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

**VOLUME 2**



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## THE STELLENBOSCH MUNICIPALITY

### PLANNING REPORT: LAND USE AND LAND DEVELOPMENT APPLICATION: APPLICATION FOR TEMPORARY DEPARTURE AND TEMPORARY CLOSURE OF A PUBLIC PLACE ON UNREGISTERED ERF 3229, FRANSCHHOEK.

Application Reference	File Ref: FH3229 (LU/12400)	Application Date	2021/02/23
		Last day for comments or additional information	2021/10/15

#### PART A: APPLICANT DETAILS

First name(s) & Surname	Sheven Pillay		
Company name	ETL Consulting Pty Ltd		
SACPLAN registration number			
Registered owner(s)	Stellenbosch Municipality	Is the applicant properly authorised to submit the application	Yes

#### PART B: PROPERTY DETAILS

Property description	Unregistered Erf 3229	Town/ City	Franschhoek
Physical address	Lavender Street, Mooiwater, Franschhoek. See <b>ANNEXURE A</b> for locality map.		
Extent (m <sup>2</sup> /ha)	19 786m <sup>2</sup>	Current zoning	Public Open Space Zone
Existing Development and Current land use	Vacant (Illegal dumping site).		
Any unauthorised land use/building work	None		
Title Deed No.	Unregistered property. The mother properties title deed T39732/2018 has been attached. No title deed restrictions are listed.		

#### PART C: APPLICATION DETAILS

Application(s)	a) Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for a temporary departure for the relocation of households that are currently residing
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	<p>in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschhoek for a period of 5 years.</p> <p>b) Application is made in terms of Section 15(2)(n) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the closure of a public place, Erf 3229 Franschhoek for a period of 5 years.</p> <p>See <b>ANNEXURE B</b> for site layout plan.</p>
Purpose of Application	<p>A temporary departure is required to set up a Temporary Relocation Area (TRA) to house residents of the Langrug informal settlement while the Langrug dam site is being rehabilitated for a period of 5 years and alternative accommodation is explored by the municipality. The zoning of Public Open Space to not accommodate housing development on Erf 3229, Franschhoek, hence the application for a temporary departure.</p>
Pre-consultation	<p>A pre-application consultation process was concluded with all applicable internal municipal departments, which informed the final approach for the submission of an application and advertising process. Contrary to the initial considerations to request exemptions in terms of the relevant legislation, the application was advertised to all interested and affected parties and to the general public via an advert in the Paarl Post. An extensive public participation process has therefore been undertaken, to ensure that all interested an affected party's concerns are addressed.</p>

#### **PART D: APPLICATION BACKGROUND**

ETL Consulting (Pty) Ltd was appointed by the Stellenbosch Municipality to obtain land use rights on the subject property, Erf 3229 Franschhoek for a Temporary Relocation Area (TRA) for emergency housing purposes.

The intension of the application is to relocate inhabitants occupying a dam site in the Langrug informal settlement, temporary to Erf 3229 Franschhoek. This relocation has been identified as an emergency situation, considering that these inhabitants lives in conditions that pose immediate threats to life, health & safety and require immediate emergency assistance (See site photos below of Langrug Informal Settlement dam site).



2003 Google image of Langrug Dam site, without any structures;



2019 Google image of Langrug Dam site invaded with informal housing structures.



**Picture of informal residential structures inside the dam site in Langrug Informal settlement:**



As mentioned Erf 3229, Franschoek is located in the suburb of Mooiwater and was originally a farm dam, which was filled with water from a diversion from the Stiebeuel River, originating in the mountains above the dam and Franschoek Town area.



In the initial development proposal of Phase 1 of Mooiwater, the site below the dam site was originally earmarked for sport activities (See picture above), but as the need for housing in Franschhoek drastically increased over years (see pictures below), this portion of land below the dam, was made available for housing development in the Phase II development of Mooiwater. The dam site (Unregistered Erf 3229, Franschhoek) was subsequently identified as alternative sport field facility for the community.

**2003 Google image of proposed TRA site, Erf 3229FH (The dam):**



**2019 Google image of TRA site Erf 3229FH, and surrounding area:**



Over an undetermined period, Unregistered Erf 3229, Franschhoek (the site) has been used as an illegal dumping area (See **ANNEXURE C** for Site photos), and the original dam basin has been filled over years as indicated in the above 2019 aerial photo.

**Why Erf 3229, Franschhoek for the subject Temporary Relocation Area:**

Erf 3229, Franschhoek was identified as being adequate to relocate households that are currently residing in a freshwater dam in the Langrug informal settlement as an emergency.

No other alternative sites were proposed or investigated in the applicant's motivational report, considering the limited amount of land for housing within the Franschhoek Urban edge. The livelihood of these inhabitants is currently under constant threat, especially during the rainy season and subsequent flooding. Onsite evidence shows that the integrity of the dam wall has over the years been compromised by natural erosion, the cutting away of the dam wall by inhabitants inside the dam basin and on the dam wall and expedited seasonal water damage (See picture below). Other sites like the area below the school has been found to be too steep and costly for TRA development and Erf 412, Le Roux at the entrance to Groendal already has development proposal and is partially developed with a public institutional building.

The temporary use of the undeveloped, vacant and currently illegal dumping site, Erf 3229, Franschhoek was identified as the most appropriate site, based on the fact that its reasonability level and could easily revert back to its original use once the municipality is in a financial position to construct sport field facilities on Erf 3229, Franschhoek.

### Shacks constructed on the eroded dam wall in Langrug Informal Settlement:



The primary purpose of this municipal project is to create a temporary decanting site (TRA) for the Langrug dam inhabitants:

- It will create space in the dam area for rehabilitation thereof and/or formalisation of said area,
- It will also create decanting for future projects in Langrug/Mooiwater, should the need arise.

Hence, application is made for the purpose of utilizing Unregistered Erf 3229 Franschoek as a TRA for a period of 5 years for the temporary relocation of families in Langrug informal settlement and Mooiwater, when needed. This subject property is currently zoned Public Open Space Zone and a departure from the current zoning is required to utilize the land on a temporary basis for housing.

See **ANNEXURE B** for the proposed Site Layout Plan and **ANNEXURE C** for the site photos.

## PART E: APPLICATION OVERVIEW AND MOTIVATION

The subject property has been identified as a relocation site to accommodate families impacted by the implementation of upgrading projects in Langrug informal settlement. The Langrug informal settlement has been severely impacted by flooding with the subject area's residence requiring urgent relocation. The matter has currently escalated and is seen as an emergency requiring immediate intervention.



Application is therefore made in terms of the Stellenbosch Municipality Land Use Planning By-Law, 2015 to allow for the following:

- A temporary departure to utilize the subject property on a temporary basis for temporary housing for a period of 5 years.
- A temporary closure of a public space for a period of 5 years as listed in terms of Section 26(2) of the Stellenbosch Municipality Land Use Planning By-Law, 2015.

The Temporary Relocation Area (TRA) on Unregistered Erf 3229 Franschoek, will accommodate approximately 300 families. See **ANNEXURE D** for the applicant's motivational report.

## **PART F: PUBLIC PARTICIPATION, COMMENTS AND RESPONSE**

### **Process followed**

An instruction to advertise was send to the applicant by the department on 14 June 2021. The administration proceeded with the advertising to internally municipal department simultaneously; Infrastructure Services Department (Electrical and Civil Services), Municipal Property Management Department, Community Services Department (Environmental, Sport & Recreation and Community Development), Fire Services, Cape Winelands District Municipal Health Section and the Ward Councillors for Ward 1 and 2.

The application was subsequently advertised by the applicant in the Paarl Post, onsite and to all interested and affected parties and departments on 01 July 2021, with closing for comments on 02 August 2021. Thirty (30) day notices was served on the identified surrounding owners and community organisations and a sixty (60) day notice on the external departments. Objections were subsequently received during this advertising process from surrounding property owners and interested and affected parties, but no objection was received from any departments.

### **Public & stakeholder inputs**

The applicant on 12 October 2021 (dated 08 October 2021) submitted a Portfolio of Evidence (POE) to confirm the public participation process that was followed. See **ANNEXURE E** for the portfolio of evidence checklist and declaration of the public participation process followed. The advertising process completed by the applicant was deemed sufficient and compliant by the department.

### **Government related inputs received**

- (i) **Department of Environment Affairs and Development Planning (Directorate: Development Management – Region 2)** – With regards to the application for a temporary departure and close of the public place, this directorate has **no in-principle objection** from a provincial planning perspective to the establishment of the TRA on Erf 3229, Franschoek. See **ANNEXURE F**.

**Comments from internal service departments and municipal authorities**

- (i) **Manager: Electrical Engineering** – No objection.
- (ii) **Manager: Spatial Planning** – Application is supported but the property must revert back to its intended use of Open Space following the lapse of the Temporary Reservation Area (TRA). See **ANNEXURE G**.
- (iii) **Cape Winelands Health Department** – No objection, subject to certain conditions. See **ANNEXURE H**.
- (iv) **Directorate: Infrastructure Services** – The application is supported. Services has to be installed in accordance with the approved engineering drawings. See **ANNEXURE I**.
- (v) **Community Services (Environmental Planner)** – No objection, subject to the following. See **ANNEXURE J**
  - The intention of Stellenbosch Municipality to develop the site into a Temporary Relocation Area, as opposed to a sport field, communicated to Department of Environment Affairs and Development Planning.
  - Erf 3229, Franschoek is located in close proximity of the Stiebeuel River. Should this activity, or any other associated with the proposed development, trigger the requirements for an Environmental Authorization, this must be done prior to the implementation of the proposed development.
  - Even though the proposed development will be temporary, the necessary infrastructure and services provided must be capable of accommodating the development's needs in full, to ensure that the proposed development and use do not impact negatively on the Stiebeuel River and the surrounding environment.
- (vi) **Community Services (Community Development Section)** - Supported the application.
- (vii) **Fire Services** – Supports the application. Fire requirements will be given when plans are submitted to council.
- (viii) **Property Management** - No objection.
- (ix) **No comments received from the Ward Councillors of Wards 1 and 2.**

**Response by applicant to comments/objections received.**

See **ANNEXURE E** (POE) for the objections received from;

- (a) Marius van Stade, attaching a standard letter of objection signed by 13 land owners in Orchid Street, located south of Erf 3229, Franschoek.
- (b) A petition of objection signed by 44 community members (some from the same residence) residing in the surrounding Aloe, Lavender and Orchid Streets.

Some of the objectors in Orchid street has however been duplicated in the two objection letters.

**Applicants response on petition of objections received on 26<sup>TH</sup> JULY 2021 from 44 surrounding community members.**

No.	Comments/Objection	Applicants response
<b>1</b>	<b>The Closing of a Public Open Space</b>	
1.1	<p>The proposed closure of the public open space, erf 3229, for a period of 5 years is rejected due to the fact that the use of the erf was planned a few years back for a possible sports facility. The project never took place for reasons unknown, which must also be provided by the municipality as it may contribute to why facilities could not be erected.</p>	<p>The inputs on the proposed application is acknowledged.</p> <p>The Franschhoek Valley has an acute shortage of developable land required for human settlements development and associated social and economic facilities. Erf 3229 was identified as a relocation site after extensive search in the Valley for alternative land to relocate households residing on a freshwater dam at Langrug. These residents' lives are under constant threat, particularly during the rainy season and the Municipality has a duty to preserve life and create a safe habitable environment for all its residents within the WC024. The Municipality intends to utilise Erf 3229 temporarily while rehabilitating the freshwater dam and implementing a housing project at Langrug.</p> <p>Erf 3229 is still intended for use as a sports facility in the long-term. A geotechnical investigation study was undertaken for the property, and the outcome of the investigation indicates that it is possible to develop a sports facility, however, the latter will be expensive to implement due to the required rehabilitation work to have a surface suitable for a sports field.</p>
1.2	<p>There is already a high density in the area and the threat for additional informal structures after the construction of the proposed structures is high. The threat to the establishment of another informal settlement is too high.</p>	<p>The community and the beneficiary committee from Langrug will have to work together with the Anti Land Invasion Unit of the Municipality to report illegal building of more structures. The Municipality will sign occupation contract with the said residents, which has a clause that will prevent the construction of more structure once the residents are relocated.</p>

	Until a thorough risk analysis and risk plan is in place for the threat of the establishment of an informal settlement and the removal of the structures after the expiry of the 5-year period, we will not accept the application.	Furthermore, the nature of Erf 3229's current Public Open Space zoning, will not allow residents to construct additional structures on the property. This is with the exception of our land use planning application for a temporary departure, which sought to secure permission to use the site as a TRA and to construct temporary housing units to urgently address the potential loss of life at Langrug, should the current situation be left unattended.
1.3	Until a thorough risk analysis and risk plan is in place for the threat of the establishment of an informal settlement and the removal of the structures after the expiry of the 5-year period, we will not accept the application.	The Municipality intends to utilise Erf 3229 to temporarily accommodate households residing on a freshwater dam at Langrug, while the dam site is being rehabilitated. The households will be relocated back to Langrug after the rehabilitation of the dam site and implementation of a housing project. The Stellenbosch Municipality has identified the formal upgrading of the whole Langrug Informal Settlement as a key priority project on their Housing Pipeline and on the approved departmental Business Plan. In addition, the property information on ownership, servitudes, and zoning are provided as a guide to ensure that, after expiry of the 5-year grace period and following the removal of temporary structures, the site is returned in a condition which will comply with legislated requirements for a public open space.
<b>2.</b>	<b>Alternative Space</b>	
2.1	In 2017/2018, a housing project was undertaken on the site across from Dalabushle School. The project was disrupted by the community of Langrug and the project was stopped altogether.	The project could not continue due to the topography of the site. Thereafter, the municipality decided to sell the properties to the residents of Franschoek via open tender process with a criteria linked to the sale of the properties. This process was approved by Council.
2.2	This TRA project is ideal for the affected residents of Langrug to be accommodated on that plot now. The zoning of the erf should also be residential.	While rezoning the property as a residential zone would be ideal, the legal process to realise this approach would consume more time, further placing the livelihoods of households at Langrug at risk while waiting for planning approvals. The

		application for temporary departure provides for a much quicker legal process to secure planning approval, which will enable the municipal to develop the site and advert the dangerous living arrangement at Langrug.
2.3	If the erf does not belong to the Municipality, the Municipality may make an offer to the owner to purchase the erf to realize the forced relocation. The yard is close to the school as well as close to the community of Langrug.	The Municipality owns the property known as Erf 3229, and intends to develop the site as a TRA to realise the relocation of affected households in Langrug.
2.4	Erf 412 next to the R45 is also a space that can be used and safer i.t.v. the conditions of the soil. By the fact that this erf was not considered, we give residents an indication that the Municipality does not have sufficient confidence that they will be able to remove the structures after the 5 years as well as not be able to control checks for illegal erection of additional structures.	The municipality considered all viable properties in the Valley. There is an acute shortage of developable land required for human settlements development and associated social and economic facilities in the Valley. Erf 3229 was identified as the most suitable site due to its close proximity to Langrug as well as other considerations.
2.5	We are looking for concrete evidence that the Municipality is able to exercise land use control over the proposed project.	The proposed project, like any other proposed land development within Stellenbosch Municipality, is under the control of the applicable zoning laws and municipal by-laws. Any proposed development on the property will follow the legal prescripts/processes as contained on the applicable zoning laws and municipal by-laws of the Municipality.
<b>3.</b>	<b>Threat to unrest and protest action of current residents</b>	
3.1	If the Municipality, which is also the client in the project, ignores the objections of the community, the threat of disruption of the project is high.	The Municipality acknowledges the concerns that some residents may have pertaining the proposed development. The municipality endeavours to engage and address all these concerns in an amicable manner. Furthermore, the Municipality has a duty to preserve life and create a safe habitable environment for all its residents within

		the WC024, and the latter is possible when we all work together.
3.2	This threat could harm the contractor and employees, community members, infrastructure, and public order.	The Municipality acknowledges the concerns that some residents may have pertaining the proposed development. The municipality endeavours to engage and address all these concerns in an amicable manner. Furthermore, the Municipality has a duty to preserve life and create a safe habitable environment for all its residents within the WC024, and the latter is possible when we all work together.
3.3	A meeting will first have to be convened with the community and if the covid-19 regulations do not allow it, it will be safe to wait until such a consultation process is possible.	Over and above this process, the municipality will arrange a community meeting to engage the residents that are directly affected by the proposed development once Covid-19 regulations permit.
<b>4.</b>	<b>Relocation from a dam to a dam</b>	
4.1	Erf 3229 was previously a dam and the purification of water through the ground can still be physically signalled. It is not only on the yard itself but at the houses built under the dam. Why do people move from one dam to another?	The Municipality has undertaken various specialist studies to assess the feasibility of developing the property as a TRA and a sports field in the long-term. The outcome of these studies indicate that the property is developable for the intended uses described above. The property will be rehabilitated as per the outcomes of proposed solutions/interventions to create a site suitable for the development of a TRA. Furthermore, a buffer zone of 8 meters will be created to protect properties below the dam wall as well as construct earth channels to direct stormwater and surface water to the Stiebevel river,

Emailed sent by Marius van Stade on behalf of the Orchid Street, Mooiwater.

Franschhoek community on 2nd AUGUST 2021

No.	Comments/Objection	Applicants response
1	Erf 3229, formerly an irrigation dam (farm dam) is not suitable for housing development.	The Municipality has undertaken various specialist studies to assess the feasibility of developing the property as a TRA and a sports field in the long-term. The outcome of these studies indicate that the property is developable for the intended uses described above. The property will be rehabilitated as per the outcomes of proposed solutions/interventions to create a site suitable for the development of a TRA.
2	The land use application at Erf 3229 Franschhoek makes more provision for sewage infrastructure while the underground water table and natural water flow were not taken into account.	As indicated in the land use application, the estimated flows from the proposed Temporary Relocation Area (TRA) – Erf 3229, have been calculated using the estimated number of informal dwelling structures. The Proposed Temporary Infrastructure will connect to an existing 100mm diameter pipeline on Remainder Street, it was recommended that all toilet blocks and water points be linked such that only one connection to the municipal infrastructure needs be introduced. The existing water infrastructure and reservoirs are deemed to have sufficient capacity to accommodate the anticipated water consumption of the Temporary housing.
3	The land use application in no way mentions water flood line, catchment area, reticulation as well as the physical diversion of underground water reservoir within the area. The Stiebeuls River is a water ditch and not a river.	As indicated in the land use application, the topography of the site allows for natural surface flow along platforms in a southerly direction. Whilst the Stiebeuel River runs west of the site, the natural fall of the site makes it impractical to direct surface flow in a westerly direction.  Stormwater for the development will be managed on a catchment-wide basis and will take into account the surrounding built and natural environment. The Stormwater infrastructure will comprise of a combined surface drainage and a levy berm along the southern boundary to protect downstream properties. All

		run-offs will be collected and channelled to the low point south-east of the site, from here it will be intercepted by an inlet structure which will connect onto the existing underground system in Remainder Street. No underground formalised or fixed pipework or structures are envisaged on the site.
4	The branching of a high-density settlement developed will put great pressure on the land surface which will have a negative impact on the underlying infrastructure.	Specialist studies undertaken by the Municipality indicate that there is sufficient underlying infrastructure to service the proposed development. Civil design (i.e. water, sanitation and electricity) are approved for the proposed development.
5	That affected residents did not participate in an environmental impact study where the risks of such a development were discussed.	<p>A public participation process was initiated for the proposed departure application. Interested and affected parties was awarded the opportunity to provide inputs on the proposed land use application.</p> <p>An environmental screening application was submitted to DEADP. Conformation was received from the Department that the proposed development does not trigger a listed activity for a Basic Assessment, the public participation process was therefore not initiated.</p>
6	The irrigation dam (farm dam) is already being booted to underground water pressure which causes residents living adjacent to the irrigation dam to experience structural damage to infrastructure.	<p>The Municipality has undertaken various specialist studies to assess the feasibility of developing the property. Concerns around the irrigation dam and surface water will be addressed during the site clearance and rehabilitation of the property. Furthermore, the development layout plan proposes:</p> <ul style="list-style-type: none"> <li>• An 8-meter buffer zone between the residents living at the bottom of the dam and the new residents of the TRA,</li> <li>• The construction of earth channels to direct stormwater and surface water to the Stiebeuel river.</li> </ul>



		Against this backdrop, the overall proposed development and eventual implementation of the required interventions, will address the long-standing issues in area around the stability of the irrigation dam as well as surface water.
7	When the ground cover surface of Erf 3229 is to be removed, the irrigation dam will be exposed to degradation and stronger underground water seepage which will weaken the territory.	The Municipality has undertaken various specialist studies to assess the feasibility of developing the property. The overall proposed development and eventual implementation of the required interventions will address the long-standing issues in area around the stability of the irrigation dam as well as surface water. Earth channels will be constructed to direct stormwater and surface water to the Stiebeuel river.
8	Residents living at the direct bottom of the irrigation dam (Erf 3229) are already experiencing infrastructure damage to their homes. Screen water or groundwater has been damaging residents' household utensils and furniture for years due to dampness of ground screen water.	<p>The Municipality has undertaken various specialist studies to assess the feasibility of developing the property. Concerns around the irrigation dam and surface water will be addressed during the site clearance and rehabilitation of the property. Furthermore, the development layout plan proposes:</p> <ul style="list-style-type: none"> <li>• An 8-meter buffer zone between the residents living at the bottom of the dam and the new residents of the TRA,</li> <li>• The construction of earth channels to direct stormwater and surface water to the Stiebeuel river,</li> </ul> <p>Against this backdrop, the overall proposed development and eventual implementation of the required interventions, will address the long-standing issues in area around the stability of the irrigation dam as well as surface water.</p>
9	The dam wall of the irrigation dam is already breaking loose due to a large pressure of underground water.	The Municipality has undertaken various specialist studies to assess the feasibility of developing the property as a TRA and a sports field in the long-term. The outcome of these studies indicate that the property is developable for the intended uses described above. Concerns raised will be dealt with during the rehabilitation of the site, to ensure

		the stability of the irrigation dam. In addition, earth channels will be constructed to direct stormwater and surface water onto the Stiebeuel river,
10	Stellenbosch Municipality would have built a sports field with clubhouse facility on Erf 3229 a few years ago, but it was found that the irrigation dam or surface could not handle its pressure.	The Municipality has undertaken various specialist studies to assess the feasibility of developing the property as a TRA and a sports field in the long-term. The outcome of these studies indicate that the property is developable for the intended uses described above. The development layout plan proposes the construction of earth channels to direct stormwater and surface water onto the Stiebeuel river, Furthermore, to develop a sport field and a clubhouse on the property would require extensive rehabilitation work to create a surface suitable for a sports field, and the latter would be extremely costly.

**PART G: ASSESSMENT OF LAND USE AND LAND DEVELOPMENT APPLICATION****1. Legislative and Policy Context of land use and land development application**

When the decision maker considers the land use and land development application, it must have regard to the general criteria for consideration in terms of Section 65(1) of the Land Use Planning By-law, as it would relate to the subject land use and land development applications.

It is also noted that the subject land use and land development applications were 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**

This application is made in terms of Section 15(2)(c) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for a temporary departure for the relocation of households that are currently residing in a freshwater dam in the Langrug informal settlement, for temporary housing on a public place (Erf 3229, Franschhoek) for a period of 5 years. The temporary closure of the public place is subsequently made in terms of Section 15(2)(n) of the Land Use Planning By-Law for a period of 5 years. See **ANNEXURE B** for the proposed site layout plan.

The above-mentioned applications intend to relocate residents of the Langrug informal settlement living in the freshwater dam, temporarily to allow for the rehabilitation of the dam for a period of 5 years and look at alternative uses of the Langrug dam site or alternative accommodation sites for the relocated residence. The relocation of these residence has become an emergency project, considering the risks associated with living within a freshwater dam area.

Vacant Erf 3229 Franschhoek, zoned Public Open Space is owned by the Stellenbosch Municipality and has been identified as a Temporary Relocation Area (TRA) for the residents living in the Langrug freshwater dam and no other alternative sites proposed. Considering the zoning of Public Open Space Zone, the property cannot automatically be used for housing purposes, hence the application for a temporary departure and temporary closure of the Public Open Space. The site was formerly used as an irrigation dam for farming purposes, is situated in the Mooiwater residential area, has been filled and flattened by illegal dumping of building and other material over time and now lends itself as a TRA until such time as an investment could be made to construct infrastructure for a Sport Field as earmarked by the SDF.

## Consistency with the IDP/Various levels of SDF's/Applicable policies

- **SPLUMA:**

The application is aligned to the following principles of SPLUMA:

**The principle of spatial justice**, whereby past spatial and development imbalances (such as informal settlements) must be redressed through improved access to and use of land.

**The principle of spatial sustainability**, whereby land development that is within the fiscal, institutional, and administrative means of the Republic should be promoted and promote land development in locations that are sustainable and limit urban sprawl.

**The principle of efficiency**, whereby land development optimizes the use of existing resources and infrastructure, decision-making procedures are designed to minimize negative financial, social, economic, or environmental impacts.

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

**The principle of good administration**, whereby all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in the Act.

The decision to treat the relocation of residence from a freshwater dam as an emergency by a local government, in order to provide temporary alternative accommodation, considering the threat to the livelihood, health and safety of these residence in an informal settlement, address all the above mention SPLUMA principles.

- **IDP and Municipal SDF:**

The Municipality's IDP dated May 2019 identified various projects and priorities for all its Wards.

The Municipality identified 5 strategic focus areas, one of it being "Green and Sustainable Valley". Which states that all citizens should have access to a dignified life, irrespective of their relative material wealth or their background. With a dignified life referring to, inter alia, access to shelter, ethical administration of municipal housing, and sufficient choice in housing opportunity for different income groups. As well as neighborhoods with accessible public facilities and services.

A site inspection revealed the awful living conditions that the residents of the dam site in Landrug experience especially the residents living at the bottom of the dam. The dam has a constant pool of water at the bottom which is polluted with waste and overflows into the homes of residents when it rains especially. As shown in the site photos (See **ANNEXURE C**) this is by no means dignified living conditions and these residents need to be urgently rehoused even as a temporary relocation, before it leads to a loss of life as it currently represents a major health and safety risk.

This application to temporarily house residents of the Langrug informal settlement on Erf 3229 Franschhoek fits in with the strategic focus area of the IDP of a "Green and Sustainable Valley". The TRA will give the residents of the Langrug informal settlement access to safer shelter and municipal public services while the dam is rehabilitated for a period of 5 years and alternative uses considered.

In terms of the Municipal Spatial Development Framework, one strategic perspective stands out in support of this application namely:

- **Address human needs – for housing, infrastructure, and facilities** – in terms of the constraints and opportunity related to natural assets, cultural assets, infrastructure, and the role of settlements. The Municipality must meet human needs in areas where the assets of nature will not be degraded, where cultural assets can be best respected and expanded, and where current infrastructure and settlement agglomeration offers the greatest opportunity. The MSDF states that the Municipality can help human needs in two ways. The first is through infill and redevelopment of existing settled areas. The second is through new green-field development. The Municipality needs to focus on both while restricting the spatial footprint of settlements outside existing urban areas as far as possible. The relocation of the dam site, is currently an emergency situation, but will provide opportunities for in-situ upgrading of the informal settlement as well.

The proposed temporary departure to relocate the residents of Langrug informal settlement from a living situation that threatens their livelihoods, is therefore consistent with the broad proposals of the Stellenbosch Municipal Spatial Development Framework, complies with the land use planning principles and other policies of this Municipality. The housing department has also identified the formal upgrading of the whole Langrug Informal Settlement as a key priority project on their Housing Pipeline.

### **The need and desirability of the proposal**

- **Access and onsite parking:**

Access to the subject site will be off Lavender Street via two major vehicle access points, which runs parallel to the eastern boundary of the site. This road will have a minimum 6m wide premixed surface finish with mountable kerbs on both sides and a cross-fall to the eastern side. As said, it is proposed that the site will be provided with two access points, the first located on the southern eastern corner, the second located on the north-east corner and will have access from the existing access road.

- **Services:**

Free and basic level of service will be provided in reference to the poor, while shared facilities for sanitation will be provided with 50 single Ablution Blocks proposed by the applicant. Water supply

will be connected to the existing line running along Lavender Street and Fire hydrants at appropriate spacings will be installed to the satisfaction of the Municipal Fire Services Department. The sewer line will be connected to the existing line and pre-fabricated toilets structures will be constructed onsite.

The engineering layout plan has already been approved by the Stellenbosch Municipal Infrastructure services and all services must therefore be install according the approved engineering drawings.

- **Desirability of the application:**

An important negative legacy from the town's past, is the artificial separation of the community of approximately 15000, into two physically separate group areas of Groendal-Mooiwater-Langrug Area and the Franschhoek Town Area. With the majority of the population residing in the Groendal-Mooiwater-Langrug area on less land per square meter. This has given rise to a serious housing shortage, manifested in backyard structures and informal settlements springing up. If this situation is not addressed swiftly and efficiently, Franschhoek's social harmony and tranquillity, and thus its tourist trade and attractiveness as place to live, may come under strain. Upgrading of the informal residential area is therefore imperative to the entire Franschhoek area.

Living conditions in Langrug area and specifically the dam area clearly does not represent dignified living as stated in the Stellenbosch Municipality's IDP and therefor these residents needs to be urgently rehoused as well as to rehabilitate the aforementioned dam which is currently in a deteriorating state due to pollution from residents living in it.

Erf 3229 Franschhoek has been identified as a suitable site to temporarily house the residents living in the dam. Erf 3229 used to be a farm dam, but the basin has been filled due to the site being used as an illegal dumping area. The site slopes towards in a south-south westerly direction with a 10m fall over a distance of 140m. Although the surface is very uneven it is not envisaged to take a lot of earthwork and construction to even out the property. There is a natural and uncontrolled flow of water from the mountain down towards the houses located south of Erf 3229, which causes damage to these residential even. Establishing a TRA on the site will formalise the area, which will put a formal sewerage and water drainage system in place which will prevent surface run-off towards the properties south of the site, which will address some of the concerns from the objectors.

The Stiebeuel River flows down the mountain on the northwestern boundary of the site, it therefore does not flow through Erf 3229, putting construction on this erf at risk. The subject erf is therefore situated on a higher level than the river and it is not envisaged that the property would be affected by flooding from the river. Formalisation of the site will also allow for it to be easily used as sports field in the future after the departure lapses.

Notwithstanding the objections against this application, the undeveloped sport field site is regarded suitable, in close proximity to the Langrug dam site and could be developed in compliance with engineering standards to accommodate the urgent temporary rehousing of residence, whose livelihoods is threatened by their living conditions. The proposal is consistent with the planning principles of Spatial Justice, Spatial Sustainability, Efficiency, Spatial Resilience and Good administration, deemed desirable on its proposed location and recommended for approval from a Land Use Management perspective.

## **PART H: SUMMARY OF KEY FINDINGS OF ASSESSMENT**

The proposal is in keeping with the relevant prescriptions, policies and guidelines of the municipality for developments within an Urban Edge, notwithstanding the objections received. The objections were adequately addressed in the applicant's response, if implemented as per the response. It's not envisages that runoff water from the site would impact on the livelihood of the residents south of Erf 3229, if the catchment drains are constructed as per the engineering drawing proposals. All services could be provided and upgraded to the satisfaction of the relevant departments if needed.

This application is urgently required to temporarily close a public place and house the residents living in the Langrug dam, for a period of 5 years on Erf 3229, Franschhoek while alternative accommodation is explored by the local authority. Access to the site is deemed sufficient with no objections from municipal or government departments and the application is therefore deemed desirable.

No environmental listed activities are trigger by the proposal requiring the submission of a Basic Assessment to DEADP. No further public participation processes (PPP) were therefore required and the PPP completed by the applicant is deemed sufficient. There is very little other developable land available in Franschhoek to accommodate areas for social housing developments within the existing Urban Edge, hence the use of existing public places.

It should be noted that Erf 3229, Franschhoek is not currently an active and operating sport field facility on an formal or informal bases, being proposed for the TRA, but only an area earmarked for a sport field activity in future. The nearby Groendal sporting complex currently provide alternative sporting facilities, until such time as Erf 3229, Franschhoek has been developed for sport field purposes. The impact on surrounding interested and affected parties and their concerns can be mitigated by putting management systems in place, compliance with municipal by-laws and provincial legislation, compliance with professional approved engineering plans and conditions of approval.

## PART I: RECOMMENDATION

1. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 3229, Franschhoek, namely:
  - 1.1 a **temporary departure** in terms of Section 15(2)(c) of the said By-Law for the Temporary Relocation Area, to relocate households that are currently residing in a freshwater dam in the Langrug Informal Settlement to temporary housing for a period of 5 years.
  - 1.2 the **closure of a public place** in terms of Section 15(2)(n) of the said By-Law for a period of 5 years.

**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 The approval applies only to the temporary departure and temporary closure of a public place in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.
  - 2.2 The structures of the Temporary Relocation Area (TRA) be removed after 5 years when this temporary departure lapses and the use of the property revert back to Public Open Space purposes.
  - 2.3 Measures be put in place by the applicable municipal departments to prevent people from living in the dam site in Langrug during rehabilitation, as well as to prevent the construction of additional shelters on Erf 3229, Franschhoek.
  - 2.4 Building plans be submitted to the Municipal Directorate: Planning and Economic Development for consideration and approval, where required.
  - 2.5 Conditions of approval listed in **ANNEXURE H** from Cape Winelands Health Department be adhered to.
  - 2.6 Infrastructure and services be installed in accordance with the approved engineering drawings and applicable conditions as listed in the letter dated 7 April 2021 attached as **ANNEXURE I**.
  - 2.7 The intention of Stellenbosch Municipality to develop the site into a Temporary Relocation Area, as opposed to a sport field, be communicated to Department of Environment Affairs and Development Planning.
  - 2.8 Should this activity, or any other activities associated with the proposed development, trigger the requirements for an Environmental Authorization to be acquired this must be done prior to the implementation of the proposed development.



- 2.9 The proposed development and its use to not impact negatively on the Stiebeuel River and the surrounding environment.
3. The reasons for the above decision are as follows:
- 3.1 The temporary relocation of the informal structures of the Langrug residence from a freshwater dam had become an emergency and require immediate intervention, while alternatives are being explored by the municipality to provide safer alternative accommodation.
  - 3.2 The proposed TRA site, although zoned Public Open Space for sport field activities, is not currently a developed and active sporting facility, but an illegal dumping site earmarked for sporting activities in future.
  - 3.3 The proposal is temporary in nature, no rezoning of the property is proposed and the land could easily revert back to the use for sporting facilities after the 5-year period.
  - 3.4 The proposed temporary use of a property zoned Public Open Space for residential purposes, do not compromise the objectives and principles of the Integrated Development Plan or the Stellenbosch Municipal Spatial Development Framework, as the property can revert back to its original intended use after 5-years.
  - 3.5 All legislative and professional engineering requirements can be complied with.
  - 3.6 Specialist studies to assess the feasibility of developing the property as a TRA has been undertaken by the municipality and the outcome of these studies indicate that the property is developable for the intended land use.

**Additional matters to be noted**

Not applicable.

**PART J: ANNEXURES**

1. **ANNEXURE A:** Locality Plan
2. **ANNEXURE B:** Site Layout Plan
3. **ANNEXURE C:** Site Photos
4. **ANNEXURE D:** Motivation report
5. **ANNEXURE E:** Copy of POE Checklist and declaration
6. **ANNEXURE F:** Department of Environment Affairs and Development Planning
7. **ANNEXURE G:** Manager: Spatial Planning comments
8. **ANNEXURE H:** Cape Winelands Health Department comments
9. **ANNEXURE I:** Directorate: Infrastructure Services comments
10. **ANNEXURE J:** Community Services comments (Environmental Planner)

**PART K: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT****APPLICATION FOR TEMPORARY DEPARTURE AND TEMPORARY CLOSURE OF A PUBLIC PLACE ON UNREGISTERED ERF 3229, FRANSCHHOEK.****Author of Planning Assessment Report:****Recommended Categorisation of the Application for Authorised Decision Maker:**

Closure of public space, temporary departure – Type C Category 5 and Type N Category 5 to SMPT, considering that the property is owned and the application initiated and undertaken by Stellenbosch Municipality.

**Name:** Pedro April

**Capacity:** Senior Town Planner

**SACPLAN Registration:**

**Signature:**



**Date:** 05/01/2022

**PART I: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT****APPLICATION FOR TEMPORARY DEPARTURE AND TEMPORARY CLOSURE OF A PUBLIC PLACE ON UNREGISTERED ERF 3229, FRANSCHHOEK.****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:** Type C Category 5 and Type N Category 5.

**Decision Making Authority:** SMPT

**Rational:** Considering that the property is owned and the application initiated and undertaken by Stellenbosch Municipality.

**Name:** Chrizelle Kriel

**Capacity:** Manager: Land Use Management

**SACPLAN Registration:** A-212/10

**Signature:** 

**Date:** 06/01/2022

**PART M: ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT****APPLICATION FOR TEMPORARY DEPARTURE AND TEMPORARY CLOSURE OF A PUBLIC PLACE ON UNREGISTERED ERF 3229, FRANSCHHOEK.****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

**Name:** LENACIA KAMIRETHA

**Capacity:**

**Signature:** 

**Date:** 01.01.2022.

**ANNEXURE A**

Locality Plan

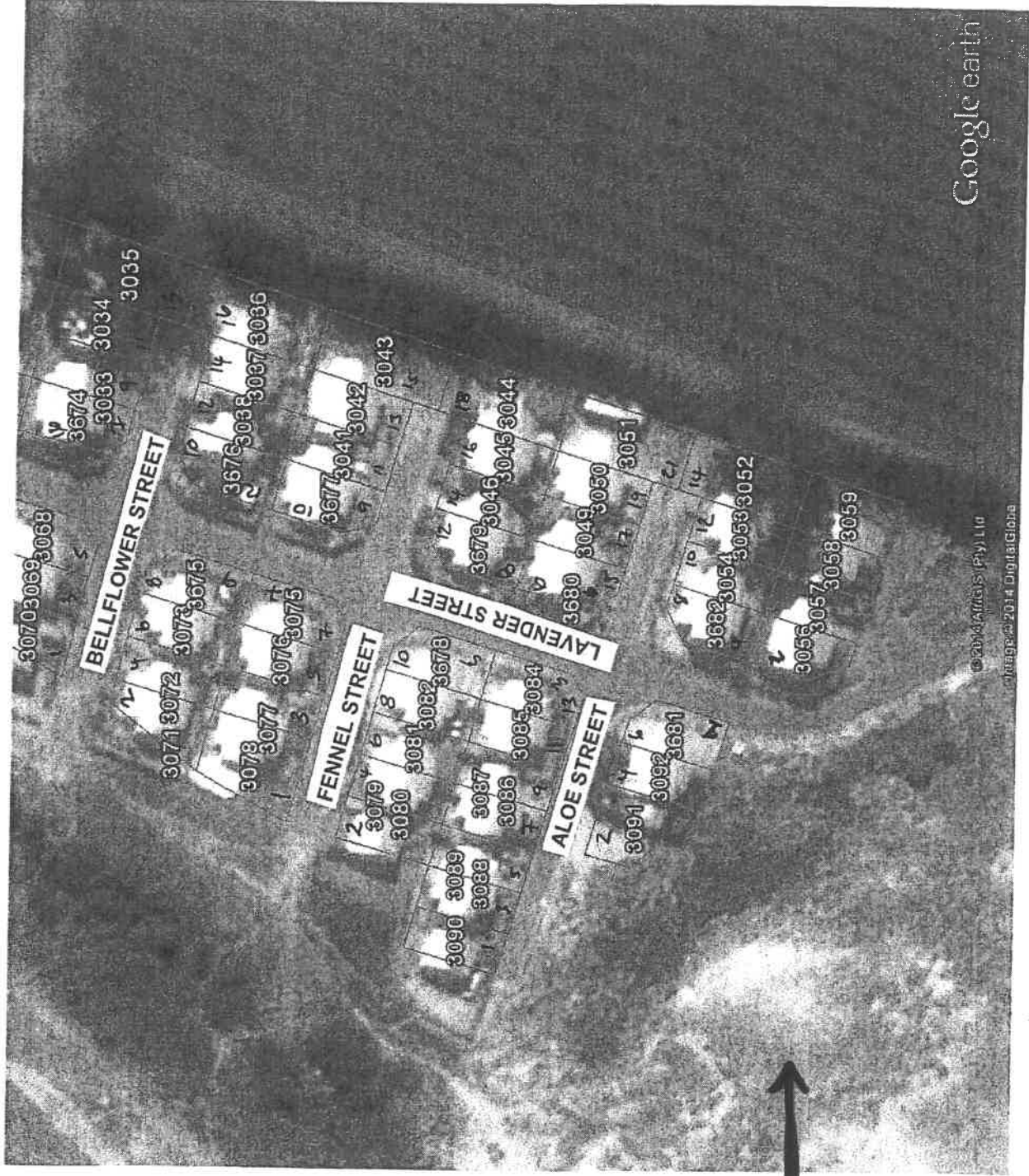


Erf 3229 FH



Google earth





Erf 3229 FH

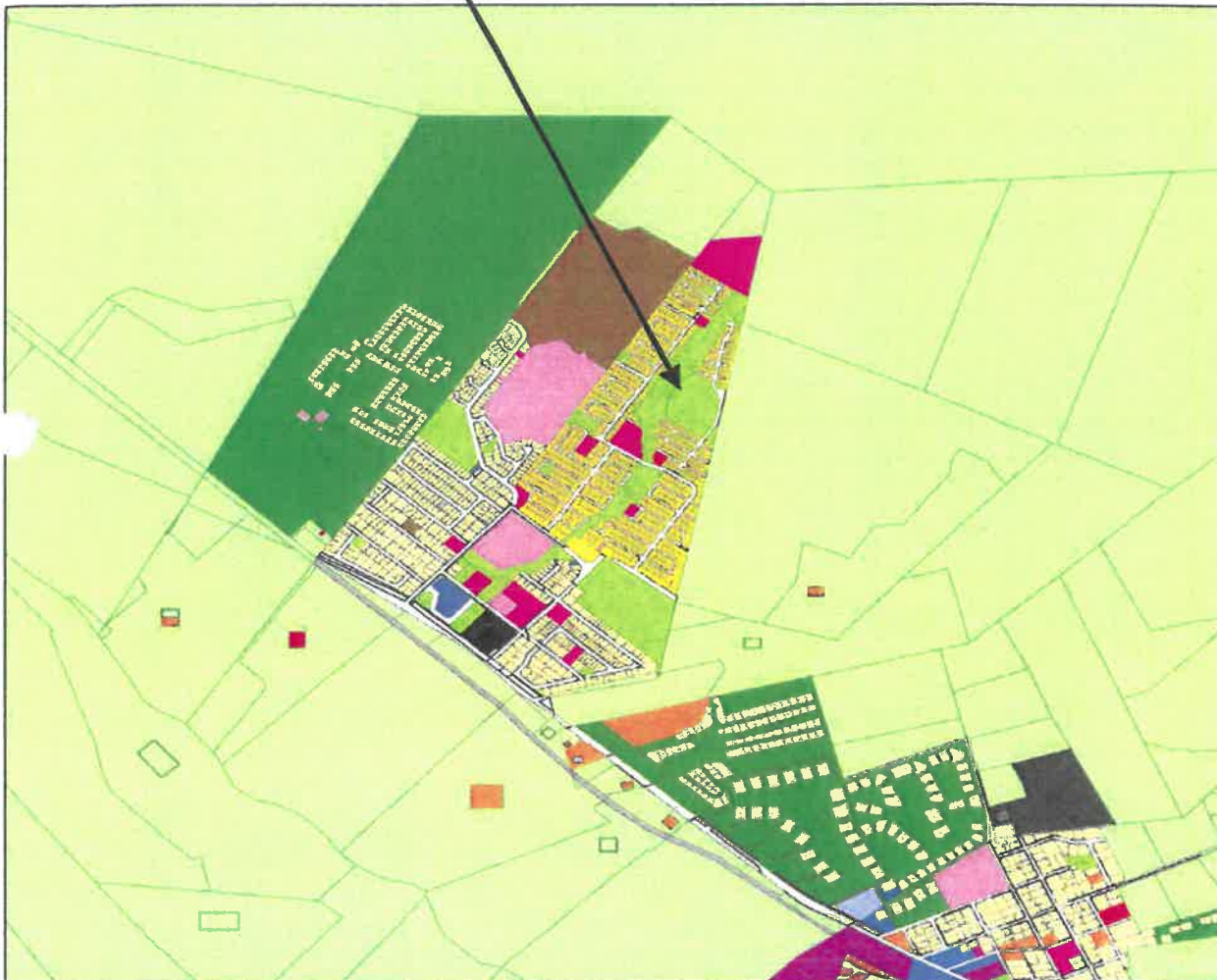


Google earth

**ANNEXURE B**

Site Layout Plan

Erf 3229, Mooiwater



**STELLENBOSCH MUNICIPALITY**  
KOMMUNE WES-KAAP  
**FRANSCHHOEK 1**

**Zoning Scheme 2010**

- Commercial Residential Zone
- Low Density Residential Zone
- Medium Density Residential Zone
- Community Zone
- Education Zone
- Leisure Zone
- Local Business Zone
- Mixed Use Zone
- Agriculture and Rural Zone
- Public Open Space Zone
- Public Parks and Playing Zone
- Suburban Area
- Transport Facility Zone
- Utility Services Zone
- Natural Environment Zone

SPR 2010  
(Colour of the rectangle corresponds with zoning of the spill area)

Scale: 1:10,000  
Date: 2010

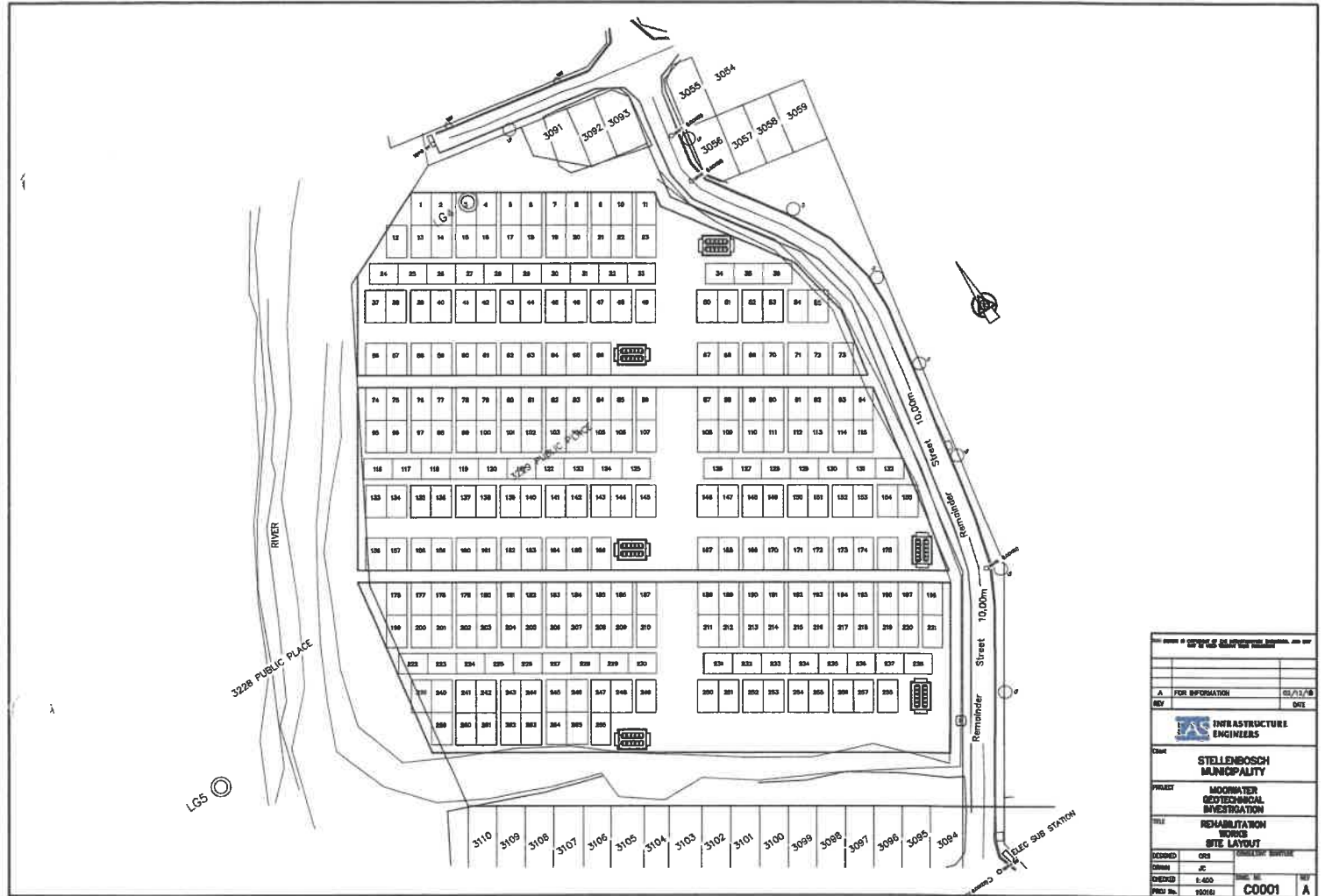
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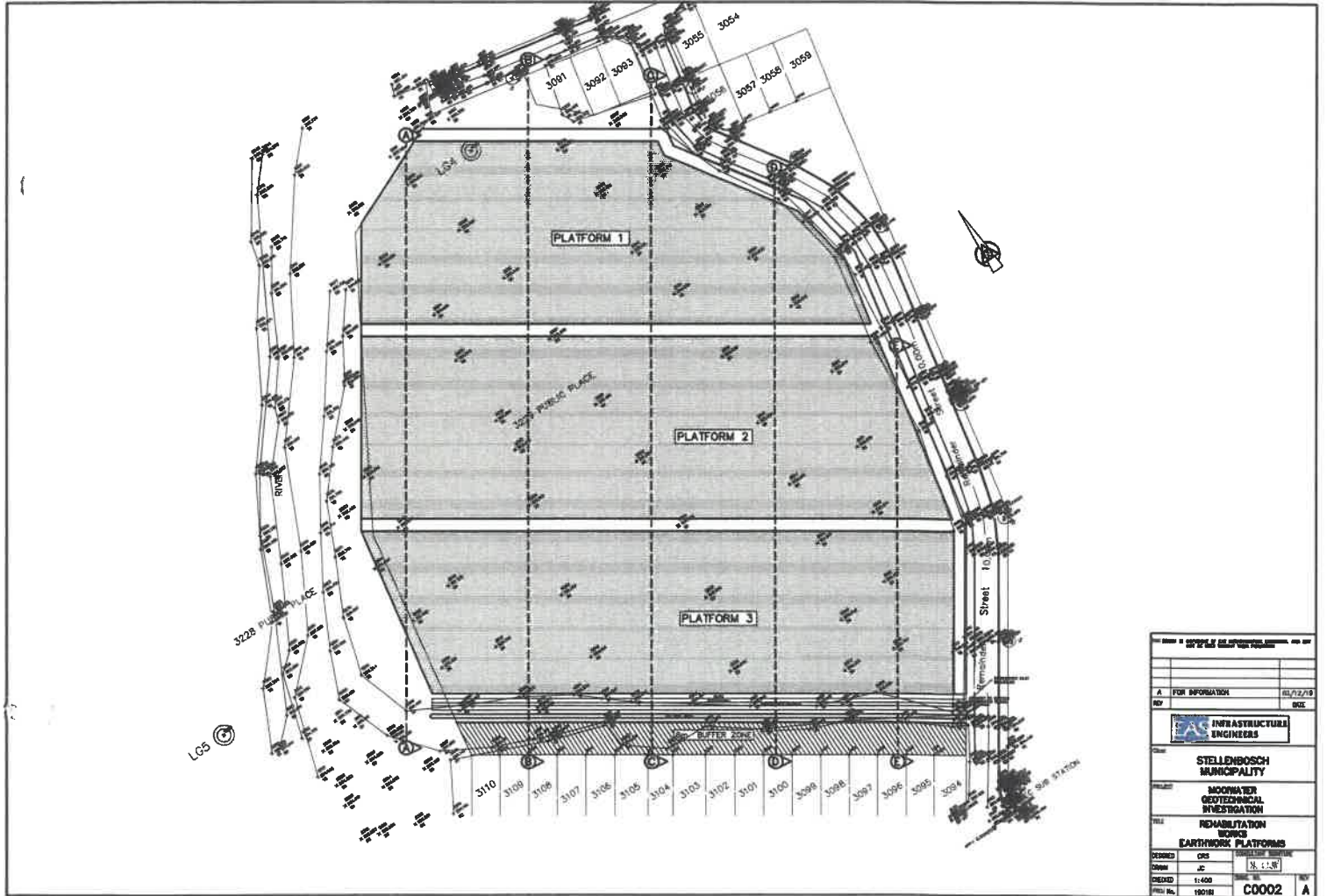
Reviewed by: [Name]  
Date: [Date]

Approved by: [Name]  
Date: [Date]

Disclaimer: This document is for informational purposes only and does not constitute a contract. The Municipality is not liable for any loss or damage arising from the use of this document.



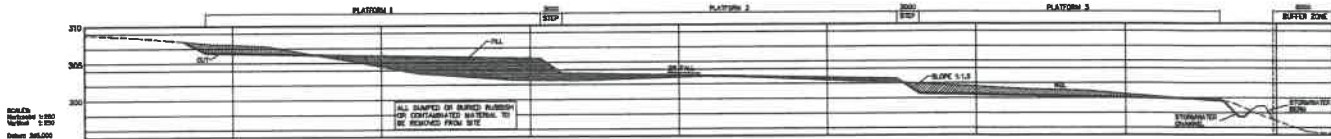




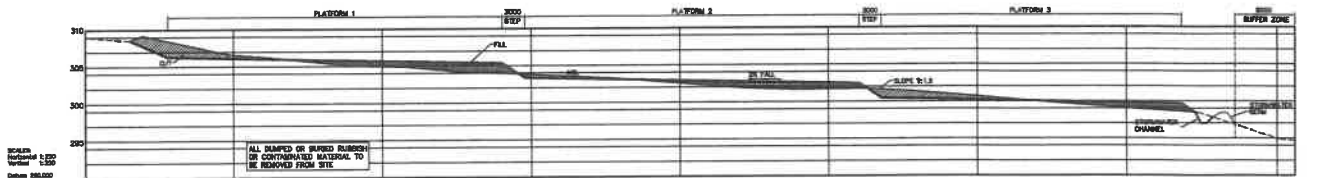
A FOR INFORMATION		01/12/18
REV		001
<b>EAS INFRASTRUCTURE ENGINEERS</b>		
<b>STELLENBOSCH MUNICIPALITY</b>		
<b>MOONWATER GEOTECHNICAL INVESTIGATION</b>		
<b>REHABILITATION WORKS</b>		
<b>EARTHWORK PLATFORMS</b>		
DESIGNED	CRS	DATE: 01/12/18
DRAWN	JC	SCALE: 1:100
CHECKED		BY: S
PROJECT No.	19018	<b>C0002</b>
		<b>A</b>



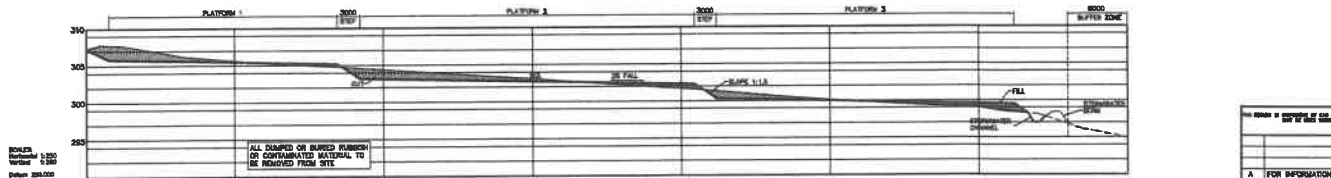
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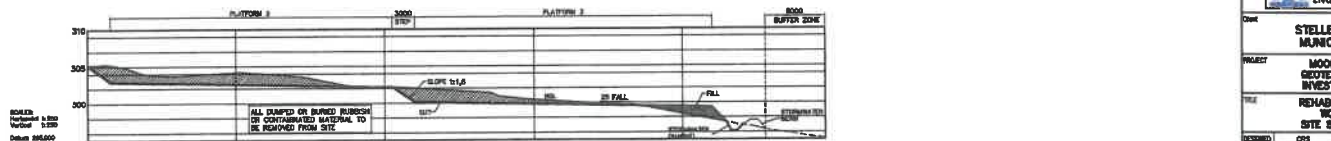
Longsection B-B



Longsection C-C

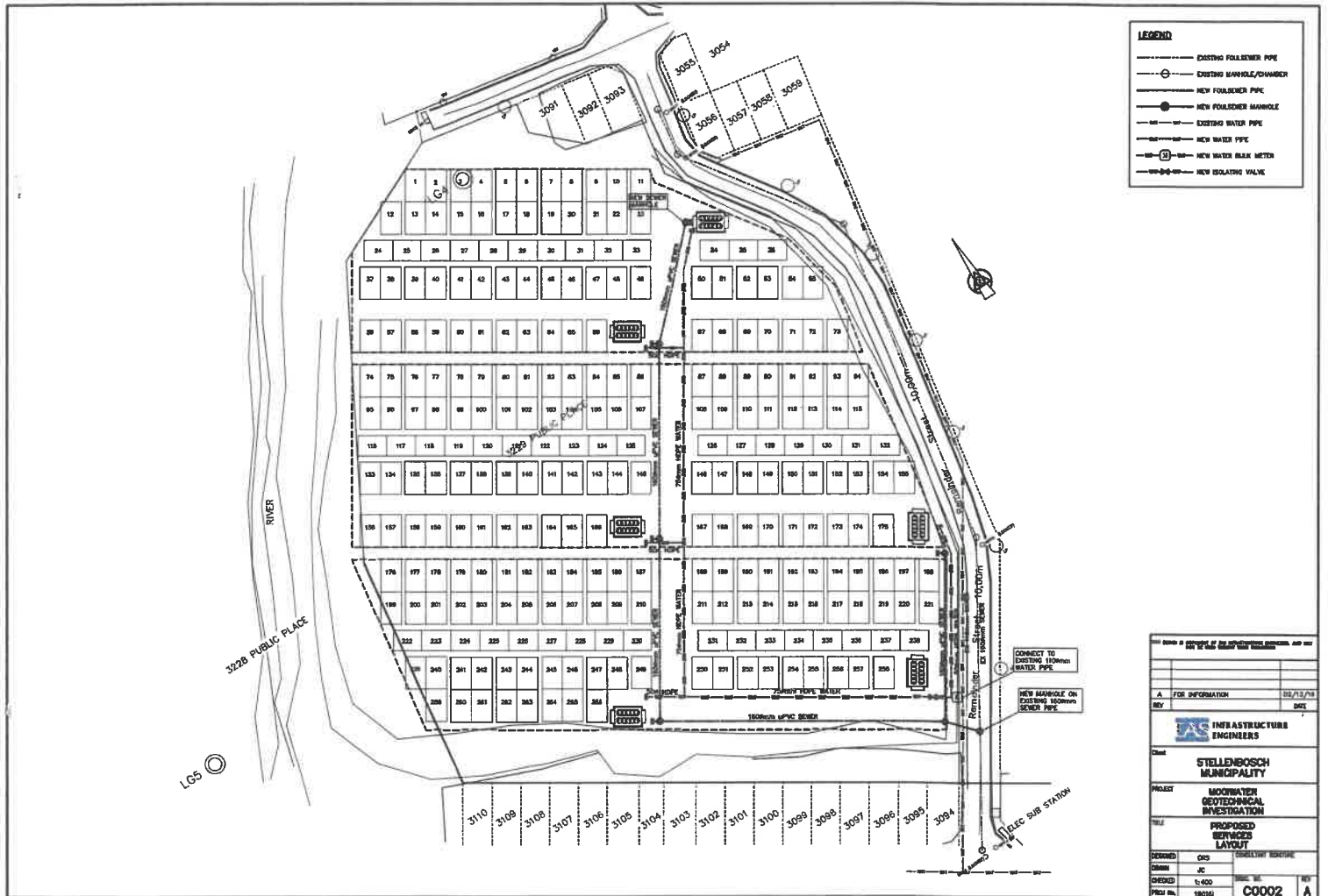


Longsection D-D

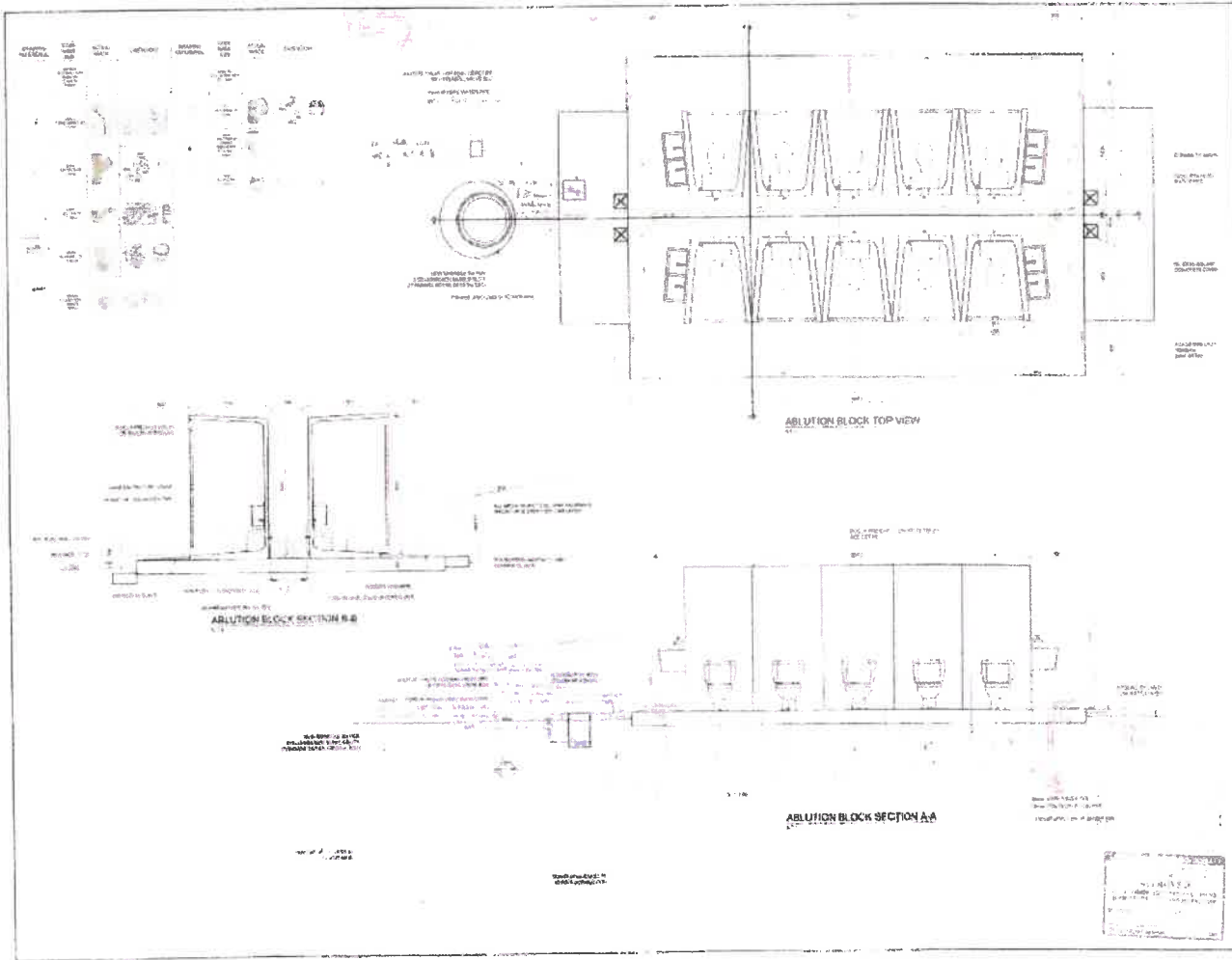


Longsection E-E

FOR INFORMATION		02/12/10
<b>STELLENBOSCH MUNICIPALITY</b>		
<b>PROJECT: MOONHATER CERTIFICATION INVESTIGATION</b>		
<b>TITLE: REHABILITATION WORKS SITE SECTIONS</b>		
DESIGNED	CDC	DATE: 02/12/10
DRAWN	JC	SCALE: 1:1
CHECKED	E:400	DATE: 02/12/10
PRJ. NO.	100121	CD003 A







NOTES:  
 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
 2. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.  
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
 4. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
 6. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.

REFER TO STEELWORK MEMBERSHIP STANDARD DETAILS DRAWING

NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR PERMITTING	2024-04-15	J. SMITH	M. JONES
2	ISSUED FOR CONSTRUCTION	2024-04-20	J. SMITH	M. JONES
3	ISSUED FOR AS-BUILT	2024-05-01	J. SMITH	M. JONES

NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR PERMITTING	2024-04-15	J. SMITH	M. JONES
2	ISSUED FOR CONSTRUCTION	2024-04-20	J. SMITH	M. JONES
3	ISSUED FOR AS-BUILT	2024-05-01	J. SMITH	M. JONES

ORIGINAL DRAWING SEE 1/31



Project No: 294-045-001  
 BASIC ENGINEERING SERVICES FOR INFORMAL SETTLEMENT ON ERF 2171 EXAMINE

NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR PERMITTING	2024-04-15	J. SMITH	M. JONES
2	ISSUED FOR CONSTRUCTION	2024-04-20	J. SMITH	M. JONES
3	ISSUED FOR AS-BUILT	2024-05-01	J. SMITH	M. JONES

294	294-045-001	B
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**ANNEXURE C**

Site Photos



**Erf 3229, Franschhoek becoming an illegal dumping site**



**Erf 3229, Franschhoek becoming an illegal dumping site**



**Boundary fence on the farms located south and south-east of Erf 3229**



**Langrug spilling over onto the foothill of the adjacent mountain site.**



**Erf 3229, Franschoek**



**Erf 3229, Franschoek and properties located north-east of it.**



**Properties south-west of Erf 3229, Franschoek**



**View from Erf 3229, Franschoek**



**Erf 3229, Franschoek**





**The river stream adjacent to Erf 3229, Franschoek.**



**Structures on the dam-wall in Langrug**



**The inside of the dam site in Langrug**



**The dam site in Langrug**



**The dam site in Langrug**



**Structures in and below the dam site in Langrug**



**Erf 3229, Franschoek:**











**ANNEXURE D**

Applicants motivation report



APPLICATION IS HEREBY MADE:  
IN TERMS OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW 2015

**APPLICATION FOR A TEMPORARY  
DEPARTURE AND TEMPORARY CLOSURE  
OF A PUBLIC OPEN SPACE  
ERF 3209 (TO BE KNOWN AS 3229  
FRANSCHHOEK)**

**CLIENT DETAILS:**

STELLENBOSCH LOCAL MUNICIPALITY  
TOWN HOUSE COMPLEX  
PLEIN STREET  
STELLENBOSCH  
7600

**AGENT DETAILS:**

ETL CONSULTING (PTY) LTD  
CORNER MAIN OFFICE PARK  
2 PAYNE ROAD  
BRYANSTON  
2191  
TEL: (011) 568 3421  
EMAIL: [willie@etlconsulting.co.za](mailto:willie@etlconsulting.co.za)

SUBMITTED TO:



**STELLENBOSCH**

STELLENBOSCH • PHIL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**STELLENBOSCH LOCAL MUNICIPALITY  
TOWN HOUSE COMPLEX  
PLEIN STREET  
STELLENBOSCH  
7600**

**NOVEMBER 2020**

**ETL CONSULTING (PTY) LTD**

5th FLOOR, IMPERIAL TERRACES, CARL CRONJE DRIVE. TYGER WATERFRONT. BELVILLE, 7530, TEL: 011 568 3421

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## 1. INTRODUCTION/ BACKGROUND

**ETL Consulting (Pty) Ltd** was appointed by the Stellenbosch Local Municipality to obtain land use rights on the subject property – Erf 3229 Franschhoek for a Temporary Relocation Area.

**The subject property was identified as being adequate to relocate households that are currently residing in a fresh water dam in the Langrug informal settlement. Their livelihood is under constant threat especially during the rainy season. Studies done by Stellenbosch Municipality indicate that the integrity of the dam wall has over the years been compromised by natural erosion, expedited seasonal water damage and by the permanent structures inside the dam basin, on the dam wall and the cutting away of the dam wall by inhabitants. The primary purpose of this project is to create a decanting site (TRA) for the dam inhabitants:**

- **It will create space in the dam area for rehabilitation thereof and/or formalisation of said area**
- **It will also create decanting for future projects in Langrug/Mooiwater**

Hence application is made for the purpose of utilizing Erf 3229 Franschhoek as a Temporary Relocation Area (TRA) for a period of 5-years for the temporary relocation of families affected by the Langrug Informal Settlement Upgrades.

Seeing that the application is deemed as an Emergency, it is also proposed that Stellenbosch Municipality request approval from the Department of Environmental Affairs and Development Planning in terms of Section 60(2) of the Land Use Planning Act, 2014 read with Section 64 (1)(b) to reduce administrative burden and obtain authorization for exception of the public participation process.

The property is currently zoned Public Open Space (POS) and as such, a departure from the current zone is required to utilize the land on a temporary basis for another purpose, i.e. temporary housing.

## 2. APPLICATION

The following Application is made in terms of the Stellenbosch Municipality Land Use Planning By-Law 2015 to allow for the following:

- **A temporary departure** to utilize the subject property on a temporary basis for temporary housing for a period of 5-years.
- **A temporary closure of a public space** for a period of 5-years as listed in terms of Section 26 (2) of the Stellenbosch Municipality Land Use Planning By-Law 2015.

The purpose of which, being to develop a Temporary Relocation Area on Erf 3229 Franschhoek, for the purpose of accommodating approximately 300 families impacted by the implementation of upgrading projects planned for the Langrug informal settlement.

In terms of the temporary closure component of the application, **Section 26 (2)** of the Stellenbosch Municipality Land Use Planning By-Law 2015 states:

***“An applicant who requires the closure of a public place, whether permanently or temporarily, must apply in terms of Section 15 (2) to the Municipality.”***

In light of the above, the Application is made in terms of Section **15.2 (c) & (n)** of the Stellenbosch Land Use Planning By-Law 2015 which states the following:

**15. (2) The owner of land or his or her agent may apply to the Municipality in terms of this Chapter and Chapter IV for the following in relation to the development of the land concerned:**

(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land.

(n) a closure of a public place or part thereof.

The proposal sought is for Departure granted on a temporary basis (5-years) to utilize the land for a purpose not permitted in terms of the primary rights of the zoning applicable to Erf 3229 Franschoek, i.e. a temporary residential use on an Public Open Space zoning.

### 3. THE APPLICANT SITE

The subject property/ applicant site has been identified as ERF 3229 Franschoek and measures approximately 1.97 Ha in extent. The site is located approximately 1.2 km from the MR45 (Main Road) and is situated to the North of the road. It should also be noted that the site is situated in close proximity to the Franschoek CBD, which is within walking distance to various community and educational facilities.

<b>CADASTRAL DESCRIPTION</b>	ERF 3229 FRANSCHHOEK
<b>LEGAL DESCRIPTION</b>	ERF 3209 (TO BE KNOWN AS 3229 FRANSCHHOEK)
<b>STREET ADDRESS</b>	N/A
<b>SUBURB/ TOWN</b>	MOOIWATER IN FRANSCHHOEK
<b>CURRENT ZONING</b>	PUBLIC OPEN SPACE
<b>CURRENT LAND USE</b>	VACANT (USED FOR ILLEGAL DUMPING)
<b>OWNERSHIP</b>	MUNICIPALITY OF STELLENBOSCH



Figure 1: Application Site

The subject property is not yet registered in the deed's office. The legal description of the property is therefore referred to as ERF 3209 (To Be known as 3229 Franschoek)

### 4. THE NEED FOR THE PROPOSAL

The proposal sought seeks to accommodate approximately 253 families impacted by the rehabilitation of the dam site as well as various in-situ upgrading projects at the informal settlement. The growing number of informal structures and population in the settlement together with the unavailability of housing opportunities in the Franschoek area has created a challenge which requires intervention.



It should be noted that the site was previously utilized as a farm dam. However, it is currently vacant and being used for illegal dumping.

**4.1. PROPOSED TRA DEVELOPMENT**

As per the Subdivision Plan (TRA Area) above, the proposed Temporary Development accommodates 253 Stands measuring at 40 sqm each, and 50 single ablution facilities to be shared by residents. It should be further emphasized that the proposed development is of a temporary nature to accommodate residents affected by the Langrug Informal Settlements Upgrade.

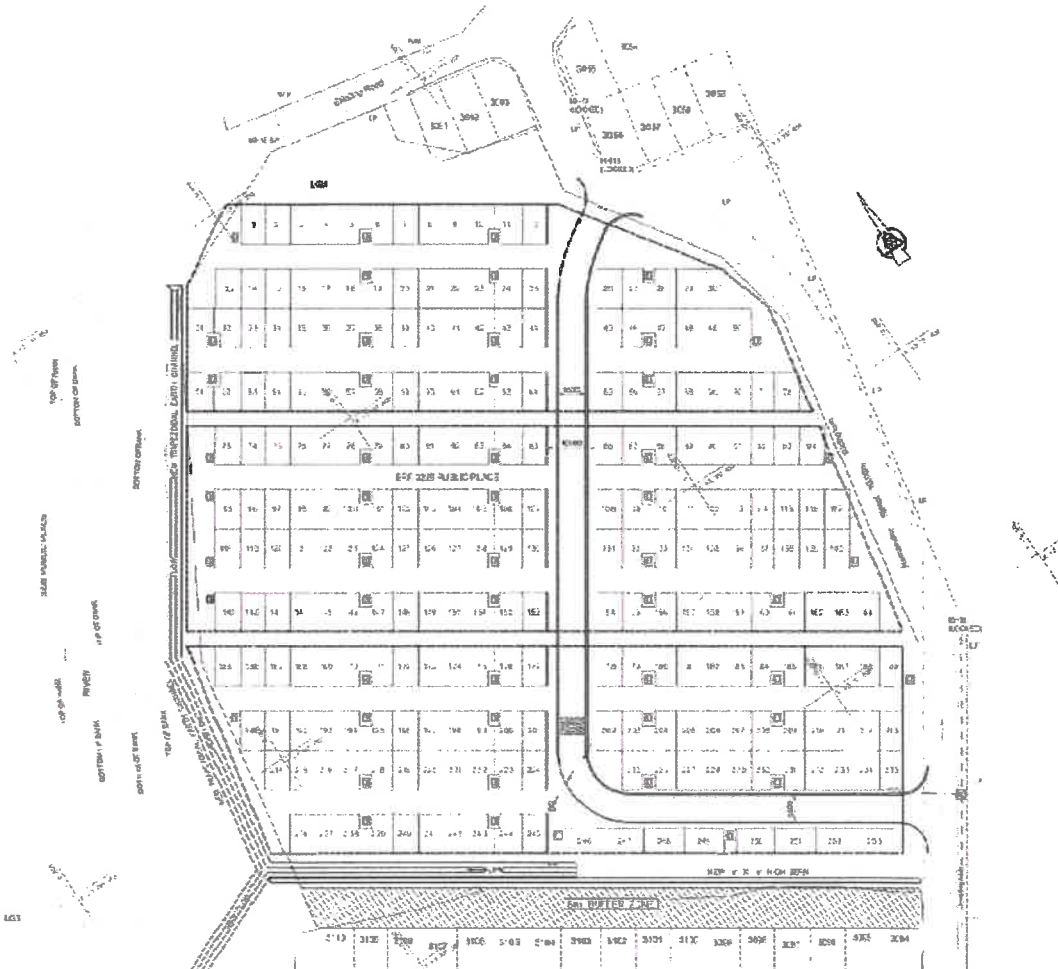


Figure 2: Proposed Layout

The figure above indicates the proposed layout plan.

**5. SITE DESCRIPTION & LOCALITY**

**5.1. SITE DESCRIPTION**

The subject site - Erf 3229 is located in the suburb of Mooiwater in the area of Franschhoek. The site was originally a farm dam, which was filled via a diversion from the Stiebeuelrivier, originating in the mountains above the dam. The stream always bypassed the site.



The subject property is not yet registered in the deed's office. The legal description of the property is therefore referred to as ERF 3209 (To be known as 3229 Franschhoek)

Over an undetermined period of time, at least 10 to 15 years, the site has been used as an unofficial dumping area, and the original dam basin has to all intents and purposes been filled. The site has an average slope of about 7.2%, with a 10m fall over a distance of 140 m, in a south-south westerly direction. The southern, western, and eastern boundaries comprise the dam walls, which is about 3.5m high along the southern edge. The surface of the site is very uneven, with spoil heaps in excess of 1m high, and isolated lows and highs varying by more than 2m.

## 5.2. LOCALITY AND SURROUNDINGS



Figure 3: Locality and Surroundings

As evident, the area within which the subject site is situated is characterized by predominantly residential development. This is in line with the Langrug Informal Settlements Upgrade project currently underway by means of an intervention as a result of residents experiencing severe flooding.

The subject site was previously utilized as a farm dam. However, it is currently vacant and being used for illegal dumping. This creates precedent for the site to be utilized as a TRA (Temporary Relocation Area) in order to accommodate the residents affected by the Langrug Informal Settlement Upgrade.

It should be noted that despite the site being earmarked as a Public Open Space, the proposal sought is for a temporary residential development and as such, the site will revert back to its intended use following the TRA time lapse.

Access to the subject site is gained from Remainder Road which runs parallel to the eastern boundary of the site

Being situated within an established residential context, the site is afforded access to a wealth of social/ commercial facilities located in proximity to the site.



Educational facilities in proximity to the site include Dalubuhle Primary School; Groendale Primary School; and Groendale Secondary School.

Commercial Facilities in proximity to the site include smaller establishments such as Babes snoek Wholesale; Usave Franschhoek; Nasib Traders; and Arkaan Superette, in addition to larger commercial entities such as the development along Mark Street/ Stiebeuel Street.

Social Facilities in proximity to the site include the New Apostolic Church Franschhoek; Unlimited Ministries Franschhoek; and the Groendal Sports Grounds.

As evident above, residents of the proposed TRA will be well serviced in terms of surrounding services and amenities in addition to the predominantly residential development creating precedent for temporary housing given the nature of development.

## 6. STATUTORY FRAMEWORK

The proposal sought aligns with the following Framework Plans/ Legislation/ Planning Principles, whereby in order to provide safe, quality housing opportunities for residents of the Langrug Informal Settlement who experience flooding, the proposed Temporary Relocation must be undertaken to house these residents during the Settlement Upgrade.

### 6.1. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT – 2013 (SPLUMA)

#### Development Principles

The following principles apply to spatial planning, land development and land use management:

- a) The principle of spatial justice, whereby –
  - i. past spatial and other development imbalances must be redressed through improved access to and use of land;
  - ii. spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterized by widespread poverty and deprivation;
  - iii. spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;
  - iv. land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas;
  - v. land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and
  - vi. a Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application.
- b) The principle of spatial sustainability, whereby spatial planning and land use management systems must –
  - i. promote land development that is within the fiscal, institutional and administrative means of the Republic;
  - ii. ensure that special consideration is given to the protection of prime and unique agricultural land;
  - iii. uphold consistency of land use measures in accordance with environmental management instruments;



- iv. promote and stimulate the effective and equitable functioning of land markets;
  - v. consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;
  - vi. promote land development in locations that are sustainable and limit urban sprawl; and
  - vii. result in communities that are viable;
- c) The principle of efficiency, whereby –
- i. land development optimizes the use of existing resources and infrastructure;
  - ii. decision-making procedures are designed to minimize negative financial, social, economic or environmental impacts; and
  - iii. development application procedures are efficient and streamlined and timeframes are adhered to by all parties;
- d) The principle of spatial resilience, whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks; and
- e) the principle of good administration, whereby –
- i. all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;
  - ii. all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;
  - iii. the requirements of any law relating to land development and land use are met timeously;
  - iv. the preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and
  - v. policies, legislation and procedures must be clearly set in order to inform and empower members of the public.

## 6.2. INDEGRATED DEVELOPMENT PLAN (IDP) – 2017 – 2022

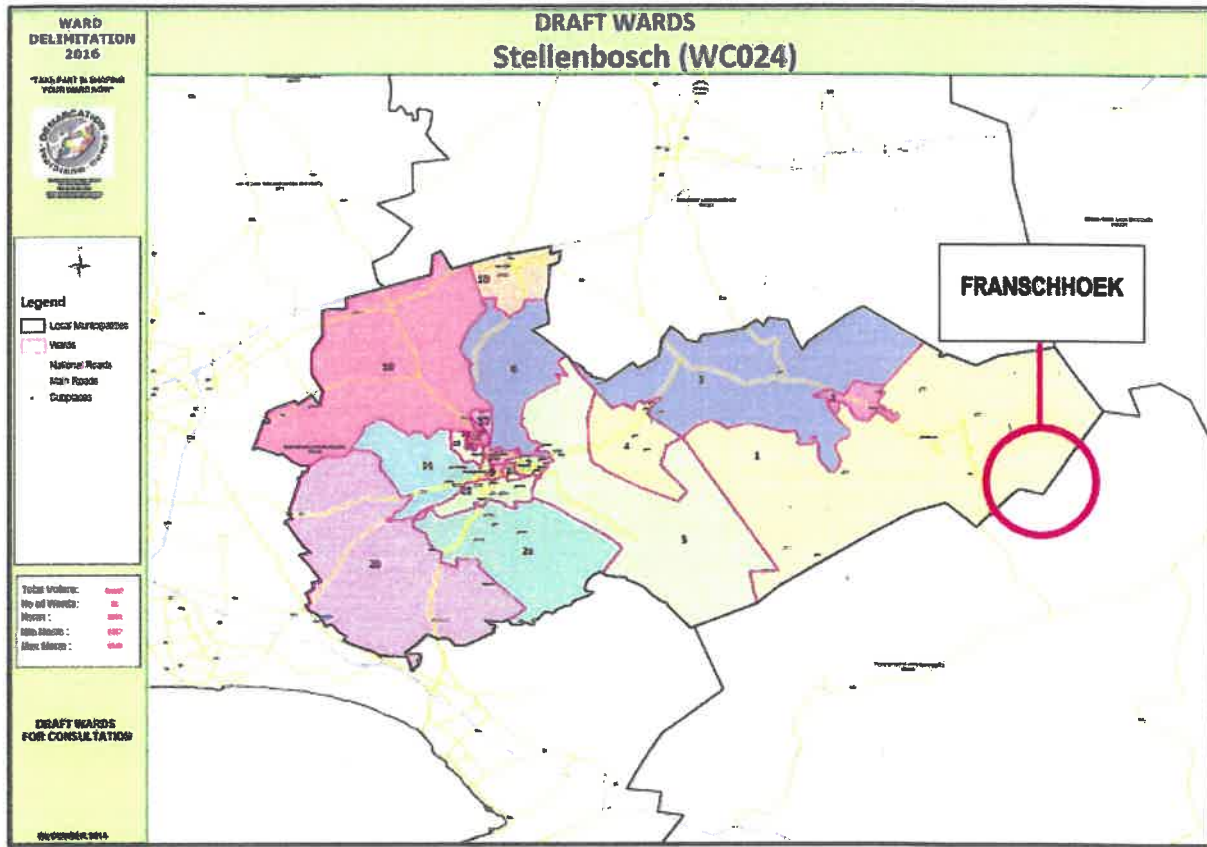


Figure 4: IDP

The Stellenbosch Municipal Area is divided into 22 Wards, with amendments to some of the ward boundaries by the Municipal Demarcation Board for the 2016 elections. The wards consist of urban settlements as well as the surrounding rural areas which contain agricultural and natural environments. As evident, the subject site is situated in Franschhoek which is located within Ward 1.

The Stellenbosch Municipality's strategic planning does not occur within a vacuum. Various key policy directives – ranging from those with a global reach to more specific directives applicable to the Municipality and its neighboring municipalities – are considered when framing future strategic planning and resource allocation. The sections below outline key policy directives considered when framing Stellenbosch Municipality's fourth generation IDP.

### Sustainable Developmental Goals (SDG's)

In September 2015, the United Nations adopted the Development Agenda Transforming our world: the 2030 Agenda for Sustainable Development. The Agenda is an action plan for people, planet, and prosperity, with a focus on strengthening peace and partnerships. Central in this action plan are 17 Sustainable Development Goals (SDGs) that aim to build on the Millennium Development Goals (MDGs). The MDGs set the momentum for the SDGs to continue the people-centered development agenda. Substantial headway was made globally after the adoption of the MDGs, with global poverty numbers drastically reduced. Now, since the MDGs expired in 2015 and the new agenda has been taken on, the SDG's hope to expand on that success with more, focused goals. These Sustainable Development Goals are a three-dimensional tool, incorporating and integrating the social, economic, and political spheres of society. This agenda also calls for participation and implementation from all sectors of society.

**MDG's**

- Goal 1: Eradicate extreme poverty and hunger
- Goal 2: Achieve universal primary education
- Goal 3: Promote gender equality and empower women
- Goal 4: Reduce child mortality
- Goal 5: Improve maternal health
- Goal 6: Combating HIV/AIDS, malaria, and other diseases
- Goal 7: Ensure environmental sustainability
- Goal 8: Develop a global partnership for development

**SDG's**

- Goal 1: End poverty in all its forms everywhere
- Goal 2: End hunger, achieve food security and improved nutrition, and promote sustainable agriculture
- Goal 3: Ensure healthy lives and promote well-being for all ages
- Goal 4: Ensure inclusive and equitable quality education and promote life-long learning opportunities for all
- Goal 5: Achieve gender equality and empower all women and girls
- Goal 6: Ensure availability and sustainable management of water and sanitation for all
- Goal 7: Ensure access to affordable, reliable, sustainable, and modern energy for all
- Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
- Goal 9: Build resilient infrastructure, promote inclusive and sustainable industrialisation, and foster innovation
- Goal 10: Reduce inequality within and among countries
- Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable
- Goal 12: Ensure sustainable consumption and production patterns
- Goal 13: Take urgent action to combat climate change and its impacts
- Goal 14: Conserve and sustainably use the oceans, seas, and marine resources for sustainable development
- Goal 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat deforestation, halt and reverse land degradation, and halt biodiversity loss
- Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable and inclusive institutions at all levels
- Goal 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development

**6.3. WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK**

The Western Cape Provincial Spatial Development Framework aims to give direction and guidance for the spatial development within the Western Cape. This policy document formulates proposals that deal with the following areas of intervention: social economic development; urban restructuring and environmental sustainability. The WCPSDF composite map indicates the broad spatial planning categories derived from the approach to bioregional planning. The five broad spatial categories provide policies for development and activities in the:

- Core areas;
- Buffer areas;
- Intensive agriculture areas;
- Urban development; and,
- The urban edge.

It is understood that the broad spatial planning categories will be refined at a detailed level by the district and local SDFs when those level SDFs are prepared. The prioritisation of the provinces' urban settlements is indicated with respect to the relative levels of human need and economic potential so as to prioritise fixed investment and human need. The study relating to the growth potential of towns outside of the City of Cape Town municipal jurisdiction has underpinned the proposals relating to the prioritisation of areas for fixed investment and those areas that would only receive human needs programs or social investment. The broad provincial SDF identified Stellenbosch as an area that could be seen as a potential agricultural development node with the key focus on agriculture and food processing.



It also sees Stellenbosch, Franschhoek and Paarl as areas with tourism potential as part of the Winelands Tourism Development Area or the Winelands Triangle. The WCPSDF further identifies the N1 and the N2 Freeways as major transport corridors with major linkages. With regard to urban restructuring and integration proposals relating to the urban settlements, the WCPSDF proposes that urban edges be defined around current urban developed areas to contain the outward growth of areas and to increase the densities within those areas to an average of 25 du/ha. Only resort types of development will therefore be permitted outside of those urban edges. The WCPSDF is underpinned by the following objectives:

- Objective 1: Allowing the future settlement pattern of the province with economic potential and allocation of environmental resources for environmental opportunities
- Objective 2: Deliver human development and basic need programs wherever they may be required
- Objective 3: Strategically invest scarce public sector resources where they will generate the highest socio-economic returns
- Objective 4: Support land reform
- Objective 5: Confirm and strengthen the sense of place of important cultural landscapes, artefacts, and buildings
- Objective 6: Heal the apartheid structure of urban settlements
- Objective 7: Conveniently locate urban activities and promote public and non-motorised transport
- Objective 8: Protect biodiversity and agricultural resources
- Objective 9: Minimize the consumption of scarce environmental resources particularly water, fuel, burning materials, mineral resources, electricity, and land.

#### **6.4. CAPE WINELANDS DISTRICT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK**

This SDF covers the Breede River, Winelands, Breede Valley, Cape Winelands, Drakenstein, Stellenbosch and Witzenberg Municipalities. The desired future spatial form of settlements in the Western Cape are to be achieved by a balanced distribution approach. In this regard it is noted that development should instead be encouraged, subject to control, in the south-eastern part of the Cape Winelands District, including the existing towns of Prince Alfred Hamlet, Ceres, Op-die-Berg, Worcester, De Doorns, Rawsonville, Robertson, Ashton, Montagu, Bonnievale, McGregor, Franschhoek, Stellenbosch and surrounds.

The objectives of this SDF are interlinked and provide focus and attention to the challenges facing the municipality. These are mainly:

- conserve and protect the natural environment.
- create a quality settlement system and built environment;
- provide access to existing and new facilities and opportunities; and,
- grow and diversify the economy into new seasons and sectors.

The settlement framework for the district Municipal SDF is composed of a four-tiered typology of settlements. The first or higher order settlement is called the core (primary) and these include areas such as Stellenbosch and Worcester. The second level is called regional settlements. The third level is called the rural towns, and the fourth level is called the hamlet. The SDF defines hamlets as clusters of homesteads and settlements that are essentially service points. Hamlets are important in areas of limited or less economic development as they are the only possibility of achieving viable markets and services.

When describing the growth management issues the SDF notes that hamlets face limited urban growth pressure. However, the future expansion of these hamlets ought to be dictated by the same principles as those that guide the rural towns in order to promote the sustainable growth and the independent and unique character of hamlets. These principles are as follows:

- protect agricultural areas;
- stop the undefined spread of housing into natural areas, which affect the character of the town; and,
- respect natural constraints such as flood prone areas.



## 6.5. STELLENBOSCH MUNICIPALITY – SPATIAL DEVELOPMENT FRAMEWORK

The Stellenbosch Municipal Preliminary Spatial Development Framework was prepared through a process of using five possible scenarios for the development. The first scenario dealt with accommodating development in the respective areas in the Stellenbosch Municipality in relation to the capacity that has been provided for development in the various SDFs. The second scenario dealt with employment generation, looking at whether there is sufficient provision in areas where employment could be provided based on existing economic activity and for instance, industrial even. The third scenario proposes to focus all of the growth in the municipality onto those settlements that are located on major road routes including Koelenhof. Scenario Four focuses all of the future growth in the municipality on those settlements that are on major rail corridors. The last scenario focuses all of the growth on the three main growth nodes namely Stellenbosch, Franschhoek and Klipmuts. This Municipal SDF uses the broad spatial planning categories, namely the core zones, the buffer zones, and the agricultural zones and proposes the delineation of urban edges to help with development control. The SDF further requires that the bioregional planning zones be confirmed and further investigation in this regard be initiated at a local level. Out of this SDF it is also noted that the main arterial roads connecting the major settlements in the surrounding region play a key role in establishing the municipality's sense of place because of the views that they offer, the experience of travelling along them and the nature of their detailed design. Therefore, these roads should be treated carefully, and their designs kept in a sensitive way to reduce traffic skids, retain their winding nature and fully maintain their surface treatments and curvages in order to promote tourism and keep their scenic beauty. The SDF also proposes that architectural, urban design and landscape guidelines be prepared and promoted for all areas in the municipality.

### FRANSCHHOEK

Traditionally, in spatial planning for SM, Franschhoek is regarded as the second most significant settlement in the municipality, after Stellenbosch town. In terms of the current work, and as motivated elsewhere in this report, the municipal settlement hierarchy requires revisiting in terms of the proposed concept for spatial planning and management of the area. In terms of the concept, the focus for major development is on areas least sensitive in terms of nature and cultural assets, and where available infrastructure, and specifically movement networks, can support growth. In focus, this means Stellenbosch town and Klipmuts. Franschhoek is viewed as having less livelihood potential (as confirmed by the WCG's Growth Potential of Towns study). This does not imply that no growth should be entertained. There is opportunity, but the focus should be on improving living conditions for existing residents as opposed to significant new growth.

The historic development of the settlement has resulted in the partitioning of urban space in Franschhoek. In broad terms, people live in two separate geographic entities, namely Groendal/Langrug and Franschhoek "town". In terms of socioeconomic, demographic and built-environment conditions, there are vast differences between the two areas. The area between the north-west and south-west is not fully developed but within the urban edge. Potential for infill development exists here. There is also opportunity to reinforce mixed use development further along Main Road to the north-west, enabling convenience and entrepreneurship opportunity for residents living in this part of the settlement. Significant opportunity exists for improved NMT linkages between the northwest and south-west along Main Road. Below is the Franschhoek Framework Plan:

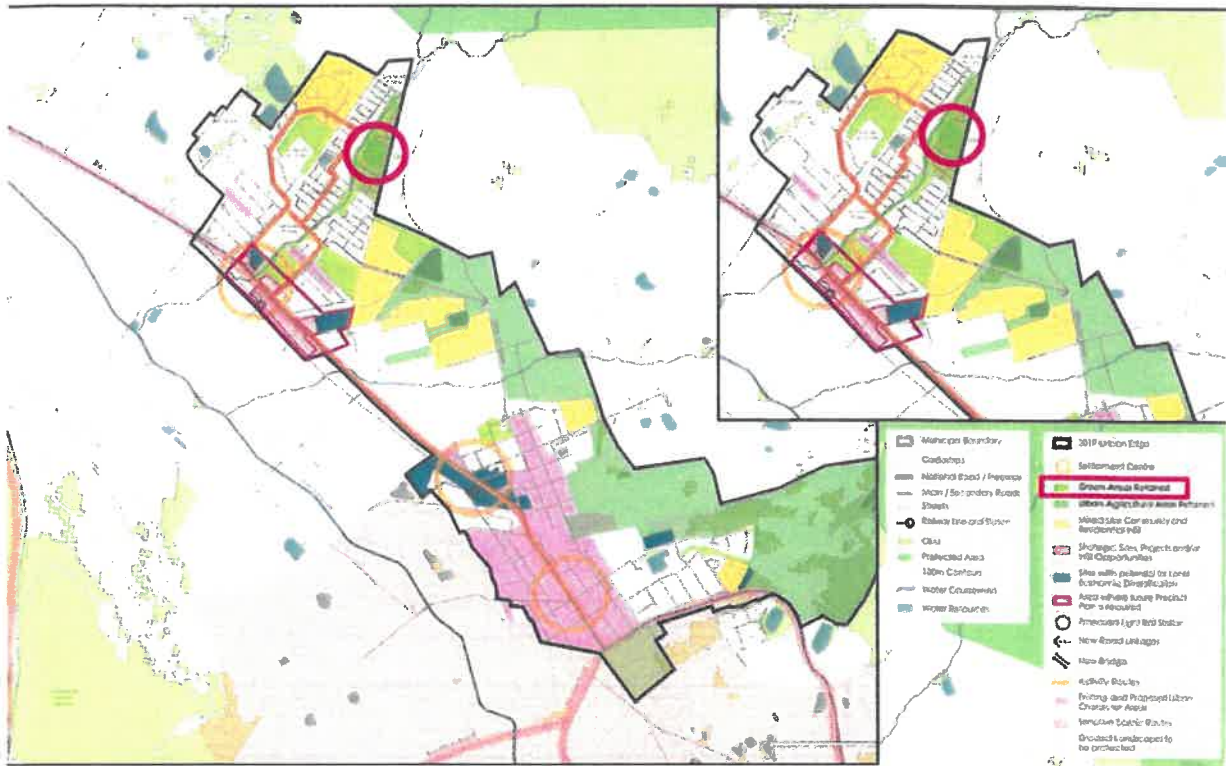


Figure 5: Insert of SDF

As evident in the map above, the subject site has been earmarked as “Green Areas Retained”, however, given the nature of the proposal for Temporary Housing. The site will revert to its intended use - Open Space following the lapse of the allocated TRA.

**6.6. ZONING SCHEME**

The Subject property is currently zoned “Public Open Space”, as indicated in the Stellenbosch Municipality Zoning Scheme Map – 2019 below:



Figure 6: Zoning Scheme extract





As per the Stellenbosch Municipality Zoning Scheme By-Law 2019, the following land uses are permitted on this zone:

PRIMARY USES	ADDITIONAL USES (TECHNICAL APPROVAL)	CONSENT USES (APPLICATION REQUIRED)
<ul style="list-style-type: none"> <li>• Open Space</li> <li>• Natural Environment</li> <li>• Private Road</li> <li>• Occasional Use (1 event/ year)</li> </ul>	<ul style="list-style-type: none"> <li>• Rooftop Base Telecommunication Station</li> </ul>	<ul style="list-style-type: none"> <li>• Camping Site</li> <li>• Cemetery</li> <li>• Employee Housing</li> <li>• Freestanding Base Telecommunication Station</li> <li>• Indoor Sport</li> <li>• Market</li> <li>• Occasional Use (More than 1 event/ year)</li> <li>• Outdoor Sport</li> <li>• Tourist Accommodation Establishment</li> <li>• Tourist Facilities</li> </ul>

In addition, the following building lines, coverage, and height apply to buildings within this zone:

BUILDING TYPE	STREET BOUNDARY BUILDING LINES (m)	COMMON BOUNDARY BUILDING LINES (m)	COVERAGE	HEIGHT
All Buildings	5.0 m	5.0 m	20 % or as restricted in SDP	1-Storey

As evident above, Temporary Reservation Area (TRA) is **NOT** mentioned in the **Public Open Space (POS)** zones primary or consented uses. However, the **DEA & DP** have issued a directive permitting the subject property for the temporary utilisation for housing.

## 6.7. ENVIRONMENTAL CONSIDERATIONS

It should be noted that in terms of the following application, the Department of Environmental Affairs & Development Planning have granted permission for the Stellenbosch Municipality to utilise the site for the purposes of temporary relocation. However, the property information on ownership, servitudes, and zoning are therefore provided as a guide to ensure that, after expiry of the two year grace period and following the removal of temporary structures, the site is returned in a condition which will comply with legislated requirements for a public open space.

## 6.8. TITLE DEED RESTRICTIONS

It should be noted that the subject property is owned by the Stellenbosch Local Municipality, however, the site has not yet been registered. As such, there is no Title Deed available - Only once the property has been registered will this be available.

## 7. DESIRABILITY OF THE LAND USE

### 7.1. ZONING AND LAND USE PATTERN

As indicated, the subject site is currently zoned Public Open Space (POS). In terms of the Stellenbosch Municipality Zoning Scheme By-Law 2019, the purpose of this zone is to make provision for land which vests in the Municipality as a 'Public Place' and which is intended to be used for:

- a) Active or passive public recreational and public amenity purposes; or
- b) Creating a desired townscape, or visual open space for residents; or
- c) Serving as an open space for which also accommodates riverine corridors and other similar natural features; or to
- d) Serve as an open space which accommodates extensive municipal services in landscaped or natural setting, such as stormwater detention ponds and overland stormwater corridors.

### 7.2. SOCIAL FACILITIES

The subject site is considered adequate in terms of the Needs of the residents of the proposed Temporary Relocation with regards to being adjacent/ situated in close proximity to existing residential development. Furthermore, the subject site is situated in proximity to social infrastructure and the Franschhoek CBD, ensuring residents of the TRA a wealth of opportunities in terms of social and commercial facilities.

### 7.3. ENVIRONMENTAL ASPECTS

As indicated above, the Department of Environmental Affairs & Development Planning have granted permission for the Stellenbosch Municipality to utilise the site for the purposes of temporary relocation. However, following the expiration of the two-year grace period and removal of temporary structures, the site will be returned to a condition that complies with the legislated requirements for a public open space.

### 7.4. ACCESS

Access to the subject site will be off Remainder Road which runs parallel to the eastern boundary of the site. This road has a 6.0 m wide premixed surface finish with mountable kerbs both sides and a crossfall to the eastern side. It falls within a 10 m road reserve. In terms of classification it would be deemed a Class 5a Residential Collector Road with direct access to buildings and land parcels. A road of this class can accommodate up to 200 standard residential homes and has a capacity of up to 600 p.c.u/hr (passenger car unit per hour).

Based on car ownership and car usage the proposal sought is not expected to significantly increase traffic volumes. It is anticipated that many of the residents will in any event make use of public transport facilities available, this from collection points closer to the R45.

It should be noted that the existing Mooiwater development north of the site only consists of 73 units and assuming that this development generates one passenger car movement in one hour during peak hour, it is reasonable to predict that the road will never carry it's full capacity. It is proposed that the site be provided two points of access, the first located on the southern eastern corner, the second located on the north-east corner below Erf 3093 and will have access from the existing access road adjacent to Kurland.



## 8. INFRASTRUCTURE & SERVICES/ INVESTIGATIONS

### 8.1. TRA INFRASTRUCTURE

Based on information received by the Stellenbosch Municipality it is estimated that the implementation of upgrading projects at Langrug will require the relocation of households. Number of residents per informal dwelling is estimated at an average of 2 persons per structure. It should be noted that this area has experienced substantial growth over the last few years, primarily due to the shortage of subsidized housing opportunities within the Franschoek.

National Policies (Water and Sanitation) and current legislation (National Water Act) provide guidelines as to the basic level of service to be provided, in the case of the poor this would be provided for free. In terms of the type of future temporary dwellings on site an interim level of service for sanitation in the form of shared facilities will be applicable.

A geotechnical report has been compiled- the report also addresses and overview of civil services for the proposed TRA site.

### 8.2. PROPOSED CIVIL/ STRUCTURAL REQUIREMENTS

In order to provide basic water and sanitation services to the community being accommodated by the TRA's it is proposed that 50 single Ablution Blocks be constructed. Ablution blocks will provide waterborne service, with adequate disposal of effluent as required to protect the environment and public health.

extent of civil/structural infrastructure attached to the toilet structures are as follows:

- 110/75/50mm diameter water supply connected to existing line running along Remainder Road.
- Fire hydrants at a spacing appropriate to the fire risk category, water meter and valve in road reserve.
- 160mm diameter, gravitation sewer line with manholes connected to existing line in Remainder Road, 110mm diameter connections to toilet structures.
- Road reinstatement where disturbed by new services.
- Pre-fabricated concrete toilet structures will be constructed onsite to provide basic water and sanitation services (including base slab and internal plumbing).

### 8.3. BASIC SERVICE GUIDELINES

As indicated, the focus area is in need of basic sanitation services. The requirements according to national guidelines are as follows:

A minimum of one toilet facility per five households (or one seat per 20 users).

A minimum of one water point (tap) per twenty-five households no more than 100m from the furthest household.

The Stellenbosch Municipality are generally not in favour of container of ablution facilities as they are prone to vandalism and theft, their preferred method of providing basic services are concrete toilet block and water points.

### 8.4. DESIGN PARAMETERS

The design standards applicable to sewer and improvements will be in accordance with the following guidelines

Guidelines for Human Settlements, Planning and Design as revised August 2003 – Department of Housing by CSIR Building and Construction Technology (referred to as the "Red Book").

Minimum Design Standards for Internal A-Grade Engineering Services Version 002 of September 2014 – Department of Human Settlements (referred to as the "DoHS Standards").

Potential future "planning" layouts for the area will be taken into consideration when services designs are being finalised. The toilet blocks and the water points will be placed outside the access ways envisaged and within close proximity to existing infrastructure where possible to reduce linkage costs.

### 8.5. ESTIMATED WATER CONSUMPTION

The estimated flows from the proposed TRA have been calculated using the estimated number of informal dwelling structures. Proposed infrastructure will be connecting onto an existing 100mm diameter pipeline in Remainder Street, it is recommended all toilet blocks and water points be linked such that only one connection to the municipal infrastructure need be introduced. The existing water infrastructure and reservoirs should have sufficient capacity to deal with the anticipated water consumption of the TRA.

### 8.6. ESTIMATED SEWERAGE DISCHARGE

It is estimated that 95% of water consumed will be discharged into the sewerage system. The sewerage flow from the TRA area needs to be connected into the neighbouring sewerage reticulation network. There is currently a 160mm diameter pipeline running along Remainder Street, it is proposed that a connection be made at the lowest possible south-eastern point. The capacity of the existing infrastructure and WWTW to accommodate the additional flow generated by the TRA must be verified by the relevant Stellenbosch Municipality departments.

### 8.7. ESTIMATED ELECTRICAL CONSUMPTION

It is proposed that the electrical supply to the TRA informal dwellings be extended from the existing underground network. The proposed supply will be pole mounted with underground house connections. Consumption calculations have been based on the "Typical Design Load Parameters for Domestic Consumers" published by Eskom. Assuming we use the guideline for informal settlements (7-year parameter), the load (After Diversity Maximum Demand) should be as follows:

- 300 units @ 1kVA = 300kVA
- 4 ablutions @ 10kVA = 40kVA
- Total = 340kVA, 490A TP, approx. 500Amps Three Phase

The Stellenbosch Municipality – Electrical Services Section will need to confirm whether there is sufficient capacity available to cater for the requirements of this development.

### 8.8. STORMWATER MANAGEMENT

Stormwater for the development will generally be managed on a catchment-wide basis and will take into account the surrounding built and natural environment. The topography of the site will allow natural surface flow along platforms in a southerly direction. Whilst the Stiebeuel River runs west of the site, the natural fall of the site makes it impractical to direct surface flow in a westerly direction.

Stormwater infrastructure proposed site will comprise of combined surface drainage and a levy berm along the southern boundary to protect downstream properties. All runoff will be collected and channelled to the low point south-east of the site, from here it will be intercepted by an inlet structure which will connect onto the existing underground system in Remainder Street. No underground formalised or fixed pipework or structures are envisaged on the site.



## 8.9. GEOTECHNICAL INVESTIGATION

EAS Infrastructure Engineers were appointed by the Stellenbosch Municipality to report on the feasibility of establishing a Temporary Relocation Area (TRA) on Erf 3229 Franschoek. The subject property was previously utilized as a farm dam; however, it is currently vacant and being utilized for illegal dumping. In order to establish the potential utilisation of the site a Geotechnical Investigation Report outlining the prevailing soil conditions was undertaken.

The general conclusions to this report are as follows:

- i. The proposed site is deemed to be generally suitable for the development of a Temporary Relocation Area in terms of geological stability and geotechnical conditions.
- ii. In order to cater for the geotechnical challenges of the site certain rehabilitation measures are required.
- iii. The site is zoned Public Open Space, there are no servitudes which transverse or encroach the site.
- iv. TRA's are not mentioned in the POS primary or consented uses, DEA&DP have however issued a directive permitting the temporary utilisation for this purpose.
- v. The provision of basic water and sanitation services will be through shared facilities in the form of toilet blocks and wash bays, these do not form part of the rehabilitation scope of works.
- vi. Electricity can be connected to the existing underground network and supplied via overhead lines.
- vii. Record drawings show that there is adequately sized civil infrastructure adjacent to the site, the capacity to accommodate additional flows and demands must be confirmed by the relevant municipal departments.
- viii. Access to the site will be off Remainder Street, this a Residential Collector category road and has sufficient capacity to accommodate additional traffic generated.
- ix. Terracing of the site will be required to overcome the existing steep gradient.
- x. Stormwater management will include erosion protection of embankments, and the introduction of a cut-off channel and berm to protect downstream properties.
- xi. Ablution blocks with water and sanitation link services are to be constructed to provide household with basic services.

The Geotechnical Report is attached to this application.

## 9. CONCLUSION

The proposed Application in terms of the Stellenbosch Municipality Land Use Planning By-Law 2015 to allow for the following:

A temporary departure to utilize the subject property on a temporary basis for temporary housing for a period of 5-years.

A temporary closure of a public space for a period of 5-years as listed in terms of Section 26 (2) of the Stellenbosch Municipality Land Use Planning By-Law 2015.


All of which, for the purpose of developing a Temporary Relocation Area on Erf 3229 Franschoek, as indicated on the plans accompanying this application, for the purpose of accommodating

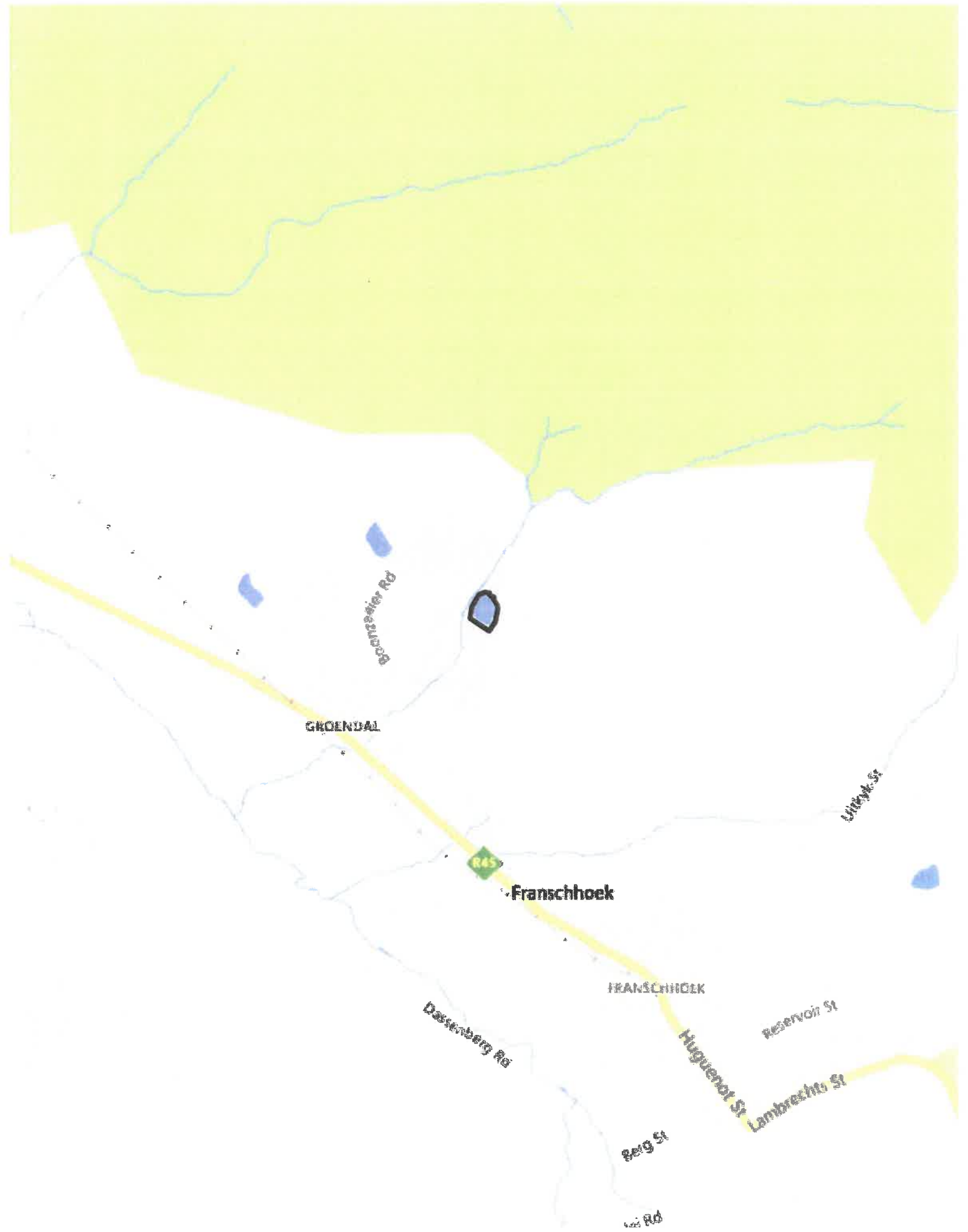


approximately 300 families impacted by the implementation of upgrading projects planned for the Langrug informal settlement. It is therefore on this basis that the Stellenbosch Local Municipality is humbly requested to Approve this application.

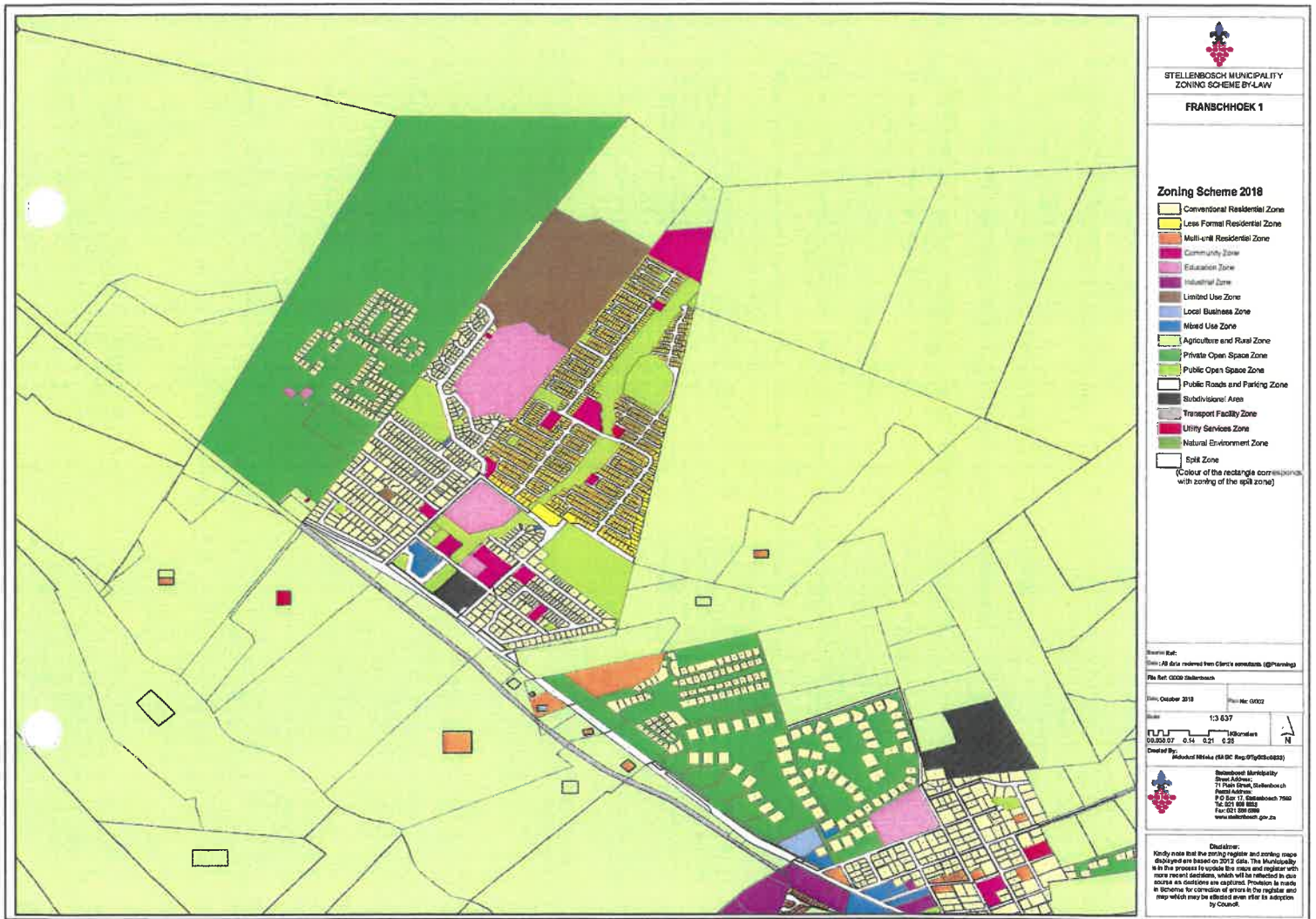
**WILLIE JAN ERASMUS**  
**Pr. PIn A/2320/2016**  
**ETL CONSULTING (PTY) LTD**

**DOCUMENT CONTROL RECORD**

Document Control						
Report Title	Motivation Report for- OBTAINMENT OF LAND USE RIGHTS FOR THE DEVELOPMENT OF A TEMPORARY RELOCATION AREA (TRA) ON ERF 3229, MOOIWATER.					
Document ID	E0106 Town Planning Relocation Area			Project Number	E106	
File Path	M:\Technical Services\Projects\E106 STELLENBOSCH – Town Planning Relocation Area \Technical\Application					
Client	Stellenbosch Municipality			Client Contact	Mr. Kamohelo Mculu	
Revision	Date	Revision Details/Status	Prepared By	Author	Verified	Approver
0	17 Sep	Draft Rev 0	ETL	S Pillay	WJ Erasmus	M. Maliba
1	14 Sep	Draft Rev 1	ETL	S Pillay	WJ Erasmus	K Mculu
2	19 Oct	Draft Rev 2	ETL	S Pillay	WJ Erasmus	K Mculu
3						
Current Revision		Draft Rev 2				
Approval						
Author Signature		Approver Signature				
Name	S Pillay		Name		WJ Erasmus	
Title	Candidate Town Planner		Title		Senior Town Planner	









PROVISIONALLY APPROVED <i>[Signature]</i> by SURVEYOR - GENERAL 2005-11-24	S.G. No. 5633/2005
	SHEET 2 OF 6 SHEETS
APPROVED <i>[Signature]</i> by SURVEYOR - GENERAL 2005-11-24	

CDR

(FRANSCHHOEK ALLOTMENT AREA)  
**GENERAL PLAN NO. 5633 / 2005**  
 OF  
**SUBDIVISIONS OF ERF 2903 FRANSCHHOEK**  
 SITUATE IN THE STELLENBOSCH MUNICIPALITY  
 ADMINISTRATIVE DISTRICT OF PAARL  
 PROVINCE OF WESTERN CAPE

SCALE 1 : 1000

THIS GENERAL PLAN WAS SURVEYED BY ME AND I UNDERTAKE TO PLACE THE  
 BEACONS OF THE ERF IN POSITIONS WHICH CORRESPOND WITH THE DATA  
 ON THIS PLAN AND TO SUBMIT THE FINAL GENERAL PLAN AND THE SURVEY  
 RECORDS HEREON WITHIN THE PRESCRIBED PERIOD TO THE  
 SURVEYOR - GENERAL FOR APPROVAL

*[Signature]*  
 E. G. BRUWER  
 PROFESSIONAL LAND SURVEYOR  
 P.L.S. No. 628      OCTOBER 2005

INSET FOR DATA OF ERVEN 3226 , 3227  
 AND LAYOUT OF ERVEN 3228 , 3229



UNLESS OTHERWISE STATED ALL  
 DISPLAY BACKS ARE 5,00m

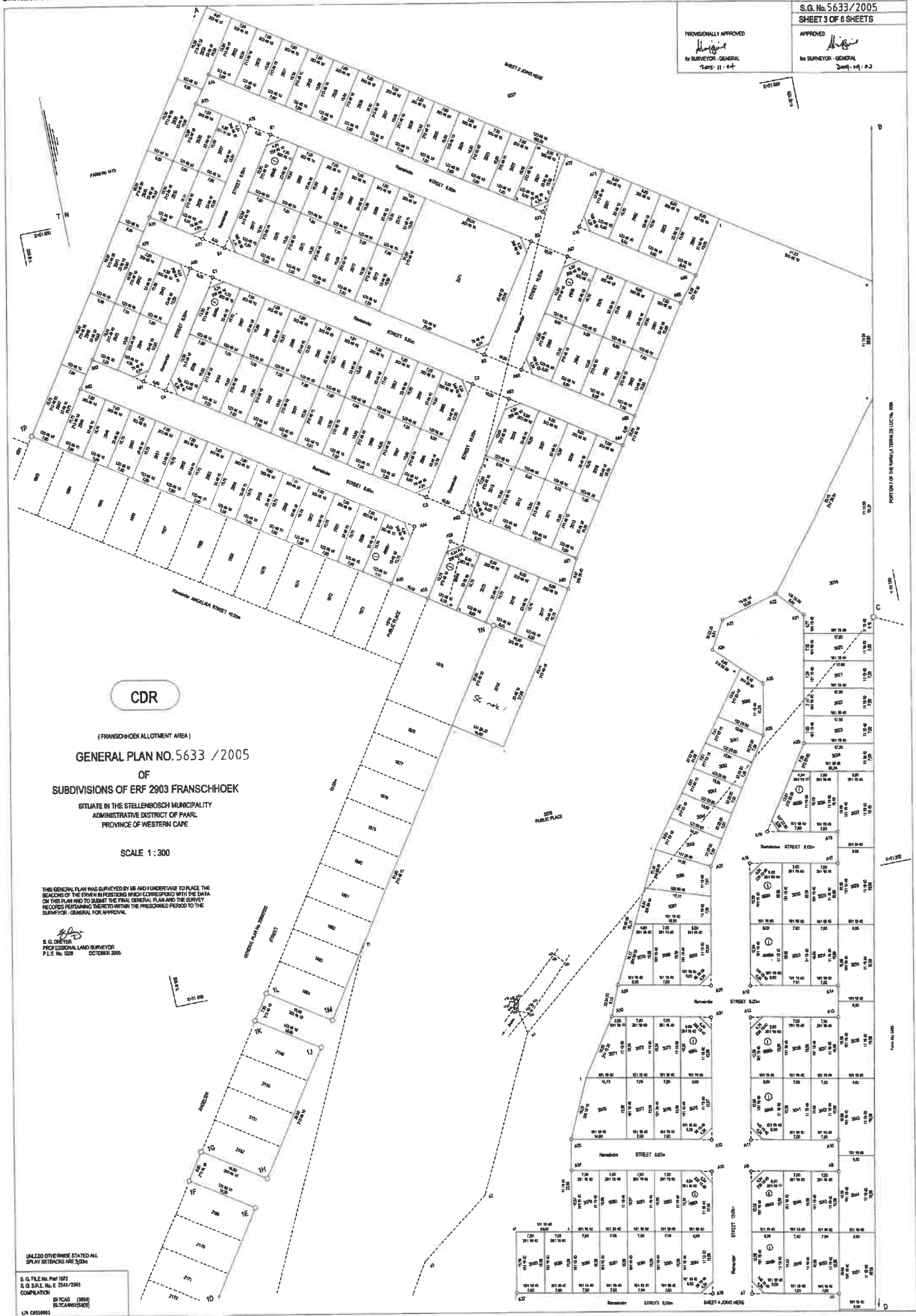
S. G. FILE No. Pst 1073  
 S. G. S.R.E. No. E 2549/2005  
 COMPLETION: B7-CAB (2005)  
 B7-CAB (2005)  
 B7-CAB (2005)

LPI 245963

PROVISIONALLY APPROVED  
By SURVEYOR - GENERAL  
2005-11-04

S.G. No. 5633/2005  
SHEET 3 OF 6 SHEETS

APPROVED  
By SURVEYOR - GENERAL  
2005-09-02



CDR

(FRANSCHHOEK ALLOTMENT AREA)

GENERAL PLAN NO. 5633 / 2005

OF

SUBDIVISIONS OF ERF 2903 FRANSCHHOEK

SITUATE IN THE STELLENBOSCH MUNICIPALITY  
ADMINISTRATIVE DISTRICT OF PAARL  
PROVINCE OF WESTERN CAPE

SCALE 1:300

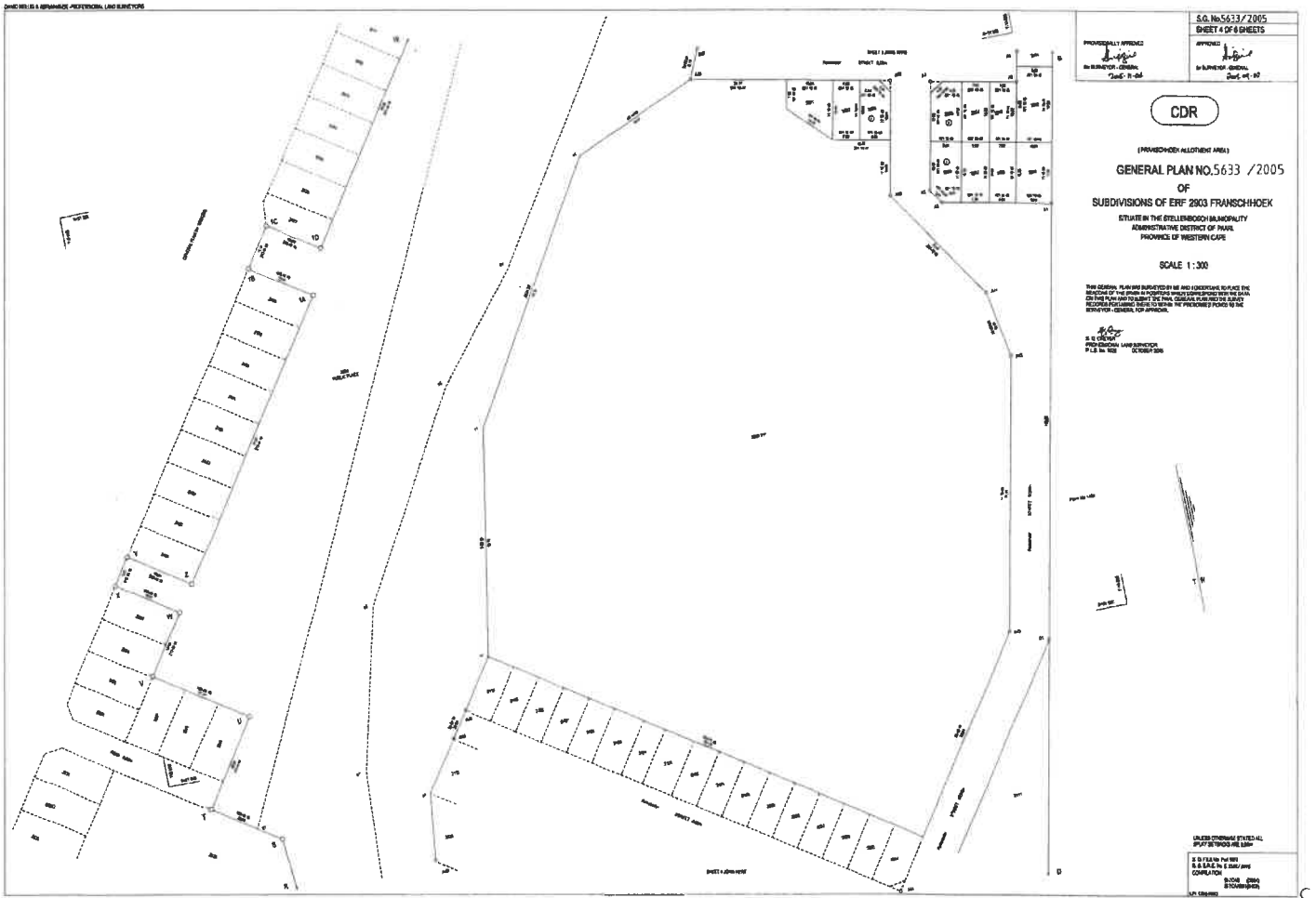
THIS GENERAL PLAN HAS SURVEYED BY ME AND NUMBERED TO PLACE THE  
BOUNDARIES OF THE DIVISIONS WHICH CORRESPOND WITH THE DATA  
ON THIS PLAN AND TO SUBMIT THE FINAL GENERAL PLAN AND THE SURVEY  
RECORDS REMAINING THEREON WITHIN THE PRESCRIBED PERIOD TO THE  
SURVEYOR - GENERAL FOR APPROVAL.

*David Hello*  
S. G. OFFICER  
PROFESSIONAL LAND SURVEYOR  
P.L.S. No. 1029 OCTOBER 2005

UNLESS OTHERWISE STATED ALL  
SPRAY STRACKS ARE 300m

S. G. FILE No. Pmt 1072  
S. G. S.R.E. No. E 2548/2005  
COMPLETION: 05-10-05 (2005)  
BY: 05-10-05 (2005)  
LX 0559893

5633/2005 sht. 4



S.G. No. 5633/2005  
 SHEET 4 OF 6 SHEETS

PROVINCIAL APPROVAL  
 APPROVED  
 MUNICIPAL ENGINEER  
 DATE: 12-04

CDR

(FRANSSCHOEK ALLOTMENT AREA)  
**GENERAL PLAN NO. 5633 / 2005**  
 OF  
 SUBDIVISIONS OF ERF 2803 FRANSSCHOEK  
 SITING IN THE STELLENBOSCH MUNICIPALITY  
 ADMINISTRATIVE DISTRICT OF PAAL  
 PROVINCE OF WESTERN CAPE

SCALE 1:300



THIS GENERAL PLAN WAS SUBMITTED BY AN INDIVIDUAL SURVIVOR THE  
 DIRECTOR OF THE PUBLIC WORKS DEPARTMENT OF THE PROVINCE OF  
 WESTERN CAPE TO SUBMIT TO THE PUBLIC WORKS DEPARTMENT OF THE PROVINCE  
 OF WESTERN CAPE FOR APPROVAL. THE PROVISIONS OF THE ACT  
 APPLY TO THIS GENERAL PLAN APPROVAL.

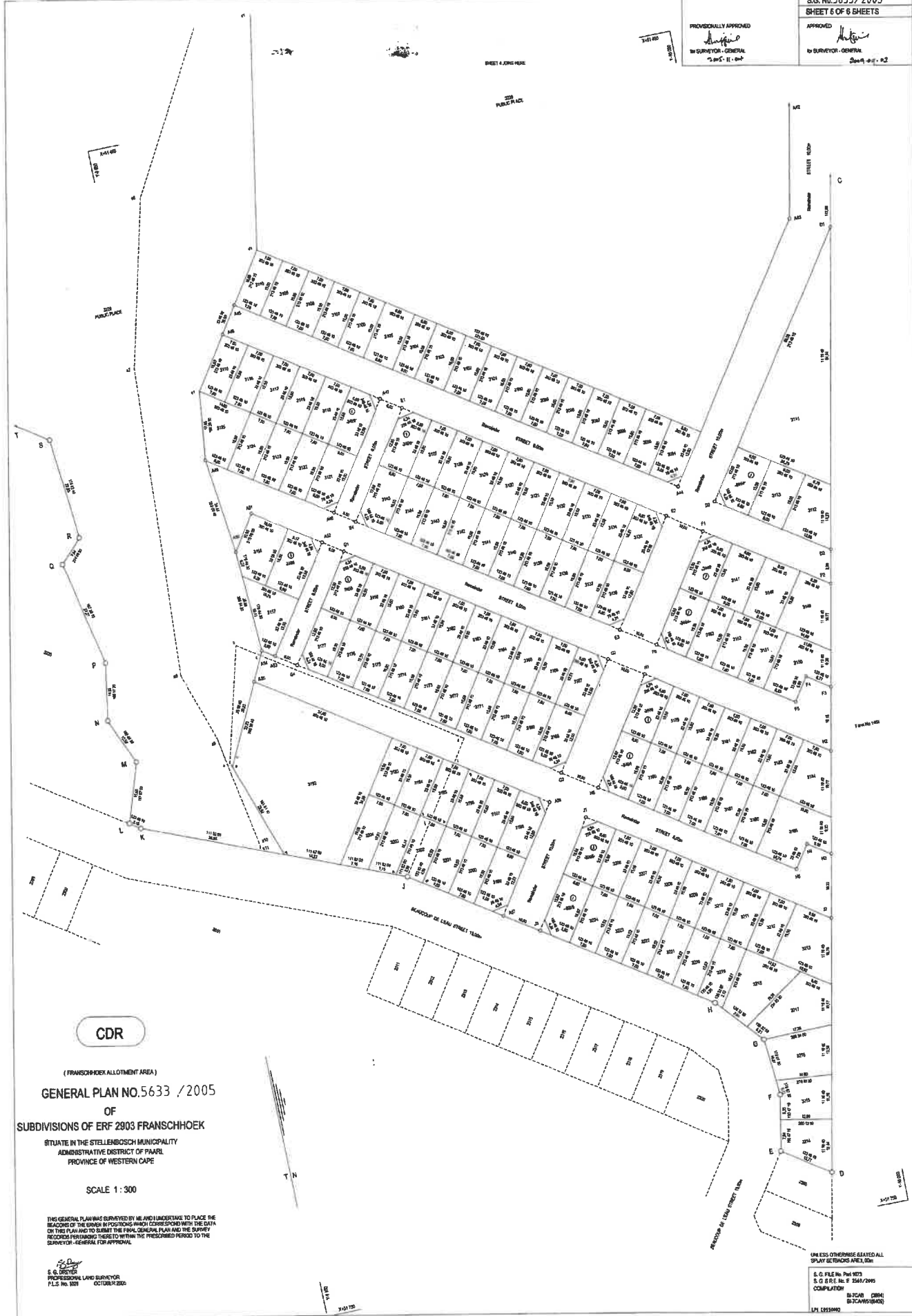
*[Signature]*  
 S. S. S. S. S.  
 PUBLIC WORKS DEPARTMENT  
 P.O. BOX 1000  
 STELLENBOSCH

UNLESS OTHERWISE STATED ALL  
 DIMENSIONS ARE IN METERS

SCALE: 1:300  
 DATE: 12-04  
 DRAWN BY: S. S. S. S. S.  
 CHECKED BY: S. S. S. S. S.  
 APPROVED BY: S. S. S. S. S.

DAVID HOLLIE & ASSOCIATES PROFESSIONAL LAND SURVEYORS

PROVISIONALLY APPROVED  SURVEYOR-GENERAL REPUBLIC OF SOUTH AFRICA	S.G. No. 5633/2005 SHEET 5 OF 6 SHEETS
	APPROVED  SURVEYOR-GENERAL REPUBLIC OF SOUTH AFRICA



CDR

(FRANSCHHOEK ALLOTMENT AREA)  
**GENERAL PLAN NO. 5633 /2005**  
 OF  
**SUBDIVISIONS OF ERF 2903 FRANSCHHOEK**  
 SITUATE IN THE STELLENBOSCH MUNICIPALITY  
 ADMINISTRATIVE DISTRICT OF PAARL  
 PROVINCE OF WESTERN CAPE

SCALE 1 : 300

THIS GENERAL PLAN WAS SURVEYED BY ME AND I UNDERTAKE TO PLACE THE RECORDS OF THE GRIDS IN POSITIONS WHICH CORRESPOND WITH THE DATA OF THIS PLAN AND TO SUBMIT THE FINAL GENERAL PLAN AND THE SURVEY RECORDS PERTAINING THERE TO WITHIN THE PRESCRIBED PERIOD TO THE SURVEYOR-GENERAL FOR APPROVAL.

  
 S. G. DREYER  
 PROFESSIONAL LAND SURVEYOR  
 P.L.S. No. 3021 OCTOBER 2005

UNLESS OTHERWISE STATED ALL  
 SPALLS GO BACKS APART, 30mm  
 S. G. FILE No. Pmt 9873  
 S. G. S.R.E. No. F 2649/2005  
 COMPILED BY  
 B. J. CAR (2004)  
 B. J. CAR (2004)  
 L.P.L. 12512002

DAVID HELLIG & ADRIAN WARE, PROFESSIONAL LAND SURVEYORS

S.G. No. 5633/2005  
 SHEET 6 OF 6 SHEETS  
 APPROVED  
 SURVEYOR-GENERAL  
 2005 - 01 - 20

REFERENCE MAPS

CO-ORDINATES

Y System: M, N, A

Corner	0.00	+3 793 082.00
Peg 1	-10 240.46	+61 122.14
Peg 2	-8 853.03	+61 228.21

BEACON DESCRIPTIONS  
 ALL ARE FROM IRON PEG SUBJECT  
 1 20mm IRON PEG  
 2 10mm IRON PEG  
 3 ANGLE BL. 25mm & 25mm  
 4 25mm & 25mm  
 5 IRON PEG  
 6 CHECK IRON PEG IN CONCRETE 0.30m BELOW SURFACE

CDR

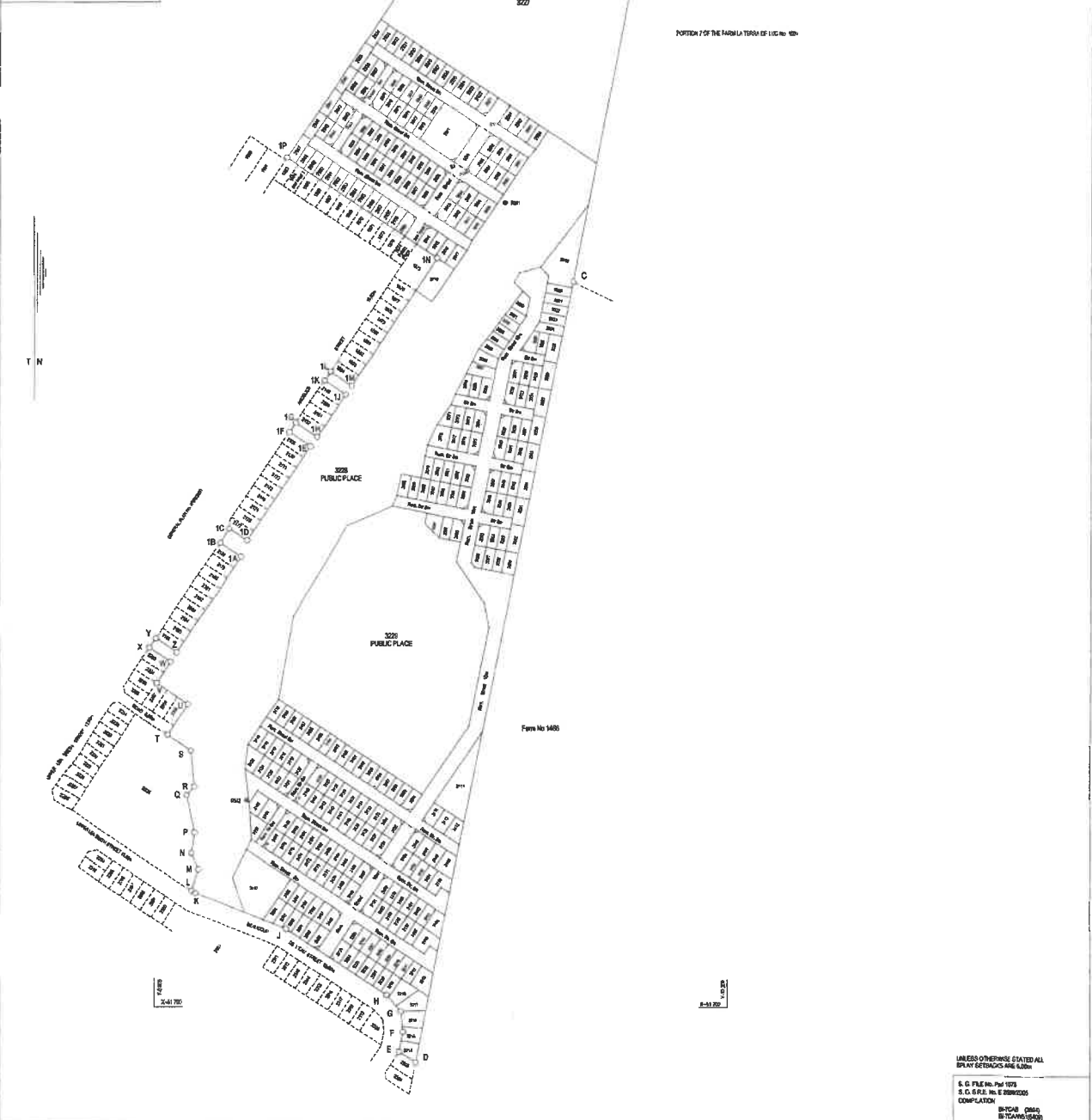
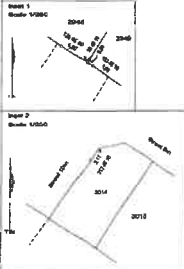
(FRANSSCHOEK ALLOTMENT AREA)  
**GENERAL PLAN NO. 5633/2005**  
 OF  
 SUBDIVISIONS OF ERF 2803 FRANSCHOEK  
 SITUATE IN THE STELLENBOSCH MUNICIPALITY  
 ADMINISTRATIVE DISTRICT OF PAARL  
 PROVINCE OF WESTERN CAPE

SCALE 1:1000

SURVEYED BETWEEN NOVEMBER 1999 AND AUGUST 2000 BY ME

D. G. DRIES  
 S.G. OFFICER  
 PROFESSIONAL LAND SURVEYOR  
 P.L.R. No. 1038

PORTION 7 OF THE PARSELL 7908 OF 1:10,000



UNLESS OTHERWISE STATED ALL DIMENSIONS ARE 0.00m

S.G. FILE No. 5633/2005  
 S.G. OFFICER: Ms. D. G. DRIES  
 COMPLETION: 2005 (085)  
 BY: DAVID HELLIG & ADRIAN WARE

**WinDeed Database Deeds Office Property**
**FRANSCHHOEK, 2903, 0 (REMAINING EXTENT) (CAPE TOWN)**
**GENERAL INFORMATION**

<b>Date Requested</b>	2020/09/29 14:05
<b>Deeds Office</b>	CAPE TOWN
<b>Information Source</b>	WINDEED DATABASE
<b>Reference</b>	-


**PROPERTY INFORMATION**

<b>Property Type</b>	ERF
<b>Erf Number</b>	2903
<b>Portion Number</b>	0 (REMAINING EXTENT)
<b>Township</b>	FRANSCHHOEK
<b>Local Authority</b>	FRANSCHHOEK MUN
<b>Registration Division</b>	PAARL RD
<b>Province</b>	WESTERN CAPE
<b>Diagram Deed</b>	T39732/2018
<b>Extent</b>	13.0086H
<b>Previous Description</b>	-
<b>LPI Code</b>	C05500030000290300000

**OWNER INFORMATION**
**Owner 1 of 1**

<b>Type</b>	LOCAL AUTHORITY
<b>Name</b>	MUN STELLENBOSCH
<b>ID / Reg. Number</b>	-
<b>Title Deed</b>	T39732/2018
<b>Registration Date</b>	2018/08/27
<b>Purchase Price (R)</b>	CCT
<b>Purchase Date</b>	-
<b>Share</b>	0.00
<b>Microfilm</b>	-
<b>Multiple Properties</b>	NO
<b>Multiple Owners</b>	NO



**A. VIR AKTEBESORGER SE GEBRUIK / FOR CONVEYANCER'S USE:**  
 (a) Gelyktydiges met ander registrasiekantore/soorties: Simults with other registries / sectional titles:

Kode	Firma/Firm	Eiendom/Property	Kantoor/Office
1			
2			
3			
4			

(b) Klêrnt afskrif van aktes permanent in Aktekantoor gelasseer:  
 Client copies of deed filed permanently in Deeds Office:

Aard en nommer van akte Nature and number of deed	Cover No. Omslag Nr.	Parawe van ondersoekers Initials of Examiners

(c) Notas/Notes:

**B. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:**

	(1) Daar goedgekeur (geproblemeer) Township approved (problematic)	Opmerkinge Remarks	Formaal Isislag
Interdike nagaan deur Interdicts checked by	(2) Begiftigingsewwe Endowment even		
Datum Date	(3) Begiftiging Endowment		
	(4) Voorwaardes Conditions		
	(5) Mikro Micro		
Interdike nagaan deur Interdicts checked by	(6) Algemene Plan General Plan		
Datum Date	(7) Titelske Title Deed		
	(8) Verbande teen dorpsreë Bonds against township title		
	(9) Datum nagaan Date checked		

Kantoor Instruksies / Office instructions:  
 Sekasie / Section:

07101368

**YVETTE CLOETE & ASSOC** (021) 914 9890

UITVOERING / EXECUTION

Ref No./Nomer Nr. **N 12/15M**

Datum van indiening/Date of lodgment

**LODGED**  
2018-08-15  
**INGEDIEN**

**LODGED**  
2018-07-24  
**INGEDIEN**

**SHARE 221**

*19012 SGO*

*Form DDD only 23 AUG 2018*

**A. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE**

	Ondersoekers / Examiners	Kamers Rooms	Skakeling / Linking	Verwerp Refused	Passer/Pass
1	HMT MAJOE	1289			
2	<del>STOFANE</del>		8	4	9
3	T. MNOYANA	103			

**B. VIR AKTEBESORGER SE GEBRUIK FOR CONVEYANCER'S USE**

Aard van Akte / Nature of Deed **ccT**

**Sedibosch Municipality**

19v/10

Verw. No./Ref. No. **T000039732/2018**

Skakeling / Linking **IRT** in 206 batch

**T27271/1999** in 30 batch.

**GELYKTYDIGES / SIMULS**

No. in stryklyn	Kode/ Code	Name van Partye / Names of Parties	Handeël van Firma / Name of Firm	Firma/ Firm No.
1	JA	Sedibosch Municipality	Nete Chet d Assoc	221
2	ccT	Sedibosch Municipality	Nete Chet d Assoc	221
3	JA	Sedibosch Municipality	Nete Chet d Assoc	221
4	ccT	Sedibosch Municipality	Nete Chet d Assoc	221
5	ccT	Sedibosch Municipality	Nete Chet d Assoc	221
6				
7				
8				
9				
10				

**EXAMINER'S NOTES INSIDE**

REGISTRASIE VERSOEK DEUR:  
 REGISTRATION REQUESTED BY: *Yvette Cloete*

DATUM:  
 DATE: *27.8.18*

080006211967

Dett (2/1) 048 0000

Kort beskrywing van eiendom (slags para 1 in Akte) / Brief description of property (nearly para 1 in Deed)

EDF 2003 PRASCHOEK

3  
 i) See Note 1 in No 2 of Batch IF ERF 2652  
 is Not subject to Conditions in Component 4 of  
 T39834, they must not be brought forward in here  
 H.M.T MAJCE 16/01/2018

ii) Conditions B, C AND D of T27271/99 i.to ERF  
 2902 are Not brought forward  
 H.M.T MAJCE 16/01/2018  
 B.T. STANLEY

iii) Application to reflect extent of pttos.

iv) Para 2 is held by CRT NOT DOT. an application

H.M.T MAJCE 16/01/2018

T.H. [Signature]

*pc*

**221**

Yvette Cloete & Associates  
11A Mountainview Officepark  
28 Bella Rosa Road  
Rosenpark, Bellville

Prepared by me

*Yvette Cloete*  
CONVEYANCER  
CLOETE, YVETTE ADÉLE

Fees - enborsment		Amount	Office fee
Purchase price/ value			
Ad. for exemption			
			219.00

**CERTIFICATE OF CONSOLIDATED TITLE**  
 [Issued under the provisions of section 40 of the Deeds  
 Registries Act, 1937 (No. 47 of 1937)]

**T 000039732 / 2018**

**WHEREAS**

**THE STELLENBOSCH MUNICIPALITY**

DATA / CAPTURE  
**29 AUG 2018**  
 MARLYN BARLOW

has applied for the issue to it of a Certificate of Consolidated Title under the provisions of section 40 of the Deeds Registries Act, 1937;

VIR ENDOSEMENTE KYK BLADSY.  
FOR ENDORSEMENTS SEE PAGE..... 6 ..... ET SPP.

*[Signature]*

*[Signature]*

PAGE 6.....T..... 000039732/2018 M-4ENDOSSEMENT KRAGTENS ARTIKEL 46 WET 47/1937

The land herein described has been subdivided  
Die grond hierin beskryf is onderverdeel

In accordance with General Plan No 5633/2005  
In ooreenstemming met Algemene Plan Nr. ....

Approved by the Surveyor-General on 2005/11/04  
Goedgekeur deur die Landmeter-Generaal op .....

In terms of SECTION 4 ACT 113/1991  
Kragtens .....

Into erven numbers 2921-3225, 3227  
In erwe genommer .....

Public places numbered 3226, 3228, 3229 AND THE STREETS..... and thoroughfares  
Openbare Plekke genommer ..... en strate

Application filed as 33319/2018  
Aansoek geliasseer as BC .....

FORM DDD ONLY

Deeds Office/Aktekantoor

Cape Town/Kaaptad

Date/Datum: 17.8.2018.....

*[Signature]*  
Registrar of Deeds / Registrateur van Aktes

Servitude Notes/ Serwituut Notas (if any/indien enige)

1. THE LINE s13 s12 s14 s15 REPRESENTS AN OVERFLOW WITH OUTLET TAP S16 AND WATER OUTLET PIPE S17 VIDE DGM NO 1004/1975 D/S K183/1977s.
2. THE FIGURE s18 s19 s20 s21 REPRESENTS A DOMESTIC DAM WITH INLET PIPE s22 AND OUTLET PIPE s23 VIDE DGM NO 1004/1975 D/S K183/1977s.
3. THE LINE s24 s25 REPRESENTS AN OVERFLOW WITH INLET PIPE s26 VIDE DGM NO 1004/1975 D/S K183/1977s.
4. THE LINE C s1 s12 AND s1 s2 s3 s4 s5 s6 s7 s8 s9 s10 s11 REPRESENTS THE CENTERLINES OF A SERVITUDE AREA 2,00m WIDE VIDE DGM NO1004/1975 D/S K183/1977s.
5. POINT s23 REPRESENTS AN OUTLET PIPE FROM s18 s19 s20 s21 VIDE DGM NO 1004/1975-D/S

*for further Endorsements see P 7*

f

000039732 / 2018

PAGE ..... 7 .....

T ..... ~~39732 / 2018~~ ..... m. 4

K183/1977s.

**NB!!! PLEASE SEE ENDORSEMENT BELOW**

**ENDORSEMENT IN TERMS OF SECTION 37(2) ACT 8/1997**

General Plan no 5633/2005 has been amended by the substitution or erven:

2960, 2965, 2978, 2986, 3014, 3025, 3031, 3032, 3039, 3040, 3047, 3048, 3055, 3056, 3074, 3083, 3093, 3114, 3120, 3126, 3146, 3154, 3156, 3158, 3178, 3191, 3205, 3225, with erven 3667-3694, and the streets as shown on amending general plan 4572/2011 without conditions.

As will more fully appear from I-313/2013LG.

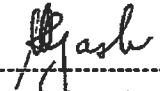
27.8.2018  
Deeds Office

Cape Town

*[Signature]*  
Registrar of Deeds

**FOR FURTHER ENDORSEMENTS  
SEE PAGE..... 8 .....**

T 39732 | 2018

ENDOSSEMENT KRAGTENS ARTIKEL 3(2)(b) WET 113 VAN 1991	ENDORSEMENT IN TERMS OF SECTION 3(2)(b) ACT 113 OF 1991
VOORWAARDES..... ..... HIERIN IS GEROJEER KRAGTENS ADMINISTRATEURS KENNISGEWING NO..... GEDATEER..... GEPUBLISEER IN OFFISIELE KOERANT NO. ....	CONDITIONS..... <b>3. C.</b> ..... ..... HEREIN IS CANCELLED IN TERMS OF ADMINISTRATOR'S NOTICE NUMBER..... <b>PN 338/1999</b> ..... DATED..... <b>1-10-1999</b> ..... PUBLISHED IN OFFICIAL GAZETTE NO..... <b>5377</b> .....
<b>I-4129/2012-I</b>	
DATE <b>27 AUG 2018</b>	----- REGISTRATEUR / REGISTRAR

**AND WHEREAS** it is the registered owner of

1. ERF 2902 FRANSCHHOEK  
In the Stellenbosch Municipality  
Paarl Division  
Western Cape Province

Held by Deed of Transfer No T27271/1999

2. ERF 2652 FRANSCHHOEK  
In the Stellenbosch Municipality  
Paarl Division  
Western Cape Province

Held by Certificate of Registered Title No T 39731-2018

which have been consolidated into the land hereinafter described;

**NOW THEREFORE** in pursuance of the provisions of the said Act, I, the Registrar of Deeds at Cape Town do hereby certify that the said

**THE STELLENBOSCH MUNICIPALITY**

or its Assigns, is the registered owner of

ERF 2903 FRANSCHHOEK  
In the Stellenbosch Municipality  
Paarl Division  
Western Cape Province

**MEASURING** 14,5932 (FOURTEEN COMMA FIVE NINE THREE TWO) HECTARES

**AS WILL APPEAR** from Consolidated Diagram S.G No 5632/2005

1. **AS REGARDS** the figures A B g P1 and f e T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 on diagram S.G No 5632/2005 annexed hereto

A. **SUBJECT** to such conditions referred to in Deeds of Transfer Nos 4597 and 4598 both dated 9 June 1898, as well as to the stipulations of the servitude referred to in various endorsements thereon dated 5 March 1901, 25 July 1901, 16 December 1901 and 1 March 1907 which said endorsements respectively read as follows, namely:

"By Deeds of Transfer 1374 to 1402 25<sup>th</sup> February 1901 the owners of the properties thereby conveyed have been granted certain water and grazing rights and the right to make bricks on farm La Provence subject to conditions as will more fully appear on reference to the said Transfers."

"By Deed of Transfer No 5064 dd 12<sup>th</sup> July 1901 the owner of the property thereby conveyed has been granted certain water and other rights over the farm La Provence as will more fully appear on reference to said Transfer."

"By Deed of Transfer No 9243 dd 9.XII.1901 the distribution of the water to which certain sixty erven forming part of this property are entitled is regulated as will more fully appear on reference to the copy of special conditions annexed to said transfer."

"Certain sixty erven sold subject to conditions similar to those referred to in above endorsements."

2. **AS REGARDS** the figure B D E F G H J K L M N P Q R S e f N1 g on diagram S.G No 5632/2005 annexed hereto

B. **SUBJECT FURTHER** to such conditions as are referred to in Deed of Transfer No T272/1927.

3. **AS REGARDS** the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 on diagram S.G No 5632/2005 annexed hereto. *value*

C. **SUBJECT FURTHER** with regard to the whole of the property to the stipulations of an endorsement dated 11 January 1935 endorsed on Deed of Transfer No T272/1927 and which read as follows:

"By Deed of Transfer 99/35 the owner and future proprietors of the land thereby conveyed shall be entitled for themselves and their servants to use the 3.78 metres road indicated on the diagram annexed thereto and on original diagram for the purpose of access to and from the 11,33 metres road shown on Diagram thereof, over the remainder held hereunder as will more fully appear on reference to said Transfer."

*CAB*



4. **AS REGARDS** the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 on diagram S.G No 5632/2005 annexed hereto

**D. SUBJECT FURTHER** to the endorsement dated 9 March 1977 endorsed on Deed of Transfer No T27088/1974 and which reads as follows:

"Kragtens Not. Akte No K0183/1977S gedateer 9/6/76 is die eiendom hieronder gehou onderhewig aan die volgende regte naamlik –

- (i) Die reg op die gesamentlike gebruik van 'n afloopwal aangedui deur die lyn w.b.x.y. met uitspoelkrag z en wateruitlaatpyp z2 op die serwituutkaart Nr 1004/75.
- (ii) Die reg op die gesamentlike gebruik van 'n huishoudelike dam aangedui deur die figure a,b,d, met inlaatpyp e, en uitlaatpyp e2 op die serwituutkaart Nr 1004/75.
- (iii) Die reg op die gesamentlike gebruik van 'n afloopwal aangedui deur die lyn f,g, met inlaat pyp h, op die serwituutkaart Nr 1004/75.
- (iv) Die reg op die gesamentlike gebruik van 'n serwituutgebied twee (2) metre wyd die middellyne waarvan aangedui word deur die lyne gemerk A.a.b. en a.c.d.e.f.g.h.j.k.l.m.n.p.q.r.s.t.u.v. op die serwituutkaart Nr 1004/75 ten gunste van die volgende eiendomme.
  - a) Ged (2) van die plaas La Provence Nr 1064 Afd. Paarl, groot 20,0366 Ha gehou onder T2521/1963 en
  - b) Ged 1 van die plaas La Provence Nr 1064, Afd. Paarl, groot 27,9124 Ha gehou onder T19126/1968

met bykomende regte en voorwaardes soos meer ten volle beskryf in die gesegde Not. Akte.

①

②

AND THAT by virtue of these presents, the said

**THE STELLENBOSCH MUNICIPALITY**

or its Assigns, now are and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

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

**THUS DONE AND EXECUTED** at the office of the Registrar of Deeds at REGISTRAR OF DEEDS at Cape Town on 27 August 2018

  
Signature of appearer q.q.

In my presence

  
REGISTRAR OF DEEDS



221

YVETTE CLOETE & ASSOCIATES  
PO Box 267 Kasselsvlei  
7533

63  
Prepared by me

  
CONVEYANCER  
CLOETE, YVETTE ADÉLE

**APPLICATION FOR THE ISSUE OF A CERTIFICATE OF CONSOLIDATED TITLE IN  
TERMS OF SECTION 40 OF THE DEEDS REGISTRIES ACT, 1937 (No 47 of 1937)**

I, the undersigned

**PETRUS DU PLESSIS SMIT, in my capacity as Manager: Property Management  
of the Stellenbosch Municipality, duly authorised hereto in terms of delegation  
539 of the System of Delegations which was adopted by Council on  
24 June 2015 and is effective from 1 May 2015**  
Do hereby apply, in terms of section 40 of the Deeds Registries Act 47 of 1937, to  
the Registrar of Deeds Cape Town, for the issue to Stellenbosch Municipality of a  
certificate of consolidated title in respect of:

1. Erf 2902 Franschoek  
In the Municipality of Stellenbosch  
Paarl Division  
Western Cape Province  
In extent: 14,4188 (Fourteen comma Four One Eight Eight) Hectares  
HELD under Deed of Transfer No T27271/1999,

And

2. Erf 2652 Franschoek  
In the Municipality of Stellenbosch  
Paarl Division  
Western Cape Province  
In extent: 2 175 (Two Thousand One Hundred and Seventy Five)  
Square Metres  
HELD under Deed of Transfer No  Certificate of Registered Title  
No T

NO (2)

H. 077



which properties on consolidation will be known as:

ERF 2903 Franschoek  
In the Municipality of Stellenbosch  
Paarl Division  
Western Cape Province

In extent: 14,5932 (Fourteen comma Five Nine Three Two)  
Hectares

As will appear from diagram SG 5632/2005

SIGNED at STELLENBOSCH on the 9th July day of July 2018

AS WITNESSES

1.   
2. 



**PETRUS DU PLESSIS SMIT**  
In my capacity as Manager:  
Property Management of the  
Stellenbosch Municipality,  
duly authorised hereto

H.M.T.

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES			S.G. No	
		Y	System WG 19	X		
	Constant		± 0,00	+3 700 000,00	5632/2005	
AB	52,56	311 41 30	A	- 10 135,72	+ 50 737,26	Approved <i>[Signature]</i> for Surveyor-General  2005-11-04
BC	423,75	11 11 00	B	- 10 174,97	+ 50 772,22	
CD	562,54	11 19 40	C	- 10 092,78	+ 51 187,92	Sheet No 1 of 4 Sheets
DE	13,77	123 46 10	D	- 9 982,29	+ 51 739,50	
EF	14,27	190 47 10	E	- 9 970,84	+ 51 731,85	
FG	14,53	175 07 30	F	- 9 973,51	+ 51 717,83	
GH	15,17	138 32 50	G	- 9 972,28	+ 51 703,35	
HJ	84,04	123 46 10	H	- 9 962,24	+ 51 691,98	
JK	68,36	111 52 00	J	- 9 892,38	+ 51 645,27	
KL	3,15	123 46 10	K	- 9 828,94	+ 51 619,81	
LM	15,65	197 52 00	L	- 9 826,32	+ 51 618,05	
MN	12,56	156 44 20	M	- 9 831,12	+ 51 603,16	
NP	14,65	189 17 20	N	- 9 826,16	+ 51 591,62	
PQ	27,27	167 38 10	P	- 9 828,52	+ 51 577,16	
QR	7,94	224 09 50	Q	- 9 822,68	+ 51 550,52	
RS	25,85	174 42 40	R	- 9 828,22	+ 51 544,82	
ST	20,08	123 46 10	S	- 9 825,83	+ 51 519,08	
TU	26,00	213 46 10	T	- 9 809,14	+ 51 507,92	
UV	27,00	123 46 10	U	- 9 823,59	+ 51 486,31	
VW	18,00	213 46 10	V	- 9 801,15	+ 51 471,30	
WX	18,00	123 46 10	W	- 9 811,15	+ 51 456,34	
XY	8,00	213 46 10	X	- 9 796,19	+ 51 446,33	
YZ	18,00	303 46 10	Y	- 9 800,64	+ 51 439,68	
ZA1	81,00	213 46 10	Z	- 9 815,60	+ 51 449,69	
A1B1	18,00	123 46 10	A1	- 9 860,63	+ 51 382,35	
B1C1	12,00	213 46 10	B1	- 9 845,66	+ 51 372,35	
C1D1	15,00	303 46 10	C1	- 9 852,33	+ 51 362,38	
D1E1	80,00	213 46 10	D1	- 9 864,80	+ 51 370,72	
E1F1	18,00	123 46 10	E1	- 9 909,27	+ 51 304,21	
F1G1	8,00	213 46 10	F1	- 9 894,31	+ 51 294,20	
G1H1	18,00	303 46 10	G1	- 9 898,76	+ 51 287,55	
H1J1	36,00	213 46 10	H1	- 9 913,72	+ 51 297,56	
J1K1	18,00	123 46 10	J1	- 9 933,73	+ 51 267,63	
K1L1	7,50	213 46 10	K1	- 9 918,77	+ 51 257,63	
L1M1	18,00	303 46 10	L1	- 9 922,94	+ 51 251,39	
M1N1	108,50	213 46 10	M1	- 9 937,90	+ 51 261,40	
N1P1	127,00	123 46 10	N1	- 9 998,21	+ 51 171,20	
P1A	437,16	213 46 55	P1	- 9 892,64	+ 51 100,61	
	272 Du Toitskop	Δ		- 13 868,02	+ 50 664,68	
	274 Robert	Δ		- 9 159,39	+ 54 252,31	

The figure **ABCDEFGHIJKLMNPQRSTUVWXYZ A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1**

represents **14,5932 hectares** of land being **Erf 2903 Franschoek and comprising 1) - 2) as enumerated on Sheet No 2**

situate in **the Stellenbosch Municipality**

Administrative District of **Paarl**

Province of the Western Cape

Surveyed between **November 1999 and October 2005**

by me,

*[Signature]*  
**S.G DREYER**  
Land Surveyor  
PLS 1028

This diagram is annexed to  
No. **T00003973/2018**  
dated **27/8/18**  
i.f.o. **2018-08-27**  
Registrar of Deeds

The original diagrams are as  
enumerated on Sheet No 2

File No. **Par1. 1073**  
**LPI C0550003**  
**S.R. No. E 2569/2005**  
Comp.  
**BI-7CAB (3894)**  
**BI-7CA/W51 (6409)**

CERTIFIED COPY FOR REGISTRATION  
 FOR SURVEYOR-GENERAL  
 DATE **28.06.2018**

**Erf 2903 Franschoek**

S.G. No

5632/2005

Approved

*[Signature]*  
for Surveyor-General

2005.11.04

**Sheet No 2 of  
4 Sheets**

**Beacon Description**

All beacons are 12 mm iron peg, except

- A 20 mm iron peg
- B 12 mm hole in rock
- C iron rail fence post

**Components**

- 1) The figure A B C D E F G H J b a d c K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 represents the Remainder of Erf 2902 Franschoek, vide dgm no. 4838/1925 D/T 1927.7.272
- 2) The figure a b J c d represents Erf 2652 Franschoek vide General Plan No 3059/2000

**Servitude Notes**

- 1) The line s13 s12 s14 s15 represents an Overflow with Outlet Tap S16 and Water Outlet Pipe S17, vide dgm no 1004/1975 D/S K183/1977<sup>s</sup>.
- 2) The figure s18 s19 s20 s21 represents a Domestic Dam with Inlet Pipe s22 and Outlet Pipe s23, vide vide dgm no 1004/1975 D/S K183/1977<sup>s</sup>.
- 3) The line s24 s25 represents an Overflow with Inlet Pipe s26 vide dgm no 1004/1975 D/S K183/1977<sup>s</sup>.
- 4) The lines C s1 s12 and s1 s2 s3 s4 s5 s6 s7 s8 s9 s10 s11 represent the Centre Lines of a Servitude Area 2 m wide, vide dgm no 1004/1975 D/S K183/1977<sup>s</sup>.
- 5) The Point s23 represents an Outlet Pipe to Overflow s13 s12 s14 s15 and the Point s27 represents an Outlet Pipe from s18 s19 s20 s21 vide dgm no 1004/1975 D/S K183/1977<sup>s</sup>.

CERTIFIED COPY FOR REGISTRATION  
 FOR SURVEYOR-GENERAL .....  
 DATE 28-06-2018

Surveyed between November 1999 and October 2005 by me,

*[Signature]*  
**S O DREYER**  
Land Surveyor  
PLS 1028

Erf 2903 Franschoek

S.G. No  
5632/2005

Approved  
*[Signature]*  
for Surveyor-General

2005-11-04

Sheet No 3 of  
4 Sheets

Remainder of the  
Farm No 1413

Portion 7 of the  
Farm La Terra de Luc  
No 1069

T N

General Plan No 3059/2000  
See inset 1 on sheet 4

See inset 2 on sheet 4

FOR SUBDIVISION OF THIS  
PROPERTY VIDE GENERAL  
PLAN 5633/2005

Remainder of the  
Farm No 1466

2235

Beaucoup  
De L'eau Street 13m

2565

Surveyed between November 1999 and October 2005 by me.

*[Signature]*  
S.G DREYER

Land Surveyor  
PLS 1028

Scale 1 : 5 000

Erf 2903 Franschoek

CERTIFIED COPY FOR REGISTRATION  
FOR SURVEYOR-GENERAL  
DATE 28-06-2018

Erf 2903 Franschoek

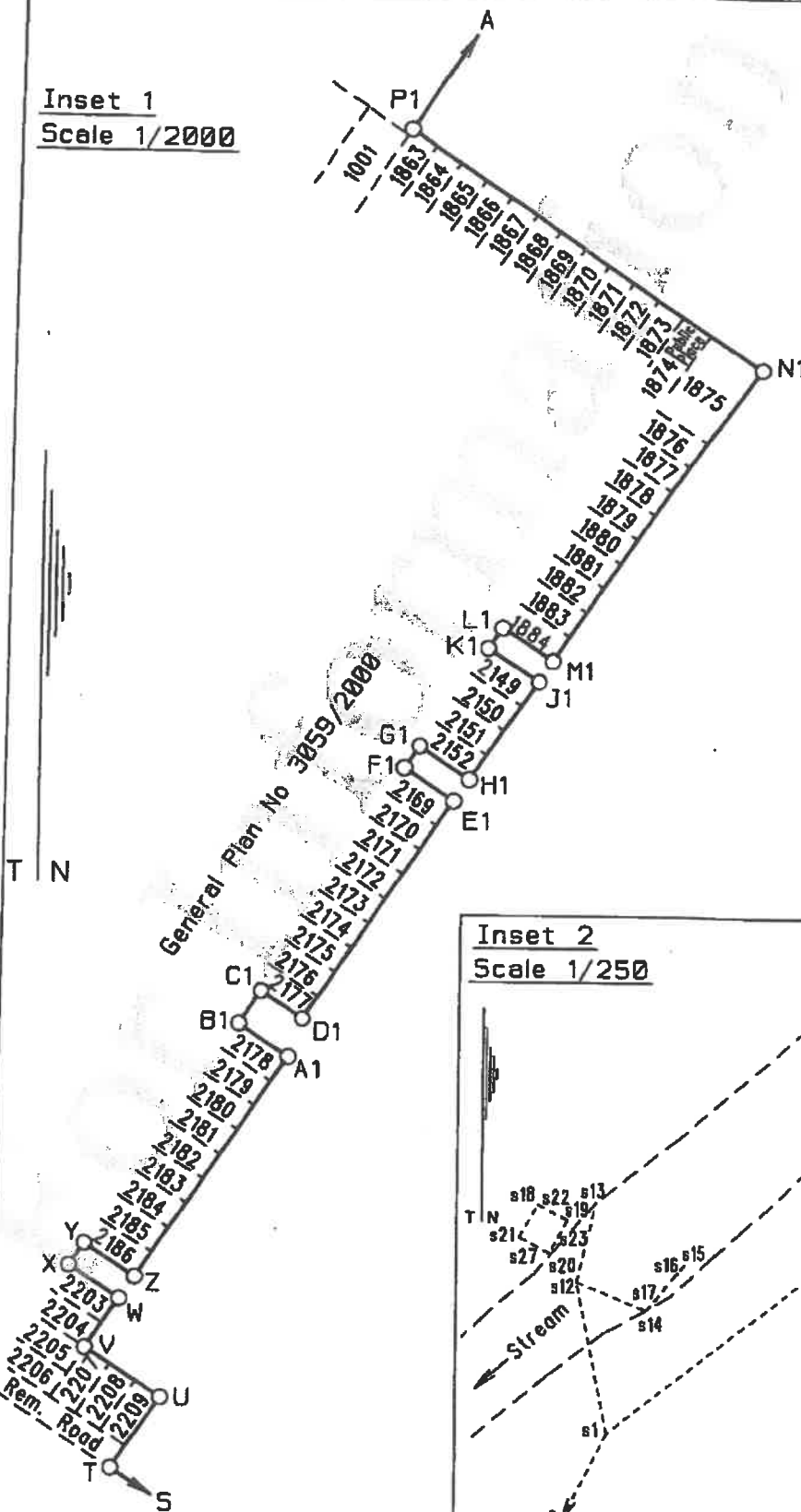
S.G. No  
5632/2005

Approved  
*[Signature]*  
for Surveyor-General

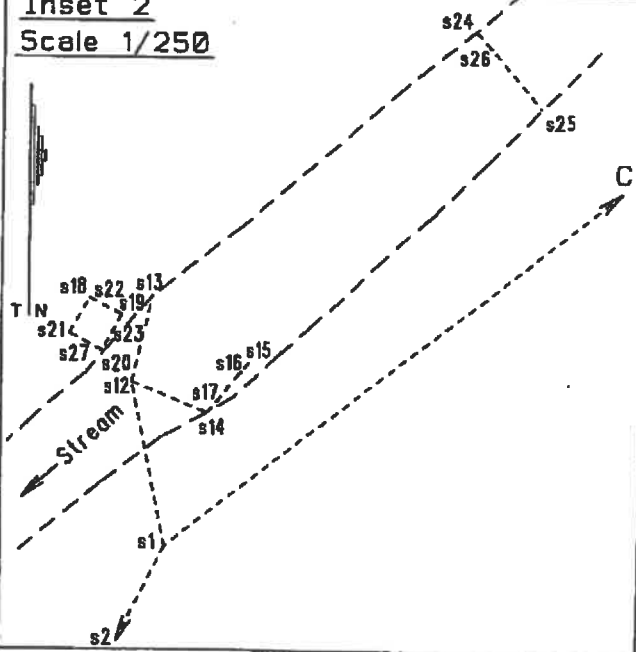
2005.11.04

Sheet No 4 of  
4 Sheets

Inset 1  
Scale 1/2000



Inset 2  
Scale 1/250



CERTIFIED COPY FOR REGISTRATION  
 FOR SURVEYOR-GENERAL  
 DATE 28.06.2018

Surveyed between November 1999 and October 2005 by me.

*[Signature]*  
S.G DREYER  
Land Surveyor  
PLS 1028



TRACK NUMBER : 88006211967

PROPERTY DETAILS FRONT FOR PORTION 0  
ERF NO 2903  
TOWNSHIP FRANSCHHOEK  
REG DIV PAARL RD

PROVINCE WESTERN CAPE  
PREV DESCRIPTION  
DIAGRAM DEED NO  
EXTENT  
CLEARANCE FRANSCHHOEK MUN

INTERDICTS  
I-312/2012LG  
I-313/2012LG

NO DOCUMENTS

CASE NUMBER CASE DATE/TITLE NR

NOTED ON  
20120125  
20120125

\*\* PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.  
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

\*\*\* END OF REPORT \*\*\*

\* I 312/2012LG - prevention of registration caveat.  
The layout of certain ervens but not ERF=2903  
Franschhoek will change should the proposed layout  
be approved. GP 5633/2005 representing ERF  
2903 Franschhoek Deed Ref 5632/2005  
please ensure that no registration of those  
ervens are affected.

\* 313/2012LG - Amendment of G.P. caveat GPL  
5633/2005 ERF 2903 FRANSCHHOEK  
DGM 5632/2005. Certain ervens have been  
substituted by amending GP 4572/2011 without  
conditions. ERF 2903 is not reflected.

## POWER OF ATTORNEY STELLENBOSCH MUNICIPALITY

I, Gardolene Lezette Mettler in my capacity as **MUNICIPAL MANAGER** of Stellenbosch Municipality hereby grant authority to ETL Consulting (Pty) Ltd. or any person employed by the company or Instance for that purpose on Erf 3209 (To Be Known As 3229 Franschoek)

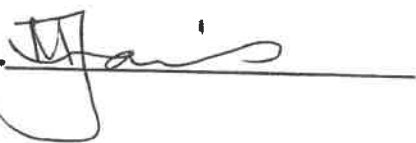
- a) to apply for a temporary departure to utilize the subject property on a temporary basis for temporary housing for a period of 5-years in terms of Section 15.2 (c) & (n) of the Stellenbosch Land Use Planning By-Law 2015.
- b) to apply for a temporary closure of a public space for a period of 5-years as listed in terms of Section 26 (2) of the Stellenbosch Municipality Land Use Planning By-Law 2015.
- c) and in general to perform all acts necessary for finalisation of the said application to utilize the subject property for temporary relocation area purposes (TRA)

**"This Power of Attorney does not bind the Municipality to approve and/or condone any application that may be submitted on their behalf.**

Thus done and signed at Stellenbosch on this, the 27<sup>th</sup> day of October 2020

**AS WITNESS**

1. 

2. 

  
For and on behalf of **STELLENBOSCH MUNICIPALITY**

**ANNEXURE E**

Copy of POE Checklist and  
declaration



DOCUMENT ISSUE SLIP

<b>Project Number:</b>	E106 E/F 3229 FH <sub>s</sub>
<b>Date:</b>	8/10/21
<b>Issued to:</b> (Company name and address)	STELLENBOSCH MUNICIPALITY: DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT TOWN HOUSE COMPLEX, PLEIN STR, STELLENBOSCH
<b>For Attention:</b>	MRS BULELWA MOODA

PROJECT NAME:

ISSUED FOR:  COMMENTS  APPROVAL  INFORMATION  CONSTRUCTION

OTHER (SPECIFY):

DOCUMENT/DRAWING REFERENCE NUMBER	DESCRIPTION	SHEET SIZE	QUANTITY
E106	PORTFOLIO OF EVIDENCE		
PLEASE SIGN AND SCAN ISSUE SLIP			
EMAIL TO: shevenp@etlconsulting.co.za			
		STELLENBOSCH MUNICIPALITY PLANNING AND DEVELOPMENT SERVICES 12 OCT 2021 RECEIVED	
		E 3229 FH 715173	

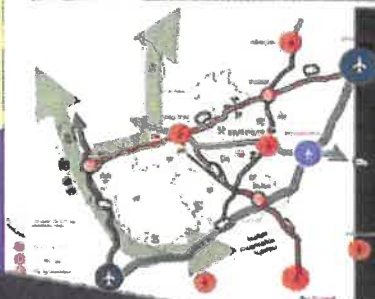
Received by: \_\_\_\_\_

Date: \_\_\_\_\_

Issued on behalf of

ETL Consulting

Both copies to be signed.  
One copy to ETL



# PORTFOLIO OF EVIDENCE

PROPOSED TEMPORARY DEPARTURE FOR TEMPORARY RELOCATION AREA – ERF 3229 FRANSCHHOEK

08 October 2021

**PREPARED BY:**

ETL CONSULTING (PTY) LTD



The Oval Office Park  
1 Meadowbrook Ln.  
Epsom Downs  
Bryanston  
2152

**PREPARED FOR:**

STELLENBOSCH MUNICIPALITY



Postal Address:  
PO Box 17  
Stellenbosch  
7600

# ETL Consulting (Pty) Ltd

The Oval Office Park, 1 Meadowbrook Ln, Epsom Downs, Sandton, 2152 • PO Box 8129, Halfway House, Midrand, 1685 • Tel: +27 10 800 1534 • Fax: +27 86 540 6795 • Web: www.etlconsulting.co.za



Our Ref.: E106

Your Ref.: LU/ 12400

## STELLENBOSCH MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT  
PO BOX 17  
STELLENBOSCH  
7600

Attention: Mrs. Bulelwa Mdoda

06 October 2021

### PROPOSED TEMPORARY DEPARTURE FOR TEMPORARY RELOCATION AREA - ERF 3229 FRANSCHOEK

ETL Consulting (Pty) LTD was appointed by Stellenbosch Municipality to obtain the land use rights on Erf 3229 Franschoek for a temporary relocation area.

The property under investigation was identified as a relocation site to accommodate families impacted by the implementation of upgrading projects at Langrug informal settlement. The Langrug Informal Settlement is severely impacted by flooding with the informal settlement requiring urgent relocation, the matter has since escalated, and such is deemed an emergency requiring immediate intervention.

Application was therefore made for the following:

- i. A temporary departure to utilize the subject property on a temporary basis for temporary housing for a period of 5-years.
- ii. A temporary closure of a public space for a period of 5-years as listed in terms of Section 26 (2) of the Stellenbosch Municipality Land Use Planning By-Law 2015.

Following receipt of the application, an Instruction to advertise to advertise was issued on the 14<sup>th</sup> June 2021, with the public participation process commencing on the **1<sup>st</sup> July 2021** and the closing date for comments being **2<sup>nd</sup> August 2021** (30 days). It should be noted that entities such as the Heritage Western Cape, and the Department of Environmental Affairs & Development Planning and the various Internal Departments of the Stellenbosch Municipality were given **60 days** to provide comments.

---

To date it should be noted that comments were received from the following departments: Community Development; Community Services; Electricity; Engineering; Fire; Health; Property Management and Spatial Planning. Unfortunately, comments from the Ward Councillor's (Wards 1 & 2); Building Development; Legal Services and Law Enforcement have provided no feedback and as such we were advised to proceed with the Portfolio of Evidence Submission.

As such, please see attached herewith the following **Portfolio of Evidence**:

1. **ERF 3229 Franschhoek – POE Checklist & Affidavit.**
2. **ERF 3229 Franschhoek – Communications (Emails):**
  - 2.1 ERF 3229 Franschhoek – Instruction to Advertise
  - 2.2 ERF 3229 Franschhoek – Instruction to Advertise (Follow Up)
  - 2.3 ERF 3229 Franschhoek – Notice to be Placed on Municipal Website
  - 2.4 ERF 3229 Franschhoek – Outstanding Comments
  - 2.5 ERF 3229 Franschhoek – Notice of Advertisement Dates
3. **ERF 3229 Franschhoek – Interdepartmental Comments:**
  - 3.1 ERF 3229 Franschhoek – Community Development Comment
  - 3.2 ERF 3229 Franschhoek – Community Services Comment
  - 3.3 ERF 3229 Franschhoek – Electrical Comment
  - 3.4 ERF 3229 Franschhoek – Engineers Comment
  - 3.5 ERF 3229 Franschhoek – Fire Comment
  - 3.6 ERF 3229 Franschhoek – Health Comment
  - 3.7 ERF 3229 Franschhoek – Property Management Comment
  - 3.8 ERF 3229 Franschhoek – Spatial Planning Comment
4. **ERF 3229 Franschhoek – Notices:**
  - 4.1 ERF 3229 Franschhoek – Publishing of Notice
  - 4.2 ERF 3229 Franschhoek – Serving of Notice
  - 4.3 ERF 3229 Franschhoek – Site Notice
  - 4.4 Serving of Notice – Department of Environmental Affairs & Development Planning – *DIRECTOR (60 Days)*
  - 4.5 Serving of Notice – Department of Environmental Affairs & Development Planning (**60 Days**)
  - 4.6 Serving of Notice – Heritage Western Cape (**60 Days**)
  - 4.7 Serving Of Notice – Erf 1466 Franschhoek (Email + Attachment)
  - 4.8 Serving Of Notice – Franschhoek Heritage Ratepayers Association (Email + Attachment)
  - 4.9 Serving Of Notice – Van Wyk Cabriere Street Residents Association (Email + Attachment)

**5. ERF 3229 Franschhoek – Objections Received & Responses:**

- 5.1 ERF 3229 Franschhoek – Response to Objections LU 12400 (E106)
- 5.2 ERF 3229 Franschhoek – Objections Received – 26<sup>th</sup> July 2021
- 5.3 ERF 3229 Franschhoek – Objections Received - 2<sup>nd</sup> August 2021 (Email + Attachments)

**6. ERF 3229 Franschhoek – Proof of Advertisement:**

- 6.1 ERF 3229 Franschhoek – Proof of Publication (Paarl Post – Page 23; and Paarl Post Scanned Images)
- 6.2 ERF 3229 Franschhoek – Proof of Site Notices (Photos)
- 6.3 ERF 3229 Franschhoek – Proof of Registered Mail

Kindly address all future correspondence to: **Mr. Willie Jan Erasmus**  
Tel: 082 9298 239  
Email: [williee@etlconsulting.co.za](mailto:williee@etlconsulting.co.za)

We trust that you will find the above information to be in order. Please do not hesitate to contact our offices should you require any additional information in this regard.



Yours faithfully

**WILLIE JAN ERASMUS**  
**For ETL Consulting (Pty) Ltd**



**1. POE CHECKLIST &  
AFFIDAVIT**



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

## DEPARTMENT OF DEVELOPMENT MANAGEMENT

### LAND DEVELOPMENT APPLICATION:

### PUBLIC PARTICIPATION PROCESS PORTFOLIO OF EVIDENCE CHECKLIST AND DECLARATION


<b>Erf/Erven Farm no</b>	3229	<b>Portion(s) if farm</b>	N/A	<b>Allotment Area</b>	19 836 sqm		
<b>Owner/ Applicant</b>	STELLENBOSCH MUNICIPALITY/ ETL CONSULTING (PTY) LTD			<b>LU/#</b>	12400		
<b>Notice Period</b>	<b>From:</b>	1 <sup>st</sup> JULY 2021		<b>To:</b>	2 <sup>nd</sup> AUGUST 2021		
<b>CONFIRMATION OR DOCUMENTATION SUBMITTED</b>				<b>OWNER/APPLICANT</b>			<b>ADMIN VERIFY</b>
				<b>YES</b>	<b>NO</b>	<b>N/A</b>	
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						
<b>Proof of notices published</b>							
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				✓		
<b>Proof of notices served</b>							
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				✓		
<b>Comments received</b>							
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, **WILLIE JAN ERASMUS (ETL CONSULTING)** and ID #: **9002125013083**, 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, **WILLIE JAN ERASMUS (ETL CONSULTING)** on this date/ month/ year, **01/09/2021** at place, **FAERIE GLEN, PRETORIA**.

  
\_\_\_\_\_

Signature Applicant

2021/09/01  
\_\_\_\_\_

Date

<i>For office use only</i>	
<b>CHECKED BY ADMINISTRATIVE OFFICER</b>	
<b>CHECKED BY TOWN PLANNER</b>	
<b>DATE VERIFIED</b>	14 October 2021

**NOTES TO BE RECORDED:**


**2. COMMUNICATIONS  
(EMAILS)**

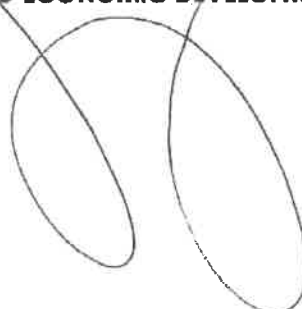
**2.1. INSTRUCTION TO  
ADVERTISE**

11. The application must also be published on the municipal website to coincide with the period of the public participation process. In order facilitate the simultaneous publishing of the notice of the application on the Municipal Website, the Applicant is required to timeously submit to this office the following required information on the application:
  - (a) A copy of the final advertisement and/ or notice to be served (no specific addressee listed on the notice);
  - (b) Locality Plan of the application site;
  - (c) Executive summary of the detail and motivation for the application;
  - (d) Any applicable plan depicting the proposed development/ land uses/ subdivision/ consolidation/ departures/ etc.
  - (e) The intended date for the commencement for the publishing and/ or serving of the notices.
12. The public participation process may only commence on the date as communicated once written confirmation has been received from this office that the above required information is adequate for its purpose to be published on the municipal website.
13. At the closing of the commenting period, any comments obtained from the internal Municipal Departments will be submitted to the Applicant within 14 days of closing date in order to provide the Applicant to submit responding comments on such inputs.
14. The Applicant must, in accordance with Section 45(4) and 46(5) of the said Bylaw and within 30 days from receipt of the internal Departmental inputs for the purpose of responding comments, submit to this office a Portfolio of Evidence of the public participation process that was followed, together with the responding comments of the Applicant on any inputs or comments received during the public participation process.
15. The portfolio of evidence for the public participation process should include the following documents and information:
  - (a) Portfolio of Evidence Checklist, duly completed and signed;

- (b) Copy of the advertisement (if required) as well as a copy of the advertisement that was placed in the newspapers, which should include evidence of the date of publication.
  - (c) A list of all recipients and physical addresses that received notices with copies of all such (e-mail) notices.
  - (d) A list of all Organs of state that received notices with copies of all such (e-mail) notices or receipt evidence of such notices.
  - (e) A list of all comments received together with copies of all such comments and inputs received.
  - (f) Applicant's responding comments on the inputs and comments received;
  - (g) A signed Affidavit as attached confirming that the advertising was undertaken in accordance with the prescriptions of the Stellenbosch Municipal Land Use Planning By-Law and the Instruction on the Public Participation Process;
  - (h) If applicable, photos taken on site of the notice board reflecting the proposal (See Section 48(2) of the Planning By-law – one up close (legible) and one from across the street);
16. Should you have any enquiries on the instruction for the public participation process, please contact the writer of this correspondence.

Yours faithfully

  
\_\_\_\_\_  
**FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**



14/6/2021,  
DATE:

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

1. Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-law (2015) for a **temporary departure** for the relocation of households that are currently residing in a fresh water dam in the Langrug Informal Settlement, to temporary housing on Erf No. 3229, Franschoek for a period of 5 years.
2. Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229, Franshhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-law (2015).



**AFFECTED/INTERESTED PROPERTY OWNERS LIST**

<b><u>ADVERTISING INSTRUCTION</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
Advertise in press - Paarl Post	✓	
Notice on the property	✓	
Registered letters to affected property owners	✓	
Registered letters to community organizations	✓	
External departments	✓	

**30 DAYS TO COMMENT**

Farm 1466	Erf 3682	Erf 3095	Erf 3107
Erf 3049	Erf 3683	Erf 3096	Erf 3108
Erf 3050	Erf 3084	Erf 3097	Erf 3109
Erf 3051	Erf 3085	Erf 3098	Erf 3110
Erf 3052	Erf 3086	Erf 3099	Erf 3112
Erf 3053	Erf 3087	Erf 3100	Erf 3113
Erf 3054	Erf 3088	Erf 3101	Erf 3688
Erf 3057	Erf 3089	Erf 3102	
Erf 3058	Erf 3090	Erf 3103	
Erf 3059	Erf 3091	Erf 3104	
Erf 3680	Erf 3092	Erf 3105	
Erf 3681	Erf 3094	Erf 3106	

Franschhoek Heritage and Ratepayers Association  
 The Garden House  
 29 De Wet Street  
**FRANSCHHOEK**  
 7690

Email: [brian@bharch.co.za](mailto:brian@bharch.co.za) / [Siefried.schafer@gmail.com](mailto:Siefried.schafer@gmail.com) / [barryphillips505@gmail.com](mailto:barryphillips505@gmail.com)

Van Wyk and Cabriere Street Residents' Association  
 37 Van Wyk Street  
**FRANSCHHOEK**  
 7690

Attn: Jackie Loubser  
 Email: [jackie@vincosteel.co.za](mailto:jackie@vincosteel.co.za)

**60 DAYS TO COMMENT**

Heritage Western Cape  
Private Bag X9067  
**CAPE TOWN**  
8000

Dept. of Environmental Affairs & Development Planning  
Private Bag X 9086  
**CAPE TOWN**  
8000  
**Attention: Mare-Liez Oosthuizen**

Dept. of Environmental Affairs & Development Planning  
Private Bag X 9086  
**CAPE TOWN**  
8000  
Director: Development Management Region 2: **Attention: Kobus Munro**

# Erf 3229, Franschoek

**SCALE**  
1:1 128,5

**Legend**

- Street/Acresse
- Erven
- Sectional Schemes
- Airfields
- Street
- Railway
- District Boundary
- L1 Wards



Geographical Information  
Planning & Economic Development  
City of Johannesburg  
City Centre 1915

Date: 2021/05/09



Author: GIS Services & Analytics



Street Address: Erf 3229  
City of Johannesburg  
Tel: 011 632 8144

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Source: Erf 3229, Franschoek, Johannesburg, City of Johannesburg, City Centre, 1915. The map is a reproduction of the original map and is not a substitute for the original map. It is intended for informational purposes only. The City of Johannesburg is not responsible for any errors or omissions in this map. The City of Johannesburg is not liable for any damages or losses resulting from the use of this map.

Erf 3229, Franschhoek

SCALE

1:1 128,5

Legend

Street Address

Even

Sectional Schemes

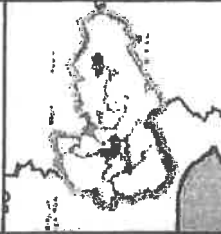
Airfields

Street

Railway

District Boundary

Waters



Electronic Municipality Planning & Reporting System created by Coronet GIS

Date: 2021/08/09



Author: Silt & Associates



Franschhoek Municipality  
Street Address  
P.O. Box 157, Franschhoek, 7600  
Tel: 021 878 2681

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**2.2. INSTRUCTION TO  
ADVERTISE (FOLLOW UP)**

**Sheven Pillay**

**From:** Sheven Pillay  
**Sent:** Wednesday, 30 June 2021 12:49  
**To:** Bulelwa Mdoda  
**Cc:** Willie Jan Erasmus; Kamohelo Mculu  
**Subject:** ERF 3299 FRANSCHHOEK: INSTRUCTION TO ADVERTISE  
**Attachments:** Erf 3229 Memorandum- Rev 03 18 November.pdf; C0001 Site Plan Layout RevB.pdf; Locality.pdf; ERF 3229 Franschoek - Serving of Notice TEMPLATE.docx

Good Day Bulelwa

Trust you are well.

As per the instruction to advertise, please find attached the following documentation:

- ERF 3229 Franschoek – Memorandum (Town Planning Application)
- ERF 3229 Franschoek – Site Layout Plan
- ERF 3229 Franschoek – Locality Plan
- ERF 3229 Franschoek – Serving of Notice Template

It should be noted that Registered Mail has been sent out through Post Net to the affected/ interested parties; in addition the Public Participation process is to commence Tomorrow, on the **1<sup>st</sup> July 2021** with a publication in the **Paarl Post** in both English and Afrikaans, and a closing date for comments on the **2<sup>nd</sup> August 2021** (30 Days) and **31<sup>st</sup> August 2021** (60 Days).

We trust the above is in order, do not hesitate to contact me should you require any additional information.

<p><i>Kind Regards</i>  <b>Sheven Pillay</b>          Candidate Town Planner</p> <p>Unit 402,          Strauss Daly Place,          41 Richefond Circle,          Ridgeside Office Park,          Umhlanga Ridge,</p>	<p><b>T: +27 10 800 1534</b>  <b>F: +27 86 540 6795</b>  <b>C: +27 71 870 3123</b>  <b>E: shevenp@etlconsulting.co.za</b>  <b>W: www.etlconsulting.co.za</b></p>		
<p>Johannesburg • Durban • Cape Town</p>		<p><b>BBBEE Level 1   ISO 9001:2015</b>  <b>ETHICAL TECHNICAL LEADERSHIP</b></p>	

**From:** Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>  
**Sent:** Monday, 14 June 2021 12:18  
**To:** Sheven Pillay <shevenp@etlconsulting.co.za>; Willie Jan Erasmus <williee@etlconsulting.co.za>  
**Cc:** Kamohelo Mculu <Kamohelo.Mculu@stellenbosch.gov.za>  
**Subject:** ERF 3299 FRANSCHHOEK: INSTRUCTION TO ADVERTISE

Dear Sheven;

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

Please comply with instructions in the attached letter dated 14 June 2021.

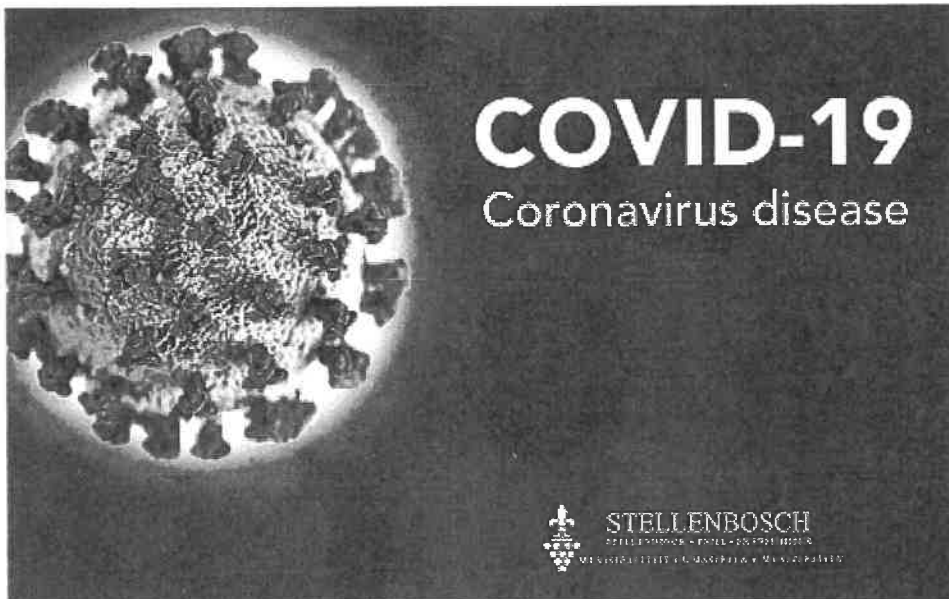


Kind regards,  
**Bulelwa Mdoda**  
 Land Use Management  
 Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899  
 3<sup>rd</sup> Floor, Eikestad Mall, Andringa Street,  
 Stellenbosch  
[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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Visit the dedicated COVID-19 page on our municipal website for information on this disease:  
<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.



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 ST. ELLENBOSCH • ST. ELLENBOSCH  
 MUNICIPALITY • MUNISIPALITEIT • MUNISIPALITEIT



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Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)

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**2.3. NOTICE TO BE PLACED ON  
MUNICIPAL WEBSITE**

**Sheven Pillay**

**From:** Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>  
**Sent:** Wednesday, 30 June 2021 13:17  
**To:** Odile Sims  
**Cc:** Sheven Pillay  
**Subject:** ERF 3229: NOTICE TO BE PLACE ON MUNICIPAL WEBSITE  
**Attachments:** ERF 3229 FRANSCHHOEK.NOTICE TO INTERESTED AND AFFECTED PARTIES.pdf

Hi Odile;

Please find attached notice for placement on Municipal website.



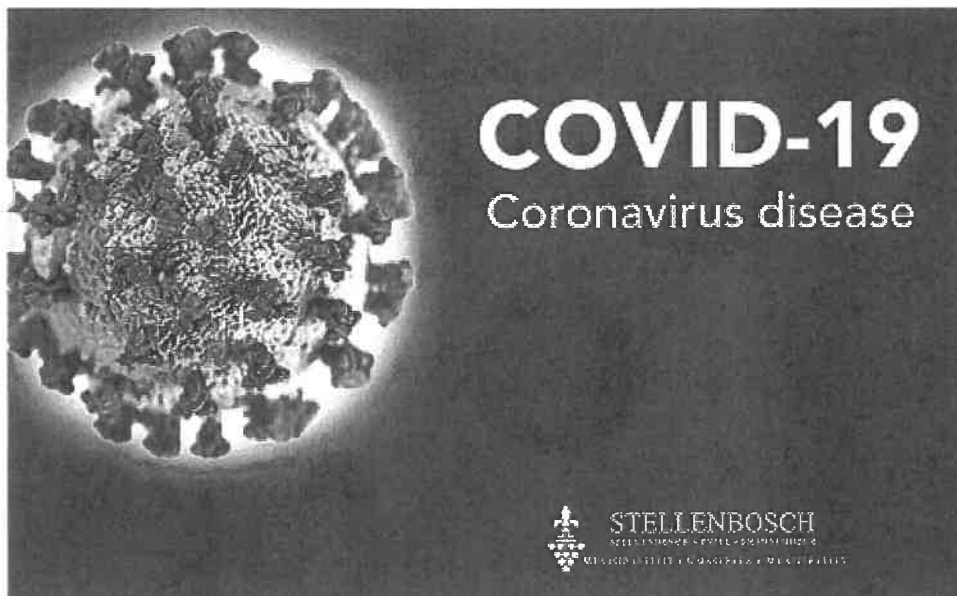
*Kind regards,*  
**Bulelwa Mdoda**  
Land Use Management  
**Planning & Economic Development**

---

T: +27 21 808 8690 : F +27 21 886 6899  
3<sup>rd</sup> Floor, Eikestad Mall, Andringa Street,  
Stellenbosch  
[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

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**2.4. OUTSTANDING  
COMMENTS**

**Sheven Pillay**

**From:** Sheven Pillay  
**Sent:** Monday, 04 October 2021 12:24  
**To:** Bulelwa Mdoda  
**Cc:** Willie Jan Erasmus  
**Subject:** RE: LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

Good Day Bulelwa

Trust you are well.

Thank You. Your feedback is highly appreciated.

We will arrange a hardcopy to be sent to your offices ASAP.

*Kind Regards*  
**Sheven Pillay**  
Candidate Town Planner

Unit 402,  
Strauss Daly Place,  
41 Richefond Circle,  
Ridgeside Office Park,  
Umhlanga Ridge,

**T: +27 10 800 1534**  
**F: +27 86 540 6795**  
**C: +27 71 870 3123**  
**E: shevenp@etlconsulting.co.za**  
**W: www.etlconsulting.co.za**




**BBBEE Level 1 | ISO 9001:2015**  
**ETHICAL TECHNICAL LEADERSHIP**

**Johannesburg • Durban • Cape Town**

**From:** Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>  
**Sent:** Monday, 04 October 2021 12:10  
**To:** Sheven Pillay <shevenp@etlconsulting.co.za>  
**Subject:** RE: LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

Morning Sheven;

I have not received the outstanding comments from these departments below.

**Outstanding comments**

Ward Councillors (Ward 1 & 2)  
Building Development  
Legal Services  
Law enforcement

I take it they don't have comments.

Please submit a Portfolio of evidence, hard copy will be much appreciated.

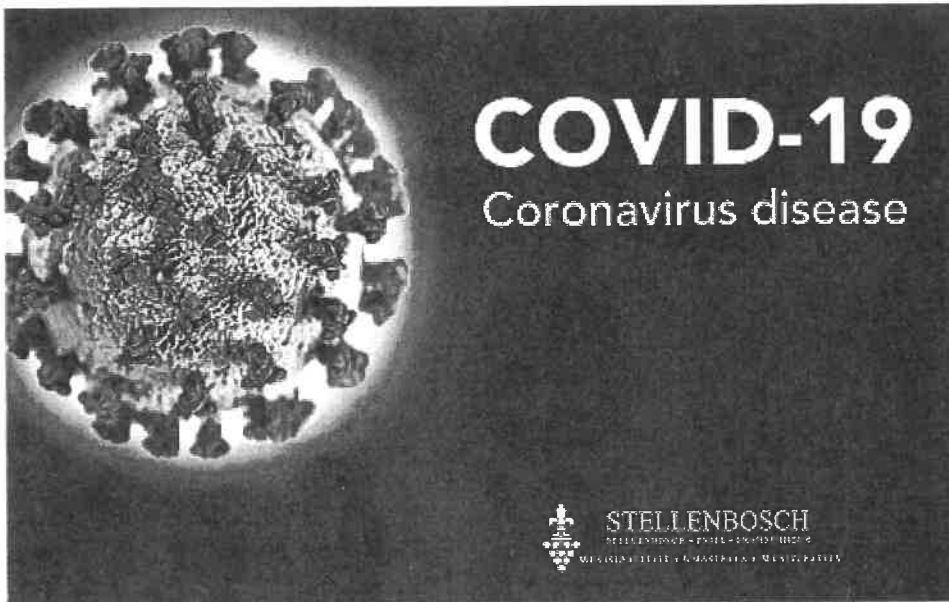


*Kind regards,*  
**Bulelwa Mdoda**  
Land Use Management  
**Planning & Economic Development**

T: +27 21 808 8690 : F +27 21 886 6899  
3<sup>rd</sup> Floor, Eikestad Mall, Andringa Street,  
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- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

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**From:** Sheven Pillay [<mailto:shevenp@etlconsulting.co.za>]

**Sent:** 13 September 2021 11:29 AM

**To:** Bulelwa Mdoda

**Subject:** [EX] RE: COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

Good Day Bulelwa

Trust you are well.

Much appreciated.

**2.5. NOTICE OF  
ADVERTISEMENT DATES**

**Sheven Pillay**

**From:** Willie Jan Erasmus  
**Sent:** Tuesday, 22 June 2021 13:27  
**To:** Kamohelo Mculu; Sheven Pillay  
**Subject:** RE: ERF 3299 FRANSCHHOEK: INSTRUCTION TO ADVERTISE

Good Afternoon Kamohelo

The intended date for public participation is 01 July 2021. Closing date for objections will be on 02 August 2021

<p><i>Kind Regards</i>  <b>Willie Jan Erasmus</b>          Senior Town Planner  <small>Pr. Pl A/2320/2016</small></p> <p><b>Head Office</b>          The Oval Office Park          Centurion Building          1 Meadowbrook Ln,          Bryanston, 2152</p>	<p><b>T: +27 10 800 1534</b>  <b>F: +27 86 540 6795</b>  <b>C: +27 82 929 8239</b>  <b>E: williee@etlconsulting.co.za</b>  <b>W: www.etlconsulting.co.za</b></p>	 
<p><b>Johannesburg • Durban • Cape Town</b></p>		<p><b>BBBEE Level 1   ISO 9001:2015</b>  <b>ETHICAL TECHNICAL LEADERSHIP</b></p>

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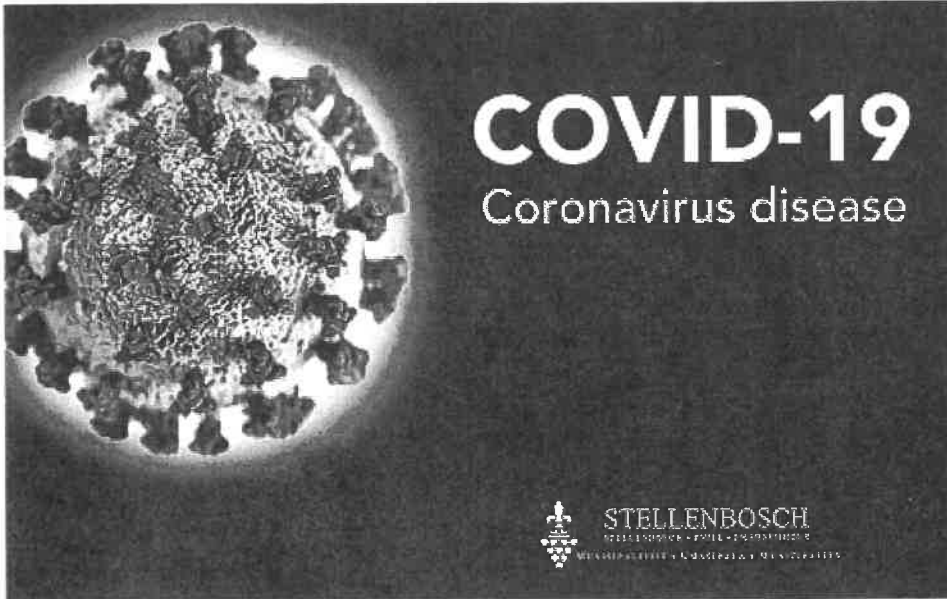
**From:** Kamohelo Mculu <Kamohelo.Mculu@stellenbosch.gov.za>  
**Sent:** Tuesday, 22 June 2021 13:19  
**To:** Sheven Pillay <shevenp@etlconsulting.co.za>; Willie Jan Erasmus <williee@etlconsulting.co.za>  
**Subject:** RE: ERF 3299 FRANSCHHOEK: INSTRUCTION TO ADVERTISE  
**Importance:** High

Good day Colleagues,

Please advise on the way forward with clear timelines,

Regards  
 Mculu





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.



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**From:** Bulelwa Mdoda <[Bulelwa.Mdoda@stellenbosch.gov.za](mailto:Bulelwa.Mdoda@stellenbosch.gov.za)>

**Sent:** Monday, 14 June 2021 12:18

**To:** 'shevenp@etlconsulting.co.za' <[shevenp@etlconsulting.co.za](mailto:shevenp@etlconsulting.co.za)>; 'williee@etlconsulting.co.za' <[williee@etlconsulting.co.za](mailto:williee@etlconsulting.co.za)>

**Cc:** Kamohelo Mculu <[Kamohelo.Mculu@stellenbosch.gov.za](mailto:Kamohelo.Mculu@stellenbosch.gov.za)>

**Subject:** ERF 3299 FRANSCHHOEK: INSTRUCTION TO ADVERTISE

Dear Sheven;

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

Please comply with instructions in the attached letter dated 14 June 2021.

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



T: +27 21 808 8690 : F +27 21 886 6899  
3<sup>rd</sup> Floor, Eikestad Mall, Andringa Street,  
Stellenbosch  
[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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**3.**  
**INTERDEPARTMENTAL**  
**COMMENTS**

**3.1. COMMUNITY  
DEVELOPMENT COMMENT**

**Sheven Pillay**

---

**From:** Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>  
**Sent:** Monday, 14 June 2021 14:45  
**To:** Nicole Katts  
**Cc:** Bulelwa Mdoda  
**Subject:** RE: COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

Afternoon Bulelwa

The families intended to be resettled temporarily on Erf 3229 through this application is already part of the community. The children involved will already make use of the educational facilities in the community if they are of school going age. They along with their families will also be making use of the existing health facilities which will still be available to them. The department thus has no objection to the application.



*Kind regards,*

**Michelle Aalbers**

Manager: Community Development  
**Community and Protection Services**

T: +27 21 808 8408 | C: +27 83 560 5935  
 58 Andringa Street, Stellenbosch, 7600  
[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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**From:** Nicole Katts <Nicole.Katts@stellenbosch.gov.za>  
**Sent:** Monday, 14 June 2021 14:22  
**To:** Abdullah Daniels <Abdullah.Daniels@stellenbosch.gov.za>; Tyrone King <Tyrone.King@stellenbosch.gov.za>; Bradley Williams <Bradley.Williams@stellenbosch.gov.za>; Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>; Katherine Robinson <Katherine.Robinson@stellenbosch.gov.za>; Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>; Chantel Hauptfleisch <Chantel.Hauptfleisch@stellenbosch.gov.za>; Bertie Brandsen <Bertie.Brandsen@stellenbosch.gov.za>; Bernabe De La Bat <Bernabe.DeLaBat@stellenbosch.gov.za>; Mervin Williams <Mervin.Williams@stellenbosch.gov.za>; Colin Taylor <Colin.Taylor@stellenbosch.gov.za>; Marco Fouche <Marco.Fouche@stellenbosch.gov.za>; Piet Smit <Piet.Smit@stellenbosch.gov.za>; Ferencia September <ferencia@capewinelands.gov.za>; Noorun-nisa Ras (Dev Admin) <Dev.Admin@stellenbosch.gov.za>; Kaizer Makati <Kaizer.Makati@stellenbosch.gov.za>; Neville Langenhoven <Neville.Langenhoven@stellenbosch.gov.za>; Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>; Martin Slabber <Martin.Slabber@stellenbosch.gov.za>; Barbara-Ann Henning <Barbara-Ann.Henning@stellenbosch.gov.za>  
**Cc:** Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>; Moenadia Devries <Moenadia.Devries@stellenbosch.gov.za>  
**Subject:** COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

I'm using Mimecast to share large files with you. Please see the attached instructions.

Good day;

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

**FARM NUMBER & APPLICATION NUMBER:**

Erf 3229, Franschoek (LU/12400)

**DESCRIPTION OF THE PROPOSAL**

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-law (2015) for a **temporary departure** for the relocation of households that are currently residing in a fresh water dam in the Langrug Informal Settlement, to temporary housing on Erf No. 3229, Franschoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229, Franschoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-law (2015).

**APPLICANT:**

ETL Consulting (Pty) Ltd

**PROPERTY ADDRESS:**

Erf 3229, Mooiwater, Franschoek

Please note that your comments must be submitted on or before 15 July 2021 from the date of this email.



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

---

T: +27 21 808 8690 : F +27 21 886 6899  
 3<sup>rd</sup> Floor, Eikestad Mall, Andringa Street,  
 Stellenbosch  
[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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**3.2. COMMUNITY SERVICES  
COMMENT**

INTEROFFICE  
MEMORANDUM



STELLENBOSCH  
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STELLENBOSCH MUNICIPALITY  
PLANNING AND DEVELOPMENT SERVICES

21 JUN 2021

DEPARTMENT: COMMUNITY SERVICES  
Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

RECEIVED

To:	Land Use Management: Bulelwa Mdoda	From:	Senior Environmental Planner: Schalk van der Merwe
CC:	Manager: Community Services Albert van der Merwe	Date:	15 June 2021
Re:	APPLICATION FOR A TEMPORARY DEPARTURE AND TEMPORARY CLOSURE OF A PUBLIC OPEN SPACE TO DEVELOP A TEMPORARY RELOCATION AREA, ERF 3229, FRANSCHHOEK		

The above application refers. The relevant site has been transformed and impacted upon by a number of activities over the past years, mainly by the existence of a dam which covered just about the whole of the site, and thereafter the dumping of waste. From an environmental planning point of view this department has no objection to the approval of the application subject to the following:

E 3229 FH

1. During 2018 a Directive (14/1/1/E2/4/7/3/0138/15) was issued to Stellenbosch Municipality by the Department Environmental Affairs & Development Planning (DEA&DP) with reference to the said dumping that occurred on the site. At the time Stellenbosch Municipality responded to the Directive with proposed remedial undertakings, including the rehabilitation of the site and the development thereof into a sports field. In this regard:
  - a) The status of the above Directive must be confirmed and were there may be outstanding action or requirements, complied with to the satisfaction of DEA&DP; and
  - b) The intention of Stellenbosch Municipality to develop the site into a Temporary Relocation Area, as opposed to a sports field, communicated to DEA&DP.
  
2. Erf 3229 is located in close proximity to the Stiebeuel River. As the above application does not address the potential applicability of the National Environmental Management Act (107 of 1998), Environmental Impact Assessment Regulations, your attention is drawn to Activity 19 of Listing Notice 1...*infilling or depositing of any material of more than 10 cubic metres into or the dredging, excavation, removal or moving of soil, sand, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.* Should this activity, or any other



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MEMORANDUM****STELLENBOSCH**  
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associated with the proposed development, trigger the requirements for an Environmental Authorization to be acquired, this must be done prior to the implementation of the proposed development.

3. The proposed development and use thereof may not negatively impact on the Stiebeuel River and the surrounding environment. Even though the proposed development will be temporary the necessary infrastructure and services provided must be capable of accommodating the development's needs in full.

**S VD MERWE**  
**SENIOR ENVIRONMENTAL PLANNER:**  
**COMMUNITY SERVICES**

**3.3. ELECTRICAL COMMENT**

**Sheven Pillay**

---

**From:** Martin Slabber <Martin.Slabber@stellenbosch.gov.za>  
**Sent:** Tuesday, 15 June 2021 08:16  
**To:** Nicole Katts; Abdullah Daniels; Tyrone King; Bradley Williams; Albert van der Merwe; Katherine Robinson; Schalk Van der Merwe; Chantel Hauptfleisch; Bertie Brandsen; Bernabe De La Bat; Mervin Williams; Colin Taylor; Marco Fouche; Piet Smit; Ferencia September; Noorun-nisa Ras (Dev Admin); Kaizer Makati; Neville Langenhoven; Michelle Aalbers; Barbara-Ann Henning  
**Cc:** Bulelwa Mdoda; Moenadia Devries  
**Subject:** RE: COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

GENERAL: None

CONDITIONS: If any electrical services have to move-, remove-, change or upgrade - apply via recoverable cost application, for applicants cost.

Subject to SANS 10142,204-1-2008, energy savings and efficiency implementation and Municipal bylaws - Only existing electrical connection is available.

1.Installation of 10A electrical control units 2.Solar water heating/heat pump installation 3.Energy efficient lighting  
 4.Roof insulation 5.Cooking with gas fired appliances 6.Control air condition equipment with energy saving devices 7.Preat at least 50% of hot water with alternative energy savings devices

TX

**Groete:**  
**Martin Slabber**  
**Supt. Dwarsrivier Elect.**  
 Engineering Services



[Martin.slabber@stellenbosch.gov.za](mailto:Martin.slabber@stellenbosch.gov.za)

C: +27 83603 3431

T: + 27 21 808 8338

[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



[www.facebook.com/stellenboschmunicipality](https://www.facebook.com/stellenboschmunicipality)



[twitter.com/StellMun](https://twitter.com/StellMun)

Hugenate Road 23 Franschhoek 7690

PO Box 18, Franschhoek, 7690

PO Box 17, Stellenbosch, 7599

---

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**From:** Nicole Katts <Nicole.Katts@stellenbosch.gov.za>  
**Sent:** Monday, 14 June 2021 14:22  
**To:** Abdullah Daniels <Abdullah.Daniels@stellenbosch.gov.za>; Tyrone King <Tyrone.King@stellenbosch.gov.za>;

Bradley Williams <Bradley.Williams@stellenbosch.gov.za>; Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>; Katherine Robinson <Katherine.Robinson@stellenbosch.gov.za>; Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>; Chantel Hauptfleisch <Chantel.Hauptfleisch@stellenbosch.gov.za>; Bertie Brandsen <Bertie.Brandsen@stellenbosch.gov.za>; Bernabe De La Bat <Bernabe.DeLaBat@stellenbosch.gov.za>; Mervin Williams <Mervin.Williams@stellenbosch.gov.za>; Colin Taylor <Colin.Taylor@stellenbosch.gov.za>; Marco Fouche <Marco.Fouche@stellenbosch.gov.za>; Piet Smit <Piet.Smit@stellenbosch.gov.za>; Ferencia September <ferencia@capewineland.gov.za>; Noorun-nisa Ras (Dev Admin) <Dev.Admin@stellenbosch.gov.za>; Kaizer Makati <Kaizer.Makati@stellenbosch.gov.za>; Neville Langenhoven <Neville.Langenhoven@stellenbosch.gov.za>; Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za>; Martin Slabber <Martin.Slabber@stellenbosch.gov.za>; Barbara-Ann Henning <Barbara-Ann.Henning@stellenbosch.gov.za>

**Cc:** Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>; Moenadia Devries <Moenadia.Devries@stellenbosch.gov.za>

**Subject:** COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

I'm using Mimecast to share large files with you. Please see the attached instructions.

---

Good day;

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

**FARM NUMBER & APPLICATION NUMBER:**

Erf 3229, Franschhoek (LU/12400)

**DESCRIPTION OF THE PROPOSAL**

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-law (2015) for a **temporary departure** for the relocation of households that are currently residing in a fresh water dam in the Langrug Informal Settlement, to temporary housing on Erf No. 3229, Franschhoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229, Franschhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-law (2015).

**APPLICANT:**

ETL Consulting (Pty) Ltd

**PROPERTY ADDRESS:**

Erf 3229, Mooiwater, Franschhoek

Please note that your comments must be submitted on or before 15 July 2021 from the date of this email.

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

---



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**3.4. ENGINEERS COMMENT**



**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH · PNIEL · FRANSCHHOEK

**MEMORANDUM**

**DIREKTEUR: INFRASTRUKTUURDIENSTE**  
**DIRECTORATE: INFRASTRUCTURE SERVICES**

STELLENBOSCH MUNICIPALITY  
PLANNING AND DEVELOPMENT SERVICES

21 JUN 2021

**RECEIVED**

**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag** Nicole Katts  
**From ▫ Van:** Manager: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Tyrone King  
**Date ▫ Datum:** 18 June 2021  
**Our Ref ▫ Ons Verw:** Civil LU 2172  
**Your Ref:** LU/12400  
**Re ▫ Insake:** Erf 3229, FH: temporary departure for the relocation of households that are currently residing in a fresh water dam in the Langrug Informal Settlement, to temporary housing on Erf No. 3229, Franschhoek for a period of 5 years. closure of a public place, Erf 3229, Franshhoek for a period of 5-years

The application is recommended for approval, subject to the following:

1. **Civil Engineering Services**
  - 1.1 The application is hereby supported.
  - 1.2 Engineering services drawings for the relocation area have already been approved and services are to be installed in accordance with the approved drawings. See copy of approval letter attached.
2. **Electrical Engineering (Martin Slabber – Supt Dwarsrivier Elect)**
  - 2.1 Comment:
  - 2.2 General:

E 3229 FH

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

W:\2.0 DEVELOPMENT\00 Developments\2172 (TK) Erf 3229 Franschoek (LU-12400)\2172 (TK) Erf 3229 Franschoek (LU-12400).doc





# STELLENBOSCH

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Our Ref/Ons Verw: Drawings 439  
Your Ref/U Verw: Erf 3229 Mooiwater  
07 April 2021

Mr. Clint Stockwell  
EAS Infrastructure Engineers.  
Suite 303  
The Landing  
20 Lower Burg Street  
Cape Town

Sir,

**RE: ERF 3229 MOOIWATER TEMPORARY RELOCATION AREA UPGRADES**

The following drawings were submitted.

Drawing No	Title
C6000 Rev C	Roads & Stormwater Layout
C4000 Rev C	Water reticulation Layout
C2003 Rev C	Toilet Structure details
C2000 Rev C	Sewer Layout
C0001 Rev C	General site plan

The drawings are approved, subject to the following conditions:

1. The standard details as contained in the Stellenbosch Municipality's Design Guidelines and Minimum Standards for Civil Engineering Services (Rev 0 – June 2015) will be applicable
2. Where there is a discrepancy between the drawings submitted and the standard detail of the Municipality as per the Design Guidelines and minimum standards for Civil Engineering Services (as amended), the municipal standard will be applicable. Any deviation should be brought to the specific attention of the Directorate: Infrastructure Services for approval.
3. A wayleave application must be approved by the Municipality before construction of this work may commence.
4. Adequate construction supervision should be conducted, and upon completion, please furnish the Municipality with a Completion Certificate signed by a professionally registered engineer, confirming that the work has been carried out according to the approved specifications.
5. Upon completion, please submit as built drawings, signed by a professionally registered engineer.
6. Precast concrete rings must surround the construction of the gullies in drawing C2003 Rev C Toilet Structure details.

Yours faithfully

**ABDULLAH DANIELS**  
**PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

W:\AAUSERS\abdullah\eng drawings\Mooiwater erf 3229\erf 3229 Mooiwater Approval Letter.doc

**3.5. FIRE COMMENT**

**Sheven Pillay**

---

**From:** John Aaron <John.Aaron@stellenbosch.gov.za>  
**Sent:** Tuesday, 15 June 2021 15:15  
**To:** Moenadia Devries; Bulelwa Mdoda  
**Cc:** Nicole Katts  
**Subject:** RE: COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

Good day Nicole

Temporary Departure approved, fire requirements will be given when plans are submitted to council.

Regards  
 John Aaron.

---

**From:** Moenadia Devries  
**Sent:** 14 June 2021 02:57 PM  
**To:** John Aaron  
**Subject:** FW: COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

---

**From:** Nicole Katts [mailto:]  
**Sent:** 14 June 2021 02:22 PM  
**To:** Abdullah Daniels; Tyrone King; Bradley Williams; Albert van der Merwe; Katherine Robinson; Schalk Van der Merwe; Chantel Hauptfleisch; Bertie Brandsen; Bernabe De La Bat; Mervin Williams; Colin Taylor; Marco Fouche; Piet Smit; Ferencia September; Noorun-nisa Ras (Dev Admin); Kaizer Makati; Neville Langenhoven; Michelle Aalbers; Martin Slabber; Barbara-Ann Henning  
**Cc:** Moenadia Devries  
**Subject:** COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

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Good day;

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

**FARM NUMBER & APPLICATION NUMBER:**

Erf 3229, Franschhoek (LU/12400)

**DESCRIPTION OF THE PROPOSAL**

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-law (2015) for a **temporary departure** for the relocation of households that are currently residing in a fresh water dam in the Langrug Informal Settlement, to temporary housing on Erf No. 3229, Franschhoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229, Franshhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-law (2015).

**APPLICANT:**

ETL Consulting (Pty) Ltd

**PROPERTY ADDRESS:**

Erf 3229, Mooiwater, Franschoek

Please note that your comments must be submitted on or before 15 July 2021 from the date of this email.



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

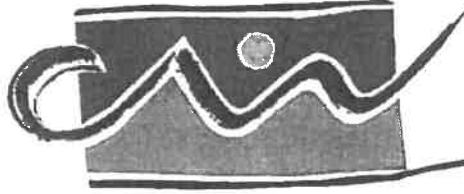
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**3.6. HEALTH COMMENT**



**CAPE WINELANDS DISTRICT**  
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

**MEMORANDUM TO/ AAN** : N. Katts  
(Directorate Planning Economic & Development: Stellenbosch Municipality)  
**Official / Beampste** : Mr F.C. van Wyk  
**Your ref/ U vrew.** : ERF 3229, Franschhoek  
**Ref No / Verw. No** : 15/2/6/1  
**Date / Datum** : 2021-06-14

STELLENBOSCH MUNICIPALITY  
PLANNING & DEVELOPMENT SERVICES

21 JUN 2021

**LAND USE APPLICATION: ERF 3229, FRANSCHHOEK**

**RECEIVED**

**There are no objections from an Environmental Health point of view in terms of this application, subject to compliance with the following:**

1. All sewage / wastewater must be disposed of in such a manner that it does not create a health nuisance. Must be connected to the existing municipal system.
2. The applicant should apply for the Refuse Removal Service from Stellenbosch Municipality or alternately an adequate waste removal service must be used. Refuse bins must be strategically placed and accessible to the residences.
3. An adequate water supply that complies with the national standards for drinking water (SANS 0241:2001) must be provided and an effective storm water management systems must be installed to prevent nuisances in future

Yours faithfully

**F.C. VAN WYK**  
for MUNICIPAL MANAGER

E 3229 FH

**3.7. PROPERTY MANAGEMENT  
COMMENT**

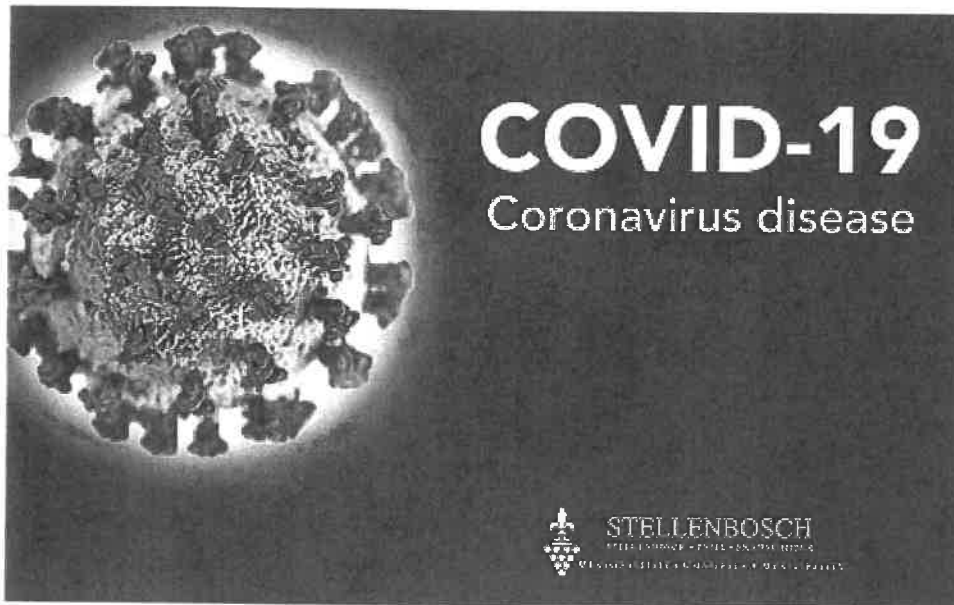
**Sheven Pillay**

**From:** Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>  
**Sent:** Friday, 03 September 2021 07:11  
**To:** Sheven Pillay  
**Subject:** FW: COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

Morning Sheven;

Please find below comment from Property Management.

Kind regards



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**  
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**About Stellenbosch Municipality**

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens. Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)

**Disclaimer:**

The information contained in this communication from [bulelwa.mdoda@stellenbosch.gov.za](mailto:bulelwa.mdoda@stellenbosch.gov.za) sent at 2021-09-03 07:10:52 is confidential and may be legally privileged. It is intended solely for use by shevenp@etlconsulting.co.za and others authorized to receive it. If you are not shevenp@etlconsulting.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](#)

**From:** Piet Smit

**Sent:** 02 September 2021 08:12 AM

**To:** Bulelwa Mdoda; Barbara-Ann Henning; Bernabe De La Bat; Marco Fouche; Mervin Williams; Neville Langenhoven



**Cc:** shevenp@etlconsulting.co.za

**Subject:** RE: COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

My apologies for not sending you my comments inputs at the time.

Please note that I have no objection to the application.

Piet

**From:** Bulelwa Mdoda

**Sent:** Wednesday, 01 September 2021 11:16

**To:** Barbara-Ann Henning <Barbara-Ann.Henning@stellenbosch.gov.za>; Bernabe De La Bat <Bernabe.DeLaBat@stellenbosch.gov.za>; Marco Fouche <Marco.Fouche@stellenbosch.gov.za>; Piet Smit <Piet.Smit@stellenbosch.gov.za>; Mervin Williams <Mervin.Williams@stellenbosch.gov.za>; Neville Langenhoven <Neville.Langenhoven@stellenbosch.gov.za>

**Cc:** shevenp@etlconsulting.co.za

**Subject:** FW: COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

Good morning;

The application stated below was circulated to you for comments.

Your comment on this application will be much appreciated.



*Kind regards,*

**Bulelwa Mdoda**

Land Use Management

**Planning & Economic Development**

---

T: +27 21 808 8690 : F +27 21 886 6899  
3<sup>rd</sup> Floor, Eikestad Mall, Andringa Street,  
Stellenbosch

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---

**From:** Nicole Katts [<mailto:Nicole.Katts@stellenbosch.gov.za>]

**Sent:** 14 June 2021 02:22 PM

**To:** Abdullah Daniels; Tyrone King; Bradley Williams; Albert van der Merwe; Katherine Robinson; Schalk Van der Merwe; Chantel Hauptfleisch; Bertie Brandsen; Bernabe De La Bat; Mervin Williams; Colin Taylor; Marco Fouche; Piet Smit; Ferencia September; Noorun-nisa Ras (Dev Admin); Kaizer Makati; Neville Langenhoven; Michelle Aalbers; Martin Slabber; Barbara-Ann Henning

**Cc:** Bulelwa Mdoda; Moenadia Devries

**Subject:** COMMENT ON LAND USE APPLICATION: ERF 3229 FRANSCHHOEK

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---

Good day;

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

**FARM NUMBER & APPLICATION NUMBER:**

Erf 3229, Franschoek (LU/12400)

**DESCRIPTION OF THE PROPOSAL**

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-law (2015) for a **temporary departure** for the relocation of households that are currently residing in a fresh water dam in the Langrug Informal Settlement, to temporary housing on Erf No. 3229, Franschoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229, Franschoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-law (2015).

**APPLICANT:**

ETL Consulting (Pty) Ltd

**PROPERTY ADDRESS:**

Erf 3229, Mooiwater, Franschoek

Please note that your comments must be submitted on or before 15 July 2021 from the date of this email.



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

---

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**3.8. SPATIAL PLANNING  
COMMENT**



# STELLENBOSCH

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## Spatial Planning

**To** : **Manager: Land Use Management**  
**From** : **Manager: Spatial Planning**  
**Reference** : **Erf 3229, Franschhoek**  
**LU No** : **LU/12400**  
**Date** : **31 August 2021**  
**Re** : **Application for temporary departure and closure of public place on Erf 3229, Franschhoek**

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

Application is made for the following:

- **Temporary departure** for the relocation of households that are currently residing in a fresh water dam in the Langrug Informal Settlement, to temporary housing on Erf No. 3229, Franschhoek for a period of 5 years.
- **Closure of a public place**, Erf 3229, Franschhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-law (2015).

### 1) Opinion/reasoning:

The new approved Municipal Spatial Development Framework for the WC024 area was approved by Council in November 2019 and recognises that the spatial decisions and actions of many make what settlements are.

In terms of this approved document, seven principles need to be considered:

1. Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
2. Respect and grow cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and potentials of existing settlements;
5. Clarify and respect the roles and functions of different elements of movement structure;
6. Ensure balanced, sustainable communities;
7. Focus collective energy on a few catalytic lead projects.

With the enactment of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), a new planning regime was introduced in South Africa. It replaced disparate apartheid era laws with a coherent legislative system as the foundation for all spatial planning and land use management activities in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making. Other objectives include addressing historical spatial imbalances and the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments.

Chapter 2 of SPLUMA sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land. These principles are the following:

- Spatial Justice
- Spatial Efficiency
- Spatial Sustainability
- Spatial Resilience
- Good Administration

The subject properties are located inside of the Franschhoek node within the informal area of Mooiwater/Langrug. The subject property was identified as being adequate to relocate households that are currently residing in a fresh water dam in the Langrug Informal Settlement. Their livelihood is under constant threat especially during the rainy season.

The integrity of the dam wall has over the years been compromised by natural erosion, expedited seasonal water damage and by the permanent structures inside the dam basin, on the dam wall and the cutting away of the dam wall by inhabitants.

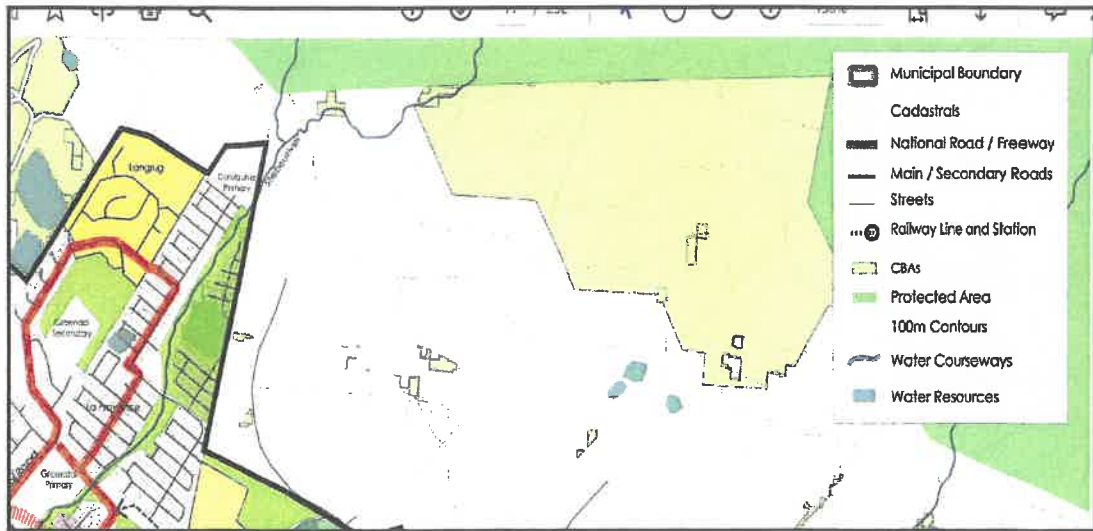
The primary purpose of this project is to create a decanting site for the dam inhabitants:

- It will create space in the dam area for rehabilitation thereof and formalisation of the area;
- It will also create decanting for future projects in the area.

The current zoning of the property is public open space and its currently vacant and used for illegal dumping. The property is owned by Stellenbosch Municipality.

In terms of the approved MSDF, the subject site has been earmarked as "Green Areas Retained". The proposal is for temporary housing therefore the site must revert to its intended use (Open Space) following the lapse of the allocated Temporary Reservation Area (TRA).

Please refer to plan below:



2) Supported / not supported:

This department supports the application, but the property must revert back to its intended use of **Open Space** following the lapse of the Temporary Reservation Area (TRA).

*BJG de la Bat*

**BJG de la Bat**  
**MANAGER: SPATIAL PLANNING**

## **4. NOTICES**

**4.1. PUBLISHING OF NOTICE**



**NOTICE OF LAND DEVELOPMENT APPLICATION  
IN THE STELLENBOSCH MUNICIPAL AREA**

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

**Application Address:** No Formal Street Address/ Franschhoek, Groendal (Erf 3229 Franschhoek)

**Applicant:** ETL Consulting (Pty) Ltd  
**Contact Details:** Tel: (010) 800 1534  
**Email:** williee@etlconsulting.co.za

**Owner:** Municipality of Stellenbosch  
**Contact Details:** Tel: (021) 808 8683/ 8690  
**Email/s:** Pedro.April@stellenbosch.gov.za/ Bulelwa.Mdodo@stellenbosch.gov.za

**Application Reference:** LU/12400

**Description of land development application:**

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a **Temporary Departure** for the relocation of households that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschhoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229 Franschhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

Written comments, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person in the application, may be submitted in terms of Section 50 of the said Bylaw to the Applicant by electronic mail as follows:

**Name of Applicant:** ETL Consulting (Pty) Ltd  
**Contact Person:** Willie Jan Erasmus  
**Email Address:** williee@etlconsulting.co.za  
**Contact No.:** (010) 800 1534

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 August 2021**.

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 **(010) 800 1534** during normal office hours (8:00 – 17:00).

**KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK  
IN DIE STELLENBOSCH MUNISIPALE AREA**

**AANSOEK TIPE: AANSOEK OM TYDELIKE AFWYKING EN SLUITING VAN 'N OPENBARE PLEK – ERF 3229  
FRANSCHHOEK (19 786 m<sup>2</sup>)**

**Adres van eiendom:** Geen formele straatadres nie/ Franschhoek, Groendal (Erf 3229)

**Aansoeker:** ETL Consulting (Pty) Ltd  
**Kontakbesonderhede:** Tel: (010) 800 1534  
E-pos: williee@etlconsulting.co.za

**Eienaar:** Munisipaliteit van Stellenbosch  
**Kontakbesonderhede:** Tel: (021) 808 8683/ 8690  
E-pos: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Aansoek Verwysing:** LU/12400

**Beskrywing van grondontwikkelingsaansoek:**

Aansoeke word gedoen ingevolge Artikel 15(2)(c) van die verordening Stellenbosch Munisipale Grondgebruikbeplanning (2015) vir 'n tydelike vertrek vir die hervestiging van huishoudings wat tans in 'n varswaterdam in die Langrug Informele Nederstelling woon, tydelike behuising op Erf 3229, Franschhoek vir 'n tydperk van 5 jaar.

Aansoeke word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van 'n openbare plek, Erf 3229 Franschhoek vir 'n periode van vyf jaar, soos bepaal ingevolge artikel 26(2) van die Verordening op Stellenbosch Munisipaliteit se Grondgebruikbeplanning (2015).

Kennis word hiermee gegee in terme van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir ooreweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydspan van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/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 beskikbaar te stel.

Skryflike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, kan ingedien word in terme van Artikel 50 van genoemde Verordeninge aan die Aansoeker by wyse van elektroniese pos as volg:

**Naam van die Aansoeker:** ETL Consulting (Pty) Ltd  
**Kontak Persoon:** Willie Jan Erasmus  
**E-pos Adres:** williee@etlconsulting.co.za  
**Kontak Nommer:** (010) 800 1534

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 Augustus 2021**.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermeldde elektroniese pos adres of telefonies by **(010) 800 1534** gedurende normale kantoor ure (8:00 – 17:00).

**4.2. SERVING OF NOTICE**

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

**LA TERRA DE LUC PTY LTD  
POSBUS 15 (PO BOX 15)  
FRANSCHHOEK**

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

**Application Property Address:** No Formal Street Address/ Franschhoek, Groendal

**Application Property Number:** Erf 3229 Franschhoek

**Applicant:** ETL Consulting (Pty) Ltd

Contact Details: Tel: (010) 800 1534  
Email: williee@etlconsulting.co.za

**Owner:** Municipality of Stellenbosch

Contact Details: Tel: (021) 808 8683/ 8690  
Email/s: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Application Reference:** LU/12400

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a **Temporary Departure** for the relocation of households that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschhoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229 Franschhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.

If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and/ or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
  - Indicate the facts and circumstances that explain the comments;
  - Where relevant demonstrate the undesirable effect that the application will have if approved;
  - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
  - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:

**Name of Applicant:** ETL Consulting (Pty) Ltd  
**Contact Person:** Willie Jan Erasmus  
**Email Address:** williee@etlconsulting.co.za  
**Contact No.:** (010) 800 1534

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 August 2021**.

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 **(010) 800 1534** during normal office hours (08:00 – 17:00).

Yours faithfully

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

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

**LA TERRA DE LUC PTY LTD  
 POSBUS 15 (PO BOX 15)  
 FRANSCHHOEK**

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

**Adres van aansoek eiendom:** Geen formele straatadres nie/ Franschhoek, Groendal

**Aansoek eiendom beskrywing:** Erf 3229 Franschhoek

**Aansoeker:** ETL Consulting (Pty) Ltd

**Kontakbesonderhede:** Tel: (010) 800 1534  
 E-pos: williee@etlconsulting.co.za

**Eienaar:** Munisipaliteit van Stellenbosch

**Kontakbesonderhede:** Tel: (021) 808 8683/ 8690  
 E-pos: Pedro.April@stellenbosch.gov.za/  
 Bulelwa.Mdodo@stellenbosch.gov.za

**Aansoek Verwysing:** LU/12400

**TIPPE AANSOEK: AANSOEK OM TYDELIKE AFWYKING EN SLUITING VAN 'N OPENBARE PLEK – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoeke word gedoen ingevolge Artikel 15(2)(c) van die verordening Stellenbosch Munisipale Grondgebruikbeplanning (2015) vir 'n tydelike vertrek vir die hervestiging van huishoudings wat tans in 'n varswaterdam in die Langrug Informele Nedersetting woon, tydelike behuising op Erf 3229, Franschhoek vir 'n tydperk van 5 jaar.

Aansoeke word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van 'n openbare plek, Erf 3229 Franschhoek vir 'n periode van vyf jaar, soos bepaal ingevolge artikel 26(2) van die Verordening op Stellenbosch Munisipaliteit se Grondgebruikbeplanning (2015).

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/documents/planning-notices/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:

**Naam van die Aansoeker:** ETL Consulting (Pty) Ltd  
**Kontak Persoon:** Willie Jan Erasmus  
**E-pos Adres:** williee@etlconsulting.co.za  
**Kontak Nommer:** (010) 800 1534

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 Augustus 2021**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermeldde 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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermeldde elektroniese pos adres of telefonies by **(010) 800 1534** gedurende normale kantoor ure (08:00 – 17:00).

Die uwe

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

**4.3. SITE NOTICE**





**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

# **NOTICE: LAND USE APPLICATION**

**PLEASE CONSULT THE PLANNING PORTAL FOR FURTHER DETAILS  
STELLENBOSCH MUNICIPAL WEBSITE ([www.stellenbosch.gov.za](http://www.stellenbosch.gov.za))**

**ADVERTISING PERIOD: 1<sup>st</sup> JULY 2021 – 2<sup>nd</sup> AUGUST 2021  
ERF 3229 FRANSCHHOEK SITUATED IN FRANSCHHOEK, GROENDAL  
ENQUIRIES: ETL CONSULTING (PTY) LTD**

**WILLIE JAN ERASMUS**

**TEL: 010 800 1534**

**EMAIL: [williee@etlconsulting.co.za](mailto:williee@etlconsulting.co.za)**

**4.4. SERVING OF NOTICE –  
DEPARTMENT OF  
ENVIRONMENTAL AFFAIRS &  
DEVELOPMENT PLANNING  
(DIRECTOR)**

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

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS & DEVELOPMENT PLANNING**

**DIRECTOR: DEVELOPMENT MANAGEMENT REGION 2**

**PRIVATE BAG X9086**

**CAPE TOWN**

**8000**

**ATT: Mr Kobus Munro**

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

**Application Property Address:** No Formal Street Address/ Franschoek, Groendal

**Application Property Number:** Erf 3229 Franschoek

**Applicant:** ETL Consulting (Pty) Ltd

Contact Details: Tel: (010) 800 1534  
Email: williee@etlconsulting.co.za

**Owner:** Municipality of Stellenbosch

Contact Details: Tel: (021) 808 8683/ 8690  
Email/s: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Application Reference:** LU/12400

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a **Temporary Departure** for the relocation of households that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229 Franschoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.

If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and/ or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
  - Indicate the facts and circumstances that explain the comments;
  - Where relevant demonstrate the undesirable effect that the application will have if approved;
  - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
  - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:

**Name of Applicant:** ETL Consulting (Pty) Ltd  
**Contact Person:** Willie Jan Erasmus  
**Email Address:** williee@etlconsulting.co.za  
**Contact No.:** (010) 800 1534

The comments must be submitted within 60 days from the date of this notice to be received on or before the closing date of **31 August 2021**.

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 **(010) 800 1534** during normal office hours (08:00 – 17:00).

Yours faithfully

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

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

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS & DEVELOPMENT PLANNING**

**DIRECTOR: DEVELOPMENT MANAGEMENT REGION 2**

**PRIVATE BAG X9086**

**CAPE TOWN**

**8000**

**ATT: Mr Kobus Munro**

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

**Adres van aansoek eiendom:** Geen formele straatadres nie/ Franschhoek, Groendal

**Aansoek eiendom beskrywing:** Erf 3229 Franschhoek

**Aansoeker:** ETL Consulting (Pty) Ltd

**Kontakbesonderhede:** Tel: (010) 800 1534  
E-pos: willie@etlconsulting.co.za

**Eienaar:** Munisipaliteit van Stellenbosch

**Kontakbesonderhede:** Tel: (021) 808 8683/ 8690  
E-pos: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Aansoek Verwysing:** LU/12400

**TIPE AANSOEK: AANSOEK OM TYDELIKE AFWYKING EN SLUITING VAN 'N OPENBARE PLEK – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoeke word gedoen ingevolge Artikel 15(2)(c) van die verordening Stellenbosch Munisipale Grondgebruikbeplanning (2015) vir 'n tydelike vertrek vir die hervestiging van huishoudings wat tans in 'n varswaterdam in die Langrug Informele Nedersetting woon, tydelike behuising op Erf 3229, Franschhoek vir 'n tydperk van 5 jaar.

Aansoeke word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van 'n openbare plek, Erf 3229 Franschhoek vir 'n periode van vyf jaar, soos bepaal ingevolge artikel 26(2) van die Verordening op Stellenbosch Munisipaliteit se Grondgebruikbeplanning (2015).

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/documents/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 opsigte 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:

**Naam van die Aansoeker:** ETL Consulting (Pty) Ltd  
**Kontak Persoon:** Willie Jan Erasmus  
**E-pos Adres:** williee@etlconsulting.co.za  
**Kontak Nommer:** (010) 800 1534

Die kommentaar moet binne 60 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **31 Augustus 2021**.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **(010) 800 1534** gedurende normale kantoor ure (08:00 – 17:00).

Die uwe

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

**4.5. SERVING OF NOTICE –  
DEPARTMENT OF  
ENVIRONMENTAL AFFAIRS &  
DEVELOPMENT PLANNING**

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

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS & DEVELOPMENT PLANNING**

**PRIVATE BAG X9086**

**CAPE TOWN**

**8000**

**ATT: MARE-LIEZ OOSTHUIZEN**

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

**Application Property Address:** No Formal Street Address/ Franschoek, Groendal

**Application Property Number:** Erf 3229 Franschoek

**Applicant:** ETL Consulting (Pty) Ltd

Contact Details: Tel: (010) 800 1534  
Email: williee@etlconsulting.co.za

**Owner:** Municipality of Stellenbosch

Contact Details: Tel: (021) 808 8683/ 8690  
Email/s: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Application Reference:** LU/12400

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a **Temporary Departure** for the relocation of households that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229 Franschoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.



If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and/ or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
  - Indicate the facts and circumstances that explain the comments;
  - Where relevant demonstrate the undesirable effect that the application will have if approved;
  - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
  - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:

**Name of Applicant:** ETL Consulting (Pty) Ltd  
**Contact Person:** Willie Jan Erasmus  
**Email Address:** willie@etlconsulting.co.za  
**Contact No.:** (010) 800 1534

The comments must be submitted within 60 days from the date of this notice to be received on or before the closing date of **31 August 2021**.

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 **(010) 800 1534** during normal office hours (08:00 – 17:00).

Yours faithfully

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

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

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS & DEVELOPMENT PLANNING**

**PRIVATE BAG X9086**

**CAPE TOWN**

**8000**

**ATT: MARE-LIEZ OOSTHUIZEN**

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

**Adres van aansoek eiendom:** Geen formele straatadres nie/ Franschhoek, Groendal

**Aansoek eiendom beskrywing:** Erf 3229 Franschhoek

**Aansoeker:** ETL Consulting (Pty) Ltd

**Kontakbesonderhede:** Tel: (010) 800 1534  
E-pos: williee@etlconsulting.co.za

**Eienaar:** Munisipaliteit van Stellenbosch

**Kontakbesonderhede:** Tel: (021) 808 8683/ 8690  
E-pos: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Aansoek Verwysing:** LU/12400

**TIPE AANSOEK: AANSOEK OM TYDELIKE AFWYKING EN SLUITING VAN 'N OPENBARE PLEK – ERF  
3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoeke word gedoen ingevolge Artikel 15(2)(c) van die verordening Stellenbosch Munisipale Grondgebruikbeplanning (2015) vir 'n tydelike vertrek vir die hervestiging van huishoudings wat tans in 'n varswaterdam in die Langrug Informele Nedersetting woon, tydelike behuising op Erf 3229, Franschhoek vir 'n tydperk van 5 jaar.

Aansoeke word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van 'n openbare plek, Erf 3229 Franschhoek vir 'n periode van vyf jaar, soos bepaal ingevolge artikel 26(2) van die Verordening op Stellenbosch Munisipaliteit se Grondgebruikbeplanning (2015).

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/documents/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 opsigte 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:

<b>Naam van die Aansoeker:</b>	<b>ETL Consulting (Pty) Ltd</b>
<b>Kontak Persoon:</b>	<b>Willie Jan Erasmus</b>
<b>E-pos Adres:</b>	<b>williee@etlconsulting.co.za</b>
<b>Kontak Nommer:</b>	<b>(010) 800 1534</b>

Die kommentaar moet binne 60 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **31 Augustus 2021**.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **(010) 800 1534** gedurende normale kantoor ure (08:00 – 17:00).

Die uwe

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

**4.6. SERVING OF NOTICE –  
HERITAGE WESTERN CAPE**

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

**HERITAGE WESTERN CAPE**

**PRIVATE BAG X9067**

**CAPE TOWN**

**8000**

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

**Application Property Address:** No Formal Street Address/ Franschhoek, Groendal

**Application Property Number:** Erf 3229 Franschhoek

**Applicant:** ETL Consulting (Pty) Ltd

Contact Details: Tel: (010) 800 1534  
Email: williee@etlconsulting.co.za

**Owner:** Municipality of Stellenbosch

Contact Details: Tel: (021) 808 8683/ 8690  
Email/s: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Application Reference:** LU/12400

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a **Temporary Departure** for the relocation of households that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschhoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229 Franschhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.

If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and/ or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
  - Indicate the facts and circumstances that explain the comments;
  - Where relevant demonstrate the undesirable effect that the application will have if approved;
  - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
  - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:

**Name of Applicant:** ETL Consulting (Pty) Ltd  
**Contact Person:** Willie Jan Erasmus  
**Email Address:** williee@etlconsulting.co.za  
**Contact No.:** (010) 800 1534

The comments must be submitted within 60 days from the date of this notice to be received on or before the closing date of **31 August 2021**.

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 **(010) 800 1534** during normal office hours (08:00 – 17:00).

Yours faithfully

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

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

**HERITAGE WESTERN CAPE**

**CAPE TOWN**

**8000**

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

<b>Adres van aansoek eiendom:</b>	Geen formele straatadres nie/ Franschhoek, Groendal
<b>Aansoek eiendom beskrywing:</b>	Erf 3229 Franschhoek
<b>Aansoeker:</b>	ETL Consulting (Pty) Ltd
<b>Kontakbesonderhede:</b>	Tel: (010) 800 1534 E-pos: williee@etlconsulting.co.za
<b>Eienaar:</b>	Munisipaliteit van Stellenbosch
<b>Kontakbesonderhede:</b>	Tel: (021) 808 8683/ 8690 E-pos: Pedro.April@stellenbosch.gov.za/ Bulelwa.Mdodo@stellenbosch.gov.za
<b>Aansoek Verwysing:</b>	LU/12400

**TIPE AANSOEK: AANSOEK OM TYDELIKE AFWYKING EN SLUITING VAN 'N OPENBARE PLEK – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoeke word gedoen ingevolge Artikel 15(2)(c) van die verordening Stellenbosch Munisipale Grondgebruikbeplanning (2015) vir 'n tydelike vertrek vir die hervestiging van huishoudings wat tans in 'n varswaterdam in die Langrug Informele Nedersetting woon, tydelike behuising op Erf 3229, Franschhoek vir 'n tydperk van 5 jaar.

Aansoeke word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van 'n openbare plek, Erf 3229 Franschhoek vir 'n periode van vyf jaar, soos bepaal ingevolge artikel 26(2) van die Verordening op Stellenbosch Munisipaliteit se Grondgebruikbeplanning (2015).

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/documents/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 opsigte 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:

**Naam van die Aansoeker:** ETL Consulting (Pty) Ltd  
**Kontak Persoon:** Willie Jan Erasmus  
**E-pos Adres:** williee@etilconsulting.co.za  
**Kontak Nommer:** (010) 800 1534

Die kommentaar moet binne 60 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **31 Augustus 2021**.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **(010) 800 1534** gedurende normale kantoor ure (08:00 – 17:00).

Die uwe

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**



**4.7. SERVING OF NOTICE –  
ERF 1466 FRANSCHHOEK  
(EMAIL + ATTACHMENT)**

**Sheven Pillay**

**From:** Sheven Pillay  
**Sent:** Wednesday, 30 June 2021 16:41  
**To:** loisbasson1@gmail.com  
**Subject:** SERVING OF NOTICE - ERF 1466 FRANSCHHOEK  
**Attachments:** Serving of Notice - ERF 1466 Franschoek.pdf

Good Afternoon

Trust you are well.

Please find attached the **Serving of Notice** for the "Temporary Departure and Temporary Closure of a Public Space" Application submitted to the Stellenbosch Municipality by ETL Consulting (Pty) Ltd;

It should be noted that a hard copy of the *Serving of Notice* has been dispatched to you via Registered Mail, however, the Public Participation process commences tomorrow – **1<sup>st</sup> July 2021**, whereby

An advert has been placed in the **Paarl Post** in both English and Afrikaans, in addition to a Site Notice being placed on the subject property (**ERF 3229 Franschoek**).

Commenting period is for 30 days and will close on the **2<sup>nd</sup> August 2021**. Kindly refer to the attachment for more information as well as whom to address your comments to.

<p><i>Kind Regards</i>  <b>Sheven Pillay</b>  Candidate Town Planner</p> <p>Unit 402,  Strauss Daly Place,  41 Richefond Circle,  Ridgeside Office Park,  Umhlanga Ridge.</p>	<p>T: +27 10 800 1534  F: +27 86 540 6795  C: +27 71 870 3123  E: shevenp@etlconsulting.co.za  W: www.etlconsulting.co.za</p>		
<p>Johannesburg • Durban • Cape Town</p>		<p>BBBEE Level 1   ISO 9001:2015  <b>ETHICAL TECHNICAL LEADERSHIP</b></p>	

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

**LA TERRA DE LUC PTY LTD**

**FRANSCHHOEK**

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

**Application Property Address:** No Formal Street Address/ Franschhoek, Groendal

**Application Property Number:** Erf 3229 Franschhoek

**Applicant:** ETL Consulting (Pty) Ltd

Contact Details: Tel: (010) 800 1534  
Email: williee@etlconsulting.co.za

**Owner:** Municipality of Stellenbosch

Contact Details: Tel: (021) 808 8683/ 8690  
Email/s: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Application Reference:** LU/12400

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a **Temporary Departure** for the relocation of households that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschhoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229 Franschhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

<https://www.stellenbosch.gov.za/planning/documents/planning-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:

**Name of Applicant:** ETL Consulting (Pty) Ltd  
**Contact Person:** Willie Jan Erasmus  
**Email Address:** williee@etlconsulting.co.za  
**Contact No.:** (010) 800 1534

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 August 2021**.

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 **(010) 800 1534** during normal office hours (08:00 – 17:00).

Yours faithfully

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

**KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GEÏTRESERDE EN GEAFFEKTERDE  
PARTYE VIR KOMMENTAAR.**

**LA TERRA DE LUC PTY LTD**  


**FRANSCHHOEK**

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

**Adres van aansoek eiendom:** Geen formele straatadres nie/ Franschhoek, Groendal

**Aansoek eiendom beskrywing:** Erf 3229 Franschhoek

**Aansoeker:** ETL Consulting (Pty) Ltd

**Kontakbesonderhede:** Tel: (010) 800 1534  
E-pos: williee@etlconsulting.co.za

**Eienaar:** Munisipaliteit van Stellenbosch

**Kontakbesonderhede:** Tel: (021) 808 8683/ 8690  
E-pos: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Aansoek Verwysing:** LU/12400

**TIPPE AANSOEK: AANSOEK OM TYDELIKE AFWYKING EN SLUITING VAN 'N OPENBARE PLEK – ERF  
3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoeke word gedoen ingevolge Artikel 15(2)(c) van die verordening Stellenbosch Munisipale Grondgebruikbeplanning (2015) vir 'n tydelike vertrek vir die hervestiging van huishoudings wat tans in 'n varswaterdam in die Langrug Informele Nedersetting woon, tydelike behuising op Erf 3229, Franschhoek vir 'n tydperk van 5 jaar.

Aansoeke word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van 'n openbare plek, Erf 3229 Franschhoek vir 'n periode van vyf jaar, soos bepaal ingevolge artikel 26(2) van die Verordening op Stellenbosch Munisipaliteit se Grondgebruikbeplanning (2015).

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/documents/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 gediens 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 opsigte 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:

**Naam van die Aansoeker:** ETL Consulting (Pty) Ltd  
**Kontak Persoon:** Willie Jan Erasmus  
**E-pos Adres:** williee@etlconsulting.co.za  
**Kontak Nommer:** (010) 800 1534

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 Augustus 2021**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermeldde 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 vermeldde elektroniese pos adres of telefonies by **(010) 800 1534** gedurende normale kantoor ure (08:00 – 17:00).

Die uwe

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

**4.8. SERVING OF NOTICE –  
FRANSCHHOEK HERITAGE  
RATEPAYERS ASSOCIATION  
(EMAIL + ATTACHMENT)**

**Sheven Pillay**

**From:** Sheven Pillay  
**Sent:** Wednesday, 30 June 2021 16:46  
**To:** brian@bharch.co.za; siegfried.schafer@gmail.com; barryphillips505@gmail.com  
**Subject:** SERVING OF NOTICE - FRANSCHHOEK HERITAGE & RATEPAYERS ASSOCIATION  
**Attachments:** Serving of Notice - Franschhoek Heritage & Ratepayers Association.pdf

Good Afternoon

Trust you are well.

Please find attached the **Serving of Notice** for the "Temporary Departure and Temporary Closure of a Public Space" Application submitted to the Stellenbosch Municipality by ETL Consulting (Pty) Ltd;

It should be noted that a hard copy of the *Serving of Notice* has been dispatched to you via Registered Mail, however, the Public Participation process commences tomorrow – **1<sup>st</sup> July 2021**, whereby an advert has been placed in the **Paarl Post** in both English and Afrikaans, in addition to a Site Notice being placed on the subject property (ERF 3229 Franschhoek).

Commenting period is for 30 days and will close on the **2<sup>nd</sup> August 2021**. Kindly refer to the attachment for more information as well as whom to address your comments to.

<p><i>Kind Regards</i>  <b>Sheven Pillay</b>  Candidate Town Planner</p> <p>Unit 402,  Strauss Daly Place,  41 Richefond Circle,  Ridgeside Office Park,  Umhlanga Ridge,</p>	<p><b>T: +27 10 800 1534</b>  <b>F: +27 86 540 6795</b>  <b>C: +27 71 870 3123</b>  <b>E: shevenp@etlconsulting.co.za</b>  <b>W: www.etlconsulting.co.za</b></p>		
<p><b>Johannesburg • Durban • Cape Town</b></p>		<p><b>BBBEE Level 1   ISO 9001:2015</b>  <b>ETHICAL TECHNICAL LEADERSHIP</b></p>	



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

**FRANSCHHOEK HERITAGE & RATEPAYERS ASSOCIATION**

**THE GARDEN HOUSE**

**FRANSCHHOEK**

**7690**

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

**Application Property Address:** No Formal Street Address/ Franschhoek, Groendal

**Application Property Number:** Erf 3229 Franschhoek

**Applicant:** ETL Consulting (Pty) Ltd

Contact Details: Tel: (010) 800 1534  
Email: williee@etlconsulting.co.za

**Owner:** Municipality of Stellenbosch

Contact Details: Tel: (021) 808 8683/ 8690  
Email/s: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Application Reference:** LU/12400

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a **Temporary Departure** for the relocation of households that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschhoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229 Franschhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.

If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and/ or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
  - Indicate the facts and circumstances that explain the comments;
  - Where relevant demonstrate the undesirable effect that the application will have if approved;
  - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
  - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:

**Name of Applicant:** ETL Consulting (Pty) Ltd  
**Contact Person:** Willie Jan Erasmus  
**Email Address:** williee@etlconsulting.co.za  
**Contact No.:** (010) 800 1534

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 August 2021**.

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 **(010) 800 1534** during normal office hours (08:00 – 17:00).

Yours faithfully

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

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

**FRANSCHHOEK HERITAGE & RATEPAYERS ASSOCIATION**

**THE GARDEN HOUSE**

**FRANSCHHOEK**

**7690**

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

<b>Adres van aansoek eiendom:</b>	Geen formele straatadres nie/ Franschhoek, Groendal
<b>Aansoek eiendom beskrywing:</b>	Erf 3229 Franschhoek
<b>Aansoeker:</b>	ETL Consulting (Pty) Ltd
Kontakbesonderhede:	Tel: (010) 800 1534 E-pos: williee@etlconsulting.co.za
<b>Eienaar:</b>	Munisipaliteit van Stellenbosch
Kontakbesonderhede:	Tel: (021) 808 8683/ 8690 E-pos: Pedro.April@stellenbosch.gov.za/ Bulelwa.Mdodo@stellenbosch.gov.za
<b>Aansoek Verwysing:</b>	LU/12400

**TIPPE AANSOEK: AANSOEK OM TYDELIKE AFWYKING EN SLUITING VAN 'N OPENBARE PLEK – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoeke word gedoen ingevolge Artikel 15(2)(c) van die verordening Stellenbosch Munisipale Grondgebruikbeplanning (2015) vir 'n tydelike vertrek vir die hervestiging van huishoudings wat tans in 'n varswaterdam in die Langrug Informele Nedersetting woon, tydelike behuising op Erf 3229, Franschhoek vir 'n tydperk van 5 jaar.

Aansoeke word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van 'n openbare plek, Erf 3229 Franschhoek vir 'n periode van vyf jaar, soos bepaal ingevolge artikel 26(2) van die Verordening op Stellenbosch Munisipaliteit se Grondgebruikbeplanning (2015).

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/documents/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 gediën 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:

**Naam van die Aansoeker:** ETL Consulting (Pty) Ltd  
**Kontak Persoon:** Willie Jan Erasmus  
**E-pos Adres:** williee@etlconsulting.co.za  
**Kontak Nommer:** (010) 800 1534

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 Augustus 2021**.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **(010) 800 1534** gedurende normale kantoor ure (08:00 – 17:00).

Die uwe

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

**4.9. SERVING OF NOTICE –  
VAN WYK CABRIERE STREET  
RESIDENTS ASSOCIATION  
(EMAIL + ATTACHMENT)**

**Sheven Pillay**

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**From:** Sheven Pillay  
**Sent:** Wednesday, 30 June 2021 16:48  
**To:** jackie@vincosteel.co.za  
**Subject:** SERVING OF NOTICE - VAN WYK & CABRIERE STREET RESIDENTS ASSOCIATION  
**Attachments:** Serving of Notice - Van Wyk & Cabriere Street Residents Association.pdf

Good Afternoon Jackie

Trust you are well.

Please find attached the **Serving of Notice** for the "Temporary Departure and Temporary Closure of a Public Space" Application submitted to the Stellenbosch Municipality by ETL Consulting (Pty) Ltd;

It should be noted that a hard copy of the *Serving of Notice* has been dispatched to you via Registered Mail, however, the Public Participation process commences tomorrow – **1<sup>st</sup> July 2021**, whereby

An advert has been placed in the **Paarl Post** in both English and Afrikaans, in addition to a Site Notice being placed on the subject property (**ERF 3229 Franschoek**).

Commenting period is for 30 days and will close on the **2<sup>nd</sup> August 2021**. Kindly refer to the attachment for more information as well as whom to address your comments to.

*Kind Regards*  
**Sheven Pillay**  
Candidate Town Planner

Unit 402,  
Strauss Daly Place,  
41 Riechfontein Circle,  
Ridgeside Office Park,  
Umhlanga Ridge,

T: +27 10 800 1534  
F: +27 86 540 6795  
C: +27 71 870 3123  
E: shevenp@etlconsulting.co.za  
W: www.etlconsulting.co.za



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ETHICAL TECHNICAL LEADERSHIP

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

**VAN WYK & CABRIERE STREET RESIDENTS ASSOCIATION**

37 VAN WYK STREET

**FRANSCHHOEK**

**7690**

**ATT: JACKIE LOUBSER**

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

**Application Property Address:** No Formal Street Address/ Franschhoek, Groendal

**Application Property Number:** Erf 3229 Franschhoek

**Applicant:** ETL Consulting (Pty) Ltd

Contact Details: Tel: (010) 800 1534  
Email: williee@etlconsulting.co.za

**Owner:** Municipality of Stellenbosch

Contact Details: Tel: (021) 808 8683/ 8690  
Email/s: Pedro.April@stellenbosch.gov.za/  
Bulelwa.Mdodo@stellenbosch.gov.za

**Application Reference:** LU/12400

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a **Temporary Departure** for the relocation of households that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschhoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the **closure of a public place**, Erf 3229 Franschhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

<https://www.stellenbosch.gov.za/planning/documents/planning-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:

**Name of Applicant:** ETL Consulting (Pty) Ltd  
**Contact Person:** Willie Jan Erasmus  
**Email Address:** williee@etlconsulting.co.za  
**Contact No.:** (010) 800 1534

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 August 2021**.

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 **(010) 800 1534** during normal office hours (08:00 – 17:00).

Yours faithfully

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**



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

**VAN WYK & CABRIERE STREET RESIDENTS ASSOCIATION**

**27 VAN WYK STREET**

**FRANSCHHOEK**

**7690**

**ATT: JACKIE LOUBSER**

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

<b>Adres van aansoek eiendom:</b>	Geen formele straatadres nie/ Franschhoek, Groendal
<b>Aansoek eiendom beskrywing:</b>	Erf 3229 Franschhoek
<b>Aansoeker:</b>	ETL Consulting (Pty) Ltd
<b>Kontakbesonderhede:</b>	Tel: (010) 800 1534 E-pos: willie@etlconsulting.co.za
<b>Eienaar:</b>	Munisipaliteit van Stellenbosch
<b>Kontakbesonderhede:</b>	Tel: (021) 808 8683/ 8690 E-pos: Pedro.April@stellenbosch.gov.za/ Bulelwa.Mdodo@stellenbosch.gov.za
<b>Aansoek Verwysing:</b>	LU/12400

**TIPE AANSOEK: AANSOEK OM TYDELIKE AFWYKING EN SLUITING VAN 'N OPENBARE PLEK – ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoeke word gedoen ingevolge Artikel 15(2)(c) van die verordening Stellenbosch Munisipale Grondgebruikbeplanning (2015) vir 'n tydelike vertrek vir die hervestiging van huishoudings wat tans in 'n varswaterdam in die Langrug Informele Nedersetting woon, tydelike behuising op Erf 3229, Franschhoek vir 'n tydperk van 5 jaar.

Aansoeke word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van 'n openbare plek, Erf 3229 Franschhoek vir 'n periode van vyf jaar, soos bepaal ingevolge artikel 26(2) van die Verordening op Stellenbosch Munisipaliteit se Grondgebruikbeplanning (2015).

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/documents/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 gediën 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 opsigte 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:

**Naam van die Aansoeker:** ETL Consulting (Pty) Ltd  
**Kontak Persoon:** Willie Jan Erasmus  
**E-pos Adres:** williee@etlconsulting.co.za  
**Kontak Nommer:** (010) 800 1534

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 Augustus 2021**.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **(010) 800 1534** gedurende normale kantoor ure (08:00 – 17:00).

Die uwe

**WILLIE JAN ERASMUS**  
**ETL CONSULTING (PTY) LTD**

**5. OBJECTIONS  
RECEIVED &  
RESPONSES**

**5.1. RESPONSE TO  
OBJECTIONS – LU 12400**

# ETL Consulting (Pty) Ltd

The Oval Office Park, 1 Meadowbrook Ln, Epsom Downs, Sandton, 2152 • PO Box 8129, Halfway House, Midrand, 1685 • Tel: +27 10 800 1534 • Fax: +27 86 540 6795 • Web: www.eticonsulting.co.za



Our Ref.: E106  
Your Ref.: LU/ 12400

## STELLENBOSCH MUNICIPALITY

Directorate: Planning & Economic Development

PO Box 17

Stellenbosch

7600

24 Aug 2021

**Attention: Mr. Stiaan Carstens**

Dear Sir

### **RE: RESPONSE TO OBJECTIONS RECEIVED FOR:-**

- **A Temporary Departure to utilize the subject property (Erf 3229 Franschoek) on a temporary basis for temporary housing for a period of 5-years; and**
- **A Temporary Closure of a Public Space for a period of 5-years as listed in terms of Section 26 (2) of the Stellenbosch Municipality Land Use Planning By-Law 2015.**

The above application has reference. Herewith responses to the following objections received.

Magrieta Hendrikse; Christine Joan September; Moses Vernon September; Lea van Wyk; Pouche Patricha Boonzaaier; Noziphiwo Abegail Dzanga; Mekiswa Masika; Hendrik Niklaas Jefthas; Elsa Johanna Jefthas; Fiona Delaine Jefthas; Mercia Joan Clarke; Dawid Clarke; Thozamile Dzanga; Nontuthuzelo Betty Dzanga; Johannes John Davids; Ragel Zimba; Conrad Nicolas Cloete; Nonzame Florence Boo; Mandisis Patrick Fipaza; Felicity Patrick Hartnick; Cedric Willian Boonzaaier; Ria Boonzaaier; Veronica Carolus; Emmiline Roche Morgan; Edward Richard Morgan; Joan Sophia Roos; Dinah Magdalene Prins; Donavine Derick Prins; Jesemine Boos; Brian William Boos; Mathilda Jacoba Meyer; Katrina Meintjies; Suzaan Visagie; A.J Visagie; Edward Richard Morgan; Brunhilda Margaret J. Sebastiaan; Bevon Mervin Sebastiaan; Criszell Erna Fischer; Paul Macneil Fischer; Cedric Viljoen; Helen Viljoen; Simon Hendriks; Esmerelda Henriette Brown; and Setilla Elizabeth Jefthas – Received on the 26<sup>th</sup> July 2021

**AFFECTED PARTIES (See List of Names above) –26<sup>TH</sup> JULY 2021**

No.	Original Comments	English Translation	Responses
1	<b>Die Sluiting van 'n Publieke Oopruimte</b>	<b>The Closing of a Public Open Space</b>	
1.1	<p>Die voorgestelde sluiting van die publieke oopruimte, erf 3229, vir 'n periode van 5jaar word verwerp weens die feit dat die gebruik van die erf 'n paar jaar terug beplan was vir 'n moontlike sport fasiliteit. Die projek het nooit plaas gevind nie weens redes onbekend, wat ook deur die munisipaliteit verskaf moet word aangesien dit mag bydra tot hoekom daar nie fasiliteite opgerig kon word nie.</p>	<p>The proposed closure of the public open space, erf 3229, for a period of 5 years is rejected due to the fact that the use of the erf was planned a few years back for a possible sports facility. The project never took place for reasons unknown, which must also be provided by the municipality as it may contribute to why facilities could not be erected.</p>	<p>The inputs on the proposed application is acknowledged.</p> <p>The Franschhoek Valley has an acute shortage of developable land required for human settlements development and associated social and economic facilities. Erf 3229 was identified as a relocation site after extensive search in the Valley for alternative land to relocate households residing on a freshwater dam at Langrug. These residents' lives are under constant threat, particularly during the rainy season and the Municipality has a duty to preserve life and create a safe habitable environment for all its residents within the WC024. The Municipality intends to utilise Erf 3229 temporarily while rehabilitating the freshwater dam and implementing a housing project at Langrug.</p> <p>Erf 3229 is still intended for use as a sports facility in the long-term. A geotechnical investigation study was undertaken for the property, and the outcome of the investigation indicates that it is possible to develop a sports facility, however, the latter will be expensive to implement due to the required rehabilitation work to have a surface suitable for a sports field.</p>

<p>1.2</p>	<p>Daar is reeds 'n hoë digtheid in die area en die bedreiging vir bykomende informele strukture na die oprigting van die voorgestelde strukture is hoog. Die bedreiging vir die stigting van nog 'n informele nedersetting is te hoog.</p>	<p>There is already a high density in the area and the threat for additional informal structures after the construction of the proposed structures is high. The threat to the establishment of another informal settlement is too high.</p> <p>Until a thorough risk analysis and risk plan is in place for the threat of the establishment of an informal settlement and the removal of the structures after the expiry of the 5-year period, we will not accept the application.</p>	<p>The community and the beneficiary committee from Langrug will have to work together with the Anti Land Invasion Unit of the Municipality to report illegal building of more structures. The Municipality will sign occupation contract with the said residents, which has a clause that will prevent the construction of more structure once the residents are relocated.</p> <p>Furthermore, the nature of Erf 3229's current Public Open Space zoning, will not allow residents to construct additional structures on the property. This is with the exception of our land use planning application for a temporary departure, which sought to secure permission to use the site as a TRA and to construct temporary housing units to urgently address the potential loss of life at Langrug, should the current situation is left unattended.</p>
<p>1.3</p>	<p>Voor daar nie 'n deeglike risiko analise en risiko plan in plek is vir die bedreiging van die verstiging van 'n informele nedersetting en die verwydering van die strukture na die verval van die 5jaar periode nie, sal ons nie die aansoek aanvaar nie.</p>	<p>Until a thorough risk analysis and risk plan is in place for the threat of the establishment of an informal settlement and the removal of the structures after the expiry of the 5-year period, we will not accept the application.</p>	<p>The Municipality intends to utilise Erf 3229 to temporarily accommodate households residing on a freshwater dam at Langrug, while the dam site is being rehabilitated. The households will be relocated back to Langrug after the rehabilitation of the dam site and implementation of a housing project. The Stellenbosch Municipality has identified the formal upgrading of the whole Langrug Informal Settlement as a key priority project on their Housing Pipeline and on the approved departmental Business Plan. In addition, the property information on ownership, servitudes, and zoning are provided as a guide to ensure that, after</p>

			expiry of the 5-year grace period and following the removal of temporary structures, the site is returned in a condition which will comply with legislated requirements for a public open space.
<b>2</b>	<b>Alternatiewe Ruimte</b>	<b>Alternatiewe Ruimte</b>	
2.1	In 2017/2018 was daar 'n behuisingsprojek aangegaan op die erf regoor Dalabushle Skool. Die projek was ontwrig deur die gemeenskap van Langrug en die projek was in geheel gestaak.	In 2017/2018, a housing project was undertaken on the site across from Dalabushle School. The project was disrupted by the community of Langrug and the project was stopped altogether.	The project could not continue due to the topography of the site. Thereafter, the municipality decided to sell the properties to the residents of Franschoek via open tender process with a criteria linked to the sale of the properties. This process was approved by Council.
2.2	Hierdie TRA projek is ideaal vir die geaffekteerde inwoners van Langrug om nou op daardie erf geakkommodeer te word. Die sonering van die erf behoort ook residensieel te wees.	This TRA project is ideal for the affected residents of Langrug to be accommodated on that plot now. The zoning of the erf should also be residential.	While rezoning the property as a residential zone would be ideal, the legal process to realise this approach would consume more time, further placing the livelihoods of households at Langrug at risk while waiting for planning approvals. The application for temporary departure provides for a much quicker legal process to secure planning approval, which will enable the municipal to develop the site and advert the dangerous living arrangement at Langrug.
2.3	Indien die erf nie aan die Munisipaliteit behoort nie kan die Munisipaliteit die eienaar 'n aanbod maak om die erf te koop om die noodgedwonge verskuiwing te realiseer. Die erf is naby die skool asook naby die gemeenskap van Langrug.	If the erf does not belong to the Municipality, the Municipality may make an offer to the owner to purchase the erf to realize the forced relocation. The yard is close to the school as well as close to the community of Langrug.	The Municipality owns the property known as Erf 3229, and intends to develop the site as a TRA to realise the relocation of affected households in Langrug.
2.4	Erf 412 langs die R45 is ook 'n ruimte wat gebruik kan word en meer veilig i.t.v. die	Erf 412 next to the R45 is also a space that can be used and safer i.t.v. the conditions of	The municipality considered all viable properties in the Valley. There is an acute shortage of developable land



	<p>kondisies van die grond. Deur dat hierdie erf nie onweeg was nie gee ons inwoners 'n aanduiding dat die Munisipaliteit nie genoegsame vertroue het dat hulle instaat sal wees om na die 5 jaar die structure sal kan verwyder nie asook nie kontrole vir onwettige oprigting van addisionele structure sal kan beheer nie.</p>	<p>the soil. By the fact that this erf was not considered, we give residents an indication that the Municipality does not have sufficient confidence that they will be able to remove the structures after the 5 years as well as not be able to control checks for illegal erection of additional structures.</p>	<p>required for human settlements development and associated social and economic facilities in the Valley. Erf 3229 was identified as the most suitable site due to its close proximity to Langrug as well as other considerations.</p>
2.5	<p>Ons soek konkrete bewyse dat die Munisipaliteit wel instaat is om grondgebruik beheer oor die voorgestelde projek sal kan uitoefen.</p>	<p>We are looking for concrete evidence that the Municipality is able to exercise land use control over the proposed project.</p>	<p>The proposed project, like any other proposed land development within Stellenbosch Municipality, is under the control of the applicable zoning laws and municipal by-laws. Any proposed development on the property will follow the legal prescripts/processes as contained on the applicable zoning laws and municipal by-laws of the Municipality.</p>
<b>3</b>	<p><b>Bedreiging vir onrus en protesaksie van huidige inwoners</b></p>	<p><b>Threat to unrest and protest action of current residents</b></p>	
3.1	<p>Indien die Munisipaliteit, wat ook die klient is in die projek, die besware van die gemeenskap gaan ignoreer is die bedreiging van ontwrigting van die projek hoog.</p>	<p>If the Municipality, which is also the client in the project, ignores the objections of the community, the threat of disruption of the project is high.</p>	<p>The Municipality acknowledges the concerns that some residents may have pertaining the proposed development. The municipality endeavours to engage and address all these concerns in an amicable manner. Furthermore, the Municipality has a duty to preserve life and create a safe habitable environment for all its residents within the WC024, and the latter is possible when we all work together.</p>
3.2	<p>Hierdie bedreiging kan skade inhou vir die kontrakteur en werknemers, gemeenskap lede, infrastruktuur en publieke orde.</p>	<p>This threat could harm the contractor and employees, community members, infrastructure, and public order.</p>	<p>The Municipality acknowledges the concerns that some residents may have pertaining the proposed development. The municipality endeavours to engage and address all</p>

			these concerns in an amicable manner. Furthermore, the Municipality has a duty to preserve life and create a safe habitable environment for all its residents within the WC024, and the latter is possible when we all work together.
3.3	Daar sal eers 'n vergadering belê moet word met die gemeenskap en indien die kovid-19 regulasies nie dit toelaat nie sal dit veilig wees om te wag tot en met so 'n konsultasie proses moontlik is.	A meeting will first have to be convened with the community and if the covid-19 regulations do not allow it, it will be safe to wait until such a consultation process is possible.	Over and above this process, the municipality will arrange a community meeting to engage the residents that are directly affected by the proposed development once Covid-19 regulations permit.
<b>4</b>	<b>Skuif vanaf 'n dam na 'n dam</b>		
4.1	Erf 3229 was voorheen 'n dam en die suiwer van water deur die grond kan steeds fisies gesein word. Dit is nie net op die erf self nie maar by die huise wat onder die dam gebou is. Hoekom mense van een dam na 'n ander dam skuif?	Erf 3229 was previously a dam and the purification of water through the ground can still be physically signalled. It is not only on the yard itself but at the houses built under the dam. Why do people move from one dam to another?	The Municipality has undertaken various specialist studies to assess the feasibility of developing the property as a TRA and a sports field in the long-term. The outcome of these studies indicate that the property is developable for the intended uses described above. The property will be rehabilitated as per the outcomes of proposed solutions/interventions to create a site suitable for the development of a TRA. Furthermore, a buffer zone of 8 meters will be created to protect properties below the dam wall as well as construct earth channels to direct stormwater and surface water to the stiebeuel river,

- Emailed sent by Marius van Stade on behalf of the Orchid Street, Mooiwater. Franschhoek community (Klaas Ockhuis; Ria Boonzaaier; Mathilda Jakoba Meyer; Emily Bezuidenhout; Dinah Prins; Nowellen Meintjies; Cedric Boonzaaier; Esmeralda Brown; Francisko Brown; Jesemine Moos; Valery Adonis; Joan Roos; and Rosie Daniels) – Received on the 2<sup>nd</sup> August 2021.

**EMAIL ON BEHALF OF THE RESIDENTS OF ORCHID STREET (See List of Names above) – 2<sup>ND</sup> AUGUST 2021**

No.	Original Comments	English Translation (Google Translate)	Responses
1	Erf 3229, voorheen 'n besproeiingsdam (plaasdam) nie geskik is vir behuisingontwikkeling is nie.	Erf 3229, formerly an irrigation dam (farm dam) is not suitable for housing development.	The Municipality has undertaken various specialist studies to assess the feasibility of developing the property as a TRA and a sports field in the long-term. The outcome of these studies indicate that the property is developable for the intended uses described above. The property will be rehabilitated as per the outcomes of proposed solutions/interventions to create a site suitable for the development of a TRA.
2	Die grondgebruiksaansoek te Erf 3229 Franschhoek maak meer voorsiening vir riool infrastruktuur tenwyl die ondergrondse watertafel en natuurlike watervloei nie in ag geneem is nie.	The land use application at Erf 3229 Franschhoek makes more provision for sewage infrastructure while the underground water table and natural water flow were not taken into account.	As indicated in the land use application, the estimated flows from the proposed Temporary Relocation Area (TRA) – Erf 3229, have been calculated using the estimated number of informal dwelling structures. The Proposed Temporary Infrastructure will connect to an existing 100mm diameter pipeline on Remainder Street, it was recommended that all toilet blocks and water points be linked such that only one connection to the municipal infrastructure needs be introduced. The existing water infrastructure and reservoirs are deemed to have sufficient

3	Die grondgebruiksaansoek maak geensins melding van watervloedlyn, opvangsarea, retikulasie asook die fisiese herleiding van ondergrondse water reservoir binne die area. Die Stiebeulsrivier is 'n watersloot en nie 'n rivier nie.	The land use application in no way mentions water flood line, catchment area, reticulation as well as the physical diversion of underground water reservoir within the area. The Stiebeuls River is a water ditch and not a river.	capacity to accommodate the anticipated water consumption of the Temporary housing. As indicated in the land use application, the topography of the site allows for natural surface flow along platforms in a southerly direction. Whilst the Stiebeuel River runs west of the site, the natural fall of the site makes it impractical to direct surface flow in a westerly direction.  Stormwater for the development will be managed on a catchment-wide basis and will take into account the surrounding built and natural environment. The Stormwater infrastructure will comprise of a combined surface drainage and a levy berm along the southern boundary to protect downstream properties. All run-offs will be collected and channelled to the low point south-east of the site, from here it will be intercepted by an inlet structure which will connect onto the existing underground system in Remainder Street. No underground formalised or fixed pipework or structures are envisaged on the site.
4	Die verstigting van 'n nedersetting met 'n hōe densiteit ontwikkelin gaan groot druk uitoefen op die grond oppervlak wat 'n negatiewe impak op die onderliggende infrastruktuur gaan hē.	The branching of a high-density settlement developed will put great pressure on the land surface which will have a negative impact on the underlying infrastructure.	Specialist studies undertaken by the Municipality indicate that there is sufficient underlying infrastructure to service the proposed development. Civil design (i.e. water, sanitation and electricity) are approved for the proposed development.
5	Dat geaffekteerde inwoners nie deelgeneem het aan 'n	That affected residents did not participate in an environmental impact study where the risks of such a development were discussed.	A public participation process was initiated for the proposed departure application. Interested and affected

	<p>omgewingsimpakstudie waar die risiko's van so 'n ontwikkeling bespreek was nie.</p>		<p>parties was awarded the opportunity to provide inputs on the proposed land use application.</p> <p>An environmental screening application was submitted to DEADP. Conformation was received from the Department that the proposed development does not trigger a listed activity for a Basic Assessment, the public participation process was therefore not initiated.</p>
<p>6</p>	<p>Die besproeiingsdam (plaasdam) word alreeds booggestel aan ondergrondse waterdrukking wat veroorsaak dat inwoners woonagtig aangrensend tot die besproeiingsdam strukturele skade aan infrastruktuur ervaar.</p>	<p>The irrigation dam (farm dam) is already being booted to underground water pressure which causes residents living adjacent to the irrigation dam to experience structural damage to infrastructure.</p>	<p>The Municipality has undertaken various specialist studies to assess the feasibility of developing the property. Concerns around the irrigation dam and surface water will be addressed during the site clearance and rehabilitation of the property. Furthermore, the development layout plan proposes:</p> <ul style="list-style-type: none"> <li>• An 8 meter buffer zone between the residents living at the bottom of the dam and the new residents of the TRA,</li> <li>• The construction of earth channels to direct stormwater and surface water to the stiebeuel river,</li> </ul> <p>Against this backdrop, the overall proposed development and eventual implementation of the required interventions, will address the long-standing issues in area around the stability of the irrigation dam as well as surface water.</p>
<p>7</p>	<p>Wanneer die grondbedekking oppervlak van Erf 3229 verwyder gaan word sal die</p>	<p>When the ground cover surface of Erf 3229 is to be removed, the irrigation dam will be</p>	<p>The Municipality has undertaken various specialist studies to assess the feasibility of developing the property. The</p>

	besproeiingsdam blootgestel word aan degradering en sterker ondergrondse watersyfering wat die grondgebied verswak.	exposed to degradation and stronger underground water seepage which will weaken the territory.	overall proposed development and eventual implementation of the required interventions, will address the long standing issues in area around the stability of the irrigation dam as well as surface water. Earth channels will be constructed to direct stormwater and surface water to the stiebeuel river.
8	Inwoners woonagtig aan direk onderkant van die besproeiingsdam (Erf 3229) ervaar reeds infrastruktuur skade aan hulle huise. Sifwater of ondergrondse water beskadig reeds vir jare inwoners se huisraad en meubels weens klammigheid van ondergrondse sifwater.	Residents living at the direct bottom of the irrigation dam (Erf 3229) are already experiencing infrastructure damage to their homes. Screen water or groundwater has been damaging residents' household utensils and furniture for years due to dampness of ground screen water.	The Municipality has undertaken various specialist studies to assess the feasibility of developing the property. Concerns around the irrigation dam and surface water will be addressed during the site clearance and rehabilitation of the property. Furthermore, the development layout plan proposes: <ul style="list-style-type: none"> <li>• An 8 meter buffer zone between the residents living at the bottom of the dam and the new residents of the TRA,</li> <li>• The construction of earth channels to direct stormwater and surface water to the stiebeuel river, Against this backdrop, the overall proposed development and eventual implementation of the required interventions, will address the long standing issues in area around the stability of the irrigation dam as well as surface water.</li> </ul>
9	Die besproeiingsdam se damwal breek alreeds los omrede 'n groot drukking van ondergrondse water ervaar word.	The dam wall of the irrigation dam is already breaking loose due to a large pressure of underground water.	The Municipality has undertaken various specialist studies to assess the feasibility of developing the property as a TRA and a sports field in the long-term. The outcome of these studies indicate that the property is developable for the intended uses described above. Concerns raised will

			<p>be dealt with during the rehabilitation of the site, to ensure the stability of the irrigation dam. In addition, earth channels will be constructed to direct stormwater and surface water onto the stiebeuel river,</p>
<p>10</p>	<p>Stellenbosch Munisipaliteit sou 'n paar jaar gelede 'n sportsveld met klubhuis fasiliteit op Erf 3229 gebou het, maar daar was bevind dat die besproeiingsdam of oppervlak nie die drukking daarvan sou kon hanteer nie.</p>	<p>Stellenbosch Municipality would have built a sports field with clubhouse facility on Erf 3229 a few years ago, but it was found that the irrigation dam or surface could not handle its pressure.</p>	<p>The Municipality has undertaken various specialist studies to assess the feasibility of developing the property as a TRA and a sports field in the long-term. The outcome of these studies indicate that the property is developable for the intended uses described above. The development layout plan proposes the construction of earth channels to direct stormwater and surface water onto the stiebeuel river, Furthermore, to develop a sport field and a clubhouse on the property would require extensive rehabilitation work to create a surface suitable for a sports field, and the latter would be extremely costly.</p>

Yours faithfully



**WILLIE JAN ERASMUS**

**For ETL Consulting (Pty) Ltd**

**SACPLAN: A/2320/2016**

**5.2. OBJECTIONS RECEIVED –  
26<sup>TH</sup> JULY 2021**



**Sheven Pillay**

**From:** Willie Jan Erasmus  
**Sent:** Monday, 02 August 2021 12:25  
**To:** Kamohelo Mculu  
**Cc:** Sheven Pillay  
**Subject:** FW: Insake: Beswaarmaking teen diegrondgebruiksaanzoek op erf 3229 Franschhoek/ LU12400

**Attachments:** 1. Mr Klaas Ockhuis\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf; 2. Mrs Ria Boonzaaier\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf; 3. Mrs Mathilda Meyer\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf; 4. Mrs Emily Bezuidenhout\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf; 6. Mr Nowellen Meintjies\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf; 7. Mr Cedric Boonzaaier\_Beswaar teen grondgebruiksaanzoek op Erf 3.pdf; 5. Mrs Dinah Prins\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf; 8. Mrs Esmeralda Brown\_Beswaar teen grondgebruiksaanzoek op Erf 322.pdf; 9. Mr Francisko Brown\_Beswaar teen grondgebruiksaanzoek op Erf 322.pdf; 10. Mrs Jesemine Moos\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf; 11. Mrs Valery Adonis\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf; 12. Mrs Joan Roos\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf; 13. Mrs Rosie Daniels\_Beswaar teen grondgebruiksaanzoek op Erf 3229.pdf

Good Morning Kamohelo

Trust you are doing well?

Kindly see attached objection regarding the TRA application.

We will include the submission into our reply to Land use Management.

<p><i>Kind Regards</i>  <b>Willie Jan Erasmus</b>          Senior Town Planner          Pr. # A/2520/2015</p> <p><b>Head Office</b>          The Oval Office Park          Centurion Building          1 Meadowbrook Ln,          Bryanston, 2152</p>	<p><b>T : +27 10 800 1534</b>  <b>F : +27 86 540 6795</b>  <b>C : +27 82 929 8239</b>  <b>E : williee@etlconsulting.co.za</b>  <b>W : www.etlconsulting.co.za</b></p>	   <b>BBBEE Level 1   ISO 9001:2015</b> <b>ETHICAL TECHNICAL LEADERSHIP</b>
<b>Johannesburg • Durban • Cape Town</b>		

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**From:** Marius Van Stade <mvanstade@gmail.com>  
**Sent:** Monday, 02 August 2021 12:00  
**To:** Willie Jan Erasmus <williee@etlconsulting.co.za>  
**Cc:** Pedro.April@stellenbosch.gov.za; Bulelwa.Mdodo@stellenbosch.gov.za; mm <municipal.manager@stellenbosch.gov.za>; brownfrancisco@gmail.com  
**Subject:** Insake: Beswaarmaking teen diegrondgebruiksaanzoek op erf 3229 Franschhoek/ LU12400

Goeiedag Mnr Willie Jan Erasmus,

Ek vertrou dat dit met u goed gaan.

Vind graag hiermee aangeheg besware vanaf inwoners te Orchid Straat te Mooiwater in Franschhoek rakende die grondgebruiksaansoek op erf 3229 Franschhoek.

Die inwoners te Orchid Street glo dat hul besware gegrond is op feitelike inligting en verwys ook na leemtes binne die grondgebruiksaansoek wat 'n negatiewe uitwerking op die natuurlike omgewing en inwoners teweeg sal bring.

Graag word verwag dat Stellenbosch Munisipaliteit en ETL Consulting (Pty) Ltd die besware sal evalueer in oorlegpleging met alle relevante omgewingswetgewing asook bou -en beplanningsregulasies.

Ek vertrou dat u dit in orde sal vind.

Byvoorbaat dank.

Marius van Stade

Gemeenskapswerker en menseregte-aktivis

Sel: 076 091 7788

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**BESWAAR TEEN ONTWIKKELING OP ERF 3229 FRANSCHHOEK**

Hiermee maak ek, Klaas Ockhuis met identiteitsnommer 0904591902,  
erfnommer 3229 en huisadres Charl 21 Mollet,  
beswaar teen grondgebruiksaansoek te erf 3229 Franschhoek.

Hiermee word amptelike beswaar gemaak teen die tydelike hervestiging van families op erf 3229 Franschhoek weens die volgende redes:

1. Dat erf 3229, voorheen 'n besproeiingsdam (plaasdam) nie geskik is vir behuisingontwikkeling is nie;
2. Die grondgebruiksaansoek te erf 3229 Franschhoek maak meer voorsiening vir riool infrastruktuur terwyl die ondergrondse watertafel en natuurlike watervloei nie in ag geneem is nie.
3. Die grondgebruiksaansoek maak geensins melding van watervloedlyn, opvangsarea, retikulasie asook die fisiese herleiding van ondergrondse water reservoir binne die area. Die Stiebeulsrivier is 'n watersloot en nie 'n rivier nie.
4. Die vestiging van 'n nedersetting met 'n hoe densiteit ontwikkelin gaan groot druk uitoefen op die grond oppervlak wat 'n negatiewe impak op die onderliggende infrastruktuur gaan hê.
5. Dat geaffekteerde inwoners nie deelgeneem het aan 'n omgewingsimpakstudie waar die risiko's van so 'n ontwikkeling bespreek was nie;
6. Die besproeiingsdam (plaasdam) word alreeds bootgestel aan ondergrondse waterdrukking wat veroorsaak dat inwoners woonagtig aangrensend tot die besproeiingsdam strukturele skade aan infrastruktuur ervaar;
7. Wanneer die grondbedekking oppervlak van erf 3229 verwyder gaan word sal die besproeiingsdam blootgestel word aan degradering en sterker ondergrondse watersyfering wat die grondgebied verswak.
8. Inwoners woonagtig aan direk onderkant van die besproeiingsdam (erf 3229) ervaar reeds infrastruktuur skade aan hulle huise. Sifwater of ondergrondse water beskadig reeds vir jare inwoners se huisraad en meubels weens klammigheid van ondergrondse sifwater;
9. Die besproeiingsdam se damwal breek alreeds los omrede 'n groot drukking van ondergrondse water ervaar word;
10. Stellenbosch Munisipaliteit sou 'n paar jaar gelede 'n sportveld met klubhuis fasiliteite op erf 3229 gebou het, maar daar was bevind dat die besproeiingsdam of oppervlak nie die drukking daarvan sou kon hanteer nie.

Ek is vertrou met hierdie beswaarmaking en vertrou dat Stellenbosch Munisipaliteit die toekenning van die grond gebruiksaansoek in heroorweging sal neem ingevolge alle relevante omgewingswetgewing.

Byvoorbaat dank.

Klaas Ockhuis

**Naam en van**

K. Ockhuis

**Handtekening**

2021/8/1

**Datum**

**5.3. OBJECTIONS RECEIVED –  
2<sup>ND</sup> AUGUST 2021**

Naam & Van van eienaars

Erf nommer

Woon Adres

Poskode

Willie Jan Erasmus

ETL Consulting (Pty) Ltd

Williee@etlconsulting.co.za

**KOMMENTAAR IN TERME VAN ARTIKEL 50 VAN DIE STELLENBOSCH  
MUNISIPALITEIT VERORDENING OP GROND GEBRUIK, 2015:**

- Aansoek om tydelike afwyking en sluiting van 'n openbare plek – ERF 3229  
FRANSCHHOEK

Aan wie dit mag aangaan

Ons verwerp die voorgestelde aansoek in geheel met verwysing na die volgende aspekte van die aansoek asook die impak op die omliggende eienaars:

**1. Die Sluiting van 'n Publieke Oopruimte**

- 1.1. Die voorgestelde sluiting van die publieke oopruimte, erf 3229, vir 'n periode van 5jaar word verwerp weens die feit dat die gebruik van die erf 'n paar jaar terug beplan was vir 'n moontlike sport fasiliteit. Die projek het nooit plaas gevind nie weens redes onbekend, wat ook deur die munisipaliteit verskaf moet word aangesien dit mag bydra tot hoekom daar nie fasiliteite opgerig kon word nie.
- 1.2. Daar is reeds 'n hoë digtheid in die area en die bedreiging vir bykomende informele strukture na die oprigting van die voorgestelde strukture is hoog. Die bedreiging vir die stigting van nog 'n informele nedersetting is te hoog.
- 1.3. Voor daar nie 'n deeglike risiko analise en risiko plan in plek is vir die bedreiging van die vestiging van 'n informele nedersetting en die verwydering van die strukture na die verval van die 5jaar periode nie, sal ons nie die aansoek aanvaar nie.

## 2. Alternatiewe Ruimte

- 2.1. In 2017/2018 was daar 'n behuisingsprojek aangegaan op die erf regoor Dalabushle Skool. Die projek was ontwig deur die gemeenskap van Langrug en die projek was in geheel gestaak.
- 2.2. Hierdie TRA projek is ideaal vir die geaffekteerde inwoners van Langrug om nou op daardie erf geakkommodeer te word. Die sonering van die erf behoort ook residensieel te wees.
- 2.3. Indien die erf nie aan die Munisipaliteit behoort nie kan die Munisipaliteit die eienaar 'n aanbod maak om die erf te koop om die noodgedwonge verskuiwing te realiseer. Die erf is naby die skool asook naby die gemeenskap van Langrug.
- 2.4. Erf 412 langs die R45 is ook 'n ruimte wat gebruik kan word en meer veilig i.t.v. die kondisies van die grond. Deur dat hierdie erf nie oorweeg was nie gee ons inwoners 'n aanduiding dat die Munisipaliteit nie genoegsame vertroue het dat hulle instaat sal wees om na die 5 jaar die strukture sal kan verwyder nie asook nie kontrole vir onwettige oprigting van addisionele strukture sal kan beheer nie.
- 2.5. Ons soek konkrete bewyse dat die Munisipaliteit wel instaat is om grondgebruik beheer oor die voorgestelde projek sal kan uitoefen.

## 3. Bedreiging vir onrus en protesaksie van huidige inwoners

- 3.1. Indien die Munisipaliteit, wat ook die kliënt is in die projek, die besware van die gemeenskap gaan ignoreer is die bedreiging van ontwigting van die projek hoog.
- 3.2. Hierdie bedreiging kan skade inhou vir die kontrakteur en werknemers, gemeenskap lede, infrastruktuur en publieke orde.
- 3.3. Daar sal eers 'n vergadering belê moet word met die gemeenskap en indien die kovid-19 regulasies nie dit toelaat nie sal dit veilig wees om te wag tot en met so 'n konsultasie proses moontlik is.

## 4. Skuif vanaf 'n dam na 'n dam

- 4.1. Erf 3229 was voorheen 'n dam en die suiwer van water deur die grond kan steeds fisies gesien word. Dit is nie net op die erf self nie maar by die huise wat onder die dam gebou is. Hoekom mense van een dam na 'n ander dam skuif?

Name and Surname	Address	Reference Number	Signature
Magneta M. K. Ntse	[REDACTED]	3089	M. K. Ntse
Christilene September	[REDACTED]	3084	C. September
MOSES SEPTEMBER	[REDACTED]	3084	M. September
Lea van Wyk	[REDACTED]	3088	L. van Wyk
Buché Boonzaaij	[REDACTED]	3087	B. Boonzaaij
Noziphiwo Tokwe-Dzanga	[REDACTED]	3085	N. Tokwe-Dzanga
Mekiswa Masika	[REDACTED]	3055	M. Masika
H. Ngejhen	[REDACTED]	3097	H. Ngejhen
E. Geylman	[REDACTED]	3092	E. Geylman
Fiona Jethas	[REDACTED]	3053	F. Jethas
Mercié Clarke	[REDACTED]	3049	M. Clarke
Dawin Clarke	[REDACTED]	3049	D. Clarke
Thozamile West Dzanani	[REDACTED]	3028	T. DZANANI
NONTUTHUZELO DZANANI	[REDACTED]	3050	N. DZANANI
John Davids	[REDACTED]	3059	JOHN
RAGEL Zimba	[REDACTED]	3059	RAGEL
Conrad Cloete	[REDACTED]	3058	C. Cloete
FLORENCE BOOI	[REDACTED]	3057	F. BOOI
PAFELICK HANISI FLORENCE	[REDACTED]	3051	[REDACTED]
Felicity Hartnick	[REDACTED]	3052	M. Hartnick

Name and Surname	Address	Reference Number	Signature
C. Boenzgaier	[REDACTED]	[REDACTED]	[Signature]
P. Boenzgaier	[REDACTED]	[REDACTED]	P. Boenzgaier
V. CAROLUS	[REDACTED]	[REDACTED]	V. CAROLUS.
EMILINE MORGAN	[REDACTED]	[REDACTED]	Pemersen /
EDWARD MORGAN	[REDACTED]	[REDACTED]	[Signature]
JOHN ROOS	[REDACTED]	[REDACTED]	[Signature]
Diran PRINS	[REDACTED]	[REDACTED]	D. PRINS
D. Prins	[REDACTED]	[REDACTED]	D. Prins
J. MOOS	[REDACTED]	[REDACTED]	J. MOOS
B. MOOS	[REDACTED]	[REDACTED]	B. MOOS
A. Meyer	[REDACTED]	[REDACTED]	M. Meyer.
K. Meijer	[REDACTED]	[REDACTED]	K. Meijer.
S. VISAGIE	[REDACTED]	[REDACTED]	S. visagie
A. J. visagie	[REDACTED]	[REDACTED]	
ER. MORGAN	[REDACTED]	[REDACTED]	
B. M. J. Sebastian	[REDACTED]	[REDACTED]	[Signature]
B. M. Sebastian	[REDACTED]	[REDACTED]	
C. Fischer	[REDACTED]	[REDACTED]	C. Fischer
P. Fischer	[REDACTED]	[REDACTED]	P. Fischer
C. Wylroen	[REDACTED]	[REDACTED]	





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## All you need to know about tax

Tax season is here! Sars has published a notice outlining which South Africans have to submit a tax return in 2021.

The notice in respect of the 2021 year of assessment was first published on 14 May, with the revenue collector publishing an additional guidance note.

This is aimed at helping taxpayers make this determination ahead of the filing season starting on 1 July, he said.

Below is the breakdown of requirements and the South Africans who don't have to submit this year.

Who does not need to file a return?

The simplest way of assessing your obligation is to determine if you are expressly exempt from filing a return.

The notice stipulates that one will not be required to submit a return if one's gross income consisted solely of the following: remuneration paid from a single source that does not exceed R500 000, and PAYE was deducted as prescribed. It is likely that this may find application for normal salaried employees whose only source of income is their salary.

Interest (other than interest from a tax-free investment) must accrue from a source in South Africa not exceeding R23 800 if you are below the age of 65 years and R34 800 if you are aged 65 years or older.

Dividends and if you were a

non-resident throughout the 2021 year of assessment; amounts received or that accrued from a tax free investment.

This exemption may not be applicable if you received a travel, subsistence or office-bearer allowance from your employer, unless the allowance is aligned with specific rates prescribed by the Commissioner.

The exemption is also not applicable if your remuneration includes any taxable fringe benefits, or if any part of your remuneration is for services rendered outside South Africa.

Who must file an income tax return?

Natural persons who do not meet the requirements of the exemption must submit a return in the following instances: resident taxpayers who carried on a trade, other than in their capacity as an employee; non-resident taxpayers who carried on any trade in South Africa other than in their capacity as an employee; resident taxpayers who had capital gains or losses exceeding R40 000 for the 2021 year of assessment.

Also, non-resident taxpayers who had a capital gain or loss that is subject to capital gains tax in South Africa – generally this will only be the case where the taxpayer disposed of immovable property situated in South Africa.

In addition, resident taxpayers who held any funds in foreign currency or owned any assets

outside South Africa, if the value exceeds R250 000 at any point during the 2021 year of assessment.

Also included are resident taxpayers to whom income or capital gains from funds in foreign currency or foreign assets was attributed in terms of the Income Tax Act. Resident taxpayers who either alone or together with any connected person hold at least 10% of the participatory rights in a controlled foreign company are also included.

If your gross income does not meet the requirements of the exemption and exceeded the tax threshold – R63 100 (under the age of 65 years), R126 650 (65 years or older, but under the age of 75 years) and R143 850 (76 years or older). The requirement to file a return in this instance does not apply if you are notified that you are eligible for automatic assessment and your tax position on Sars's record is complete and correct when the automatic assessment is accepted.

Non-resident taxpayers whose gross income included interest from a source in South Africa not exempt under section 10(1)(h) of the Income Tax Act. For natural persons, your return must be filed on or before 23 November 2021, unless you are a provisional taxpayer. If the return relates to a provisional taxpayer it must be submitted on or before 31 January 2022.

## Duidelikhed nou nodig

Agri SA vra groter duidelikhed oor die verwysing in die jongste Vlak 4-regulasies wat soos volg lui:

*“Overings at auctions are not permitted.”*



Christo van der Rheede, voorsitter van Agri SA.

bedryf, die verbruiker en die beskikbaarheid van veldprodukte.”

En hoe gaan die verbod op byeenkomste by veilinge in landelike gebiede veral kommersiële en opkomende boere en gemeenskappe raak wat afhanklik is van dié boere vir hul velds?

Waar moontlik, sal

“Beteken dit veilinge kan wel plaasvind, maar geen mense kan by ’n byeenkoms wees nie?” vra Christo van der Rheede, uitvoerende direkteur van Agri SA. “En watter veilinge is hier ter sprake? Verwys dit na alle veilinge, insluitend eiendom en ander bates en ook landbouveilinge? Agri SA vra duidelikhed. Die feit dat landbou as ’n noodsaaklike diens verklaar is, vereld dat veevellings moet voortgaan. Hoe gemaak met veevellings wat reeds geskeduleer is?”

Agri SA sal graag wil weet hoe prakties haalbaar dit is wanneer die teenwoordigheid van mense verbied word.

“Vellings is die lewensaar van die lewendehawebedryf. As dit verder onder druk kom, hou dit bepaalde risiko's in vir die

vellings nou aanlyn gehou moet word om deurlup in die vraag na lewende hawe te voorsien. “Dit is egter nie in alle gevalle moontlik nie!”

Agri SA is ook bitter bekommerd oor die uitwerking van die algehele verbod op die wyn- en groter drankbedryf. Die ekonomiese gevolge van die inperkings op die restaurant-, toerisme- en ander bedrywe soos die wylbedryf gaan dié bedrywe verder knou.

“Waar is die hulppakkette om die wyn-, broër alkoholiese-, wild-, restaurant- en toerismebedrywe te ondersteun?” vra Van der Rheede.

### Firmer oil pushes prices higher

Users of all grades of fuel will be paying more in July when the Department of Mineral Resources and Energy officially adjusts the prices of fuels after this week. This is according to the Automobilia Association, which was commenting on unsuited month-end fuel price data released by the Central Energy Fund.

“International petroleum prices have climbed throughout June. Even some marginal gains on the Rand have not been enough to counter the rise. On average, the Rand was positive against the US dollar during June, but the daily exchange rate has sagged alarmingly since mid-month, weakening from around R13,75 to the dollar to nearly R14,30,” the AA says.

The association forecasts that petrol luko set to increase by around 23 cents a litre, diesel by 38 cents and illuminating paraffin by 32 cents.

“This increase is going to be very difficult for those who use paraffin for cooking, lighting, and especially heating as South Africa heads into the heart of winter,” says the AA.

The AA also notes that the Rand's weakening trend raises concerns about the fuel prices trajectory in July. “If the Rand continues to slide with oil on an upward trajectory, this could bring further bad news for

**NOTICE OF LAND DEVELOPMENT APPLICATION  
IN THE STELLENBOSCH MUNICIPAL AREA**

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE  
OF A PUBLIC PLACE - ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Application address: No 1000 Street Address/Franschhoek, Gemontal (Erf 3229 Franschhoek)

Applicant: ETL Consulting (Pty) Ltd  
Contact details: Tel: 010 800 1534  
Email: willem@etlconsulting.co.za

Owner: Municipal Property Stellenbosch  
Contact details: Tel: 021 808 8693/8690  
Email/foi: Pedra.Aprill@stellenbosch.gov.za  
Buletwa.Midodo@stellenbosch.gov.za

Application Reference: 11/12400

**Description of land development application:**  
Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a temporary departure for the relocation of house holds that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the closure of a public place, Erf 3229 Franschoek for a period of 5 years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the said By-law that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/hand-use-application-notices>. 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 51 of the said By-law to the Applicant by electronic mail as follows:

Name of applicant: ETL Consulting (Pty) Ltd  
Contact person: Willem Erasmus  
Email address: willem@etlconsulting.co.za  
Contact number: 010 800 1534

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 August 2021.

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

**KENNISGEWING VAN GRONDONTWIKKELINGSAAKS  
IN DIE STELLENBOSCH MUNISIPALE AREA**

**AANSOEK TIEP: AANSOEK OM TYDDELKE AFWEKENS EN SLUITING VAN ’N  
OPENBARE PLEK - ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)**

Adres van eisers: No 1000 Street Address/Franschhoek, Gemontal (Erf 3229)

Aansoeker: ETL Consulting (Pty) Ltd  
Kontakbesonderhede: Tel: 010 800 1534  
E-pos: willem@etlconsulting.co.za

Eienaar: Munisipale eiendomme Stellenbosch  
Kontakbesonderhede: Tel: 021 808 8693/8690  
E-pos: Pedra.Aprill@stellenbosch.gov.za  
Buletwa.Midodo@stellenbosch.gov.za

Aansoek Verwysing: 11/12400

Beskrywing van goedontwikkelingsaansoek:  
Aansoek word gedoen ingevolge Artikel 15(2)(c) van die verordening Stellenbosch Munisipale Grondgebruiksplanning (2015) vir ’n tydelike vertrek van die Hervestiging van huisgebruikers wat tans in ’n wassentem in die Langrug Informele Nederstelliging woon, tydelik na huisvesting op Erf 3229, Franschoek vir ’n tydperk van 5 jaar.

Aansoek word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van ’n openbare plek, Erf 3229 Franschoek vir ’n tydperk van vyf jaar, soos bepaal in geleidelike artikel 26(2) van die Verordening op Stellenbosch Munisipale Grondgebruiksplanning (2015).

Kennis word hiermee gegee in terme van die genoemde Verordening dat boverreemde aansoek by die Stellenbosch Munisipale gebieding is vir oorweging. Die aansoek is beskikbaar vir insae op die Bepannings Portal van die Stellenbosch Munisipale Webtuiste vir die tydskur van die publieke deelname proses by die volgende adres: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/hand-use-application-notices>. Indien die webtuiste of dokumente nie toeganklik is, kan die Aansoek hier beskryf word.

Skriflike kommentaar, wat insluitende tot opdragte van die verwoyings nommer van die aansoek, die name, fisiese adres en kontakbesonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, kan ingestuur word in terme van Artikel 51 van genoemde Verordening na die Aansoeker by e-pos of elektroniese pos as volg:

Naam van die aansoeker: ETL Consulting (Pty) Ltd  
Kontakpersoon: Willem Erasmus  
E-pos adres: willem@etlconsulting.co.za  
Kontaknommer: 010 800 1534

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word om met oortreë te voorkom op die sluitingsdatum van 2 Augustus 2021.

Indien daar enige vrae op die aansoek of boverreemde verwoyings van die boere van kommentaar is, of indien dit nie moontlik is om gedrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is, kan die Aansoeker

South Africa's economy," the AA concludes.

assistance at the e-mail address provided or telephonically at 010 800 1534 during normal office hours (8:00 - 17:00).

gestekst word vir bystand by die vermeldde elektroniese pos adres of telefonies by 01 0800 1534 gedurende normale kantoor ure (8:00 - 17:00).

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## All you need to know about tax

The common law brief Sara has published a notice outlining which South Africans have to submit a tax return in 2021.

The notice in respect of the 2021 year of assessment was first published on 14 May, with the revenue collector publishing an additional guidance note.

This is aimed at helping taxpayers make the right determination ahead of the filing season starting on 1 July, he said.

Below is the breakdown of requirements and the South Africans who don't have to submit this year.

**Who does not need to file a return?**

The simplest way of assessing your obligation is to determine if you are expressly exempt from filing a return.

The notice stipulates that one will not be required to submit a return, if one's gross income consisted solely of the following: remuneration paid from a single source that does not exceed R20 000; and PAYE was deducted as prescribed; it is likely that this may find application for normal salaried employees whose only source of income is their salary.

Interest (other than interest from a tax-free investment) must arise from a source in South Africa not exceeding R23 000 if you are below the age of 65 years and R34 000 if you are aged 65 years or older.

Dividends and if you were a

non-resident throughout the 2021 year of assessment; amounts received or that accrued from a tax free investment.

This exemption may not be applicable if you received a travel, subsistence or office-bearer allowance from your employer, unless the allowance is aligned with specific rules prescribed by the Commissioner.

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Natural persons who do not meet the requirements of the exemption must submit a return in the following instances:

resident taxpayers who carried on a trade, other than in their capacity as an employee; non-resident taxpayers who carried on any trade in South Africa; other than in their capacity as an employee; resident taxpayers who had capital gains or losses exceeding R40 000 for the 2021 year of assessment.

Also, non-resident taxpayers who had a capital gain or loss that is subject to capital gains tax in South Africa – generally this will only be the case where the taxpayer disposed of immovable property situated in South Africa.

In addition, resident taxpayers who held any funds in foreign currency or owned any assets

outside South Africa, if the value exceeds R250 000 at any point during the 2021 year of assessment.

Also included are resident taxpayers to whom income or capital gains from funds in foreign currency or foreign assets was attributed in terms of the Income Tax Act. Resident taxpayers who either alone or together with any connected person held at least 10% of the participation rights in a controlled foreign company are also included.

If your gross income does not meet the requirements of the exemption and exceeded the tax threshold – R13 800 (under the age of 65 years), R19 800 (65 years or older), and R143 850 (75 years or older). The requirement to file a return in this instance does not apply if you are notified that you are eligible for automatic assessment and your tax position on Sara's record is complete and correct when the automatic assessment is accepted.

Non-resident taxpayers whose gross income included interest from a source in South Africa must comply under section 10(1)(d) of the Income Tax Act. For natural persons, your return must be filed on or before 31 November 2021, unless you are a provisional taxpayer. If the return relates to a provisional taxpayer it must be submitted on or before 31 January 2022.

## Duidelikheid nou nodig

Agri SA vra groter duidelikheid oor die verwyding in die jongste Viak 4-regulasies wat deesdae volg. "Garnerings en aankope is nie beperk." -



Chris van der Rhede, uitvoerende direkteur van Agri SA.

bedryf, die verbruiker en die beskikbaarheid van vleisprodukte. "En hoe gaan die verbot op byeenkomste by veilings in landelike gebiede veral kommersiële en opkomende boere en gemeenskappe raak, wat afhanklik is van die boere vir hul vleis?"

"Beteken die veilings nuw verplaan, maar geen mens kan by 'n byeenkomst wees nie?" vra Christo van der Rhede, uitvoerende direkteur van Agri SA. "En wat oor veilings is hier te sprake? Verwys dit na alle veilings, insluitend eendrom en ander boes en ook landbouveilinge? Agri SA vra duidelikheid. Die feit dat landbou as 'n noodsaaklike dienst verknier is, verëls dit veilinge moet voortgaan. Hoe gesmak met reëlings - wat reeds geskeduleer is?"

Agri SA sal graag wil weet hoe prakties haalbaar dit is wanneer die teenwoordigheid van mens verbid word.

"Veilinge in die lewensare van die landbouwebedryf. As dit verder onder druk kom, hou dit bepaalde risiko's in vir die

veilinge nou aánlyn gehou moet word om deurloopend in die vraag na lewensare te voorsien. "Dit is eerder die in alle gevalle moontlik nie!"

Agri SA is ook bly om bevestiging van die algehele verbot op die wyn- en groter dronkbedryf. Die ekonomiese gevolge van die beperking op die restauranttoerisme- en ander bedrywe soos die wildbedryf gaan die bedrywe verder krom.

"Waar is die hulppakette om die wyn- en groter alkoholese, wild-, restaurant- en toerismebedrywe te ondersteun?" vra Van der Rhede.

## Firmer oil pushes prices higher

Users of all grades of fuel will be paying more in July when the Department of Mineral Resources and Energy officially adjusts the prices of fuels later this week. This is according to the Automobile Association, which was commenting on unreported month-end fuel price data released by the Central Energy Fund.

"International petroleum prices have climbed throughout June. Even some marginal gains on the Rand have been enough to counter the rise. On average, the Rand was positive against the US dollar during June, but the daily exchange rate has slipped noticeably since mid-month, weakening from around R17.15 to the dollar to nearly R17.50, the AA says.

The association forecasts that petrol bids set to increase by around 14 cents a litre, offset by 30 cents and unleaded paraffin by 32 cents.

"This increase is going to be very difficult for those who use paraffin for cooking, lighting, and especially heating as South Africa heads into the heart of winter," says the AA.

The AA also points that the Rand's continuing trend raised concerns that the fuel price trajectory in July - if the Rand continues to slide with oil as an upward trajectory, it could mean further fuel price for South Africa's economy." The AA concludes.

**NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA**

**APPLICATION TYPE: APPLICATION FOR A TEMPORARY DEVIATION AND CLOSURE OF A PUBLIC PLACE - 1st 2229 FRANCHHOEK (18 176 17)**

**Applicant address:**  
No Formal Street Address, Franschhoek, Graaff-Reinet (R1 1248 Franschhoek)  
ETL Consulting (Pty) Ltd  
PO Box 1259  
Tel 021 892 1534

**Applicant Contact Details:**  
Email: w@etl-consulting.co.za  
Owner: w@etl-consulting.co.za  
Phone: 021 892 1534  
Email: w@etl-consulting.co.za

**Application reference:**  
18 176 176

**Description of land development application:**  
Application in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a Temporary Deviation for the installation of a mobile site office building in a residential area in the Langeklip subdivision, in temporary housing no. 18 176 176, Franschhoek for a period of 5 years.

**Application is also made in terms of Section 15(1)(a) for the closure of a public place, 1st 2229 Franschhoek for a period of 5 years as stipulated for in terms of Section 20(a) of the Stellenbosch Municipal Land Use Planning By-Law (2015).**

**Notice in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) has been referred to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipality for the duration of the public participation process at the following address:** <https://www.stellenbosch.gov.za/planning/docs/submit-planning-application>

**Comments in support of the application or objections must be submitted, as appropriate, in writing to the applicant or the Municipality at the address mentioned above.**

**Written comments, which must include the reference to the application, the name, contact details and physical address of the person who submits the comments, the reasons for the comments, and the consent of the person in the application, may be submitted in terms of Section 50 of the Act by 14 July 2021.**

**Name of applicant:** ETL Consulting (Pty) Ltd  
**Contact person:** Willie van der Merwe  
**Postal address:** Willise-0218921534@etl-consulting.co.za  
**Contact number:** 021 892 1534

**The comments must be submitted within 30 days from the date of this notice to be considered on or before the closing date of 2 August 2021.**

**The applicant will be notified of the outcome of the application, or if you are a credit to write and/or submit your comments as provided for, this may include the feedback for compliance at the final address provided or telephonically at 021 892 1534 during normal office hours (9:00 - 17:00).**

**KENNISGEWING VAN GRONDONTWIKKELINGSANSOEK IN DIE STELLENBOSCH MUNISIPALE AREA**

**ANSOEK TIPS: ANSOEK OM TYDELIKE AFWYKING EN SLUITING VAN 'N OPENBAAR PLAG - 1st 2229 FRANSCHHOEK (18 176 17)**

**Adres van aansoek:**  
Geen formele straatadres nie, Franschhoek, Graaff-Reinet (R1 1248 Franschhoek)  
ETL Consulting (Pty) Ltd  
PO Box 1259  
Tel 021 892 1534

**Aansoek Kontak besonderhede:**  
E-pos: w@etl-consulting.co.za  
Werbende persoon: w@etl-consulting.co.za  
Telefoon: 021 892 1534  
E-pos: w@etl-consulting.co.za

**Aansoek Verwysing:**  
Aansoek in terme van Artikel 15(2)(c) van die Verordening van die Stellenbosch Munisipale Grondontwikkelingswet (2015) vir 'n tydelike afwyking vir die installering van 'n mobiele kantoorgebou in 'n woonagtige gebied in die Langeklip-afdeling, in die 1ste 2229 Franschhoek vir 'n tydperk van vyf jaar, soos bepaal in artikel 20(a) van die Verordening van die Stellenbosch Munisipale Grondontwikkelingswet (2015).

**Aansoek is ook gemaak in terme van Artikel 15(1)(a) van die wet vir die sluiting van 'n openbare plek, 1st 2229 Franschhoek vir 'n tydperk van vyf jaar, soos bepaal in artikel 20(a) van die Verordening van die Stellenbosch Munisipale Grondontwikkelingswet (2015).**

**Die aansoek is beskikbaar vir inspeksie op die Plaanningportaal van die Stellenbosch Munisipale Area vir die duur van die publieke deelname proses by die volgende adres:** <https://www.stellenbosch.gov.za/planning/docs/submit-planning-application>

**Kommentare in ondersteuning van die aansoek of opposisies moet as geskied, soos gepas, in skrif teenwoordig by die aansoekant of die Munisipaliteit op die adres wat hierboven gemaak is.**

**Skryfde kommentare, wat verduidelikende referensies tot die aansoek, die naam, kontak besonderhede en fisiese adres van die persoon wat die kommentare in, moet ingesluit word, asook die redes vir die kommentare en die toestemming van die persoon in die aansoek, moet ingesluit word in terme van Artikel 50 van die Grondwet. Kommentare moet geleë word op of voor 14 Julie 2021.**

**Name van aansoekant:** ETL Consulting (Pty) Ltd  
**Kontak persoon:** Willie van der Merwe  
**Kontaknommer:** 021 892 1534

**Die kommentare moet geleë word op of voor 14 Julie 2021 om te word oorweeg op of voor die sluitingsdatum van 2 Augustus 2021.**

**Die aansoekant sal kennisgewing van die uitkomst van die aansoek ontvang. Indien u 'n krediet is, kan die aansoekant u kennisgewing van die uitkomst van die aansoek in skrif of deur telefoniese kontak by 021 892 1534 gedurende kantoorure (09:00 - 17:00).**

# es higher

all grades of fuel will be more in July when the cost of Mineral Resources is officially adjusted. This will mean that the price of fuels will rise this week. This is due to the Automobile Association, which was commenting on the fact that the price of fuel has risen month-end fuel price has risen by the Central Energy

national petroleum prices have risen throughout June. Even though the Rand has gained against the US dollar during the week, the Rand was not able to counter the increase in the daily exchange rate. This is due to the fact that the Rand is weakening from around R14.30 to R14.80, says the Rand.

The Rand is set to increase by 3 cents a litre, diesel by 31 cents. Illuminating paraffin by 32 cents. The Rand is set to increase by 3 cents a litre, diesel by 38 cents. Illuminating paraffin by 32 cents. The Rand is set to increase by 3 cents a litre, diesel by 38 cents. Illuminating paraffin by 32 cents.

The Rand is set to increase by 3 cents a litre, diesel by 38 cents. Illuminating paraffin by 32 cents. The Rand is set to increase by 3 cents a litre, diesel by 38 cents. Illuminating paraffin by 32 cents.

## APPLICATION FOR A TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE - ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>) IN THE STELLENBOSCH MUNICIPAL AREA

Application address: No Formal Street Address, Franschoek, Groendal (Erf 3229 Franschoek)

Applicant: ETL Consulting (Pty) Ltd

Contact Details: Tel: 010 800 1534

Email: willie@etlconsulting.co.za

Owner: Municipality of Stellenbosch

Contact Details: Tel: 021 808 8683 / 8690

Email/s: Pedro.April@stellenbosch.gov.za/ Bulelwa.Mdodo@stellenbosch.gov.za

Application Reference: LU/12400

### Description of land development application:

Application is made in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a Temporary Departure for the relocation of households that are currently residing in a freshwater dam in the Langrug Informal Settlement, to temporary housing on Erf 3229, Franschoek for a period of 5 years.

Application is also made in terms of Section 15(2)(n) for the closure of a public place, Erf 3229 Franschoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-Law (2015).

Notice is hereby given in terms of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/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.

Written comments, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person in the application, may be submitted in terms of Section 50 of the said Bylaw to the Applicant by electronic mail as follows:

Name of applicant: ETL Consulting (Pty) Ltd  
Contact person: Willie Jan Erasmus  
Email address: willie@etlconsulting.co.za  
Contact number: 010 800 1534

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 August 2021.

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 010 800 1534 during normal office hours (8:00 - 17:00).

## KENNISGEWING VAN GRONDONTWIKKELINGS IN DIE STELLENBOSCH MUNISIPALE AREA

AANSOEK TPE: AANSOEK OM TYDELIKE AFWYKING EN SLUITING OPENBARE PLEK - ERF 3229 FRANSCHHOEK (19 786 m<sup>2</sup>)

Adres van eienendom: Geen formele straatadres nie/ Franschoek, Groendal (Erf 3229)

Aansoekier: ETL Consulting (Pty) Ltd

Kontak besonderhede: Tel: 010 800 1534

E-pos: willie@etlconsulting.co.za

Eienaar: Munisipaliteit van Stellenbosch

Kontak besonderhede: Tel: 021 808 8683 / 8690

E-pos: Pedro.April@stellenbosch.gov.za/ Bulelwa.Mdodo@stellenbosch.gov.za

Aansoek Verwysing: LU/12400

### Beskrywing van grondontwikkelingsaansoek:

Aansoek word gedoen ingevolge Artikel 15(2)(c) van die Verordening Munisipale Grondgebruikbeplanning (2015) vir 'n tydelike vertrek vir van huishoudings wat tans in 'n verswaterdam in die Langrug Informal woon, tydelike behuising op Erf 3229, Franschoek vir 'n tydperk van 5

Aansoek word ook gedoen ingevolge Artikel 15(2)(n) vir die sluiting van Erf 3229 Franschoek vir 'n periode van vyf jaar, soos bepaal ingevolge die Verordening op Stellenbosch Munisipaliteit se Grondgebruikbeplanning

Kennis word hiermee gegee in terme van die genoemde Verordeninge aansoek by die Stellenbosch Munisipaliteit ingedien is vir corwele beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Webtuiste vir die tydperk van die publieke deelname proses by die <https://www.stellenbosch.gov.za/planning/documents/planning-notices/applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie kan die Aansoeker versoek word om 'n elektroniese kopie beskikbaar

Skriftelike kommentaar, wat besonderhede ten opsigte van die versoek van de aansoek, die name, fisiese adres en kontak besonderhede van die kommentaar lewer, die redes vir die kommentaar, en die belang wat die kommentaar lewer in die aansoek, kan ingedien word in term van genoemde Verordeninge aan die Aansoeker by wyse van elektronie

Naam van die aansoekier: ETL Consulting (Pty) Ltd  
Kontak persoon: Willie Jan Erasmus  
E-pos adres: willie@etlconsulting.co.za  
Kontaknommer: 010 800 1534

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

Indien daar enige navrae op die aansoek of bovermelde vereistes kommentaar is, of indien dit nie inoortik is om geskrewe kommentaar kommentaar op die wyse lewer soos voorsiening gemaak is nie, geskakeel word vir bystand by die vermoede elektroniese pos adres 0108001534 gedurende normale kantoor ure (8:00 - 17:00).

**6.2. PROOF OF SITE NOTICES -  
PHOTOS**



**STELLENBOSCH**  
MUNICIPALITY  
COMMUNITY DEVELOPMENT & PLANNING  
TEL: 021 887 7122

**NOTICE: LAND USE APPLICATION**  
PLEASE CONSULT THE PLANNING PORTAL FOR FURTHER DETAILS  
PLANNING PORTAL: [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)

АВГВСТУНО ПРИБОД. 10-15 АУГУСТА 2021. 10-15 АВГУСТА 2021  
ЗАПРАШУЮЩИЕ НА ДОЗВОЛЕНИЕ НА ПЛОЩАДКАХ  
ИЛИ НА ЗЕМЛЯХ  
TEL: 021 887 7122  
D.M.A. - Stellenbosch Municipality, CA 20





**6.3. PROOF OF REGISTERED  
MAIL**

**ANNEXURE F**

Department of Environment Affairs  
and Development Planning



**Western Cape  
Government**  
Environmental Affairs and  
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 2)**

Angelina.Mabie @westerncape.gov.za  
Tel: +27 21 483 8354 Fax: +27 21 483 3633  
1 Dorp Street, Cape Town, 8000  
www.westerncape.gov.za/eadp

**REFERENCE:** 15/3/2/12/BS2

ETL Consulting (PTY) LTD  
5<sup>th</sup> Floor, Imperial Terraces  
Tyger Waterfront  
Carl Cronje Drive  
BELLVILLE  
7530  
[williee@etlconsulting.co.za](mailto:williee@etlconsulting.co.za)

FILE NR:	OUTGOING POST
Erf 3229 FH	
SCAN NR:	
COLLABORATOR NR:	711048

STELLENBOSCH MUNICIPALITY  
PLANNING AND DEVELOPMENT SERVICES

U 4 AUG 2021

RECEIVED

FOR ATTENTION: WILLIE JAN ERASMUS

**REQUEST FOR PLANNING COMMENT: TEMPORARY DEPARTURE AND CLOSURE OF A PUBLIC PLACE:  
ERF 3229, FRANSCHHOEK**

1. Your request for comment, dated 15 July 2021, has reference.
2. The application under consideration is for the temporary closure of a public place for a period of 5 years and a temporary departure for the establishment of a Temporary Relocation Area, to relocate approximately 253 households affected by the Langrug Informal Settlement upgrades.
3. The development of Erf 3229 as a decanting site for the Langrug Informal Settlement was identified as a Legacy Project by Integrated Human Settlements in the Fourth Generation Integrated Development Plan, Third Review (May 2020).
4. The subject property is located within the approved urban edge, as per the Spatial Development Framework approved by Council on 11 November 2019, on land earmarked for 'Green Areas Retained'. The Municipality will thus need to determine whether the establishment of a TRA on a green space would be compliant with the MSDF, consistent with the MSDF or whether a departure from the provisions of the MSDF on the grounds of site-specific circumstances would be necessitated.

5. In this regard it should be noted that the residential development north and south of Erf 3229, as referred to in paragraph 3 above, is also located with the areas earmarked for 'Green Areas Retained' in the 2019 MSDF.
6. Although the Motivation Report recommends that application is made to the Department of Environmental Affairs and Development Planning to exempt the Municipality from a public participation process in terms of section 60(2) of the Land Use Planning Act, 2014 (Act 3 of 2014), such application does not form part of the notice to interested and affected parties for comment.
7. With regards the application for a temporary departure and close of the public place, this Directorate has no in-principle objection from a provincial planning perspective to the establishment of the TRA on Erf 3229, Franschoek.

**Kobus Munro**

Digitally signed by Kobus Munro  
Date: 2021.08.03 14:20:02  
+02'00'

**DIRECTOR: DEVELOPMENT MANAGEMENT REGION 2**

**ANNEXURE G**

Manager: Spatial Planning comments



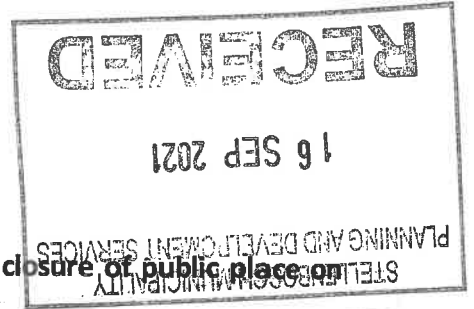
# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## Spatial Planning

**To** : Manager: Land Use Management  
**From** : Manager: Spatial Planning  
**Reference** : Erf 3229, Franschhoek  
**LU No** : LU/12400  
**Date** : 31 August 2021  
**Re** : Application for temporary departure and closure of public place on Erf 3229, Franschhoek



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

Application is made for the following:

- **Temporary departure** for the relocation of households that are currently residing in a fresh water dam in the Langrug Informal Settlement, to temporary housing on Erf No. 3229, Franschhoek for a period of 5 years.
- **Closure of a public place**, Erf 3229, Franschhoek for a period of 5-years as made provision for in terms of Section 26(2) of the Stellenbosch Municipal Land Use Planning By-law (2015).

### 1) Opinion/reasoning:

The new approved Municipal Spatial Development Framework for the WC024 area was approved by Council in November 2019 and recognises that the spatial decisions and actions of many make what settlements are.

In terms of this approved document, seven principles need to be considered:

1. Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
2. Respect and grow cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and potentials of existing settlements;
5. Clarify and respect the roles and functions of different elements of movement structure;
6. Ensure balanced, sustainable communities;
7. Focus collective energy on a few catalytic lead projects.



With the enactment of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), a new planning regime was introduced in South Africa. It replaced disparate apartheid era laws with a coherent legislative system as the foundation for all spatial planning and land use management activities in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making. Other objectives include addressing historical spatial imbalances and the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments.

Chapter 2 of SPLUMA sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land. These principles are the following:

- Spatial Justice
- Spatial Efficiency
- Spatial Sustainability
- Spatial Resilience
- Good Administration

The subject properties are located inside of the Franschhoek node within the informal area of Mooiwater/Langrug. The subject property was identified as being adequate to relocate households that are currently residing in a fresh water dam in the Langrug Informal Settlement. Their livelihood is under constant threat especially during the rainy season.

The integrity of the dam wall has over the years been compromised by natural erosion, expedited seasonal water damage and by the permanent structures inside the dam basin, on the dam wall and the cutting away of the dam wall by inhabitants.

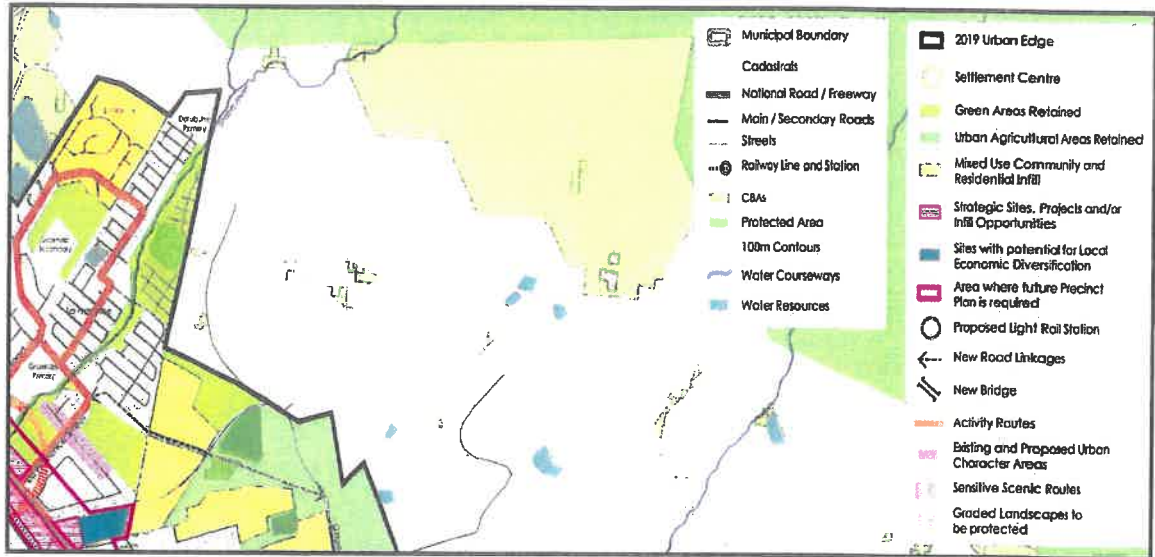
The primary purpose of this project is to create a decanting site for the dam inhabitants:

- It will create space in the dam area for rehabilitation thereof and formalisation of the area;
- It will also create decanting for future projects in the area.

The current zoning of the property is public open space and its currently vacant and used for illegal dumping. The property is owned by Stellenbosch Municipality.

In terms of the approved MSDF, the subject site has been earmarked as "Green Areas Retained". The proposal is for temporary housing therefore the site must revert to its intended use (Open Space) following the lapse of the allocated Temporary Reservation Area (TRA).

Please refer to plan below:



**2) Supported / not supported:**

This department supports the application, but the property must revert back to its intended use of Open Space following the lapse of the Temporary Reservation Area (TRA).

*BJG de la Bat*

**BJG de la Bat  
MANAGER: SPATIAL PLANNING**

**ANNEXURE H**

Cape Winelands Health Department  
comments



**CAPE WINELANDS DISTRICT**  
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

MEMORANDUM TO/ AAN : N. Katts  
(Directorate Planning Economic & Development: Stellenbosch Municipality)  
Official / Beampste : Mr F.C. van Wyk  
Your ref/ U vrew. : ERF 3229, Franschhoek  
Ref No / Verw. No : 15/216/1  
Date / Datum : 2021-06-14

STELLENBOSCH MUNICIPALITY  
PLANNING AND DEVELOPMENT SERVICES

21 JUN 2021

**LAND USE APPLICATION: ERF 3229, FRANSCHHOEK**

**RECEIVED**

There are no objections from an Environmental Health point of view in terms of this application, subject to compliance with the following:

1. All sewage / wastewater must be disposed of in such a manner that it does not create a health nuisance. Must be connected to the existing municipal system.
2. The applicant should apply for the Refuse Removal Service from Stellenbosch Municipality or alternately an adequate waste removal service must be used. Refuse bins must be strategically placed and accessible to the residences.
3. An adequate water supply that complies with the national standards for drinking water (SANS 0241:2001) must be provided and an effective storm water management systems must be installed to prevent nuisances in future

Yours faithfully

**F.C. VAN WYK**  
for MUNICIPAL MANAGER

FILE NR:	
SCAN NR:	E 3229 FH
COLLABORATOR NR:	708816

**ANNEXURE I**

Directorate: Infrastructure Services  
comments



**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH · PNIEL · FRANSCHHOEK

# MEMORANDUM

**DIREKTEUR: INFRASTRUKTUURDIENSTE**  
**DIRECTORATE: INFRASTRUCTURE SERVICES**

STELLENBOSCH MUNICIPALITY  
PLANNING AND DEVELOPMENT SERVICES

21 JUN 2021

**RECEIVED**

**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag** Nicole Katts  
**From ▫ Van:** Manager: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Tyrone King  
**Date ▫ Datum:** 18 June 2021  
**Our Ref ▫ Ons Verw:** Civil LU 2172  
**Your Ref:** LU/12400  
**Re ▫ Insake:** Erf 3229, FH: temporary departure for the relocation of households that are currently residing in a fresh water dam in the Langrug Informal Settlement, to temporary housing on Erf No. 3229, Franschhoek for a period of 5 years. closure of a public place, Erf 3229, Franshhoek for a period of 5-years

The application is recommended for approval, subject to the following:

**1. Civil Engineering Services**

- 1.1 The application is hereby supported.  
1.2 Engineering services drawings for the relocation area ~~have already been approved~~ and services are to be installed in accordance with the approved drawings. See copy of approval letter attached.

**2. Electrical Engineering (Martin Slabber – Supt Dwarsrivier Elect)**

- 2.1 Comment:  
2.2 General:

FILE NR:

SCAN NR:

E 3229 FH

COLLABORATOR NR:

708805

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

W:\2.0 DEVELOPMENT\00 Developments\2172 (TK) Erf 3229 Franschhoek (LU-12400)\2172 (TK) Erf 3229 Franschhoek (LU-12400).doc



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



Our Ref/Ons Verw: Drawings 439  
Your Ref/U Verw: Erf 3229 Mooiwater  
07 April 2021

Mr. Clint Stockwell  
EAS Infrastructure Engineers.  
Suite 303  
The Landing  
20 Lower Burg Street  
Cape Town

Sir,

**RE: ERF 3229 MOOIWATER TEMPORARY RELOCATION AREA UPGRADES**

The following drawings were submitted.

Drawing No	Title
C6000 Rev C	Roads & Stormwater Layout
C4000 Rev C	Water reticulation Layout
C2003 Rev C	Toilet Structure details
C2000 Rev C	Sewer Layout
C0001 Rev C	General site plan

The drawings are approved, subject to the following conditions:

1. The standard details as contained in the Stellenbosch Municipality's Design Guidelines and Minimum Standards for Civil Engineering Services (Rev 0 – June 2015) will be applicable
2. Where there is a discrepancy between the drawings submitted and the standard detail of the Municipality as per the Design Guidelines and minimum standards for Civil Engineering Services (as amended), the municipal standard will be applicable. Any deviation should be brought to the specific attention of the Directorate: Infrastructure Services for approval.
3. A wayleave application must be approved by the Municipality before construction of this work may commence.
4. Adequate construction supervision should be conducted, and upon completion, please furnish the Municipality with a Completion Certificate signed by a professionally registered engineer, confirming that the work has been carried out according to the approved specifications.
5. Upon completion, please submit as built drawings, signed by a professionally registered engineer.
6. Precast concrete rings must surround the construction of the gullies in drawing C2003 Rev C Toilet Structure details.

Yours faithfully

**ABDULLAH DANIELS**

**PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

W:\AAUSERS\abdullah\eng drawings\Mooiwater erf 3229\erf 3229 Mooiwater Approval Letter.doc



**ANNEXURE J**

Community Services comments  
(Environmental Planner)

INTEROFFICE  
MEMORANDUM



DEPARTMENT: COMMUNITY SERVICES  
Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

To:	Land Use Management: Bulelwa Mdoda	From:	Senior Environmental Planner: Schalk van der Merwe
CC:	Manager: Community Services Albert van der Merwe	Date:	15 June 2021
Re:	APPLICATION FOR A TEMPORARY DEPARTURE AND TEMPORARY CLOSURE OF A PUBLIC OPEN SPACE TO DEVELOP A TEMPORARY RELOCATION AREA, ERF 3229, FRANSCHHOEK		

The above application refers. The relevant site has been transformed and impacted upon by a number of activities over the past years, mainly by the existence of a dam which covered just about the whole of the site, and thereafter the dumping of waste. From an environmental planning point of view this department has no objection to the approval of the application subject to the following:

FILE NR: \_\_\_\_\_

SCAN NR: E 3229 FH

COLLABORATOR NR: 708812

1. During 2018 a Directive (14/1/1/E2/4/7/3/0138/15) was issued to Stellenbosch Municipality by the Department Environmental Affairs & Development Planning (DEA&DP) with reference to the said dumping that occurred on the site. At the time Stellenbosch Municipality responded to the Directive with proposed remedial undertakings, including the rehabilitation of the site and the development thereof into a sports field. In this regard:
  - a) The status of the above Directive must be confirmed and were there may me outstanding action or requirements, complied with to the satisfaction of DEA&DP; and
  - b) The intention of Stellenbosch Municipality to develop the site into a Temporary Relocation Area, as opposed to a sports field, communicated to DEA&DP.
  
2. Erf 3229 is located in close proximity to the Stiebeuel River. As the above application does not address the potential applicability of the National Environmental Management Act (107 of 1998), Environmental Impact Assessment Regulations, your attention is drawn to Activity 19 of Listing Notice 1...*infilling or depositing of any material of more than 10 cubic metres into or the dredging, excavation, removal or moving of soil, sand, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.* Should this activity, or any other



associated with the proposed development, trigger the requirements for an Environmental Authorization to be acquired, this must be done prior to the implementation of the proposed development.

3. The proposed development and use thereof may not negatively impact on the Stiebeuel River and the surrounding environment. Even though the proposed development will be temporary the necessary infrastructure and services provided must be capable of accommodating the development's needs in full.



**S VD MERWE**  
**SENIOR ENVIRONMENTAL PLANNER:**  
**COMMUNITY SERVICES**



**STELLENBOSCH**  
 STELLENBOSCH • PNIEL • FRANSCHHOEK  
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

THE STELLENBOSCH MUNICIPALITY			
PLANNING REPORT: LAND USE AND LAND DEVELOPMENT APPLICATION:			
APPLICATION FOR REZONING, SPECIAL CONSENT AND DEPARTURES: ERF 230, FRANSCHHOEK			
<b>Application Reference number</b>	File Ref: Erf 230, FH (LU/10397)	<b>Application Date</b>	2019/09/19

PART A: APPLICANT DETAILS			
<b>First name(s) &amp; Surname</b>	Martin Jonker		
<b>Company name</b>	Plan 4 SA (PTY) LTD		
<b>SACPLAN registration number</b>	A/1090/1999		
<b>Registered owner(s)</b>	Stellenbosch Municipality	<b>Is the applicant properly authorised to submit the application</b>	Yes

PART B: PROPERTY DETAILS			
<b>Property description</b>	Erf 230	<b>Town/ City</b>	Franschhoek
<b>Physical address</b>	2 Reservoir Street (see ANNEXURE A for locality plan)		
<b>Extent (m<sup>2</sup> /ha)</b>	804m <sup>2</sup>	<b>Current zoning</b>	Single Residential
<b>Existing Development and Current land use</b>	Dwelling house		
<b>Any unauthorised land use/building work</b>	Yes		
<b>Title Deed Nr.</b>	T29346/1976 (see ANNEXURE B)		

<b>PART C: APPLICATION DETAILS</b>	
<b>Applications(s)</b>	<p>Application is made in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the following on Erf 230, Reservoir Street, Franschhoek:</p> <ol style="list-style-type: none"> <li>1) <b>rezoning</b> (section 15(2)(a)) of subject property from Single Residential Zone to General Business for purposes of a local economic development hub/business incubator.</li> <li>2) <b>special consent</b> (section 15(2)(o)) to use a portion of Erf 230, Franschhoek for institutional (training) purposes.</li> <li>3) <b>Departure</b> in terms of Section 15(2)(b) of the said bylaw for: <ol style="list-style-type: none"> <li>i) the under-provision of parking (<b>8 bays</b> instead of <b>16,06 bays</b>).</li> <li>ii) to allow a vehicle entrance/access &amp; exit of wider than 6m where they cross the Daniel Hugo boundary of Erf 230, Franschhoek.</li> </ol> </li> </ol> <p>See <b>ANNEXURE C</b> for site development/site plans.</p>
<b>Purpose of Application</b>	<p>The purpose of the proposal is to rezone the subject property from Single Residential to Business Zone to establish a local economic development hub for offices, shops and training purposes. The purposes of establishing hubs is to assist small businesses and entrepreneurs to establish themselves and to create an environment for them to grow. See <b>ANNEXURE D</b> for motivation report.</p>
<b>Pre-consultation</b>	<p>A pre-consultation meeting was held on 23 August 2019 (see <b>ANNEXURE E</b>)</p>

**PART D: APPLICATION BACKGROUND****1. Location of property**

The subject property (also known as the "Triangle Site") is located within an existing node in the town centre of Franschhoek and is bounded by Daniel Hugo Street and Reservoir Street. See **ANNEXURE A** for locality plan.

**2. The prevailing development context of the subject surrounding/ neighbouring area**

The property is surrounded by a mix of land uses that includes both business and residential uses. The area is characterised by businesses to the north and east of the site and single residential land uses to the south and west of the site.

**3. Historic use and development of the property, incl. existing and any illegal uses**

The site is developed with a single residential dwelling of  $\pm 206\text{m}^2$ .

Stellenbosch Municipality owns various properties in its nodes and central business areas, many of which are underutilized or not optimally utilized or lying dormant. As part of its strategy for inclusive economic growth, one of the key objectives identified by the municipality is to "make it easier for small enterprises to succeed in competitive markets". The development of SMME's is a key driver for local economic development in the community and the proposed uses for this site will create the enabling framework which will stimulate growth opportunities for small businesses.

The Stellenbosch Municipality Council granted approval on 29 March 2017 for the establishment of Local Economic Development (LED) Hubs on several municipal properties located in the Stellenbosch Municipal area (see **ANNEXURE F**). One of these properties is Erf 230, Franschhoek, also known as the "Triangle Site".

**PART E: APPLICATION OVERVIEW AND MOTIVATION (see ANNEXURE D)**

1. The proposed land use is consistent with the development principles contained in Chapter 2, Section 7 of the Spatial Planning and Land Use Management Act (No. 16 of 2013) and Chapter 6, Section 59 of the Land Use Planning Act (No. 03 of 2014).
2. The National Development Plan, 2012 identifies nine (9) main challenges (i.e unemployment, exclusive spatial patterns, divided society, etc) that need to be addressed in South Africa. The proposed land uses contribute as a response to some of those national challenges.
3. The proposed land use aims to contribute to the transitional change and is part of the municipality's initiatives to fulfil its role in the OneCape 2040 vision.
4. The proposal is consistent with the three spatial themes of the Western Cape PSDF (i.e resources, space economy, settlement).
5. The LED Hubs has been identified as one of the Legacy Projects in Chapter 6 of the IDP (p125 and p179).
6. The proposal complies with the principles of the Stellenbosch Municipal Spatial Development Framework.
7. The site is centrally located within the urban edge and within the town of Franschhoek.
8. The traffic that the proposed land use will generate will be from the existing community in Franschhoek and will be negligible.
9. Parking is available on the surrounding streets and on the property.
10. The property is located in an area that is already serviced. The increase in demand for services will be negligible.
11. The nature of the land uses will not have a negative impact on the existing heritage and cultural value of the surrounding area. The heritage value of the existing buildings will furthermore be protected and maintained in accordance with relevant heritage legislation, policies and guidelines.

12. The proposed land uses are compatible with the surrounding area.

13. The proposed land uses will not devalue the surrounding property values. In fact, the optimal use of the current underutilized facilities will as a minimum at least ensure that the existing property values will be maintained and might more than likely improve the value of these properties. Improving the value of this property will subsequently have a positive impact on the surrounding property values.

14. The proposal will create opportunities for entrepreneurs which will improve the well-being of the surrounding community. Access to economic opportunities furthermore creates jobs which is one of the "tools" to fight crime and eventually improves the safety communities.

## PART F: PUBLIC PARTICIPATION, COMMENTS AND RESPONSE (ANNEXURE G)

### 1. Process followed

The applicant has notified the relevant external department/s, advertise the application in the newspaper and notified (serving of notices) all interested and affected parties, as well as community organisations. Notices were also placed on the property. No objections were received.

The application was advertised during the national lockdown period and it was requested that it be re-advertised, by email, for an additional 14 days to the interest and affected property owners. The application was re-advertised from 13 July 2020 to 28 July 2020.

Methods of advertising				Date published	Closing date for Objections/comments
Press	Y	N	N/A	19 March 2020	18 April 2020
Notices	Y	N	N/A	19 March 2020 / 13 July 2020	18 April 2020 / 28 July 2020
Ward councillor	Y	N	N/A	19 March 2020	18 April 2020
On-site display	Y	N	N/A	19 March 2020	18 April 2020
Community organisation(s)	Y	N	N/A	19 March 2020 / 13 July 2020	18 April 2020 / 28 July 2020
State departments	Y	N	N/A	19 March 2020	18 May 2020



## 2. Public & stakeholder inputs

No objections were received but a comment was received from the "**Van Wijk & Cabriere Street Residents Association (VWCSRA)**". The Association requested that provision be made for securing bicycles in line with the Spatial Proposals for Franschoek which include "pro-actively improve conditions for walking and NMT within Franschoek". See **ANNEXURE G**.

## 3. Government related inputs received

- a) **The Department of Environmental Affairs and Development Planning** has no objection to the proposal (see **ANNEXURE N** for letter dated 23 June 2020).
- b) **The Department of Transport and Public Works** has no objection to the proposal (see **ANNEXURE O** for letter dated 25 June 2020).

## 4. Comments from internal service departments

- a) **The Manager: Fire Services** supported the proposal (see **ANNEXURE H** for memo dated 09 March 2020).
- b) **The Manager: Property Management** supported the proposal (see **ANNEXURE I** for memo dated 16 March 2020).
- c) **The Manager: Local Economic Development** supported the proposal (see **ANNEXURE J**, for memo dated 11 February 2021).
- d) **The Manager: Spatial Planning** supported the proposal as it will not have a negative effect on the surrounding properties. A permit from Heritage Western Cape is required from any additions and alterations to the existing structure which is older than 60 years (see **ANNEXURE K** for memo dated 14 June 2020).
- e) **The Manager: Electrical Services** supported that the proposal on condition that all charges and re-rating of services as well as upgrades is for the applicant's cost via rechargeable cost application (see **ANNEXURE L** for memo dated 03 June 2020).

- f) The **Director: Engineering Services** supported the proposal subject to the following conditions (see **ANNEXURE M**, memo dated 20 March 2020 – received 23 June 2020):
- i) *All service connections must be indicated on the building plans. Details of the access (drive way) must also be indicated on the building plans.*
  - ii) *Building plans must indicate how proper access will be created to the parking areas P1 – P8 (site layout plan) and should be generally in accordance with the explanation of Martin Jonker in his email dated 20 March 2020.*

## 5. Response by Applicant to Comments Received.

Not applicable.

## PART G: ASSESSMENT OF LAND USE AND LAND DEVELOPMENT APPLICATION

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

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

- 1.1 Stellenbosch Municipality Land Use Planning Bylaw, 2015
- 1.2 Franschhoek Town Planning Scheme Regulations (*at the time of submitting the application*)
- 1.3 Stellenbosch Municipality Spatial Development Framework (2018)

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

#### 2.1 SPLUMA Principles

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

### 2.1.1 Spatial Justice:

The proposed land use will provide access to and the use of facilities, technology and business support services that will enable entrepreneurs, start-ups and SMME's from surrounding communities to grow and develop.

### 2.1.2 Spatial Sustainability:

The property is located within the existing approved urban edge and the proposed land use does not encourage urban sprawl. It will make use of existing available infrastructure services capacity. The proposed land use will improve the viability of the community by providing access to business development incubator facilities, technology and services.

### 2.1.3 Efficiency:

Existing under-utilized municipal facilities and infrastructure will be used. The proposed land use will also improve the quality and functionality of the existing under-utilized public facilities.

### 2.1.4 Spatial Resilience:

A key objective of the proposed land use is to improve the livelihood of young, upcoming entrepreneurs from the local community to ensure sustainable growth and development.

### 2.1.5 Good Administration:

The application complies with and is submitted in accordance with the legislated land development processes and procedures.

## **2.2 Municipal IDP**

The Municipality's Integrated Development Plan (IDP) identified various project and priorities for all its Wards. The Municipality identified five (5) strategic focus areas, the first being "Valley of Possibility".

Under this strategic focus area there are four (4) predetermined objectives of which the first objective is to "Create an environment conducive to business development and job creation".

The LED Hubs has also been identified as one of the Legacy Projects. The IDP provided the following descriptions of these LED Hubs: "Establish local economic development hubs and allow for the outsourcing of the management of the Hubs to improve efficiency and to strengthen local business opportunities. These hubs will provide to entrepreneurs, start-up businesses or growth-orientated SMME's access to appropriate rental space, affordable businesses services, flexible leases and access to the mainstream economic activities, where better market access could improve their success ratios.

### 2.3 Applicable MSDFs (Stellenbosch Municipal Spatial Development Framework)

The Municipality's SDF identifies seven strategic perspectives to guide spatial development in the area.

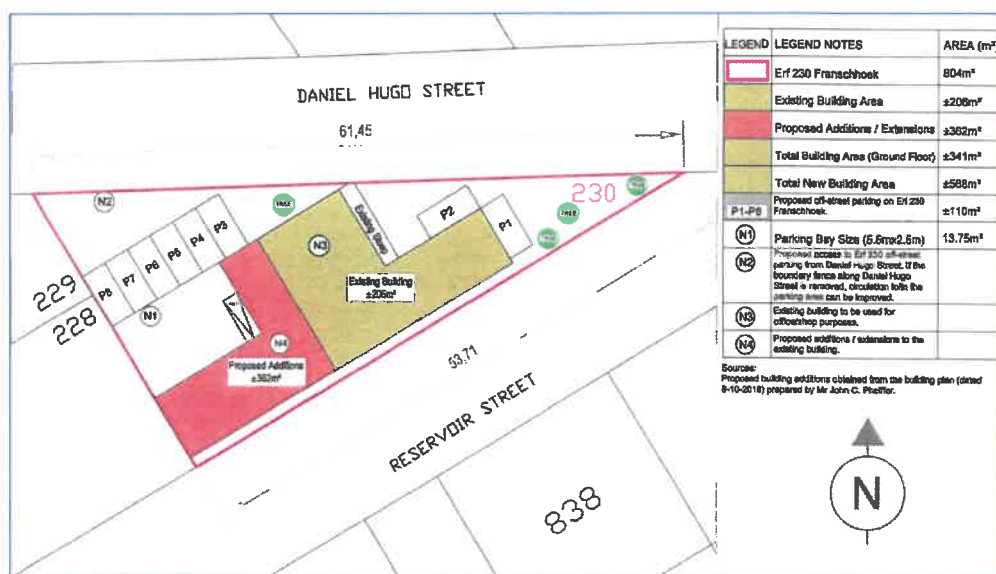
	<b>Strategic Perspective</b>	<b>Proposal</b>
1.	<b>Interconnected Nodes</b>	The site is located within an existing urban settlement. It is currently underutilized, and the proposed use is believed to be the "best long term sustainable use" of the site.
2.	<b>Car Free living</b>	The proposed LED Hub is centrally located in Franschhoek Town and is within walking distance of public transport routes and other businesses.
3.	<b>Inclusive Economic Growth</b>	The central location of the site within Franschhoek Town provides access to business support and other services and opportunities for entrepreneurs and SMME's in the local community. It is also well-located to existing public transport routes and pedestrian flows in the area.
4.	<b>Optimal Land Use</b>	The proposed land use is believed to be a more appropriate and sustainable use of this municipal property.
5.	<b>Resource Custodianship</b>	The property is located in an established urban area. It will have an insignificant impact on the demand for existing available resources.
6.	<b>Food and Agriculture</b>	This has no bearing on the application.
7.	<b>Heritage</b>	The heritage value of the existing building will be maintained as a minimum and improved within the relevant heritage guidelines. Any structural changes and/or upgrades to the building will only be done after the relevant approvals have been obtained.

The proposal is therefore consistent with the SDF's strategic perspectives, development principles and settlement proposal.

## 2.4 Service infrastructure capacity and sustainability

The property is located in an established urban area within the urban edge and already have direct access to all engineering services.

## 2.5 The applicable provisions of the zoning scheme (the proposal)



**FIGURE 1: PROPOSAL**

The proposal is to rezone the subject property from single residential to general business in order to obtain the rights to use the property as a Local Economic Development Hub/business incubator. It is proposed to renovate and convert the existing structure and to add a portion (double storey) to the rear of the property (adjacent to erven 228 & 229 - Stellenbosch Municipality is the owner of both properties). The development will consist inter alia of shops, offices and a training facility.

The training facility will make provision for six (6) stations accommodating two (2) people per station and will thus have the capacity to train 12 people at a time. The proposed hub is run by Hugenot Chocolates and as part of their industry they also train people making Belgium chocolates.

The areas (m<sup>2</sup>) of the proposal are follows:

Description	Size/Extent (m <sup>2</sup> )
<b>Existing building (ground floor)</b>	<b>±206m<sup>2</sup></b>
Proposed Additions (ground floor)	±128,78m <sup>2</sup>
Proposed additions (first floor)	±134,16m <sup>2</sup>
Proposed Additions (other)	±100m <sup>2</sup>
<b>Proposed additions (total)</b>	<b>±362,94m<sup>2</sup></b>
<b>New building area</b>	<b>±568,94m<sup>2</sup></b>

The zoning scheme parameters versus the proposal parameters are as follows:

	Parameters in terms of the Franschhoek Zoning Scheme	Proposal (Offices)	Proposal (shops)	Proposal (Training facility)	Deviate
<b>Coverage</b>	85%	0%	25,62%	16,84%	N
<b>Bulk/Floor Factor</b>	N/A	0.7	0.26	0.19	N
<b>Height</b>	8,5m ( <i>historical core</i> )	1 <sup>st</sup> storey (attic)	Ground floor	Ground and first floor	N
<b>Street building line</b>	0m	0m	0m	0m	N
<b>Lateral building line</b>	0m	0m	0m	0m	N
<b>Parking</b>	1m <sup>2</sup> of parking space for every 2m of the gross area of the building for shops and	2 bays	4 bays	2 bays	<b>Y</b>

	one for parking space for every 20m <sup>2</sup> of office space				
--	--	--	--	--	--

The proposal complies with most of the parameters of the new zoning (business) accept for the parking requirements, hence the departure application for the under-provision of onsite parking.

The application also entails a departure to allow a vehicle access/exit of wider than 6m over the Daniel Hugo Street boundary.

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

*a) Compatibility of the proposal with the character of the area:*

The subject property is surrounded by development consisting of a mixture of retail (shops, restaurants, hotel, etc.), the Franschoek Public Library and residential buildings and is situated within the historical core of Franschoek. The proposed land use will thus not have a negative impact on the character of the surrounding area as the area is characterized by mixed used developments. The proposal will blend in with the surrounding townscape and land use character of the area.

*b) Impact on existing rights:*

The proposed building is centrally located and in walking distance of the municipal parking area, restaurants, shops and public library. The proposed LED hub is therefore within walking distance to public transport routes and other businesses and will **reduce vehicular movement in town.**

The proposed land use will also **improve the quality and functionality of the existing under-utilized public facility** and will not have an insignificant impact on the demand for existing available resources.

The optimal use of the current underutilized facilities may more than likely improve the value of the property and subsequently have a positive impact on the surrounding property values.

The proposed land use will **not create an unsafe environment or have a negative impact on the well-being** of the surrounding community.

The nature of the land uses will thus not have a negative impact on the **existing heritage and cultural value** of the surrounding area.

Even though the additions to the existing building is a double storey structure, it will not have an impact on views as the **height** of the extensions will be in line with the existing structure. The application property has a slight slope in a westerly direction and the roof of the extensions is in line with the roof of the existing structure.

**On-street parking** is prevalent in Reservoir and Daniel Hugo Streets and this creates a vibrant pedestrian environment where interaction takes place between the pedestrians and the different uses (business, residential, offices, etc).

It is evident that the proposal will not be out of character with the development on adjacent properties and nearby properties and will not negatively impact on the character of the area.

The proposed uses of the site are not likely to generate significant **volumes of traffic** or have any measurable effect on Huguenote Road.

*c) Parking and access:*

The site is located at the junction of Reservoir Street and Daniel Hugo Street and access to the site is obtain from Daniel Hugo Street. The existing boundary wall on Daniel Hugo Street will be removed to allow for access to the subject property. The existing on street parking in Daniel Hugo Street will thus needs to be managed in order not to block the access. The engineering department supported the proposal and required that when building plans are submitted, the building plans must indicate how proper access will be created to the parking areas .

The zoning scheme also requires that vehicular access and exit ways to the site shall be restricted to not more than one each per site per street abutting the site, and may not



exceed a width of 6 meters where they cross the street boundary. In this instance the access way will be more than 6 meters as each parking bay will individually accessed from Daniel Hugo Street.

Based on the total floor space of the proposal, it is estimated that at least 16,06 parking bays needs to be provided in order to meet the minimum requirements for the General Business Zone. Due to the configuration of the property, there is not sufficient space on the site to provide for the minimum required number of parking bays. Only eight (8) parking bays can be provided on the subject property.

The under-provision of parking will not have a negative impact on the environment since the property is situated in close proximity to the municipal parking area. On-street parking is also available in Daniel Hugo Street and Reservoir Street. The Engineering Department also supported the proposal for the under-provision of parking as the facility will cater for the greater community of Franschhoek (access by public transport).

*d) Transition to Stellenbosch Municipality Zoning Scheme Bylaw, 2019*

At the time of submission of this application, the new zoning scheme bylaw had not yet been approved and promulgated and the application is therefore being processed in accordance with the Franschhoek Town Zoning Scheme Regulations. With the transition from the old zoning scheme to the new scheme, the zoning will change to Mixed Use Zone (with a deemed consent use for a place of education).

*e) Heritage*

The existing building on the property is on the municipality's list of historical buildings and is older than 60 years. The existing facilities will be used and improved/added to where necessary. No structural changes to the buildings will be done without obtaining the necessary approvals.

### **3. Assessment of comments on application**

No objections were received from the interested and affected property owners. The comments received from the internal departments will be imposed as "conditions of approval" should it be deemed necessary.

The comment from the "Van Wijk & Cabriere Street Residents Association" (VWCSRA) that provision be made for securing bicycles in line with the Spatial Proposals for Franschoek which include "pro-actively improve conditions for walking and NMT within Franschoek, is noted.

#### 4. Additional planning evaluation for removal of restrictions

Not applicable.

### PART H: SUMMARY OF KEY FINDINGS OF ASSESSMENT

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

1. The business incubator (LED Hub) will provide entrepreneurs, start-up businesses and SMME'S access to rental space, shared basic business services and equipment as well as technology support services.
2. Existing under-utilized municipal facilities and infrastructure will be used. The proposed land use will also improve the quality and functionality of the existing under-utilized public facilities.
3. The proposed land use responds directly the national challenge by aiming to provide business opportunities and support services for entrepreneurs in the local community which can eventually create jobs and improve the livelihoods of the community.
4. The property is located within the existing approved urban edge and the proposed land use does not encourage urban sprawl.
5. The proposal is therefore consistent with the SDF's strategic perspectives, development principles and settlement proposal.
6. The proposal will blend in with the surrounding townscape and land use character of the area.
7. The under-provision of parking will not have a negative impact on the environment since the property is situated in close proximity to the municipal parking area.

## PART I: RECOMMENDATION

1. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 230, Franschhoek, namely:

1.1 **rezoning** in terms of section 15(2)(a) of the said bylaw to rezone the property from Single Residential Zone to General Business for purposes of a local economic development hub/business incubator.

1.2 **special consent** in terms of section 15(2)(o) of the said bylaw to use a portion of Erf 230, Franschhoek for institutional (training) purposes.

1.3 **Departure** in terms of Section 15(2)(b) of the said bylaw for:

- i) the under-provision of parking (**8 bays** instead of **16,06 bays**).
- ii) to allow a vehicle entrance/access & exit of wider than 6m where they cross the Daniel Hugo boundary of Erf 230, Franschhoek.

**BE APPROVED** in terms of Section 66 of the said Bylaw subject to the following conditions:

2. Conditions:

2.1 The approval applies only to the proposed application, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

2.2 The approval will lapse if not implemented within the timeframe stipulated in the subject Bylaw;

2.3 A **Site Development Plan** which illustrates the overall proposed development to be submitted for approval by the Authorised Official prior to the submission of building plans: The Site Development Plan must include the following:

- i) *All relevant information about the extent of the proposed development, floor area allocations and parking supply to illustrate compliance with the development parameters of the scheme;*
- ii) *Elevations and cross sections of the new development;*

- iii) *The details of proposed vehicle access, parking areas (including bicycle facilities) and pedestrian footpaths;*
- iv) *Details of proposed fencing or walls around the perimeter of the land unit (if applicable).*

2.4 The following condition of the **Manager: Electrical Services** as contained in their memo dated 03 June 2020, attached as **ANNEXURE L**, be complied with;

- i) All charges and re-rating of services as well as upgrades is for the applicant's cost via a rechargeable cost application.

2.5 The following conditions of the **Director: Engineering Services** as contained in their memo dated 20 March 2020, attached as **ANNEUXRE M**, be complied with:

- i) All service connections must be indicated on the building plans. Details of the access (drive way) must also be indicated on the building plans.
- ii) Building plans must indicate how proper access will be created to the parking areas P1 – P8 (site layout plan) and should be generally in accordance with the explanation of Martin Jonker in his email dated 20 March 2020.

2.6 Building plans to be submitted to the Municipality for approval.

### **3. Matters on the application TO BE NOTED:**

3.1 Business licence and a liquor licence be applied for, if required.

3.2 The consultant must provide the department with a permit from Heritage Western Cape for any additions and alterations to the existing structure older than 60 years before a building plan can be approved.

### **4. The reasons for the above decision are as follows:**

- a) The proposal will not have a negative impact on the surrounding properties and their rights as it is in keeping with the character of the area.

- b) The proposed land use will also improve the quality and functionality of the existing under-utilized public facilities.
- c) The proposed LED hub is within walking distance to public transport routes and other businesses and will reduce vehicular movement in town.
- d) The under-provision of parking will not have a negative impact on the environment since the property is situated in close proximity to the municipal parking area.
- e) The business incubator (LED Hub) will provide entrepreneurs, start-up businesses and SMME'S access to rental space, shared basic business services and equipment as well as technology support services.

## **PART J: ANNEXURES**

<b>ANNEXURE A</b>	<b>: LOCALITY PLAN</b>
<b>ANNEXURE B</b>	<b>: TITLE DEED AND CONVEYANCER CERTIFICATE</b>
<b>ANNEXURE C</b>	<b>: SITE DEVELOPMENT / SITE PLANS</b>
<b>ANNEXURE D</b>	<b>: APPLICANT'S MOTIVATION REPORT</b>
<b>ANNEXURE E</b>	<b>: MINUTES OF PRE-CONSULTATION MEETING HELD ON 23 AUGUST 2017</b>
<b>ANNEXURE F</b>	<b>: MINUTES OF COUNCIL MEETING OF 29 MARCH 2017</b>
<b>ANNEXURE G</b>	<b>: PUBLIC PARTICIPATION PROCESS (PORTFOLIO OF EVIDENCE)</b>
<b>ANNEXURE H</b>	<b>: COMMENT FROM THE MANAGER: FIRE SERVICES</b>
<b>ANNEXURE I</b>	<b>: COMMENT FROM THE MANAGER: PROPERTY MANAGEMENT</b>
<b>ANNEXURE J</b>	<b>: COMMENT FROM THE MANAGER: LOCAL ECONOMIC DEVELOPMENT</b>
<b>ANNEXURE K</b>	<b>: COMMENT FROM THE MANAGER: SPATIAL PLANNING</b>
<b>ANNEXURE L</b>	<b>: COMMENT FROM THE MANAGER: ELECTRICAL SERVICES</b>
<b>ANNEXURE M</b>	<b>: COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES</b>
<b>ANNEXURE N</b>	<b>: COMMENT FROM THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING</b>
<b>ANNEXURE O</b>	<b>: COMMENT FROM THE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS</b>
<b>ANNEXURE P</b>	<b>: POWER OF ATTORNEY</b>
<b>ANNEXURE Q</b>	<b>: SITE INSPECTION PHOTOS</b>

**PART K: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT****APPLICATION FOR REZONING, SPECIAL CONSENT AND DEPARTURES: ERF 230,  
FRANSCHHOEK****Author of Planning Assessment Report:****Recommended Categorisation of the Application for Authorised Decision Maker:****Name:** Louisa Guntz**Capacity:** Senior Town Planner**Signature:** **Date:** 06/01/2022

**PART L: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT****APPLICATION FOR REZONING, SPECIAL CONSENT AND DEPARTURES: ERF 230,  
FRANSCHHOEK****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:** A5; O5; B5

**Decision Making Authority:** SMPT

**Rational:** Council owned property and project is initiated by Council.

**Name:** Chizelle Kriel

**Capacity:** MLCM

**SACPLAN Registration:** A22/10

**Signature:** 

**Date:** 06/01/2022

**PART M: ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT****APPLICATION FOR REZONING, SPECIAL CONSENT AND DEPARTURES: ERF 230,  
FRANSCHHOEK****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*

Name: *Lencia Kamindh*

Capacity:

Signature: *L. Kamindh*

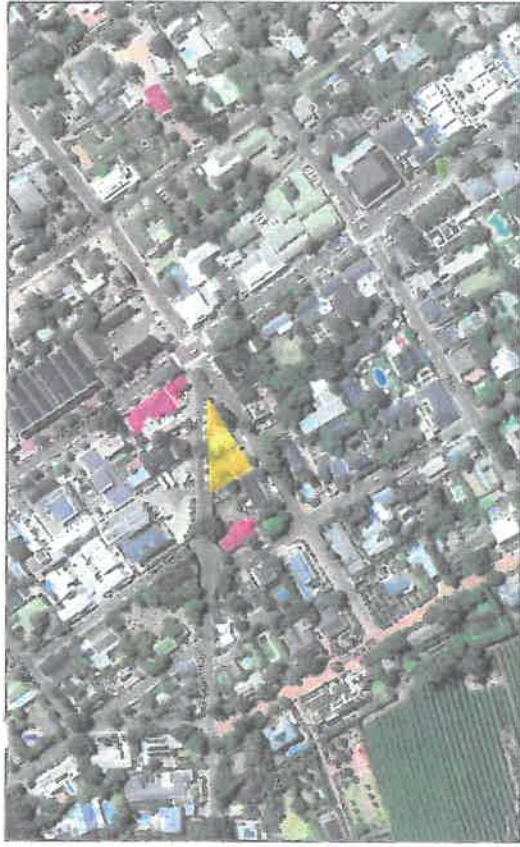
Date: *07. 01. 2022*



# **ANNEXURE A**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**LOCALITY PLAN**



**CLIENT / OWNER INFORMATION**  
 STELLENBOSCH MUNICIPALITY  
 Mr Widmark Moses  
 Tel: 021-808-8974  
 Mobile: 082-879-8480  
 Email: widmark.moses@stellenbosch.gov.za

**DRAWING TITLE**  
**LOCALITY PLAN**  
 PLAN NUMBER 1  
 SCALE 1:2  
 SHEET NUMBER 1 of 1

**PROJECT NAME**  
**REZONING OF ERF 230 FRANSCHHOEK**

**DRAWING TITLE CODES**  
 LP: Locality Plan  
 LUP: Land Use Plan  
 SDP: Site Development Plan  
 SLP: Site Layout Plan  
 SUB: Subdivision Plan  
 ZP: Zoning Plan

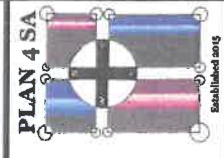
**DRAWING DISCIPLINE CODES**  
 TRP: Town & Regional Planning  
 TP: Transportation Planning

**DRAWING STATUS CODES**  
 D: Draft  
 F: Final

**DRAWING NUMBER**  
 19P001-TRP-LP001-F-20190527-Rev 00

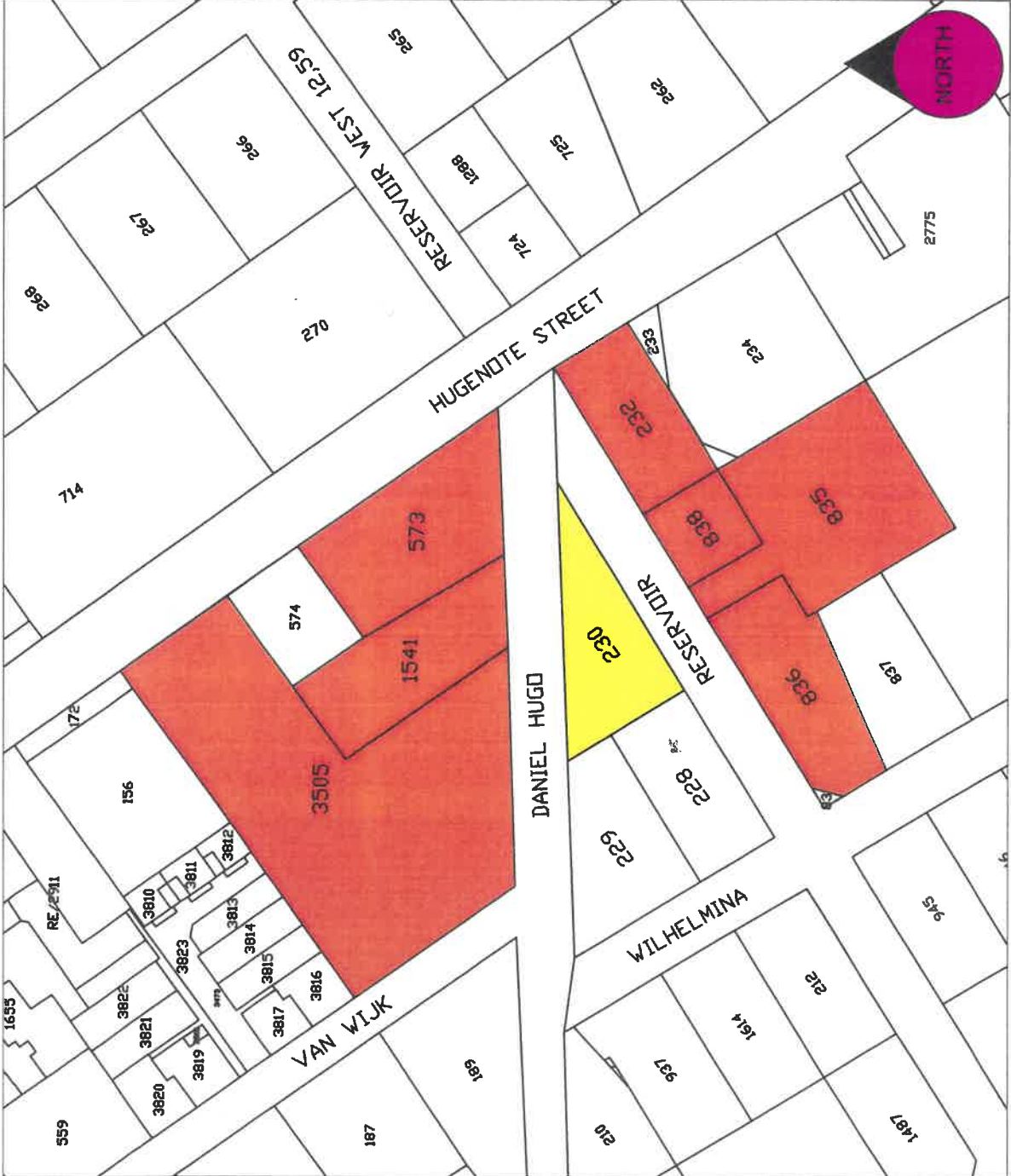
**PROFESSIONAL PLANNERS & PROJECT MANAGERS**  
 MARTIN JONKER  
 Tel: 084-410-6132  
 Fax: 086-524-8738  
 Email: martin@plan4sa.co.za  
 Web: www.plan4sa.co.za

PROJECT NUMBER: 19P001



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NOTATION	LEGEND
	Erf 230 Franschoek
	Affected Properties



**PLAN 4 SA**

**PROFESSIONAL PLANNERS & PROJECT MANAGERS**  
 MARTIN JONKER  
 Tel: 084-410-6132  
 Fax: 086-524-8738  
 Email: martinj@plan4sa.co.za  
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PROJECT NUMBER: 19P001  
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<b>DRAWING DISCIPLINE CODES</b> TRP: Town & Regional Planning TP: Transportation Planning
<b>DRAWING STATUS CODES</b> D: Draft F: Final
<b>DRAWING NUMBER</b> 19P001-TRP-LP001-F-20191214-Rev 01

<b>DRAWING TITLE CODES</b> LP: Locality Plan LUP: Land Use Plan SDP: Site Development Plan SLP: Site Layout Plan SUB: Subdivision Plan ZP: Zoning Plan
--

<b>DRAWING TITLE</b> LOCALITY PLAN	
<b>PLAN NUMBER</b> 1	<b>SCALE</b> Not to scale
<b>SHEET NUMBER</b> 1 of 1	<b>SHEET SIZE</b> A4
<b>PROJECT NAME</b> REZONING OF ERF 230 FR. SCHHOEK	

**CLIENT / OWNER INFORMATION**  
 STELLENBOSCH MUNICIPALITY  
 Mr Widmark Moses  
 Tel: 021-808-8974  
 Mobile: 082-879-6490  
 Email: widmark.moses@stellenbosch.gov.za

# **ANNEXURE B**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**COPY OF TITLE DEED &  
CONVEYANCER CERTIFICATE**

MICRO FILMED—MIKROVERFILM	
DATE—DATUM	OPERATOR—OPERATEUR
= 6 -10- 1976	<i>R</i>

13-09-1976

*R/2 50000.-*

ORIGINAL OORSPRONKLIKE
STAMPED GESEEL
DUTY BESLREG R.....
FEE'S FOON.....
TRANSFER DUTY OORVERREKTE.....

*Orygineel!*

T 29346	1976
---------	------

## TRANSPORTAKTE

KRAFTENS 'N PROKURASIE

*Opgetrek deur my,*  
*fundling*  
Transportbesorger.

**Sy dit kennelik aan almal wie dit mag aangaan**

<b>Dat</b>	<b>KALMAN GORDON DRUKER</b>
verskyn het voor my, Registrateur van Aktes, Hy die gesegde Komparant synde daartoe behoorlik gemagtig deur 'n volmag uitgevoer te <b>FRANSCHEDEK</b>	
<b>Sp</b> die	7de dag van SEPTEMBER 1976, deur
<b>P</b>	<b>DIRKJE JOHANNA McCALLUM</b> (gebore JONKER op 12 Oktober 1912) getroud buite gemeenskap van goedere met <b>DONALD WALTER SMITH McCALLUM</b> (H 213/1973)

welke volmag, geteken in die teenwoordigheid van getuie ooreenkomstig die Wet, my hede getoon is;

EN / ....

En die Komparant het verklaar dat sy voorsegde Prinsipaal

werklik en wettiglik verkoop het op 23 AUGUSTUS 1976 en dat Hy, in sy hoedanigheid as voorsegde Prokureur, deur hierdie Akte, gesedeer en getranspoteer het in volle en vrye eiendom aan en ten behoeve van

DIE MUNISIPALITEIT VAN FRANSCHHOEK

Erfgename, Eksekuteure Administrateurs of Gemagtigdes

SEKER stuk grond, gelee in die Munisipaliteit van Franschhoek, Afdeling van Paarl, synde ERF 230 FRANSCHHOEK.

GROOT : 804 (Ag honderd en vier) vierkant meter.

UITSTREKKENDE soos die transportakte gedateer 31 Maart 1862, Nr. 641 met 'n kaart daaraan geheg, gemaak ten gunste van H L Pepler en daaropvolgende transportaktes die jongste waarvan gemaak ten gunste van die Komparant se prinsipaal op 11 September 1973, Nr. 25624.

ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. 1081 gedateer 25 Februarie 1908.

WESHALWE / . . . .

WHITE GROUP  
BLANKE GROEP

02

Weshalwe die Komparant, afstand doende van al die Reg en Eiendomsreg wat sy Prinsipaal voorheen gehad het in gesegde eiendom ten behoeve as voorsê, het hy ook tengevolge daarvan, sy voorsegde Prinsipaal erken as volkome onteien van, en nie geregtig op dieselfde te wees nie; en dat, kragtens hierdie Akte, die gesegde transportnemer

Erfgename, Eksekuteur, Administrateur, of Gemagtigdes, nou is, en voortaan daarop geregtig sal wees, ooreenkomstig plaaslike gewoonte; maar dat die Staat egter sy Reg behou; En eendelik erken sy Prinsipaal die gehele Koopsom op bevredigende wyse ontvang of verseker te hê, ten bedrae van die som van R12 500,00.

As getuie waarvan, het ek, die gesegde Registrateur, tesame met die Komparant, hierdie Akte onderteken en met die Ampseël laat bekragtig.

ALDUS GEDAAN EN UITGEVOER, aan die kantoor van die Registrateur van Aktes, in KAAPSTAD; op die 21<sup>ste</sup> dag van die maand September in die Jaar van Ons Heer Een duisend Negehoenderd SES-EN-SEWENTIG (1976).

*[Handwritten signature]*  
q.q.

In my teenwoordigheid,

*[Handwritten signature: L. B. ...]*  
Registrateur van Aktes.

Geregistreer in die ERW Register

van Jans de Vries Boek 230

*[Handwritten signature]*  
Klerk in Bevel

(Vir Verbande, kyk op die eerste bladsy hiervan.)

*Shandling*  
 Prokureur.  
 Transportbesorger.

1-3  
 Prokurasie om Transport uit te maak

Ek, die ondergetekende,

DIRKJE JOHANNA McCALLUM (gebore JONKER op 12 Oktober 1912) getroud buite gemeenskap van goedere met DONALD WALTER SMITH McCALLUM (Ekst. H V K Nr. 213/73)

benoem, konstitueer en stel hiermee aan

AARON SHANDLING OR  
 KALMAN GORDON DRUKER OR  
 CHONEY KENNETH FRIEDLANDER  
 OR JACK FRIEDMAN  
 DR RICHARD GORDON VOLICE

met mag van substitusie om my wettige Prokureur en Agent te wees, in my naam en namens my te verskyn in die Kantoor van die Registrateur van Aktes te KAAPSTAD

en dan en daar namens my transport

uit te maak aan

MUNISIPALITEIT VAN FRANSCHHOEK

van die volgende eiendom :

SEKER stuk grond, gelee in die Munisipaliteit van Franschoek, Afdeling van Paarl, synde Erf 230 Franschoek.

GROOT : 804 vierkant meter.

GEHOU kragtens Transportakte Nr. 25624 gedateer 11 September 1973.



wat verkoop is aan die Munisipaliteit deur my op die 23ste dag van AUGUSTUS 1976 vir die som van R12 500,00

wat behoorlik betaal of verseker is, en in die algemeen, ten einde voorgenoemde doeleindes uit te voer, te doen of te laat doen al wat nodig is, net so volmaak en doeltreffend asof ek self teenwoordig was en hierin gehandel het, en hiermee word bekragtig en toegestaan en word belowe en ooreengekom om te bekragtig en toe te staan, alles en wat ook my genoemde Prokureur en Agent kragtens hierdie akte wettiglik doen of laat doen.

Gegee onder my hand te *Grauschwaik* op hierdie 7de dag van SEPTEMBER 1976, in teenwoordigheid van die ondergetekende getuies.

AS GETUIES :

- 1. *[Signature]*
- 2. *M. Hoffman*

*S. J. Mc Callen*

HIERBY CERTIFISEER EK DAT DIE TRANSAKSIE HIERIN BESKRYF, DEUR DIE ADMINISTRATEUR GOEDGEKEUR IS

KAAPSTAD.

10.9.76

*[Signature]*  
PROVINSIALE SEKRETARIS

SERTIFIKAAT VIR MUNISIPALE BELASTINGS

Registrasie van Oordrag Gemagtig.

Hierdie Magtiging verstryk op \_\_\_\_\_  
Munisipale Kantoor :

\_\_\_\_\_

Stadtesourier

\_\_\_\_\_ 19\_\_\_\_

SERTIFIKAAT VIR AFDELINGSRAADBELASTINGS EN PROVINSIALE BELASTING OP ONROERENDE EIENDOM

Registrasie van Oordrag Gemagtig.

Alle Provinsiale Belastings op onroerende eiendom is betaal.

Hierdie Magtiging verstryk op 30 NOV 1976

Kantoor van die Afdelingsraad :

*E. Hamptlesch*

Tesourier.



\_\_\_\_\_ 19\_\_\_\_

KANTLYN

MUNISIPALITEIT FRANSCHHOEK  
MUNICIPALITY OF FRANSCHHOEK

MAGTIGING VIR REGISTRASIE VAN OORDRAG VAN ONROERENDE GOED  
AUTHORITY FOR REGISTRATION OF TRANSFER OF IMMOVABLE PROPERTY

Magtiging word hierby verleen vir die registrasie van die oordrag van die volgende  
Authority for the registration of the transfer of the following immovable property  
onroerende goed:-  
is hereby granted:-

ERF NO. .... 230 .....  
ERF NO. ....

TITELBEWYSBESKRYWING  
TITLE DEED DESCRIPTION ...SEKER... stuk grond, geleë in die Munisipaliteit van.....

Franschhoek, Afdeling van Paarl, synde Erf 230 Franschhoek, .....

GROOT: 804 vierkant meter .....

(Getransporteer te word vanaf DIRKJE JOHANNA McCALUM na DIE MUNISIPALITEIT...  
VAN FRANSCHHOEK .....

(Skrap paragraaf A of B)  
(Delete paragraph A or B)

~~A. Belastinge verskuldig en betaalbaar ten opsigte van bogemelde onroerende goed  
A. Rates due and payable in respect of the the abovementioned immovable property  
aan die Afdelingsraad van Paarl wat deur hierdie munisipaliteit ingevorder moet  
te the Divisional Council of Paarl and required to be collected by this muni-  
word ingevolge artikel 108 van Ordennansie 15 van 1952, is ingevorder.  
cipality in terms of section 108 of Ordinance 15 of 1952, have been collected.~~

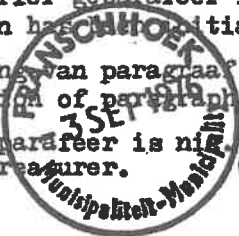
B. Belastinge verskuldig en betaalbaar ten opsigte van bogemelde onroerende goed  
B. Rates due and payable in respect of the abovementioned immovable property to  
aan die Afdelingsraad van Paarl hoef NIE deur die munisipaliteit ingevorder te  
the Divisional Council of Paarl are NOT required to be collected by this muni-  
word nie.  
cipality.

Hierdie magtiging is -  
This authority shall -

(i) geldig tot die 31ste dag van Desember 19.76  
(i) be valid until the ..... day of ..... 19.76

- (ii) ongeldig indien enige wysiging van die datum in paragraaf (i) gemeld of van  
(ii) be invalid if any alteration of the date referred to in paragraph (i) or of  
die besonderhede rakende bogemelde onroerende goed aangebring is tensy elke  
the particulars relating to the abovementioned immovable property has been  
sodanige wysiging deur die Tesourier geïnitieël is, en  
made unless every such alteration has been initialled by the Treasurer, and
- (iii) ongeldig as die vereiste skraping van paragraaf A of B, na gelang van die  
(iii) be invalid if the required deletion of paragraph A or B, as the case may be,  
geval, nie deur die Tesourier geïnitieël is nie.  
has not been initialled by the Treasurer.

Datum/Date 3. 7. 76 .....



.....  
TESOURIER/TREASURER

(3)

**NOTAS VAN ONDERSOEKERS—EXAMINERS' NOTES**

*[Signature]*

**R. J. MORRIS**

**R. P. BODINGTON**

<input checked="" type="checkbox"/>	Vir. Waiver
<input checked="" type="checkbox"/>	Vir. Subst.
<input checked="" type="checkbox"/>	Vir. Affid
<input checked="" type="checkbox"/>	For Release
<input checked="" type="checkbox"/>	Vir. Certific.
<input checked="" type="checkbox"/>	For Canc.
<input checked="" type="checkbox"/>	Vir. Adm.
<input checked="" type="checkbox"/>	For Ex. Pmt.
<input checked="" type="checkbox"/>	Vir. Bd.
<input checked="" type="checkbox"/>	Verband.

**NO**

INTERDIKTE NAGESKEN	
INTERDICTS CHECKED	
DATUM	<i>[Signature]</i>
DATE	<i>[Signature]</i>

**NA MIKRO  
TO MICRO**

6 10 1976

① White 285 (Q) 64

② Voeg ook van uitvoering van verzoeken in aktes

*[Signature]*



STELLENBOSCH  
STELLENBOSCH • PAARL • FRANSCHHOEK  
MUNISIPALITEIT • MUNICIPALITY • MUNICIPAALITY

**CONVEYANCER CERTIFICATE**

I/We TANIA VAN TOORN

Practising at:

LOUW & COETZEE ATTORNEYS

35 MAIN ROAD

DURBANVILLE

In respect of:

ERF 230 FRANSCHHOEK, IN THE STELLENBOSCH MUNICIPALITY, DIVISION PAARL

WESTERN CAPE PROVINCE, 804 SQUARE METRES IN EXTENT AND HELD BY

DEED OF TRANSFER T29346/1976

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

- 1. DEED OF TRANSFER T29346/1976
- 2. DEED OF TRANSFER 1081 DATED 25 FEBRUARY 1908
- 3. ....
- 4. ....
- 5. ....
- 6. ....
- 7. ....
- 8. ....



**A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)**

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



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

a.	Organ(s) of State that might have an interest in the restrictive condition	N/A
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies	

**C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED**

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

Signed at DURBANVILLE (Place) on this 10th (Day) APRIL (Month) of 2019

Full names and Surname: TANIA VAN TOORN

Signature: \_\_\_\_\_

35 MAIN ROAD  
 DURBANVILLE  
 7550

**LOUW & COETZEE**  
 HOOFWEG 35 MAIN ROAD  
 POSBUS 146 P.O. BOX  
 DURBANVILLE, 7550  
 TEL: 976-3180  
 PROKUREURS • ATTORNEYS

Tel: 021-9763180

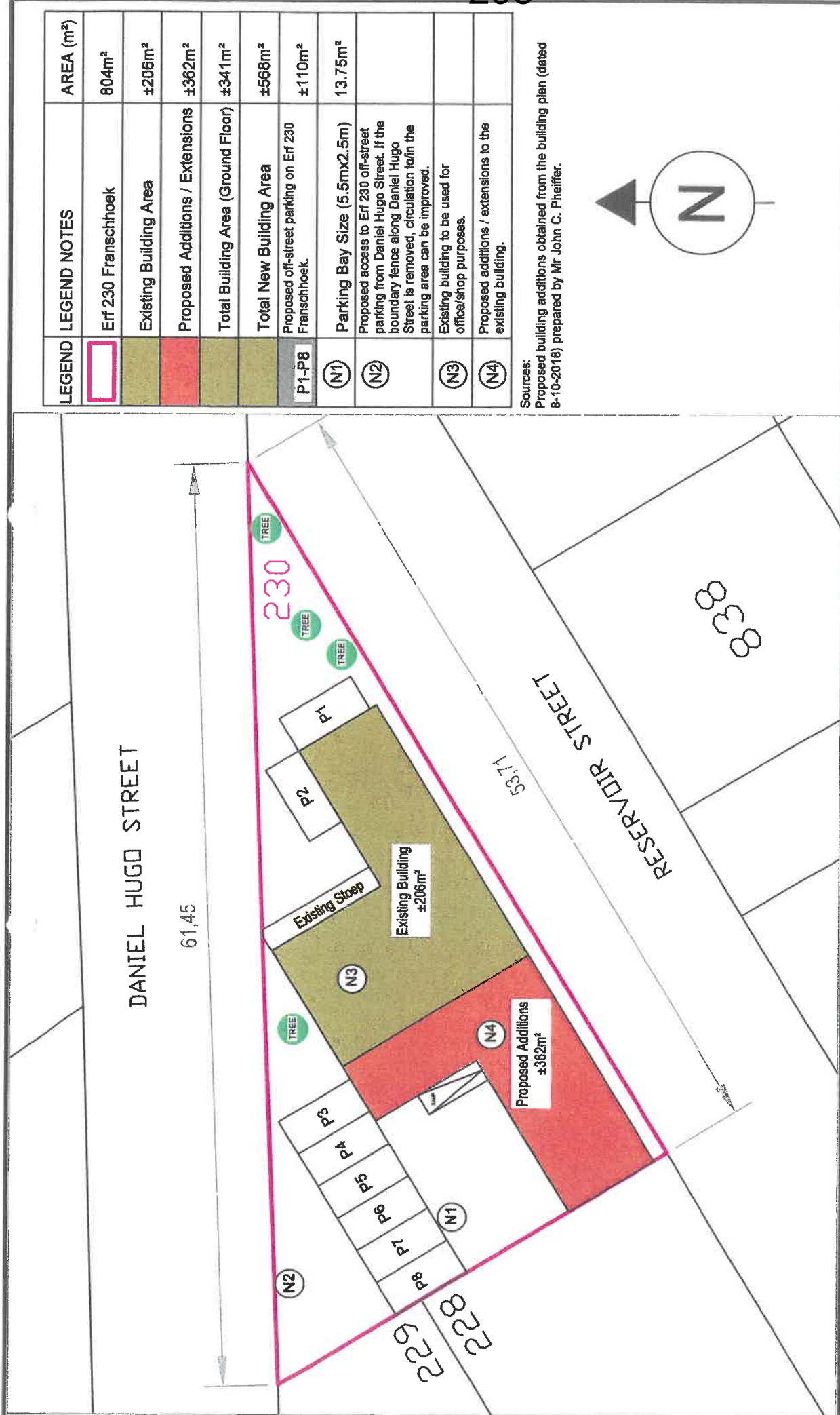
Email: taniav@louwcoetzee.co.za

Cell: 0764310959

# **ANNEXURE C**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**SITE DEVELOPMENT  
PLAN/SITE PLAN**



LEGEND	LEGEND NOTES	AREA (m <sup>2</sup> )
<span style="border: 1px solid pink; display: inline-block; width: 15px; height: 10px;"></span>	Erf 230 Franschhoek	804m <sup>2</sup>
<span style="background-color: #808000; display: inline-block; width: 15px; height: 10px;"></span>	Existing Building Area	±206m <sup>2</sup>
<span style="background-color: #FF0000; display: inline-block; width: 15px; height: 10px;"></span>	Proposed Additions / Extensions	±362m <sup>2</sup>
<span style="background-color: #808000; display: inline-block; width: 15px; height: 10px;"></span>	Total Building Area (Ground Floor)	±341m <sup>2</sup>
<span style="background-color: #808000; display: inline-block; width: 15px; height: 10px;"></span>	Total New Building Area	±568m <sup>2</sup>
P1-P8	Proposed off-street parking on Erf 230 Franschhoek.	±110m <sup>2</sup>
(N1)	Parking Bay Size (5.5mx2.5m)	13.75m <sup>2</sup>
(N2)	Proposed access to Erf 230 off-street parking from Daniel Hugo Street. If the boundary fence along Daniel Hugo Street is removed, circulation to/in the parking area can be improved.	
(N3)	Existing building to be used for office/shop purposes.	
(N4)	Proposed additions / extensions to the existing building.	

Sources:  
Proposed building additions obtained from the building plan (dated 8-10-2018) prepared by Mr. John C. Pfeiffer.



<p><b>CLIENT / OWNER INFORMATION</b>                  STELLENBOSCH MUNICIPALITY                  Mr. Widmark Moses                  Tel: 021-808-8974                  Mobile: 082-876-8480                  Email: widmark.moses@stellenbosch.gov.za</p>	<p><b>DRAWING TITLE</b>                  TYPICAL SITE LAYOUT PLAN - FHK TRIANGLE SITE                  PLAN NUMBER: 3                  SCALE: Not to scale                  SHEET SIZE: A4                  SHEET NUMBER: 1 of 1                  PROJECT NAME: REZONING OF ERF 230 FRANSCHHOEK</p>	<p><b>DRAWING DISCIPLINE CODES</b>                  TRP: Town &amp; Regional Planning                  TP: Transportation Planning</p> <p><b>DRAWING STATUS CODES</b>                  D: Draft                  F: Final</p> <p><b>DRAWING NUMBER</b>                  19P001 - ERF230FHK - TRP - SLP01 - F                  - 20190512 - Rev01</p>
<p><b>DRAWING TITLE CODES</b>                  LP: Locality Plan                  LUP: Land Use Plan                  SDP: Site Development Plan                  SLP: Site Layout Plan                  SUB: Subdivision Plan                  ZP: Zoning Plan</p>	<p><b>PROFESSIONAL PLANNERS &amp; PROJECT MANAGERS</b>                  MARTIN JONKER                  Tel: 084-410-8132                  Fax: 086-524-8738                  Email: martin@plan4sa.co.za                  Web: www.plan4sa.co.za</p>	<p><b>PLAN 4 SA</b>                    ESTABLISHED 1985</p> <p style="text-align: right;"><b>COPYRIGHT RESERVED</b></p>



COUNCIL SUBMISSION NOTES

ALL WORK EXECUTED ON SITE IS TO BE IN ACCORDANCE WITH SABS 0400 AND THE NATIONAL BUILDING REGULATIONS

CONSTRUCTION NOTES

**STRUCTURAL DESIGN**  
THE DESIGN OF THE STRUCTURAL SYSTEM SHALL BE CARRIED OUT IN ACCORDANCE TO THE FOLLOWING CODES OF PRACTICE  
SABS 0100 - STRUCTURAL CONCRETE  
SABS 0104 - HANDRAILS  
SABS 0137 - GLAZING  
SABS 0161 - FOUNDATIONS  
SABS 0162 - STRUCTURAL STEEL  
SABS 0163 - STRUCTURAL TIMBER  
SABS 0164 - STRUCTURAL MASONRY

**CAVITY WALLS**  
ANY CAVITY FORMED IN AN EXTERNAL MASONRY CAVITY SHALL BE NOT LESS THAN 50mm WIDE AND NOT MORE THAN 100mm WIDE.  
WALL TIES SHALL BE INSTALLED IN ANY CAVITY WALL IN AN EVENLY DISTRIBUTED PATTERN, AT A RATE OF 3 TIES PER SQUARE METER OF THE FACE AREA OF SUCH A WALL.

**WATERPROOFING**  
ANY MATERIAL USED AS DAMPROOF COURSE SHALL BE IN ACCORDANCE TO SABS 2418, SABS 952 OR SABS 2998

**WEEPHOLES** TO BE PROVIDED IN ACCORDANCE WITH THE FOLLOWING:  
- TO BE INSTALLED HIGHER THAN 150MM ABOVE THE NATURAL GROUND LEVEL OR ADJACENT GROUND LEVEL.  
- TO OCCUR AT EVERY THIRD PERPEND IN THE BRICKWORK

**LIGHTING AND VENTILATION**  
TO COMPLY WITH PART D OF SABS 0400

**LIGHTING**  
THE AREA OF OPENING SHALL NOT BE LESS THAN 10% OF THE FLOOR AREA OF THE ROOM OR 0.2 SQUARE METERS, WHICHEVER IS GREATER.

**VENTILATION**  
THE AREA OF OPENING SHALL NOT BE LESS THAN 10% OF THE FLOOR AREA OF THE ROOM OR 0.2 SQUARE METERS, WHICHEVER IS GREATER.

**GLAZING:**  
ALL GLAZING SHALL BE EXECUTED STRICTLY IN CONFORMANCE WITH THE NATIONAL BUILDING REGULATIONS PART N, SABS 0137, SABS 0400, SABS 1263.  
ALL SAFETY GLAZING SHALL BE PERMANENTLY MARKED. 900M MARKING TO BE VISIBLE AFTER INSTALLATION.  
NOMINAL THICKNESS AND MAX. GLASS AREAS TO COMPLY WITH TABLE 1 OF SABS 9400 - LATEST EDITION - PART N  
6mm - TO 1.6 Sqm  
8mm - TO 2.1 Sqm  
10mm - TO 2.7 Sqm  
CLEAR GLASS USED IN DOORS MUST BE MARKED SO THAT IT IS VISIBLE.  
6mm SAFETY GLASS MUST BE USED IF THE GLASS AREA IN A DOOR IS MORE THAN 1.5sqm.  
6mm SAFETY GLASS MUST BE USED IF THE UNDERSIDE OF A WINDOW IS LOWER THAN 300mm ABOVE UFL.  
IF WALKWAYS LEAD STRAIGHT TO A WINDOW, USE SAFETY GLASS WHERE THE UNDERSIDE OF THE WINDOW IS LOWER THAN 800mm ABOVE UFL.

**ROOFING:**  
NEW CONCRETE SLABS AS PER ENGINEER SPEC. AND DETAIL WITH APPLIED WATERPROOFING MEMBRANE AND SPEC. TO FALL. MEMBRANE TO BE COVERED WITH 25mm THICK 15mm STONE CHIP.

**DOWNPIPES AND GUTTERS**  
TO BE PROVIDED IN ACCORDANCE TO 1CM SQUARED OF DOWNPIPE SUFFICIENT FOR 1 METER SQUARE OF ROOF AREA, AND 7 CM SQUARED OF GUTTER SUFFICIENT FOR 5 METERS SQUARE OF ROOF AREA.

PROVIDE NEW 125x50mm HALF ROUND UPVC GUTTERS AND 85mm DIA PVC DOWNPIPES TO DISCHARGE INTO TEMPORARILY PLACED DOWNPIPES TO DISCHARGE INTO SWIMMING POOL. OWNER TO MONITOR PLACEMENT OF GUTTER CHANNELS DURING RAINY DAYS. ALL SURFACE STORM WATER COLLECTED ON PAVING AREAS ARE DIRECTED TO GARDEN AREA AT REAR OF PROPERTY.

A REGISTERED PLUMBER MUST PROVIDE A CERTIFICATE OF COMPLIANCE BEFORE OCCUPATION. CERTIFICATE BE GRANTED ON FINAL INSPECTION.

PROVIDE A19 COMPETENT PERSON APPOINTMENT FORM FOR ROOF TRUSS DESIGN AND CERTIFICATE OF COMPLIANCE BEFORE OCCUPATION CERTIFICATE BE GRANTED ON FINAL INSPECTION.

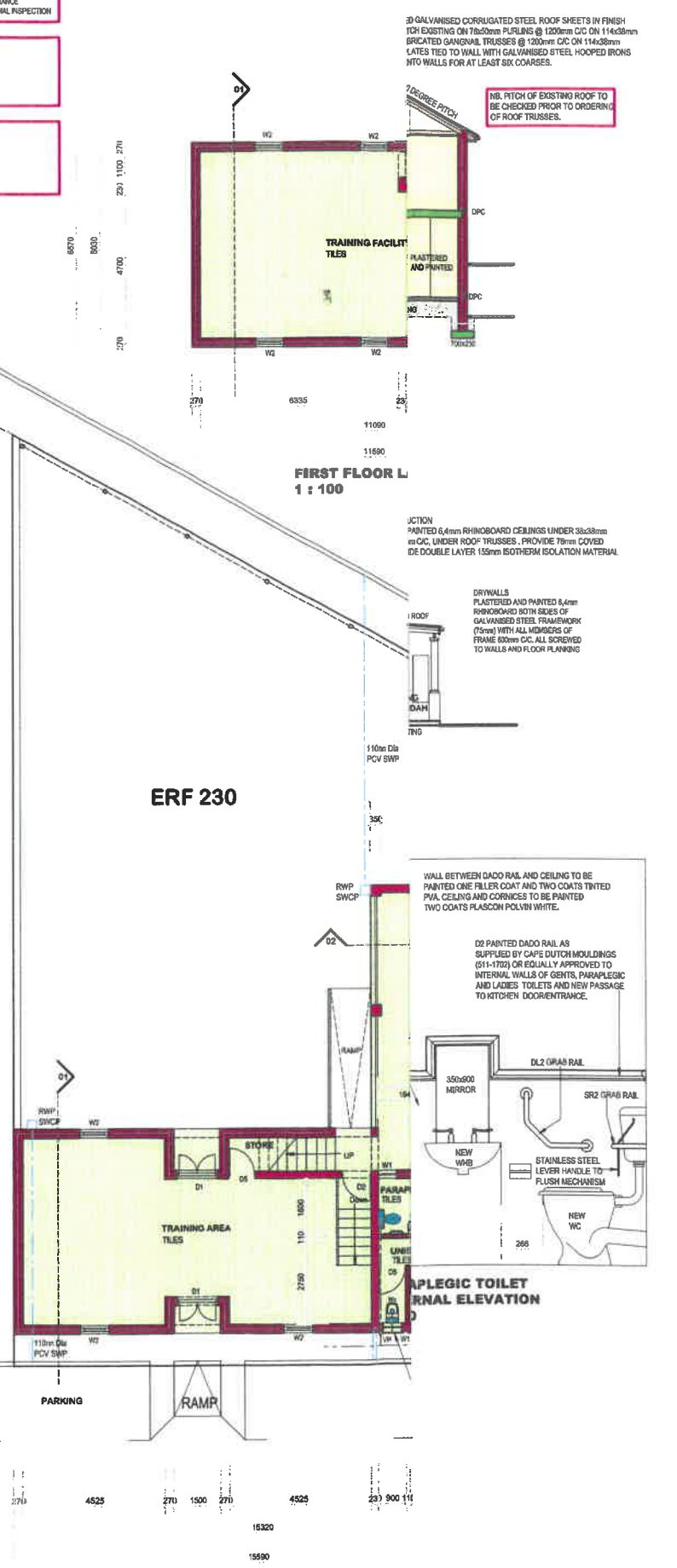
ALL HANDRAILS TO BALCONIES, STAIRS AND WHERE THERE IS A DIFFERENCE IN FLOOR LEVEL TO COMPLY TO SECTION 4.3 OF PART M OF SANS 10400

BALLUSTRADE TO STAIRCASE MUST COMPLY WITH PART M OF SANS 10400

RISERS AND TREADS MUST COMPLY WITH PART M OF SANS 10400.  
RISERS TO BE 177mm  
TREADS TO BE 300mm

3D GALVANISED CORRUGATED STEEL ROOF SHEETS IN FINISH TO EXISTING ON 75x50mm PURLING @ 1200mm C/C ON 114x38mm BRICATED GANGNAIL TRUSSES @ 1200mm C/C ON 114x38mm LATES TIED TO WALL WITH GALVANISED STEEL HOOPED IRONS INTO WALLS FOR AT LEAST SIX COARGES.

N.B. PITCH OF EXISTING ROOF TO BE CHECKED PRIOR TO ORDERING OF ROOF TRUSSES.



COVERAGE CALCULATIONS	AREA
EXISTING GROUND FLOOR AREA	206,00 m <sup>2</sup>
ADDITIONS	
GROUND FLOOR	123,76 m <sup>2</sup>
FIRST FLOOR	134,16 m <sup>2</sup>
NEW TOTAL FLOOR AREA	568,94 m <sup>2</sup>
NEW COVERAGE AREA	362,94 m <sup>2</sup>
ERF AREA	604,00 m <sup>2</sup>
% COVERED	45,14 %

GESKAALED KANTE IS ONGEDEK.  
SOLED DIMENSIONS ARE INVALID.  
GAIN MATES IN RANGE OF TENSION IN VOOR BOMMERK BEGRIJ.  
CHECK DIMENSIONS AND LEVELS PRIOR TO BUILDING WORK.  
HANDOVER TIME BEHALF OF CONSUMER AND RESERVE HANDOVER.  
REPORT ANY DISCREPANCIES IMMEDIATELY TO THIS OFFICE.  
REBET WILKONTRALE. 800mm IN DEBET DOORSTY, 100mm DEBET WILKONTRALE.  
IN THE EVENT OF FILING EXCEEDING A DEPTH OF 300mm.  
CONSULT AN ENGINEER TO AVOID FUTURE STRUCTURAL DAMAGE.  
HEROIE TROESING EN ONTWERP DAVOOP BY DIE BESODOM VAN  
JCP ARCHITECTURE SWITZ REPRODUKASIE (DRAWING)  
WORLD WIDERS IN KOPRESSE WOOD DUB VOORSEHOUL.  
ALL INFORMATION IN THIS SHEET IS THE PROPERTY OF THE  
JCP ARCHITECTURE. REPRODUCTION THEREOF IS PROHIBITED.  
COPYRIGHT IS THEREOF UPHOLD.

*John Pfeiffer*  
JOHN PHEIFFER  
Signed on behalf of owner(s)  
Sole Power of Attorney

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**ALTERATIONS AND ADDITIONS TO EXISTING BUILDING ON ERF 230 RESERVOIR STREET FRANSCHHOEK**

MUNICIPAL DRAWINGS			
DRAWN BY	CHECKED BY	DATE	SCALE
JOHN	JOHN	8 - 10 - 2018	1 : 100
TECHNICAL DRAWING NO.	FLOOR LAYOUTS SITE LAYOUT	TECHNICAL DRAWING NO.	1846 - 01

SITE & GROUND FLOOR LAYOUT 1 : 100

# **ANNEXURE D**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**APPLICANT'S MOTIVATION**

## 1. INTRODUCTION

### 1.1 BACKGROUND AND APPOINTMENT

The Stellenbosch Municipal Council resolved on 29 March 2017 that approval be granted for the establishment of Local Economic Development (LED) Hubs on several municipal properties located in the Stellenbosch municipal area.

The municipality's LED department identified five (5) suitable locations for this purpose and issued a Request for Quotations for Professional Planners to assist with the preparation and submission of land use applications on each property. **PLAN 4 SA (Pty) Ltd** was subsequently appointed to assist with obtaining the relevant land use rights on each identified property.

### 1.2 POWER OF ATTORNEY

The owner of the properties gave Power of Attorney to **PLAN 4 SA (Pty) Ltd** or its nominee (**Mr Martin Jonker; ID 7010175034083** and **SACPLAN Registration Number A/1090/1999**).

The aforesaid Power of Attorney is attached to the land use application as **ANNEXURE 1**.

### 1.3 REPORT LAYOUT

The report has been structured as follows:

- **Section 1: Introduction:** This section gives the background to the appointment and shows to whom power of attorney has been given to deal with this application.
- **Section 2: Land Use Application:** This section describes the purpose of the application; identifies the applicable by-law, zoning scheme and overlay zones; describes the type of land use application and finally indicates whether any national and provincial legislation are triggered by the application.
- **Section 3: Property Information:** This section provides basic information about the property such as its cadastral description, its extent, the title deed number of the property and whether there are any restrictive conditions in the title deed. Other information includes its current zoning, current land uses, whether there is a bond registered against the property, and whether there are any pending land claims or court cases/orders.
- **Section 4: Contextual Analysis:** This section analyses the site in terms of the characteristics of the surrounding area, its location and the surrounding zonings and land uses.
- **Section 5: Site Analysis:** In this section the site is analysed in terms of the availability of engineering services, roads & transport, servitudes, geotechnical status, topography and environmental characteristics.
- **Section 6: Development Proposal:** The proposed development or land use is described in more detail in this section including the planning parameters proposed.
- **Section 7: Planning Motivation in Support of the Application:** This section motivates the application from a planning perspective. It looks at, amongst others, the consistency of the application in terms of planning policies and frameworks.
- **Section 8: Conclusion:** Provides concluding remarks and recommendations regarding the application.

## 2. LAND USE APPLICATION

### 2.1 PURPOSE OF THE APPLICATION

The purpose of this application is to obtain the applicable land use rights to use the subject property as a Local Economic Development Hub.

### 2.2 APPLICABLE BY-LAW, ZONING SCHEME & OVERLAY ZONES

The following by-law and zoning scheme(s) are applicable to this land use application:

- Stellenbosch Municipal Land Use Planning By-Law, 2015; and the
- Franschhoek Town Planning Scheme Regulations, 1985

The subject property falls **inside** the Historical Special Zone/Area of Franschhoek.

### 2.3 TYPE OF LAND USE APPLICATION

Application is made in terms of **Section 15** of the **Stellenbosch Municipal Land Use Planning By-Law, 2015** for the following:

TABLE 1: LAND USE APPLICATION(S) MADE

IN TERMS OF SECTION	APPLICATION IS MADE FOR
15(2)(a)	The rezoning of Erf 230 Franschhoek from <b>Single Residential</b> to <b>General Business</b> in terms of the Franschhoek Town Planning Scheme Regulations, 1985
15(2)(o)	<b>Special consent</b> to use a portion of Erf 230 Franschhoek for Institutional (Training) purposes.
15(2)(b)	A <b>permanent departure</b> from the <b>parking requirements</b> for Erf 230 Franschhoek by reducing the minimum number of required off-street parking bays from 16.06 to 8 parking bays.
15(2)(b)	A <b>permanent departure</b> to allow a vehicle entrance/access & exit way of wider than 6m where they cross the Daniel Hugo Street boundary of Erf 230 Franschhoek.

### 2.4 APPROVAL REQUIRED IN TERMS OF OTHER LEGISLATION (IF APPLICABLE)

The following table indicates whether the proposed land use triggers any approvals required in terms of the Spatial Planning and Land Use Management Act (SPLUMA), Act 16 of 2013.

TABLE 2: SPLUMA (Act 16 of 2013) TRIGGERS

APPLICABLE SECTIONS OF SPLUMA	TRIGGERED (YES / NO)	COMMENTS
<p><b>Development application affecting national interest</b> S52.(1)</p> <p>Subject to the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), a land development application must be referred to the Minister where such an application materially impacts on –</p> <p>(a) matters within the exclusive functional area of the national sphere in terms of the Constitution;</p> <p>(b) strategic national policy objectives, principles or priorities, including food security, international relations and co-operation, defence and economic unity; or</p> <p>(c) land use for a purpose which falls within the functional area of the national sphere of government.</p>	No	This section is not triggered.
<p>S52.(2)</p> <p>A land development application must be referred to the Minister where the outcome of the application –</p> <p>(a) may be prejudicial to the economic, health or security interests of one or more provinces or the Republic as a whole; or</p> <p>(b) may impede the effective performance of the functions by one or more municipalities or provinces relating to matters within their functional area of legislative competence.</p>	No	This section is not triggered.
<p>S52.(3)</p> <p>Where an applicant believes that his or her application is likely to affect the national interest, he or she must submit a copy of that application to the Minister.</p>	No	This section is not triggered.

The following table indicates whether any other national legislation is triggered by the proposed change in land use.

TABLE 3: OTHER NATIONAL LEGISLATIVE TRIGGERS

OTHER NATIONAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
<b>National Heritage Resource Act, 1999 (Act 25 of 1999)</b>	<b>Sections that triggers the need to submit a Notification of Intent to Develop</b>		
	S38(1)(a) Construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier over 300m in length	No	This section is not triggered.
	S38(1)(b) Construction of a bridge or similar structure exceeding 50m in length	No	This section is not triggered.
	S38(1)(c) Any development or activity that will change the character of a site – <ul style="list-style-type: none"> <li>i. Exceeding 5,000m<sup>2</sup> in extent; or</li> <li>ii. Involving three or more existing erven or subdivisions thereof; or</li> <li>iii. Involving three or more divisions thereof which have been consolidated within the past five years.</li> </ul>	No	This section is not triggered.

OTHER NATIONAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
	S38(1)(d) Rezoning of a site exceeding 10,000m <sup>2</sup> in extent.	No	This section is not triggered.
	S38(1)(e) Any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority.	No	The building on the property is on the municipality's list of historical buildings and is probably older than 60-years <sup>1</sup> . The existing facilities will be used and improved/added to where necessary. No structural changes to the buildings will be done without obtaining the necessary approvals.
National Environmental Management Act, 1998 (Act 107 of 1998)	N/A	No	This Act is not triggered.
Environmental Conservation Act, 1989 (Act 73 of 1989)	N/A	No	This Act is not triggered.
National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)	N/A	No	This Act is not triggered.
National Environmental Management: Waste Act, 2008 (Act 59 of 2008)	N/A	No	This Act is not triggered.
National Water Act, 1998 (Act 36 of 1998)	N/A	No	This Act is not triggered.
Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	N/A	No	This Act is not triggered.
Advertising on Roads & Ribbon Development Act, 1940 (Act 21 of 1940)	N/A	No	This Act is not triggered.
Occupational Health & Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	N/A	No	This Act is not triggered.

The following table indicates whether the proposed use triggers any provincial legislative approvals.

<sup>1</sup> An undated, hand-drawn building plan with no approval date was found on the municipal files for Erf 230 Franschoek. The exact age of the building is thus uncertain.

TABLE 4: PROVINCIAL LEGISLATIVE TRIGGERS

PROVINCIAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
Western Cape Land Use Planning Act, 2014 (Act 3 of 2014)	<p><b>Compliance or consistency with, and deviation from, spatial development frameworks or structure plans</b></p> <p>S19(1)</p> <p>If a spatial development framework or structure plan specifically provides for the utilisation or development of land as proposed in a land use application or land development application, the proposed utilisation or development is regarded as complying with that spatial development framework or structure plan.</p>	No	N/A
	<p>S19(2)</p> <p>If a spatial development framework or structure plan does not specifically provide for the utilisation or development of land as proposed in a land use application or a land development application, but the proposed utilisation or development is not in conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilisation or development is regarded as being consistent with that spatial development framework or structure plan.</p>	Yes	Although the 2018 SDF does not specifically discuss the use of this property and does not provide a specific land use designation for the area, the proposed land use is within the urban edge and not in conflict with normal uses associated with an urban area. The final draft 2019 SDF does identify this area as a "Settlement Centre" and designated the area as "Existing and Proposed Urban Character Areas"
	<p>S19(3)</p> <p>If the proposed utilisation or development of land in a land use application or a land development application does not comply with and is not consistent with the relevant designation for the utilisation of land in an applicable spatial development framework or structure plan, the proposed utilisation or development deviates from that spatial development framework or structure plan.</p>	No	N/A
	<p><b>Provincial comment on land use applications</b></p> <p>S45(1)</p> <p>A municipality must refer a land use application relating to the following to the Head of Department for written provincial comment once the application is complete in accordance with the requirements of the municipality and section 42:</p>	N/A	N/A
	<p>S45(1)(a)</p> <p>a development outside the municipality's planned outer limit of urban expansion as reflected in its municipal spatial development framework;</p>	No	The property is located within the urban edge.
	<p>S45(1)(b)</p> <p>if the municipality has no approved municipal spatial development framework, a development outside the physical edge, including existing urban land use approvals, of the existing urban area;</p>	No	N/A
	<p>S45(1)(c)</p> <p>a rezoning of land zoned for agricultural or conservation purposes;</p>	No	N/A

PROVINCIAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
	S45(1)(d) any development as determined by the municipal manager;	No	N/A
	S45(1)(e) development as prescribed that affects a provincial functional area;	No	N/A
	S45(1)(f) any other category of land use applications as may be prescribed for the purpose of supporting and strengthening the capacity of municipalities.	No	N/A
	<p><b>Provincial approval of land development</b> S53(1)</p> <p>No person may without an approval under subsection (2) or an exemption under subsection (3) develop land that will have a substantial effect on—</p> <p>(a) the orderly, coordinated or harmonious development of a region or the Province;</p> <p>(b) the general welfare of the inhabitants of a region or the Province; or</p> <p>(c) agriculture,</p> <p>due to—</p> <p>(i) the nature or scale of the proposed land use; or</p> <p>(ii) the cumulative effect of multiple developments.</p>	No	N/A
	S53(2) The owner of the land concerned or a person authorised by the owner may apply to the Head of Department for approval to develop land that will have the effect contemplated in subsection (1).	No	N/A because S53(1) of LUPA (Act 3 of 2014) is not triggered.
	S53(3) “(3) The Provincial Minister may exempt categories of land development from requiring approval under subsection (1) in one or more of the following circumstances: (a) where the land development complies with the applicable spatial development frameworks; (b) where the land development is consistent with other provincial policy; (c) to provide for government infrastructure projects; or (d) where provincial approval was granted in terms of other legislation.”	No	N/A because S53(1) of LUPA (Act 3 of 2014) is not triggered.



PROVINCIAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
<p>Western Cape Land Use Planning Regulations, 2015 (Provincial Gazette 7412 dated 26 June 2015)(P.N. 203/2015)</p> <p>Western Cape Land Use Planning Regulations, 2015: Amendment, 2019 (Provincial Gazette 8083 dated 15 April 2019)(P.N. 51/2019)</p>	<p><b>Land development requiring provincial approval and exempted categories of land development</b></p> <p>Reg 10.(1)</p> <p>Subject to subregulation (2), land development contemplated in section 53(1) read with section 53(4) of the Act consists of the following categories:</p> <p>(a) proposed land development—</p> <p>(i) in respect of which an approval in terms of the Ordinance does not exist immediately before the commencement of the Act; and</p> <p>(ii) that falls within a category of land development that has been listed in the Provincial Gazette as a category that requires approval under section 53(1) of the Act;</p> <p>(b) proposed land development that utilises an area of five hectares or more of agricultural land that has been cultivated or irrigated during the 10-year period immediately preceding the proposed land development that involves urban development or urban expansion, including residential, resort, business, industrial and community development, utility services or transport uses, but excluding agricultural land uses or land development ordinarily associated with agricultural use such as agricultural storing and packing facilities, agricultural industries or accommodation for bona fide agricultural workers;"</p> <p>(c) proposed land development for prospecting, mining or quarrying that utilises an area of five hectares or more of agricultural land;</p> <p>(d) proposed land development for any shale gas mining activity, but excluding any exploration activities involving seismic testing and stratified drilling;</p> <p>and</p> <p>(e) proposed land development for any nuclear electricity generation facility.</p>	No	N/A because S53(1) of LUPA (Act 3 of 2014) is not triggered.

PROVINCIAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
	<p>Reg 10.(2)</p> <p>The following categories of land development contemplated in subregulation (1) are exempted under section 53(3) of the Act from requiring approval under section 53(1) of the Act:</p> <p>(a) proposed land development in respect of which a provincial approval exists immediately before the commencement of the Act in terms of any of the following legislation:</p> <ul style="list-style-type: none"> <li>(i) section 24(2) of the National Environmental Management Act, 1998 (Act 107 of 1998), excluding an approval that is suspended in terms of section 43(7) of that Act;</li> <li>(ii) section 3 or 14 of the Less Formal Township Establishment Act, 1991 (Act 113 of 1991);</li> <li>(iii) regulations 2 to 7 of the regulations made under section 66(1) of the Black Communities Development Act, 1984 (Act 4 of 1984), published under Government Notice R.1897/1986 in Government Gazette 10431 of 12 September 1986;</li> <li>(iv) regulation 16, 17, 19(5) or 19(7) of the regulations made under section 66(1) of the Black Communities Development Act, 1984, published under Provincial Notice 733/1989 in Provincial Gazette 4606 of 22 September 1989;</li> <li>(v) section 20 of the Rural Areas Act, 1987 (Act 9 of 1987);</li> </ul> <p>(b) proposed land development that is specifically provided for in the applicable local municipal spatial development framework that was submitted to the Provincial Minister as contemplated in section 14 of the Act.</p>	Yes	N/A because S53(1) of LUPA (Act 3 of 2014) is not triggered.

### 3. PROPERTY INFORMATION

#### 3.1 PROPERTY DESCRIPTION & EXTENT

TABLE 5: PROPERTY CADASTRAL INFORMATION

PROPERTY DESCRIPTION	SG DIAGRAM	EXTENT
Erf 230, Franschhoek	SG579/1862	804m <sup>2</sup>

The SG Diagrams are attached to the land use application as **ANNEXURE 2**.

#### 3.2 OWNERSHIP & TITLE DEED

The property is owned by the Stellenbosch Municipality and is held by the following title deeds:

TABLE 6: TITLE DEEDS

PROPERTY DESCRIPTION	TITLE DEEDS
Erf 230, Franschhoek	T29346/1976

Proof of registered ownership is attached to the land use application as **ANNEXURE 3**. The Title Deed(s) are attached to the land use application as **ANNEXURE 4**.

#### 3.3 CONVEYANCING CERTIFICATE & TITLE DEED RESTRICTIONS

A Conveyancing Certificate for the property is attached to the land use application as **ANNEXURE 5**. A search was conducted on the following title deeds:

TABLE 7: CONVEYANCING CERTIFICATE(S) & TITLE DEED SEARCHES

PROPERTY DESCRIPTION	TITLE DEEDS SEARCHED
Erf 230, Franschhoek	T29346/1976; Deed of transfer 1081 dated 25 February 1908

The Conveyancing Certificate confirms that there are no restrictive conditions in the current or earlier title deeds.

### 3.4 CURRENT ZONING

The application property is currently zoned as follows in terms of the Franschhoek Town Planning Scheme Regulations, 1985.

TABLE 8: CURRENT ZONING

PROPERTY DESCRIPTION	USE ZONE	PRIMARY USES	CONSENT USES <i>(Allowed with consent of the Council)</i>
Erf 230, Franschhoek	Single Residential	Dwelling house	Educational building; Place of public worship.

The Zoning Certificate is attached to the land use application as **ANNEXURE 6**.

### 3.5 EXISTING BUILDINGS & LAND USES

The property has a single residential building on it. The existing uses on the property is shown in the following table.

TABLE 9: EXISTING BUILDINGS & LAND USES

PROPERTY DESCRIPTION	EXISTING BUILDINGS	EXISTING LAND USES	LEGAL STATUS (Authorised or Unauthorised)	IF "UNAUTHORISED", IS THIS APPLICATION TO LEGALIZE THE LAND USE?
Erf 230, Franschhoek	1 x Single Residential Dwelling ( $\pm 206\text{m}^2$ )	Vacant	Authorised	N/A

There are currently no unauthorised land uses on the properties. Photos of the properties are shown below.



PHOTO 1: ERF 230, FRANSCHHOEK – AERIAL VIEW FROM ABOVE



PHOTO 2: ERF 230, FRANSCHHOEK – ANGLED AERIAL VIEW TO THE BACK OF THE EXISTING BUILDING

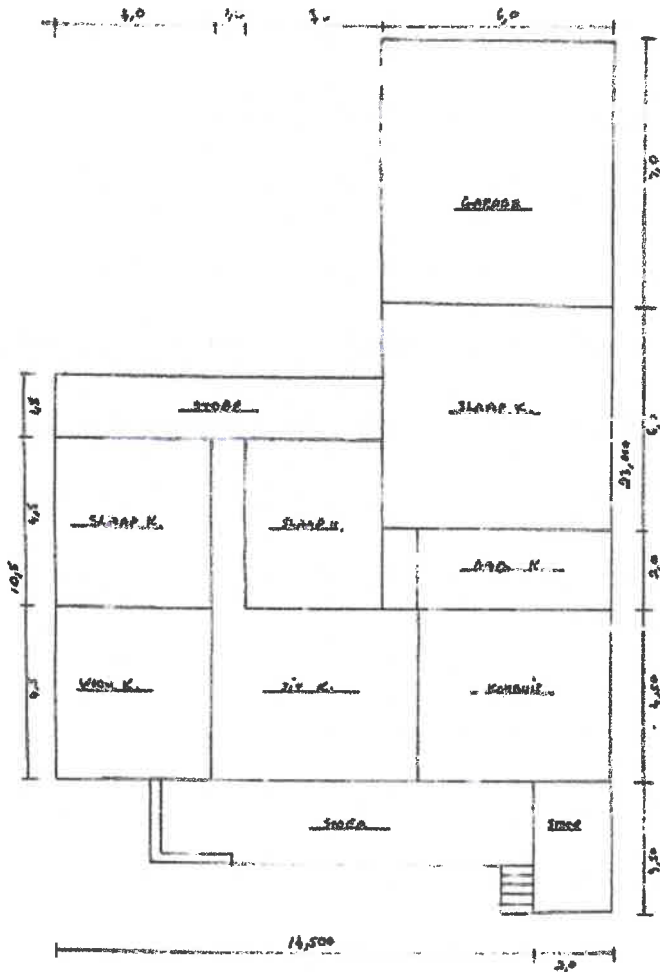


PHOTO 3: ERF 230, FRANSCHHOEK – ANGLED AERIAL VIEW FROM THE FRONT OF THE EXISTING BUILDING



PHOTO 4: ERF 230, FRANSCHHOEK – ANGLED AERIAL VIEW FROM DANIEL HUGO STREET

The original building plan for Erf 230 Franschhoek is undated with no stamp of approval. However, a new building plan showing the existing and proposed structures on Erf 230 has been compiled recently. The aforementioned building plans are shown in the figures below.



ERF: 230  
FRANSCHHOEK

FIGURE 1: ORIGINAL BUILDING PLAN FOR STRUCTURES ON ERF 230 FRANSCHHOEK

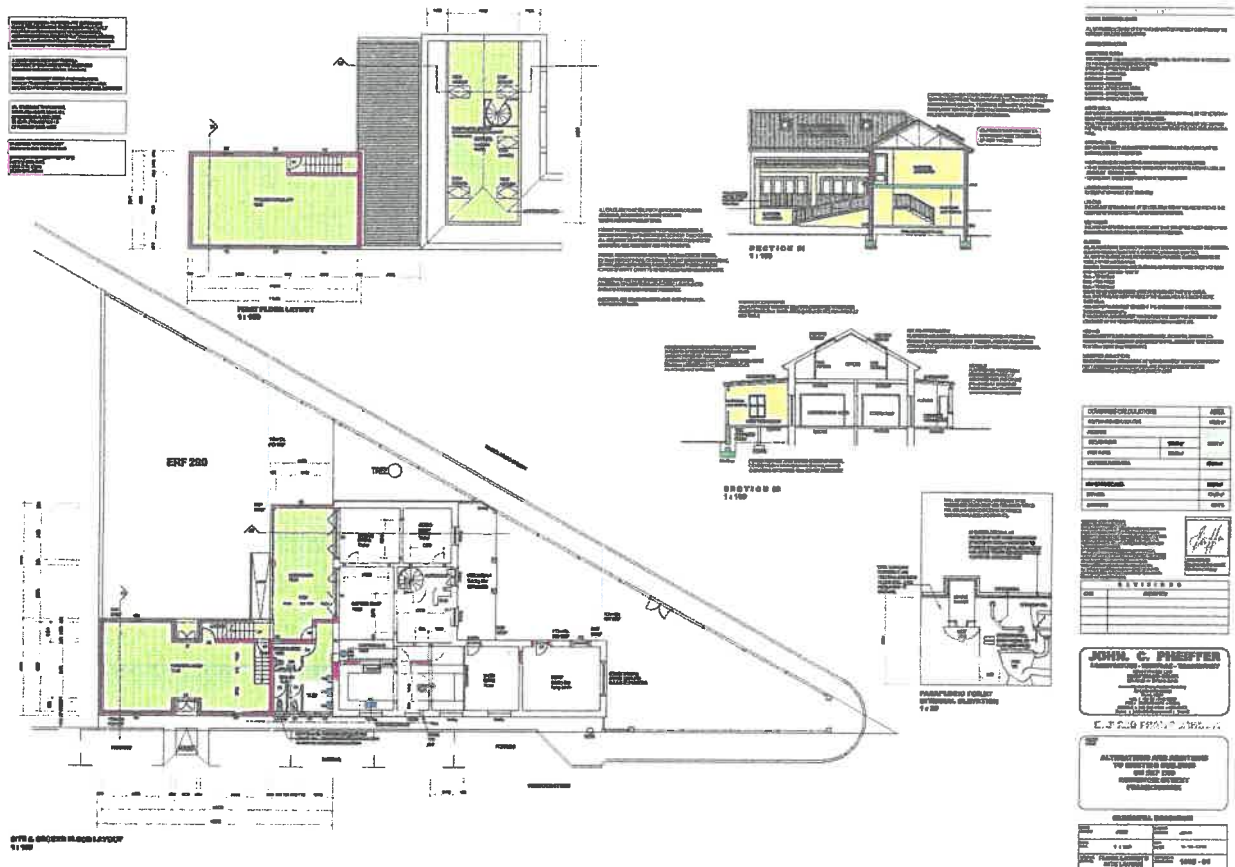


FIGURE 2: LATEST BUILDING PLAN FOR EXISTING & PROPOSED STRUCTURES ON ERF 230 FRANSCHHOEK

This application does not deal with the legality of the existing building structures and building plans.

### 3.6 BOND HOLDER

There is no bond registered against the subject property(ies).

### 3.7 PENDING LAND CLAIMS

The Office of the Regional Land Claims Commissioner: Western Cape confirmed in a letter dated 9 April 2019 that "as at the date of this letter no land claims appear on our database in respect **ERF 230 FRANSCHHOEK, ...**". The aforementioned letter from the Regional Land Claims Commissioner is attached to the land use application as **ANNEXURE 7**.

### 3.8 PENDING COURT CASES / ORDERS

The conveyancer confirmed that at the time of their enquiries/search, they did not detect any Caveats or Interdicts noted against the property at the Deeds Office. To the best of our knowledge, there are no pending court cases or orders relating to or registered against the subject property(ies).

## 4. CONTEXTUAL ANALYSIS

### 4.1 LOCATION & PHYSICAL ADDRESS

The property (known as the "Triangle Site") is located within an existing node in the town centre of Franschhoek and is bounded by Daniel Hugo Street and Reservoir Street. The Triangle Site is approximately 25m west of Huguenot Road. The physical address is 2 Reservoir Street (Erf 230), Franschhoek. The location is shown in the image below.



IMAGE 1: LOCATION OF ERF 230 IN FRANSCHHOEK TOWN

When travelling to Franschhoek from Paarl, access to the property can be obtained from Huguenot Road by turning right (west) in Reservoir Street. A Locality Map is attached hereto as **PLAN 1: LOCALITY PLAN**.

### 4.2 SURROUNDING ZONINGS AND LAND USES

The subject property is surrounded by a mix of land uses that includes both business and residential uses. The area is characterised by businesses to the north and east of the site and single residential land uses to the south and west of the site. The existing land uses in the immediate vicinity of the subject property is summarised in the following table.

TABLE 10: LAND USES ON SURROUNDING PROPERTIES

ERF NUMBERS	STREET NAMES	EXISTING LAND USES
Erf 228	Reservoir Street	Single Residential
Erf 229	Daniel Hugo Street	Single Residential
Erf 230	Cnr of Reservoir & Daniel Hugo Street	Single Residential (Vacant)
Erf 232	Cnr of Reservoir Street & Huguenot Road	Business (Sotheby's)
Erf 838	Reservoir Street	Single Residential

ERF NUMBERS	STREET NAMES	EXISTING LAND USES
Erf 835	Reservoir Street	Institutional / Business (Franschhoek Public Library & Café Des Arts)
Erf 836	Cnr of Reservoir & Wilhelmina Street	Single Residential
Erf 945	Cnr of Reservoir & Wilhelmina Street	Residential
Erf 212	Cnr of Reservoir & Wilhelmina Street	Residential
Erf 1614	Wilhelmina Street	Residential
Erf 937	Cnr of Daniel Hugo & Wilhelmina Street	Residential
Erf 189	Cnr of Daniel Hugo & Wilhelmina Street	Residential & Tourist Accommodation
Erf 3505	Cnr of Daniel Hugo & Van Wijk Street	Business (Franschhoek Boutique Hotel & other businesses)
Erf 1541	Daniel Hugo Street	Business (Restaurant & Bar)
Erf 573	Cnr of Daniel Hugo & Huguenot Road	Business (The Hoek Espresso Bar & others)

The location of the surrounding erven is shown on the following image. Residential uses are shaded pink whilst business and institutional uses are shaded blue. Although not shown on this image all erven along Huguenot Road in this area have business & related land uses.

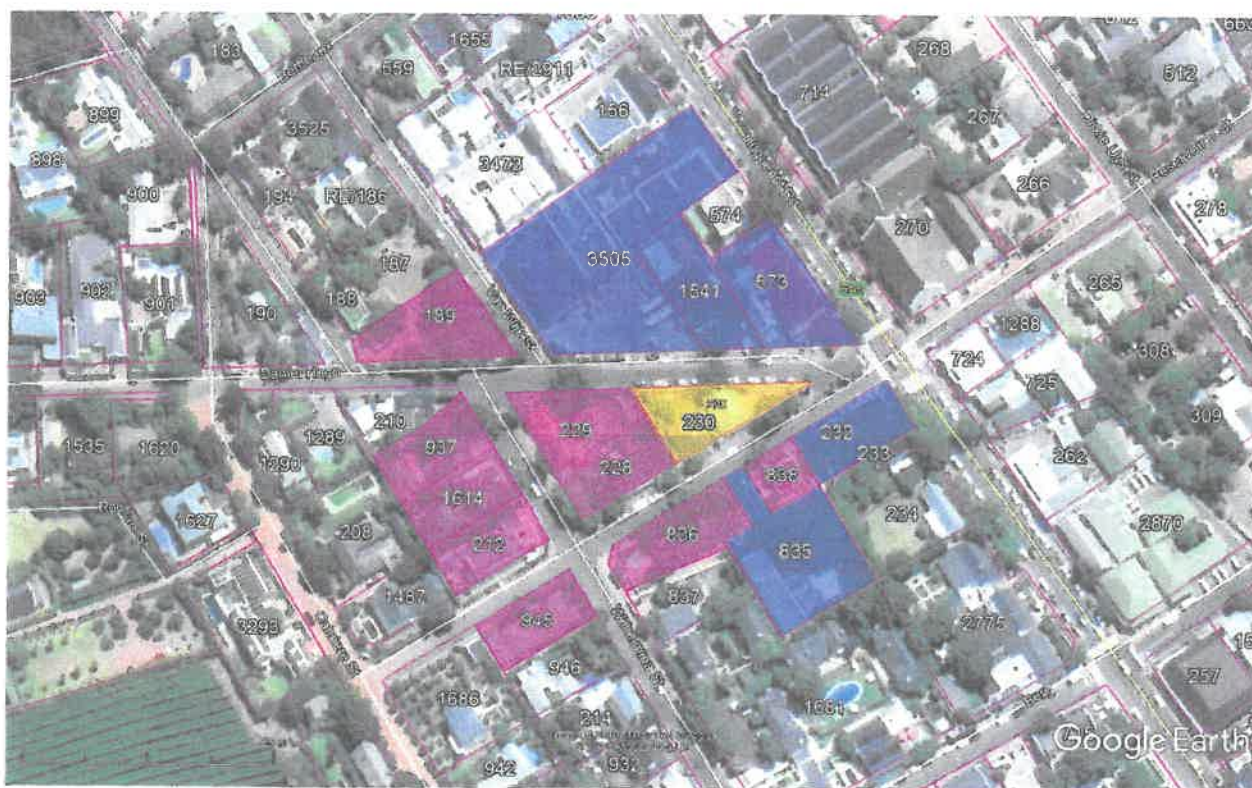


IMAGE 2: SURROUNDING ERVEN & LAND USES

A Land Use Plan, indicating the existing land uses on the surrounding properties, is attached hereto as **PLAN 2: LAND USE PLAN**.

Some of the surrounding land uses are shown on the photos below.





PHOTO 5: RESIDENTIAL ON ERF 228



PHOTO 6: RESIDENTIAL ON ERF 229



PHOTO 7: BOUTIQUE HOTEL ON ERF 3505



PHOTO 8: TOURIST ACCOMMODATION ON ERF 189



PHOTO 9: RESTAURANT & BAR ON ERF 1541



PHOTO 10: EXPRESSO BAR ON ERF 573



PHOTO 11: ENTRANCE TO FRANSCHHOEK LIBRARY ON ERF 835



PHOTO 12: VIEW TOWARDS HUGUENOT ROAD

## 5. SITE ANALYSIS

An analysis of the key site characteristics is summarised in the table below.

TABLE 11: SITE ANALYSIS

	<b>ANALYSIS ASPECT</b>	<b>COMMENTS</b>
1	Engineering Services Availability	The property is located in an established urban area within the urban edge and already have direct access to all engineering services.
2	Roads & Transport	The property is well served by paved roads and close to public transport routes. Huguenot Road (R45) is a Provincial Road which is the main arterial through Franschoek and is located approximately 25m from the property. Existing access to Erf 230 can be obtained from both Reservoir and Daniel Hugo Streets.
3	Servitudes	There are no servitudes affecting the property and the proposed land uses on the property.
4	Topography	The property has a relatively level slope
5	Geotechnical Status	The proposed uses will be on an already developed property and do not require a geotechnical report to be prepared.
6	Environmental Characteristics	The subject property is located in an established urban area and is already transformed and built-up.
7	Heritage Characteristics	<p>The property is located inside the historical core of Franschoek and are part of the Stellenbosch Municipality's List of Historical Buildings.</p> <p>The existing building is probably older than 60-years. An undated hand drawn building plan was found for the building on Erf 230 Franschoek and the exact age of the building could thus not be determined.</p> <p>A search on the South African Heritage Resources Information System (SAHRIS) on 21 August 2019 revealed that the subject property is not listed as either a National or Provincial Heritage Site.</p>

## 6. DEVELOPMENT PROPOSAL

### 6.1 BACKGROUND

The Stellenbosch Municipality owns various properties in its nodes and central business areas, many of which are underutilised or not optimally utilised and/or lying dormant. As part of its strategy for inclusive economic growth, one of the key objectives identified by the municipality is to "make it easier for small enterprises to succeed in competitive markets"<sup>2</sup>.

Small businesses have numerous challenges, especially in its establishment and early development phases. Some of these challenges include access to market opportunities, financial capital, human resources, and land and/or facilities. Having access to these markets and inputs means the difference between growing a small business or closing its doors. The municipality has an enabling role which is to assist small businesses and entrepreneurs to not only establish themselves but also to create an environment for them to grow.

As such, the Stellenbosch Municipal Council, at its 7<sup>th</sup> meeting held on 29 March 2017, granted approval for the establishment of Local Economic Development (LED) Hubs on a number of municipal owned properties. One of these properties is **Erf 230, Franschhoek**, also known as the "Triangle Site". The Council confirmed at the aforementioned meeting that the properties are not required for the provision of the minimum level of basic municipal services in terms of Section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003); and furthermore authorised the Municipal Manager to follow the prescribed process for the leasing of the relevant properties.

A Call for Proposals for the lease of the LED Hubs were subsequently advertised and closed on 19 September 2017. A total of three applicants submitted proposals to lease the facilities on the **Triangle Site**. At its 18<sup>th</sup> meeting held on 25 July 2018, the Council adopted the following resolutions relating to the LED Hubs:

*"(a) that Council adopts the recommendation to award the leases of the Local Economic Development Hubs to the entities that scored the highest points for each property, as follows:*

<b>Property</b>	<b>Applicant</b>
1. <i>The Old Clinic Building (Erven 6487 &amp; 6488)</i>	<i>Ranyaka</i>
2. <i>Triangle Building (Erf 228)<sup>3</sup></i>	<i>Hugenote Fine Chocolates</i>
3. <i>Mooiwater Building (Erf 2253)</i>	<i>ABC Empowerment</i>

*(b) that once Council approves and awards the leasing rights to the highest scoring applicant, the Director Corporate Services be mandated to draft and sign lease agreements with the successful applicants;*

*(c) that the contract must make provision for termination on non-performance in terms of the agreement;*

*(d) that the contract be awarded for a period of 9 years and 11 months; and*

*(e) that the awarding of rights of the Old Agricultural Hall to the Stellenbosch Craft Alive and Stellenbosch Trail Fund be awarded, conditional to the settlement of the outstanding legal dispute."*

At its 24<sup>th</sup> meeting held on 27 February 2019, Council furthermore approved that rental discounts be given for renovations and repairs to the following municipal properties:

- Erf 6487 & 6488, Stellenbosch (to be leased to Ranyaka Transformation)

<sup>2</sup> Stellenbosch LED Strategy & Action Plan, June 2014.

<sup>3</sup> Hugenote Fine Chocolates will be leasing Erf 230 and not Erf 228 as mistakenly reflected in the council decisions.

- Erf 228 Franschoek (to be leased to Hugenote Fine Chocolates)<sup>4</sup>

## 6.2 OBJECTIVE(S)

The economic objectives of the proposed land uses are as follows:

- To provide access to strategically located and valuable land;
- To empower historically disadvantaged individuals through training, mentoring, guidance and support in business administration;
- To promote the development of small, medium and micro enterprises;
- To promote and enable job creation;
- To promote and enable the feasible, sustainable and competitive enterprises that can support existing economic activities in the local community.

The planning and land use objectives are as follows:

- To further the aims of the IDP, LED Strategy, SDF and the relevant Town Planning Scheme;
- To adhere to the municipality's land use management requirements;
- To create an activity that is compatible with, and complements the surrounding already developed areas;
- To optimise the utilisation of the property in order to maximise its economic potential;
- To enhance the overall public benefit derived from the use of and access to the property.

The following key design objectives have been identified:

- Ensure that any future remodelling and renovations will encompass, retain and conform to the architectural features and character of the surrounding area;
- To provide universal public access to people with disabilities;
- To promote pedestrian movement through safe access and appropriate facilities;
- To comply with any design guidelines required by municipal departments and other relevant authorities;
- To comply with all heritage requirements, if and where applicable.

## 6.3 PROPOSED ZONING(S) AND LAND USE(S)

This application intends to rezone the subject property from "Single Residential" to "General Business" in order to obtain the rights to use the property as an LED Hub / business incubator.

The Buildings will be leased out and used for more than one use (i.e. offices, shops and training purposes) and the provisions for "Combined Buildings" (Section 8.5.5.2 of the Franschoek Zoning Scheme Regulations, 1985) will apply. The aforementioned provisions state as follows:

*"In the case of combined buildings in the business zone, the provision shall be applied in respect of each floor for the use to which such floor is to be put and the sum of the provisions so arrived at applied to the whole building. Where it is intended to use any floor of a building for more than one use, the more restrictive provision shall apply."*

<sup>4</sup> Hugenote Fine Chocolates will be leasing Erf 230 and not Erf 228 as mistakenly reflected in the council decisions

A summary of the area sizes of the property is shown in the tables below.

TABLE 12: SUMMARY OF AREA SIZES FOR ERF 230 FRANSCHHOEK

DESCRIPTION	SIZE / EXTENT (m <sup>2</sup> )
Erf 230, Franschhoek	804.00
Area to be rezoned	804.00
Existing Building Area (Ground Floor)	±206.00
Proposed Additions - Ground Floor	±128.78
Proposed Additions - First Floor	±134.16
Proposed Additions - Other	±100.00
Proposed Additions - Total	±362.94
New Building Area	±568.94

The following table describes the proposed zoning(s), the proposed primary land uses and the extent thereof.

TABLE 13: PROPOSED ZONING(S) IN TERMS OF THE FRANSCHHOEK TOWN PLANNING SCHEME REGULATIONS

PROPERTY DESCRIPTION	PROPOSED ZONING	PROPOSED LAND USE(S)			
		PRIMARY USES	CONSENT USES APPLIED FOR	SIZE / EXTENT	
				Building (m <sup>2</sup> )	% of Building Area
Erf 230 Franschhoek	General Business	Offices		±58.02	14%
		Shops		±206.00	50%
			Institution (Training)	±150.78	36%
<b>TOTAL</b>				<b>±414.80</b>	<b>100%</b>

## 6.4 PROPOSED DEVELOPMENT PARAMETERS

A summary of the proposed planning parameters is provided in the table below.

TABLE 14: SUMMARY OF PLANNING PARAMETERS FOR ERF 230 FRANSCHHOEK

PLANNING PARAMETER	PROPOSED LAND USES				COMMENTS
	OFFICES	SHOPS	TRAINING	TOTAL	
Coverage	0.00% <sup>5</sup>	±25.62%	±16.84%	±42.47%	No change / amendment to zoning scheme parameters required
Bulk / Floor Factor	0.07	0.26	0.19	0.71	Requirements not specified in zoning scheme
Height	1 <sup>st</sup> Storey (Attic)	Ground Storey	Ground & 1 <sup>st</sup> Storey	2 storeys	No change / amendment to zoning scheme parameters required
Building Line - Street	0m	0m	0m	0m	No change / amendment to zoning scheme parameters required
Building Line - Lateral	0m	0m	0m	0m	No change / amendment to zoning scheme parameters required
Parking	2	4	2	8	Application is made in terms of S15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law, 2015, to reduce the minimum required number of parking bays from 16.06 to 8 parking bays

More detail tables on each of the planning parameters (coverage, height, bulk / floor factor, building lines, and parking) is provided below.

<sup>5</sup> The office use on Erf 230 will be located in the attic (1<sup>st</sup> floor) of the existing building. For the purposes of the coverage calculation, the area occupied by offices is thus already included in the shop area which will be located on the ground floor directly below the office area.

**6.4.1 Coverage**

The coverage calculations for the site is shown in the following table.

**TABLE 15: PROPOSED ZONING PARAMETERS: COVERAGE ON ERF 230 FRANSCHHOEK**

LAND USE(S)	COVERAGE									
	MAX PERMITTED BY ZONING SCHEME				PROPOSED				CHANGE / AMEND	
	Parameter	On this Site (m <sup>2</sup> )	On the Rezoned Area (m <sup>2</sup> )	Size / Area (m <sup>2</sup> )	% of Erf/Site Area	% of Rezoned Area	From	To		
Offices (First Floor - Attic)	85%	683.40	683.40	0.00	0.00%	0.00%	N/A	N/A		
Shops (Ground Floor)	85%	683.40	683.40	±206.00	25.62%	25.62%	N/A	N/A		
Training (incl New Verandah & Ablutions)(Ground Floor)	50%	402.00	402.00	±135.42	16.84%	16.84%	N/A	N/A		
				±341.42	42.47%	42.47%	N/A	N/A		

The coverage of the proposed land uses does not exceed the permissible coverage for the site in terms of the proposed "General Business" zoning and therefore no application for the change or amendment of this parameter is thus required.

**6.4.2 Height**

The height parameter is shown in the following table. The height of the existing building and the proposed additions on Erf 230 Franschoek does not exceed the permissible height in terms of the proposed "General Business" zoning and therefore no application for the change or amendment of this parameter is required.

TABLE 16: PROPOSED ZONING PARAMETERS: HEIGHT ON ERF 230 FRANSCHHOEK

PROPOSED ZONING	LAND USE(S)	HEIGHT					
		MAX PERMITTED BY ZONING SCHEME		PROPOSED		CHANGE / AMEND	
		Parameter	Meters	No of Floors	Meters	From	To
General Business	Offices	3 Floors	10.00	1 Floor (Attic)	Maintain current height. Offices will be accommodated in the attic of the existing building	N/A	N/A
	Shops	3 Floors	10.00	Ground Floor	Maintain current height	N/A	N/A
	Training (Institutional)	5 Floors	16.00	2 Floors	The slope of the site allows that the roof of the 2 storey addition will be aligned / level with the roof of the existing building.	N/A	N/A
<b>TOTAL</b>		<b>3 &amp; 5 Floors respectively</b>	<b>10m &amp; 16m respectively</b>	<b>2 Floors</b>		<b>N/A</b>	<b>N/A</b>

A new building plan has been prepared for additions / alterations to the existing building on Erf 230 Franschoek. The proposed additions will include a 2-storey building; however, the height of the 2-storey building will be aligned / level with the height of the existing building as shown on an extract of the building plan<sup>6</sup> in the figure below.

<sup>6</sup> Source: Building Plan dated 8 October 2018 prepared by Mr John C Pfeiffer



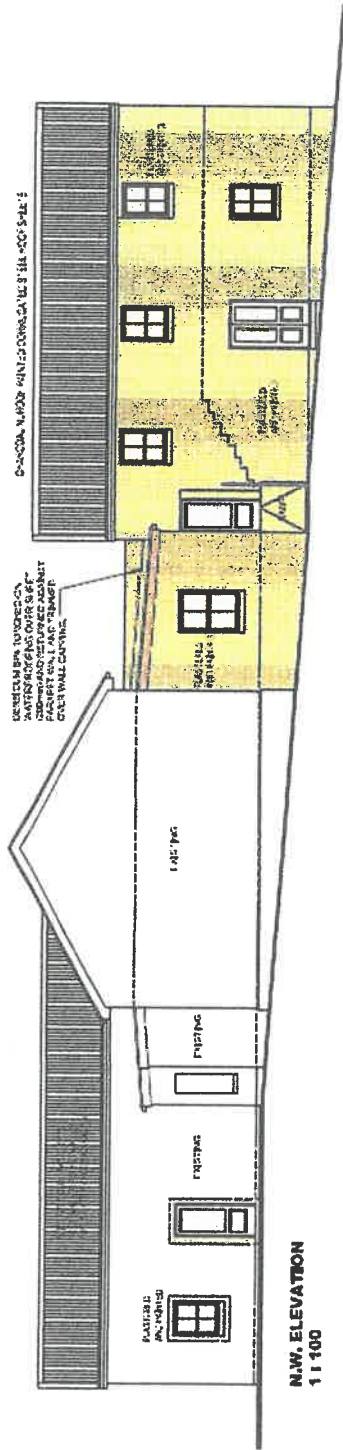


FIGURE 3: NORTH-WEST ELEVATION OF PROPOSED BUILDING ADDITIONS ON ERF 230 FRANSCHOEK

The location of the proposed office space in the attic (1<sup>st</sup> floor) of the existing building is shown on the figure below

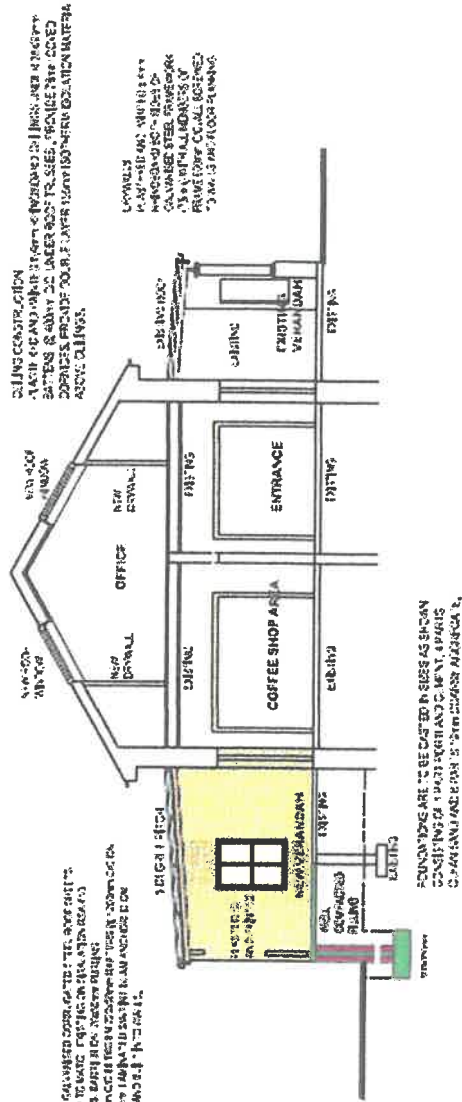


FIGURE 4: CROSS SECTION SHOWING PROPOSED USES (OFFICE & SHOP) IN THE EXISTING BUILDING ON ERF 230 FRANSCHOEK

7 Source: Building Plan dated 8 October 2018 prepared by Mr John C Pheiffer

### 6.4.3 Floor Factor & Bulk

The current Franschhoek Zoning Scheme Regulations does not specify what the floor factor and bulk in a General Business Zone should be. The table below provides a summary of the proposed floor factor and bulk for Erf 230 Franschhoek.

TABLE 17: PROPOSED ZONING PARAMETERS: FLOOR FACTOR & BULK ON ERF 230 FRANSCHHOEK

PROPOSED ZONING	LAND USE(S)	FLOOR FACTOR & BULK					
		MAX PERMITTED BY ZONING SCHEME		PROPOSED		CHANGE / AMEND	
		Floor Factor	Bulk	Floor Factor	Max Bulk (m <sup>2</sup> )	From	To
General Business	Offices	Not specified	Not specified	0.07	58.02	N/A	N/A
	Shops	Not specified	Not specified	0.26	206.00	N/A	N/A
	Training	Not specified	Not specified	0.19	150.78	N/A	N/A
	Other	Not specified	Not specified	0.19	154.14	N/A	N/A
<b>TOTAL</b>				<b>0.71</b>	<b>568.94</b>	<b>N/A</b>	<b>N/A</b>

### 6.4.4 Building Lines

The building line parameters for the proposed General Business Zone is shown in the table below.

TABLE 18: PROPOSED ZONING PARAMETERS: BUILDING LINES ON ERF 230 FRANSCHHOEK

BOUNDARY	FLOOR	BUILDING LINES					
		ZONING SCHEME REQUIREMENTS FOR BUSINESS ZONE			PROPOSED		
		Meters	Comments	Meters	Comments	From	To
Street	Ground	0	<i>"Subject to the provisions of any other legal provisions shops, offices, buildings for recreation and residential buildings above the ground floor may be erected on the street boundary. All other buildings shall be set back 4,6 m from the street boundary."</i>	0	Maintain the "General Business" zoning parameter	m	m
Lateral	Ground	0	<i>"Buildings on the ground floor may be erected on the lateral boundary of an erf."</i>	0	Maintain the "General Business" zoning parameter	m	m
Rear	Ground	0	<i>"Buildings on the ground floor may be erected on the rear boundary of an erf."</i>	N/A	N/A	m	m

The existing buildings on the three properties and the proposed additions on Erf 230 Franschhoek will be in line with the 0m building line parameter of the proposed "General Business" zoning. No amendments or changes are therefore proposed to the "General Business" zoning's building line parameters.

### 6.4.5 Parking

Clarification was sought from the Stellenbosch Municipality's planning department (email dated 9 April 2019) regarding the interpretation of parking requirements for offices and shops in the General Business Zone of the Franschhoek Zoning Scheme Regulations, 1985. The requirement for shops were specifically questioned. Mr Robert Fooy responded in an email dated 18 April 2019 and indicated as follows:

*" ... Convert the area for parking to bays (30 sqm / 1 bay excluding circulation) ..."*

The above parameter has thus been applied to the proposed shop uses whilst 1 bay per 20m<sup>2</sup> of office space has been applied to the proposed office uses as required in terms of the Franschhoek Zoning Scheme Regulations, 1985. The "Combined Buildings" provision of the Franschhoek Zoning Scheme Regulations (1985) states that *"Where it is intended to use any floor of a building for more than one use, the more restrictive provision shall apply"*. In terms of parking, the more restrictive provision would be the use that requires the highest minimum number of parking bays. Where a floor is shared by office and shop uses, the office use would then be the more restrictive provision.

The Franschhoek Zoning Scheme does not define the size of a parking space. Guidance was thus sought from the Stellenbosch Zoning Scheme Regulations, 1996, which indicate that the area of a parking space is as a minimum 5.5m x 2.5m = 13.75m<sup>2</sup>. The aforementioned standard was used in the determination of the number of parking bays that can be accommodated on the subject property. The proposed parking requirements for Erf 230 Franschhoek is shown in the following table.

TABLE 19: PROPOSED ZONING PARAMETERS: PARKING ON ERF 230 FRANSCHHOEK

PROPOSED ZONING	LAND USE(S)	PARKING									
		ZONING SCHEME REQUIREMENTS FOR BUSINESS ZONE				SEATS	SPACE / GBA	PROPOSED		CHANGE / AMEND	
		Parameter	Minimum Number of Bays	Per m <sup>2</sup> Area	No of Bays			This Site (m <sup>2</sup> parking)	From	To	
General Business	Offices (Attic)	1 bay per 20m <sup>2</sup> excluding circulation	1.00	20.00		58.02	2.90	39.89	2.90	2	
	Shops (Ground Floor)	1 bay per 30m <sup>2</sup> excluding circulation	1.00	30.00		206.00	6.87	94.42	6.87	4	
	Training (Ground Floor)	1 bay per 10 seats	1.00	30.00	6.00	74.64	2.49	34.21	2.49	1	
	Training (First Floor)	1 bay per 10 seats	1.00	20.00	6.00	76.15	3.81	52.35	3.81	1	
<b>TOTAL</b>						<b>414.80</b>	<b>16.06</b>	<b>220.86</b>	<b>16.06</b>	<b>8</b>	

For Erf 230 Franschoek, the shop uses will be accommodated on the ground floor of the existing building. The training uses will be accommodated on the ground floor and first floor of the new additions to the existing building, whilst the office uses will be accommodated in the attic of the existing building. In terms of the aforementioned "Combined Buildings" provision, the shop uses would be the more restrictive provision on the ground floor and the office uses would be the more restrictive provision on the first floor. The proposed training area on Erf 230 Franschoek will make provision for 6 stations accommodating 2 people per station. The proposed training facilities (Erf 230 Franschoek) will thus have the capacity to train 12 people at the same time. Training falls under the "institutional" zoning in terms of the Franschoek Zoning Scheme Regulations, 1985, and requires a minimum of 1 parking bay for every 10 seats.

According to calculations a minimum number of 16.06 parking bays need to be provided on Erf 230 Franschoek. However, the Concept Site Layout Plan (refer to **PLAN 3: TYPICAL SITE LAYOUT PLAN – FHK TRIANGLE SITE**) shows that a maximum of 8 parking bays can be provided on Erf 230 Franschoek based on the existing and proposed structures on and layout of the property. A permanent departure is thus sought in this application to reduce the minimum number of parking bays required from 16.06 to 8 parking bays.

In order to improve access to and exit from the proposed off-street parking bays on Erf 230 Franschoek, a permanent departure is sought in terms of S15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law, 2015, to:

- Allow a vehicle to access / exit of wider than 6m over the Daniel Hugo Street boundary of Erf 230 Franschoek.

## 7. PLANNING MOTIVATION IN SUPPORT OF THE APPLICATION

### 7.1 LAND USE DECISION CRITERIA

Section 65 of the Stellenbosch Land Use Planning By-Law, 2015, sets out the general criteria that needs to be considered when a land use application is submitted. Section 38(1)(f) indicates that the written motivation of the application must be based on the criteria in Section 65.

### 7.2 CONSISTENCY WITH RELEVANT NATIONAL & PROVINCIAL DEVELOPMENT PRINCIPLES

The proposed land use is consistent with the development principles contained in Chapter 2, Section 7 of SPLUMA and Chapter 6, Section 59 of LUPA.

TABLE 20: CONSISTENCY WITH SPLUMA (Act 16 of 2013) AND LUPA (Act 3 of 2014)

APPLICABLE SECTIONS	DEVELOPMENT PRINCIPLES	COMMENTS
SPLUMA, Section 7(a) LUPA, Section 59(1)	Spatial Justice	The proposed land use will provide <b>access to and the use of facilities, technology and business support services</b> that will enable entrepreneurs, start-ups and SMME's from surrounding communities to grow and develop.
SPLUMA, Section 7(b) LUPA, Section 59(2)	Spatial Sustainability	The proposed land use is consistent with the principle of spatial sustainability: <ul style="list-style-type: none"> <li>• The properties are located within the existing approved urban edge and the proposed land use does not encourage urban sprawl.</li> <li>• It will make use of existing available infrastructure services capacity.</li> <li>• The proposed land use will improve the viability of the community by providing access to business development incubator facilities, technology and services.</li> </ul>
SPLUMA, Section 7(c) LUPA, Section 59(3)	Efficiency	Existing under-utilised municipal facilities and infrastructure will be used.  The proposed land use improves the integration of economic opportunities in close proximity to the surrounding residential areas.  The proposed land use will also improve the quality and functionality of the existing under-utilised public facilities.
SPLUMA, Section 7(d) LUPA, Section 59(5)	Spatial Resilience	A key objective of the proposed land use in this application is to improve the livelihoods of the surrounding communities to ensure sustainable growth and development. According to the principle of spatial resilience (S59(5) of LUPA), <i>"flexibility in spatial plans, policy and land use management systems is accommodated to ensure sustainable livelihoods in communities most likely to suffer the impact of economic and environmental shocks"</i> .
SPLUMA, Section 7(e) LUPA, Section 59(4)	Good Administration	The application complies with and is submitted in accordance with the legislated land development processes and procedures.

## 7.3 CONSISTENCY WITH RELEVANT NATIONAL & PROVINCIAL PLANNING FRAMEWORKS AND POLICIES

### 7.3.1 National Development Plan (NDP), 2012

The National Development Plan identified nine (9) main challenges that need to be addressed in South Africa. The proposed land use(s) in this application contributes as a response to some of those national challenges. The national challenges, the suggested national responses and the relevance to this land use application is highlighted in the table below.

TABLE 21: CONSISTENCY WITH NATIONAL DEVELOPMENT PLAN (NDP), 2012

NDP CHALLENGES		NDP RESPONSE	HOW THIS PROPOSED DEVELOPMENT RESPONDS
1	Unemployment	Create jobs and livelihoods	This proposed land use responds directly to this national challenge by aiming to provide business opportunities and support services for entrepreneurs in the local community which can eventually create jobs and improve the livelihoods of the community. It responds to the following proposal contained on page 12 of the NDP: <i>“Support small businesses through better coordination of activities in small business agencies, development finance institutions, and public and private incubators”.</i>
2	Infrastructure poorly located and inadequate	Expand infrastructure	Not application to this application.
3	Exclusive spatial patterns	Transform urban and rural spaces	This proposed land use will take place within the existing urban edge and is aimed at assisting young entrepreneurs and small businesses.
4	Resource consumptive economy	Transition to a low-carbon economy	Not application to this application.
5	Poor quality education	Improve education and training	Not application to this application.
6	Widespread disease burden and poor services	Provide quality health care	Not application to this application.
7	Poor quality public service	Build a capable state	Not application to this application.
8	Corruption	Fight corruption and increase accountability	Not application to this application.
9	Divided society	Transform society and unite the nation.	This proposed land use contributes to the transformation of society because one of its key aims is <i>“Reducing poverty and inequality by broadening opportunity through economic inclusion, education and skills, and specific redress measures”</i> (NDP, p25).

### 7.3.2 OneCape 2040

The OneCape 2040 strategy is a Western Cape initiative that aims to *“scope a long-term economic vision and plan involving all key Western Cape economic leaders as well as citizens for the next 30 to 40 years”*. Its primary goal is to create *“a resilient, inclusive and competitive Western Cape with higher rates of employment producing growing incomes, greater equality and an improved quality of life”*. Its vision is to have *“a highly-skilled, innovation driven, resource efficient, connected, high opportunity and collaborative society”*.

Local government's role in achieving this vision is as follows:

- Integrated neighbourhoods and upgrading the built environment;
- Integrated services planning and provision

One of the six transitional areas identified in this strategy relates to "**Economic Access Transition (Working Cape)**". The aim is to change from a currently "*Factor and efficiency-driven economy with high barriers to entry and low productivity and entrepreneurship rates*" to a "*Innovation-driven economy with low barriers to entry, high productivity and entrepreneurship rates*".

This proposed land use aims to contribute to this transitional change and is part of the municipality's initiatives to fulfil its role in the OneCape 2040 vision.

### 7.3.3 WC Provincial Spatial Development Framework (PSDF), 2014

The latest approved PSDF is dated March 2014. The Western Cape PSDF aims to:

- Give spatial expression to the National and Provincial development agendas;
- Serve as a basis for coordinating, integrating and aligning 'on the ground' delivery of National and Provincial departmental programmes;
- Support municipalities to fulfil their municipal planning mandate in line with the National and Provincial agendas; and
- Communicates government's spatial development intentions to the private sector and civil society.

The 2014 PSDF applies five (5) key principles to achieve its spatial vision for the province. These five principles are aligned with the development principles contained in Section 7 of SPLUMA (Act 16 of 2013) and Section 59 of LUPA (Act 3 of 2014) and talks about Spatial Efficiency, Spatial Justice, Sustainability & Resilience, Quality & Liveability and Accessibility. This proposed land use's consistency with these principles have already been highlighted in a previous section. This proposed land use is also consistent with the three spatial themes of the Western Cape PSDF:

- **Resources:** The proposed land use will use existing resources within the urban edge. It also does not threaten or impact negatively on any scenic and unique cultural landscapes.
- **Space Economy:** It aims to revitalise and strengthen the urban space economy in the local area by providing opportunities for small business development within the existing local neighbourhood by using existing underutilised economic assets.
- **Settlement:** It promotes an integrated and sustainable settlement by connecting economic opportunities with local neighbourhoods. It promotes the sustainable use of resources by optimising the use of existing underutilised municipal facilities within the urban edge.



## 7.4 CONSISTENCY WITH RELEVANT LOCAL PLANNING FRAMEWORKS AND POLICIES

### 7.4.1 Municipal IDP

The Municipality's IDP dated May 2019 identified various projects and priorities for all its Wards. It also highlights the policies and strategies of the different sector plans.

The municipality identified 5 strategic focus areas, the first being "Valley of Possibility". Under this strategic focus area there are 4 predetermined objectives of which the first objective is to "Create and environment conducive to business development and job creation". There are furthermore three (3) 5-year programmes identified to achieve the aforementioned objective of which the second programme is "Develop local economic development hubs" (IDP, p80).

The LED Hubs has also been identified as one of the Legacy Projects in Chapter 6 of the IDP (p125 and p179). The IDP provided the following description of these LED Hubs: "Establish local economic development hubs and allow for the outsourcing of the management of the Hubs to improve efficiency and to strengthen local business opportunities. These hubs will provide to provide entrepreneurs, start-up businesses or growth-orientated SMME's access to appropriate rental space, affordable businesses services, flexible leases and access to the mainstream economic activities, where better market access could improve their success ratios".

The Stellenbosch Municipal Council furthermore took a resolution on 29 March 2017 that approval be granted for the establishment of Local Economic Development (LED) Hubs on several municipal properties located in the Stellenbosch municipal area.

### 7.4.2 Municipal SDF

Section 22 of SPLUMA indicates the following:

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

*22. (2) Subject to section 42, a Municipal Planning Tribunal or any other authority required or mandated to make a land development decision, may depart from the provisions of a municipal spatial development framework only if site-specific circumstances justify a departure from the provisions of such municipal spatial development framework."*

Similar to SPLUMA, Section 19 of the Western Cape Land Use Planning Act (LUPA), Act 3 of 2014 states the following:

*"19. (1) If a spatial development framework or structure plan specifically provides for the utilisation or development of land as proposed in a land use application or land development application, the proposed utilisation or development is regarded as complying with that spatial development framework or structure plan.*

*(2) If a spatial development framework or structure plan does not specifically provide for the utilisation or development of land as proposed in a land use application or a land development application, but the proposed utilisation or development is not in conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilisation or development is regarded as being consistent with that spatial development framework or structure plan.*

*(3) If the proposed utilisation or development of land in a land use application or a land development application does not comply with and is not consistent with the relevant designation for the utilisation of land in an applicable spatial development framework or structure plan, the proposed utilisation or development deviates from that spatial development framework or structure plan."*

The current approved MSDF is dated 28 May 2018. At the time of preparation of this report the new 2019 Final Draft MSDF was not approved yet.

The municipality's SDF identified seven (7) "strategic perspectives" to guide spatial development in the area of jurisdiction of Stellenbosch with clearly identified development principles under each perspective. The seven strategic perspectives and the development principles applicable to this application are summarised in the following table.

TABLE 22: MSDF (2018) STRATEGIC PERSPECTIVES & DEVELOPMENT PRINCIPLES IN SUPPORT OF THIS APPLICATION

STRATEGIC PERSPECTIVE	DEVELOPMENT PRINCIPLES CONSISTENT WITH THE PROPOSED LAND USE(S) IN THIS APPLICATION	COMMENTS
Interconnected Nodes	<ul style="list-style-type: none"> <li>The usage of land should be based on its highest and best long-term sustainable use as opposed to its best long term financial return.</li> <li>New development applications should be encouraged to focus on locations within existing settlement nodes rather than greenfields land.</li> </ul>	The site is located within an existing urban settlement and is currently underutilised. The proposed use is believed to be the "best long term sustainable use" of the site.
Car Free Living	<ul style="list-style-type: none"> <li>The primary measure of access is appropriate walking distance. At least 50% of activities found within the urban area (e.g. employment, shopping, public transport, social &amp; recreational) should be within 1 km of where people live.</li> </ul>	The proposed LED Hub is centrally located in Franschhoek Town and is within walking distance of public transport routes and other businesses.
Inclusive Economic Growth	<ul style="list-style-type: none"> <li>Areas of land should be set aside, and if necessary expropriated to provide SMMEs with access to well-located parts of the CBDs for retail, service provision and manufacturing.</li> <li>Marketplaces should be created in central locations that are able to intercept significant pedestrian flows, preferably linked to public transport interchanges.</li> </ul>	The central location of the site within Franschhoek Town provides access to business support and other services and opportunities for entrepreneurs and SMME's in the local community. It is also well-located to existing public transport routes and pedestrian flows in the area.
Optimal Land Use	<ul style="list-style-type: none"> <li>Land should be used for its most sustainable and appropriate use whether publicly or privately owned.</li> </ul>	The proposed land use is believed to be a more appropriate and sustainable use of this municipal property.
Resource Custodianship	<ul style="list-style-type: none"> <li>Achieving a sustainable future for Stellenbosch will depend on its ability to make best use of available resources for the benefit of all.</li> </ul>	The property is located in an established urban area. It will have an insignificant impact on the demand for existing available resources.
Food and Agriculture		Not applicable to this application
Heritage	<ul style="list-style-type: none"> <li>Building heights and architectural styles should be controlled within 200m of any prominent road so as to preserve the heritage of the built environment.</li> </ul>	The heritage value of the existing building will be maintained as a minimum and improved within the framework of relevant heritage guidelines, policies and legislation.

The following table provides an interpretation on whether the proposed land use is consistent with the provisions of the current approved 2018 MSDF and the new Final Draft 2019 MSDF.

TABLE 23: CONSISTENCY OF THE PROPOSED LAND USE WITH THE MSDF

PROPERTY	CURRENT APPROVED 2018 MSDF	FINAL DRAFT 2019 MSDF
Erf 230 Franschoek	The property is located within the urban edge within an area designated for "Urban Development" MSDF (MSDF, p39, Franschoek Analysis). The Franschoek Proposals Map (MSDF, p39) does not provide a designation to the existing areas within the urban edge except for identifying "New Development Areas".	The property is located within the urban edge within an area allocated to the "Urban Development" spatial planning category (SPC)(MSDF Figure 26, p64). In terms of the Franschoek Framework it is located within the area designated as "Existing and Proposed Urban Character Areas" (MSDF Figure 32, p75)

In conclusion, the following can be noted about the proposed land use(s) in this application:

- It is consistent with the SDF's strategic perspectives, development principles and settlement proposals.
- A motivation to deviate from and amend the SDF is not necessary and therefore arguments for site specific circumstances are not required in this planning motivation.

### 7.4.3 District SDF

At the time of preparation of this report the Cape Winelands District Municipality's latest approved SDF is dated 2019/2024. The Cape Winelands District Municipality adopted the spatial development principles of SPLUMA (Act 16 of 2013) which is also consistent with the core principles in LUPA (Act 3 of 2014) and the Stellenbosch Municipality's SDF.

The purpose of the District SDF is to provide a "set of guidelines" to:

- *"Interpret and apply higher-order spatial policy within the Cape Winelands district;*
- *Guide regional and local policy interventions;*
- *Act as a strategic forward-planning tool to guide planning and decisions on land use and land development;*
- *Develop a spatial logic that guides public and private-sector investment;*
- *Ensure the social, economic, built and environmental sustainability of the area, and*
- *Formulate proposals to redress the spatial legacy of apartheid"*

The District SDF identified the following objectives:

- *"To improve the quality of life for the people of the region by ensuring principle led responses*
- *To plan in advance by considering future population growth, economic and climatic changes*
- *To manage the impact and exposure of external and internal threats to growth and development*
- *To restructure urban settlements through compaction and densification*
- *To promote sustainable resource use and responsible rural development*
- *To improve and conserve the district's natural environment"*

The District SDF furthermore identified strategic implementation proposals. Some of these strategic implementation proposals that is aligned with and/or support the proposals in this land use application are as follows:

- SDF p27:
  - *"Integrate disadvantaged communities into the urban fabric through infill development on strategically located vacant land and corridor development along the main linkages between these communities and the major concentrations of job opportunities (where possible)"*
- SDF p35:
  - *"Focus on improving functioning of settlements and achieving design standards; create and apply urban design guidelines for historic precincts within urban areas.*

- *Create sustainable and liveable urban environments by ensuring access and choice to urban markets, services, amenities and provisions.*
- *Create integration of urban areas through physical (if possible) and socio-economic integration.*
- *Locate high density residential accommodation and business opportunities, from informal street trading to formal shops, offices and factories at the appropriate scale, around clusters of community facilities grouped at the appropriate scale.*
- *Buildings that accommodate community activities, as well as education, health and entrepreneurial development and business and skills training, should be located at points of highest access in urban settlements.*
- *50% of the five major urban activities (public transport access points, residence, recreation, shopping and employment) should be accessible within walking distance (1000m) of residential dwellings*

The scale of the proposals in this land use application is low-key and does not affect District Interest:

- It does not have a direct or material impact on matters within the exclusive functional area of the District;
- It is not prejudicial to the economic, health, environmental, heritage and safety & security interests of the District;
- It does not impede the effective performance of the functions of the District and neighbouring municipalities; and
- It is not in conflict with the vision, mission, principles, objectives, programmes and projects contained in the latest District SDF.

It can therefore be said that this application is consistent with the District SDF. A motivation to deviate from and amend the District SDF is not necessary and therefore arguments for site specific circumstances are not required in this planning motivation.

## 7.5 SUITABILITY OF THE SITE

The suitability of the site in terms of its location, accessibility and physical characteristics is discussed in the table below.

TABLE 24: MOTIVATION IN TERMS OF SITE SUITABILITY

SUITABILITY IN TERMS OF	MOTIVATION / COMMENTS
Location	The site is centrally located within the urban edge and within the town of Franschhoek.
Roads & Transport	Access to the property is obtained from Reservoir and Danie Hugo Streets. The surrounding streets are paved and in a good condition. The traffic that the proposed land uses will generate will originate from the existing community in Franschhoek and will be negligible. The property is located close to existing public transport routes and services. The property is located a minimum of approximately 25m from the R45 (Huguenot Road) which is a Provincial Road, however, there are no direct access to the properties from the aforementioned road. The proposed land uses on the property thus do not affect the aforementioned Provincial Road or any National Roads.
Parking	Parking is available on the surrounding streets and on the property. A relaxation of the minimum parking requirements for Erf 230 Franschhoek is sought in this application due to the layout of the existing and proposed structures on this erf.
Engineering Services	The property is located in an area that is already serviced. The increase in demand for services will be negligible.
Servitudes	There are no servitudes affecting the property and the proposed land uses on the property.

SUITABILITY IN TERMS OF	MOTIVATION / COMMENTS
	<p>The property and the proposed land uses on the property do not affect any Eskom owned land and/or servitudes.</p> <p>The property and the proposed land uses on the property do not affect any Telkom owned land and/or servitudes.</p> <p>The property and the proposed land uses on the property will not affect any Transnet / PRASA owned land and/or servitudes.</p>
Topography	<p>The site does not have any topographical restrictions for the proposed use(s).</p> <p>The proposed land use(s) will be accommodated on an existing developed property and will therefore not have a negative impact on the topographical characteristics of the sites.</p>
Geotechnical Conditions	<p>The proposed land use(s) will be accommodated on an existing developed property and will not have a negative impact on the geotechnical characteristics of the site. The geotechnical characteristics of the site furthermore does not provide a restriction on the proposed land uses.</p>
Flood Lines	<p>There are no flood lines affecting the property and the proposed land use on the property.</p>
Alternative Uses	<p>The site does have the potential to be used for alternative purposes/uses, however, given the prioritised needs identified within this community and the municipality's IDP, the proposed use would be the most suitable.</p>

## 7.6 OTHER IMPLICATIONS OF THE PROPOSED LAND USE(S)

Comments on other possible implications of the proposed land uses are provided in the table below.

TABLE 25: OTHER IMPLICATIONS OF THE PROPOSED LAND USE(S)

IMPACT	MOTIVATION / COMMENT
Environmental & Botanical Impact	<p>The site is already developed, and the proposed land use(s) will make use of the existing (and where applicable additions/extensions to) buildings and infrastructure. The proposed land use(s) will thus have no negative impact on environmental and botanical resources.</p>
Heritage Impact	<p>The site is located within the historical core of Franschhoek and the buildings are on the Municipality's list of Historical Buildings.</p> <p>The existing building will be used for the proposed land uses with proposed additions/extensions to the building on Erf 230 Franschhoek. Additions / extensions to existing buildings will only be done after all relevant approvals have been obtained.</p> <p>The nature of the land uses will not have a negative impact on the existing heritage and cultural value of the surrounding area. The heritage value of the existing buildings will furthermore be protected and maintained in accordance with relevant heritage legislation, policies and guidelines.</p> <p>A search on the South African Heritage Resources Information System (SAHRIS) on 21 August 2019 revealed that the subject property is not listed as either a National or Provincial Heritage Site.</p>
Compatibility with the Surrounding Area	<p>The property is located centrally in the town of Franschhoek. A mix of residential, commercial residential, social, institutional and business uses are already found in the surrounding area. The proposed land uses are thus compatible with the surrounding area.</p>
Socio-Economic Impact	<p>The proposed land uses aim to improve access to markets and provide opportunities to improve the success rate of small businesses. This will have a positive impact on the socio-economic development of the local community.</p>
Social & Public Facilities	<p>This proposal does not lead to densification and will thus have no impact on the existing number of social and public facilities in the area.</p>
Surrounding Property Values	<p>The proposed land uses will not devalue the surrounding property values. In fact, the optimal use of the current underutilised facilities will as a minimum at least ensure that the existing property values will be maintained and might more than likely improve the value of these properties. Improving the value of this property will subsequently have a positive impact on the surrounding property values.</p>

IMPACT	MOTIVATION / COMMENT
Safety & well-being of the Surrounding Community	<p>The proposed land uses create opportunities for entrepreneurs which will improve the well-being of the surrounding community. Access to economic opportunities furthermore creates jobs which is one of the "tools" to fight crime and eventually improves the safety of communities.</p> <p>The property will furthermore be actively used during business hours which creates more visibility in the surrounding area.</p> <p>The proposed land uses will not have a negative impact/effect on the safety and well-being of the surrounding community.</p>

## 8. CONCLUSION

In conclusion, the proposed land uses will be accommodated on a property which is:

- Already developed and serviced;
- Currently underutilised;
- Located in an established area within the urban edge; and
- Identified by the Stellenbosch Municipal Council as the preferred location for the establishment of an LED Hub.

The proposed land uses are furthermore consistent with the relevant local planning policies and frameworks. It is therefore recommended that this application be approved.



Integrated Development Plan 2017-2022

Portfolio	Ref no.	Legacy Project/s	Specific Initiatives	Rating	Progress 2019/20	Progress 2020/21
Rural Management (Cllr Sake Pieters)					Phase 2: Configuration and Training – July 2019 to 29 Feb 2020 Phase 3: Simultaneous Use and final configuration – 2 March 2020 to 30 June 2020 Phase 4 : Go-Live date – 1 July 2020	effected as of 1 January 2021 and has been fully operational since.
	LP3	Finalise land use management backlogs	50% reduction in backlog applications by 2020	😊	Capacity intervention to deal with the backlog is not in place. The backlog is not been addressed at present.	Notwithstanding the fact that no operational (as opposed to management capacity) capacity interventions was ever introduced, the original backlog of 144 land use management applications was progressively reduced during 2020 to only 1 outstanding backlog land use management application at present (12 February 2021).
	LP4	Local Economic Development	Agricultural Land Plan adopted by Council	😊	Policy for the Management of Agricultural land adopted by Council.	A further ten (10) agricultural land parcels are currently being investigated to be advertised and allocated to emerging farmers. The final report on the additional agricultural land parcels is scheduled to be submitted to Council in April 2021.
			LED Hubs identified and constructed	😐	Triangle site and Old Clinic ha has been allocated. Agricultural Hall lease agreement to be signed by March 2020.	Currently building plans are in the process of being approved for the Old Clinic Site in Victoria Street, and the Land Use Management (LUM) Section is in the process of finalising the land use management application for the Triangle Site (Erf 230,) in Franschoek.
			Informal Trading Sites identified and constructed	😊	Groendal informal trading site to be completed by the end of 2019/20 financial year.	Groendal Informal Trading Site construction completed during February 2021.
			Audit of People on farms and back-yard dwellers	😊	Klapmuts, Ida's Valley and Franschoek trading sites completed.	Survey of backyard structures in Klapmuts is currently underway. Ida's Valley's survey was completed in the previous financial year.
LP5	Tourism Strategy	Electronic Tourism Boards (Stellenbosch CBD and Franschoek)	😐	Development of a Tourism Plan. Service Provider has been appointed. Plan in the process of development.	Appointed service provider completed the draft Tourism Plan, which is currently being finalised by the acting Manager: Local Economic Development and Tourism for inclusion within the Economic Strategic Plan for Stellenbosch Municipality. Completion date 30 June 2021.	
LP6	Adopted Rural Management Plan	Rural Management Plan adopted by Council by 30 June 2020	😊	Adopted by Council during December 2018.	The Plan was indeed adopted by Council in 2018. In drafting the plan, intense public participation was held on a precinct by precinct basis with land workers and workers. It is not at this stage envisaged that a general public participation process for the Rural Area Plan specifically will be held as the RAP was included as a resource document in drafting the now approved MSDP.	

# **ANNEXURE E**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**MINUTES OF PRE-  
CONSULTATION MEETING**





**LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM**

**KINDLY NOTE:**

Pre-application consultation is an advisory session and does not in any way pre-empt the outcome of any future application which may be submitted to the Municipality.

**PART A: PARTICULARS**

Date: 23 August 2019

Erf/Farm number: ~~228~~ ~~229~~, 230 Franschhoek

Property(ies) location: 6 Reservoir Str. (228); 17 Wilhelmina Str. (229); 2 Reservoir Str. (230)

Brief proposal: Rezoning from Single Residential to General Business Consolidation

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official/s				
Pre-applicant	M. Jonker	Plan 4 SA	0844106132	martinj@plan4sa.co.za
	R P Faay	Stellenbosch Municipality	021 808 8680	robert.fay@stellenboschmunicipality.gov.za
	H. Dechen	Ward 16 Dechen	021 808 8674	heide.dechen@stellenboschmunicipality.gov.za

List documents provided for discussion at meeting:

(Include document reference, document/plan dates and plan numbers where possible and attach to this form)

- ① Planning Motivation
- ② Locality Plans
- ③ Land Use Plans
- ④ Site Layout Plan

Has pre-application consultation been undertaken for a land development application in terms of section 53 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) and regulation 10 of the Western Cape Land Use Planning Regulations, 2015 (LUP regulations)?

(If yes, request a copy of the minutes)

YES	NO	<del>N/A</del>
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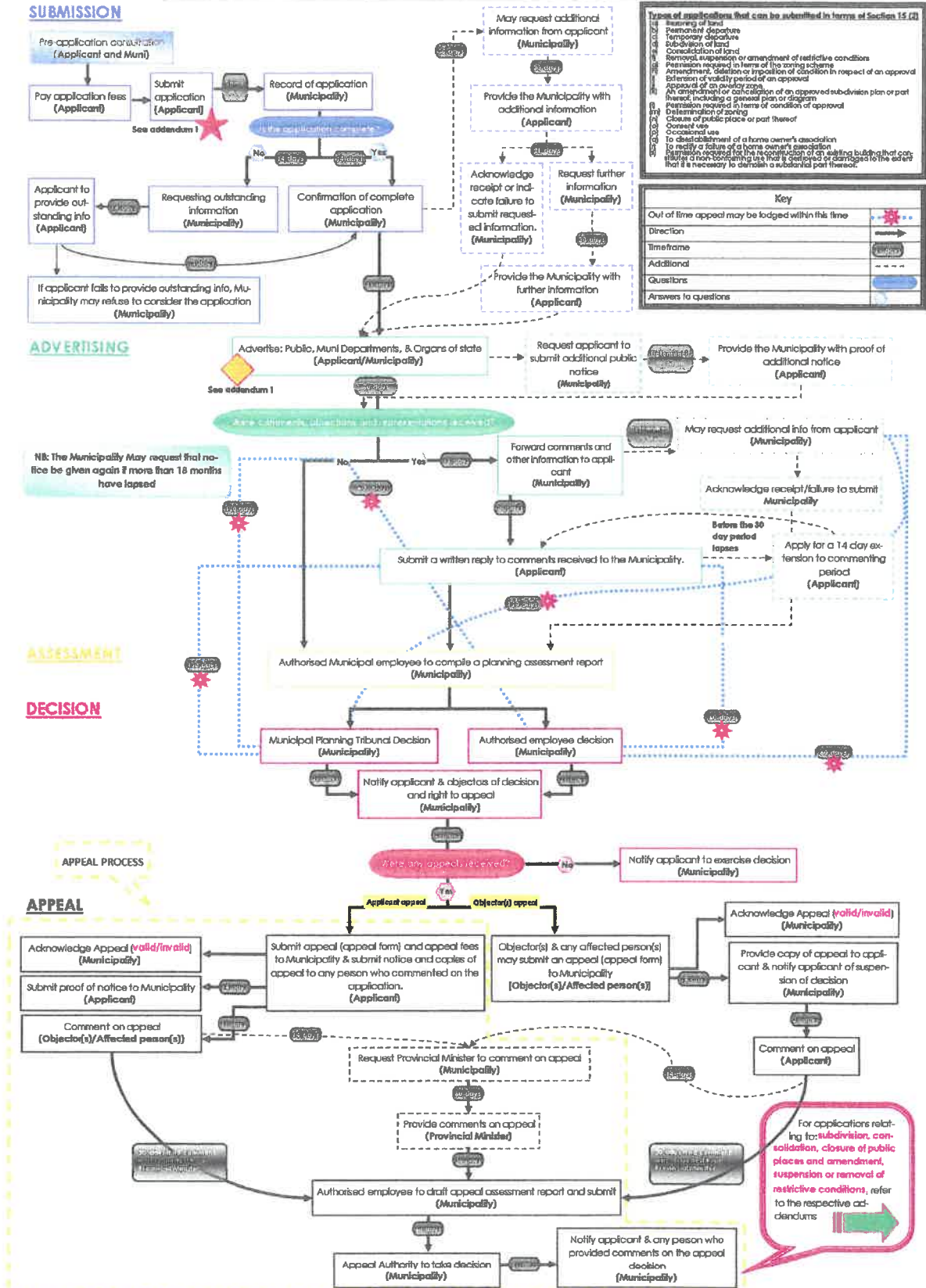
Comprehensive overview of proposal:

Stellenbosch Municipality wishes to rezone the property from Single Residential to General Business to establish an LED Hub and to use the property for office/shop and related purposes. The property will be leased out.

Refer to Planning Motivation for more detail.

**PART B: APPLICATION PROCESS (SIMPLIFY OR REMOVE)**

**Stellenbosch Municipal Land Use Planning By-Law (workflow)**



## PART C: QUESTIONNAIRES

**SECTION A:**  
**DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND FEES**

Tick if relevant	What land use planning applications are required in terms of section 15 of the Stellenbosch Municipality Land Use Planning By-Law?	Application fees payable
✓	2(a) a rezoning of land;	R
✓	2(b) a permanent departure from the development parameters of the zoning scheme by-law;	R
	2(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(e) a consolidation of land that is not exempted in terms of section 24;	R
	2(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R
<del>✓</del>	<del>2(g) a permission required in terms of the zoning scheme by-law;</del>	R
	2(h) an amendment, deletion or imposition of conditions in respect of an existing approval;	R
	2(i) an extension of the validity period of an approval;	R
	2(j) an approval of an overlay zone as contemplated in the zoning scheme by-law;	R
	2(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l) a permission required in terms of a condition of approval;	R
	2(m) a determination of a zoning;	R
	2(n) a closure of a public place or part thereof;	R
✓	2(o) a consent use contemplated in the zoning scheme by-law;	R
	2(p) an occasional use of land;	R
	2(q) to disestablish a home owner's association;	R
	2(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
	2(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.	R

Tick if relevant	What prescribed notice will be required?	Advertising fees payable
N	Serving of notices (i.e Delivering by hand; registered post; data messages)	R
N	Publication of notices (i.e Local Newspaper(s); Provincial Gazette; site notice; Municipality's website)	R
	Additional publication of notices (i.e Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection)	R
	Notice of decision (i.e Provincial Gazette)	R
	Integrated procedures	R
<b>TOTAL APPLICATION FEE*:</b>		<b>R</b>

**KINDLY NOTE:** \* Application fees are estimated on the information discussed and are subject to change with submission of the formal application.  
Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.  
The applicant is liable for the cost of publishing and serving notice of an application.

### SECTION B:

#### PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	TO BE DETERMINED	COMMENT
Is any municipal integrated development plan, spatial development framework(s), structure plans, by-laws or any other municipal policies or guidelines applicable?	✓			Stellenbosch & District IDP, SDF & policies.
Any applicable restrictive condition(s) prohibiting the proposal?		✓		
If yes, is/are the condition(s) in favour of a third party(ies)?				N/A.
<b>Zoning Scheme / Zoning Scheme By-law considerations:</b>				
What is the current zoning of the property? <i>Single Residential</i>				
What is the proposed zoning of the property? <i>General Business</i>				
Does the proposal fall within the provisions/parameters of the zoning scheme / zoning scheme by-law? <i>Yes</i>				
Are additional applications required to deviate from the zoning scheme / zoning scheme by-law? (if yes, specify) <i>No.</i>				



QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS	YES	NO	TO BE DETERMINED	COMMENT
Is a development application affecting national interest in terms of section 52(3) of Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), required?		✓		N/A
Is the proposal in line with the national spatial development framework and national laws, regulations, other guidelines or documents?	✓			
Is the proposal in line with the principles for land development, set out in the SPLUMA and the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014)?	✓			
Is the proposal in line with the provincial spatial development framework(s) and provincial laws, regulations, other policies, guidelines or documents?	✓			
Is any district municipal integrated development plan, spatial development framework, other policies, guidelines or documents relevant?	✓			Cape Winelands DM.

**SECTION C:****CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE**

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Is a land development application required in terms of section 53(2) of LUPA or section 10 of LUPA Regulations?		✓		Western Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP)
Is provincial comment on land use application(s) required in terms of section 45(1) of LUPA?		✓		DEA&DP

Y

N

TBD

Comment

Is/was the property(ies) utilised for agricultural purposes?		✓		Western Cape Government Department of Agriculture
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		✓		National Department of Agriculture, Forestry and Fisheries (DAFF)
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		✓		DEA&DP
Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA)		✓		National Department of Environmental Affairs (DEA) & DEA&DP
Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		✓		National Department of Water & Sanitation (DWS)
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?		✓		South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC)
Will the proposal have an impact on any National or Provincial roads?		✓		National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Department of Transport and

				Public Works (DT&PW)
Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		✓		National Department of Labour (DL)
Will the proposal affect any Eskom owned land and/or servitudes?		✓		Eskom
Will the proposal affect any Telkom owned land and/or servitudes?		✓		Telkom SA Ltd.
Will the proposal affect any Transnet/Passenger Rail Agency of South Africa owned land and/or servitudes?		✓		Transnet/PRASA
Is the property subject to a land / restitution claim(s)?		✓		National Department of Rural Development & Land Reform
Will the proposal require comments from South African National Parks (SANParks) and/or CapeNature?		✓		SANParks / CapeNature
Is the property subject to any existing mineral rights?		✓		National Department of Mineral Resources
Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. in the area may be impacted on?		✓		Western Cape Government Departments of Cultural Affairs & Sport, Education, Social Development, Health and Community Safety
Does the proposal require any other authorisation(s) in terms of other applicable legislation that is not listed in the subject table?		✓		If yes, specify



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

**Information and documentation required in terms of section 38(1) of the Stellenbosch Municipality Land Use Planning By-law**

<input checked="" type="checkbox"/> Completed and signed application form	Bondholder's consent (if applicable) <i>N/A</i>
<input checked="" type="checkbox"/> Power of attorney / Owner's consent if applicant is not owner	Proof of any other relevant right held in the land concerned <i>N/A</i>
Resolution or other proof that applicant is authorised to act on behalf of a juristic person <i>N/A</i>	<input checked="" type="checkbox"/> S.G. diagram / General plan extract
<input checked="" type="checkbox"/> Written motivation	<input checked="" type="checkbox"/> Site development plan or conceptual layout plan
<input checked="" type="checkbox"/> Locality plan	Proof of agreement or permission for required servitude <i>N/A</i>
Proposed subdivision plan <i>N/A</i>	<input checked="" type="checkbox"/> Proof of registered ownership (Full copy of the title deed)
Proof of payment of application fees	<input checked="" type="checkbox"/> Minutes of pre-application consultation meeting (if applicable)
<input checked="" type="checkbox"/> Conveyancer's certificate (as applicable)	

**Supporting information and documentation:**

Y	N	<input checked="" type="checkbox"/> N/A	Consolidation plan	<input checked="" type="checkbox"/>	N	N/A	Land use plan / <del>Zoning plan</del>
Y	N	<input checked="" type="checkbox"/> N/A	Street name and numbering plan	Y	N	<input checked="" type="checkbox"/> N/A	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	<input checked="" type="checkbox"/> N/A	Landscaping / Tree plan	Y	N	<input checked="" type="checkbox"/> N/A	Home Owners' Association consent
Y	<input checked="" type="checkbox"/> X	N/A	Abutting owner's consent	Y	N	<input checked="" type="checkbox"/> N/A	Services Report or indication of all municipal services / registered servitudes
Y	N	<input checked="" type="checkbox"/> N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	Y	N	<input checked="" type="checkbox"/> N/A	Proof of failure of Home owner's association
Y	N	<input checked="" type="checkbox"/> N/A	Copy of original approval and conditions of approval	Y	N	<input checked="" type="checkbox"/> N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	<input checked="" type="checkbox"/> N/A	Proof of lawful use right	Y	N	<input checked="" type="checkbox"/> N/A	Other (specify)
<input checked="" type="checkbox"/>	N	N/A	Required number of documentation copies	Y	N	<input checked="" type="checkbox"/> N/A	

**PART E: DISCUSSION**

- \* - Consolidation - confirm with Widmark Moses & Piet Smit.
- Entrance greater than bus - departure application
- R45 / Hugenote Road is a Provincial Road.
- Add the word "Typical" to "Site layout Plan" thus "Typical Site layout Plan".
- \* - Piet Smit confirmed via email on 10 September 2019 that only Erf 230 Franschoek must be rezoned

**PART F: SUMMARY / WAY FORWARD**

Can proceed with the submission of the application.

OFFICIAL:

R P Feey  
(FULL NAME)

PRE-APPLICANT:

Martin Louker  
(FULL NAME)

SIGNED:

[Signature]

SIGNED:

[Signature]

DATE:

23/08/2019

DATE:

23/08/2019

# **ANNEXURE F**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**MINUTES OF COUNCIL  
MEETING OF 29 MARCH  
2017**

<b>7.3.2</b>	<b>INNOVATION CAPITAL PROGRAMS: LOCAL ECONOMIC DEVELOPMENT HUBS FOR SMALL BUSINESSES</b>
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**1. PURPOSE OF REPORT**

To obtain approval for the use of municipal properties for the establishment of subsidised local economic development business incubation hubs on a tariff structure.

**2. BACKGROUND**

The Municipality owns numerous well located properties in nodes and central business areas, which could be used as local economic development hubs. The local economic development hubs (named incubators hereafter) will serve as incubators to provide entrepreneurs, start-up businesses or growth-orientated SMME's access to appropriate rental space and flexible leases, shared basic business services and equipment, technology support services. The hubs will also give start-up businesses access to the mainstream economic activities, where better market access could improve their success ratios.

**7<sup>th</sup> COUNCIL: 2017-03-29: ITEM 7.3.2****RESOLVED** (majority vote)

- (a) that approval be granted for the establishment of Local Economic Development hubs / incubators on the following properties as identified in **APPENDIX 1:**

<b>RANK</b>	<b>PROPERTY</b>	<b>LOCATION</b>	<b>PURPOSE</b>	<b>MANAGEMENT</b>	<b>PROCESS</b>
1	Erf 2235	Groendal (Mooiwater homestead / old youth house)	Business support Services incubator	Preferred service provider	Building/site maintenance; lease agreements; contractor relocation.
2	Public Place / POS north of Groendal Community Hall	Vacant office on play park land	Business Sector Offices	Preferred service provider	Lease agreement.
3	Erven 2751 and 6314 (Old Agricultural Hall)	Stellenbosch	Incubator and affordable rentals for Arts, crafts and tourism sector, including parking area	Preferred service provider	Building / site maintenance; lease agreements; illegal occupants' relocation; rezoning.
4	Erven 228, 229 and 230	Franschhoek (Triangle site)	Affordable rental space for shops and tourism activities	Preferred service provider	Building / site maintenance; lease agreements; staff relocation (Erven 228 and 229); site

					improvement; further lease agreements.
5	Re Erf 342	Klapmuts	Trading hub	Preferred service provider	Rezoning; services connections; lease agreements; container acquisition.
6	Erf 1538	Franschhoek (old tennis courts)	Parking/ business opportunity for a co-operative	Preferred service provider	Site improvement; lease/ management agreement.
7	Erven 1956, 1957, 6487, 6488 and 6490	Stellenbosch (Old clinic site and LED office)	Business Development Incubator and rental space (Arts, crafts, shops, offices, tourism activities)	Preferred service provider	Building / site maintenance; lease agreements; occupants' relocation.
8	Die Boord POS	Intersection Van Rheeede Rd and R44	Community market	Preferred service provider	Site improvement; lease/ management agreement.
9	Erf 721	Pniel (municipal office site)	Affordable rental space (Shops and tourism activities)	Preferred service provider	Rezoning; services connections; lease agreements; container acquisition.

- (b) that Council agrees to the approved tariff structure for the local economic development incubator hubs as applies to the Kayamandi Economic and Tourism Corridor (KETC);
- (c) that Council confirms that the properties are not required for the provision of the minimum level of basic municipal services in terms of Section 14 of the Local Government: Municipal Finance Management Act, 2003, Act 56 of 2003; and
- (d) that the Municipal Manager be authorised to follow the prescribed process for the leasing of the relevant properties in keeping with the Stellenbosch Tariff Structure as amended, through requesting proposals in line with the objectives of Local Economic Development.

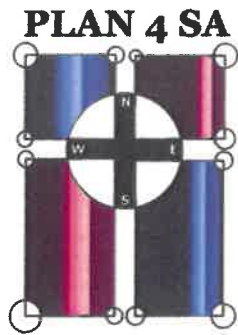
*Councillors DA Hendrickse and LK Horsband requested that their votes of dissent be minuted.*

<b>Meeting:</b>	7 <sup>th</sup> Council: 2017-03-29	<b>Submitted by Directorate:</b>	Planning and Economic Development
<b>Ref No:</b>	7/4/2/2/1 x 7/4/2/2/1-9	<b>Author:</b>	D Lombaard
<b>Collab:</b>		<b>Referred from:</b>	Mayco: 2017-03-22

# **ANNEXURE G**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**PUBLIC PARTICIPATION  
PROCESS (PORTFOLIO OF  
EVIDENCE)**



**PROFESSIONAL PLANNERS & PROJECT MANAGERS**  
 Town & Regional Planning  
 Transportation Planning  
 Business Planning & Development  
 Project Management

PO Box 1152, Cape Gate, 7562  
 Unit 5 Stellen Villa, Kronendal Cr., Stellenberg, 7550, WC  
 Tel: +27(0)84-410-6132  
 Fax: +27 (0)86-524-8738  
 Email: [martini@plan4sa.co.za](mailto:martini@plan4sa.co.za)  
 Web: [www.plan4sa.co.za](http://www.plan4sa.co.za)

**Application Number:** LU/10397  
**Municipal File Reference Number:** Erf 230, Franschhoek  
**Applicant Reference Number:** 19P001/Erf 230 FHK

**Date:** 8 June 2020

**ELECTRONIC MAIL TO:**

The Director: Planning & Economic Development  
 Stellenbosch Municipality

PO Box 17

**STELLENBOSCH**

7599

**Attention:** Louisa Olyyn / Bulelwa Mdoda

**Email:** [louisa.ollyn@stellenbosch.gov.za](mailto:louisa.ollyn@stellenbosch.gov.za) / [bulelwa.mdoda@stellenbosch.gov.za](mailto:bulelwa.mdoda@stellenbosch.gov.za)

**Copy to:** Widmark Moses

**Email:** [Widmark.moses@stellenbosch.gov.za](mailto:Widmark.moses@stellenbosch.gov.za)

Dear Sir / Madam

**LAND USE APPLICATION NUMBER: LU/10397**  
**ADVERTISEMENT PERIOD: PORTFOLIO OF EVIDENCE**

Your letter dated 4 March 2020, received via email on 5 March 2020, in the abovementioned regard has reference.

The advertisement and comment period for the abovementioned land use application have been concluded. As per your instruction, please find attached hereto the following portfolio of evidence:

- Annexure 1: Portfolio of Evidence Checklist
- Annexure 2: Signed Affidavit
- Annexure 3: Local Newspaper publication
- Annexure 4: Registered letters to Interested & Affected Parties, including attachments
- Annexure 5: Registered letters to External Departments, including attachments
- Annexure 6: Registered letter slips and returned / unclaimed letters
- Annexure 7: Site notice photos
- Annexure 8: Comments / objections received **(No objections received)**
- Annexure 9: Emails sent / received
- Annexure 10: Applicant's comments on objections received **(N/A – No objections received).**

## NEWSPAPER PUBLICATIONS

As confirmed in my previous letter and email dated 18 March 2020, two advertisements (1 x English and 1 x Afrikaans) were published in the Eikestad Nuus/News (Ms Fran van Niekerk) on 19 March 2020. The closing date for public comments was 18 April 2020. The correspondence with the Eikestad Nuus/News and a copy of the newspaper advertisement is attached hereto (**ANNEXURE 3**) for your information and records.

## REGISTERED LETTERS

Notices/letters have been sent via registered mail on 18 March 2020 to the interested & affected parties (including adjacent property owners) and the external departments which you identified and listed in your instruction letter (**ANNEXURES 4, 5 and 6**).

A registered letter was not sent to the Stellenbosch Municipality and the relevant Ward Councillor since this is a municipal project and it is assumed that all relevant municipal officials and councillors are already aware of this project and land use application. The Stellenbosch Municipality owns the subject property and some of the adjoining properties. At the time of compiling this Portfolio of Evidence, no registered letters were returned to the sender.

## SITE NOTICES

Three A3 notices were put up on the site on 18 March 2020. Due to the National Lockdown period, follow-up site visits to maintain the notices were not possible. Photographic evidence of the site notices is attached hereto as **ANNEXURE 7**.

## COMMENTS / OBJECTIONS RECEIVED

At the time of preparation of this letter and portfolio of evidence, no objections were received relating to the land use application. Comments in support of the application were received from the following Stellenbosch Municipal Departments:

- Fire
- Property Management

The abovementioned comments are included in **ANNEXURE 8**. An email query relating to parking access and the property's boundary walls was received from Mr Tyrone King on 20 March 2020 and was addressed via email on the same day. The aforementioned emails are included in **ANNEXURE 9 & 10**.

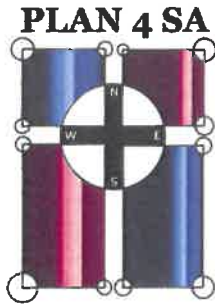
Regards



**MARTIN JONKER**  
**Director**  
**For PLAN 4 SA (Pty) Ltd**

C:\Users\Martin\Documents\Business\Plan 4 SA\Projects\2019\19P001\_STB LED HUB LUAs\_20190117\Submission\ LUA2\_FHK, Erf 230 (Triangle site)\4. Advertisements\3. Cover Letter-Evidence\Letter (LU10397)\_FHK Erf 230-PoEVIDENCE\_20200608\_Rev 00.docx





**PROFESSIONAL PLANNERS & PROJECT MANAGERS**  
 Town & Regional Planning  
 Transportation Planning  
 Business Planning & Development  
 Project Management

PO Box 1152, Cape Gate, 7562  
 Unit 5 Stellen Villa, Kronendal Cr., Stellenberg, 7550, WC  
 Tel: +27(0)84-410-6132  
 Fax: +27 (0)86-524-8738  
 Email: [martini@plan4sa.co.za](mailto:martini@plan4sa.co.za)  
 Web: [www.plan4sa.co.za](http://www.plan4sa.co.za)

Application Number: LU/10397  
 Municipal File Reference Number: Erf 230, Franschoek  
 Applicant Reference Number: 19P001/Erf 230 FHK

Date: 18 March 2020

**ELECTRONIC MAIL TO:**

The Director: Planning & Economic Development  
 Stellenbosch Municipality  
 PO Box 17  
**STELLENBOSCH**  
 7599

Attention: Louisa Olyyn / Bulelwa Mdoda  
 Email: [louisa.olyyn@stellenbosch.gov.za](mailto:louisa.olyyn@stellenbosch.gov.za) / [bulelwa.mdoda@stellenbosch.gov.za](mailto:bulelwa.mdoda@stellenbosch.gov.za)

Copy to: Widmark Moses  
 Email: [Widmark.moses@stellenbosch.gov.za](mailto:Widmark.moses@stellenbosch.gov.za)

Dear Sir / Madam

**LAND USE APPLICATION NUMBER: LU/10397**  
**ADVERTISEMENT PERIOD: COMMENCEMENT AND CLOSURE DATES**

This letter confirms that arrangements were made with the Eikestad Nuus/News (Ms Fran van Niekerk) to publish the English and Afrikaans advertisements for the abovementioned land use application. The relevant advertisement dates are as follows.

- **Publication date in Eikestad Nuus/News: 19 March 2020**
- **Closing date for public comments: 18 April 2020**

The correspondence with the Eikestad Nuus/News is attached hereto for your information.

Regards


**MARTIN JONKER**  
 Director  
 For PLAN 4 SA (Pty) Ltd


C:\Users\Martin\Documents\Business\Plan 4 SA\Projects\2019\19P001\_STB LED HUB LUAs\_20190117\Submission\LUA2\_FHK, Erf 230 (Triangle site)\4. Advertisements\3. Cover Letter-Evidence\Letter (LU10397)\_FHK Erf 230-Advert dates\_20200318\_Rev 00.docx



## PLANNING & ECONOMIC DEVELOPMENT

PORTFOLIO OF EVIDENCE Applicant advertised CHECKLIST				Date	8 June 2020	
Erf/Erven Farm no	230	Portion(s) if farm		Allotment Area	Franschhoek	
Owner/ Applicant	Plan 4 SA (Pty) Ltd o.b.o Stellenbosch Municipality			LU/number	LU/10397	
INDICATE WHICH OF THE FOLLOWING DOCUMENTATION (WHERE APPLICABLE) IS ATTACHED TO THE PORTFOLIO OF EVIDENCE				OWNER/APPLICANT TO INDICATE		ADMIN OFFICER/ PLANNER VERIFY <input checked="" type="checkbox"/>
				YES	NO	
<b>Affidavit (TEMPLATE ATTACHED)</b>						
1. Is the affidavit signed by a Commissioner of Oaths				X		✓
2. Does the affidavit confirm that the advertising was undertaken in accordance with the said prescriptions?				X		✓
3. Does the affidavit confirm that the notice was placed and kept on site for the duration of the advertising period (from which date to which date)?				X		✓
<b>Proof of publication</b>						
4. In <b>one</b> local newspaper in <b>two official languages (or in those cases where Council has indicated two local newspapers)</b>				X		✓
5. Extract from the newspaper attached (date of publication visible)				X		✓
6. Does the wording fully address the description of the application?				X		
7. <u>If no, define differences :</u>						
8. Advertising period	From	19 March 2020	To	18 April 2020		
9. Does the Advertising period comply with the required 30 days?				X		✓
10. Was Council informed of the commencement date and closure date?				X		✓
<b>The registered slips in respect of all the registered letters addressed to</b>						
11. A copy of the registered letter addressed to the affected parties				X		✓
12. Are the dates concurring				X		✓
13. A copy of the registered letter addressed to the external departments (where required)				N/A	X	✓
14. Affected interested and affected parties (registered property owners) (original registered slips)				X		✓
15. Community organisations (original registered slips)				X		✓
16. Ward Councillor (original registered slip)					X	✓

17. External Departments (where required)(original registered slip)	N/A	X		✓
18. Unclaimed registered mail	N/A	X		None
19. If no to any of the above, define differences :				
A registered letter was not sent to the Stellenbosch Municipality and the relevant Ward Councillor since this is a municipal project and it is assumed that all relevant municipal officials and councillors are already aware of this project and land use application. The Stellenbosch Municipality owns the subject property and some of the adjoining properties.				
20. Were the external departments granted 60 days for comment?		X		✓
<b>Notices placed on the property</b>				
21. Were the notices placed on the property on the same day as the notice in press?		X	1-day before the advert was published	✓
22. Have photos been attached? (one close up and one from across the street)		X		✓
23. Was the notice clearly visible on site?		X		
24. Were the notices kept on site for the duration of the advertising period?		X	Refer to cover letter	✓
<b>Objections/Comments</b>				
25. From organs of state/external departments must be on a formal letterhead?			None received	None
26. All objections/comments received attached?			None received	No objections
27. All emails sent or received in respect of this application attached?		X		✓
28. Applicant's comments on the objections attached?			N/A	None
<b>SIGNED BY APPLICANT/OWNER</b>				

<i>For office use only</i>	
<b>SIGNED BY ADMINISTRATIVE OFFICER</b>	
<b>VERIFIED &amp; SIGNED BY TOWN PLANNER</b>	11/02/21
<b>DATE VERIFIED</b>	11/02/21

**SWORN AFFIDAVIT**

I, the undersigned [Full Name (s) and Surname]: Martin Joubert

Identity Number: 701017 5034 083

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

do hereby declare under oath that:

1. The application for: Rezoning ; special consent ; permanent departure

on Erf/ Farm Number: 230 Franschoek

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

(a) Eikestad News (b) \_\_\_\_\_

From 19 March 2020 to 18 April 2020.

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

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

Signature: [Signature]

Signed at: Durbanville

On this: 8<sup>th</sup> day of June 2020

At: 11h28

Commissioner of Oath's Stamp & Signature

André Petrus Conradie (CA) SA  
 SAICA Membership nr: 03098092  
 Commissioner of Oaths (RSA)  
 25 Church Street  
 Durbanville 7550  
 South Africa

[Signature]

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

# Kry hiér hulp oor Covid-19-siekte

Indien jy onlangs oorsee gereis het of kontak gehad het met iemand wat positief vir die koronavirus getoets is, word jy aangeraai om die nasionale blitslyn (0800 029 999) of die provinsiale blitslyn (021 928 4102) te skakel.

Die operateur sal jou leiding gee of dit nodig is dat jy jousef tuis afsonder (selfs al het jy nog nie simptome nie) en of jy na 'n fasiliteit moet gaan vir afsondering. Dit beteken dat jy alle kontak met ander mense vir 14 dae moet vermy sodat die virus nie versprei nie. Dit kan wees voordat jy vir die virus getoets word of terwyl jy vir die virus getoets word.

Dit is baie belangrik dat jy jou gesondheidspraktyse se riglyne rakende selfafsondering volg. Hulle sal dit ook aan jou verduidelik.

Kenmers sal na aanleiding van jou situasie besluit of jy tuis moet wees of eerder in 'n fasiliteit vir afsondering saamgevoer moet word.

Ken jy tuis bly en nog mense in jou huishouding is:

- Hou 'n afstand van een tot twee meter van ander mense in jou huishouding.
- Was borde, bekere, glase en ander eetgerei voordat iemand anders in die huishouding dit gebruik.
- Almal moet gereeld hul hande was, in hul mou of 'n sakdoek hoës.
- Gee getrou terugvoer aan die kenmers wat hul toestand monitor.

As jy vrae het, kan jy ook boodskappe deur WhatsApp ontvang. Stuur "HI" na 0600 123 456 en volg die instruksies.

Voordat jy enige video's of ander

materiaal op sosiale media versprei, maak seker dit is inligting wat van hierdie platforme af kom:

- www.westerncape.gov.za/coronavirus
- facebook.com/WCGHealth
- http://www.nicd.ac.za/
- https://www.who.int/

Bly weg van ander mense as jy siek is – dit is die belangrikste wat jy kan doen.

Om die verspreiding van kieme te verminder:

- Was jou hande gereeld en hoës of nies in die waai van jou arm of in 'n sneedoekie.
- Moenie bladskud of soen nie.
- Ontsmet gereeld oppervlakte waarheen jy baie vat, soos deurhandvatsels, werkoppervlakte, en tafels.
- Verbeter ventilasie by die huis deur vensters oop te maak.
- Gaan so min as moontlik winkel toe.
- Heroorweeg uitstappies en reis. Bly eerder tuis.

As jy van openbare vervoer gebruik maak, maak asseblief soveel vensters as moontlik oop en gebruik handreiners om jou hande te ontsmet. Bedek jou neus en mond as jy hoës of nies. Vermyn groot byeenkomste, openbare ruimtes en skares om die verspreiding van Covid-19 te voorkom.

Die Wes-Kaapse departement van gesondheid raai die publiek aan om versigtig om te gaan met inligting sodat fopnuus nie versprei word nie. Die jongste en akkurate inligting is beskikbaar by [www.westerncape.gov.za/](http://www.westerncape.gov.za/) of [www.westerncape.gov.za/coronavirus](http://www.westerncape.gov.za/coronavirus) asook Wes-Kaap Gesondheid se Facebookblad by [facebook.com/WCGHealth](http://facebook.com/WCGHealth).

## 'Avoid unnecessary visits to hospitals and clinics'

Western Cape Government Health is adjusting the in-hospital visiting protocol to limit the growing risk around the possible transmission of Covid-19.

This is in line with the principles of social distancing to limit interaction and so slowing and stopping the spread of Covid-19.

Adjustments during visiting times may include reduced visiting times, one visitor per patient, no patient rotation and no under 12 year olds.

"We ask the public for their support in respecting our new visitation protocol as these are put into place to ensure everyone's safety. Visitors are asked to contact the hospital in advance to enquire about its visiting times," said Maret Lesch, a spokesperson for the department.

"When visiting any of our facilities, visitors can expect to be asked a number of questions before entry will be permitted. This is to ensure that no visitor matching the case definition of Covid-19 or displaying flu-like symptoms enter the facility for visitation. We also need the public to help us to slow the spread of Covid-19 by practising social distancing and by limiting interaction with other people where possible," she adds. People are encouraged to stay away from public spaces, avoid social and religious gatherings, and keep one to two metres away from people with flu-like illness.

"Remember to practise good hand hygiene and cough etiquette. If you are using public transport, please open the windows for ventilation and cover your cough or sneeze with a tissue or your arm."

## Afstelling van 2020-Kaasfees laat leemte

Die grootste buitelig-kulinêre gebeurtenis in Afrika, die 2020 Suid-Afrikaanse Kaasfees, is afgestel weens die nasionale verbod op byeenkomste van meer as 100 mense. Die gewilde fees sou vanjaar die 19de keer van Saterdag 25 tot Maandag 27 April 2020 op Sandringham buite Stellenbosch aangebied word.

Die raad van Agri-Expo, die organiseerder van die SA Kaasfees, het die afgelope week wyd met die provinsiale regering en ander rolspelers vergader in die lig van toenemende kommer oor die korona-pandemie. Johan Ehlers, uitvoerende hoof van

Agri-Expo, het die fees se vennote, uitstallers en ondersteuners bedank vir hul begrip en geduld. "Die SA Kaasfees bied jaarliks 'n platform aan kaasmakers en entrepreneurs van reg oor die land om hul produkte aan tot 30 000 feesgangers bekend te stel. Die afstel van die SA Kaasfees sal 'n gewisse ekonomiese impak hê."

Alle betaalde kaartjies sal deur Computicket verkoop word. Kaartjiehouers sal direk gekontak word. Vir nog inligting, besoek [www.cheseefestival.co.za](http://www.cheseefestival.co.za) of Agri-Expo by 021 975 4440 of [admin@agriexpo.co.za](mailto:admin@agriexpo.co.za).

### KENNISGEWING NR. 22 VAN GRONDONTWIKKELINGSAANSOEK IN DIE STELLENBOSCH MUNISIPALE GEBIED

AANSOEK VIR HERSONERING, VERGUNNINGSGEBRUIK EN PERMANENTE AFWYKING: ERF 230 FRANSCHHOEK

**Aansoeker:** Plan 4 SA (Edms) Bpk  
Mnr Martin Jonker;  
Telefoon: 084-410-6132  
Epos: [martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za)

**Elenaar:** Stellenbosch Munisipaliteit;  
Mnr Piet Smit of Mnr Widmark Moses;  
Telefoon: 021-808-8189 of 084-506-5065 (Mnr Piet Smit) / 021-808-8974 of 082-879-8490 (Mnr Widmark Moses)  
Epos: [piet.smit@stellenbosch.gov.za](mailto:piet.smit@stellenbosch.gov.za) / [Widmark.moses@stellenbosch.gov.za](mailto:Widmark.moses@stellenbosch.gov.za)  
LU/10397

**Verwysingsnommer:** Erf 230, Franschhoek  
**Elendomsbeskrywing:** Erf 230, Franschhoek  
**Fisiese Adres:** Reservoirstraat 2, Franschhoek by die interseksie van Daniel Hugo en Reservoirstraat

**Beskrywing van aansoek:**  
Aansoek word hiemeer gedoen:  
Ingevolge Artikel 15(2)(a) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning (2015) vir die hersonering van Erf 230 Franschhoek vanaf Enkelbewoning (Enkel Residentieel) na Algemene Besigheid in terme van die Franschhoek Dorpsaanlegskema, 1985.  
Ingevolge Artikel 15(2)(o) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning (2015) vir 'n vergunning om 'n gedeelte van Erf 230 Franschhoek vir Inrigting (Opleiding) doeleindes te gebruik.  
Ingevolge Artikel 16(2)(b) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning (2015) vir 'n permanente afwyking van die parkeerverelstes vir Erf 230 Franschhoek deur die minimum aantal parkeerplekke op die terrein te verminder van 16.06 na 8 parkeerplekke.  
Ingevolge Artikel 15(2)(b) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning (2015) vir 'n permanente afwyking van die toegangsverelstes (ingang en uitgang) deur 'n voortlig ingang en uitgang van wyer as 6m oor die Daniel Hugo grens van Erf 230 Franschhoek toe te laat.

Kennis geskied hiemeer ingevolge die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning dat die genoemde aansoek ontvang is en gedurende weeke tussende 08:30 en 13:30 by die Beplanningadvieskantoor by Stellenbosch Munisipaliteit, Pleinstraat, Stellenbosch, insa lê. Enige geskrewe kommentare/besware, met volledige redes daarvoor, moet ingevolge Artikel 50 van die genoemde wetgewing aan die aansoeker op een van die volgende wyses gedreeseer word:

**AANSOEKER**

**Geregistreerde of gewone pos**  
Plan 4 SA (Edms) Bpk, Posbus 1152, Cape Gate, 7562

**Of gefaks aan**  
086-524-8738

**Of per hand afgelower aan**  
Plan 4 SA (Edms) Bpk, Eenheid 5 Stellen Villa, Kronendal Singel, Stellenberg, 7550

**Of per e-pos geower aan**  
[martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za)

Alle kommentare moet op of voor 30 dae vanaf die datum van publikasie van hierdie kennisgewing, met vermelding van die aansoeknommer, verwysingsnommer, u naam, adres en kontakbesonderhede, belangstelling in die aansoek en redes vir kommentaar, deur die genoemde party ontvang word. Telefoniese navrae kan aan die aansoeker, Mnr Martin Jonker (namens Plan 4 SA (Edms) Bpk) by tel 084-410-6132 gerig word. Enige kommentaar/beswaer ontvang na die voormelde sluitingsdatum sal as ongeldig geag word. Enige persoon wat nie skryf nie sal deur 'n Munisipale-amptenaar bygestaan word om hul kommentaar op skrif te stel.

### NOTICE NO. 22 OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA

APPLICATION FOR REZONING, SPECIAL CONSENT AND PERMANENT DEPARTURE: ERF 230 FRANSCHHOEK

**Applicant:** Plan 4 SA (Pty) Ltd  
Mr Martin Jonker;  
Telephone: 084-410-6132  
Email: [martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za)

**Owner:** Stellenbosch Municipality;  
Mr Piet Smit or Mr Widmark Moses;  
Telephone: 021-808-8189 or 084-506-5065 (Mr Piet Smit) / 021-808-8974 or 082-879-8490 (Mr Widmark Moses)  
Email: [piet.smit@stellenbosch.gov.za](mailto:piet.smit@stellenbosch.gov.za) / [Widmark.moses@stellenbosch.gov.za](mailto:Widmark.moses@stellenbosch.gov.za)  
LU/10397

**Application number:** Erf 230, Franschhoek  
**Reference number:** Erf 230 Franschhoek  
**Property Description:** 2 Reservoir Street, Franschhoek at the intersection of Daniel Hugo and Reservoir Street.

**Physical Address:** Application is made:  
In terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the rezoning of Erf 230 Franschhoek from Single Residential to General Business in terms of the Franschhoek Town Planning Scheme Regulations, 1985. In terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for special consent to use a portion of Erf 230 Franschhoek for Institutional (Training) purposes. In terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a permanent departure from the parking requirements for Erf 230 Franschhoek by reducing the minimum number of required off-street parking bays from 16.06 to 8 parking bays. In terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a permanent departure to allow a vehicle entrance/access & exit way of wider than 6m where they cross the Daniel Hugo Street boundary of Erf 230 Franschhoek.

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

**APPLICANT**

**Registered mail or normal mail**  
Plan 4 SA (Pty) Ltd, PO Box 1152, Cape Gate, 7562

**Or faxed to**  
086-524-8738

**Or hand delivered to**  
Plan 4 SA (Pty) Ltd, Unit 5 Stellen Villa, Kronendal Crescent, Stellenberg, 7550

**Or e-mailed to**  
[martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za)

All comments, quoting the application number, reference number, your name, address or contact details, your interest in the application and reasons for comments should be received by the above party on or before 30 days from the date of publication of this notice. Telephonic enquiries can be made to the applicant, Mr Martin Jonker (on behalf of Plan 4 SA (Pty) Ltd) at 084-410-6132. Any comment/objection received after aforementioned closing date will be considered invalid. Any person who cannot write will be assisted by a Municipal official by transcribing their comments.

**NOTICE OF LAND DEVELOPMENT APPLICATION  
IN THE STELLENBOSCH MUNICIPAL AREA**

**APPLICATION FOR REZONING, SPECIAL CONSENT AND PERMANENT DEPARTURE: ERF 230  
FRANSCHHOEK**

- Applicant:** Plan 4 SA (Pty) Ltd  
Mr Martin Jonker;  
**Telephone:** 084-410-6132  
**Email:** [martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za)
- Owner:** Stellenbosch Municipality;  
Mr Piet Smit or Mr Widmark Moses;  
**Telephone:** 021-808-8189 or 084-506-5065 (Mr Piet Smit)  
/ 021-808-8974 or 082-879-8490 (Mr Widmark Moses)  
**Email:** [piet.smit@stellenbosch.gov.za](mailto:piet.smit@stellenbosch.gov.za) /  
[Widmark.moses@stellenbosch.gov.za](mailto:Widmark.moses@stellenbosch.gov.za)
- Application number:** LU/10397
- Reference number:** Erf 230, Franschhoek
- Property Description:** Erf 230 Franschhoek;
- Physical Address:** 2 Reservoir Street, Franschhoek at the intersection of Daniel Hugo and Reservoir Street.
- Detailed description of proposal:** Application is made:  
In terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the rezoning of Erf 230 Franschhoek from Single Residential to General Business in terms of the Franschhoek Town Planning Scheme Regulations, 1985.  
In terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for special consent to use a portion of Erf 230 Franschhoek for Institutional (Training) purposes.  
In terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a permanent departure from the parking requirements

for Erf 230 Franschoek by reducing the minimum number of required off-street parking bays from 16.06 to 8 parking bays.

In terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a permanent departure to allow a vehicle entrance/access & exit way of wider than 6m where they cross the Daniel Hugo Street boundary of Erf 230 Franschoek.

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

<b>APPLICANT</b>
<b>Registered mail or normal mail</b>
Plan 4 SA (Pty) Ltd PO Box 1152 Cape Gate 7562
<b>Or faxed to</b>
086-524-8738
<b>Or hand delivered to</b>
Plan 4 SA (Pty) Ltd Unit 5 Stellen Villa Kronendal Crescent Stellenberg 7550
<b>Or e-mailed to</b>
martinj@plan4sa.co.za

All comments, quoting the application number, reference number, your name, address or contact details, your interest in the application and reasons for comments should be received by the above party on or before 30 days from the date of publication of this notice. Telephonic enquiries can be made to the applicant, **Mr Martin Jonker (on behalf of Plan 4 SA (Pty) Ltd)** at **084-410-6132**. Any comment/objection received after aforementioned closing

date will be considered invalid. Any person who cannot write will be assisted by a Municipal official by transcribing their comments.



**KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK  
IN DIE STELLENBOSCH MUNISIPALE GEBIED****AANSOEK VIR HERSONERING, VERGUNNINGSGEBRUIK EN PERMANENTE AFWYKING: ERF 230  
FRANSCHHOEK**

- Aansoeker:** Plan 4 SA (Edms) Bpk  
Mnr Martin Jonker;  
**Telefoon:** 084-410-6132  
**Epos:** [martini@plan4sa.co.za](mailto:martini@plan4sa.co.za)
- Eienaar:** Stellenbosch Munisipaliteit;  
Mnr Piet Smit of Mnr Widmark Moses;  
**Telefoon:** 021-808-8189 of 084-506-5065 (Mnr Piet Smit) /  
021-808-8974 of 082-879-8490 (Mnr Widmark Moses)  
**Epos:** [piet.smit@stellenbosch.gov.za](mailto:piet.smit@stellenbosch.gov.za) /  
[Widmark.moses@stellenbosch.gov.za](mailto:Widmark.moses@stellenbosch.gov.za)
- Aansoeknommer:** LU/10397
- Verwysingsnommer:** Erf 230, Franschhoek
- Eiendomsbeskrywing:** Erf 230, Franschhoek
- Fisiese Adres:** Reservoir Straat 2, Franschhoek by die interseksie van  
Daniel Hugo en Reservoir Straat
- Beskrywing van aansoek:** Aansoek word hiermee gedoen:  
Ingevolge Artikel 15(2)(a) van die Stellenbosch  
Munisipaliteit: Verordening op  
Grondgebruikbeplanning (2015) vir die hersonering van  
Erf 230 Franschhoek vanaf Enkelbewoning (Enkel  
Residentieel) na Algemene Besigheid in terme van die  
Franschhoek Dorpsaanlegskema, 1985.  
Ingevolge Artikel 15(2)(o) van die Stellenbosch  
Munisipaliteit: Verordening op  
Grondgebruikbeplanning (2015) vir 'n vergunning om  
'n gedeelte van Erf 230 Franschhoek vir Inrigting  
(Opleiding) doeleindes te gebruik.  
Ingevolge Artikel 15(2)(b) van die Stellenbosch  
Munisipaliteit: Verordening op  
Grondgebruikbeplanning (2015) vir 'n permanente

afwyking van die parkeervereistes vir Erf 230 Franschhoek deur die minimum aantal parkeerplekke op die terrein te verminder van 16.06 na 8 parkeerplekke.

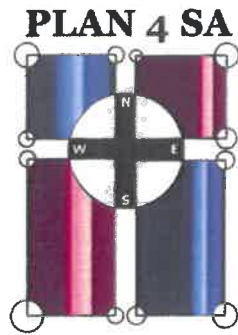
Ingevolge Artikel 15(2)(b) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning (2015) vir 'n permanente afwyking van die toegangsvereistes (ingang en uitgang) deur 'n voertuig ingang en uitgang van wyer as 6m oor die Daniel Hugo grens van Erf 230 Franschhoek toe te laat.

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

<b>AANSOEKER</b>
<b>Geregistreerde of gewone pos</b>
Plan 4 SA (Edms) Bpk Posbus 1152 Cape Gate 7562
<b>Of gefaks aan</b>
086-524-8738
<b>Of per hand afgelewer aan</b>
Plan 4 SA (Edms) Bpk Eenheid 5 Stellen Villa Kronendal Singel Stellenberg 7550
<b>Of per e-pos gelewer aan</b>
martinj@plan4sa.co.za

Alle kommentare moet op of voor 30 dae vanaf die datum van publikasie van hierdie kennisgewing, met vermelding van die aansoeknommer, verwysingsnommer, u naam, adres en kontakbesonderhede, belangstelling in die aansoek en redes vir kommentaar, deur die bogemelde party ontvang word. Telefoniese navrae kan aan die aansoeker, **Mnr Martin Jonker (namens Plan 4 SA (Edms) Bpk)** by tel **084-410-6132** gerig word. Enige

kommentaar/beswaar ontvang na die voormelde sluitingsdatum sal as ongeldig geag word. Enige persoon wat nie kan skryf nie sal deur 'n Munisipale-amptenaar bygestaan word om hul kommentaar op skrif te stel.



**PROFESSIONAL PLANNERS & PROJECT MANAGERS**  
 Town & Regional Planning  
 Transportation Planning  
 Business Planning & Development  
 Project Management

**PO Box 1152, Cape Gate, 7562**  
 Unit 5 Stellen Villa, Kronendal Cr., Stellenberg, 7550, WC  
 Tel: +27(0)84-410-6132  
 Fax: +27 (0)86-524-8738  
 Email: [martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za)  
 Web: [www.plan4sa.co.za](http://www.plan4sa.co.za)

**Application Number:** LU/10397  
**Municipal File Refence Number:** Erf 230, Franschoek  
**Applicant Reference Number:** 19P001/Erf 230 FHK  
**Enquiries:** Martin Jonker  
**Contact No:** 084-410-6132  
**Email Address:** [martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za)

**Date of this letter:** 18 March 2020  
**Date of publication:** 19 March 2020  
**Due date for comments:** 60-days from date of registration

**REGISTERED MAIL TO:**

**HERITAGE WESTERN CAPE**  
 Private Bag X9067  
**CAPE TOWN**  
 8000

Dear Sir / Madam

**APPLICATION FOR REZONING, SPECIAL CONSENT AND PERMANENT DEPARTURES: ERF 230, FRANSCHHOEK**

- The Stellenbosch Municipality has received an application for the rezoning, special consent and permanent departures applicable to Erf 230 Franschoek in terms of section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015). Attached please find a copy of the application.
- Kindly provide your written comments on the application in terms of section 51(2) of the said legislation within **60 days** of the date of registration of this letter. Your comments should be addressed **to the applicant** in one of the following manners:

<b>APPLICANT</b>	
<b>Registered mail or normal mail</b>	
Plan 4 SA (Pty) Ltd PO Box 1152 Cape Gate; 7562	
<b>Or faxed to</b>	
086-524-8738	
<b>Or hand delivered to</b>	
Plan 4 SA (Pty) Ltd Unit 5 Stellen Villa Kronendal Crescent; Stellenberg; 7550	
<b>Or e-mailed to</b>	
<a href="mailto:martinj@plan4sa.co.za">martinj@plan4sa.co.za</a>	

3. Should no comments be received, it will be deemed that you have no comment.

Regards



**MARTIN JONKER**

**Director**

**For PLAN 4 SA (Pty) Ltd**

C:\Users\Martin\Documents\Business\Plan 4 SA\Projects\2019\19P001\_STB LED HUB LUAs\_20190117\Submission\LUA2\_FHK, Erf 230 (Triangle site)\4. Advertisements\Annex 5-Ext Depts\Letter (LU10397)\_HWC-Erf230FHK\_20200306\_Rev 00.docx

**COPIES TO:**

The Director: Planning & Economic Development  
Stellenbosch Municipality  
PO Box 17  
Stellenbosch  
7599

**List of REGISTERED LETTERS**  
**Lys van Geregistreerde Briewe**  
 (with an insurance option/met 'n versekeringsopsie)



Post Office

**Full tracking and tracing/Volledige volg en spoor**

Name and address of sender:

Naam en adres van afsender:

Martin Jonker

Plan 4 SA (Pty) Ltd; PO Box 1152; Cape Gate; 7562.

Enquiries/Navrae  
 Toll-free number  
 Tolvry nommer  
**0800 111 502**

No	Name and address of addressee Naam en adres van geadresseerde	Insured amount Versekerde bedrag	Insurance fee Versekeringsgeld	Postage Posgeld	Service fee Diensgeld	Affix Track and Trace customer copy Plak Volg-en-Spoor-klëntafskrif
1	Heritage Western Cape; Private Bag X9067 Cape Town; 8000					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590142ZA CUSTOMER COPY 301028R
2	Dept Environmental Affairs & Dev. Planning Private Bag X9086; Cape Town; 8000					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590099ZA CUSTOMER COPY 301028R
3	Dept of Transport & Public Works PO Box 2603; Cape Town; 8000					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590448ZA CUSTOMER COPY 301028R
4	Franschhoek Heritage & Ratepayers Assoc. The Garden House; 29 De Wet Str. FHK; 7690					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590434ZA CUSTOMER COPY 301028R
5	Van Wyk & Cabriere Str. Residents Ass. 37 Van Wyk Street; FHK 7690					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590385ZA CUSTOMER COPY 301028R
6	TK Retail Consulting CC PO Box 635; Franschhoek 7690.					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590377ZA CUSTOMER COPY 301028R
7	Top Coat Prop Investments 18 (Pty) Ltd Louis Botha Str. 14; FHK; 7690					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590315ZA CUSTOMER COPY 301028R
8	Reuben's Restaurant & Bar Trust PO Box 207; Franschhoek 7690					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590329ZA CUSTOMER COPY 301028R
9	Southern Spirit Properties 166 (Pty) Ltd PO Box 1760; Mount Edgecombe; 4300					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590261ZA CUSTOMER COPY 301028R
10	Le Quartier Francais (Pty) Ltd PO Box 341; Franschhoek 7690					REGISTERED LETTER (with a domestic insurance option) ShareCall 0860 111 502 www.sapo.co.za RC387590258ZA CUSTOMER COPY 301028R

10/10

Number of letters posted

Getal briewe gepos

10

Total  
Totaal

R	R	R	R
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Signature of client

Handtekening van kliënt

*[Handwritten signature]*

Signature of accepting officer

Handtekening van aanneembeampte

*[Handwritten signature]*

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

Die waarde van die inhoud van hierdie briewe is soos aangedui en vergoeding sal nie betaal word vir 'n brief wat sonder voorbehoud ontvang word nie. Vergoeding is beperk tot R100,00. Geen vergoeding is sonder dokumentêre bewys betaalbaar nie. Opsionele versekering van tot R2 000,00 is beskikbaar en is slegs op binnelandse geregistreerde briewe van toepassing.

Date stamp  
**CAPE GATE 7562**  
**18-03-2020**  
**BRANCH MANAGER**  
 Datumstempel

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



**Post Office**

**Full tracking and tracing/Volledige volg en spoor**

Name and address of sender:

Naam en adres van afsender:

*Martin Jonker*  
*Plan 4 SA (pty); PO Box 1152; Cape Gate; 7562*

Enquiries/Navrae  
 Toll-free number  
 Tolvry nommer  
**0800 111 502**

No	Name and address of addressee Naam en adres van geadresseerde	Insured amount Versekerde bedrag	Insurance fee Versekeringsgeld	Postage Posgeld	Service fee Diensgeld	Affix Track and Trace customer copy Plak Volg-en-Spoor-kliëntafskrif
1	<i>Lee GJ Hyoung; 5 Reservoir Str. Eggenburg 7690</i>					<b>REGISTERED LETTER</b> <small>(with a domestic insurance option)</small> <small>ShareCall 0800 111 502 www.spsa.co.za</small> <b>RC387590200ZA</b> CUSTOMER COPY 301028R
2						
3						
4						
5						
6						
7						
8						
9						
10						
		<b>Total</b>	<b>Totaal</b>			
Number of letters posted Getal briewe gepos		R	R	R	R	

*1 / ONE*

Number of letters posted  
Getal briewe gepos

Signature of client

Handtekening van kliënt

Signature of accepting officer

Handtekening van aanneembeampte

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

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

Date stamp  
**CAPE GATE 7562**  
**18-03-2020**  
**BRANCH MANAGER**  
 Datumstempel

File (32)

**Bulelwa Mdoda**

**From:** Bulelwa Mdoda  
**Sent:** 22 July 2020 08:00 AM  
**To:** 'Martin Jonker'  
**Subject:** RE: [EX] RE: LU/10397: ERF 230 FRANSCHHOEK

Hi Martin;

I acknowledge receipt of your email.

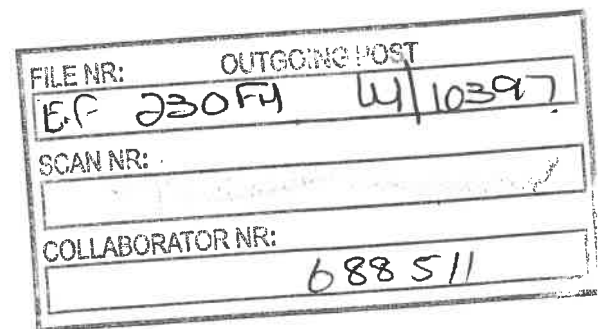


*Kind regards,*  
**Bulelwa Mdoda**  
 Land Use Management  
 Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899  
 3<sup>rd</sup> Floor, Eikestad Mall, Andringa Street,  
 Stellenbosch  
[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:  
[http://www.stellenbosch.gov.za/main\\_pages/disclaimerpage.htm](http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm)



**From:** Martin Jonker [mailto:martinj@plan4sa.co.za]  
**Sent:** 21 July 2020 05:37 PM  
**To:** 'Jackie Loubser'  
**Cc:** Bulelwa Mdoda; Chrizelle Kriel; Widmark Moses  
**Subject:** [EX] RE: LU/10397: ERF 230 FRANSCHHOEK  
**Importance:** High

Hi Jackie

Thank you very much for your comments/inputs and support.

I support your suggestion regarding NMT and believe the responsible Municipal Planner would include it in his/her report to the Tribunal.

Have a blessed week.

Regards

**MARTIN JONKER**, Pr.Pl in A/1090/1999; PMP; MTRP; MBA (Cum Laude)  
**Director**  
 Professional Planner  
 Project Management Professional

**Plan 4 SA (Pty) Ltd**

PO Box 1152, Cape Gate, 7562  
 Cell: +27 84 410 6132; Fax: +27 86 524 8738



Email: [martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za); Web: [www.plan4sa.co.za](http://www.plan4sa.co.za)

**From:** Jackie Loubser <[jackie@vincosteel.co.za](mailto:jackie@vincosteel.co.za)>  
**Sent:** 21 July, 2020 5:03 PM  
**To:** [martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za)  
**Cc:** Ms Bulelwa Mdoda, <[Bulelwa.mdoda@stellenbosch.gov.za](mailto:Bulelwa.mdoda@stellenbosch.gov.za)>; Ms Chrizelle Kriel, <[Chrizelle.kriel@stellenbosch.gov.za](mailto:Chrizelle.kriel@stellenbosch.gov.za)>; Mr Widmark Moses, <[Widmark.moses@stellenbosch.gov.za](mailto:Widmark.moses@stellenbosch.gov.za)>  
**Subject:** LU/10397: ERF 230 FRANSCHHOEK

Dear Martin

*The Van Wijk & Cabriere Street Residents Association (VWCSRA) has no objection to the rezoning of Erf 230 Franschhoek from Residential to General Business and the associated departures and relaxations for the purposes described in the Motivation in support of this application.*

*We would, however, suggest that provision is made for securing bicycles in line with the Spatial Proposals for Franschhoek in the MSDP which include "Pro-actively improve conditions for walking and NMT within Franschhoek."*

NMT is the acronym for "non-motorised transport" - i.e. bicycles!

Kind regards

Jackie Loubser  
 VWCSRA Secretary  
 083 291 6414

---

DATE OF THIS EMAIL: 13 JULY 2020

LU/10397: ERF 230 FRANSCHHOEK: EXTENSION OF PUBLIC COMMENT PERIOD: NEW PUBLIC COMMENT DEADLINE: 28 JULY 2020

APPLICATION FOR REZONING, SPECIAL CONSENT AND PERMANENT DEPARTURE

Dear Sir / Madam

This email is send to you per instruction of the Stellenbosch Municipality.

You are hereby electronically notified that the public comment period for the abovementioned land use application on Erf 230 Franschhoek, which was originally advertised on 19 March 2020, has been extended. Should you have any comments/objections regarding the abovementioned application, please send those comments/objections to the applicant (contact details included in the attached advertisement) on or before 28 July 2020.

You will receive a link in this WeTransfer message where you can download the Planning Motivation and related Plans.

In order to ensure that any email correspondence to the applicant does not get lost, please copy/cc the

**Charlene Williams**

---

**From:** Brian Howard <brian@bharch.co.za>  
**Sent:** 17 June 2020 11:51 AM  
**To:** martinj@plan4sa.co.za  
**Subject:** FW: Erf 230  
**Attachments:** Erf 230.pdf; Erf 230 Report.pdf

**From:** Brian Howard <brian@bharch.co.za>  
**Sent:** Wednesday, 17 June 2020 08:50  
**To:** 'martin@plan4sa.co.za' <martin@plan4sa.co.za>  
**Cc:** 'Siegfried Schäfer' <siegfried.schafer@gmail.com>; 'Barry Phillips' <barryphillips505@gmail.com>; Colin Atkins <colin@lepetitparis.co.za>; 'Larry Oltmanns' <larryoltmanns@icloud.com>; lindatraut@hotmail.com; migomanz@gmail.com  
**Subject:** FW: Erf 230

Good Morning Mr. Jonker,

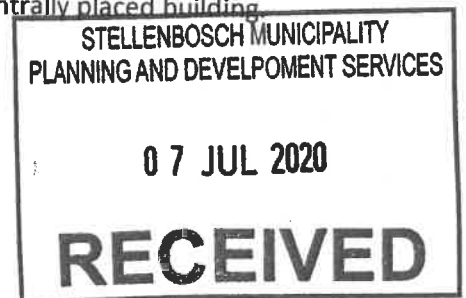
I must apologise for the delay in responding to your application to the FHRPA – Heritage Committee, the only excuse we can offer is that this Covid-19 pandemic is causing much in the way of interruption to the normal business activities.

We have considered this application and can see no reason as to why this application should not be acceptable and as a result it would have the support of the FHRPA – Heritage Committee for this proposed change of Town Planning rights to this site. Subject of course to the normal approval process of the Stellenbosch Council.

We wish you well and look forward to seeing an improvement to this very centrally placed building.

Regards,

Brian Howard.  
 FHRPA – Heritage Committee.



**From:** Irmela Alberts <irmelaa@gmail.com>  
**Date:** 15 June 2020 at 07:00:50 GMT-7  
**To:** Larry Oltmanns <larryoltmanns@icloud.com>, Siegfried Schäfer <siegfried.schafer@gmail.com>  
**Subject:** Erf 230

Hi Larry and Siegfried

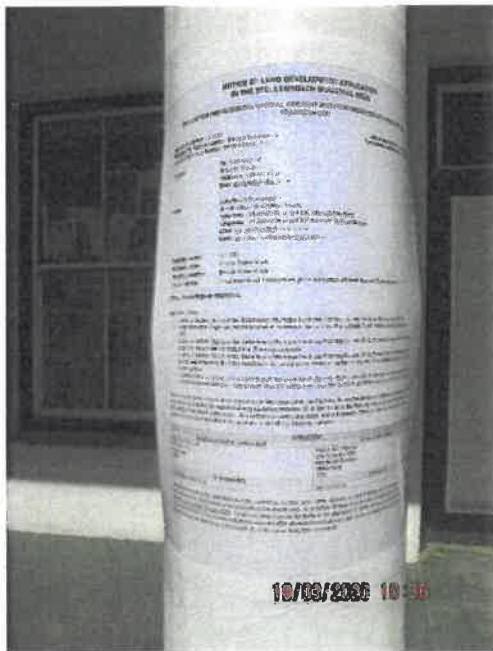
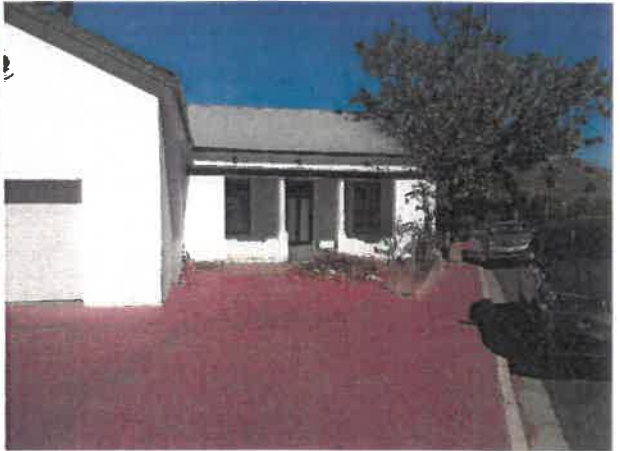
#Larry: the second letter relates to Erf 230.  
 Morning Mr Jonker,

Subject t

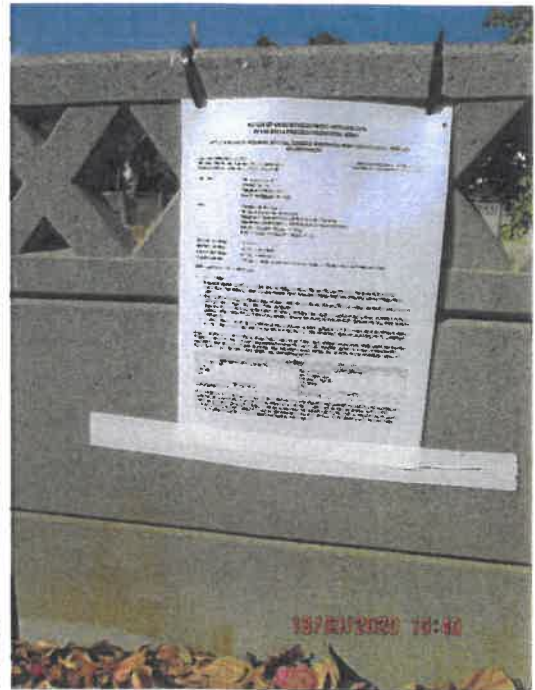
Let me apologise for the delay in a response to yourself, the only excuse we have is that as a result of this Covid-19 pandemic and the delays in delivery service.

However as the FHRPA – heritage Committee we have discussed this application and can see no reason as to why this change should not take place subject to the normal approval process by the Stellenbosch Council. This application would therefore have our support

# ANNEXURE 7 SITE NOTICE PHOTOS



# ANNEXURE 7 SITE NOTICE PHOTOS (continues)



**REGISTERED LETTER**  
**GEREGISTREERDE BRIEF** **330FM**   
*(with an insurance option/met 'n versekeringsopsie)*

372

Postage paid R \_\_\_\_\_ C  
Service fee/Diensgeld R \_\_\_\_\_ C  
Insurance/Versekering R \_\_\_\_\_ C  
Total/Totaal R \_\_\_\_\_ C

12

**Full tracking and tracing/Volledige volg en spoor**

Addressed to/Geadresseer aan

Mr A R Frazerburg  
25 Forestry Road  
15001 Lurbei  
Froschbach

76910 Postcode  
Postkode

Insured value of contents  
Versekerde waarde van inhoud R \_\_\_\_\_ C

Enquiries/Navrae  
Toll-free number  
Tolvry nommer  
0800 111 502

Initial of accepting officer  
Date stamp  
STELLENBOSCH 7599

10 MAR 2020

FOLIO 7

**ORDINARY PARCEL**  
ShareCall 0800 111 502 www.sapo.co.za

PE 925 001 752 ZA  
CUSTOMER COPY 301016

Plate Volg-en-Spoor  
Klientafskrif

Pareaf van  
aaneem-  
beampte

Datumstempel

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Die waarde van die inhoud van hierdie brief is soos aangedui en vergoeding sal nie betaal word vir 'n brief wat sonder voorbehoud ontvang word nie. Vergoeding is beperk tot R100.00. Geen vergoeding is sonder dokumentêre bewys betaalbaar nie. Opsionele versekering tot R2 000.00 is beskikbaar en is slegs op binnelandse geregistreerde briewe van toepassing.



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

T: +27 21 808 8690 : F +27 21 886 6899  
3<sup>rd</sup> Floor, Eikestad Mall, Andringa Street,  
Stellenbosch  
[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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# **ANNEXURE H**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**COMMENT FROM THE  
MANAGER: FIRE SERVICES**

## INTERDEPARTMENTAL CIRCULATION FORM

LÊER VERW/ FILE REF	Erf 230, Franschhoek	DATE: 5 March 2020
AANSOEKNUMMER/APPLICATION NUMBER	LU/10397	
MEMO AAN/ TO :		
	Director : Infrastructure Services (Traffic Engineer / Engineering Services)	
	Manager: Electrical Services	
	Manager : Building Development Management	
X	Manager : Fire Services	
	Manager: Spatial Planning / Heritage / Signage	
	Manager: Health Department (Winelands Health)	
	Manager: Community Services (Environmental Planner / Air Quality & Noise Control Officer)	
	Manager: Community Services (Parks/Greening Services): Albert Van Der Merwe	
	Manager: Property Management (P Smit)	
	Manager: Local Economic Development	
Application	<p>(i) Application is made in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law for <b>Rezoning</b> of Erf 230, Franschhoek from Single Residential to General Business for purposes of a local economic development hub/business incubator.</p> <p>(ii) Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law for a <b>special consent</b> to use a portion of Erf 230, Franschhoek for institutional (training) purposes.</p> <p>(iii) Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw for a <b>departure</b> for the under-provision of on-site parking (8 parking bays in lieu of 16,06 parking bays).</p> <p>(iv) Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law for a <b>departure</b> to allow a vehicle entrance/access &amp; exit of wider than 6m where they cross the Daniel Hugo boundary of Erf 230, Franschhoek.</p>	
Adres / Address	2 Reservoir Street, Franschhoek	FILE NR:
Aansoek Datum Application Date	19 September 2019	SCAN NR: E 230 FH
Aansoeker Applicant	Plan4 SA (Pty) Ltd (Martin Jonker)	COLLABORATOR NR:
<p>Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.</p> <p>Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.</p> <p>Geliewe die memorandum <u>per hand</u> aan my terug te besorg voor of op: Please <u>hand deliver</u> the memorandum to me on or before : 31 March 2020</p>		
For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT		
ALGEMENE KOMMENTAAR / GENERAL COMMENT:		
<p>.....</p> <p>.....</p> <p>.....</p>		

VOORWAARDES/CONDITIONS:

Fire Requirements will be given when  
plans are submitted to Council

  
HANDTEKENING / SIGNATURE

09/03/2020  
DATUM / DATE



# **ANNEXURE I**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**COMMENT FROM THE  
MANAGER: PROPERTY  
MANAGEMENT**

INTERDEPARTMENTAL CIRCULATION FORM

LêER VERW/ FILE REF	Erf 230, Franchhoek	DATE: 5 March 2020
AANSOEKNUMMER/APPLICATION NUMBER		LU/10397
MEMO AAN/ TO :		
	Director : Infrastructure Services (Traffic Engineer / Engineering Services)	
	Manager: Electrical Services	
	Manager : Building Development Management	
	Manager : Fire Services	
	Manager: Spatial Planning / Heritage / Signage	
	Manager: Health Department (Winelands Health)	
	Manager: Community Services (Environmental Planner / Air Quality & Noise Control Officer)	
	Manager: Community Services (Parks/Greening Services): Albert Van Der Merwe	
X	Manager: Property Management (P Smit)	
	Manager: Local Economic Development	
Application	<p>(i) Application is made in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law for <b>Rezoning</b> of Erf 230, Franschhoek from Single Residential to General Business for purposes of a local economic development hub/business incubator.</p> <p>(ii) Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law for a <b>special consent</b> to use a portion of Erf 230, Franschhoek for institutional (training) purposes.</p> <p>(iii) Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw for a <b>departure</b> for the under-provision of on-site parking (8 parking bays in lieu of 16,06 parking bays).</p> <p>(iv) Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law for a <b>departure</b> to allow a vehicle entrance/access &amp; exit of wider than 6m where they cross the Daniel Hugo boundary of Erf 230, Franschhoek.</p>	
Adres / Address	2 Reservoir Street, Franschhoek	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>STELLENBOSCH MUNICIPALITY</b>                  PLANNING AND DEVELOPMENT SERVICES   <b>24 MAR 2020</b>   <b>RECEIVED</b> </div>
Aansoek Datum / Application Date	19 September 2019	
Aansoeker Applicant	Plan4 SA (Pty) Ltd (Martin Jonker)	
<p>Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.</p> <p>Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.</p>		
<p>Geliewe die memorandum <u>per hand</u> aan my terug te besorg voor op: <b>31 March 2020</b></p> <p>Please <u>hand deliver</u> the memorandum to me on or before : <b>31 March 2020</b></p>		FILE NR: of op: SCAN NR: G 230 FH COLLABORATOR NR:
<p>For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT</p> <p>ALGEMENE KOMMENTAAR / GENERAL COMMENT:</p> <p><i>The application is supported.</i></p>		

VOORWAARDES/CONDITIONS:

.....  
..... *None* .....

HANDTEKENING / SIGNATURE

*[Handwritten Signature]*

DATUM / DATE

*Jerde. 02.16*

# **ANNEXURE J**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**COMMENT FROM THE  
MANAGER: LOCAL  
ECONOMIC DEVELOPMENT**

**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

**MEMORANDUM**

**DATE** : 11 February 2021

**TO** : **Manager: Land Use Management**

**FROM** : **Acting Manager: Local Economic Development & Tourism  
(Mr Dudley Adolph)**

**SUBJECT** : **Application for rezoning, consolidation, consent use and  
departures on Erf 230, Franschhoek – Economic Hub Project**

---

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

The Unit Local Economic Development does not object and support the rezoning.

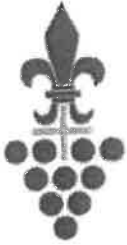
  
\_\_\_\_\_  
**Dudley Adolph**  
**Acting Manager: Local Economic Development & Tourism**

11/02/2021  
\_\_\_\_\_  
**Date**

# **ANNEXURE K**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**COMMENT FROM THE  
MANAGER: SPATIAL  
PLANNING**



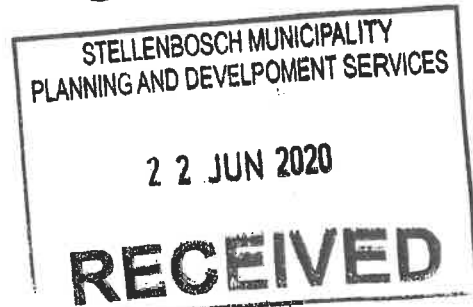
# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## Spatial Planning

To : Manager: Land Use Management  
 From : Manager: Spatial Planning  
 Reference : Erf 230, Franschhoek  
 LU No : LU/10397  
 Date : 14 June 2020  
 Re : Rezoning, special consent and departures on Erf 230, Franschhoek



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

**1) Opinion/reasoning:**

The application is for a rezoning from Single Residential to General Business for the purposes of a local economic development hub/business incubator. The application is also for a special consent to use a portion of the property for training purposes. Departures for the under-provision of on-site parking (8 bays in lieu of 16 bays) and to allow a vehicle entrance/access wider than 6m are applied for.

The subject property is centrally located within the urban edge in an established area within the residential town of Franschhoek. Densification and infill development are encouraged in terms of the approved Stellenbosch Municipal Spatial Development Framework (MSDF).

The property is already developed and serviced and currently underutilized. It is located close to existing public transport routes and services. The site is located within the historical core of Franschhoek and the buildings are on the Municipality's list of Historical buildings.

**2) Supported / not supported:**

The proposal to use the property for a local economic development hub is supported as it will not have a negative effect on the surrounding properties.

Please provide this department with a permit from Heritage Western Cape for any additions and alterations to the existing structure older than 60 years.

*[Handwritten Signature]*  
 BJG de la Bat  
 MANAGER: SPATIAL PLANNING

FILE NR:	
SCAN NR:	E 230 FH
COLLABORATOR NR:	686450

# **ANNEXURE L**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**COMMENT FROM THE  
MANAGER: ELECTRICAL  
SERVICES**



LêER VERW/ FILE REF	Erf 230, Franchhoek	DATE: 5 March 2020
AANSOEKNUMMER/APPLICATION NUMBER	LU/10397	
MEMO AAN/ TO :		
Director : Infrastructure Services (Traffic Engineer / Engineering Services)		
<b>X</b>	Manager: Electrical Services	<div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">LU/103975</p> <p style="text-align: center;">STELLENBOSCH MUNICIPALITY</p> <p style="text-align: center;">PLANNING AND DEVELOPMENT SERVICES</p> <p style="text-align: center;">23 JUN 2020</p> <p style="text-align: center; font-size: 2em; font-weight: bold;">RECEIVED</p> </div>
	Manager : Building Development Management	
	Manager : Fire Services	
	Manager: Spatial Planning / Heritage / Signage	
	Manager: Health Department (Winelands Health)	
	Manager: Community Services (Environmental Planner / Air Quality & Noise Control Officer)	
	Manager: Community Services (Parks/Greening Services) : Albert Van Der Merwe	
	Manager: Property Management (P Smit)	
	Manager: Local Economic Development	
<b>Application</b>	<p>(i) Application is made in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law for <b>Rezoning</b> of Erf 230, Franschhoek from Single Residential to General Business for purposes of a local economic development hub/business incubator.</p> <p>(ii) Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law for a <b>special consent</b> to use a portion of Erf 230, Franschhoek for institutional (training) purposes.</p> <p>(iii) Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw for a <b>departure</b> for the under-provision of on-site parking (8 parking bays in lieu of 16,06 parking bays).</p> <p>(iv) Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law for a <b>departure</b> to allow a vehicle entrance/access &amp; exit of wider than 6m where they cross the Daniel Hugo boundary of Erf 230, Franschhoek.</p>	
<b>Adres / Address</b>	2 Reservoir Street, Franschhoek	
<b>Aansoek Datum</b> <b>Application Date</b>	19 September 2019	
<b>Aansoeker Applicant</b>	Plan4 SA (Pty) Ltd (Martin Jonker)	
<p>angeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil oplê indien die aansoek goedgekeur word.</p> <p>Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.</p> <p>Geliewe die memorandum <u>per hand</u> aan my terug te besorg voor of op of <b>31 March 2020</b></p> <p>Please <u>hand deliver</u> the memorandum to me on or before : <b>31 March 2020</b></p>		
For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT		FILE NR:
ALGEMENE KOMMENTAAR / GENERAL COMMENT:		SCAN NR:
..... <i>None</i> .....		E 230 FH
.....		COLLABORATOR NR:
.....		686604

VOORWAARDES/CONDITIONS:

All charges and re-roling of services as well as applied in electrical supplies - for applicants cost with complete cost application.



HANDTEKENING / SIGNATURE

3/6/2020

DATUM / DATE

# **ANNEXURE M**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**COMMENT FROM THE  
DIRECTOR: ENGINEERING  
SERVICES**

(TK)

## INTERDEPARTMENTAL CIRCULATION FORM

24

LêER VERW/ FILE REF	Erf 230, Franchhoek	DATE: 5 March 2020
AANSOEKNUMMER/APPLICATION NUMBER		LU/10397
MEMO AAN/ TO :		
X	Director : Infrastructure Services (Traffic Engineer / Engineering Services)	
	Manager: Electrical Services	
	Manager : Building Development Management	
	Manager : Fire Services	
	Manager: Spatial Planning / Heritage / Signage	
	Manager: Health Department (Winelands Health)	
	Manager: Community Services (Environmental Planner / Air Quality & Noise Control Officer)	
	Manager: Community Services (Parks/Greening Services): Albert Van Der Merwe	
	Manager: Property Management (P Smit)	
	Manager: Local Economic Development	
Application	<p>(i) Application is made in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law for <b>Rezoning</b> of Erf 230, Franschhoek from Single Residential to General Business for purposes of a local economic development hub/business incubator.</p> <p>(ii) Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law for a <b>special consent</b> to use a portion of Erf 230, Franschhoek for institutional (training) purposes.</p> <p>(iii) Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw for a <b>departure</b> for the under-provision of on-site parking (8 parking bays in lieu of 16,06 parking bays).</p> <p>(iv) Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law for a <b>departure</b> to allow a vehicle entrance/access &amp; exit of wider than 6m where they cross the Daniel Hugo boundary of Erf 230, Franschhoek.</p>	
Adres / Address	2 Reservoir Street, Franschhoek	
Aansoek Datum Application Date	19 September 2019	
Aansoeker Applicant	Plan4 SA (Pty) Ltd (Martin Jonker)	



FILE NR.	
SCAN NR:	E 230 FA
COLLABORATOR NR:	686605

angeheg vind u tersaaklike dokumentasie in verband met bogeneemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.


Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op:  
Please hand deliver the memorandum to me on or before : **31 March 2020**

## For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

## ALGEMENE KOMMENTAAR / GENERAL COMMENT:

Traffic Engineering: Please note that of calculation error i.e. parking requirement. as per Planning Motivation Report dated 19 Sept 2019 page 26 → only 11,77 parking required. 8 bays are functional provided - based on the fact that the facility will cater for the greater Community of Franschhoek (access by public transport) the proposed under provision of parking (8) can be supported. m.w. 2020/03/20.

VOORWAARDES/CONDITIONS: Recommended for approval. All service connections must be indicated on the building plans. Details of fire access (driveway) must also be indicated on building plans	
 T. King HANDTEKENING / SIGNATURE	20 March 2020 DATUM / DATE

- ② Building Plans must indicate how proper access will be created to the parking areas P1 - P8 (site layout plan) and should be generally in accordance with the explanation of Martin Joubert in his email dated 2020/03/20 15:04 (attached)

**Tyrone King**

---

**From:** Martin Jonker <martinj@plan4sa.co.za>  
**Sent:** Friday, 20 March 2020 15:04  
**To:** Tyrone King  
**Cc:** Nigell Winter; Widmark Moses; Bulelwa Mdoda  
**Subject:** [EX] RE: 1975 - Erf 230, FH (LED Hub)

**Importance:** High

Hi Tyrone

As discussed telephonically, access will be provided as follows:

- There is currently no boundary fence where P1 and P2 is located, so access to these to parking areas should not be a problem, however, existing onstreet parking in Daniel Hugo and Reservoir Street will need to be managed in order not to block the accesses to P1 and P2. Access to P1 can thus be obtained from either Daniel Hugo or Reservoir Street. Access to P2 can be obtained from Daniel Hugo Street.
- Access to parking bays P3-P8 will be obtained by removing the existing Daniel Hugo Street boundary wall. The aforementioned boundary wall is a precast wall that current runs from the corner with Erf 229 up to the existing tree next to the existing building on Erf 230. Existing onstreet parking in Daniel Hugo Street will thus need to be managed in order not to block these accesses. Also refer to Note N2 on the map.

I hope this helps.

Regards

**MARTIN JONKER**, Pr.Pl n A/1090/1999; PMP; MTRP; MBA (Cum Laude)  
**Director**  
 Professional Planner  
 Project Management Professional

**Plan 4 SA (Pty) Ltd**

PO Box 1152, Cape Gate, 7562

**Cell:** +27 84 410 6132; **Fax:** +27 86 524 8738

**Email:** [martinj@plan4sa.co.za](mailto:martinj@plan4sa.co.za); **Web:** [www.plan4sa.co.za](http://www.plan4sa.co.za)

**From:** Tyrone King <Tyrone.King@stellenbosch.gov.za>  
**Sent:** 20 March, 2020 2:35 PM  
**To:** martinj@plan4sa.co.za  
**Cc:** Nigell Winter <Nigell.Winter@stellenbosch.gov.za>  
**Subject:** 1975 - Erf 230, FH (LED Hub)

Hi Martin

Attached layout refers. As discussed can you please indicate how access will be obtained to Parking bays P1 to P8. Also indicate boundary walls/fences – we need to make sure that the boundaries do not make access and exit movements difficult for vehicles.

I just need this info before I can finalise comment on the application from civil engineering perspective.

Regards

# **ANNEXURE N**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**COMMENT FROM THE  
DEPARTMENT OF  
ENVIRONMENTAL AFFAIRS  
AND  
DEVELOPMENT PLANNING**



REFERENCE: 15/3/2/12/BS2

Plan 4 SA (Pty) Ltd  
P.O. Box 1152  
Cape Gate  
7262

FOR ATTENTION: MARTIN JONKER

[martin@plan4sa.co.za](mailto:martin@plan4sa.co.za)

**REQUEST FOR PLANNING COMMENT: REZONING, SPECIAL CONSENT AND DEPARTURE ON ERF 230, FRANSCHHOEK**

1. Your request for comment, dated 16 September 2019, has reference.
2. This Directorate's planning component has no objection to the proposed rezoning of Erf 230, Franschhoek, from Single Residential Zone to General Business Zone for the establishment of a Local Economic Development (LED) Hub (office, shop and training purposes).
3. The subject property is one of several municipal owned properties approved by the Stellenbosch Municipal Council in 2017 for the development of LED Hubs. The purpose of establishing the hubs is to assist small businesses and entrepreneurs to establish themselves and to create an environment for them to grow.
4. The property is located within the urban edge and is earmarked in the MSDF as an "existing and proposed urban character area". No definition of this designation is provided for in the MSDF.
5. The Department reserves the right to amend its comment should any additional or new information be obtained.



A handwritten signature in black ink, appearing to read 'K Munro', written in a cursive style.

**K Munro**

**DIRECTOR: DEVELOPMENT MANAGEMENT REGION 2**

**DATE**

# **ANNEXURE O**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**COMMENT FROM THE  
DEPARTMENT OF  
TRANSPORT AND PUBLIC  
WORKS**



**ROAD NETWORK MANAGEMENT**  
 Email: Grace.Swanepoel@westerncape.gov.za  
 tel: +27 21 483 4669  
 Rm 335, 9 Dorp Street, Cape Town, 8001  
 PO Box 2603, Cape Town, 8000

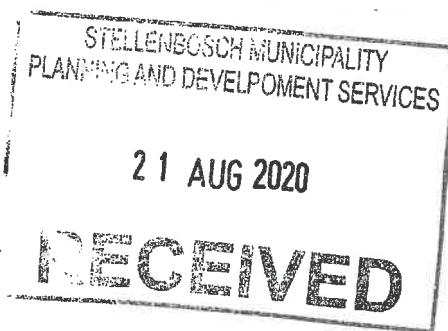
**REFERENCE: TPW (Job 27729)**  
**ENQUIRIES: Ms GD Swanepoel**  
**DATE: 25 June 2020**

17 AUG 2020

Director: Planning and Economic Development  
 Stellenbosch Municipality  
 PO Box 17  
**STELLENBOSCH**  
 7599

Attention: Mr U von Molendorff

Dear Sir



**ERF 230 FRANSCHHOEK: MAIN ROAD 191 HUGUENOT ROAD, FRANSCHHOEK: APPLICATION FOR REZONING, SPECIAL CONSENT AND PERMANENT DEPARTURES**

1. Letter from Mr Martin Jonker of Plan 4 SA (Pty) Ltd, applicant reference no. 19P001/Erf 230 FHK, Municipal file reference: Erf 230 Franschhoek, Application no. LU/10397 dated 18 March 2020, with attached application, refers.
2. Erf 230 Franschhoek is located on a triangular parcel of land in the centre of Franschhoek at the junction of Reservoir Street and Daniel Hugo Street, both municipal streets and is a short distance south-west of Main Road 191, the R45 Huguenot Road.
3. This application is for the following:
  - 3.1 Rezoning from Single Residential to General Business;
  - 3.2 Special Consent to use a portion of the property for Institutional (Training) purposes and
  - 3.3 Permanent Departure to permit an entry/exit wider than 6m on Daniel Hugo Street.
4. The proposed uses of the site are not likely to generate significant volumes of traffic or have any measurable effect on Main Road 191.

FILE NR:	
SCAN NR:	
	E 230 FH
COLLABORATOR NR:	6911 96
	for Institutional (Training) purposes

5. This Branch offers no objection to the application for Rezoning, Special Consent and Permanent Departures in respect of Erf 230 Franschoek as detailed above.

Yours faithfully



**SW CARSTENS**  
**For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**

# **ANNEXURE P**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**POWER OF ATTORNEY**

**POWER OF ATTORNEY**

I / we, the undersigned,

**Petrus Du Plessis Smit**

(Name(s) of registered owner(s) / applicant)

ID-number(s)

**601209 5093 083**

(ID number(s) of registered owner(s) / applicant)

in my / our capacity as the registered owner or authorised representative of the owner(s) of the following property(ies)

**Erf 2235 Franschhoek (Groendal)(Mooiwater Homestead / Old Youth House)****Erf 2751 & Erf 6314 Stellenbosch (Old Agricultural Hall)****Erf 230 Franschhoek (Franschhoek Triangle Site)****Erf 6487, Erf 6488, Erf 1956 & Erf 1957 Stellenbosch (Old Clinic Site & LED Office)****Portion 2 of the Consolidated Farm Cloetesdal 81, Portion 9 of the Consolidated Farm Cloetesdal 81, the Remainder of Farm 181 and the Remainder of the Farm Grootvlei 183 (Kayamandi Economic & Tourism Corridor)**

(Property descriptions)

hereby nominate, constitute and appoint

**PLAN 4 SA (Pty) Ltd or its NOMINEE (Mr Martin Jonker, ID Number 701017 5034 083)**

(Agent / Consultant's Name)

with power of substitution to be my lawful agent in my name, place and stead to act on my behalf to apply for the relevant land use rights being sought for the aforementioned property(ies). Furthermore to represent me at any and all enquiries to be held by virtue of such appointment, and generally to do or cause to be done whatever shall be required for all intents and purposes as I might or could do if personally present and acting myself, hereby ratifying everything my Attorney(s) and Agent(s) shall lawfully do or cause to be done by virtue of this Power of Attorney. Accordingly, power of attorney is hereby also granted to the agent to sign and receive all correspondence in respect of the matter referred to above during the application process.

Signed at

**Stellenbosch Municipality**

(Place)

on

**20.19.06.26**

(Date)

in the presence of the undersigned witnesses.

For OWNER / APPLICANT / CLIENT

For PLAN 4 SA (Pty) Ltd

Petrus Du Plessis Smit

Martin Jonker (A/1090/1999)

FULL NAME

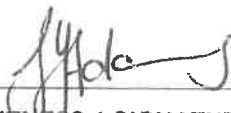
FULL NAME & SACPLAN REGISTRATION NR



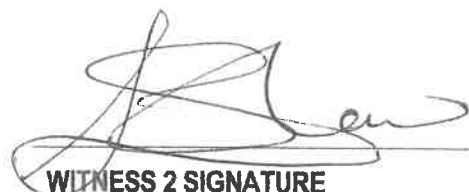
OWNER / APPLICANT / CLIENT SIGNATURE



PLAN 4 SA (Pty)Ltd Representative SIGNATURE



WITNESS 1 SIGNATURE



WITNESS 2 SIGNATURE

# **ANNEXURE Q**

**APPLICATION FOR REZONING, SPECIAL CONSENT  
AND DEPARTURES: ERF 230, FRANSCHHOEK**

**SITE INSPECTION PHOTOS**





SUBJECT PROPERTY



REAL OF SUBJECT PROPERTY  
(LOCATION OF TRAINING FACILITY)



VIEW FROM RESERVOIR STREET



BUSINESS IN DANIEL HUGO STREET  
(OPPOSITE APPLICATION PROPERTY)



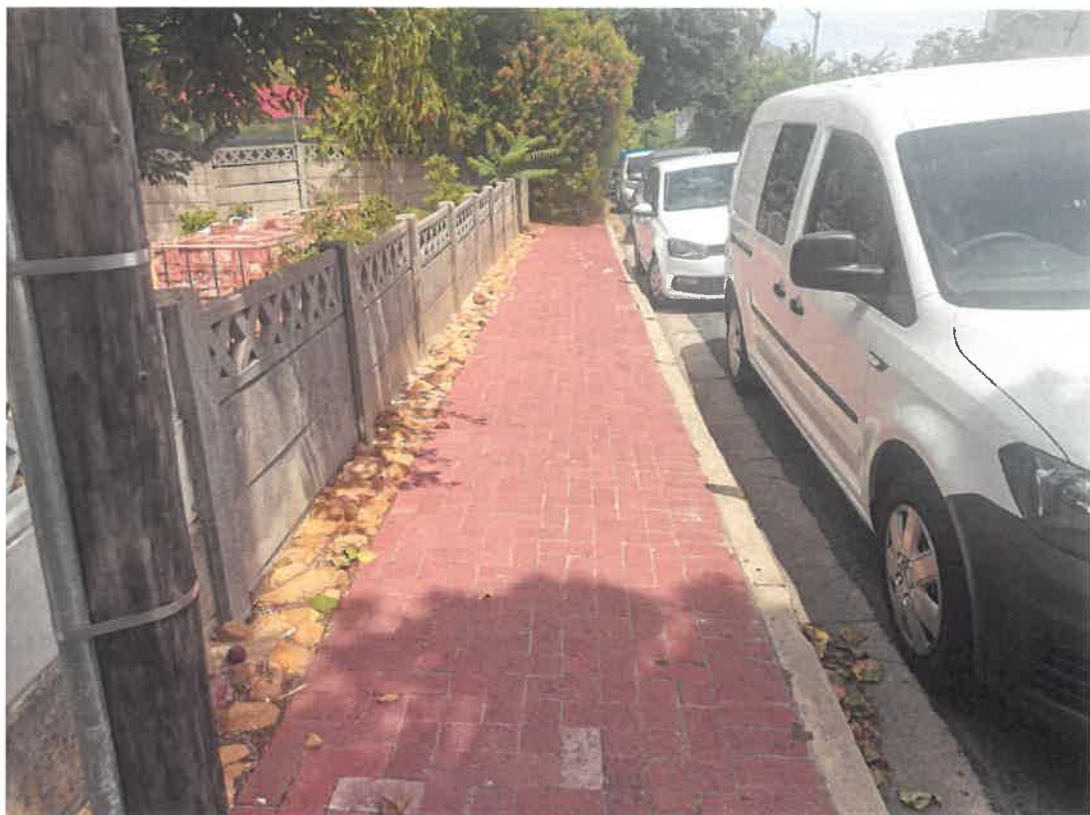
VIEW TOWARD HUGENOTE ROAD



MORE BUSINESSES IN DANIEL HOGG STREET



HOTEL (DANIEL HUGO STREET)



SIDEWALK ALONG SUBJECT PROPERTY