

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

Affected person's Name

Affected persons Physical Address

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

Property address	:	Rivierbosch Avenue, De Bosch Estate Stellenbosch
Property number	:	Erf 15756
Applicant	:	Emile van der Merwe Town Planning Consultants
Owner	:	Rivierbosch Trust
Application reference	:	LU/11780
Application type	:	Amendment of condition of approval, rezoning, Subdivision and Amendment of Architectural guidelines

Detailed description of land use or development proposal:

1. Application in terms of Section 15 (2) (h) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the amendment of a condition of approval (condition 1.2.2 imposed in the letter of approval dated 2006-09-28) in order increase the number of approved erven from 20 to 22 (2 additional erven).
2. Application in terms of Section 15 (2) (a) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the rezoning of Erf 15756 from Conventional Residential Zone to Subdivisional Area to accommodate the zonings of Conventional Residential Zone and Public Roads and Parking Zone.
3. Application in terms of Section 15 (2) (d) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the subdivision of Erf 15756 into four (4) portions namely Portion 1 ($\pm 2942\text{m}^2$ - Conventional Residential Zone), Portion 2 ($\pm 2901\text{m}^2$ - Conventional Residential Zone), Portion 3 ($\pm 3970\text{m}^2$ - Conventional Residential Zone), and Portion 4 (Remainder Road - $\pm 988\text{m}^2$ - Public Road and Parking zone).
4. Application in terms of Section 15 (2) (l) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the amendment of the approved De Bosch Architectural Guidelines.

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: **(Emile van der Merwe Town Planning Consultants: emilevdm@adept.co.za**

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **15 March 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 (021-8865050/0845566461) during normal office hours.

Yours faithfully

EMILE VAN DER MERWE

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

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

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

Adres van aansoek eiendom	:	Rivierbosch Avenue, De Bosch Estate Stellenbosch
Aansoek eiendom beskrywing	:	Erf 15767
Aansoeker	:	Emile van der Merwe Stadsbeplannings konsultante
Eienaar	:	Rivierbosch Trust
Aansoek verwysing	:	LU/11780
Tipe aansoek	:	Wysiging van voorwaarde, hersonering, onderverdeling en wysiging van goedgekeurde argitektoniese riglyne

Besonderhede van die grondgebruiksaansoek

1. Aansoek in terme van Artikel 15 (2) (h) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning (2015) vir die wysiging van 'n voorwaarde van goedkeuring (voorwaarde 1.2.2 vervat in die goedkeuringsbrief gedateer 2006-09-28 ten einde die aantal van goedgekeurde erwe te vermeerder van 20 na 22 erwe (2 addisionele erwe).
2. Aansoek in terme van Artikel 15 (2) (a) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning (2015) vir die hersonering van Erf 15756 vanaf Konvensionele Residensieel Sone na Onderverdelingsgebied ten einde die sonerings van Konvensionele Residensieel Sone en Publieke Pad en Parkering Sone te akkommodeer.
3. Aansoek in terme van Artikel 15 (2) (d) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning (2015) vir die onderverdeling van Erf 15756 in 4 gedeeltes naamlik Gedeelte 1 ($\pm 2942\text{m}^2$ - Konvensioneel Residensieel Sone), Gedeelte 2 ($\pm 2901\text{m}^2$ - Konvensioneel Residensieel Sone), Gedeelte 3 ($\pm 3970\text{m}^2$ - Konvensioneel Residensieel Sone), en Gedeelte 4 (Restant Pad $\pm 988\text{m}^2$ - Publieke Pad en Parkering).
4. Aansoek in terme van Artikel 15 (2) (l) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning (2015) vir die wysiging van die goedgekeurde De Bosch Argitektoniese Riglyne.

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 tydskedule van die publieke deelname proses by die volgende adres: [\[https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements\]](https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements). Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terme 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 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;

- o 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: (Emile van der Merwe Stadsbeplanning Konsultante/emilevdm@adept.co.za.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **15 Maart 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 (021-8865050/0845566461 gedurende normale kantoor ure.

Die uwe

EMILE VAN DER MERWE



EMILE VAN DER MERWE
town planning consultants

2020-11-06

My ref: Erven 15756 Stellenbosch

LU/11780

Stellenbosch Municipality
Department Planning and Development
PO Box 17
STELLENBOSCH
7599

Dear Sir/Madam

ERF 15756 DE BOSCH ESTATE, STELLENBOSCH

The application as submitted during August 2020 (LU 11780) in respect of the application submitted on Erven 15756 and 15757 De Bosch Estate and my discussion with Mr U. von Molendorff has reference.

The application is hereby amended as follows:

1. Application in terms of Section 15 (2) (h) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the amendment of a condition of approval (condition 1.2.2 imposed in the letter of approval dated 2006-09-28) in order increase the number of approved erven from 20 to 22 (2 additional erven).
2. Application in terms of Section 15 (2) (a) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the rezoning of Erf 15756 from Conventional Residential to Subdivisional Area to accommodate the zonings of Conventional Residential Zone and Public Roads and Parking Zone.
3. Application in terms of Section 15 (2) (d) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the subdivision of the subdivisional area into three (3) Conventional Residential zoned erven and Remainder public road.

Emile van der Merwe | Stellenbosch | Tel: 021 885 2111 | Fax: 021 885 2112
100, Du Toit Street | PO Box 17, Stellenbosch 7599 | Email: emile@emilevan.com

EvdM Town Planning Services CC Reg. No. 2005/162249/23
Emile van der Merwe URP(SA) B. Hon. M(URP) MSAPI

4. Application in terms of Section 15 (2) (l) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the amendment of the approved De Bosch Architectural Guidelines.

Included hereby please find the following:

Appendix 1	:	Background and motivation
Appendix 2	:	Rezoning and subdivision approval
Appendix 3	:	Locality Plan
Appendix 4	:	Copy of Title Deed
Appendix 5	:	Conveyancer certificate
Appendix 6	:	Resolution and Power of Attorney
Appendix 7	:	Approved General Plan
Appendix 8	:	Site and Subdivisional Plan
Appendix 9	:	Approval letter from De Bosch Home Owners Association
Appendix 10	:	Letter from developer – compliance with De Bosch Constitution
Appendix 11	:	Addendum to Architectural Guidelines
Appendix 12	:	Completed application form
Appendix 13	:	Pre-application scrutiny response

Note: A revised services report will be submitted to your department as well as the Directorate Infrastructure Services.

Attached hereby please find the map indicating the interested and affected parties and properties that may be impacted on by the proposed application and who needs to be notified during the public participation period. Due to the urgency of the matter it will also be appreciated if your department can provide this office with the instruction to advertise to your earliest convenience.

Thanking you in anticipation.

Yours faithfully



EMILE VAN DER MERWE

EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

APPENDIX 1

BACKGROUND AND MOTIVATION

ERF 15756 , DE BOSCH ESTATE

1. BACKGROUND

The Western Cape Government: Department of Environmental Affairs and Development Planning on 2006-09-28 granted approval for the following:

1. The amendment of the Stellenbosch Urban Structure Plan in terms of Section 4(7) of the Land Use Planning Ordinance, 1985 to permit urban development on a portion of Farm 1374/1 Stellenbosch for residential use; and
2. The rezoning of the property in terms of Section 16 and 42(1) of the Land Use Planning Ordinance from Agriculture to Subdivisional Area with the zonings of Residential Zone I and Transport Zone II, subject to conditions.

The letter of approval from the Competent Authority is attached as **Appendix 2**.

The approvals referred to above and the subsequent approvals of the subdivisional plan and other statutory conditions by the Stellenbosch Municipality permitted the development known as the Bosch Estate. The said development since its inception has become one of the most sought after residential developments in town and it has contributed to the broadening of the Stellenbosch Municipal tax base. The Bosch Estate in terms of the current updated municipal valuation has a total valuation value of approximately R350million.

The following report will show that the development proposals are consistent with the current planning legislation and associated approved framework and that it will not have a negative impact on the original design context as well as the general amenity and welfare of the neighbourhood.

2. APPLICATION

1. Application in terms of Section 15 (2) (h) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the amendment of a condition of approval (condition 1.2.2 imposed in the letter of approval dated 2006-09-28) in order increase the number of approved erven from 20 to 22 erven(2 additional erven).
2. Application in terms of Section 15 (2) (a) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the rezoning of Erf 15756 from Conventional Residential to Subdivisional Area to

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accommodate the zonings of Conventional Residential Zone and Public Roads and Parking Zone.

3. Application in terms of Section 15 (2) (d) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the subdivision of the subdivisinal area into three (3) Conventional Residential zoned erven and Remainder public road.
4. Application in terms of Section 15 (2) (l) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for the amendment of the approved De Bosch Architectural Guidelines.

3. LOCATION AND ACCESS – REFER TO APPENDIX 3 – LOCALITY PLAN

The De Bosch Estate is located on the western periphery of Die Boord neighbourhood and gains access from Saffraan Avenue.

LOCALITY PLAN



4. OWNERSHIP AND SIZE

The property is owned by the Rivierbosch in accordance with the Title Deed attached as **Appendix 4**. In terms of the Conveyancer certificate (**Appendix 5**) it is evident to note that there are no restrictive conditions that limits the rezoning and subdivision.

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The restrictive conditions set out in D1 and D2 of the respective title deeds will be maintained and adhered to. The proposal complies with the said conditions and the approval of the De Bosch Home Owners Association and original developer has been obtained in this regard.

The attached Conveyancer certificates further confirms that Clause E is no longer applicable due to the effluxion of time.

The resolution and power of attorney is attached as **Appendix 6**. The approved General Plan is attached as **Appendix 7**.

- Erf 15756 is 1,0803 ha in extent as per General Plan 220/2007

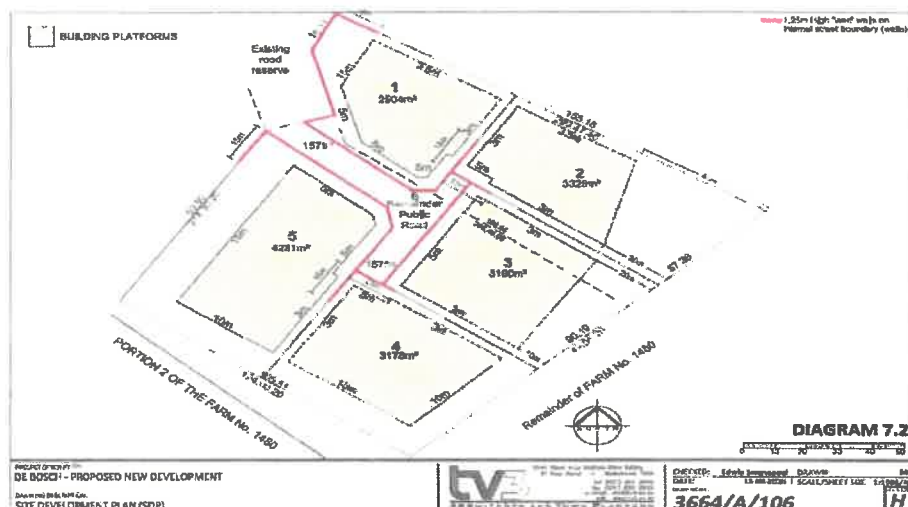
4. ZONING AND LAND USE

The properties are zoned Conventional Residential Zone in terms of the Stellenbosch Municipal Land Use Planning By-Law (2019). Erf 15756 currently accommodates horse stables. The conventional zoning rights on the said property have vested with the development of the De Bosch Estate. The existing horse stable building (approved by means of a temporary departure) will be demolished to accommodate the new development..

5. DEVELOPMENT PROPOSAL – APPENDIX 9

The original development proposal prepared by TV3 Architects and Planners made provision for the subdivision of the consolidated property to accommodate five residential erven. The said development proposal was approved by the De Bosch Home Owners Association.

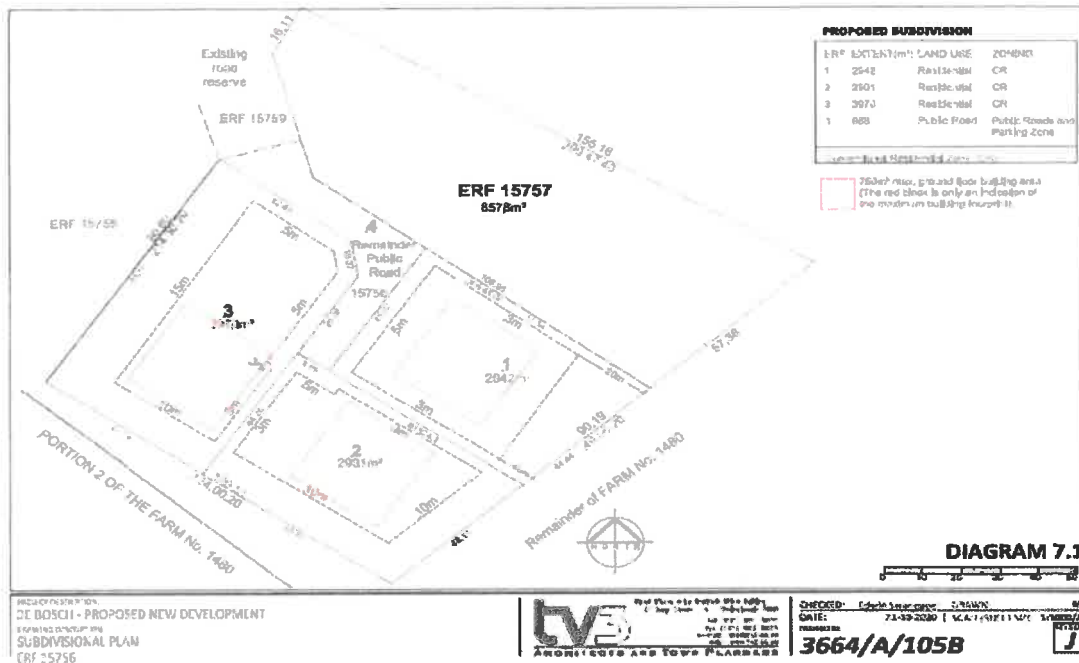
ORIGINAL LAYOUT



ERF 15756, DE BOSCH ESTATE

In terms of the revised/amended application has Erf 15757 been omitted from the development and only entails the rezoning and subdivision of Erf 15756 as per the site and subdivisional plan indicated below.

REVISED DEVELOPMENT PROPOSAL



The above-mentioned proposal will provide a high quality low density residential development that will not detract from the original design intent and planning principles that permitted the establishment of the De Bosch Estate. The said development will still provide a soft edge buffer with a low density residential between the Boord residential neighbourhood to the east and the agricultural properties to the south.

It is further evident to note that the zoning rights will not allowed for the development of a second dwelling on the property as per the conditions imposed by the Home Owners Association. The said condition will be carried forward in the respective Title Deeds of the respective properties.

The above-mentioned proposal is consistent with the development objectives and parameters (Conventional Residential Zone) of the Stellenbosch Municipal Zoning By-Law (2019) with reference to the following:

- The land will be used for single dwelling houses.

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- The quality and character of the residential area will be maintained to ensure a safe and pleasing living environment.
- The proposal will not jeopardize the amenity, welfare and safety of the neighbourhood
- The proposal is consistent with a moderate form of densification within the urban edge.

Development impact – refer to Architectural Guidelines attached as Appendix 12

The development impact will be similar to the existing architectural character of the Estate and will be limited with regard to the following:

- Coverage – Maximum of 750m² as allowed in terms of the zoning scheme.
- More restrictive building lines to maintain and mitigate the visual impact on surrounding properties.

As mentioned the development impact will be further limited in terms of the restriction imposed by the HOA in respect of the development on second dwellings on the properties. The current Stellenbosch Municipal Zoning Scheme By-Law (2019) as a primary use allows for the development of a second dwelling on properties zoned Conventional Residential Zoning. A total number of two (2) dwelling houses therefor could have been developed in terms of the existing zoning rights. The proposed application for rezoning to subdivisional area will only lead to the development on one (1) additional dwelling house.

Apart from the more restrictive development parameters (building platform and buildings) the development will be executed in terms of the same architectural guidelines that currently applies to the Estate.

De Bosch Special Management Trust

The De Bosch Special Management Area Trust Fund with the trust deed has been established in compliance with Condition 1.2.9 of the letter of approval with the development of the Bosch Estate. The Trust is managed by the Trustees of the De Bosch Home Owners Association and is funded by a 1% contribution of the sale price of each dwelling house/erf on the Estate. The said condition is also applicable to the newly created erven in accordance with the approved Constitution of the De Bosch Estate. The said contribution is paid into a separate investment account and feedback pertaining to the utilisation of the funds by the Trustees is incorporated in the financial statements that are presented at the Annual General Meeting of the Home Owners Association. The said funds inter-alia have been used for the upgrading, stabilisation

and rehabilitation of the river bank, removal of alien vegetation and improvements of the communal areas within the Estate.

6. LEGISLATIVE AND POLICY CONTEXT

6.1 Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and Western Cape Land Use Management Act (2014)

The afore-mentioned legislative provides the norms and standards and guiding principles to which development applications must comply and assessed. The application inter-alia is consistent with the following guiding principles.

- Promote land development that is spatially compact, resource –frugal and within the fiscal, institutional and administrative means of the Stellenbosch Municipality.
- Protection of prime unique and high potential agricultural land.
- Uphold consistency of land use measures in accordance with environmental management instruments
- Promote land development in locations that are sustainable and limit urban sprawl
- Protection of high biodiversity areas and heritage and tourism resources
- Optimise the use of resources and infrastructure in a just and efficient manner
- Integrate social, economic and institutional aspects of land development

Desirability In terms of Section 49 (d) of the Western Cape Land Use Planning Act (2014) is defined as the degree of acceptability of a specific proposal on a property within and existing natural or built environment. An important factor when assessing such a proposal is the extent to which the proposal complies with the overarching national, provincial and local planning guidelines and spatial frameworks. With reference to the development proposal your attention in this regard is drawn to the following:

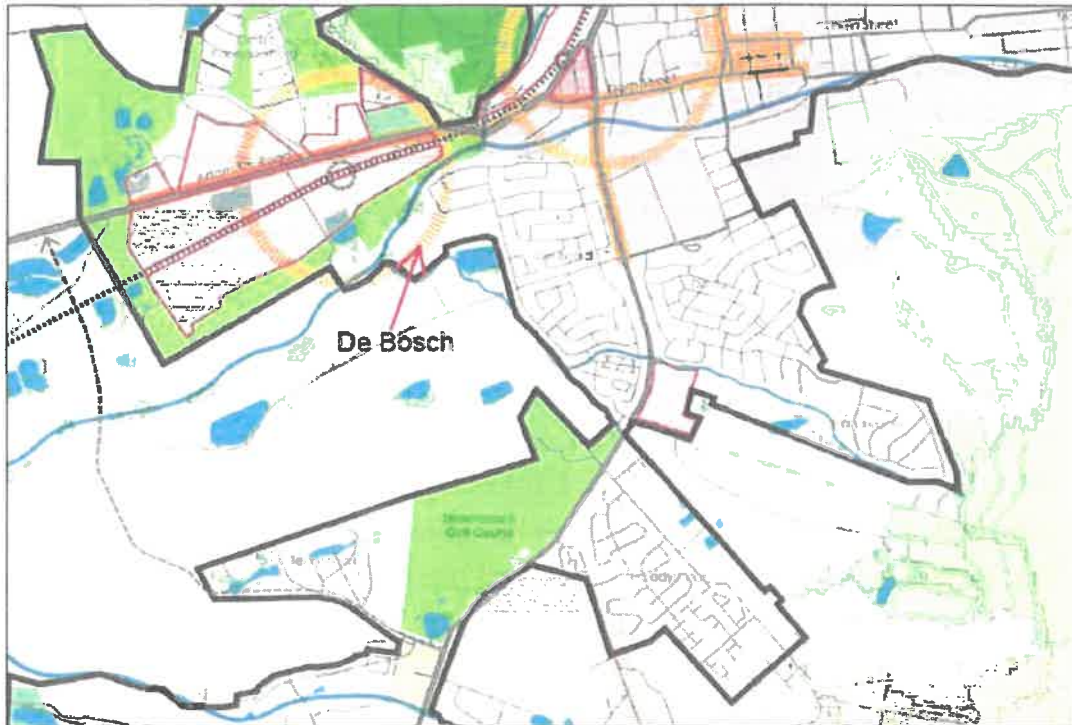
6.2 Stellenbosch Municipal Spatial Development Framework (SMSDF)

The Stellenbosch SDF has been approved by Council during November 2019 is founded on the principles of the Spatial Planning and Land Use Management Act and the Western Cape Land Use Planning Act as well other relevant legislation. The SDF places a renewed and key focus on the protection of agricultural and farming land and the conservation of the natural and biodiversity areas. A key focus area relates to the densification of suitable areas that have been earmarked for development inside approved the urban edge.

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The development proposal in relation to the approved urban edge is shown on the map below.

Extract: Approved Stellenbosch Municipal Spatial Development Framework November 2019



The development proposals are in support of the principles of the SDF and it is consistent with the development principles that support sustainable development. .

8. SERVICES – APPENDIX 13

A revised civil services report will be submitted by Bart Senekal Consulting Engineers. Since the number of erven has been reduced it is argued that the revised proposal can be accommodated within the existing level capacities of the Municipality.

9. CONCLUSION

The development proposal is considered desirable from a planning and land use management perspective with regard to the following:

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- The application is consistent with the Integrated Development plan and the Spatial Development Framework of the Stellenbosch Municipality
- The application property is located within the urban edge and are zoned for residential development.
- The proposal allows for a moderate form of densification as promoted on national, provincial and local planning policy level.
- The Conventional Residential Zoning of the properties will be maintained.
- The development is consistent with the with the surrounding character of the area
- The approval of the De Bosch Home Owners Association in respect of the nature and scale of the development with regard to density and development impact has been obtained
- The proposal will not have an significant impact on the service level capacities of the Municipality and can be accommodate within the existing bulk infrastructure network
- The development complies to and is consistent with the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act (2013), the principles referred to in Chapter VI of the Land Use Management Act, (2014) and the provisions of the Stellenbosch Zoning Scheme By-Law (2019) and the Stellenbosch Municipal Land Use Planning By-Law (2015)

In light of the above report and supporting documentation it is trusted that the Stellenbosch Municipality favourably will consider the application on Erven 15756 Stellenbosch.

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APPENDIX 2

REZONING AND SUBDIVISION APPROVAL

13-74/1
17

Verwysing
Reference:
IsiXhiso
Navrae
Enquites
Imibuzo
Datum
Date
Umlilo

E17/2/2/1/AS10/Farm 1374
Ms B. Nkwateni



Department of Planning and Economic Development Services
Department of Environmental Affairs and Development Planning
ISebe leMictimbi yeNdalo esiNgqongileyo noCwangciso loPhuhliso

The Municipal Manager
Department of Planning & Economic Development Services
Stellenbosch Municipality
P.O Box 17
Stellenbosch
7599

FILE NR:	Farm 1374/1/88
SCAN NR:	555
COLLABORATOR NR:	74878

Dear Sir

APPLICATION FOR AN AMENDMENT OF URBAN STRUCTURE PLAN, REZONING AND SUBDIVISION OF FARM 1374/1, STELLENBOSCH

1. Your letter Farm 1374/1 dated 16 March 2005 has reference.
- 1.1 The Competent Authority for the administration of the Land Use Planning Ordinance has in terms of section 4(7) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) granted approval for the amendment of the Stellenbosch Urban Structure Plan from Agricultural to Urban Development in order to permit the use of that section of Portion 1 of Farm 1374, Stellenbosch which is currently designated for agricultural purposes for residential use.
- 1.2 The Competent Authority for the administration of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) has, in terms of section 16 and 42(1) of the said Ordinance, granted approval for the rezoning of a portion of Portion 1 of Farm 1374, Stellenbosch from Agriculture to Subdivisional Area with zonings for Residential zone I and Transport zone II, subject to the following conditions:

Utilitasgebou, Dorpsstraat 1
Private Sak X3086 Kaapstad 8000

Utilitas Building, 1 Dorp Street
Private Bag X3086 Cape Town 8000

Tel No.: (021) 483 8780
Fax No.: (021) 483 3533

1.2.1 The applicant must submit a revised plan of subdivision for further consideration by Council. Such plan must provide for the required riverine corridor of private open space of at least 30m and be zoned Private Open Space; a site for a sewerage pump station with access and must clearly identify a building platform area of maximum 1000m² of each residential erf to which area the construction of all buildings will in future be restricted. The plan and/or accompanying documentation must also give clear indication of the provision made for refuse removal from the individual properties as per agreement with Council.

1.2.2 The development must be limited to 20 erven as indicated on the attached layout plan. The development parameters applicable to the erven, to be zoned Residential Zone I, will be the following:

(a) Maximum height of 8m measured from the natural ground level to the roof pitch.

(b) The maximum size of the dwellings will be limited to 500m².

(c) If the Council is of the opinion that it will not have a significant negative impact, the 500m² size restriction can be relaxed after receiving a written request from the applicant.

(d) All the other parameters and restrictions as prescribed for Residential Zone I in terms of the applicable Zoning Scheme.

1.2.3 Buildings may only be erected above the 1:50 year flood line.

1.2.4 The layout plan must be amended to make provision for sewerage pump station as well as suitable Municipal access to the site. ✓

1.2.5 The normal main service contribution of the Council will be applicable.

1.2.6 The developer must submit to the Council a Site Development Plan inclusive of Architectural Design Guidelines and a Landscape Master Plan for the development.

The latter should cover both the hard and soft landscaping proposals for the development and should include items such as project and individual site fencing, site illumination and signage as well as the restoration, rehabilitation and future landscaping of the river corridor.

1.2.7 A Special Management Area shall be applicable over the entire site. The applicants must draw up an Environmental Management System, addressing, inter alia, all environmental issues e.g. rehabilitation, erosion and management of the river and the rehabilitation of the land on the farm. The recommendations as made in the specialist studies for rehabilitation and management, visual impact, etc. must also be included in the EMS. The EMS must be submitted to Council before any building plans shall be considered. The Council must be kept informed on the audits to be undertaken periodically by the independent auditor on the implementation and compliance with the stipulations of the Environmental Management System.

1.2.8 The Ecologically sensitive river areas on the property must be reserved for inclusion into an ecological corridor in the future. All owners must be part of a sectoral plan to be drawn up in future by the local authority as earmarked in the Winelands Integrated Development Framework.

1.2.9 A Trust Fund be established for the purposes of the issues set out in paragraph 11.1.2.7 above. A cash contribution of 1% of the sale price of each dwelling on the first and all subsequent transfers must be made available to a Trust upon transfer, to comply with the concept of the "Special Management Area". This condition must be taken up in the Constitution of the Home Owners Association, the Deed of Sale and the Deed of Transfer. The Trust Deed must be submitted and approved by Council before registration of units is undertaken and before any clearance for transfer purposes shall be provided by Council.

✓
1.2.10A Home Owners Association must be established for the entire property. All homeowners shall be members of the Association. A new constitution must be drawn up and submitted to Council for approval. The constitution must also include the issues on the Trust, architectural and design guidelines.

✓
1.2.11 The colour of all walls, doors, windows, roofs, etc. must be sympathetic to the character of the area and blend in with the surrounding landscape. All materials used in the construction of buildings on the property must complement the character of the environment. Architectural guidelines and development parameters must be drawn up and included in the constitution of the Home Owners Association.

1.2.12 Building plans for all proposed buildings must be submitted to the Council and the Heritage Committee for approval.

1.2.13 A general plan for the newly created erven and footprints must be submitted to the ✓ Council for clearance and record purposes.

1.2.14 A report on job opportunities and the parameters that developers are going to put in place to ensure that local residents of Stellenbosch will benefit and retain these opportunities, must be submitted to the satisfaction of the Council, before any building plans will be considered.

✓ 1.2.15 The stipulations of Sections 26, 27, 28 and 31 of the Land Use Planning Ordinance, 1985 (No 15 of 1985), be complied with.

✓ 1.2.16 The stipulations of Regulations 37, 38 and 39 of the Section 47(1) Regulations promulgated by PN 1050 of 1988, be complied with.

✓ 1.2.17 The conditions of the Municipality's Director: Engineering and Technical services must be adhered to.

1.2.18 Pro rata contributions for main electrical services shall be payable to the Council.

1.2.19 The developer shall be responsible for the total costs of the electrical network and street lighting of the development to the satisfaction of the Council.

1.2.20. The developer must appoint an electrical consulting engineer that can negotiate with the Council regarding the following:

- (a) the design of the electrical distribution system;**
- (b) the provision of street lighting;**

- (c) the positioning of the substation and related equipment;**
- (d) the standard of electrical services;**
- (e) the electrical supply of the development;**
- (f) the extent of electrical supply to erven;**
- (g) the possible damage to existing services; and**
- (h) the compliance to the requirements of Telkom.**

1.2.21 The conditions as set out in the Record of Decision, E12/2/2/1 – 105 Farm 1374/1 dated 2003-10-25 of the Department of Environmental Affairs and Development Planning, must be adhered to.

1.2.22 No pollution, including noise pollution, may take place on the property. All health regulations must be complied with. Where noise is concerned, the Environmental Conservation Act, Act 73 of 1989, as well as the SABS code of conduct 0103-1994, must be used as a guideline and shall be the owner's responsibility.

1.2.23 The requirements of the National Water Act, 1998, the Water Service Act, 1997 and the Environmental Conservation Act, 1989, must be adhered to at all times.

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

1.2.25 The rezoning shall lapse if the development rights is not exercised within a period of two years.

1.2.26 The applicant shall be responsible for all costs necessary to comply with all the conditions unless otherwise specified.

1.2.27 The owner or his assignee confirm in writing that the aforementioned conditions are understood and shall be adhered to, before any clearance shall be given by Council.

1.2.28 These conditions of approval imposed must be made known to any new owner and/or developer and shall be binding on any new owner and/or developer.

1.2.29 The Council reserves the right to impose further conditions subject to the approval of the Director: Integrated Environmental Management: Region A of the Department of Environmental Affairs and Development.Planning, if needed.

1.2.30 That there will be no gated entrance to the development, in order to allow for an inclusive relationship between this development and the surrounding Die Boord area.]

Yours faithfully


HEAD OF DEPARTMENT

APPENDIX 3
LOCALITY PLAN

APPENDIX 4
COPY OF TITLE DEEDS

BTG

310
DERCKSEN & CO
P O Box 1476, STELLENBOSCH 7599

Prepared by me,

Conveyancer
E J J DERCKSEN

FEE
R. 340,00

30
GER. ANGELEER
DEED OF TRANSFER NO T.
OR ENDORSEMENT OF PAGE

T000030253 / 2007

KNOW ALL MEN WHOM IT MAY CONCERN:

THAT ~~ANNECKE-LOUW~~ **ELSJE JACOBA JOHANNA DERCKSEN**
appeared before me, Registrar of Deeds, at Cape Town, the said Appearer,
being duly authorised thereto by a Power of Attorney, granted to him/her, by

THE TRUSTEES FOR THE TIME BEING OF F J D TRUST
NO IT2390/1995

dated the 26th of March 2007
and signed at STELLENBOSCH

DATA / VERIFY
05 JUN 2007
BARLOW M

DATA / CAPTURE
27 MAY 2007
WILLIS I

R

and the said Appearer declared that the transferor/s had on the 24 January 2007 truly and legally sold to, and that he/she, in his/her capacity aforesaid, did by these presents, cede and transfer to and on behalf of

**THE TRUSTEES FOR THE TIME BEING OF RIVIERBOSCH TRUST
NO IT3159/2006**

its successors in office or Assigns

in full and free property

1. **ERF 15755 STELLENBOSCH**
in the Municipality and Division Stellenbosch,
Western Cape Province

IN EXTENT: 1,8015 (One comma Eight Zero One Five) Hectares

As will appear from General Plan S.G No 220/2007 and held by Deed of Transfer No T10983/2005

A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T9218/1935.

B. **SUBJECT FURTHER** and **ENTITLED** to the benefits of the condition marked "C" contained in the Annexure to Deed of Transfer No T5457/1901, which reads as follows:

"C. Alle water tot het besproeien van de Plaats Libertas zullen gelykelyk worder verdeeld te weten: drie dagen per week, Maandag, Dinsdag en Woensdag voor den eigenaar van het oorspronkelyke deel van de Plaats Libertas, en drie dagen Donderdag, Vrydag en Zaterdag, voor den eigenaar van het andere deel der plaats. Alle drinkwaters en dam waters zullen voor gemeenzaam gebruik zyn. Het watervoor of de watervoren zal of zullen door beide partyen in orde moeten worden gehouden, alsmede zullen er drie voeten gronds moeten gelaten worden aan beide zynden van het watervoor of de watervoren tot het schoonmaken ervan."

A

- C. SUBJECT FURTHER to die following endorsement dated the 14th of August 1974 on Deed of Transfer No T14625/1956, which reads as follows:-

"By Notarial Deed of Servitude No. K525/1974 dated 3/7/74 the properties, paras 2 to 6 herein are entitled to (a) a servitude right of waterleading 1 metre wide over Erf 6084 a Portion of Erf 6084 Stellenbosch along the route indicated by the line u',v', v',w', w'x', x',y', on Diagram 9323/1973 annexed to Certificate of Registered Title No T(2)/1974 registered this day, together with ancilliary rights, as will more fully appear from said Notarial Deeds (B) a temporary right of way over the said Erf 6085."

- D. SUBJECT to the following conditions imposed by the Department of Environmental Affairs and Development Planning (Western Cape) when approving on 28 September 2006 the rezoning and subdivision of Portion 1 of Farm 1374 situate in the division of Stellenbosch, in terms of Section 16 and 42(1) of the Land Use Planning Ordinance 15 of 1985, namely:

1. All Homeowners of De Bosch shall be members of the De Bosch Home Owner's Association (hereinafter referred to as the Association) and shall be bound by the constitution of the said Association, including that the property shall not be transferred, alienated or leased without the written consent of the Association, which consent shall only be issued once the Association has satisfied itself that all conditions imposed by the Association have been met.
2. A cash contribution of 1% of the sale price of each dwelling on the first and all subsequent transfers must be made available to the De Bosch Special Management Area Trust Fund ("The Trust Fund"). This cash contribution must be paid to the Trust or provision must be made to the satisfaction of the Home Owner's Association or Managing Agent for the payment thereof before a clearance certificate will be issued by the Home Owner's Association in terms of clause 1 above.

- E. SUBJECT FURTHER to the following condition imposed by and in favour of the Developer when first transferring the herein mentioned property in terms of a Deed of Sale signed between the Purchaser and Developer on the 24th of January 2007:

"No Purchaser shall be allowed to sell his property prior to the erection thereon of a dwelling, within a period of 4 years from the date of approval of General Plan S.G No 220/2007, namely the 27th of February 2007, without first offering the property to the Developer for the original purchase price paid by the Purchaser. All costs of a

A

subsequent transfer to the Developer shall be for the account of the Purchaser".

**2. ERF 15756 STELLENBOSCH
in the Municipality and Division Stellenbosch,
Western Cape Province**

**IN EXTENT: 1,0803 (One comma Zero Eight Zero Three)
Hectares**

As will appear from General Plan S.G No 220/2007 and held by Deed of Transfer No T10983/2005

A. SUBJECT to the conditions referred to in Deed of Transfer No. T9218/1935.

B. SUBJECT FURTHER and ENTITLED to the benefits of the condition marked "C" contained in the Annexure to Deed of Transfer No T5457/1901, which reads as follows:

"C. Alle water tot het besproeien van de Plaats Libertas zullen gelykelyk worder verdeeld te weten: drie dagen per week, Maandag, Dinsdag en Woensdag voor den eigenaar van het oorspronkelyke deel van de Plaats Libertas, en drie dagen Donderdag, Vrydag en Zaterdag, voor den eigenaar van het andere deel der plaats. Alle drinkwaters en dam waters zullen voor gemeenzaam gebruik zyn. Het watervoor of de watervoren zal of zullen door beide partyen in orde moeten worden gehouden, alsmede zullen er drie voeten gronds moeten gelaten worden aan beide zyden van het watervoor of de watervoren tot het schoonmaken ervan."

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R

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1. All Homeowners of De Bosch shall be members of the De Bosch Home Owner's Association (hereinafter referred to as the Association) and shall be bound by the constitution of the said Association, including that the property shall not be transferred, alienated or leased without the written consent of the Association, which consent shall only be issued once the Association has satisfied itself that all conditions imposed by the Association have been met.
 2. A cash contribution of 1% of the sale price of each dwelling on the first and all subsequent transfers must be made available to the De Bosch Special Management Area Trust Fund ("The Trust Fund"). This cash contribution must be paid to the Trust or provision must be made to the satisfaction of the Home Owner's Association or Managing Agent for the payment thereof before a clearance certificate will be issued by the Home Owner's Association in terms of clause 1 above.
- E. **SUBJECT FURTHER** to the following condition imposed by and in favour of the Developer when first transferring the herein mentioned property in terms of a Deed of Sale signed between the Purchaser and Developer on the 24th of January 2007:
- "No Purchaser shall be allowed to sell his property prior to the erection thereon of a dwelling, within a period of 4 years from the date of approval of General Plan S.G No 220/2007, namely the 27th of February 2007, without first offering the property to the Developer for the original purchase price paid by the Purchaser. All costs of a subsequent transfer to the Developer shall be for the account of the Purchaser".

R

WHEREFORE the Appearer, renouncing all the rights and title
THE TRUSTEES FOR THE TIME BEING OF F J D TRUST

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

THE TRUSTEES FOR THE TIME BEING OF RIVIERBOSCH TRUST

its successors in office or Assigns, now is/are and henceforth shall be entitled thereto, conformably to local custom; the State, however, reserving its rights; and finally acknowledging the whole of the purchase price amounting to R400 000,00 (Four Hundred Thousand Rand) to have been duly paid or secured.

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

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds, at
Cape Town on 25 April 2007



q.q.

In my presence,



REGISTRAR OF DEEDS

R


VA00007880/2012

8

T30283/07

Certified a true copy of the duplicate original filed of record in this Registry, issued to serve in place of the original thereof under the provisions of Deeds Regulation No. 68

Deeds Registry
Cape Town



13 NOV 2012

Asst. Registrar of Deeds

APPENDIX 5
CONVEYANCER CERTIFICATES

CONVEYANCER'S CERTIFICATE

I, the undersigned,

ZELDA DE BRUIN

Conveyancer at DERCKSEN & CO, Unit 1 Pleinstraat 43 Building, 43 Plein Street, Stellenbosch, hereby certify that I have examined the records of the Registrar of Deeds at Cape Town and found that:

**Erf 15756 Stellenbosch
in the Municipality and Division of Stellenbosch
Western Cape Province**

Measuring: 1,0803 (One comma Zero Eight Zero Three) Hectares

Held Deed of Transfer Number T30253/2007

is registered in the name of:-

**THE TRUSTEES FOR THE TIME BEING OF
RIVIERBOSCH TRUST
REGISTRATION NUMBER: IT3159/2006**

1. Clause E in Transfer Number T30253/2007 has lapsed due to effluxion of time.



DATED at SOMERSET WEST on this 9 day of April 2020.



ZELDA DE BRUIN
CONVEYANCER



CONVEYANCER CERTIFICATE

1/we Zelda de Bruin
.....
.....

Practising at:

Dercksen & Co
.....
.....

In respect of:

Erf 15756 Stellenbosch
.....
.....
.....

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

1. Deed of Transfer T30253/2007
.....
2.
.....
3.
.....
4.
.....
5.
.....
6.
.....
7.
.....
8.
.....



A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)

Categories		Are there deed restrictions (indicate below)		Title Deed and Clause number if restrictive conditions are found
1.	Use of land	Y	N	
2.	Building lines	Y	N	
3.	Height	Y	N	
4.	Number of Dwellings	Y	N	
5.	Bulk floor area	Y	N	
6.	Coverage/built upon area	Y	N	
7.	Subdivision	Y	N	
8.	Servitudes that may be registered over or in favour of the property	Y	N	
9.	Other Restrictive Conditions	(Y)	N	T30253/2007 Clause D1, D2



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

33:4)

a.	Organ(s) of State that might have an interest in the restrictive condition	
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies	De Bosch Home Owners Association

C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015)	Notarial Deed of Cancellation (Submit Copy of Signed Agreement)	Action by way of court order (Submit Copy of the Court Order)	If Other, Please Specify

Signed at Somerset West (Place) on this 9 (Day) April (Month) of 2020....

Full names and Surname: Zelda de Bruin

Signature: [Handwritten Signature]

PO Box 1476
 Stellenbosch
Stellenbosch
 7899

ZELDA DE BRUIN
 KOMMISSARIS VAN EDE / COMMISSIONER OF OATHS
 PRAKTISERENDE PROKUREUR EN TRANSPORTBESORGER RSA /
 PRACTISING ATTORNEY AND CONVEYANCER RSA
 43 PLEIN STREET / PLEINSTRAAT 43
 STELLENBOSCH

Tel: 021 887 8747

Email: zelda@dercksen.co.za

Cell: 076 736 0901

APPENDIX 6
RESOLUTION AND POWER OF ATTORNEY

**RESOLUTION PASSED AT A MEETING OF THE TRUSTEES FOR THE TIME
BEING OF RIVIERBOSCH TRUST Registration Number IT3169/2006**

HELD AT STELLENBOSCH ON 25 FEBRUARY 2020

RESOLVED THAT:

FRANCOIS JOSEPHUS DERCKSEN in his capacity as a Trustee is hereby authorised to sign all the relevant documents pertaining to the land use applications on ERF 15756 Stellenbosch on behalf of the trustees.

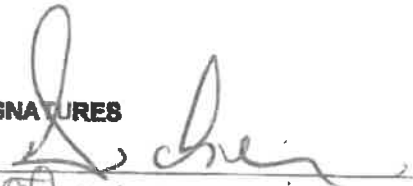

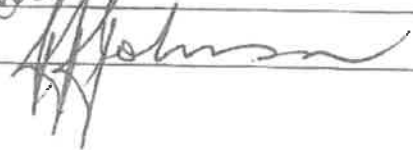
TRUSTEES

FRANCOIS JOSEPHUS DERCKSEN

ELSJE JACOBA JOHANNA DERCKSEN

JOHANNES JACOBUS JOHNSON

SIGNATURES

POWER OF ATTORNEY

THE FJD TRUST, the registered owner of Erf 15757 Stellenbosch, held by Deed of Transfer T58241/2018; and

THE RIVIERBOSCH TRUST, the registered owner of Erf 15756 Stellenbosch, held by Deed of Transfer T30253/2007

Do hereby nominate, constitute and appoint

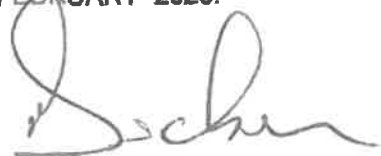
Emile van der Merwe Town Planning Consultants

With the power of substitution, to be my/our lawful Agent in my/our name, place and stead and to make the necessary applications to the Stellenbosch Municipality for the following:

- APPLICATIONS IN TERMS OF SECTION 15 (2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) READ WITH THE STELLENBOSCH ZONING SCHEME BY-LAW (2019)**

On the above mentioned property and to proceed with any required work to the final end and termination thereof and generally of effecting the purpose aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done ; by virtue of these present.

SIGNED AT STELLENBOSCH ON THIS 25 TH DAY OF
FEBRUARY 2020.



**FJ DERCKSEN
TRUSTEE**

APPENDIX 7
APPROVED GENERAL PLAN

COB

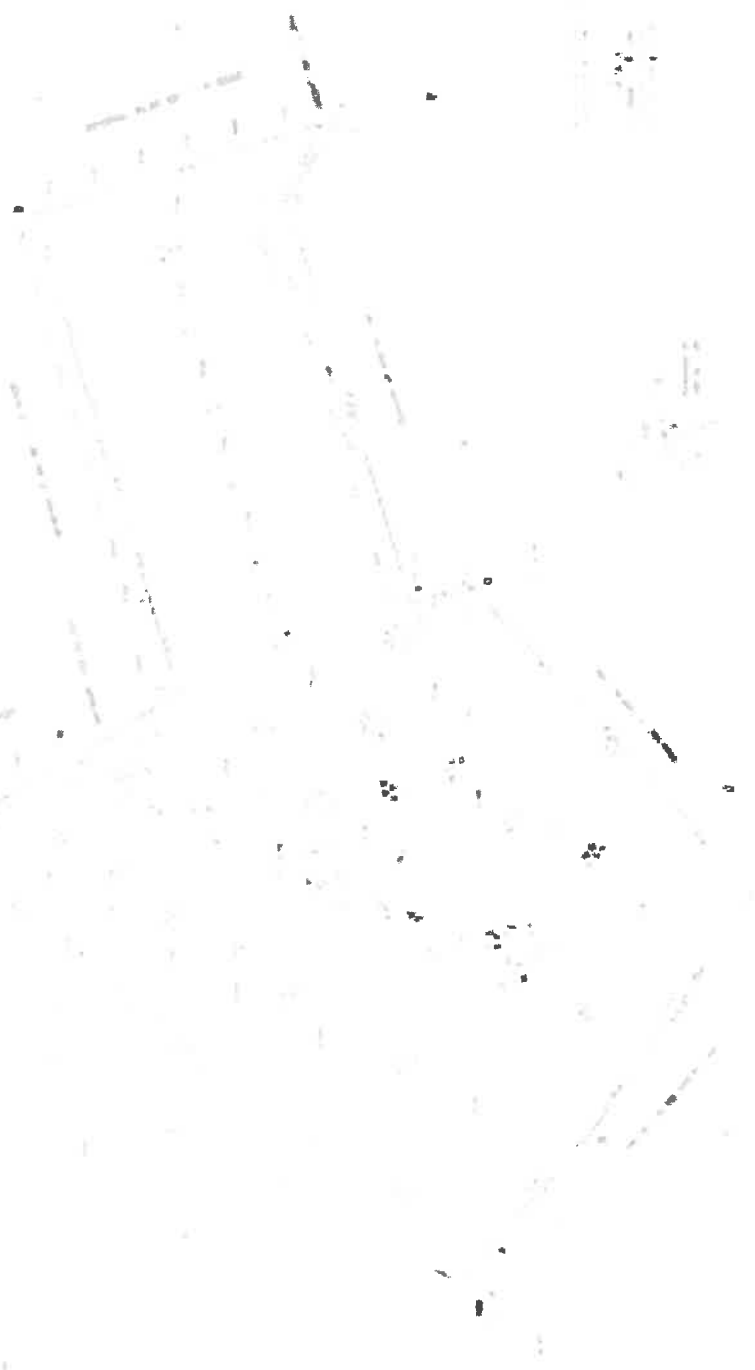
MAPS, PLS. NO. 1000

Subdivision of 200 Acres, Holliston, Mass.

As shown on the map of the City of Holliston, Mass., dated 1900, and on the map of the City of Holliston, Mass., dated 1905.

City of Holliston, Mass., dated 1900, and on the map of the City of Holliston, Mass., dated 1905.

SCALE 1/2" = 100'



220/2017

APPENDIX 8
SITE AND SUBDIVISIONAL PLAN

PROPOSED SUBDIVISION

ERF EXTENT(m ²)	LAND USE	ZONING
1 2942	Residential	CR
2 2901	Residential	CR
3 3970	Residential	CR
4 988	Public Road	Public Roads and Parking Zone

Conventional Residential Zone (CR)

750m² max. ground floor building area
(The red block is only an indication of the maximum building footprint).

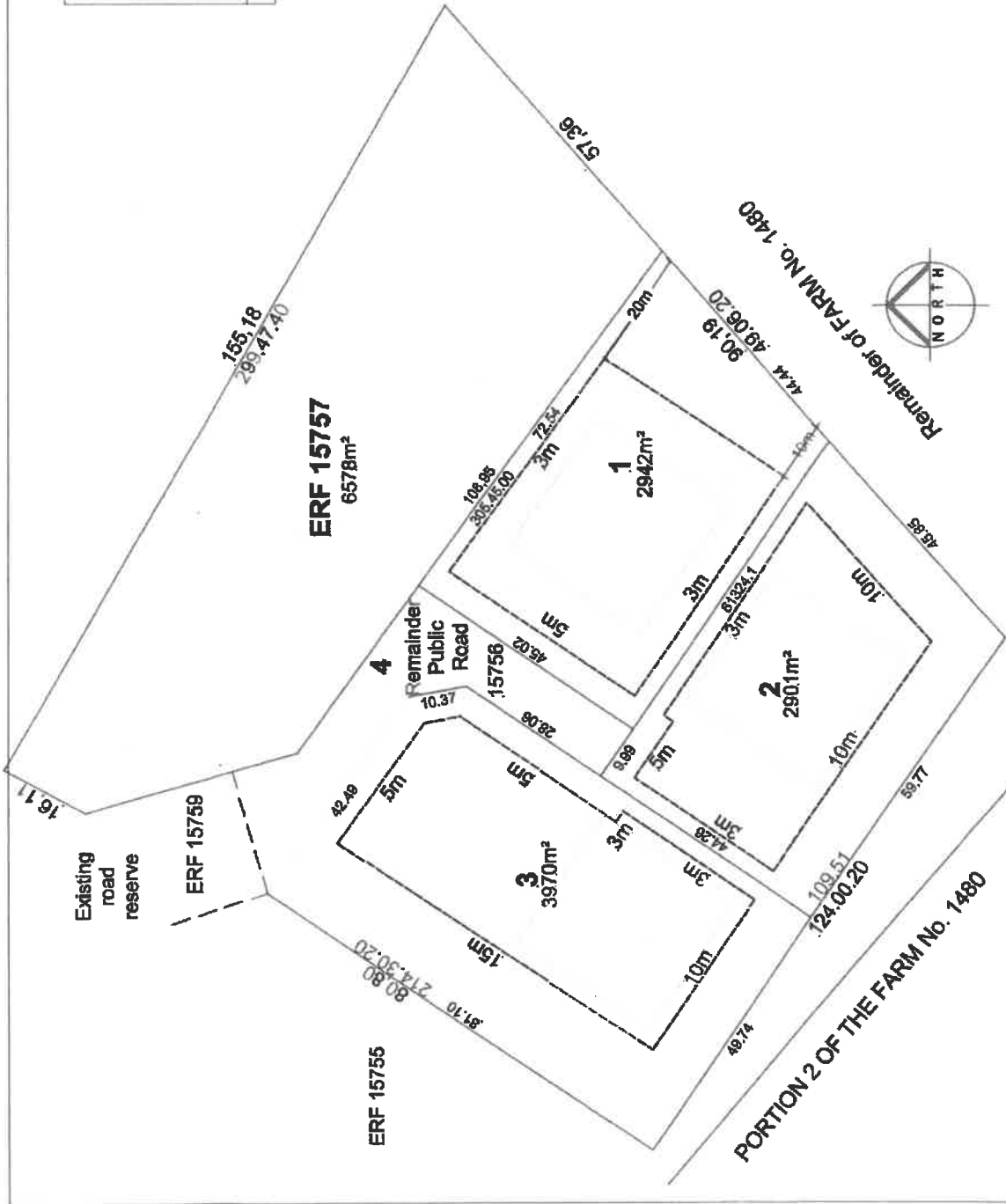


DIAGRAM 7.1



CHECKED: Edwih Swanepoel DRAWN: MC
 DATE: 21-10-2020 | SCALE/SHEET SIZE: 1:1000/64
 DRAWING NO.: 3664/A/105B
 REVISION: J

PROJECT DESCRIPTION:
DE BOSCH - PROPOSED NEW DEVELOPMENT
 DRAWING DESCRIPTION:
SUBDIVISIONAL PLAN
 ERF 15756

First Floor • Luutfabrics Office Building
 87 Deep Street • Stellenbosch 7600
 Tel: (021) 881 3800
 Fax: (021) 883 8025
 e-mail: info@lucifabrics.com
 web: www.lucifabrics.com

lucifabrics
ARCHITECTS AND TOWN PLANNERS

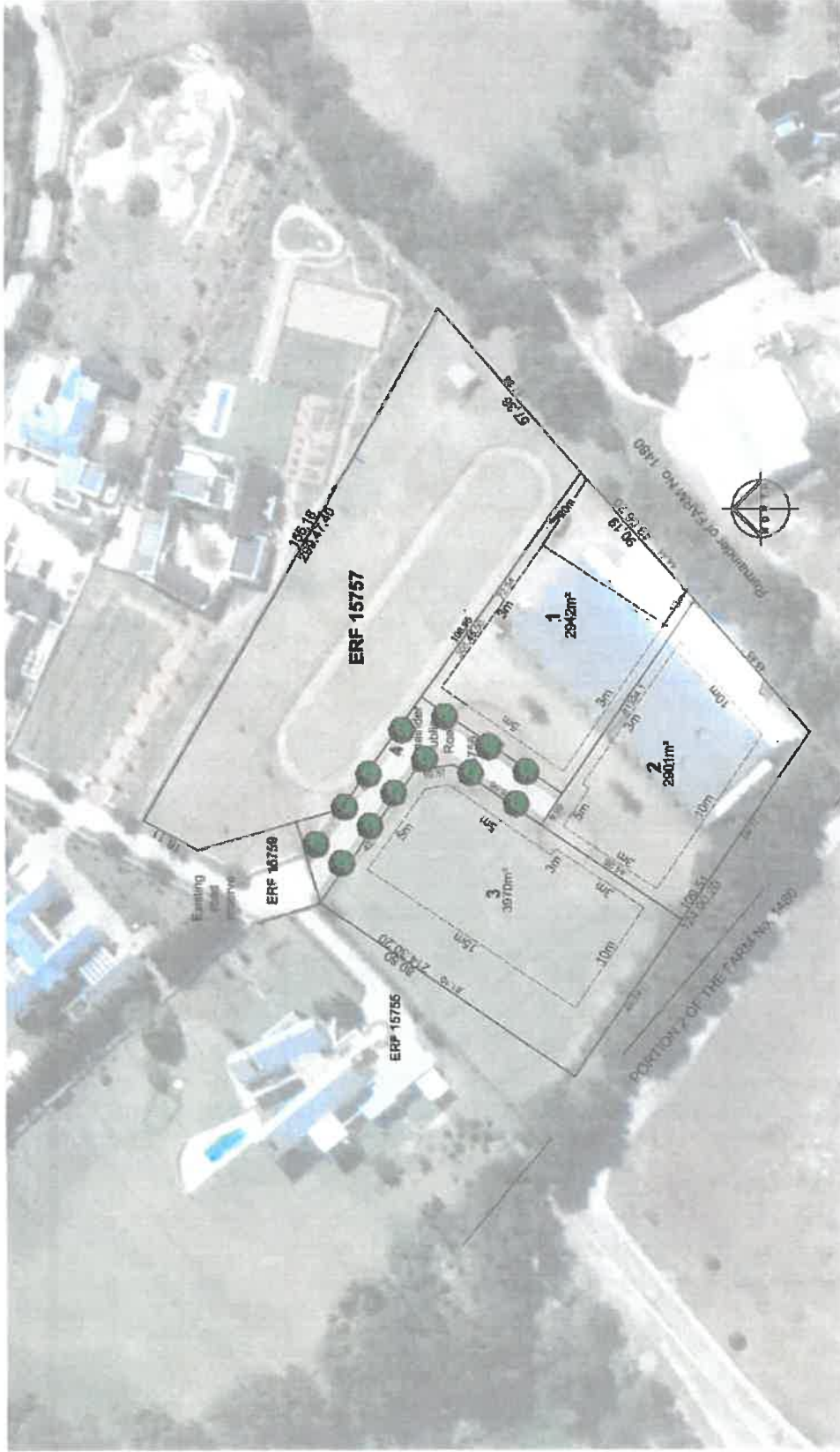


DIAGRAM 7.3

DRAWN: MC
CHECKED: Edwin Swanepoel
DATE: 21-10-2020 | **SCALE/SHEET SIZE:** 1:1500/A3
DRAWING No.: 3664/A/107B
REVISION: J

First Floor • La Gratitude Office Building
 97 Dorp Street • Stellenbosch 7600
 tel (021) 861 3800
 fax (021) 862 8025
 e-mail: stel@tv3.co.za
 web: www.tv3.co.za



PROJECT DESCRIPTION:
DE BOSCH - PROPOSED NEW DEVELOPMENT
DRAWING DESCRIPTION:
SITE DEVELOPMENT PLAN - AERIAL VIEW
ERE 15756

APPENDIX 9

APPROVAL LETTER DE BOSCH HOA

DE BOSCH HUISEIENAARSVERENIGING

Millenniapark
Stellentiaaan 16
Stellenbosch
7600

Posbus 12783
Die Boord
7613

Tel: 021 888 3351
Sel: 082 870 9954

21 October 2020

The Senior Manager
Development Management
Stellenbosch Municipality
Third Floor
Eikestad Mall
7600

Per e-mail:

ATTENTION: Mr. Stiaan Carstens

RE: DE BOSCH - APPLICATION FOR SUBDIVISION ERVEN 15756 & 15757 STELLENBOSCH

We refer to your correspondence dated 8 April 2020 addressed to Emile van der Merwe Town planners, and specifically clause 1.1 thereof requiring the consent of HOA in the application for subdivision.

The De Bosch Home Owners have been in consultation with the developer since April 2020 after an initial request for subdivision of Erven 15756 & 15757 into 9 Erven has been submitted to us. After considering various proposals, the De Bosch Home Owners met on 8 July 2020 and unanimously approved a subdivision of the aforementioned Erven into 5 subdivided Erven, in line with attached diagrams.

We were subsequently informed that the developer sold Erf 15757 to a private buyer, excluding such Erf from any future subdivision development and the developer requested the consent of the HOA for the subdivision of Erf 15756 into 3 Erven.

The HOA therefore consent to the application for rezoning and subdivision of Erf 15756 into 3 Erven upon the following conditions:

TRUSTEES: J P DE VILLIERS, J J PICKARD, J DURAND



DE BOSCH HUISEIENAARSVERENIGING

Millenniapark
Stellentiaaan 16
Stellenbosch
7600

Posbus 12783
Die Boord
7613

Tel: 021 888 3351
Sel: 082 870 9954

-
1. No second dwelling must be permitted on the subdivided Erven and such restriction must be made a condition in each subdivided Title deed.
 2. The maximum ground floor building footprint on each Erf may not be more than 750 m², and the first floor only 60% of the ground floor area, limited a maximum of 400 m².
 3. Additional stringent building lines will apply as is indicated on the attached subdivision diagrams.
 4. All other Architectural Guidelines currently applicable in De Bosch Estate will also apply to the 3 new Erven.
 5. The 1% of selling price contribution to the De Bosch Special Management Trust remains applicable on the 3 new Erven.
 6. All construction of homes on the 3 new Erven must be completed within 4 years after final planning approval has been granted by all relevant authorities to the developer, where after a penalty to be determined by the HOA will be applicable.

We trust that you find the above in order. Please do not hesitate to contact the writer should you have any further enquiries.

Yours Faithfully



JP DE VILLIERS
Chairman
De Bosch HOA

TRUSTEES: J P DE VILLIERS, J J PICKARD, J DURAND

DE BOSCH HUISEIENAARSVERENIGING

**Millenniapark
Stellentiaaan 16
Stellenbosch
7600**

**Posbus 12783
Die Boord
7613**

**Tel: 021 888 3351
Sel: 082 870 9954**

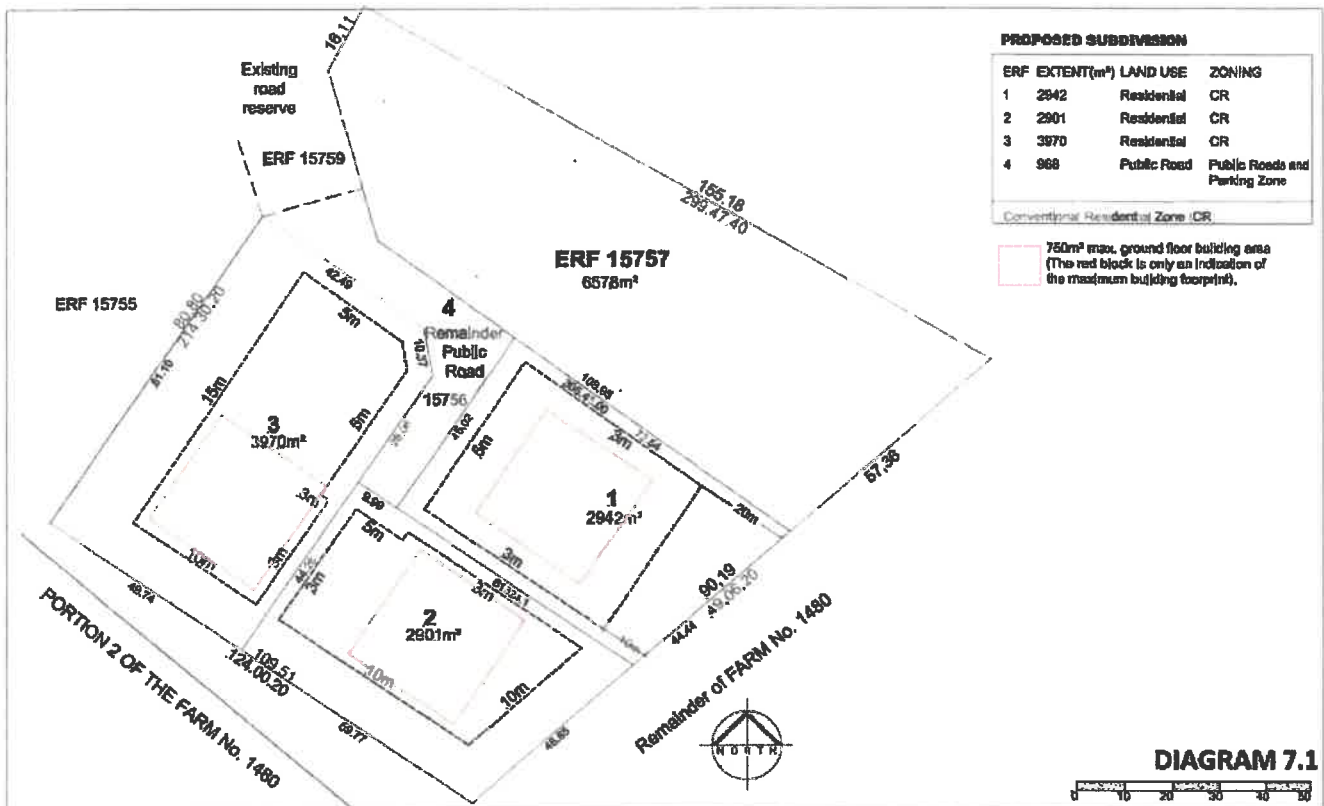


DIAGRAM 7.1



PROJECT DESCRIPTION:
DE BOSCH - PROPOSED NEW DEVELOPMENT
DRAWING DESCRIPTION:
SUBDIVISIONAL PLAN
ERF 15756

tv3
First Floor - La Gracieuse Office Building
87 Deep Street v Stellenbosch 7620
Tel: (021) 888 3350
Fax: (021) 888 3355
e-mail: info@tv3.co.za
www.tv3.co.za
ARCHITECTS AND TOWN PLANNERS

CHECKED: Edwin Swanevooel **DRAWN:** MC
DATE: 23-10-2020 **SCALE/SHEET SIZE:** 1:1000/AA
DRAWING No.: **3664/A/105B**



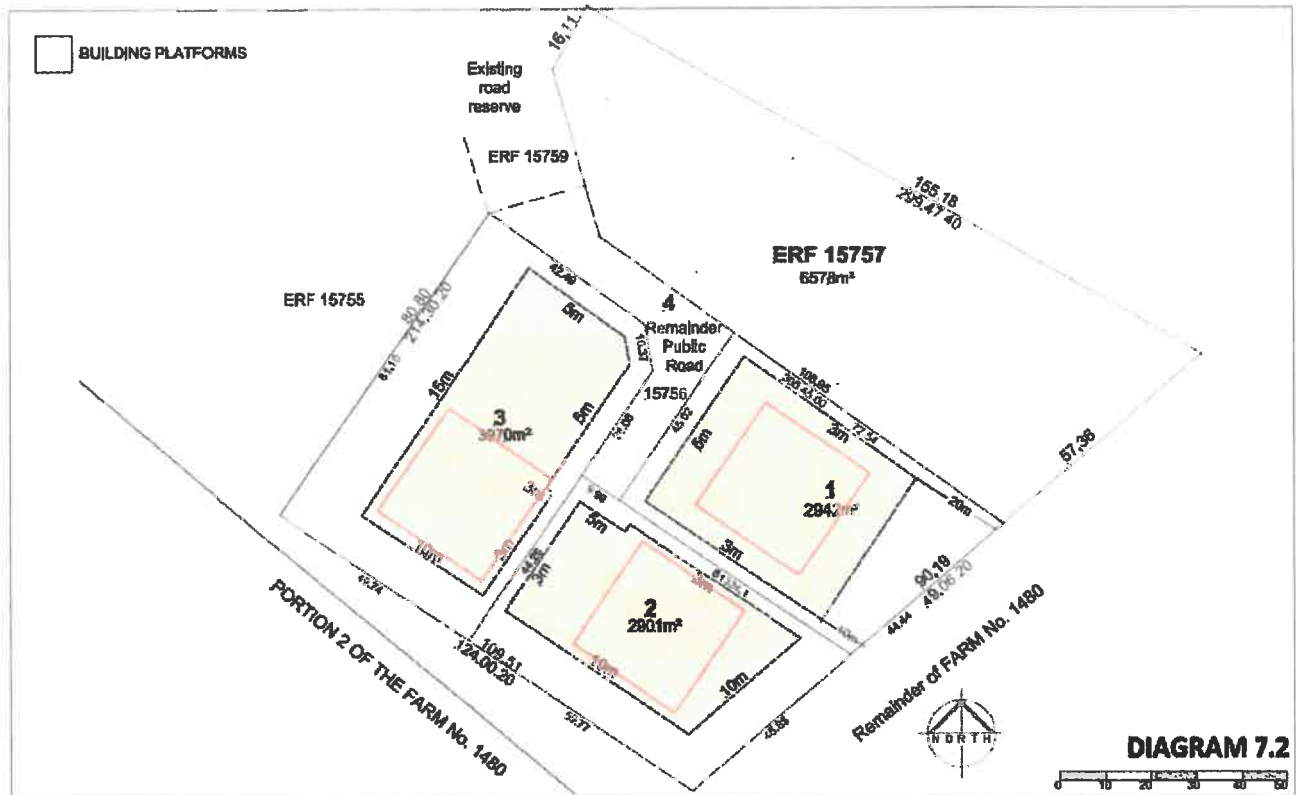
TRUSTEES: J P DE VILLIERS, J J PICKARD, J DURAND

DE BOSCH HUISEIENAARSVERENIGING

Milleniapark
Stellentiaaan 16
Stellenbosch
7600

Posbus 12783
Die Boord
7613

Tel: 021 888 3351
Sel: 082 870 9954



PROJECT DESCRIPTION:
DE BOSCH - PROPOSED NEW DEVELOPMENT

DRAWING DESCRIPTION:
SITE DEVELOPMENT PLAN (SDP)

tv3
ARCHITECTS AND TOWN PLANNERS

First Floor • La Grèbe 616c De Vries
57 Deep Street • Stellenbosch 7600
tel (021) 861 3800
fax (021) 852 8025
e-mail: info@tv3.co.za
www.tv3.co.za

CHECKED: Estelle Swartwood DRAWN: MC
DATE: 28-08-2020 | SCALE/SHEET SIZE: 1:1000/A3
3664/A/106

REVISED
J

TRUSTEES: J P DE VILLIERS, J J PICKARD, J DURAND

DE BOSCH HUISEIENAARSVERENIGING

Millenniapark
Stellentiaaan 16
Stellenbosch
7600

Posbus 12783
Die Boord
7613

Tel: 021 888 3351
Sel: 082 870 9954



DIAGRAM 7.3

PROJECT DESCRIPTION:
DE BOSCH - PROPOSED NEW DEVELOPMENT
DRAWING DESCRIPTION:
SITE DEVELOPMENT PLAN - AERIAL VIEW
REF: 15756

tv3
ARCHITECTS AND TOWN PLANNERS

First Floor • La Graciele Office Building
97 Dorp Street • Stellenbosch 7600
Tel: (021) 881 3800
Fax: (021) 882 8023
e-mail: info@tv3.co.za
web: www.tv3.co.za

DRAWN: MC
CHECKED: Edwin Swanepeel
DATE: 21-10-2020 | SCALE/SHEET SIZE: 1:1500/A3
DRAWING No.: **3664/A/107B**
REVISION: **J**

TRUSTEES: J P DE VILLIERS, J J PICKARD, J DURAND

APPENDIX 10

**LETTER FROM DEVELOPMENT:
COMPLIANCE WITH DE BOSCH
CONSTITUTION**



FJD Trust

38 Church Street/Kerkstraat 38
Stellenbosch
P.O. Box/Posbus 1476
Stellenbosch, 7599
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28 July 2020

The Senior Manager
Development Management
Stellenbosch Municipality
Third Floor
Eikestad Mall
7600

Per e-mail:

ATTENTION: Mr. Stiaan Carstens

**RE: DE BOSCH - APPLICATION FOR SUBDIVISION ERVEN 15756 & 15757
STELLENBOSCH**

As developer of the initial De Bosch Estate we hereby consent to the consolidation, rezoning and subdivision of Erven 15756 & 15757 Stellenbosch into 5 subdivided Erven in accordance with the attached subdivision diagrams.

We trust that you find the above in order.

Yours Faithfully

FRANCOIS DERCKSEN

APPENDIX 11
ADDENDUM TO ARCHITECTURAL
GUIDELINES



Project: P3664
DE BOSCH ESTATE: Phase 2
RESIDENTIAL DEVELOPMENT
Erf 15756 & 15757, Stellenbosch

97 DORP STREET
FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
STELLENBOSCH 7600
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Original : 22 April 2020
Revision A : -

Architectural & Landscaping Guidelines

1. INTRODUCTION

THE REASONS FOR THE MANUAL

The guidelines established in the design manual in response to the special significance of the site will give owners the added benefit of ensuring a consistently high neighbourhood quality. The application of the design manual will also sustain and enhance property values throughout the development.

BACKGROUND TO THE MANUAL

1.2.1 STATUS AND PURPOSE OF THE MANUAL:

In terms of Section 29 of the Stellenbosch Municipal Land Use Planning bylaw (2015) this Manual, being a condition of rezoning and subdivision, has statutory authority.

The development will be subject to the control of the existing Home Owners' Association and the current approved constitution.

TV3 Architects and Town Planners have been commissioned to assess the design of all development on this property and will act as Architectural Assessors.

TV3 Architects & Planners

1.2.2

REQUIRED DOCUMENTATION:

Design submissions to the Architectural Assessors must be prepared by an Architect registered at the South African Council of Architectural Professionals (SACAP), and the DESIGN PACK should include, not less than, the following:

- (1) Sketch Plans to a scale of 1:100 showing:
 - the plan of all floors (inclusive a roof plan and indicating neighbouring structures);
 - all four elevations, including full street elevations up to the side boundaries;
 - a site plan showing sitework including yards, driveways and main landscaping elements;
 - elevations of street boundary walls and gate ways where applicable;
 - 2 x sections in different directions. These sections should clearly indicate proposed excavations and topography.
- (2) A Specification of all external materials and finishes.
- (3) A Colour Schedule of external finishes.
- (4) A4 size "brush out" samples of all external paint colours.
- (5) Any other additional relevant information / documentation required by the Architectural Assessors.

1.3

PROCEDURES

A scrutiny fee of R7 500 (excluding VAT) is payable to the Architectural Assessor with submission of the Design Pack.

Thereafter with any re-submission, including the submission of Local Authority building plans approval, the Architectural Assessor will be remunerated on a cost / time basis in accordance with the current recommended private sector fees for a "principal" architect as published in the latest Government Gazette. This fee will be a minimum amount of R2 500,00 (excluding VAT). Final signing-off / approval by the Architectural Assessor will not be issued before all outstanding accounts are settled.

The Architectural Assessor will consider the drawings and will notify the owner's Architect of the approval, or of any suggested amendments within three weeks after submission of the plans.

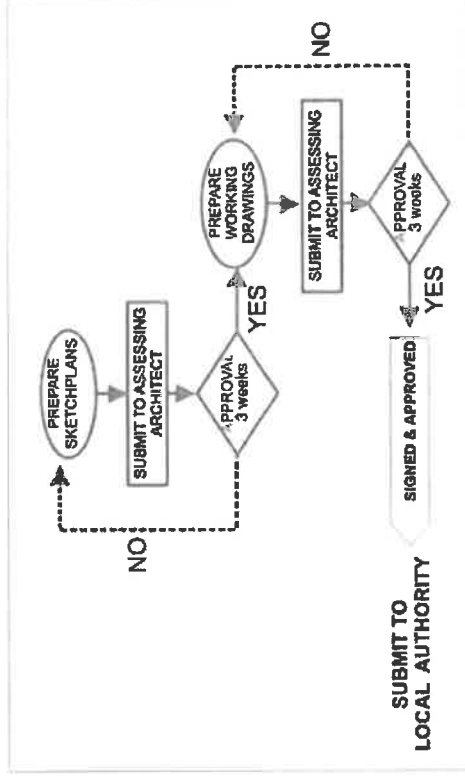
Should the Architectural Assessor suggest any amendment of the design, the owner's Architect must re-submit amended design drawings to the Architectural Assessor who shall confirm within three weeks of submission whether the amendments are accepted.

Before the working drawings may be submitted to the local authority, a copy of the working drawings must be submitted to the Architectural Assessor for final approval. The working drawings are to meet the same requirements as the design drawings and the local authority will only accept working drawings approved and signed by the Architectural Assessors.

A scrutiny fee of R3 500 (excluding VAT) will be payable to the Architectural Assessor for any additional submissions or changes after municipal approval.

Thereafter with any re-submission, including the submission of Local Authority building plans approval, the Architectural Assessor will be remunerated on a time and cost basis in accordance with the current recommended private sector

fees for a "principal" architect as published in the latest Government Gazette. Final approval by the Architectural Assessor will not be issued before all outstanding accounts are settled.



CONCEPT STATEMENT

These architectural guidelines establish the architectural character of the development. In all instances the Local Authority By-Laws and the National Building Regulations are applicable.

The following parameters and constraints were considered:

- The location offers the future resident an opportunity to experience the charm and charisma offered by a **contemporary Cape rural settlement**, directly linked with all the luxuries and amenities offered by Stellenbosch.
- De Bosch Estate borders in the south onto the farm yard of the historical Cape Dutch Libertas homestead, which has been successfully restored – therefore adding to the unique historical Cape setting and rustic rural ambience. In view of the historical sensitive nature of this context, it is of

paramount importance that the local aesthetic and character, or sense of place (i.e. "Genius Loci"), be protected and enhanced at all cost. It is important to note that a sustainable rural estate, like De Bosch, can only retain its synergy and tranquil setting if guidelines are defined and enforced to serve both the character of the community as well as the rights of the individual landowner.

1.4 CONCEPTUAL DESIGN ANALYSIS

When formulating a design approach for De Bosch Estate, bordering onto the prominent historical Libertas Cape Dutch homestead and some of the country's historically most important vineyards and rivers, the following must be addressed:

- HISTORICAL CONTEXT:

The historical context refers to an analysis of the existing structures of historical value, and the subsequent use of a specific contemporary building type suitable to a Residential Estate, that will be modern and contemporary but also compatible to the surrounding area.

- NATURAL CONTEXT:

The Estate is located within an agricultural and wine producing area bordered by two rivers and therefore ecological constraints must come into play within the development. The local campaign to reinstate the "Bosch" in its natural environment (especially along the rivers) must also be considered as an important landscape design element that must be incorporated.

Contextual requirements such as design of the roofscape and colour of the facades so as to best integrate the built forms within the natural topography, agricultural landscape and the mountain backdrop, were considered.

The suggested dark grey roofs blend well with the mountain backdrop and vegetation whereas the typical Cape bright white building facades is to be replaced by earthy (beige to light browns) colours which blend well with the landscape.

For the maximum exploitation of the dramatic surrounding panoramic views from within the Estate, building forms and roof-scape are fragmented to allow views and vistas through and over the building forms.

The De Bosch Estate development concept includes the following:

Various complex contextual and classical design models were developed, tested, refined and eventually abandoned in favour of a simple contemporary rural development concept, that will enhance the idiosyncratic nature of the site.

Dwellings must be designed and executed to retain the features prominent in a typical Cape rural settlement, in a contemporary fashion. The classical design principles from the 18th century, that was introduced by Thibault in the Western Cape area, must be employed as guidelines to determine the larger layout of individual units – this will automatically ensure that the correct use of axis and vistas will be achieved. It is important that the dwellings are closely linked with its rural natural and agricultural surroundings, thereby adopting a more rustic approach, based on the abovementioned classical principles.

Within the above guidelines and restrictions an aesthetic language was formulated to define a unique architectural approach for this development.

1.5 ARCHITECTURAL STYLE

Refer to the attached diagrams A & B, the existing dwellings on the estate, and the collage of photos (diagrams C & D) illustrating the intended architectural language. It is not the intention for submission of new designs to be copies of the above examples / diagrams.

DESIRABLE ARCHITECTURAL APPROACH

- **Contemporary Cape rural vernacular.** The designs should be compatible with the gracious and imposing qualities of Cape Vernacular Architecture.

- Combination of contemporary modern and traditional Cape architectural elements, proportions and scale.
- Designs should adhere to the classical rules of proportion and scale and should complement the rural setting, resulting in a pleasant and tranquil neighbourhood.
- The De Bosch architectural language promotes and incorporates the following:
 - External covered areas / patios.
 - Simple pitched roofs / floating roofs / combination of pitch and enclosed flat roofs.
 - Dwellings should be rectangular in shape and employ in general a vertical proportion.
 - Fragmented, simple rectilinear pitched roof blocks clipped together with flat roof "knuckles".
 - Soft subdued earthy colours and tones.
 - Different textures to create depth and contrasts.
 - "Barn" building form.
 - Corner windows / ribbon windows / large pane windows.

2. BUILDING FORM

2.1 BUILDING DEVELOPMENT PARAMETERS:

- 2.1.1 Zoning: Conventional Residential Zone
- 2.1.2 Coverage:
 - Ground floor: maximum 750m².
 - 1st floor: May not exceed 60% of ground floor coverage. Total 1st floor area may not exceed 400m².
- Note:** *Measuring Coverage: As per the "Stellenbosch Municipality Zoning Scheme By-Law 2019 adopted by Council on 29 May 2019 and effective from 1 November 2019.*
- 2.1.3 Building lines / Building Platform:
The building lines for each erf is described as a building platform and are predetermined for each site. This describes the area to which the building structure or any roofed component must be confined (See SDP attached).

Specific building lines to note:

- a. Erf 1: 20m south east and 10m south -western building lines.
- b. Erf 2: 10m southern building and 10m south-western building line
- c. Erf 3: 10m south-western building line and 15m north - western building line
- d. Erf 4: 10m south-eastern building line (measured from north-eastern corner, parallel to internal road).
- e. Street building lines = 5m and 3m as shown on SDP
- f. All other building lines refer to the attached SDP.

2.2 BUILDING HEIGHT AND PROPORTIONS

2.2.1 Maximum building height:

The maximum height of any dwelling is 8 000 mm measured from the natural ground level to the roof pitch.

3. BUILDING ELEMENTS + MATERIALS

3.1 ROOF

Roof type:

- Saddle roof (primary roof)
- Enclosed flat roof (secondary roof)
- Gable walls not to protrude past roof finish / roof line

Exclusions:

- Mono-pitch
- Hipped
- Hip gable
- Dutch Hip
- Butterfly
- Lean to
- Eaved flat roof

3.1.2 Material: One of the following:

- Single span pre-coated metal roof sheeting with concealed fixing ("Klip-lock" or similar approved).
- S-profile pre-coated metal roof sheeting.
- Concrete flat roofs behind parapets covered with natural stone chip.

- 3.1.3** Colour:
- Charcoal or Dark Grey.
- 3.1.4** Pitch:
- Main structure – double pitch roofs between 40 and 45 degrees.
 - Secondary or linking structures – flat roofs (also garages) obscure from view by use of parapet walls.
- 3.1.5** Protruding timber rafters to be varnished / stained dark.
- 3.1.6** Maximum roof overhang of 500 mm.
- 3.1.7** Steelwork and steel rafters to be painted a dark colour (charcoal or dark grey).
- 3.1.8** Rainwater goods: Gutters to be seamless pre-painted aluminium ogee gutters with rectangular or round downpipes mounted on walls or columns or purposed made galvanized steel, painted dark colour (charcoal or dark grey).
- 3.1.9** Gutters, rainwater & downpipes: Seamless pre-painted aluminium ogee gutters with rectangular or round downpipes mounted on walls or columns.
- 3.1.10** Dormers, roof lights & skylights:
- To be designed as an integral part of the roof structure with vertical penetration using the same pitch as the main roof.
 - Width restricted to 2,500 mm and not exceed 20 % of the roof length.
 - Roof windows – mounted flush with roof material.
- 3.1.11** Fascia & bargeboards:
- Painted or dark varnished timber or painted fibre cement.
 - Maximum width 250 mm.

3.2 EXTERNAL MATERIALS & FINISHES

- 3.2.1** Dwelling walls:
- Walls must be plaster and painted.
 - Plinths and detailing of approved (stipple) texture plaster may be used.
 - No face bricks, semi-face bricks or exposed concrete blocks are permitted.
 - Texture paints and/or pigmented plasters are encouraged to give depth and contrasting textures.

3.2.2 External wall colours:

- External colours must reflect soft subdued natural earthy tones such as beige, sandstone and warm greys. Bright contrasting colours will not be allowed.
 - Only the following colours to be used.
(Codes taken from *Plascon Expressions Catalogue*):
- (1) Main (primary) colours:
- E13-3 PICASSO
 - E16-3 MAYOR
 - E15-3 DUNDAS
 - E14-3 PAPYRUS
 - E13-3 PINTO
 - D13-3 CHAPS
- (2) Secondary colours (dark):
- E16-4 NEUTRAL
 - E15-4 BURWELL
 - E14-4 MAYAN STONE
 - E13-4 TRENTON
- (3) Secondary colours (light):
- E16-2 PLASTER
 - E17-2 CORBUSTIER
 - E15-2 LANDING
 - E13-2 PERMAFROST
 - E14-2 HUDSON
- 3.2.3** Plaster bands and details
- 3.2.4** Stone:
- Natural stone / natural sandstone cladding to be used as contrasting texture and accent features.
 - No mock / imitation stone / faux cladding will be permitted.
- 3.2.5** Gates:
- Powder coated or epoxy painted galvanized steel or hardwood / timber or a combination of above.
 - Steel gates must be painted one of the colours prescribed for aluminium doors and windows.
 - All gates (vehicular and pedestrian) in the "werf" walls on the street boundary to be a combination of steel (painted dark colour) and horizontal hard wood slats as illustrated in attached diagram 4 (wall type B). These gates must be flush with the "werf" (boundary) walls and may not protrude into the property.
- 3.2.6** Columns:

- Plaster and painted (square or round).
 - Sandstone cladding.
 - Double timber columns with 50 mm gap (colour = dark stain).
 - Steel, painted in dark colours.
- 3.2.7** Flues for fireplaces / braai's:
- Simplified, contemporary interpretations of "Cape Vernacular" elements.
 - To be treated as feature elements – it is encouraged to treat them with stone cladding or a textured finish.
- 3.2.8** Windows:
- Material:
 - (1) Natural or painted timber.
 - Timber windows and doors (excluding garage doors) shutters and ventilators may be varnished or alternatively painted in a darker colour to match the colours specified for aluminium windows and doors.
 - (2) Aluminium door and window frames must be powder coated in one of the following colours:

Vedoc:	Dark Umber grey	VP 7012
	Matt Dark Umber grey	VP 7112
	Charcoal	VP 7107
	Dark Grey	VP 7004
 - No small-pane windows of doors are permitted.
 - No mock sash windows are permitted.

3.2.9 Burglar proofing:

- To form part of solid timber shutters designed as an integral part of the house. Any steel bars must be internally mounted in a simple orthogonal grid pattern and purpose made to suite window proportions and mullion positions.
- Specific exclusions:
 - (1) External mounted "Trellidor" or similar security gates that are visible from the street.
 - (2) Burglar bars mounted externally.
- General inclusions:
 - i. External mounted security gates that are compatible with the design of the house (gates preferably fixed internally).
 - ii. Inconspicuous burglar bars fixed internally.

- iii. Clear polycarbonate bars.
- iv. Security shutters ("American shutters").

3.2.10 Garage doors:

- To be hardwood timber tip-up type or aluminium sectional overhead or roll-up type doors.
- Double garage doors may not exceed 6m width.
- Single garage doors may not exceed 3m width.
- No more than 2 x single or 1 x double garage door may be visible from the street.
- Pattern: Horizontal or vertical lines.
- Colour: Similar to walls or windows.

3.3 VERANDA'S, PERGOLAS, BALCONIES & BALUSTRADES

Above elements must be designed and constructed of material in keeping with the main structure.

3.3.1 Veranda's + pergola's:

- Verandas and pergolas should be designed to reduce the scale of facade walls and must be limited to the ground floor.
- The structure should be constructed from rectangular hardwood timber sections supported on brick, timber or steel columns.
- No shade cloth or temporary structures will be permitted.
- No Perspex (acrylic) or polycarbonate sheeting will be permitted.

3.3.2 Balustrading (material):

- Inclusions:**
- Hardwood timber dark varnish or painted.
 - Square mild steel tubing or flats – painted.
 - Plaster and painted brickwork.
 - Brushed stainless steel.
 - Glass and stainless-steel combinations.
 - Frameless glass. Only grey glass colour will be permitted.
- Exclusions:**
- No precast concrete, wrought iron, steel or other thin solid sheet panelling will be permitted.
 - No tensile cables.
 - No coloured glass.

3.3.3

Balconies:

- Must be designed to form an integral part of the building.
- All balconies must respectively face towards the center of the site; not to overlook, or to compromise the privacy of neighboring properties. Balconies overlooking neighboring properties will be prohibited.
- All concrete structured balconies must be provided with an up stand to prevent direct water run-off, forming water stains.

3.4 BOUNDARY WALLS & SECURITY

3.4.1 Street boundary: (Wall type B)

A 1.25m high boundary "werf" wall must be built on the street boundary and 10 m inwards from street boundary on side boundaries as prescribed in attached diagram 4 – wall type B and SDP. Gates refer to 3.2.5.

3.4.2 Side boundary:

- Side boundary may be enclosed with:
 - (1) Timber "horse-fence" hedges and planted barriers. (See attached diagram 5 - fence type D and SDP.)

OR

(2) Wall type B (see attached diagram 4).

- A 1,8m high boundary wall measured from the natural ground level may be constructed along common side boundaries not closer than 15m and not further than 50m from the street boundary (see attached diagram 5 – wall type C).
- Walls shall be of the same construction and finish as the main dwelling.
- No prefabricated walling systems, sheet material, wire mesh fencing or barbed wire will be permitted.

3.4.3

Privacy:

It is recommended that outdoor living areas such as pool decks and terraces should as far as possible be positioned in such a way that the building shelters it. Additional walls and fences may be erected to secure privacy, provided that they comply with the above guidelines and meets the approval of the Architectural Assessor. Landscape screening are encouraged!

3.5 SERVICES & MECHANICAL EQUIPMENT

- All extraction units, washing lines, air conditioner condenser units, heat pump units, pumping systems, and PVC water tanks, etc. may not be visible from any public areas, streets or may not protrude above the roof line. This equipment should all be completely hidden by screening elements such as walls, screens or suitable landscaping.
- The location of all TV antennae/aerials, satellite dishes, and solar panels should be very carefully considered by the designing architect to ensure that it is not highly visible from the street of neighbouring property.
- **NB:** The location of all above items should be indicated on the plans and elevations (design pack) for approval by the architectural assessor.
- No exposed plumbing, pipes or services will be permitted.

3.6 EXTERNAL LIGHTING

- External and internal lighting should be subtle and non-intrusive.
- Floodlights may only be installed for security purposes, but may not be a disturbance to other owners.
- No coloured lights are permitted.
- Driveway lighting should be downlit bollard lighting, spread evenly along road burrows.

3.7 PARKING, GARAGES, CARPORTS / OUT BUILDINGS & DRYING YARDS

- Parking for at least three cars must be provided on each erf of which at least one must be a visitors' parking bay.
- Carports and garages should form an integral part of the design and construction or the main structures and must conform to the same guidelines.
- No Temporary structures, tool sheds, wendy houses or shade cloth structures are permitted.
- Staff accommodation and kitchens are required to open on to a screened yard.
- Drying yards must be screened with yard walls from neighbouring properties and the street view.

- Drying yard walls to be 2.0 metres (measured from natural ground level) maximum in height and length of yard walls on internal streets not to exceed 6 metres.
- No yard walls will be permitted on the street boundary. A yard wall will only be permitted on a 3m street building line.
- The maximum street frontage of garages: 10 m

3.8 CARAVANS & BOATS

- Caravans and boats must be stored out of sight.
- Suitable garaging or screening with walls of sufficient height must be provided, as for yards.
- Drive through garages to allow tandem parking is encouraged.

3.9 HARD LANDSCAPING, PAVING AND DRIVE WAYS

- Hard landscaping surfaces, i.e. paving, tiling etc. around houses, will be restricted. Cumulatively paving shall not cover more than 35% of each erf's area and a minimum of 20% of each erf must consist of soft landscaping.
- Driveway widths are limited to 7m.
- Natural finishes in keeping with the rural atmosphere to blend with the natural textures and colours.
- It is recommended that owners use a similar surface as for the common internal roads.
- The following paving materials are preferred:
 - Cobbles (charcoal or sandstone colour)
 - Sandstone coloured exposed aggregate concrete pavers or similar
 - Laterite
 - Approved Brick pavers.
- Specific exclusions:
 - Chip and spray (tarred)
 - Premix
 - Light grey concrete slabs or paving
 - Mixed colour concrete pavers
 - Gravel or stone chip

3.10 SOFT LANDSCAPING

Trees, shrubs and ground covers.

Specific exclusions:

- Restricted aliens and invasive species.
- #### General inclusions:
- Indigenous plants.
 - Accepted imports, especially oaks, olives, planes and creepers such as bougainvillea and wisteria which define the character of old Cape farmsteads in the area.
 - Refer to indigenous planting list at end of report.

3.11 REFUSE BINS / GAS CYLINDERS / CLOTHES LINES / COMPOST PILES:

- Not to be stored in front of public façade line.
- To be kept in screened enclosure / yards so that not to be visible from the street or neighbouring dwellings.

3.12 LETTER (POST) / MILK BOXES

Specific exclusions:

- Not in front of public façade line
- Not surface mounted on walls.

General inclusions:

- On / In façade of dwelling.
- Hatch access through boundary walls.
- A simple slot in wall.

3.13 SWIMMING POOLS

- Swimming pools should be properly screened for privacy reasons. Landscaping as a screening element are preferred.
- Pools to be set into the ground.

3.14 STREET NUMBERS / HOUSE NUMBERS

- Maximum size of lettering: 200 mm.
- All lettering to be spaced horizontally in line.
- Any modern font type to be approved.
- Colour: Dark or stainless steel.

Exclusions:

- Ceramic
- Italic lettering
- Free form lettering

4. WATER SAVING MEASURES

The following water saving measures must be installed:

- Underground or above ground tanks to capture and store rainwater.
- Greywater systems are encouraged.
- All PVC water tanks to be underground or completely screened from view (public or neighbors).
- Galv. Steel tanks above ground are encouraged.
- Dual flush toilets.
- Low flow shower heads.

5. ELECTRICITY SAVING MEASURES

The following areas will be addressed to ensure energy efficiency. This section is split into two parts. The first part will be enforced by the Building Manual and will be implemented when the house is built.

5.1.

ENFORCED ENERGY SAVING MEASUREMENTS

The following energy saving measurements will be enforced by the developers by including it in the architectural guidelines. All property owners will have to abide by these. The electrical design was also done with these measurements in mind, limiting excessive power usage:

5.1.1

LIGHTING:

Use compact fluorescent lamps (CFL) or LED instead of incandescent lamps. Use low-energy lamps for exterior lighting. Control street lighting from photocells. Any lighting visible public views to be warm white.

5.1.2

HOT WATER CYLINDER: (HWC):

Prescribe solar heating systems or heat pumps. The combination storage heat exchangers (solar and electric) will be introduced to the property owners.

5.1.3

EFFICIENT BUILDING DESIGN:

TV3 Architects & Planners

Insulate the ceiling and seal air gaps in the buildings. Make use of the building's material (such as concrete, brick and tiles) to adjust temperatures instead of using a heater or cooling appliance.

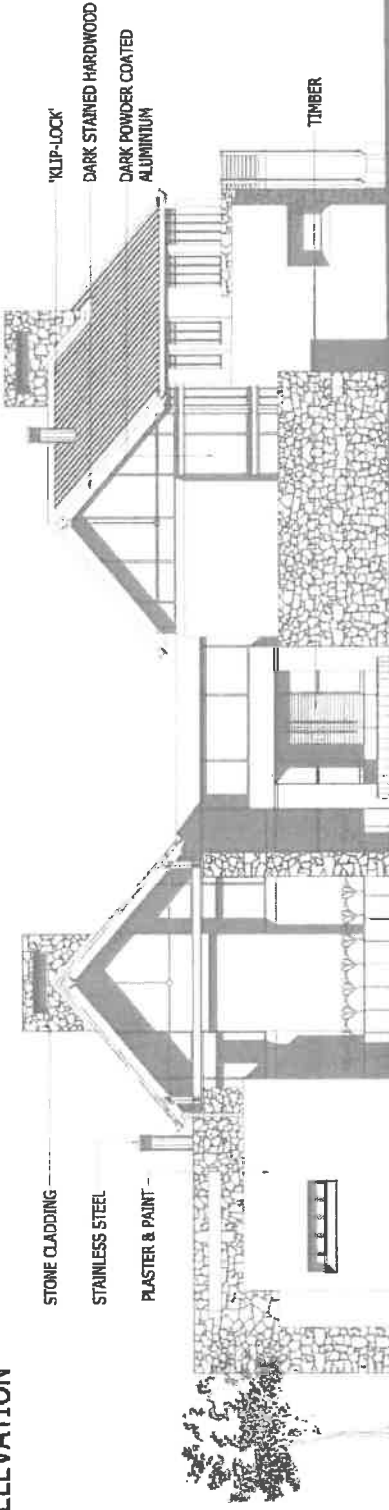
5.1.4

ELECTRIC NETWORK:

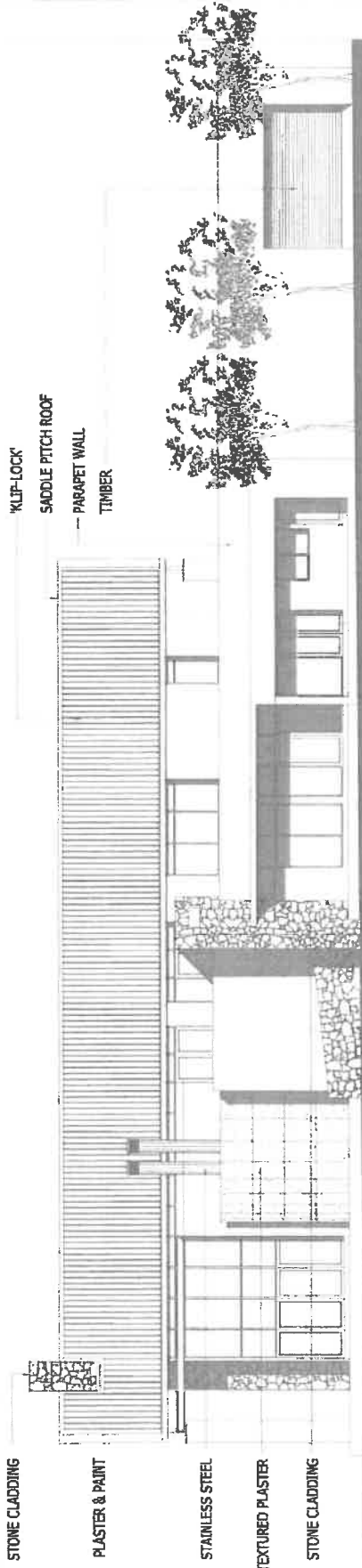
Install load limiting relays to switch HWC off when the stove is switched on. Each property owner will also be responsible to arrange for the purchase, installation and maintenance of their own electricity pre-paid meter (standard with Stellenbosch Municipality).

DE BOSCH RESIDENTIAL DEVELOPMENT

SOUTH EAST ELEVATION



SOUTH WEST ELEVATION



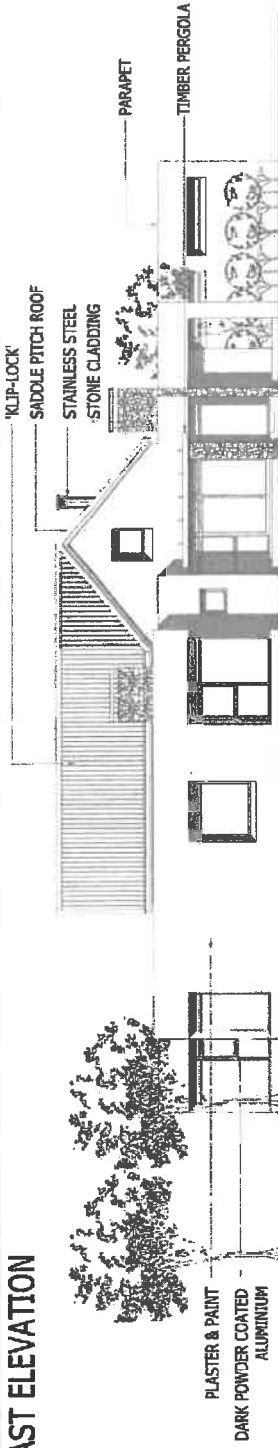
EXISTING HOUSE 1 - ELEVATIONS

SCALE 1:200

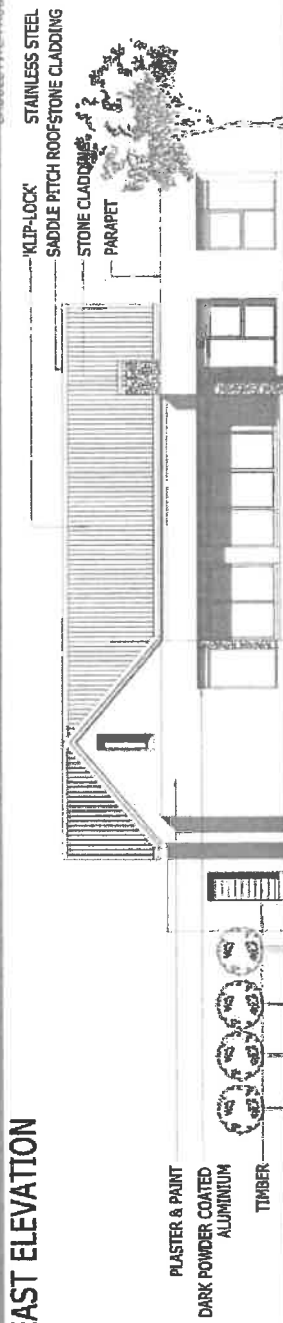
DIAGRAM 1

DE BOSCH RESIDENTIAL DEVELOPMENT

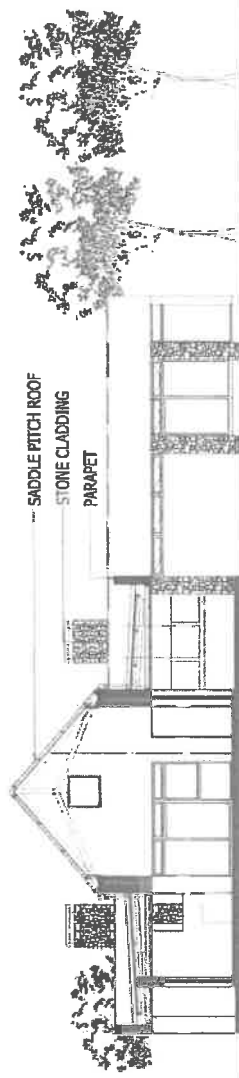
NORTH EAST ELEVATION



SOUTH EAST ELEVATION



SECTION



EXISTING HOUSE 2 - ELEVATIONS & SECTION

SCALE 1:200

DIAGRAM 2

DE BOSCH RESIDENTIAL DEVELOPMENT

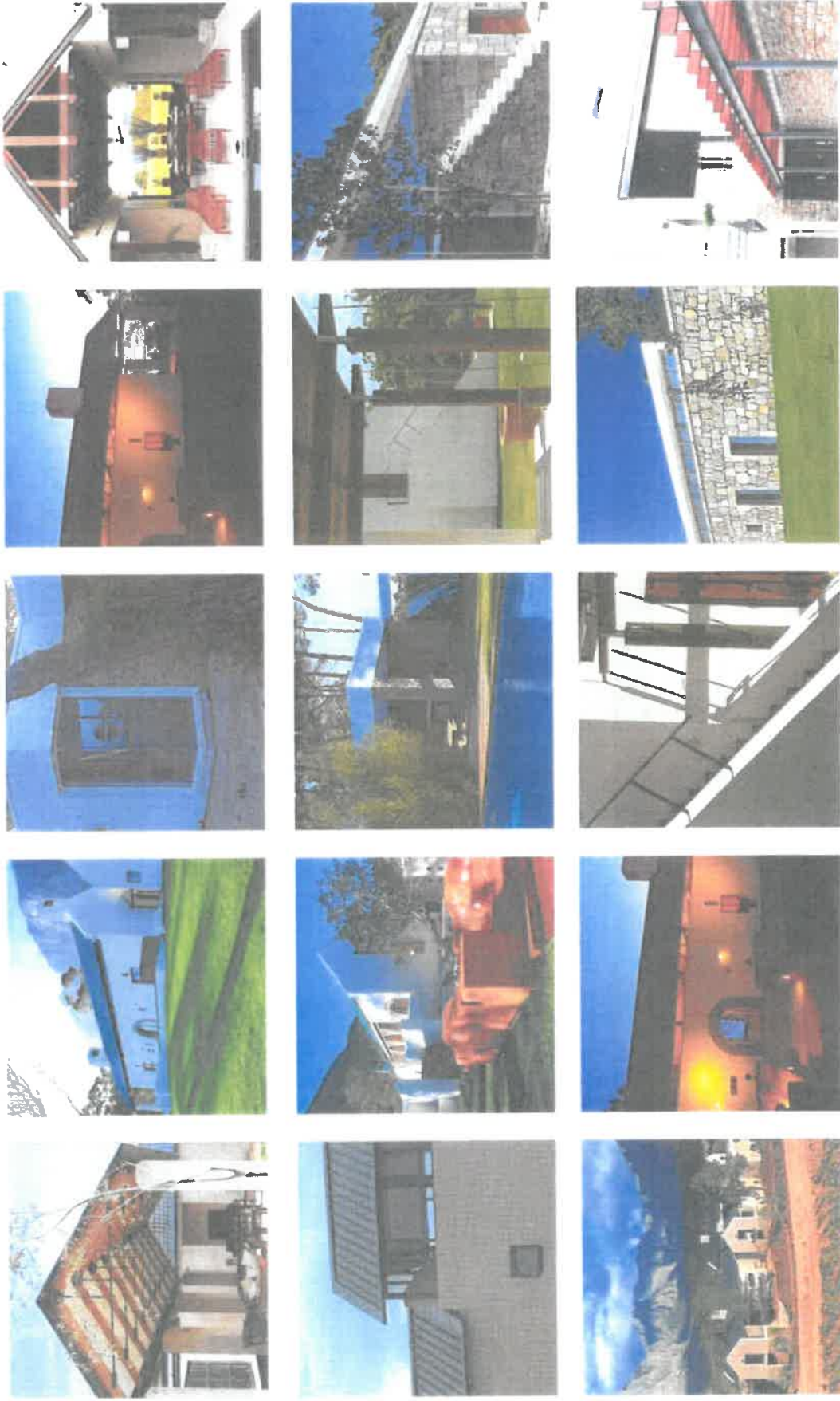
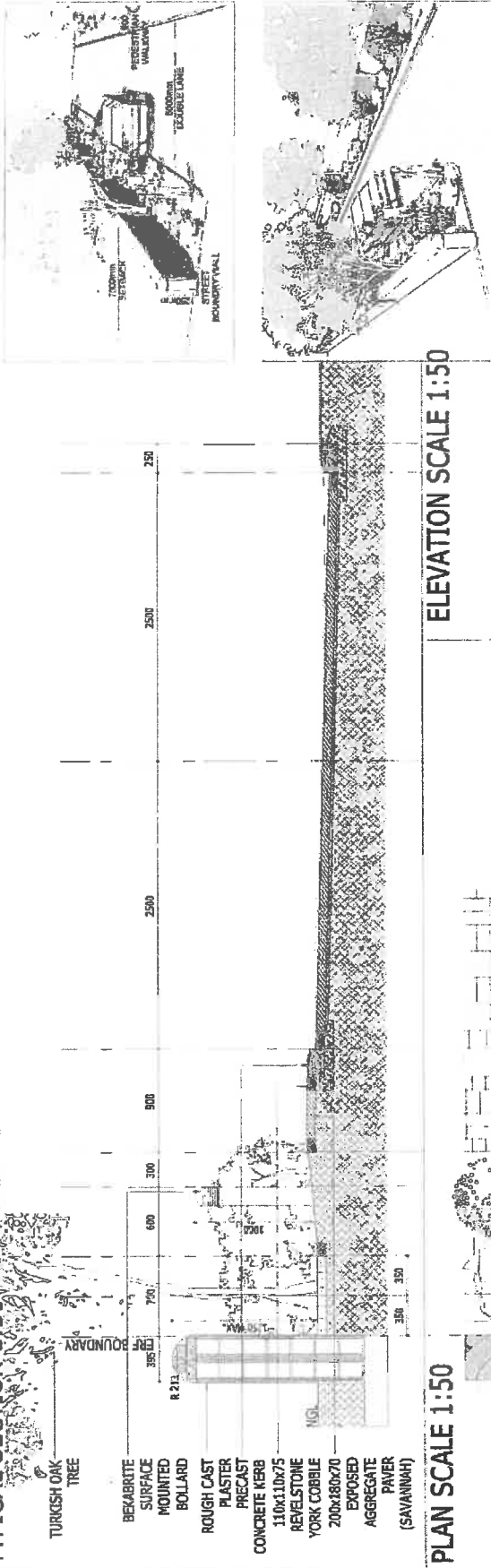


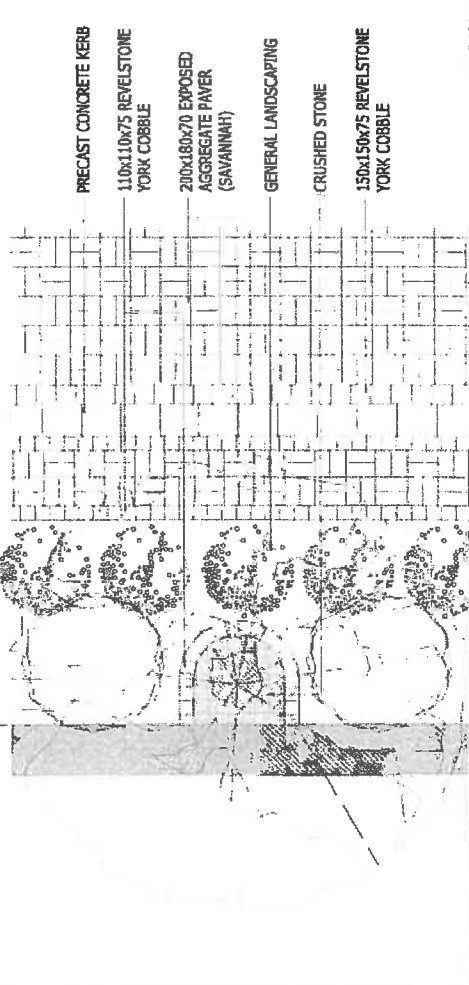
DIAGRAM 3

DE BOSCH RESIDENTIAL DEVELOPMENT

TYPICAL SECTION 1:50



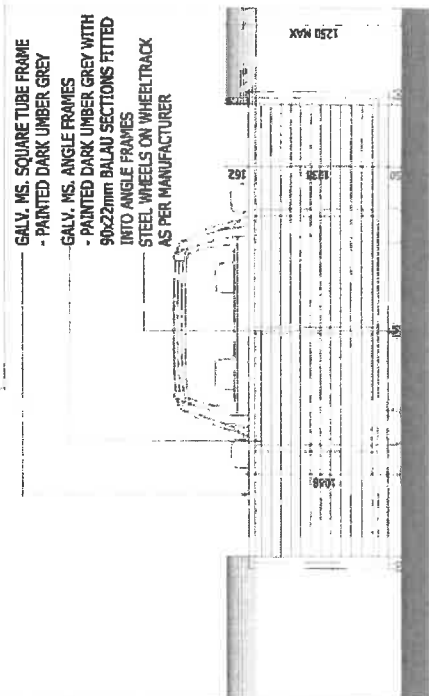
PLAN SCALE 1:50



WALL TYPE B
SCALE AS INDICATED

DIAGRAM 4

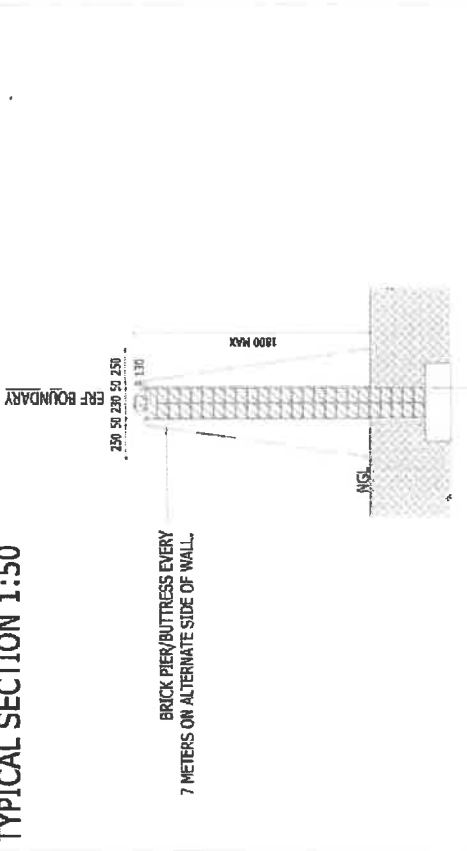
ELEVATION SCALE 1:50



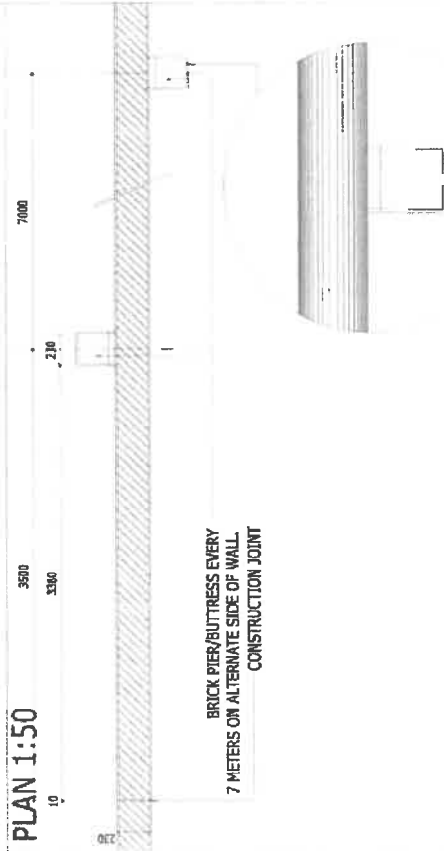
- GALV. MS. SQUARE TUBE FRAME
- PAINTED DARK UMBER GREY
- GALV. MS. ANGLE FRAMES
- PAINTED DARK UMBER GREY WITH
90x22mm BALAU SECTIONS FITTED
INTO ANGLE FRAMES
- STEEL WHEELS ON WHEELTRACK
AS PER MANUFACTURER

DE BOSCH RESIDENTIAL DEVELOPMENT

TYPICAL SECTION 1:50



PLAN 1:50

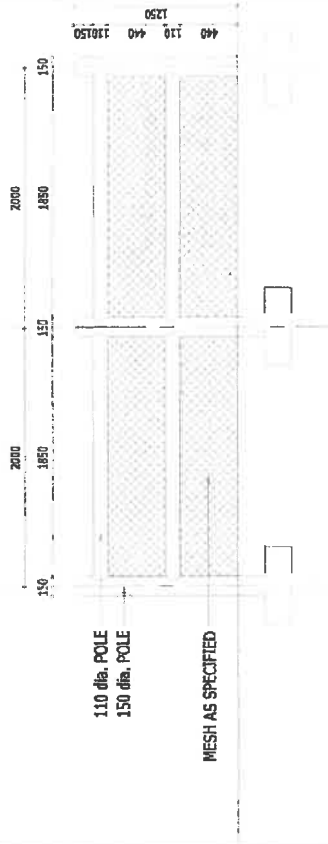


BOUNDARY WALL - TYPE C

SCALE 1:50

DIAGRAM 5

TYPICAL ELEVATION 1:50



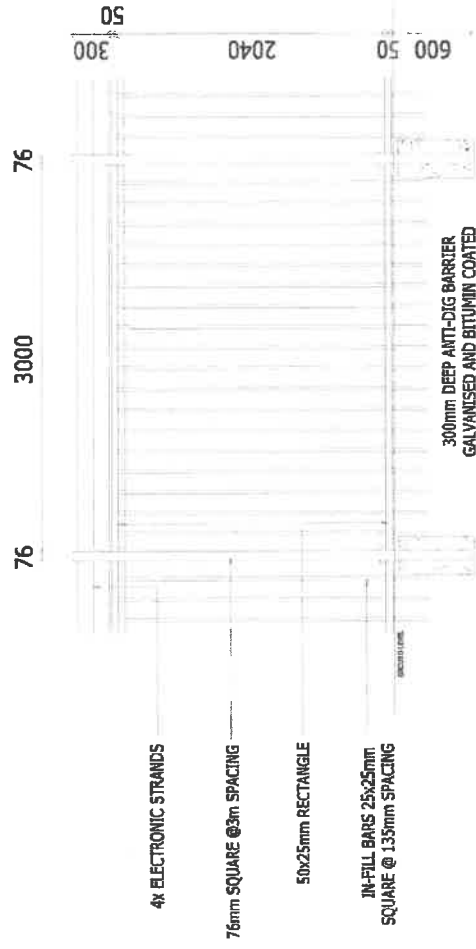
PLAN 1:50



FENCE - TYPE D

SCALE 1:50

DE BOSCH RESIDENTIAL DEVELOPMENT



FENCE TYPE A - BAR FENCE WITH ELECTRIFICATION

SCALE 1:50

DIAGRAM 6

WITHERS ENVIRONMENTAL CONSULTANTS

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Lutz Building 11 Victoria Street
STELLENBOSCH 7600

P.O. Box 6118
UNIEDAL 7612

ENVIRONMENTAL PLANNING IMPACT ASSESSMENTS AND MANAGEMENT SYSTEMS

**INDIGENOUS PLANTING LIST FOR THE
DE BOSCH ESTATE**

Compiled by: A. W. Withers and L. Gerber

October 2006

Job No. 06/10/1161

Director: A.W. WITHERS Pr. Sci. Nat. BSc(Hons) (Geology)

WITHERS ENVIRONMENTAL CONSULTANTS (Pty) Ltd.
Inc. Reg. No. 99/023003/07

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1. INTRODUCTION

This report describes the indigenous vegetation to be used in the rehabilitation and restoration of the De Bosch property (Portion 1 of Farm No. 1374, Stellenbosch), in particular, the river corridor and the rocky granite outcrops found on site. Exotic vegetation to be eradicated is also listed.

This report should be read together with the Environmental Management System (EMS) and be used as part of the long term management of the property (The owners/Home Owners Association are the responsible parties in this regard.)

2. INDIGENOUS VEGETATION

The following lists of species should be used in domestic gardens and in rehabilitating and restoring the granite outcrop and the river corridor on the De Bosch property:

2.1 Granite Outcrops

- Diminutive Succulents and Geophytes (bulbous plants) associated with such rocky outcrops that can form a natural "garden" among the lichens, mosses and ferns, should be re-established on the rocky outcrop found on the property.
- In the shallow pockets of soil and among the lichens and mosses on the rocks the following species can be planted:
 - Ferns e.g. *Mohria caffrorum* and *Cheilanthes hastate*;
 - Succulents e.g. *Aloe mitriformis* (mitre aloe), *Crassula* sp., *Erepsia* sp., *Pauridiasp.* and *Ruschia* sp.; and
 - Geophytes e.g. *Hessea* sp., *Ornithogalum* sp., (chinkerinchee), *Myrsiphyllum crispus* (crisp wild asparagus), *P. rubicundus* (wild asparagus) and *Trachyandra* sp.

- In the areas, surrounding the exposed rocks the following species should be considered:
 - Short trees such as *Olea europaea* subsp. *Africana* (wild olive) and *Maytenus* cf. *oleoides* (rock candlewood);
 - Shrubs e.g. *Rhus glauca* (blue kuni-bush), *Diospyros glabra* (blueberry), *Eriocephalus africanus* (wild rosemary) and *Passerina vulgaris* (gonnabos);
 - Climbers e.g. *Cissampelos capensis* (davidjies);
 - Herbs e.g. *Ehrharta erecta*; and
 - Geophytes e.g. *Chasmanthe aethiopica* (suurkanol) and *Zantedeschia aethiopica* (arum lily).

2.2 Seepage Areas and Associated Drainage Lines

Indigenous vegetation usually associated with seeps and drainage lines that could be considered when landscaping the De Bosch Estate include:

- In the wettest parts of the Seeps:
 - *Typha latifolia* (bulrush)
 - *Cliffortia odorata* (wilde wingerd)
 - *Otholobium pinnata* (fonteintjebos)
- Around the outside sedges and grasses including:
 - *Pennisetum macrourum* (ruigtegras)
 - *Juncus acutus* (sedge)
 - *Cynodon dactylon* (fynkweek)
- Along the Margins of the Seeps:
 - *Rhus angustifolius* (willow currant)
 - *Senecio rigidus*
- Along permanent drainage lines:
 - *Ischyrolepis subverticellatus* (Cape Reed)
 - *Myrica integra* (waxberry)

2.3 Riparian Vegetation

The following indigenous vegetation should be encouraged within the demarcated 30m river corridor:

- Marginal vegetation:
 - *Prionium serratum* (Palmiet)
 - *Isolepis prolifer* (sedge)
 - *Juncus acutus* (sedge)
- Riparian Trees:
 - *Salix mucronata* (Cape Willow)
 - *Hartogiella cf. schinoides* (spoonwood)
 - *Kiggelaria africana* (wild peach)
 - *Maytenus cf. oleoides* (rock candlewood)
 - *Olea europaea* subsp. *Africanus* (wild olive)
 - *Podocarpus elongates* (Breede River yellowwood)

- Indigenous Shrubs:
 - *Freylinia lanceolata* (honey bell bush)
 - *Salvia africanan-caerulea* (wild sage)
 - *Diospyros glabra* (blue berry)
 - *Rhus angustifolius* (willow currant)
 - *Zantedeschia aethopica* (arum lily)
 - *Amaryllis belladonna* (belladonna lily)
 - *Dipogon lignosus* (wilde ertjies)
 - *Secamone alpinii* (monkey rope)

2.4 Domestic Garden Species

Any of the typical "garden" Fynbos and Renosterveld species found in the Western Cape should be considered for planting in domestic gardens. Those species that have berries and fruit should especially be considered to attract birds and insects and provide colour in the garden. Nurseries should be approached for giving guidance on planting of indigenous species. No kikuyu grass should be allowed to be planted for lawns. Only fynkweek and buffalo grass should be used.

3. EXOTIC VEGETATION TO BE REMOVED

All exotic vegetation found on the property, especially within the river corridor and on the rocky outcrop should be removed as soon as possible. Exotic species to look out for and be eradicated include, amongst others:

- Stream fringing vegetation:
 - *Colocasia esculenta* (elephants ear)
 - *Persicaria attenuate*
 - *Persicaria lapathifolium* (pale persicaria)
- Dynamic Zone
 - *Salix babylonica* (invasive weeping willow)
 - *Paraserianthes lophantha* (stinkbean)
- Stream Bank
 - *Populus canescens* (grey poplar) – although this is a "heritage" species
 - *Acacia longifolia* (long leaved wattle)
 - *Acacia saligna* (Port Jackson)
 - *Acacia mearnsii* (black wattle)
 - *Arundo donax* (Spanish reeds) – although this is a "heritage" species
 - *Rorippa nasturtium-aquaticum*
 - *Opuntia ficus-indica* (prickly pear)
 - *Pittosporum undulatum* (garden pittosporum)

APPENDIX 12
COMPLETED APPLICATION FORM



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

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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)	Emile				
Surname	van der Merwe				
Company name (if applicable)	Emile van der Merwe Town Planning Consultants				
Postal Address	PO Box 204				Postal Code
	Stellenbosch				7599
Email	emilevdm@adept.co.za				
Tel	021 886 5050	Fax	021 8838965	Cell	0845566461

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

Registered owner(s)	RIVIERBOSCH TRUST				
Physical address	.P/A 38 Church street Stellenbosch				Postal code
					7600
E-mail	francois@dercksen.co.za				
Tel	021-88878747	Fax		Cell	

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

Erf / Erven / Farm No.	Erf 15756	Portion(s) if Farm		Allotment area	Stellenbosch		
Physical Address	Rivierbosch Avenue De Bosch Estate						
	Stellenbosch						
Current Zoning	Convential Residential Zone	Extent	1.0803ha	m ² / ha	Are there existing buildings?	y	N

Applicable Zoning Scheme	Stellenbosch									
Current Land Use	Stables									
Title Deed number and date	T		30253/2007							
Attached Conveyance's Certificate	Y	N	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	N	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	N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management							
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	N	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)?					N	If yes, is this application to legalize the building / land use ² ?	Y	N		
Are there any pending court case(s) / order(s) relating to the subject property(ies)?					N	Are there any land claim(s) registered on the subject property(ies)?			N	
PART D: PRE-APPLICATION CONSULTATION										
Has there been any pre-application consultation?	Y		If Yes, please attach the minutes of the pre-application consultation.							
PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE										
APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)										
Tick	Type of application: Cost are obtainable from the Council Approved tariffs³									
x	15(2)(a) Rezoning of Land								R10000	
	15(2)(b) a permanent departure from the development parameters of the zoning scheme									
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;									
x	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;								R5000	
	15(2)(e) a consolidation of land that is not exempted in terms of section 24;									

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

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

³ http://www.stellenbosch.gov.za/doc/ments/ids_budjet/2017-2_4673-annex-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;		
x	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval;	R2500	
	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;	R2500	
	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		
x	15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines		
OTHER APPLICATIONS			
	Deviation from Council Policies/By-laws;	R	
	Other (specify) : _____	R	
TOTAL A:		R	
PRESCRIBED NOTICE AND FEES** (for completion and use by official)			
Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; data messages	R
	PUBLICATION OF NOTICES	Local Newspaper(s); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:		R	
TOTAL APPLICATION FEES* (TOTAL A + B)		R	
* <i>Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.</i>			
** <i>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.</i>			
BANKING DETAILS			
Name:	Stellenbosch Municipality		
Bank:	NEDBANK		
Branch no.:	198765		
Account no.:	1152271679		
SWIFT	NEDSZAJJ		
Payment reference: (Erf/Farm number)		

DETAILS FOR INVOICE	
Name & Surname/Company name (details of party responsible for payment)	EVDM Town Planning Services
Postal Address	PO Box 204
Vat Number (where applicable)	4740239944

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:

See motivation attached

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

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

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

	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	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y	N/A	National Water Act, 1998 (Act 36 of 1998)
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y	N/A	Other (specify)
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

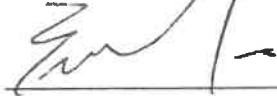
I hereby wish to confirm the following :

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*

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

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

Applicant's signature:



Date:

2020/11/06

Full name:

EMILE VAN DER MERWE

Professional capacity:

PROFESSIONAL PLANNER A1149/1996

FOR OFFICE USE ONLY

Date received: _____

Received By: _____

