

**NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT: Amended 15 Oct 2021**

**To whom it may concern**

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

Application Property Address: **10 Quantum Street, Technopark, Stellenbosch**

Application Property Number: **Remainder of Erf 13422 Stellenbosch**

Applicant: **Iana Jordaan of FRAME Consulting - [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za)**

Owner: **Green Earth Energy Efficient Lighting Manufacturing Pty Ltd - Yvonne Vermaak – [operations@leggato.co.za](mailto:operations@leggato.co.za)**

Application Reference: **LU/12981**

Application Type: **Temporary Departure for a Place of Education**

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

**A Temporary Departure for a five (5) year period on part of Remainder of Erf 13422, Stellenbosch, in terms of Section 15(2)(c) of the Stellenbosch Municipality: Land Use Planning By-Law, 2015, to allow for the development of a Place of Education known as the Limitless Acton Academy in part of the existing building and property with a total area of approximately 674m<sup>2</sup>.**

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: **Iana Jordaan of FRAME Consulting** - [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za). By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **15 November 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 **021 872 4436 / 0769059168** during normal office hours.

Yours faithfully

**Iana Jordaan** Pr. Pln. 1390/2010

Professional Town Planner

076 905 9168 | [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za)

277 Main Road, Paarl, South Africa, 7646

021 872 4436 | [www.framegroup.co.za](http://www.framegroup.co.za)

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**KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GETRESEERDE EN GEAFFEKTERDE  
PARTYE VIR KOMMENTAAR:Gewysig 15 Oktober 2021**

**Wie dit mag aangaan**

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

Adres van aansoek eiendom: **Quantumstraat 10, Technopark, Stellenbosch**

Aansoek eiendom beskrywing: **Restant van Erf 13422 Stellenbosch**

Aansoeker: **Iana Jordaan van FRAME Consulting - [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za)**

Eienaar: **Green Earth Energy Efficient Lighting Manufacturing Pty Ltd - Yvonne Vermaak – [operations@leggato.co.za](mailto:operations@leggato.co.za)**

Aansoek Verwysing: **LU/12981**

Tipe Aansoek: **Tydlike Afwyking vir Plek van Onderrig**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

**Tydlike Afwyking vir 'n vyf (5) jaar periode op gedeelte van Restant van Erf 13422, Stellenbosch, in terme van Artikel 15(2)(c) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning, 2015, ten einde die ontwikkeling van 'n Plek van Onderrig bekend as Limitless Acton Academy toe te laat in gedeelte van bestaande gebou en op bestaande erf met totale area van ongeveer 674m<sup>2</sup>.**

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: **Iana Jordaan of FRAME Consulting** - [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za). Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

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 **15 November 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 voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **021 872 4436 / 0769059168** gedurende normale kantoor ure.

Die uwe

**Iana Jordaan** Pr. Pln. 1390/2010

Professional Town Planner

076 905 9168 | [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za)

277 Main Road, Paarl, South Africa, 7646

021 872 4436 | [www.framegroup.co.za](http://www.framegroup.co.za)

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## Nicole Katts

---

**From:** Nicole Katts  
**Sent:** Thursday, 05 August 2021 08:51  
**To:** 'iana.jordaan@framegroup.co.za'  
**Cc:** Bulelwa Mdoda  
**Subject:** INVOICE: APPLICATION FOR A TEMPORARY DEPARTURE - ERF 13422  
STELLENBOSCH  
**Attachments:** INV - ERF 13422 SB.pdf

Good day Iana

I trust that you are well.

Pre-scrutiny of your documentation as submitted on 15 June 2021 has been completed. The documentation is considered complete and you may now pay the following fees into Council's bank account within the next two (2) working days. Please provide this office with a copy of your proof of payment.

**Application is made for the following:**

- Permanent Departure

*Apologies for the delay in sending the invoice, the issue on the VAT has been resolved.*



Stellenbosch Municipality  
Nicole Katts  
Municipal Engineer  
Local and Administrative Services  
Planning & Economic Development

Stellenbosch  
Private Bag 10570  
Stellenbosch 7460  
[www.stellenboschmunicipality.gov.za](http://www.stellenboschmunicipality.gov.za)



W/12981



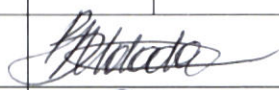

**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK  
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

## PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015			Date of Submission of Application	26-07-2021
Erf / Erven/ Farm no	13422	Portion(s) if farm	Allotment Area	Stellenbosch
Owner / Applicant	Iana Jordaan		Contact number	0769059168
Email address	<a href="mailto:iana.jordaan@framegroup.co.za">iana.jordaan@framegroup.co.za</a>			
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY <sup>1</sup>		PLANNER TO EVALUATE <sup>2</sup>	
	YES	NO		
1. Completed application form that is signed	✓		✓	
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution	✓		✓	
3. Bondholders' consent				
4. Proof that applicant is authorized to act on behalf of an entity				
5. Proof of ownership or rights held in land				
6. Motivation based on criteria in s65	✓		✓	
7. SG diagram or General Plan	✓		✓	
8. Locality plan	✓		✓	
9. Site development plan or plan showing the land development	✓		✓	
10. Subdivision plan				
11. Permission for required servitude				
12. Title Deed	✓		✓	
13. Conveyancer's certificate				
14. Feedback on Pre-application scrutiny	✓		✓	
15. Minutes of Pre-consultation Meeting				
16. Consolidation plan				
17. Street name and numbering plan				

<sup>1</sup> Verification by Admin only of the documentation attached and completeness of application and not the correctness thereof.

<sup>2</sup> Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.

INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION		ADMIN TO VERIFY	PLANNER TO VERIFY
18. Land use plan / zoning plan			
19. Landscaping / tree plan			
20. Flood line plan			
21. Neighbours' consent			
22. HOA consent			
23. Assessments: EIA, HIA, <b>TIA</b> , TIS, MHIA, EA/ROD			
24. Services report			
25. Previous approvals			
26. Proof of failure of HOA			
27. Proof of lawful use right / zoning certificate			
28. Other documents Specify:			
<b>VERIFIED &amp; SIGNED BY ADMIN</b>	<b>NAME: BULELWA</b>		
<b>VERIFIED &amp; SIGNED BY PLANNER</b>	<b>NAME: ROBERT</b>		

*Outstanding information (to be completed by Planner):*

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**NOTES:**

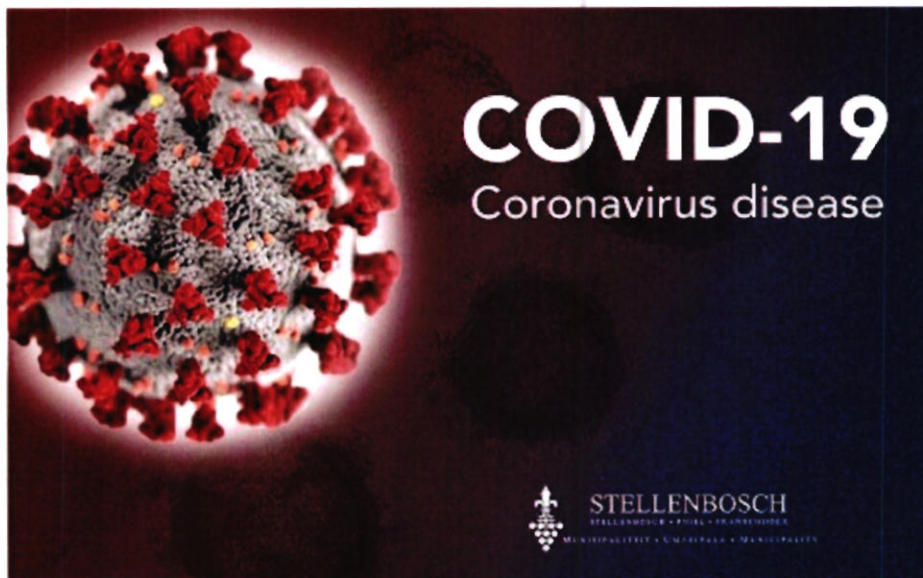
1. The documentation is not considered as a registered application until such time as it has been scrutinized, all outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after Applicant has been requested by Admin to make payment.
2. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(ii)].
3. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41(1)(c)(i)] and will receive instructions to advertise [s48(4)].
4. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)].



**From:** Robert Fooy <Robert.Fooy@stellenbosch.gov.za>  
**Sent:** Monday, 21 June 2021 11:24  
**To:** Iana Jordaan | F R A M E  
**Subject:** FW: RE: Pre-Application scrutiny for Education facility on part of Remainder of Erf 13422 Stellenbosch Techno Park  
**Attachments:** Pre-Application-Scrutiny-Form-2021v\_Erf 13422 StellenboschTechno Park.pdf; Locality\_RE Erf 13422 Stellenbosch.pdf; Site Plan\_RE Erf 13422 S.pdf; QUANTUM HOUSE TITLE DEEDS\_Erf 13422 Stellenbosch.pdf; Proof of ownership\_municipal account\_erf 13422 Stellenbosch.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

FYI



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.



**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 [robert.fooy@stellenbosch.gov.za](mailto:robert.fooy@stellenbosch.gov.za) sent at 2021-06-21 11:24:11 is confidential and may be legally privileged. It is intended solely for use by [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za) and others authorized to receive it. If you are not [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za) you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [IOCO](http://www.io.co.za)

**From:** Robert Fooy  
**Sent:** Monday, 21 June 2021 08:57  
**To:** mailto:iana.jordaan@framegroup.co.za  
**Cc:** Kaylin Coetzee <Kaylin.Coetzee@stellenbosch.gov.za>  
**Subject:** FW: RE: Pre-Application scrutiny for Education facility on part of Remainder of Erf 13422 Stellenbosch Techno Park

Morning

The land use application submitted would need to be a Temporary Departure application.

Please ensure that the SDP is clearly set out and that the relevant detail are indicated for the proposed use. (Internal layout of building also to be included with ablution facilities.)



*Kind regards,*

**Robert Fooy**

Senior Town Planner: Land Use Management  
Department: Planning & Economic Development

---

T: +27 21 808 8680

Email: [robert.fooy@stellenbosch.gov.za](mailto:robert.fooy@stellenbosch.gov.za)

3<sup>rd</sup> Floor, Stellenbosch Mall  
Aandringa Street, Stellenbosch, 7600

[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)

**From:** Chrizelle Kriel <[Chrizelle.Kriel@stellenbosch.gov.za](mailto:Chrizelle.Kriel@stellenbosch.gov.za)>  
**Sent:** Thursday, 17 June 2021 09:11  
**To:** Robert Fooy <[Robert.Fooy@stellenbosch.gov.za](mailto:Robert.Fooy@stellenbosch.gov.za)>  
**Cc:** Landuse Applications <[Landuse.Applications@stellenbosch.gov.za](mailto:Landuse.Applications@stellenbosch.gov.za)>  
**Subject:** Fw: RE: Pre-Application scrutiny for Education facility on part of Remainder of Erf 13422 Stellenbosch Techno Park

Robert, please assess the pre-app and provide written feedback.

thanks,  
Chrizelle

---

**From:** Landuse Applications <[Landuse.Applications@stellenbosch.gov.za](mailto:Landuse.Applications@stellenbosch.gov.za)>  
**Sent:** Tuesday, June 15, 2021 09:56  
**To:** Chrizelle Kriel <[Chrizelle.Kriel@stellenbosch.gov.za](mailto:Chrizelle.Kriel@stellenbosch.gov.za)>; 'iana.jordaan@framegroup.co.za' <[iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za)>  
**Cc:** Bulelwa Mdoda <[Bulelwa.Mdoda@stellenbosch.gov.za](mailto:Bulelwa.Mdoda@stellenbosch.gov.za)>  
**Subject:** FW: RE: Pre-Application scrutiny for Education facility on part of Remainder of Erf 13422 Stellenbosch Techno Park

Good day Iana

I hereby acknowledge receipt of your pre-application submission.

Your application will now be allocated to a planner for scrutiny.

Feedback will be provided to you in due course.



*Kind regards / Vriendelike Groete*

**Nicole Katts**

Administrative Officer

Land Use Management

**Planning & Economic Development**

---

T: +27 21 808 8318

43 Andringa Str, Eikestad Mall, 3<sup>rd</sup>  
Floor

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



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[http://www.stellenbosch.gov.za/main\\_pages/disclaimerpage.htm](http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm)

**From:** Iana Jordaan | F R A M E [<mailto:iana.jordaan@framegroup.co.za>]

**Sent:** Tuesday, 15 June 2021 09:44

**To:** Landuse Applications <[Landuse.Applications@stellenbosch.gov.za](mailto:Landuse.Applications@stellenbosch.gov.za)>

**Subject:** [EX] RE: Pre-Application scrutiny for Education facility on part of Remainder of Erf 13422 Stellenbosch Techno Park

**Importance:** High

Morning

Please find attached a Pre-Application Scrutiny for either a Consent Use or a Temporary Departure for an Educational Facility to establish the Limitless Acton Academy on part of Erf 13422 Stellenbosch, Techno Park. The proposal was discussed with Bongiwe Zondo and Robert Fooy who advised that a Pre-Application scrutiny should be submitted for review to allow municipality to consider the proposed use in Techno Park.

Looking forward received the municipality's feedback.

Kind Regards

Iana Jordaan Pr. Ptn 1390/2010

Professional Town Planner

076 905 9168 | [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za)

277 Main Road, Paarl, South Africa, 7646

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## Bulelwa Mdoda

---

**From:** Iana Jordaan | F R A M E <iana.jordaan@framegroup.co.za>  
**Sent:** 26 July 2021 10:14 AM  
**To:** Bulelwa Mdoda  
**Cc:** limitlessactonacademies@gmail.com; Jaco Joubert  
**Subject:** [EX] RE: Submission of Land Use Application\_Temporary Departure\_remainder of Erf 13422 Stellenbosch  
**Attachments:** F16296\_Motivation Report\_Limitless Acton Academy\_ Erf 13422 Stellenbosch.pdf; Annexure A\_Municipal Land Use application form\_13422 S.pdf; Annexure B\_Company Resolution and Power of Attorney.pdf; Annexure C\_Pre Scrutiny Feedback\_Robert Fooy.pdf; Annexure D\_Locality\_RE Erf 13422 Stellenbosch.pdf; Annexure E\_QUANTUM HOUSE TITLE DEEDS\_Erf 13422 Stellenbosch.pdf; Annexure F\_Diagrams.pdf; Annexure G\_Site Development Plan.pdf  
**Importance:** High

Moring Bulelwa

Hope you are well. Please find attached the submission of the Land Use Application for a Temporary Departure for a 5 year period for a Place of Education on part of Erf 13422 Technopark, Stellenbosch. The application documentation includes the following:

- Motivation Report
- Annexure A - Land Use Application Form
- Annexure B - Power of Attorney and Company Resolution
- Annexure C - Pre-scrutiny feedback
- Annexure D -Locality Plan
- Annexure E – Title Deed
- Annexure F - Diagram
- Annexure G – Site Development Plan

Please confirm receipt of this email and application documentation.

Kind Regards

**Iana Jordaan** Pr. Pln. 1390/2010

Professional Town Planner

076 905 9168 | [iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za)

277 Main Road, Paarl, South Africa, 7646

021 872 4436 | [www.framegroup.co.za](http://www.framegroup.co.za)

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BUILDING & PROPERTY INFORMATION MANAGEMENT | ELECTRICAL & SOLAR PV ENGINEERING

# Application for Temporary Departure on part of Remainder of Erf 13422 Stellenbosch

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Application for Temporary Departure op part of  
Remainder of Erf 13422 Stellenbosch  
in terms of Section 15(2)(c)  
of the Stellenbosch Municipality: Land Use Planning By-  
law, 2015, to accommodate a Place of Education.

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Report Nr. F16296r001

Prepared for:  
Stellenbosch Municipality

Prepared by:

**F R A M E**

277 Main Road, Paarl a

+27 21 872 4436 tf

+27 76 905 9168 m

[iana.jordaan@framegroup.co.za](mailto:iana.jordaan@framegroup.co.za) email

Distribution Page

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a. Author:

Name

Signature

Date

Iana Jordaan  
Professional Town Planner  
Pr. Pln A/1390/2010



July 2021

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- Annexure B - Power of Attorney and Company Resolution
- Annexure C - Pre-application Scrutiny Feedback
- Annexure D - Locality Plan
- Annexure E - Title Deed
- Annexure F - Diagram
- Annexure G - Site Development Plan



## 1. Application Details

Application is hereby made for the:

- A Temporary Departure for a five (5) year period on part of Remainder of Erf 13422 Stellenbosch, in terms of *Section 15(2)(c)* of the Stellenbosch Municipality: Land Use Planning By-law, 2015, to allow for the development of *Place of Education* known as the Limitless Acton Academy in part of the existing buildings and property with total area of  $\pm 674\text{m}^2$ .

Refer to completed Land Use Application form attached in Annexure A.

## 2. Property Description and Context

### 2.1 Introduction and Terms of Reference

Frame Group was appointed by Mr Jaco Joubert of Limitless Acton Academy to apply for a temporary departure for the establishment of an educational facility on part of the subject property. Mr Louis Andrag as the representative of Green Earth Energy Efficient Lighting Manufacturing Pty Ltd, as the owner of Remainder of Erf 13422 Stellenbosch, provided the relevant Power of Attorney and Company Resolution for the proposed application, with the documentation attached in Annexures B. The remainder of Erf 13422 is held in sectional title with all six sections owned by Green Earth Energy Lighting Manufacturing Pty Ltd.

### 2.2 Background

Mr Jaco Joubert and his wife Nadine are the founders of Limitless Academy a local Acton Academy educational facility that is based on the Acton Academy facilities in the United States. Acton Academy was founded by Jeff and Laura Sandefer in the USA to provide for an alternative learner driven education revolution where the student is in charge of his/her learning. The academy provides for a revolutionary learning method that is based on One Room school houses for the 21<sup>st</sup> century. The teachers are known as guides with one guide per studio – these guides provide guidance to the students without formal teaching. The Socratic teaching method is used that stimulate critical thinking skills and forging character with the purpose that each learner will find their own calling. The facility is based on the following:

- *Learn to learn – Socratic discussions and self-paced challenges equip children to be independent lifelong learners.*

- *Learn to do* – hands on quest for Science, Entrepreneurship and the Arts prepare children for Apprenticeships and real-world challenges.
- *Learn to be* – The hero's journey, relational covenants and real-world consequences transform difficult decisions into virtuous habits.

The proposed facility on the subject property will make use of two studios, one studio each for elementary and middle school at this stage. Teaching at the facility use adaptive game-based programs for core skills, Socratic discussions to strengthen critical thinking, hand on real world projects and life changing apprenticeships for learners.

Since a Place of Education is not allowed for as an identified use under the Technopark Local Area Overlay Zone a pre-application scrutiny was submitted to Stellenbosch Municipality for consideration, with the feedback indicating that a Temporary Departure need to be submitted. The proposed use might lead to overall the reconsideration of the uses that is allowed for in Technopark given the impact of the worldwide pandemic on land use which include the decline in need for office buildings since many of the companies has re-assessed their working environmental allowing remote working environments for their employees.

The Limitless Acton Academy is also in the process of registration as an Independent School with the Department of Education, providing the future parents the peace of mind that the school is accredited, meet all the relevant requirements of the department and

The pre-application scrutiny was submitted to Stellenbosch Municipality with feedback received from Mr Robert Fooy indicating that an application for a Temporary Departure will be required. Please refer to formal feedback from Mr Fooy attached in Annexure C.

### 2.3 Locality and Property Description

Erf 13422 Stellenbosch is located at 10 Quantum Street in Technopark to the south of Stellenbosch. Stellenbosch Technopark is situated about 50 kilometres northeast of Cape Town in the heart of the winelands. Stellenbosch is intersected by the R310 (Main Road 177) and R44 (Main Road 27), both regional roads, and is easily accessible from the N1 and N2 highways. Technopark is a mere six kilometres south of Stellenbosch, adjacent to the R44.

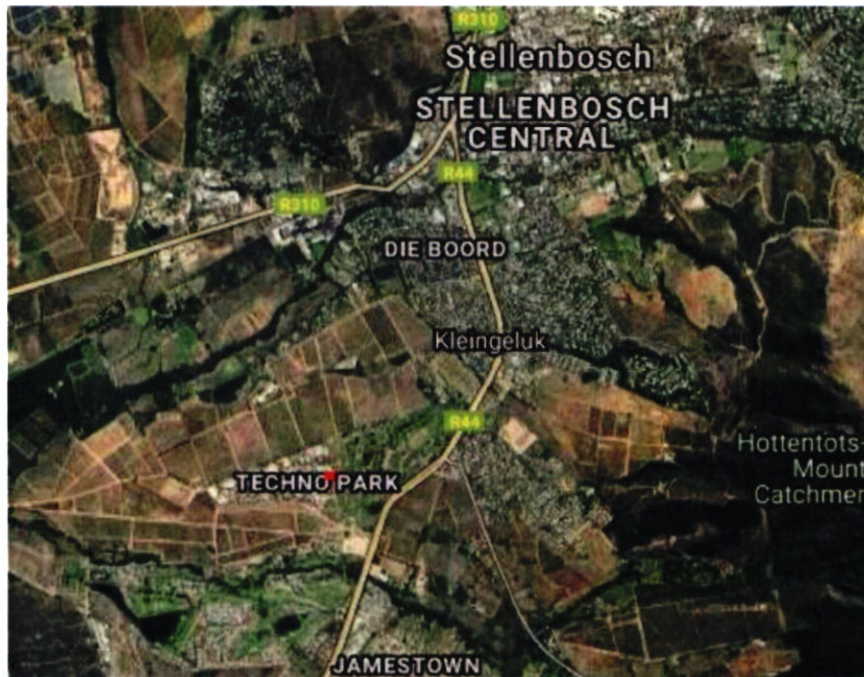
Technopark Stellenbosch was developed as a technology focused science park situated adjoining the farm Kleine Zalze which is located to the south of the town centre of Stellenbosch and adjacent to the Stellenbosch Golf Club.

The idea to establish a science park was originally conceived by Christo Viljoen, then Dean of the Faculty of Engineering of Stellenbosch University, after a visit to the Hsinchu Science and Industrial Park in the Republic of China (Taiwan). The application for the establishment of a science park (Technopark) was approved in 1987 after a R10 million government loan was

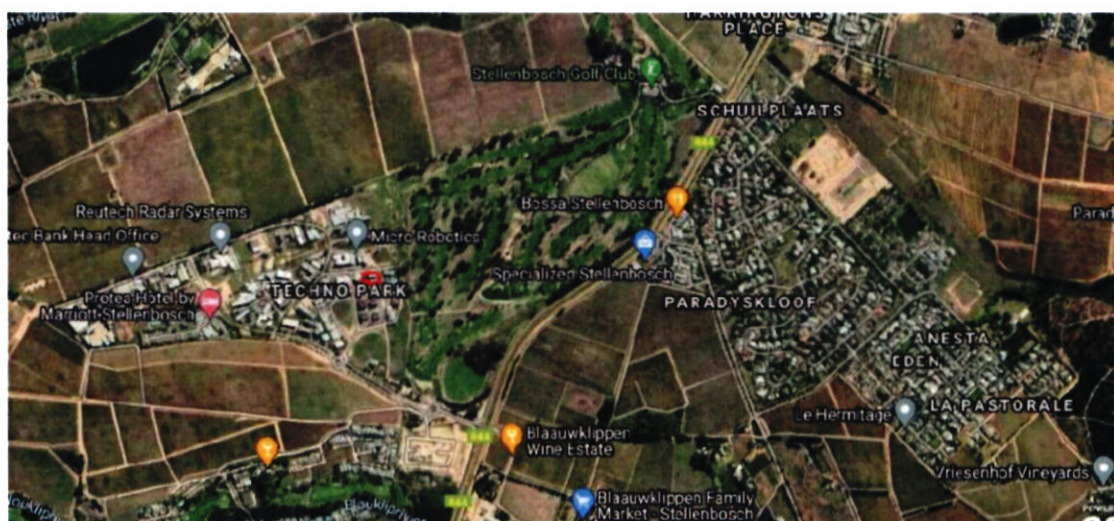


secured by the Municipality of Stellenbosch for the development of a first phase of the park. A number of high-tech companies in Technopark are spin-offs from research and development undertaken by Stellenbosch University, but Technopark has evolved over the past few years and now features many offices and businesses alike as well as education and training facilities as is set out under Technopark listings.

The following figures provide an overview of the location of the subject property in terms of Stellenbosch and Technopark. The subject site is located approximately 6km from the Stellenbosch town centre.

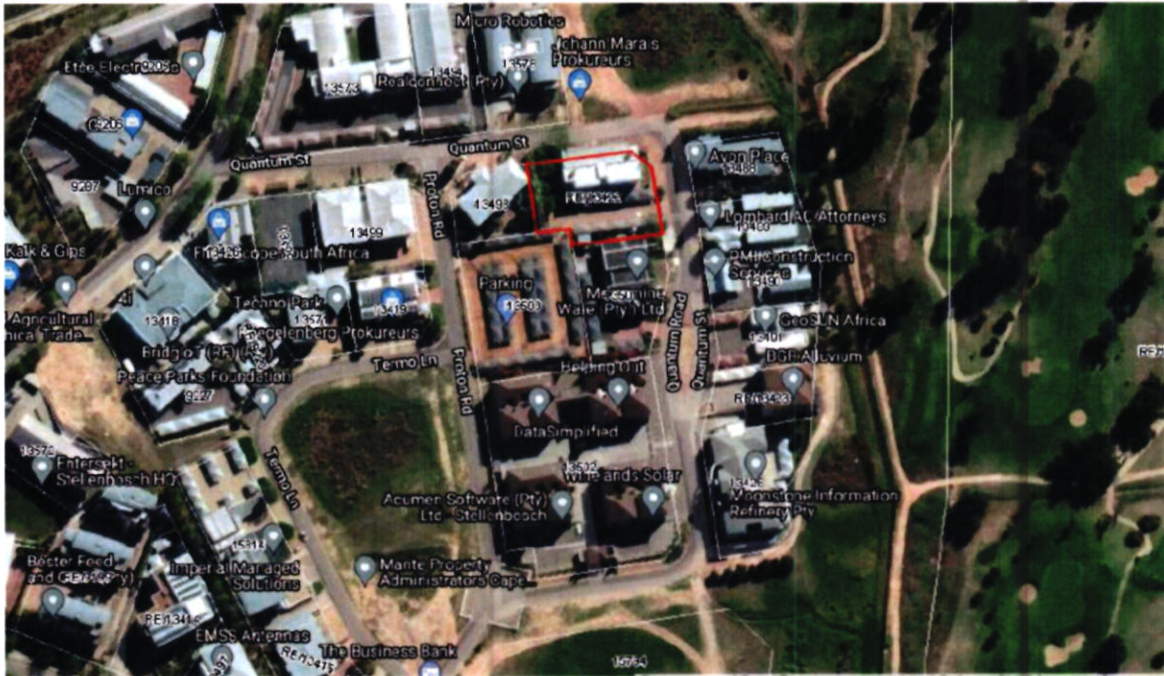


*Figure 1: Locality of the subject property in terms of Stellenbosch and surrounds.*



*Figure 2: Locality of the subject property in Technopark with access to Technopark via a signalled intersection along the R44 (Main Road 27)*





**Figure 3: Locality of the subject property along Quantum Street in Technopark**

Access to Technopark is via the R44 (Main Road 27), Strand Road, from Stellenbosch town and Somerset West, with a signalled intersection along the R44 at the Techno Avenue that provide for direct access to the park. The subject property is located on a corner site along Quantum Street in the eastern section of the park and is directly accessed from this road.

This locality has distinct advantages in terms of its location in relation to regional routes, being close to the R44 providing for easy access from Stellenbosch, Cape Winelands, Somerset West and Cape Town as well as the surrounding rural farming areas.

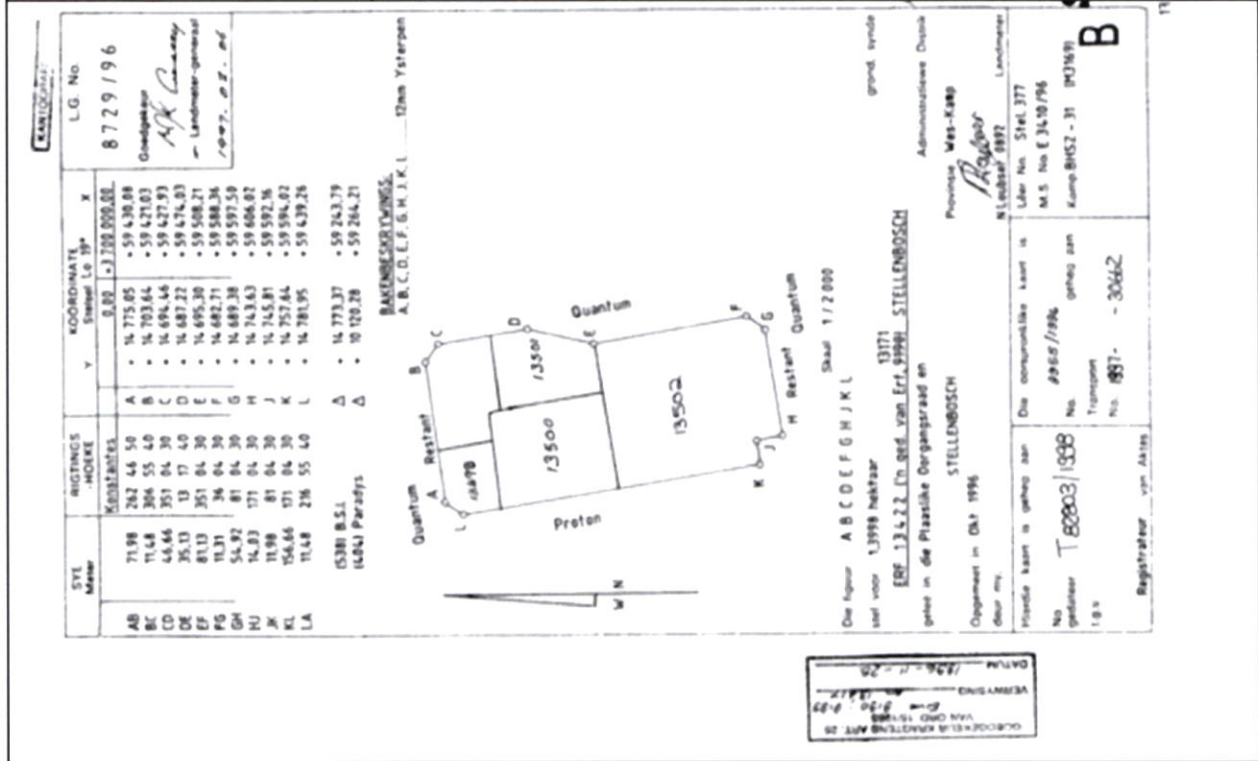
Refer to locality plan in Annexure D.

The details of Remainder Erf 13422 Stellenbosch are summarized in the table below.

Remainder of Erf 13422 Stellenbosch	
<b>SIZE:</b>	1 835m <sup>2</sup>
<b>EXISTING DEVELOPMENT FOOTPRINT</b>	Existing building with ground, first and second floors located on the north-eastern corner of the site. The building was design as an office building providing for 6 separate office spaces (two on each floor) and ancillary uses such as kitchen, bathrooms and storerooms, internal staircase, and fire escape stairs. The building have a total floor area of 1482m <sup>2</sup> and a footprint of 494m <sup>2</sup> , with access road, 32 parking bays and landscaping surrounding the building. The site has a one-way entry system with access from the Quantum Street on the north-western corner of the stie and exit



	to Quantum Street along the southeastern corner of the site. The building is sectionalised into six (6) sections.
OWNER:	Green Earth Energy Efficient Lighting Manufacturing Pty Ltd
TITLE DEED:	T6661/2012 There are no title conditions that might prevent the proposed use of part of the building for an educational facility. Copy of <u>title deed</u> attached in <u>Annexure E</u> .
ZONING	Technopark Local Area Overlay Zone – allowing for specific uses as included under the overlay zone in the Stellenbosch Zoning Scheme By-Law.
LAND USE	The building is currently largely vacant with only one office space used for an administrative office.
DIAGRAM	Diagram 8729/96 Copy of <u>Diagram</u> attached in <u>Annexure F</u> .



REK. NO.	REK. DATUM	REK. NO.	REK. DATUM	REK. NO.	REK. DATUM
13573	27/11/2002	13499	27/11/2002	13578	27/11/2002
13498	27/11/2002	13499	27/11/2002	13500	27/11/2002
13500	27/11/2002	13501	27/11/2002	13488	27/11/2002
13501	27/11/2002	13489	27/11/2002	13490	27/11/2002
13488	27/11/2002	13489	27/11/2002	13491	27/11/2002
13489	27/11/2002	13490	27/11/2002	13491	27/11/2002
13490	27/11/2002	13491	27/11/2002	13502	27/11/2002
13491	27/11/2002	13502	27/11/2002		

Sedural Title	
SRE NO	S & D NO
E427/2002	95/2002
	S.S. NO
	231/2002



<b>BOUNDARIES: North</b>	Quantum Street, Remainder of Erf 1317 which is part of the remaining street parcel of land in Technopark and Erf 13578.
<b>South</b>	Erf 13501 and erf 13500 as a general parking area.
<b>East</b>	Quantum Street and Erven 13488 and 13489, with the Stellenbosch Golf Course beyond these erven.
<b>West</b>	Erf 13498.

A copy of the Title deed and Diagram are attached.



## 2.4 Description of Surrounding Area

The surrounding area form part of Technopark and include various research and development companies, other general professional services, educational/training facilities, Protea Hotel, etc. Although Technopark was originally developed as a science park with various professional services, educational and training facilities has located in the park in more recent years. As previously indicated the worldwide pandemic has had a direct impact in the viability of many land uses with large office areas no longer viable since many companies has restructured their internal operations allowing people to work remotely. Technopark is also experiencing similar trends with many of the office related spaces vacant, as is the case with the building on Remainder of Erf 13422 with only one of the large office spaces currently rented out. In discussions with Stellenbosch Planning officials, they indicated they together with the management body of Technopark are considering the review of land use schedule in Technopark.

There are no specific identified heritage resources or conservation areas on the subject land or within the immediate surrounding area that will be impacted by the proposed development.

The visual quality of the streetscape in the vicinity of the proposed development site provides for an urban commercial/office uses with supporting parking areas.

## 2.5 Current Zoning and Land Use Designation

The subject property is located within the Technopark Local Area Overlay Zone indicated by LA01 with specific zoning parameters that apply in this overlay zone. The following table as contained on page 145 in the Stellenbosch Zoning Scheme By-Law 2019 under Chapter 27: Local Area Overlay Zone stipulate the land uses that are permitted in the Technopark Local Area Overlay Zone

Primary Uses	Additional Uses	Consent Uses (application required)
i. Laboratories, offices and other facilities for research, development, design, testing and consultation by any individual, corporation, partnership, business association or any other type of organization, whether public or private. ii. Production and assembly of prototype products but only on a scale necessary for the completion of research in connection with the product.	i. Professional and related business services directly associated with and primarily geared towards activities referred to in paragraphs (i) and (iii) of the primary uses, for example, banking facilities, personal services, post office, day care centre, sports and health facilities, food services and training centres. ii. Conference centres and administrative offices needed for the running of the Techno Park.	i. Any other usage, which is incidental to the aforementioned character of the Techno Park

<p>iii. Pilot plants, in which planned processes or products are investigated, tested and assembled with a view to production elsewhere.</p>	<p>iii. Facilities for light manufacturing and/or the assembly of products that require a high level of skills in the high-technology sector and result in regular liaison with the research and design personnel and require mainly highly skilled personnel.</p> <p>iv. Incidental operations required for the maintenance of the facilities referred to in paragraphs (i) to (iii) of the primary or additional uses, such as maintenance workshops, power plants and effluent treatment.</p>	
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As indicated under Additional use rights the Park do allow for selective training facilities affiliated with research, development and design as well as supportive day care centre and sport and health facilities. Currently various education facilities are listed under Education and Training in the Technopark directory including:

- Compuscan Academy – skills development and training in credit and corporate industry
- Elizabeth Galloway – Academy of Fashion Design
- Encore SA – Consulting and training solutions for the financial institutions and brokers.
- Litson and Associates
- My Life Plan – life planning.
- QVS – verification of academic qualifications.
- The Make-up issue – training for professional Make-up Artist and Hair Stylist.
- Delicium Academic Centre

All the services provide for a form of a place of education. It can be argued that the proposed Limitless Acton Academy that is learner-based education is a form of day care facility for children where schooling is provided. With this facility as a supportive educational facility that is provided in the park.

## 2.6 Ownership, Title Deeds and Conveyancing

The property is owned by Green Earth Energy Efficient Lighting Manufacturing Pty Ltd with Mr Louis Andrag as representative of the company, granting Power of Attorney to Frame Group to lodge this application on their behalf. Refer to Power of Attorney and Company Resolution in Annexure B.

A sectional title scheme is registered on the property, consisting of six sections with all six sections owned by Green Earth Energy Efficient Lighting Manufacturing Pty Ltd.



There are no apparent restrictive title deed conditions that prevent the proposed use of part of the property as a place of education.

A copy of the Title deed attached in Annexure E.

### 3. Land Use Application Details

#### 3.1 Temporary Departure

The application on the property includes a **Temporary Departure for a five (5) year period** on part of RE/Erf 13422 Stellenbosch, in terms of **Section 15(2)(c)** of the Stellenbosch Municipality: Land Use Planning By-law, 2015, to allow for the development of a **Place of Education** known as the Limitless Acton Academy to occupy a total are of **674m<sup>2</sup>** on the property

Please refer to Site Development Plan attached in Annexure G.

The application seeks to support the establishment of an educational facility on part of the property – using the two large rooms and supportive facilities on the ground floor of the existing building as well as part of the outside areas. As previously discussed, the Limitless Acton Academy Learning Centre is based on the Acton Academy education model developed in the USA and is part of the Acton Academy American Global School ([www.limitlessacademies.org](http://www.limitlessacademies.org)). Limitless Acton Academy are also in the process to register with the Department of Education – allowing parents the peace of mind that the facility is accredited.

The facility is not a traditional school but focus on self-education where the teachers are merely the guides, with the system providing the students more freedom to learn at their own pace and at their own time. The guides only provide guidance with no formal teaching – with open discussions that develop critical thinking skills. The facility provides one room facilities, referred to as studio's, to accommodate each of the different sections being Elementary and Middle school at the Limitless Academy. The open studio allows for different age groups within a section with learners to learn from their peers of different ages – like the open classrooms that accommodate various grades that was used in the past. The learners pace themselves and determine their own schedule, use the latest technology and computer programs to learn within a learner driven environment. The focus is to learn to do and be – gaining practical experience in the different fields of their interest to develop their talents and guide them to their interest and future employment. The focus is not only on gaining book knowledge but hands on experiencing and learning to do things and developing more 21<sup>st</sup> century skills. The academy allow student to obtain practical skills and understanding the practical working of different aspects they learn about in books. The students start early on to do apprenticeships and gain experience at different jobs – with the different uses

in Technopark to provide for various opportunities for this within the immediate surrounding area. The Academy will also provide an additional supportive use (on site revolutionary schooling of their children) for the creative people working within Technopark that support facilities for research, development, design, testing and consultation.

The proposal on the subject property is to make use of two of the sections on the ground floor of the building – one for an Elementary school studio and the other for Middle school studio, as well as an area outside as a recreational use. Each phase takes 4 years to complete. The maximum capacity per phase (Elementary and Middle school) is 30 kids – allowing for a total capacity of 60 learners at the Limitless Acton Academy on the subject property. The facility will have a rigorous screening process to determine if the kids that apply will “fit” into this type of learning environment. From overseas experience the academies does not fill up from the launch but grow organically over time until they have full capacity. Over time the school might also grow to include a high school and occupy a third section if available in future. Currently planning however only allow for an Elementary Studio and a Middle school studio. The Academy focus on skills development where students are self-driven with curiosity and imagination that are encouraged during the learning experience. The following provide for an overview of the proposed operations and logistics of the Academy.

The academy will **operate every weekday** from **8:30am to 3:30pm**, except during their recess, with these times that will not clash with the general peak hours of the surrounding businesses and other school facilities.

**Academic year** allow for seven (7) sessions with each session including 6 weeks of learning and one week of recess.

**Total learner capacity** – The first phase of the establishment of the school will allow an Elementary School studio and a Middle school studio each with a maximum capacity of 30 students – therefore a **total of 60 students** will be allowed for at the Academy within the proposed areas.

**Staff** – **total of 5 staff members** including – one permanent guide per studio – therefore total of **2 guides**, the **headmaster**, **one administrative staff** member and a **cleaner**.

**Total floor area.** The academy will make use of **two rooms** (sections) and **ancillary uses** such as offices, storerooms, kitchen and ablutions facilities on the **ground floor** of the building with total area of **389m<sup>2</sup>** with a small secured **outside recreation area** that will be used as a play and picnic area of **153m<sup>2</sup>** as indicate on the plan.

The total area of the **two studio's** (classrooms) will be – **268m<sup>2</sup>** which include **Studio 1 Elementary School of 148m<sup>2</sup>** and **Studio 2 for Middle School of 120m<sup>2</sup>**.

**Ablution facilities** – **25m<sup>2</sup>**

**Offices, lobby and reception**– **49m<sup>2</sup>**



Sick room – 10m<sup>2</sup>

Kitchen and Braai facilities – 37m<sup>2</sup>

The Academy will occupy a total GLA of 389m<sup>2</sup> in the existing building.

**Outdoor areas** allocated for recreational use will have a total area of 153m<sup>2</sup>. These areas will be fenced to increase the safety of the students.

**Parking areas** – the Academy will have use of 10 of the on-site parking bays with total area of 132m<sup>2</sup>.

The ground floor of the existing building to be used for the Place of Education is described in Table 1 below.

Existing Buildings	Area GLA	Proposed uses
Studio 1	148m <sup>2</sup>	Elementary Studio
Studio 2	120m <sup>2</sup>	Middle School Studio
Offices, lobby and reception	49m <sup>2</sup>	
Kitchen facilities	37m <sup>2</sup>	
Ablution	25m <sup>2</sup>	
Sickroom	10m <sup>2</sup>	
<b>Total GLA to be used by Academy</b>	<b>389m<sup>2</sup></b>	
<b>External Use areas</b>		
Outdoor recreational area	153m <sup>2</sup>	To be used for play and picnic areas.
Total of 10 parking bays	132m <sup>2</sup>	Parking bays for the staff and for parents dropping their kids at the academy. The one-way entry and exist road on the property also allow for safe and easy drop off and go system.
<b>Total area to be used for the Limitless Acton Academy on RE/Erf 13422</b>	<b>674m<sup>2</sup></b>	

**Parking and Traffic movement.** A total of 10 onsite parking bays, which include a disabled parking bay, will be allocated to the Academy. The property makes use of a one-way access road system – with the property accessed off Quantum Street at the north-western corner of the site and the exit point at the south-eastern corner of the site. The one-way system will provide for an easy and safe drop off and go system for parents – allowing for continued traffic flow.

Stellenbosch Zoning Scheme By Law parking requirement		
Parking Requirement per use	Area	Parking Provided
Place of Education - 1 bay per classroom	A total of two studios (classrooms) is provided with one guide (teacher) per classroom - which require a total of 2 parking bays.	Comply A total of 10 onsite parking bays is allocated to the Academy which is more than required.

The Site Development Plan indicating the proposed use area for the Academy are attached.



*Photo 1: View of Quantum House where Limitless Acton Academy is proposed to accommodate the ground floor. The entry access road to the property can be seen on the foreground.*



*Photo 2: View along Quantum Street with building on Erf 13422 to the left of the photo*





*Photo 3: View of Quantum House as seen from the south-eastern corner of the site with the exist road from the parking area in the foreground. Limitless Acton Academy will make use of the ground floor in the building that is accessed from the parking area.*

### Services

The existing building is already connected to existing services with these services to continue to support the academy.

### 3.2 Development Parameters

The Stellenbosch Zoning Scheme By-Law, 2019, provided the following specific provisions for the Techno Park Local Area Overlay Zone.

The purpose of the Techno Park Local Overlay zone is to retain the development parameters applicable to this area, as they applied in terms of the former Stellenbosch Zoning Scheme. The land used that is permitted under the zone is described in the following table.

Primary Uses	Additional Uses	Consent Uses (application required)
<ul style="list-style-type: none"> <li>i. Laboratories, offices and other facilities for research, development, design, testing and consultation by any individual, corporation, partnership, business association or any other type of organization, whether public or private.</li> <li>ii. Production and assembly of prototype products but only on a scale necessary for the completion of research in connection with the product.</li> </ul>	<ul style="list-style-type: none"> <li>i. Professional and related business services directly associated with and primarily geared towards activities referred to in paragraphs (i) and (iii) of the primary uses, for example, banking facilities, personal services, post office, day care centre, sports and health facilities, food services and training centres.</li> <li>ii. Conference centres and administrative offices needed for the running of the Techno Park.</li> </ul>	<ul style="list-style-type: none"> <li>i. Any other usage, which is incidental to the aforementioned character of the Techno Park</li> </ul>

<p>iii. Pilot plants, in which planned processes or products are investigated, tested and assembled with a view to production elsewhere.</p>	<p>iii. Facilities for light manufacturing and/or the assembly of products that require a high level of skills in the high-technology sector and result in regular liaison with the research and design personnel and require mainly highly skilled personnel.</p> <p>iv. Incidental operations required for the maintenance of the facilities referred to in paragraphs (i) to (iii) of the primary or additional uses, such as maintenance workshops, power plants and effluent treatment.</p>	
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The zone therefore creates a creative environment for research, design, development, testing. Laboratories, offices and consultation, pilot plans as primary uses with various supportive additional uses including professional and related businesses directly related to the primary uses as well as supportive services providing for day care, banking, post office, sport and health centres, food services and training facilities. The supporting services therefore create a more mixed-use environment that will support the primary uses allowing people that work in Technopark to have supportive services such as business (food), child minding, banking and health and sport facilities within the park creating a more viable working environment in the park that area supported by other services.

Although educational facilities with specific reference to schools is not mentioned in the uses allowed for, the supportive uses do include reference to day care facilities and training centres all related to educational facilities. It can therefore be argued that the Academy which is largely based on creative learning methods with hands on quests for science, entrepreneurship and the arts that prepare the learners for apprenticeships in the real world, is similar to a day care facility or training facility. What better place to locate such a revolutionary educational facility than in Stellenbosch Technopark, a park that was established as a technology focused science park that support creativity and science. The location provides the creative people working in the park an alternative innovative educational facility for their kids, with the park in return also offering the facility many options where students can to their apprenticeships to learn from real life experiences and in that way discover their own gifts and talents and to learn how to use them to find their own calling.

It should be notices that various creative and tertiary educational facilities are already located in Technopark for example, Elizabeth Galloway Academy of Fashion Design Stellenbosch Academy of Design and Photography and Make-up Issue – also in principle providing for places of education and not all directly related to other businesses and facilities in the park.



Since and Place of Education is not listed as an additional use right the recommendation by Stellenbosch Municipality, after a Pre-scrutiny application was submitted, was to apply for a Temporary Departure. The Temporary Departure application for this Place of Education for a period of 5 years is the basis of this application - in order to determine the viability of such a supporting service in the park as well as support the proposed additional uses that can be supported as part of the future re-assessment of Technopark and its purpose.

The development parameters set out for this Zone relate to mainly building parameters with the building plan of Quantum House, the building on the subject property that will accommodate the Academy, that was approved in 2013. Should any structural changes be required as part of the use for a place of instruction the relevant building plans will be submitted.

It is evident from the above that the educational facility will be able to be accommodated in part of the existing building.

Refer to Site Development Plan and Floor Plans attached in Annexure G.

#### 4. Motivation

In terms of Section 65 of the Stellenbosch By-Law on Municipal Land Use Planning, the Council shall have regard to a number of factors when considering a land use application. These factors include inter alia the following:

- The Municipal IDP and SDF;
- the applicable local spatial development frameworks adopted by the Municipality;
- the applicable structure plans;
- the applicable policies of the Municipality that guide decision-making;
- the provincial spatial development framework;
- where applicable, the regional spatial development framework;
- the policies, principles, planning and development norms and criteria set by national and provincial government;
- Desirability of the proposed land use

The proposed development is therefore motivated as follows:

## 4.1 Planning Policy:

### 4.1.1 National and Provincial Planning Policy and Principles

SPLUMA (the national Spatial Planning and Land Use Management Act 2013) and LUPA (the provincial Land Use Planning Act 2014) provides planning guidance and policy at national and provincial levels respectively.

In terms of Section 7 of SPLUMA and Section 59 of LUPA, the proposal complies with their development and land use planning principles as follows:

- Spatial Justice: The proposal represents the improved utilisation of land and more flexibility in the land uses in Technopark, providing for an improved mixed-use area. The proposal is also more responsive to the changing land use environment that resulted from the worldwide pandemic. The proposed educational facility allows for diversification in Technopark, while still supporting the creative and innovate purpose of the park. The zoning scheme enable applications for temporary departures to determine if the said uses can be sustained in certain environments and in effect allowed for improved utilisation of land. The proposal will also allow for increased access to alternative and creative educational facilities in the creative environment of Stellenbosch Technopark. The inclusion of Places of Education within the park might result in a catalyst to support more such innovative educational facilities within the park to address the continued impact that the worldwide pandemic had on the land use environment and how we use spaces and how we learn and work.
- Spatial Sustainability: The design of the educational facility within the ground floor of the existing building allows for the more sustainable use of existing vacant infrastructure in Technopark. The utilisation of part of a vacant building will continue to support a spatially compact urban form that support more sustainable use of existing infrastructure and services within the existing urban area. The existing vacant office building will be repurposed for alternative uses (educational facilities) that is still supportive of the existing development and innovative environment in Technopark. The proposal is in line with other educational type facilities that already occur in the park. The development will promote improved utilisation of vacant office buildings allowing for more effective use of the areas in Technopark by a use right that will not negatively impact on the existing surrounding area.
- Efficiency: The proposed educational facility will optimise the use of existing vacant office buildings in Technopark. Existing services are available to the property. The educational related facilities to support not only better utilisation of the existing resources but will support the diversification in Technopark supporting mixed uses in the area. The inclusion of an educational facility in Technopark will provide for supporting services for employees in the park increasing the functionality of the spatial environment in Technopark. The development will not affect any agricultural land and will not result in any urban sprawl but will be accommodated within the identified urban developed area of Technopark Stellenbosch.

- Good Administration: The application is submitted in terms of the relevant legislation and will be processed accordingly. Various parties will be afforded an opportunity to comment on the application during the process, with the relevant comments to ensure an integrated approach to land use and land development and allow for an informed decision making. The development will also contribute to the tax base of the Stellenbosch Municipality.
- Spatial Resilience: The Stellenbosch Municipal Planning By-Law and Zoning Scheme By-Law allow for the relevant flexibility in the land use management system to accommodate more flexibility within the planning framework that support sustainable livelihoods in communities. The educational facility provides for some alternative supportive uses in Technopark which had suffered economic shocks due to the worldwide pandemic with reduced demand for office spaces.

As such, it is considered that the proposal complies with the principles underpinned by national and provincial planning policy.

#### 4.1.2 The Western Cape Provincial Spatial Development Framework (PSDF) 2014

The **Western Cape Spatial Development Framework (PSDF)**, as the main strategic planning document in the Western Cape, was developed to provide the spatial expression of the Provincial Growth and Development Strategy. The PSDF is a long term (i.e., > 5 year) spatial framework from which various plans will be implemented. It conveys the Western Cape's spatial agenda to national and Provincial departments, as well as state owned enterprises (SOEs) so that their sector plans and programmes are grounded in a sound and common spatial logic.

The policy framework in the PSDF covers Provincial spatial planning's three interrelated themes namely:

1. *Sustainable use of the Western Cape's spatial assets*
2. *Opening-up opportunities in the Provincial space-economy, and*
3. *Developing integrated and sustainable settlements.*

Each of these spatial themes contributes to the achievement of the Western Cape's strategic objectives.

The PSDF is further guided by the following normative principles as included in the National Spatial Development Perceptive (NSDP) that is relevant to this application:

- *Government spending on fixed investment should prioritise areas of economic growth or economic potential:*
- *Settlement growth and economic development opportunities should be channelled into activity corridors and nodes.*



Under the Urban Space Economy section of the PSDF the focus of **Policy E3** is to Revitalise and Strengthen the urban economy as an engine of growth through the following recommendation that is applicable to the proposal:

- *Incentivise mixed land use and economic diversification in urban and rural land markets.*

The additional of a proposed educational facility in Technopark as an identified urban node provide for added mixed uses and supportive service in the park. The facility will provide an additional social service (educational facility) to employees in close proximity to their workplace, limiting time need to travel to these supporting services and allow for more effective use of space and services and limiting the carbon footprint of traveling.

- *Regenerate and revitalise existing economic nodes in the urban space-economy (i.e. CBDs, township business centres, modal interchanges, fishing harbours, etc)*

The education facility within an existing node of Technopark will support a revitalisation of the uses in the park occupying vacant unused office spaces. It will provide for an additional social service in the park, that support effective and efficient use of existing buildings as well as diversify the uses in the park increasing accessibility to social services in the park. The proposed educational facility is seen as appropriate in the urban context and will also support the development of this identified node further – increasing the economic returns.

Under the Settlements section of the PSDF the focus of **Policy S3** which promote compact, mixed use and integrated settlements with the following recommendations that relate to this application:

- *Target existing economic nodes (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc) as levers for the regeneration and revitalisation of settlements.*

The development of a social service (educational facility) to support the employees in the park will support a regeneration in the area – supporting mixed uses at an existing urban node providing for revitalisation.

- *Promote functional integration and mixed use as a key component of achieving decentralization through densification and infill development.*

The development of the educational facility in Technopark will promote functional integration of mixed uses that is supportive of each other.

**Policy S4** that focus on Balance and Coordination of the delivery of facilities and social services with the following applicable.

- *Balance sustainable service delivery and equitable access to education and health services.*

The development of a private educational facility assists in service delivery of schools that is privately funded. The location of the facility in Technopark make it more accessible to the employees at the park and make the existing node more viable with supporting services close to people's workplace – improving their living/working environments through improved access to social services.

- *Apply the principles of space utilization efficiency, multi-functionality and clustering to all facility provision projects.*

Technopark, as a science park, provide the opportunity for training facilities as part of the supporting land uses that include an environment that support development, research, and design facilities. The node is acknowledged as a mixed-use area with the proposed added use of an innovative educational facility (school), will further support the multi-functional purpose of the park. The utilisation of existing vacant office space within the area will also improve more efficient space utilisation in the park.

- *Rationalise and balance the regional distribution of health and education service centres around a coherent hierarchy of services and only invest in places where people can easily access these services.*

The facility is proposed within an existing urban area in an existing node where innovative thinking is supported – the proposed revolutionary educational facility will not only provide the employees improved access to schools but will also draw from the creative environment of the park and make use of the opportunities of creative thinking and design in the park as part of their quest for hands on learning through apprenticeship opportunities in close range.

#### 4.1.3 The Stellenbosch IDP and Spatial Development Framework (SDF)

The SM Integrated Development Plan 2017-2022 (IDP) is aimed at coordinating the efforts of various municipal departments in achieving the vision for the municipality as a “valley of opportunity and innovation”. The efforts to achieve this vision are channelled into five specific focus areas that include:

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



All these different focus areas will also have a direct spatial link with the Stellenbosch Spatial Development Framework (SDF) and provide for strategic directions in the SDF that will guide future development. The relation between die the IDP focus area and the way it relates to the SDF and provide for directives.

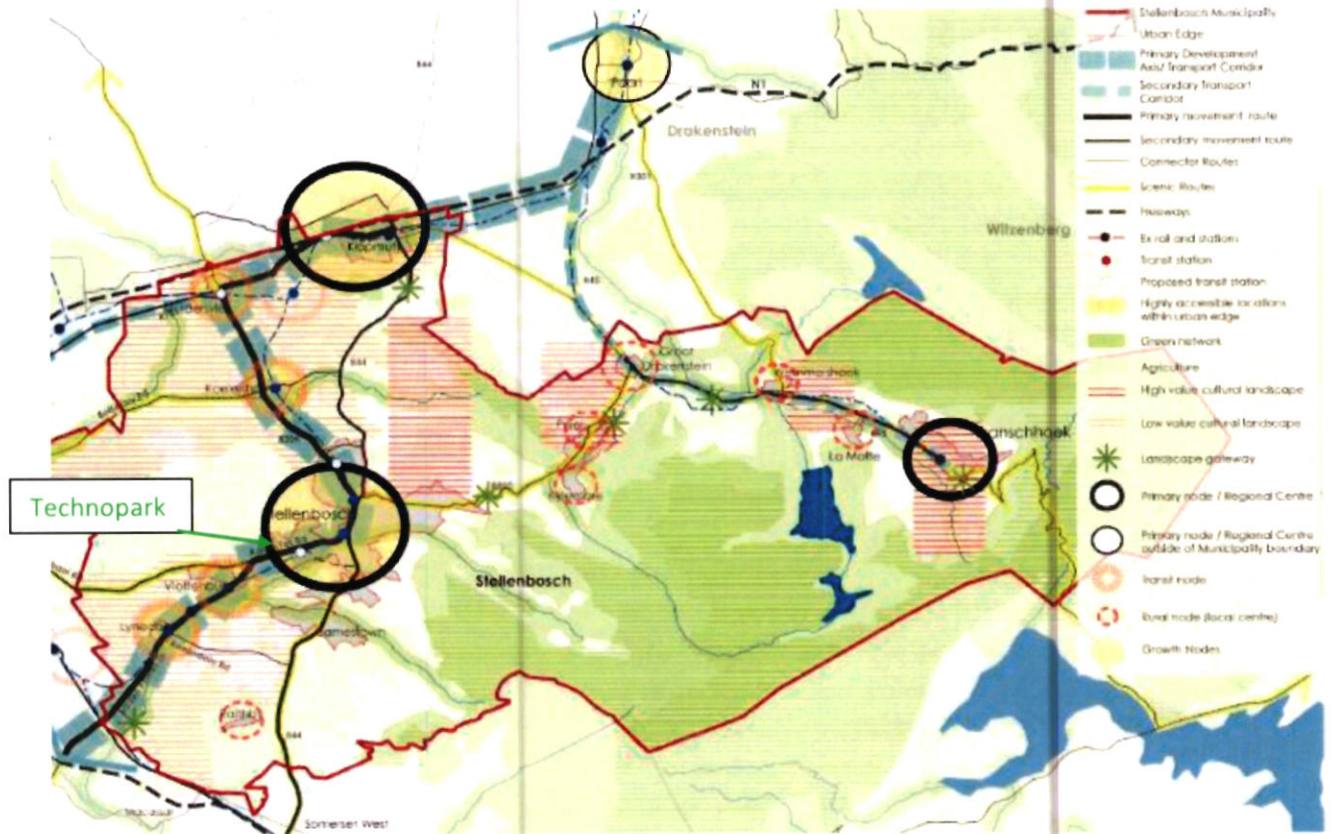


Figure 4: Consolidated Concept SDF Plan for Stellenbosch Municipal Area indicating Technopark in terms of the municipal area and proposals.

Technopark is located on the southern outskirts of Stellenbosch urban areas along the R44 that is identified as a Primary Development Axis and Transport Corridor towards Somerset East.



IDP STRATEGIC FOCUS AREA	RELATED CONCERNS OF THE SDF	SDF STRATEGIC DIRECTION
<b>Valley of possibility</b>	The way settlements, nature and agricultural areas are spatially developed and managed to enhance individual and collective livelihood opportunities and enterprise development and overcome inequity and exclusion.	<ul style="list-style-type: none"> <li>• Containment of settlements to protect nature/ agricultural areas and enable public and non-motorized transport and movement.</li> <li>• A focus on public and non-motorized transport and movement.</li> </ul>
<b>Green and sustainable valley</b>	The way settlements, nature and agricultural areas are spatially developed and managed to maintain and enhance natural resources and ensure future balance between human settlement and its use of natural resources and opportunity.	<ul style="list-style-type: none"> <li>• Protection of nature areas, agricultural areas, and river corridors.</li> </ul>
<b>Safe valley</b>	The way settlements, nature and agricultural areas are spatially developed and managed to ensure individual and collective safety in living, in movement, at work, institutions, and play.	<ul style="list-style-type: none"> <li>• Denser settlements with diverse activity to ensure surveillance.</li> </ul>
<b>Dignified living</b>	The way settlements, nature and agricultural areas are spatially developed and managed to ensure equal access to shelter, facilities and services, notwithstanding material wealth, age, gender, or physical ability.	<ul style="list-style-type: none"> <li>• A specific focus on the needs of "ordinary" citizens, experiencing limited access to opportunity because of restricted available material resources.</li> </ul>
<b>Good governance and compliance</b>	The way settlements, nature and agricultural areas are spatially developed and managed to ensure individual and collective participation – based on accessible information and open processes – in matters related to spatial planning and land use management.	<ul style="list-style-type: none"> <li>• Presenting information, including opportunities and choices in a manner that assists its internalization by all.</li> </ul>

Figure 5: Extract from the Stellenbosch SDF indicating the relation between die IDP and SDF.

The proposed development responds directly to these matters by way of the following:

- The location of this property within Technopark and the Stellenbosch urban area, as part of an existing node along an identified primary development axis and transport corridor, provide for various opportunities in terms of tourism diversification. The educational facility will provide opportunities for improved spatial distribution of different land uses that enhance the livelihood opportunities in Technopark.
- The development is also sensitive in terms of agricultural surrounds and natural environment. The property is located within an urban complex and support the diversification and improved utilisation of vacant buildings by providing for an additional social service close to the workplace of many employees in Technopark.

- The educational facility is proposed in an area that is included in the urban edge of Stellenbosch – with the facility that can act as possible catalyst for more supportive mixed uses in Technopark.
- The educational facility will support diversification in Technopark, that has been hit hard by the decline in the demand for office space, and also ensure the effective use of existing vacant buildings in a safe environment to provide for an added social facility to support employees in the park.

The Stellenbosch SDF guide future growth and development within the municipal area based on the agreed vision and principles which are aimed at addressing problems and creating opportunities for sustainable socio-economic development. The SDF support the following for community related services.

- *Cluster community facilities together with commercial, transport, informal sector and other activities so as to maximise convenience, safety and socio-economic potential.* Technopark provide for an ideal location for a revolutionary educational facility – the facility will provide maximum convenience with the opportunity of a school close to employees workplace and also provide for a safe and innovative environment. The proposed school is a small school in terms of sizes and will therefore have a very limited impact, if any, on the surrounding area.
- *Retain and actively support mixed use redevelopment and building within the town centre and surrounding areas, comprising living space above active street fronts.* The inclusion of a school in Technopark will actively support mixed use developments.

The concept for spatial development and management of Stellenbosch Municipality comprises of key views with these views considers in relation to the development of the proposed educational facility.

### **1. Maintain and grow our natural assets**

*Valuable land areas, including critical biodiversity areas, agricultural land, land affecting the maintenance of water resources, and so on, cannot be built upon extensively, it cannot be the focus for significantly accommodating existing or future settlement need spatially.*

- The proposed development will not detract from valuable agricultural land and will not impact on any identified natural assets such as CBA's – with the educational facility to be development in an existing building within a developed urban area.

### **2. Respect and grow our cultural heritage**

*The areas and spaces – built and unbuilt – that embody the cultural heritage and opportunity of SM needs to be preserved and exposed further. Some areas and spaces need to be maintained intact, others provide the opportunity for new activity, in turn exposing and enabling new expressions of culture.*

- The proposed development will not have a negative impact on any cultural heritage resource.



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

*Within areas of lesser natural and cultural significance, the focus should be on areas where different modes of transport intersect, specifically places where people on foot – or using nonmotorized transport – can readily engage with public transport.*

- The proposed facility is located in Technopark which is along an identified Primary Development Axis and Transport corridor that will support the development of this facility and provide for easy and safe access.

### *4. Clarify and respect the different roles and functions of settlements*

*The role and potentials of different settlements in Stellenbosch require clarification. In broad terms, the role of a settlement is determined by its relationship to natural and cultural assets and the capacity of existing infrastructure to accommodate change and growth.*

- The property is located within the identified urban edge of Stellenbosch as a primary node and regional centre. Stellenbosch town will remain the major settlement within the municipality; a significant centre comprising extensive education services which is further supported by the development of this revolutionary educational facility. Limitless Acton Academy will provide for an added choice in educational facilities in Stellenbosch further supporting it as an educational hub.

### *5. Clarify and respect the roles and functions of different elements of movement structure*

*Ensure a balanced approach to transport in SM, appropriately serving regional mobility needs and local level accessibility improvements, aligned with the spatial concept.*

- The facility is well located in terms of access routes close to the R44 as a primary development axis and transport corridor. This location provide support for the educational facility in that it makes use of already established building in Technopark that is served by major routes allowing higher accessibility for people accessing the facility, and not impacting on lower order roads.

### *6. Ensure balanced, sustainable communities*

*Ensure that all settlements are balanced and sustainable, providing for different groups, maintaining minimal development footprints, walkability, and so on.*

- Stellenbosch is identified as the primary node and regional centre where major development in the municipal area is focused. The proposed educational facility provides for the expansion of the educational facilities provided in this primary node with the facility that relate to and will support other educational related facilities that already exist in the centre.



The proposed educational facility is located within Technopark in the identified urban edge of Stellenbosch with no immediate proposals for this area in SDF but rather overall proposals that have been addressed above. The facility will be accommodated in an existing building and will not impact on any other uses. The scale and type of the facility will also be supportive of the surrounding area. In conclusion, it is considered that the proposal is consistent with the intent of the SDF to allow for the support of this proposal.

#### **4.2 Desirability:**

The desirability of the proposal can be assessed in accordance with the following criteria:

##### **4.2.1 Socio Economic Impact**

The proposal will have a positive socio-economic impact, in that the development will further support the educational facilities in Stellenbosch and surrounds, by providing for an additional privately funded innovative educational facility. The proposal will allow for additional job creation in the operation of the educational facility. The diversification in Technopark will support increased investment and might increase the viability of the park moving forward by providing for more supportive social uses.

##### **4.2.2 Compatibility with Surrounding uses**

The subject property is located within the identified urban area of Stellenbosch in Technopark along an identified primary development axis, R44, which makes the property and proposed facility highly accessible in terms of Stellenbosch and surrounding area. Technopark already provide for existing supporting educational and training facilities as well as opportunity for day care facilities, with the Limitless Acton Academy as a revolutionary educational facility to further build on these uses.

It can therefore be argued that the Academy, which is largely based on creative learning methods with hands on quests for science, entrepreneurship and the arts that prepare the learners for apprenticeships in the real world, can be supported by the purpose of Technopark. What better place to locate such a revolutionary educational facility than in Stellenbosch Technopark, a park that was established as a technology focused science park. The location provides the creative people working in the park an alternative innovative educational facility for their kids, with the park in return also offering the facility many options where students can to their apprenticeships to learn from real life experiences and in that way discover their own gifts and talents and to learn how to use them to find their own calling.

#### **4.2.3 Impact on External Engineering Services**

The building to be partly used for the educational facility is already connected to services with these services to also support the educational facility. It is not envisaged that the school will place any additional demand on the services with similar demand than the previous offices in the building.

#### **4.2.4 Impact on Safety, Health and Wellbeing of the surrounding community**

It is not considered that the proposed educational facility to be housed in part of the existing building on the property will have any significant impact on the safety, health and wellbeing of occupiers of the surrounding properties. The facility will make use of existing buildings and will be operating on weekdays from 8:30am to 3:30pm, similar to working hours of the surrounding uses.

#### **4.2.5 Impact on Heritage**

According to the Stellenbosch Heritage Inventory and Management plan of 2018 the subject property is not located within an identified heritage areas with no identified heritage resources on the property or in close proximity to the property. The development of the educational facility will therefore have no impact on any heritage resource.

#### **4.2.6 Impact on the Biophysical Environment**

It is not considered that the proposed development of the educational facility in part of an existing building in Technopark will have any adverse impact on the biophysical environment. The subject development area for the facility will be located in a developed urban area with no identified CBA area. The development will make use of existing building that will be partly repurposed for the educational facility to accommodate Limitless Acton Academy.

#### **4.2.7 Traffic and Parking Consideration**

Vehicular access to the property will be maintained via the existing access point off Quantum Street – with the property accessed via a one-way internal access road network that will support the proposed drop off and go system of the educational facility. The facility will also be supported by a total of 10 onsite parking bays. The educational facility will operate during the week from 8:30am to 3:30pm. The internal design of traffic movement allows for a one-way system where entry to the parking areas is from the northwest and exit from the parking area via one way route in the south-eastern corner of the site. This will ensure that traffic that enter and exit the facility will cause no obstruction and allow for a safe movement.

#### 4.2.8 Mitigation by imposition of conditions

It is not considered that the proposed educational facility will result in any adverse impacts on the surrounding environment and properties that will need any mitigation to be imposed. The design of the facility will allow for planned traffic movement to allow for safe entry and exit of the property.

#### 4.3 Conclusion

It is therefore clear from the above that the proposal for the use of part of the building on Remainder of Erf 13422 Stellenbosch for a place of education is in all respects desirable. The proposed development supports the repurposing of part of the vacant office building in Technopark and it is unlikely that the use will impact on any existing surrounding use. In light of the motivation report we can recommend for Stellenbosch Municipality to favourably consider the *Temporary Departure* to allow for the *Place of Education* for a *5 year period* on part of the subject property with a total area to be accommodated by the facility  $\pm 674\text{m}^2$ .





# STELLENBOSCH

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## LAND USE PLANNING APPLICATION FORM 2017

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

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

### PART A: APPLICANT DETAILS

First name(s)	Iana				
Surname	Jordaan				
Company name (if applicable)	Frame Consulting				
Postal Address	277 Main Road				
	Paarl	Postal Code	7620		
Email	iana.jordaan@framegroup.co.za				
Tel	021 872 4436	Fax		Cell	0769059168

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

Registered owner(s)	Green Earth Energy Efficient Lighting Manufacturing Pty Ltd				
Physical address	10 Quantum Street, Quantum House, Technopark				
	Stellenbosch	Postal code			
E-mail	limitlessacademies@gmail.com				
Tel		Fax		Cell	

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

Erf / Erven / Farm No.	13422	Portion(s) if Farm		Allotment area	Technopark, Stellenbosch		
Physical Address	10 Quantum Street						
	Technopark, Stellenbosch						
Current Zoning	Technopark Local Area Overlay Zone	Extent	1834 m <sup>2</sup> / ha	Are there buildings?	existing	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Applicable Zoning Scheme	Stellenbosch Zoning Scheme By-Law 2019										
Current Land Use	Mostly vacant office building with one section used for offices										
Title number and date	Deed and		T		6661/2012						
Attached Conveyance's Certificate	Y	<input checked="" type="checkbox"/>	Any Restrictions into the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate								
Are the restrictive conditions in favour of a third party(ies)?	Y	<input checked="" type="checkbox"/>	If Yes, list the party(ies):								
Is the property encumbered by a bond?	Y	N	If Yes, list the bondholder(s):								
Is the property owned by Council?	Y	<input checked="" type="checkbox"/>	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management								
Is the building located within the historical core?	Y	<input checked="" type="checkbox"/>	Is the building older than 60 years?	Y	<input checked="" type="checkbox"/>	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) <sup>1</sup>	Y	<input checked="" type="checkbox"/>	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.		
Any existing unauthorized buildings and/or land use on the subject property(ies)?			Y	<input checked="" type="checkbox"/>	If yes, is this application to legalize the building / land use <sup>2</sup> ?			Y	N		
Are there any pending court case(s) / order(s) relating to the subject property(ies)?			Y	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?			Y	N		
<b>PART D: PRE-APPLICATION CONSULTATION</b>											
Has there been any pre-application consultation?			Y	<input checked="" type="checkbox"/>	N	If Yes, please attach the minutes of the pre-application consultation.					
<b>PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE</b>											
<b>APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)</b>											
<b>Tick</b>	<b>Type of application: Cost are obtainable from the Council Approved tariffs<sup>3</sup></b>										
	15(2)(a) Rezoning of Land										
	15(2)(b) a permanent departure from the development parameters of the zoning scheme										
<input checked="" type="checkbox"/>	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;										
	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;										
	15(2)(e) a consolidation of land that is not exempted in terms of section 24;										

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

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

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



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



DETAILS FOR INVOICE	
Name & Surname/Company name (details of party responsible for payment)	Jaco Joubert Limitless Acton Academy
Postal Address	jjjoubert@limitlessadademies.org or limitlessactonacademies@gmail.com
Vat Number (where applicable)	

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

**Brief description of proposed development / intent of application:**  
 Application for Temporary departure for a period of 5 years to allow for the use of part of the property for a Place of Education to allow for the establishment of the Limitless Acton Academy for total of 60 students. The proposed academy will occupy a total area of 674sqm on the subject property.

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

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

Information and documentation required

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



**PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION**

Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))		
			Y	N/A X	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
			Y	N/A X	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
			Y	N/A X	National Water Act, 1998 (Act 36 of 1998)
			Y	N/A X	Other (specify)
Y	N/A X	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			
Y	N/A X	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)			
Y	N/A X	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	N	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.			

**SECTION I: DECLARATION**

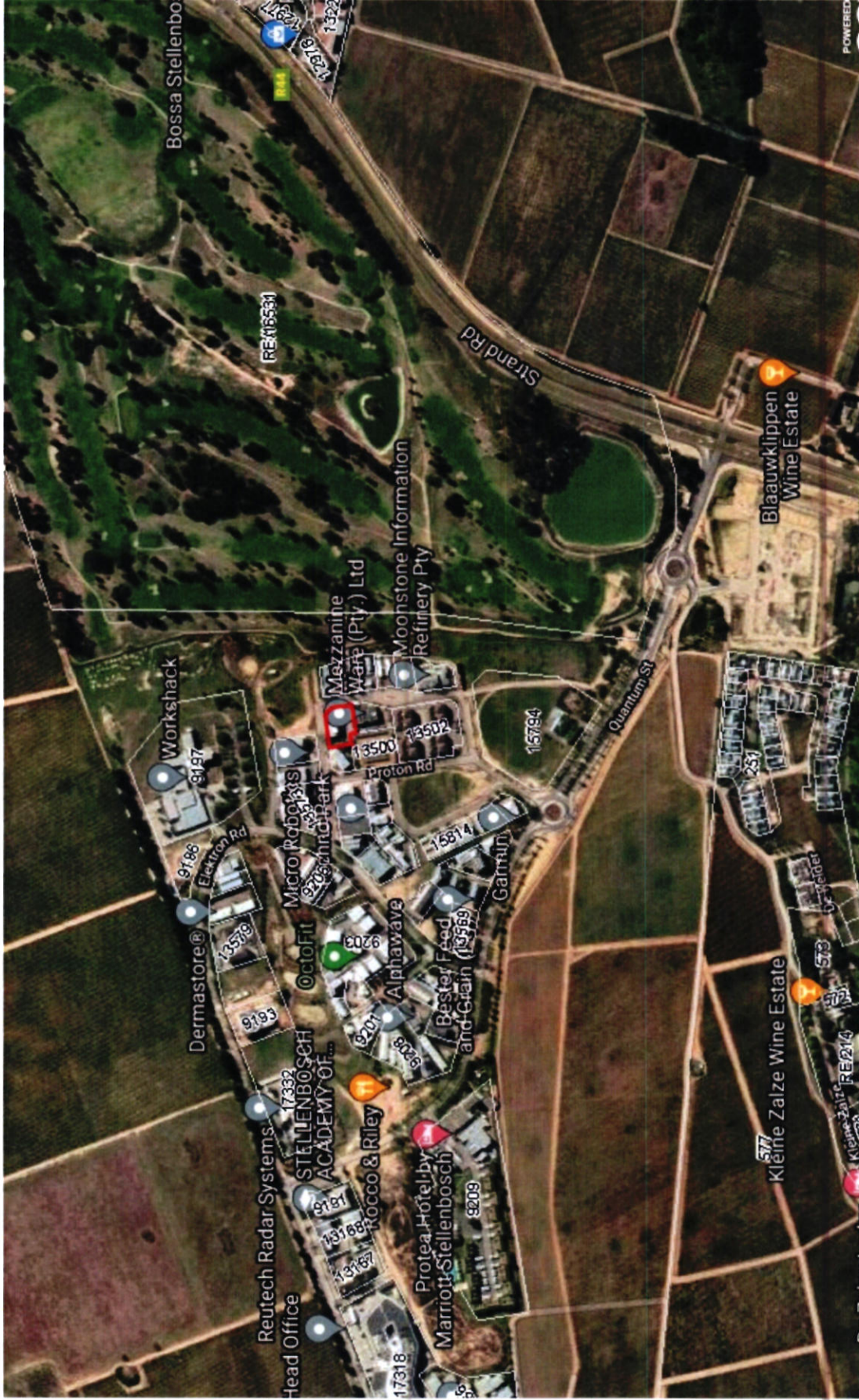
I hereby wish to confirm the following :

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



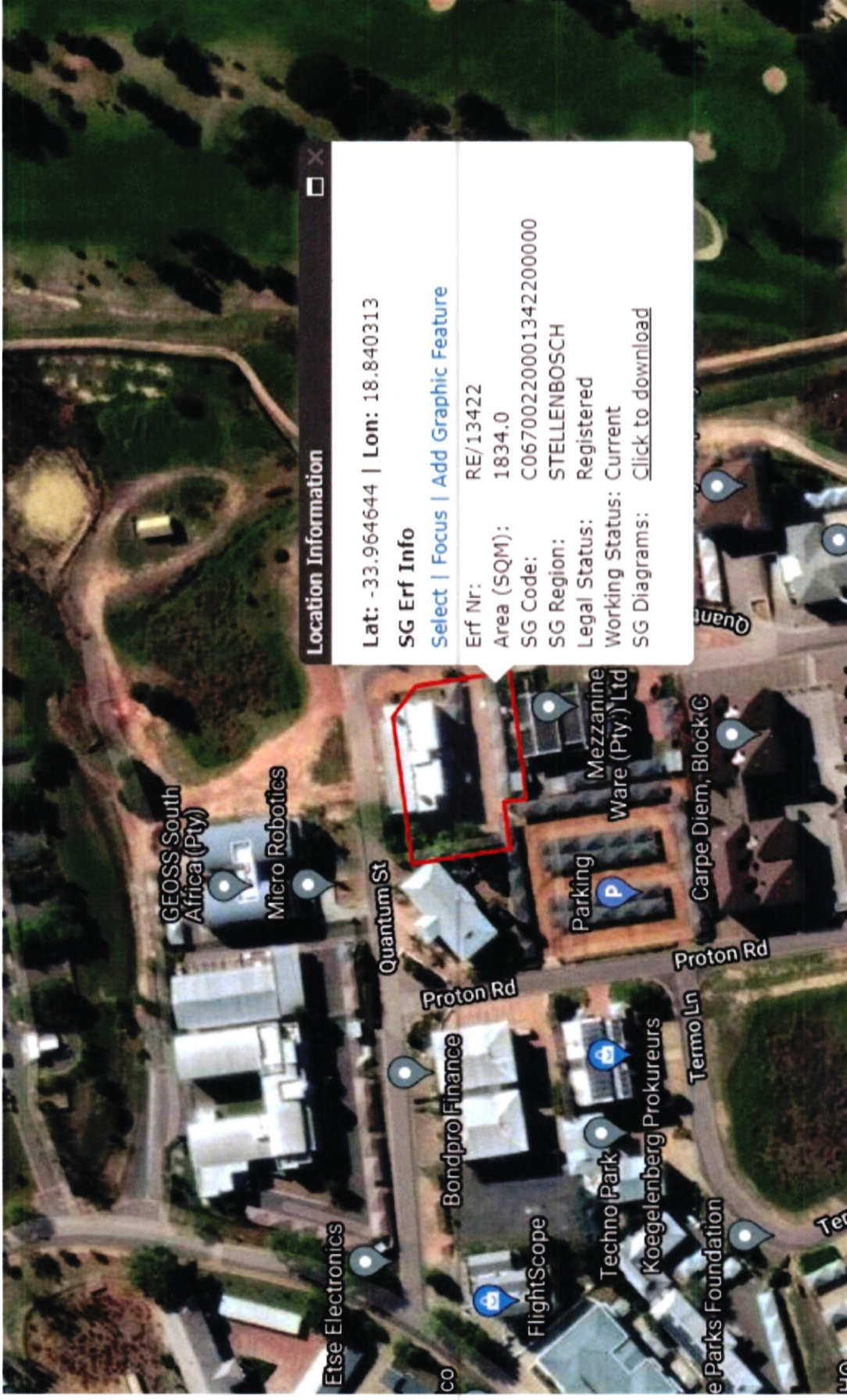


Locality of Remainder of 13422 Stellenbosch, Techno Park



Locality of the subject erf in terms of Techno Park





Remainder of Erf 13422 Stellenbosch, Techno Park property details





Locality of the subject erf along Quantum Street in term of the immediate surrounding area

### Company Resolution

#### Green Earth Energy Efficient Lighting Manufacturing Pty Ltd

Company name: <i>(hereafter refer to as the Company)</i>	Green Earth Energy Efficient Lighting Manufacturing Pty Ltd
Registration number:	2010/002180/07
Owner of Property	Erf 13422 Stellenbosch
Directors <i>(Full names and Surnames)</i>	Director 1 LOUIS WESSEL ANDRAG
	Director 2 HESTER CHARLOTTE ANDRAG
	Director 3
	Director 4

The Company resolve that:

Name of person:

LOUIS WESSEL ANDRAG

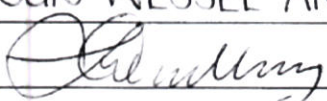
ID of person

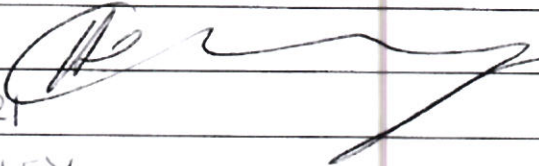
above: 730519 5027 08 7

in his/her capacity as director power of attorney is granted to her/him to represent the company to sign all documents on behalf of the company which may be necessary, with regards to:

- Land Use Application for the Temporary Departure for the development of the *Limiteless Acton Academy* on part of the property known as Erf 13422 Stellenbosch (Quantum House) and held under sectional title.

Signed as a true and correct record:

Director 1 (Name & Surname)	LOUIS WESSEL ANDRAG
Signature	
Date	01-07-2021
Place	TYGERVALLEY

<i>Director 2 (Name &amp; Surname)</i>	HESTER CHARLOTTE ANDRAG
<i>Signature</i>	
<i>Date</i>	01-07-2021
<i>Place</i>	TYGERVALLEY

<i>Director 3 (Name &amp; Surname)</i>	
<i>Signature</i>	
<i>Date</i>	
<i>Place</i>	

<i>Director 4 (Name &amp; Surname)</i>	
<i>Signature</i>	
<i>Date</i>	
<i>Place</i>	



## POWER OF ATTORNEY (REGISTERED OWNER'S CONSENT FORM)

I / we, LOUIS WESSEL ANDRAG .....on behalf of *Green Earth Energy Lighting Manufacturing Pty Ltd.* (name of registered owner(s))

registered owner of the following property:

Erf 13422, Stellenbosch

Quantum House, Techno Park

in respect of the above-mentioned property, wish to certify that authority is hereby granted to

F R A M E to apply for:

- *Temporary Departure to allow for the development of the Limitless Acton Academy an Educational Facility on part of the property.*

The undersigned therefore nominates, constitutes and appoints the above applicant with power of substitution to be the registered owner's legal representative / agent and to act in the name, place and stead of the registered owner in the above regard. Power of attorney is accordingly hereby granted to the applicant to sign all correspondence in respect of the matter referred to above.

Owner's name LOUIS WESSEL ANDRAG .....

Owner's signature  ..... Date 01-07-2021

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Werksmans Attorneys  
142 Edward Street  
BELLVILLE  
7536

Prepared by the

CONVEYANCER  
KENNY A

for endorsement		Amount	Office fee
Purchase price/Value	R. 1 625 000.00	R. 850.00	
Mortgage capital Amount	R. /	R. /	
Reason for acquisition		Exempt. i.t. o	
	Cat. /	section /	Act. /

**VERBIND MORTGAGED**

VIA FOR R. 1 600 000.00

SB 000002859 / 2012

14 JUN 2012

REGISTRAR

BT 000006661 / 2012

**DEED OF TRANSFER**

2012-06-28  
REGISTRAR

BE IT HEREBY MADE KNOWN THAT

**AIDAN KENNY**

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at Tygervalley on 28 March 2012 granted to him by

**SCARLETT RIBBON PROPERTIES 21 PROPRIETARY LIMITED**  
Registration Number 2001/027558/07

DATA / VERIFY  
05 JUL 2012  
NGCGWANA PENELOPE



And the said appearer declared that his principal had, on 8 March 2012, truly and legally sold for the sum of R1 625 000.00 (One Million Six Hundred and Twenty Five Thousand Rand) the following property, by Private Treaty;

And that he, in his capacity aforesaid, did, by virtue of these presents, cede and transfer in full and free property to and on behalf of:

**GREEN EARTH ENERGY EFFICIENT LIGHTING MANUFACTURING  
PROPRIETARY LIMITED**  
Registration Number 2010/002180/07

A Unit consisting of

- (a) Section No. 1 as shown and more fully described on Sectional Plan No SS 231/2002 in the scheme known as QUANTUM HOUSE in respect of the land and building or buildings situate at STELLENBOSCH, IN THE MUNICIPALITY OF STELLENBOSCH, of which section the floor area, according to the said sectional plan is 203 (Two Hundred and Three) square metres in extent and
- (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

HELD BY Deed of Transfer Number ST 12039/2002


The said unit is subject to or shall benefit by:


- (i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in Section 11(3) (b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986 (Act 95 of 1986); and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.



WHEREFORE all the right, title and interest which the Transferor/s heretofore had to the unit aforesaid is renounced and, in consequence it is also acknowledged that the Transferor/s is entirely dispossessed of, and disentitled to, the same, and that by virtue of these presents the aforesaid Transferee/s is now entitled thereto, the State, however reserving its rights.

SIGNED, EXECUTED AND SEALED at the Office of the REGISTRAR OF DEEDS at Cape Town on 14 June 2012

In my presence  
  
REGISTRAR OF DEEDS

  
q q.



12

Werksmans Attorneys  
142 Edward Street  
BELLVILLE  
7536

Prepared by me

CONVEYANCER  
KENNY A

Erg. endorsement		
	Amount	Office fee
Purchase price/Value	R. 1 740 000,00	R. 800,00
Mortgage capital Amount	R. /	R. /
Reason for exemption	Exempt i.t.o.	
Cat. /	section /	Act /

DATA / CAPTURE  
2012-06-28  
OFFICE VAN TONDER

**VERBIND MORTGAGED**

VIA FOR R. 1 740 000,00

SB 0000028591/2012

14 JUN 2012

REGISTRAR

ST 000006662 / 2012

**DEED OF TRANSFER**

BE IT HEREBY MADE KNOWN THAT

**AIDAN KENNY**

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at Bellville on 26 March 2012 granted to him by

**TIGER STRIPES INVESTMENTS 15 PROPRIETARY LIMITED**  
Registration Number 2002/001180/07

DATA / VERIFY  
05 JUL 2012  
NGC. GWANA FENELOPE

And the said appearer declared that his principal had, on 6 March 2012, truly and legally sold for the sum of R1 740 000.00 (One Million Seven Hundred and Forty Thousand Rand) the following property, by Private Treaty;

And that he, in his capacity aforesaid, did, by virtue of these presents, cede and transfer in full and free property to and on behalf of:

**GREEN EARTH ENERGY EFFICIENT LIGHTING MANUFACTURING  
PROPRIETARY LIMITED**  
Registration Number 2010/002180/07

A Unit consisting of

- (a) Section No. 2 as shown and more fully described on Sectional Plan No SS 231/2002 in the scheme known as QUANTUM HOUSE in respect of the land and building or buildings situate at STELLENBOSCH, IN THE MUNICIPALITY OF STELLENBOSCH, of which section the floor area, according to the said sectional plan is 203 (Two Hundred and Three) square metres in extent and
- (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

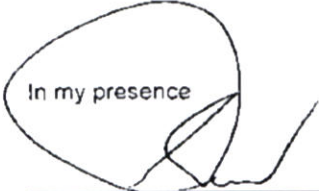
HELD BY Deed of Transfer Number ST 12040/2002


The said unit is subject to or shall benefit by:

- (i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in Section 11(3) (b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986 (Act 95 of 1986); and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

WHEREFORE all the right, title and interest which the Transferor/s heretofore had to the unit aforesaid is renounced and, in consequence it is also acknowledged that the Transferor/s is entirely dispossessed of, and disentitled to, the same, and that by virtue of these presents the aforesaid Transferee/s is now entitled thereto, the State, however reserving its rights.

SIGNED, EXECUTED AND SEALED at the Office of the REGISTRAR OF DEEDS at  
Cape Town on 14 June 2012

In my presence  
  
REGISTRAR OF DEEDS

  
q.q.



12

Werksmans Attorneys  
142 Edward Street  
BELLVILLE  
7536

Prepared by me

CONVEYANCER  
KENNY A

For endorsement		
	Amount	Office fee
Purchase price/Value	R. 3 025 000.00	R. 950.00
Mortgage capital amount	R. /	R. /
Reason for description	Exempt J.L.O.	
Cat. /	section /	Act. /

DATA / CAPTURED  
2012-06-28  
ELIZABETH VAN TONDER

**VERBIND MORTGAGED**

VRI FOR R. 4 600 000.00

\$B 000002859 / 2012

14 JUN 2012

REGISTRAR

\$T 000006663 / 2012

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

AIDAN KENNY

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at Tygervalley on 28 March 2012 granted to him by

ONTRAK INVESTMENTS 159 PROPRIETARY LIMITED  
Registration Number 2002/006178/07

DATA / VERIFY  
05 JUL 2012  
NGOGWANA PENELOPE

And the said appearer declared that his principal had, on 6 March 2012, truly and legally sold for the sum of R3 025 000.00 (Three Million and Twenty Five Thousand Rand) the following property, by Private Treaty:

And that he, in his capacity aforesaid, did, by virtue of these presents, cede and transfer in full and free property to and on behalf of:

**GREEN EARTH ENERGY EFFICIENT LIGHTING MANUFACTURING  
PROPRIETARY LIMITED**  
Registration Number 2010/002180/07

1. A Unit consisting of
  - (a) Section No. 3 as shown and more fully described on Sectional Plan No SS 231/2002 in the scheme known as QUANTUM HOUSE in respect of the land and building or buildings situate at STELLENBOSCH, IN THE MUNICIPALITY OF STELLENBOSCH, of which section the floor area, according to the said sectional plan is 203 (Two Hundred and Three) square metres in extent and
  - (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

HELD BY Deed of Transfer Number ST 12041/2002

The said unit is subject to or shall benefit by:

- (i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in Section 11(3) (b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986 (Act 95 of 1986); and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

2. A Unit consisting of
  - (a) Section No. 4 as shown and more fully described on Sectional Plan No SS 231/2002 in the scheme known as QUANTUM HOUSE in respect of the land and building or buildings situate at STELLENBOSCH, IN THE MUNICIPALITY OF STELLENBOSCH, of which section the floor area, according to the said sectional plan is 203 (Two Hundred and Three) square metres in extent and
  - (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

HELD BY Deed of Transfer Number ST 12041/2002

The said unit is subject to or shall benefit by:

- (i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in Section 11(3) (b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986 (Act 95 of 1986), and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

WHEREFORE all the right, title and interest which the Transferor/s heretofore had to the unit aforesaid is renounced and, in consequence it is also acknowledged that the Transferor/s is entirely dispossessed of, and disentitled to, the same, and that by virtue of these presents the aforesaid Transferee/s is now entitled thereto, the State, however reserving its rights.

SIGNED, EXECUTED AND SEALED at the Office of the REGISTRAR OF DEEDS at Cape Town on 14 June 2012

In my presence



REGISTRAR OF DEEDS



q.q.



12

Werksmans  
142 Edward  
BELLVILLE  
7536

Fee endorsement		
	Amount	Office fee
Purchase price/Value	R 3 270 000,00	R 950,00
Attorneys Mortgage Capital Street	R .....	R .....
Reason for exemption	Cat.....	Exempt i.t.o section..... Act.....

Prepared by me

CONVEYANCER  
KENNY A

<b>VERBIND MORTGAGED</b>	
VIR FOR R 3 300 000,00	
B 000003695 / 2012	REGISTRAR/REGISTRAR
26 JUL 2012	

T 000008429 / 2012

### DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

~~AIDAN KENNY~~

JOHAN SALOMON LUBBE

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at Bellville on 15 June 2012 granted to him by

**CATFISH INVESTMENTS 29 PROPRIETARY LIMITED**  
Registration Number 2002/005744/07

DATA / CAPTURE  
2012-07-30  
FANTI WENDY

DATA / VERIFY  
06 AUG 2012  
MIRNE LEBODIWA

And the said appearer declared that his principal had, on 15 June 2012, truly and legally sold for the sum of R3 270 000,00 (THREE MILLION TWO HUNDRED AND SEVENTY THOUSAND RAND) the following property, by Private Treaty:

And that he, in his capacity aforesaid, did, by virtue of these presents, cede and transfer in full and free property to and on behalf of:

**GREEN EARTH ENERGY EFFICIENT LIGHTING MANUFACTURING  
PROPRIETARY LIMITED  
Registration Number 2010/002180/07**

1. A Unit consisting of
  - (a) Section No. 5 as shown and more fully described on Sectional Plan No SS 231/2002 in the scheme known as QUANTUM HOUSE in respect of the land and building or buildings situate at STELLENBOSCH, in the Municipality and Division Stellenbosch, of which section the floor area, according to the said sectional plan is 203 (Two Hundred and Three) square metres in extent and
  - (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

HELD BY Deed of Transfer Number ST 12042/2002

The said unit is subject to or shall benefit by:

- (i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in Section 11(3) (b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986 (Act 95 of 1986); and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

2. A Unit consisting of
  - (a) Section No. 6 as shown and more fully described on Sectional Plan No SS 231/2002 in the scheme known as QUANTUM HOUSE in respect of the land and building or buildings situate at STELLENBOSCH, in the Municipality and Division Stellenbosch, of which section the floor area, according to the said sectional plan is 203 (Two Hundred and Three) square metres in extent and
  - (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

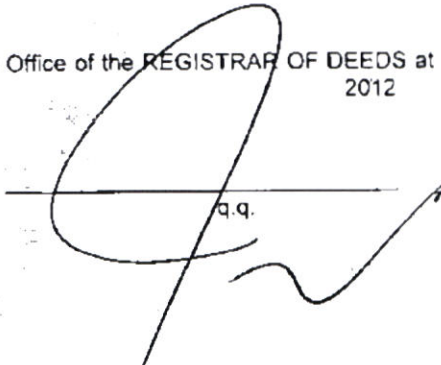
HELD BY Deed of Transfer Number ST 12042/2002

The said unit is subject to or shall benefit by:


- (i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in Section 11(3) (b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986 (Act 95 of 1986); and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

WHEREFORE all the right, title and interest which the Transferor/s heretofore had to the unit aforesaid is renounced and, in consequence it is also acknowledged that the Transferor/s is entirely dispossessed of, and disentitled to, the same, and that by virtue of these presents the aforesaid Transferee/s is now entitled thereto, the State, however reserving its rights.

SIGNED, EXECUTED AND SEALED at the Office of the REGISTRAR OF DEEDS at Cape Town on 26 July 2012

  
\_\_\_\_\_  
p.q.

In my presence

  
\_\_\_\_\_  
REGISTRAR OF DEEDS







8729,00

DIE VOLGENDE AFTREKKING IS VAN HIERDE KAART GEDOEN

MEET-STUKKE	KAARTNO.	ONDERVER-DELING	GROTTIE HA./VK. M.	AKTNO.	GEREFA-FEER	RESTANT
E1148/98	2726/1998	Erf 13498	1015	82804/98		
E2581/98	604/1998	Erf 13500	3000	4513/99	BH	
"	6015/1998	Erf 13501	1800	16984/99	BH	
"	6016/1998	Erf 13502	6348	73900/99	BH	

Sectional Title		
S.R.E. NO.	S.G.D. No.	S.S. No.
E429/2002	95/2002	231/2002







# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

## AMPTELIKE KWITANSIE / OFFICIAL RECEIPT

✉ 17, STELLENBOSCH 7599  
☎ 021 808-8578 / 8547 / 8546  
📠 021 886 7318

### DUPLICATE RECEIPT

Receipt N/c: DIR1 Duplicate Rec.No: 181190 Date: 05/08/2021

Local Authority: Stellenbosch Municipality

1 STB N 2500.00

12200103450000 05236 ABSA BANK

DIRECT 200103450000 ABSA BANK LU/12981 E LU/12981 ERF 13422

X100 Key: STB -009-20210805-00000049

X10 Key : STB 0000018119000001