3 of the Visual Impact Assessment (VIA) report.
 - b. A general statement regarding the policy to be adopted for the installation of satellite dishes, TV aerials and other installations with potential to affect the development skyline.
 - c. A general policy statement and details regarding signage proposed for the development.
 - d. A general policy statement and particulars regarding the manner in which the property is to be secured, especially along the Lustigan and Wemmershoek Road boundaries if any further security measures other than those already endorsed by HWC, are proposed.
 - e. The preparation (by a SACLAP-registered professional) of a Landscape Development Plan in accordance with the requirements of the VIA specialist and including, as a minimum, the following:
 - (i) Locating on this Landscape Development Plan: -The various tree species as currently proposed in the landscaping plan Dwg. A525 dated 2021/05/07 by Daffonchio Architects; and-The various plant species and other surfacing details as currently proposed in the landscaping plan Dwg. A525 dated 2021/05/07 by Daffonchio Architects with particular attention to the Lustigan and Wemmershoek Road/R301 boundaries in order to meet the requirements in the VIA for more detail regarding the proposed 'buffer strips' along these roads;
 - (ii) Providing typical sections, at minimum 1:100 scale, through the above-mentioned roadways up to the first buildings within the site to better understand, in terms of the VIA requirements, the relative scale, landform and screen planting volumes, as well as proposed boundary treatment;
 - (iii) Indicating the proposed roof plans of all individual buildings on the property to better understand as a quantum, the relationship of the proposed tree canopies with the new built forms;

- (iv) Providing more particulars regarding the proposed soft landscaping treatment of the 30m wide buffer strip interface with the R301/Wemmershoek Road and the interface with Lustigan Road: all to retain/sustain rural qualities, where possible;
- (v) Providing details of proposed pedestrian pathways (including suggested materials) along the outer edges of the property;
- (vi) Providing particulars regarding parking areas if/where visible from Wemmershoek and Lustigan Roads to mitigate reflected glare from windshields and negative visual impacts from continuous paved surfaces;
- (vii) Providing more details of the storm water strategy with regard to the open, planted channels and swales (as recommended in the VIA) where affecting visual impacts along Wemmershoek and Lustigan Roads;
- (viii) A requirement that all trees planted (roots to be established in minimum 80-100L bags) have a clear stem height of 1,8m minimum and a minimum girth of approximately 60mm or as otherwise advised by a qualified arborist in conjunction with the local authority;
- (ix) Particulars regarding the mature heights of the various proposed tree species and the time spans for those heights to be reached; and
- (x) A requirement that present ground levels of existing trees be retained around their bases to the satisfaction of a qualified arborist to ensure their survival and continued health.

AM

**15.2 Amended Part II to Juno Wind Energy Facility on the Remainder of Farm De Boom 273, Vredendal: MA
HM/WEST COAST/ VREENDAL/REM OF DE BOOM 273**

Case No: 21021103SM0312E

FINAL COMMENT:

The Committee confirms that the requirements of S38(3) of the NHRA have been met. The Committee supports the recommendations within the HIA report (ref page 55-56) and endorses the APM comments as follows:

1. The Sandlaagte River Valley should be avoided in totality with no infrastructure placed within 500 m of the centre of the valley;
2. Measures to reduce the visual impacts on the landscape as identified in the VIA should be implemented (e.g. minimising disturbance, minimising lighting, ensuring rehabilitation); and
3. Should any buried human remains or unknown archaeological or palaeontological heritage resources be uncovered during the construction phase, work must cease in that area and HWC must be contacted regarding the appropriate way forward.

SB

**15.3 Proposed Development on Portion 14 of Schryvershoek Farm 362, Langebaan Lagoon, Saldanha Bay: NM
HM/WEST COAST/ SALDANHA BAY / PTN 14 OF 362**

Case No: 21012504SB

FURTHER REQUIREMENTS:

The Committee requires the resubmission of a complete HIA which meets the requirements of S38(3) of the NHRA. This HIA is to address (amongst others):

1. Archaeology.
2. Palaeontology.
3. Cultural landscape.
4. Parameters for development - to be clearly articulated.

SB

**15.4 Proposed Various Mixed-Use Developments on Farm 1450, 1276, 1277, Ptn 5 of 382, Rhebokskloof Wine Estate, Paarl: NM
HM/ CAPE WINELANDS / DRAKENSTEIN / FARM 1450, 1276, 1277, PTN 5 OF 382**

Case No: 21061407SB0621E

FURTHER REQUIREMENTS:

The Committee resolve to undertake a site inspection on 13 August 2021 (DG, RF and MS).

SB

**15.5 Proposed Rezoning for Group Housing, Eco Estate Plots, a Small Apartment, etc. on REM of Cape Farm 1529 and Erf 5112, Kommetjie: NM
HM/ CAPE TOWN METROPOLITAN/ KOMMETJIE/ RE 1529 & ERF 5112**

Case No: 21062408JW0625E

FINAL COMMENT:

The Committee endorsed the HIA and associated documentation as prepared by Cindy Postlethwayt and dated May 2021 as meeting the requirements of S38(3) of the NHRA. The Committee supports the recommendations and findings of the HIA (refer to p 56 of the HIA):

1. HWC fossil finds, and accidental finds of human remains protocol to be included in the environmental authorisations;
2. The implementation in all important respects of the mitigations outlined in Section 13 of this report;
3. During the construction phase, archaeological and paleontological monitoring of any earthworks and deep trenching so that in the event of paleontological or archaeological material being encountered e.g. bones, stone artefacts, trace fossils or wetland deposits, work is to be stopped in that area immediately, and reported to the heritage authority (HWC) for further consideration.

The above authorisations are valid for a period of five years from the date of notification to the applicant thereof in writing. This period may be extended for good reason shown, provided that

an application for extension stating the reasons is made prior to the expiration of the five-year period.

AM

- 15.6 Proposed re-purpose of York Farm Cottages (Boschendal), R310, Dwars River Valley, Farm 11_1674, Stellenbosch: NM
HM/ CAPE WINELANDS / STELLENBOSCH/ FARM 11/1674**

Case No: 20032005SB0331E

INTERIM COMMENT:

The Committee provisionally supports the HIA and approach prepared by Rennie Scurr Adendorff and dated 22 June 2021 as well as APM comments on the AIA. HWC awaits submission of final HIA (inclusive of the public participation process) to comply with S38(3) of the NHRA.

SB

- 15.7 Proposed Consolidation, Subdivision and Rezoning to create a Large Residential Development Goede Verwachting Development, Remainder Farm 869; Portion 3 Farm 870; Farm 866; Farm 867; Farm 868; Farm 1054; and Portion 2 of Farm 870, Sir Lowry: NM
HM/ CAPE TOWN METROPOLITAN/ OLD SIR LOWRY / REM FARM 869, PTN 3/870, 866, 867, 868, 1054, PTN 2/870**

Case No: 21062404SB0625E

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on 13 August 2021 (DG, SW, RF and MS).

SB

- 15.8 Proposed Subdivision for Prospective residential Units on Erf 177476, Main Road, St. James: MA
HM/ST JAMES/ERF 177476**

Case No: 17090415A50914M

FINAL COMMENT:

The Committee resolved to endorse the revised HIA prepared by Prof Peters dated 30 June 2021 as meeting the requirements of S38(3) of the NHRA. The Committee supports the recommendations of the HIA as conditions of approval, listed as follows:

1. The sub-division of Lot 177476 into three portions as conforming with the cadastral character of its 'identity area';
2. The landscaping proposals for visually mitigating the impact of the stone retaining walls of the platform for the residence proposed for Portion 3 (to plans approved by the City of Cape Town on 13th June 2017) as serving to soften, recede and cohere with the townscape of St James to an acceptable degree;

3. Endorse the topographically-sensitive design for the proposed residence on Portion 2 (Appendix B) as being appropriate for development of the site abutting the natural environment with ravine and seasonal stream, and that in terms of Section 38(4)(a) consent is given for the development to proceed; and that;
4. Any development for Portion 1 be subjected to the prescribed approval processes in its time. However, that the conceptual proposals as articulated in Appendix D respond positively to the environmental and contextual constraints of Portion 1 and provide an acceptable basis for its development, and;
5. At the hand of the Heritage Indicator for Design formulated in 2.1.4 (a), above, the Design Indicators contained in Appendix F, and the need expressed by IACom to bind the current owner's successors in title to certain restrictions in order to mitigate the heritage impact of the proposed development, it is recommended that the particular points extracted from the Guidelines in 1.1(e) are incorporated into the conditions for the approval of subdivision, and as such, are to be registered against the title deeds of the Portions resulting from the subdivision.

The Committee recommends that the subdivision approval be subject to restrictive conditions applicable to portion 1 and that these be informed by the heritage indicators as set out in the supplementary heritage report dated 30 June 2021 and included in the title deed for portion 1.

The above authorisations are valid for a period of five years from the date of notification to the applicant thereof in writing. This period may be extended for good reason shown, provided that an application for extension stating the reasons is made prior to the expiration of the five-year period.

SB

16	SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT
16.1	None
17	SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP
17.1	None
18	SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN INTERIM COMMENT
18.1	None
19	SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT
19.1	None
20	SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP
20.1	None
21	SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT
21.1	None

22 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

22.1 None

23. SECTION 27 PROVINCIAL HERITAGE SITES

23.1 None

24. ADVICE

24.1 None

25 SECTION 42 HERITAGE AGREEMENTS

25.1 None

26. OTHER**26.1 Draft Conservation Management Plan (CMP) for Bains Kloof, Wellington: MAHM/ CAPE WINELANDS/ DRAKENSTINE/ WELLINGTON/ BAINS KLOOF PASS**

Case No: 19050303SB0619E

HELD OVER:

The matter is deferred to the next IACom meeting.

SB

27 Adoption of decisions and resolutions

The Committee agreed to adopt the decisions and resolutions as recorded above.

APPENDIX B

**LETTER OF UDS AFRICA TO DIRECTORATE INFRASTRUCTURE
SERVICES**

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

**Consulting Services**

- Civil Engineering Services
- Roads
- Traffic Engineering

Contact Person: Piet van Blerk

Your Ref: Erf 14601, Stellenbosch

Our Ref: ICE/S/849A

Date: 10 August 2021

First Plan Town and Regional Planners
P.O. Box 15865
PANORAMA
7506

Attention: Ms Christine Havenga

Madam

**APPLICATION FOR SUBDIVISION AND REZONING OF ERF 14601,
STELLENBOSCH: TRAFFIC IMPACT ASSESSMENT**

This company was appointed to prepare a Traffic Impact Assessment (TIA) for the proposed development on Erf 14601, Stellenbosch.

1. BACKGROUND AND LOCALITY

The subject property is situated to the northeast of the existing Bosman's Crossing Square-development, Stellenbosch. See the attached *Locality Plan*.

According to information the property is zoned Industrial Zone with a permitted bulk of 80 715 m² under the primary rights, with approximately 12 000 m² thereof developed and operational as industrial buildings.

Previous TIAs were compiled by this company for development proposals on the subject property, with the latest dated 12 February 2013 (*Ref: ICE/B/849*).

As far as could be established, the Saw Mills- and Bosman's Crossing Erf 15804 (previously Erven 14163 & 14164)- development applications have been submitted/approved in the area. The TIAs for the said developments were thus considered for the purpose of traffic analyses. The adjacent Erf 6201 is also currently under construction, which, according to information obtained from Stellenbosch Municipality, will be 4 854 m² GLA offices. The location of the said developments is indicated on the attached *Locality Plan*.

This TIA accompanies the Application for Subdivision and Rezoning of Erf 14601, Stellenbosch.

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: 2008/133238/23



2. PROPOSED DEVELOPMENT

2.1 Proposed Development

The proposed development on the subject property will include the following:

<i>Residential</i>	<i>Business</i>
1-Bedroom/Studio Apartments: 44 units	Offices (Manor House): 592 m ²
2-Bedroom Apartments: 99 units	Retail (Shed): 205 m ²
3-Bedroom Apartments: 116 units	Restaurant (Shed): 479 m ²
Clubhouse (Mill House): 85 m ²	

The proposed clubhouse will be a private amenity to the residential scheme. See the attached *Site Development Plans* prepared by *Boogertman and Partners Architects*.

2.2 Access to the Property

Access to the property is currently obtained from Distillery Road, where the said road terminates. The access-position is proposed to remain. See the photo below. Detail on access will be further discussed in *paragraph 4*.



Photo 1 : Existing access to the subject property

3. TRAFFIC

3.1 Available Traffic

Traffic counts were previously conducted at the Adam Tas Road/Oude Libertas Street- and Oude Libertas Street/Distillery Road/Flamingo Road intersections on Thursday, 3 August 2017 from 06h00 to 08h00 and again from 16h00 to 18h00. The peak hour volumes derived from these counts are indicated in *Figure 1* attached.

3.2 Traffic Growth

Historic peak hour traffic counts at the Adam Tas Road/Oude Libertas Street intersection were obtained from a previous project in the area. From the said counts, an average traffic growth rate of 2% per annum was calculated along Adam Tas Road, with peak hour traffic along Oude Libertas Street remaining relatively constant. A 2% per annum growth in traffic along Adam Tas Road was thus applied. For the purpose of traffic analyses, a five-year projection was applied. The available 2017 peak hour volumes were thus increased by 2% per annum for eight (8) years to obtain 2025 peak hour volumes.

To account for surrounding development in the area, the traffic that can potentially be generated by the Saw Mills- and Erf 15804-developments (as per their respective TIAs) and the adjacent Erf 6201-development (based on its GLA as obtained from Stellenbosch Municipality), were added to the traffic volumes as discussed above, to obtain the estimated 2025 peak hour volumes as indicated in *Figure 2* attached.

3.3 Traffic Generation

Trip generation rates as contained in the *TMH17 South African Trip Data Manual* were applied to calculate the peak hour traffic that can potentially be generated by the proposed development. The following rates were applied:

Land use	Rate	In/Out	Rate	In/Out
Townhouse	0,85 trips per unit	25/75	0,85 trips per unit	70/30
Single Dwelling	1,0 trip per unit	25/75	1,0 trip per unit	70/30
Restaurant	n/a		8,0 trips per 100 m ²	65/35
Offices	2,1 trips per 100 m ²	85/15	2,1 trips per 100 m ²	20/80
Retail*	4,0 trips per 100 m ²	65/35	22,67 trips per 100 m ²	50/50

*Based on the *TMH17* formulas: $0,6 \times \left[1 + \frac{6}{1 + m^2/3500} \right]$ & $3,4 \times \left[1 + \frac{6}{1 + m^2/3500} \right]$

For the purpose of trip generation calculations, the townhouse trip generation rate was applied to the one-bedroom apartments, whilst the single dwelling unit rate was applied to the two- and three-bedroom apartments.

The *TMH17* further suggests trip generation adjustment factors for mixed use developments. For the retail- and restaurant uses a 10% reduction is suggested, and for the office use 20%.

Based on the above, the peak hour traffic that can potentially be generated by the proposed development was calculated as follows:

Land use	AM Peak Hour Trips			PM Peak Hour Trips		
	Total	In	Out	Total	In	Out
One-bedroom (44 units)	37	9	28	37	26	11
Two-bedroom (99 units)	99	25	74	99	69	30
Three-bedroom (116 units)	116	29	87	116	81	35
Retail (205 m ² GLA)	8	5	3	42	21	21
Offices (592 m ² GLA)	10	8	2	10	2	8
Restaurant (479 m ² GLA)	0	0	0	34	22	12
	270	76	194	338	221	117

As mentioned in *paragraph 1*, TIAs were previously compiled for development proposals on the subject property. The latest TIA contained a potential trip generation of 276 AM peak hour trips (80 in, 196 out) and 339 PM peak hour trips (232 in, 107 out). The existing industrial rights mentioned in *paragraph 1* above, has the potential to generate 484 peak hour trips (based on the trip generation rate contained in the TMH17). The potential peak hour traffic as calculated above can thus be expected to have a lesser impact on the external road network than the industrial rights.

3.4 Traffic Distribution

From the subject property, the proposed development-traffic was distributed towards the Adam Tas Road/Oude Libertas Street intersection via Distillery Road and Oude Libertas Street. At the Adam Tas Road/Oude Libertas Street intersection, the proposed development traffic was distributed to/from Adam Tas Road based on the existing directional split in traffic at the said intersection. See the distributed peak hour traffic in *Figure 3* attached.

3.5 Traffic Analysis

Traffic analyses of the intersections were done by means of the Sidra Intersection 8.0 software. Link volumes were analysed based on the Highway Capacity Manual method. Service levels A to D are considered acceptable, with D the critical. In congested areas, service level E is also considered acceptable.

The intersections analysed consist of lane layouts as follows:

Adam Tas Road/Oude Libertas Street intersection:

This intersection is currently signalised with dedicated right-turn lanes on the Adam Tas Road-approaches. See the lane layout below.

The Erf 15804-development's Conditions of Approval include the construction of a dedicated left-turn lane along the western Adam Tas Road-approach, and the extension of the existing dedicated right-turn lane along the eastern Adam Tas Road-approach. A Services Agreement was signed between Stellenbosch

Municipality and the Developer of the said development to implement the required upgrades in lieu of Development Contributions.



Photo 2 : Existing Adam Tas Road/Oude Libertas Street intersection lane layout

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

This intersection is currently a T-intersection, with stop-control on the right-turn movement on the Distillery Road-approach, yield-control on the left-turn movement on the Distillery Road-approach, as well as the right-turn movement on the Oude Libertas Street-approach and the Flamingo Road-approach. Free-flow conditions are experienced on the Oude Libertas Street-approach towards Flamingo Road. See the lane layout below.



Photo 3 : Existing Oude Libertas Street/Distillery Road/Flamingo Road intersection lane layout

3.5.1 Analysis of Available Peak Hour Volumes (excluding proposed development)

Adam Tas Road/Oude Libertas Street intersection:

According to the Sidra analyses, intersection levels of service C were experienced at this intersection during the available peak hours, with acceptable service levels D and above experienced on all movements.

It was noticed on-site (at the time of the traffic counts) that, although relatively congested during peak times, unacceptable service levels are not yet experienced.

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

According to the Sidra analyses, acceptable service levels A and above were experienced at this intersection during the available peak hours.

3.5.2 Analysis of Estimated Peak Hour Volumes (excluding proposed development)

Adam Tas Road/Oude Libertas Street intersection:

As previously mentioned, upgrades to this intersection are to be implemented with the development of Erf 15804. With the said upgrades in place, services levels F can be expected along Adam Tas Road (eastbound) during the estimated AM peak hour, and along Adam Tas Road (westbound) during the PM peak hour. Unacceptable service levels are also anticipated on the left-turn movement on the Oude Libertas Road-approach and on the right-turn movement on the eastern Adam Tas Road-approach. To accommodate the large turning volumes, a second dedicated left-turn lane on the Oude Libertas Road-approach is suggested. An additional dedicated right-turn lane could in future be considered on the eastern Adam Tas Road-approach. As discussed in the TIA for the Saw Mills development, to accommodate the background traffic, a third through lane along Adam Tas Road (eastbound) is required irrespective of any developments in the area, or a bypass such as the potential Stellenbosch Western Bypass Road as alternative.

It can thus be concluded that to accommodate the estimated 2025 peak hour traffic volumes (background traffic including surrounding development) at the Adam Tas Road/Oude Libertas Street intersection, the Erf 15804-upgrades will be required, as well as a second dedicated left-turn lane on the Oude Libertas Road-approach, and that consideration be given by the Road Authorities to a third through lane along Adam Tas Road, or a bypass road (as per the Saw Mills-recommendations).

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

With the addition of the surrounding development traffic, upgrades to this intersection will be required to accommodate the additional turning movements to/from the Bosman's Crossing area. To accommodate the said traffic, either a roundabout or traffic signals is considered necessary at this intersection. As result of the topography and the existing trees, however, a roundabout does not seem to be a viable option. It is thus suggested that traffic signals at this intersection be considered. The provision of traffic signals will also address the existing sight distance issues at the intersection.

With traffic signals, acceptable service levels can be expected on all movements during the estimated peak hours.

It can thus be concluded that to accommodate the estimated 2025 peak hour traffic volumes (background traffic including surrounding development) at the Oude Libertas Street/Distillery Road/Flamingo Road intersection, the provision of traffic signals be considered.

3.5.3 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 2025 peak hour volumes, i.e. background traffic (*Figure 2*) to obtain the expected 2025 peak hour volumes (*Figure 4*).

With the addition of the proposed development traffic, similar results can be expected at the Adam Tas Road/Oude Libertas Street- and Oude Libertas Street/Distillery Road/Flamingo Road intersections, as discussed above (estimated peak hours).

It can thus be expected that the upgrades required to accommodate the background traffic should be sufficient to accommodate the addition of the proposed development traffic.

4. GEOMETRY

As previously mentioned, access will be obtained from Distillery Road, via Oude Libertas Street. According to information, both are classified as Class 4-roads.

Provision has been made should the overall road network require a link between the existing Bosman's Crossing area and George Blake Road – as previously mentioned, Distillery Road currently terminates at the subject property boundary. A future road link to George Blake Road will thus be via the subject property (and via the Bergkelder Site). During a meeting held at Stellenbosch Municipality on Thursday, 23 January 2020, with messrs Johan Fullard, Nigell Winter and Roscoe Bergstedt, and our mr Piet van Blerk and ms Yolandi Obermeyer, it was agreed that a 13 metre road reserve will suffice for this future road link traversing the subject property. The said road reserve is to accommodate a 7,4 metre blacktop road, with minimum 2,4 metre NMT-facilities along both sides of the road (wider where additional space exists within the road reserve).

The existing bridge across the river has limitations with regard to capacity. According to information, consultants have been appointed by Stellenbosch Municipality to investigate the upgrades required to improve the bridge across the river (along Distillery Road), which currently provides the only access to the Bosman's Crossing area.

Three accesses are proposed along the road traversing the subject property. Access to the residential portion and access to the commercial portion are proposed opposite one another, with access to the remaining commercial portion \pm 80 metres east thereof. To address traffic calming along this road, it is suggested that the two access-intersections be raised.

Security controls (gates/booms) are proposed to the residential portion only, which will be set back 20 metres from the edge of the road traversing the property. Two lanes in (3,0 metres wide each) and one lane out (4,2 metres wide) will be provided at the said security controlled access. This is considered sufficient to accommodate emergency vehicles (4,0 metres required). The accesses to the two commercial parking areas will not be security controlled, therefore stacking at these accesses should not be problematic.

Internal circulation will be via the isle widths provided behind parking bays, which measure 7,0 metres and thus considered sufficient to accommodate the two-way traffic expected on-site.

Refuse rooms are proposed at the accesses along the road traversing the subject property, with accompanying embayments for refuse vehicles. The intention is that in future, when the said road is extended up to George Blake Road, the proposed embayments function as public transport embayments as well. Ultimately, refuse vehicles will be able to continue along the proposed road traversing the subject property. Until such a time that the said road is constructed up to George Blake Street, space will be available for refuse vehicles to turn, at the point where the road

initially terminates. According to the developer, it is the intention that refuse removal be handled privately.

5. PARKING

5.1 Parking Requirement

The parking requirements for the proposed land uses as contained in the Stellenbosch Municipality Zoning Scheme Regulations (2019), are as follows:

Flats* 1- & 2-bedroom	1,5 bay/dwelling unit
3-bedroom	1,75 bays/dwelling unit
4 or more-bedroom	2,0 bays/dwelling unit

*These rates include 0,5 bays/dwelling unit for visitors

Commercial	4,0 bays per 100 m ² GLA
------------	-------------------------------------

Based on the said rates, the following parking requirement will be applicable:

<i>Residential</i>	<i>Units</i>	<i>Bays</i>	<i>Business</i>	<i>GLA</i>	<i>Bays</i>
1-Bedroom Apartments	44	66,0	Offices	592	23,68
2-Bedroom Apartments	99	148,5	Retail	205	8,20
3-Bedroom Apartments	116	203,0	Restaurant	479	19,16
	Subtotal	417,5		Subtotal	51,04
<i>Total</i>					<i>468,54 ≈ 469</i>

5.2 Parking Provided

Parking is proposed at-grade, with the majority of parking to the residential units at semi-basement level below the residential buildings. As per the attached plans, 420 bays will be provided on the residential portion of the development and 48 bays on the business portion of the development, i.e. 468 bays total.

Spaces for the accommodation of bicycle parking/storage is indicated on the attached plans, over and above the required parking. Furthermore, similar to the reduction in trip generation as result of the mixed-use concept, it can be expected that fewer vehicular parking bays would be required on the commercial site as it can be expected that residents of the proposed development (as well as surrounding residents) would walk to the commercial facilities. Based on the shared parking principles of the *Access Management Guidelines (AMG)* of *Western Cape Government (WCG)*, maximum parking bays required in this node (residential plus commercial) calculates to 433 bays.

Based on the above, the total parking provided is considered sufficient.

5.3 Parking Dimensions/Layout

Parking bays provided consist of dimensions in line with normal parking standards, i.e. 2,5 by 5,0 metre bays, with bays adjacent to walls 2,85 metres wide. Parking bays adjacent to columns measure 2,5 metres in width from the face of the columns, which is acceptable. Parking bays accessible to the physically disabled consist of 3,5 metre widths, which is in line with SANS 10400. The aisle widths provided behind 90-degree parking bays are minimum 7,0 metres, which is considered sufficient. Four (4) parking bays are provided at an angle along the exit lane of the residential



access – the isle width behind these bays (4,2 metres) is sufficient for angled parking (45-degrees) along a one-way section.

6. PUBLIC AND NON-MOTORISED TRANSPORT (NMT)

6.1 Non-Motorised Transport

An NMT-path exists along the south western side of Distillery Road, which links with the NMT-facility along Adam Tas Road ("Cape Winelands NMT Route") to the southwest of the road-over-river bridge. The only means of crossing the river is thus the said bridge.

A pedestrian bridge over the railway line, and possibly over Adam Tas Road, is planned. This bridge will be an important link between Bosman's Crossing and the eastern side of the railway line in order to provide a more direct (and shorter) route for NMT towards Stellenbosch CBD. According to information, the said bridge was also included in the proposal to dual Lower Dorp Street (as part of the heritage application). The schematic position of the bridge is indicated below – the means of connecting with the facilities along Adam Tas Road is not yet final (i.e. stairs/ramps/etc.).



Diagram 1 : Schematic position of NMT bridge over the railway line to directly link the Bosman's Crossing area with the existing NMT along Adam Tas Road

As discussed in *paragraph 4* above, NMT-facilities of minimum 2,4 metres (as agreed upon with Stellenbosch Municipality) will be allowed for along both sides of the extension of Distillery Road, traversing the subject property. The proposed development will thus be linked to the existing NMT routes in the area.

On-site pedestrian accommodation is by way of paths linking the residential buildings to the clubhouse and to the external NMT-facilities.

6.2 Public Transport

The main public transport modes serving Stellenbosch are rail, minibus taxi (MBT) and e-hailing services such as Uber.

The Stellenbosch Railway Station is situated directly opposite the subject property however the railway station is not accessible in the absence of a bridge over the railway line.

The proposed NMT bridge will provide direct access to the railway station which, in turn, acts as a hub for, and links in with the Stellenbosch Public Transport.

As far as could be established, no further public transport facilities exist in the immediate vicinity of the proposed development. As indicated on the attached plans, embayments are proposed along the proposed road traversing the subject property. As mentioned in *paragraph 4* above, space will be available to turn where the said road initially terminates.

7. CONCLUSIONS

The following can be concluded from the report:

- 1) That the TIA accompanies the application for subdivision and rezoning of Erf 14601, situated to the northeast of the existing Bosman's Crossing Square-development, Stellenbosch;
- 2) That according to information, the property is zoned Industrial, with permitted bulk of 80 715 m² under the primary rights, with approximately 12 000 m² thereof developed and operation as industrial buildings;
- 3) That the development is proposed to consist of 259 apartments (one-, two- and three-bedroom) with accompanying clubhouse, as well as 1 276 commercial space (offices, retail, restaurant), with access from Distillery Road, where the road currently terminates;
- 4) That the proposed development has the potential to generate 270 AM peak hour trips (76 in, 194 out) and 338 PM peak hour trips (221 in, 117 out), which will have a lesser impact on the external road network than the industrial rights;
- 5) That to accommodate the background traffic:
 - a) Adam Tas Road/Oude Libertas Street intersection: A second dedicated left-turn lane on the Oude Libertas Street-approach be provided, and consideration be given by the Road Authorities to a third through lane along Adam Tas Road, or a bypass road (both as per the Saw Mills-recommendations);
 - b) Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signals be considered;
- 6) That to accommodate the proposed development-traffic, no upgrades additional to those required to accommodate the background traffic is considered necessary;
- 7) That provision has been made should the overall road network require a link between the existing Bosman's Crossing area and George Blake Road by way of a future road link (extension of Distillery Road) to George Blake Road via the subject property (13 metre road reserve as agreed upon with Stellenbosch Municipality: 7,4 metre blacktop road with minimum 2,4 metre NMT facilities along both sides);
- 8) That the existing bridge across the river, currently the only access to the Bosman's Crossing area, has limitations with regard to capacity, but that according to information, consultants have been appointed by Stellenbosch Municipality to investigate required upgrades;
- 9) That three accesses are proposed to the development portions along the road traversing the subject property: access to the residential portion and to a commercial portion opposite one another, with access to the remaining commercial portion \pm 80 metres east thereof;
- 10) That security controls are proposed to the residential portion only, set back 20 metres from the edge of the road traversing the property, with two lanes in (3,0 metres wide each) and one lane out (4,2 metres wide);

- 11) That internal circulation will be via the isle widths provided behind parking bays, which measure 7,0 metres and thus considered sufficient to accommodate the two-way traffic expected on-site;
- 12) That refuse removal will be handled privately, and that refuse rooms are proposed at the accesses along the road traversing the subject property, with accompanying embayments for refuse vehicles, with space available to turn until such a time that the road is extended to intersection with George Blake Road;
- 13) That 418 parking bays are required for the residential portion and 51 bays for the business portion, that 420 bays are provided on the residential site and 48 bays on the business site, with facilities for bicycles over and above the requirements, that the parking provided is considered sufficient based on shared parking principles, and that parking bay dimensions are in line with normal parking standards;
- 14) That an NMT-path exists along the south western side of Distillery Road, which links with the NMT-facility along Adam Tas Road ('Cape Winelands NMT Route') to the southwest of the road-over-river bridge, with the only means of crossing the river being the said bridge, that 2,4 metre wide NMT-facilities will be provided along both sides of the extension of Distillery Road traversing the subject property, and that on-site pedestrian accommodation is linked to the external NMT-facilities;
- 15) That a pedestrian bridge over the railway line, and possibly over Adam Tas Road, is planned, which will be an important link between Bosman's Crossing and the eastern side of the railway line in order to provide a more direct (and shorter) route for NMT towards Stellenbosch CBD – bridge included in Lower Dorp Street dualling proposal (as part of the heritage application); and
- 16) That the Stellenbosch Railway Station is situated directly opposite the subject property however not accessible in the absence of a bridge over the railway line, and that embayments for public transport are proposed along the road traversing the subject property.

8. RECOMMENDATIONS

From the above the following are recommended:

- 1) That to accommodate the background traffic:
 - a) Adam Tas Road/Oude Libertas Street intersection: A second dedicated left-turn lane on the Oude Libertas Street-approach be provided; and
 - b) Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signals be considered.

As Adam Tas Road is a Class 2-road, and as the upgrades required are as result of background traffic, it is the opinion that the cost of the recommended upgrades be offset against Development Contributions payable.

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

Yours faithfully



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



Attachments**Locality Plan**

Site Development Plans (*Boogertman and Partners Architects*):

SDP_OVERALL

SDP_PARKING

SDP_BUSINESS PREMISES

- Figure 1 Available AM/PM Peak Hour Traffic Volumes (Thursday, 3 August 2017)
- Figure 2 Estimated 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth and surrounding development)
- Figure 3 Distribution of Traffic Generated by Proposed Development
- Figure 4 Expected 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth, surrounding development and proposed development)



Locality Plan



GROUP (Pty) Ltd.

Postbus / PO Box 131
Sellenbosch 7508

Time Square Unit 5
Electra Street
Techno Park
Sellenbosch 7600

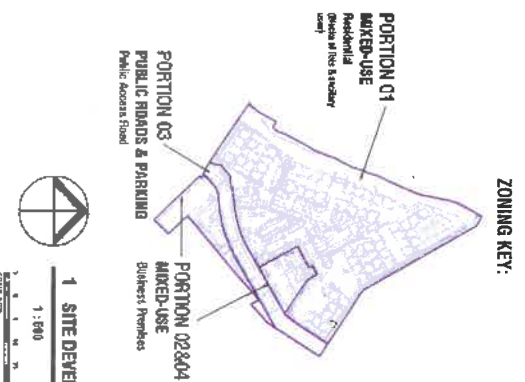
Tel. : 021 - 850 0443
Fax / Fsk : 021 - 888 0380
e-mail : info@ecgroup.co.za

DEVELOPMENT DATA: RESIDENTIAL
(SUMMARY)

1	SITE AREA:	26.98ha
1	SITE AREA (OVERALL):	26.98ha
1	SITE AREA (BARRISON, PORTION 01):	20.48ha
2	UNIT AMOUNT:	229
3	BUILDING COVERAGE:	126.4m ² /ha
3	UNIT BLOCK COVERAGE:	5.76ha
3	AMENITIES COVERAGE:	411m ²
3	TOTAL SITE COVERAGE @ 8.11ha/ha	20.3%
4	PARKING PROVIDED:	476
4	PARKING REQUIRED:	288
4	ALLOCATED BAYS:	170
4	VISITOR BAYS:	420
4	PARKING PROVIDED:	288
4	ALLOCATED BAYS:	288
4	VISITOR BAYS:	152
4	PROVIDED PARKING RATIO:	1.2 BAYS/UNIT

DEVELOPMENT DATA: BUSINESS PREMISES
(SUMMARY)

1	SITE AREA:	0.58ha
1	SITE AREA (OVERALL):	0.58ha
1	SITE AREA (BARRISON, PORTION 02/04):	0.58ha
2	BUILDING AREAS:	
2	MANOR & SHED FLOOR AREAS:	1.80ha
2	COMMERCIAL, AMENITIES FLOOR AREAS:	42m ²
2	BULK:	0.39
2	MANOR & SHED G.A.:	1.27ha
3	BUILDING COVERAGE:	
3	MANOR & SHED COVERAGE:	36m ²
3	AMENITIES COVERAGE:	42m ²
3	TOTAL SITE COVERAGE @ 0.1ha/ha:	15.5%
4	PARKING PROVIDED:	48
4	ALLOCATED BAYS:	48
4	PROVIDED PARKING RATIO:	2.71 BAYS/UNIT



TITLE	PROJECT	CLIENT	REVISION	GENERAL
	STELLENDOSCH	Partners		
	380			
	381			
	382			
	383			
	384			
	385			
	386			
	387			
	388			
	389			
	390			
	391			
	392			
	393			
	394			
	395			
	396			
	397			
	398			
	399			
	400			

BUSINESS PREMISES PARKING REQUIREMENTS

BUSINESS PREMISES COMPARISON:

Area	Req'd. Area	Number of Parking Spots Provided	Number of Parking Spots Required
Business Premises	520m ²	24	21
THE COLLEGE	850m ²	4	27
TOTAL:	1,370m²	54	48

DEVELOPMENT DATA: ZONING TABLE

STREET BOUNDARY BUILDING LINES (M):	COMMON BOUNDARY BUILDING LINES (M):	COVERAGE:	HEIGHT:
Building Distance: 1	Zone of Influence: 2	Zoning Schedule: P1/200	Zoning Schedule: P1/200
Business Premises Provision R:	0m	85%	15% @ 3 stories
	0m		1 - 2 stories

DEVELOPMENT DATA: BUSINESS PREMISES (SUMMARY)

Area Schedule (GVA) BUSINESS PREMISES	
AREA	AREA
LOT 1 (RESERVED)	100.00
LOT 2 (RESERVED)	100.00
LOT 3 (RESERVED)	100.00
LOT 4 (RESERVED)	100.00
LOT 5 (RESERVED)	100.00
LOT 6 (RESERVED)	100.00
LOT 7 (RESERVED)	100.00
LOT 8 (RESERVED)	100.00
LOT 9 (RESERVED)	100.00
LOT 10 (RESERVED)	100.00
LOT 11 (RESERVED)	100.00
LOT 12 (RESERVED)	100.00
LOT 13 (RESERVED)	100.00
LOT 14 (RESERVED)	100.00
LOT 15 (RESERVED)	100.00
LOT 16 (RESERVED)	100.00
LOT 17 (RESERVED)	100.00
LOT 18 (RESERVED)	100.00
LOT 19 (RESERVED)	100.00
LOT 20 (RESERVED)	100.00
LOT 21 (RESERVED)	100.00
LOT 22 (RESERVED)	100.00
LOT 23 (RESERVED)	100.00
LOT 24 (RESERVED)	100.00
LOT 25 (RESERVED)	100.00
LOT 26 (RESERVED)	100.00
LOT 27 (RESERVED)	100.00
LOT 28 (RESERVED)	100.00
LOT 29 (RESERVED)	100.00
LOT 30 (RESERVED)	100.00
LOT 31 (RESERVED)	100.00
LOT 32 (RESERVED)	100.00
LOT 33 (RESERVED)	100.00
LOT 34 (RESERVED)	100.00
LOT 35 (RESERVED)	100.00
LOT 36 (RESERVED)	100.00
LOT 37 (RESERVED)	100.00
LOT 38 (RESERVED)	100.00
LOT 39 (RESERVED)	100.00
LOT 40 (RESERVED)	100.00
LOT 41 (RESERVED)	100.00
LOT 42 (RESERVED)	100.00
LOT 43 (RESERVED)	100.00
LOT 44 (RESERVED)	100.00
LOT 45 (RESERVED)	100.00
LOT 46 (RESERVED)	100.00
LOT 47 (RESERVED)	100.00
LOT 48 (RESERVED)	100.00
LOT 49 (RESERVED)	100.00
LOT 50 (RESERVED)	100.00
LOT 51 (RESERVED)	100.00
LOT 52 (RESERVED)	100.00
LOT 53 (RESERVED)	100.00
LOT 54 (RESERVED)	100.00
LOT 55 (RESERVED)	100.00
LOT 56 (RESERVED)	100.00
LOT 57 (RESERVED)	100.00
LOT 58 (RESERVED)	100.00
LOT 59 (RESERVED)	100.00
LOT 60 (RESERVED)	100.00
LOT 61 (RESERVED)	100.00
LOT 62 (RESERVED)	100.00
LOT 63 (RESERVED)	100.00
LOT 64 (RESERVED)	100.00
LOT 65 (RESERVED)	100.00
LOT 66 (RESERVED)	100.00
LOT 67 (RESERVED)	100.00
LOT 68 (RESERVED)	100.00
LOT 69 (RESERVED)	100.00
LOT 70 (RESERVED)	100.00
LOT 71 (RESERVED)	100.00
LOT 72 (RESERVED)	100.00
LOT 73 (RESERVED)	100.00
LOT 74 (RESERVED)	100.00
LOT 75 (RESERVED)	100.00
LOT 76 (RESERVED)	100.00
LOT 77 (RESERVED)	100.00
LOT 78 (RESERVED)	100.00
LOT 79 (RESERVED)	100.00
LOT 80 (RESERVED)	100.00
LOT 81 (RESERVED)	100.00
LOT 82 (RESERVED)	100.00
LOT 83 (RESERVED)	100.00
LOT 84 (RESERVED)	100.00
LOT 85 (RESERVED)	100.00
LOT 86 (RESERVED)	100.00
LOT 87 (RESERVED)	100.00
LOT 88 (RESERVED)	100.00
LOT 89 (RESERVED)	100.00
LOT 90 (RESERVED)	100.00
LOT 91 (RESERVED)	100.00
LOT 92 (RESERVED)	100.00
LOT 93 (RESERVED)	100.00
LOT 94 (RESERVED)	100.00
LOT 95 (RESERVED)	100.00
LOT 96 (RESERVED)	100.00
LOT 97 (RESERVED)	100.00
LOT 98 (RESERVED)	100.00
LOT 99 (RESERVED)	100.00
LOT 100 (RESERVED)	100.00

NOTE ON BUSINESS PREMISES 'GVA': BUSINESS PREMISES GVA CALCULATED AS PER SECTION 14.4 OF THE SUBDIVISION ACT, 2011.

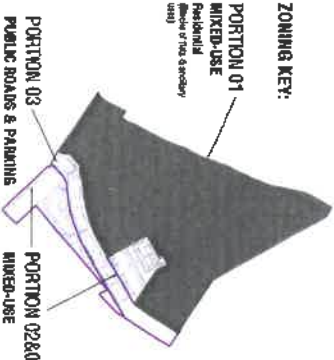


PERIMETER WALL/FENCE LEGEND

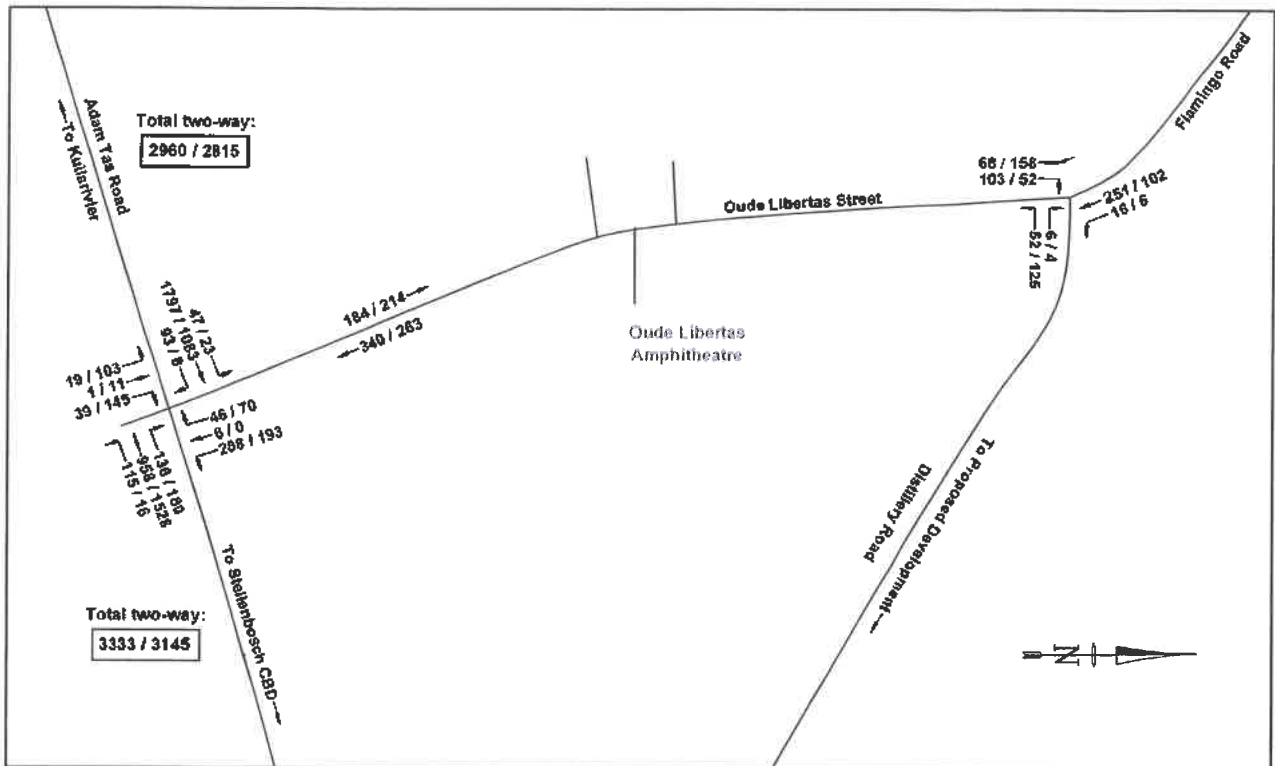
- PERIMETER WALL/FENCE
 - SOLID WALL
 - 100mm CONCRETE PAINT
- NOTE: PERIMETER ON STREET FACING BUILDINGS TO BE 50% SOLID AND 50% PERMEABLE

LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT
- NEW SEWER LINE SERVITUDE

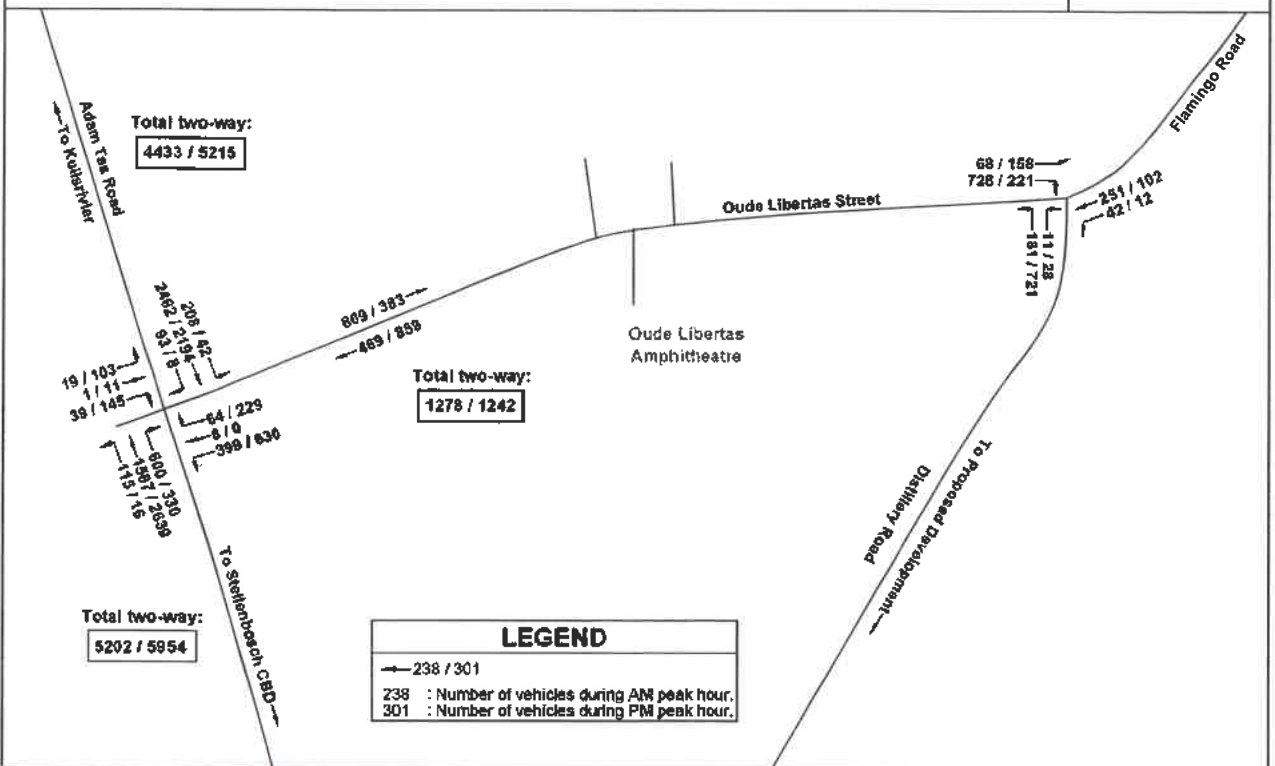


TITLE	PROJECT	CLIENT	REVISION	GENERAL
SDP BUSINESS PREMISES	THE MILL CATWALK INVESTMENTS SUB PTY LTD FW/14/01	Partners Bogartman		
DATE: 01/01/2021	SCALE: AS SHOWN @ 1:50			
DESIGNER: AN	DRAWN: AN			
CHECKED: AN	DATE: 01/01/2021			



**Available AM/PM Peak Hour Traffic Volumes
(Thursday, 3 August 2017)**

Figure 1



**Estimated 2025 AM/PM Peak Hour
Traffic Volumes (including 2% per
annum traffic growth and
surrounding development)**

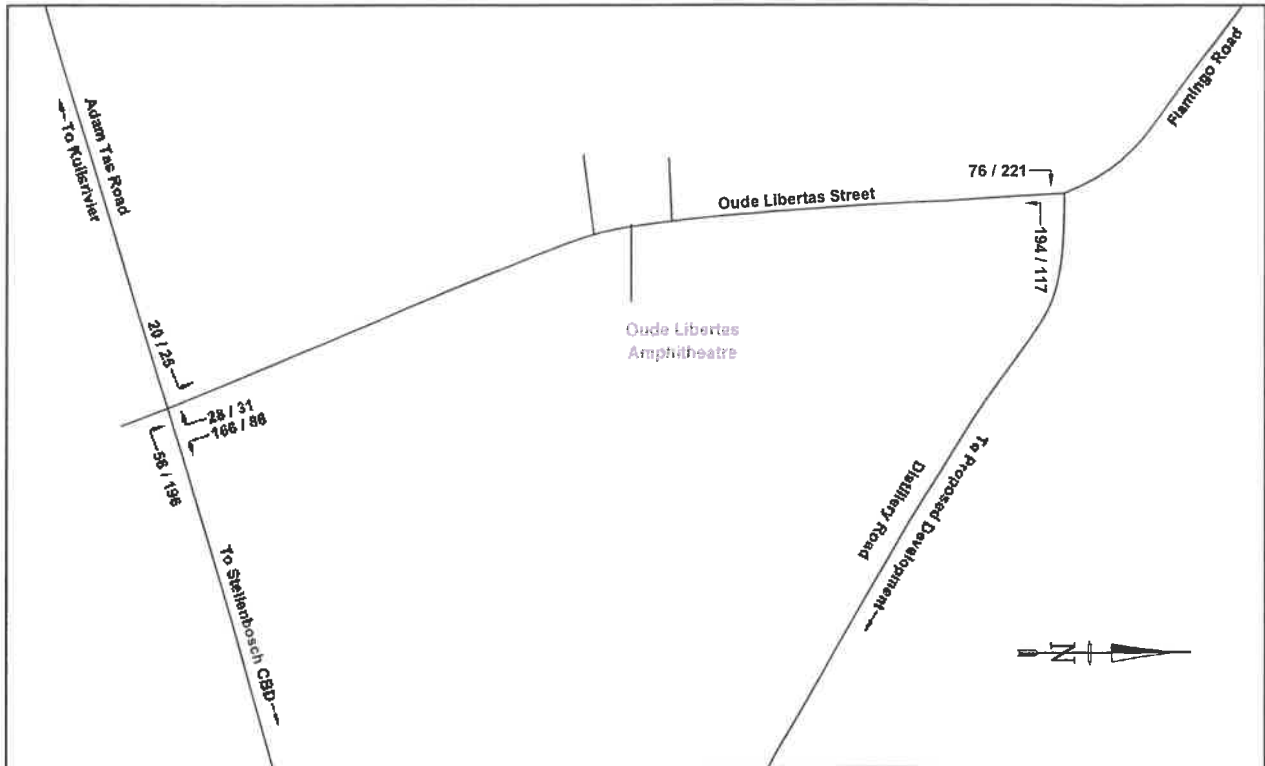
Figure 2

Probus / PO Box 131
Stellenbosch 7599

Time Square Unit 8
Electron Street
Techno Park
Stellenbosch

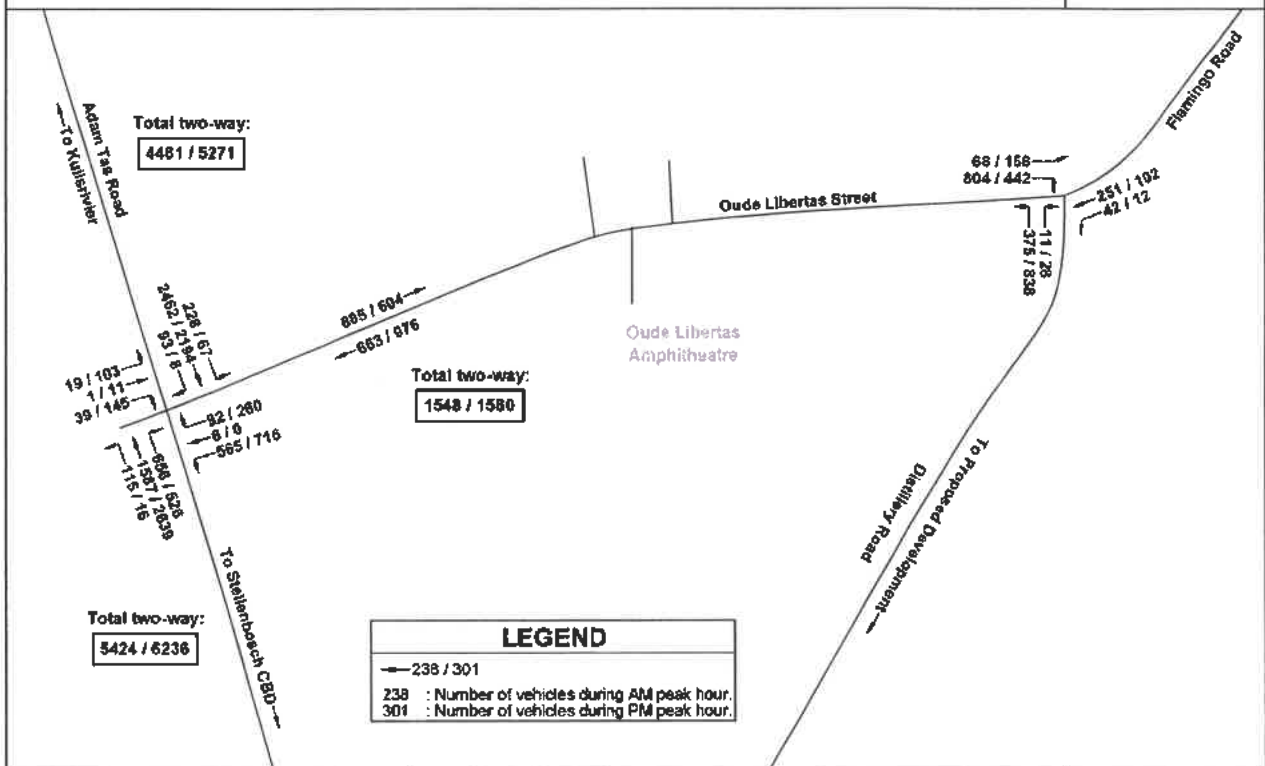
Tel. : 021 - 880 0443
Faks / Fax : 021 - 880 0390
e-poe / e-mail : ppo@icagroup.co.za





Distribution of Traffic Generated by Proposed Development

Figure 3



Expected 2025 AM/PM Peak Hour Traffic Volumes (including 2% per annum traffic growth, surrounding development and proposed development)

Figure 4

Postbus / PO Box 131
Stellenbosch 7599

Time Square Unit 5
5 Electron Street
Techno Park
Stellenbosch

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



GROUP (Pty) Ltd.

APPENDIX C

**LETTER OF FIRST PLAN TOWN AND REGIONAL PLANNERS TO
DIRECTORATE INFRASTRUCTURE SERVICES**



Verw/Ref: FP/0215/772

10 August 2021 :Date/Datum

For Attention: Mr Tyrone King
Manager: Development (Infrastructure Services)
P O Box 17
STELLENBOSCH
7599

Application Number: LU/11/728

Municipality File Reference Number: Erf 14601, Stellenbosch

Dear Mr King

ERF 14601 STELLENBOSCH (OUDE MOLEN DEVELOPMENT)

APPLICATION FOR REZONING, SUBDIVISION AND SOME OTHER APPLICATIONS

1. I refer to your memo dated 30 October 2020 in which you listed certain issues to be addressed before the application can be further evaluated and/or approved. As well as to a meeting you had with UDS Africa regarding the issues raised in this memo 3 August 2021.

2. The following issues were raised in your memo:

2.1 Civil Engineering and Roads

- It was indicated that a water capacity analysis report (GLS) is required to confirm which bulk water upgrades are triggered by the proposed development.
- The following comments by the Manager: Traffic Engineering, Mr Nigell Winter needs to be addressed:

- (i) Investigate a traffic circle at the Oude Libertas/Distillery Road/Flamingo Road intersection and make a recommendation in the TIS.
- (ii) Proposed parking bays P24 P28 on Erf 384 is not supported – amend SDP accordingly.
- (iii) Provide high level drawings of each proposed upgrade and a const estimate

2.2 Site Development Plan

The following elements/dimensions should be indicated clearly on the SDP:

- a. indicate a stacking distance of minimum 20m from the edge of the road traversing the property - as recommended in the TIA;
- b. Indicate that the access to the residential portions shall have as a minimum two lanes in (3 m wide each) and one lane out (4.2 m wide) – as recommended in the TIA. To accommodate emergency vehicles, at least one lane should be 4.0 metres wide and have a minimum height clearance of 4.3 m.
- c. Indicate how provision will be made for a 3-point head in front of the entrance gate (or a similar turning facility) in order to enable a vehicle to turn around that is not allowed entrance.
- d. The general position of the refuse room on the SDP is acceptable – the exact position and details must be determined in conjunction with the Municipality at detail design stage.

2.3 Further Issues raised

- In a further e-mail, dated 22 June 2021, it was indicated that a public road reserve 13 m wide must be subdivided from Erf 14601 and zoned as "Public Road", which will be a future link to George Blake road via the subject property. This is indicated on the SDP, but not on the subdivision plan. The Subdivision Plan needs to be amended accordingly accordingly.

3. These issues have been addressed as follows:

3.1 Water Capacity Analysis

Engineering Advice & Services (Pty) Ltd, the project engineers, submitted a Capacity Analysis Report (GLS) to the municipality. The issue of water capacity for the project was also discussed with Mr Adriaan Kurtz of the Municipality.

Additional information regarding the existing land use rights of Erf 14601 has been provided in a letter dated 22 April 2021 from Mr George du Plessis of Engineering Advice & Services (Pty) Ltd. A copy of this letter is attached as **Annexure 1**. Also please see the attached As Built Footprint Plan of the existing building on Erf 14601 and the calculations by Boogertman Architects to confirm the GLA of the existing buildings on the site which have been built in accordance with the current Industrial zoning applicable to the site. Please see **Annexure 2**.

In an e-mail, dated 22 June 2021, you confirmed that Mr Kurtz provided feedback on the Papegaaiberg reservoir on which this development is dependant. He confirmed that a budget has been allocated for the construction of the reservoir under the "New Reservoir & Pipeline: Vlothenburg" bulk water project. This will allow you to support the rezoning application. It was further stated that approval will be subject to a contractor being appointed for the Papegaaiberg reservoir before the municipality will approve Building Plans and the reservoir must be completed before Occupation Certificates are approved.

3.2 Roads

UDS Africa had a meeting with yourself on 3 August 2021 and also presented you with a written response regarding the Civil Engineering and Roads and Site Development Issues, attached as **Annexure 3**. They also discussed these issues with Nigell Winter. In an e-mail dated 3 August 2021 to them you confirmed that you are satisfied that the issues raised by your Department have been adequately addressed.

You further requested that the final Site Development Plan (August 2021) be submitted to you. A copy of the amended SDP is attached as **Annexure 4**. All the issues raised in your initial response have been addressed in the SDP. Except for the amendments you required, it should also be noted that there have been some minor amendments to the original SDP submitted resulting from the heritage process and the approval of the Heritage Impact Assessment for the proposed development. This primarily applies to Block 6 and the parking/landscape outlay in front of the Manor House site.

A copy of the amended **Traffic Impact Assessment** will be sent to you by UDS Africa on 10 August 2021.

3.3 Subdivision Plan

The Subdivision Plan was amended to reflect a public road reserve of 13 m as a separate erf. Please see the attached amended **Subdivision Plan, Annexure 5**.

4. I trust this would put you in a position to confirm your support for this application to us so that the town planners can proceed with their report writing. Should you have any further queries, please do not hesitate to contact me.

Yours faithfully

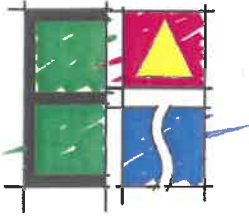


Christine Havenga

FIRST PLAN TOWN AND REGIONAL PLANNERS

ANNEXURE 1

**LETTER CONFIRMING EXISTING LAND USE RIGHTS ON ERF 14601
STELLENBOSCH**



www.easpc.co.za

Engineering Advice and Services Western Cape (Pty) Ltd

Cape Town Office:
Call: 082 562 2296
Fax : (086) 583 9899
E-mail: george@easpc.co.za
57 Reitz Street
Audas Estate
SOMERSET WEST, 7150

22 April 2021

Manager: Development
Infrastructure Services
71 Plein Street
Stellenbosch
7600

Attention Mr T King

Dear Sir

PROPOSED MIXED-USE DEVELOPMENT ON ERF 14601, STELLENBOSCH – BULK WATER DEMAND

Your request regarding the bulk water demand for the proposed development refers.

1. Current Zoning Rights

The current zoning for Erf 14601, Stellenbosch is Industrial in terms of the Zoning Plans for the Stellenbosch Zoning Scheme of 2019. Please see attached for the relevant zoning plan.

The erf diagram confirms the size of Erf 14601 to be 2.6906 ha. Please see attached the erf diagrams.

In terms of the zoning regulations, you are allowed 75% coverage on the erf with up to four storeys height to be developed. Please see below an extract from the zoning regulations.

27 September 2019

Provinsie Wes-Kaap: Buitengewone Provinsiale Koerant 8153

85

May 2019

CHAPTER 12 INDUSTRIAL ZONE

- (7) The Municipality may request that a pre-electromagnetic radiation test be commissioned to accompany the application.

123. Building development parameters in this zone

- (1) The following building lines, coverage and height shall apply to buildings within this zone:

Building type	Street boundary building lines (m)	Common boundary building lines (m)	Coverage/Floor area	Height
All buildings	3m	0m 3m if abutting another zone	75% coverage	4 storeys
Employee housing	3m	0m	75m ² floor area	

Therefore the allowable bulk development area is:

- $2.6906 \text{ ha} \times 0.75 \text{ (coverage)} \times 4 \text{ (storeys permitted)} = 80\,718\text{m}^2$

2. Proposed Development

The proposed mixed-use development will consist of 253 residential units and 1543m^2 of Business and Commercial area. Please see attached the proposed development layout.

3. Water Demand

The water demand for the current Industrial Zoning Rights were calculated as follows:

- $80\,718\text{m}^2 \text{ Industrial area @ } 0.4 \text{ kL/d/100 m}^2 = 322.8 \text{ kL/d}$

The water demand for the proposed development were calculated as follows:

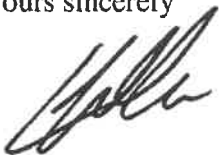
- 253 Flats @ $0.45\text{kL/d/unit} = 113.9 \text{ kL/d}$
- $1\,543\text{m}^2 \text{ Business/Commercial area @ } 0.4 \text{ kL/d/100 m}^2 = \underline{242 \text{ kL/d}}$
- Total = **120.1 kL/d**

4. Conclusion

The proposed new development's water demand is less than half of what the existing Zoning Rights' water demand is and therefore will significantly reduce the impact on the water distribution zone and existing Papegaaiberg reservoir.

If you have any questions regarding the above, please don't hesitate to contact the writer

Yours sincerely



George du Plessis Pr Eng
for Engineering Advice & Services Western Cape (Pty) Ltd

ANNEXURE 2

**PLAN CONFIRMED EXISTING GLA OF AS BUILT BUILDINGS ON ERF
14601 STELLENBOSCH**

ANNEXURE 3

LETTER FROM UDS AFRICA REGARDING AMENDMENTS TO SDP



Date: 28 July 2021

Our Ref: UDS/Reports/TIS/Comments

First Plan Town and Regional Planners
P.O. Box 15865
PANORAMA
7506

ATTENTION: Ms Christine Havenga

Dear Madam,

APPLICATION FOR SUBDIVISION AND REZONING OF ERF 14601, STELLENBOSCH: TRAFFIC IMPACT ASSESSMENT: RESPONSE TO MUNICIPAL COMMENTS ON APPLICATION

Your request for input towards the comments received from Stellenbosch Municipality, Directorate: Infrastructure Services (*Ref: LU/11728; 2060 CIVIL LU; 30 Oct 2020*), refers. This letter serves to address the traffic related comments contained in the said memo.

Comment received were based on the Traffic Impact Assessment (TIA) compiled by ICE Group (*Ref: ICE/S/849A, dated: 7 July 2020*), submitted to accompany the application for the development of Erf 14601, Stellenbosch.

The numbering hereafter, corresponds to the numbering contained in the abovementioned memo.

head office

Unit 8, Time Square Building,
9 Electron Street, Techno Park,
Stellenbosch

PO Box 50487
V&A Waterfront
8002

T +27 (0)21 880 0443
F +27 (0)86 523 8227
info@udsafrika.co.za

general enquiries

Elmarie Et: 021 880 0443

managing member

A Khan PrEng

associates

JW Wassels PrEng
P v Blerk PrEng
JN Louw PrCPM

offices

Clanwilliam, Stellenbosch,
Somerset West

Reg no. 2003/043709/23

urban development solutions



1. b. i) Traffic Circle at Oude Libertas/Distillery Road/Flamingo Road intersection:

As discussed in the TIA, either a roundabout or traffic signals at this intersection was considered. As result of the topography and the existing trees, a roundabout does not seem to be a viable option. It was therefore suggested that traffic signals be considered, which would also address existing sight distance issues at the intersection.

Especially as trucks currently travel, and will remain travelling, via this intersection, a potential roundabout would have to be designed as to ensure that loaded trucks do not lose their cargo whilst turning. The inscribed diameter of the roundabout would also have to accommodate large trucks. Therefore, traffic signals were considered a more practical solution.

It is the opinion that should further investigation into the two options be required, this be done during the design stage of the upgrade.

1. b. ii) Parking bays P24-28 on Erf 384 not supported:

The said parking bays are situated on the subject property, adjacent to Erf 384 – see *Diagram 1* below. According to information, the intention was to use these bays until such a time that the road is extended to link with George Blake Road, at which stage 90-degree bays along the road would no longer be supported.



Diagram 1 : SDP Extract – parking bays 24-28 adjacent to Erf 384

As per discussions with Stellenbosch Municipality, similar parking bays were not supported further west along the road, either. It is thus suggested that these bays be removed, or alternatively, that one or two parallel bays rather be provided.

1. b. iii) High level layout and cost estimate of each proposed upgrade:

The two upgrades recommended in the TIA to accommodate the background traffic are the provision of traffic signals at the Oude Libertas Street/Distillery Road/Flamingo Road intersection, and the consideration of a continuous left-slip lane on the Oude Libertas Street-approach to its intersection with Adam Tas Road. It was furthermore suggested that a third through lane along Adam Tas Road, or a bypass road (both as per the Saw Mills Development recommendations) be considered to improve conditions for the area.

Oude Libertas Street/Distillery Road/Flamingo Road intersection:

With the provision of traffic signals at this intersection, it would be suggested that some road widening be done to define a short left-turn lane along the Distillery Road-approach. See a schematic layout below. The high level estimated cost of such an upgrade calculates to ± R 2 300 000.00 (including 10%

contingencies, professional fees, health & safety, environmental control officer, topographical survey and monitoring of construction; excluding 15% VAT).



Diagram 2 : Schematic layout of proposed upgrade at Oude Libertas Street/Distillery Road/Flamingo Road intersection

As far as could be established, pedestrian paths currently exist, separated from the roads, along the south of Distillery Road and to the west of Flamingo Road/Oude Libertas Street in the vicinity of this intersection. With the provision of traffic signals, a safer pedestrian crossing as indicated above is thus possible across Oude Libertas Street to connect the abovementioned paths.

Adam Tas Road/Oude Libertas Street intersection:

This intersection is currently being upgraded by the neighbouring development by way of a dedicated left-turn lane along the western Adam Tas Road-approach, and the extension of the dedicated right-turn lane along the eastern Adam Tas Road-approach.

The TIA recommended that a continuous left-slip lane be considered along the Oude Libertas Street-approach. However, based on further investigation, the said proposal would most likely result in issues with the existing public transport embayment along the eastbound outbound Adam Tas Road-leg. As mitigation, it is suggested that a second dedicated left-turn lane rather be considered. See a schematic layout below. The high level estimated cost of such an upgrade calculates to ± R 1 600 000.00 (*including 10% contingencies, professional fees, health & safety, environmental control officer, topographical survey and monitoring of construction; excluding 15% VAT).*

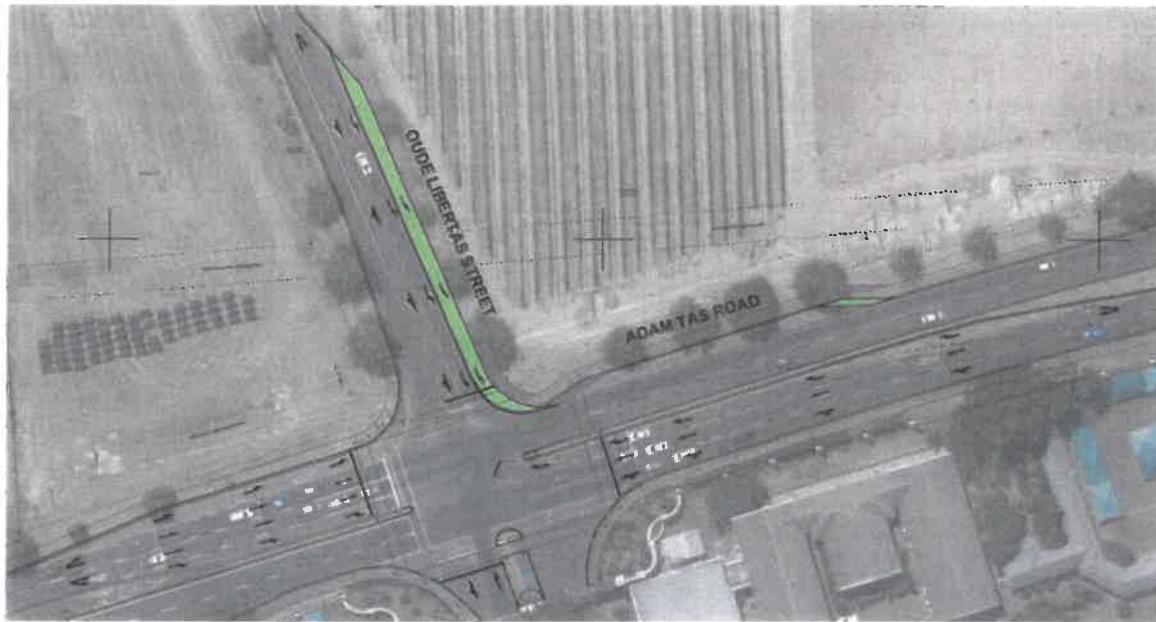


Diagram 3 : Schematic layout of proposed upgrade at Adam Tas Road/Oude Libertas Street intersection

With the construction of the additional turning lane, minor extension of the existing public transport embayment might also be required as schematically indicated above.

2. a) Indicate stacking distance of minimum 20m – as recommended in TIA:

Please refer to the *Parking Layout* plan attached to the TIA – an extract thereof is included in *Diagram 4* below.

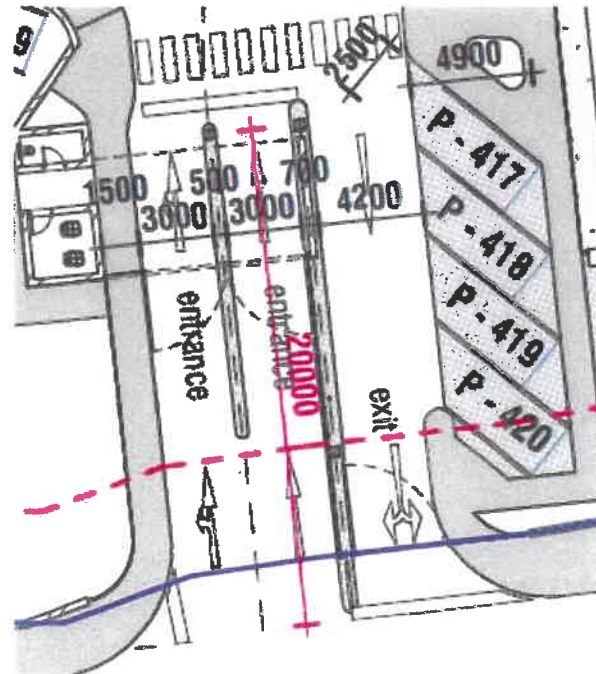


Diagram 4 : SDP Extract – 20m stacking and lane widths indicated at security controlled access

2. b) Indicate access lanes as recommended in TIA:

The lane layout at the access, as discussed in the TIA, is indicated on the *Parking Layout* plan attached to the TIA – an extract thereof is included in *Diagram 4* above.

2. c) Indicate provision for 3-point turning head in front of entrance gate:

Based on the layout, the concern with providing a turning facility in front of the entrance is that the vehicle not allowed access would not be able to reverse to turn around when another vehicle is queuing in line behind it. It is therefore expected that vehicles not allowed access, will be instructed by the security guard at the gatehouse to travel through the security booms and make a u-turn as to exit via the booms.

We trust that the above will be sufficient for the purpose of your application and will gladly provide any additional information required on request.

Yours faithfully,



Compiled by: Yolandi Obermeyer (B Eng)

UDS AFRICA



ANNEXURE 4

AMENDED SDP PACKAGE FOR ERF 14601 STELLENBOSCH

ANNEXURE 5

AMENDED SUBDIVISION PLAN FOR ERF 14601 STELLENBOSCH



TECHNICAL INFORMATION

TONING	LAND USE	PORTION	AREA	%
Mixed-Use Zone	Flats & Community Facilities	1	±2,049,93m ²	76
Mixed-Use Zone	Commercial & Office	2 & 4	±8,376m ²	14
Public Road Zone	Public Road	3	±0,220m ²	10
TOTAL			±2,870,13m ²	100

NOTES

Final areas subject to a site survey and/or certification by a registered Land Surveyor

AMENDMENTS

REV.	DESCRIPTION	DATE
1	Amend Portions 2, 3, and 4	22/06/2021
2	Add Bus Embayment To Portion 3	16/05/2021
3		
4		

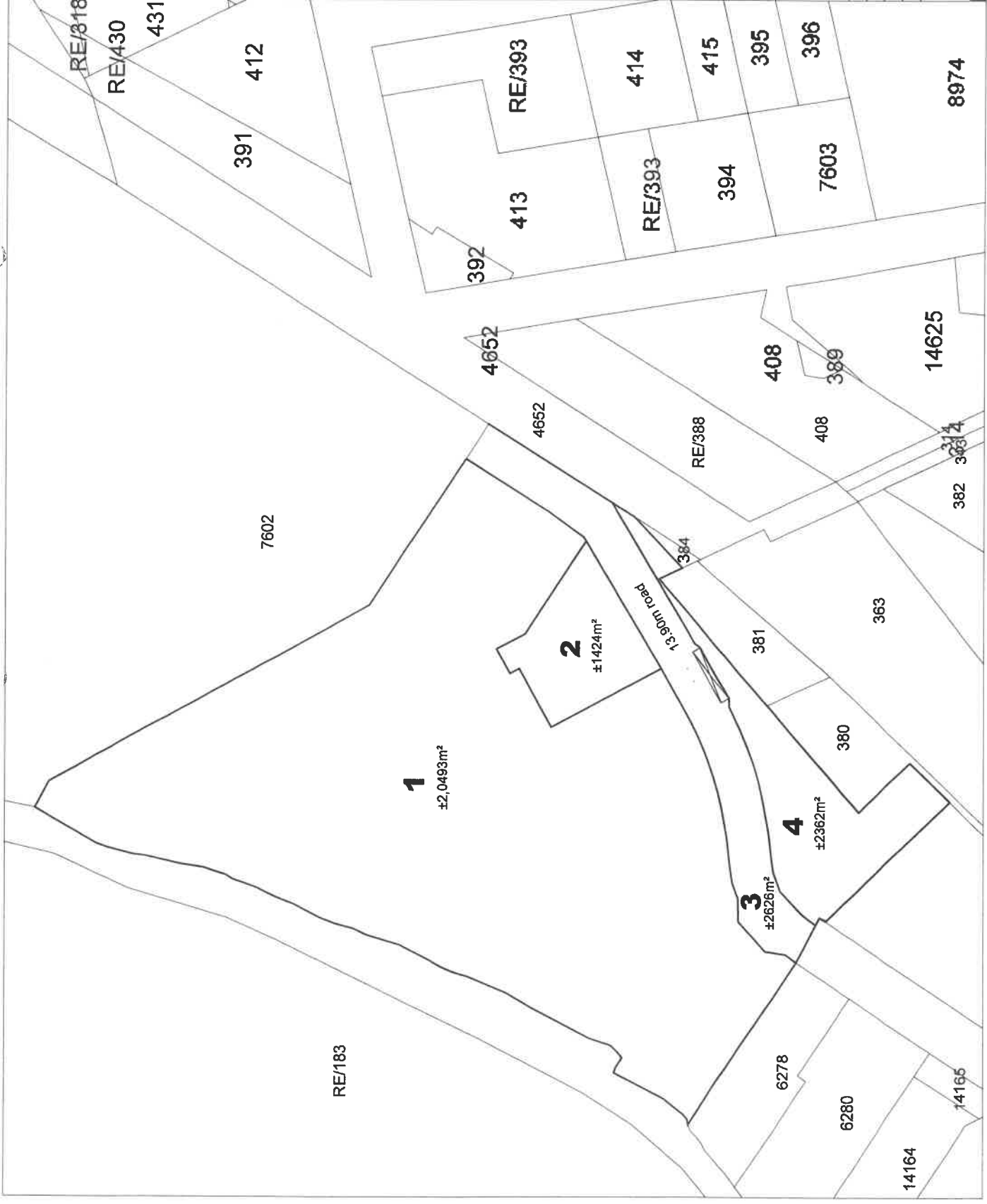
PROPOSED SUBDIVISION PLAN ERF 14601 STELLENBOSCH

Situate in the Local Area of Stellenbosch Administrative District of the Cape Province of the Western Cape

Date	February 2020
Scale	1:1250 A3
File Number	PP10220877
Client	Carroll Investments 385in (Pty) Ltd



27 (21) 530-5105 | info@firstplan.co.za | www.firstplan.co.za



APPENDIX D

**RESPONSE TO CONDITIONS OF APPROVAL OF DIRECTORATE
INFRASTRUCTURE SERVICES**

Condition

- v. Bosmans Crossing Bridge Repair: The municipality is currently doing structural repairs to this bridge. No construction activities may commence before these repairs have been completed. Building plan approval will therefore not be issued prior to the Senior Manager: Roads, Transport, Stormwater & Traffic Engineering has given the go-ahead.

Response

We seek clarity on the timing of the completion of the structural repairs and the intention of the condition to withhold building plan approval and construction activities.

It should be noted that the property is currently developed as an industrial property within its existing rights which need to be taken into account.

- a. the property currently has approx. 11 200m² of existing industrial buildings and in accordance with the previous zoning of wine industry the permitted bulk under the primary rights was 60 536 m² and now 80 715m² in terms of the Planning By Law.
- b. The traffic impact on the bridge needs to take into account with the proposed change of use and permitted bulk from Industrial to residential & commercial – the change of use will place a lesser load on the bridge - 6m & 12m container trucks as well as Superlink trucks currently service the property.

The condition should be amended to at least allow for

- a) building plan approval, and
- b) construction activities to commence prior to the repairs having been completed should an alternative access be identified if necessary

Condition

32. 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;

Response

It is acknowledged that this is a “standard condition” imposed by Infrastructural Services however in this instance the confirmation of the availability of services “lapses” even before the development can proceed in accordance with Condition 4.b Water Network which restricts the development of property until such time as the Papegaalberg reservoir has been completed which is expected to be in June 2024.

The condition should be amended to 5 years to align with the town planning approval validity period.

Condition**Development Charges**

11. that the Development Charges levy to the amount as reflected on the DC calculation sheet, 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.

Response

The applicant is not in agreement with the Development Charge calculation as it is of the opinion that the relevant legislation and as determined by Council's Policy provides for Development Charges "in respect of land development applications which will result in an intensification of land use which in turn leads to an increase in the use of or need for municipal bulk engineering services infrastructure" – the application is well within the existing rights with regards to the municipal bulk engineering services infrastructure.

Notwithstanding the above the DC calculation provides for credit to be given for the existing built infrastructure (not existing rights) – 11 208m² – based on a classification of "General Industrial – Heavy" which is the incorrect classification for the existing zoning, use and infrastructure on the property.

The existing buildings include 9 470m² of warehousing and associated office space with the remaining 1 738m² being other including wine laboratory and the Manor House (661m²).

Credit should be given for the buildings classified as General Industrial – Light or at the very least the Manor House which is to be retained in its existing format should be credited as Local Business – office and the remaining buildings as Warehousing which appears to be a new classification in terms of the 2021-2022 tariff Book.

APPENDIX E

**RESPONSE TO SITE DEVELOPMENT PLAN APPROVAL
PROCESS**

COMMENT**WCG**

In consideration of the above, this Directorate recommends that the application for the rezoning to Subdivisional area and the subsequent subdivision, departures and consent use to allow a Place of Entertainment within a Mixed Use Zone be approved, but that the Site Development Plan Package, which should include the inclusionary housing institutional arrangements should only be considered at a later stage when all concerns have been addressed. As a condition of approval of the rezoning the MPT should consider requesting the applicant to demonstrate through the SDP how the development would comply with the MSDF provisions,

SM

To assist the developer in achieving the goals of the ACT the department concurs with the recommendation of the Directorate: Development Management that the rezoning of the property to Subdivisional area is supported and that the subsequent subdivision, departures, and consent use to allow a place of entertainment within a mixed-use zone be approved but that the Site Development Plan only be considered later once the issues identified in the report are addressed appropriately

RESPONSE**1. Discussion**

The rezoning of the property to Subdivisional Area and the approval of the subdivision, departures and consent use to allow a place of entertainment within a mixed-use zone without the approval of the SDP is of no benefit to the applicant as the applicant is unable to act hereon.

The applicant has considered the comments received and has responded to such comments including the amendment of the SDP in order to address the issues identified.

The applicant has invested considerable resources in preparing the development application together with the SDP, which SDP has already received Heritage approval, and requests that the application for the approval of the amended SDP together with the supporting responses be processed as submitted.

Development Proposal Time frames

Refer to **6. Background to Development Proposal (Pg 12) & 7. Pre Application Consultation (Pg 13)** together with **Annexure 3: Chronological Background** in the application.

The applicant has engaged the Municipality with regards the proposed application since 2012 and although the development concept was supported the development application was delayed by, inter alia:

- 2012 – 2016 – a moratorium on all development applications serviced by the Stellenbosch Waste Water Treatment Works due to a lack of capacity at such works and insufficient municipal funding to maintain and add future capacity.
- 2016 -2019 – delays in the adoption of the Integrated Zoning Scheme (2012 – 2019) and clarity on spatial policy which included the 2016 Adam Tas Transit Orientated Development proposal which was then superseded by the Adam Tas Corridor initiative – the IZS was finally approved and implemented and the ATC included in the approved MSDF in November 2019.

Concerns raised that ATC would result in further delays to development applications.

The applicant has, since the inception of the ATC initiative in 2018, been concerned that the ATC would result in delays to its pending development application and has repeatedly made known its concerns;

- **11/12/2018 – Meeting held with Messrs Boshoff & Campbell** - Applicant noted their concerns regarding the time frames given the time elapsed since the first development proposal consultation in 2012 – they were assured that an application in terms of the ATC initiative would be able to be submitted by as April 2019. – the applicant was assured that the ATC would not be reliant on “grand master plans” that would be outdated by the time they were approved and implemented but the ATC concept was based on the concept of “to start by starting and learn by doing, using our first small steps to inform the next, and so on”
- **30/04/2019 – Written response to the Public Participation process for the MSDP** - the applicant expressed their concerns that the ATC would result in further delays to development applications – the municipalities response was “it is not the intent of the ATC initiative to delay development”
- **21/10/2019 – Bi-lateral meeting with the “ATC committee”** - Applicant noted their concerns regarding the time frames – they were assured that there was no need for the application to be delayed and that the project could possibly “kick start” the ATC Initiative.
- **26/11/2019 – Letter to the “ATC committee”**
- **09/04/2020 - Meeting with Adam Tas Corridor Steering Committee** – applicant raised their concerns re the time frames - a suggestion was made to consider initial subdivision to Subdivisional Area with detail applications (SDP's etc.) to follow later – this was discussed and the applicant noted their concerns with regards to further delays and noted that they were ready to submit a detailed application inclusive of a SDP.

Delays as a cost driver in property development

One of the greatest cost components of property development is the cost of land and the associated holding costs which costs are passed on to the end-user affecting the affordability of the end product – this is acknowledged in the Draft Western Cape Inclusionary Housing Policy Framework May 2021;

“It is also acknowledged that ongoing systemic improvements to the efficiency of planning permissions process across national, provincial and local government and a review of the standards applied is essential to ensure that these processes stop being cost drivers in property development. This generally affects viability, supply and affordability, and leads to leaking value that could otherwise be directed towards better, more inclusive urban performance outcomes. This is a fundamental precondition for a policy framework such as this. Efforts are ongoing to improve the WCG’s permissions processes, while also supporting municipalities to improve their own systems and lobbying national government to address its own areas of weakness. Protracted permissions processes, conflicting policies, onerous development rules (such as parking ratios) or conditions, and poor urban management in the precinct within which the development sits are all risks that are priced into the cost of finance for a development which are passed on to the end-user, affecting the affordability of the end product.”

Protracted permissions processes and conflicting policies are indeed the greatest contribution to the high property prices in Stellenbosch.

To illustrate the cost of delays the land cost in this application, including holding costs calculated at the prime lending interest rate but excluding maintenance, rates & taxes and security etc for the period 2012 to now has escalated by 220% (237% at Prime +1) – these holding costs together with margin thereon have to be passed on to the end user.

2. Closing Statement

- The rezoning of the property to Subdivisional Area and the approval of the subdivision, departures and consent use without the approval of the SDP is of no benefit to the applicant as the applicant is unable to act hereon.
- The application has been delayed since 2012 by firstly a moratorium on all development applications serviced by the SWWTW due to a lack of capacity at such works and consequently by delays in the adoption of the IZS (finally adopted in November 2019) and clarity on spatial policy which has included the 2016 TOD proposal which was then superseded by the Adam ATC initiative.
- The applicant has repeatedly since 2018 raised their concern that the ATC initiative would delay their development application and has been repeatedly assured that this would not be the case.
- Protracted permission processes and delays in the process are the greatest contribution to the high property prices in Stellenbosch.
- The applicant has considered the comments received and has responded to such comments including the amendment of the SDP in order to address the issues identified.
- The applicant has invested considerable resources in preparing the development application together with the SDP, which amended SDP has already received Heritage approval, and requests that the application for the approval of the amended SDP together with the supporting responses be processed as submitted.

APPENDIX F

INCLUSIVITY RESPONSE AND LEGAL OPINION

COMMENT

WDG - As a condition of approval of the rezoning the MPT should consider requesting the applicant to demonstrate through the SDP how the development would comply with the MSDF provisions, specifically:

SM - In this regard the applicant must, through the Site Development Plan demonstrate the following:

WDG

- Spatial Policy: Expand housing opportunity for a broader range of groups – including lower income groups and students – particularly in settlements forming part of the Baden Powell-Adam Tas-R304 corridor.
- The inclusivity of infill housing opportunity – referring to the extent to which the housing provides for different income and demographic groups – whether as part of the Adam Tas Corridor or.....(p67)

SM

1. How will the development contribute substantially to inclusivity of infill housing opportunity - referring to the extent to which the housing is provided for different income and demographic groups? It is questioned if the increased density will support and promote inclusionary housing and particularly the notion of integrating communities.
2. Proposals as to broaden the range of housing typologies, enabling access for a range of income groups.

RESPONSE**1. Discussion****Application**

The principal of inclusive housing referring to the extent to which the proposed housing provided for different income and demographic groups was specifically addressed in the application – Refer to Section F – 16.1.1 Spatial Justice (Page 58) in the application.

"The proposed sectional title development is not targeted at a specific market segment - (i.e specific demographic group) – it is not specifically designed and does not include amenities for a specific market for instance students or retired persons but is designed as a "general" residential sectional title scheme offering a diverse range of two and three bedroom apartments including 57m2 two bedroom units, small 61m2 three bedroom units and larger 75m2 three bedroom units.

It is envisaged that the varying unit sizes will be attractive to a diverse range of income levels which will improve access to opportunities in the central Stellenbosch area."

Notwithstanding the above the applicant offered to include a subsidised affordable housing component comprising 12 three bedroom units (36 beds) which would be offered as subsidised student rental accommodation to students at a registered tertiary institution at a rental linked to the University of Stellenbosch hostel rental which equates to approximately 50% of the open market rental.

In return the applicant sought alternative value in the form of the fast tracking of the application process together with the proposed NMT Bridge over the railway line within the regulatory prescripts which was deemed material to the proposal. **Refer to 14.5 Inclusionary Housing (Page 50) in the application.**

Despite the applicant being unaware of any other developer voluntarily offering subsidised accommodation as part of their application the offer was rejected outright by the Western Cape Government and by Stellenbosch Municipality as being inadequate – without any reference to what would be considered adequate – and through the actions of the Municipality by failing to adhere to regulatory prescripts in processing the application by failing to adhere to the time frames as prescribed in the By law.

Draft Western Cape Inclusionary Housing Policy Framework

The Draft Western Cape Inclusionary Housing Policy Framework (DWCIHPPF) was only advertised for public participation in May 2021 with the closing dates for comments being 12 July 2021.

“The aims of this Policy Framework are:

- i. *To further the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA's) principles of spatial justice, sustainability and efficiency and its expectation of provincial inclusionary housing policy. It provides a policy rationale for the application of inclusionary housing provisions in land use planning permissions given by municipalities in the Western Cape;*
- ii. *To assist municipalities and promote consistency between municipalities, providing a framework to guide them in developing their own regulatory tools by:*
 - *Providing direction as to the goal, purpose and intended outcomes of inclusionary housing;*
 - *Providing definitional clarity and certainty;*
 - *Providing the legal framework and a policy basis for municipal Inclusionary housing policy and regulation*
 - *Identifying the key research required to design a policy;*
 - *Introducing and explaining policy principles;*
 - *Clarifying the context within which inclusionary housing policies would be feasible /appropriate; and*

Identifying the policy elements and choices that municipal inclusionary housing policy and regulation will need to determine and their institutional implications.

- iii. *To build public support for inclusionary housing by being clear about who it aims to benefit, the rationale for inclusionary housing and the approach that should be taken to introducing inclusionary housing provisions. It also aims to promote good governance by contributing to policy consistency and predictability – a key concern and risk for the property development sector – across the Western Cape.”*

The DWCIHPPF deals at length with

- On what basis inclusionary housing can be applied in the Western Cape;
- how inclusionary housing can be introduced in municipalities and what should be done first; and
- the policy considerations?

And, inter alia, recommends that the Municipal Planning By-Law be amended to include a specific enabling provision for the municipality to impose an inclusionary housing requirement and although it states that the implementation of a municipal inclusionary housing policy is not

contingent on such an amendment - *"it is emphasised that, in such instances, the municipality must ensure the legality of its decision with reference to the specific application in question and the empowering provisions of its by-law."*

The Stellenbosch Municipality cannot have complied with the requirements as set out in the Western Cape Inclusionary Housing Policy Framework prior to the finalisation and adoption thereof.

Further to the above it has been confirmed, in the published FAQ and in the virtual workshop held on 31 May 2021 that the Inclusionary Housing Policy Framework will not be applied retrospectively.

Legal Opinion

In the absence of an Inclusionary Housing Policy and associated guidelines there is a lack of clarity and confusion as to what constitutes Inclusionary Housing and whether the Municipality is currently empowered to insist on "Inclusionary housing" as part of a development application – the approved 2019 MSDF itself only refers to "Inclusionary Housing" per se on 2 occasions (Inclusivity is mentioned on 3 occasions and Inclusive on 49 occasions) - Table 31 Pages 106 & 107 – Work Guidelines - Proposed MSDF Policies – dealing with the need for the Municipality to develop a Inclusionary Housing Policy & Guidelines which the Municipality has yet to do.

It is noteworthy that the approved 2019 MSDF does not *"identify the designated areas where a national or provincial inclusionary housing policy may be applicable"* as required in terms of Section 21 (i) of SPLUMA. The Draft Western Cape Inclusionary Housing Policy Framework – see above – provides that - *"municipalities should ensure that their MSDFs that are to be tabled for adoption by the new Councils in 2022 include the designation of areas for the application of an inclusionary housing policy"* and gives direction on how they should proceed.

Although inclusionary housing is topical without clear policy direction and guidelines there is currently no norm or standard against which to evaluate inclusivity and accordingly it is not possible to "demonstrate" compliance with the MSDF in the absence of such clear definition of what constitutes an inclusionary housing unit and what the quantum norm is?

In an attempt to understand the recommendations of the WCG & Municipality and to get clarity thereon the applicant sought legal opinion on the comments/recommendations received – Refer to Annexure 1 - Legal Opinion.

Having considered the matter;

- a) According to the requirement of accountable government that the exercise of public power must conform to the doctrine of legality.
- b) In the context of the proper role of policies and guidelines in the evaluation of land use applications; and
- c) The requirement of the rule of law that the exercise of public power by the Executive and other functionaries should not be arbitrary

The legal opinion concluded that the Municipality could not lawfully refuse the current land use applications based on its interpretation of municipal policy (the MSDF) if the applicant was not prepared to amend its development proposals to provide for more "inclusionary housing units".

Status Quo

The attempt to enforce a non-existent Inclusionary Housing Policy in accordance with a MSDF that fails to identify the designated areas where a national or provincial inclusionary housing policy may

be applicable, as required by SPLUMA, and prior to the finalisation of the Western Cape Inclusionary Housing Policy Framework which aims to provide the legal framework and policy basis for municipal inclusionary housing policy and regulation is clearly premature.

Further to the above Clause 66 (9) - Conditions of Approval of the Stellenbosch Municipal Planning By-law requires that – *“Conditions requiring a standard to be met must specifically refer to an approved or published standard”*

There is currently no approved or published standard for what constitutes inclusionary housing in Stellenbosch.

“inclusivity of infill housing opportunity” is currently defined by the Municipality as *“referring to the extent to which the housing is provided for different income and demographic groups”*

2. Amendment of SDP

Notwithstanding the above the applicant has resolved to amend the development proposal to further broaden the range of housing typologies enabling access for a greater range of income groups in order to contribute to the inclusivity of housing opportunities as requested.

Range of Housing Typologies – Original application

The original application comprised

- 95 Two bedroom apartments
- 101 Small three bedroom apartments
- 57 Larger three bedroom apartments

as follow;

Residential Buildings	Levels above semi-basement	Storeys	Unit Types			Total
			A [#]	B [#]	C	
			2 Bed	3 Bed	3 Bed	
			58	58	77	
Block 1	4	5	16	0	16	32
Block 2	4	5	20	0	16	36
Block 3	4	5	32	0	16	48
Block 4	5	6	0	65	0	65
Block 5	3	4	0	36	0	36
Block 6	3	4	27	0	9	36
			95	101	57	253

The principle behind the “typologies” adopted was that of shared accommodation which offers the most affordable accommodation - living on one’s own in a studio or one bedroom apartment as opposed to sharing a 2 or 3 bedroom apartment is a luxury.

The majority of developments in Stellenbosch have provided studio & one bedroom apartments – the applicant is of the opinion that this market is adequately provided for and has noted that the planning authorities have commented previously that the studio & one bedroom units are over supplied.

The provision of small 3 bedroom apartments – 58 m² & 77m² – ,which is not the typical offering, makes provision for efficient affordable accommodation attractive to a diverse range of income groups.

Studio and one bedroom apartments are the most expensive forms of accommodation when considering accommodation on a cost/bed basis as each bed requires a living area, a bathroom and a kitchen which spaces & costs are distributed between 2 or 3 bedrooms in 2 & 3 bedroom apartments respectively – furthermore the circulation space to bedroom ratio is increased in Studio and one bedroom apartments.

Range of Housing Typologies – Proposed Amendment

Notwithstanding the above the proposal has been amended to further broaden the range of housing typologies by including studio & one bedroom apartments, as requested, enabling access for a greater range of income groups in order to contribute to the inclusivity of housing opportunities as requested.

The amended proposal comprises

- 21 Studio apartments
- 23 One Bedroom apartments
- 99 Two bedroom apartments
- 77 Small three bedroom apartments
- 39 Larger three bedroom apartments

as follows

Residential Buildings	Levels above semi-basement *	Storeys	Unit Types					Total
			A	B	C	D	E	
			2 Bed	3 Bed (small)	3 Bed	1 Bed	Studio	
			58 m ²	58 m ²	77 m ²	45 m ²	28 m ²	
			2 Bed	3 Bed	3 Bed	1 Bed	1 Bed	
Block 1	4	5	8	8	12	4	4	36
Block 2	4	5	10	10	12	4	4	40
Block 3	4	5	16	16	12	4	4	52
Block 4	5	6	35	25	0	5	0	65
Block 5	3	4	12	18	0	3	6	39
Block 6	3	4	18	0	3	3	3	27
			99	77	39	23	21	259

The apartments have been designed on a modular basis which allows the apartments to be interchanged, within the same building envelope, as follows;

- o Unit Types A (2 Bed) & B (Small 3 Bed) - are interchangeable and can be converted into 2 x studio units within the same envelope

- Further to the above **corner positioned Unit Types A & B** (32 instances) can be converted to 1 Bed Units
- **Unit Type C (Large 3 Bed)** can be converted to 1 x 1 Bed & 1 x Studio

The above flexibility increases the “resilience” of the development by allowing for the apartment mix to be amended to suit the market demand if required - *“The best interests of the local authority (and society generally) lie in the success of the development.”* (The Supreme Court of Appeal in Municipality of Stellenbosch v Shelf-Line 104 (Pty) Ltd)

Different Demographic Groups

It is reiterated that – as already stated in the application - the proposed sectional title development is not targeted at a specific demographic group – it is not specifically designed and does not include amenities for a specific demographic group for instance students or retired persons but is designed as a “general” residential sectional title scheme **providing housing opportunities for all demographic groups** including age, gender, occupation, nationality, ethnic background, sexual orientation etc.

3. Closing Statement

- “Inclusionary housing” is topical however the only reference to Inclusionary Housing in the MSDF is the need to develop an Inclusionary Housing Policy and Guidelines – which the Municipality has not done
- “inclusivity of infill housing opportunity”, as referenced in the MSDF, is defined by the Municipality as “referring to the extent to which the housing is provided for different income and demographic groups”
- The proposed development is a general residential development which is not targeted at a specific demographic group but will provide housing opportunities for all demographic groups irrespective of age, gender, occupation, nationality, ethnic background, sexual orientation etc.
- The diverse range of housing typologies will enable access to a range of income groups.
- The applicant’s offer of a subsidised affordable housing component was rejected outright by the Western Cape Government and by Stellenbosch Municipality as being inadequate and by the Municipality failing to adhere to regulatory timeframes in processing the application.
- The Municipality cannot force the applicant to include more “inclusionary housing units”, as
 - The Draft Western Cape Inclusionary Housing Policy Framework (DWCIHPPF) which aims to provide the legal framework and policy basis for municipal inclusionary housing policy and prescribes what has to be done prior to the introduction of a municipal Inclusionary Housing Policy has yet to be approved and adopted.
 - In the absence of a policy there is no clear policy direction and there are no guidelines or norms and standards against which to evaluate inclusivity – how does one demonstrate

compliance with a non-existent “standard” – In accordance with the Planning By-Law “Conditions requiring a standard to be met must specifically refer to an approved or published standard”

- The 2019 MSDF fails to identify the designated areas where a national or provincial inclusionary housing policy may be applicable, as required by SPLUMA and referred to in the DWCIHPF.
- The applicant sought legal opinion in order to get clarity on the comments and recommendations of the WCG & Municipality – the opinion concluded that the Municipality could not lawfully refuse the current land use applications based on its interpretation of municipal policy (the MSDF) if the applicant was not prepared to amend its development proposals to provide for more “inclusionary housing units”.
- Notwithstanding the above the proposal has been amended to further broaden the range of housing typologies by including studio & one bedroom apartments, as requested, enabling access to a greater range of income groups in order to contribute to the inclusivity of housing opportunities as requested.



MEMORANDUM

TO

CATWALK INVESTMENTS 385 (PTY) LTD

ABOUT

**INCLUSIONARY HOUSING REQUIREMENTS MADE
RELATING TO THE DEVELOPMENT OF ERF 14601 STELLENBOSCH**

LEGALLY PRIVILEGED AND CONFIDENTIAL

PREPARED FOR THE RENDERING OF LEGAL ADVICE

Introduction

1. Consultant is Catwalk Investments 385 (Pty) Ltd (the "Company").
2. The Company applied to Stellenbosch Municipality (the "Municipality") for certain land use approvals (rezoning, subdivision, consent use & departures) to permit a mixed-use development on Erf 14601 Stellenbosch (the "Property").
3. The mixed-use development will *inter alia* comprise 253 dwelling units within six 3- to 5-storey blocks of flats, some commercial/ office uses and private roads.
 - 3.1. The proposed housing development is not targeted at a specific market segment but has been designed to provide housing for all demographic groups (including age, gender, occupation, nationality, ethnic background, sexual orientation and so forth).
 - 3.2. It includes a voluntary subsidised housing component as well as different "housing typologies. The current proposal is to offer 57m² 2 Bed apartments, 61m² 3-bedroom apartments, and 75m² 3-bedroom apartments. The principle behind the "typologies" adopted was that of shared accommodation which offers the most affordable accommodation.
 - 3.3. The provision of small 3-bedroom apartments (61m² and 75m²) is not the typical offering but provides for efficient affordable housing attractive to a diverse range of income groups.
 - 3.4. The majority of existing developments in Stellenbosch provide Studio and one-bedroom apartments and this market is adequately catered for.
 - 3.5. It is noteworthy that Studio and one-bedroom apartments are the most expensive forms of housing when considering accommodation on a cost/bed basis. Each bed requires a living area, a bathroom and a kitchen which spaces and costs are distributed between 2 or 3 bedrooms in 2 and 3-bedroom apartments.
 - 3.6. In addition, the circulation space to bedroom ratio is increased in studio and one-bedroom apartments. Living on one's own in a Studio or one-bedroom apartment as opposed to sharing a 2 or 3-bedroom apartment is a luxury.
4. It is noteworthy that Consultant, in a letter of **30 April 2019** to the Municipality, commented on the draft 2019 Municipal Spatial Development Framework

("MSDF"), *inter alia* pointing out that the municipal attempt to introduce "inclusionary housing" without a clear policy having been adopted after following an informed and extensive public participation process, will be unworkable and unacceptable.

5. The Municipality referred the land use applications to the Western Cape Department of Environmental Affairs and Development Planning (the "Department") for comment. The following are extracts from a letter dated **1 December 2020** that the Department's Director: Development Management (Region 2) directed to Municipality in reply. [Emphasis added].
 - 5.1. *"One of seven principles or concepts advocated in the MSDF, geared towards the common good, is the infill and redevelopment of existing settled areas. The inclusivity of infill housing, referring to the extent to which the housing provides for different income and demographic groups, is considered paramount. This is particularly so for the Adam Tas Corridor and it is the reason why as a Directorate we question the provision of only 2- or 3-bedroom apartments in this development proposal. Including studio and/ or one-bedroom apartments would increase the diversity of family types being catered for and affordability. Accommodating different income groups and family types is highlighted as a need in the MSDF.*
 - 5.2. *The applicant's view that Stellenbosch Municipality is trying to coerce "ad hoc voluntary" affordable housing as part of a development application in the absence of an Inclusionary Housing Policy, which the applicant feels is in direct conflict with the provisions of SPLUMA, is not supported by this Directorate. Whilst there may not currently be an Inclusionary Housing Policy in place at the Municipality, the MSDF provides numerous statements regarding the need for inclusionary housing. One such statement is in section 6.9 "Catalytic Initiatives- Adam Tas Corridor", the statement is made that "A range of housing types in the form of apartments should be provided accommodating different income groups and family types".*
 - 5.3. *It is the view of this Directorate that the need for inclusionary housing is set out logically and clearly in the MSDF and should this development not comply with this provision in the MSDF, would be inconsistent with the MSDF and could be refused. In this regard, this Directorate is disappointed in the quantum of the contribution for inclusionary housing which is put forward by the applicant. Out of approximately 253 units, 12 have been put forward for inclusionary housing purposes, which amounts to 4.7% of the total number of*

units. *We doubt whether this proposal could be regarded as being in compliance with the MSDF.*

6. The Municipality's Manager: Spatial Planning, in a memorandum dated **9 March 2021** to the Municipal Manager: Development Management, *inter alia* stated the following:

"Although the Municipality does not yet have an approved inclusionary housing policy, the MSDF provides numerous statements regarding the need for inclusionary housing. This department supports the view of the Directorate: Development Management in their letter dated 1/12/2020 that, if the proposal does not address the need for inclusionary housing adequately, this development will not comply with this provision in the MSDF and would be inconsistent with the MSDF and could be refused.

It is also questioned if the proposal to reserve (only) 12 out of 235 units for students as "inclusionary housing" can be regarded as being in compliance with the MSDF. This department is of the view that the proposal is inadequate and must be revisited to comply with the requirements of the MSDF. ... This department is therefore of the view that the proposed development does not address the issue of housing opportunity for a varied and broader range of income groups successfully and therefore did not address the principle of spatial justice adequately."

Opinion requested

7. The provincial and municipal comments that the application "could be refused" due to suspected non-compliance with policy, is regarded as a veiled threat. It may be an attempt to coerce Consultant to provide more inclusionary housing in the proposed development than that which the planning authority may lawfully require by way of condition of approval.
8. Consultant is rightfully concerned that the comments made by provincial and municipal officials, doubting whether the proposal can be regarded as being MSDF compliant, may lead to extensive delays in obtaining final approval of the land use applications concerned.
- 8.1. It is noteworthy that the Department has in fact recommended that the application for the rezoning to Subdivisional area and the subsequent subdivision, departures and consent use to allow a Place of Entertainment within a Mixed-Use Zone, be approved.
- 8.2. However, it suggested "...that the Site Development Plan Package, which should include the inclusionary housing institutional arrangements should only be considered at a later stage when all concerns have been addressed. As a condition of approval of the

rezoning the MPT should consider requesting the applicant to demonstrate through the SDP how the development would comply with the MSDF provisions, specifically:

- 8.2.1. *(Table 31 P106) "Strategy: Develop all settlements as balanced, inclusive, appropriately serviced, communities, negotiable through NMT and exhibiting a positive relationship with surrounding nature and agricultural land.*
- 8.2.2. *Spatial Policy: Expand housing opportunity for a broader range of groups – including lower income groups and students – particularly in settlements forming part of the Baden Powell-Adam Tas-R304 corridor.*

and so forth.

- 9. The crisp question is basically whether the Municipality may lawfully refuse the current land use applications based on its interpretation of municipal policy (the MSDF) if Consultant is not prepared to amend its development proposals to provide for more inclusionary housing units. I have been asked to consider the relevant set of facts and to produce a legal opinion in this matter.

Structure of memorandum

- 10. This memorandum deals with the proper approach to adopt in the evaluation of the current land use applications. The structure of this memorandum is as follows:
 - 10.1. First, I deal with the requirement of accountable government that the exercise of public power must conform to the doctrine of legality. I point out, with reference to case law, that a local government may only act within the powers lawfully conferred upon it and that the Municipality is not empowered by legislation to require as a condition of approval that Consultant must provide inclusionary housing in the development.
 - 10.2. Secondly, I explain the proper role of policies and guidelines in the evaluation of land use applications, as both the provincial and municipal commentators focussed fairly narrowly on policy. More particularly, I will point out that policy determinations cannot override, amend or be in conflict with laws (including subordinate legislation). The Municipality is frankly not able to elevate policy to the level of legislation or to employ policy in an attempt to overcome lawful constraints on its statutory powers.
 - 10.3. Thirdly, I deal with the requirement of the rule of law that the exercise

of public power by the Executive and other functionaries should not be arbitrary. Decisions reached may not be irrational but must be rationally related to the purpose for which the power was given, otherwise they are in effect arbitrary and inconsistent with this requirement. *Inter alia* point out that although inclusionary housing is topical, there is no clear definition of what exactly qualifies as inclusionary housing. Furthermore, that there is no norm or standard (quantities, ratio and threshold) against which to impose a quantum in the absence of clear policy direction. To impose a quantum requirement at this stage, with no clear policy in place, would be arbitrary.

10.4. Lastly, I make a few concluding comments.

Doctrine of legality

11. The doctrine of legality is an essential component of the rule of law. [1] The power to approve or refuse land use applications and to impose conditions of approval, is unquestionably a public power bestowed upon local authorities. As such, its exercise must conform to the doctrine of legality.
12. It is a trite principle of our law that the legislature and the executive in every sphere are constrained by the principle that they may exercise no power and perform no function beyond that conferred upon them by law. [2]
13. It is also a well-established principle of South African law that powers given to a public body for one purpose cannot be used for ulterior purposes which are not contemplated at the time when the powers were conferred. [3]
14. Good intentions and public benefits are insufficient. As Baxter mentions on p. 511: "*It does not help that the improper purpose which the public authority sought to achieve was well intentioned, or even that it would benefit the public.*"
15. The Municipality derives its ability to impose conditions from section 40 (1) of the Western Cape: Land Use Planning Act, 3 of 2014 ("LUPA") and it must follow the principles contained therein. It cannot impose unrelated conditions.
16. Section 40 (1) of LUPA provides: "*When a municipality approves a land use application subject to conditions, the conditions must be reasonable*

¹ *Fedsure Life Assurance Ltd v Greater Johannesburg Transitional Metropolitan Council* 1999 (1) SA 374 (CC) para 40.

² *Fedsure Life* at par [58]. See also *Minister of Education v Harris* 2001 (4) SA 1297 (CC) at par [9] to [13].

³ See Baxter, Lawrence. 1984. *Administrative Law*. Juta & Co, Ltd: Cape Town on p. 508.

conditions and must arise from the approval of the proposed utilisation of land."

17. It is illogical to argue that the need for inclusionary housing arises from the proposed use of the Property. See in this regard the findings made in the judgments handed down in the Longlands ^[4] and Arabella ^[5] matters.
 - 17.1. In the Longlands matter the Court found that the decision-maker, when imposing conditions in relation to the provision of "gap housing" in the proposed development, acted beyond the powers conferred on her by law.
 - 17.2. In paragraph 68 of the Arabella judgement the Court agreed that the WCPSTDF policy cannot by executive decision be converted into a relevant consideration when interpreting a power conferred by national legislation. It held that a condition imposed by the Minister requiring the provision of social housing in the development was beyond the scope of authorisation to be given under the legislation and that the imposition of the condition was thus *ultra vires* her powers.

Rational, not arbitrary decisions

18. A public body created to serve the public's interest must perform its functions openly and transparently and only reach decisions which are not irrational or arbitrary. That is consistent with a culture of justifications and a central principle of accountable governance.
19. In the Constitutional Court, ^[6] Chaskalson P said:

"It is a requirement of the rule of law that the exercise of public power by the Executive and other functionaries should not be arbitrary. Decisions must be rationally related to the purpose for which the power was given, otherwise they are in effect arbitrary and inconsistent with this requirement. It follows that in order to pass constitutional scrutiny the exercise of public power by the Executive and other functionaries must, at least, comply with this requirement. If it does not, it falls short of the standards demanded by our Constitution for such action.

⁴ SLC Property Group (Pty) Ltd & Ano. v The Minister of Environmental Affairs and Economic Development (Western Cape) & Ano [2008] 1 All SAQ 627 (C) herein referred to as "Longlands".

⁵ Hanaklip/Kleinmond Federation of Ratepayers Association v The Minister for Environmental Planning and Economic Development: Western Cape and Others 2009 JDR 1036 (WCC) referred to herein as "Arabella".

⁶ In Pharmaceutical Manufacturers Association of SA: In re Ex Parte President of the Republic of South Africa 2000 (2) SA 674 (CC) at par [85].

The imposition of a condition which is aimed at the implementation of a housing policy is not rationally related to the purpose for which the powers under ECA were given. Moreover, the condition that was imposed is not rationally related to, nor is it based on or derived from information placed before the first respondent in terms of the procedures prescribed in ECA and the Regulations made under ECA.”

20. Of relevance also is the following passage from the same judgment of Chaskalson P in the Constitutional Court. [7]

“Rationality in this sense (i.e. objective rationality) is a minimum threshold requirement applicable to the exercise of all public power by members of the Executive and other functionaries. Action that fails to pass this threshold is inconsistent with the requirements of our Constitution and therefore unlawful. ... As long as the purpose sought to be achieved by the exercise of public power is within the authority of the functionary, and as long as the functionary's decision, viewed objectively, is rational, a Court cannot interfere with the decision simply because it disagrees with it or considers that the power was exercised inappropriately. ...”
[Emphasis supplied].

21. The Municipality has no inclusionary housing policy. The closest that it gets to policy guidelines relating to this topic, is the numerous vague statements regarding the need for inclusionary housing in the MSDF.

21.1. The MSDF, however, contains no clear definition of the various types of housing that will qualify and do not qualify as “inclusionary” housing. It boggles the mind that the Department can express “*disappointment in the quantum of the contribution for inclusionary housing which is put forward by the applicant*”. On what basis has it been decided which units qualify as inclusionary housing units and which units do not qualify? Consultant maintains that shared affordable accommodation, as provided for, caters for different income and demographic groups and is to be preferred over luxury “exclusive” and much more expensive studio and one-bedroom apartments.

21.2. More importantly though, the MSDF does not prescribe any *norms and standards* in this regard. How then is it possible to assess compliance or otherwise with policy requirements? If there is no direct policy that says how inclusionary housing is to be created, then how is the developer supposed to abide by non-existent norms and standards?

21.3. Moreover, how can it be expected of the applicant to “demonstrate” compliance with the MSDF in the absence of clear definitions of what

⁷ Par. [90] at 709 D-F.

constitutes an inclusionary housing unit and what the quantum norm is? The suggested requirement that the applicant should demonstrate compliance would constitute unreasonable administrative action, should the suggestion be adopted.

22. Although inclusionary housing is topical and the need for inclusionary housing is acknowledged, there is no norm or standard against which to impose a quantum without a clear policy direction of how to go about it. In the absence of a clear policy framework with measure of quantum, the imposition of conditions (assuming for discussion purposes that that such requirements may lawfully be imposed which, as I have indicated, the Municipality may not lawfully do in any event), would be arbitrary. [9] The imposition of such a condition would have the effect of not following due process and would therefore also be undemocratic. [9..]
23. The type of condition of approval suggested by the Department (namely that the applicant be requested to demonstrate through the SDP how the development would comply with the MSDP provisions relating to inclusionary housing) reminds strongly of the requirement made by minister Essop in the reported *Arabella*-case. She required the applicant to clarify its social responsibility, with reference to its contribution to social housing. As mentioned, the Court held that she acted beyond her powers when she imposed a condition requiring the provision on social housing. In any event, it is not for the applicant to demonstrate compliance with vague policy statements dealing with "need" but otherwise with uncertain content.

Proper role of policies

24. Essentially all policy documents are aspirational in nature. The formulation and adoption of policy documents is a valuable tool of government, especially true in the sphere of land use and planning. Planning policy is and remains only a guideline. [10]
25. The primary objects of a policy are to achieve reasonable and consistent decision-making and to provide a guide, and a measure of certainty to the public; and to avoid case-by-case and fresh enquiry into every identical request or need for the exercise of public power.

⁸ The decision-maker is required to heed s 6(2)(f)(ii) of the Promotion of Administrative Justice Act, 3 of 2000 ("PAJA"). Administrative action is required to be rationally connected to the information before the decision-maker.

⁹ In terms of section 195(1)(e) of the National Constitution the public administration is required to encouraged public participation in policy making. To exclude the public from this process will be in conflict with constitutional requirements.

¹⁰ See *Arun Property Development (Pty) Ltd v City of Cape Town* 2015 (2) SA 584 (CC) at par. 47.

26. Both the provincial and municipal officials that commented on the land use applications have relied heavily of the MSDF policy document. The wording of section 26(e) of the Municipal Systems Act, 32 of 2000, is important for it describes the intended character of MSDFs, namely the provision of "basic guidelines" for a land use management system for the municipality. The notion of basic guidelines and the ordinary import of the word "framework" which in the relevant context donates a skeleton or supporting structure, makes it plain that what Parliament had in mind was a broad-brush instrument, not a detailed regulatory document like zoning schemes under the planning legislation.
27. The following words of Harms JA are apposite to Pinnacle Point's use of the WCPSDF in the case reported as *Akani Garden Route (Pty) Ltd v Pinnacle Point Casino (Pty) Ltd* 2001 (4) SA 501 (SCA) at par [6] and [7].
- "I prefer to begin by stating the obvious, namely that laws, regulations and rules are legislative instruments, whereas policy determinations are not. As a matter of sound government, in order to bind the public, policy should normally be reflected in such instruments. **Policy determinations cannot override, amend or be in conflict with laws** (including subordinate legislation). Otherwise, the separation between Legislature and Executive will disappear In this case, however, it seems that the provincial legislature intended to elevate policy determinations to the level of subordinate legislation ..."*
28. In short, even if the MSDF contained a clear definition of what comprises inclusionary housing and stipulated norms and standards that should be complied with in respect thereof (which is not the case), it will not be necessary to act consistently with those requirements if by law, the municipality may not lawfully impose conditions requiring the provision of such units in a proposed development.
29. As pointed out, such a requirement will be *ultra vires* and irrational in the given set of facts and I do not doubt that if it were to be made or the application were to be refused due to "non-compliance" with policy statements, it will fall to be set aside on the ground that in imposing it, the municipality exceeded the powers conferred upon it under LUPA and acted irrationally.

Concluding comments

30. The National Constitution as the supreme law of the Republic [11] is the logical point of departure for any exploration of the maze of statutory provisions that

¹¹ Section 1 of the Constitution.

apply within the field of land use matters. It should inform the decisions to be taken in relation to the land use applications concerned.

31. The departure point in the evaluation of any land use application is therefore not policy guidelines. The decision-maker is required to see the matter through the prism of the country's Constitution and the fundamental rights enjoyed by all under the Constitution.
32. Our National Constitution enjoins local government to promote social and economic development and requires the public administration to be fundamentally development-orientated to ensure that it works towards its constitutional objects and contribute to the progressive realisation of the fundamental constitutional rights. [12]
33. The authorities are required to assume new roles and attitudes towards the way they conduct business to comply with constitutional imperatives. A blinkered approach is not helpful.
34. The Supreme Court of Appeal in Municipality of Stellenbosch v Shelf-Line 104 (Pty) Ltd [13] pointed out that township development is an economic speculation that holds serious implications for both the developer and the public authority. The developer must balance the costs involved in the acquisition of the land and legal, planning, marketing and infrastructural development expenses, against a prediction of future market conditions, the potential of the land, competing developments, and so on. The **best interests** of the local authority (and society generally) lie in the success of the development.
35. It would therefore be a sad day indeed if the Municipality would nevertheless decide to act outside its powers by imposing any form of *ad hoc* condition that would be totally arbitrary and will indeed have a negative impact on not only Consultant but the many others that stand to benefit positively from the proposed development.
36. I advise accordingly.

Kind regards.

DU PLESSIS HOFMEYR MALAN INC



PER:

JOHAN DU PLESSIS

¹² See sections 152(1)(c) and 195 (1)(c).

¹³ 2012 (1) SA 599 (SCA) at para [20]

APPENDIX G

RESPONSE TO NON MOTORISED TRANSPORT

COMMENT

WDG - As a condition of approval of the rezoning the MPT should consider requesting the applicant to demonstrate through the SDP how the development would comply with the MSDF provisions, specifically:

SM - In this regard the applicant must, through the Site Development Plan demonstrate the following:

WDG

- Given the limited income of a large proportion of the population, a settlement structure and form prioritizing walking and public and NMT, should be pursued (Table 12)

SM

- Item 3 - How the development of the property as part of the ATC will provide and promote strong internal and external public and NMT connections with the surrounding area and the lower Dorp Street area.

RESPONSE**1. Discussion****Application**

The principle of walkable neighbourhoods and the use of Non-Motorised and Public transport is fully supported by the applicant – refer to **14.2.4 Non-Motorised Transport (Page 44 – 47) & 14.2.5 Public Transport (Page 47) in the Application.**

The application demonstrates how the development, as part of the ATC will provide and promote strong internal and external public and NMT connections with the surrounding area and the lower Dorp Street by inter alia:

- Providing accommodation in direct proximity to commercial work space and recreational/retail facilities.

The proposed development together with the recently completed Bosmans Business Centre will transform the area into a diverse balanced mixed use precinct which will result in a safe community orientated - live – work – study – play – walkable neighbourhood which is the ultimate form of NMT – see “balanced neighbourhood” below.



Recently completed Bosmans Business Centre

The intention is to improve the security of the entire precinct through the establishment of a Special Rated Area (SRA) and the deployment of the latest security technologies to further foster the walkable neighbourhood.

- Making provision for a public “through road” linking Bosmans Crossing with the future development of the Bergkelder property as envisaged in the ATC proposal – this link road is crucial to the principle and success of the ATC initiative.

Should the property be retained as an industrial property and be further developed for industrial purposes, in accordance with the existing rights, the opportunity to provide a link road as envisaged in the ATC initiative would be lost.

- Promoting and incentivising of the use of bicycles by the residents by providing bicycle storage facilities and a “bicycle friendly environment”.

The applicant has demonstrated their commitment to the promotion of cycling as a means of linking the Bosmans Crossing precinct with greater Stellenbosch at the adjacent Bosmans Business Centre development which was completed in Dec 2020 by the provision of secure bicycle storage facilities and his/hers showering facilities for cyclists on each tenant floor.

Further to the above the applicant applied for and has been allocated bicycles as part of the Provincial Sustainable Transport Plan and has entered into a MOU with the Bicycle Mobility Consortium to “promote non-motorised transport in and around Stellenbosch and to provide access between the Stellenbosch centre and Bosmans Crossing precinct”



BMC bicycles at Bosmans Business Centre to promote NMT

- o Actively engaging with the Municipality engineering directorate to expedite the proposed pedestrian/cycle bridge over the railway line.

Further to the engagements already mentioned in the application in an email dated 09 July 2021 the Senior Manager Roads, Transport, Stormwater & Traffic Engineering, Mr Johan Fullard, once again confirmed *“It is the intention to have a pedestrian crossing for the Bosman’s crossing area.”*

- o Proposing an alternative prior to the above-mentioned bridge being completed by linking the existing NMT cycle path along Adam Tas Road to Bosmans Crossing and the Distillery road cycle path by means of constructing a cycle path, +- 80m, across the open grass area as indicated in application – see below for further detail.

Timing of the proposed pedestrian/cycle bridge over the railway line

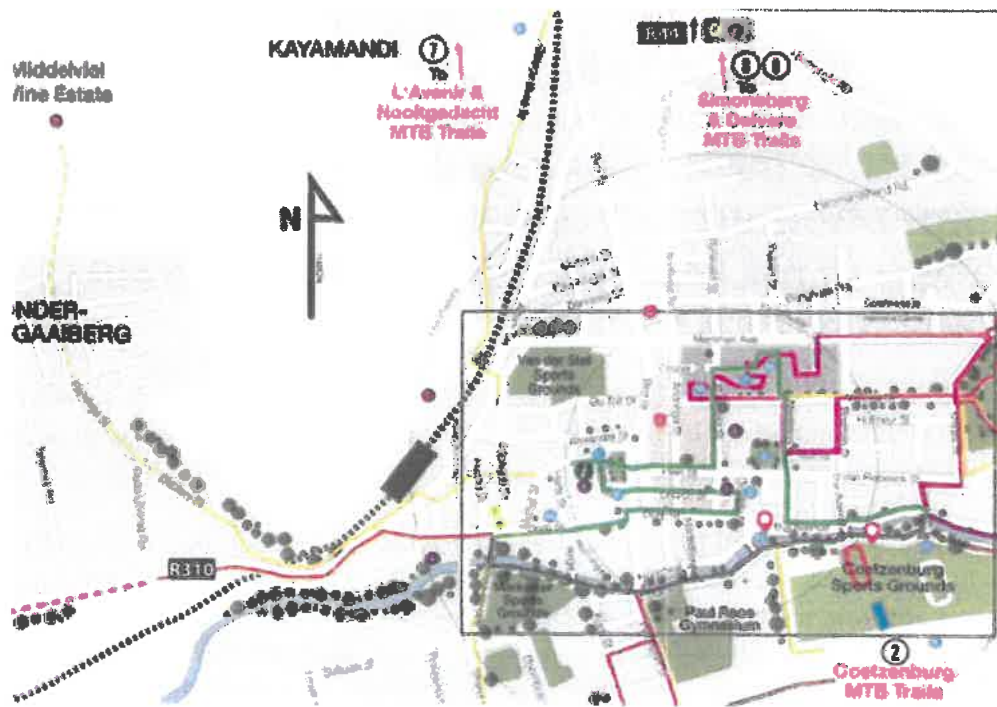
Spatial Planning have expressed an opinion that – *“Although the applicant makes provision for a pedestrian bridge over the R44 to connect with lower Dorp Street and provides space for NMT in the road reserve, the fact is that these facilities do not exist at present and will not be put in place by this development. Until such a time, and if the pedestrian bridge is constructed, the development will not contribute to the goal of promoting NMT and public transport.”*

The above statement fails to acknowledge the viable alternative of simply linking the NMT cycle path along Adam Tas Road to Bosmans Crossing and the Distillery road cycle path by means of constructing a cycle path, +- 80m, across the open grass area as mentioned in the application – see below



The red line indicates the existing cycle path along Adam Tas Road and Distillery Road with the proposed link of +- 80m indicated in yellow.

The cycle paths along Adam Tas Road & Distillery Street are indicated, in yellow, on the Stellenbosch Cycling Map below.



In the absence of a bridge the proposed alternative route is a viable alternative which is only +- 750m longer to Dorp Street than a direct bridge across the railway line.

Further to the above the opportunity exists to link the Bosmans Crossing precinct with the "Remgro Eerste River initiative" – which includes a "safe pathway" from DE Boord all the way to Coetzenburg – as indicated in green in the above figure.

Spatial Planning further contends that in the absence of a pedestrian bridge – "In fact, the development will operate as an extended cul-de sac- with all incoming and out-going traffic accessing the site via distillery Road and across the Plankenbrug River." – which is factually incorrect as the proposed pedestrian bridge is not related to the "incoming and out-going traffic" – as stated above and in the application provision has been made for a "through road" linking Bosmans Crossing with the future development of the Bergkelder property as envisaged in the ATC proposal.

From: Johan Fullard [mailto:Johan.Fullard@stellenbosch.gov.za]

Sent: Wednesday, 04 August 2021 12:07

To: Yolandi Obermeyer <yolandi@udsafrika.co.za>

Subject: RE: Plankenbrug Bridge - Bosmans Crossing

Hi Yolandi

We are currently at evaluation stage, and may be in a position to make an award within month, thereafter there is a appeal period. Possible start of construction in September / October.

Kind Regards



Johan Fullard
Senior Manager: Roads, Transport,
Stormwater & Traffic Engineering
Infrastructure Services

T: +27 21 808 8207 | C: +27 72 829 2779 |
Fax: +27 21 883 9912
Email: johan.fullard@stellenbosch.gov.za
2nd Floor, Ecclesia Building, 71 Plein Street,
Stellenbosch, 7600
www.stellenbosch.gov.za

APPENDIX I

BALANCED NEIGHBOURHOOD RESPONSE

COMMENT

WDG - As a condition of approval of the rezoning the MPT should consider requesting the applicant to demonstrate through the SDP how the development would comply with the MSDF provisions, specifically:

SM - In this regard the applicant must, through the Site Development Plan demonstrate the following:

WDG

- (Table 31 P106) "Strategy: Develop all settlements as balanced, inclusive, appropriately serviced, communities, negotiable through NMT and exhibiting a positive relationship with surrounding nature and agricultural land.

SM

1. Item 4 - How the development will provide adequate social facilities for the daily retail needs of residents.

RESPONSE**1. Discussion**

The proposed development is a commercial property venture funded by shareholders capital and accordingly the development proposal needs to be sustainable and viable.

Further to the above the success of the development is in the best interests of all parties - ***"The best interests of the local authority (and society generally) lie in the success of the development."*** (The Supreme Court of Appeal in Municipality of Stellenbosch v Shelf-Line 104 (Pty) Ltd)

As noted in the application there is a symbiotic relationship between residential and retail/commercial development with residential development generally preceding retail/commercial development in an area/precinct. Retail/commercial feasibility studies are largely reliant on the supply and relevant demand drivers of the "catchment area" of the proposed development. The approval of sites by National chains/franchises is dependent on such data—people are a catalyst to commercial/retail development.

The redevelopment of the Bosmans Crossing precinct commenced in the mid 2000's and the precinct is currently in the process of being transformed into a vibrant mixed use node as originally envisaged. However, to date, there are insufficient residents residing in the precinct to justify the feasibility of retail/entertainment with no businesses currently being open after office hours.

The applicant has recently completed the development of the Bosmans Business Centre (BBC) on the adjacent property – Erf 6201- comprising 5 440m² of GLA including 4 911m² of commercial office space and 529m² of retail space on the ground floor – it should be noted that the building remained incomplete for some ten years – 2010 to 2020 – as the completion thereof was not considered viable

The viability of completing the BBC development was considered in conjunction with the development of the subject property in order to achieve a balanced mix of residential to

commercial space – the applicant would not have considered the development of the BBC building in isolation – hence the reason why the development stood incomplete for some ten years.

The development proposal should therefore be considered in the context of the entire precinct rather than within the confines of the subject property. The proposal is to compliment the increased commercial capacity of +- 5 500m² at the Bosmans Business Centre with the development of residential units with additional appropriate retail space.

The development application makes provision for a further +- 1 500m² of commercial space in the Shed and Manor House which together with the BBC building will add a further +- 7 000m² of commercial space to the precinct – note the existing Bosmans Crossing Square development comprises 2 732m² of commercial space.

Further to the above a further +-670m² of commercial space has been added with the recent completion of the Bosmans Club development.

The success of the commercial component is dependent on the increased number of people residing in the precinct to make the commercial/retail space viable – the applicant has had first-hand experience as the retail space in the BBC building remains vacant with various potential tenants having considered and declined to let the space due to insufficient “foot count” in the precinct – as far as the applicant is aware the +-670m² of retail space in the Bosmans Club also remains vacant.

Further to the above the recommendation from the Directorate Infrastructure Services provides for a Development Contribution amount of R3 327 227 in respect of Community Services.

2. Closing Statement

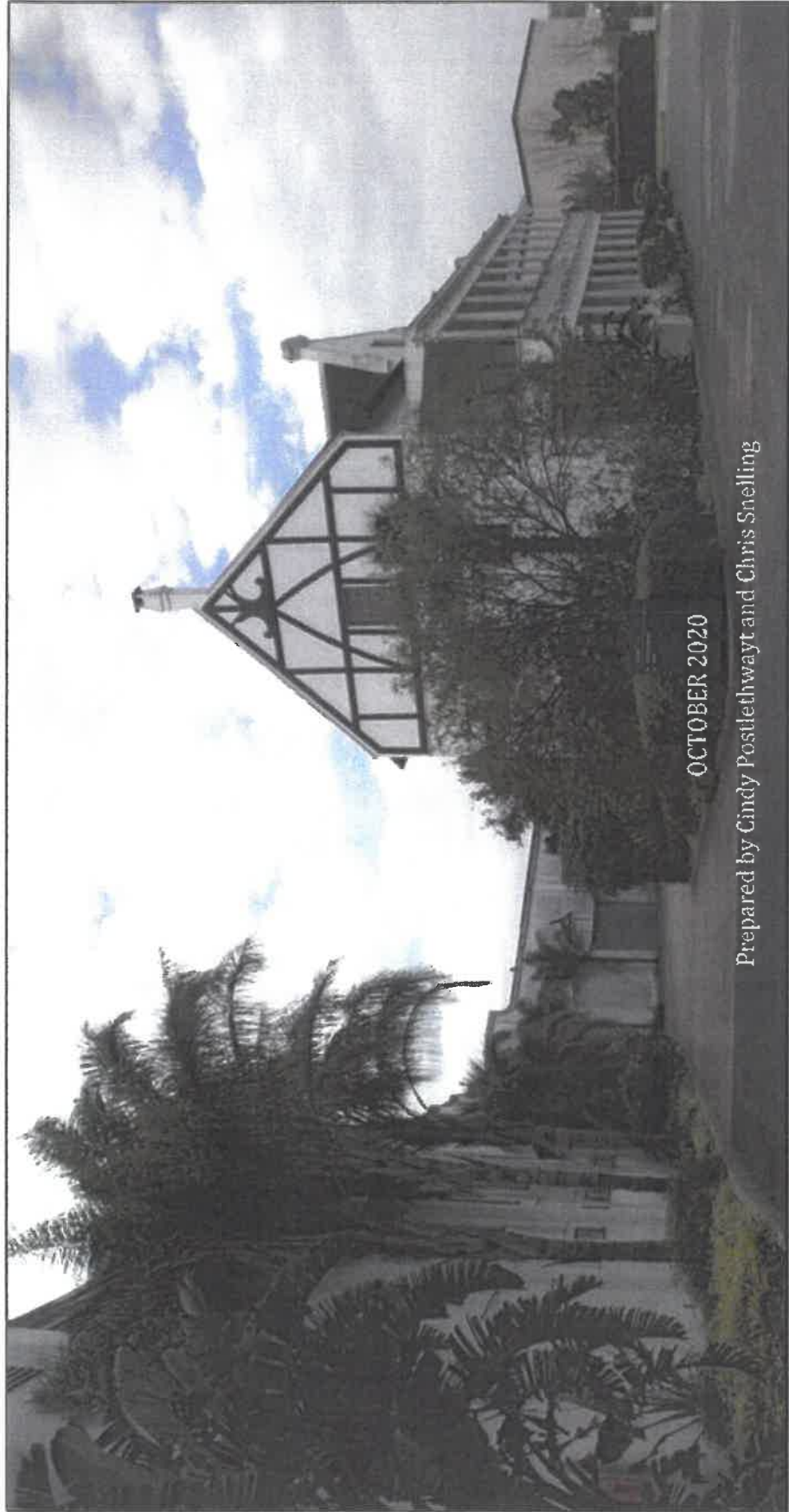
- The proposed development is a commercial property venture funded by shareholders capital which needs to be sustainable and viable - *“The best interests of the local authority (and society generally) lie in the success of the development.” (The Supreme Court of Appeal in Municipality of Stellenbosch v Shelf-Line 104 (Pty) Ltd)*
- The viability and sustainability of commercial property is reliant on sufficient residents residing in the precinct – Bosmans Crossing requires more residents to improve the viability of the existing commercial space.
- The applicant has recently completed the Bosmans Business Centre (BBC) on the adjacent property comprising 5 440m² of GLA the viability of which was considered in conjunction with the proposed development.
- The development proposal should be considered in the context of the entire precinct rather than within the confines of the subject property – the addition of a further 1 500m² is considered to be the appropriate balance to achieve a viable, sustainable mixed use precinct.
- It is envisaged that many of the occupants of the BBC will choose to reside in the proposed development resulting in a live – work – study – play safe neighbourhood.

- The development will contribute an amount of R3 327 227 in respect of Community Services in accordance with the proposed Development Contributions.

**HERITAGE IMPACT ASSESSMENT
TO BE SUBMITTED TO HERITAGE WESTERN CAPE IN TERMS OF THE PROVISIONS OF SECTION 38(4)
OF THE NATIONAL HERITAGE RESOURCES ACT.**

PROPOSED REDEVELOPMENT OF OUDE MOLEN - ERF 14601 STELLENBOSCH

HWC Case Number:15012102GT0127E



OCTOBER 2020

Prepared by Cindy Postlethwayt and Chris Snelling

Table of Contents

1. Background..... 5
 2. Property Details..... 5
 3. Nature of Submission 5
 4. Statutory Processes..... 6
 5. Methodology 6
 6. Historical Background 6
 7. Archaeology.....11
 7.1 Structures11
 7.2 The Mill Stream.....11
 7.3 Human Remains12
 7.5 Conclusion13
 8. Context.....14
 9. Relevant Policy15
 10. Identification & Significance of Heritage Resources16
 11. Heritage Resource Indicators28
 12. Development Proposal.....32
 13. Impact Assessment.....40
 13.1 Impact assessment40
 13.2 Sustainable Socio-economic benefits.....45
 14. Public Participation.....45
 15. Recommendations53
 References54

APPENDIX D1: SDP.....73
 APPENDIX D2: Architectural Design Ethos.....74
 APPENDIX D3: Landscape Master Plan75
 APPENDIX E: Public Participation76

Cindy Postlethwayt and Chris Snelling hereby declare that we have no conflicts of interest related to the work of this report. Specifically, we declare that we have no personal financial interests in the property and/or development being assessed in this report, and that we have no personal or financial connections to the relevant property owners, developers or financiers of the development. We declare that the opinions expressed in this report are our own objective, independent views and a true reflection of our professional expertise.

All intellectual property rights and copyright associated with Cindy Postlethwayt's and Chris Snelling's services are reserved, and project deliverables, including hard and electronic copies of reports, maps, data, and photographs, may not be modified or incorporated into subsequent reports in any form, or by any means, without accurate referencing to this work. Any recommendations, statements or conclusions drawn from, or based upon, this report, must be accurate and make reference to the source.

APPENDIX A: Archaeological Report.....55
 APPENDIX B: Additional Photographic Record56
 APPENDIX C: Preliminary Urban Design Framework.....72



Figure 1: Site in the context of Stellenbosch (Cape Farm Mapper CFM)

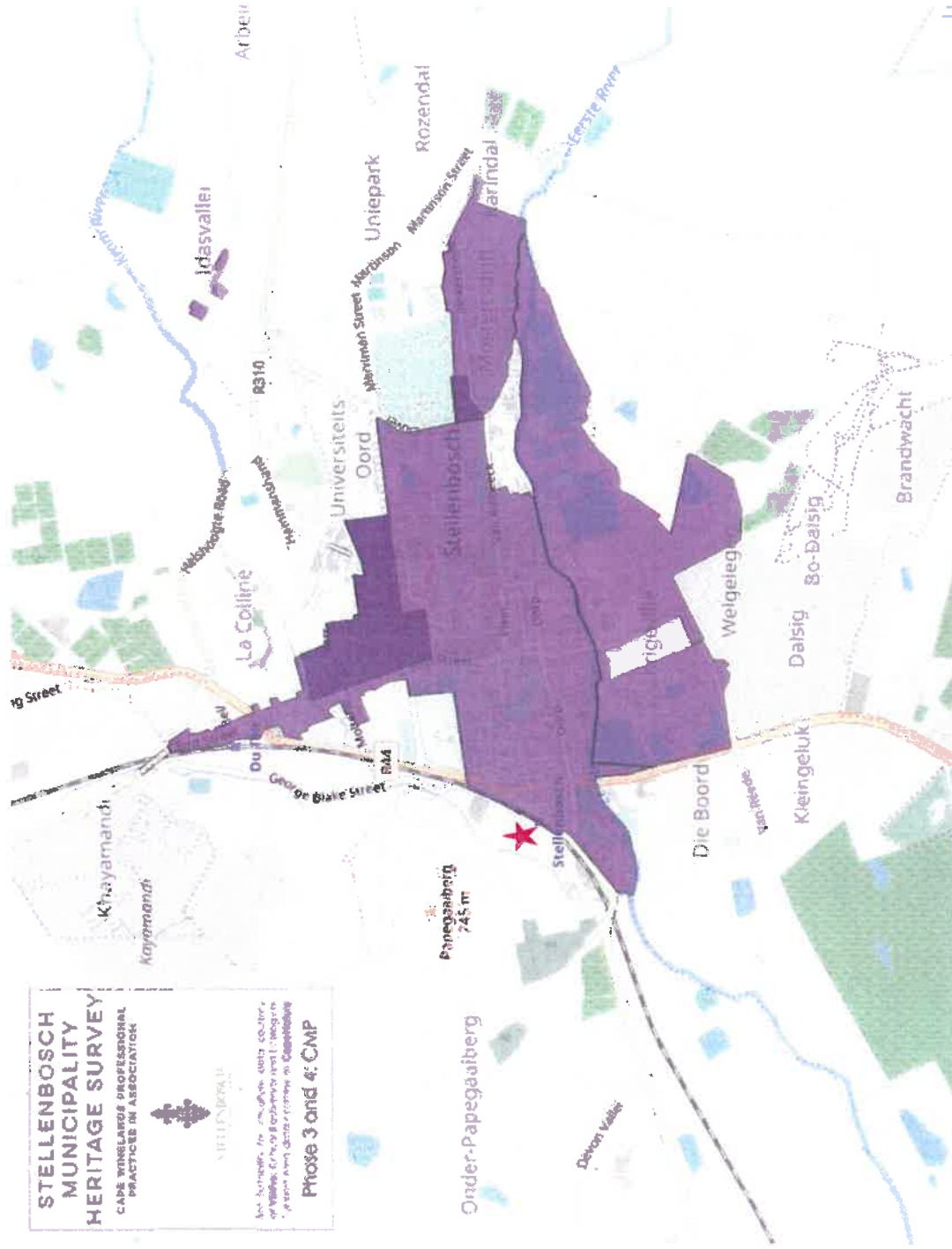


Figure 2: Site in the context of Stellenbosch historic core and proposed HPO

1. Background

The proposed development of the site triggers Sections 38(1)(c)(i)(d)¹ of the National Heritage Resources Act (NHRA). Accordingly, a Notification of Intent to Develop (NID) for Erf 14601 and Rem Erf 6201, Stellenbosch was submitted to Heritage Western Cape (HWC) in 2015. In a response dated 13 February 2015, HWC required that a Heritage Impact Assessment (HIA) be conducted, including an archaeological study and urban design component.

It is to be noted that as a result of design development in the intervening period, Rem Erf 6201 is no longer included in the development parcel and this HIA is conducted in respect of Erf 14601 only, although the Scope of Work remains the same.

2. Property Details

Erf 14601 (the property concerned) is 2,71981ha in extent and located in Stellenbosch at the termination of Distillery Road. The site is bordered by the Papagaaiberg on the west, and Adam Tas Road on the east. It is also just outside of the Stellenbosch Historical Core. The owner of the property is Catwalk Investments 385 (Pty) Ltd.

3. Nature of Submission

It is proposed to rezone erf 14601 in order to accommodate a mixed use development comprising general residential apartments and some associated commercial space. A warehouse older than 60 years, the reconstructed mill and the historic manor house are to be retained within the new development.

¹ The development was noted as changing the character of the site, which is larger than 5,000m² hence 38(1)(c)(i), and requiring the rezoning of an area larger than 10,000m², hence section 38(1)(d)

Our Ref: HERITAGE WINKLANDSTELLENBOSCHSERF 6201 AND ERF 14601

Ekspediteur: Guy Thomas
Tel: 021 483 3885
E-mail: gthomas@heritagewesterncape.gov.za

Date: 13 February 2015
Case No: 190210057027E
Aansoek No: 3031 - 3672



RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP
In terms of section 34(3) of the National Heritage Resources Act (Act 25 of 1989)
and the Western Cape Provincial Gazette 6004, Number 208 of 2013

Attention: Mr Chris Swelling
8 Ringwood Drive,
Pinelands,
Cape Town
7450

CASE NUMBER: 1596260210127E
NID: PROPOSED DEVELOPMENT ON REM ERF 6201 AND ERF 14601, "OUDE MOLEN" DISTILLERY ROAD, STELLENBOSCH

The matter above has reference.

Your NID received on 27 January 2015 was tabled and the following was discussed:

1. The properties will be rezoned and consolidated to form a single erf with a zoning of general business or general residential. The site will be developed into a mixed use development including student housing, retail and office space.
2. The previous warehouse may need to be demolished, while the other significant buildings will be reused.
3. The site has significant built fabric, and may have significant archaeological resources.

Requirement

1. Since there is reason to believe that heritage resources will be impacted upon, HWC requires an HIA in terms of S. 38(3) of the NHRA (Act 25 of 1989) assessing the impacts on the following heritage resources which it has identified: Built fabric and potential archaeological resources.
2. An HIA is required consisting of an archaeological study, as well as the submission of an urban design component.
3. Conservation bodies registered in the area, as well as any other IMAPS must be consulted.
4. An integrated set of recommendations is required.

5. Methodology

This HIA has been structured to fulfil the requirements of Section 38(3) of the NHRA and to respond to the requirements of HWC. The public participation process followed that prescribed by HWC.

The following sources of material have been consulted:

- Historical reports and maps
- Historical aerial and orthophoto search at National Geo-Spatial Information Directorate
- Deeds Office & Surveyor General records search
- Secondary sources (listed in references)
- On-site inspection (internal and external)

The project team includes, *inter alia*:

- HIA Practitioners: Cindy Postlethwayt & Chris Snelling
- Archaeologist: Tim Hart ACO & Associates
- Urban Design input: D Dewar & P Louw
- Architecture: Boogertman & Partners
- Town Planning: FirstPlan

6. Historical Background

As the property has a history of some significance, first as a mill site and later as the site where the early distilling of quality brandy took place, the proposed development requires some sensitivity to those historical aspects that are still present at the site.

The Oude Molen site was the location of the fourth, and last, of the mills that played an important role in the shaping of Stellenbosch town, with a network of millstreams that still flow through the town. The original mill was built in 1821, however, the property appears to have been cultivated as a wine farm until the property was acquired by Rene Santhagens c1905. The mill was de-commissioned in 1910. The millstream at Oude Molen was diverted underground, although it is unclear when this happened – in the in the 1960s or 1990s.



Figure 3: Locality (CFM)

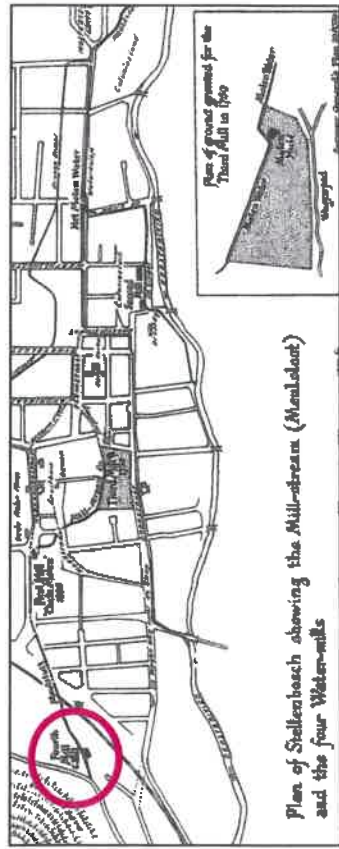
4. Statutory Processes

The proposed development will not trigger any Listed Activities in terms of the EIA Regulations promulgated on 8 December 2014. This HIA is therefore conducted in terms of Section 38(4) of the NHRA.

In terms of the requirements of the Stellenbosch Municipality Land Use Planning By-law the proposed development will require, *inter alia*, the subdivision and rezoning of the property from Industrial Zone (Wine Industry in terms of the previous Zoning Scheme) to Mixed Use Zone.

Vintners." (ACO) The site was subsequently sold by Gilbeys who moved their operations to Elgin in 2003².

Significant changes were made on the property when Gilbeys re-developed the site in the 1990s. A total of 27 buildings were demolished, and a large warehouse complex was constructed (see page 8 for details). The millstream was also diverted underground during construction.



Plan of Stellenbosch showing the Mill-stream (Mantelout) and the four Water-mills

Figure 4: Map of the historical mill-stream and original mills with Oude Molen (Fourth Mill) circled (J van Schoor, redrawn Walton 1974:42).

"In the 20th century Oude Molen gained fame as the Nation's first distillery of good quality brandy. Up to the start of the 20th century South African brandy was still using a variety of home grown recipes and equipment, probably best described as being in the class of "mampoer" or "witblitz". The development of true brandy is associated with a Frenchman named Rene Santhagens who immigrated with his family to South Africa in 1899 in answer to an advertisement by Sammy Marks who desired to improve the quality of local liquor in Pretoria. The South African War disrupted Santhagens' plans, however after the conflict he returned to the Cape where he worked as a distiller eventually purchasing Oude Molen (circa 1905) where he and his wife established a distillery. After some years the Santhagens enjoyed success becoming well known figures in (colonial) Cape Society. After Rene Santhagens died in 1937, his wife Laure Santhagens continued the business until it was finally taken over by Gilbeys distillery and

² It is noted that this reflects marketing information provided by Gilbeys itself. The current owners of the Oude Molen brand and the Oude Molen Distillery in Elgin have indicated in personal communication as follows: There were many leading lights in the development of SA brandy. Whilst René Santhagens was a significant character in the history of SA brandy he was not the "origin" of the SA brandy industry and nor was Oude Molen – he himself produced brandy

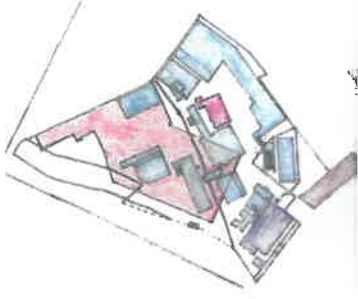
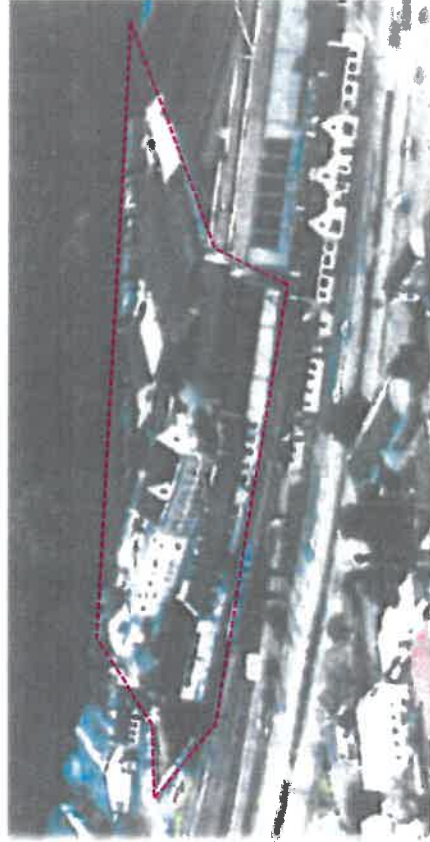


Figure 5 (right, above): The teal structures are those that were demolished in 1990; Figure 6 (below) : Oude Molen prior to 1990



elsewhere prior to establishing Oude Molen – the importance of Oude Molen has been exaggerated for marketing purposes. The Van Ryn brand marketers for example claim the same: "The story of Van Ryn's date back to 1845 with the pioneer Jan Van Ryn's – he earned the distillery's first international award in 1884". The brandy industry did not originate at Oude Molen – although this does not alter the articulation of heritage significance.

The editor interviewed designer, Rowan Durganan.

The upgrading of two facilities for Gilbeys in Stellenbosch

Two newly completed upgrading projects undertaken simultaneously, were opened officially on 28 February. Both are located on sensitive sites in a part of the country where South Africa's built heritage is taken seriously.

Despite a tight budget the designer has sought not to destroy building fabrics of merit, to identify existing architectural elements and to incorporate these in new buildings and extensions so as to establish a unifying language.

De Oude Molens

This 2.0 ha site known as De Oude Molens is an area of industrial development adjacent to the Stellenbosch railway station. To the north it is separated from the thickly vegetated slopes of the Paarlgebirg by the Flanckenberg River, and to the west and east are the precincts of E.W.V. and D'Almeida Corporation respectively. Beyond the railway line to the south is the road entering Stellenbosch from Capri Town.

Almost all buildings, although placed and varying in age, occupied the site included in the original historical built in 1718 and as such being reserved by the historical monument status Council as a building of historical interest.

The site, 100 m wide and 160 m long, is bounded by the main railway to the north and the main road to the south.

After a process of 18 months, 20 years ago, the original water wheel with all its working parts, which was operated by the mill stream which flowed across the site.

The only early site information available is in the form of aerial surveys.

The brief

In seeking a revitalisation of the site the client company requested the construction of a centralised distribution facility for the Western Cape which would provide approximately 8 000 m² of warehouse accommodation and limited office space. The main offices of the company are located elsewhere in Stellenbosch. The historical, the mill building and water wheel which have a garden

Professional team

Designers
Greiner Projects
Project designer
Rowan Durganan
Quantity surveyors
Greiner Projects
Structural engineers
KON
Electrical engineers
Eli Golek & Associates

Client

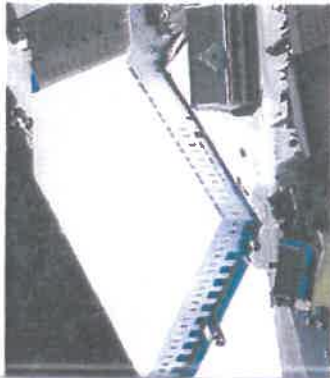
Chief Executive & **Director** (Pty Ltd)
Project manager
Greiner Projects
Managing Director
D. Geyer & Co. (Pty Ltd)
Company building (Stellenbosch)

wing, part of an existing warehouse and another building to be used as a museum were to be retained.

The design strategy has been to use a simple, unadorned, functional style with a glass and steel structure on the ground floor and offices on the upper level. The intention is that the roof be restored to its original pitch.

The mill building serves as a shelter recreation centre and includes a staff canteen. The client requested the demolition of all other buildings on the site and distribution and production activities were not to be suspended during the redevelopment.

Landscape of an area between the historical and the mill, and towards the railway line remains to be done. One of the brief requirements that the upgrading entailed the usage of the



Left: The Oude Molens site prior to upgrading. In the foreground are the offices of the Stellenbosch Development Corporation. In the middle ground are the existing buildings. In the foreground is the original 17th-century mill and the water wheel. Below: Selection of Oude Molens

1. CONCRETE PIER, 400 mm x 400 mm, 11 m high
2. CONCRETE PIER, 400 mm x 400 mm, 11 m high
3. CONCRETE PIER, 400 mm x 400 mm, 11 m high
4. CONCRETE PIER, 400 mm x 400 mm, 11 m high
5. CONCRETE PIER, 400 mm x 400 mm, 11 m high
6. CONCRETE PIER, 400 mm x 400 mm, 11 m high



Below: In left. The steel facade of the new warehouse with the water wheel and office space at the south-west corner. Below left. One of the 11 m high concrete piers in the west elevation.

The verticality of each bay along the south wall is reinforced by window placement. Two relatively narrow concrete windows just below the ceiling level in office space below the roof are supported by a steel beam. The wall, metal trusses serve for cross ventilation and give surface stresses. Standard steel inbuilt roof windows with white frames are set in timber sub-frames.

The concrete piers carry steel trusses which support a roof of pre-cast precast concrete slabs. The simple steel framed roof were mill rolled on site. The concrete is connected by a steel beam to the north-west elevations.

The white plastered walls and the off-white ceiling are intended to provide a plain backdrop for the historical buildings. The south of the warehouse. Delivery trucks arriving with bottled wine and spines, boxed and supported



Warehouse 1923
 Main House 1925
 reconstructed Mill House
 1965

Entrance to the site

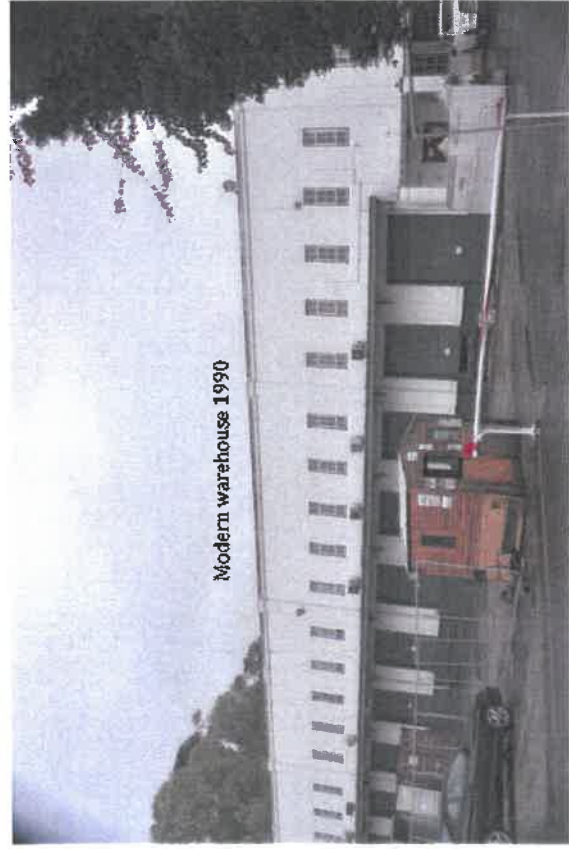
Warehouse older than 60 years

reconstructed Mill House
 1965

Modern warehouse 1998



Manor House 1925



Modern warehouse 1990



Site boundary from railway line

7. Archaeology

An archaeological assessment of the site was conducted by ACO & Associates in a report dated June 2015. The report is included in full in Appendix A. Extracts are made as follows:

7.1 Structures

"The study area consists of the old Gilbeys Distillery – a complex of mainly industrial buildings, big sheds and blacktop surfaces. Heritage structures on the site include an overshot watermill (recent replica) and the old farm house which was previously used by Gilbeys as their offices"

"The original Farm House (of which some fabric may survive) was built in the early 18th century and substantially altered with a first floor being added by Rene Santhagens in 1923. A major characteristic of the site is its position on the Stellenbosch Mill Stream at its confluence with the Plankenbrug River. The mill stream was diverted from a weir on the Eerste Rivier and was used for powering a number of watermills in Stellenbosch. According to James Walton a mill was built at Oude Molen in 1821 – one of the last mills to be built in the area."

"The mill on the property is a 1960's reconstruction which was built in a different location to the original. The overshot water wheel and sluice is modern while the interior workings appear to have been "borrowed" from an older mill – origin unknown. Why the working mill replica was built is a mystery – perhaps it was Gilbeys trying to reinforce the Oude Molen brand. Nonetheless the replica appears in the book on the subject by Chester O Staples who states that it was situated *close to the graves of Malay and Indonesian immigrants*. When Gilbeys assumed control of the site, it would appear that it was significantly transformed. Many of the old farm buildings and outbuildings (including the original mill and early distillery) that were visible on a 1953 aerial photograph were demolished. The mill stream was largely lost to sight being

channelled through an underground drain and a very large shed was built over much of the area occupied by earlier buildings."

7.2 The Mill Stream

"During the 17th and 18th centuries Stellenbosch strove to be a self-sufficient community as Cape Town was far away enough to be an inconvenient journey. Hence the business of mills and milling played a critical role in converting local produce to an edible form. The mill stream was constructed to divert water from a weir on the Eerste River through Stellenbosch. Its construction commenced circa 1690, the use of the water strictly governed so that the mills were kept running even in dry season. In all, 4 mills were constructed on the stream, many of which according to the late James Walton (1974) utilised the overshot method of driving the wheel. The mill at Oude Molen being built in 1821 was the most recent built in the area. It was apparently equipped with an iron wheel which until recently (1974) had survived. It would appear that the Oude Molen mill was relatively unsuccessful. It no longer stands after having gone into a period of dereliction. The mill stream has survived in Stellenbosch albeit somewhat neglected and uncelebrated which is unfortunate considering its important historical role and age in the area. Walton who described the stream as it was a number of years ago, remarks on its charm and the various dams and weirs that controlled or diverted flow. At the Oude Molen site the mill stream has been buried within a drain and is no longer visible. It exits into the Plankenbrug River rather unceremoniously via an anonymous looking concrete pipe...."

On the basis of an investigation of historical survey diagrams, indications are that the pipe line probably generally follows the old course of the mill stream (although the location of neither the pipeline nor the original mill stream can be confirmed – pers comms T Hart 14 Oct 2019). Clearly the mill stream has been damaged irreparably by 20th century development. The proponent was not responsible for this and is under no obligation to rectify this situation. Certainly the presence

of the mill stream is not a fatal flaw for redevelopment in heritage terms.

Bridging or building over the mill stream in its current state is acceptable. Expression of the history of the mill stream and incorporating this as a design feature is a voluntary action, but the opportunity could add interest to the proposed new development.

The existing mill on the site appears to contain workings that are old even though the wheel and mill house is modern. The machinery is conservation-worthy and therefore should be retained *in situ*.

7.3 Human Remains

“The issue of the possibility of human remains on the site has arisen as a result of the comment in a caption to an image of the existing mill as depicted in a popular and unreferenced book on mills by Chester O Staples (Staples 2006) in which he refers to the site being built close to the graves of Malay and Indonesian immigrants. This statement was of great concern considering that the development proposal will involve landscape transformation. After some difficulty, Mr Staples was contacted in the hopes that he would reveal his sources of information. He said he did not keep his notes but had deposited some material with the Stellenbosch Museum. Hereafter our emails were no longer responded to and we could communicate with him no further. A query has been lodged with Stellenbosch Museum, however staff have no immediate knowledge of the “Staples archive” or are not aware of the site being used as a place of burial in the past. Perusal of title deeds pertaining to the site offered no further clues; furthermore, there were no accounts of human remains being found during recent excavations for a structure with a basement (now semi completed).

It was subsequently assumed that the supposed proximity of human remains to the site related to the nearby Papagaaiberg Cemetery on the slopes of the hill of that name. This large multi-denominational

cemetery lies some 500 m from the Oude Molen site. A deeds search has indicated that the cemetery was formally declared in 1907 which indicates that its use began informally and was declared a formal cemetery retrospectively. We believe it is quite possible that there were parts of the Papagaaiberg that were used early on for graves other than Dutch Reformed Church denomination, which may be the source of the rumour.

If there was clearer evidence of there being human remains on site, pre-development trial excavations would be recommended, however the evidence to date is tenuous and not yet independently verified.

With respect to the possibility of finding human remains on site, the following should be noted:

- Evidence is scant.
- Indications are that development work should proceed, however, should human bone be encountered during bulk excavation, the area must be cordoned off and the matter reported to Heritage Western Cape, an Archaeologist and the South African Police services. Parties must meet on site together and to ensure that there is no evidence of foul play and an emergency exhumation permit (in the case of historic remains) be applied for and issued.
- The presence of a large burial ground found accidentally during construction is a major problem in a development scenario – human remains are culturally and politically charged, technically quite difficult to excavate and thereafter need to be reburied or stored at a suitable institution. This is an expensive and time consuming operation. There is always a risk of this occurring, especially in South Africa where past political situations resulted in many members of the population being buried outside of formal cemeteries on farms and vacant land where public memory of use of a place as a burial ground lapses after a generation or two. In the case of this site, indications are that it would be exceptional on a site that has been developed to this

extent over so many years not to have any associated reports of human remains. This would indicate that there are none.

7.4 Other archaeological material

When Gilbeys took over the site, numerous outbuildings which may have formed components of the original farm were demolished (Figure 5). One of these was possibly the original mill. The jewel in the crown, the homestead, which is thought to incorporate fabric from original farm house, was spared. Whilst the historic aerial photographs do not show exactly which building was the original watermill, one can presume that it was located close to the mill stream. Many of the outbuildings appear to have been demolished to make way for the large Gilbeys shed which presently occupies a significant portion of the site close to the old farmhouse. It is not known how deep previous demolition activities extended below surface – some demolitions involve destruction to foundation depth, while others remove buildings to ground level only. There is a possibility that the archaeological signature of the mill exists below the hard surface on site or under the large shed. If so, this is technically protected as archaeological material under section 35 of the National Heritage Resources Act. It can however remain buried.

There is an intention to demolish the large shed to ground level or deeper which means that impacts to these archaeological signatures may occur. Figure 7 shows the relative footprints of the earlier buildings, those coloured *brown* may be the original mill. Unfortunately since it cannot be identified with any certainty, we do not know the relative significance of these specific older structures and are unable to suggest specific targets for excavation other than to recommend the following:

- After the big shed is demolished, and only if the ground surface is to be excavated, before any basement excavations follow would be a suitable time to conduct exploratory excavations to identify and explore the nature of footings and foundations. If the mill is identified, its significance should be assessed and finds measured

up and recorded. Only the mill is regarded as being of significance – all other buildings will form part of the 20thC industrial layer and are not considered worthy of recording (Pers Comms T Hart 14 October 2019).

- Basement excavations only in the above regard should be monitored by an archaeologist.
- The principle of building over structures has been accepted by the compliance authority in the past once the nature of the historic mill structure is known and recorded.

7.5 Conclusion

The Oude Molen site is a historically significant place that has suffered in the past from fairly unsympathetic approaches to its heritage significance. New redevelopment of the site may be supported as this will help bring to the fore the gems of the place such as the main farm house and its setting that have been dwarfed by industrial development of the 1960's. The other area of interest on the site is the Stellenbosch Mill Stream, a very old but rather neglected element of the town's history that is now channelled through the site in an underground pipe that appears to follow the original course of the mill stream very closely. While the law obliges the developer not to damage heritage that is above or below ground, he is under no obligation to restore the mill stream. However, location and expression of a portion of it will add value to the interest and historic significance of the precinct.

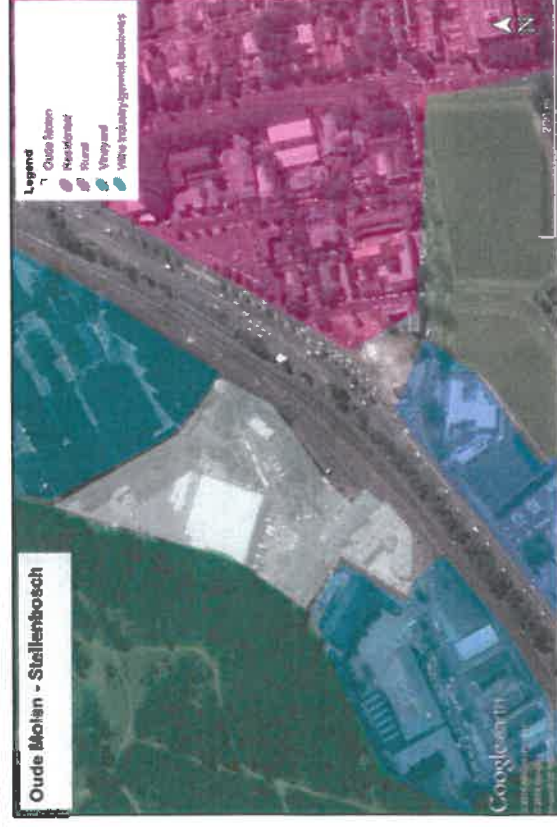
At present there is no evidence to support the caption in the book by Chester O Staples that describes the existing mill as being close to a burial ground and Mr Staples himself has not been able to supply evidence in support of this assertion. Hence for the purposes of the study this information must be considered heresay and that Staples may have alluded to the nearby Papagaaienberg cemetery. Needless to say it is necessary to always be vigilant (especially in South Africa) as lost cemeteries associated with historic towns are always a possibility. Given the paucity of information it is suggested that the development

project should continue and that should human remains be found, these be relocated under an emergency permit.

There are other possible archaeological sensitivities on site as well. It is known that the original mill was demolished, however it is not clear when this happened or whether any of the numerous outbuildings that were demolished in the 1960's were in fact the mill. The archaeological signatures of these structures lie under and around the big shed which has a reinforced concrete floor. The only opportunity to get to explore these features will be after the big shed is demolished. It is suggested that exploratory work take place at this time and in combination with monitoring the significance of these structures can be explored."

Figure 7 (top right): Historical features of the site (ACO)

Figure 8 (bottom right): Context



8. Context

Figure 8 situates Oude Molen within the wider context. The site is within a small industrial/general business area located between a primarily residential part of Stellenbosch and the undeveloped Papagaaienberg that leads into the rural surrounds of the district. As a property with some historical references, Oude Molen is situated at the end of Distillery Road, testament to the long-standing association of this area with the Oude Molen distillery and other similar industries.

A number of the surrounding erven (including the adjoining erf Rem 6201) however, have been zoned for Mixed Use indicating the ongoing changing character of the area. Given the loss of historical industrial associations, re-development of Oude Molen in this context is appropriate although retention of some of the associational references is possible and desirable.

The railway and thereafter tree lined Adam Tas Road separates the residential zone to the east from the site. Adam Tas Road currently

disconnects the site from the residential area, however consideration is being given to linking the erven to Adam Tas Road by opening up a visual corridor, and possibly with new access points.

9. Relevant Policy

The site is situated outside the Stellenbosch Historical Core and in terms of the 2018 Stellenbosch Municipality Heritage Survey, no heritage resources are identified on or around the site. This is considered an oversight as there are clearly heritage resources and even the Stellenbosch Railway station has not been included as a heritage resource.

In terms of the approved 2019 Stellenbosch MSDF, the site is inside the Urban Edge and is situated on the proposed Adam Tas Corridor (ATC), a catalytic project, critically linked to the railway line and station, the extensive re-development of which could contribute meaningfully to meeting existing municipal challenges and MSDF objectives.

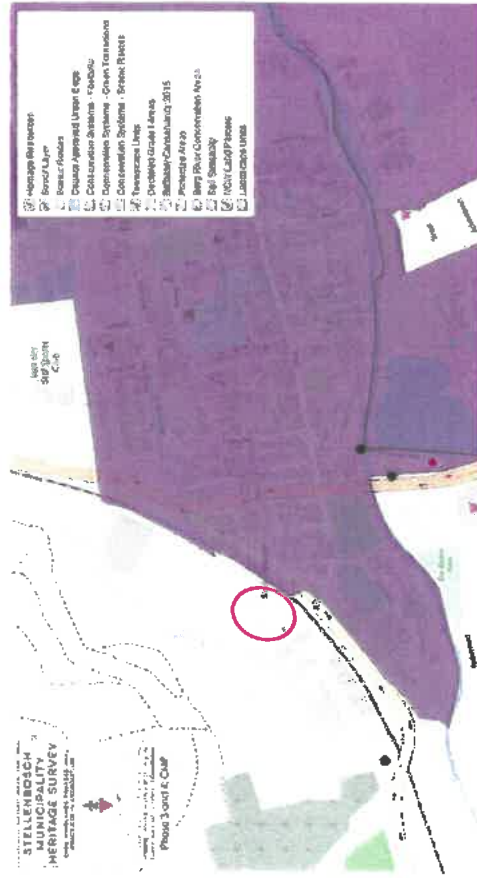


Figure 9: Stellenbosch Municipality Heritage Survey



Figure 10: Stellenbosch Historical Core survey 2012

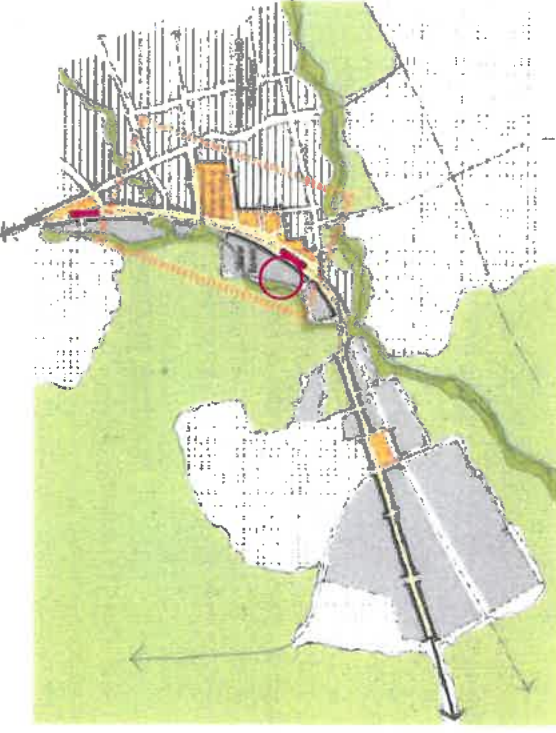


Figure 11: Adam Tas Corridor Concept 2019

The MSDF, as it refers to the ATC notes as follows:

- a) "The most strategically located land in Stellenbosch town.."
- b) "In simple terms, the concept is to launch the restructuring of Stellenbosch town through redevelopment of the Adam Tas Corridor"
- c) "Conceptually the Adam Tas Corridor is the focus of new town building ..."

This has been significant in guiding the development proposal.

10. Identification & Significance of Heritage Resources

Although there have been significant changes at the Oude Molen site it still has some historical significance as the location of the fourth mill in Stellenbosch. It has also been associated historically with the production of quality brandy, although this is not in and of itself necessarily a basis for significance³. This section examines the site specifically in respect of the heritage resources still present at Oude Molen and in the context.

The relevance of the site as the location of the fourth mill house can be considered as tenuous if one considers that the millstream has essentially become an underground stormwater drain, the original mill house demolished, and a replica mill house (1965) has been constructed away from its original location.

Nevertheless, the protected status of the mill stream ties the site to the historical millstream network of Stellenbosch, and even though it has been reconstructed, the mill house adds to this connection. Even the name 'Oude Molen' reflects its history as the location of the fourth mill. Rather than significant resources in and of themselves, they could perhaps be considered as *opportunities* in the redevelopment of the site.

More visually prominent on site is the early to late 20th century industrial history of the site as the distillery for early fine brandy

produced in South Africa. In 1936 Rene Santhagens requested that the house be bequeathed to the state and declared a national monument. He stated that the house was built by the VOC, and was a fine example of late 17th century Dutch architecture (original letter below). However, the representative of the Historic Monuments Commission who assessed the site in the 1930's pointed out that the house had been practically rebuilt and the contents were reproductions. Ultimately he advised against accepting the bequest albeit it is understood that certain of the furniture was eventually housed in the Stellenbosch Museum. Nonetheless, the building is considered significant, and although the style can be best described as eclectic, it is a fine building and is associated with the early brandy industry in South Africa.



Figure 12: The overshot Millwheel at Oude Molen (Hofmeyer 1967)

³ see note 2 on page 7

11mc 18/2

RECEIVED
ONTARIO
27-8-1936
ANSWERED
BEAUFORT

P. Santhagens
Distiller & Wine Merchant

Telephone & Cable Address:
SANTHAGENS, Sault Ste. Marie
Telephone 41 (Head Office) RS/S.

The Oude Molens
Saltburch S.A.

23rd June, 1936.

Secretary
Historical Monuments Commission,
P.O. BOX 1176,
FORBESBURG.

Dear Sir,

I have decided and arranged that after the death of my wife and myself to bequeath my home "Die Oude Molens" to the State.

The house was built by the East India Company and is mentioned in the Diary of Adam Tas, the water mill, of which I still retain the water rights, being referred to .

The second story was built by me after having received advice from the Director of the Museum Amsterdam and the building is true to type of the late 17th century of Holland.

23/6/36.

-2-

Historical Monuments Commission.

The house contains many treasures which are well known and in order to ensure that the property is not sold and that the state will receive my gift, I would like the property proclaimed a National Monument.

I await the favour of your reply and will be most happy to furnish you with any further particulars you may require.

Yours faithfully,
P. Santhagens

Letter from Santhagens to the Historical Monuments Commission 1936

The remaining structures on Erf 14601 predominantly consist of warehouses, some being used as offices.

Figure 13 illustrates the layout of the current structures on site. Structures A to G are then discussed briefly before addressing the buildings of significance: the Manor house, "Vinlab" and another warehouse, and 'Mill House'. A detailed photographic record is included in Appendix B.

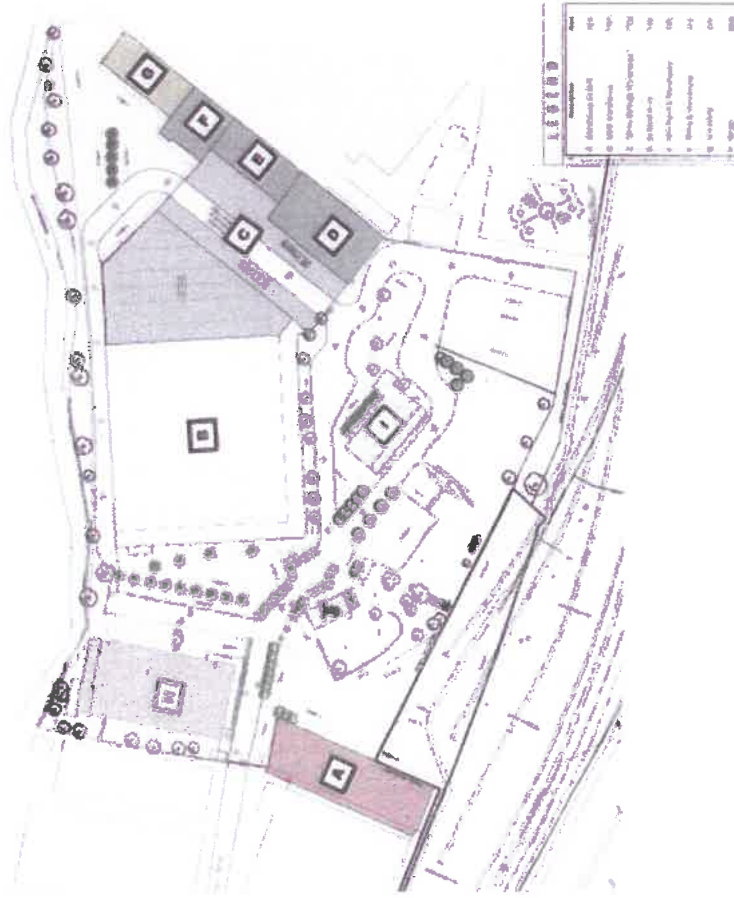


Figure 13: The identifiable tangible heritage resources are a warehouse older than 60 years (A), the Manor House (I), "Mill House" (J) the 'Vinlab' Warehouse (H) and the Millstream (refer to Figure 7).

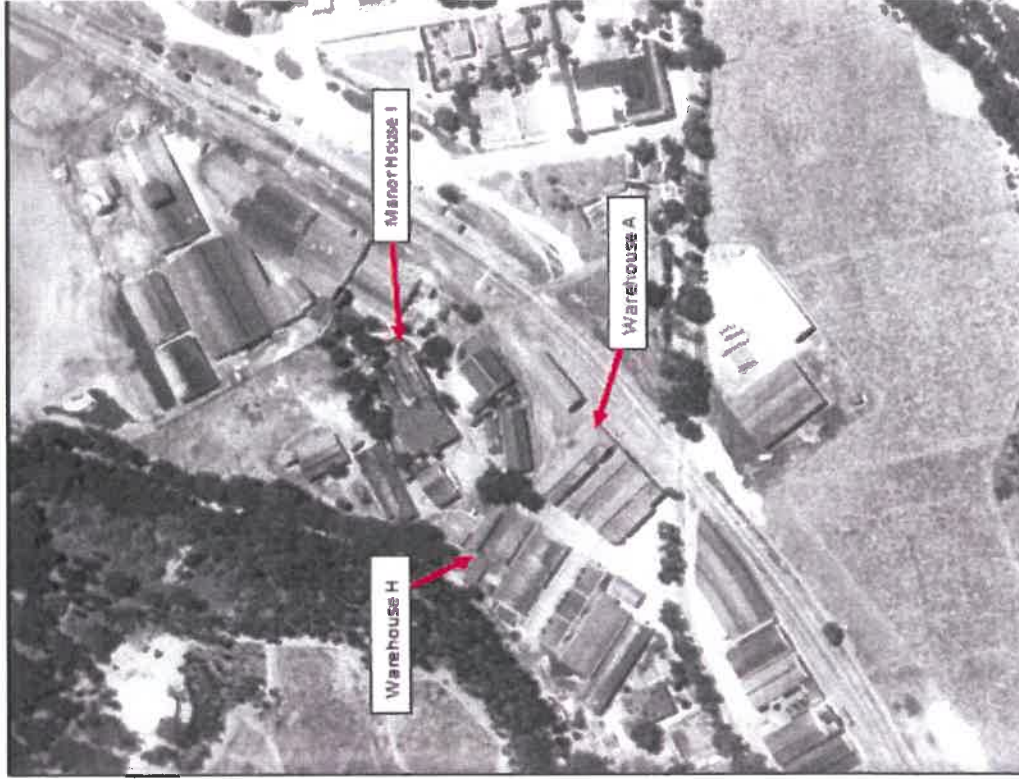


Figure 14: 1953 aerial, structures currently still on site are identified

Structure A:

Warehouse

Date unknown (visible in 1953 aerial photograph).

Proposed Grade III C (limited associational significance)

Earmarked for retention

Structure I:

Mill House (reconstruction)

Constructed 1965

Proposed Grade III C (some associational significance and some historical interior mill workings, origin unknown)

Earmarked for retention

Structure B:

Main distribution warehouse, Constructed 1990

No Heritage Significance

Earmarked for demolition and supported

Structure C:

Drive through warehouse

Constructed 1990

No Heritage Significance

Earmarked for demolition and supported

Structures D to G:

Workshops and warehousing

Post 1960s

No Heritage Significance

Earmarked for demolition and supported

Structure H:

Warehouse & offices. Commonly known as the "Vinlab", although Vinlab has subsequently moved off-site. Constructed 1923

Proposed Grade III C (some associational significance)

Earmarked for demolition and supported

Structure I:

Manor House

Constructed 1925

Proposed Grade III A

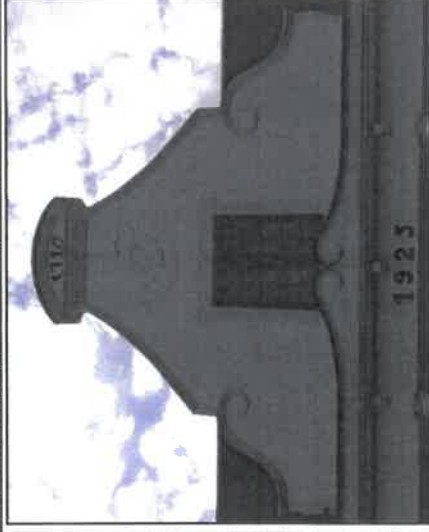
Earmarked for retention

Manor house

Erf/Farm Number 14601	Date Built 1925	Type of Building Historical residence currently used as office and conference venue
Style	Architectural Period Eclectic combination of stylistic 18 th century Cape Dutch, Victorian and Edwardian architectural features	Present NHRA protection General Protection in terms of Section 34 only
Street Address	Alterations Not investigated, however it appears the 1925 structure is largely intact	Use Industrial
Date of Survey January 2015	General Evaluation	Previous Survey and Grading if Applicable ungraded
Name of the Building Santhagens Manor house		Suggest Grading IIIA
Description Two story residence with a balcony on the first floor overlaying the veranda. It has a typical Cape Dutch gable, and on the building's side, Tudor style gabling.	History An original farmhouse may have built in the 18 th century, when the land was first granted by the VOC (presumably as a loan farm). However, this has either been demolished entirely or the alterations by Rene Santhagens in the 1920s left little or none of the original fabric that is visible.	Social History
Significance in terms of the NHR Act		
Very Significant	Significant	Some Significance
Historical		No Significance
Rarity		
Aesthetic	X	
Technological		X
Cultural		
Social History		X
Slave History		X potentially only by association with the site



Date of Photographs: January 2015




Mill House

Erf/Farm Number	Date Built	Type of Building		
14601	1965	18 th century mill replica		
Style	Architectural Period	Present NHRA protection		
	Copy of 18 th century agricultural outbuilding (mill house)	None		
Street Address	Alterations	Use		
		Informal museum		
Date of Survey		Zoning		
		Industrial		
January 2015	General Evaluation	Previous Survey and Grading if Applicable		
Mill House	The structure is thought to be a reconstruction of the original Oude Molen mill but this has not been ascertained. The overshoot water wheel and sluice is modern while the interior workings appear to have been "borrowed" from an older mill – origin unknown	Ungraded		
Description	History	Suggest Grading		
		III.C. (associational significance)		
	Social History			
Significance in terms of the NHR Act				
Very Significant	Significant	Some Significance	No Significance	Not Assessed
Historical		X		
Rarely			X	
Aesthetic		X		
Technological		X		
Cultural			X	
Social History			X	
Slave History				X potentially only by association with the site



Date of Photographs: January 2015

'Vinlab' warehouse

Erf/Farm Number	Date Built	Type of Building
14601	1923	Warehouse and offices
Style	Architectural Period	Present NHR Act protection
		Section 34
Street Address	Alterations	Use
	Likely continuous internal adaptations, modern pergolas, fixtures, fittings, doors, windows.	Office space
Date of Survey		Zoning
		Industrial
Name of the Building	General Evaluation	Previous Survey & Suggest Grading
		Ungraded
Vinlab	No period or unique industrial architectural or other heritage features	IIC (associational significance)
Description	History	Social History
An asymmetrical warehouse with peripheral office accommodation to one side and the rear. All windows and doors are modern, many of the internal walls are of a later construction or dry wall.		
Significance in terms of the NHR Act		
Very Significant	Some Significance	No Significance
	X	
Historical		
Rarity		X
Aesthetic		X
Technological		X
Cultural		X
Social History		X
Slave History		X potentially only by association with the site
Date of Photographs: 22 July 2019		
		

Warehouse

Erf/Farm Number	Date Built	Type of Building
14601	Older than 60 years	Warehouse
Style	Architectural Period	Present NHRA protection
		S34
Street Address	Alterations	Use
		Warehouse
Date of Survey		Zoning
		Industrial
22 July 2019		
Name of the Building	General Evaluation	Previous Survey and Grading if Applicable
		Ungraded
		Suggested Grading IIC (Very limited associational reference in industrial form)
Description	History	Social History
Standard industrial warehouse, single roomed, pitched asbestos roof, steel frame roof trusses		
Significance in terms of the NHR Act		
Very Significant	Significant	Some Significance
		X
Historical		
Rarity		X
Aesthetic		X
Technological		X
Cultural		X
Social History		X
Slave History		X
		No Significance
		Not Assessed



Date of Photographs: 23 July 2019



The eclectic Manor House is the most significant heritage resource on site. Constructed in 1925 by Santhagen when he finally managed to successfully distil fine brandy, it is said to have been an enlargement of a single storey tin roofed structure (E Bolsmann), and is clearly designed as a grand statement.



Figure 15: an early photograph of the Manor House (undated). Note the unusually close proximity of the adjoining warehouse (see also historical aerial photograph 16 below) and the walkway between them. Santhagens is said to have wanted to walk from his bedroom to his office



Figure 16: The Manor House historically also freed onto a wall of industrial buildings. The 'Mill House' has not yet been constructed in this photograph (undated) Architect & Builder: 1990

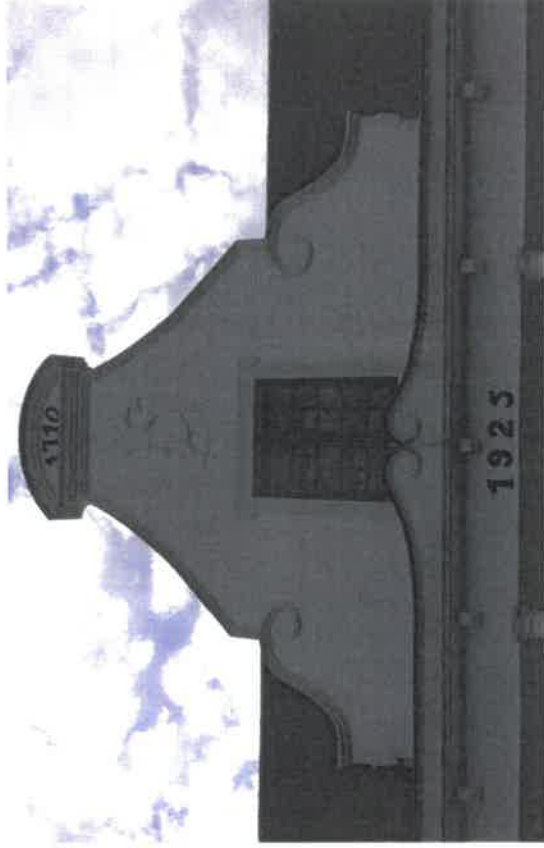


Figure 17: the gable on the Manor House



Figure 18: the current rather bleak immediate context of the Manor

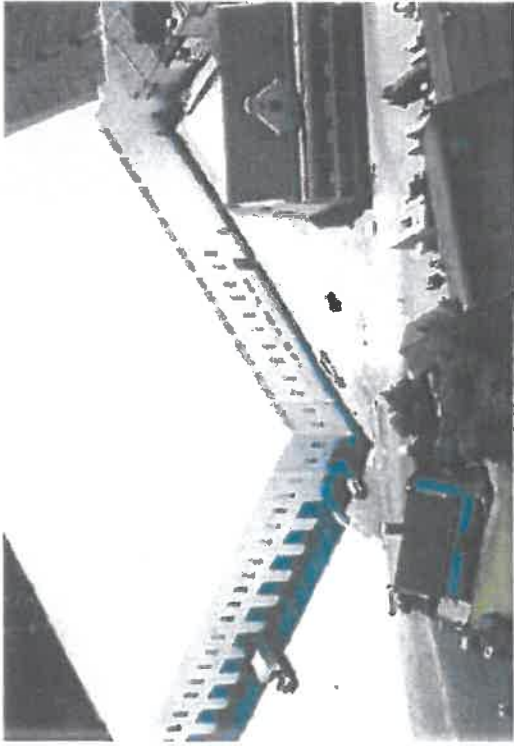


Figure 19: The 1990 upgrading of Oude Molen: the Manor House and Mill House isolated and in unusual juxtaposition (Architect & Builder 1990)



Figure 21: Reception room adapted for meetings



Figure 22: adaptations for current uses have not always been sympathetic but are generally reversible

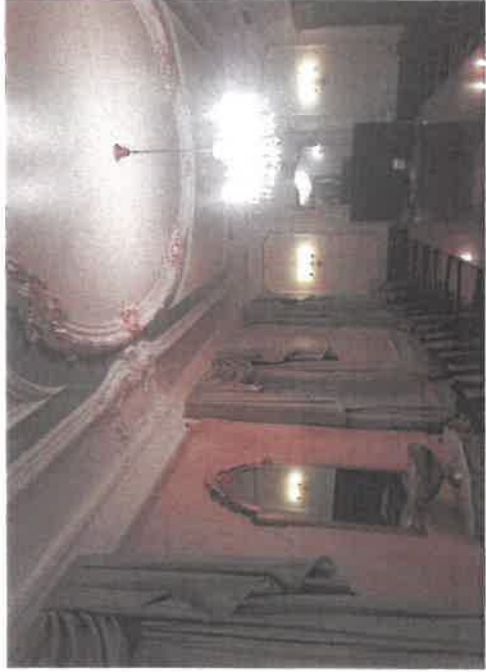


Figure 20: Dining Hall adapted for meetings



Figure 24: upper landing

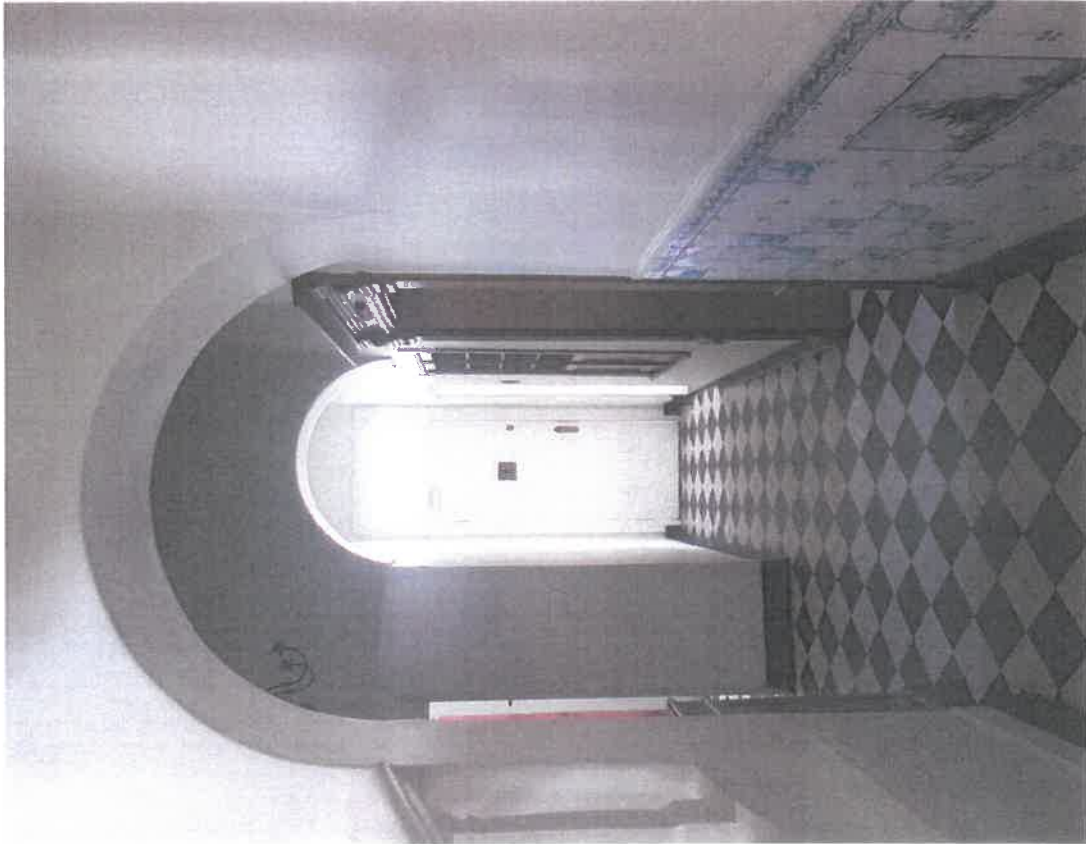


Figure 23: Hallway

Santhagen also designed a rather curious trademark depicting a parrot pierced by an arrow, as a reminder of the parrot shooting competition introduced by residents of Stellenbosch at an annual pageant to honour Simon van der Stel. It was held at the foot of the Papagaaienberg near the site of the Oude Molen distillery. The emblem and its motto "Toujours le but" ("Always hitting the mark") are on the gable of the 'Vinlab' warehouse and modern distribution warehouse. It remains the emblem of the Oude Molen Distillery in Grabouw. (<http://www.oudemolen.co.za>).



Figure 25: The 'Vinlab' warehouse displaying the Oude Molen Distillery emblem.



Figure 26: The 'Mill House' in context



Figure 27: The 'Mill House'



Figure 28: Site Plan extract - Building Plan for the 'Mill House' 1966

Contextual heritage resources are few and include the Stellenbosch Railway station (IIIA) and the archaeological site at Bosman's Crossing (PHS). Although truncated with the construction of Adam Tas (1960s?), the historic alignment of Dorp Street and approach to Stellenbosch, was situated to the south of the site.

11. Heritage Resource Indicators

In general, there is a paucity of heritage resources on site: the historic Oude Molen industrial complex and mill stream were significantly and irrevocably transformed in 1990 and the Manor house remains the only authentic link to its history as well as holding intrinsic heritage value.

Although currently isolated, the significance and presence of the building provides a place-making opportunity, which could conceivably be more closely associated with the Mill House and possibly the old Mill Stream alignment, although, as has been noted, this was diverted into a stormwater drain many years ago and has no remaining visible presence on site. The expression of a portion of it could add value to the interest and historic significance of the precinct, but building over it in its current state is acceptable.

There is no direct historical visual-spatial link between the Manor House and the Mill House but the creation of a contextually appropriate visual spatial connection between them could highlight these structures as signature elements of history and place and is encouraged.

Development immediately around the area of the manor house, should be limited in terms of scale and height etc. in order not visually overwhelm or dominate the structure. The ridge and eaves line of the building should be used as an informant in this regard. Furthermore, a sufficient 'breathing space' (5 - 10m) to allow for the display of this structure is preferred, although historically it was surrounded by the extremely close proximity of industrial buildings.

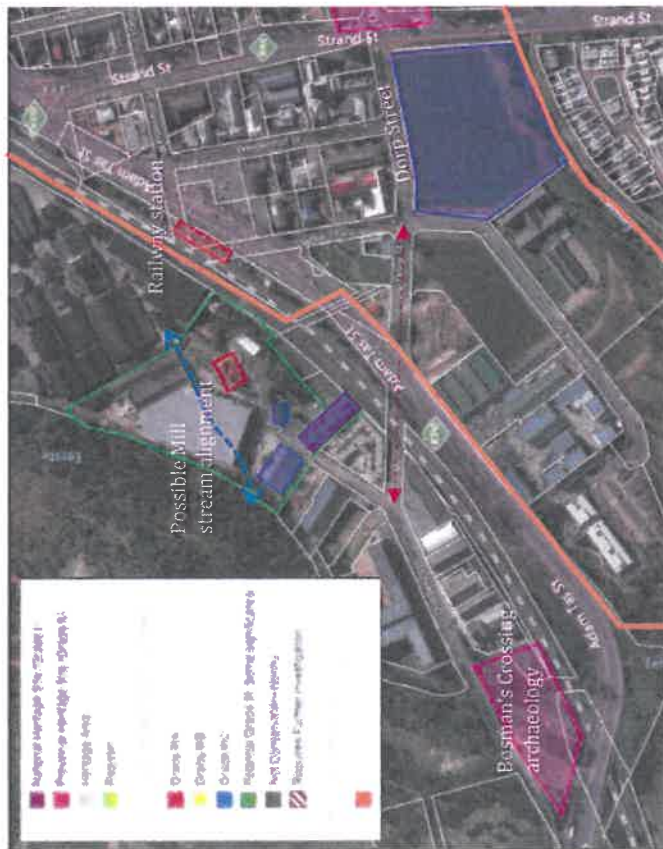


Figure 29: Heritage resources and significance



Figure 30: Historical alignment of Dorp Street 1938 aerial,

General architectural treatment in the immediate vicinity of the homestead should provide a positive response to the elements of the homestead. Architectural treatment of all other new buildings do not require indicators except in so far as they must contrast sensitively with the existing historic elements

In summary, heritage indicators are listed as follows:

- Retention of the view cones through the site from Adam Tas to the Papagaalberg to be framed and retained appropriately. A palisade fence currently lines the boundary on the Adam Tas side. This fencing offers uninterrupted views onto the site. It is recommended that any changes to boundary infrastructure continues to promote visual access, particularly from the significant visual corridors
- Development has historically lined the railway boundary of the property. This could be re-instated provided view corridors are retained and the relationship to the Manor House and Mill house not compromised by unsympathetic rear facades.
- The manor house must be retained. It is an attractive structure, albeit architecturally eclectic, and it relates to the industrial heritage of the site. It has distinctive interior features (wooden flooring, cornicing etc.), should be preserved, and any alterations and/or changes should be reversible. Ideally, it could be viewed as a centre-piece of the re-developed site with an enhanced relationship to its surroundings.
- Spaces about manor house: It is recommended that the eaves and ridge height of the Manor house are used as appropriate height and scaling informants, and that no structures proposed in the immediate vicinity of the manor house should exceed the ridge height of the manor house.
- Although the 'Mill House' (and wheel) is a 1966 reproduction and is not located on the site of the original mill, it appears to contain workings at least some of which are old. The machinery therefore should be retained *in situ*. This will enhance the memory of the site's history as the location of the fourth mill.

- The interior of the 'Mill House' should remain a reproduction of a 18th century mill. However, it can be re-purposed to enhance usage.
- Historically there has been no visual connection between the Mill House and Manor House, although clarifying the historical associations is encouraged in the re-development.
- The Viniab warehouse is the only remaining direct reference to the historic industrial use of the site. However, it has no intrinsic significance and it would be difficult to argue for its retention.
- The Warehouse older than 60 years is of very low heritage significance and could be demolished, although its form does provide a visual reminder of the site's industrial past. It was not originally part of the Oude Molen site, having been cadastrally integrated into the site in 2009. It formed part of a complex of three warehouse, two of which HWC have approved for demolition to make way for a new development on the adjoining property.



Figure 31: 1953 adjoining warehouses now demolished framing the entrance to the site in the manner in

- which the two warehouses currently express should be reinforced, as should the framing of the view from the entrance onto the manor house and Mill House.
- Limited expression or celebration of the Mill stream (which precise original alignment has not been ascertained with any accuracy) could be regarded as an opportunity in site design but is not a requirement.
- The original treed edge to the river on the northern boundary has been destroyed by the recent Municipal sewer installation. Re-planting this edge would be encouraged.



Figure 32: Composite heritage related constraints and informants Dewar & Louw July 2016

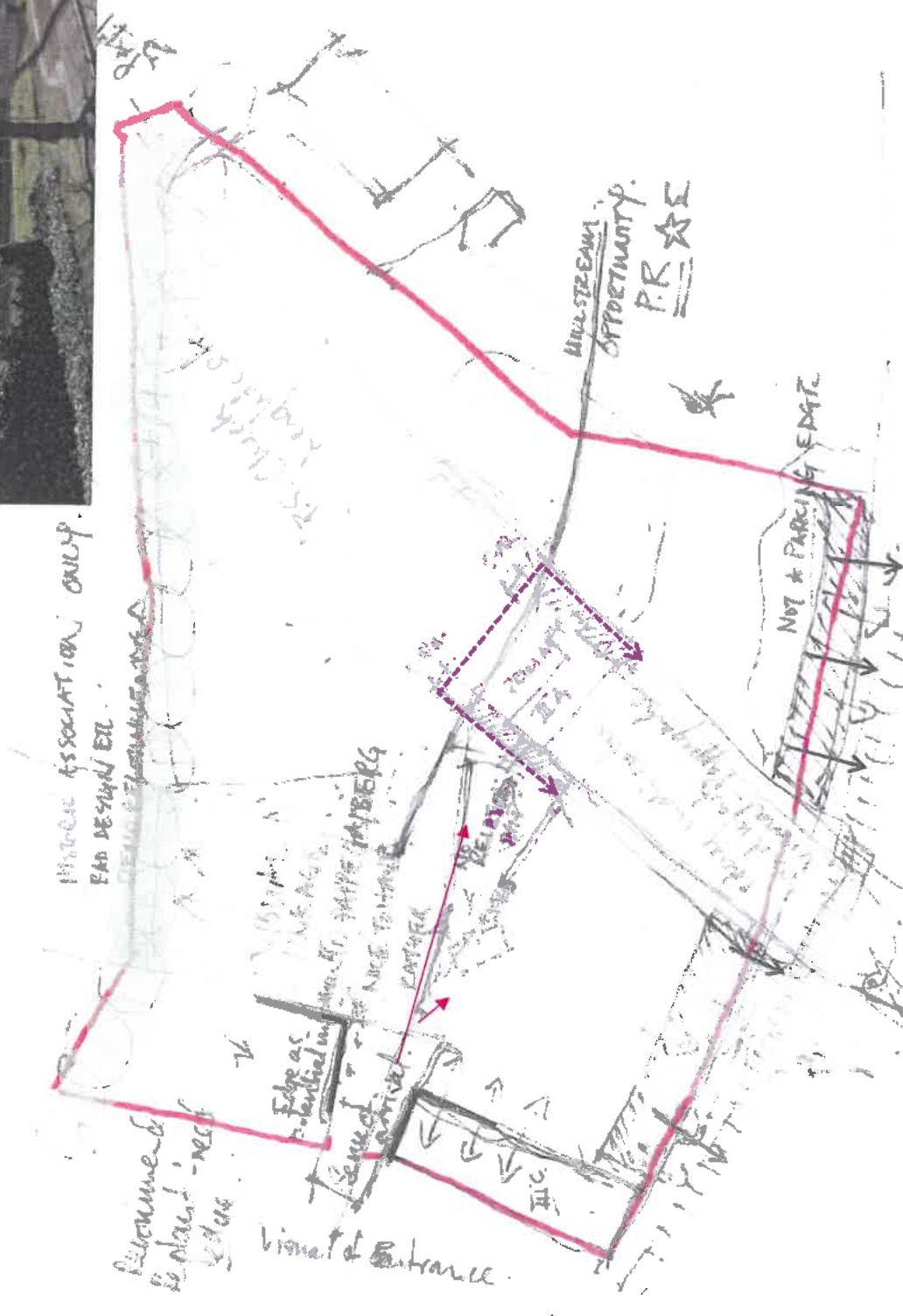


Figure 33: Sketch: updated composite heritage related constraints and informants

12. Development Proposal

It is the intention of the applicant to redevelop the Oude Molen site as a mixed use development comprising sectional title residential units and commercial space. Of the structures older than 60 years, only the 'Vinlab Warehouse' is to be demolished.

The development concept is described as follows: "The applicant is in the process of developing the adjacent site, Erf 6201, for commercial purposes with a GLA of approximately 5 000m², to be known as Bosmans Business Centre, which once completed will have a significant impact on the commercial "component" of the precinct.

The subject property together with Erf 6201 is 29 544-m² in extent which area is greater than the remainder of the Bosman's Crossing Precinct which measures 21 907m² – the development proposal should therefore be considered in the context of the entire precinct rather than within the confines of the subject property. The proposal is to compliment the increased commercial capacity of +- 5 000m² at the Bosman's Business Centre with the development of residential units with limited further commercial space.



Figure 34: The mixed use Bosman's Crossing Precinct (First Plan)

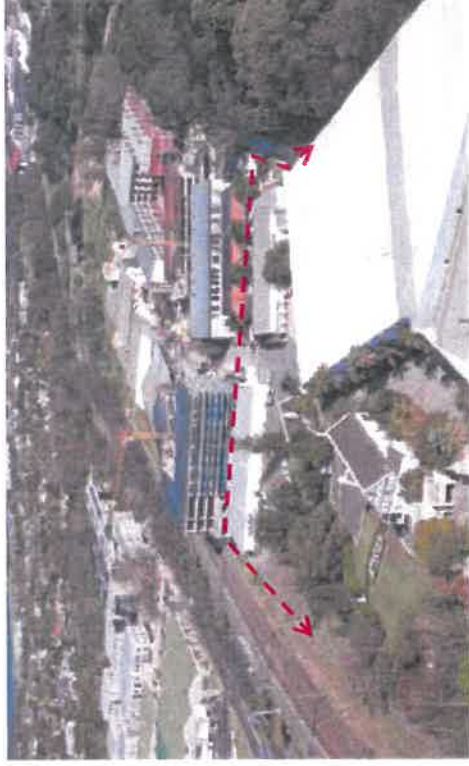


Figure 35: Development of Bosman's Business Centre (left crane), erf 14601 – the subject property – in the foreground (First Plan)

The development proposal comprises:

- a sectional title scheme of approximately 253 residential units together with private recreational facilities
- the repurposing of an existing warehouse into a deli/bistro/pub – along the lines of the De Warenmarkt in Stellenbosch - linked with a large outdoor piazza to the commercial/retail component of the Bosman's Business Centre which will provide a vibrant social hub for the precinct, and
- the inclusion of the existing Manor House on a separate erf to be used for commercial purposes – the building is suitable for the hospitality/restaurant industry as well as general commercial use.

The proposed development will contribute to a balanced mixed use area and it is anticipated that the development itself will act as a catalyst for the precinct with the occupants of the Bosman's Business

Centre choosing to reside in the residential component resulting in a *safe - live - work - study - play* neighbourhood.

Due to its size and scale the development has the critical mass to transform the entire Bosman's Crossing precinct into a vibrant, safe community orientated walkable neighbourhood in accordance with the principles of the Adam Tas Corridor (ATC) catalytic initiative as defined in the approved Stellenbosch Spatial Development Framework (SDF).

As acknowledged by the ATC initiative Bosman's Crossing is currently not well integrated with the rest of Stellenbosch largely due to the barrier/severance effect of the railway and Adam Tas Road and accordingly the proposal includes for the provision of a pedestrian/cycle bridge over the railway line linking the precinct to the lower Dorp Street precinct which itself is planned to be transformed.

The precinct will therefore be linked into and integrated with the rest of Stellenbosch by connecting into Stellenbosch's planned Non-Motorised Transport (NMT) network in accordance with the approved Comprehensive Integrated Transport Plan (CITP)

Redevelopment of the larger Bosman's Crossing precinct has been underway since the early 2000's, and the precinct is in the process of being transformed into a vibrant mixed use node as envisaged and illustrated below.

Erf	Res Units	Commercial	Ind	Comment
14601				Subject property
14461	102	2 732m ²		The initial mixed use redevelopment
15804	41	738m ²		Bosman's Club currently under construction with completion due end 2020
6280				Redeveloped - Hillebrand logistics
6278				Redeveloped - Vinlab wine laboratory

6201	5 000m ²	Bosman's Business Centre currently being developed by the applicant with completion due end 2020
6279		Redeveloped - Pane e Vino Restaurant and Wine Producers
14157		Original building - Antiques & vintage furniture
14156		Original building - Winery
14154		Original building - Sculpture foundry
14153		Original building - Craft Gin distillery
14152		Original building - gutted by fire



Figure 36: The site in the context of Bosman's Crossing Mixed Use Precinct

A Preliminary Urban Design Framework (included in full in [Appendix C](#)) was commissioned of Piet Louw and Dave Dewar to respond to the heritage indicators. Although the development proposal included in said report has subsequently been amended, the design principles have continued to inform the proposal.

The development incorporates 6 residential blocks comprising a number of apartment buildings varying between 4 and 6 storeys in height, serviced by a recreational hub around and incorporating the Mill House. The Manor House and warehouse on the southern corner of the property at its entrance are to be utilised for commercial purposes. The development proposal is included in full in [Appendices D1](#) (the SDP); [D2](#) (the Architectural Design Ethos); and [D3](#) (the Landscape Plan). Extracts are included as follows:

The most prominent design informants were the view lines toward, and from, the Manor and Mill Houses, the significant trees on site, the historical alignments of the existing buildings, and the Mill Stream.

Particular emphasis was placed on re-establishing the site lines between Adam Tas Road, and the historically significant buildings on site; placing no structures between them, and exploring a permeable fence solution along the railway boundary.

View lines

In conjunction with view lines, the relational spaces between separate existing structures, and between new architecture and existing structures, are equally as important. These will be the spaces that define the relationship between the different styles, and form the majority of the public and recreational space across the site. As a result, particular emphasis was placed on these in-between spaces, and which building facades oppose/front neighbouring structures. This is particularly relevant where new architecture is adjacent existing buildings; ensuring that new façades that will be read next to historic ones, compliment historic elements without detracting from them.

The heights and datum lines of existing structures were used as loose reference points in determining the scale of new structures. For instance, the heights of the buildings increase gradually from the railway line towards Onderpapegaalberg. The buildings closest to the existing structures are the lowest (to match the historic scale), and the buildings against Onderpapegaalberg, are the tallest.

A well-established centre point of the site, prior to any intervention, is the Mill House and its surrounding 'werf' walls. To keep to this character, the Mill House will once again be utilised as a central, recreational hub of the scheme. It will sit adjacent the pool and change rooms, where it will be incorporated as part of the central 'activity space'.

The existing 'werf'-walls will be reinterpreted around the residential blocks as planter-walls: a double skin wall with soil and vegetation sandwiched between. This will distract from the Modernist style of 'floating buildings' on columns, by hiding the tops of the semi-basement columns and creating the illusion of buildings that are grounded. It also brings the scale down, by distorting the Natural Ground Level line, and removing the intimidation of floating structures.

The Manor House

The Manor House will be for commercial use without specific demarcations in tenancy (it could be hospitality, offices etc.) Its section of the site will form part of the commercial portion of the precinct, with the intention of fronting the [possible future] public road. Minor changes will be made to the site surrounding the Manor House, including the demolition of the fountain – built in 1989 – for a more practical use of the space. It is proposed to refurbish the House at some point in the future, although this is also dependent on future tenant requirements. This should be subject to future HWC consent.

The Mill House

The Mill House will be converted into a centralised recreational building, to serve the activity zone next to it (pool and change rooms). It will become a centralised 'node' of activity for the residential portion of the scheme.

The warehouse/shed

The warehouse/shed will become the new social centre of the scheme to the commercial portion of the precinct, being adjacent the new commercial building on the neighbouring site. The intention is to 'carve' a thoroughfare through the building, towards the site beyond; creating a piazza-link between Oude Molen and its neighbouring building to the South. The new off-site building will be a hub of activity, informing the choice to include such functions as deli/bistro/pub into the newly renovated Shed.

Spatial Relationships

The relationships between these three existing historic structures are important, as their collective identity will have to uphold historic proportions and legacy against a new, much more contemporary architecture. Therefore, as much as the contemporary architecture endeavours to simplify itself in order to emphasise the old, so too the old must be given a unified, linked identity with which to stand in contrast to the new. In order to achieve this, all site lines between the old structures have been kept clean, to ensure that visitors and pedestrians will mostly see all three together from all the most important angles on site. That way the historic character of the site will be captured simultaneously from most viewpoints.

Mill Stream

As the name 'Oude Molen' suggests, in conjunction with the presence of a 'Mill House' on site, the Mill Stream has always been a prominent feature of the historic industry in the area. It was the only way of creating kinetic energy with which to accomplish industrial scale tasks.

However, with the introduction of improved technology, and the construction of the large shed in the late 80's, the use of water as an industrial tool fell out of favour. The stream was diverted to an underground storm water pipe running below the new warehouse, and dispelling water into the Plankenburg River.

In order to celebrate the canal culture of the old town, it is the intention to re-introduce the character of the Mill Stream on site, and design a water feature among the buildings.

'Level' definition

The Residential blocks all follow a similar level methodology. In order to minimise the visual impact of vehicles on site, all parking levels are half submerged below Natural Ground Level, to an approximate depth of 1500mm. The topmost halves of all parking levels will continue to protrude approximately 1500mm above Natural Ground. These columns will be hidden behind planted 'werf' walls, to create the illusion of grounded buildings.

Architecture

The intention is to use the new architecture as backdrop-architecture to the existing Manor and Mill Houses, in an attempt to emphasise their classical forms and principles without overshadowing them and drawing attention away from the site's historical character.

This is achieved by using traditional Cape colours and tonal similarities combined with a form that is more contemporary and simple in its presentation. Concurrently, sufficient principles are drawn from the industrial micro context in the form of monopitch roofs, facebrick and sundry metalwork in mimicry of industrial steel. This creates an architecture that is simple in form, but rich in texture and material application; simultaneously reminding of the rich material usage and careful ornamentation of the historical style without copying it, and calling on the functionality and simplicity of the contemporary and industrial architecture in the context.

Block Layout_

The residential units are proposed in circular clusters, rather than linear rows. The rationale behind this is multi-faceted:

- 1) It mimics the historical Cape 'Werf' layout; where the manor, servant's quarters, stables and outhouses etc. were often clustered around a central courtyard/plain.
- 2) It creates a sense of community and reduces the overwhelming scale of overlong row-style residential blocks.
- 3) It reduces travelling distances.
- 4) It hides circulation space and back-of-house facades from the outside ground-viewer, putting all main facades on the outside of the block.
- 5) It optimises parking layouts and vehicular circulation.

Piazza Area_

Road surfaces and pedestrian walkways in the large, centralised area, will be paved and treated with different materials and additional landscaping, to create a public piazza. The intention is to break down the scale of a vehicular dominant city- or townscape, and introduce a more pedestrian friendly scale and environment. This reintroduces the 'werf' layout on a larger/secondary scale to that of the blocks themselves, and further corresponds to the rural scale of the surrounding context.

Figure 37 (below): 3D modelling of the proposed development



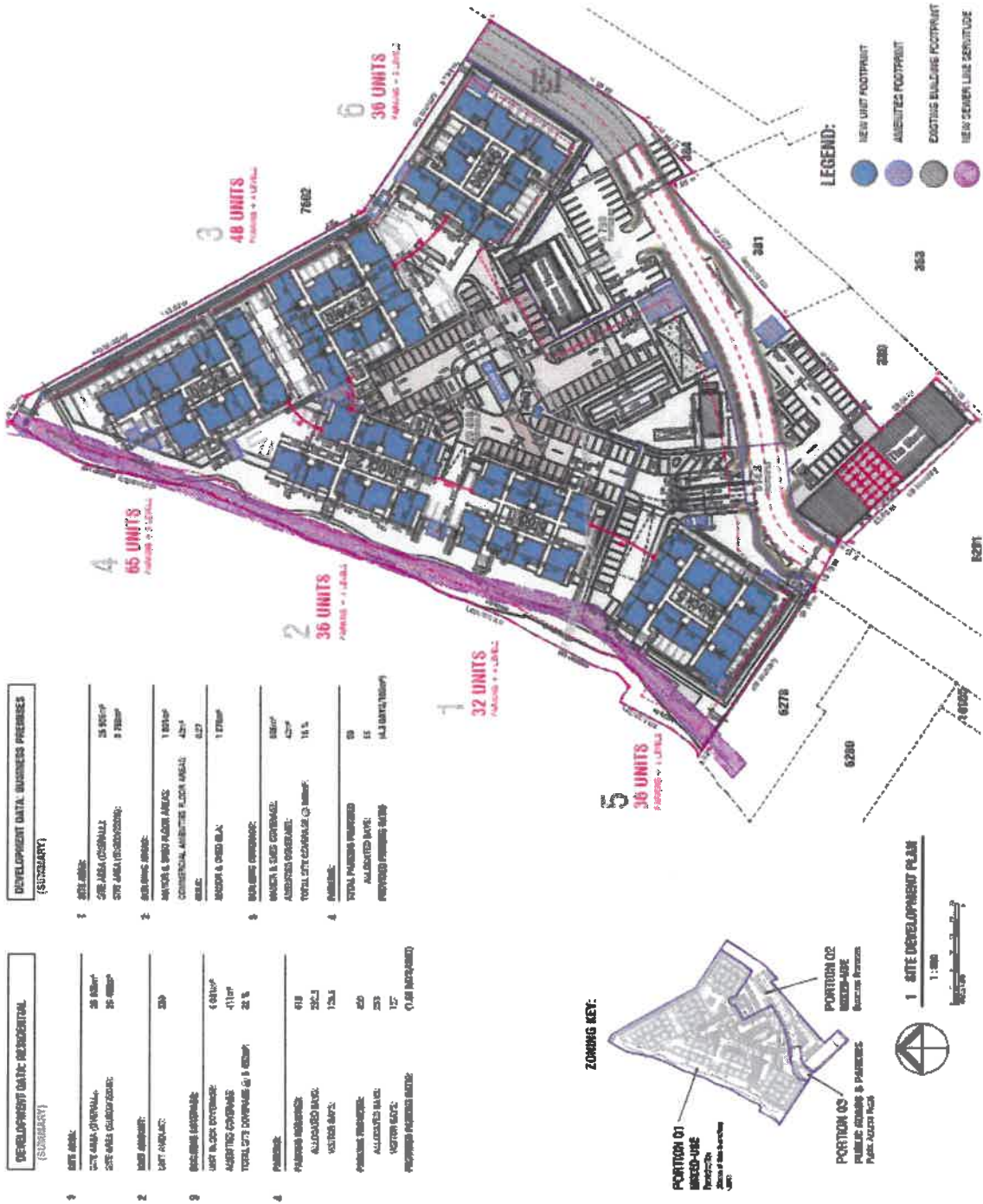


Figure 38: SDP

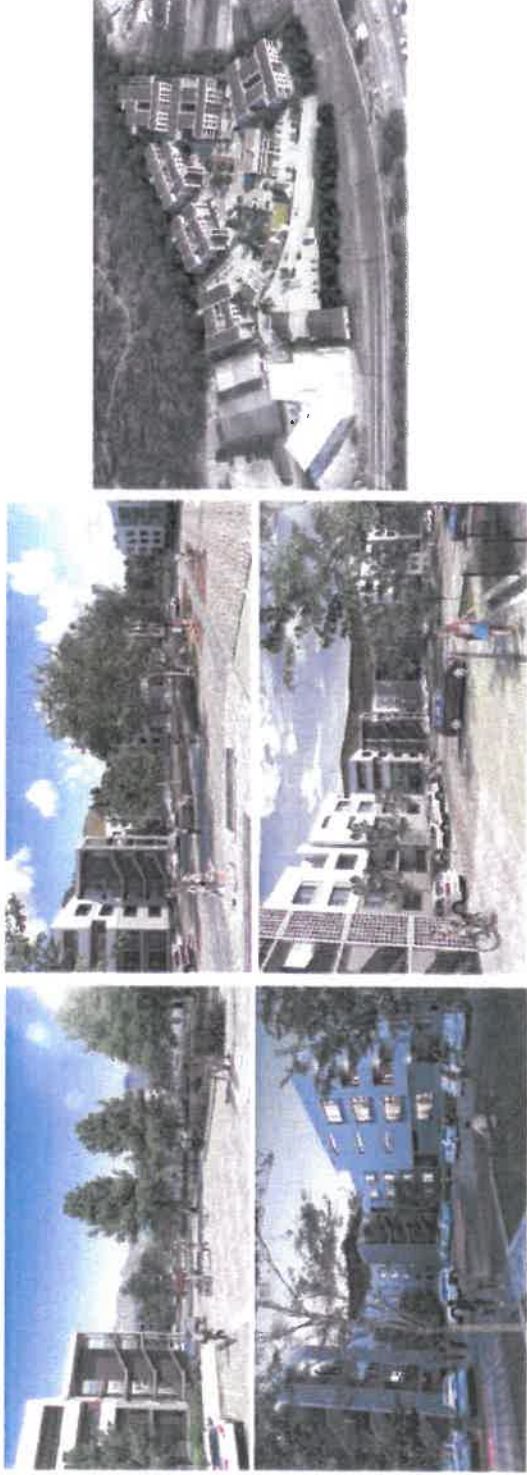
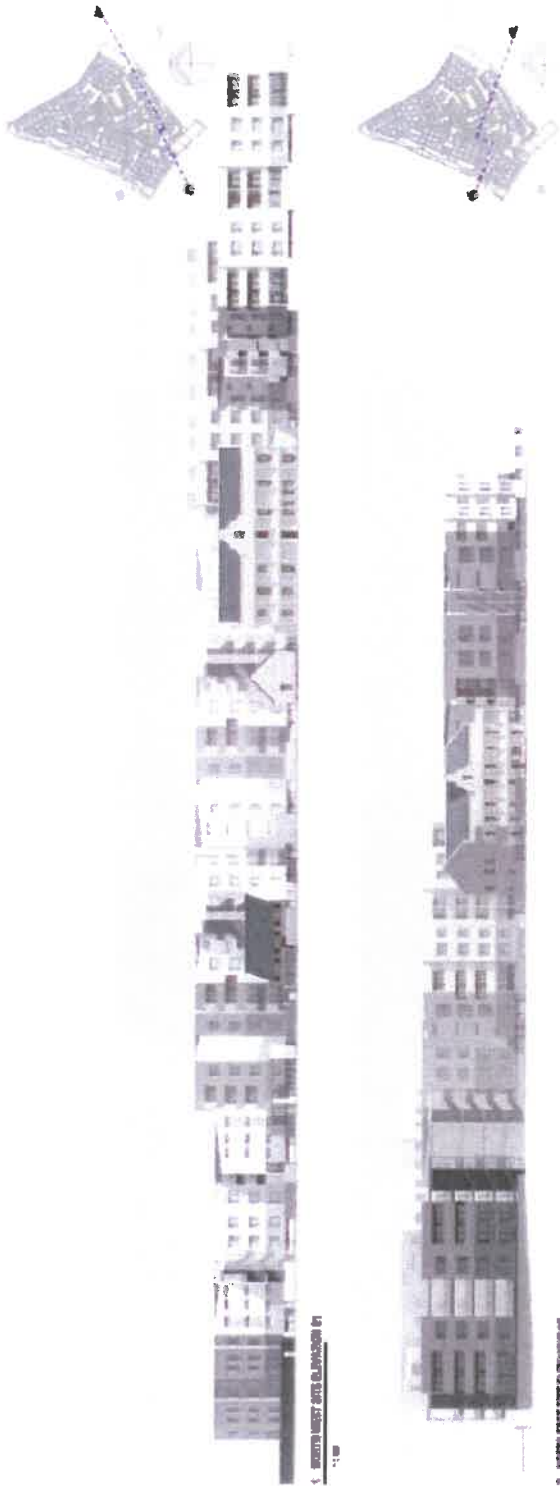


Figure 39: Development elevations and 3D images

Landscaping

The water, sourced from the old mill stream, will flow from the raised feature along a "leivoor" through the development, where it will discharge into the existing underground storm water pipe system. The "leivoor" will also collect surface storm water and divert it into the existing storm water system. The water features will symbolise the old mill stream that previously meandered through the property.

The village square will be planted with lawn and edges with large Water Oaks, with benches below. Parts of the vehicular roads have been paved with grass blocks to extend/enlarge the central green square. The permeability of the grass block will also aid with the supplementing of the ground water.

The Plankenburg River on the western boundary of the development is a major feature that will visually be integrated with the development, by erecting transparent palisade fencing, lightly covered with creeper plants to provide a certain amount of privacy. Informal walkways will meander through the shrubbery with seating under shade trees, orientated towards the Plankenburg River.

The traditional lawn commonage has been positioned on the western side of the old Mill House and links up with the green village square. The commonage will be utilised for active recreation facilities and apartment owner's social gathers i.e.; festivals, markets etc. to enhance the community spirit. Additional active recreation facilities will be introduced into the commonage, i.e., a volleyball court and a Boules court.

There are significant amounts of mature trees (indigenous and exotic) on the site which will be retained where possible, but by the lowering the apartment block parking levels, many of the trees will have to be removed or transplanted. The mature trees that are retained and transplanted will be established in clusters to aid with the fragmenting and reducing the dominance of the new apartment blocks. One large



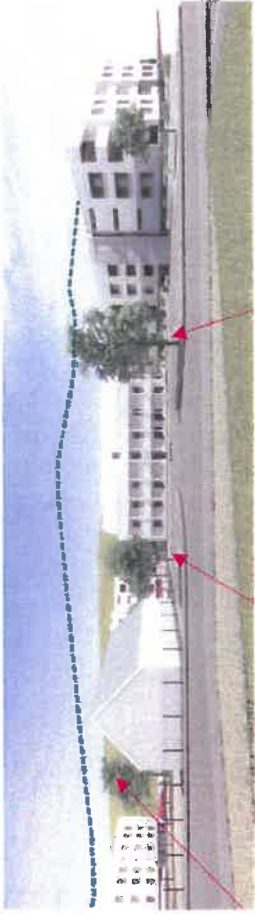

Figure 40: Landscape Master Plan

shade tree will also be planted between every 2 outdoor parking bays. Where possible the shrub, creeper and groundcover plant material will be endemic to the region and shade loving. The planting palette directly around the manor house and old mill will be more traditional to the era.

13. Impact Assessment

13.1 Impact assessment

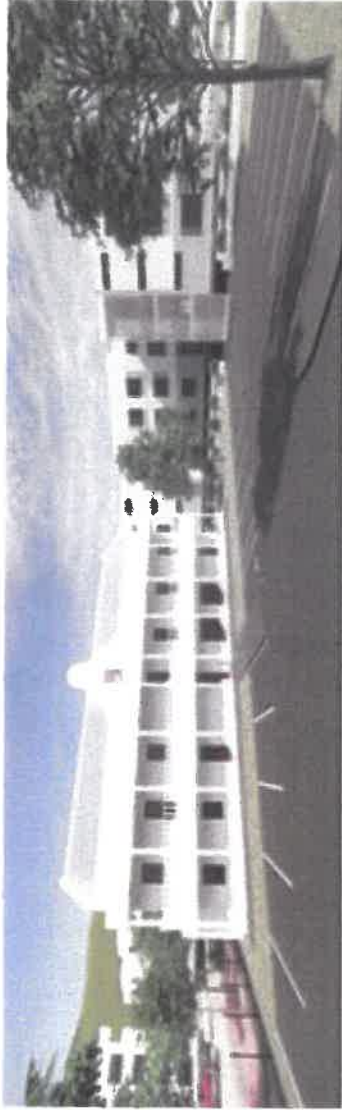
In general, the development proposal has been assessed as being particularly responsive to the heritage indicators in all respects and has enlivened and added greatly to the historicity of the site.

Development Indicator & Response	Illustrations
<p>1. Retention of the view cones through the site from Adam Tas to the Papagaalberg; promote visual access</p> <p>Response to Indicator: no new buildings are proposed along the railway line frontage of the property and open views are maintained across to the Manor House and through to the Papagaalberg (which is in reality more prominent than indicated in the 3D graphics)</p> <p>Conformity with indicator</p>	
<p>2. Development has historically lined the railway boundary of the property. This could be re-instated provided view corridors are retained and the relationship to the Manor House and Mill house not compromised by unsympathetic rear facades.</p> <p>Response to Indicator: no new buildings are proposed along the railway line frontage of the property.</p> <p>Conformity with indicator</p>	

3. The manor house must be retained. It is an attractive albeit architecturally eclectic, structure, and it relates to the industrial heritage of the site. It has distinctive interior features (wooden flooring, cornicing etc.), should be preserved, and any alterations and/or changes should be reversible. Ideally, it could be viewed as a centre-piece of the re-developed site with an enhanced relationship to its surroundings.

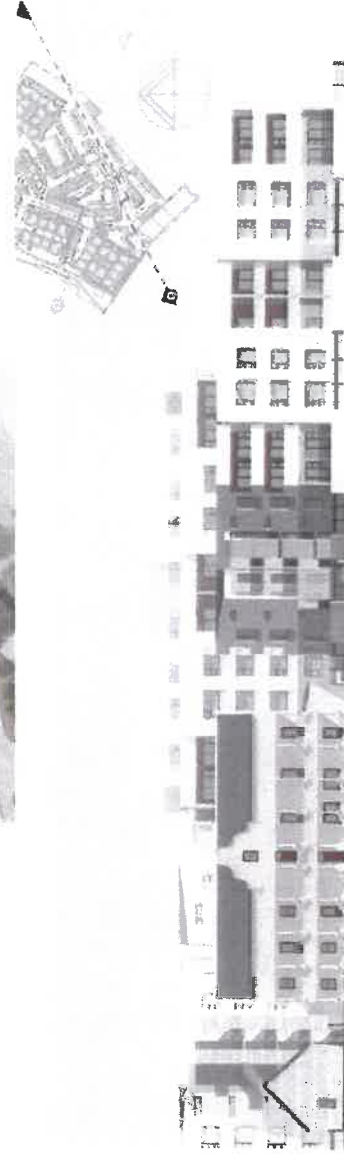
Response to indicator: The Manor House remains a prominent feature of the development, with the space about it opened up and framed more appropriately by the background residential development. It is to be retained and refurbished, the details of which are to be for later HWC approval. The relationship of the Manor House to the Mill House, being at the heart of the residential component has been established to showcase the heritage of the site

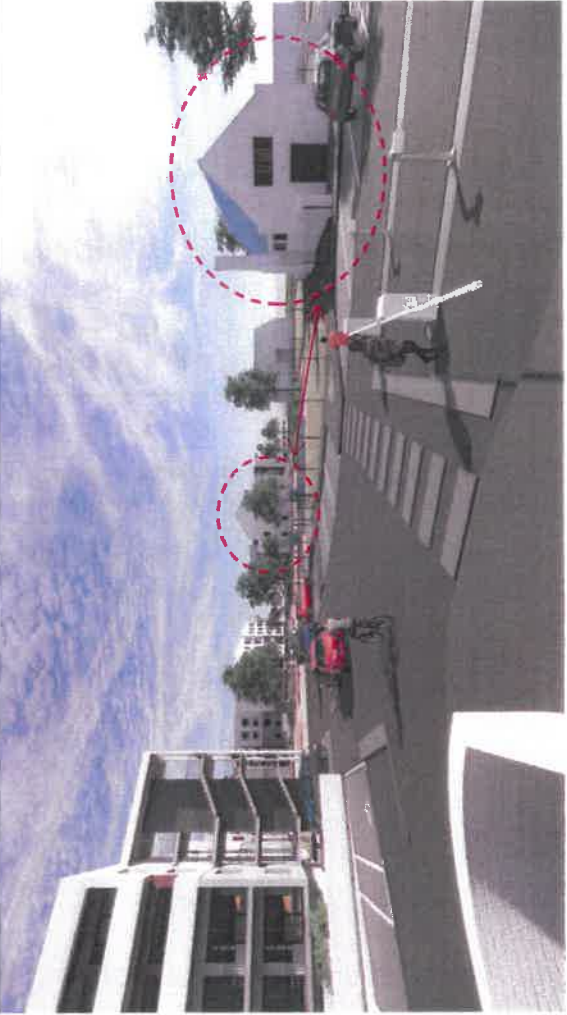

Conformity with indicator

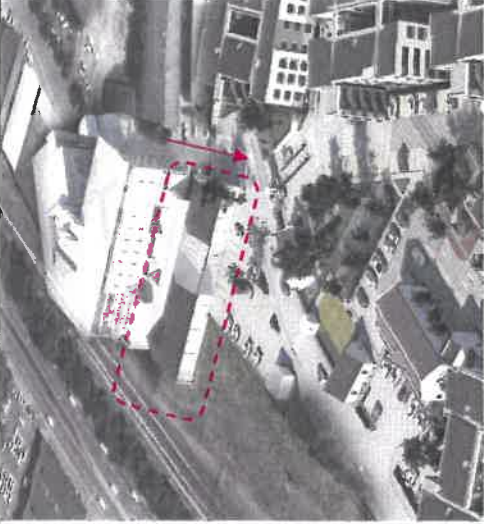
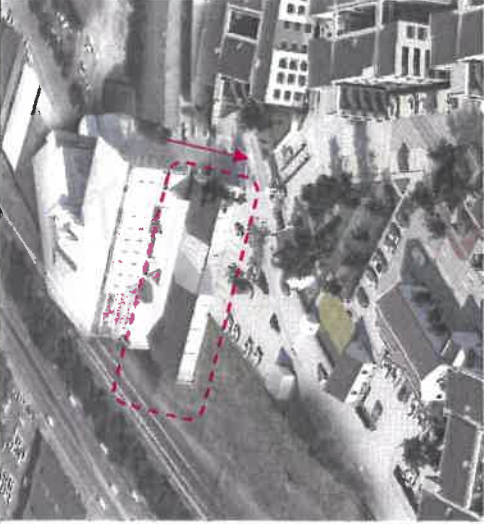




4. Spaces about manor house: It is recommended that the eaves and ridge height of the Manor house are used as appropriate height and scaling informants, and that no structures proposed in the immediate vicinity of the manor house should exceed the ridge height of the manor house.

Conformity with indicator



<p>5. Although the 'Mill House' (and wheel) is a 1966 reproduction and is not located on the site of the original mill, it appears to contain workings at least some of which are old. The machinery therefore should be retained <i>in situ</i>. This will enhance the memory of the site's history as the location of the fourth mill.</p> <p>Response to indicator: To be retained and the building re-purposed as a club-house.</p> <p>Conformity with indicator. Retention of mill workings to be conditioned</p>	
<p>6. The interior of the 'Mill House' should remain a reproduction of a 18th century mill. However, it can be re-purposed to enhance usage.</p> <p>Conformity with indicator.</p>	
<p>7. Historically there has been no visual connection between the Mill House and Manor House, although clarifying the historical associations is encouraged in the re-development.</p> <p>Response to indicator: Visual connection established through open social centre of the development. As a result the historic character of the site will be captured simultaneously from most viewpoints</p> <p>Conformity with indicator.</p>	
<p>8. The Vinlab warehouse is the only remaining direct reference to the historic industrial use of the site. However, it has no intrinsic significance and it would be difficult to argue for its retention.</p> <p>Response to indicator: Vinlab warehouse is to be demolished.</p>	

<p>Conformity with indicator: demolition supported given very low significance.</p>	
<p>9. The Warehouse older than 60 years is of very low heritage significance and could be demolished, although its form does provide a visual reminder of the site's industrial past. It was not originally part of the Oude Molen site, having been cadastrally integrated into the site in 2009. It formed part of a complex of three warehouse, two of which HWC have approved for demolition to make way for a new development on the adjoining property.</p> <p>Response to indicator: the warehouse is to be retained as a new social, commercial centre of the scheme The intention is to 'carve' a thoroughfare through the building, towards the site beyond; creating a piazza-link between Oude Molen and its neighbouring building to the South.</p> <p>Conformity with indicator: partial retention and re-purposing supported given very low significance.</p>	
<p>10. Framing the entrance to the site in the manner in which the two warehouses currently express should be reinforced, as should the framing of the view from the entrance onto the manor house and Mill House.</p> <p>Conformity with indicator -see responses above and associated graphics</p>	
<p>1.1. Limited expression or celebration of the Mill stream (which precise original alignment has not been ascertained with any accuracy) could be regarded as an opportunity in site design but is not a requirement.</p> <p>Response to the indicator: The memory of the Old Mill Stream has been viewed as an opportunity in site design and incorporated into the heart of the</p>	

development - a traditional village central square with a raised water feature, the raised pond edges doubling-up as seating. The water, sourced from the old mills stream, will flow from the raised feature along a "leivoor" through the development, where it will discharge into the existing underground storm water pipe system. The "leivoor" will also collect surface storm water and divert it into the existing storm water system. The water features will symbolise the old mill stream that previously meandered through the property.

Conformity with indicator.

12. The original treed edge to the river on the northern boundary has been destroyed by the recent Municipal sewer installation. Re-planting this edge would be encouraged.

Response to the indicator: The Plankenburg River has been viewed as a major feature that will visually be integrated with the development, by erecting transparent palisade fencing, lightly covered with creeper plants to provide a certain amount of privacy. Informal walkways will meander through the shrubbery with seating under new shade trees, orientated towards the Plankenburg River.

Conformity with indicator.



13.2 Sustainable Socio-economic benefits

A specialist report in this regard was not commissioned. However, the development is in accordance with the proposals to re-purpose and re-vitalise the Adam Tas Corridor - a proposed catalytic project, the extensive re-development of which could contribute meaningfully to meeting the existing municipal challenges and MSDF objectives and critically linked to the railway line and station.

Construction will create temporary jobs in this sector; and the development will provide increased employment opportunities and a range of housing opportunities in the context of a shortage of affordable local accommodation.

Moreover, as a measure of it's social responsibility the applicant is voluntarily providing a component of affordable student housing within the proposed development. 12 three bedroom units (36 beds) will be offered as subsidised student rental accommodation to students at a registered tertiary institution, the rental of which will be linked to the University of Stellenbosch hostel rental which equates to approximately 50% of the open market rental.

Finally, it is proposed to construct a Non-Motorised Transport (NMT) bridge, catering for pedestrians and cyclists, over the railway line linking the precinct to the Lower Dorp Street precinct and into the greater proposed Stellenbosch NMT network. The NMT bridge is to follow the original alignment of Dorp Street, a portion of which lies on the western side of the railway line in Bosman's Crossing connecting into Distillery Road. This is in accordance with an HWC Record of Decision approving the proposed widening of the Lower Dorp Street - (Case No 15031805GT0313E December 2015), subject to a condition that *"the historical alignment must be retained. The continuity must be improved by the construction of a pedestrian/cycle bridge over the*

railway line and a cobble stone or paved strip over Adam Tas Road: the practical execution thereof still to be confirmed by the effected parties."

14. Public Participation

Appendix E provides supporting information. The registered Conservation Bodies (Stellenbosch Heritage Foundation - SHF - and Stellenbosch Interest Group - SIG) and the Stellenbosch Municipality were given the opportunity to comment on this application. In addition, two public notices were placed on the affected property and in the local newspaper Eikestadnuus.

Both SIG and the Stellenbosch Municipality officials B de la Bat and K Makati, acknowledged receipt of the advert.

SHF noted they did not support the proposal and the SIG noted that they were "hesitant that a blanket approval be given". The comments are appended in full in Appendix E and summarised and responded to below. The Stellenbosch Municipality did not provide comment and it is assumed that this indicates support.

SIG comment

(1) A clear indication of the historical background of the site and its contribution to the development of the brandy industry should be provided, as well as how the proposed development will recognise this history. There must also be clarity on how the history of the historic mill and mill stream will be commemorated on the site.

Response:

This has all been provided in the HIA, it is not clear how a full reading of the document could have elicited such a comment. Indeed, the SHF comment congratulates the authors for the thorough historical investigation. The historical associations of the site are articulated in this report on pages 6 - 14.

In respect of the association of the site with the production of brandy, it was noted in a footnote of this report that the statement that it was the “birth place” of brandy reflects marketing information provided by Gilbeys itself. More recently the current owners of the Oude Molen brand and the Oude Molen Distillery in Elgin have indicated in personal communication⁴ as follows: there were many leading lights in the development of SA brandy - whilst René Santhagens was a significant character in the history of SA brandy he was not the “origin” of the SA brandy industry and nor was Oude Molen - he himself produced brandy elsewhere prior to establishing Oude Molen - the importance of Oude Molen has been exaggerated for marketing purposes. The Van Ryn brand marketers for example claim the same: “The story of Van Ryn’s date back to 1845 with the pioneer Jan Van Ryn’s - he earned the distillery’s first international award in 1884.” The brandy industry **did** not originate at Oude Molen - although this does not alter the articulation of heritage significance.

With regard to reference to this historical association in the development proposal, refer to Indicators 5, 6, 7 and 11 on pages 42 - 43 and associated development response. The proposal is assessed as having met all these indicators satisfactorily, particularly in view of the significance accorded to this association: -

“Although there have been significant changes at the Oude Molen site it still has some historical significance as the location of the fourth mill in Stellenbosch. It has also been associated historically with the production of quality brandy, although this is not in and of itself necessarily a basis for significance⁵. This section examines the site specifically in respect of the heritage resources still present at Oude Molen and in the context.

The relevance of the site as the location of the fourth mill house can be considered as tenuous if one considers that the millstream has essentially become an underground stormwater drain, the original mill house demolished, and a replica mill house (1965) has been constructed away from its original location.

Nevertheless, the protected status of the mill stream ties the site to the historical millstream network of Stellenbosch, and even though it has been reconstructed, the mill house adds to this connection. Even the name ‘Oude Molen’ reflects its history as the location of the fourth mill. Rather than significant resources in and of themselves, they could perhaps be considered as *opportunities* in the redevelopment of the site.” (p.16)

Finally, it is noted that the proposal is an improvement on the initial Urban Design Framework (UDF) in that the sight line between Mill House and Manor House has been maintained - this has not historically been so, not was it so in the UDF despite this being one of the initial heritage indicators - the final SDP was amended to satisfy this indicator.

(2) SIG is of the opinion that the proposed three-storey structure (with height in line with the roof ridge of the historic house) will be too close to the historic Oude Molen. According to the SDP the distance is about 4m. The new buildings should thus be set back much further from the historic structure.

Response:

As the report illustrates, the Manor House has historically been located in unusually close proximity of the adjoining warehouse and fronted and back by a wall of industrial buildings (see photographs 15 and 16

⁵ see note 2 on page 7

⁴ D Hooper, Chairman of E Snell & Co, pers comms with project manager C Stevenson

on page 24). The Manor House remains a prominent feature of the development, with the foreground and space about it opened up and framed more appropriately by the background residential development, which does not overpower the building in scale or massing. This is an improvement upon its historical condition. The heritage indicators have been met in this regard.

(3) It is the concern of SIG that this development has been submitted prior to the finalisation of the Adam Tas Corridor Spatial Development Framework (ATC) (the municipality is in the process of appointing a consultant to prepare this SDF). This type of piecemeal planning approach is not conducive to protecting heritage landscapes. We are of the opinion that all the built environment heritage in the Adam Tas Corridor should first be identified, mapped and then all proposed new developments (such as this application) should holistically be planned for in the context of the Adam Tas Corridor SDF.

Response:

This development application has been in process since 2012, and has been delayed initially due a moratorium imposed as a result of capacity constraints at the Stellenbosch Waste Water Treatment Works; then pending the finalisation of the Stellenbosch Zoning Bylaw, and finally pending an outcome from the Adam Tas Corridor development concept.

The applicant has held a number of meetings (2018; 2019 and 2020) with the Adam Tas Corridor Steering Committee. The approach of the Committee ultimately was that development should not be delayed by the finalisation of a "master plan" but projects should proceed that conform to the principles established through the planning process. They noted that the development proposal for this site would be able to proceed in April 2019.

It is not reasonable nor legal to delay all work pending the outcome of planning processes that are many years in the making. Regardless,

sufficient direction has been established by the visioning work completed to date:

- Adam Tas Corridor Development Concept, May 2019, compiled by GAPP, Built Environment Partners, Smart Urbanism and Design Space Africa
- Adam Tas Corridor Bulk Infrastructure Review and Proposed Phasing, June 2019
- Adam Tas Corridor Land Use Schedule and Density Projects, 2019

Finally, it is to be noted that in response to sustained high levels of demand for well-located housing and development in a town with limited opportunities due to urban and rural landscape heritage sensitivities, the ATC (as a well located, but less heritage sensitive area) has been identified as the Stellenbosch Municipality's emerging urban transformation district. This vision is to create an integrated urban development corridor that is livable, safe, resource efficient, socially integrated, economically inclusive and globally competitive. The corridor falls within the municipality's Restructuring Zone.

(4) This part of Stellenbosch is particularly rich in Earlier Stone Age tools, formerly referred to as Stellenbosch Culture. It is therefore disappointing that no information about the prehistorical history of the area of which the site forms part is included. This is a major shortcoming that requires attention.

Response:

In response to this specific assertion, ACO notes as follows: It was difficult to identify Early Stone Age material at Oude Molen due to the extensive surface hardening on the site. ACO inspected limited trial excavations as well but made no local observations. Bosman's crossing is famous as in 1899, crude Early Stone Age artefacts were found there by Louis Perringuey. The European archaeological community was shocked as this was evidence of the antiquity of "man" in Africa, as it was thought at that time that Africa was far too backward and humans

surely had their origins in Europe (pildown hoax etc). The site however is not unique as since 1899, artefacts of the so-called Stellenbosch Culture have been found all over southern Africa. Its significance was that the find shocked the academic world and tested the intrinsically racist paradigm of the day.

SHF comment

(1) We would like to congratulate the team on a very thorough investigation into the history of this very important site as mentioned in the HIA. The Oude Molen site is a historically significant place that has suffered in the past from fairly unsympathetic approaches to its heritage significance'

Response:

Since the nature of heritage significance should inform the extent to which heritage issues should guide development of this site, it should be noted that the SHF overstates the heritage significance of the site. This is detailed in Section 10 of this report, and portions restated in the preceding response to SIG comments on page 46. In summary, aside from the associations, the presence of significant heritage resources on site is limited and the site's history represents more in the way of opportunities.

(2) The applicant should demonstrate how the development accords with the principles of the Adam Tas Corridor and the SDF. It is the cumulative effect of development that impacts on heritage. The character of Stellenbosch is so important to the long term survival of this special town. In our opinion HWC cannot evaluate applications for development on an ad hoc and isolated basis.

Response:

This is not a heritage matter and will be assessed as part of the planning application. See also the response to a similar query from SIG outlined above on pages 46 and 47.

(3) The architectural ethos and language are appropriate and good architectural precedent referenced. However, the relationship between building and site does not completely reflect the quality of the precedent studied. For example, although the Sybrand Mankadan building is elevated on columns to allow parking below, the building is not disconnected from the landscape on the public facade.

Response:

This is not a heritage matter and will be assessed as part of the planning application.

(4) The Urban Design Framework responds very well to the heritage resources on the site. However, the final proposal does not align with it, and it is a cause for concern that many of the valuable urban mapping conclusions are not visible in the current proposal. For example, the sensitive massing solution suggested in the Urban Design Framework is not evident in the final layout. Also, note the uncomfortable junction between the Oude Molen Manor House and its neighbour to the north.

Response:

The Urban Design Framework (UDF) proposed and supported an earlier development proposal which is no longer relevant. However, the principles established in that report were extrapolated into the HIA and incorporated into the heritage indicators. Indeed, the heritage informants for the UDF were determined by Mr Snelling, a heritage practitioner in this application. These requirements have been met, as expressed on pages 40 – 44 in this report.

The following figures illustrate that the current proposal is considerably more sympathetic than that under consideration in the urban design report. Key elements of the urban design and heritage informants have been more adequately resolved, including maintaining view corridors through to the Papagaaiberg and from Adam Tas Road; establishing a visual relationship between the Manor House and reconstructed Mill house; and expression of the original Mill Steam.

(5) The landscaping does not fully complement the heritage resources, especially the Oude Molen Manor House appears to be cut-off from its surrounding landscape and almost entirely surrounded by hard landscape/parking. Many of the trees that have been retained, are in such tight spaces and shaded by buildings that they will probably not thrive or even survive?

Care should be taken not to completely sever the buildings from the landscape and fragmenting the landscape surrounding the heritage resources. How will the lighting of these parking spaces work and how will it impact on the experience and sense of the place?

Response:

The current context of the Manor is very unsympathetic and has limited landscaping. This is equally true of the historical context of this building. To reiterate, it originally had an unusually close proximity to an adjoining warehouse and fronted and back by a wall of industrial buildings (see photograph 15 and 16 on page 24); and the 1990 redevelopment of the site extended this harsh context. The revised proposals provide a new focus on this building, along with a new relationship to the other historical elements or references on the site, supported by a landscape plan that, in so far as it addresses heritage issues, is considered appropriate. The SHF comments provide no evidence that the Manor House significance has been negatively impacted.

(6) The SDF promotes mix-use development. We do not believe that this proposal promotes mix-use development.

Response:

This is not a heritage related comment.

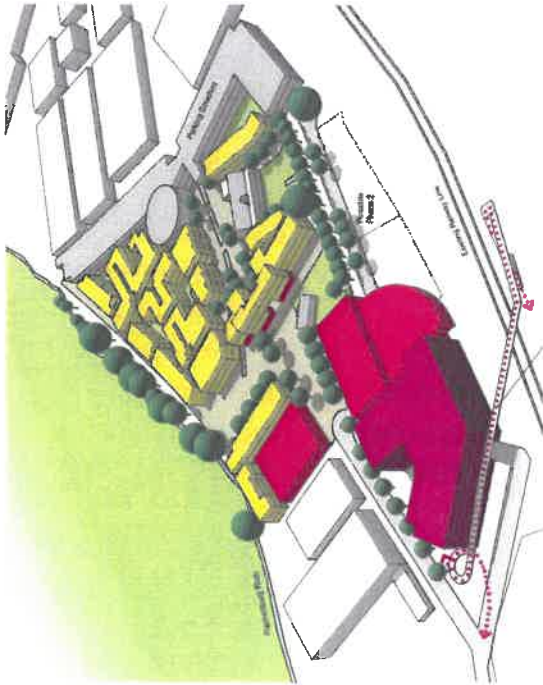


Figure 41: Proposal proposed and supported by the UDF.



Figure 42: Current application

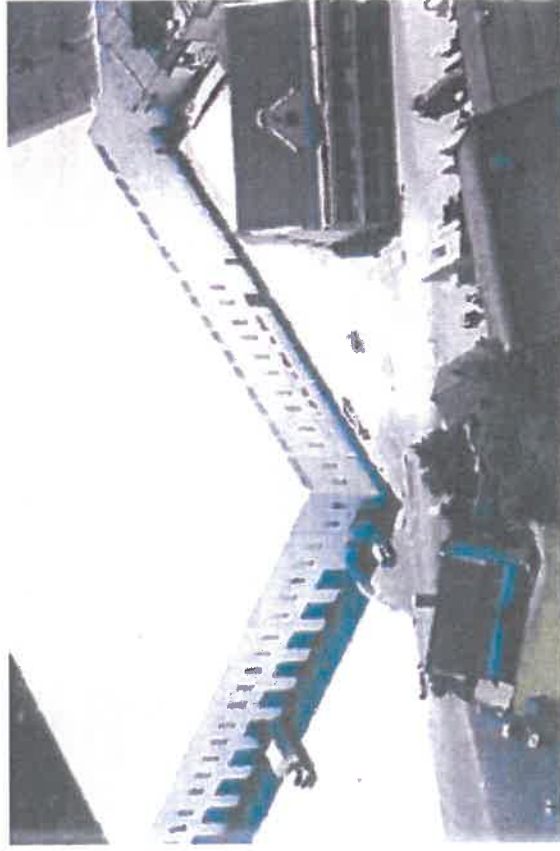


Figure 42: Oude Molen 1990



Figure 43: part of the current landscape context of the building

(7) We would like to obtain the Traffic assessment study as 235 new residential units will have a definite impact on the current traffic situation.

Response:

This is not a heritage related comment.

(8) The NMT bridge linking the scheme to the lower end of Dorp Street is commendable and will enable walkability. Has it been translated from the Urban Design framework to the proposal?

Response:

Noted. As the report states on page 45, this is in accordance with an HWC Record of Decision approving the proposed widening of the Lower Dorp Street.

(9) There seems to be a lack of sympathy with the scale, massing, layout and idiom of the proposed residential blocks, the landscape, heritage buildings and fine urban fabric of Stellenbosch.

Response:

The SHF don't take into account either the principles and intentions of the ATC, the existing site conditions or indeed the development pattern already established in the Bosman's Crossing Precinct. Most recently, Catwalk Investments are in the process of completing the large building adjacent to the property, and there is another directly opposite under construction.

See the current extent of development in this Precinct on Page 33, photographs illustrating the context in figures 44 – 51 and the adjoining development in figure 52.



Figure 44: Oude Molen industrial site with warehousing framing the Manor House



Figure 46: View of Oude Molen from the North



Figure 45: similar perspective, rendering of proposed development.



Figure 47: Rendering of proposed development from the North



Figure 50: Bosman's Crossing precinct, Oude Molen in the background



Figure 48: Oude Molen from above



Figure 51: Development underway adjacent to site (September 2020)



Figure 49: The broader precinct right of Adam Tas Road. Bergkelder - foreground, Oude Molen - centre, Bosman's Crossing - background

Subject to:

- The submission of building plans for any future proposed alterations to the Manor House to HWC for approval;
- The retention and display of the mill workings in Mill House;
- Archaeological monitoring of the large warehouse if there are to be subsurface excavations, to confirm the presence or otherwise of the original mill remains.



Figure 52: aerial view of Manor House from Adam Tas Road, although it is noted the actual view to the passer by almost entirely obscures the Manor House (see page 40 for at-grade views from Adam Tas).

15. Recommendations

It is recommended that Heritage Western Cape:

- Endorses this report as having met the requirements of Section 38(3) of the NHRA;
- In terms of Section 38(4) of the NHRA approves the proposed demolition of the 'Vinlab warehouse' on Erf 14601;
- In terms of Section 38(4) of the NHRA approves the subdivision, rezoning and Site Development Plan for the property, as indicated on the plans appended to this report as Annexure D;

References

Architect & Builder March 1990 :The upgrading of two facilities for Gilbeys in Stellenbosch

Bolsmann E (undated): Brief history of Oude Molen (source unknown)

Hofmeyer A (1967) *Die meulsloot Die kleurige geskiedenis van die molenwater en die korenmeule van ou-Stellenbosch*

<http://www.oudemolen.co.za>

APPENDIX A: Archaeological Report:

(separate e-file)

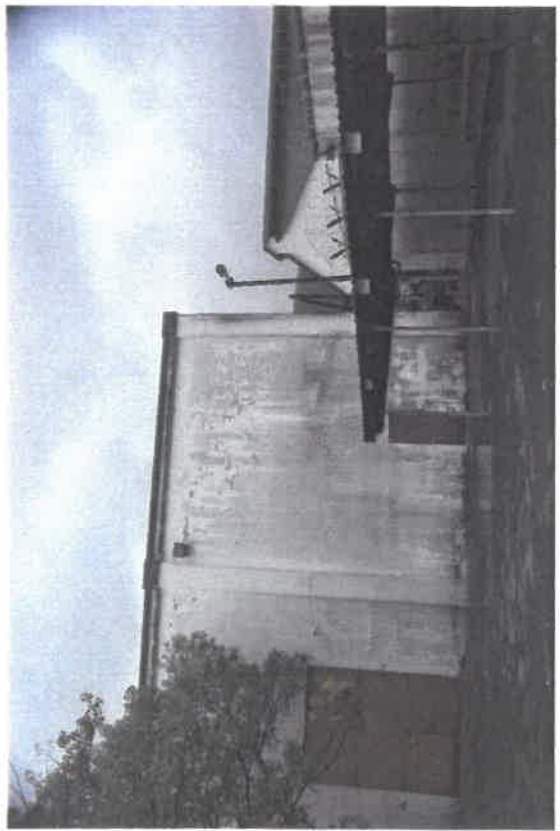
APPENDIX B: Additional Photographic Record

Site access



General site







Edge Conditions





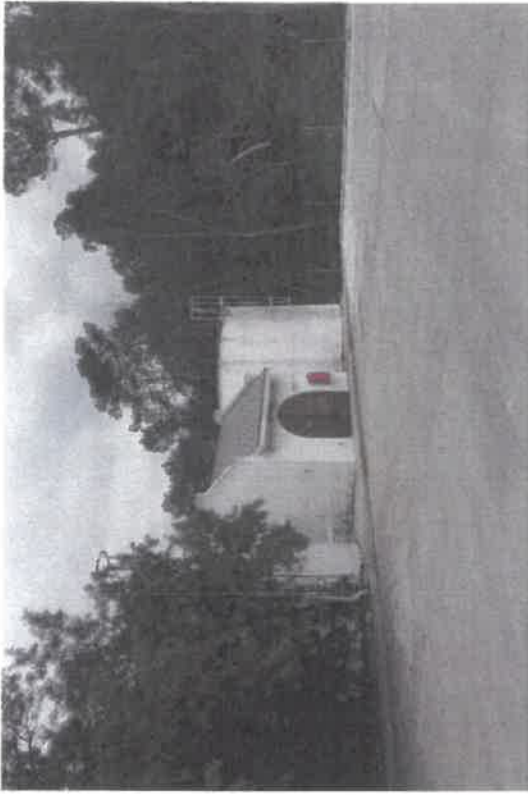
Warehouse older than 60 years



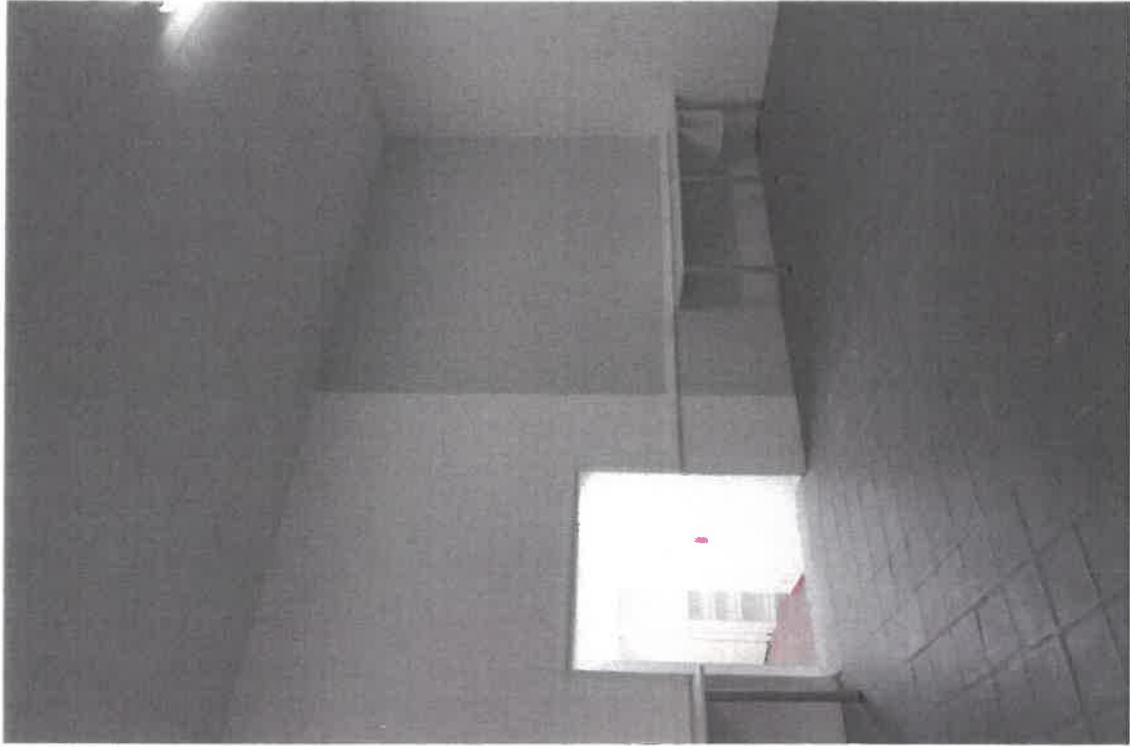


Vinlab warehouse





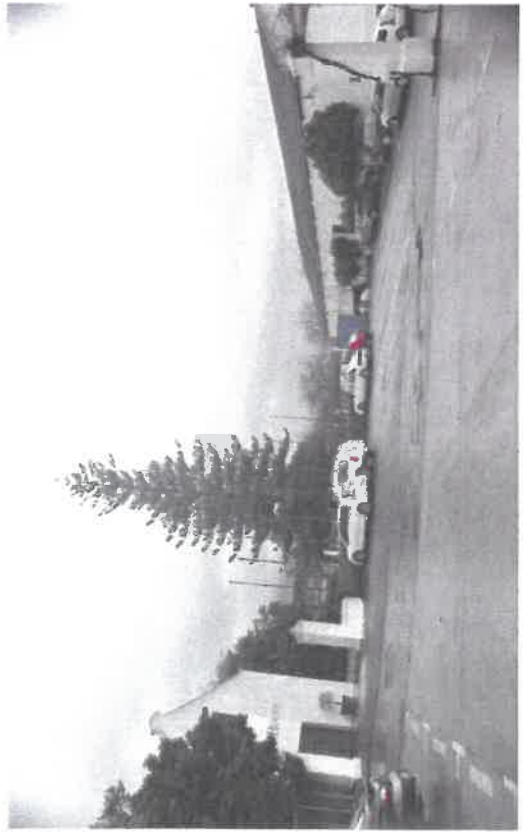


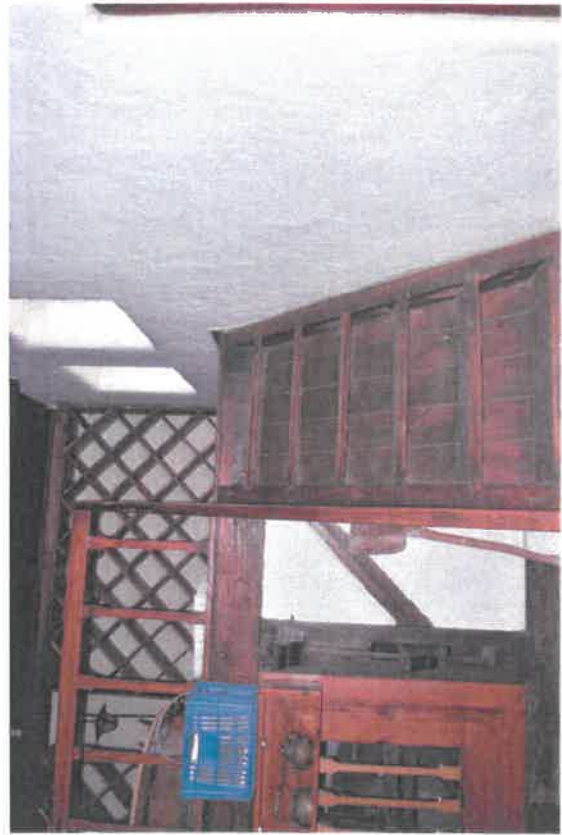






Mill House

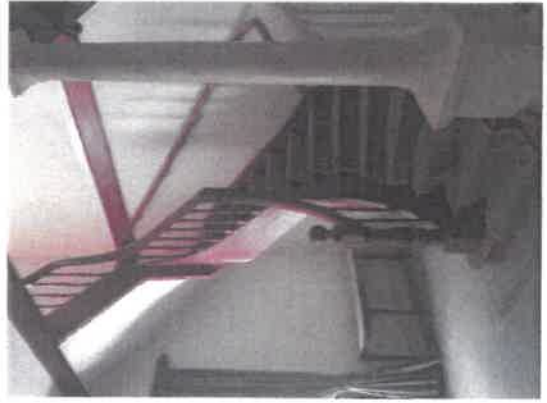
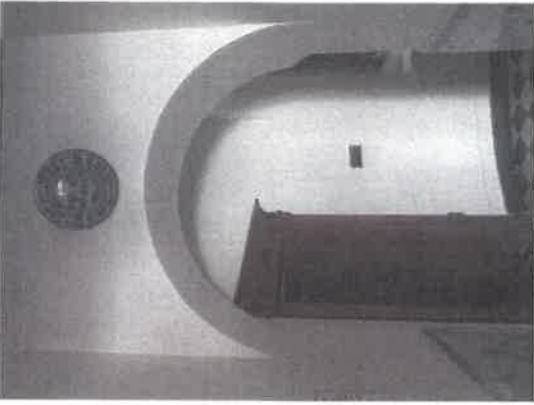






Manor House









APPENDIX C: Preliminary Urban Design Framework

(separate e-file)

APPENDIX D1: SDP

(separate e-file)

APPENDIX D2: Architectural Design Ethos

(separate e-file)

APPENDIX D3: Landscape Master Plan

(separate e-file)

APPENDIX E: Public Participation

**NOTICE
APPLICATION IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT (NHRA), 1989, ACT
25 OF 1989**

Notice is hereby given that an application in terms of Section 38(4) of the NHRA will be submitted to Heritage Western Cape regarding the following property:

OUDE MOLEN – ERF 14601 STELLENBOSCH

LOCAL/DISTRICT MUNICIPALITY: Stellenbosch Municipality
STREET ADDRESS: Distillery Road Stellenbosch



Short Description of the work to be done: It is proposed to rezone the property to accommodate a mixed use development of apartments and some commercial uses. A warehouse older than 60 years, the reconstructed mill and the historic manor house are to be retained.

Members of the public and interested and Affected Parties are invited to comment on the application. A copy of the draft documentation can be downloaded for scrutiny from Dropbox. Please Ctrl + Click on the following link:

https://www.dropbox.com/ishvqgmklk7q20qxb2y/AA0sXaZPfoacD8z_JcVGS9SpFzE?dl=0

Any person wishing to object or comment on heritage grounds to the application must make such comment/objection in writing to Ms. C Postlethwayt at cindy@cpheritage.co.za on or before 12 October 2020.

Kindly note that objections or comments that are not made on heritage grounds will not be considered. Late objections/comments received after 12 October 2020 may be ignored.

Notice date: 10 September 2020

From: Cindy Postlethwayt
To: cindy@cpheritage.co.za;
BCC: benabie.debevoise@stellenbosch.gov.za; Kaiser.Helene@stellenbosch.gov.za;
chaberton@stellenboschheritage.co.za; info@stellenboschheritage.co.za; heredee@stadsraadmail.com;
info@stellenboschmunicipal.gov.za
Subject: HERITAGE Notice for comment: OUDE MOLEN – ERF 14601 STELLENBOSCH
Dates: 10 September 2020 08:20:00 AM
Attachments: NOTICE for comment emailed.pdf

**NOTICE
APPLICATION IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT (NHRA), 1989, ACT
25 OF 1989**

Notice is hereby given that an application in terms of Section 38(4) of the NHRA will be submitted to Heritage Western Cape regarding the following property:

OUDE MOLEN – ERF 14601 STELLENBOSCH

LOCAL/DISTRICT MUNICIPALITY: Stellenbosch Municipality
STREET ADDRESS: Distillery Road Stellenbosch

Short Description of the work to be done: It is proposed to rezone the property to accommodate a mixed use development of apartments and some commercial uses. A warehouse older than 60 years, the reconstructed mill and the historic manor house are to be retained.

Members of the public and interested and Affected Parties are invited to comment on the application. A copy of the draft documentation can be downloaded for scrutiny from Dropbox. Please Ctrl + Click on the following link:

https://www.dropbox.com/ishvqgmklk7q20qxb2y/AA0sXaZPfoacD8z_JcVGS9SpFzE?dl=0

Any person wishing to object or comment on heritage grounds to the application must make such comment/objection in writing to Ms. C Postlethwayt at cindy@cpheritage.co.za on or before 12 October 2020.

Kindly note that objections or comments that are not made on heritage grounds will not be considered. Late objections/comments received after 12 October 2020 may be ignored.

Notice date: 10 September 2020



Applications in terms of the National Heritage Resources Act (NHRA), 1999, Act 25 of 1999
 Notice is hereby given that an application in terms of Section 38(4) of the National Heritage Resources Act will be submitted to Heritage Western Cape regarding Oude Molen – ERF 14601 DISTILLERY ROAD STELLENBOSCH.

It is proposed to rezone to accommodate a mixed use development of apartments and some commercial. A warehouse older than 60 years, the reconstructed mill and the historic manor house are to be retained.

Members of the public and Interested and Affected Parties are invited to comment on the application. An electronic copy of the application can be obtained from Ms. C Postlethway at cindy@gheritage.co.za

Any person wishing to object or comment on the application must make such comment in writing to Ms. C Postlethway at cindy@gheritage.co.za on or before 12 October 2020.

Kindly note that objections or comments that are not made on heritage grounds will not be considered. Late objections/comments received after 12 October 2020 may be ignored.

Western Cape Blood Service
 Do something remarkable
 # Donate Blood # Wp Blood # 3 Lives Saved
 021 507 0800 • www.wcs.co.za • info@wcs.co.za • cs@wcs.co.za • 1301 2000 • 1301 2000

VACANCY BULLETIN
 Western Cape Government
 GETTING TOGETHER

For information to 021 200 2000 or in the office of the Chief Executive Officer of the Western Cape Government

NOTICE
APPLICATION IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT (NHRA), 1999, ACT 25 OF 1999

Notice is hereby given that an application in terms of Section 38(4) of the National Heritage Resources Act will be submitted to Heritage Western Cape regarding OUDE MOLEN – ERF 14601 DISTILLERY ROAD STELLENBOSCH

It is proposed to rezone to accommodate a mixed use development of apartments and some commercial. A warehouse older than 60 years, the reconstructed mill and the historic manor house are to be retained.

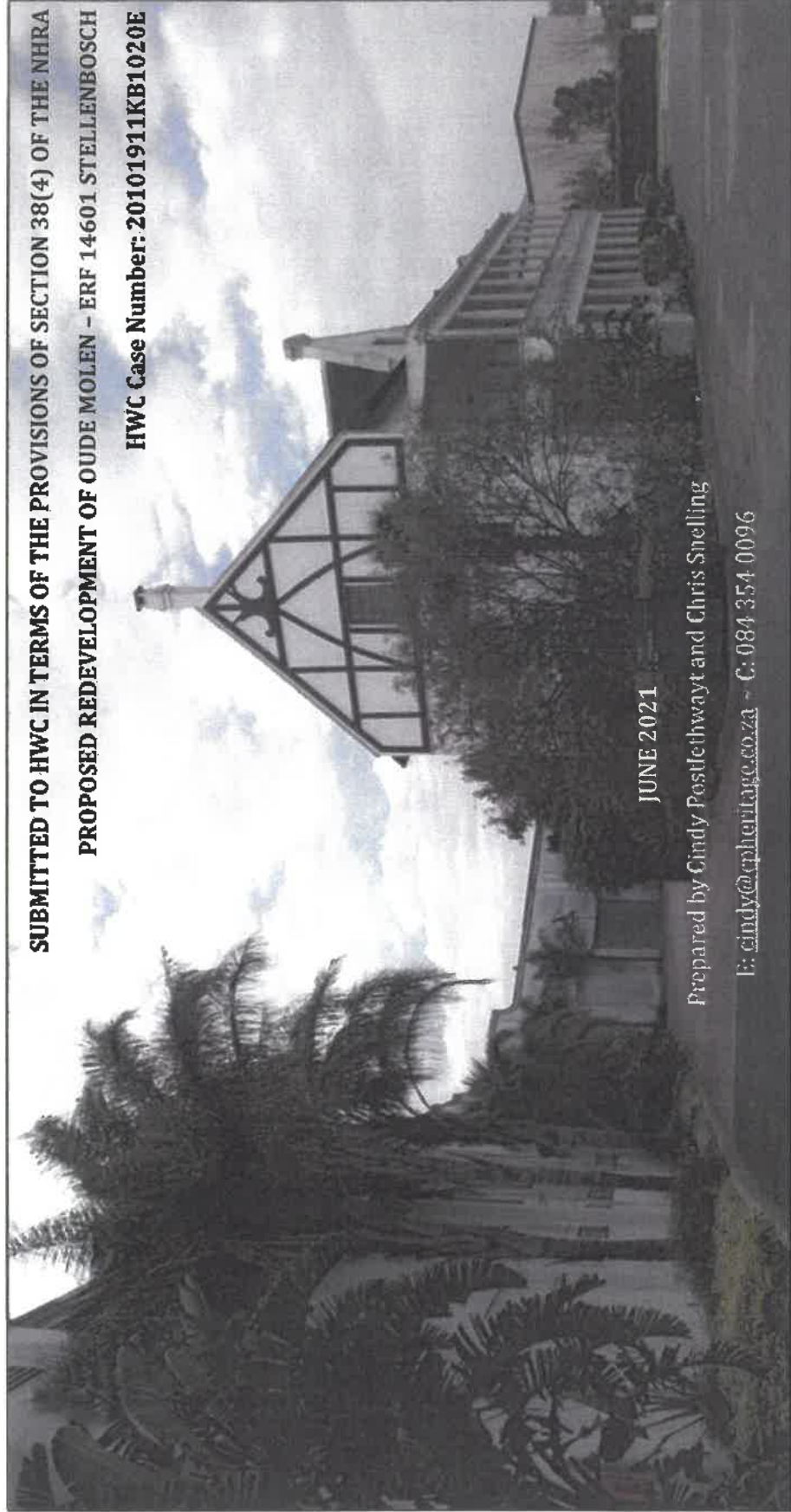
Members of the public and Interested and Affected Parties are invited to comment on the application. An electronic copy of the application can be obtained from Ms. C Postlethway at cindy@gheritage.co.za

Any person wishing to object or comment on heritage grounds to the application must make such comment in writing to Ms. C Postlethway at cindy@gheritage.co.za on or before 12 October 2020

Kindly note that objections or comments that are not made on heritage grounds will not be considered. Late objections/comments received after 12 October 2020 may be ignored.



SUPPLEMENTARY REPORT TO HIA



**SUBMITTED TO HWC IN TERMS OF THE PROVISIONS OF SECTION 38(4) OF THE NHRA
PROPOSED REDEVELOPMENT OF OUDE MOLEN - ERF 14601 STELLENBOSCH
HWC Case Number: 20101911KB1020E**

JUNE 2021

Prepared by Cindy Postlethwayt and Chris Snelling
E: cindy@epheritage.co.za ~ C: 084 354 0096



Figure 1: Site in the context of Stellenbosch (Cape Farm Mapper CFM)



Figure 2: Erf 14601 in context

1. Background

Following a site visit, on 9 December 2020, Heritage Western Cape's Impact Assessment Committee (HWC IACom) considered a Heritage Impact Assessment submitted for decision in terms of section 38(4) in respect of the proposed development of Erf 14601, Oude Molen, Stellenbosch.

Figure 3 (right top): Site Development Plan, as submitted

Figure 4 (right bottom): 3D modelling of the proposed development, as submitted.

In a letter dated 23 December 2021, HWC issued a response indicating further requirements were necessary:

- “Revised proposal to be submitted addressing the concerns with respect to:
- Block 6 scale, form, relationship and orientation to be informed by particular context
 - Industrial entrance building retention of front portion.
 - Landscape of forecourt to homestead”

Block 6 and its relationship to the Manor House is indicated on Figure 4 with an arrow.

This Supplementary Report to the HIA is submitted in response to the further requirements of the IACom. The submission is to be read against the background of the HIA Report dated October 2020 and it is assumed IACom will be able to refer to that documentation.



2. Revisions

2.1 Block 6

IACoM expressed specific concerns regarding the proximity of apartment block 6 in relation to the adjoining Manor House, graded IIIA.

As background to the findings of the HIA in support of this proximate relationship, it is reiterated, the Manor House has always been situated in very close proximity to the industrial buildings on site and its significance cannot be ascribed to contextual issues, as the following photographs illustrate. It is thus not clear to what extent negative heritage impacts can be attributed to the 2020 proposal.



Figure 5: an early photograph of the Manor House (undated). Note the unusually close proximity of the adjoining warehouse (see also Figure 6) and the walkway between them. Santhagens is said to have wanted to walk from his bedroom to his office



Figure 6: Prior to the 1990 re-development, the Manor House historically also faced onto a wall of industrial buildings (undated photograph Architect & Builder 1990 – approximately 27 buildings were demolished in 1989 and the photo is assumed to be around this date)



Figure 7: The current rather bleak immediate context of the Manor House

Nonetheless, the developer has agreed to re-design Block 6 to accommodate these considerations, on the understanding that the parking and circulation must be retained as proposed; and the units so affected have been relocated to the rear of the site. The revised SDP, 3D modelling and a comparative visual analysis are included as Annexures A1, A2 and A3.

In reviewing the proposals, the project architects note that the Urban Design Framework documented site informants to take into account during the urban and landscape planning of the precinct. The most prominent of these were the view lines toward, and from, the Manor and Mill Houses. Particular emphasis was placed on establishing new site lines between Adam Tas Road, and the historically significant buildings on site; placing no structures between them and framing them where needed.

In conjunction with view lines, the relational spaces between separate existing structures, and between new architecture and existing structures, are equally as important. These spaces that define the relationship between the different styles, form the majority of the public and recreational space across the site. As a result, particular emphasis was placed on these in-between spaces, and which building facades oppose or front neighbouring structures. This is relevant where new architecture is adjacent to existing buildings; ensuring that new façades that will be read next to historic ones and compliment historic elements without detracting from them.

The heights and datum lines of existing structures were used as loose reference points in determining the scale of new structures. For instance, the heights of the buildings increase gradually from the railway line towards Onderpapegaaiberg. The buildings closest to the existing structures are the lowest (to match the historic scale), and the buildings against Onderpapegaaiberg, are the tallest.

Reviewing the proposals for Block 6 in accordance with the IACom comments, the architects have substantially reduced the footprint of the proposed building 6 and repositioned the building away from the existing Manor House. This not only addressed the scale difference between old and new, it also improves the sight lines towards and from the Manor House significantly. There is also more room for softening the spaces around the existing building and 'greening' the backyard of the structures. The revised building footprint creates a courtyard that opens up towards the Manor House and allows for trees to be planted between the Manor House and the proposed building 6.



Figure 8: 3D modelling of the proposed development, as revised.

The heritage practitioners are of the opinion that the revised proposals represent a considerable improvement on the contextual relationship of the new development to the Manor House and support the revised proposals in this regard.

2.2 Retention of the front portion of the Vinlab warehouse

In its discussion, the Committee noted that Oude Molen has heritage significance as an industrial site and one of the first commercial brandy distilleries in South Africa. It further noted that this history is depicted in plaster embellishments on two of the remaining industrial buildings, one of which is strategically positioned at the entry point to the property, with strong sightlines to the mill and the manor house beyond. Informal minutes of the IACOM discussion taken by the heritage practitioners expand further: The Vinlab building was acknowledged as having no intrinsic architectural significance, but with the plaster embellishment, it characterises the historic industrial use of the site and helps 'tell the story'. It was proposed that the "front 5m or so" of the building with the trademark, be retained as a memory, although new development could be situated behind this.

The developer has determined that it is neither practical nor economic to retain the front facade of this building. Instead, it is suggested that the plaster embellishment could be relocated to the warehouse older than 60 years located on the eastern edge of the entry point, opposite the Vinlab warehouse, and which is to be retained to provide a commercial component in the development.

The heritage practitioners are supportive of this proposal on the following grounds:

- The Vinlab building has been graded IIIC for associational significance only, it has no period or unique industrial architectural or other heritage features of any significance, and has undergone considerable alterations and additions.
- 'Facadism' is not generally accepted heritage practice currently and the minimal heritage significance of the Vinlab warehouse does not warrant such an onerous requirement - there would be no rational relationship between the retained facade and the building behind;
- The plaster embellishment was a rather curious trademark designed by Santhagen, as a reminder of the parrot shooting

competition introduced by residents of Stellenbosch at an annual pageant to honour Simon van der Stel. The emblem and its motto are on the gable of the 'Vinlab' warehouse and modern distribution warehouse. It remains the emblem of the Oude Molen Distillery in Grabouw. It is not clear when the plaster embellishment on the Vinlab warehouse was placed as the building itself has undergone considerable alterations and additions, including to the front facade. Moreover, one of the new warehouses erected in 1990 includes, in the south-western corner within which were situated the reception area and office space, the same embellishment on its facade, designed as part of the public marketing of the then Gilbey's Distillery.

The warehouse on the eastern side of the site entrance is equally the point from which visual links are made with the Mill House, and, once the vegetation is cleared, with a portion of the Manor House. If the plaster embellishment is to be retained, or recreated, as it has been in the past, this is a more suitable option, especially since this building is to be retained and repurposed as a deli, pub, restaurant etc - retaining the warehouse character - and it would be more appropriate to place the plaster embellishment on a warehouse - with associated proportions - than to retain a facade of 5m with the embellishment.



Figure 9: The Oude Molen site prior to the 1990 redevelopment (Architect & Builder March 1990), there is no visible plaster trademark embellishment on the Vinlab warehouse. A pergola and additional openings were subsequently added to the front facade.



Figure 10 (left):
The west facade of the 1990 warehouse
taken immediately after its construction
(Architect & Builder March 1990)



Figure 11 (below):
The plaster embellishment on the
warehouse constructed in 1990



Figure 12 (right, top)
The Viniab warehouse currently

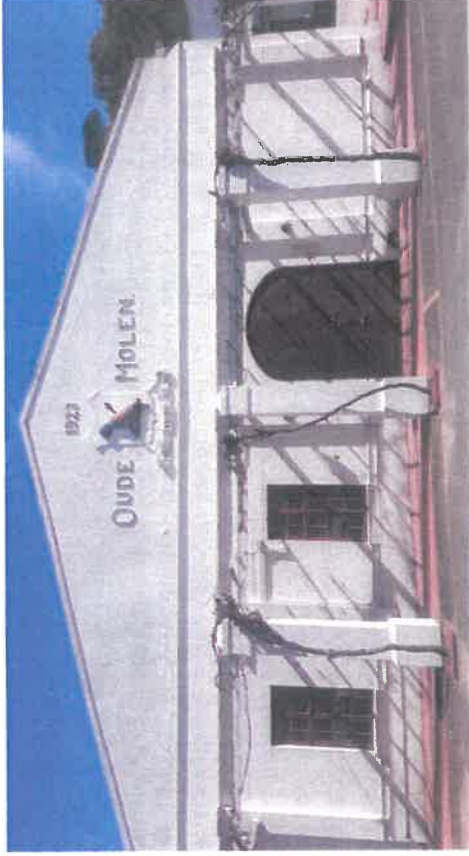


Figure 13: The warehouse to be retained and repurposed, at the entrance to the site, with the recently completed new development in the background.



Figure 14: Entrance to the site, the Vinlab warehouse foreground left, the warehouse to be retained foreground right, Mill House in the mid-background (the Manor House cannot be seen at this point).

2.3 Landscaping of the Manor House forecourt

As background to the findings of the HIA in support of the parking and landscaping proposals for the Manor House forecourt, it is noted IACOM asserts that the Manor House is "strategically positioned with an ornate forecourt. The geometry of the Manor House and this forecourt are significant indicators".

This is disputed however, as historically, the Manor House has never had a forecourt, and neither was it landscaped. Indeed, even following the 1990 redevelopment of the site, the Manor House appears to have initially fronted onto nothing more than a car park, servicing the industrial buildings in its foreground.

The current landscaping fronting the Manor House is modest, designed for practicality and cannot be regarded as an 'ornate' forecourt.

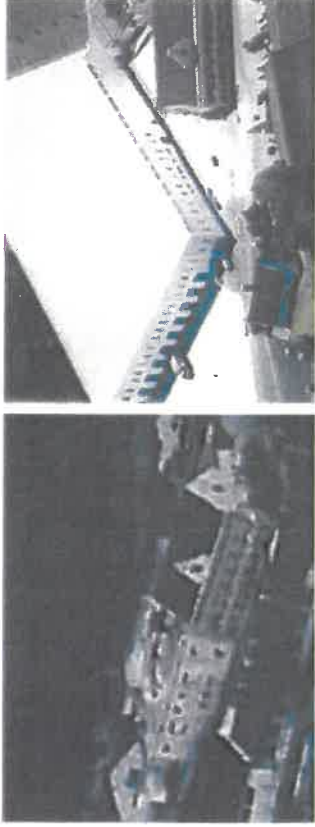


Figure 15 (above left) and 16 (above right): illustrating the forecourt to the Manor house historically and post 1990 respectively.



Figure 17: Current landscaping in front of the Manor House

Since the Manor House will comprise one of the commercial components of the redeveloped site, it is to be subdivided from the remainder of the property in the future, and will be fronting the proposed link route through the site to the remainder of the proposed Adam Tas Corridor redevelopment (a requirement of the Municipality and the Corridor redevelopment concept). The parking is front of the manor is acceptable in this context.

It is however acknowledged that by virtue of the development proposal the Manor House is now given more prominence and a degree of landmark status never enjoyed previously. As such it is agreed that the landscaping of this area should more appropriately reference its new context, screen the Manor House from the proposed link road, and improve upon what is currently a rather bleak garden area.

The revised landscape plan proposes softening the spaces around the existing building and 'greening' the backdrop of the structures. The revised building footprint of Block 6 allows for trees to be planted between it and the Manor House. Views from Dorp Street will not be obscured and a tree avenue on either side of the house accentuates the focal node/manor house. No trees are to be placed directly in front of the house to avoid screening off the view onto the house. The pedestrian entrance paving to the Manor House is enlarged to make the water feature a bolder statement and allows space for a natural biofilter and bubbler jet. The paving material of the pedestrian paved area extends through the vehicular paving to define the axis and view line onto the Manor House. The shrub planting will be formal hedges, height not exceeding 1m. A service path has been allowed to the back of the manor house. The proposed revised layout creates a formal frontage to the manor house, in keeping with the rural cape vernacular.

It should, as suggested by IACom, mitigate against the potential alienation/isolation of the building by the surrounding parking (although it is to be framed by much more sympathetic development

than is currently (and historically) the case. The revised Landscape SDP Plan, sketch and mood board are included as Annexures B1, B2 and B3 (and are supported by the heritage practitioners).



Figure 18: Revised landscape concept Manor House Forecourt

3. Conclusion

The revised proposals for the site will have no negative heritage related impacts; will, in the opinion of these assessors, improve upon the original proposal and are considered to have adequately addressed the concerns of HWC.

4. Recommendation

It is recommended that Heritage Western Cape:

- Endorses the HIA dated October 2020, read with this Supplementary Report dated June 2021, as having met the requirements of Section 38(3) of the NHRA;
- In terms of Section 38(4) of the NHRA approves the proposed demolition of the 'Vinlab warehouse' on Erf 14601;
- In terms of Section 38(4) of the NHRA approves the proposed development provided it is generally (in all heritage related matters) in accordance with the Site Development Plan and Landscape SDP Plan for the property, as revised in this Supplementary Report and appended as Annexures A and B;

Subject to:

- The submission of building plans for any future proposed alterations to the Manor House to HWC for approval, prior to the submission of final building plans;
- The submission of building plans for any future alterations/additions to the warehouse to HWC for approval, prior to the submission of final building plans.
- The retention and display of the mill workings in Mill House;
- Archaeological monitoring of the demolition of the large warehouse if there are to be subsurface excavations, to confirm the presence or otherwise of the original mill remains.

ANNEXURE A: revised proposals Block 6

(included as separate e-files)

APPENDIX 5

Heritage Western Cape consent letter

**Adopted Resolutions and Decisions of the Meeting of the Impact Assessment
Committee (IACOM)
of Heritage Western Cape (HWC) held via Microsoft Teams,
at 09H00 on Wednesday, 21 July 2021**



MATTERS DISCUSSED

11. SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP (NID)

11.1 None

12. SECTION 38(1): INTERIM COMMENT

12.1 None

13. SECTION 38(4) RECORD OF DECISION (ROD)

**13.1 Proposed Redevelopment of the Historic Complex as an Agri-Tourism Facility, Phase 2 on Farm 956, Donkerhoek, Simondium, Paarl: MA
HM/ CAPE WINELANDS / DRAKENSTEIN / PAARL/ FARM 956**

Case No: 20030508SB1020E

RECORD OF DECISION:

The Committee supported the proposals as contained within the additional information pack dated 29 June 2021, inclusive of the Arcon June 2021 Method Statement & Model Specifications, Square One landscape details and planting strategies, Open City architectural detailed drawings and finishes schedules.

The HIA dated February 2021 and prepared by Aikman Associates with the supplementary information pack referred to above, as collated by Open City Architects, is together confirmed as meeting the requirements of S38(3) of the NHRA. Therefore, the development may proceed, subject to the following conditions:

1. Monitoring methodology as indicated in the Archaeological Impact Assessment (AIA) (phase 1 dated 2020 prepared by Hearth Heritage) and Fabric Analysis Report dated January 2021 prepared by Hearth Heritage, and the final Spatial Development Plan (SDP) to be submitted to APM
2. Submission of interim and monitoring reports prior to and during construction which should update the Committee on detail development work and findings.
3. Submission of close-out report within 30 days of practical completion

The above authorisation is valid for a period of five years from the date of notification to the applicant thereof in writing. This period may be extended for good reason shown, provided that an application for extension stating the reasons is made prior to the expiration of the five-year period.

SB

**13.2 Erf 14601, Oude Molen, Stellenbosch: MA
HM/STELLEBOSSCH/ERF 14601**

Case No: 20101911KB1020E

RECORD OF DECISION:

The Committee resolved to endorse the HIA and Supplementary Report prepared by Cindy Postlethwayt and Chris Snelling dated June 2021 as meeting the requirements of S38(3) of the NHRA. The Committee supported the recommendations of the HIA and Supplementary report (p 11) as follows:

1. The submission of building plans for any future proposed alterations to the "Manor" House to HWC for approval, prior to the submission of final building plans;
2. The submission of building plans for any future alterations/additions to the warehouse to HWC for approval, prior to the submission of final building plans.
3. The retention and display of the mill workings within the Mill House.
4. Archaeological monitoring of the subsurface excavations when demolition of the large warehouse occurs, to confirm the presence or footprint of the original mill remains.

The above authorisation is valid for a period of five years from the date of notification to the applicant thereof in writing. This period may be extended for good reason shown, provided that an application for extension stating the reasons is made prior to the expiration of the five-year period.

KB

**13.3 Proposed Development of Remainder Farm 1054, Klein Goederust, Franschhoek: NM
HM/CAPE WINELANDS/ STELLENBOSCH / FRANSCHHOEK/ FARM 1054**

Case No: 20120229TZ1203E

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on 13 August 2021 (DG, RF, SW and MS).

SB

14 SECTION 38(8) NEMA RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

14.1 None

15 SECTION 38(8) NEMA INTERIM COMMENTS

**15.1 Proposed Residential Development on a 23d/ha Land, Consisting of a Variety of Residential Typologies of Varying Heights within a Gated Precinct with single access on Ptn 8 of Farm Ronwe 851, Paarl: MA
HM/CAPE WINELANDS/ DRAKENSTEIN/ PAARL / PTN 8 OF FARM 851**

Case No: 17062709HB0804E

FINAL COMMENT:

The Committee endorsed the HIA prepared by Graham Jacobs and dated May 2021 as meeting the requirements of S38(3) of the NHRA. The Committee supports preferred development alternative 2 as indicated within figure 15 (drawing numbered A525, dated 07/05/2021) subject to conditions as indicated within section 10.2 of the HIA:

1. That HWC allow the following detailed aspects of the proposals to be submitted to Drakenstein Municipality (Land Use Planning: Heritage Resources Sub-Section) for negotiation and final approval as part of the planning application, given that the subject site falls within a local authority heritage area, and that this local authority does have the necessary heritage-related resources and expertise:
 - a. A general statement regarding the lighting strategy to be employed to minimize nighttime light spillover. This would include details regarding lighting design/light standards/lighting bollards as set out in the heritage indicators and informed by Section 6.3.3 of the Visual Impact Assessment (VIA) report.
 - b. A general statement regarding the policy to be adopted for the installation of satellite dishes, TV aerials and other installations with potential to affect the development skyline.
 - c. A general policy statement and details regarding signage proposed for the development.
 - d. A general policy statement and particulars regarding the manner in which the property is to be secured, especially along the Lustigan and Wemmershoek Road boundaries if any further security measures other than those already endorsed by HWC, are proposed.
 - e. The preparation (by a SACLAP-registered professional) of a Landscape Development Plan in accordance with the requirements of the VIA specialist and including, as a minimum, the following:
 - (i) Locating on this Landscape Development Plan: -The various tree species as currently proposed in the landscaping plan Dwg. A525 dated 2021/05/07 by Daffonchio Architects; and-The various plant species and other surfacing details as currently proposed in the landscaping plan Dwg. A525 dated 2021/05/07 by Daffonchio Architects with particular attention to the Lustigan and Wemmershoek Road/R301 boundaries in order to meet the requirements in the VIA for more detail regarding the proposed 'buffer strips' along these roads;
 - (ii) Providing typical sections, at minimum 1:100 scale, through the above-mentioned roadways up to the first buildings within the site to better understand, in terms of the VIA requirements, the relative scale, landform and screen planting volumes, as well as proposed boundary treatment;
 - (iii) Indicating the proposed roof plans of all individual buildings on the property to better understand as a quantum, the relationship of the proposed tree canopies with the new built forms;

- (iv) Providing more particulars regarding the proposed soft landscaping treatment of the 30m wide buffer strip interface with the R301/Wemmershoek Road and the interface with Lustigan Road: all to retain/sustain rural qualities, where possible;
- (v) Providing details of proposed pedestrian pathways (including suggested materials) along the outer edges of the property;
- (vi) Providing particulars regarding parking areas if/where visible from Wemmershoek and Lustigan Roads to mitigate reflected glare from windshields and negative visual impacts from continuous paved surfaces;
- (vii) Providing more details of the storm water strategy with regard to the open, planted channels and swales (as recommended in the VIA) where affecting visual impacts along Wemmershoek and Lustigan Roads;
- (viii) A requirement that all trees planted (roots to be established in minimum 80-100L bags) have a clear stem height of 1,8m minimum and a minimum girth of approximately 60mm or as otherwise advised by a qualified arborist in conjunction with the local authority;
- (ix) Particulars regarding the mature heights of the various proposed tree species and the time spans for those heights to be reached; and
- (x) A requirement that present ground levels of existing trees be retained around their bases to the satisfaction of a qualified arborist to ensure their survival and continued health.

AM

**15.2 Amended Part II to Juno Wind Energy Facility on the Remainder of Farm De Boom 273, Vredendal: MA
HM/WEST COAST/ VREENDAL/REM OF DE BOOM 273**

Case No: 21021103SM0312E

FINAL COMMENT:

The Committee confirms that the requirements of S38(3) of the NHRA have been met. The Committee supports the recommendations within the HIA report (ref page 55-56) and endorses the APM comments as follows:

1. The Sandlaagte River Valley should be avoided in totality with no infrastructure placed within 500 m of the centre of the valley;
2. Measures to reduce the visual impacts on the landscape as identified in the VIA should be implemented (e.g. minimising disturbance, minimising lighting, ensuring rehabilitation); and
3. Should any buried human remains or unknown archaeological or palaeontological heritage resources be uncovered during the construction phase, work must cease in that area and HWC must be contacted regarding the appropriate way forward.

SB

- 15.3 Proposed Development on Portion 14 of Schryvershoek Farm 362, Langebaan Lagoon, Saldanha Bay: NM
HM/WEST COAST/ SALDANHA BAY / PTN 14 OF 362**

Case No: 21012504SB

FURTHER REQUIREMENTS:

The Committee requires the resubmission of a complete HIA which meets the requirements of S38(3) of the NHRA. This HIA is to address (amongst others):

1. Archaeology.
2. Palaeontology.
3. Cultural landscape.
4. Parameters for development - to be clearly articulated.

SB

- 15.4 Proposed Various Mixed-Use Developments on Farm 1450, 1276, 1277, Ptn 5 of 382, Rhebokskloof Wine Estate, Paarl: NM
HM/ CAPE WINELANDS / DRAKENSTEIN / FARM 1450, 1276, 1277; PTN 5 OF 382**

Case No: 21061407SB0621E

FURTHER REQUIREMENTS:

The Committee resolve to undertake a site inspection on 13 August 2021 (DG, RF and MS).

SB

- 15.5 Proposed Rezoning for Group Housing, Eco Estate Plots, a Small Apartment, etc. on REM of Cape Farm 1529 and Erf 5112, Kommetjie: NM
HM/ CAPE TOWN METROPOLITAN/ KOMMETJIE/ RE 1529 & ERF 5112**

Case No: 21062408JW0625E

FINAL COMMENT:

The Committee endorsed the HIA and associated documentation as prepared by Cindy Postlethwayt and dated May 2021 as meeting the requirements of S38(3) of the NHRA. The Committee supports the recommendations and findings of the HIA (refer to p 56 of the HIA):

1. HWC fossil finds, and accidental finds of human remains protocol to be included in the environmental authorisations;
2. The implementation in all important respects of the mitigations outlined in Section 13 of this report;
3. During the construction phase, archaeological and paleontological monitoring of any earthworks and deep trenching so that in the event of paleontological or archaeological material being encountered e.g. bones, stone artefacts, trace fossils or wetland deposits, work is to be stopped in that area immediately, and reported to the heritage authority (HWC) for further consideration.

The above authorisations are valid for a period of five years from the date of notification to the applicant thereof in writing. This period may be extended for good reason shown, provided that

an application for extension stating the reasons is made prior to the expiration of the five-year period.

AM

- 15.6 Proposed re-purpose of York Farm Cottages (Boschendal), R310, Dwars River Valley, Farm 11_1674, Stellenbosch: NM
HM/ CAPE WINELANDS / STELLENBOSCH/ FARM 11/1674**

Case No: 20032005SB0331E

INTERIM COMMENT:

The Committee provisionally supports the HIA and approach prepared by Rennie Scurr Adendorff and dated 22 June 2021 as well as APM comments on the AIA. HWC awaits submission of final HIA (inclusive of the public participation process) to comply with S38(3) of the NHRA.

SB

- 15.7 Proposed Consolidation, Subdivision and Rezoning to create a Large Residential Development Goede Verwachting Development, Remainder Farm 869; Portion 3 Farm 870; Farm 866; Farm 867; Farm 868; Farm 1054; and Portion 2 of Farm 870, Sir Lowry: NM
HM/ CAPE TOWN METROPOLITAN/ OLD SIR LOWRY / REM FARM 869, PTN 3/870, 866, 867, 868, 1054, PTN 2/870**

Case No: 21062404SB0625E

FURTHER REQUIREMENTS:

The Committee resolved to undertake a site inspection on 13 August 2021 (DG, SW, RF and MS).

SB

- 15.8 Proposed Subdivision for Prospective residential Units on Erf 177476, Main Road, St. James: MA
HM/ST JAMES/ERF 177476**

Case No: 17090415AS0914M

FINAL COMMENT:

The Committee resolved to endorse the revised HIA prepared by Prof Peters dated 30 June 2021 as meeting the requirements of S38(3) of the NHRA. The Committee supports the recommendations of the HIA as conditions of approval, listed as follows:

1. The sub-division of Lot 177476 into three portions as conforming with the cadastral character of its 'identity area';
2. The landscaping proposals for visually mitigating the impact of the stone retaining walls of the platform for the residence proposed for Portion 3 (to plans approved by the City of Cape Town on 13th June 2017) as serving to soften, recede and cohere with the townscape of St James to an acceptable degree;

3. Endorse the topographically-sensitive design for the proposed residence on Portion 2 (Appendix B) as being appropriate for development of the site abutting the natural environment with ravine and seasonal stream, and that in terms of Section 38(4)(a) consent is given for the development to proceed; and that;
4. Any development for Portion 1 be subjected to the prescribed approval processes in its time. However, that the conceptual proposals as articulated in Appendix D respond positively to the environmental and contextual constraints of Portion 1 and provide an acceptable basis for its development, and;
5. At the hand of the Heritage Indicator for Design formulated in 2.1.4 (a), above, the Design Indicators contained in Appendix F, and the need expressed by IACom to bind the current owner's successors in title to certain restrictions in order to mitigate the heritage impact of the proposed development, it is recommended that the particular points extracted from the Guidelines in 1.1(e) are incorporated into the conditions for the approval of subdivision, and as such, are to be registered against the title deeds of the Portions resulting from the subdivision.

The Committee recommends that the subdivision approval be subject to restrictive conditions applicable to portion 1 and that these be informed by the heritage indicators as set out in the supplementary heritage report dated 30 June 2021 and included in the title deed for portion 1.

The above authorisations are valid for a period of five years from the date of notification to the applicant thereof in writing. This period may be extended for good reason shown, provided that an application for extension stating the reasons is made prior to the expiration of the five-year period.

SB

- | | |
|-------------|---|
| 16 | SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT |
| 16.1 | None |
| 17 | SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP |
| 17.1 | None |
| 18 | SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN INTERIM COMMENT |
| 18.1 | None |
| 19 | SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT |
| 19.1 | None |
| 20 | SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP |
| 20.1 | None |
| 21 | SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT |
| 21.1 | None |

22 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT**22.1** None**23. SECTION 27 PROVINCIAL HERITAGE SITES****23.1** None**24. ADVICE****24.1** None**25 SECTION 42 HERITAGE AGREEMENTS****25.1** None**26. OTHER****26.1 Draft Conservation Management Plan (CMP) for Bains Kloof, Wellington: MA
HM/ CAPE WINELANDS/ DRAKENSTINE/ WELLINGTON/ BAINS KLOOF PASS****Case No: 19050303SB0619E****HELD OVER:**

The matter is deferred to the next IACom meeting.

SB

27 Adoption of decisions and resolutions

The Committee agreed to adopt the decisions and resolutions as recorded above.

APPENDIX 6

Department of Environmental Affairs and Development
Planning comment



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
(REGION 2)**

Helene.Janser@westerncape.gov.za
Tel: +27 21 483 3544 Fax: +27 21 483 3633
1 Dorp Street, Cape Town, 8000
www.westerncape.gov.za/eadp

REFERENCE: 15/3/2/12/BS2

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

FOR ATTENTION: SENIOR MANAGER - DEVELOPMENT MANGEMENT

PROPOSED LAND DEVELOPMENT APPLICATION: ERF 14601, STELLENBOSCH (ADAM TAS CORRIDOR)

1. Your request for comment, dated 3 November 2020, has reference.
2. The matter at hand relates to the development proposal for Erf 14601 Stellenbosch which makes provision for a mixed-use development comprising:
 - A sectional title scheme of 253 residential units, together with private recreational facilities;
 - The repurposing of an existing warehouse as a deli/bistro/pub linked with a large outdoor piazza to the commercial/retail component of the Bosmans Business Centre on the adjacent Erf 6201; and
 - The inclusion of the existing Manor House on a separate erf to be used for commercial purposes.
3. Whilst this Directorate has no in-principle objection to the proposed development of the property as part of the greater Adam Tas Corridor, it is essential that, in the absence of a Precinct Plan, the proposed development sets the tone and contributes progressively toward the vision as set out in the Stellenbosch Municipal Spatial Development Framework (MSDF) with regards to the Adam Tas Corridor and doesn't place the burden of meeting the objectives for the Corridor as set out in the MSDF to future developments.

4. One of seven principles or concepts advocated in the MSDF, geared towards the common good, is the infill and redevelopment of existing settled areas. The inclusivity of infill housing, referring to the extent to which the housing provides for different income and demographic groups, is considered paramount. This is particularly so for the Adam Tas Corridor and it is the reason why as a Directorate we question the provision of only 2- or 3-bedroom apartments in this development proposal. Including studio and/ or one bedroom apartments would increase the diversity of family types being catered for and affordability. Accommodating different income groups and family types is highlighted as a need in the MSDF.
5. The applicant's view that Stellenbosch Municipality is trying to coerce "ad hoc voluntary" affordable housing as part of a development application in the absence of an Inclusionary Housing Policy, which the applicant feels is in direct conflict with the provisions of SPLUMA, is not supported by this Directorate. Whilst there may not currently be an Inclusionary Housing Policy in place at the Municipality, the MSDF provides numerous statements regarding the need for inclusionary housing. One such statement is in section 6.9 "Catalytic Initiatives-Adam Tas Corridor", the statement is made that "A range of housing types in the form of apartments should be provided accommodating different income groups and family types". It is the view of this Directorate that the need for inclusionary housing is set out logically and clearly in the MSDF and should this development not comply with this provision in the MSDF, would be inconsistent with the MSDF and could be refused. In this regard, this Directorate is disappointed in the quantum of the contribution for inclusionary housing which is put forward by the applicant. Out of approximately 253 units, 12 have been put forward for inclusionary housing purposes, which amounts to 4.7% of the total number of units. We doubt whether this proposal could be regarded as being in compliance with the MSDF.
6. Other than the quantum of inclusionary housing put forward in this proposal, the nature of the inclusionary housing requires a great deal more consideration. The applicant states that the units will be rented out to students and that this should be managed through Stellenbosch University as part of their residence offering. There is however an inadequate understanding of how the institutional arrangements will work e.g. will the units be given to the University to own and manage? How will it

be ensured that the students accommodated in these units are actually economically marginalized students? If the units are simply rented to any students this will not further the principle of spatial transformation, nor will it increase inclusivity in the town. This Directorate is of the opinion that whilst the application should go ahead, further detail and resolution on how this will be implemented should be provided in the Site Development Plan (SDP) around inclusionary housing, before the SDP is approved.

7. In return for the voluntary provision of inclusionary housing, the applicant is seeking alternative value in the form of the fast-tracking of the application process together with the proposed NMT bridge over the railway line within the regulatory prescripts.
8. The provision of inclusionary housing and the building of the pedestrian bridge should not be linked. The pedestrian bridge is needed to support non-motorised transport (NMT) which itself is a priority objective in the Adam Tas Corridor. The pedestrian bridge over the railway line, linking the existing NMT routes along Adam Tas with proposed NMT routes in the Basman's crossing area, is crucial for the vision of the Corridor and it is maintained that the applicant should contribute to the costs of building the infrastructure (in this case the bridge) that supports the new development in the forms of a Development Contribution or Services Agreement.
9. NMT is a key component in the development of the Adam Tas Corridor. This proposed development needs to set the tone and show leadership in support of NMT, which requires that this important pedestrian linkage should come at the start of the development. The MSDF has provided policy certainty for properties along the Adam Tas Corridor in particular, with the result that the risk faced by the developer is limited. The upzoning of the property in question is possible because the planning framework is in place as a result of the SDF. In return the applicant should contribute to what is needed in the area e.g. the pedestrian bridge and inclusionary housing but independently of one another.
10. Given the emphasis placed on Non-Motorised Transport in the MSDF for a more effective distribution of traffic, the adoption of conventional standards for the provision of parking will enable a car-driven environment and may undermine the focus on increased pedestrian-orientation.

11. Several applications for departures from the prescribed norms for the provision of parking were considered favourably in recent applications for high-density development on the eastern side of the Adam Tas Corridor, in the Dennessig neighbourhood. It was argued that the proposal would contribute positively to improve conditions for walking and NMT within Stellenbosch town and would set a precedent for future pedestrian-focused developments in town.
12. The MSDF further states that in Stellenbosch town, it is doubtful whether the desired form of compact, diverse, inclusive, and walkable settlements will be achieved without parallel supportive initiatives to manage the unimpeded use of private vehicles.
13. Given the location of the subject property on the outer edge of the municipal urban edge, along the foot of the Papegaaiberg Nature Reserve, higher densities with an increased height would be encouraged. The Zoning Scheme prescribes a maximum height of 6 storeys for buildings within the Mixed-Use Zone and yet Blocks 1, 2 and 5 that directly abut the Plankenbrug River where the impact would be the least, are only 5 and 4 storeys respectively.
14. The MSDF proposes improved public continuity, access and space along the Plankenbrug River corridors and the matter of maintaining a sense of continuity along the length of the Plankenbrug River was raised with the Oude Molen Project Team in the past. This Directorate would ultimately advocate for the registration of a public Right of Way servitude along the length of the Plankenbrug River created in favour of the general public. The buildings must be located on the site in such a way that sufficient space is provided to accommodate a pedestrian walkway along the river.
15. Whilst this would be premature at this stage, it is suggested that the registration of a public servitude be made conditional to the approval of the application, but that said condition be suspended until such time as it would be practicable to implement.
16. In consideration of the above, this Directorate recommends that the application for the rezoning to Subdivisional area and the subsequent subdivision, departures and consent use to allow a Place of Entertainment within a Mixed Use Zone be approved, but that the Site Development Plan Package, which should include the

inclusionary housing institutional arrangements should only be considered at a later stage when all concerns have been addressed. As a condition of approval of the rezoning the MPT should consider requesting the applicant to demonstrate through the SDP how the development would comply with the MSDF provisions, specifically:

- (Table 31 P106) "Strategy: Develop all settlements as balanced, inclusive, appropriately serviced, communities, negotiable through NMT and exhibiting a positive relationship with surrounding nature and agricultural land.
- Spatial Policy: Expand housing opportunity for a broader range of groups – including lower income groups and students – particularly in settlements forming part of the Baden Powell-Adam Tas-R304 corridor.
- Given the limited income of a large proportion of the population, a settlement structure and form prioritizing walking and public and NMT, should be pursued (Table 12)
- The inclusivity of infill housing opportunity – referring to the extent to which the housing provides for different income and demographic groups – whether as part of the Adam Tas Corridor or.....(p67)

We trust that the above is in order. Should you wish to engage further on any of these aspects please liaise with Helene Janser (contact details on the cover of this communication).

Kobus Munro

Digitally signed by Kobus Munro
Date: 2020.12.01 12:04:56 +02'00'

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

APPENDIX 7

Department of Transport and Public Works objection letter.



Western Cape
Government

Transport and Public Works

ROAD NETWORK MANAGEMENT

Email: Grace.Swanepoel@westerncape.gov.za

tel: +27 21 483 4669

Rm 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

18 DEC 2020

RECEIVED

REFERENCE: TPW (Job 28200)

ENQUIRIES: Ms GD Swanepoel

DATE: 15 December 2020

Director: Planning and Economic Development
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr U von Molendorff

Dear Sir

FILE NR:	
SCAN NR:	E 14601 S
COLLABORATOR NR:	700195

ERF 14601 STELLENBOSCH: MAIN ROAD 177 ADAM TAS ROAD: APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE, DEPARTURES AND SITE DEVELOPMENT PLAN

1. Letter from Ms Christine Havenga of First Plan Town and Regional Planners, ref. FP/0215/772, Stellenbosch Municipal Reference No. LU/11728, dated 25 September 2020, addressed to Head of Department, Department of Transport and Public Works, refers.
2. We note that this Branch's comments in terms of the statutory 60 day limit were due on 23 November. Unfortunately, the letter was misplaced in the Department and was only allocated to the appropriate member of staff on 30 November 2020. We apologise for the late submission and trust nevertheless that this Branch's comments will be included in the processing of this application.
3. Erf 14601 Stellenbosch is located on the north-west side of the Stellenbosch railway line and is accessed from Distillery Road, which connects via Oude Libertas Road to Main Road 177, Adam Tas Road.
4. The application is for the following:
 - 4.1 Rezoning of Erf 14601, Stellenbosch from Industrial Zone to Subdivisional Area in order to allow for a Mixed Use Zone comprising 253 dwelling units in six apartment blocks, commercial / office uses and private roads and Public Roads and Parking Zone;
 - 4.2 Subdivision of Erf 14601 into two mixed use portions and a portion with public roads and parking;

- 4.3 Departures in respect of building lines and ground floor flats in a mixed use zone;
- 4.4 Consent Use to allow a Place of Entertainment (pub) in a mixed use zone and
- 4.5 Approval of the Site Development Plan.
5. The concerns to this Branch relate only to the impact of generated traffic on Adam Tas Road and other provincial roads connecting with it. The traffic generated by the proposed development is estimated in the Traffic Impact Assessment (TIA) to be 76 inbound and 195 outbound vehicle trips in the morning peak hour, and 222 inbound and 117 outbound trips in the evening peak.
6. The only intersection on Adam Tas Road which was analysed in the TIA was at Oude Libertas Road. The TIA concludes that no upgrades are required to this intersection over and above those required for background traffic growth and the proposed Sawmills development. This Branch is concerned that the impact of the generated traffic on Adam Tas Road intersections with Dorp Street, the R44 Bliersch Street (Main Road 27), Alexander Road and Merriman (Main Road 175) should also be considered, taking into account short- and long-term proposals to upgrade and increase the capacity of Adam Tas Road.
7. The TIA indicates a proposal for a pedestrian and cycle bridge over the railway line and possibly also over Adam Tas Road be considered. This Branch considers this proposal to be an essential element of the redevelopment of the entire Bosmans Crossing area. Such a bridge would also provide access to the station. It is considered important for both safety and efficiency that the bridge extend across Adam Tas Road. The TIA does not appear to have taken into account the potential transfer of trips from car to NMT, or the possible northward extension of Distillery Road, or the overall development of the Bosman's Crossing area. It is important that the application for Erf 14601 is seen in the context of planning for the entire Adam Tas Corridor.
8. This Branch objects to the land use application for Erf 14601 as detailed above and in the land use application documents.
9. Should the concerns raised above be addressed in a revised Traffic Impact Assessment, this Branch would be willing to review its comments on the application in respect of Erf 14601 Stellenbosch.

Yours faithfully



SW CARSTENS

For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

ENDORSEMENTS

1. Stellenbosch Municipality
Attention: Mr Ulrich von Molendorff (e-mail)

2. First Plan Town & Regional Planners
Attention: Ms Christine Havenga (e-mail: info@firstplan.co.za)

3. District Roads Engineer
Paarl

4. Mr Eroy Smith (e-mail)

5. Cape Winelands District Municipality
Attention: Mr Aubrey Stevens (e-mail)

6. Mr SW Carstens (e-mail)

7. Mr H Thompson (e-mail)

8. Mr B du Preez (e-mail)

APPENDIX 8

Spatial Planning Section



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Spatial Planning, Heritage and Environment

To : **Manager: Development Management**
From : **Manager: Spatial Planning**
Reference : **Erf 14601; Oude Molen; Stellenbosch**
LU Nr : **LU/11728**
Date : **9 March 2021**
Re : **Application for rezoning, subdivision, consent use and departure
 Oude Molen**

STELLENBOSCH MUNICIPALITY
 PLANNING AND DEVELOPMENT SERVICES

12 MAR 2021

RECEIVED

Your request for comment on the above application dated 17 September 2020 refers.

APPLICATION:

The application under consideration is for the following

FILE NR:

SCAN NR:

E14601S

COLLABORATOR NR:

703534

1. The Rezoning of Erf 14601, Stellenbosch from Industrial Zone to Subdivisional Area in terms of Section 15(2)(a) of the Stellenbosch Municipality Land Use Planning By-Law (The By-Law) allowing for Mixed-Use Zone (253 dwelling units within six 3- to 5-storey blocks of flats, some commercial/office uses and private roads) and Public Roads and Parking Zone.
2. The Subdivision of Erf 14601 Stellenbosch in terms of Section 15(2)(d) of the By-Law into 3 portions, namely:
 - a. Portion 1 ($\pm 2,0493$ m² - Mixed-Use Zone)
 - b. Portion 2 ($\pm 5,798$ m² - Mixed-Use Zone)
 - c. Portion 3 (± 614 m² - Public Roads and Parking Zone)
3. To relax the common building line (adjacent to Erf 7502) from 4.5m to 3.0m for Block 4.
4. To relax the common building line (adjacent to Erf 7502) from 4.5m to 3.0m for Block 3.
5. To relax the common building line (adjacent to newly created Portion 2) from 4.5m to 2.5m for Block 5.
6. To relax the common building line (adjacent to newly created Portion 2) from 4.5m to 0.0m to allow for the ablution/changing room facility for the pool and volleyball court.
7. To relax the common building line (adjacent to the newly created Portion 2) from 4.5m to 1.5m to allow for the Mill House.

8. To relax the street building line (adjacent to the newly created Portion 2) from 4.5m to 3.0m to allow for Block 5.
9. Permission to allow for flats on the ground floor in a Mixed-Use Zone in terms of Section 15(B) of the By-Law.
10. In terms of Section 15(o); A Consent Use to allow a Place of Entertainment (pub) within a Mixed-Use Zone in terms of Section 15(o) of the By-Law.
11. Approval of the proposed street names (extension of Distillery Road), additional street numbers and the name of the development in terms of Section 98 of the By-Law.
12. Approval of the site development plan package in terms of Section 15(g) of the By-Law.

PROPERTY DESCRIPTION:

The property is located within the Bosman's Crossing precinct at the western edge of Stellenbosch town adjacent to the Plankenbrug River and at the foot of Papagaaiberg Nature Reserve. Erf 14601 is bordered by Bosman's Crossing to the south, the Plankenbrug River and Papagaaiberg Nature Reserve to the west, the Bergkelder Industrial property to the north and the railway line/Adam Tas Road to the east. The location of Erf 14601 is shown in Figure.1 below.

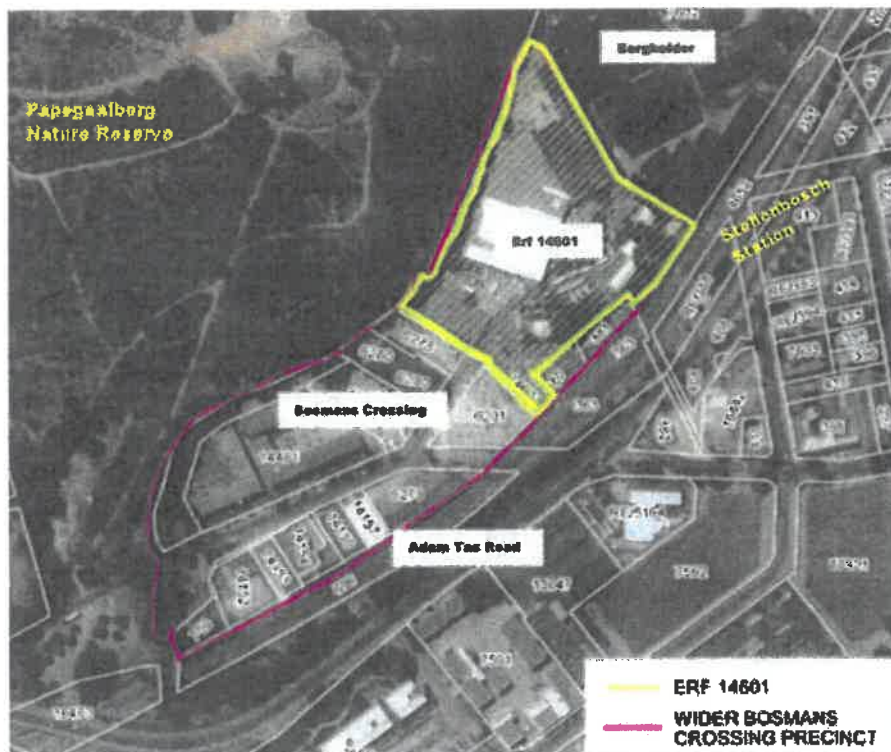


Fig. 1 Locational Plan

The property is a well-developed industrial site with existing buildings measuring 11 650m² comprising 8 760m² of warehousing and 2 890m² of offices and "other."

The only access to the property is obtained at Distillery Road via Oude Libertas Street and across the Plankenbrug. Distillery Road terminates at the property. The site was originally zoned for Wine Industry in terms of the former Stellenbosch Zoning Scheme but has been converted to Industrial Zone in terms of the new Zoning Scheme By-Law.

POLICY CONTEXT:

1. NATIONAL DEVELOPMENT PLAN (NDP)

The National Development Plan's (NDP) key objectives to be achieved by the year 2030 are to eliminate income poverty and reduce inequality. The following NDP spatial priorities are relevant to the planning of Klappmuts:

a) Urban and Rural Transformation:

Spatial transformation is advocated given the enormous costs imposed by existing spatial divides. The NDP recognises that achieving this is a complex long-term process. The NDP's human settlement targets are more people living closer to their places of work; better quality public transport; and more jobs in proximity to townships. To achieve these targets, it advocates strong measures to prevent further development of housing in marginal places, increased urban densities to support public transport, incentivising economic activity in and adjacent to townships; and engaging the private sector in the gap housing market. The NDP also targets the development of a more inclusive and integrated rural economy. Its rural strategy is based on land reform, agrarian transformation, livelihood and employment creation, and strong environmental safeguards.

b) Improving Infrastructure:

The NDP identifies infrastructure as essential for development and prioritises upgrading informal settlements on suitably located land; rolling out public transport systems; improving freight logistics; augmenting water supplies; diversifying the energy mix towards gas (i.e., imported liquid natural gas and finding domestic gas reserves) and renewables; and rolling-out broadband access.

c) Building Environmental Sustainability and Resilience:

“South Africa’s primary approach to adapting to climate change is to strengthen the nation’s economic and societal resilience. This includes ensuring that all sectors of society are more resilient to the future impacts of climate-change by decreasing poverty and inequality; creating employment; increasing levels of education and promoting skills development; improving health care and maintaining the integrity of ecosystems and the many services that they provide” [NDP 2012, p209]. The long-term strategy is to transition to a low carbon economy.

2. INTEGRATED URBAN DEVELOPMENT FRAMEWORK (IUDF)

The 2016 Integrated Urban Development Framework (IUDF) steers urban growth towards a sustainable model of compact, connected and coordinated towns and cities. The IUDF provides a roadmap to implement the NDP’s vision for spatial transformation – creating liveable, inclusive, and resilient towns and cities while reversing apartheid’s spatial legacy. To achieve this transformative vision, the IUDF sets four strategic goals:

1. Spatial integration - To forge new spatial forms in settlement, transport, social and economic areas.
2. Inclusion and access - To ensure people have access to social and economic services, opportunities, and choices.
3. Growth - To harness urban dynamism for inclusive, sustainable economic growth and development.
4. Governance - To enhance the capacity of the state and its citizens to work together to achieve spatial and social integration.

3. PROVINCIAL STRATEGIC PLAN

The Regional Spatial Implementation Framework builds-on the Provincial Strategic Plan (PSP 2015) and gives regional expression to achieving the Western Cape’s Provincial Strategic Goals (PSGs), namely:

- PSG 1: Create opportunities for growth and jobs.
- PSG 2: Improve educational outcomes and opportunities for youth development.
- PSG 3: Increase wellness, safety and tackle social ills.
- PSG 4: Enable a resilient, sustainable, quality, and inclusive living environment.
- PSG 5: Embed good governance and integrated service delivery through partnerships and spatial alignment.

4. PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF)

The Provincial Spatial Development Framework (PSDF 2014) gives spatial expression to the PSP and takes the Western Cape on a path towards:

1. More inclusivity, productivity, competitiveness, and opportunities in its urban and rural space-economies.
2. Better protection of its placed based (i.e., spatial) assets.
3. Strengthened resilience of its natural and built environments; and
4. Improved effectiveness in spatial governance and on-the-ground delivery of public services, facilities, and amenities.

5. STELLENBOSCH MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF)

The MSDF was prepared recently and approved by Council in November 2019. A prerequisite for drafting a MSDF is that it must comply and include National and Provincial policy. Hence the MSDF built upon the policy alluded to in the previous paragraphs as it relates to Klapmuts.

To this extend the MSDF identified 7 principles to guide the spatial development of Stellenbosch and provides planning and design guidelines and principles to direct spatial form in the Stellenbosch Municipal Area. The principles include the following:

1. Maintain and grow natural assets.
2. Respect and grow cultural heritage.
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity
4. Clarify and respect the different roles and functions of settlements.
5. Clarify and respect the roles and functions of different elements of movement structure.
6. Ensure balanced, sustainable communities.
7. Focus collective energy on critical lead projects of which Klapmuts is one.

The MSDF as it relates to the subject property shown in **Figure 2** below.

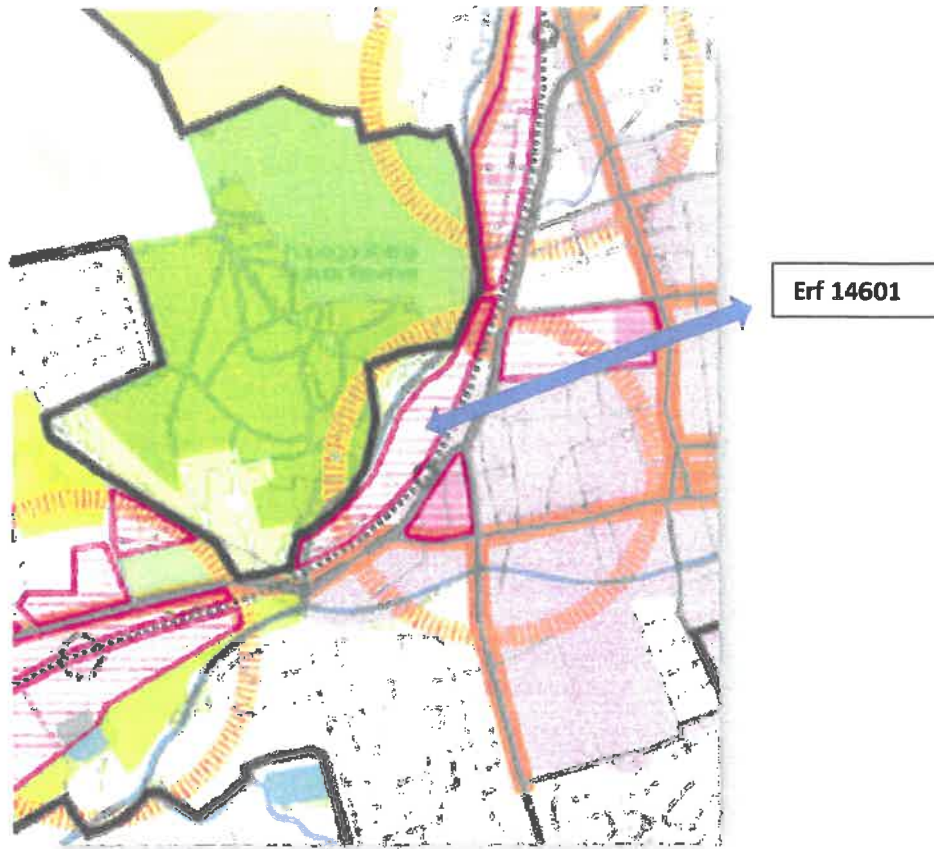


Fig 2. MSDF (Stellenbosch)

In terms of the MSDF Stellenbosch town will remain the major settlement within the municipality; a significant centre comprising extensive education, commercial and government services with a reach both locally and beyond the borders of the municipality, tourism attractions, places of residence, and associated community facilities. Retaining what is special in Stellenbosch town requires change. The town has grown significantly as a place of study, work, and tourism, while perhaps inadequately providing residential opportunity for all groups, and certainly lacking adequate provision of public transport and NMT options.

Managing residential growth of the town, through providing more inclusive housing at higher densities than the norm, is vital. This can and must bring significant reductions in commuting by private vehicles to and within Stellenbosch town, and provide the preconditions for sustainable public transport and NMT to and within the town.

The last core principle of the MSDF attempts to focus energy on a few catalytic areas that offer extensive opportunity and address present risk. The most significant redevelopment opportunity within Stellenbosch town is the Adam Tas Corridor, stretching from the Droë Dyke and the Old Sawmill sites in the west along Adam Tas

Road and the railway line, to Kayamandi, the R304, and Cloetesville in the north. Large industrial spaces – currently disused or to be vacated over time – exist here. Redevelopment offers the opportunity to accommodate many more residents within Stellenbosch town, without a negative impact on agricultural land, nature areas, historically significant precincts, or “choice” lower density residential areas.

In simple terms, the Adam Tas Corridor concept is to launch the restructuring of Stellenbosch town through redevelopment of the Adam Tas Corridor, the area stretching along the R310 and R44 along the foot of Papegaalberg from the disused Cape Sawmills site in the west to Kayamandi and Cloetesville in the north.

The corridor is not envisaged as homogenous along its length, with uses and built form responding to existing conditions and its relationship with surrounding areas. Conceptually, three areas could be defined, each linked through a sub-district.

The central district – in which werf 14601 is located - is the largest, and includes Bosman’s Crossing, Oude Molen, the Bergkelder, and the Van der Stell Sports complex. Here, development should be the most intense, comprising a mix of commercial, institutional, and high-density residential use. The “seam” between this district and west Stellenbosch is Die Braak and Rhenish complex. The southern and central districts are linked through Oude Libertas. Oude Libertas remains a public place, although some infill development (comprising additional public/ educational facilities) is possible.

The inclusivity of infill housing opportunity – referring to the extent to which the housing provides for different income and demographic groups – whether as part of the Adam Tas Corridor or elsewhere within Stellenbosch town – is critical. Unless more opportunity is provided for both ordinary people working in Stellenbosch, and students, it will be difficult to impact on the number of people commuting to and from Stellenbosch town in private vehicles daily.

Through the envisaged redevelopment in terms of the ATC concept offers the opportunity to *inter alia*:

1. Grow Stellenbosch town – and accommodate existing demand – in a manner which prevents sprawl, and create conditions for efficient, creative living and working.
2. Stimulate and act as a catalyst for the development of improved public transport and NMT along the corridor.
3. Rethink and reconstruct infrastructure, and particularly the movement system, including the possible partial grade separation of east-west and north-south

movement systems, in turn, integrating the east and west of town and releasing land for development.

4. Integrate Kayamandi and Stellenbosch town seamlessly.

A process to draft a local spatial development framework is currently in process and it is envisaged that the process will also produce an overlay zone that gives a clear indication of additional land use rights. In the absence of such policy documents all applications must be considered by the municipality based on the policy direction currently given by the MSDF and the initial work done on the ATC.

To this end, the following spatial principles are critical:

The development must specifically support the following spatial principles:

1. Spatial restructuring and justice: The project must challenge past spatial and other development imbalances through improved access to and use of land and the inclusion of persons and areas that were previously excluded.
2. Resource efficiency: Land development must optimise the use of land, existing structures, and infrastructure, and actively seek alternative, environmentally responsible servicing solutions, including non-motorised transport.
3. Contextual aptness: The project must recognise the special structure and form of Stellenbosch town, current access limitations, and the need to protect environmental resources, historic elements and precincts of value while accommodating further growth and expanded opportunity.
4. Flexibility and responsiveness: Land development processes must ensure both certainty of rights and over time.

THE APPLICATION:

In essence the development entails a mixed-use development consisting of:

- a sectional title scheme of ±253 two- and three-bedroom residential units together with private recreational facilities.
- the repurposing of an existing warehouse into a "vibey" "hip" dell/bistro/pub - linked with a large outdoor piazza to the business/retail component of the adjacent Bosman's Business Centre which will provide a vibrant social hub for the precinct; and
- the inclusion of the existing Manor House on a separate erf to be used for business purposes which is suitable for a variety of commercial uses including, inter alia, the hospitality/restaurant industry as well as general commercial use.

It is envisaged by the developer that the development will offer residential and business opportunities within a transport-orientated, mixed-use, high density development favouring access by pedestrians and cyclists which will contribute to a

compact, less sprawling town that promotes public transport and pedestrianization which will be according to the principles as set out in the MSDF.

DISCUSSION:

The application must be evaluated against current legislative directives – the Spluma principles, - the MSDF and the goals for the development properties within the Adam Tas Corridor. In terms of the MSDF and the goals of the ATC, the development must contribute substantially to the development of the ATC as an integrated, inclusive environment for living, work, and enjoyment; a place which embodies what constitutes good, equitable, and efficient settlement, and supports national, provincial, and municipal policy.

It is essential that, in the absence of a precinct plan, the proposed development sets the tone and contributes progressively toward the vision as set out in the Stellenbosch Municipal Spatial Development Framework (MSDF) with regards to the Adam Tas Corridor and does not place the burden of meeting the objectives for the Corridor as set out in the MSDF to future developments. The project must enable expanded opportunity for all partners and stakeholders over and above what exists today. This applies to all dimensions of “value add”, including returns on investment, community access to opportunity, facilities, and so on.

1. The Principle of Spatial Justice

The SPATIAL JUSTICE principle requires that past spatial and development imbalances should be redressed through improved access to and utilisation of land. It requires that persons which were previously excluded (especially the poor) must be included in land use planning policies, especially to address widespread poverty and deprivation. Access to land for all (including disadvantaged communities should be facilitated.

In this regard the MSDF proposes the following:

1. Providing more inclusive housing at higher densities than the norm. This must bring a significant reduction in commuting by private vehicle to and within Stellenbosch Town.
2. Inclusivity of infill housing opportunity – referring to the extent to which the housing is provided for different income and demographic groups.
3. Expand housing opportunity for a broader range of groups – including lower income groups and students – particularly in settlements forming part of the Baden-Powel, ATC – R304 corridor.
4. All housing projects should focus on a range of typologies, enabling access for a range of income groups.

5. Gated residential development is not favored. Public components of development should remain public, enabling integration of neighborhoods and through movement. Security to private developments could be provided through other means than fencing and access control of large development blocks or areas neighborhoods.

The residential component of the proposed development is located on a separate erf to be subdivided (measuring 2,0493 ha) and will consist of 253 individual residential units - arranged in a configuration of 6 blocks varying in height from 4-6 storeys. This equates to a residential density of ± 123 units/ha. The residential units consist of 2- or 3-bedroom apartments only.

The proposed density is in line with the of the requirements of the MSDF and ATC that higher densities should be the norm. It must be noted that the increase in density is aimed at providing compact, walkable urban centres that supports NMT and a reduction of private motor vehicles on the one hand and to improve efficient use of land and bulk services on the other. Of equal importance is the notion that the higher density should cater for different typologies of housing catering for a broader range of income and demographic groups. Higher density does not necessarily lead to inclusive outcomes. As argued elsewhere in this report, if anything, increased density, and its associated amenities, such as walkable communities and access to public transit, will typically result in rising property values if planning and development are not partnered with equitable land use policies and affordable housing interventions. Consideration should thus be given to a broader variety of housing typologies with, for example bachelor's flats and one-bedroom flats included in the mix of typologies.

Seeing that it is the explicit intention of the MSDF and ATC to transform the spatial form of Stellenbosch and to integrate communities in this well-located precinct, and in view of the nature of the proposed inclusionary housing component, it is questioned if the increased density will support and promote inclusionary housing and particularly the notion of integrating communities.

Although the municipality does not yet have an approved inclusionary housing policy, the MSDF provides numerous statements regarding the need for inclusionary housing. This department supports the view of the Directorate: Development Management in their letter dated 1/12/2020 that, if the proposal does not address the need for inclusionary housing adequately, this development will not comply with this provision in the MSDF and would be inconsistent with the MSDF and could be refused. It is also questioned if the proposal to reserve (only) 12 out of 235 units for students as "inclusionary housing" can be regarded as being in compliance with the

MSDF. The department is of the view that this proposal is inadequate and must be revisited to comply with the requirements of the MSDF.

It is noted that the development will be secured, and access control implemented, and that the development can be characterized as a gated development which is not favored in the MSDF. Gated developments do not promote integration with the immediate surroundings i.e., Bosman's Crossing nor does it promote integration in the wider context of the ATC. Security is however a factor that cannot be ignored and must be acknowledged.

This department is therefor of the view that the proposed development does not address the issue of housing opportunity for a varied and broader range of income groups successfully and therefor did not address the principle spatial justice adequately.

2. The Principle of Spatial Sustainability

The principle of SPATIAL SUSTAINABILITY will be achieved by the development when a development is spatially compact, resource frugal and within the means of the Municipality. It must protect prime agricultural land and must take into consideration all other environmental issues. It must aim to limit urban sprawl, resulting in viable communities, and strive to meet the basic needs of citizens in an affordable way. Development must also ensure the sustained protection of the environment (ecological corridors, biodiversity, heritage resources, promote provincial tourism and avoid development on steep slopes, floodplains, wetlands etc.). Energy efficiency should be promoted.

However, developing at higher densities does not automatically lead to inclusive outcomes. If anything, increased density, and its associated amenities, such as walkable communities and access to public transit, will typically result in rising property values if planning and development are not partnered with equitable land use policies and affordable housing interventions.

The MSDF refers to the following:

1. Actively support residential densification and infill development within urban areas.
2. Develop the ATC as a mixed-use, high density urban district with strong internal and external public and NMT connections.
3. All housing projects should consider the availability of social facilities and the daily retail needs of residents.

4. Overall, development should be mixed, high density and favor access by pedestrians and cyclists.
5. Promote public and NMT routes (design of all roads provide for appropriate NMT movement)
6. Provide and maintain a system of accessible social facilities, integrated with public space and public and NMT routes.

The proposed development proposes significant densification within a “brown fields” development and will contribute to urban compaction and the prevention of urban sprawl – both objectives identified in the MSDF.

However, densification and compaction - particularly in relation to this centrally located precinct, goes hand in hand with the development and provision of public transport and NMT. Despite its location adjacent to the R44 and the railway line, the development is cut off from the rest of Stellenbosch town by the very same infrastructure. The only safe and user-friendly access to the site is via Distillery Road and mostly accessible by private motor vehicle. This is acknowledged in the application through the provision of parking facilities at a ratio prescribed by the IZS. One of the incentives and goals of the ATC is to promote public transport and NMT to reduce the overall use of private vehicles with a view to reduce the amount of traffic in Stellenbosch. The MSDF promotes a high-density urban precinct with “strong internal and external public and NMT connections.”

Although the applicant makes provision for a pedestrian bridge over the R44 to connect with lower Dorp Street and provides space for NMT in the road reserve, the fact is that these facilities do not exist at present and will not be put in place by this development. Until such a time, and if the pedestrian bridge is constructed, the development will not contribute to the goal of promoting NMT and public transport. In fact, the development will operate as an extended cul-de sac- with all incoming and out-going traffic accessing the site via distillery Road and across the Plakenbrug River.

The bridge over the Plankenbrug River, is in our view, not adequate to accommodate the traffic generated by the development. Not only when the development is completed but also during the process of construction. All vehicle and particularly heavy vehicles necessary for construction will access Bosman’s Crossing via Distillery Road and across the existing Plakenbrug. The bridge is of significant heritage value as it was the original crossing for Dorp Street. A heritage impact assessment was commissioned to widen the bridge to accommodate the increased traffic. A permit for the upgrade and widening of the Plakenbrug Bridge was issued by Heritage Western Cape on 18 February 2021.

The MSDF promotes strong internal and external links to the surrounding environment. Despite the location of Papagaaiberg Nature Reserve directly to the west of the property and adjacent Plakenbrug River, the development turns it back on these environmental assets and does not provide a link with it. Understandably there might be concerns for safety and about the quality of the water in the Plakenbrug. However, these assets are public amenities that will be developed and improved through the ATC development concept and should be accessible to the broader public as well as the future residents of the development. The SDP should take these public amenities into consideration and provide appropriate space for public use and access as should incorporate such assets in the design of the buildings.

A positive proposal is the provision of a future road link to the Bergkelder development despite uncertainty of the exact alignment of such a road. Considering the emphasis placed by Importantly, the development proposes a public road to link into the future development of the Bergkelder site to the north of the site in future to link this precinct with the rest of the ATC. This future link is critical for the future development of the ATC.

In view of the emphasis placed by the MSDF and ATC on public transport and NMT in the ATC it is questioned if a road reserve of 13 meters will be sufficient to accommodate an extensive and well-planned NMT route which will form the backbone of the NMT route through the entire precinct. Provision is made for 2m wide pavements on both sides of the road which is, in our view, inadequate for the provision of a separate dedicated cycle route and walkway as well as space for street trees, streetlights and street signs. NMT should not be viewed as simply a hard top pavement but must be designed as a movement route on its own separate from the roadway.

The development proposal does not include design proposals to address the critical need for NMT and public transport. This aspect of the design should be revisited and possibly revised to accommodate appropriate NMT infrastructure.

The extension of Distillery Road appears not to include the future road link in totality. As the extension of Distillery Road is critical for the further development of the ATC this road reserve must be a public road and must be subdivided and transferred to the municipality to ensure unobstructed access for further development.

Due to its isolated location to the west of the R44 and railway line, the development is not linked with the central business district of Stellenbosch. The original alignment of Dorp Street used to run past the property. It appears that the extension of Dorp Street along its original alignment is not feasible. However, a link across this infrastructure barrier is critical to integrate the development of this precinct with the

CBD and to give NMT access to the town. One of the ways to achieve a NMT connection between the development and the town is by way of a pedestrian/cycle bridge. The appropriate place to do so is along the original alignment of Dorp Street, hence the condition of approval by Heritage Western Cape. As this structure will benefit the development of the ATC in general, it cannot be expected of the developer to fund and construct such a bridge. It would be expected that the developer contributes to the design and construction of such a bridge through development contributions. In the absence of such facility, crossing this infrastructure barrier safely remains impossible and will residents be obliged to make use of private transport.

3. The Principle of Spatial Efficiency

The principle of SPATIAL EFFICIENCY requires that development should optimise the use of existing resources, including infrastructure, and requires that integrated cities and towns be developed whereby social, economic, and institutional aspects of land development is integrated, and residential opportunities are provided close to employment opportunities. A diversity of land uses is to be incorporated and the spatially distorted patterns of the past are to be corrected. Towns should be of sufficient density and urban sprawl must be discouraged.

Efficiency, noting that a focus should be on “compaction as opposed to sprawl; mixed-use as opposed to mono-functional land uses; residential areas close to work opportunities as opposed to dormitory settlement; and promotion of public transport over car use”.

In this regard specific interventions proposed by the MSDF are the following:

1. Cluster community facilities together with commercial, transport, informal sector, and other activities to maximize convenience, safety and social-economic potential.
2. Provide and maintain a system of accessible social facilities, integrated with public space and public and NMT routes.
3. All housing projects should consider the availability of social facilities and the daily retail needs of residents.
4. Protect critical scenic routes and landscapes.
5. Maintain a clear distinction between urban development and nature/agriculture areas at the entrance to settlements.

Social and recreational facilities are provided but are accessible for residents only. This emphasizes the importance of public access along the Plakenbrug River and link

to Papagaaiberg Nature Reserve in future and the reconfiguration of the proposed residential buildings along the river edge.

Commercial facilities are provided for on a separate property and will be accessible to the public. Some commercial facilities are also located in Bosman's crossing and will benefit from the new development.

4. The Principle of Spatial Resilience

The principle of SPATIAL RESILIENCE requires flexibility in land use management systems and policies to ensure sustainable livelihoods for communities most likely affected by economic and environmental shocks. The socio-economic impact assessment concludes that the proposal will benefit local previously disadvantaged communities in a number of ways, namely significant job creation, access to middle-income residential accommodation for local families, access to a greater variety of shops and markets for fresh produce, increased access to open and recreational spaces, opportunities for local businesses and small entrepreneurial enterprises, economic benefit to support businesses and a modernised clinic.

Reference from MSDF

1. Comprise contained, walkable settlements surrounded by nature and agriculture, linked via different transport modes, with the rail line as backbone.
2. No significant growth unless parallel public transport can be provided.
3. Retain the strong sense of transition between agriculture and human settlements at the entrance to the town.
4. Develop the ATC as a mixed-use, high density urban district with strong internal and external public and NMT connections.
5. As far as possible, protect cultural landscape assets – including undeveloped ridgelines, view corridors, scenic routes, and vistas from development.
6. In all settlements transport for NMT should be expanded.

The principle of Spatial Resilience was discussed extensively in the previous paragraphs. It refers mostly to flexibility in land use planning and policies. In the absence of a proper ATC LSDF or precinct plan, care must be taken to ensure that the development of the ACT can in future align to the current development on the one hand, and on the proposed development must be able to align seamlessly with future development envisaged. The provision of alternative accesses, possible road links, appropriate NMT facilities and a public open space system accessible to the public are issues that refer to this principle.

5. The Principle of Good Governance

The principle of GOOD GOVERNANCE requires all spheres of government to ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems and requires transparent processes of public participation that afford all parties the opportunity to participate in them.

Reference from the MSDF

1. Significant partnerships between major institutions across sectors. A purely commercial approach to redevelopment of the land may not be in the best interest of the town.
2. Prepare a Local Spatial Development Framework for the ATC.

The development falls within the ATC for which a LSDF is currently being drafted. Aspects relating to the future link road, pedestrian bridge, Plakenbrug Bridge and NMT facilities are mutual issues that must be planned, funded, and implemented amongst the various landowners, developers, and government jointly. Any development located within this area must contribute to such infrastructure in future. This development can act as a catalyst to set the broader development in motion but cannot isolate itself from future planning interventions and possible negotiations and agreements.

CONCLUSION:

The proposed development of Erf 14601 is located within an area designated by the MSDF as a catalytic project with specific outcomes notably an integrated, inclusive environment for living, work, and enjoyment; a place which embodies our best knowledge in what constitutes good, equitable, and efficient settlement, and supports national, provincial, and municipal policy. To this extent it has a role to play in providing an opportunity for spatial transformation and the implementation of a pedestrian orientated, mixed-use area that will provide employment opportunities and accessible social facilities. In the absence of an approved LSDF or Precinct plan, the development proposal must be seen as to contribute to these goals in practical terms and must be able to merge seamlessly with future developments.

The department is of the view that the development does conform to some of the objectives such as the provision of a high-density development with some commercial activities attached but does not succeed to address in particular the issue of inclusive housing opportunities; does not provide tangible benefits to the stated vision of public transport and NMT and does not contribute notably in

creating strong linkages with the immediate surrounding area and specifically the town of Stellenbosch as well as the Plakenbrug River. As such the development does not live up to the promise of “offering residential and business opportunities within a transport-orientated, mixed-use, high density development favouring access by pedestrians and cyclists which will contribute to a compact, less sprawling town that promotes public transport and pedestrianization which will be according to the principles as set out in the MSDF.”

It is acknowledged that some of the issues are difficult to provide in absence of a clear precinct plan and furthermore, it is acknowledged that the proposal is to an extent in line with the future vision of the ACT. As such, this department is of the opinion that the application can be supported in principle and that the outstanding issue can be negotiated and addressed further. The luxury to have planning certainty does not exist at present and further development proposals will have the benefit of enhanced planning certainty.

RECOMMENDATION:

To assist the developer in achieving the goals of the ACT the department concurs with the recommendation of the Directorate: Development Management that the rezoning of the property to subdivisational area is supported and that the subsequent subdivision, departures, and consent use to allow a place of entertainment within a mixed-use zone be approved but that the Site Development Plan only be considered later once the issues identified in the report are addressed appropriately. In this regard the applicant must, through the Site Development Plan demonstrate the following:

1. How will the development contribute substantially to inclusivity of infill housing opportunity – referring to the extent to which the housing is provided for different income and demographic groups. It is questioned if the increased density will support and promote inclusionary housing and particularly the notion of integrating communities.
2. Proposals as to broaden the range of housing typologies, enabling access for a range of income groups.
3. How the development of the property as part of the ATC will provide and promote strong internal and external public and NMT connections with the surrounding area and the lower Dorp Street area.
4. How the development will provide adequate social facilities for the daily retail needs of residents.
5. The development proposal does not include design proposals to address the critical need for NMT and public transport. It is questioned if a road reserve of

13 meters will be sufficient to accommodate an extensive and well-planned dedicated NMT route which will form the backbone of the NMT route in the ATC. This aspect of the design needs greater attention and must be revised to ensure that public transport and NMT are addressed properly and pro-actively.

6. The importance of public access along the Plakenbrug River and link to Papagaaiberg Nature Reserve do not receive adequate attention in the development proposal and must be revised to ensure public access to these amenities, possibly by ways of servitudes and the reconfiguration of the proposed residential buildings along the river edge.
7. Vehicle access is of paramount importance must be clarified with regards to the timeline for the construction of the Plakenbrug Bridge and the contribution of the development to the pedestrian bridge linking Bosman's Crossing with lower Dorp Street.



BJG de la Bat

MANAGER : SPATIAL PLANNING

APPENDIX 9

Comments from Directorate: Infrastructure Services



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : **The Director: Planning and Development**

FOR ATTENTION : **Salome Newman**

FROM : **Manager: Development (Infrastructure Services)**

AUTHOR : **Tyrone King**

DATE : **19 August 2021**

RE. : **Erf 14601: Oude Molen redevelopment: 259 flats + 1 276m2 Business GLA**

YOUR REF : **LU/11728**

OUR REF : **2060 CIVIL LU**

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

- Motivation report by First Plan, dated August 2020 Rev 1;
- Proposed Site Development Plan No. SDP Overall drawing by Bogertman Partners Rev A dated 6 Aug 2021;
- Proposed subdivision plan Rev 2 dated 16/08/2021 by First Plan;
- Traffic Impact Assessment (TIA) by ICE Group, dated 10 Aug 2021;
- Clarification letter in by First Plan dated 10 August 2021 (in response to our Memo dated 30 Oct 2020);
- Traffic Engineering clarification letter by UDS, dated 28 July 2021 regarding road upgrades and SDP matters;
- Water and Sewer capacity analysis report by GLS, dated 17 March 2021;
- Report on Civil Engineering Services, by Engineering Advice & Services Western Cape, dated June 2020;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

Although there is not enough spare capacity to accommodate new developments in this catchment area, it is recognized that this erf does have existing buildings of 11 208m² GLA. This equates to a water demand of 44kl/day. Therefore, this rezoning application can be approved, but building plans in excess of a water demand of 44kl/day will only be approved if a contractor has been appointed for the construction of the Papegaaiberg reservoir and occupation certificates for any buildings in excess of this 44kl/day water demand will only be approved once the reservoir has been commissioned. At this stage, completion is expected to be in June 2024, but this may change should the municipal budget be re-prioritised. The Developer must plan the implementation of his development accordingly.

In order to manage the above, each building plan submission must be accompanied by a professional engineer's report confirming the cumulative water demand of the development that will be generated by that building plan.

- ii. There is sufficient capacity in the bulk water reticulation network in the vicinity of the development to accommodate the development. A suitable connection point will be identified during detail design drawing approval stage. The Developer will be responsible for any link water pipelines between the development and the municipal network.
- c. **Sewer Network:** There is sufficient capacity in the bulk sewer reticulation network to accommodate the proposed development:
 - i. The development will connect to the existing 500mm diameter Plankenbrug Outfall Sewer on the western boundary of the site. The exact position and detail of the connection must be determined during detail design drawing approval stage.
- d. **Roads Network:** The items as indicated in the TIA must be constructed:
 - i. As indicated on the subdivision plan: a public road reserve 13m wide must be subdivided from Erf 14601 and zoned as "public road", which will be a future link to George Blake road via the subject property. It is envisaged that the actual road must have a 7.4m blacktop with minimum 2.4m NMT facilities along both sides of the road (wider where additional space exists within the

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

road reserve). Details of the road are to be finalized at detail design stage before construction commences.

- ii. If not implemented timeously by the already approved Erf 15804 Development, then the following upgrades needs to be done: A dedicated left-turn lane along the western Adam Tas Road approach and the extension of the existing dedicated right turn lane along the eastern Adam Tas Road approach.

Estimated cost: R 1 200 000 ex VAT (as per Erf 15804 DC Services Agreement)

Funding: Can be offset from DC's

When: Must be completed before occupation certificate approval.

- iii. Adam Tas Road / Oude Libertas Street intersection: a continuous left-slip lane on the Oude Libertas Street approach;

Estimated cost: R 1 600 000 ex VAT

Funding: Can be offset from DCs – this road section forms part of future link road through the Plankenbrug industrial area.

When: Must be completed before occupation certificate approval.

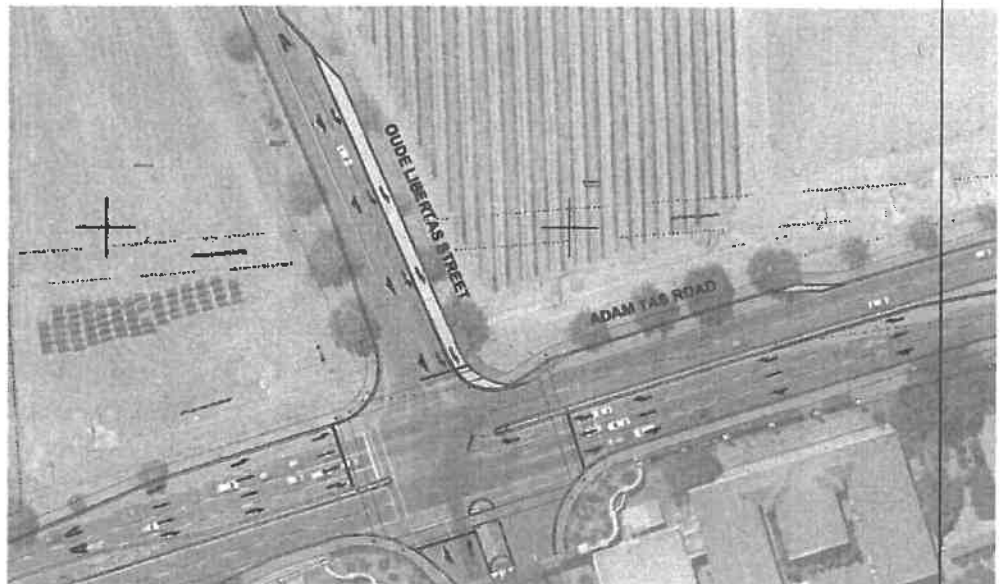


Diagram 3 : Schematic layout of proposed upgrade at Adam Tas Road/Oude Libertas Street inters

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

- iv. Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signal and road widening to define a left turn lane. Please note that a traffic circle is also considered as an alternative – the final alternative will be agreed at detail design stage.

Estimated cost: R 2 300 000 ex VAT

Funding: Can be offset from DCs – this road section forms part of future link road through the Plankenbrug industrial area.

When: Must be completed before occupation certificate approval.

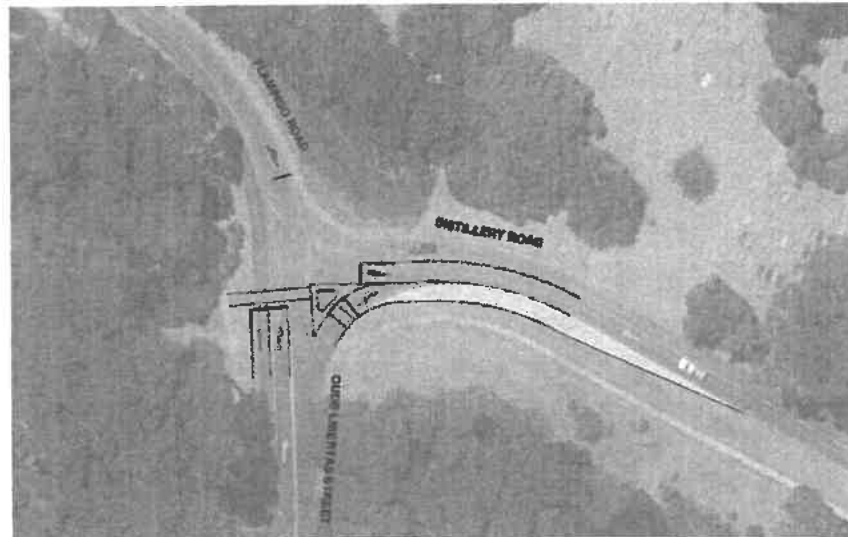


Diagram 2 : Schematic layout of proposed upgrade at Oude Libertas Street/Distillery Road/Flamingo Road intersection

- v. Bosmans Crossing Bridge Repair: The municipality is currently doing structural repairs to this bridge. No construction activities may commence before these repairs have been completed. Building plan approval will therefore not be issued prior to the Senior Manager: Roads, Transport, Stormwater & Traffic Engineering has given the go-ahead.

e. Stormwater Network:

- i. Overland escape routes must be provided in the final engineering design to ensure that there are no trapped low points on the site. If the system gets blocked, the stormwater must be led towards discharge points leading into the adjacent Plankenbrug River.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

- ii. 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 for approval;

f. Solid Waste:

- i. The Municipality will provide a solid waste removal service, unless agreed otherwise in writing the Solid Waste Department;
- ii. 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 Manager: Solid Waste (021 808 8241; clayton.hendricks@stellenbosch.gov.za), 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.

g. Funding source breakdown (all costs excl VAT):

Total DCs available for civil services (excl Community facilities)	R 7 469 562
Upgrades cost	
Adam Tas Road / Oude Libertas Street intersection: a continuous left-slip lane on the Oude Libertas Street approach	R 1 600 000
Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signal and road	R 2 300 000

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

widening o define a left turn lane.	
If not implemented timeously by the already approved Erf 15804 Development, then the following upgrades needs to be done: A dedicated left-turn lane along the western Adam Tas Road approach and the extension of the existing dedicated right turn lane along the eastern Adam Tas Road approach.	R 1 200 000
Total cost	R 5 100 000
Surplus	R 2 369 562
Comment	Based on the estimates, there are sufficient DCs to cover the costs of the upgrades to be done in lieu of DCs

5. that the upgrades mentioned above be met by the "Developer" before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be given or on discretion of the Directorate: Infrastructure Services, the "Developer" furnish the Council with a bank guarantee equal to the value of the outstanding construction work as certified by an independent engineering professional, prior to a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law being given;
6. **Bulk infrastructure projects not on municipal budget:** Bulk projects not on municipal budget: Any of the projects listed above, that are not currently on the Municipality's approved budget will be the Developer's responsibility to implement. Where upgrades may be offset against the Development Charges, and should the Development Charges be sufficient, the "Developer" may enter into a Services Agreement with the "Municipality" to do these upgrades in-lieu of Development Charges. Should the Development Charges not be sufficient, the Developer may decide to cover the shortfall. If the Developer is not in a position to cover the shortfall, then the implementation of the development must be re-planned around the availability of the bulk services in question. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates will not be supported by the Directorate: Engineering Services for this development if all bulk services are not available.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)**Development Charges**

7. 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;
8. 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;
9. 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;
10. 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;
11. that the Development Charges levy to the amount as reflected on the DC calculation sheet, 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.
12. that the Development Charges levy be paid by the "*Developer*" per phase –
 - prior to the approval of any building- and/or services plans;
13. 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 259 units, or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 1 276 m², or a change in land use on which the current DC calc is based, will result in the recalculation of the Development Charges;
14. 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;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

29. that the "*Developer*" will be held liable for any damage to municipal infrastructure within the road reserves (or elsewhere), 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;

Electricity

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

D. General conditions of approval: The following general development conditions are applicable. If there is a contradiction between the specific and general development conditions, the specific conditions will prevail:

31. that the "*Developer*" will enter into an Engineering Services Agreement with the "*Municipality*" in respect of the implementation of the infrastructure to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;
32. 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;
33. 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.
34. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

35. 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;
36. 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;
37. 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);
38. Should the "*Developer*" wish to discuss the possibility of proceeding with construction work parallel with the provision of the bulk services listed above, he must present a motivation and an implementation plan to the "*Engineer*" for his consideration and approval. The implementation plan should include items like programmes for the construction of the internal services and the building construction. Only if the programme clearly indicates that occupation is planned after completion of the bulk services, will approval be considered. If such proposal is approved, it must still be noted that no occupation certificate will be issued prior to the completion and commissioning of the bulk services. Therefore should the proposal for proceeding with the development's construction work parallel with the provision of the bulk services be agreed to, the onus is on the "*Developer*" to keep up to date with the status in respect of capacity at infrastructure listed above in order for the "*Developer*" to programme the construction of his/her development and make necessary adjustments if and when required. **The Developer is also responsible for stipulating this condition in any purchase contracts with buyers of the properties;**
39. 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;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

67. 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;
68. 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;
69. 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;
70. 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.
71. 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;
72. that no overland discharge of stormwater will be allowed into a public road for erven with catchment areas of more than 1500m² and for which it is agreed that no detention facilities are required. The "Developer" needs to connect to the nearest piped municipal stormwater system with a stormwater erf connection which may not exceed a diameter of 300mm.

Roads

73. 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;
74. that no access control will be allowed in public roads;
75. 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

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

approval, and that the approved plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services;

76. 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;

Wayleaves

77. that way-leaves / work permits be obtained from the Directorate: Infrastructure Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;
78. that wayleaves will only be issued after approval of relevant engineering design drawings;
79. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

Owner's Association (Home Owner's Association or Body Corporate)

80. that an Owner's Association be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
81. that the Owner's Association take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
82. that in addition to the responsibilities set out in **section 29** of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
83. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;
84. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)**Solid Waste**

85. The reduction, reuse and recycle approach should be considered to waste management:

- Households to reduce waste produced
- Re-use resources wherever possible
- Recycle appropriately

To give effect to the above, the following are some typical waste minimization measures that should be implemented by the Developer, to the satisfaction of the Stellenbosch Municipality:

- Procedures should be stipulated for the collection and sorting of recyclable materials;
- Provision should be made for centralized containers for recyclable materials including cardboard, glass, metal, and plastic and green waste;
- A service provider should be appointed to collect recyclable waste. Such service provider must be legally compliant in terms of all Environmental Legislation and/or approved by the Municipality's Solid Waste Management Department;
- Procedures for removal of waste (materials that cannot be reused or recycled) from the site should be stipulated;
- General visual monitoring should be undertaken to identify if these measures are being adhered to;
- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

Where an Owner's Association is to be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Constitution of the Owner's Association shall incorporate the above in the Constitution and:

- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
- A set of penalties for non-compliance should be stipulated in the Constitution

86. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

87. that the "*Developer*" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person: Senior Manager: Solid Waste (021 808 8241; clayton.hendricks@stellenbosch.gov.za)
88. that should it not be an option for the "*Municipality*" to enter into an agreement with the "*Developer*" due to capacity constraints, the "*Developer*" will have to enter into a service agreement with a service provider approved by the "*Municipality*" prior to clearance certificate or occupation certificate (where clearance not applicable);
89. that if the "*Developer*" removes the waste by private service provider, provision must still be made for a refuse room should this function in future revert back to the "*Municipality*";
90. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;
91. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
92. Maximum depth of cul-de-sac shall be 20 meters or 3 erven, whichever is the lesser. Where this requirement is exceeded, it will be necessary to construct a turning circle with a minimum turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Infrastructure Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;
93. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
94. Road foundation shall be designed to carry a single axle load of 8.2 tons;
95. Refuse storage areas are to be provided for all premises other than single residential erven;
96. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

97. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
98. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 l Municipal wheelie bin;
99. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;
100. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;
101. All black 85 l refuse bins or black refuse bags is in the process of being replaced with 240 l black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

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

102. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;
103. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224
104. Building specifications for refuse storage area:

Floor

The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).

Walls and Roof

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

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 device. 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.

105. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;
106. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
107. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Infrastructure Services, to ensure their compatibility with the servicing equipment and lifting attachments;
108. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
109. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

110. All refuse storage areas shall be approved by the Directorate: Infrastructure Services, to ensure that the Council is able to service all installations, irrespective of whether these are currently serviced by Council or other companies;

AS-BUILTs

111. The "*Developer*" shall provide the "*Municipality*" with:
- a. a complete set of as-built paper plans, signed by a professional registered engineer;
 - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the "*Engineer*" and is reflected herewith as Annexure X;
 - c. a completed Asset Verification Sheet in Excell format, reflecting the 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;
 - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "*Municipality*" are fully paid;
112. All relevant as-built detail, as reflected in the item above, of civil engineering services constructed for the development, must be submitted to the "*Engineer*" and approved by the "*Engineer*" before any application for Certificate of Clearance will be supported by the "*Engineer*";
113. The Consulting Civil Engineer of the "*Developer*" shall certify that the location and position of the installed services are in accordance with the plans submitted for each of the services detailed below;
114. All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

115. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law shall not be issued unless said services have been inspected by the "Engineer" and written clearance given, by the "Engineer";

Occupation Certificate in terms of Section 14 of the the National Building Regulations and Building Standards Act 103 of 1977

116. It is specifically agreed that the "Developer" undertakes to comply with all conditions of approval as laid down by the "Municipality" before occupation certificates shall be issued, unless otherwise agreed herein;
117. that the "Municipality" reserves the right to withhold any occupation 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 occupation certificate until such time as the amount owing has been paid;
118. 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 an occupation certificate in terms of the National Building Regulations. 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;

Avoidance of waste, nuisance and risk

119. 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

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

"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.



TYRONE KING Pr Tech Eng

MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\2060 (TK) Erf 14601 Stellenbosch (LU-11726) (Oude Molen), C:\2060 (TK) Erf 14601 Stellenbosch (LU-11726) (Oude Molen).doc

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)

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.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

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

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	20650 Cvil LU; LU-11728
Date	Tuesday, 10/Aug/2021
Financial Year	2021/22
Erf Location	Stellenbosch Town
Erf No	14601 (Oude Molon development)
Erf Size (m ²)	
Suburb	
Applicant	
Approved Building Plan No.	Ex buildings GLA: Existing GLA drawing by Bogertman Partners Rev A dated 05/08/2021 (See First Plan letter 10 Aug 2021); GLA 95 per SDP Overall drawing by Bogertman Partners Rev A dated 5 Aug 2021 (See First Plan letter 10 Aug 2021)

SUMMARY OF DC CALCULATION

	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
Units	k/day	k/day	ha°C	Uweek	trips/day	person	
Total Increased Services Usage	76.822	68.838	0.493	6.387	802.93	602.9	
Total Development Charges before Deductions	R 2 085 240.77	R 1 792 088.06	R 50 378.74	R 339 317.45	R 3 375 436.38	R 3 327 227.30	R 10 959 688.69
Total Deductions							
Total Payable (excluding VAT)	R 2 085 240.77	R 1 792 088.06	R 50 378.74	R 339 317.45	R 3 375 436.38	R 3 327 227.30	R 10 959 688.69
VAT	R 312 786.42	R 268 813.21	R 7 556.96	R 50 897.62	R 496 316.31	R 488 084.09	R 1 645 453.30
Total Payable (including VAT)	R 2 398 026.88	R 2 060 901.26	R 57 936.71	R 390 216.06	R 3 881 750.69	R 3 825 311.39	R 12 615 141.99

APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage		Development Charge Invoiced (excl VAT)				Total
		area (m ²)	du/ha m ² GLA m ²	du/ha m ² GLA m ²	area (m ²)	du/ha m ² GLA m ²	du/ha m ² GLA m ²	Water	Sewer	Storm-water	Roads	
Infrastructure Type applicable? (yes/no)												
du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²
Single Residential >100m ²	du	0	0	0	0	0	R	R	R	R	R	R
Single Residential >500m ²	du	0	0	0	0	0	R	R	R	R	R	R
Single Residential <250m ²	du	0	0	0	0	0	R	R	R	R	R	R
Single Residential <250m ²	du	0	0	0	0	0	R	R	R	R	R	R
Less Formal Residential >250m ²	du	0	0	0	0	0	R	R	R	R	R	R
Less Formal Residential <250m ²	du	0	0	0	0	0	R	R	R	R	R	R
Group Residential >250m ²	du	0	0	0	0	0	R	R	R	R	R	R
Group Residential <250m ²	du	0	0	0	0	0	R	R	R	R	R	R
Medium Density Residential >250m ²	du	0	0	0	0	0	R	R	R	R	R	R
Medium Density Residential <250m ²	du	0	0	0	0	0	R	R	R	R	R	R
High Density Residential - flats	du	0	0	0	0	0	R	R	R	R	R	R
High Density Residential - student rooms	du	0	0	0	0	0	R	R	R	R	R	R
Local Businesses - office	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
Local Businesses - retail	m ² GLA	1 276	0%	1 276	0%	1 276	R	10 434.11	R	27 114.80	R	834 598.25
General Business - office	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
General Business - retail	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
General Business - retail	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
Community	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
Education	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
Light Industrial	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
General Industrial - light	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
Warehousing	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
General Industrial - heavy	m ² GLA	11 208	0%	11 208	0%	11 208	R	-1 021 238.71	R	-1 021 238.71	R	-2 117 803.96
Neous Industrial - heavy	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
Resort	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
Public Open Space	m ²	0	0%	0	0%	0	R	R	R	R	R	R
Private Open Space	m ²	0	0%	0	0%	0	R	R	R	R	R	R
Natural Environment	m ²	0	0%	0	0%	0	R	R	R	R	R	R
Natural Environment	m ²	0	0%	0	0%	0	R	R	R	R	R	R
Utility Services	m ² GLA	0	0%	0	0%	0	R	R	R	R	R	R
Public Roads and Parking	m ²	0	0%	0	0%	0	R	R	R	R	R	R
Transport Facility	m ²	0	0%	0	0%	0	R	R	R	R	R	R
Unlimited Use	m ²	0	0%	0	0%	0	R	R	R	R	R	R
To be calculated based on equivalent demands												
		0										
		0										

du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²	du/ha m ² GLA m ²
R2 085 240.77	R1 792 088.05	R1 792 088.05	R1 792 088.05	R1 792 088.05	R1 792 088.05	R1 792 088.05	R1 792 088.05	R1 792 088.05	R1 792 088.05	R1 792 088.05	R1 792 088.05	R1 792 088.05
R312 786.12	R268 833.24	R268 833.24	R268 833.24	R268 833.24	R268 833.24	R268 833.24	R268 833.24	R268 833.24	R268 833.24	R268 833.24	R268 833.24	R268 833.24
R2 398 026.89	R2 050 907.26	R2 050 907.26	R2 050 907.26	R2 050 907.26	R2 050 907.26	R2 050 907.26	R2 050 907.26	R2 050 907.26	R2 050 907.26	R2 050 907.26	R2 050 907.26	R2 050 907.26
R399 317.45	R399 317.45	R399 317.45	R399 317.45	R399 317.45	R399 317.45	R399 317.45	R399 317.45	R399 317.45	R399 317.45	R399 317.45	R399 317.45	R399 317.45
R50 897.62	R50 897.62	R50 897.62	R50 897.62	R50 897.62	R50 897.62	R50 897.62	R50 897.62	R50 897.62	R50 897.62	R50 897.62	R50 897.62	R50 897.62
R390 215.06	R390 215.06	R390 215.06	R390 215.06	R390 215.06	R390 215.06	R390 215.06	R390 215.06	R390 215.06	R390 215.06	R390 215.06	R390 215.06	R390 215.06
R375 435.38	R375 435.38	R375 435.38	R375 435.38	R375 435.38	R375 435.38	R375 435.38	R375 435.38	R375 435.38	R375 435.38	R375 435.38	R375 435.38	R375 435.38
R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30	R3 327 227.30
R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69	R10 969 688.69
R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30	R1 643 453.30
R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59	R2 515 141.59

* Completely yellowed items only.
 ** du = existing unit, GLA=directly potable area.
 Total Development Charges before Deductions
 % Deductions per service (%)
 % Deductions per service (amount)
 Additional Deductions per service - from Services Agreement (sum)
 Sub Total after Deductions (including VAT)
 Total

ELECTRICITY SERVICES: CONDITIONS OF APPROVAL
Erf 14601

GENERAL COMMENT:

1. Development Bulk Levy Contributions are payable

CONDITIONS

2. The electrical consulting engineer responsible for the development shall schedule an appointment with Manager Electricity Services (Engineering Services) before commencing with the construction of the development. As well as to discuss new power requirements if required.

3. The development's specifications must be submitted to Stellenbosch Municipality (Engineering Services) for approval. i.e.

- a) The design of the electrical distribution system
- b) The location of substations(s) and related equipment.

4. A separate distribution board/s shall be provided for municipal switchgear and metering. (Shall be accessible & lockable). Pre-paid metering systems shall be installed in domestic dwellings.

5. 24-hour access to the location of the substation, metering panel and main distribution board is required by Technical Services. (On street boundary)

6. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity, should damage occur, the applicant will be liable for the cost involved for repairing damages.

7. On completion of the development, Stellenbosch Municipality (Technical Services) together with the electrical consulting engineer and electrical contractor will conduct a take-over inspection.

8. No electricity supply will be switched on (energised) if the Development contributions, take-over Inspection and Certificate(s) of Compliance are outstanding.

9. All new developments and upgrades of supplies to existing projects are subject to **SANS 10400-XA** energy savings and efficiency implementations such as:

- Solar water Heating or Heat Pumps in Dwellings
- Energy efficient lighting systems
- Roof insulation with right R-value calculations .
 - In large building developments;
 - Control Air condition equipment tied to alternative efficiency systems
 - Preheat at least 50% of hotwater with alternative energy saving sources
 - All hot water pipes to be clad with insulation with R-value of 1
 - Provide a professional engineer's certificate to proof that energy saving measures is not feasible.

Bradley Williams

Date.....25/09/2020.....

Signature 

APPENDIX 10

Department of Community Services (Environmental Planner)

**INTEROFFICE
MEMORANDUM**



STELLENBOSCH
STELLENBOSCH • FNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

DEPARTMENT: COMMUNITY SERVICES

Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

To:	Administrative Officer: Land Use Management Salome Newman	From:	Senior Environmental Planner: Schalk van der Merwe
CC:	Manager: Community Services Albert van der Merwe	Date:	08 October 2020
Re:	APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE AND DEPARTURES, ERF 14601, STELLENBOSCH (LU/11728)		

The above application refers. From an environmental planning point of view this department has no objection to the approval of the application on condition that:

1. All the activities on site, during construction and thereafter, comply with the Western Cape Noise Control Regulations.
2. Suitable indigenous vegetation be used for the implementation of the landscaping plan.

The following for consideration:

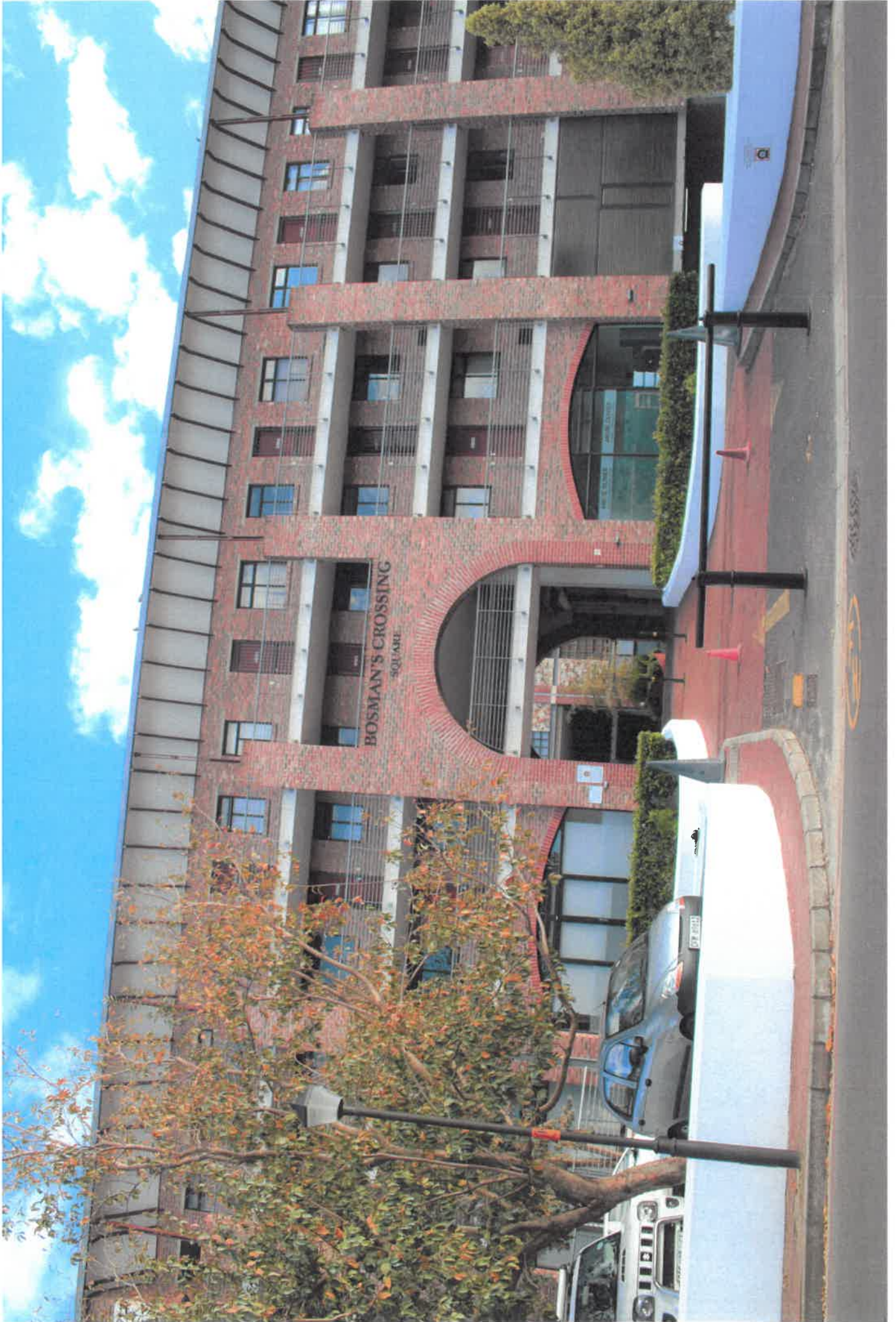
A number of alien and alien invasive tree species are found on the eastern and western bank of the relevant section of the Plankenbrug River, some of which presents a potential risk to life and property (due to their position, size and height) should they fall naturally or be felled. Should the application be approved it may be advisable for the developer to contact the Department: Community Services, Stellenbosch Municipality, and use the opportunity, whilst the site is being prepared for construction and access to the river is improved, to identify trees and biomass to be removed and implement such maintenance work prior to the implementation of the proposed development.

**S VD MERWE
SENIOR ENVIRONMENTAL PLANNER:
COMMUNITY SERVICES**

APPENDIX 11

Site and area photo's





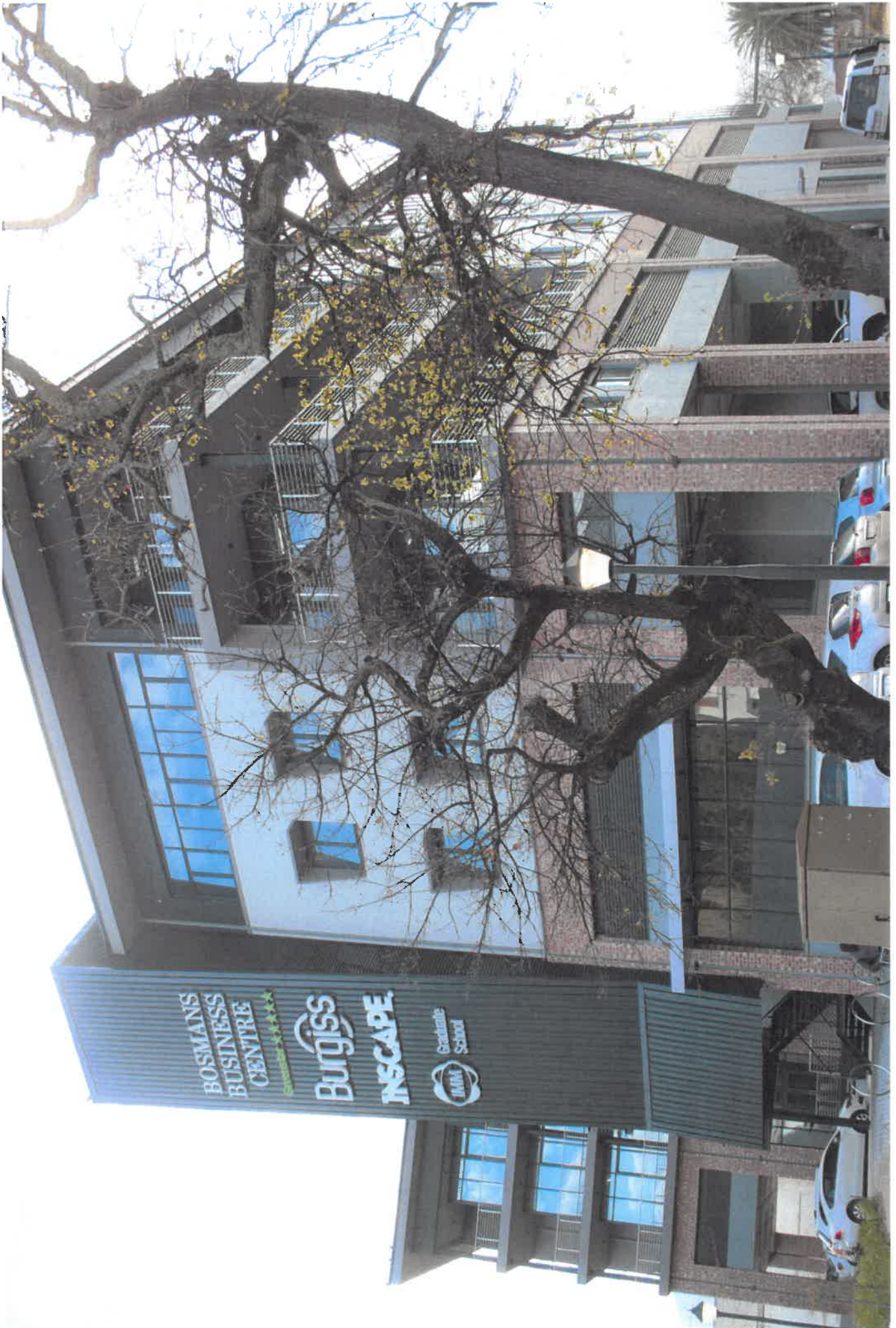




























STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

THE STELLENBOSCH MUNICIPALITY

PLANNING REPORT: LAND USE AND LAND DEVELOPMENT APPLICATION:

REZONING, SUBDIVISION, DEPARTURE, SITE DEVELOPMENT PLAN, ADOPTION OF THE DEVELOPMENT'S NAME AND STREET NAMING AND NUMBERING: UNREGISTERED FARM NO. 510/844, STELLENBOSCH DIVISION (JAMESTOWN)

Application Reference number	JT510/844 (LU/11701)	Application Date	2020/08/03
-------------------------------------	----------------------	-------------------------	------------

DATE OF POE SUBMISSION	LAST DATE FOR COMMENTS, IF NO COMMENTS	LAST DAY FOR REPLY TO COMMENTS	LAST DAY FOR ADDITIONAL INFORMATION	120 DAYS/TARGET DATE FOR DECISION BY MPT
22 January 2021 (incomplete)	01 February 2021	N/A	26 August 2021 (received engineering comments)	26 November 2021

PART A: APPLICANT DETAILS

First name(s) & Surname	Clifford Heys		
Company name	TV3 Projects (PTY) LTD		
SACPLAN registration number	A/1158/2000		
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. 510/844	Town/ City	Stellenbosch Division (Jamestown)
Physical address	Fresno Street (see ANNEXURE A for locality plan)		

Extent (m² /ha)	±7 827m ²	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 (and in accordance with the land use framework plan as depicted in plan with reference "Proposed Subdivision Plan Nr 4", dated 13 July 2020, and drawn by TV3 Architects and Town Planners): <ol style="list-style-type: none"> (a) 48 x Multi-Unit Residential Zone erven and ±5 194m² in extent, for group housing purposes; (b) 1 x Private Open Space (portion 49), and ± 2 608m² in extent, for private road and private open space purposes, (c) 1 x Utility Zone erf (portion 48) and ±25m² in extent, for purposes of an electric substation, 2. The Subdivision of the subject property in terms of Section 15(2)(d) of the said by-law into 50 erven and in accordance with the Subdivisional Plan Nr 4, dated 13 July 2020, and drawn by TV3
------------------------	---

	<p>Architects and Town Planners, to allow for the residential development in accordance with the subdivisional zone above;</p> <p>3. Departure in terms of Section 15(2)(b) of the said by-law for:</p> <p>a) The relaxation of the development's external building lines from 3,0m to 1,3m and 1,5m;</p> <p>b) To increase the townhouse erven's permissible coverage from 50% to 67%;</p> <p>c) To exceed the maximum density of 50 dwelling units per hectare to 61 dwelling units per hectare.</p> <p><u>OTHER APPLICATIONS:</u></p> <p>1. Adoption of the development's name: "The James II".</p> <p>2. Application in terms of Section 98 of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the naming of the development's internal street name: Ash Street and numbering as per the proposed subdivision plan.</p> <p>3. Approval of the Site Development Plan as indicated on Drawing Nr. 3637/A/100, dated 29 June 2020, drawn by TV3 Architects and Town Planners.</p> <p>See ANNEXURE C for Subdivisional Plan.</p>
Purpose of Application	To obtain approval for The James (Phase II) residential development which consist of 48 group housing units.
Pre-consultation	Meetings was held with other internal departments.

PART D: APPLICATION BACKGROUND

Jamestown is a 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 on the southern bank of Blaauwklippen River – on the north side of the road and residential erven on the south side of the road.

The subject property is located on the corner of School Road and Fresno Street in Jamestown, directly behind the Stellenbosch Square Shopping Centre, Stellenbosch Business Park and Blaauwklippen Office Park. 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 municipal cemetery and Council's low-cost housing project, is located directly south of the subject property.

The developments of La Clemence and Aan-de-Weber have already established the principle of high-density residential developments in Jamestown. An application for a similar development for the adjacent property (Farm No. 510/845) is currently in process.

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 ± 60 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 48 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 ±R3 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 ±R500 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 **29 October 2020** to **30 November 2020**. Three (3) objections and one (1) late objection were received (see **ANNEXURE F**).

Methods of advertising				Date published	Closing date for Objections/comments
Press (Eikestad News)	Y	N	N/A	29 October 2020	30 November 2020
Notices	Y	N	N/A	29 October 2020	30 November 2020
Ward councillor	Y	N	N/A	29 October 2020	30 November 2020
On-site display	Y	N	N/A	29 October 2020	30 November 2020
Community organisation(s)	Y	N	N/A	29 October 2020	30 November 2020
State departments	Y	N	N/A	29 October 2020	01 February 2021

2. Public & stakeholder inputs
a) HG Eggers (Ward 21 Committee Member)

- i) The development proposal may be good for the landowner but is not good for Stellenbosch. It is clear that the development proposal is aimed not furthering the aims and principles of the MSDF, of the housing strategy or of transport needs of Jamestown, but at profit maximisation of the land owner. For example, the term affordable housing is being used, even while it is obvious that the quoted prices of R2million are beyond the reach of the majority of income earners in the municipal area.
- ii) The TIS pays attention only to motor car traffic, parking and intersections. The requirements of the MSDF, NLTA, CIP are ignored in the unproven assertion that "*no additional public transport facilities are considered necessary as a result of the proposed development*". The

requirement of NMT is considered by the transport impact study to be "satisfied" simply by the provision of sidewalks, while provision of parking takes precedence.

- iii) Stellenbosch MSDF: The MPT should not take reactive decisions but proactive decisions. The MPT should not simply consider the application at face value, within its own selfish development goals and parameters, but instead start with the needs of Jamestown and the requirements of the spatial and transport legislation. We have a dire need not just for reactive planning decisions, but for proactive decisions and interventions which further the long-term goals of the MSDF, of the needs of the poor, of the principle of spatial justice. The agenda of town planning should be set not by ad hoc development but by the MSDF, IDP and transport legislation.
- iv) Proactive decisions and interventions must be in the present application be made especially with respect to transport needs and transport land use. Together with portion 845, Farm No. 510/844 is in a very special location: They form part of about 3ha of land in Jamestown which is close to the R44 and as such should play a pivotal future role in satisfying land needs of a Stellenbosch public transport infrastructure (taxis, NMT and Park-and-Ride etc). The MPT should encourage the Applicant to submit a revised proposal for a modal interchange development on portions 844 and 845 and, if the applicant is unwilling to do so, to reject the land use application to ensure that future land use for transport infrastructure is not precluded.
- iv) Decision making authority: The application must be submitted to the MPT for a decision.

b) 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) There is a concern about the traffic impact for the area as there are no concrete answers or information on mitigating the impact of additional traffic.

c) 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 subtler 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.

d) Jamestown Heritage Committee (late objection)

- 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) With the establishment of the high-density residential developments for higher income groups, it will definitely put more pressure on the infrastructure.
- iv) Higher valuations and associated higher tax.
- v) The applications on Farm No. 510/844 and Farm No. 510/845 had to be submitted as one application so that the community could see that a total of 92 houses were planned.
- vi) The proposed housing is not affordable for Jamestowners, in other words it will once again be sold to outsiders.
- vii) 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.

3. Government related inputs received

- a) **Heritage Western Cape** supported the proposal (see **ANNEXURE G** for letter dated 23 July 2020).
- b) The **Department of Environmental Affairs and Development Planning** supported the proposal (see **ANNEXURE H** for letter dated 16 November 2020). The proposal does not constitute any listed activities as:
 - The property is located within an urban edge;
 - It is smaller than 5ha;
 - No indigenous vegetation remains on the site; and
 - It is not zoned for conservation purposes.
- c) The **Department of Agriculture (Eisenburg)** supported the proposal (see **ANNEXURE I** for letter dated 08 October 2020).
- d) No response was received from the **Department of Transport and Public Works**.

4. Comments from internal service departments

- a) The **Manager: Community Services** supported the application, subject to the following conditions: (see **ANNEXURE J** for memo dated 20 October 2020).
 - i) *Activities on site, during construction and thereafter, must comply with the Western Cape Noise Control Regulations.*
 - ii) *During construction the owner, developer or any agent acting on his/her behalf, must take all reasonable steps to prevent nuisance caused by dust in accordance with the National Dust Control Regulations.*
- b) The **Manager: Health Services (Cape Winelands)** supported the proposal subject to certain conditions (see **ANNEXURE K** for memo dated 21 October 2020).

1. Environmental Pollution

1.1 No pollution such as water, air, dust or noise pollution may occur on any part of the premises during the construction phase of the "The James II". Proper preventative measures must be put in place beforehand.

2. Sewerage/Sanitary facilities

2.1 The sewerage system from the proposed development must be connected to the Municipal sewerage system according to Stellenbosch Municipality's specifications, conditions and approval.

3. General conditions

3.1 This Department reserves the right to set further requirements during the running of the business.

- c) The **Manager: Fire Services** indicated they will give comment when building plans for the separated erven are submitted.
- d) The **Manager: Spatial Services** supported the proposal and encourages the developer to have a look at inclusionary housing options (see **ANNEXURE L** for memo dated 19 November 2020).
- e) The **Director: Engineering Services** supported the proposal subject to certain conditions (see **ANNEXURE M** for memo dated 26 August 2021).
- f) The **Manager: Electrical Services** indicated that the subject property is located outside the Stellenbosch area of supply and all electrical requirements should be directed to ESKOM.

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

- a) The development proposal may be good for the landowner but is not good for Stellenbosch.
 - i) The proposed development is considered to be desirable (and good for Stellenbosch) because:
 1. It is located inside the Stellenbosch town urban edge;
 2. It is consistent with the MSDP;
 3. It will provide additional (and more affordable) housing opportunities;
 4. Heritage Western Cape has approved the development;

5. The application area is not a viable agricultural land unit and cannot be effectively farmed;
 6. Council has approved similar residential developments in Jamestown.
 7. The proposed development will lead to the sensible densification and integration of an urban neighbourhood;
 8. Engineering services are available;
 9. The traffic impact is acceptable; and
 10. The proposed development will benefit the broader community of Stellenbosch by creating new employment opportunities and by supporting local economic development.
- b) Stellenbosch MSDF: The MPT should not take reactive decisions but proactive decisions. The agenda of the MPT should be set by the MSDF and IDP.
- i) The proposed development complies with the recommendations of the MSDF which states "infill opportunities also exist in Stellenbosch town, specifically in Cloetesville, Idasvalley, Stellenbosch Central, along the edges of Jamestown" – i.e. according to the MSDF the subject property is deemed to be an infill development opportunity.
- c) Transport needs and proactive transport decision making: The application should be refused, and a public transport modal interchange should rather be developed on the application area (and the abutting Farm 510/845).
- i) The proposed infill development on the subject property is compliant with the purpose and recommendations of the MSDF, and to refuse the application will be considered incompatible with the recommendations of the MSDF.
 - ii) A public transport modal interchange, as suggested by the objector, should rather be located on public land.
- d) The scale and design of the proposed development is inappropriate to the context of the area. A subtler design will provide a better transition from the shopping mall to Jamestown.
- i) We disagree with the objector's vague comments on the architecture.
 - ii) 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.
 - iii) 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.

iv) 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.

e) 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 are weak then the development will become unsustainable.

ii) 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

f) The price 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 an expected price of ±R2 million for a single title townhouse unit.

ii) A vacant erf in the proposed development will cost ±R600 000. This is 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.

g) 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.

i) Heritage Western Cape has assessed the proposed development's impact on Jamestown's heritage and has approved the development proposal.

h) The development may affect the availability of engineering services for De Zalze.

i) A civil engineering impact assessment was undertaken by Bart Senekal Inc. They prepared a civil engineering services report that was submitted (as part of the application) to the municipal civil engineers for their comments and support. From a civil engineering point of view, the proposed development is supported.

- i) There is a concern about the traffic impact for the area as there are no concrete answers or information on mitigating the impact of additional traffic.
- i) A traffic impact assessment was undertaken by ICE Group. They prepared a traffic impact study report that was submitted (as part of the application) to the municipal traffic engineers for their comments and support. From a traffic engineering point of view, the proposed development is supported.

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.

2.2 Applicable MSDF and LSDF's

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.

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 O**, dated 13 July 2020). 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 and the construction of a 7MI Reservoir that is on the municipality's 2020 – 2023 budget. 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 and the following recommendation were made (see **ANNEXURE P**, dated 14 July 2020).

- i) *That is be considered investigating mitigation measures, e.g optimisation of traffic signal settings, provision of a dedicated left-turn lane along Webersvalley Road, and/or provision of third through lands along the R44 at the intersection, to improve traffic flow at the R44/Webersvalley Road intersection until such a time that the required ultimate upgrades are implemented, and that the DCs payable on this project, in addition to the already approved "Kreefgat"- and already submitted "The James"-developments, be contributed to the said improvements;*
- ii) *That the road authorities (WCG and Stellenbosch Municipality) consider providing a second access to Jamestown in view of the WCG's intention to close the existing School Street-intersection on the R44;*

- iii) That traffic calming measures be implemented on-site; and
- iv) That an embayment and sidewalk along School Street, as indicated on the Site Plan be provided.

2.6 The proposal

The proposed development will consist of forty-eight (48) residential dwelling units (group housing), one (1) private open space and one (1) utility services erf. No phasing is proposed. The proposed development – The James II – is the second development phase in of this multi-unit residential development in Fresno Street, Jamestown. Access to the subject property will be off Fresno Street (one entrance point to service all the erven within the development).

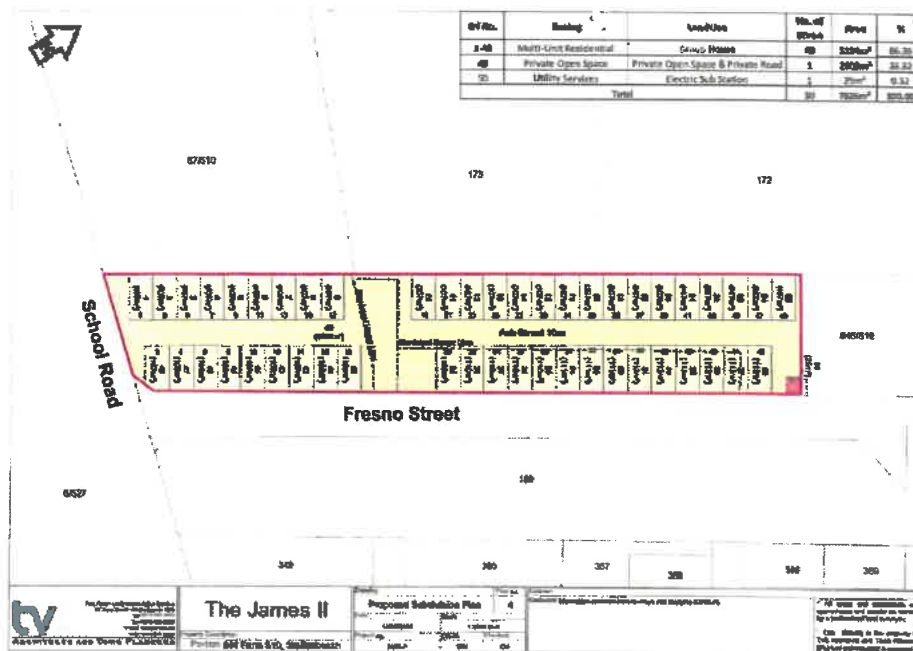


FIGURE 1: INITIAL SUBDIVISIONAL PLAN

The initial layout (fig. 1) was amended to accommodate the requirements of the engineering department that deals with the relocation of the water and sewer connections.

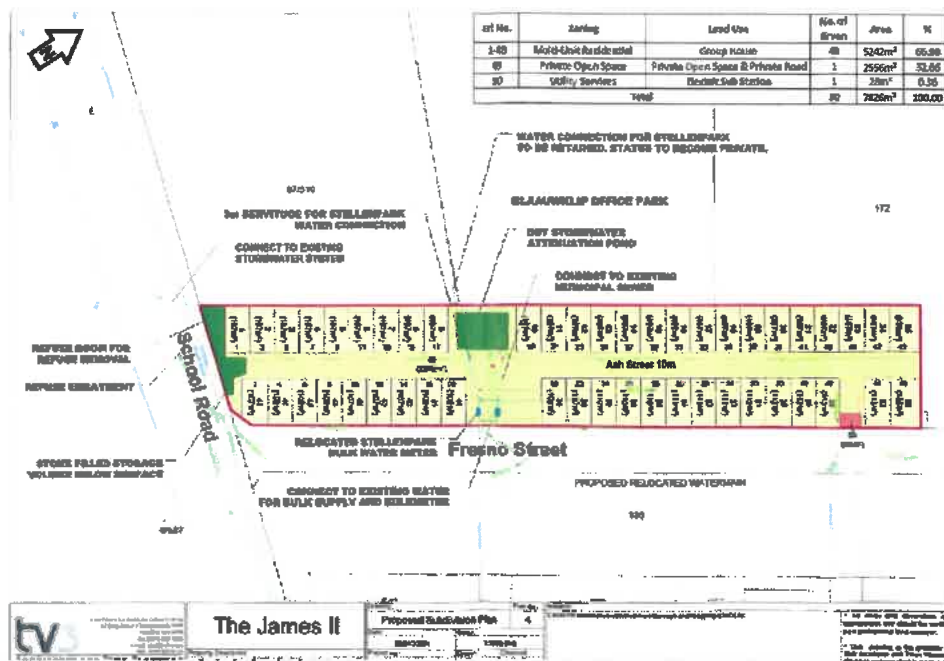


FIGURE 2: AMENDED SUBDIVISIONAL PLAN

The development rules are as follows:

Development Rules	Zoning Scheme	Proposal
Number of Units	N/A	48
Lot size(s)	N/A	±107m ² - 138m ²
Coverage	50%	±67% (deviates)
Height	2 storeys	2 storeys
Floor area	N/A	N/A
Building lines (external)	3.0m	1.3m and 1.5m (deviates)
Building line (internal)	0m	0m
Parking	96 parking bays (@2 bays per unit)	96 parking bays (@2 bays per unit)
Outdoor space	±1200m ²	±300m ² (deviates)
Density	50 dwelling units per hectare	61 dwelling units per hectare (deviates)

The property sizes range from ±107m² to ±138m² in extent. Each property will be developed with a double storey dwelling unit with outdoor space to the back of each property (the unit proposed on portion 48 will be a single storey dwelling unit).

The development will have a density of ± 61 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 25m² per dwelling unit ($\pm 1200\text{m}^2$ outdoor space in this instance). 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 2m x 5m. The zoning scheme further states that the Municipality may, at its discretion, relax this provision if motivation is submitted why sufficient public open space and recreational opportunities exists in close proximity or elsewhere in the vicinity. A landscaped garden area of $\pm 300\text{m}^2$ has been set aside for the development.

A homeowner's association will be established to manage the development.

2.6.1 Rezoning to Subdivision Area

The rezoning of the subject property to subdivisional area for the establishment of a residential development is desirable as the property is situated within the urban edge in the residential town of Jamestown and is deemed to be an infill development opportunity. The subject property is not a viable agricultural land unit and cannot be effectively farmed. The proposed development will act as a buffer and transition zone between the commercial land (Stellenbosch Square, Blaauwklippen Office Park and Stellenbosch Business Park) and the Jamestown residential land uses. A similar application was recently tabled at a MPT meeting for the adjacent property, Unregistered Farm No. 510/845, Stellenbosch Division.

2.6.2 Departures

Building lines and coverage:

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 will not have a negative impact on the surrounding property owners with regards to privacy and/or noise pollution, as the encroachment will face onto the business area to the east and onto School and Fresno Streets. The departures may however have an impact on the inhabitants of the development as 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.

Density:

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 is ± 61 du/ha.

Higher densities will result in the creation of smaller properties and structures are built close together (clustered). If the density is less, bigger erven can be created and more green areas can be implemented.

2.6.3 *Public Open Space:*

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.

It seems as if the "woonerf" principle has been introduced in this design where the street is shared between road users and pedestrians. By applying this principle, the open space, effectively becomes integrated and incorporated as part of the roadway, thereby reducing the needs for dedicated open spaces. No specific erf has been identified for open space purposes and forms part of the private road.

The under-provision of outdoor space will have a negative impact on the inhabitants of this development component even though an open space of ± 300 m² is proposed. The open space calculation is as follows:

Total open space required for development	48 units x 25m ² outdoor space = 1200m ²
Open space provided in development	±300m ²
Private open space for each dwelling	2m x 5m (x48) = 480m ²
Under-provision of open space	±420m²

The Municipality may, at its discretion, relax this provision if motivation is submitted why sufficient public open space and recreational opportunities exist in close proximity or elsewhere in the vicinity. The under-provision of open space was not motivated or applied for.

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 "Kreefgat" residential estate was also recently approved by Council and a similar development is proposed on the adjacent property, Unregistered Farm No. 510/845, Stellenbosch Division. 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 and Stellenpark Business Park).

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 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) 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.

d) 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. It is stated in the traffic impact statement that the proposed development will have the potential to generate 48 peak hour trips. No short term upgrades are suggested at the R44/Webersvalley 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 O**). The proposal was also supported by the Director: Engineering Services (see **Annexure N**).

e) Inclusionary housing:

The Spatial department encourages the developer to have a look at inclusionary housing options. 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.

f) Public transport:

The proposed refuse embayment along School Street could be utilize 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 Fresno Street, a side walk exists along the property boundary abutting Fresno Street, and along with the said embayment, sidewalks will be provided along the section of School Street to tie in with the sidewalk along Fresno Street. Pedestrians will thus be accommodated between the embayment and the access. No additional public transport facilities are considered necessary as result of the proposed development.

4 Assessment of comments on application

- 4.1 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.
- 4.2 The establishment of a **public transport nodes** is usually an initiative of the Municipality and municipal property is usually reserved for it. The application property is privately owned land and the owner is applying to utilize this land for a residential development. This type of development is in line with the principles of the MSDF.
- 4.3 A **public transport node** should rather be located on public land. It is proposed that the refuse embayment along School Street be utilized as a public transport embayment as refuse collection usually occurs during off peak times, about once a week.
- 4.4 Bart Senekal Consulting Civil & Structural Engineers confirmed that the required **basic civil engineering services** (see **ANNEXURE O**) 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.
- 4.5 A traffic impact assessment (see **ANNEXURE P**) 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. The proposal was also supported by the Engineering Department.
- 4.6 An amended Subdivisional Plan, indicating a density of 50 dwelling units per hectare as well as the required open space in terms of the zoning scheme, is required. This will address the **scale of the development**.
- 4.7 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.

- 4.8 The two developments (La Clemence and Aan-De-Weber) have already, to some extent, altered the **character of the existing environment**. The "Kreefgat Development" was also recently approved by Council. "The James II" is therefore not a first in the area and will therefore fit in with these developments. It is also important to note that this development, together with La Clemence and Aan-De-Weber, are located almost on the edges of Jamestown.
- 4.9 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**.

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 under-provision of outdoor space, together with the very small properties, will have a negative impact on the development and is also not supported.
8. 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. 510/844, Stellenbosch Division (Jamestown), namely:
 - 1.1 The **rezoning** in terms of section 15(2)(a) of the said bylaw from Agriculture and Rural Zone to Subdivisional Area to allow for the following uses:
 - a) Multi-Unit Residential Zone erven for group housing purposes; Utility zone for an electrical substation; Private Open Space Zone for private open space purposes and private road purposes; with a total extent of $\pm 7\ 827\text{m}^2$.
 - b) A density of maximum 50 dwelling units per hectare; with an open space requirement as per the Stellenbosch Municipality Zoning Scheme By-Law.

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 A **Subdivisional 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 A **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 and parking areas;
- 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.

2.4 The conditions imposed by the **Manager: Community Services** in their memo dated 20 October 2020, attached as **Annexure J**, be adhered to;

2.5 The conditions imposed by the **Cape Winelands District Municipality (Health Services)** in their letter dated 21 October 2020, attached as **Annexure K**, be adhered to;

2.6 A service agreement regarding the responsibilities for the provision of engineering services be entered into with the Municipality prior to the construction of any engineering services or infrastructure in terms of Section 66(3) and Section 82(4) of the said Bylaw, which service agreement must include and comply with the conditions as imposed by the **Directorate Infrastructure Services** in their memo dated 14 April 2021, and attached as **Annexure M**;

2.7 Development contributions are payable in accordance with the prevailing and applicable Council tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Directorate Infrastructure Services;

2.8 An agreement on the provision of Inclusionary Housing opportunities in pursuance of settlement restructuring to be concluded with the Municipality prior to the approval of any building plans.

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.
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. 510/844, Stellenbosch Division (Jamestown), namely:
- 4.1 The **departure** in terms of Section 15(2)(b) of the said by-law to exceed the **density** of 50 dwelling units per hectare to **61** dwelling units per hectare;
- 4.2 The **departure** in terms of Section 15(2)(b) of the said by-law for the relaxation of the development's external building lines from **3,0m** to **1,3m** and **1,5m**;
- 4.3 The **departure** in terms of Section 15(2)(b) of the said by-law to increase the permissible coverage from **50%** to **67%**; and

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

5. The reasons are as follows:

- a) The property sizes and departures for building lines and coverage will result in the "over-development" of the property which will have a negative impact on the character of the existing residential area.
- b) The density proposed for this development will not be compatible with the density of the surrounding residential area.
- c) The under-provision of outdoor space will have a negative impact on the inhabitants of this development.

6. Matters on the application TO BE NOTED:

- 6.1 That the approval on the name of the development and the naming and numbering 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" : COPY OF TITLE DEED
3. ANNEXURE "C" : SUBDIVISIONAL & SITE DEVELOPMENT 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 ENVIRONMENTAL
AFFAIRS AND DEVELOPMENT PLANNING
9. ANNEXURE "I" : COMMENT FROM THE DEPARTMENT OF AGRICULTURE
(ELSENBURG)
10. ANNEXURE "J" : COMMENT FROM THE MANAGER: COMMUNITY SERVICES
11. ANNEXURE "K" : COMMENT FROM THE MANAGER: HEALTH SERVICES (CAPE
WINELANDS)
12. ANNEXURE "L" : COMMENT FROM THE MANAGER: SPATIAL PLANNING
13. ANNEXURE "M" : COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES
14. ANNEXURE "N" : APPLICANT'S RESPONSE
15. ANNEXURE "O" : CIVIL ENGINEERING SERVICES REPORT, DATED 13 JULY
2020
16. ANNEXURE "P" : TRAFFIC IMPACT STATEMENT, DATED 14 JULY 2020
17. ANNEXURE "Q" : SITE INSPECTION PHOTOS

PART K: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT

**REZONING, SUBDIVISION, DEPARTURE, SITE DEVELOPMENT PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING AND NUMBERING: UNREGISTERED FARM
NO. 510/844, STELLENBOSCH DIVISION (JAMESTOWN)**

Author of Planning Assessment Report:**Recommended Categorisation of the Application for Authorised Decision Maker:**

Name: Louisa Guntz

Capacity: Senior Town Planner

Signature: 

Date: 27/10/2021

PART L: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT**REZONING, SUBDIVISION, DEPARTURE, SITE DEVELOPMENT PLAN, ADOPTION OF THE DEVELOPMENT'S NAME AND STREET NAMING AND NUMBERING: UNREGISTERED FARM NO. 510/844, 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; B(2)

Decision Making Authority: SMPT

Rational: The application is rezoning to subdivisional area.

Name:

Steen Coetzee

Capacity:

SMPT

SACPLAN Registration:

A/1551

Signature:

[Handwritten signature]

Date:

PART M: ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT

REZONING, SUBDIVISION, DEPARTURE, SITE DEVELOPMENT PLAN, ADOPTION OF THE DEVELOPMENT'S NAME AND STREET NAMING AND NUMBERING: UNREGISTERED FARM NO. 510/844, 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: 19 NOVEMBER 2001

Name: LENACIA KAMINETH

Capacity: SENIOR ADMINISTRATIVE OFFICER

Signature: Kamineth

Date: 29.10.2001

ANNEXURE A

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

LOCALITY PLAN



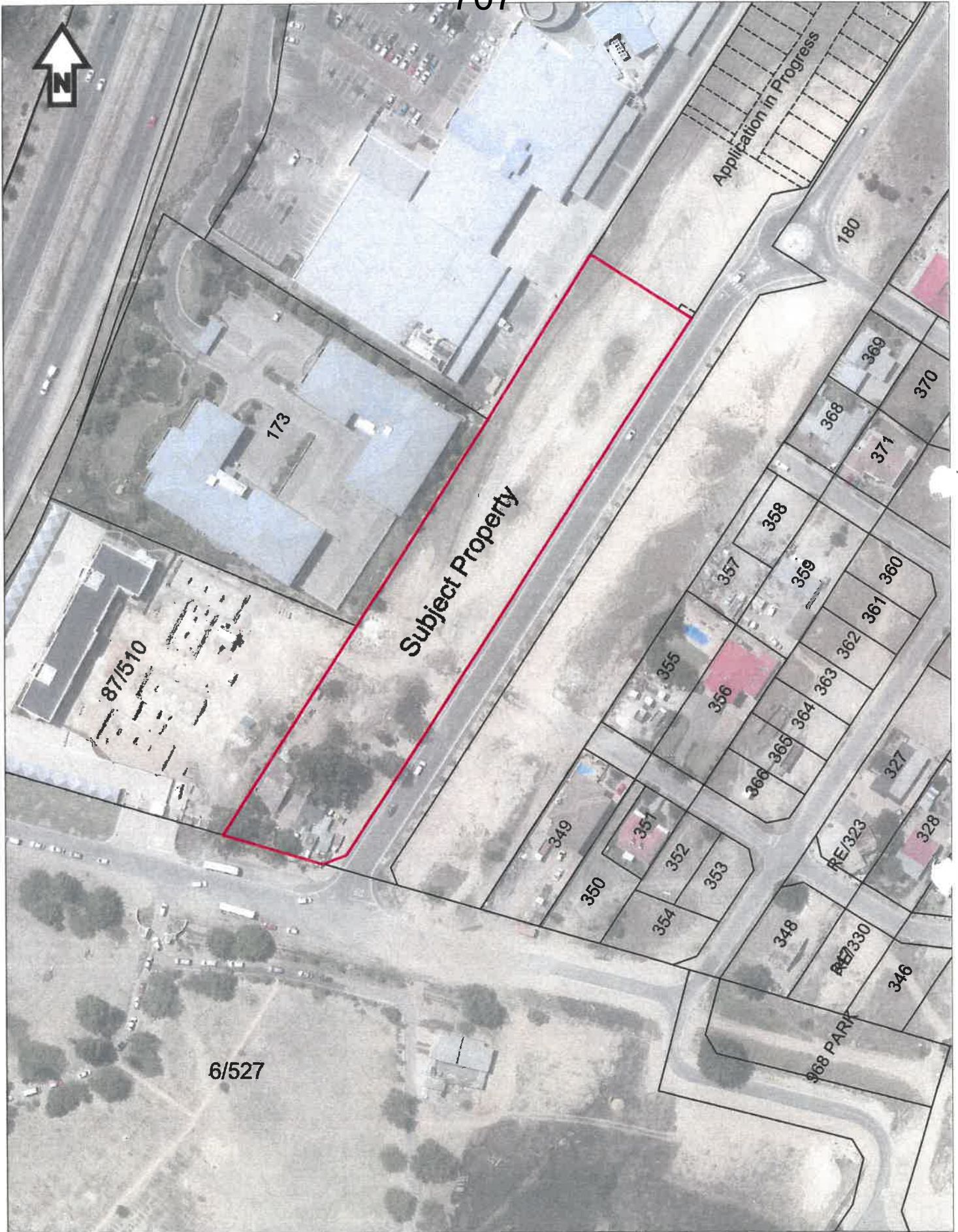
tv3
 ARCHITECTS AND TOWN PLANNERS

First Floor • La Gratitude Office Building
 87 Dorp Street • Bloeboesbosch 7600
 tel: (021) 861 2800
 fax: (021) 862 8025
 e-mail: stok@tv3.co.za
 web: www.tv3.co.za

The James II

Property Description:
 Portion 844 Farm 510, Stellenbosch

Drawing:		Plan no.:	
Local Locality		2	
Date:	Scale:		
13/07/2020	1:3 000(A4)		
Project no.:	Drawn:	Checked:	
3686-P	WH	GH	



Subject Property

Application in Progress



First Floor - La Gratitude Office Building
 57 Deep Street - Stellenbosch 7600
 tel: (021) 881 3800
 fax: (021) 892 6025
 e-mail: stel@tv3.co.za
 web: www.tv3.co.za

ARCHITECTS AND TOWN PLANNERS

The James II

Property Description:
Portion 844 Farm 510, Stellenbosch

Drawing:		Plan no.:	
Aerial Photo		3	
Date:	Scale:		
13/07/2020	1:1 500(A4)		
Project no.:	Drawn:	Checked:	
3686-P	WH	CH	

ANNEXURE B

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

COPY OF TITLE DEED



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 844 (PTN OF PTN 843) of the 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"/> N	NA	
Building lines	Y	<input checked="" type="radio"/> N	NA	Deed of Transfer No.
Height	Y	<input checked="" type="radio"/> N	NA	
Number of dwellings	Y	<input checked="" type="radio"/> N	NA	T 62575/1996 and
Bulk floor area	Y	<input checked="" type="radio"/> N	NA	
Coverage/built upon area	Y	<input checked="" type="radio"/> N	NA	T 34249/2015
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)*

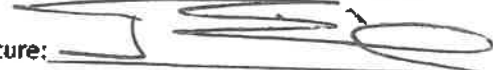
Organ(s) of state that might have an interest in the restrictive condition.	Y	<input checked="" type="radio"/> N	NA
A person whose rights or legitimate expectations will be affected by the removal/suspension/ amendment of a restriction condition.	Y	<input checked="" type="radio"/> N	NA
All persons mentioned 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 2019

Full names and Surname: Jaco Memie 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, 713,
 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 of Portion 71 (PTW OF PTW 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 ~~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
	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 34249/2015
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 15) <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.

Leon Frank and Partners
PO Box 208
Somerset Mall
7137

LEON FRANK & VENNOTE/PARTNER
 PO BOX 208, SOMERSET MALL, 713
 TEL: 021 851 0737


Tel:

E-mail:



CONVEYANCER'S CERTIFICATE

I/We **SACO 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 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
	Y	N	NA	
Use of land	Y	<input checked="" type="radio"/> N	NA	Deed of Transfer No. T 62575/1996
Building lines	Y	<input checked="" type="radio"/> N	NA	
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)

Application in terms of the Stellenbosch Municipal Planning By-Law (Section 15)	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 2019Full names and Surname: Jaco Minnie Signature: 

Firm Postal Address:

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

<u>Leon Frank + Partners</u>
<u>PO Box 208</u>
<u>Somerset Mall</u>
<u>7137</u>

LEON FRANK & VENNOTE/PARTNERS
PO BOX 208, SOMERSET MALL, 713
TEL: 021 851 0737


Tel: E-mail:

SEARCH INFORMATION

Summary

Search Type	DEEDS OFFICE PROPERTY FARM
Search Description	510 , STELLENBOSCH, P:9 (CAPE TOWN)
Reference	CARIN
Date	05/03/2020

FARM INFORMATION

Summary

Deeds Office	CAPE TOWN
Property Type	FARM
Farm Name	BLAAUW KLIP
Farm Number	510
Portion Number	9
Previous Description	PTN OF 4
Registration Division	STELLENBOSCH RD
Municipality	STELLENBOSCH MUN
Province	WESTERN CAPE
Diagram Deed	T741/1916
Size	2,2984H
LPI Code	C06700000000051000009

OWNER SUMMARY

Owner Name	ID / Reg. Number	Purchase Price	Purchase Date
FEBRUARY EDWIN DANIEL	5203145115015	ESTATE	UNKNOWN
FEBRUARY WESLEY EVEREST	5701085168019	ESTATE	UNKNOWN

OWNER INFORMATION

Owner 1 of 2

Owner Name	FEBRUARY EDWIN DANIEL
ID / Reg. Number	5203145115015
Owner Type	PERSON
Title Deed	T62575/1996
Purchase Date	UNKNOWN
Registration Date	15/08/1996
Purchase Price	ESTATE
Multiple Owners	NO
Multiple Properties	NO
Share	0.500000
Microfilm Reference No.	1996 0667 2499

OWNER INFORMATION

Owner 2 of 2

Owner Name	FEBRUARY WESLEY EVEREST
ID / Reg. Number	5701085168019
Owner Type	PERSON
Title Deed	T62575/1996
Purchase Date	UNKNOWN
Registration Date	15/08/1996
Purchase Price	ESTATE
Multiple Owners	NO
Multiple Properties	NO
Share	0.500000
Microfilm Reference No.	1996 0667 2499

ENDORSEMENT(S)

Document Number	Microfilm Reference Number	Institution	Value
I-6457/2008-I	2008 0665 3779	11933/2008-20080728	UNKNOWN
FARM ST 510/9	1985 0072 0368	-	UNKNOWN

HISTORY INFORMATION

Document Number	Microfilm Reference Number	Owner	Value
T62575/1996	1996 0667 2499	-	UNKNOWN
T1993/1946	1996 0667 2494	FEBRUARY EDWARD	UNKNOWN

INTERNAL ENQUIRY HISTORY

Company Name	Contact Person	Contact Number	E-mail Address	Enquiry Date
No information available.				

REPORT INFORMATION

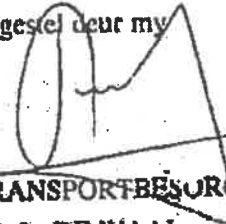
of Information	05/03/2020 10:24
Print Date	05-03-2020 10:24
Generated By	WAGENER HANEKOM
Reference	CARIN
Report Type	DEEDS OFFICE PROPERTY FARM



The data displayed above is provided by our data suppliers and is not altered by SearchWorks. Terms of Use are applicable to this information and can be found on <https://app.searchworks.co.za/>. SearchWorks is not liable for any damages caused by this information.

CLUVER MARKOTTER
117

Opgesiel deur my



TRANSPORTBESORGER
J A L DE WAAL

SLIPFEE	✓
D.S.Y.	
FOOD	75,00
FEE	

21/7	27/7

Transportakte

T 62575196

CLUVER EN MARKOTTER
PROKUREURS
STELLENBOSCH

HIERBY WORD B' KEND 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 Eksekutur in die oedel van vryle
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 voorgesegde 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~~ Ploas BLAAUW KLIP NO 510 in die Munisipaliteit en Afdeling STELLENBOSCH, Provinsie WES-KAAP

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

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
gelaasseer as onteienings caveat EX 1152/74 planne in tweevoud gelaasseer
EX 1152/1974.

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

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

- van alle gemeenskaplike boedels kragtens huwelike in
gemeenskap van goed, uitgesluit sal wees; en
- in alle onstandighede 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 boעדdoeleindes 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 Negehoenderd Ses en Negentig (1996)

q.q.

In my teenwoordigheid,


Registrateur van Aktes

Dedicated No. 173
(Sgd.) F.F. Elliott
for Surveyor-General
Jan. 27, 1916.

Sides	Angles
ab 141.98	a 73 45 10
bc 61.05	b 176 51 20
cd 61	c 94 51 20
de 61.44	d 95 4 20
ef 139.77	e 123 2 20
fa 7.96	f 106 25 30

Co-ordinates

X	Y
a + 472.19	+ 491.29
b + 495.22	+ 619.64
c + 525.03	+ 664.47
d + 535.69	+ 660.81
e + 501.60	+ 609.70
f + 430.22	+ 489.48

Area a to f: 2 Acr. 287 Sq. rds.
True Area fig. a.b.c.d. middle of Klaxaw Klip
Riv. d.e.f. 2 Morg. 371 Sq. rds.



The above Diagram a.b.c.d. middle of Riv. d.e.f. represents 2
Morgn 410 Square Rods of land, situate in the Field Survey of
MORRIS GAY, Division of STEINENBOSCH, being Lot No. 2 JAMESBORO,
part of Lot C, of the divided farm BLADW KLIP, transferred to
L.O.T. Schutte on the 31st, August, 1901.

Bounded N.E. by middle of Klaxaw Klip River
S.W. " Stellenbosch Municipal land
S.E. " Lot No. 3
N.W. " Lot No. 1

Surveyed and measured by me according to Regulations

(Sgd.) Charles Brown

Government Land Surveyor

May, 1913.

For End. See back of Dgm.

Portion of ...
(a portion of ...)
... 570

Transfer ... 7/11

10th, February, 1916.

Franz N. Neuman.

W. H. Schutte

POWER OF ATTORNEY

We, the undersigned : Edwin Daniel February & Wesley Everest February
 registered owners of : The unregistered Farm 510/844, 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

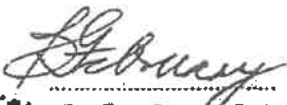
With power of substitution to be our agent in our name, place and stead and to apply for:

- 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)


 EDWIN DANIEL FEBRUARY

2 


 WESLEY EVEREST FEBRUARY

COMPANY RESOLUTION

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

duly authorise: **DONOVAN FRANCO COMERMA**

to sign any necessary documentation in order to appoint

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

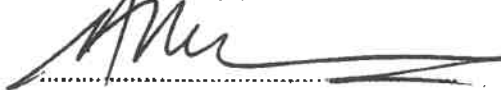
with power of Substitution to be our agent in our name in in order to respect of the following properties:

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

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

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

AS DIRECTOR(S):

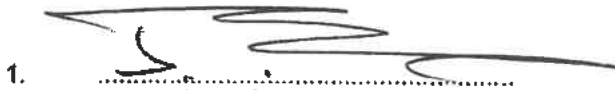




.....

.....

AS WITNESSES:

1. 

2. 

POWER OF ATTORNEY

I, DONOVAN FRANCO COMERMA

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

do hereby appoint

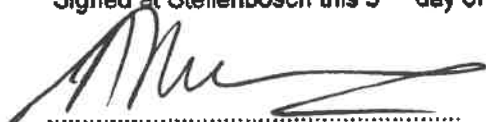

TV3 Architects and Town Planners (Pty) Ltd
97 Dorp Street
1st floor La Gratitude Offices
STELLENBOSCH
7599


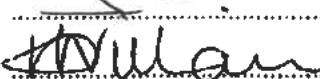
with power of Substitution to be our agent in our name in order to in respect of the following property:

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

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

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


.....

.....

AS WITNESSES:

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

ANNEXURE C

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

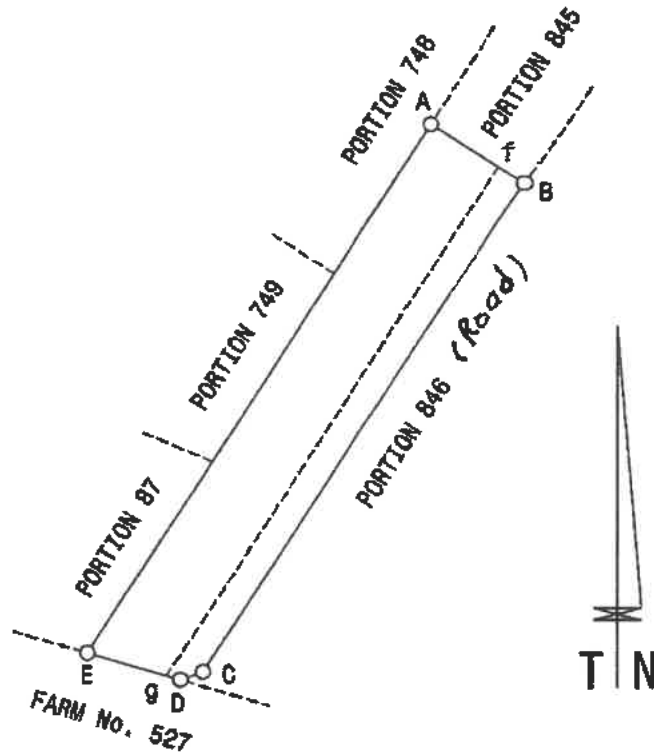
SUBDIVISIONAL PLAN

Friedlaender, Burger & Volkmann - Land Surveyors

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES System WG 19°		S.G. No. 2870/2014		
		Y	X			
Constants :		0,00	0,00	Approved. <i>D.L. Nel</i> for Surveyor - General Date : 2014-12-18		
A B	37,43	302 41 40	A		+14 570,90	+3 761 288,94
B C	202,46	33 00 20	B		+14 539,40	+3 761 309,16
C D	8,01	69 44 50	C		+14 649,68	+3 761 478,94
D E	32,80	106 27 20	D		+14 657,20	+3 761 481,72
E A	218,01	212 41 20	E		+14 688,65	+3 761 472,42
	404	PARADYS Δ		+10 183,10	+3 759 563,40	
	397	R Δ		+10 540,24	+3 758 527,71	

Beacon Descriptions

All beacons are 12mm iron pegs



SCALE 1 : 2500

The figure ABCDE represents 7827 square metres of land, being **PORTION 844 (PTN. OF PTN. 843) OF THE FARM BLAAUW KLIP No. 510**

Situate in the Stellenbosch Municipality
Administrative District of Stellenbosch
Surveyed in March 2012 and October 2014
by me

Province of Western Cape

PLS 0080 D P Burger Pr Land Surveyor

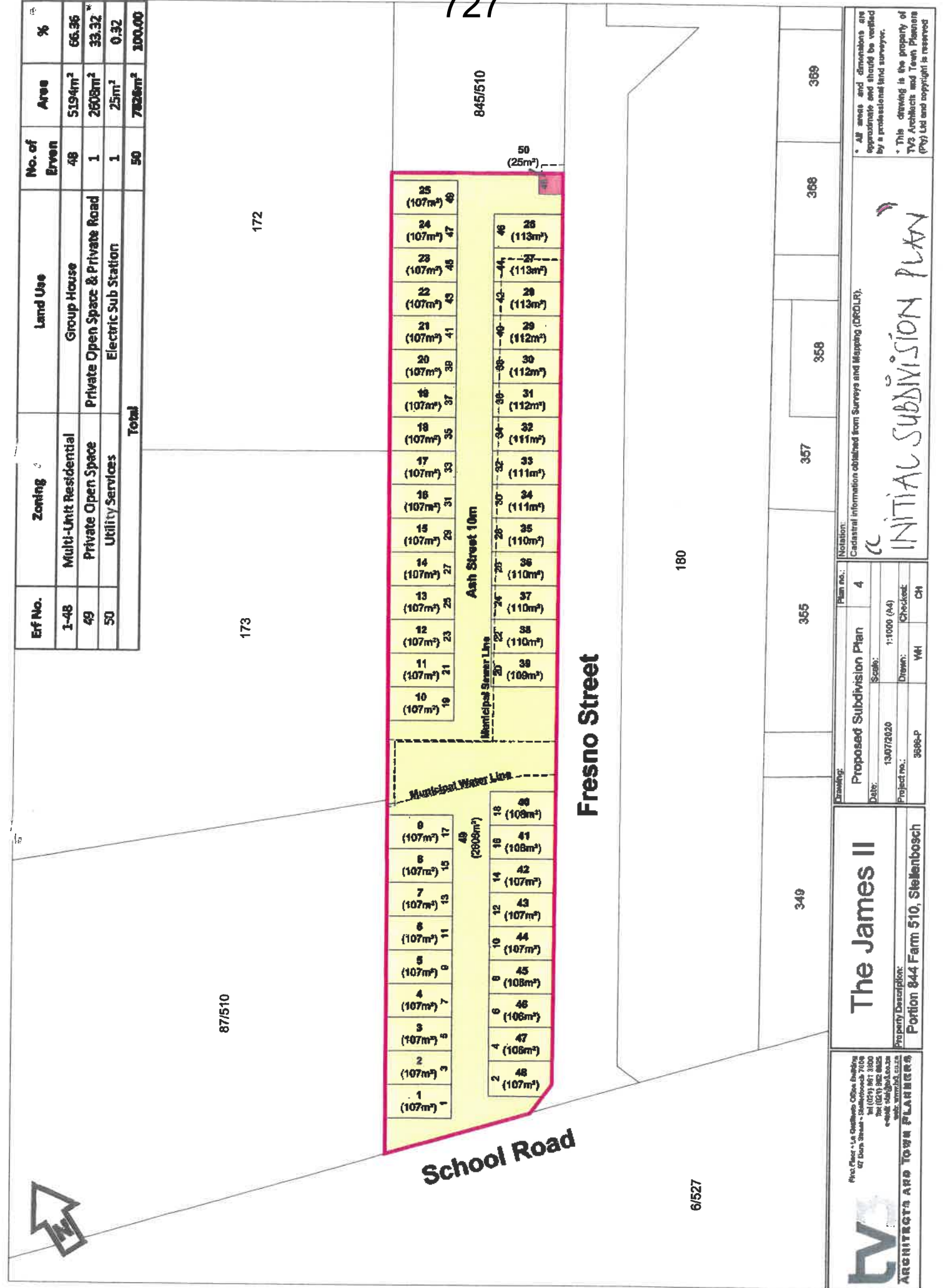
This diagram is annexed to No.	The original diagram is No. 2869/2014	File No. Stel 510 (V9)
Dated i.f.o.	Annexed to	S.R. No. 1437/2014
Registrar of Deeds		Comp. BH-8DCD (3785) BH-8DC/Y42 (1510)
		LPI C0670000

Farm 510/844 Stellenbosch

EXEMPT FROM PROVISIONS OF ACT 70 OF 1970 SECTION 1(a)

APPROVED IN TERMS OF SECT. 25 OF ORD. 15/1985
REF JT 510/61
DATE 2013-08-26

Erf No.	Zoning	Land Use	No. of Erven	Area	%
1-48	Multi-Unit Residential	Group House	48	5194m ²	66.96
49	Private Open Space	Private Open Space & Private Road	1	2608m ²	33.32
50	Utility Services	Electric Sub Station	1	25m ²	0.32
Total			50	7828m²	100.00



* 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.

Notation:
 Cadastral information obtained from Surveys and Mapping (DSD/LR):
 845/510

Drawing:	Proposed Subdivision Plan	Plan no.:	4
Date:	13/07/2020	Scale:	1:1000 (A4)
Project no.:	3588-P	Drawn:	YH
		Checked:	CH

The James II
 Property Description:
 Portion 944 Farm 510, Stellenbosch

Plot Clear - La Grappe Office Building
 47 Dune Street - Stellenbosch 7608
 Tel (021) 887 3000
 Fax (021) 887 3002
 www.tv3.co.za

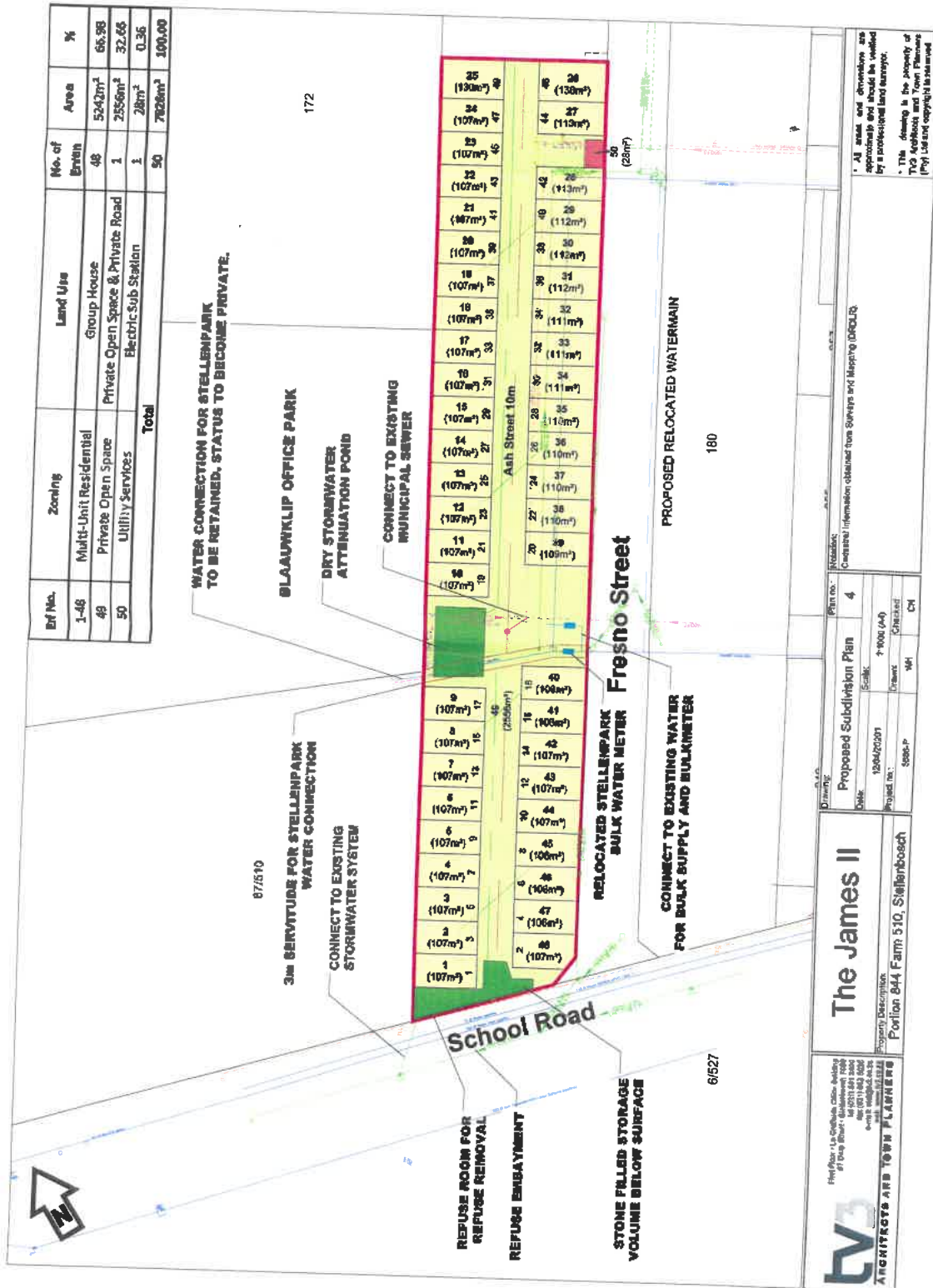
TV3
 ARCHITECTS AND TOWN PLANNERS

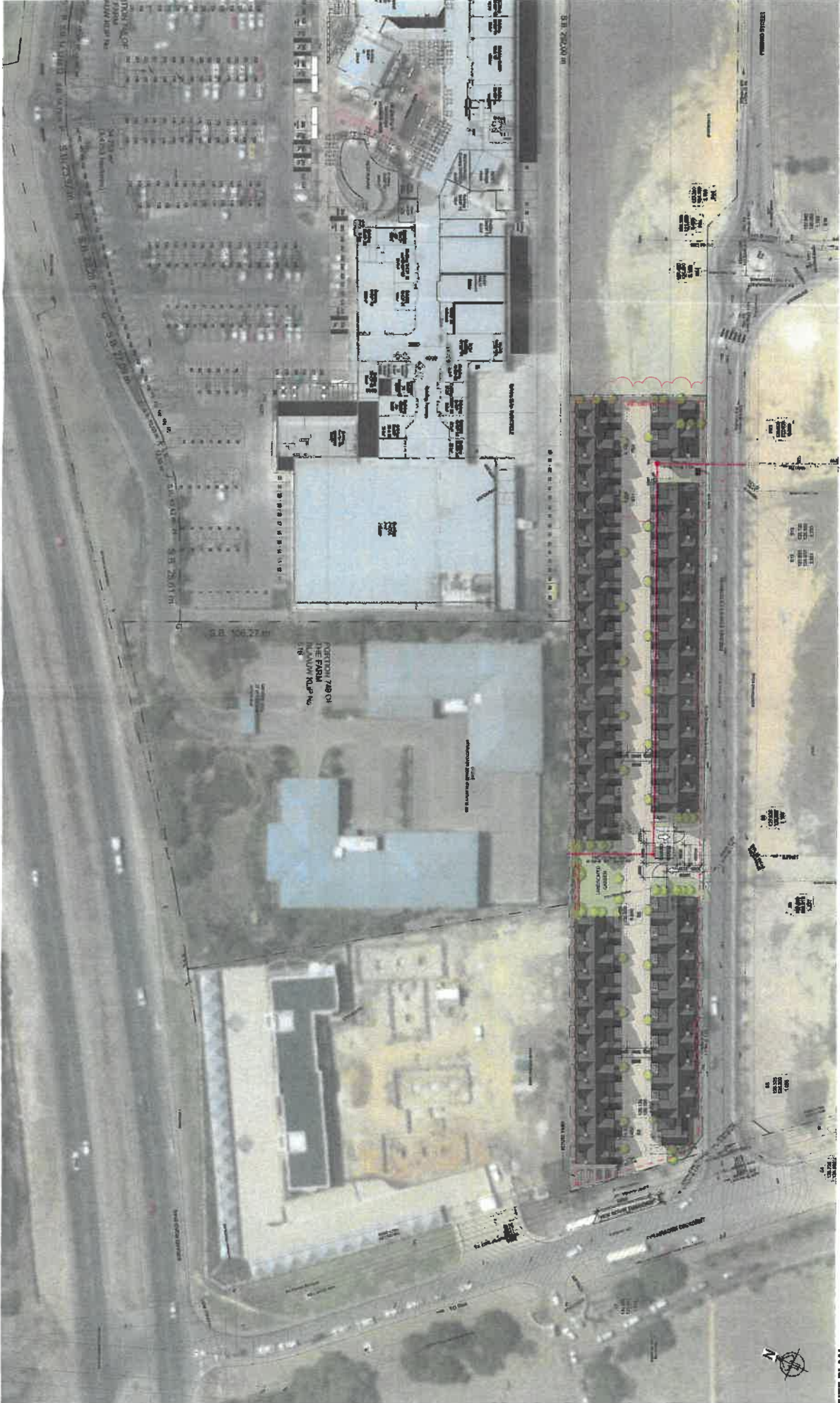
173	172	180	180
349	355	357	358
368	368	368	368

School Road

Fresno Street

6/527

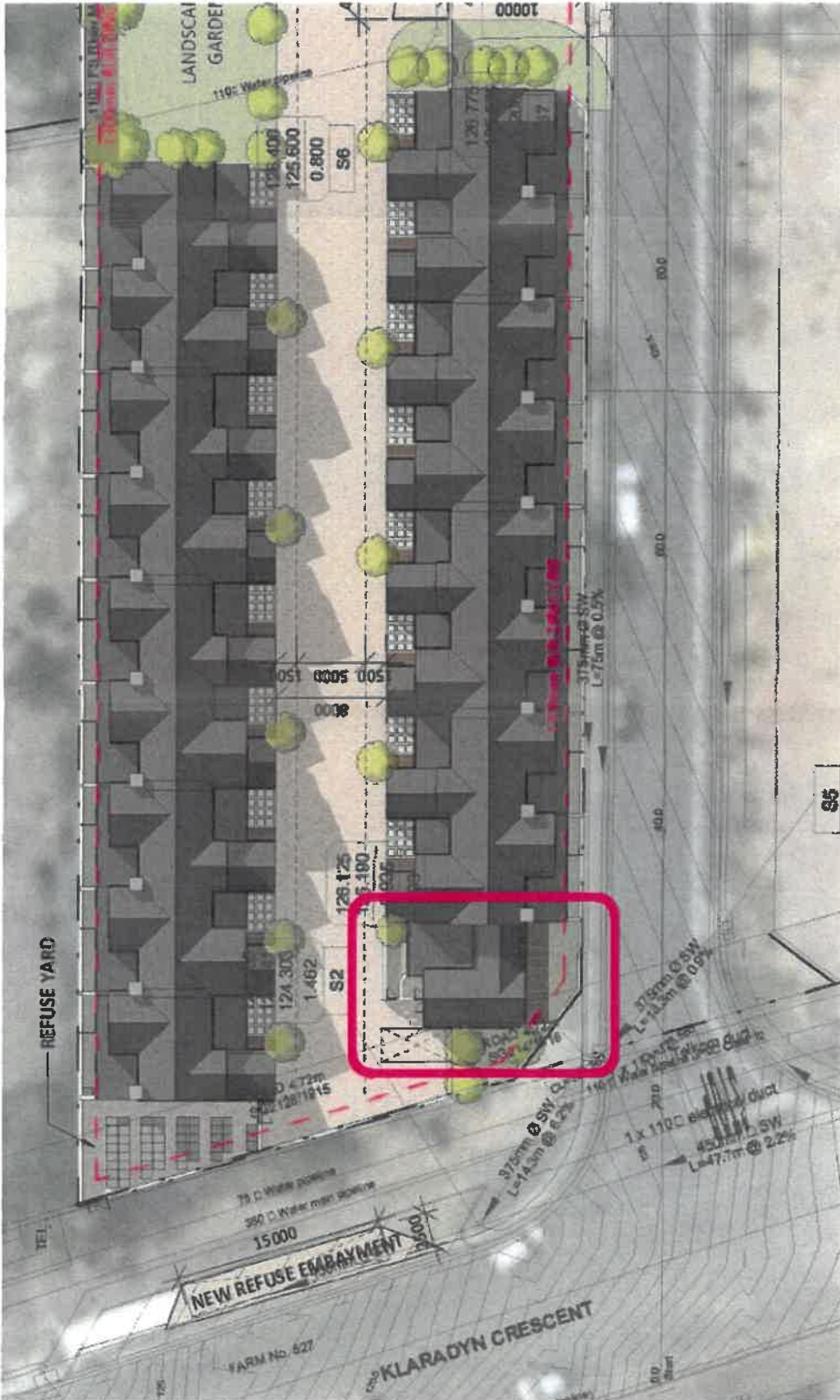


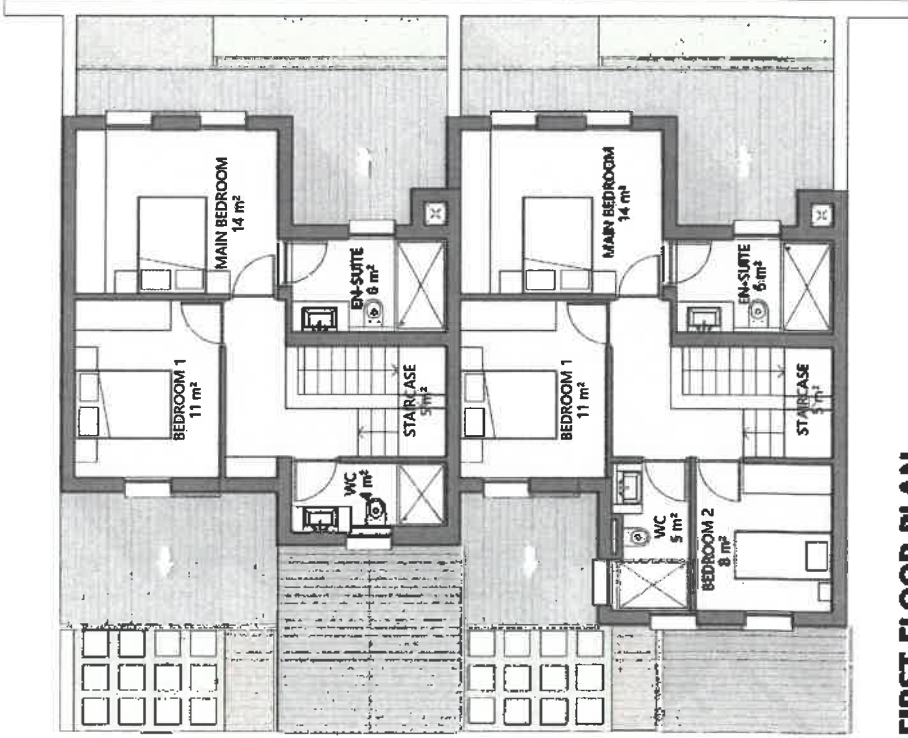


SITE PLAN
SCALE: 1"=50'

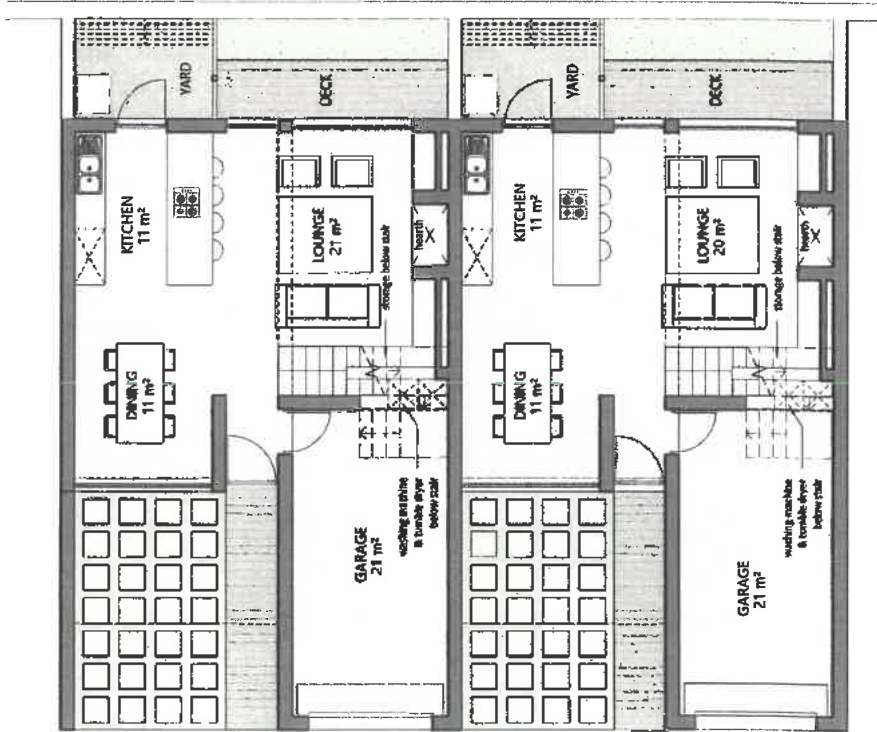
ORIGINAL DOCUMENT DATE: _____ DATE: _____ DOCUMENT VARIATIONS REGISTER: _____ REGISTER NO: _____		DATE: 2017-03-28 DRAWN: A. GIBSON CHECKED: B. DOWLING SCALE: 1"=50'	
TOTAL NUMBER OF COURSE STOREY UNITS - 07 TOTAL NUMBER OF SINGLE STOREY UNITS - 1		PROJECT / CLIENT: JAMESTOWN BEHUSING 1001 JAMES ST. JAMESTOWN, ONTARIO L9A 3S9	
DRAWING STATUS CODES: A - VENDOR APPROVALS B - BUILDING PERMITS REQUIRED C - APPROVALS IN PROGRESS D - APPROVALS OBTAINED E - APPROVALS OBTAINED F - APPROVALS OBTAINED G - APPROVALS OBTAINED H - APPROVALS OBTAINED I - APPROVALS OBTAINED J - APPROVALS OBTAINED K - APPROVALS OBTAINED L - APPROVALS OBTAINED M - APPROVALS OBTAINED N - APPROVALS OBTAINED O - APPROVALS OBTAINED P - APPROVALS OBTAINED Q - APPROVALS OBTAINED R - APPROVALS OBTAINED S - APPROVALS OBTAINED T - APPROVALS OBTAINED U - APPROVALS OBTAINED V - APPROVALS OBTAINED W - APPROVALS OBTAINED X - APPROVALS OBTAINED Y - APPROVALS OBTAINED Z - APPROVALS OBTAINED		PROJECT DESCRIPTION: Phase 530/844, Shelburne beach	
DRAWING DESCRIPTION: SITE DEVELOPMENT PLAN		DRAWING NO.: 3637 / A / 100 DRAWING TITLE: DESIGN	
PROJECT / CLIENT: JAMESTOWN BEHUSING 1001 JAMES ST. JAMESTOWN, ONTARIO L9A 3S9		ARCHITECTS AND TOWN PLANNERS CVS	







FIRST FLOOR PLAN
scale 1 : 100



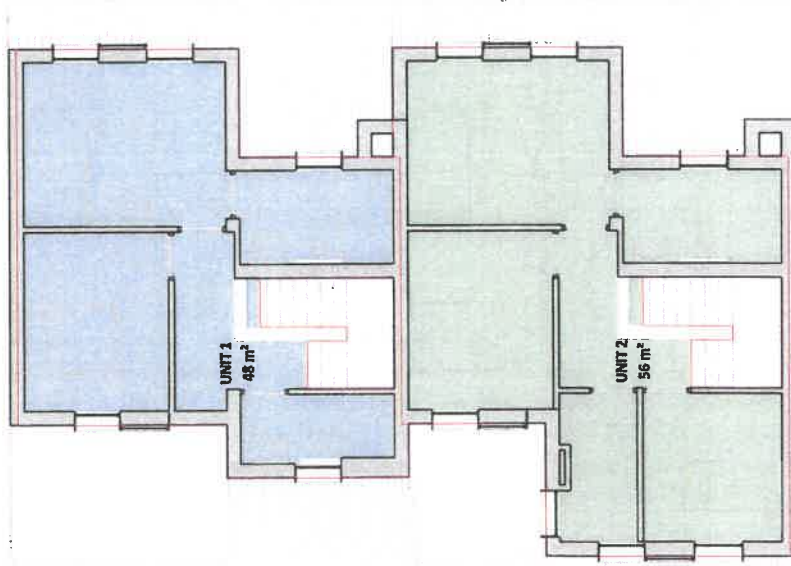
GROUND FLOOR PLAN
scale 1 : 100



DESIGN

Area Schedule - Unit 2			
NAME	LEVEL	AREA	
UNIT 2	01 Ground	48 m ²	
UNIT 2	02 First	56 m ²	
		105 m ²	

Area Schedule - Unit 1			
NAME	LEVEL	AREA	
UNIT 1	01 Ground	48 m ²	
UNIT 1	02 First	48 m ²	
		96 m ²	



AREA-FIRST
scale 1 : 100

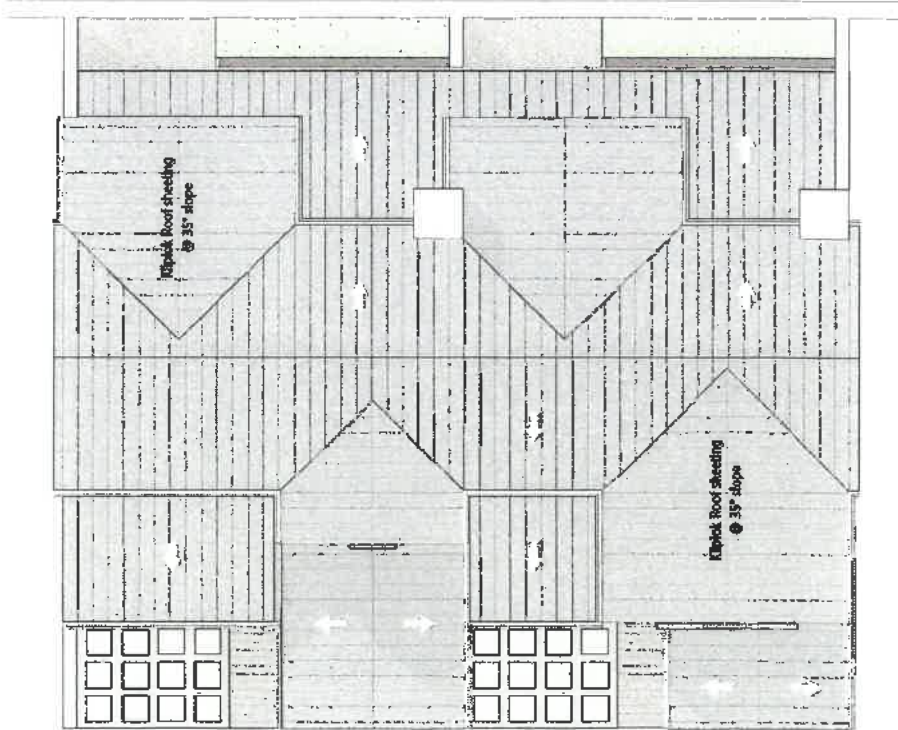
JAMESTOWN BEHUISING
Position 944 of Fern Blaauwdrifpen 510

AREA PLANS & SCHEDULE 1 : 100
2019-09-26 - rev C



AREA-GROUND
scale 1 : 100

tvb
1991
ARCHITECTS AND TOWN PLANNERS
ARCHITECTE IN STADBEPLANNERS



ROOF PLAN
scale 1:100

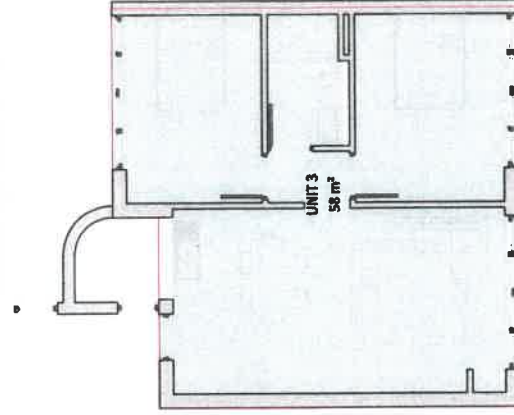


Area Schedule - Unit 3		
NAME	LEVEL	AREA
UNIT 3	01 Ground	58.40 m ² 58.40 m ²

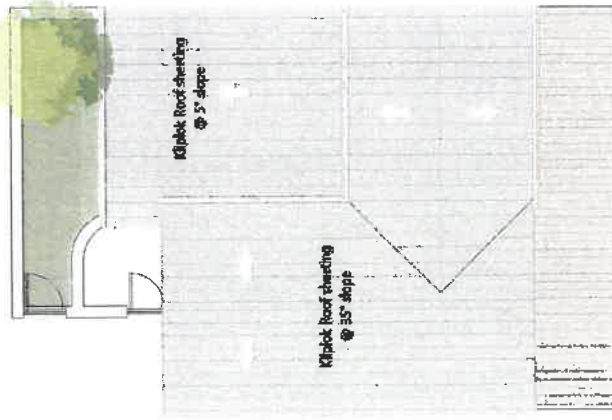
UNIT 3	01 Ground	58.40 m ² 58.40 m ²
--------	-----------	--



GROUND FLOOR PLAN
scale 1 : 100



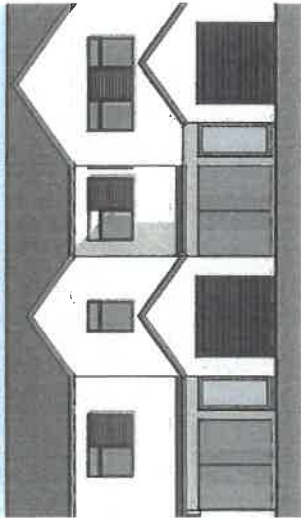
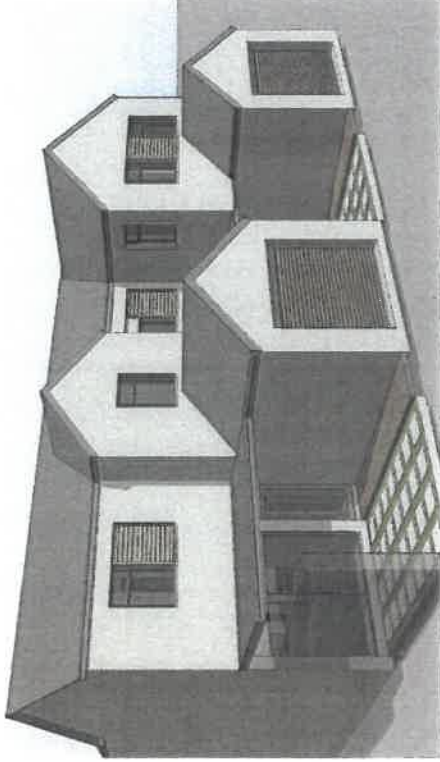
AREA-GROUND
scale 1 : 100



ROOF PLAN
scale 1 : 100

2 BED UNIT - 1 STOREY
FLOOR PLAN 1 : 100
2020-01-17 - mv/A

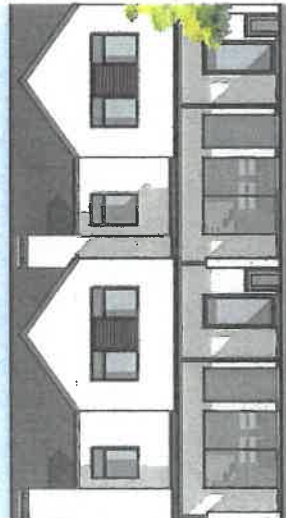
JAMESTOWN BEHUISING
Portion 844 of Farm Blauwklippen 510



West Elevation

scale 1 : 150

- 5760 03 Rest UFFL
- 3870 02 First UFFL
- 4 01 Ground UFFL



East Elevation

scale 1 : 150

- 5760 03 Rest UFFL
- 3870 02 First UFFL
- 6 01 Ground UFFL

ELEVATIONS 1 : 150
2019-07-31 - rev A

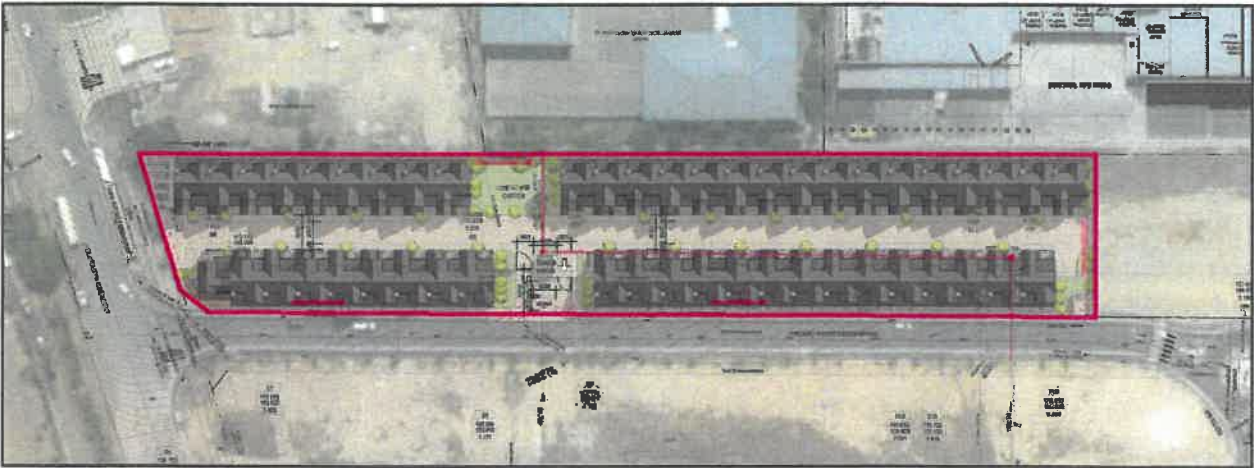
JAMESTOWN BEHUSING
Portion 944 of Farm Blauwklippen 510

ANNEXURE D

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

APPLICAN'T MOTIVATION

THE JAMES (PHASE II): RESIDENTIAL DEVELOPMENT ON FARM 510/844, STELLENBOSCH



LAND USE PLANNING APPLICATION FOR REZONING, SUBDIVISION, ETC.

REFERENCE NO. 3686-P
TV3 PROJECTS (PTY) LTD
LA GRATITUDE OFFICES (1ST FLOOR)
97 DORP STREET
7600 STELLENBOSCH
SOUTH AFRICA

10 JULY 2020
97 DORP STREET
7600 STELLENBOSCH
SOUTH AFRICA
TEL: +27 21 861 3800
FAX: +27 21 882 8025
e-mail: clifford@tv3.co.za



ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPANNERS

CONTENT PAGE

- A. LAND USE PLANNING APPLICATIONS**
- B. PLANNING MOTIVATION REPORT**
 - 1. BACKGROUND INFORMATION**
 - 1.1 Brief
 - 1.2 Property description
 - 1.3 Ownership
 - 1.4 Size
 - 1.5 Title deed search
 - 2. LOCAL PLANNING CONTEXT**
 - 2.1 Locality
 - 2.2 Surrounding land uses
 - 2.3 Present zoning and land use
 - 3. THE JAMES (PHASE II) GENERAL RESIDENTIAL DEVELOPMENT PROPOSAL**
 - 3.1 General residential development
 - 3.2 The James (Phases I and II)
 - 3.3 Site development plan and development rules
 - 3.4 Motivation for the permanent departures
 - 4. PLANNING MOTIVATION FOR THE JAMES II GENERAL RESIDENTIAL DEVELOPMENT PROPOSAL**
 - 4.1 Land use planning applications
 - 4.2 Compliance with the Stellenbosch Municipality's Spatial Development Framework
 - 4.3 Addressing the town's housing needs and backlog
 - 4.4 Positive economic impact
 - 4.5 Compatibility with the surrounding environment
 - 4.6 Positive impact on surrounding property values
 - 4.7 Provision of affordable housing opportunities
 - 4.8 Heritage and environmental authorisations
 - 5. PROVISION OF ENGINEERING SERVICES**
 - 5.1 Civil engineering services
 - 5.2 Transport impact study

- 6. CONCLUSION
 - 7. SIGNATURE OF APPLICANT
 - C. POWER OF ATTORNEY**
 - D. CONVEYANCER CERTIFICATE AND DEED OF TRANSFER**
 - E. PLANS**
 - F. SG DIAGRAM FOR FARM 510/844**
 - G. STELLENBOSCH MUNICIPALITY'S LETTER OF APPROVAL**
 - H. SITE DEVELOPMENT PLAN**
 - I. CIVIL ENGINEERING SERVICES REPORT**
 - J. TRANSPORT IMPACT STUDY**
 - K. APPLICATION FORM**
-

SECTION A

LAND USE PLANNING APPLICATIONS

LAND USE PLANNING APPLICATIONS

Pertaining to the unregistered Portion 844 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 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 510/844, Stellenbosch 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 510/844, Stellenbosch into:
 - 48 Multi-Unit Residential erven;
 - 1 Private Open Space erf; and
 - 1 Utility Services erf.

A Subdivision Plan is attached hereto for your Council's approval (see **Section E**).

3. 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 general residential development's external building lines from 3m to 1.3m and 1.5m respectively – as indicated on the Site Development Plan attached hereto (see **Section H**); and
 - To increase the individual townhouse erven's permissible coverage from 50% to 67%.

4. Application i.t.o. Section 15. (other applications) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for approval of:

- The development's name: *The James II*;
 - The development's internal street name: *Ash Street*; and
 - The development's Site Development Plan attached hereto (see **Section H**).
-

SECTION B

PLANNING MOTIVATION REPORT

1. BACKGROUND INFORMATION

1.1 Brief

This firm received instruction 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 The James (Phase II) general residential development in Jamestown, on Farm 510/844, Stellenbosch [hereafter referred to as the subject property].

1.2 Property description

The subject property is the unregistered Portion 844 (a portion of Portion 9) of the Farm Blaauw Klip No. 510, in the Municipality and Division of Stellenbosch Western Cape.

The subject property was created with the Stellenbosch Municipality's subdivision approval of 26 August 2013. A copy of the municipal letter of approval (with endorsed Subdivision Plan) 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). Find attached hereto a copy of Farm 510/9's Title Deed (see **Section D**) as well as a copy of Farm 510/844's registered SG Diagram (see **Section F**).

1.3 Ownership

The subject property is the unregistered Portion 844 (a portion of Portion 9) of the Farm Blaauw Klip No. 510, Stellenbosch. Edwin Daniel February and Wesley Everest February are the registered owners of the Portion 9 of the Farm Blaauw Klip No. 510, Stellenbosch. Our client – Blaauwklippen Agricultural

Estates (Pty) Ltd – is in the process of taking ownership of the subject property by way of a land swap agreement with the landowners. The subject property (i.e. the unregistered Farm 510/844, Stellenbosch) must still be registered at the Deeds Office.

Find attached hereto the power of attorneys instructing this firm to submit all the necessary land use planning applications relating to The James II residential development in Jamestown (see **Section C**).

1.4 Size

The subject property is 7827m² 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 residential 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 the corner of School Road and 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 commercial (offices / retail) and single residential land uses. The municipal cemetery is located directly south of the subject property.

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 Figure 2.



Figure 2: Photo of the subject property taken from Fresno Street

There are a few illegal and informal structures on the subject property, but the landowners are in the process of removing these structures. An agreement has been reached with these residents, and they will be relocated to an alternative and suitable site.

3. THE JAMES (PHASE II) GENERAL RESIDENTIAL DEVELOPMENT PROPOSAL

3.1 General residential development

The subject property is located on the corner of School Road and Fresno Street in Jamestown, directly behind the Stellenbosch Square shopping centre and the Stellenpark Business Park. It shares a boundary with the shopping centre and the office park, and acts as a transition zone between the commercial land uses (located on the R44 / Strand Road) and Jamestown's 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 area's commercial land uses and the single residential land uses.

The general residential development will consist of 48 townhouses. A home-owners association will be established to manage the development. A refuse yard will also be provided on site to the satisfaction of the engineering department and access to the residential component will be via Fresno Street. A central (functional) open space will be provided for all the residents.

3.2 The James (Phases I and II)

A land use planning application was submitted in 2019 to the Stellenbosch Municipality for the approval of The James I general residential development on the abutting property (Farm 510/845, Stellenbosch). This application is currently being processed and we are waiting on Council's approval.

The proposed development – The James II – is the second development phase of this general residential development in Jamestown. Indicated below is a draft (previous) site plan illustrating how The James' phases I and II will fit together and how it will round off the street block – see Figure 3.



Figure 3: A previous draft site plan of the James I and II developments

The James II will be similar to The James I (i.t.o. of the housing products) and will consist of 48 townhouse units – see Figure 4.

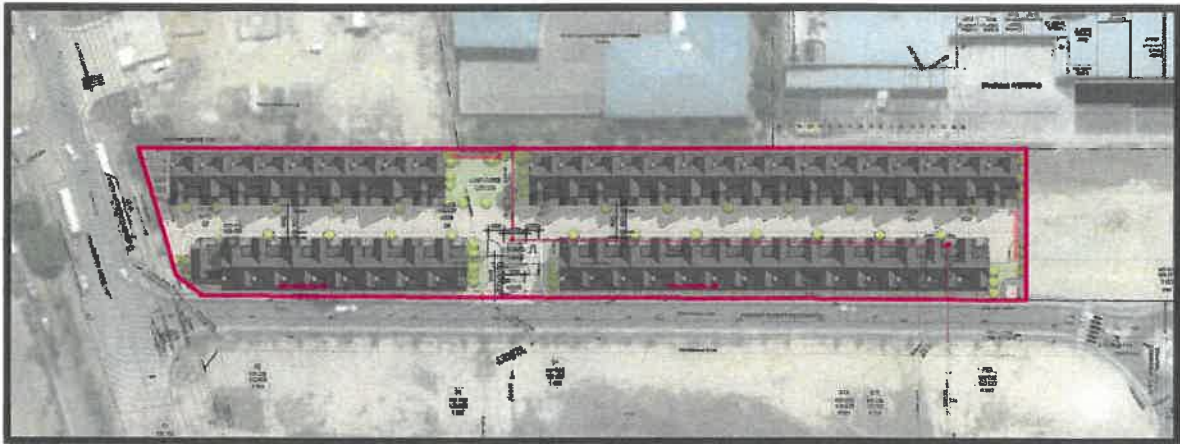


Figure 4: The James II's final site development plan

3.3 Site development plan and development rules

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

Table 1: Development rules of the residential component

DEVELOPMENT RULES	TOWNHOUSES
Number of residential units	48 townhouse erven / units
Erf sizes	±107m ² each
Coverage	±67% (in lieu of 50%)
Height	2 storeys
Floor area	N/A
Building lines (external)	1.3m and 1.5m (in lieu of 3m)
Building lines (internal)	0m
Parking	96 parking bays @ 2 bays per unit
Outdoor space	±380m ²

Architects have prepared a detailed Site Development Plan (SDP) with floor plans, elevations, parking bays, landscaping, access, entrance gate, refuse

room, 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 development's external building lines from 3m to 1.3m and 1.5m 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.

- *To increase the townhouse erven's coverage from 50% to 67%.*

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.

4. PLANNING MOTIVATION FOR THE JAMES II GENERAL RESIDENTIAL DEVELOPMENT PROPOSAL

Our motivation for the proposed higher 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 II general residential development, namely:

- The rezoning of the subject property to Subdivisional Area;
- The subdivision thereof to create 48 townhouse erven;
- Permanent departures to relax the development rules; and
- Approval of the development's name (The James II), internal street name (Ash Street) and the SDP.

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

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 housing product with a residential density of ± 60 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 48 more affordable residential units (in a Stellenbosch context) will contribute towards addressing the housing needs and backlog and can therefore be deemed desirable.

4.4 Positive economic impact

According to Bloomberg News, the Reserve Bank sees the economy contracting by 7% this year and the National Treasury projects a 7.2% decline in output. That would be the most since the Great Depression, when the gross domestic product (GDP) fell by 6.2% in 1931. The South African economy is in a recession and economic growth is urgently needed.

The construction sector is one of the largest single contributor to economic growth and employment opportunities. New developments and 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 ±R3 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 ±R500 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, social housing and a cemetery. 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.

The James I development proposal – i.e. the development's first phase – is currently with Council for approval. The James II will be the development's second phase and will round off the street block.

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 new private green fields planning, Council has inflated property prices which will lead to higher property taxes for the Municipality. The proposed development of the subject property is therefore a direct result of this Council policy.

4.7 Provision of affordable housing opportunities

The price for a townhouse in Jamestown – in an estate such as Le Clemence or Aan de Weber – is ±R4 million. The anticipated price for a townhouse in The James II estate will only be ±R2 million. This is significantly more affordable than similar housing products in Jamestown and Stellenbosch. The proposed development will therefore provide more affordable housing opportunities for the Stellenbosch middle class (something that is dearly missing). However, with developable land in Stellenbosch being expensive, and in order to keep the townhouse prices more affordable, the development needs to realise at least 48 units.

4.8 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 housing opportunities in Stellenbosch (aimed at a more affordable market) 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

ANNEXURE E

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
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	844	Allotment Area	Stellenbosch		
Owner/ Applicant	TV3 Projects (Pty) Ltd			LU/#	LU/11701		
Notice Period	From:	29 Oct 2020		To:	30 Nov 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		No
17. Applicant's comments on all the objections attached				X			✓

Please complete and sign the following declaration on above:

I, (full names & surname) CLIFFORD REX HEYS and ID#: 7205295013088, as the Applicant for the application, hereby confirms that the public participation process for the subject application was 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 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 CLIFFORD HEYS on this date / month / year 12 JANUARY 2021 at STELLENBOSCH.



12 JANUARY 2021

Signature Applicant

Date

<i>For office use only</i>	
CHECKED BY ADMINISTRATIVE OFFICER	
CHECKED BY TOWN PLANNER	
DATE VERIFIED	27/01/21

NOTES TO BE RECORDED:

Spesiale dienste

0861 76255 237
0861 small ads
Spertye vir Diensgids is Dinsdae 12:00!

BT PLUMBING

FOR ALL YOUR PLUMBING NEEDS

We attend in the following:

- Blocked drains
- Barot pipes
- Leaking geyser
- Sewer installations
- Pressure & flow rate problems
- Elements & thermostat replacements
- Drain camera inspection

24 HOURS

Contact **Ray Thomas**
(Cell) 083 591 0336 or
Tel/Fax 021 887 0516

Neusch Elektries

- Huisbedrading
- Industriële en Kommerisieële dienste
- Onderhoud en Oortuiporing
- Inspekte-nakingsmaatskappij
- Georgietrompe en Motors
- Wynskider-instalates
- Stratê Inwattels op voltes
- No-ore-dienste

Staat RIT-vert
Tel: 021 886 2044 / Fax: 021 887 9043
E-pos: info@neuschelkies.co.za
No-ord: 021 887 9038
Lappanstraat 4, Tonnentville, STELLENBOSCH

Recycle:
you can change tomorrow today

Wonder Blinds & Awnings

Factory in STELLENBOSCH

Tel: 021 883 9111
www.wonder-blinds.co.za

NETWERKX Eikestad

BETREKKINGS BOEDELS
VEILINGS | KENNISGEWINGS
VACANCIES | ESTATES
AUCTIONS | OFFICIAL NOTICES

GRATIS
Maak net vir jou sake

LOST TITLE DEED

Notice is hereby given in terms of Regulation 59 of the Deeds Registration Act, 1937 of the Republic of South Africa that a certified copy of Deed of Transfer Number 11422/2019, issued by JOHANNESBURG in or towards the Township of the Estate Lot 2000, 2001, 2002 and 2003, formerly known as JOHANNESBURG 2000A, 2000B, 2000C and 2000D, and the portion thereof, was duly registered by Deeds Office of Johannesburg on 27 October 2019. The said deed is hereby declared null and void from the date of its registration.

ERF 2000 STELLENBOSCH IN DIE MUNISIPALITEIT EN DIENSTREK WYKSTREK VAN DIE WESERKANT VAN DIE ERF 408 (FORMERLY ERF 2000A-2000D) WYKSTREK

HELD BY DEED OF TRANSFER 11422/2019, is 'n Deed of Transfer wat teenwoordig verlore is.

All persons holding claims in respect of the above deed are hereby required to bring the same in order with the REGISTRAR OF DEEDS at ROOM 2504, 17TH FLOOR, 25 BATTERY ROAD, CAPE TOWN within two weeks after the date of the publication of this notice.

Dated at Stellenbosch on the 23rd September 2020.

Appliqué: JOHANNESBURG, REGISTRAR GENERAL OF DEEDS, SOUTH AFRICA
c/o 2000E WYKSTREK
Address: 17 Battery Road, Stellenbosch, 7601
Email address: ead@netwerkx.co.za
Contact number: 021 883 9111

LOST COVERING MORTGAGE BOND

Notice is hereby given in terms of Regulation 59 of the Deeds Registration Act, 1937 of the Republic of South Africa that a certified copy of Mortgage Bond Number 11422/2019, issued by JOHANNESBURG in or towards the Township of the Estate Lot 2000, 2001, 2002 and 2003, formerly known as JOHANNESBURG 2000A, 2000B, 2000C and 2000D, and the portion thereof, was duly registered by Deeds Office of Johannesburg on 27 October 2019. The said deed is hereby declared null and void from the date of its registration.

ERF 2000 STELLENBOSCH IN DIE MUNISIPALITEIT EN DIENSTREK WYKSTREK VAN DIE WESERKANT VAN DIE ERF 408 (FORMERLY ERF 2000A-2000D) WYKSTREK

HELD BY MORTGAGE BOND 11422/2019, is 'n Mortgage Bond wat teenwoordig verlore is.

All persons holding claims in respect of the above deed are hereby required to bring the same in order with the REGISTRAR OF DEEDS at ROOM 2504, 17TH FLOOR, 25 BATTERY ROAD, CAPE TOWN within two weeks after the date of the publication of this notice.

Dated at Stellenbosch on the 23rd July 2020.

Appliqué: JOHANNESBURG, REGISTRAR GENERAL OF DEEDS, SOUTH AFRICA
c/o 2000E WYKSTREK
Address: 17 Battery Road, Stellenbosch, 7601
Email address: ead@netwerkx.co.za
Contact number: 021 883 9111

NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA

APPLICATION FOR REZONING, SUBDIVISION, DEPARTURE AND OTHER: FARM 510/844, STELLENBOSCH

Application Address: Fresno Street, Jamestown
Applicant: TV3 Projects (Pty) Ltd - C. Heys (contact details: 021 881 3800)
Owner: Edwin & Wesley February - D. Camerna (contact details: 021 887 9164)
Application Reference: LU/11701
Application Type: Rezoning, subdivision, departure and other.

Description of land development application: Application is made L.t.v. 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. 510/844, Stellenbosch Division:

- Rezoning L.t.v. Section 15(2)(a) of the subject property from Agriculture and Rural Zone to Sub-divisional Area to allow for the following use and in accordance with the land use framework plan as depicted in plan with reference "Proposed Subdivision Plan Nr. 4", dated 13 July 2020, and drawn by TV3 Architect and Town Planners:
 - (a) 48 x Multi-Unit Residential erven and approximately 5194m² in extent, for group housing purposes.
 - (b) 1 x Private Open Space erf (portion 4B) and approximately 2608m² in extent, for private road and private open space purpose.
 - (c) 1 x Utility Services erf (portion 4B) and approximately 26m² extent for purposes of an electric substation.
- Subdivision L.t.v. Section 15(2)(d) of the said Bylaw of said property in accordance with Subdivision Plan Nr. 4, dated 13 July 2020, and drawn by TV3 Architect and Town Planners, to allow for the residential development in accordance with the sub-divisional zone above.
- Departure L.t.v. Section 15(2)(b) to:
 - (i) Relax the development's external building lines from 3,0m to 1,3 m and 1,5m.
 - (ii) To increase the townhouse erven's permissible coverage from 50% to 67%.

OTHER APPLICATIONS:

- Adoption of the development's name: The James II.
- Approval for the naming and numbering of internal streets as per the proposed subdivision plan.
- Approval of the Development's Site Development Plan as indicated on Drawing Nr. 3637/A/100, dated 29 June 2020, drawn by TV3 Architects and Town Planners.

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/planning/development-notices-and-use-applications-advertisements>. 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 info@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 30 November 2020.

For any enquiries on the Application or the above requirements, or if you are unable to visit and/or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 021 881 3800 during normal office hours.

KENNISGEWING VAN GRONDONTWIKKELINGSAAFSOEK IN DIE STELLENBOSCH MUNISIPALE AREA

AANSOEK VIR HERSONERING, ONDERVERDELING, APWYKING EN ANDER: PLAAS 510/844, STELLENBOSCH

Adres van eiendom: Fresnostraat, Jamestown
Aansoeker: TV3 Projects (Pty) Ltd - C. Heys (kontak besonderhede: 021 881 3800)
Eiensaar: Edwin & Wesley February - D. Camerna (kontak besonderhede: 021 887 9164)
Aansoek Verwysing: LU/11701
Tipe Aansoek: Hersoening, onderverdeling, afwyking en ander.

Besonderhede van die grondgebruiks-aansoek: Aansoek word gemaak l.t.v. die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, gepromulgêer deur kennisgewing no. 354/2015, gedateer 28 Oktober 2015, vir die volgende op die Ongeregistreerde Plaas 510/844, Afdeling Stellenbosch:

- Hersoening l.t.v. Afdeling 15(2)(a) van die eiendom vanaf Landbou en Landelike Sone na Onderverdelingsgebied om voorsiening te maak vir die volgende gebruik in ooreenstemming met die grondgebruikbeplanning met verwysing "Proposed Subdivision Plan Nr. 4", gedateer 13 Julie 2020, en geteken deur TV3 Architect and Town Planners:
 - (a) 48 x Multi-Unit-Residensiële erwe as 194m² in omvang, vir groepsbehuiging doeleindes.
 - (b) 1 x Private Openruimte erf (gedeelte 4B) as 2608m² in omvang, vir private pad en private openruimte doeleindes.
 - (c) 1 x Nutsdienserte erf (gedeelte 4B) as 26m² in omvang vir 'n elektriese substansie.
- Onderverdeling l.t.v. Afdeling 15(2)(d) van die Bylaw in ooreenstemming met "Subdivision Plan Nr. 4", gedateer 13 Julie 2020, en geteken deur TV3 Architect and Town Planners, om voorsiening te maak vir die residensiële ontwikkeling in ooreenstemming met die Onderverdelingsgebied hierbo.
- Afwyking l.t.v. Afdeling 15(2)(b) vir:
 - (i) Verslapping van die ontwikkelings se eksterne boulyne van 3,0m na 1,3 m en 1,5m.
 - (ii) Om die groepsbehuise se dekking te verhoog van 50% na 67%.

ANDERAANSOeke:

- Aanvaarding van die ontwikkeling se naam: The James II.
- Goedkeuring van die straatname en nommers soos aangedui op die Onderverdelingsplan.
- Goedkeuring van die ontwikkelings se Townshipsbeplanning soos aangedui op tekening no. 3637/A/100, gedateer 28 Junie 2020, geteken deur TV3 Architects and Town Planners.

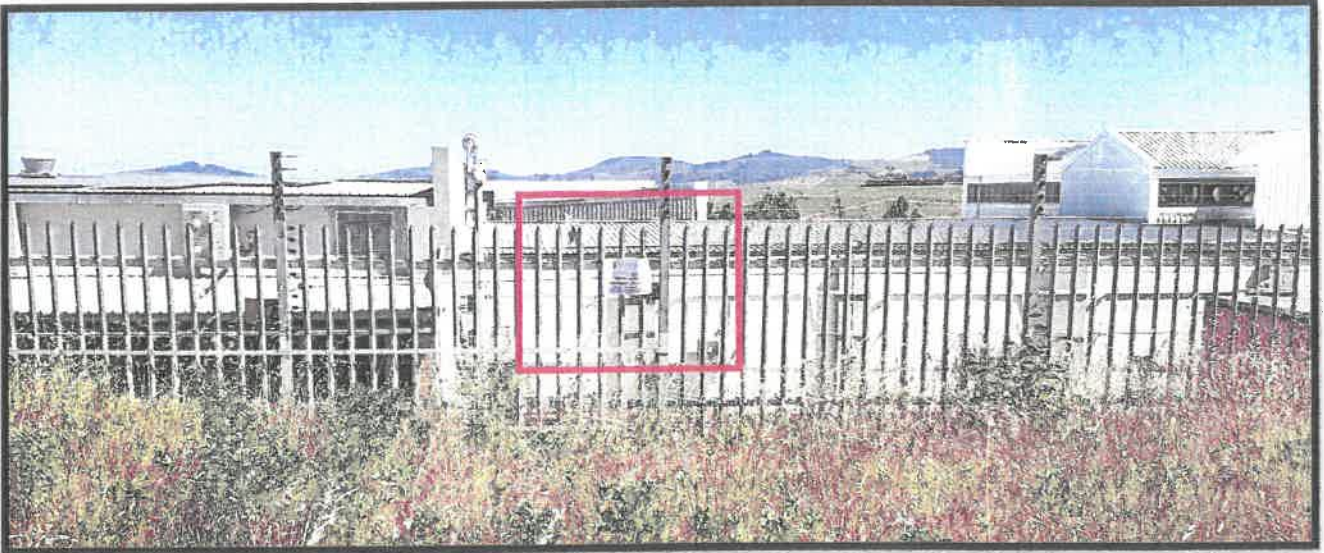
Kennis word hiermee gegee in terme van die genoemde Verordening dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorsig. Die aansoek is beskikbaar vir insig op die Begrotings Portal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydperk van die publieke deelname proses by die volgende adres: <https://www.stellenbosch.gov.za/planning/development-notices-and-use-applications-advertisements>. Indien die webtuiste of dokumente nie toeganklik is, kan die Aansoeker versoek word om 'n elektroniese kopie beskikbaar te stel.

Skriflike kommentaar, wat besonderhede ten opsigte van die verwyings nommer van die aansoek, die name, sake- en adres 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 Verordening aan die Aansoeker by wys van elektroniese pos as volg: TV3 Projects (Pty) Ltd - C. Heys info@tv3.co.za.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gegee word en moet ontvang word voor of op die laaste dag van die oopslags datum van 30 November 2020.

Indien daar enige vrae is op die aansoek of bovermelde verwyings vir die lewer van kommentaar is, of indien dit nie moontlik is om gestroewe kommentaar te lewer of die kommentaar op die wys van lewer soos voorsiening gemaak is nie, kan die Aansoeker gekontak word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 881 3800 gedurende normale kantoorure.

ON-SITE NOTICE



ANNEXURE F

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

OBJECTIONS



P O Box 338
 Stellenbosch 7599
 Tel: +27 21 880 2708
 rec@dszalzeestate.com
 www.dszalzeestate.co.za
 Reg 2003/009568/08

TV 3 ARCHITECTS & TOWN PLANNERS

FOR ATTENTION:

Clifford Heys

clifford@tv3.co.za

COMMENT: APPLICATION FOR DEVELOPMENT – THE JAMES II

APPLICATION NUMBER: LU/11701

APPLICATION PROPERTY NUMBER: FARM 510/844, JAMESTOWN

26 November 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 sections as noted in the application document for ease of reference:

Water, sewage & electrical services (Section I):

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

De Zalze confirms that it has approved development rights for 558 units (also confirmed by Stellenbosch Municipality in writing on 21 November 2019) 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):

R44/Webersvallei road intersection:

Although the Estate supports development on infill land in Jamestown, we remain concerned about the traffic impact for this area as there are no concrete answers or information on mitigating the impact of additional traffic.

As noted in our comments for the development application for the 'The James' the report (although referring to estimated 2024 peak hours and that proposed developments in Jamestown was taken

into account) 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 considered in the traffic study.

Furthermore, the report in 3.4 under traffic distribution in peak times notes that it was assumed that left turning vehicles will make use of School street, for existing purposes. As the report notes later School street will be closed, and consequently this should not be considered for peak traffic that can potentially be generated.

The report on page 4 also refers to other options that have been investigated, namely the Eastern Link road and the Western Bypass. From information provided to the Estate, the Link road is not even in concept form yet. The Western bypass, if it is developed will only be for traffic between Technopark and Polkadraai road. If this route is correct, peak traffic north (am traffic) and peak traffic south (pm traffic) on the R44 will not be alleviated.

The statement on page 5 that *'It can thus be concluded that no upgrades are suggested as part of this development to accommodate the background traffic at the R44/Webersvallei Road intersection as the traffic flow problems will be addressed by the proposed upgrades that will be implemented by the WCG'* is noted.

Although the Environmental Authorisation for the upgrades to the R44 was given, there is at this time no indication when, and if, construction will commence. Information received from the maintenance contractor for the WCG was that the project will not commence for many years and that the current improvements being done to the R44 has no bearing on the R44 Improvement Project.

Lastly, as the 'Kreefgat' development has not been approved by the Municipality, and any contributions to mitigation measures are therefore not concrete.

Best Regards

Elke Watson

Environmental Manager

Objection to development application LU/11701, Farm 510/844, Jamestown

30 November 2020

HC Eggers
PO Box 3218, 7602 Matieland
021-808-3523
eggers@sun.ac.za

Cadastral unit: Farm 510/844
Development application no. LU/11701
Interest in application:
Ward 21 committee member, transport/spatial planning
Reason for comments: See details below

1. Decisionmaking authority

In terms of section 68 of the Stellenbosch Land Use Planning By-Law (SLUPB), an application is decided by either an authorised employee or by the Municipal Planning Tribunal. Section 69 of the SLUPB specifies that land use applications must be decided according to a categorisation system approved by Council. The categorisation of development applications approved by Council on 2017-07-26 requires that development applications containing amendments listed in Section 15 of the SLUPB must be tabled for decision by the Municipal Planning Tribunal rather than a designated planning official if one or more objections are received to the application. The Farm 510/844 application is made in terms of, amongst others, Sections 15.2(a) rezoning, 15.2(b) departures, and 15.2(d) subdivision, and must therefore be submitted to the MPT for consideration.

2. The development proposal may be good for the land owner, but it is not good for Stellenbosch

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 than in the usual urban sprawl developments. However, it is clear that the development proposal is aimed not at furthering the aims and principles of the MSDF, of the housing strategy or of transport needs of Jamestown, but at profit maximisation of the land owner. For example, the term **affordable housing** is being used, even while it is obvious that the quoted prices of R2 million are beyond the reach of the majority of income earners in the municipal area.

Likewise, the **Farm 510/844 transport impact study** pays attention only to motor car traffic, parking and intersections. The requirements of the MSDF, NLTA, CITP are ignored in the unproven assertion that *No additional public transport facilities are considered necessary as a result of the proposed development.* The requirement of NMT is considered by the transport impact study to be "satisfied" simply by the provision of sidewalks, while provision of parking takes precedence.

3. Stellenbosch Municipal Spatial Development Framework: Reactive and proactive spatial development

The MPT should therefore not simply consider the application at face value, within its own selfish development goals and parameters, but instead start with the needs of Jamestown and the requirements of the spatial and transport legislation. We have a dire need not just for reactive planning decisions, but for proactive decisions and interventions which further the long-term goals of the MSDF, of the needs of the poor, of the principle of *spatial justice* (SPLUMA). The agenda of town planning should be set not by ad hoc development but by the MSDF, IDP and transport legislation.

4. Transport needs and proactive transport decisionmaking

Proactive decisions and interventions must in the present application be made especially with respect to transport needs and transport land use. Together with portion 845, Farm 510/844 is in a very special location: They form part of only about 3ha of land in Jamestown which is close to the R44 and as such should play a pivotal future role in satisfying land needs of a Stellenbosch public transport infrastructure (taxis, NMT and Park-and-Ride etc). 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.** The MPT should encourage the Applicant to submit a revised proposal for a modal interchange development on 510/844 and 510/845 and, if the applicant is unwilling to do so, to reject the land use application out of hand to ensure that future land use for transport infrastructure is not precluded.



Belangegroep Stellenbosch Interest Group

HM/CB/0815/32
27 November 2020

Application Reference: LU/11701

Property number Farm: 510/844, Jamestown

Clifford HeysTV3 Projects (Pty) Ltd clifford@tv3.co.za

Dear Mr. Heys

FARM 510/844. FRESNO STREET, JAMESTOWN: REZONING I.T.O. SECTION 15(2)(A) OF THE SUBJECT PROPERTY FROM AGRICULTURE AND RURAL ZONE TO SUB-DIVISIONAL AREA TO ALLOW FOR THE FOLLOWING USES AND IN ACCORDANCE WITH THE LAND USE FRAMEWORK PLAN AS DEPICTED IN PLAN WITH REFERENCE "PROPOSED SUBDIVISION PLAN NR. 4", DATED 13 JULY 2020, AND DRAWN BY TV3 ARCHITECT AND TOWN PLANNERS:

- (A) 48 X MULTI-UNIT RESIDENTIAL ERVEN AND APROXIMATELY 5194M² IN EXTENT, FOR GROUP HOUSING PURPOSES. [SEP]
- (B) 1 X PRIVATE OPEN SPACE ERF (PORTION 49) AND APPROXIMATELY 2608M² IN EXTENT, FOR PRIVATE ROAD AND PRIVATE OPEN SPACE PURPOSES. [SEP]
- (C) 1 X UTILITY SERVICES ERF (PORTION 48) AND APPROXIMATELY 25M² EXTENT FOR PURPOSES OF AN ELECTRIC SUBSTATION. [SEP]

SUBDIVISION I.T.O. SECTION 15(2)(D) OF THE SAID BYLAW OF SAID PROPERTY [SEP]

DEPARTURE I.T.O. SECTION 15(2)(B) TO:

- (I) RELAX THE DEVELOPMENT'S EXTERNAL BUILDING LINES FROM 3.0M TO 1.3 M AND 1.5M. [SEP]
- (II) TO INCREASE THE TOWNHOUSE ERVEN'S PERMISSIBLE COVERAGE FROM 50% TO 67%. [SEP]

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

The scale and design of the proposed James phase II 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 contributed to eroding 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 long-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



Patricia Botha (Chairperson)

Clifford Heys

From: Chrisben John February <chrisbenjf@hotmail.com>
Sent: 01 December 2020 12:37 AM
To: Clifford Heys
Cc: Hans Eggers (egggers@sun.ac.za); Rene van Rooyen; Dale Simons; Gerado Williams OakLeafShuttles; Howard Gordon; September, Elwin; Kenneth New Email; Cheryl Farao Email; Freddy Jooste - Francisca; Alfred Alfrey Christians; Rene van Rooyen; Dale Simons; Chrisben John February Jamestown Erfenis; Linda Isaacs
Subject: RE: KOMMENTAAR & BESWAAR NAMENS EN IN BELANG VAN JAMESTOWN ERFHOUEERS; BELASTINGBETALERS; KLEINBOERE & GEMEENSKAP

Dear Clifford

I Hope this Email finds you well.

Please find attached.

I have tried to send the email several times before, but seems to have technical issues. Should you receive or already received previous mails, I do apologise. (Please note all Emails send from my addresses (chrisbenjf@hotmail.com / jamestownerfenis1902@gmail.com) on 30 November -- into 1 December are the same.

Kind Regards

Chrisben John February
chrisbenjf@hotmail.com
 0834061102

Voorsitter / Chairperson
JAMESTOWN ERFENIS / HERITAGE
jamestownerfenis1902@gmail.com



<https://www.facebook.com/JamestownErfenis1902/>
<https://www.facebook.com/JamestownStrawberryFestival>
<https://www.facebook.com/HuguenotMemorialMuseum/>
https://www.instagram.com/p/B_FBg4CDAC7/?igshid=fnrlovv3lqhl

MY HERITAGE – MY ROOTS – MY FAMILY – MY PASSION

"To know where you're heading in life, You need to know where you come from"



JAMESTOWN ERFENIS / HERITAGE
1902 – 2020
JAAR • 118 • YEARS
JAMESTOWN > WEBERSVALLEI > JAMESTOWN
"n STUKKIE VAN DIE PARADYS"

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

JAMESTOWN ERFENIS KOMITEE

Voorsitter / Chairperson

Chrisben John February

jamestownerfenis1902@gmail.com

chrisbenif@hotmail.com

083 406 1102

Maandag, 30 November 2020

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

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

**KOMMENTAAR: BESWAAR TEEN ONTWIKKELING VAN "THE JAMES II" RESIDENSIELE
ONTWIKKELING OP PLAAS 510/844, STELLENBOSCH**

Aansoeknommer: LU/11701

Munisipale Lêerverwysingsnommer: Erf 510/844, Jamestown

Met verwysing na bogenoemde Kennisgewing.

Hiermee staan ons as Jamestown Gemeenskap die voorgenome hoë densiteit ontwikkeling en hersoneringsaansoek op Plaas 510/844, Jamestown, Afdeling van Stellenbosch ten sterkste teen en teken beswaar aan teen hierdie aansoek.

Die Jamestown gemeenskap se bekommernis is weereens dieselfde soos met vorige aansoek, The James (Munisipale Lêerverwysingsnommer: Erf 510/845, Jamestown) waar "The James II" basies aansluit. Verdere verwarring is geskep deurdat daar twee weergawes insirkulasie was met twee verskillende sperdatums.

JAMESTOWN ERFENIS KOMITEE • Kontak: jamestownerfenis1902@gmail.com / chrisbenif@hotmail.com / 083 406 1102
 Facebook: <https://www.facebook.com/JamestownErfenis1902/> • <https://www.facebook.com/JamestownStrawberryFestival>



JAMESTOWN ERFENIS / HERITAGE
1902 – 2020
JAAR • 118 • YEARS
JAMESTOWN > WEBERSVALLEI > JAMESTOWN
"n STUKKIE VAN DIE PARADYS"

Die hoëdigheids-behuisings aansoek is weereens vir aansienlik Hoër-Inkomste huishoudings van buite die grense van Stellenbosch, terwyl daar 'n massiewe groot tekort en behoefte is aan bekostigbare behuising (Onder R1 Miljoen Rand) binne die grense van Stellenbosch en natuurlik Jamestown self.

1. Sedert die ontstaan van Jamestown in 1902 word Jamestown kleinboere blootgestel aan Aarbei-boerdery, vandaar die verskeie aarbei variante as straatname. Hoewel Jamestown bekend is vir aarbeiboerdery het die kleinboere ook met verskeie ander groente, vrugte en selfs met blomme geboer. Die oorblywende boere verskaf natuurlik ook steeds werk aan verskeie Jamestowners asook werkers van buite Jamestown. Soos gesien kan word op Bylae 5 (Bl. 26 – 44) is Jamestown 'n familie dorpie waar eiendom van een generasie na die volgende oorgedra word as erfporisie. (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 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 personeel asook kliënte die Webersvallei – R44 aansluiting. Met die daarstelling van die hoëdigheids Residensiële 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)



JAMESTOWN ERFENIS / HERITAGE
1902 – 2020
JAAR • 118 • YEARS
JAMESTOWN > WEBERSVALLEI > JAMESTOWN
"n STUKKIE VAN DIE PARADYS"

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. Met verwysing na die aansoeker se punt rakende hoër waardasie en gepaardgaande hoër belasting-tariewwe waar die lang-bestaande plaaslike inwoners die Munisipaliteit kan nader vir korting word die belange van die plaaslike gemeenskap weereens nie in ag geneem nie. Die lang-bestaande inwoners beoog nie om hul eiendom of erforsie te verkoop teen winste nie. Dit kom basies weer daarop neer dat ons weer moet sreek en veg vir laer eiendoms Waardasie en gepaartgaande belasting om te oorleef. Met die algemene Waardasie vlr 2021 - 2025 is Jamestown se Eiendoms-waardasies weereens aansienlik met tot soveel as 40% hoër. Weereens in belang van opportuniste wat koop met die doel om wins te maak of om te ontwikkel – ons moet dus weer sreek en soebat vir laer belasting en eiendoms- waardasies soos ons voorgangers moes veg om voort te bestaan!
4. Dit kom basies neer op 'n Wen – Verloor situasie waar die ontwikkelaar wen i.t.v. winste en inkomste gegeneer uit ontwikkeling en Munisipaliteit wen i.t.v. onregverdige Hoër Belastingstariewe, maar die plaaslike Jamestown Gemeenskap Verloor op verskeie gebiede. Jamestown se eiendomswaardasies en gepaardgaande belasting is reeds 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
5. Dit is ook ons gevoel dat die twee aansoeke oor porsies 844 en 845 moes saam ingedien gewees het, want dan sou almal beseft dat dit oor 92 hulseenhede gaan. Dit blyk dat die aansoeke opsetlik apart
6. Die voorgestelde behuising is nie bekostigbaar vir Jamestowners self nie, maw dit gaan maar net weereens verkoop word aan mense van buite

Die munisipaliteit moet 'n slag die beginsels van sy eie SDF beleid toepas. Die munisipaliteit is heeltemal by magte om die huidige ontwikkelingsvoorstel af te keur en die aansoeker aan te wys om liewers bogenoemde in ag te neem, waarna 'n hersiene voorstel goedgekeur sou kon word.



JAMESTOWN ERFENIS / HERITAGE
1902 – 2020
JAAR • 118 • YEARS
JAMESTOWN > WEBERSVALLEI > JAMESTOWN
"n STUKKIE VAN DIE PARADYS"

7. 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 Gedenk tuin / 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.
8. 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.
9. 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.
10. 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 verantwoordelikheid dat u uit disrespek teen die Jamestown gemeenskap se belange en verwagtinge optree in belang van u eie vooruitgang.
11. 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.
12. 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



JAMESTOWN ERFENIS / HERITAGE
1902 – 2020
JAAR • 118 • YEARS
JAMESTOWN > WEBERSVALLEI > JAMESTOWN
"n STUKKIE VAN DIE PARADYS"

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: H.C. Eggers Kommentaar / Beswaar
7. BYLAE 7: GARY ARENDSE: GENTRIFICATION – THESIS
8. BYLAE 8: (PDF Aangeheg) Jamestown Erfenis Kommentaar

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; GEMEENSKAP**

JAMESTOWN ERFENIS KOMITEE

Chrisben John February

Voorsitter / Chairperson

jamestownerfenis1902@gmail.com

chrisbenif@hotmail.com

083 406 1102

Plot 510/206, Jamestown, Stellenbosch

CHRISBEN JOHN FEBRUARY

JAMESTOWN ERFENIS KOMITEE • Kontak: jamestownerfenis1902@gmail.com / chrisbenif@hotmail.com / 083 406 1102
 Facebook: <https://www.facebook.com/JamestownErfenis1902/> • <https://www.facebook.com/JamestownStrawberryFestival>



JAMESTOWN ERFENIS / HERITAGE
1902 – 2020
JAAR • 118 • YEARS
JAMESTOWN > WEBERSVALLEI > JAMESTOWN
"n STUKKIE VAN DIE PARADYS"

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 (Aflaaibare PDF Dokument)**

La Clemence : Bladsy 21 – 25 van 66

Jamestown : Bladsy 26 – 44 van 66

Aan De Weber: Bladsy 44 – 46 van 66

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

BYLAE 6: (PDF Aangeheg) H.C. Eggers Kommentaar / Beswaar

**BYLAE 7: (Web Link) Gary Arendse: "Private property, gentrification, tension and change at
the 'urban edge': a study of Jamestown, Stellenbosch." (Aflaaibare PDF Dokument)**

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

BYLAE 8: (PDF Aangeheg) Jamestown Erfenis Kommentaar



JAMESTOWN ERFENIS / HERITAGE
1902 – 2020
JAAR • 118 • YEARS
JAMESTOWN > WEBERSVALLEI > JAMESTOWN
“n STUKKIE VAN DIE PARADYS”

JAMESTOWN ERFENIS KOMITEE • Kontak: jamestownerfenis1902@gmail.com / chrisbenif@hotmail.com / 083 406 1102
Facebook: <https://www.facebook.com/JamestownErfenis1902/> • <https://www.facebook.com/JamestownStrawberryFestival>



ANNEXURE G

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM HERITAGE
WESTERN CAPE**



Our Ref: HM/ CAPE WINELANDS/ STELLENBOSCH/ PORTION 844 OF FARM 510
Case No: 20070602SB0714E
Enquiries: Stephanie-Anne Barnardt
E-mail: stephanie.barnardt@westerncape.gov.za
Tel: 021 483 5959
Cell: 076 481 8392 (during the lock-down period)
Date: 23 July 2020

Lize Malan
 PO Box 3421,
 Maitland,
 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 RESIDENTIAL DEVELOPMENT, CORNER FRESNO AND SCHOOL STREET, PORTION 844 OF FARM 510, STELLENBOSCH, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 20070602SB0714E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 15 July 2020. This matter was discussed at the Heritage Officers meeting held on 20 July 2020.

You are hereby notified that, since there is no reason to believe that the proposed residential development, Corner Fresno and School Street, portion 844 of farm 510, 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

pp. 

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

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: ceo@heritage@westerncape.gov.za

Straatadres: Protea Assurancegebou, Groenmarkplein, Kaapstad, 8000 • Posadres: Posbus 1665, Kaapstad, 8000
 • Tel: +27 (0)21 483 5959 • E-pos: ceo@heritage@westerncape.gov.za

Idilesi yendawo: kungangatho 3, kwisakhwa iProtea Assurance, Greenmarket Square, eKapa, 8000 • Idilesi yeeposi: Inombolo yebhokisi yeeposi 1665, eKapa, 8000 • Iinombolo zomnxeba: +27 (0)21 483 5959 • Idilesi ye-imayile: ceo@heritage@westerncape.gov.za

ANNEXURE H

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE
DEPARTMENT OF
ENVIRONMENTAL AFFAIRS
AND DEVELOPMENT
PLANNING**



Western Cape
Government

Department of Environmental Affairs and Development Planning

Loretta Osborne

Development Management: Region 1

Loretta.Osborne@westerncape.gov.za | Tel: 021 483 3696

REFERENCE: 16/3/3/6/B4/19/1260/20

DATE: 16 November 2020

The Board of Directors
TV3 Projects (Pty) Ltd
First Floor La Gratitude Office Building
97 Dorp Street
STELLENBOSCH
7600

Attention: Mr C Harris

E-mail: clifford@tv3.co.za

Dear Sir

APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE APPLICATION FOR REZONING, SUBDIVISION, DEPARTURE AND OTHER ON PORTION 844 OF FARM NO. 510, STELLENBOSCH

1. The document, as received electronically by this Department on 21 October 2020, refers.
2. This letter serves as an acknowledgement of receipt of the abovementioned document by this Department.
3. According to the information contained in the correspondence this Department notes the following:
 - 3.1 The application for rezoning of the abovementioned property to Subdivisional Area.
 - 3.2 The application for subdivision of Portion 844 of Farm No. 510 to create 48 townhouse erven.
 - 3.3 The application for permanent departures to relax the development rules.
 - 3.4 The application for approval of development's name (The James II), internal street name (Ash Street) and the SDP.
 - 3.5 The size of the property is 7827m² in extent.
 - 3.6 The subject property is located on the corner of School Road and Fresno Steet in Jamestown, directly behind the Stellenbosch shopping centre.
 - 3.7 It is surrounded by Jamestown's commercial and single residential land uses and the cemetery is located directly south of the site.
 - 3.8 The James II residential development will be located next to The James I residential development and will be similar to it.
 - 3.9 The subject property is zoned Agriculture and Rural Zone. The subject property is currently vacant and is not used for any agricultural activities.

3.10 The proposal will entail the following:

Development rules	Townhouses
Number of residential units	48 townhouse erven/ units
Erf sizes	Approximately 107m ² each
Coverage	Approximately 67% (in lieu of 50%)
Height	2 storeys
Floor area	N/A
Building lines (external)	1.3m and 1.5m (in lieu of 3m)
Building lines (internal)	0m
Parking	96 parking bays @ 2 bays per unit
Outdoor space	Approximately 380m ²

4. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Be advised that, based on the information provided, the application for rezoning, subdivision, departure and other on Portion 844 of Farm No. 510, Stellenbosch **does not** constitute any listed activities as defined in the NEMA EIA Regulations, 2014 (as amended). Environmental Authorisation is therefore not required prior to the application for rezoning, subdivision, departure and other on Portion 844 of Farm No. 510, Stellenbosch.
5. The above is based on the following:
- The property is located within an urban area.
 - It is smaller than 5ha.
 - No indigenous vegetation remains on the site.
 - It is not zoned for conservation purposes.
6. However, should any revision of your development comprise any activities that constitute a listed activity as defined in LN 1, 2 and 3, an application for environmental authorisation must be submitted to the competent authority and authorisation obtained before such activity(ies) may commence.
7. You are advised that it is the responsibility of the applicant on the general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."
8. The applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
9. The Department reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully



HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr S van der Merwe (Stellenbosch Municipality)

E-mail: schalk.vandermerwe@stellenbosch.gov.za

ANNEXURE I

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

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



Western Cape
Government

Agriculture

Cor Van Der Walt
LandUse Management
Email: LandUse.Eisenburg@eisenburg.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 Wall

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 (THE JAMES PHASE I)

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:

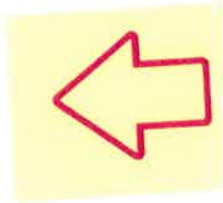
- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

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

Yours sincerely


Mr. C. van der Wall

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
7549

ANNEXURE J

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE
MANAGER: COMMUNITY
SERVICES**

**INTEROFFICE
MEMORANDUM**



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT
**STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES**

20 OCT 2020

DEPARTMENT: COMMUNITY SERVICES
Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

To:	Administrative Officer: Land Use Management Nicole Katts	From:	Senior Environmental Planner Schalk van der Merwe
CC:	Manager: Community Services Albert van der Merwe	Date:	20 October 2020
Re:	APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES ON PORTION 844 OF FARM 510, JAMESTOWN – LU/11701		

The above application refers. From an environmental planning point of view this department has no objection to the approval of the application subject to the following:

1. Activities on site, during construction and thereafter, must comply with the Western Cape Noise Control Regulations.
2. During construction the owner, developer or any agent acting on his/her behalf, must take all reasonable steps to prevent nuisance caused by dust in accordance with the National Dust Control Regulations.

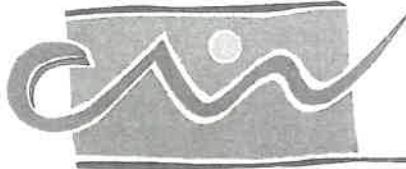
**S VD MERWE
SENIOR ENVIRONMENTAL PLANNER:
COMMUNITY SERVICES**

FILE NR:	
SCAN NR:	F 510 / 844 JT
COLLABORATOR NR:	696 114

ANNEXURE K

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE
MANAGER: HEALTH
SERVICES (CAPE
WINELANDS)**



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMBUZO:
TELEFOON/TELEPHONE/UMNKEBA:
FAKS/FAX/FEKSI:
E-POS/E-MAIL/E-MAIL:
U VERW/OUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

Ms Tracey-Lee Mouton
021 888 5836
021 887 9365
tracey-lee@capewineland.gov.za
LU/11701
16/2/6/1

Alexanderstraat 46 Alexander Street
☒ 100
STELLENBOSCH
7599

21 October 2020

The Municipal Manager
Stellenbosch Municipality
P.O. Box 17
Stellenbosch
7599

ATTENTION: Ms Salome Newman

APPLICATION FOR CONSENT USE/REZONING/SUBDIVISION/DEPARTURE: FARM 510/844, JAMESTOWN (LU/11701)

From an environmental health perspective this application may be recommended for approval; provided that the following conditions are complied with:

1. Environmental pollution

1.1 No pollution such as water, air, dust or noise pollution may occur on any part of the premises during the construction phase of the "The James II". Proper preventative measures must be put in place beforehand.

2. Sewerage/Sanitary facilities

2.1 The sewerage system from the proposed development must be connected to the Municipal sewerage system according to Stellenbosch Municipality's specifications, conditions and approval.

3. General conditions

3.1 This Department reserves the right to set further requirements during the running of the business.

Please contact me if you have any further questions or comments in this regard.

Yours faithfully

Tracey-Lee Mouton
Obo. MUNICIPAL MANAGER

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/

All correspondence to be addressed to the Municipal Manager/Yonke imbalelwano mayithunyelwe kuMlawuli kaMasipala
Telefoon/Telephone/Umnxeba: 0861 265 263 • E-pos/E-mail/E-mail: admin@capewineland.gov.za • Faks/Fax/Faksi: 023 342 8442

ANNEXURE L

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE
MANAGER: SPATIAL
PLANNING**



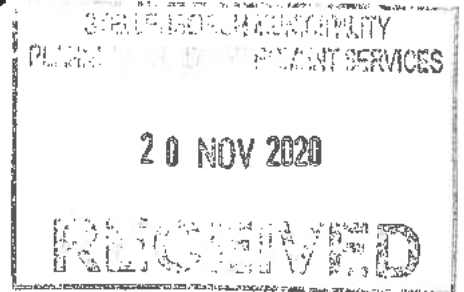
STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Spatial Planning

To : **Manager: Land Use Management**
From : **Manager: Spatial Planning**
Reference : **Farm 510/844 Jamestown**
LU No : **LU/11701**
Date : **19 November 2020**
Re : **Application for rezoning, subdivision and departures on Farm 510/844 Jamestown**



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

Application is made for the following:

- **Rezoning** from Agriculture and Rural Zone to Subdivisional Area to allow for the following uses and in accordance with the land use framework plan as depicted in plan with reference "Proposed Subdivision Plan Nr 4", dated 13 July 2020, and drawn by TV3 Architect and Town Planners:
 - a) 48 x Multi-Unit Residential erven and approximately 5194m² in extent, for group housing purposes.
 - b) 1 x Private Open Space erf (portion 49) and approximately 2 608m² in extent, for private road and private open space purposes.
 - c) 1 x Utility Services erf (portion 48) and approximately 25m² in extent for purposes of an electric substation.
- **Subdivision** said property in accordance with Subdivision Plan Nr 4, dated 13 July 2020, and drawn by TV3 Architect and Town Planners; to allow for the residential development in accordance with the sub-divisional zone above.
- **Departure** to: i) relax the development's external building lines from 3,0m to 1,3m and 1,5m; iii) to increase the townhouse erven's permissible coverage from 50% to 67%.
- **Adoption of the development's name:** The James II.
- **Approval for the naming and numbering of internal street** as per the proposed subdivision plan.
- **Approval of the development's Site Development Plan** as indicated on Drawing Nr. 3637/A/100, dated 29 June 2020, drawn by TV3 Architects and Town Planners.

FILE NR:

SCAN NR:

F 510/844 JT

698433

1) Opinion/reasoning:

The new approved Municipal Spatial Development Framework for the WC024 area was approved by Council in November 2019 and recognises that the spatial decisions and actions of many make what settlements are.

In terms of this approved document, seven principles need to be considered:

1. Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
2. Respect and grow cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and potentials of existing settlements;
5. Clarify and respect the roles and functions of different elements of movement structure;
6. Ensure balanced, sustainable communities;
7. Focus collective energy on a few catalytic lead projects.

With the enactment of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), a new planning regime was introduced in South Africa. It replaced disparate apartheid era laws with a coherent legislative system as the foundation for all spatial planning and land use management activities in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making. Other objectives include addressing historical spatial imbalances and the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments.

Chapter 2 of SPLUMA sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land. These principles are the following:

- Spatial Justice
- Spatial Efficiency
- Spatial Sustainability
- Spatial Resilience
- Good Administration

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 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. The proposed development will act as a buffer and transition zone between the commercial land use (Stellenbosch Square) and the Jamestown residential land uses. Currently the back of the mall is creating a dead space for the residents of Jamestown and the proposed development will create integration.

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
MANAGER: SPATIAL PLANNING

ANNEXURE M

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE
DIRECTOR: ENGINEERING
SERVICES**



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : The Director: Planning and Development

FOR ATTENTION : Salome Newman

FROM : Manager: Development (Infrastructure Services)

AUTHOR : Tyrone King

DATE : 14 April 2021

RE. : Farm 510/844: The James 2: Rezoning and subdivision for the development of 48 residential erven (The James II)

YOUR REF : LU/11701

OUR REF : 2093 CIVIL LU

PLAN NR: ES10/844 J1

COLLABORATOR NR: 712562

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

26 AUG 2021

RECEIVED

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

- Proposed Subdivision Plan: Plan No. 4, by TV3, dated 12/04/20201(sic);
- Site Development Plan: Plan No. 3637/A/100 Rev B, by TV3, dated 2021-03-03;
- Report on Civil Engineering Services, by Bart Senekal, dated 13 July 2020;
- Traffic Impact Statement (TIS) dated 14 July 2020, By ICE Group (ref ICE/S/1308A)
- GLS Water and Sewer capacity Analysis report dated 30 March 2021

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

- Total Units (townhouses): 48 erven

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

This document consists of the following sections:

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)**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:

Comment on the absence of affordable housing: 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

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

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.

- a. 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.
- b. 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.
- c. 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.
- d. It should also be noted that this is one of two high density residential development applications on the vacant strip of land adjacent to the Jamestown Mall (Stellenbosch Square).
- e. The exclusion of the affordable housing market in developments such as these, will have a direct impact on the municipality's ability to sustainably provide services to all its residents over the long term. For instance: unless more opportunity is provided for ordinary people in those communities where developments are taking place, it will be difficult to impact on the number of people commuting to and from Stellenbosch town in private vehicles on a daily basis. Furthermore, when seen in isolation (eg this development), this problem might not seem significant, however, over time, there will be a cumulative effect on the larger Stellenbosch.
- f. It is therefore our request that the above be taken into consideration when evaluating the application for approval.
- g. We do however provide our comment and conditions on the application in its current format – see below.

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

3. In terms of engineering services, the development is recommended for approval, subject to the conditions as stated below:

C. Specific conditions of approval

4. that the following upgrades are required to accommodate the development. No taking up of proposed rights including Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be allowed until the following upgrades have been completed and/or conditions have been complied with:

a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.

b. **Water Network:**

i. Additional reservoir storage capacity (7ML Jamestown Upper Reservoir) is required to accommodate new developments in Jamestown. The current draft budget indicates R28m over 3 years allocated to this project, with completion estimated in June 2024:

1. Before subdivision clearance can be issued, the Contractor must at be appointed by the Municipality and construction on the reservoir project must have commenced.
2. Before occupation certificates can be issued (if reservoir is not yet completed): to improve water supply to the existing reservoir, while the new one is under construction – the newly laid 355mm supply line from Paradyskloof must be connected to the existing Jamestown reservoir – SSWB1 (**Annexure: Water**). (This is a relatively short line and can also be done by the Developer with DCs, if need be.)

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

- ii. The water can connect to the existing water reticulation network in the vicinity of the site. The exact position and details of the connection will be determined during engineering drawing approval stage;
- iii. The water connection and bulk water meter from Stellenpark Business Park must be relocated to the entrance of the James 2 development to enable better access for the water meter readers. This will be for the Developer's cost.
- iv. The section of the watermain on the subject property running parallel with Fresno Road must be relocated to the eastern side of Fresno Road – either within the road reserve or if not possible to be protected by a servitude in favour of the Municipality.
Funding: may be done in lieu of DCs.

c. Sewer Network:

- i. The existing Stellenbosch reticulation and bulk sewer system downstream of the proposed connection point has sufficient capacity to accommodate the proposed development.
- ii. The sewer can connect to the existing sewer reticulation network in the vicinity of the site. The exact position and details of the connection will be determined during engineering drawing approval stage;
- iii. The existing sewer connection and sewer main on the subject property will be accommodated below the units with the manholes accessible, as agreed by the Developer with the Director: Infrastructure Services. This will be an interim solution, to allow the development to go ahead and until the Municipality can relocate the pipe to its permanent position the road reserve. Maintenance will be done via the manholes, until the pipe is relocated and at which time the existing pipe will be sealed. The Municipality must be given access for all such maintenance purposes.
- iv. A servitude (or another applicable mechanism) must be registered before clearance can be issued, stipulating the roles and responsibilities of all parties (HOA/Municipality) regarding the maintenance of the sewer line, access arrangements, and including costs implications i.e. should property

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

be damaged due to maintenance activities and/or for interim sewer collection and discharge should the Municipality carry out repairs. The Developer must submit a document (servitude or similar) for scrutiny and approval by the Director: Infrastructure Services.

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 – 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

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 II" development.

Option 3 is also a condition of approval of the James I development on Erf 510/845 and must be implemented by whoever develops first.

Should the sequence of implementation of the three 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. Sidewalks must be provided along School Street, between the refuse/public transport bay and the existing sidewalk at Fresno Street.

Responsible: Developer

Funding: Developer's own cost

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)**e. Stormwater Network**

- i. The difference between the 1:50 year pre- and post-development run-off must be attenuated on-site. A dry pond in combination with a stone filled, storage cell below the road surface at the southern end of the development 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.

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 2 554 281. 79
Upgrades cost	
Road upgrade Option 3 (if not implemented by Farm 510-845 – The James I)	R 2 012 120. 01
Water SSW.B1 (if not done by Municipality in time)	R 510 000. 00
Total cost	R 2 522 120
Surplus	R 32 161
Comment	Based on the estimates, there are sufficient DCs to cover the required upgrades but any shortfall that may be encountered will have to be for the Developer's account.

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"

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;

7. that the "Developer" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;
8. that the "Developer" may enter into an engineering services agreement with the "Municipality" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services;
9. that the Development Charges levy to the amount of R 3 180 500. 25 (Excluding VAT) as reflected on the DC calculation sheet, dated 17 Nov 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 48 townhouses 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 and TIS: one lane in (4,0m) and one lane out (3.2m);

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

15. that the stacking distance be generally in accordance with the SDP and TIS (10m between the access booms and the edge of the sidewalk);
16. Accommodation of visitors not granted immediate access be by means of a parking bay (over and above the parking requirements) to the outside of the security control booms as indicated on the SDP and in the TIS;
17. that provision be made for a refuse room and refuse embayment along School Street 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 transport embayment. Final details will be agreed during engineering drawing approval stage;
18. 8.0m road reserves for this development is acceptable, as agreed with the Roads Department. Sufficient traffic calming measures and landscaping in strategic places must be indicated on detail design drawings, to provide a relative safe "play street" concept;
19. Turning space is provided at both ends of the road to accommodate passenger vehicles and must be indicated on detail design drawings;
20. 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

21. 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

22. 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;
23. Any alterations to existing services necessitated by the new development will be for the Developer's cost;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)**Bulk Water Meter**

24. 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

25. 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.

Roads

26. 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

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

Damage to municipal infrastructure and assets

28. 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;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

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:

29. that should the "*Developer*" not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Infrastructure Services by the "*Developer*" for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
30. that the "*Developer*" indemnifies and keep the "*Municipality*" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the municipalities' services or apparatus or otherwise) arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.
31. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
32. that, if applicable, the "*Developer*" approach the Provincial Administration: Western Cape (District Roads Engineer) for their input and that the conditions as set by the Provincial Administration: Western Cape be adhered to before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued;
33. that the "*Developer*" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;
34. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 3rd Edition (2015);

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

35. Should the "Developer" wish to discuss the possibility of proceeding with construction work parallel with the provision of the bulk services listed above, he must present a motivation and an implementation plan to the "Engineer" for his consideration and approval. The implementation plan should include items like programmes for the construction of the internal services and the building construction. Only if the programme clearly indicates that occupation is planned after completion of the bulk services, will approval be considered. If such proposal is approved, it must still be noted that no occupation certificate will be issued prior to the completion and commissioning of the bulk services. Therefore should the proposal for proceeding with the development's construction work parallel with the provision of the bulk services be agreed to, the onus is on the "Developer" to keep up to date with the status in respect of capacity at infrastructure listed above in order for the "Developer" to programme the construction of his/her development and make necessary adjustments if and when required. **The Developer is also responsible for stipulating this condition in any purchase contracts with buyers of the properties;**
36. that the "*Developer*" takes cognizance and accepts the following:
- a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
 - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
 - c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
 - d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;
 - 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

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

37. that it is recognized that the normal Site Development Plan, submitted as part of the land-use application, is compiled during a very early stage of the development and will lack engineering detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the "Developer";
38. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;
39. that if the fully detailed Site Development Plan, as mentioned in the above item, contradicts the approved Site Development Plan, the "Developer" will be responsible for the amendment thereof and any costs associated therewith;
40. that an amended Site Development Plan be submitted for approval prior to the approval of building plans for new buildings not indicated on the Site Development Plan applicable to this application and or changes to existing buildings or re-development thereof;

Internal- and Link Services

41. that the "Developer", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;
42. that the Directorate: Infrastructure Services may require the "Developer" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services;

43. that the detailed design and location of access points, circulation, parking, loading - and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;
44. that plans of all the internal civil services and such municipal link services as required by the Directorate: Infrastructure Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
45. that construction of services may only commence after municipal approval has been obtained;
46. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
47. that the "Developer" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (as amended) and that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with this document, unless otherwise agreed with the Engineer. The said document is available in electronic format on request;
48. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
49. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
50. that prior to the issuing of the Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1, all internal - and link services be inspected for approval by the "Engineer" on request by the "Developer's" Consulting Engineer;
51. that a Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1 be issued before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued (prior to transfer of individual units or utilization of buildings);
52. that Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will only be issued if the bulk watermeter is installed;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

53. that a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer be submitted to the "Engineer" on request;
54. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
55. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the "Developer" to determine the location of existing civil and electrical services;
56. that all connections to the existing services be made by the "Developer" under direct supervision of the "Engineer" or as otherwise agreed and all cost will be for the account of the "Developer".
57. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;
58. that the "Developer", at his/her cost, will be responsible for the maintenance of all the internal (on-site) municipal – and private civil engineering services constructed for this development until at least 80% of the development units (i.e. houses, flats or GLA) is constructed and occupied whereafter the services will be formally handed over to the Owner's Association, in respect of private services, and to the Municipality in respect of public services;

Servitudes

59. that the "Developer" ensures that all main services including roads to be taken over by the Directorate: Infrastructure Services, all existing municipal – and or private services including roads, crossing private - and or other institutional property and any other services/roads crossing future private land/erven are protected by a registered servitude before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be given;
60. The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "Developer" will be responsible for the registration of the required servitude(s), as well as the cost thereof;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

61. that the "Developer" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party before final approval of engineering drawings be obtained.

Stormwater Management

62. Taking into account the recent water crisis, and associated increase in borehole usage, it is important that the groundwater be recharged as much as possible. One way of achieving the above is to consider using Sustainable Drainage Systems (SuDS) approach wrt SW management. From Red Book: "SuDS constitute an approach towards managing stormwater runoff that aims to reduce downstream flooding, allow infiltration into the ground, minimise pollution, improve the quality of stormwater, reduce pollution in water bodies, and enhance biodiversity. Rather than merely collecting and discarding stormwater through a system of pipes and culverts, this approach recognises that stormwater could be a resource." The Developer is encouraged to implement SuDS principles that are practical and easily implementable. Details of such systems can be discussed and agreed with the Municipality and must be indicated on the engineering drawings.
63. that the geometric design of the roads and/or parking areas ensure that no trapped low-points are created with regard to stormwater management. All stormwater to be routed to the nearest formalized municipal system;
64. that overland stormwater escape routes be provided in the cadastral layout at all low points in the road layout, or that the vertical alignment of the road design be adjusted in order for the roads to function as overland stormwater escape routes. If this necessitates an amendment of the cadastral layout, it must be done by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services;
65. that the design engineer needs to apply his/her mind to ensure a design that will promote a sustainable urban drainage system which will reduce the impacts of stormwater on receiving aquatic environments;
66. 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;
67. 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

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

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;

68. 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.
69. 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;
70. 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

71. 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;
72. 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;
73. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
74. 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;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

- 75. that visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;
- 76. that each erf has its own access (drive-way), *(the new access(es) (dropped kerb(s)) to the proposed parking bays be)* constructed to standards as set out by the the Directorate: Infrastructure Services and in line with the Road Access Guideline;

Wayleaves

- 77. that way-leaves / work permits be obtained from the Directorate: Infrastructure Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;
- 78. that wayleaves will only be issued after approval of relevant engineering design drawings;
- 79. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

Owner's Association (Home Owner's Association or Body Corporate)

- 80. that an Owner's Association be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
- 81. that the Owner's Association take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
- 82. that in addition to the responsibilities set out in section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
- 83. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

84. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

Solid Waste

85. The reduction, reuse and recycle approach should be considered to waste management:

- Households to reduce waste produced
- Re-use resources wherever possible
- Recycle appropriately

To give effect to the above, the following are some typical waste minimization measures that should be implemented by the Developer, to the satisfaction of the Stellenbosch Municipality:

- Procedures should be stipulated for the collection and sorting of recyclable materials;
- Provision should be made for centralized containers for recyclable materials including cardboard, glass, metal, and plastic and green waste;
- A service provider should be appointed to collect recyclable waste. Such service provider must be legally compliant in terms of all Environmental Legislation and/or approved by the Municipality's Solid Waste Management Department;
- Procedures for removal of waste (materials that cannot be reused or recycled) from the site should be stipulated;
- General visual monitoring should be undertaken to identify if these measures are being adhered to;
- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

Where an Owner's Association is to be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Constitution of the Owner's Association shall incorporate the above in the Constitution and:

- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
- A set of penalties for non-compliance should be stipulated in the Constitution

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

86. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
87. that the "Developer" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person Mr Clayton Hendricks, Senior Manager: Solid Waste, 021 808 8241; clayton.hendricks@stellenbosch.gov.za;
88. that should it not be an option for the "Municipality" to enter into an agreement with the "Developer" due to capacity constraints, the "Developer" will have to enter into a service agreement with a service provider approved by the "Municipality" prior to clearance certificate or occupation certificate (where clearance not applicable);
89. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
90. Road foundation shall be designed to carry a single axle load of 8.2 tons;
91. Refuse storage areas are to be provided for all premises other than single residential erven;
92. 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;
93. 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;
94. 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;
95. 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;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

96. 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:

97. All black 85 l refuse bins or black refuse bags is in the process of being replaced with 240 l black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

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

98. 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;

99. 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

100. 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

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

101. 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;
102. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
103. 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;
104. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
105. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
106. 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

107. 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

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

will have to be according to the IMQS format, as to be supplied by the "Engineer", and is to be verified as correct by a professional registered engineer;

- d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;
 - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "*Municipality*" are fully paid;
108. 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*";
109. 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;
110. 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;
111. 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

112. 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;
113. 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

Farm 61/845, Jamestown: Development of 48 townhouses (The James II)

"Municipality" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;

114. that clearance will only be given per phase and the onus is on the *"Developer"* to phase his development accordingly;
115. **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;**
116. 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

117. 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

118. 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"*;
119. 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;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

120. 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;
121. 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";
122. 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)



JERI-LEE MOWERS
SENIOR MANAGER: DEVELOPMENT, ASSET MANAGEMENT AND SYSTEMS & PROJECT
MANAGEMENT UNIT (PMU)

Farm 51/846, Jamestown: Development of 48 townhouses (The James II)**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)

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.

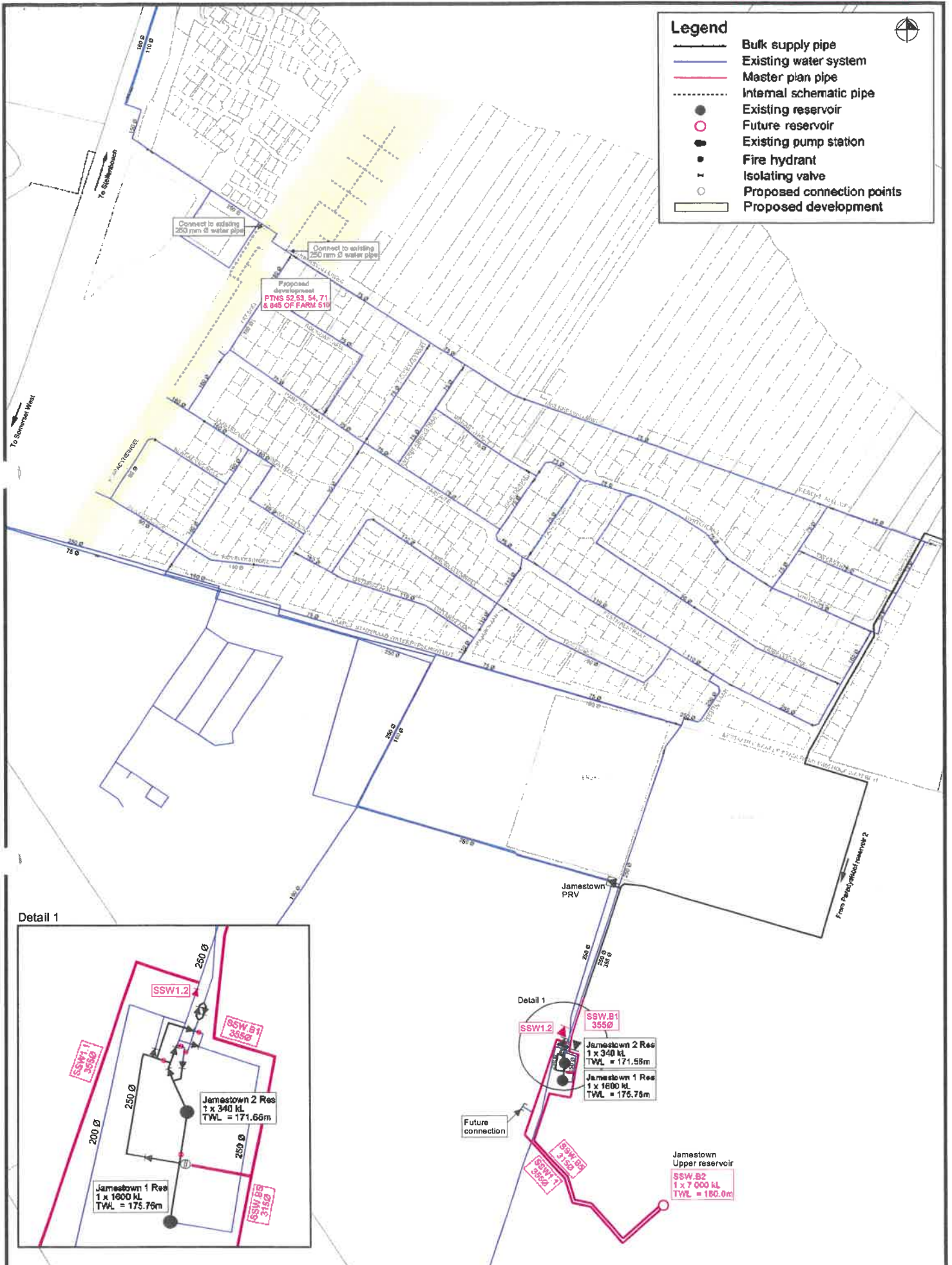
For road layer shapefiles; the road name, the from_street and to_street where applicable as well as the start en end street numbers needs to be included as part of the attributes. A rotation field needs to be added to give the street name the correct angle on the map.

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

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

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



ANNEXURE - ROAD UPGRADES

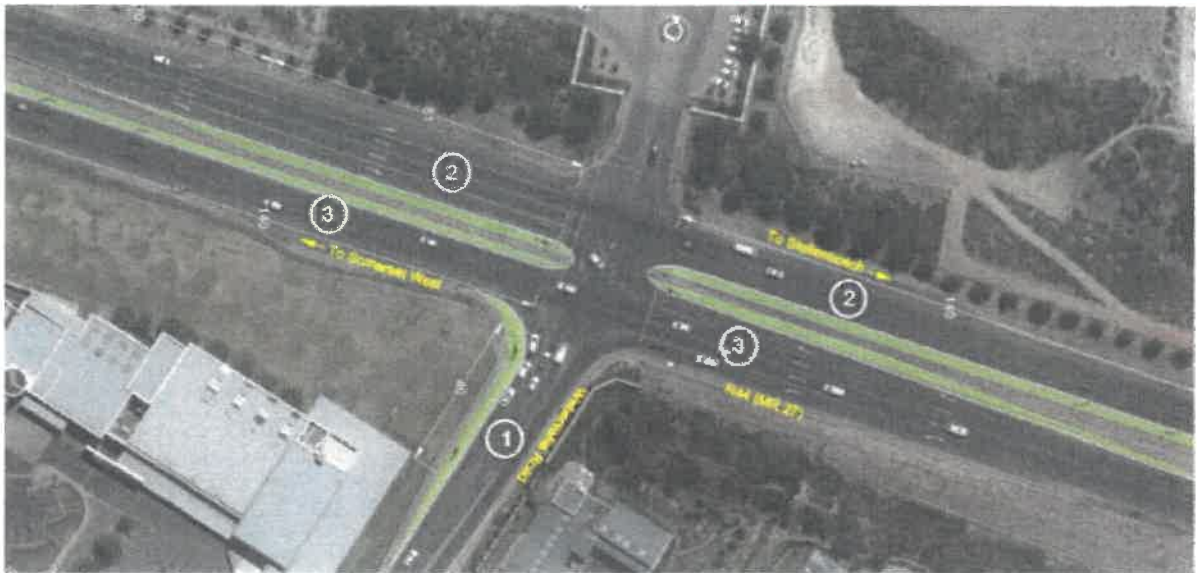


Diagram 1 : Possible upgrade options at R44/Webersvallei Road signalised intersection

- Option 1 : Dedicated left-turn lane along Webersvallei Road
- Option 2 : Third through lane at the intersection along the R44 northbound
- Option 3 : Third through lane at the intersection along the R44 southbound

ANNEXURE DC

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	Civil LU 2093 (LU 11701)
Date	Tuesday, 17/Nov/2020
Financial Year	2020/21
Erf Location	Stellenbosch Town
Erf No	Erf 510-844, Jamestown
Erf Size (m ²)	
Suburb	
Applicant	
Approved Building Plan No.	Proposed Subdivision Plan: Plan No. 4, by TV3, dated 13/07/2020

SUMMARY OF DC CALCULATION

(Units)	Water l/day	Sewer l/day	Storm-water ha°C	Solid-Waste @week	Roads l/day	Community Facilities person	Totals
Total Increased Services Usage	28.908	24.088	0.762	1.520	188.26	158.3	
Total Development Charges before Deductions	R 762 268.87	R 609 344.84	R 75 649.28	R 98 630.73	R 1 007 387.07	R 626 216.46	R 3 180 508.25
Total Deductions							
Total Payable (excluding VAT)	R 762 268.87	R 609 344.84	R 75 649.28	R 98 630.73	R 1 007 387.07	R 626 216.46	R 3 180 508.25
VAT	R 114 340.48	R 91 401.73	R 11 347.39	R 14 944.61	R 161 108.06	R 93 932.77	R 477 075.04
Total Payable (including VAT)	R 876 609.35	R 700 746.57	R 86 996.68	R 114 575.33	R 1 168 495.13	R 720 151.22	R 3 657 515.28

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 levied (excl VAT)						Total					
		Infrastructure Type applicable? (yes/no)							Water	sewer	Storm-water	Solid-Waste	Roads	Community Facilities						
		yes	no		yes	no			yes	no	yes	no	yes	no		yes				
m2 GLA	area (m2)	m ² GLA	% GLA	area (m2)	m2 GLA	% GLA	m2 GLA	res2												
Single Residential	>100m2	du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
Single Residential	>600m2	du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
Single Residential	>250m2	du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
Single Residential	<750m2	du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
Large Format Residential	>200m2	du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
Open Formal Residential	<200m2	du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
Temp Residential	>250m2	du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
Camp Residential	<250m2	du		0	5 194	0%	0%	R	759 632.76	R	607 131.94	R	85 816.11	R	99 814.90	R	991 497.69	R	625 856.27	
Medium Density Residential	>250m2	du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
Medium Density Residential	<250m2	du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
High Density Residential - Res		du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
High Density Residential - student rooms		du		0		0	0	R	-	R	-	R	-	R	-	R	-	R		
Local Business - office	m3 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
Local Business - retail	m3 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
General Business - office	m2 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
General Business - retail	m2 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
Community	m2 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
Education	m2 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
Light Industrial	m2 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
General Industrial - light	m2 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
General Industrial - heavy	m2 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
Non-ferrous Industrial - heavy	m2 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
Research	m2 GLA			0%		0%	0	R	-	R	-	R	-	R	-	R	-	R		
Public Open Space	m2					0%	0	R	-	R	-	R	-	R	-	R	-	R		
Private Open Space	m2				2 608	100%	2 608	R	-	R	-	R	-	R	-	R	-	R		
Industrial Employment	m2		7 826			0%	-7 826	R	-	R	-	R	-	R	-	R	-	R		
Utility Services	m2 GLA			0%	25	25	100%	25	R	2 637.63	R	2 213.50	R	198.65	R	516.22	R	15 889.39	R	562.19
Public Roads and Parking	m2					0%	0	R	-	R	-	R	-	R	-	R	-	R		
Transport Facility	m2					0%	0	R	-	R	-	R	-	R	-	R	-	R		
Landfill Use						0%	0	R	-	R	-	R	-	R	-	R	-	R		
Special																				
In be registered																				
based on equivalent demands																				
* Complete yellow/green cells.			0				7 827													
** do not double count GLA/ha/ha. (double count).																				
*** analysis not to be equal to existing area.																				
Total Development Charges before Deductions									R 762 269.87	R 809 344.64	R 75 609.28	R 99 630.73	R 1 007 387.07	636 218.46	R 3 180 500.29					
No Deductions per service (N)									0.00%	0.00%	0.00%	0.00%	0.00%	R 0.00						
No Deductions per service (D)									R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00						
Additional Deduction per service - from Service Agreement (sum)																				
Sub Total after Deductions (including 0%)									R 762 269.87	R 809 344.64	R 75 609.28	R 99 630.73	R 1 007 387.07	636 218.46	R 3 180 500.29					
									R 1 14 940.48	R 91 401.79	R 1 347.99	R 14 944.62	R 131 108.06	98 992.77	R 477 075.04					
									R 976 810.35	R 700 746.57	R 6 995.69	R 114 575.93	R 1 156 695.18	729 151.22	R 9 852 575.29					

ANNEXURE:
ELECTRICAL
ENGINEERING

510-844 Jamestown (LU-11701)

GENERAL COMMENT:

1. Outside Stellenbosch area of supply.
2. All Electrical requirements should be directed to ESKOM

CONDITIONS

3. No conditions.



SIGNATURE

DATE 14/4/21



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

TO : **The Director: Planning and Development**

FOR ATTENTION : **Salome Newman**

FROM : **Manager: Development (Infrastructure Services)**

AUTHOR : **Tyrone King**

DATE : **22 December 2020**

RE. : **Farm 510/844: The James 2: Rezoning and subdivision for the development of 48 residential erven (The James II)**

YOUR REF : **LU/11701**

OUR REF : **2093 CIVIL LU**

Herewith find our preliminary comments, which are to be addressed before the application can be further evaluated and approved:

- 1. Water and Sewer – comments based on consultation with the Senior Manager: Water Services, Mr Adriaan Kurz:**
 - 1.1 The position of the water connection and bulk water meter of Stellenpark Business Park will be problematic when the private, gated development is established. It must be relocated to the entrance of the business park in Klaradyn Crescent. There is an existing 75mm dia municipal water line to which to connect (see GIS screenshot below). The existing water connection and bulk water meter for Stellenpark Business Park is to be abandoned. Please amend your proposal accordingly. It will be a

condition of approval that the arrangements and cost for this work is to be negotiated between the Developer of the James 2 and Stellenpark Business Park.



- 1.2 It is acknowledged that in principle approval was given by the Director and Senior Manager: Water Services to the Developer to develop over the sewer line, as long as municipal access to the manholes was not compromised. Now that more detail is available, the section of sewer line **circled below** is found to be undesirable. This is where the pipe makes a 90 bend and could be more prone to blockages and spillages – an unobstructed pipe route will enable easier maintenance and/or emergency work to be carried out should it be required and cause less interruption and inconvenience to the home owners. Please amend the erf layout so that there is no structure on this portion of the line – perhaps consider having the road turning shunt here and shifting the houses more to the north. +



- 1.3 The Municipality are still deciding which appropriate mechanisms or conditions are to be put in place to ensure effective maintenance on the sewer line if and when required. This is a municipal line, but will be located on private property – normally a servitude would address this issue, but in this case there will be houses over the sewer line. We will further engage with the Developer on this matter in due course. If the Developer has any suggestions, please feel free to share.

2. Traffic Engineering

- 2.1 Final comment and conditions are still being awaited from the Roads and SW department, and will be forwarded as soon as it is received. You may however follow up with Mr Nigell Winter in this regard – 021 808 8223; nigell.winter@stellenbosch.gov.za.

3. Electrical Engineering

- 3.1 Final comment and conditions are still being awaited from the Electrical Engineering department, and will be forwarded as soon as it is received. You may however follow up with Mr Bradley Williams in this regard - 021 808 8336; bradley.williams@stellenbosch.gov.za.

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

W:\2.0 DEVELOPMENT\00 Developments\2093 (TK) Erf 510-844 Jamestown (LU-11701) (The James 2)\2093 (TK) Erf 510-844 Jamestown (LU-11701) The James #_1_not approved.doc

ANNEXURE N

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

RESPONSE BY APPLICANT

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

OBJECTOR	ISSUES RAISED	APPLICANT'S RESPONSE
Hans Eggers	Decision making authority: The application must be submitted to the MPT for a decision.	Noted.
Hans Eggers	The development proposal may be good for the landowner but is not good for Stellenbosch.	<p>The proposed development is considered to be desirable (and good for Stellenbosch) because:</p> <ul style="list-style-type: none"> • It is located inside the Stellenbosch town urban edge; • It is consistent with the MSDF; • It will provide additional (and more affordable) housing opportunities; • Heritage Western Cape has approved the development; • The application area is not a viable agricultural land unit and cannot be effectively farmed; • Council has approved similar residential developments in Jamestown. • The proposed development will lead to the sensible densification and integration of an urban neighbourhood; • Engineering services are available; • The traffic impact is acceptable; and • The proposed development will benefit the broader community of Stellenbosch by creating new employment opportunities and by supporting local economic development.
Hans Eggers	Stellenbosch MSDF: The MPT should not take reactive decisions but proactive decisions. The agenda of the MPT should be set by the MSDF and IDP. Transport needs and proactive transport decision making: The application should be refused,	<p>The proposed development complies 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 compliant with the purpose and recommendations of the MSDF, and to refuse the application will be considered incompatible with the</p>

		and a public transport modal interchange should rather be developed on the application area (and the abutting Farm 510/845).	recommendations of the MSDF. A public transport modal interchange – as suggested by the objector – should rather be located on public land.
Stellenbosch Group	Interest	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.	We disagree with the objector's vague comments on the architecture. 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. 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.
	*		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. 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.
Stellenbosch Group	Interest	The number of units should be reduced.	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.
Stellenbosch Group	Interest	The price range of the development may have an impact on the surrounding	The proposed development aims to provide an affordable housing product with an expected price of ±R2 million for a single title townhouse unit.

	property values and lead to gentrification.	<p>A vacant erf in the proposed development will cost ±R600 000. This is similar to vacant erfen in Jamestown that sell for ±R750 000.</p> <p>The proposed development's price range is therefore in line with house prices of Jamestown.</p> <p>Heritage Western Cape has assessed the proposed development's impact on Jamestown's heritage and has approved the development proposal.</p> <p>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.</p>
Stellenbosch Group	Interest	<p>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.</p>
De Zalze		<p>The development may not affect the availability of engineering services for De Zalze.</p>
De Zalze		<p>There is a concern about the traffic impact for the area as there are no concrete answers or information on mitigating the impact of additional traffic.</p>

Our Reference: 3686-P
 Application No: LU/11701

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

12 October 2021

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

Attention: Ms. Louisa Guntz

Madam

**RE: THE JAMES II: APPLICATION FOR REZONING, SUBDIVISION, ETC. ON
 FARM 510/844, JAMESTOWN, DIVISION OF STELLENBOSCH**

1. We refer to the Directorate: Infrastructure Services' memo dated 14 April 2021.
2. In *Section B* of their memo the Director: Infrastructure Services comments on the absence of affordable housing.
3. We find it strange that the municipal engineering department has decided to comment on spatial planning issues. They should rather focus on the provision of engineering services as 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 at the meeting with the municipal planners and engineers on 6 October 2020, we hereby confirm the following:

- **SPLUMA principles**

The proposed development supports the Spatial Planning and Land Use Management Act, 2013 (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.

- **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 (i.e. a class 4 mobility route). Also, in the MSDF the Stellenbosch Municipality has identified the adjacent Farm 527 for the development of ±5 000 affordable housing opportunities (and not the application area) – see Figure 1 below.

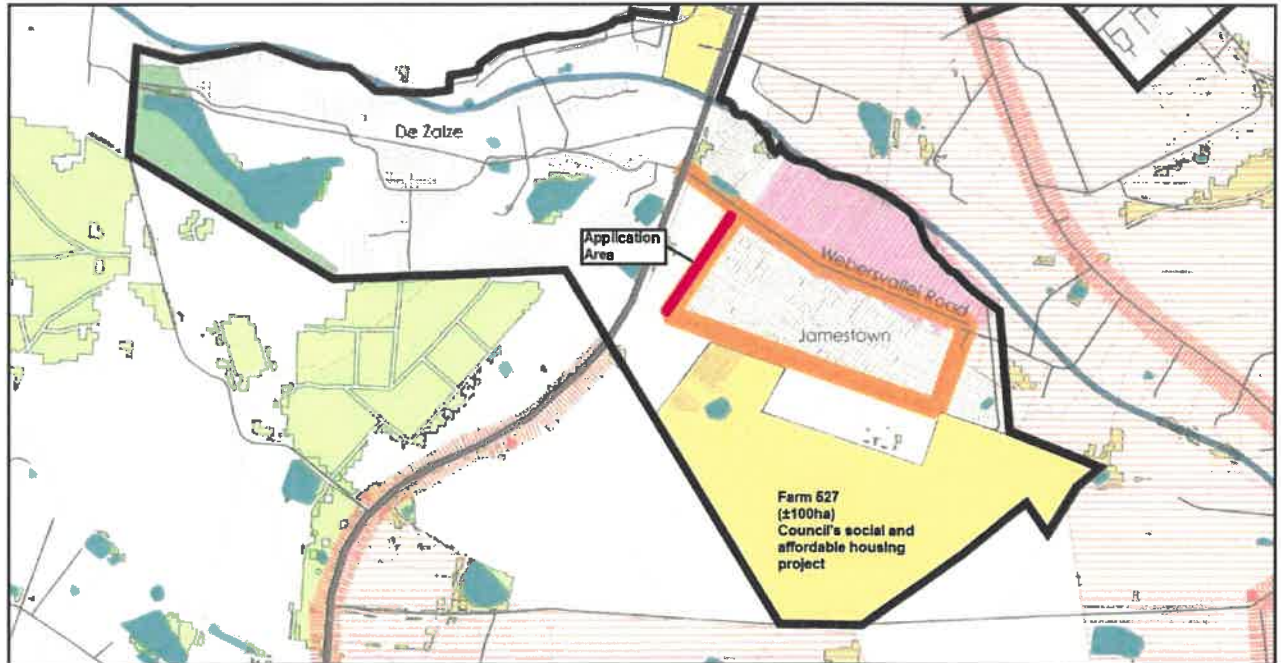


Figure 1: Stellenbosch MSDF (extract)

As indicated on the MSDF, Council is currently developing ± 5000 new affordable 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. In other words, the Director: Infrastructure Services is wrong to claim that there is an absence of affordable housing in Jamestown.

The development proposal complies 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 application area is deemed to be an infill development opportunity. However, the MSDF does not require the development of 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.

- **Affordable housing**

The proposed development aims to provide a more affordable housing product (in a Stellenbosch context) with an expected price of ±R2 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 (owing to 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 (e.g. the adjacent Farm 527).

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.

- **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 development proposal's layout, reducing the number of residential units, limiting the units' selling price, etc. then the project's economic viability will be severely undermined (which could lead to no development).

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 housing opportunities in Stellenbosch (in the middle income market) and support local economic development. In other words, the proposed development is considered desirable and consistent with Council spatial planning policies (regardless of the Director: Infrastructure Services' spatial planning concerns).

6. 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 'CRH', with a long horizontal flourish extending to the right.

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

ANNEXURE O

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

CIVIL SERVICES REPORT



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: 13 July 2020

YOUR REF:

OUR REF: 1425 / A1

**PROPOSED "THE JAMES II" RESIDENTIAL DEVELOPMENT ON
 PORTIONS 71 & 844 OF FARM BLAAUWKLIPPEN No. 510, JAMESTOWN**

REPORT ON PROVISION OF CIVIL ENGINEERING SERVICES

1. INTRODUCTION

The proposed residential development on Portions 71 and 844 of Farm 510, Jamestown comprises 48 group housing 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. 1425/02 in Annexure C2.

2. SITE LOCATION AND DESCRIPTION

The site of ± 0.8 ha is located in Jamestown, approximately 4 km outside Stellenbosch.

The site is bordered to the west by Stellenbosch Square Shopping Centre, Blaauwklip Office Park and Stellenpark Business Park, to the south and east by Klaradyn Crescent and Fresno Street respectively, and to the north by vacant land in the process of development.

The site has a flattish fall of approximately 1 in 200 in a southerly direction.

3. EXISTING MUNICIPAL SERVICES ON THE PROPERTY

A number of existing municipal services exist on the subject property. They are:

1. Watermains and a bulk water connection for Stellenpark Business Park.
2. Sewer connections for Stellenpark Business Park (via pumping) and Blaauwklip Office Park (via gravity flow).
3. Stormwater drainage pipe.

The above services will either be accommodated, or relocated, as described below and indicated on the plan in Annexure C1:

1. The bulk water connection for Stellenpark Business Park will be retained and protected by a 2m wide servitude to be registered in favour of Stellenbosch Municipality. The section of watermain on the subject property running parallel with Fresno Road will be relocated to the eastern side of Fresno Road.
2. The sewer connections and sewer main on the subject property will be accommodated below the units with the two manholes accessible, all as agreed with Stellenbosch Municipality.
3. The stormwater drainage pipe on the subject property will be removed, as it does not service any other property.

4. WATER SUPPLY

4.1 Demand :

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

$$\text{Group housing (erven < 250 m}^2\text{)} \quad 48 \text{ units @ } 0,60 \text{ kl/unit/day} \quad = \quad 28,8 \text{ kl/day}$$

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.

4.2 Supply :

The Stellenbosch Municipality's water reticulation network is found on the property (refer section 3 about the relocation thereof) and in Fresno Street in the form of 110 mm Ø pipelines. Indication is that sufficient spare capacity exists in the network to accommodate the development.

4.3 Storage :

The Municipality's water storage for the Jamestown area is currently from two reservoirs with Top Water Level (TWL) at 171.56 and 175.76 respectively. Water storage capacity for the Jamestown area is under pressure, and a 7 Ml reservoir with TWL at 180 is planned to for the area with an expected completion date of June 2023.

5. SEWERAGE

5.1 Run-off :

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

$$\text{Group housing (erven < 250 m}^2\text{)} \quad 48 \text{ units @ } 0,50 \text{ kl/unit/day} \quad = \quad 24,0 \text{ kl/day}$$

5.2 Drainage :

The Stellenbosch Municipality's sewerage network is found on the subject property (refer Section 3 for the accommodation thereof) and also in Fresno Street. Sewerage of the proposed development will be achieved by connecting to the existing sewer on the property as indicated on the Concept Services Plan in Annexure C2.

The 2019 Sewer Master Plan proposes a 250mm Ø sewer upgrade along Fresno Street and a 355mm Ø collector sewer along the western section of Webersvallei Road for strengthening of the existing sewerage network. An extract from the Sewer Master Plan is provided in Annexure E.

Sewerage of the Jamestown Valley 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 De Zalze Bulk Sewer, which is already under construction and where completion is expected by June 2022.

5.3 Treatment :

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

6. STORMWATER DRAINAGE

6.1 Run-off

The 50-year stormwater run-off from the undeveloped site is estimated at 69 l/s. The 50-year stormwater run-off from the fully developed site is calculated at 144 l/s, thus an increase of 75 l/s from the pre-development run-off.

6.2 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 Klaradyn Crescent from where it is conveyed to the Blaauwklippen River.

6.3 Peak Stormwater Attenuation

Our calculations indicate that a storage volume of 60 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 pond in combination with a stone filled, storage cell below the road surface at the southern end of the development. The proposed locations for the pond and storage cell are as indicated on Drawing 1425/02 in Annexure C2.

7. SOLID WASTE REMOVAL

Solid waste generated by the development is calculated as follows:

Group housing (erven < 250 m²) 48 units @ 0,04 t/unit/week = 1,92 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 Klaradyn Crescent from where the development will be serviced.

8. 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, and the construction of a 7 MI Reservoir that is on the municipality's 2020 - 2023 budget.
- (b) Attenuation of peak stormwater run-off from the developed site will be implemented. We propose that it be accommodated through a combination of a dry attenuation pond as well as a stone filled, storage cell below the southern end of the development.

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



L J Louw Pr. Eng.

ANNEXURE A

LOCALITY PLAN



First Floor • La Gratitude Office Building
 97 Dorp Street • Stellenbosch 7600
 tel: (021) 881 3800
 fax: (021) 892 8025
 e-mail: info@tv3.co.za
 web: www.tv3.co.za

ARCHITECTS AND TOWN PLANNERS

The James II

Property Description:
 Portion 844 Farm 510, Stellenbosch

Drawing:		Plan no.:	
Local Locality		2	
Date:	13/07/2020	Scale:	1:3 000(A4)
Project no.:	3666-P	Drawn:	WH
		Checked:	CH

ANNEXURE B

SITE DEVELOPMENT PLAN

ANNEXURE B



SITE PLAN
Scale 1/8" = 1'-0"

ORIGINAL DOCUMENT DATE	DATE
DOCUMENT AMENDMENTS REGISTERED	DESCRIPTION
A	REVISIONS

TOTAL NUMBER OF DOUBLE STORY UNITS - 47
TOTAL NUMBER OF SINGLE STORY UNITS - 3

DRAWING STATUS NOTES:
 Change in boundary to include 3 units + driveway + 25.00
 on various regulations (vertical, horizontal, etc.) and/or in
 compliance with the applicable building codes, including
 the applicable fire code, and other applicable codes and
 regulations. The drawings are for informational purposes only.
 THE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION
 WITHOUT THE APPROVAL OF THE APPLICABLE AGENCIES.
 THE DRAWINGS SHALL BE USED IN ACCORDANCE WITH THE
 APPLICABLE REGULATIONS AND ORDINANCES.

PROJECT DESCRIPTION:
 Phase 510/044, 510/044/001

DRAWING DESCRIPTION:
 SITE DEVELOPMENT PLAN

PROJECT CLIENT:
 JAMIESTOWN BEHUSING

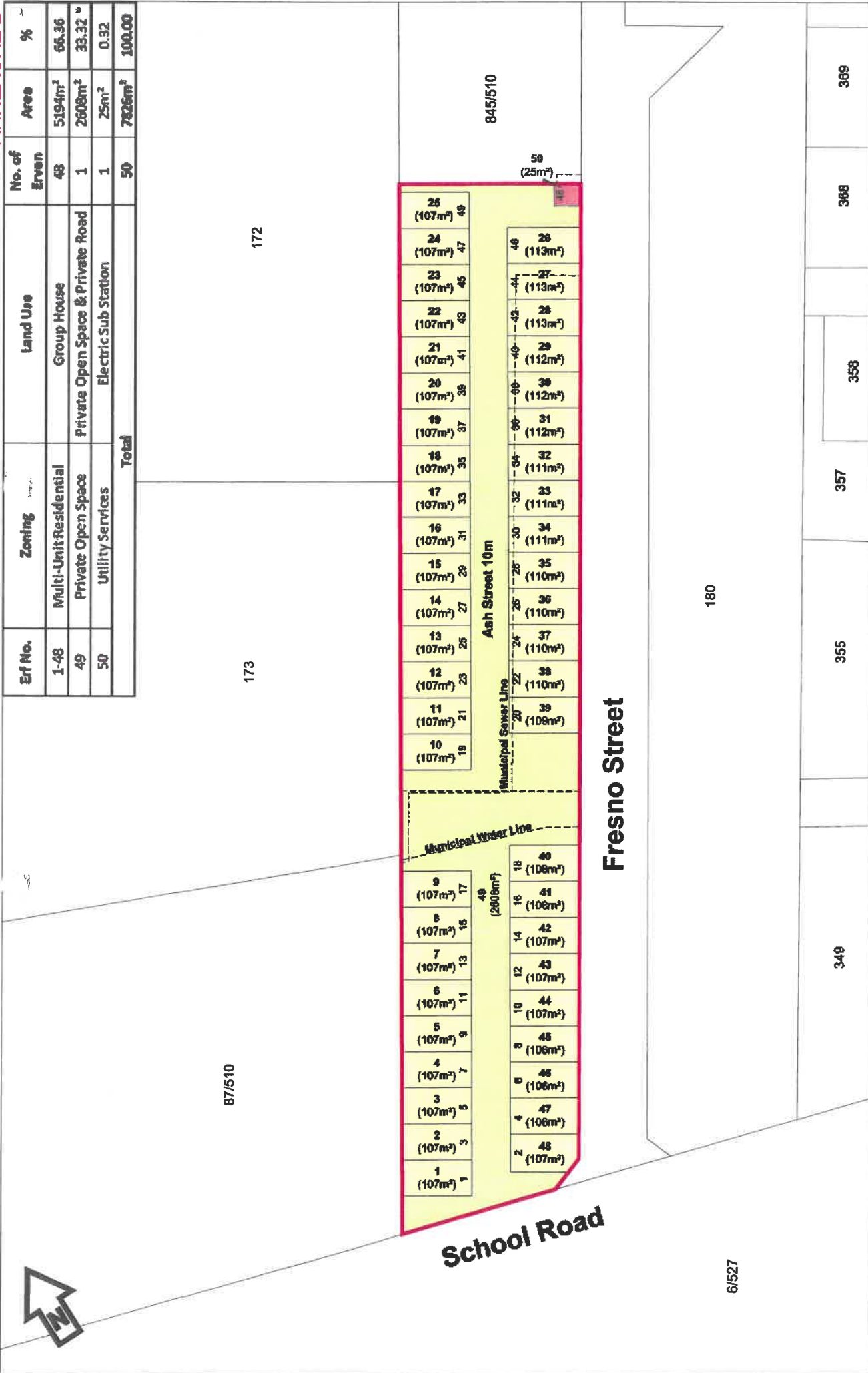
ARCHITECTS AND TOWN PLANNERS:
 TV ARCHITECTS AND TOWN PLANNERS

DATE: 2024.05.23
DRAWN: A. Ghazy
CHECKED: C. Nourmohamed
SCALE: 1/8" = 1'-0"

PROJECT NO.: 3637/A/100
DATE: 2024.05.23
SCALE: 1/8" = 1'-0"

DESIGN:

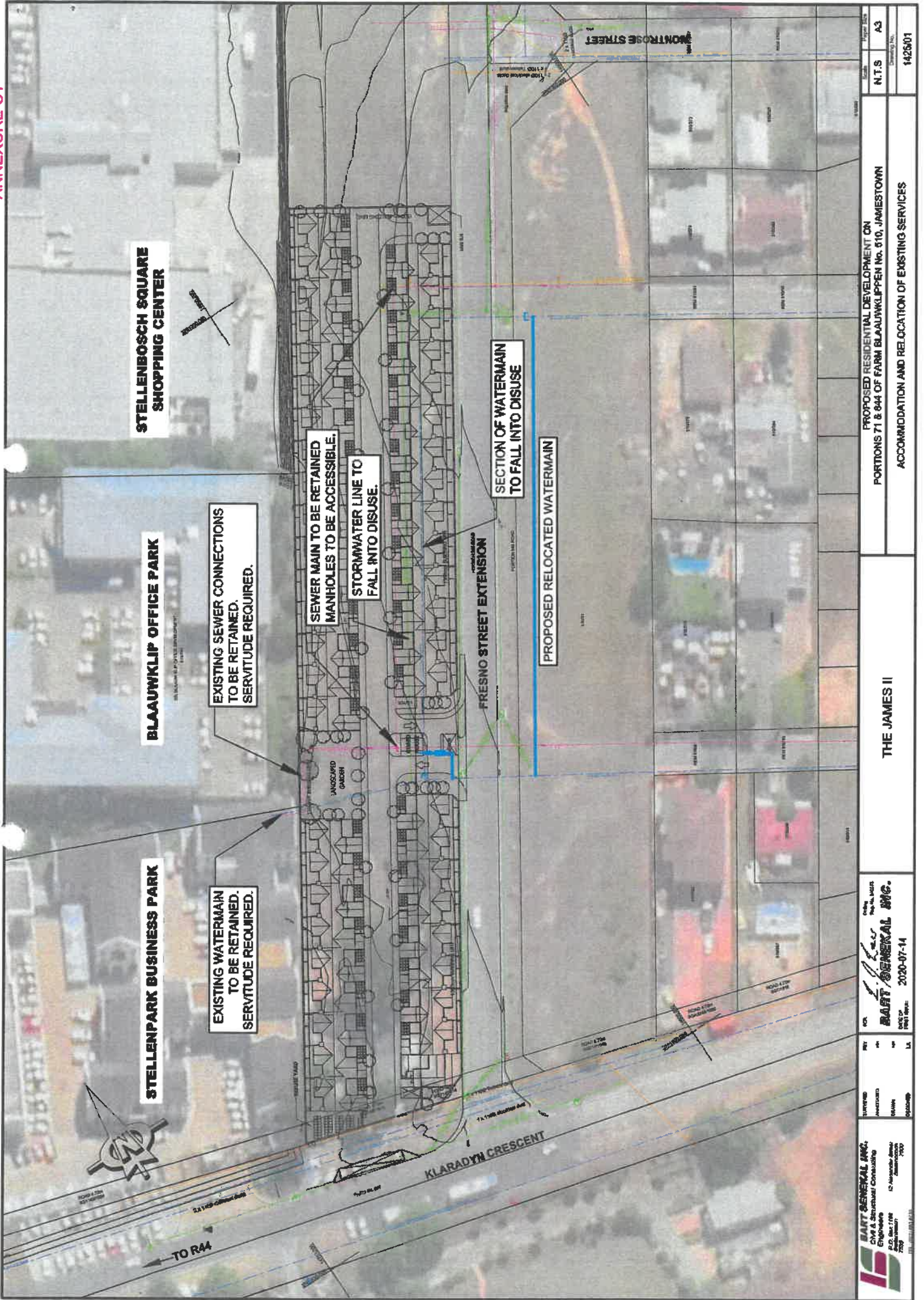
Erf No.	Zoning	Land Use	No. of Erven	Area	%
1-48	Multi-Unit Residential	Group House	48	5194m ²	66.36
49	Private Open Space	Private Open Space & Private Road	1	2608m ²	33.32
50	Utility Services	Electric Sub Station	1	25m ²	0.32
Total			50	7826m²	100.00



<p>TV3 ARCHITECTS AND TOWN PLANNERS</p> <p>5741 Spur - La Grange Office Building 87 Dop Street - Stellenbosch 7600 Tel: (021) 881 3800 Fax: (021) 882 9026 e-mail: info@tv3.co.za web: www.tv3.co.za</p>	<p>The James II</p> <p>Property Description: Portion 844 Farm 510, Stellenbosch</p>		<p>Drawing: Proposed Subdivision Plan</p> <p>Plan no.: 4</p> <p>Scale: 1:1000 (A4)</p> <p>Drawn: 19/07/2020</p> <p>Project no.: 5055-P</p> <p>Drawn: MM</p> <p>Checked: CH</p>	
	<p>Notation: Cadastral information obtained from Surveys and Mapping (ORDLR).</p>		<p>* 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.</p>	

ANNEXURE C1

ACCOMMODATION OF EXISTING SERVICES



STELLENBOSCH SQUARE SHOPPING CENTER

BLAAUWKIP OFFICE PARK

STELLENPARK BUSINESS PARK

EXISTING SEWER CONNECTIONS TO BE RETAINED. SERVITUDE REQUIRED.

EXISTING WATERMAIN TO BE RETAINED. SERVITUDE REQUIRED.

SEWER MAIN TO BE RETAINED. MANHOLES TO BE ACCESSIBLE. STORMWATER LINE TO FALL INTO DISUSE.

SECTION OF WATERMAIN TO FALL INTO DISUSE

PROPOSED RELOCATED WATERMAIN

FRESNO STREET EXTENSION

KLARADYI CRESCENT

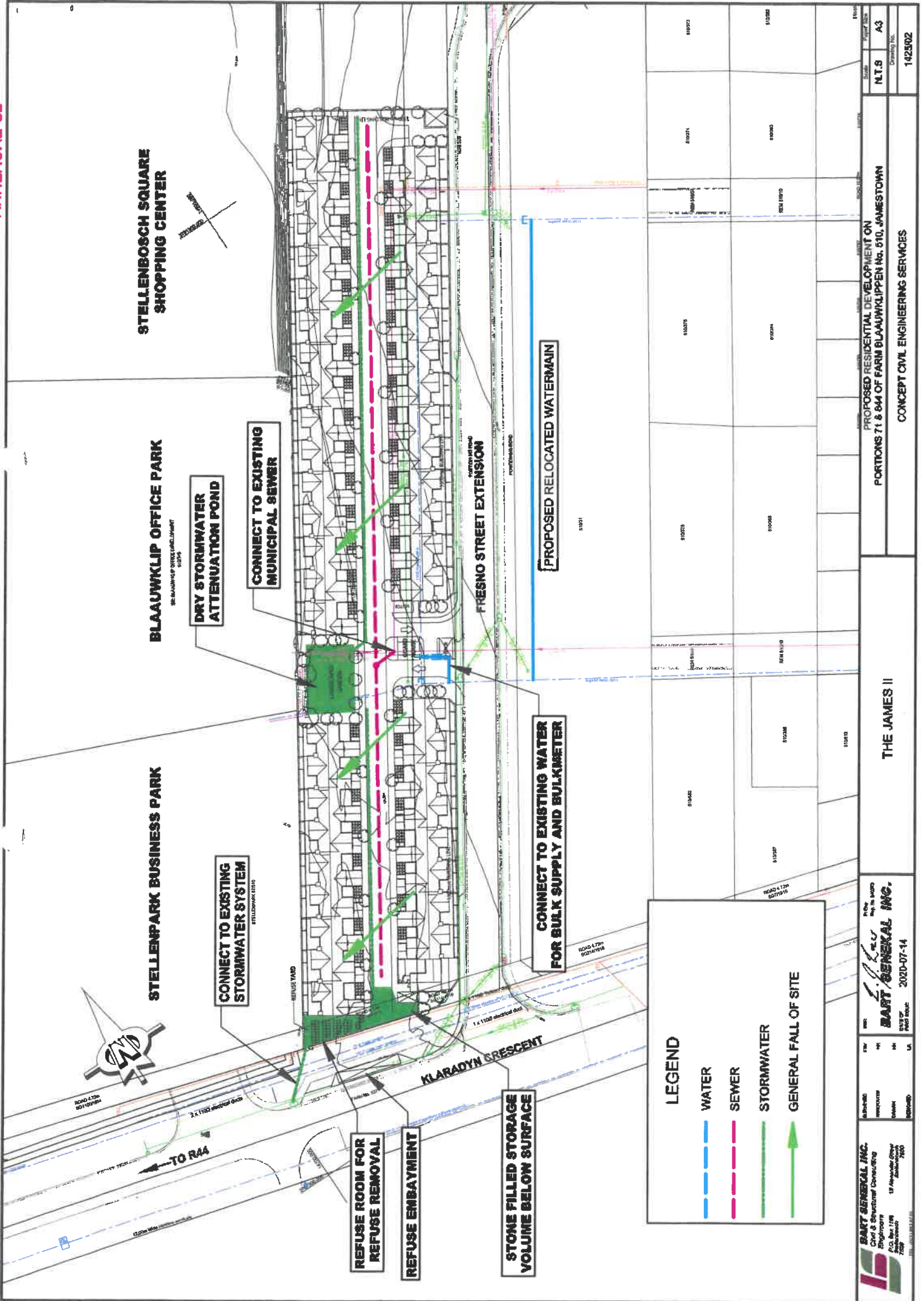


TO R4

<p>THE JAMES II</p>		<p>PROPOSED RESIDENTIAL DEVELOPMENT ON PORTIONS 71 & 844 OF FARM BLAAUWKIPPEN No. 810, JAMESTOWN</p>	<p>Project No. N.T.S. A3</p>
<p>BART GENERAL INC. Civil & Structural Consulting 120, 1st Floor Jamestown</p>		<p>ACCOMMODATION AND RELOCATION OF EXISTING SERVICES</p>	<p>Drawing No. 142501</p>
<p>DATE: 2020-07-14</p>	<p>BY: [Signature]</p>	<p>SCALE: AS SHOWN</p>	<p>PROJECT NO. 142501</p>

ANNEXURE C2

CONCEPT CIVIL ENGINEERING SERVICES



STELLENBOSCH SQUARE SHOPPING CENTER

BLAAUWKIP OFFICE PARK

STELLENPARK BUSINESS PARK



CONNECT TO EXISTING MUNICIPAL SEWER

CONNECT TO EXISTING STORMWATER SYSTEM

REFUSE ROOM FOR REFUSE REMOVAL

REFUSE EMBAYMENT

STONE FILLED STORAGE VOLUME BELOW SURFACE

CONNECT TO EXISTING WATER FOR BULK SUPPLY AND BULKMETER

PROPOSED RELOCATED WATERMAIN

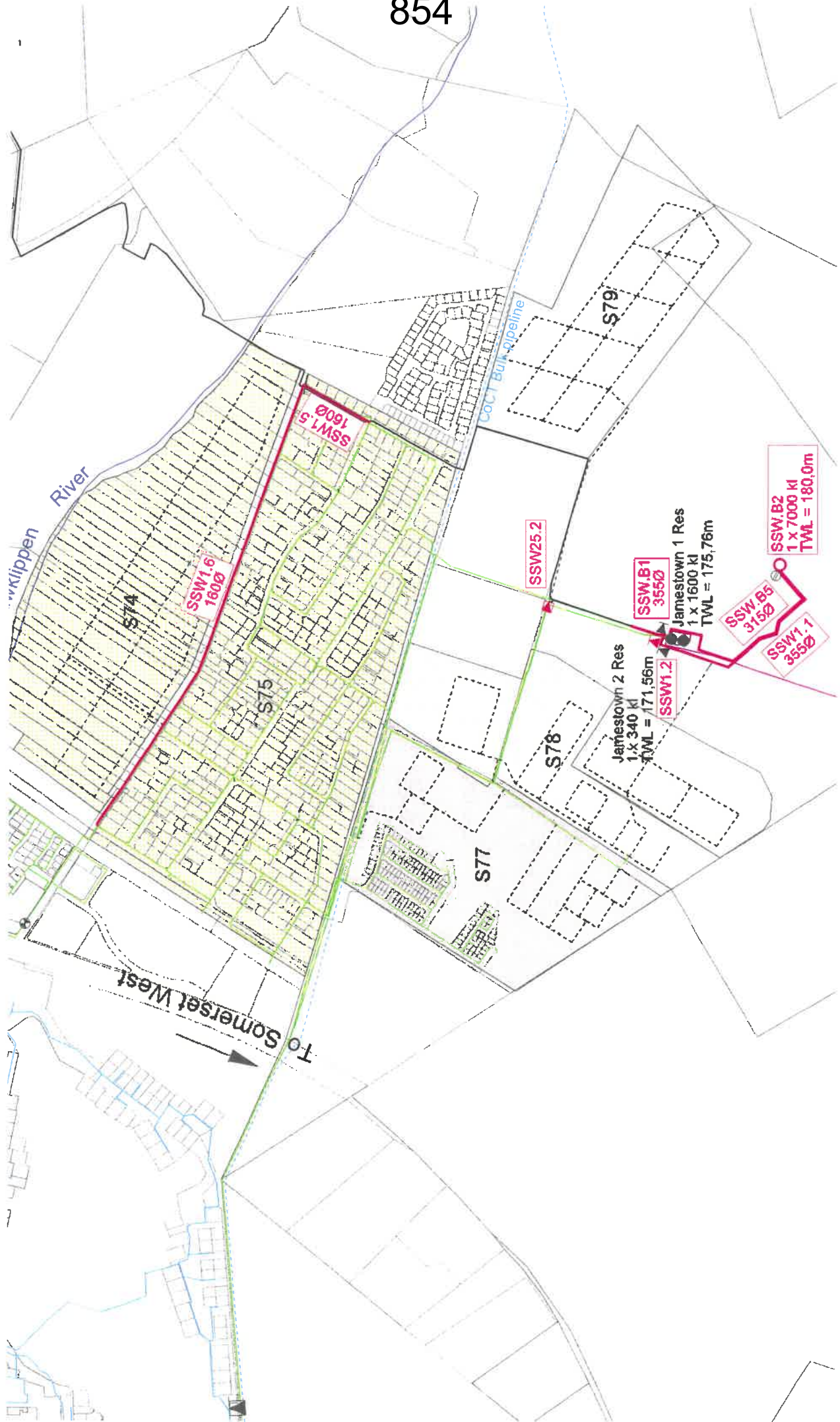
LEGEND

- WATER
- SEWER
- STORMWATER
- GENERAL FALL OF SITE

<p>BART GENERAL INC. Civil & Structural Consulting Engineers P.O. Box 178 18 Alexander Drive 7500 7500</p>		<p>DATE: 2020-07-14</p>	
<p>PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT ON PORTIONS 71 & 84 OF FARM BLAAUWKIPPEN No. 510, JAMESTOWN</p>	<p>CLIENT: CONCEPT CIVIL ENGINEERING SERVICES</p>	<p>SCALE: N.T.S.</p>	<p>DATE: 1425/02</p>
<p>DATE: 2020-07-14</p>	<p>DATE: 2020-07-14</p>	<p>DATE: 2020-07-14</p>	<p>DATE: 2020-07-14</p>

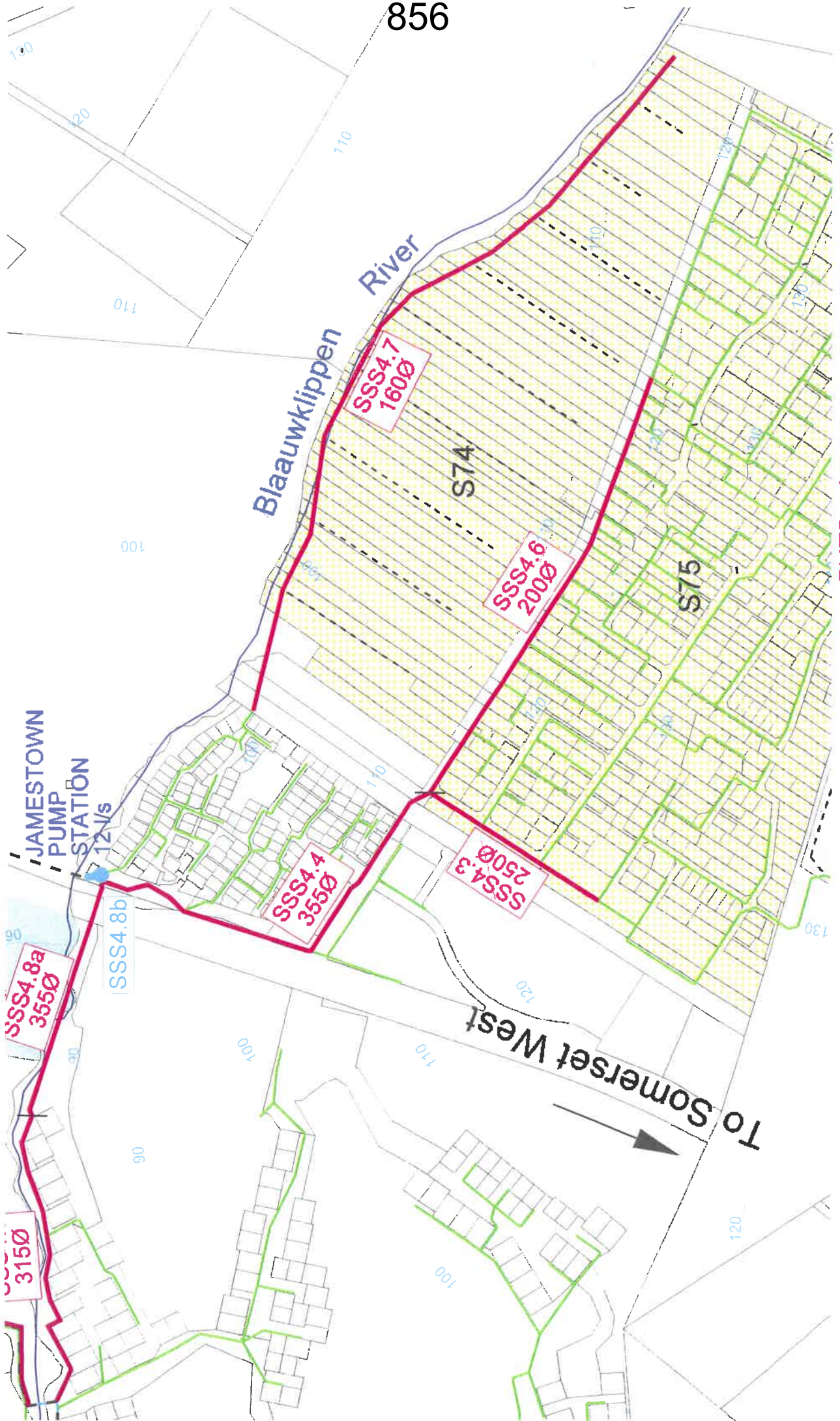
ANNEXURE D

EXTRACT FROM WATER MASTER PLAN



ANNEXURE E

EXTRACT FROM SEWER MASTER PLAN



ANNEXURE P

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

TRAFFIC IMPACT STATEMENT

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



Consulting Services

- Civil Engineering Services
- Roads
- Traffic Engineering

Contact Person: Piet van Blerk
Your Ref: Farm 510/844, Stellenbosch
Our Ref: ICE/S/1308A

Date: 14 July 2020

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr Nigell Winter

Sir

**APPLICATION FOR REZONING AND SUBDIVISION OF FARM 510 PORTION 844,
STELLENBOSCH: TRAFFIC IMPACT STATEMENT**

This company was appointed to prepare a Traffic Impact Statement (TIS) for the proposed residential development on Farm 510/844, Stellenbosch.

1. BACKGROUND AND LOCALITY

The subject property is situated between Stellenbosch Square and Fresno Street, on the north western corner of Fresno Street and School Street in Jamestown, Stellenbosch. See the attached *Locality Plan*.

This TIS accompanies the Application for the Rezoning and Subdivision of Farm 510/844, Stellenbosch.

2. PROPOSED DEVELOPMENT

2.1 Proposed Development

The proposed development will consist of 48 residential units, of which 47 will be double storey units and a single storey unit.

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

2.2 Access to the Property

Access to the subject property will be via 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).

Stellenbosch office:
Tel: 021 8800 443
Fax: 021 8800 390

Directors:
P.J. Van Blerk, PrEng.

iCE Group (Overberg) /va
iCE Group (Stellenbosch)
Reg No: 2006/133238/23



The information obtained from RNIS was taken on Wednesday, 2 May 2018 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, $\pm 3,8$ to $4,3\%$ 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 2018). 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 2025 peak hour volumes.

To account for surrounding developments, the potential peak hour traffic generated by the 'Kreefgat' and 'The James' developments (for location see attached **Locality Plan**) as per their respective TISs, were added to the abovementioned 2025 volumes to obtain the estimated 2025 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 48 peak hour trips (12 in, 36 out during the AM peak hour and 34 in, 14 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 via Fresno Street and Webersvallei Road. School Street also currently provides access to the R44, but by way of a stop-controlled approach to the R44 and not signalised as the Webersvallei Road-intersection. It was thus assumed that the traffic to the direction of Stellenbosch/N1, as well as traffic from the direction of Somerset West/N2 would travel via the signalised intersection (Webersvallei Road), i.e. right-turning movements. Vice versa, it was assumed that the left-turning movements, i.e. to the

direction of Somerset West/N2 and from the direction of Stellenbosch/N1, would travel via the stop-controlled intersection (School Street).

The abovementioned left- and right-turning traffic was determined based on the existing direction split in peak hour traffic at the R44/Webersvallei Road 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 9.0 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 intersection:

This intersection is currently a roundabout with a single circulating lane. The bellmouths of the fourth leg (future 'Kreefgat' development-access) already exists. See the lane layout below.



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

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

R44/Webersvallei Road intersection:

According to the Sidra analyses, acceptable service levels D and above were experienced during the available 2018 peak hours. It should be noted that the said analysis considers the intersection in isolation, as well as independent phasing and timing of the traffic signals (i.e. not necessarily the phasing plans currently loaded). 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 PM peak hour, queuing along the R44 is experienced in the opposite direction.

During the estimated 2025 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 traffic volume 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 2025 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.

However, it is suggested that it be considered investigating mitigation measures, e.g. optimisation of traffic signal settings, to improve traffic flow at this intersection until such a time that the abovementioned required ultimate upgrades are implemented. It is the opinion that the cost of the suggested investigation could be offset against the Development Contributions (DCs) payable on this project. This will be further discussed in *paragraph 4* below.

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 were experienced on all movements during the available 2018 peak hours.

During the estimated 2025 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 2025 peak hour volumes, i.e. background traffic (*Figure 2*), to obtain the expected 2025 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.

4. GEOMETRY

As previously mentioned, access to the proposed residential development will be obtained from Fresno Street. Fresno Street is accessed via Webersvallei Road to the north and/or School Street to the south. According to information, Webersvallei Road, Fresno Street and School Street are classified as Class 4-roads.

As mentioned in *paragraph 3.5.1* above, it is suggested that it be considered investigating mitigation measures at the R44/Webersvallei Road intersection to relieve congested conditions, e.g. optimisation of traffic signal settings, to improve traffic flow at this intersection until such a time that the abovementioned required ultimate upgrades are implemented. As per comment received from Stellenbosch Municipality on one of the surrounding development applications ('Kreefgat'), it was requested that possible upgrades be identified and cost estimates provided. The upgrades considered were the provision of a dedicated left-turn lane along Webersvallei Road, as well as the ultimately required third through lanes along the R44 (northbound and southbound). Schematic layouts of the said upgrades are indicated in *Diagram 1* below.



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

The mitigating effect of these upgrades are as follows:

Option 1: The traffic signals at this intersection currently provide for the left-turning traffic from Webersvallei Road whilst the right-turning phase from the R44 towards Webersvallei Road is running, however, the lane layout at the intersection provides for a shared through-left lane. The provision of a dedicated left-turn lane along the Webersvallei Road-approach would assist the said left-turning vehicles as vehicles wishing to travel through the intersection towards De Zalze will no longer be an obstruction. Although this mitigation measure will assist the left-turning traffic, conditions along the R44 will not be significantly impacted and can be expected to remain as discussed in previous paragraphs.

Options 2 and 3: As discussed with the analyses of the peak hour traffic, the ultimately required upgrade at this intersection includes the provision of a third through lane along the R44 in both directions. The provision of only the additional northbound lane would address issues during the AM peak hour, but issues will remain during the PM peak hour. The provision of only the additional southbound

through lane will result in the opposite, i.e. address PM issues whilst AM remains problematic.

According to information received, the conditions of approval for the 'Kreefgat'-development states that some of the abovementioned upgrades, able to be covered by the available DCs, should be implemented in lieu of DCs payable for roads. It is thus the opinion that the DCs payable on this proposed development be allocated to the remaining mitigation measures not covered by the 'Kreefgat'-DCs. It should also be noted that the neighbouring 'The James' development will result in an additional possible contribution towards these upgrades (in lieu of DCs), should the DCs contributed by this development and the 'Kreefgat' development not be sufficient.

The position of the proposed access is opposite the potential future extension of the residential street to the opposite side of Fresno Street. See *Diagram 2* below.



Diagram 2 : Access to proposed development

The accesses/intersections in the vicinity of the proposed access are spaced as indicated above. The proposed development-access is situated ± 90 metres from the School Street-intersection (measured centre to centre) and ± 155 metres from the roundabout (measured from the centre of the access to the splitter island of the roundabout). According to the *Road Access Guidelines (RAG)* of WCG, minimum intersection spacing along Class 4-roads in Suburban areas are in the order of 90 metres for normal side streets (>100 vehicles/hour), 60 metres for high volume driveways (>50 vehicles/hour) and 45 metres for low volumes driveways (<50 vehicles/hour). The spacing of the proposed access along Fresno Street is thus considered acceptable.

The proposed access layout consists of one lane in, measuring $\pm 4,0$ metres in width, and one lane out measuring 3,2 metres in width. It is usually recommended that two lanes in be provided, but as result of the size of the development as well as site constraints, visitor accommodation is proposed by way of a parking bay (over and above the parking requirements) to the outside of the security controlled booms. Alternatively, visitors could also be escorted through the security controls to the exit lane, should access not be granted – based on the position of the guardhouse and the proximity to the turning space and exit lane, this is considered sufficient. The available stacking space between the access booms and the edge of the sidewalk is ± 10 metres, which is considered sufficient as pedestrians are accommodated via the existing sidewalk along Fresno Street.

The internal vehicular route providing access to the individual erven is proposed to consist of an 8,0 metre 'road reserve'. The total width (the said 8,0 metres) is proposed to be surfaced, with the 5,0 metre centre section along the route provided with a change in paving stone to indicate the 'roadway'. The surfaced 8,0 metres will provide sufficient space for vehicles to reverse from the garages/driveways on the

individual erven. As the access to the proposed development is situated roughly in the centre of the development, the vehicular route is split in two, with each section accommodating 18 and 30 erven, respectively. Based on the definitions as contained in the *Blue Book*, the two 'roads' can be classified as Access Courts (Class 5e). According to the Stellenbosch Municipality Minimum Standards for Civil Engineering Services, 6,0 metre road reserves are applicable to Class 5e roads. However, as 6,0 metres are not considered sufficient to provide space for 90-degree parked vehicles to manoeuvre, 8,0 metres are proposed. As agreed on with Stellenbosch Municipality (per email correspondence), 8,0 metre road reserves for this development is acceptable.

It is recommended that traffic calming be implemented along the internal vehicular route.

Turning space is provided at both ends where the internal vehicular route terminates, which is considered sufficient to accommodate passenger vehicles.

Refuse removal will be handled by the Municipality. A refuse room is indicated on the School Street-side of the property. An embayment is thus proposed along School Street as indicated on the attached plan, with access to the refuse room adjacent thereto.

5. PARKING

Parking will be provided in the form of garages/carports/driveways on the individual erven. Two (2) bays per unit will be provided, which is in accordance with Stellenbosch Zoning Scheme Regulations.

Parking spaces consist of widths and depths in line with normal parking standards (2,5 by 5,0 metres). As mentioned in *paragraph 4* above, the surfaced 8,0 metres between individual erven will provide sufficient isle width behind vehicles parked on the individual erven (7,5 metres required).

The proposed visitors parking bay provided to the outside of the security controlled access, to possibly accommodate a guest awaiting to be granted access, is proposed to consist of a 3,0 metre width to assist a vehicle to access the bay with more ease.

6. PUBLIC AND NON-MOTORISED TRANSPORT

6.1 Public Transport

The proposed refuse embayment along School 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 Fresno Street, a sidewalk exists along the property boundary abutting Fresno Street, and along with the said embayment, sidewalks will be provided along the section of School Street to tie in with the sidewalk along Fresno Street. Pedestrians will thus be accommodated between the embayment and the access. No additional public transport facilities are considered necessary as result of the proposed development.

6.2 Non-Motorised Transport (NMT)

As mentioned above, sidewalks exist along the proposed development side of Fresno Street in the vicinity of the subject property, and a sidewalk will be provided along the School Street section between the proposed embayment to tie in with the existing sidewalk along Fresno Street.

A pedestrian gate is indicated on the attached plan, adjacent to the vehicular access. This ties in with the sidewalk along Fresno Street.

As part of the adjacent 'The James' development, a parking area is proposed between the subject property and the said adjacent development, which will provide additional parking for Stellenbosch Square, with pedestrian thoroughfare from Fresno Street to Stellenbosch Square (via the said parking area).

7. CONCLUSIONS

The following can be concluded from the report:

- 1) That this TIS accompanies the Application for the Rezoning and Subdivision of Farm 510/844, situated between Stellenbosch Square and Fresno Street, on the north western corner of Fresno Street and School Street, Stellenbosch;
- 2) That the proposed development will consist of 48 residential units (47 double storey, 1 single storey), with access to Fresno Street;
- 3) That the surrounding 'Kreefgat' and 'The James' developments were taken into consideration with the traffic analyses;
- 4) That the proposed development has the potential to generate 48 peak hour trips (12 in, 36 out during the AM peak hour and 34 in, 14 out during the PM peak hour);
- 5) That to accommodate the background traffic 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;
- 6) That mitigation measures, such as the provision of a dedicated left-turn lane along the Webersvallei Road-approach, could be considered at the R44/Webersvallei Road intersection until such a time that the ultimately required upgrades at the intersection is implemented;
- 7) That no external road upgrades additional to those required to accommodate the background traffic is suggested as result of the proposed development-traffic;
- 8) That conditions of approval for the 'Kreefgat' development states that some of the mitigation measures identified should be implemented in lieu of DCs payable for roads, and that it is thus the opinion that the additional DCs generated by this proposed development could also be allocated to the remaining upgrades identified (and similarly the neighbouring 'The James' development);
- 9) That the proposed access to Fresno Street (opposite the potential future extension of an existing residential street) is considered acceptable from a spacing point of view;
- 10) That the security controlled access is proposed to consist of one lane in (4,0 metres wide) and one lane out (3,2 metres wide), with 10 metre stacking available between the security controls and the sidewalk, which is considered acceptable as a parking space is available to the outside of the access to temporarily accommodate a visitor possibly awaiting to be granted access;
- 11) That the internal vehicular route will consist of an 8,0 metre road reserve, as discussed with Stellenbosch Municipality, that it is recommended that traffic calming be implemented on-site, and that turning space is provided at both ends of the development which is considered sufficient to accommodate passenger vehicles;
- 12) That refuse removal will be handled by the Municipality, and that an embayment is proposed along School Street (as indicated on the attached plan), adjacent to the refuse area provided on-site;

- 13) That 2,0 parking bays per residential unit will be provided, in accordance with the Zoning Scheme, and that sufficient aisle width exists behind 90-degree parked vehicles on the individual erven (8,0 metres provided, 7,5 metres required); and
- 14) That no additional public transport facilities are considered necessary as result of the proposed development, but that a sidewalk be provided between the embayment proposed along School Street to tie in with the existing sidewalk along Fresno Street.

8. RECOMMENDATIONS

From the above, the following are recommended:

- 1) That it be considered investigating mitigation measures, e.g. optimisation of traffic signal settings, provision of a dedicated left-turn lane along Webersvallei Road, and/or provision of third through lanes along the R44 at the intersection, to improve traffic flow at the R44/Webersvallei Road intersection until such a time that the required ultimate upgrades are implemented, and that the DCs payable on this project, in addition to the already approved 'Kreefgat'- and already submitted 'The James'-developments, be contributed to the said improvements;
- 2) That the road authorities (WCG and Stellenbosch Municipality) consider providing a second access to Jamestown in view of the WCG's intention to close the existing School Street-intersection on the R44;
- 3) That traffic calming measures be implemented on-site; and
- 4) That an embayment and sidewalk along School Street, as indicated on the attached *Site Plan*, be provided.

It is the opinion that the cost of the abovementioned suggested investigation/mitigation measures be offset against Development Contributions (DCs) payable on this project and DCs from the already approved 'Kreefgat'- and already submitted 'The James'-developments also be contributed.

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**

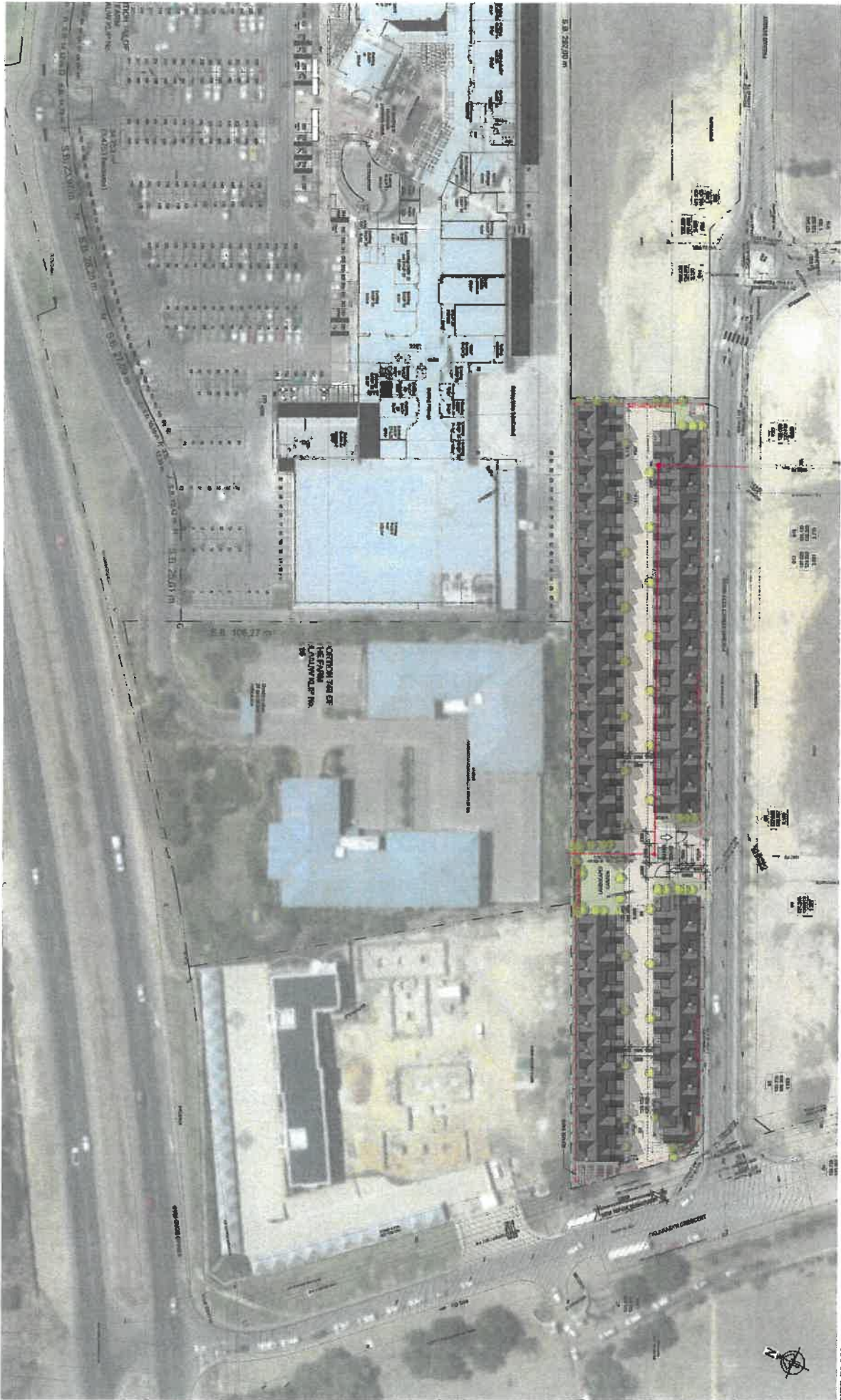
Site Plan (Rev A) *(tv3 architects and town planners)*

- Figure 1 Available AM/PM Peak Hour Traffic Volumes (Tuesday, 21 August 2018)
- Figure 2 Estimated 2025 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 2025 AM/PM Peak Hour Traffic Volumes (including 4% and 1% per annum traffic growth and proposed development)



Locality Plan


GARDUP (Pty) Ltd.
 Postbus / PO Box 131
 Stellenbosch 7526
 Three Square Unit 6
 9 Elands Street
 Techno Park
 Stellenbosch
 Tel. : 021 - 858 0443
 Fax / Faks : 021 - 850 0390
 e-post / e-mail : piet@gardup.co.za



SITE PLAN
SCALE: 1" = 100'

DATE	BY

TOTAL NUMBER OF POLICE STATION UNITS - 47
TOTAL NUMBER OF SCHOOL STATION UNITS - 1

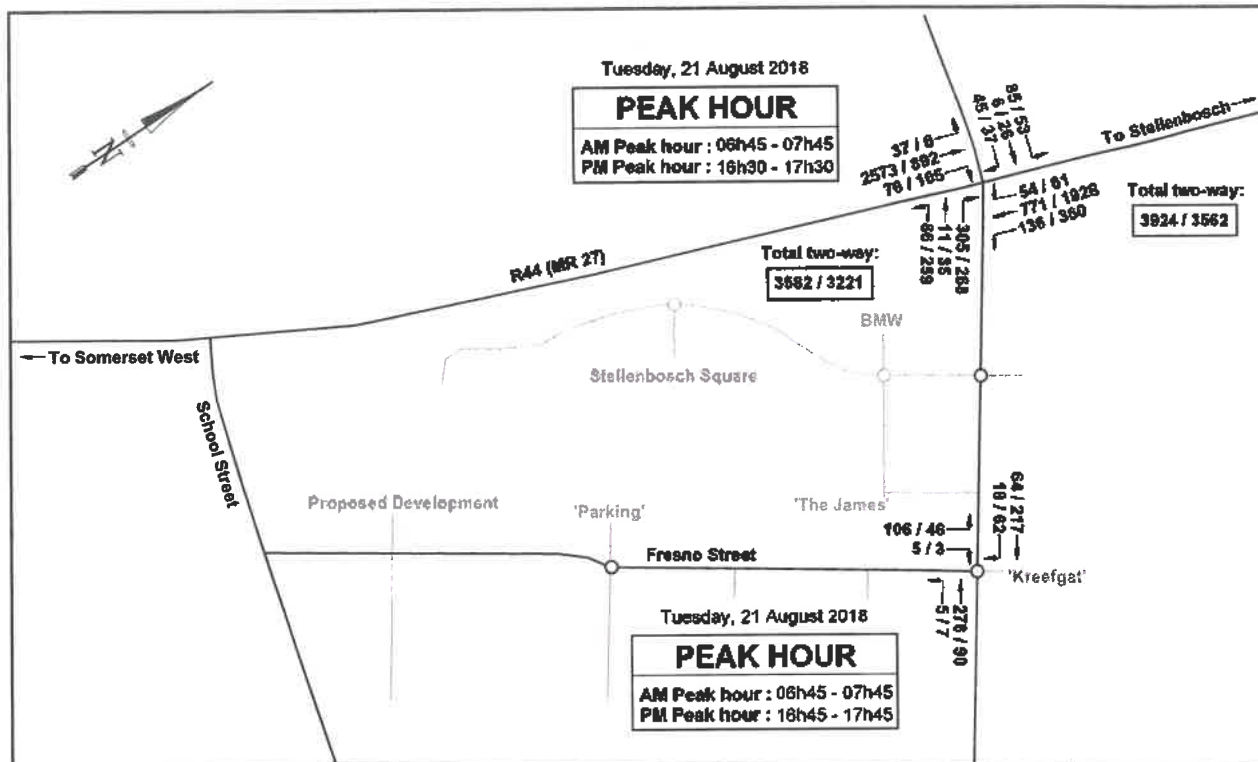
DRAWING STATUS CODES:
 (1) Proposed Improvements (2) Existing (3) Deleted (4) Contingent (5) Not
 Complete (6) Other (7) Deleted (8) Deleted (9) Deleted (10) Deleted
 (11) Deleted (12) Deleted (13) Deleted (14) Deleted (15) Deleted (16) Deleted
 (17) Deleted (18) Deleted (19) Deleted (20) Deleted (21) Deleted (22) Deleted
 (23) Deleted (24) Deleted (25) Deleted (26) Deleted (27) Deleted (28) Deleted
 (29) Deleted (30) Deleted (31) Deleted (32) Deleted (33) Deleted (34) Deleted
 (35) Deleted (36) Deleted (37) Deleted (38) Deleted (39) Deleted (40) Deleted
 (41) Deleted (42) Deleted (43) Deleted (44) Deleted (45) Deleted (46) Deleted
 (47) Deleted (48) Deleted (49) Deleted (50) Deleted (51) Deleted (52) Deleted
 (53) Deleted (54) Deleted (55) Deleted (56) Deleted (57) Deleted (58) Deleted
 (59) Deleted (60) Deleted (61) Deleted (62) Deleted (63) Deleted (64) Deleted
 (65) Deleted (66) Deleted (67) Deleted (68) Deleted (69) Deleted (70) Deleted
 (71) Deleted (72) Deleted (73) Deleted (74) Deleted (75) Deleted (76) Deleted
 (77) Deleted (78) Deleted (79) Deleted (80) Deleted (81) Deleted (82) Deleted
 (83) Deleted (84) Deleted (85) Deleted (86) Deleted (87) Deleted (88) Deleted
 (89) Deleted (90) Deleted (91) Deleted (92) Deleted (93) Deleted (94) Deleted
 (95) Deleted (96) Deleted (97) Deleted (98) Deleted (99) Deleted (100) Deleted

PROJECT DESCRIPTION:
Phase 2 of 2, 100,000 sq. ft., 100,000 sq. ft.

PROJECT / CLIENT:
JAMESTOWN BEHUSING
 1000 W. 10th Street, Jamestown, ND 58401
 701.735.1234
 www.jamestownbehusing.com

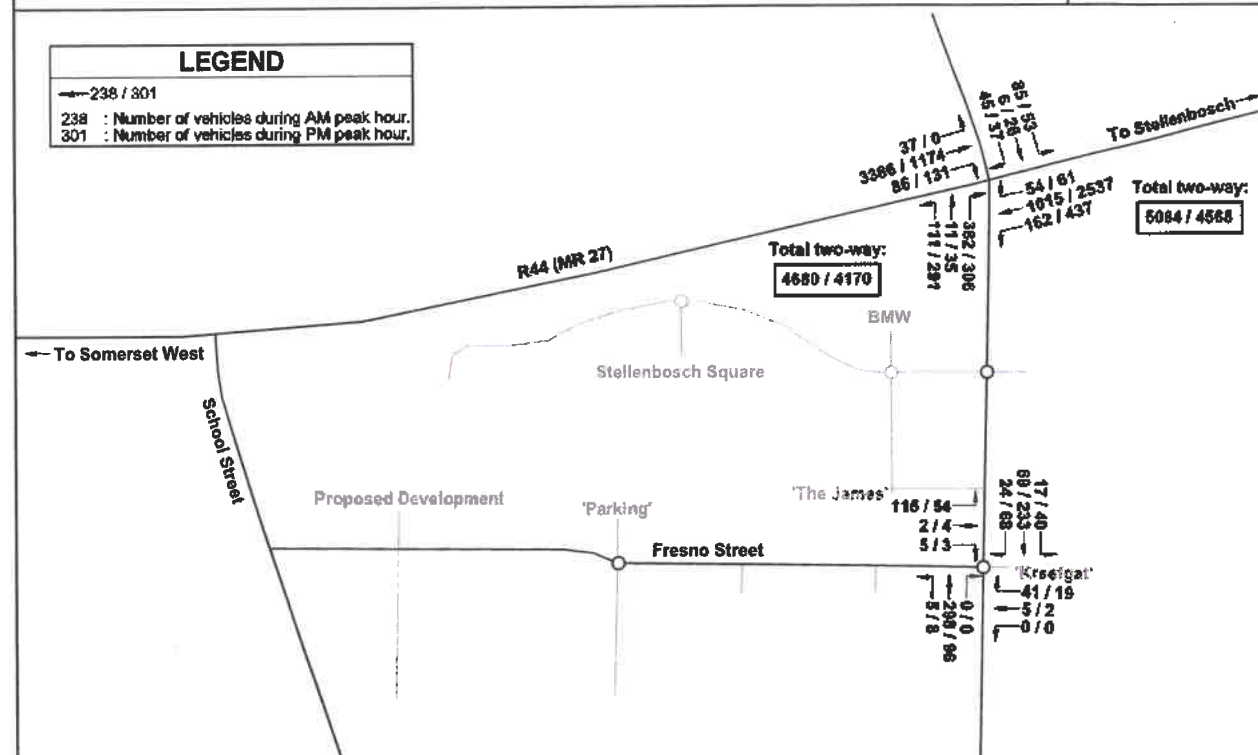
ARCHITECTS AND TOWN PLANNERS
TVS
 ARCHITECTS AND TOWN PLANNERS

DATE: 10/20/2023
DRAWN: A. Sharma
CHECKED: E. Cunningham
SCALE: 1" = 100'
DRAWING No.: 3637 / A / 100
PROJECT TITLE: JAMESTOWN BEHUSING DESIGN



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

Figure 1



**Estimated 2025 AM/PM Peak Hour
Traffic Volumes (including 4% and
1% per annum traffic growth and
surrounding developments)**

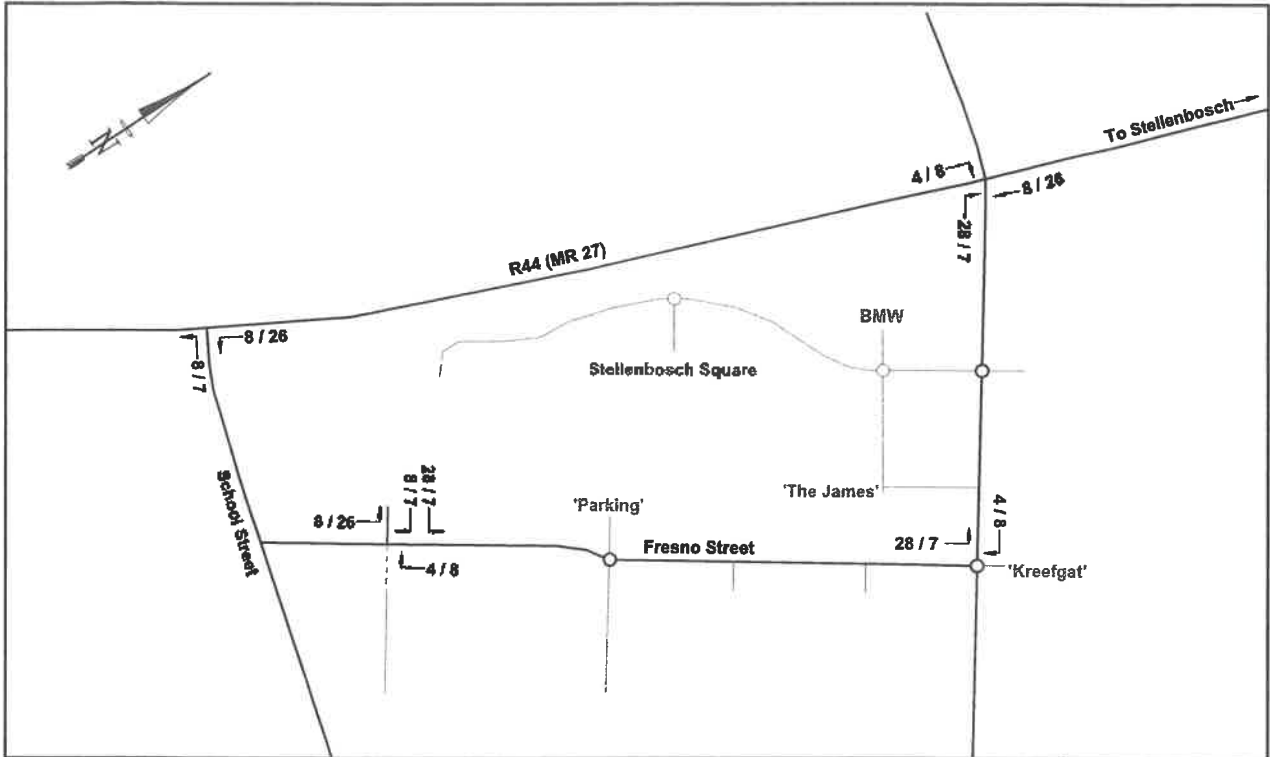
Figure 2

Postbus / PO Box 131
 Stellenbosch 7209

Terra Square Unit 6
 9 Electron Street
 Techno Park
 Stellenbosch

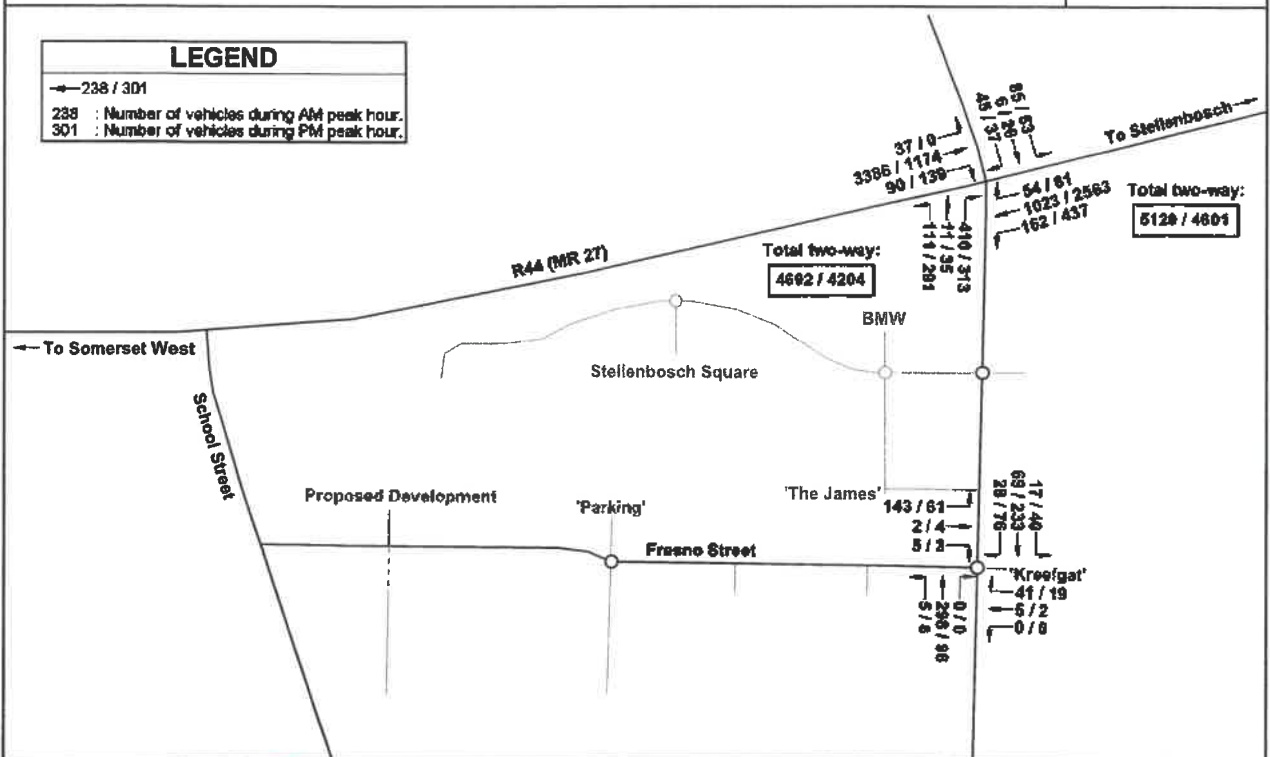
Tel : 021 - 880 0443
 Faks / Fax : 021 - 880 0390
 e-pos / e-mail : piet@icegroup.co.za





Distribution of Traffic Generated by Proposed Development

Figure 3



Expected 2025 AM/PM Peak Hour Traffic Volumes (including 4% and 1% per annum traffic growth, surrounding developments and proposed development)

Figure 4

Postbus / PO Box 131
Stellenbosch 7509

Time Square Unit 8
8 Electron Street
Techno Park
Stellenbosch

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



ANNEXURE Q

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

SITE INSPECTION PHOTOS













