NOTICE OF LAND DEVELOPMENT APPLICATION
IN THE STELLENBOSCH MUNICIPAL AREA

REZONING AND SUBDIVISION: REMAINDER FARM 1653 (PAARL DIVISION)

Application Address: **Robertsvlei Road, La Motte (at Franschhoek)**

Applicant: **Bettesworth Scott (info@besc.co.za) on behalf of the Western Cape Government**

Owner: **Stellenbosch Municipality**

Application Reference: **LU/15393 (TP304/2023)**

Description of land development application:
Application for rezoning and subdivision in terms of Section 15(2)(a) and (d) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a 1.836ha portion to be zoned Community Zone (place of education) and transferred to the Western Cape Government for the development of a new primary school.

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: 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 By-Law to the Applicant by electronic mail as follows: **Bettesworth Scott (info@besc.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 **26 June 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 0836048944 during normal office hours.

KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK

IN DIE STELLENBOSCH MUNISIPALE AREA

HERSONERING EN ONDERVERDELING: RESTANT PLAAS 1653 (PAARL)

Adres van eiendom: **Robertsvleistraat, La Motte (by Franschhoek)**

Aansoeker: **Bettesworth Scott (info@besc.co.za) namens die Wes-Kaap Regering**

Eienaar: **Stellenbosch Munisipaliteit**

Aansoek Verwysing: LU/ **LU/15393 (TP304/2023)**

Beskrywing van grondontwikkelingsaansoek:
Aansoek word gedoen vir hersonering en onderverdeling in terme van Artikel 15(2)(a) and (d) van die Stellenbosch Verordeninge op Grondgebruikbeplanning (2015) om 'n 1.836ha gedeelte te soneer Gemeenskapsone (plek van onderrig) en oor te dra aan die Wes-Kaap Regering vir die ontwikkeling van 'n nuwe laerskool.

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 tydsduur van die publieke deelname proses by die volgende adres: https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements. Indien die webtuiste of tersaaklike dokumente nie toeganglik 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 de 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: **Bettesworth Scott (info@besc.co.za)**. Deur 'n beswaar, kommentaar of vertoë 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 **26 Junie 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 voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 0836048944 gedurende normale kantoor ure.

BETTESWORTH SCOTT

URBAN & ENVIRONMENTAL PLANNERS

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

To Whom It May Concern

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

Application Property Address: **Robertsvlei Road, La Motte (at Franschhoek)**

Application Property Number: **Remainder Farm 1653 (Paarl Division)**

Applicant: **Bettesworth Scott (info@besc.co.za) on behalf of the Western Cape Government**

Owner: **Stellenbosch Municipality**

Application Reference: **LU/15393 (TP304/2023)**

Application Type: **Rezoning and subdivision**

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

(a) The rezoning of Remainder Farm 1653 (Paarl) from Conventional Residential and Limited Use Zone to Subdivisional Area in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law (2015) to permit Portion A (measuring 1.836ha in extent) to be zoned Community Zone (place of education) and be transferred to the Western Cape Government for the development of a new primary school; and the Remainder portion (measuring 15.563ha in extent) for Conventional Residential and Limited Use.

(b) The subdivision of the rezoned Remainder Farm 1653 (Paarl) into 2 portions in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law (2015) into Portion A measuring 1.836ha in extent (zoned Community Zone) for a place of education; and a Remainder portion measuring 15.563ha in extent (zoned Conventional Residential and Limited Use).

Notice is hereby given in terms of the provisions of Section 46 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:

https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
    - Indicate the facts and circumstances that explain the comments;
    - Where relevant demonstrate the undesirable effect that the application will have if approved;
    - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
    - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: **Bettesworth Scott (info@besc.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 **26 June 2023**.

It should be noted that the Municipality, in terms of Section 50(5) of the said By-Law, 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 0836048944 during normal office hours.

Yours faithfully

Martin Scott Pr. PLN A/1471/2011

BETTESWORTH SCOTT (PTY) LTD

TAX INVOICE

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599
PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2023-03-28	**DOCUMENT NO:**	747005
ERF / FARM NO:	1653	**CREATED BY:**	Bulelwa Mdoda
LOCALITY:	Robertsvlei Road, PAARL FARMS	**APPLICATION NO:**	LU/15393
OWNER'S NAME:	Stellenbosch Municipality	**APPLICATION VAT NO:**	0
ADDRESS:	Atlantic Beach Administration Offices Birkenhead Drive Melkbosstrand 7441	**VAT NO:**	4700102181
		APPLICANT:	Martin Scott (Provincial Government Western Cape)
		TEL NO:	0836048944

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
SUBDIVISION AND CONSOLIDATION - Subdivision, Consolidation, and Amendment or Cancellation of an approved subdivision plan (or part thereof), including a general plan or diagram, Per Application	5000.00	1	20220630081406	5000.00
REZONING & DETERMINATION OF A ZONING - Rezoning, inclusive of a determination of a zoning submitted in Urban and Rural Areas, Per application per property	10000.00	1	20220630081392	10000.00
			TOTAL AMOUNT PAYABLE	**15000.00**
			VAT INCLUDED @ 15%	**1956.52**

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES
06 APR 2023
RECEIVED

NEW TARIFFS IMPLEMENTED ON 1 JULY ANUALLY

CALCULATED BY

NAME:

SIGNATURE

DATE: 28/03/2023

PAYMENTS MUST BE MADE AT THE APPLICABLE DISTRICT OFFICE
CHEQUES TO BE MADE PAYABLE TO STELLENBOSCH MUNICIPALITY

APPLICANT TO RETURN THIS FORM TO THE ADVICE CENTRE FOR DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

VERIFIED BY

NAME:

SIGNATURE

FILE NR:
SCAN NR: E1653 P
COLLABORATOR NR:

DATE:

BANKING DETAILS FOR EFT PAYMENT:

ACCOUNT HOLDER: Stellenbosch Municipality
BANK: First National Bank (FNB)
ACCOUNT NUMBER: 62869253684
BRANCH CODE: 210554
REFERENCE: LU/_____ and ERF/FARM_____

Please use both the Land Use Application number and the Erf/Farm number indicated on this invoice as a reference when making EFT payment.

0.00

0

Enquiries	Phone Number	E-mail
Bulelwa Mdoda	0218088111	bulelwa.mdoda@stellenbosch.gov.za

BTW/VAT Invoice No: 3648

Invoice VAT Reference: 4700102181

Name: Provincial Government Western Cape

Reference No: TP304/2023

Client Street address: Dorp Street Cape Town Cape Town Western Cape South Africa 8000

Client Postal address: Dorp Street Cape Town Cape Town Western Cape South Africa 8000

Client VAT No:

Invoice Date: 2023/3/28

Payment Due Date: 2023/4/27

Municipality street address: PLEIN STREET STELLENBOSCH STELLENBOSCH Western Cape 7600

Municipality postal address: PLEIN STREET STELLENBOSCH STELLENBOSCH Western Cape 7600

Town Planning Application Fees

Vote No	Description	Qty	Rate	UoM	Amount (Incl VAT)
20220630081392	Rezoning, inclusive of a determination of a zoning	1	10 000.00	Per application	10 000.00
20220630081406	Subdivision, Consolidation and Amendment or Cancellation of an approved subdivision plan (or part thereof), including a general plan or diagram	1	5 000.00	Per application	5 000.00

Total Excl VAT	13 043.48
VAT	1 956.52
Invoice Total	**15 000.00**

*VAT Exempt

Created By: Mdoda, Bulelwa

Signature: _____

Verified By: Mdoda, Bulelwa

Signature: _____

Please note that application fees that are paid to the municipality are non-refundable and proof of payment must accompany the application. It is the responsibility of the applicant to ensure that the payment is made into the correct account.

Bank Details: First National Bank Acc# 62869253684 Branch Code 250655

Please use the following as reference number: TP304/2023

To expedite the application, please send proof of payment by e-mail or fax as per the detail above.

RECEIPT NR.

Bulelwa Mdoda

From: Sharise De Klerk
Sent: Wednesday, 05 April 2023 10:38
To: Bulelwa Mdoda
Subject: RE: [EX] POP for Land Use Planning Application Invoice Farm 1653 Paarl Division

1000223925

From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Sent: Monday, April 3, 2023 2:49 PM
To: Sharise De Klerk <Sharise.Deklerk@stellenbosch.gov.za>
Subject: FW: [EX] POP for Land Use Planning Application Invoice Farm 1653 Paarl Division

Hi Sharise;

Please find attached invoice and pop.

Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
1st Floor, NPK Building
Cnr Plein and Ryneveld Street
Stellenbosch
7600
www.stellenbosch.gov.za

Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link: http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: angela@besc.co.za <angela@besc.co.za>
Sent: Monday, April 3, 2023 12:56 PM
To: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>; Gis Administrator <Gis.Administrator@stellenbosch.gov.za>
Cc: martin@besc.co.za
Subject: [EX] POP for Land Use Planning Application Invoice Farm 1653 Paarl Division

Good Afternoon Bulelwa

Please find attached payment notification for the invoice for the submission of the Land Use Planning Application for Farm Number 1653 Paarl Division (invoice also attached).

My apologies for not referencing the farm number on the payment notification. The reference number is included on the payment notification.

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

TP304/2023

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	27-02-2023
Erf No		Town		Suburb	
Farm No	1653	Farm Portion		Nearest Town	LA MOTTE
Owner / Applicant	MARTIN SCOTT		Contact number		0767557499
	martin@besc.co.za				

INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY[1]		PLANNER TO EVALUATE[2]
	YES	NO	
1. Completed application form that is signed	✓		✓
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution	✓		✓
3. Bondholders' consent			
4. Proof that applicant is authorized to act on behalf of an entity			
5. Proof of ownership or rights held in land			
6. Motivation based on criteria in s65	✓		✓
7. SG diagram or General Plan	✓		✓
8. Locality plan	✓		✓
9. Site development plan or plan showing the land development	✓		✓
10. Subdivision plan	✓		✓
11. Permission for required servitude			
12. Title Deed	✓		✓
13. Conveyancer's certificate			
14. Feedback on Pre-application scrutiny	✓		✓

[1] *Verification by Admin only of the documentation attached and completeness of application and not the correctness thereof.*

[2] *Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.*

15. Minutes of Pre-consultation Meeting			
16. Consolidation plan			
17. Street name and numbering plan			
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	**ADMIN TO VERIFY**		**PLANNER TO EVALUATE**
18. Land use plan / zoning plan			
19. Landscaping / tree plan			
20. Flood line plan			
21. Neighbours' consent			
22. HOA / Body Corporate consent			
23. Assessments: EIA, HIA, TIA, TIS, MHIA, EA/ROD			
24. Services report (Engineers report)	✓		✓
25. Previous approvals			
26. Proof of failure of HOA			
27. Proof of lawful use right / zoning certificate			
28. Other documents Specify:	✓		✓

VERIFIED & SIGNED BY ADMIN	NAME **Bulelwa**	SIGNATURE	DATE **27/02/2023**

Outstanding information (to be completed by Planner):

None

Applications to be invoiced (to be completed by Planner):

Rezoning R 10 000-00

Subdivision R 5 000-00

EVALUATED & SIGNED BY PLANNER	NAME **ROBERT**	SIGNATURE	DATE 27/03/2023

NOTES:

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

BETTESWORTH SCOTT

URBAN & ENVIRONMENTAL PLANNERS

Our Ref No. PFM1653LM/1a

Date 23 February 2023

MOTIVATIONAL REPORT AS SET OUT IN THE STELLENBOSCH LAND USE PLANNING BY-LAW (2015):

AS PART OF AN APPLICATION FOR THE REZONING AND SUBDIVISION OF A PORTION OF REMAINDER PAARL FARM 1653, ROBERTSVLEI ROAD, FRANSCHHOEK (AT LA MOTTE)

Client	:	Department of Transport & Public Works (Western Cape Government)
Owner	:	Stellenbosch Municipality
Application To	:	Land Use Management Department, Stellenbosch Municipality
Pre-Consultation	:	Mr Robert Fooy (Land Use Management Department)
Applicant	:	Bettesworth Scott
Specialist Input	:	GIBB Consulting Engineers, Ben Langbridge Land Surveyors

REVISION 0

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Documents	:	Power of Attorney signed by the Provincial Government Western Cape
	:	Power of Attorney signed by Stellenbosch Municipality
	:	Pre-Application Scrutiny Form
	:	Email Correspondence with Stellenbosch Municipality
	:	Title Deed
	:	Motivational Report
	:	Stellenbosch Municipality Application Form
Plans	:	Locality Plan
	:	SG Diagrams
	:	Site Survey
	:	Subdivision Proposal Plan
	:	Subdivision Plan
Supporting Documentation	:	Memorandum of Agreement between Stellenbosch Municipality and the Provincial Government Western Cape
	:	Botanical Assessment (2013)
	:	Feasibility/Site Assessment Report (2017)

1. BACKGROUND

1.1 Applicant

Bettesworth Scott was appointed by the Department of Transport & Public Works (Western Cape Provincial Government), to make an application for the subdivision and rezoning of a portion of Remainder Paarl Farm 1653, La Motte ["**THE SUBJECT PROPERTY**"] to facilitate the transfer and development of the land for educational purposes.

(Refer to the attached **Power of Attorney** signed by the Western Cape Government).

1.2 Terms of Reference

The Western Cape Education Department (WCED) identified the need to acquire suitable vacant land in the La Motte area to replace the current Wemmershoek Primary School and called upon the Western Cape Department of Transport & Public Works (DTPW) to find and acquire such land. The subject property was identified as a potential site as it is owned by Stellenbosch Municipally (SBM), within the La Motte urban edge and is generally undeveloped.

Revel Fox & Partners was first commissioned in 2016 to assess the subject property and to prepare a development concept. GIBB Consulting Engineers then compiled a Feasibility/Site Assessment Report in 2017 to determine the proposed school site's suitability from an engineering perspective. Based on this, the SBM Council resolved in February 2020 that subject to land survey and detail design *"a portion of the Remainder of Farm No. 1653, Paarl Rd measuring approximately 1.8 hectares in extent"* be donated to the Provincial Government Western Cape (PGWC) for educational purposes. A Memorandum of Agreement between SBM and the PGWC was signed on 7 July 2020.

In terms of the Agreement, the PGWC is responsible for the necessary subdivision, rezoning and all associated costs to ultimately transfer and develop the school site. Considering this, the purpose of this report is to serve as motivation and to meet the necessary statutory requirements for the subdivision and rezoning of the identified portion of the subject property.

On 10 November 2021, the Municipal Manager of SBM (Geraldine Mettler) granted power of attorney to the Head of Department: Immovable Asset Management, PGWC (Shane Hindley) to among others submit the necessary land use applications on behalf of SBM.

(Refer to the attached **Power of Attorney** signed by Stellenbosch Municipality and the **Memorandum of Agreement**).

1.3 Pre-Consultation

In terms of the Stellenbosch Municipal Land Use Planning By-Law, 2015 (MPBL), pre-submission consultation is required for subdivision and rezoning applications. To initiate a pre-application scrutiny process, the attached Land Use Pre-Application Scrutiny Form was completed and submitted by email to landuse.applications@stellenbosch.gov.za on

16 June 2022. On 15 August 2022 the Land Use Management Department (Mr. Robert Fooy) responded by email stating that *"the formal land use application can be submitted via the land use portal"*.

The SBM Property Management Department (Piet Smit) also responded to an email enquiry on the status of the municipal houses that will be affected by the new school as follows:

"Alhoewel daar nie formele ooreenkomste met enige van die 'huurders' in plek is nie, is daar van die mense wat n lang geskiedenis met die eiendom het, toe dit nog deel van die Staat se grond was. Daar is dus geen formele 'erwe' nie. Enige nuwe uitleg (van die skool) sal dus voorsiening moet maak vir toegang tot die wooneenhede. Daar sal dus genoeg spasie tussen die skool se erf en die fisiese wonings wees om 'n pad te vestig".

(Refer to the attached **Pre-Application Scrutiny Form** and **Email Correspondence** with SBM Departments).

1.4 Property Detail

Erf No.	Title Deed	Owner	Extent	Zoning	Land Use
Remainder Farm 1653 (Paarl)	T45558/2017	Stellenbosch Municipality	17.3991ha	Conventional Residential (CR) and Limited Use (LU)	Dwelling houses, olive orchard

Table 1: Property detail

Remainder Farm 1653 (Paarl) at La Motte is 17.3991ha in extent and is held in terms of Title Deed T45558/2017 in the name of the SBM. The only evident restrictive conditions in the attached Title Deed are in favour of the National Government. These state that *"the land may only be used for…low-cost housing and related purposes"*; and that *"…the Municipality must grant the State a right of first refusal…whenever the Municipality decides to dispose of any superfluous land (other than land earmarked for low-cost housing purposes)"*. As the proposed school is for *"housing and related purposes"* the removal, suspension or amendment of restrictive conditions should not be necessary.

The SG Diagram No. 5913/2001 shows the consolidation that formed Farm 1653 (37.2ha in extent) and the subsequent subdivision (deduction) of Erf 1, La Motte to form the Remainder Farm 1653 (17.3991ha in extent). Erf 318, La Motte (2.2ha in extent) was subdivided off in 2015, and although approved in the SG Office (SG Diagram No. 952/2015), was never registered in the Deeds Office. Ownership, therefore, falls back to the Remainder Farm 1653 in terms of the above Title Deed. Furthermore, because the proposed school site straddles the cadastral boundary between Remainder Farm 1653 and unregistered Erf 318, La Motte, the above diagram of unregistered Erf 318 will have to be withdrawn in the SG Office. This application therefore only deals with Remainder Farm 1653, but if SBM for whatever reason must retain Erf 318 (without the school portion), then a new subdivision application (and consolidation) will likely be required as the subdivision approval that created Erf 318 in about 2015 most likely lapsed 5 years later.

The above SG Diagrams show no servitudes of similar restrictions that could hamper development on the proposed school site. (Refer to the attached **Title Deed** and **SG Diagrams**).

1.5 Proposed Application

Application is hereby made for:

1. **The rezoning of Remainder Farm 1653 (Paarl) from Conventional Residential and Limited Use to Subdivisional Area in terms of Section 15(2)(a) of the Stellenbosch Municipality Land Use Planning By-Law (2015).**

2. **The subdivision of the rezoned Remainder Farm 1653 (Paarl) into Portion A measuring 1.836ha in extent (zoned Community Zone for a 'place of education') and a Remainder portion measuring 15.563ha in extent (zoned Conventional Residential and Limited Use) in terms of Section 15(2)(d) of the Stellenbosch Municipality Land Use Planning By-Law (2015), as shown on the attached Subdivision Plan.**

(Refer to the attached SBM **Application Form**).

2. PHYSICAL CHARACTERISTICS

2.1 Location & Access

The proposed school site is on a portion of Remainder Farm 1653 on the outskirts of the La Motte village, about 3.5km west of the Franschhoek town centre, in the Stellenbosch Municipality. It is surrounded by Robertsvlei Road to the west, municipal housing mainly to the east, a municipal recycling plant to the south, and a fire station to the south-west. Natural features in the area include plantation forestry land to the east, the Franschhoek River about 130m to the north, and the Robertsvlei River about 120m to the south-west. Access is off the R45 along Robertsvlei Road.

(Refer to the attached **Locality Plan**).

Image 1: Street view south from Robertsvlei Road showing the northernmost access road to the municipal dwelling houses and municipal building on the left. The olive tree plantation on the proposed school site and an existing stormwater canal along Robertsvlei Road are visible on the left. (Source: Google Earth)

Image 2: Street view south from Robertsvlei Road showing the intersection with Bergendal Street on the right and existing access to the municipal houses visible on the left. This is also the proposed new entrance to the school. (Source: Google Earth)

Image 3: Street view south from Robertsvlei Road showing the southernmost access road to the municipal dwelling houses on the left that also serve the recycling plant and connect to a farm road. The Fire Station is visible on the right. (Source: Google Earth)

2.2 Zonings & Surrounding Land Uses

The subject property is on the eastern side of the La Motte village but the Robertsvlei River separates the proposed school site from the village. Bergendal Street does however link the proposed site to the village as well as the greater Franschhoek area via Robertsvlei Road and the R45 (about 500m north-east). The subject property also accommodates several municipal dwelling houses, a municipal building, a fire station, a recycling plant, an olive tree plantation, and several (mostly informal) gravel roads providing access to the respective uses on the subject property.

All of the above uses/buildings are owned/managed or leased by SBM. Some of it has demarcated fenced-in boundaries, but there are no subdivision/cadastral boundaries that need to be considered. The proposed subdivision will, however, have to accommodate Robertsvlei Road which currently has no demarcated road reserve and allow for the necessary yard spaces/setbacks from the surrounding municipal houses.

According to the available SBM Zoning Map, the subject property has a split zoning and the proposed school site falls in both. Most of the subject property is zoned Conventional Residential, but the portion denoted by unregistered Erf 318, La Motte is zoned Limited Use.

Figure 1: Aerial Photo showing the subject property's cadastral boundaries in light blue, the estimated position of the proposed school site in red, and the Franschhoek River and Robertsvlei River in dark blue, with the surrounding urban and rural areas. (Source: Cape Farm Mapper)

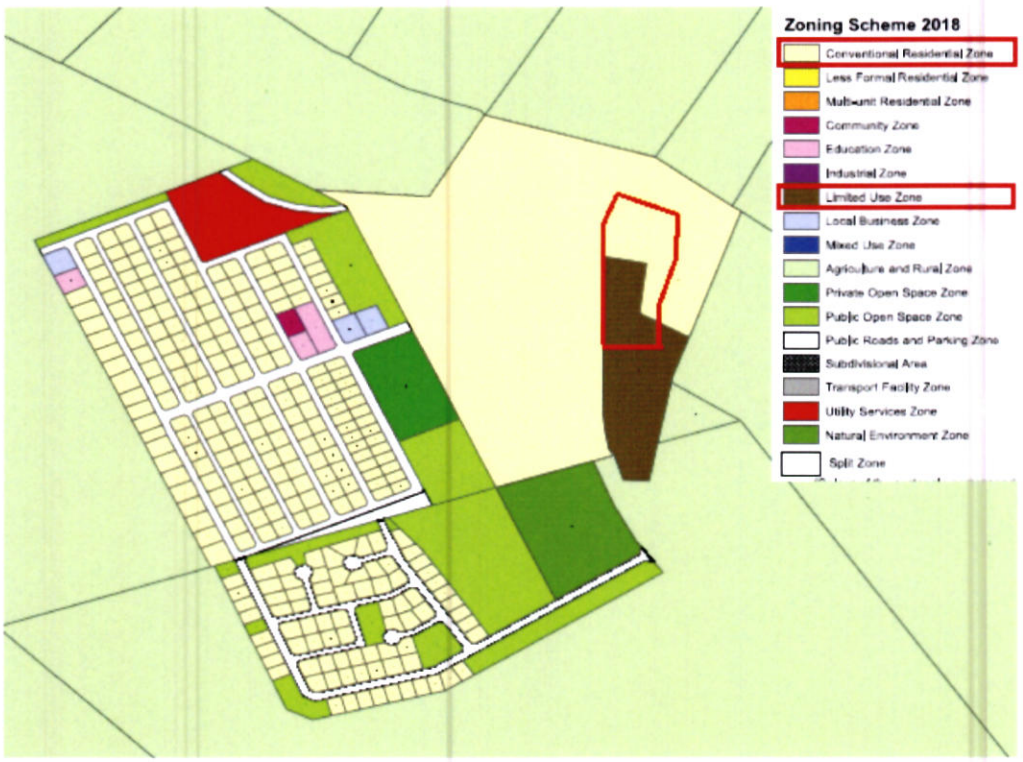

Figure 2: Extract from Zoning Map – the red lines show the estimated position of the proposed school site in relation to the underlaying zonings. (Source: SBM Zoning Map)

2.3 Existing Buildings & Infrastructure

The proposed school site is primarily on an irrigated olive tree plantation. If SBM is currently leasing the land for commercial farming, then this agreement will have to be cancelled by SBM to honour the Memorandum of Agreement with the PGWC.

Similarly, the existing municipal dwelling houses to the east are also affected as the proposed school site encroaches on the demarcated (fenced-in) yard spaces of the respective dwelling houses. Although the SBM Property Management Department indicated that there are no formal agreements in place, SBM will have to consult the *"tenants"* in this regard, i.e. as this falls beyond the scope of a rezoning/subdivision public participation process.

The proposed school site also comprises existing gravel roads that currently provide access to the above dwelling houses, a recycling plant, and an adjoining farm from Robertsvlei Road. These affected accesses and gravel roads will have to be reconfigured/rerouted to be outside the school site boundaries.

There are no buildings on the school site but there are several overhead services (Eskom and Telkom) crossing it that will have to be dealt with as part of the subdivision (more detail later).

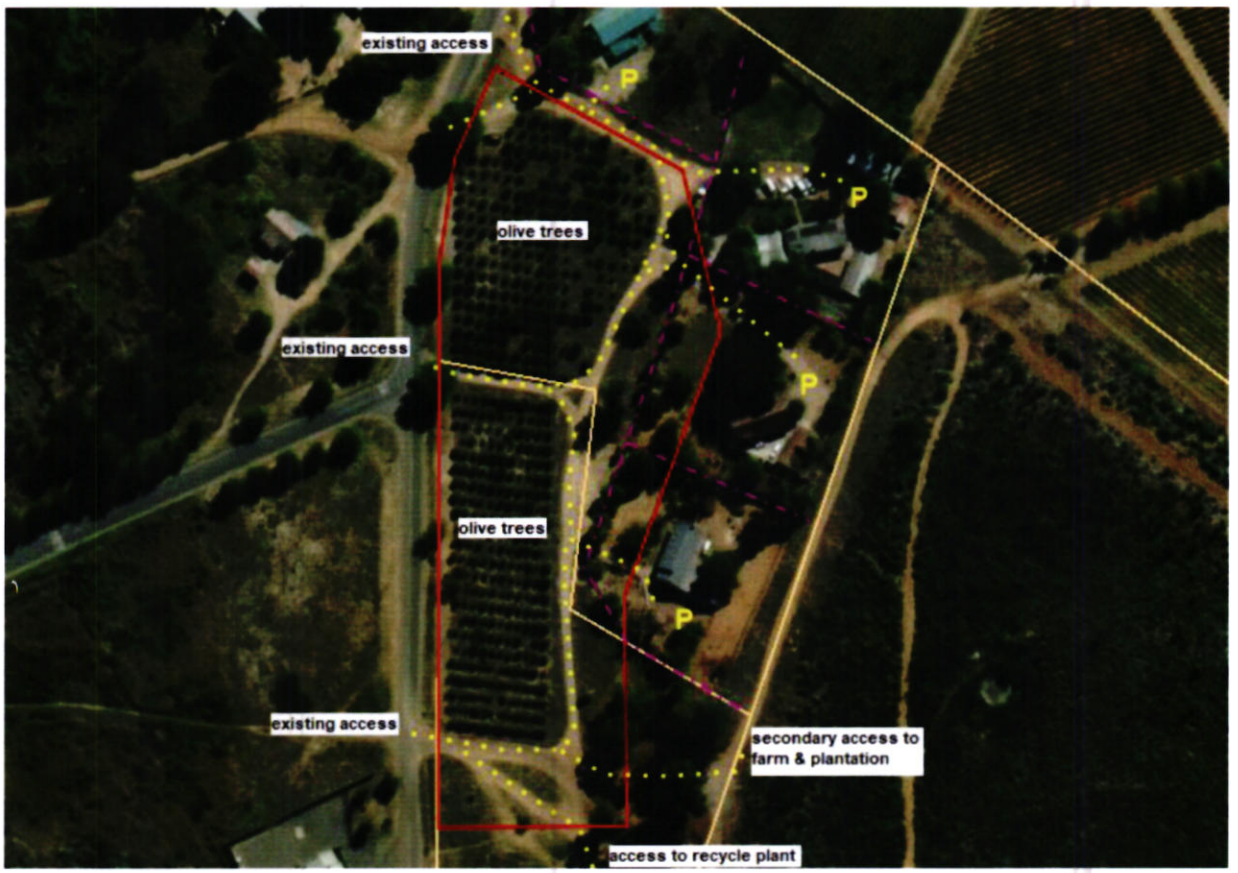

Figure 3: Aerial photo showing the estimated position of the school site in red with Robertsvlei Road on the western boundary, the existing gravel roads (in yellow), the municipal houses and their fences (in purple) as well as parking/garage areas (marked "P"), the recycling plant close to the southern boundary, and the olive tree plantation that make up the proposed school site. (Source: Cape Farm Mapper)

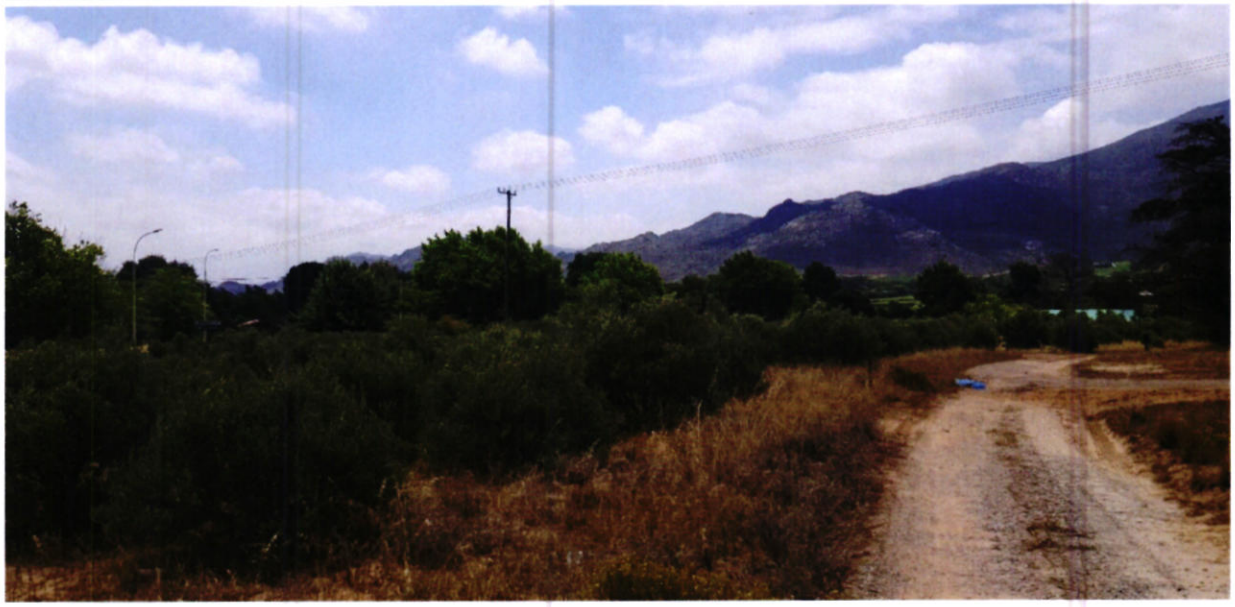

Image 4: Photo north-west showing a gravel access road to the municipal dwelling houses on the right, the olive tree plantation on the left, and an overhead cable crossing the subject property.

2.4 Environmental, Heritage & Agricultural Considerations

Biodiversity - According to available information on the SANBI BGIS Map Viewer the proposed school site may encroach small pockets of CBA1, CBA2, and ESA2 on its eastern and southern boundaries. These biodiversity areas are mostly within the fenced-in garden/yard areas of the municipal dwelling houses.

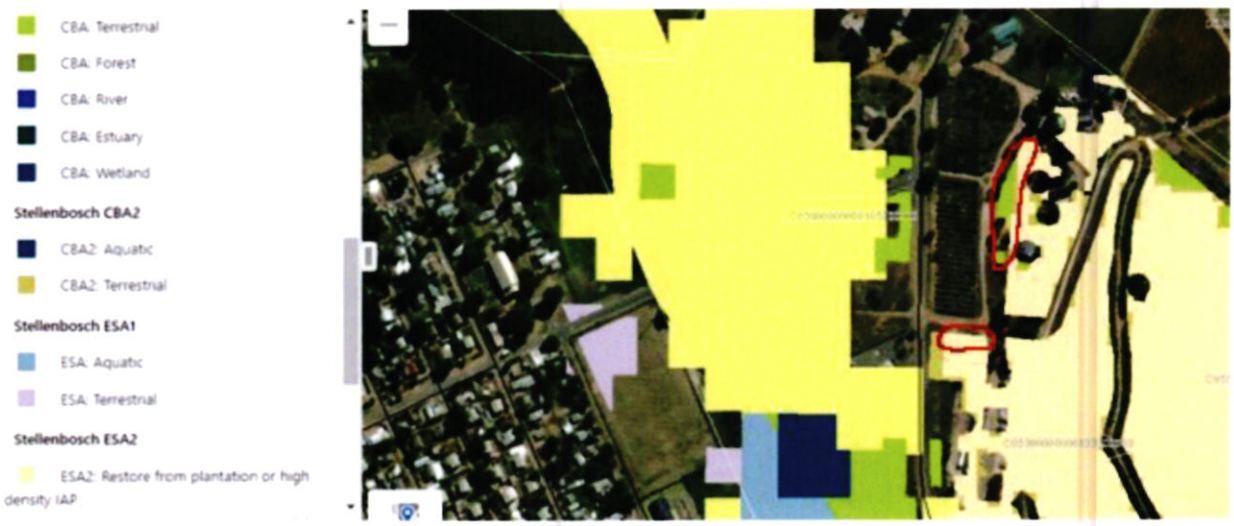

Figure 4: Extract from the Stellenbosch Biodiversity Plan (2017) showing portions of critical biodiversity on the proposed school site marked in red. (Source: SANBI BGIS Map Viewer)

It is, however, important to note that a botanical assessment was done in 2013 as part of a NEMA Basic Assessment for a low-cost housing and commercial development on among others a portion of Farm 1653, Franschhoek that includes the proposed school site. According to the 'Botanical Assessment: La Motte, Drakenstein Municipality, Western Cape' dated May 2013 (prepared by Bergwind Botanical Surveys & Tours CC), the objective of the study was to

determine if any natural vegetation was present, and if so, the condition of the vegetation and if it would contribute to achieving conservation targets for any threatened vegetation types.

Section 7.2.1 of the botanical assessment concludes that the red hatched area in Figure 5 below (that now includes the proposed school site) has been disturbed and that only the area north and south of the fire station (on the western side Robertsvlei Road) and the Robertsvlei River's riparian zone *"have any merit from a conservation perspective"*. It states that the area is generally suitable for development, but *"the riparian zone should be well-buffered, and any wetland areas avoided"*.

The botanical assessment, therefore, found no conservation-worthy vegetation on the proposed school site and because it is located on the eastern side (higher) side of Robertsvlei Road, there should be no impact on the riparian zone or river. If there is however any information (not available at the time of writing this report) that identifies critical biodiversity or puts the school site within the riparian zone, 1:100-year flood line or associated buffer zone – the proposed application will be revised where necessary. (We await the input from the relevant departments within SBM in this regard).

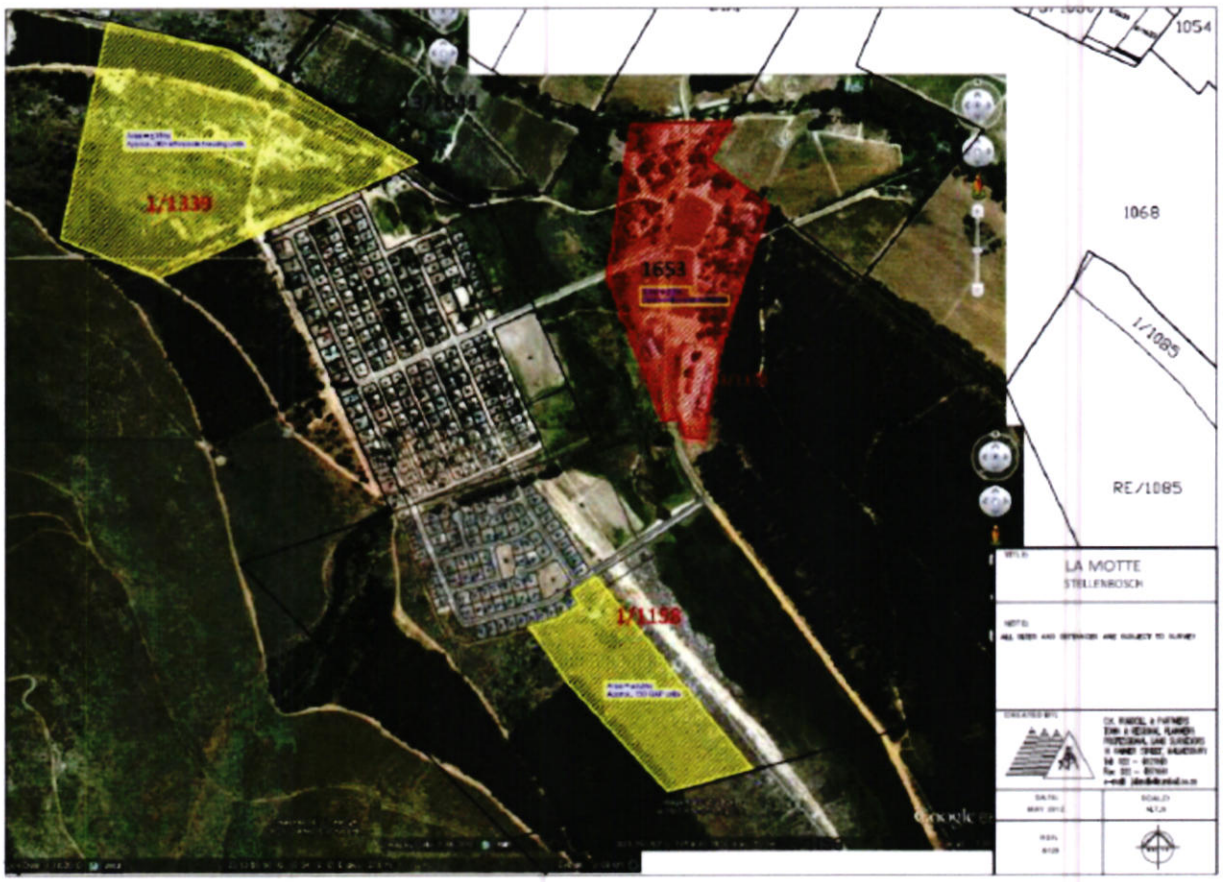

Figure 5: Areas previously proposed for housing (yellow areas) and commercial development (red area) at La Motte that were assessed by Bergwind Botanical Surveys & Tours CC. (Source: CK Rumboll & Partners)

(Refer to the attached **Botanical Assessment** prepared by Bergwind Botanical Surveys & Tours CC in 2013).

EIA Regulations – Based on the above information the proposed school site would not require the clearing of indigenous vegetation. It will also occur on partially developed land where the proposed development will take up <1ha of agricultural land (concerning the olive trees) and it is inside an urban area. It would therefore seem that the proposed development does not trigger the National Environmental Management Act (NEMA) EIA Regulations, but this application should be circulated to the Department of Environmental Affairs & Development Planning (DEADP) for confirmation in this regard.

Heritage Western Cape (HWC) – In terms of Section 38 of the National Heritage Resources Act No. 25 of 1999, a Notice of Intent to Develop (NID) must be submitted to HWC for development exceeding 5000m² in extent and for rezoning of a site exceeding 10000m² in extent. The required NID has been submitted to HWC [CASE NO. HWC23021607] – SBM will be informed of the outcome in due course.

Water Use License – The subject property is more than 100m from both the Robertsvlei River as well as the Franschhoek River, but this may still trigger the requirement for authorisation from the Department of Water & Sanitation in terms of the National Water Act No. 36 of 1998. This application must therefore be circulated to the department for confirmation in this regard, and if it is required, then it will be applied for separately and processed independently from this land use application.

Subdivision of Agricultural Land – The proposed subdivision should not require approval in terms of the Subdivision of Agricultural Land Act No. 70 of 1970 as the subject property is situated in the jurisdiction of SBM and not zoned for agricultural purposes. It is also not designated 'agricultural land' in terms of the Stellenbosch Municipality Spatial Development Framework (2019).

2.5 Engineering Considerations

In August 2017 the DTPW commissioned GIBB Consulting Engineers to compile a Feasibility/Site Assessment Report. The purpose of the report was to assess the suitability of the proposed school site for the construction of a new school from an engineered perspective. Herewith is a summary of the engineering assessment:

Topography - The proposed school site slopes from south to north with a difference in the level of approximately 8m. Due to the gradient, the site will require the construction of terraced platforms to mitigate the effect of the ground slope on buildings, sports fields, parking areas and access roadways. This can be achieved using *"balanced cut to fill"* bulk earthworks construction. Ideally, the proposed school site should be terraced into 2 platforms, i.e. 1 for the building and access road/parking area and the other for the sports field.

Geotechnical - Penetrometer tests were conducted to confirm the soil consistency and found the proposed school site suitable for the construction of a school, provided that specified ground improvement measures are adhered to.

Flood lines – The Robertsvlei River flood lines should be confirmed to ensure that the proposed development footprint is outside the 1:50 year flood line and that the foundation, floor and platform levels are above the 1:100 year flood line. This application should therefore be circulated to the relevant departments within SBM to indicate if flood lines for this

section of the river have been determined since the assessment was done 6 years ago, and if not, if the final proposed position (with required cut and fill) would warrant the appointment of a specialist by the PGWC to determine the flood lines.

Stormwater Management – A Local Stormwater Master Plan (LSWMP) must be compiled to guide the detail design of the stormwater management system for the development of the school. The stormwater run-off will have to be attenuated on the proposed school site to retard the developed site run-off quantity back to the predeveloped site run-off quantity.

Access – Access to the proposed school is only possible from Robertsvlei Road and the recommended position is at the intersection with Bergendal Street. This allows for a sight distance of approximately 100m to the north and 230m to the south, which complies with the Department of Transport's Geometric Design of Urban Collector Roads minimum sight distance of 85m.

Non-motorised transport – Surfaced sidewalks (minimum 2m wide) are recommended on the western side of Robertsvlei Road between the school access and the R45 intersection, and the northern side of Bergendal Street between Akkerhout Street and Robertsvlei River. It is also recommended that a speed hump be constructed on Robertsvlei Road, north of the proposed vehicle access to the school to reduce the speed on this approach and allow for the safer crossing of pedestrians.

Municipal Water - There is an existing 110mm potable water main on the western side of Robertsvlei Road that could supply the proposed school, i.e. via a new 80mm pipe (for domestic and fire-fighting requirements) across Robertsvlei Road. There is also a raw water line on the eastern side of Robertsvlei Road (on the same side as the proposed school) that could be used for supplying water for firefighting or to irrigate landscaping. (SBM to confirm if this information is still up to date with the circulation of this application).

Municipal Sewerage – The nearest municipal gravity sewer (in 2017) is in the La Motte village about 600m away. It is unlikely that the proposed school site can be connected here with a gravity system because the Robertsvlei River is located between the proposed school site and La Motte. Sewage will therefore have to be pumped from the proposed school site to a municipal sewer manhole on the La Motte periphery. Alternatively, sewerage could be stored in a septic tank on the proposed school site and emptied by the municipality or a private operator. (SBM to confirm if this information is still up to date and if a septic tank or similar system is a viable alternative with the circulation of this application).

Municipal Stormwater - There is no piped stormwater reticulation near the proposed school site. All stormwater from the proposed school will have to daylight into the unlined stormwater drainage canal adjacent to Robertsvlei Road (on the same side as the school), which in turn discharges into the Franschhoek River to the north.

Electricity – The WCED requirement for a new primary school is 150Amp 3-phase. There are 2 x LV Electrical overhead lines that cross the proposed school site that could also supply the school. These provide services to the

adjacent municipal dwelling houses and will require to be rerouted. The PGWC will therefore budget for the new electrical supply connections as part of the development cost of the school.

Telkom – There are Telkom overhead lines that cross the proposed school site to service the adjacent municipal dwelling houses, which the school could connect to. The PGWC will budget as part of the development cost for Telkom to remove and reroute the existing overhead lines to underground cables either north or south of the proposed school site.

(Refer to the attached **Feasibility/Site Assessment Report** prepared by GIBB Consulting Engineers).

3. DEVELOPMENT PROPOSAL

Context - When the existing Wemmershoek Primary School (located on Erven 1027 & 1029, Franschhoek) was classified as an inappropriate structure, Revel Fox & Partners was the first to be appointed by the DTPW in 2016 to assess the subject property as a potential alternative site for the development of a new school. To test the various development parameters (based on the required number of learners and set standards for a primary school), a concept layout was produced to determine the spatial requirements.

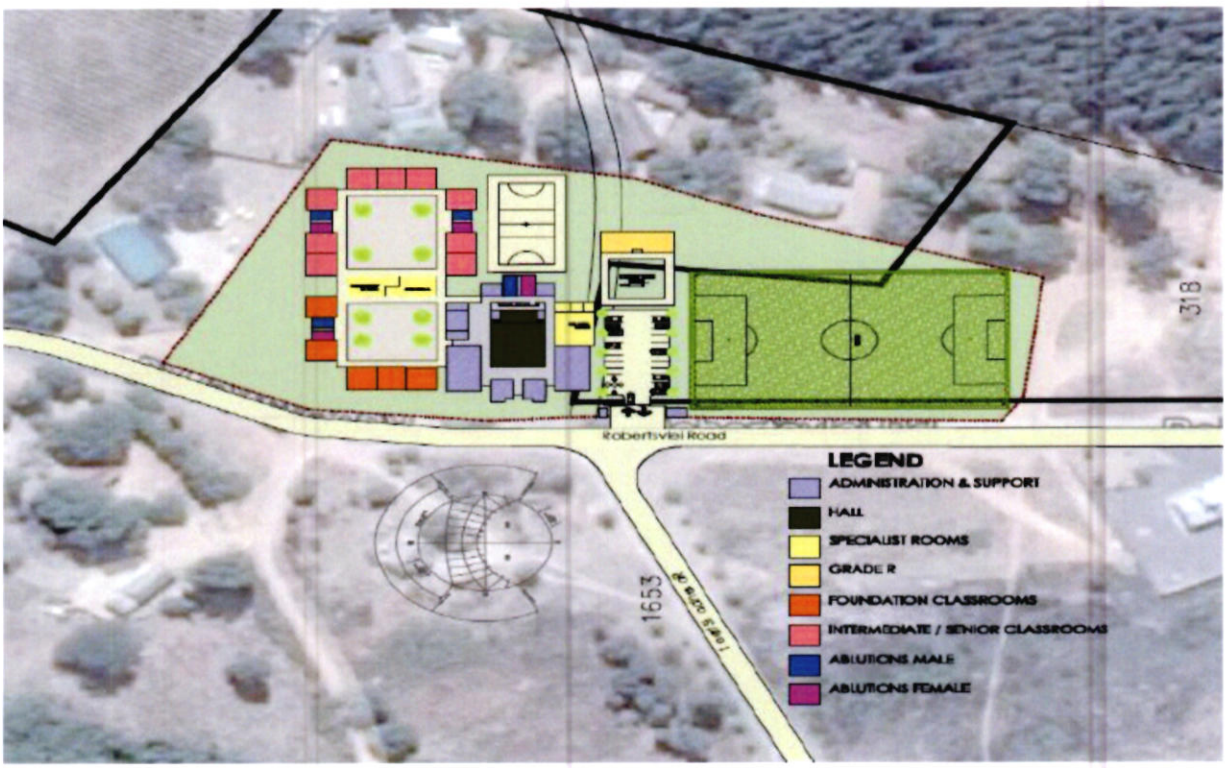

Figure 6: Concept Plan showing the boundaries, access, and internal site layout of the proposed new primary school on a portion of Remainder Farm 1653. (Source: Revel Fox & Partners, 2016)

The concept plan (see extract above) identified a suitable portion of the subject property and determined that approximately 1.83ha of land would be required to accommodate the needed primary school. It also conceptually illustrated vehicle access, the layout of the school buildings, outdoor recreational spaces, and sports fields.

With the school site location and extent determined (and assessed from an engineered perspective by GIBB Consulting Engineers), the SBM Council resolved in 2020 to donate the land to the PGWC for educational purposes.

The purpose of this application is therefore not to motivate the location or extent of the proposed school site as this was dealt with in consultation with SBM over the last 7 years. It is to deal with the subdivision and rezoning of the proposed school site already identified to facilitate transfer to the PGWC. Once the PGWC has taken transfer and the needed budget is approved, the specialist will be appointed to prepare and submit the necessary detailed building design and engineering plans as subdivision/rezoning conditions of approval. We herewith request that SBM process this application accordingly.

Subdivision – To subdivide the proposed school site based on the above concept plan and associated recommendations in the site assessment report, several site-specific physical constraints must be addressed. To get accurate detail a Land Surveyor was appointed to survey the buildings, fences, services infrastructure, roads, and mature trees in the area. A site visit also revealed the position/orientation of surrounding dwelling houses, parking areas, and access driveways.

Based on this detail, a few minor adjustments (as illustrated/explained in the attached Subdivision Proposal Plan) had to be made to the proposed school site boundaries to limit the impact and make the proposed subdivision more practical. This includes the following:

- To ensure an adequate road reserve on the eastern (school) side of Robertsvlei Road, and to accommodate the existing stormwater canal (and other services) within the road reserve, the western boundary of the proposed school site is aligned with unregistered Erf 318, La Motte – the average distance from the edge of the road is about 6m.

- To ensure that the existing municipal building and 2 (of the 3) dwelling houses can still get access, the northern boundary of the proposed school is aligned with the edge of the olive tree plantation so that this section of the existing gravel access road can still be used. The north-eastern corner is also splayed to create sufficient space for a new access road to the dwelling house on the eastern boundary of the school. This also ensures that all the municipal buildings can still function (with practical garden/yard spaces) and that there is sufficient space to make potential future redevelopment viable.

- To ensure that the 3rd existing municipal dwelling house can still function, the eastern boundary of the proposed school is set back 5m from the building. This will take away the current access driveway but because the existing

garage face south, there is an opportunity to create a new access road from this side to the dwelling house (as explained below).

- To ensure that the required 1.8ha is achieved, the southern boundary of the proposed school site is positioned more to the south. This will require the closure of the existing access road, and the construction of a new gravel access road from Robertsvlei Road (opposite the fire station entrance) to serve the above 3rd municipal dwelling house, recycling plant and farm access.

- All existing services infrastructure that cut across the proposed school site must be rerouted as set out in the GIBB Consulting Engineers' Report. Since the above-mentioned gravel access roads (i.e. the portions to be retained and proposed new roads) create the necessary space to do this on municipal land beyond the boundaries of the proposed school site, no servitudes are proposed as part of this subdivision application.

- A new boundary fence will be erected as part of the development of the school. The new fence on the school's eastern boundary will replace most of the existing municipal dwelling house fences that encroach the school site. It is only on the north-eastern corner where a new dwelling house fence should be erected (i.e. beyond the boundary of the school) to accommodate the proposed new access road.

It should be made a subdivision/rezoning condition of approval that a site development plan is submitted and approved prior to building plan approval - and shall include the school buildings, parking and access layout positioned on terraced platforms, around existing mature trees (to be retained where practical), existing and required new (on and off-site) services infrastructure and incorporating flood lines in the design (if applicable). This should be accompanied by detailed Engineering Drawings for the school access off Robertsvlei Road (to be aligned with Bergendal Street), on-site stormwater management, all required link services (to surrounding municipal infrastructure), and the rerouting of services around the school site to the adjacent municipal buildings including the required sections of new gravel access roads.

(Refer to the attached **Site Survey**, **Subdivision Proposal Plan**, and **Subdivision Plan**).

4. DESIRABILITY

4.1 Stellenbosch Municipality Spatial Development Framework (2019)

Section 5.6.1 of the Stellenbosch Municipality Spatial Development Framework (MSDF) states that development of affordable housing opportunities should be provided on portions of state-owned land in La Motte. In Table 23 it is stated that new mixed-use development in La Motte should among others be focused on Farm 1653. Figure 33 in the MSDF (see extract below) puts the proposed school site inside the La Motte urban edge, outside natural/wetland area, on land

designated for *"authority use"*. Figure 35 (see extract below) negates this somewhat by designating the proposed school site for *"urban agriculture"*, i.e. notwithstanding the municipal housing and waste recycling uses on the land and the fact that Title Deed limits the use to *"low-cost housing and related purposes"*.

SBM must confirm consistency with the above MSDF spatial planning designation and/or if this was dealt with as part of the Council resolution to donate the land for educational purposes.

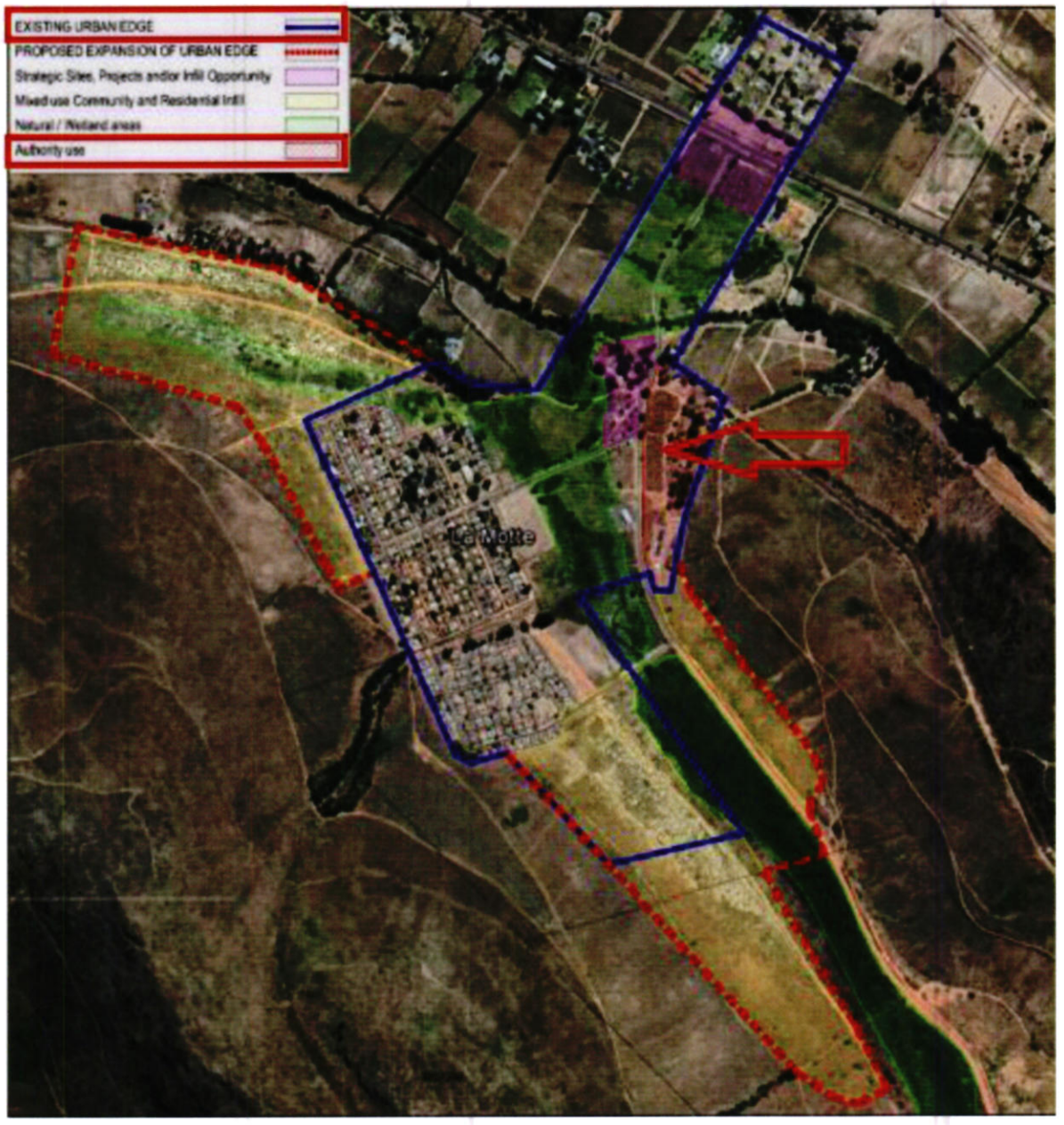

Figure 7: Extract from Figure 33 – Possible area for expansion of municipal housing. The red arrow points towards the position of the proposed school site. (Source: Stellenbosch MSDF, 2019)

Figure 8: Extract from Figure 35 - La Motte/Wemmershoek Plan. The red arrow points towards the proposed school site. (Source: Stellenbosch MSDF, 2019)

4.2 Stellenbosch Municipality Zoning Scheme By-Law (2019)

In terms of the SBM Zoning Map, the subject property has a split zoning of Conventional Residential (CR) and Limited Use (LU) as shown in Figure 2 above. As the proposed school site straddles both zonings, both must be rezoned to Community Zone where a 'place of education' is a primary use right.

As only a portion of the subject property will be transferred and used for educational purposes, a subdivision application is also required. This in terms of the SBM Land Use Planning By-Law (2015), requires rezoning to subdivisional area as it involves *"a change of zoning"*.

This submission cannot test the proposed school development for compliance/departures in terms of the Community Zone development parameters in the SBM Zoning Scheme as a detailed design is not available at this stage. This will have to be done during the site development plan or building plan submission stage.

4.3 Land Use Planning Principles

Section 7 of the Spatial Planning & Land Use Management Act (SPLUMA) and Section 59 of the Western Cape Land Use Planning Act (LUPA) prescribe the following land use planning principles as indicators of desirability for decision-making of a land use application:

Spatial sustainability – The subject property (and specifically the proposed school site) is situated within the La Motte urban edge and will support the MSDF objective to develop affordable housing in La Motte, i.e. by providing a much-needed primary school in a marginalised community in an accessible location. This outweighs the loss of a small olive tree plantation and the associated potential impact on *"urban agriculture"* on municipal-owned land.

Protection of the environment – According to the MSDF the proposed school site falls outside *"natural wetland"* and *"green areas"* (critical biodiversity) that must be retained/protected. A botanical assessment done for residential and commercial development that included the proposed school site concluded that there is no conservation-worthy vegetation and found the area suitable for development subject to flood lines (if any). It is also important to highlight that the proposed school site is on disturbed land comprising of portions dwelling house garden and yard spaces, several gravel roads, and a small olive tree plantation.

Efficiency – The proposed school will ensure optimal utilisation of existing municipal infrastructure; it contains urban sprawl by developing land within the urban edge; and it is strategically located at the intersection of main access roads that will make the school accessible for pedestrians from existing and planned future development in La Motte.

Good administration - A pre-application consultation process was undertaken as prescribed in terms of the Stellenbosch Municipality Land Use Planning By-Law (2015), which cleared the way for this submission. The application will also be circulated to all relevant local, provincial, and national government departments for comment/input.

Other general desirability considerations:

Socio-economic impact – The proposed development will accommodate the teachers and learners from the current Wemmershoek Primary School in a new and safe building; it will secure the teachers' jobs and potentially create additional jobs; and it will bring the school within walking distance from the La Motte village that will substantially reduce transport cost for these learners.

Compatibility with surrounding uses – The subject property falls within the La Motte urban area of which portions are in terms of the MSDF earmarked for affordable housing and associated uses. The proposed school will be very compatible with this spatial planning objective. There will be an impact on the existing municipal dwelling houses, but they will still be functional and ultimately, will only lose some of the current oversized/underutilised garden/yard space around the respective houses.

Impact on the external engineering services – The impact should be acceptable considering that it is within the La Motte urban area and that the proposed school site is partially developed with road access, water, and electricity already available in the area. The stormwater impact will be addressed as part of a management plan that will be submitted prior to building plan approval; municipal sewer may not be available in the immediate vicinity but there are viable temporary alternatives to deal with this.

Impact on safety, health, and wellbeing of the surrounding community – The impact should be positive as the development of a primary school within walking distance of a marginalised community will contribute to their wellbeing. The proposed school will also improve surveillance of the surrounding area, which generally deters criminals.

Impact on heritage – A NID was submitted to HWC, which will determine if the proposed school development has a negative impact.

Traffic impacts, parking, access and other transport related considerations – The impact should be acceptable considering that the proposed school access is proposed at the intersection of the main access roads in La Motte. This allows for sufficient sight distances in both directions on Robersvlei Road and will be a safe crossing point for pedestrians. To mitigate potential traffic impact a speed hump could be considered on Robertsvlei Road.

Whether the imposition of conditions can mitigate impact – The submission of a site development plan to resolve detailed design and engineering issues prior to building plan approval.

5. RECOMMENDATION

The Stellenbosch Municipality Land Use Planning By-Law (2015) states that when deciding on an application consideration must among others be given to the applicable MSDF, Zoning Scheme, the extent of desirability and the impact on existing rights. In light of the above, it is recommended that the proposed rezoning and subdivision be considered favourably.

Martin Scott Pr. Pln A1471/2011

BETTESWORTH SCOTT (PTY) LTD

POWER OF ATTORNEY

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

MM
Municipality - Munisipaliteit
Stellenbosch
10 NOV 2021
Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder

PROPERTY MANAGEMENT AND MUNICIPAL BUILDING MAINTENANCE

Document Route Form: For consideration by Municipal Manager

ITEM	DEVIATION	CONTRACT	BUILDING PLANS	SERVITUDE	Power of Attorney)

POWER OF ATTORNEY:LA MOTTE SCHOOL SITE: PORTION OF FARM 1653.LA MOTTE:PROVINCIAL DEPART TRANSPORT AND PUBLIC WORKS

REQUESTED SIGNATORY	SUPPORTED/ NOT SUPPORTED/ APPROVED	COMMENTS	SIGNATURE	DATE
MANAGER: PROPERTY MANAGEMENTT AND MUNICIPAL BUILDING MAINTENANCE	Supported	See attached e-mail correspondence and Power of Attorney, for signature by MM (*)		2021.11.03
DIRECTOR: CORPORATE SERVICES		Raadsbesluit aanheg asb:		3/11/21.
MUNICIPAL MANAGER:	Approved			18/11/2021

(*) See attached Council resolution as well as signed Sales Agreement

STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

TO WHOM IT MAY CONCERN

SPECIAL POWER OF ATTORNEY / REGISTERED OWNER CONSENT:REZONING AND SUBDIVISION OF FARM 1653,DIVISION PAARL (La Motte)

I, **GARALDINE METTLER**, in my capacity as **Municipal Manager** of **Stellenbosch Municipality**, being the registered owner of **Farm 1653**, Paarl Division, do hereby authorize **MR SHANE HINDLEY**, in his capacity as **Head of the Department: Immovable Asset Management**, Western Cape Provincial Government, to submit the following applications on behalf of Stellenbosch Municipality:

1. Sub-division of Farm 1653, to allow for a separate land unit to be created;
2. Rezoning of Farm 1653 to allow for Institutional Use (School);
3. Environmental Authorisation, if applicable; and
4. All other associated actions needed to affect the rezoning and sub-division of Farm 1653, Paarl Division, to enable it to be developed as a school

The undersigned herby nominates, constitutes, and appoints the above person/party with full power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owner in the above regard. Accordingly, power of attorney is hereby also granted to the agent to sign and receive all correspondence in respect of the matter referred to above during the applicable process.

..... Date: 10/11/2021

GARALDINE METTLER
Municipal Manager

Western Cape Government

POWER OF ATTORNEY

1. I the undersigned, **Shane Hindley**, in my capacity as **Head of Component: Immovable Asset Management** in the **Department of Transport and Public Works** and duly authorized thereto, assign special power of Attorney to **Bettesworth Scott (Pty)Ltd Urban and Environmental Planners** to act and on behalf of the **Western Cape Government**, the property known as **Remainder Farm No. 1653 Paarl Division** (the property), as its lawful agent with full power and authority and in its name and benefits in fulfilling the following:

   1.1. To act as Agents in the name of the **Western Cape Government** as the owner, with regards to submitting all applications for planning (rezoning and subdivision), as well as any other associated actions needed to affect the rezoning and subdivision of the property to enable it to be developed as a school.

2. Any cost incurred from the actions identified in Clause 1.1 above, will be for the accounts of the Agent.

3. Furthermore, the Agent has free and full access to the property to attain the actions identified in Clause 1.1 above.

4. This Power of the Attorney is subject to the condition that a copy of the approved building plans be submitted to the Custodian prior to the construction of the said structure.

5. This Power of Attorney may, in the sole and unfettered discretion of the Western Cape Government, be withdrawn at any time.

6. I further validate and ratify everything the Agent shall do or purport by virtue of this Power of Attorney on behalf of the Western Cape Government

Signed at **CAPE TOWN** on the 23rd day of February 2023 in the presence of the undersigned witnesses.

FOR THE WESTERN CAPE GOVERNMENT

Signature: _____

Name: Shane Hindley

IMMOVABLE ASSET MANAGEMENT

AS WITNESS

1._____

2._____

STELLENBOSCH MUNICIPALITY

LAND USE PRE-APPLICATION

SCRUTINY FORM

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/
SUBMIT COMPLETED FORM TO landuse.applications@stellenbosch.gov.za

LAND USE PRE-APPLICATION SCRUTINY FORM

1. *This Land Use **Pre-Application Scrutiny Form** is to be submitted prior to the submission of a Land Use and Land Development application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015 (SLUPB).*
2. ***It is compulsory to submit a Pre-application Scrutiny Form for any zoning determination, rezoning, subdivision or consolidation of land, the amendment or cancellation of a subdivision plan, the removal of restrictive conditions or an amendment of conditions of approval.***
3. *It is not a requirement to submit a Pre-Application Scrutiny Form for the other types of applications, although you are advised to do so when any form of guidance is required.*
4. *Relevant documents can be accessed at the Planning Portal – Stellenbosch Municipality https://stellenbosch.gov.za/planning-portal/.*
5. *A signed copy of the form must be submitted by email to landuse.applications@stellenbosch.gov.za.*
6. *The applicant will receive feedback per e-mail following a weekly internal technical discussion on the pre-application scrutiny submission.*
7. *A pre-application consultation meeting may be required in terms of Section 37 of the said Bylaw on receipt and consideration of a **Pre-Application Consultation Form**.*

PART A: APPLICANT, OWNERSHIP & PROPERTY PARTICULARS

Applicant Name	Bettesworth Scott (Pty) Ltd
E-Mail Address	martin@besc.co.za
Tel/ Cell Number	0836048944
Registered Owner	Stellenbosch Municipality

Property Description (Erf / Farm Number)	Portion of Farm 1653 (Paarl Division)
Physical / Street Address	Robertsvlei Road
Suburb & Town	La Motte
Current Zoning	Limited Use & Conventional Residential Zone
Current Land Use Activities / Buildings	Olive tree orchard, dwelling houses, informal access roads

Are there existing buildings on the subject property(ies)?	X	No
Are there any existing unauthorized buildings and/or land use on the subject property(ies)?	Yes	X
If yes, is this application to legalize the building/ land use?	Yes	X
Are there any pending court case(s)/ order(s) relating to the subject property(ies)?	Yes	X
Is the property located in a heritage area or contains any heritage significant buildings?	Yes	X
Does the property fall inside the urban edge?	X	No

PART B: APPLICATION

1. WHAT LAND USE PLANNING APPLICATIONS ARE REQUIRED IN TERMS OF SECTION 15(2) OF THE SLUPB?

X	**Rezoning**	s15 (2)(f)	**Removal / Suspension Amendment of restrictive conditions**	s15 (2)(l)	Permission in terms of condition of approval*	s15 (2)(q)	Disestablishment of HOA*
s15 (2)(b)	Permanent Departure*	s15 (2)(g)	Permission in terms of zoning scheme*	s15 (2)(m)	**Determination of a zoning**	s15 (2)(r)	Rectify failure by HOA*
s15 (2)(c)	Temporary Departure*	s15 (2)(h)	**Amendment of condition(s) of approval**	s15 (2)(n)	Closure of a public place*	s15 (2)(s)	Permission required for the reconstruction of a building*
X	**Subdivision**	s15 (2)(i)	Extension of validity period of approval*	s15 (2)(o)	Consent use*		Other:
s15 (2)(e)	**Consolidation**	s15 (2)(k)	**Amendment / cancelation of approved subdivision plan**	s15 (2)(p)	Occasional use*		Other:

OTHER	s13 ZSBL	Technical Approval*	24(2) SLUPB	Exemption*	Title Deed	Title Deed consent / permissions*	

**The submission of a pre-application scrutiny is not compulsory for this land use application and a land use planning application form can be submitted, without completing the pre-application scrutiny form.*

Details of the Proposal: (Brief description of development proposal. List expected land use activities. Short motivation of intended land use. Detail planned outcome. If change of zoning is required, list which zoning is applied for. Describe additional use planned for. List type of consent use applied for.)

Stellenbosch Municipality agreed to sell an approximately 1.8ha portion of Farm 1653 to the Department of Transport & Public Works (Western Cape Government) for the development of a new school. To facilitate the transfer, the identified portion of land must be subdivided off and rezoned to Community Zone to accommodate a school. Bettesworth Scott was appointed by the DTPW to facilitate this process.
The proposed school site (as shown on the attached plans) is on land currently used as an olive orchard, access and the outdoor yard spaces of the respective municipal houses. These will have to be adapted or re-arranged to accommodate the proposed subdivision, and SBM will have to liaise with the respective tenants/lessees in this regard. Servitudes will be registered where necessary, and the reconfigered residential properties (including access proposals) will form part of the subdivision application.
To inform this, previous studies such as the Wemmershoek School Assessment Report (GIBB 2017), Site Layout Plan (Revel Fox 2016), and the La Motte Housing Botanical Assessment (Bergwind 2013) will be used. A Land Surveyor will do a detailed survey and an Engineering Services Report (including a Stormwater Management Plan) will be prepared for submission.
SBM to please advise if a Hydrologist is required to determine the Robertsvlei River floodlines (if not available), if a Transport Engineer is required to determine new accesses, and if a Botanical Specialist is required to ground-truth the school site for endangered vegetation (i.e. if the above Bergwind study is outdated)?

2. RELEVANCE OF ANY PLANNING LEGISLATION/ POLICIES AND PLANS

RELEVANT PLANNING CONSIDERATIONS		
(a) Are any Municipal plans/policies/guidelines, or any restrictive title conditions, or other legislation / authorizations applicable to the application, and if yes, is the proposal consistent/ compliant with such?	**Yes**	**No**
	X	
Details with reference to applicable plans/ policies/ guidelines: Stellenbosch Municipality Spatial Development Framework (2019) - La Motte, puts the identified portion of land inside the 'urban edge', outside 'natural wetland areas', and on land designated for 'authority use'.		
(b) Does the proposal require the following additional infrastructure / services? e.g. electricity; water; sewerage; road network; other?	**YES**	**NO**
	X	
Details on required infrastructure: The new school will require an electrical connection, water connection, sewer (if municipal infrastructure is available in area), on-site stormwater management and access off Robertsvlei Road. Existing electrical and Telkom lines will have to be repositioned and the surrounding municipal houses will require a new access road. All other services to the houses, that fall within the school site, must also be repositioned or servitudes registered.		
(c) Does the development proposal include the provision of residential units, and if so, what is the target market re: range in income bracket/ selling price or rental for the units?	**YES**	**NO**
		X
Details on target market:		
(d) In addressing the SPLUMA principle of Spatial Justice and as it relates to prescripts on the provision of inclusionary housing, how will this development proposal target affordable market segments?	**YES**	**NO**
	X	
Details on inclusionary housing provision: Provision of a new school in a previously marginalised community.		
(e) Does the subject property fall within the Adam Tas Corridor?	**YES**	**NO**
		X
Details on proposed densities:		

PART C: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF PRE-APPLICATION SCRUTINY

The following minimum documentation **must** be attached to this pre-application scrutiny form:

1. **Locality plan**
2. **Layout plan of proposal** (e.g. copy of existing building plan, indicating proposal on site plan, etc.)
3. **Proposed subdivision or consolidation plan**
4. **Full copy of the title deed or Conveyance Certificate**

Note:

- The Municipality may request any other information deemed necessary for the purpose of this pre-application scrutiny.
- If an incomplete pre-application scrutiny form or the required minimum supporting documents are not submitted the pre-application scrutiny form will not be accepted by the Municipality.

DECLARATION:

I hereby confirm that the information contained in this pre-application scrutiny form and accompanying documentation is complete and accurate.

Applicant's signature: _____ Date: 15 June 2022

STELLENBOSCH MUNICIPALITY

APPLICATION FORM

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/
SUBMIT COMPLETED FORM TO landuse.applications@stellenbosch.gov.za

LAND USE PLANNING APPLICATION FORM

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

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

PART A: APPLICANT DETAILS

First name(s)					
Surname					
Company name *(if applicable)*	Bettesworth Scott (Pty) Ltd				
Postal Address	Atlantic Beach Administration Offices, Birkenhead Drive,				
	Melkbosstrand		Postal Code	7441	
Email	martin@besc.co.za				
Tel		Fax		Cell	0836048944

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

Registered owner(s)	Stellenbosch Municipality				
Physical address	Plein Street				
	Stellenbosch		Postal code	7600	
E-mail					
Tel	021 808 8890	Fax		Cell	

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

Erf / Erven / Farm No.	Rem. Farm 1653	Portion(s) if Farm		Allotment area	Paarl
Physical Address	Robertsvlei Road				
	La Motte				
	Franschhoek				
Current Zoning	Limited Use & Conventional Residential Zone	Extent	17.399 ~~m²~~ ha	Are there existing buildings?	Y ✓ / N
Applicable Zoning Scheme	Stellenbosch Municipality				

Current Land Use	Olive tree orchard, municipal dwelling houses, informal access roads											
Title Deed number and date	T	45558/2017										
Attached Conveyance's Certificate	Y	N ✓	Any Restrictions ito the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate									
Are the restrictive conditions in favour of a third party(ies)?	Y ✓	N	If Yes, list the party(ies): National Government									
Is the property encumbered by a bond?	Y	N ✓	If Yes, list the bondholder(s):									
Is the property owned by Council?	Y ✓	N	If Yes, kindly attach a power of attorney from the Manager Property Management									
Is the building located within the historical core?	Y	N ✓	Is the building older than 60 years?	Y	N ✓	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)[1]	Y ✓	N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable. Sec.38			
Any existing unauthorized buildings and/or land use on the subject property(ies)?				Y	N ✓	If yes, is this application to legalize the building / land use[2]?			Y	N ✓		
Are there any pending court case(s) / order(s) relating to the subject property(ies)?				Y	N ✓	Are there any land claim(s) registered on the subject property(ies)?			Y	N ✓		

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?	Y ✓	N	If Yes, please attach the minutes of the pre-application consultation.
Has the pre-application scrutiny form been submitted?	Y ✓	N	If yes, please attach the written feedback received.

PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE

APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)

Tick	Type of application: *Cost are obtainable from the Council Approved tariffs*
✓	15(2)(a) rezoning of Land
	15(2)(b) a permanent departure from the development parameters of the zoning scheme
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land
✓	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement
	15(2)(e) a consolidation of land that is not exempted in terms of section 24
	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit
	15(2)(g) a permission required in terms of the zoning scheme

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

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

	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval
	15(2)(i) an extension of the validity period of an approval
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram
	15(2)(l) a permission required in terms of a condition of approval
	15(2)(m) a determination of a zoning
	15(2)(n) a closure of a public place or part thereof
	15(2)(o) a consent use contemplated in the zoning scheme
	15(2)(p) an occasional use of land
	15(2)(q) to disestablish a home owner's association
	15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services
	15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building
	15(2)(6) when the Municipality on its own initiative intends to conduct land development or an activity
	15(2)(l) amendment of Site Development Plan
	15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines

OTHER APPLICATIONS		
	Deviation from Council Policies/By-laws	R
	Consent / Permission required in terms of a title deed	R
	Technical approval in terms of the Zoning Scheme Bylaw, 2019	R
	Other (specify): _____	R
	TOTAL A:	**R**

PRESCRIBED NOTICE AND FEES** *(for completion and use by official)*

Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; electronic communication methods	R
	PUBLICATION OF NOTICES	Local Newspaper(s); *Provincial Gazette*; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	*Provincial Gazette*	R
	INTEGRATED PROCEDURES	T.B.C	R
		TOTAL B:	**R**
		TOTAL APPLICATION FEES* (TOTAL A + B)	**R**

**** The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable and once proof of payment is received, the application will be regarded as duly submitted.***

*****All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, height, bulk, parking. Contact: Indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579***

****** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.***

BANKING DETAILS

Account Holder Name:	Stellenbosch Municipality
Bank:	FIRST NATIONAL BANK (FNB)
Branch no.:	210554
Account no.:	62869253684
Payment reference:	LU/_____ and ERF/FARM _____

Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment

DETAILS FOR INVOICE

Name & Surname/Company name (details of party responsible for payment)	Provincial Government Western Cape
Postal Address	Dorp Street, Cape Town
Vat Number (where applicable)	

PART F: DETAILS OF PROPOSAL

	Building line encroachment	Street		From	m	To	m
		Street		From	m	To	m
		Side		From	m	To	m
		Side		From	m	To	m
		Aggregate side		From	m	To	m
		Rear		From	m	To	m
	Exceeding permissible site coverage			From	%	To	%
	Exceeding maximum permitted bulk / floor factor / no of habitable rooms			From		To	
	Exceeding height restriction			From	m	To	m
	Exceeding maximum storey height			From	m	To	m
	Consent/Conditional Use/Special Development To permit..... in terms of Section.....of the.....Zoning Scheme Regulations						
✓	Other (please specify)	Rezoning and subdivision					

Brief description of proposed development / intent of application:

Rezoning and subdivision of a portion of Remainder Farm 1653 for the development of a new school.

In terms of a memorandum of agreement the Stellenbosch Municipality donated about 1.83ha to the Provincial Government Western Cape for this purpose.

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

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

Information and documentation required

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

Y	N	N/A ✓	Proof of lawful use right		Y	N	N/A ✓	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	N/A ✓	Required number of documentation copies		Y	N	N/A ✓	Other (specify)

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

Y	N ✓	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.		Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989)			
				Y	N/A ✓	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)	
Y	N/A ✓	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		Y	N/A ✓	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)	
Y	N/A ✓	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)		Y	N/A ✓	National Water Act, 1998 (Act 36 of 1998)	
Y	N/A ✓	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		Y ✓	N/A	Other (specify) Notice of Intend to Develop (NID) was submitted to Heritage Western Cape in terms of Sec 38 of Heritage Resources Act. [CASE NO. HWC23021607]	
Y	N/A ✓	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)					
Y	N ✓	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.					

SECTION I: DECLARATION

I hereby wish to confirm the following :

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

9. *Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.*
10. *The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.*
11. *Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.*
12. *A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.*
13. *A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.*
14. *The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.*
15. *I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.*

Applicant's signature: _____ Date: 14/02/2023

Full name: Martin Scott (o.b.o. Bettesworth Scott Pty Ltd)

Professional capacity: Town Planner

FOR OFFICE USE ONLY

Date received: _____

Received By: _____

Municipal Stamp

SG DIAGRAMS

THE survey partnership LAND SURVEYORS MISC139

OFFICE COPY

COMPONENTS :

1. The figure e middle of French Hoek River f G q D represents Portion 29 of the farm La Motte No 1041
   Vide Diagram No 3420/1999; D/T 2004. .46385
2. The figure N s K M represents Portion 2 of the farm Keysersdrift No 1158
   Vide Diagram No 4908/1999; D/T 2004. .46385
3. The figure A B C r s P represents Portion 2 of Farm No 1339
   Vide Diagram No 3424/1999; D/T 2004. .46385
4. The figure C q G H J r represents Farm No 1617
   Vide Diagram No 3434/1999 ; D/T 2004. .46385

S.G. No.

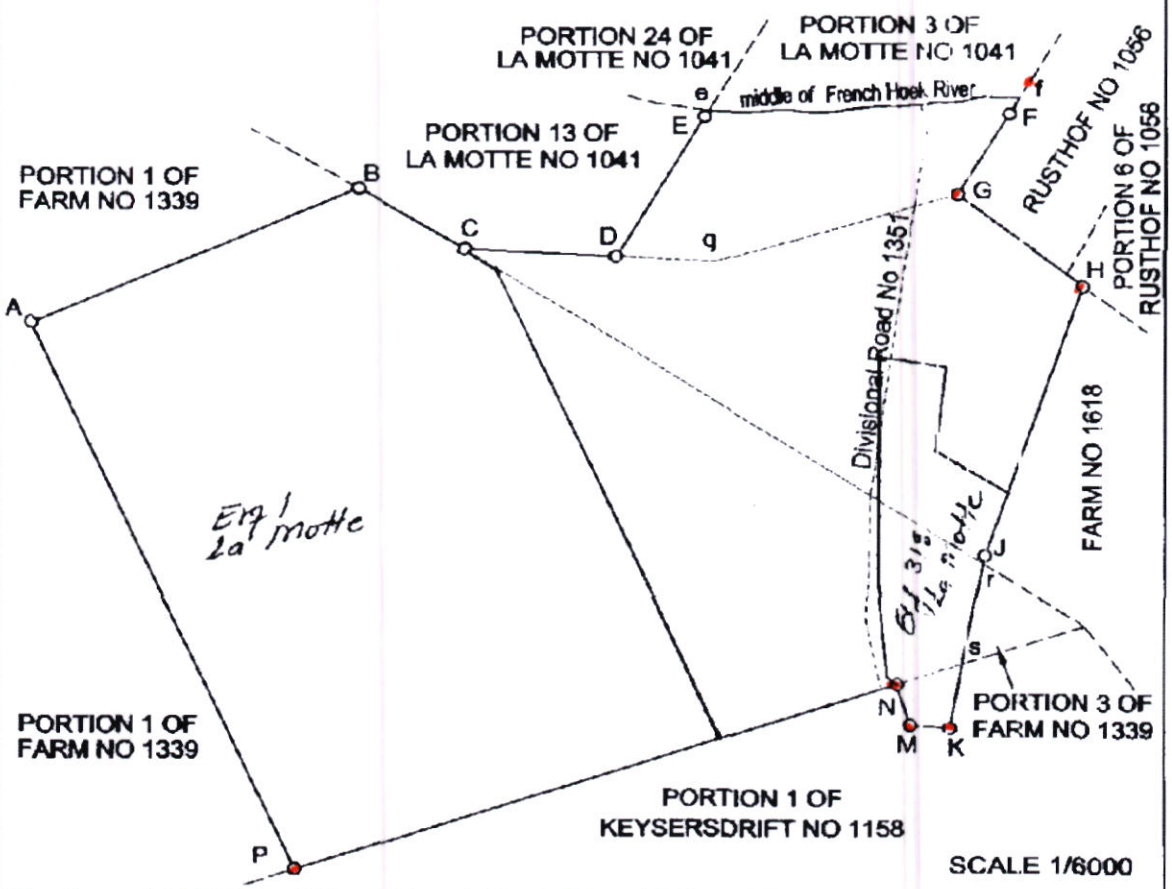
5913/2001.

Approved.

for Surveyor-General

2004. 03. 24

T N



SCALE 1/6000

The figure A B C D e middle of French Hoek River f G H J K M N P

represents 37,1984 hectare of land, being

FARM NO 1653 PAARL and comprising 1-4 as quoted above

situate in the Stellenbosch Municipality

Administrative District Paarl

Province Western Cape

Compiled in October 2001
by me,

G E BLOWS
Professional Land Surveyor No 0921

This diagram is annexed to	The original diagrams are as quoted above	File No. Parl.1653
No. T66593/2006 dated		Compiled
i.f.o	FOR ENDORSEMENTS SEE BACK OF DIAGRAM	Comp. BI-7CAB (3894)
		LPI C0550000

FARM 1653 PAARL

SURVEY RECORD	DIAGRAM NO.	SUBDIVISION	AREA HA./SQ. M.	TRANSFER NO.	INITIALED	REMOR.
E 2355/2001	5914/2001	~~Erf~~ Erf 1 La Motte	17.7773 Ha	66594/06	N.D	17,3491/ha
SR475/15	952/2015	Erf 318 La Motte	2.2093 ha			15.1898 ha

SYE Meter		RIGTINGS-HOEKE		KOöRDINATE Y Stelsel: WG 19° X	
		Konstante		0.00	+3700 000.00
AB	53.75	280 28 30	A	-7 270.45	+51 759.95
BC	74.47	6 41 50	B	-7 323.31	+51 769.72
CD	70.62	300 31 30	C	-7 314.63	+51 843.68
DE	63.48	18 49 20	D	-7 375.46	+51 879.55
EF	155.92	10 24 50	E	-7 354.98	+51 939.64
FG	32.49	94 22 40	F	-7 326.79	+52 092.99
GH	37.87	163 16 30	G	-7 294.40	+52 090.51
HJ	11.06	144 38 40	H	-7 283.50	+52 054.24
JK	29.58	170 49 40	J	-7 277.10	+52 045.22
KL	21.44	174 44 30	K	-7 272.39	+52 016.02
LM	27.53	178 38 50	L	-7 270.42	+51 994.68
MA	207.21	180 11 20	M	-7 269.77	+51 967.15
		49 Middenberg	△	-6 818.33	+53 264.23
		275 Skerp	△	-8 493.08	+58 131.57

L.G. No. 952/2015

Goedgekeur

nms. LANDMETER-GENERAAL
19-05-2015

VEL 1 VAN 2 VELLE

Beskrywing van bakens
A,B,C,D,J,K,L,M : 12mm ysterpen
E,F,G,H : 16mm ysterpen

VRYGESTEL VAN DIE BEPALINGS VAN WET 70 VAN 1970 ARTIKEL 2(a)

VRYGESTEL VAN DIE BEPALINGS VAN HOOFSTUK III VAN ORD. 15/1985 STAATSDOELEINDES

Die figuur A B C D E F G H J K L M

Stel voor 2.2093 hektaar grond, synde

ERF 318 LA MOTTE

gelee in die Munisipaliteit Stellenbosch
Administratiewe Distrik Paarl
Provinsie Wes-Kaap

Opgemeet in April 2015 deur my

PLS 0761 A.P. Steyl
Professionele Landmeter

Hierdie diagram is geheg aan No.	Die oorspronklike diagram is L.G. No. 5913/2001	Lêer **Parl. 1653 vol.1**
ged.	Transport 2006 .66593	M.S **475/2015**
t.g.v.		Komp. BI-7CAB(3894)
Registrateur van Aktes	(Plaas No. 1653 Paarl)	LPI C055 **0014**

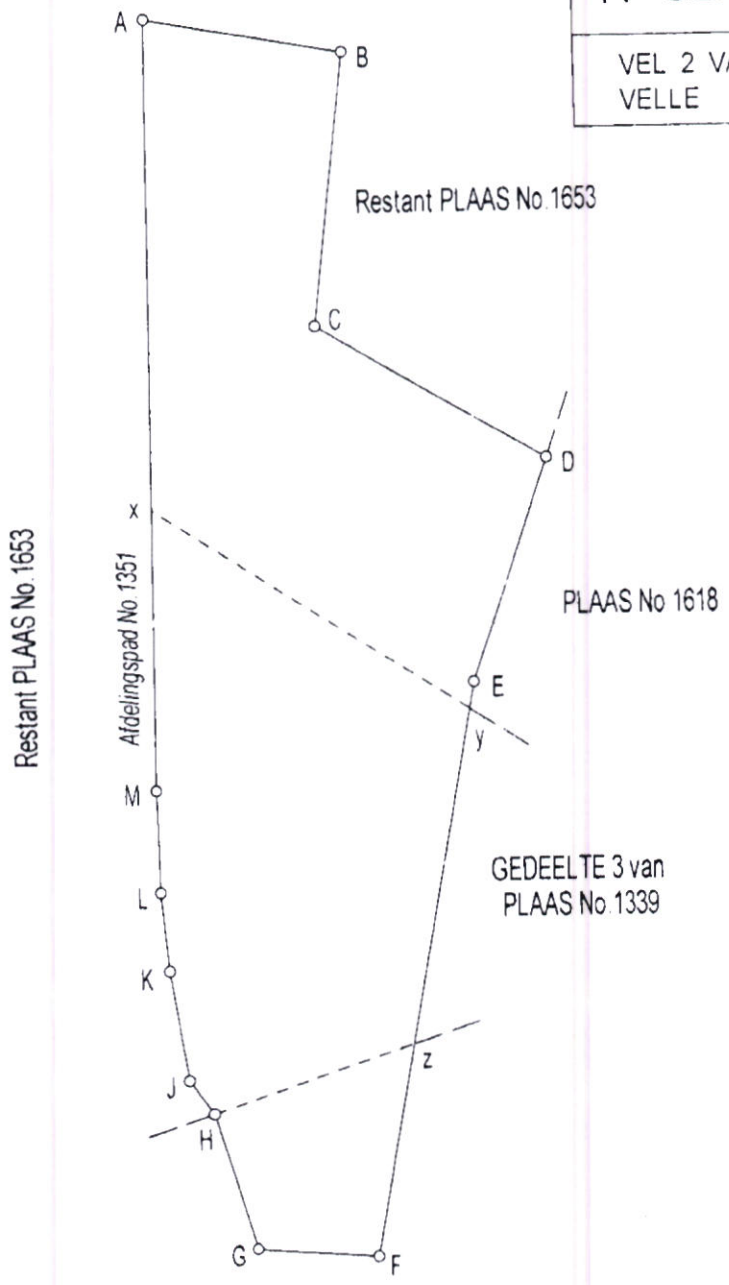
S

ERF 318 LA MOTTE

L.G. NO
952/2015

Goedgekeur
Koller
nms.
LANDMETER-
GENERAAL
19-05-2015

VEL 2 VAN 2
VELLE



Skaal 1:2000

PLS 0761 A.P.Steyl
Professionele Landmeter

S

Opgemeet in April 2015 deur my

EMAIL CORRESPONDENCE WITH

STELLENBOSCH MUNICIPALITY

martin@besc.co.za

Subject: FW: [EX] Land Use Pre-Application Scrutiny: Proposed rezoning/subdivision of portion of Rem. Farm 1653 (La Motte) for a new school

From: Robert Fooy <Robert.Fooy@stellenbosch.gov.za>
Sent: 15 August 2022 15:56
To: martin@besc.co.za
Cc: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Subject: RE: [EX] Land Use Pre-Application Scrutiny: Proposed rezoning/subdivision of portion of Rem. Farm 1653 (La Motte) for a new school

Afternoon Martin

The formal land use application can be submitted via the land use portal.

https://stellenbosch.gov.za/download/tpams-launch-final-notice/?wpdmdl=18343&refresh=62fa5008d63811660571656

Kind regards,

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

T: +27 21 808 8680
Email: robert.fooy@stellenbosch.gov.za

3rd Floor, Stellenbosch Mall
Aandringa Street, Stellenbosch, 7600
www.stellenbosch.gov.za

www.facebook.com/stellenboschmunicipality
twitter.com/StellMun

From: Landuse Applications <Landuse.Applications@stellenbosch.gov.za>
Sent: 17 June 2022 08:31
To: martin@besc.co.za; Isalde.DuToit@westerncape.gov.za
Cc: Chrizelle Kriel <Chrizelle.Kriel@stellenbosch.gov.za>; Nicole Katts <Nicole.Katts@stellenbosch.gov.za>
Subject: FW: Land Use Pre-Application Scrutiny: Proposed rezoning/subdivision of portion of Rem. Farm 1653 (La Motte) for a new school

Good morning Martin;

I hereby acknowledge receipt of your pre-application submission for Farm 1653 La Motte.

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

Feedback will be provided to you in due course.

Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch
www.stellenbsosch.gov.za

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From: martin@besc.co.za <martin@besc.co.za>
Sent: Thursday, 16 June 2022 11:04
To: Landuse Applications <Landuse.Applications@stellenbosch.gov.za>
Cc: 'Isalde Du Toit' <Isalde.DuToit@westerncape.gov.za>
Subject: [EX] Land Use Pre-Application Scrutiny: Proposed rezoning/subdivision of portion of Rem. Farm 1653 (La Motte) for a new school - PART 1 OF 3

Dear Stellenbosch Municipality

We act on behalf of the Western Cape Government - Department of Transport & Public Works (DTPW). The purpose of this correspondence is to initiate a pre-application scrutiny process (refer to the attached Land Use Pre-Application Scrutiny Form), i.e. to get input and guidance prior to finalising and submitting a formal application to Stellenbosch Municipality (SBM).

SBM agreed to sell an approximately 1.8ha portion of the above property to the DTPW for the development of a new school. To facilitate the transfer, the identified portion of land must be subdivided off and rezoned to Community Zone. Bettesworth Scott was appointed by the DTPW to facilitate this process. (Refer to the attached Power of Attorney from SBM and the Memorandum of Agreement).

The Remainder Farm No. 1653 (Paarl Division) at La Motte is 17.3991ha in extent and is held in terms of Title Deed No T45558/2017 in the name of the SBM. The attached Title Deed contains restrictive conditions imposed by National Government, i.e. *"the land may only be used for...low cost housing and related purposes"*; and that *"...the Municipality must grant the State a right of first refusal...whenever the Municipality decides to dispose of any superfluous land (other than land earmarked for low-cost housing purposes)"*. A Conveyancer Certificate will be obtained, but as the proposed school is for the low-income community and a use that is generally associated with *"...housing and related purposes..."*, we do not anticipate conflict here.

The SBM Spatial Development Framework (2019) - La Motte, puts the identified portion of land inside the 'urban edge', outside 'natural wetland areas', and on land designated for 'authority use'. We therefore consider the proposed school as consistent with the spatial planning designation, i.e. unless otherwise informed by SBM.

The portion of land identified is based on the attached concept layout of the proposed school site prepared by Revel Fox & Partners (2016), as well as the Wemmershoek School Assessment Report prepared by GIBB (2017). This will form the basis of the Subdivision Plan (and associated rezoning), but to inform/finalise this, the following issues have been identified (up to now) that need to be clarified with the Authorities:

1. In terms of the GIBB report, a detailed Local Storm Water Master Plan should be compiled as part of the rezoning/subdivision process, i.e. to guide the detail design of the storm water management system that will serve the school site. The question is if the Robertsvlei River 1 in 50 and 1 in 100 year flood lines have been established to ensure that the proposed development footprint is outside the 1 in 50 year floodline and that the foundation, floor and platform levels are above the 1 in 100 year floodline. If not, then should a Hydrologist be appointed to determine the floodlines (and a buffer if required)?

2. According to available online information there are critical biodiversity on portions of the proposed school site. Is the attached La Motte Housing Botanical Assessment (Bergwind 2013) still valid/relevant, or will the site have to be *"ground-truthed"* by a Botanical specialist to confirm whether any endangered vegetation occurs on the site? [Should ground-truthing confirm the presence of endangered or threatened vegetation, an EIA might be required].

3. On the northern and eastern side of the proposed school site there are residential properties (leased by SBM). Access to these properties is via gravel roads that fall within the footprint of the proposed school site. Similarly, the proposed school site will have an impact on the respective outdoor yard spaces around the houses and the services to the houses. This will have to be resolved with detailed design of the school site. A Land Surveyor will be appointed to survey the position of existing houses, outbuildings, gravel access roads, fences/yards, mature trees, existing services, and the position of Robertsvlei Road to inform the Subdivision Plan (and servitudes where required). As the respective residential properties will have to be adapted/reconfigured, SBM will have to liaise with the respective tenants/lessees in this regard, and make available information showing the position of all the municipal services supplying the respective dwelling houses.

4. A Civil and Electrical Engineer will be appointed to prepare an Engineering Services Report to inform the subdivision/rezoning application. This will include an assessment of available services in the area, the proposed link services to the school, on-site stormwater management, the removal of existing electrical and Telkom lines (and the proposed new position), the repositioning of services effected by the subdivision and where/how new services for the surrounding municipal houses are required. This will also include the design of a new access road(s) to the respective municipal houses. SBM must advise if a Transportation Engineer must also be appointed to specifically assess the proposed access arrangement off Robertsvlei Road?

5. As the proposed site is larger than 5000m^2 a NID application will be submitted to HWC in terms of the NHRA.

6. Due to the proximity to the proposed school site to the Franschhoek/Robertsvlei Rivers the Department of Water & Sanitation must be consulted to establish if a water use authorisation is required. We propose that this be done as part of the subdivision/rezoning circulation process, i.e. unless otherwise informed by SBM.

Below is an illustration of the potential subdivision in relation to the surrounding land uses for SBM's input.

Your input, guidance and further consultation is greatly appreciated.

Regards

Martin Scott Pr. PLN A/1471/2011

Director

BETTESWORTH SCOTT

URBAN & ENVIRONMENTAL PLANNERS

Atlantic Beach Administrative Offices, Birkenhead Drive, Melkbosstrand,
7441 ı PO Box 20003, Big Bay, 7448 ı Mobile 083 604 8944
www.besc.co.za

martin@besc.co.za

Subject: FW: [EX] Verkoop van Raadsgrond: Gedeelte van Plaas 1653 (La Motte) vir nuwe skool

From: Piet Smit <Piet.Smit@stellenbosch.gov.za>
Sent: 07 February 2022 15:40
To: 'martin@besc.co.za' <martin@besc.co.za>
Subject: RE: [EX] Verkoop van Raadsgrond: Gedeelte van Plaas 1653 (La Motte) vir nuwe skool

Hi Martin,

Alhoewel daar nie formele ooreenkomste met eige van die "huurders" in plek is nie,is daar van die mense wat n lang geskiedenis met die eiendom het,toe dit nog deel van die Staat se grond was.Daar is dus geen formele "erwe" nie.Enige nuwe uitleg(van die skool) sal dus voorsiening moet maak vir toegang tot die wooneenhede.Daar sal dus genoeg spasie tussen die skool se erf en die fisiese wonings wees om nn pad te vestig.

Piet

STELLENBOSCH

About Stellenbosch Municipality
Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.
Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:
The information contained in this communication from piet.smit@stellenbosch.gov.za sent at 2022-02-07 15:40:33 is confidential and may be legally privileged. It is intended solely for use by martin@besc.co.za and others authorized to receive it. If you are not martin@besc.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by IOCO

From: martin@besc.co.za <martin@besc.co.za>
Sent: Monday, 07 February 2022 13:28
To: Piet Smit <Piet.Smit@stellenbosch.gov.za>
Subject: [EX] Verkoop van Raadsgrond: Gedeelte van Plaas 1653 (La Motte) vir nuwe skool

Beste Piet

Die Department van Vervoer & Publieke Werke (Wes-Kaap) wil die bestaande Wemmershoekskool hervestig. 'n Gedeelte van bogenoemde plaas is geidentifiseer hiervoor en Stellenbosch Munisipaliteit (die eienaar) het ingestem om dit verkoop. (Sien aangehegte volmag wat verwys na die Raadsbesluit).

Ons is aangestel deur die Department van Vervoer & Publieke Werke om die nodige hersonering/onderverdeling te behartig. As deel van die ondersoek om die onderverdelingslyn (van die ongeveer 1.8ha skoolperseel) te bevestig, probeer ons vasstel of die impak op die bestaande woonhuise (noord en oos van die voorgestelde skoolperseel) bepaal is, i.e. met die Raadsbesluit om die grond te verkoop.

Volgens ons inligting is die woonhuise (sien lugfoto onder) op Raadsgrond, maar wat se ooreenkoms het die bewoners met die Raad? Dit moet in die lig gesien word van die feit dat die voorgestelde onderverdelingslyn die grense van die onderskeie persele gaan oorskry. Nuwe toegang vanaf Robertsvleipad sal ook voorsien moet word – wat 'n impak kan he op opritte, ens.

WESTERN CAPE GOVERNMENT

TREASURY SUBMISSION

Western Cape Government
Transport and Public Works

Razaan Ebrahim
Chief Directorate: Immovable Asset Management
Directorate: Property Acquisition
Email: Razaan.Ebrahim@westerncape.gov.za
Tel: +27 21 483 0100 fax: +27 21 483 7652

Reference Number: Wemmershoek PS

THE HEAD: PROVINCIAL TREASURY

SUBJECT: GRATIS TRANSFER OF A PORTION OF REMAINDER FARM 1653, PAARL (LA MOTTE) FOR EDUCATIONAL PURPOSES

Programme	PROGRAMME 2
Sub-programme	SUB-PROGRAMME 2.5
Amount	GRATIS
Legislative mandate	WESTERN CAPE LAND ADMINISTRATION ACT 6 OF 1998
Financial year	2019/2020
Alignment with Strategic Goals	The acquisition is in line with the Provincial Strategic Goals **PSG2, PSG 4 & PSG5:** Improve education outcomes and opportunities for youth development Enable a resilient, sustainable, quality and inclusive living environment. Embed good governance and integrated service delivery through partnerships and spatial alignment.

1. PURPOSE

1.1. To obtain approval, in terms of item 250 of the PFMA Accounting Officer's Delegation Framework – 2018 and National Treasury Regulation 21.3.1 promulgated in terms of Section 76(1)(l) of the Public Finance Management Act, No. 1 of 1999, to accept the donation of a portion of the Remainder of Farm No. 1653, Paarl RD measuring approximately 1.8

hectares in extent (the Property) (subject to land survey), from the Stellenbosch Municipality, for educational purposes.

2. STRATEGIC GOALS

2.1. **PSG2:** Improve education outcomes and opportunities for youth development.

2.2. **PSG4:** Enable a resilient, sustainable, quality and inclusive living environment.

2.3. **PSG5:** Embed good governance and integrated service delivery through partnerships and spatial alignment.

3. BACKGROUND

3.1. The Remainder of the Farm No. 1653, Paarl RD measuring approximately 17.3991 hectares in extent, is held in terms of Title Deed No T45558/2017 and registered in the name of the Stellenbosch Municipality. The Deeds Office Reports and an aerial photograph of the Property is attached as **Annexure "A1"** and **"A2"** respectively.

4. MOTIVATION

4.1. Based on the current learner enrolment figures of schools within Franschhoek and the projected development within the greater Franschhoek area, the Western Cape Education Department (WCED) in 2016 identified the need to acquire suitable vacant land in the La Motte area in Franschhoek for the construction of a replacement school. It is envisaged by the WCED that the school to be constructed will replace the current Wemmershoek Primary School.

4.2. The WCED in a letter dated 24 January 2017 and 2 February 2017 advised that they require 5 hectares of land to accommodate a primary and secondary school. Subsequently on 10 February 2017 the Department of Transport and Public Works (DTPW) made an application to the Municipality for the acquisition of a portion of Farm 1653 La Motte measuring 5 hectares in extent. See letters attached as **Annexures "B1", "B2"** and **"C"** respectively.

4.3. On 21 April 2017, the Municipal Council in principle supported the gratis transfer of a portion of Erf 1653, La Motte measuring approximately 2.14 hectares in extent. On condition that a Feasibility/Site Assessment report be submitted.

4.4. The WCED in August 2017, through Revel Fox & Partners obtained a feasibility/ Site Assessment Report for the Property, which supports the acquisition of the Property at an

extent of 1.8 hectares of land for educational purposes, subject to compliance with the National Environmental Management Act (NEMA), Act 107, 1998 and other related studies. An extract from the feasibility/ Site Assessment is attached as **Annexure "D"**.

4.5. On 22 August 2018 the Municipality advised that after considering the Feasibility/Site Assessment of the Property, the Municipal Council resolved that approval be granted for the gratis transfer of a portion of the remainder of farm 1653 measuring approximately 1.8 hectares in extent (subject to land survey), to the Western Cape Government (WCG) on condition:

4.5.1. That the Department be responsible for all cost related to the rezoning, subdivision and transfer, including but not limited to survey and legal costs;

4.5.2. That the Department be accountable for the upgrading of bulk infrastructure should the need arise, and for making a contribution toward the Bulk Infrastructure Fund as per the approved tariff structure at the time of approval of the site development plan;

4.5.3. That the Department be responsible for all service connections and the prevailing rates;

4.5.4. That the Department be given occupancy of the land with immediate effect, to enable them to attend to the planning/ building plan approvals; and

4.5.5. That the Municipal Manager be authorised to sign all document necessary to effect transfer of the land. The letter is attached as **Annexure "E".**

4.6. The Council's decision for the disposal of the Property, with the conditions thereto was communicated to the WCED and on 26 September 2018 the WCED confirmed acceptance of the conditions imposed by the Council and confirmed that IAM must proceed with the acquisition of the Property. The email correspondence between the WCED and IAM in this regard is attached as **Annexure "F"**.

4.7. The DTPW: IAM in a letter dated 2 October 2018 to the Municipality accepted the terms and conditions imposed by Council for the acquisition of the Property. The letter is attached as **Annexure "G".**

4.8. On 10 July 2019, the Property Senior Management Committee (PSMC) issued a recommendation to the Head of Provincial Treasury that approval be granted in terms of National Treasury Regulation 21.3.1 promulgated in terms of Section 76(1)(l) of the Public

Finance Management Act, No. 1 of 1999 to accept the donation of the Property from the Municipality. The PSMC resolution is attached as **Annexure "H"**.

5. LEGAL IMPLICATIONS

5.1 The Memorandum of Agreement of Transfer that was received from the Municipality was vetted by the Branch: Legal Services. See letter from the Branch: Legal Services attached as **Annexure "I1"** and Memorandum of Agreement of Transfer attached as **Annexure "I2"**.

6. RISKS RELATED TO PROPOSED OPTION/MOTIVATION

6.1 Should the donation not be accepted, the WCED will be deprived of an opportunity to construct a much needed educational facility for the community of Franschhoek and surrounding areas.

7. ORGANISATIONAL AND PERSONNEL IMPLICATIONS

7.1 There are no organisational and personnel implications.

8 FINANCIAL IMPLICATIONS

8.1 Provision has been made to acquire the Property within the 2019/2020 financial year acquisition plan and therefore rates and taxes have also been budgeted for. See the 2019/2020 budget attached as **Annexure "J"**.

8.2 All costs incidental to the transfer of the Properties will also be for the account of the WCG, including the costs for the rezoning for the property and other related studies.

8.3 As per condition 4.5.2, it was concluded by the Municipality and the WCED that the current Development Contribution (DC) tariff for a medium-sized school of approximately 3053m^2 GLA would be an amount of **R 2 569 343.47** (Two Million Five Hundred Sixty-Nine Thousand Three Hundred Forty-Three Rand and Forty-Seven Cents). See email correspondence with the Municipality and the WCED as **Annexure "K"**.

8.4 WCED accepted in principle the DC's as per the by-law. It was further noted that DC's should only be calculated and payable on commencement of the development. It is the intention of the WCED and DTPW to motivate for a discount or waiver prior to the commencement of the development. See email correspondence with WCED as Annexure **"L"**.

9 COMMUNICATION IMPLICATIONS

9.1 There are no communication implications.

10 PRIORITY CLASSIFICATION

10.1 C - Desirable expansions or new programmes which should enjoy priority on the grounds of the exceptional or special advantages which they hold for the community.

11 OTHER DEPARTMENTS/INSTITUTIONS CONSULTED

11.1 WCED
11.2 Stellenbosch Municipality
11.3 PSMC

12 RECOMMENDATION

12.1 Therefore request approval as per paragraph 1.

DIRECTOR: PROPERTY ACQUISITIONS

BRANCH/COMPONENT: PROVINCIAL PUBLIC WORKS

DATE: 28/01/2020

CERTIFICATE:

I, the undersigned, do hereby certify that I have reviewed the submission and can advise the accounting officer that the application/request is valid, accurate and complete and that:

- All relevant and permissible facts and circumstances were taken into consideration.
- All prescripts, limits and conditions are adhered to.
- The decision is within the ambit of Regulation 4(5), published under Provincial Government Notice 595/1998 and promulgated in terms of the Western Cape Land Administration Act, 6 of 1998.
- The end result of the decision will serve a legally permissible purpose.
- The result falls within the ambit of the budget, the budget description and the objectives of the strategic plan.
- The submission is therefore in order.

HEAD OF COMPONENT: IMMOVABLE ASSET MANAGEMENT

BRANCH/COMPONENT: PROVINCIAL PUBLIC WORKS

DATE: 05 - 02 - 2020

CERTIFICATE:

I, the undersigned, do hereby certify that I have evaluated the submission and that I can advise the accounting officer that the application/request satisfies the following:

- It complies with the relevant prescripts;
- It can be accommodated within the approved budget framework;
- It supports the attainment of the department's tabled strategic objectives and budget programs; and
- The submission is therefore in order.

DDG FINANCIAL MANAGEMENT (CFO)

DEPARTMENT: TRANSPORT AND PUBLIC WORKS

DATE: 5/2/2020

I the undersigned, do hereby certify, that I have evaluated the submission and support the recommendation in Paragraph 12, subject to the following comments (where applicable):

AO/HEAD OF DEPARTMENT

DEPARTMENT: TRANSPORT AND PUBLIC WORKS

DATE: 07-02-2020

Content noted and approval granted/not granted in terms of National Treasury Regulation 21.3.1.

COMMENTS:

Delegation 47, Section 76(1) PFMA, NTR 21.3.1

HEAD OFFICIAL

DEPARTMENT: PROVINCIAL TREASURY

DATE: 20/2/26

Western Cape Government
Transport and Public Works

BRANCH FINANCE
OFFICE OF THE DEPUTY DIRECTOR-GENERAL (CFO)
05 FEB 2020 M.Y. 8:45
KANTOOR VAN DIE ADJUNK-DIREKTEUR-GENERAAL (FINANSIES)
DEPARTEMENT VAN VERVOER EN OPENBARE WERKE WK
DEPARTEMENT OPENBARE WERKE WK

IAM 00373 - 29/01/20

TREASURY ROUTE FORM

CFO 66/05/02/2000

Subject:	**GRATIS TRANSFER OF A PORTION OF REMAINDER FARM 1653, PAARL (LA MOTTE) FOR EDUCATIONAL PURPOSES**		
File Reference Lêerverwysing	**WEMMERSHOEK PS**	**Electronic Reference Elektroniese Verwysing**	

HOOF VAN DEPARTEMENT
VERVOER & OPENBARE WERKE
WES-KAAP
06 FEB 2020
HEAD OF DEPARTMENT
TRANSPORT & PUBLIC WORKS
WESTERN CAPE

	POST DESIGNATION	NAME	INITIALS	DATE
1.	Compiler	[R. Ebrahim]	R.Ebrahim	28/01/2020
2.	Deputy Director: Property Acquisitions	[E. Bath]		28/01/2020
3.	Acting Director: Property Acquisitions	[E. Solomons]		28/1/2020
4.	Head of Component: Immovable Asset Management	[S. Hindley]		05-02-2020
5.	DDG Financial Management (CFO)	[C. Smith]		5/2/2020
6.	Head of Department	[J.T. Gooch]		07/02/2020
7.	Head: Provincial Treasury	D. Savage [~~Z. Hoosain~~]		20/02/20

HOOF VAN DEPARTEMENT
VERVOER & OPENBARE WERKE
WES-KAAP
05 FEB 2020
HEAD OF DEPARTMENT
TRANSPORT & PUBLIC WORKS
WESTERN CAPE

File copy to: Razaan Ebrahim

4th Floor, 09 Dorp Street, tel: 021 483-0100

WESTERN CAPE GOVERNMENT

MEMORANDUM

Western Cape Government

Razaan Ebrahim
Chief Directorate: Immovable Asset Management
Directorate: Property Acquisition
Email: Razaan.Ebrahim@westerncape.gov.za
Tel: +27 21 483 0100 fax: +27 21 483 7652

Memo

Department of Transport and Public Works:
Property Management: Property Acquisitions

To : Deon Fourie (cc Ansa Ferreira)
From : Edwin Bath
Date : 13 July 2020
Re : **REQUEST TO ASSIST WITH THE REZONING AND SUBDIVIDE THE FARM PAARL RD No. 1653 LA MOTTE FOR EDUCATIONAL PURPOSES (WEMMERSHOEK PS)**

Dear Mr. Fourie

It is the intention of the Directorate: Property Acquisitions to finalise the transfer of a Portion of The Farm Paarl Rd No. 1653 La Motte (the Property) from the Stellenbosch Municipality (the Seller) in favour of the Provincial Government of the Western Cape (PGWC) for educational purposes. See attached Deeds Printout as **Annexure "A"** and Aerial photo as **Annexure "B"**.

A request to acquire the Property was made by the Western Cape Education Department for the construction of a replacement school on the 2nd February 2017.
The Department of Transport and Public Works through GIBB Engineering and Architecture obtained a Feasibility / Site Assessment Report for the Property in August 2017. See the Feasibility/School Site Assessment Report as **Annexure "C"**.

Treasury approval was granted for the donation of the Property on the 20th February 2020. The Agreement of Sale for the donation of the Property to the PGWC was signed on the 7th July 2020. See the attached Treasury submission as **Annexure "D"** and Sales Agreement as **Annexure "E"**.

As per clause 3.1.2 in the agreement, the PGWC will be responsible for the survey, sub-division and rezoning of the Property, and all costs incidental thereto. The State Attorney will therefore only be in a position to finalise the transfer once the Property is subdivided and once the sub-divisional diagram is received.

Based on the above, the Directorate: Acquisitions kindly requests that the Directorate: Property Planning and Information assist with the required survey, subdivision and rezoning work required, whether it be in-house or via the Capacity Consultants if available.

Please note that this office is in the process of obtaining the Special Power of Attorney to submit the said applications.

We thank you for your consideration.

E Macrae Bath

DEPUTY DIRECTOR: PROPERTY ACQUISITIONS

DATE: 13 July 2020

MEMORANDUM OF AGREEMENT

BETWEEN STELLENBOSCH MUNICIPALITY &

WESTERN CAPE GOVERNMENT

Western Cape Government
Transport and Public Works

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

MEMORANDUM OF AGREEMENT OF TRANSFER

Entered into by and between:

STELLENBOSCH MUNICIPALITY

(Herein represented by **Ms. Geraldine Mettler** in her capacity as **Municipal Manager**, having been duly authorised hereto)

(Herein referred to as the "Municipality")

and

WESTERN CAPE GOVERNMENT
VIA ITS DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

(Herein represented by **Mr. Shane Duane Hindley** in his capacity as **Head of Component: Immovable Asset Management**, having been duly authorised hereto)

(Herein referred to as the "WCG")

(Hereinafter referred to each as "a Party" and together as "the Parties")

PREAMBLE:

A. **WHEREAS** the Municipality is the registered owner of Farm 1653, Division Paarl, Franschhoek.

B. **WHEREAS** the WCG has requested that a portion of Farm 1653, measuring approximately 1.8000ha in extent, be transferred to it with no purchase price payable, to be utilised as a school site, and the Municipality is amenable to transferring such portion of the property on the conditions set out herein.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. INTERPRETATION

1.1 In this Agreement, unless the context indicates a contrary intention, a word or expression which denotes:

1.1.1 any gender shall include the other gender;

1.1.2 a natural person shall include juristic persons and vice versa; and

1.1.3 the singular shall include the plural and vice versa.

1.2 In the event that the date for the performance of any obligation or the exercise of any right, in terms of this Agreement, falls on a day which is not a Business Day, then the relevant date for performance of any obligation or the exercise of any right, in terms of this Agreement, shall be the immediately succeeding Business Day.

1.3 When any number of days or other period is prescribed, such number of days or other period shall be calculated exclusively of the first and inclusively of the last day unless the last day falls on a day which is not a Business Day, in which event the last day shall be the immediately succeeding Business Day.

1.4 The expiry or termination of this Agreement shall not affect such of the provisions of this Agreement as expressly provide that they will operate after any such expiration or termination or which of necessity must continue to have effect after such expiration or termination, notwithstanding that the clauses themselves do not expressly provide for this.

1.5 Where figures are referred to in numerals and in words, if there is any conflict between the two, the words shall prevail.

1.6 Words and expressions defined in any sub-clause shall bear the meanings assigned to such words and expressions in this entire Agreement.

1.7 This Agreement shall be governed by and construed and interpreted in accordance with the law of the South Africa. Any reference to an enactment or regulation is to that enactment or regulation as at the date of this Agreement and as amended or re-enacted from time to time thereafter.

2. DEFINITIONS

2.1 In this Agreement, the following expressions bear the meanings assigned to them below and cognate expressions bear corresponding meanings:

2.1.1 "**Agreement**" means this Memorandum of Agreement of Transfer and all its annexures and **"this Agreement"** shall have a corresponding meaning;

2.1.2 "**Business Day**" means any day other than a Saturday, Sunday or public holiday in the Republic of South Africa and "**Business Days**" has a corresponding meaning;

2.1.4 "**Deeds Office**" means the office of the Registrar of Deeds at Cape Town;

2.1.5 "**Occupation Date**" means the date on which the WCG takes lawful occupation of the Property;

2.1.6 "**Parties**" means the Municipality and the WCG;

2.1.7 "**Property**" means a portion of Farm 1653, Division Paarl, La Motte measuring approximately 1.8000ha, situated in La Motte, Province of the Western Cape; as shown on **ANNEXURE 1** hereto;

2.1.8 **"Transfer"** means registration of transfer in the Deeds Office of the Property into the name of the WCG;

2.1.9 "**State Attorney**" means the State Attorney instructed by the WCG for the purposes of this Agreement; and

2.1.10 "**Transfer Date**" means the date of registration of Transfer of the Property in the Deeds Office in the name of the WCG.

3. TRANSFER FREE OF CHARGE

3.1 The Parties agree that title in the Property will be Transferred, from the Municipality to the WCG, free of charge, subject to the following conditions:

3.1.1 All costs incidental to the Transfer of the Property will be borne by the WCG;

3.1.2 The WCG will be responsible for the survey, sub-division and rezoning of the property, and all costs incidental thereto; and

3.1.3 The WCG will be responsible for the upgrading of bulk infrastructure, should the need arises, and for making a contribution towards the Bulk Infrastructure Fund of the Municipality as per the approved Tariff Structure at the time of approval of the site development plan, if applicable.

4. DATE OF ALIENATION

The date of alienation shall be the date upon which this Agreement is signed on behalf of the Municipality.

5. DATE OF OCCUPATION

The Parties hereby record that the WCG will be entitled to take possession and occupation of the Property on date of transfer of the property into the name of the WCG in the Deeds Office.

6. TRANSFER OF RISK

All risk, profit and loss in the Property will pass to the WCG on the Transfer Date.

7. RATES AND TAXES

The WCG shall pay all rates, taxes and like charges levied in respect of the Property from the Transfer Date.

8. TRANSFER AND OTHER RELATED PROVISIONS

8.1 Transfer shall be effected by the State Attorney and shall be taken as soon as possible after all costs as described in clause 3.1.2 above have been paid by the WCG, if applicable.

8.2 All the costs of and incidental to the Transfer, including the conveyancing fees (together with VAT payable on such fees) and any other costs or duties payable of a similar nature, in respect of the Transfer shall be paid by the WCG to the State Attorney within 30 (thirty) calendar days of being requested by them to do so, which fees, costs and/or duties shall not exceed the recommended transfer and bond costs, issued by the Legal Practice Council from time to time.

8.3 In the event of this Agreement being cancelled as a result of a breach of its terms by either of the Parties, the Party in breach shall be liable to pay on demand to the State Attorney all fees and disbursements reasonably incurred by them as at the date of cancellation.

8.4 The Municipality and the WCG hereby undertake in favour of each other-

8.4.1 within 5 (five) Business Days after being required by the State Attorney to do so, to complete and/or sign all documents necessary to effect Transfer; and

8.4.2 to take all steps, pay all such amounts and do and procure the doing of all such things as are reasonable and necessary, in the circumstances, so as to place the State Attorney in a position to effect Transfer without unnecessary delay or hindrance.

9. NO TRANSFER UNTIL FULFILMENT OF OBLIGATIONS

The WCG shall not be entitled to registration of Transfer until it has complied with all its obligations in terms of this Agreement, which had to be complied with prior to Transfer.

10. COSTS

The WCG shall within 21 (twenty-one) Business Days of request by the Municipality or the State Attorney, Cape Town pay all costs of and incidental to the alienation and registration of Transfer, which, without derogating from the generality of the aforegoing, shall include, where applicable, transfer duty, VAT, conveyancing fees, survey fees, any penalties or interest imposed due to delays, provided that such delays were occasioned by the WCG.

11. ACKNOWLEDGEMENT AND DISCLOSURE

The WCG acknowledges that:

11.1 It has been given sufficient time to inspect the Property, to consider all provisions of this Agreement and obtain advice;

11.2 It has had sufficient opportunity to appoint professionals for purposes of inspecting the Property and assisting it in any way it requires in relation to the Property;

11.3 It is acquainted with the nature, extent and condition of the Property;

11.4 The Property may have certain latent defects of which the WCG is unaware both at the date of alienation hereof and the Transfer Date. The Municipality will not be held liable for any such defects which appear after the Transfer Date;

11.6 The Property, including all buildings and other improvements thereon, is transferred in accordance with the Municipality's title deeds and the diagram or general plan framed or to be framed in respect thereof;

11.7 The size of the property will only be determined once a new diagram has been approved;

11.8 The Municipality renounces all claims to any excess in the extent of the Property and will not be answerable for any deficiency in the extent of the Property, and no warranty is given in respect of boundaries; and

11.9 The Municipality shall not be responsible for indicating existing boundaries and beacons.

12. TITLE DEED CONDITIONS

12.1 This alienation is subject to each and every condition and servitude specified in the original and subsequent title deeds and to all other rights and conditions imposed by any statutory authority and to any approval and/or permit and/or waiver of pre-emptive right in terms of any law as may be necessary. Without detracting from the generality of the aforegoing provisions the Property is Transferred subject to such conditions, or any amendment thereof, imposed by the local authority when approving the sub-division and/or consolidation and/or re-zoning of the land of which the Property forms part and the conditions of establishment of the aforesaid township, or any amendment thereof, if applicable.

12.2 It is specifically agreed that the property shall only be used for a school and educational purposes connected therewith. Should the Property not be developed for this purpose within a period of ten (10) years by the WCG, then the ownership will revert to the Municipality; at the cost of the WCG, in which case there will be no claim by the WCG against the Municipality for financial lost and/or compensation.

13. BREACH OF CONTRACT

13.1 All terms and conditions of the sale of the Property are material.

13.2 Breach by the WCG:

13.2.1 In the event of the WCG failing to fulfil any of the terms and/or

conditions of this Agreement, including any performance required to be undertaken by a due date and/or remaining in default for a period of twenty-one (21) days after the Municipality has given written notice to the WCG calling upon the WCG to remedy such default, then and in any such event, the Municipality will be entitled without further notice, in addition to and without prejudice to any other rights available to it at law:

13.2.2.1 to cancel this Agreement by written notice to that effect sent by registered post to the WCG's chosen *domicilium citandi et executandi*, in which event the Municipality shall be entitled to retain all monies paid by the WCG to the State Attorney, Cape Town, pending determination of its damages; or

13.2.2.2 to require the fulfilment by the WCG of all the other terms and conditions of this Agreement; or

13.2.2.3 in respect of any time period as the case may be, upon written request by the WCG, to grant to the WCG an extension of time.

13.2.2 In the event of a breach of this Agreement by the WCG, the Municipality shall in addition to any other remedy it may have, be entitled to claim damages as it may be able to prove.

13.2.3 In the event of clause 13.2.2.3 applying, the WCG's written request for an extension of time shall reach the Municipality

before the expiry of the twenty-one (21) day notice period in terms of clause 13.2.1. Upon receipt of such written request, the Municipality shall evaluate the request and notify the WCG within thirty (30) days of receipt thereof whether or not such request has been granted. In the event of an extension being granted, the Municipality shall notify the WCG of the terms and conditions of such extension. The granting of an extension of any time period shall be in the sole discretion of the Municipality and no extension of time or any indulgence granted by the Municipality to the WCG in respect of the WCG's obligations will constitute a waiver of the Municipality's right to enforce compliance of the terms and conditions of this Agreement nor will it constitute a novation hereof. Should an extension not be granted, the WCG shall be in breach and the Municipality shall have the remedies available to it in this Agreement and in common law.

13.2.4 In the event of the cancellation of this Agreement in terms hereof, the WCG shall notwithstanding and without prejudice to any rights the Municipality has under this Agreement, if so required by the Municipality, remove or cause to be removed within 3 (three) months from the date that the Municipality has notified the WCG of such requirement, all or any structures, any constructions, improvements or buildings (collectively referred to as "Buildings") which may have been erected on the Property. The removal of Buildings and the reinstatement of the Property shall be entirely to the satisfaction of the Municipality in its sole discretion. Any Buildings not removed by the WCG as aforesaid, shall thereupon vest in the Municipality without

payment of compensation therefor, provided that the WCG shall be liable to compensate the Municipality for any loss or expense it may sustain by reason of the WCG's failure so to remove, and the Municipality itself thereafter removing Buildings.

13.2.5 In the event of the Municipality cancelling this Agreement and the WCG disputing the Municipality's right to cancel and remaining in occupation of the Property, the WCG shall, pending settlement of such dispute either by negotiation, or through the dispute resolution mechanisms set out in Chapter 4 of the Intergovernmental Relations Framework Act 13, of 2005, including rates and taxes, and the Municipality shall be entitled to accept and recover such payments, the acceptance of which shall be without prejudice to and shall not in any way whatsoever affect the Municipality's claim for cancellation then in dispute. Should the dispute be determined in favour of the Municipality, the payments made and received in terms of this clause shall be deemed to be amounts paid by the WCG on account of the damages suffered by the Municipality, by reason of the cancellation of this Agreement and/or the unlawful holding over by the WCG, and shall be taken into account when determining the Municipality's damages.

13.2.6 The WCG shall be liable for all legal costs, including attorney and client costs, collection commission and tracing fees, incurred by the Municipality in enforcing any of its rights in terms of this Agreement.

13.3 Breach by the Municipality:

13.3.1 In the event of the Municipality failing to fulfil any of the terms and/or conditions of this Agreement and remaining in default for a period of 21 (twenty-one) days after the WCG has given written notice to the Municipality calling upon it to remedy such default, then and in any such event the WCG shall be entitled without further notice, in addition to and without prejudice to any other rights available to it in law:

13.3.1.1 to cancel this Agreement by written notice to that effect sent by registered post to the Municipality's chosen *domicilium citandi et executandi;* or

13.3.1.2 to claim immediate fulfilment by the Municipality of its obligations in terms of this Agreement.

13.3.2 In the event of a breach of this Agreement by the Municipality, the WCG shall in addition to any other remedy it may have, be entitled to claim damages as it may be able to prove.

14. EXTENSION OF TIME PERIOD

Subject to clause 13.2.3, a request by either Party for the extension of any time period referred to in this Agreement shall reach the other Party before the expiry date of the relevant time period. Upon receipt of such written request the relevant Party shall evaluate the request and notify the affected Party within thirty (30) days of receipt thereof whether or

not such request has been granted. In the event of an extension being granted, the relevant Party shall notify the affected Party of the terms and conditions of such extension. The granting of an extension of any time period shall be in the sole discretion of the relevant Party and no extension of time or any indulgence granted will constitute a waiver of the relevant Party's right to enforce compliance of the terms and conditions of this Agreement nor will it constitute a novation thereof.

15. DOMICILIUM CITANDI ET EXECUTANDI

15.1 The Parties nominate as their *domicilium citandi et executandi* for the purposes of this Agreement and for the serving of legal documents and notices the following physical addresses:

Municipality:
3rd Floor
Absa Building
Pleinstreet
Stellenbosch
7600

WCG:
Western Cape Government via its Department of Transport and Public Works
Chief Directorate: Immovable Asset Management
9 Dorp Street
CAPE TOWN
8001

15. 2 Any notice will be deemed to be legally delivered if delivered by hand or sent by registered post to that address, in which event it will be conclusively deemed to have been received, in the event of hand-delivery, on the date of delivery, or, in the event of delivery by registered post, on the 7th (seventh) day after the posting thereof.

16. CONFIDENTIALITY OF INFORMATION

16.1 The Parties shall keep confidential and not disclose to any person, save as may strictly be necessary for the purpose of the implementation of the transaction, all information of and concerning the affairs of each other that they may have acquired in negotiating and settling this Agreement and no Party shall disclose any such information to any third party or use any such information for its own benefit, provided that this obligation shall not extend to information-

16.1.1 which is in or comes into the public domain otherwise than through the default of any Party or an outsider;

16.1.2 the disclosure of which is agreed to by the Parties;

16.1.3 which is properly available to the public or disclosed or divulged pursuant to an order of a court of competent jurisdiction; and/or

16.1.4 the disclosure of which is required by law, or other regulatory authority.

17. VARIATION

No addition to or variation, consensual cancellation or novation of the Agreement and no waiver of any right arising from the Agreement or its breach or termination shall be of any force or effect unless reduced to writing and signed by all the Parties or their duly authorised representatives.

18. RELAXATION OF TERMS

No latitude, extension of time or other indulgence which may be given or allowed by any one Party to another Party in respect of the performance of any obligation hereunder or enforcement of any right arising from the Agreement and no single or partial exercise of any right by any one Party shall under any circumstances be construed to be an implied consent by such Party or operate as a waiver or a novation of, or otherwise affect any of that Party's rights in terms of or arising from the Agreement or estop such Party from enforcing, at any time and without notice, strict and punctual compliance with each and every provision or term hereof.

19. WHOLE AGREEMENT

The Agreement constitutes the whole Agreement between the Parties as to the subject matter hereof and no agreement, representations or warranties between the Parties other than those set out herein are binding on the Parties.

SIGNED at.....on this.....day of..... ~~2019.~~ 2020

.....

THE MUNICIPALITY

(Signed by **Ms. Geraldine Mettler**, on behalf of the **Municipality**, in her capacity as **Municipal Manager**, duly authorised hereto)

AS WITNESS:

1. .....

2. .....

SIGNED at CAPE TOWN on this 7TH day of JULY ~~2019.~~ 2020

.....

THE WCG

(Signed by **Mr. Shane Duane Hindley**, on behalf of the **WCG**, in his capacity as **Head of Component: Immovable Asset Management**, duly authorised hereto)

AS WITNESS:

1. .....

2. .....

TITLE DEED

(c) Kliënt afskrif van aktes permanent in Aktekantoor geliasseer:
Client copies of deeds filed permanently in Deeds Office:

Aard en nommer van akte / Nature and number of deed	Omslag Nr. / Cover No.	Paraawe van ondersoeke Initials of Examiners

(d) Notas / Notes:

C. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:

Interdikte nagesien Interdicts checked			Opmerkings / Remote	Paraaf Initials
Datum / Date	Paraaf Initials			
		(1) Dorp goedgekeur (geproklameer) Township approved (proclaimed)		
		(2) Begiftigingserwe Endowment erven		
		(3) Begiftigings Endowment		
		(4) Voorwaardes Conditions		
		(5) Mikro Micro		
		(6) Algemene Plan General Plan		
		(7) Titelakte Title Deed		
		(8) Verbande teen dorpstitle Bonds against township title		
		(9) Datum nagesien Date checked		

DATA / VERIFY 04 AUG 2017 DEBRA TALJAARD

Kantoor instruksies / Office instructions:

Seksie / Section:

J.J. WILLIAMS

Pwge VA 1226/2017

MINUTEMAN PRESS TYGER VALLEY 021 914 6847

Deeds Reg A/C No CTN

136

BELLVILLE 915 4900

PARKLANDS 557 3900

VAN NIEKERK GROENEWOUD & VAN ZYL INCORPORATED / INGELYF

CAP 10/0001

LIZELLE LEWIN

A

UITVOERING - EXECUTION

A. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:
Datum van indiening / Date of lodgement

LODGED 2017 -07- 28 INGEDIEN

04 AUG 2017

	Ondersoekers / Examiners	Kode / Code	Skakeling / Linking		Verwerp Reject	Passe Pass
1	T.F SIRWADI	1228	1	1		
2						
3	J.J. WILLIAMS	1217				

B. (a) VIR AKTEBESORGER SE GEBRUIK / FOR CONVEYANCER'S USE

Aard van Akte / Nature of Deed TRANSFER

THE CAPE WINELANDS DISTRICT MUNICIPALITY

t.g.v. / i.f.o. STELLENBOSCH MUNICIPALITY

T 000045558/2017

Skakeling / Linking		Titelaktes / Title deeds within
1	1 1	T 66593/2006

FARM 1653 PAARL

(Kort beskrywing van eiendom (slegs para 1 in Akte) / Brief description of property (merely para 1 in Deed)

GELYKTYDIGES / SIMULS

No. in stel / batch	Kode / Code	Name van Parte / Names of Parties	Naam van Firma / Name of Firm	Firma Firm No.
1	T	CAPE WINELANDS / STELLENBOSCH	VGV	136
2				
3				
4				
5				
6				
7				
8				
9				
10				

HANDED IN FOR EXECUTION CAPE TOWN 04 AUG 2017 HANDED IN FOR EXECUTION

(a) GELYKTYDIGES MET ANDER REGISTRASIEKANTORE/DEELTILTELS:
SIMULS WITH OTHER REGISTRIES/SECTIONAL TITLES:

Kode Code	Firma/Firm	Eiendom/Property	Kantoor/Office

080006911545

Registrasie Versoek Deur:
Registration Requested By:

Datum / Date:

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VGV INC
Ground Floor Tijger Park 2
Willie van Schoor Drive
Bellville
7530

Prepared by me

CONVEYANCER
MONIQUE ANASTASSIADES

Fee endorsement		
	Amount	Office fee
Purchase price/Value	R 6 030 000.00	R 2100.00
Mortgage capital Amount	R.....	R.....
Reason for exemption	Cat.....	Exempt i.t. o section..... Act.....

DATA / VERIFY
18 AUG ....
OLIVIER YOLANDI

T 000045558 / 2017

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

MARTHA ANNA RUSTER

DATA / CAPTURE
14 AUG 2017
MTYATYAMBA NOLUVO

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him by

THE CAPE WINELANDS DISTRICT MUNICIPALITY

which said Power of Attorney was signed at **STELLENBOSCH** on **14 JUNE 2017.**

For Information Only

Our Ref: HM / CAPE WINELANDS/STELLENBOSCH/FRANSCHHOEK/ REMAINDER PAARL FARM 1653
Case No: HWC23021607SB0217
Enquiries: Stephanie Barnardt
E-mail: Stephanie.Barnardt@westerncape.gov.za
Tel: 021 483 5959

ILifa leMveli leNtshona Koloni
Erfenis Wes-Kaap
Heritage Western Cape

Bettesworth Scott
Isalde.DuToit@westerncape.gov.za; landuse.applications@stellenbosch.gov.za

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED SCHOOL ON REMAINDER PAARL FARM 1653, LA MOTTE, ROBERTSVLEI ROAD, FRANSCHHOEK, CAPE WINELANDS, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

The matter above has reference.

Heritage Western Cape is in receipt of the above matter received. This matter was discussed at the Heritage Officers meeting held on 6 March 2023.

You are hereby notified that, since there is no reason to believe that the proposed school on Remainder Paarl Farm 1653, La Motte, Robertsvlei Road, Franschhoek, Cape Winelands, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay. Please note Heritage Western Cape's Chance Finds procedure.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

.....
Waseefa Dhansay
Assistant Director: Professional Services

Heritage Western Cape
Erfenis Wes-Kaap
ILifa leMveli leNtshona Koloni

08 March 2023

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000 • **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000 • **Tel:** +27 (0)21 483 5959 • **E-pos:** ceoheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, ekapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za

And the said appearer declared that his principal had, on 8 **November 2016** truly and legally donated by Deed of Donation, and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of:

STELLENBOSCH MUNICIPALITY

its Successors in Title or Assigns, in full and free property

REMAINDER OF FARM NUMBER 1653 PAARL
IN THE STELLENBOSCH MUNICIPALITY
DIVISION PAARL, PROVINCE WESTERN CAPE

IN EXTENT: 17,3991 (SEVENTEEN COMMA THREE NINE NINE ONE) HECTARES

FIRST TRANSFERRED and still held by Deed of Transfer Number T66593/2006 with diagram S.G. Number 5913/2001 annexed thereto.

I **WITH REGARD TO** the figure C q G H J r on diagram S.G. Number 5913/2001:

A. **SUBJECT** to the following conditions mentioned in Deed of Transfer Number T46385/2004 imposed by the NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA being:

1 (a) The land may only be used for township development of low cost housing and related infrastructure.

(b) If the land are no longer used or required for the above said purposes, then the land will revert to the State at no charge, and in such event, the land will be retransferred to the State at the cost of the Municipality.

2 As far as the identified vacant state land hereby transferred, is concerned the Municipality must grant the State a right of first refusal in respect of the land, free of charge –

(a) whenever the Municipality decides to dispose of any superfluous land (other than land earmarked for low-cost housing purposes) or

For information only

(b) whenever the State in its National Department of Public Works identified land owned by the Municipality that the Department requires for the domestic purposes of the National Government, and such land is found to be superfluous to the domestic needs of the Municipality up to an amount equal to the current open market value of the state land (hereby transferred) duly escalated to its equivalent future value, as at the date of any such acquisition by the State.

II **WITH REGARD TO** the figure A B C r s P on diagram S.G. Number 5913/2001:

A. SUBJECT to the following conditions mentioned in Deed of Transfer Number T46385/2004 imposed by the NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA being, which conditions are more fully set out in paragraph I A above.

III **WITH REGARD TO** the figure N s K M on diagram S.G. Number 5913/2001:

A. SUBJECT to the following conditions mentioned in Deed of Transfer Number T46385/2004 imposed by the NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA being, which conditions are more fully set out in paragraph I A above.

B. SUBJECT to the conditions referred to in Deed of Transfer Number T5519/1918.

IV **WITH REGARD TO** the figure e middle of French Hoek River f G q D on diagram S.G. Number 5913/2001:

A. SUBJECT to the following conditions mentioned in Deed of Transfer Number T46385/2004 imposed by the NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA being, which conditions are more fully set out in paragraph I A above.

B. SUBJECT to the conditions referred to in Deed of Transfer Number T2016/1917.

WHEREFORE the said Appearer, renouncing all rights and title which the said

THE CAPE WINELANDS DISTRICT MUNICIPALITY

heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by these presents, the said

STELLENBOSCH MUNICIPALITY

its Successors in Title or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the value of the property being the sum of R6 030 000,00 (SIX MILLION THIRTY THOUSAND RAND).

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

THUS DONE AND EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 7 August 2017

q.q.

In my presence

REGISTRAR OF DEEDS

For information only

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VGV INC
Ground Floor Tijger Park 2
Willie van Schoor Drive
Bellville
7530

Prepared by me

CONVEYANCER
~~ANDREW LEHLOYO DORCKY MOHOHLO~~
MONIQUE ANASTASSIADES

POWER OF ATTORNEY TO PASS TRANSFER

I, the undersigned

MICHAEL MGAJO IN MY CAPACITY AS MUNICIPAL MANAGER AND DULY AUTHORISED HERETO BY VIRTUE OF A RESOLUTION OF THE CAPE WINELANDS DISTRICT MUNICIPALITY.

do hereby nominate and appoint MONIQUE ANASTASSIADES and/or MARTHA ANNA RUSTER and/or LOUISE HILDA WEHMEYER and/or ANDREW LEHLOYO DORCKY MOHOHLO and/or CHRISTIAAN HENDRIK VAN RHEEDE VAN OUDTSHOORN

with power of substitution to be my true and lawful Attorney and Agent in my name, place and stead to appear at the Office of the REGISTRAR OF DEEDS at CAPE TOWN or any other competent official in the Republic of South Africa and then and there to act as my Attorney and Agent and to pass transfer to:

STELLENBOSCH MUNICIPALITY

the property described as:

REMAINDER OF FARM NUMBER 1653 PAARL
IN THE STELLENBOSCH MUNICIPALITY
DIVISION PAARL, PROVINCE WESTERN CAPE

IN EXTENT: 17,3991 (SEVENTEEN COMMA THREE NINE NINE ONE) HECTARES

HELD BY DEED OF TRANSFER T66593/2006

The said property having been donated by me on **8 November 2016**, to the said Transferee/s which donation was accepted on the same day and which is valued at **R6 030 000.00 (SIX MILLION AND THIRTY THOUSAND RAND)** transfer duty, however, having been paid on the declared value of **R6 030 000.00 (SIX MILLION AND THIRTY THOUSAND RAND)**

And I/we hereby certify that no monetary consideration whatsoever has been given or is to be given to me or anyone else on my/our behalf by or on behalf of the Transferee/s aforesaid for or in respect of the said property.

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And further cede and transfer the said property in full and free property to the said Transferee; to renounce all right, title and interest which the Transferor heretofore had in and to the said property, to promise to free and warrant the said property and also to clear the same from all encumbrances and hypothecations according to law, to draw, sign and pass the necessary acts and deeds, or other instruments and documents; and generally, for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, to all intents and purposes, as the Transferor might or could do if personally present and acting therein; therein; hereby ratifying, allowing and confirming all and whatsoever the said Agent/s shall lawfully do or cause to be done in the premises by virtue of these presents.

Signed at Stellenbosch on 14 June 2017 in the presence of the undersigned witnesses.

AS WITNESSES :

1. _____

2. _____

_____
On behalf of THE CAPE WINELANDS DISTRICT MUNICIPALITY

For Information Only

SARS

Transfer Duty Declaration

TDREP

Reference Details

Transfer Duty Reference Number: TDE024DDA5

Details

Details of Seller / Transferor / Time Share Company

Surname / Registered Name	THE CAPE WINELANDS DISTRICT MUNICIPALITY	Full Name	THE CAPE WINELANDS DISTRICT MUNICIPALITY

Details of Purchaser / Transferee

Full Name	STELLENBOSCH MUNICIPALITY	Surname / Registered Name	STELLENBOSCH MUNICIPALITY

Details of the Property

Date of Transaction/Acquisition (CCYYMMDD)	2016-11-08		
Total Fair Value	R 6030000.00	Total Consideration	R 6030000.00

Calculation of Duty and Penalty / Interest

Transfer Duty Payable on Natural Person	R 0.00	

Property Description

1	REMAINDER OF FARM NUMBER 1653 PAARL IN THE STELLENBOSCH MUNICIPALITY DIVISION PAARL PROVINCE WESTERN CAPE IN EXTENT 17,3991 (SEVENTEEN COMMA THREE NINE NINE ONE) Hectares

Exemption Certificate

Exemption Certificate Details

Transfer Duty Reference No.	TDE024DDA5	Exempt in terms of Section 9 of the Transfer Duty Act	Other
Exemptions allowed by another Act	SECTION 9(15)		

Declaration by Conveyancer / Attorney

I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.

MONIQUE ANASTASSIADES
xxxxxxxxxxxxxxxxxxxxxxxxx
xxxxxxxxxxxxxxxxxxxxxxxxx

Please ensure you sign over the 2 lines of "X"s above

Date (CCYYMMDD): 20170725

For enquiries go to www.sars.gov.za or call 0800 00 SARS (7277)

For Information Only

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT:
MUNICIPAL SYSTEMS ACT, 2000(ACT No. 32 of 2000)
(AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

ISSUED BY STELLENBOSCH MUNICIPALITY

Authority is hereby granted in terms of Section 118 of the Local Government Municipal Systems Act, 2000 (32 of 2000), for the registration of the transfer of the property/ies mentioned herein.

Property Description:
REMAINDER OF FARM NUMBER 1653 PAARL
IN THE STELLENBOSCH MUNICIPALITY
DIVISION PAARL, PROVINCE WESTERN CAPE

IN EXTENT: 17,3991 (SEVENTEEN COMMA THREE NINE NINE ONE) HECTARES

HELD BY DEED OF TRANSFER T66593/2006

Municipal Reference Number/ 21 Digit Code: C055000000000165300000

Registration division/Administrative District: STELLENBOSCH MUNICIPALITY

Registered Owner:
THE CAPE WINELANDS MUNICIPALITY

Name of Purchaser:
STELLENBOSCH MUNICIPALITY

This certificate is valid until: ... 11 September 2017

Given under my hand at ...Stellenbosch..., on ... 10 July 2017..

MUNISIPALITEIT STELLENBOSCH
2017 -07- 10
FINANSIELE DIENSTE

Date Issued: .....

.....
For: Municipal Manager
Stellenbosch Municipality

Authorised Official: L. Anthony

For Information Only

Prepared by me
MA
Conveyancer
MONIQUE ANASTASSIADES

CERTIFICATE

I, **PETRUS DU PLESSIS SMIT**, in my capacity as Manager: Property Management of STELLENBOSCH MUNICIPALITY, and as such duly authorised thereto and acting on behalf of STELLENBOSCH MUNICIPALITY hereby refer to clause 1(a) on page 3 of Certificate of Consolidated Title Number T66593/2006:

"1(a) The land may only be used for township development of low cost housing and related infrastructure."

I certify that Remainder of Farm Number 1653 Paarl, In the Stellenbosch Municipality, Division Paarl, Province Western Cape will only be used for the purposes as set out in the above condition.

DATED at STELLENBOSCH on 20th APRIL 2017.

PETRUS DU PLESSIS SMIT

For Information Only

5

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN DATE : 20170728 TIME : 11:58:55.6 PAGE : 1
PREPARED BY : DRS08085 - FANTI WENDY

TRACK NUMBER : 80006911545

PROPERTY DETAILS PRINT FOR PORTION 0 (R/E)
FARM NO 1653
REG DIV PAARL RD

PROVINCE WESTERN CAPE
PREV DESCRIPTION
DIAGRAM DEED NO T66593/2006
EXTENT 17.3991 H
CLEARANCE NOT AVAILABLE
FARM NAME PAARL RD

ORIGIN REASON ORIGIN PROPERTY
CONSOLIDATE FROM REG DIV PAARL RD , FARM NAME , FARM NO 1617 , PRTN 0
CONSOLIDATE FROM REG DIV PAARL RD , FARM NAME FARM 1339 , FARM NO 1339 , PRTN 2
CONSOLIDATE FROM REG DIV PAARL RD , FARM NAME , FARM NO 1158 , PRTN 2
CONSOLIDATE FROM REG DIV PAARL RD , FARM NAME , FARM NO 1841 , PRTN 29

SUBDIVISION TO TOWN LA MOTTE , ERF 1 , PRTN 0

NO INTERDICTS

DOCUMENTS	HOLDER & SHARE	AMOUNT	O/P/A *	SCAN/MICRO REF	MMDD
VA1226/2017	T66593/2006			20170328061456	0223

OWNER DETAILS

FULL NAME & SHARE	PURC DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	MMDD	MICROFILM REF
DISTRICT MUN-CAPE WINELANDS				CCT	T66593/2006	0829	20170328061534

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

* * * END OF REPORT * * *

IKE E: /XARRA //KE

For Information Only

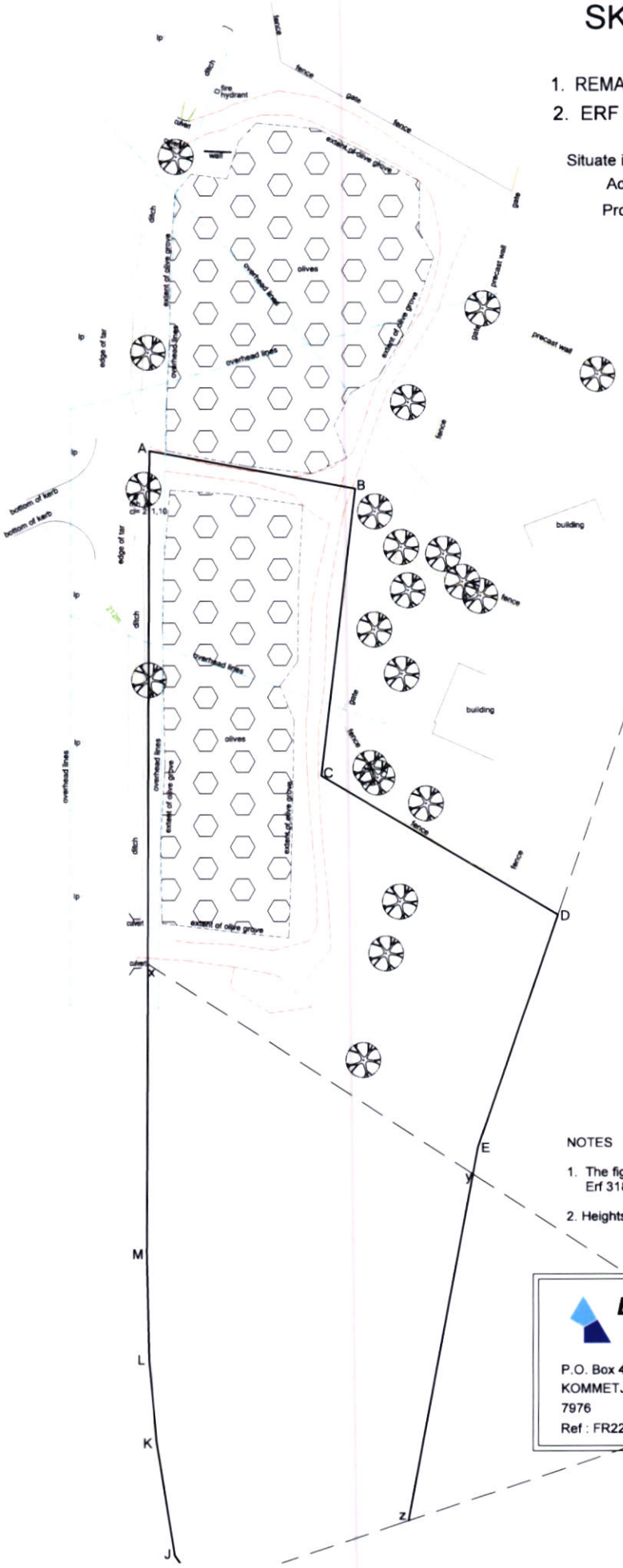
SITE SURVEY

SKETCH PLAN

Showing part of

1. REMAINDER FARM 1653 PAARL
2. ERF 318 LA MOTTE

Situate in the Municipality of Stellenbosch
Administrative District of Paarl
Province of the Western Cape
Scale 1 : 750



LEGEND

+	above ground level
B	building
BC	building corner
BK	bottom of kerb
CFP	corner fence post
CULV	culvert
DITCH	stormwater channel
ER	edge of road
ET	edge of tar
FL	fenceline
G	gate
HYD	fire hydrant
IL	invert level
LP	lamppost
MH	manhole
OLV	edge of olive grove
PP	power pole
TP	telephone pole
TR	tree
VIB	precast wall
W	wall
WC	wall corner

NOTES

1. The figure ABCDEFGHJKLM represents Erf 318 La Motte.
2. Heights in metres above Mean Sea Level.

BEN LANGBRIDGE
Professional Land Surveyors
Township Planners

P.O. Box 48134
KOMMETJIE
7976

Tel (021) 783-5878
benlangbridge@iafrica.com
www.benlangbridge.com

Ref : FR2232 Ske1
18 November 2022

HERITAGE WESTERN CAPE (HWC)

RESPONSE TO NOTIFICATION

OF INTENT TO DEVELOP

Our Ref: HM / CAPE WINELANDS/STELLENBOSCH/FRANSCHHOEK/ REMAINDER PAARL FARM 1653
Case No: HWC23021607SB0217
Enquiries: Stephanie Barnardt
E-mail: Stephanie.Barnardt@westerncape.gov.za
Tel: 021 483 5959

ILifa leMveli leNtshona Koloni
Erfenis Wes-Kaap
Heritage Western Cape

Bettesworth Scott
Isalde.DuToit@westerncape.gov.za; landuse.applications@stellenbosch.gov.za

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED SCHOOL ON REMAINDER PAARL FARM 1653, LA MOTTE, ROBERTSVLEI ROAD, FRANSCHHOEK, CAPE WINELANDS, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

The matter above has reference.

Heritage Western Cape is in receipt of the above matter received. This matter was discussed at the Heritage Officers meeting held on 6 March 2023.

You are hereby notified that, since there is no reason to believe that the proposed school on Remainder Paarl Farm 1653, La Motte, Robertsvlei Road, Franschhoek, Cape Winelands, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay. Please note Heritage Western Cape's Chance Finds procedure.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

.....
Waseefa Dhansay
Assistant Director: Professional Services

Heritage Western Cape
Erfenis Wes-Kaap
ILifa leMveli leNtshona Koloni

08 March 2023

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O Box 1665, Cape Town, 8000 • **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000 • **Tel:** +27 (0)21 483 5959 • **E-pos:** ceoheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, ekapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za

BOTANICAL ASSESSMENT 2013

Botanical Assessment: La Motte, Drakenstein Municipality, Western Cape Province

bergwind
Botanical Surveys & Tours

Report by Dr David J. McDonald
Bergwind Botanical Surveys & Tours CC.
14A Thomson Road, Claremont, 7708
Tel: 021-671-4056
Fax: 086 517-3806
e-mail: dave@bergwind.co.za

Report prepared for EnviroAfrica CC

May 2013

National Legislation and Regulations governing this report

This is a 'specialist report' and is compiled in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended, and the Environmental Impact Assessment Regulations, 2010.

Appointment of Specialist

David J. McDonald of Bergwind Botanical Surveys & Tours CC was appointed by EnviroAfrica CC to provide specialist botanical consulting services for the proposed housing development at La Motte, Drakenstein Municipality, Western Cape Province. The consulting services comprise an assessment of potential impacts on the flora and vegetation in the designated study area by the proposed project.

Details of Specialist

Dr David J. McDonald Pr. Sci. Nat.
Bergwind Botanical Surveys & Tours CC
14A Thomson Road
Claremont
7708
Telephone: 021-671-4056
Mobile: 082-876-4051
Fax: 086-517-3806
e-mail: dave@bergwind.co.za
Professional registration: South African Council for Natural Scientific Professions No. 400094/06

Expertise

Dr David J. McDonald:

- Qualifications: BSc. Hons. (Botany), MSc (Botany) and PhD (Botany)
- Botanical ecologist with over 30 years' experience in the field of Vegetation Science.
- Founded Bergwind Botanical Surveys & Tours CC in 2006
- Has conducted over 300 specialist botanical / ecological studies.
- Has published numerous scientific papers and attended numerous conferences both nationally and internationally (details available on request)

Independence

The views expressed in the document are the objective, independent views of Dr McDonald and the survey was carried out under the aegis of, Bergwind Botanical Surveys and Tours CC. Neither Dr McDonald nor Bergwind Botanical Surveys and Tours CC have any business, personal, financial or other interest in the proposed development apart from fair remuneration for the work performed.

Conditions relating to this report

The content of this report is based on the author's best scientific and professional knowledge as well as available information. Bergwind Botanical Surveys & Tours CC, its staff and appointed associates, reserve the right to modify the report in any way deemed fit should new, relevant or previously unavailable or undisclosed information become known to the author from on-going research or further work in this field, or pertaining to this investigation

This report must not be altered or added to without the prior written consent of the author. This also refers to electronic copies of the report which are supplied for the purposes of inclusion as part of other reports, including main reports. Similarly, any recommendations, statements or conclusions drawn from or based on this report must make reference to this report. If these form part of a main report relating to this investigation or report, this report must be included in its entirety as an appendix or separate section to the main report.

Note: Aerial photo images based on Google Earth ™ in this report are used under a valid Google Earth Pro licence.

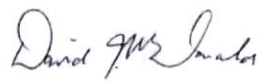
Curriculum Vitae – See Appendix 2.

THE INDEPENDENT PERSON WHO COMPILED A SPECIALIST REPORT OR UNDERTOOK A SPECIALIST PROCESS

I David Jury McDonald, as the appointed independent specialist hereby declare that I:

- act/ed as the independent specialist in this application;
- regard the information contained in this report as it relates to my specialist input/study to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the NEMA, the Environmental Impact Assessment Regulations, 2010 and any specific environmental management Act;
- have and will not have no vested interest in the proposed activity proceeding;
- have disclosed, to the applicant, EAP and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the Environmental Impact Assessment Regulations, 2010 and any specific environmental management Act;
- am fully aware of and meet the responsibilities in terms of NEMA, the Environmental Impact Assessment Regulations, 2010 (specifically in terms of regulation 17 of GN No. R. 543) and any specific environmental management Act, and that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the specialist input/study was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments on the specialist input/study;
- have ensured that the comments of all interested and affected parties on the specialist input/study were considered, recorded and submitted to the competent authority in respect of the application;
- have ensured that the names of all interested and affected parties that participated in terms of the specialist input/study were recorded in the register of interested and affected parties who participated in the public participation process;
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not; and
- am aware that a false declaration is an offence in terms of regulation 71 of GN No. R. 543.

Note: The terms of reference must be attached.



Signature of the specialist:

Bergwind Botanical Surveys & Tours CC

Name of company:

29 May 2013

Date:

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1. Introduction

Towns in the Western Cape Province are requiring more housing for an every-increasing population, particularly in the lower-income sector. Franschhoek is no exception and a new housing development is planned for the nearby hamlet of La Motte.

Proposals have been tabled to develop erven to the north, south and east of the present residential are of La Motte. To comply with the National Environmental Management Act (No. 107 of 1998) a Basic Assessment it is necessary to provide environmental information to inform the application for authorization to proceed with the development. EnviroAfrica CC was appointed to conduct the Basic Assessment and in turn appointed Bergwind Botanical Surveys & Tours CC to conduct a baseline botanical assessment.

When assessing the vegetation of the study area the recommended guidelines for specialist biodiversity studies (Brownlie 2005, De Villiers *et al.* 2005) were followed. The requirements and recommendations of CapeNature and the Botanical Society of South Africa for proactive assessment of biodiversity of proposed development sites were also taken into account.

2. Terms of Reference

- Describe the vegetation of the designated study area for the proposed new housing development on the properties, Farm 1333 Portion 1, Farm 1158 Portion 1 and Farm 1653, Franschhoek, Drakenstein Municipality, placing it in a regional context.

- Describe the conservation value/sensitivity of the area and identify any sections of specific concern (e.g. high sensitivity and/or conservation status).

- Provide specific information relating to any species of special concern and their conservation status, which can be used as baseline information for the assessment of potential impacts of the proposed development.

- Investigate ecological/biodiversity processes that could be affected by the proposed project (following Fynbos Forum Ecosystem Guidelines for Environmental Assessment).

3. Project Area

3.1 Locality and access

The study area is in the vicinity of the small residential area of La Motte near the main town of Franschhoek in the Stellenbosch Municipality, Western Cape Province. Access is from the R45 along the Roberts' Valley road.

Three land parcels are the focus of this study (Figures 2, 3 & 4). They are Keysersdrift 1158/1; Farm 1339/R and Farm 1653, with an additional small parcel (Farm 1339/3) alongside Farm 1653 (see Figure 3).

Farm Keysersdrift 1558/1 has previously supported an exotic pine plantation but it has been clear-felled and allowed to revert to a semi-natural condition (referred to as Area 1 for ease of reference in this report). Farm 1653 and Farm 1339/3 are currently under active use for agriculture (referred to together as Area 2). Farm 1339/R (referred to as Area 3) was also used for plantation forestry in the past as well as for extraction of sand. Forestry is no longer practised on this property but sand extraction still occurs on a limited scale. The vegetation on Farm 1339/R (Area 3) has also reverted to a semi-natural condition.

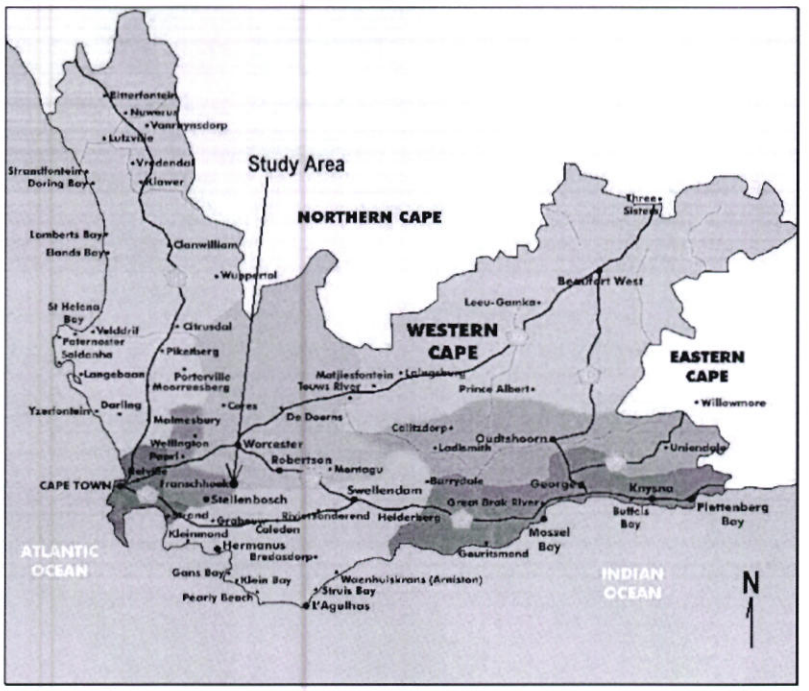

Figure 1. The study area is at La Motte near Franschhoek (arrow and black dot) in the south-west of the Western Cape Province.

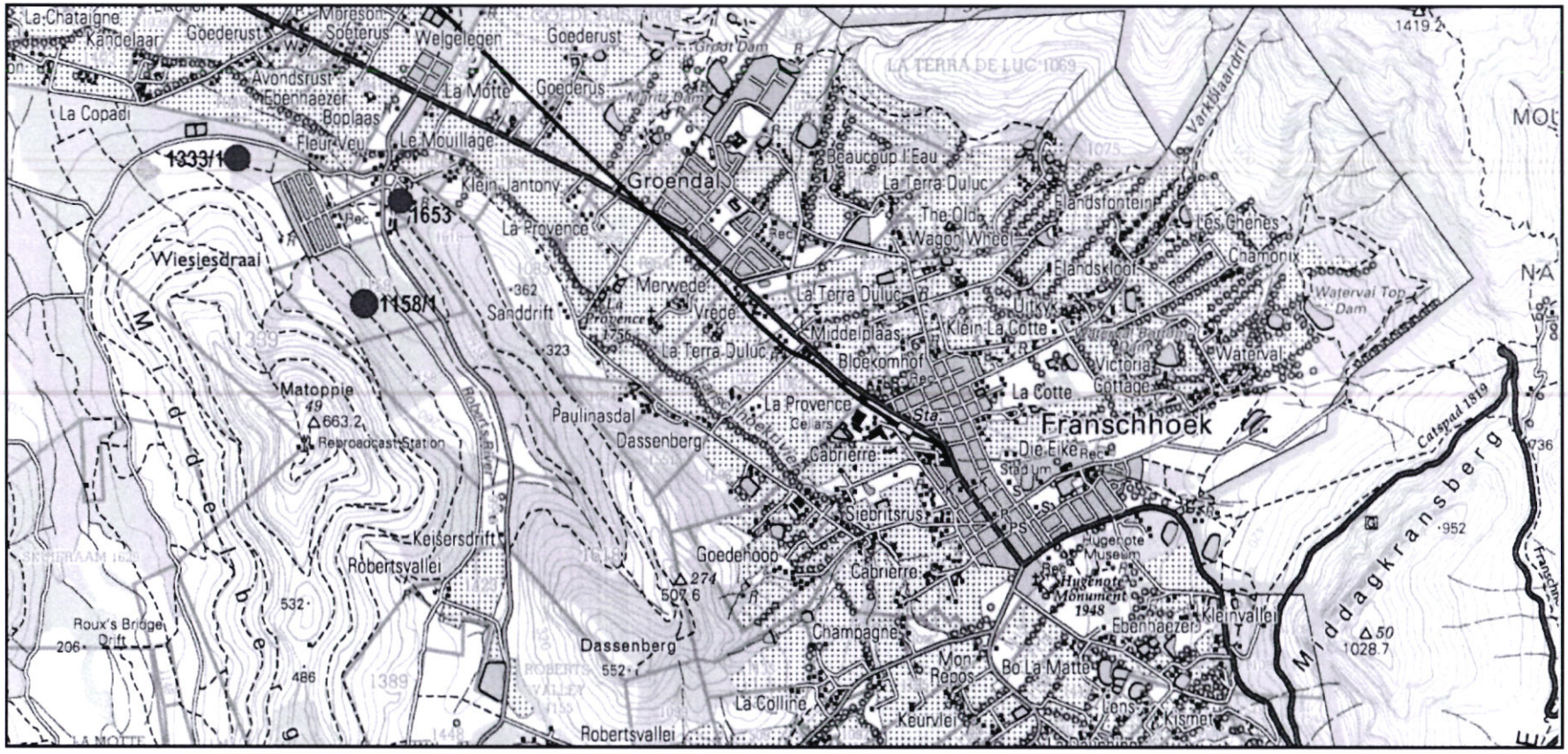

Figure 2. Topographical map indicating the three land parcels (red dots) surveyed at La Motte (near Franschhoek), Drakenstein Municipality, Western Cape Province (Portion of 1:50 000 topographical map 3319 CC Franschhoek, Chief Directorate: National Geo-spatial Information)

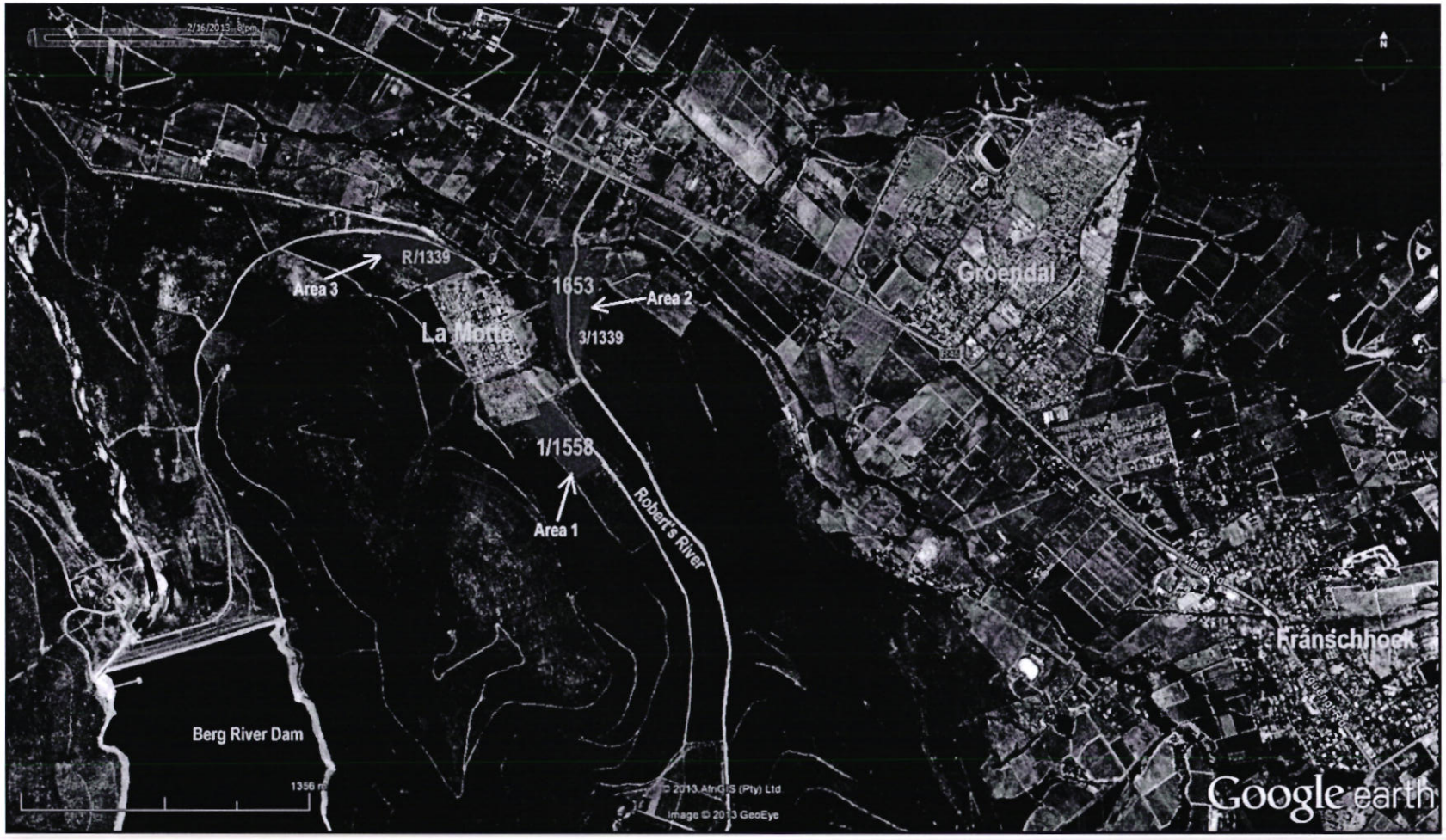

Figure 3. Google Earth ™ aerial image of La Motte showing the three separate development areas (red). Note that the shape of Area 3 reflects an early proposal; it should be compared with Figure 4 which is the final layout of areas proposed for development.

Figure 4. Final layout of areas proposed for development at La Motte. The yellow areas are proposed for residential use and the red area for commercial use (see Figure 21). (Figure courtesy of CK Rumboll & Partners).

3.2 Topography, Geology and Soils

The project area is in the low-lying areas of the Roberts' Valley on gently sloping or relatively flat terrain. The geology is quartzitic sandstone of the Peninsula Formation, Table Mountain Group and granite of the Stellenbosch Pluton, Cape Granite Suite (Land Type Survey Staff, 1972—2006). The basement rock is overlain by colluvial and alluvial sand and gravel and so is not visible at the surface. The soils are therefore colluvial types or deep, white acid sands (particularly Fernwood Form) which directly influence the vegetation found on them (see below). The land type found at Areas 1 – 3 is Fa657 (Figure 5).

Figure 5. The land types map of the general area around La Motte (Source: http://www.agis.agric.za/agisweb/viewer.htm?pn=2015).

3.3 Climate

The climate at La Motte is typical of the South-western Cape with hot, dry summers and cool wet winters (Mediterranean type). The mean daily maximum temperature for February at the height of summer is 29 °C whereas the average winter low temperature is 7 °C in July, the coldest month. Rain occurs mainly from autumn to spring with rainfall peaking from June to August (Figure 6 & 7). Mean annual precipitation is around 650 mm (Figure 6). The climate for Swartland Alluvium Fynbos as shown in the climate diagram in Figure 7 most closely represents that of the study area.

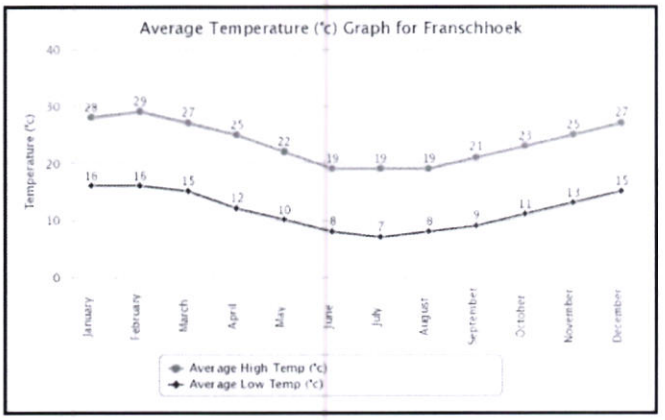

Figure 6a. Average monthly temperatures for Franschhoek near La Motte.

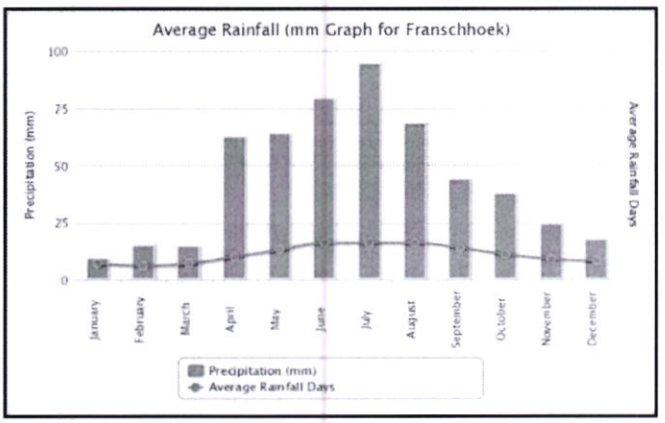

Figure 6b. Average monthly rainfall for Franschhoek near La Motte.

(Source: www.worldweatheronline.com)

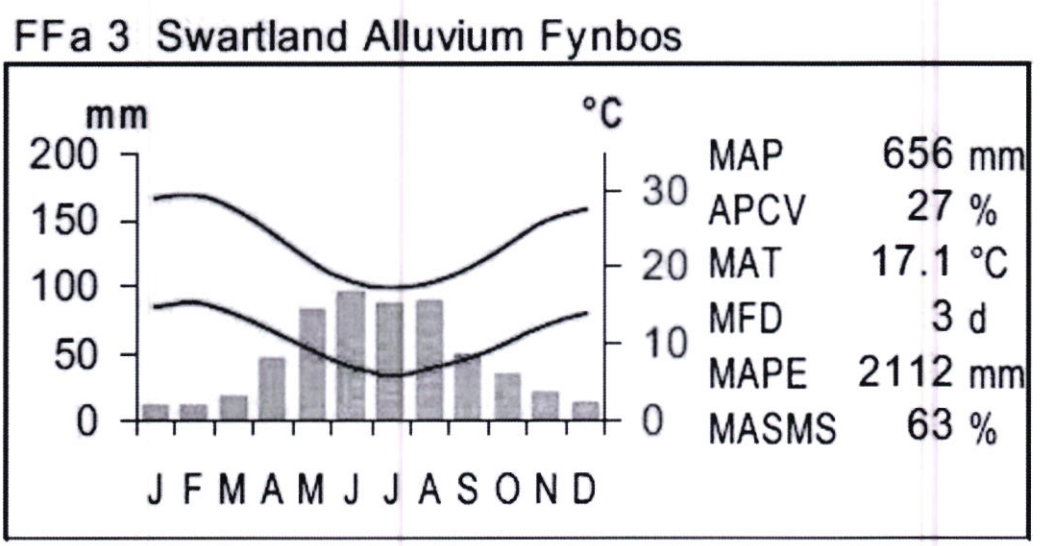

Figure 7. Climate diagram for Swartland Alluvium Fynbos (from Mucina & Rutherford, 2006) showing MAP – Mean Annual Precipitation; ACPV = Annual Precipitation Coefficient of Variance; MAT = Mean Annual Temperature; MFD = Mean Frost Days; MAPE = Mean Annual Potential Evaporation; MASMA = Mean Annual Soil Moisture Stress.

4. Evaluation Method

The La Motte study area was surveyed on 21 August 2012. Only Area 1 and Area 3 were visited with Area 2 interpreted from aerial photographs. The study area had experienced normal winter rainfall in the few months prior to the site visit and the weather at the time of survey was overcast and cool. The vegetation was in a spring growth phase with numerous plant species in flower including geophytes. Owing to this being a once-off 'snapshot' visit the assessment presented here is largely an evaluation of the overall condition of the land parcels concerned. A Garmin ® GPS 62s was used to record selected waypoints (Table 1) and notes and photographs of the terrain and vegetation were compiled. It should be noted that no attempt was made to cover the whole of each land parcel in the sampling exercise but that a representative area was examined in each case from which conclusion were drawn with the additional aid of aerial photographs.

5. Disturbance Regime

Areas 1 and 3 were historically used for timber production. The pine trees were planted in the shrubby fynbos vegetation which was not cleared first and the sites were not ploughed. After reaching maturity the pine trees in the two areas were cleared and the fynbos vegetation allowed to revert to near-natural condition. Part of Area 3 was also used for mining of sand. A number of large sand quarries or borrow pits are found in the eastern sector of Area 3. These have either filled partially or completely with water, forming seasonal to permanent ponds (Figures 8 & 9).

Figure 8. Highly disturbed part of Area 3 with invasive exotics and inundation due to high water table in winter.

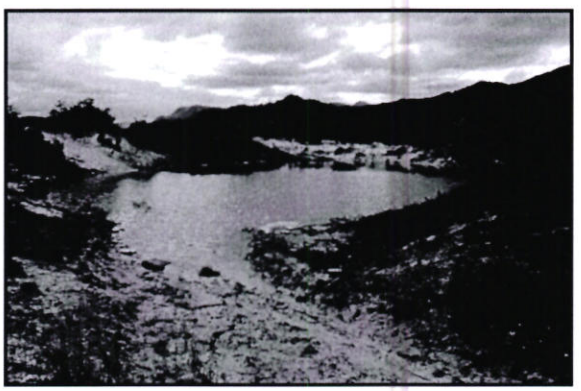

Figure 9. Sand mine borrow pit filled with water after winter rain.

Table 1. Co-ordinates of recorded waypoints

Waypoint	Latitude (S)	Longitude (E)
LM1	33° 54' 03.7"	19° 04' 51.3"
LM2	33° 54' 04.7"	19° 04' 50.0"
LM3	33° 54' 05.8"	19° 04' 47.5"
LM4	33° 54' 06.0"	19° 04' 46.2"
LM5	33° 54' 01.8"	19° 04' 44.4"
LM6	33° 53' 59.3"	19° 04' 41.7"
LM7	33° 53' 55.1"	19° 04' 40.7"
LM8	33° 53' 54.6"	19° 04' 39.0"
LM9	33° 53' 55.2"	19° 04' 35.9"
LM10	33° 53' 56.6"	19° 04' 32.8"
LM11	33° 53' 59.3"	19° 04' 33.7"
LM12	33° 53' 59.0"	19° 04' 38.1"
LM13	33° 54' 01.1"	19° 04' 49.5"
LM14	33° 53' 24.3"	19° 04' 04.2"
LM15	33° 53' 26.1"	19° 04' 01.1"
LM16	33° 53' 28.8"	19° 04' 01.8"
LM17	33° 53' 30.3"	19° 04' 03.9"
LM18	33° 53' 31.4"	19° 04' 08.0"
LM19	33° 53' 32.4"	19° 04' 10.0"
LM20	33° 53' 31.6"	19° 04' 12.8"
LM21	33° 53' 30.2"	19° 04' 13.7"
LM22	33° 53' 26.3"	19° 04' 10.3"
LM23	33° 53' 29.3"	19° 04' 24.1"
LM24	33° 53' 35.2"	19° 04' 39.5"

6. The Vegetation

6.1 General description

According to the broad-scale map of the national vegetation classification (Mucina *et al.* 2005; Rebelo *et al.* (2006) in Mucina & Rutherford 2006) three vegetation types occur in the La Motte area namely, Boland Granite Fynbos, Kogelberg Sandstone Fynbos and Swartland Alluvium Fynbos (Figure 10). Superimposition of the three land parcels surveyed indicates

that they fall in areas mapped as Boland Granite Fynbos (Areas 1 & 2) and Swartland Alluvium Fynbos (Area 3). The south-east end of Area 2 is shown in Figure 10 to have all of the above types but this was not observed in the field during the survey (see below).

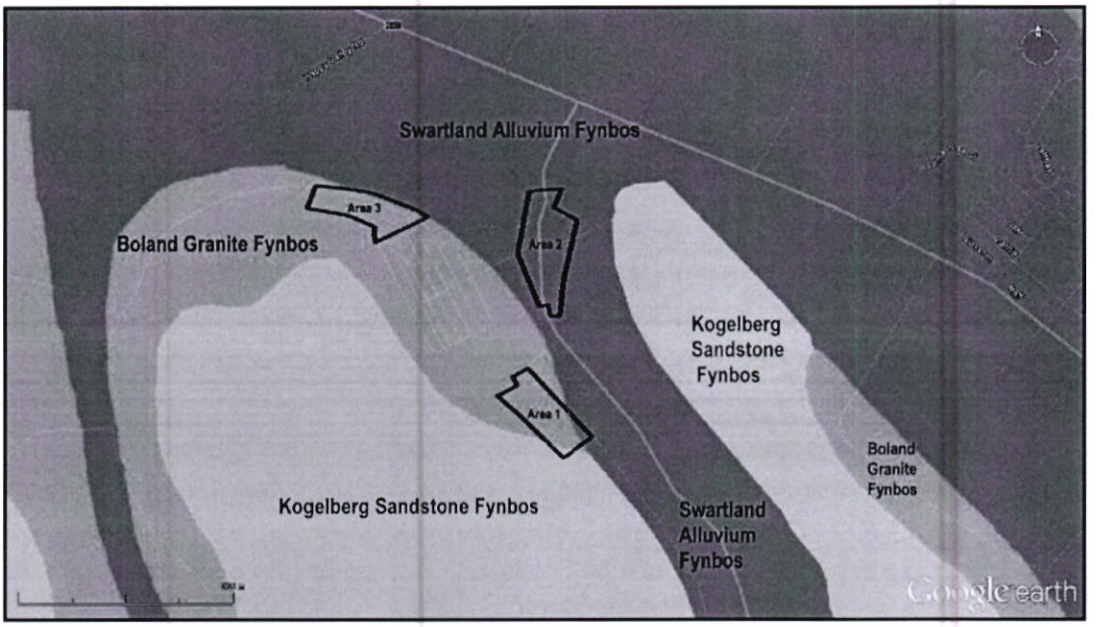

Figure 10. Portion of the Vegetation Map of South Africa, Lesotho & Swaziland (Mucina *et al.* 2005), showing the study area units at La Motte, located in Boland Granite Fynbos, Kogelberg Sandstone Fynbos and Swartland Alluvium Fynbos according to the classification of Rebelo *et al.* (2006).

6.2. Conservation Status

The three original vegetation types found are all listed in the National List of Threatened Ecosystems (Government Gazette, 2011). Boland Granite Fynbos is **Vulnerable D1** where the D1 criterion in this case means that there are threatened plant species associations present with ≥ 40 Red List plant species. Kogelberg Sandstone Fynbos is **Critically Endangered D1** and Swartland Alluvium Fynbos is **Critically Endangered A1**. For the Critically Endangered Category the A1 criterion means that there is irreversible loss of natural habitat with the remaining habitat ≤ the biodiversity target; the D1 criterion means that there are threatened plant species associations with ≥ 80 Red List plant species.

The main questions to consider pertaining to the sites were, (1) Was there any natural vegetation present and if so, what was the condition of the vegetation on the sites? and (2) Would the vegetation on the sites make a contribution to achieving conservation targets for any of the threatened vegetation types encountered?

6.3. Site investigation

6.3.1 Area 1

Area 1 is a relatively flat bottomland over most of its extent with white sandy soil which has accumulated due to colluvial and alluvial processes. Owing to a slight change in the extent of Area 1, a greater area was surveyed than was necessary (Figure 11). However, this gave a somewhat wider perspective on the site which showed that the site characteristics are uniform from the site itself to beyond the south-east and north-west boundaries.

Although it has been documented that pines alter nutrient-poor 'fynbos' soils less than invasive trees such as leguminous, nitrogen-fixing *Acacia* sp. (Stock & Allsopp, 1992) there is still a strongly suppressive effect of pine plantations on the growth of fynbos. Once the pine plantations are removed, regeneration of fynbos can and does occur but with lowered species richness. This was indeed the situation in Area 1.

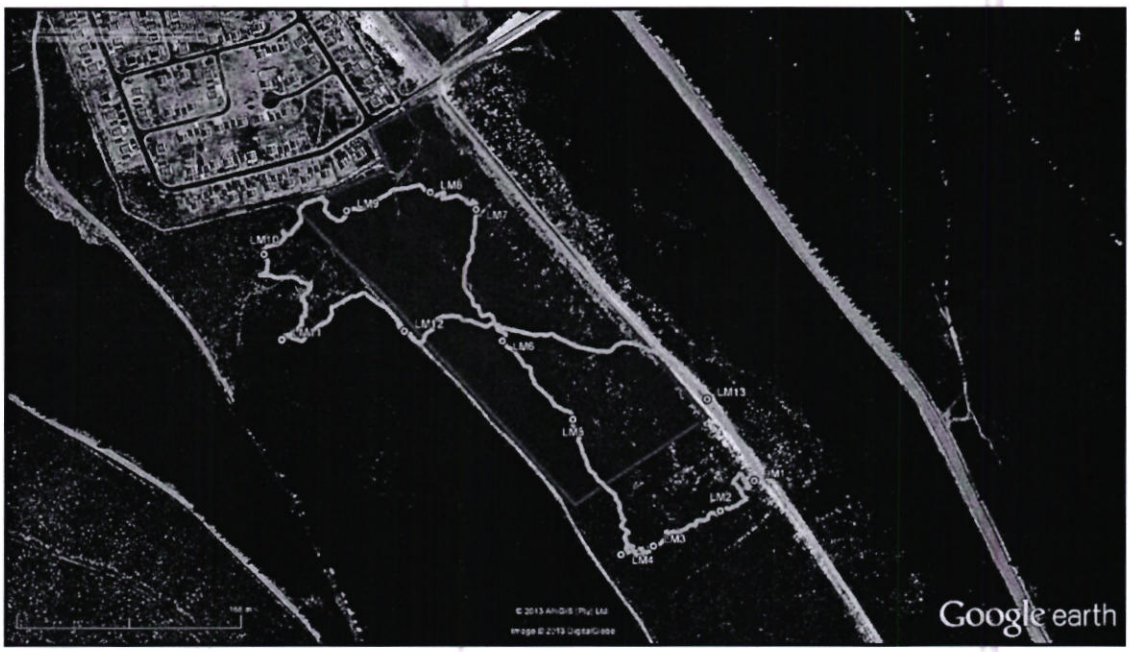

Figure 11. Portion of the Vegetation Map of South Africa, Lesotho & Swaziland (Mucina *et al.* 2005), showing the study area units at La Motte, located in Boland Granite Fynbos, Kogelberg Sandstone Fynbos and Swartland Alluvium Fynbos according to the classification of Rebelo *et al.* (2006).

This site has been heavily negatively impacted by disturbance caused by (1) the pine plantation itself and (2) the clear-felling operation (vehicle movement, soil compaction etc.) Cut branches were left in piles or randomly distributed over the site. This has had a

secondary suppressive effect but the fynbos has regenerated to a certain extent. The present plant community does not have a well-defined structure and consists of clusters of plants interspersed with open areas with debris from the cleared pine plantation. There is also a vigorous re-growth of *Pinus radiata** saplings (opslag) and numerous clusters of invasive alien *Acacia longifolia** (long-leaved wattle) (Figures 12 & 13).

Area 1 was sampled at waypoints LM1 – LM13, with the most representative waypoints being LM5 – LM9 and LM12 –LM13 (see Table 1). There is little variation in the fynbos plant community on the site. It is mostly a low to mid-high open shrubland with occasional dense stands of tall leguminous shrubs (*Wiborgia obcordata*) (Figure 14). Significant areas are dominated by *Seriphium plumosum* (slangbos), a species indicating past intense disturbance. *Ursinia paleacea* is also common as a pioneer species. Other species recorded in the area include, *Acacia mearnsii** (black wattle), *Agathosma serpyllacea, Aspalathus* sp., *Avena fatua*, Briza maxima*, Carpobrotus edulis, Dischisma ciliatum, Diospyros glabra, Eragrostis curvula, Erepsia* sp., *Ficinia* sp., *Gladiolus tristis, Helichrysum sp., Hermannia alnifolia, Ischyrolepis* sp., *Lachenalia orchioides, Lachenalia unifolia, Lachnaea capitata* (Vulnerable), *Leptospermum laevigatum*, Lobostemon* cf. *trichotomus, Maytenus oleoides, Metalasia fastigiata, Moraea* sp., *Muraltia heisteria, Oftia africana, Osteospermum clandestinum, Othonna bulbosa, Othonna bulbosa, Othonna parviflora, Oxalis pes-caprae, Passerina corymbosa, Pelargonium capitatum, Pentaschistis* sp., *Pennisetum clandestinum* (Kikuyu grass) (Figure 15), *Raphanus raphanistrum, Rumex acetosella, Selago corymbosa, Taraxacum officinale* and *Willdenowia sulcata.*

Figure 12. Low-lying part of Area 1 with of debris from felled pines and invasion by long-leaved wattle (green & yellow shrubs)

Figure 13. Pioneer fynbos species (*Ursinia paleacea*) growing amongst debris in Area 1. Note the young pine trees 'opslag'.

Figure 14. Dense stand of *Wiborgia obcordata*

Figure 15. Invasive exotic grasses, particularly Kikuyu grass, at the western end of Area 1.

6.3.2 Area 2

Area 2 has mostly been disturbed by buildings, gardens, orchards and other human habitation. It was sampled at waypoint LM 24 along the road leading to La Motte village. The only parts of Area 2 with some semi-natural to natural vegetation are the areas north and south of the fire station and east of the river, indicated by white arrows in Figure 16, but even these areas are disturbed. They have been ploughed and mowed. The area north of the fire station was covered with exotic lupins (used for fodder), Thesium sp., various grasses with *Eragrostis curvula* prominent and the annual daisy *Dimorphotheca pluvialis*. These areas have been transformed and are not botanically sensitive (Figures 17 & 18).

Closer to the river, *Pennisetum macrourum* (riverbed grass) and *Cliffortia strobilifera*, Senecio sp. and *Zantedeschia aethiopica* (arum) present with abundant invasive alien *Paraserianthes lophantha* (stinkbean). Kikuyu grass (*Pennisetum clandestinum*) is also invading from the road verge (Figures 19 & 20). Some old exotic *Quercus robur* (English oak) trees are found along the river.

Generally Area 2 can be considered for development of a commercial node due to the low botanical sensitivity but a mandatory buffer zone to accommodate the river and the 1:100 year flood-line should be observed.

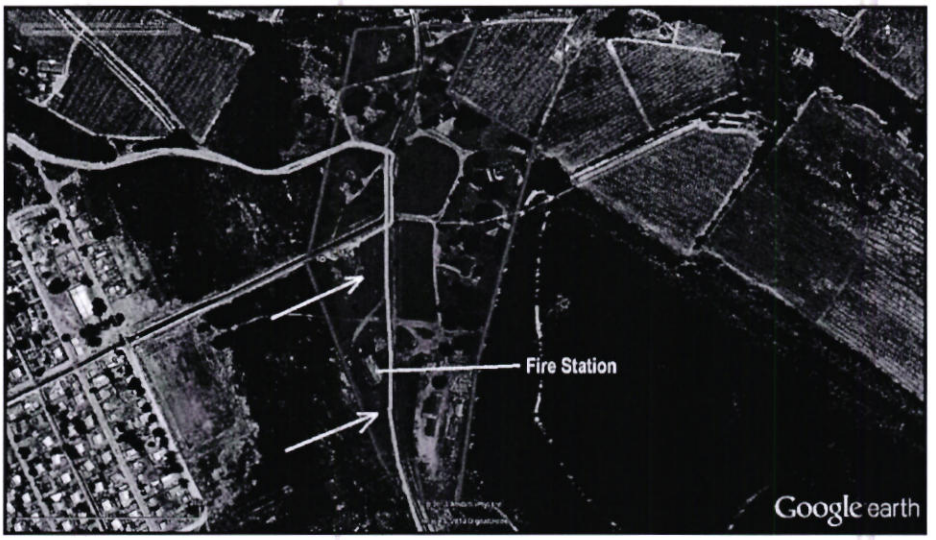

Figure 16. Area 2 was sampled at waypoint LM24. The greater part if the area is completely disturbed. Semi-natural but disturbed areas are shown by the white arrows, north and south of the fire station.

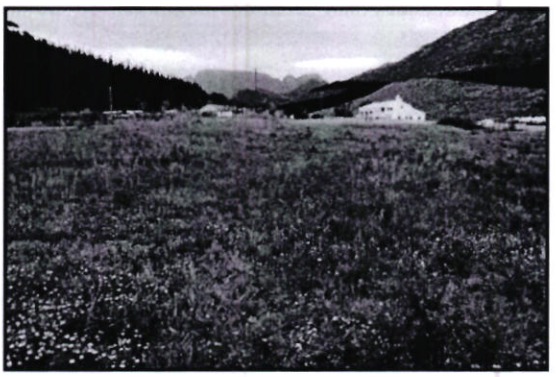

Figure 17. The area north of the fire station that has previously been ploughed and planted with lupins. It is now in a semi-natural state.

Figure 18. Verge of the road leading into La Motte village. This are is planted with Kikuyu grass and mowed.

Figure 19. Mowed road verge with dense riparian vegetation away from the road.

Figure 20. Stinkbean (*P. lophantha*) is strongly invading the riparian vegetation near the bridge on the road into la Motte village.

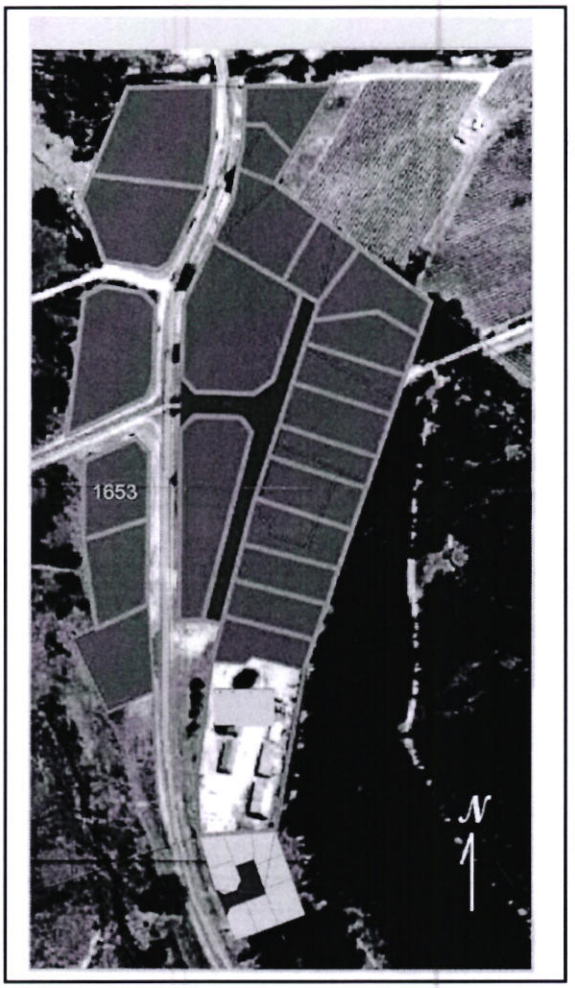

Figure 21. Proposed layout for the commercial precinct at La Motte on Area 2. (Figure courtesy of CK Rumboll & Partners).

6.3.3 Area 3

The configuration of Area 3 has changed with different layout proposals (compare Figure 3 with Figure 4 and Figure 22). Originally the extent of Area 3 included the yellow area in Figure 22 but it has now been reduced to the area shown in green. However, the botanical survey included samples in both areas with samples at waypoints LM14 – LM23. North of waypoint LM14 and north of the access road the site has previously been planted with pine and has now been clear-felled (Figure 23). It is completely disturbed with no natural vegetation apparent.

The area around waypoint LM14 was also previously planted with pine trees which have been removed, with piles of wood debris scattered throughout the site (Figure 24). The soil is white sand and the fynbos and the fynbos has recovered well, with cover estimated at 80%.

Figure 22. Area 3. The original proposed extent of development would have included both the green and yellow areas. The final layout excludes the yellow area which was surveyed in the botanical survey (blue line is the sample track with waypoints LM#).

Species recorded at waypoint LM14 include *Briza maxima, Cineraria geifolia, Diospyros glabra, Eragrostis curvula, Maytenus oleoides, Oftia africana, Pelargonium triste, Rumex* sp., *Senecio* sp. (succulent leaves), *Thamnochortus fruticosus,* Scrophulariaceae (white) *Ursinia* sp. and *Willdenowia sulcata.*

Figure 23. The access road between the northern part of Area 3 and the southern part.

Figure 24. View over the southern part of Area 3 where the fynbos has restored but there is still evidence of disturbance from plantation forestry.

The vicinity of waypoint LM15 is characterised by an undulating sand slope with deep white sand. The previous disturbance from plantation forestry (Figure 25) is reflected in the

dominance of *Seriphium plumosum* (slangbos) over large areas (Figure 26) together with an abundance of grass.

Other species noted around this waypoint include *Cliffortia* cf. *juniperifolia, Ehrharta villosa,* (dominant grass species), *Ficinia filiformis, Hermannia* cf. *alnifolia* (yellow), *Ischyrolepis* sp., *Muraltia spinosa, Oftia africana, Osteospermum clandestinum, Passerina corymbosa,* Scrophulariaceae (white), *Senecio* sp. (succulent leaves), *Seriphium* sp., *Trichocephalus stipularis, Eragrostis curvula, Wiborgia obcordata* and *Willdenowia sulcata.*

Figure 25. Piles of dead branches from the former plantation are found irregularly located over Area 3. The fynbos vegetation has restored over most of the area.

Figure 26. Slangbos (*Seriphium plumosum*) [grey shrub in foreground] is a common species on the site its abundance signifies past intense disturbance of the site.

Waypoint LM16 is mid-way up the slope to the existing plantation (Figure 27). The soil is reddish and sandy and supports a mid-dense cover of fynbos with moderate species diversity. Scattered individuals of *Leucadendron rubrum* (Figure 28) occur here together with *Agathosma* sp., *Anthospermum aethiopicum, Asparagus rubicundus, Diospyros glabra, Ehrharta villosa, Lobostemon* sp., *Metalasia fastigiata, Oftia africana, Othonna* sp., *Passerina corymbosa, Seriphium plumosum* and *Tricocephalus stipularis.*

Figure 27. The mid-slopes of Area 3 have restored to a mid-dense cover of fynbos with moderate diversity of species.

Figure 28. Mid-high, mid-dense fynbos at waypoints LM16 with tall shrubs of *Leucadendron rubrum*.

Waypoint LM17 is near the pine plantation (Figure 29). A few young *Eucalyptus* sp. trees were noted here amongst the rocks and further along the slope (Figure 30). The vegetation at this waypoint is very grassy, dominated by *Ehrharta villosa*. Other species include *Babiana* sp., *Cliffortia ruscifolia, Eragrostis curvula, Heeria argentea, Hermannia* cf. *alnifolia, Ischyrolepis sieberi, Ischyrolepis* sp., *Lachenalia orchioides, Moraea* sp. (yellow), *Muraltia heisteria, Muraltia spinosa, Othonna parviflora, Passerina corymbosa, Pseudoselago spuria, Rafnia perfoliata, Seriphium plumosum, Tetraria involucrata, Thesium virgatum* and *Ursinia paleacea*.

Figure 29. The vicinity of waypoint LM17 shows signs of past disturbance but the fynbos is regenerating well. Piles of debris present for past forestry activities

Figure 30. LM17 is near an existing pine plantation. Eucalyptus sp. trees are regenerating near a sandstone outcrop.

At waypoint LM18 the surrounds are much more disturbed than elsewhere on the site. The soil has been scraped (Figure31). There were formerly large *Eucalyptus* sp. trees here that were felled and now there are many young saplings regenerating (Figures 31 & 32).

Figure 31. At waypoint LM18 the soil has been disturbed by scraping and numerous young gum trees are taking hold.

Figure 32. The vicinity of waypoint LM18 shows intense disturbance with young gum trees invading the slope.

Waypoint LM19 is at the site of an old graveyard (Figure 33). Botanically this area has very low sensitivity, being highly disturbed. However, it has cultural and heritage value.

Figure 33. A historical graveyard is found at waypoint LM19. This area has low botanical value.

The eastern end of Area 3 is highly disturbed. It is dominated by grass, *Seriphium plumosum* (slangbos) and young 'opslag' *Eucalyptus* sp. There was evidence of a fire since most of the old pine logs were burnt. The composite shrub Othonna parviflora was prominent in this area (Figure 34).

Figure 34. The eastern end of Area 3 is highly disturbed although the vegetative cover is moderate to high. The species diversity is low with the area dominated by grass and strongly invaded by young *Eucalyptus* sp. trees.

Waypoint LM21 is located in a highly disturbed area with white sand. It appears that this area has been used for sand-mining (Figure 35). It has numerous exotic plant species such as *Quercus robur* (English oak), *Pennisetum clandestinum* (Kikuyu grass) (Figure 36), *Pinus radiata* (Monterey pine), *Avena fatua* (wild oats) and *Sesbania punicea*. The sand borrow-pits have filled with water (winter condition) and refuse has been dumped in the pits as well (see Figures 8 & 9). Some indigenous shrubs are found namely *Searsia angustifolia*, *Passerina corymbosa* and *Seriphium plumosum* but generally the area is highly degraded.

Figure 35. The environs of waypoint LM21 are highly disturbed by sand-mining. The holes fill with water in the winter and are also sites for dumping refuse.

Figure 36. Invasive alien plants such as Kikuyu grass dominate the area around waypoint LM21, with *Chasmanthe* cf. *floribunda* (indigenous but not local and likely to have come from garden refuse) seen in this photo.

Waypoint LM22 is located on a sandy flat area northwest of the borrow pits It is dominated by *Thamnochortus* cf. *fruticosus* and shows high levels of disturbance from the former plantation (Figure 37). Plant species recorded here include, *Carpobrotus edulis, Diospyros glabra, Hermannia* sp., *Maytenus oleoides* (Figure 38), *Oftia africana, Oxalis* sp., *Passerina corymbosa, Seriphium plumosum, Trichocephalus stipularis* and *Willdenowia sulcata*.

Figure 37. Parts of Area 3 such as at waypoints LM22 have regenerated well following removal of the pine plantation. Here *Thamnochortus* sp. is dominant.

Figure 38. Very few indigenous trees are found in Area 3. In this case a small tree of *Maytenus oleoides* was found near waypoint LM22.

Waypoint LM23 is on the road near the La Motte settlement and in the small area adjacent to the former waste water treatment plant (Figures 39 & 40). This area is highly degraded and invaded by *Acacia longifolia*, *Eucalyptus* spp. and *Paraserianthes lophantha* (stinkbean). Invasive Kikuyu grass is the main ground cover and a few plants of *Zantedeschia aethiopica* were noted.

Figure 39. The area adjacent to the defunct waste water treatment works at La Motte is highly disturbed and invaded by both herbaceous (Kikuyu grass) and woody (*Acacia longifolia*) alien species.

Figure 40. The main access to Area 3 with large Eucalyptus sp. trees near waypoint LM3. This area is highly degraded.

7. Impact Assessment

Impacts on the vegetation of the three areas proposed for development at La Motte are assessed for two alternatives i.e. the development alternative (residential [Areas 1 & 3] and commercial [Area 2] and the 'No Go' alternative i.e. no development and allowance for the vegetation to revert to fynbos.

Three types of impacts are assessed:

- **Direct impacts:** Impacts occurring directly on the vegetation of the site as a result of the proposed agricultural development.
- **Indirect impacts:** Impacts that are not a direct result of the proposed activity (in this case the development), but occur away from the original source of impact.
- **Cumulative impacts**: impacts caused by several projects, strategic actions and existing trends.

7.1 Assessment of Area 1

7.1.1 Direct impact of cultivation on Area 1.

Using the measuring tool in Google Earth ™ Areal 1 was measured as 6.48 ha in extent. The effects of the former plantation will be apparent for a long time but there is no doubt that fynbos of fair to good condition with a good diversity of species would eventually recolonize Area 1 if it is properly managed. Alien invasive wattles (*Acacia longifolia*) and pine 'opslag' would have to be controlled. The question therefore is whether Area 1 would make a significant contribution to conservation of Boland Granite Fynbos / Swartland Alluvium Fynbos in the medium to long term? The area is small and only one threatened species (*Lachnaea capitata*, Vulnerable) was found [but there could be more]. The area could therefore make a meaningful contribution to conservation of the above fynbos types i.e. the 'No Go' scenario which would be **Medium Positive**. Given the history and projected future of the site is the impact of developing Area 1 for housing would therefore be **Medium Negative** (Table 2).

No realistic mitigation measures are recommended apart from recommending that the area southeast of the proposed Area 1 development area, which was previously also under plantation, should be set aside for conservation and appropriately managed. This mitigation measure will, however, not lessen the impact on the development area (Table 2).

Table 2. Loss of fynbos and associated ecological processes in Area 1 at La Motte.

Action	Alternative	Impact	Extent	Duration	Intensity	Significance	Status	Probability of occurrence	Confidence
	No Go	Loss of fynbos with associated ecological processes	Local	Long-term	Medium	Medium	+ve	Improbable	High
Without mitigation	Develop Area 1 for housing	Loss of fynbos with associated ecological processes	Local	Long-term	Medium	Medium	-ve	Highly probable	High
With mitigation	Develop Area 1 for housing	Loss of fynbos with associated ecological processes	Local	Long-term	Medium	Medium	-ve	Highly probable	High

7.1.2 Indirect Impacts

No indirect impacts were identified for the development of Area 1.

7.1.3 Cumulative Impacts

The loss of Area 1 to housing would mean a loss of area that can potentially be rehabilitated to fynbos in the Roberts River valley. The cumulative loss of fynbos in this area therefore has negative significance but not on a large scale.

7.2 Assessment of Area 2

7.2.1 Direct impact of development on Area 2.

Most of Area 2 is transformed or at least disturbed by small holdings, plantations and houses. Only the area north and south of the fire-station and riparian zone have any merit from a conservation perspective and even they show significant levels of disturbance. The area is generally suitable for development but the riparian zone should be well-buffered and any 'wetland' areas avoided. Overall the direct impact of the proposed commercial node develop would be **Low Negative** (Table 3). The 'No Go' scenario for Area 2 would result in the status quo persisting for the foreseeable future, except that alien vegetation invasion could get worse if not controlled.

The two important mitigation measures that should be observed would be (1) to buffer the riparian zone i.e. no development within 30 m (at least) of the watercourse (1:100 year flood lines should be investigated and observed) and (2) alien vegetation, particularly stinkbean (*Paraserianthes lophantha*) must be removed from the riverine vegetation.

Table 3. Loss of fynbos and associated ecological processes in Area 2 at La Motte.

Action	Alternative	Impact	Extent	Duration	Intensity	Significance	Status	Probability of occurrence	Confidence
	No Go	Loss of fynbos with associated ecological processes	Local	Long-term	Low	Low	+ve	Improbable	High
Without mitigation	Develop Area 2 –La Motte for commercial node	Loss of fynbos with associated ecological processes	Local	Low	Low	Low	-ve	Highly probable	High
With mitigation	Develop Area 2 –La Motte for commercial node	Loss of fynbos with associated ecological processes	Local	Low	Low	Low	-ve	Highly probable	High

7.2.2 Indirect Impacts

Development of Area 2 could have low negative indirect impacts on the nearby riparian environment if any effluent or other waste from the proposed commercial development is allowed to impinge on this area.

7.2.3 Cumulative Impacts

Development of Area 2 for a commercial node will not have any significant cumulative contributory effect to loss of any important fynbos habitat.

7.3 Assessment of Area 3

7.3.1 Direct impact of development on Area 3.

The areal extent of Area 3 (green shaded area in Figure 22) is 13 ha. Some parts are extremely degraded whereas the some parts are returning to good fynbos since the clear-felling of the pine plantation. It is therefore difficult to generalise as to the impacts of the proposed residential development on Area 3. However, given the historical disturbance of the pine plantation but reasonable restoration of fynbos in approximately 3 – 4 ha and the extreme disturbance from sand mining and other factors in the remaining 9 – 10 ha, the proposed development would have a **Medium to Low Negative** impact. It would be **Medium Negative** in areas where the fynbos is restoring well and **Low Negative** in the highly disturbed areas (Table 4).

In the 'No Go' situation the degraded areas are likely to degrade even further due to illegal dumping etc. In contrast, the areas regenerating to fynbos are likely to improve over time and result once again in viable fynbos plant communities. No development in Area 3 would therefore have a mixed result – positive in the areas where fynbos is re-establishing and negative in the highly degraded sand-mining area.

Table 4. Loss of fynbos and associated ecological processes in Area 3 at La Motte.

Action	Alternative	Impact	Extent	Duration	Intensity	Significance	Status	Probability of occurrence	Confidence
	No Go	Loss of fynbos with associated ecological processes	Local	Long-term	Medium	Medium	+ve	Improbable	High
Without mitigation	Develop Area 3 La Motte for housing: Less disturbed area	Loss of fynbos with associated ecological processes	Local	Long-term	Medium	Medium	-ve	Highly probable	High
With mitigation	Develop Area 3 La Motte for housing: Less disturbed area	Loss of fynbos with associated ecological processes	Local	Long-term	Medium	Medium	-ve	Highly probable	High
Without mitigation	Develop Area 3 La Motte for housing: Highly degraded area	Loss of fynbos with associated ecological processes	Local	Long-term	Low	Low	-ve	Highly probable	High
With mitigation	Develop Area 3 La Motte for housing: Highly degraded area	Loss of fynbos with associated ecological processes	Local	Long-term	Low	Low	-ve	Highly probable	High

7.3.2 Indirect Impacts

The major indirect impact of development of Area 3 would be that it could no longer be used for illegal dumping.

7.3.3 Cumulative Impacts

The cumulative impacts would be similar to those for Area 1. The loss of Area 3 to housing would mean a loss of area that can potentially, at least in part, be rehabilitated to fynbos as is already happening. The cumulative loss of fynbos in this area therefore has negative significance but not on a large scale. It would be important to secure areas around the proposed Area 3 development site for conservation of the fynbos vegetation.

8. Conclusions and Recommendations

- The vegetation found in the three areas that make up the La Motte study site is mapped mainly as Boland Granite Fynbos (Areas 1 & 3) and Swartland Alluvium Fynbos (Area 2).

- Areas 1 and 3 have fynbos vegetation which is regenerating after the effects of suppression by pine plantations. This vegetation could return to viable fynbos communities in the long term. Area 2, however, is largely transformed and only the riparian zone has any significant conservation value.

- Only one Red List plant species (Raimondo *et al.* 2009) *Lachnaea capitata* (Vulnerable) was encountered (in Area 1). A more intensive study over a number of season could possibly reveal more threatened species (particularly in Areas 1 & 3) so loss of fynbos habitat in Areas 1 & 3 would have negative implications for such species in the La Motte district.

- Given the past disturbance on Areas 1 and 3 but regenerating fynbos the impacts of the proposed residential development are rated as **Medium Negative** overall. On-site mitigation would be difficult but it is recommended that in the broader planning for the La Motte area, areas of fynbos should be earmarked for conservation purposes, even if those areas previously had pine plantations.

- The loss of fynbos habitat to residential development in Areas 1 & 3 is only indicated only supported by the previous disturbance of these areas. Had the fynbos not been previously disturbed, the impact would be High Negative and these areas (in the case of Area 3, the least degraded part) would be considered 'No Go' areas for development. In the current situation, however, they can be promoted for development.

- The high level of transformation of Area 2 indicates that there should be no constraints on development of that area apart from adequately buffering the riparian zone.

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Report submitted: 29 May 2013

Appendix 1: Convention for assigning significance ratings to impacts.

Specialists will consider seven rating scales when assessing potential impacts. These include:

- extent;
- duration;
- intensity;
- status of impact;
- probability;
- degree of confidence; and
- significance.

In assigning significance ratings to potential impacts before and after mitigation specialists are instructed to follow the approach presented below:

1. The core criteria for determining significance ratings are "extent" (Section 6.3.1), "duration" (Section 6.3.2) and "intensity" (Section 6.3.3). The preliminary significance ratings for combinations of these three criteria are given in Section 6.3.7.
2. The status of an impact is used to describe whether the impact will have a negative, positive or neutral effect on the surrounding environment. An impact may therefore be negative, positive (or referred to as a benefit) or neutral.
3. Describe the impact in terms of the probability of the impact occurring (Section 6.3.5) and the degree of confidence in the impact predictions, based on the availability of information and specialist knowledge (Section 6.3.6).
4. Additional criteria to be considered, which could "increase" the significance rating if deemed justified by the specialist, with motivation, are the following:
   - Permanent / irreversible impacts (as distinct from long-term, reversible impacts);
   - Potentially substantial cumulative effects (see Item 7 below); and
   - High level of risk or uncertainty, with potentially substantial negative consequences.
5. Additional criteria to be considered, which could "decrease" the significance rating if deemed justified by the specialist, with motivation, is the following:
   - Improbable impact, where confidence level in prediction is high.
6. When assigning significance ratings to impacts *after mitigation*, the specialist needs to:
   - First, consider probable changes in intensity, extent and duration of the impact after mitigation, assuming effective implementation of mitigation measures, leading to a revised significance rating; and
   - Then moderate the significance rating after taking into account the likelihood of proposed mitigation measures being effectively implemented. Consider:
     - Any potentially significant risks or uncertainties associated with the effectiveness of mitigation measures;
     - The technical and financial ability of the proponent to implement the measure; and
     - The commitment of the proponent to implementing the measure, or guarantee over time that the measures would be implemented.
7. The cumulative impacts of a project should also be considered. "Cumulative impacts" refer to the impact of an activity that may become significant when added to the existing activities currently taking place within the surrounding environment.

8. Where applicable, assess the degree to which an impact may cause irreplaceable loss of a resource. A resource assists in the functioning of human or natural systems, i.e. specific vegetation, minerals, water, agricultural land, etc.

9. The significance ratings are based on largely objective criteria and inform decision-making at a project level as opposed to a local community level. In some instances, therefore, whilst the significance rating of potential impacts might be "low" or "very low", the importance of these impacts to local communities or individuals might be extremely high. The importance which I&APs attach to impacts must be taken into consideration, and recommendations should be made as to ways of avoiding or minimising these negative impacts through project design, selection of appropriate alternatives and / or management.

The relationship between the significance ratings after mitigation and decision-making can be broadly defined as follows (see overleaf): substance

Significance rating	Effect on decision-making
VERY LOW; LOW	Will not have an influence on the decision to proceed with the proposed project, provided that recommended measures to mitigate negative impacts are implemented.
MEDIUM	Should influence the decision to proceed with the proposed project, provided that recommended measures to mitigate negative impacts are implemented.
HIGH; VERY HIGH	Would strongly influence the decision to proceed with the proposed project.

1. Extent

"Extent" defines the physical extent or spatial scale of the impact.

Rating	Description
LOCAL	Extending only as far as the activity, limited to the site and its immediate surroundings. Specialist studies to specify extent.
REGIONAL	Western Cape. Specialist studies to specify extent.
NATIONAL	South Africa
INTERNATIONAL	

2. Duration

"Duration" gives an indication of how long the impact would occur.

Rating	Description
SHORT TERM	0 - 5 years
MEDIUM TERM	5 - 15 years
LONG TERM	Where the impact will cease after the operational life of the activity, either because of natural processes or by human intervention.
PERMANENT	Where mitigation either by natural processes or by human intervention will not occur in such a way or in such time span that the impact can be considered transient.

3. Intensity

"Intensity" establishes whether the impact would be destructive or benign.

Rating	Description
ZERO TO VERY LOW	Where the impact affects the environment in such a way that natural, cultural and social functions and processes are not affected.
LOW	Where the impact affects the environment in such a way that natural, cultural and social functions and processes continue, albeit in a slightly modified way.

MEDIUM	Where the affected environment is altered, but natural, cultural and social functions and processes continue, albeit in a modified way.
HIGH	Where natural, cultural and social functions or processes are altered to the extent that it will temporarily or permanently cease.

4. Loss of resources

"Loss of resource" refers to the degree to which a resource is permanently affected by the activity, i.e. the degree to which a resource is irreplaceable.

Rating	Description
LOW	Where the activity results in a loss of a particular resource but where the natural, cultural and social functions and processes are not affected.
MEDIUM	Where the loss of a resource occurs, but natural, cultural and social functions and processes continue, albeit in a modified way.
HIGH	Where the activity results in an irreplaceable loss of a resource.

5. Status of impact

The status of an impact is used to describe whether the impact would have a negative, positive or zero effect on the affected environment. An impact may therefore be negative, positive (or referred to as a benefit) or neutral.

6. Probability

"Probability" describes the likelihood of the impact occurring.

Rating	Description
IMPROBABLE	Where the possibility of the impact to materialise is very low either because of design or historic experience.
PROBABLE	Where there is a distinct possibility that the impact will occur.
HIGHLY PROBABLE	Where it is most likely that the impact will occur.
DEFINITE	Where the impact will occur regardless of any prevention measures.

7. Degree of confidence

This indicates the degree of confidence in the impact predictions, based on the availability of information and specialist knowledge.

Rating	Description
HIGH	Greater than 70% sure of impact prediction.
MEDIUM	Between 35% and 70% sure of impact prediction.
LOW	Less than 35% sure of impact prediction.

8. Significance

"Significance" attempts to evaluate the importance of a particular impact, and in doing so incorporates the above three scales (i.e. extent, duration and intensity).

Rating	Description
VERY HIGH	Impacts could be EITHER: of ***high intensity*** at a ***regional level*** and endure in the ***long term***; OR of ***high intensity*** at a ***national level*** in the ***medium term***; OR of ***medium intensity*** at a ***national level*** in the ***long term.***
HIGH	Impacts could be EITHER:

Rating	Description
	of ***high intensity*** at a ***regional level*** and endure in the ***medium term***; OR of ***high intensity*** at a ***national level*** in the ***short term***; OR of ***medium intensity*** at a ***national level*** in the ***medium term***; OR of ***low intensity*** at a ***national level*** in the ***long term***; OR of ***high intensity*** at a ***local level*** in the ***long term***; OR of ***medium intensity*** at a ***regional level*** in the ***long term.***
MEDIUM	Impacts could be EITHER: of ***high intensity*** at a ***local level*** and endure in the ***medium term***; OR of ***medium intensity*** at a ***regional level*** in the ***medium term***; OR of ***high intensity*** at a ***regional level*** in the ***short term***; OR of ***medium intensity*** at a ***national level*** in the ***short term***; OR of ***medium intensity*** at a ***local level*** in the ***long term***; OR of ***low intensity*** at a ***national level*** in the ***medium term***; OR of ***low intensity*** at a ***regional level*** in the ***long term.***
LOW	Impacts could be EITHER of ***low intensity*** at a ***regional level*** and endure in the ***medium term***; OR of ***low intensity*** at a ***national level*** in the ***short term***; OR of ***high intensity*** at a ***local level*** and endure in the ***short term***; OR of ***medium intensity*** at a ***regional level*** in the ***short term***; OR of ***low intensity*** at a ***local level*** in the ***long term***; OR of ***medium intensity*** at a ***local level*** and endure in the ***medium term.***
VERY LOW	Impacts could be EITHER of ***low intensity*** at a ***local level*** and endure in the ***medium term***; OR of ***low intensity*** at a ***regional level*** and endure in the ***short term***; OR of ***low to medium intensity*** at a ***local level*** and endure in the ***short term.***
INSIGNIFICANT	Impacts with: Zero to very low intensity with any combination of extent and duration.
UNKNOWN	In certain cases it may not be possible to determine the significance of an impact.

9. Degree to which impact can be mitigated

This indicates the degree to which an impact can be reduced / enhanced.

Rating	Description
NONE	No change in impact after mitigation.
VERY LOW	Where the significance rating stays the same, but where mitigation will reduce the intensity of the impact.
LOW	Where the significance rating drops by one level, after mitigation.
MEDIUM	Where the significance rating drops by two to three levels, after mitigation.
HIGH	Where the significance rating drops by more than three levels, after mitigation.

10 Reversibility of an impact

This refers to the degree to which an impact can be reversed.

Rating	Description
IRREVERSIBLE	Where the impact is permanent.
PARTIALLY REVERSIBLE	Where the impact can be partially reversed.
FULLY REVERSIBLE	Where the impact can be completely reversed.

Appendix 2: Curriculum Vitae

Dr David Jury McDonald Pr.Sci.Nat.

Name of Company: Bergwind Botanical Surveys & Tours CC. (Independent consultant)
Work and Home Address: 14 A Thomson Road, Claremont, 7708
Tel: (021) 671-4056 **Mobile:** 082-8764051 **Fax:** 086-517-3806
E-mail: dave@bergwind.co.za
Website: www.bergwind.co.za
Profession: Botanist / Vegetation Ecologist / Consultant / Tour Guide
Date of Birth: 7 August 1956

Employment history:

- 19 years with National Botanical Institute (now SA National Biodiversity Institute) as researcher in vegetation ecology.
- Five years as Deputy Director / Director Botanical & Communication Programmes of the Botanical Society of South Africa
- Six years as private independent Botanical Specialist consultant (Bergwind Botanical Surveys & Tours CC)

Nationality: South African (ID No. 560807 5018 080)
Languages: English (home language) – speak, read and write
Afrikaans – speak, read and write

Membership in Professional Societies:

- South Africa Association of Botanists
- International Association for Impact Assessment (SA)
- South African Council for Natural Scientific Professions (**Ecological Science, Registration No. 400094/06**)
- Field Guides Association of Southern Africa

Key Qualifications :

- Qualified with a M. Sc. (1983) in Botany and a PhD in Botany (Vegetation Ecology) (1995) at the University of Cape Town.
- Research in Cape fynbos ecosystems and more specifically mountain ecosystems.
- From 1995 to 2000 managed the Vegetation Map of South Africa Project (National Botanical Institute)

- Conducted botanical survey work for AfriDev Consultants for the Mohale and Katse Dam projects in Lesotho from 1995 to 2002. A large component of this work was the analysis of data collected by teams of botanists.
- **Director: Botanical & Communication Programmes** of the Botanical Society of South Africa (2000—2005), responsible for communications and publications; involved with conservation advocacy particularly with respect to impacts of development on centres of plant endemism.
- Further tasks involved the day-to-day management of a large non-profit environmental organisation.
- **Independent botanical consultant** (2005 – to present) over 300 projects have been completed related to environmental impact assessments in the Western, Southern and Northern Cape, Karoo and Lesotho. A list of reports (or selected reports for scrutiny) is available on request.

Higher Education

Degrees obtained
and major subjects passed:

B.Sc. (1977), University of Natal, Pietermaritzburg
Botany III
Entomology II (Third year course)

B.Sc. Hons. (1978) University of Natal, Pietermaritzburg
Botany (Ecology /Physiology)

M.Sc - (Botany), University of Cape Town, 1983.
Thesis title: 'The vegetation of Swartboschkloof, Jonkershoek, Cape Province'.

PhD (Botany), University of Cape Town, 1995.
Thesis title: 'Phytogeography endemism and diversity of the fynbos of the southern Langeberg'.

Certificate of Tourism: Guiding (Culture: Local)
Level : 4 Code: TGC7 (Registered Tour Guide: WC 2969).

Employment Record :

January 2006 – present: Independent specialist botanical consultant and tour guide in own company:
Bergwind Botanical Surveys & Tours CC

August 2000 - 2005 : Deputy Director, later Director Botanical & Communication Programmes, Botanical Society of South Africa

January 1981 – July 2000 : Research Scientist (Vegetation Ecology) at National Botanical Institute

January 1979—Dec 1980 : National Military Service

Further information is available on my company website: www.bergwind.co.za

ENGINEERING SITE ASSESSMENT

REPORT 2017

Western Cape Government
Transport and Public Works

Department of Transport and Public Works

Wemmershoek Primary School
School Site Assessment Program 2016/2017

J36240

ORIGINAL

22 August 2017

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School Site Assessment Program 2016/2017: Wemmershoek PS
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Revision Status

Rev No.	Issue Date	# Pages	Revision Description	Prepared By	Reviewed By	Approved By
0	22 August 2017	26	Original	Adrian Mackay	E Hawes	P Grobbelaar

Distribution List

Copies to:

Copy 1 of 1 Mark Meyer – Revel Fox and Partners

Abbreviations / Acronyms / Definitions

Amp	Ampere
DTPW	Department of Transport and Public Works
CBA	Critical Biodiversity Area
CBD	Central Business District
CSIR	Council for Scientific and Industrial Research
DBE	Department of Basic Education
EC	Electrical Conductivity
EIA	Environmental Impact Assessment
HIA	Heritage Impact Assessment
HWC	Heritage Western Cape
Mod AASHTO	Modified American Association of State Highway and Transportation Officials
OHS	Occupational Health and Safety
PDF	Portable Document Format
NEMA	National Environmental Management Act
NGA	Ground Water Archive
NHRA	National Heritage Resources Act
NID	Notice of Intention to Develop

NWA	National Water Act
LSWMP	Local Solid Waste Management Plan
LUPO	Land Use Planning Ordinance
LV	Low Voltage
RF & P	Revel Fox and Partners
UK	United Kingdom
UTG	Urban Transport Guidelines
VAT	Value Added Tax
WCED	Western Cape Education Department
WPS	Wemmershoek Primary School

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Executive Summary

GIBB assessed the proposed site identified for the new Wemmershoek Primary School, as part of the Western Cape Education Department (WCED) School Site Assessment Program for the 2017/2018 Financial Year.

The purpose the assessment is to determine the suitability of the proposed site for the construction of a new school and advise as follows:

Topography

The site slopes from the southeast to the north-west with a gradient of approximately 6 meters over 210 meters (1:35 gradient). The site is spilt into two parts by a gravel access road. The northern part of the site is flatter than the southern part. Average gradient of the norther part is 1:45 and the southern part at 1:30 gradient.

Geotechnical

The Geotechnical Investigation comprised the excavation of test pits, soil profiling, soil sampling and laboratory testing. DPL penetrometer tests were conducted to confirm the soil consistency.

The investigation determined the proposed school site is underlain by loose consistency sandy soils down to a depth in the order of 1.4 m below surface (sand fill and in situ sandy soils). Below this depth, the soils are of medium dense consistency. Groundwater seepage was not encountered within test pits.

The site is considered suitable for the construction of a new school, provided that the ground improvement measures detailed in the report are adhered to. Remedial measures require the partial excavation and stockpiling of the upper loose sandy soils to a depth of about 0.8 m, followed by in situ compaction using a heavy vibratory roller, and the subsequent re-compaction of the stockpiled soils in layers. After compaction, lightly reinforced conventional strip foundations can be placed as shallow as possible below surface.

The NHBRC Site Class Designation for the site was assessed to be "S2", that is, "compressible soils with a total expected settlement exceeding 20 mm".

Geohydrology

The school is underlain by alluvium, overlying basement rocks of the Malmesbury Group. The alluvium consist of sand and boulders, and if saturated, will be a good aquifer to target. The bedrock consists of quartzite of the Peninsula formation. The Peninsula formation is generally a good aquifer where it is fractured or faulted.

The Electrical Conductivity (EC) of the groundwater at the school should be low enough and suitable to be used for irrigation for typical grass types. It is expected that the groundwater will have a high iron concentration (familiar brown staining associated with use of ground water). Yield statistics of existing shallow boreholes are between 0.5 and 5 liters per second (l/s). A borehole target site has

been identified and groundwater appears to potentially be a viable source of water for irrigation at the school, with an estimate that there is a 60% chance of finding sufficient groundwater for irrigation of soft landscape areas.

Stormwater Management Plan

The site is located in a region that receives an annual precipitation of approximately 880 mm. Almost 70% of precipitation occurs in period between May to September. Hydrological soil characteristic indicates the site to be within a potential natural infiltration zone. Soils are permeable allowing good infiltration facilitating ground water recharging.

Due to proximity of the Robertsvlei River and sloping upstream topography a Local Storm Water Master Plan is to be compiled to identify the 1:50 and 1:100 flood lines and appropriate interventions to manage run-off discharging over the developed site respectively.

Traffic Investigation

Robertsvlei Road, situated along the site's western boundary, is a two lane undivided surfaced roadway. The preferred alignment for vehicle access to the site is opposite Bergendal Road. Parking and "Stop-and-drop" facilities are required on the site. A pedestrian walkway and speed bumps should be constructed to accommodate safe pedestrian movement along Robertsvlei Road and to reduce vehicular speed on the approach to allow safe crossing for pedestrian respectively.

Municipal Services

It is unlikely that the proposed school site can be connected to the municipal sewer system in La Motte residential area with a gravity system, because the Robertsvlei River is located between the proposed school site and La Motte. Sewage will have to be pumped from the proposed school site to a municipal sewer manhole on the La Motte periphery, alternatively, it can be stored in a septic tank on the proposed school site and emptied by the municipality or a private operator.

The proposed school site can be serviced off the municipal potable water reticulation that is located on the opposite side of Robertsvlei Road. A raw water pipeline suitable for irrigation and fire-fighting is located on the near side of Robertsvlei Road.

There is no piped stormwater reticulation in Robertsvlei Road. Stormwater run-off is collected in a swale adjacent to Robertsvlei Road and channeled towards Franschhoek River to the north of the proposed school site.

Electrical and Telkom services are located in the area in overhead format.

Environmental Compliance

The proposed school site falls within the Critical Biodiversity Area and due to its proximity to the Franschhoek River will require:

(a) the area to be "ground-truthed" by a botanical specialist to confirm whether any endangered or threatened vegetation occurs on the site and

(b) In terms of the National Water Act the National Department of Water and Sanitation must be informed of the proposed/intended construction activity on the site.

Should "ground-truthing" confirm the presence of endangered or threatened vegetation, in terms of the National Environmental Management Act, an environmental application process will be required.

In terms of the National Resources Act the rezoning of any site exceeding10 000 m^2 will trigger a Notice of Intention to Develop (NID) application or a Heritage Impact Assessment (HIA).

1 Introduction

WEMMERSHOEK PRIMARY SCHOOL			
emis	0108470589	**District**	Cape Winelands
GPS coordinates	19.443, -33.533	**Address**	Robertsvlei Road, Wemmershoek
Erf & size	Portion of farm 1653 La Motte 1.8270 Ha	**Ownership**	Stellenbosch Municipality
Zoning	Agricultural	**Type of infrastructure**	nil
Proposed size of school	Medium primary school	**Site type**	Green Fields
Planned site handover	2018-02-01	**Planned practical completion date**	2019-05-06
Scope of work	New medium size primary school		
Budget (incl. fees & VAT)	R60 million		

Revel Fox & Partners (RF&P) was appointed (2016.09.13) by the Department of Transport and Public Works: Education Directorate (DTPW: ED) to undertake the site assessment of a number of schools, including Wemmershoek Primary School and was given a "project proposal" dated 2016.07.28. It is assisted in this undertaking by GIBB (Pty) Ltd (GIBB). This site assessment is to be broadly equivalent to Stage 1 of the PROCAP Procedural Guide.

The existing Wemmershoek Primary School (WPS) is located on Erven 1027 and 1029, Franschhoek along the R45, and bound by the R301 to the West (**Figure 1**). It has been classified as an inappropriate structure and an alternative site has been identified, Farm 1653 in La Motte, for the construction of a new primary school.

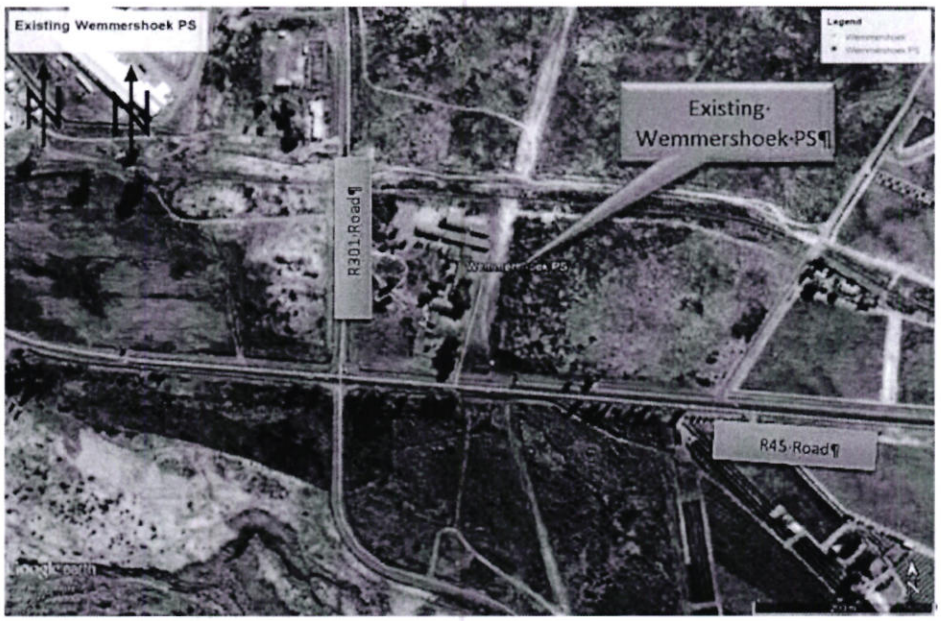

Figure 1: Existing Wemmershoek Primary School Location (Google Earth, 2016)

The property, Farm 1653 La Motte is currently owned by the Stellenbosch Municipality and is in the process of being transferred. A portion of the property has been identified for the location of the new school.

The proposed premise for the new Wemmershoek Primary School is located along Robertsvlei Road and covers approximately 1.83 Ha. The premise is bordered by Robertsvlei Road to the west, and the Franschhoek River and Robertsvlei River to the North East and West, respectively (**Figure 2**).

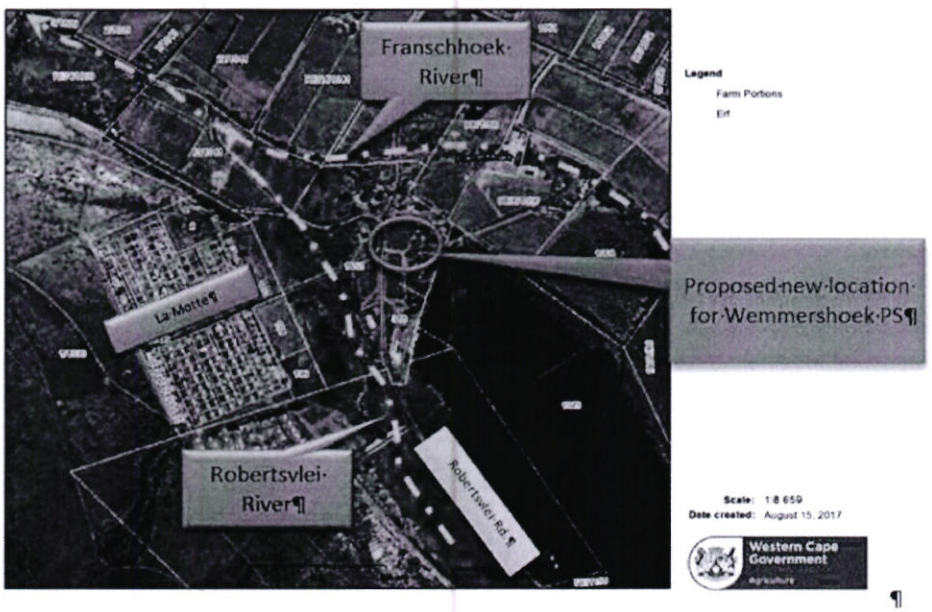

Figure 2: Proposed Wemmershoek Primary School Location (Dept. of Agriculture, 2017)

When completed, the new school will be occupied by learners from Wemmershoek Primary School and the existing vacated school will be demolished and the site handed back to DTPW. The school is currently operational as a primary school catering for grades R and 1 to 7 with a total of 418 learners. The proposed size of the new school is to be Medium – 418 learners (as per WCED Norms & Standards). The concept plan indicates the main vehicular and pedestrian entrance at the T-junction of Robertsvlei Road and Bergendal Road. The proposed Wemmershoek Primary School layout and demarcated areas, are illustrated by **Figure 3**, provides provisional spatial requirements.

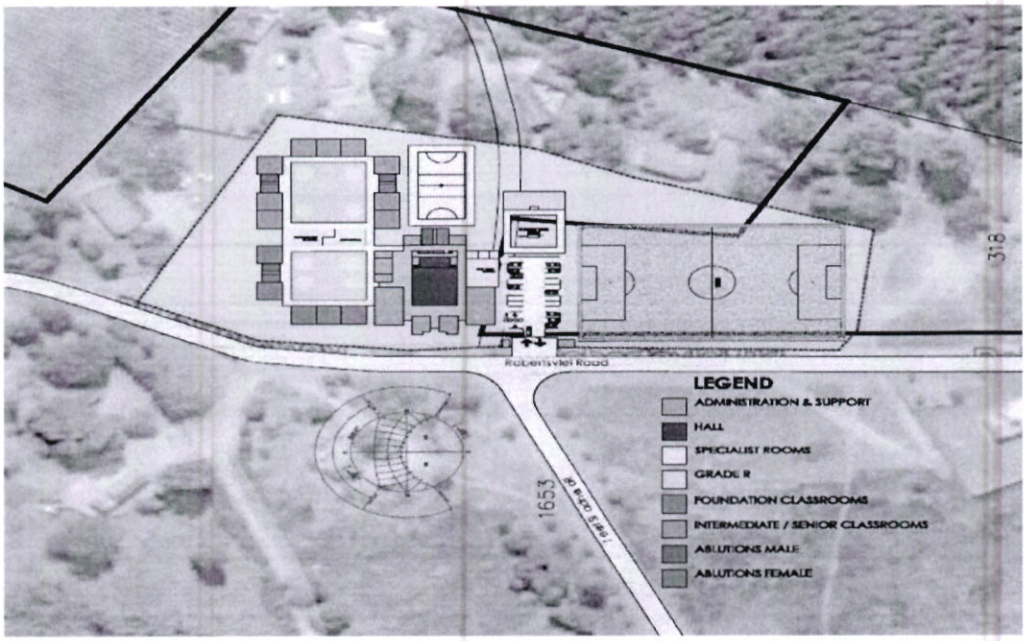

Figure 3: Proposed Wemmershoek Primary School Layout (Architect, 2017)

It is noted that whilst PROCAP 1 does not require any design, RF&P has included in their report a concept diagram of the proposed new school to test the various parameters on the site.

The proposed site for the new Wemmershoek School is zoned agriculture and is currently an irrigated olive tree plantation. There are no buildings on the site, however there are several overhead service (Eskom and Telkom) crossing the site. The proposed school site is bordered by Robertsvlei Road on the western side. On the eastern side of the proposed school site there are residential properties. Access to these properties is via gravel roads that fall within the footprint of the proposed school site. New access roads to the residential properties will have to be accommodated in the spatial planning of the site.

The purpose of our report is to assess the suitability of the proposed site for the construction of a new school from an engineered prospective with regard to:

1. Topography
2. Geology (geotechnical investigation)
3. Geohydrology (ground water abstraction)
4. Stormwater Management Planning
5. Transportation and Traffic
6. Municipal services
7. Environmental compliance

2 Assessment

2.1 Topographical Survey

Refer to **Appendix A** for a pdf drawing of the topographical survey of the proposed school site. The site is sloped from the south to north with a difference in level of approximately 8 metres. Due to the gradient the site will require the construction of terraced platforms to mitigate the effect of the ground slope on buildings, sports-fields, parking areas and access roadways. This can be achieved using "balanced cut to fill" bulk earthworks construction.

2.2 Geotechnical Investigation

A comprehensive geotechnical investigation was carried-out on site. Refer **Appendix B** for the Geotechnical Report.

2.3 Geohydrological Investigation (ground water abstraction)

A wide-ranging investigation was undertaken to determine the potential of ground water abstraction. These include the following:

(a) Geological Assessment
(b) Climate Review
(c) Hydrogeology and Hydrocensus of registered boreholes
(d) Hydrochemistry (EC and NGA) of boreholes in the Wemmershoek Area
(e) Expected Borehole Yield
(f) Borehole Siting – geophysical survey showing location of the proposed drill site.

Refer **Appendix C** for the detailed report of the groundwater abstraction study.

2.4 Stormwater Management Plan

2.4.1 Design Standards and Policy Conformance

(a) Catchment Drainage and Topography

The proposed school site falls within the overall Berg River Catchment, and as illustrated by **Figure 4** showing the pertinent stormwater and discharge point to be via the Robertsvlei River in a north westerly direction.

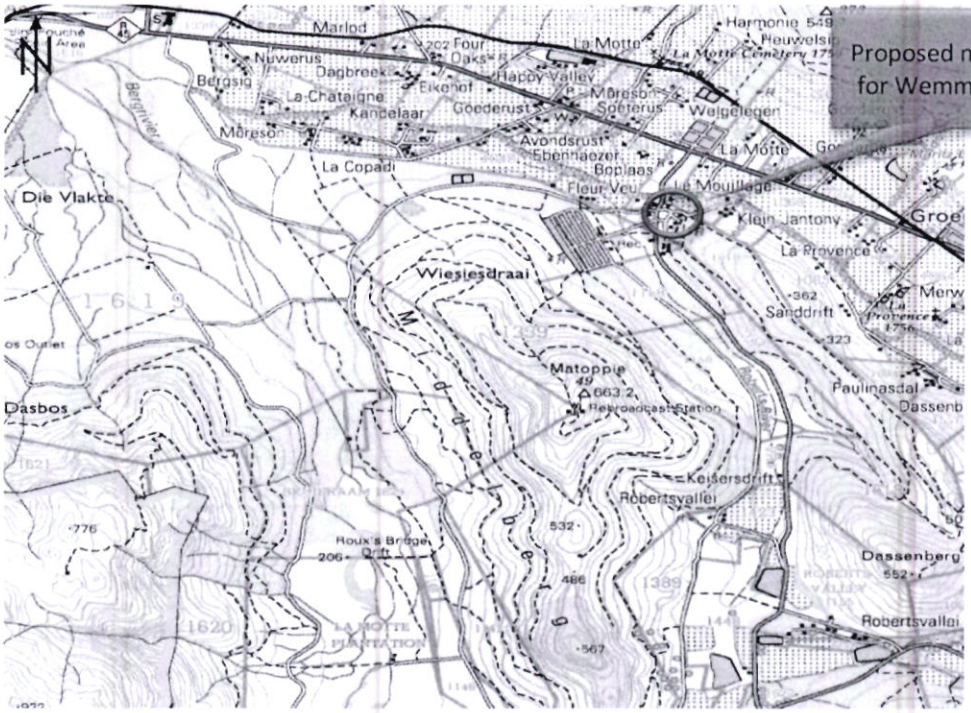

Figure 4: Existing topography and contour map (Dept. of Land Affairs, Chief Directorate of Survey and Mapping, Map 3319CC, 3rd Ed.1997)

The existing topography slopes in a north westerly direction, with a soft to moderate slope of 6 % to 7%, as shown in **Figure 5**. Considering the prevailing upstream topography (slope of 14% to 22%), it would be prudent to potentually make use of cut-off drainage channels, on the periphy of the premises.

Figure 5: Existing topography and contour map (Dept. of Agriculture, 2017)

(b) Hydrological Soil Characteristics

The hydrological soil classification for the catchment and development site is Group A/B, permeable soils (Shultze et al., 2012). **Figure 6** indicates the hydrological soil classification as A/B as per SCS-SA soils map (Shultze et al., 2012) which provides a maximum and minimum infiltrate of 19 mm/hr and 8.6 mm/hr, respectively. From this it can be seen that the proposed site, fall within in the potential natural infiltration zone.

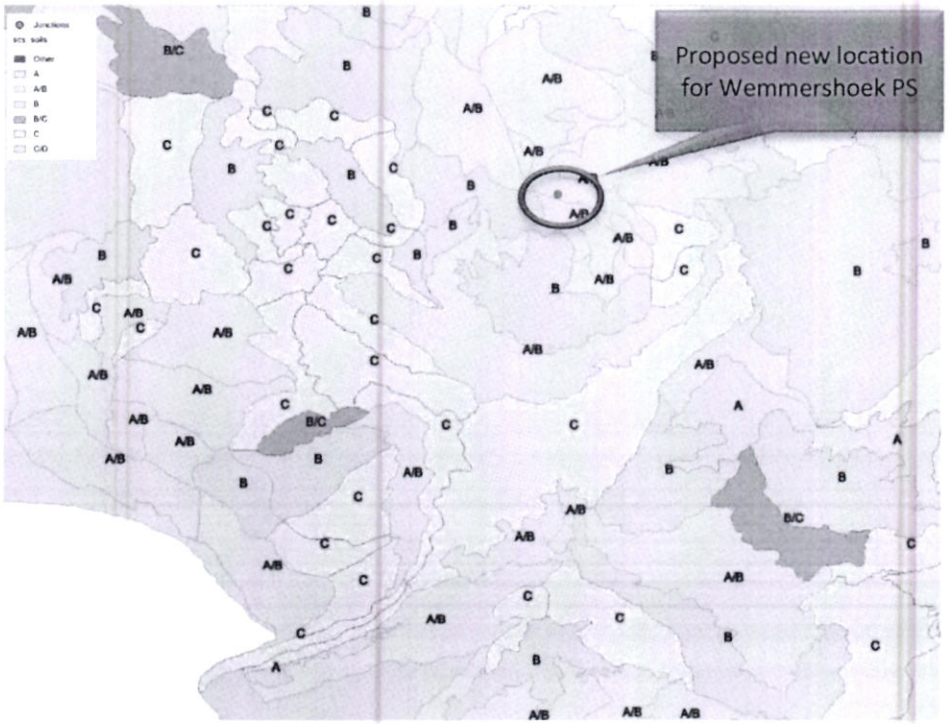

Figure 6: Existing hydrological soil classification (Shultze et al., 2012)

(c) Rainfall

The mean annual precipitation for the proposed WPS location ranges between 827 mm (Smithers and Schulze, 2002) and 929 mm (Dept. of Agriculture, 2017). As indicated by **Figure 7** the highest cumulative monthly rainfall is experienced during Month 5 to Month 8, i.e. May to August.

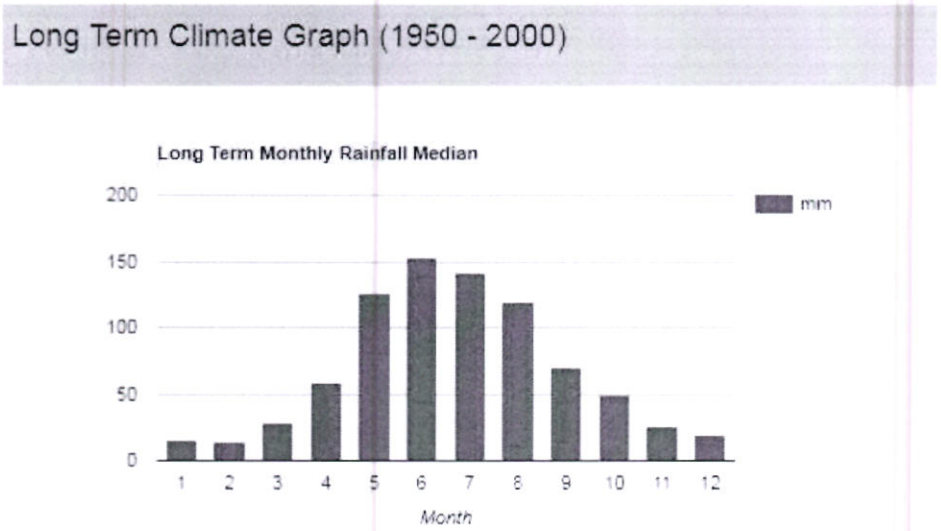

Figure 7: Long term monthly rainfall data (Dept. of Agriculture, 2017)

(d) Relevant Policy Requirements

The proposed Wemmershoek Primary School will have to be served by a management system designed to meet with the following requirements viz.:

- Stellenbosch Municipality (2015, June). Design Guidelines and Minimum Standards for Civil Engineering Services, Section D.
- CSIR (2011), Guidelines for Human Settlement Planning and Design, Chapter 6.

It is proposed that a detailed Local Storm Water Master Plan (LSWMP) will be compiled and submitted as part of the approval process. The approved LSWMP will guide the detail design of the storm water management system that will serve the development. The design return periods used for the compilation of this LSWMP are summarised in **Table 1**.

Return Period	Design Objective
1 in 2 -5 year	Storm water conveyance design
1 in 10 year	Storm water runoff control
1 in 50 year	Storm water runoff control and overland escape route assessment and planning, and runoff detention/attenuation

Table 1: Design Return Periods

In addition, it is proposed that a 1 in 50 year and 1 in 100 year flood lines are determined for the Robertsvlei River to satisfy the following:

- The National Water Act (Act No 36 of 1998), Section 144.
- Western Cape Land Use Planning Ordinance (LUPO), Act 15 of 1985

This should be done to ensure that the proposed development footprint is outside the 1 in 50 year flood-line level and that the foundation, floor and platform levels are above the 1 in 100 year flood-line level.

In terms of Ecological Buffer Zoning new regulations were promulgated in 2010, in terms of The National Environmental Management Act (NEMA), Act 107, 1998; which requires the determination of an ecological buffer zone.

2.4.2 Proposed Implementation Strategies

In order to meet the requirements outlined in **Section 2.1.1**, the following implementation strategies should be considered for the effective stormwater runoff management of the proposed Wemmershoek Primary School:

(a) Cut-off Channels

To limit the potential of external runoff entering the proposed school premises, cut-off channels should be utilised to manage and re-direct runoff toward the Robertsvlei River. Considering that the natural overland drainage pattern is in a north westerly direction across the site, the cut-off channels should be located along the northern, eastern and southern borders.

(b) Infiltration and Rain Garden

As cited in **Section 2.4.3** the underlying soils are high permeable and provides ample opportunity for infiltration. Therefore, it is proposed that infiltration be promoted as much as possible. This can be achieved by allowing roof gutter and downpipe system to directly discharge and infiltrate at strategic locations, identified during preliminary/detail design stage.

(c) Rainwater Harvesting

To minimise the use of potable water, rainwater and stormwater harvesting can be implemented along with pervious surfaces to retard the peak flows. The volume of the tank should be determined based on the estimated water use of the site and the potential availability of runoff as rainwater harvesting that should be determined during the preliminary design phase.

(d) Landscaping and Earthworks

As indicated under **Section 2.1.1** the determination of the 1 in 50 year and 1 in 100 year floodlines are crucial to ensure the development is outside and above both these extremities. Therefore, cognisance should be given to the following:

- The earthworks shall be done in such a manner that elongates the overland drainage paths, effective lowering peak discharge rates.
- Utilisation of the identified sports field area to be shaped and formed to act as attenuation facility during major storm events, and adequately designed with underlying drainage.
- The foundation, floor and platform levels are above the 1 in 100 year floodline.

2.5 Transportation Assessment

2.5.1 Road Network

Robertsvlei Road intersects the R45 at two locations forming a loop: approximately 660 m north of the proposed site and at Huguenot Road within the Franschhoek CBD. The road is a two-lane undivided roadway and is classified as a Class 4 Local Distributor. It should be noted that Robertsvlei Road comprises surfaced and unsurfaced sections, as shown in **Figure 8** and described below:

- A surfaced section between the northern R45 intersection and the access immediately adjacent (south) to the La Motte access road (i.e. the road is surfaced in the vicinity of the proposed site)
- An unsurfaced section between the access immediately adjacent to the (south) La Motte access road and the La Roche Estate access road
- A surfaced section between the La Roche Estate access road and Huguenot Road (R45)

Figure 8: Existing Road Surfaces – Robertsvlei Road

2.5.2 Access

An overview of the immediate study area shows that vehicle access to the proposed site is only possible along the western boundary, i.e. Robertsvlei Road. An existing gravel access road traverses the proposed site, providing access to La Vigne Estate, located directly opposite the La Motte access road as shown in **Figure 9**.

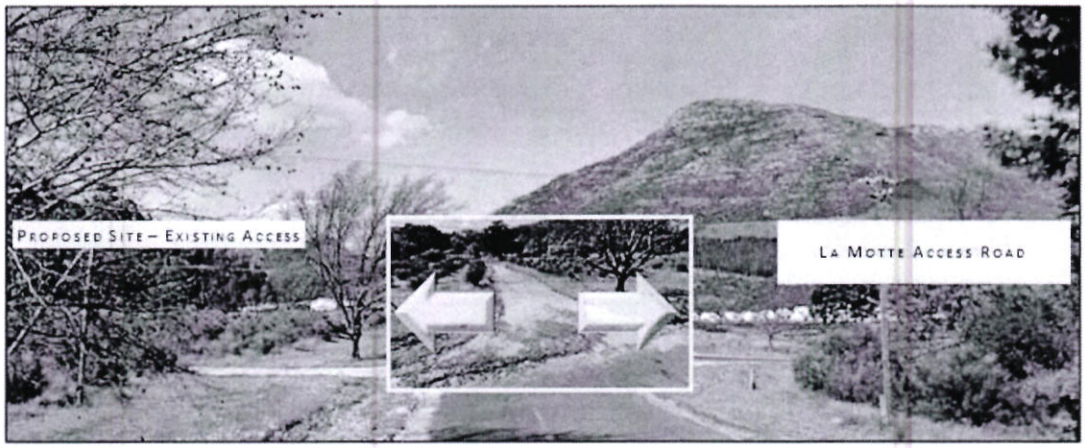

Figure 9: Existing Site Access and La Motte Access Road

Given the current road network, and in accordance with best practice, the preferred alignment for a vehicle access to the school site is the same as the existing La Vigne Estate access road and is therefore the recommended location for vehicle access to the proposed school site. It should however be noted that the existing Estate access therefore has to be relocated to a new location, preferably south of the school site.

The sight distance at the proposed school access is approximately 100m and 230m in the northern and southern directions respectively. The Department of Transport's *Geometric Design of Urban Collector Roads* (UTG5, 1988) recommends a minimum stopping sight distance of 85 m for a design speed of 60 km/hr and the available sight distance therefore satisfies the minimum requirement. Vegetation to the north should be monitored and trimmed regularly to ensure that the required sight distance to the north is maintained.

There appears to be a slight misalignment of the proposed school access and the La Motte access road. Should it not be possible to align the school access with the La Motte access road, the latter road should be re-aligned to better intersect with the proposed school access.

2.5.3 Off-Street Parking

The greater Franschhoek area forms part of the Stellenbosch Municipality and all documents stipulate that the provision of off-street parking facilities is as per Council requirements. It is however expected that the minimum off-street parking requirements for this type of facility would be similar to what is used in Cape Town. According to the City of Cape Town's *Municipal Planning By-Law (2015)*, schools are required to provide off-street parking at a minimum rate of one bay per classroom or office, with additional stop-and-drop facility.

The strategic brief for the proposed school, prepared by the *Western Cape Government: Education* department, lists a total of 28 instructional rooms (includes e.g. science lab) but does not provide information regarding the number of offices. For the sake of this study, the

number of offices has been estimated at 20% of the total number of instructional rooms i.e. six offices. A recommended minimum total of 34 off-street parking bays are therefore required to be provided for the proposed school, but the final decision remains at the discretion of Stellenbosch Municipality.

2.5.4 Stop-and-drop Facility

It is recommended that the stop-and-drop facility is located within the site, adjacent to the access. It should be noted that the facility (or a component thereof) could also be provided on either side of Robertsvlei Road depending on demand. The eastern side of the road, adjacent to the school, is preferred.

A guideline developed by the *Wiltshire Local Authority* (UK) recommends a minimum ratio of one bay per 20 students for drop and go facilities (in addition to the minimum off-street parking requirement. The school is expected to accommodate 418 students and the proposed stop-and-drop facility is therefore recommended to accommodate a minimum of 21 bays (or equivalent space) in addition to the off-street parking area.

2.5.5 Non-motorised Transport

There are no sidewalks on either side of Robertsvlei Road in the vicinity of the proposed site. It is therefore recommended that a surfaced walkway, a minimum of 2 m wide, is provided on the western side of Robertsvlei Road – extending from the school access to the R45 intersection in the north. This facility is proposed to tie in with the existing pedestrian crossing of the river located north of the site.

A surfaced walkway, a minimum of 2 m wide, should also be provided on the northern side of the La Motte access road, spanning between Akkerhout Street and Robertsvlei River.

Furthermore, it is recommended that a speed hump be constructed on Robertsvlei Road, north of the proposed vehicle access as shown in **Figure 10**, to reduce the speed on this approach and allow for the safer crossing of pedestrians.

Figure 10: Proposed Speed Hump and Walkway Locations

2.6 Municipal / Site Services

Records of existing services (sewer and potable water) were obtained from the Stellenbosch Municipal Office, Water Services and Reticulation Mr Esias De Jager (ph: 021 808 8212) (email: esias.dejager@stellenbosch.gov.za).

Refer **Appendix D** for existing Sewer and potable water services drawings.

2.6.1 Potable Water

According to municipal services records, there is a 110 diameter pipeline on the opposite side of the road Robertsvlei Rd routing in a northerly direction towards Franschhoek River.

In addition to the potable water main there is a raw water line adjacent to Robertsvlei Road on the same side of the proposed school.

This pipeline can be used for supplying water to firefighting hydrants/fire hose reels located within the school building footprint, alternatively used to irrigate soft landscaped areas should groundwater abstraction be insufficient.

All new water (raw and potable) will have to comply with water conservation management demand study as per the municipal by-laws and statutory requirements.

2.6.2 Sewer

There is no gravity sewer in the adjacent road. Nearest gravity sewer is some 600 metres away in the La Motte Development. Due to the location of the Robertsvlei River, between the proposed school site and La Motte, a gravity sewer, connecting the proposed school site to La Motte is not possible. Sewage will have to be pumped to the municipal sewer reticulation, alternatively a septic tank will have to be constructed on the site into which site sewer will discharge and the tank will have to be emptied periodically by the local municipality or a private service provider.

2.6.3 Stormwater drainage

There is no piped stormwater reticulation in the immediate vicinity of the school site. All site piped stormwater will have to daylight into the unlined stormwater drainage channel/ swale adjacent to Robertsvlei Rd which in turn discharges into the Franschhoek River to the north of the site.

2.6.4 Electrical

(a) External Reticulation

The Supply Authority is Eskom / Stellenbosch Electrical Department. The Departmental requirement for a new Primary School is 150 Amp three phase.

There are 2 x LV Electrical and 1 x Telkom existing overhead lines that cross the site. These provide services to the residential houses adjacent to the site and will require to be rerouted.

In discussion and site inspection with the Local Supply Authority's it is recommended that a new Pole mounted transformer be installed.

It is recommend that an amount of R750 000.00 be included in the budget for the new Electrical Supply Connection. This amount includes:

- Development & Contribution R300 000.00
- Electrical reticulation R450 000.00

(b) Internal Reticulation

The budgetary amounts indicated are based on tenders received for a series of new schools of approximately 34 class rooms and adjusted for a school for 481 learners (small school approximately 18 class rooms and administrative offices) and includes:

1. The general electrical installation:
    - LV reticulation, distribution boards etc.
    - General lighting, power and Telkom installation per the Standard room data sheets
    - Security lighting to be from the buildings.

- Connection for ground water abstraction pump installed within the Civil Contract
- Schools sirens

2. Data installation:
   - All the wire-ways and conduits to classrooms, offices and Multi-media room for the data and Wi-Fi outlet points
   - Connecting the data points in the multi-media and computer lab
   - Patch panels and switches, suitable for approximately 40 work stations within the computer laboratory, work stations for the administration offices and inputs for the class rooms
   - 2 x air conditioning units for the computer laboratory
   - To prepare the respective class rooms for the installation of an interactive writing board, projector and speakers.
   - The installation of the Wi-Fi equipment will be by the Department

3. Intercom installation
   - All the wire-ways and conduits
   - New digital Intercom system in classrooms
   - Communication with Security gate and gate to School Secretary

4. Intruder alarm installation
   - All the wire-ways and conduits
   - New alarm system connected to the Security Company monitoring the premises

5. TV Installation
   - All the wire-ways and conduits only

6. Fire Detection and Fire Alarm
   - Wire-ways and conduits in school hall only
   - Fire detection Alarm panel
   - Where required door releases to security / fire escape doors

(c) Telkom

It is recommend that an amount of R 45 000.00 be included for sleeves and manholes for Telkom to remove and reroute the existing overhead lines to underground.

(d) Budgets

It is recommended that the following budgetary amounts for the new proposed school be included for the electrical and electronic installation.

The budget is based on recently completed and new schools presently in construction.

The budgetary amount inclusive of 14 % VAT as follows:

1	Municipal Electrical Connection	R 750 000.00
2	Re-routing of Telkom Services	R 45 000.00
3	Electrical and Electronic installation	R 3 000 000.00

Table 2: Budgetary Construction Amounts

The budget excludes

- Escalation
- Professional fees

2.7 Environmental Compliance

2.7.1 Environmental Overview

(a) Biodiversity

Google earth and Cape Farm mapper were used to assess the current status of the site along Robertsvlei Road.

The Department of Agriculture's Cape Farm Mapper, indicates that a portion of the site contains a Critical Biodiversity Area (CBA) (Refer to **Figure 11**). The property is also in close proximity to the Franschhoek River floodplain, which is approximately 150m north of the property boundary. The CBA designation will need to be ground-truthed by a botanical specialist, during the correct season and with the consulting of updated network data prior to any commencement of construction activity. This would confirm whether any endangered or threatened vegetation occurs on the property.

It is further recommended that a landscape architect is consulted to provide advice regarding planting of suitable, trees on the property, for long-term maintenance purposes.

(b) Freshwater / Wetlands

No freshwater or wetland features were identified on the site.

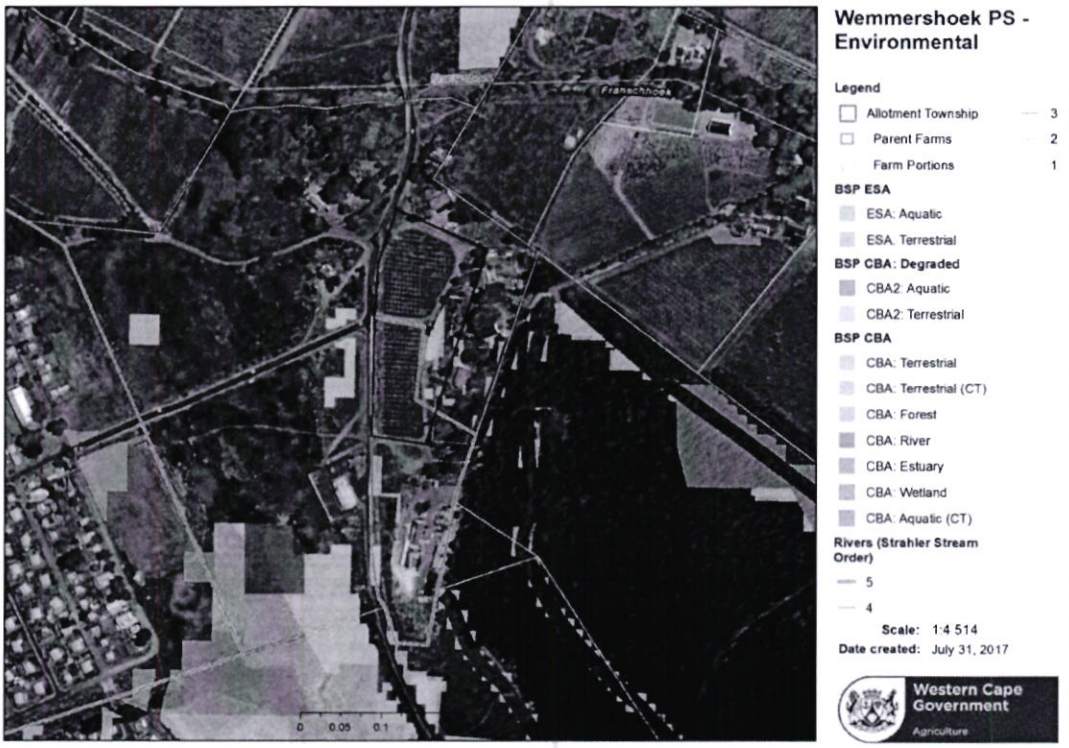

Figure 11: Biodiversity map showing the Critical Biodiversity Areas (CBA) mapped on the property (ground-truthing required).

2.7.2 **Legislative Framework:**

(a) National Environmental Management Act (NEMA)

Based on the assessment of the site, and review of the Listing Notices 1, 2 and 3 of the NEMA EIA Regulations, there may be listed activities that would trigger an environmental process, due to the following factors:

(i) A portion of the site is mapped as a **Critical Biodiversity Area (CBA).** Refer to **Figure 12**. This will need to be ground-truthed and confirmed in order to determine the significance of these portions.

(ii) Should these triggers not be applicable based on ground-truthing, it may not be necessary to do an environmental process. This can however only be confirmed once the above aspects are ground-truthed.

(b) National Heritage Resources Act (NHRA), Act No. 25 of 1999

In terms of the NHRA, the following activities will trigger a Notice of Intent to Develop (NID), or a Heritage Impact Assessment (HIA). This is dependent on the sensitivities of the site.

The following activities could be applicable in terms of Section 38 of the NHRA, and are listed below:

(i) Rezoning of a site exceeding 10 000m^2;

(ii) Any development of activity which will change the character of a site exceeding 5 000m^2.

(c) National Water Act (NWA), 1998 (Act No. 36 of 1998)

The National Water Act (No. 36 of 1998) (NWA) governs the protection of water resources and use. The preamble to the NWA recognises that the ultimate aim of water resource management is to achieve sustainable use of water for the benefit of all users and that the protection of the quality of water resources is necessary to ensure sustainability of the Nation's water resources in the interests of all water users.

Section 21 (a) to (k) of the NWA identifies 11 consumptive and non-consumptive water uses which must be authorised under a tiered authorisation system. This authorisation system includes scheduled uses subject to registration or licensing, and general authorisations (Section 39). The criteria for the applicability of a general authorisation (which does not require registration or licensing) were updated in amended regulations promulgated as follows:

(i) GN 665 of 2013 (Government Gazette 36206), pertinent to Section 21 (e), (f), (g), (h) and (j) but expiring in September 2018;

(ii) GN 288 of 2012 (Government Gazette 35223), a draft general authorisation for the taking and storage of water as defined in Section 21 (a) and (b) (no expiration date specified);

(iii) GN 1198 and 1199 of 2009 (Government Gazette 32805), pertinent to Section 21 (c) and (i), and expiring in December 2029; and,

(iv) No general authorisations pertaining to water uses defined under Section 21 (d) and (k) have been promulgated.

In general a water use must be licensed unless it is listed in Schedule 1, is an existing lawful use, is permissible under a general authorisation, or if a responsible authority waives the need for a licence.

With reference to this project, the **Franschhoek River** is situated to the north of the property, approximately 150m. The Department of Water and Sanitation would have to be contacted to confirm that no authorisation is required, even though the activity will occur within the regulated area.

2.7.3 **General recommendations:**

(a) The above-mentioned activities could trigger the NHRA, and therefore a heritage specialist will need to be appointed to obtain comment from the Heritage authority, namely Heritage Western Cape (HWC).

(b) A botanical screening should be done to confirm the current mapped status and engagement with the Municipality and Cape Nature to confirm whether anything of significance is located on the property. It is unlikely that this is the case. A few of the large trees on the boundary of the property should be retained if possible;

(c) A landscape architect should be consulted to advice of the most suitable trees to be planted close to buildings and paved areas, and also to assess the existing trees on the boundary of the property.

3 Conclusions and Recommendations

3.1 Toposurvey

The site will have to be terraced to minimise extensive substructure brickwork associated with building on sloping sites.

Ideally the site can be terraced into two platforms; one for the building and access road/parking area and another for the sports-field.

3.2 Geotechnical

The site is considered suitable for the construction of a new school, provided that the ground improvement measures detailed in the report are adhered to. Remedial measures require the partial excavation and stockpiling of the upper loose sandy soils to a depth of about 0.8 m, followed by in situ compaction using a heavy vibratory roller, and the subsequent re-compaction of the stockpiled soils in layers. After compaction, lightly reinforced conventional strip foundations can be placed as shallow as possible below surface.

The NHBRC Site Class Designation for the site was assessed to be "S2", that is, "compressible soils with a total expected settlement exceeding 20 mm".

Refer to Appendix B for the details findings and recommendation pertaining to development of the site for construction of a new building, road pavement and sports-field.

3.3 Geohydrological

(a) Groundwater quality is generally good, with EC mostly below 70 m^S/m and would be suitable for irrigation of the sports fields;
(b) Yield statistics of existing boreholes are between 0.5 and 5 L/s;
(c) A borehole target site has been identified; and
(d) Groundwater appears to potentially be a viable source of water for irrigation at the school, and it is estimated that there is a 60% chance of finding sufficient groundwater for this purpose.

The geophysics indicates that the overlying alluvium is a possible drill target and base on this a drill site was identified. If there is not enough water in the alluvium the borehole can then be drilled into the bedrock.

3.4 Storm Water Management Planning

A comprehensive list of mitigation strategies has been provided/proposed to reduce the impact of the future development of the site. These should be strictly followed to minimise possible damage to the proposed development and downstream infrastructure.

3.5 Municipal Services

3.5.1 Potable and Irrigation Water

Potable water reticulation is available on the western side of Robertsvlei Rd. A new supply pipeline minimum 80 mm diameter (domestic and fire-fighting requirement) will have to be installed across Robertsvlei Road to the site, alternatively a 50 mm diameter pipeline for domestic consumption only and a separate 80 mm supply pipeline off the raw water (irrigation) reticulation for irrigating/fire-fighting.

3.5.2 Stormwater

There is no piped stormwater reticulation in Robertsvlei Rd. Stormwater runoff is conveyed in a swale adjacent to the surfaced road towards Franschhoek River.

Stormwater run-off will have to be attenuated on the site to retard the developed site run-off quantity back to the predeveloped site run-off quantity. Stormwater run-off from the proposed school site (surface and piped) will have to daylight into the swale to be conveyed downstream.

3.5.3 Sewer

There is no gravity sewer reticulation in Robertsvlei Rd. Sewer will have to be pumped to the municipal reticulation in La Motte, alternatively stored in a septic tank on site and emptied periodically as required.

3.5.4 Electricity and Telkom

These services are available on site. Existing overhead cables traversing the site will have to be relocated to the periphery of the site.

3.6 Environmental Compliance

Due to the site's proximity to a natural river course, the requirement to rezone the site, the development of a site exceeding 10 000 m^2 and as the site falls within the Critical Biodiversity Area, a host of application to relevant statutory bodies is necessary. The finding of the botanical screening regards endangered of threatened species could triggers activities requiring possible environmental authorisation.

Large trees adjacent to Robertsvlei Road should be retained and a landscape architect should be consulted regards planting of new trees on the site.

Several large trees border the site along Robertsvlei Road. These should be retained and new infrastructure built around the trees.

Appendix A: Topographical Survey

Appendix B: Geotechnical Investigation

Appendix C: Geohydrological Investigation

Appendix D: Existing Services

Document Control and Disclaimer
FORM IP180_B

CLIENT	:	Department of Public Works, WC		
PROJECT NAME	:	School Site Assessment Program 2017/2018	**PROJECT No.** :	J36240
TITLE OF DOCUMENT	:	Wemmershoek Primary School		
ELECTRONIC LOCATION		P:\J36240 School Site Assessments\Phase 2\04_Project Execution\Wemmershoek PS		

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ORIGINAL	NAME **P Grobbelaar**	NAME **E Hawes**	NAME **AN MacKAY**
DATE **14 July 2017**	SIGNATURE	SIGNATURE	SIGNATURE

	Approved By	Reviewed By	Prepared By
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PLANS

LEGEND:

- Remainder Farm 1653 boundary
- Proposed school site boundary (±1.83ha)

KEY MAP:

LOCALITY PLAN

REVISION NO:

CLIENT:	Department of Transport & Public Works (Western Cape)		
DATE:	10/02/2023	**SCALE**	NTS
DRAWING NO:	dwg/PFM1653LM/3a	**DRAWN BY:**	M Scott

PROJECT:

Rezoning & Subdivision of Remainder Paarl Farm 1653 (at La Motte) for development of new school

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LEGEND:

- Remainder Farm 1653 boundary
- Proposed school site boundary (±1.83ha)
- Existing gravel access road
- Proposed new gravel access road
- Existing municipal buildings
- Existing overhead electrical and Telkom cables
- Existing fence to be demolished
- Existing fence to be retained
- Proposed new fence

KEY MAP:

SUBDIVISION PROPOSAL PLAN

REVISION NO:

CLIENT: Department of Transport & Public Works (Western Cape)

DATE: 10/02/2023 SCALE: 1 : 1800 (@A3)

DRAWING NO: dwg/PFM1653LM/2a DRAWN BY: M Scott

PROJECT:

Rezoning & Subdivision of Remainder Paarl Farm 1653 (at La Motte) for development of new school

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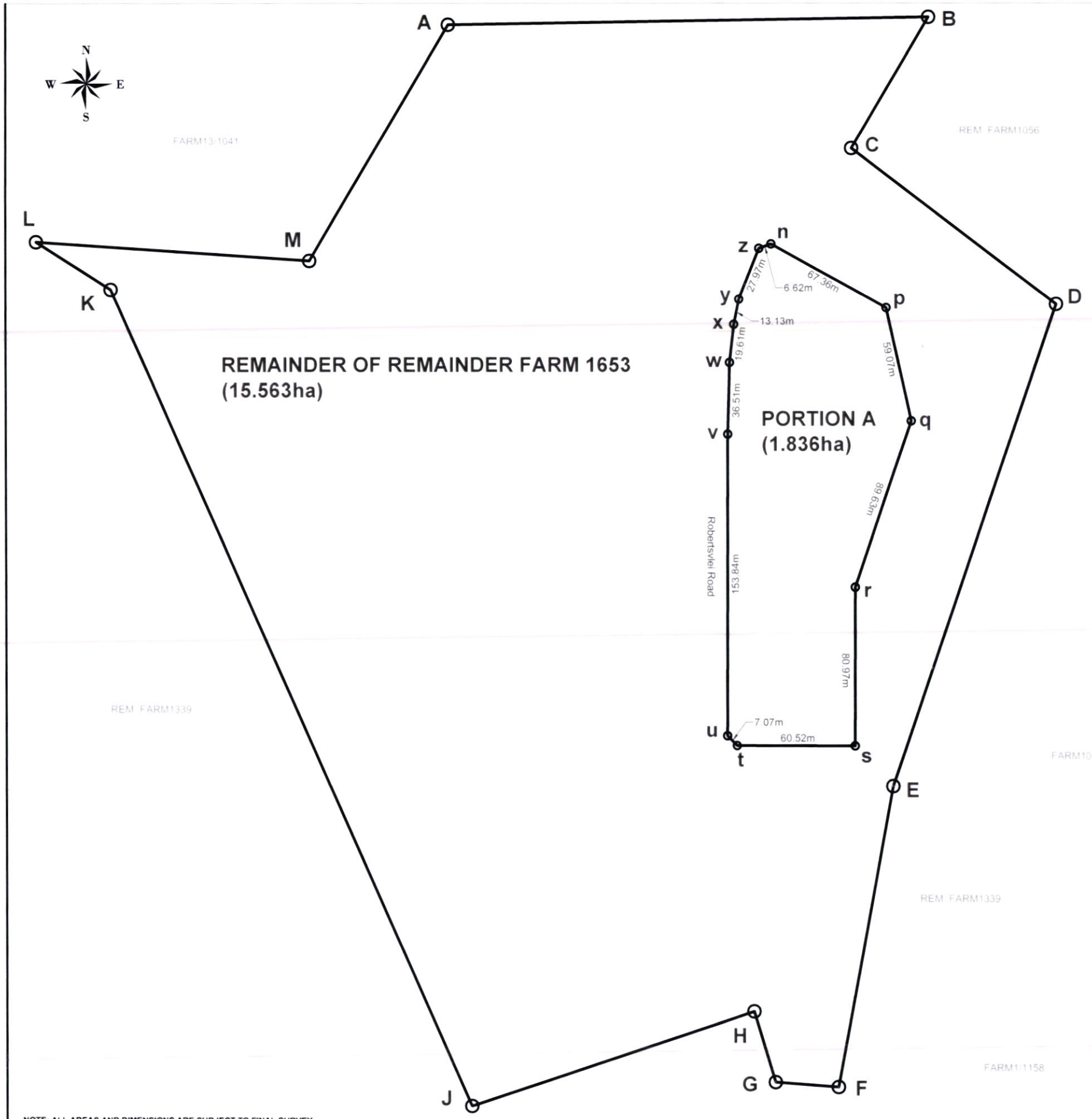

NOTE: ALL AREAS AND DIMENSIONS ARE SUBJECT TO FINAL SURVEY.

Subdivision Notes:

1. Figure A B C D E F G H J K L M denotes Remainder Paarl Farm 1653 (17.399 ha in extent)
2. Figure n p q r s t u v w x y z denotes Portion A of Remainder Paarl Farm 1653 (1.836ha in extent)
3. Figure A B C D E F G H J K L M excluding Portion A denotes the Remainder of Remainer Paarl Farm 1653 (15.563ha in extent).

Zoning:

Portion A - Community Zone
Remainder - Conventional Residential and Limited Use

KEY MAP:

SUBDIVISION PLAN

REVISION NO:

CLIENT: Department of Transport & Public Works (Western Cape)

DATE: 10/02/2023 SCALE: 1 : 3000 (@A3)

DRAWING NO: dwg/PFM1653LM/2a DRAWN BY: M Scott

PROJECT:

Rezoning & Subdivision of Remainder Paarl Farm 1653 (at La Motte) for development of new school

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