

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

**APPLICATION TYPE: REZONING, CONSOLIDATION AND SUBDIVISION ON FARMS 1041/27 & 1041/28, LA MOTTE, PAARL**

Application Address: **Farms 1041/27 & 1041/28, La Motte, Paarl**

Applicant: **Sustainable Planning Solutions  
Email: [admin@sp-solutions.co.za](mailto:admin@sp-solutions.co.za)  
Tel: 021 300 6384**

Owner: **Republic of South Africa**

Application Reference: **LU/14341**

Description of land development application:

**Application made in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law (2015), for the Subdivision of farm 1041/7, into 2 portions (Portion 27 of Farm 1041/7 and the Remainder Farm 1041/7).**

**Application made in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law (2015), for the Subdivision of farm 1041/3, into 2 Portions (Portion 28 of farm 1041/3 and the Remainder of farm 1041/3).**

**Application made in terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law (2015), for the Consolidation of the newly created unregistered portions namely, unregistered Farm 1041/27 with unregistered Farm 1041/28, La Motte, to create one portion (Portion 1).**

**Application is made in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law (2015), for the Rezoning of the newly consolidated unregistered Portion 1, Subdivisional Area Overlay Zone, and Agriculture & Rural Zone to Subdivisional Area Overlay Zone to create the following land uses:**

- **16 portions for residential purposes - Conventional Residential Zone (CR)**
- **2 portions for open space - Public Open Space Zone**
- **1 portion for road purposes - Public Roads and Parking 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 the newly consolidated unregistered Portion 1, into the following:**

- **16 portions for residential purposes - Conventional Residential Zone (CR)**
- **2 portions for open space - Public Open Space Zone**
- **1 portion for road purposes - Public Roads and Parking Zone.**

Notice is hereby given in terms of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.



Written comments, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person in the application, may be submitted in terms of Section 50 of the said Bylaw to the Applicant by electronic mail as follows: **(Sustainable Planning Solutions - email: [admin@sp-solutions.co.za](mailto:admin@sp-solutions.co.za))**. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **3 March 2023**.

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 (tel: **021 300 6384**, cell: **084 603 4370**) during normal office hours.



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

**AANSOEK TIEPE: HERSONERING, KONSOLIDASIE & ONDERVERDELING OP PLASE 1041/27 & 1041/28,  
LA MOTTE, PAARL**

Adres van eiendom: **Plase 1041/27 & 1041/28, La Motte, Paarl**

Aansoeker: **Sustainable Planning Solutions  
Epos: admin@sp-solutions.co.za  
Tel: 021 300 6384**

Eienaar: **Republiek van Suid Afrika**

Aansoek Verwysing: **LU/14341**

Beskrywing van grondontwikkelingsaansoek:

**Aansoek word gedoen ingevolge Artikel 15(2)(d) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening (2015), vir die Onderverdeling van plaas 1041/7, in 2 gedeeltes (Gedeelte 27 van Plaas 1041/7 en die Restant Plaas 1041/7).**

**Aansoek word gedoen ingevolge Artikel 15(2)(d) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening (2015), vir die Onderverdeling van plaas 1041/3, in 2 Gedeeltes (Gedeelte 28 van plaas 1041/3 en die Restant van plaas 1041/3).**

**Aansoek word gedoen ingevolge Artikel 15(2)(e) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening (2015), vir die Konsolidasie van die nuutgeskepte ongeregistreerde gedeeltes naamlik, ongeregistreerde Plaas 1041/27 met ongeregistreerde Plaas 1041/28, La Motte, om ongeregistreerde gekonsolideerde Gedeelte 1 te vorm.**

**Aansoek word gedoen ingevolge Artikel 15(2)(a) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening (2015), vir die Hersonering van die nuut gekonsolideerde ongeregistreerde Gedeelte 1, Onderverdelingsgebied-oorlegsone, en Landbou & Landelike Sone na Onderverdelingsgebied-oorlegsone om die volgende grondgebruike te skep:**

- **16 gedeeltes vir residensiële doeleindes - Konvensionele Residensiële Sone (KR)**
- **2 gedeeltes vir oop ruimte - Openbare Oopruimte Sone**
- **1 gedeelte vir pad doeleindes - Openbare Paaie en Parkeersone**

**Aansoek word gedoen ingevolge Artikel 15(2)(d) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening (2015), vir die Onderverdeling van die nuut gekonsolideerde ongeregistreerde Gedeelte 1, in die volgende:**

- **16 gedeeltes vir residensiële doeleindes - Konvensionele Residensiële Sone (KR)**
- **2 gedeeltes vir oop ruimte - Openbare Oopruimte Sone**
- **1 gedeelte vir pad doeleindes - Openbare Paaie en Parkeersone.**

Kennis word hiermee gegee in terme 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-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, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, kan ingedien word in terme van Artikel 50 van genoemde Verordeninge aan die Aansoeker by wyse van elektroniese pos as volg: **Sustainable Planning Solutions – epos: [admin@sp-solutions.co.za](mailto:admin@sp-solutions.co.za)**. Deur 'n beswaar, kommentaar of verhoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **3 Maart 2023**.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by (**tel: 021 300 6384, cell: 084 603 4370**) gedurende normale kantoor ure.







## MAASDORP (FOREST VILLAGE) HOUSING PROJECT

TOWNSHIP ESTABLISHMENT

JUNE 2022

## MAASDORP FOREST VILLAGE PROJECT

Land Use Application submitted in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-law (2015), in support of township establishment on a portion of unregistered farms, 1041/27 and 1041/28, La Motte.

**PREPARED BY:**



**Unit 10, 10 Plein Street, Durbanville**

**Tel: (021) 300 6384**

**Cell: 084 603 4370**

**CANDICE MAASDORP Pr. Pln. (A1224/2002)**

**ON BEHALF OF:**



**STELLENBOSCH MUNICIPALITY:**

**DEPARTMENT: HOUSING DEVELOPMENT**

**INTEGRATED HUMAN SETTLEMENTS**

**PROJECT REF: 3.018**

**JUNE 2022**

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# 1. INTRODUCTION

## 1.1 INTRODUCTION

In 2015, by virtue of a bidding process, ie. bid B/SM 16/16, Stellenbosch Municipality invited professionals in the built environment to submit tender rates in favour of being enlisted on their panel for professional service providers, for a 3-year term. Sustainable Planning Solutions is one such company that was successful in the Town and Regional Planning sector.

In June 2018, Sustainable Planning Solutions was appointed to undertake one such project identified under this Bid, namely, ***the Detailed Planning and Design for the Township Establishment of Maasdorp Forest Village.***

The purpose of this report is to motivate for the township establishment, on unregistered portions 27 and 28 of farm 1041, La Motte, Stellenbosch.

Refer to Annexure 1 and Annexure 2 for the land use application form and Power of Attorney.

## 1.2 SITE LOCATION AND BACKGROUND

The study area is formally referred to as Maasdorp, a small forest village ("bosdorp"), accommodating households on 15 (unregistered) erven. The structure of this forest village is grid-like with one main entrance street (leading directly off the R45) and two internal unnamed access streets. Maasdorp is located approximately 5km west of the Franschhoek Central Business District (CBD) and is neatly sandwiched between Leopard's Leap Wine Estate and Klein Goederust Wine Farm. The Robertsvlei road, which leads directly to the La Motte Township, is positioned directly opposite Maasdorp. Although Maasdorp comprises of 16 (unregistered erven), only 15 of these are currently occupied by families. The 16<sup>th</sup> lot is currently vacant.

Maasdorp Forest Village spans across two farm portions, namely unregistered portions 27 and 28 on farm La Motte nr 1041. Simultaneously it should be noted that portions 1041/27 and 1041/28, La Motte are portions of parent farms La Motte 1041/3 and 1041/7. Portions 27 and 28 were never registered in the Deeds office and hence the reference to these portions, as "unregistered".

Maasdorp was established several years ago when employees of the organs of state known as SAFCOL (which fell under the Department of Forestry) and Water Affairs, were deployed to assist with the construction of the Wemmershoek Dam. Properties held under of these two entities are now held/managed under the Department of Public Works. Accommodation in Maasdorp was offered to certain employees and included a

home on a fairly large-sized erf (1000sqm – 2000sqm each). The understanding at the time between SAFCOL/Water Affairs and their employees/tenants of these dwelling units, was that ownership would inevitably be transferred to them. At present, most of the residents staying in Maasdorp are either retired employees of SAFCOL or Water Affairs (or the descendents of employees of SAFCOL and Water Affairs). Some employees have unfortunately already passed on.

In 2007, an agreement, by virtue of a MOU (as attached as Annexure 3), was signed between the National Department of Public Works and Stellenbosch Municipality that enables the municipality to undertake the necessary statutory processes to facilitate the ownership vesting process. The agreement provides detail in terms of how this process shall follow including the infrastructural requirements for Maasdorp.

Despite Maasdorp being a residential settlement within the urban edge the parent erven on which Maasdorp is located, is still zoned as agriculture. For this reason, a rezoning and subdivision process is required in order to facilitate township establishment. Once township establishment has been achieved then the transfer of ownership to these residents will be possible.

Refer to Figures 1 and 2 for an illustration of the metropolitan and regional context of the site. Figures 3 and 4 provides a cadastral illustration of the properties concerned as well as an aerial view of the properties.



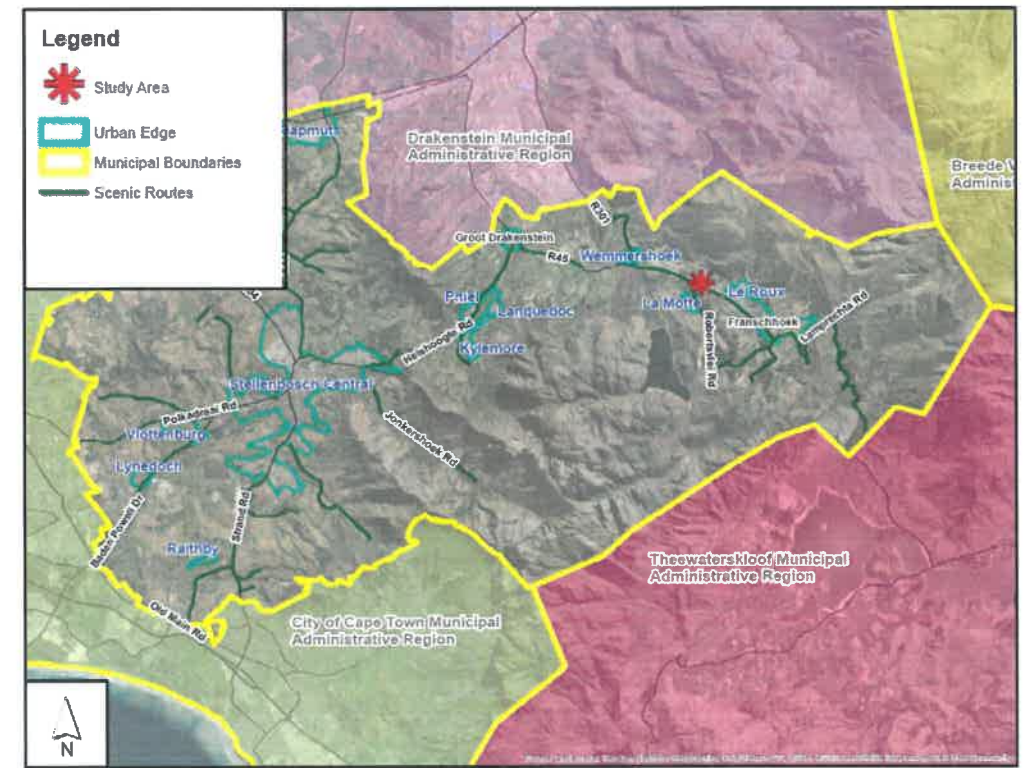


Figure 1 Metro  
(Ref: Stellenbosch Municipality GIS 2020)





Figure 2: Regional locality  
(Ref: Stellenbosch Municipality GIS 2019)





### 1.3 NATURE OF THE APPLICATION

This motivational report is submitted in support of the following:

- **SUBDIVISION**
  - In terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Subdivision** of farm 1041/7, into Portion 27 of farm 1041/7 and the Remainder of farm 1041/7.
  - In terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Subdivision** of farm 1041/3, into Portion 28 of farm 1041/3 and the Remainder of farm 1041/3.
- **CONSOLIDATION**
  - In terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Consolidation** of the newly subdivided portions namely farm 1041/27 and farm 1041/28, La Motte, Stellenbosch, into **Portion 1**.
- **REZONING**
  - In terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Rezoning** of the newly consolidated **Portion 1**, from Agriculture to Subdivisional Area-zoning.
- **SUBDIVISION**
  - In terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Subdivision** of the newly consolidated **Portion 1**, into the following:
    - 16 portions for residential purposes – Conventional Residential Zone (CR)
    - 2 portions for open space – Public Open Space Zone
    - 1 portion for road purposes – Public Roads and Parking Zone

#### 1.4 OTHER APPLICATIONS TRIGGERED

Due to the nature and scale of the application, other statutory applications are hereby triggered.

- **National Environmental Management Act (NEMA) (107/1998) and the Environmental Impact Assessment Regulations**

The NEMA regulations identify certain activities that may be detrimental to the environment. The proposal for the consolidation of the said erven, is not identified as a listed activity and therefore does not trigger the need for an environmental assessment.

However, a checklist for the determination of the applicability of the NEMA EIA regulations has been submitted to the Department of Environmental Affairs and Development Planning (DEADP) by the appointed Environmental Practitioner, Infinity Environmental. Please refer to Annexure 4 for a copy of the response from DEADP in this regard.

- **The National Heritage Resources Act (25/1999)**

Due to the nature and scale of the proposed development it has been determined that a NID is necessary. This application was prepared by Asha consulting. In terms of section 38(1) of the National Heritage Resource Act, any person who intends to undertake a development categorised as any development or other activity which will change the character of a site exceeding 5000 m<sup>2</sup> in extent, involving three or more existing erven or subdivisions thereof, involving three or more erven or divisions thereof which have been consolidated within in the past five years, or the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority.

#### 1.5 PRE-SUBMISSION CONSULTATION

A pre-application scrutiny form was submitted to the Stellenbosch Planning and Economic Development directorate. A response was received that the application has been allocated to a planner (Robert Fooy). Our office had a telephonic discussion in which he confirmed that he will respond in due course. Please see email correspondence attached as Annexure 5.

## 1.6 PROPERTY DETAILS

FARM 1041/27, LA MOTTE	
<b>PHYSICAL ADDRESS</b>	R45, La Motte, Franschhoek
<b>EXTENT</b>	3.47ha
<b>REGISTERED OWNER</b>	Republic of South Africa
<b>APPLICANT</b>	Sustainable Planning Solutions on behalf of Stellenbosch Municipality.
<b>TITLE DEED</b>	T2016/1917 ( <b>Annexure 6: Title Deed</b> )
<b>TITLE DEED RESTRICTIONS</b>	The title deed has no restrictions that will prohibit the proposed development ( <b>Annexure 7: Conveyancing Certificate</b> )
<b>SG INFORMATION</b>	S.G. No. 3418/1999 ( <b>Annexure 8: SG diagram</b> )
<b>APPLICABLE ZONING SCHEME</b>	Stellenbosch Municipality Zoning Scheme By-Law, 2019
<b>CURRENT ZONING</b>	<b>Agriculture and Rural Zone</b> – defined as: <i>“The protection and preservation of agricultural land, rural landscapes, and biodiversity; use of land for purposes of bona fide agricultural production or conservation; buildings and structures which may be erected for reasonable and normal agricultural purposes; a limited range of other ancillary uses which may take place on agricultural land units, either as additional rights or with the consent of the Municipality and which provides for more intensive agricultural use, agricultural industry or tourism which has the objective of creating variety, ensuring sustainability, and providing diversified income to landowners, without adversely impacting on the primary use of the land unit for agricultural purposes.”</i>
<b>CURRENT LAND USE</b>	The site is used for residential purposes.



FARM 1041/28, LA MOTTE	
<b>PHYSICAL ADDRESS</b>	R45, La Motte, Franschhoek
<b>EXTENT</b>	1.49ha
<b>REGISTERED OWNER</b>	Stellenbosch Municipality ( <b>Annexure 2: Power of Attorney</b> )
<b>APPLICANT</b>	Sustainable Planning Solutions on behalf of Stellenbosch Municipality.
<b>TITLE DEED</b>	T2016/1917 ( <b>Annexure 6: Title Deed</b> )
<b>TITLE DEED RESTRICTIONS</b>	The title deed has no restrictions that will prohibit the proposed development ( <b>Annexure 7: Conveyancing Certificate</b> )
<b>SG INFORMATION</b>	S.G. No. 3419/1999 ( <b>Annexure 8: SG diagram</b> )
<b>APPLICABLE ZONING SCHEME</b>	Stellenbosch Municipality Zoning Scheme By-Law, 2019
<b>CURRENT ZONING</b>	<b>Agriculture and Rural Zone</b> – defined as: <i>“The protection and preservation of agricultural land, rural landscapes, and biodiversity; use of land for purposes of bona fide agricultural production or conservation; buildings and structures which may be erected for reasonable and normal agricultural purposes; a limited range of other ancillary uses which may take place on agricultural land units, either as additional rights or with the consent of the Municipality and which provides for more intensive agricultural use, agricultural industry or tourism which has the objective of creating variety, ensuring sustainability, and providing diversified income to landowners, without adversely impacting on the primary use of the land unit for agricultural purposes.”</i>
<b>CURRENT LAND USE</b>	The site is used for residential purposes.

## 2. LEGAL FRAMEWORK

In South Africa, all planning proposals and land use applications are considered on the bases of their compliance to the relevant statutory and policy framework.

In Stellenbosch Municipality, land development is affected by the following legislation, which set out the process that must be followed and the criteria that must be applied during the decision-making process.

### 2.1 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (16/2013)

The Act aims to develop a framework to govern spatial planning and set parameters for developments and provides for different lawful land uses in South Africa.

The *Development Principles* in Chapter 2 of the Spatial Planning and Land Use Management Act (SPLUMA) provides broad principles for a set of provincial laws that apply to all aspects of spatial planning, land development and land use management.

These development principles include:

*the principle of spatial justice,*

*the principal of spatial sustainability,*

*the principle of efficiency,*

*the principle of spatial resilience,*

*the principle of good administration,*

Chapter 2 of the Act also requires the Minister to prescribe a set of Norms and Standards that should include and/or comply with the following: *should promote social inclusion, spatial equity, desirable settlement patterns, rural revitalization, urban regeneration, and sustainable development, ensure that land development and land use management processes, including applications, procedures and timeframes are efficient and effective.*

### 2.2 WESTERN CAPE LAND USE PLANNING ACT (3/2014)

The Western Cape Land Use Planning Act (LUPA) of 2014, chiefly aims to *consolidate legislation in the province pertaining to provincial planning, regional planning and development, urban and rural development, regulation, support and monitoring of municipal planning and regulation of public places and municipal roads arising from subdivisions.*



In Chapter VI of LUPA, we note that the same Land Use Planning Principles of SPLUMA (Act 14/2013) have been adopted. LUPA (3/2014) however provides more detail as to how these principles could be applied.

Section 49 of LUPA (3/2014) provides the assessment criteria that all municipalities must apply when considering a land use application. These include:

- o *the applicable spatial development frameworks.*
- o *the applicable structure plans.*
- o *the principles referred to in Chapter VI (Land Use Planning Principles);*
- o *the desirability of the proposed land use; and*
- o *guidelines that may be issued by the Provincial Minister regarding the desirability of the proposed land use.*

### **2.3 STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW (2015)**

Stellenbosch Municipality Land Use Planning By-Law (2015) aims to regulate the use and development of land within the geographical area of Stellenbosch Municipality. This legislation enables Stellenbosch Municipality to control planning and development within its area. This By-law legislates the process by which the land use applications are dealt with.

Section 65 of the By-law (2015) spells out the criteria to be applied in the assessment of land use applications. Broadly, the criteria to be applied when assessing land use applications shall include the following 4 main considerations:

- o **APPLICABILITY** of any approved forward planning policies, such as a Municipal Spatial Development Framework (SDF).
- o **COMPLIANCE** with the requirements of the By-Law and any other statutory processes.
- o **DESIRABILITY** of the proposed land use.
- o **IMPACT ON EXISTING RIGHTS.**

In the assessment of the desirability and impact of the proposed land use the following further criteria is applied, ie. the impact of the proposed land development on municipal engineering services; the integrated development plan; including the municipal spatial development framework; the integrated development plan and spatial development framework of the district municipality, where applicable; the applicable local spatial development frameworks adopted by the Municipality; the applicable structure plans; the applicable policies of the Municipality that guide decision making; the provincial spatial development framework; where applicable, a regional spatial development framework contemplated in section 18 of the Spatial Planning and Land Use Management Act or provincial regional spatial development framework; the policies, principles and the planning and development norms and criteria set by the national and provincial government; the matters referred to in section 65 of the Spatial Planning and

Land Use Management Act: lay the principles referred to in Chapter VI of the Land Use Planning Act.

#### **2.4 NATIONAL HERITAGE RESOURCES ACT (Act 25 of 1999)**

The legislation '*aims to promote good management of the national estate, and to enable and encourage communities to nurture and conserve their legacy*'.

Section 38 lists a host of development categories, which, if pursued, requires that the responsible heritage resources authority, Heritage Western Cape (HWC), be notified. Due to the nature of the application and given the size of the site (more than 5000m<sup>2</sup>) an application for a Notice of Intent to Develop (NID) is required, as a minimum. A NID has therefore been submitted to HWC in 2019, and confirmation has been received that no further action under the Section 38 of the act is required. Refer to Annexure 9 for the Record of Decision (ROD).

#### **2.5 NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA), (Act 107 of 1998) and ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS**

It is not anticipated that any activities listed in terms of NEMA will be undertaken as part of the formalisation of Maasdorp Village, only rezoning and subdivision, as well as potential minor upgrades to existing services, are proposed. Refer to Annexure 4 for the DEADP Record of Decision.

Reports were prepared in support of a similar township establishment and formalisation proposal as now proposed, in 2010. The site has sandy soils and is vegetated with common garden species and rows of trees. A site inspection was conducted in 2019 to assess and establish existing conditions. During the inspections it was noted that the site supports several trees, indigenous tree species and exotic species, scattered across the site.

The site is relatively flat at the foot of the northern slopes of the Franschoek valley. The site is located approximately 480m north of the Franschoek River. The Kastaiings River channel is located approximately 420m north-west of the site and flows south to discharge into the Franschoek River. An artificial drainage channel is located along the northern boundary of the site and discharges at the north-eastern corner into the vineyard east of the site.

The site is located more than 30km away from the sea.

The upgrades would be undertaken within the existing footprint. Any future changes to the existing development will be submitted to DEADP to confirm whether listed activities in terms of the NEMA and the EIA Regulations are triggered.

No land will be cleared for the proposed establishment of the Maasdorp Township as the proposed activity relates only to the rezoning and subdivision of the subject properties.

The eastern portion of the site forms part of an Ecological Support Area 2 (ESA) in terms of the 2017 Western Cape Biodiversity Spatial Plan (WCBSP). A small portion of the site near the R45, is mapped as CBA. The WCBSP also mapped a CBA: Wetland, approximately 140m south of the site.

As no physical changes are proposed, it is not anticipated that the formalisation of the planning and tenure on the site will affect the mapped ESA or CBA areas.

## **2.6 SUMMARY: LEGAL FRAMEWORK**

There is a legal requirement for the management of land development and development growth to promote a diversity of land uses, and that each application is assessed on its own merits.

This application intends to demonstrate that the proposed township establishment is desirable and complies with all the relevant statutory requirements. The application report will also show that the proposal can be managed in a manner that does not compromise the greater public or surrounding owners.

### 3. POLICY FRAMEWORK

This section identifies all relevant planning policies that must be considered in the assessment process. The spatial planning policy relevant to the site includes the Stellenbosch Municipal Spatial Development Framework (2019).

This planning policy reaffirms the point that the proposed township establishment on the unregistered portions of farms 1041/27 and 1041/28, La Motte in Maasdorp, Stellenbosch is desirable from a policy perspective and, hence, the proposed township establishment application cannot be refused solely based on desirability and the impact on existing use rights.

#### 3.1. STELLENBOSCH MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK (2019)

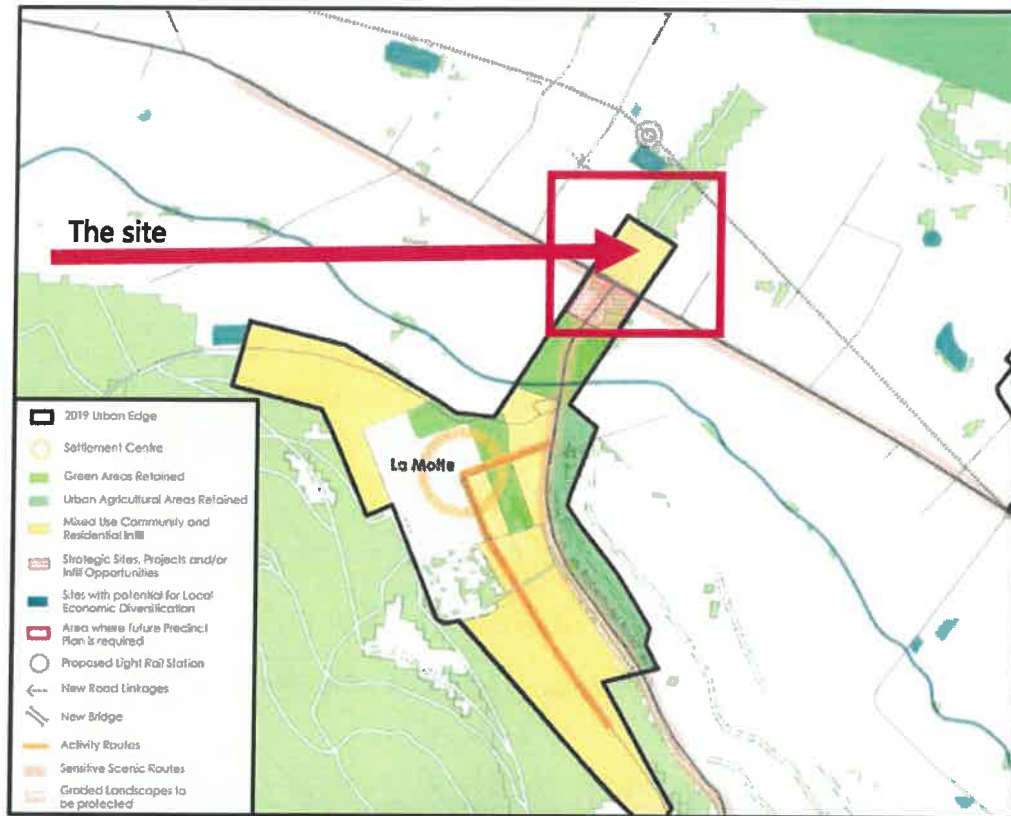
The Stellenbosch Municipality Spatial Development Framework (MSDF) aims to enable a vision for the future of the municipal area based on evidence, local distinctiveness, and community derived objectives. Translate this vision into a set of policies, priorities, programmes, and land allocations together with the public sector resources to deliver them. Create a framework for private investment and regeneration that promotes economic, environmental, and social well-being. Coordinate and deliver the public-sector components of this vision with other agencies and processes to ensure implementation.

Stellenbosch MSDF (2018 - 2022) earmarks the site for **Mixed Use, Community and Residential Infill** which is defined as follows:

**Residential Infill** - can be defined as, "the insertion of additional housing units into a neighbourhood. They can be provided as additional units built on the same lot, by dividing existing homes into multiple units, or by creating new residential lots by further subdivision."

**Mixed Use** – "includes a variety of business uses, higher density residential uses, tourist accommodation, and community uses, creating a zone of mixed land uses that do not have a negative impact on each other."

**Community** – "includes buildings which are used for a wide range of community and welfare purposes, tertiary educational facilities, and permitted ancillary uses."



**Extract from Stellenbosch Municipality Spatial Development Framework, 2019 (pg 81)**

The proposed rezoning and subdivision (residential infill) on the unregistered portions of farms 1041/27 and 1041/28, La Motte finds support in the Stellenbosch Municipal Spatial Development Framework Plan (2019).

### **3.2. SUMMARY: POLICY FRAMEWORK**

As discussed above the proposed rezoning and subdivision on the respective portions of farms 1041/27 and 1041/28, La Motte, finds support in Stellenbosch Municipal Spatial Development Framework Plan (2019).

## 4. SITE CONTEXTUAL ANALYSIS

This section will assess the site to show its suitability for the location of the township establishment. It also aims to illustrate that the proposal will not have a negative effect on the existing rights of surrounding property owners.

### 4.1 PROPERTIES CONCERNED

The unregistered portions farm 1041/27 and 1041/28 La Motte has a cumulative extent of approximately 5ha. The site is located on the outskirts of the town of Franschhoek. Refer to Figure 3: Properties Concerned.

Figure 5 provides an illustration of the contours and the slope of the site.

### 4.2 REGISTERED DESCRIPTION AND OWNERSHIP

Both farms are owned by The Republic of South Africa. Refer to **Annexure 6 and 7** for the Title deeds and Conveyancing certificate.

Farm Portion	Title Deed	Extent as per deed	Restrictive conditions
1041/27 (Unregistered subdivided portion of 1041/7)	T2016/1917	20.14ha	No restriction will prohibit the proposed township establishment. *
1041/28 (Unregistered subdivided portion of 1041/3)	T2016/1917	13.66ha	No restriction will prohibit the proposed township establishment. *

*\*Please refer to the conveyancing certificate for more details. The restrictive conditions do not have an impact on the proposed township establishment and does not necessitate an application for the removal of these conditions.*

#### 4.2.1. TITLE DEED DESCRIPTION

The title deed describes the unregistered portions 1041/27 (parent farm 1041/7) and 1041/28 (parent farm 1041/3), La Motte as follows:

*Remainder portion 7 of farm La Motte  
Winelands DC  
Division Paarl  
Western Cape Province*

*Remainder portion 3 of farm La Motte  
Winelands DC  
Division Paarl  
Western Cape Province*

#### **4.2.2. SG DESCRIPTION**

The Surveyor-General (SG) describes farm 1041/27 (a portion of farm 1041/7) property under S.G. No. 3418/1999 as follows:

*Portion 27 (a portion of Portion 7) of the farm La Motte No 1041  
Administrative District of Paarl  
Province of Western Cape*

The Surveyor-General (SG) describes farm 1041/28 (a portion of farm 1041/3) property under S.G. No. 3149/1999 as follows:

*Portion 28 (a portion of Portion 3) of the farm La Motte no 1041  
Administrative District of Paarl  
Province of Western Cape*

Refer to **Annexure 8** for the relevant farm diagrams.



### 4.3 ZONING

In terms of the Stellenbosch Municipality Zoning Scheme By-law (2019) the following zoning has been allocated to the farm portions constituting the site:

- o Farm 1041/27 is zoned *Agriculture*.
- o Farm 1041/28 is zoned *Agriculture*

The zoning for the site (and those of the surrounding properties) is depicted on Figure 6: Zoning.



Figure 6: Zoning Map (Stellenbosch Municipal Zoning Scheme, 2019)



#### 4.4 LAND USE

There are a number of dwelling units on the site.



Viewpoint plan of pictures.



**Photo 1: Entrance to the Maasdorp Township from the R45, 2019**



**Photo 2: Disused BMX track located close to the entrance of Maasdorp, directly adjacent to the R45 road reserve, 2019.**





**Photo 3: View of the pump station on the adjacent Leopards Leap property, 2019**



**Photo 4: The main mobility route in Maasdorp, 2019**



**Photo 5: View of the "main distributor" road, 2019**



**Photo 6: Northern boundary of the site (direction Paarl), 2019**





**Photo 7: Northern boundary of the site (direction Franschhoek), 2019**

## 5. PLANNING AND DESIGN PRINCIPLES

This section of the report highlights the principles applied and the design objectives aimed for, during the design process.

### 5.1 PLANNING PRINCIPLES

The following planning principles have informed the approach to the design concept:

- **The need to create safe and secure environments**  
Promoting a layout that allows for maximum passive surveillance of semi-private and public spaces such as roads, is of utmost importance.
  
- **The need to create a people-centered layout design**  
By acknowledging that the heart and soul of a neighborhood lies with its people, one realizes that its critical to understand how people live, move and use semi-public and public spaces such as open spaces, roads, sidewalks, main roads, attenuation ponds, etc. There is therefore a need to ensure this “people-centered” approach is applied in the layout design.
  
- **Creating an urban identity**  
Acknowledging the presence of the “Sense of Place” which uniquely identifies and distinguishes this community, is of critical value to such a vulnerable community.
  
- **Promoting a functional and cost-effective design**
  - By creating a sustainable, functional, and cost-effective design that will serve the community optimally.
  - A space that people can claim their own – which they can call home.
  
- **Allowance for Flexibility and Adaptability**  
Allowance for incremental growth of each residential unit created which is evident in the existing second (and even third) dwellings.

## 6. PROPOSED LAYOUT DESIGN and INFORMANTS TO THE DESIGN

### 6.1 PROPOSED CONSOLIDATION, REZONING AND SUBDIVISION OF FARM 1041/27 AND 1041/28, LA MOTTE

This land use application requests the following:

#### ➤ SUBDIVISION

- In terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Subdivision** of farm 1041/7, into Portion 27 of farm 1041/7 and the Remainder of farm 1041/7.
- In terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Subdivision** of farm 1041/3, into Portion 28 of farm 1041/3 and the Remainder of farm 1041/3.

#### ➤ CONSOLIDATION

- In terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Consolidation** of the newly subdivided portions namely portion 1041/27 and portion 1041/28, La Motte, Stellenbosch, into **Portion 1**.

#### ➤ REZONING

- In terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Rezoning** of the newly consolidated **Portion 1**, from Agriculture to Subdivisional Area-zoning.

#### ➤ SUBDIVISION

- In terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law (2015), in support of the **Subdivision** of the newly consolidated **Portion 1**, into the following:
  - 16 portions for residential purposes – Conventional Residential Zone (CR)
  - 2 portions for open space – Public Open Space Zone
  - 1 portion for road purposes – Public Roads and Parking Zone

**Refer to Figure 7: Proposed Plans**



Extract from proposed subdivision plan

LAND USE TABLE: OVERALL SUBDIVISION					
Portion No.	No. of Portions	Proposed Use	Proposed Zoning	Extent	Percentage
Portion 1 - 16	16	Residential	Conventional Residential Zone (CR)	34858m <sup>2</sup>	70.2%
Portion 17 - 18	2	Open Space	Public Open Space Zone	5253m <sup>2</sup>	10.6%
Portion 19	1	Road	Public Roads and Parking Zone	9578m <sup>2</sup>	19.3%
<b>Total</b>	<b>19</b>			<b>4.96Ha</b>	<b>100%</b>



## 6.2 PROPOSED RESIDENTIAL DEVELOPMENT

### 6.2.1. RESIDENTIAL ERVEN

- The erf sizes vary from 1933m<sup>2</sup> – 2419m<sup>2</sup>.
- 16 residential erven are proposed (Portions 1 – 16).
- The proposed residential erven shall be zoned Conventional Residential Zone (CR)

### 6.2.2 ROAD NETWORK

The proposed internal roads for the development will maintain a width of 10m and 12m.

The proposed internal road which links the proposed development with the existing road reserve of the R45 is approximately 13m in width.

### 6.2.3 VEHICULAR AND PEDESTRIAN ACCESS

The proposed subdivided erven will gain access from the existing roads. The new township will obtain vehicular access from the newly created 10m and 12m internal roads.

The proposed subdivision was guided by the existing fixes on site. Refer to Annexure 10 for the Design Fixes plan.

## 6.3 PROPOSED RESIDENTIAL DEVELOPMENT

The layout plan has also been influenced by several specialist studies and reports undertaken by consultants.

The additional/specialist studies undertaken include the following:

- Heritage - NID
- Environmental Impact Assessment
- Traffic Impact Assessment (TIA)

### 6.3.1 HERITAGE

A Notice of Intent to Develop (NID) application was prepared and submitted to Heritage Western Cape (HWC). Confirmation has been received from HWC that **no** further action will be required. Refer to Annexure 9 for the HWC Record of Decision (ROD).

### 6.3.2 ENVIRONMENTAL

A checklist for the determination of the applicability of the NEMA EIA regulations has been submitted to the Department of Environmental Affairs and Development Planning (DEADP) by the appointed Environmental Practitioner, Infinity Environmental. Refer to Annexure 4 for the correspondence from DEADP in respect of the Applicability Checklist submitted.

### 6.3.3 TRAFFIC IMPACT STUDY

A Traffic Impact Study (TIS) has been prepared by Innovative Transport Solutions (ITS). Refer to Annexure 11. The road network has sufficient capacity to accommodate additional trips from the Maasdorp Forest Village, the estimated road trips (during peak hours) are generally low. There is an existing access point to the Maasdorp forest village via the R45.

Transport upgrades required are as follows:

- *The access road must be slightly realigned with the Robertsvlei Road at the R45/Robertsvlei Road intersection.*
- *It is proposed that the bellmouth of the Maasdorp leg be surfaced.*
- *Public transport embayment is proposed at the R45/Robertsvlei Road intersection.*
- *The erven are large enough to accommodate the required parking needs and no additional parking will be required.*
- *No requirement for additional NMT facilities as there is already an existing footpath along the northern side of the R45.*
- *It is recommended that the development be approved from a transport impact perspective.*

### 6.3.4 SOCIO-ECONOMIC SURVEY

In August 2021, a socio-economic survey was undertaken to determine whether the residents of Maasdorp, would be able to afford to sustain their properties once ownership is transferred to them. The properties are fairly large (between 1900sqm – 2500sqm) and since the municipal rates and taxes are linked to the valuation and size of properties, determining this was critical to the layout design.

The **FINDINGS** of this survey were as follows:

- 4 HOUSEHOLDS (occupants on 2 plots) are not descendants of employees of SAFCOL/MTO/DWAF
- 32 HOUSEHOLDS eligible - linkage (ancestral) with DWAF/MTO/SAFCOL.
- Most properties have at least 1 additional dwelling unit

- All properties have a minimum gross income of R7001 per month
- Majority of the residents earn a household income in excess of R22'000 per month.
- All households would like ownership of the current property they reside on and have it transferred into their family name.
- 68% against sale of additional properties (in the event of subdivision), 32% were in support of sale provided that these be offered to their family members/descendants.

**RECOMMENDATION:**

1. Based on the survey results, all households are in position to sustain their properties (financially)
2. Retain the 16 erf design concept – there is no need to densify.
3. Densifying would go against the agreement between the then SAFCOL/Water Affairs (DWAF)/MTO and the beneficiaries.

## 7. MOTIVATION AND CONCLUSION

The purpose of this land use application is to establish a township that will sustain the community on the unregistered portions farm 1041/27 and farm 1041/28, La Motte.

### 7.1 APPLICABILITY AND COMPLIANCE

The process of consolidating, rezoning, and subdividing the said portion of land will follow due process in terms of the Stellenbosch Municipal Land Use Planning By-Law (2015).

The Stellenbosch Municipality Spatial Development Framework 2019 (MSDF) designates the site for Mixed Use Community and Residential Infill. The proposed development is in line with the MSDF as the township establishment constitutes as residential infill and therefore no deviations are required.

From a policy perspective, the proposed residential development finds support in the Stellenbosch Municipality Spatial Development Framework (MSDF) 2019.

### 7.2 APPLICABILITY AND COMPLIANCE

Section 65 of the Stellenbosch Municipal Land Use Planning By-Law (2015) states that there are certain criteria that need to be addressed in a land use application before a decision can be made. The application can be assessed based on the following criteria: the socio-economic impact, compatibility with surrounding land uses, impact on the external engineering services, impact on safety, health and wellbeing of the community, impact on heritage, impact on the biophysical environment, impact on existing rights, traffic impacts, parking, access, and other transport related conditions.

#### 7.2.1 SOCIO-ECONOMIC IMPACT

The housing economy in the Western Cape needs more affordable housing opportunities, particularly for the lower-income sector of society, and by creating this township could be seen as having a positive impact on the economy. The proposed development will have a positive social impact as well, as it provides an opportunity for housing in a time when the need for housing in this bracket is rising. By providing the residents of Maasdorp their own properties it immediately creates opportunities to sustain themselves financially be it with a house shop or letting a room in the house, second dwelling or structure on the property. This township establishment will contribute to the livelihood of the beneficiaries.

### **7.2.2 COMPATIBILITY**

The use will remain residential in nature, as it has been since its commencement as one. This application will merely regularise the existing residential township. The residents of Maasdorp (current and retired employees of SAFCOL) will be granted title of their homes as promised by SAFCOL. The township establishment is considered compatible with the existing character of the area.

### **7.2.3 SAFETY AND WELL-BEING OF THE COMMUNITY**

The nature of the proposal allows it to positively contribute to the quality of life and character of the area and inter alia, the lives of beneficiaries. The proposed township establishment will have a positive interface with the public domain to ensure that an active public realm, surveillance, and positive facades onto the streetscape are created. Public open spaces are strategically located between the residential area and the main road (R45) to serve as a buffer between the two land uses.

### **7.2.4 TRAFFIC IMPACT**

As there are existing residential units and no additional residential units will be proposed, traffic impacts will not be affected. The internal road links the proposed township with the existing road reserve of the R45. No negative traffic impact is anticipated.

### **7.2.5 IMPACT ON BIOPHYSICAL ENVIRONMENT**

There is no impact on the biophysical environment. The topography of the site is mainly flat with no visible irregularities of the existing ground. The topographical attributes of the site are suitable for the existing residential use and there are no concerns regarding slope or drainage. We await confirmation from DEADP whether any NEMA or EIA regulations are triggered.

### **7.2.6 IMPACT ON EXISTING RIGHTS**

No negative impact on the existing rights of surrounding properties is anticipated. The surrounding properties are predominantly of agricultural nature.

The proposed township establishment will not negatively impact the rights of the surrounding landowners.

Existing access routes and infrastructure that serve the surrounding community will be retained. Ad hoc interruption is expected only during the construction phase of the road and engineering services.

### 7.2.7 VEHICULAR AND PEDESTRIAN ACCESS

The proposed development will obtain vehicular access from the existing main road (R45). The R45 is approximately 12 metres wide. The erven in the township will obtain access from the proposed internal 10m and 12m roads.

### 7.2.8 ENGINEERING SERVICES

Additional engineering services will be upgraded to accommodate the existing residential units.

### 7.2.9 NEED FOR MITIGATING CONDITIONS

The proposed township establishment will not negatively impact the rights of nearby landowners. Existing building lines along common boundaries are respected, there will not be any encroachments compromising the privacy or rights of neighbours.

The conditions of the land use approval will be the result of due process and all the necessary requirements in terms of other legislative processes will be adhered to as required by the process. The proposed development will contribute to the developing nature of the area and will therefore not have an undesirable impact on the receiving environment.

## 7.3 LAND USE PLANNING PRINCIPLES

Spatial Justice:

- *"Past spatial and other development imbalances should be redressed through improved access to, and utilisation of, land".*

Maasdorp Forest Village was established due to the forestry and water-related activities prevalent during the time when the Wemmershoek Dam was being built. Many of the employees of the Department of Forestry, were afforded homes on a large tract of land, now known as Maasdorp Forest Village. The workers have lived there for many years and still occupy the land without any formal security of tenure. The residents of Maasdorp live in formal homes but the property still belongs to the Department of Forestry (now administered by the Department of Public Works). The intention of this project is to subdivide the land into smaller portions and to transfer these individual portions to the residents of Maasdorp. The proposed township establishment thus complies with the abovementioned principle as access to-, and ownership of land shall be given to these beneficiaries.

Spatial Sustainability:

- Land use planning should: *"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" and"*

*uphold consistency of land use measures in accordance with environmental management instruments”.*

Maasdorp is located within the urban edge of the township of La Motte, the township is spatially compact and located within the administrative means of the Stellenbosch Municipality. The fact that the site is located within the urban edge means that the residents of the proposed township will enjoy the delivery of municipal services.

Spatial Resilience:

- *“Whereby flexibility in spatial plans, policy and land use management systems is accommodated to ensure sustainable livelihoods in communities most likely to suffer the impact of economic and environmental shocks”.*

The intention of this project is to allow the residents of Maasdorp to have ownership of the properties on which their homes are built on and to subdivide the land into smaller properties. By following this approach, one is able to ensure a sustainable livelihood since incremental densification can formally take place. The opportunities attached to having 2<sup>nd</sup> and 3<sup>rd</sup> dwellings also affords these prospective owners with additional economic opportunities.

Efficiency:

- *“Land development should optimise the use of existing resources, infrastructure, agriculture, land, minerals and facilities”.*

There are existing resources and community facilities, located in La Motte – the residential township located within walking distance from Maasdorp. Facilities such as the community hall and training centre exist in La Motte and can be shared with the residents of Maasdorp, encouraging the principle of optimising the use of existing resources, infrastructure, facilities.

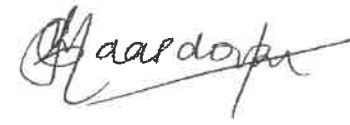
Good Administration:

- *“The preparation and amendment of spatial plans, policy, zoning schemes and procedures for land development and land use applications, should include transparent processes of public participation that afford all the parties the opportunity to provide inputs on matters affecting them”.* The residents of Maasdorp are actively participating in this process through the Project Steering Committee (PSC). The application has also been discussed with the Stellenbosch Municipality. The land use application will further be formally advertised to the public for comment.

## **7.4 CONCLUSION**

In terms of Section 15 of Stellenbosch Municipal Land Use Planning By-law (2015), we respectfully request your office’s favourable consideration of this application for the

proposed township establishment on the unregistered portions of farms 1041/27 and farm 1041/28, La Motte, Stellenbosch.



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CANDICE MAASDORP Pr. Pln. (1224/2002)

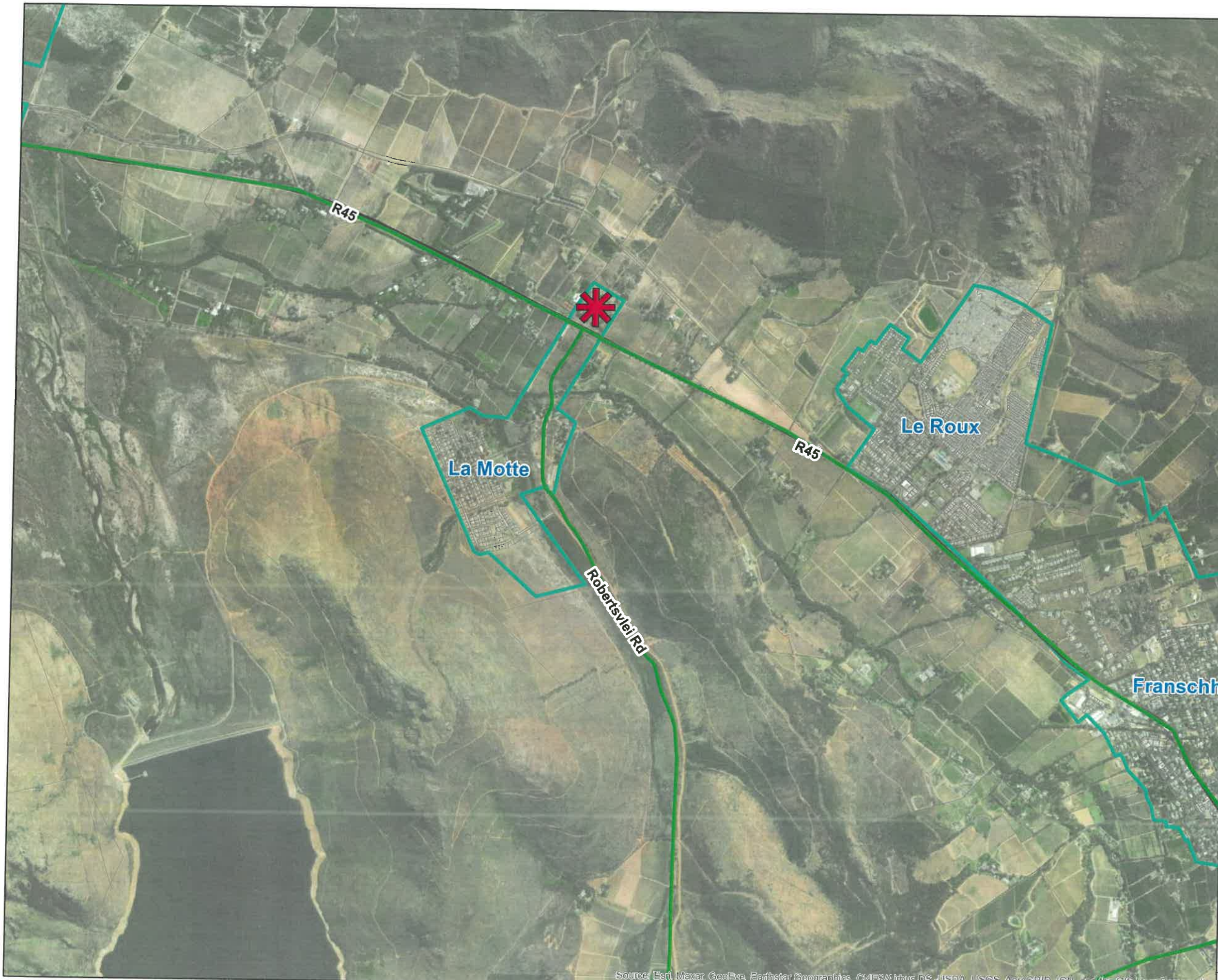


## 8. REFERENCES

1. Stellenbosch Municipality, 2015. Stellenbosch Municipality, Land Use Planning By-law ,Cape Town: Provincial Gazette.
2. Stellenbosch Municipality, 2019. *Stellenbosch Municipality Spatial Development Framework (2019)*, Stellenbosch: Stellenbosch Municipality.
3. Republic of South Africa, 1999. *National Environmental Management Act 107 of 1998*, Cape Town: Government Gazette.
4. Republic of South Africa, 1999. *National Heritage Resources Act (Act 25 of 1999)*, Cape Town: Government Gazette.
5. Republic of South Africa, 2013. *Spatial Planning And Land Use Management Act*, Cape Town: Government Gazette.
6. Western Cape Government, 2014. *Western Cape Land Use Planning Act*, Cape Town: Provincial Gazette.



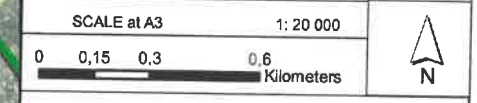




### Legend

-  Study Area
-  Urban Edge
-  Major Roads
-  Scenic Routes

Ref. Stellenbosch Municipality 2019 GIS Data



**Maasdorp Forest Village**  
**Fig 2: Regional Locality**

 **SUSTAINABLE PLANNING SOLUTIONS**  
 Professional Town & Regional Planners  
 Address: 30 Klein Bron Avenue, Klein Bron Estate, Brackenfell  
 Tel: (021) 981 4484 Fax: 085 600 4484 Mobile: 084 600 4370  
 Email: candice@sp-solutions.co.za Skype: candice.maasdorp@sp-solutions.co.za  
 Website: www.sp-solutions.co.za









### Legend

- Study Area
- Urban Edge
- Scenic Routes
- Major Roads

Ref. Stellenbosch Municipality 2019 GIS Data

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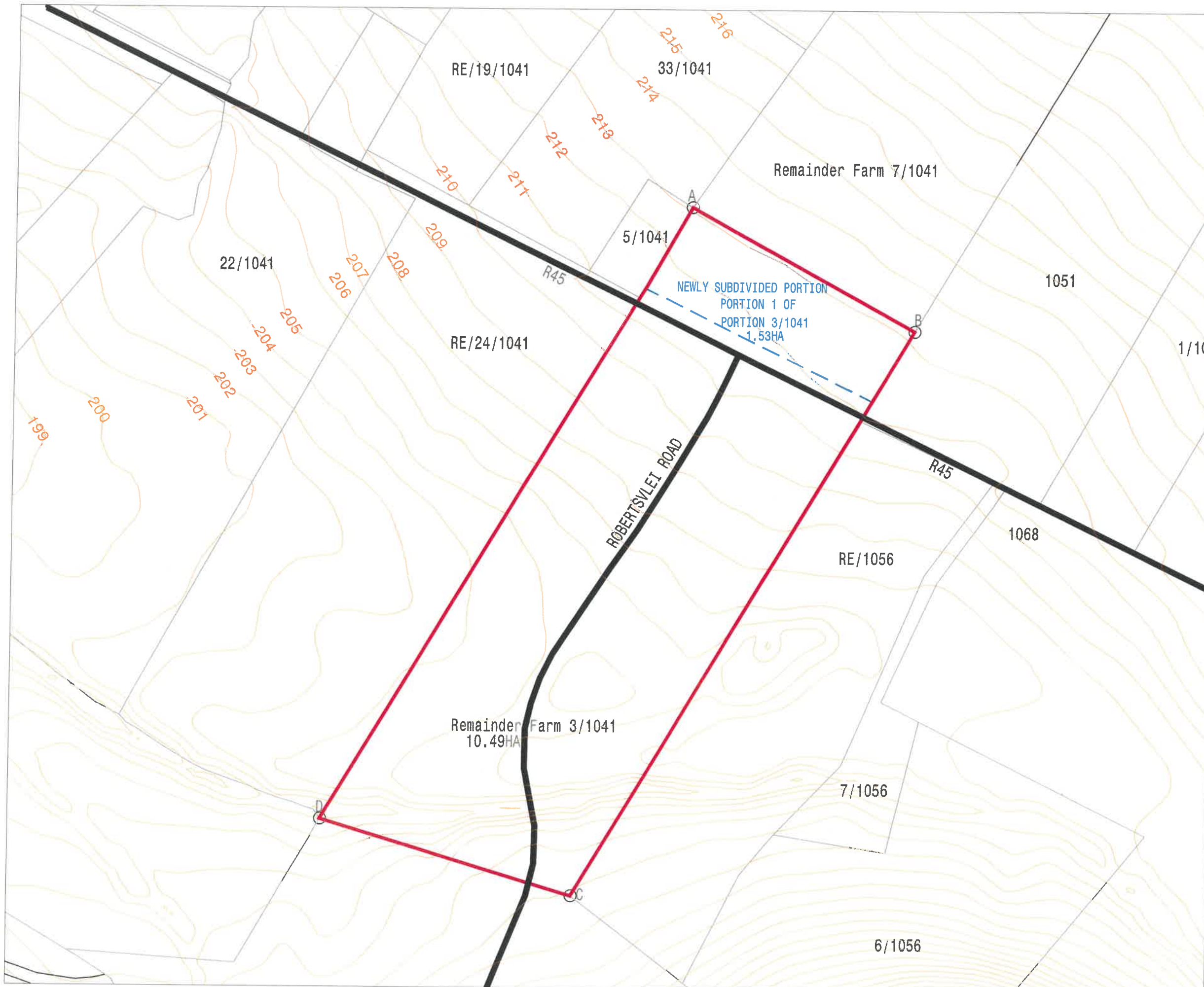
**Maasdrorp Forest Village**  
**Fig 4: Aerial**

**SUSTAINABLE PLANNING SOLUTIONS**  
 Professional Town & Regional Planners

Address: 30 Klein Bron Avenue, Klein Bron Estate, Brackenell  
 Tel: (021) 951 4484 Fax: 086 500 4484 Mobile: 084 603 4370  
 Email: candice@sp-solutions.co.za Skype: candice.maasdrorp.beron  
 Website: www.sp-solutions.co.za







- Key:**
- Study Area
  - Existing cadastral
  - - - Proposed subdivision line
  - Major Roads
  - 1m contours

LAND USE TABLE				
Portion Nr	Total Portion	Current zoning	Area	%
Portion 1	1	Agricultural	1.53ha	12.73%
RE/3/1041	1	Agricultural	10.49ha	87.27%
<b>Total</b>	<b>2</b>		<b>12.02ha</b>	<b>100%</b>



Address: Unit 10, 10 Plain Street, Durbanville  
 Email: candice@sp-solutions.co.za | Skype: candice.maasdorp.theron  
 Website: www.sp-solutions.co.za  
 Tel: +27 (0) 21 981 4484 | Fax: +27 (0) 96 600 4484 | Mobile: 084 603 4370

**Scale:** A3 at 1: 3000

**Title:** Proposed subdivision plan 1

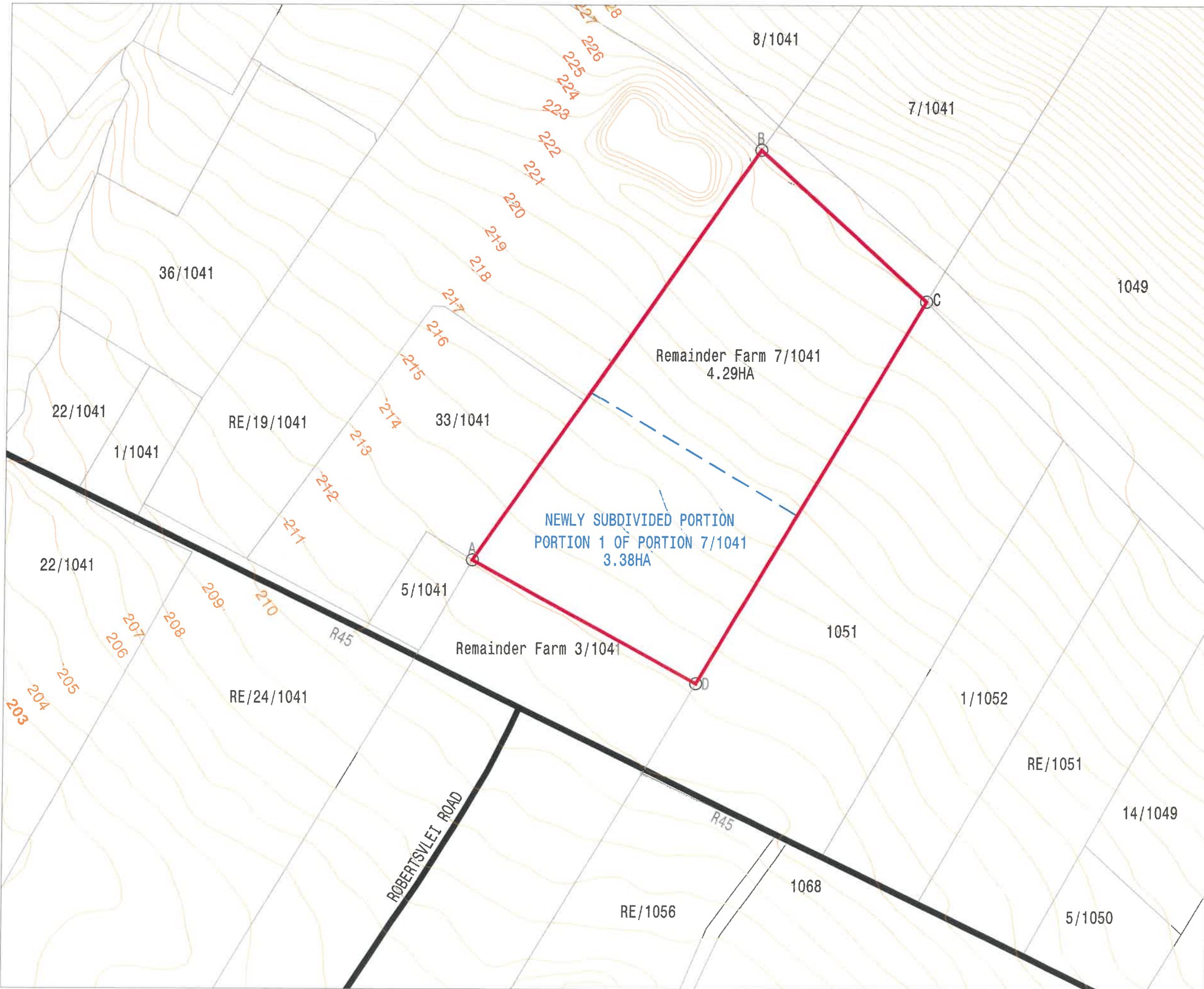
**Project:** Maasdorp Forest Village

**Client:** Stellenbosch Municipality: Property Management

<b>Project Nr.</b> 3.018	<b>Drawing Nr.</b> 3.018.01.01	<b>Date:</b> 17 June 2022
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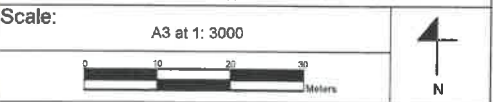




- Key:**
- Study Area
  - Existing cadastral
  - - - Proposed subdivision line
  - Major Roads
  - 1m contours

LAND USE TABLE				
Portion Nr	Total Portion	Current zoning	Area	%
Portion 1	1	Agricultural	3.38ha	44.07%
RE/7/1041	1	Agricultural	4.29ha	55.93%
<b>Total</b>	<b>2</b>		<b>7.67ha</b>	<b>100%</b>

**SJS SUSTAINABLE PLANNING SOLUTIONS**  
 Professional Town & Regional Planners  
 Address: Unit 10, 10 Plein Street, Durbanville  
 Email: candice@sp-solutions.co.za | Slope: candice.maasdorp@theron  
 Website: www.sp-solutions.co.za  
 Tel: +27 (0) 21 961 4484 | Fax: +27 (0)98 600 4484 | Mobile: 084 603 4370



Title: **Proposed subdivision plan 2**

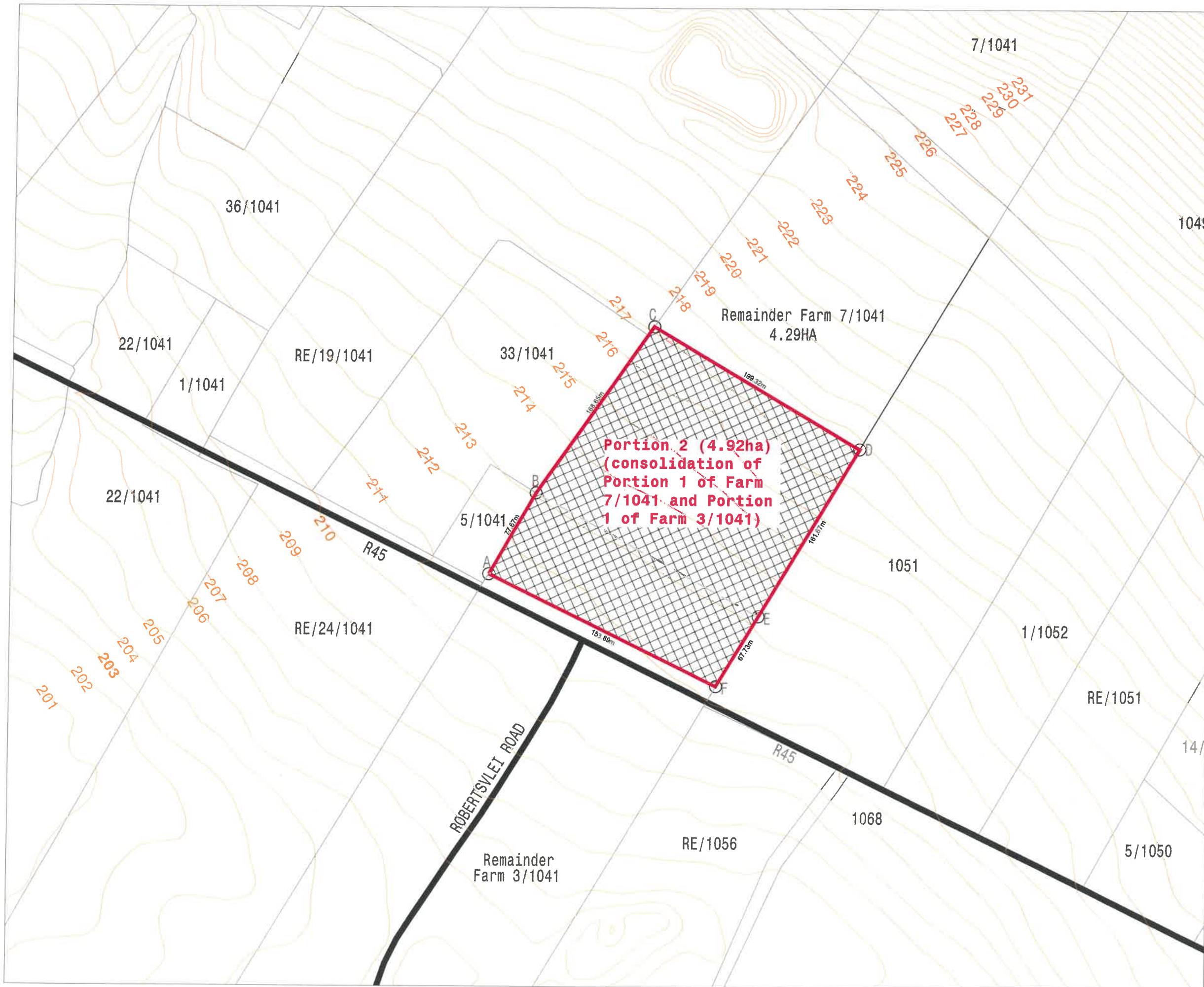
Project: **Maasdorp Forest Village**

Client: **Stellenbosch Municipality: Property Management**

Project Nr.	Drawing Nr.	Date:
3.018	3.018.01.02	17 June 2022





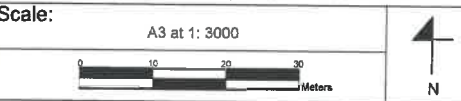


- Key:**
- Consolidation line
  - Existing cadastral
  - - - Existing common boundary
  - Major Roads
  - 1m contours

**NOTE:**  
 The figure ABCDE represents the consolidation of the newly subdivided portions: Portion 1 of farm 7/1041 and portion 1 of farm 3/1041 into Portion 2. Rezoning of the newly consolidated Portion 2 to Subdivisional area zone.  
 Line AB = 77.67m  
 Line BC = 168.65m  
 Line CD = 199.32m  
 Line DE = 161.67m  
 Line EF = 67.73m  
 Line FA = 153.89m

LAND USE TABLE				
Portion Nr	Total Portion	Proposed zoning	Area	%
Portion 2	1	Subdivisional area	4.92ha	100

**SJS SUSTAINABLE PLANNING SOLUTIONS**  
 Professional Town & Regional Planners  
 Address: Unit 10, 10 Plain Street, Durbanville  
 Email: candice@sp-solutions.co.za | Skype: candice.maasdorp.theron  
 Website: www.sp-solutions.co.za  
 Tel: +27 (0) 21 981 4484 | Fax: +27 (0) 86 600 4484 | Mobile: 084 603 4370



**Title:** Proposed consolidation & rezoning plan

**Project:** Maasdorp Forest Village

**Client:** Stellenbosch Municipality: Property Management

Project Nr.	Drawing Nr.	Date:
3.018	3.018.01.03	17 June 2022







**Key:**

- Study Area
- Existing cadastral
- Proposed subdivision line
- Contours
- Existing buildings
- 🌳 Existing trees

**Note:**

As received from Topographical Survey compiled by C.K. Rumboll & Partners on 31 January 2018

LAND USE TABLE				
Portion Nr	Proposed Use	Total Portion	Area	Percentage
Portion 1 - 16	Residential	16	3,49ha	75,9%
Portion 17 - 18	Open space	2	0,52ha	11,3%
Portion 19	Road	1	0,59ha	12,8%
<b>Total</b>		<b>19</b>	<b>4,6ha</b>	<b>100%</b>



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 Website: www.sp-solutions.co.za  
 Tel: +27 (0) 21 981 4484 | Fax: +27 (0)86 500 4484 | Mobile: 084 603 4370

Scale:

A3 at 1: 1500



Title: **Proposed subdivision plan**

Project: **Maasdorp Forest Village**

Client: **Stellenbosch Municipality: Property Management**

Project Nr.	Drawing Nr.	Date:
3.018	3.018.01.05	04 July 2022

