

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

Sir / Madam

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

Application Property Address: Webers Valley Road, Jamestown, Stellenbosch, 7600

Application Property Number: Farm 510/9, Stellenbosch

Applicant: TV3 Projects (Pty) Ltd – C Heys (contact details: 021 861 3800)

Owner: ATM Group – D Comerma (contact details: 021 887 9184)

Application Reference: LU/14629

Description of Proposed Development:

- Application is made i.t.o. Section 15.2(a) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the rezoning of Farm 510/9, Stellenbosch from Agriculture and Rural Zone to Subdivisional Area.
- Application is made i.t.o. Section 15.2(d) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the subdivision of Farm 510/9, Stellenbosch into:
 - 20 Conventional Residential Zone erven (group housing units);
 - 8 Private Open Space Zone erven (private road and open space); and
 - 1 Public Roads and Parking erf (public road).
- Application is made i.t.o. Section 15.2(o) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for a consent use (for group housing) on Farm 510/9, Stellenbosch.

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_portal/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.

KENNISGEWING VAN GROND ONTWIKKELINGSAANSOEK AAN GEINTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR

Meneer / Dame

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

Adres van aansoek eiendom: Webersvalleiweg, Jamestown, Stellenbosch, 7600

Aansoek eiendom beskrywing: Plaas 510/9, Stellenbosch

Aansoeker: TV3 Projects (Pty) Ltd – C Heys (kontak besonderhede: 021 861 3800)

Eienaar: ATM Group – D Comerma (kontak besonderhede: 021 887 9184)

Aansoek Verwysing: LU/14629

Tipe aansoek:

- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(a) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir die hersonering van die eiendom vanaf Landbou Sone na Onderverdelingsgebied.
- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(d) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir die onderverdeling van die eiendom in:
 - 20 Konvensionele Residensiele Sone erwe (groepbehuising);
 - 8 Privaat Oopruimte Sone erwe (privaat pad en oopruimte); en
 - 1 Publieke Pad en Parkering erf (publieke pad).
- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(o) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir 'n vergunningsgebruik (vir groepbehuising) op die eiendom.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: [https://www.stellenbosch.gov.za/planning_portal/planning-notices/land-use-applications-advertisements]. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;

- Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
- Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.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 sluitingsdatum van **27 Februarie 2023**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 861 3800 gedurende normale kantoor ure.

Die uwe

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD



**BLAAUWKLIP-AAN-RIVIER (PHASE II)
FARM 510/9, STELLENBOSCH**

Application for Rezoning and Subdivision (3527-P)

20 July 2022



ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

CONTENT PAGE

LAND USE PLANNING APPLICATIONS

PLANNING MOTIVATION REPORT

1. BACKGROUND INFORMATION

- 1.1 Brief
- 1.2 Property description
- 1.3 Ownership
- 1.4 Size
- 1.5 Title deed search

2. LOCAL PLANNING CONTEXT

- 2.1 Locality
- 2.2 Surrounding land uses
- 2.3 Present zoning and land use

3. BLAAUWKLIP-AAN-RIVIER PHASE II RESIDENTIAL DEVELOPMENT PROPOSAL

- 3.1 Land use planning applications
- 3.2 Erf sizes and residential density
- 3.3 Constitution and architectural guidelines
- 3.4 Access

4. PLANNING MOTIVATION FOR NEED AND DESIRIBILITY

- 4.1 Background to the development proposal
- 4.2 Compliance with the Spatial Planning and Land Use Management Act
- 4.3 Compliance with the Stellenbosch Municipality's Spatial Development Framework
- 4.4 Positive economic impact
- 4.5 Economic viability
- 4.6 Compatibility with the surrounding land uses
- 4.7 Addressing the town's housing needs and backlog
- 4.8 Provision of affordable middle-income housing
- 4.9 Environmental and heritage authorisations

5. PROVISION OF ENGINEERING SERVICES

- 5.1 Civil engineering services
- 5.2 Transport impact study

6. CONCLUSION

7. SIGNATURE OF APPLICANT

LAND USE PLANNING APPLICATIONS

Pertaining to (a portion of) Portion 9 of the Farm Blaauwklip No. 510, Division of Stellenbosch.

The following land use planning applications are hereby made in order to obtain planning approval for the Blaauwklip-aan-Rivier residential estate's second development phase:

1. Application i.t.o. Section 15.2(a) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the rezoning of Farm 510/9, Stellenbosch from *Agriculture and Rural Zone to Subdivisional Area*.
 2. Application i.t.o. Section 15.2(d) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the subdivision of Farm 510/9, Stellenbosch into:
 - 20 Conventional Residential Zone erven (group housing units);
 - 8 Private Open Space Zone erven (private road and open space); and
 - 1 Public Roads and Parking erf (public road).
 3. Application i.t.o. Section 15.2(o) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for a consent use (for group housing) on Farm 510/9, Stellenbosch.
-

PLANNING MOTIVATION REPORT

1. BACKGROUND INFORMATION

1.1 Brief

This firm received a brief from the landowner to prepare the necessary documentation for the land use planning applications as set out in this report, to obtain planning approval for the Blaauwklip-aan-Rivier Phase II residential development on a portion of Farm 510/9, Stellenbosch – hereafter referred to as the subject property. A power of attorney to this effect is attached hereto.

1.2 Property description

The subject property is described in the Deed of Transfer No. T62575/1996 as Portion 9 of the Farm No. 510, Division of Stellenbosch. A copy of the Deed of Transfer and SG Diagram is attached hereto.

1.3 Ownership

Edwin Daniel February and Wesley Everest February are the registered landowners of the subject property. Our client – Blaauwklippen Agricultural Estates (Pty) Ltd – is in the process of taking ownership of the subject property.

1.4 Size

The subject property is 2.2984ha in extent. However, this application only relates to a 0,8966ha portion of the subject property.

1.5 Title deed search

A title deed search was undertaken by attorneys and they have confirmed that there are no title conditions that will restrict the proposed residential development on the subject property. A copy of their Conveyancer Certificate is attached hereto.

2. LOCAL PLANNING CONTEXT

2.1 Locality

The subject property is the 2nd development phase of the Blaauwklip-aan-Rivier residential estate, in Jamestown, Stellenbosch – see Figure 1 below.



Figure 1: Locality of the subject property

The locality of the subject property is also indicated on the attached locality plan.

2.2 Surrounding land uses

The subject property is located in Jamestown. It is surrounded by residential estates (La Clémence retirement village and De Zalze Winelands Golf Estate), residential neighbourhood (Jamestown), commercial facilities (Stellenbosch Square shopping centre) and agricultural land (Blaauwklippen Farm) – see Figure 2 below.

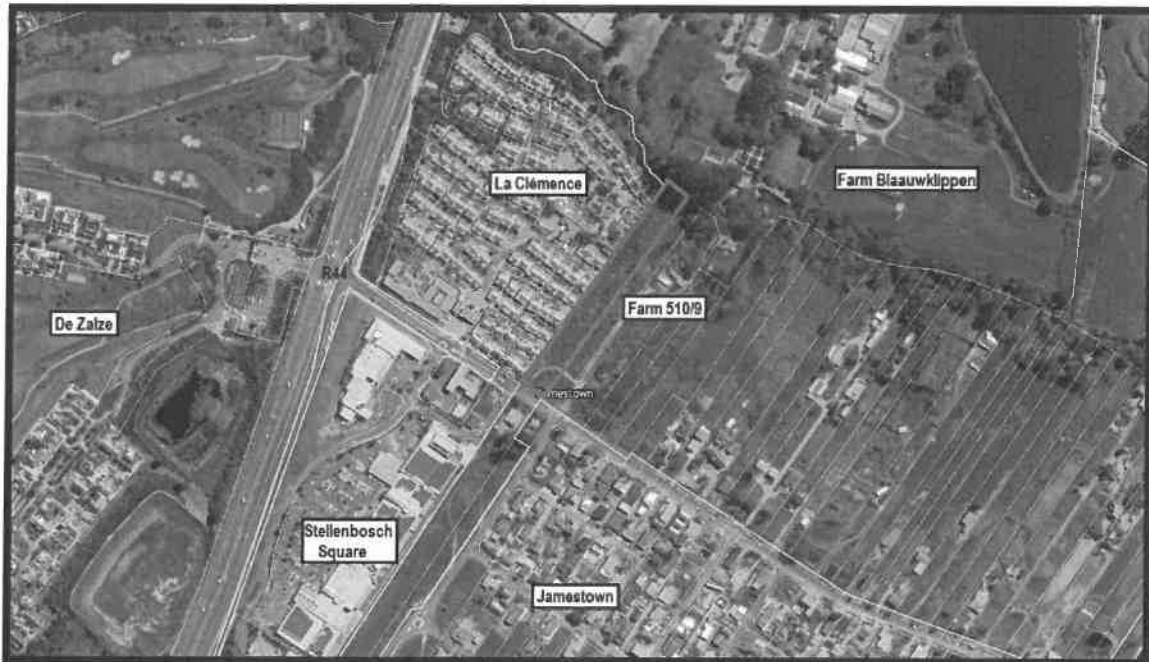


Figure 2: Surrounding land uses

2.3 Present zoning and land use

According to our research and records, the subject property is zoned Agriculture and Rural Zone. The subject property is currently vacant, but it was historically used for informal residential purposes (the Kreefgat informal settlement was located on the subject property) – see Figures 3 and 4 below.



Figure 3: Historic land use of the subject property (i.e. an informal settlement)



Figure 4: Photograph of the Kreefgat informal settlement

The Kreefgat residents have subsequently been relocated and the subject property has been cleared.

3. BLAAUWKLIP-AAN-RIVIER PHASE II RESIDENTIAL DEVELOPMENT PROPOSAL

3.1 Land use planning applications

Application is made for the rezoning of the subject property from Agriculture and Rural Zone to Subdivisional Area, and for subdivision thereof into:

- 20 Conventional Residential Zone erven (group housing) erven;
- 7 Private Open Space Zone erven (private road and open space); and
- 1 Public Roads and Parking erf (public road).

A subdivision plan – that also indicates the zonings, land uses, servitudes, street names, street numbers, etc. – is attached hereto for your Council's approval.

3.2 Erf sizes and residential density

The development proposal will consist of 20 group housing erven that are all $\pm 210\text{m}^2$ in size, which is similar to the approved group housing erven of Phase I. The proposed development will have a residential density of only ± 26 units per hectare, which is similar to the residential density of Phase I. The purpose of the small erven is to be compatible with the existing high residential density character of Phase I.

3.3 Constitution and architectural guidelines

The proposed development will form part of the Blaauwklip-aan-Rivier residential estate, and the new erven / owners will all be members of the Home Owners' Association (HOA). For this reason, the new erven / owners will all have to comply with the Blaauwklip-aan-Rivier residential estate's HOA

constitution and architectural guidelines.

3.4 Access

Access to the proposed Phase II will be via Phase I's entrance gate and internal streets. No new access points will be created for the proposed development.

4. PLANNING MOTIVATION FOR NEED AND DESIRIBILITY

Our motivation for the proposed residential development of the subject property is based on the following planning reasons:

4.1 Background to the development proposal

In 2021 the Stellenbosch Municipality approved the Blaauwklip-aan-Rivier Phase I residential development – see Figure 5 below.



Figure 5: Approved Subdivision Plan for Blaauwklip-aan-Rivier Phase I

A copy of Stellenbosch Municipality's letter of approval is attached hereto.

The subject property was identified as a future second development phase of the Blaauwklip-aan-Rivier residential estate and access to the subject property was provided through the estate. This application aims to now obtain the required planning approvals for the second development phase.

4.2 Compliance with the Spatial Planning and Land Use Management Act

The proposed residential development supports the principles of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA).

It supports the principle of *spatial justice* by providing more affordable middle-income housing opportunities in Stellenbosch, close to employment opportunities (e.g. Technopark) and public transport facilities (e.g. R44).

It supports the principle of *spatial efficiency* as the proposed development is located within the urban edge and will result in less time, effort, or cost for governments, businesses, and households to conduct their daily activities and will produce stronger economic growth.

It supports the principle of *spatial sustainability* by building a new community on a previously undeveloped site without destroying the ecosystem or harming the environment.

4.3 Compliance with the Stellenbosch Municipality's Spatial Development Framework

The development proposal supports the principles (and is compliant with) the

Stellenbosch Municipality's Spatial Development Framework (MSDF). The subject property is located within the approved urban edge and is earmarked by the MSDF for future infill urban development – see Figure 6 below.

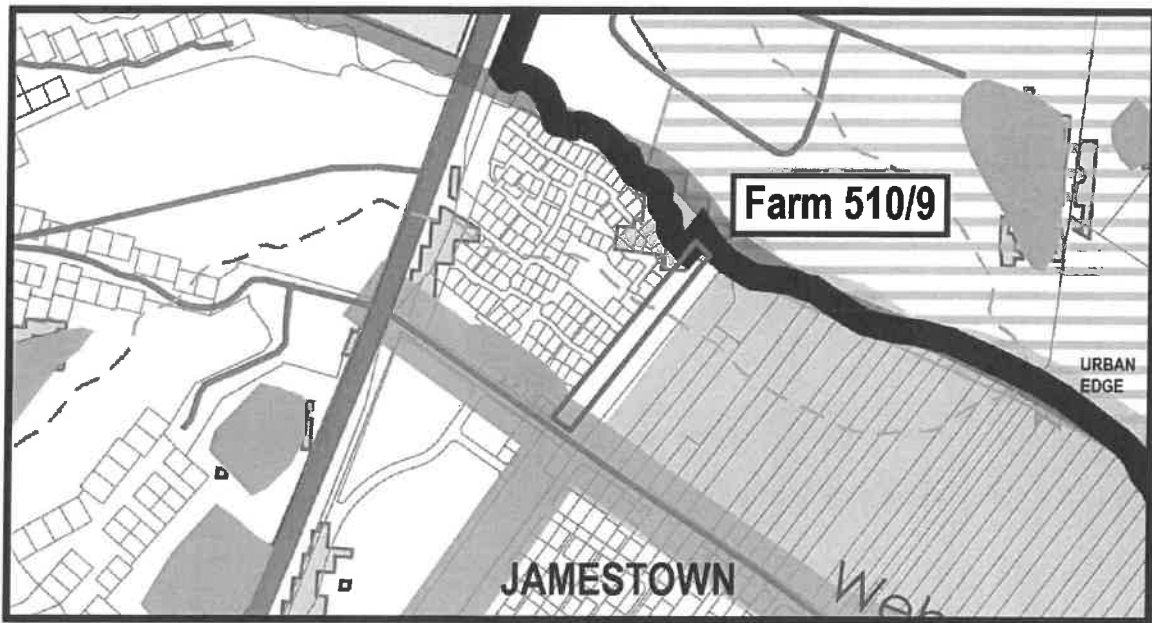


Figure 6: Extract of the approved MSDF (November 2019)

Also, in the MSDF the Stellenbosch Municipality has identified Farm 527 (± 100 ha) as developable land for $\pm 5\,000$ social and affordable housing opportunities (and not the subject property) – see Figure 7 below.

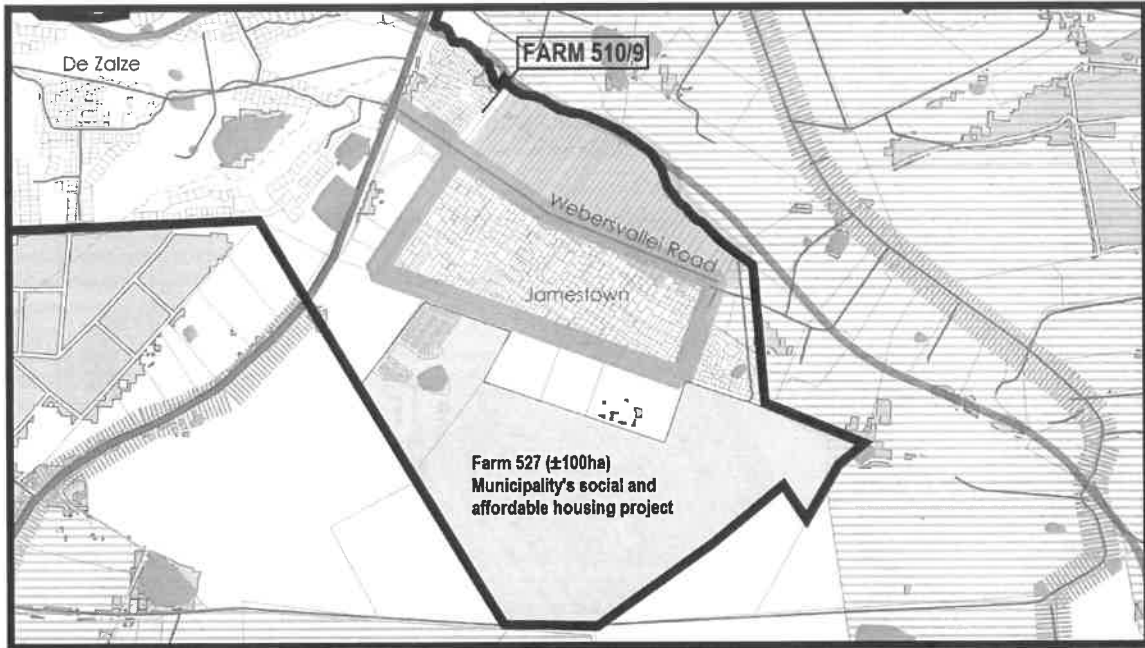


Figure 7: The Municipality's social and affordable housing project in Jamestown

As indicated on the MSDF, Council is currently developing many new social, affordable and gap housing opportunities in Jamestown, on a ±100ha portion of Farm 527 (directly south of Jamestown). It is therefore accepted that the lower-income housing demand in Jamestown is being addressed by these developments.

The development proposal complies with the recommendations of the MSDF which states "*infill opportunities also exist in Stellenbosch town, specifically in Cloetesville, Idas Valley, Stellenbosch Central, along the edges of Jamestown*" – i.e. according to the MSDF the application area is deemed to be an infill development opportunity. However, the MSDF does not require the development of social or affordable housing on the application area.

The proposed infill development on the subject property is therefore compliant with the purpose and recommendations of the MSDF, and to refuse the application will be considered incompatible with the recommendations of the

MSDF.

4.4 Positive economic impact

The South African economy is in a technical recession (according to the Moody's Corporation) and significant economic investment is needed to address these problems.

The proposed development is an opportunity to stimulate the local economy. The estimated value of this development project is ±R50 million that will be invested in the local economy.

Furthermore, the construction sector is one of the largest single contributor to employment. Construction opportunities should therefore be supported as it will create many new employment opportunities (ranging from skilled to unskilled labour). It is anticipated that the proposed development will create ±100 new employment opportunities in the construction sector.

The proposed development will also pay ±R1.4 million in development charges to the Stellenbosch Municipality, it will contribute to the upgrading of municipal bulk infrastructure, and it will annually pay municipal rates and taxes to the amount of ±R500 000.

It is the Stellenbosch Municipality's duty to promote and facilitate local economic growth and since the proposed development will have a positive impact on the local economy and infrastructure, it must be supported.

4.5 Economic viability

It is important to note that economic viability is one of the pillars of sustainability and it cannot be ignored in order to implement a development that is

economically unsustainable. The residential market, land price, construction costs, development charges, taxes, etc. all have an impact on a project's viability and must be taken into consideration when assessing a development proposal. The proposed development has been valued and it is currently economically viable. However, by amending the scheme the viability of the project will be compromised.

4.6 Compatibility with the surrounding land uses

The subject property forms part of the Blaauwklip-aan-Rivier residential estate and is further surrounded by similar residential developments, such as the La Clémence retirement village and the recently approved The James I and II residential developments (on Farms 510/844 and 510/845). The proposed development of the subject property will be similar and compatible with these surrounding residential estates, will constitute infill development and will complete the infilling of the Blaauwklip-aan-Rivier residential estate as originally envisaged.

4.7 Addressing the town's housing needs and backlog

According to the MSDF the inadequate supply of housing in Stellenbosch is a main concern. The greater municipal area has a current and future housing backlog and the availability of developable land for housing opportunities is extremely limited. The Stellenbosch Municipality has redefined the urban edge and has identified additional land deemed desirable for urban development and the creation of the much-needed housing opportunities in alignment with all the goals and objectives of the Integrated Development Plan.

4.8 Provision of affordable middle-income housing

The proposed development will aim to provide a more affordable housing

product (in a Stellenbosch context).

There is a huge demand for affordable middle-income housing in Stellenbosch and Jamestown. Most of the housing options available in Stellenbosch are either low-income housing or high-income housing (because of Council's spatial planning policies that limits new private development opportunities on green fields) and most of the land available for development in Stellenbosch is Council land and is used predominantly for low cost housing projects.

Affordable middle-income housing opportunities is scarce in Stellenbosch. For this reason, many workers must commute every day from Somerset West or Belville to Stellenbosch, because they cannot afford housing in Stellenbosch. The proposed development aims to address this problem by providing an affordable housing product in the middle-income market.

4.9 Environmental and heritage authorisations

The proposed development does not require the Department of Environmental Affairs and Development Planning's environmental authorisation i.t.o. the National Environmental Management Act, 1998 because the subject property is located within an urban area, it is smaller than 5ha, there are no indigenous vegetation on the subject property and the subject property is not zoned for any conservation purposes.

A heritage application was submitted to Heritage Western Cape for their authorisation (i.t.o. the National Heritage Resources Management Act, 1999) of the proposed urban development. Find attached hereto a copy of their letter of approval.

5. PROVISION OF ENGINEERING SERVICES

5.1 Civil engineering services

Bart Senekal Inc. civil engineers were instructed to investigate the availability of civil engineering services (water, sewerage, stormwater, etc.) for the proposed residential development. According to their civil engineering services report all bulk engineering services are available to accommodate the proposed development, but with certain infrastructure upgrades. A copy of their civil engineering services report is attached hereto.

5.2 Transport impact study

UDS traffic engineers were instructed to undertake a transport impact study for the proposed development. According to their transport impact study report the proposed development is supported from a traffic point of view, but with certain traffic infrastructure upgrades. A copy of the transport impact study report is attached hereto.

6. CONCLUSION

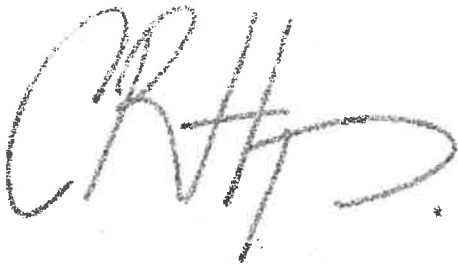
The development of the subject property – as the second phase of the Blaauwklip-aan-Rivier residential estate – can be deemed desirable as it:

- Is located within the Stellenbosch urban edge;
- Is compliant with the MSDF;
- Is supported by Heritage Western Cape;
- Is compatible with surrounding land use;
- Will provide additional housing opportunities;
- Will contribute to local economic development;

- Will broaden the municipal tax base;
- Will pay development charges to upgrade municipal bulk infrastructure; and
- Engineering services are available.

From the above it is clear that the proposed development of a higher density (infill) residential development on vacant urban land is in line with the town's spatial planning principles and general planning considerations. For these reasons, we deem the proposed residential development of the subject property – to complete the approved Blaauwklip-aan-Rivier residential estate – to be desirable and we recommend that the applications be granted.

7. SIGNATURE OF APPLICANT



CLIFFORD HEYS

PR. PLANNER (SA): A/1158/2000



