

AHG Town Planning  
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Your ref.:

*All interested and affected parties  
Alle geïnteresseerde en geïmpakkeerde partye*

Our ref.: **Erf 354 JT**

Date: **2022-03-08**

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

### KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK AAN GEÏNTERESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

*Die volgende grondgebruiksaansoek in terme van die Stellenbosch Munisipaliteit Verordening op Grondgebruikbeplanning, 2015, verwys:*

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

**AANSOEKER | APPLICANT:** AHG TOWN PLANNING  
PO Box 2992, Somerset West, 7129  
Email: [leon.jubilius@ahg-property.co.za](mailto:leon.jubilius@ahg-property.co.za)  
Tel no: **082 782 0374** (Leon Jubilius)

**EIENAAR | OWNER:** MONICA VAN NIEKERK TRUST

**AANSOEK NO | APPLICATION NR:** LU/13603

**TIPE AANSOEK /  
TYPE OF APPLICATION:** Onderverdeling  
Subdivision

**EIENDOMSBEKRYWING |  
PROPERTY DESCRIPTION:** Erf 354 Jamestown  
Erf 354 Jamestown

**FISIESE LIGGING |:  
PHYSICAL LOCATION** H/v Blakemorestraat en Skoolstraat in Jamestown  
C/o Blakemore Street and School Street in Jamestown



**AHG Town Planning (Pty.) Ltd.** – Reg. 2006/017729/07  
Directors: **L Jubilius** TRP(SA) BA M.TRP; **JHM Nieuwoudt** Pr.Eng. M. Eng (STELL),  
**HA Meyer** B.Eng (STELL),  
Non-Executive: **Prof MM Loubser** BA LLB D Phil (Oxon), **AJ Nieuwoudt** TRP(SA) BA M.TRP

Part of the AHG Group of  
Kingdom Companies

**AANSOEK BESONDERHEDE:**

Die aansoek onder oorweging is 'n aansoek in terme van artikel 15(2)(d) van die Stellenbosch Munisipaliteit Verordening op Grondgebruikbeplanning, 2015 (geproklameer op 20 Oktober 2015, kennisgewingsnommer 354/2015) en behels die **onderverdeling van Erf 354** in die volgende gedeeltes:

- a) Gedeelte A 308m<sup>2</sup> groot en
- b) 'n Restant van 215m<sup>2</sup> groot.

Kennis geskied hiermee in terme van die genoemde Verordening dat die bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplanning-portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres:

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

Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie beskikbaar te stel.

Skriftelike kommentaar en / of beswaar kan ingedien word in terme van Artikel 50 van genoemde Verordening by die Aansoeker by wyse van 'n elektroniese pos aan: [leon.jubilius@ahq-property.co.za](mailto:leon.jubilius@ahq-property.co.za)

Die kommentare en / of besware moet aan die volgende vereistes voldoen en die volgende besonderhede vervat:

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

**APPLICATION DETAILS:**

The application under consideration is an application in terms of section 15(2)(d) of the Stellenbosch Municipality Land Use Planning By-law, 2015 (promulgated 20 October 2015, notice number 354/2015) and entails the **subdivision of Erf 354** into the following portions:

- a) Portion A 308m<sup>2</sup> in extent and
- b) A Remainder of 215m<sup>2</sup> in extent.

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

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

Written comments and / or objections may be submitted in terms of Section 50 of the said Bylaw to the Applicant by electronic mail to: [leon.jubilius@ahq-property.co.za](mailto:leon.jubilius@ahq-property.co.za)

The comments and / or objections must conform to the following requirements and include the following 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.

*Die kommentaar moet binne **30 dae** vanaf die datum van hierdie kennisgewing ingedien word en moet ontvang word voor of op die sluitingsdatum van **11 April 2022**.*

*Deur 'n beswaar, kommentaar of verhoë te rig, erken die persoon wat dit doen dat sy/haar inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.*

*Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordening, 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 **082 782 0374** tussen 08h00 en 17h00 op weekdae.*

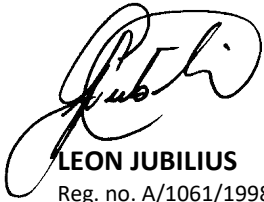
*The comments must be submitted within **30 days** from the date of this notice to be received on or before the closing date of **11 April 2022**.*

*By lodging an objection, comment or representation, the person doing so acknowledges that his/her information may be made available to the public and to the applicant.*

*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 **082 782 0374** between 08h00 and 17h00 on weekdays.*

Die Uwe  
Yours faithfully,



**LEON JUBILIUS Pr. Pln**  
Reg. no. A/1061/1998

## 1. GENERAL INFORMATION

### 1.1 INTRODUCTION

AHG Town Planning was appointed by the owner of Erf 354, Jamestown to apply on behalf of the Trust for the subdivision of the property in order separately alienate the two portions created through this action.

The purpose of the report is to outline the proposed subdivision and motivate the different aspects involved in order to obtain the approval of Stellenbosch Municipality.

### 1.2 LOCALITY

Erf 354 is situated at the corner of Blakemore Street and School Road in Jamestown. A Locality Plan is included.

The site falls within the jurisdiction area of the Stellenbosch Local Municipality.

### 1.3 TITLE ASPECTS

The property is in the process of being registered in the Deeds office and a copy of the draft Title Deed and application to apply for a Certificate of Registered Title is included.

#### 1.3.1 PROPERTY DESCRIPTION

ERF 354 JAMESTOWN,  
IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH,  
PROVINCE WESTERN CAPE,

#### 1.3.2 CONVEYANCER CERTIFICATE

A Conveyancer Certificate was not prepared. It can however be prepared on request.

#### 1.3.2 SIZE

The property is **523 m<sup>2</sup>** in extent.

#### 1.3.3 OWNERSHIP

The property is registered in the name of **MONICA VAN NIEKERK TRUST Registration Number IT3593/1995**.

#### 1.3.4 MORTGAGE BONDS:

There are no bonds registered against the title of this property.

### 1.3.5 TITLE DEED CONDITIONS:

There are no conditions of title prohibiting the proposed subdivision.

## 1.4 EXISTING ZONING AND LAND USE

In terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019, Erf 354 is zoned "***Conventional Residential Zone***".

The property is currently vacant.



The above aerial photo shows the property in the contexts of its surrounding environment

## 1.5 SURROUNDING ZONING AND LAND USE

The application site is located within a residential area. Abutting the application site on three sides are single residential erven (some also vacant). The Jamestown Cemetery is located to the south of the application site.

## 2. THE APPLICATION

### 2.1 APPLICATION I.T.O PREVAILING LEGISLATION

In terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019, Erf 354 is zoned “*Conventional Residential Zone*”.

- *Application is made in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-law, 2015 for the subdivision of Erf 354, Jamestown.*

### 2.2 PROPOSED DEVELOPMENT

There is no specific development proposal available at this stage and the owner will either install services and then sell the subdivided portions on to prospective individual buyers, or she may decide to develop it herself at a later stage and then selling a newly completed house or develop a plot and plan concept for prospective buyers. The owner never-the-less desires to subdivide the property proactively in order to have these options available when a decision is made at a later stage.

Given the current size of this particular erf in question, it is proposed to subdivide the property into two (2) portions, as follows:

- A subdivision indicated as “ABxyzEA”, measuring **308 m<sup>2</sup>**, and
- leaving a remainder, indicated as “yxCDzy”, measuring **215 m<sup>2</sup>** in extent.

Please refer to the subdivision plan included.

## 3. MOTIVATION

### 3.1 OVERVIEW AND NEED FOR DEVELOPMENT

As stated above the owner plans to either sell the newly created and serviced portions on to prospective investors, or she may decide at a later stadium to build two new dwellings to be made available for sale to prospective buyers.

The proposal is to alienate the properties separately on a “full title” basis rather than to develop two units and register a sectional title which is not viable on such a small scale. Full title ownership is also deemed much more desirable than sectional title.

The need for smaller erven is evident in Jamestown given the number of subdivision applications handled by just this firm alone in the past 2 -3 years, and by merely looking at the similar subdivisions which have already taken place in the immediate area. Jamestown is perceived as still one of the more affordable suburbs in Stellenbosch and properties are in high demand due to its excellent central and highly accessible location and the amazing mountain views visible from nearly every vantage point in the neighbourhood. From a densification point of view, this phenomenon is also very encouraging, placing less pressure on developing areas outside the existing urban edge.

### 3.3 DESIRABILITY OF THE PROPOSED DEVELOPMENT

#### 3.3.1 ACCESSIBILITY & PARKING

The existing property is 'technically' a corner erf bordering Blakemore Street and School Road. It is however noted that School Road is not a formal street, therefore we were advised that physical access for the subdivision could not be taken off this "informal" road even though it physically exist and carries a vast amount of traffic. The proposed subdivision will therefore take access via a 3,5m panhandle from Blakemore Street. The remainder will also take direct access off Blakemore Street.

In terms of parking provision, the zoning scheme requires two parking bays per residential unit. Given the size of the proposed subdivisions, this requirement can easily be met.

#### 3.2.2 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013

Section 7 stipulates principles that apply to spatial planning, land development & land use management. Under the principles of spatial sustainability and efficiency:

- Under the principle of spatial sustainability that: spatial planning must (*inter alia*) protect prime and unique agricultural land and promote land development in locations that are sustainable ***and limit urban sprawl*** and result in communities that are viable.
- Under the principle of efficiency that: land development optimises the use of **existing resources and infrastructure**.

The location of the property within the existing build up area of Jamestown ensures that the proposed development is compliant with these principles.

#### 3.2.3 WESTERN CAPE LAND USE PLANNING ACT, 2014.

Chapter 6 stipulates principles that apply to land use planning. Under the principles of spatial sustainability:

land use planning should (*inter alia*) —

- (i) promote land development that is ***spatially compact***, resource-frugal and within the fiscal, institutional and administrative means of the relevant competent authority in terms of this Act or other relevant authority;
- (ii) ensure that special consideration is given to the **protection** of prime, unique and high potential **agricultural land**;
- (vi) promote land development in locations that are sustainable and ***limit urban sprawl***;

Under the principles of spatial efficiency:

- (a) land development should ***optimise*** the use of ***existing resources, infrastructure, agriculture, land, minerals and facilities***;
- (b) integrated cities and towns should be developed, whereby—
  - (i) the social, economic, ***institutional*** and physical aspects of land development is integrated;
  - (ii) land development in rural and urban areas in support of each other is promoted;
  - (iii) the **availability of residential and employment opportunities in close proximity** to, or **integrated** with, each other is **promoted**;
  - (iv) a **diverse combination of land uses** is **promoted**;
  - (v) the phenomenon of ***urban sprawl*** in urban areas is ***discouraged*** and the development of **more compact towns** and cities with **denser habitation** is promoted;

- (vi) historically distorted spatial patterns of settlement are corrected; and
- (vii) the quality and functionality of the public spatial environment is promoted;

The above selected extracts, with relevant ***emphasis added***, indicates the support and legislative requirement for well-planned and coordinated densification. This application is therefore deemed compliant with this legislative principles.

#### **3.3.4 AVAILABILITY OF ENGINEERING SERVICES**

The property is linked to existing municipal service infrastructure and the application will have little additional service capacity requirements. New service connections will be provided for the additional portion created. See included engineers plan indicating existing and new water and sewer connections.

#### **3.3.5 IMPACT ON THE ENVIRONMENT:**

The proposal merely entails the subdivision of this residential property into 2 smaller erven which will be in line with the character of the surrounding area. It is our opinion that the possible addition of two well designed residential dwellings on this vacant property will bring much needed renewal and enhance the character of the area.

#### **3.3.6 PUBLIC PARTICIPATION**

The adjacent property owners will be notified of the proposed subdivision as per the requirements of the By-law and notifications send out to them for comment and/or objections.

Any neighbour who feels that their rights are affected will have an opportunity to make a representation or lodge an objection. This is however not anticipated since the development of this vacant property is expected to enhance the area and is viewed as a positive addition to the street scape.

## **4. SUMMARY AND CONCLUSION**

Application is made for the subdivision of the erf into two portions. The owner plans to either sell the newly created and serviced portions on to prospective investors, or maybe at a later stadium build two new dwellings to be made available for sale to prospective buyers.

The information provided supports the fact that the proposed subdivision will be desirable and lead to the positive enhancement of the area and promote new development potential in the area.

\* \* \*



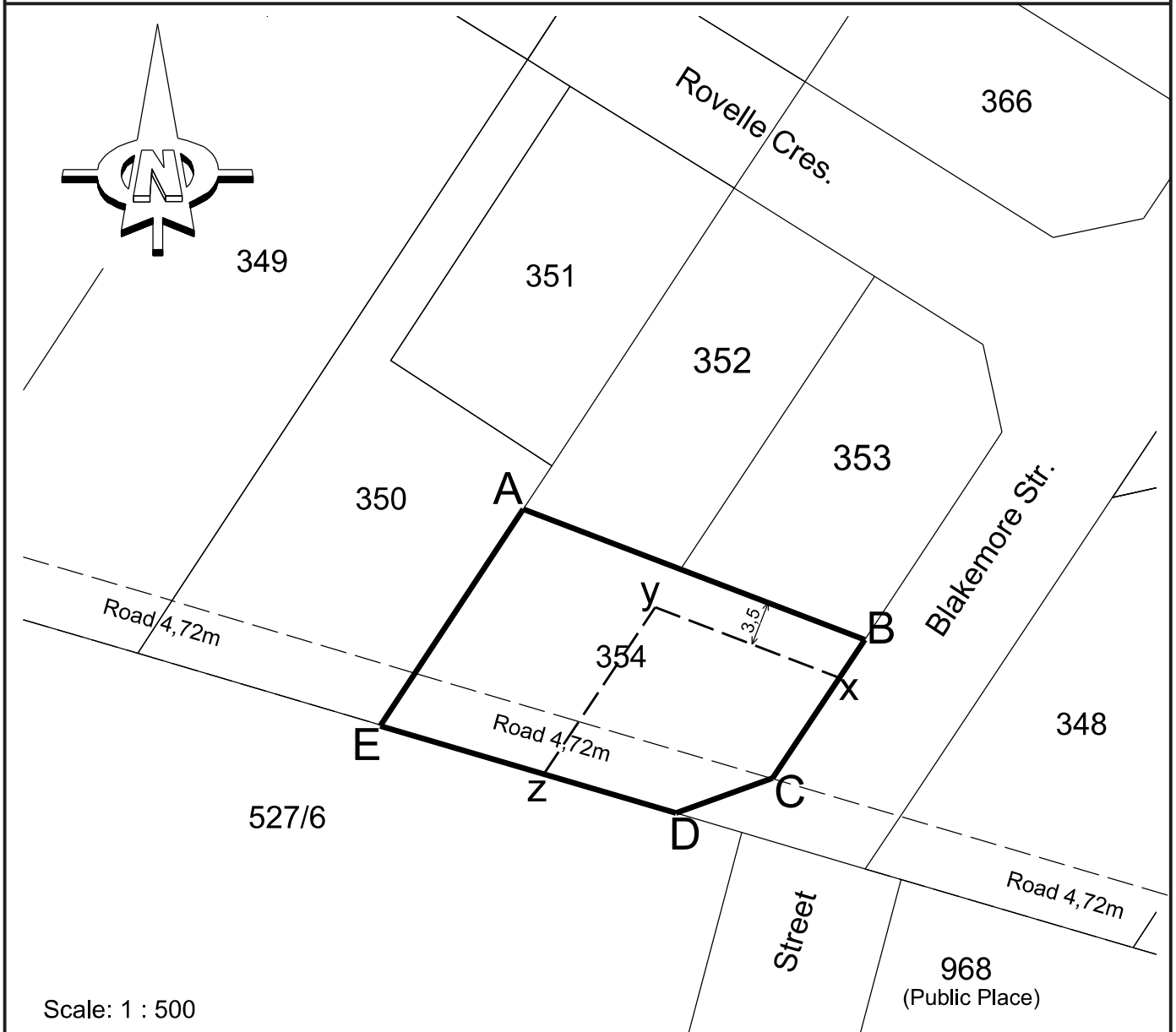
# LOCALITY



Source: Western Cape Dept of Agriculture (CapeFarmMapper)

PROJECT:		Subdivision: Erf 354 Jamestown	
SCALE:	n.t.s	DATE:	10 December 2021
		Town Planning	
		Town and Regional Planners	
PO Box 2992 Somerset West 7129		TEL: 021 840 3220 FAX: 086 511 6639 CELL: 082 782 0374	
E-Mail: <a href="mailto:leon.jubilius@ahg-property.co.za">leon.jubilius@ahg-property.co.za</a>			

# SUBDIVISION



#### Notes:

1. The figure ABCDEA represents Erf 354, Jamestown, measuring 523 m<sup>2</sup> in extent
2. Proposed subdivision:
  - 2.1 The figure ABxyzEA represent the proposed subdivision measuring 308 m<sup>2</sup> in extent.
  - 2.2 The figure yxCDzy represent the proposed Remainder measuring 215 m<sup>2</sup> in extent.
3. All sizes and dimensions are approximate and subject to final survey
4. The property falls under the jurisdiction of the Stellenbosch Local Municipality

#### Project:

## PROPOSED SUBDIVISION Erf 354 Jamestown

Date: 26 Oct. 2021

Ref: E354JT Rev1

# ahG

Town Planning

Town and Regional Planners

PO Box 2992  
Somerset West  
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