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**NOTICE OF MUNICIPAL PLANNING
TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2022-01-21 FROM 10:00-15:00**

VOLUME 1



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

FRIDAY, 2022-01-21 FROM 10:00-15:00

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

2022-01-21

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 Delpont

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, 2022-01-21 from 10h00-15:00** to consider the items on the Agenda.*

Dr DJ Du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



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**MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING
HELD ON FRIDAY, 19TH OF NOVEMBER 2021 via MS TEAMS****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

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Mr A van der Merwe: Senior Manager: Community Services

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

Officials

Mr S Carstens: Senior Manager – Development Management

Mrs C Kriel: Manager: Land Use Management

Mr P April: Senior Town Planner

Ms L Guntz: Senior Town Planner

Ms O Sims: Administrative Officer: MPT

Ms L Kamineth: Senior Administrative Officer: MPT

Technical AdvisorMr K Munro: Director - Development Management, Department Environmental
Affairs and Development Planning

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 19 NOVEMBER 2021

ITEM	SUBJECT
SMPT 01/11/21	OPENING AND WELCOME
	Chairperson Du Plessis welcomed all.
SMPT 02/11/21	LEAVE OF ABSENCE
	None
SMPT 03/11/21	DISCLOSURE OF INTERESTS
	Ms C Havenga indicated that she has an interest in Item 5.1 and will recuse herself from the discussion of this item.
SMPT 04/11/21	MINUTES OF THE PREVIOUS MEETING DATED 20 AUGUST 2021
	The minutes of the previous meeting was noted. With reference to Item 3 under Other Matters in the minutes of 20 August 2021, Chairperson du Plessis requested the administration to distribute the information regarding appeals received on matters decided by the MPT, and the final decision taken by the Appeal Authority to MPT members as a separate document together with the distribution of the agenda documents.
	MATTERS FOR CONSIDERATION
SMPT 05/11/21	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)
	Discussion:

- a. Mr Gideon Roos was allowed 15 minutes to make a presentation on behalf of the applicant (see attached).
- b. Concerns were raised on the proposal to have an extensive gated residential area that will create a large area sterilised of access for the general public and prevent the development of the public road into a vibrant and active streetscape.
- c. The provision of flats on the ground floor of all residential buildings, and especially adjacent to the public street, contributes to prevent the development of the public road into an active streetscape. The provision of flats on the ground floor for residential blocks that don't border the public road or access points can be supported.
- d. The provision of the future NMT requirements with specific reference to bicycle lanes and pedestrian walkways (i.e. not sharing space) as well as bus stops as envisaged in the ATC development, within the proposed width of Distillery Road reserve is inadequate and needs to be addressed. Concern was raised in terms of increased traffic, not only within the ATC but also within Stellenbosch CBD. The Western Cape Government Road Network Management made a point that intersections with Dorp, Merriman and Alexander streets will also have to be addressed. The upgrade of the Plankenberg bridge was confirmed, as well as the vision to link Distillery Road with George Blake Road.
- e. The provision of the pedestrian bridge, and implementation arrangements thereof were discussed and it was noted that this pedestrian bridge is viewed as an essential requirement to provide required additional access to the development site, as the additional rights will otherwise be served by a single access road. The contributing responsibility of this development towards the implementation of the required pedestrian footbridge must be considered and addressed.
- f. The provision of the public open space with a pedestrian walkway and the mechanism to secure same, as well as the nature thereof, the implementation and the future maintenance, is not addressed adequately. Public pedestrian access points between the public road and the river open space should also be provided. It was noted that the 1:100 year flood line has not been mentioned and the impact of the development on the flood line, if any was not addressed.
- g. A question was raised relating the discretion of the Administration to decide to re-advertise an amended application. The Administration did

consider the amendments to the initial application and it was viewed that the amendments will not be material in light of the ATC initiative and objectives.

- h. The rationale for and approach to inclusionary housing were discussed. Sentiments were raised for it to be unfair to include this aspect at such a late stage of the application, also given the lack of an approved municipal policy on inclusionary housing. Inclusionary housing is however viewed as a required outcome in pursuance of the objective of urban restructuring and derives as a direct need of any sizable residential development which cannot only focus on the upper end of the market, but also needs to ensure access to housing for a broad range of income groups. The willingness of the applicant to consider an inclusionary housing component is acknowledged, but the provision of subsidised student accommodation only is not viewed as adequately addressing the need for inclusionary housing. The provision of 20% inclusionary housing, even though the actual need is much higher, is viewed as the current norm which will still allow the development to be viable, and for which purpose the full permissible bulk/ density allowed by the ATC development can be pursued. A departure on the parking requirements for this component of the development can also be considered to ensure the viability of the development. The application consequently does not address the provision of inclusionary housing adequately.

UNANIMOUSLY RESOLVED:

The application for **REZONING, SUBDIVISION, CONSENT USE, DEPARTURES, PERMISSION, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS: ERF 14601, STELLENBOSCH (LU/11728)**, be referred back to the administration in order for the applicant to address the concerns raised by the Stellenbosch Municipal Planning Tribunal regarding the following matters as soon as possible for urgent finalisation:

1. To review the proposal to provide for Inclusionary Housing where 20% of the units fall within the earmarked price bracket which will form the basis for an agreement with the Municipality on the implementation and management thereof.

	<ol style="list-style-type: none"> 2. The provision, development and management of the public open space system next to the Plankenberg River with public access points between the public road and open space system. 3. The minimum width of the Distillery public road extension with due consideration of the provision for NMT requirements. 4. The need for the pedestrian bridge to serve as additional access between the development and town. 5. To revise the proposal for the provision of flats on the ground floor to facilitate the development of active public streetscapes and places.
<p>SMPT 06/11/21</p>	<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) (LU/11701)</p> <p>Discussion:</p> <ol style="list-style-type: none"> a. Clarity was sought on the similarity of development application that was discussed at a previous MPT meeting and it was confirmed that it is the same developer on the adjacent property. b. A discussion followed relating the design and density. <p>UNANIMOUSLY RESOLVED:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> a) Multi-Unit Residential Zone even 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.

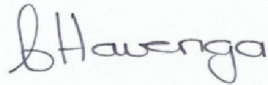
	<p>2.5 The conditions imposed by the Cape Winelands District Municipality (Health Services) in their letter dated 21 October 2020, attached as Annexure K, be adhered to.</p> <p>2.6 A service agreement regarding the responsibilities for the provision of engineering services be entered into with the Municipality 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 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.</p> <p>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.</p> <p>2.8 An agreement on the provision of Inclusionary Housing opportunities in pursuance of settlement restructuring be concluded with the Municipality prior to the approval of any building plans.</p> <p>3. The reasons for the above decision are as follows:</p> <p>3.1 The proposal will develop underutilized land within the urban edge for urban development.</p> <p>3.2 The proposed residential development constitutes infill development and is therefore in line with the principles of the Spatial Development Framework.</p> <p>3.3 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.</p> <p>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:</p>
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	<p>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;</p> <p>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; and</p> <p>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%</p> <p>BE REFUSED in terms of Section 60 of the said Bylaw.</p> <p>5. The reasons for the above decision are as follows:</p> <p>5.1 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.</p> <p>5.2 The density proposed for this development will not be compatible with the density of the surrounding residential area.</p> <p>5.3 The under-provision of outdoor space will have a negative impact on the inhabitants of this development.</p> <p>6. Matters on the application TO BE NOTED:</p> <p>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.</p>
<p>SMPT 07/11/21</p>	<p>OTHER MATTERS</p> <p>The Chairperson thanked everybody for their input and the robust discussion. The meeting adjourned at 15.10.</p>



Dr D du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



Mrs C Havenga

DEPUTY CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



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THE STELLENBOSCH MUNICIPALITY			
PLANNING REPORT: LAND USE AND LAND DEVELOPMENT APPLICATION: APPLICATION FOR REZONING, SUBDIVISION, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS, ON FARM 81/33, STELLENBOSCH			
Application Reference number	File Ref: LU/10917	Application Date	2019/12/13

PART A: APPLICANT DETAILS			
First name(s) & Surname	Clifford Heys		
Company name	TV3 Projects (Pty) Ltd		
SACPLAN registration number	Pr. Planner (SA): A/1158/2000		
Registered owner(s)	Alberto Costa Trust	Is the applicant properly authorised to submit the application	Yes

PART B: PROPERTY DETAILS			
Property description	Farm 81/33	Town/City	Stellenbosch
Physical address	R304 / Klipheuwel Road		
Extent (m ² /ha)	41.4029ha	Current zoning	Agriculture and Rural Zone
Existing Development and Current land use	Agriculture		
Any unauthorised land use/building work	No		
Title Deed Nr.	T24040/2002		

PART C: APPLICATION DETAILS

Application(s)	<p>Application is made in terms of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015, on Farm Cloetesdal No. 81/33, Stellenbosch Division for the following:</p> <ol style="list-style-type: none"> 1. The rezoning of the said property from Agriculture and Rural Zone to Subdivisional Area in terms of Section 15(2)(a) of the said Bylaw to allow for the following uses as depicted on the Subdivision Plan: <ol style="list-style-type: none"> (a) 559 x Multi-Unit Residential Zone erven measuring $\pm 20,1$ha in extent to accommodate the residential component which will consist of group houses (cluster and row houses) and flats/apartments; (b) Two (2) x Local Business Zone erven measuring $\pm 1,33$ha in extent for retail purposes; (c) One (1) x Education Zone erf measuring $\pm 5,26$ha in extent for purposes of a school; (d) Two (2) x Community Zone erven measuring $\pm 1,97$ha in extent for purposes of a church and 2,81ha for purposes of a clubhouse, hall, crèche, day-care, restaurant, amphi-theatre, pool, sport and recreation facilities and ancillary uses; (e) Four (4) x Utility Services Zone erven measuring 4,29ha in extent for purposes of a public road and authority use; and (f) Twenty-three (23) x Private Open Space Zone erven measuring 12,81ha in extent for purposes of private open spaces and a private road. 2. The subdivision in terms of Section 15(2)(d) of the said Bylaw in accordance with the Subdivision Plan and Phasing Master Plan to allow for the development in accordance with the Subdivisional Area zone for the following: <ol style="list-style-type: none"> (a) 559 x Multi-Unit Residential Zone erven measuring $\pm 20,1$ha in extent to accommodate the residential component which will consist of dwelling houses, group houses (cluster and row houses) and flats/apartments; (b) Two (2) x Local Business Zone erven measuring $\pm 1,33$ha in extent for retail purposes; (c) One (1) x Education Zone erf measuring $\pm 5,26$ha in extent for purposes of a school; (d) Two (2) x Community Zone erven measuring $\pm 1,97$ha in extent for purposes of a church and 2,81ha for purposes of a clubhouse, hall, crèche, day-care, restaurant, amphi-theatre, pool, sport and recreation facilities and ancillary uses; (e) Four (4) x Utility Services Zone erven measuring 4,29ha in extent for purposes of a public road and authority use; and
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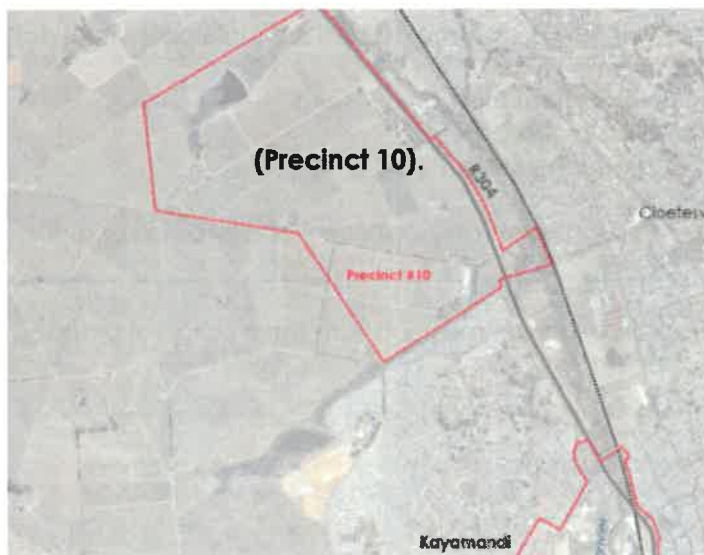
	<p>(f) Twenty-three (23) x Private Open Space Zone erven measuring 12,81ha in extent for purposes of private open spaces and a private road.</p> <ol style="list-style-type: none"> 3. Approval for the naming and numbering of streets as per the Street Naming and Numbering Plan. 4. Adoption of the development's name: Newinbosch Estate. 5. Approval of the Detail Master Plan and Landscape Master Plan. 6. Application for the Department of Transport and Public Roads' written approval of the proposed urban development of Farm No. 81/33, Stellenbosch (as the governing authority i.t.o the Advertising on Roads and Ribbon Development Act, 21 of 1940).
Purpose of Application	<p>To facilitate the development of the subject property for a mixed-use development which consist of the following land uses:</p> <ul style="list-style-type: none"> - Single residential erven, group housing units and flats (±1 200 residential opportunities). - Commercial (±5 000m² GLA). - Crèche, primary school and secondary school (±2 000 pupils). - Church (±40 seats) with associated facilities such as a community hall, aftercare, employee accommodation, etc. <p>The following will be submitted to the Municipality for each phase of the development.</p> <p>A Site Development Plan. A Traffic Impact Statement. A Civil Engineering Statement.</p> <p>Prior to the submission and approval of any building plans.</p>
Pre-consultation	<p>A pre-application consultation with the municipal planners was held on 9 October 2019.</p>

PART D: APPLICATION BACKGROUND

Farm 81/33, Stellenbosch is zoned Agriculture and Rural Zone and is utilised accordingly. The subject property is located on the R304, approximately 3km north of Stellenbosch central and is surrounded by agricultural land to the north and south, with a number of high density residential developments (Mt. Simon, Tweespruit, Nuutgevonden I, Nuutgevonden II, etc.) to the east – including the recently approved Steyn's Nursery residential development on Farm 81/29, Stellenbosch.

In 2007 a residential development was approved on a portion of Farm 81/33, Stellenbosch, known as the Mt. Simon Estate, which is located to the east of the subject property. The developed portion known as Mt. Simon Estate was subdivided from the remainder of Farm 81/33 and is separated by the R304 from the remainder portion.

The land located between Kayamandi township and Farm 81/33, Stellenbosch, belongs to Council and is in the process of being developed for low-cost housing. These properties with the subject property also form part of the Northern extension of the Municipality and the Northern section of the Adam Tas Corridor (**Precinct 10**). The intension of the Adam Tas Corridor is to facilitate higher density developments and promote affordable housing within Stellenbosch.



Locality of Subject property in terms of the Adam Tas Corridor

The application under consideration has made provision for a wide range of housing typologies referred to as the GAP, upper GAP, FSC (Financial Sector Charter) and Affordable Housing bracket, or in its simplest definition, homes which households can afford that earn a combined income of around R26,800pm (2021), or below.

PART E: APPLICATION OVERVIEW AND MOTIVATION

Application has been made in terms of Sections 15.2(a) and 15.2(b) of the Stellenbosch Municipality's Planning By-law (2015) for the rezoning and subdivision of Farm 81/33, Stellenbosch to permit the Newinbosch mixed-use development which will consist of residential units ($\pm 1\ 200$ residential units), Commercial facilities, Educational facilities and a church (with associated facilities).

Access to the development will be via the R304 and provision has also been made to also link the development with Kayamandi via an internal link road which will run parallel to the R304. The proposed link road separates the gated portion of the development from the school, Business and portion of the development which is to be developed for flats

The development under consideration has an average residential density ± 29 u/ha (41.4029ha with a max. 1 200 units) and if the density of each component of the development is calculated then the following densities apply:

- The residential density of the dwelling and group houses is ± 38 u/ha (14.46ha with ± 554 units – excluding all the internal streets, open spaces, etc.);
- The residential density of just the flats ± 106 u/ha (5.64ha with ± 600 units); and
- The business site will have a 5 000m² GLA and the building will only be 1 storey in height.

The applicant motivates the proposed mixed-use development as follows:

- The subject property is located within the Stellenbosch urban edge;
- The proposal is consistent with the MSDF;
- Council approved the Northern Extension Project;
- Council initiated the Adam Tas Corridor Project;
- The proposal will provide a number of housing typologies;
- The proposal will provide affordable housing opportunities;
- The proposal will assist in addressing the town's housing backlog;
- The proposal will contribute to local economic development;

- The proposal is compatible with surrounding land use;
- The proposal will support Council's public transport initiatives; and
- Bulk infrastructure is available to service the proposed development.

PART F: PUBLIC PARTICIPATION, COMMENTS AND RESPONSE

The application was advertised on 1 October 2020 (for 30 days) in the Eikestadnuus, interested and affected were informed via e-mail, an on-site notice was displayed during the 30-day advertising period and the application was displayed on the municipal website.

The municipal advertising instructions and the public notice clearly stated that all comments should be submitted to and received by the applicant on or before 30 days from the date of publication of this notice. After 30 days no public objections were received. However, on 2 November 2020 (after normal office hours) the Stellenbosch Interest Group (SIG) submitted a late objection against the proposed development.

Public & stakeholder inputs

The SIG – a community organisation – submitted an objection against the proposed development. In their submission they provided four reasons for their objection, namely:
(Attached hereto as **Annexure 5**)

1. *The development will have a significant visual impact. For this reason, Council should impose conditions of approval to mitigate the visual impact, such as tree heights, building height restrictions, the massing of buildings, roof shape and colour, finishes of building, restrictions on reflecting surfaces, lighting and fencing.*

In order to address and mitigate the proposed development's visual impact, Site Development Plans for the apartment, commercial and education erven will be submitted to the Town Planning Department for approval before the submission of any building plans. An architectural guideline for the single title residential erven, will be prepared and submitted to the Town Planning Department for approval before the submission of building plans.

These documents will inter alia reflect the visual impact assessment's recommendations. A Landscape Master Plan (LMP) was submitted as part of the land use planning application and landscaping details and elements (such as plant types, tree sizes, etc.) were included in the LMP.

2. *It is doubtful if the proposed development will have the positive economic impact as claimed in the land use planning application.*

The estimated value of this project is ±R900 million (money that will be invested in the local economy). It is anticipated that the proposed development will create ±1 000 new employment opportunities (only in the construction sector). The proposed development will pay ±R92 million in development contributions to the Stellenbosch Municipality and will pay an annual municipal tax of ±R5.5 million. The proposed development will be phased, which means the money will not be spent all at once but over as the phases are developed. However, it will still have a significant positive impact on the local economy and bulk infrastructure, and from a purely economic point of view, the development should be supported. The alternative – as proposed by the SIG – is that the subject property is not developed, that no economic development take place, that no jobs be created, that no infrastructure be upgraded, that no additional taxes be paid. This is a position that is not supported by the Town Planning Department.

3. *The proposed development is unlikely to stem land invasions. In fact, if the agricultural activities were to cease and the development were to proceed, the risk of a land invasion will increase.*

History has taught us that farming activities will not stop land invasions. In fact, it only leads to escalated tensions that are often hijacked by individuals with political agendas. However, with a formal development a hard urban edge will be created to stop informal settlements and land invasions, and the property can be secured and will be developed within a period of five years (as per the By-law approval). In other words, by developing a property there will be more control to monitor the land and a better chance to stop any land invasions without it becoming an opportunity to promote a specific political agenda.

4. *Rather than developing agricultural land the focus should be on the Adam Tas Corridor project.*

The proposed development will support the Stellenbosch Municipality's Adam Tas Corridor Project. The Stellenbosch Municipality has initiated the Adam Tas Corridor Project to absorb development pressure in Stellenbosch. The aim of the Adam Tas Corridor Project is to launch the restructuring of Stellenbosch through the redevelopment of the Adam Tas Corridor, the area that stretches from the Cape Sawmills site to the Kayamandi / Cloeteville area and the subject property is located on the Adam Tas Corridor. The Stellenbosch Municipality proposes high density residential developments on the Adam Tas Corridor in order to support public transport and non-motorised transport initiatives and the proposed high-density residential development of the subject property – located on the Adam Tas Corridor – will support the principles of the

Adam Tas Corridor Project and contribute to the provision of more affordable accommodation opportunities.

Government related inputs received

The proposed development does not require the Minister's comments in terms of the Land Use Planning Act, 2014 as it is consistent with the recommendations of the Stellenbosch Municipality's Spatial Development Framework (2019).

The land use planning application was also submitted to the following external Government Departments for their comments:

(Attached hereto as **Annexure 7**)

- Department of Transport & Public Roads: Supported (a letter of "no objection" was received).
- Department of Environmental Affairs & Development Planning: Supported (approved i.t.o. the National Environmental Management Act, 1998).
- Heritage Western Cape: Supported (approved i.t.o. the National Heritage Resources Act, 1999).
- Eskom: Supported (a letter of "no objection" was received).
- Western Cape Government: Agriculture: Did Not Support the application initially but after consultation with the Directorate Planning & Economic Development – a letter of "Support" was received with conditions of which the relevant extracts have been inserted below.

In an effort to find the balance for the loss of agricultural land vs human settlement, the WCDoA supported the proposal under the following conditions:

- *Planning should ensure that an effective hard edge be implemented to curb any further sprawl/illegal land invasion by means of a fence, wall, development types and or design or any means necessary. The municipality should take responsibility to implement, monitor and manage the urban edges to protect the right to farm, of abutting farms. The area should be developed to its full potential, as to make maximum use of the land. Thus the importance of densification.*
- *The Stellenbosch Municipality should take responsibility to timeously manage any land invasion/spill- over on any other agricultural land and take the necessary steps to manage the cumulative impact of housing on agricultural land.*

- *Portion 2 of no 72 is to be excluded from the urban edge and retained for agriculture in an effort to limit the loss of agricultural land.*
- *The design and development of the proposed portions of land must be sustainable, make use of "green building techniques" such as solar energy, water wise designs and rainwater harvesting and storage. It should further make provision for food gardens as a means to improve food security.*
- *The area should ensure integrated development topologies which must include affordable and inclusionary housing.*

Comments from internal Municipal service departments

(Attached hereto as **Annexure 8**)

Comments were received from the following internal municipal departments, namely:

- Manager: Spatial Planning, Heritage and Environment: Supported.
- Director: Infrastructure Services: Supported.
- Director: Traffic Engineering Services: Supported.

Response by Applicant to Comments Received.

The applicant did respond to the SIG's objection. Their response is attached hereto as **Annexure 5**.

PART G: ASSESSMENT OF LAND USE AND LAND DEVELOPMENT APPLICATION

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

The application was submitted and processed in accordance with and in compliance with the prescripts of the said Bylaw.

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

The application under consideration was submitted in 2019 prior to the initiation of the Adam Tas Corridor project and therefore the motivation for the proposed mixed-use development on the subject property is based on the following:

- Compliance with the Stellenbosch Municipality's urban edge
- the vision of the Northern Extension as initially endorsed by Council in 2016.

The subject property was included in the Stellenbosch Municipality's urban edge in 2006 and the Stellenbosch Municipality has recently confirmed this position when they (again) approved the town's urban edge in November 2019, which once again included the subject property.

The MSDF states that Kayamandi is under pressure to develop in a northerly direction and that development should not be extended beyond the northern reach of the Farm Cloetesdal (with Welgevonden Boulevard forming the northern edge). The subject property is located within this area which has been identified by the MSDF for future urban development.

The MSDF also notes that the average residential density for Stellenbosch is very low, as it is only 8.17du/ha and that residential density for Stellenbosch should be a minimum of 25du/ha along major transport routes. The MSDF therefore promotes higher density residential developments along major routes such as the R304.

As a result, the R304 has been identified by the MSDF as a "*primary development axis / transport corridor*" and that development proposals along this axis should comprise "*higher density mixed use infill developments*" as is proposed by the application under consideration, to meet the demand for affordable housing for the lower-and-middle income groups working in Stellenbosch and surrounds.

As land costs within Stellenbosch are high, lower-and-middle income workers are locked out from the Stellenbosch property market, which the proposal under consideration aims to try and address, as its target market is the *GAP, upper GAP, FSC (Financial Sector Charter) or Affordable Housing* bracket, or in its simplest definition, homes which households can afford that earn a combined income of around R26,800pm (2021), or below.

Compliance with the Stellenbosch Municipality's Northern Extension Project

In 2016 the Stellenbosch Municipality appointed Jubilee Projects to investigate the northern expansion of Stellenbosch. The study area covered *an area of approximately 86ha*. The aim of the Northern Extension is to accommodate the northwards expansion of Stellenbosch and create an integrated urban development consisting of various housing typologies to cater for various income groups. As noted above the proposal under consideration is to create affordable housing opportunities, which is in line with the vision of the Northern Extension as initially endorsed by Council in 2016.

Support of the Stellenbosch Municipality's Adam Tas Corridor Project

The Adam Tas Corridor Project was initiated by the Stellenbosch Municipality in 2019 to absorb development pressure / housing shortfall within Stellenbosch Town and stretches from the Cape Sawmills site to the Kayamandi / Cloetesville area along the western side of the R304 of which the subject property forms part.

The aim of the Adam Tas Corridor is to promote higher density developments in order to promote public transport and non-motorised transport initiatives and will provide $\pm 13\,000$ accommodation opportunities for $\pm 50\,000$ people over a period of 30 years. As noted above, the subject property is located within the Urban Edge and forms part of *Precinct 10* of the Adam Tas Corridor (ATC).

The proposal under consideration for the most part supports the principles of the ATC Project as it consists of a mixed-use development that aims to accommodate affordable and middle-income homeowner which fall in the *GAP*, upper *GAP*, *FSC* (Financial Sector Charter) which is in line with the ATC in respect of *Precinct 10*. The densities identified by the ATC for *Precinct 10* range from 100 to 120 units / ha which in terms of the ATC are low and medium residential densities.

Density of Development

The development under consideration has an average residential density of ± 29 u/ha (41.4029ha with a max. 1 200 units) which is much lower than proposed by the ATC, but if the density of each component of the development is calculated then the following densities would apply.

- The residential density of the dwelling and group houses is ± 41 u/ha (14.46ha with ± 600 units – excluding all the internal streets, open spaces, etc.).
- The residential density of just the flats ± 106 u/ha (5.64ha with ± 600 units).
- The business site will have a 5 000m² GLA and the building will only be 1 storey in height and thus does not include any residential components.



6.4.7. Residential Units

The number of residential units was determined based on the following density ranges:

- 160 units/hectare: very high density
- 140 units/hectare: high density
- 120 units/hectare: medium density
- 100 units/hectare: lower density

Table 10. Land use/bulk summary for individual precincts

PRECINCT	Residential		Mixed Use Residential		Mixed Use Commercial		Light Industry		Sports		Public Facilities	
	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²
Precinct #10 Northern Extension	138 213	199 891	184 283	266 522	46 071	66 630	-	-	23 035	33 315	69 106	99 946

Table 11. Minimum and maximum bulk and number of residential units per precinct

PRECINCT	Minimum Density (units)	Maximum Density (units)
Precinct #1 Droë Dyke	3 997	5 181
Precinct #2 Sawmill	659	818
Precinct #3 Oude Libertas	232	288
Precinct #4 Adam Tas	1 952	2 329
Precinct #5 Remgro	203	240
Precinct #6 Bosman's Crossing	219	264
Precinct #7 Bergkelder	137	173
Precinct #8 Van der Stel	345	428
Precinct #9 Plankenbrug	267	322
X Precinct #10 Northern Extension	2 273	2 744
Precinct #11 Papegaaiberg	-	-
TOTAL	10 282	12 787

It is noted that the proposal under consideration does not meet the minimum density recommended by the ATC for *Precinct 10* of the ATC even if the density of the various residential component that make up of the development are calculated individually. It is noted that the subject property covers in excess of 75% of *Precinct 10* and thus a min of 75 % of the residential units should be developed on the subject property. Therefore between 1706 - 2058 residential units should be developed on the subject property which higher than what is proposed.

This aspect of the proposal was noted by the Spatial Section in its initial comment on the application but could not be addressed by the applicant due to the fact that the specialist studies done are based on the provision of ± 1200 residential units as initially proposed.

The applicant has indicated that they would be willing to look at increasing the existing density and did make a number of proposals which cannot be implemented due to the fact that the zoning that they are applying for does not make provision for what is being proposed (the inclusion of Additional Dwelling Units / Granny Flats).

Public Transport

The subject property is located on a primary development axis / transport corridor (i.e. the R304) that will enables access to convenient public transport as facilities are proposed to accommodate these services along the R304. The proposed higher density residential development will also aid in supporting the public transport initiative on this transport corridor (R304) and as the proposed higher density developmnet should contribute to the system's sustainability and viability as a result of the higher density that is proposed.

Addressing the town's housing needs and backlog

According to the MSDF the inadequate supply of affordable housing in Stellenbosch is a main concern and the greater municipal area has a housing backlog in terms of the availability of affordable housing opportunities which is growing.

The proposal under consideration will create $\pm 1\ 200$ affordable housing units (consisting primarily of flats and group housing units) which will aid in contributing towards addressing the housing need and backlog within this income group.

Provision of Community Facilities

The application has made provision for a number of community facilities in the form of a church and school sites. Which according to the applicant will provide community facilities for the residents in the area. As the applicant has not indicated if the school site will be developed by the Department of Education it is therefore assumed that this property will be sold on the open market and that the successful bidder will develop it as a private school.

The applicant has also not indicated whom will develop the proposed community facility and thus it is assumed that these facilities will also be sold on the open market and once again be financially out of reach of the surrounding property owners.

The location of these facilities may also not be appropriate as the development proposal for the area located between Kayamandi and the subject property is still in process. As a result the applicant has not provided a detailed motivation as the reasons for locating these community facilities as proposed.

Provision of Commercial Facilities

The application also makes provision for a commercial site which is to service the properties within the surrounding area. The location of the commercial site has not been motivated and it is assumed that it will service the residential area located in close proximity which to some extent is correct. As the development proposal for the area located between Kayamandi and the subject property is still in process the location of this facility may not be appropriate to service this portion of the community as it is located some distance from Kayamandi if one were to use non-motorized forms of transport.

Positive economic impact

The estimated value of this development project according to the applicant will amount to ±R900 million that is to be invested into the local economy. As the construction sector is one of the largest single contributors to employment, the proposal will create many new employment opportunities (ranging from skilled to unskilled labour as well as a number of short and long term work opportunities).

The proposed development will also contribute ±R65 million in development contribution fees to the Stellenbosch Municipality. The development contribution fees will be used to upgrade the municipal bulk infrastructure, and when the development is completed it will generate ±R5.5 million per

annum of property taxes for the municipality. The proposed development will therefore have a significant positive impact on the local economy and infrastructure of Stellenbosch.

Compatibility with the surrounding environment

A number of the surrounding properties in the area have been developed with high density developments, such as Nuutgevonden I, Nuutgevonden II, Tweespruit and Mt. Simon and the proposal under consideration will be similar to these developments and therefore is not seen to be out of character with its surroundings.

Historic support from the Department of Agriculture

A previous land use application on the subject property was supported by the Department of Agriculture in 2007, as the Agricultural Department at the time confirmed that they have no objection to the proposed urban development on the subject property.

The Provincial Department of Agriculture initially provided a negative comment on the application, but after discussions between the Provincial Department of Agriculture and the Land Use Section of the Municipality the proposal under discussion is now supported with conditions. The conditions set by the Provincial Department of Agriculture are listed above in this report. The Provincial Department of Agriculture revised response is attached as **Annexure 5**.

Support from the Environmental and Heritage Departments

Applications have been submitted to and approved by the Department of Environmental Affairs and Development Planning and to Heritage Western Cape, attached as **Annexure 5**.

Assessment of comments on application

A late objection was submitted by the Stellenbosch Interest Group (SIG) in which they raised a number of concerns, which ranged from the visual impact of the development to the fact that they felt that the proposal would not stop land invasions. The objection submitted did not provide solutions to most of the concerns raised and even alluded to the fact that the subject property did not form part of the Adam Tas Corridor project which is not correct as noted in the report above.

The fact that the proposal will have a visual impact on the development is noted by the applicant as a detailed master landscaping plan has been submitted for approval to aid in mitigating the impact of the development on its surroundings.

It should also be noted that any form of urban development on the subject property will have some form of visual impact on its surroundings due to its location, slope and orientation and the fact that it is currently an active agricultural entity which blends in with its surroundings.

The subject property is also located partially on the urban edge and thus the transition from an agricultural area to urban development will initially aid in amplifying the visual impact that the proposed development will have on its surroundings.

From the above it is accepted that initially the development of the property will have an impact on its surroundings but that the impact will be reduced over time as the landscaping is implemented and the trees / plants grow, thereby reducing and mitigating the building mass. It should also be noted that the 4 storey buildings proposed are located on the lower portion of the property in proximity of the R304 which should substantially reduce the visual impact of these buildings on the surrounding area as similar buildings have been constructed in view of the subject property.

The objector also stated that the development would not have a positive impact on the local economy which was not qualified as any form of job creation be it short or long term surely should have a positive impact on the local economy as the employment opportunities are not only limited to the project but wider as the industries / specialists that service the property industry will also be placed in a position to create additional employment opportunities due to the higher demand for their services and products that would be created during and after implementation of the proposal.

The objector further states that they are of the opinion that the proposed development will not stem land invasions which is also not correct as should this portion of land not be developed the possibility of it being illegally occupied will surely be high due to its location in relation to the existing informal settlements that have taken place on adjoining properties located between Kayamandi and the property under discussion.

Consideration of development proposal.

Even though the subject property has little intrinsic heritage significance, the development of this property could have an impact on the existing rural landscape as one approaches Stellenbosch along the R304 from the N1. Although the R304 has not been identified as a scenic route, it can be argued that in its current (unbuilt) condition, the subject property contributes to the rural character of the Cape Winelands and that the landscaping proposed for the development will have a very important role to play in softening the proposed developments impact as viewed from the R304.

The Heritage Impact Assessment undertaken highlights the impact that the development could have on the surrounding landscape and as a result required intensive landscaping to be undertaken to mitigate the impact on the rural quality of the surrounding landscape. The proposal initially included the construction of a continuous high wall on the boundary of the development which has now been changed to a permeable form of fencing, softened by planting, in addition to the trees to further reduce any impact that the permeable form of fencing could have on its surroundings.

The location of the property within the boundaries of the Adam Tas Corridor, for which there are specific goals, required that the application be evaluated in terms of the SPLUMA principles, the MSDF strategies and the ATC corridor goals notwithstanding the fact that the application was submitted prior to the initiation of the ATC LSDF.

The development proposal submitted makes provision for a range of housing typologies at an increased density and will make provision for ±1200 affordable residential opportunities, consisting of group housing units and flats, which will aid in contributing towards addressing the housing need and backlog within this income group.

Provisional work undertaken in the Local Spatial Development Framework (LSDF) for the ATC looked at possible densities and yields for development within identified precincts / nodes. The subject property falls within Precinct 10 of the ATC LSDF which is in process. In terms of the ATC LSDF, Precinct 10 is a "node" which should have a mixed land use nature, with between ± 2 273 and ± 2 744 residential units. As the subject property constitutes approximately 75% of *Precinct 10* it should make provision for between ± 1705 and ± 2 058 residential units which is much higher than what is proposed by the application under consideration as only ±1200 residential units are proposed.

A key determinant of approach taken in the ATC is the need to merge the needs of individual landowners within a precinct, thereby maximizing resources to meet a common agenda through coordinated, joint work, which the proposal under consideration has not been able to attain, as the development proposals for the remainder of the precinct is still in process.

The subject property is also located outside of the current Stellenbosch Town footprint which complicates efforts to integrate the green fields development with the rest of the town, as currently the development will operate as a suburb to Stellenbosch and where residents are dependent on the use of private vehicles to reach their destinations, be that employment opportunities, schools, the university, or commercial and recreation facilities.

The impact of the additional vehicle trips to the Stellenbosch CBD will inevitably lead to more congestion and an increased shortage of parking within Stellenbosch Town and for this reason, the proposed high-density residential development needs easy access to public transport and NMT to address the negative aspects of a residential development on the periphery of the town.

The placement of the business, school and community facilities sites have also not been motivated in detail by the applicant mainly due to the fact that the interaction of these facilities with the development proposals of substantial land portions located between the subject property and the existing town of Kayamandi still need to be compiled.

The planned development of substantial land portions located between the subject property and the existing town of Kayamandi will address the challenges of spatial segregation, transport, public facilities, and the critical residential need is dependent on how these projects will integrate with the proposed development under consideration. As a result, the latter cannot and should not be allowed to develop as a free-standing pocket but should be integrated with these developments to provide access, infrastructure, employment opportunities, share common facilities and provide an efficient and effective public transport and NMT network.

In conclusion, the proposal to develop the subject property is supported in principle but requires that the development be planned with input from the relevant departments of the Municipality to clarify and agree on issues such as the density of the development, the provision of "Inclusionary Housing" and the provision of appropriate public transport and NMT infrastructure.

The detail of the work still to be undertaken should be clarified at SDP level and thus the proposal under consideration needs to be amended to ensure that the final product maximizes existing resources and address the challenges of spatial segregation, transport, public facilities.

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, it can be concluded that the development of the subject property can be deemed desirable and can be supported in principle based on the following main considerations:

- The subject property is located within the Stellenbosch urban edge and not in conflict the MSDF.
- The development of the subject property is in support of Council's Northern Extension Project as well as the ATC initiative.

- Proposes to provide in a wide array of different housing typologies for different income groups.

There are however some aspects of the develop proposal under consideration which needs to be addressed:

- The gated nature of the proposed development does not facilitate integration with the various surrounding communities in this area, which includes access of the broader community to the proposed Business, Education and Community facilities.
- The proportional contribution of units for the subject property do not attain the prescribed densities prescribed for Precinct 10 of the ATC and may compromise the objectives to reach critical thresholds to support e.g. public transport.
- Addressing the bottom end of the inclusionary housing spectrum.
- The proposed NMT and public transport initiatives does not take the surrounding development initiatives in Precinct 10 into account to capitalise on an integrated transport system.

The proposed development of the subject property can be supported in principle, but the aspects as sited above needs further clarification and resolve. Consequently, the proposed subdivision plan (inclusive of the proposed street naming and numbering), and associated master plan, which will facilitate the implementation of the development, cannot be supported. The developer will have to engage with the relevant Municipal Departments to clarify, resolve and agree on these matters to ensure that the ATC objectives are supported, and that the ATC capitalizes from this development.

PART I: RECOMMENDATION

1. That the following applications in terms of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the Farm 81/33, Stellenbosch:
 - 1.1 The rezoning in terms of Section 15(2)(a) of the said Bylaw from Agriculture Zone to Subdivisional Area, to permit the following land uses:
 - a) Multi-Unit Residential Zone for group housing and flats/ apartments in extent of \pm 20,1ha.
 - b) Two (2) x Local Business Zone erven measuring \pm 1,33ha in extent for retail purposes.
 - c) One (1) x Education Zone erf measuring \pm 5,26ha in extent for purposes of a school.

- d) Two (2) x Community Zone erven measuring $\pm 1,97$ ha in extent for purposes of a church and $\pm 2,81$ ha for purposes of a clubhouse, hall, crèche, day-care, restaurant, amphi-theatre, pool, sport and recreation facilities and ancillary uses.
- e) Four (4) x Utility Services Zone erven measuring $\pm 4,29$ ha in extent for purposes of a public road and authority use.
- f) Twenty-three (23) x Private Open Space Zone erven measuring $\pm 12,81$ ha in extent for purposes of private open spaces and a private road.

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

- 1.2 The subdivision in terms of Section 15(2)(d) of the said Bylaw to permit the development in accordance with the subdivisional zone area, **BE REFUSED** in terms of Section 60 of the said by-Law.

2. Conditions of Approval

- 2.1 A revised Subdivision Plan for the subdivisional area zone be submitted for approval which addresses the following matters:
 - a) Density of the development in accordance with the provisions and prescribed thresholds of the Adam Tas Corridor project.
 - b) Integration of the proposed development with the surrounding areas and new developments.
 - c) Provision of "Inclusionary Housing" at the entry level end.
 - d) The provision of appropriate integrated public transport and NMT infrastructure in association with the surrounding areas and new developments.

- 3. The reasons for the above decisions are as follows:

Regarding the rezoning to subdivisional area:

- 3.1 The subject property is located within the Stellenbosch urban edge and not in conflict the MSDF.
- 3.2 The development of the subject property is in support of Council's Northern Extension Project as well as the ATC initiative.
- 3.3 Proposes to provide in a wide array of different housing typologies for different income groups.

Regarding the application for subdivision:

- 3.4 The gated nature of the proposed development does not facilitate integration with the various surrounding communities in this area, which includes access of the broader community to the proposed Business, Education and Community facilities.
- 3.5 The proportional contribution of units for the subject property do not attain the prescribed densities prescribed for Precinct 10 of the ATC and may compromise the objectives to reach critical thresholds to support e.g. public transport.
- 3.6 Addressing the bottom end of the inclusionary housing spectrum.
- 3.7 The proposed NMT and public transport initiatives does not take the surrounding development initiatives in Precinct 10 into account to capitalise on an integrated transport system.

PART J: ANNEXURES

Annexure 1	Locality Plan
Annexure 2	Subdivisional & Zoning Plan, Master Landscaping Plan and Site Development Plan
Annexure 3	Applicant's Motivational Report
Annexure 4	Portfolio of Evidence
Annexure 5	Objection received and Comments on objections
Annexure 6	Applicants Comment on the Spatial Sections Initial Comment
Annexure 7	External Departments Comments
Annexure 8	Internal Department Comment
Annexure 9	Copy of Draft Adam Tas Corridor Local Spatial Development Framework
Annexure 10	Proposed Building Typologies for the Various Land Uses

PART K: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT

APPLICATION FOR REZONING, SUBDIVISION, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS, ON FARM 81/33, STELLENBOSCH

Author of Planning Assessment Report:**Name: Robert Fooy****Capacity: Senior Planner****Date: 23 December 2021****PART L: REVIEW OF PLANNING APPLICATION ASSESSMENT REPORT**

APPLICATION FOR REZONING, SUBDIVISION, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS, ON FARM 81/33, STELLENBOSCH

Review of Planning Assessment Report:**Name: Chrizelle Kriel****Capacity: Manager: Land Use Management****SACPLAN Registration: A212/10****Signature: ****Date: 05/01/2022**

PART M: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT**APPLICATION FOR REZONING, SUBDIVISION, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS, ON FARM 81/33, 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 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 and D(c)2

Decision Making Authority: SMPT

Rational: The proposal is consistent with an approved SDF and not in line with the draft ATC LSDF.

Name:

MARCO FOUCAË

Capacity:

Acting S. Manager

SACPLAN Registration:

Signature:

[Handwritten signature]

Date:

05/04/2022

PART N: ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT

APPLICATION FOR REZONING, SUBDIVISION, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS, ON FARM 81/33, 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: *21 January 2022*
 Date:

Name: *Lenasia Kaminesh*

Capacity:

Signature: *[Handwritten Signature]*

Date: *7.01.2022*

ANNEXURE 1

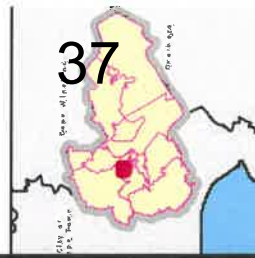
Locality Plan

SCALE

1:9 027,98

Legend

37



Stellenbosch Municipality
Planning & Economic Development
Created by: Corporate GIS

Date: 2021/1/23



Author: Stellenbosch Municipality



Stellenbosch Municipality
Street Address:
71 Plain Street, Stellenbosch, 7600
Tel: 021 808 9558

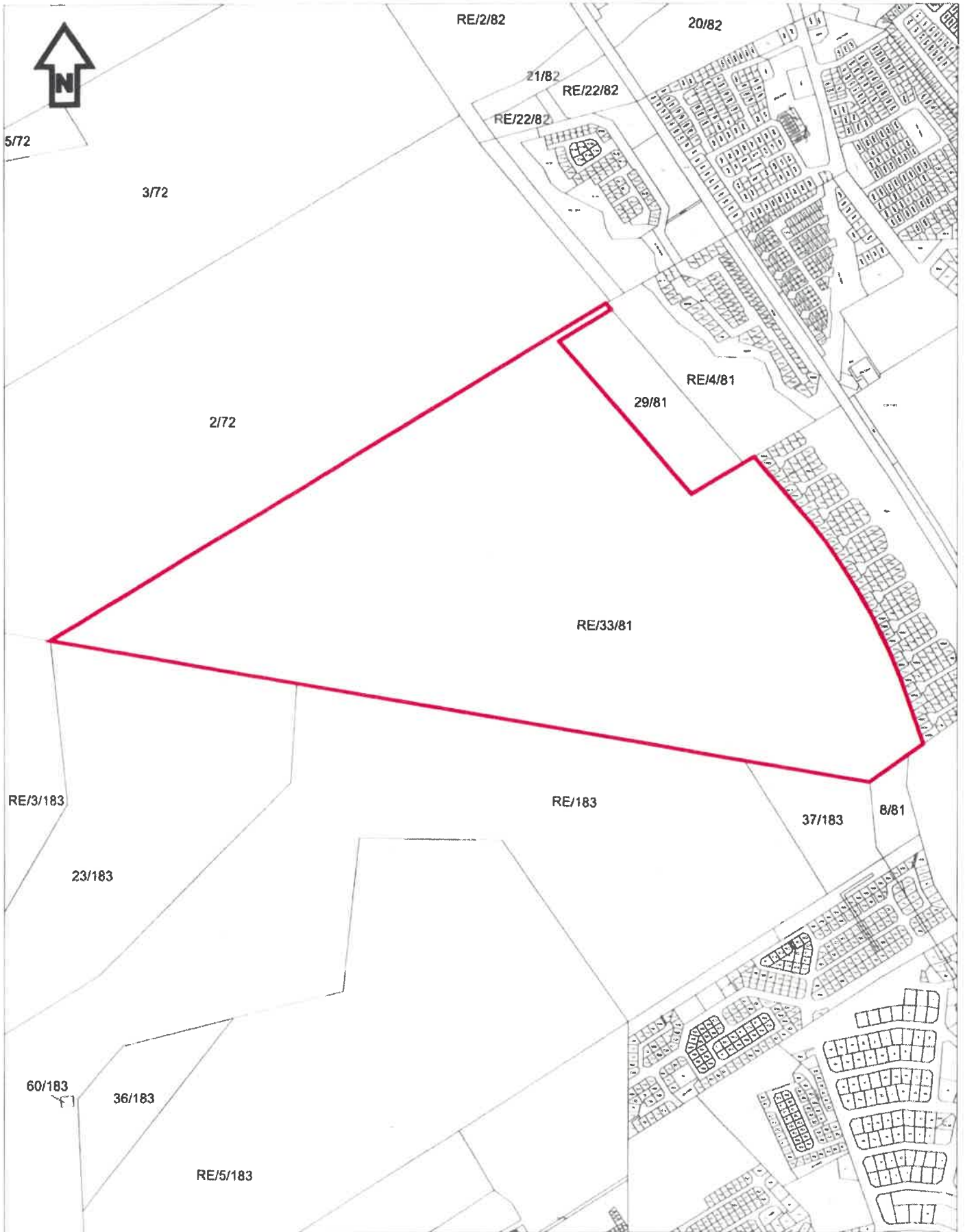
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Stellenbosch GIS Map



THE SITE

Stellenbosch Municipality
Planning & Economic Development
Created by: Corporate GIS
Date: 2021/1/23
Author: Stellenbosch Municipality
Stellenbosch Municipality
Street Address:
71 Plain Street, Stellenbosch, 7600
Tel: 021 808 9558
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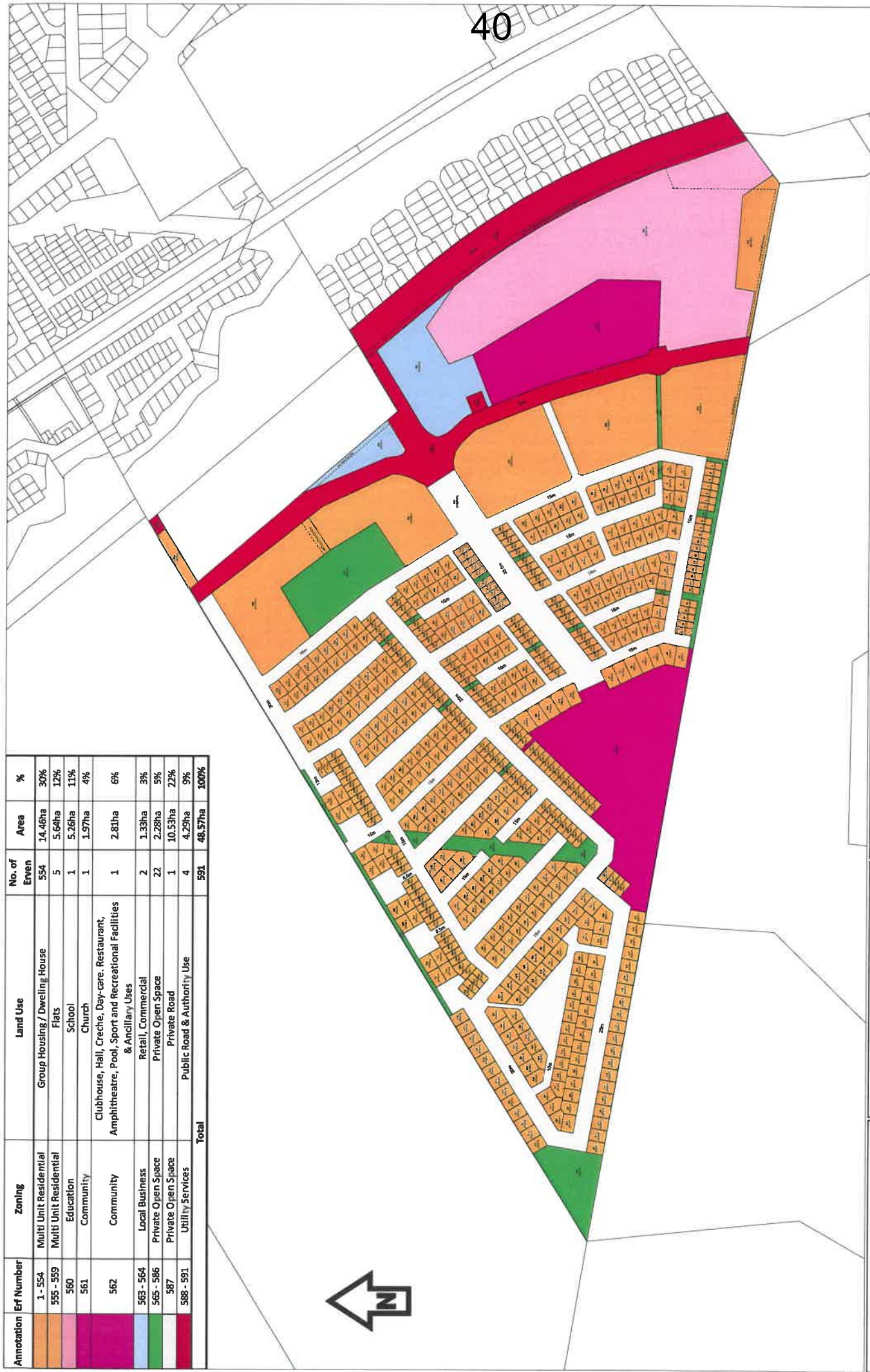
ARCHITECTS AND TOWN PLANNERS

**Portion 33 of Farm
 Cloetesdal No. 81,
 Stellenbosch**

Drawing:		Plan no.:	
Local Locality		2	
Date:	Scale:		
07/06/2019	1 7 500(A4)		
Project no.:	Drawn:	Checked:	
3629-P	WH	CH	

ANNEXURE 2

Subdivisional & Zoning Plan, Master Landscaping Plan and
Site Development Plan



Annotation	Erf Number	Zoning	Land Use	No. of Erven	Area	%
	1 - 554	Multi Unit Residential	Group Housing / Dwelling House	554	14.46ha	30%
	555 - 559	Multi Unit Residential	Flats	5	5.64ha	12%
	560	Education	School	1	5.26ha	11%
	561	Community	Church	1	1.97ha	4%
	562	Community	Clubhouse, Hall, Creche, Day-care, Restaurant, Amphitheatre, Pool, Sport and Recreational Facilities & Ancillary Uses	1	2.81ha	6%
	563 - 564	Local Business	Retail, Commercial	2	1.33ha	3%
	565 - 586	Private Open Space	Private Open Space	22	2.28ha	5%
	587	Private Open Space	Private Road	1	10.53ha	22%
	588 - 591	Utility Services	Public Road & Authority Use	4	4.29ha	9%
		Total		591	48.57ha	100%

Annotation

Erf Number

Zoning

Land Use

No. of Erven

Area

%

Proposed Subdivision

Plan no.: 1

Date: 08/12/2021

Scale: 1:2000 (A1)

Project no.: 3629-P

Drawn: WH

Checked: JVR

Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained from Surveys and Mapping (DRDLR).

Urban design done by Osmond Lange Architects.

Road design done by UDS Africa.

Servitudes done by BSI.

newinbosch

N E I G H B O U R H O O D

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS

FIRST FLOOR, LA GRATTUDE OFFICE BUILDING | 97 DORP STREET
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All areas and dimensions are approximate and should be verified by a professional land surveyor.

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ANNEXURE 3

Applicant's Motivational Report

3, For record purpose, we hereby provide you with the project team's formal response and comments on your ten conditions of approval:

- Provision should be made for appropriate and dedicated NMT and public transport facilities over and above that proposed in the TIA particularly along the R304 towards Stellenbosch town to reduce the dependence on private vehicles and to provide hard infrastructure. This network must be planned, designed, and constructed in collaboration with the municipality and the provincial roads authority.

The provision made for NMT and public transport as proposed in the TIA was made based on the Municipality's master planning and was discussed with the engineering department prior to compiling the report. It was agreed that along both sides of the R304 2,0m wide sidewalks be provided whilst 2,2m wide shoulders along the road accommodates cyclists – at the intersection a 1,2m wide cycle lane is provided in both directions between the through- and left-turn lane, accommodating cyclists through the signalised intersection. Pedestrians and cyclists are accommodated across the R304 at the signalised intersection. The public transport embayments provided along the R304 to both sides of the signalised intersection can each accommodate two minibus taxis or a bus.

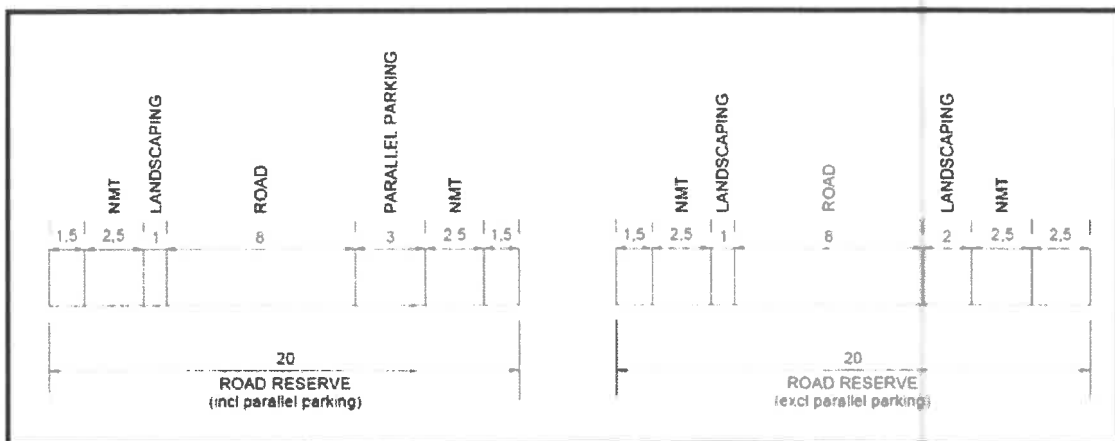
The detail design plans of the R304 / access intersection, as prepared and submitted to Province for approval, included the abovementioned facilities.

To indicate how the proposed NMT facilities fits with the Municipality's planning, an overlay of the NMT proposal and location of the subject property, with the Stellenbosch Municipality's NMT Master Plan is attached hereto for reference.

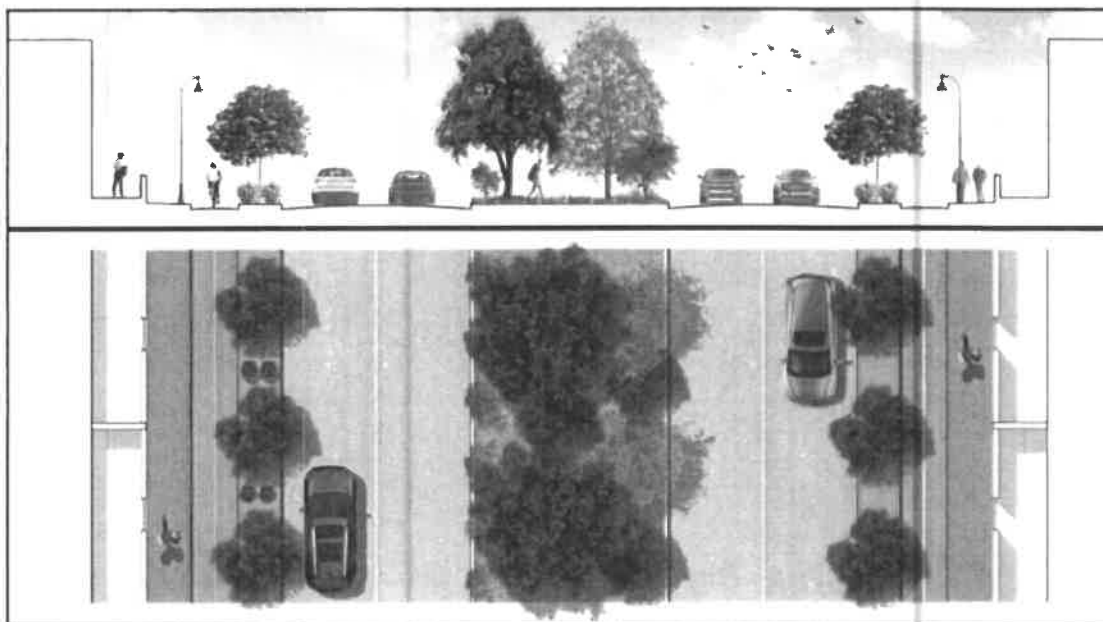
It was further agreed that along the public road parallel to the R304, shared NMT facilities of 2,5m (municipal standard) be provided supplementary to the accommodation made along the R304. Following the virtual meeting referred to in the first paragraph of this letter, it is suggested that the NMT facilities be removed from the road, i.e. provide a planted buffer/section of landscaping between the road edge and the NMT facilities.

A line diagram of a possible cross-section which accommodates the above is

indicated below for the sections along the parallel road including- and excluding parallel parking (which is provided in the vicinity of the school/church- and retail-accesses).



Within the development a variety of routes are provided. Major vehicular routes will be provided with cycle lanes with edge protection from vehicle lanes. Routes dedicated to NMT are also provided with numerous pedestrian and cycling routes intersecting the site and running along the perimeter.



Detail road plan and section indicating provision of pedestrian walkways and bicycle lanes integrated with vehicular routes.



Map showing the NMT route structure (red lines) and the link with the proposed R304 NMT infrastructure, linking the site to Stellenbosch

- Written approval of the Department of Agriculture for the development of Farm 81/33 must be submitted.

Noted and accepted.

An application has been submitted to the Department of Agriculture i.t.o. Act 70 of 1970 and we are waiting on their decision.

- All conditions of the HIA as approved by HWC must be implemented. In this regard the landscaping plan must be compiled in collaboration with HWC and the municipality and implemented before or during construction.

Noted and accepted.

- That the applicant negotiates with the municipality with respect to the number of residential units, typologies of units and the inclusion of an Inclusionary Housing component that will cater for a range of income groups rather than the top end of the GAP market only.

Background:

At the heart of Newinbosch is the desire to build an inclusive, representative, and spatially just neighbourhood catering to the affordable and middle-income

homeowner. This segment is often referred to as the GAP, upper GAP, FSC (Financial Sector Charter) and Affordable Housing bracket, or in its simplest definition, homes which households can afford that earn a combined income of around R26,800pm (2021), or below. We believe Newinbosch will be the first middle income Greenfields neighbourhood in Stellenbosch in the last 20+ years to cater for precisely this market.

Inclusionary housing:

At the crossroads of housing in this market, is the definitions of affordable housing and inclusionary housing. Inclusionary housing has been part of the housing narrative for the last decade or so, gaining momentum with draft policy papers on inclusionary housing published for public comment by cities likes Johannesburg, Cape Town, and the Western Cape provincial government over the last 3 years. Simply put, inclusionary housing is the granting of additional land use rights, including a greater mix of uses and higher densities that generate significant value, by applying a standardised requirement or “set-aside requirement” for developers to include, in their developments, a contribution towards housing that is affordable to lower-middle and lower-income households (Draft WCIHPF_PPP_2021 Final). The objective is to open up opportunities for more affordable housing in identified areas and to promote more integrated communities in those areas that are less starkly divided by income and race and more inclusive of key workers and young professionals in particular. These additional rights may be proactively granted by a municipality or through the normal development application process (Draft WCIHPF_PPP_2021 Final).

In 2019 the developers for Newinbosch applied for the rezoning of the farm Cloetesdal from agricultural to residential and mixed-use zoning. Although the rights applied for does not necessarily trigger the “additional land use rights of a greater mix of uses or higher density” definition, and thus the requirement for inclusionary housing, the developer is aligned with the municipality’s request to include an Inclusionary Housing component that will cater for a range of income groups. It was part of our development ethos from the start and fortuitously aligned to the proposed inclusionary housing requirements.

It is our view that Newinbosch directly address, and succeeds in considering the four focus areas of achieving spatial transformation as published in the Draft WCIIHPF policy:

- /, Create new opportunities for people to move to more central locations:
 - _, Newinbosch will address the affordability and housing shortage for key workers in Stellenbosch.
 - `, These include, but is not limited to teachers, healthcare workers, police, public servants, and the vast number of employees by large employers like the Stellenbosch University, Distell, Stellenbosch Municipality and Capitec who can't afford to stay in Stellenbosch and need to commute from neighbouring towns.
- 0, Create spatially and economically vibrant growth points:
 - _, Newinbosch, together with the municipalities proposed Watergang development and the Steyns Kwekery site, forms part of the Northern Extension, the Adam Tas Corridor, the MSDF, the IDP, and, essentially creates a hard edge separating residential development from farm land for the foreseeable future.
 - `, Newinbosch includes a school, retail, community, and commercial sites which will cater to the Northern Extension as a whole and enable a spatially and economic growth point.
- 1, Improve the places where people are living:
 - _, Newinbosch will significantly and positively contribute to placemaking in the Northern Extension, and together with all the proposed amenities create a vibrant, engaged, and functioning community.
 - `, Newinbosch will contribute more than R90m to bulk infrastructure (roads, water, stormwater, electricity and NMT) with a direct positive impact on the surrounding communities.
- 2, Create better linkages between places through safe, efficient, and affordable public transportation:
 - _, Newinbosch is a mere 3,6km from the Stellenbosch CBD, 1,2km from Plankenberg industrial zone and less than 500m from the boundary of Kayamandi on its narrowest edge. It is, by definition, linked to its surrounds.
 - `, The neighborhood development will facilitate the creation of a secondary road parallel to the R304, connecting Plakenberg,

Kayamandi, Watergang, Newinbosch and the De Bois farm to each other and with new intersections onto the R304. This in turn will ensure the development of significant NMT infrastructure in addition to the public transport bays along both the R304 and the new road.

Target market: Income and sales prices

As per the graph below, 57%, or 694 of all homes in Newinbosch will be priced below R1,2m to ensure these homes are affordable to the market earning a combined income of below R26,800pm. Of the 694 homes, 177 are priced below R800,000 and a 144 have been set aside as FLISP homes. These homes will be exclusively ringfenced for first time buyers of which those clients will be able to access further government subsidies of around R40,000 to R60,000 (paid into their bonds) to lower their monthly bond instalments.

Sale Prices (2021)*		Breakdown				Typologies	Mean Instalment *	Mean Income Required
From	To	#	# %	Cum #	Cum %			
600.000	800.000	177	14,56%	177	14,56%	Apartments; FLISP Homes	5.041,05	15.753,28
800.001	1.000.000	163	13,24%	340	27,80%	Apartments	6.937,23	21.678,83
1.000.001	1.200.000	356	29,28%	694	57,07%	Apartments	8.478,83	26.496,35
1.200.001	1.400.000	72	5,94%	766	62,99%	Townhouses	10.020,44	31.313,87
1.400.001	1.600.000	91	7,47%	857	70,46%	Townhouses	11.562,04	36.131,38
1.600.001	1.800.000	148	12,16%	1005	82,62%	Townhouses	13.103,65	40.948,90
1.800.001	2.000.000	82	6,76%	1087	89,38%	Townhouses & Cluster Homes	14.645,25	45.766,42
2.000.001	2.500.000	91	7,47%	1178	96,85%	Cluster & Freestanding Homes	17.343,06	54.197,07
2.500.001	+	167	13,72%	1.345	100,00%	Feestanding Homes	+	+
		1.310	100,00%					

(*Term: 20 years; Interest rate 7%; No deposit; Mean instalment = average of the price bracket; 2021 Sales prices)

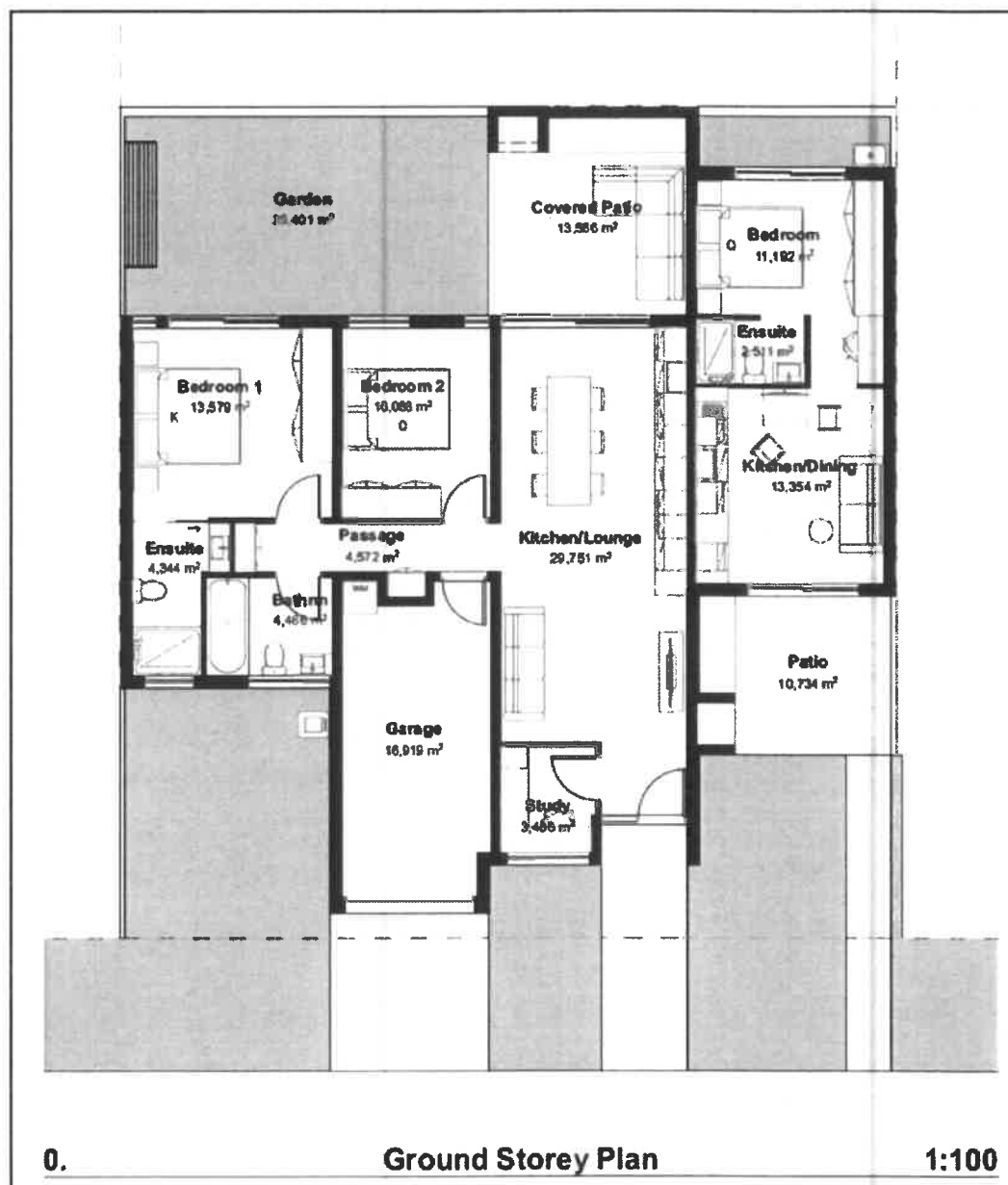
In context:

Newinbosch should be evaluated in context of the neighbouring Watergang development which will in all probability include a whole range of housing types from BNG, social housing, market rent and bonded houses targeting the income groups up to R18,000pm. With Newinbosch focused on creating housing opportunities for the next income group of up to R26,800 (including FLISP) as explained above, the two neighbourhoods will enable a sound housing ladder catering to a wide variety of preferences, typologies and income groups for families earning up to R55,000pm.

Rental homes:

At least one high density stand will be earmarked for the establishment of a rental community creating around 120+ rental apartments. What the ownership structure of this development will be is still to be confirmed.

A further 139 "granny flats" will be built as part of the Cluster developments. It is envisaged that these apartments will be rented to a variety of people from young adults and professionals, students, lower income single people or couples, retirees etc. In effect, this pushes up the density with a further 139 housing (or rental housing) opportunities over the entire Newinbosch neighbourhood. The design was in answering the Stellenbosch municipalities densification and second homes policies. Please see an example below:



- The provision of gated residential pockets is not supported and alternative measures to ensure security must be investigated and proposed.

The developer is also not in favour of a gated development, but due to the context of the location of the development, are forced to provide comfort to potential clients with regards to their safety as well as the protection of their personal belongings. To mitigate the negative effects of a gated community the following responses were included in our design:

- Public ground floor retail was included in apartment buildings located next to the entrance in order to create a connection between secured and non-secured uses.
 - Included as part of the amenities located in the centre of the development are a public creche, a restaurant, a fitness centre, events venue, and practice swimming pool. These will be open to be used by members or clients, who are not residents of the development.
 - As indicated in our HIA/VIA only permeable fencing will be used, with additional landscaped mitigations.
- The applicant must negotiate with the municipality to ensure that appropriate temporary employment opportunities are reserved for local labour.

Our main contractor, Raubex Building follows their "Local Community Integration Process" to ensure the local community is formally integrated into each project. They endeavour to employ 70% from the local community and 30% will be core employees from the contractor. The following principles are followed:

- Early engagement (ward counsellor meetings, CLO appointment, present site info, present action plan)
- Process outline (site establishment, local labour recruitment, local specialist sub-contractor recruitment, local suppliers, CLO requirements, monthly reports for targets and achievements)

In addition to the above, we will open a training facility on site shortly after LUPA and SALA approvals. Through engagement with local NPOs, schools and religious

organisations, suitable trainees with an interest in the construction industry will be identified and recruited for training. A three-month theoretical and another three-month practical training (in various required skill sets like brick-laying, painting, plumbing, electrical installation) will follow after which trained students will form part of the construction team. These students will be encouraged to complete accreditations during the course of the project to enable them to start their own businesses or be employable after completion of the project.

- Proper integration with the municipal project adjacent and to the south of the development must be ensured in the final layout plans.

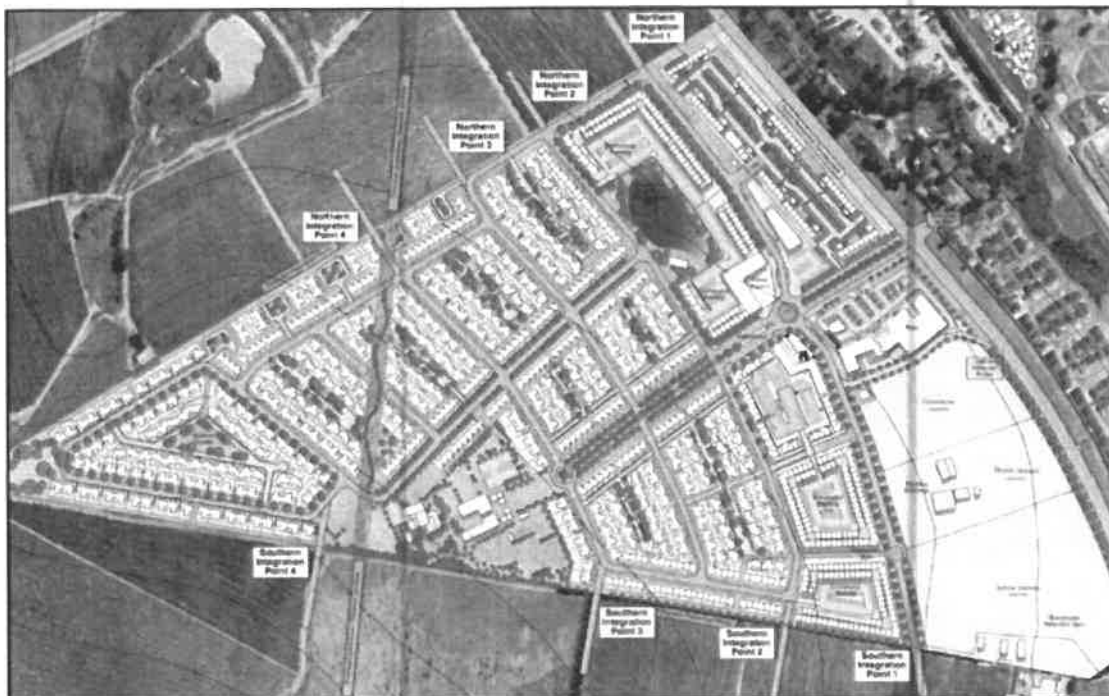
The urban design of the development makes provision for a public road that runs parallel to the R304, connecting the development to adjacent sites to the north and south. This secondary feeder route will be linked to the R304 via four connecting points. Two existing points in Kayamandi, one centrally located to Newinbosch layout, along the Steyn's nursery site and a fourth running through the Du Bois property and connecting to the Welgevonden intersection.

Within the development two additional connecting points are provided on the southern edge to connect with the future Watergang development, with the possibility of a third at a higher level should this be required.

Two additional connecting points are also provided along the northern edge to connect with the future Du Bois development.

This selection of connecting points will allow for the integrating of the vehicular routes between the different sites and also NMT routes.

With regards to spatial integration, the Newinbosch layout provides numerous pockets of public green spaces along the development edge that can be responded to in the adjacent developments. This provides for visual connectivity and possibly shared facilities providing social integration of the communities. Hard edges that create housing clusters that turn their backs on each other, is avoided.



- The landscaping plan must be submitted to the Stellenbosch Municipality for approval subject to the conditions stipulated by the HIA.

Noted and accepted.

- Only visually permeable external fencing will be allowed.

Noted and accepted.

- The SDP should also include controls for external lighting, and other security measures.

Noted and accepted.

6. We trust this information will provide you with a clearer picture of the proposed Newinbosch mixed-use development and we respectfully request that you update and amend your spatial planning comments accordingly and (as a member of the Municipal Planning Tribunal) provide the other members of the Municipal Planning Tribunal with this background information.
7. Please feel free to contact the undersigned at 021 861 3800 or clifford@tv3.co.za if you have any queries or require any additional information.

Yours faithfully



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

cc. Ms. Louisa Olyyn (Planning and Economic Development)

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activities/Project Description
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p>Activities Number: 19</p> <p><i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from—</i></p> <p><i>(i) a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</i></p> <p><i>(a) will occur behind a development setback;</i></p> <p><i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i></p> <p><i>(c) falls within the ambit of activities 21 in this Notice, in which case that activities applies;</i></p> <p><i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i></p> <p><i>(e) where such development is related to the development of a port or harbour, in which case activities 26 in Listing Notice 2 of 2014 applies.</i></p>	<p>The proposed development includes a sewerage pipeline that will cross an ephemeral drainage line at an existing culvert. Although the watercourse crossing will be at an existing culvert, the works associated with the construction and subsequent rehabilitation of the site will encroach into the ephemeral drainage line.</p>
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p>Activities Number: 28</p> <p><i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i></p> <p><i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The development will be located on a portion of a farm located outside the urban area and will have a development footprint that exceeds 1 hectare.</p>

The abovementioned list is hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The proposed development comprises a mixed-use development and associated infrastructure, which will include the following:

- Approximately 1 216 units, consisting of single residential, group housing and town houses,
- A school on approximately 6ha,
- Institutional use (church) on approximately 2ha and
- A retail area of approximately 14 000m².

The retail area will be located just south of the existing access road, which will form the access to the proposed development. The existing Manor House will be converted into a multifunctional venue that will include recreational uses (clubhouse/hall, restaurant), Homeowners Association management offices and a pre-school or crèche space. The surrounding open space will be used as an outdoor recreational area, including facilities such as an outdoor cinema/amphitheater, pool and changing rooms, soccer lawn, skate park and a vegetable garden.

A new sewerage link pipeline will be constructed from the existing 425mm diameter sewer main in the R304 road reserve to the south of the proposed development, on the eastern side of the road. The proposed pipeline will be approximately 1050m in length and will cross an ephemeral drainage line at an existing culvert crossing south of the property.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on the Remainder of Portion 33 of Farm No. 81, Stellenbosch.

The SG21 digit code is: C0670000000008100033

Co-ordinates of the property:

Latitude	Longitude
33° 54' 30.34" South	18° 50' 29.94" East

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

The above is hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants (Pty) Ltd
 c/o Ms Euonell Visagie
 PO Box 2632
PAARL
 7620
 Cell: 076 684 6566
 Email: eg@gnec.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Layout Alternative 1, as described in the BAR dated 2 July 2021 on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue, within which commencement must occur.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
 - 6.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 11.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.

- 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
- 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
- 7.4 provide the registered I&APs with:
- 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2 name of the responsible person for this Environmental Authorisation,
 - 7.4.3 postal address of the holder,
 - 7.4.4 telephonic and fax details of the holder,
 - 7.4.5 e-mail address, if any, of the holder, and
 - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Management of activities

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO") before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
12. A copy of the Environmental Authorisation, EMPr, MMP, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr. The Environmental Audit Report must be prepared by an **independent**

person (not the ECO appointed in terms of condition 12 above) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake an environmental audit and submit Environmental Audit Reports to the Competent Authority once a year during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after completion of the construction phase of the development.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. A qualified archaeologist and/or paleontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
17. The relevant requirements with respect to occupational health and safety must be adhered to at all times.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be

amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014, (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority–
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
Room 809

8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

Zaahir Toefy

Digitally signed by Zaahir
Toefy
Date: 2021.08.16 10:58:42
+02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 16 AUGUST 2021

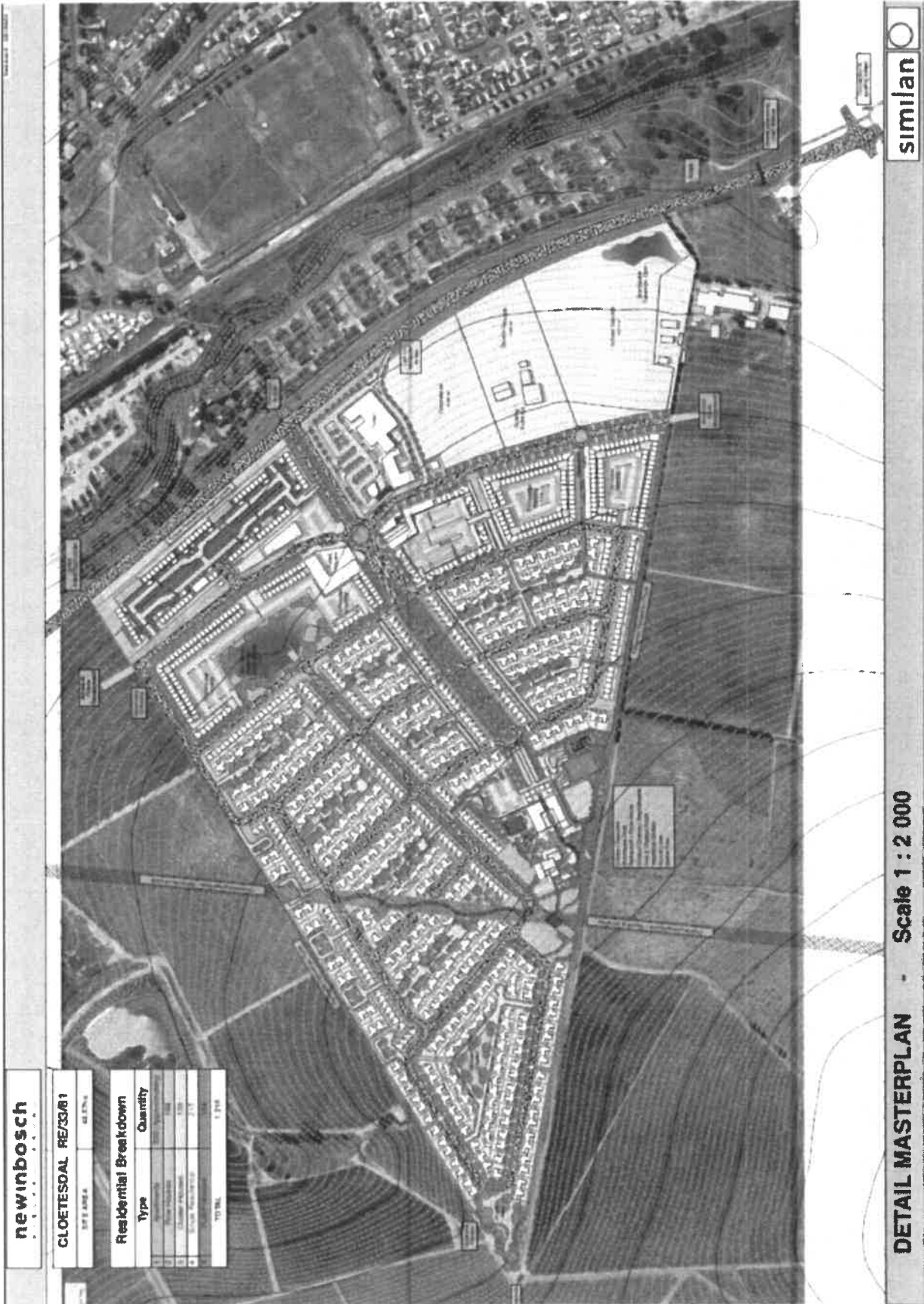
Cc: (1) Euronell Visagie (GNEC)
(2) Cahlan Williams (GNEC)
(3) Schalk van der Merwe (Stellenbosch Municipality)

Email: eg@gnec.co.za
Email: cahlan@gnec.co.za
Email: Schalk.VanDerMerwe@stellenbosch.gov.za

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated 26 February 2021, the EMPr submitted together with the revised final BAR dated 2 July 2021, and the additional information received on 6 and 12 August 2021;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated 2 July 2021; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing notice boards at the site where the listed activities is to be undertaken on 23 January 2020;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities is to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities on 23 January 2020;
- the placing of a newspaper advertisement in the "The Eikestad" on 23 January 2020;
- circulating the pre-application draft BAR to I&APs on 27 January 2020 and 23 July 2020;
- circulating the in-process draft BAR to I&APs from 5 March 2021; and
- circulating the in-process revised FBAR to I&APs from 1 June 2021.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

2. Alternatives

Layout Alternative 1 (Preferred Layout Alternative)

The proposed development comprises a mixed-use development and associated infrastructure, which will include the following:

- Approximately 1 216 units, consisting of single residential, group housing and town houses,
- A school on approximately 6ha,
- Institutional use (church) on approximately 2ha and,
- A retail area of approximately 14 000m².

The retail area will be located just south of the existing access road, which will form the access to the proposed development. The Manor House will be converted into a multifunctional venue that will include recreational uses (clubhouse/hall, restaurant), Homeowners Association management offices and a pre-school or crèche space. The surrounding open space will be used as an outdoor recreational area, including facilities such as an outdoor cinema/amphitheater, pool and changing rooms, soccer lawn, skate park and a vegetable garden.

A new sewerage link pipeline will be constructed from the existing 425mm diameter sewer main in the R304 road reserve to the south of the proposed development, on the eastern side of the road. The proposed pipeline will be approximately 1050m in length and will cross an ephemeral drainage line at an existing culvert crossing south of the property.

The layout is informed by the Traffic Impact Assessment dated 3 July 2020, compiled by ICE Consulting Engineers that proposes various road network upgrades to accommodate the increased traffic flow. Furthermore, the Heritage Impact Assessment dated July 2020, compiled by Lize Malan and David Gibbs includes various mitigation measures that will assist the effective integration of the layout into the existing urban fabric of Stellenbosch, without compromising the sense of place of the agricultural setting to a detrimental extent. The findings of the HIA was supported by Heritage Western Cape and it has been incorporated into the preferred layout alternative and the relevant sections of the EMPr for implementation.

Layout Alternative 2

This alternative also includes a mixture of housing typologies, including apartment buildings, row housing and single residential. A large public square was proposed in the center of the development that would be surrounded by the retail component that is proposed in the development. A fuel service station and convenience node would be located at the access to the development and the church would remain at its proposed location. The proposed school would be on the southern border of the development with the sport fields along the R304 as is proposed now. Two drawbacks of Layout Alternative 2 include the design not conforming to the topography of the site, with the apartment buildings designed perpendicular to the contours, which will result in extensive costs. The public square and public park would also slope downhill which is not ideal. Secondly, this layout alternative includes high density development along the upper slopes of the development, which is in contrast to the findings of the Visual Impact Assessment that proposes a higher density on the lower slopes of the farm and a lower density at the top to limit the potential visual impact. This alternative is therefore not preferred from a civil engineering nor from a visual impact point of view.

Layout Alternative 3

Layout Alternative 3 is similar to the other alternatives in terms of the housing typology mix, however the difference is the placement of the different typologies. This layout does not make provision for the integration of different typologies with the high density being solely located towards the lower reaches of the farm, medium density in the middle and southern border and lower density on the upper slopes

and to the north of the development where the visibility is the highest. In addition, the only open space planned for is located on the southern border adjacent to the existing manor house.

As with Alternative 2, the building placement is not in line with the topography of the farm, resulting in high construction and engineering costs, which are not feasible. This layout includes one small retail component (a filling station) that will be located at the entrance to the development. This layout therefore does not make provision for the range of amenities as included in the preferred alternative and will place a higher pressure on the surrounding road network, especially the R304, as all the residents need to travel into Stellenbosch for basic necessities. Layout Alternative 3 is therefore not preferred.

Layout Alternative 4

Layout alternative 4 makes provision for a larger retail component, which will have a positive impact on the alleviation of pressure on the R304. However, this layout alternative did not include the necessary stormwater management measures, which is a civil engineering requirement, as well as the mixture between the housing typologies. This layout alternative was therefore not supported due to it not being compatible with the civil engineering requirements and planning principles.

Layout Alternative 5 (Previous Preferred Layout Alternative)

The previous preferred layout alternative differs only slightly from the current preferred Layout Alternative 1. The number of housing opportunities decreased by 50 residential units and the filling station was removed from the project proposal. This is due to time constraints, as the approval of the retailer's license would take longer and hinder the construction of the remainder of the development.

"No-Go" Alternative

The no-go alternative was considered. However, it was not preferred since the opportunity to provide affordable housing opportunities and associated amenities will be lost. In addition, based on the outcome of the assessment, the proposed development will not result in any significant negative environmental impacts.

3. Impact Assessment and Mitigation measures

3.1 Activities need and desirability

The proposed development would contribute towards meeting the current need for housing in Stellenbosch. The mixed land uses will create an integrated neighbourhood with all associated amenities. The residential component will include of a range of affordable housing opportunities. The farm is included in the municipal urban edge and is demarcated for urban development. The proposed development is therefore also consistent with the planning policy and principles on a municipal and national level.

3.2 Biophysical Impacts

Historically, the site contained critically endangered Swartland Shale Renosterveld vegetation. The property however contains no indigenous vegetation as the farm was cultivated for many years.

The proposed development includes a sewerage pipeline that will traverse an ephemeral drainage line at an existing culvert crossing along the R304, which will limit the significance of the potential impacts on the watercourse. Based on the findings of the Freshwater Ecological Assessment dated August 2020, and the subsequent specialist opinion dated 12 August 2021 in response to the amended sewerage pipeline alignment, compiled by FEN Consulting, the potential impacts on the ephemeral drainage line was not considered to be significant. The specialist recommendations made to further limit the potential

impact during the construction and rehabilitation phase were included within the relevant sections of the EMPr approved as part of the Environmental Authorisation. In addition, a Water Use Licence Application ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998) for the proposed watercourse crossing has been submitted to the Department of Water and Sanitation, which will further investigate the watercourse related impacts.

3.3 Heritage Impacts

Based on the findings of the HIA dated July 2020, compiled by Lize Malan and David Gibbs, the proposed development will have a visual impact, but it will be mitigated to an acceptable level with the implementation of the recommended mitigation measures. It was determined that the significance of the potential visual impact will be reduced from high significance to moderate (short term) to low (long term) with mitigation. The recommendations were endorsed by HWC and have been incorporated into the preferred layout alternative and the relevant sections of the EMPr (e.g., with adequate landscaping along the northern boundary of the site, the proposed development will be visually recessive).

In summary, the proposed development will result in both negative and positive impacts.

Negative Impacts:

- The proposed development will have an impact on the ephemeral drainage line that will be crossed by the proposed sewerage pipeline. It will be aligned along an existing culvert crossing to limit the significance of the potential impact and with the further implementation of the specialist recommendations the potential impact significance will be limited even more.
- The proposed construction works will result in elevated noise and dust levels during the construction phase and an increased visual and traffic impact during the operational phase. The construction phase impacts will be of a temporary duration and mitigation measures have been incorporated into the EMPr for implementation during the construction phase. The visual and traffic impacts will also be addressed by the specialist recommendations, which have also been included into the preferred layout alternative and EMPr for implementation.

Positive Impacts:

- The proposed development will assist in addressing the growing housing demand in Stellenbosch and will contribute to the local economy.
- The development will create employment opportunities during the construction and operational phase.

4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-----END-----

ANNEXURE 4

Portfolio of Evidence



ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPLANNERS

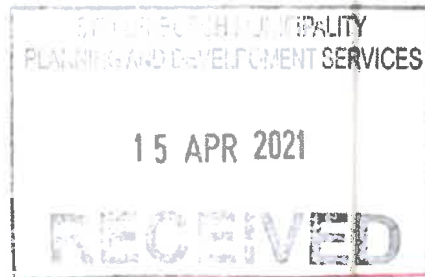
Our Reference: 3629-P
Application No: LU/10917

9 April 2021

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

Attention: Ms. Bulelwa Mdoda

Madam

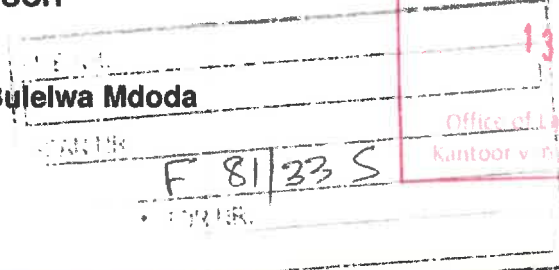


Municipality - Munisipaliteit
Stellenbosch

13 APR 2021

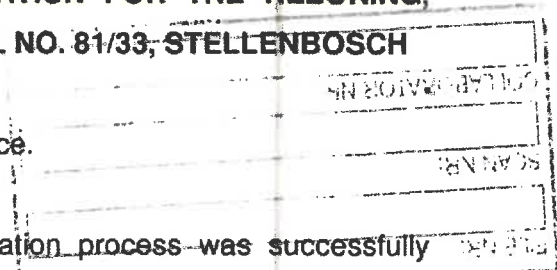
Office of Land Use Management
Kantoor van Bestuur en Ontwikkeling

47 DORP STREET
FIRST FLOOR
LA GRATIOTIDE
OFFICE BUILDING
STELLENBOSCH 7600
TEL +27 (0) 21 861 1801
FAX +27 (0) 21 861 8112
EMAIL: info@tv.co.za



PORTFOLIO OF EVIDENCE REPORT: APPLICATION FOR THE REZONING, SUBDIVISION, ETC. OF THE FARM CLOETESDAL NO. 81/33, STELLENBOSCH

1. Your letter of 21 September 2020 has reference.
2. We hereby confirm that the public participation process was successfully completed in accordance with the requirements of the Stellenbosch Municipal Land Use Planning By-law, 2015.
3. The public participation process commenced on 1 October 2020 and continued for 30 days as prescribed.
4. As instructed, notices were sent (via e-mail) to all the interested and affected parties and community organisations. The application was also advertised in the *Eikestadnuus* and an on-site notice was displayed during the advertising period.



5. After advertising no objections were received from the public. However, a late objection was submitted by the Stellenbosch Interest Group.

6. As instructed, the application was also sent to all the relevant external government departments, namely:

- Department of Transport & Public Roads: No comments were received.
- Department of Environmental Affairs & Development Planning: The environmental impact assessment process is still in hand and the Environmental Authorisation will be submitted to Council with receipt thereof.
- Heritage Western Cape: Approval was received i.t.o. the National Heritage Resources Act, 1999.
- Eskom: A letter of "*no objection*" was received.
- Department of Agriculture: A letter of "*no objection*" (circa 2007) was received.
- Western Cape Government: Agriculture: A letter of "*objection*" was received. The reason for the objection is that the department does not support Council's vision for the northern extension of Kayamandi (in other words, Western Cape Government: Agriculture's objection is not against the development proposal per se, but rather against Council's spatial planning policies).

7. We hereby provide Council with the following proof of advertising and alignment with the relevant legislation and by-laws:

- **Section A:** Portfolio of evidence checklist.
- **Section B:** Proof of publication of advertisement in the *Eikestadnuus*.
- **Section C:** Copy of reg. letter sent to I&APs.
- **Section D:** Proof of reg. mail letters sent.
- **Section E:** Proof of on-site notice.
- **Section F:** Late objection received.

- **Section G:** Applicant's response to late objection.
 - **Section H:** Notice sent to government departments.
 - **Section I:** Comments received from government departments.
 - **Section J:** Copies of e-mail correspondence with the officials
8. The relevant internal departments were informed of the application (and requested to comment) by the Directorate: Planning and Development Services.
9. We trust this information will suffice in finalising the application. However, if you have any queries please feel free to contact the undersigned.

Yours faithfully



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

SECTION A

Portfolio of evidence checklist



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 81	Portion(s) if farm	33	Allotment Area	Stellenbosch		
Owner/ Applicant	TV3 Projects (Pty) Ltd			LU/#	LU/10917		
Notice Period	From:	1 Oct 2020		To:	1 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		
17. Applicant's comments on all the objections attached				X			

Please complete and sign the following declaration on above:

DECLARATION

I, (full names & surname) CLIFFORD REX HEYS and ID#: 7205295013088, as the Applicant for the above application, hereby confirms that the public participation process for the subject application was duly undertaken in accordance with the instruction for such process and the associated requirements stipulated in the Stellenbosch Municipal Land Use Planning Bylaw, and that the information contained in the above checklist and the accompanied information and documentation in the portfolio of evidence for the concluded public participation process, are accurate and complete:

Duly signed by the APPLICANT CLIFFORD HEYS on this date / month / year 9 APRIL 2021 at place STELLENBOSCH.



Signature Applicant

9 APRIL 2021

Date

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

NOTES TO BE RECORDED:

SECTION B

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

NETWERK **GRATIS | FREE**
 News out vir jou makke 1990

Eikestad

NUUS

BETREKKINGS BOEDELS
 VEILINGS KENNISGEWINGS

VACANCIES ESTATES
 AUCTIONS | OFFICIAL NOTICES



Western Cape Government
BETTER TOGETHER


VACANCY BULLETIN

EXCITING OPPORTUNITY FOR PEOPLE WHO WANT TO MAKE A DIFFERENCE
DEPARTMENT OF HEALTH
STELLENBOSCH HOSPITAL
ADMINISTRATION CLERK: SUPPLY CHAIN MANAGEMENT
 Remuneration: R173 703 per annum

Applicants must have a tertiary education to qualify for these positions. For detailed information on the above post, visit our website: www.westerncape.gov.za/health-jobs

The WCO is guided by the principles of Employment Equity. Candidates with disabilities are encouraged to apply. Your application in this regard will be prioritised.

Closing date: 16 October 2020



We know about hardship
donkeysanctuary.co.za



Western Cape Government
BETTER TOGETHER

VACANCY BULLETIN

EXCITING OPPORTUNITY FOR PEOPLE WHO WANT TO MAKE A DIFFERENCE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS
FARM AID
RTD-FARM SERVICES (EISENBURG) 2 POSTS AVAILABLE
 Salary: R102 534 per annum (Salary level 2)
 Enquiries: Mr B Aucamp at 021 808 5222
 Reference number: AGR 46/2020

Job purpose: The purpose of these posts are to perform routine manual farming activities. These posts are based at Eisenburg Research Farm.

Requirements: Ability to read and write (Grade 5)/ Adult Basic Education and Training (ABET 3).

Recommendation: Experience in performing general farm work • A valid (Code B or higher) driving licence.

Key performance areas: Perform the following routine activities: Crop production (e.g. planting, harvesting and irrigation) • feeding, loading and maintaining water supply systems • Maintain fences, roads and pipelines.

Competencies: A good understanding on how to handle and carry weights of up to 50kg • General farm work and maintenance skills • Working with research farm animals • Communication skills.

NB: Applicants from relevant local communities will receive preference. The selection process will be guided by the EE targets of the employing department.


To apply, please complete an application form (Z83) and current CV (5 pages maximum) together with certified copies of ID, academic qualifications and proof of other requirements as indicated in the advertisement. The post being applied for and the reference number must be clearly indicated on the Z83 application form.

To submit your application, hand deliver your application form from Monday to Friday between 07:00 to 17:00 to (1) Attention: Western Cape Government Jobs, Unit F5 Bayside Office, 43 Erica Road, Table View 7441, or you may post your application to (2) Attention: Western Cape Government Jobs, PO Box 60495, Table View 7439, alternatively you may email your application to (3) Attention: Western Cape Government Jobs, info@westerncape.gov.za

Applications not submitted on or before the closing date as well as faxed copies will not be considered.

The WCO is guided by the principles of Employment Equity. Disabled candidates are encouraged to apply and an indication in this regard would be appreciated.

Closing date: 19 October 2020



NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA

APPLICATION FOR REZONING AND SUBDIVISION: FARM 6133 STELLENBOSCH
 Application Address: Klyphauwel Road/R304, Stellenbosch
 Applicant: TV3 Projects (Pty) Ltd - C. Hays (contact details: 021 861 3800)
 Owner: Alberto Costa Trust - P. Du Toit (contact details: 021863 2433)
 Application Reference: LUJ10017

Application is made in terms of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2018, dated 20 October 2018, on Farm No. 6133, Stellenbosch Division for:

- The rezoning of the said property from Agriculture and Rural Zone to Subdivisible Area in terms of Section 152(1)(a) of the said Bylaw in allow for the following uses as depicted on plans with reference nr: "Proposed Subdivision/13629-P", dated 05 August 2020, and drawn by TV3 Architects and Town Planners:
 - 598 x Multi-Unit Residential Zone area measuring ±20,1ha in order to accommodate the residential component which will consist of single dwelling houses, group houses (cluster and row houses) and flats/apartments;
 - Two (2) x Local Business Zone area measuring ±1,33ha in order for retail purposes;
 - One (1) x Education Zone of measuring ±3,28ha in order for purposes of a school;
 - Two (2) x Community Zone area measuring ±1,67ha in order for purposes of a church and 2,61ha for purposes of a clubhouse, hall, crèche, day-care, restaurant, amphitheatre, pool, sport and recreation facilities and ancillary uses;
 - Four (4) x Utility Services Zone area measuring 4,26ha in order for purposes of a public road and utility use;
 - Twenty-three (23) x Private Open Space Zone area measuring 12,67ha in order for purposes of private open spaces and a private road.
- The subdivision in terms of Section 152(1)(d) of the said bylaw in accordance with the subdivision plan "Proposed Subdivision/13629-P", dated 05 August 2020, and "Planning Master Plan - Revision 1", dated 29 July 2020, and drawn by TV3 Architects and Town Planners to allow for the development in accordance with the subdivisible zone above;
- Approval for the naming and numbering of streets as per the Street Naming and Numbering Plan No.33629-P, dated 05 August 2020;
- Adoption of the development's name: Newinbosch Estate;
- Approval of the Landscape Master Plan;
- Application for the Department of Transport and Public Roads' written approval of the proposed urban development of Farm No. 6133, Stellenbosch (as the governing authority LLA the Advertising on Roads and Ribbon Development Act, 21 of 1940).

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: <http://www.stellenbosch.gov.za/development-portal/planning-portal/land-use-application-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 60 of the said Bylaw to the Applicant by electronic mail as follows: TV3 Projects (Pty) Ltd - C. Hays ch@tv3.co.za

The comments must be submitted within 30 days from the date of the notice to be received on or before the closing date of 2 November 2020.

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

KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK IN DIE STELLENBOSCH MUNISIPALE AREA

AANSOEK VIR HERBOERING EN ONDERVERDELING: PLAAS 6133, STELLENBOSCH
 Adres van eiendom: Klyphauwel / R304, Stellenbosch
 Aansoeker: TV3 Projects (Pty) Ltd - C. Hays (kontak besonderhede: 021 861 3800)
 Eienaar: Alberto Costa Trust - P. Du Toit (kontak besonderhede: 021863 2433)
 Aansoek Verwysing: LUJ10017

Aansoek word gemaak in terme van die Stellenbosch Munisipaliteit se Verordening, gepromulgasie deur landelingsgewing nommer 354/2018, gedateer 20 Oktober 2018, op die Plaas No. 6133, 6133, 6133 Stellenbosch vir:

- Aansoek word gemaak i/v Artikel 152(1)(a) van die Stellenbosch Munisipaliteit se Verordening op Grondontwikkelingswettiging, 2018 vir die herontwikkeling van Plaas 6133, Stellenbosch van Landbou en Landelike Zone na Onderverdelingsgebied om voorsiening te maak vir die volgende soos aangedui op die "Proposed Subdivision/13629-P", gedateer 05 Augustus 2020, en geteken deur TV3 Architects en Beplanners:
 - 598 x Multi-eenhede Residensiële zone area ±20,1ha in ooreenstemming met die residensiële komponent te akkommodeer bestaande uit enkel woonstel huise, groep huise (groep- en ryhuise) en wonings;
 - Twee (2) x Plaaslike Bedryfsone area ±1,33ha in ooreenstemming met kleinhandel doeleindes;
 - Een (1) x Opvoedingsgebied area ±3,28ha in ooreenstemming met skool;
 - Twee (2) x Gemeenskap zone area ±1,67ha in ooreenstemming met kerk en 2,61ha in ooreenstemming met klubhuise, eet, crèche, dagery, restaurant, amfiteater, swembad, sport en rekreasie fasiliteite en ander bykomstige fasiliteite;
 - Vier (4) x Nutsdiensone area ±4,26ha in ooreenstemming met openbare pad en utiliteits gebruik;
 - Dertien-en-twintig (23) x Privaat Openruimte Zone area 12,67ha in ooreenstemming met privaat open ruimte en privaat pad;
- Aansoek word gemaak i/v Artikel 152(1)(d) van die Stellenbosch Munisipaliteit se Verordening op Grondontwikkelingswettiging, 2018 vir die onderverdeling van Plaas 6133, Stellenbosch in ooreenstemming met die "Proposed Subdivision/13629-P", gedateer 05 Augustus 2020, en die "Planning Master Plan - Revision 1", gedateer 29 Julie 2020, en geteken deur TV3 Architects en Beplanners om die ontwikkeling toe te laat in ooreenstemming met die Onderverdelingsgebied sonder.
- Goedkeuring van die straatname en -nommers soos aangedui op die "Street Naming and Numbering Plan No.33629-P", gedateer 05 Augustus 2020;
- Aanvaarding van die ontwikkelingsnaam: Newinbosch Estate;
- Goedkeuring van die Landelings Meesterplan;
- Aansoek word gemaak vir die Departement van Vervoer en Publieke Werke se skriftelike toestemming vir die voorgestelde stedelike ontwikkeling van Plaas 6133 Stellenbosch (as die regerende owerheid i/v Wet, 21 van 1940).

Kennis word hiermee gegee in terme van die genoemde Verordening dat boverreëde aansoek vir die Stellenbosch Munisipaliteit ingedien is vir ooreenstemming. Die aansoek is beskikbaar vir inspeksie op die Beplanning Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die duur van die publieke deelname proses by die volgende adres: <http://www.stellenbosch.gov.za/development-portal/planning-portal/land-use-application-advertisements>. Indien die webtuiste of dokumente nie toeganklik is, kan 'n elektroniese kopie van die aansoek van die aansoeker versoek word om 'n elektroniese kopie beskikbaar te stel.

Skriflike kommentare, wat besonderhede insluit omtrent van die verwysings nommer van die aansoek, die naam, kontak adres en fisiese adres van die persoon wat die kommentare lewer, die redes vir die kommentare, en die belang van die persoon wat die kommentare lewer in die aansoek, kan ingedien word in terme van Artikel 60 van genoemde Verordening aan die Aansoeker by wys van elektroniese pos as volg: TV3 Projects (Pty) Ltd - C. Hays ch@tv3.co.za

Die kommentare moet binne 30 dae vanaf die datum van hierdie landelingsgewing gestuur word en moet ooreenstem met die datum van die sluitingsdatum van 2 November 2020.

Indien daar enige vrae is op die aansoek of boverreëde vereistes vir die lewer van kommentare is, of indien die persoon nie kan skryf of kommentare lewer of die kommentare nie lewer kan voorsiening gemaak is nie, kan die Aansoeker kontak word vir bystand by die verskeie elektroniese pos adresse of telefonies by 021 861 3800 gedurende normale kantoor ure.

SECTION C

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

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Sir / Madam

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: Klipheuwel Road / R304, Stellenbosch

Application Property Number: Farm 81/33, Stellenbosch

Applicant: TV3 Projects (Pty) Ltd – C. Heys (contact details: 021 861 3800)

Owner: Alberto Costa Trust – P. Du Toit (contact details: 021883 2433)

Application Reference: LU/10917

Application Type: Rezoning and Subdivision

Application is made in terms of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015, on Farm No. 81/33, Stellenbosch Division for:

1. The rezoning of the said property from Agriculture and Rural Zone to Subdivisional Area in terms of Section 15(2)(a) of the said Bylaw to allow for the following uses as depicted on plans with reference nr. "Proposed Subdivision/1/3629-P", dated 05 August 2020, and drawn by TV3 Architects and Town Planners:
 - (a) 559 x Multi-Unit Residential Zone erven measuring $\pm 20,1$ ha in extent to accommodate the residential component which will consist of single dwelling houses, group houses (cluster and row houses) and flats/apartments;
 - (b) Two (2) x Local Business Zone erven measuring $\pm 1,33$ ha in extent for retail purposes;
 - (c) One (1) x Education Zone erf measuring $\pm 5,26$ ha in extent for purposes of a school;
 - (d) Two (2) x Community Zone erven measuring $\pm 1,97$ ha in extent for purposes of a church and 2,81ha for purposes of a clubhouse, hall, crèche, day-care, restaurant, amphitheatre, pool, sport and recreation facilities and ancillary uses;
 - (e) Four (4) x Utility Services Zone erven measuring 4,29ha in extent for purposes of a public road and authority use;
 - (f) Twenty-three (23) x Private Open Space Zone erven measuring 12,81ha in extent for purposes of private open spaces and a private road.
2. The subdivision in terms of Section 15(2)(d) of the said bylaw in accordance with the subdivision plan "Proposed Subdivision/1/3629-P", dated 05 August 2020, and "Phasing Master Plan – Revision 1, dated 29 July 2020, and drawn by TV3 Architects and Town Planners to allow for the development in accordance with the subdivisional zone above;
3. Approval for the naming and numbering of streets as per the Street Naming and Numbering Plan No.3/3629-P, dated 05 August 2020;
4. Adoption of the development's name: Newinbosch Estate;

5. Approval of the Landscape Master Plan;
6. Application for the Department of Transport and Public Roads' written approval of the proposed urban development of Farm No. 81/33, Stellenbosch (as the governing authority i.f.o the Advertising on Roads and Ribbon Development Act, 21 of 1940).

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_portal/planning-notices/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: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 2 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 021 861 3800 during normal office hours.

Yours faithfully

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GETRESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

Meneer / Dame

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: Klipheuwelpad / R304, Stellenbosch

Aansoek eiendom beskrywing: Plaas 81/33, Stellenbosch

Aansoeker: TV3 Projects (Pty) Ltd – C. Heys (kontak besonderhede: 021 861 3800)

Eienaar: Alberto Costa Trust – P. Du Toit (kontak besonderhede: 021883 2433)

Aansoek Verwysing: LU/10917

Tipe Aansoek: Hersonerings en Onderverdeling

Aansoek word gemaak in terme van die Stellenbosch Munisipaliteit se Verordening, gepromulgeer deur kennisgewing nommer 354/2015, gedateer 20 Oktober 2015, op die Plaas No. 81/33, Afdeling Stellenbosch vir:

1. Aansoek word gemaak i.t.v. Artikel 15(2)(a) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die hersonerings van Plaas 81/33, Stellenbosch van Landbou en Landelike Sone na Onderverdelingsgebied om voorsiening te maak vir die gebruike soos aangedui op die "Proposed Subdivision/1/3629-P", gedateer 05 Augustus 2020, en geteken deur TV3 Argitekte en Beplanners:
 - (g) 559 x Multi-eenheid Residensiële sone erwe ±20,1ha in omvang om die residensiële component te akkommodeer bestaande uit enkel residensiële huise, groephuise (groep- en ryhuise) en woonstelle;
 - (h) Twee (2) x Plaaslike Sake sone erwe ±1,33ha in omvang vir kleinhandel doeleindes;
 - (i) Een (1) x Opvoedkundige sone erf ±5,26ha in omvang vir 'n skool;
 - (j) Twee (2) x Gemeenskap sone erwe ±1,97ha in omvang vir 'n kerk en 2,81ha in omvang vir 'n klubhuis, saal, crèche, dagsorg, restaurant, amfiteater, swembad, sport en rekreasie fasiliteite en ondersteunende gebruike;
 - (k) Vier (4) x Nuts Dienste sone erwe 4,29ha in omvang vir publieke pad en owerheidsgebruik;
 - (l) Drie-en-twintig (23) x Privaat Oopruimte Sone erwe 12,81ha in omvang vir privaat oopruimtes en privaat pad;
2. Aansoek word gemaak i.t.v. Artikel 15(2)(d) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2015 vir die onderverdeling van Plaas 81/33, Stellenbosch in ooreenstemming met die "Proposed Subdivision/1/3629-P", gedateer 05 Augustus 2020, en die "Phasing Master Plan – Revision 1", gedateer 29 Julie 2020, en geteken deur TV3 Argitekte en Beplanners om die ontwikkeling toe te laat in ooreenstemming met die Onderverdelingsgebied sonering;

3. Goedkeuring van die straatname en -nommers soos aangedui op die "Street Naming and Numbering Plan No.3/3629-P", gedateer 05 Augustus 2020;
4. Aanvaarding van die ontwikkeling se naam: Newinbosch Estate;
5. Goedkeuring van die Landskap Meesterplan;
6. Aansoek word gemaak vir die Departement van Vervoer en Publieke Paaie se skriftelike toestemming vir die voorgestelde stedelike ontwikkeling van Plaas 81/33, Stellenbosch (as die beherende owerheid i.f.v. Wet, 21 van 1940).

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: https://www.stellenbosch.gov.za/planning_portal/planning-notice/land-use-applications-advertisements. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsite van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van 2 November 2020.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

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

Die uwe

**CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD**

NEWINBOSCH FARM 81/33, STELLENBOSCH



APPLICATION I.T.O. THE PLANNING BY-LAW FOR SUBDIVISION, REZONING, ETC.

REFERENCE NO. 3629-P
TV3 PROJECTS (PTY) LTD
LA GRATITUDE OFFICES (1ST FLOOR)
97 DORP STREET
7600 STELLENBOSCH
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11 DEC 2019
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FAX: +27 21 882 8025

e-mail: clifford@tv3.co.za



ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPLANNERS

1. BACKGROUND INFORMATION

1.1 Brief

This firm received a brief from the developer to prepare the necessary documentation for the land use planning application as set out in **Section A** of this report, in order to obtain planning approval for the proposed Newwinbosch mixed use development on Portion 33 of the Farm Cloetesdal No. 81, Stellenbosch [hereafter referred to as the subject property].

1.2 Property description

The subject property is described in the Deed of Transfer No. T24040/2002 as Portion 33 of the Farm Cloetesdal No. 81, in the Municipality and Division of Stellenbosch Western Cape. A copy of the Deed of Transfer is attached hereto (see **Section D**).

1.3 Ownership

The Alberto Costa Trust is the registered owner of the subject property. Our client – Cloetesdal Development (Pty) Ltd – is in the process of purchasing the subject property from the Alberto Costa Trust.

Find attached hereto a company resolution and a power of attorney (including a copy of the sales agreement) instructing this firm to submit the necessary land use planning applications (see **Section C**).

1.4 Size

The subject property is 41.4029ha in extent.

1.5 Title deed search

A title deed search was undertaken by attorneys and they have confirmed that there are no title conditions that will restrict the proposed urban development on the subject property. A copy of the Conveyancer Certificate is attached hereto (see **Section D**).

However, according to title conditions III.D.(1) – (4) the governing authority i.t.o. Act 21 of 1940, must give their written approval for the proposed development. For this reason, the land use planning application must also be submitted to the Department of Transport and Public Roads (as the governing authority i.t.o. Act 21 of 1940) for their written approval.

2. LOCAL PLANNING CONTEXT

2.1 Locality

The subject property is located on the R304 in Stellenbosch, approximately 3km north of Stellenbosch central – see Figure 1 below:



Figure 1: Locality of Farm 81/33

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 agricultural land to the north and south, and high density residential developments (Mt. Simon, Tweespruit, Nuutgevonden I, Nuutgevonden II, etc.) to the east.

2.3 Present zoning and land use

The subject property is zoned *Agriculture and Rural Zone*. It is utilised accordingly.

3. NEWINBOSCH MIXED USE DEVELOPMENT PROPOSAL

3.1 Application for rezoning and subdivision

Application is made for the rezoning of the subject property from *Agriculture and Rural Zone* to *Subdivisional Area*, and for the subdivision of the subject property into residential, commercial, educational, community, open space and private / public roads erven. A copy of the conceptual Newinbosch Development Framework Plan – to illustrate the Newinbosch mixed use development's spatial vision – is attached hereto (see **Section E**).

With receipt of the Stellenbosch Municipality's (in principle) rezoning and subdivision approval, a final Subdivision Plan, Phasing Plan, Site Development Plan, (per phase), Landscaping Plan (per phase), Home Owners' Association Constitution and Architectural Guidelines (per phase), traffic impact statement (per phase) and civil engineering services report (per phase) will be submitted to the Director: Planning and Economic Development for approval.

3.2 Proposed land uses

The Newinbosch mixed use development will consist of the following different land uses to create a whole new integrated neighbourhood, namely:

- ±12 000 residential opportunities (consisting of single residential erven, group housing units and flats);
- Commercial (±5 000m² GLA);
- Church (±40 seats); and
- School (creche, primary and secondary school for ±2 000 pupils).

The details of these land uses will be finalised during the Subdivision Plan, Phasing Plan, Site Development Plan, etc. process, and will be submitted to the

Director: Planning and Economic Development for approval.

The purpose of the mixed land uses is to create an integrated and safe neighbourhood with all the associated amenities (schools, church, shops, parks, etc.). The residential component will consist of a range of affordable housing opportunities aimed at households with an income of between R18 000 – R50 000 per month (average R25 000 per month) and residential unit prices will vary from R700 000 – R3 million (average R1.4 million). It will support and contribute towards Council's non-motorised transport initiatives by providing pedestrian walkways and bicycle lanes.

3.3 Landscaping

The proposed Newinbosch mixed use development will be extensively landscaped to limit the buildings' visual impact; especially along the R304. New trees and shrubs will be planted to screen the buildings, and existing mature trees will be retained (as far as possible).

CNdV Landscape Architects have prepared a conceptual Master Landscape Plan for the Newinbosch mixed use development to illustrate the development's landscaping vision. A copy of their conceptual Master Landscape Plan is attached hereto (see **Section E**). Detailed Landscaping Plans will be submitted (per phase) to the Director: Planning and Economic Development for approval.

4. PLANNING MOTIVATION FOR THE PROPOSED NEWINBOSCH MIXED USE DEVELOPMENT

Our motivation for the proposed urban development of the subject property (to illustrate need and desirability) is based on the following reasons:

4.1 Compliance with the Stellenbosch Municipality's urban edge

The subject property was included in the Stellenbosch Municipality's urban edge back in 2006 and the Stellenbosch Municipality has recently confirmed this position when they (again) approved the town's urban edge (on 28 May 2018) that included the subject property – see Figure 2 below:



Figure 2: Stellenbosch Municipality's approved urban edge (28 May 2018)

4.2 Compliance with the Stellenbosch Municipality's Spatial Development Framework

The development proposal supports the principles (and is compliant with) the Stellenbosch Municipality's Spatial Development Framework (MSDF), as motivated in the section below.

4.2.1 Land use designation

The MSDF states that Kayamandi is under pressure to develop in a northern direction, but that development should not be extended beyond the northern reach of the Farm Cloetesdal (with the Welgevonden Boulevard as the northern edge); in other words, “a band of development along the R304 should be promoted” (refer to MSDF page 67). The subject property is located within this area identified by the MSDF for future urban development – see Figure 3 below:

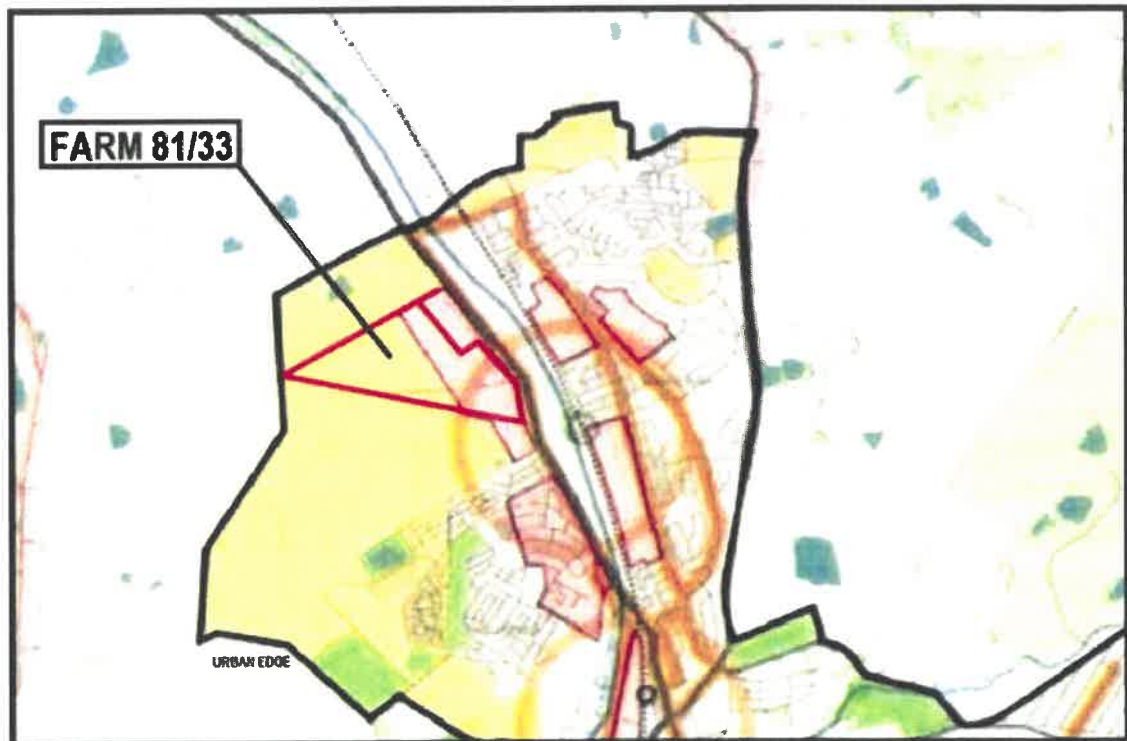


Figure 3: Extract of the MSDF (Nov 2019)

4.2.2 Targeted residential density

According to the MSDF the average residential density for Stellenbosch is very low; it is only 8.17du/ha. The MSDF's targeted residential density for

Stellenbosch is 25du/ha (refer to MSDF page 38). The proposed higher density residential component of the Newinbosch development will therefore contribute to achieving this goal of an average residential density 25du/ha for Stellenbosch.

4.2.3 Development along major transport routes

The MSDF states that higher density residential developments along major routes (e.g. the R304) should be supported. The R304 is identified by the MSDF as a "*primary development axis / transport corridor*". The proposed development of the subject property can therefore be deemed desirable as it is located on the R304 (a primary development axis / transport corridor) in an area that (according to the MSDF) "*should be explored for new high density mixed use infill development*" (refer to MSDF pages 55 and 58).

4.2.4 Demand for affordable housing

The MSDF states there is a significant demand for affordable housing for the employed lower-and-middle income groups. Land in Stellenbosch is expensive, locking out lower-and-middle income workers from the property market (refer to MSDF page 49). The proposed development – to create 240 affordable housing opportunities – will contribute towards addressing this need.

4.2.5 Tenets for spatial development

The MSDF further states that there are seven key tenets for the spatial development and management of Stellenbosch (refer to MSDF page 52), namely:

- *Tenet 1: Maintain and grow our natural assets.*

The proposed development supports this tenet as the subject property is not valuable agricultural land or a critical biodiversity area.

- *Tenet 2: Respect and grow our cultural heritage.*

The proposed development supports this tenet as it will not adversely affect the town's cultural heritage.

- *Tenet 3: Direct growth to areas of lesser natural and cultural significance as well as movement opportunity.*

The proposed development supports this tenet as it will support the Municipality's non-motorised transport initiative and provide the opportunity for pedestrians (i.e. the residents of the proposed development) to engage with public transport.

- *Tenet 4: Clarify and respect the different roles and functions of settlements.*

The proposed development supports this tenet as existing municipal bulk infrastructure is readily available for the development and the impact on infrastructure will be limited.

- *Tenet 5: Clarify and respect the roles and functions of different elements of movement structure.*

The proposed development supports this tenet as the subject property is located within the Stellenbosch urban edge (as approved by Council on 28 May 2018).

- Tenet 6: *Ensure balanced, sustainable communities.*

The proposed development supports this tenet as it will provide (much needed) affordable housing opportunities.

- Tenet 7: *Focus collective energy on critical lead projects.*

The proposed development supports this tenet as it will not exacerbate undesirable impacts or limit the opportunity for people to pursue a sustainable livelihood.

4.3 Compliance with the Stellenbosch Municipality's Northern Extension Project

In 2016 the Stellenbosch Municipality appointed Jubilee Projects to investigate the northern expansion of Stellenbosch. Their report – the Northern Extension Project for the Stellenbosch Municipality – was submitted to Council on 22 February 2017. At the meeting Council confirmed their support for the "*Northwards Extension of Stellenbosch Urban Planning and Development Project*" and it was resolved "*that Council support the development planning process to proceed in order to achieve the aim of an integrated human settlement development covering an area of approximately 86ha in the study area*". A copy of the Council item and the adopted Northern Extension Plan is attached hereto (see **Section F**).

The aim of the Northern Extension Project is to accommodate the northwards expansion of Stellenbosch and to create an integrated urban development (with different housing typologies for different income groups). The subject property forms an integral part of this Northern Extension Project in order to create an integrated human settlement area (as per Council's vision for the area) – see Figure 4 below:

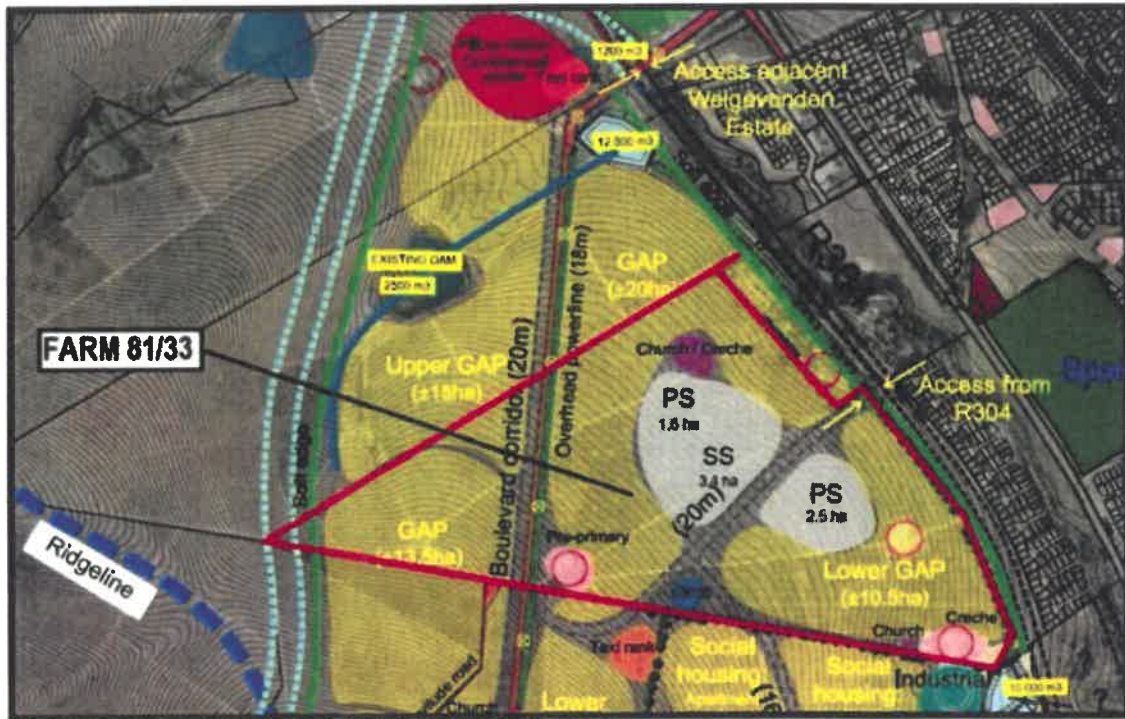


Figure 4: Extract of the Northern Extension Plan (2017)

The proposed development of the subject property – to create affordable housing opportunities – can be deemed desirable as it complies with the Northern Extension Project's vision and recommendations.

The Northern Extension Project (including the proposed development) is also supported by the Western Cape Government: Human Settlements department. Find attached hereto a letter from Mr. Louis Welgemoed (Cape Winelands Regional Planner) supporting the Northern Extension Project (see **Section F**).

4.4 Support of the Stellenbosch Municipality's Adam Tas Corridor Project

The Stellenbosch Municipality has initiated the Adam Tas Corridor Project to absorb development pressure in Stellenbosch. The aim of the Adam Tas

Corridor Project is to launch the restructuring of Stellenbosch through the redevelopment of the Adam Tas Corridor, the area that stretches from the Cape Sawmills site to the Kayamandi / Cloetesville area. The subject property is located on the Adam Tas Corridor – see Figure 5 below:

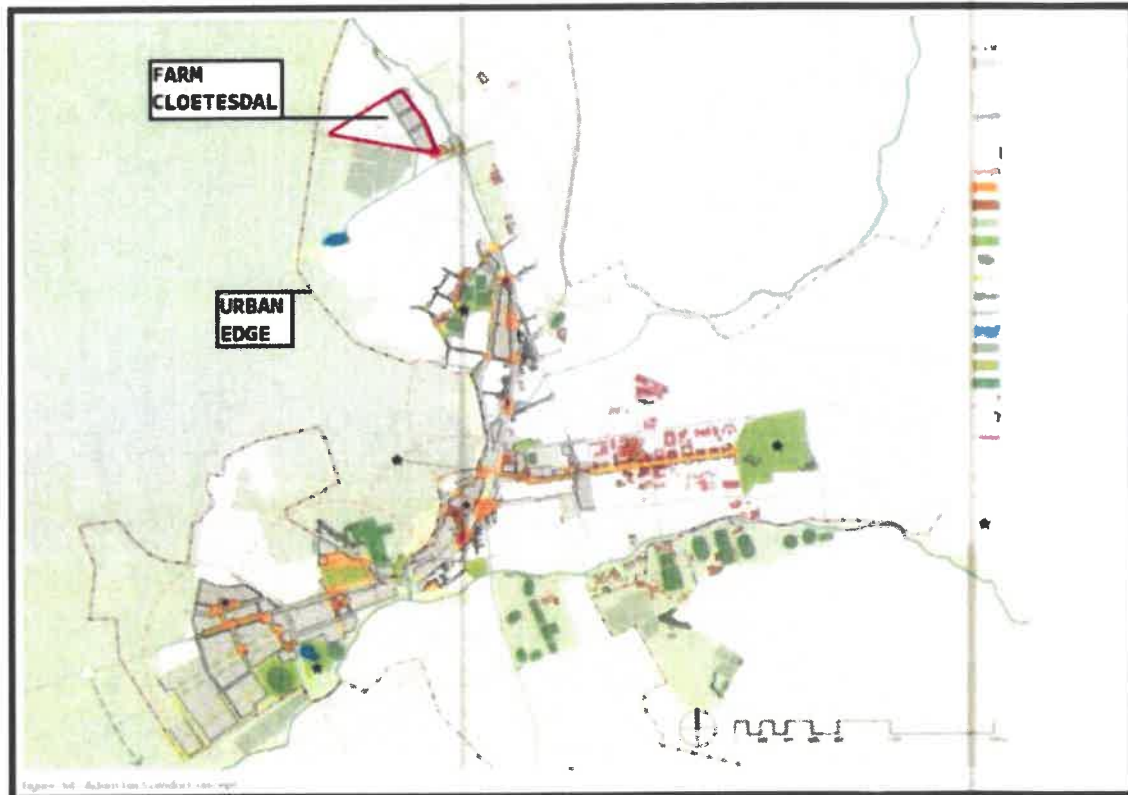


Figure 5: Adam Tas Corridor Concept

The Stellenbosch Municipality proposes high density residential developments on the Adam Tas Corridor in order to support public transport and non-motorised transport initiatives. According to Mr. Sarel Meyer (Project Manager) the Adam Tas Corridor Project will aim to provide 13 000 accommodation opportunities for 50 000 people over a period of 30 years (refer to the *Eikestadnuus* of 29 August 2019). The proposed high-density residential development of the subject property – located on the Adam Tas Corridor – will support the principles of the Adam Tas Corridor Project and contribute to the

provision of affordable accommodation opportunities. It can therefore be deemed desirable.

4.5 Support of public transport initiatives

The subject property is located on a primary development axis / transport corridor (i.e. the R304) that enables convenient public transport access and efficient transport movement. The proposed higher density residential development will support the Municipality's public transport initiative on this transport corridor and contribute to the system's sustainability and viability.

4.6 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 Stellenbosch Municipality has now redefined the urban edge and has identified additional land deemed desirable for urban development (i.e. the subject property) and the creation of the much-needed housing opportunities in alignment with all goals and objectives of the Integrated Development Plan.

The MSDF states there is a significant demand for affordable housing for the employed lower-and-middle income groups, and that by 2021 the need for non-indigent housing (units <80m²) in Stellenbosch will be 8 357 units. The proposed development of the subject property will create ±12 000 affordable housing units (consisting primarily of flats and group housing units) and will contribute towards addressing the housing need and backlog. It can therefore be deemed desirable.

4.7 Positive economic impact

The South African economy grew by 0.8% in 2018 after a technical recession in the first half of the year (according to the Moody's Corporation). The economy shrank by 0.8% in the first quarter of 2019 compared to the last quarter of 2018. South Africa's unemployment rate increased to 27.6% in the first quarter of 2019, (according to Stats SA). The jobless rate at the end of the fourth quarter of 2018 was 27.1%, meaning the rate has increased by half a percentage point. Significant economic investment is needed to address these problems.

The estimated value of this development project will amount to ±R900 million that will be invested in the local economy.

Furthermore, the construction sector is one of the largest single contributor to employment. Construction opportunities should therefore be supported as it will create many new employment opportunities (ranging from skilled to unskilled labour). It is anticipated that the proposed development will create ±1000 new employment opportunities in the construction sector.

The proposed development will also pay ±R65 million in development contributions to the Stellenbosch Municipality, it will contribute to the upgrading of municipal bulk infrastructure, and it will pay an annual municipal tax of ±R5.5 million.

The proposed development will therefore have a significant positive impact on the local economy and infrastructure, and from a purely economic point of view, it must be supported.

4.8 Compatibility with the surrounding environment

Most of the surrounding environment (on the R304) has already been

converted into higher density residential developments, such as Nuutgevonden I, Nuutgevonden II, Tweespruit and Mt. Simon – see Figure 6 below:

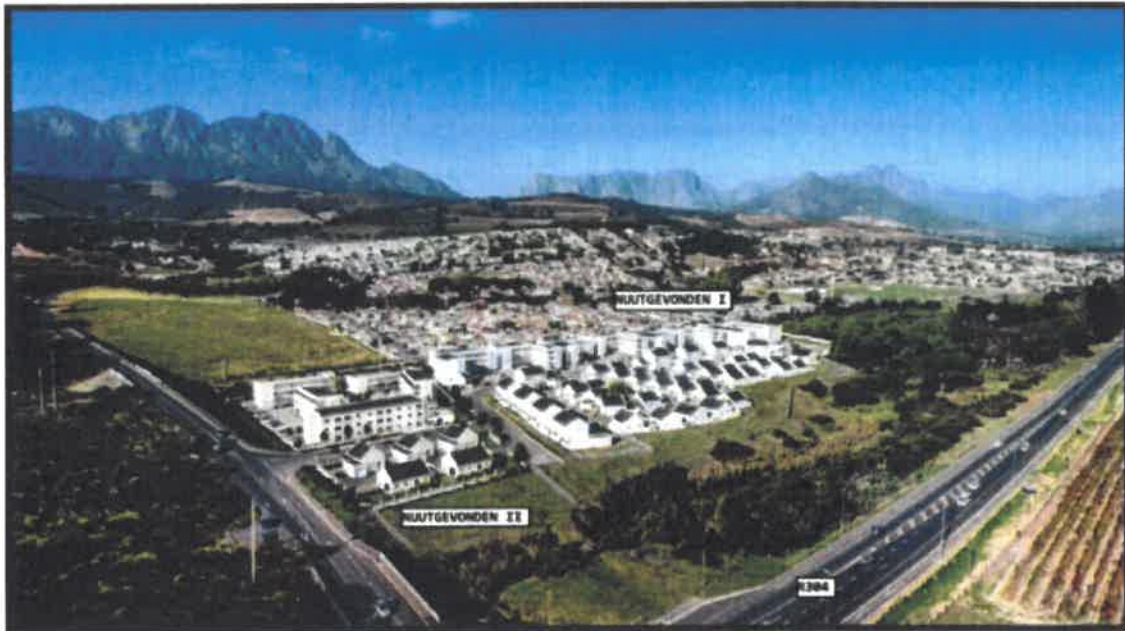


Figure 6: The Nuutgevonden I and II developments (on the R304)

The development proposal will be similar to these developments and can therefore be deemed to be compatible with the surrounding urban environment.

4.9 Support from the Department of Agriculture

A previous land use planning application (on the subject property) was submitted to the Department of Agriculture in 2007. The Department of Agriculture confirmed that they have no objection against the proposed urban development of the subject property – see Figure 7 below:

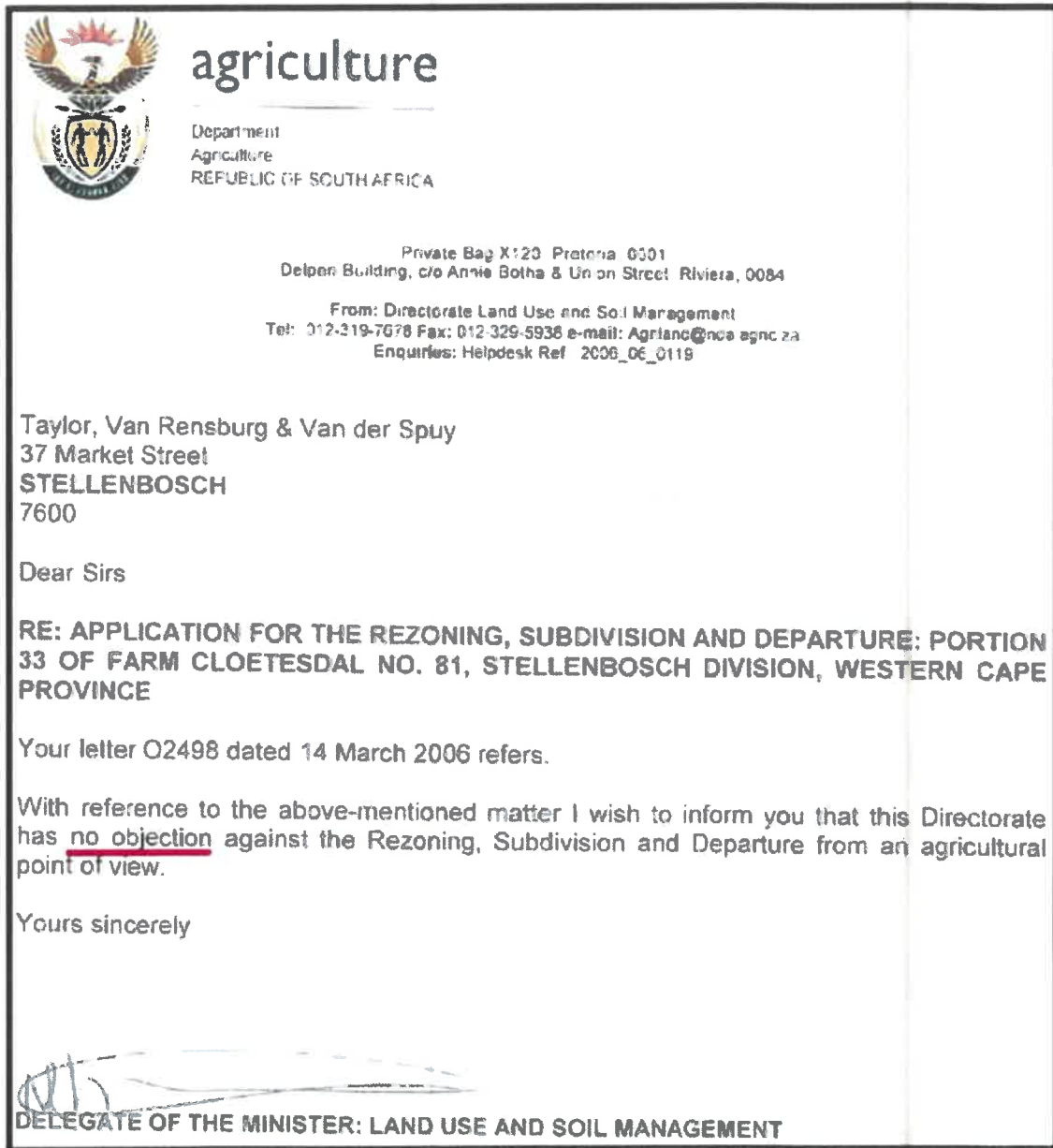


Figure 7: Department of Agriculture's letter of support (17 May 2007)

4.10 Environmental and heritage authorisations

Applications have been submitted to the Department of Environmental Affairs and Development Planning and to Heritage Western Cape for their

authorisations of the proposed urban development. Their decision letters 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 and Raubicon electrical engineers were instructed to investigate the availability of electrical engineering services for the proposed development. According to their engineering services reports all services are available near the development and no problems are foreseen in providing the necessary services connections (with certain infrastructure upgrades). A copy of the civil and electrical engineering services reports is attached hereto (see **Section G**).

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 traffic infrastructure upgrades). A copy of the traffic report is attached hereto (see **Section H**).

6. CONCLUSION

From the above motivation it is clear that the proposed mixed-use urban development can be deemed desirable as the proposed development:

- Is located within the Stellenbosch urban edge;
- Is compliant with the MSDF;

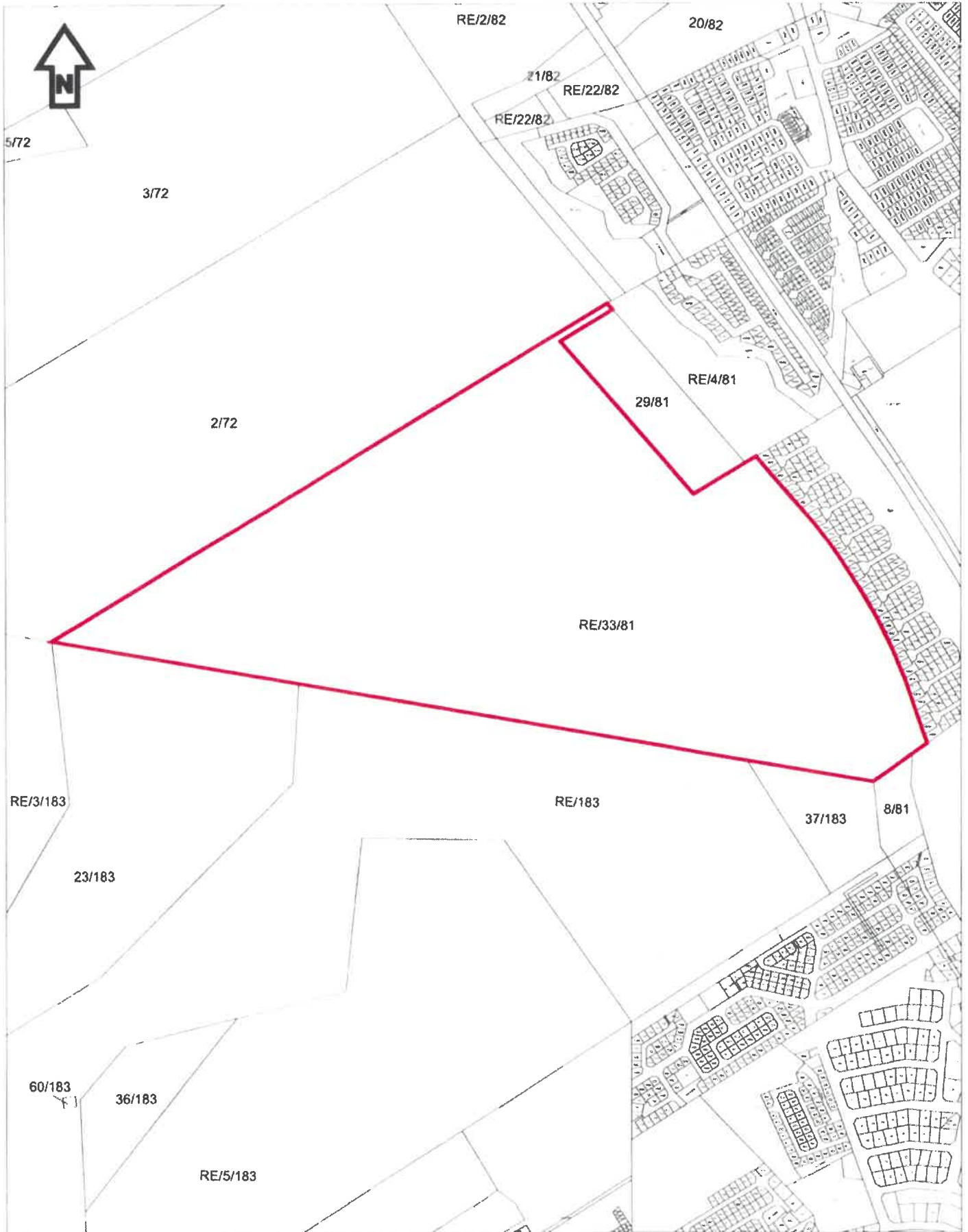
- Supports Council's Northern Extension Project;
- Supports Council's Adam Tas Corridor Project
- Will provide affordable housing opportunities;
- Will assist in addressing the town's housing backlog;
- Will significantly contribute to local economic development;
- Will create many new employment opportunities;
- Is compatible with surrounding land uses;
- Will support Council's public transport initiatives; and
- Bulk infrastructure is available.

For these reasons, we deem the proposed development of the subject property to be desirable (i.e. this is the right time and the right place for the land-use / activity being proposed) and we recommend that the application be granted.

7. SIGNATURE OF APPLICANT

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

.....
DATE

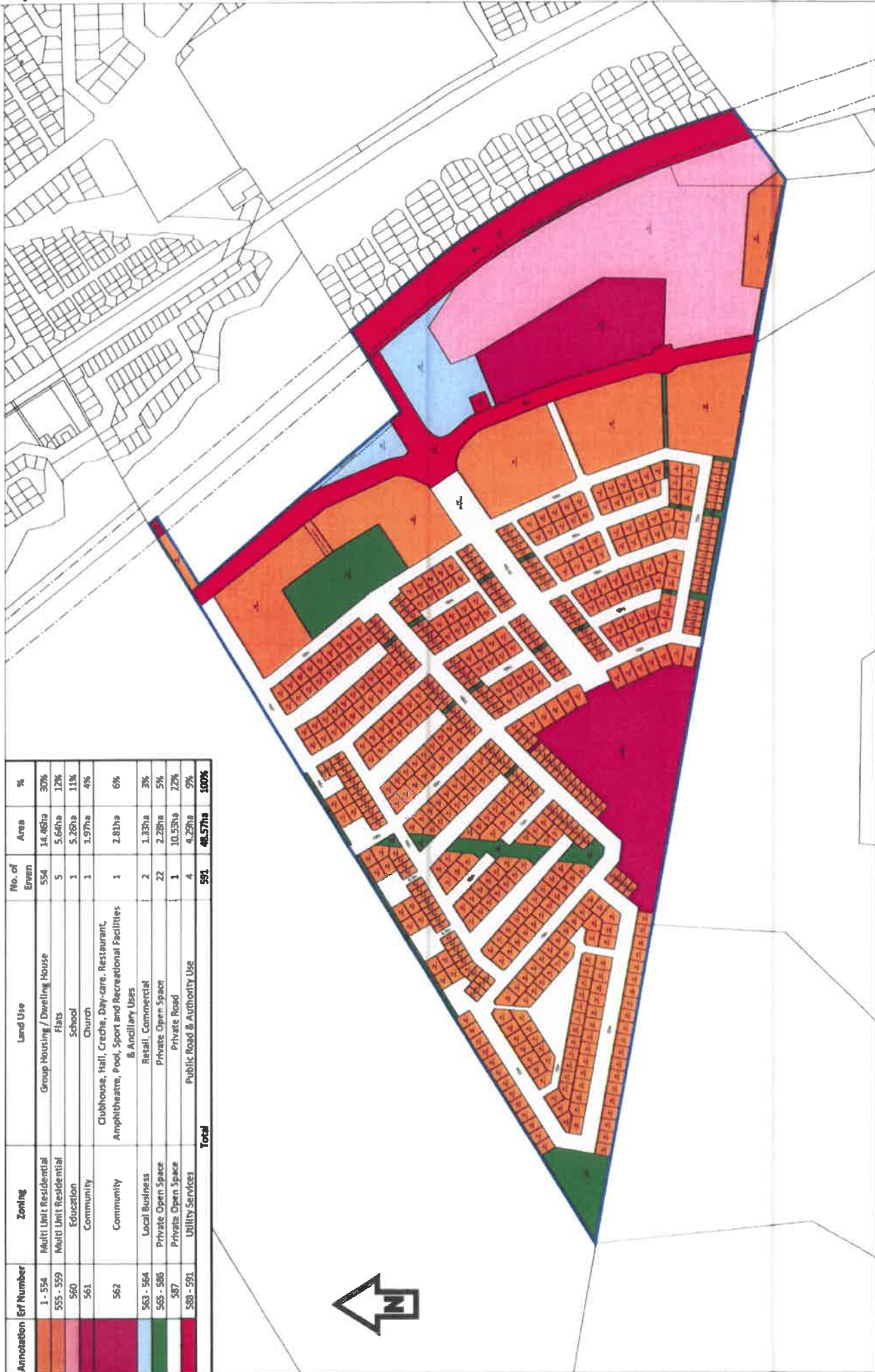


tv3
 ARCHITECTS AND TOWN PLANNERS

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

**Portion 33 of Farm
 Cloetesdal No. 81,
 Stellenbosch**

Drawing: Local Locality		Plan no.: 2
Date: 07/06/2019	Scale: 1:7 500(A4)	
Project no.: 3629-P	Drawn: WH	Checked: CH



Annotation	EF Number	Zoning	Land Use	No. of Units	Area	%
	1 - 554	Multi Unit Residential	Group Housing / Dwelling House	554	14.46ha	30%
	555 - 559	Multi Unit Residential	Flats	5	5.64ha	12%
	560	Education	School	1	5.26ha	11%
	561	Community	Church	1	1.97ha	4%
	562	Community	Clubhouse, Hall, Creche, Day-care, Restaurant, Amphitheatre, Pool, Sport and Recreational Facilities & Ancillary Uses	1	2.81ha	6%
	563 - 564	Local Business	Retail, Commercial	2	1.33ha	3%
	565 - 586	Private Open Space	Private Open Space	22	2.28ha	5%
	587	Private Open Space	Private Road	1	10.53ha	23%
	588 - 591	Utility Services	Public Road & Authority Use	4	4.29ha	9%
	Total			591	48.57ha	100%

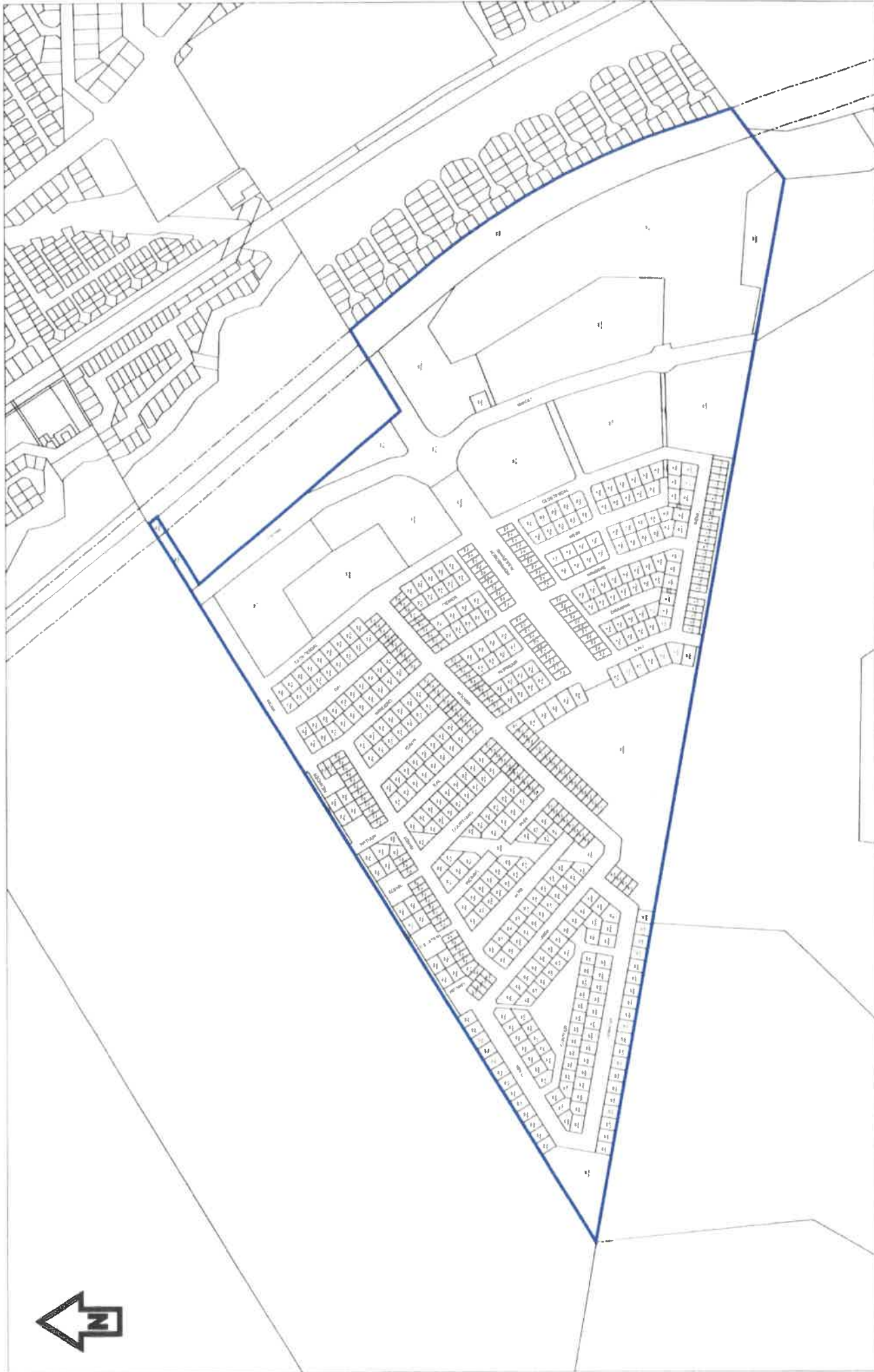
Navigation
 Cadastral information obtained from Surveys and Mapping (DRDLR)
 Aerial Photography obtained from Surveys and Mapping (DRDLR)
 Urban design done by Oamond Langa Architects.
 Road design done by UDS Africa.
 Servitudes done by BSI.

* 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.

Drawing	Plan no
Proposed Subdivision	1
Date	Scale
05/08/2020	1:2000 (A1)
Project no.	Drawn
3629-P	Checked
	WH
	JVR

newinbosch
 N E I S H O S B O S C H O O P

TV3 ARCHITECTS AND TOWN PLANNERS
 First Floor - La Citeaux Office Building
 87 Dorp Street - Sandton 2000
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<p>TV3 ARCHITECTS AND TOWN PLANNERS</p> <p>First Floor • La Grangeville Office Building 87 Donk Street • Stellenbosch 7600 tel (021) 881 3400 fax (021) 882 8025 e-mail info@tv3.co.za www.tv3.co.za</p>		<p>newinbosch N E W I N B O S C H O O D</p>		<p>Street Naming and Numbering</p> <p>Scale 1:2000 (A1)</p> <p>Date 05/08/2020</p> <p>Project no. 3629-P</p> <p>Drawn: WH Checked: JUR</p>		<p>Plan no. 3</p> <p>Cadastral information obtained from Surveys and Mapping (DRDLR).</p> <p>Notation: <ul style="list-style-type: none"> 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 copyrights reserved </p>	
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Residential Breakdown	
Type	Quantity
1	45
2	175
3	143
4	232
TOTAL	1 195

Additional Functions	
5	3 000m ²
6	58 881m ²
7	19 583m ²

1. 100% Green
2. 100% Green
3. 100% Green
4. 100% Green
5. 100% Green
6. 100% Green
7. 100% Green

SECTION D

Proof of registered mail letters sent

Clifford Heys

From: Clifford Heys
Sent: 01 October 2020 08:02 AM
To: 'info@stellenboschrategie.org'; 'info@stellenboschinterestgroup.org'; 'naomi@montdubois.co.za'; 'johannl@angor.co.za'; 'hannes@steyns-nursery.co.za'; 'info@louisenhof.co.za'; 'blakelibertas@telkom.net'; 'petro@justbc.co.za'; 'iys786@gmail.com'; 'yokohamayts@netactive.co.za'; 'hans.fourie@implats.co.za'; 'piliswa@masakheni.co.za'; 's.strydom@anderson.co.za'; 'plewchisholm@gmail.com'; 'admin@caprop.co.za'; 'hpvdm@barvallei.co.za'; 'kieron87king@gmail.com'; 'mukesh@igunyapower.co.za'; 'paulc@impexts.co.za'; 'lefa.afrika@afriprime.co.za'; 'wolfgang@mysmart.farm'; 'charl@trolleyquip.co.za'; 'ar.properties.contact@gmail.com'; 'engela.steyn@absamail.co.za'; 'mike@amsquared.com'; 'marius@finfocus.co.za'
Subject: Farm 81/33, Stellenbosch [LU/10917]
Attachments: Notice to I&APs [1 Oct 2020].pdf

Sir / Madam

APPLICATION FOR THE REZONING, SUBDIVISION, ETC. OF FARM 81/33, STELLENBOSCH

Find attached hereto the municipal notice pertaining to the abovemention land use planning application.

Please feel free to contact me if you have any queries or require any additional information.

Kind regards

Clifford Heys

Pr Pln (TRP SA), B Econ, M (T&RP), MSAPI
ASSOCIATE: TOWN PLANNING
Cell: +27 (0)83 309 9770

[Directions](#)

Clifford Heys

From: Clifford Heys
Sent: 01 October 2020 10:32 AM
To: 'wolfgang@mysmartfarm.info'; 'info@louiesenhof.co.za';
'blakelibertas@telkomsa.net'
Subject: Farm 81/33, Stellenbosch [LU/10917]
Attachments: Notice to I&APs [1 Oct 2020].pdf

Sir / Madam

APPLICATION FOR THE REZONING, SUBDIVISION, ETC. OF FARM 81/33, STELLENBOSCH

Find attached hereto the municipal notice pertaining to the abovemention land use planning application.

Please feel free to contact me if you have any queries or require any additional information.

Kind regards

Clifford Heys
Pr Pln (TRP SA), B Econ, M (T&RP), MSAPI
ASSOCIATE: TOWN PLANNING
Cell: +27 (0)83 309 9770

[Directions](#)

SECTION E

Proof of on-site notice



SECTION F

Late objection received



Belangegroep Stellenbosch Interest Group

HM/CB/0815/32
2 November 2020

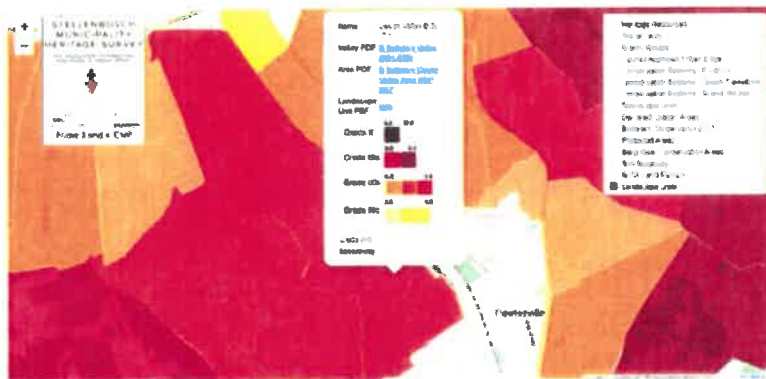
Application Reference: LU/10917
Property Number: Farm 81/33

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

Dear Mr. Heys

Application for Rezoning and Subdivision of Portion 33 of Farm 81, Stellenbosch for the Development of a Mixed Use Development

Portion 33 of Farm 81 is located in a visually highly prominent position in a grade IIIB landscape along a main entrance route to Stellenbosch:



As a result of the visually sensitive location, Heritage Western Cape (HWC) found that a series of conditions are needed to mitigate the potential visual impact of the proposed development. The conditions are listed in HWC Impact Assessment Committee's decision of 14 October 2020 (see copy attached, item 15.5) in which reference is made to the Heritage Impact Assessment prepared by Lize Malan:

1) The landscaping plan is further detailed to inter alia specify tree sizes to be planted. It is important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan. The landscaping plan must be submitted to the Stellenbosch Municipality for approval.

2) Architectural guidelines for the whole development to realize the intentions of the urban design framework and the heritage indicators set out in section 10 of the HIA are prepared. The following aspects will need to be addressed:

- a. Height restrictions for all buildings across the site as indicated in the proposed SDP. It is however noted that the indicators stated that certain smaller elements of the four storey buildings may extend to five storeys. This is regarded as appropriate to mark key points/intersections in the development and should be controlled through the guidelines.
- b. Massing and articulation of the apartment blocks – monolithic blocks are to be disallowed and the guidelines must specify the extent of articulation in detail.
- c. Roof shape and colour to ensure variation in design and colour throughout the development but keeping the colour palette to neutral greys and black.
- d. Finishes of buildings, using plaster and paint in muted neutral earth tones (no highly reflective white), concrete or stone, with restricted or prohibited use of metal cladding.
- e. Openings with restrictions on large reflecting surfaces, and shading of openings, particularly to the east.
- f. Lighting, services, security features and signage to be low key and/or not visible as may be appropriate (refer to indicators)
- g. Fencing – use of visually permeable fencing on perimeter with waf walls allowed for internal boundaries, provided that screening tree planting is accommodated

These guidelines are to be to the approval of the Stellenbosch Municipality (Heritage Resources Management).

As the development of this 41ha farm will have a major visual impact on the gateway to Stellenbosch, the Municipality is urgently requested to make approval of the development of portion 33 of Farm 81 subject to the conditions set out in the IACom decision of 14 October 2020.

SIG also requests that a height restriction of a maximum of four storeys should apply.

In the light of the economic situation resulting from the Covid 19 pandemic, it is doubtful that the proposed development would achieve the results outlined under 4.7 of the motivation. It is also unlikely to stem encroachment from the south as put forward in the HIA and the Basic Assessment Report. This is evidenced by the invasion of the Watergang Farm during 2019. On the contrary, in the absence of the necessary capital and the possible discontinuation of farming operations on portion 33 of Farm 81 there is a real risk of this property also being invaded. In the interest of sustainable development it is therefore suggested that development of this farm should not be allowed to proceed within the near future. Rather than developing agricultural land, the focus should be on development of the Adam Tas Corridor that stretches from 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 east.

Yours faithfully



Patricia Botha
(Chairperson)

**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, 14 October 2020**



9.3 Proposed Development of a New House, Entertainment Area and Caretaker Cottage on Portion 6 of the Farm Mosselbank Fontein 496, Riversdale

The Committee confirmed that a Heritage Impact Assessment (HIA) is required.

The requirement for a full HIA results from the interpretation of "*change in character of a site*". In this regard, the definition of "site" is not limited to the discrete building footprint but rather the affected area.

The comment as per the previous meeting therefor still applies:

The Committee resolved that the HIA submitted by ACRM dated July 2020 does not satisfy the requirements of S.38(3) of the National Heritage Resources Agency (NHRA). Given this, the consultant is requested to attend to the following:

1. An assessment of the existing and proposed built form as well as an assessment of the existing sense of place and cultural landscape qualities of the site and of the broader coastline.
2. The HIA should include design indicators and informants arising from the above study.
3. It is recommended that a heritage consultant with particular expertise in vernacular architecture of the area provide input in this regard.
4. A Conservation Management Plan (CMP) for the site is required, considering especially the significant shell midden located on the property.

9.4 Discussion on Heritage Impact Assessment reports: (Re: Agenda Items: 13.3, 15.3 and 15.4)

FURTHER REQUIREMENTS:

To meet the requirements of section 38(3) of the NHRA, the Committee requires revised and re-structured HIA documents for agenda items 13.3, 15.3, and 15.4 to be submitted to HWC for IACOM consideration.

In meeting the requirements of section 38(3) of the NHRA, reference should be made to HWC's guidelines for Heritage Impact Assessments (dated 15 June 2016) as well as HWC's Circular (dated November 2014) regarding the requirements for HIA Executive Summaries.

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 Weltevreden Filling Station Farm 786 Ptn 14, Philippi: MA
HM/CAPE TOWN METROPOLITAN/PHILLIPI/FARM 786 PTN 14**

Case No: 19022708AS0305E

INTERIM COMMENT:

The Committee does not support the proposal as submitted in its current form, for the following reasons:

1. The site is inappropriate for the scale and complexity of an urban filling station with related facilities (food court, canopy etc.).
2. The rural context of the site would be compromised irrevocably by the development proposed.

TZ

**13.2 Proposed Site Development of Farm 81 Ptn 29, Stellenbosch: NM
HM/CAPE WINELANDS/STELLENBOSCH/FARM 29 PTN 81**

Case No: 20061010TZ0624E

RECORD OF DECISION:

The Committee resolved to endorse the HIA as having met the requirement of S38(3) of the NHRA. The Committee resolved to endorse the findings and recommendations of the HIA.

The Committee resolved that the development may proceed subject to the recommendations of the HIA as outlined below.

- 1) The landscaping plan is further detailed. This should include:
 - a. More trees in clusters on the boundaries & informal hedges edges; and
 - b. Specification of tree sizes to be planted. It is important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan.

The landscaping plan must be submitted to the Stellenbosch Municipality for approval, together with the SDP referred to below.

- 2) The preparation of a detailed site development plan, that will reflect the architectural controls referred to in the indicators, namely:
 - a. Variation in roofscape and colour between units (no more than 2 attached units to have the same roof shape).
 - b. Variation in rendering of walls between units through use of different paint colours and/or finishes in particular. Muted earth tones should be specified.

- c. Visually permeable external fencing.
- d. The SDP should also include controls for external lighting, and other security measures and appropriate signage.

The SDP must be submitted to the Stellenbosch Municipality for approval, before building plan approval.

TZ

**13.3 Proposed Housing Development on Jonkersdrift Farm (Farm 1440, 1441, 334/17 & 334/9), Stellenbosch Magisterial District): NM
HM/CAPE WINELANDS/ STELLENBOSCH/ JONKERSDRIFT FARM 1440,1441, 334/17 & 334/9**

Case No: 20041707SB0603E

DEFERRED:

This matter was discussed under Administrative Matters (Item 9.4).

SB

**13.4 Proposed Development of the Site on Erf 884, 889, 895 and 5856, Masonic Hotel, Reitz Street and Hoop Street, Robertson: MA
HM/ROBERTSON/ LANGEBOEG/ERF 884, 889, 895 AND 5856**

Case No: 181002306AS1017E

RECORD OF DECISION:

The Committee endorsed the HIA report as submitted by Ms Postlethwayt, dated September 2020, as having met the requirements of S38(3) of the NHRA; as well as the recommendations contained within the report, as follows:

It is recommended that Heritage Western Cape:

1. endorse this report as having met the requirements of Section 38(3) of the NHRA.
2. in terms of Section 38(4) of the NHRA, approves the proposed redevelopment of Erf 8526, as outlined in Annexure D2 of this report; 21 Supplementary HIA Erf 8526, Reitz & Hoop Street, Robertson 2020, *subject to the following conditions:*
 - a. The refurbishment of the Masonic Hotel and the vernacular cottages are to be the subject of separate application/s to HWC. The work is required to be directed and monitored by an architect with suitable conservation experience; building plans are to be accompanied by a Method Statement; and a Close Out Report is to be submitted to HWC upon completion.
 - b. This approval specifically precludes any development proposals which may involve that portion of the property originally described as Re Erf 891, Church Street.

KB

**13.5 Proposed Re Development of the Site on ere 8019, Sir Lowry Square, Woodstock: NM
HM/CAPE METROPOLITAN/WOODSTOCK/ERF 8019**

Case No: 20091008KB0921E

FURTHER REQUIREMENTS:

The Committee requests the HIA report to be updated with the detailed work included and resubmitted to HWC for IACom consideration.

KB

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 Minor Deviations from Approved Building Envelope: Erf 31990 Mowbray Cape Town:
MA
HM/CAPE TOWN METROPLITAN/ MOWBRAY/ERF 31990**

Case No: 120418JW08

FURTHER REQUIREMENTS:

Whereas the proposed changes to the building envelope are minor and inconsequential, the Committee expressed concern with respect to the interface with the significant corner - in terms of activation of edges, fenestration, colonnade etc. as well as the necessity of testing the proposal against the original heritage indicators. The Committee therefore requires that the applicant test the proposal against the original heritage indicators, with reference to floorplates and use (particularly ground and first floors), and to submit this assessment to HWC for IACom review and consideration.

SB

**15.2 Proposed Mixed-Use Development, Southern Right Farm Portion 4, 6 and 11 of Farm 585,
Hermanus: MA
HM/ OVERBERG/ OVERSTRAND/ HERMANUS/ PORTION 4, 6 AND 11 OF FARM 585**

Case No: 19120618AS1213E

INTERIM COMMENT:

DS and GJ (who visited the site) to prepare a draft interim comment for circulation to members for endorsement.

SB

- 15.3 Proposed Mixed-Use Urban Node Re 1/697, Farm 1/1113, Ptn of Erf Re 353, Erf 1449 and 1450, De Hoop Nature Reserve, Malmesbury: NM
HM/SWARTLAND/MALMESBURY/ RE OF PTN 1 OF FARM 697, PORTION 1 OF FARM 113, RE OF FARM 1113, RE OF FRAM 301, RE OF FARM 353**

Case No: 19110103SB1106E

DEFERRED

This matter was discussed under Administrative Matters (Item 9.4).

SB

- 15.4 Proposed CNC Aquaculture Facility on Portion 8 of the Farm Bottelfontein 11, Near Elands Bay: NM
HM/ WEST COAST/ SWARTLAND/ BERGRIVER / PIKETBERG / FARM BOTTLEFONTEIN**

Case No: 20070607SB0707E

DEFERRED:

This matter was discussed under Administrative Matters (Item 9.4).

SB

- 15.5 Proposed Site Development of Farm 81 Ptn 33, Stellenbosch: NM
HM/CAPE WINELANDS/STELLENBOSCH/FARM 33 PTN 81**

Case No: 19032707AS0402M

FINAL COMMENT:

The Committee resolved to endorse the HIA as having met the requirement of S38(3) of the NHRA. The Committee resolved to endorse the recommendations of the HIA as outlined below:

- 1) The landscaping plan is further detailed to inter alia specify tree sizes to be planted. It is important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan. The landscaping plan must be submitted to the Stellenbosch Municipality for approval.
- 2) Architectural guidelines for the whole development to realize the intentions of the urban design framework and the heritage indicators set out in section 10 of the HIA are prepared.

The following aspects will need to be addressed:

- a. Height restrictions for all buildings across the site as indicated in the proposed SDP. It is however noted that the indicators stated that certain smaller elements of the four storey buildings may extend to five storeys. This is regarded as appropriate to mark key points/intersections in the development and should be controlled through the guidelines.
- b. Massing and articulation of the apartment blocks – monolithic blocks are to be disallowed and the guidelines must specify the extent of articulation in detail.
- c. Roof shape and colour to ensure variation in design and colour throughout the development but keeping the colour palette to neutral greys and black.
- d. Finishes of buildings, using plaster and paint in muted neutral earth tones (no highly-reflective white), concrete or stone, with restricted or prohibited use of metal cladding.

- e. Openings with restrictions on large reflecting surfaces, and shading of openings, particularly to the east.
- f. Lighting, services, security features and signage to be low key and/or not visible as may be appropriate (refer to indicators)
- g. Fencing – use of visually permeable fencing on perimeter with werf walls allowed for internal boundaries, provided that screening tree planting is accommodated.

These guidelines are to be to the approval of the Stellenbosch Municipality (Heritage Resources Management).

TZ

15.6 Proposed Development, Remaining Extent of Portion 47 (A Portion of Portion 1) of the Farm Ganse Valleï No. 444, Plettenberg Bay: NM HM/BITOU/PLETTENBERG BAY

Case No: 18121204SB1220E

FINAL COMMENT:

The Committee resolved to endorse the recommendations of the HIA dated September 2020, prepared by Ursula Rigby as having met the requirements of S38(3) of the NHRA, as well as the recommendations outlined within the report and illustrated within appendix D Guideline sheet REV 01 (i.e. the Heritage related design indicators); with the addition of the palaeontological / archaeological monitoring required during earthworks and excavations.

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 SECTION 42 HERITAGE AGREEMENT

24.1 None

25. ADVICE

25.1 None

26. OTHER

**26.1 Conservation Management Plan for Amsterdam Battery on Erven 149294 & 9588, V&A Waterfront: MA
HM/CAPE TOWN METROPOLITAN/ WATERFRONT/ERVEN 149294 AND 9588**

Case No: 15110515GT1110E

DISCUSSION:

Amongst other things, the following was discussed:

- The proposed trees and shrubs on the rampart walls to be omitted as their roots cause damage to the heritage resource.
- The existing trees on the rampart to be cut down at the base of the trees and root growth to be monitored (only grasses should be allowed on the ramparts etc.).
- An archaeologist with appropriate expertise to be included in the monitoring panel as a permanent member.
- General in principle endorsement of the proposed CMP and proposed HA.

FURTHER REQUIREMENTS:

The amendments as discussed are to be incorporated into the proposed CMP and HA, which must be circulated to legal advisor and APM for comment via email.

SB**27 Adoption of decisions and resolutions**

The Committee agreed to adopt the decisions and resolutions as minuted above.

SECTION G

Applicant's response to late objection



ARCHITECTS AND TOWN PLANNERS
ARGITEKE EN STADSBEPLANNERS

Our Reference: 3629-P
Application No: LU/10917

BY DORP STREET
FIRST FLOOR
LA GRACEFLOER
OFFICE BUILDING
STELLENBOSCH 7600
TEL +27(21)861-1800
WWW.TVARCHITECTS.CO.za
EMAIL info@tv.co.za

5 November 2020

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

Attention: Ms. Bulelwa Mdoda

Madam

**REPLY ON BEHALF OF THE APPLICANT TO OBJECTIONS RAISED AGAINST
ITS APPLICATION FOR REZONING, SUBDIVISION, ETC. ON THE FARM
CLOETESDAL NO. 81/33, STELLENBOSCH**

1. Your letter (instructions to advertise) of 21 September 2020 has reference.
2. The abovementioned land use planning application was advertised to the public on 1 October 2020 for 30 days. The application was advertised in the *Eikestadnuus*, surrounding landowners and community organisations were informed via e-mail, a notice was placed on site, and the application was displayed on the municipal website.
3. After 30 days no public objections were received.

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021 861 1800

www.tv.co.za

4. The Stellenbosch Interest Group (SIG) did however submit an objection late on 2 November 2020 (after normal office hours). A copy of their objection is attached hereto.
5. The four reasons for the SIG's objection (with our response below in red) are:

5.1 The development will have a significant visual impact. For this reason, Council should impose conditions of approval to mitigate the visual impact, such as tree heights, building height restrictions, the massing of buildings, roof shape and colour, finishes of building, restrictions on reflecting surfaces, lighting and fencing.

The comment is noted.

In order to address (and mitigate) the proposed development's visual impact Site Development Plans for the apartment, commercial and education erven will be submitted to Council for approval before the submission of building plans. An architectural guideline for the single title residential erven, will be prepared and submitted to Council for approval before the submission of building plans. These documents will inter alia reflect the visual impact assessment's recommendations.

A concept Landscape Master Plan (LMP) was submitted as part of the land use planning application. This LMP will be finalised with receipt of the planning approval and submitted to Council for approval. Details – such as plant types, tree sizes, etc. – will be included in the final LMP.

5.2 It is doubtful if the proposed development will have the positive economic impact as claimed in the land use planning application.

As stated in the land use planning application, the estimated value of this project is ±R900 million (money that will be invested in the local economy). It is anticipated that the proposed development will create ±1000 new

employment opportunities (only in the construction sector). The proposed development will pay ±R65 million in development contributions to the Stellenbosch Municipality and will pay an annual municipal tax of ±R5.5 million.

The proposed development will be phased, which means the money will not be spent all at once but over as the phases are developed. However, it will still have a significant positive impact on the local economy and bulk infrastructure, and from a purely economic point of view, the development should be supported.

The alternative – as proposed by the SIG – is that no economic development take place, that no jobs be created, that no infrastructure be upgraded, that no additional taxes be paid. Clearly, the SIG is opposed to economic development and human betterment.

5.3 The proposed development is unlikely to stem land invasions. In fact, if the agricultural activities were to cease and the development were to proceed, the risk of a land invasion will increase.

We disagree with the SIG's claim. History has taught us that farming activities will not stop land invasions. In fact, it only leads to escalated tensions that are often hijacked by individuals with political agendas.

However, with a development the property can be secured and will be developed within a period of five years (as per the By-law approval). In other words, by developing a property there will be more control to monitor the land and a better chance to stop any land invasions without it becoming an opportunity to promote a specific political agenda.

5.4 Rather than developing agricultural land the focus should be on the Adam Tas Corridor project.

As explained in paragraph 4.4 of the land use planning application, the proposed development supports the Stellenbosch Municipality's Adam Tas Corridor Project.

The Stellenbosch Municipality has initiated the Adam Tas Corridor Project to absorb development pressure in Stellenbosch. The aim of the Adam Tas Corridor Project is to launch the restructuring of Stellenbosch through the redevelopment of the Adam Tas Corridor, the area that stretches from the Cape Sawmills site to the Kayamandi / Cloetesville area. The subject property is located on the Adam Tas Corridor – see Figure 1 below:

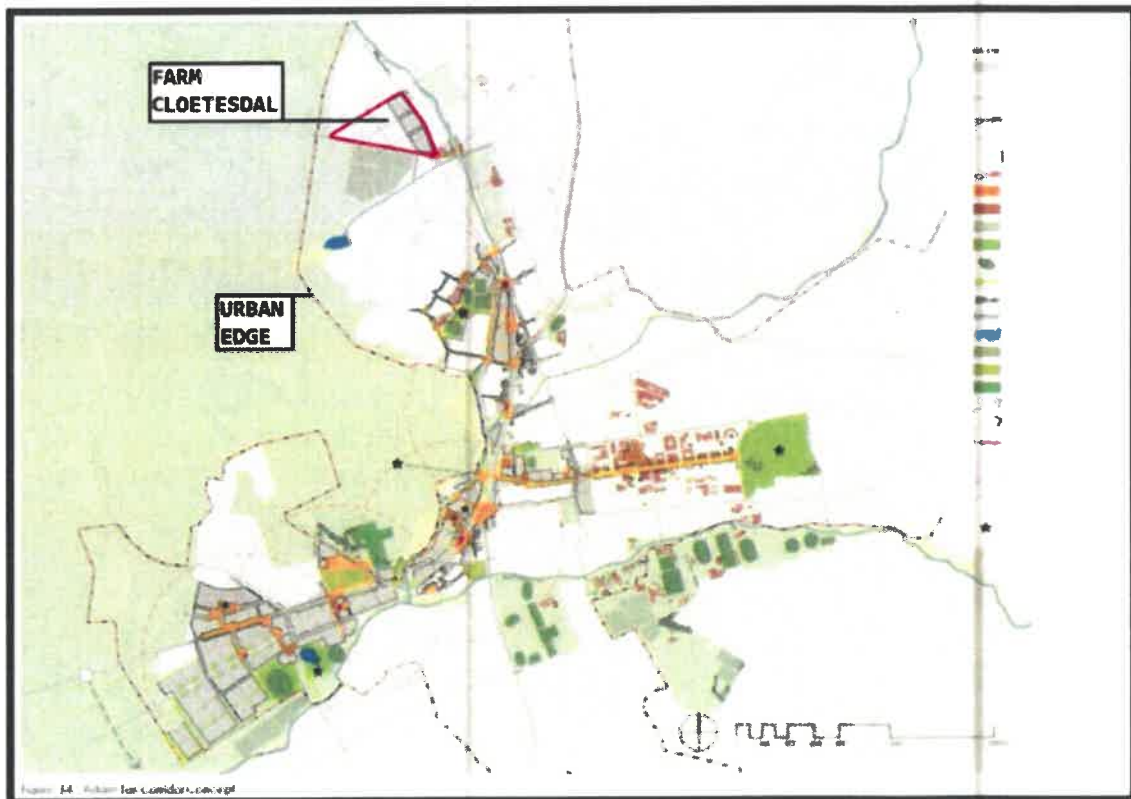


Figure 1: Adam Tas Corridor Concept Plan

The Stellenbosch Municipality proposes high density residential developments on the Adam Tas Corridor in order to support public transport and non-motorised transport initiatives. According to Mr. Sarel

Meyer (Project Manager) the Adam Tas Corridor Project will aim to provide 13 000 accommodation opportunities for 50 000 people over a period of 30 years (refer to the Eikestadnuus of 29 August 2019).

The proposed high-density residential development of the subject property – located on the Adam Tas Corridor – will support the principles of the Adam Tas Corridor Project and contribute to the provision of affordable accommodation opportunities.

6. It is a strange comment that the SIG has submitted. The first half of their letter accepts the proposed development and imposes development rules on the buildings in order to mitigate the development's visual impact. But then in the second half of their letter they oppose the development, because they are of the opinion – not that the development is undesirable – but that the developer will not be able to finance the development. However, the financing of a development is not a criterion to determine a development's desirability.

7. We are still of the opinion that proposed Newinbosch mixed-use urban development can be deemed desirable as it:
 - Is located within the Stellenbosch urban edge;
 - Is compliant with the Municipal Spatial Development Framework;
 - Supports Council's Northern Extension Project;
 - Supports Council's Adam Tas Corridor Project;
 - Will provide affordable housing opportunities;
 - Will assist in addressing the town's housing backlog;
 - Will contribute to local economic development;
 - Will create new employment opportunities;
 - Is compatible with surrounding land uses;
 - Will support Council's public transport initiatives; and
 - Bulk infrastructure is available.

8. This is the right time and the right place for the proposed development, and we recommend that the application be granted despite the SIG's objection.

Yours faithfully

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

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

SECTION H

Notice sent to government departments

Clifford Heys

From: Clifford Heys
Sent: 22 September 2020 03:43 PM
To: 'Lyle Martin'; 'Mkonto Nkosinathi (BVL)'; 'fortuiro@eskom.co.za'
Subject: NEWINBOSCH ESTATE: APPLICATION FOR THE REZONING, SUBDIVISION, ETC. OF FARM 81/33, STELLENBOSCH (LU/10917)
Attachments: 1. Planning application.pdf; 2. Subdivision & Zoning Plan.pdf; 3. Transport Impact Study.pdf; 4. Title Deed.pdf

Sir / Madam

We have submitted the following land use planning applications to the Stellenbosch Municipality.

DESCRIPTION OF PROPOSED DEVELOPMENT

Application is made in terms of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015, on Farm No. 81/33, Stellenbosch Division for:

1. The rezoning of the said property from Agriculture and Rural Zone to Subdivisional Area in terms of Section 15(2)(a) of the said Bylaw to allow for the following uses as depicted on plans with reference nr. "Proposed Subdivision/1/3629-P", dated 05 August 2020, and drawn by TV3 Architects and Town Planners:
 - (a) 559 x Multi-Unit Residential Zone erven measuring $\pm 20,1$ ha in extent to accommodate the residential component which will consist of single dwelling houses, group houses (cluster and row houses) and flats/apartments;
 - (b) Two (2) x Local Business Zone erven measuring $\pm 1,33$ ha in extent for retail purposes;
 - (c) One (1) x Education Zone erf measuring $\pm 5,26$ ha in extent for purposes of a school;
 - (d) Two (2) x Community Zone erven measuring $\pm 1,97$ ha in extent for purposes of a church and 2,81ha for purposes of a clubhouse, hall, crèche, day-care, restaurant, amphitheatre, pool, sport and recreation facilities and ancillary uses;
 - (e) Four (4) x Utility Services Zone erven measuring 4,29ha in extent for purposes of a public road and authority use;
 - (f) Twenty-three (23) x Private Open Space Zone erven measuring 12,81ha in extent for purposes of private open spaces and a private road.
2. The subdivision in terms of Section 15(2)(d) of the said bylaw in accordance with the subdivision plan "Proposed Subdivision/1/3629-P", dated 05 August 2020, and "Phasing Master Plan – Revision 1, dated 29 July 2020, and drawn by TV3 Architects and Town Planners to allow for the development in accordance with the subdivisional zone above;

OTHER APPLICATIONS

3. Approval for the naming and numbering of streets as per the Street Naming and Numbering Plan No.3/3629-P, dated 05 August 2020;
4. Adoption of the development's name: Newinbosch Estate;
5. Approval of the Landscape Master Plan;

6. Application for the Department of Transport and Public Roads' written approval of the proposed urban development of Farm No. 81/33, Stellenbosch (as the governing authority i.t.o the Advertising on Roads and Ribbon Development Act, 21 of 1940).

Approval of this land use planning application will allow the land owner to develop the Newinbosch mixed-use development. Find attached hereto a copy of the planning motivation, subdivision plan, traffic impact assessment and title deed. Please feel free to contact us if you have any queries or require any additional information.

The Stellenbosch Municipality has requested that you kindly provide your written comments on the application i.t.o. the Stellenbosch Municipality Planning By-Law (2015) within **60 days** of receipt of this e-mail. Your comments should be addressed to the applicant by electronic mail as follows: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za. Should no comments be received, it will be deemed that you have no comment.

Kind regards

Clifford Heys

Pr Pln (TRP SA), B Econ, M (T&RP), MSAPI
ASSOCIATE: TOWN PLANNING
Cell: +27 (0)83 309 9770

Directions

SECTION I

**Comments received from
Government departments**

Our Ref: HM/CAPE WINELANDS/STELLENBOSCH/FARM 33 PTN 81
Case No.: 19032707AS0402M
Enquiries: Thando Zingange
E-mail: Thando.Zingange@westerncape.gov.za
Tel: 021 483 5959
Date: 05 November 2020



Steyn's Family Trust
 C/O Lize Malan
 P O Box 3421
 Matieland
 7602

RESPONSE TO HIA: FINAL COMMENT
 In terms of Section 38(B) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

THE PROPOSED SITE DEVELOPMENT OF FARM 81 PTN 33, STELLENBOSCH, SUBMITTED IN TERMS OF SECTION 38(B) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

This matter was discussed at the Heritage Western Cape Impact Assessment Committee meeting held (IACOM) on 14 October 2020.

FINAL COMMENT:

The Committee resolved to endorse the HIA as having met the requirement of S38 (3) of the NHRA. The Committee resolved to endorse the recommendations of the HIA as outlined below:

- 1) The landscaping plan is further detailed to inter alia specify tree sizes to be planted. It is important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan. The landscaping plan must be submitted to the Stellenbosch Municipality for approval.
- 2) Architectural guidelines for the whole development to realize the intentions of the urban design framework and the heritage indicators set out in section 10 of the HIA are prepared.

The following aspects will need to be addressed:

- A. Height restrictions for all buildings across the site as indicated in the proposed SDP. It is however noted that the indicators stated that certain smaller elements of the four storey buildings may extend to five storeys. This is regarded as appropriate to mark key points/intersections in the development and should be controlled through the guidelines.
 - B. Massing and articulation of the apartment blocks – monolithic blocks are to be disallowed and the guidelines must specify the extent of articulation in detail.
 - C. Roof shape and colour to ensure variation in design and colour throughout the development but keeping the colour palette to neutral greys and black.
 - D. Finishes of buildings, using plaster and paint in muted neutral earth tones (no highly reflective white), concrete or stone, with restricted or prohibited use of metal cladding.
 - E. Openings with restrictions on large reflecting surfaces, and shading of openings, particularly to the east.
 - F. Lighting, services, security features and signage to be low key and/or not visible as may be appropriate (refer to indicators)
 - G. Fencing – use of visually permeable fencing on perimeter with werf walls allowed for internal boundaries, provided that screening tree planting is accommodated.
- These guidelines are to be to the approval of the Stellenbosch Municipality (Heritage Resources Management).

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


 pp.

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

www.westerncape.gov.za/cas

Street Address: Inkhos'asizwe ngelizwe, Camer Malindi Square, Cape Town, 8001 • Postal Address: P O Box 3421, Cape Town, 8002
 • Tel: +27 (0)21 483 5959 • E-mail: cas@heritage.westerncape.gov.za

Straatadres: Inkhos'asizwe ngelizwe, Camer Malindi Square, Kaapstad, 8001 • Posadres: Postbus 3421, Kaapstad, 8002
 • Tel: +27 (0)21 483 5959 • E-pos: cas@heritage.westerncape.gov.za

Idilesi yendawo: Inkhos'asizwe ngelizwe, Camer Malindi Square, Kaapstad, 8001 • Idilesi ye-pos: Postbus 3421, Kaapstad, 8002
 • Inombolo zomxheba: +27 (0)21 483 5959 • Idilesi ye-imeyile: cas@heritage.westerncape.gov.za



tv3

Date: 2020/10/15

Clifford Heys <Clifford@tv3.co.za>

Enquiries:

WayleavesWesternOU@eskom.co.za

**WAYLEAVE APPLICATION: SUBDIVISION AND REZONING : FARM CLOETESDAL POR 33
OF 81 : STELLENBOSCH**

YOUR REF: lu/10917

ESKOM REF: 02508-20

THIS IS NOT AN APPROVAL TO START CONSTRUCTION

I hereby inform you that Eskom has no objection to the proposed work indicated on your drawing in principle. This approval is valid for **12 months** only, after which reapplication must be made if the work has not been completed.

1. Eskom services are affected by your proposed works and the following must be noted:.

- a) Eskom has no objection to the proposed work and include a drawing indicating Eskom 11kV/LV underground services in close proximity.
- b) Please note that underground services indicated are only approximate and the onus is on the applicant to verify its location.
- c) There may be LV overhead services / connections not indicated on this drawing.
- d) The successful contractor must apply for the necessary agreement forms and additional cable information not indicated on included drawing, in order to start construction.

Application for Working Permit must be made to:

Customer Network Centre: Kraaifontein

Karl Knorr

021 986 5311

KnorrK@eskom.co.za

Include Eskom Wayleave as-built drawings and all documentation, when applying for Working Permit.

Should it be necessary to move, relocate or support any existing services for possible future needs, it will be at the developer's cost. Application for relocating services must be made to Customer Services on 08600 37566 or customerservices@eskom.co.za

2. Underground Services

The following conditions to be adhered to at all times:

- a) Works will be carried out as indicated on plans.
- b) No mechanical plant to be used within 3.0m of Eskom underground cables.
- c) All services to be verified on site.
- d) Cross trenches to be dug by hand to locate all underground services before construction work commences.
- e) If Eskom underground services cannot be located or is grossly misplaced from where the wayleave plan indicates, then all work is to be stopped and Graham Hector from the Land Development Office to be contacted on 021 980 3551 / HectorG@eskom.co.za, to arrange the capturing of such services.
- f) In cases where proposed services run parallel with existing underground power cables the greatest separation as possible should be maintained with a minimum of 1000mm.
- g) Where proposed services cross underground power cables the separation should be a minimum of **300mm** with protection between services and power cables. (Preferably a concrete slab)
- h) No manholes; catch- pits or any structure to be built on top of existing underground services.
- i) Only walk-behind (2 ton Bomac type) compactors to be used when compacting on top of and 1 metre either side of underground cables.
- j) If underground services cannot be located then the Customer Network Centre (CNC) should be consulted before commencement of any work.
- k) **No work can take place within the servitude of a 66kV Cable or 13kV Cable if indicated.** Should you need to undertake any work within the proximity of our 66kV or 132kV Cables please contact Graham Hector on 082 7720 359 or graham.hector@eskom.co.za

3. O.H. Line Services:

- a) The following building and tree restriction on either side of centre line of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11 / 22kV	9.0 m
66kV	11.0 m
132kV	15.5 m

- b) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.
- c) No work or no machinery nearer than the following distances from the conductors:

Voltage	Not closer than:
11 / 22kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- d) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- e) That a minimum ground clearance of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11 / 22kV	6.3 m
66kV	6.9 m
132kV	7.5 m

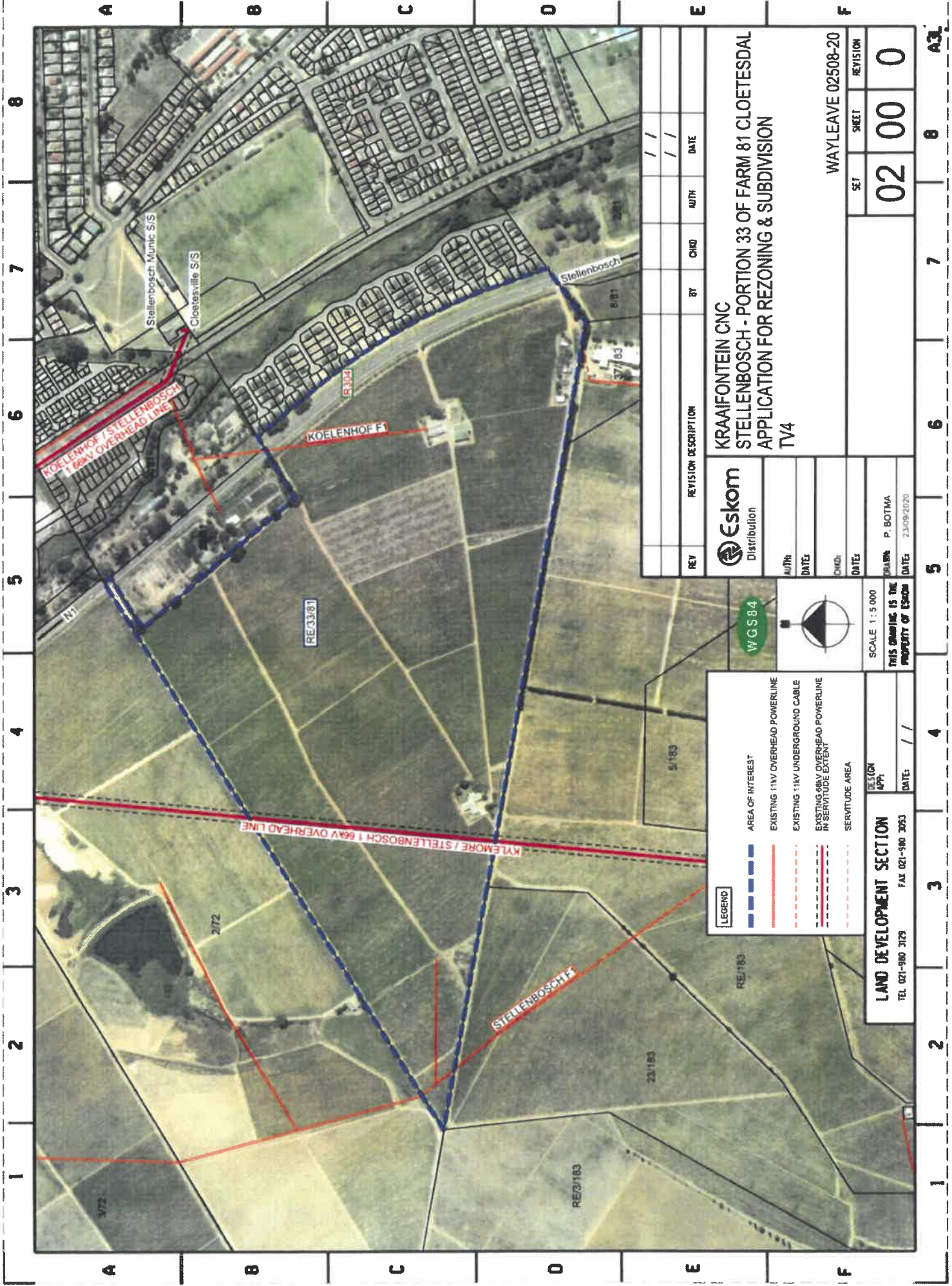
- f) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- g) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
 - i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- h) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- i) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- j) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- k) Eskom shall at all times have unobstructed access to and egress from its services.
- l) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
- m) Lungile Motsisi MotsisiL@eskom.co.za, Eskom: Transmission must be contacted on 011 800 5734 to comment on behalf of the 400 kV OVERHEAD POWERLINES. NO WORK WITIN THIS SERVITUDE OR UNDERNEATH POWERLINES IS ALLOWED until comment from Eskom Transmission has been obtained.

4. **NOTE**

Wayleaves, Indemnity form (working permit) and all as-built drawings issued by Eskom to be kept on site at all times during construction period.

Yours faithfully

LAND DEVELOPMENT (BRACKENFELL)



LEGEND

- - - AREA OF INTEREST
- EXISTING 11kV OVERHEAD POWERLINE
- - - EXISTING 11kV UNDERGROUND CABLE
- · - · - EXISTING 66kV OVERHEAD POWERLINE IN SERVITUDE EXTENT
- - - SERVITUDE AREA

WGS 84

SCALE 1:5 000

THIS DRAWING IS THE PROPERTY OF Eskom

LAND DEVELOPMENT SECTION

TEL: 021-900 3129 FAX: 021-900 3053

DESIGN APP:	DATE: / /
SCALE:	1:5 000
PROPERTY:	WGS 84
DATE:	23/09/2020
DESIGNER:	P. BOTMA

REV	REVISION DESCRIPTION	BY	CHKD	AUTH	DATE

Eskom
Distribution

KRAAIFONTEIN CNC
STELLENBOSCH - PORTION 33 OF FARM 81 CLOETESDAL
APPLICATION FOR REZONING & SUBDIVISION
TV4

WAYLEAVE 02508-20

SET	SHEET	REVISION
02	00	0

DATE: 23/09/2020

DESIGN APP: / /

SCALE: 1:5 000

PROPERTY: WGS 84

DESIGNER: P. BOTMA

DATE: 23/09/2020



agriculture

Department
Agriculture
REPUBLIC OF SOUTH AFRICA

Private Bag X129, Pretoria 0001
Delpen Building, c/o Annie Botha & Union Street, Riviera, 6084

From: Directorate Land Use and Soil Management
Tel: 012-319-7678 Fax: 012-329-5938 e-mail: Agriand@nda.agnc.za
Enquiries: Helpdesk Ref. 2C06_06_0119

Taylor, Van Rensburg & Van der Spuy
37 Market Street
STELLENBOSCH
7600

Dear Sirs

RE: APPLICATION FOR THE REZONING, SUBDIVISION AND DEPARTURE: PORTION 33 OF FARM CLOETESDAL NO. 81, STELLENBOSCH DIVISION, WESTERN CAPE PROVINCE

Your letter O2498 dated 14 March 2006 refers

With reference to the above-mentioned matter I wish to inform you that this Directorate has **no objection** against the Rezoning, Subdivision and Departure from an agricultural point of view.

Yours sincerely

DELEGATE OF THE MINISTER: LAND USE AND SOIL MANAGEMENT



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

OUR REFERENCE : 20/9/2/5/6/531
YOUR REFERENCE : 3629-P
ENQUIRIES : Cor van der Walt

TV3 Architects and Town Planners
97 Dorp Street
First Floor, La Gratitude
Office Building
Stellenbosch
7600

Att: Clifford Heyes

**APPLICATION IN TERMS OF THE SUBDIVISION: DIVISION STELLENBOSCH
PORTION 33 OF THE FARM NO 81**

Your application of 14 June 2019 has reference.

The Western Cape Department of Agriculture: Land Use Management commented on the Stellenbosch Spatial Development Framework: Final Draft for Advertising June 2019, and did not support the proposals for the Northern Extension of Kayamandi

This has been reflected in the newly approved Spatial Development Framework 2019

Please note:

- That this is only a recommendation to the relevant deciding Authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970.
- 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. CJ van der Wall

LANDUSE MANAGER: LANDUSE MANAGEMENT

2019-10-16

Copies:

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

Directorate Land Use and Sustainable Resource Management
National Department of Agriculture
Private Bag X 120
PRETORIA
0001

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

SECTION J

**Copies of e-mail correspondence
with the officials**

Clifford Heys

From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Sent: 03 November 2020 08:05 AM
To: Clifford Heys
Subject: RE: INSTRUCTION TO ADVERTISE: FARM 81/33, STELLENBOSCH

Hi Clifford;

The content of your email below is noted.

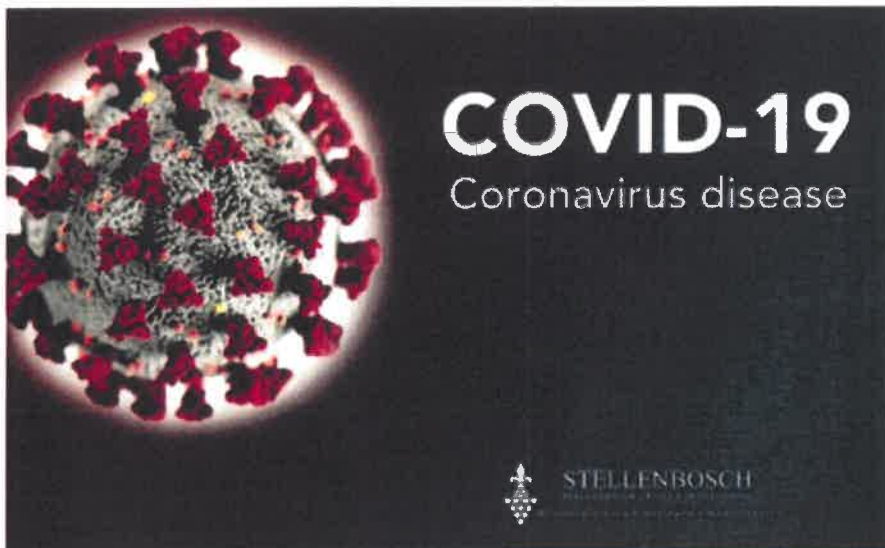


Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch
www.stellenbosch.gov.za



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<https://www.stellenbosch.gov.za/documents/general>

For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999

- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

Stay alert, stay updated and stay safe.



STELLENBOSCH
STELLENBOSCH MUNISIPALITEIT
MUNICIPALITY



About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

Our head office is at Town House Complex, Plain Street, Stellenbosch, 7600 South Africa. For more information about Stellenbosch Municipality please call +2721-808 8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from bulelwa.mdoda@stellenbosch.gov.za sent at 2020-11-01 08:06:19 is confidential and may be legally privileged. It is intended solely for use by clifford@tv3.co.za and others authorized to receive it. If you are not clifford@tv3.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [ioco](http://ioco.com)

From: Clifford Heys [<mailto:Clifford@tv3.co.za>]
Sent: 02 November 2020 05:00 PM
To: Bulelwa Mdoda
Subject: [EX] RE: INSTRUCTION TO ADVERTISE: FARM 81/33, STELLENBOSCH

Hi Bulelwa

The application was advertised on 1 Oct 2020 for 30 days. The public commenting period has now closed and no objections were received.

The government departments still have 30 days to submit their comments. After which I will finalise and submit the Portfolio of Evidence report.

Regards

Clifford

From: Clifford Heys [<mailto:Clifford@tv3.co.za>]
Sent: 28 September 2020 02:50 PM
To: Bulelwa Mdoda
Cc: Nolusindiso Momoti; Louisa Guntz
Subject: [EX] RE: INSTRUCTION TO ADVERTISE: FARM 81/33, STELLENBOSCH

Hi Bulelwa

Re. my e-mail below.

I trust the draft notice is correct. We will now arrange for advertising in the Eikestadnuus on Thursday (1 Oct 2020).

Regards

Clifford

From: Clifford Heys
Sent: 22 September 2020 04:23 PM
To: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Cc: Nolusindiso Momoti <Nolusindiso.Momotiti@stellenbosch.gov.za>; Louisa Ollyn (<Louisa.Ollyn@stellenbosch.gov.za>) <Louisa.Ollyn@stellenbosch.gov.za>
Subject: RE: INSTRUCTION TO ADVERTISE: FARM 81/33, STELLENBOSCH

Hi Bulelwa

Find attached the draft notice to the I&APs.

Will you please submit it to the planner for their approval.

Regards

Clifford

From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Sent: 22 September 2020 01:09 PM
To: Clifford Heys <Clifford@tv3.co.za>
Cc: Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>
Subject: RE: INSTRUCTION TO ADVERTISE: FARM 81/33, STELLENBOSCH

Good day Clifford;

Please find attached instruction to advertise letter and templates for advertising.

Please comply with instructions in the attached letter dated 21 September 2020.

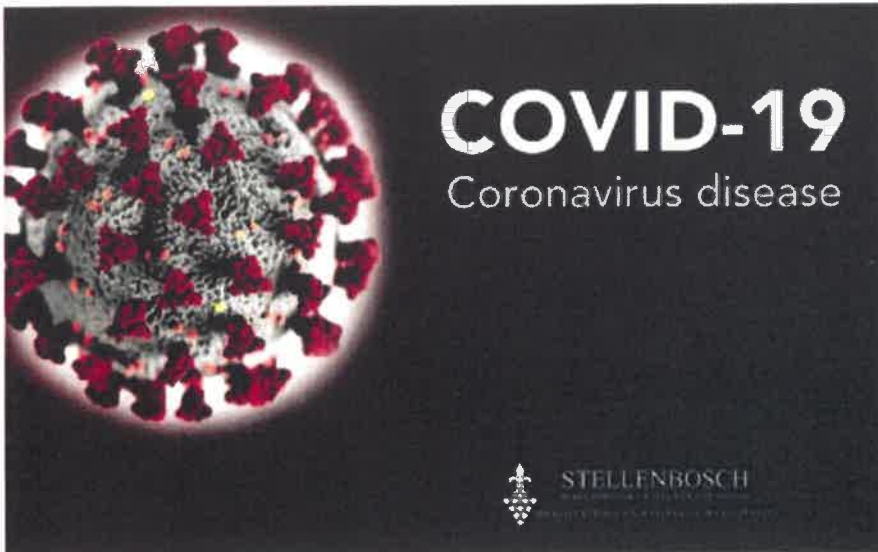


Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch
www.stellenbosch.gov.za



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Stay alert, stay updated and stay safe.



STELLENBOSCH
 STYLSBOSCH • STADS • STELLENBOSCH • CO
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From: Nolusindiso Momoti

Sent: 22 September 2020 01:01 PM

To: Bulelwa Mdoda

Subject: FW: INVOICE: APPLICATION FOR FARM 81/33, STELLENBOSCH

FYI

From: Clifford Heys [<mailto:Clifford@tv3.co.za>]

Sent: Tuesday, 22 September 2020 10:21

To: Nolusindiso Momoti

Subject: [EX] RE: INVOICE: APPLICATION FOR FARM 81/33, STELLENBOSCH

Hi Sindi

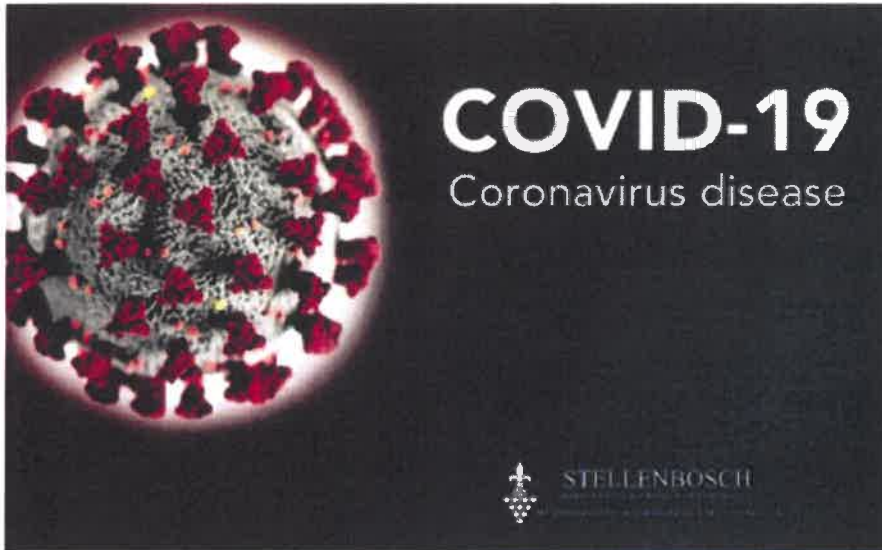
Sorry to keep bugging you like this, but any news on the advertising instruction letter?

Regards

Clifford

From: Nolusindiso Momoti <Nolusindiso.Momoti@ Stellenbosch.gov.za>
Sent: 17 September 2020 11:14 AM
To: Clifford Heys <Clifford@tv3.co.za>
Subject: RE: INVOICE: APPLICATION FOR FARM 81/33, STELLENBOSCH

Yes done with it waiting for the signature will send it to you shortly.



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<https://www.stellenbosch.gov.za/documents/general>

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- National Hotline 0800 029 999
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STELLENBOSCH
 STELLENBOSCH MUNISIPALITEIT
 MUNICIPALITY



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Disclaimer:

The information contained in this communication from nolusindiso.momoti@ Stellenbosch.gov.za sent at 2020/09/17 11:14:56 is confidential and may be legally privileged. It is intended solely for use by clifford@tv3.co.za and others authorized to receive it. If you are not clifford@tv3.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. It was sent by [IOCO](http://www.ioco.co.za)

From: Clifford Heys [<mailto:Clifford@tv3.co.za>]
Sent: Thursday, 17 September 2020 11:11
To: Nolusindiso Momoti
Subject: [EX] RE: INVOICE: APPLICATION FOR FARM 81/33, STELLENBOSCH

Hi Sindi

Re. our Farm 81/33 rezoning and subdivision application [LU/10917].

Are you working on the advertising instruction letter?

Regards

Clifford

From: Nicole Katts <Nicole.Katts@stellenbosch.gov.za>
Sent: 17 December 2019 10:56 AM
To: Clifford Heys <Clifford@tv3.co.za>
Subject: INVOICE: APPLICATION FOR FARM 81/33, STELLENBOSCH

Dear Clifford

I trust that you are well.

Pre-scrutiny of your documentation as submitted on 13 December 2019 has been completed. The documentation is considered complete and you may now pay the following fees into Council’s bank account within the next two (2) working days. Please provide this office with a copy of your proof of payment. Should the payment of fees not reflect in Council’s bank account within three (3) working days from the date of this notification, all documentation will be discarded.

See attached invoice for payment. (See bank details on invoice)

I trust that the above is in order.



Kind regards / Vriendelike Groete
Nicole Katts
 Administrative Officer: Customer Interface and Administration
 Planning & Economic Development

T: +27 21 808 8318
 43 Andringa Str, Eikestad Mall, 3rd Floor
www.stellenbosch.gov.za



STELLENBOSCH
 KLASIEK HOOFDORP
 W. NEDERLANDSE KOLONISASIE



About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

Our contact offices are: Town Hall 5, Oranje 2, Pieter Street, Stellenbosch, 7600.
 When you have more enquiries about Stellenbosch Municipality, please call +2721 808 8318 or visit www.stellenbosch.gov.za



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ANNEXURE 5

Objection and Comments on Objections



Belangegroep Stellenbosch Interest Group

HM/CB/0815/32
2 November 2020

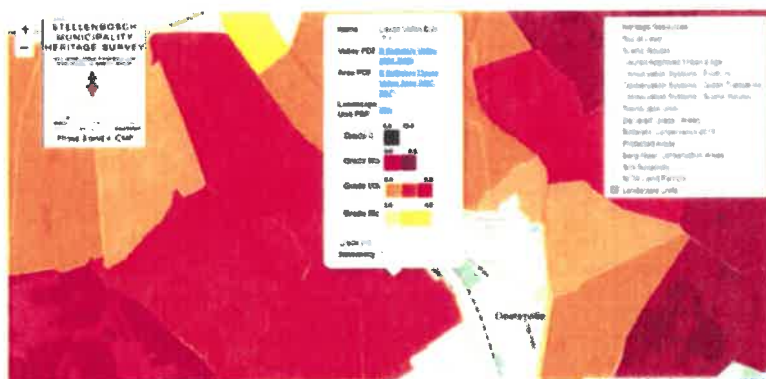
Application Reference: LU/10917
Property Number: Farm 81/33

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

Dear Mr. Heys

Application for Rezoning and Subdivision of Portion 33 of Farm 81, Stellenbosch for the Development of a Mixed Use Development

Portion 33 of Farm 81 is located in a visually highly prominent position in a grade IIIB landscape along a main entrance route to Stellenbosch:



As a result of the visually sensitive location, Heritage Western Cape (HWC) found that a series of conditions are needed to mitigate the potential visual impact of the proposed development. The conditions are listed in HWC Impact Assessment Committee's decision of 14 October 2020 (see copy attached, item 15.5) in which reference is made to the Heritage Impact Assessment prepared by Lize Malan:

1) The landscaping plan is further detailed to inter alia specify tree sizes to be planted. It is important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan. The landscaping plan must be submitted to the Stellenbosch Municipality for approval.

2) Architectural guidelines for the whole development to realize the intentions of the urban design framework and the heritage indicators set out in section 10 of the HIA are prepared. The following aspects will need to be addressed:

- a. Height restrictions for all buildings across the site as indicated in the proposed SDP. It is however noted that the indicators stated that certain smaller elements of the four storey buildings may extend to five storeys. This is regarded as appropriate to mark key points/intersections in the development and should be controlled through the guidelines.
- b. Massing and articulation of the apartment blocks – monolithic blocks are to be disallowed and the guidelines must specify the extent of articulation in detail.
- c. Roof shape and colour to ensure variation in design and colour throughout the development but keeping the colour palette to neutral greys and black.
- d. Finishes of buildings, using plaster and paint in muted neutral earth tones (no highly reflective white), concrete or stone, with restricted or prohibited use of metal cladding.
- e. Openings with restrictions on large reflecting surfaces, and shading of openings, particularly to the east.
- f. Lighting, services, security features and signage to be low key and/or not visible as may be appropriate (refer to indicators)
- g. Fencing – use of visually permeable fencing on perimeter with werf walls allowed for internal boundaries, provided that screening tree planting is accommodated

These guidelines are to be to the approval of the Stellenbosch Municipality (Heritage Resources Management).

As the development of this 41ha farm will have a major visual impact on the gateway to Stellenbosch, the Municipality is urgently requested to make approval of the development of portion 33 of Farm 81 subject to the conditions set out in the IACom decision of 14 October 2020.

SIG also requests that a height restriction of a maximum of four storeys should apply.

In the light of the economic situation resulting from the Covid 19 pandemic, it is doubtful that the proposed development would achieve the results outlined under 4.7 of the motivation. It is also unlikely to stem encroachment from the south as put forward in the HIA and the Basic Assessment Report. This is evidenced by the invasion of the Watergang Farm during 2019. On the contrary, in the absence of the necessary capital and the possible discontinuation of farming operations on portion 33 of Farm 81 there is a real risk of this property also being invaded. In the interest of sustainable development it is therefore suggested that development of this farm should not be allowed to proceed within the near future. Rather than developing agricultural land, the focus should be on development of the Adam Tas Corridor that stretches from 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 east.

Yours faithfully



Patricia Botha
(Chairperson)

4. The Stellenbosch Interest Group (SIG) did however submit an objection late on 2 November 2020 (after normal office hours). A copy of their objection is attached hereto.
5. The four reasons for the SIG's objection (with our response below in red) are:

5.1 The development will have a significant visual impact. For this reason, Council should impose conditions of approval to mitigate the visual impact, such as tree heights, building height restrictions, the massing of buildings, roof shape and colour, finishes of building, restrictions on reflecting surfaces, lighting and fencing.

The comment is noted.

In order to address (and mitigate) the proposed development's visual impact Site Development Plans for the apartment, commercial and education erven will be submitted to Council for approval before the submission of building plans. An architectural guideline for the single title residential erven, will be prepared and submitted to Council for approval before the submission of building plans. These documents will inter alia reflect the visual impact assessment's recommendations.

A concept Landscape Master Plan (LMP) was submitted as part of the land use planning application. This LMP will be finalised with receipt of the planning approval and submitted to Council for approval. Details – such as plant types, tree sizes, etc. – will be included in the final LMP.

5.2 It is doubtful if the proposed development will have the positive economic impact as claimed in the land use planning application.

As stated in the land use planning application, the estimated value of this project is ±R900 million (money that will be invested in the local economy). It is anticipated that the proposed development will create ±1000 new

employment opportunities (only in the construction sector). The proposed development will pay ±R65 million in development contributions to the Stellenbosch Municipality and will pay an annual municipal tax of ±R5.5 million.

The proposed development will be phased, which means the money will not be spent all at once but over as the phases are developed. However, it will still have a significant positive impact on the local economy and bulk infrastructure, and from a purely economic point of view, the development should be supported.

The alternative – as proposed by the SIG – is that no economic development take place, that no jobs be created, that no infrastructure be upgraded, that no additional taxes be paid. Clearly, the SIG is opposed to economic development and human betterment.

5.3 The proposed development is unlikely to stem land invasions. In fact, if the agricultural activities were to cease and the development were to proceed, the risk of a land invasion will increase.

We disagree with the SIG's claim. History has taught us that farming activities will not stop land invasions. In fact, it only leads to escalated tensions that are often hijacked by individuals with political agendas.

However, with a development the property can be secured and will be developed within a period of five years (as per the By-law approval). In other words, by developing a property there will be more control to monitor the land and a better chance to stop any land invasions without it becoming an opportunity to promote a specific political agenda.

5.4 Rather than developing agricultural land the focus should be on the Adam Tas Corridor project.

As explained in paragraph 4.4 of the land use planning application, the proposed development supports the Stellenbosch Municipality's Adam Tas Corridor Project.

The Stellenbosch Municipality has initiated the Adam Tas Corridor Project to absorb development pressure in Stellenbosch. The aim of the Adam Tas Corridor Project is to launch the restructuring of Stellenbosch through the redevelopment of the Adam Tas Corridor, the area that stretches from the Cape Sawmills site to the Kayamandi / Cloetesville area. The subject property is located on the Adam Tas Corridor – see Figure 1 below:

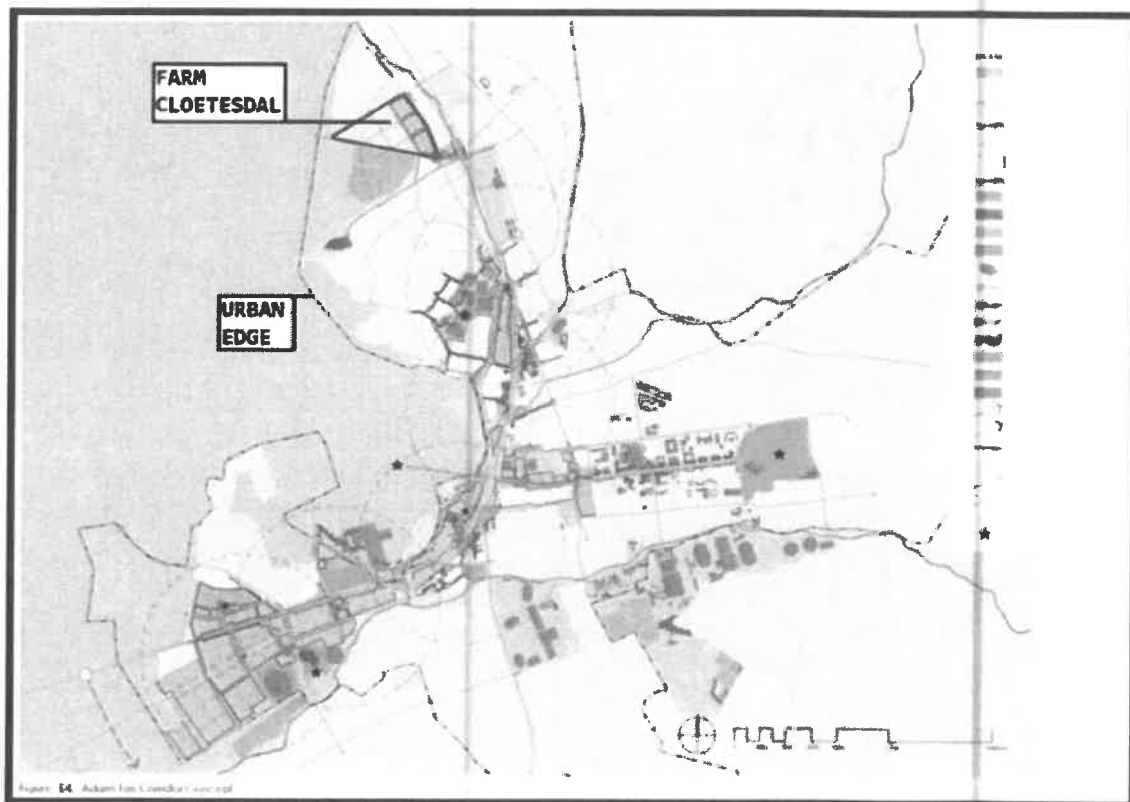


Figure 1: Adam Tas Corridor Concept Plan

The Stellenbosch Municipality proposes high density residential developments on the Adam Tas Corridor in order to support public transport and non-motorised transport initiatives. According to Mr. Sarel

Meyer (Project Manager) the Adam Tas Corridor Project will aim to provide 13 000 accommodation opportunities for 50 000 people over a period of 30 years (refer to the Eikestadnuus of 29 August 2019).

The proposed high-density residential development of the subject property – located on the Adam Tas Corridor – will support the principles of the Adam Tas Corridor Project and contribute to the provision of affordable accommodation opportunities.

6. It is a strange comment that the SIG has submitted. The first half of their letter accepts the proposed development and imposes development rules on the buildings in order to mitigate the development's visual impact. But then in the second half of their letter they oppose the development, because they are of the opinion – not that the development is undesirable – but that the developer will not be able to finance the development. However, the financing of a development is not a criterion to determine a development's desirability.

7. We are still of the opinion that proposed Newinbosch mixed-use urban development can be deemed desirable as it:
 - Is located within the Stellenbosch urban edge;
 - Is compliant with the Municipal Spatial Development Framework;
 - Supports Council's Northern Extension Project;
 - Supports Council's Adam Tas Corridor Project;
 - Will provide affordable housing opportunities;
 - Will assist in addressing the town's housing backlog;
 - Will contribute to local economic development;
 - Will create new employment opportunities;
 - Is compatible with surrounding land uses;
 - Will support Council's public transport initiatives; and
 - Bulk infrastructure is available.

8. This is the right time and the right place for the proposed development, and we recommend that the application be granted despite the SIG's objection.

Yours faithfully

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

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

ANNEXURE 6

Applicants Comment on the Spatial Sections Initial Comment



ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
97 DOEF STREET
STELLENBOSCH 7600
TEL 021 661 3800

Our Reference: 3629-P
Your Reference: LU/10917

25 August 2021

Manager: Spatial Planning
Stellenbosch Municipality
Town Hall
7600 STELLENBOSCH

Attention: Mr. Bernabé de la Bat

Sir

RE: NEWINBOSCH ESTATE: APPLICATION FOR THE REZONING AND SUBDIVISION OF THE FARM CLOETESDAL NO. 81/33, STELLENBOSCH

1. We refer to your meeting with the Newinbosch project team on 19 August 2021.
2. The purpose of the meeting was to discuss your spatial planning comments on the proposed Newinbosch mixed-use development that will consist of single residential erven, group housing units and flats ($\pm 1\ 200$ residential opportunities), commercial facilities ($\pm 5\ 000\text{m}^2$ GLA), crèche, primary school and secondary school ($\pm 2\ 000$ pupils), and a church (± 40 seats) with associated facilities (community hall, aftercare, employee accommodation, etc.).
3. The final details of these land uses are not yet available and will only be finalised during the site development plan (SDP) phase. In other words, an SDP for each erf / phase will be submitted to the Town Planning Department for approval before the submission of any building plans.
4. At our meeting your ten conditions of approval were discussed, and we explained how the proposed development will support your comments and recommendations.

3, For record purpose, we hereby provide you with the project team's formal response and comments on your ten conditions of approval:

- Provision should be made for appropriate and dedicated NMT and public transport facilities over and above that proposed in the TIA particularly along the R304 towards Stellenbosch town to reduce the dependence on private vehicles and to provide hard infrastructure. This network must be planned, designed, and constructed in collaboration with the municipality and the provincial roads authority.

The provision made for NMT and public transport as proposed in the TIA was made based on the Municipality's master planning and was discussed with the engineering department prior to compiling the report. It was agreed that along both sides of the R304 2,0m wide sidewalks be provided whilst 2,2m wide shoulders along the road accommodates cyclists – at the intersection a 1,2m wide cycle lane is provided in both directions between the through- and left-turn lane, accommodating cyclists through the signalised intersection. Pedestrians and cyclists are accommodated across the R304 at the signalised intersection. The public transport embayments provided along the R304 to both sides of the signalised intersection can each accommodate two minibus taxis or a bus.

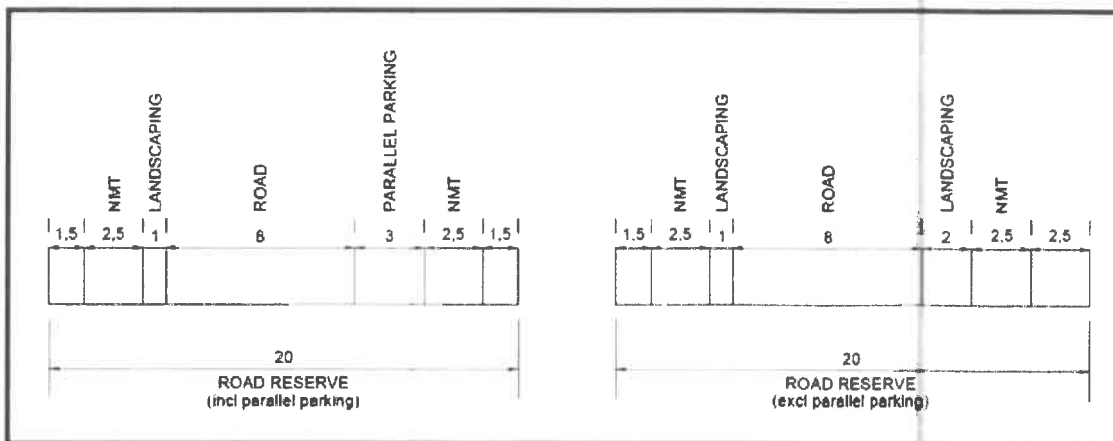
The detail design plans of the R304 / access intersection, as prepared and submitted to Province for approval, included the abovementioned facilities.

To indicate how the proposed NMT facilities fits with the Municipality's planning, an overlay of the NMT proposal and location of the subject property, with the Stellenbosch Municipality's NMT Master Plan is attached hereto for reference.

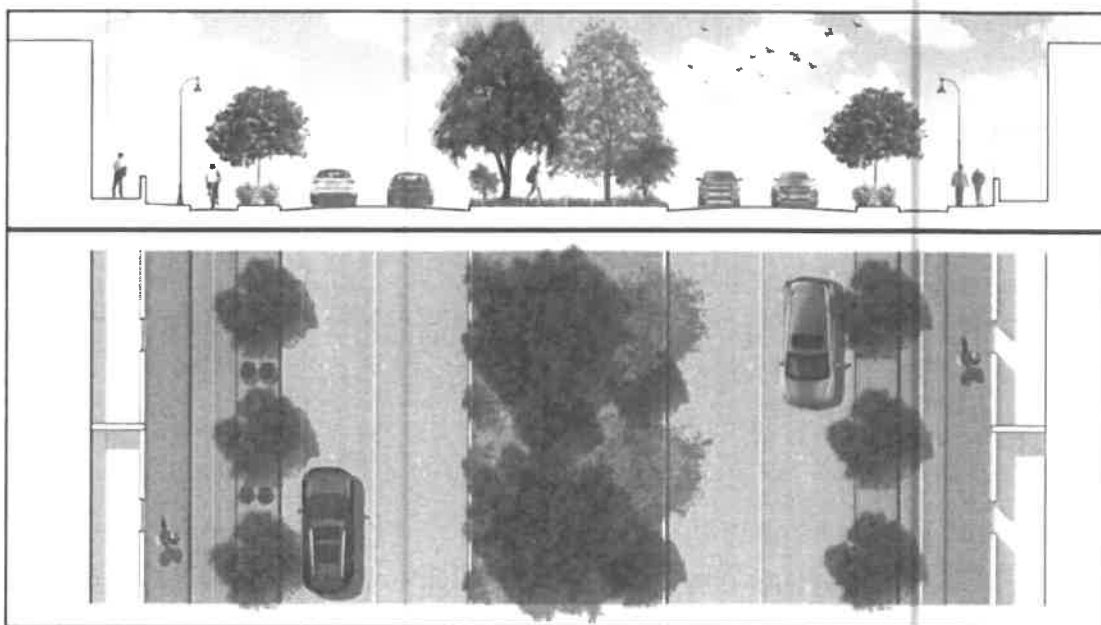
It was further agreed that along the public road parallel to the R304, shared NMT facilities of 2,5m (municipal standard) be provided supplementary to the accommodation made along the R304. Following the virtual meeting referred to in the first paragraph of this letter, it is suggested that the NMT facilities be removed from the road, i.e. provide a planted buffer/section of landscaping between the road edge and the NMT facilities.

A line diagram of a possible cross-section which accommodates the above is

indicated below for the sections along the parallel road including- and excluding parallel parking (which is provided in the vicinity of the school/church- and retail-accesses).



Within the development a variety of routes are provided. Major vehicular routes will be provided with cycle lanes with edge protection from vehicle lanes. Routes dedicated to NMT are also provided with numerous pedestrian and cycling routes intersecting the site and running along the perimeter.



Detail road plan and section indicating provision of pedestrian walkways and bicycle lanes integrated with vehicular routes.



Map showing the NMT route structure (red lines) and the link with the proposed R304 NMT infrastructure, linking the site to Stellenbosch

- Written approval of the Department of Agriculture for the development of Farm 81/33 must be submitted.

Noted and accepted.

An application has been submitted to the Department of Agriculture i.t.o. Act 70 of 1970 and we are waiting on their decision.

- All conditions of the HIA as approved by HWC must be implemented. In this regard the landscaping plan must be compiled in collaboration with HWC and the municipality and implemented before or during construction.

Noted and accepted.

- That the applicant negotiates with the municipality with respect to the number of residential units, typologies of units and the inclusion of an Inclusionary Housing component that will cater for a range of income groups rather than the top end of the GAP market only.

Background:

At the heart of Newinbosch is the desire to build an inclusive, representative, and spatially just neighbourhood catering to the affordable and middle-income

homeowner. This segment is often referred to as the GAP, upper GAP, FSC (Financial Sector Charter) and Affordable Housing bracket, or in its simplest definition, homes which households can afford that earn a combined income of around R26,800pm (2021), or below. We believe Newinbosch will be the first middle income Greenfields neighbourhood in Stellenbosch in the last 20+ years to cater for precisely this market.

Inclusionary housing:

At the crossroads of housing in this market, is the definitions of affordable housing and inclusionary housing. Inclusionary housing has been part of the housing narrative for the last decade or so, gaining momentum with draft policy papers on inclusionary housing published for public comment by cities likes Johannesburg, Cape Town, and the Western Cape provincial government over the last 3 years. Simply put, inclusionary housing is the granting of additional land use rights, including a greater mix of uses and higher densities that generate significant value, by applying a standardised requirement or “set-aside requirement” for developers to include, in their developments, a contribution towards housing that is affordable to lower-middle and lower-income households (Draft WCIHPF_PPP_2021 Final). The objective is to open up opportunities for more affordable housing in identified areas and to promote more integrated communities in those areas that are less starkly divided by income and race and more inclusive of key workers and young professionals in particular. These additional rights may be proactively granted by a municipality or through the normal development application process (Draft WCIHPF_PPP_2021 Final).

In 2019 the developers for Newinbosch applied for the rezoning of the farm Cloetesdal from agricultural to residential and mixed-use zoning. Although the rights applied for does not necessarily trigger the “additional land use rights of a greater mix of uses or higher density” definition, and thus the requirement for inclusionary housing, the developer is aligned with the municipality’s request to include an Inclusionary Housing component that will cater for a range of income groups. It was part of our development ethos from the start and fortuitously aligned to the proposed inclusionary housing requirements.

It is our view that Newinbosch directly address, and succeeds in considering the four focus areas of achieving spatial transformation as published in the Draft WCiHPF policy:

- 1, Create new opportunities for people to move to more central locations:
 - _, Newinbosch will address the affordability and housing shortage for key workers in Stellenbosch.
 - `, These include, but is not limited to teachers, healthcare workers, police, public servants, and the vast number of employees by large employers like the Stellenbosch University, Distell, Stellenbosch Municipality and Capitec who can't afford to stay in Stellenbosch and need to commute from neighbouring towns.
- 0, Create spatially and economically vibrant growth points:
 - _, Newinbosch, together with the municipalities proposed Watergang development and the Steyns Kwekery site, forms part of the Northern Extension, the Adam Tas Corridor, the MSDF, the IDP, and, essentially creates a hard edge separating residential development from farm land for the foreseeable future.
 - `, Newinbosch includes a school, retail, community, and commercial sites which will cater to the Northern Extension as a whole and enable a spatially and economic growth point.
- 1, Improve the places where people are living:
 - _, Newinbosch will significantly and positively contribute to placemaking in the Northern Extension, and together with all the proposed amenities create a vibrant, engaged, and functioning community.
 - `, Newinbosch will contribute more than R90m to bulk infrastructure (roads, water, stormwater, electricity and NMT) with a direct positive impact on the surrounding communities.
- 2, Create better linkages between places through safe, efficient, and affordable public transportation:
 - _, Newinbosch is a mere 3,6km from the Stellenbosch CBD, 1,2km from Plankenberg industrial zone and less than 500m from the boundary of Kayamandi on its narrowest edge. It is, by definition, linked to its surrounds.
 - `, The neighborhood development will facilitate the creation of a secondary road parallel to the R304, connecting Plakenberg,

Kayamandi, Watergang, Newinbosch and the De Bois farm to each other and with new intersections onto the R304. This in turn will ensure the development of significant NMT infrastructure in addition to the public transport bays along both the R304 and the new road.

Target market: Income and sales prices

As per the graph below, 57%, or 694 of all homes in Newinbosch will be priced below R1,2m to ensure these homes are affordable to the market earning a combined income of below R26,800pm. Of the 694 homes, 177 are priced below R800,000 and a 144 have been set aside as FLISP homes. These homes will be exclusively ringfenced for first time buyers of which those clients will be able to access further government subsidies of around R40,000 to R60,000 (paid into their bonds) to lower their monthly bond instalments.

Sale Prices (2021)*		Breakdown				Typologies	Mean Instalment *	Mean Income Required
From	To	#	# %	Cum #	Cum %			
600.000	800.000	177	14,56%	177	14,56%	Apartments; FLISP Homes	5.041,05	15.753,28
800.001	1.000.000	161	13,24%	338	27,80%	Apartments	6.937,23	21.678,83
1.000.001	1.200.000	356	29,28%	694	57,07%	Apartments	8.478,83	26.496,35
1.200.001	1.400.000	67	5,54%	761	62,21%	Townhouses	10.020,44	31.313,87
1.400.001	1.600.000	51	4,23%	812	66,44%	Townhouses	11.562,04	36.131,38
1.600.001	1.800.000	68	5,61%	880	72,05%	Townhouses	13.103,65	40.948,90
1.800.001	2.000.000	82	6,76%	962	78,81%	Townhouses & Cluster Homes	14.645,25	45.766,42
2.000.001	2.500.000	91	7,47%	1.053	86,28%	Cluster & Freestanding Homes	17.343,06	54.197,07
2.500.001	+	167	13,72%	1.216	100,00%	Feestanding Homes	+	+
		1.216	100,00%					

(*Term: 20 years; Interest rate 7%; No deposit; Mean instalment = average of the price bracket; 2021 Sales prices)

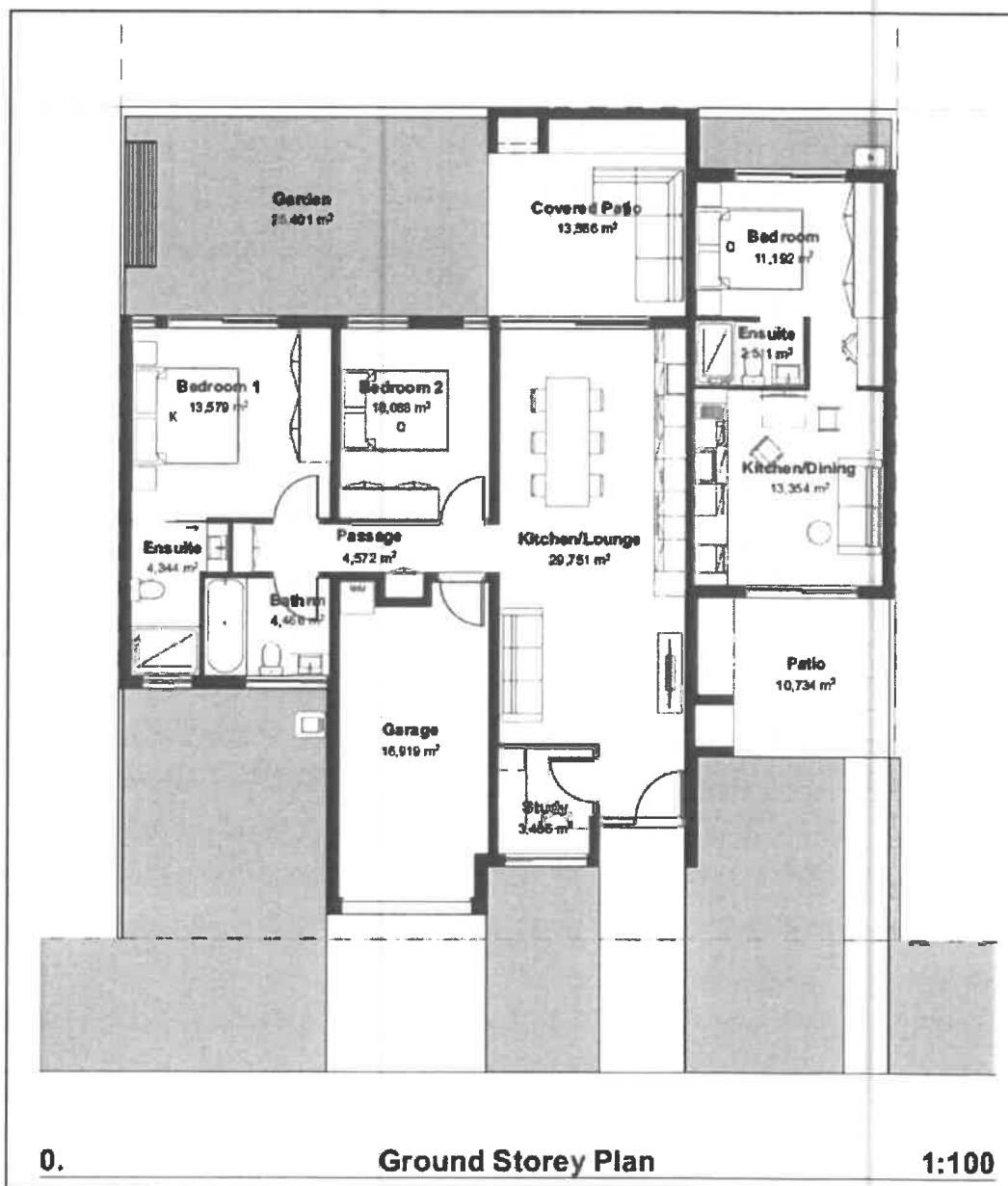
In context:

Newinbosch should be evaluated in context of the neighbouring Watergang development which will in all probability include a whole range of housing types from BNG, social housing, market rent and bonded houses targeting the income groups up to R18,000pm. With Newinbosch focused on creating housing opportunities for the next income group of up to R26,800 (including FLISP) as explained above, the two neighbourhoods will enable a sound housing ladder catering to a wide variety of preferences, typologies and income groups for families earning up to R55,000pm.

Rental homes:

At least one high density stand will be earmarked for the establishment of a rental community creating around 120+ rental apartments. What the ownership structure of this development will be is still to be confirmed.

A further 139 “granny flats” will be built as part of the Cluster developments. It is envisaged that these apartments will be rented to a variety of people from young adults and professionals, students, lower income single people or couples, retirees etc. In effect, this pushes up the density with a further 139 housing (or rental housing) opportunities over the entire Newinbosch neighbourhood. The design was in answering the Stellenbosch municipalities densification and second homes policies. Please see an example below:



- The provision of gated residential pockets is not supported and alternative measures to ensure security must be investigated and proposed.

The developer is also not in favour of a gated development, but due to the context of the location of the development, are forced to provide comfort to potential clients with regards to their safety as well as the protection of their personal belongings. To mitigate the negative effects of a gated community the following responses were included in our design:

- Public ground floor retail was included in apartment buildings located next to the entrance in order to create a connection between secured and non-secured uses.
 - Included as part of the amenities located in the centre of the development are a public creche, a restaurant, a fitness centre, events venue, and practice swimming pool. These will be open to be used by members or clients, who are not residents of the development.
 - As indicated in our HIA/VIA only permeable fencing will be used, with additional landscaped mitigations.
- The applicant must negotiate with the municipality to ensure that appropriate temporary employment opportunities are reserved for local labour.

Our main contractor, Raubex Building follows their "Local Community Integration Process" to ensure the local community is formally integrated into each project. They endeavour to employ 70% from the local community and 30% will be core employees from the contractor. The following principles are followed:

- Early engagement (ward counsellor meetings, CLO appointment, present site info, present action plan)
- Process outline (site establishment, local labour recruitment, local specialist sub-contractor recruitment, local suppliers, CLO requirements, monthly reports for targets and achievements)

In addition to the above, we will open a training facility on site shortly after LUPA and SALA approvals. Through engagement with local NPOs, schools and religious

organisations, suitable trainees with an interest in the construction industry will be identified and recruited for training. A three-month theoretical and another three-month practical training (in various required skill sets like brick-laying, painting, plumbing, electrical installation) will follow after which trained students will form part of the construction team. These students will be encouraged to complete accreditations during the course of the project to enable them to start their own businesses or be employable after completion of the project.

- Proper integration with the municipal project adjacent and to the south of the development must be ensured in the final layout plans.

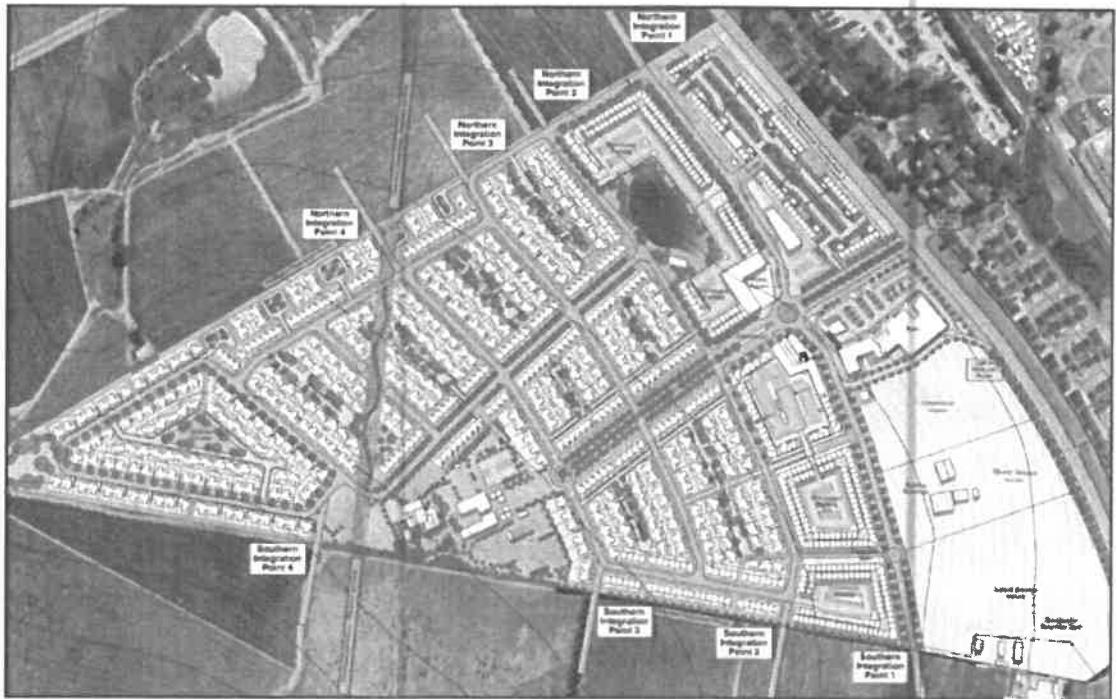
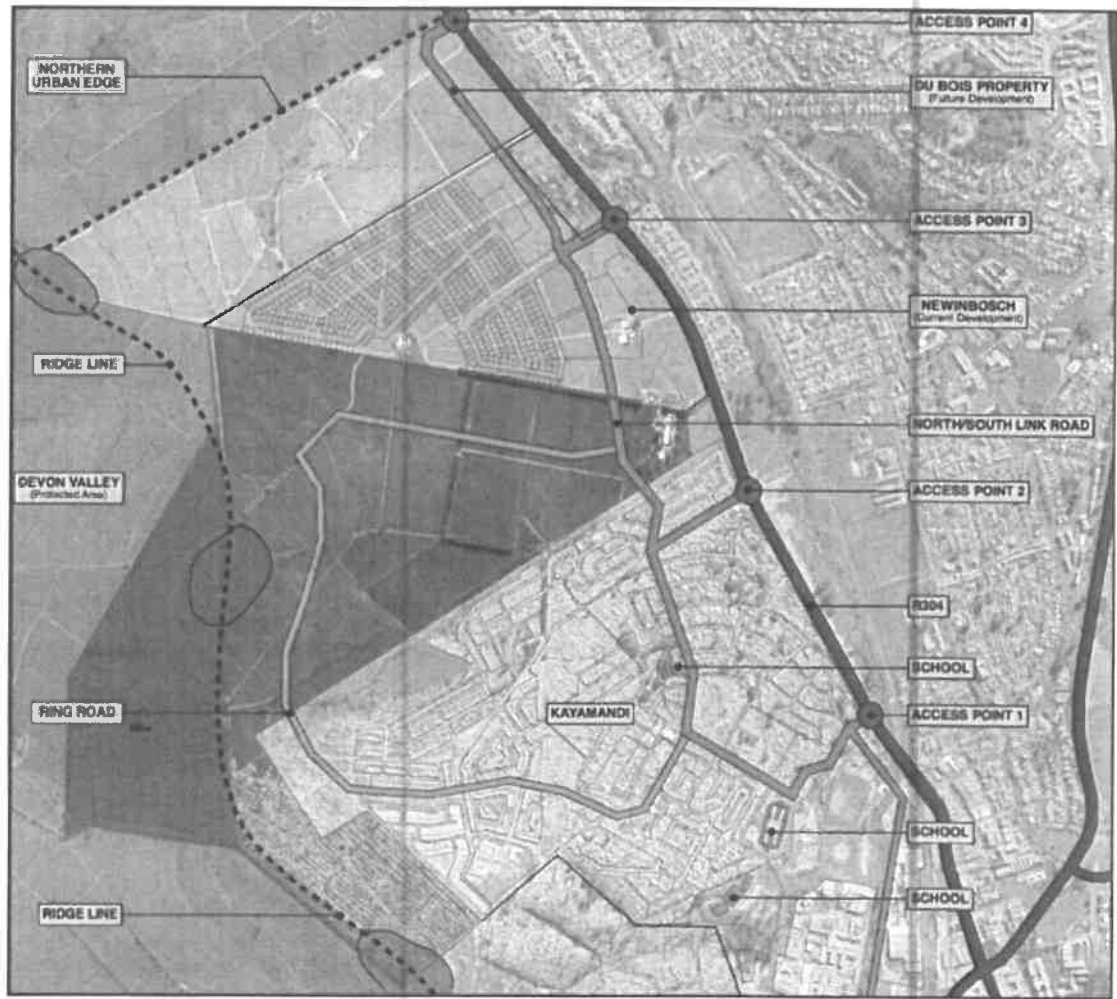
The urban design of the development makes provision for a public road that runs parallel to the R304, connecting the development to adjacent sites to the north and south. This secondary feeder route will be linked to the R304 via four connecting points. Two existing points in Kayamandi, one centrally located to Newinbosch layout, along the Steyn's nursery site and a fourth running through the Du Bois property and connecting to the Welgevonden intersection.

Within the development two additional connecting points are provided on the southern edge to connect with the future Watergang development, with the possibility of a third at a higher level should this be required.

Two additional connecting points are also provided along the northern edge to connect with the future Du Bois development.

This selection of connecting points will allow for the integrating of the vehicular routes between the different sites and also NMT routes.

With regards to spatial integration, the Newinbosch layout provides numerous pockets of public green spaces along the development edge that can be responded to in the adjacent developments. This provides for visual connectivity and possibly shared facilities providing social integration of the communities. Hard edges that create housing clusters that turn their backs on each other, is avoided.



- The landscaping plan must be submitted to the Stellenbosch Municipality for approval subject to the conditions stipulated by the HIA.

Noted and accepted.

- Only visually permeable external fencing will be allowed.

Noted and accepted.

- The SDP should also include controls for external lighting, and other security measures.

Noted and accepted.

6. We trust this information will provide you with a clearer picture of the proposed Newinbosch mixed-use development and we respectfully request that you update and amend your spatial planning comments accordingly and (as a member of the Municipal Planning Tribunal) provide the other members of the Municipal Planning Tribunal with this background information.
7. Please feel free to contact the undersigned at 021 861 3800 or clifford@tv3.co.za if you have any queries or require any additional information.

Yours faithfully



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

cc. Ms. Louisa Olyn (Planning and Economic Development)

ANNEXURE 7

External Departments Comments



**Western Cape
Government**

DEPARTMENT AGRICULTURE

DARRYL JACOBS

AGRICULTURAL DEVELOPMENT AND SUPPORT SERVICES

Darryl.Jacobs@elsenburg.com | Tel: 021 808 5013

OUR REFERENCE : Stellenbosch SDF
YOUR REFERENCE : -
ENQUIRIES : Cor van der Walt

Stellenbosch Municipality
 PO Box 17
 STELLENBOSCH
 7599

Att: Bernabé de la Bat

STELLENBOSCH SDF

PORTION 33 OF THE FARM CLOETESDAL NO. 81

Your request dated 25 November 202 to reconsider the inclusion of the above-mentioned farm into the urban edge of Stellenbosch Municipality (Kayamandi north), has reference.

The Western Cape Department of Agriculture (WCDa) understands the constitutional responsibilities of local authorities to provide housing. The WCDa's primary mandate is the preservation, development and sustainable use of agricultural land, which is of vital importance to ensure long-term food security.

South Africa has a limited supply of high potential cropping land, and the pressures associated with urban infrastructure and residential development on high potential cropping land are currently major contributors to the alienation and reduced availability of agricultural land for agricultural production. The loss of agricultural land poses a direct threat to national (and household) food security. It increases rural unemployment, results in the declining contribution of agriculture to the GDP, diminishes the positive link between agriculture and rural development, and impacts negatively on the potential of affected areas for agricultural development. It thus undermines the economic development potential of these areas. This goes hand in hand with the loss of other high potential and unique agricultural resources and agricultural land care values.

The **soil potential** of land is used as the primary criteria for determining the potential of agricultural land. The land in question is classified as "**High potential for crop production**" in the "*REPORT to NATIONAL DEPARTMENT OF AGRICULTURE; Report Number GW/A/2002/21; CRITERIA FOR HIGH POTENTIAL AGRICULTURAL LAND IN SOUTH AFRICA - For use within revised spatial framework; by J.L. Schoeman, June 2004.*"¹

The motivation of the Stellenbosch Municipality dated 25 November 2021 convinced this department to consider a more lenient stance to find a balance between the competing land uses and the triple bottom line of economic, social and environmental sustainability.

The current situation of the area abutting Kayamandi is one which this department takes into consideration:

- a) High demand for land for Human Settlement.
- b) The uncontrollable land invasion ("land grab") and sprawl onto productive agricultural land.
- c) Simultaneously the need for the availability and access to food.
- d) The area is already included in the urban edge of Stellenbosch Municipality (SDF 2019) with the support of other internal and provincial departments concerned with spatial planning in terms of the Spatial Planning and Land Use Management Act no 16 of 2013 (SPLUMA), all practical and cooperative governance requirements and implications considered.

The current situation mentioned above and the negative cumulative effects thereof, can further exacerbate the growing crises if not planned and managed effectively.

The WCDoA may consider the proposed expansion favourably considering points a - c above, in an effort to give effect to planning-led development and prevent land invasion/random sprawl onto other portions of agricultural land.

In an effort to find the balance for the loss of agricultural land vs human settlement, the WCDoA is prepared to consider the request favourably under the following conditions:

- a) Planning should ensure that an effective hard edge be implemented to curb any further sprawl/illegal land invasion by means of a fence, wall, development types and or design or any means necessary. The municipality should take responsibility to implement, monitor and manage the urban edges to protect the right to farm, of abutting farms.

It is noted that previous attempts have failed to prevent invasion of vineyards, theft, vandalism etc. However, if not addressed, the problem will only further escalate and/or repeat itself, this also includes the protection of farms RE/1514 and RE/1/1514 that are severely exposed.

¹ Report Number GW/A/2002/21; CRITERIA FOR HIGH POTENTIAL AGRICULTURAL LAND IN SOUTH AFRICA; For use within revised spatial framework; by J.L. Schoeman, June 2004

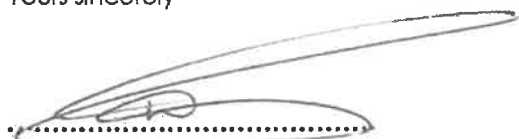
- b) The area should be developed to its full potential, as to make maximum use of the land. Thus the importance of densification.
- c) The Stellenbosch Municipality should take responsibility to timeously manage any land invasion/spill-over on any other agricultural land and take the necessary steps to manage the cumulative impact of housing on agricultural land.
- d) Portion 2 of no 72 is to be excluded from the urban edge and retained for agriculture in an effort to limit the loss of agricultural land.
- e) The design and development of the proposed portions of land must be sustainable, make use of "green building techniques" such as solar energy, water wise designs and rain water harvesting and storage. It should further make provision for food gardens as a means to improve food security.
- f) The area should ensure integrated development topologies which must include affordable and inclusionary housing.

The WCDoA, with caution, therefore supports the inclusion of the said land portion into the Stellenbosch Municipality SDF Urban Edge to ensure integrated development.

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



DW JACOBS

9/12/2021

DATE

DEPUTY DIRECTOR GENERAL: AGRICULTURAL DEVELOPMENT AND SUPPORT SERVICES

Copies:

Department of Environmental Affairs & Development Planning Spatial Planning (Mr. K Munro)

Email: Kobus.Munro@westerncape.gov.za

Department of Environmental Affairs & Development Planning Spatial Planning (Ms. C Stone)

Email: Catherine.Stone@westerncape.gov.za



Western Cape
Government

TRANSPORT & PUBLIC WORKS: ROADS

Chief Directorate: Road Planning

Email: grace.swanepoel@westerncape.gov.za

Tel: +27 21 483 4669

Room 335, 9 Dorp Street, Cape Town, 8001

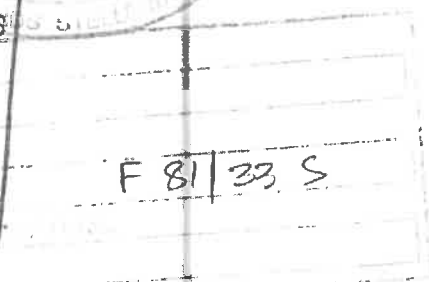
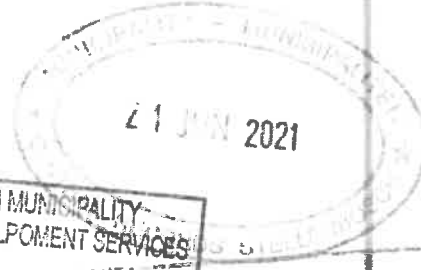
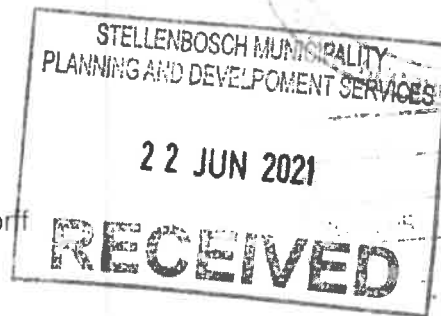
PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-25/242 (Job 15329)
ENQUIRIES: Ms G Swanepoel
DATE: 8 June 2021

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr Ulrich von Molendorff

Dear Sir



PORTION 33 OF FARM 81, STELLENBOSCH: MAIN ROAD 174: APPLICATION FOR REZONING, SUBDIVISION, ETC

1. The following refer:
 - 1.1. This Branch's letter TPW/CFS/RP/LUD/REZ/SUB-25/75 (Job 22720) dated 19 October 2020;
 - 1.2. The email from TV3 Projects dated 22 September 2020;
 - 1.3. The letter LU/10313 from TV3 Projects (Pty) Ltd to you dated 22 June 2020;
 - 1.4. The Application 3629-P dated 11 December 2019 prepared by TV3 Projects and
 - 1.5. The Traffic Impact Assessment iCE/S/1286 dated 3 July 2020 prepared by iCE Group.
2. The application entails the development of ± 1 200 residential units, a ± 5 000m² GLA commercial area, ± 40 seats church and a school for ± 2 000 learners.
3. This Branch offers no objection to the land use application subject to the following conditions:
 - 3.1. The development is limited to:
 - 3.1.1. ± 1 200 residential units;
 - 3.1.2. Commercial (± 5 000m² GLA);
 - 3.1.3. Church (± 40 seats);

- 3.1.4. School ($\pm 2\ 000$ learners);
- 3.2. MR174 must be dualled between MR187 and MR27 as listed in the TIA above;
- 3.3. The upgrading of the MR174/Welgevonden Boulevard intersection must fit the final design of the dualling of MR174;
- 3.4. The existing accesses to Portion 33 of Farm 81 at $\pm km 58.39$ and $\pm km 58.12$ off MR174 must be closed permanently and the road reserve and fence reinstated;
- 3.5. The provision of traffic signals, dedicated turning lanes on the MR174-approaches (double right-turn lanes on the northern-approach and a left-turn lane on the southern approach) and access approach (double right lanes and a left-turn lane) must be provided in addition to the dualling of the MR174 at the RMR174/Access intersection at $\pm km 57.83$;
- 3.6. Should the development become operational prior to the dualling of the MR174, the ultimate intersection lane layout as per the dualled MR174 must be implemented at the MR174/Access intersection;
- 3.7. Street lighting need to be installed along MR174 at the new access in accordance with the applicable standards of this Branch;
- 3.8. Traffic signals must be installed at the MR174/Sokuqala Street intersection in addition to the dualling of the R304;
- 3.9. New traffic signals on MR174 and may only be installed once warranted in terms of the South African Road Traffic Signs Manual (SARTSM) Volume 3;
- 3.10. The dualling of the MR174 at the Mr174/Masitandane Road intersection;
- 3.11. The dual access road off MR174 to the development must be located at $\pm km 57.83$ and must include the eastbound carriageway over Portion 29 of Farm 81;
- 3.12. The access intersection on MR174 and the access road to the development must be constructed prior to the commencement of the construction of the development;
- 3.13. If already constructed the interim access road approximately 90m west of MR174 (centreline to centreline) to Portion 22 of Farm 81 off the dual carriageway access must be closed and replaced with the proposed internal access as indicated on the amended Site Development Plan attached to the letter LU/10313 from TV3 Projects to you dated 22 June 2020;
- 3.14. Public transport embayments must be provide downstream of the new access road intersection on MR174 in both directions;
- 3.15. All geometrics and materials design plans for road upgrades, signal installation and street lighting along MR174 after having been scrutinised by the affected Directorates at Stellenbosch Municipality must be submitted to the Chief Directorate: Design (Ms MK Hofmeyr – email: melanie.hofmeyr@westerncape.gov.za) of this Branch for final approval.

- 3.16. All the necessary right of way servitudes must be in place before Section 20, 21 and 28 of the Stellenbosch Municipal and Land Planning By-Law (2015) clearance will be given for the proposed development;
- 3.17. All parking must be located inside the development and provided in accordance with the latest Zoning Scheme of Stellenbosch Municipality;
- 3.18. Under no circumstances will parking be allowed within the road reserve of MR174;
- 3.19. The statutory 5m building line in terms of the Roads Ordinance 19 of 1976, must be maintained;
- 3.20. No services will be allowed within the 5m building line in terms of the Roads Ordinance 19 of 1976 and
- 3.21. Subdivision Condition Compliance Clearance must be provided by this Branch in terms of Sections 20, 21 and 28 of the Stellenbosch Municipal and Land Planning By-Law (2015) before occupation can be taken.
4. It is recommended that Stellenbosch Municipality meets with this Branch to discuss the dualling of MR174 between MR187 and MR27.
5. It is recommended that the 40m MR174 road reserve portion of Portion 33 of Farm 81 be subdivided and transferred to this Branch.
6. Please be reminded that this Branch still needs to approve the subdivision plan of Portion 33 of Farm 81 in terms of Act 21 of 1940 as this Branch is still the Road Authority for MR174 past the development.

Yours Sincerely



SW CARSTENS
For **DEPUTY DIRECTOR-GENERAL: ROADS**

ENDORSEMENTS

1. Stellenbosch Municipality

Attention: Mr U von Molendorff (e-mail: ulrich.vonmolendorff@stellenbosch.gov.za)

2. UDS Africa

Attention: Ms Y Obermeyr (e-mail: yolandi@udsafrika.co.za)

3. TV3 Architects and Town Planners

Attention: Mr C Heys (e-mail: clifford@tv3.co.za)

- 4. District Roads Engineer
Paarl

5. Mr Elroy Smith (e-mail)

6. Mr SW Carstens (e-mail)

7. Mr H Thompson (e-mail)

8. Mr B du Preez (e-mail)

9. Planning Section



Department of Environmental Affairs and Development Planning
Pieter van Zyl
Head of Department
Pieter.vanZyl@westerncape.gov.za | Tel: 021 483 8315

Reference: 15/3/2/12/BS2

Mr Jan van Rensburg
TV3 Projects (Pty) Ltd
97 Dorp Street
STELLENBOSCH
7600

[Via e-mail: jan@tv3.co.za]

Dear Mr van Rensburg

FARM CLOETESDAL NO. 81/33, STELLENBOSCH

1. Your cell phone WhatsApp enquiry on 25 November 2020, in connection with the abovementioned property, refers.
2. Your enquiry centred around the recent refusal by the national Department of Agriculture, Land Reform and Rural Development (DALRRD) of an application in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) (SALA), despite the fact that the envisaged development was included in the Stellenbosch Municipal Spatial Development Framework (MSDF) urban edge, as adopted in 2019.
3. My Department investigated the circumstances surrounding this application and discussed your enquiry with officials from the Western Cape Department of Agriculture, Stellenbosch Municipality and internally with officials from the DEA&DP Directorate: Spatial Planning, as well as the DEA&DP Directorate: Development Management. From the information available to my Department, the situation seems to be as follows:
 - 3.1 When submitting comment to the Stellenbosch Municipality on their MSDSF in 2019, the Western Cape Department of Agriculture (WCDoA) specifically requested that the Municipality exclude a number of properties from within the urban edge or alternatively retain these properties for agricultural use, as they are planted with wine grapes and have a high and medium agricultural potential. The Cloetesdal farm was one of the properties proposed to be excluded.

- 3.2 The Municipality indicated in their comment and response document that "*comments have been incorporated where possible*". The original MSDF approved in 2019 was ambiguous as to whether or not the farm is included in the urban edge. However, the MSDF, as finally adopted, included the Cloetesdal farm within the urban edge, seemingly disregarding the comment of the WCDoA. My Department was not made aware of the WCDoA's position on this matter when engaging with the Municipality to resolve the ambiguity brought to our attention by yourselves.
- 3.3 With the matter not being resolved, the WCDoA recommended to the DALRRD that the application in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) (SALA) be refused.
4. With Stellenbosch Municipality not having addressed WCDoA's concerns in relation to the property in question, the ultimately refusal of a SALA application was a risk that should have been anticipated by the Stellenbosch Municipality and the landowner/developer. While ideally, in order for an MSDF to provide as much guidance as possible, as many matters as possible should be resolved during the process of drafting an MSDF and during the process of amending an MSDF, it is often the case that even if a property is included in an urban edge which may be delineated by an MSDF, many other approvals are still required in respect of applications for urban related land uses (e.g. rezoning approval, Environmental Authorisation, SALA approval, etc.). The fact that the property was included in the MSDF urban edge, did not conclude the matter, because the merits in respect of each of the approvals still to be obtained, remained to be argued.
5. My Department remains committed to, together with the Western Cape Department of Local Government and other role-players, continue our efforts to facilitate improved alignment and support Municipalities with continuous improvement in terms of MSDFs.
6. We therefore recommend that:
- 6.1 if not already done, an appeal be lodged against the SALA refusal and the merits be argued in respect of the application for subdivision of agricultural land;
- 6.2 the landowner/developer requests a collective/joint engagement (or engagements) with the Stellenbosch Municipality, the WCDoA and the DALRRD in order to discuss, amongst other things:
- 6.2.1.1 how to in future better address agricultural matters in general during the MSDF drafting and amendment processes; and
- 6.2.1.2 in terms of this specific property, whether any refinement of the MSDF is required which should be considered during the upcoming IDP Review (and if required IDP Amendment) process.

If you have any further questions, please contact the Stellenbosch Municipality. Should you, however, also require any further assistance from my Department, do not hesitate to contact Kobus Munro at Kobus.Munro@westerncape.gov.za or Catherine Stone at Catherine.Stone@westerncape.gov.za.

Yours sincerely



PIET VAN ZYL
HEAD OF DEPARTMENT

Date: 14 December 2020

Copies to:

Anthony Barnes (Stellenbosch Municipality)
Bernabe de la Bat (Stellenbosch Municipality)
Cor van der Walt (WCDoA)
Kobus Munro (DEA&DP)
Catherine Stone (DEA&DP)

Anthony.Barnes@stellenbosch.gov.za
Bernabe.DeLaBat@stellenbosch.gov.za
CorvdW@elsenburg.com
Kobus.Munro@westerncape.gov.za
Catherine.Stone@westerncape.gov.za



Western Cape
Government

Department of Environmental Affairs and Development Planning
Samornay Smidt
 Development Management: Region 1
Samornay.Smidt@westerncape.gov.za Tel: 021 483 5828

REFERENCE: 16/3/3/1/B4/45/1011/21
NEAS REFERENCE: WCP/EIA/0000876/2021
DATE: 16 August 2021

The Board of Directors
 Cloetesdal Developments (Pty) Ltd
 Office 202, Mill Square, Plein Street
STELLENBOSCH
 7600

Attention: Mr Pieter du Toit

Cell.: (072) 436 6929
 Email: pieter@similar.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): PROPOSED NEWINBOSCH MIXED-USE DEVELOPMENT ON THE REMAINDER OF PORTION 33 OF FARM NO. 81, CLOETESDAL, STELLENBOSCH

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014, you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

Zaahir Toefy

Digitally signed by Zaahir Toefy
 Date: 2021.08.16 10:57:58
 +02'00'

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
 DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Evonell Visagie (GNEC)

Email: eg@gnec.co.za

(2) Cahlan Williams (GNEC)

Email: cahlan@gnec.co.za

(3) Schalk van der Merwe (Stellenbosch Municipality)

Email: Schalk.VanDerMerwe@stellenbosch.gov.za



Department of Environmental Affairs and Development Planning
Samornay Smidt
 Development Management: Region 1
Samornay.Smidt@westerncape.gov.za | Tel: 021 483 5828

REFERENCE: 16/3/3/1/B4/45/1011/21
NEAS REFERENCE: WCP/EIA/0000876/2021
ENQUIRIES: Samornay Smidt
DATE OF ISSUE: 16 August 2021

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED NEWINBOSCH MIXED-USE DEVELOPMENT ON THE REMAINDER OF PORTION 33 OF FARM NO. 81, CLOETESDAL, STELLENBOSCH

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Layout Alternative 1, as described in the Basic Assessment Report ("BAR"), dated 2 July 2021.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Cloetesdal Developments (Pty) Ltd
 c/o Mr. Pieter du Toit
 Office 202, Mill Square, Plein Street
STELLENBOSCH
 7600

Cell.: (072) 436 6929
 Email: pieter@similan.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activities/Project Description
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p>Activities Number: 19</p> <p><i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from—</i></p> <p>(i) a watercourse;</p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</i></p> <p><i>(a) will occur behind a development setback;</i></p> <p><i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i></p> <p><i>(c) falls within the ambit of activities 21 in this Notice, in which case that activities applies;</i></p> <p><i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i></p> <p><i>(e) where such development is related to the development of a port or harbour, in which case activities 26 in Listing Notice 2 of 2014 applies.</i></p>	<p>The proposed development includes a sewerage pipeline that will cross an ephemeral drainage line at an existing culvert. Although the watercourse crossing will be at an existing culvert, the works associated with the construction and subsequent rehabilitation of the site will encroach into the ephemeral drainage line.</p>
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p>Activities Number: 28</p> <p><i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i></p> <p><i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The development will be located on a portion of a farm located outside the urban area and will have a development footprint that exceeds 1 hectare.</p>

The abovementioned list is hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The proposed development comprises a mixed-use development and associated infrastructure, which will include the following:

- Approximately 1 216 units, consisting of single residential, group housing and town houses,
- A school on approximately 6ha,
- Institutional use (church) on approximately 2ha and
- A retail area of approximately 14 000m².

The retail area will be located just south of the existing access road, which will form the access to the proposed development. The existing Manor House will be converted into a multifunctional venue that will include recreational uses (clubhouse/hall, restaurant), Homeowners Association management offices and a pre-school or crèche space. The surrounding open space will be used as an outdoor recreational area, including facilities such as an outdoor cinema/amphitheater, pool and changing rooms, soccer lawn, skate park and a vegetable garden.

A new sewerage link pipeline will be constructed from the existing 425mm diameter sewer main in the R304 road reserve to the south of the proposed development, on the eastern side of the road. The proposed pipeline will be approximately 1050m in length and will cross an ephemeral drainage line at an existing culvert crossing south of the property.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on the Remainder of Portion 33 of Farm No. 81, Stellenbosch.

The SG21 digit code is: C0670000000008100033

Co-ordinates of the property:

Latitude	Longitude
33° 54' 30.34" South	18° 50' 29.94" East

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants (Pty) Ltd
c/o Ms Eonell Visagie
PO Box 2632

PAARL

7620

Cell: 076 684 6566

Email: eg@gnec.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Layout Alternative 1, as described in the BAR dated 2 July 2021 on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue, within which commencement must occur.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
 - 6.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 11.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.

- 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
- 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
- 7.4 provide the registered I&APs with:
 - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2 name of the responsible person for this Environmental Authorisation,
 - 7.4.3 postal address of the holder,
 - 7.4.4 telephonic and fax details of the holder,
 - 7.4.5 e-mail address, if any, of the holder, and
 - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
- 8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Management of activities

- 9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
- 10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

- 11. The holder must appoint a suitably experienced environmental control officer ("ECO") before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
- 12. A copy of the Environmental Authorisation, EMPr, MMP, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
- 13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

- 14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr. The Environmental Audit Report must be prepared by an **independent**

person (not the ECO appointed in terms of condition 12 above) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake an environmental audit and submit Environmental Audit Reports to the Competent Authority once a year during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after completion of the construction phase of the development.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. A qualified archaeologist and/or paleontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
17. The relevant requirements with respect to occupational health and safety must be adhered to at all times.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be

amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014, (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority–
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
Room 809

8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

Zaahir Toefy
 Digitally signed by Zaahir Toefy
 Date: 2021.08.16 10:58:42 +02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 16 AUGUST 2021

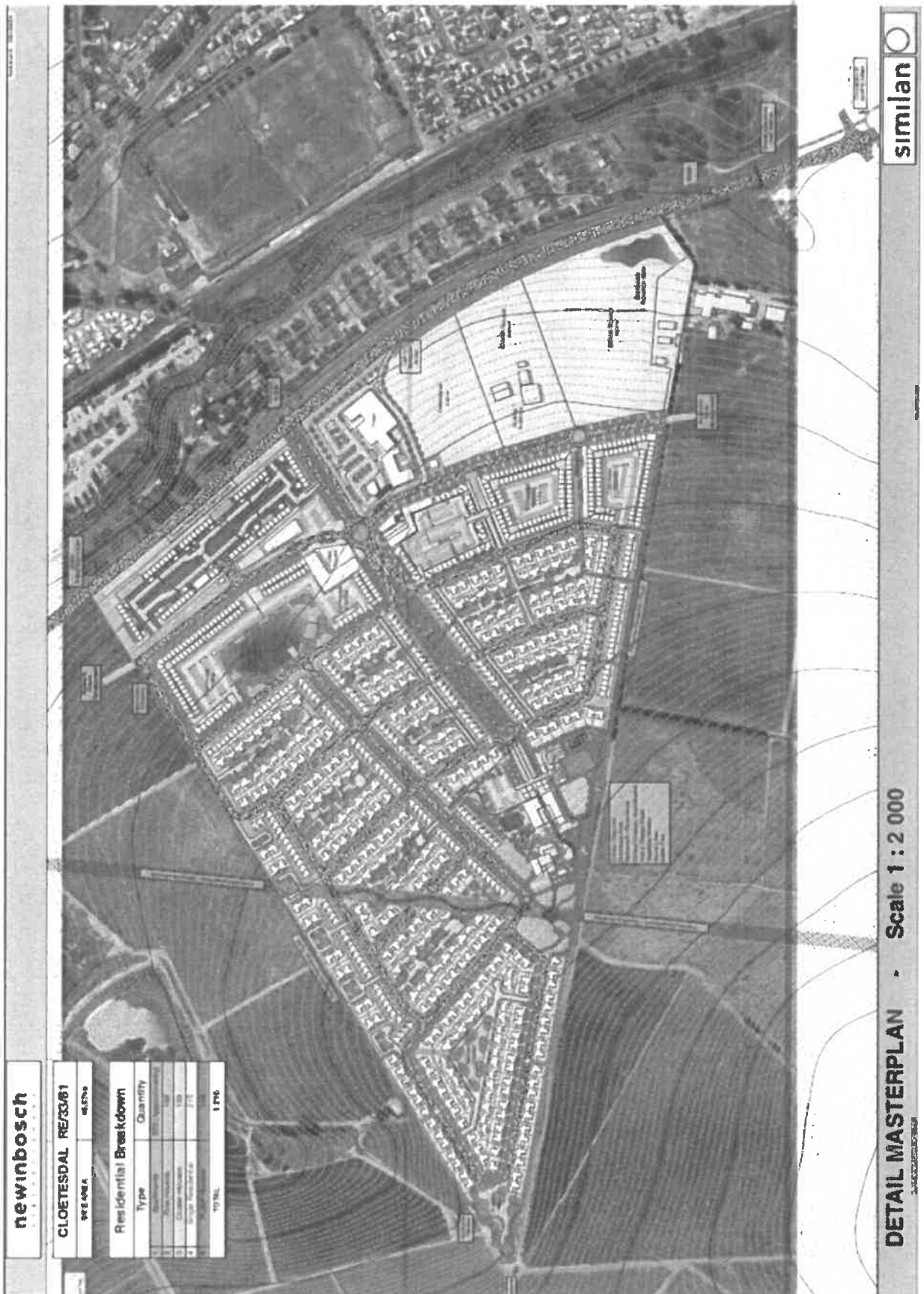
Cc: (1) Evonell Visagie (GNEC)
 (2) Cahlan Williams (GNEC)
 (3) Schalk van der Merwe (Stellenbosch Municipality)

Email: eg@gnec.co.za
 Email: cahlan@gnec.co.za
 Email: Schalk.VanDerMerwe@stellenbosch.gov.za

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated 26 February 2021, the EMPr submitted together with the revised final BAR dated 2 July 2021, and the additional information received on 6 and 12 August 2021;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated 2 July 2021; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing notice boards at the site where the listed activities is to be undertaken on 23 January 2020;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities is to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities on 23 January 2020;
- the placing of a newspaper advertisement in the "The Eikestad" on 23 January 2020;
- circulating the pre-application draft BAR to I&APs on 27 January 2020 and 23 July 2020;
- circulating the in-process draft BAR to I&APs from 5 March 2021; and
- circulating the in-process revised FBAR to I&APs from 1 June 2021.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

2. Alternatives

Layout Alternative 1 (Preferred Layout Alternative)

The proposed development comprises a mixed-use development and associated infrastructure, which will include the following:

- Approximately 1 216 units, consisting of single residential, group housing and town houses,
- A school on approximately 6ha,
- Institutional use (church) on approximately 2ha and,
- A retail area of approximately 14 000m².

The retail area will be located just south of the existing access road, which will form the access to the proposed development. The Manor House will be converted into a multifunctional venue that will include recreational uses (clubhouse/hall, restaurant), Homeowners Association management offices and a pre-school or crèche space. The surrounding open space will be used as an outdoor recreational area, including facilities such as an outdoor cinema/amphitheater, pool and changing rooms, soccer lawn, skate park and a vegetable garden.

A new sewerage link pipeline will be constructed from the existing 425mm diameter sewer main in the R304 road reserve to the south of the proposed development, on the eastern side of the road. The proposed pipeline will be approximately 1050m in length and will cross an ephemeral drainage line at an existing culvert crossing south of the property.

The layout is informed by the Traffic Impact Assessment dated 3 July 2020, compiled by ICE Consulting Engineers that proposes various road network upgrades to accommodate the increased traffic flow. Furthermore, the Heritage Impact Assessment dated July 2020, compiled by Lize Malan and David Gibbs includes various mitigation measures that will assist the effective integration of the layout into the existing urban fabric of Stellenbosch, without compromising the sense of place of the agricultural setting to a detrimental extent. The findings of the HIA was supported by Heritage Western Cape and it has been incorporated into the preferred layout alternative and the relevant sections of the EMP for implementation.

Layout Alternative 2

This alternative also includes a mixture of housing typologies, including apartment buildings, row housing and single residential. A large public square was proposed in the center of the development that would be surrounded by the retail component that is proposed in the development. A fuel service station and convenience node would be located at the access to the development and the church would remain at its proposed location. The proposed school would be on the southern border of the development with the sport fields along the R304 as is proposed now. Two drawbacks of Layout Alternative 2 include the design not conforming to the topography of the site, with the apartment buildings designed perpendicular to the contours, which will result in extensive costs. The public square and public park would also slope downhill which is not ideal. Secondly, this layout alternative includes high density development along the upper slopes of the development, which is in contrast to the findings of the Visual Impact Assessment that proposes a higher density on the lower slopes of the farm and a lower density at the top to limit the potential visual impact. This alternative is therefore not preferred from a civil engineering nor from a visual impact point of view.

Layout Alternative 3

Layout Alternative 3 is similar to the other alternatives in terms of the housing typology mix, however the difference is the placement of the different typologies. This layout does not make provision for the integration of different typologies with the high density being solely located towards the lower reaches of the farm, medium density in the middle and southern border and lower density on the upper slopes

and to the north of the development where the visibility is the highest. In addition, the only open space planned for is located on the southern border adjacent to the existing manor house.

As with Alternative 2, the building placement is not in line with the topography of the farm, resulting in high construction and engineering costs, which are not feasible. This layout includes one small retail component (a filling station) that will be located at the entrance to the development. This layout therefore does not make provision for the range of amenities as included in the preferred alternative and will place a higher pressure on the surrounding road network, especially the R304, as all the residents need to travel into Stellenbosch for basic necessities. Layout Alternative 3 is therefore not preferred.

Layout Alternative 4

Layout alternative 4 makes provision for a larger retail component, which will have a positive impact on the alleviation of pressure on the R304. However, this layout alternative did not include the necessary stormwater management measures, which is a civil engineering requirement, as well as the mixture between the housing typologies. This layout alternative was therefore not supported due to it not being compatible with the civil engineering requirements and planning principles.

Layout Alternative 5 (Previous Preferred Layout Alternative)

The previous preferred layout alternative differs only slightly from the current preferred Layout Alternative 1. The number of housing opportunities decreased by 50 residential units and the filling station was removed from the project proposal. This is due to time constraints, as the approval of the retailer's license would take longer and hinder the construction of the remainder of the development.

"No-Go" Alternative

The no-go alternative was considered. However, it was not preferred since the opportunity to provide affordable housing opportunities and associated amenities will be lost. In addition, based on the outcome of the assessment, the proposed development will not result in any significant negative environmental impacts.

3. Impact Assessment and Mitigation measures

3.1 Activities need and desirability

The proposed development would contribute towards meeting the current need for housing in Stellenbosch. The mixed land uses will create an integrated neighbourhood with all associated amenities. The residential component will include of a range of affordable housing opportunities. The farm is included in the municipal urban edge and is demarcated for urban development. The proposed development is therefore also consistent with the planning policy and principles on a municipal and national level.

3.2 Biophysical Impacts

Historically, the site contained critically endangered Swartland Shale Renosterveld vegetation. The property however contains no indigenous vegetation as the farm was cultivated for many years.

The proposed development includes a sewerage pipeline that will traverse an ephemeral drainage line at an existing culvert crossing along the R304, which will limit the significance of the potential impacts on the watercourse. Based on the findings of the Freshwater Ecological Assessment dated August 2020, and the subsequent specialist opinion dated 12 August 2021 in response to the amended sewerage pipeline alignment, compiled by FEN Consulting, the potential impacts on the ephemeral drainage line was not considered to be significant. The specialist recommendations made to further limit the potential

impact during the construction and rehabilitation phase were included within the relevant sections of the EMPr approved as part of the Environmental Authorisation. In addition, a Water Use Licence Application ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998) for the proposed watercourse crossing has been submitted to the Department of Water and Sanitation, which will further investigate the watercourse related impacts.

3.3 Heritage Impacts

Based on the findings of the HIA dated July 2020, compiled by Lize Malan and David Gibbs, the proposed development will have a visual impact, but it will be mitigated to an acceptable level with the implementation of the recommended mitigation measures. It was determined that the significance of the potential visual impact will be reduced from high significance to moderate (short term) to low (long term) with mitigation. The recommendations were endorsed by HWC and have been incorporated into the preferred layout alternative and the relevant sections of the EMPr (e.g., with adequate landscaping along the northern boundary of the site, the proposed development will be visually recessive).

In summary, the proposed development will result in both negative and positive impacts.

Negative Impacts:

- The proposed development will have an impact on the ephemeral drainage line that will be crossed by the proposed sewerage pipeline. It will be aligned along an existing culvert crossing to limit the significance of the potential impact and with the further implementation of the specialist recommendations the potential impact significance will be limited even more.
- The proposed construction works will result in elevated noise and dust levels during the construction phase and an increased visual and traffic impact during the operational phase. The construction phase impacts will be of a temporary duration and mitigation measures have been incorporated into the EMPr for implementation during the construction phase. The visual and traffic impacts will also be addressed by the specialist recommendations, which have also been included into the preferred layout alternative and EMPr for implementation.

Positive Impacts:

- The proposed development will assist in addressing the growing housing demand in Stellenbosch and will contribute to the local economy.
- The development will create employment opportunities during the construction and operational phase.

4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-----END-----

Our Ref: HM/CAPE WINELANDS/STELLENBOSCH/FARM 33 PTN 81
Case No.: 19032707AS0402M
Enquiries: Thando Zingange
E-mail: Thando.Zingange@westerncape.gov.za
Tel: 021 483 5959
Date: 05 November 2020



Steyn's Family Trust
 C/O Lize Malan
 P O Box 3421
 Matieland
 7602

RESPONSE TO HIA: FINAL COMMENT
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

THE PROPOSED SITE DEVELOPMENT OF FARM 81 PTN 33, STELLENBOSCH, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

This matter was discussed at the Heritage Western Cape Impact Assessment Committee meeting held (IACOM) on 14 October 2020.

FINAL COMMENT:

The Committee resolved to endorse the HIA as having met the requirement of S38 (3) of the NHRA. The Committee resolved to endorse the recommendations of the HIA as outlined below:

- 1) The landscaping plan is further detailed to inter alia specify tree sizes to be planted. It is important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan. The landscaping plan must be submitted to the Stellenbosch Municipality for approval.
- 2) Architectural guidelines for the whole development to realize the intentions of the urban design framework and the heritage indicators set out in section 10 of the HIA are prepared.

The following aspects will need to be addressed:

- A. Height restrictions for all buildings across the site as indicated in the proposed SDP. It is however noted that the indicators stated that certain smaller elements of the four storey buildings may extend to five storeys. This is regarded as appropriate to mark key points/intersections in the development and should be controlled through the guidelines.
 - B. Massing and articulation of the apartment blocks – monolithic blocks are to be disallowed and the guidelines must specify the extent of articulation in detail.
 - C. Roof shape and colour to ensure variation in design and colour throughout the development but keeping the colour palette to neutral greys and black.
 - D. Finishes of buildings, using plaster and paint in muted neutral earth tones (no highly reflective white), concrete or stone, with restricted or prohibited use of metal cladding.
 - E. Openings with restrictions on large reflecting surfaces, and shading of openings, particularly to the east.
 - F. Lighting, services, security features and signage to be low key and/or not visible as may be appropriate (refer to indicators)
 - G. Fencing – use of visually permeable fencing on perimeter with waf walls allowed for internal boundaries, provided that screening tree planting is accommodated.
- These guidelines are to be to the approval of the Stellenbosch Municipality (Heritage Resources Management).

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

pp.

.....
 Dr. Mxolisi Dlamuka

Chief Executive Officer, Heritage Western Cape

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**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, 14 October 2020**



9.3 Proposed Development of a New House, Entertainment Area and Caretaker Cottage on Portion 6 of the Farm Mosselbank Fontein 496, Riversdale

The Committee confirmed that a Heritage Impact Assessment (HIA) is required.

The requirement for a full HIA results from the interpretation of "*change in character of a site*". In this regard, the definition of "site" is not limited to the discrete building footprint but rather the affected area.

The comment as per the previous meeting therefor still applies:

The Committee resolved that the HIA submitted by ACRM dated July 2020 does not satisfy the requirements of S.38(3) of the National Heritage Resources Agency (NHRA). Given this, the consultant is requested to attend to the following:

1. An assessment of the existing and proposed built form as well as an assessment of the existing sense of place and cultural landscape qualities of the site and of the broader coastline.
2. The HIA should include design indicators and informants arising from the above study.
3. It is recommended that a heritage consultant with particular expertise in vernacular architecture of the area provide input in this regard.
4. A Conservation Management Plan (CMP) for the site is required, considering especially the significant shell midden located on the property.

9.4 Discussion on Heritage Impact Assessment reports: (Re: Agenda Items: 13.3, 15.3 and 15.4)

FURTHER REQUIREMENTS:

To meet the requirements of section 38(3) of the NHRA, the Committee requires revised and re-structured HIA documents for agenda items 13.3, 15.3, and 15.4 to be submitted to HWC for IACOM consideration.

In meeting the requirements of section 38(3) of the NHRA, reference should be made to HWC's guidelines for Heritage Impact Assessments (dated 15 June 2016) as well as HWC's Circular (dated November 2014) regarding the requirements for HIA Executive Summaries.

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 Weltevreden Filling Station Farm 786 Ptn 14, Philippi: MA
HM/CAPE TOWN METROPOLITAN/PHILLIPI/FARM 786 PTN 14**

Case No: 19022708AS0305E

INTERIM COMMENT:

The Committee does not support the proposal as submitted in its current form, for the following reasons:

1. The site is inappropriate for the scale and complexity of an urban filling station with related facilities (food court, canopy etc.).
2. The rural context of the site would be compromised irrevocably by the development proposed.

TZ

**13.2 Proposed Site Development of Farm 81 Ptn 29, Stellenbosch: NM
HM/CAPE WINELANDS/STELLENBOSCH/FARM 29 PTN 81**

Case No: 20061010TZ0624E

RECORD OF DECISION:

The Committee resolved to endorse the HIA as having met the requirement of S38(3) of the NHRA. The Committee resolved to endorse the findings and recommendations of the HIA.

The Committee resolved that the development may proceed subject to the recommendations of the HIA as outlined below.

- 1) The landscaping plan is further detailed. This should include:
 - a. More trees in clusters on the boundaries & informal hedges edges; and
 - b. Specification of tree sizes to be planted. It is important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan.

The landscaping plan must be submitted to the Stellenbosch Municipality for approval, together with the SDP referred to below.

- 2) The preparation of a detailed site development plan, that will reflect the architectural controls referred to in the indicators, namely:
 - a. Variation in roofscape and colour between units (no more than 2 attached units to have the same roof shape).
 - b. Variation in rendering of walls between units through use of different paint colours and/or finishes in particular. Muted earth tones should be specified.

- c. Visually permeable external fencing.
- d. The SDP should also include controls for external lighting, and other security measures and appropriate signage.

The SDP must be submitted to the Stellenbosch Municipality for approval, before building plan approval.

TZ

**13.3 Proposed Housing Development on Jonkersdrift Farm (Farm 1440, 1441, 334/17 & 334/9), Stellenbosch Magisterial District): NM
HM/CAPE WINELANDS/ STELLENBOSCH/ JONKERSDRIFT FARM 1440,1441, 334/17 & 334/9**

Case No: 20041707SB0603E

DEFERRED:

This matter was discussed under Administrative Matters (Item 9.4).

SB

**13.4 Proposed Development of the Site on Erf 884, 889, 895 and 5856, Masonic Hotel, Reitz Street and Hoop Street, Robertson: MA
HM/ROBERTSON/ LANGEBOEG/ERF 884, 889, 895 AND 5856**

Case No: 181002306AS1017E

RECORD OF DECISION:

The Committee endorsed the HIA report as submitted by Ms Postlethwayt, dated September 2020, as having met the requirements of S38(3) of the NHRA; as well as the recommendations contained within the report, as follows:

It is recommended that Heritage Western Cape:

1. endorse this report as having met the requirements of Section 38(3) of the NHRA.
2. in terms of Section 38(4) of the NHRA, approves the proposed redevelopment of Erf 8526, as outlined in Annexure D2 of this report; 21 Supplementary HIA Erf 8526, Reitz & Hoop Street, Robertson 2020, *subject to the following conditions:*
 - a. The refurbishment of the Masonic Hotel and the vernacular cottages are to be the subject of separate application/s to HWC. The work is required to be directed and monitored by an architect with suitable conservation experience; building plans are to be accompanied by a Method Statement; and a Close Out Report is to be submitted to HWC upon completion.
 - b. This approval specifically precludes any development proposals which may involve that portion of the property originally described as Re Erf 891, Church Street.

KB

**13.5 Proposed Re Development of the Site on ere 8019, Sir Lowry Square, Woodstock: NM
HM/CAPE METROPOLITAN/WOODSTOCK/ERF 8019**

Case No: 20091008KB0921E

FURTHER REQUIREMENTS:

The Committee requests the HIA report to be updated with the detailed work included and resubmitted to HWC for IACom consideration.

KB

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 Minor Deviations from Approved Building Envelope: Erf 31990 Mowbray Cape Town:
MA
HM/CAPE TOWN METROPLITAN/ MOWBRAY/ERF 31990**

Case No: 120418JW08

FURTHER REQUIREMENTS:

Whereas the proposed changes to the building envelope are minor and inconsequential, the Committee expressed concern with respect to the interface with the significant corner - in terms of activation of edges, fenestration, colonnade etc. as well as the necessity of testing the proposal against the original heritage indicators. The Committee therefore requires that the applicant test the proposal against the original heritage indicators, with reference to floorplates and use (particularly ground and first floors), and to submit this assessment to HWC for IACom review and consideration.

SB

**15.2 Proposed Mixed-Use Development, Southern Right Farm Portion 4, 6 and 11 of Farm 585,
Hermanus: MA
HM/ OVERBERG/ OVERSTRAND/ HERMANUS/ PORTION 4, 6 AND 11 OF FARM 585**

Case No: 19120618AS1213E

INTERIM COMMENT:

DS and GJ (who visited the site) to prepare a draft interim comment for circulation to members for endorsement.

SB

- 15.3 Proposed Mixed-Use Urban Node Re 1/697, Farm 1/1113, Ptn of Erf Re 353, Erf 1449 and 1450, De Hoop Nature Reserve, Malmesbury: NM
HM/SWARTLAND/MALMESBURY/ RE OF PTN 1 OF FARM 697, PORTION 1 OF FARM 113, RE OF FARM 1113, RE OF FRAM 301, RE OF FARM 353**

Case No: 19110103SB1106E

DEFERRED

This matter was discussed under Administrative Matters (Item 9.4).

SB

- 15.4 Proposed CNC Aquaculture Facility on Portion 8 of the Farm Bottelfontein 11, Near Elands Bay: NM
HM/ WEST COAST/ SWARTLAND/ BERGRIVER / PIKETBERG / FARM BOTTLEFONTEIN**

Case No: 20070607SB0707E

DEFERRED:

This matter was discussed under Administrative Matters (Item 9.4).

SB

- 15.5 Proposed Site Development of Farm 81 Ptn 33, Stellenbosch: NM
HM/CAPE WINELANDS/STELLENBOSCH/FARM 33 PTN 81**

Case No: 19032707AS0402M

FINAL COMMENT:

The Committee resolved to endorse the HIA as having met the requirement of S38(3) of the NHRA. The Committee resolved to endorse the recommendations of the HIA as outlined below:

- 1) The landscaping plan is further detailed to inter alia specify tree sizes to be planted. It is important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan. The landscaping plan must be submitted to the Stellenbosch Municipality for approval.
- 2) Architectural guidelines for the whole development to realize the intentions of the urban design framework and the heritage indicators set out in section 10 of the HIA are prepared.

The following aspects will need to be addressed:

- a. Height restrictions for all buildings across the site as indicated in the proposed SDP. It is however noted that the indicators stated that certain smaller elements of the four storey buildings may extend to five storeys. This is regarded as appropriate to mark key points/intersections in the development and should be controlled through the guidelines.
- b. Massing and articulation of the apartment blocks – monolithic blocks are to be disallowed and the guidelines must specify the extent of articulation in detail.
- c. Roof shape and colour to ensure variation in design and colour throughout the development but keeping the colour palette to neutral greys and black.
- d. Finishes of buildings, using plaster and paint in muted neutral earth tones (no highly-reflective white), concrete or stone, with restricted or prohibited use of metal cladding.

- e. Openings with restrictions on large reflecting surfaces, and shading of openings, particularly to the east.
- f. Lighting, services, security features and signage to be low key and/or not visible as may be appropriate (refer to indicators)
- g. Fencing – use of visually permeable fencing on perimeter with werf walls allowed for internal boundaries, provided that screening tree planting is accommodated.

These guidelines are to be to the approval of the Stellenbosch Municipality (Heritage Resources Management).

TZ

15.6 Proposed Development, Remaining Extent of Portion 47 (A Portion of Portion 1) of the Farm Ganse Valleï No. 444, Plettenberg Bay: NM HM/BITOU/PLETTENBERG BAY

Case No: 18121204SB1220E

FINAL COMMENT:

The Committee resolved to endorse the recommendations of the HIA dated September 2020, prepared by Ursula Rigby as having met the requirements of S38(3) of the NHRA, as well as the recommendations outlined within the report and illustrated within appendix D Guideline sheet REV 01 (i.e. the Heritage related design indicators); with the addition of the palaeontological / archaeological monitoring required during earthworks and excavations.

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 SECTION 42 HERITAGE AGREEMENT

24.1 None

25. ADVICE

25.1 None

26. OTHER**26.1 Conservation Management Plan for Amsterdam Battery on Erven 149294 & 9588, V&A Waterfront: MA
HM/CAPE TOWN METROPOLITAN/ WATERFRONT/ERVEN 149294 AND 9588**

Case No: 15110515GT1110E

DISCUSSION:

Amongst other things, the following was discussed:

- The proposed trees and shrubs on the rampart walls to be omitted as their roots cause damage to the heritage resource.
- The existing trees on the rampart to be cut down at the base of the trees and root growth to be monitored (only grasses should be allowed on the ramparts etc.).
- An archaeologist with appropriate expertise to be included in the monitoring panel as a permanent member.
- General in principle endorsement of the proposed CMP and proposed HA.

FURTHER REQUIREMENTS:

The amendments as discussed are to be incorporated into the proposed CMP and HA, which must be circulated to legal advisor and APM for comment via email.

SB**27 Adoption of decisions and resolutions**

The Committee agreed to adopt the decisions and resolutions as minuted above.

ANNEXURE 8

Internal Department Comment



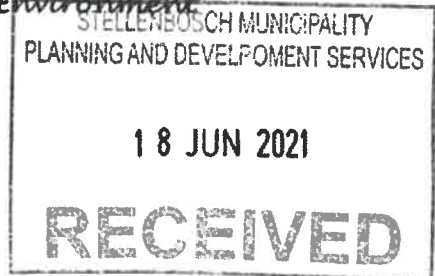
STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Spatial Planning, Heritage and Environment

To : Manager: Development Management
From : Manager: Spatial Planning
Reference : Farm 81 Portion 33: Cloetesdal
Lu Nr : LU/10917
Date : 8 June 2021
Re : Application for Rezoning to subdivisinal area: Farm 81 Portion 33 Cloetesdal



Your request for comment on the above application refers:

1. APPLICATION

The application under consideration is for the following:

1. Application i.t.o. Section 1 5.2(a) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the rezoning of Farm 81/33, Stellenbosch from Agriculture and Rural zone to Subdivisional Area.
2. Application i.t.o. Section 1 5.2(d) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the subdivision of Farm 81/33, Stellenbosch into Conventional Residential zone erven, Multi-unit Residential zone erven, Local Business zone erven, Education zone erven, Community zone erven, Utility Services zone erven and Private Open Space zone erven.
3. Application for the Department of Transport and Public Roads' written approval of the proposed urban development of Farm 81/33, Stellenbosch (as the governing authority i.t.o. the Advertising on Roads and Ribbon Development Act, 21 of 1940).

The latter application is required due to a title deed requirement.

2. PROPERTY DESCRIPTION

Farm 81/33 is described in the Deed of Transfer No. T24040/2002 as Portion 33 of the Farm Cloetesdal No. 81, in the Municipality and Division of Stellenbosch Western Cape. The property is 41,4029 ha in extent. The property is located on the R304 in Stellenbosch, approximately 3km north of Stellenbosch central – see Figure 1 below. The property is zoned Agriculture and Rural Zone.

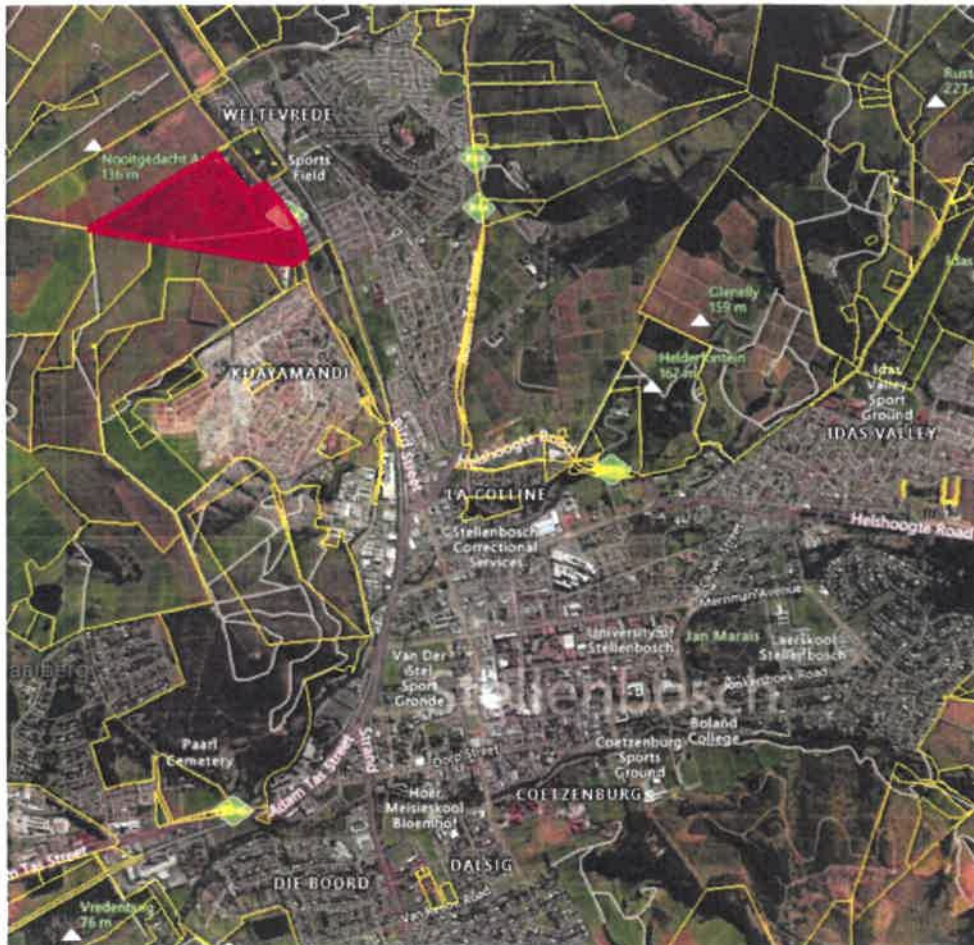


Figure 1. Location of Farm 81/29

3. BACKGROUND

3.1 Northern extension

The notion to expand Stellenbosch in a northerly direction stems for the Shaping Stellenbosch Campaign (SSC) initiated by the Municipality and which ran from August 2013 to August 2104. The SSC formed part of the City of Cape Town: World Design Capital program and the goal of the campaign was to facilitate design processes aimed at transforming the town of Stellenbosch. The process was designed to give an opportunity to the citizens of Stellenbosch to express their vision for the town. In many ways the SSC was a precursor to the current MSDF which was approved in November 2019.

One of many suggestions received during the campaign was the expansion of Kayamandi to the north and serviced by a “by-pass” road to the west of Papagaaiberg. Importantly, this proposal was not supported through the SSC project as is evident in the final draft proposal illustrated below in Figure 2.

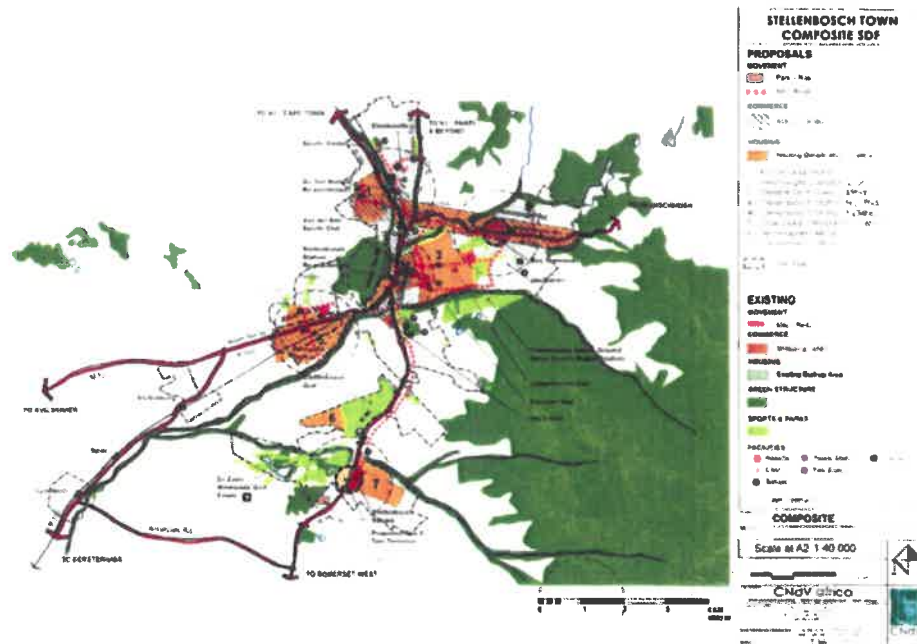


Figure 2. Composite map of SSC

Notwithstanding, the urgent need for land for housing for particularly the lower income groups and the negative impact of urbanization on directly adjacent agricultural land led to this idea being investigated further. This investigation culminated in a report to Council (Item 7.4 dated 2015-10-28) where the approval was obtained to formally investigate the northwards expansion of Stellenbosch and to appoint a team of consultants to inter alia undertake a feasibility study, negotiate with implicated landowners, and undertake a design framework for such a potential development. The prefeasibility study was concluded in February 2017.

At the Council meeting of 22 February 2017 (Item 7.3.2.) it was resolved:

1. that Council support the development planning process (my underlining) to proceed to achieve the aim of an integrated human settlement development covering an area of approximately 86 ha in the study area as indicated in APPENDIX I: and
2. That Council supports investigating the extension of the current urban edge to be considered by the public during the April 2017 IDP/SDF/Budget process.

The above decision was taken by Council after the then Director of Planning and Economic Development pointed out to Councilors, that this will be an integrated development. The rules will be strictly applied and only those who are on waiting lists will qualify unless an emergency area is declared in terms of court orders. It was also pointed out that this development is in its planning phase and that further presentations will be made on the way forward.

Appendix 1 represents the Final Draft Framework Plan attached as **SECTION F** in the motivational report by the applicant. The total area under consideration for the Northern Extension amounts to \pm 88 ha and some 13 individual properties. **All references made about the envisaged development of the Northern Extension is applicable to the entire property and not only to the Farm 81/33 which is the subject of this application.**

Following paragraph 2 of the above decision the urban edge was amended to include a part of the Northern Extension only as illustrated in Figure 3. Below.



Figure 3. Amended Urban Edge, 2018 MSDF

It was only later during the revision of the MSDF in 2019 that the urban edge was extended to include all the properties as indicated on an extract from the MSDF attached as Figure 4 under paragraph 4.5 “Municipal Spatial Development Framework.”

It is of importance to note that, from the outset the principle underpinning the Northwards Extension were the following:

1. Integrated Transport and Mobility
2. Integrated Human Settlement
3. Integrated infrastructure planning
4. Inclusive economic development
5. Efficient land governance and management
6. Empowered, active communities.
7. Effective land governance

In turn, the stated development principles proposed by the feasibility study were the following:

1. Compact development (High density residential development)

2. Walking/pedestrian-friendly residential areas
3. Promotion of public transportation use
4. Mixed use to reduce necessity of residents to commute long distances.
5. Optimizing use of existing infrastructure / structures
6. Designing safe livable human settlements
7. Minimizing any negative environmental impacts.

The Northwards extension was planned with a specific outcome in mind based on the urgent need for affordable housing on a larger scale. The possibility to undertake such as development was based on the premise that this development will aim to address the housing crises as far as possible although it is not only for the residents of Kayamandi and Cloeteville only but will include opportunities to cater for a range of residential types and markets, which could also accommodate middle income housing, student housing, even for owner development and rental accommodation for the entire WC024. To this end the feasibility report proposed that residential typologies consist of social housing (apartment blocks usually allocated to rental stock), which are the highest density in the form of three to four storey flats. The second highest density typology was BNG housing which would have been funded by the municipality. GAP housing was then divided into three categories, namely lower, middle, and upper GAP housing, ensuring the provision of housing opportunities for a wide spectrum of economic groups. Table 1 below describes the 4 housing typologies proposed by the study.

Housing typology	Cost (R)	Gross Density (du/ha)	Gross size (ha)	Open space 30% (ha)	No. of units	No of people	% Of units
BNG	160 k	95	11	3	1014	3 120	20
Lower GAP	250-350 k	45	35	11	1560	4 680	30
GAP	350-1,2 M	32	33	10	1040	3 640	20
Upper GAP	1,2-2 M	17	33	10	572	1 430	11
Apartments		99	10	3	988	1 976	19
TOTAL		57	122	34	5200	14 846	100

Table 1. Proposed Housing Typologies as per Northern Extension Project

In addition to the provision of some 5 000 units various other land uses were proposed which included public amenities, one primary and two secondary schools including a grade R school, a local community health center, 6 sites for places of worship, 4 creches clustered together with the places of worship, two commercial sites, a filling station, taxi rank and a small light industrial site where the current wine cellar is situated.

This comprehensive mixed development was thus planned with a specific outcome in mind which is to cater for the more or less 15 000 people, affordable housing of

which more than 70 % of the units cost between R160 000 and R1,2 million (at the time of planning in 2017).

The application at hand is restricted to Farm 81 portion 33 which is only one of the properties contained in the feasibility study for the Norther Extension which measures ± 44 ha (half of the Norther Extension).

In addition to the development application at hand, the municipality is the owner of some 135 ha of land within the Northwards Expansion. The land entity and ownership are illustrated in Figure 4 below.



Figure 4. Council land



Application Property



Council Property

4. POLICY CONTEXT

4.1 NATIONAL DEVELOPMENT PLAN (NDP)

The NDP, developed by the National Planning Commission and adopted in 2012, serves as the strategic framework guiding and structuring the country's development imperatives and is supported by the New Growth Path (NGP) plus other national strategies. In principle, it is underpinned by,

and seeks to advance, a paradigm of development that sees the role of an enabling government creating the conditions, opportunities, and capabilities conducive to sustainable and inclusive economic growth that makes poverty alleviation and the sharp reduction of inequality possible by 2030.

The NDP sets out the pillars through which to cultivate and expand a robust, entrepreneurial, and innovative economy that will address South Africa's primary challenge of significantly rolling back poverty and inequality. More explicitly, the NDP sets out South Africa's goal of eliminating income poverty by reducing to 0% the 39% of the population who earn less than R419 per month and reducing inequality measured by the Gini Coefficient from 0.69 to 0.6. The legacy of apartheid spatial settlement patterns that hinder inclusivity and access to economic opportunities, as well as the poor location and under-maintenance of major infrastructure, are two of the nine identified core challenges facing the country's development. Aimed at facilitating a virtuous cycle of expanding opportunity for all, the NDP proposes a program of action that includes the spatial transformation of South Africa's towns, cities and rural settlements given the "enormous social, environmental and financial costs imposed by spatial divides" (NDP Executive Summary 2011: XX).

As part of its integrated approach and closely connected to this spatial transformation is the NDP's focus, amongst others, on the transition to a low-carbon economy (Chapter 5) and an inclusive rural economy (Chapter 6), the promotion of safer communities (Chapter 12), a capable and developmental state (Chapter 13) and an economic infrastructure that supports growth and employment (Chapters 3 and 4).

Of relevance for the Stellenbosch town SDF are the recommendations set out in *Chapter 8: Transforming Human Settlements and the national space economy*, including:

- the upgrading of all informal settlements on suitable, well-located land.
- increasing urban densities to support public transport and reduce sprawl.
- promoting mixed housing strategies and compact urban development near services and livelihood opportunities; and,
- investing in public transport infrastructure and systems (with a special focus on commuter rail) to ensure more affordable, safe, reliable, and coordinated public transport.

The NDP advocates a new spatial vision that has the potential to unlock development potential, overcome inherited spatial divisions, inform infrastructure investment and prioritisation, manage economic and demographic shifts, and facilitate more cooperative and collaborative governance.

The NDP advocates spatial principles that are consistent with SPLUMA:

- spatial justice
- spatial sustainability: sustainable patterns of consumption and production
- spatial resilience: protect, replenish, regenerate ecological systems.
- spatial quality: create liveable, vibrant, and valued places.
- spatial efficiency: efficient commuting patterns and circulation of goods and services

The NDP therefore advocates a spatial vision that is also totally consistent with SPLUMA by stating that a MSDF should:

- tackle inherited spatial divisions.
- unlock development potential.
- guide and inform infrastructure investment and prioritisation.
- manage contemporary economic and demographic shifts.
- facilitate coordination between parts of government.
- ensures ecological sustainability.

To this end, the NDP proposes neighbourhood spatial compacts to bring civil society, business, and the state together to solve problems, and ways of enabling citizens to participate in spatial visioning and planning processes (which is what the Shaping Stellenbosch campaign aimed to achieve).

4.2 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.

The IUDF gives practical meaning to the new spatial vision captured in the NDP and is South Africa's first policy framework informing urban development. This is significant given the prominence of towns and cities for economic growth and sustainable development in an increasingly urbanised world. This policy framework marks a 'new deal for South African towns and cities' and is an elaboration of *Chapter 8: Transforming Human Settlements*

and the national space economy. It moves from the premise that South African towns and cities which dominate the national economy are not favourably positioned to translate into practical action the emerging international paradigm of resource-efficient urbanism as the basis for competitiveness and sustainability. This has implications for how South Africa might realise the NDP's vision of a transition towards a resource-efficient and inclusive growth path that simultaneously addresses the drastic reduction of poverty, unemployment, and inequality by 2030.

The IUDF asserts that well-managed urbanisation in dynamic relation with rural development, as well as coordinated investments in urban economies have the potential to significantly address this challenge. Its transformative vision of *'liveable, safe, resource-efficient cities and towns that are socially integrated, economically inclusive and globally competitive, where residents actively participate in urban life'*, has four overall strategic goals: access, growth, governance, and spatial transformation.

Eight policy interventions demonstrate how the IUDF aims to guide the realisation of inclusive, resilient, and liveable urban settlements to address the country's unique development challenges: integrated spatial planning; integrated transport and mobility; integrated sustainable human settlements; integrated urban infrastructure; efficient land governance and management; inclusive economic growth; empowered active citizens and effective urban governance.

Outlining South Africa's urban reality, the IUDF expands on the notion of a New Deal for South African Cities and each of the eight policy levers thus contribute to the "NDP's aim for cities to be the country's economic drivers through spatial efficiency and inclusion.

4.3 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.

4.4 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.

4.5 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.

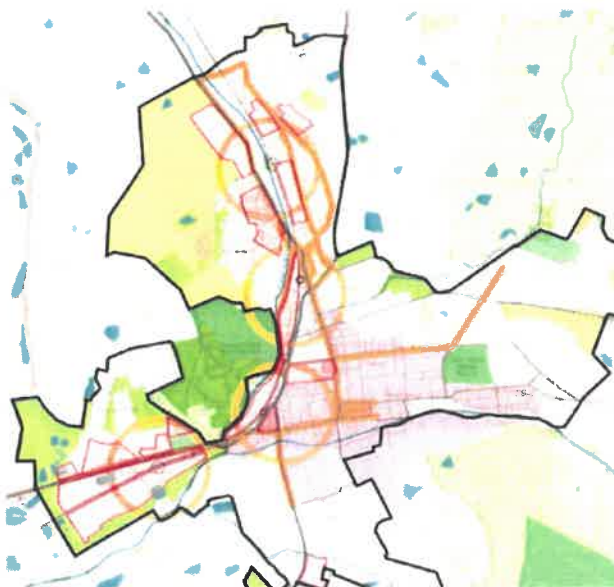


Fig 5. Extract from MSDF

In terms of the MSDF Stellenbosch is 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. Stellenbosch town (and Klapmuts) should be the focus for accommodating significant new growth over the short to medium term. It is in these towns where livelihood opportunities can be best assured and where people can best be accommodated without resulting in significant movement of residents in search of work and other opportunities.

A critical pre-condition for larger inclusive settlements such as the development proposal under consideration is the establishment of a quality, frequent public transport service (in time possibly rail-based) serving the corridor and all settlements along it.

All housing projects should – as far as possible – focus on a range of typologies, enabling access for a range of income groups. All housing projects should focus on the availability of social facilities and the daily retail needs (e.g., for purchasing food stuffs) of residents, enabling less dependence on the need to move other than by walking and cycling to satisfy everyday needs. For this reason, Stellenbosch municipality is currently drafting an Inclusionary zoning policy with a view to increase the supply of high-quality affordable housing in well-located and priority development areas, creating a mix of income groups across new developments in Stellenbosch Municipality promoting social and economic integration.

The powers granted to municipalities under the Constitution to regulate municipal planning provide sufficient broad authority to impose an inclusionary housing requirement (Pegasus 2020).

SPLUMA's provides the framework under which municipalities may regulate land use, and by its implication, implement inclusionary housing. Furthermore SPLUMA's framing, objectives, and principles made clear that redress of spatial inequality and social inclusion are central roles to be achieved and the objectives of the legislation support inclusionary zoning i.e. ensuring that planning and land use management promotes social and economic inclusion as well as redress of imbalances of the past (including current and future), provide for the sustainable and efficient use of land, and to ensure equity in the application of spatial development planning and land use management requirements (Pegasus 2020; Laubscher et al 2018).

The MSDF does not favour gated residential development. Public components of development should remain public, enabling integration of neighbourhoods and through movement. Security to private components of developments could be provided through other means than the fencing and access control of large development blocks or areas neighbourhoods.

For this reason, the development and management focus should be aimed at the following:

- Broadening of residential opportunity for lower income groups, students, and the lower to middle housing market segments.
- Upgrade of informal settlements.
- Retention of University functions in town.
- Enablement of the Adam Tas Corridor.
- Sensitive residential infill and compaction.
- Drive to established “balanced” precincts.

Kayamandi has been under new pressure for outward expansion, specifically from new residents moving to Stellenbosch from elsewhere (within and outside the metropolitan region). This pressure, arguably, hinders efforts to upgrade and transform the area. New residents, through land invasion, increase pressure on municipal and other resources which could be utilized for upgrading. Ideally, Kayamandi should not be extended beyond the northern reach of Cloetesville (with Welgevonden Boulevard as the northern edge) and its reach to the east should be minimized as far as possible (in other words, a band of development along the R304 should be promoted). The MSDF therefor supports infill development on private land within Stellenbosch town in a manner which serves to compact the town, expand residential opportunity, and rationalize the edges between built and unbuilt areas.

Further development of Stellenbosch town as a balanced, inclusive settlement, with sustainable public and NMT options available, will require significant partnership between major institutions across sectors.

New development should thus support and contribute to public transport development, travel demand management, parking controls, and NMT improvements.

Some of the more specific intentions of the MSDF that have a bearing on the application are expressed as follows:

- Define and hold the northern and eastern edges of Kayamandi.
- Retain the strong sense of transition between agriculture and human settlement at the entrances to the town.
- Support land use change along George Blake Road to enable the integration of Kayamandi with the Adam Tas Corridor and Stellenbosch central area.
- Pro-actively improve conditions for walking and NMT within Stellenbosch town.
- As far as possible, focus investment on parks, open space, and social facilities accessible by public and NMT, in this way also increasing the surveillance of these facilities.
- Develop the Adam Tas Corridor as a mixed-use, high density urban district, with strong internal and external public and NMT connections.

4.6 HERITAGE INVENTORY AND MANAGEMENT PLAN

A full Heritage Impact Assessment (HIA) was required by Heritage Western Cape (HWC) and subsequently approved. The HIA referred extensively to the Heritage Inventory and Management Plan in undertaking the study.

In addition to the individual heritage resources identified in the Stellenbosch Heritage Inventory, this inventory has also identified and classified landscapes in terms of heritage significance. The site falls within the Bottelary Hills area, which in turn is divided into three large character areas.

The larger character area is called Devon Valley and thus is largely concerned with the valley located beyond the ridgeline to the west of the site. The site is in unit B05 - a long strip of land abutting the R304.

This landscape is judged to have aesthetic and economic value, and as such it is noted that the open character of the agrarian landscape should be enhanced.

Mention is made of the series of 1930-50s farm werfs set back from the R304, referred to above, as significant in that it signifies the influx and investment in wine farming around that time. Although it is stated that lower slopes "revealed" a series of early freehold grants along the entire length of the R304, almost all these early grants fall in the land unit to the west, as they were granted along the Plankenbrug River. The landscape unit is graded as IIIb, mostly attributed to its high economic ranking, with high agricultural value and tourism potential.

Following on the assessment of the land unit, the implications for heritage management are illustrated by the conservation systems layers. The site falls within a green transition zone. In these zones, almost all forms of urban development, particularly mono-functional security estates and gated communities should be avoided. Urban development could be considered where integrated planning ideals are pursued. The Lynedoch eco-village is suggested as a successful model of creating integrated communities. Note that the R304 is not indicated as a scenic route.

The location of the site on lower slopes facing the R304, makes it part of the rural landscape experience when travelling to and from Stellenbosch on this road. Although this road has not been identified as a scenic route, it could be argued that the site does at present contribute to the sense of the Cape Winelands, as it covered in vineyards with treed werf nodes typical of this landscape. This sense is diluted by the recent high-density urban development to the east of the R304, unmitigated by planting with visibility exacerbated by uniformity of form and finishes.

The site will also be visible from urban areas across the valley, such as Cloetesville, Welgevonden and the new highly visible Weltevreden Hills Estate.

In summary then, although not of exceptional aesthetic quality, the planted site should be considered as part of continuous landscape playing an important part in the experience of entering Stellenbosch. The transition between urban and rural is currently being encroached to the south of the site, where informal structures are expanding onto Watergang farm, to the detriment of the visual experience.

Although the site has very little intrinsic heritage significance, development of the site could impact on the experience of the rural landscape as one approaches Stellenbosch along the R304. In this regard it is noted that this experience is already impacted by new high-density development to the east of R304 and the encroachment of development on Watergang farm.

The site is primarily of spatial (contextual aesthetic) significance relating to its visible location in a relatively intact rural/agricultural landscape although some portions are earmarked for development. The property has no known scientific, historical, social, spiritual, or linguistic value, and none of the buildings on the site have architectural significance. Following on the above the site, largely because of its open unbuilt nature, could possibly be graded IIIc for its contribution to the larger agricultural landscape.

It is evident that although the proposed development will change the experience of arriving at Stellenbosch along the R304, the proposed mitigation could soften the visual impact to an acceptable degree. With proper mitigation, particularly through landscape treatment of the northern boundary of the site, the proposed development will be visually recessive.

Overall, the Heritage Impact Assessment concluded that the development is assessed to have an impact of high significance, reducing to moderate (short term) to low (long term) with mitigation in the form of landscaping and architectural controls.

HWC thus endorsed the HIA as having met the requirements of Section 38(4) of the NHRA and endorsed the proposed developed subject to the following conditions:

- The landscaping plan is further detailed to inter alia specify tree sizes to be planted. It is important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan. The landscaping plan must be submitted to the Stellenbosch Municipality for approval.

- Architectural guidelines for the whole development to realize the intentions of the urban design framework and the heritage indicators set out in section 10 of this report are prepared. The following aspects will need to be addressed:
- Height restrictions for all buildings across the site as indicated in the proposed SDP. It is however noted that the indicators stated that certain smaller elements of the four storey buildings may extend to five storeys. This is regarded as appropriate to mark key points/intersections in the development and should be controlled through the guidelines.
- Massing and articulation of the apartment blocks – monolithic blocks are to be disallowed and the guidelines must specify the extent of articulation in detail.
- Roof shape and colour to ensure variation in design and colour throughout the development but keeping the colour palette to neutral greys and black.
- Finishes of buildings, using plaster and paint in muted neutral earth tones (not highly reflective white), concrete or stone, with restricted or prohibited use of metal cladding.
- Openings with restrictions on large reflecting surfaces, and shading of openings, particularly to the east.
- Lighting, services, security features and signage to be low key and/or not visible as may be appropriate (refer to indicators)
- Fencing – use of visually permeable fencing on perimeter with werf walls allowed for internal boundaries if screening tree planting is accommodated.

The HIA concludes that, from the assessment of the significance of the site and associated heritage resources, it is evident that the rural landscape context adjacent to approach road to Stellenbosch is the critical aspect to be considered when assessing this proposal. The proposed development will change the experience of this portion of the R304 irreversibly in that the threshold that marks the visual transition from rural to urban will be reached sooner than previously and the impact on a section of the road previously experienced as mostly rural. This impact on the threshold between urban and rural on the R304 is regarded as the only significant and highly visible impact on the cultural landscape to be assessed.

The question is could such development be absorbed by/accommodated in the landscape to an acceptable level. In this regard it should be borne in mind that agricultural land albeit of limited value, will be sacrificed for

development, and should development prove to be acceptable, such land should be developed optimally.

4.7 DRAFT ADAM TAS CORRIDOR LOCAL SPATIAL DEVELOPMENT FRAMEWORK

Also significant for the balanced development of Stellenbosch town, and retaining a compact town surrounded by nature and agriculture, is the development of the Baden Powel Drive-Adam Tas Road-R304 transit and development corridor, enabling public transport to and from Stellenbosch town, and alternative settlement opportunity, proximate to, but outside of Stellenbosch town. Critical will be the feasibility of changing the rail service along the Baden Powell Drive-Adam Tas-R304 corridor to a more frequent, flexible service better integrated into the urban realm.

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 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 northern district focuses on the southern parts of Kayamandi. The central and northern districts are linked through George Blake Road. This area effectively becomes the "main street" of Kayamandi, a focus for commercial, institutional, and high-density residential use integrated with the rest of the corridor and western Stellenbosch town.

The MSDF states that Kayamandi is under pressure to develop in a northern direction, but that development should not be extended beyond the northern reach of the Farm Cloetesdal (with the Welgevonden Boulevard as the northern edge); in other words, "*a band of development along the R304 should be promoted*". The subject property is located along the R304 within this area identified by the MSDF for future urban development.

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.

To this extend the MSDF proposes that development along the ATC corridor should be accommodated (within a planning framework that is required) to enable the integration of Kayamandi with the Adam Tas Corridor and Stellenbosch Central. The MSDF further proposes the development of the ATC as a mixed-use, high density urban district, with strong internal and external public and NMT connections.

5. DEVELOPMENT PROPOSAL

The application is for the rezoning of Portion 33 of Farm 81 from *Agriculture and Rural Zone* to *Subdivisional Area*, and for the subdivision of the subject property into residential, commercial, educational, community, open space, and private / public roads erven. The Newinbosch mixed use development will consist of the following different land uses to create a whole new integrated neighbourhood, namely:

- *Single residential erven, group housing units and flats (±1 200 residential opportunities).*
 - *Commercial (±5 000m² GLA).*
 - *Crèche, primary school, and secondary school (±2 000 pupils).*
 - *Church (±40 seats) with associated facilities (community hall, aftercare, employee accommodation, etc.).*
- ±1 200 residential opportunities (consisting of single residential erven, group housing units and flats). The proposal is to create 240 “affordable housing opportunities”.
 - Commercial (±5 000m² GLA).
 - Church (±40 seats); and
 - School (creche, primary and secondary school for ±2 000 pupils).
 - An extensive open space system with recreational activities is provided.

It is argued that the proposed development will have a significant positive impact on the local economy and infrastructure from a purely economic point of view. The estimated value of the development project will amount to ±R900 million that will be invested in the local economy.

It is anticipated that the proposed development will create ± 1000 new employment opportunities in the construction sector.

The proposed development will also pay $\pm R65$ million in development contributions to the Stellenbosch Municipality, it will contribute to the upgrading of municipal bulk infrastructure, and it will pay an annual municipal tax of $\pm R5.5$ million.

The proposed concept master plan for the development is illustrated in Figure 6 below.



Figure 6. Concept Master Plan

It is argued that the proposed development will have a significant positive impact on the local economy and infrastructure from a purely economic point of view.

The estimated value of the development project will amount to $\pm R900$ million that will be invested in the local economy.

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The proposed development will also pay $\pm R65$ million in development contributions to the Stellenbosch Municipality, it will contribute to the upgrading of municipal bulk infrastructure, and it will pay an annual municipal tax of $\pm R5.5$ million.

The purpose of the mixed land uses is to create an integrated and safe neighbourhood with all the associated amenities (schools, church, shops, parks, etc.). The residential component will consist of a range of affordable housing

opportunities aimed at households with an income of between R18 000 – R50 000 per month (average R25 000 per month) and residential unit prices will vary from R700 000 – R3 million (average R1.4 million). It will support and contribute towards Council's non-motorised transport initiatives by providing pedestrian walkways and bicycle lanes.

Extensive landscaping is proposed as a response to the requirements from HWC to mitigate the impact of the development on the landscape and particularly from the R304.

Access to the site will be taken off a new connection to the R304, just south of the site. In the long term it is envisaged that this access will be moved to a new road running along the western boundary of the site, should the development on the remainder of Cloetesdal go ahead.

The Traffic Impact Study concluded that the R304 must be duelled between the R44 and Bottelary Road to accommodate the background traffic. Although plans are afoot to do so in future this office is not aware of any such initiative to be implemented soon.

With respect to public transport and NMT to traffic impact study refers to taxi infrastructure that is to be provided along the R304 only.

6. DISCUSSION

Farm 81/29 is situated within the urban edge of Stellenbosch Town as proposed by the MSDF. More particularly it is located within the Adam Tas Corridor (ATC) which is seen as a priority development area mainly with the goal to transform the urban spatial form and to encourage integrated development that will further the goal to develop a sustainable public transport system and integrated NMT network to reduce the need to rely on the use of private vehicles.

Although the site has little intrinsic heritage significance, development of the site could impact on the experience of the rural landscape as one approaches Stellenbosch along the R304. In this regard it is noted that this experience is already impacted by new high-density development to the east of R304 and the encroachment of development on Watergang farm. Although the R304 has not been identified as a scenic route, arguably in its current (unbuilt) condition, the site contributes to the rural sense of the Cape Winelands.

The landscaping design for the proposed development will have a very important role to play in softening views onto the development from the R304. The Heritage Impact Assessment highlights this impact on the landscape and required intensive landscaping to be undertaken to mitigate the impact on the rural quality within the context of the landscape. In this regard is noted that a continuous high wall on the boundary of the development will be unacceptable. Such fencing should be visually permeable and softened with planting, in addition to the trees required on the boundaries.

Due to the location of the property within the boundaries of the Adam Tas Corridor, for which there are specific goals, it is required that the application be evaluated in terms of the SPLUMA principles, the MSDF strategies and the ATC corridor goals.

6.1 The Principle of Spatial Justice

The SPATIAL JUSTICE principle is designed to address and rectify the legacy of racial inequality, segregation, and unsustainable settlement patterns through improved access to land, and inclusion of people previously excluded (Pegasus 2020; Laubscher et al 2018). On a municipal level the focus of this principle is on spatial restructuring through urban integration strategies (e.g., inclusionary zoning), correcting urban bias in land ownership, spatial planning, and land use change procedures (Laubscher et al 2018).

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-Powell, 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 proposed development is aimed at providing a high-density residential development aimed at the more affordable housing market. The residential component will consist of a range of affordable housing opportunities aimed at households with an income of between R18 000 - R50 000 per month (average R25 000 per month) and residential unit prices will vary from R700 000 - R3 million (average R 1.4 million). Although the lower end of the market is not catered explicitly it can be argued that Stellenbosch has a shortage of middle-income housing.

The letter of support by the Department of Human Settlements dated 18 January 2017 included under **SECTION F** of the motivation report and addressed at the municipality refers to the Northern Extension as a whole and not to Farm, 81/33 only.

In the local context, affordable housing has traditionally been used to describe the “GAP market”. The “GAP market” refers to persons/households who earn more than R3 500 monthly household income and can therefore not qualify for a full government housing subsidy but earn too little to qualify for a mortgage loan to purchase a property. The government ceiling for the “GAP market” is R22 000 monthly household income, while the Financial Sector Charter defines affordable housing as having a threshold of R26 100 monthly household income a month (2020 rates – to be updated yearly).

From the above understanding of “affordable housing” it would appear that the development will only cater for people in the extreme upper limits of affordability and that lower and middle band is excluded from the development begging the question if the development can indeed be deemed as “spatially just”.

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. Security is however a factor that cannot be ignored and must be acknowledged.

6.2 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.

On a municipal level the focus of this principle is on ensuring that residents have reasonable access to community services and amenities, employment opportunities and the form of the land development must provide in basic needs in an affordable way. Furthermore, the cost of land and engineering services, given the financial means of residents, must be appropriate.

The policy and decision-making from the municipality also needs to create certainty for reducing risk for investors, whilst also creating a flexible approach to adapt to economic, social, and technological trends. This principle supports and promotes spatial targeting of public and private actions, which is dependent on continuous dialogue between private investors, municipalities, and other relevant government departments.

Limiting the negative consequences¹ of urban sprawl using spatial targeting mechanisms and urban strategies (e.g., targeted inclusionary zoning implementation with targeted capital investment) should promote urban integration, compact and connected growth opportunities, as well as on an urban scale result in provisions for mixed land use and social mix. The latter refers to the availability of housing in different price ranges and tenures in any given neighbourhood, while the former relates to a significant portion of any neighbourhood to be allocated to economic use (Laubscher et al 2018).

It is a misnomer that developing at higher densities will 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. Expand housing opportunity for a broader range of groups – including lower income groups and students.
5. Overall, development should be mixed, high density and favor access by pedestrians and cyclists.
6. Promote public and NMT routes (design of all roads provide for appropriate NMT movement).
7. Provide and maintain a system of accessible social facilities, integrated with public space and public and NMT routes.

The proposed development will provide a range of housing typologies at an increased density. 1 200 residential opportunities (consisting of single residential erven, group housing units and flats). The proposal is to create 240 “affordable housing opportunities”.

Provisional work undertaken in the Local Spatial Development Framework (LSDF) for the ATC looked at possible densities and yields for development. The application under consideration falls within precinct 10 of the ATC LSDF which is in process.

¹ These consequences include complicated and expensive provision of social and engineering services; increased energy consumption and congestion; spatial segregation and social exclusion; loss of agricultural land and increased soil sealing; loss of biodiversity and overexploitation of natural resources; and economic decline of the traditional city centres (Laubscher et al 2018).

Preliminary calculations show that of the 41ha only ± 29 ha is developable once undevelopable land is subtracted. Undevelopable riverine corridors, flood plains, vineyards, etc. and include major streets and opens space. A 15% factor is also subtracted for internal roads.

Applying these figures considering that the development will be of a mixed nature the ATC report indicated that a possible yield (number of dwelling units) for the property would be a minimum of 2 273 units and a maximum of 2 744 units. This calculation is considerably more than proposed (1 200). If the assumption of the ACT is indeed accurate in that only about 29 ha is developable the residential component provided in the development takes place at a density of 40 units/ha.

A key determinant of approach taken in the ATC is the need to reconcile the needs of individual landowners and precincts – each with its own dynamics and opportunities – and a focus on the whole area, maximizing resources to also meet a public or common agenda through coordinated, joint work. The common or shared agenda includes:

- **Shared infrastructure** (enhanced and new). A good example is grade separated bridging between the ATC and the east. All precincts will benefit, but it is unlikely that an individual precinct can afford the associated cost.
- **Inclusionary housing** (including the ATC becoming a “recipient” of inclusionary housing contributions).
- **Environmental remediation** (e.g., addressing pollution of the Plankenbrug River and developing/ managing Papegaaiberg as a central “limited use conservation park” accessible to all).
- **The provision of public facilities** (e.g., some precincts may have to accommodate schools, also benefitting others, provided in partnership between government and the private sector).
- **An emergent public transport** service linked to the main town.

The purpose of allowing additional bulk to be used by developments such as this is to incentivise private developers to contribute to the bigger infrastructure and social requirements needed to integrate the development of the ACT. A good example of such infrastructure is to assist in the funding of a NMT route from the development to the centre of Stellenbosch town and the development of a public transport system, and the provision of inclusionary housing. However, to achieve this, agreements amongst various developers and role players is needed. Agreements are envisaged dealing with *inter alia*:

- Shared responsibility related to the provision/ phasing of infrastructure services, including the extent and use of development contributions.
- Incentives offered to landowners (including the cost of public land to be made available for development and conditions associated with its development).

- Shared responsibility related to the formation and operation of institutional arrangements established in support of the ATC Overlay Area.
- Landowner and shared responsibility related to the provision of inclusionary housing.
- Shared responsibility related to undertaking environmental remediation work.
- Shared responsibility related to the provision and operation of public facilities.

At present the property consists of medium to good agricultural land as indicated in Soil study undertaken by the Heritage Inventory and the maps of Elsenburg.

Although an approval for the Department of Agricultural dated 17 May 2007 was submitted with the application, it appears that this approval refers to a different land unit (portion 1) which is located on the eastern side of the R301and does not relate to Farm 81/33. The Department of Agriculture has no record of an application for Farm 81/33 and confirmed that they objected against the inclusion of the property within the urban edge.

Attached as **APPENDIX 1** find an email of confirmation from the department of Agriculture that the approval does not relate to the application under consideration and that they objected against the inclusion of the property within the urban edge.

6.3 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.

Improving service delivery to all people in South Africa is a key priority of government. The provision of physical infrastructure to deliver services to the community is a critical but not sufficient first step in the service delivery chain. The infrastructure must be provided spatially in a manner that is rationally based on where people live and where they can best access such services. Although government is moving towards providing more services through the internet and other electronic means, many social services still require a physical customer interface, particularly in the rural parts of the country. Quality living environments are internally well provisioned or have access within a reasonable distance to all the government services needed to lead a productive life.

Due to the way communities are distributed over the landscape, not all services can be provided viably at all locations. However, a measure of access to essential services is required and this document published by CSIR Built Environment provides guidelines of what facilities should typically be provided depending on the size of a settlement. This guideline document seeks to provide a quantitative and rational framework for the provision of key social facilities for various levels of settlements to support the planning process and provide support to the social facility investment plans.

In terms of the guidelines provision of the following public/social infrastructure should be considered:

Facility	Ratio/number of people	Required	Provided
Secondary school	1/12 500	-	1*
Primary School	1/7 000	-	1*
Creche	1/ 1 000	4-5	1*
Church	1/3 000	1-2	1
Local pay park	1/3 000 – 15 000	1-2	
ICT access point	1/10 000	-	
Community Hall	1/10 000	-	

** A single site for all these facilities will be provided.*

At a conservative estimation of 4 people per dwelling unit the proposed development will provide for ± 5 000 people.

6.4 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 development provides for a commercial development in extent of $\pm 5\ 000\text{m}^2$ to be developed at the main access route to the development to provide convenience shopping for the residents of the development as well as the immediate and surrounding area. The scale of the commercial centre is limited and viewed as a neighbourhood centre which can fulfil the function of convenience shopping and is expected to reduce private vehicle trips to Stellenbosch town to do every-day shopping. The commercial component is seen as essential to the development and is supported. It is not clear if job opportunities for emerging businesses will be provided in the centre, but the developer is encouraged to make provision for the emerging entrepreneurs for the area.

During the construction phase of the development the applicant envisaged that 1000 temporary employment opportunities will be created. These opportunities are not necessarily available for the unemployed or small contractors in town but usually taken up by big contractors that provide their own labour which often do not reside in Stellenbosch. The municipality should negotiate with the applicant to ensure that a percentage of employment opportunities be reserved for local labour through conditions of tender.

Although the proposal is to provide more affordable housing the envisaged cost of housing begins in the upper limit of so-called GAP housing. Although the applicant intends to address the more affordable housing market, he is silent on the provision of Inclusionary Housing. Due to his willingness to engage with the lower end of the housing market and due to the municipality's progress with an inclusionary zoning policy it is suggested that the applicant be requested to engage formally with the municipality with a view to allocate a portion of the development for Inclusionary housing and that the municipality considers a higher density for the development to accommodate such initiative.

The MSDF is clear that the traditional approach to transport planning must be changed. Traditional spatial and transport planning follows a cycle of continuous outward development, serviced primarily through private vehicular mobility. This leads to a vicious cycle of loss of nature and agricultural land, inability to make public transport work, loss of opportunity for those who cannot afford vehicles, congestion on roads, provision of further road capacity, and further sprawl. Progressive cities pursue higher densities, a mix of uses, and public and NMT transport; a virtuous cycle focused on inclusive and sustainable urban settlement and transport management emphasising the importance of people and place over motor vehicle led planning and development.

Achieving change in transport patterns requires a combination of interventions including:

1. Changes in mode of travel (of a given trip) include moving:
 - From low occupancy motor vehicles to shared, higher occupancy vehicles and onto public transport.
 - From motor vehicle to non-motorised (cycling and walking) transport.
2. Changes in transport demand in terms of the trip itself:
 - Undertake the trip at a different time, (e.g., move outside of peak travel).
 - Reduce the trip frequency.
 - Change trip origin or destination (implies land use change).

To reverse the trend of ongoing growth in commuters by private transport, and to accommodate further commuting growth and support spatial development requirements of Stellenbosch improved quality of public transport and an expanded network of services are vital. We must distinguish between the roles fulfilled by different routes and ensure that design changes and management measures applicable to routes support these roles.

- Promote public and NMT (e.g., through densification, the re-design of existing routes, and development of new routes).
- Ensure that the design of all roads provide for appropriate NMT movement.

The proposed development unfortunately does not respond to this important policy directive contained in the MSDF and rather continue promoting the traditional approach to transport planning by planning almost exclusively for the use of private vehicles. The Traffic Impact Assessment merely applies a 2% annual growth in traffic and proposes road upgrades to accommodate the envisaged traffic.

That the proposed development will have the potential to generate a substantial 2 397 AM peak hour trips (986 in, 1 411 out) and 2 046 PM peak hour trips (1 261 in, 785 out. Inevitably, most of these trips will impact on the R304 and on the road's infrastructure to and within Stellenbosch CBD. To address this considerable increase in traffic, the TIA proposed that the R304 be dualled, traffic signals be provided, and additional turning lanes be constructed. The provision of roads infrastructure is costly, unsightly, dangerous to pedestrians and caters for private vehicles only.

This department will argue that the provision on a few taxi bays along the R304 (which is a public transport road) and the dependence on the totally inadequate existing pedestrian infrastructure along the R304 is not nearly enough to promote the goal to improve public transport and NMT. Although internal NMT facilities will be considered during the drafting of Side Development Plans for individual portions of the development the approach to planning for vehicles as opposed to planning for alternative modes of transport including public transport and NMT is not sustainable and demonstrates a disregard for the strategies contained in the MSDF and ACT planning.

This aspect of the development requires fundamental reconsideration and substantial amendments to properly plan and implement public transport and NMT infrastructure.

The proposed development consists of a gated residential development that does not link nor is it integrated with the surrounding suburbs. It is expected that at least some portions of the development will operate as a residential estate. A fundamental aspect of the ATC is to promote spatial transformation and integration of land uses and communities hence the development of gated communities is not supported.

6.5 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. Good administration ensures consistent, transparent, and participatory policy-formulation and decision-making processes. The land use management system should reflect the vision, strategies, policies, and projects contained in the integrated

development plan and spatial development framework. The reasoning behind policies and decisions should also be clear to promote a sense of ownership and ensuring consideration for property owners' rights (Laubscher et al 2018).

The LSDF for the ATC envisages that all major landowners and/or developers work together to achieve an agreed outcome. The provision of Inclusionary Housing and an efficient public transport and NMT route together with strategic infrastructure investments are elements that require joint attention.

It is suggested that the two major concerns highlighted above namely Inclusionary Housing and NMT facilities be explored further amongst the developer, the consultant for the ATC and the municipality to find common ground and implementable and affordable solutions to these issues which are not addressed to this department's satisfaction.

7. CONCLUSION

There can be no doubt that Stellenbosch is in dire need for considerable new and more affordable housing opportunities. To achieve sustainable development and to address the skewed spatial form of South African cities, the form of new development must be pro-actively guided by Government. The Spatial Planning and Land Use Management Act requires of municipalities to apply spatial principles rigorously. The MSDF as approved spatial policy prescribes various strategies and interventions to achieve the change from traditional planning to more innovative and sustainable planning. It is often a challenge to balance the strategies and goals with actual market trends, the cost of land, financial viability, and site-specific conditions. Although farm 81/33 consist of mainly good agricultural land on the one hand, space is required for development on the other. For this reason, the MSDF included the property within the urban edge despite the goal of preserving good agricultural land. When the opportunity arises to develop agricultural land as a green fields development, care must be taken to optimally develop such land in peruse of policies and goals contained in legislation.

Therefore, the Department supports the application for the development of Farm 81/33 for the provision of much needed housing opportunities in principle.

It is however unfortunate that the property is located outside of the current Stellenbosch Town footprint and complicates efforts to integrate the green fields development with the rest of the town. To a large extent the development will operate as a suburb to Stellenbosch where residents are dependent on the use of private vehicles to reach their destinations be that employment opportunities, schools, the university, or commercial and recreation facilities. The impact of the additional vehicle trips to the Stellenbosch CBD will inevitably lead to the deterioration of roads that are already congested and the shortage of parking.

Ensuring a balanced, diverse, high density residential development with easy access to public transport and NMT is essential if the negative aspects of development on the periphery of the town are to be addressed.

The municipality is already planning the development of substantial land portions adjacent to Farm 81/33 and between the farm and the existing town of Kayamandi. Much of the success in addressing the challenges of spatial segregation, transport, public facilities, and the critical residential need, depends on how the municipal project will integrate with the proposed development of Farm 81/33. The latter cannot and should not develop as a free-standing pocket but should be integrated with the development of the municipality to provide access, infrastructure, employment opportunities, share common facilities and provide an efficient and effective public transport and NMT network. To this end it is encouraged that the developer of Farm 81/33 be closely involved with the municipal project to ensure that the planning of both developments is integrated.

In conclusion, the department supports the application in principle but will require that more detail of the development be planned with input from the municipality to clarify and agree on issues such as the density of the development, the provision of Inclusionary Housing and the provision of appropriate public transport and NMT infrastructure. The detail of the work still to be undertaken will be clarified on SDP level.

8. RECOMMENDATION

a) The application for the rezoning of farm 81/33 from Agriculture and Rural Zone to Subdivisional area is *recommended for approval subject to the following conditions:*

1. Provision should be made for appropriate and dedicated NMT and public transport facilities over and above that proposed in the TIA particularly along the R304 towards Stellenbosch town to reduce the dependence on private vehicles and to provide hard infrastructure. This network must be planned, designed, and constructed in collaboration with the municipality and the provincial roads authority.
2. Written approval of the Department of Agriculture for the development of Farm 81/33 must be submitted.
3. All conditions of the HIA as approved by HWC must be implemented. In this regard the landscaping plan must be compiled in collaboration with HWC and the municipality and implemented before or during construction.
4. That the applicant negotiates with the municipality with respect to the number of residential units, typologies of units and the inclusion of an Inclusionary Housing component that will cater for a range of income groups rather than the top end of the GAP market only.

5. The provision of gated residential pockets is not supported and alternative measures to ensure security must be investigated and proposed.
6. The applicant must negotiate with the municipality to ensure that appropriate temporary employment opportunities are reserved for local labour.
7. Proper integration with the municipal project adjacent and to the south of the development must be ensured in the final layout plans.
8. The landscaping plan must be submitted to the Stellenbosch Municipality for approval subject to the conditions stipulated by the HIA.
9. Only visually permeable external fencing will be allowed.
10. The SDP should also include controls for external lighting, and other security measures and appropriate signage.

b) That the application i.t.o. Section 1 5.2(d) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the subdivision of Farm 81/33, Stellenbosch into Conventional Residential zone erven, Multi-unit Residential zone erven, Local Business zone erven, Education zone erven, Community zone erven, Utility Services zone erven and Private Open Space zone erven, be **supported subject to the following condition:**

1. The SDP must be refined to make provision of additional requirements referred to above including the provision of appropriate NMT and Public Transport facilities, a possible increase in density and appropriate integration with surrounding land uses.



BJG de la Bat
MANAGER : SPATIAL PLANNING

APPENDIX 1

LETTER FOR DEPARTEMENT
OF AGRICULTURE

Bernabe De La Bat

From: Van der Walt, Cor <CorvdW@elsenburg.com>
Sent: Friday, 11 June 2021 11:59
To: Bernabe De La Bat
Cc: Stiaan Carstens
Subject: [EX] RE: Landbou se ondersteuning van 2007
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Hi Bernabé

RE/33/81 Stellenbosh

Volgens my rekords verwys die aansoek O 2498 van 26 Maart 2006 na die 9 ha gedeelte oos van die R304 Klipheuwelpad teenaan Cloetesville en het dus geen betrekking op die huidige Gedeelte 33/81 nie. Sien aangehegte kaart soos in die aansoeke (O 2498) na ons en Landbou Nasionaal.

Ons het hierdie aansoeke (O 2498) op lêer vir bevestiging

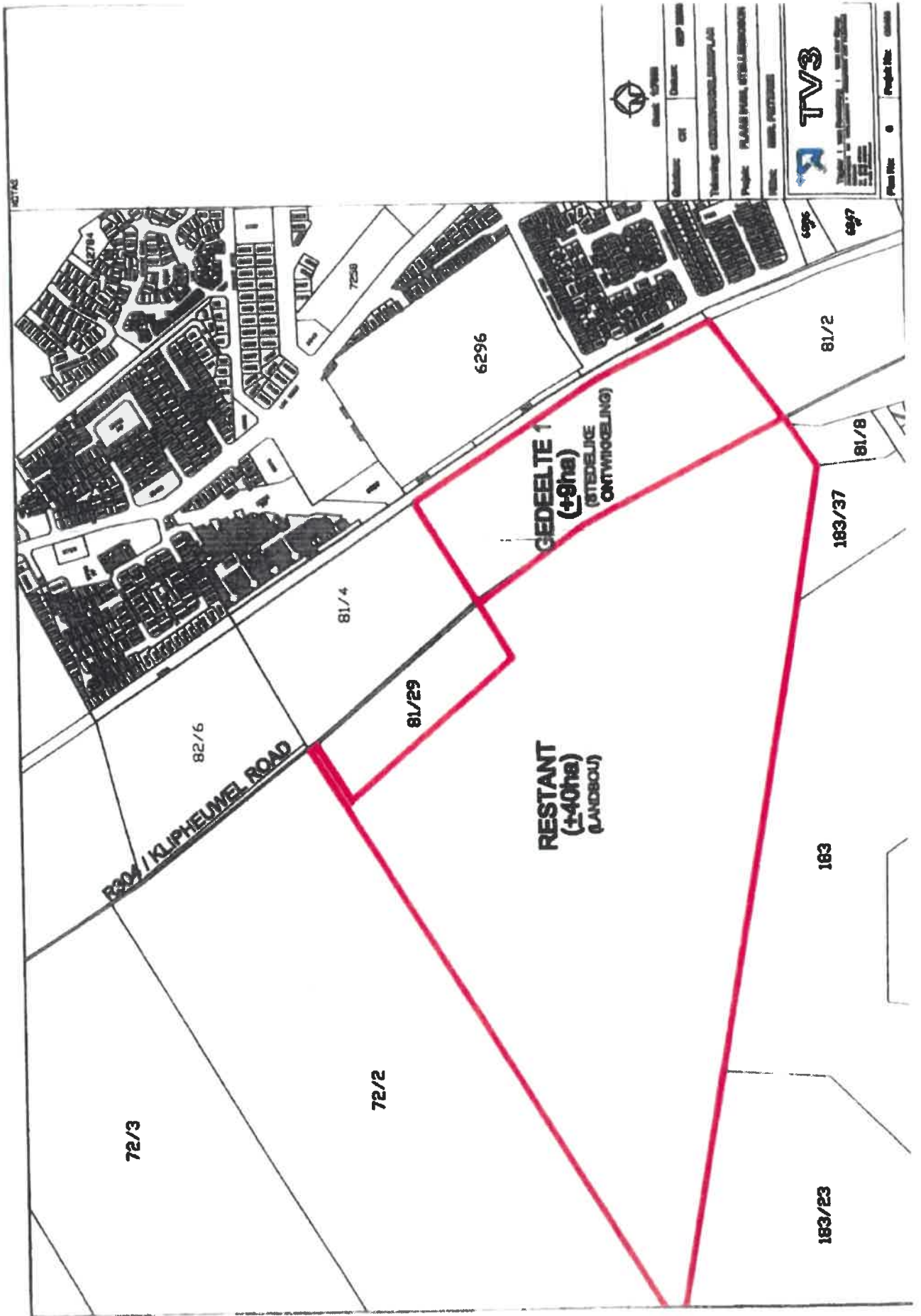
Ek het geen bewyse/aansoek vir die huidige gedeelte 33/81 nie. Verder bevestig ek ook dat hierdie kantoor nie die grondgebruiksverandering van RE/33/81 (wes van die R304 Klipheuwelpad) steun nie. Met verwysing na verskeie briewe tussen hierdie kantoor en die Stellenbosch Munisiplaiteit gedurende die opstel van die Stellenboech SDF (2019).

Groete/Kind regards**Cor van der Walt (Pr.Sci.Nat)**

Land Use Management
Department of Agriculture
Western Cape Government
Private Bag X 1
ELSENBURG
7607
GPS Co ordinates Elsenburg Head Office -33.845259 18.834722

3rd Floor, Main Building, Elsenburg, Muldersvlei Road
Telephone: (021) 808 5093/9
Contact Persons: Cor vd Walt/Brandon Layman
Email: landuse.elsenburg@elsenburg.com
Departmental Website: www.elsenburg.com
Provincial Website: www.westerncape.gov.za







MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : **The Director: Planning and Development**

FOR ATTENTION : **Nolusindiso Momoti**

FROM : **Manager: Development (Infrastructure Services)**

AUTHOR : **Tyrone King**

DATE : **8 September 2021**

RE. : **Farm 91-33, Stellenbosch: Newinbosch Development**

YOUR REF : **LU/10917**

OUR REF : **2058 CIVIL LU**

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

16 SEP 2021

RECEIVED

Details, specifications and information reflected in the following documents refer: **F 91-33 S**

- The abovementioned application and motivation report by TV3 dated 11 Dec 2019;
- Proposed Site Development Plan: Concept Masterplan by Similan Drawing No. CT 1395 Rev E
- Traffic Impact Assessment (TIA) by ICE Group, dated 9 December 2019;
- Engineering Services Report, by Bart Senekal, 10 December 2019;
- GLS water and sewer capacity analysis report, dated 19 February 2019
- Letter by Similan dated 3 Sept 2021 acknowledging water capacity constraints and the effect thereof on the roll-out of the development even if it does obtain land use approval.

Context: It is understood that this application is merely for the rezoning and subdivision of the parent farm, to get approval of the conceptual framework, and that a final Subdivision Plan, Phasing Plan, SDP's (per phase), TIS (per phase) and engineering services reports (per phase) will be submitted for approval later on.

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

- Total residential Units: 1 100 (as per SDP)

FARM 81/33: NEWINBOSCH

- Commercial GLA: 5000 m² (as per SDP)
- Church GLA: 500 m² (as per Engineering Services report)
- School GLA: 1 000 m² (assumption – to be confirmed at SDP stage)

These figures were used to get determine an indicative DC amount and will be adjusted based on the detail information provided with the SDP's. 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;

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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. The upgrades listed below reflect the upgrades required to accommodate the ultimate scenario. However, it is acknowledged that the final details of the land uses are not yet available and will only be finalised during the Site Development Plan (SDP) phase. A Site Development Plan for each erf must be submitted to Town Planning and the Infrastructure Services Department for approval before the submission of any building plans or engineering services drawings. A traffic impact statement and a civil engineering statement must accompany each Site Development Plan to confirm which of these upgrades are triggered for any specific SDP. No SDP will be approved unless there is confirmation that there are sufficient funding sources to complete the required upgrades. This includes any upgrade requirements from the provincial roads Authority for that SDP.
5. the following upgrades are required to accommodate the development. No taking up of proposed rights including Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be allowed until the following upgrades have been completed and/or conditions have been complied with:
- a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.
 - b. **Water Network:** The master plan indicates that the proposed development area should be accommodated in the future Kayamandi Upper reservoir zone. The connection should be made to the proposed Kayamandi upper reservoir with the implementation of the proposed master plan items as indicated on **Annexure:**

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Water. In the interim (before the proposed Kayamandi Upper reservoir zone is implemented) the lower lying portion of the proposed development (below the 130 m contour) can be accommodated within the existing Kayamandi PRV 4 distribution zone with a connection to the existing 180 mm diameter pipeline located along the R304 – and up to a maximum demand of 100kl/day. The following upgrades are required for areas above the 130m contour:

- i. SSW.B29 : 75 l/s @ 30m new bulk pump station
- ii. SSW.B30 : 1 540 m x 315 mm Ø Pipe to install
- iii. SPW.B31: New 6,0 MI (TWL = 245 m) Kayamandi Upper reservoir Estimated

There is currently very limited budget (R9m) allocated to fund these upgrades, roughly estimated at about R100m. Therefore, no further development approvals (beyond 100kl/day), including engineering drawing approval, subdivision clearance and/or building plan approval, will be issued until the necessary funding has been secured for the above upgrades.

- iv. SSW18.1 : 76 m x 355 mm Ø Pipe to install
Estimated cost: R 294 000*
Responsible: Developer
Funding: Offset from DCs
- v. SSW18.4 : 410 m x 315 mm Ø Pipe to install
Estimated cost: R 1 282 000*
Responsible: Developer
Funding: Offset from DCs
- vi. SSW18.5 : 850 m x 250 mm Ø Pipe to install
Estimated cost: R 1 901 000*
Responsible: Developer
Funding: Offset from DCs
- vii. SSW19.2 : 1 050 m x 200 mm Ø Pipe to install
Estimated cost: R 1 752 000*

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Responsible: Developer

Funding: Offset from DCs

- viii. SPW19.1a : New pressure reducing valve to install

Estimated cost: R 216 000*

Responsible: Developer

Funding: Offset from DCs

- ix. SPW19.1b : New pressure reducing valve to install

Estimated cost: R 216 000*

Responsible: Developer

Funding: Offset from DCs

Total (Developer Items): R 5 661 000 ex VAT

(* GLS report estimate including P & G, Contingencies and Fees, but excluding VAT - Year 2018/19 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

- x. The Developer will be responsible for any link water pipelines between the development and the municipal network.

- c. **Sewer Network:** The development will connect to the existing 450mm dia municipal pipeline (**Annexure: Sewer**). A following connection stub is available: 450mm DN GRP SN5000 stub, invert level 111.480m at coordinate X = 3 754 054.86, Y = 13 975.47 (information as received from AECOM). The following items are required to link the development to the municipal network (See **Annexure: Sewer**):

- i. SSS1.30: 250mm dia pipeline

Estimated cost: R 1 512 000*

Responsible: Developer

Funding: Offset from DCs

- ii. SSS1.32: 355mm dia pipeline

Estimated cost: R 879 000*

Responsible: Developer

Funding: Offset from DCs

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(* GLS report estimate including P & G, Contingencies and Fees, but excluding VAT - Year 2018/19 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

- iii. The developer will be responsible for the registration of any servitudes required, including negotiations with the private land-owners. No further approval for this development (engineering drawings or building plans) will be given until written agreement has been reached between the Developer and private land owners for the registration of such servitudes.
- d. **Roads Network:** The items as indicated in the TIA by ICE Group, dated 25 Aug 2019, are required to accommodate the proposed development:
- i. The R304, from which the Development gains access, is a provincial road. Therefore the upgrades identified by the provincial roads authority will also need to be implemented by the Developer before any further development clearances or approvals (subdivision clearance, building plan approval, occupation certificate approval) are given for this development. Written confirmation from the provincial roads authority must be provided together with any municipal clearance application.

The upgrades identified below relates to municipal roads infrastructure and will be over and above any requirements from the provincial roads authority:

Note: For the purposes of future planning, the Senior Manager: Roads, Transport, Stormwater & Traffic Engineering has in principal approved the conceptual road layout as per Dwg No UDS 373, dated Feb 2021: Road Network – R304 and Parallel Routes: Kayamandi to Welgevonden Boulevard, with the condition that the "white line" alternative takes precedence over the yellow line, as it would better serve the Northern Extension housing development that is planned adjacent to this development. See **Annexure: Future Roads**.

- ii. Access Road and access roundabout (see image below):

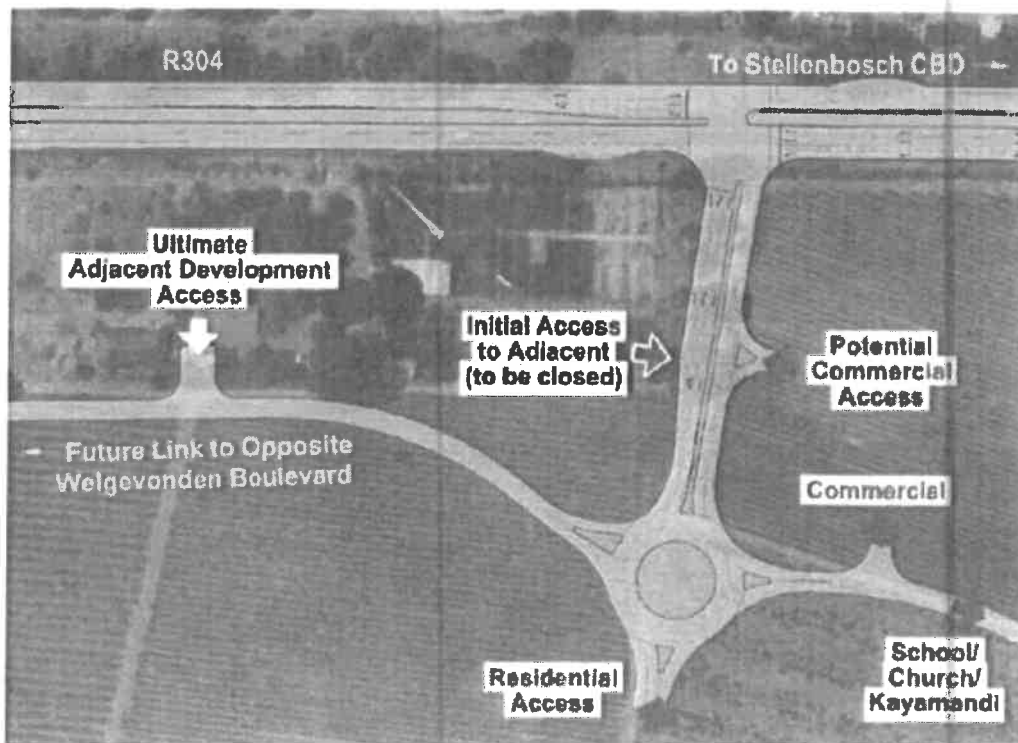
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The access road between the R304 and the access-roundabout must be constructed. The design of the access road must tie in with the dualling of the R304. A sidewalk must be provided along the proposed development-side of the access-approach between the R304 and the access.

Estimated cost: R 8 910 000

Responsible: Developer

Funding: May be offset from DCs – forms part of the future major public road network of the area.



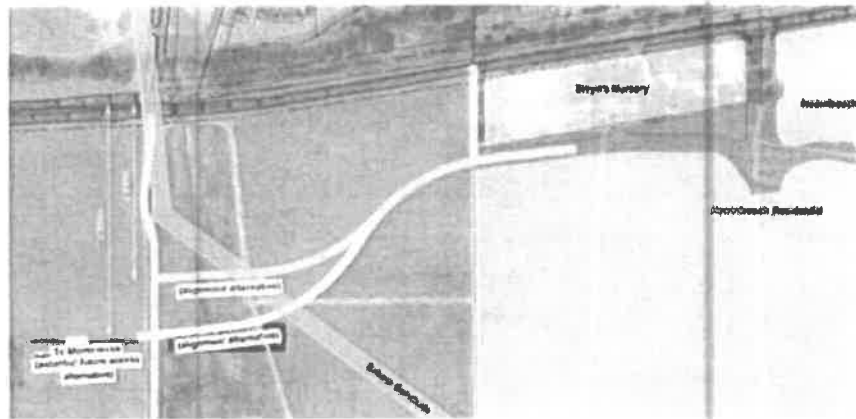
iii. Future Link Road to Welgevonden Blvd (see image below):

Estimated cost: R 9 085 000

Responsible: Developer

Funding: May be offset from DCs – forms part of the future major public road network of the area.

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e. Stormwater Network:

- i. A stormwater management plan must be submitted with the engineering drawings. The cost of any stormwater infrastructure identified required to accommodate the proposed development will be for the developer's cost;

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 65 694 302
Upgrades cost	
Bulk water upgrades (Developer's responsibility items)	R 5 661 000
Bulk sewer upgrades (Developer's responsibility items)	R 2 391 000
Access Road and access roundabout	R 8 910 000
Future link road to Welgevonden Blvd	R 9 085 000
Total cost	R 26 047 000
Surplus	R 39 647 302
Comment	Based on the estimates, there are sufficient DCs to cover the costs of the municipal infrastructure upgrades

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	<p>to be done in lieu of DCs. This does not include any upgrades to provincial roads infrastructure. DCs utilization on provincial road upgrades will only be applicable as per the prescriptions of the Municipality's latest relevant DC Policy.</p>
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6. 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;

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 of R 80 551 190. 39 (Excluding VAT) as reflected on the DC calculation sheet, dated 22 July 2021, and attached herewith as

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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 in the case of a Sectional title erf in that phase or where a clearance certificate is not applicable and/or;
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 1 100 units, of a GLA of more than 5000m² (commercial); 500m² (church) and 1000 m² (school) 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;

Site Development Plan

15. The SDP indicates row housing. From an engineering services perspective "row housing" is not regarded as ideal as it present problems wrt stormwater escape routes and refuse removal if there are not gaps between adjoining houses. Further comments to be provided during SDP approval stage.
16. details of the access are to provided for approval at SDP approval stage. The following guidelines will apply:
 - a. that provision be made for a stacking distance of 6m (< 15 units served); 12m (15-40 units served); site specific requirements (> 40 units served or a business premises). The stacking distances shall be measured from the edge of the closest sidewalk or cycle lane to the entrance gate. The guiding principle is that vehicle and pedestrian traffic should not be obstructed by stacking vehicles;
 - b. that sufficient entrance and exit widths will be created at the vehicle access points: 2.7m minimum and 4,0m maximum width for a single entrance or exit way; 5,0m min and 8,0m maximum for a combined entrance and exit way. To accommodate emergency vehicles, at least one lane should be 4, 0 metres wide and have a minimum height clearance of 4.3 m.

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- c. that, where access control is being provided, a minimum of 2 to 3 visitor's parking bays be provided on site, but outside the entrance gate, for vehicles not granted access to the development;
 - d. that provision be made for a 3-point turning head in front of the entrance gate, to the satisfaction of the Directorate: Infrastructure Services in order to enable a vehicle to turn around;
- 17. that provision be made for a refuse room as per the specification of the standard development conditions below;
 - 18. 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";
 - 19. that provision be made for a refuse embayment off the roadway/sidewalk to accommodate refuse removal. (Embayment to be minimum 15m x 2.5m). This must be clearly indicated on the engineering drawings when submitted for approval. The specifications of such embayment shall be as per the standard development conditions below;
 - 20. that the layout be designed to accommodate continuous forward movement by service trucks and all cul-de-sacs have a minimum of 11 m radius turning circle, to ensure continuous forward movement;
 - 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 as per the site development 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;
- 23. More detailed information regarding the status of the roads and services in the various development pockets must be provided in the SDP applications;

FARM 81/33: NEWINBOSCH**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 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

26. 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.

Roads

27. that the "Developer", at his/her cost, implement the recommendations of the approved Traffic Impact Assessment by ICE Group, dated 9 December 2019, 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;
28. that the "Developer" will be held liable for any damage to municipal infrastructure within the public road reserves, caused as a direct result of the development of the subject property. The "Developer" will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services;

FARM 81/33: NEWINBOSCH**Bulk Electricity**

29. 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:

30. 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;
31. 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;
32. 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.
33. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
34. 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

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Administration: Western Cape be adhered to before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued;

35. 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;
36. 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);
37. 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

38. 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*".

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39. 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;
40. 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;
41. 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

42. 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;
43. 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;
44. 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;

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45. 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;
46. that construction of services may only commence after municipal approval has been obtained;
47. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
48. 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;
49. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
50. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
51. 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;
52. 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);
53. 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;
54. 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;

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55. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
56. 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;
57. 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".
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;
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

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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 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

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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.
71. 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

72. 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;
73. that no access control will be allowed in public roads;
74. 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;
75. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
76. 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;
77. 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;

FARM 81/33: NEWINBOSCH**Wayleaves**

78. 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;
79. that wayleaves will only be issued after approval of relevant engineering design drawings;
80. 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)

81. 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;
82. 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;
83. 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;
84. 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;
85. 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

86. The reduction, reuse and recycle approach should be considered to waste management:
 - Households to reduce waste produced
 - Re-use resources wherever possible
 - Recycle appropriately

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- agreement with a service provider approved by the "Municipality" prior to clearance certificate or occupation certificate (where clearance not applicable);
90. 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";
 91. 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;
 92. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
 93. 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;
 94. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
 95. Road foundation shall be designed to carry a single axle load of 8.2 tons;
 96. Refuse storage areas are to be provided for all premises other than single residential erven;
 97. 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;
 98. 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;
 99. 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;

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100. 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;
101. 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;
102. 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

103. 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;
104. 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
105. 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.

FARM 81/33: NEWINBOSCH**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.

106. 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;
107. 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;
108. 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;
109. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
110. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
111. 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

112. 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;

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- c. a completed Asset Verification Sheet in Excell format, reflecting the componentization of municipal services installed as part of the development. The Asset Verification Sheet 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;
113. 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";
114. 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;
115. 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;
116. 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

117. 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;

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118. that the "*Municipality*" reserves the right to withhold any clearance certificate until such time as the "*Developer*" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "*Municipality*" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;
119. that clearance will only be given per phase and the onus is on the "*Developer*" to phase his development accordingly;
120. 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;
121. 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

122. 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

123. 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*";
124. 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

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municipality's Manager: Electrical Engineering, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;

125. 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;
126. 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";
127. 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: SENIOR MANAGER: DEVELOPMENT SERVICES, ASSET
MANAGEMENT AND SYSTEMS & PROJECT MANAGEMENT UNIT (PMU)**



DEON LOUW Pr. Eng.

DIRECTOR: INFRASTRUCTURE SERVICES

FARM 81/33: NEWINBOSCH

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.

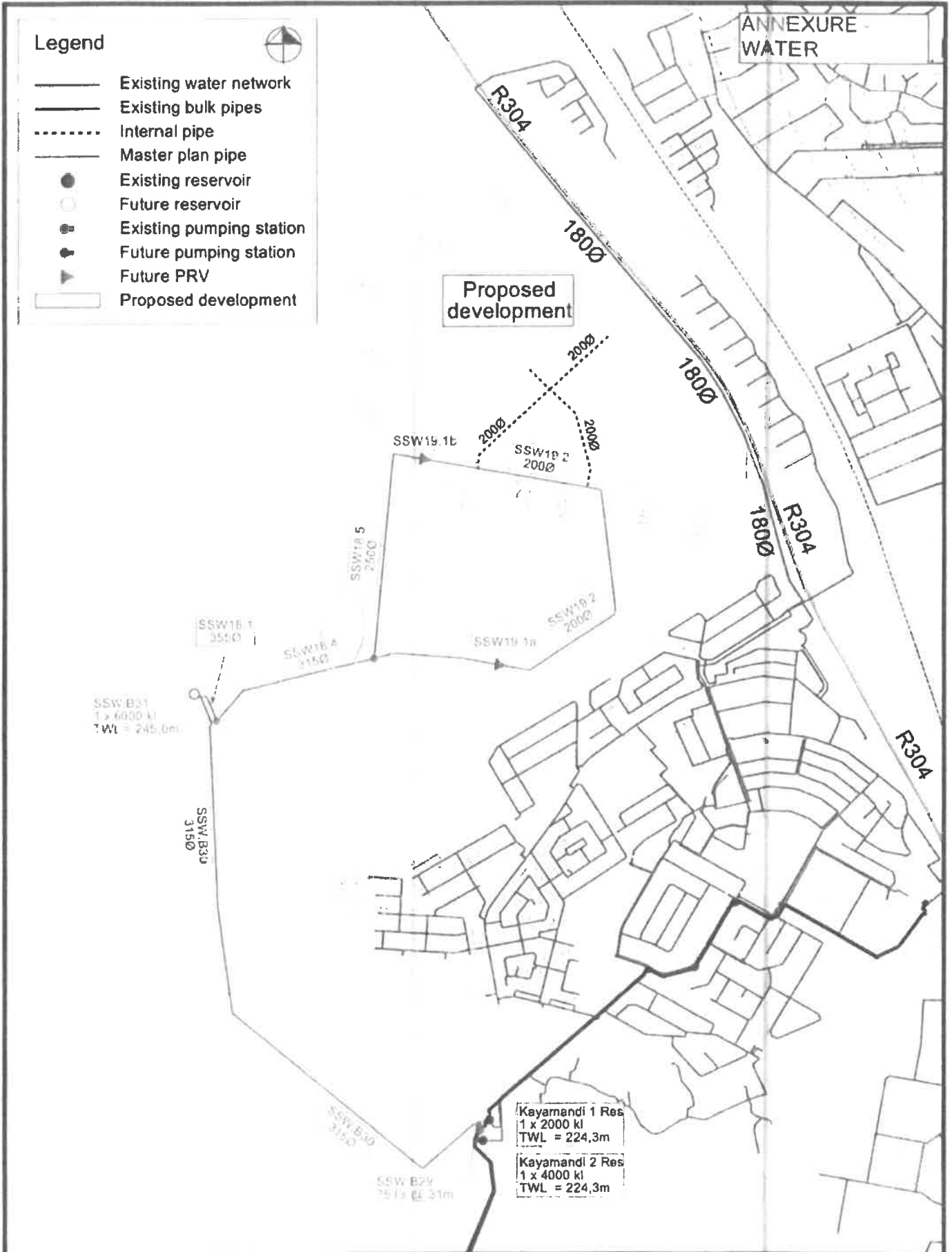
For road layer shapefiles; the road name, the from_street and to_street where applicable as well as the start and end street numbers needs to be included as part of the attributes. A rotation field needs to be added to give the street name the correct angle on the map.

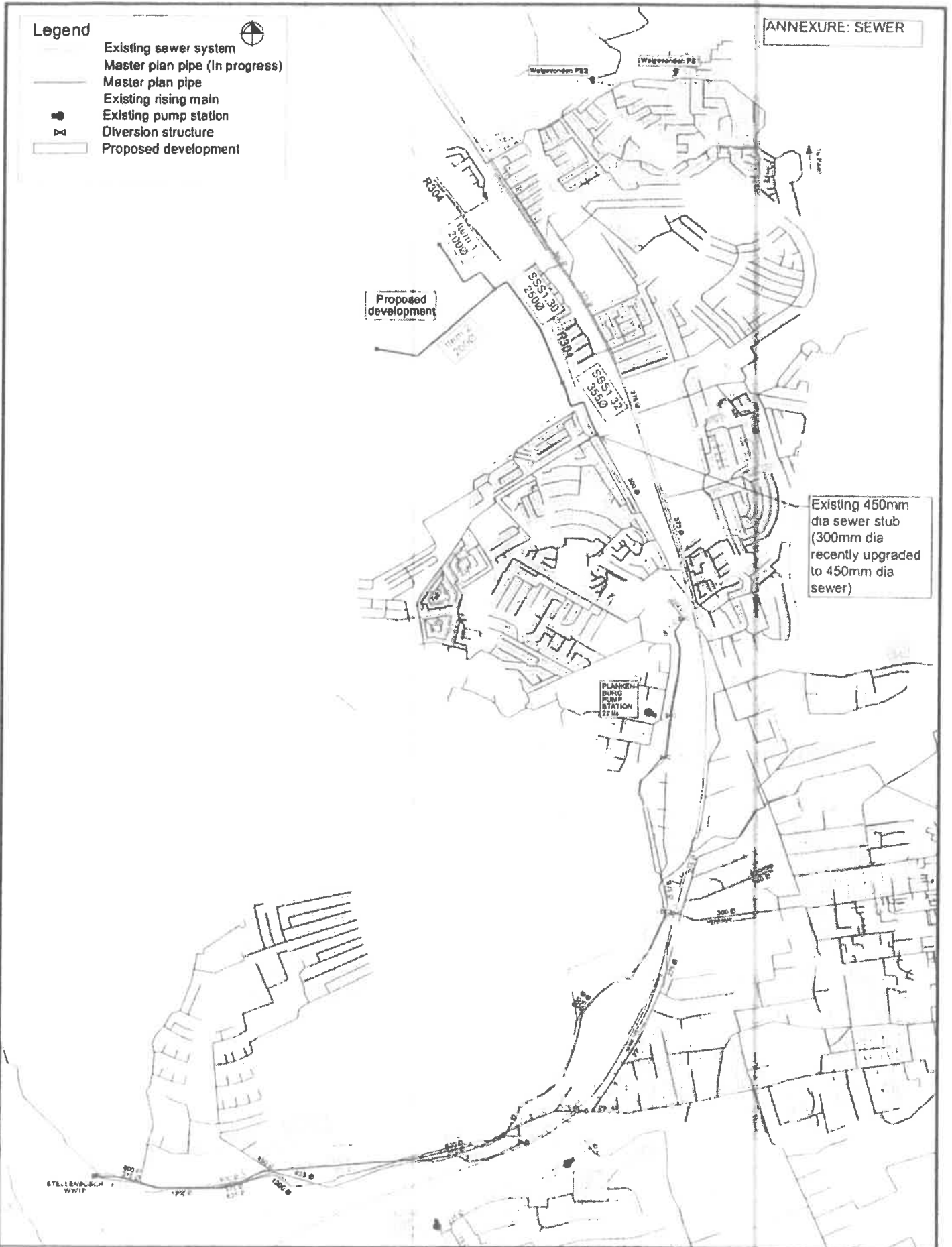
In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the Stellenbosch

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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

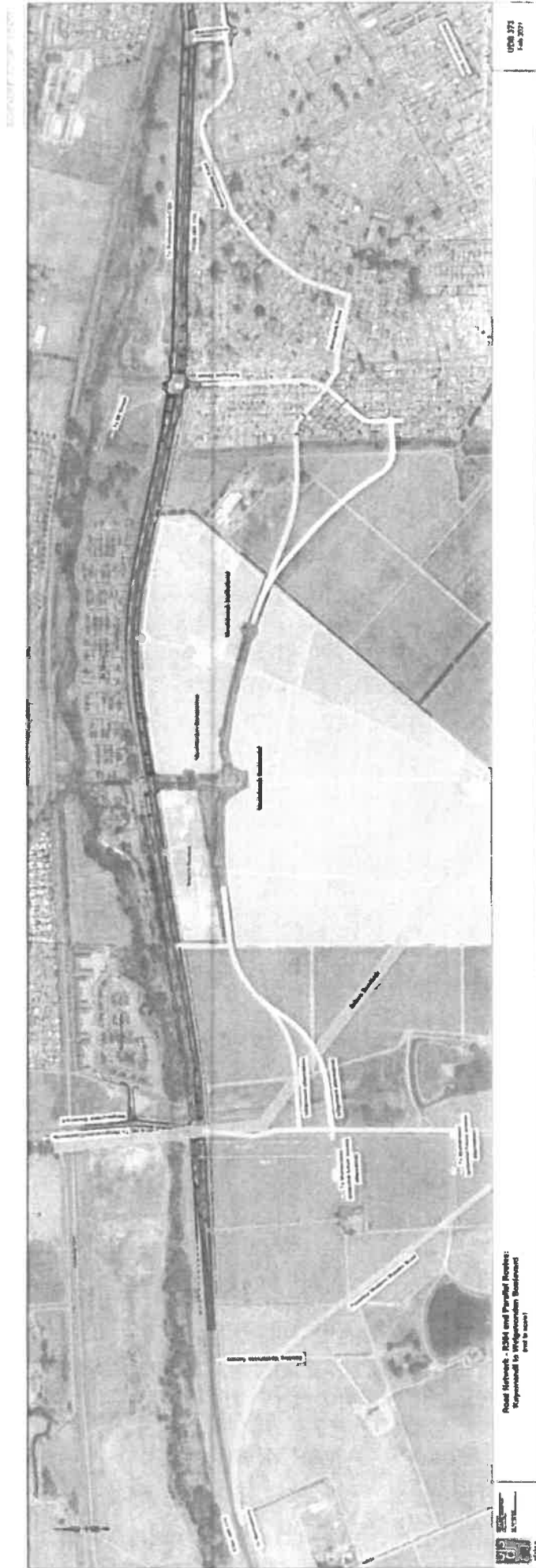




ANNEXURE: SEWER

Existing 450mm dia sewer stub (300mm dia recently upgraded to 450mm dia sewer)





Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	2058 Chrl LU (LU-109317)
Date	Thursday, 22/Jul/2021
Financial Year	2021/22
Erf Location	[REDACTED]
Erf No	Farm 81-33
Erf Size (m ²)	
Suburb	
Applicant	
Approved Building Plan No.	Concept Masterplan by Simlan CT 1395 Rev E

SUMMARY OF DC CALCULATION

Units	Water kl/day	Sewer kl/day	Storm-water ha°C	Solid-Waste t/week	Roads t/ps/day	Community Facilities person	Totals
Total Increased Services Usage	671.000	592.750	16.320	46.600	4210.00	4210.0	
Total Development Charges before Deductions	R 18 213 487.75	R 15 170 971.14	R 1 872 579.37	R 2 475 808.36	R 27 961 657.66	R 14 856 888.09	R 80 551 190.39
Total Deductions							
Total Payable (excluding VAT)	R 18 213 487.75	R 15 170 971.14	R 1 872 579.37	R 2 475 808.36	R 27 961 657.66	R 14 856 888.09	R 80 551 190.39
VAT	R 2 732 023.16	R 2 276 645.67	R 260 886.91	R 371 340.95	R 4 194 248.65	R 2 228 533.21	R 12 082 678.56
Total Payable (including VAT)	R 20 945 510.93	R 17 446 616.81	R 2 153 466.28	R 2 848 947.32	R 32 155 906.31	R 17 085 421.30	R 92 633 868.94

APPLICANT INFORMATION

Application Processed by:	Tynone King
Signature	Note: Church GLA - 500m ² (Par 3 of Eng report); Assumption is made for School: 1000m ² GLA. Final calc to be based when detail SDP is submitted
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

ANNEXURE.
ELECTRICAL**ELECTRICITY SERVICES: CONDITIONS OF APPROVAL**
Farm 81/33**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.

All electrical work to comply with SANS142 and Municipal Bylaws

Bradley Williams

Date.....25/09/2020.....

Signature 

ANNEXURE 9

Copy of Draft Adam Tas Corridor Local Spatial Development
Framework



Adam Tas Corridor Local Spatial Development Framework

Stellenbosch Municipality

September 2021



Contact

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Stellenbosch Municipality
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STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITEIT • UMASIPALA • MUNICIPALITY

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ACG ARCHITECTS
& DEVELOPMENT
PLANNERS

Glossary of Abbreviations

ATC -	Adam Tas Corridor	PSP -	Western Cape Government Provincial Strategic Plan
CCG -	Consolidated Capital Grant	PRASA -	Passenger Rail Agency of South Africa
CWD -	Cape Winelands District	RSEP -	Regional Socio-economic Programme
DAG -	Development Action Group	RZ -	Restructuring Zone
DEADP -	Department of Environmental Affairs and Development Planning	SDF -	Spatial Development Framework
DF -	Development Framework	SEIA -	Socio-economic impact assessment
DTPW -	Department of Transport and Public Works	SHI -	Social Housing Institutions
GCM RSIF -	Greater Cape Metro Regional Spatial Implementation Framework	SM -	Stellenbosch Municipality
GDPR -	Gross Domestic Product per capita (per person)	SOE -	State-owned Enterprise
HRA -	Heritage Resources Act	SPLUMA -	Spatial Planning and Land Use Management Act
IDP -	Integrated Development Plan	STIAS -	Stellenbosch Institute of Advanced Studies
IUDF -	Integrated urban Development Framework	US -	University of Stellenbosch
IZS -	Integrated Zoning Scheme	WCG -	Western Cape Government
LSDF (s) -	Local Spatial Development Framework (Frameworks)		
LUMS -	Land Use Management System		
LUPA -	(Western Cape) Land Use Planning Act		
MSDF -	Municipal Spatial Development Framework		
MTREF -	Medium Term Revenue and Expenditure Framework		
NEMA -	National Environmental Management Act		
NDP -	National Development Plan		
NGO -	Non-government organisation		
NMT -	Non-motorized transport		
NSDF -	National Spatial Development Framework		
PSDF -	Provincial Spatial Development Framework		

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Executive Summary

The ATC LSDF area covers some 375ha, stretching along the R310 and R44 along the foot of Papegaaiberg from the largely disused Cape Sawmills site in the west to Khayamandi and Cloetesville in the north. It forms the western edge to the town but is not well integrated with the rest of Stellenbosch, largely because of the divisive nature of the R44 and the railway line. Much of the area has a manufacturing use history, is underutilized or undergoing the withdrawal of previous activity.

Work to investigate the redevelopment potential of the Adam Tas Corridor (ATC) came from the private and community sectors in Stellenbosch. Following initial discussions, the Western Cape Government, Stellenbosch Municipality, Stellenbosch University, Remgro, Distell, and Stellenbosch Institute for Advanced Study (STIAS) formed an early partnership to support and resource investigations.

The partners believed that if the different landowners, large institutions, government, and communities in Stellenbosch explore, plan, and execute the development of the land together, they could do so in a manner that serves the public interest. In this way, the scale of development achievable will ensure new infrastructure to unlock the area to its full potential.

The initial planning work culminated in a Draft Development Framework early in 2019, aligned the Municipal Spatial Development Framework (MSDF). In 2021, Stellenbosch Municipality appointed service providers to prepare a Local Spatial Development Framework (LSDF) in terms of the provisions of the Spatial Planning and Land Use Management Act (SPLUMA) and the Stellenbosch Land Use Planning By-law 2015. In broad terms work on the LSDF comprises:

- Preparation of a Development Framework or broad spatial plan, describing the preferred mix and distribution of activities, built form, movement system, and associated infrastructure implications for the area to meet project objectives.
- An indication of how to phase development and infrastructure.
- The anticipated economic impact of the development over time.
- How the development rights implied by the LSDF – and associated landowner obligations – will be cemented in law, including the processes to be followed to execute development rights.

The working vision for the ATC envisages an integrated, inclusive environment for living, work, and enjoyment, established as a pro-active partnership between the public, private, and community sectors in response to citizen needs and national, provincial, and municipal policy. It must embody best knowledge of what constitutes good, equitable, and efficient settlement. Spatially, it represents a "new town in town" in Stellenbosch, integrating fragmented parts of the town, using neglected resources, and based on non-motatised and public transport. In the process, the historic and environmental assets of Stellenbosch is respected and expanded.

With the LSDF, municipal approval is sought to incorporate the area as a Local Area Overlay Zone in the Stellenbosch Zoning Scheme By-Law 2018. The Local Area Overlay Zone is the mechanism for cementing the development rights implied by the LSDF in law. The current zoning – largely related to the manufacturing, storage, and distribution of wine and similar products – cannot support dense, mixed-use development.

Based on the common urban regeneration focus, the Local Area Overlay Zone defines specific development parameters related to activities permitted, the nature and form of structures, the detailed planning process, and landowner obligations. As the ATC will develop over time, marked by changes in market conditions and societal needs, planning should be flexible to accommodate change and provide upfront investor security. The proposed draft Local Area Overlay Zone gives security of development rights and flexibility to landowners and streamlined processes seldom encountered in South Africa.

While the Overlay Zone will secure the rights of landowners in perpetuity, it will also spell out the conditions for utilising the rights in broad terms. It is envisaged that agreements between landowners and the Municipality will be concluded, dealing with, among other things:

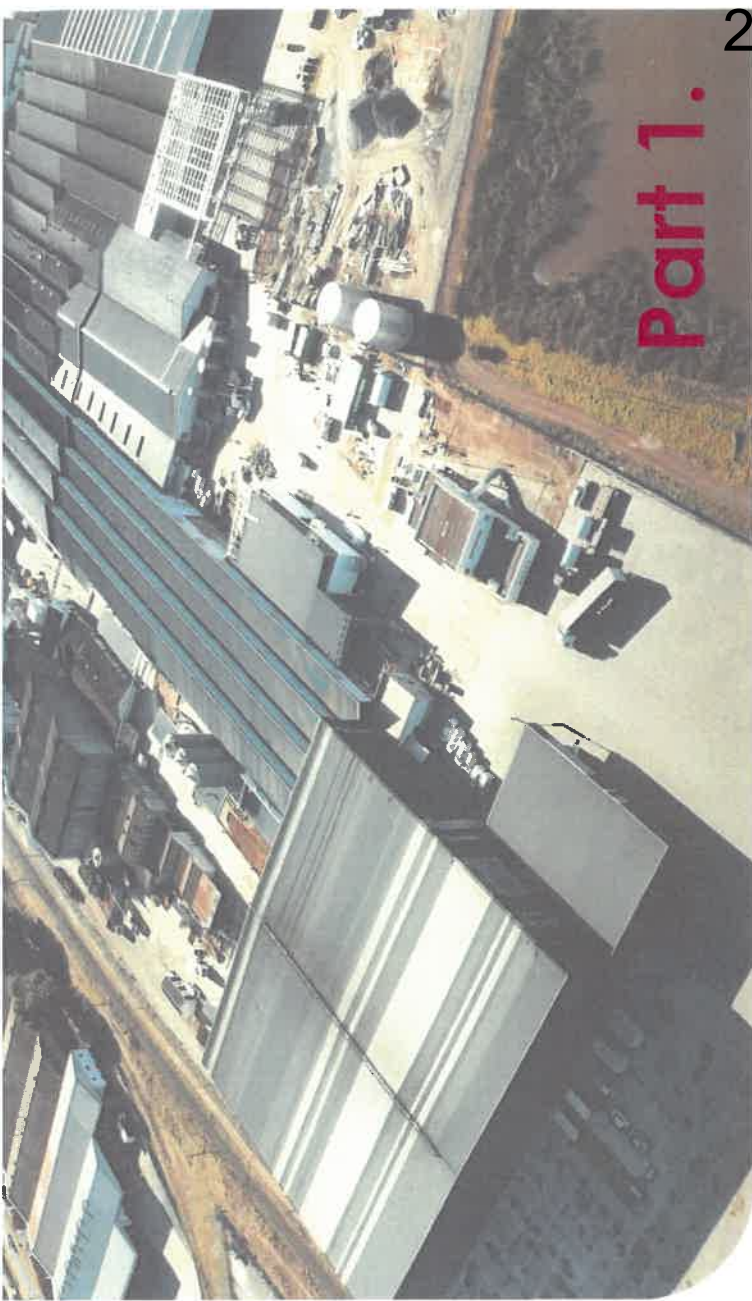
- Shared responsibility for providing infrastructure services and the phasing of infrastructure, including the extent and use of development contributions.
- Incentives to landowners, including the cost of public land available for development and conditions associated with its development.
- Shared responsibility related to the formation and operation of institutional arrangements established in support of the Adam Tas Corridor Overlay Area.

- Landowner and shared responsibility related to the provision of affordable housing.
 - Shared responsibility related to undertaking environmental remediation work.
 - Shared responsibility related to the provision and operation of public facilities.
- It is envisaged that the bulk allocated to an ATC and its precincts remains "floating" across the area, subject to landowners meeting agreed obligations related to expanding the commons and precinct planning. The transfer of rights happens at the Site Development Planning Stage. Managing the floating of rights and activities over time and space is a balancing act to maintain the overall development intent.

To enable project roll-out, it is believed essential to establish formal project specific institutional arrangements responsible for inter alia:

- Coordination of detailed planning initiatives by the landowners within the framework set by the LSDF, the Adam Tas Corridor Local Area Overlay zone, and associated agreements/ measures.
- Assistance in preparing and monitoring of applications related to the ATC area for decision-making by Stellenbosch Municipality and other statutory bodies.
- Assisting in preparing detailed planning for precincts requiring an active role by the Municipality (e.g., the George Blake area).
- The storage and dissemination of knowledge related to the project on behalf of stakeholders.
- Advocacy, public communication, and fundraising related to the project.

To begin with development within the Development Framework, the landowners will have to work together and with other partners to complete the planning process, supportive institutional arrangements, and the formulation of development conditions. In the best scenario the land owners in partnership with Stellenbosch Municipality and the Western Cape government will form an active partnership to develop the ATC.



Part 1.

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Introduction

1. Introduction

1.1. Background

1.1.1. The Task and Team

Following a public tender, the Built Environment Partnership (BEP) was appointed by Stellenbosch Municipality (SM) during January 2021 to prepare a Local Spatial Development Framework (LSDF) for the Adam Tas Corridor (ATC) area.

The purpose of an LSDF is expanded upon in section 4.

To undertake the task, BEP formed a team with the following specialist service providers:

- GAPP: Urban design
- Zutari: Engineering services
- Infinity Environmental: Environmental resource management
- Nicolas Baumann Urban conservation and planning: Heritage and culture
- FTI: Economic impact
- ACG Architects and Development Planners: Landscape architecture

In executing the task, the BEP team worked with a team of officials from SM and advisors from the Western Cape Government (WCG). The BEP team acknowledges the numerous contributions from individuals and organisations in conceptualising the ATC project over a number years. This work is referred to in section 1.2.

1.1.2. The ATC LSDF Area

The ATC LSDF area stretches along the R310 and R44 along the foot of Papegaaiberg from the largely disused Cape Sawmills site in the west to Khayamandi and Cloetesville in the north.

It forms the western edge to the town but is not well integrated with the rest of Stellenbosch, largely

because of the divisive nature of the R44 and the railway line. Much of the area has a manufacturing use history. It includes the disused sawmill site, the government owned Droë Dyke area, Distell's Adam Tas facility, Oude Libertas and surrounds, various Remgro property assets, Bosman's Crossing, Oude Molen, the station, Bergkelder complex, Van der Stel sports complex, the George Blake Road area, and Kayamandi south. Large parts of the area

are underutilized or undergoing the withdrawal of previous activity.

In addition to the area covered by conceptual work preceding the LSDF, Papegaaiberg has been included as part of the LSDF area – not for detailed study and planning – but because it potentially forms a core element in the structuring of new development opportunity and its integration with existing areas in Stellenbosch.

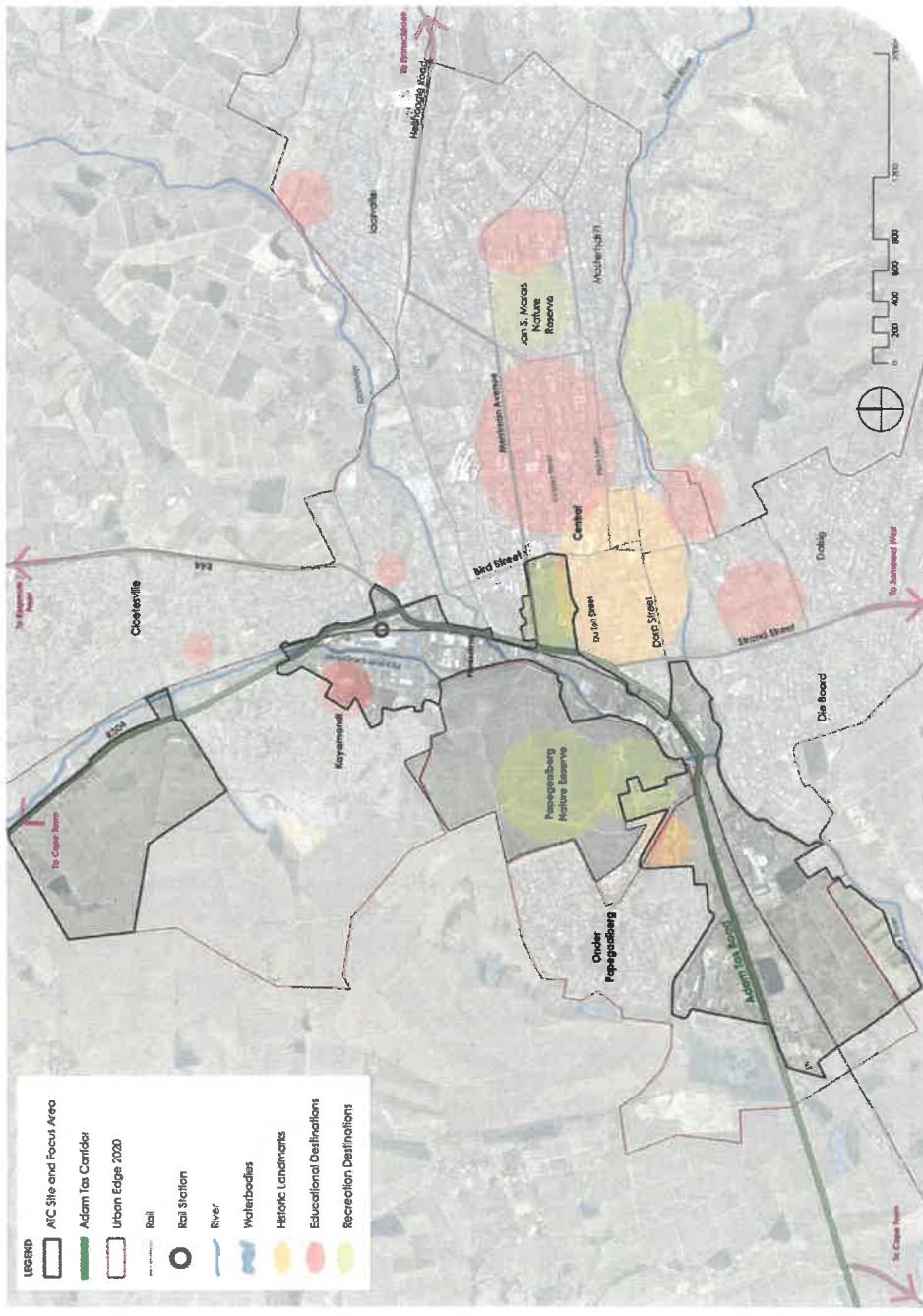
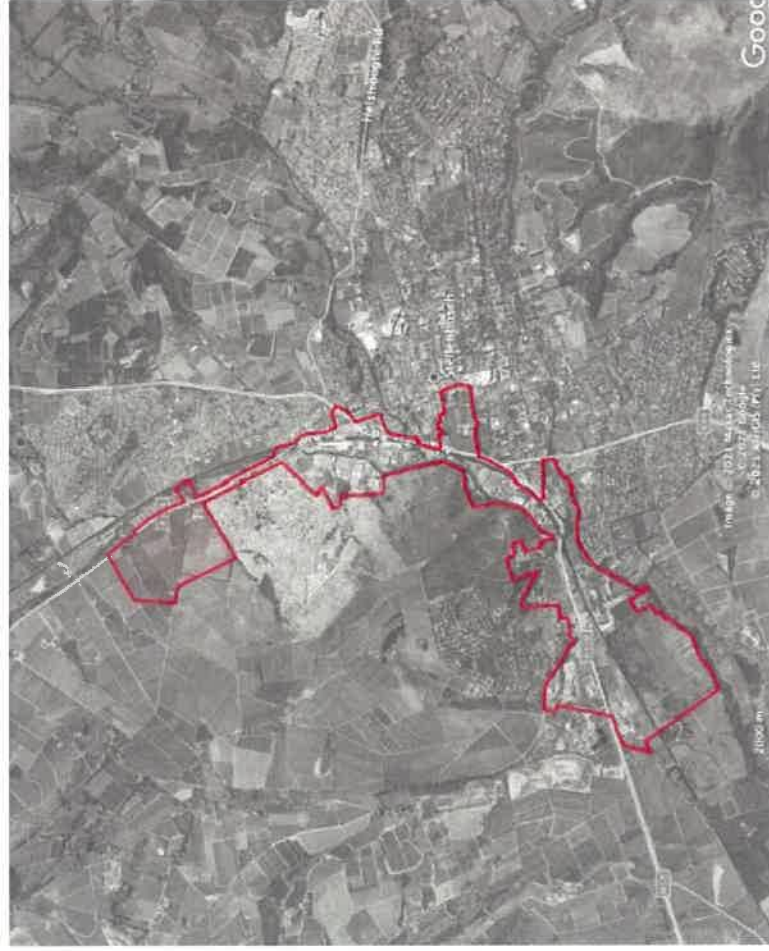


Figure 1. ATC LSDF area map, delineating the corridor focus area and indicating key route and landmarks

Adam Tas Corridor (375 ha)



The ATC covers an area of some 375ha, compared to the 120ha of the Victoria & Alfred Waterfront and 250ha of Century City in Cape Town (see Figure 2).

1.1.3. Status of the Project

The ATC project is a catalytic project in the approved SM Municipal Spatial Development Framework (MSDF) and Integrated Development Plan (IDP). The project also has the support of the WCG and is included as a focus area in the WCG's Regional Socio-economic Programme (RSEP). The University of Stellenbosch (US), Stellenbosch Institute for Advanced Study (STIAS), Remgro, and Distell have also supported the project through draft memoranda of agreement and actively providing financial and other support to previous work undertaken for the ATC.

1.2. Previous Work Undertaken for the ATC

1.2.1. History of the Project

Work to investigate the redevelopment potential of the ATC area started a number of years ago. The idea came from the private sector. One local resident, entrepreneur, and philanthropist – Hannes van Zyl – in particular worked to advocate and resource pre-feasibility investigations. Early conceptual planning work – and discussions with key landowners – was enabled by Kelvin Campbell, an internationally acclaimed urbanist attached to STIAS at the time.

Following very extensive discussions with key stakeholders an initial partnership was formed between the WCG, SM, US, Remgro, Distell, and STIAS to support and resource investigations. The partners agreed that, following tradition and the norm, it is possible for individual landowners in the area to “go it alone”, to alienate land no longer needed for their purposes, or attempt profitable development for alternative uses. However, it was believed that much is to be gained if the different landowners, large institutions, government, and communities in Stellenbosch explore, plan, and

Figure 2. Size comparison of the ATC in relation to other large scale developments such as the V&A Waterfront or Century City

V&A Waterfront (120ha)



Century City (250ha)



execute development of the land together, in a manner which best serves the public interest. Only in this way is a scale of development achievable which will ensure affordability of required infrastructure to unlock the area to its full potential, and to achieve a full range of activities and benefits, including the highly profitable, ones requiring subsidisation, the large and the small. It is an opportunity similar in potential scope and impact over generations to the establishment of the university, the Rupert-initiated drive to save and sustain historic precincts and places, and the declaration of core nature areas for preservation.

This work culminated in the release of a Draft Development Framework and associated testing of infrastructure services and economic impact early in 2019¹. As a new MSDF for Stellenbosch was under preparation at the time, initial work on the ATC was closely aligned with that on the MSDF, ensuring integration between higher and lower order planning.

The project was given impetus with Distell's decision to secure more appropriately located and configured land – meeting current-day manufacturing and logistics requirements – for the gradual relocation and consolidation of many of its operations, dispersed through the metropolitan region and also located in central Stellenbosch (at, for example, Bergkelder). Suitable land was found in Klappmuts, an event which made exploring alternative uses for land to be vacated, and its broader use for a range of urban activities, becoming “real” and urgent.

From the start, the ATC was aimed at achieving agreed national, provincial, and local settlement development and management objectives, as also interpreted and stated in the SM MSDF and SM IDP. This includes the aim to grow the economy and protect finite environmental resources through establishing compact, well-connected, vibrant, and sustainable communities, where residents move

around efficiently, and have access to a range of development and livelihood opportunities.

In as much as the exploration of what is possible in the ATC area is aligned with agreed policy, it is important that the work also be integrated in the legal system for development and land use management. With this in mind, the SM initiated the ATC LSDF process, ensuring that land planning for the ATC will be undertaken in compliance with agreed legal processes and regulations.

1.2.2. Draft Development Framework

The 2019 Draft Development Framework and associated work indicated the following:

- It is possible to achieve a development of some 3 million m² of bulk, including 13 500 housing opportunities.
- Integration between the ATC and main town will require bridging at selected points.
- Bulk infrastructure required to service the development can be provided within the cost envelope provided for in development contributions.
- Bulk infrastructure requirements provide a relatively clear understanding of how development can be phased over time.
- The inhibitive current zoning of most of the area provides government with the means to negotiate development with significant public benefits.
- Based on precedent studies, the ATC will have a significant positive impact on economic development and job creation in Stellenbosch and the Western Cape.

Since completion of the work, further investigation and discussion has revealed a need to explore inter alia:

- A clearer definition of precincts to overlap with landownership as far as possible (given that

landowners will probably be responsible for preparing more detailed precinct level plans).

- The inclusion of Papegaaienberg as part of the main structure of Stellenbosch town and the opportunity to increase access to the reserve through the development.
- The extent of affordable housing that could be provided as part of the development.
- A clearer definition of phasing of development (and specifically the link between development and specific bulk infrastructure investments required to support development)
- The Land Use Management System (LUMS) required to support development.

1.3. ODA Work on the ATC Process and Institutional Management

Towards the end of 2019, following on the pre-feasibility work, finalization of the concept ATC Development Framework and its testing for engineering and macro-economic impact, ODA – appointed by the project partners – undertook bilateral discussions with the main partners with a view to frame recommendations on the governance and management of the development process going forward².

ODA's report contains a summary of the main issues and proposals emanating from the bilateral engagements, a framework for reflecting on the project at the time, a framework for mapping the way forward, a high-level model for governing and managing the ATC development process, and recommended immediate next steps.

ODA summarised the main proposals emanating from the bilateral discussions as:

- Bring other significant role players onboard (e.g., the landowners of Oude Molen).

² Adam Tas Corridor Development Process: Report on the bilateral engagements held during Oct/Nov 2019 with recommendations on the governance and management of the development process going forward, 2019 (unpublished report by ODA)

¹ As part of assessing the work, a peer review was undertaken during April 2019 with recognised experts in the field of large urban change projects in South Africa, including Messrs David Jack, Pieter de Tolly, and Rod Lloyd.

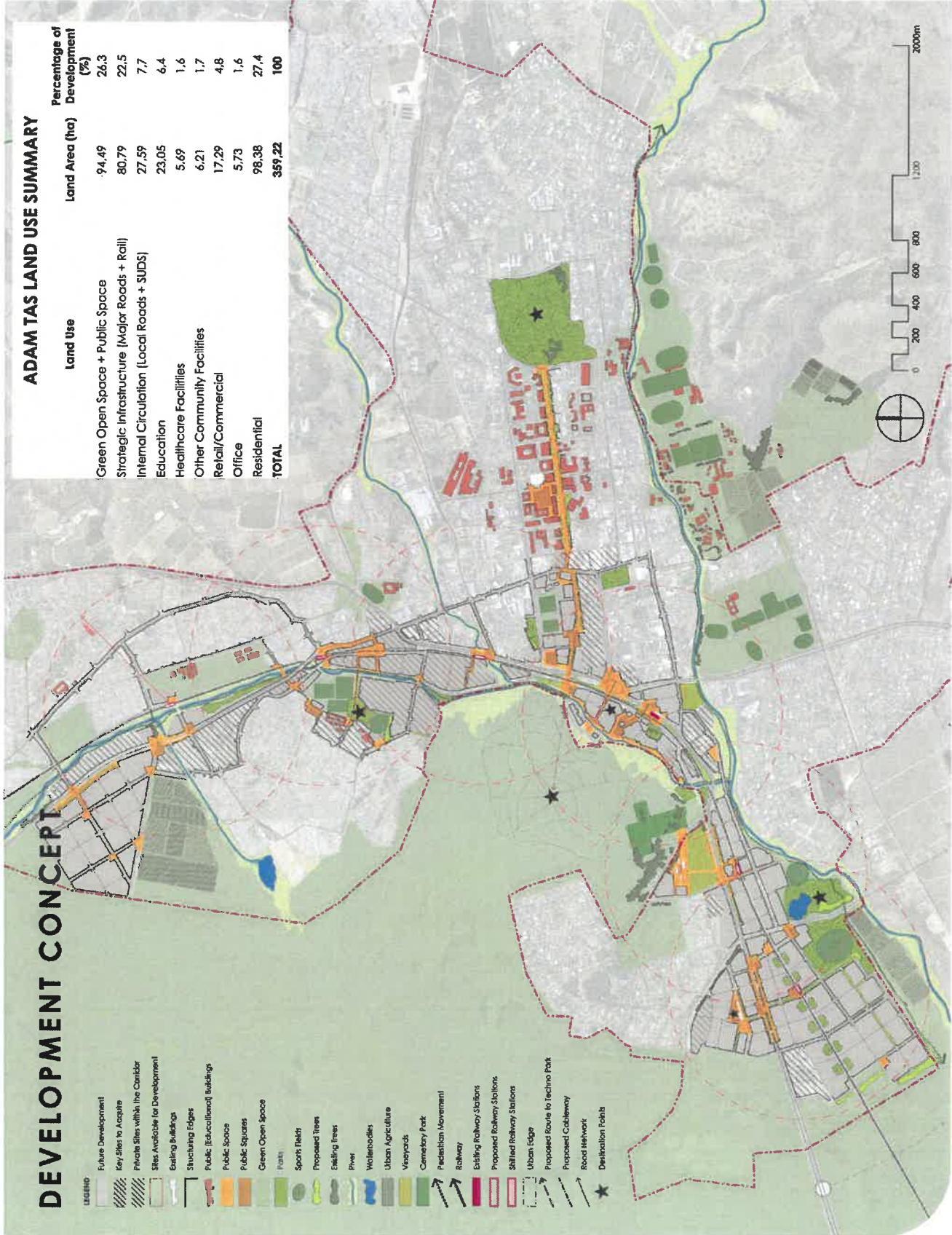


Figure 3. Draft Development Framework from 2019

- Determine process management requirements and devise an equitable funding arrangement.
- Make innovation and learning an integral part of the process.
- Create a neutral space for reflection and problem solving.
- Explore appropriate mechanisms for community beneficiation.
- Build Municipal capacity to deliver the required statutory frameworks.
- Identify a package of catalytic or lead projects.
- Conclude the pre-feasibility phase by issuing a prospectus or information memorandum.

The consultant's framework for moving the process forward highlights the following main issues for consideration:

- The need to invest in the development of a compelling, long term and co-owned vision/future state for the town and its environs in order to guide the unfolding of the spatial concept for the ATC in a holistic and integrated manner.
- The need for the main landowners and key stakeholders to establish interim and final phase governance and management arrangements that will enable the formulation of joint proposals to the relevant authorities and the taking of timely collective decisions on matters of common interest.
- The need to reintroduce the role of a high value independent third party such as STIAS to facilitate access to research, innovation and learning and to provide a space for retreat and reflection as and when required.
- The need to consider the appointment (for an initial period of ± 18 months) of an experienced Process Coordinator who can establish process management architecture proposed in this report and can drive the delivery of the critical inputs, (e.g., beneficiation framework, affordable housing model, urban mobility

- framework, long-term vision development, etc.), in the desired time frames.
- The need to resolve the beneficiation model and framework of duties and obligations on which the allocation of additional land use rights will be premised.
- The need to consider the role of innovation and learning from international best practice in designing the future of the corridor, the town and its environs.
- The need to conclude the work undertaken during the conceptual phase and to enter the planning and mobilisation phase with due consideration of the risks involved in the, to be anticipated, "crisis of complexity".

The report concludes with the proposal of an interim governance and management arrangement and outlines the final phase governance and management arrangement in accordance with which the main private landowners should organise themselves in order to produce the collective proposals, decisions and undertakings that will be required by the planning authority for the allocation and management of additional land use rights.

The spatial planning related proposals related to the ODA recommendations have largely been incorporated into the current LSDF assignment. ODA's institutional proposals are addressed in section 8.2.8 under Implementation Framework.

1.4. Case Studies

During 2020, as part of a STIAS fellowship opportunity focused on the ATC project, Stephen Boshoff – a member of the team prepared the Draft Development Framework and practitioner at BEP – explored case studies which may benefit a review of work undertaken to date and further roll-out of the ATC project.

In-depth case studies were undertaken of the Cambridge North-west development, Victoria & Alfred Waterfront, the regeneration of the Poble Nou district in Barcelona (@22@barcelona), and the

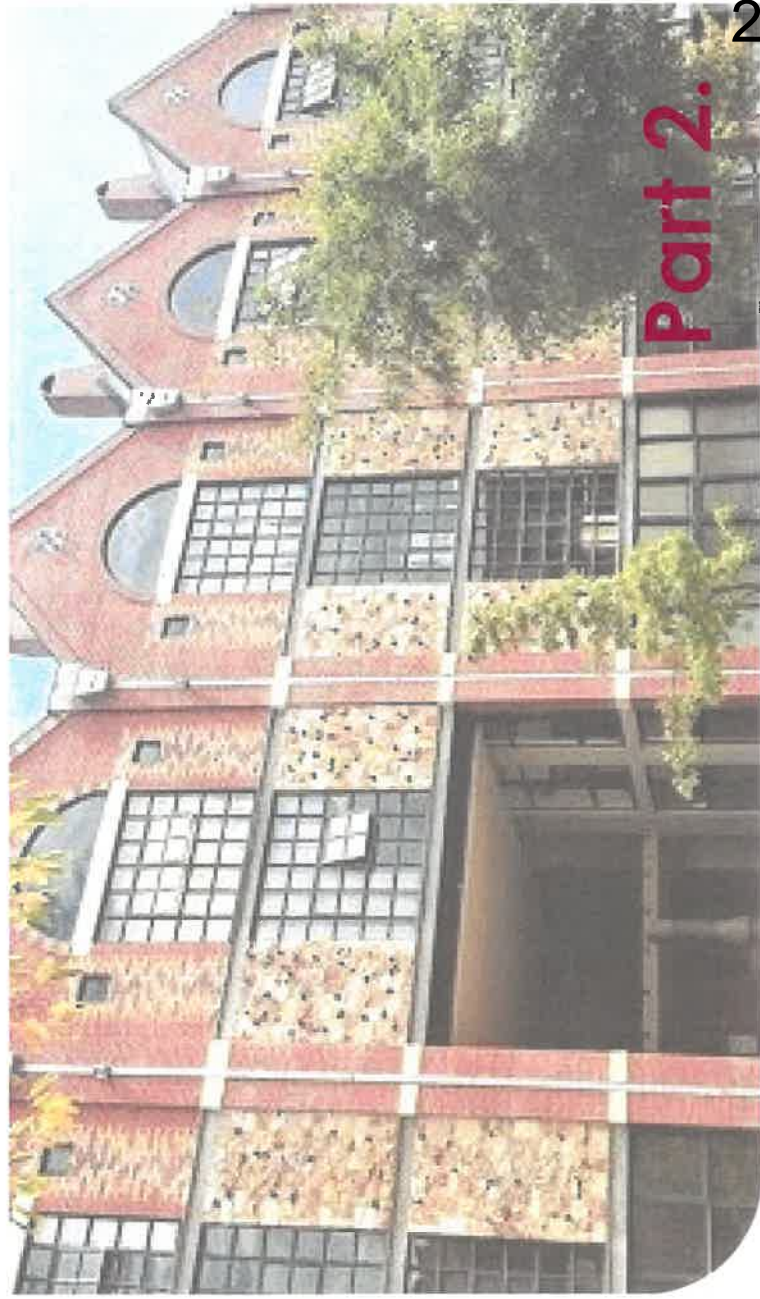
transformation of Bilbao. Specific aspects of other urban development projects were also explored. A common basis for analysing case studies was established by combining two well-known and documented frameworks for planning and analysing organisation or transformational change, the one focused on stepped transformational change and the other related to key factors affecting the ability of an organisation to achieve change steps. Key conclusions drawn from the analysis – presented as 21 propositions – are summarised in Appendix A.

1.5. The ATC Project and Covid-19

Covid-19 unfolded in parallel to the tender process for preparing the ATC LSDF. Expectedly, at the time, the impact of the virus on the project was raised in various discussions related to project roll-out. Some suggested that both public and private sector resources will be curtailed to such an extent through its focus on covid-related matters that the project will be seriously inhibited.

The alternative argument is that – despite its devastating impact – Covid-19 has assisted in making a case for the ATC project. In some ways, impact of Covid-19 has and will be one of foreshortening future scenarios of need in Stellenbosch; the Covid-19 Stellenbosch of today and the one emerging is perhaps one where the future is experienced without having addressed critical past challenges fully. It is one of a deepening need for housing and livelihood opportunity, including jobs, education, and the recognition of various forms of cultural expression. Deepening crime and other forms of social malaise is likely. There will certainly be increased pressure on public and private resources (whether those of most institutions or individual households).

In other words, the underlying reasons for embarking on the ATC project remain, and in many ways are becoming more pronounced through Covid-19, and more in need of concerted attention.



Legislative Context

2. Legislative Context

2.1. Key Legislation

Section 156 of the **Constitution of the Republic of South Africa 1996**, grants municipalities constitutional executive and administrative authority over matters listed in Part B of Schedule 4 and Part B of Schedule 5, as well as any other matter assigned to it by national or provincial legislation. Part B of Schedule 4 includes "municipal planning" (not defined but which the Constitutional Court has stated assumes a "well-established meaning which includes the zoning of land and the establishments of townships" and "the control and regulation of land"). National and provincial governments have legislative and executive authority to regulate the exercise by municipalities of their executive authority over Part B of Schedule 4 and Part B of Schedule 5.

Chapter Two of the Constitution contains the **Bill of Rights**, a charter that protects the civil, political, socio-economic, and environmental rights of all people in South Africa. The rights in the Bill apply to all law and bind all spheres of the government.

The **Municipal Systems Act, 32 of 2000** (MSA) first introduced the concept of a Spatial Development Framework (SDF) as a component of the mandatory Integrated Development Plan (IDP) that every municipality must adopt to govern its allocation of resources. Chapter 5 of the Act deals with integrated development planning and provides the legislative framework for the compilation and adoption of IDPs by municipalities. Within the chapter, Section 26(e) specifically requires an Municipal SDF (MSDF) as a mandatory component of the municipal IDP.

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.

In broad terms, SPLUMA differentiates between two components of the planning system:

- Spatial planning (traditionally also referred to as "forward planning").

- The Land Use Management System (LUMS).

MSDFs reflect a municipality's spatial planning for the municipal area while LSDFs would reflect planning for a specific part of a municipal area. MSDFs and LSDFs are guiding and informing documents that indicate the desired spatial form and define strategies and policies to achieve this. They inform and guide the LUMS, 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. MSDFs and LSDFs also inform sector plans (e.g., specific plans for transport or housing) and the municipality's capital investment framework (indicating where and how the municipality will allocate financial resources over the medium to longer term).

MSDFs and LSDFs are not rigid or prescriptive plans that predetermine or try to deal with all eventualities or sets out complete land use and development parameters for every land portion or cadastral entity. They should, however, contain sufficient clarity and direction to provide guidance to land use management decisions while still allowing some flexibility and discretion. SDFs need to distinguish between critical non-negotiables and fixes, and what can be left to more detailed studies. They should be based on normative principles including performance principles that form the basis of monitoring and evaluation of impacts.

Similar to SPLUMA, the **National Environmental Management Act, Act 107 of 1998** (NEMA), is identified as "framework legislation", intended to define overarching and generally applicable principles to guide related legislation as well as all activities integral to environmental management. Its broad purpose is to provide for co-operative environmental governance by establishing principles for decision-making on matters effecting the environment, institutions that will promote co-operative governance and procedures for coordinating environmental functions exercised by organs of the state, provide for certain aspects of the administration and enforcement of other environmental management laws, and related matters.

NEMA is critical in so far as the issues of environmental sustainability, resilience to climate change, and wise use of the natural resource base, are key to the current and future socio-economic wellbeing of residents in the municipal area. This is especially so because of the fact that sectors such as agriculture and tourism, which all rely to a great extent on the natural assets of the area, remain of great importance to the local economy and are likely to do so in future. In this regard, the National Environmental Management Principles are important and are to be applied in tandem with the development principles set out in SPLUMA. It is also notable that both SPLUMA and NEMA provide for an integrated and coordinated approach towards managing land use and land development processes.

The **National Heritage Resources Act (HRA), Act 25 of 1999**, provides for general principles, norms, and standards governing heritage resources management throughout the Republic and an integrated system for the identification, assessment and management of the heritage resources, including the protection and management of conservation-worthy places and areas by local authorities.

Provincial and municipal laws likewise provide for broad land use planning powers serving the public interest. The **Western Cape Land Use Planning Act (LUPA) 3 of 2014** provides that “municipalities are responsible for land use planning” and that “[a] municipality must regulate . . . the development, adoption, amendment and review of a zoning scheme for the municipal area.” Municipalities also must regulate the imposition of conditions of approval for land use applications. The purpose of the zoning scheme is to “make provision for orderly development and the welfare of the community” and determine use rights and development parameters with due consideration to LUPA’s principles.

The **Stellenbosch Municipality Land Use Planning By-law of 2015** applies to all land situated within the Stellenbosch Municipal area, and sets out the planning instruments, processes, and institutional arrangements for exercising its authority as provided for in the Constitution, SPLUMA, and LUPA.

The **Stellenbosch Municipality Zoning Scheme By-Law 2018** describes the lawful uses of land in the municipal area in detail, as well as associated regulations related to exercising use rights and the control of the use of land.

2.2. The Broad Objectives and Mandate of Planning Legislation

The South African planning and land use law is broad in its objectives and mandate, including its use to meet agreed societal objectives.

A recent study published by the Development Action Group (DAG) observes that the South African planning and land use regulatory regime is recognised as “empowering municipalities to significantly restrict the use of property in a non-arbitrary manner, even where the value of the property is diminished, while still protecting property owners’ rights to use and enjoy their property in

a reasonable manner.”³ Albeit the study focuses on inclusionary housing, the focus of broad objectives sought through planning and land use instruments include matters beyond housing such as the environment, infrastructure provision, public facilities, and so on.

The Bill of Rights states inter alia that the state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis. In its preamble and principles, SPLUMA specifically acknowledges the spatial planning legacy of racial inequality and segregation in the South African planning regime, the need to strive to meet the basic needs of previously disadvantaged, and the recognition of the right to housing, which includes equitable spatial patterns. Its stated objectives include that planning and land use management promotes social and economic inclusion as well as redress of imbalances of the past and to ensure equity in the application of planning and land use management requirements.

With the above in mind, the DAG report holds inter alia that:

- The Constitution enshrines normative rights, and affirmative obligations by the state to achieve those rights.
- The Constitution’s grant of municipal authority over municipal planning provides municipalities with a tool to legitimately direct the law towards furthering the inclusionary principles regarding housing and access to land.
- Constitutional Court decisions to date acknowledge and support the Constitution’s deference towards redress of past and present injustice, suggesting that applicable laws would be interpreted to allow for planning

3 Legal Aspects of Inclusionary Housing in South Africa, 2020. The work emanates from the 3-year National Land Value Capture Programme, launched in 2020 by a tripartite partnership between DAG, the Lincoln Institute of Land Policy, and the National Treasury’s Cities Support Programme (CSP) and aimed at strengthening the capability of metropolitan governments to efficiently and effectively implement innovative Land Value Capture tools and strategies.

requirements that seek to address inequality and segregation.

In exercising their authority – and again with specific reference to inclusionary housing – the DAG report recommends that:

- Municipalities must implement and administer this broader use of planning and land use regulations to enable matters such as inclusionary housing through its local land use management scheme and/ or land use approval process in conformance with SPLUMA.
- To avoid challenges based on arbitrariness and/ or lack of procedural justice, municipalities need to develop policies to guide their inclusionary housing requirements and amend their local bylaws to give legal effect to these policies. Practices of imposing ad-hoc mandatory inclusionary housing conditions through land-use approvals, ad hoc adjustment or restriction of unused development rights, or providing inclusionary housing requirements only through policy without more formal changes to municipal planning bylaws and spatial development frameworks, present a higher risk of invalidation based on the current requirements under SPLUMA, and constitutional requirements.
- Where new, previously un-enjoyed rights are granted under a land use regime, there is less of a question of whether limitation of those new rights constitute an infringement on private property rights. In contrast, where rights enjoyed by private landowners under an existing land use regime are curtailed in order to enable their re-allocation conditioned on compliance with inclusionary housing requirements, the impact on the existing use and enjoyment of property is more obviously impacted.

The DAG report is more tentative in its findings as to whether the planning and land use regulatory regime provides for an in-lieu fee option to enable inclusionary housing. DAG takes the position that the best justification for in-lieu fees – under the current law – is as a “functional equivalent” of an inclusionary housing requirement, although to their knowledge this legal theory has not been directly tested in South African courts.



Part 3.

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Policy and Planning Context

3. Policy and Planning Context

Numerous integrated and sector specific policy frameworks and plans – ranging in spatial reach from the national to the local – impact on the ATC LSDF. The paragraphs below highlight key frameworks and plans, with a view to identify key themes to be considered in preparing the LSDF.

3.1. The 2030 National Development Plan (NDP), 2012

The NDP is an all-encompassing national development plan grounded in the tenets of the Constitution and Bill of Rights. It addresses the varied needs and challenges facing the country, the underlying causes of challenges and factors inhibiting change; and provides detailed guidance on responding to all of these.

Importantly, the NDP recognises that overcoming our triple challenges of inequality, unemployment and poverty will require, *inter alia*, transforming our physical space. There is a need to disrupt and undo inherited and persisting colonial and apartheid economic, social and spatial investment logics, and the resultant spatial forms and land-use patterns which impede inclusive sustainable human development.

Of particular relevance for the ATC LSDF are the recommendations set out in Chapter 8 of the NDP – Transforming Human Settlements and the National Space Economy – including the upgrading of all informal settlements on suitable, well-located land, increasing urban densities to support public transport and reduce sprawl, promoting mixed housing strategies and compact urban development in close proximity to services and livelihood opportunities, and investing in public transport infrastructure and systems (with a special focus on commuter rail) to ensure more affordable, safe, reliable and coordinated public transport.

Following on from this NDP guidance, government prepared policy and legislation that gives further expression to Chapter 8 of the NDP. These include the 2016 Integrated Urban Development Framework (IUDF) and SPLUMA (detailed in the section on legal context).

3.2. The Integrated Urban Development Framework (IUDF), 2016

The IUDF builds on the NDP, notably Chapter 8. It establishes a guiding vision for settlement development and management in South Africa of “liveable, safe, resource-efficient cities and towns that are socially integrated, economically inclusive and globally competitive, where residents actively participate in urban life”.

The IUDF puts forward a “new deal” for South Africa’s cities and towns – ranging from the very large metropolitan regions to the smallest towns in rural areas – focused on maximising the potential of urban areas, and integrating planning, budgeting and investment in such a way that it improves and enhances urban structure and form in a manner serving sustainable human development.

The IUDF defined four strategic goals for all urban areas – spatial integration, inclusion and access, growth, and governance – supported by nine “policy levers” to achieve the goals: integrated urban planning and management, integrated transport and mobility, integrated and sustainable human settlements, integrated urban infrastructure, efficient land governance and management, inclusive economic development, empowered active communities, effective urban governance, and sustainable finances. The active participation of a range of stakeholders, including all three spheres of government – across sectors – the private sector, NGOs, NPOs and local community

organisations, is recognised as a prerequisite in implementing the policy goals of the IUDF.

3.3. The Draft National Spatial Development Framework (NSDF) 2020

The NSDF follows on the IUDF and SPLUMA’s call for spatial plans across scales of space, from national to local. Among the outcomes sought by the NSDF is “a network of consolidated, transformed and well-connected national urban nodes, regional development anchors, and development corridors that enable South Africa to derive maximum transformative benefit from urbanisation, urban living and inclusive economic development.”

The NSDF emphasises that settlement development in South Africa must be undertaken in such a way that it increases development density, reduces urban sprawl, prevents the unsustainable use of productive land, and optimises investment in infrastructure networks.

In terms of the NSDF, broader Cape Town, Gauteng and eThekweni are regarded as a national urban regions, where urbanisation should be consolidated in “compact, productive, sustainable, inclusive and well-governed urban core regions.”

3.4. Western Cape Government Provincial Strategic Plan (PSP) 2019-2024

The PSP sets out the Western Cape Government’s vision and strategic priorities. The PSP vision and strategic priorities are illustrated in diagram ...

In relation to mobility and spatial transformation, the PSP envisages that “residents live in well-connected, vibrant, and sustainable communities and move around efficiently on safe, affordable, low-carbon public transport”.

3.5. The Provincial Spatial Development Framework (PSDF) 2014

The PSDF sets out to:

- Address the lingering spatial inequalities that persist because of apartheid's legacy – inequalities that contribute both to current challenges (lack of jobs and skills, education and poverty, and unsustainable settlement patterns and resource use) and to future challenges (climate change, municipal fiscal stress, food insecurity, and water deficits).
- Provide a shared spatial development vision for both the public and private sectors and to guide to all sectoral considerations about space and place.
- Direct the location and form of public investment and to influence other investment decisions by establishing a coherent and logical spatial investment framework.

The spatial agenda advocated by the PSDF is summarised in diagram 1. The PSDF sets out the key strategic spatial transitions required to achieve a more sustainable use of provincial assets, the opening-up of opportunities in the space-economy and the development of integrated and sustainable settlements. These are summarised in tables 1 and 2.

The PSDF includes a composite map which graphically portrays the Western Cape's spatial agenda. In line with the Provincial spatial policies, the map shows what land use activities are suitable in different landscapes and highlights where efforts should be focused to grow the Provincial economy. For the agglomeration of urban activity, the Cape Metro functional region, which includes the Stellenbosch Municipality, as well as the emerging regional centres of the Greater Saldanha functional region and the George/ Mossel Bay functional region, is prioritised.

A safe Western Cape where everyone prospers

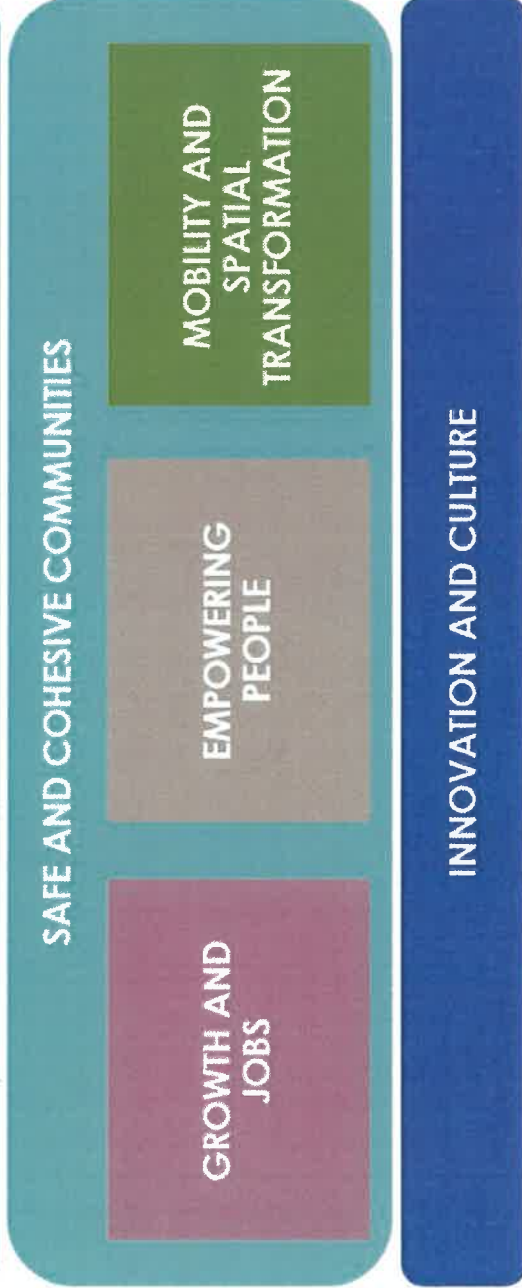


Diagram 1. The Western Cape Government PSP vision and strategic priorities (WCG, 2020)

Through more mixed-use, mixed-income neighbourhoods and sustainable densification of economic centres, the average time, cost, and distance of commuting is reduced, and through leveraging provincial and municipal investments in infrastructure, human settlements, spaces, and services, communities can be healed, connected, integrated, and transformed while reducing the vulnerability to climate change. Neighbourhoods should become safe places of equal opportunity, dignity and belonging.

The PSP recognises that distance to economic opportunity and social services carries both direct and indirect costs, and disproportionately so for the poor and vulnerable. It is recognised that South African cities are generally limited in achieving their economic potential – known as “reaping the urban dividend”. This is due to their low densities, inverted

spatial form, mono-functional land use patterns, and spatial poverty traps.

Four focus areas are identified for achieving mobility and spatial transformation:

1. Create better linkages between places through safe, efficient and affordable public transport.
2. Establishing Inclusive places of opportunity.
3. Enabling more opportunities for people to live in better locations.
4. Improving the places where people live.

Table 1. The key PSDF Transitions

PSDF THEME	FROM	TO
Resources and Assets (Bio-Physical Environment)	Mainly curative interventions	More preventative interventions
	Resource consumptive living	Sustainable living technologies
	Reactive protection of natural, scenic and agricultural resources	Proactive management of resources as social, economic and environmental assets
Opportunities in the Space Economy (Socio-Economic Environment)	Fragmented planning and management of economic infrastructure	Spatially aligned infrastructure planning, prioritisation and investment
	Limited economic opportunities	Variety of livelihood and income opportunities
	Unbalanced rural and urban space economies	Balanced urban and rural space economies built around green and information technologies
Integrated and Sustainable Settlements (Built Environment)	Suburban approaches to settlement	Urban approaches to settlement
	Emphasis on 'greenfields' development and low density sprawl	Emphasis on 'brownfields' development
	Low density sprawl	Increased densities in appropriate locations aligned with resources and space-economy
	Segregated land use activities	Integration of complementary land uses
	Car dependent neighbourhoods and private mobility focus	Public transport orientation and walkable neighbourhoods
	Poor quality public spaces	High quality public spaces
	Fragmented, isolated and inefficient community facilities	Integrated, clustered and well located community facilities
	Focus on private property rights and developer led growth	Balancing private and public property rights and increased public direction on growth
	Exclusionary land markets and top-down delivery	Inclusionary land markets and partnerships with beneficiaries in delivery
	Limited tenure options and standardised housing types	Diverse tenure options and wider range of housing typologies
Delivering finished houses through large contracts and public finance and with standard levels of service	Progressive housing improvements and incremental development through public, private and community finance with differentiated levels of service	

Table 2. The PSDF Spatial Agenda

Focus	What it involves
GROWING THE WESTERN CAPE ECONOMY IN PARTNERSHIP WITH THE PRIVATE SECTOR, NON-GOVERNMENTAL AND COMMUNITY BASED ORGANISATIONS	<ul style="list-style-type: none"> Targeting public investment into the main driver of the Provincial economy (i.e. the Cape Metro functional region, the emerging Saldanha Bay/Vredenburg and George/ Mossel Bay regional industrial centres, and the Overstrand and Southern Cape leisure and tourism regions). Managing urban growth pressures to ensure more efficient, equitable and sustainable spatial performance. Aligning, and coordinating public investments and leveraging private sector and community investment to restructure dysfunctional human settlements. Supporting municipalities in managing urban informality, making urban land markets work for the poor, broadening access to accommodation options, and improving living conditions. Promoting an urban rather than suburban approach to settlement development (i.e. diversification, integration and intensification of land uses). Boosting land reform and rural development; securing the agricultural economy and the vulnerability of farm residents, and diversifying rural livelihood and income earning opportunities.
USING INFRASTRUCTURE INVESTMENT AS PRIMARY LEVER TO BRING ABOUT THE REQUIRED URBAN AND RURAL SPATIAL TRANSITIONS	<ul style="list-style-type: none"> Aligning infrastructure, transport and spatial planning, the prioritisation of investment and on the ground delivery. Using public transport and ICT networks to connect markets and communities. Transitioning to sustainable technologies, as set out in the WCIF. Maintaining existing infrastructure.
IMPROVING OVERSIGHT OF THE SUSTAINABLE USE OF THE WESTERN CAPE'S SPATIAL ASSETS	<ul style="list-style-type: none"> Safeguarding the biodiversity network and functionality of ecosystem services, a prerequisite for a sustainable future. Prudent use of the Western Cape's precious land, water and agricultural resources, all of which underpin the regional economy. Safeguarding and celebrating the Western Cape's unique cultural, scenic and coastal resources, on which the tourism economy depends. Understanding the spatial implications of known risks (e.g. climate change and its economic impact), sea level rise associated with extreme climatic events) and introducing risk mitigation and/or adaptation measures.

3.6. The Greater Cape Metro Regional Spatial Implementation Framework (GCM RSIF) 2017

The Greater Cape Metro (GCM) Regional Spatial Implementation Framework (RSIF), completed in 2017, aims to build consensus between the spheres of government and state-owned companies on what spatial outcomes the GCM should strive for, where in space these should take place, and how they should be configured. The GCM covers the municipal jurisdictions of Cape Town, Saldanha Bay, Swartland, Drakenstein, Stellenbosch, Breede Valley, Theewaterskloof, and Overstrand.

The regional settlement concept proposed by the GCM RSIF is built on the following key tenets:

- Containing settlement footprints by curtailing the further development of peripheral dormitory housing projects.
- Targeting built environment investments within regional centres, specifically in nodes of high accessibility and economic opportunity.
- Targeting these locations for public and private residential investment, especially rental housing, to allow for maximum mobility between centres within the affordable housing sector.
- Using infrastructure assets (specifically key movement routes) as "drivers" of economic development and job creation.
- Promoting regeneration and urban upgrading within strategic economic centres as well as high-population townships across the functional region.
- Shifting to more urban forms of development within town centres including higher densities and urban format social facilities.
- Connecting these nodes within an efficient and flexible regional public transport and freight network.

- Maintaining valuable agricultural and nature assets.

In terms of role and function, Paarl and Wellington is designated as the Northern Winelands service, administrative, tertiary education, agri-processing and distribution, and tourist centre, with very high/high growth potential. Stellenbosch is designated as the Southern Winelands service, administrative, tertiary education and research, and agri-processing centre, as well as home to multi-national enterprise headquarters, a key tourism destination, and focus for technology industry, with very high growth potential.

3.7. Regional Socio-Economic Programme (RSEP) 2014

The RSEP is an intergovernmental programme of the WCG. The primary goal of the programme is urban upgrading and renewal focusing on previously disadvantaged neighbourhoods through pro-poor

and social upliftment interventions and to address the legacies of spatial segregation in South Africa. This is done by implementing physical projects that will have an immediate impact and demonstrate "what can be done" in order for municipalities to mainstream this directive in their normal day-to-day work and future planning initiatives and budgeting processes. In addition, non-physical projects are also undertaken (e.g., precinct planning, urban design, and facilitating partnerships and collaboration).

The programme also aims to promote a "whole-of-society" approach which envisions provincial and local government partnering with active citizens, communities and stakeholders to promote social and economic inclusion; and furthermore, to establish a "whole-of-government" approach to enhance planning-led budgeting through coordinated multi-sector spending in the province. The programme is therefore focused on bringing together a range of stakeholders, both

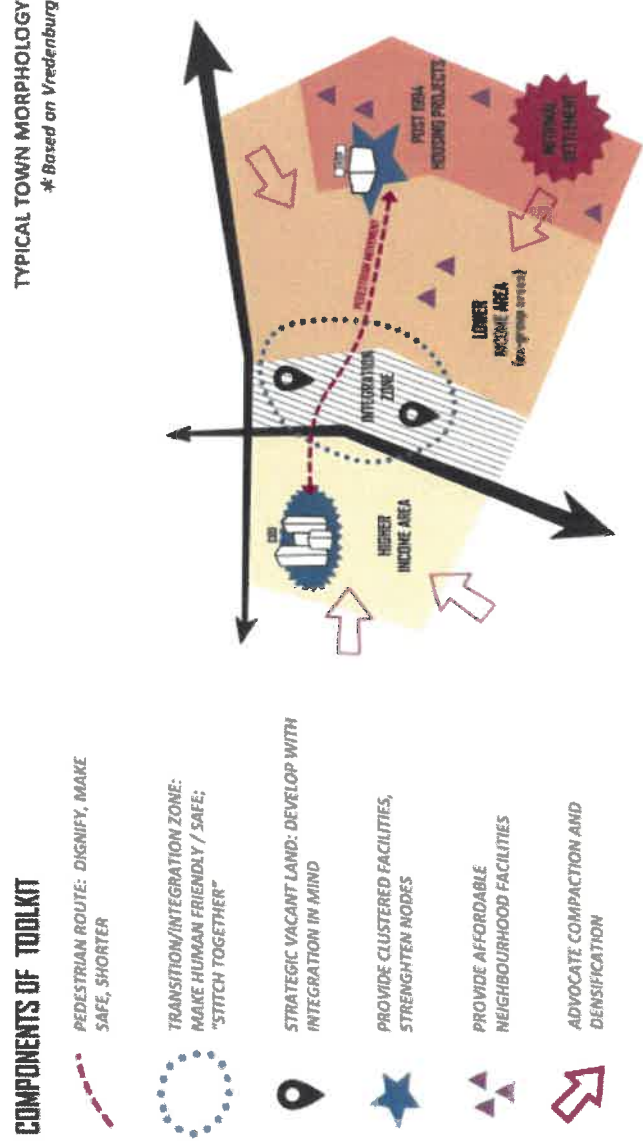


Diagram 2. RSEP Reconstruction Framework (WCG)

Table 3. IDP Strategic Focus Areas and the MSDF

IDP STRATEGIC FOCUS AREA	LSDF DIRECTION
Valley of possibility	<ul style="list-style-type: none"> Containment of settlements to protect nature/ agricultural areas and enable public and non-motorized transport and movement. A focus on public and non-motorized transport and movement.
Green and sustainable valley	<ul style="list-style-type: none"> Protection of nature areas, agricultural areas, and river corridors.
Safe valley	<ul style="list-style-type: none"> Denser settlements with diverse activity to ensure surveillance.
Dignified living	<ul style="list-style-type: none"> A specific focus on the needs of "ordinary" citizens, experiencing limited access to opportunity because of restricted available material resources.
Good governance and compliance	<ul style="list-style-type: none"> Presenting information, including opportunities and choices in a manner that assists its internalization by all.

local, provincial, national and private, in order to achieve effective and efficient joint planning and implementation at the local level and to improve quality of life of citizens and in communities.

One of the key deliverables developed by the RSEP to be utilized and implemented as a new directive by the municipalities, is a "Reconstruction Framework" for their towns, which can be used as a "toolkit" for upgrading and integration. The framework comprises of a model that investigates the town structure in terms of the impact of apartheid planning, post-apartheid housing developments and the current location of poor communities and their relationship and interaction with the rest of the town. It is aligned to a number of policies such as the IUDF, the NDP and the PSDF.

The RSEP Reconstruction Framework aligns with National Treasury's Urban Network Strategy, which attempts to align and crowd-in public spending and unlock private investment in order to re-stitch fragmented spatial forms through catalytic interventions. Components of the framework include:

- Transition/ integration zones.
- Strategic vacant or underutilised land.
- Government facilities.
- Neighbourhood facilities and public spaces.
- Satellite nodes.
- Clustered social facilities/hubs.
- Pedestrian routes and movement patterns.

The Reconstruction Framework and its components is illustrated in diagram 2.

SM is one of the new local municipalities participating in Phase 2 of the RSEP Programme. Three projects have been identified for Stellenbosch, the construction of Cloetesville outdoor gym and playground, the formalisation of the taxi rank and LED market stalls in the Kayamandi/ Stellenbosch integration zone and co-funding for further detailed planning of the ATC.

3.8. The Stellenbosch Municipality Integrated Development Plan (IDP)

The SM Integrated Development Plan 2017-2022 (IDP) is aimed at coordinating the efforts of various municipal departments in achieving the vision for the municipality as a "valley of opportunity and innovation". Efforts to achieve this vision are channelled into five specific 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 – aimed at ensuring that municipality is managed efficiently and effectively to the benefit of all stakeholders.

Budget expenditure is closely linked to these focus areas and achieving these outcomes.

Table 3 illustrates how spatial planning in the LSDF can contribute, in terms of its focus and contribution, to achieving the aims articulated for each strategic focus area.

3.9. The Stellenbosch Municipal Spatial Development Framework (MSDF), 2019

The MSDF is a statement of public policy that seeks to influence the overall spatial distribution and form of land use, associated infrastructure, public facilities within the Municipal area to give effect to the vision, goals and objectives of the Municipal Integrated Development Plan (IDP).

Prepared in terms of SPLUMA, it attempts to answer the following questions: "How should the municipal area develop over the next five to thirty years to meet the needs of its citizens? What kind of development will take place, where will it take place, and who will be responsible for what aspect of the development?"

This focus is important. Future growth, expansion and innovation cannot be allowed to unfold in haphazard ways as this is likely to result in expensive outward low-density sprawl of housing and commercial areas and the related destruction of valuable eco-system and agricultural resources. This kind of development is also likely to exacerbate spatial divisions and exclude citizens with lesser materials resources from opportunity to live in proximity to work, commercial opportunity, and social facilities.

Ad hoc development removes the certainty that everyone needs to make long-term investment decisions, including municipal leadership – planning for associated infrastructure – and key players like the property developers, financial investors, development planners, municipal officials dealing with associated approval processes, and ordinary households.

In more detail, the MSDF aims to:

- Enable a vision for the future of the municipal area based on evidence, local distinctiveness, and community derived objectives.
- Translate this vision into a set of policies, priorities, programmes, and land allocations together with the public sector resources to deliver them.
- Create a framework for private investment and regeneration that promotes economic, environmental, and social well-being.
- Coordinate and deliver the public-sector components of this vision with other agencies and processes to ensure implementation.

The concept for the MSDF comprises seven key tenets:

1. Maintain and grow our natural assets: Critical biodiversity areas, valuable land areas (including 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 Stellenbosch Municipality 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 nonmotorized 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 overall plan indicates a municipal area largely set aside as protected and managed areas of nature and high value agricultural land. These areas of nature and agriculture are critical in delivering various ecological and economic services and opportunity. Significant change in use and land development is not envisaged in the nature and agricultural areas. Only non-consumptive activities are permitted (for example, passive outdoor recreation and tourism, traditional ceremonies, research and environmental education) in core nature areas. In agricultural areas, associated building structures are permitted, as well as dwelling units to support rural tourism, and ancillary rural activities that serves to diversify farm income.

A hierarchy of settlements, large and small – each with distinctive characteristics and potentials – and linked through a system of routes, is set in this landscape. Both open areas of nature and agriculture and parts of settlements and the routes that connect them, carry strong historic and cultural values, and contribute significantly to the tourism economy.

While all settlements continually undergo change and require change to improve livelihood opportunity and convenience for existing residents, not all are envisaged to accommodate significant growth. Those envisaged to accommodate both larger scale change and significant growth are situated on the Baden Powell Drive-Adam Tas-R304 corridor. Further, given the railway running on this corridor, the opportunity for settlement closely related to public transport exists here. The corridor is in not proposed as a continuous development strip. Rather it is to comprise contained, walkable settlements surrounded by nature and agriculture, linked via different transport modes, with the rail line as backbone.

The largest of these settlements, where significant development over the short to medium term is foreseen, are the towns of Stellenbosch and

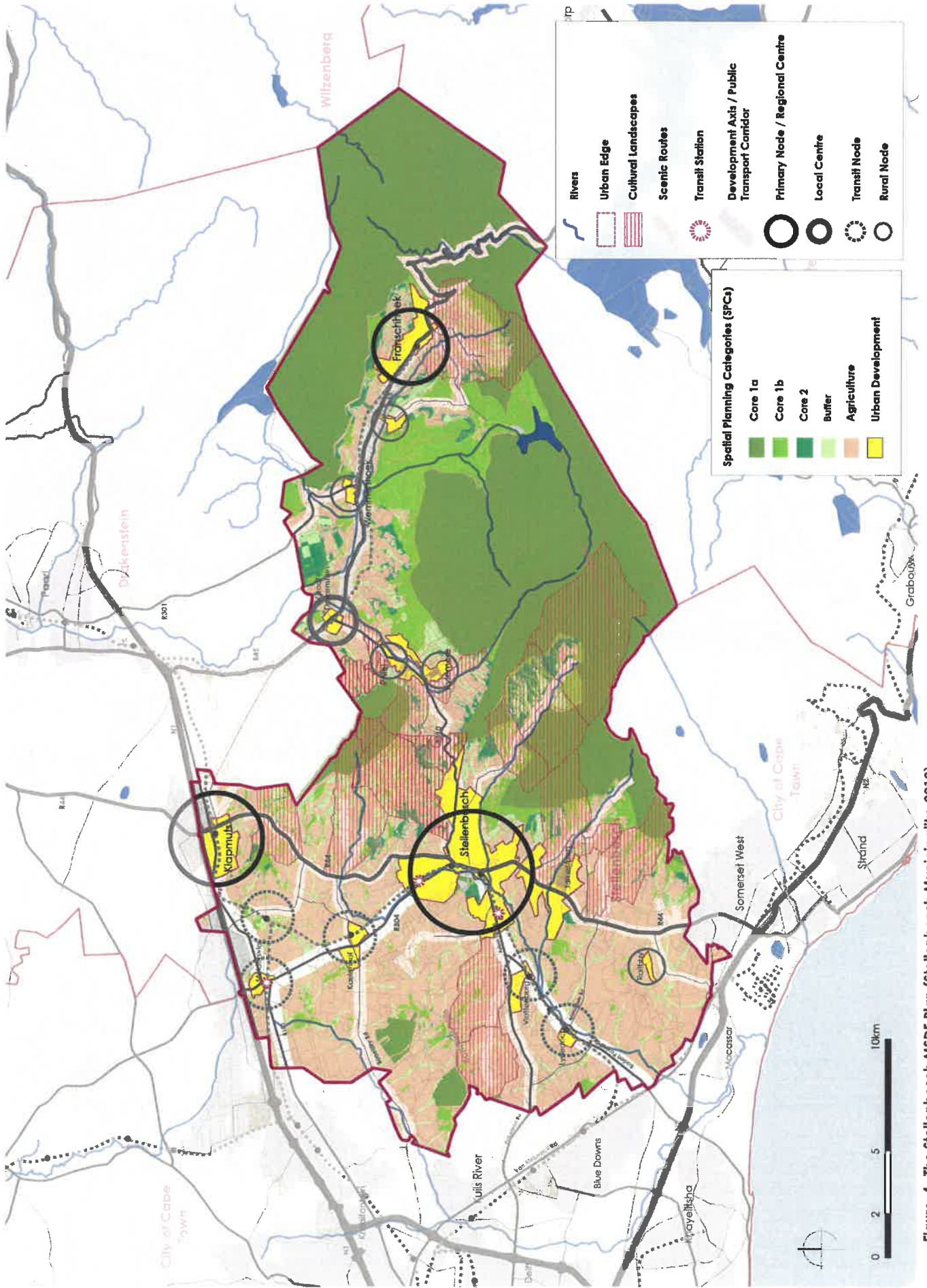


Figure 4. The Stellenbosch MSDF Plan (Stellenbosch Municipality, 2019)

Klapmuts. The potential of Klapmuts for economic development and associated housing is particularly significant, located as it is on the metropolitan area's major freight route. Over the longer term, the Muldersvlei/ Koelenhof and Vlothenburg/ Lynedoch areas can potentially develop into significant settlements. Although considerably smaller than Stellenbosch and Klapmuts, these expanded settlements are nevertheless envisaged as balanced, inclusive communities. Over the longer term, these expanded settlements are foreseen to fulfil a role in containing the sprawl of Stellenbosch town, threatening valuable nature and agricultural areas. Importantly, they should not grow significantly unless parallel public transport arrangements can be provided.

The remainder of settlements are not proposed for major growth, primarily because they are not associated with movement routes and other opportunity than can support substantial livelihood opportunity for all community groups. The focus in these settlements should be on on-going improvements to livelihood opportunity for residents, and the management of services and places. The largest of these settlements is Franschhoek, a significant tourism destination.

Stellenbosch town will remain the major settlement within the municipality; a significant centre comprising extensive education, commercial and government services with a reach both locally and beyond the borders of the municipality, tourism attractions, places of residence, and associated community facilities.

Retaining what is special in Stellenbosch town requires change. The town has grown significantly as a place of study, work, and tourism, while perhaps inadequately providing residential opportunity for all groups, and certainly lacking adequate provision of public transport and NMT options. Managing residential growth of the town, through providing more inclusive housing at higher densities than the norm, is vital. This can and must bring significant reductions in commuting by private

vehicles to and within Stellenbosch town, and provide the preconditions for sustainable public transport and NMT to and within the town.

The most significant redevelopment opportunity within Stellenbosch town is the ATC, stretching from the Droë Dyke and the Old Sawmill sites in the west along Adam Tas Road and the railway line, to Kayamandi, the R304, and Cloetesville in the north. Large industrial spaces – currently disused or to be vacated over time – exist here. Redevelopment offers the opportunity to accommodate many more residents within Stellenbosch town, without a negative impact on agricultural land, nature areas, historically significant precincts, or "choice" lower density residential areas. In many ways, the ATC represents the key to protect and enhance what is special within Stellenbosch town, as well as the relationship between the town and surrounding nature and agricultural areas.

Conceptually, the ATC is the focus of new town building, west of the old Stellenbosch town and central business district (CBD). The "seam" between the new and old districts comprises Die Braak and Rhenish complex, which can form the public heart of Stellenbosch town. The CBD or town centre in itself can be improved, focused on public space and increased pedestrianism. A recent focus on the installation of public art could be used as catalyst for further public space improvements.

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 ATC or elsewhere within Stellenbosch town – is critical. Unless more opportunity is provided for both ordinary people working in Stellenbosch, and students, it will be difficult to impact on the number of people commuting to and from Stellenbosch town in private vehicles on a daily basis.

Given the extent of inclusive opportunity associated with the ATC, the MSDf defines the ATC as a focus for major development energy and "catalytic" project.

3.10. Draft Integrated Human Settlement Plan (ISHP), 2018

A draft Integrated Human Settlement Plan (ISHP) was prepared for SM in 2018. The plan estimates housing need for the indigent (the plan refers to a "give-away" bracket) municipality-wide in 2016 as 11 6181. The estimated unfulfilled need of houses by 2036, assuming that no houses for the indigent will be built between 2016 and 2036, is 17 847. If the current rate of delivery persists only 7 805 units would have been added by 2036, thus still resulting in a significant backlog. Estimated housing demand for the non-indigent (in units larger than <80 m² and comprising a variety of unit types aimed at various markets, such as GAP housing, flats and townhouses, and stand-alone units) in 2016 was 15 042. If no supply is added by 2036 this demand is 23 106. The ISHP indicates that the largest demand for housing is in Stellenbosch town, which already accommodates 70% of the urban population of the SM.

At the time of preparing the ATC LSDf, SM was in the process of procuring a service provider to prepare a new IHSP.

3.11. Draft Inclusionary Housing Policy

Inclusionary housing is a spatially targeted mechanism that relies on the regulatory system of planning permissions to oblige property developers to provide affordable housing at prices below those targeted by their development. Inclusionary housing leverages the greater societal role in creating land value, along with the significant increase in the value of land, as a consequence of granting new or additional land use rights.

In other words, in return for additional land use rights, including a greater mix of uses and higher densities that generate significant value, the inclusionary housing mechanism applies a standardised requirement or "set-aside requirement" for developers to include, in their

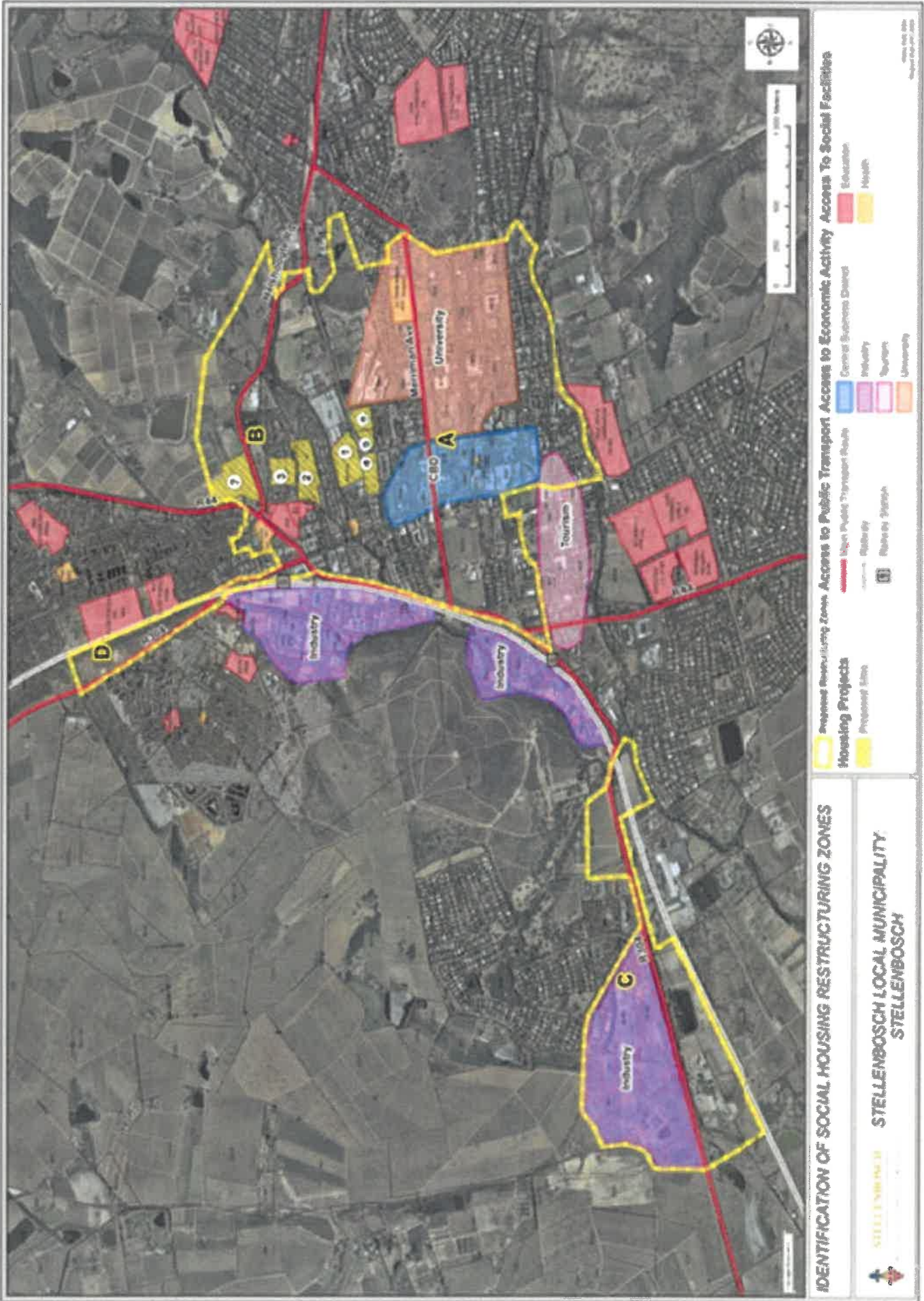


Figure 5. Restructuring Zones (Stellenbosch Municipality)

developments, a contribution towards housing that is affordable to lower-middle and lower-income households. The objective is to open up opportunities for more affordable housing in identified areas and to promote more integrated communities in those areas that are less starkly divided by income and race and more inclusive of key workers and young professionals in particular.

While the ATC LSDF was under preparation, the WCG advertised its "Inclusionary Housing Policy Framework" for comment. The Framework:

- Define inclusionary housing.
- Provide the rationale for its use as a mechanism for spatial transformation.
- Provide the basis for the application of inclusionary housing measures in the Western Cape.
- Outline how inclusionary housing can be introduced in municipalities.

In parallel with the WCG's policy initiative, the SM has commenced work on its own inclusionary housing policy framework.

3.12. Restructuring Zones

In 2016 SM defined Restructuring Zones with the aim of bringing lower income (and often disadvantaged) people into areas where there are major urban economic opportunities (both with respect to jobs and consumption) and from which they would otherwise be excluded because of the dynamics of the land market⁴. The proposed Restructuring Zone, illustrated in Figure 5 includes most of the CBD, Van der Stel and the area to its south, the Sawmill site, Droë Dyke, and the Oude Libertas vineyard.

3.13. Draft Stellenbosch Municipality Roads Master Plan (2018 Update)

The Draft Stellenbosch Municipality Roads Master Plan (2018 Update) gives specific attention to:

- A Eastern Link Road: a proposed class 4 road from Techno Park running through Paradyskloof and Brandwacht into the CBD, thereby removing some local traffic from the R44.
- The Western Bypass: a proposed class 2 road linking the R44 south of Stellenbosch with the R304 in the north (two options were tested: (a) a Techno Park/R44 southern starting point, (b) a Annandale/ R44 southern starting point).
- The R44 upgrade and reclassification: significant upgrade to the R44 and grade separating some intersections to improve mobility and capacity along the R44.

The RMP found that the following road sections function beyond capacity:

- The R304 before its intersection with the R44.
- The R44 (south) between Paradyskloof and the Van Reede intersection.
- Bird Street between the R44 and Du Toit Street.
- Merriman and Cluver Streets between Bird Street and Helshoogte Road.
- Dorp Street between the R44 and Piet Reief Street.
- Adam Tas Road between its junction with the R44 and Merriman Street.
- Van Reede and Vrede Streets between the R44 and Piet Reief Street.

Access roads found to be under severe pressure are:

- The Welgevonden access road.

- Lang Street into Cloetesville.
- Rustenburg Road into Idas Valley.
- The Techno Park access road.

3.14. Parking Study, 2019

SM appointed consultants to undertake a Stellenbosch Parking Study during March 2019. Following traffic surveys and development of a simulation model to assist in traffic analysis in the Stellenbosch CBD, the service provider instructed to develop recommendations for the development of two public parking garages, one at the Techno Park, and the other on the Eikestad Mall site behind the "City Hall" (preferably, the two facilities are to be developed by the private sector, according to specifications and legal guidance provided by the SM). Work to be concluded is presented in a report by the service provider dated April 2020⁵.

3.15. Policy on the Management of Stellenbosch Municipality's Immovable Property, 2018

The preamble to the SM's policy on the management of its immovable property recognises the inequitable spread of ownership of immovable property throughout the municipal area, the historical causes thereof, and the leading role of the Municipality in redressing these imbalances by ensuring that the immovable property assets under its control are dealt with in a manner that ensures the greatest possible benefit to the Municipality and the community that it serves, and makes available economic opportunities. The preamble also recognises that the Municipality must manage its immovable property in a fair, transparent, and equitable manner. Section 5.1 states guiding principles for the policy, including:

- The use of the Municipality's immovable property to promote social integration, to redress existing spatial inequalities, to promote

4 <https://stellenbosch.gov.za/download/defining-restructuring-zone-for-social-housing>

5 13/SM/39/18: Transport Planning and Traffic Engineering for the Municipality's Parking Development Programme: Inception Report: Final Feasibility, April 2020 (SM/EC)

Table 4. Relevant land owner plans for the ATC and adjacent areas

STELLENBOSCH MUNICIPALITY	
Kayamandi North	<ul style="list-style-type: none"> Part of Kayamandi North is owned by the SM. The SM has issued a tender for the detailed planning of the area.
Die Braak and environs	<ul style="list-style-type: none"> SM has appointed service providers to explore the future use and integration of Die Braak and environs (including the municipally owned Rhenish Complex).
Van der Stel	<ul style="list-style-type: none"> The SM has no definite plans for Van der Stel but the opportunity to rationalize existing use – accommodating a broader range of sporting facilities and associated uses and assisting in management sustainability – has been mooted. Van der Stel is a key area for connecting the ATC with the rest of Stellenbosch.
UNIVERSITY OF STELLENBOSCH ¹	
US Business School	<ul style="list-style-type: none"> The University intends to relocate the Business School from Bellville to a site west of the Oude Libertas Theatre. It is hoped that locating the Business School here will also assist in securing the financial sustainability of the theatre complex.
PRIVATE	
Kayamandi North	<ul style="list-style-type: none"> Part of Kayamandi North is in private ownership. A concept proposal has been prepared for the middle section (Farm 81/33), termed “Newwinbosch”. Some 1 100 residential opportunities and associated facilities are proposed for the 49ha site. An application has also been submitted to develop a smaller adjoining section of land (Farm 81/29) into 158 (affordable) townhouse units.
Sawmill	<ul style="list-style-type: none"> Previously, while owned by Steinhoff, a rezoning was submitted (and approved) for a regional mall and associated commercial development on the Sawmill site. It is understood that the site has been sold, and a concept proposal has been developed for a mixed-use development.

¹ The University is in the process of preparing an integrated spatial development framework, to serve as a guide for campus development in terms of inter alia land use, accessibility, open space structure, preservation of heritage and culture, pedestrian circulation, and traffic circulation and parking. The intent is for long-term capital plans to be aligned with the spatial development framework. The US Business School is the one development directly impacting on the ATC.

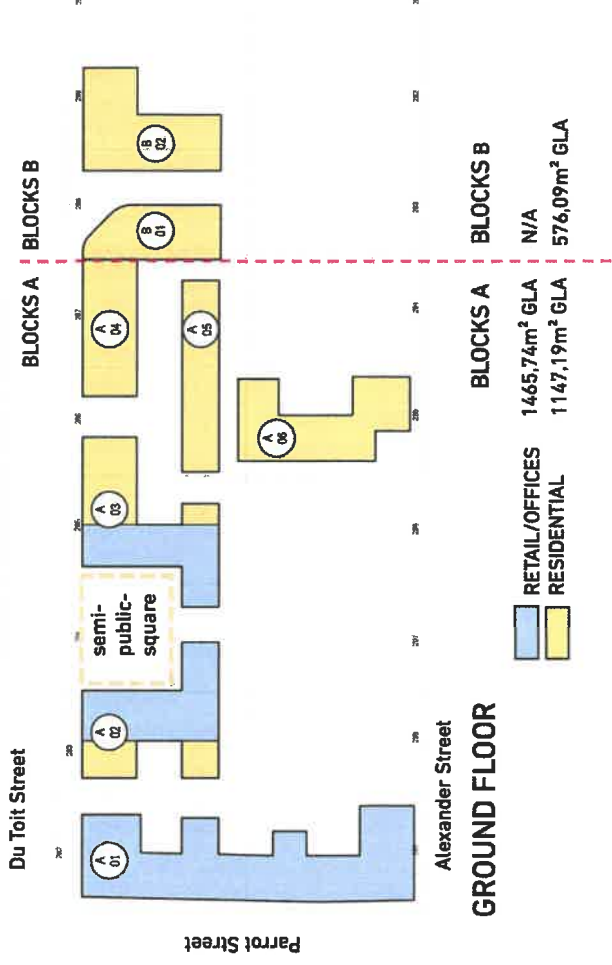


Figure 6. Proposals for area south of Van der Stel - Alexander & Du Toit Street Block Regeneration (URBA Architects, Urban Designers, June 2020)

economic growth, to build strong, integrated and dignified communities and to provide access to housing, services, amenities, transport and opportunities for employment.

- The promotion of access by black people to the social and economic benefit of immovable property ownership, management, development and use.

The Policy recognises three broad methods of property disposal:

- Competitive processes (through formal tenders, public auction, closed tenders, and/or unsolicited bids).
- Non-competitive processes (where non-viable property is disposed to an adjacent owner regarded as the only party who can use the land, or viable property is disposed without a competitive process).
- The exchange of land (when it is advantageous to the Municipality and other parties to exchange land in their ownerships and will achieve best consideration for the municipality).

3.16. Landowner Plans for the ATC and Adjacent Areas

Table 4 and accompanying figures summarizes known development proposals for various parts of the ATC and adjacent areas.

Figure 7. Proposal for the Sawmill redevelopment (Boogertman+Partners,)

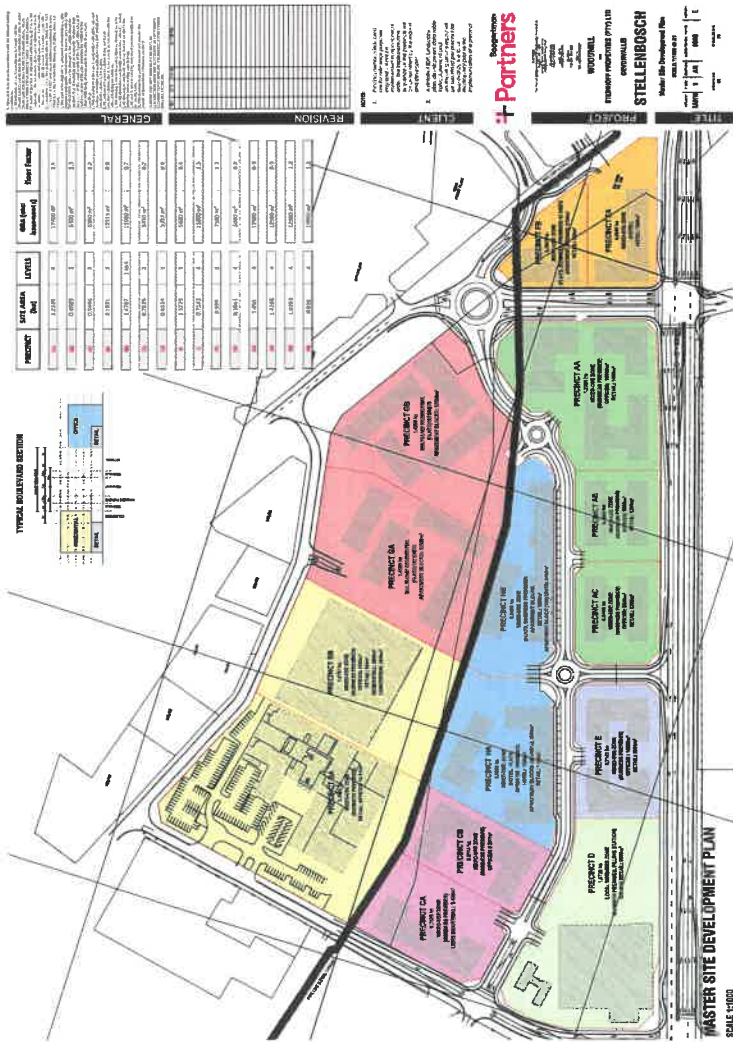


Figure 8. Concept Masterplan for the Northern Extension (Osmond Lange Architects and Planners, 2019)

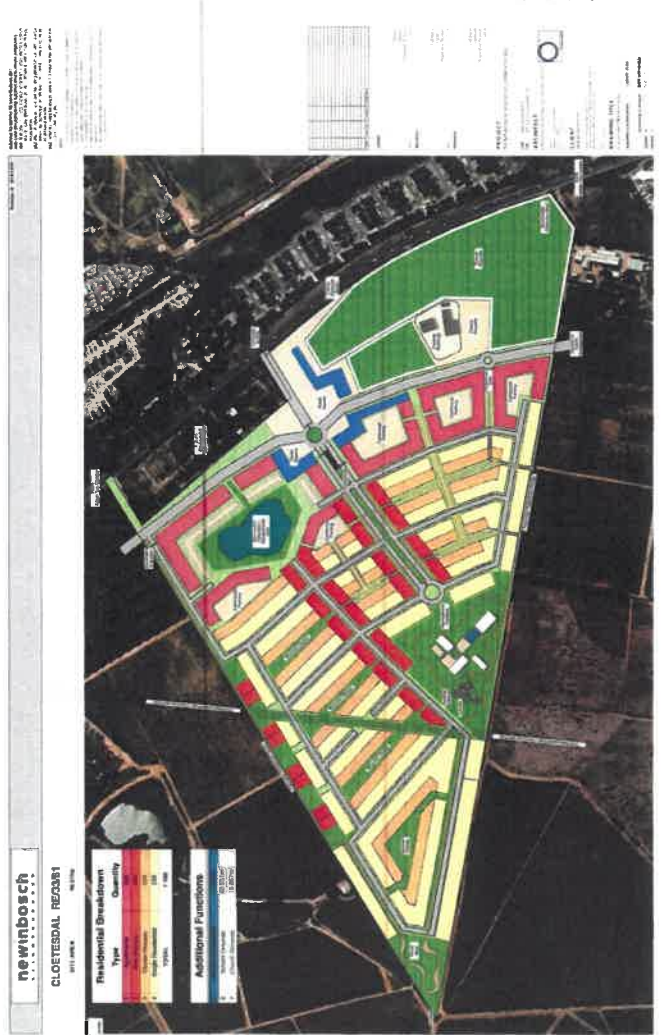


Table 5. Relevant land owner plans for the ATC and adjacent areas (continued)

PRIVATE	
Oude Molen	<ul style="list-style-type: none"> A rezoning has been submitted for a mixed-use development comprising some 253 apartments and limited commercial use. Provision is made for the road serving the development via Bosman's Crossing to be linked through the Bergkelder site to George Blake Road.
Remgro	<ul style="list-style-type: none"> Previously Remgro prepared plans for low-key commercial/ residential infill development west and east of the Rupert Museum. Various plans have been prepared to extend riverside NMT routes to and past the Remgro precinct. The relocation of the agri-mark to a more favorable location on the edge of town has been mooted.
Bergkelder	<ul style="list-style-type: none"> Distell has appointed GrowthPoint as its development partner for the Bergkelder site. GrowthPoint has not yet submitted its plans for Bergkelder.
PRIVATE: ADJOINING ATC	
Dennessig	<ul style="list-style-type: none"> Various proposals and applications have been submitted to the SM for predominantly residential densification of single dwelling zoned even in the Dennessig area. Some higher density redevelopment has occurred.
Area south of Van der Stel	<ul style="list-style-type: none"> A concept proposal has been prepared for predominantly residential densification of single dwelling zoned even in the area south of Van der Stel (between Alexander and Du Toit Streets).



Figure 9. Proposals for Oude Molen (First Plan Town Planners, 2020)





Local Spatial Development Frameworks

4. Local Spatial Development Frameworks

4.1. Focus

Section 9 of the Stellenbosch Municipality Land Use Planning By-law of 2015 outlines the purpose of a Local Spatial Development Framework (LSDF) prepared for a specific geographic area as well as aspects related to its preparation, review, and status.

The purpose of a LSDF is to:

- Provide detailed spatial planning guidelines.
- Provide more detail in respect of a proposal provided for in the MSDF.
- Meet specific land use planning needs.
- Provide detailed policy and development parameters for land use planning.
- Provide detailed priorities in relation to land use planning and, in so far as they are linked to land use planning, biodiversity and environmental issues.
- Guide decision-making on land use applications.

When the Municipality compiles, amends or reviews LSDF, it must adopt a process plan, including the public participation processes to be followed for the compilation, amendment, review or adoption of the LSDF. The Municipality must, within 21 days of adopting a LSDF – or an amendment of a LSDF – publish a notice of the decision in the media and the Provincial Gazette. A LSDF or an amendment thereof comes into operation on the date of publication of the notice in the Provincial Gazette. A LSDF guides and informs decisions made by the Municipality relating to land development, but it does not confer or take away rights.

4.2. User Categories

The LSDF for the ATC targets two broad user categories. The first is the government sector, across spheres from national to local government, including State Owned Enterprises (SOEs). While the LSDF is informed by the spatial direction stated in national, provincial, and district level policy, it also sets out the municipality's spatial agenda for government departments across spheres of government to consider and follow. Thus, the LSDF outlines the municipality's spatial agenda to its own service departments, ensuring that their sector plans, programmes, and projects are grounded in a sound and common spatial logic.

The second user category is the private and community sector, comprising landowners, business enterprises, non-government organisations, institutions, and private citizens. While the private sector operates with relative freedom spatially – making spatial decisions within the framework of land ownership, zoning, and associated regulations and processes – the LSDF gives an indication of where and how the municipality intends to channel public investment, influence, and other resources at its disposal. This includes where infrastructure and public facility investment will be prioritised, where private sector partnerships will be sought in development, and how the municipality will view applications for land use change.

4.3. Approach to the ATC LSDF

Given the extent of the ATC area and anticipated lengthy development period, the ATC LSDF is not as detailed in its recommendations as most LSDFs prepared by municipalities.

Rather than providing detailed land use proposals, the ATC sets out to provide the minimum necessary guidance – in terms of development principles, land use, urban structure, and infrastructure to enable meeting project objectives while accommodating

change in market conditions over the development period of the project. Considerable attention is given to the applicable LUMS and landowner obligations associated with exercising development rights to be allocated following the LSDF process.

4.4. Public Participation

SPUMA, LUPA, the Stellenbosch Municipality Land Use Planning By-Law of 2015, and related planning legislation and regulations provides for public participation associated with the preparation of spatial development frameworks.

Considerable public participation and discussions related to development of the ATC have already occurred during conceptual planning phases and the preparation of the SM MSDF.

Further opportunity for public participation is planned, ideally in parallel with the advertising of measures to amend the Stellenbosch Municipality Zoning Scheme By-Law of 2018 to accommodate the land use rights and associated landowner obligations contemplated in the LSDF.



Status Quo

5. Status Quo

The sections below outline the status quo, opportunities, and constraints in the ATC area in relation to the themes identified in the SPLUMA guidelines, with additional themes regarded as relevant added. For a broader context on the status quo beyond the ATC area, the IDP and MSDP should be consulted.

Some information related to specific parts of the area is very detailed – predominantly because detailed studies have been undertaken for them before – while in other cases less detailed information is available. Arguably, the level of detail information presented for some areas is not required for preparing the LSDF. It is nevertheless presented for the record and because broader conclusions can be drawn from it.

5.1. The Transformative History and Social Capital of Stellenbosch

Stellenbosch has a rich history of developing and implementing initiatives which transformed – or are transforming – the area and broader constituencies for many generations. These are not attributed to one sector of society, but rather individuals or groups across of different affiliations or backgrounds conceptualising and executing projects or programmes through influence, investment, and harnessing wide-ranging resources in a manner which focuses diverse interests on common objectives, garners more support and grows benefits over time.

Examples of transformative initiatives in Stellenbosch abound, including:

- The establishment of a university – now ranked as a “Top 3” university across Africa – enabled by a £100 000 donation by a local benefactor, Mr Jan Marais of Coetzenburg (and built upon earlier education initiatives, including the

establishment of the Theological Seminary, Stellenbosch Gymnasium, and Victoria College.

- The active purchasing of historic buildings in town with a view to restore and conserve them by Dr Anton Rupert (at a time when, as pointed out by Dr Rupert, despite some achievement in the conservation of historic buildings in South Africa, for every building restored, 40 to 50 were demolished)⁶.
- The rapid development of Stellenbosch’s wine and tourism industries (including Stellenbosch establishing the first wine route in South Africa as an organised network of wineries open to visitors and tourists in 1971).

- The development of numerous private corporations with international reach (with Stellenbosch accommodating the global headquarters of 20% of the South African Stock Exchange).

- Innovus – a division of the university – becoming a continental and South African leader institution in technology development, entrepreneurial support and development, and innovation.

- Numerous philanthropy and community assistance programmes and projects, addressing the immediate and longer term needs of citizens.

5.1.1. Key Attributes

- Key attributes of Stellenbosch which contributes to its capacity to enable transformative initiatives include:
- Considerable intellectual capacity and associated institutions, advancing learning and knowledge, both integrated and subject specific.

⁶ Lipman, E. N., Principles of Urban Conservation, Architect & Planner (undated, but pre 1990)

- Wealth, generously allocated to explore new ways of approaching current challenges across many sectors.

- Strong social capital – shared values and trusted personal relationships and networks, both within and outside institutions – which contribute to individual and collective opportunity and development at many levels.

- A rich natural and urban environment, attractive as a place of residence and inviting of further investment.

- The inherent energy of poorer citizens and communities (illustrated, for example, in the rapid rebuilding of homes without much external assistance post fire disasters).

5.1.2. Opportunities

Arguably, there is more that could be done in Stellenbosch, learning from and building upon its history of transformative practice.

The way settlements are structured – different activities are organized within them, the form these activities take, and the extent to which they can be accessed by people – fundamentally impacts on the livelihood opportunity of inhabitants. The structure and form of South African cities and settlements – including Stellenbosch – illustrate generations of development and management directed at maximising opportunity for specific groups while restricting others. Since the democratic transition in South Africa, much has been done to reverse discriminate settlement development and management practices.

Specifically, at policy level, the “spatial restructuring” and “integration” of settlements have received much priority.

In practice, despite a progressive policy and legislative framework aimed at restructuring, little progress has been made. Arguably, urban

development and management practice remain skewed to benefit some more than others. Our policy-speak and actions are not aligned. The consequences are multifold. Different groups remain apart, as well as associated fear and lack of understanding. Rather than a "shared" space, settlements are increasingly becoming a set of guarded domains. At the same time, the very practices structured to keep people apart have proved to be environmentally, economically, and financially unsustainable.

The ATC initiative was conceptualized to address these settlement challenges. It recognized that:

- Resource constraints will inhibit government from restructuring settlements for the better on its own.
- Given Stellenbosch's social capital and material and intellectual wealth, it should be the place where real change in the way settlements is developed can be affected.
- Stellenbosch has for some time – in crafting a vision or objective – claimed to be (or be in the process of becoming) the "innovation capital" of South Africa. Reasonably, one can argue, the focus of work around this claim or vision has been on information technology and related systems, and that to be meaningful in our context, such a claim requires a much broader view of innovation, including innovative urban development and management.

5.1.3. Constraints and Actions Required

While there is considerable opportunity to learn from past and current achievements in implementing the ATC, important challenges remain. These include:

- How do one convince leadership from different sectors – many who possibly achieved great success based on "control" – to work together to achieve common aims in a context where one individual does not have absolute control?

- How are the different but interdependent resources required to undertake the ATC – ranging from intellectual, to financial, to land – viewed as of "equal" significance?
- How should major corporations relate to their "hometowns", work with local government, and assist in meeting common challenges through, among others, using their land resource?
- How are "leader" or starter projects enabled to facilitate learning and build support in initiatives anticipated to roll out over a long period?
- What kinds of agreements and institutional arrangements are needed for an initiative of this kind?
- How can citizens – from individuals to groups across sectors of society – actively participate in and benefit from the ATC initiative?

These questions – and there are many more – point to the rich context that needs to be addressed when tackling large transformation projects in the built environment. Critically, however, the questions perhaps indicate the lack of, and need for, a robust framework of processes and "ways of doing" for planning and executing transformation initiatives of the scale and nature of the ATC. The core question appears to be: Even if we can envisage a "shared and healed spatial future", how do we enable a "conscious choice for the priority of the possible"? How do we structure and govern the process towards this future? How do we ensure that the future pursued remains true to its intent, its root desire?

5.2. Area, Land Ownership and Use Rights

The area is very large in extent. Large parts of the area – except for Droë Dyke, Van der Stel, and Papegaaiberg – is in private ownership. Critical parts of the area form large landholdings in individual ownership. Large parts of the area are zoned for purposes no longer in demand (industrial

related uses). Current zoning for the area is indicated on Figure 10.

The large area offers opportunity for significant development meeting a range of needs while inhibiting sprawl and the erosion of agricultural and natural assets in SM. A relatively few large landowners could assist in reaching a speedy agreement on the future of the area. The need for new zoning enabling development provides the municipality with the opportunity to direct development to agreed policy objectives.

5.2.1. Key Attributes and Opportunities of specific land parcels

Droë Dyke: Owned by the national government. It is understood that the Housing Development Agency has "first right" to development of the area, providing the opportunity for significant housing development.

Sawmill: It is understood that Steinhoff has sold the Sawmill site. It appears that a previous proposal for a regional shopping mall/office on the site will not be pursued. A more recent concept has been developed for a mixed-use area in terms of the zoning granted for the shopping/office complex.

Adam Tas: Owned by Distell and zoned for "Industrial".

Bosman's Crossing and Oude Molen: The area is privately owned. New commercial and residential development has occurred at Bosman's Crossing.

Bergkelder: Owned by Distell. The older parts of the site include two very large erven, both sides of the Plankenbrug River zoned as "Wine Industry". The two erven are separated by a strip zoned as "Local Authority" along the southern edge of the river. The river itself is State land and not zoned. The three erven closest to the main entrance are zoned "Light Industrial". There are no title deed conditions which restrict or limit the use of the property or its redevelopment, except standard title deed conditions which restrict the use to the applicable zoning or applicable township conditions.

Van der Stel: Owned by SM. Large parts were leased to sports clubs. The zoning is for community purposes, in line with its sports use history.

George Blake: Smaller sites owned by a multitude of individual owners and zoned for industrial use.

Rail Corridor: Owned by PRASA

5.2.2. Constraints and Actions Required

Given the extent of development opportunity, it is best to plan development holistically to ensure maximising landowner returns and public benefit and the coordination of infrastructure needs.

Mixed ownership requires public-private agreement on uses, infrastructure, and so on. Most of the area will require rezoning to enable redevelopment. Parts of the area zoned for industrial or business use are prized for its contribution defining the spatial contexts and environs for special places. Notable is the vineyards associated with the Oude Libertas theatre and Rupert Museum. These areas should arguably remain undeveloped, and the means to protect them explored as part of the ATC project.

There appears to be few title deed restrictions which will inhibit redevelopment, but a detailed review of title deeds is appropriate at later planning stages.

5.3. The Biophysical Context

5.3.1. Rivers

5.3.1.1. Key Attributes

Three rivers about or traverse the site (the Eerste, Plankenbrug, and Krom). The Plankenbrug is severely polluted, largely owing to upstream infrastructure issues in Kayamandi, and agriculture, industrial and transport related pollution. Flood lines and hydrology issues may curtail development, especially on the Droë Dyke site.

5.3.1.2. Opportunities

The Plankenbrug River specifically can potentially be a significant public amenity and linear park, also



Figure 11. Photograph of the Plankenbrug (left) and Eerste River (right) (Source: Jeremy Rose, Infinity Environmental, 2021)

connecting districts of the ATC through NMT routes (This can build on and expand on work funded by Remgro along the Eerste River).

5.3.1.3. Constraints and Actions Required

To maximise the contribution of the Plankenbrug River to the overall development as a public amenity, upstream pollution needs to be managed, and infrastructure remedial work is required in Kayamandi. A regional-scale flood and water quality attenuation facility should be explored for the Plankenbrug to mitigate water quality issues. Flood lines and hydrology for the area should be updated. The opportunity for development contributions in support of appropriate/enhanced environmental management should be explored. A water use authorisation would be required in future if works in or near the river are proposed.

5.3.2. Papegaaiberg

5.3.2.1. Key Attributes

Papegaaiberg, comprising some 140,5ha, is a public conservation area (declared as a Section



23 Nature Reserve in terms of the National Environmental Management: Protected Areas Act). Its open use appears to be curtailed by management issues. Critically endangered renoesterveld remnants occur on Papegaaiberg.

5.3.2.2. Opportunities

There is an opportunity for Papegaaiberg to become a core recreation space where biodiversity is celebrated, accessible to the ATC and rest of Stellenbosch.

5.3.2.3. Constraints and Actions Required

For Papegaaiberg to fulfil a role as a core amenity within the ATC and Stellenbosch, it will require a plan and associated budget and management arrangements.

5.3.3. Contamination

5.3.3.1. Key Attributes

Replace with 'Given the use history of parts of the area, soil and groundwater contamination may have occurred at the older industrial properties.

Asbestos-containing sheeting is widely used in older industrial buildings in the corridor (such as the Bergkelder).

5.3.3.2. Opportunities

Redevelopment of the area provides the opportunity to clean or contain areas with contaminated soils. Redevelopment of the area provides the opportunity to remove harmful asbestos-containing material in buildings and structures.

5.3.3.3. Constraints and Actions Required

Contamination risk assessments (i.e. Phase 1 soil contamination assessments) should be conducted for industrial sites in the corridor where the land use is changing. Where the risk of contamination is established, sampling of soils and groundwater to determine the level of risk must be undertaken. This would be applicable primarily to older industrial sites such as the Sawmill, Bergkelder, and Adam Tas). Asbestos surveys should be conducted on industrial properties where these are not already available. A work plan for removal must be approved prior to any demolition or redevelopment of affected buildings, and an asbestos clearance certificate provided on completion.

5.3.4. Green Services

5.3.4.1. Key Attributes

As noted in section 5.5 below, redevelopment of the Corridor will require significant investment in new services. Maximising the efficiency and 'green' services utilised by new development will contribute to reduced resource dependency.

5.3.4.2. Opportunities

Redevelopment of the area provides the opportunity to promote green services.

5.3.4.3. Constraints and Actions Required

Roof-top solar generation, sustainable urban drainage systems, and indigenous urban landscaping should be the norm.

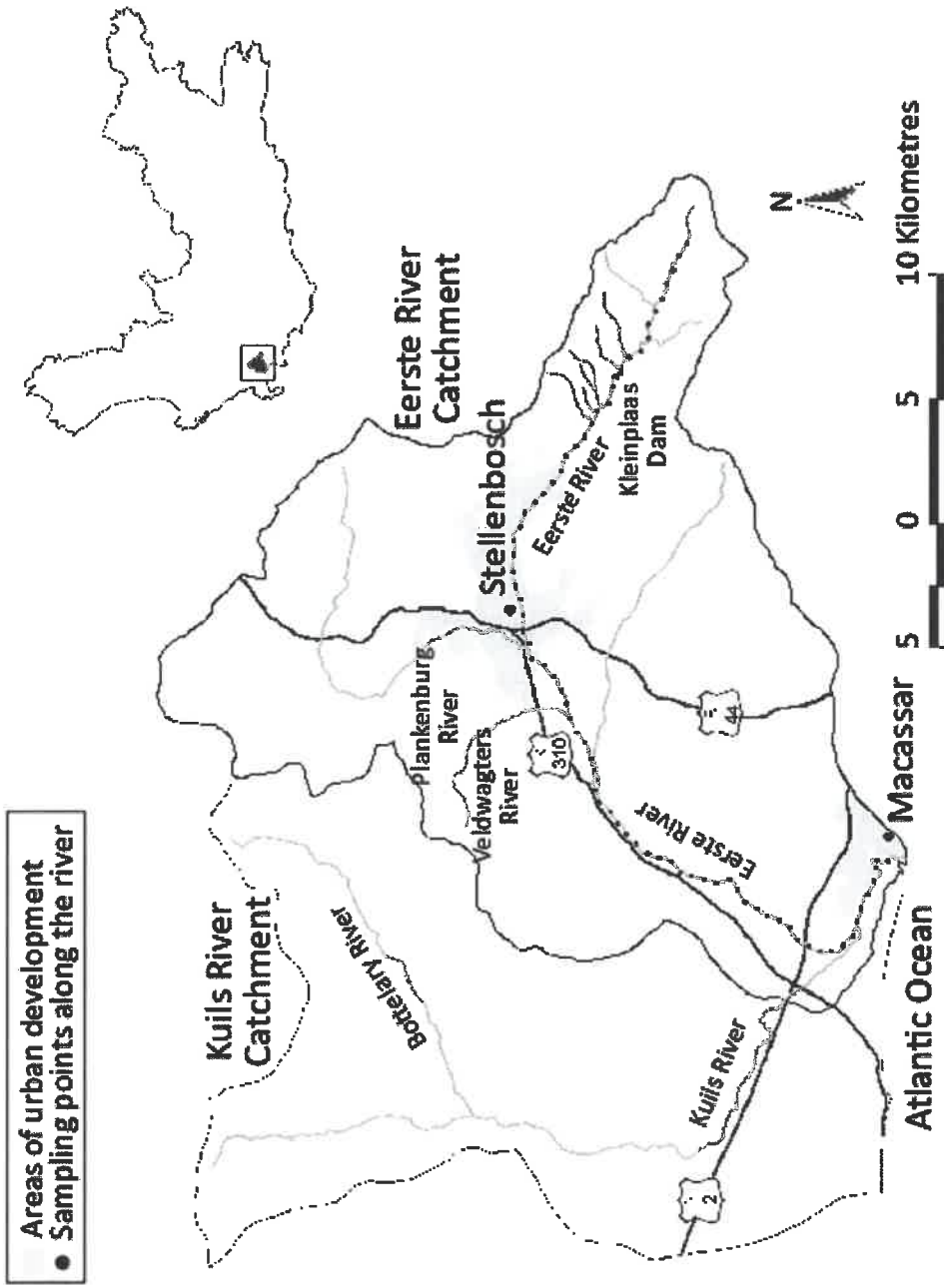


Figure 12. The location of the Eerste River in the Western Cape (Source: Meek, C.S., Richardson, D.M. & Mucina, L. (2013) Plant communities along the Eerste River, Western Cape, South Africa: Community descriptions and implications for restoration. Koedoe 55(1). Art. #1099, 14 pages)

5.4. The Socio-Economic Context⁷

5.4.1. Poverty

5.4.1.1. Key Attributes

Stellenbosch GDP per capita has declined since 2015. This could be attributed to the growing population or be an indication of declining income levels in the area. The Gini coefficient of the Stellenbosch municipal area is the highest in the CWD and outside of the NDP target of 0.6.

5.4.1.2. Opportunities

Redevelopment of the area provide the opportunity to decrease access barriers to opportunity in Stellenbosch.

5.4.1.3. Constraints and Actions Required

High levels of poverty and indigence imply an increased burden on municipal financial resources to provide in community needs. Ideally, the ATC should not add to pressure on municipal resource. 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.

5.4.2. Education

5.4.2.1. Key Attributes

Within the Western Cape, the highest growth in learners is expected to occur in the Stellenbosch municipal area. A 2019 study found that the number of schools across the CWD remain mostly unchanged in recent years, with the proportion of no-fee schools to fee schools in the Stellenbosch municipal area remaining the same from 2016 to 2018.

5.4.2.2. Opportunities

Redevelopment of the area provide the opportunity to provide new educational

facilities accommodating learners from all-over Stellenbosch.

5.4.2.3. Constraints and Actions Required

It is unlikely that existing schools within Stellenbosch can cater for learners from the ATC. New educational facilities will have to be provided.

5.4.3. Housing

5.4.3.1. Key Attributes

A significantly larger proportion of Stellenbosch residents reside in informal dwellings or shacks compared to the CWD. The estimated need for houses, municipality-wide, in the "give-away" bracket in 2016 was 11 6183. The estimated unfulfilled need of houses by 2036 assuming that no houses for the indigent will be built between 2016 and 2036 is 17 847. If the current rate of delivery persists only 7 805 units would have been added by 2036, thus still resulting in a significant backlog.

In the non-indigent bracket, the estimated need, municipality-wide in 2016 was 15 042 (this includes a variety of unit types aimed at various markets, such as GAP housing, flats and townhouses, and stand-alone units). If no supply is added by 2036: 23 106.

Property prices and rentals in SM have shown significant growth (of a higher percentage than the increase in cost of building). Many lower income areas appear to have a high incidence of overcrowding. With a total student population of more than 30 000, there are only 8 000 beds available for students (2 300 of these beds are available for first-year students on the Stellenbosch and Tygerberg campuses).⁸

5.4.3.2. Opportunities

Redevelopment of the area provide a significant opportunity to increase access to housing for lower income groups – specifically those qualifying for "affordable" housing – and students.



Figure 13. Aerial view of informal dwellings in Kayamandi (Source: <https://unequalscenes.com/stellenbosch-kayamandi> 2018)

⁸ Die shortage of student accommodation 'could worsen' <https://www.iol.co.za/weekend-argus/news/dire-shortage-of-student-accommodation-could-worsen-42389997>

⁷ Mostly sourced from From Stellenbosch Municipality, Urban Development Strategy, 2018

5.4.3.3. Constraints and Actions Required

The provision of housing for targeted groups can be made a condition of the development rights to be allocated.

5.4.4. Employment

5.4.4.1. Key Attributes

Together, wholesale and retail trade, catering and accommodation; the finance, insurance, real estate and business services sector; and the community, social and personal services contributed almost 57% to total employment in SM in 2019. Job growth in these sectors were offset by job losses in the agriculture, forestry and fishing, and manufacturing sectors.⁹

5.4.4.2. Opportunities

A high-level economic impact study prepared during the conceptual phase of the project indicated very significant employment creation opportunity, both during the construction and post construction phases of the project.

5.4.4.3. Constraints and Actions Required

It is unlikely that existing schools within Stellenbosch can cater for learners from the ATC. New educational facilities will have to be provided.

5.5. The Built Environment Context

5.5.1. Land Use

5.5.1.1. Key Attributes

In the past, the ATC area largely formed the industrial component of Stellenbosch town, with an emphasis on land extensive sawmilling and wine making operations (e.g., the Sawmill, Adam Tas, Oude Molen, Bergkelder). Smaller industrial enterprises are located along George Blake Road in the Plankenbrug area.

The sawmill has closed, and Distell has relocated most of its manufacturing operations from

Bergkelder (some storage remains). Distell's operations at Adam Tas will continue for the foreseeable future.

Some residential and institutional uses (e.g., Police, Oude Libertas theatre, cemetery) occur in the western section east of the Sawmill.

Bosman's Crossing, south-west of Oude Molen, has undergone steady redevelopment with housing and commercial use.

Kayamandi has gradually grown west and south-westwards, around the western flank of Papegaaiberg and separated from Onder-Papegaaiberg by one farm. To the east, particularly in the Dennessig and Du Toit/ Alexander Road areas, there is considerable interest in redeveloping single residential areas to higher density accommodation. However, the area has a dearth of public facilities (e.g., schools).

Van der Stel remains predominantly for sports use. Public areas such as the cemetery and Papegaaiberg are arguably poorly integrated with the surrounds and often unsafe for use/access.

5.5.1.2. Opportunities

The industrial use history of large parts of the area provides the opportunity to plan and develop significant parts of the site anew.

The extent of the area presents an opportunity for a range of uses, including uses requiring some form of cross-subsidisation.

A vacant school site exists in Onder-Papegaaiberg. The size of the Van der Stel lends itself to careful redevelopment and enhanced opportunity while maintain a sports component.

5.5.1.3. Constraints and Actions Required

The ensure that project objectives are met, a balanced mix and distribution of land uses will have to be pursued, including significant residential development (and associated public facilities).

5.5.2. Urban Structure and Built Form

5.5.2.1. Key Attributes

In large part, the ATC is segregated from Stellenbosch town through rail and road infrastructure.

Parts of the area – given its industrial use history and associated limited public access – are not well integrated.

Large industrial spaces – in varying conditions of repair – dominate large landholdings (e.g., the Sawmill, Adam Tas, Bergkelder).

The “in-town” vineyard abutting the R310 is unique and provides a special setting to Oude Libertas theatre.

5.5.2.2. Opportunities

Integration of the area with Stellenbosch town is possible with bridging at selective places. There is an opportunity to connect Papegaaiberg with Du Toit Road/Victoria Street – forming a “university avenue” – and Jan S Marais Park.

Integration between parts of the site is possible through connecting Distillery Road with George Blake Road as well as creative use of the river corridor. Some large industrial spaces lend themselves to adaptive re-use (or alternative interim uses).

5.5.2.3. Constraints and Actions Required

Integrating the ATC with Stellenbosch town, and parts of the area with each other, is a key challenge to be overcome in realising the area's full potential. To enable the Papegaaiberg-university avenue-Jan S Marais Park connection, bridging of the rail and R44 is required in the vicinity of Alexander Road/Du Toit Street.

⁹ From WCG: Socio-economic profile, Stellenbosch Municipality, 2019

5.5.3. Access and Movement¹⁰

5.5.3.1. Key Attributes

Vehicular access to the area – and between parts of the area – is limited. Development of Bergkelder/Oude Molen can be accommodated with the upgrading of Bird Street intersection; the elimination of the rail level crossing at Adam Tas/George Blake Road; the realignment of Merriman Avenue; upgrading of the existing Stellenbosch Rail Station; upgrading of the Adam Tas/Strand Street Intersection; and a new street-to-street pedestrian crossing adjacent to Stellenbosch Station.

For the Sawmill and Libertas, the realigned of Devon Valley Road, upgrade of the Adam Tas/Devon Valley Road intersection, and the upgrade of the Adam Tas/Oude Libertas Street intersection is required.

With the development of Droeë Dyke, Adam Tas, and Van der Stell, a new overhead railway station and road-over-rail bridges are envisaged. Development of George Blake and Kayamandi North will require various station, bridging and intersection improvements.

5.5.3.2. Opportunities

There is an opportunity to connect Distillery Road with George Blake Road, providing for a continuous "spine" route through the area.

5.5.3.3. Constraints and Actions Required

Achieving overall project objectives will require a focus on walkability, NMT, and public transport.

5.5.4. Heritage

5.5.4.1. Key Attributes

Bergkelder¹¹: In terms of a narrow definition of heritage there are few, if any, identifiable heritage resources (buildings) on the site. A group of

buildings in the southern portion of the site dating from the first phase of development (mid 1940s to the 1960s) illustrate the character of the early Bergkelder.

5.5.4.2. Opportunities

Retention of the group of buildings illustrating the early phase of development can contribute to maintain the use history and character of the site. These buildings are capable of further adaptive re-use and could be substantially altered to accommodate new uses without impacting on the industrial character.

The retention of the overall grain and texture, visual grid, associated tree-lined avenues, stone-walled edge conditions, and the visual axes towards the Papegaaiberg, can contribute to the making of a special place.

5.5.4.3. Constraints and Actions Required

The Notice of Intent to Develop should state that the history of the site and the collection of mid-twentieth century buildings and their spatial relationships warrants a limited HIA, focused on the identification of place-making elements and the formulation of heritage indicators, to guide future development options which are responsive to the heritage of the place.

5.5.5. Engineering Services

5.5.5.1. Key Attributes

Phasing¹²: The existing bulk infrastructure can be utilised with minimal upgrades for the development of the Oude Molen/Bergkelder, Libertas, and Sawmill precincts.

Sewer Reticalation and Treatment: To unlock the Oude Molen/Bergkelder, Libertas, and Sawmill precincts, a minimal amount of bulk sewer pipelines needs to be upgraded. Unlocking Droeë Dyke, Adam Tas, and Van der Stell requires the upgrading of a substantial number of bulk sewer

pipelines as well as a bulk sewer pump station to the wastewater treatment plant. Unlocking George Blake and Kayamandi North requires the upgrading of a substantial number of bulk sewer pipelines.

Water reticalation and treatment: To unlock Oude Molen/Bergkelder requires no new bulk water infrastructure is required. To unlock the Sawmill and Libertas, a proposed new 15ML water storage reservoir is required at Papegaaiberg. To supply the reservoir with water, a new water supply pump station is required. This water supply pump station will also supply the proposed new 6ML water storage reservoir required to service George Blake/Kayamandi North. A supply pipeline from the pump station to the reservoir is required as well as several bulk water supply pipeline upgrades to the Sawmill and Libertas.

Electrical engineering: To service the ATC, it is envisaged that two new electrical substations will be required as well as the upgrade of several electrical bulk supply lines. The two substations would divide the proposed ATC development into two supply zones. One substation will supply precincts south of George Blake, and another George Blake and Kayamandi North.

5.5.5.2. Opportunities

Existing infrastructure in the vicinity of the ATC could be enhanced and expanded to service the development. This work will also fulfil needs in surrounding areas.

5.5.5.3. Constraints and Actions Required

Most of the infrastructure implications of the development cannot be linked to specific sites. This implies that landowners will have to work together in infrastructure provision. The roll out of development will also have to carefully phased and aligned with infrastructure provision.

¹⁰ Based on The Adam Tas Corridor Bulk Infrastructure Concept Status Report, 2019 (prepared by Zutari)

¹¹ Based on Die Bergkelder Site Even 13801, 7602, 254, 257, 3454, 9545 Stellenbosch, Summary Report: Opportunities & Constraints from a Redevelopment Perspective, June 2018 (Distell)

¹² Based on The Adam Tas Corridor Bulk Infrastructure Concept Status Report, 2019 (prepared by Zutari)

5.6. The Institutional Context

5.6.1. Policy

5.6.1.1. Key Attributes

The ATC has been included in the MSDF as a "catalytic" project. There appears to be poor integration between spatial and transport planning with SM transport planning focus and expenditure remain focused on roads and accommodating private vehicular transport. Inclusionary housing has been promoted in policy as a means to improve access and the functioning of settlements in South Africa. Arguably, there has been little success in particularly private sector initiatives to provide such housing. The WCG and Stellenbosch Municipality are both in the process of addressing policy gaps related to institutional housing. Norms and standards for public facilities – including schools – often imply facilities of a scale to conducive to high density/intensity development.

5.6.1.2. Opportunities

Inclusion of the ATC in the MSDF should assist in agreement to the LSDF and further planning processes. The ATC offers significant opportunity for the provision of affordable housing.

5.6.1.3. Constraints and Actions Required

The ATC LSDF is obliged to follow transport planning informed by national/provincial settlement planning and management statute and policy. The provision of affordable housing in the ATC area is a prerequisite for meeting national/provincial/local spatial planning and management objectives and mandated by law. The LSDF should explore a reasonable proportion of affordable housing related to the land value added through the allocation of significantly enhanced development rights. The ATC should explore alternative standards for public facilities, especially schools.

5.6.2. Resources

5.6.2.1. Key Attributes

The SM's capital budget amounted to R1.339 bn over the 2019/20 MTEF. Most of the Municipality's capital budget (64%) was directed towards the trading services (basic service delivery) function, the majority of which will in turn be applied towards water and waste water management services (81% of the trading services budget)¹³

5.6.2.2. Opportunities

There appears significant opportunity to harness landowner resources to contribute to infrastructure and other benefits in exchange for the land use rights to be allocated for the ATC.

5.6.2.3. Constraints and Actions Required

Available municipal capital funding is required for backlogs and maintenance, i.e., there are virtually no funds to investment in support of new development and improvements to address existing problems with infrastructure (e.g., limited provision for NMT). Ways must be found for the ATC to pay for itself.

5.6.3. LUMS Resources

5.6.3.1. Key Attributes

Albeit the SM LUMS human resources have been strengthened over the immediate past, the resources to manage the ATC process and LUM applications will be considerable.

5.6.3.2. Opportunities

Given the unique social and corporate capital of Stellenbosch, directly impacted by the project; the extent of the project; and its potential value add, there is an opportunity to enhance municipal LUMS capacity with ATC specific enabling institutional arrangements (while recognising and respecting municipal.ac.ccountability for LUMS).

¹³ From WCG: Socio-economic profile, Stellenbosch Municipality, 2019

5.6.3.3. Constraints and Actions Required

In parallel with the LSDF, the need for ATC specific institutional arrangements enabling of the SM should be explored.

5.7. Synthesis

The paragraphs below synthesise the status quo in relation to the ATC development area.

Development potential

- The ATC offers significant development potential and can meet a range of settlement development and citizen needs in Stellenbosch.
- Conceptual work indicated the potential of approximately 3m m² of bulk, a population of some 50 000, and more than 13 500 dwelling units.

Policy alignment

- In its location and intent, the project is aligned with national, provincial, and local integrated and sectoral built and natural environment statute, policy, and plans.
- This embraces broader spatial and non-spatial objectives, including protecting natural and agricultural resources, compacting settlements for greater efficiency, integrating communities traditionally spatially dislocated from areas of opportunity, a focus on building in a manner that supports NMT and public transport, the adaptive re-use of existing assets, growing the economy through infrastructure investment, and public-private partnerships in development with meaningful public benefits accruing from publicly allocated development rights.

Timeous and urgent

- The project is timeous and urgent as it occurs at a time when major landholdings in town have become available for alternative use owing to changes in the broader business and

logistics context of previous/current users, and specifically that of the wood and wine industry.

- Covid-19 has assisted in making the case for the ATC project. In some ways, it has brought the future in sight; a future Stellenbosch of deepening community need, one where critical challenges have not been addressed appropriately.
- It is one of a deepening need for housing and livelihood opportunity, including jobs, education, and the recognition of various forms of cultural expression. Deepening crime and other forms of social malaise is likely. There will certainly be increased pressure on public and private resources (whether those of most institutions or individual households).
- The underlying reasons for embarking on the ATC project remain, are becoming more pronounced through Covid-19, and more in need of concerted attention.

Building on local precedent and social capital

- The project can build on considerable local precedent and social capital for enabling innovative, transformative and catalytic change.
- This includes establishing the US; the protection of historic buildings and precincts in town (today significantly contributing to Stellenbosch's unique character and tourism economy); and the establishment of the wine industry.
- It also recognises the unique social capital and energy of Stellenbosch, including:
 - Corporations and institutions (with leadership) of international and national stature, some who owns and controls critical land parcels of the ATC and focused on sectors which can add significant value to settlement development and management processes.

- Numerous community- and philanthropy-based initiatives addressing urgent citizen needs and expands local opportunity, with or without government assistance.

Integrated spatial contributions to local challenges

- Given the relationship between limited supply for affordable housing in Stellenbosch and challenges such as worker commuting from elsewhere, ways need to be found to make housing opportunity to be provided available to local workers.
- Redevelopment of the area provide a significant opportunity to increase access to housing for lower income groups – specifically those qualifying for “affordable” housing – and students.

Spatial integration

- Integration of the ATC area with Stellenbosch town is possible with bridging at selective places.
- There is an opportunity to connect Papegaaiweg with Du Toit Road/Victoria Street – forming a “university avenue” – and Jan S Marais Park.
- Integration between parts of the site is possible through connecting Distillery Road with George Blake Road as well as creative use of the river corridor.
- The NMT network of the ATC should be integrated with – and expand – that of Stellenbosch town.

Equity and balance in development

- Arguably, all parts of the ATC area have relatively equal potential to accommodate a similar range of uses.
- With the above in mind, relatively similar rights should be allocated across the area, including

The required planning and development process

- Given the extent of development opportunity provided by the ATC, the prevailing approach to development and applications for enhanced development rights where each landowner operates on his/her own will not maximise landowner returns nor public benefit.
- The development process needs to recognise:
 - A long roll-out period, with market conditions and societal needs shifting during the development period.
 - Upfront security for landowners on the overall rights to be allocated, associated core obligations (contributions to be made in “exchange” for the rights allocated), and processes.
 - A clear understanding of how the exercising of development rights relates to the provision of infrastructure and other public contributions.

Engineering services

- Existing infrastructure in the vicinity of the ATC could be enhanced and expanded to service the development. This work will also fulfil needs in surrounding areas.
- It appears that some development can start without extensive bulk infrastructure improvements.

- In the interest of the feasibility of attaining the full development potential of the ATC area, it is important that early development is not agreed to without a broader understanding and agreements related to overall infrastructure needs and contributions.

Movement and Transport

- While the development should provide for vehicular connections and integration with the rest of Stellenbosch, the overall emphasis should be on enhanced public transport, NMT, and walkability.

Development contributions

- Over and above infrastructure development contributions, government is legally permitted to ask for public benefit contributions in exchange for enhanced development rights allocated (including affordable housing, public facilities, and environmental remediation actions).
- To enable a just and defensible determination of public benefit contributions, the value-add of enhanced development rights need to be determined.

Funding

- Earlier work has indicated that the project can fund its own infrastructure servicing needs through the extent of development contributions payable, with sizeable funds "spare" for allocation to remedial or new infrastructure work in adjacent areas.
- Thus, the project should not be dependent on or be a drain on scarce government resources, understandably required to address needs in many other areas of Stellenbosch, particularly underserved areas.

Respecting what exists

- By focusing new development on disused and underutilised land and assets west of Stellenbosch town, the project will add to the ability to protect and conserve the historic old town.
- Albeit few buildings, structures, and precincts carrying formal conservation status exist in the area, there are various elements that contribute to place character that can be incorporated into the proposed development through adaptive reuse, to add value and contribute to the making of a special place which recognises aspects of national and local history.

Environment

- To maximise the contribution of the Plankenbrug River to the overall development as a public amenity, upstream pollution and flood attenuation measures are required.
- There is an opportunity for Papegaaiberg to become a core recreation space where biodiversity is celebrated, accessible to the ATC and rest of Stellenbosch. For this opportunity to be realised, a plan and associated resources is required.
- Development obligations related to the environment should distinguish between public remedial actions and obligations required and affecting all (e.g., restoring water quality of the Plankenbrug River), and actions and obligations related to individual landowners and rooted in the previous operations of specific enterprises (e.g., asbestos removal and possible soil contamination at Bergkelder).
- Redevelopment of the ATC area provides the opportunity to promote green services (including rooftop solar generation, sustainable urban drainage systems, and indigenous urban landscaping).

Supportive institutional arrangements

- SM is unlikely to have sufficient dedicated resources for LUM required by the ATC (especially if speedy approvals are to be guaranteed as an incentive to development). Given the extent and value add of the project, anticipated roll-out period, and resources of key landowners, there is an opportunity to establish ATC dedicated institutional arrangements structured to enable and enhance the SM LUMS and related LUM accountability.
- Similarly, enabling institutional mechanisms may be required to manage the allocation of public benefit contributions emanating from the development.



Part 6.

Vision, Concept and Development Framework

6. Vision, Concept and Development Framework

6.1. Vision

The working vision for the ATC area is:

An ATC developed as:

- A proactive intervention to address needs in Stellenbosch, including fixing the mistakes of the past and enabling equitable access to urban opportunity for all citizens.
- An integrated, inclusive environment for living, work, and enjoyment.
- A pro-active partnership between the public, private, and community sectors in response to citizen needs and national, provincial, and municipal policy.
- A place which embodies and expands our best knowledge of what constitutes good, equitable, and efficient settlement.
- A “new town in town” in Stellenbosch; integrating currently fragmented parts of the town, exploiting underutilized resources, and based on non-motorized and public transport.

In the process, what is held dear about Stellenbosch is respected and expanded.

“The Adam Tas Corridor is the start of Stellenbosch’s emerging urban transformation district and the vision is to create an integrated urban-development corridor that is liveable, safe, resource-efficient, socially integrated, economically inclusive and globally competitive, in which all citizens can actively participate”.

Kevin Campbell (Urbanist and STIAS Fellow)

6.2. Strategic Outcomes

Development of the ATC area seeks the following strategic outcomes:

- A vibrant, compact, and efficient urban district, respectful of the environment and history.
- Increased access to livelihood opportunity for ordinary citizens.
- Seamless integration with surrounding areas.
- Financial sustainability.
- Active partnership between stakeholders.
- A clear development process with speedy decision-making.

6.3. Concept

Diagram 3 illustrates the ATC conceptually.

A linear new district within Stellenbosch is envisaged, to the west of the main town and stretching from the old Sawmill and Droë Dyke in the south-west to Kayamandi and beyond in the north, adjacent to and straddling (in places) Adam Tas Road, the R44, and railway line.

The overall area is organised as district or precincts – like a “string of beads” – along a central movement system comprising road, rail, and NMT facilities. The corridor retains west-east and north-south vehicular and rail movement (both destined for Stellenbosch town and through movement), and can contain areas for storing vehicles, with occupants dispersed

“A project like the new city corridor for Stellenbosch will need a simple purpose and clear principles.

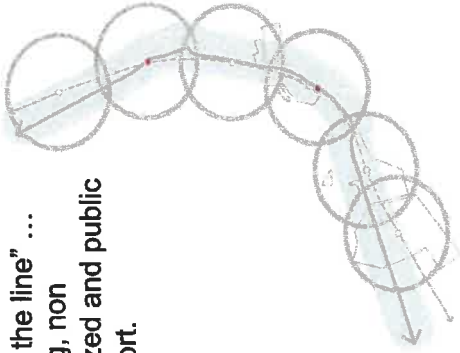
The purpose is to enlarge the commons in Stellenbosch, to make Stellenbosch liveable for all. The purpose should declare that we can change and will change.

Clear principles should enable public and private agencies and the public to collaborate to innovate; should encourage people to expand the commons rather than have the process stifled by the system; should mobilise hidden assets; should encourage doing and learning by doing; should focus on continuous incremental change; and should build a common platform to share learning and evolve the system. Most people want to do what is right. Most people understand honesty, fairness and will support it if the goal is to truly expand the commons.”

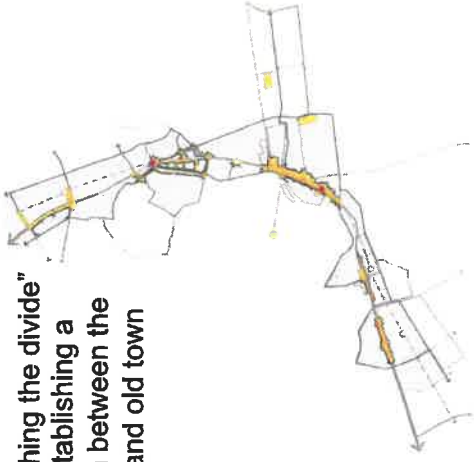
Hannes van Zyl (Stellenbosch resident, entrepreneur, and philanthropist)

ATC: Five key design ideas ...

1. "Living the line" ... walking, non motorized and public transport.



2. "Stitching the divide" ... establishing a seam between the new and old town



3. "Choose your hood" ... individual, unique and diverse precincts.



4. "Celebrating the context" ... connecting diverse communities, University Avenue, Papegaaiberg.



5. "A state of becoming" ... starting at different places towards a bigger whole.

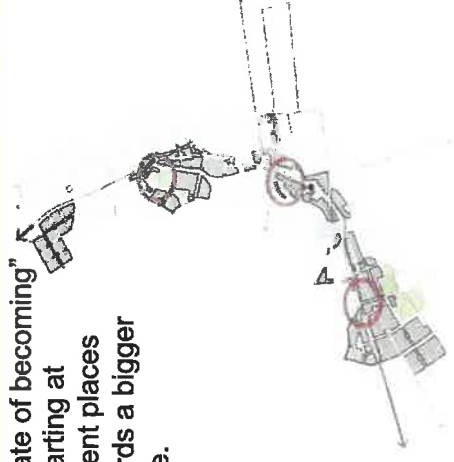


Diagram 3. Five key design ideas constituting the concept for the ATC

Five key design ideas underlie the concept:

1. Separate but linked districts, focused on walkability, NMT and public transport, organized linearly along the rail line and supporting movement routes.
2. Connections or "stitching" of the new development with the old town through intersections and crossings (both NMT and vehicular) at selective points.
3. Districts based on unique character (including the re-use and celebration of historic places).
4. Connecting and exposing key places, including Papegaaiberg and the University (through a "university avenue").
5. Commencing development at places of high opportunity (particularly the rail stations) and growing outwards from there.

into Stellenbosch via public and NMT. The ATC's central movement system is integrated with that of the rest of town through at grade intersections or bridges of different kinds at select points.

Precincts are centered on current or future rail stations/transport interchanges (all part of the central movement corridor) with surrounding development within walking distance from such interchanges. Overall, development within precincts is mixed – in its distribution horizontally across space, vertically within buildings, and in the size of spaces offered – and high density, up to four to six levels in height.

Nevertheless, the ATC is not homogenous along its length, with uses and built form responding to existing conditions and its relationship with surrounding areas. For example, the most intense development is envisaged in the Bergkelder area, centrally situated to the corridor. In other areas, special existing elements such as the vineyard adjacent to Oude Libertas, are retained. Droë Dyke and the precinct north of Kayamandi are envisaged as the most residential in activity mix, while Papegaaiberg retains its character as a natural environment.

Elements of the natural environment are integrated with the development, specifically through a network of public spaces and NMT routes. Papegaaiberg is a central feature of the ATC, envisaged as a core recreation space where biodiversity is celebrated, and accessible to the ATC and rest of Stellenbosch via NMT routes.

Structurally, Papegaaiberg forms part of a continuous west-east “public way”; a NMT route connecting the ATC with the old town via bridging the rail and R44 in the vicinity of Bergkelder/Van der Stel and continuing along Victoria Road – forming a “University Avenue” – to link with Jan S Marais Park/STIAS. The historic street grid and spaces/places of the old town, including Die Braak and Rhenish Complex, intersects with University Avenue. The Plankenbrug River also intersects with this public way and forms a south-north riverside amenity

and NMT route, linking precincts of the ATC with the existing and planned system of riverside routes along the Eerste River.

Housing, in the form of apartments serving different income brackets and household types, form part of each precinct. Public facilities, of design standards befitting a dense urban environment, are distributed throughout the area, and located close to stations/transport interchanges. Sports fields serving the area may be centralized in one or two places, linked to the NMT system.

Along the ATC as a whole – again depending on local conditions – significant re-use of existing buildings is envisaged. This contributes to diversity – in built character and activity (as reuse offers the opportunity for great variety of spaces) – as well as retaining and celebrating aspects of the industrial use history of the area.

Owing to its extent, development of the ATC will unfold over many years. Development may start at specific points while other areas are accommodating temporary uses prior to redevelopment. A key consideration in managing the roll-out of development over time is not to close off – through initial decisions – the full potential of the area.

Some current day needs to be considered for the ATC may change over time and must be accommodated with care. A good example is parking for private vehicles. It is anticipated that access to private vehicles – and the concomitant need for storage of vehicles – may change considerably over the development period of the ATC. One option accommodating present day needs for parking may be to centralise parking spaces and provide for parking in structures which could be readily adapted or redeveloped when needs change.

6.4. Development Framework
The overall development framework for the ATC is illustrated in Figure 14. Key aspects of the development framework are expanded upon in the sections below.

6.4.1. A linear district between the adjacent river and movement infrastructure

A linear new district within Stellenbosch is envisaged, to the west of the main town and stretching from the old Sawmill and Droë Dyke in the south-west to Kayamandi and beyond in the north, adjacent to and straddling (in places) Adam Tas Road, the R44, and railway line.

6.4.2. Linked precincts focused on interchange points

The linear ATC development area comprises several precincts, linked to each other and surrounding areas through rail, road and NMT movement infrastructure. Although precincts exhibit distinct characteristics and potential, based on location, use history, and so on, all – except Papegaaiberg and Oude Libertas – is expected to have a mix of uses and relatively high-density development. While precincts are linked, each is proposed to focus on a central interchange point – a station or other transport interchange – within walking distance of surrounding development.

Large parts of the ATC have traditionally been controlled by individual owners, each pursuing focused and relatively homogeneous use of their land parcels. Sawmilling and the wine industry are good examples. So is the conservation status and use of the Papegaaiberg and the institutional nature of Oude Libertas. Thus, the use history of parts of the ATC, together with land ownership, combines to assist in the delineation of precincts. This delineation also enables a clear distinction and allocation of shared and individual responsibility related to implementation of the Development Framework.

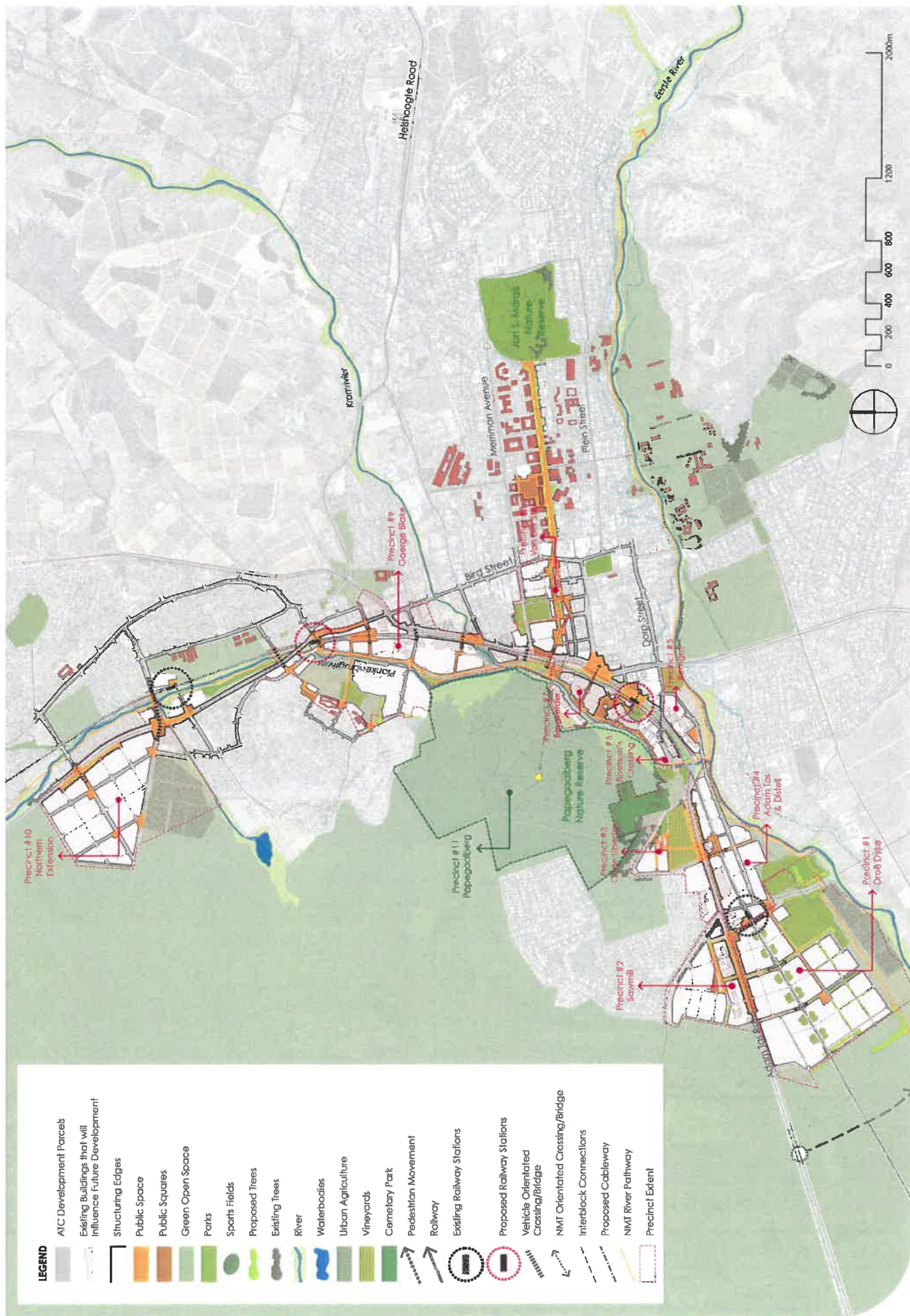


Figure 14. ATC Local Spatial Development Framework

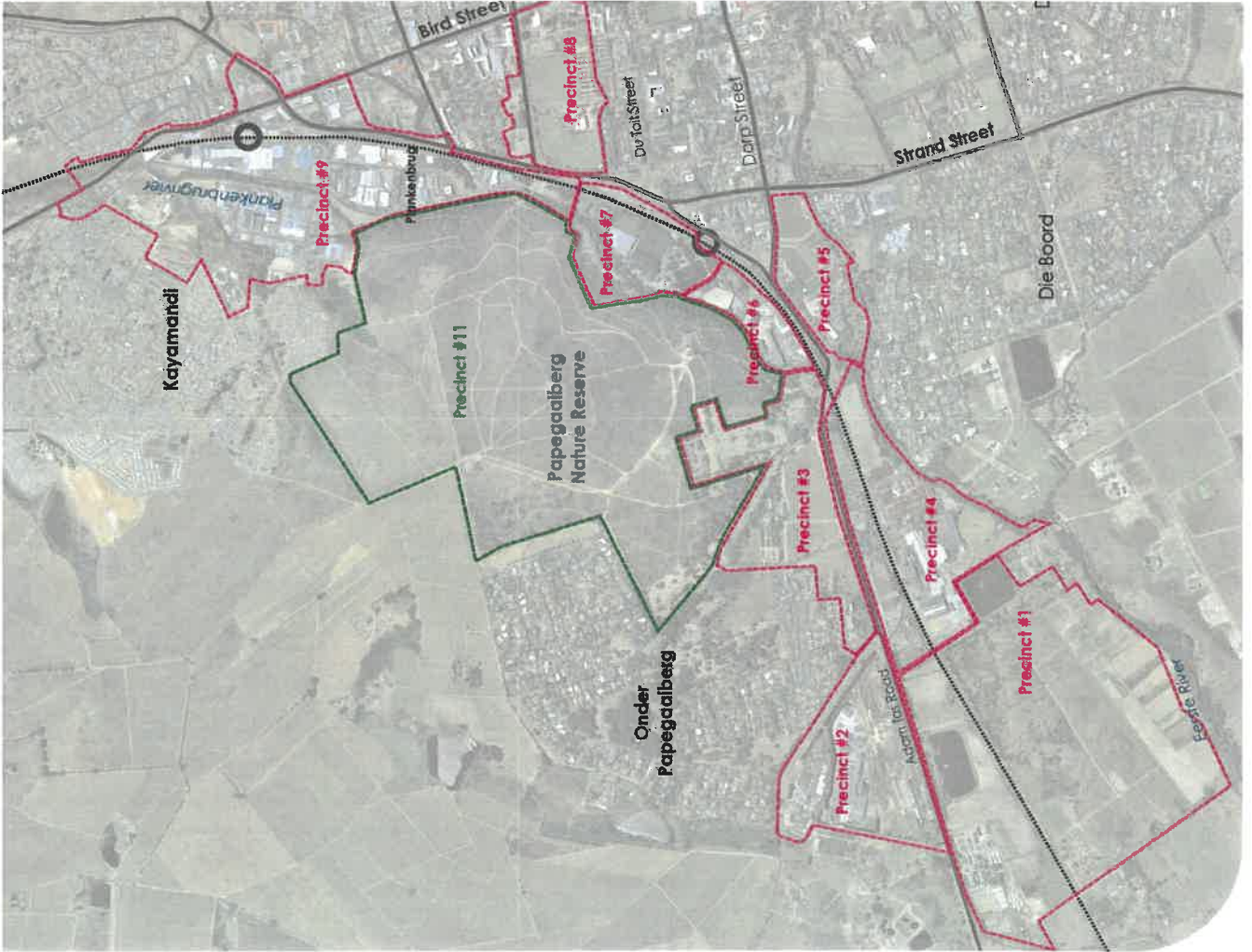
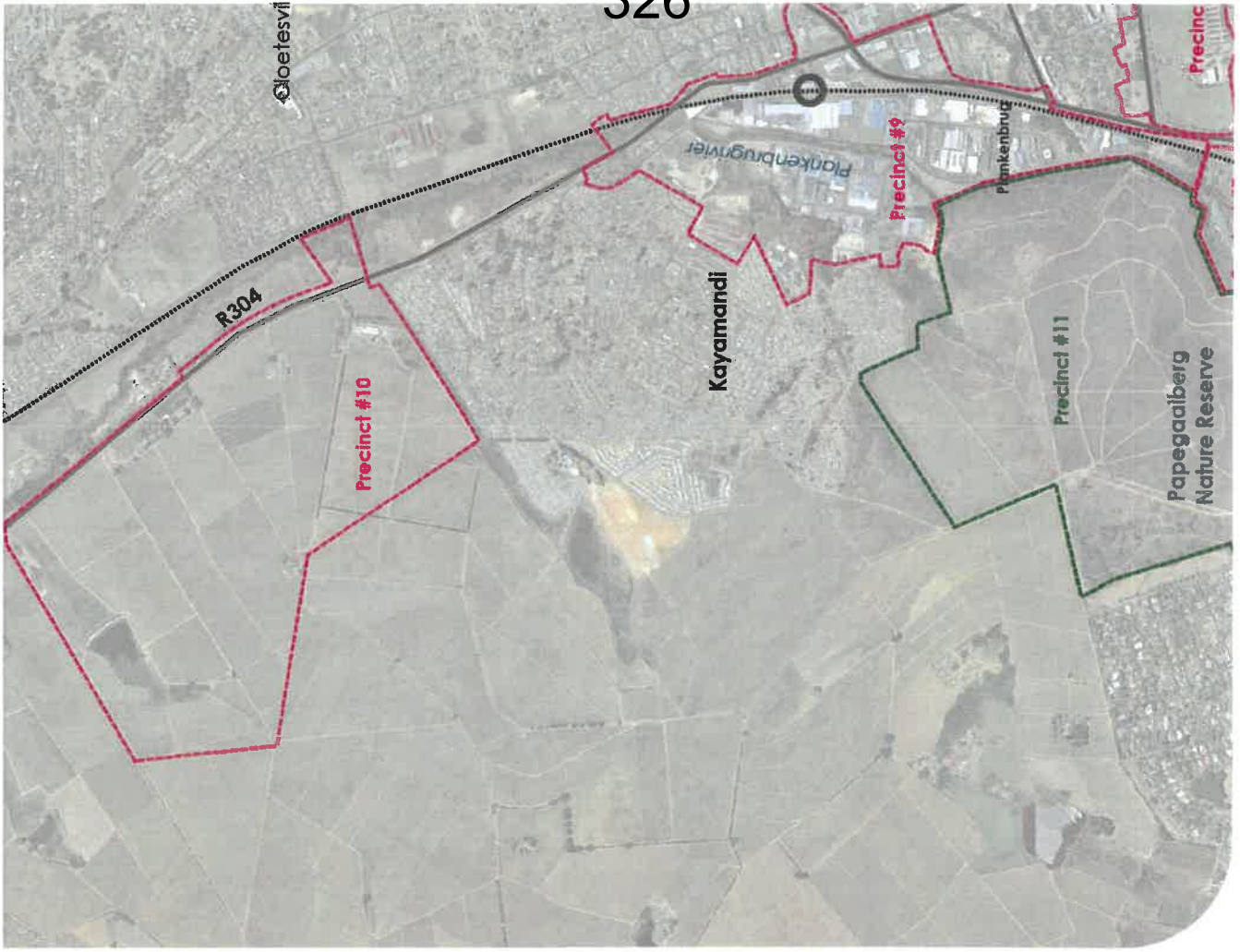


Figure 15. ATC Precincts 1 - 9 and 11 (left) and Precincts 10 in the broader context (right)

The overall character/identity of each precinct is described in the table below.

Table 6. Precinct Character / Identity Elements

PRECINCT	CHARACTER/IDENTITY
Precinct #1 Droë Dyke	A gateway precinct at the south-western entrance to Stellenbosch and the ATC. In general, together with the Northern Precinct, to contain a higher proportion of housing than other precincts, as well as mixed use retail and commercial activities. Some blocks to contain mostly housing. A major focus of formal and informal recreational and sport activities (some of which may serve the ATC and areas beyond) along the river corridor.
Precinct #2 Sawmill	A mixed use commercial and retail precinct, including housing, light industry, workshops and entrepreneurial spaces. Some adaptive reuse of old industrial structures.
Precinct #3 Oude Libertas	A largely institutional use precinct comprising the University of Stellenbosch Business School and Oude Libertas theatre complex, together with the cemetery and historic vineyard abutting Adam Tas Road.
Precinct #4 Adam Tas	A mixed use medium to high density precinct including residential and commercial/retail activity.
Precinct #5 Remgro	A mixed use medium to high density precinct including residential and commercial/retail activity with sensitive incorporation of the Rupert museum and vineyards.
Precinct #6 Bosman's Crossing	A mixed use medium to high density precinct including residential and commercial/retail activity with sensitive incorporation and adaptive re-use of historic structures.

PRECINCT	CHARACTER/IDENTITY
Precinct #7 Bergkelder	A mixed use medium to high density precinct including residential and commercial/retail activity with sensitive incorporation and adaptive re-use of historic structures. Envisaged as a centre of the ATC and location for vehicular/NMT bridging between the ATC and existing development to the east.
Precinct #8 Van der Stel	A mixed use medium to high density precinct including rationalised sports uses and residential and commercial/retail activity with sensitive incorporation and adaptive re-use of historic structures. Incorporation of a new public transport interchange (possibly along Merriman Road).
Precinct #9 Plankenbrug	A mixed use area incorporating new development and adaptive reuse through redevelopment of individual and consolidated properties currently in multiple ownership. Strong presence of small workshops and industrial spaces.
Precinct #10 Northern Extension	A gateway precinct at the northern entrance to Stellenbosch and the ATC. In general, together with the Droë Dyke Precinct, to contain a higher proportion of housing than other precincts, as well as mixed use retail and commercial activities. Some blocks to contain mostly housing. A focus of formal and informal recreational and sport activities.
Precinct #11 Papegaaiberg	A protected nature area sensitively developed as a central recreational park to contain active conservation, walking and cycling routes, linked to surrounding areas and the broader Stellenbosch NMT network.

6.4.3. Developable Areas

Table 7 indicates the developable area for the ATC and individual precincts. Developable areas are calculated based on a block lay-of development parcels for each precinct and excludes riverine corridors, flood plains, vineyards, major routes, the railway corridor, sports fields, and major public open spaces.

A coverage ranging between 65% and 80% was applied to the developable area per block to calculate the available development built footprint and resultant bulk. The coverage percentage applied relates to the proposed density of the block where the lowest density has a coverage of 65% and the highest density a coverage of 80%. High density, perimeter block development is envisaged for most of the corridor. This courtyard typology allows for the maximum use of the site while creating protected parking or play courtyards within the centre of the block. The majority of parking will need to be accommodated as structured parking in high-density blocks and not as surface parking.

6.4.4. Land Use

Given the location of the ATC as part of an already developed area, access to major transport systems, and a strategic objectives of maximising existing land resources and establishing a vibrant, compact, and efficient urban district enabling NMT, land use across the ATC is envisaged as mixed and of relatively high density.

All precincts are to be mixed use, excluding Papegaaiberg. Droë Dyke and the Northern Extension, given location, will contain a higher proportion of residential use than other precincts.

In relation to land use, the groupings of land use in Table 7 have been assumed for preparing the Development Framework.

Table 7. Developable Areas per Precinct

PRECINCT	Block Area (m ²)	Internal Streets (15%)	Developable Areas (before Coverage applied) (m ²)
Precinct #1 Droë Dyke	509 191	76 379	432 812
Precinct #2 Sawmill	164 917	24 738	140 179
Precinct #3 Oude Libertas	69 818	10 473	59 345
Precinct #4 Adam Tas	167 607	25 141	142 466
Precinct #5 Remgro	72 703	10 905	61 798
Precinct #6 Bosman's Crossing	48 782	7 317	41 465
Precinct #7 Bergkelder	99 943	14 991	84 952
Precinct #8 Van der Stel	80 917	12 138	68 779
Precinct #9 Plankenbrug	331 141	49 671	281 470
Precinct #10 Northern Extension	339 627	50 944	288 683
Precinct #11 Papegaaiberg	-	-	-

Table 8. Broad Land Use Descriptions

LAND USE GROUPING	EXPLANATION
Residential	Medium density social housing and inclusionary housing comprising 2-4 storey duplexes or walk-ups with shared courtyards/internal green spaces.
Mixed use residential	Medium to high density residential apartments with active ground floor use comprising retail and/or other complementary activities. Ratio: 80% Residential, 20% Commercial/retail
Mixed use commercial	Medium to high density commercial activities including retail, hospitality and residential components. Ratio: 20% Residential, 80% Commercial/retail
Light industry	Workshops, studios, warehouses and other, light industrial activities integrated into surrounding land uses with minimal segregation and blank facades.
Sports	Sport fields, club houses and other sporting related activities.
Public facilities	Public institutions such as schools, libraries, government services, clinics, community centres as well as cultural institutions (e.g., museums or theatres).

6.4.5. Massing and Density

The broad distribution of densities and building heights across the ATC area is illustrated in Figures 16 and 17. Building heights range from two to six storeys, informed by:

- Land use, where predominantly residential development is envisaged to be two to four storeys and mixed use residential and mixed-use commercial four to six storeys.
- Context, including the presence of buildings to be retained for adaptive re-use, places to be protected through sensitive adjacent development, and location in relation to major transport routes.

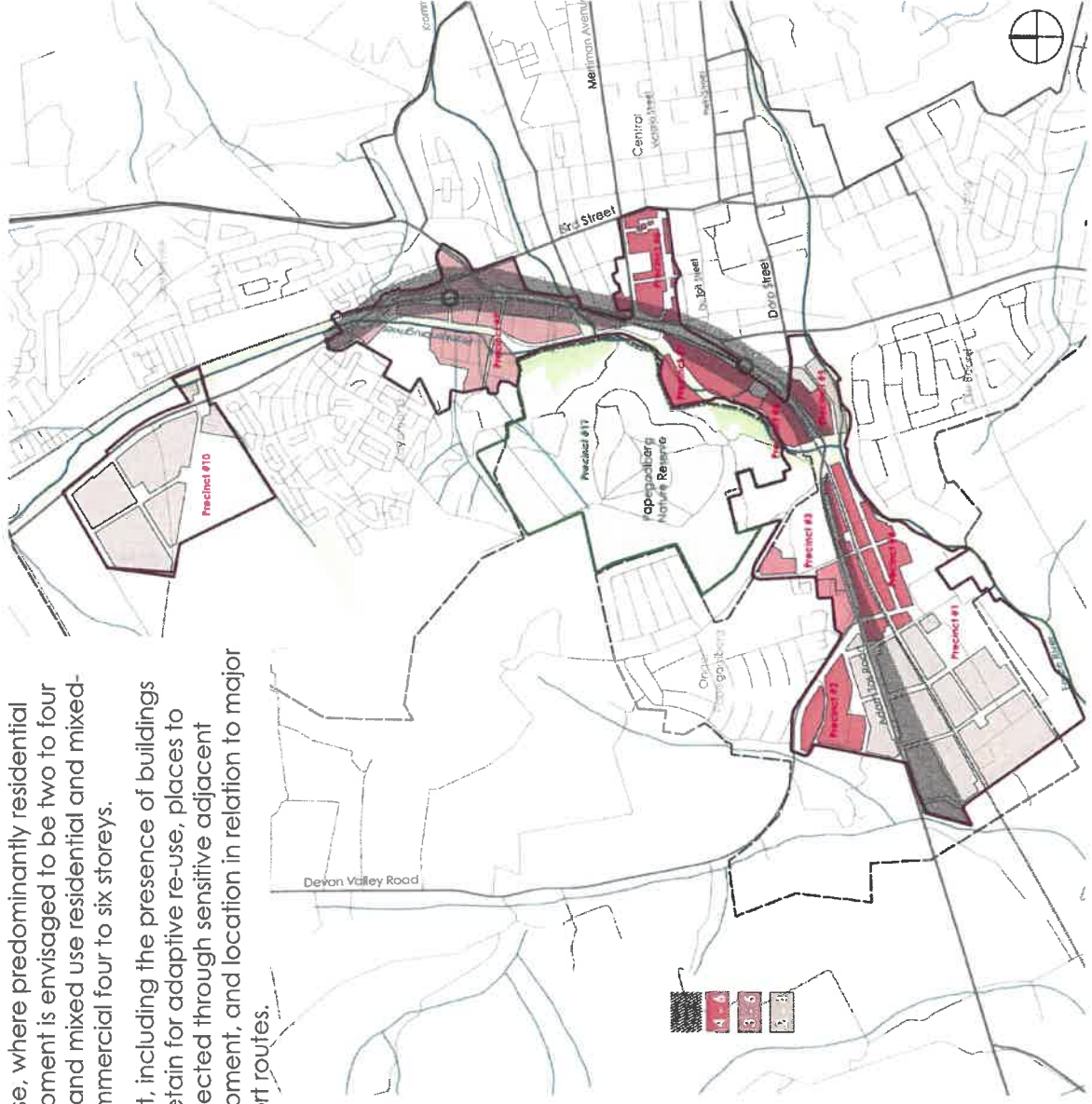


Figure 16. ATC Height Ranges per precinct

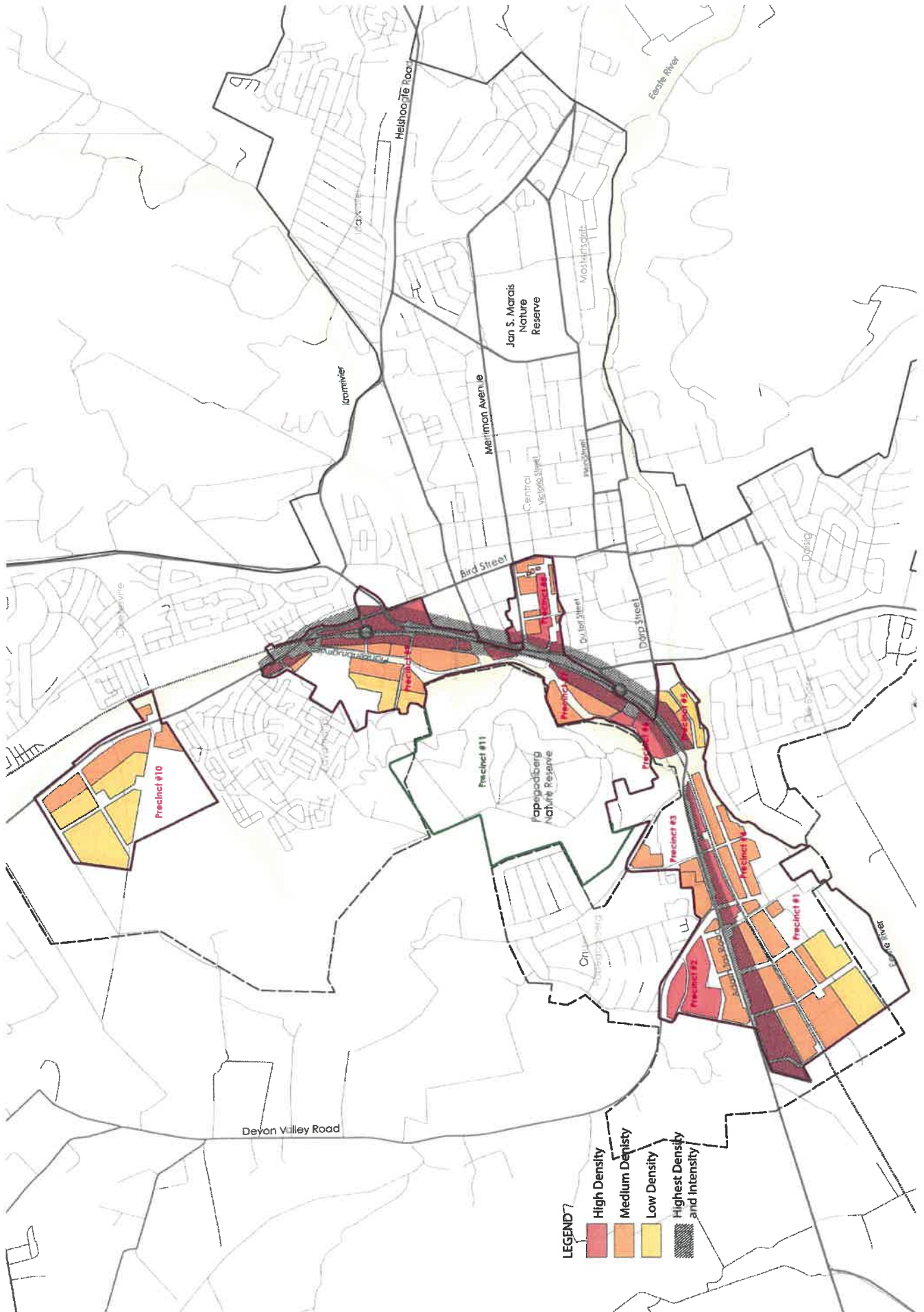


Figure 17. ATC densities per precinct

6.4.6. Bulk

The bulk applicable to the ATC as a whole and individual precincts have been determined following several steps:

- Identification of the m² area of development parcels – within the overall Development Framework – within each precinct based on developable areas (which excludes riverine corridors, flood plains, vineyards, major routes, the railway corridor, sports fields, and major public open spaces).
- Distinguishing between two types of development parcels/areas identified: green fields and brownfields (where future adaptive reuse will be applicable, also informed by heritage inputs).
- Application of an efficiency ratio of 85% to brownfields parcels to accommodate adaptive reuse.
- A reduction of 15% from the area of development parcels to accommodate internal streets and circulation.
- An application of a building height range to development parcels.
- Application of land use categories proportionally to the total bulk for each precinct (informed by the envisaged character of each precinct).
- Calculation of the bulk for each land use and each precinct, reflected as a minimum and maximum.
- Application of a range of nett densities to the area/bulk assigned for residential use, providing an estimate number of units.

Bulk calculations indicate both a minimum and maximum bulk per precinct. This enables flexibility in implementation – given changing market conditions over the period of implementation – while still attaining the urban qualities pursued and financial sustainability.

The apportioning of land use and bulk for the ATC area is summarised in Table 9 below.

Table 9. Land Use Bulk Summary for the ATC as a whole

LAND USE	% ALLOCATION	MINIMUM BULK (m ²)	MAXIMUM BULK (m ²)
Residential	12	372 971	528 793
Mixed use residential	28	884 948	1 250 285
Residential	80	707 959	1 000 228
Commercial / Retail	20	176 990	250 057
Mixed use commercial	29	908 685	1 227 516
Residential	20	181 737	245 503
Commercial / Retail	80	726 948	982 013
Light industry	16	500 076	669 315
Sports	3	104 551	143 809
Public facilities	12	375 427	526 881
TOTAL	TOTAL	3 146 659	4 346 599

LAND USE	% ALLOCATION	MINIMUM BULK (m ²)	MAXIMUM BULK (m ²)
Residential	40	1 262 667	1 774 524
Commercial	29	903 938	1 232 070
Light industry	16	500 076	669 315
Sports	3	104 551	143 809
Public facilities	12	375 427	526 881
TOTAL	TOTAL	3 146 659	4 346 599

The apportioning of land use and bulk for individual precincts is summarised in Table 10 below. A workbook of all developable area and bulk calculations for the area and precincts is included as Appendix B.

Table 10. Land use/bulk summary for individual precincts

PRECINCT	Residential		Mixed Use Residential		Mixed Use Commercial		Light Industry		Sports		Public Facilities	
	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²	Min Bulk m ²	Max Bulk m ²
Precinct #1 Droë Dyke	234 758	328 902	264 103	370 014	-	-	-	-	29 345	41 113	58 690	82 225
Precinct #2 Sawmill	-	-	107 624	172 830	122 998	197 520	61 499	98 760	-	-	15 375	24 690
Precinct #3 Oude Libertas	-	-	24 947	42 371	42 371	42 371	-	-	-	-	33 263	56 495
Precinct #4 Adam Tas	-	-	158 305	204 295	158 305	204 295	39 576	51 074	-	-	39 576	51 074
Precinct #5 Remgro	-	-	24 857	33 185	49 714	66 370	24 857	33 185	-	-	24 857	33 185
Precinct #6 Bosman's Crossing	-	-	45 114	56 392	39 474	49 343	22 557	28 196	-	-	5 639	7 049
Precinct #7 Bergkelder	-	-	-	-	138 641	190 085	46 214	63 362	-	-	46 214	63 362
Precinct #8 Van der Stel	-	-	75 716	104 677	97 349	134 584	-	-	21 633	29 908	21 633	29 908
Precinct #9 Plankenbrug	-	-	-	-	213 761	276 317	305 373	394 739	30 537	39 474	61 075	78 948
Precinct #10 Northern Extension	138 213	199 891	184 283	266 522	46 071	66 630	-	-	23 035	33 315	69 106	99 946
Precinct #11 Papegaaiberg	-	-	-	-	-	-	-	-	-	-	-	-

6.4.7. Residential Units

The number of residential units was determined based on the following density ranges:

- 160 units/hectare: very high density
- 140 units/hectare: high density
- 120 units/hectare: medium density
- 100 units/hectare: lower density

To determine a minimum number of units an average of 125 units/hectare was used and for the maximum 145 units/hectare.

Table 11 indicates the minimum and maximum bulk and number of residential units per precinct.

In line with emerging WCG and SM policy, it is envisaged that a meaningful proportion of residential units to be provided constitute affordable and inclusionary housing, benefitting specific income and beneficiary groups.

The final proportion of affordable and inclusionary housing will be dependent on financial viability, to be tested by landowners and the SM. Ideally, up to 30% of housing to be provided should be affordable and inclusionary (excluding student housing).

6.4.8. Aspects of urban form

As indicated above, high density, perimeter block development is envisaged for most of the corridor. This courtyard typology allows for the maximum use of the site while creating protected parking or play courtyards within the centre of the block. See Figure 18 and the supporting ATC guidelines document for further development precedent per precincts.

6.4.9. Norms and standards

To achieve project objectives, norms and standards for the provision of public facilities will need adjustment fitting of an urban, high-density context. Specifically, facilities such as schools need to be "urban" in nature, comprise multi-storey development, and share sports fields on the periphery of the development or elsewhere in Stellenbosch.

Table 11. Minimum and maximum bulk and number of residential units per precinct

PRECINCT	Minimum Density (units)	Maximum Density (units)
Precinct #1 Droë Dyke	3 997	5 181
Precinct #2 Sawmill	659	818
Precinct #3 Oude Libertas	232	288
Precinct #4 Adam Tas	1 952	2 329
Precinct #5 Remgro	203	240
Precinct #6 Bosman's Crossing	219	264
Precinct #7 Bergelder	137	173
Precinct #8 Van der Stel	345	428
Precinct #9 Plankenbrug	267	322
Precinct #10 Northern Extension	2 273	2 744
Precinct #11 Papegaaiberg	-	-
TOTAL	10 282	12 787



Precedent of housing typologies appropriate to the ATC context (refer to the supporting ATC guidelines for further urban design and landscape precedent per precinct and sources of all projects)

- Compact, multi-functional facilities;
- Surveilled and safe play areas;
- Sites wrapped with residential;
- Clustering of facilities e.g. public library, adult education, community hall etc.



Figure 18. Precedent of Urban Schools (refer to the supporting ATC guidelines for further precedent per precinct and sources of all projects)



6.4.10. Landscape and Historic Character

The landscape and heritage review of places and buildings for the ATC revealed eleven areas of distinct, broad landscape and historic character areas. These, illustrated in Figure 19, are:

1. Urban-rural transition and gateway (western entry to Stellenbosch).
2. Timber processing (the sawmill from the early 20th century).
3. Historical set piece and vineyard foreground, including an area of public memory, reflection, passive recreation, and historical river crossing (the cemetery and Bosman's Crossing).
4. Wine processing (Stellenbosch Farmers Winery mid to late 20th century)
5. Interface with historic core (the Dorp Street point of entry).
6. Brandy production (early to late 20th century) and the historical millstream network (Oude Molen).
7. Wine cellar and brandy production (mid to late 20th century, specifically Bergkelder), and movement infrastructure (including the station area).
8. Interface zone with historic core (including the Van der Stel entry to the area).
9. Industrial expansion (late 20th century to the north), including historical settlement and displacement (the Bird Street point of entry to Stellenbosch).
10. Urban-rural transition and gateway (northern area).
11. Passive recreation and retreat (Papegaaiberg).

The following sheets outline the heritage significance, character, and proposed heritage indicators for each of the areas.

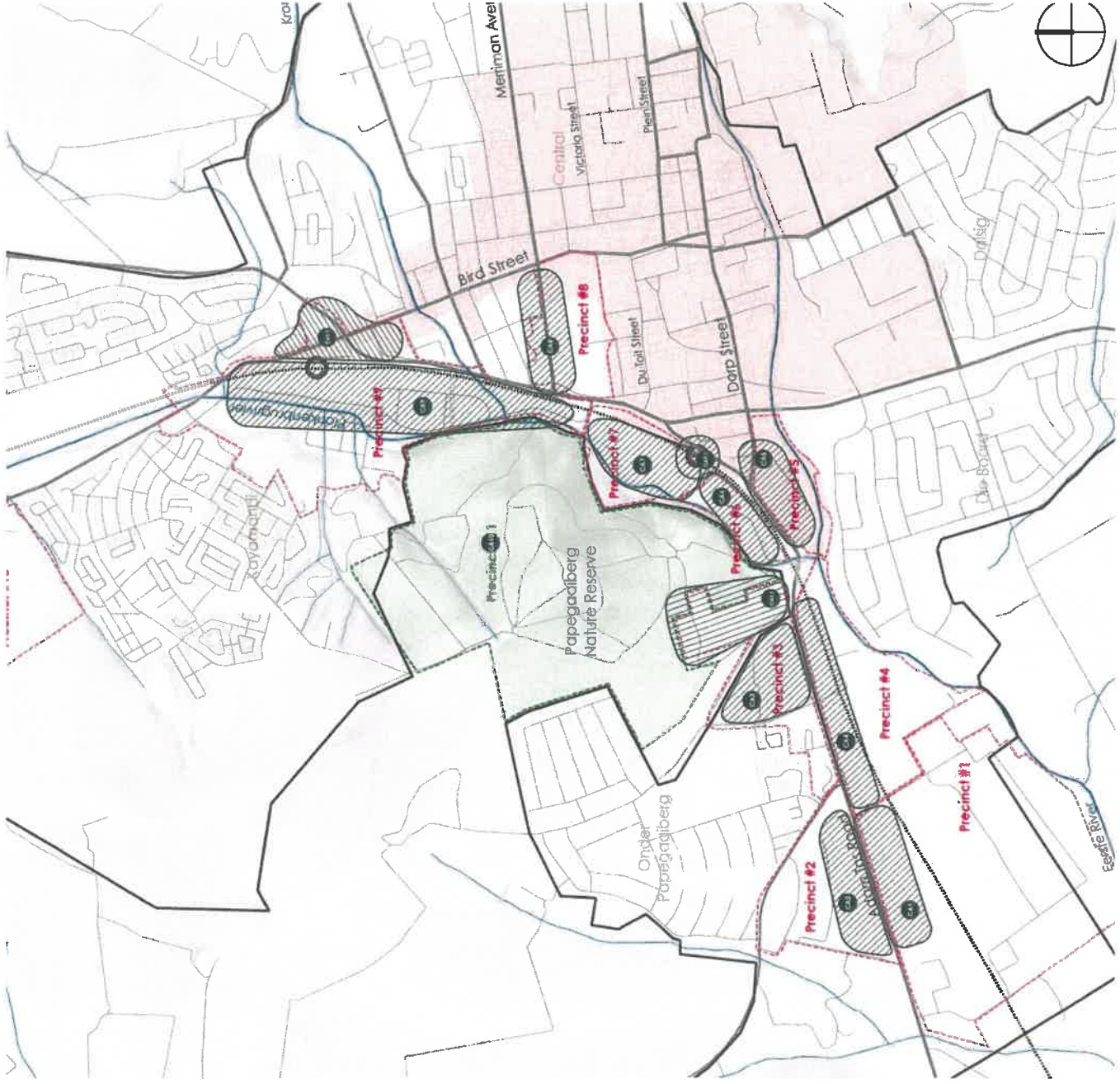
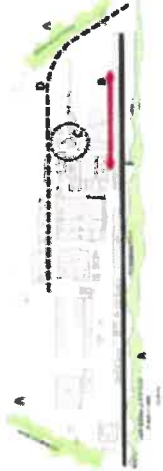







Figure 19. ATC Character Areas Map



Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 1 GATEWAY CONDITION Rural-urban transition and gateway (west)</p>	<p>Role as point of entry to Stellenbosch from the west.</p> <p>Landscape elements contributing to the Stellenbosch landscape context; flanked by mature trees creating a green frame with views eastwards towards the mountains.</p> <p>Green edge conditions contrasting with hard built edge to the north and west.</p> <p>Significance limited to scenic envelop and associated long views towards the Hottentots Holland Mountains.</p> <p>Entry point to Klein Vredenburg (Grade II).</p>	<p>Line of stone pines and other mature trees framing long views towards the Hottentots Holland Mountains to the east.</p> <p>Green edge conditions in contrast to hard built form immediately to the north and west.</p>	<p>Maintain treed edge along Adam Tas Road.</p> <p>Establish building setback conditions to maintain transitional landscape quality between urban and rural conditions.</p> <p>Maintain views through towards the Hottentots Holland Mountains to the east based on a combination of setback and height controls.</p> <p>Maintain visually permeable edge conditions.</p> <p>Controls on signage to minimize visual clutter (e.g.no third-party signage)</p> <p>Respect and acknowledge entrance to Klein Vredenburg.</p> <p>Tree maintenance and planting plan.</p> <div data-bbox="1029 474 1284 900" data-label="Image"> </div> <p>(SHI 2018)</p>


Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 2</p> <p>SAWMILL SITE</p> <p>Timber processing (early 20th C)</p>	<p>Industrial technological significance associated with the timber industry in the early 20th century and its role in the development of the fruit industry in terms of packaging.</p> <p>Landmark value as a highly visible industrial site in Stellenbosch.</p> <p>Distinctive edge conditions comprising a continuous 2m high street boundary wall with perforated panels and columns contributing to a pattern of edge conditions with particular solid to void relationships; 1930s character of perforated wall panels.</p> <p>No individual structures worthy of formal protection.</p> <p>Relic site with the buildings being vacant and derelict.</p> <p>Small core group of structures representative of the role of the site in the timber industry.</p> <p>Significance resides in associations with timber processing/manufacturing and its resulting built form character.</p>	<p>Cross section of trees adjacent to the roadway, continuous wall treatment with a particular rhythm of solid to void, and long linear sheds behind.</p> <p>Tight, modular, orthogonal layout of buildings with a relatively fine grain, high coverage factor, density gradient across the site and varying figure ground relationships.</p> <p>Relatively low-rise nature of buildings flanking Adam Tas Road.</p>	  <p>Sawmill HIA (Snelling 2015)</p> <p>Retention and adaptive reuse of core grouping (C).</p> <p>Retain the wall along Adam Tas Road to as great an extent as possible with limited points of entry.</p> <p>Maintain the existing line of trees.</p> <p>Maintain hard building edge along Adam Tas Road with a limited building line with 2 storey height control on buildings immediately flanking the site.</p> <p>Maintain the manufacturing and light industrial character of the area as a major component of a mixed-use precinct.</p> <p>Maintain the built form character in terms of figure ground relationships.</p>

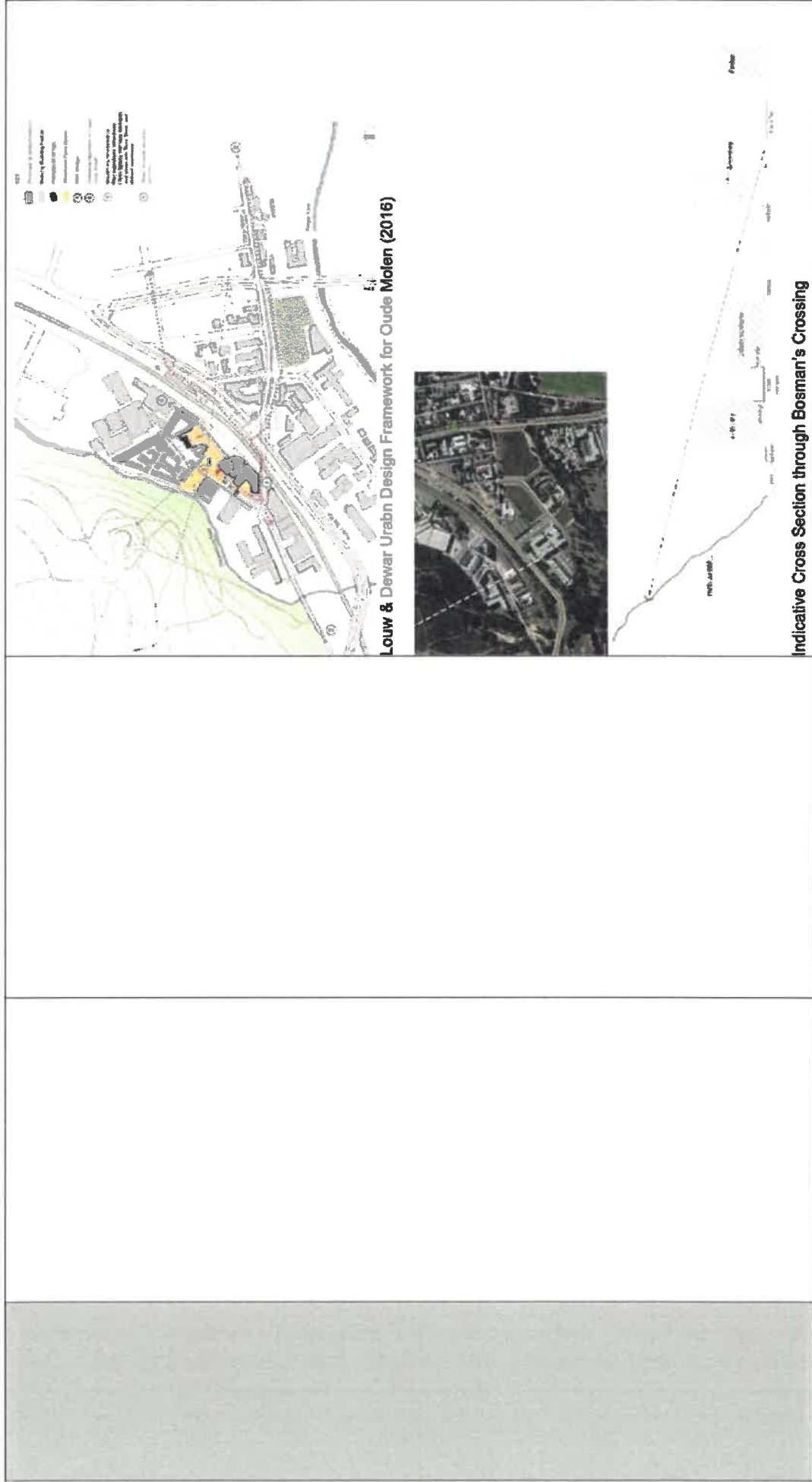
Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 3</p> <p>OUDE LIBERTAS</p> <p>Historical set piece and vineyard forecourt</p>	<p>High historical, architectural significance.</p> <p>Distinctive landmark at entry to Stellenbosch.</p> <p>Distinctive setting of the architectural ensemble and its generous vineyard forecourt; vineyard forecourt contributing to sequencing of solid to void, open to closed relationships along this section of Adam Tas Road.</p> <p>High historical and social significance of the cemetery in terms of layering, interdenominational use and nature of open access.</p>	<p>Formal landmark architectural ensemble with a green forecourt.</p> <p>Cemetery set within a parkland setting.</p> <p>Historical route network and river crossing.</p> <p>Vineyard foreground and rows of mature trees create the foreground to the site, which is set against a dark, forested backdrop on the slopes of the Papagaalberg.</p>  <p>Google Earth (2021)</p>	<p>Maintain green forecourt to Oude Libertas; no new buildings to be permitted in this zone.</p> <p>New buildings to be located behind the line established by the Oude Libertas complex and homestead.</p> <p>New interventions must not visually overwhelm the complex.</p> <p>New interventions to be complementary to the historical cultural and educational role of Oude Libertas.</p> <p>Maintain the open access and parkland nature of the cemetery with minimal edge treatments.</p> <p>Opportunities for memorialization as part of the public space realm.</p>
<p>CA 3.1</p> <p>CEMETERY</p> <p>Public memory, reflection, passive recreation, historical river crossing (cemetery and Bosman's Crossing)</p>	<p>Cemetery contributes substantially to a parkland setting immediately abutting a high use zone to the east.</p> <p>Heritage value of historical patterns of access and river crossing.</p> <p>Heritage value of the archaeological 'monument' as the site of an ESA site discovered in 1899 (PHS Grade II)</p>	 <p>SHI (2018)</p>	<p>New interventions must not visually overwhelm the complex.</p> <p>New interventions to be complementary to the historical cultural and educational role of Oude Libertas.</p> <p>Maintain the open access and parkland nature of the cemetery with minimal edge treatments.</p> <p>Opportunities for memorialization as part of the public space realm.</p>




Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 4</p> <p>DISTELL</p> <p>Wine processing (Stellenbosch Farmers Winery mid to late 20th C)</p>	<p>Site of an early 20th century black settlement referred to as Mon Repos or Platteklip Location c1918.</p> <p>Site of Stellenbosch Farmers Winery (SFW) since 1925 (Oude Libertas farm) until the merger with Distillers Corporation to form Distell in 2000.</p> <p>Social historical value with SWF as an early agricultural co-operative dating to the post WW I period playing a major role in the promotion of the Stellenbosch wine industry for white farmers through the centralisation and regulation of wine production and markets, including the export market.</p>	<p>Boundary treatment and gateway; pillars, visually permeable panels framing views of buildings immediately adjacent.</p>   <p>Google Earth street view (2021)</p> <p>Formal composition of architectural elements and boundary treatments.</p> <p>Part of a sequence of hard and soft edge treatments along Adam Tas with Distell providing a hard agro-industrial edge in contrast to the green forecourt to the Oude Libertas to the west. Entrance to Klein Vredenburg providing a strong edge to the south.</p>	 <p>Google Earth (2021)</p> <p>Maintain edge treatment along Adam in terms of pillars, visually permeable panels and planting, and the interface with the Cape Revival complex including the rhythm of gable ends, elaborate gateways and neo classical central entrance piece.</p> <p>Retain the Cape Revival complex facing onto Adam Tas with a range of adaptive reuse options accommodated.</p> <p>Soft edge treatment along entrance road to Klein Vredenburg to screen hard parking areas and loading areas.</p> <p>Consider opportunities for a continuous walkway adjacent to the Eerste River and its role as a seam in linking precincts as part of a continuous public realm including the recreational role of the Distell Cricket Club.</p>

	<p>Potential grading of a component of the Cape Revival complex addressing Adam Tas.</p> <p>Relationship between the Cape Revival complex and Adam Tas in terms of strong place-making and landmark qualities.</p> <p>Architectural value of the complex in term of the use of Cape Revival architectural elements related to the branding of SFW in the export market.</p> <p>Vast majority of buildings not worthy of formal heritage protection, particularly to the south of the railway line.</p> <p>Social recreational role of the Distell Cricket Club.</p>	<p>Eerste River forming the southern edge and the location of the Distell Cricket Club adjacent to the river creating a soft interface.</p>	 <p>View of Distell from Distillery Road</p>
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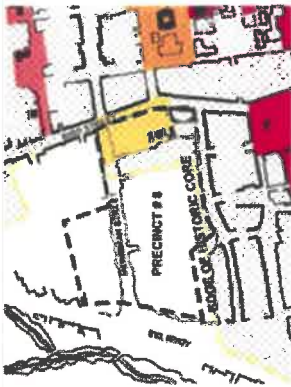

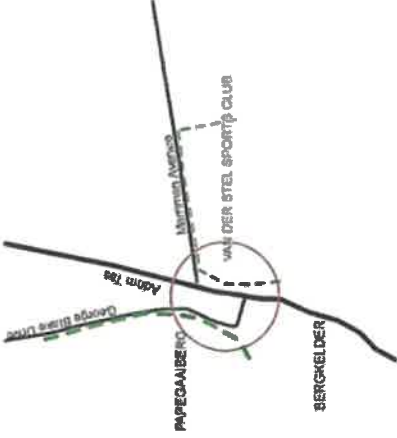
Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 5</p> <p>DORP STREET</p> <p>interface with historic core (Dorp Street point of entry)</p>	<p>Major point of entry into the historic core of Stellenbosch via Dorp Street.</p> <p>Dorp Street having high heritage value as one of the main structuring elements of the historic core.</p> <p>Vineyard setting at point of entry has place-making qualities in terms of providing a green framing element to the historic core.</p>	<p>Juxtaposition of agro-industrial and commercial buildings, cultural centre and ornamental vineyard setting to the Rupert Museum.</p> <p>Location between two structuring elements (Dorp Street and Eerste River) and the strategic location of the Rupert Museum as a semi-public institution, which could form part of a continuous public realm relative to the river and pedestrian network.</p>  <p>SHI (2018)</p>	 <p>Google Earth (2021)</p> <p>Maintain green forecourt to the Rupert Museum and its landmark qualities.</p> <p>Consider the opportunities for a continuous landscape walkway adjacent to the Eerste River and the role of this river corridor as a seam in linking precincts associated with the river. Role of Eerste River as a major structuring element of the historic core.</p>


Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 6 BOSMAN'S CROSSING AND OUDE MOLEN Brandy production (early to late 20th C); historical mill stream network</p>	<p>Collection of buildings worthy of retention and adaptive reuse grouped along a tight linear corridor: Cape Revival House 1925 Grade IIIA; Mill House 1965 Grade IIIC; Warehouse 1950s Grade IIIC; Vinlab 1923 Grade IIIC. Juxtaposition of river and Papegaaiberg with a tight linear corridor comprising the river, road network and railway, industrial buildings, mountain edge). Historical reference to old mill and millrace.</p>	<p>Mixed-use activity comprising medium high density residential activity (6 stories with ground level retail) in immediate juxtaposition with light manufacturing. Distillery Road as an extension of Bosman's Crossing and the original route into Stellenbosch from the south and its role as linking or binding element through the southern section of the corridor. Sequence of hard and soft spaces; soft green crossing, hard built edges; Oude Molen forecourt; views towards Papegaaiberg backdrop.</p>	<p>Retention of views towards the Papegaaiberg. Integrate the riverine corridor with a pedestrian linkages and opportunities for access into the Papegaaiberg, particularly near Bosman's Crossing Retention of the historic core grouping and associated spaces with their integration into a public space network (diagram below) Extension of Bosman's Crossing and Distillery Road as a linking or binding element as part of the street network through the corridor (see diagram below) Two stories on ATC retaining views towards the Papegaaiberg with higher density along the river (see cross section below). Continue good precedent at Bosman's Crossing with a residential apartment urban typology adjacent to the river, sequencing of open and close spaces and mix of uses particularly light manufacturing/artisanal activity, e.g. foundry and furniture making.</p>  <p style="text-align: right;">Postlethwayt & Snelling (2020)</p>

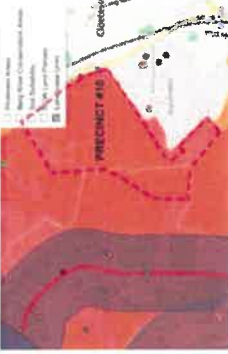






Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 7 BERGKELDER Wine cellar and brandy production – mid to late 20th C</p>	<p>Historical, technological and scientific contextual value (Grade IIIIC)</p> <p>Setting of the Plankenbrug River and slopes of the Papegaalberg into which the Bergkelder is inserted.</p> <p>Technological and scientific innovations from the late 1960s.</p> <p>Role in increasing international connections, primarily related to viticultural, oenological and marketing developments, particularly post 1992.</p> <p>Collection of buildings dating from the mid-20th century of a particular architectural typology and place-making quality (morphology, spatial relationships, riverine and mountain setting).</p> <p>Equipment related to the evolution of wine-making and maturation techniques from the mid-20th century.</p> <p>Potential evidence of mill sleut.</p> <p>Industrial archaeological value of the structures.</p>	<p>Industrial buildings relating to the wine industry.</p> <p>Industrial buildings with a particular architectural typology, urban morphology and visual spatial relationship with the river and Papegaalberg.</p> <p>Group of mid-20th century buildings in the southern portion of the site dating from the first phase of development, approximately from the mid 1940s to the 1960s.</p> <p>Buildings have been adapted over time, particularly in terms of height to accommodate changes in technology.</p> 	<p>High degree of resilience and ability of accommodate change. However, not to be treated as a green field site.</p> <p>Retention of the overall grain and texture of the site, i.e. figure ground relationships, to reflect the industrial evolution of the site.</p> <p>Retention of the mid-20th century building grouping for adaptive reuse in a mixed-use environment; could be substantially altered to accommodate new uses yet retaining industrial built form character.</p> <p>Retention of the visual grid, tree lined avenues and stone walled edge conditions as a structuring device, particularly the visual axes towards the Papegaalberg.</p> <p>Opportunities for inclusion into a high to medium mixed-use development corridor to build on the strategic location of the site.</p>  

<p>CA 7.1</p> <p>STATION</p> <p>Movement Infrastructure</p>	<p>Historic significance of the railway network dating to the mid-19th century.</p> <p>Distinctive landmark qualities of the Cape Revival station building and its forecourt.</p>  <p>Google Earth street view (2021)</p>	<p>Movement infrastructure, linear binding element of public infrastructure linking Kayamandi through the corridor to metropolitan Cape Town.</p> <p>Strategic location at the periphery of the historic core and head of a grid of streets defining the western edge of the historic core immediately at the interface with the agro-industrial group of buildings associated with Berg Kelder, thus binding the historic core and the future growth corridor.</p>	<p>Conceptualise as part of a linear linking system associated with the Bosmans Crossing through the Oude Molen Precinct to the station.</p>
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Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 8</p> <p>VAN DER STEL</p> <p>interface with historic core (Merriman and Bird Street point of entry)</p>	 <p>Precinct # 8 overlaid with Historic Core and Special Streets, Places & Buildings (SHI 2018)</p> <p>Contextual value adjacent to the historic core with is concentration of streets, places and buildings of heritage value.</p> <p>Major entry point into the historic core via Merriman Avenue and Bird Streets with Bird Street being one of the main structuring elements of the historic grid.</p> <p>Green open space in close proximity to the Papegaaiberg (pinch point) at a cross route condition and as part of an integrated green/open space structuring system.</p> <p>Social value of the sports club.</p>	<p>Large recreational open space on the edge of the historic core bounded by streets forming part of its grid system.</p> <p>Mix of land uses including sports facilities, transport hub, retail, corporate and residential.</p>  <p>Structuring elements</p> <p>Zone of intersection between green and urban systems; historic and contemporary conditions.</p>	<p>Medium degree of resilience to accommodate new development recognizing townscape and landscape opportunities and constraints being located immediately adjacent to the historic core with strong visual spatial linkage with the Papegaaiberg and at a cross route condition with a high degree of accessibility.</p>  <p>Avoid the simple “filling in” of open space. Respond positively to the juxtaposition of fine-grained residential fabric (south) and coarse grained industrial fabric (west) as well as the gateway conditions and strategic location of the precinct at the entrance to the historic core and in relation to Bergkelder and George Blake precincts as core components of the growth corridor. Redevelopment of the site must retain a strong green linkage element and contribute to the public open space network of the town.</p>

Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 9 GEORGE BLAKE Industrial expansion – late 20th C (north)</p>	<p>Late 20th century light industrial landscape. Low, if any heritage significance.</p> <p>There are no heritage structures in the area.</p>	<p>No elements that contribute to area character. The only potential elements relate to the stream flowing down from the Papegaaiberg into the Plankenburg river and the gridiron street pattern providing visual and potential pedestrian linkages to the Papegaaiberg.</p>	<p>Considerable capacity to absorb a more intensive pattern of development.</p> <p>Plankenburg riverine corridor and the opportunities for a continuous landscaped pedestrian walkway with cross linkages into Kayamandi to be incorporated into a precinct plan. Similarly, the orthogonal street pattern should be maintained and visual /spatial linkages to the Papegaaiberg enhanced in terms of a grid of views.</p> <p>Web of green and visual connectivity between the Papegaaiberg and the Plankenburg riverine corridor.</p>
<p>CA 9.1 BIRD STREET Historical Settlement & Displacement (Bird Street point of entry)</p>	<p>Considerable historical social significance in terms of the association with forced removals related to the Group Areas Act in Du Toitsville in the 1960s.</p> <p>Historical and visual significance of the avenue of trees flanking Bird Street and its role as an early access route from Paarl dating from the late 17th century.</p>	<p>Light industrial, heavily trafficked area. The only remaining house of Du Toitsville (69 Bird Street Osman House).</p>  <p>Oak tree avenue on Bird Street and station building and forecourt as last remaining physical elements of Du Toitsville.</p>	<p>Maintain the avenue of oak trees flanking Bird Street, a major point of entry into Stellenbosch from the north.</p> <p>Develop a tree management programme to ensure the long-term protection of the trees.</p> <p>Explore opportunities for the memorialization of the forced removals related to Group Areas in collaboration with the affected community.</p>

Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 10 Urban-transition and gateway (north)</p>	 <p>Precinct # 10 overlaid with SHI Landscape Units of suggested Grade IIIB heritage value</p> <p>Located in a landscape of suggested Grade IIIB heritage value in terms of the SHI (2018).</p> <p>Aesthetic value in its contribution to an agricultural landscape approaching Stellenbosch via the R304.</p> <p>Landscape of urban-rural transition with gateway opportunities.</p> <p>Embedded within this landscape, heritage resources of Grade III heritage value (Monterosso IIIB; Cloetesdal Farm IIIC).</p>	<p>Orthogonal field patterns with access arrangements off the R304 and a sloping topography.</p> <p>Long views towards mountain peaks framed by green edge conditions.</p>  <p>Google Earth 2021 (R304 street view looking south east)</p> <p>Undulating sloping topography with subtle skyline conditions framing environmental rooms.</p>  <p>Google Earth 2021 (R304 street view looking north west)</p>  <p>Monterosso farm part of 1930/50's pattern of settlement along the R304 (SHI 2018)</p>	<p>Some degree of resilience with the need to balance the urban expansion of the town while responding to the landscape context and thus avoiding peripheral sprawl.</p> <p>Development should comprise a clear settlement structure including a legible public structure and green structure.</p> <p>Avoid the sameness in settlement pattern or continuous swathes of development with the creation of environmental rooms, thresholds or markers in the landscape to punctuate development pockets.</p> <p>Provide a density gradient in response to topographical conditions and movement routes with higher densities on the valley floor and lower slopes and lower densities on the upper more visually prominent slopes.</p> <p>Provide a variation in built form typologies including the use of taller or landmark buildings at key points in the settlement structure.</p>
<p>Positive response to the patterns of access off the R304 in terms of geometry, cross route conditions and axial alignments.</p> <p>Careful consideration edge treatments e.g. use of tree planting to reinforce gateway qualities, visually permeable boundaries.</p> <p>Explore the principle of a local 'high street' parallel to the R304 and linking KyaRANDI with its surroundings.</p>			

Name	Heritage Significance Grading	Character Statement Description and Character Forming Elements	Heritage Indicators Capacity to Accommodate Change & Absorb Development
<p>CA 11</p> <p>PAPEGAAIBERG</p> <p>Passive recreation and retreat</p>	<p>Identified in the SHI (2018) to be grade IIIB heritage value.</p> <p>Considerable visual/spatial significance; dramatic and vivid rural and natural landmark quality in immediate juxtaposition with the urban built form of Stellenbosch.</p> <p>Place of spiritual quality and significance; place of refuge; of retreat and contemplation, relatively unencumbered by perceptions of exclusion and exclusivity, and spatial division.</p>	<p>Green frame to the town.</p> <p>Dramatic visual spatial juxtaposition of rural and urban.</p> <p>Steep topography establishes a green wall to the Adam Tas corridor. Heightened altitude affords panoramic views over Stellenbosch in the midfield and the Hottentots Holland mountains beyond.</p>  <p>SHI (2021)</p>	<p>Maintain the existing natural unbuilt quality.</p> <p>Enhance the integration with the public realm and open space system of the town to ensure a continuity of green; a continuous network of public open space integrated with the water network, including rivers, canals and the leiwater system.</p> <p>Enhance access opportunities, particularly from the cemeteries at the point of entry into Stellenbosch and Kayamandi.</p> <p>Develop a use management plan specifying use intensity zones (passive and active recreation), permissible and prohibited activities.</p> <p>Explore memorialization opportunities. To include a public participation programme to elicit the range of meanings associated with the place.</p> <p>Ensure that any built form interventions, including paved surfaces, benches, shaded areas and possible memorial opportunities are integrated into the landform, utilize appropriate materials and have minimal visual impact.</p>

6.4.11. Environment

Key to the Development Framework is to incorporate, restore, and celebrate environmental assets.

Two foci are particularly important. The first is the restoration and incorporation of the Plankenbrug River as a central, functional element of the development. If upstream pollution can be managed, the river corridor could serve multiple roles, including an amenity and value adding feature to adjacent development, as well as a NMT route linking precincts, integrated with similar routes in Stellenbosch town.

The second is the incorporation of Papegaaiberg as a central place of recreation, conservation, and "retreat" in the urban structure of Stellenbosch. The natural environment of Papegaaiberg could be preserved, while providing increased, safe access for recreational purposes. Key will be how and where access points are structured and organized, the nature of recreational development (e.g., structured walking and cycling paths, look-out points, and so on), as well as its interface with adjacent development. Papegaaiberg should become, through multiple and carefully managed use and access, a sacred, treasured space for all citizens.

Central to the exposure, preservation, and celebration of Papegaaiberg is its linkage to the rest of Stellenbosch town with the proposed university avenue.

6.5. Movement, access, and parking framework

6.5.1. Global transport trends

- Approaching the movement, access, and parking for the ATC occurs within a framework of emerging global transport trends, including:
- Significant shifts in policy to accommodate the transformation of the way transport is sourced, operated and maintained.

- A significant shift to the use of public transport.

- Potential shifts away from private vehicle ownership and a potential increase in car-pooling and rental pools.
- An increasing dependency on electric/hydrogen vehicles and the increasing obsolescence of the petrol/ internal combustion engines.
- Inter-dependencies and collaboration between the public and private sector.

6.5.2. Movement network

The movement network associated with the ATC is illustrated in Figures 20 and 21). Key aspects of the movement network are:

- A continuous central vehicular route between precincts – from the Sawmill via Oude Libertas, Bosman's Crossing, Bergkelder, Plankenbrug, to Kayamandi – and incorporating elements of Distillery Road, George Blake Road, and Rand Road. This route should accommodate NMT and public transport functions.

- Adam Tas Road/ R44 maintaining its role as a "mobility" route.

- Vehicular road intersections with Adam Road/ R44 (at grade and grade separated in the vicinity of Bergkelder/ Van der Stel).

- A NMT route following the Plankenbrug and Eerste River corridors and linked to the existing/proposed system for Stellenbosch town.

- The existing rail, incorporating the two existing stations (Stellenbosch and Du Toit, both upgraded) and two new ones proposed at Droë Dyke/ Sawmill and Kayamandi North.

- Nine new pedestrian crossings along ATC with crossing intervals of between 400-600m (from an operating perspective, these crossings will need to be grade-separated, preferably underpasses given the high clearance and ramp length required for overpasses).

6.5.3. Parking

In relation to parking, the movement network acknowledges:

- The underlying objectives of the ATC project to pursue an environment prioritising public and non-motorised transport.
- The reality of having to accommodate parking – serving Stellenbosch town and the ATC area – while expecting to progress towards lower private vehicle dependence and use over time; this, in turn, requiring innovative transitory arrangements, including the provision of parking in a form enabling ready conversion in future to other uses.

- Centralised parking facilities, delinking the provision of parking from the specific entity served.

6.5.4. Parallel actions

The movement network assumes that:

- PRASA will continue/ reinstate operations of the railway corridor service with new rolling stock and the implementation of additional rolling stock for increased demand.
- The possible establishment a concessional corridor between Eerste River and Klappmuts stations (or the development of a railway system that comprises of a combination of the above).
- Ultimate doubling of the railway line between Eerste River and Muldersvlei Stations.
- The early development of subsidised public transport services linking the different ATC precincts and rail stations with the university and the Stellenbosch CBD. Such a public transport system will have to be developed in an incremental manner (until such time as it could be incorporated into the SM IPTN).
- The transformation of the Stellenbosch minibus taxi industry (Association Based Companies/

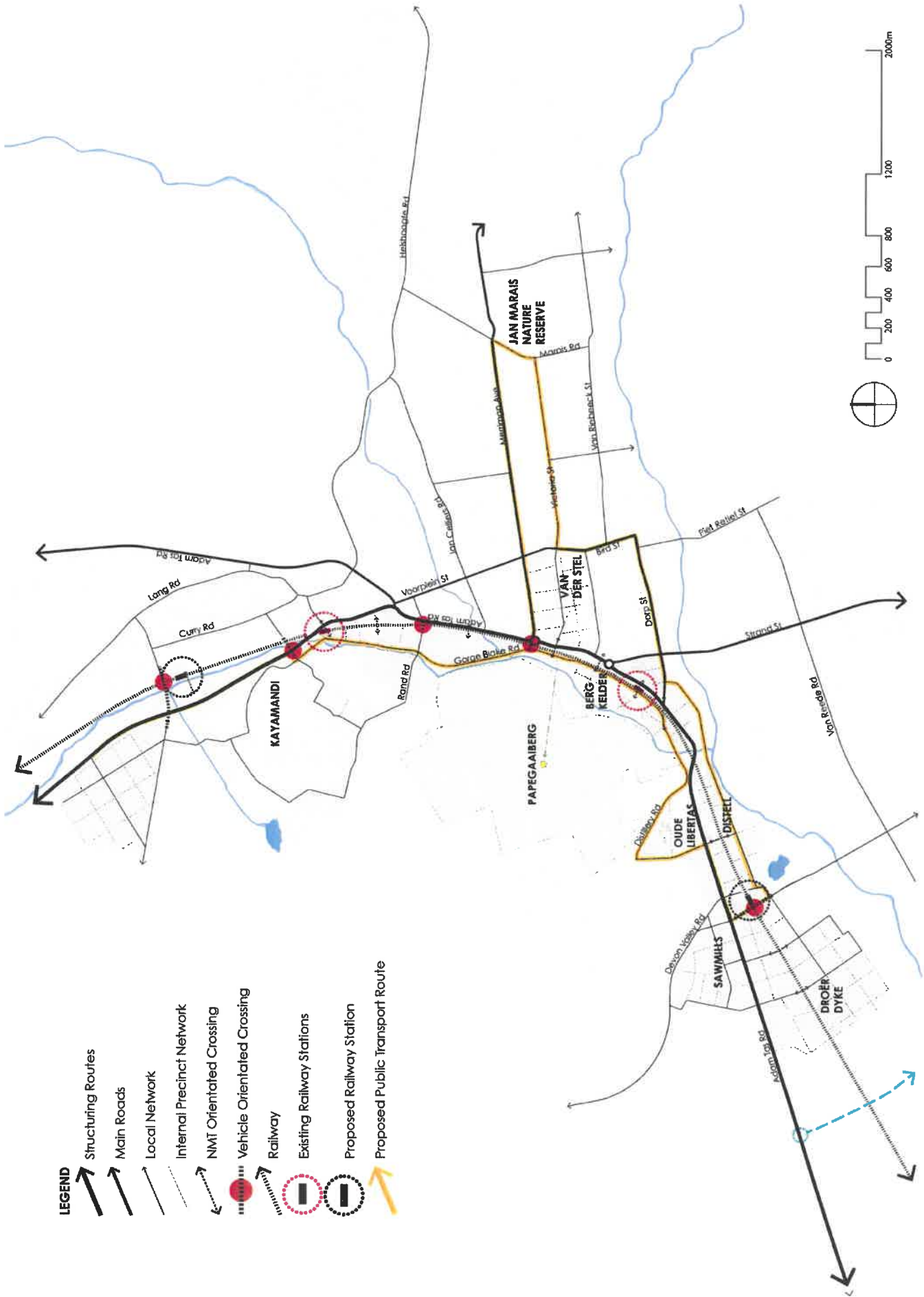


Figure 20. ATC vehicular movement structure

Vehicle Operating Companies) by means of contracted services. This is a contentious process and, in many respects, based upon both legislative responses as well as the value proposition offered to the industry to transform.

- The allocation of housing opportunity to people living, working and/ or studying in Stellenbosch, in that way assisting to removing commuters to and from Stellenbosch using private vehicles.
- Broader regional transport network implications being addressed.

A summary of transport improvements per development phase is provided in section 6.6.3. Development Phasing.

6.6. Bulk services framework

6.6.1. Scope of bulk services framework

The bulk services framework follows an analysis of existing bulk infrastructure services capacity and demand associated with the minimum and maximum land use and bulk scenarios presented above.

6.6.2. Phasing

Figure 22 illustrates a development phasing scenario for the ATC, based on:

- Unlocking the initial precincts that would require the minimum amount of bulk infrastructure upgrades.
- Considering precincts with the potential of developing, or which might be in a position to develop sooner than others.

Table X illustrates indicative development phases and duration, based on the proposed sequence of infrastructure upgrades. The indicative phasing could be adjusted based on demand and associated changes to infrastructure development.

Table 12 illustrates indicative bulk floor area per phase (based on an average of the minimum and maximum bulk proposed for the ATC).

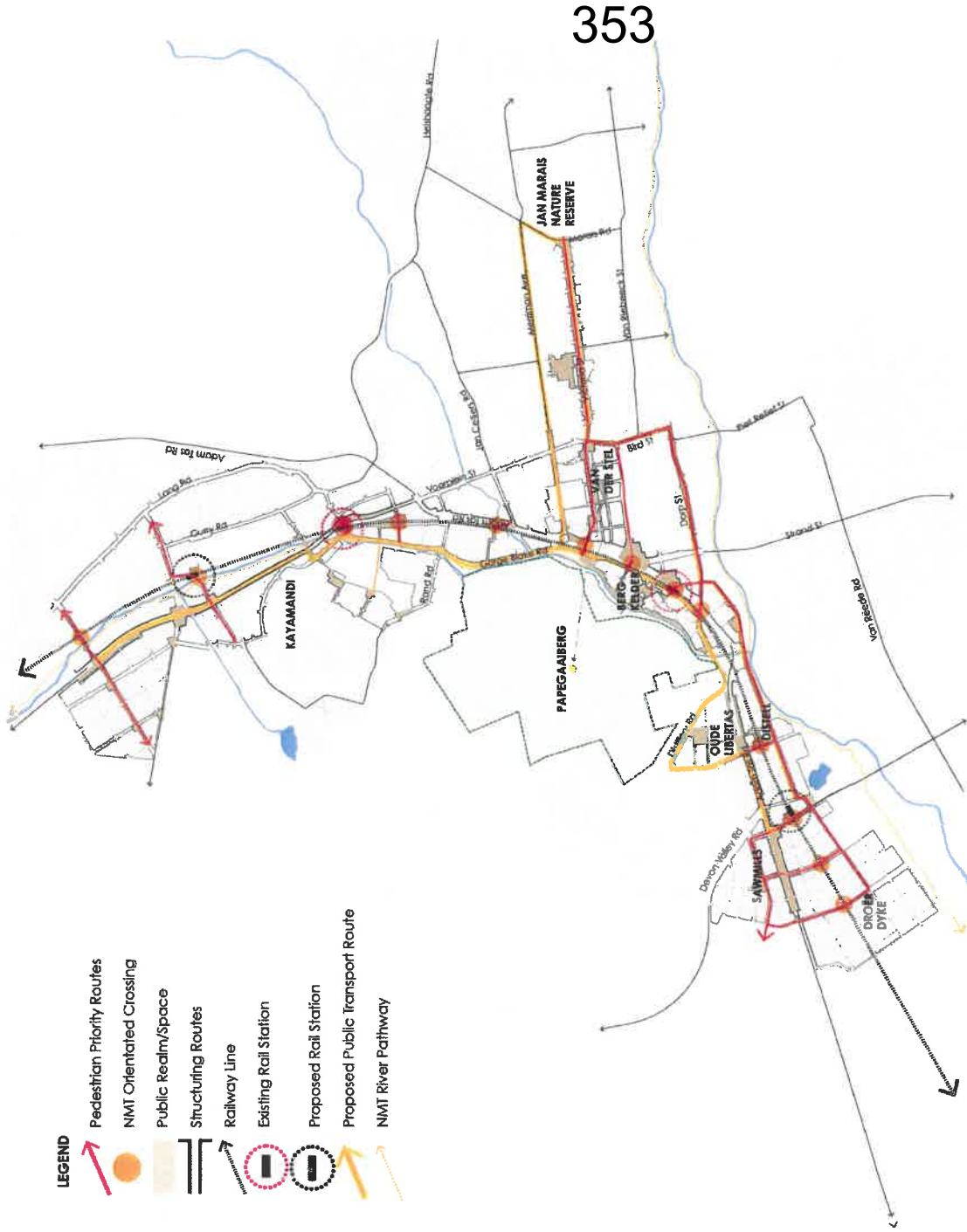


Figure 21. ATC non-motorised movement structure

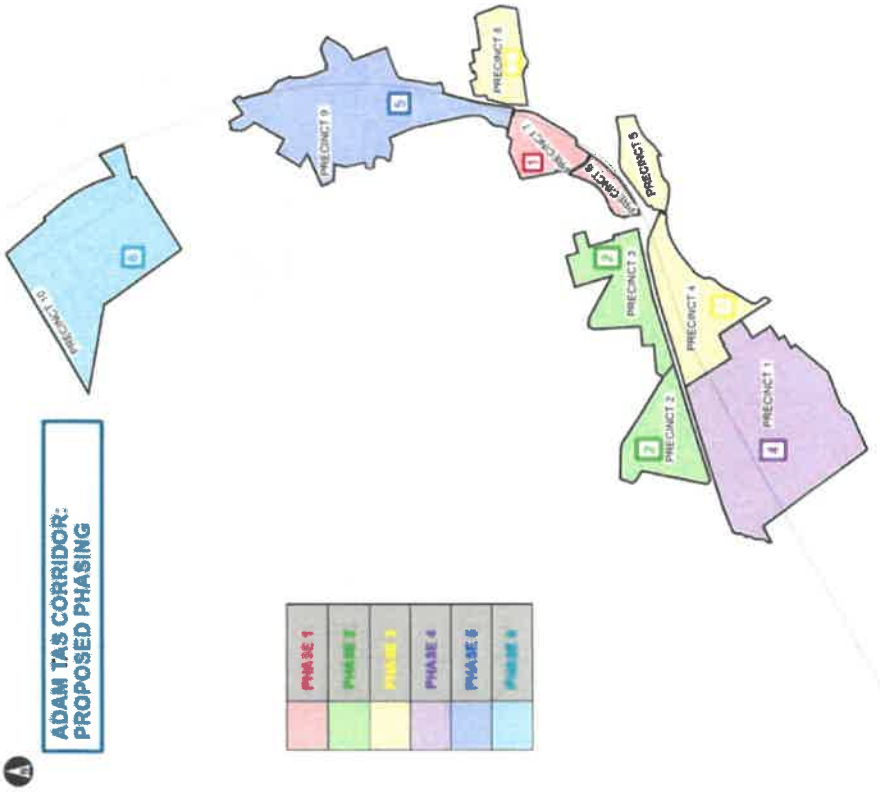


Table 12. Proposed phasing of precincts

PHASE	DURATION (YEARS)	PRECINCTS
1	0-3	6, 7
2	3-7,5	2, 3
3	7,5-15	4, 5, 8
4	15-22,5	1
5	22,5-30	9
6	22,5-30	10

Figure 22. Proposed Development Phases (Zutari, 2021)

Table 13. Indicative bulk floor area per phase

PHASE	TOTAL	PRECINCT													
		1	2	3	4	5	6	7	8	9	10				
1	400 820						126 882	273 938							
2	518 101		397 191	120 910											
3	856 058				443 249	145 105			257 704						
4	704 575					704 575									
5	700 112												700 112		
6	563 507														563 507

6.6.3. Transport improvements per phase

Table 14 and Figure 23 outlines transport infrastructure improvements required per phase and precinct.

Table 14. Transport infrastructure improvements per phase and precinct

PHASE 1: Precincts 6 & 6	
1	Upgrade Intersections Improvements on Adam Tas Road at the intersections of Blersch Street, Bird Street and Merriman Road.
2	New Bridge Eliminating Rail Level Crossing Realignment of Merriman Road and provision of a road/rail bridge to eliminate the rail level crossing and removing two signalised intersections along Adam Tas Road.
3	Street to Street Pedestrian Bridge Street to Street rail crossing at Stellenbosch Station from Precinct 6 and 7 to Adam Tas Road.
4	Upgrading of Existing Rail Station Improvements to Stellenbosch Rail Station.
PHASE 2: Precincts 2 & 3	
1	New Road Link Realignment of Devon Valley Road.
2	Upgraded Intersections Upgrade of the intersection of Adam Tas and Devon Valley Road and Adam Tas and Vredenburg Road.
PHASE 3: Precincts 4, 5 & 8	
1	Street to Street Pedestrian Bridge Street to Street rail crossing at Oude Libertas Road linking to Precinct 3 and 4.
2	New Intersection Provide new intersection on Winery Road.
3	New Overhead Rail Station New Station opposite Oude Libertas intersection.
PHASE 4: Precinct 1	
1	New Road Link New road/ rail bridge to provide access to Precinct 1 from Adam Tas Road.
PHASE 5: Precinct 9	
1	Upgrade Intersections Improvements on Adam Tas Road at the intersections of Bird Street.
2	Street to Street Pedestrian Bridge Street to Street rail crossing at Du Toit Station across Adam Tas Road.
3	Upgrading of Existing Rail Station Improvements to Du Toit Rail Station
PHASE 6: Precinct 10	
1	New Road Link New link road at Last Road linking Precinct 10 with Cloetesville.
2	New Overhead Rail Station New Rail Station opposite Last Road.
3	New Intersection New access intersection to Precinct 10.

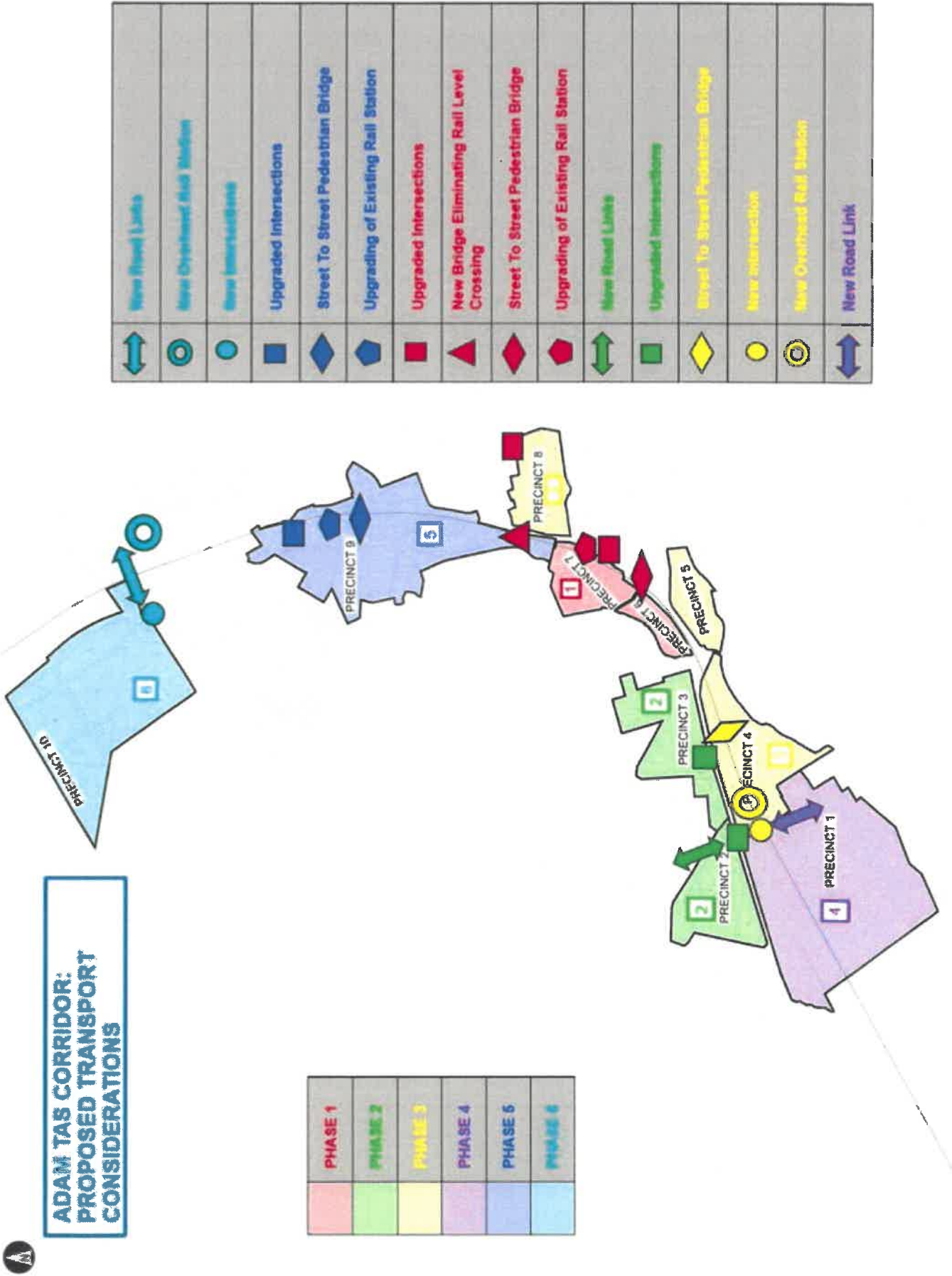


Figure 23. Proposed Transport Considerations (Zutari, 2021)

6.6.4. Bulk civil infrastructure

Table 15 and Figure 24 outlines bulk civil infrastructure improvements required per phase and precinct.

Table 15. Bulk civil infrastructure improvements per phase and precinct

PHASE 1: Precincts 6 & 6		Sufficient capacity is available for Phase 1 to continue without any bulk infrastructure upgrades to water supply and sewer reticulation networks.
PHASE 2: Precincts 2 & 3		Upgrade of existing water supply network to improve water supply to Precinct 2 and 3.
1	Water Network Upgrade	
PHASE 3: Precincts 4, 5 & 8		Possible shared cost for upgrade of existing water supply network of Phase 2 (Precinct 2 and 3).
1	Water Network Upgrade	
PHASE 4: Precinct 1		
1	Water Network Upgrade	Installation of new bulk water connection pipeline for water supply to Precinct 1.
2	New Sewer Reticulation Pipeline	Installation of new gravity bulk sewer reticulation network for Precinct 1.
3	New Sewer Pump Station	Installation of new sewer pump station to pump sewerage from Precinct 1 to the existing WWTW.
4	New Sewer Rising Main	Installation of new sewer rising main from the proposed new pump station to the existing WWTW.
PHASE 5: Precinct 9		
1	Upgrade Sewer Reticulation Pipelines	Installation of new gravity bulk sewer reticulation pipelines to improve network capacity.
2	New Sewer Pump Station	Installation of new sewer pump station to improve network capacity.

PHASE 6: Precinct 10		
1	New Reservoir	Construction of proposed new Reservoir at Pappagaaiberg.
2	Water Supply Upgrade	Upgrade Water supply to the proposed new Pappagaaiberg reservoir.
3	New Water Pump Station	Installation of new water pump station at the proposed new Pappagaaiberg reservoir.
4	New Water Supply Pipeline	Installation of new water supply pipeline from new Pappagaaiberg pumpstation towards the existing Kleinvlei reservoir.
5	New Water Pump Station	Installation of new water pumpstation at the existing Kleinvlei Reservoir.
6	New Water Pump Station	Installation of new water pumpstation at the existing Kayamandi 1 and Kayamandi 2 Reservoirs.
7	New Reservoir	Construction of proposed new Reservoir at Kayamandi.
8	New Water Supply Pipeline	Installation of water supply pipeline from the new Kayamandi water pump station to the new Kayamandi reservoir.
9	New Water Network Pipeline	Installation of new bulk water supply network pipeline from the new Kayamandi reservoir to supply water to Precinct 10.
10	New Sewer Reticulation Pipeline	Installation of new gravity bulk sewer reticulation network for Precinct 10.

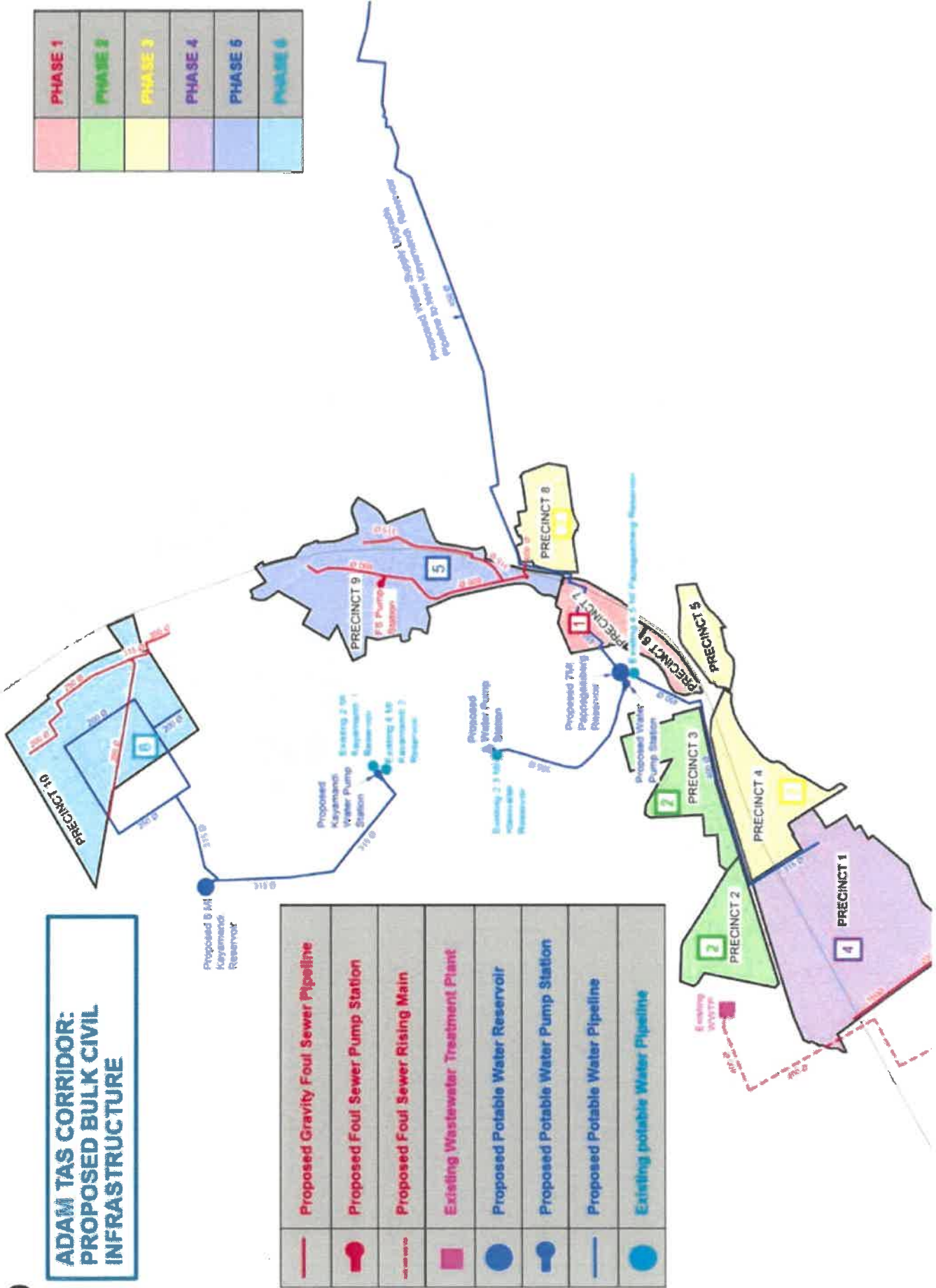


Figure 24. Proposed Bulk Civil Infrastructure (Zutari, 2021)

6.6.5. Bulk electrical infrastructure

The electrical bulk infrastructure is divided into two zones, Electrical Sub A and Electrical Sub B as per Figure 25. These zones require upgrades of the substations that fall within these areas as the precincts within each area develop. Precinct 1 to 8 falls within the Sub A upgrade zone and Precinct 9 and 10 within the Sub B upgrade zone. From a phasing perspective, the proposed phasing takes into account these upgrade zones, and should be further considered should the phasing be adjusted in future as upgrading of the substations would be a considerable cost.

6.6.6. Bulk infrastructure costs

The development costs of infrastructure as proposed in the LSDF has been estimated (as an average of the minimum and maximum of development proposed). The total development contribution cost amounts to approximately R1 440m. The total cost to upgrade infrastructure in order for development to take place amounts to approximately R1 368m. The development contribution cost is therefore R289m more than the upgrade cost which would be the additional cost that the development will have to contribute to the Stellenbosch Municipality in order for development to take place. This is a good indication that the proposed development could be feasible.

The more detailed cost estimates is attached as Appendix C.

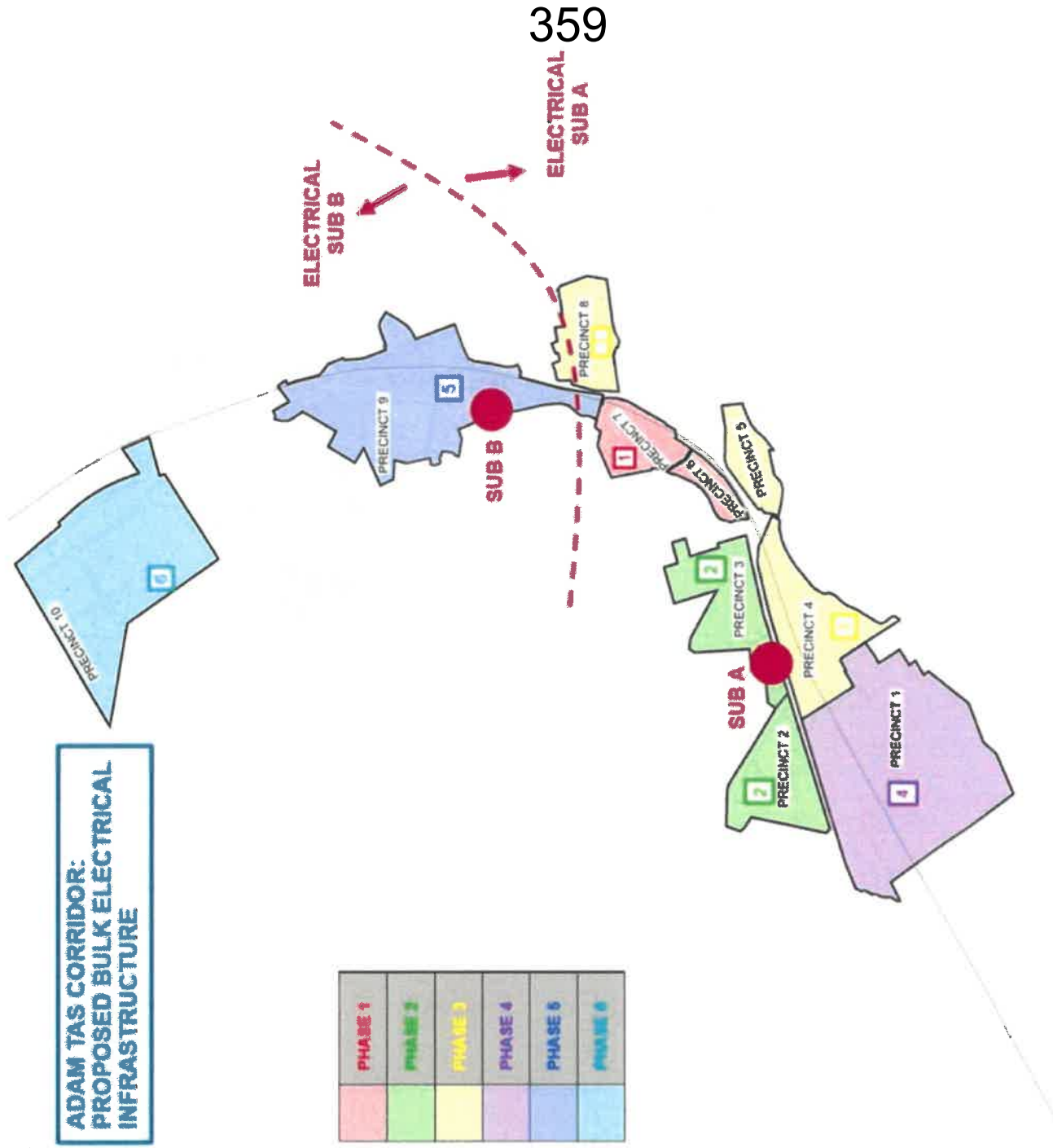


Figure 25. Proposed Bulk Electrical Infrastructure (Zutari, 2021)



360

Economic Impact

7. Economic Impact

As part of work on the ATC LSDF, the potential contribution of the planned development on the local economy has been estimated. The socio-economic impact assessment (SEIA) distinguished between two phases of the proposed ATC development, namely the construction and operations phases.

The study concentrates on the economic effects of the project using a macroeconomic impact analysis methodology, performed for the construction and operational period of the project and the accompanying infrastructure. The analysis was aimed to estimate the impact on GDP, employment and household Income.

The full report is attached as Appendix D. The report concludes that there are clear economic and occupational returns linked to investments related to the ATC project. The proposed development is also well aligned with several goals and objectives of the local, provincial and national governments.

In terms of its impact on the local economy, it could create positive benefits in terms of employment and output, the retention of skills, and increased government income provided that project management focuses on keeping the interests within the Stellenbosch LM.



Part 7. Implementation Framework

8. Implementation Framework

8.1. Approach to the Implementation Framework

This section addresses the issue of how to manage the roll-out of the ATC – the inputs and outputs required, and its integration – to meet stated development objectives for the area.

Section 21 (p) of SPLUMA, specifies that a MSDF must “include an implementation plan comprising of:

- Sectoral requirements, including budgets and resources for implementation.
- Necessary amendments to a land use scheme.
- Specification of institutional arrangements necessary for implementation.

- Specification of implementation targets, including dates and monitoring indicators.
- Specification, where necessary, of any arrangements for partnerships in the implementation process.”

The Department of Rural Development & Land Reform’s SDF Guidelines refers to the MSDF implementation framework as “high-level ... setting out the required institutional arrangements, policies and guidelines that will support adoption of the SDF proposals while aligning the capital investment and budgeting process moving forward.” In specific contents, it includes policies, guidelines, a capital investment framework, spatial priorities and required precinct plans, institutional arrangements, description of public and private sector roles, possible partnerships, and implementation requirements (defined as timeframes moving forward, and inputs into the IDP and sector plans).

SPLUMA does not specify LSDFs as a sub-category of SDFs. However, as indicated earlier, Section 9 of the SM Land Use Planning By-law of 2015 specifically identifies LSDFs as a level of spatial planning. In setting out the purpose of LSDFs, the By-law refers to elements normally associated with implementation, including spatial planning guidelines; detailed policy and development parameters; detailed priorities for land use planning, biodiversity and environmental issues; and guiding decision-making on land use applications.

While aware that the current focus is an LSDF, the approach followed here is one of recognising that although the traditional tools of spatial planning – plans and development regulation – are necessary, they are insufficient to bring about the ATC as desired. Similarly, the “lists” of tools or instruments of implementation provided in SPLUMA, its guidelines, and the SM Land Use Planning By-law, are not necessarily logically organised or “complete” to ensure implementation.

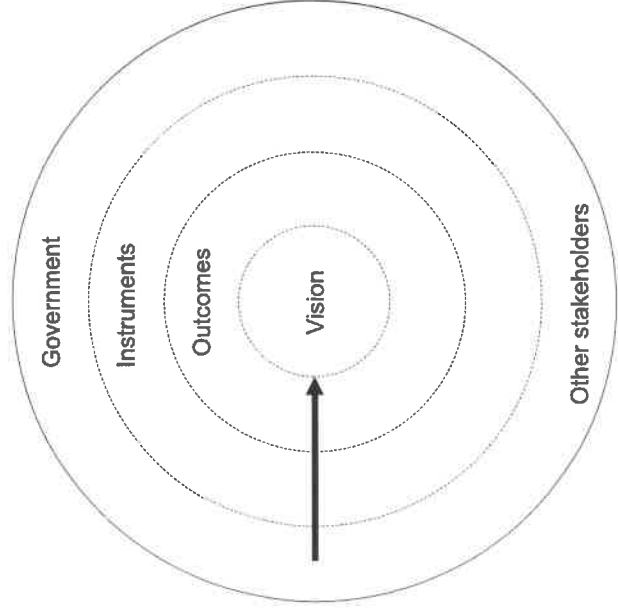


Diagram 4. Approach to the ATC Implementation Framework

In broad terms, it is believed that the vision for the ATC can be realised should it be described as specific outcomes, pursued in concert by government and other stakeholders through employing a full range of urban management instruments at their disposal, as illustrated in Diagram 4.

In relation to instruments of governance for managing the roll-out of the ATC, an expanded set (from that referred to in SPLUMA or the SM By-law) is presented in Table 16.¹⁴

Table 17 illustrates in summary form (in two sheets) the relationship between project strategic outcomes for the ATC and the application of supportive instruments of urban management.

¹⁴ This work is broadly based on and expands upon the work of Nelison as presented in Instruments of governance in urban management (Australian Planner, 39:2, 2002) and Urban Infrastructure Finance and Management, (edited by Wellman and Spiller, John Wiley & Sons, Ltd., 2012). Added to Nelison’s instruments are plans/programmes, guidelines, and asset management.

Table 16. Instruments of governance for roll-out of the ATC

INSTRUMENT	EXPLANATION
Policy	Policies operate at many levels, from very high order strategies to policies that guide detailed operational decisions. Their aim is to give clear statements about the intentions of the government or other relevant organisations.
Plans, programmes, and projects	Plans, programmes, and projects – both spatial and sectoral and ranging in sphere/scale of influence – interprets and gives effect to policy through prioritising certain actions and resource allocation.
Legislation and regulations	Legislation is the law, and regulations the rules that govern action within the framework set by law.
Guidelines	Guidelines provide options for executing policy or aspects of plans in a manner which will give effect to policy.
Fiscal measures	Fiscal measures relates to the revenue-raising activities of government. The structure of taxation (where it exists) and pricing for goods and services impacts on outcomes of urban development and ongoing capacity to manage growth and change. Full cost recovery for urban services will produce a different city from one where services are heavily subsidised.
Financial measures	The spending priorities of the government will influence the form and functioning of each city. This is especially the case with transport infrastructure, housing for lower income groups, public amenities and the public realm, and other aspects of the built environment.
Asset management	The manner in which assets, e.g., land, is used to achieve development objectives.
Institutional arrangements	The roles and responsibilities of government, the private sector, and communities can vary greatly depending on ideology, private sector capacity, and community expectations, and this variation will result in different management and developmental outcomes. Within governing bodies the way functions, powers, and responsibilities are allocated across different organisations will also have substantial effects on management style and capacity, and therefore on the functioning of a city.
Advocacy	Leadership and advocacy influence community and business behaviour and hence the way cities perform. Road safety campaigns, anti-littering campaigns, and water and energy conservation campaigns have all been shown to change behaviour and improve urban performance against declared objectives.
Knowledge management	Sharing knowledge and experience impacts on the speed with which changes occur in cities. Learning how others have been successful and replicating their efforts are important elements in modern urban management.

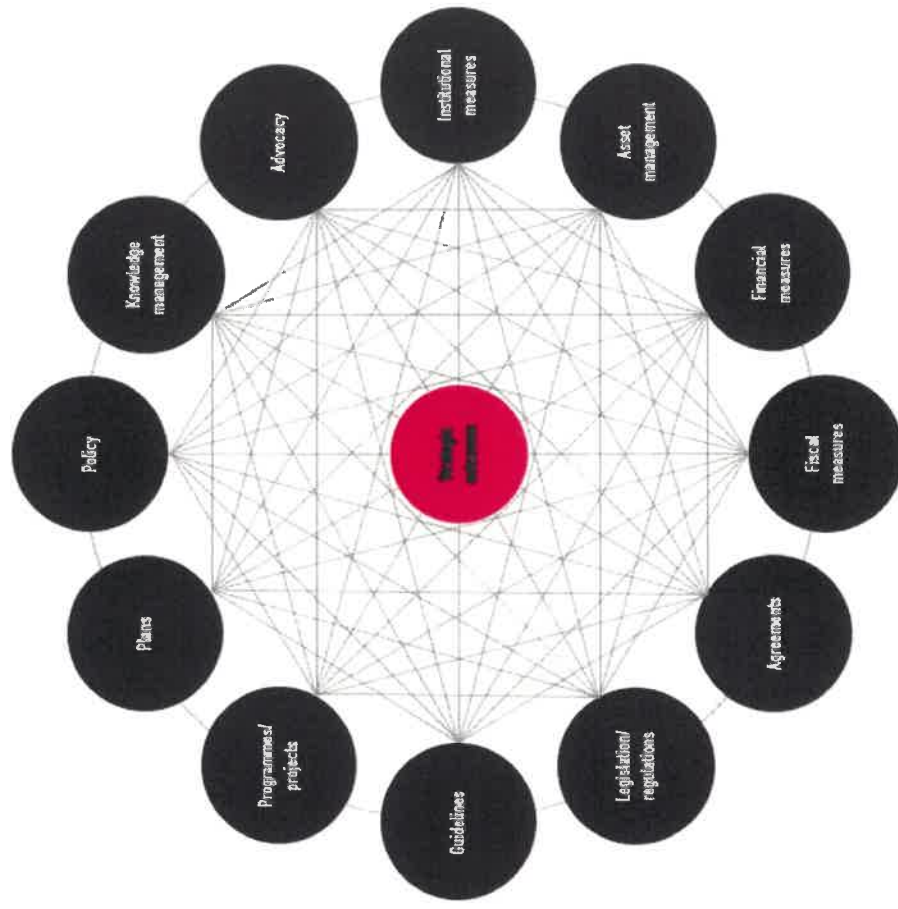


Diagram 5. The interrelationship of instruments of governance

Table 17. Strategic outcomes and supportive management instruments (Sheet 1)

STRATEGIC OUTCOMES	POLICY	PLANS/PROGRAMMES/PROJECTS	LEGISLATION/REGULATIONS	GUIDELINES	FISCAL MEASURES
<p>A vibrant, compact and efficient urban district, respectful of the environment and history</p>	<ul style="list-style-type: none"> Incorporation of the project in higher-order municipal policy. Specific policy in support of high density, mixed use, pedestrianism, environmental remediation and integration, and historic recognition. 	<ul style="list-style-type: none"> Incorporation of the project in the municipal IDP. An ATC Development Framework focused on compact, dense development. A programme to undertake remedial environmental actions. Indication of historic places/structures to be respected in the plan. 	<p>Incorporation of development parameters which support plan objectives in the Zoning Scheme By-law (e.g., bulk, density, areas to be conserved, etc.).</p>	<p>Incorporation of guidelines related to land use distribution, built form, landscape, the environment, and heritage.</p>	<p>Possible rates reductions and other fiscal measures for meeting specific plan objectives (e.g., density targets).</p>
<p>Increased access to livelihood opportunity for ordinary citizens</p>	<p>Policy in support of increased access (including housing) for ordinary citizens to opportunity-rich areas.</p>	<ul style="list-style-type: none"> Development of programmes/projects which specifically targets the needs of ordinary people. Incorporation of the project objectives in stakeholder social responsibility plans/programmes. 	<p>Incorporation of increased livelihood opportunity parameters (e.g., affordable housing) in the Zoning Scheme By-law.</p>	<p>Guidelines related to the allocation of housing and other opportunity.</p>	<p>Possible rates reductions and other fiscal measures for meeting specific plan objectives (e.g., affordable housing).</p>
<p>Seamless integration with surrounding areas</p>		<p>Incorporation of bridging proposals in municipal transport/mobility plans.</p>			
<p>Financial sustainability</p>	<p>Policy to ring-fence funds generated through the ATC (e.g., development contributions) for use within the area.</p>		<ul style="list-style-type: none"> Ringfencing of project related development contributions. Ringfencing of the area as a recipient of "In-leu" affordable housing contributions. 		<ul style="list-style-type: none"> Possible rates reductions and other fiscal measures for meeting specific plan objectives (as described above). Incorporation of the area as a UDZ.
<p>Active partnership between stakeholders</p>	<p>Operational policy in relation to partnerships.</p>	<p>Developing joint programmes/projects between the private and public sectors.</p>		<p>Guidelines setting out the various roles and responsibilities of stakeholders.</p>	
<p>A clear development process with speedy decision-making</p>	<p>Policy to define an ATC specific development process.</p>	<p>A clearly articulated hierarchy of plans and associated requirements.</p>	<p>Incorporation of project specific development processes in the municipal LUMS.</p>	<ul style="list-style-type: none"> Guidelines related to the LUMS process. Guidelines related to interim use and lead projects. 	<p>Possible waiving of LUMS fees/charges for specified uses/activities.</p>

Table 18. Strategic outcomes and supportive management instruments (Sheet 2)

STRATEGIC OUTCOMES	FINANCIAL MEASURES	ASSET MANAGEMENT	INSTITUTIONAL ARRANGEMENTS	ADVOCACY	KNOWLEDGE MANAGEMENT
A vibrant, compact and efficient urban district, respectful of the environment and history	Proactive planning/budgeting for supportive infrastructure, public facilities, and environmental remediation/management.	<ul style="list-style-type: none"> Reservation of government land assets to achieve plan objectives. Commitment by landowners to reserve their land to achieve plan objectives. 		Active/continuous support for the project by public, private, and community leadership.	Systems to share knowledge about what is available, what works, and challenges in relation to the quality of place pursued.
Increased access to livelihood opportunity for ordinary citizens		<ul style="list-style-type: none"> Qualifications related to use of government land framed in a manner which support increased access to livelihood opportunity for ordinary citizens. Commitment by landowners to reserve agreed sections of their land for increased livelihood opportunity purposes (e.g., affordable housing). 	Project specific institutional arrangements to ensure targeted beneficiation (e.g., availability of affordable housing to local citizens/workers).		Systems to share information about opportunities related to the project (e.g., work, housing, education/training).
Seamless in legislation with surrounding areas	Proactive planning/budgeting for bridging measures.				
Financial sustainability		Minimising the cost of government land to meet project objectives.	Project specific institutional arrangements to manage funds between precincts.		
Active partnership between stakeholders.			Regular, structured engagement between stakeholders (at different levels).		Systems to share information between partners related to different but interdependent needs (including trends).
A clear development process with speedy decision-making			Project specific institutional arrangements in support of the municipal LUMS process.		Systems to clearly communicate LUMS obligations and progress.

Importantly, as illustrated in Diagram 5, the instruments are interdependent and support each other. Projects fail when the full range of instruments are not used and structured in a mutually supportive manner. Figure 26 illustrates this interrelationship between instruments in the context of the LSDF and other common municipal management instruments, ranging across spheres of government and functional areas. The predominant focus of the LSDF is highlighted. Given the extent of the ATC area, multiple landownerships, and extended projected development period, considerably more detailed work will be required around aspects of implementation following adoption of the LSDF.

National statute prescribes the framing of lower-level legislation and regulations, integrated, sector-specific, and spatial policy and plans, and the way municipalities are resourced and work, including institutional arrangements and budgets.

The LSDF – as a lower-level spatial plan aligned to the MSDP – provides inter alia a development framework, infrastructure recommendations, and guidelines for development of the area. The rights implied are incorporated in local LUMS By-laws, with the application of rights supported by legal agreements, the alignment of municipal sector plans, project specific incentives, institutional arrangements, and so on.

This interplay of various management instruments in support of project conceptualisation, specification, and implementation occurs within a surround of general and project-specific institutional support, knowledge generation and sharing, public participation and leadership support and advocacy.

The following section addresses each of the instruments identified above in more detail.

8.2. Instruments for Implementation

8.2.1. Policy

Tables 19 - 22 outlines a policy framework for the ATC area, linked to strategic outcomes.

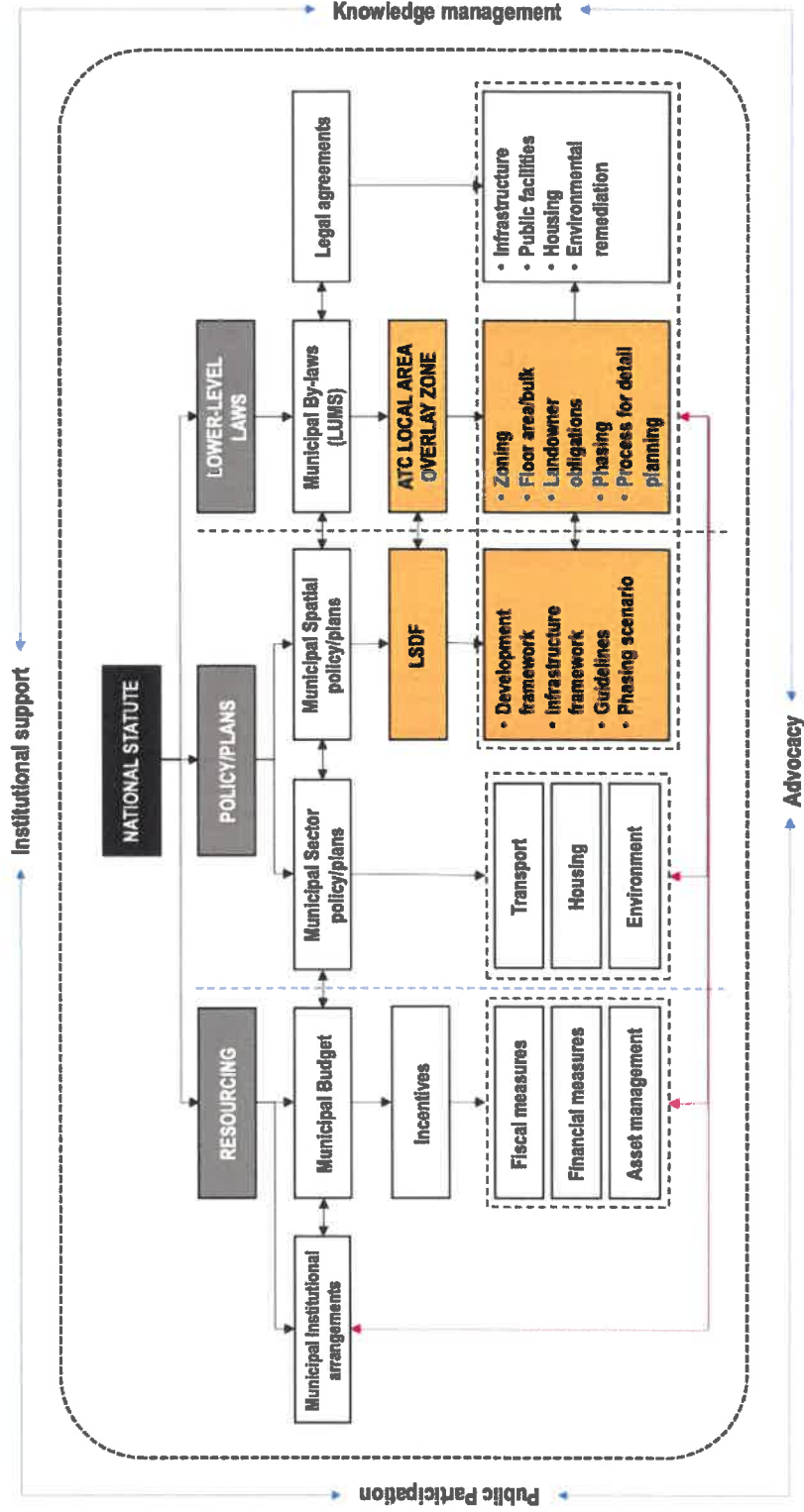


Figure 26. The relationship between management instruments

Table 19. ATC policy framework

1. A VIBRANT, COMPACT AND EFFICIENT URBAN DISTRICT, RESPECTFUL OF THE ENVIRONMENT AND HISTORY		
Policy statement	Explanation	Policy guidelines
<p>1.1</p> <p>Ensure that the ATC reflects urban qualities in development.</p>	<ul style="list-style-type: none"> Facilitate compact development, mixed use, pedestrianism, public and NMT. Provide access to economic opportunities, public institutions, social facilities and public transport. Encourage development that provide a range of housing options to different housing markets. Ensure the provision of adequate, accessible public spaces, large and small, and accommodating a range of activities. Ensure the clustering of public facilities and overlap with public space. Accommodate a range of large and small actions/activities and some flexible spaces enabling innovative, creative, and entrepreneurial use. Provide for adaptiveness and incremental development (across scales). 	<ul style="list-style-type: none"> The LSDF DF should provide for high density, mixed use development, facilitating pedestrianism, public and NMT. The LSDF should indicate the minimum and maximum densities which will ensure urban qualities in development. The LSDF DF and lower-level plans should ensure that sufficient land is reserved to accommodate public facilities and recreational spaces, large and small. Standards for public facilities must be fitting of a dense urban environment (e.g., the sharing of sports fields should be considered to minimise space allocations). Government must ensure that their medium-term plans and budgets provide for the development of public facilities.
<p>1.2</p> <p>Appropriately manage development impacts on natural resources, while protecting, restoring and enhancing natural assets within the ATC.</p>	<ul style="list-style-type: none"> The development should protect environmental resources and contribute to the restoration of degraded environmental assets. Land development must optimise the use of land and existing structures and infrastructure, and actively seek alternative, environmentally responsible, and resource-efficient servicing solutions. 	<ul style="list-style-type: none"> Incorporate urban greening, sustainable urban drainage systems, and public amenity into urban design. Enhance access to open spaces and river corridors. Upgrade and rehabilitate degraded urban river systems and open spaces. Integrate the rivers into the urban fabric by developing a positive interface and public access along the river corridors. Maintain conservation areas and ensure new development contributes to conservation efforts. Optimise the use of land by densifying and redeveloping within the urban area; and actively promote resource-efficient servicing solutions including NMT, alternative water sources, and distributed electricity generation.
<p>1.3</p> <p>Ensure that the ATC is contextually apt in urban form and respects and enables heritage and cultural development.</p>	<ul style="list-style-type: none"> Development 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. Development must retain elements of the area which contributes to history and place character and enable the establishment of new places and processes which contributes to cultural development. In this way, the ATC will expand Stellenbosch's stock of publicly accessible historic precincts and places, supporting national heritage assets and a critical tourism industry. 	<ul style="list-style-type: none"> The LSDF should provide high-level guidelines for incorporating heritage and culture considerations. The LUMS should define how these considerations should be incorporated in lower-level plans. Stellenbosch Heritage Foundation and other similar local institutions are key partners in ensuring that heritage and culture considerations are respected in all levels of planning.

Table 20. ATC policy framework (continued)

INCREASED ACCESS TO LIVELIHOOD OPPORTUNITY FOR ORDINARY CITIZENS		
2.	Policy statement	Explanation
2.1	Ensure that the ATC increases local access to work opportunity.	<ul style="list-style-type: none"> The development must enable job creation and entrepreneurship during all phases of its roll-out.
2.2	Ensure access to a range of housing types.	<ul style="list-style-type: none"> Specific provision should be made for affordable and inclusionary housing across the site.
SEAMLESS INTEGRATION WITH SURROUNDING AREAS		
3.	Policy statement	Explanation
3.1	Ensure that the ATC is spatially integrated with the rest of Stellenbosch town.	<ul style="list-style-type: none"> Parts of the ATC must be seamlessly integrated with each other, the rest of Stellenbosch and enable integration of adjacent areas (e.g., Kayamandi). Spatial integration should specifically consider NMT.

Policy guidelines

- Lower-level plans should enable work opportunity through allocating land appropriately and providing for micro enterprises and informal traders around activity generators which attract high levels of pedestrian traffic.
- Development contracts should specify local employment targets.
- Project roll-out should be supported with readily available information on local suppliers.
- The LSDF and Zoning Scheme By-law provisions should indicate the proportion of affordable and inclusionary housing to be provided across the area.
- A distinction should be made between affordable and inclusionary housing and student housing in determining the proportion of housing for different markets to be provided for.
- Landowners who want to retain ownership of their land should consider long-term leases to enable affordable and inclusionary housing to be provided by accredited institutions.
- Consider giving preference to Stellenbosch residents/workers in the allocation of certain categories of housing. In this way, a related strategy of lowering daily commuting to and from Stellenbosch will be achieved.

Policy guidelines

- The LSDF and lower-level plans should specifically address linkages via:
 - Connecting Papegaaiweg with Du Toit Road/Victoria Street – forming a “university avenue” – and Jan S Marais Park.
 - Connecting Distillery Road with George Blake Road.
 - Bridging of the rail and R44 at selective points (with bridging in the vicinity of Bergkelder and Merriman/Alexander Road/Du Toit Street a specific priority).
- Develop guidelines to clearly indicate the nature of bridging required/desired.

Table 21. ATC policy framework (continued)

FINANCIAL SUSTAINABILITY			
4.	Policy statement	Explanation	Policy guidelines
4.1	Ensure that the LASDF process increases land value and assists in the funding of public services and facilities requiring a level of cross subsidisation.	The project should seek ways to fund the development "internally", meaning that the cost of infrastructure and some community/environmental services could be funded by the development opportunity.	<ul style="list-style-type: none"> Ring-fence development contributions for use within the ATC area.
4.2	Provide incentives to landowners to contribute to common development objectives.	<ul style="list-style-type: none"> Ensure that available government incentives are applicable to the project. Develop ATC specific municipal incentives. 	<ul style="list-style-type: none"> Apply for the ATC to be declared a UDZ. Expand the Stellenbosch RZ to cover the whole ATC area. Develop mechanisms for the ATC to receive "in-lieu of" contributions from developments elsewhere (e.g., in relation to affordable housing). Experiment with different partnering solutions in facility provision that offer operational sustainability (e.g., assisting with operating costs of schools where land and capital costs are provided by the private sector).
ACTIVE PARTNERSHIP BETWEEN STAKEHOLDERS			
5.	Policy statement	Explanation	Policy guidelines
5.1	Ensure public, private, and community sector planning and developing towards common development objectives.	<ul style="list-style-type: none"> Following tradition and the norm, it is possible for individual land owners in the area to "go it alone", to alienate land no longer needed for their purposes, or attempt profitable development for alternative uses. However, it is believed that much is to be gained if the different land owners, large institutions, government, and communities in Stellenbosch explore, plan, and execute development of the land together, in a manner which best serves the public interest. Only in this way is a scale of development achievable which will ensure affordability of required infrastructure to unlock the area to its full potential, and to achieve a full range of activities and benefits, including the highly profitable, ones requiring subsidisation, the large and the small. 	<ul style="list-style-type: none"> Respect the different resources and assets which individual interests bring to the project. Seek the broad sweeping in of information across sectors, and its consideration in an inter-sectoral and inter-disciplinary manner. Recognise the inherent creativity and community of common interest that exists in people to solve urban problems. It implies that people working together with a collective self-interest can come up with solutions that individuals or governments working alone might never consider. Seek to enable change processes that build coalitions for change, create shared purpose and make systems work better for everyone, converting potentially controversial policy problems into projects of collaborative innovation. Ensure that municipal processes for planning/budgeting include project needs (e.g., incorporation of services in the SM Capital Expenditure Framework). Establish processes aimed at preparing the private sector for acting appropriately (i.e. beyond purely private interest) in response to the rights allocated to them and the "themes" of beneficence that they may want to support specifically (e.g. education and sport). Building special purpose core capacity with a clear mandate (a dedicated institution) as spearhead for executing the vision and plan to the "side" of supporting institutions (who have other day-to-day responsibilities). Specifically support parallel work undertaken by work groups at STIAS to explore options for the project.

Table 22. ATC policy framework (continued)

ACTIVE PARTNERSHIP BETWEEN STAKEHOLDERS		
5.	Policy statement	Explanation
5.2	Respect the existing mandates and corporate processes of partners.	While various partners contribute to ATC work, the project should respect the statutory roles and responsibilities – and associated institutional arrangements and processes – of partners in relation to the project.
5.3	Proactively seek public participation in and contribution to the project throughout its roll-out.	While recognising the provisions for public participation contained in spatial planning and built environment statute and regulations, the project should seek to enable active participation by the public, those interested and affected, and landowners, on an ongoing basis.
6.	A CLEAR DEVELOPMENT PROCESS WITH SPEEDY DECISION-MAKING	
6.	Policy statement	Explanation
6.1	Establish a flexible regulatory environment while meeting common development objectives.	<ul style="list-style-type: none"> Consider a hierarchical planning/approval process within the context of a clear understanding of overall rights and obligations.
6.2	Ensure an early start to development.	<ul style="list-style-type: none"> The project should commit to thinking big but taking “baby” steps, including enabling lead projects that improve current conditions and provide the opportunity for learning through constant experimenting.
Policy guidelines		
<ul style="list-style-type: none"> Develop processes for all to contribute while respecting existing mandates (e.g., the municipal accountability for LUMS). Develop web-based publicly accessible ATC information sharing platforms. Consider on-site offices accessible to the public for major precincts during development roll-out. 		
Policy guidelines		
<ul style="list-style-type: none"> Clearly specify overall rights, common urban elements to be provided/contributed to, and obligations in the LSDF and zoning scheme. Define precincts coinciding with land ownership to enable private sector spatial and business planning within the context of known overall rights, common urban elements to be provided/contributed to, and obligations. Specify the detail of lower-level plans and agreements to ensure alignment. Develop a strategy for interim use. Develop a “balanced” portfolio of lead projects, representative of a broad range of interests/needs to be met by the project. Clearly communicate the LUMS process and associated obligations. 		

8.2.2. Plans, programmes, and projects

Plans and programmes in support of ATC implementation covers a broad range of initiatives, outlined in Tables 23 - 24.

Table 23. Plans, programmes, and projects in support of the ATC

PLAN/PROGRAMME/ PROJECT	PURPOSE	ACTIONS REQUIRED IN RELATION TO THE ATC
Integrated Municipal Plans / Programmes		
Integrated Development Plan (IDP)	The IDP is the municipality's overarching "business plan", its instrument for coordinating its service delivery initiatives and providing guidance on its priorities and resource allocation.	As a significant initiative supported by the SM, the ATC is included in the 5-year and annual IDP.
Medium Term Revenue and Expenditure Framework (MTREF)	The MTREF, as prescribed by the MFMA, sets out the municipality's indicative revenue and projected expenditure for the budget year, plus two outer financial years.	When completed and adopted, it is expected that the SM MTREF will incorporate the commitment and concomitant implications of the ATC LSDF.
Capital Expenditure Framework (CEF)	SPLUMA requires that MSDFs "determine a capital expenditure framework for the municipality's development programmes, depicted spatially". It should provide a consolidated, high-level view of infrastructure investment needs in the municipality over the long term (10 years) that considers not only infrastructure needs but also how these needs can be financed and what impact the required investment in infrastructure will have on the financial viability of the municipality going forward. SM started preparing its first CEF late in 2018, in parallel with the MSDF review.	When completed and adopted, it is expected that the SM CEF will incorporate the commitment and concomitant implications of the ATC LSDF.
Spatial Plans		
Municipal Spatial Development Framework (MSDF)	The MSDF is a statement of public policy that seeks to influence the overall spatial distribution and form of land use, associated infrastructure, public facilities within the municipal area to give effect to the vision, goals and objectives of the Municipal IDP. Prepared in terms of SPLUMA, it attempts to answer the following questions: "How should the municipal area develop over the next five to thirty years to meet the needs of its citizens? What kind of development will take place, where will it take place, and who will be responsible for what aspect of the development?" The SM MSDF was approved by Council in 2019.	The ATC has been included in the SM MSDF as a catalytic project to enable achieving SM IDP/MSDF objectives.
ATC Local Spatial Development Framework (LSDF)	The LSDF, prepared in terms of Section 9 of the SM Land Use Planning By-law of 2015, provides more detail in respect of a proposal/area provided for in the MSDF.	The current process is focused on the preparation of an LSDF, including setting out the development parameters to be applicable to the ATC area for incorporation in the SM Zoning Scheme By-Law 2018.
ATC lower-level spatial plans	Owing to the size of the ATC and the different ownership of large parcels (each with different development "agendas"), it could be appropriate to develop lower-level plans for each of the parcels within the framework set by the LSDF.	The ATC LSDF sets out the role, focus and specifications of lower-level spatial plans to be undertaken for parts of the ATC. A proposed hierarchy of plans for the ATC is set out in Appendix E.

Table 24. Plans, programmes, and projects in support of the ATC (continued)

PLAN/PROGRAMME/ PROJECT	PURPOSE	ACTIONS REQUIRED IN RELATION TO THE ATC
Sector Plans / Programmes		
SM sector plans/programmes	SM has sector plans for different functional areas, including transport, housing, local economic development, and environmental management. These plans represent the SM's functional area response to overarching municipal objectives.	When completed and adopted, it is expected that SM sector plans will incorporate the commitment and concomitant implications of the ATC LSDF in sector plans. Specifically, the alignment of infrastructure and transport plans are important.
ATC sector/theme plans/programmes	Owing to the size of the ATC and the need to manage the provision of different services between precincts (and different landowners) over time, it may be necessary for the ATC to have sector/thematic plans and programmes addressing inter alia engineering services, housing, the provision of public facilities, and provisions related to phasing, interim use, and lead projects.	When completed and adopted, it is expected that sector/theme plans will be prepared for the ATC as part of managing its roll-out.
Lead Projects		
ATC lead projects	Some projects within the ATC area are implementation ready and can be supported because urgent community needs will be met, project learning assisted, project support built, public access to the area enabled, and so on.	<ul style="list-style-type: none"> • Agreement on the criteria for selecting lead projects. • Agreement on the processes to be followed to enable implementation of lead projects. • A list of lead projects.

To date, the ATC has been incorporated in key SM framework plans and policy, including the MSDF and IDP. Case studies have indicated that cementing the vision and plan for transformation projects in overarching public policy and statutory plans are critical to success.

The LSDF will pave the way for incorporation of the project in medium term organisation-wide and sector business plans and budgets, detailed spatial plans for precincts of the ATC, and the preparation of specific sector/thematic plans enabling the roll-out of the project.

It is also expected that completion and adoption of the LSDF will commence incorporation of the project in the business plans of partner organisations and landowners.

As indicated in case study research, supporting lead projects are important instruments enabling large urban development and transformation projects. Specifically, lead projects can assist in:

- Tapping available interest and resources.
- Serving urgent needs.
- Making use of existing un- or underused assets.
- Demonstrating that pursuing the overall project objectives is paying off.
- Building understanding and credibility of the vision, plan, and associated institutional arrangements.
- Exposing generally inaccessible areas to the public, in that way growing awareness,

appreciation for what is possible, and support for further initiatives.

- Building the network of supporters for the transformation vision and plan.
- Removing obstacles to change and learning.
- Promoting more cooperation among project partners, stakeholders, and associated networks.
- Neutralising cynics and self-centered opponents.
- Providing the space to sustain momentum on other change programmes and projects which may have longer time frames or are less visible over the short-term (e.g., expansive service infrastructure investment).

Table 25. Suggested lead projects

PROJECT	PRECINCT	DESCRIPTION
US Business School.	Precinct #3 Oude Libertas	The US has explored relocating the USB to Stellenbosch for several years. The chosen location is adjacent to the Oude Libertas theatre complex. The intent is that the USB will also assist in the sustainability of the theatre.
Bridging between Bergkelder and Merriman Avenue.	Precinct #7 Bergkelder, and Precinct #8 Van der Stel	The current level rail crossing at Bergkelder is not safe and insufficient to provide access between the ATC and Stellenbosch town. A grade separated vehicular crossing in the vicinity of Merriman Avenue can unlock development of Bergkelder and other parts of the ATC.
A secondary school.	Precinct #7 Bergkelder	Initial discussions have taken place between Distell and interested parties to establish a new secondary school on part of the Bergkelder site. The space standards of the school will reflect its urban location, with sports fields located elsewhere.
Enhancement of sports fields.	Precinct #1 Droë Dyke, and Precinct #4 Adam Tas	Initial discussions have taken place between Distell and interested parties to upgrade and enhance the cricket/sports fields associated with the current Distell facility adjacent to the Eerste River (precinct 4).
PRASA station enhancements.	Precinct #7 Berg Kelder, and Precinct #9 Plankenbrug	PRASA is planning platform/station enhancements at Stellenbosch and Du Toit stations.

- Exposing the site to potential investors.
- Specific criteria for the selection of lead projects for the ATC could include:
 - A balanced package of lead projects, reflecting the overall objectives of the ATC as a balanced and diverse community. This means that lead projects should include infrastructure, institutional, commercial, and housing initiatives.
 - Accommodating projects of specific benefit requiring accommodation urgently.
 - Fit in terms of overall project objectives and plans.
 - The potential to significantly unlock further development.
 - Existing infrastructure capacity to serve the development.
 - Not inhibiting longer term plans.

The section on the incorporation of the LSDF into the Zoning Scheme By-law and associated planning process describes a process for governing the detail planning/approval of lead projects.

At this stage, the potential lead projects have been suggested as listed in Table 25.

Albeit not part of the proposed ATC Local Overlay zone area, residential areas north and south of Van der Stel has undergone some change from single residential development to multistorey apartments. This trend should be supported – as a set of adjacent lead projects – owing to the convenient location of the area for non-motorised transport, both in relation to the existing Stellenbosch CBD, the university, and ATC.

8.2.3. Legislation and regulations

Incorporating LSDF into the Zoning Scheme

A LSDF guides and informs decisions made by the Municipality relating to land development, without conferring or removing development rights. For rights to be allocated to the ATC – enabling actual

development as contemplated in the LSDF – the envisaged rights and obligations need to be incorporated in the SM Zoning Scheme By-Law 2018.

The manner of incorporation should ensure:

- Meeting project objectives; and specifically, early coordinated development which addresses challenges associated with shared infrastructure and public benefit contributions.
- A LUMS which is clear, removes unnecessary or duplicating steps towards development, and allocates accountability fairly.
- A LUMS aligned with current legal roles and responsibilities.

There appears to be three broad options for incorporating the LSDF’s envisaged rights and obligations in the LUMS as prescribed in the SM Zoning Scheme By-Law 2018:

- The current system, whereby each landowner applies for rezoning to achieve the rights contemplated in the LSDF.
- A proactive substitution by the SM of the current zoning of the property constituting the ATC with a new set of rights closer aligned to that contemplated in the LSDF.
- Establishing a fit for purpose “ATC Local Area Overlay zone”, as provided for in the provisions related to overlay zones in the SM Zoning Scheme By-Law and stipulating additional development parameters aligned the provisions of the LSDF.

The current system will not meet project objectives, specifically in relation to managing shared responsibility to infrastructure and public benefit contributions or a stream-lined approval process. Neither will it be an option of a substitution zoning, an option arguably introduced to accommodate Municipal applications and rectifying anomalies between existing use and zoning. Specifically, neither system will enable a rigorous process of shared planning for shared infrastructure and public benefit contributions or phasing of development in line with infrastructure improvements.

The most appropriate option for incorporating the LSDF's envisaged rights and obligations in the LUMS appears to be establishing an ATC Local Area Overlay zone as provided for in Section 17 of the SM Land Use Planning By-law, 2015. In terms of the By-law an Overlay Zone means a category of zoning that applies to land or a land unit in addition to the base zoning and that stipulates additional development parameters or use rights that may be more or less restrictive than the base zoning; and may include provisions and development parameters relating to:

- Primary or consent uses.
- Base zoning.
- Subdivision or subdivisional areas.
- Development incentives.
- Density limitations.
- Urban form or urban renewal.
- Heritage or environmental protection.
- Management of the urban edge.
- Scenic drives or local areas.
- Coastal setbacks (where coastlines are involved).
- Any other purpose as set out in the zoning scheme.

From the perspective of the ATC, establishing an Overlay Zone will have the following advantages:

- Framing development parameters specific to the project context, including the specific objectives pursued through the project.
- Ensuring a high-level of integration in the work undertaken by different landowners for different parts of the area over a prolonged period of time.
- Enabling a clear and accountable LUMS process while allowing significant flexibility over time to accommodate changes in societal and landowner context.

Establishing an Overlay Zone will involve an amendment to the SM Zoning Scheme By-law, 2018, following the procedures related to public participation and approval set out in Sections 12 and 13 of the Municipal Systems Act. In terms of the SM Zoning Scheme By-law, 2018, the Overlay Zone does not change the underlying zoning of the properties to which it relates but may vary the development parameters relating to these properties. Further:

- The development parameters of an Overlay Zone may be more restrictive or more permissive development parameters than the development parameters applicable to the underlying base zoning of the land concerned.
- The development parameters of the base zone remain applicable unless it is replaced with an alternative development parameter in the particular overlay zone. In those instances where an Overlay Zone specifies a more restrictive development parameter, the Overlay Zone prevails. In an instance where an overlay zone specifies a more permissive development parameter the more permissive rule in the Overlay Zone replaces the parameter in the base zone. In instances where the Overlay Zone does not alter or explicitly abolish an applicable development parameter, the base zone parameters will continue to apply.

- The provisions of an Overlay Zone do not in any way override any obligations which arise out of National and Provincial Legislation.

A draft description of the ATC Local Area Overlay zone is attached as Appendix F.

Development agreements

Development agreements are important instruments in projects – and specifically large projects likely to roll-out over a lengthy period of time – to ensure that development as envisaged in spatial plans takes place.

Arguably, not all that is required to meet the strategic outcomes of the project could be met through its incorporation in zoning through establishing an Overlay Zone. Development agreements adds to the overlay zone provision through:

- Allowing greater latitude to advance local LSDF policies in sometimes new and creative ways.
- Allow public agencies greater flexibility in imposing conditions and requirements on proposed project.
- Affording landowners greater assurance that once approved, their projects can be built.

In support of the ATC implementation, agreements are envisaged dealing with inter alia:

- Shared responsibility related to the provision of infrastructure services and the phasing of infrastructure, including the extent and use of development contributions.
- Incentives offered to landowners (including the cost of public land to be made available for development and conditions associated with its development).
- Shared responsibility related to the formation and operation of institutional arrangements established in support of the ATC Overlay Area.

Table 26. Contents of Services Agreement

COMPONENT	EXPLANATION
<p>Generic Services Agreement</p>	<p>Copies of the approved development rights reflecting the final SPLUMA/LUPA and NEMA approvals as well as any further development agreements and correspondence stipulating development contributions payable, how escalation will be calculated, and when development contributions will be payable.</p> <ul style="list-style-type: none"> • An engineering report by a responsible engineer reflecting the municipal bulk infrastructure services which the developer must construct in lieu of development contributions (in accordance with the agreement). • A cost summary, design drawings and, if available at this stage, a tender report is to be included.
<p>Annexure A: Development rights</p>	<ul style="list-style-type: none"> • The tender report must reflect that a transparent tender process was followed and at least three contractors were evaluated. • If a tender report is not available at this stage of the contract, the Agreement must reflect an undertaking by the Developer to follow a transparent tender process to the satisfaction of the CCT (which will entail that at least three contractors will be evaluated).
<p>Annexure B: Municipal services</p>	<p>The developer's programme for implementing the municipal services and undertaking to complete the construction of the municipal services in accordance with the dates and times as fully set out in the annexure.</p>
<p>Annexure C: Programme for completion of municipal services</p>	<p>The authority of the developer's representative to sign documents (in the form of a proxy or a formal decision by the Directors).</p>
<p>Annexure D: Proxy</p>	

- Landowner and shared responsibility related to the provision of affordable and inclusionary housing.
- Shared responsibility related to undertaking environmental remediation work.
- Shared responsibility related to the provision and operation of public facilities.

The CCT's Services Agreement where the City allows bulk municipal services to be designed and or constructed by landowners/developers in lieu of development contributions is an example of agreements that could be concluded between the SM and landowners/developers. The Services Agreement is concluded and signed by all relevant parties before commencement of any design and/or construction work.

The contents of a generic Services Agreement is outlined in Table 26. The process steps to be followed are outlined in Table 27.

Albeit if the Services Agreement above relates to infrastructure services, the model can be adopted for other work undertaken by landowners/developers, including providing for affordable housing, public facilities, and environmental remediation work.

It is also likely that agreements will be required at two levels: the first being between major landowners acting collectively on shared obligations, services, and facilities, and second related to matters impacting on one landowner.

Table 27. Steps for concluding a Services Agreement

<p style="text-align: center;">STEPS TOWARDS COMPLETING THE SERVICES AGREEMENT</p>	<p>1. Statutory Approvals</p>	<p>Obtain relevant LUMS and other statutory approvals. The SPLUMA/LUPA approval along with any other applicable statutory approvals (NEMA, NWA, NHRA) will form part of the record submission in Annexure A.</p>
	<p>2. DC liability</p>	<p>Determine DC liability, as per DC calculator.</p>
	<p>3. Engineering Design</p>	<ul style="list-style-type: none"> • Submission of external bulk infrastructure designs for approval. • The approved design will form part of the record submission in Annexure B. • Based on the above the extent of infrastructure eligible for a DC discount will be determined.
	<p>4. Cost Estimate</p>	<ul style="list-style-type: none"> • The Developer's consulting engineer must determine an accurate cost estimate of the bulk services using a detailed schedule of quantities. • This estimate must be based on recent market-related rates and the complete schedule reflecting the total cost must be provided as part of the record submission in Annexure B. • This cost estimate will be used to determine the quantum of the DC discount.
	<p>5. Construction Programme</p>	<p>A clear, itemised construction programme reflecting the contractual commencement- and completion date must be submitted with the agreement as part of annexure C.</p>
	<p>6. Contractor Procurement</p>	<p>When procuring a Contractor to install the infrastructure specified in the Services Agreement, the Developer must follow a fair, equitable, transparent and competitive process of calling for at least 5 for bids from infrastructure providers and appoint the bidder offering the most cost effective bid.</p>
	<p>7. Tender Evaluation</p>	<ul style="list-style-type: none"> • A detailed tender report, reflecting the tender evaluation and award process, must be submitted to the City to finalise the cost of the Bulk Engineering Services. • On completion of the Consultant's report the City must acquire an independent evaluation of the tendered price. • Both the above reports will form part of the record submission in Annexure B.
	<p>8. Bank Guarantee</p>	<ul style="list-style-type: none"> • Where the developer requests Building Plan approval prior to the completion and handover of the works, a guarantee equal to the amount of the Municipal Services must be provided to the City by a reputable financial institution. • The guarantee must cover the cost of providing the infrastructure and the guarantee must be strictly in accordance with the city's approved format. • Only once the guarantee has been approved by the City may building plan approvals be granted where the DC liability owed by the applicant has not been met through either payment or infrastructure value.

**PRIOR TO BANK
APPROVAL**

Environmental Authorisation

An application for environmental authorisation may be made for listed activities likely to be required as part of the redevelopment. This could be undertaken at the level of the entire corridor, at the precinct level, or for individual developments. Figure 27 indicates key areas and listed activities likely to be applicable in these areas (summarised and not exhaustive – consult GN 324-327 of 2017 for full listings).

Consideration should be given to the scale at which environmental authorisations are applied for. A single integrated environmental authorisation could be applied for in respect of the entire corridor. However, the level of detail required to accurately assess and manage the environmental impacts may not be forthcoming at an early stage. In addition, some of the impacts that require management, such as the closure of industrial facilities, should be managed by the landowners on the 'polluter-pays' principle. It is therefore recommended that environmental authorisations be considered as follows:

- **Industrial closure and decommissioning applications or soil contamination assessments** in terms of Part 8 of the National Environmental Management: Waste Act should be undertaken on a site-specific basis by the respective owners of heavy industrial sites in Precincts, 3, 6, 7 and 9.
- The proposed **Northern Extension** into agricultural land to the north (Precinct 10) should be considered in an environmental and agricultural impact assessment.
- **Activities in the Papegaaiberg Nature Reserve** should be considered in a Protected Area Management Plan to be prepared for the reserve in line with the requirements of the National Environmental Management: Protected Areas Act and the intentions of the LSDF, notably around improving access and amenity value of the reserve. Environmental

authorisation should be sought for listed activities associated with implementing this management plan.

- **Activities that affect the Plankenbrug and Eerste Rivers**, including new or upgraded bridges, pedestrian infrastructure, flood mitigation measures, and development in the floodplain (especially at Precinct 1: Droë Dyke) should be considered in a **corridor-wide hydrological and aquatic study**, and the recommendations of this study should inform an application for environmental and water use authorisation of the required works, as well as Maintenance Management Plans to be adopted, to minimise future applications.
- Any changes of land use in areas zoned for Open Space may require environmental authorisation and should be individually confirmed with the competent authority.

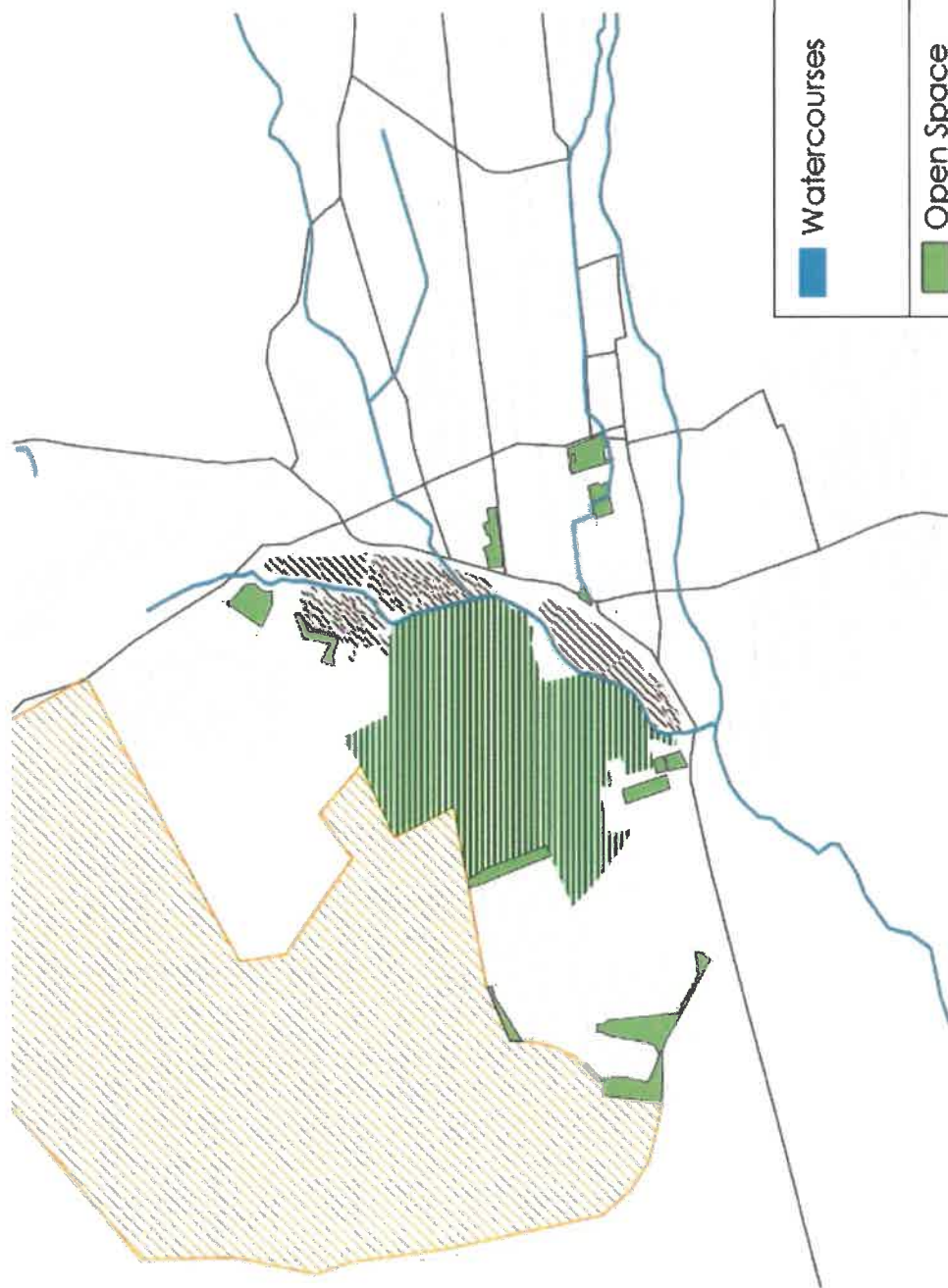







Figure 27. Environmental Authorisation spatial parameters (Infinity Environmental , 2021)

 Watercourses	Inside or outside urban areas: 10 cubic metres of material removed from, deposited in, or moved in a watercourse (Activity 19 of Listing Notice 1) Outside urban areas: infrastructure greater than 10 square metres in extent (Activity 14 of Listing Notice 3)
 Open Space	Transformation of land bigger than 1 000 m ² to residential, retail, commercial, industrial or institutional use (zoned for conservation, protected areas, or sensitive areas identified in an EMF). (Activity 15 of Listing Notice 3)
 Protected Areas	Widening of roads, clearing of indigenous vegetation (Activities 18 and 26 of Listing Notice 3)
 Agriculture	Residential, mixed, retail, commercial, industrial or institutional development greater than 5 hectares (inside urban areas) or 1 hectare (outside urban areas) (Activity 28 of Listing Notice 1)
 Industrial	Residential, retail, recreational, tourism, commercial or institutional developments of 1 000 square metres or more, on land previously used for mining or heavy industrial purposes (Activity 26 of Listing Notice 1) Decommissioning of activities such as fuel storage (Activity 31 of Listing Notice 1)

Heritage Authorisation

The primary trigger for Section 38 are categories of development listed in Section 38 (1) of the NHRA as indicated in Diagram 6 below.

These categories of development trigger the submission of a Notification of Intent to Develop (NID) to Heritage Western Cape (HWC). A HIA is triggered if heritage resources are to be impacted. There are three types of heritage management areas within the ATC:

- **Type 1:** Large areas within the ATC do not warrant the application of the provisions of Section 38 given no or low heritage significance and/or high degree of resilience to accommodate change. Examples include the redevelopment of large areas of the Distell and George Blake precincts. In such areas, exemptions from the provisions of Section 38 should be applicable through a Heritage Management Agreement entered into between the Stellenbosch Municipality and HWC in terms of Section 42 of the NHRA. Exemptions could be also be applicable to Section 34 in the case of permitting requirements for the alteration of buildings older than 60 years not deemed to be worthy of formal protection. However, the focus here is on

larger scale development activities as covered in Section 38. Until such time that Section 38 exemptions apply, Section 38 (1) categories of development within the ATC will need to be subject to at least the submission of a NID.

- **Type 2:** Some precincts contain a focused set of heritage issues and/or heritage sub-precinct are thus likely to trigger the need for a focused HIA process. An example includes the redevelopment of the Bergkelder Precinct.
- **Type 3:** A few precincts have a high degree of heritage significance and sensitivity to accommodate change and are therefore likely to trigger the need for a more complex HIA process depending on the nature and degree of intervention. Examples the Oude Libertas and Papegaaiberg Precincts.

In accordance with the above types of heritage management areas, three levels of heritage assessment are identified:

- **Level 1:** The submission of a NID to comply with Sec 38(1) with the recommendation that no further HIA is required.
- **Level 2:** A HIA focused on a specific set of issues or heritage sub precincts, which potentially could be "signed off" at precinct plan or SDP level.

- **Level 3:** A comprehensive HIA potentially requiring a level of heritage expertise and involving detailed assessment at different scales including precinct plan, site development plan (SDP), building plan and landscape plan level.

There is a range of heritage issues across the study area. Many of the overarching issues could be addressed in the form of a precinct level plan to be informed by an urban design and heritage framework and resulting in the designation of an overlay zone.

This is a more proactive mechanism compared to the reactive nature of HIA processes. This could also provide the basis for exemptions from the general provisions of Section 38 and Section 34 of the NHRA, as well as Section 35 in terms of archaeology.

The precincts and sub precincts to be subject to HIA processes are specified in the table below. Similarly, the broad guidelines or directives that need to be addressed in the precinct plan are indicated.

It is recommended that a Heritage Advisory Panel (HAP) be constituted under the auspices of the Municipality or whatever institutional mechanism is developed for strategic projects identified within the ATC. The purpose of the HAP would be provide input into heritage assessment processes within the ATC, specifically to advise on the briefs for the precinct plans and overlay zones, to ensure that the guidelines/directives relating to area character and other heritage issues are adhered to, and to provide input into the heritage approval process for the individual precincts.

The precinct plans for the individual precincts should specify the heritage processes to be followed for each precinct and identify exemptions from NHRA processes (Sections 34, 35 and 38). Typically, exemptions would be related to no or low levels on a combination of no or low of heritage significance and potential heritage impacts.

38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—

- (a) the construction of a road, wall, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;*
- (b) the construction of a bridge or similar structure exceeding 50 m in length;*
- (c) any development or other activity which will change the character of a site—*
 - (i) exceeding 5 000 m² in extent; or*
 - (ii) involving three or more existing erven or subdivisions thereof; or*
 - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or*
 - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;*
- (d) the re-zoning of a site exceeding 10 000 m² in extent; or*
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority.*

Diagram 6. Section 38 (1) of the NHRA

Table 28. HIA processes per precinct

Name	Acceptable thresholds of change	Heritage Process	
		Level	Scope
CA 1 GATEWAY CONDITION	High threshold; ability to accommodate change.	Level 1	No HIA required to the east of the Adam Tas Road scenic corridor.
	Adherence to overall indicators related to gateway condition; edge treatments and retention of mountain views to be captured in the SDP.	Level 2	HIA at SDP level to stipulate nature of edge conditions along Adam Tas Road, building massing and form at interface to enable mountain views to the east, and landscaping.
CA 2 SAWMILL SITE	High threshold; ability to accommodate change.	Level 2	Approved HIA (2015). SDP to stipulate nature of edge conditions along the interface with Adam Tas Road, building massing and form to frame the road (not parking), the retention of tree belts along the boundaries of the site, and the retention and enhancement of the mid-20th century industrial building typologies.
	Adherence to overall indicators for framing elements along Adam Tas Road to be captured in the SDP.	Level 3	Compliance with the indicators of HIA (2015). Range of interventions subject to a HIA process including visual, built form, social and archaeological assessments, and a comprehensive public participation process. Precinct plan, SDP, building and landscape plan level of heritage assessment.
CA 3 OUDE LIBERTAS	Low threshold; minimal opportunity to accommodate change in the immediate context of the Oude Libertas complex and in the vineyard forecourt.	Level 3	Range of interventions subject to a HIA process with an emphasis on social-historical, archaeological, landscape, public access and memorialisation issues, and a comprehensive public participation process.
	Low threshold; minimal intervention related to opportunities for enhancing heritage values including public appreciation.	Level 1	No HIA required to the east of railway line except for addressing potential impacts on the landscape setting of Klein Vredenburg
CA 3.1 CEMETERY	High threshold; ability to accommodate change.	Level 2	HIA at Precinct and SDP level to stipulate the nature of edge conditions along the Adam Tas Road, building massing and form (including setbacks), adaptive reuse of Cape Revival Complex.
	Adherence to the overall indicators related to framing elements facing onto Adam Tas Road to be captured in the precinct plan and SDP.	Level 3	HIA at precinct plan and SDP level. Range of interventions subject to a HIA process with emphasis on townscape and landscape issues.
CA 4 DISTELL	Low threshold at it relates to Dorp Street; low ability to accommodate change at point of entry into the historic core.	Level 2	Approved Oude Molen HIA (2020)
	Adherence to the indicators related to the Dorp Street interface, context of the Rupert Museum and riverine corridor.	Level 2	Focused HIA for the balance of the precinct to address potential pedestrian linkage across the railway line into the historic core, the extension of Distillery Road as a linkage route through the precinct, pedestrian access along the Plankenburg River and onto the Papegaaiberg and the extension and enhancement of the light manufacturing, mixed use quality of the area, based on the positive precedent established by the grouping of buildings around Bosman's Crossing
CA 5 DORP STREET	Medium to high threshold; ability to accommodate change.	Level 2	
	Adherence to the indicators for this precinct.		

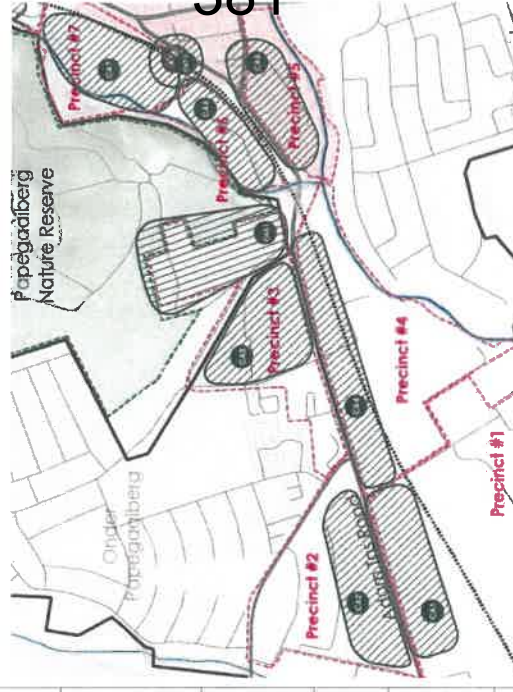
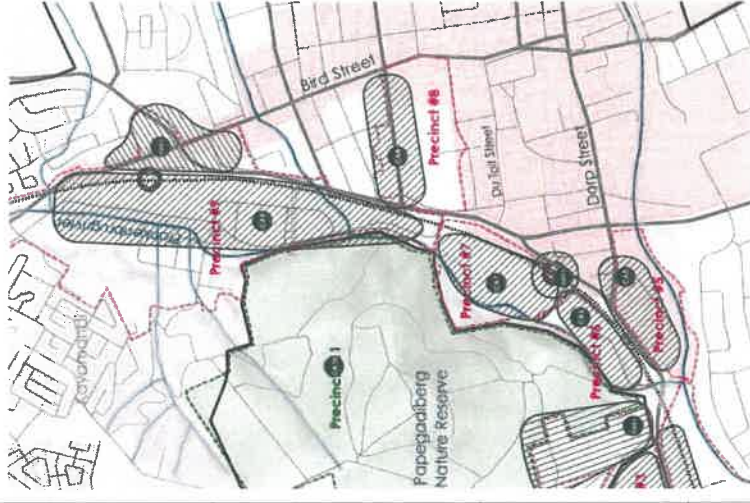


Table 29. HIA processes per precinct (continued)

Name	Acceptable thresholds of change	Heritage Process	
		Level	Scope
CA 7 BERGKELDER CA 7.1 THE STATION	High Threshold; ability to accommodate change. Adherence to the indicators to be incorporated in the precinct plan and SDP.	Level 2	Precinct plan to stipulate structuring elements contributing to site character including orthogonal pattern affording visual connectivity to the Papegaaiberg, the mid 20TH century industrial built form character, figure ground relationships and the interface with the Plankenburg River. Establish linkage opportunities between precincts 6 and 7. Focused HIA at SDP level related to core mid-20th century grouping of structures to the south adjacent to station and Oude Molen Precinct.
CA 8 Van der Stel	Medium threshold; ability to accommodate change. Adherence to indicators to respond positively to the strategic location of the precinct at the entrance to the historic core and in relation to Bergkelder and George Blake industrial precincts, and the need to retain and enhance to a green public space network.	Level 2	HIA at precinct plan and SDP level to stipulate adherence with the indicators.
CA 9 GEORGE BLAKE	High threshold; ability to accommodate change. Adherence to overall guidelines related to edge conditions (interface with Plankenburg river and access to Papegaaiberg) to be captured in the overlay zone/precinct plan.	Level 1	No HIA required. Overlay zone/precinct plan to stipulate nature of edge conditions, potential landscaped pedestrian zone adjacent to Plankenburg river, the retention of the orthogonal street pattern to maintain visual/spatial linkages to the Papegaaiberg, and spatial linkages with Kayamandi.
CA 9.1 BIRD STREET	Relatively high threshold; ability to accommodate change. Zone around the station and the link to Bird street has a more limited ability to accommodate change	Level 2	A SDP for the station area and linkages to Bird street to be subject to a HIA with the focus on the social history and significance related to forced removals in DuToitsville. To address opportunities for memorialization and to include a public participation process in collaboration with the affected community.
CA 10 URBAN TRANSITION AND GATEWAY (NORTH)	Medium level threshold, ability to accommodate change. Adherence to guidelines to balance the urban expansion of the town while responding to the landscape context and thus avoiding peripheral sprawl.	Level 2	HIA at precinct plan and SDP level to stipulate adherence with the indicators.
CA 11 PAPEGAAIBERG	Low threshold; ability to accommodate change. A natural area with minimal opportunities for built form interventions.	Level 3	Precinct plan focused on land use intensity zones; passive and active recreation spaces, permitted and prohibited activities and a landscape framework plan identifying soft and hard landscaping elements (pathways, benches, shaded areas) including a possible amphitheatre on the lower slopes; and the identification of memorialization opportunities to be subject to a HIA, process to include adjacent landowners, range of user groups and community representatives



8.2.4. Guidelines

Development guidelines provide preferred options for executing policy or aspects of plans in a manner which will give effect to policy.

The LSDF guidelines are available as an additional document and summarised in Appendix D.

Guidelines are provided at the broader ATC scale as well as for each precinct in relation to:

- Urban structure and built form.
- Heritage and culture.
- Landscape.
- Environmental matters.
- Engineering services.

8.2.5. Fiscal measures

Fiscal measures which can support the ATC include:

- The UDZ tax incentive – administered by SARS – which aims to encourage private sector-led residential and commercial development in inner-city areas with developed public transport facilities. SM needs to confirm whether the UDZ incentive will be extended beyond March 2021, and if so, apply to establish an UDZ to include the whole of the ATC area.

- A reduction in municipal rates subject to meeting certain development objectives or standards. In the case of Jo'burg's "Corridors of Freedom" project, a rates rebate of 75% in the first two years is applicable, while 50% of rates are rebated in the first year of operation. In addition, Social Housing Institutions (SHIs) receive a 50% rate rebate every year, and there is a rebate in place for sectional title developments over a density of 80du/ha.

- A reduction in service connection or plan scrutiny fees.
- A specific relationship between ATC landowners/developers and financial institutions to ensure favourable lending rates

for meeting specific objectives. Debt financing constitutes an important aspect of financing developments, with debt repayments making up a substantial portion of developer expenses. When a lending rate decrease is facilitated between financial institutions and landowners/developers, it can be cut costs and increase the development surplus.

The SM needs to determine to what extent municipal rates reimbursements and lower charges could be provided to promote achieving ATC objectives.

8.2.6. Financial measures

A strategic objective of the ATC – recognising the multitude of spending demands on the SM – is that the project should largely fund itself, without additional municipal spending. The SM's main contributions rather relate to the allocation of development rights, the way its assets are used to enable the project, and supportive LUMS, infrastructure implementation, and fiscal measures.

Nevertheless, some proactive planning/budgeting for supportive infrastructure, public facilities, and environmental remediation/management from the SM can be expected, to meet specific municipal objectives related to, or in response to the ATC.

As part of the LSDF, the possible development contributions associated with bulk services required for the minimum and maximum bulk of development proposed have been calculated. This work is included as Appendix G.

It is understood that this work will be reviewed as the process proceeds (also checking the anticipated cost of infrastructure against infrastructure commitments already included in municipal plans and budgets). Critically, it appears that the extent of contributions required will cover the cost of infrastructure needed to serve the development (and, also serving needs in adjoining areas).

8.2.7. Asset management

In relation to government-ownership, the following land holdings are critical to the ATC:

- Van der Stel, the Plankenbrug River embankment (owned by the SM), and Papegaaiberg (owned by the SM).
- Droë Dyke (owned by the National Department of Public Works).
- The rail corridor and adjacent land (owned by PRASA).
- An undeveloped school site in Onder Papegaaiberg (owned by the WCG).

The preamble to the SM's policy on the management of its immovable property recognises the inequitable spread of ownership of immovable property throughout the municipal area, the historical causes thereof, and the leading role of the Municipality in redressing these imbalances by ensuring that the immovable property assets under its control are dealt with in a manner that ensures the greatest possible benefit to the Municipality and the community that it serves, and makes available economic opportunities. The preamble also recognises that the Municipality must manage its immovable property in a fair, transparent, and equitable manner. Section 5.1 states guiding principles for the policy, including:

- The use of the Municipality's immovable property to promote social integration, to redress existing spatial inequalities, to promote economic growth, to build strong, integrated and dignified communities and to provide access to housing, services, amenities, transport and opportunities for employment.
- The promotion of access by black people to the social and economic benefit of immovable property ownership, management, development and use.

The policy recognises three broad methods of property disposal:

- Competitive processes (through formal tenders, public auction, closed tenders, and/ or unsolicited bids).
- Non-competitive processes (where non-viable property is disposed to an adjacent owner regarded as the only party who can use the land, or viable property is disposed without a competitive process).
- The exchange of land (when it is advantageous to the Municipality and other parties to exchange land in their ownerships and will achieve best consideration for the municipality).

At the level of principle it is recommended that the SM and other public bodies who all have similar property related policy as the municipality employ property assets in their ownership to the benefit

of the overall project objectives of the ATC, as opposed to a means to raise funding for general service delivery.

8.2.8. Process and institutional arrangements

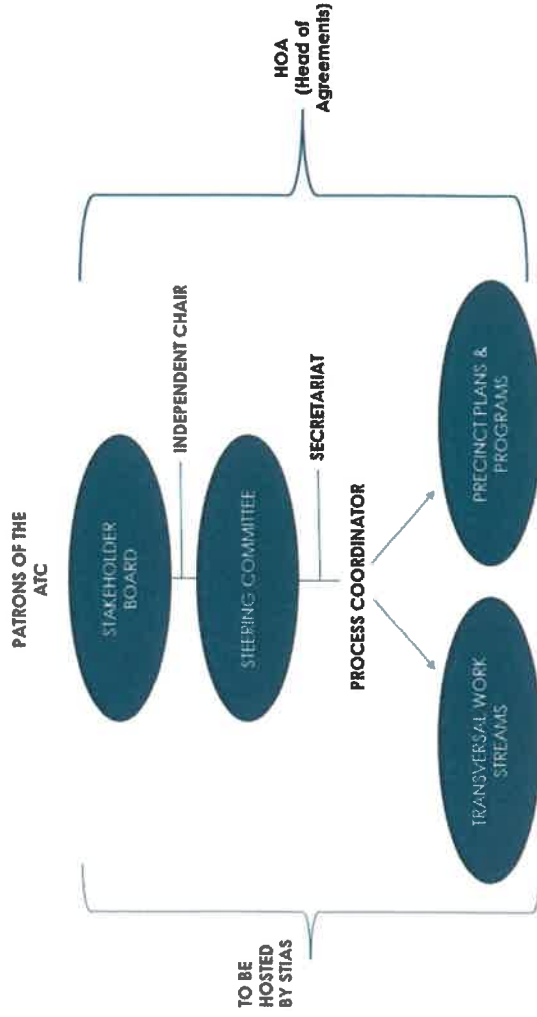
As indicated in section 1.3, ODA was appointed by the project partners in 2019 – following on the pre-feasibility work, finalization of the concept ATC Development Framework and its testing for engineering and macro-economic impact – to frame recommendations on the governance and management of the development process going forward.

ODA found that the ATC development process lacks the necessary governance and management arrangements – and is under resourced – when

considering the preparatory work required as the process attempts to progress to the planning and mobilisation and implementation phase(s) of work. The main reason for this may lie in the lack of appreciation of the need for collective proposals, decisions and commitments required from the main landowners (starting with the private landowners) to enable the approval and allocation of additional land use rights. In this context ODA noted that:

- The conceptual phase work was predominantly produced via a STIAS Fellowship, the MSDF preparation process, and voluntary action funded by a limited number of private sector stakeholders.
- The current process is governed by an Interim Steering Committee with draft terms of reference, and one project manager with a

A: Conceptual/Planning Phase



B: Pre-implementation

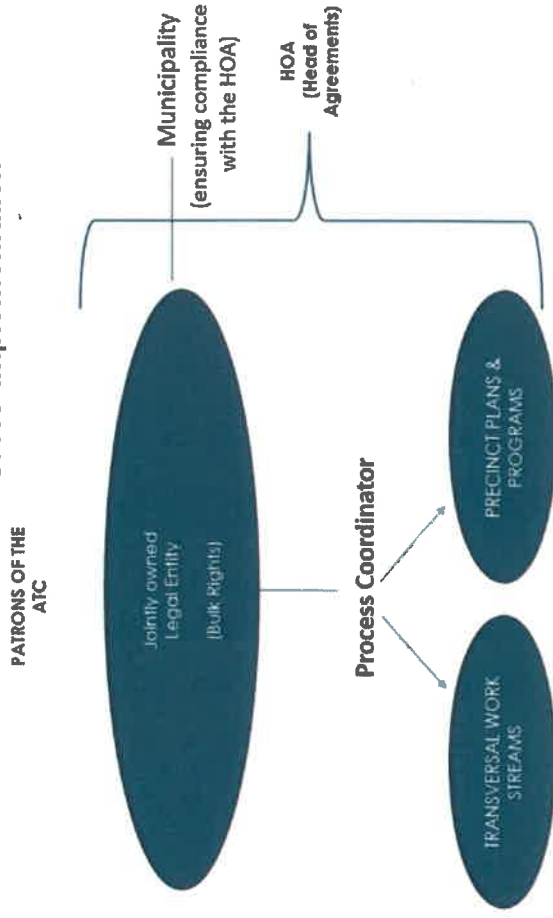


Table 30. Roles and responsibilities related to the governance structure

INTERIM STEERING COMMITTEE	PROCESS COORDINATOR	STAKEHOLDER BOARD	PATRONS
<p>The interim steering committee must build consensus on the following matters:</p> <ul style="list-style-type: none"> The long-term vision for the town and its environs and the role of the ATC development process in pursuing this vision. The values and principles that should guide the unfolding of the ATC development process. The beneficiation model that will guide the ATC development process. The duties and obligations (terms and conditions) on which the land use rights to be defined in the HOA will be premised. The structure and ultimate composition of the steering committee, stakeholder board and finally the legal entity that will be the custodian of the bulk rights to be allocated. The appointment of patrons to the process. The immediate term resourcing arrangements required to take the process forward. 	<p>Develop and maintain the process architecture and management arrangements to deliver on:</p> <ul style="list-style-type: none"> The overarching planning, infrastructure and environmental aspects of the ATC development process. The overarching finance and beneficiation framework for the ATC development process. The model for innovation and incubation to support the ATC development process. The overarching communication and consultation plan in support of the ATC development process. The framework for documentation, research and learning in support of the ATC development process. 	<p>Consider the interim steering committee's recommendations on:</p> <ul style="list-style-type: none"> The ultimate composition of the steering committee and stakeholder board. Candidates who could serve as patrons to the process. The HOA (i.e., the SM's requirements pertaining to the duties, obligations and conditions on which the issue of land use rights will be premised). The appointment of the proposed process coordinator. The resourcing of the process over the next 18-36 month period. The framework for the consolidated management of land use rights (i.e., the legal structure to guide the ATC development process over the medium to long term). 	<ul style="list-style-type: none"> To be the guarantors of the vision and the values that drives the process; Patrons must be provided with the higher ideals and values of underpinning the process when approached; Patrons should be chosen with due recognition for and appreciation of personal positions and interests; and The choice of patrons should allow for inter-generational "handing-of-the-baton".

Table 31. Short-term process/institutional actions

1st Quarter 2020	2nd Quarter 2020	3rd Quarter 2020	4th Quarter 2020	1st Quarter 2021
<ul style="list-style-type: none"> Wrap-up pre-feasibility phase and produce proof of concept in form of a Prospectus or similar document. Settle process leadership, governance, management and resourcing arrangements for next phases of work (make the required appointments). Initiate strategic planning/visioning and next phase communication and consultation process. 	<ul style="list-style-type: none"> Settle HOA with the main landowners and those who have been invited to join the process. 		<ul style="list-style-type: none"> Secure the appropriate land-use framework. Prepare interim use, demonstration project and incubator strategy. 	<ul style="list-style-type: none"> Develop lead project strategy.



Diagram 7. Contrasting approaches to the ATC task

limited budget relying on an ad hoc resourcing model (the services of this project manager was termination towards the end of 2019).

- The current process requires significant capacity enhancement on the side of the SM to deliver the required planning policy and land use framework.
- The current attempts at building a “coalition of interest” relies heavily on a stand-alone corridor-based spatial concept.

In support of the ODA findings, the case studies undertaken following the ATC conceptual phase indicated that successful large transformation projects all developed special purpose core capacity with clear mandates to assist in executing the vision and plan to the “side” of accountable institutions mandated by law to undertake local spatial planning and land use management. Comparing these projects with the ATC, the case study work concluded that the ATC will require institutional arrangements enabling:

- Coordination of the detailed planning initiatives by the various landowners within the framework set by the LSDF, the Adam Tas Corridor

- Local Area Overlay zone, and associated agreements/measures.
- Assistance in preparing and monitoring of applications related to the ATC area for decision-making by the SM and other statutory bodies.

- Assisting in preparing detailed planning for precincts requiring an active role by the Municipality (e.g., the George Blake and Kayamandi North areas).
- The storage and dissemination of knowledge related to the project on behalf of stakeholders.
- Advocacy and fundraising related to the project.

In concluding its initial work, ODA recommended that clear process governance proposals should be set for the different work phases.

In parallel with preparation of the LASDF, ODA undertook further work in line with their earlier recommendation. The further work – discussed with key corporate and institutional partners in the ATC process – is attached as Appendix H. Included are principles guiding the institutional design process, as

well as the purpose, functions, composition, tasks, financing and legal form of two bodies proposed, an Independent Mediating Body (referred to as the ATC Development Trust), and a collective ATC landowners organisation.

8.2.9. Advocacy

In terms of the Constitution and associated legislation, local government in South Africa has far-reaching obligations and responsibilities. Key is to direct – within the context of national and provincial policy – the provision of services, promotion of a safe and healthy environment, and social and economic development, in a manner which is sustainable. Determining and managing the direction, nature, and form of spatial development within the municipal area, is a key function. Elected representatives carry significant authority in relation to decision-making. Their task is a difficult one. While acting upon the technical work and inputs of officials, elected representatives are often required to deal with and mediate between different needs and requests on a daily basis, whether emanating from a specific sector (e.g., one functional area struggling from a lack

of resources to fulfill its services), a community, individual citizen, or the corporate sector.

Arguably, they are also not expected – or have the time – to fully comprehend the technical detail embodied in the work of officials. They should, however, lead at the level of principle, and direct, inspire, and monitor accordingly. The same applies to private sector leadership.

What can a municipal leadership and advocacy agenda look like? What should be foremost on the mind of leadership? What should they be particularly vigilant about, advocate for, and monitor in every initiative?

Table 32 below begins to outline such an agenda from the perspective of LSDF.

A more detailed exploration of public benefit framework is provided in Appendix I. Arguably, this framework is key to a leadership advocacy agenda.

8.2.10. Knowledge management

Knowledge management is a key instrument contributing to efficient, appropriate and meaningful urban development and governance. It has numerous dimensions: Municipalities provide and manage services based on various knowledge streams, including technical information related to various services and information related to citizen need. Citizens interact with municipalities based on what is known to them, or what they can expect. Citizens also use places and associated opportunity based on knowledge, or the lack thereof. Arguably, the more knowledge is available, and the more all stakeholders contribute to the formation of knowledge, the more viable and appropriate interventions will be, the better municipal partnerships, and the more value can be extracted from the places they engage with by citizens. Critical also, knowledge management is important throughout the project cycle, from project inception to execution, and management of the development completed.

Table 32. An advocacy agenda for the ATC

Issue	Specific Concerns Relating to Issue
Public Benefit	<ul style="list-style-type: none"> The extent to which local residents will benefit from opportunity created through the project (throughout the project cycle)
The “balance” of the overall development	<ul style="list-style-type: none"> The extent to which the project exhibits a balance of uses providing for a vibrant, diverse, and 24/7 living environment.
Appropriateness to context	<ul style="list-style-type: none"> The extent to which the project meets local needs (e.g., housing of different kinds, employment, entrepreneurial opportunity, and so on). The extent to which the project recognises aspects of history and enables cultural expression.
Project institutionalisation	<ul style="list-style-type: none"> The extent to which institutional arrangements for the project are appropriate to ensure speedy delivery.
Project resourcing	<ul style="list-style-type: none"> The extent to which the project harnesses public, private, and community resources towards common objectives. The extent to which the project is sufficiently resourced to ensure implementation. The extent to which the project can fund itself and assist to alleviate pressure on government resources for infrastructure, housing, public facilities, and so on.

Table 33. Aspects of knowledge management

Aspect	Explanation	Comment
Knowledge creation/acquisition	<ul style="list-style-type: none"> How knowledge about what is possible in relation to the project is acquired and created, and by whom. 	
Knowledge sharing	<ul style="list-style-type: none"> Whether knowledge about the project is generally available to those seeking better understanding of what is planned/possible. 	
Knowledge utilisation/adoption	<ul style="list-style-type: none"> Whether knowledge about current ways of doing and precedent – and its consequences – are used to develop more appropriate responses. 	
Knowledge recording/storage	<ul style="list-style-type: none"> Whether understanding/learning about the project is actively recorded and stored for others to use/learn from. 	

In relation to the ATC project, critical aspects of knowledge management requiring attention are outlined in the table below.

The history of the ATC project exhibits innovative ways of knowledge creation, including the involvement of STIAS through availing Fellowships and its space and facilities for the exploration of aspects related to the project.

At this stage, the following aspects of knowledge management appears critical:

- Packaging the LSDF work – including the way rights are to be allocated and the associated landowner obligations – in a manner which enables stakeholder discussions.
- Initiating an online platform for information dissemination and exchange on the project.

8.3. Summary of Incentives

Incentives should be carefully considered by the Municipality because they represent (in some cases) a “discount”, or waived cost that remains a cost to be resourced from elsewhere on the Municipality’s budget, i.e., incentives will need to be budgeted for and therefore affordable, and therefore will need to be costed. It is also critical that any incentives that may be offered are made explicit in decision-making processes to ensure transparency and fair competition on equal terms.

Arguably, the most significant incentives offered to landowners through the ATC process are the increased land development rights and associated streamlined development process. Table 34 below summarises a range of incentives that could be considered in further deliberations on the project.

Table 34. Summary of possible incentives

INCENTIVE	EXPLANATION	REQUIREMENTS	ACTIONS REQUIRED
National incentives			
Urban Development Zone	<p>The UDZ is a tax incentive administered by SARS, and aims to encourage private sector-led residential and commercial development in inner-city areas with developed public transport facilities.</p> <p>The UDZ tax incentive has, in terms of the 2020 budget announcement, been extended for one year, from 31 March 2020 to 31 March 2021¹.</p>	<p>The UDZ allows businesses which fall within its area to benefit from significant tax savings for building development which fall into the following categories:</p> <ul style="list-style-type: none"> The erection, extension or improvement of or addition to an entire building. The erection, extension, improvement or addition of a part of a building representing a floor area of at least 1 000 m². The erection, extension or improvement of or addition to low-cost housing. The purchase of such a building or part of a building directly from a developer. 	<ul style="list-style-type: none"> SM needs to confirm whether the UDZ incentive will be extended beyond March 2021. SM needs to apply to establish an UDZ to including the whole of the ATC area.
Restructuring Zones (RZs)	<ul style="list-style-type: none"> RZs are areas identified by municipalities as areas where social housing will be accommodated. Social Housing is a rental or co-operative housing option, which requires institutionalised management. It is provided by accredited Social Housing Institutions (SHIs) or in accredited social housing projects. Social housing provides good quality rental accommodation for the upper end of the low income market (R1 500–R15 000). 	<p>The state subsidises social housing in order to ensure provision of rental housing of exceptional quality, at affordable rentals in well located areas. This is done through capital grant funding called the Consolidated Capital Grant (CCG). The average cost of construction is R426 000 per unit (including land and bulk services) and the current quantum that the SHRA administers is R271 867 per unit.</p>	<p>SM needs to apply to geographically extend its RZs to include the whole of the ATC area.</p>
Spatial planning related incentives			
Increased development rights	<p>Increased development rights through a change in the Zoning Scheme By-Law.</p>	<p>In the case of the ATC, the new development rights are arguably the most significant incentive granted to landowners, specifically as the current zoning applicable to most of the area is very restrictive in relation to the nature of uses which are permitted.</p>	<p>Agreement to the proposed ATC Local Area Overlay zone as outlined in the LSDF.</p>
Density bonuses	<p>Density bonuses are often applied to achieve agreed planning objectives, for example, if the maximum development density on the property is 80 units/ha, and the developer wants to provide an additional 20 affordable units, an equivalent density bonus is awarded, allowing the developer to provide these affordable units without decreasing the number of market-orientated units. Although extra costs are incurred by the developer with the provision of affordable units, revenue from the market units are retained.</p>	<p>Arguably, through the development rights to be allocated, the ATC incorporates "bonuses", aimed at both financial sustainability and achieving agreed societal objectives.</p>	

¹ <https://www.sars.gov.za/ClientSegments/Busineses/My-Bus-and-Tax/UDZ/Pages/default.aspx>

Table 35. Summary of possible incentives (continued)

INCENTIVE	EXPLANATION	REQUIREMENTS	ACTIONS REQUIRED
Spatial planning related incentives			
Parking requirements	<p>Parking takes up considerable space and contribute to development costs. A lesser parking requirement can lower development costs and also contributes to other project aims such as promoting NMT.</p>		<p>SM must agree on parking requirements applicable to the ATC area as a whole.</p>
Faster plan approval	<ul style="list-style-type: none"> Time delays in obtaining land rights through development applications and building plan approvals reflects in the opportunity cost carried by the private developers, while taxes and levies accumulate to make up considerable holding costs for the property. Streamlining plan approval will save developers time and money while ensuring fast-paced property development, including housing provision. 	<ul style="list-style-type: none"> The City of Jo'burg is developing a mechanism to quicken the planning application approval to inclusionary housing developments through ensuring projects that better meet the mandate of the City are prioritised. 	<ul style="list-style-type: none"> SM needs to decide whether the whole of the ATC or specific uses will qualify for faster approval. Making provision for specific uses only may not assist because there are dependencies between rolling out different activities. The successful implementation of this incentive necessitates improved synchronisation of application procedures between municipal departments to truly fast-track development.
Other Municipal Incentives			
Bulk service contributions	<p>Bulk services are payable to the municipality when rezoning takes place to increase the rights and built intensity of properties. The cost is designed to upgrade the bulk infrastructure in the area to accommodate higher intensity development. Bulk service contributions could be reduced for certain types of uses.</p>		
Services agreements for private sector design/implementation of bulk services	<p>The municipality can allow bulk municipal services to be designed and/or constructed by landowners/developers in lieu of development contributions</p>	<p>Ideally, in the case of the ATC, bulk service contributions, connections, and associated payment holidays should be determined for the area as a whole.</p>	<p>Incentives related to bulk services should be worked out as part of the overall services agreement for the ATC.</p>
Bulk service infrastructure "holidays"	<p>Delaying bulk payments helps curb the initial expenses of the developer. An advantage of this incentive is that the municipality still receives a financial contribution, albeit delayed, from the developer, negating a decline in municipal revenue.</p>		
Bulk service connection times	<p>Similar to the case of faster plan approvals, reducing connection time to bulk services saves the developer time and money.</p>		

Table 36. Summary of possible incentives (continued)

INCENTIVE	EXPLANATION	REQUIREMENTS	ACTIONS REQUIRED
Other Municipal Incentives			
Municipal rates	<p>With this incentive, a certain percentage of municipal rates are reimbursed. Current monthly rates payable by the developer to the municipality are determined by the property use and value.</p>	<p>The mechanism is implemented in the City of Jo'burg's Corridors of Freedom project. When certain development standards and density objectives are met with a development in this area, a rates rebate of 75% in the first two years is applicable, while 50% of rates are rebated in the first year of operation. In addition, SHIs receive a 50% rate rebate every year, and there is a rebate in place for sectional title developments over a density of 80du/ha¹.</p>	<p>The SM needs to determine to what extent municipal rates reimbursements could be provided to promote achieving ATC objectives.</p>
Releasing public land for development without charge	<p>Government land could be released at minimal or no charge in order to meet agreed development objectives.</p>	<p>Three sites are particularly significant in the ATC: the nationally owned Droë Dyke, municipally owned Van der Stel, and the provincial school site in Onder-Papegaaiberg.</p>	<p>Government can release their land to enable achievement of agreed development objectives.</p>
Lending rates	<p>A specific relationship could be established between ATC landowners/developers to ensure favourable lending rates for meeting specific objectives. Debt financing constitutes an important aspect of financing developments, with debt repayments making up a substantial portion of developer expenses. When a lending rate decrease is facilitated between financial institutions and developers, it can be an important incentive for private developers, cutting expenses and increasing the development surplus.</p>		
Non-monetary incentives	<p>Various non-monetary incentives could include policy support, institutional support for the development, technical assistance, and a favourable (or stream-lined) regulatory regime, leadership advocacy, and knowledge management support.</p>		

¹ https://www.sapoa.org.za/media/2948/inclusionary-housing_revised.pdf

8.4. A High-Level Implementation Plan

A high-level implementation plan for the ATC following completion of the Draft LSDF is indicated in Diagram 8.

The implementation plan illustrates that considerable work remains to be done prior to implementation of the ATC and following upon completion of the LSDF. Ideally, given the extent of development envisaged, discussion with major landowners should commence in parallel with finalisation of the LSDF (and prior to statutory LSDF public participation) with a view to obtaining high-level agreement on proposed land use rights, and the associated obligations, incentives, and processes.

Apart from proceeding as individual “developers” in response to the LSDF, landowners will have to act collectively, specifically in relation to the provision of shared public facilities and infrastructure (which may be designed and implemented by landowners/developers in agreement with SM). It would be appropriate to establish institutional arrangements for joint action early in the process.

As outlined elsewhere, the ATC LSDF and proposed Local Area Overlay zone is part of the same interdependent package. It would appear sensible to undertake related public participation as one initiative; advertising the LSDF and Local Area Overlay zone simultaneously.

Landowners can finalise precinct planning in parallel with the finalisation of service agreements related to shared obligations.

8.5. Monitoring and Evaluation

Monitoring and evaluation and evaluation will require a different focus as the project proceeds. At this stage, progress on the following aspects appear most relevant for monitoring and evaluation:

- Landowner and SM administrative agreement on:
 - The Development Framework, the Local Area Overlay zone, and associated processes.
 - The phasing and manner of infrastructure provision.
 - Landowner obligations.
 - Government incentives in support of the project

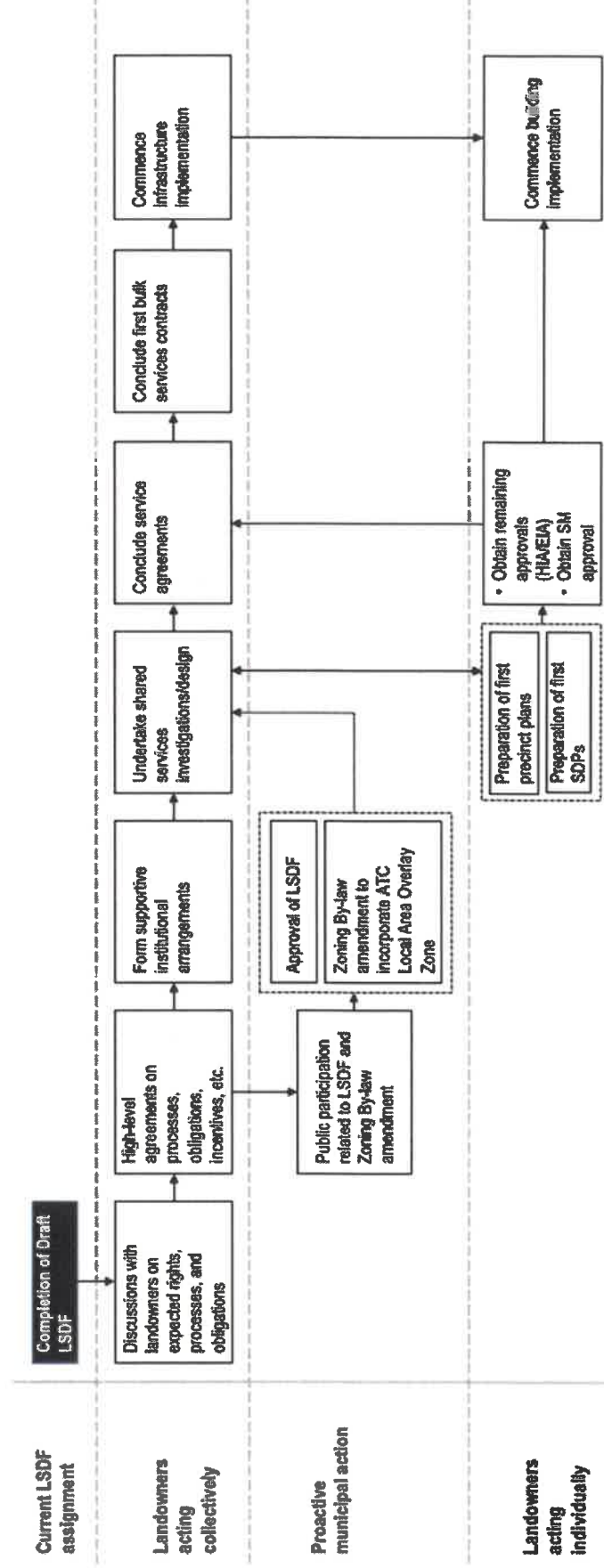


Diagram 8. High-level implementation plan

- Lead projects.
- Start-up institutional arrangements in support of the project.

- SM Council approval of the ATC LSDF, the Local Area Overlay zone, and associated processes and measures as set out above.

8.6. Essential processes distinct from but related to the LSDF

It should be clear from the work presented in the Implementation Framework that the completion of the LSDF on its own cannot secure the roll-out and implementation of the ATC. Other actions – not within the ambit of a LSDF or the present service provider appointment – are necessary. This includes:

Early discussions with the major landowners on inter alia the land use distribution and yields envisaged, phasing, anticipated landowner obligations, the manner of infrastructure funding/provision, and the proposed LUMS process. These discussions cannot only occur with landowners individually; there are shared needs for infrastructure, and other shared public obligations – including that related to housing, public facilities, and environmental remediation – which requires joint discussion and agreement.

- Early discussions on a package of incentives – over and above that implied through land use rights – available to landowners.
- The linkage or not of LSDF and LUMS approval; that is whether the LSDF and Local Area Overlay zone approval processes occur separately or together.
- Institutional arrangements in support of the SM, including arrangements for the landowners to frame responses and act to project demands collectively, project coordination and LUMS support for the SM, project related public interaction, and so on.

- A leadership agreement in support of collective public “messaging” and communication related to the project.

Also, it should be clear that it is not necessarily in the best interest of the project for different actions required for implementation of the ATC – including the LSDF – to be undertaken in a linear fashion. Considerable time towards implementation could be saved if the proposals and recommendations of the LSDF – also that related to the LUMS – are discussed with landowners as they are framed.



Part 8: Conclusions

9. Conclusions

The ATC project has the potential to address many current and anticipated future development needs in Stellenbosch. It is a large project, potentially offering up to 4m m² in development bulk, allocated to a broad range of uses and activities typical of vibrant, mixed use urban districts. This includes 10 000 - 13 000 dwelling units in the form of apartments, for different market segments and addressing different household needs.

It can increase available livelihood opportunity in Stellenbosch for the better for many over generations to come.

Owing to the extent of the project, the anticipated lengthy development period, and the number of landowners and stakeholders involved, implementation aligned to the strategic objectives of the project will be challenging.

Through the early establishment of development rights and associated processes, it is believed that the LSDF contributes significantly to enable successful project implementation over time. Critical will be to provide for project leadership and support arrangements which can ensure ongoing coordination between landowners, extending the network of stakeholders supporting and contributing to the project, adherence to stated strategic objectives, and the fulfilment of shared obligations and programmes.

At the end those involved in further deliberations and decision-making about the ATC – spheres and institutions of government, landowners, business and institutional leadership, community organisations and citizens – should consider the alternative to supporting and implementing the ATC as presented in the LSDF: not presenting a shared vision, plan, and processes, and allowing ad-hoc development over time by individual landowners. The loss of opportunity over generations to come will be very significant.

List of Documents Reviewed

- Adam Tas Corridor Bulk Infrastructure Concept Status Report, 2019 (unpublished report by prepared by Zufari)
- Adam Tas Corridor Development Process: Report on the bi-lateral engagements held during Oct/Nov 2019 with recommendations on the governance and management of the development process going forward. 2019 (unpublished report by ODA)
- Constitution of the Republic of South Africa 1996
- Die Bergkelder Site Erven 13801, 7602, 254, 257, 3454, 9545 Stellenbosch, Summary Report: Opportunities & Constraints from a Redevelopment Perspective, June 2018 (Distell)
- Inclusionary Housing: Towards a new vision in the City of Jo'burg and Cape Town 20 Metropolitan Municipalities, SAPOA, 2018
https://www.sapoa.org.za/media/2948/inclusionary-housing_revised.pdf
- Legal Aspects of Inclusionary Housing in South Africa, Development Action Group, 2020
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- Stellenbosch Municipality, Defining Restructuring Zone for Social Housing, 2016
<https://stellenbosch.gov.za/download/defining-restructuring-zone-for-social-housing>
- Stellenbosch Municipality, Draft Stellenbosch Municipality Roads Master Plan, 2018 Update
- Stellenbosch Municipality, Fourth Generation Integrated Development Plan, May 2017
- Stellenbosch Municipality, Integrated Development Plan 2020/21, 2020
- Stellenbosch Municipality Land Use Planning By-law of 2015
- Stellenbosch Municipality, Medium Term Revenue and Expenditure Framework for the Financial Period 2017/2018 to 2019/2020
- Stellenbosch Municipality, Policy on the Management of Stellenbosch Municipality's Immovable Property, 2018
- Stellenbosch Municipality, Urban Development Strategy, 2018
- Stellenbosch Municipality Zoning Scheme By-Law 2018
- The 2030 National Development Plan 2012
- The Draft National Spatial Development Framework 2020
- The Provincial Spatial Development Framework
- The Integrated Urban Development Framework 2016
- Transport Planning and Traffic Engineering for the Municipality's Parking Development Programme: Inception Report: Final Feasibility, April 2020 (13/SM 39/18: SMEC)
- Wellman, K., and Spiller, M., (editors) Urban Infrastructure Finance and Management, , John Wiley & Sons, Ltd. 2012 <http://www.stellenboschheritage.co.za/wp-content/uploads/Urban-Infrastructure.pdf>
- Western Cape Government Provincial Strategic Plan 2019-2024
- Western Cape Government RESP/VPUU Annual Review Report 2018/19
- Western Cape Government: Socio-economic profile, Stellenbosch Municipality 2019
- Western Cape Land Use Planning Act (LUPA) 3 of 2014

Appendices

A. Twenty-one propositions for successful urban transformation projects

1. Remarkably successful projects – widely studied and judged as successful or “transformational” by different commentators or agencies based on a range of criteria – appear to emerge from times of:
 - Parallel deep crisis/challenge (across sectors and interests) and exploiting of associated opportunity.
 - Limited individual agency control over the factors of change and “complex” relationships of power and responsibility for different urban services and aspects of development.
 - Inadequate individual agency funding to affect significant change.
2. Successful projects are mostly initiated by an individual holding a position of high level political and institutional leadership (or an individual who influences a person in such a position) who understands the current reality, indicates its consequences if not proactively addressed across sectors, and exhibits real interest, will, and commitment to affect change.
3. The initial leaders of successful projects are “aware” across sectors of society and interest; they actively study what others have done – successfully or unsuccessfully – in comparable circumstances. At the same time, they remain authentic to context; they have a deep understanding of and respect for local dynamics, the history of change initiatives, strengths and weaknesses.
4. These leaders work tirelessly, often over a lengthy “warm-up” period, to form a guiding coalition, across spheres of government and sectors of society, around the need or urgency for change and the opportunity inherent in change. Typically:
 - They fully understand that no one person can single handedly lead an urban transformation initiative.
 - They communicate endlessly.
 - They use personal time and resources, or that of the position they hold.
 - Their style is to seek consensus among people who may have different responsibilities and agendas.
 - They emphasise a “common” or collective focus and values (often beyond their “conventional” or main job description).
 - They seek a guiding coalition or support among individuals with real leadership (as opposed to management) responsibility, competency and position-power, expertise, and credibility.
 - They do not portray fear of competition or difference in view.
5. The need to overcome crises or big opportunity is translated into a vision and strategy of what the change is about, clearly indicating why the change is needed and how it will be achieved. Successful visions:
 - Are bold, set stretch targets, and long-term.
 - Of a nature speaking to – and requiring the cooperation of – multiple stakeholders and interests.
 - Are supported by core principles that can stand the test of time and agreed to by the guiding coalition.
 - Often contain aspects of previous, but less complete or “holistic, visions made for the same area.
 - Learn from experience elsewhere but remains authentic to place.
6. In preparing the vision, successful transformations often lean on an extended network – enabled by the guiding coalition – sweeping in available expertise and resources across sectors of society (including universities, NGOs, individual expertise, and so on). In some cases, these are formalised as independent “think tanks”. The think tank continuously scan the larger international and local contexts of the initiative – for knowledge, experience, and opportunity – and assist in monitoring progress. It plays a significant role in sustaining and fuelling an extended discussion around the vision and plan.
7. Considerable support is built for the vision and plan prior to its wide launch. This could include:
 - Building special purpose core capacity with a clear mandate (a dedicated institution) as spearhead for executing the vision and plan to the “side” of supporting institutions (who have other day-to-day responsibilities).
 - Cementing the vision and plan in public policy and statutory plans.
8. The vision and plan is communicated at every opportunity. To support wide communication:
 - The vision and plan is a key reference for all coalition partners; their leadership will refer to it in all they do (externally and in relation to staff), and actively align individual organisational plans and resources.
 - Dedicated communication competency and resources are secured to “package” vivid messages (also speaking to the “hearts” of stakeholders), undertake continuous and repeat communication through several
- Are translated into a set of interdependent focus areas or programmes.

- media, arrange face-to-face events, and so on.
9. The vision and plan is given impetus through:
 - Public seed funding (across spheres/ levels of government).
 - Transferring publicly owned land – in title or development opportunity – into a shared, dedicated entity for enhancement and use to the full benefit of the city (as opposed to original owners benefitting individually).
 - Allocation of development rights to targeted land by the planning authority (the “planner’s gift” of rights).
 - Developing and introducing processes which enables speedy delivery and the gradual development of detail on projects.
 10. The dedicated institution and coalition partners are vigilant, proactively seeking opportunity for implementing the vision, plan, and core principles (even if the opportunity was not specifically identified upfront).
 11. Lead projects or short term wins – situated within the larger vision and plan – are executed. Lead projects can range in size and scope, but generally enjoy considerable public exposure. They assist in:
 - Demonstrating that the change effort is paying off.
 - Building understanding and credibility of the vision, plan, and associated institutional arrangements.
 - Exposing generally inaccessible areas to the general public.
 - Building the network of supporters for the transformation vision and plan.
 - Removing obstacles to change and learning.
 - Promoting more cooperation within the guiding coalition and associated networks.
 12. Often, lead projects are perceived as a “leap of faith”, not necessarily widely supported, with not all details worked out of how each can evolve. Nevertheless, once established, everything is done to “sweat” these projects, expand them, and ensure success.
 13. The success of lead projects is broadly allocated and shared among stakeholders.
 14. The dedicated institution starts relative small and focused, supported by a think tank, networked supporters in partner institutions, and consultant service providers.
 15. As new needs arise, selective skills and staff are added to the dedicated institution. Leadership and management of the institution generally remains the same for a prolonged period of time and often despite fundamental changes in the ownership and structure of partner organisations.
 16. Core consultant service providers are not only selected on the basis of professional competency and excellence, but also for been able to work together across disciplines, and their commitment to proactively enrich the vision and overall plan.
 17. Considerable loyalty is displayed towards well-performing service providers over time, in this way building ready institutional capacity, commitment to the project, knowledge and learning.
 18. Notwithstanding this loyalty to core service providers, “star” urban planners/ designers and architects are often recruited to execute specific lead projects, in this way attracting considerable international interest, exposure, and “status” to projects.
 19. The success of lead projects are used to embark on – or maintain momentum to – larger programmes and projects, including structural change to institutions, and the re-orientation of sectors or services.
 20. International and peer recognition of the transformation effort and success is actively sought, as well as a willingness to share knowledge gained with others. This, in turn, builds support for individuals and organisations to launch further change.
 21. The success of the initial transformation provides fertile ground for further change (and addressing or adjusting to new unpredicted and unforeseen challenges). Making the most of this opportunity appears to benefit from:
 - A new leadership cadre willing to build on past achievement while exhibiting a clear understanding of shifting challenges and opportunities.
 - Un-going presentation of quantitative and qualitative evidence supporting the success of the initial transformation effort.
 - Revisiting and adjusting the original vision and plan to respond to new challenges and opportunities.
 - Building new guiding coalitions and institutional capacity fitting to address new challenges and opportunities.

B. Developable area and bulk calculations

PRECINCT 1	Block Area sqm	Internal Streets 15% sqm	Developable Area sqm	Coverage %	Built Footprint sqm	Height Range Storeys	Minimum Height Storeys	Maximum Height Storeys	Minimum Bulk sqm	Maximum Bulk sqm	Efficiency ratio brownfield 85%
14.2											
Block A	50 015	7 502	42 513	75%	31 885	2-4	2	4	54 204	108 408	
Block B	44 666	6 700	37 966	75%	28 475	2-4	2	3	56 949	85 424	
Block C	62 632	9 395	53 237	75%	39 928	2-4	2	4	79 856	159 712	
Block D	43 535	6 530	37 005	75%	27 754	2-4	2	4	55 507	111 014	
Block E	149 044	22 357	126 687	65%	82 347	2-4	2	2	164 694	164 694	
Block F	38 247	5 737	32 510	65%	21 131	2-4	2	2	42 263	42 263	
Block G	32 506	4 876	27 630	65%	17 760	2-4	2	2	35 919	35 919	
Block H	7 087	1 063	6 024	65%	3 916	2-4	2	2	7 831	7 831	
Block I	65 480	9 822	55 658	65%	36 178	2-4	2	2	72 355	72 355	
Block J	15 979	2 397	13 582	75%	10 187	2-4	2	4	17 317	34 634	
TOTAL	509 191	76 379	432 812		299 758		2	3	586 895	822 254	

Land Use Breakdown

Land Use Breakdown	%	Area / land use
Residential	40%	173 125
Mixed use Res	45%	194 766
Commercial / Retail	80%	155 812
Green	20%	38 953
Social	10%	31 411
TOTAL	100%	432 812

Bulk Breakdown

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	40%	234 758	328 902
Mixed use Res	45%	264 103	370 014
Commercial / Retail	80%	211 282	296 011
Mixed use Com	20%	52 821	74 003
Residential	0%	0	0
Commercial / Retail	20%	0	0
Green	80%	0	0
Social	35%	29 345	41 115
TOTAL	100%	586 895	822 254

Bulk Breakdown

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	76%	446 040	624 913
Commercial / Retail	9%	52 821	74 003
Green	15%	29 345	41 115
Social	10%	58 690	82 225
TOTAL	100%	586 895	822 254

Current Condition	Future Envisioned Character
Vacant portion south of Adam Tas Road with limited existing uses. Portions situated in floodline, physical site proposed for Dore Dyke residential development	Inclusionary housing and mixed use retail and commercial activities surrounded by recreational green activities

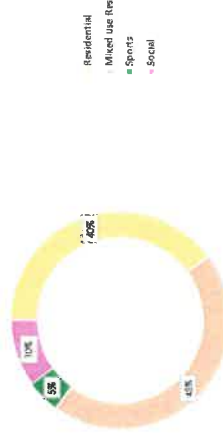
Land Area assigned to residential
328 937

Census 3.3

LOW DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION	AVERAGE DENSITY
180 Very High	5%	1,64	296	977	9
150 High	15%	4,93	740	2 442	23
120 Medium	50%	16,45	1 974	6 513	60
100 Low	30%	9,87	987	3 256	30
TOTAL	100%	32,89	3 977	13 189	122

HIGH DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION	AVERAGE DENSITY
180 Very High	45%	14,80	2 664	8 792	81
150 High	35%	11,51	1 727	5 699	53
120 Medium	20%	6,58	789	2 605	24
100 Low	0%	0,00	0	0	0
TOTAL	100%	32,89	5 181	17 097	158

3 977
5 181



PRECINCT 2	Block Area sqm	Internal Streets 15%	Developable Area sqm	Coverage %	Built Footprint sqm	Height Range Stores	Minimum Height Stores	Maximum Height Stores	Minimum Bulk sqm	Maximum Bulk sqm	Efficiency ratio brownfield 85%
24.5											
Block A	27 713	4 137	23 556	80%	18 845	4 - 6	4	6	64 072	96 109	
Block B	77 125	11 569	65 556	80%	52 445	4 - 6	4	6	178 313	267 470	
Block C	34 821	5 223	29 598	75%	22 198	2 - 4	2	4	37 737	75 473	
Block D	20 407	3 061	17 346	75%	13 009	2 - 4	2	4	22 116	44 232	
Block E	4 851	728	4 123	75%	3 093	2 - 4	2	4	5 257	10 515	
TOTAL	164 917	24 738	140 179		109 590		3	5	307 496	493 799	

Land Use Breakdown	%	Area / land use
Residential		0
Mixed use Res	35%	49063
Residential	80%	39250
Com/Retail	20%	9813
Mixed use Com	40%	54072
Residential	20%	11214
Com/Retail	80%	44857
Light Industry	20%	28036
Sports	0%	0
Social	5%	7009
TOTAL	100%	140 179

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	0%	0	0
Mixed use Res	35%	107 624	172 830
Residential	80%	86 099	138 264
Com/Retail	20%	21 525	27 653
Mixed use Com	40%	122 998	197 520
Residential	20%	24 600	39 504
Com/Retail	80%	98 399	158 016
Light Industry	20%	61 499	98 740
Sports	0%	0	0
Social	5%	15 375	24 690
TOTAL	100%	307 496	493 799

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	36%	110 699	177 768
Commercial / Retail	39%	119 923	185 669
Light Industry	20%	61 499	98 740
Sports	0%	0	0
Social	5%	15 375	24 690
TOTAL	100%	307 496	486 886

Current Condition	Future Envisioned Character
Previous sawmill site currently investigated for redevelopment, northern portion already developed into The Woodmill mixed use facility surrounded by other light industry activities and residential	Mixed use commercial and retail precinct with light industry, workshops and entrepreneurial spaces

Land Area assigned to residential
50 445

LOW DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION	AVERAGE DENSITY
180 Very High	5%	0.25	45	150	9
150 High	35%	1.77	265	874	53
120 Medium	45%	2.27	273	899	54
100 Low	15%	0.76	76	250	15
TOTAL	100%	5.05	659	2 173	131

HIGH DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION	AVERAGE DENSITY
180 Very High	50%	2.52	454	1 499	90
150 High	40%	2.02	303	999	60
120 Medium	10%	0.50	61	200	12
100 Low	0%	0.00	0	0	0
TOTAL	100%	5.05	818	2 698	162



PRECINCT 3	Block Area sqm	Internal Streets 15% sqm	Developable Area sqm	Coverage %	Built Footprint sqm	Height Range Storeys	Minimum Height Storeys	Maximum Height Storeys	Minimum Bulk sqm	Maximum Bulk sqm	Efficiency ratio brownfield 85%
26.0											
Block A	25 886	3 883	22 003	75%	16 502	2 - 4	2	4	33005	66 009	
Block B	13 287	1 993	11 294	75%	8 470	2 - 4	2	3	16941	25 411	
Block C	30 645	4 597	26 048	75%	19 538	2 - 4	2	3	33212	49 817	
TOTAL	69 818	10 473	59 345		44 509		2	3	83157	141 238	

Land Use Breakdown	%	Area / land use
Residential	0%	0
Mixed use Res	30%	17 804
Residential	80%	14 243
Com/Retail	20%	3 561
Mixed use Com	30%	17 804
Residential	20%	3 561
Com/Retail	80%	14 243
Light Industry	0%	0
Social	40%	23 738
TOTAL		59 345

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	0%	0	0
Mixed use Res	30%	24 947	42 371
Residential	80%	19 938	33 897
Com/Retail	20%	4 989	8 474
Mixed use Com	30%	42 371	42 371
Residential	20%	8 474	8 474
Com/Retail	80%	33 897	33 897
Light Industry	0%	0	0
Social	40%	33 263	56 495
TOTAL		100 581	141 238

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	29%	28 432	42 371
Commercial / Retail	39%	38 887	42 371
Light Industry	0%	0	0
Social	33%	33 263	56 495
TOTAL	100%	100 581	141 238

Current Condition	Future Envisioned Character
Historic Oude Libertas farm with vineyards, gateway to Papegaaienberg residential neighbourhood and cemetery, cultural activities, amphitheater and Saturday market space	University of Stellenbosch Business School precinct incorporated into historic fabric

Land Area assigned to residential
17 804

Census 3.3

LOW DENSITY	% DISTRIBUTION	AREA HA / DENSITY	NUMBER OF UNITS	POPULATION N	AVERAGE DENSITY
180 Very High	5%	0.09	16	53	9
150 High	35%	0.62	93	308	53
120 Medium	45%	0.80	96	317	54
100 Low	15%	0.27	27	88	15
TOTAL	100%	1.78	232	767	131

HIGH DENSITY	% DISTRIBUTION	AREA HA / DENSITY	NUMBER OF UNITS	POPULATION N	AVERAGE DENSITY
180 Very High	50%	0.89	160	529	90
150 High	40%	0.71	107	353	60
120 Medium	10%	0.18	21	71	12
100 Low	0%	0.00	0	0	0
TOTAL	100%	1.78	288	952	162

PRECINCT 4	Block Area	Internal Streets	Developable Area		Coverage		Built Footprint	Height Range	Minimum Height	Maximum Height	Minimum Bulk	Maximum Bulk	Efficiency ratio brownfield
			sqm	%	%	sqm							
32.9		15%											
Block A	11 769	1 765	10 004	80%	8 003	4-6	6	27 210	4	6	40 815	85%	
Block B	27 856	4 178	23 678	80%	18 942	4-6	6	64 403	4	6	96 605		
Block C	4 184	628	3 556	80%	2 845	4-6	4	9 673	4	4	9 673		
Block D	13 687	2 053	11 634	80%	9 307	4-6	4	37 229	4	5	46 536		
Block E	6 545	982	5 563	80%	4 451	4-6	4	17 802	4	5	17 802		
Block F	22 552	3 383	19 169	80%	15 335	4-6	4	52 140	5	5	65 175		
Block G	28 809	4 321	24 488	80%	19 590	4-6	4	66 606	5	5	83 258		
Block H	35 484	5 323	30 161	80%	24 129	4-6	4	82 039	5	5	102 549		
Block I	16 721	2 508	14 213	80%	11 370	4-6	4	38 659	4	5	48 324		
TOTAL	167 607	25 141	142 466		113 973		4	395 762	5	5	510 737		

Land Use Breakdown	%	Area / land use
Residential		0
Mixed use Res	40%	56 986
Residential	80%	45 589
Com/Retail	20%	11 397
Mixed use Com	40%	56 986
Residential	20%	11 397
Com/Retail	80%	45 589
Light Industry	10%	14 247
Social	10%	14 247
TOTAL		142 466

Land Area assigned to residential
56 986

Census 3.3

LOW DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION	AVERAGE DENSITY
180 Very High	5%	0.71	128	423	9
150 High	50%	7.12	1 068	3 526	75
120 Medium	40%	5.70	684	2 257	48
100 Low	5%	0.71	71	235	5
TOTAL	100%	14.25	1 952	6 441	137

HIGH DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION	AVERAGE DENSITY
180 Very High	55%	7.84	1 410	4 654	99
150 High	35%	4.99	748	2 468	53
120 Medium	10%	1.42	171	564	12
100 Low	0%	0.00	0	0	0
TOTAL	100%	14.25	2 329	7 687	164

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	0%	0	0
Mixed use Res	40%	158 305	204 295
Residential	80%	126 644	1 63 436
Com/Retail	20%	31 661	40 859
Mixed use Com	40%	158 305	204 295
Residential	20%	31 661	40 859
Com/Retail	80%	126 644	1 63 436
Light Industry	10%	39 576	51 074
Social	10%	39 576	51 074
TOTAL		395 762	510 737

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	40%	158 305	204 295
Commercial / Retail	40%	158 305	204 295
Light Industry	10%	39 576	51 074
Social	10%	39 576	51 074
TOTAL	100%	395 762	510 737

Current Condition	Future Envisioned Character
Decommissioned Distal Adam Tas site of wine production, bottling, pressing and Libertas Offices	Medium to high density mixed use environment including all land uses with high density residential and commercial component

PRECINCT 5	Block Area sqm	Internal Streets 15%	Developable Area sqm	Coverage %	Built Footprint sqm	Average Height Stores	Minimum Ave Height Stores	Maximum Ave Height Stores	Minimum Bulk sqm	Maximum Bulk sqm	Efficiency ratio brownfield 85%
11.8											
Block A	35 472	5 321	30 151	80%	24 121	4-6	4	5	82011	102 514	
Block B	27 167	4 075	23 092	75%	17 319	2-4	2	3	29442	44 163	
Block C	10 064	1 510	8 554	75%	6 416	2-4	2	3	12832	19 247	
TOTAL	72 703	10 905	61 798		47 856		3	4	124285	165 925	

Land Area assigned to residential
14 831

Land Use Breakdown	%	Area / land use
Residential		
Mixed use Res	20%	12 360
Residential	80%	9 888
Com/Retail	20%	2 472
Mixed use Corn	40%	24 719
Residential	20%	4 944
Com/Retail	80%	19 775
Light Industry	20%	12 360
Social	20%	12 360
Green	0%	0
TOTAL		61 798

Bulk Breakdown	%	min bulk sqm	max bulk sqm
Residential	0%	0	0
Mixed use Res	20%	24 857	33 185
Residential	80%	19 886	26 548
Com/Retail	20%	4 971	6 637
Mixed use Corn	40%	49 714	66 370
Residential	20%	9 943	13 274
Com/Retail	80%	39 771	53 096
Light Industry	20%	24 857	33 185
Green	0%	0	0
Social	20%	24 857	33 185
TOTAL		124 285	165 925

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	24%	29 828	39 822
Commercial / Retail	36%	44 743	59 733
Light Industry	20%	24 857	33 185
Green	0%	0	0
Social	20%	24 857	33 185
TOTAL	100%	124 285	165 925

Current Condition	Future Envisioned Character
Portion consisting of various uses mostly under ownership of Remgro, including Rupert Museum and Agrimark. Small and other smaller uses.	Interface zone between Precinct #4 and historic core - mixed use environment with strong NIXT linkages combining new and old functions

LOW DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	Census 3.3	
				POPULATION N	AVERAGE DENSITY
180 Very High	5%	0.1	13	44	9
150 High	50%	0.7	111	367	75
120 Medium	40%	0.6	71	235	48
100 Low	5%	0.1	7	24	5
TOTAL	100%	1	203	671	137

HIGH DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	Census 3.3	
				POPULATION N	AVERAGE DENSITY
180 Very High	50%	0.74	133	440	90
150 High	40%	0.59	89	294	60
120 Medium	10%	0.15	18	59	12
100 Low	0%	0.00	0	0	0
TOTAL	100%	1.48	240	793	162

PRECINCT #	Block Area sqm	Internal Streets 15%	Developable Area sqm	Coverage %	Built Footprint sqm	Average Height Storesys	Minimum Ave Height Storesys	Maximum Ave Height Storesys	Minimum Bulk sqm	Maximum Bulk sqm	Efficiency ratio brownfield 85%
4,6											
Block A	40 109	6 016	34 093	80%	27 274	4-6	4	5	9 2732	11 5915	
Block B	8 673	1 301	7 372	80%	5 898	4-6	4	5	20052	25 065	
TOTAL	48 782	7 317	41 465		33 172		4	5	11 2784	140 980	

Land Use Breakdown

	%	Area / land use
Residential	0%	
Mixed use Res	40%	16 5866
Residential	80%	13 2697
Com/Retail	20%	3 317
Mixed use Com	35%	14 513
Residential	20%	2 903
Com/Retail	80%	11 610
Light Industry	20%	8 293
Social	5%	2 073
Green	0%	0
TOTAL		41 465

Bulk Breakdown

	%	min bulk sqm	max bulk sqm
Residential	0%	0	0
Mixed use Res	40%	45 114	54 392
Residential	80%	36 091	45 114
Com/Retail	20%	9 023	11 278
Mixed use Com	35%	39 474	49 343
Residential	20%	7 895	9 867
Com/Retail	80%	31 580	39 474
Light Industry	20%	22 557	28 196
Social	5%	0	0
TOTAL		5 639	7 049

Bulk Breakdown

	%	MIN bulk sqm	MAX bulk sqm
Residential	39%	43 986	54 982
Commercial/ Retail	36%	40 602	50 753
Light Industry	20%	22 557	28 196
Green	0%	0	0
TOTAL		5 639	7 049

Current Condition	Future Envisioned Character
Industrial area with components redeveloped into Bosman's Crossing, surrounded by industry buildings and Oude Molen site	Medium to high density mixed use environment with workshops, studios and other light industry commercial activities, connected to Pappegaalberg and Bergkelder

Land Area assigned to residential
16 171

Census 3.3

LOW DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATIO N	AVERAGE DENSITY
180 Very High	5%	0,1	15	48	9
150 High	45%	0,7	109	360	68
120 Medium	45%	0,7	87	288	54
100 Low	5%	0,1	8	27	5
TOTAL	100%	2	219	723	136

HIGH DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATIO N	AVERAGE DENSITY
180 Very High	55%	0,89	140	528	99
150 High	35%	0,57	85	280	53
120 Medium	10%	0,16	19	64	12
100 Low	0%	0,00	0	0	0
TOTAL	100%	1,42	244	873	164

PRECINCT 7	Block Area sqm	Internal Streets 15%	Developable Area sqm	Coverage %	Built Footprint sqm	Average Height	Minimum Height	Maximum Height Storeys	Minimum Bulk Storeys	Maximum Bulk sqm	Efficiency ratio brownfield 85%
Block A	48 397	7 260	41 137	80%	32 910	4-6	4	6	111 894	167 841	
Block B	31 133	4 670	26 463	80%	21 170	4-6	4	5	71 979	89 974	
Block C	20 413	3 062	17 351	80%	13 881	4-6	4	5	47 195	58 994	
TOTAL	99 943	14 991	84 952		67 961		4	5	231 068	316 809	

Land Use Breakdown

Land Use Breakdown	%	Area / land use
Residential	0%	
Mixed use Com	60%	50 971
Residential	20%	10 194
Com/Retail	80%	40 777
Light Industry	20%	16 990
Social	20%	16 990
Green	9%	8 495
TOTAL		84 952

Bulk Breakdown

Bulk Breakdown	%	min bulk sqm	max bulk sqm
Residential	0%	0	0
Mixed use Res	0%	0	0
Residential	80%	0	0
Com/Retail	20%	0	0
Mixed use Com	60%	138 641	190 085
Residential	20%	27 728	38 017
Com/Retail	80%	110 913	152 068
Light Industry	20%	46 214	63 362
Green	9%	0	0
Social	20%	46 214	63 362
TOTAL		231 068	316 809

Bulk Breakdown

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	12%	27 728	38 017
Commercial / Retail	48%	110 913	152 068
Light Industry	20%	46 214	63 362
Green	9%	0	0
Social	20%	46 214	63 362
TOTAL	100%	231 068	316 809

Current Condition	Future Envisioned Character
Bergkelder site consisting of industrial buildings relating to the wine industry.	Mixed use cultural and commercial precinct with light industry, workshops, studios and entrepreneurial spaces, supported

Land Area assigned to residential
10 194

Census 3.3

LOW DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION N	AVERAGE DENSITY
180 Very High	5%	0.1	9	30	9
130 High	40%	0.4	61	202	60
120 Medium	50%	0.5	61	202	60
100 Low	5%	0.1	5	17	5
TOTAL	100%	1	137	451	134

HIGH DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION N	AVERAGE DENSITY
180 Very High	70%	0.71	128	424	126
130 High	25%	0.25	38	126	38
120 Medium	5%	0.05	6	20	6
100 Low	0%	0.00	0	0	0
TOTAL	100%	1.02	173	570	170

PRECINCT 8	Block Area sqm	Internal Streets 15%	Developable Area sqm	Coverage %	Built Footprint sqm	Average Height	Minimum Height	Maximum Height Storeys	Minimum Bulk	Maximum Bulk sqm	Efficiency ratio brownfield 85%
18.1											
Block A	7 866	1 180	6 686	80%	5 349	4-6	4	4	21 396	21 396	
Block B	26 382	3 957	22 425	80%	17 940	4-6	6	6	71 759	107 639	
Block C	922	138	784	80%	627	4-6	4	4	2 508	2 508	
Block D	22 610	3 392	19 219	80%	15 375	4-6	4	6	61 499	92 249	
Block E	1 977	297	1 680	80%	1 344	4-6	4	4	5 377	5 377	
Block F	7 927	1 189	6 738	80%	5 390	4-6	4	4	21 561	21 561	
Block G	9 223	1 383	7 840	80%	6 272	4-6	6	6	21 324	31 985	
Block H	4 010	602	3 409	80%	2 727	4-6	4	6	10 907	16 361	
TOTAL	80 917	12 138	68 779	80%	55 024		4	5	216 331	299 076	

Land Use Breakdown	%	Area / land use
Residential	0%	
Mixed use Res	35%	24 073
Residential	80%	19 258
Com/Retail	20%	4 815
Mixed use Com	45%	30 951
Residential	20%	6 190
Com/Retail	80%	24 761
Light Industry	0%	0
Social	10%	6 878
Green	10%	6 878
TOTAL		68 779

Bulk Breakdown	%	min bulk sqm	max bulk sqm
Residential	0%	0	0
Mixed use Res	35%	75 716	104 677
Residential	80%	60 573	83 741
Com/Retail	20%	15 143	20 935
Mixed use Com	45%	97 349	134 584
Residential	20%	19 470	26 917
Com/Retail	80%	77 879	107 667
Light Industry	0%	0	0
Green	10%	6 878	29 908
Social	10%	21 633	29 908
TOTAL	100%	216 331	299 076

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	37%	80 043	110 658
Commercial / Retail	43%	93 022	128 603
Light Industry	0%	0	0
Green	10%	21 633	29 908
Social	10%	21 633	29 908
TOTAL	100%	216 331	299 076

Current Condition	Future Envisioned Character
Van Der Stel sportsgrounds, clubhouse and vacant land abutting Merriman Avenue as axis from Bird Street to Adam Tas Road	Stephen / Hanneke?? Public transport interchange with stadium and sporting facilities

Land Area assigned to residential
25 448

Census 3.3

LOW DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATIO N	AVERAGE DENSITY
180 Very High	5%	0.1	23	76	9
150 High	45%	1.1	172	567	68
120 Medium	45%	1.1	137	453	54
100 Low	5%	0.1	13	42	5
TOTAL	100%	3	345	1 138	136

HIGH DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATIO N	AVERAGE DENSITY
180 Very High	65%	1.65	298	983	117
150 High	30%	0.76	115	378	45
120 Medium	5%	0.13	15	50	6
100 Low	0%	0.00	0	0	0
TOTAL	100%	2.54	428	1 411	148

PRECINCT 9	Block Area sqm	Internal Streets 15%	Developable Area sqm	Coverage %	Built Footprint sqm	Average Height Storeys	Minimum Height Storeys	Maximum Height Storeys	Minimum Bulk sqm	Maximum Bulk sqm	Efficiency ratio brownfield 85%
70.3	6 184	928	5 256	75%	3 942	3-6	3	4	11 827	15 769	
Block A	11 852	1 778	10 074	75%	7 556	3-6	3	4	22 667	30 223	
Block B	1 617	243	1 374	75%	1 031	3-6	3	4	2 629	3 505	
Block C	72 519	10 878	61 641	75%	46 231	3-6	3	3	117 889	117 889	
Block D	33 667	5 350	30 317	75%	22 738	3-6	3	3	57 981	57 981	
Block E	19 305	2 896	16 409	80%	13 127	3-6	4	6	44 633	66 950	
Block F	17 362	2 604	14 758	80%	11 806	3-6	4	6	40 141	60 211	
Block G	15 607	2 341	13 266	80%	10 613	3-6	4	6	36 083	54 125	
Block H	46 448	6 967	39 481	75%	29 611	3-6	3	4	75 507	100 676	
Block I	23 887	3 583	20 304	80%	16 243	3-6	3	4	41 420	55 227	
Block J	4 549	682	3 867	80%	3 093	3-6	4	4	7 888	10 517	
Block K	9 482	1 422	8 060	75%	6 045	3-6	4	6	20 552	30 828	
Block L	15 712	2 357	13 355	75%	10 016	3-6	4	6	34 056	51 084	
Block M	14 250	2 138	12 113	75%	9 084	3-6	3	4	23 165	30 887	
Block N	27 033	4 055	22 978	75%	17 234	3-6	4	6	58 594	87 891	
Block O	9 667	1 450	8 217	75%	6 163	3-6	3	3	15 715	15 715	
Block P											
TOTAL	331 141	49 671	281 470		214 533		3	5	610 747	789 478	

Land Use Breakdown %

Area / land use	%
Residential	0%
Mixed use Com	35%
Residential	20%
Com/Retail	80%
Light Industry	50%
Social	10%
Green	5%
TOTAL	100%

Block Breakdown	%	min bulk sqm	max bulk sqm
Residential	0%	0	0
Mixed use Res	0%	0	0
Residential	80%	0	0
Com/Retail	20%	0	0
Mixed use Com	35%	213 761	276 317
Residential	20%	42 752	55 263
Com/Retail	80%	171 009	221 054
Light Industry	50%	305 373	394 737
Social	10%	58 552	75 476
TOTAL	100%	610 747	789 478

Block Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	7%	42 752	55 263
Commercial / Retail	28%	171 009	221 054
Light Industry	50%	305 373	394 737
Social	15%	58 552	75 476
TOTAL	100%	610 747	789 478

Current Condition	Future Envisioned Character
Plankenbrug Industrial area next to Plankenbrug river and George Blake road, serving as alternative link to Kayamandi but barrier to river and Papegaaiberg	Stephen?? Vaccant portion at rail crossing as public space and entrance to Papegaaiberg?

Land Area assigned to residential

19 703

Census 3.3

LOW DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATIO N	AVERAGE DENSITY
180 Very High	5%	0.1	18	59	9
150 High	45%	0.9	133	439	68
120 Medium	45%	0.9	106	351	54
100 Low	5%	0.1	10	33	5
TOTAL	100%	2	267	881	136

HIGH DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATIO N	AVERAGE DENSITY
180 Very High	55%	1.08	195	644	99
150 High	35%	0.69	103	341	53
120 Medium	10%	0.20	24	78	12
100 Low	0%	0.00	0	0	0
TOTAL	100%	1.97	322	1 063	164

PRECINCT 10	Block Area sqm	Internal Streets 15%	Developable Area sqm	Coverage		Built Footprint sqm	Average Height Storeys	Minimum Height Storeys	Maximum Height Storeys	Minimum Bulk sqm	Maximum Bulk sqm	Efficiency ratio brownfield 85%
				%	sqm							
74.1	28 193	4 229	23 964	75%	17 973	2-4	3	4	53 919	71 892		
Block A	85 684	12 853	72 831	75%	54 624	2-4	2	3	109 247	163 871		
Block B	37 467	5 620	31 847	65%	20 701	2-4	2	3	41 401	62 102		
Block C	13 173	1 976	11 197	75%	7 278	2-4	2	3	14 556	21 834		
Block D	6 953	5 400	4 050	75%	4 050	2-4	2	4	8 100	16 200		
Block E	19 350	2 903	16 448	65%	10 691	2-4	2	3	18 174	27 262		
Block F	87 220	13 083	74 137	65%	48 189	2-4	2	3	96 378	144 567		
Block G	62 187	9 328	52 859	75%	39 644	2-4	3	4	118 933	158 577		
Block H	339 627	50 944	288 683	75%	203 149	2-4	2	3	440 709	666 304		
TOTAL			288 683									

Land Use Breakdown	%	Area / land use
Residential	30%	86 605
Mixed use Res	40%	115 473
Residential	80%	92 379
Com/Retail	20%	23 095
Mixed use Com	10%	28 868
Residential	20%	5 774
Com/Retail	80%	23 095
Light Industry	0%	0
Social	15%	43 302
Sports	5%	14 448
TOTAL		288 683

Bulk Breakdown	%	min bulk sqm	max bulk sqm
Residential	30%	138 213	199 891
Mixed use Res	40%	184 283	266 522
Residential	80%	147 427	213 217
Com/Retail	20%	36 857	53 304
Mixed use Com	10%	46 071	66 630
Residential	20%	9 214	13 326
Com/Retail	80%	36 857	53 304
Light Industry	0%	0	0
Sports	5%	23 053	33 315
Social	15%	69 106	99 946
TOTAL	100%	460 709	666 304

Bulk Breakdown	%	MIN bulk sqm	MAX bulk sqm
Residential	64%	294 854	426 435
Commercial / Retail	16%	73 713	106 609
Light Industry	0%	0	0
Sports	5%	23 053	33 315
Social	15%	69 106	99 946
TOTAL	100%	460 709	666 304

Current Condition	Future Envisioned Character
Vacant land portions currently identified as Northern Extension area with strong linkages to Kayamandi, Cloetsville and Weltevreden	Inclusionary housing and mixed use retail and commercial activities surrounded by recreational green activities

Land Area assigned to residential
184 757

Census 3.3

LOW DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION	AVERAGE DENSITY
180 Very High	3%	0.9	166	549	9
150 High	20%	3.7	554	1 829	30
120 Medium	45%	8.3	998	3 292	54
100 Low	30%	5.5	554	1 829	30
TOTAL	100%	18	2 273	7 499	123

HIGH DENSITY	% DISTRIBUTION	AREA HA/ DENSITY	NUMBER OF UNITS	POPULATION	AVERAGE DENSITY
180 Very High	30%	5.54	998	3 292	54
150 High	35%	6.47	970	3 201	53
120 Medium	35%	6.47	776	2 541	42
100 Low	0%	0.00	0	0	0
TOTAL	100%	18.48	2 744	9 054	149

LAND USE	PRECINCT 1		PRECINCT 2		PRECINCT 3		PRECINCT 4		PRECINCT 5		PRECINCT 6		PRECINCT 7		PRECINCT 8		PRECINCT 9		PRECINCT 10	
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX
Residential	446 040	624 913	110 699	177 768	28 432	42 371	158 305	204 295	39 822	54 982	43 986	54 982	27 728	38 017	80 043	110 658	42 752	55 263	294 854	426 435
Commercial / Retail	52 821	74 003	119 923	185 669	38 587	42 371	158 305	204 295	44 743	50 753	40 602	50 753	110 913	152 068	93 022	128 603	171 009	221 054	73 713	106 609
Light Industry	0	0	61 499	98 760	0	0	39 576	51 074	24 857	33 185	22 557	28 196	48 214	63 362	0	0	305 373	394 739	0	0
Sports	29 348	41 116	0	0	0	0	0	0	0	0	0	0	0	0	81 633	29 624	50 632	57 474	24 033	33 915
Social	58 690	82 225	15 375	24 690	33 263	56 495	39 576	51 074	24 857	33 185	5 639	7 049	48 214	63 362	21 633	29 908	61 075	78 948	69 106	99 946
TOTAL	586 895	822 254	307 496	486 866	100 581	141 238	395 762	510 737	124 285	165 725	112 784	140 980	231 068	316 809	216 331	299 076	610 747	789 478	460 709	666 304

Res types	PRECINCT 1		PRECINCT 2		PRECINCT 3		PRECINCT 4		PRECINCT 5		PRECINCT 6		PRECINCT 7		PRECINCT 8		PRECINCT 9		PRECINCT 10	
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX
HIGH	2798	5181	560	818	197	288	1854	2329	193	240	208	264	130	173	328	428	254	322	1591	2744
MEDIUM	1199	0	99	0	35	0	98	0	10	11	11	7	7	17	17	13	13	0	682	0
TOTAL	3997	5181	659	818	232	288	1952	2329	203	240	219	244	137	173	345	428	267	322	2273	2744

Precincts	SUMMARY PER PRECINCT		Maximum Density units
	Minimum bulk sqm	Maximum bulk sqm	
PRECINCT 1	586 895	822 254	3 997
PRECINCT 2	307 496	493 799	659
PRECINCT 3	100 581	141 238	232
PRECINCT 4	395 762	510 737	1 952
PRECINCT 5	124 285	165 925	203
PRECINCT 6	112 784	140 980	219
PRECINCT 7	231 068	316 809	173
PRECINCT 8	216 331	299 076	345
PRECINCT 9	610 747	789 478	267
PRECINCT 10	460 709	666 304	2 273
TOTAL	3 146 659	4 346 599	10 282

LAND USE	BULK SUMMARY TOTAL SITE		
	% ALLOCATION	MINIMUM BULK	MAXIMUM BULK
Residential Only	12%	372 971	528 793
Mixed use Res	28%	884 948	1 250 285
Residential	80%	707 959	1 000 228
Com/Retail	20%	176 990	250 057
Mixed use Com	29%	908 685	1 227 516
Residential	20%	181 737	245 503
Com/Retail	80%	726 948	982 013
Light Industry	16%	500 076	669 315
Sports	3%	104 551	143 809
Social	12%	375 427	526 881
TOTAL		3 146 659	4 346 599

LAND USE	BULK SUMMARY TOTAL SITE		
	% ALLOCATION	MINIMUM BULK	MAXIMUM BULK
Residential	40%	1 262 667	1 774 524
Commercial / Retail	29%	903 938	1 232 070
Light Industry	16%	500 076	669 315
Sports	3%	104 551	143 809
Social	12%	375 427	526 881
TOTAL	100%	3 146 659	4 346 599

Residential Units	3,6 pp/hh	
	Units (rounded)	Population
Minimum	145	37 080
Maximum	180	46 800
		Residential land area
		71
		HA

C. Development Contributions Estimates

Table 37. Estimated Civil Infrastructure Development Contributions (Zutari, 2021)

ESTIMATED DEVELOPMENT CONTRIBUTIONS PER PHASE AND PRECINCT																						
DC SUMMARY	PHASE 1				PHASE 2				PHASE 3				PHASE 4		PHASE 5		PHASE 6		TOTAL DC'S PAYABLE			
	PRECINCT 6		PRECINCT 7		PRECINCT 2		PRECINCT 3		PRECINCT 4		PRECINCT 5		PRECINCT 8		PRECINCT 1		PRECINCT 9		PRECINCT 10		MIN	MAX
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX
	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)	x (10 ⁶)
DC Amount New Land Use	R72	R90	R185	R253	R209	R315	R76	R102	R316	R396	R94	R123	R119	R162	R423	R484	R624	R258	R332	R2145	R2921	
Existing Rights Offset	R51	R51	R81	R81	R169	R169	R134	R134	R226	R226	R94	R94	R138	R138	R-	R276	R276	R-	R-	R1169	R1169	
DC's Payable to Stellenbosch Municipality per PRECINCT	R21	R39	R104	R172	R41	R146	R-	R-	R90	R170	R-	R29	R-	R24	R423	R208	R348	R258	R332	R1053	R1684	

D. Economic Impact

22 September 2021



Economic impact assessment of the Adam Tas Corridor (ATC) Development

Report prepared for Built Environment Partnership (BEP SA)

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1 Introduction

The primary purpose of this report is to estimate the socio-economic impact of the Adam Tas Corridor (ATC) development on the economy of the Stellenbosch Local Municipality (LM) as an indication of the potential contribution of the planned development on the local economy. The socio-economic impact assessment (SEIA) distinguished between two phases of the proposed ATC development, namely the construction and operations phases. Therefore, this report considers the inputs, methodology, assumptions, and impact results of each phase's planned spending and activities/operation.

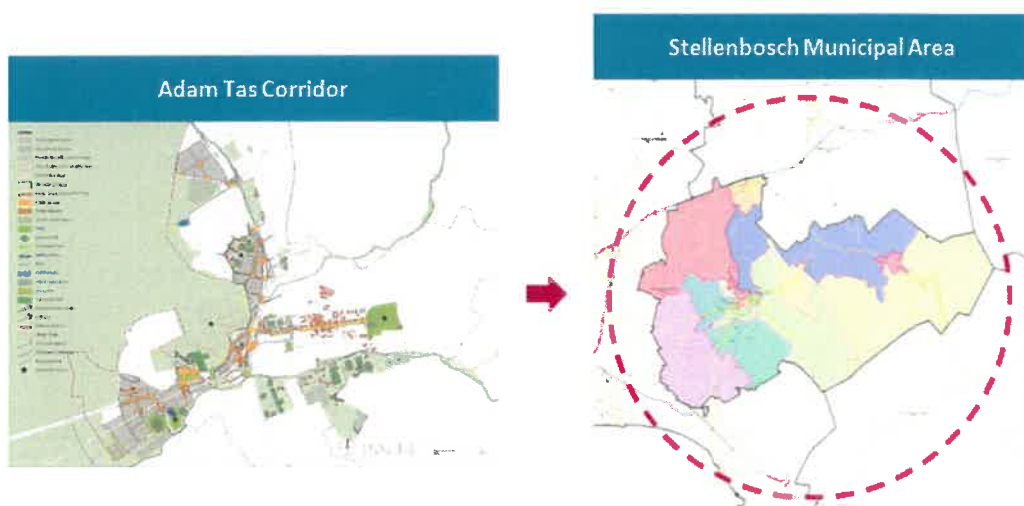
The remainder of this report is organised as follows. Section 2 provides some background and context to the report. Section 3 contains a concise discussion on the methodology and approach, the data sources and modelling assumptions. Section 5 summarizes the key results of the SEIA, followed by critical observations and implications in Section 6. Section 7 concludes.

2 Background and context

The proposed ATC development (hereafter referred to as the "project") is planned to be commissioned to provide a socio-economic development opportunity for the Stellenbosch LM and the surrounding region.

This SEIA's objective is to present the macroeconomic impacts of the project's construction and operational phases. An input-output (I-O) multiplier analysis, based on an I-O table for the Stellenbosch LM, was used to conduct macroeconomic modelling that quantified the project's impacts on the LM only. Since this type of project can be viewed as catalytic (i.e., the impact is broader than directly in the region [i.e., Stellenbosch LM] where the project will be physically located), the SEIA could be conducted at a national (South Africa-wide, excluding the Western Cape), provincial (Western Cape, excluding the Stellenbosch LM), and local (Stellenbosch LM) level. However, the current analysis only focuses on the immediate impact zone, shown in Figure 1, that is, within the Stellenbosch LM. No impact beyond the Stellenbosch LM is measured or considered.

Figure 1: Economic impact zone



Source: FTI illustration.

The following section discusses the approach, methodology, data and assumptions used to conduct the SEIA for this project.

3 Methodology, data sources and assumptions

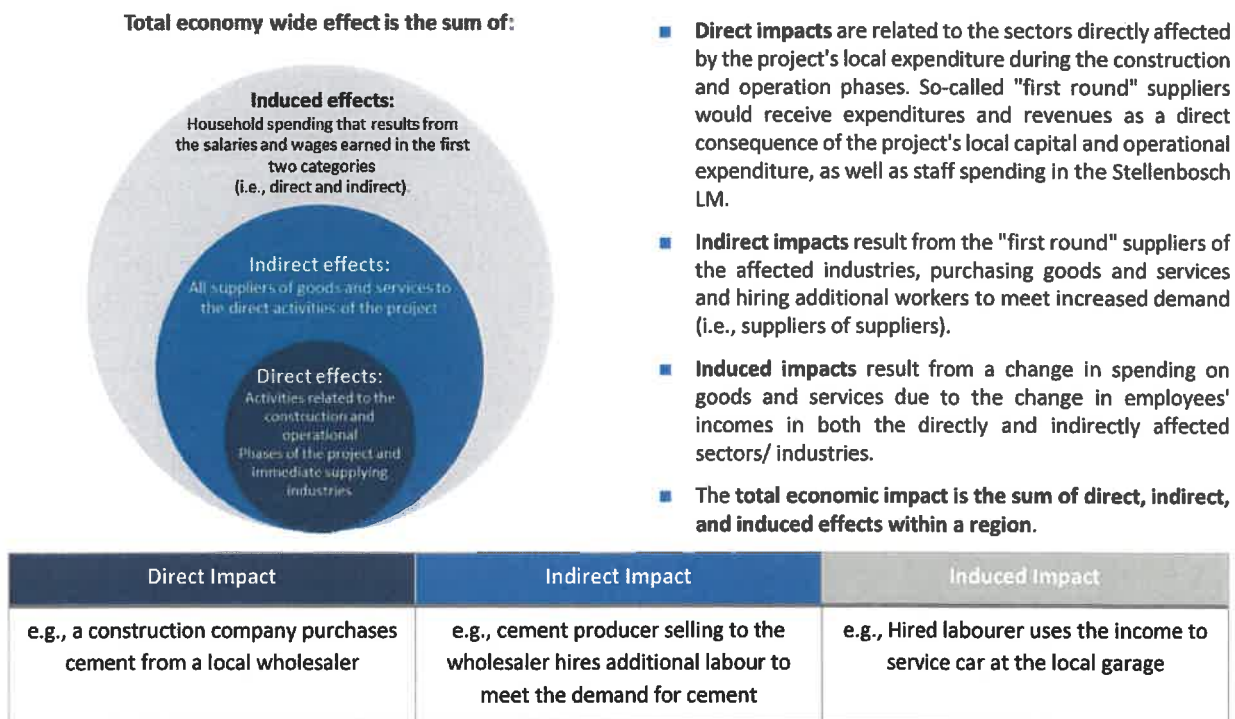
3.1 Methodology and approach

A SEIA provides a quantitative tool to calculate the economy-wide benefits of the project or, in this case, the construction and operation phases of the project on the economy. The Market can either include changes (i.e., opening, closing, expansion or contraction) in an industry or project or the presence of an existing institution or industry. **A SEIA estimates the effects of an increase in demand by way of multiplier analysis, which measures the economy's response to a change in demand for goods and services.** The name, economic multiplier, is derived from the multiplicative effect of a specific activity on an economy. The stronger the linkages between sectors, the larger the multiplier effects will be. Also, the size of the multiplier effects depends on the economy's structural features, such as the proportion of goods and services that are locally produced – in this case, within the Stellenbosch LM. For example, suppose locally consumed products and services are primarily produced outside of the local municipality (and are thus effectively 'imported' in the region). In that case, it implies that a large proportion of local expenditure leaks out of the Stellenbosch LM without any feedback effect. Larger leakages will reduce the multiplier effect and result in a smaller response.

An input-output (I-O) table provides an analytical framework with the fundamental purpose of analysing the interdependence of industries in an economy. An I-O table records economic transactions irrespective of the social background of the transactors. **As mentioned above, an I-O table was estimated for 2020 for the Stellenbosch LM, which contains a high level of sectoral detail. Multipliers were calculated from the I-O table and were used for the SEIA calculations.**

The calculated multipliers are used to quantify the economy-wide impact of the project on the economy of the Stellenbosch LM. The term **economy-wide** refers to the project's direct, indirect, and induced effects due to the linkages between different economic sectors. These effects are explained in Figure 2.

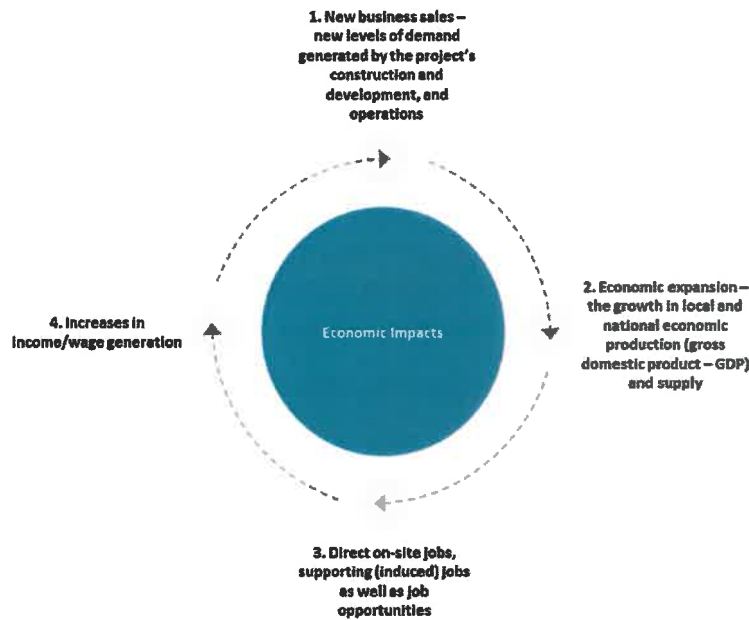
Figure 2: Economic impact assessment methodology



Source: FTI illustration.

All these effects are derived by modelling the links between sectors of the economy – which is the heart of the I-O-based multiplier model. Figure 3 illustrates the proposed project's economic impact cycle and highlights the multiplier effect sequence.

Figure 3: Economic impact cycle



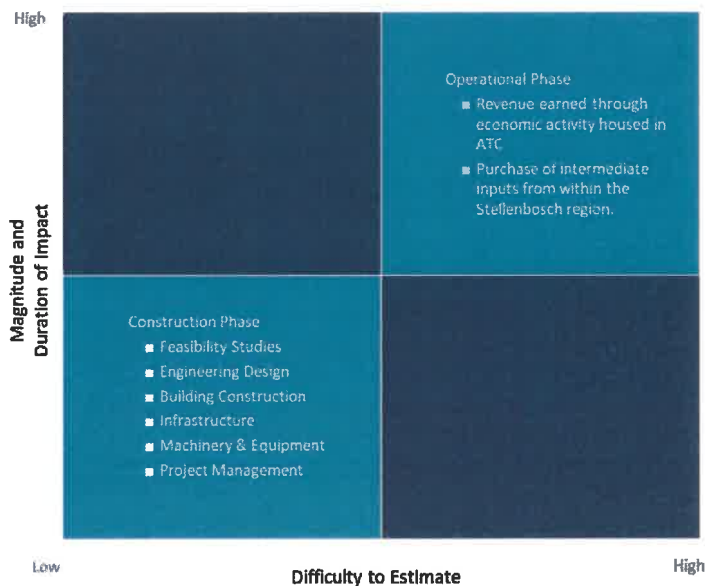
The impact analysis is based on the contribution that the project is expected to make towards the economy of the Stellenbosch LM in terms of the following macroeconomic aggregates:

- Output (i.e., production),
- Gross Domestic Product (GDP),
- Employment creation (i.e., jobs),
- Household income.

Source: FTI illustration.

Finally, the SEIA distinguishes between two phases of the project, namely the construction phase and the operations phase (see Figure 4). This analysis section considers the shocks and impacts associated with each of these phases in the context of the project.

Figure 4: Construction Phase vs Operational Phase



Source: FTI illustration.

Key assumptions that relate to the analysis of each phase are explained in the following section.

3.2 Data sources and assumptions

For purposes of the impact analysis, a 2020 I-O table was used to represent the economy of the Stellenbosch LM statistically. The I-O table sectors are aggregated to 49 SIC 2-digit sectors (according to the 7th edition of the Standard Industrial Classification of all Economic Activities (SIC¹) as published by Stats SA (1993)) for the analysis.

While the multipliers obtained using the I-O table as a linear model will allow us to capture the economy's structural features and interrelations among various economic agents, the model rests on some assumptions. For example, it assumes the existence of excess capacity that would allow relative prices to remain constant in the face of demand shocks, that expenditure propensities of endogenous accounts remain constant, and that production technology and resource endowments are given for a period. Therefore, the I-O-based multiplier model inherits the assumptions of the traditional I-O analysis.

The current SEIA of the project outcomes is provided for both the project's construction and operational phases. However, due to the more "one-off" nature of construction phases versus the "ongoing" nature of operational production phases, outcomes for the construction phase are provided in the cumulative form (i.e., the effect over the total of 30 years, realising in 6 phases), while for the operational phase on an annualised basis (i.e., average annual outcomes per year for the 24 years – using the V&A Waterfront as a proxy).

3.2.1 Construction phase

The construction cost of the project is the total cost of the ATC development. Large projects such as this may involve many subcontractors and types of goods and services. For example, it may include economic feasibility studies (such as a SEIA report), the engineering design, land cost, landscaping, and infrastructure building. In addition, it may involve access roads, rail access, equipment to move and unload goods, and storage facilities.

The economic impact of the construction phase is likely to be limited relative to the impact of the operational phase. For example, the Mafikeng Industrial Development Zone (IDZ) generated only 1 676 temporary jobs during the construction phase vs 34 268 permanent jobs during the operational phase.

A construction shock typically consists of commodities. Construction naturally involves capital formation, that is, building and construction works, and machinery and equipment. These are commodities that may be partly imported. The valuation of such a project is usually at purchaser prices.

For the SEIA, the inputs for the construction phase are based on the work of Zutari. These inputs have been revised and updated for the current analysis based on the latest report titled "*Adam Tas LSDF: Infrastructure Upgrade Considerations and Proposed Phasing (Submission date: 2021/07/30 – Table 8, p.16).*"

Finally, if it is known that a construction phase of the project will be completed over a 30-year term, realising in 6 phases. Accordingly, this term of the construction impacts on income or employment is clearly stated in the results discussed in the following section. For example, a total employment impact on employment of 100 862 labour units (over the entire 30-year period) is on average equivalent to 3 362-man years of labour per year over the 30-year term.

¹ The Standard Industrial Classification of all Economic Activities (SIC) is based upon the latest (seventh revision which appeared in 1990) International Standard Industrial Classification of all Economic Activities (ISIC) 1/ with suitable adaptations for local conditions – published by Statistics South Africa (Stats SA).

3.2.2 Operational phase

In the case of the construction phase, things are relatively straightforward. The proposed project creates new production capacity – new buildings and construction work, and we purchase and install new machinery and equipment. We can view all these as commodities that must be locally produced or imported. We expect this to impact the domestic economy by the extent to which these are domestically produced.

The operations phase, on the other hand, impacts the economy because the project earns revenue by selling goods and services (commodities) to the rest of the economy or exports, and this revenue gives rise to an equal amount of expenditure on inputs (intermediate commodities plus value-added) to sustain its production. Moreover, because these inputs are purchased from the rest of the economy and imports, these give rise to the so-called backward linkages or domestic impacts measured by the multiplier model. **The table below provides an illustrative example of the income and expenditure data typically used to quantify the impact of a new development at full operation.**

Table 1: Income and expenditure of the operation of an industrial activity

EXPENDITURE	VALUE	REVENUE	VALUE
Value of the use of intermediate goods and services in the production process at purchaser prices	40	The value of the supply of output is typically measured in terms of quantities and prices of commodities at purchaser prices	130
<i>Plus: value-added</i>	<i>60</i>	<i>Minus</i>	
Remuneration of labour	30	Trade and transport margins	20
Net operation surplus	25	Imports of output	6
Consumption of capital	5	Net indirect taxes (NIT)	4
THE VALUE OF TOTAL INPUTS IS EQUAL TO THE OUTPUT OF THE FIRM AT BASIC PRICES	100	THE VALUE OF TOTAL REVENUE THAT ACCRUES TO THE FIRM IS MEASURED AT BASIC PRICES	100

Source: Bijker (2013²), IHS Global Insight Southern Africa.

For the SEIA, the to date and future accumulated nominal contribution by the V&A Waterfront to GDP (R billion) is used as a proxy for the direct impact of the project's operational phase. This was done because no financial viability study has been completed regarding the project's operations following the construction phase's completion. Since 2002, the accumulated nominal contribution by the V&A Waterfront to GDP had been estimated at R335 billion. It was further estimated that the new developments at the V&A Waterfront could make an additional cumulative nominal contribution to GDP of R183 billion by 2026. However, the ATC is 4x larger in terms of geographic area than the V&A Waterfront and is densely built. Therefore, as a conservative estimate, the SEIA assumes an operational phase contribution of 2x that of the V&A Waterfront over 24 years.

The following section discusses the macroeconomic impact results of the modelling exercise.

4 Results and findings

The Stellenbosch LM multipliers were derived from an I-O table representing the intra-regional transactions in the LM only. Therefore, when examining the results, keep in mind that the total impact reported will not necessarily be located in a single region/locality (i.e., in the Stellenbosch LM) because specific production

² Bijker, A. (2013). Macroeconomic Impact Assessment by means of Social Accounting Matrices (SAMs). Unpublished.

inputs required for activities are not necessarily manufactured directly in the area, hence there are "leakages" of spending to the rest of South Africa (i.e., other Provinces), as well as international (imports).

The following two sub-sections discuss the impact results for both the project's construction and operational phases. However, due to the more "one-off" nature of construction phases versus the "ongoing" nature of operational production phases, outcomes for the construction phase are provided in the cumulative form (i.e., the effect over the total of 30 years, realising in 6 phases), while for the operational phase on an annualised basis (i.e., average annual outcomes per year for the 24 years – using the V&A Waterfront as a proxy).

4.1 Construction phase

The outcomes are presented in terms of cumulative (over the whole period) major variables outcomes, summarised as key variable outcomes for output, GDP and employment based on annualised values. Further key sectoral outcomes in terms of GDP and employment are provided, followed by a summary section.

4.1.1 Cumulative outcomes

From **Table 2**, it can be seen that during the construction phase of the project and related activities, 7 951 direct employment opportunities will be created/supported, with another 18 851 indirect and 45 622 induced jobs in the local economy. These jobs will probably mainly be recruited from the local community (i.e., Stellenbosch LM).

Table 2: Construction phase cumulative macroeconomic impact: Stellenbosch LM

Metrics	Direct impact	Indirect impact	Induced impact	Total
Impact on GDP (Rand million)	R 1 168	R 3 585	R 10 383	R 15 136
Impact on household income ³ (Rand million)	R 437	R 1 672	R 4 546	R 6 655
Impact on employment ⁴ (# jobs supported)	7 951	18 851	45 622	72 424

Note: All Rand values reflected are expressed in 2020 Rand million, amounts rounded.

Source: FTI calculations based on the Stellenbosch LM I-O table (2020).

There is also a positive impact on the GDP to the value of R15.1 billion. Labour income, which becomes an essential source of income for households, also receives R6.7 billion over the 30 years.

4.1.2 Annualised impacts

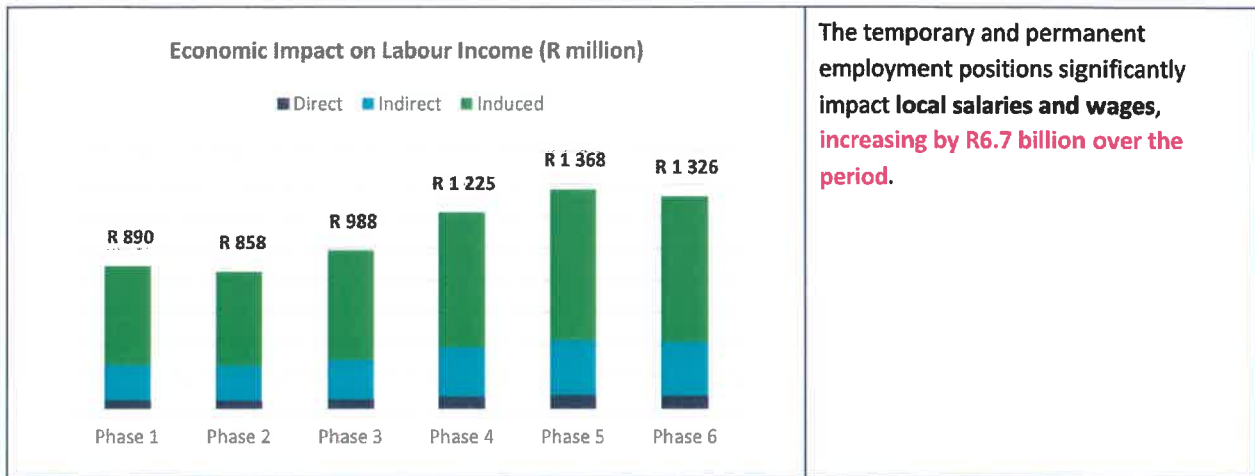
Table 3 provides a summary illustration of the annual economic impact on key metrics at the Stellenbosch LM level based on the economic impact cycle illustrated in **Figure 3**. Therefore, this captures the multiplier and, therefore, the economy-wide effect on output, GDP, employment, and labour income beyond what is spent during the project's construction phase.

³ One of the additional value-added (i.e., GDP) which will result from the proposed expansion is remuneration of employees, which, in turn, affects household income.

⁴ Labour is a key element of the production process. The study will determine the number of new employment opportunities created by investment in the ATC development. These employment opportunities will be broken down into those created directly by the project and those indirectly created and induced throughout the broader economy. Furthermore, a distinction could be made between skilled, semi-skilled and unskilled labourers.

Table 3: Construction phase annual economic impact on key metrics: Stellenbosch LM

<p>Economic Impact on Output (R million)</p> <p>Legend: Direct (Dark Blue), Indirect (Light Blue), Induced (Green)</p> <table border="1"> <thead> <tr> <th>Phase</th> <th>Total Output (R million)</th> </tr> </thead> <tbody> <tr> <td>Phase 1</td> <td>R 2 390</td> </tr> <tr> <td>Phase 2</td> <td>R 1 927</td> </tr> <tr> <td>Phase 3</td> <td>R 2 654</td> </tr> <tr> <td>Phase 4</td> <td>R 3 290</td> </tr> <tr> <td>Phase 5</td> <td>R 3 673</td> </tr> <tr> <td>Phase 6</td> <td>R 3 562</td> </tr> </tbody> </table>	Phase	Total Output (R million)	Phase 1	R 2 390	Phase 2	R 1 927	Phase 3	R 2 654	Phase 4	R 3 290	Phase 5	R 3 673	Phase 6	R 3 562	<p>Increased demand for construction materials has a positive spin-off on the economy, generating <u>new business sales</u>:</p> <ul style="list-style-type: none"> • Phase 1: R2.4 billion • Phase 2: R1.9 billion • Phase 3: R2.7 billion • Phase 4: R3.3 billion • Phase 5: R3.7 billion • Phase 6: R3.6 billion • TOTAL: R17.5 billion ("cumulative" impact over the period)
Phase	Total Output (R million)														
Phase 1	R 2 390														
Phase 2	R 1 927														
Phase 3	R 2 654														
Phase 4	R 3 290														
Phase 5	R 3 673														
Phase 6	R 3 562														
<p>Economic Impact on GDP (R million)</p> <p>Legend: Direct (Dark Blue), Indirect (Light Blue), Induced (Green)</p> <table border="1"> <thead> <tr> <th>Phase</th> <th>Total GDP (R million)</th> </tr> </thead> <tbody> <tr> <td>Phase 1</td> <td>R 2 193</td> </tr> <tr> <td>Phase 2</td> <td>R 1 927</td> </tr> <tr> <td>Phase 3</td> <td>R 2 219</td> </tr> <tr> <td>Phase 4</td> <td>R 2 750</td> </tr> <tr> <td>Phase 5</td> <td>R 3 071</td> </tr> <tr> <td>Phase 6</td> <td>R 2 978</td> </tr> </tbody> </table>	Phase	Total GDP (R million)	Phase 1	R 2 193	Phase 2	R 1 927	Phase 3	R 2 219	Phase 4	R 2 750	Phase 5	R 3 071	Phase 6	R 2 978	<p>This requires an increase in local production output, and generates <u>new production known as gross value added (GVA) or GDP</u>:</p> <ul style="list-style-type: none"> • Phase 1: R2.2 billion • Phase 2: R1.9 billion • Phase 3: R2.2 billion • Phase 4: R2.8 billion • Phase 5: R3.1 billion • Phase 6: R3.0 billion • TOTAL: R15.1 billion ("cumulative" impact over the period)
Phase	Total GDP (R million)														
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Phase 6	R 2 978														
<p>Impact on Employment (Number)</p> <p>Legend: Direct (Dark Blue), Indirect (Light Blue), Induced (Green)</p> <table border="1"> <thead> <tr> <th>Phase</th> <th>Total Employment (Number)</th> </tr> </thead> <tbody> <tr> <td>Phase 1</td> <td>9 682</td> </tr> <tr> <td>Phase 2</td> <td>9 339</td> </tr> <tr> <td>Phase 3</td> <td>10 754</td> </tr> <tr> <td>Phase 4</td> <td>13 331</td> </tr> <tr> <td>Phase 5</td> <td>14 884</td> </tr> <tr> <td>Phase 6</td> <td>14 434</td> </tr> </tbody> </table>	Phase	Total Employment (Number)	Phase 1	9 682	Phase 2	9 339	Phase 3	10 754	Phase 4	13 331	Phase 5	14 884	Phase 6	14 434	<p>More production translates into an increased need for Labour:</p> <ul style="list-style-type: none"> • 7 951 temporary (direct) work opportunities created through the ATC project construction process, and • 64 473 indirect and induced jobs created/supported during the 30-year construction phase
Phase	Total Employment (Number)														
Phase 1	9 682														
Phase 2	9 339														
Phase 3	10 754														
Phase 4	13 331														
Phase 5	14 884														
Phase 6	14 434														



The temporary and permanent employment positions significantly impact local salaries and wages, increasing by R6.7 billion over the period.

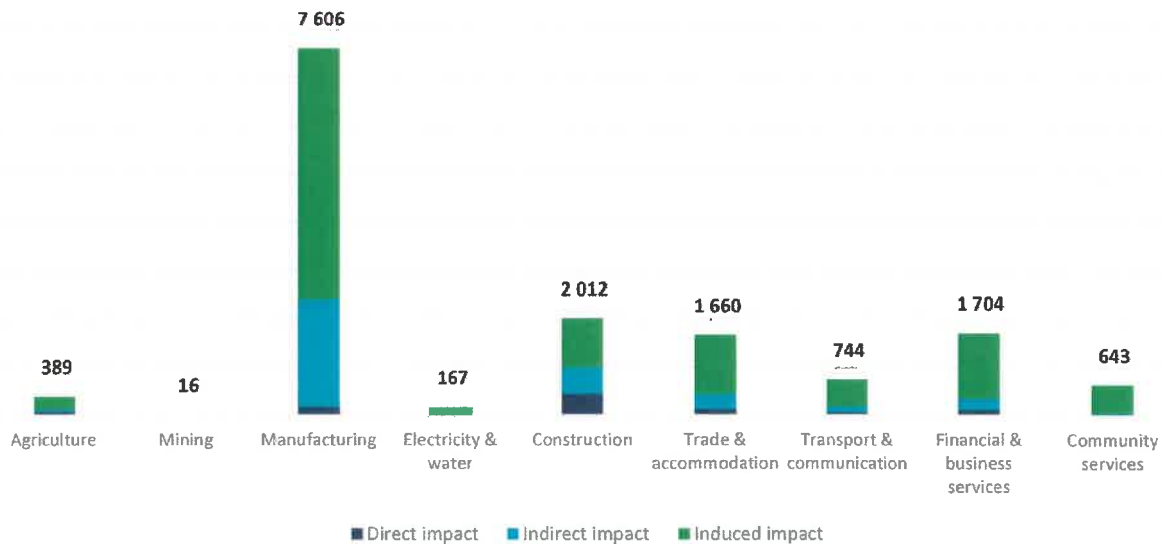
Note: All Rand values reflected are expressed in 2020 Rand million, amounts rounded.

Source: FTI calculations based on the Stellenbosch LM I-O table (2020).

4.1.3 Sector level impacts

Figure 5 shows that the cost of construction of the project will have the largest impact on local GDP in the Manufacturing, Construction, Financial and Business Services, Trade and Accommodation, and Transport and Communication sectors.

Figure 5: Construction phase sector-level impact on GDP: Stellenbosch LM



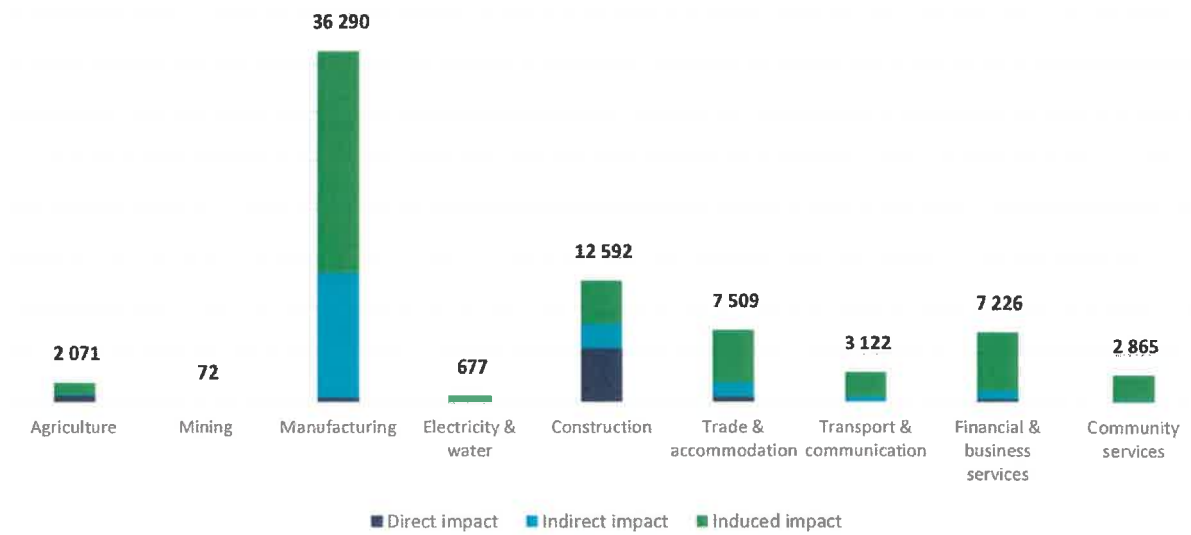
Note: All Rand values reflected are expressed in 2020 Rand million, amounts rounded.

Source: FTI calculations based on the Stellenbosch LM I-O table (2020).

The most significant direct effects are seen in the Construction and Manufacturing sectors, with the largest indirect and induced effects in Manufacturing and Financial and Business Services.

Figure 6 indicates that the largest direct employment opportunities are created/supported Construction, with the largest indirect effects observed in the Manufacturing sector propagated across the Construction and its supplying industries' value chains. In addition, large induced employment is supported in Manufacturing, as well as in Trade and Accommodation, and Financial and Business Services.

Figure 6: Construction phase sector-level impact on employment: Stellenbosch LM



Note: All Rand values reflected are expressed in 2020 Rand million, amounts rounded.

Source: FTI calculations based on the Stellenbosch LM I-O table (2020).

The sectors benefitting the most in terms of total jobs created/supported include Manufacturing, Construction, Financial and Business services, and Trade and Accommodation.

4.1.4 Summary of construction phase results

Based on the construction phase costs and capital expenditure taken from the Zutari report, we find that – on a local basis:

- **Output:** The analysis shows a significant increase in gross production in the economy of the Stellenbosch LM (R17.5 billion).
- **Value Added:** A similar increase (as with production) in GDP in the economy of Stellenbosch LM (R15.1 billion) is observed.
- **Employment:** Over the 30 years, 72 424 jobs will be created/supported in the Stellenbosch LM, resulting from the construction phase. This number should be viewed with caution since the jobs during each phase of the construction process may roll over to the following phases and cannot necessarily be viewed as “new jobs” being created during each phase.
- **Labour Income:** Workers across the Stellenbosch LM will see an increase in direct labour income of R6.7 billion (cumulative) during the construction phase.

Recommended mitigation: The construction phase will provide short-term employment and mitigation measures that can be set so that the local community benefits in the form of payments to households and an increase in expenditure in the region. Payments to households refer to the circular flow of income in an economy; thus, an increase in payments to households results in an increase in expenditure on goods and services for a specific region, promoting the economic growth of that region. However, keep in mind that the benefits from the construction phase are not necessarily permanent, and this may be for a limited period only.

4.2 Operational phase

The outcomes for the operational phase are presented in terms of cumulative (over the whole period) major variables outcomes, summarised key variable outcomes for output, GDP and employment based on annualised values. Further key sectoral outcomes in terms of GDP and employment are provided, followed by a summary section.

4.2.1 Cumulative outcomes

The cumulative local macroeconomic impact of the project shown in Rand million, 2020 prices or numbers during the operation phase is presented in **Table 4**.

Table 4: Operation phase cumulative macroeconomic impact: Stellenbosch LM

Metrics	Direct impact	Indirect impact	Induced impact	Total
Impact on GDP (Rand million)	R 639	R 1 558	R 5 406	R 7 603
Impact on household income (Rand million)	R 314	R 718	R 2 367	R 3 399
Impact on employment (# jobs supported)	2 404	8 049	23 751	34 205

Note: All Rand values reflected are expressed in 2020 Rand million, amounts rounded.

Source: FTI calculations based on the Stellenbosch LM I-O table (2020).

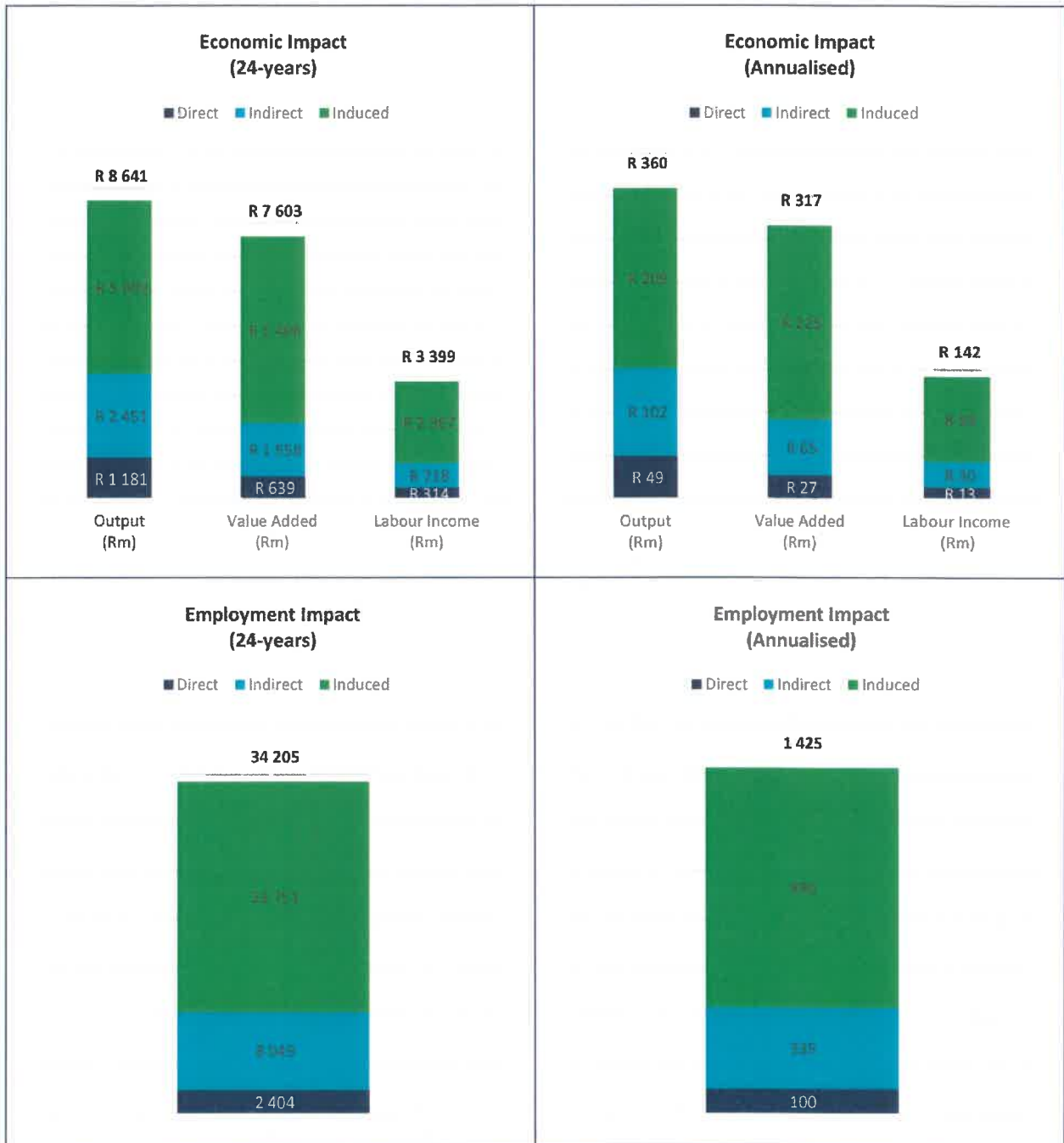
The results presented in **Table 4** show that 2 404 direct employment opportunities will be created during the project's operation, with another 8 049 indirect and 23 751 induced jobs in the national economy.

There is also a positive impact on the GDP to the value of R7.6 billion. This is, in part, because households also receive R3.4 billion in salaries and wages.

4.2.2 Comparative cumulative and annualised impacts

Table 5 shows the anticipated operational related GDP impact of R317 million (per annum at full operation), equivalent to 0.2% of national GDP in current 2020 terms. It also shows an additional 34 205 jobs created at full operation over 24 years (i.e., 1 425 annually).

Table 5: Operation phase cumulative and annualised economic impact on key metrics: Stellenbosch LM



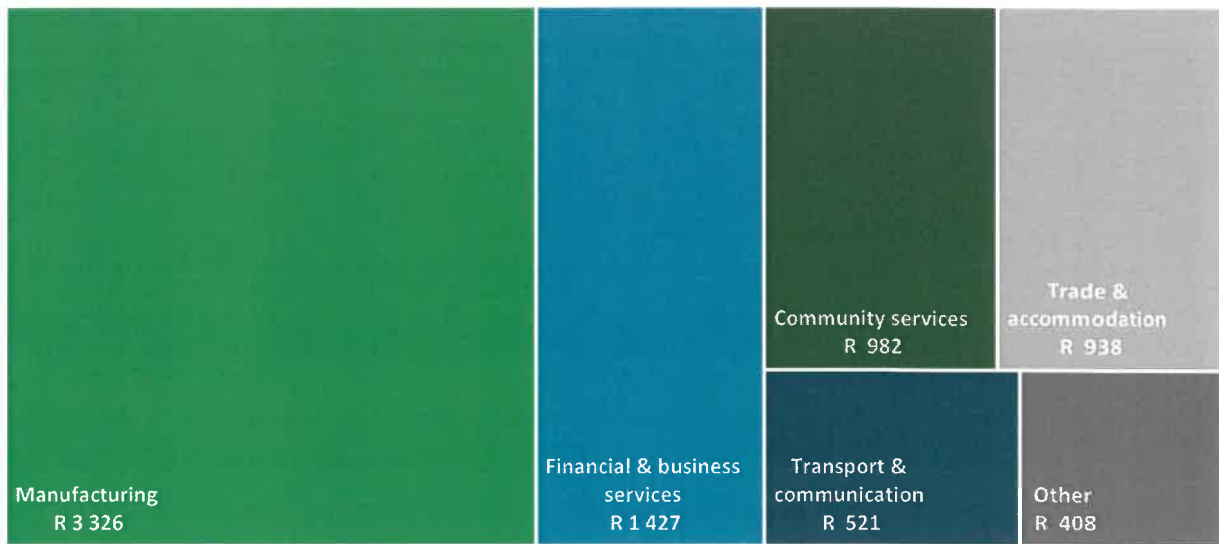
Note: All Rand values reflected are expressed in 2020 Rand million, amounts rounded.

Source: FTI calculations based on the Stellenbosch LM I-O table (2020).

4.2.3 Sector level impacts

Figure 7 shows that operational expenditure during the project's life cycle will have the largest impact on the Stellenbosch LM's GDP in the Manufacturing, Financial and Business Services, Community Services and Trade and Accommodation sectors.

Figure 7: Operation phase sector-level impact on GDP: Stellenbosch LM

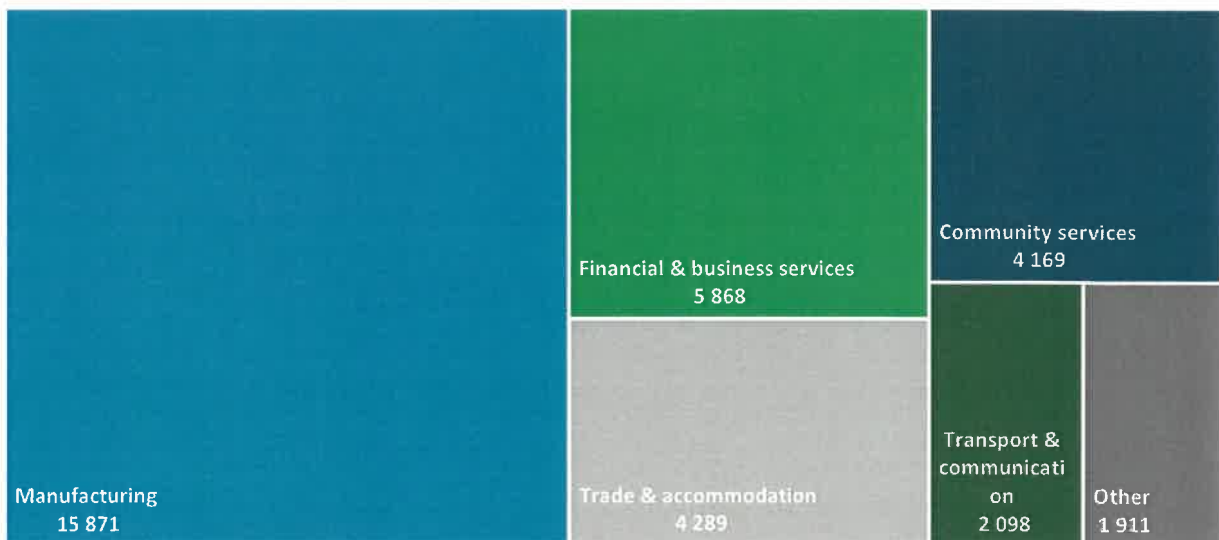


Note: All Rand values reflected are expressed in 2020 Rand million, amounts rounded.

Source: FTI calculations based on the Stellenbosch LM I-O table (2020).

Figure 8 indicates that 5% of the employment opportunities created/supported will be the same as above: Manufacturing, Financial and Business Services, Trade and Accommodation, and Community Services.

Figure 8: Operation phase sector-level impact on employment: Stellenbosch LM



Note: All Rand values reflected are expressed in 2020 Rand million, amounts rounded.

Source: FTI calculations based on the Stellenbosch LM I-O table (2020).

4.2.4 Summary of construction phase results

The analysis indicates that, based on the operation phase expenditure detailed earlier in the report, the proposed project will have a notable economic contribution to the Stellenbosch LM during the operational phase. Furthermore, given the evaluated project life cycle (24 years), the following critical outcomes of the analysis of the operational phase are important:

- **Value Added:** Operational-related GDP impact of R317 million per annum at full operation (7.6 billion of the 24 years), equivalent to 0.2% of national GDP, in current 2020 terms.
- **Employment:** Cumulative job creation of an additional 34 205 jobs created at full operation over 24 years (i.e., 1 425 annually).
- **Labour Income:** Workers will see an increase in labour income of R142 million annually over the 24 years.

Recommended mitigation: The project's operational phase will create an environment for improved welfare to the local community if mitigation is set to maintain the ATC infrastructure and expand ATC-related services. Measures should also be put in place to ensure that resources from the local community are utilised and trained as far as possible.

4.3 Combined outcomes

Due to the fundamental differences between the construction and operational phases for the ATC project, we have opted not to combine the outcomes.

5 Key observations and implications

5.1 Key observations

In summary, we find that:

- **Economic effects:** The multiplier effect of the operational phase will result in R15.1 billion in value-added generated locally over 30 years in the construction phase and R317 million per year during the operational phase.
- **Employment opportunities:** The project will involve a maximum of 14 884 jobs (as direct, indirect and induced) during phase 4 of the 30 years during the construction phase and 1 425 jobs per year during the operational phase.
- **Policy alignment:** The project makes a positive and long-term sustainable contribution towards jobs, incomes and livelihoods for inclusive growth in the Stellenbosch LM and is aligned with several goals and objectives of the local, provincial and national government.
- **Inter-relationship effects:** Development of new synergies with the local industrial and services/ knowledge sectors, the local and regional Governments and other local stakeholders to capitalise on the opportunities connected to the ATC Project.

5.2 Policy implications for consideration

Action items and policy implications of the macroeconomic impact analysis findings:

- **Employment creation:** The analysis illustrated that many temporary jobs would be supported during the project's construction phase. However, long-term, sustainable job creation will take place during the operations phase.
- **Skills training and talent development:** Actual skills development is a **deliberate operational action that needs to be designed into the project itself**. The project is mainly about developing the skills and experience of participants; thus, the project will have a significant effect on the development of skills training and talent development.
- **Transforming spatial landscape:** Transformation of the spatial landscape is only attainable in the long term. However, the ATC development may provide the ideal springboard for such a transformation.

- **Contribution towards the integration with the surrounding township economies:** The construction phase naturally involves capital formation, that is, building and construction works, and machinery and equipment, and would either directly or indirectly contribute towards the neighbouring township economy's revitalisation.
- **Support for local manufacturing and industrialisation:** This is also a conscious or deliberate decision/action that needs to be considered into the design of the project, but in a circumspect way, taking into consideration the context of what the local economy can / cannot provide:
 - For example, cement is not produced in the area, so one cannot force "local" cement production. The product can, however, be sourced from the Western Cape and the rest of South Africa. Can, however, procure from "local" hardware stores but will come at a premium.
 - This type of issue can cause projects to have over-inflated costs, and while the intent is to help the local economy, it can lead to the failure of the whole project.

6 Concluding remarks

There are clear economic and occupational returns linked to investments related to the ATC project. The proposed development is also well aligned with several goals and objectives of the local, provincial and national governments.

This study concentrates on the economic effects of the project using a macroeconomic impact analysis methodology. A macroeconomic impact analysis was performed for the construction and operational period of the project and the accompanying infrastructure. The analysis was aimed to estimate the impact on GDP, employment and household Income.

In terms of its impact on the local economy, it could create positive benefits in terms of employment and output, the retention of skills and increased government income provided that project management focuses on keeping the interests within the Stellenbosch LM.

E. Hierarchy and focus of the package of plans

Purpose

The purpose of this appendix is to set out a hierarchy plans – and the focus and content of plans that comprises the package – as a mechanism to plan and manage the development of the ATC. In essence, the package of plans entails a phased process of negotiation, planning and approvals, whereby increasing levels of planning detail are approved together with conditions for such approvals.

Proposed Provisions

The Municipality will follow a package of plans as a basis for approvals in respect of the ATC Overlay Local Area Overlay zone.

The package of plans consists of the components – listed in a hierarchy from higher-order to lower-order plans – below.

Core provisions are that:

- Lower-order plans must be in compliance with the higher-order plans.
- Without the consent of the Municipality, no development may commence on site unless the necessary hierarchy of plans have been submitted and approved by the Municipality.
- A specific plan – at any level in the hierarchy – shall only lapse if replaced by a new approved plan.
- The Municipality is the approving authority of any level of plan and may require amendments of plans under preparation to address reasonable concerns related to the overall vision, strategic goals, and planning of the ATC.

Contextual Framework

A Contextual Framework lays down broad land use policy for the development and the surrounding area. It may include principles or heads of

agreement summarising the general obligations of the Municipality and the developer in relation to the development. The Contextual Framework may be prepared by the Municipality, or by a land owner or development agency under supervision of the Municipality, and may not be in conflict with a Spatial Development Framework approved by the Municipality.

The Municipality may require that the area covered by the Contextual Framework extend beyond the land under consideration if, in its opinion, the proposed development will have a wider impact, and the Municipality may determine the extent of such area.

The Municipality may deem the description of the ATC contained in the approved MSDF as the Contextual Framework for the ATC.

Development framework

The Development Framework identifies a vision, broad strategic goals, principles, yields, and associated investment requirements and obligations for development within the defined development area.

In more detail, the Development Framework specifies inter alia:

- The relationship of the area with adjoining areas.
- The range of uses, and general spatial distribution of uses within the area.
- The movement network (including NMT) and interchanges within the ATC and its connections with adjoining areas.
- Any limits within the development, including but not limited to density, floor space, and building height.

- The main open space and environmental network of the ATC and its relationship with adjoining areas.
- The incorporation of heritage and cultural considerations in development of the ATC area.
- High-level infrastructure required to service the development.
- The phasing of development, and specifically the relationship between thresholds of development (in nature and floor area) and infrastructure investment requirement.
- The obligations of landowners (and their agents), the Municipality and other spheres of government in relation to the provision of infrastructure, housing, public facilities and public space, and environmental remediation.

The Development Framework may be prepared by the Municipality, or by a land owner or development agency under supervision of the Municipality, and may not be in conflict with a Spatial Development Framework approved by the City.

The Municipality may deem the description and associated development parameters of the ATC contained in the approved ATC LSDF as the area-wide Development Framework for the ATC.

The Development Framework will be described as a set of development rights and obligations in the ATC Overlay Zone contained in the Municipal Zoning Scheme By-Law 2018.

Precinct Plans

Precinct plans apply to specific areas within the Development Framework that have common land ownership, features, functional relationships or phasing requirements. There are several precincts in the ATC, defined in the Development Framework, each requiring a precinct plan.

A Precinct Plan defines a vision, development objectives, intentions and principles, as well as movement routes, the distribution of land use and yields, overall built form, manner of addressing environmental and heritage matters, and associated infrastructure investment requirements and obligations for development within the defined precinct.

In more detail, a Precinct Plan specifies inter alia:

- Bio-physical characteristics of the area.
- The relationship of the to the ATC and adjoining areas.
- The overall vision of development for the area, and an associated concept identifying main features of the development.
- The range of uses, and general spatial distribution of uses within the area (this includes housing of different types and public facilities).
- How biophysical constraints are to be addressed.
- The movement network (including NMT) and interchanges within the precinct and its connections with adjoining precincts/areas.
- An approach to accommodating vehicular parking.
- The open space network, and how it is integrated with the movement network.
- The incorporation of heritage and cultural considerations in development of the precinct.
- A clear indication of public, semi-public, and private areas/spaces.
- Limits to development within the precinct, including minimum and maximum floor space.
- The service infrastructure required to service the development and its relationship to the bulk infrastructure framework for the ATC.
- The phasing of development, and specifically the relationship between thresholds of

development (in nature and floor area) and infrastructure investment requirements.

- The obligations of landowners (and their agents), the Municipality and other spheres of government in relation to the provision of infrastructure, housing, public facilities and public space, and environmental remediation.
- A Precinct Plan may be prepared by a land owner or development agency under supervision of the Municipality, the Municipality (in the case of Van der Stel or a precinct such as George Blake which contains numerous small land holdings and owners) and may not be in conflict with the Development Framework for the ATC and the development rights and obligations in the ATC Overlay Zone contained in the Municipal Zoning Scheme By-Law 2018.

Bulk allocated to a Precinct Plan area remains "floating" across the precinct – within the overall parameters and design intent of the Development Framework and Precinct Plan – and shall be allocated to a specific development area through the mechanism of a Site Development Plan.

The Municipality may require specific environmental, heritage, or infrastructure and transport/traffic impact assessments and plans to be undertaken/prepared in support of a Precinct Plan.

Given the need to integrate the various Precinct Plans to be completed for the ATC, the Municipality will prepare detailed prescriptions related to the content and format of Precinct Plans.

The Municipality and land owners may consider developing a shared three dimensional model which can accommodate Precinct and Site Development Plans and enable the assessment of plans and the relationship between different plans.

Subdivision Plans

Subdivision Plans, if required, are processed in terms of the Municipal Zoning Scheme By-Law 2018 to establish new cadastral boundaries and to facilitate the transfer of land units. Subdivision Plans may be

approved at any stage after the Development Framework has been approved (?).

Site Development Plans

Site Development Plans depict more detailed design and development provisions for one or more land units or a complex of buildings and spaces within precinct. These provisions may include, but are not limited to, details relating to land use, floor space, building lines, height, parking requirements, municipal services and landscaping, as well as details relating to the position and appearance of buildings, open space, pedestrian links and traffic movement. A site development plan may be required before or after a subdivision plan.

In more detail, a Site Development Plan specifies inter alia:

- Existing bio-physical characteristics of the property.
- Existing and proposed cadastral boundaries.
- The proposed layout of the property, indicating the use of different portions thereof and possible incorporation of heritage structures/ places.
- The massing, position, use and extent of buildings, including:
 - Sketch plans and elevations of proposed structures.
 - The three-dimensional relationship of the proposed development to adjacent sites, especially with respect to access, overshadowing, amenity, and scale.
 - Information about external finishes.
 - Cross-sections of the site and buildings on site.
- The proposed development in relation to existing and finished ground levels, including excavation, cut and fill.

- Statistical information about the extent of the proposed development, floor space allocations and parking supply.
 - The alignment and general specification of vehicle access, roads, parking areas, loading areas, pedestrian flow and footpaths.
 - The position and extent of private, public and communal space.
 - Typical details of fencing or walls around the perimeter of the land unit and within the property.
 - Electricity supply and external lighting proposals.
 - Provisions for the supply of water, management of stormwater, and disposal of sewage and refuse.
 - External signage details.
 - General landscaping proposals, including vegetation to be preserved, removed or to be planted, external paving, and measures for stabilising outdoor areas where applicable.
 - The phasing of a development.
- A Site Development Plan may be prepared by a land owner or development agency under supervision of the Municipality, the Municipality (in the case of its own facilities/initiatives) and may not be in conflict with the applicable Precinct Plan or Development Framework for the ATC and the development rights and obligations in the ATC Overlay Zone contained in the Municipal Zoning Scheme By-Law 2018.
- The Municipality may require specific environmental, heritage, or infrastructure and transport/traffic impact assessments and plans to be undertaken/prepared in support of a Site Development Plan. An approved site development plan shall be considered as setting additional development rules applicable to the zoning contained in the ATC Overlay Zone, and any application for amendment shall comply with the Municipality's requirements for such amendments.
- Developed of any property shall be generally in accordance with an approved Site Development Plan.
- Given the need to integrate the various Site Development Plans to be completed for each precinct, the Municipality will prepare detailed prescriptions related to the content and format of Site Development Plans.

Building Plans

- Building Plans contain detailed specifications as required by the National Building Act, and once approved by the Municipality, authorise building work to be performed.
- No application for building plan approval in terms of the National Building Act shall be granted by the Municipality unless a Site Development Plan has first been approved.

F. Draft description of the Adam Tas Corridor Overlay Zone

To be incorporated in Chapter 27 of the SM Zoning Scheme By-Law 2018: Local Overlay Zones

Sections 263-265 and Section 266 (1)-(4) remain and is reflected as it is

263. Zone name and designation on map

- 1) The Local Area Overlay zone shall be depicted on a map and shall be referred to by the code (LAO) followed by a number designating the particular zone. The area to which the Local Area Overlay zone applies shall be indicated on the zoning map by a green unique coloured dotted outline with a transparent fill in the same colour (Colour code 35,142,35).(0)

264. Purpose of the zone and incorporation of land

- 1) The purpose of the local area overlay zones is to provide more detailed development parameters for a specified local area.
- 2) The Municipality may demarcate new Local Area Overlay areas or amend existing areas by amending the Scheme in terms of Planning Law, but land cannot be rezoned by an owner for incorporation into or exclusion from this overlay zone.(0)

265. Areas designated as local area overlay zones

- (1) The Municipality has designated the areas listed in Table D as Local Area Overlay zones.

266. Areas declared as local overlay zone areas and specific provisions

Sub-sections 1-4 deals with the Techno Park Local Area Overlay Area

- 5) The Adam Tas Corridor Local Overlay Area is indicated on Map LAO2 and the parameters in this subsection will apply as indicated.
- 6) The purpose of the Adam Tas Corridor Overlay zone is to enable development of the area in a manner which provides for:
 - a) A vibrant, compact and efficient urban district as part of Stellenbosch town, respectful of the environment and history.
 - b) Increased access to livelihood opportunity for ordinary citizens and different income groups.
 - c) Seamless spatial and socio-economic integration with surrounding areas.
 - d) Financial sustainability.
 - e) Pro-active partnership, shared responsibility, and a clear differentiation of roles between landowners, government and other stakeholders.
 - f) A clear development process with speedy decision-making.

- 7) Unless otherwise indicated, the development parameters set out in this Chapter replace all the development rules set out in the various use zones applicable to the area and shall apply to all the properties or portion of properties falling within the boundaries of the Adam Tas Corridor Local Area Overlay zone as depicted on Map LAO2.

- 8) The Municipality's overall intent for the Adam Tas Corridor Overlay Area is stated in the Adam Tas Corridor Local Spatial Development Framework, prepared in terms of the legislative framework, settlement development and management objectives, principles, and policy set out in the Spatial Planning And Land Use Management Act 16 of 2013, Western Cape Land Use Planning Act 3 of 2014, approved Stellenbosch Municipal Spatial Development Framework, and related legislation and policy.

- 9) Core components of the Adam Tas Corridor Local Spatial Development Framework which informs the development parameters in this Chapter, its extent and distribution across the area, take-up, phasing, and form, are the:
 - a) Development Principles.
 - b) Policy framework.
 - c) Area-wide Development Framework, including the identification of precincts,

TABLE D: LOCAL AREA OVERLAY ZONES

Number and Map Reference	Description of Area	Colour on map
LAO1	Techno Park Local Area Overlay zone	
LAO2	Adam Tas Corridor Local Area Overlay zone	TBC

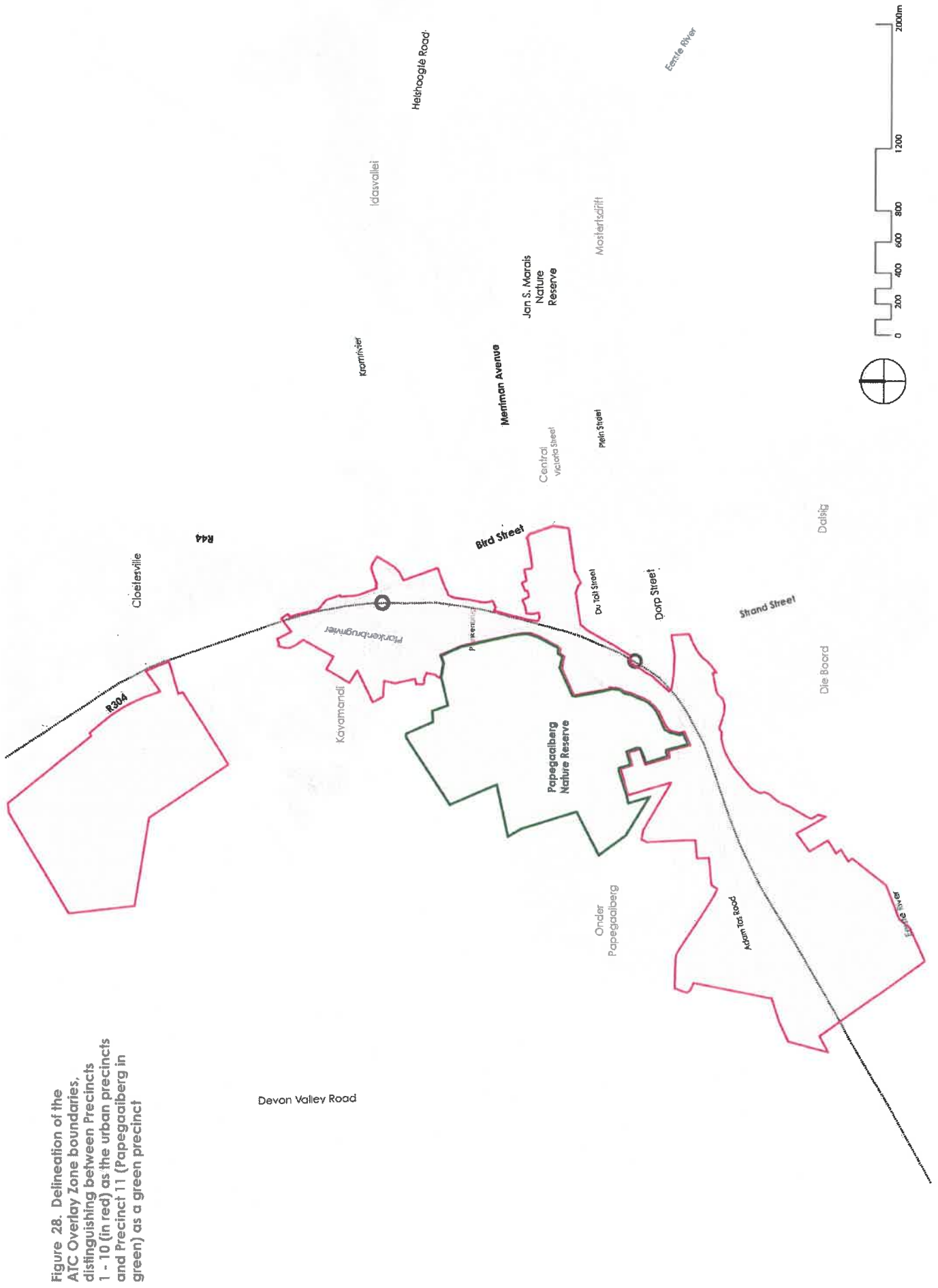


Figure 28. Delineation of the ATC Overlay Zone boundaries, distinguishing between Precincts 1 - 10 (in red) as the urban precincts and Precinct 11 (Papegaaiberg in green) as a green precinct

- mix of uses (including the compulsory provision of affordable housing), and development yields permitted.
- d) Area-wide Services Framework, including the progressive extent of development permitted with respect to bulk infrastructure provision/investment triggered by such development.
 - e) Area-wide Development Guidelines.
 - f) The hierarchical process of plan preparation and approval – the “package of plans” – required for precincts and parts of precincts following below the Development Framework and the focus and format of each.

10) The following land uses are permitted in the Adam Tas Corridor Local Area Overlay zone:

Primary Uses		Additional Uses	Consent Uses
Ancillary uses	Occasional use	Non-conforming land use (?)	Adult entertainment business
Apartment/flat	Office		Builder's yard
Authority use	Outdoor sport		Crematorium
Backpacker establishment	Parking bay/parking garage		Filling station/service station
Business premises	Place of assembly		Freestanding base telecommunication station
Church/place of worship	Place of education		Funeral parlour
Clinic	Place of entertainment		Gambling place
Clubhouse	Plant nursery		Helicopter landing pad
Commercial gymnasium	Postal service		Hospital
Commercial services	Private outdoor space		Motor vehicle fitment centre
Community residential building	Private road		Motor vehicle repair centre
Commune	Proclaimed road		Motor showroom
Conference facility	Professional service		Old age home
Day care centre	Public institution		Renewable energy installation
Employee housing	Public and private open space		Roof top base telecommunication station
Escort agency	Public parking area		Shopping centre
Extramural facility	Public place		Transport purposes (goods)
Function venue/place of entertainment/tourist facilities	Public road		Warehouse
Heritage resource	Railway use		
Hostel	Restaurant		
Hotel	Service trade		
Indoor sport	Shop		
Industry	Tertiary educational institution		
Liquor store	Training centre		
Loading bay	Transport purposes (passengers)		
Market	Utility installation		
Medical consulting rooms	Wellness centre		
Museum	Welfare institution		
Natural environment/nature area			

11) The indicative land area allocated to different uses in the Adam Tas Corridor Overlay Area and precincts shall be as set out in the table below.

Area	Residential	Mixed use residential	Mixed use commercial/retail	Light industry	Sporting facilities	Public facilities
Overall Area	259 730	487 111	379 398	220 661	57 026	198 025
Precinct #1 Droë Dyke	173 125	194 766	-	-	21 641	43 281
Precinct #2 Sawmill	-	49 063	56 072	28 036	-	7 009
Precinct #3 Oude Libertas	-	17 804	17 804	-	-	23 738
Precinct #4 Adam Tas	-	56 986	56 986	14 247	-	14 247
Precinct #5 Remgro	-	12 360	24 719	12 360	-	12 360
Precinct #6 Bosman's Crossing	-	16 586	14 513	8 293	-	2 073
Precinct #7 Bergkelder	-	-	50 971	16 990	-	16 990
Precinct #8 Van der Stel	-	24 073	30 951	-	6 878	6 878
Precinct #9 Plankenbrug	-	-	98 514	140 735	14 073	28 147
Precinct #10 Northern Extension	86 605	115 473	28 868	-	14 434	43 302
Precinct #11 Papegaaiberg	-	-	-	-	-	-

- 12) The overall extent of floor area permitted in the Adam Tas Corridor Local Area Overlay area and its distribution between precincts and uses shall be as set out in the table below.

Area	Residential		Mixed use residential		Mixed use commercial/retail		Light industry		Sporting facilities		Public facilities		TOTAL	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Overall Area	372 971	528 793	884 948	1 250 285	908 685	1 227 516	500 076	669 315	104 551	143 809	375 427	526 881	3 146 659	4 346 599
Precinct #1 Droë Dyke	234 758	328 902	264 103	370 014	-	-	-	-	29 345	41 113	58 690	82 225	586 895	822 254
Precinct #2 Sawmill	-	-	107 624	172 830	122 998	197 520	61 499	98 760	-	-	15 375	24 690	307 496	493 799
Precinct #3 Oude Libertas	-	-	24 947	42 371	42 371	42 371	-	-	-	-	33 263	56 495	100 581	141 238
Precinct #4 Adam Tas	-	-	158 305	204 295	158 305	204 295	39 576	51 074	-	-	39 576	51 074	395 762	510 737
Precinct #5 Remgro	-	-	24 857	33 185	49 714	66 370	24 857	33 185	-	-	24 857	33 185	124 285	165 925
Precinct #6 Bosman's Crossing	-	-	45 114	56 392	39 474	49 343	22 557	28 196	-	-	5 639	7 049	112 784	140 980
Precinct #7 Bergkelder	-	-	-	-	138 641	190 085	46 214	63 362	-	-	46 214	63 362	231 068	316 809
Precinct #8 Van der Stel	-	-	75 716	104 677	97 349	134 584	-	-	21 633	29 908	21 633	29 908	216 331	299 076
Precinct #9 Plankenbrug	-	-	-	-	213 761	276 317	305 373	394 739	30 537	39 474	61 075	78 948	610 747	789 478
Precinct #10 Northern Extension	138 213	199 891	184 283	266 522	46 071	66 630	-	-	23 035	33 315	69 106	99 946	460 709	666 304
Precinct #11 Papegaaiberg	-	-	-	-	-	-	-	-	-	-	-	-	-	-

- 13) At the discretion of the Municipality, and subject to meeting the overall intent for the Adam Tas Corridor Overlay Area, floor area associated with the preservation of historic buildings, historic structures, and affordable housing, may be excluded from overall floor area permitted.
- 14) With cognisance to the general purpose of a specific building or structure, it's specific location and built environment context – including the general townscape, historic features, view lines, and the amenity of adjoining development – no building or structure in the Adam Tas Corridor Overlay Area shall exceed a height of ... storeys.
- 15) The Municipality will follow a package of plans approach as the basis for approvals in respect of the Adam Tas Corridor Overlay Zone.
- 16) The package of plans consists of the following components, listed in a hierarchy from higher-order to lower-order plans:
- Contextual Framework.
 - Development Framework.
 - Precinct Plan.
 - Subdivision Plans.
 - Site Development Plans.
 - Building Plans.
- 17) The Municipality will issue detailed specifications related to the focus, subject matter, and format of components of the package of plans for the Adam Tas Corridor Overlay Area from time to time.
- 18) General provisions of the package of plans are that:
- Lower-order plans must be in compliance with higher-order plans.
 - The Municipality may deem the description of the Adam Tas Corridor Overlay Area contained in the approved Municipal Spatial Development Framework as the Contextual Framework for the area.
- The Municipality may deem the description and associated development parameters of the Adam Tas Corridor Overlay Area contained in the approved Adam Tas Corridor Local Spatial Development Framework as the area-wide Development Framework for the area.
- Bulk allocated to a Precinct Plan area remains "floating" across the precinct – within the overall intent for the Adam Tas Corridor Overlay Area as stated in the Adam Tas Corridor Local Spatial Development Framework and area-wide Development Framework – and shall be allocated to a specific development area through the mechanism of a Site Development Plan.
 - Unless otherwise stated in this Chapter, no development may commence on site unless the necessary hierarchy of plans have been submitted and approved by the Municipality.
 - A specific plan – at any level in the hierarchy – shall only lapse if replaced by a new approved plan.
 - The Municipality is the approving authority of any level of plan and may require amendments of plans under preparation to address reasonable concerns related to the overall vision, strategic goals, and planning of the area.
- 19) Upon approval of a Precinct Plan for each of the precincts constituting the Adam Tas Corridor Overlay Area, and with cognisance to the development guidelines contained in the Adam Tas Corridor Local Spatial Development Framework and the area-wide Development Framework for the area, the Municipality shall impose conditions of approval which will
- specify additional development parameters for the precinct, including but not limited to:
- Site coverage, height, and massing of buildings.
 - The relationship between buildings, streets, and spaces.
 - The management of environmental resources.
 - The general response to, incorporation, and management of aspects of heritage and culture.
 - Parking, and access.
 - Engineering services provision.
- 20) In addressing parking, landowners should consider:
- The intent expressed in the Adam Tas Corridor Local Spatial Development Framework and area-wide Development Framework to pursue an environment prioritising public and non-motorised transport.
 - The reality of having to accommodate parking – serving Stellenbosch town and the Adam Tas Corridor Overlay Area – while expecting to progress towards lower private vehicle dependence and use over time; this, in turn, requiring innovative transitory arrangements, including the provision of parking in a form enabling ready conversion in future to other uses.
 - Centralised parking facilities, delinking the provision of parking from the specific entity served.
- 21) With cognisance to the intent expressed in the Adam Tas Corridor Local Spatial Development Framework, its core components, and the development parameters contained in this Chapter, it is anticipated that the Municipality, landowners, and other stakeholders will enter into formal agreements from time to time to

- further inform the manner in which the overall development intent for the Adam Tas Corridor Overlay Area is to be achieved and to affirm the varied commitments and responsibilities of landowners and stakeholders. These agreements may include inter alia:
- a) Shared responsibility related to the provision of infrastructure services and the phasing of infrastructure, including the extent and use of development contributions.
 - b) Incentives offered to land owners (including the cost of public land to be made available for development and conditions associated with its development).
 - c) Shared responsibility related to the formation and operation of institutional arrangements established in support of the Adam Tas Corridor Overlay Area.
 - d) Land owner and shared responsibility related to the provision of affordable housing.
 - e) Shared responsibility related to undertaking environmental remediation work.
 - f) Shared responsibility related to the provision and operation of public facilities.
- 22) To enable the coordination demanded to achieve the stated overall intent for the Adam Tas Corridor Overlay Area between landowners, the Municipality, and other stakeholders, the Municipality and landowners will establish and maintain dedicated institutional arrangements to support the Municipality in exercising its responsibility in managing the uptake and implementation of development parameters envisaged in the Adam Tas Corridor Local Spatial Development Framework and contained in this Chapter.
- 23) Public participation related to the Adam Tas Corridor Overlay Area as contemplated in the Stellenbosch Municipality Land Use Planning By-law, 2015 shall occur:
- a) Prior to the adoption of the Adam Tas Corridor Local Spatial Development Framework and establishment of the Adam Tas Corridor Local Area Overlay zone.
 - b) At the review of the Adam Tas Corridor Local Spatial Development Framework (and resultant – if demanded through the review – amendment of the Overlay zone).
 - c) When a departure from the provisions of the Adam Tas Corridor Local Area Overlay zone is applied for.
- 24) As part of the dedicated institutional arrangements contemplated in Section (19) above, detailed arrangements will be agreed to related to addressing possible disputes between landowners, their agents, and proponents of individual development projects in the Adam Tas Corridor Overlay Area.
- 25) The Municipality may consider lead projects to commence development of the Adam Tas Corridor Overlay Area – prior to completion and adoption of Precinct Plans – 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.
- 26) Lead projects – taken together – should encompass a balanced package of interventions, and reflect the future of the area as a vibrant, mixed use living and working environment serving a range of interests and income groups.
- 27) No application for building plan approval in terms of the National Building Act for a lead project shall be granted by the Municipality unless a Site Development Plan has first been approved.
- 28) As it is expected that development of the Adam Tas Corridor Overlay Area will take place over a lengthy period of time, the Municipality may consider interim uses for parts of the area, ensuring fruitful use of existing land and building resources, meeting community needs, and assisting in project learning.
- 29) In considering interim uses other than that permitted in terms of the base zoning of the Adam Tas Corridor Overlay Area, the Municipality may require submission of a Site Development Plan for approval.
- 30) To address issues of nuisance and safety the following restrictions apply to the Adam Tas Corridor Overlay Area:
- a) No building shall be used for the manufacture, storage, distribution, or sale of any product or item which increases the fire hazard to any other improvement or property in the environment.
 - b) No business shall be permitted which constitutes a nuisance by the emission of smoke, gases and effluvia, which could reasonably be expected to be injurious to products or persons in the Adam Tas Corridor Overlay Area.
 - c) The storage of material or the use of equipment or research processes, which may cause vibrations beyond the boundaries of the land unit upon which such equipment or processes occur, shall not be permitted.
 - d) The storage of explosives shall not be permitted in the Adam Tas Corridor Overlay Area.

G. Development Guidelines

Given the extent of the ATC area and anticipated lengthy development period, the ATC LSDF is not as detailed in its recommendations as most LSDFs prepared by municipalities. Rather than providing detailed land use proposals, the ATC sets out the minimum necessary guidance – in terms of development principles, land use, urban structure, and infrastructure to enable meeting the project objectives while accommodating change in market conditions over the development period of the project.

Considerable attention is given to the applicable Municipal Land use Management System (LUMS) and landowner obligations associated with exercising development rights to be allocated following the LSDF process. In addition, the development guidelines report has been developed to support the coherent and coordinated implementation of the ATC Framework which is expected to occur in a phased manner.

The guidelines, available as a standalone document, have been framed to provide direction for landowners and decision-makers, both at the broader scale as well as at a precinct level. The report sets out the guidelines according to landscape, public realm, built environment, engineering and infrastructure components in a user-friendly manual format based on overarching framework objectives and precinct specific development intentions.

The guideline report is structured in two sections, with the first providing guidance at a **Precinct wide** scale. The guidelines in this section are applicable to the entire development. The second section of the report provides **Precinct Specific** guidance to protect the varying unique features within the ATC as well as to support varying development responses that relate to the precincts location. At all times, the guidelines are principle based and relate to realising the ATC strategic outcomes. The location and boundaries of the 11 identified Precincts within the ATC are indicated overleaf.

H. Proposed High-level ATC Institutional Arrangements

1. PRINCIPLES GUIDING THE INSTITUTIONAL DESIGN PROCESS

- The ATC institutional “eco-system” must provide for an independent body that can mediate the way in which newly acquired landowner rights are to be exercised.
- The mediating structure should (conceptually) be located between the landowners and the municipality and should act as custodian of the public interest in the project (as defined by the package of landowner obligations) and enabler of the realisation of public benefits.
- The mediating structure should not usurp or interfere with the statutory public participation duties of the municipality, (including but not limited to advertising, information sessions, public meetings, comment and objection processes).
- The landowners must establish a collective structure through which they must conclude the inter-landowner agreements required to meet the obligations and conditions attached to the exercise of their rights.
- The landowner collective organisation must establish and maintain a (constructive) working relationship with the independent mediating body.

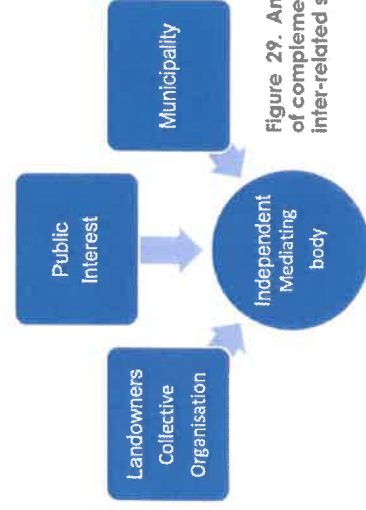


Figure 29. An eco-system of complementary and inter-related structures

2. KEY CONSIDERATIONS IN THE INSTITUTION DESIGN PROCESS

- Purpose and functions of the structure(s) in the eco-system.
- Powers and duties of the respective structures.
- Reporting and accountability lines of the structure.
- Composition of the structure.
- Governance and management of the structure.
- Anticipated life of the structure.
- Most appropriate legal form for the structure.

3. ATC DEVELOPMENT TRUST: PURPOSE AND FUNCTIONS

- 3.1. Purpose
- To mediate the relationship between the ATC landowners and the Municipality (as Planning Authority) as it pertains to the exercising of rights and meeting of obligations obtained and agreed to in terms of the ATC LSDF.
 - To safeguard the delivery of public benefits as defined in the obligations and conditions attached to landowner rights.
- 3.2. Functions
- To act as custodian of public benefit to be derived from the ATC Development process.
 - To initiate, drive and coordinate processes aimed at safeguarding the delivery of public benefits as defined in the obligations to be met by the ATC landowners collectively.
 - To mediate the interaction between the municipality and ATC landowners as it pertains

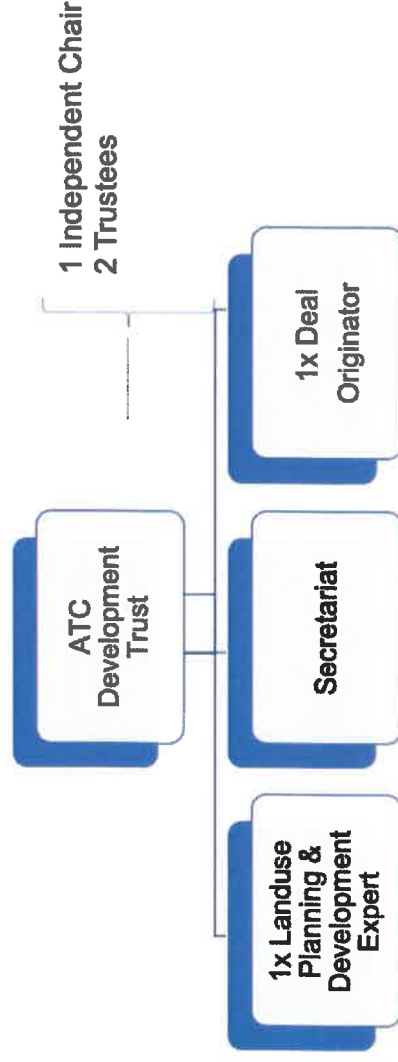
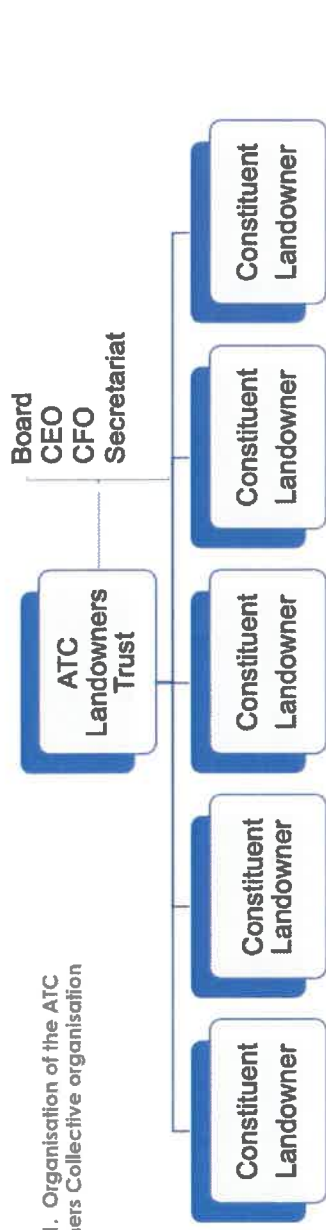


Figure 30. Organisation and staffing structure of the ATC Development Trust

Figure 31. Organisation of the ATC Landowners Collective organisation



4. ATC LANDOWNERS COLLECTIVE ORGANISATION

4.1. Purpose

To ensure that landowners provide timely input on and continue to meet the obligations and conditions attached to the take-up and exercise of land use rights acquired in terms of the ATC LSDF and overlay zoning framework, and to provide a collective response in this regard.

4.2. Functions

- To govern and manage the collective affairs, -powers, -duties and obligations of the ATC landowners.
- To provide a unified response to the meeting of landowner obligations attached to the take-up and exercise of land use rights.
- To coordinate the planning and implementation of the ATC development process.
- To liaise with and (where required) report to the ATC Development Trust on matters pertaining to the delivery of public benefits.
- To provide a consolidated interface with the Municipality and all relevant public authorities involved in the ATC development process.
- To manage and account for the generation and application of the development contributions related to the ATC development process.
- To sustain and enhance the development model in the interest of (both) the public good and private interest.

actions required to ensure adherence to landowner obligations;

3.5. Financing

- The ATC Development must be established by the Landowners Collective, after consultation with the Municipality.
- The operating costs of the Development Trust should (therefore) be provided by the Landowners Collective.
- The Trustees must prepare a three-year operating budget for approval by the Landowners Collective and update the three-year budget on an annual basis.

3.6. Proposed Legal Form

- A Trust or NPC (without shareholders/beneficiaries) incorporated in terms of the provisions of the SA Companies Act read with the relevant provisions of the Income Tax Act.
- The Trust should be an independent legal entity (i.e., independent from its founders and funders).
- The Trust should be able to raise, receive, manage and disburse funds.
- The Trust Deed/ NPC MOI must detail the term of office of Trustees/ Directors and the basis for succession.
- The triggers for the winding-up of the Trust/ NPC should be detailed in the Trust Deed/ Company MOI.

to the exercise of rights and meeting of obligations.

- To monitor, evaluate and report on the adherence to the obligations and conditions attached to the development rights (STIAS can possibly assist in the monitoring role).
- To advise the municipality on a regular basis of results achieved and actions required to ensure adherence to landowner obligations and conditions attached to the development rights.

3.3. Composition

- An Independent Chair and a minimum of two Trustees (appointed by the Landowners Collective after consultation with the Municipality).
- A Land-use planning and development expert (appointed by the Trustees).
- A Deal Originator (appointed by the Trustees).
- A Secretariat/ Project Administration Office (appointed by the Trustees).

3.4. Tasks

- See to the agreement of landowner obligations to be met in return for development rights offered in terms of the ATC LSDF;
- Establish a monitoring, evaluation and reporting system, (including but not limited to a set of criteria), to ensure adherence to the obligations and conditions attached to the development rights;
- Establish a mediation process and mechanisms aimed at mediating interaction between the Municipality and the landowner's collective (in respect of the exercise of rights and the meeting of obligations);
- Initiate processes aimed at unlocking public benefit developments in line with agreed to landowner obligations;
- Establish a system of progress reporting and recommendations to the Municipality on

F. Public Benefit Framework

"Inclusivity and equity are critical issues for South Africa. The deep history and consequent legacy of South African cities and towns is one of racialised segregation, poverty, and exclusion from social and economic opportunities. This has established a template for a divided urbanism that is difficult to break down due to its economic underpinnings. Stellenbosch town, where deep-rooted and pernicious inequalities remain etched into the landscape, is currently no different in this regard."¹

Introduction

Enabling public benefit is at the heart of the ATC project. As early as 2013, Hannes van Zyl, the central promoter in establishing and maintaining the project, wrote about the potential of the ATC:

"A multi-use district with adequate public transport and development conditions that ensure smart, green construction and urban design would stimulate economic activity and integration of Kayamandi and Cloetesville. It could also help to normalise the housing cycle, relieve congestion on the roads, fund maintenance of infrastructure and provide essential services of an adequate and sustainable level to all residents."²

This position on the ATC was informed by observing the interdependency between various trends in Stellenbosch, including inter alia:

- The considerable human energy available to address challenges – whether it resides in poor citizens rebuilding shelters in the aftermath of a fire or the town's achievement in higher learning, innovation or as home to international corporations.
- The cost to the environment, services, and the economy – and lost opportunity – of opportunistic sprawl of living areas.

- The apparent contradictions in the settlement outcomes and approaches pursued in different public sector service/ functional area plans (the focus on road building as opposed to enabling public transport in transport plans is often cited as an example).

- Some new development supported by the municipality not addressing critical problems in the town, such as the housing cycle or traffic.

The ATC, it was felt, could explore a new way of accommodating growth in Stellenbosch, where private and public land is planned jointly, following shared objectives including expanding the "commons", and developed to address many issues simultaneously, to the benefit of different sectors of society and generations to come.

Following on this position, during the structured conceptualization phase of the project among founding project partners – and specifically during the identification of wanted project outcomes, core principles, and issues – "public benefit" to be accrued from the project was identified as a key focus or "theme" for exploration.

"A clear understanding of how communities and individuals can engage with, and benefit from, the desired development" was identified as an outcome. Related core principles were stated as:

- A commitment to broadly harness available human energy in Stellenbosch, expand opportunity, and sharing of benefits.
- A commitment to provide a full spectrum of structured choice and standards for participation in the project.
- A commitment to overcome social and economic inequality.
- A commitment to secure sustainable forms of tenure.

The following issues – or prompts for further work – were identified:

- How will entrepreneurs (large/ established and small/ emergent) participate in development/ redevelopment?
- How will groups and individuals gain access to the project, delivery processes, and space/ opportunity delivered.
- What tenure arrangements will apply?
- How will communities/ individuals be assisted to benefit from the project?

The work was to culminate in a "Beneficiation Framework for the ATC", to be agreed by all project partners, and acting as a central directive for different sectoral work streams (including spatial planning, infrastructure investigations, and so on).

Resource constraints prevented dedicated focus on producing the framework. Nevertheless, the central tenet of pursuing the ATC as a means to secure broad public benefit in Stellenbosch remained a focus of work. For example, the need to produce a "beneficiation framework" has been included as a specific deliverable of the ATC LSDF.

"Beneficiation" is perhaps not entirely appropriate to describe the focus of the work intended and can result in confusion. Generally, beneficiation is a term that has become associated with the mining industry, related to adding value to a mined raw material, or the transformation of mined ore into a higher value product that can be consumed locally or exported. In other words, it describes metallurgical and economic processes aimed at upgrading and trading the mined raw material or "run-of-mine" ore.

To avoid confusion in terminology, it is proposed that the focus of the work be defined as a "**Public Benefit Framework**" for the ATC.

1. Hannes van Zyl, "Shared space in Stellenbosch" (2018), unpublished paper.
 2. Hannes van Zyl, "Enlarging the commons in Stellenbosch (2013)", unpublished paper.

Limitations

Spatial planning, the instruments associated with spatial planning, or the current phase of work on the ATC, is not the only way to address or enable public benefit from developing the ATC. For example, a host of arrangements related to physically constructing development, the rentals charged for commercial space, service charges, and so on – beyond spatial planning or the current project focus – can expand or limit broad public benefit accrued from the development.

The LSDF sets out general public benefit principles and objectives which could be carried through all phases of developing and managing the ATC. The work is also to be supported by a high-level economic impact study, projecting the project's impact on GDP, the building industry, job creation, and so on. **The public benefit framework presented here focuses on the contribution of spatial planning and its instruments to public benefit.**

Legal foundation for enabling public benefit through spatial planning and development

The South African planning and land use law is broad in its objectives and mandate, including its use to meet agreed societal objectives.

A recent study published by the Development Action Group (DAG) observes that the South African planning and land use regulatory regime is recognised as “empowering municipalities to significantly restrict the use of property in a non-arbitrary manner, even where the value of the property is diminished, while still protecting property owners’ rights to use and enjoy their property in a reasonable manner.”³ **Albeit the study focuses on inclusionary housing, the focus of broad objectives sought through planning and land use instruments include matters beyond housing such**

as the environment, infrastructure provision, public facilities, and so on.

The Bill of Rights states *inter alia* that the state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis. In its preamble and principles, SPLUMA specifically acknowledges the spatial planning legacy of racial inequality and segregation in the South African planning regime, the need to strive to meet the basic needs of previously disadvantaged, and the recognition of the right to housing, which includes equitable spatial patterns. Its stated objectives include that planning and land use management promotes social and economic inclusion as well as redress of imbalances of the past and to ensure equity in the application of planning and land use management requirements.

With the above in mind, the DAG report holds *inter alia* that:

- The Constitution enshrines normative rights, and affirmative obligations by the state to achieve those rights.
- The Constitution’s grant of municipal authority over municipal planning provides municipalities with a tool to legitimately direct the law towards furthering the inclusionary principles regarding housing and access to land.
- Constitutional Court decisions to date acknowledge and support the Constitution’s deference towards redress of past and present injustice, suggesting that applicable laws would be interpreted to allow for planning requirements that seek to address inequality and segregation.

In exercising their authority – and again with specific reference to inclusionary housing – the DAG report recommends that:

- Municipalities must implement and administer this broader use of planning and land

use regulations to enable matters such as inclusionary housing through its local land use management scheme and/ or land use approval process in conformance with SPLUMA.

- To avoid challenges based on arbitrariness and/ or lack of procedural justice, municipalities need to develop policies to guide their inclusionary housing requirements and amend their local bylaws to give legal effect to these policies. Practices of imposing ad-hoc mandatory inclusionary housing conditions through land-use approvals, ad hoc adjustment, or restriction of unused development rights, or providing inclusionary housing requirements only through policy without more formal changes to municipal planning bylaws and spatial development frameworks, present a higher risk of invalidation based on the current requirements under SPLUMA, and constitutional requirements.
- Where new, previously un-enjoyed rights are granted under a land use regime, there is less of a question of whether limitation of those new rights constitute an infringement on private property rights. In contrast, where rights enjoyed by private landowners under an existing land use regime are curtailed to enable their re-allocation conditioned on compliance with inclusionary housing requirements, the impact on the existing use and enjoyment of property is more obviously impacted.

South African planning and land use law is mandated to enable public benefit of different kinds through its implementation in practice, processes, and instruments.

Experience and pitfalls in exercising the mandate to enable public benefit

Despite a favourable legislative and policy framework in support of development for the public good, much development in South Africa and locally arguably remain limited in its broad public benefit.

³ Legal Aspects of Inclusionary Housing in South Africa, 2020. The work emanates from the 3-year National Land Value Capture Programme, launched in 2020 by a tripartite partnership between DAG, the Lincoln Institute of Land Policy, and the National Treasury’s Cities Support Programme (CSP) and aimed at strengthening the capability of metropolitan governments to implement innovative Land Value Capture tools and strategies efficiently and effectively.

Part of the reason for this is believed to be the inadequate framing of benefits to be pursued: what benefits, where, benefitting whom, and so on. It is important that these matters are framed upfront, agreed to, and methods developed to ensure that agreed benefits are actively achieved through project plans and associated implementation and measures and processes. Plans approved and "sold" as benefitting the public can turn out otherwise during implementation, not achieving what they were set out to do.

Development in and of itself will therefore not necessarily meet public benefit aims for the ATC as desired or believed necessary to change Stellenbosch for the better, now and into the future. Any development in excess of what exists may achieve an increase in rates – potentially a public benefit – but it will not necessarily address growing issues of access to housing, work, and public facilities. Nor will it assist in securing the sustainability of environmental resources and government institutions.

In framing public benefit, it is critically important that public benefit be viewed holistically, in all its dimensions, and in an integrated manner. Public benefit is a "slippery" concept, it is not necessary assured through demanding the obvious.

This holistic, multi-dimensional view relates both to a specific benefit in itself, for example housing for targeted groups, and the benefit in relation to others.

For example, the ATC may achieve the development of a considerable number of housing units, also targeting more affordable market segments. However:

- Should these units not be reserved – at least in part – for current home seekers and workers in Stellenbosch little will be achieved in alleviating the issue of limited access to housing in Stellenbosch.
- If the new housing opportunity is not provided in a manner which seeks higher densities, in

that way supporting pedestrianism and lower reliance on private vehicular transport, little will be achieved in alleviating the load on existing roads, or the commuting cost of many citizens.

- If the new housing is not provided together with a focus on public facilities such as schools, the broad objective of improving livelihood opportunity in Stellenbosch will not be achieved.
- If the Plankenbrug River is not cleaned up as well, the opportunity value of access to a housing unit in the ATC will be significantly decreased

The nature of infrastructure is another example. Landowners/ developers do pay for infrastructure required to serve their development through development contributions, and these contributions may have broader public benefit beyond a specific development. Yet, the nature and form of infrastructure implemented (and maintained by government post construction) has public benefit dimensions. In our context, urban roads, unless specifically conceived to enable public transport, arguably have less benefit to poorer groups than those who are well off.

For example, bridging current infrastructure divides (e.g., rail and Adam Tas Road) is important to enable integration of communities like Kayamandi with the rest of Stellenbosch, but any bridge will not necessarily suffice. Bridging has to accommodate the predominant mode of movement of residents: NMT or enable public transport.

The manner in which citizens and authorities respond to challenge and opportunity also indicate the limitations of a narrow focus on public benefit. Hannes van Zyl described the lost opportunity associated with the Kayamandi fire of 2013:

"In a fire in Kayamandi on the night of 14-15 March 2013, 1341 informal houses were destroyed. Emergency services had barely commenced giving aid when inhabitants started clearing up and rebuilding. They rebuilt 65% of the homes

within a week. By restoring with urgency and in haste, neither they nor the town implemented a safe and resilient settlement. The new structures are once again prone to future fires, and land use did not improve. It will be as difficult as before to provide services and to transfer titles, which could otherwise be a way to create wealth. Inhabitants who collaborated in the urgent rebuilding did so because they needed shelter. Their actions were also an indication of underlying anxiety about their claim to the land. How then should we embrace this and help to direct it to reduce the risk of fires? How could we all lay the foundations to build enduring neighbourhoods?"

The focus and nature of a public benefit sought requires definition, in relation to itself, as well as other supporting or contributing benefits.

Potential public benefit enabled through spatial planning and development of the ATC and associated conditions

The public benefit to be enabled through spatial planning and the current LSDF process ranges from benefit for all citizens to benefit for specific groups and interests. Some benefit could also manifest over the relatively short term (e.g., if new schools or housing is provided early on in the process), while other benefits (such as land value increases in adjoining areas), may take longer to be realised.

To begin expressing the public benefit of developing the ATC, table 38 illustrates potential benefits linked to spatial "themes". Importantly, these are potential benefits, only enabled if certain pre-conditions are met.

Table 38. Potential ATC public benefits and associated pre-conditions

THEME	POTENTIAL PUBLIC BENEFIT	PRE_CONDITIONS TO REALISING THE BENEFIT
Extent of area and potential development yields	<ul style="list-style-type: none"> The opportunity to accommodate significant growth over a lengthy period of time (thereby securing edge-of-town agricultural/ nature areas from development pressure). Significant infrastructure investment (including infrastructure which serves adjoining areas). Significant number of new residential opportunities (including affordable housing). Significant investment in public facilities (e.g., schools). The opportunity to contribute directly to off-site infrastructure/ service improvements in adjoining areas. 	<ul style="list-style-type: none"> Appropriate extent, type, mix, and density of development. Appropriate focus of infrastructure investment (e.g., public and NMT transport). Appropriate specification of housing target market. Appropriate norms and standards for public facilities. Extent of openness in access to development/ areas. Extent to which DCs payable "outstrips" area specific infrastructure requirements.
Location	<ul style="list-style-type: none"> Very significant new investment proximate to poorer communities, increasing access to opportunity and likely to result in an increase in land value. Social integration (and associated learning). Reduced development pressure on the historic/ unique town core. 	<ul style="list-style-type: none"> Very significant new investment proximate to poorer communities, increasing access to opportunity and likely to result in an increase in land value. Social integration (and associated learning). Reduced development pressure on the historic/ unique town core.
Infrastructure	<ul style="list-style-type: none"> Existing infrastructure will be enhanced (sweating existing assets as opposed to building entirely new infrastructure). Enhanced infrastructure will also improve services in/ impacting on surrounding communities (including the physical integration of poorer communities through bridging current infrastructure barriers to seamless movement). 	<ul style="list-style-type: none"> Appropriate focus of infrastructure investment (e.g., public and NMT transport, safe bridging).
Transport	<ul style="list-style-type: none"> Straddling the railway line, the development supports public inter-town transport. Opportunity to establish an efficient/ affordable walkable/ NMT focused community. 	<ul style="list-style-type: none"> Extent to which the ATC is designed as an NMT/ public transport focused community (density, extent and target market of residential use, parking restrictions, etc.).
Heritage	<ul style="list-style-type: none"> Opportunity to retain, expose, and celebrate hitherto inaccessible heritage aspects/ places. Opportunity to provide for new forms of cultural/ heritage expression (adding "layers" to the current Stellenbosch cultural/ heritage offer). 	<ul style="list-style-type: none"> Extent of openness of public space and heritage resources.
Environmental incorporation/ remediation	<ul style="list-style-type: none"> Opportunity to clean the Plankenbrug River. Opportunity to incorporate and expand access to Papegaaiberg. 	

A conceptual framework for enabling public benefit through the ATC development

Following on the discussion presented above, diagram 9 illustrates an emerging conceptual model for enabling public benefit through the ATC development.

The model illustrates four dimensions as critical for success in implementing public benefit. These should be viewed as interdependent and informing each other. Aspects of each dimension is expanded upon in table 39.

In terms of the contribution of spatial planning and its processes to enable public benefit, there is arguably a transition of diminishing control or influence from the “extent and nature of development” towards “jointness of development partners”.

The key point is that enabling public benefit requires integrated work across dimensions, and that this extends beyond spatial planning or the current work focus on preparing a LSDF. To illustrate:

The provision of a meaningful number of affordable housing units arguably relates to the extent of development rights that could be allocated (ensuring financial sustainability), the extent to which the obligation to provide this kind of housing is cemented in associated development regulations and agreements, and the efficiency of processes associated with utilizing rights. In parallel, associated actions/ investments are required to ensure a meaningful environment for housing occupants, including the provision of public facilities, an emerging public transport system, environmental remediation, and so on. Where the housing should be provided, who will benefit from the opportunity, and how it should be phased must be clearly specified. The above, in turn, requires a shared commitment of project partners, aligning the different resources and processes under their control to a common objective.

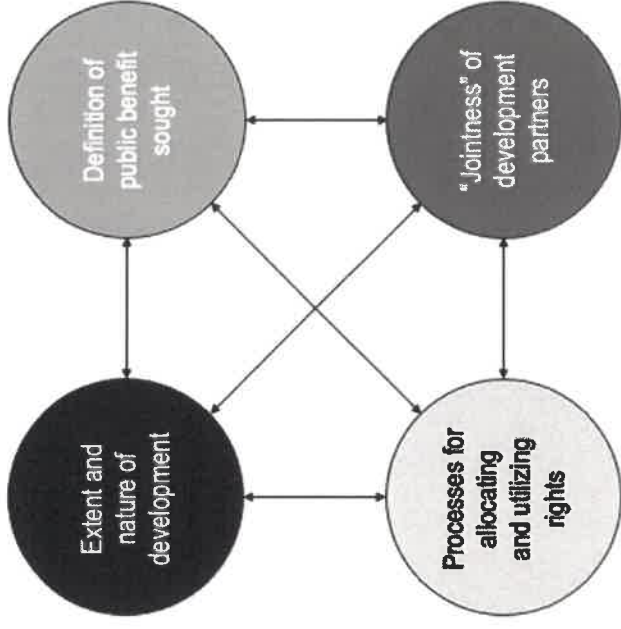


Diagram 9. A conceptual framework for enabling public benefit through the ATC development

Table 39. Dimensions of the public benefit framework

Extent and nature of development	Processes for allocating and utilizing rights	Definition/ specification of public benefit	“Jointness” of development partners
<ul style="list-style-type: none"> Sufficient extent of development to justify public benefit contributions (some requiring cross-subsidisation). Appropriate type, balance, and target market in uses to meet community needs. 	<ul style="list-style-type: none"> Upfront security of rights. Speed and flexibility in processes to utilize rights while ensuring public benefit is achieved. Permissible development stipulations, ranging from minimum and maximum bulk ceilings (enabling flexibility in relation to market conditions while maintaining “balance in uses”) to flexible arrangements for accommodating parking. Professional capacity and systems to administer and monitor the allocation and utilization of rights/ achievement of public benefit. 	<ul style="list-style-type: none"> Clear understanding of what benefits are sought, where, when, and under what conditions. 	<ul style="list-style-type: none"> Shared commitment on the nature of development and benefits sought. Shared commitment to use individual/ collective resources, assets, control of processes, influence, and so on, to enable benefits sought. Shared commitment to counter competing initiatives.

Towards defining/ specifying public benefit sought

In relation to the current LSDF, the following public benefits are sought:

- A balanced mixed use community, providing opportunity – including affordable housing – to a significant population proximate to existing urban development and in a manner which gives options to direct growth away from valuable agricultural/ nature resources, makes the best use of existing infrastructure investments and contributes to addressing challenges associated with existing infrastructure.
- Integration of currently “isolated” communities – including Onder Papegaaiberg and Kayamandi – with existing opportunity through extended/ improved NMT, vehicular and emergent public transport route infrastructure (including appropriate bridging of divisive infrastructure elements).
- The incorporation, enhancement, and exposure of currently neglected assets for public use and enjoyment, including the Plankenbrug River, Papegaaiberg, and various historic places and buildings.
- Expanded public opportunity associated with public assets/ facilities (e.g., Van der Stel).
- Expanded public facilities (e.g., schools), not only serving the ATC, but a broader community.

Landowners/ developers will be expected to make contributions to:

- Public facilities, and specifically schools, following a “shared” model of building/ management between government and the private sector.
- Environmental remediation of the Plankenbrug River.
- Incorporation and upgrading of public access to Papegaaiberg as a shared conservation/ public recreation amenity (including the beginning of “University Avenue”).

- Institutional arrangements and capacity to enable development, specifically professional capacity and systems to administer the allocation and utilization of rights.

Landowners/ developers will have to provide for:

- Balanced, mixed development, gradually developed to prescribed minimum and maximum bulk ceilings and phased to align with progressive infrastructure investment required to support the development.
- Housing to prescribed minimum and maximum densities, distributed across the area and including “affordable housing” or social housing amounting to 30% of residential units provided.
- Infrastructure required to serve the development and contribute to integrate surrounding communities, in a manner serving responsible resource use and meeting project objectives, including reduced car dependence.
- Landscaped internal urban streets and structured public space befitting of a walkable, NMT environment.
- Adaptive re-use of noteworthy historic places and buildings.
- Shared sports and recreation space for community and school use.
- A large degree of unrestricted (as opposed to gated) public access to streets, public spaces, the river corridor and Papegaaiberg.

Landowners/ developers (including the Municipality and other government spheres/ agencies as landowners) will have to commit to:

- Work together in planning and executing development and associated infrastructure to achieve project objectives and public benefit.
- Undertake the detailed planning and approval processes as prescribed in the proposed ATC LUMS.

- Make available resources and assets in a manner that assists to project objectives (including progressive land availability agreements related to the development of publicly owned land).

Government as a regulatory agency and service provider is required to:

- Formalise a LUMS for the ATC which enables the securing of development rights, acknowledges reasonable changes in market conditions over time, and provides responsive, clear processes and obligations for utilizing rights.
- Initiate legal agreements in support of the LUMS to ensure that project objectives – including public benefit – are met.
- Support the establishment of ATC dedicated professional capacity and systems (in support of the Municipality) to administer the allocation and utilization of rights.
- Align Municipal sector plans with ATC project objectives and plans.
- Consider other incentives over and above spatial planning measures in support of project objectives.
- Counter initiatives which inhibited achievement of ATC project objectives (internal to and outside of the ATC).

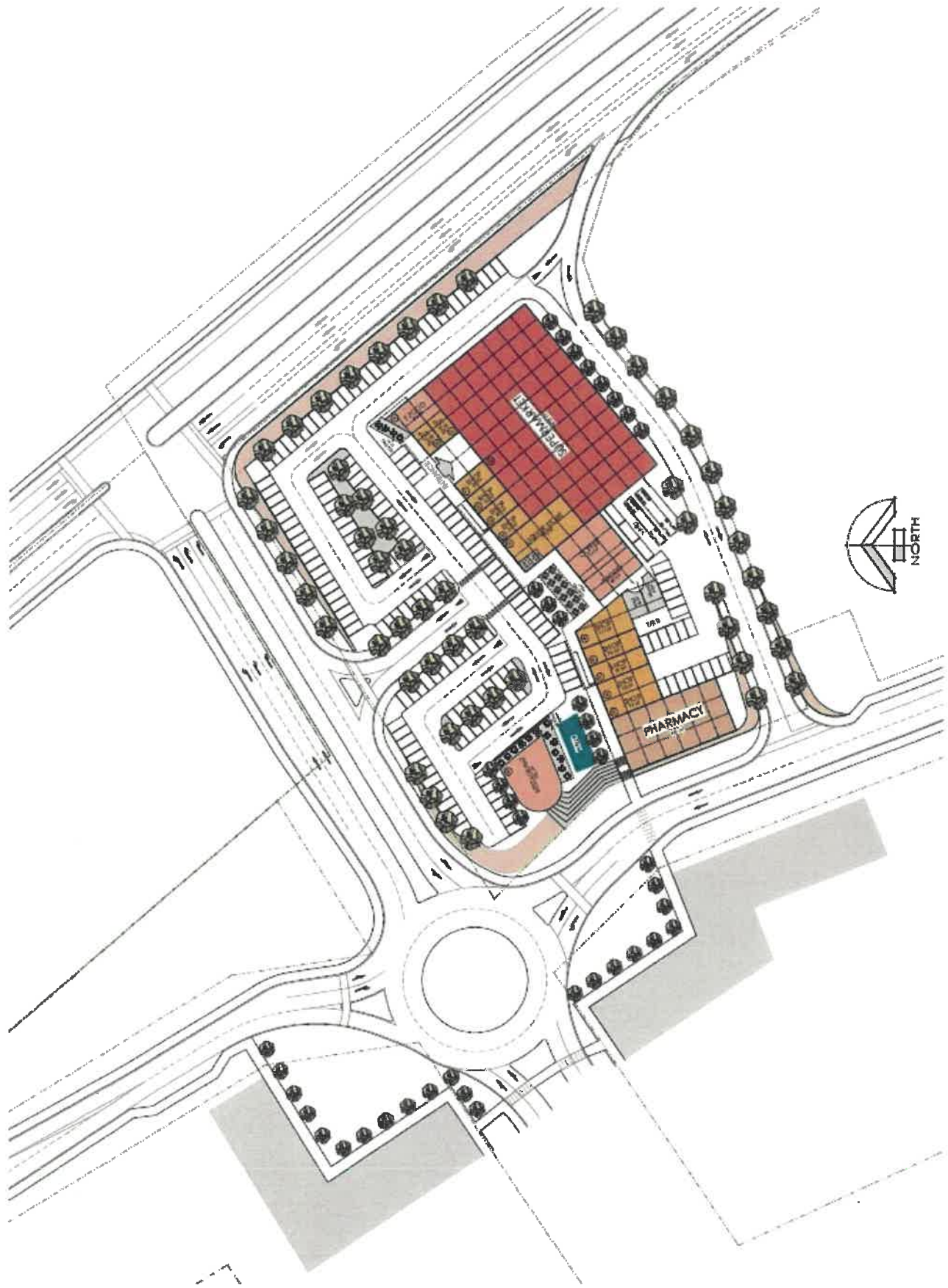
Enacting public benefit arrangements

Critical to enacting public benefit arrangements appears to be:

- Structured engagement between project partners on the public benefit sought and means to achieve benefit proposed through the draft LSDF.
- Formal agreement to work together and put in place the approvals, processes, and support arrangements required to implement proposals.

ANNEXURE 10

Proposed Building Typologies for the Various Land Uses



Schedule (GLA)

NO.	DESCRIPTION	UNIT	AREA (sqm)	GLA (sqm)
1	FLATBLOCKS	10	1000	1000
2	PHARMACY	1	100	100
3	OTHER	1	100	100
TOTAL				

Schedule (Other)

NO.	DESCRIPTION	UNIT	AREA (sqm)
1	OTHER	1	100
TOTAL			

COMPMENT DATA

Calculations

• TOTAL AVAILABLE PLANNING UNIT
 • TOTAL AVAILABLE PLANNING UNIT
 • TOTAL AVAILABLE PLANNING UNIT
 • TOTAL AVAILABLE PLANNING UNIT
 • TOTAL AVAILABLE PLANNING UNIT

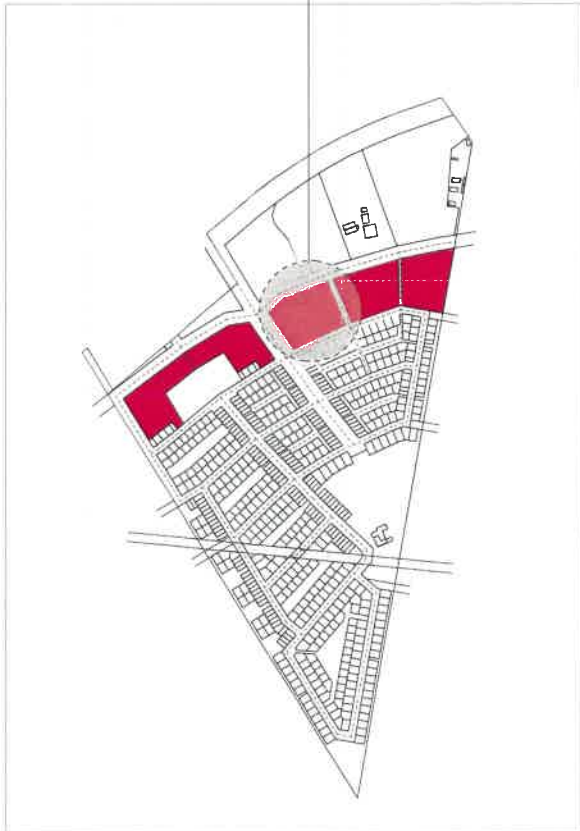
COMPMENT RIGHTS

• TOTAL AVAILABLE PLANNING UNIT
 • TOTAL AVAILABLE PLANNING UNIT
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This design and layout is intended and submitted for planning purposes only and should not be regarded as a final design and subject to further subject to change at all times.

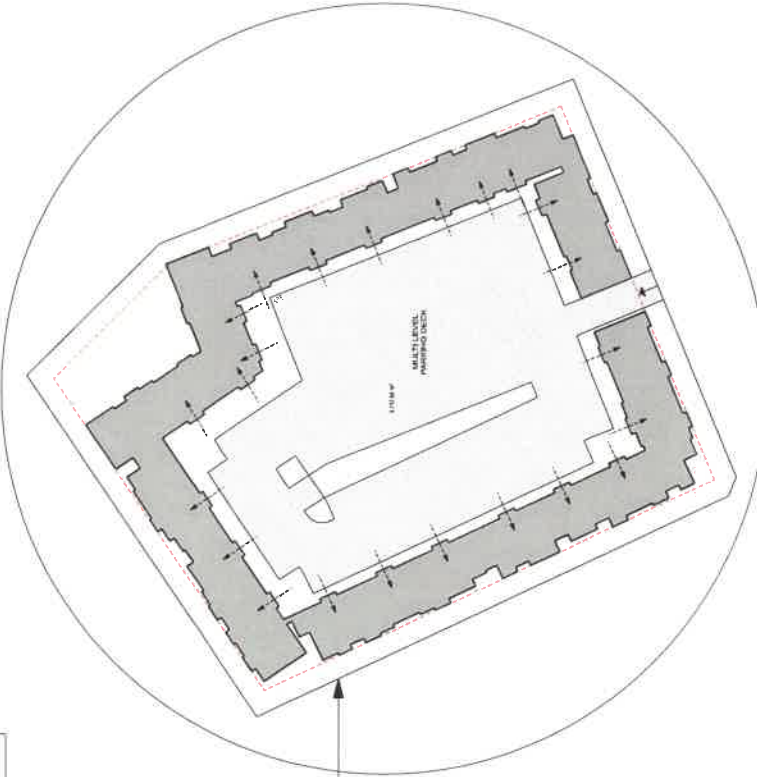
DEVELOPMENT PARAMETERS TABLE

Zoning	Mixed-Use
Land Use	Apartments
Erf Size	11 796m ²
Maximum Building Area	3720m ²
Maximum Coverage	31%
Maximum FHR	1.0
Street Building Lines	4.5m
On-Site Parking	221



LOCALITY MAP

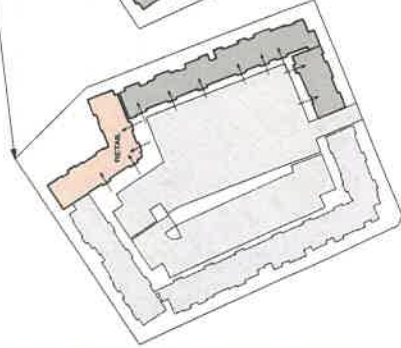
SCALE 1:5000



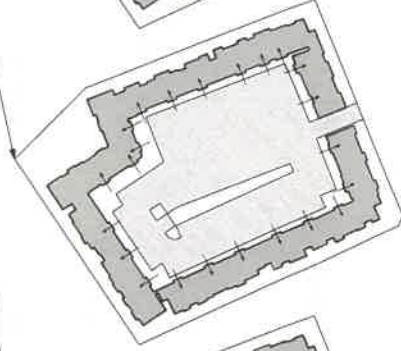
TYPICAL APARTMENT FOOTPRINT CONFIGURATION



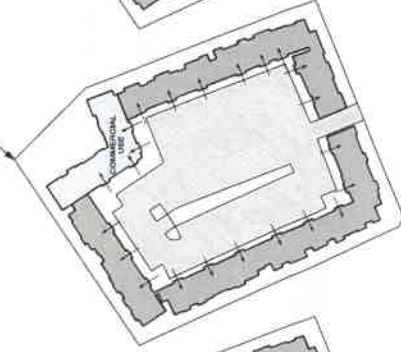
TYPICAL APARTMENT PERSPECTIVE



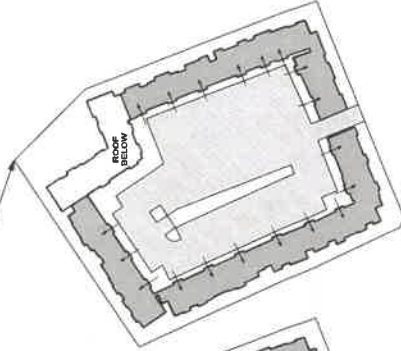
LOWER GROUND STOREY



UPPER GROUND STOREY



FIRST STOREY



SECOND STOREY

TYPICAL ROW UNIT TYPES :



LOCALITY MAP

SCALE 1:5000

DEVELOPMENT
PARAMETERS TABLE

Zoning	Max Unit Density	Max Units per Block
Land Use	100/m ²	Dwelling House
Erf Size - 2047,6m		
Minimum Building Area	100m ² (R6)	
Maximum Coverage	62,5% (R6)	
Maximum FAR	1,08 (R6)	
Street Building Line	2,5m	
Rear Building Line	1,5m	
Common Building Line	0m	
On-Site Parking	2	



TYPICAL STREET CONFIGURATION



Unit R1

Covered Patio	15,34
Unit - First	41,26
Unit - Ground	36,62
Unit - Ground	93,42 m²

Unit R2

Covered Patio	15,34
Garage	19,26
Unit - First	41,26
Unit - Ground	36,62
Unit - Ground	112,68 m²

Unit R3

Covered Patio	15,72
Unit - First	48,76
Unit - Ground	46,59
Unit - Ground	111,07 m²

Unit R4

Covered Patio	15,72
Garage	20,00
Unit - First	48,76
Unit - Ground	46,59
Unit - Ground	131,07 m²

Unit R5

Covered Patio	22,22
Unit - Ground	48,71
Unit - first	66,69
Unit - Ground	146,02 m²

Unit R6

Covered Patio	19,04
Garage	20,00
Unit - First	66,63
Unit - Ground	51,47
Unit - Ground	159,04 m²

TYPICAL FLISP UNIT:

DEVELOPMENT PARAMETERS TABLE

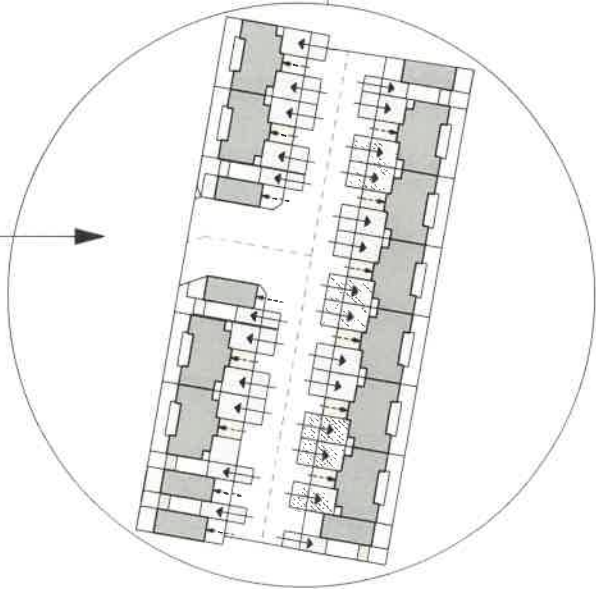
Zoning	Maximum Building Height
Land Use	23m
Site Size - 17x13.8m	23m ²
Maximum Building Area	23m ²
Maximum Coverage	80%
Maximum FAR	1.1
Street Building Line	6m
Rear Building Line	3m
Common Building Line	6m
On-Site Parking	4

Unit F1	Area
Balcony 3 - First	8.83
Balcony 4 - First	8.83
Covered Patio 1 - Ground	8.83
Covered Patio 2 - Ground	8.83
Unit 1 - Ground	50.49
Unit 2 - Ground	50.49
Unit 3 - First	50.52
Unit 4 - First	50.52
Total	225.34 m²

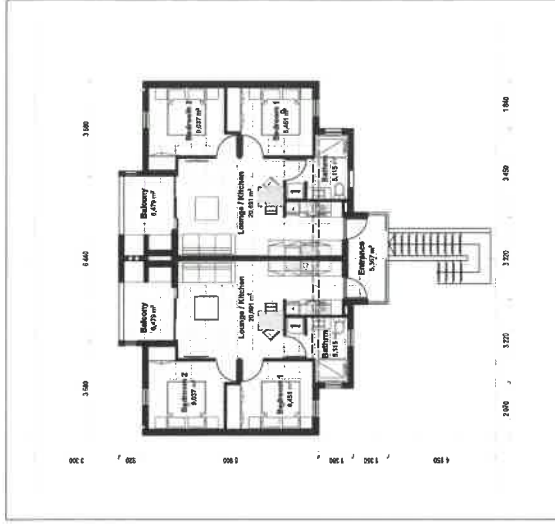


LOCALITY MAP

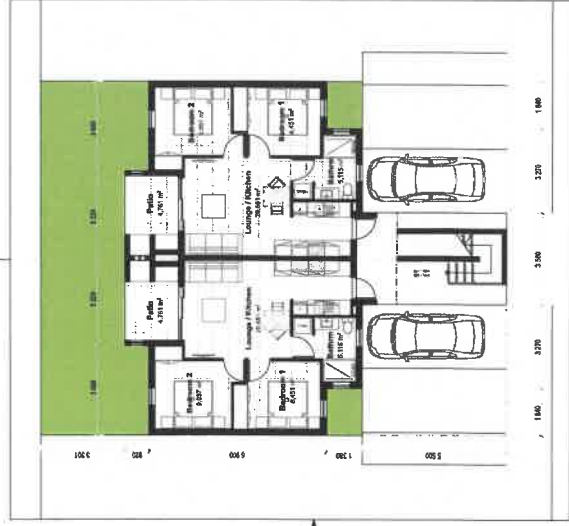
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TYPICAL STREET CONFIGURATION



FIRST STOREY



GROUND STOREY

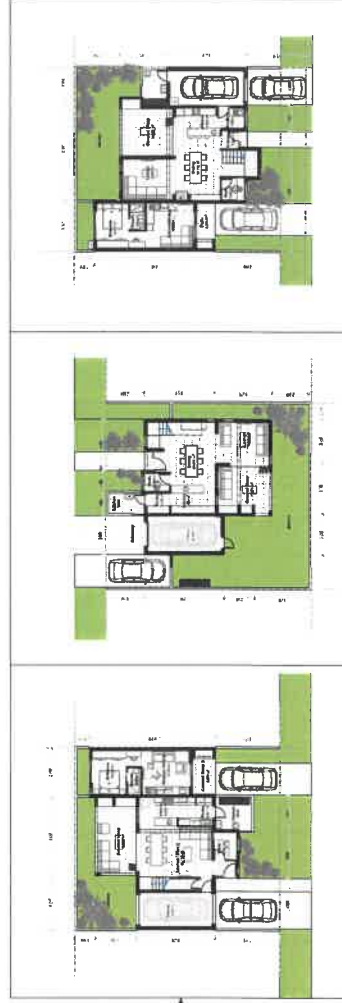
TYPICAL CLUSTER UNIT TYPES :



Covered Patio	15,28
Garage	17,78
Unit	82,54
Unit	115,61 m²

Covered Patio	14,65
Garage	30,26
Unit - First	19,25
Unit	52,07
Unit	145,24 m²

Covered Patio	20,37
Garage	18,16
Unit - First	49,56
Unit - Ground	54,52
Unit	141,61 m²



Covered Patio 1	19,83
Covered Patio 2	12,37
Garage	30,52
Unit - First	18,16
Unit - Ground	48,56
Unit	163,78 m²

Covered Patio	15,90
Garage	19,98
Unit - First	75,30
Unit - Ground	58,17
Unit	169,33 m²

Covered Patio	18,19
Garage	30,50
Unit - First	18,57
Unit - Ground	69,93
Unit	194,51 m²

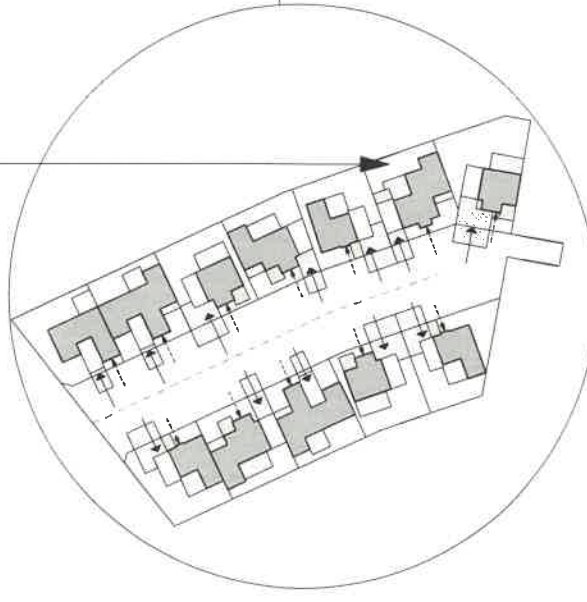


LOCALITY MAP

SCALE 1:5000

DEVELOPMENT PARAMETERS TABLE

Zoning	Height	Residential
Layout Usage	Dwelling House	
Lot Size - 18.9x44.6m	248m ²	
Maximum Building Area	180m ²	
Maximum Coverage	57%	
Maximum FAR	0.8	
Street Building Line	1.5m	
Rear Building Line	1.5m	
Common Building Line	0m	
On-Site Parking	3	



TYPICAL STREET CONFIGURATION

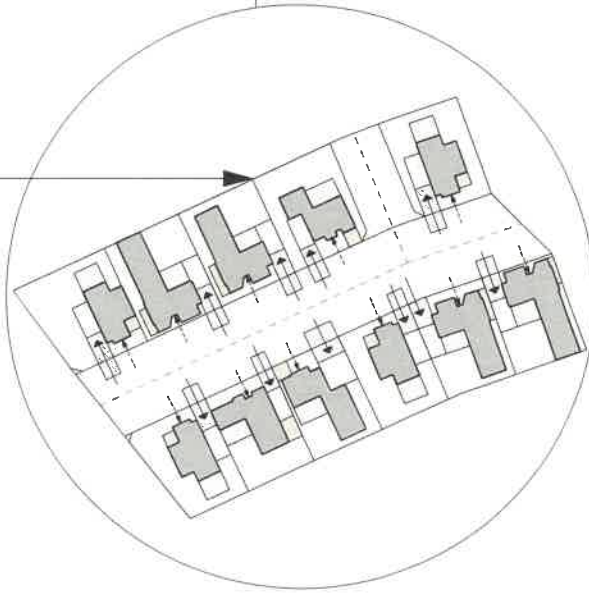
CLUSTER HOUSING TYPOLOGY

TYPICAL CLUSTER UNIT TYPES:

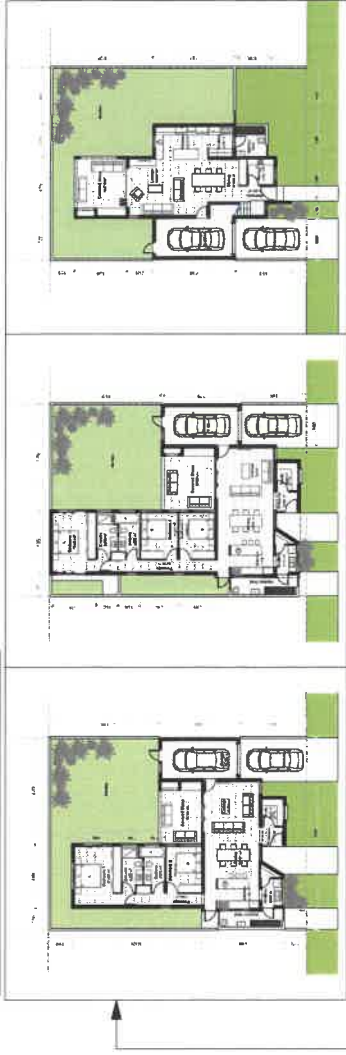


LOCALITY MAP

SCALE 1:5000



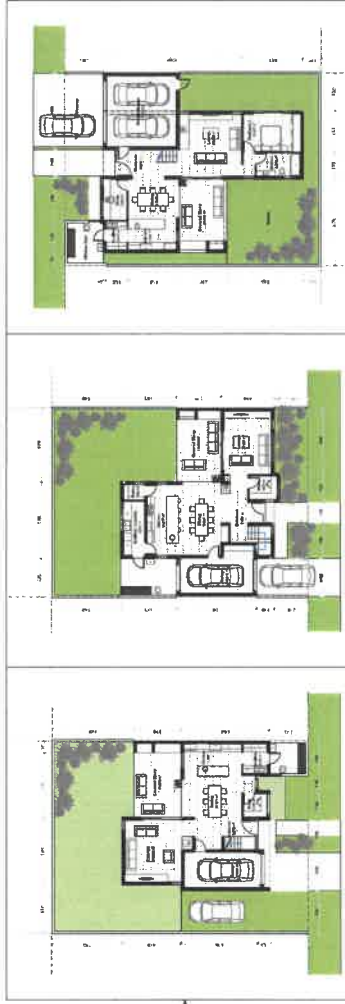
TYPICAL STREET CONFIGURATION



Covered Patio	16,11
Garage	21,13
Unit - First	112,66
Unit - Ground	146,90 m ²

Covered Patio	20,00
Garage	20,86
Unit - First	127,87
Unit - Ground	168,92 m ²

Covered Patio	19,51
Garage	20,74
Unit - First	90,06
Unit - Ground	72,18
Unit - Ground	169,07 m ²



Covered Patio	12,01
Garage	19,01
Unit - First	87,13
Unit - Ground	81,65
Unit - Ground	178,70 m ²

Covered Patio	20,03
Garage	21,21
Unit - First	75,75
Unit - Ground	82,61
Unit - Ground	209,60 m ²

Covered Patio	21,18
Garage	35,76
Unit - First	66,02
Unit - Ground	99,18
Unit - Ground	221,12 m ²

DEVELOPMENT PARAMETERS TABLE

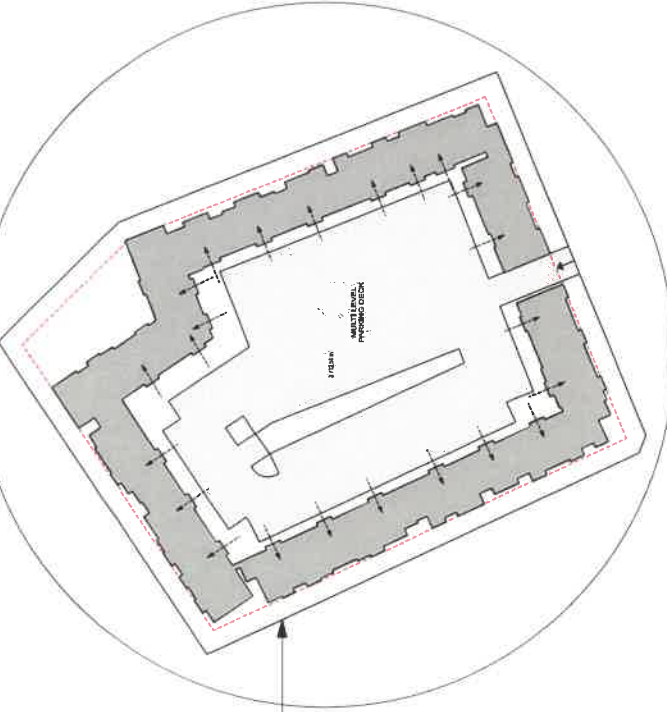
Zoning	Unit Use	Dwelling House
Residential	Dwelling House	300m ²
	Erft Size - 15x20m	150m ²
	Maximum Building Area	90%
	Maximum Coverage	0,8
	Maximum FAR	1,5m
	Street Building Line	1,5m
	Rear Building Line	1,5m
	Common Building Line	0m
	On-Site Parking	3



Covered Patio	28,66
Garage	40,62
Unit - First	111,06
Unit - Ground	80,72
Unit - Ground	269,16 m ²

DEVELOPMENT PARAMETERS TABLE

Zoning	Micro-Low
Land Use	Apartments
Est. Size	11 700sqft
Maximum Building Area	3720sqft
Maximum Coverage	31%
Maximum F&T	1.0
Street Building Line	4.5m
On-Site Parking	231



TYPICAL APARTMENT FOOTPRINT CONFIGURATION

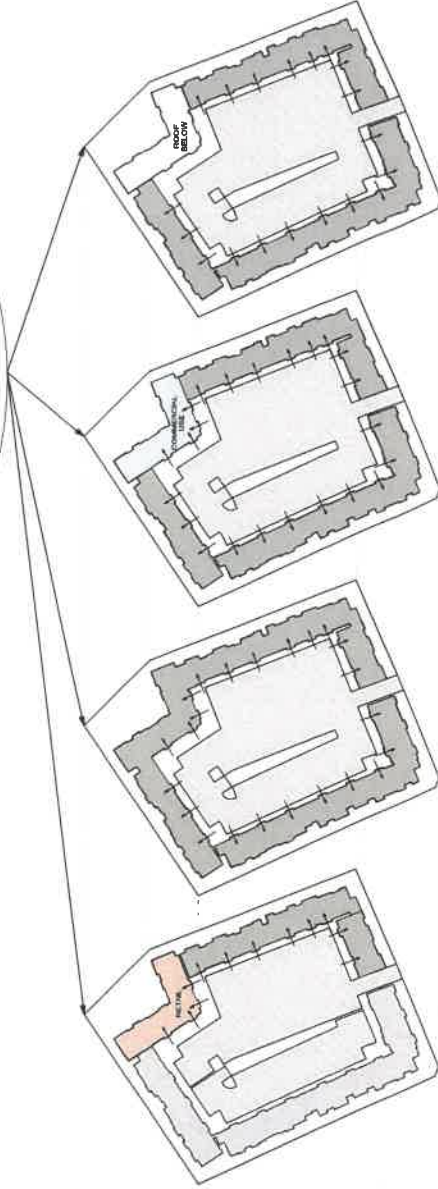


LOCALITY MAP

SCALE 1:5000



TYPICAL APARTMENT PERSPECTIVE



LOWER GROUND STOREY

UPPER GROUND STOREY

FIRST STOREY

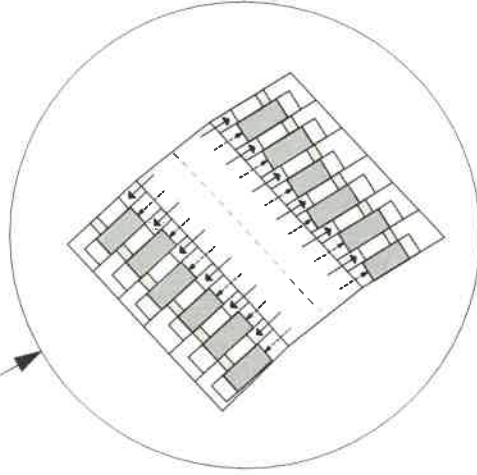
SECOND STOREY

TYPICAL ROW UNIT TYPES :



SCALE 1:5000

LOCALITY MAP



TYPICAL STREET CONFIGURATION

DEVELOPMENT PARAMETERS TABLE

Zoning	USE UNIT
Land Use	Dwelling House
Er1 Site - 20x7.6m	160m ²
Maximum Building Area	160m ² (60%)
Maximum Coverage	85.5% (60%)
Maximum FAR	1.00 (R0)
Street Building Line	2.0m
Rear Building Line	1.5m
Common Building Line	0m
On-Site Parking	2



Unit R1

Covered Patio	15.34
Unit - First	41.26
Unit - Ground	35.82
Unit - Ground	98.42 m²

Unit R2

Covered Patio	15.34
Garage	19.26
Unit - First	41.26
Unit - Ground	35.82
Unit - Ground	112.68 m²

Unit R3

Covered Patio	15.72
Unit - First	46.76
Unit - Ground	46.58
Unit - Ground	111.07 m²



Unit R4

Covered Patio	15.72
Unit - First	46.76
Unit - Ground	46.58
Unit - Ground	111.07 m²

Unit R5

Covered Patio	22.32
Garage	41.26
Unit - First	66.09
Unit - Ground	66.09
Unit - Ground	140.02 m²

Unit R6

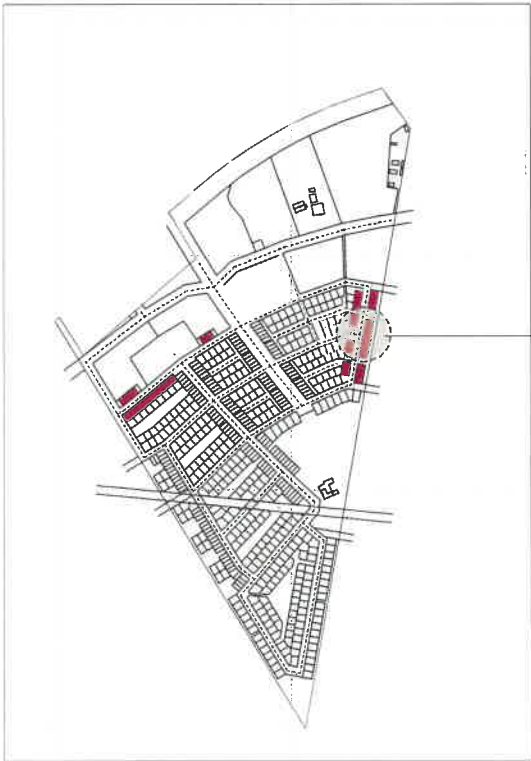
Covered Patio	19.04
Unit - First	46.76
Unit - Ground	66.52
Unit - Ground	51.47
Unit - Ground	159.04 m²

TYPICAL FLISP UNIT:

DEVELOPMENT
PARAMETERS TABLE

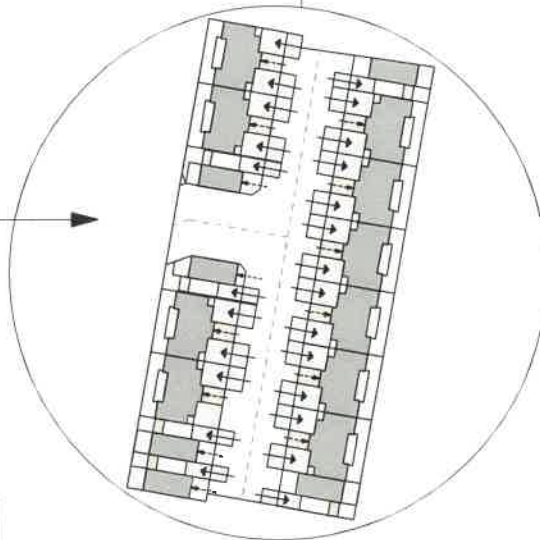
Zoning	Use	Unit Type
Residential	Residential	Flisp Unit
Land Use	Residential	Flisp Unit
ErF Size - 7x43.5m	2store	Flisp Unit
Maximum Building Area	2700m²	Flisp Unit
Maximum Coverage	50%	Flisp Unit
Maximum PAR	1:1	Flisp Unit
Street Building Line	0m	Flisp Unit
Rear Building Line	3m	Flisp Unit
Common Building Line	0m	Flisp Unit
On-Site Parking	4	Flisp Unit

Unit F1	Area
Balcony 3 - First	0,83
Balcony 4 - First	0,83
Covered Patio 1 - Ground	0,83
Covered Patio 2 - Ground	0,83
Unit 1 - Ground	50,09
Unit 2 - Ground	50,09
Unit 3 - First	50,55
Unit 4 - First	50,55
Total	220,94 m²

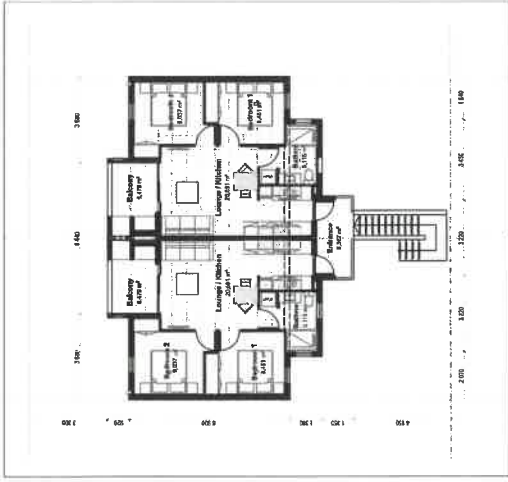


LOCALITY MAP

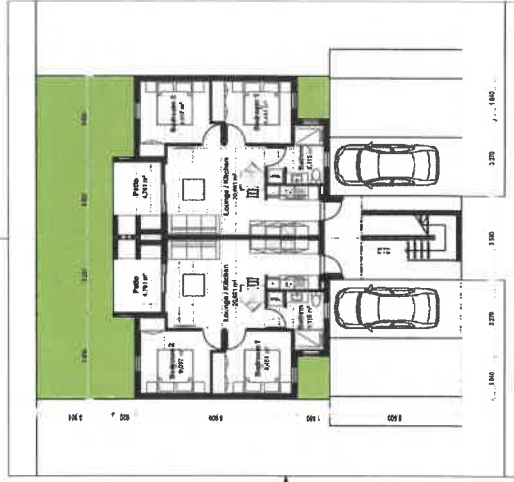
SCALE 1:5000



TYPICAL STREET CONFIGURATION



FIRST STOREY



GROUND STOREY

TYPICAL CLUSTER UNIT TYPES:



Unit C1	Covered Patio	15,29
	Garage	17,78
	Unit - First	82,24
	Unit	115,31 m ²

Unit C2	Covered Patio	14,85
	Garage	30,28
	Unit - First	18,28
	Unit	63,41 m ²

Unit C3	Covered Patio	20,37
	Garage	18,16
	Unit - First	48,58
	Unit - Ground	54,52
	Unit	141,63 m ²



Unit C4	Covered Patio 1	19,63
	Covered Patio 2	12,27
	Garage	18,28
	Unit - First	48,16
	Unit - First	48,58
	Unit - Ground	54,52
	Unit	183,78 m ²

Unit C5a	Covered Patio	15,90
	Garage	18,98
	Unit - First	18,28
	Unit - Ground	58,37
	Unit	109,53 m ²

Unit C5b	Covered Patio	16,19
	Garage	20,20
	Unit - First	18,28
	Unit - First	58,32
	Unit - Ground	60,53
	Unit	194,51 m ²

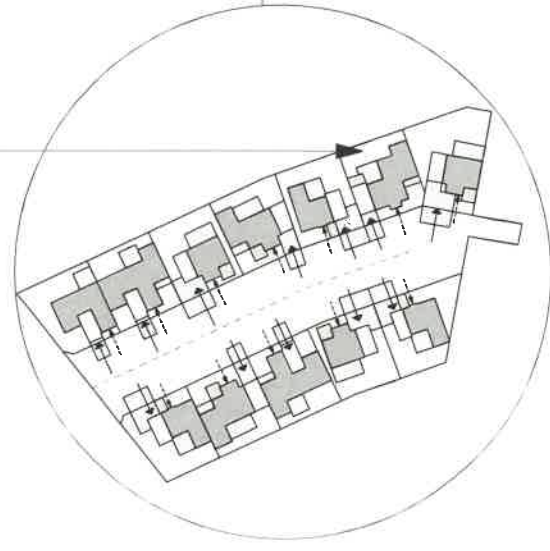


LOCALITY MAP

SCALE 1:5000

DEVELOPMENT PARAMETERS TABLE

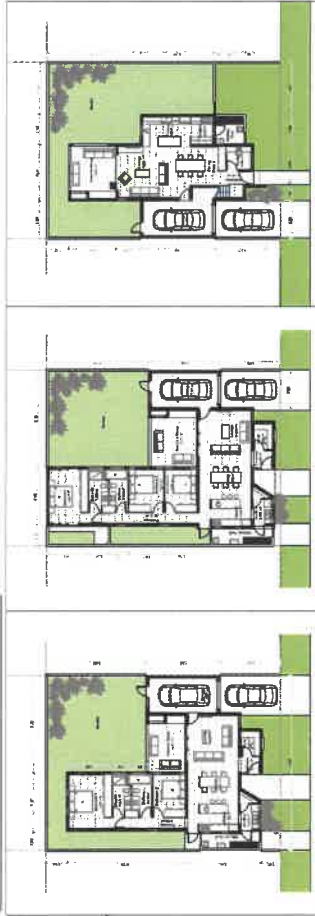
Zoning	MAX. G.R.
Land Use	Dwelling House
Site Size - 16,8x14,5m	2500
Minimum Building Area	185m ²
Maximum Coverage	87%
Maximum F.A.R.	0,4
Street Building Line	1,5m
Rear Building Line	1,5m
Common Building Line	6m
On-Site Parking	3



TYPICAL STREET CONFIGURATION

CLUSTER HOUSING TYPOLOGY

TYPICAL CLUSTER UNIT TYPES :



Unit 51a

Covered Patio	16,11
Garage	21,13
Unit - First	112,89
Unit - Ground	149,00 m ²

Unit 51b

Covered Patio	20,00
Garage	20,95
Unit - First	127,87
Unit - Ground	168,82 m ²

Unit 51c

Covered Patio	19,91
Garage	20,74
Unit - First	95,06
Unit - Ground	72,16
Unit - Ground	169,07 m ²



Unit 54

Covered Patio	29,01
Garage	19,07
Unit - First	57,13
Unit - Ground	81,66
Unit - Ground	179,70 m ²

Unit 55

Covered Patio	29,00
Garage	24,12
Unit - First	76,76
Unit - Ground	92,61
Unit - Ground	209,60 m ²

Unit 56

Covered Patio	21,19
Garage	35,76
Unit - First	66,02
Unit - Ground	95,16
Unit - Ground	221,12 m ²

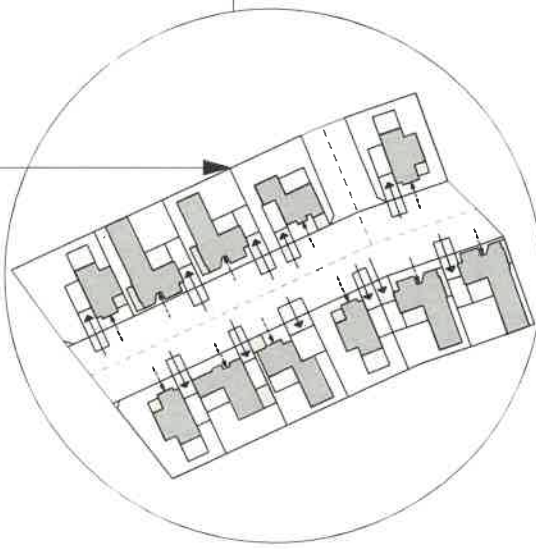
DEVELOPMENT PARAMETERS TABLE

Zoning	Plot Area	Building Footprint
Land Use	3000	3000
Er Size - 15021m	1000	1000
Maximum Building Area	60%	60%
Maximum Coverage	0.8	0.8
Street Building Line	1.5m	1.5m
Rear Building Line	1.5m	1.5m
Common Building Line	0m	0m
On-Site Parking	3	3



LOCALITY MAP

SCALE 1:5000



TYPICAL STREET CONFIGURATION

SINGLE RESIDENTIAL HOUSE UNIT TYPOLOGY

TYPICAL CLUSTER UNIT TYPES:



LOCALITY MAP

SCALE 1:5000



Unit S1a

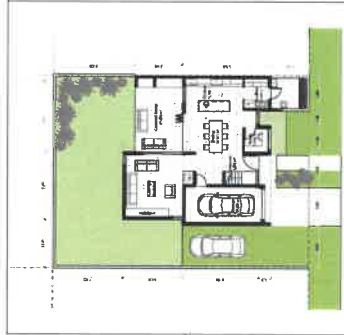
Covered Patio	16,11
Garage	21,13
Unit - First	112,08
Unit - Ground	149,80 m ²

Unit S2b

Covered Patio	20,00
Garage	20,85
Unit - First	127,87
Unit - Ground	168,82 m ²

Unit S3a

Covered Patio	19,81
Garage	20,74
Unit - First	86,88
Unit - Ground	127,18
Unit - Ground	169,07 m ²



Unit S4

Covered Patio	22,01
Garage	19,01
Unit - First	57,13
Unit - Ground	81,55
Unit - Ground	179,70 m ²



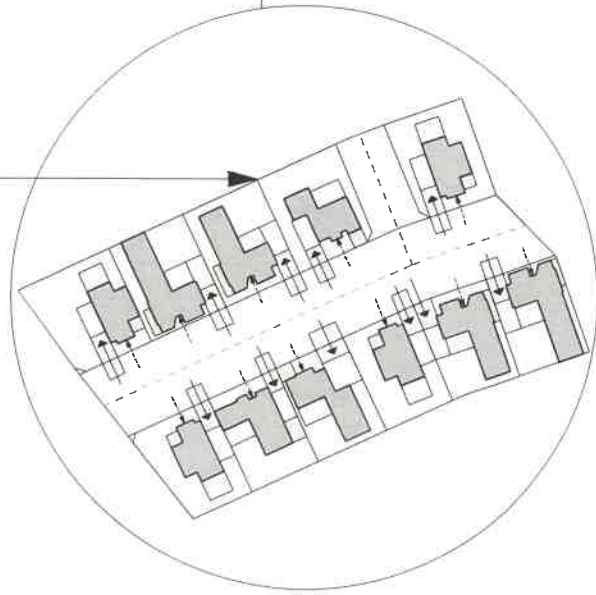
Unit S5

Covered Patio	20,03
Garage	21,21
Unit - First	75,75
Unit - Ground	92,81
Unit - Ground	209,60 m ²



Unit S6b

Covered Patio	21,16
Garage	35,76
Unit - First	65,03
Unit - Ground	98,18
Unit - Ground	221,12 m ²



TYPICAL STREET CONFIGURATION

DEVELOPMENT PARAMETERS TABLE

Zoning	Min. Unit Residential
Land Use	Dwelling House
Erf Size - 15x20m	30m ²
Maximum Building Area	150m ²
Maximum Coverage	50%
Maximum FAR	0,8
Street Building Line	1,5m
Rear Building Line	1,0m
Common Building Line	0m
On-Site Parking	3