



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11470

Our File Reference Number: Erf 1 Longlands

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL [REDACTED]

Dear Mr Heys

APPEAL LODGED IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW: APPLICATION FOR REZONING, SUBDIVISION, ADOPTION OF THE DEVELOPMENT'S NAME AND STREET NAMING AND NUMBERING, ARCHITECTURAL GUIDELINES AND HOMEOWNERS ASSOCIATION'S CONSTITUTION: REMAINDER ERF 1, LONGLANDS

1. This Municipality's decision letter dated 20 June 2023, refers. The appeal process has now been concluded.
2. The Appeal Authority resolved on 7 June 2024 that the appeals submitted against the approval of the Municipal Planning Tribunal on 26 May 2023, **BE DISMISSED** and that the subject decision **BE CONFIRMED** in terms of section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law.
3. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law on Remainder Erf 1, Longlands, namely:
 - 3.1. The rezoning of the subject property from Agricultural and Rural Zone to Subdivisional Area in terms of Section 15(2)(a) of the said By-law to allow for the following uses:
 - a) Two-hundred and fifty-five (255) x **Conventional Residential Zone** erven (erven 1 – 255) and approximately 14ha in extent, for dwelling houses;
 - b) One (1) x **Community Zone** erf (portion 256) and approximately 1.84ha in extent, for a clubhouse and ancillary use purposes;

- c) Thirteen (13) x **Private Open Space Zone** erven (257-269) and approximately 7,35ha in extent, for private open space purposes;
- d) One (1) x **Private Open Zone** erf (portion 270) and approximately 5,59ha in extent for private road purposes;
- e) Three (3) x **Utilize Services Zone** erven (271-273) and approximately 10,97ha in extent for public road and authority zone;
- f) One (1) x **Agriculture and Rural Zone** (portion 274) and approximately 20,50ha in extent for agricultural purposes;

3.2. The **subdivision** in terms of Section 15(2)(d) of the said By-law of said property to allow for a residential development in accordance with the sub-divisional zone above with associated servitudes.

BE APPROVED subject to conditions.

4. **Conditions of approval:**

- 4.1. The approval only applies to the proposed rezoning and subdivision under consideration, as indicated on the referenced, Subdivision Plan 4 A & B, dated 03 March 2020, and drawn by TV3 Architects and Town Planners, attached as **ANNEXURE C** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or By-laws or Regulations that may be applicable.
- 4.2. The development be undertaken in accordance with the subdivision plan as referenced Subdivision Plan 4 A & B, dated 03 March 2020, and drawn by TV3 Architects and Town Planners and attached as **ANNEXURE C**.
- 4.3. New erf diagrams or general plans for the newly created land units be submitted to this municipality for clearance and record purposes.
- 4.4. The applicant submits an electronic copy (shp,dwg,dxf) of the General Plan which was preliminary approved by the SG. The following information must be indicated:
 - a) Newly allocated Erf Numbers
 - b) Co-ordinates
 - c) Survey Dimensions
 - d) Street names (if approved by Council)

- 4.5. All servitudes be registered in the title deeds of the applicable property on registration.
- 4.6. An owner's association for the subject development be established in terms of section 29(1) of the subject By-law
- 4.7. A constitution for the owner's association be submitted and approved by the municipality in terms of Section 29(3) of the subject By-law prior to the transfer of the first land unit, which constitution must make provision for the relevant matters in Section 29 of the subject By-law.
- 4.8. All common property, inclusive of private road/s and open space/s and land required for services by the owner's association, be transferred at their cost by the applicant to the owners' association, prior to or simultaneously with the transfer or registration of the first land unit or prior to the first building plan approval, whichever occurs first.
- 4.9. All land designated for the provision of municipal service infrastructure and amenities on the subdivision plan be transferred to the Municipality upon transfer of the first unit/erf in the subdivision, of which the cost for the surveying and transfer of such public land will be for the account of the applicant/developer.
- 4.10. Portions 271 & 272 (Public Roads) to be transferred to the Department of Transport and Public Works.
- 4.11. A Landscaping Plan be submitted and approved by the Municipality prior to the registration of the first property or the submission of any building plan application, whichever occurs first. The landscaping plan must take the conditions of Heritage Western Cape into consideration (see **ANNEXURE T** for letter dated 19 December 2019).
- 4.12. The development and buildings be designed and undertaken to the satisfaction of the Municipality in accordance with the architectural guidelines attached as **ANNEXURE U**.
- 4.13. The conditions imposed by the **Department of Transport and Public Works** in their letter dated 31 May 2021, attached as **ANNEXURE M**, except for conditions 6.9 – 6.11, be complied with to the satisfaction of said department.
- 4.14. The conditions imposed by the **Manager: Spatial Planning** in their memo dated 26 September 2022, attached as **Annexure O**, be adhered to.
- 4.15. The conditions imposed by the **Director: Engineering Services** in their memo dated 05 July 2021, 22 January 2021 and 18 February 2022, attached as **ANNEXURE P**, be adhered to.

- 4.16. A service agreement regarding the responsibilities for the provision of engineering services be entered into with the Municipality prior to the construction of any engineering services or infrastructure in terms of Section 66(3) and Section 82(4) of the said By-law, which service agreement must include and comply with the conditions as imposed by the **Directorate Infrastructure Services** in their memo dated 05 July 2021 and 18 February 2022, and attached as **ANNEXURE P**.
- 4.17. Development contributions are payable in accordance with the prevailing and applicable Council tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Directorate Infrastructure Services.
- 4.18. The conditions imposed by **Heritage Western Cape** in their letter dated 19 December 2019, attached as **ANNEXURE T**, be adhere to.
- 4.19. Building plans be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.

5. **Reasons for the decision:**

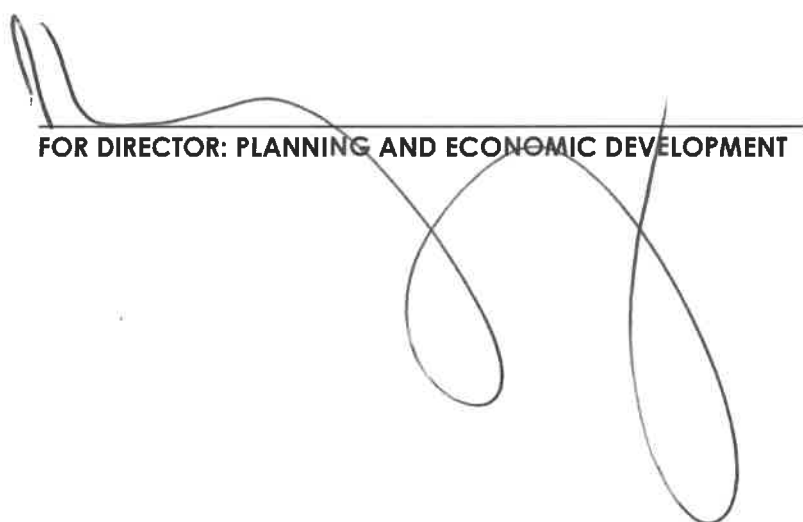
- 5.1. The subject property is located within the demarcated urban edge of Vloottenburg and is consequently not inconsistent with the Stellenbosch Municipal Spatial Development framework.
- 5.2. The proposed residential development, located on the vacant land between the existing Longlands Estate and the Longlands Village, constitutes an infill development that will optimise the existing investment in service infrastructure.
- 5.3. The proposal is not in conflict with the character of the area as it is comparative with the prevailing development context and will consequently complement and support the existing developments of the Vloottenburg area.
- 5.4. The proposed development in its locational context as an infill development will not result in further urban sprawl and have an impact on agricultural land.

6. **Matters to be noted**

- 6.1. That the approval on the name of the development and the naming and numbering of streets as per the proposed subdivision plan, be decided by the delegated official.

- 6.2. Compliance to the conditions of the Environmental Authorisation, dated 25 July 2022 and 27 March 2007, attached as **ANNEXURE L**.
- 6.3. The requirements stated in letter 16/2/7/G200/A/8 by the Department of Water and Sanitation, attached as **ANNEXURE K**, be adhered to.
- 6.4. Conditions 6.9 – 6.11 by the Department of Transport and Public Works in their letter dated 31 May 2021, attached as **ANNEXURE M**, be noted.
- 6.5. The conditions imposed by the Cape Winelands District Municipality (Health Services) in their email dated 06 August 2020, attached as **Annexure N**, be adhered to.
- 6.6. Building plans be approved by the Municipality prior to any building work commencing.
7. Accordingly, the decision detailed in this letter may be implemented, subject to compliance with the conditions of approval.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

5/7/2024
DATE

COPIES TO:

[REDACTED]

Email: [REDACTED]

[REDACTED]

[REDACTED]

Email: [REDACTED]

[REDACTED]

[REDACTED]

Email: [REDACTED] / [REDACTED]

[REDACTED]

Email: [REDACTED]

ANNEXURE C

**REZONING, SUBDIVISION, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING AND
NUMBERING, ARCHITECTURAL GUIDELINES AND
HOME OWNERS ASSOCIATION'S CONSTITUTION:
ERF 1, LONGLANDS**

SUBDIVISIONAL AND ZONING PLAN



3642

38370

3820



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New Orleans, LA 70118
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ARCHITECTS AND TOWN PLANNERS

Longlands Manor

Property Description:

Erf 1, Longlands

Drawing: Proposed Subdivision Plan no.: 4A

Date: 03/03/2020 Scale: 1:7500(A3)

Project no.: 3804-P Drawn: WH Checked: CH

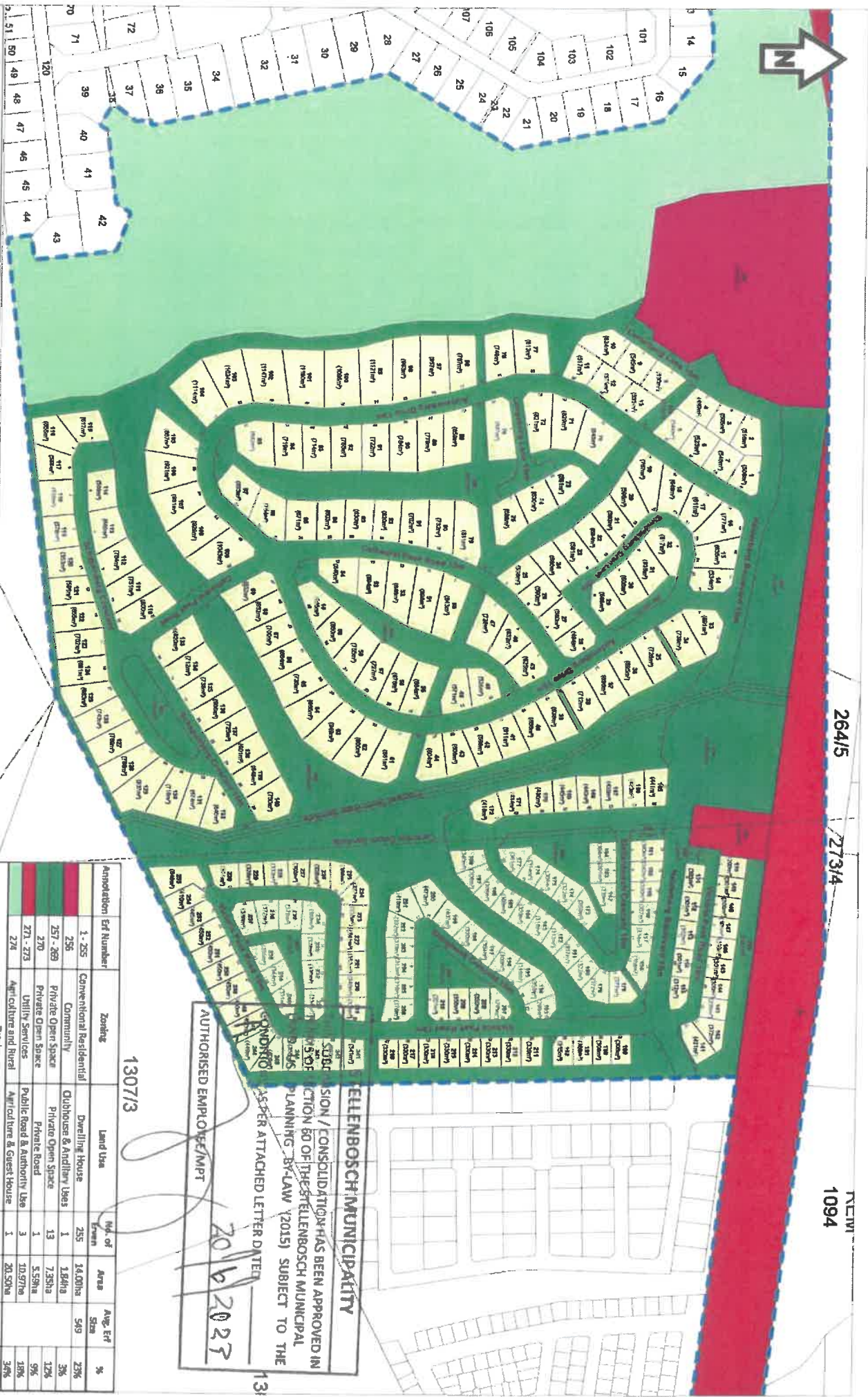
Accession/Erf Number	Zoning	Land Use	No. of Erven	Area	Avg. Erf Size	%
1 - 255	Conventional Residential	Dwelling House	255	14,000ha	548	23%
256	Community	Clubhouse & Ancillary Uses	1	1.84ha		3%
257 - 269	Private Open Space	Private Open Space	13	7.35ha		12%
270	Private Open Space	Private Open Space	1	5.59ha		9%
271 - 273	Utility Services	Public Road & Authority Use	3	10.97ha		18%
274	Agriculture and Rural	Agriculture & Guest House	1	20.50ha		34%
Total			274	60.26ha	548	100%

NOTATION

Cadastral Information obtained from Surveys and Mapping (DSRLR).

Aerial Photography obtained on Google Earth.

All areas and dimensions are approximate and should be verified by a professional land surveyor.
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264/5
273/4

1094

Anticipation Eft Number	Zone	Land Use	M. of Town	Area	Avg. Eft	%
1 - 255	Conventional Residential	Dwelling House	255	14,000	540	23%
256	Community	Clubhouse & Amenity Uses	1	1,000	36	3%
257 - 269	Private Open Space	Private Open Space	13	7,250	12%	12%
270	Private Open Space	Private Road	1	5,500	9%	9%
271 - 273	Utility Services	Public Road & Authority Use	3	10,970	18%	18%
274	Agriculture and Rural	Agriculture & Guest House	1	20,500	34%	34%
Total			274	60,250	949	100%

1307/3

AUTHORISED EMPLOYEE/MPT

20/6/2023

13

First Floor - 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th

37 Deep Street - 2nd Floor 7600
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Longlands Manor

Proposed Subdivision

Plan no.: 4B

Date: 03/03/2020

Scale: 1:2500(A3)

Drawn: WH

Checked: CH

Project Description: Eft 1, Longlands

Cadastral Information obtained from Surveys and Mapping (ORDLR), Aerial Photography obtained on Google Earth.

* All areas and dimensions are approximate and should be verified by a professional land surveyor.

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ANNEXURE T

**REZONING, SUBDIVISION, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING AND
NUMBERING, ARCHITECTURAL GUIDELINES AND
HOME OWNERS ASSOCIATION'S CONSTITUTION:
ERF 1, LONGLANDS**

**HERITAGE IMPACT ASSESSMENT &
COMMENT FROM HWC**

Our Ref: HM/STELLENBOSCH/PTN A OF ERF 1
Case No.: 19100309AS1111M
Enquiries: Andrew September
E-mail: andrew.september@westerncape.gov.za
Tel 021 483 9543
Date: 19 December 2019

Lize Malan
PO Box 3421
Matieland
7602



FINAL COMMENT
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

HERITAGE IMPACT ASSESSMENT: PROPOSED RESIDENTIAL DEVELOPMENT ON PORTION A OF THE ERF 1, LONGLANDS ESTATE, STELLENBOSCH, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 19100309AS1111M

The matter above has reference. Heritage Western Cape is in receipt of your application. This matter was discussed at the Impact Assessment Committee (IACOM) held on 4TH December 2019.

FINAL COMMENT

The report satisfies the requirements of Section 38(3) of the NHRA.

From a heritage perspective, the development is accepted, subject to the following conditions:

1. A detailed landscaping plan that reflects the heritage indicators set out in Section 8 of the HIA report must be submitted. It is particularly important that trees of an adequate height are planted from the onset to reduce potential visual impacts – thus tree heights must be specified in the landscaping plan. The landscaping plan must be submitted to the Stellenbosch Municipality for approval who may request modelling of the development to ensure that visual impacts are adequately mitigated.
2. Architectural guidelines for the whole development to realize the intentions of the urban design framework and the heritage indicators set out in section 8 of the HIA report must be formulated. The following aspects must be addressed:
 - a) Roof shape and colour with use of pitched roofs and overhanging eaves
 - b) Height restriction to a maximum of 2 storeys
 - c) Massing – monolithic building masses are to be avoided in favour of fragmented massing, including the use of lean-to's and pitched roofs.
 - d) Finishes of buildings, using plaster and paint in neutral earth tones (no white), concrete or stone, with restricted or prohibited use of metal cladding.
 - e) Openings with restrictions on large reflecting surfaces, and shading of openings, particularly to the east.
 - f) Lighting, services, security features and signage to be low key and/or not visible as may be appropriate (refer to indicators)
 - g) Fencing – use of visually permeable fencing on perimeter and throughout development.

These guidelines are to be to the approval of the Stellenbosch Municipality (Heritage Resources Management).

If any unexpected archaeological or palaeontological material or evidence of burials is discovered during earth-moving activities all works must be stopped and Heritage Western Cape must be notified immediately.

Applicants are strongly advised to review and adhere to the time limits contained the Standard Operational Procedure (SOP) between DEADP and HWC. The SOP can be found using the following link <http://www.hwc.org.za/node/293>

www.westerncape.gov.za/cas

Street Address

Tel

E-mail

Postal Address

Straatadres

Tel

E-pos

Posadres

Idifesi yendawo

Idifesi yendawo

Our Ref: HM/STELLENBOSCH/PTN A OF ERF 1
Case No.: 19100309AS1111M
Enquiries: Andrew September
E-mail: andrew.september@westerncape.gov.za
Tel 021 483 9543
Date: 19 December 2019



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.

Yours faithfully

.....
Dr Mxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas

Street Address	Postal Address
Tel	E-mail
Straatadres	Posadres
Tel	E-pos
Idilesi yendawo	Idilesi yeposi

ANNEXURE U

**REZONING, SUBDIVISION, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING AND
NUMBERING, ARCHITECTURAL GUIDELINES AND
HOME OWNERS ASSOCIATION'S CONSTITUTION:
ERF 1, LONGLANDS**

DESIGN GUIDELINES



LONGLANDS

ESTATE

DESIGN GUIDELINES

URBAN CONCEPTS

MARCH 2020

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1 INTRODUCTION

*The following guidelines are subject to change during the Site Development Plan (SDP) design process.

1.1 Development Description

The site is located 41km outside of Cape Town and 8.5km from the town of Stellenbosch. It is accessed from Polkadraai road and is surrounded by agricultural land and housing estates.

The residences are lined with green belts to maximise scenic views and capitalise on access to green recreational space. The precincts accommodate approximately 250 erven ranging from 300sqm to 1100sqm. Internally, each pocket comprises of a smaller landscaped courtyard to accommodate visitors parking and recreational areas.

1.2 Design Controls Outline

The Urban & Architectural Design Controls (UADC) for Longlands Estate have been developed to control the nature and aesthetics of development, and to ensure the protection, improvement and enhancement of this unique setting with the Stellenbosch region. The guidelines will formulate certain spatial principles for the individual purchaser to respond to.

The Controls will assist to ensure the following:

- the celebration of the unique views to the Simonsberg and Jonkershoek Mountains
- the protection of the visual and natural attributes of the site, most notably the vineyards and protected tree avenue
- the control of the aesthetic aspect of the development to limit the visual impact of the residences

The Urban & Architectural Design Controls (UADC) consists of a number of diagrams to illustrate the interrelation between individual residential sites, and the interrelation between the sites and the green corridors and open spaces.

Section Two of the document will focus on the Urban Design parameters for the development and will describe the basic form controls applicable to different areas within the development.

The controls aim to emphasise and retain the farm character of Longlands Estate and to avoid a typical suburban residential image.

Section Three deals with architectural controls. These controls are intended to provide continuity of the aesthetic for the development; and integration of built form and landscape by introducing natural materials, green roofs and sustainable building methods.

1.3 Definitions

Urban & architectural design review committee (ARC)

The committee formed by the Urban Design & Architectural practice and the LEHQA representative. The role of the committee is to review and approve all design proposals.

Urban & architectural design controls (UADC)

The legal document to control the nature and aesthetics of development, to ensure the protection, improvement and enhancement of the natural environment.

Balcony

A floor projecting outside a building at a level higher than ground floor level, enclosed only by low walls or railings or by the walls of adjacent rooms, and includes a roof, if any, over such floor or any pillars supporting the roof.

Basement

Any portion of a dwelling generally below natural ground level - no portion of a basement (measured to the finished floor level above the basement) may project more than 1.5m above natural ground level. A basement may not have an average height of more than 1m above natural ground level (measured to finished floor level above). A basement level is not considered as a building storey for the purposes of height restrictions but is included in the calculation of physical height above natural ground level where applicable.

Building footprint

In relation to a dwelling house means the maximum area covered by any floor of the dwelling (whether or not useable), as measured from the outer face of the exterior walls or similar supports of such dwelling, provided that:

- a) where the dwelling consists of more than one storey, total footprint shall be the maximum extent of the floor space of all storeys, but not the sum of all floors; and
- b) for the purposes of measuring maximum Building Footprint, garages, storage, boathouses or other free-standing enclosed structures shall be included
- c) Balconies, decks, terraces and verandas shall be excluded.
- d) Basements extending beyond the footprint of structures above ground, and completely below natural ground level shall be excluded from maximum building footprint.

Deck

A timber external floor area, which is raised off the ground level on posts and projects out beyond the building perimeter and includes any railings enclosing it. It does not refer to balconies at the first floor level of a dwelling. If a deck is built on a solid base, restrictions applicable to verandas apply.

Construction phase environmental management plan (CEMP)

Describes how controls are to be carried out on site and describes mitigation measures in detail, and is prescriptive, identifying specific individuals or organisations responsible for undertaking specific tasks to ensure that impacts on the environment are minimised during construction.

Finished floor level (FFL)

Maximum final level of floor finishes. For the purpose of height restriction calculations, the 'worst' or highest point is used. Where FFL is stepped, height restrictions above natural ground level must be met for each individual platform or level.

Finished ground level (FGL)

Refers to the final surface level after construction and landscaping and could be hard landscaped surface level or soil level.

Garage

A building used for vehicles and storage and not a “habitable” room.

Garden terrace

A level or platform created through either cutting or fill, which is not directly attached to the main building elements. Garden terraces refer to areas surfaced with hard or soft landscaping.

Loft

A space within the envelope of the roof structure. A maximum of 25% of floor area will apply. A wall plate height restriction of 1.5m above finished floor level of the loft space will apply.

A loft will be defined as a space within the envelope of the roof structure; generally conforming to the mezzanine storey restrictions (Maximum of 25% of the proposed house floor area may be used). A wall plate height restriction of 1.5m above the finished floor level of the loft space will apply.

Major forms

Refer to the main building elements housing habitable rooms and includes bedrooms, living areas, kitchens, lounges, dining areas, offices, gyms etcetera.

Minor forms

Refer to building elements attached to the main building forms and include linking elements between major plan forms. Minor forms include roofed verandahs, but not pergolas and similar.

Natural ground level (NGL)

Means the ground level as at the date of transfer to the original purchaser. Preliminary surveyed contours of each site will be provided with each site diagram and will serve as a guide. Each site is to be surveyed in detail prior to commencement of earth works. The detail survey is to be attached to building plans submission to the ARC and will serve as the base information to measuring height above natural ground level.

Overlooking features

Refer to features (excluding ground floor areas) allowing views over the adjoining residential properties. This includes first floor windows, balconies and terraces.

Site diagrams (If required)

Means the diagram of any specific individual site, describing the site boundaries, and any other restrictions imposed on the site. The information on the diagram will be legally binding.

Roof Terrace

A floor area created on a flat roof over a portion of a storey of a building resulting from the setting back of a portion of the building above such a storey.

Veranda

Projecting floor area or a covered area outside and immediately adjoining a building at ground floor level and includes both the floor and the roof covering it as well as any low walls or railings enclosing it.

2 URBAN DESIGN CONTROLS

2.1 Introduction

The Urban Design Controls deal with the interrelation of building form and the relation to its surrounds.

Building form is controlled through a number of measures; the fragmentation of plan form to mitigate visual impact, setbacks, building element proportions, roof form and building heights.

Fragmentation of building forms is employed to minimise the visual impact of the development and to ensure the protection of views from surrounding sites.

Major plan forms refer to the main enclosed habitable areas and garages. Minor plan forms refer to elements that link or are attached to major plan forms such as enclosed buildings between major plan forms, a roof, roofed verandas and other elements.

2.2 Residential Precincts

Longlands Manor is partitioned into two residential precincts; each applying a different set of urban design guidelines according to setbacks, building form, building heights and interfaces. The precincts are developed so as to guide the design of residences which encompass varying characteristics in terms of slope, size and layout and for which more applicable guides are necessary.

The residences are separated into the Western Precinct and Eastern Precinct as shown in the diagram below.

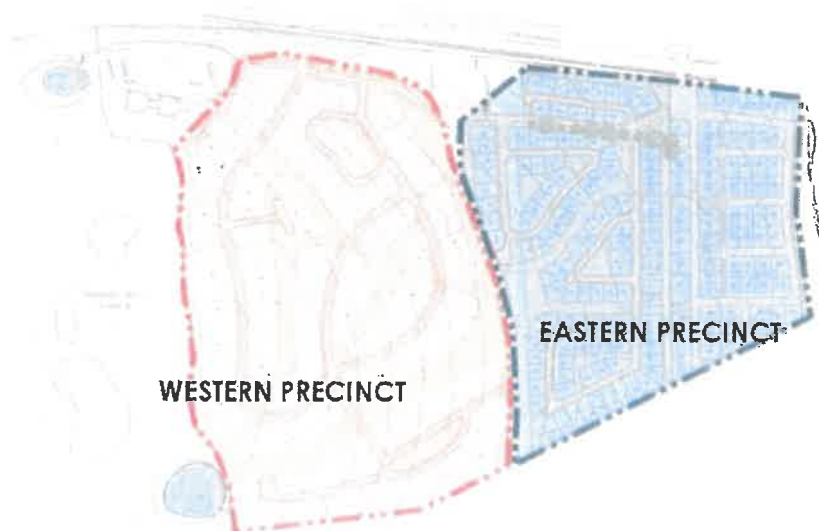


Fig 2.2.1 East and West Residential Precincts

2.3 Western Precinct

2.3.1 Building element proportions

Building forms to be rectilinear with a maximum width of 6.5m and minimum width of 5.5m. The length to be at least 1:2 (w:l) proportion with a maximum length of 15m.

Minor building form to be a maximum of two-thirds of the major building form directly adjacent to it, should the form extend more than a half the length of the major form.

If minor forms create a link between major forms, max width to be 6.5m. No maximum length between major forms

Garages:

- Garage forms as part of a major form encouraged, but will be subject to additional restrictions.
- Garages not conforming to major form controls to adhere to flat roof controls, and can be linked to a major form via a minor form. Proportion of 2:3 required.

2.3.2 Building Setbacks

Shared boundaries:

- A 2.5m building line shall apply and a 4m building line where overlooking features occur

Front boundaries (onto green):

- A setback of 4m applies for major forms
- A 2m setback applies for minor forms

Street boundaries:

- A 3m building line applies

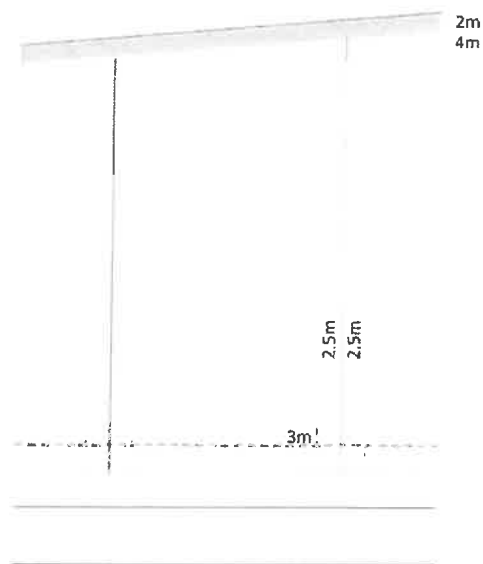


Fig.2.3.1 West Precinct Building Setbacks from Erf Boundaries

Garages:

- If the garage access is not directly from the street, but at 90°, the building line for the building is 0m.
- Garage access directly off the street – a 5m building line applies.

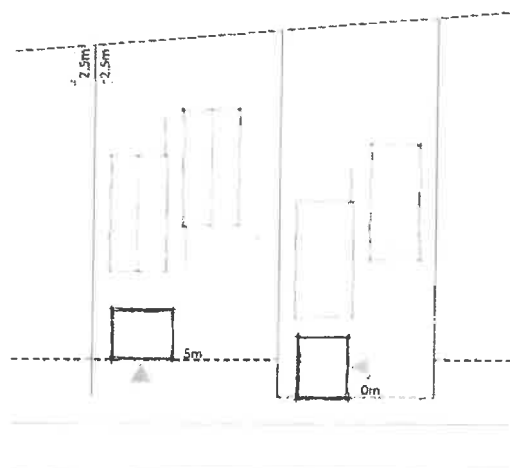


Fig.2.3.2 West Precinct Garage Setbacks

2.3.3 Roof Form

Pitched roofs, as well as green roofs are permitted within the estate. Major plan forms are to be roofed individually and can be linked with flat roofs or other connecting elements such as glass structures. *(Note: all pitched roofs are to be of the same material, colour and pitch).*

Major roof forms:

- Symmetrical double pitched roofs with a pitch between 35° - 40°
- Mono-pitched roofs between 7.5 & 12.5°. Each site restricted to one mono-pitched roof. Any other major forms to be flat roofs.
- Flat roofs permitted (min 75% to be covered with natural planting)

Minor roof forms:

- Lean-to's to be at a pitch between 5 to 15°
- Flat roofs (0 – 5° pitch)

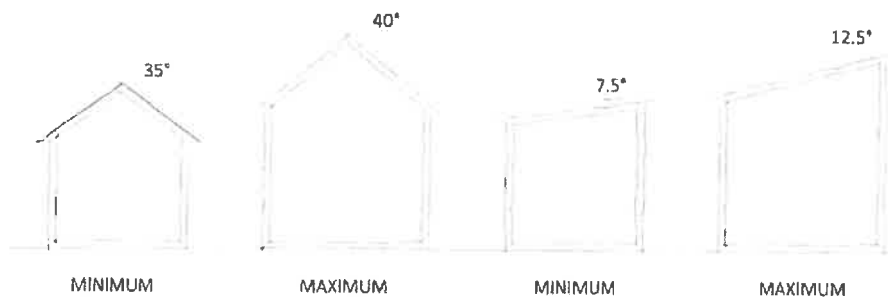


Fig.2.3.3 West Precinct Roof Profiles

2.3.4 Building Height Restrictions

This section includes number of storeys permitted, maximum height of the roof above finished floor level (FFL). Terracing or berming of the ground level should be used to minimise visual impact of vertical retaining.

Maximum roof height is based on a maximum height above ground floor FFL. This height restriction applies to all roof elements including parapet walls, etc.

Chimneys, cowl and flues are the only elements that may exceed the maximum height. Placement of these elements will be subject to approval from the ARC. Refer to point X of Annexure 2: External Finishes Specifications.

Permissible maximum heights:

MAJOR FORMS	Single	Double
DOUBLE PITCH	6.5m	8.5m
MONO PITCH :	6.0m	8.0m
GREEN ROOF	4.5m	n.a

Finished ground level FGL (interior and exterior) not to exceed 900mm above natural ground level (NGL). Add cut restrictions

Height of all minor forms to be minimum of 350mm below eaves level of major form adjacent to the minor form.

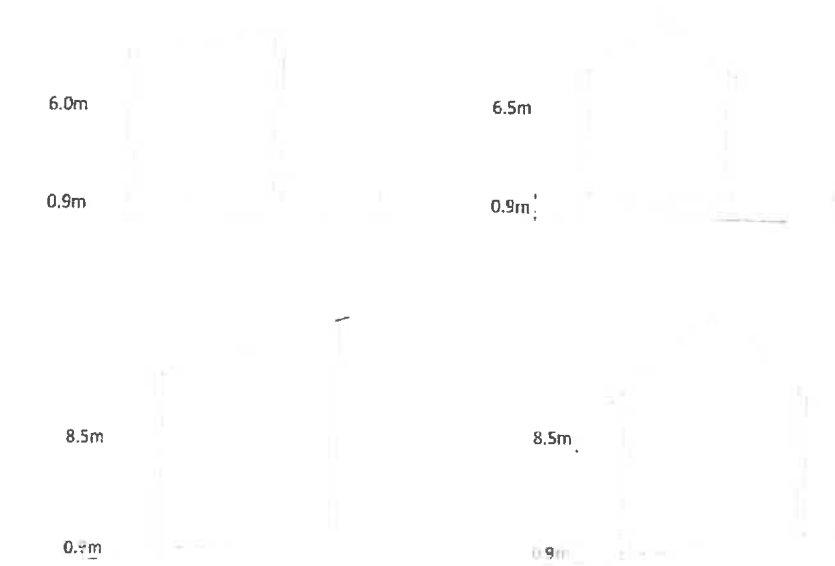


Fig.2.3.4 West Precinct Maximum Permissible Building Height

2.3.5 Site Levels and Terracing

Garden terracing height restriction is specified according to maximum height above natural ground level.

A maximum terrace height of 1.2m above NGL will be allowed.

Each retaining structure needs to be setback by at least three times the distance before the next terrace

2.3.6 Interface Controls (and boundary treatment)

This section of the document controls the nature and permeability of the interface between erven and the green lungs.

Levels and heights:

- The finished ground level (FGL) to be maximum of 900mm above NGL at the site boundary. All earthworks (including foundations) to be restricted to erf boundary line.

Street boundaries:

- Low walls max 900mm from FGL permitted on 0m building line.
- All boundary walls (1.5m or 1.8m) to be setback min 4m from street boundary and must be set back beyond major building forms. No continuous street boundary treatment permitted.

Shared boundaries:

- All boundary walls max 1.8m from FFL and max 2.2m from NGL.
- Top of walls to be horizontal, therefore walls cannot be parallel to slope.

Green lung boundaries:

Primary and secondary green lungs have been identified (see figure 2.3.5).



Primary green lung boundaries

- Max height of boundary treatment to be 1.5m from FGL.
- Maximum 40% of boundary to be at 1.5m height, remainder to be at maximum 900mm.
- The entire boundary treatment can be at 1.5m but the remaining 60% or more to be at a 4m setback.
- Max 40% solid wall at 1.5m; 100% solid wall permitted at 900mm or lower
- Palisade fencing (as per specifications) permitted

Secondary green lung interface on boundary

- Max height of boundary treatment 1.5m from FG
- Maximum 60% of boundary to be at 1.5m height, remainder to be at 1.2m.
- The entire boundary treatment can be at 1.5m but the remaining 40% or more to be at a 2m setback.
- Max 40% solid wall at 1.5m; 100% solid wall permitted at 900mm or lower
- Palisade fencing (as per specifications) permitted

Direct access from erven to green lungs via a gate or open access encouraged.

2.4 Eastern Precinct

2.4.1 Building element proportions

Building forms to be rectilinear with a maximum width of 6.0m and minimum width of 5.5m. The length to be at least 1:2 (w:l)

Minor building form to be a maximum of two-thirds of the major building form directly adjacent to it, should the form extend more than a half the length of the major form.

If minor forms create a link between major forms, max width to be 5m. No maximum length between major forms.

Garages:

- Garage forms as part of a major form encouraged and will be subject to additional restrictions (second storey in particular).
- Garages not conforming to major form controls to adhere to flat roof controls and can be linked to a major form via a minor form.

2.4.2 Building Setbacks

Site boundaries:

- A 1.5m building line shall apply and a 3m building line where overlooking features occur

Street boundaries:

- A 2.5m building line applies to major forms.

Front boundaries (onto green):

- A setback of 4m applies for major forms
- A 2m setback applies for minor forms

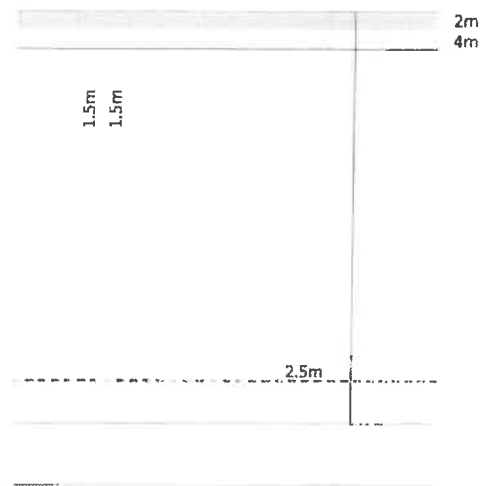


Fig.2.4.1 East Precinct Building Setbacks from Erf Boundaries

2.4.3 Roof Form

Pitched roofs, as well as green roofs are permitted within the estate. Major plan forms are to be roofed individually and can be linked with flat roofs or other connecting elements such as glass structures. *(Note: all pitched roofs are to be of the same material, colour and pitch).*

Major roof forms:

- Symmetrical double pitched roofs with a pitch between 35° & 40°
- Mono-pitched roofs between 7.5 & 12.5°. Each site restricted to one mono-pitched roof. Any other major forms to be flat roofs.
- Flat roofs permitted (min 75% to be covered with natural planting) (MAYBE ONLY GARAGES FLAT?)

Minor roof forms:

- Lean-to's to be at a pitch between 5 to 12.5°
- Flat roofs (0 – 5° pitch)

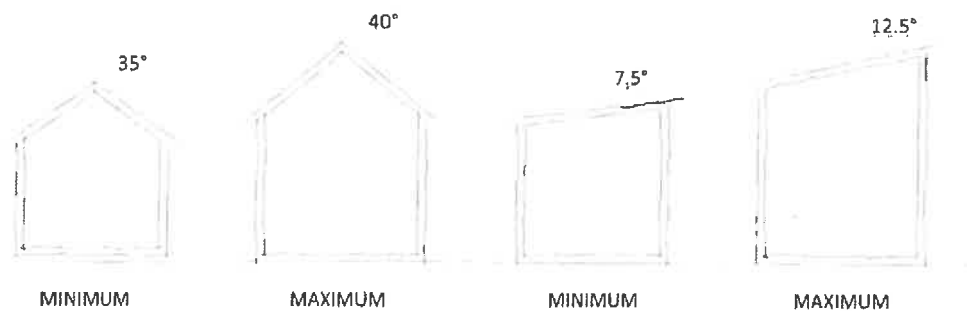


Fig.2.4.2 East Precinct-Roof Profiles

2.4.4 Building Height Restrictions

This section includes number of storeys permitted, maximum height of the roof above finished floor level (FFL). Terracing or berming of the ground level should be used to minimise visual impact of vertical retaining.

Maximum roof height is based on a maximum height above ground floor FFL. This height restriction applies to all roof elements including parapet walls, etc.

Chimneys, cowls and flues are the only elements that may exceed the maximum height. Placement of these elements will be subject to approval from the ARC. Refer to point X of Annexure 2: External Finishes Specifications.

Permissible heights: *To be tested*

MAJOR FORMS	Single	Double
DOUBLE PITCH	6.0m	8.0m
MONO-PITCH :	6.0m	8.0m
GREEN ROOF	4.0m	n.a (tbc)

Finished ground level FGL (interior and exterior) not to exceed 0.9m above natural ground level (NGL).

Height of all minor forms to be minimum of 350mm below eaves level of major form adjacent to the minor form.

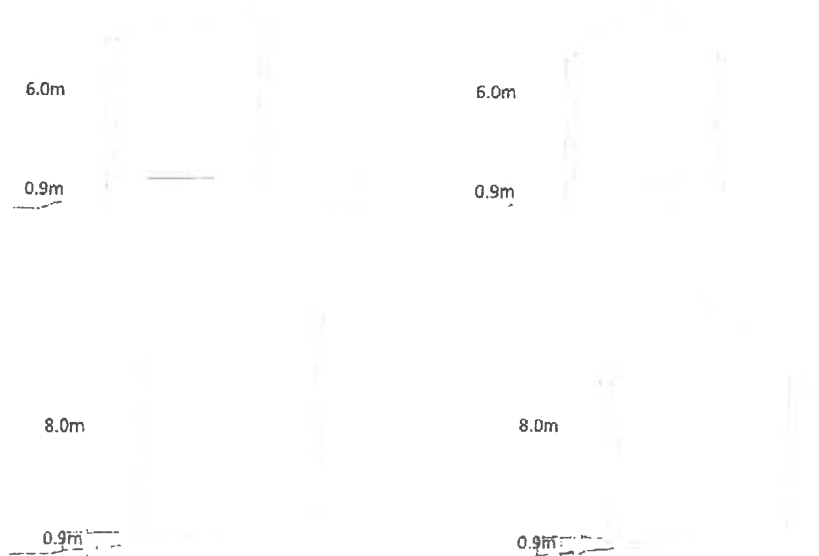


Fig.2.4.3 East Precinct Maximum Permissible Building Height

2.4.5 Site Levels and Terracing

Garden terracing height restriction is specified according to maximum height above natural ground level.

A maximum terrace height of 900mm above NGL will be allowed.

Each retaining structure needs to be setback by at least three times the distance before the next terrace (see diagram).

2.4.6 Interface Controls (and boundary treatment)

This section of the document controls the nature and permeability of the interface between erven and the green lungs.

Levels and heights:

- The finished ground level (FGL) to be maximum of 900mm above NGL at the site boundary. All earthworks (including foundations) to be restricted to erf boundary line.

Street boundaries:

- Low walls max 900mm from FGL permitted on 0m building line
- All boundary walls (1.5m or 1.8m) to be setback min 4m from street boundary and must be set back beyond major building forms. No continuous street boundary treatment permitted.

Shared boundaries:

- All boundary walls max 1.8m from FFL and max 2.2m from NGL.

Green lung boundaries:

Primary and secondary green lungs have been identified (see figure 2.4.4)



Fig.2.4.4 Primary and Secondary Green Lungs

GREEN LUNGS FOR BOTH PRECINCTS TO BE TESTED

Primary green lung boundaries

- Max height of boundary treatment to be 1.5m from FGL.
- Maximum 40% of boundary to be at 1.5m height, remainder to be at maximum 900mm.
- The entire boundary treatment can be at 1.5m but the remaining 60% or more to be at a 4m setback.
- Max 40% solid wall at 1.5m; 100% solid wall permitted at 900mm or lower
- Palisade fencing (as per specifications) permitted

Secondary green lung interface on boundary

- Max height of boundary treatment 1.5m from FGL.
- Maximum 60% of boundary to be at 1.5m height, remainder to be at 1.2m.
- The entire boundary treatment can be at 1.5m but the remaining 40% or more to be at a 2m setback.
- Max 40% solid wall at 1.5m; 100% solid wall permitted at 900mm or lower
- Palisade fencing (as per specifications) permitted

Direct access from erven to green lungs via a gate or open access encouraged.

3 ARCHITECTURAL CONTROLS

The architectural controls describe the treatment of external walls of the houses, roof shapes, doors and windows and other architectural elements. It also addresses a palette of finishes for the various types. Please see specifications annexure x

3.1 Doors & windows

Large expanses of glass are permitted to optimise views

Garage doors to be horizontal slat type in timber, aluminium or steel

Sliding, or sliding and stacking timber shutters encouraged to shield the late afternoon sun

Bay windows, dormer windows or other forms of windows proud of the main building elements to be rectangular in form. See 3.8 for roof windows.

Materials for doors and windows:

- Natural timber (no ornate or carved design)
- Painted timber (no ornate or carved design) according to approved palette
- Epoxy coated aluminium
- Aluminium or timber horizontal slatted garage

3.2 Roofs

The roof structure to have a contemporary, less robust structure and design.

Large overhangs are encouraged to protect against the late afternoon sun

Major roof forms materials permitted:

- Corrugated steel or “S” profile IBR
- Materials such as copper, or other natural stone tiles subject to LEHOA approval
- Flat roofs (minimum 75% green roof, rest to be natural stonechip or decking material)
- Natural cut slate (black/grey).

Minor roof forms:

- Lean-to roofs to match material of major roof forms
- Flat roofs (concrete linking elements) are to be finished in natural stone chip and or planting.

3.3 External walls & chimneys

Walls to be constructed of brickwork, alternative material approved by the LCNON.

Plastered brickwork

No facebrick will be permitted

Colour palette

- White and light tone natural colours
- Limited stonework (20% of facade) to materials palette specification
- Limited palette of natural accent colours (10% of facade)

Please refer to the full colour and materials specifications list in Annexure A - Exterior finishes.

Specifications

The chimneys can exceed the height restrictions imposed on the main building elements. These can either form part of the gable end walls or be free-standing within the roof space.



3.4 Shutters

Natural timber or aluminium

3.5 Decks and pergolas

Decks to be natural timber of similar approved.

Supports may be of the following types:

- Timber posts (double or single)
- Steel posts
- Plastered masonry or natural stone piers

Pergolas to be a combination of wood and steel. Colours to match doors and windows. Design of pergola to be approved by the ARC.

Retractable awnings may be installed under Pergolas. Canvas is to be a uniform colour, with the selected estate colour palette (no stripes; no bright colours will be allowed).

3.6 Balustrades

Timber and/or steel or glass

No Victorian cast iron “broekie lace”, Period imitations or any Ornate design permitted

3.7 Balconies

Balconies will only be allowed on the side of dwellings facing onto the green lungs. The ARC will consider cases where it can be shown that the privacy of the neighbours is not affected. In all cases, the architect should ensure that the position of the balcony does not jeopardise the neighbour’s privacy (refer to overlooking feature definition in section 4 of this document).

3.8 Roof lights and roof windows

Roof lights and roof windows are to be set into the plane of the roof. Max size 780mm x 1400mm, Velux or similar approved by the ARC.

Dormer windows will be allowed but need to conform to additional restrictions.

No “bubble” windows or barrel-vaulted windows will be allowed unless fully concealed behind a parapet wall.

3.9 Pool fences

Pool security, walls and fences are to comply with the general walling guidelines. See additional documentation in future annexures.

The landscaping proposal to be approved by the landscape review consultant.

3.10 Boundary walls, fences & retaining walls

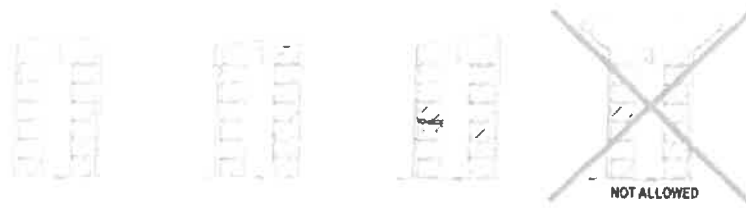
Boundary walls to be constructed of masonry, and all fence options must be a contemporary style and options will be stipulated in Annexure 2.

Retaining walls to be constructed of stone gabions, natural stone or masonry walls.

3.11 Werf walls

The homeowner is encouraged to use ‘werf’ walls (robust garden walls with max height of 1m) to define courtyard garden spaces. Such werf walls can define the edges of entrance ways and erf boundaries where not high fence or wall is required.

Plastered brickwork, limited natural stone and robust walls with niches are encouraged.



3.12 Wine cellars

Wine cellars are encouraged to be part of the design of the dwellings. Any air conditioner plant and equipment for the wine cellar must be positioned out of sight, preferably in a yard. The noise levels of the plant should be controlled.

3.13 Carports, open parking & vehicular access

The owner is obliged to construct a 3.5 m wide driveway in accordance with the standard detail and specification.

The position of driveways must be indicated on the plans submitted for review. A minimum of two visitors parking bays and two resident's bays are to be provided on site. No parking is permitted in the roadway.

Carports may be erected over the parking bays and will be subject to the approval of the ARC. Carports to be constructed from timber or timber and steel. The carport should be integrated with the architectural language of the dwelling. Metal pipe-frame carports with shade-cloth coverings are not permitted.

The finish on the driveways shall be controlled. See additional documentation in future annexures.

Materials for driveways:

- In-situ exposed aggregate concrete, or smooth concrete with stone-chip
- Pavers

3.14 Utility services

Laundry, refuse and gas bottle storage should remain fully concealed within yards. Walls to create these yards to be limited to a maximum of 1.8m at the highest point from external natural or finished ground level, whichever is more restrictive.

3.15 Stormwater controls

Stormwater runoff is to be controlled in order to avoid soil erosion. All details of storm water disposal including paving and landscaping are to be clearly stated in the building plans.

Where gutters are not used, storm water runoff must be dealt with in an alternative manner.

3.16 Rainwater goods & waste pipes

Rainwater goods (gutter and down pipes) to be aluminium or pre-coated galvanised mild steel.

All drainage pipes except for low-level stub stacks or gutters are to be concealed within walls, unless located within enclosed courtyards.

3.17 Security elements

Externally mounted burglar bars and security gates will not be permitted.

All other designs for security purposes are subject to review by the ARC.

Security gates on doors to be of an approved design. No "Trellidoor" or other expanding metal security door will be allowed externally

3.18 Fire precautions

Each owner should familiarise themselves with the position of hydrants and hose reels on the site and with any rules and procedures laid down by the LHOA.

The flues of Fireplaces are to be fitted with brass mesh (or other spark arresting device), to prevent sparks escaping.

3.19 Tv aerials & satellite dishes

T.V. aerials and Satellite dishes are permitted on the individual erven, providing that they are sensitively placed, in order to be screened from general view.

3.20 Air conditioning plants

Air conditioner plant and equipment must be screened from view. Landscaped screening will be considered in specific circumstances.

No noisy plant will be permitted

3.21 Swimming pools

Backwash from the filter is to be dealt with in accordance with Stellenbosch Local Authority regulations and must be connected to the sewer outlet system.

Swimming pool pumps must be screened from view. The position of the pump is subject to approval by the ARC.

Standard NBR access protection requirements are applicable; swimming pool fence design and position need to be approved by the ARC.

3.22 External lighting

External lighting must be low level and unobtrusive.

Lighting is to be provided by the owner at the vehicle entrance to property

3.23 Solar heating

Solar water heating and solar panels are to be panelling, no exposed piping will be allowed. All connections are to be hidden by the panels. The panels are to be in the plane of the roof, at the same pitch as the roof. Panels may not protrude above the roof by more than 200mm, and must be placed rectilinear to the roof.

If panels are to be installed at a pitch other than that of the main roofs, they must be placed on the secondary roof, hidden behind a parapet, and still rectilinear to the roof that they are positioned on.

No geysers or storage tanks are to be external to the roof. Only heat exchange systems are allowed in this position.

Pool heating no exposed piping other than on flat sections of the roof, hidden by a parapet.

3.24 External structures

The following structures will be discouraged within this estate:

(Special application will have to be made for approval by the LEARC)

- Gazebos
- Jungle gyms
- Wendy houses
- Greenhouses
- Other above ground structures

ANNEXURE M

**REZONING, SUBDIVISION, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING AND
NUMBERING, ARCHITECTURAL GUIDELINES AND
HOME OWNERS ASSOCIATION'S CONSTITUTION:
ERF 1, LONGLANDS**

**COMMENT FROM THE DEPARTMENT
OF TRANSPORT AND PUBLIC WORKS**



Western Cape
Government

TRANSPORT & PUBLIC WORKS: ROADS
Chief Directorate: Road Planning
Email: grace.swanepoel@westerncape.gov.za
Tel: +27 21 483 4669
Room 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-25/339 (Job 27323)
ENQUIRIES: Ms G Swanepoel
DATE: 31 May 2021

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

FILE NR:	
SCAN NR:	E I L L
COLLABORATOR NR:	708076

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES
03 JUN 2021
RECEIVED

Attention: Mr Ulrich von Molendorf

ERF 1 LONGLANDS: MAIN ROAD 177: APPLICATION FOR REZONING, SUBDIVISION, ETC

1. The following refer:
 - 1.1. The email from TV3 Projects 7 September 2020;
 - 1.2. The letter ICE/S/1248 from ICE Group containing the Traffic Impact Assessment dated 13 September 2019;
 - 1.3. The unreferenced and undated Planning Motivation Report prepared by TV3 Project;
 - 1.4. Stellenbosch Municipality approval, Application number: LU/7898, dated 4 December 2018 for the Longlands Low-Cost Housing (144 erven) and the Longlands 'Village' (70 erven) developments;
 - 1.5. The approved Amended Zoning and Subdivision Plan (Dwg: LONG1_SUBDIV_P-REV7.dwg) for Erf 1 and 3 Longlands, Stellenbosch dated 25 June 2018;
 - 1.6. Our letter 16/9/6/1-25/134 (Job 17949) dated 29 July 2016;
 - 1.7. Our letter 13/3/5/1-25/123 (Job 17949) dated 29 July October 2015;
 - 1.8. Our email (Job 17949) dated 25 September 2015; and
 - 1.9. The letter 60432096/Proj/Rep/Vlottenburg TIA_Add01 from AECOM to you dated 4 August 2015.
2. The application entails the development of 255 residential erven.
3. The following proclaimed roads for which this Branch is the Road Authority are affected:

- 3.1. Polkadraai Road (Main Road 177 or MR177);
- 3.2. Vlotenburg Road (Divisional Road 1065 or DR1065); and
- 3.3. Stellenboschkloof Road (Divisional Road 1067 or DR1067).
4. Your Department of Infrastructure Services agreed to divert Vlotenburg Road (MR177 $\pm$ km27.83) to the existing Stellenboschkloof Rd/Polkadraai Rd intersection (MR177 $\pm$ km27.98) after which the existing Vlotenburg Rd/Polkadraai Rd intersection can be closed before the new access to the Longlands Low-Cost Housing and Longlands 'Village' off Vlotenburg Road can be constructed/opened.
5. Erf 1 currently gains access off MR177 (Polkadraai Road) at $\pm$ km27.31 and a new access has been approved (refer to paragraph 1.5 above) at MR177 $\pm$ km27.18 halfway between existing main access to the Longlands Residential Estate (MR177 $\pm$ km26.35) and Stellenboschkloof Rd/Polkadraai Rd intersection (MR177 $\pm$ km27.98).
6. This Branch offers no objection to the application subject to the following conditions:
 - 6.1. The development is limited to 255 residential erven as per the Subdivision Plan (Plan No. A4) prepared by TV3 Projects dated 3 March 2020;
 - 6.2. The only access to Erf 1 must be off Polkadraai Road at the already approved new access at MR177 $\pm$ km27.18;
 - 6.3. Traffic signals at the new access off Polkadraai Road shall only be installed once warranted in terms of the South African Road Traffic Signs Manual (SARTSM) Vol. 3. Provision for service ducts for this purpose may be incorporated in the interim;
 - 6.4. The detail design of the approved new access at MR177 $\pm$ km27.18 as proposed in the TIA must be approved by the Chief Directorate Road Design at this Branch (Ms M Hofmeyr – 021 483 3999);
 - 6.5. Access control gates to Erf 1 must be at least 70m from the edge of Polkadraai Road with 2 lanes out and 2 lanes in plus a service access as proposed in the TIA;
 - 6.6. The 95m Building Restriction Line is relaxed up to 10m from the southern road reserve boundary of Polkadraai Road, and is only applicable over the length of the proposed development along Polkadraai Road;
 - 6.7. The existing farm access off Polkadraai Road at MR177 $\pm$ km27.31 must be closed permanently, and the road features reinstated (removal of access roadway, drainage pipe and gates, reinstate fence and affected road markings) to the satisfaction of the District Roads Engineer in Paarl (Mr Stewart Bain – 021 863 2020);
 - 6.8. The temporary construction access at MR177 $\pm$ km27.40 (opposite the existing Bonniemile access) must be closed permanently, the changed road markings reinstated, and the road features reinstated (removal of access roadway, drainage pipe and gates and reinstate fence and affected road markings) to the satisfaction of the District Roads Engineer in Paarl (Mr Stewart Bain – 021 863 2020);

- 6.9. Stellenbosch Municipality must provide prove that a consultant has been appointed for the detail design of the diversion of DR1065 (Vlottenburg Rd) to the Stellenboschkloof Rd/Polkadraai Rd intersection;
- 6.10. The detail design of the diversion of DR1065 (Vlottenburg Rd) must be approved by the Chief Directorate Road Design at this Branch (Ms Melanie Hofmeyr – 021 483 3999);
- 6.11. The closure of Vlottenburg Rd at the intersection with Polkadraai Road may only occur once Vlottenburg Rd has been realigned to connect with Polkadraai Rd opposite Stellenboschkloof Rd whereafter the new access to the Longlands Low-Cost Housing (144 erven) and the Longlands 'Village' (70 erven) developments may be constructed (refer to point 1 and 2 on Figure 5 of the letter 60432096/Proj/Rep/Vlottenburg TIA_Add01 prepared by AECOM dated 4 August 2015);
- 6.12. Access to Longlands 'Village' via the approved and registered temporary Right of Way Servitude over Erf 1 to the new access at MR177 ±km27.18 must be closed as soon as Vlottenburg Rd has been diverted to the Stellenboschkloof Rd/Polkadraai Rd intersection and access from Vlottenburg Rd is secured;
- 6.13. All the necessary right of way servitudes must be in place before Section 20, 21 and 28 of the Stellenbosch Municipal and Land Planning By-Law (2015) clearance are issued for the proposed development;
- 6.14. The statutory 5m building line must be reserved for all the proclaimed roads affected by the approval of the diversion of these roads; and
- 6.15. Please note that this Branch has not budgeted for any road works to be conducted on MR177 (Polkadraai Rd) past the proposed development or for the realignment of DR1065 (Vlottenburg Rd).

Yours Sincerely


SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS

ENDORSEMENTS

1. Stellenbosch Municipality
2. Attention: Mr U von Molendorff (e-mail: ulrich.vonmolendorff@stellenbosch.gov.za)
Attention: Mr S Carstens (e-mail: stiaan.carstens@stellenbosch.gov.za)
Attention: Mr D Louw (e-mail: deon.louw@stellenbosch.gov.za)
Attention: Mr J Fullard (e-mail: johan.fullard@stellenbosch.gov.za)
3. Mr SW Carstens (e-mail)
4. Mr E Burger (e-mail)
5. Mr H Thompson (e-mail)
6. Mr B du Preez (e-mail)

ANNEXURE O

**REZONING, SUBDIVISION, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING AND
NUMBERING, ARCHITECTURAL GUIDELINES AND
HOME OWNERS ASSOCIATION'S CONSTITUTION:
ERF 1, LONGLANDS**

**COMMENT FROM THE MANAGER:
SPATIAL PLANNING**



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Spatial Planning, Heritage and Environment

To : Manager: Development Management
From : Manager: Spatial Planning
Reference : Erf 1 Longlands
Date : 26 September 2022
Re : Application for Rezoning and subdivision of Erf 1, Longlands

Your request for comment on the above application dated 17 February 2020 refers.

APPLICATION:

The application under consideration is for the rezoning and subdivision of Erf 1, Longlands Manor to develop a residential estate consisting of 255 single residential erven, internal private open spaces, private roads, and a clubhouse for the residents. Additionally, applications for the naming of the estate, street names and numbers, the constitution of the Homeowners Association, architectural guidelines, and the relaxation of the 95-meter street building line along the provincial road were also submitted.

PROPERTY DESCRIPTION:

The subject property is described in the Deed of Transfer No. T13250/2019 as Erf 1, Longlands. The property is 58.9845ha in extent. A title deed search was undertaken by the attorneys confirming that there are no title conditions that will restrict the proposed residential development on the subject property.

The current zoning of erf one is *Agriculture and Rural Zone* with an approval for a guest house (restricted to an area of 1000m² and six guest suites – based on the municipal approval of 22 January 2009). At present activities on the farm is restricted to agricultural use (vineyards) while much of it consist of fallow agricultural land.

The property is located on the M12 / Polkadraai Road in the Vlottenburg hamlet, ±5km west of Stellenbosch, as indicated on Figure 1 below.

Erf 1 is located within the rural node of Vlottenburg, an area with a mixed-use character. It is surrounded by residential developments (Longlands Country Estate, Digteby Estate, Bonniemile residential smallholdings, etc.), some commercial facilities (BP Service Station, Vlottenburg Kontant Winkel, etc.), tourist accommodation establishments (Lovan Boutique Wine Estate and Guest House, Bonniemile Mulberry House, Madajo Guest House, Cultivar Guest Lodge, etc.), wine tasting facilities and

restaurants (Neethlingshof, Overgaauw, Mulderbosch, Skilpadvlei, etc.) and agricultural land.

Figure 1 below shows the location of Erf 1 with respect to Vlottenburg and Bonniemile.

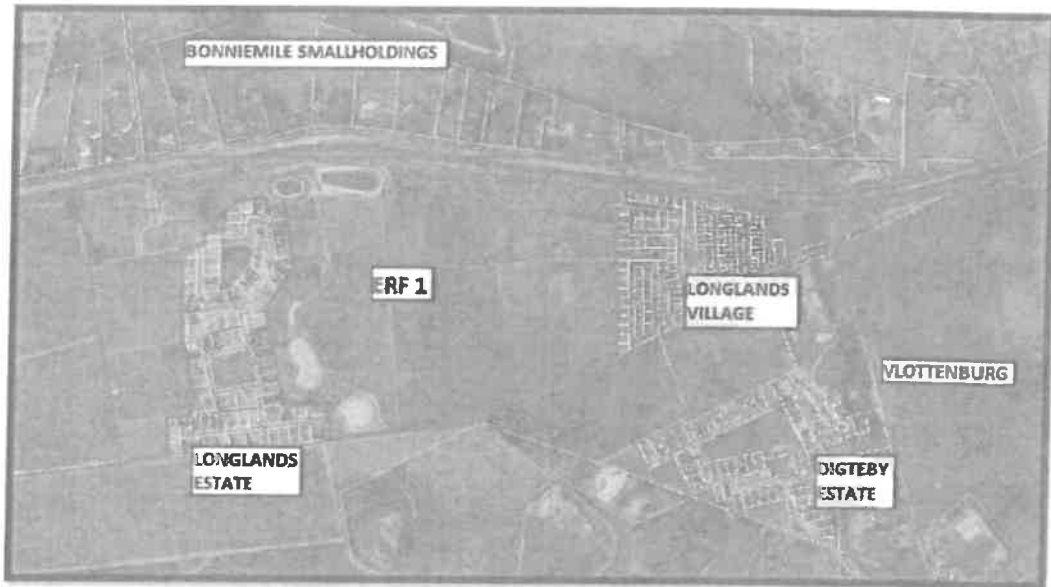


Fig 1. Location of Erf 1, Longlands

POLICY CONTEXT

Stellenbosch Municipal Spatial Development Framework (MSDF)

The MSDF was prepared recently and approved by Council in November 2019. A prerequisite for drafting a MSDF is that it must comply and include National and Provincial policy. The MSDF identified 7 principles to guide the spatial development of Stellenbosch and provides planning and design guidelines and principles to direct spatial form in the Stellenbosch Municipal Area. The principles include the following:

1. Maintain and grow natural assets.
2. Respect and grow cultural heritage.
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity
4. Clarify and respect the different roles and functions of settlements.
5. Clarify and respect the roles and functions of different elements of movement structure.
6. Ensure balanced, sustainable communities.
7. Focus collective energy on critical lead projects of which Klapmuts is one.

The MSDF as it relates to Erf 1 Longlands is shown in figure 2 below.

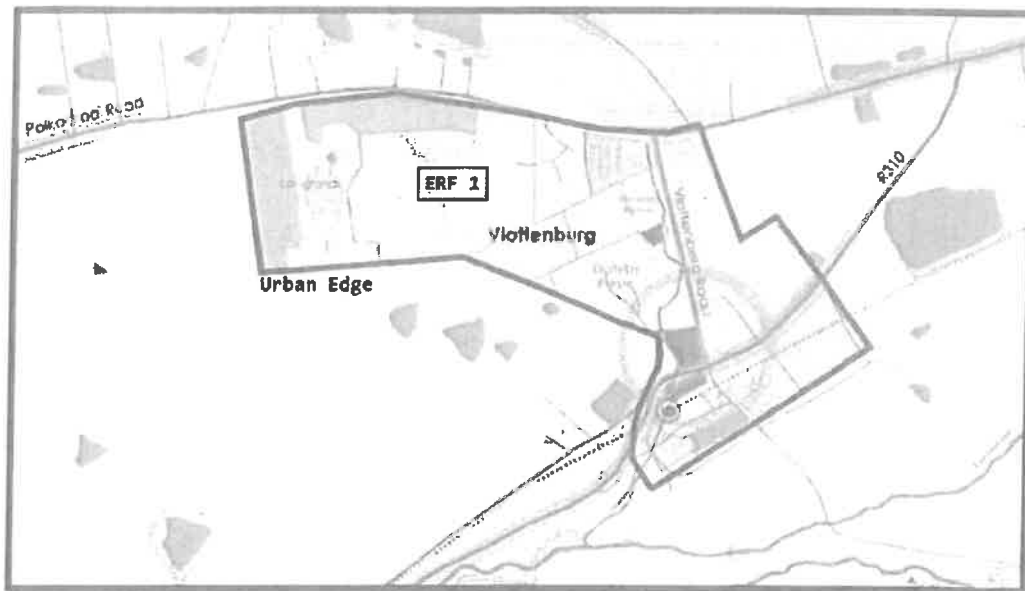


Fig 2. MSDF (Stellenbosch)

Also significant for the balanced development of Stellenbosch town, and retaining a compact town surrounded by nature and agriculture, is the development of the Baden Powell Drive-Adam Tas Road-R304 transit and development corridor, enabling public transport to and from Stellenbosch town, and alternative settlement opportunity, proximate to, but outside of Stellenbosch town. Critical will be the feasibility of changing the rail service along the Baden Powell Drive-Adam Tas-R304 corridor to a more frequent, flexible service better integrated into the urban realm.

Vlottenburg was identified in the MSDF as a “transit node” located along the railway line stretching from the City of Cape Town all the way to Klapmuts as indicated on Figure 3. Below.

The MSDF envisages that over the longer term, villages such as Vlottenburg, Spier, and Lynedoch all located along the Baden Powell-Adam Tas-R304 corridor could possibly accommodate more growth and be established as inclusive settlements offering a range of opportunities. However, these settlements are not prioritized for development at this stage in the MSDF particularly due to the underdevelopment of the public transport system. As a general principle, all development should be contained within the footprint of small settlements along Baden Powell Drive within the existing urban edge.

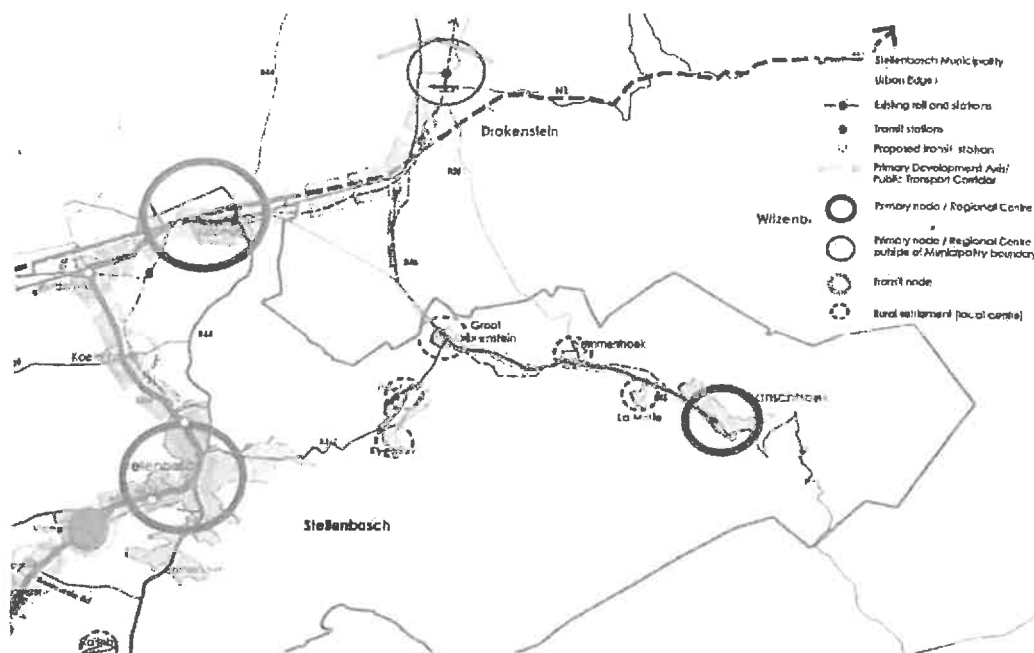


Fig.3 Vlotenburg

APPLICATION:

The proposed estate will consist of 255 single residential erven, internal private open spaces, private roads, and a clubhouse for the residents. The proposed residential development will be extensively landscaped to soften the estate's visual impact which will be particularly visible from the east. It is proposed that trees and shrubs will be planted to screen the buildings, while existing mature trees will be retained (as far as possible) and exterior lighting (i.e., street lighting) will be limited to mitigate the visual impact at night. A Master Landscape Plan for the proposed development was submitted for consideration.

An access point to the subject property and the approved Longlands Village residential estate (from the M12 / Polkadraai Road) has been determined by the Department of Transport and Public Works. The new access road and entrance with security structure was constructed recently. The proposed Longlands Manor residential estate will also use this access point and entrance / security structure as their main access, i.e., a new or separate access point will not be created for the Longlands Manor development.

The subject property has an existing perimeter security fence and for this reason no new boundary wall or fence will be erected for the proposed development.

DISCUSSION:

Erf 1, Longlands is situated within the urban edge of Vlotenburg as proposed by the MSDP. More particularly it is located within transport corridor linking Cape Town with Klapmuts.

The MSDF makes it very clear that this corridor is not a continuous corridor of development but provides for pockets of urban development at specific locations along the corridor. Vlottenburg is one such area due to existing development, the presence of a station and the M1 and Baden Powell provincial roads next to the hamlet. With the current dualling of Baden Powell Road, Vlottenburg will be even more accessible by private motor vehicle.

With the drafting of the MSDF in 2019 Erf 1 was specifically included within the urban edge to be able to develop the land primarily for residential development to "link" Longlands Country Estate (located to the east) with the existing hamlet of Vlottenburg. The proposal is to provide residential opportunities representing an "income gradient" between Longlands Country Estate and the existing Vlottenburg Hamlet by increasing the density and reducing the erf size and, in the process providing housing opportunity for a broader range of groups. In our opinion the proposed residential development on the subject property will constitute infill development of the areas between these existing and approved urban developments and will complete the infilling of the Vlottenburg hamlet.

It is noted that the development will be secured, and access control implemented, and that the development can be characterized as a gated development which is not favored in the MSDF. Security is however a factor that cannot be ignored and must be acknowledged particularly as Longlands Country Estate is already a gate estate.

It is questioned if the development in its current form will contribute directly to public transport and NMT as it is expected that residents will be dependent on private vehicles due to the lack of any significant commercial, social and employment opportunities and facilities in the immediate area.

The Heritage inventory has given a Grade III grading to the area due to its rural and scenic qualities. No heritage buildings are on the site. A Notice of Intent to Develop was submitted to Heritage Western Cape in terms of Section 38 of the Heritage Act.

When considering the impact of climate change It is important to consider exposure intervention designs over the longer term in greenfield developments within a peri-urban context such as Vlottenburg. The image in Figure 4 was derived from Land Surface Temperature-based urban heat island mapping and indicates that the greenfield site already experiences the maximum land surface temperature (LST) for the given year and accordingly it is recommended that heat mitigation response, tree-planting (greening), cool materials, and water-sensitive urban design (green infrastructure) should be investigated to limit the impact of the urban heat island effect on the natural environment. The built environment inevitably affects the natural environment, and it is critical to ensure that it does not have an adverse effect on the ecology. The importance of ecological systems should be acknowledged when planning and designing the layout and structure of the neighbourhood, and the local ecosystem should as far as possible be incorporated into the development. A new greenfield development should aim to integrate human habitats with nature, merging and working with nature to produce a net positive impact rather than merely reducing

negative impacts. Integrating ecosystems through layout planning and design builds the resilience of all communities.

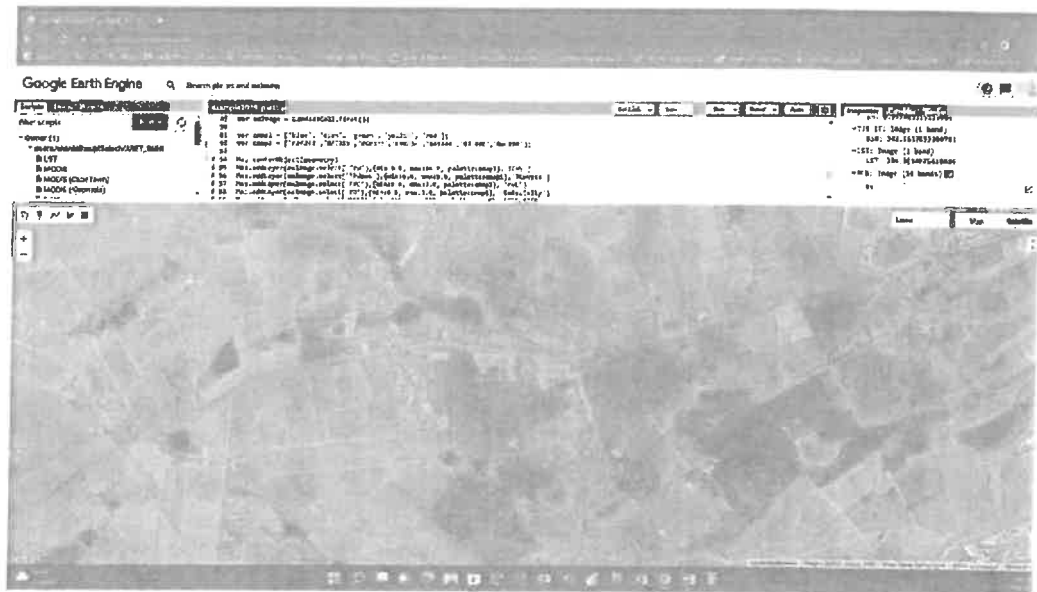


Fig.4 Land surface temperature

The proposed subdivision allows for ample green open space that can be landscaped to improve the aesthetic appeal of the estate but can also play a significant role in mitigating the effect of climate change particularly with respect to LST. It is thus recommended that the landscaping plan be enforced and that the planting of ample mature trees be required.

From an urban design perspective, the department is in support of the proposed development.

CONCLUSION

In conclusion, the proposed development is aligned with the MSDF as it relates to Vlotenburg and entails, in our opinion, infill development that will provide a transition from the upper end of the market (Longlands Country Estate) to the affordable housing component to the east. The proposed lay-out and urban design, together with the proposed architectural guidelines will allow for a well-designed and liveable environment in the rural area.

SUPPORTED / REFUSED

The application for rezoning and subdivision is supported as it conforms with the MSDF.

The following conditions should be considered:

1. The landscaping plan must be evaluated and approved by the municipality and must include the planting of sufficient mature trees to assist in mitigating extreme

temperature fluctuations and to reduce the visual impact particularly from the east.

2. All conditions listed in the HIA, and EIA must be made applicable.
3. The architectural guidelines are supported and made applicable to all.
4. All external lighting or illumination should be controlled in such a way as to minimize light pollutions at night to mitigate the vision impact of the estate during darkness.



BJG de la Bat
MANAGER: SPATIAL PLANNING

ANNEXURE P

**REZONING, SUBDIVISION, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING AND
NUMBERING, ARCHITECTURAL GUIDELINES AND
HOME OWNERS ASSOCIATION'S CONSTITUTION:
ERF 1, LONGLANDS**

**COMMENT FROM THE DIRECTOR:
ENGINEERING SERVICES**



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : The Director: Planning and Development

FOR ATTENTION : Nolusindiso Momoti

FROM : Director: Infrastructure Services

DATE : 5 July 2021

RE. : Erf 1: Longlands Manor: Application for the development of 225 residential erven

YOUR REF : LU/11470

OUR REF : 2020 CIVIL LU

Details, specifications and information reflected in the following documents refer:

- Motivation report by TV3, dated 2020/3/17;
- Proposed Subdivision, Plan No 4A, dated 03/03/2020 by TV3
- Transport Impact Assessment by ICE Group dated 13 September 2019;
- GLS water and sewer analysis report dated 20 February 2019;
- Report on Civil Engineering Services, by Lyners, dated September 2019;

These comments and conditions are based on the following proposed development parameters:

- Total Units: 255 residential erven
- Guest House GLA: 1000m² on erf 274 (as per par 2.3 of motivation report)
- Clubhouse GLA: 1410m² on erf 256 (as per Eng report Par 1)

Any development beyond these parameters would require a further approval and/or a recalculation of the Development Charges from this Directorate.

This document consists of the following sections:

A. Definitions

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

B. Recommendation to decision making authority

C. Specific conditions of approval: These conditions must be complied with before clearance certificate, building plan or occupation certificate approval; whichever is applicable to the development in question.

D. General conditions of approval: These conditions must be adhered to during implementation of the development to ensure responsible development takes place. If there is a contradiction between the specific and general conditions, the specific conditions will prevail:

A. Definitions

1. that the following words and expressions referred to in the development conditions, shall have the meanings hereby assigned to except where the context otherwise requires:
 - (a) "*Municipality*" means the STELLENBOSCH MUNICIPALITY, a Local Authority, duly established in terms of section 9 of the Local Government Municipal Structures act, Act 117 of 1998 and Provincial Notice (489/200), establishment of the Stellenbosch Municipality (WC024) promulgated in Provincial Gazette no. 5590 of 22 September 2000, as amended by Provincial Notice 675/2000 promulgated in Provincial Gazette;
 - (b) "*Developer*" means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;
 - (c) "*Engineer*" means an engineer employed by the "*Municipality*" or any person appointed by the "*Municipality*" from time to time, representing the Directorate: Infrastructure Services, to perform the duties envisaged in terms of this land-use approval;
2. that all previous relevant conditions of approval to this development application remain valid and be complied with in full unless specifically replaced or removed by the "*Engineer*";

B. Recommendation:

3. The development is recommended for approval, subject to the conditions as stated below:

C. Specific conditions of approval

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

4. that the following upgrades are required to accommodate the development. No taking up of proposed rights including Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be allowed until the following upgrades have been completed and/or conditions have been complied with:

- a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.
- b. **Water Network:** The following bulk upgrades are required to create capacity for the proposed development, as shown on Figure 1 of the GLS report dated 20 Feb 2019 (see **Annexure A**). The stated costs are rough estimates excluding unforeseen costs, but including P & G, Contingencies and Fees, but excluding VAT - Year 2018/19 Rand Value. The party responsible for implementing these items is given between brackets:

Items required to upgrade the Polkadraai bulk supply system

SPW.B1 : 474 m x 250 mm Ø Pipe to install	R 995 000	(Municipality)
SPW.B2 : 105 L/s @ 110 m New Pump Station	R 3 904 100	(Municipality)
SPW.B4 : 6 197 m x 315 mm Ø Pipe to install	R 18 520 000	(Municipality)
SPW.B6 : 5 000 m³ @ 165 m TWL Reservoir to install	R 14 140 000	(Municipality)
A. Sub-Total	R 37 559 100	

Bulk network upgrades to connect the proposed development to the Polkadraai supply system

SPW1.1 : 2 780 m x 315 mm Ø Pipe to install	R 8 304 000	(Municipality)
SPW1.5 : 20 m x 160 mm Ø inter connection Pipe to install	R 60 000	(Municipality)
SPW1.6 : Pressure Reducing Valve to remove	R 0	(Municipality)
SPW1.7 : Pressure Reducing Valve to close	R 0	(Municipality)
SPW1.10a : 123 m EGL 315 mm Ø PRV	R 500 000	(Municipality)
SPW1.10b : 123 m EGL 100 mm Ø PRV	R 190 000	(Municipality)
SPW2.2 : 50 Ø Valve to insert and close	R 90 000	(Municipality)
B. Sub-Total	R 9 144 000	(Municipality)

Total (A+B) **R46 703 100 ex VAT**

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

The Municipality has appointed a consultant and is currently busy with the detail design stage of the above water upgrade projects, which are also required to create capacity for the already approved 144 subsidised erven and 70 GAP erven (Longlands Village). The following budget has been approved for these upgrades:

"New Reservoir and Pipeline: Vlottenburg"

- 2021/22: R40m ex VAT
- 2022/23: R38m ex VAT
- 2023/24: R26m ex VAT

Please note that this budget allocation might change in the coming years, depending on council's re-prioritization of projects. Therefore, this land use application can be approved, but subdivision clearance certificates will only be approved once the required water upgrades have been completed. At this stage, completion is expected to be in **June 2024**. The Developer must plan the implementation of his development accordingly.

The Developer will be responsible for any link pipelines to connect the development to the municipal bulk network.

- c. **Sewer Network:** The existing sewer network servicing this area consists of the Digteby pumpstation and the 110mm dia rising main from there to the Stellenbosch WWTW. There is insufficient capacity in this system to accommodate the proposed development. The following master plan items listed below, as shown on Figure 3 of the GLS report dated 20 Feb 2019 (**Annexure B**), will be required to service the proposed development. The stated costs are rough estimates excluding unforeseen costs, but including P & G, Contingencies and Fees, but excluding VAT - Year 2018/19 Rand Value. These upgrades must be completed before any subdivision clearance can be given for the proposed development:

SSS4.18 : 590 m x 250 mm Ø Upgrade existing Gravity	R 1 549 000	
SSS4.20 : 350 m x 200 mm Ø New Gravity	R 842 000	
SSS4.15 : New Pump Station	R 3 519 600	(Municipality)
SSS4.16 : 2 367 m x 355 mm Ø New Rising	R 7 987 000	(Municipality)
SSS3.9 : New Pump Station	R 4 834 200	(Municipality)
SSS3.10 : 2 146 m x 450 mm Ø New Rising	R 10 874 400	(Municipality)

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

SSS4.17 : 1 398 m x 315 mm Ø New Gravity

R 3 887 300

- i. SSS4.18 and SSS4.20 is currently part of the 70 GAP housing + 144 subsidised erven project and will be implemented as part of those projects.
- ii. SSS4.15, SSS4.16, SSS3.9 and SSS3.10 are part of the municipal De Zalze outfall sewer project, which are currently under construction.
- iii. SSS4.17 is not currently budgeted for by the Municipality. As an alternative, the Developer may implement the project in lieu of DCs, subject to an Engineering Services Agreement being concluded between the Developer and the Municipality.
- iv. The existing 160mm sewer pipes from the higher lying Longlands Country Estate must be relocated to the road reserves of the new development. The necessary servitudes and/or agreements for the management of the shared lines are to be registered/agreed between the private developments.

d. Roads Network:

- i. All conditions set by the provincial roads authority will be applicable. No subdivision clearances will be approved by the municipality unless there is proof that the provincial roads authority is satisfied that their requirements have been met.

The items as indicated in the TIA by ICE dated 13 Sept 2019 must be implemented:

- ii. The access and signalisation for the new development must be constructed, as per the provincial roads authority's requirements. The proposed development-access will be situated approximately halfway between the Stellenbosch Kloof Road/Vlottenburg Road-intersection and the existing Longlands Estate access
Funding: Developer's own cost – gives access for a private development from a provincial road. DCs are not applicable as a funding source.
- iii. Public transport embayments to be constructed along the Polkadraai Road, at the outbound legs of it's intersection with the proposed access and that accommodation for pedestrians be made across Polkadraai Road at the newly signalized intersection.

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

Funding: Developer's own cost

- iv. A 2.4m sidewalk along the proposed development side of Polkadraai Road up to the access, linking the development with the existing sidewalk that ends just to the west of the existing Vlottenburg Road intersection.

Funding: Developer's own cost

e. Stormwater Network:

- i. The Stormwater Management Plan, Report ML294-01 Revision 1, dated 2019-12-05 by Lyners was approved by the Senior Manager: Roads, Transport and Stormwater (letter dated 6 April 2020) and must be implemented by the Developer at his cost.

f. Solid Waste:

- i. The Municipality will provide a solid waste removal service

- 5. that the upgrades mentioned above be met by the "*Developer*" before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be given;
- 6. **Bulk infrastructure projects not on municipal budget:** Bulk projects not on municipal budget: Any of the projects listed above, that are not currently on the Municipality's approved budget will be the Developer's responsibility to implement. Where upgrades may be offset against the Development Charges, and should the Development Charges be sufficient, the "*Developer*" may enter into a Services Agreement with the "*Municipality*" to do these upgrades in-lieu of Development Charges. Should the Development Charges not be sufficient, the Developer may decide to cover the shortfall. If the Developer is not in a position to cover the shortfall, then the implementation of the development must be re-planned around the availability of the bulk services in question. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates will not be supported by the Directorate: Engineering Services for this development if all bulk services are not available.

Development Charges

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

7. that the "*Developer*" hereby acknowledges that Development Charges are payable towards the following bulk civil services: water, sewerage, roads, stormwater, solid waste and community facilities as per Council's Policy;
8. that the "*Developer*" hereby acknowledges that the development charges levy as determined by the "*Municipality*" and or the applicable scheme tariffs will be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;
9. that the "*Developer*" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;
10. that the "*Developer*" may enter into an engineering services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services;
11. that the Development Charges levy to the amount of **R 23 381 669. 96** (Excluding VAT) as reflected on the DC calculation sheet, dated 4 August 2020, and attached herewith as **Annexure DC**, be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy.
12. that the Development Charges levy be paid by the "*Developer*" per phase –
 - prior to the approval of any building- and/or services plans in the case of a Sectional title erf in that phase or where a clearance certificate is not applicable and/or;
 - prior to the approval of Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law in all cases and or;
 - prior to the erf or portion thereof being put to the approved use;
13. that the development shall be substantially in conformance with the Site Development Plan submitted in terms of this application. Any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of units i.e. more than **255 residential units**, or which might lead to an increase in the Gross Leasable Area i.e. a **GLA of more than 1000m² (guest House on Erf 274) and 1410m² (clubhouse on erf 256)**, will result in the recalculation of the Development Charges;

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

14. Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

Site Development Plan

15. The access layout must be generally in accordance with the proposals of the TIA and the provincial roads authority's requirements, namely with two lanes in and two lanes out and security booms set back +/- 70m from the edge of Polkadraai road. A separate service access consisting of 4.0m wide lanes must be provided to accommodate emergency vehicles;
16. The access layout must be approved by the Municipality (and the provincial roads authority if applicable) prior to construction commencing.
17. **that internal streets must measure 5.5m within minimum road reserves of 10m, and that the main street must consist of a 6.8m width within a 16m road reserve;**
18. that provision be made for a refuse room as per the specification of the standard development conditions below;
19. that if the "Developer" reaches agreement with the Municipality's Solid Waste department to enter the development, or to remove the waste by private contractor, provision must still be made for a refuse room, should these arrangements change in future;
20. that provision be made for a refuse embayment, accessible to a municipal refuse truck, to accommodate refuse removal. This must be clearly indicated on the engineering drawings when submitted for approval.;
21. that the layout be amended to accommodate continuous forward movement by service trucks and all cul-de-sacs have a minimum of 11 m radius turning circle, to ensure continuous forward movement;
22. that any amendments to cadastral layout and or site-development plan to accommodate the above requirements will be for the cost of the "Developer" as these configurations were not available at land-use application stage;

Ownership and Responsibility of services

23. that it be noted that as per Subdivisional Plan Plan No 4A, dated 03/03/2020 by TV3, the roads are reflected as private roads. Therefore all internal services on the said erf will be

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

regarded as private services and will be maintained by the "*Developer*" and or Owner's Association;

Internal- and Link Services

24. that the "*Developer*", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;

Bulk Water Meter

25. that the "*Developer*" shall install a bulk water meter conforming to the specifications of the Directorate: Engineering Services at his cost at the entrance gate and that clearance will only be issued if the bulk watermeter is installed, a municipal account for the said meter is activated and the consumer deposit has been paid;

Solid Waste

26. For large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site. The Developer will have to indicate and provide evidence of safe re-use or proper disposal at an alternative, licensed facility. This evidence must be presented to the Manager: Solid Waste (021 808 8241; clayton.hendricks@ Stellenbosch.gov.za), before building plan approval and before implementation of the development. Clean rubble can be utilized by the Municipality and will be accepted free of charge, providing it meets the required specification.

Servitudes

27. All servitudes must be indicated on the engineering services drawing submitted for approval and must be registered prior to clearance of the erven;
28. Based on information provided in the engineering services report, the following minimum servitudes are required:
- a. Eskom 132kV overhead line to be installed underground (15m wide servitude);

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

- b. Wynland Water irrigation pipe along the northern boundary of the erf – to be relocated within a new 3m wide servitude;
 - c. existing sewer pipes from the higher lying Longlands Country Estate to be relocated to within the road reserves of the new development and also require servitudes in favour of Longlands Country Estate;
 - d. Any shared service or service crossing private property (discuss with Clifford – TV3 – how they will deal with the shared sewer/water/SW – will there be one HOA, will they reach agreement between the 3 HOAs?;
29. The "Developer" will be responsible for the registration of the required servitude(s), as well as the cost thereof;

Roads

30. that the "Developer", at his/her cost, implement the recommendations of the approved Transport Impact Assessment by ICE Group dated 13 September 2019, and where required, a sound Traffic Management Plan to ensure traffic safety shall be submitted for approval by the Directorate: Infrastructure Services and the approved management plan shall be implemented by the "Developer", at his/her cost. If any requirement of the TIA is in conflict with one of the conditions of approval, the conditions of approval shall govern;
31. that the "Developer" will be held liable for any damage to municipal infrastructure within the road reserves, caused as a direct result of the development of the subject property. The "Developer" will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services;

Bulk Electricity

32. Please refer to the conditions attached as **Annexure: Electrical Engineering**;

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

D. General conditions of approval: The following general development conditions are applicable. If there is a contradiction between the specific and general development conditions, the specific conditions will prevail:

33. that the "*Developer*" will enter into an Engineering Services Agreement with the "*Municipality*" in respect of the implementation of the infrastructure to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;
34. that should the "*Developer*" not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Infrastructure Services by the "*Developer*" for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
35. that the "*Developer*" indemnifies and keep the "*Municipality*" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the municipalities' services or apparatus or otherwise) arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.
36. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
37. that, if applicable, the "*Developer*" approach the Provincial Administration: Western Cape (District Roads Engineer) for their input and that the conditions as set by the Provincial Administration: Western Cape be adhered to before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued;
38. that the "*Developer*" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

39. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 3rd Edition (2015);
40. that the "*Developer*" takes cognizance and accepts the following:
- a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
 - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
 - c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
 - d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;
 - e.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before the approval of internal – and external civil engineering services drawings;
 - f.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued unless the "*Developer*" obtains the approval of the "*Engineer*" for construction work of his development parallel with the provision of the bulk services.

Site Development Plan

41. that it is recognized that the normal Site Development Plan, submitted as part of the land-use application, is compiled during a very early stage of the development and will lack engineering detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the "*Developer*";
42. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;

43. that if the fully detailed Site Development Plan, as mentioned in the above item, contradicts the approved Site Development Plan, the "Developer" will be responsible for the amendment thereof and any costs associated therewith;
44. that an amended Site Development Plan be submitted for approval prior to the approval of building plans for new buildings not indicated on the Site Development Plan applicable to this application and or changes to existing buildings or re-development thereof;

Internal- and Link Services

45. that the "Developer", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;
46. that the Directorate: Infrastructure Services may require the "Developer" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services;
47. that the detailed design and location of access points, circulation, parking, loading - and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;
48. that plans of all the internal civil services and such municipal link services as required by the Directorate: Infrastructure Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
49. that construction of services may only commence after municipal approval has been obtained;

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

50. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
51. that the "Developer" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (as amended) and that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with this document, unless otherwise agreed with the Engineer. The said document is available in electronic format on request;
52. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
53. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
54. that prior to the issuing of the Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1, all internal - and link services be inspected for approval by the "Engineer" on request by the "Developer's" Consulting Engineer;
55. that a Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1 be issued before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued (prior to transfer of individual units or utilization of buildings);
56. that Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will only be issued if the bulk watermeter is installed, a municipal account for the said meter is activated and the consumer deposit has been paid;
57. that a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer be submitted to the "Engineer" on request;
58. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
59. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or

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sub-contractor of the "Developer" to determine the location of existing civil and electrical services;

60. that all connections to the existing services be made by the "Developer" under direct supervision of the "Engineer" or as otherwise agreed and all cost will be for the account of the "Developer".
61. that the "Developer", at his/her cost, will be responsible for the maintenance of all the internal (on-site) municipal – and private civil engineering services constructed for this development until at least 80% of the development units (i.e. houses, flats or GLA) is constructed and occupied whereafter the services will be formally handed over to the Owner's Association, in respect of private services, and to the Municipality in respect of public services;

Servitudes

62. that the "Developer" ensures that all main services including roads to be taken over by the Directorate: Infrastructure Services, all existing municipal – and or private services including roads, crossing private - and or other institutional property and any other services/roads crossing future private land/erven are protected by a registered servitude before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be given;
63. The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "Developer" will be responsible for the registration of the required servitude(s), as well as the cost thereof;
64. that the "Developer" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party before final approval of engineering drawings be obtained.

Stormwater Management

65. Taking into account the recent water crisis, and associated increase in borehole usage, it is important that the groundwater be recharged as much as possible. One way of achieving the above is to consider using Sustainable Drainage Systems (SuDS) approach wrt SW management. From Red Book: "SuDS constitute an approach towards managing stormwater runoff that aims to reduce downstream flooding, allow infiltration into the ground, minimise pollution, improve the quality of stormwater, reduce pollution in water bodies, and enhance biodiversity. Rather than merely collecting and discarding stormwater through a system of pipes and culverts, this approach recognises that stormwater could be a resource." The

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

Developer is encouraged to implement SuDS principles that are practical and easily implementable. Details of such systems can be discussed and agreed with the Municipality and must be indicated on the engineering drawings.

66. that the geometric design of the roads and/or parking areas ensure that no trapped low-points are created with regard to stormwater management. All stormwater to be routed to the nearest formalized municipal system;
67. that overland stormwater escape routes be provided in the cadastral layout at all low points in the road layout, or that the vertical alignment of the road design be adjusted in order for the roads to function as overland stormwater escape routes. If this necessitates an amendment of the cadastral layout, it must be done by the "*Developer*", at his/her cost, to the standards of the Directorate: Infrastructure Services;
68. that the design engineer needs to apply his/her mind to ensure a design that will promote a sustainable urban drainage system which will reduce the impacts of stormwater on receiving aquatic environments;
69. that no disturbance to the river channel or banks be made without the prior approval in accordance with the requirements of the National Water Act;
70. that the consulting engineer, appointed by the "*Developer*", analyses the existing stormwater systems and determine the expected stormwater run-off for the proposed development, for both the minor and the major storm event. Should the existing municipal stormwater system not be able to accommodate the expected stormwater run-off, the difference between the pre- and post-development stormwater run-off must be accommodated on site, or the existing system must be upgraded to the required capacity at the cost of the "*Developer*" and to the standards and satisfaction of the Directorate: Infrastructure Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans;
71. that for larger developments, industrial developments or developments near water courses a stormwater management plan for the proposed development area, for both the minor and major storm events, be compiled and submitted for approval to the Directorate: Infrastructure Services.

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72. that the approved management plan be implemented by the "*Developer*", at his/her cost, to the standards of the Directorate: Infrastructure Services. The management plan, which is to include an attenuation facility, is to be submitted concurrent with the detail services plans;
73. that in the case of a sectional title development, the internal stormwater layout be indicated on the necessary building plans to be submitted for approval.
74. that no overland discharge of stormwater will be allowed into a public road for erven with catchment areas of more than 1500m² and for which it is agreed that no detention facilities are required. The "*Developer*" needs to connect to the nearest piped municipal stormwater system with a stormwater erf connection which may not exceed a diameter of 300mm.

Roads

75. that, where applicable, the application must be submitted to the District Roads Engineer for comment and conditions . Any conditions set by the District Roads Engineer will be applicable;
76. that no access control will be allowed in public roads;
77. that the layout must make provision for all deliveries to take place on-site. Movement of delivery vehicles may not have a negative impact on vehicular – and pedestrian movement on public roads and or public sidewalks;
78. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
79. that, prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Infrastructure Services for approval, and that the approved plan be implemented by the "*Developer*", at his/her cost, to the standards of the Directorate: Infrastructure Services;
80. that visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;

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81. that each erf has its own access (drive-way), *(the new access(es) (dropped kerb(s)) to the proposed parking bays be)* constructed to standards as set out by the the Directorate: Infrastructure Services and in line with the Road Access Guideline;
82. that the access road to the existing facility be kept in an acceptable condition, i.e. maintained to a standard which will result in a comfortable ride for a standard passenger vehicle and to a standard which will not endanger the lives or property of road users;
83. that the parking area be provided with a permanent surface and be clearly demarcated and accessible. Plans of the parking layout, pavement layerworks and stormwater drainage are to be approved by the Directorate: Infrastructure Services before commencement of construction and that the construction of the parking area be to the standards of the Directorate: Infrastructure Services;
84. that no parking be allowed in the road reserve;

Bridge Requirement:

85. that any bridge(s) in the proposed road lay-out be designed and constructed to not impact on the natural flow of water, and to be able to accommodate the 1:50 year flood. The underside of the bridge(s) must be above the 1:100 year flood level;
86. that the bridge(s) be constructed by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services. An adequate level of supervision by a suitably qualified Registered Engineering Professional must be provided for the full duration of the works. The Registered Engineering Professional shall arrange for any tests that may be necessary to determine whether the workmanship and materials conform to the required standards;
87. that a certificate stating that all work has been carried out in accordance with the Directorate: Infrastructure Services's specifications and requirements, signed by the Registered Engineering Professional, must be submitted with the "As Built" drawings on completion of the bridge(s). The certificate must make reference to all material testing, and confirm that the test results meet or exceed the requirements of the specifications;

Culvert Requirement:

88. that the proposed culvert under rail in the proposed road lay-out be designed and constructed by a professional engineer and to the satisfaction of all affected institutions i.e. Provincial Government, Stellenbosch Municipality, Metrorail, PRASA, etc;

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89. that the culvert be constructed by the "*Developer*", to the standards of the Directorate: Infrastructure Services. An adequate level of supervision by a suitably qualified Registered Engineering Professional must be provided for the full duration of the works. The Registered Engineering Professional shall arrange for any tests that may be necessary to determine whether the workmanship and materials conform to the required standards;
90. that a certificate stating that all work has been carried out in accordance with the Directorate: Infrastructure Services's specifications and requirements, signed by the Registered Engineering Professional, must be submitted with the "As Built" drawings on completion of the culvert. The certificate must make reference to all material testing, and confirm that the test results meet or exceed the requirements of the specifications;
91. that stormwater in the culvert be addressed without utilizing mechanical pumps to the satisfaction of the "*Engineer*";

Wayleaves

92. that way-leaves / work permits be obtained from the Directorate: Infrastructure Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;
93. that wayleaves will only be issued after approval of relevant engineering design drawings;
94. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's whose services may be affected.

Owner's Association (Home Owner's Association or Body Corporate)

95. that an Owner's Association be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
96. that the Owner's Association take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
97. that in addition to the responsibilities set out in **section 29** of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;

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98. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;
99. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

Solid Waste

100. The reduction, reuse and recycle approach should be considered to waste management:

- Households to reduce waste produced
- Re-use resources wherever possible
- Recycle appropriately

To give effect to the above, the following are some typical waste minimization measures that should be implemented by the Developer, to the satisfaction of the Stellenbosch Municipality:

- Procedures should be stipulated for the collection and sorting of recyclable materials;
- Provision should be made for centralized containers for recyclable materials including cardboard, glass, metal, and plastic and green waste;
- A service provider should be appointed to collect recyclable waste. Such service provider must be legally compliant in terms of all Environmental Legislation and/or approved by the Municipality's Solid Waste Management Department;
- Procedures for removal of waste (materials that cannot be reused or recycled) from the site should be stipulated;
- General visual monitoring should be undertaken to identify if these measures are being adhered to;
- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

Where an Owner's Association is to be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Constitution of the Owner's Association shall incorporate the above in the Constitution and:

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- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
 - A set of penalties for non-compliance should be stipulated in the Constitution
101. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
102. that the "*Developer*" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person: Senior Manager: Solid Waste (021 808 8241; clayton.hendricks@ Stellenbosch.gov.za)
103. that should it not be an option for the "*Municipality*" to enter into an agreement with the "*Developer*" due to capacity constraints, the "*Developer*" will have to enter into a service agreement with a service provider approved by the "*Municipality*" prior to clearance certificate or occupation certificate (where clearance not applicable);
104. that if the "*Developer*" removes the waste by private service provider, provision must still be made for a refuse room should this function in future revert back to the "*Municipality*";
105. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;
106. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
107. Maximum depth of cul-de-sac shall be 20 meters or 3 erven, whichever is the lesser. Where this requirement is exceeded, it will be necessary to construct a turning circle with a minimum turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Infrastructure Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;
108. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;

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109. Road foundation shall be designed to carry a single axle load of 8.2 tons;
110. Refuse storage areas are to be provided for all premises other than single residential erven;
111. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;
112. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
113. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 l Municipal wheelie bin;
114. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;
115. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;
116. All black 85 l refuse bins or black refuse bags is in the process of being replaced with 240 l black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

Commercial and Domestic

585 mm wide x 730 mm deep x 1100 mm high

117. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;
118. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224

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119. Building specifications for refuse storage area:

Floor

The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).

Walls and Roof

The Refuse Storage Area shall be roofed to prevent any rainwater from entering. The walls shall be constructed of brick, concrete or similar and painted with light color high gloss enamel. The height of the room to the ceiling shall be not less than 2.21 meters.

Ventilation and Lighting

The refuse storage area shall be adequately lit and ventilated. The room shall be provided with a lockable door which shall be fitted with an efficient self-closing devise. The door and ventilated area shall be at least 3 metres from any door or window of a habitable room. Adequate artificial lighting is required in the storage area.

Water Supply and Drainage

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

120. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;
121. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
122. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Infrastructure Services, to ensure their compatibility with the servicing equipment and lifting attachments;

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123. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
124. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
125. All refuse storage areas shall be approved by the Directorate: Infrastructure Services, to ensure that the Council is able to service all installations, irrespective of whether these are currently serviced by Council or other companies;

AS-BUILTs

126. The "*Developer*" shall provide the "*Municipality*" with:
 - a. a complete set of as-built paper plans, signed by a professional registered engineer;
 - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the "*Engineer*" and is reflected herewith as Annexure X;
 - c. a completed Asset Verification Sheet in Excell format, reflecting the compositization of municipal services installed as part of the development. The Asset Verification Sheet will have to be according to the IMQS format, as to be supplied by the "*Engineer*", and is to be verified as correct by a professional registered engineer;
 - d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;
 - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "*Municipality*" are fully paid;
127. All relevant as-built detail, as reflected in the item above, of civil engineering services constructed for the development, must be submitted to the "*Engineer*" and approved by the "*Engineer*" before any application for Certificate of Clearance will be supported by the "*Engineer*";

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128. The Consulting Civil Engineer of the "*Developer*" shall certify that the location and position of the installed services are in accordance with the plans submitted for each of the services detailed below;
129. All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;
130. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law shall not be issued unless said services have been inspected by the "*Engineer*" and written clearance given, by the "*Engineer*";

Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law

131. It is specifically agreed that the "*Developer*" undertakes to comply with all conditions of approval as laid down by the "*Municipality*" before clearance certificates shall be issued, unless otherwise agreed herein;
132. that the "*Municipality*" reserves the right to withhold any clearance certificate until such time as the "*Developer*" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "*Municipality*" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;
133. that clearance will only be given per phase and the onus is on the "*Developer*" to phase his development accordingly;
134. **The onus will be on the "*Developer*" and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law. Verifying documentation (proof of payment in respect of Development Charges, services installation, etc.) must be submitted as part of the application before an application will be accepted by this Directorate;**
135. that any application for Certificate of Clearance will only be supported by the "*Engineer*" once all relevant as-built detail, as reflected in the item "AS-BUILT's" of this document, is submitted to the "*Engineer*" and approved by the "*Engineer*".

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Avoidance of waste, nuisance and risk

136. Where in the opinion of the "*Municipality*" a nuisance, health or other risk to the public is caused due to construction activities and/or a lack of maintenance of any service, the "*Municipality*" may give the "*Developer*" and or OWNER'S ASSOCIATION written notice to remedy the defect failing which the "*Municipality*" may carry out the work itself or have it carried out, at the cost of the "*Developer*" and or OWNER'S ASSOCIATION.

Streetlighting

137. The "*Developer*" will be responsible for the design and construction at his own expense of all internal street lighting services and street lighting on link roads leading to his development (excluding Class 1, 2 and 3 Roads) according to specifications determined by the municipality's Manager: Electrical Services and under the supervision of the consulting engineer, appointed by the "*Developer*";
138. Prior to commencing with the design of street lighting services, the consulting electrical engineer, as appointed by the "*Developer*" must acquaint himself with, and clarify with the municipality's Manager: Electrical Engineering, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;
139. The final design of the complete internal street lighting network of the development must be submitted by the consulting electrical engineer, as appointed by the "*Developer*", to the municipality's Manager: Electrical Engineering for approval before any construction work commences;
140. Any defect with the street lighting services constructed by the "*Developer*" which may occur during the defects liability period of 12 (TWELVE) months and which occurs as a result of defective workmanship and/or materials must be rectified immediately / on the same day the defect was brought to the attention of the consulting electrical engineer, appointed by the "*Developer*". Should the necessary repair work not be done within the said time the "*Municipality*" reserves the right to carry out the repair work at the cost of the "*Developer*";

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141. The maintenance and servicing of all private internal street lighting shall be the responsibility and to the cost of the "Developer" and or Home Owner's Association.



DEON LOUW

DIRECTOR: INFRASTRUCTURE SERVICES

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ATTACHMENT X

Geographic Information System (GIS) data capturing standards

In drawing up the As-build Plans relating to this development, the consultant must create the following separate layers in ESRI .shp, electronic file format in order for the data to reflect spatially correct.

Layer name	Content
TITLE	Title information, including any endorsements and references
NOTES	All noted information, both from the owner / surveyor and SG
PARENT PROPLINES	Parent property lines
PARENT PROPNUM	Parent erf number (or portion number)
PROPLINES	New portion boundaries
PROPANNO	New erf numbers
SERVLINES	Servitude polygons
SERVANNO	Servitude type
STREET NAMES	Road centre lines with street names
STREET NUMBERS	Points with street numbers
COMPLEX	Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are)
BOUNDARIES	
SUBURB	Polygon with suburb name, where new suburb / township extension created
ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)

When data is provided in a .shp format it is mandatory that the .shx, .dbf, files should accompany the shapefile. The prj file containing the projection information must also accompany the shapefile.

It is important that different geographical elements for the GIS capture process remains separate. That means that political boundaries like wards or suburbs be kept separate from something like rivers. The same applies for engineering data types like water lines,

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sewer lines, electricity etc. that it is kept separate from one another. When new properties are added as part of a development, a list of erf numbers with its associated SG numbers must be provided in an electronic format like .txt, .xls or .csv format.

For road layer shapefiles; the road name, the from_street and to_street where applicable as well as the start and end street numbers needs to be included as part of the attributes. A rotation field needs to be added to give the street name the correct angle on the map.

In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the Stellenbosch Municipality standard as follows:

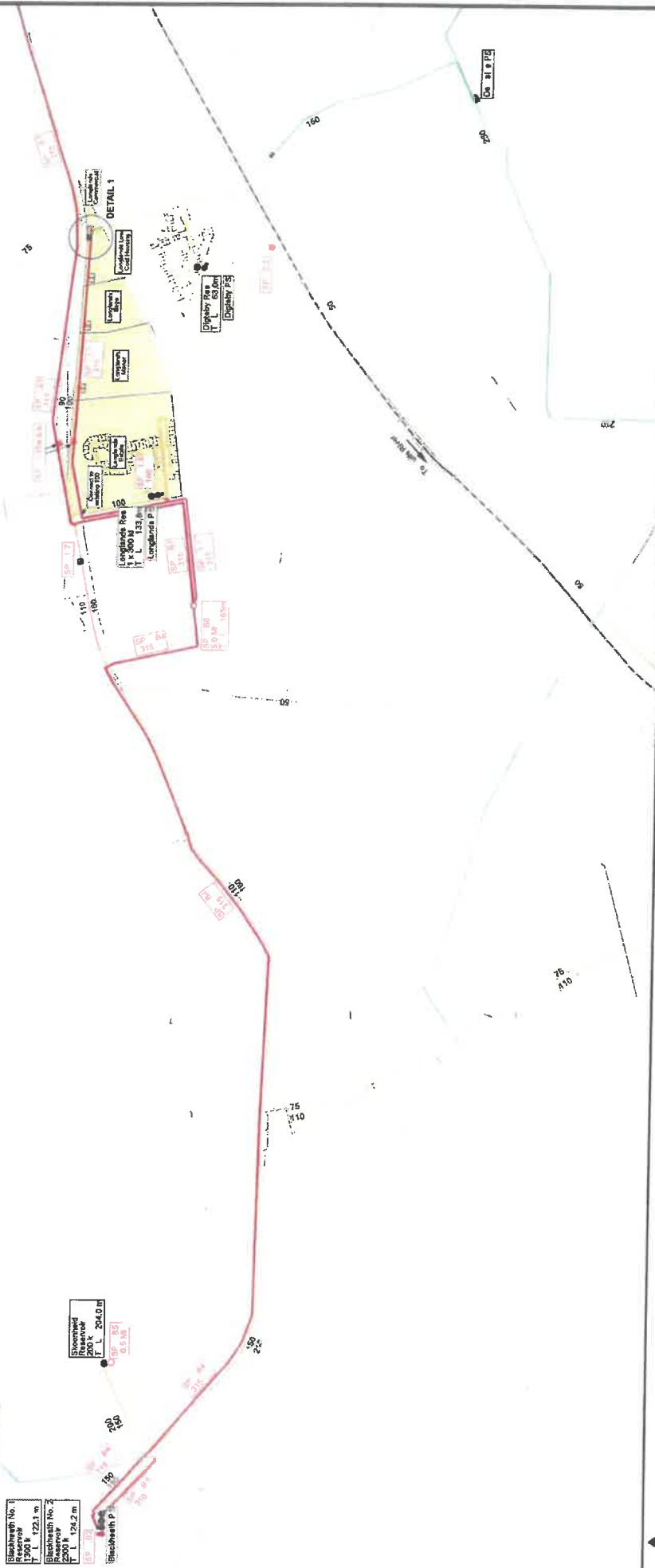
- Datum : Hartebeeshoek WGS 84
- Projection : Transverse Mercator
- Central Longitude/Meridian 19
- False easting : 0.00000000
- False northing : 0.00000000
- Central meridian : 19.00000000
- Scale factor : 1.00000000
- Origin latitude : 0.00000000
- Linear unit : Meter

Legend

- CoCT bulk water system
- Existing Polkadraai water system
- Existing aare water system
- Master plan pipe
- Existing reservoir
- Existing pump station
- Existing PR
- uture reservoir
- uture pump station
- uture PR
- Proposed development



Detail 1

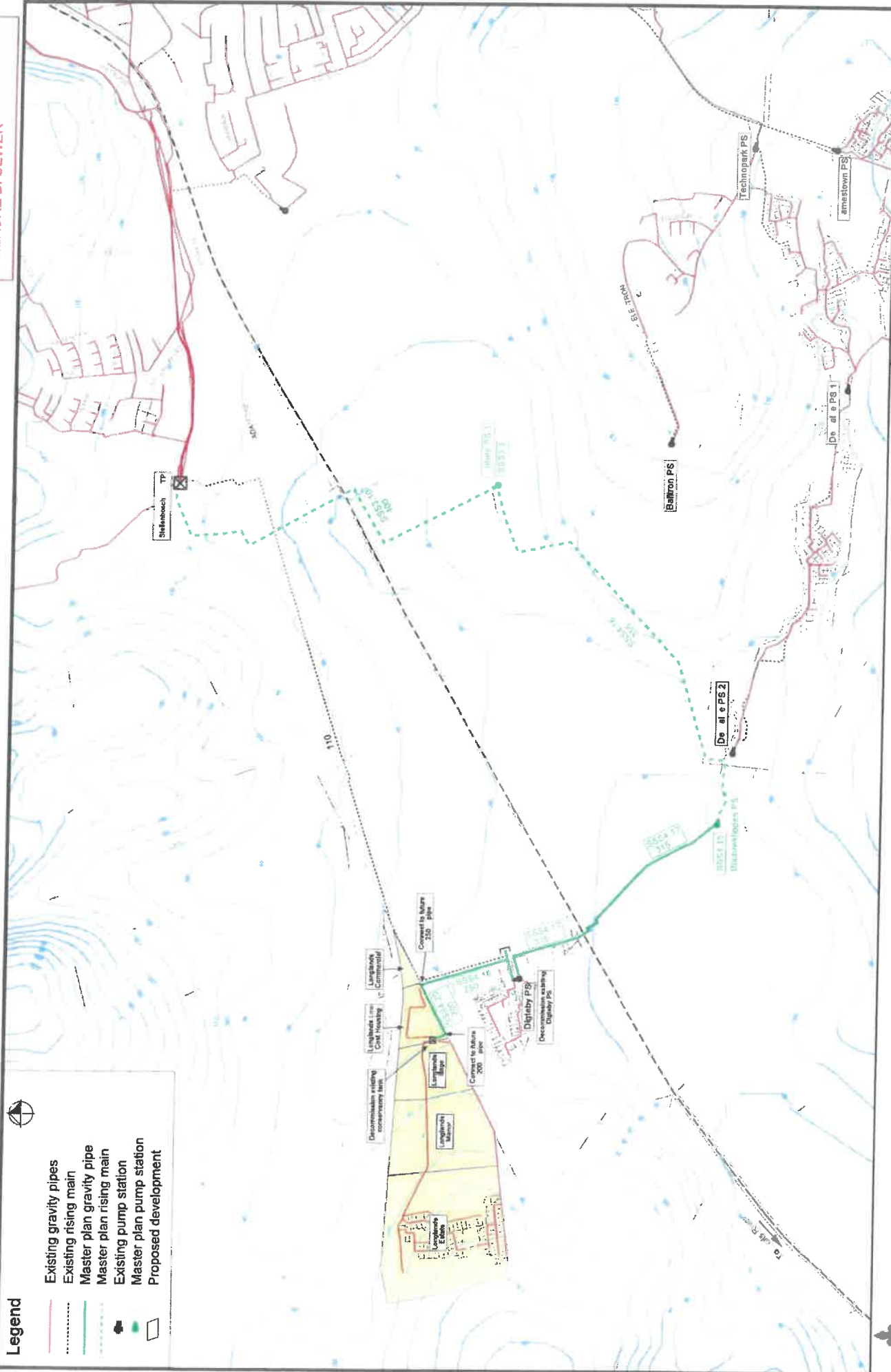


February 2019

Stellenbosch - Proposed development on portion 11 of farm 383



Figure 1 (inal)
Proposed Development - Stellenbosch
Longlands Development
Polkadraai ater Master Plan



Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	Gvil LU 2020 (LU/11470)
Date	Friday, 02/Jul/2021
Financial Year	2021/22
Erf Location	Stellenbosch Town
Erf No	Erf 1
Erf Size (m ²)	
Suburb	Longlands
Applicant	
Approved Building Plan No.	Proposed Subdivision, Plan No 4A, dated 03/03/2020 by TV3

SUMMARY OF DC CALCULATION

Unit(s)	Water kl/day	Sewer kl/day	Storm-water ha°C	Solid-Waste t/week	Roads trips/day	Community Facilities person	Totals
Total Increased Services Usage	213.640	174.185	7.333	11.164	1236.90	1236.9	
Total Development Charges before Deductions	R 5 799 000.78	R 4 534 629.96	R 749 522.38	R 593 083.04	R 8 247 871.42	R 3 457 562.39	R 23 381 669.96
Total Deductions							
Total Payable (excluding VAT)	R 5 799 000.78	R 4 534 629.96	R 749 522.38	R 593 083.04	R 8 247 871.42	R 3 457 562.39	R 23 381 669.96
VAT	R 869 850.12	R 680 184.49	R 112 428.36	R 88 962.46	R 1 237 180.71	R 518 634.36	R 3 507 250.49
Total Payable (including VAT)	R 6 668 850.90	R 5 214 824.45	R 861 950.74	R 682 045.49	R 9 485 052.13	R 3 976 196.74	R 26 888 920.45

APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	DCs NOT CALCULATED ON erf 274-275 - PUBLIC TOILETS AND SUMMERTIME USE AND erf 274 TAGHOUTURE + GUEST HOUSE DCs to be calculated on GLA of Guest House on erf 274, GLA = 1000m ² as per 2.3 of motivation report Clubhouse is 1410m ² GLA - Eng report Par 1 (situated on Community zoned erf 256). DCs only for clubhouse - any additional building - DCs to be calculated at RP rates.
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage	Proposed New Usage	Increased Usage	Water	Stormwater	Development Charge (incl. VAT)	Roads	Community Facilities	Total
Infrastructure Type applicable? (yes/no)										
	du m2 GLA	area (m2)	du/ha % GLA	du m2 GLA	du/ha % GLA	du m2 GLA	du m2 GLA	du m2 GLA	du m2 GLA	du m2 GLA
Residential	Single Residential - >100m2		0	255	0	0	R	R	R	R
	Single Residential - >50m2		0	0	0	0	R	R	R	R
	Single Residential - >25m2		0	0	0	0	R	R	R	R
	Single Residential - <25m2		0	0	0	0	R	R	R	R
	Less Formal Residential - >25m2		0	0	0	0	R	R	R	R
	Less Formal Residential - <25m2		0	0	0	0	R	R	R	R
	Group Residential - >25m2		0	0	0	0	R	R	R	R
	Group Residential - <25m2		0	0	0	0	R	R	R	R
	Medium Density Residential - >25m2		0	0	0	0	R	R	R	R
	Medium Density Residential - <25m2		0	0	0	0	R	R	R	R
Commercial	High Density Residential - flats		0	0	0	0	R	R	R	R
	High Density Residential - student rooms		0	0	0	0	R	R	R	R
	Local Business - office		0%	1000	0%	0	R	R	R	R
	Local Business - retail		0%	0	0%	0	R	R	R	R
	General Business - office		0%	0	0%	0	R	R	R	R
	General Business - retail		0%	0	0%	0	R	R	R	R
	Community		0%	1410	0%	0	R	R	R	R
	Education		0%	0	0%	0	R	R	R	R
	Light Industrial		0%	0	0%	0	R	R	R	R
	General Industrial - light		0%	0	0%	0	R	R	R	R
Industrial	Warehousing		0%	0	0%	0	R	R	R	R
	General Industrial - heavy		0%	0	0%	0	R	R	R	R
	Process Industrial - heavy		0%	0	0%	0	R	R	R	R
	Resort		0%	0	0%	0	R	R	R	R
	Public Open Space		0%	0	0%	0	R	R	R	R
	Private Open Space		0%	0	0%	0	R	R	R	R
	Natural Environment		0%	0	0%	0	R	R	R	R
	Utility Services		0%	0	0%	0	R	R	R	R
	Public Roads and Parking		0%	0	0%	0	R	R	R	R
	Transport Facility		0%	0	0%	0	R	R	R	R
Other	Limited Use		0%	0	0%	0	R	R	R	R
	To be calculated									
	Based on equivalent elements									
Special										
*** complete yellowgreen cells.										
du = dwelling unit, GLA=Gross lettable area.										
Total Development Charges before Deductions										
% Deductions per service (%)										
Additional Deduction per service - from Service Agreement (eum)										
Sub Total after Deductions (excluding VAT)										
VAT										
Total										

*** complete yellowgreen cells.

du = dwelling unit, GLA=Gross lettable area.

Total Development Charges before Deductions

% Deductions per service (%)

Additional Deduction per service - from Service Agreement (eum)

Sub Total after Deductions (excluding VAT)

VAT

Total

Longlands Erf 1
ELETRICITY SERVICES: CONDITIONS OF APPROVAL

GENERAL COMMENT:

1. Please note that the Stellenbosch Municipality Electrical Department is the supply authority for the new development
 The electrical consulting engineer responsible for the development shall schedule an appointment with Manager Electricity Services (Engineering Services) before commencing with the construction of the development. As well as to discuss new power requirements if required. (021 8088335)

CONDITIONS

2. Development Bulk Levy Contributions are payable.
3. The development's specifications must be submitted to Stellenbosch Municipality (Engineering Services) for approval. i.e.
 - a) The design of the electrical distribution system
 - b) The location of substations(s) and related equipment.
4. A separate distribution board/s shall be provided for municipal switchgear and metering. (Shall be accessible & lockable). Pre-paid metering systems shall be installed in domestic dwellings.
5. 24-hour access to the location of the substation, metering panel and main distribution board is required by Technical Services. **(Street side of property) With no obstruction.**
6. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity, should damage occur, the applicant will be liable for the cost involved for repairing damages.
7. On completion of the development, Stellenbosch Municipality (Technical Services) together with the electrical consulting engineer and electrical contractor will conduct a take-over inspection.
8. No electricity supply will be switched on (energised) if the Development contributions, take-over Inspection and Certificate(s) of Compliance are outstanding.
9. All new developments and upgrades of supplies to existing projects are subject to **SANS 10400-XA** energy savings and efficiency implementations such as:
 - Solar water Heating or Heat Pumps in Dwellings
 - Energy efficient lighting systems
 - Roof insulation with right R-value calculations.
 - Cooking with gas
 - In large building developments;
 - Control Air condition equipment tied to alternative efficiency systems
 - Preheat at least 50% of water with alternative energy saving sources
 - All hot water pipes to be clad with insulation with R-value of 1
 - Provide a professional engineer's certificate to proof that energy saving measures is not feasible.



Signature

22/1/20201

Date

Our Reference: 3604-P
Application No: LU/11470

9 February 2022

Director: Planning and Development Services
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

Attention: Ms. Nolusindiso Momoti

Madam

**RE: LONGLANDS MANOR: APPLICATION FOR THE REZONING AND SUBDIVISION OF
ERF 1, LONGLANDS**

1. Our Longlands Manor land use planning application of 17 March 2020 has reference.
2. The municipal engineering department commented on the application. A copy of their memo is attached hereto.
3. We however disagree with numerous comments and conditions imposed by the municipal engineering department, namely:

- **Clause 4.d.ii.**

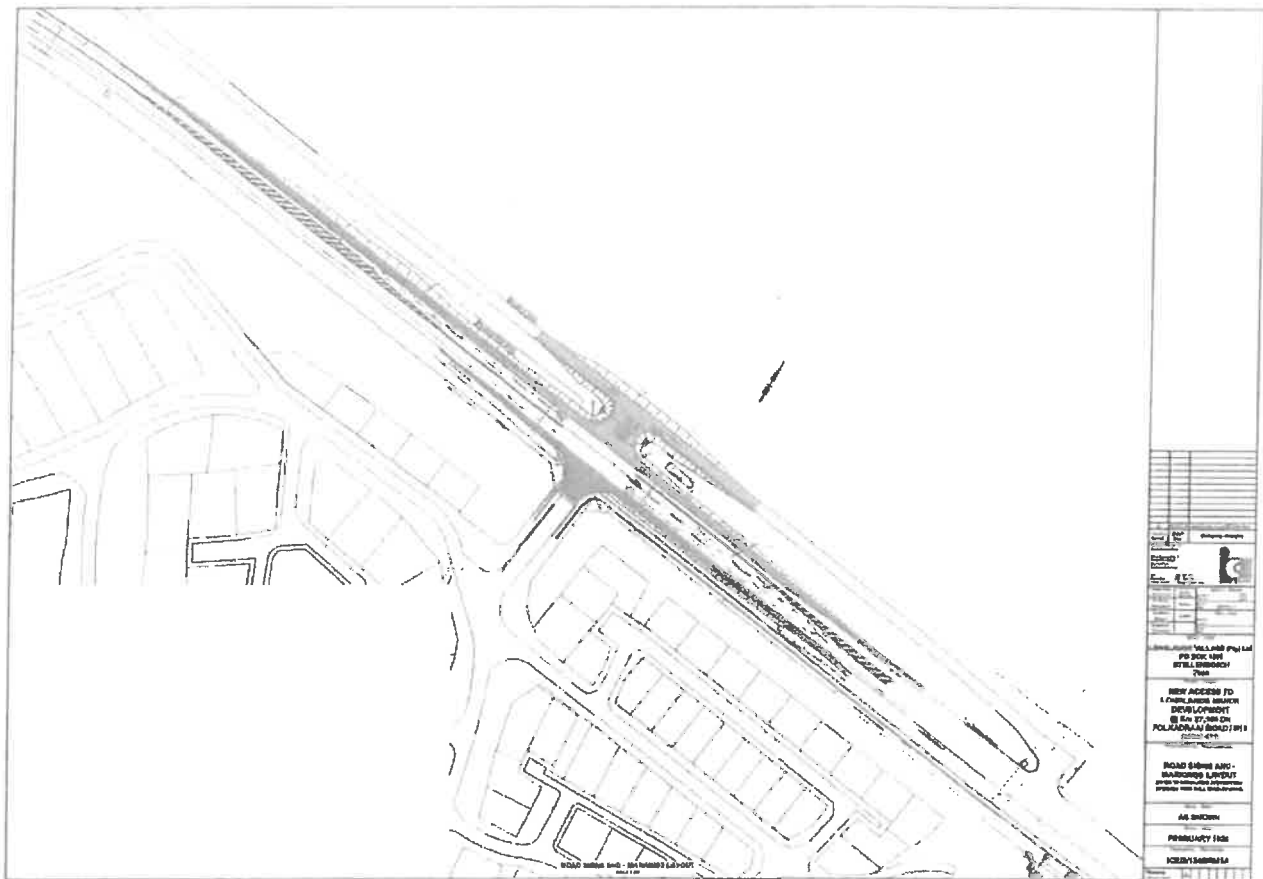
Clause 4d.i. states that "*All conditions set by the provincial roads authority will be applicable*". The Provincial Roads Authority's requirement is that the intersection be signalised when warranted. As the signalisation for the intersection is not yet warranted traffic signals were not installed.

With regard to the funding of the construction of the intersection, factors that should be considered are the following:

- (1) Clause 4.1.1.1 of the Stellenbosch Municipality's *Development Charges Policy 2021/2022* states that "*The Municipality should recover from applicants a contribution that is as close as possible to be full and actual costs of the capital infrastructure assets that are needed to mitigate the impacts of land development and to provide services to new land developments*". In this regard it should be noted that a portion of the traffic generated by the development will not travel to Stellenbosch, but towards the direction of Cape Town and will thus not have any impact on road infrastructure in Stellenbosch.
- (2) The location of the access was a condition of approval from the Provincial Roads Authority. According to the condition of approval the intersection should be approximately halfway between Stellenbosch Kloof Road and the existing Longlands Estate access. The condition further states that the access should, apart from providing access to the Longlands Development, also provide access to Bonniemile to the opposite side of Polkadraai Road. For that reason, the new intersection also makes provision for a dedicated right-turn lane from Stellenbosch to Bonniemile Road. In order to provide the link between Polkadraai Road and Bonniemile Road, a short section of Bonniemile Road had to be realigned. This would not have been necessary if access was only provided to the Longlands Development.

It is thus the opinion that the cost of the intersection cannot be for the developer's account only.

A proposal is that the cost to provide the dedicated right-turn lane towards Bonniemile, plus the works conducted on Bonniemile Road to tie in with Polkadraai Road be offset against DCs. The remainder of the cost will be funded by the developer. The drawing below shows the areas to be offset against development charges (green shaded area) and that to be funded by the developer (red shaded area).



- **Clause 4d. iii.**

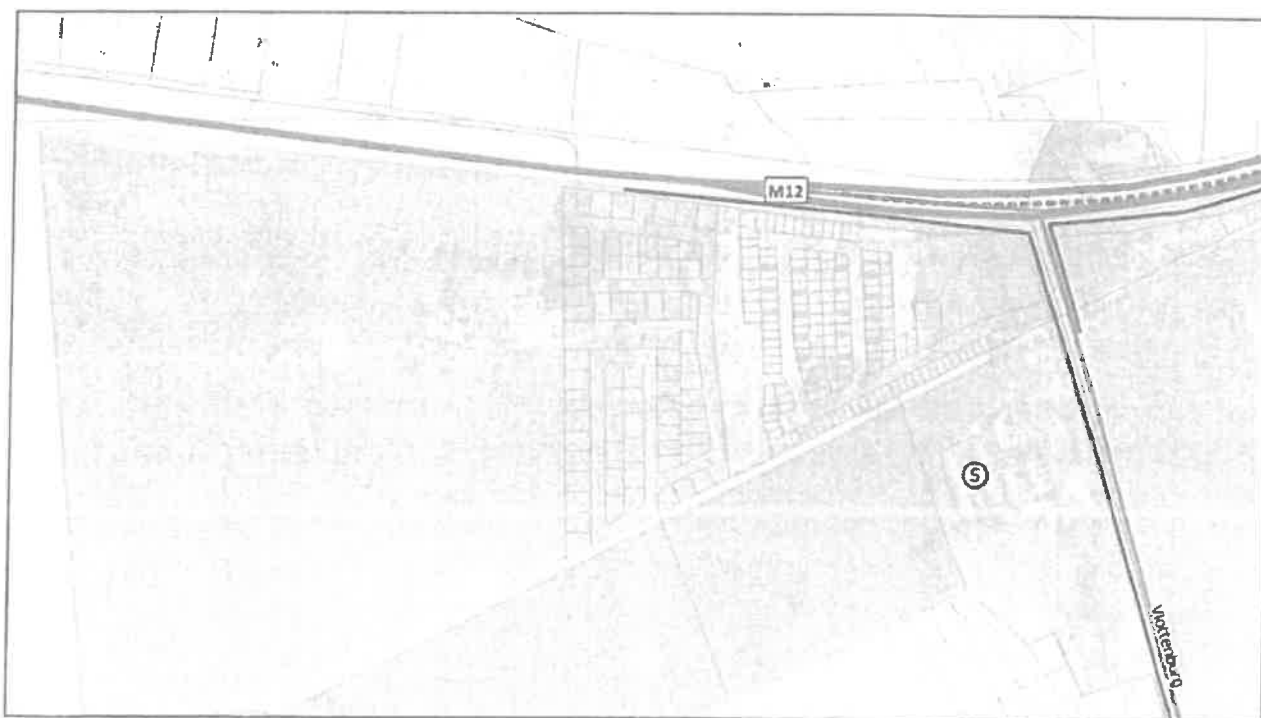
Clause 4d.iii. states that *"Public transport embayments to be constructed along Polkadraai Road.....and that accommodation for pedestrians be made across Polkadraai Road at the newly signalized intersection"*. As mentioned above, traffic signals were not installed as the warrants for traffic signals are not yet met. With no traffic signals the safe crossing of pedestrians across Polkadraai Road is not possible. The detail design drawings submitted for approval did therefore not include the public transport embayments. The drawings were as such approved by the Provincial Roads Authority. The public transport embayments were therefore not constructed at the intersection. These public transport embayments would have to be implemented when the intersection is signalised.

- **Clause 4d.iv.**

The NMT Master Plan of Stellenbosch Municipality indicates '*NMT facilities with partial separation*' up to approximately the new low cost housing project, with '*cycling in shoulder*' indicated along Polkadraai Road. See the extract from the Stellenbosch NMT Master Plan below.

The separate NMT-facility along the development side of Polkadraai Road up to the access, linking with the existing sidewalk in the vicinity of the existing Vlotenburg Road, will be to the benefit of the general public in the area, and not only for the benefit of the development. This facility will also benefit pedestrians from Bonniemile, the existing Longlands Development and farms further along Polkadraai Road.

In view of the above it is the opinion that the cost of the NMT-facility that ties in with the existing NMT-facility along Polkadraai Road should be offset against Development Charges.



----- NMT facilities with Partial Separation (Class 2)

———— Cycling in shoulder

4. We respectfully request that you submit our letter to the engineering department so that they can amend their engineering comments and conditions accordingly.

Yours faithfully

A handwritten signature in black ink, appearing to read 'CRH', followed by a long horizontal flourish.

CLIFFORD HEYS

TV3 PROJECTS (PTY) LTD



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : The Director: Planning and Development

FOR ATTENTION : Nolusindiso Momoti

FROM : Director: Infrastructure Services

DATE : 18 Feb 2022

RE. : Erf 1: Longlands Manor: Application for the development of 225 residential erven

YOUR REF : LU/11470

OUR REF : 2020 CIVIL LU

This Memo is in response to comments received from the applicant (TV3) – letter dated 9 February 2022 and supersedes the conditions 4(d)iii – public transport embayments and 4(d)iv - NMT infrastructure of our Memo dated 5 July 2021.

Replace 4(d)iii with "Public transport embayments to be constructed along the Polkadraai Road, at the outbound legs of it's intersection with the proposed access and that accommodation for pedestrians be made across Polkadraai Road at the newly signalized intersection. These embayments are important to cater for the high number of workers expected to be employed at the estate, and to create a safe facility for public transport vehicles and the general public. Without it, the public transport vehicles will have to stop in the shoulder of the road, which is a safety hazard.

Funding: May be offset from DCs"

PROPOSED REZONING AND SUBDIVISION OF ERF 1, LONGLANDS: 255 RESIDENTIAL ERVEN

Replace 4(d)iv with "A 2.4m sidewalk along the proposed development side of Polkadraai Road up to the access, linking the development with the existing sidewalk that ends just to the west of the existing Vlotenburg Road intersection.

Funding: **May be offset from DCs"**



TYRONE KING

MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\2020 (TK) Erf 1, Longlands Manor (LU-11470), C\2020 (TK) Erf 1, Longlands Manor (LU-11470)_1 revised.doc

Our Reference: 3604-P
Application No: LU/11470

31 March 2022

Director: Infrastructure Services
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

Attention: Mr. Deon Louw

Sir

**RE: LONGLANDS MANOR: APPLICATION FOR THE REZONING AND SUBDIVISION OF
ERF 1, LONGLANDS**

1. The memo from the Director: Infrastructure Services dated 18 February 2022 responding to the letter from TV3 dated 9 February 2022 and the subsequent meeting with your Messrs. Tyrone King and Johan Fullard at the offices of Abacus, refer. A copy of the memo is attached hereto.
2. We are in agreement with your response on Clause 4.d.iii with regard to the cost of the NMT infrastructure and the public transport embayments that can now be offset against Development Charges (DC's).
3. However, no mention is made with regard to the comments on Clause 4.d.ii as contained in the TV3 letter. Although Messrs. Tyrone King and Johan Fullard indicated at the meeting held at the offices of Abacus that the Municipality's opinion is that all the costs related to the intersection onto Polkadraai Road should be for the developer, it is requested that you reconsider this opinion taking into consideration our response with regard to the motivation why the traffic signals cannot be installed now as well as the motivation for at least a portion of the cost of the intersection to be offset against DC's - as included in the TV3 letter dated 9 February 2022. In this regard, please note that

Bonniemile is a public road and that the residents of Bonniemile, who are Stellenbosch Municipality rate payers, will also benefit from the new intersection.

4. We accept that the Bonniemile Road is not one of the identified Provincial Roads that can be offset against DCs. However, the developer has upgraded the intersection (not the Bonniemile residents) and the developer has improved the access to Bonniemile for these residents (i.e. for Stellenbosch rate payers) obtaining access via the road and benefitting from these upgrades.
5. It is also important to note that when this plan that identifies the Provincial Roads to be offset against DCs, was finalized, the subject property (Longlands) was not included in the municipal urban edge. Longlands was only included in the urban edge when Council approved the Municipal Spatial Development Framework in November 2019.
6. Your positive consideration of the motivation related to Clause 4.d.ii as contained in the TV3 letter of 9 February 2022 will be greatly appreciated.

Yours faithfully



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

cc. Ms. Nolusindiso Momoti (Directorate: Planning and Development Services)

2141 Longlands



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

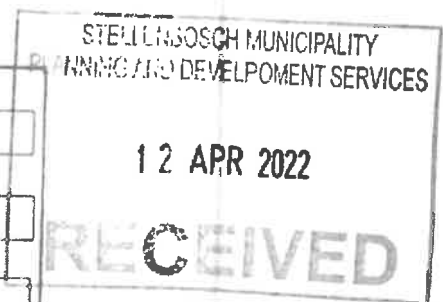
7 April 2022

The Managing Director
TV3 Projects (Pty) Ltd
97 Dorp Street
STELLENBOSCH
7600

Attention: Clifford Heys

Dear Mr Heys,

FILE NR:	
SCAN NR:	E11L
COLLABORATOR NR:	



RE: LONGLANDS MANOR: APPLICATION FOR THE REZONING AND SUBDIVISION OF ERF 1, LONGLANDS

Your letter dated 31 March 2022, relating to the issue within the heading, refers.

1. If one refers to the Spatial Planning Land Use Management Act (SPLUMA), Act 16 of 2013 as amended, and specifically the definitions and Section 6:

"engineering service" means a system for the provision of water, sewerage, electricity, municipal roads, stormwater drainage, gas and solid waste collection and removal required for the purpose of land development referred to in Chapter 6;

"Provision of engineering services

49. (1) An applicant is responsible for the provision and installation of internal engineering services.

(2) A municipality is responsible for the provision of external engineering services.

(3) Where a municipality is not the provider of an engineering service, the applicant must satisfy the municipality that adequate arrangements have been made with the relevant service provider for the provision of that service.

(4) An applicant may, in agreement with the municipality or service provider, install any external engineering service instead of payment of the applicable development charges, and the fair and reasonable cost of such external services may be set off against development charges payable.

- (5) If external engineering services are installed by an applicant instead of payment of development charges, the provision of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), pertaining to procurement and the appointment of contractors on behalf of the municipality does not apply.
2. It is therefore very clear that Development Contributions (DCs) may only be spent as per Section 49(4) on the Engineering Services under the control and ownership of the Municipality.
 3. It is also clear that only "Municipal Roads" are a portion of the "Engineering Services" definition.
 4. No DC's may therefore be used on Provincial Assets or any roads not belonging to the Municipality.
 5. It is also clear that the "applicant" must ensure an adequate arrangement with the provider of a service, which would include the costs involved in establishing that service. The fact that other users of this service will benefit does not compel the Municipality to fund the development of such a non-municipal service.
 6. This matter was also discussed with the relevant department at the Western Cape Government, which they agreed to.

Please also note that this matter was discussed at a previous meeting, at which time the explanation above was also rendered. I can therefore, unfortunately not comply with your request of "positive consideration of the motivation related to Clause 4.d.ii"

We can therefore not allow the Development Contribution funds, provided by yourself, to be used to construct any assets that do not belong to us.

Yours faithfully



DEON LOUW
DIRECTOR: INFRASTRUCTURE SERVICES

T +27 21 808 8213 • deon.louw@ Stellenbosch.gov.za

71 Plein Street, Ecclesia Building, 1st Floor, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599

www.stellenbosch.gov.za

ANNEXURE L

**REZONING, SUBDIVISION, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING AND
NUMBERING, ARCHITECTURAL GUIDELINES AND
HOME OWNERS ASSOCIATION'S CONSTITUTION:
ERF 1, LONGLANDS**

**COMMENT FROM THE DEPARTMENT
OF ENVIRONMENTAL AFFAIRS AND
DEVELOPMENT PLANNING (EA)**



Department of Environmental Affairs and Development Planning
Samornay Smidt
Development Management: Region 1
Samornay.Smidt@westerncape.gov.za | Tel: 021 483 5828

REFERENCE: 16/3/3/1/B4/45/1016/20
NEAS REFERENCE: WCP/EIA/0000752/2020
ENQUIRIES: Samornay Smidt
DATE OF ISSUE: 14 December 2020

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED LONGLANDS MANOR RESIDENTIAL DEVELOPMENT ON REMAINDER OF ERF NO. 1, LONGLANDS, VLOTTENBURG, STELLENBOSCH

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Preferred Alternative, as described in the Basic Assessment Report ("BAR"), dated August 2020.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Board of Directors
c/o Mr. David Ludditt
Longlands Village (Pty) Ltd
P.O Box 1159
STELLENBOSCH
7599

Tel: (021) 886 5262
Email: david@aaam.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

B. LIST OF ACTIVITY AUTHORISED

Listed Activity	Activity/Project Description
Listing Notice 1- Activity Number: 28 <i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development -</i> <i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i> <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i> <i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i>	The proposed residential development is located inside the urban area of Vlotenburg and is bigger than 5 hectares.

The abovementioned list is hereinafter referred to as "**the listed activity**".

The holder is herein authorised to undertake the following alternative that includes the listed activity as it relates to the development:

The proposed development comprises a residential estate and associated infrastructure on the Remainder of Erf No. 1, Longlands, Vlotenburg, which will include the following:

- 255 single residential erven on the Manor site;
- A crèche, clubhouse, security gatehouse and a café;
- Various Private Open Spaces and an internal private road network throughout the development;
- A green corridor located diagonally across the property from south-west to north-east;
- A secondary corridor positioned along the proposed Eskom underground cable servitude (the cable replaces the 132kV overhead line);
- Six detention ponds and two dry swales for storm water management;
- The corridors and servitude areas will be landscaped with suitable indigenous vegetation and trees.

C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on the Remainder of Erf No. 1 Longlands, Vlotenburg, Stellenbosch

The SG21 digit code is: C067000370000000100000

Co-ordinates of the properties:

Latitude	Longitude
33° 57' 22" South	18° 47' 13" East

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Legacy Environmental Management Consulting (Pty) Ltd
c/o Mr Aubrey Withers
PO Box 12410
Die Boord
STELLENBOSCH
7613

Tel: (021) 883 2952

Email: aubrey@legacyemc.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the Preferred Alternative, as described in the BAR dated August 2020 on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue, within which commencement must occur.
3. The development must be concluded within **ten years** from the date of commencement of the listed activity.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activity.
 - 6.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8, 11 and 18.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.
 - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4 provide the registered I&APs with:
 - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2 name of the responsible person for this Environmental Authorisation,
 - 7.4.3 postal address of the holder,
 - 7.4.4 telephonic and fax details of the holder,
 - 7.4.5 e-mail address, if any, of the holder, and
 - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
8. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activity, including site preparation, must not commence until the appeal is decided.

Management of activity

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO") before commencement of any land clearing or construction activity to ensure compliance with the EMPr and the conditions contained herein.
12. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activity, and must be made available to anyone on request, including a publicly accessible website.

13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an **independent person** (not the ECO appointed in terms of condition 12 above) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake an environmental audit every year for the duration of the construction phase and submit Environmental Audit Reports annually to the Competent Authority during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after completion of the construction phase of the development.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
17. The relevant requirements with respect to occupational health and safety must be adhered to at all times.
18. The Heritage Western Cape ("HWC") specifies in their comment dated 19 December 2019 that the Detailed Landscape Plan and Architectural Guidelines that conform to the specified requirements must be approved by the Stellenbosch Municipality. A copy of the aforementioned municipal approval must be submitted to the Department prior to commencement for record-purposes.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014, (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority–
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.

3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

Zaahir

Toefy

Digitally signed by
Zaahir Toefy
Date: 2020.12.14
13:44:47 +02'00'

MR. ZAAHIR TOEFY

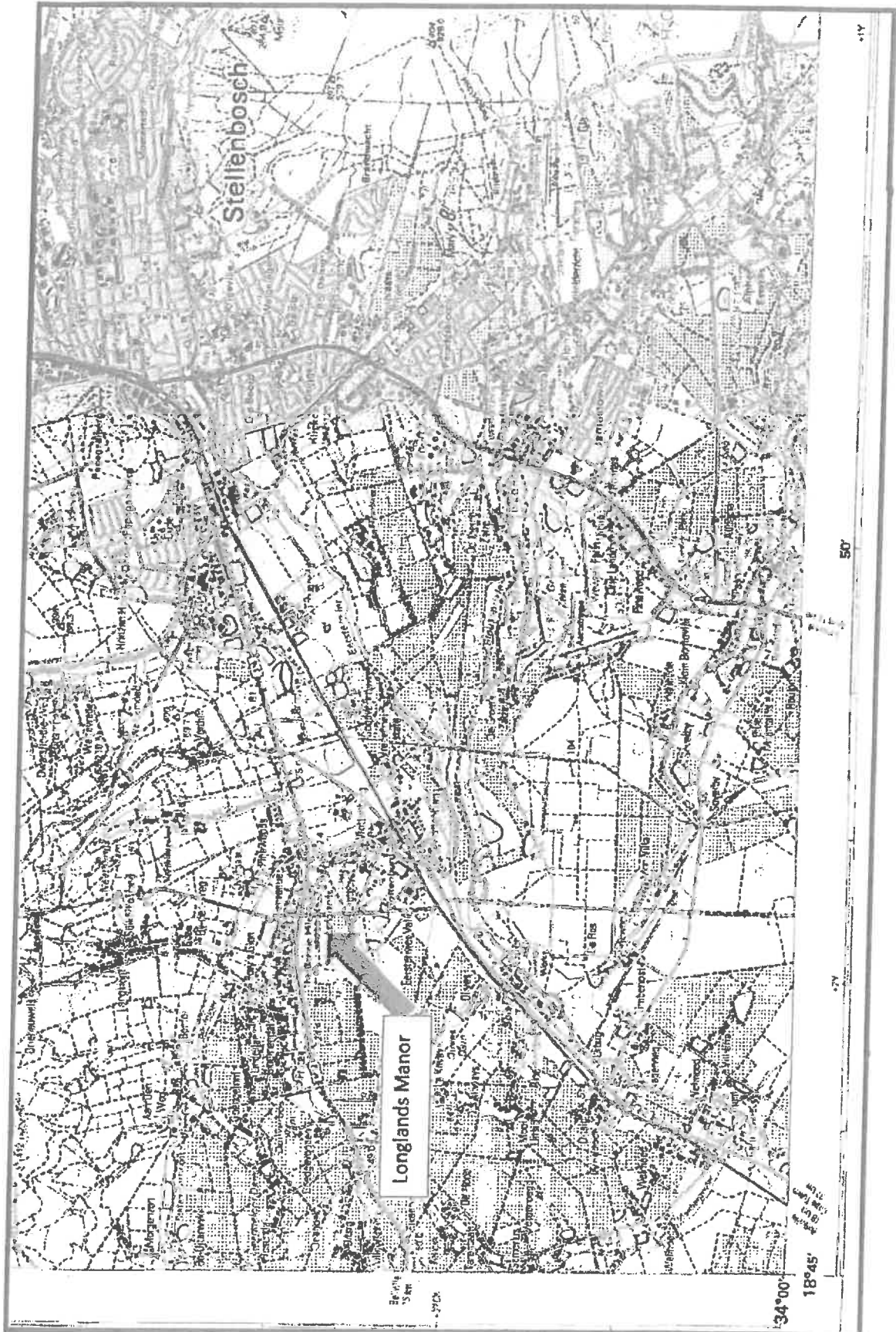
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 14 DECEMBER 2020

CC: (1) A Withers (Legacy Environmental Management Consultancy (Pty) Ltd)
(2) Schaik van der Merwe (Stellenbosch Municipality)

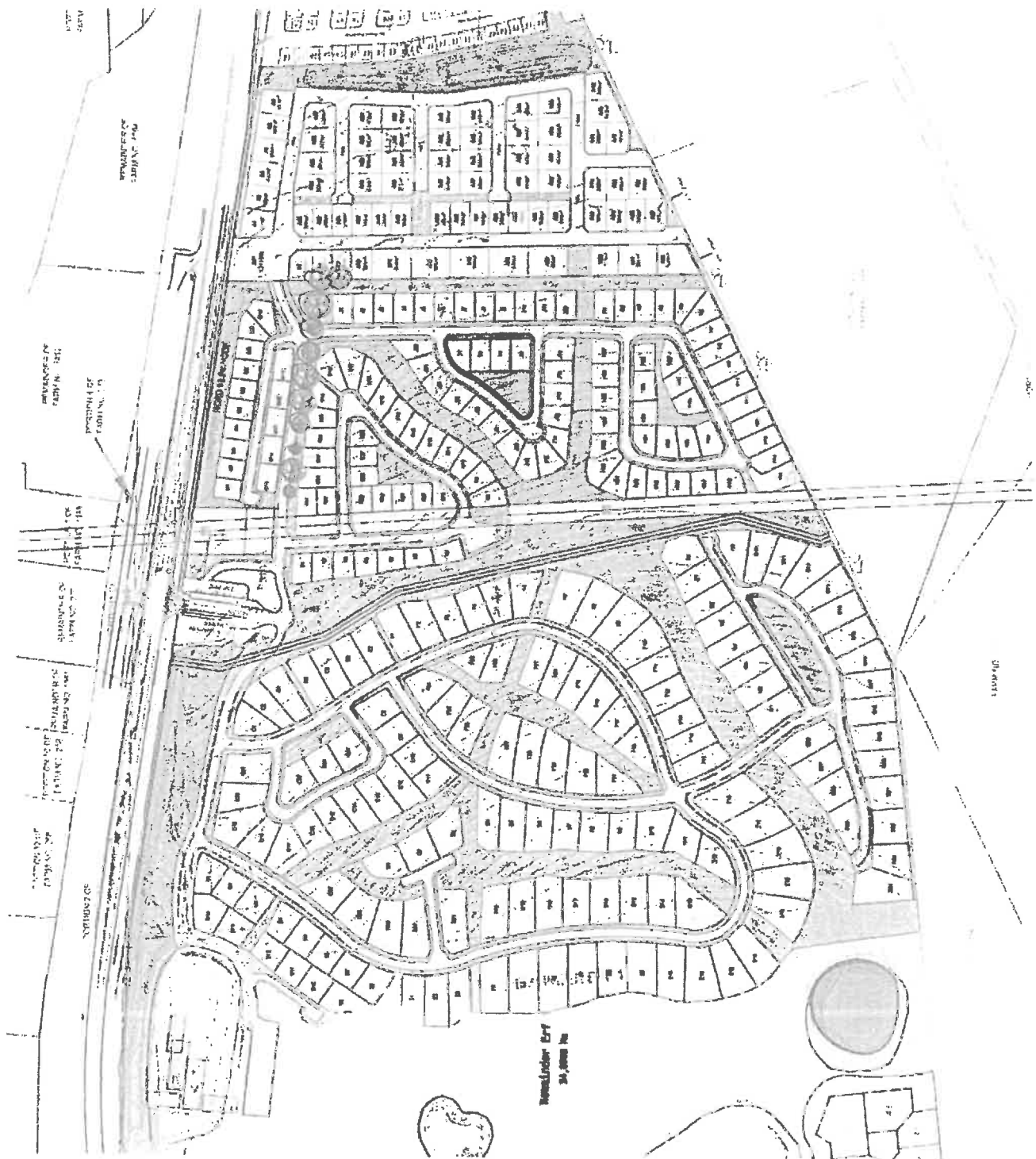
Email: aubrey@legacyemc.co.za
Email: schaik.vandermerwe@ Stellenbosch.gov.za

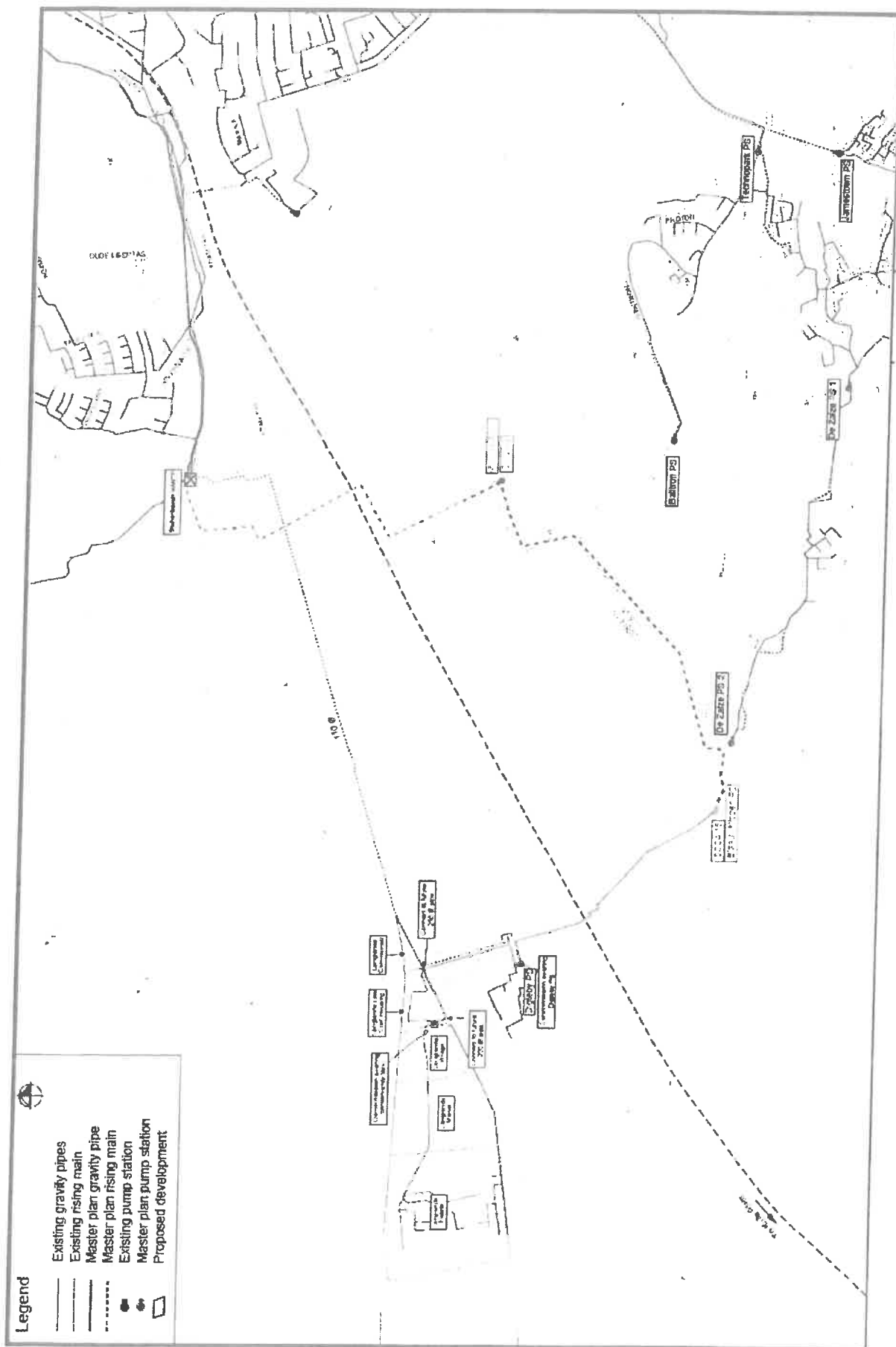
ANNEXURE 1: LOCALITY MAP





ANNEXURE 2: SITE PLAN





ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated March 2020, the EMPr submitted together with final BAR dated August 2020 and the additional information received on 10 September 2020 and 10 December 2020;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated August 2020 and the additional information received on 10 September 2020 and 10 December 2020; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing notice boards at the site where the listed activity is to be undertaken on 16 September 2019;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activity on 16 September 2019;
- the placing of a newspaper advertisement in the 'Eikestad Nuus' on 17 September 2019;
- circulating the pre-application draft BAR to I&APs from 17 September 2019; and
- circulating the in-process draft BAR to I&APs from 18 March 2020.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

2. Alternatives

Various density layouts were considered based on the features of the site and to comply with the municipal policy of creating denser developments. The preferred alternative included in the Basic Assessment process went through an iterative process informed by urban design and specialist input, with the objective of establishing a residential estate that would constitute a compatible extension of the existing Longlands Country Estate. The preferred alternative was further refined through input received during public and authority consultation and represents the best practicable option from a density, design and layout perspective, which will reduce the potential visual and cultural landscape impacts associated with the development.

Preferred Alternative (Herewith authorised)

The proposed development comprises a residential estate and associated infrastructure on the Remainder of Erf No. 1, Longlands, Vloppenburg, which will include the following:

- 255 single residential erven on the Manor site;
- A crèche, clubhouse, security gatehouse and a café;
- Various Private Open Spaces and an internal private road network throughout the development;
- A green corridor located diagonally across the property from south-west to north-east;
- A secondary corridor positioned along the proposed Eskom underground cable servitude (the cable replaces the 132kV overhead line);
- Six detention ponds and two dry swales for storm water management;
- The corridors and servitude areas will be landscaped with suitable indigenous vegetation and trees;

"No-Go" Alternative

The no-go alternative was considered. However, it was not preferred since it would result in the proposed activity not being implemented on a site included within the municipal urban edge that is earmarked for urban infill development.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The proposed development site is situated within the urban edge of Vloppenburg in an area that has been identified by the municipality for mixed-use and residential infill purposes. The development will be located next to the Longlands Country Estate and west of the approved Longlands Village and Longlands Subsidy Housing developments and can therefore be deemed as an infill development. The site has been used for agricultural purposes for years and does not contain any sensitive environmental features. The revised Municipal Spatial Development Framework encourages developments with a mixture of erf sizes and the proposal is therefore in line with the objectives of this forward planning document, with erf sizes ranging between 300m² and 1000m². The proposed development is consistent with the relevant planning policies and principles and it addresses the need for optimal development of available vacant land within the urban edge to prevent large scale development and extensions outside urban areas, resulting in urban sprawl. It will provide a variety of housing opportunities and it will create employment and economic opportunities within the municipal area.

3.2 Biophysical Impacts

The site has been totally transformed from its natural state by historical agricultural activities, resulting in the clearance of the indigenous vegetation that was present on the site. No significant environmental impacts are expected on the biophysical environment, since the property is already disturbed and transformed, and no natural freshwater ecosystems are mapped on or within 32m of the site. The

preferred layout also incorporates the mitigation measures recommended by the appointed specialists to further limit any potential impacts.

3.3 Heritage Impact Assessment and Visual Impact Assessment

The proposed development will be located within the designated urban edge of the Vloottenburg node in Stellenbosch. The site itself has a low visual significance, but it is located within an area of scenic, cultural and historical significance. Although the site is highly transformed from its natural state through agricultural use, the proposed development will add a significant development footprint to the Vloottenburg node. In its comment dated 6 June 2019, Heritage Western Cape ("HWC") requested that a Heritage Impact Assessment ("HIA") that focuses on the visual impacts on the cultural landscape, be undertaken. Based on the findings of the HIA dated August 2019, compiled by Lize Malan and David Gibbs, the proposed development will result in a noticeable change in the landscape. The significance of the potential visual impact can however be reduced from moderate significance to low significance with the implementation of recommended mitigation measures. HWC subsequently confirmed that it has no objections to the proposed development, subject to the implementation of the recommended conditions, as stipulated in the comment from HWC dated 19 December 2019. This has been included as a condition of approval in this EA.

In summary, the proposed development will result in both negative and positive impacts.

Negative Impacts:

- The proposed construction works will result in elevated noise and dust levels and increased traffic volumes during the construction phase. These impacts will be of temporary duration and mitigation measures have been incorporated into the EMP for implementation during the construction phase.
- There will be visual, noise and traffic impacts during the operational phase, which was mitigated by the incorporation of specialist and I&AP input into the preferred layout.

Positive Impacts:

- The proposed development will assist in addressing the growing housing demand in Stellenbosch and contribute to the local economy.
- The development will create employment opportunities during the construction and operational phase.



4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activity (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMP, the Competent Authority is satisfied that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

-----END-----



Western Cape
Government

ANNEXURE L2 (6)
MINISTRY OF LOCAL GOVERNMENT,
ENVIRONMENTAL AFFAIRS AND
DEVELOPMENT PLANNING

REFERENCE NO: 14/3/1/B4/45/0506/21

Mr David Luddit
Longlands Village (Pty) Ltd.
P.O. Box 1159
STELLENBOSCH
7599

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

27 AUG 2021

RECEIVED

E122

FORM NR:

712610

Dear Mr Luddit

Tel: 021 886 5262
Email: david@aaam.co.za

APPEAL LODGED IN TERMS OF SECTION 43(2) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AGAINST THE ENVIRONMENTAL AUTHORISATION ISSUED FOR THE PROPOSED LONGLANDS MANOR RESIDENTIAL DEVELOPMENT ON THE REMAINDER OF ERF 1, LONGLANDS, VLOTTENBURG, STELLENBOSCH

1. The appeal lodged against the Environmental Authorisation ("EA") issued by the Department of Environmental Affairs and Development Planning on 14 December 2020, refers.
2. **EMPOWERING PROVISIONS:**
In terms of Section 42A (3) of the *National Environmental Management Act, 1998* (Act No. 107 of 1998) ("NEMA"):
"The MEC may confirm, vary or revoke any decision taken in consequence of a delegation or subdelegation in terms of this section, subject to any rights that may have accrued to a person as a result of the decision."
3. After considering all relevant facts and supportive documents I wish to advise that, in terms of section 42A (3) of NEMA I have decided to **revoke** the EA resulting in the appeal becoming superfluous.
4. **REASONS FOR THE DECISION:**
 - 4.1. An Appeal EA issued on 27 March 2007 authorised the Longlands Estate and the Longlands Subsidy Housing developments on Portion 11 of the Farm Longlands No. 393, Vloittenberg, Stellenbosch. (see **Annexure 1**)
 - 4.2. Condition 4 of the Appeal EA, referred to in paragraph 1.1, states the remainder of the property which must be retained for agricultural purposes, as follow:
"Only areas indicated for development in Figure 7 (Plan 3, May 2004), i.e. the residential erven and Village shall be rezoned to sub-divisional area. The remainder of the property shall remain Agriculture 1 and shall be used solely for agriculture and agriculture-related development in accordance with applicable zoning scheme." (see **Annexure 2** for a copy of Figure 7(Plan 3, May 2004).
 - 4.3. The Longlands Estate development component has been completed whilst the Longlands Subsidy housing development component is under construction.
 - 4.4. The site proposed for the Longlands Manor Development falls within the development footprint of the Appeal EA issued on 27 March 2007, specifically within the area that must be retained for agricultural purposes as per Condition 4.

- 4.5. In terms of the EIA Regulations, 2014, Listed Activity 28 in Listing Notice 1 of Government Notice 327 of 7 April 2017 states as follow:
"Activity 28
Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development —
(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or
(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;
excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes."
- 4.6. In terms of the Section 24G and Similar Listing Explanatory Document (July 2017), Item 2(c) of Schedule 1 of Government Notice No. R1182 of 5 September 1997 is similarly listed as Listed Activity 28 in Listing Notice 1 (GN No. R. 983 of 4 December 2014) of the EIA Regulations, 2014.
- 4.7. Regulation 50(2) of the EIA Regulations, 2014 states—
"Continuation of actions undertaken and authorisations issued under previous ECA regulations"
50 (2) Any authorisation issued or exemption from obtaining an environmental authorization granted in terms of the ECA regulations, must be regarded to be an environmental authorisation issued in terms of these Regulations."
- 4.8. The development site for Longlands Manor as authorised in the EA issued by the Director: Development Management Region 1, on 14 December 2020, falls within the development site of the Appeal EA of 2007 and is thus superfluous and has no effect.
- 4.9. The EA of 14 December 2020 does therefore not allow you to lawfully proceed with the proposed development as the Longlands Manor site is authorised on an area that shall be used solely for agriculture and agriculture-related development as per Condition 4 of the Appeal EA (see 4.2 above).
5. I have discharged my decision-making powers when making this decision and I am thus *functus officio* in this regard. My decision is final and your only recourse, should you still be aggrieved by my decision, is to apply to the Western Cape High Court to review my decision.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully,



ANTON BREDELL
WESTERN CAPE MINISTER OF LOCAL GOVERNMENT,
ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE: 25/8/2024

Copied to:

(1) A Withers (LEGACY Environmental Consultancy (Pty) Ltd.)

email: aubreywithers@mweb.co.za

(2) S van der Merwe (Stellenbosch Municipality)

email: Schalk.vandermerwe@stellenbosch.gov.za

ANNEXURE 1

11-APR-2007 15:35 FROM
11/04 2007 15:24 FAX 04836081

SLC
ENV AFFAIRS/DEV

TO CEANTEL

P.01/11
0001

File: longlands

Verwysing
Reference
Isakeitso E12/2/1-106-Farm 385/8&11,
Vlottenburg, Stellenbosch

Navors
Enquiries
Indaba JAAP DE VILLIERS

Outkom
Date
Umske 23/4/07
Of Issue

Provincial Minister for Environment, Planning and Economic Development



The Director
SLC Development Services (Pty) Ltd
P.O.Box 1058
STELLENBOSCH
7508

Attention: Francois Smith

Tel: (021) 887 7258
Fax: (021) 887 7263

Dear Sir

**APPEAL: THE PROPOSED LONGLANDS ESTATE DEVELOPMENT ON PORTION
11 OF THE FARM LONGLANDS, NO 383, VLOTTENBURG.**

Having considered the information at my disposal, the Minister for Environment, Planning and Economic Development hereby decide, in terms of section 35 (4) of the Environmental Conservation Act (No 73 of 1989), to vary the decision of the delegated official as set out herein below:

RECORD OF DECISION

A. DESCRIPTION OF ACTIVITY:

The proposed activity/development entails the following:

- An agricultural village comprising of 106 low cost houses
- A guest house comprising of 8 double free standing rooms with en-suite bathrooms, reception area, and two administration offices, dining room, lounge, bar, swimming pool, conference room, kitchen, food storage room, laundry area, staff area and garden areas surrounded by vineyards
- A farm component comprising the owners and farm manager's houses and farm outbuildings
- The installation of a sewage pipeline to remove sewerage from the Estate and Village to the Stellenbosch Treatment Works and a second pipeline to bring the treated sewage effluent back to the farm to be used for irrigation. These pipelines will be installed in the within the road reserve on the Northern side of the R310.

Uitvoersgebou, Dorpsstraat 1
Private Bag 39086 Kaapstad 8000

Uitvoersgebou, 3 Dorp Street
Private Bag 39086 Kaapstad 8000

Tel No.: 021-483 3915
Fax No.: 021-483 6081
E-mail: info@slcdev.co.za

Provincial Minister for Environment, Planning and Economic Development

- A water storage reservoir with a capacity of 170 Ml.
- An upmarket residential estate comprising of 100 single residential units;
- A system of 5 small off stream dams with a capacity of 45 - 60Ml; and
- A new access road from the M12 (Stellenbosch Arterial Road), that will connect the various components of the activity.
- Two (2) 5000 l temporary fuel (diesel) storage tanks for use during the construction phase.

as indicated on Figure 7 (Plan 3, 21 May 2004) contained in the Environmental Impact Report for the proposed Longlands Estate Development on Portion 11 of the Farm Longlands NO. 393, Vloetenburg, Stellenbosch (dated 07 October 2004).

These are activities identified in Schedule 1 of Government Notice No. R1182 of 5 September 1997, as amended, being:

- Item 1 (c) The construction, erection or upgrading of- with regards to any substance which is dangerous or hazardous and is controlled by national legislation-
 - (ii) Manufacturing, storage, handling, treatment or processing facilities for any such substance.
- Item 1 (d) The construction, erection or upgrading of roads, railways, airfields and associated structures.
- Item 1 (j) The construction, erection or upgrading of dams, levees and weirs affecting the flow of a river.
- Item 1(k) The construction, erection or upgrading of reservoirs for public water supply.
- Item 1(m) The construction, erection or upgrading of public and private resorts and associated infrastructure.
- Item 1(n) The construction, erection or upgrading of sewerage treatment plants and associated infrastructure.
- Item 2(c) The change of land use from agricultural or zoned undetermined use or an equivalent zoning to any other land use.

hereinafter referred to as "the activity".

B. LOCATION:

The property is located on portion 11 of the Farm Longlands, No 393, Vloetenburg Stellenbosch. It is approximately 7km to the west of Stellenbosch, and is bounded by the M12 Stellenbosch Arterial Road (Polkadraai Road) to the north and the R310 Road to the southeast.

Co-ordinates: 33°57'20" South
 18°47'00" East

herein after referred to as " the property/site"

Provincial Minister for Environment, Planning and Economic Development

C. **APPLICANT:**
SLC Development Services (Pty) Ltd
% Francois Smith
P.O.Box 1058
STELLENBOSCH
7609
Tel: (021) 887 7256
Fax: (021) 887 7263

D. **CONSULTANT:**
Withers Environmental Consultants
% Aubrey Withers
P.O.Box 6118
UNIEDAL
7612
Tel: (021) 887 4000
Fax: (021) 887 4000

E. **SITE VISIT(S):**
No site visits were undertaken.

F. **DECISION:**
In terms of Sections 22 and section 35 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), I hereby grant authorisation with the conditions contained in this Record of Decision, for the execution of the activity described above.

This Authorisation has been granted solely for the purposes of undertaking the activity referred to above, and does not exempt the holder thereof from compliance with any other relevant legislation.

G. **CONDITIONS OF AUTHORISATION:**

1. One week's notice, in writing, must be given to the Directorate: Integrated Environmental Management (Region A), (hereinafter referred to as "this Directorate"), before commencement of construction activities.

1.1 Such notice shall make clear reference to the site location details and reference number given above.

1.2 The said notice must also include proof of compliance with the following conditions described herein:

Conditions: 16, 17, 19, 21

2. Farm 393/11 and any future subdivisions thereof shall be incorporated into the Vloedenburg Special Management Area to form part of the Vloedenburg Hamlet designation as per the Winelands Integrated Development Framework. Farm 393/11 and any future subdivisions thereof shall be managed in accordance with the provisions of the Vloedenburg Special Management Area.

Provincial Minister for Environment, Planning and Economic Development

- 3 Twenty percent (20%) of the upmarket Estate development shall contain 20% gap housing in the R2500 – R7500 income category.
- 4 Only the areas indicated for development on Figure 7 (Plan 3, 21 May 2004), i.e. the residential erven and Village shall be rezoned to sub-divisional area. The remainder of the property shall remain as Agriculture 1 and shall be used solely for agriculture and agriculture-related development in accordance with applicable zoning scheme.
- 5 The applicant shall provide the services for the Village component of the development.
- 6 The architectural and development guidelines for the proposed Longlands Country Estate and Village prepared by SLC Architectural Studios, a division of SLC Development Services (Pty) Ltd (Version 3, dated June 2004), must be adopted and implemented for both the Estate and Village components of the development.
- 7 The applicant shall establish a trust fund to be comprised of the applicant, elected members of the Vlothenburg Housing Forum (or a similar community structure with the same objectives), relevant municipal officials, representative(s) of organisation(s) representing the surrounding property owners and an impartial professional appointee (such as a firm of attorneys and auditors). The trust shall facilitate access to housing in the Village by assisting the residents of Vlothenburg to pay the deposit to access the Government Housing Subsidy, the shortfall in the actual costs of a house and the Government subsidy and for landscaping and maintenance etc. of the Agricultural Village.
- 8 The actual cost of building a Village house shall be determined and the applicant shall cover the shortfall between the actual cost and the Government subsidy.
- 9 The relevant requirements of the National Water Act, 1998 (Act No. 36 of 1998) must be complied with at all times.
- 10 An integrated waste management approach must be used that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill licensed in terms of section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989).
- 11 The final layout of the proposed development must be approved by the Municipality.
- 12 The mitigation/rehabilitation measures and recommendations as stipulated in the Environmental Impact Report dated October 2004 compiled by Aubrey Withers of Withers Environmental Consultants must be implemented.
- 13 The applicant must compile and submit an acceptable Environmental Management Plan ("EMP") for both the construction and operational phases of the development that contains the recommendations and mitigation/rehabilitation measures

Provincial Minister for Environment, Planning and Economic Development

stipulated in the Environmental Impact Report dated October 2004 compiled by Aubrey Withers of Withers Environmental Consultants and the conditions of this Record of Decision. The EMP must:

- 13.1 Be submitted to this Directorate at least three weeks prior to construction activities commencing. This must be approved prior to any land clearing and construction commencing.
- 13.2 Describe the level and type of competency required of the Environmental Control Officer, ("ECO");
- 13.3 Define and allocate the roles and responsibilities of the ECO referred to above, and the Environmental Site Agent where applicable;
- 13.4 Determine the frequency of site visits;
- 13.5 Be included in all contract documentation for the construction and operation of the development.
- 14 An Environmental Monitoring Committee must be established and maintained at the cost of the applicant prior to construction commencing to ensure compliance with the EMP.
- 15 The exotic tree species must be removed from the entire property in a phased approach.
- 16 The temporary fuel storage tank must be bunded (110% of the proposed tank's capacity) to contain any possible spills and to prevent any infiltration of fuel into the ground.
- 17 The temporary fuel storage tank is to be installed and managed in accordance with the relevant Oil Industry Standards and SANS codes.
- 18 Antiflash nozzles must be installed at the end of the vent pipes with fuel dispensers equipped with automatic cut-off facilities to prevent fuel tank overfills.
- 19 Vehicles using the temporary fuel storage tanker must be located on a concrete hard standing area for spill containment.
- 20 During fuel tanker delivery, the tanker driver must be present at all times during product off loading. An emergency cut-off switch must be installed to immediately stop fuel delivery should an accident occur.
- 21 An on-site emergency response plan for the temporary fuel storage tank must be prepared or existing plan must be amended to suit the proposed activities and implemented in consultation with the Local Authority's Emergency Services. A copy of the emergency plan must be submitted to this Directorate for information purposes.

Provincial Minister for Environment, Planning and Economic Development

- 22 The temporary fuel storage tanks must be removed after construction has been completed.
- 23 The requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), must be adhered to.
- 24 All outdoor advertising associated with this activity, whether on or off the property concerned, must comply with the applicable Local Authority By-Law for the control of Outdoor Advertising or in the absence of local legislative controls, must comply with the South African Manual for Outdoor Advertising Control (SAMOAC) available from:

The Director: Environmental Impact Management
Department of Environmental Affairs and Tourism
Private Bag: X447
Pretoria
0001
- 25 The applicant shall be responsible for ensuring compliance with the conditions contained in the Record of Decision by any person acting on his behalf, including but not limited to, an agent, servant, employee or any person rendering a service to the applicant in respect of the activity, including but not limited to contractors and consultants.
- 26 The applicant shall be responsible for ensuring compliance with the conditions contained in the Record of Decision by any person acting on his behalf, including but not limited to, an agent, servant, employee or any person rendering a service to the applicant in respect of the activity, including but not limited to contractors and consultants.
- 27 The owner and/or developer must notify this Directorate and any other relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.
- 28 Departmental officials shall be given access to the property referred to in B above for the purpose of assessing and/or monitoring compliance with the conditions contained in this Record of Decision, at all reasonable times.

H. **RECOMMENDATIONS:**
None.

Provincial Minister for Environment, Planning and Economic Development

I. KEY FACTORS AFFECTING THE DECISION:

1. The decision is based on the culmination of the Environmental Impact Assessment process which includes the following:

- The Final Scoping Report dated March 2004 and the Environmental Impact Assessment Report dated October 2004 as well the additional information requested by the Department, including the comment by Heritage Western Cape's comments (received on 27 January 2006);
- The Record of Decision issued by the Director: Integrated Environmental Management (Region A) authorized part of the application on 22 May 2006;
- The appeal was submitted by Stadler & Swart on behalf of Mr HF Smith (the applicant) lodged on 21 June 2006;
- The comment received from the Stellenbosch Municipality in respect of the Longlands Development and
- The existing policy and legislative framework and the principles of the National Environmental Management Act, 1998 (Act No. 108 of 1998) were considered during the decision-making process.

2. The following key factors from the Record of Decision issued Director: Integrated Environmental Management (Region A) on 22 May 2006 are endorsed:

2.1 Vegetation

The site, which originally comprised mainly West Coast Renosterveld vegetation, has been cleared of most of its natural vegetation for mining and the planting of vineyards. The West Coast Renosterveld remnants, including *Elytropappus rhinocerotis* (Renosterbos), *Elytropappus longifolius* (slangbos), *Elytropappus gnaphaloides*, *Erica Curviflora*, *Rhus Lucida* and *Olea europaea* (wild olive), are confined to isolated pockets ("islands") within and around the laterite mined area within the Western Sector of the Farm. The mined area has become inundated with exotic vegetation, notably *Acacia* and *Eucalyptus* on its fringes and the species diversity is low.

The Longlands property lies on an elevated spur with gentle slopes to the north towards the Sandrift River and to the East and the South East. No other water courses are present on the farm although an ephemeral seepage occurs within the quarry pit of the mined laterite.

2.2 Fauna

Due to the limited natural areas on the property, the biotic diversity is low. Birds are the most common wildlife on the property, predominantly associated with the wetland area. Evidence of small buck, porcupine and hares were noted. These animals are common in the rural farm landscapes.

2.3 Archaeology

The archaeological assessment undertaken on the Farm in 1998 by Colin Cambell showed that no significant archaeological artefacts were found on the property. A

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few acheulian tools were noted on the farm, however the significance of these artefacts is low.

2.4 Socio Economic

The economy is based on a strong agricultural, manufacturing and service centers as well as the growing tourism industry. The grape and wine industry is one of the primary economic bases of the region, with manufacturing and services largely directed towards serving agriculture. Stellenbosch University is also a major economic driver, bringing more than 20 000 students to Stellenbosch every year, creating considerable demand for accommodation. However, the need for low income housing is the greatest housing priority in the Municipal area.

With the gradual increase in the number of people migrating to Vlootenburg over the past few years (Dennis Moss Partnership, 2001), there is currently a need for low cost housing for the Vlootenburg community, i.e. predominantly for farm workers and their families, many of whom are living in poor conditions.

The need for low cost housing in Vlootenburg is evident by the existing inadequate housing in which many community members reside, which in most cases are overcrowded and compromise insufficient services leading to various health hazards, (i.e. no formal sewage system, stormwater system, running water or electricity). In 1998 the waiting list for houses in Vlootenburg comprised 216 families, and the demand for housing continues to increase. The proposed Longlands village will therefore have a positive impact on the standard of living for many members of the local community and will fulfil the vision for Vlootenburg and the development of the Vlootenburg Hamlet.

2.5 Sewage

The current means of sewage disposal for houses on the Longlands Farm comprises septic tanks and soak away drains, whilst the labourers cottages have no formal sewage system. There is no bulk sewage system in the area of the proposed development. The preferred method of sewage disposal for the proposed Longlands Estate and Village is a water borne sewage system, with a pump and a rising main along the R310 road reserve to the existing Stellenbosch Municipal Sewage Works (SSW). At present the Stellenbosch Sewage Works designated capacity is 25Ml, of which 68% is currently being utilised. It has been confirmed by the Stellenbosch Municipality that the Stellenbosch Sewage Works has existing unused capacity to treat an additional 305 k/day from various proposed development, which includes the de Bosch development.

2.6 Traffic

The traffic impact statement concluded that the proposed access on the Polkadraai Road is located at a position where it is considered acceptable both for arterial access management reasons and safe shoulder sight distance considerations.

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The District Roads Engineer has stated that there is no objection to the proposed location of access to the proposed Longlands development from the Polkadraai Road.

2.7 Planning

The development of a rural settlement (Agricultural Village) at Vlotenberg was first proposed in the Stellenbosch Environs Sub-regional Plan (1986). This notion is supported by the Winelands Integrated Development Framework (WIDF) Spatial Plan (Rural and Urban Settlements Analysis, Policy and Proposals, 2001), which states that the size of rural settlement should depend upon the visual carrying capacity of the location, the value of the surrounding land for agriculture and historic development patterns.

2.8 Visual

Being elevated, the Longlands property is visually exposed from the approach road (R310) from Stellenbosch, from sections of the M12 opposite the Bonniemile smallholdings and from the Stellenbosch Kloof Road.

2.9 Alternatives

These were considered in the process as follows:

2.9.1 Densities and Layouts

Alternative A – comprised of 100 single residential units, the Longlands Village consisting of 106 houses, a guesthouse and a farm component (comprising owner and managers house).

Alternative B – comprises 66 single residential units, 35 group houses, a rural agricultural village consisting of 100 units, a guesthouse and a farm component (comprising of the owners and managers houses).

2.9.2 Sewage disposal

The following was considered:

- a) Conservancy Tanks;
- b) On site treatment by means of a private sewage package treatment plant or a biolytic treatment system
- c) A water borne sewage system, where the sewage generated by the proposed Longlands development (and future development within the proposed Vlotenberg Hamlet) would be removed to the Stellenbosch sewage works (via a pipeline along the R310 road reserve).

2.9.3 The No-Go Option

The EIA revealed that no significant negative environmental impacts are anticipated to result from the proposed development. The no go development alternative may inhibit the development proposals for the Vlotenberg Hamlet put forward in the planning undertaken by the local authority for the upliftment of the Vlotenberg node (community).

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2.10 Public Participation

The following issues were highlighted during the Public Participation Process namely: biophysical, socio economic, engineering and planning and process issues. All issues raised during the Public Participation Process have been addressed by the consultant and were considered by this Department in making this decision.

2.11 Authorities consultation:

- 2.11.1 In the letter dated 18 January 2006, Heritage Western Cape endorsed the recommendations as contained in the HIA conducted for the proposed development.
- 2.11.2 Cape Nature (previously Western Cape Nature Conservation Board) in their letter dated 30 August 2004 provided comments on the proposed development in terms of which the Renosterveld fragment on the property is of a low conservation value due to its small size.
- 2.11.3 The Department of Water Affairs and Forestry stipulated in their letter dated 24 June 2005 that they have no further objections to the development subject to their conditions as stated in their fax dated 18 April 2005 regarding the irrigation of water containing waste as well as the dams on the property.
- 2.11.4 The Department of Transport and Public Works indicated in their letter dated 11 May 2004 that they have no objections to the proposed siting of access from the MR177.
- 2.11.5 The Department of Agriculture in their letter dated 15 March 2005 stipulated that they have no objections to the proposed development and that the layout plan dated 14 March 2005 is the recommended plan.

3. Appeal Issues:

3.1 Planning considerations:

The development proposal as outlined in the application is an integrated development proposal which is only sustainable if implemented as a whole.

Relevant policies and planning frameworks were considered during this appeal and applied in the context of the socio-economic challenges and biophysical parameters that exists. This included a consideration of the relevant local, provincial and national policies and priorities.

The proposed development will result in an improvement to the living conditions and state of housing provision for farmworkers living on the subject farm and to the Vlotenburg community. The development as proposed will result in a minimal loss of agricultural land as the Estate component of the development is situated on a disused quarry whilst the Village component exists. In terms of the *quid pro quo* principle, the services to the Village will be developed by the applicant. The Village component will be designed and built according to the local architectural vernacular. The applicant will fund the difference between the subsidy and the cost of building a top structure that meets this design standard.

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- 3.2 The removal of alien/exotic vegetation is required as part of this decision. This is based on the information presented in the Scoping Report (WEC, March 2004: pp25 and Table 1: 3-4) in which it is stated:

"An alien vegetation clearing programme and follow-up weeding programme will be implemented ... to eradicate invasive alien vegetation from the property ... on a phased basis, i.e. until the replacement of indigenous species or non-invasive species are well established..."

J. **DURATION AND DATE OF EXPIRY:**

This authorisation shall lapse if the activity does not commence within two (2) years of the date of issue of this authorisation.

If any condition imposed in terms of this authorisation is not being complied with, the authorisation may be withdrawn after 30 days written notice to the applicant in terms of Section 22(4). Failure to comply with any of these conditions is also an offence and may be dealt with in terms of Sections 29, 30 and 31 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) as well as any other appropriate legal mechanisms.

Provincial Government, Local Authority or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

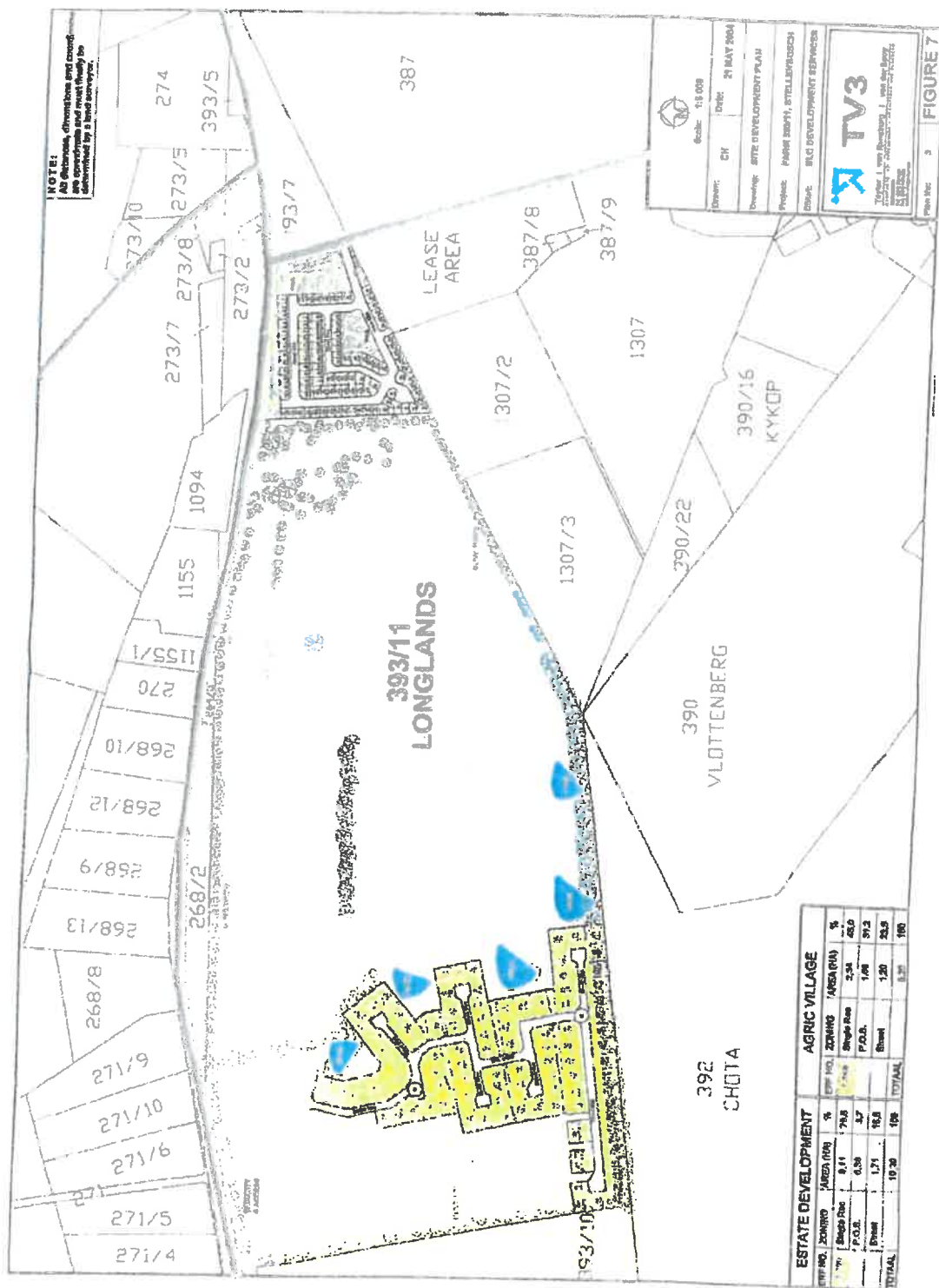
Your interest in the future of our environment is greatly appreciated.

Yours faithfully


TASNEEM ESSOP
MINISTER FOR ENVIRONMENT, PLANNING AND ECONOMIC DEVELOPMENT

DATE OF DECISION: 27.3.07

ANNEXURE 2





Western Cape
Government

Ministry of Local Government,
Environmental Affairs & Development Planning

Tel: +27 21 483 3721

Email: DEADP.Appeals@westerncape.gov.za

Reference: 14/3/1/1/B4/45/0527/21

Mr David Ludditt
Longlands Village (Pty) Ltd
PO Box 1159
STELLENBOSCH
7599

Cell: 083 796 5656
Email: David@aaam.co.za

Dear Mr Ludditt

AMENDMENT DECISION: THE AMENDMENT OF THE AMENDED APPEAL RECORD OF DECISION FOR THE LONGLANDS ESTATE DEVELOPMENT ON PORTION 11 OF THE FARM LONGLANDS NO. 393, VLOTTENBERG, STELLENBOSCH

1. Your Application for the Amendment of the Appeal Record of Decision ("RoD") dated 13 June 2019, as received on 21 June 2021 and the Final Amendment Report dated March 2022 refers.
2. **EMPOWERING PROVISIONS:**
Sub-regulation 27(1) of the NEMA EIA Regulations, 2014 states that "The competent authority that issued an environmental authorisation has jurisdiction in all matters pertaining to the amendment of that environmental authorisation as long as the environmental authorisation is still valid, provided that the competent authority that issued such environmental authorisation still has jurisdiction in terms of the Act."
3. **DECISION**
By virtue of the powers conferred on me by the NEMA and the EIA Regulations (Government Notice No. R. 326 in Government Gazette No. 40772 of 7 April 2017), I have decided to **amend** the Amended Appeal EA issued on 27 March 2007 as follows:
 - 3.1. **SECTION A: DESCRIPTION OF ACTIVITY**
The inclusion of the following-

Remainder of the Erf 1, Longlands:

A residential estate and associated infrastructure on the Remainder of Erf No. 1, Longlands, Vloottenburg, which will include the following:

- 255 single residential erven on the Manor site with Erf sizes ranging from 300m² to 1000m²;
- A creche, clubhouse, security gatehouse and a café;
- Various Private Open Spaces and an internal private road network throughout the development;
- A green corridor located diagonally across the property from south-west to north-east;
- A secondary corridor positioned along the proposed Eskom underground cable servitude (the cable replaces the 132kV overhead line);

- Seven detention ponds and two dry swales for storm water management;
- The corridors and servitude areas will be landscaped with suitable indigenous vegetation and trees.

Erf 345, Vloottenberg:

- 70 GAP housing opportunities and associated infrastructure.

A copy of the layout plan is attached as **Annexure 1**.

3.2. SECTION G: CONDITIONS OF AUTHORISATION

3.2.1. The deletion of Condition 4 which reads as follow:

"Only the areas indicated for development on Figure 7 (Plan 3, 21 May 2004), i.e. the residential erven and Village shall be rezoned to sub-divisional area. The remainder of the property shall remain as Agriculture 1 and shall be used solely for agriculture and agriculture-related development in accordance with applicable zoning scheme."

3.2.2. Condition 13 is amended to read as follow:

"13.1 The EMP must be revised to included both the Longlands Manor and Longlands Village developments;

13.6 An ECO must be appointed by the developer for the environmental supervision of the installation of Municipal Services in accordance with the approved EMP and monthly ECO Checklists must be issued by the ECO for both Manor and Village developments;

13.7 An environmental audit must be undertaken by the ECO at the completion of the installation of Municipal Services and a copy of the audit is to be sent to the DEA&DP and Stellenbosch Municipality for both Manor and Village developments;

13.8 An external environmental audit must be undertaken by an independent EAP no later than 6 months after the completion of the Landscaping of Open spaces and road verges and a copy of the audit is to be sent to the DEA&DP and Stellenbosch Municipality for both Manor and Village developments;

13.9 An external environmental audit should be undertaken once the Longlands Manor Home Owners Association has taken over the control of Longlands Manor Estate and a copy of the audit is to be sent to the DEA&DP and Stellenbosch Municipality. Similarly, such an environmental audit is to be undertaken for Longlands Village."

4. REASONS FOR MY DECISION:

4.1. The property has been lying fallow for the past 15 years;

4.2. The whole property has been transformed and today consists of old vineyards which are currently covered with cosmopolitan weed, various indigenous grasses and exotic invasive grasses;

4.3. The agricultural productivity of the soils is medium to low potential for wine grapes. The loss of such agricultural land to housing will have a low-medium to medium impact on food production;

4.4. Development has taken place to the west of Erf 1 (Longlands Country Estate) and currently approved development is taking place to the east of Erf 345 (Longlands Village and Longlands Social housing). The Municipal services are, therefore, present on the land and the cost of servicing such land will be minimal;

4.5. Remainder Erf 1 Longlands and Erf 345 have been placed within the urban edge of Vloottenburg by the MSDF;

4.6. The impact of developing this land on the cultural landscape has been determined to be low to medium, because of the approved developments on Longlands Farm (Country Estate and Subsidized Housing on Erf 346 and the other developments within the Vloottenburg area, namely the built development of Digteby and the approved development of Chanteclare, but as yet not developed;

4.7. HWC has endorsed the proposed Longlands Manor development, subject to certain recommendations (which are included in the conditional recommendations below);

4.8. The approved Municipal Spatial Development Framework has earmarked the property for mixed use community and residential infill development;

- 4.9. The proposed Manor and Village developments have and will contribute to the upgrading of Municipal services for the Vlottenburg area (water, sewage, electricity and roads);
- 4.10. It is preferable to develop Remainder Erf 1 of Longlands than develop other land in the Vlottenburg area for housing because of the availability of services, most of the higher lying land surrounding Vlottenburg is currently being used for vineyards on agriculturally productive land and development of this land will impact on the cultural landscape of the Vlotteburg area and on food security;
- 4.11. Since the original application, launched in 2004 for only 100 residential units (as Longlands Country Estate and 106 subsidy houses), the population of Stellenbosch has grown by more than 66%. Such population growth requires additional land for settlement.
- 4.12. The overall impacts determined in this Substantive EIA Amendment Report can be summarised as low negative (loss of agricultural land) to low positive (temporary job opportunities during the construction phase to permanent job opportunities during the operational phase).

5. FACTORS AFFECTING MY DECISION:

5.1. PUBLIC PARTICIPATION PROCESS:

The public participation process ("PPP"), as per the approved PPP plan, comprised of:

- Compile a list of the Interested and Affected Parties ("I&APs) from the existing list that was compiled for the Proposed Longlands Manor development.
- Affixing Notice Boards to steel stakes:
 - along Polkadraai Road so that the Notice Boards will be clearly seen by pedestrians.
 - at the local shop that is located along Polkadraai Road.
- Placement of an advert in the local Eikestad Nuus newspaper that appeared on 13 January 2022.
- Distribution of the Executive Summary ("ES"), in English, describing the PPP and the proposed development to those I&APs within the predetermined list of I&APs.
- Copies of the ES must be left at the local shop for collection by I&APs (mainly frequented by community members from Vlottenburg).
- A copy of the Draft Amendment Report, Environmental Management Programme ("EMPr"), the existing specialist studies and the executive summary of the EIA Report must be made available on the EAP's website.
- The Stellenbosch Municipality and Cape Winelands District Municipality and Government Departments (Heritage Western Cape (HWC), DEADP, DWS, Agriculture [both Provincial and National], Provincial Roads, South African National Roads Agency ("SANRAL") and (CapeNature) must be informed of the availability of the electronic copy of the EIA Report, EMPr, specialist studies and the ES of the EIA Report on the EAP's website.
- The PPP was run for a 30-day comment period from 17 January to 15 February 2022.
- A Comments-Responses Report containing all the comments received from IAPs, has been used to revise this Final Amendment EIA Report.

- 5.2. A summary of the main issues raised by I&APs on the Draft Substantive Amendment EIA Report is the following:

Longlands Country Estate

- The approximate 20ha of vineyards must remain intact (visual impact issues).
- The security fence between the Longlands Country Estate ("LCE") and the proposed Manor development has been fixed in the agreement between the developers and the HOA.
- Vlottenburg is a tranquil hamlet situated in a rural farmland area just outside and to the west of Stellenbosch in the Cape Winelands District Municipality. This area

should be kept for environmental conservation and preservation of farmland between the Cape Town metropolitan's urban sprawl and Stellenbosch.

- The Trustees of Longlands Country Estate note that a successful Annual General Meeting and Special General Meeting was concluded on the 20th of August 2020. Subsequent to the AGM/SGM a resolution was voted in by the homeowners of Longlands Country Estate about the voting result of the tabled resolution. This resolution mandates the Member Trustees of the Longlands Home Owners Association ("HOA") to conclude the process to purchase the 20 ha of land surrounding Longlands Country Estate from Longlands Village (Pty) Ltd. The principle agreement paves the way for the Longlands Country Estate HOA to support the Longlands Manor development as proposed.
- Prospective residents were informed about the written agreement and conditions of the original development (with the previous developer) that another development will never be able to take place on the land between LCE and LSH). A few individuals bought here specific erven based on this knowledge.
- The owners on the eastern boundary of LCE accordingly paid a higher premium for their properties because they front onto the vineyard and the Stellenbosch valley and mountain range which lay ahead towards the east.
- If any new development is to be allowed appropriate height restrictions should be imposed to lessen the visual impact and single height dwellings should be considered along the western boundary of the development.
- Further steps at lowering or cutting of land to a suitable depth or the terracing/stepping down and removal of land on the proposed development site should be considered to lessen the impact of visual encroachment on LCE and its surrounds.
- The LCE development would have been provided bulk services but, to date, there is no sewage connection to the local authority's sewage line.
- The previous developer never made provision for this infrastructure for the subsidy housing and whilst the new development company may have agreed to pick up this cost, what is the "trade off" by the new consortium of developers embodied by Longlands Village (Pty) Ltd. in exchange for receiving the authority to develop and introduce the proposed additional 255 houses?
- The new development will house more than 1000 more residents in the area and that is a conservative "spinoff" of the proposed development. The sanguine approach by the EIA to this magnitude development in rural winelands area is distressing. It attempts to paint a picture that everything will be just fine and dandy come this new development because it's taking vineyard land which is not very arable and catering for the needs of commerce.
- An I&AP noted that it is the first time in all the development applications and documentation that he has received wind of the intention to establish a commercial business centre ("café") on the proposed new development site. The original RoD took account of a guesthouse with 6 guest suites but not the commercial concern of a "café."
- It was noted that if this development is ever authorized, that the request for 255 residential erven should be drastically reduced to no more than 100 erven like its neighbouring counterpart LCE.
- The proposal that 255 households contribute daily to a refuse yard to be situated at a front security entrance gate sounds like an environmental nightmare. What smells and vermin and flies and other unwanted elements will such a yard not attract?

Bonnlémile Smallholders and Friends

- Were originally opposed to the 2004 Longlands development as the land was zoned as agricultural and they were concerned about noise, traffic and light pollution and further development.

- Not opposed to developments which will create much needed jobs, investments in the building industry and extra income for the municipality via rates and taxes, but it must not be allowed in rural areas on zoned agricultural land.
- The effect on the rural character will be even worse than the 2004 Longlands project with even more noise pollution, light pollution, huge increase in traffic, more people, pressure on water resources, pressure on the Stellenbosch effluent plant, etc. The same items and principals as per the 2004 objection thus applies for this objection.
- The developers cannot be allowed to destroy the character of Stellenbosch and its surroundings and this must be stopped by the authorities once and for all.
- The development will have a negative effect on the values of all the surrounding properties. All the current residence live and bought properties in this area for its rural character, which will be destroyed if any further developments are approved.
- Questioned why did Longlands Village (Pty) Ltd donated R200 000 to the DA in May 2021, just as the developers started with the illegal project.
- In their 2004 objection it was mentioned that if the development will be approved, it will be a matter of time before the rest of the property will also be developed. This is exactly what is currently happening.
- The current developers already invested a substantial amount by building a huge entrance gate and buildings on the property, still under consideration to be rezoned. They did this before the approval\rezoning for the 255 houses, thus exercising huge pressure on the local and provincial government to approve the rezoning. This is one of the oldest tricks in the book.
- The developers built an illegal entrance out\on of the Bonnie Mile Road opposite the entrance of the Longlands Village. Never in their lives have they experience such a disastrous, badly planned road.
- A clear and strong message must go out to this developer and all other future developers that they must first get approval and input from the local authorities, local community and property owners before they just go ahead as they wish with the attitude they cannot be stopped.
- As a resident of Stellenbosch it is sad and shocking to see how the once beautiful area is deteriorating under the pressure of continuous development, all for the sake of money.

Stellenbosch Interest Group

- Indicated that the introductory statement made that "the previous owner obtained approval for an additional 70 dwelling units on Erf 345 from the then Department of Rural Development and Land Reform (DRDLR)" is not correct, and it conflicts with the EA granted in 2007.
- Noted that if a new EA is once again granted by the DEADP for the development of Longlands Manor, the Ratepayers Association and Interest Group will lodge appeals against such decision for consideration by the Minister.
- The integration of communities at Vlothenburg is highly unlikely to take place after a berm has been built to assure segregation of the two communities.
- If 255 (or possibly 323) dwellings were to be approved as proposed, all the children living in such dwellings will be dependent on arrangements that their parents are able to make to transport them to school.
- If development is to go ahead (which is not supported) the provision of "estate erven" or smallholdings with a minimum area of one hectare each would be a more sustainable option, than 255 units.
- Note that the DEA&DP has not conducted any compliance monitoring in respect of the 2007 authorisation for the development of the Longlands Country Estate.
- The SIG finds it most disturbing that neither the former nor the current owner of Longlands has been prosecuted for non-compliance with the 2007 EA.

Stellenbosch Rate Payers Association ("SRA")

- Note that the new Substantive Amendment Application contains no new information or environmental alternatives. The SRA accordingly stands by the comments submitted on 27 July 2020.
- State that Minister Bredell is the Executive Authority for the Department of Environmental Affairs and Development Planning whose goal it is to ensure a resilient, sustainable, quality, and inclusive living environment for the Western Cape.

5.3. A summary of the main issues raised by Organs of State on the **Draft Substantive Amendment EIA Report** is the following:

DEADP: Pollution and Chemicals Management

- The D: PCM supports the upgrading of the bulk sewer network before any completed portion or phase of the development is connected to the sewer network.
- It is recommended that the detention ponds should be treated as sensitive areas. The storage of hazardous substances (petrol, diesel, oil or lubricants) must be prohibited in or near these ponds and no discharge of wash water or effluent is to be allowed to enter these ponds.
- The use of potable water for dust suppression must be strictly prohibited and non-potable water must be used instead.

5.4. **Need and desirability**

- The development process and specialist studies for the various components of the receiving environment have identified issues of ecological importance (creating natural rehabilitated corridors) and ensure that the development proposal is undertaken in a manner that will not unduly compromise the ecological integrity of the receiving environment (add to the ecological well-being of the development).
- The two development proposals, in view of its envisaged contribution towards health care, local economic development and job creation (both during the construction and operation phases), will contribute to realising the principle of social equity and community upliftment. The new developers have played a pivotal role in getting the social housing project out of the ground.
- The development proposals will be economically viable, in view of its anticipated economic outputs, and will contribute to local economic development over the long term (provision of goods and services), and will go some way to paying for the upgrading of all the municipal services for Vlottenburg as a whole (electricity, water, sewage and roads), as well as providing sustainable job opportunities (economic upliftment).
- In terms of spatial efficiency, the two developments are located within the urban edge of Vlottenburg. The proposed developments promote compact, residential developments that are integrated with Vlottenburg by forming the central northern edge of the settlement. In terms of the "urban area", the proposed Longlands Manor development has the developed Longlands Country Estate directly west, the approved Longlands Village directly east and the approved Longlands Subsidy Housing east of the Village. North of the collective Longlands property; lies the Bonniemile Smallholdings whilst south of Longlands the approved but still to be developed Chanteclare residential Estate is located. The developed Digteby Estate is to the south of Chanteclare Estate. As such, Longlands Manor and Longlands Village are considered to be within the urban area of Vlottenburg.

5.5. **SPECIALIST STUDIES**

5.5.1. **Water Supply**

The average annual daily water demand ("AADD") for potable water for the proposed Manor development is **150 kl/day**. The peak hour demand is 27.7litres/second for Manor. The development is classified as a "low-risk" fire protection area, with a required fire flow of 25 l/s at 10m minimum residual head for the development.

The subject properties have been taken into account in the Municipality's Water Master Plan for the Vloffenburg area. The water will come from the Blackheath water purification system which will pipe water to a new reservoir (500m³) to be located north-east of the purification works and a second reservoir (5 000m³) west of Longlands Country Estate.

The GLS Engineers were appointed to investigate the effect of the proposed development on the external Vloffenburg network in the Bulk Engineering Services Report and concluded that the existing Polkadraai rural water scheme supplies bulk water to the rural consumers along the Polkadraai, Vlaeberg and Baden Powell roads. A previous analysis of the existing Polkadraai rural water scheme has indicated that the current system is at maximum capacity and has no spare capacity available to accommodate any additional developments.

Certain upgrades will be required to upgrade the existing Polkadraai rural system in order to accommodate the proposed development together with other future developments. It is also proposed in the water master plan that bulk water from the Polkadraai system is used to augment bulk water supply to Stellenbosch town. The Stellenbosch Municipality will undertake such upgrades over the next three years. The Municipality has approved the following budgets:

Financial Year	Budget
2020/2021	R20m
2021/2022	R20m
2022/2023	R10
Total	R50m

The internal water reticulation network for Longlands Manor and Longlands Village will consist of 160mm and 110mm diameter PVC-u mains and will be designed according to the specifications of Stellenbosch Municipality. The network will also make provision for fire flows, and fire hydrants will be installed at specified spacings.

5.5.2. Irrigation Water

There are three boreholes on the farm that will be tested for yield and quality, and if feasible, will be used for the irrigation of the open spaces. The registering of the boreholes and obtaining the necessary licences to use the boreholes for irrigation will be undertaken and submitted to the Department of Water and Sanitation (DWS).

If required, a water quota for irrigation can be acquired from Wynland Irrigation Board. In addition, the possibility exists to obtain treated effluent from the Stellenbosch Wastewater Treatment Works ("WWTW") for irrigation. The existing sewer rising main running in the Vloffenburg and Polkadraai road reserves will become redundant once the sewer reticulation network has been upgraded and connected to the Blaauwklippen sewage pipeline system. The feasibility to use the pipe to convey treated effluent to Longlands Manor and Village will be investigated, after which further negotiations with Stellenbosch Municipality will be entered into. The treated effluent can be stored in the existing reservoir on the Longlands Country Estate, when it becomes redundant due to the upgrades of the Blackheath/Polkadraai water system. The Blackheath Polkadraai water scheme has been approved from the Blackheath water purification works to the Skilpadvlei reservoir (to be built in 2022) and on to Longlands Farm.

The quality of treated effluent for irrigation on Longlands will need to be carefully monitored to ensure that the quality meets the General Authorisation (GA) Standards of the National Water Act. Water samples will need to be taken on a continuous basis to see that the GA Standards are maintained.

All residents will be encouraged to store rainwater on their erven to be used for irrigation.

5.5.3. Sewage System

The development falls within the future Blaauwklippen Pump Station drainage area. The recommended position for the sewer connection for the proposed development is at the future 200 mm and 250 mm diameter outfall sewer.

The Sewer Master Plan for the Vlorentburg area suggests that the proposed development area should gravitate to the existing Digteby Pump Station (which will be decommissioned) and allowed to gravitate via a new 315mm pipe to the future Blaauwklippen Pump Station from where sewage will be pumped directly to the Stellenbosch WWTW. Sewer flows are calculated at 70% of water demands. Based on the water demand calculations, the Peak Day Dry Weather Flow ("PDDWF") is calculated as 104l/day for Manor development.

The connecting sewers (200mm diameter and 250mm diameter) from the Longlands Village and social housing developments to the Digteby Pump Station have been constructed. The estimated cost of these pipelines is R2,4m, and will be financed by the Developer.

In addition, the Longlands Manor and Village developments will require the installation of 315mm diameter gravity main from Digteby to a new Blaauwklippen Pump station. The estimated cost of this sewer is R3,9m and will be funded by the Developer and construction was to take place early in 2022.

5.5.4. Solid Waste Removal

Solid waste generated by the development is calculated at 250 erven @ 0,04 tons/unit/week = 10.0 tons/week.

The Stellenbosch Municipality indicated that they can provide a waste removal service to the development, but compulsory recycling at source must take place. Wet waste is also to be recycled for composting. A covered refuse building has been provided at the guardhouse at the entrance to the two developments, from where the development will be serviced. The Municipality has approved the plans for the refuse building.

5.5.5. Electricity Supply

Electricity supply to the Vlorentburg area has been supplied by the Stellenbosch Municipality with a new underground electrical cable from Onderpapegaaienberg to a mini-substation on Erf 346. Currently Eskom provides the electricity to Longlands Country Estate and the Digteby Estate.

5.5.6. Agricultural Potential

An investigation into the cultivation potential of the Longlands farm was undertaken by viticultural consultant, Messrs J Pienaar, revealed that the soils of the property are generally of medium to low potential for wine grapes, with a limited water storage capacity. The dominant agricultural soil forms and their soil potential for the remainder of Erf 1 Longlands (areas covering Manor and Village developments) are as follow:

- The quality of the soils covering the Longlands Manor development area equate to approximately 58% of the area (about 17ha) having medium- low and low quality soils, while 42% (12.5ha) are higher than medium-high to high quality soils. The rule of

thumb in Stellenbosch is that the area for an economical winegrape farming unit, with irrigation, is about 40ha. Given the quality of soils, the lack of irrigation water allotted to this property and that less than 12.5ha contains good quality soils fit for grapes, it can be concluded that this land would not make an economically productive farming venture.

5.5.7. Biodiversity

There are no naturally vegetated areas left on the two properties which have been used for agriculture (vineyards) since at least 1923, when the Longlands Farm was first granted.

The properties do not have any designated Critical Biodiversity Areas ("CBA") or Ecological Support Areas ("ESA") areas denoted on them. The vegetation that would have occurred on the two sites in the distant past would have been Swartland Granite Renosterveld. Today the areas comprise old vineyards, various alien grasses, and cosmopolitan weeds. Some old vineyards are still present on the property.

5.5.8. Traffic

A detailed traffic impact assessment ("TIA") was undertaken by UDS Africa. To obtain information regarding existing weekday peak hour traffic, counts were conducted at a number of intersections on Tuesday, 3 September 2019 from 06h30 to 09h30 and again from 16h00 to 19h00 to be able to design a new entrance to the proposed Longlands Manor development. This intersection would also provide access to the already approved (but as yet not built) Longlands Village development to the east of the Manor development.

The proposed residential development will have a low negative significance in terms of the transport impact and the conclusions and recommendations of the TIA, state the following:

- The proposed development has the potential to generate 255 peak hour trips (64 in, 191 out during the AM peak hour and 178 in, 77 out during the PM peak hour);
- To accommodate the background traffic, the dualling of Polkadraai Road to the west of Vlottenburg Road should be considered by the Roads Authorities;
- When Vlottenburg Road is realigned to opposite Stellenbosch Kloof Road, the combined Polkadraai Road/Stellenbosch Kloof Road/Vlottenburg Road intersection should be signalised;
- Access to the proposed development will be security controlled, with two lanes in and two lanes out and security booms set back $\pm$ 70 meters from the edge of Polkadraai Road, and that a separate services access is proposed consisting of 4,0 meter wide lanes, sufficient to accommodate emergency vehicles;
- That internal streets will measure minimum 5,5 meters within minimum road reserves of 10 meters, and that the main street will consist of a 6,8 meter width within a 16 meter road reserve, and that refuse removal will occur on the kerbside along the internal streets (with access possible via the services access);
- Parking will be provided at a rate of 2,0 bays per erf (in the form of garages and driveways) in accordance with the Stellenbosch Zoning Scheme Regulations; and
- Public transport embayments are proposed along Polkadraai Road at the outbound legs of its intersections with Stellenbosch Kloof Road/Vlottenburg Road and near the new access to Longlands manor off the Polkadraai Road where accommodation for pedestrians has been made, and that an Non-motorised Transport ("NMT") facility is proposed from the proposed access to link with the existing facilities along Polkadraai Road (towards Stellenbosch).

5.5.9. Heritage

Whilst neither the Manor site nor its attributes have particularly high heritage significance, they nonetheless form part of the broader cultural landscape, which is considered to be

an environment of High Significance, i.e. have a particularly distinctive character, with important components which may be susceptible to change.

The site itself has a low visual significance, though the cultural landscape context within which it is located and through which scenic routes pass, has greater significance. Whereas the development will have an immediate visual impact (in that a noticeable change will be perceived) with suitable mitigation, the visual impacts can be reduced. This impact is assessed to be of a moderate significance reducing to low significance with mitigation. In conclusion, it is evident that proposed development has been carefully designed to ensure maximum absorption in a landscape already impacted by development (existing and proposed). The photomontages indicate that the proposed development will in fact be visually recessive. Overall, the development is assessed to have an impact of moderate significance, reducing from moderate to low with mitigation in the form of landscaping and architectural controls.

The houses on the slopes should be split-level structures and try and avoid double storey facades facing downslope. Use pergolas and tree planting to soften the facades of houses. Colour palates of buildings should complement the cultural landscape. Minimise cut and fill and use low down lighting for streets and exteriors of buildings. Tree planting should be encouraged to be in rows, e.g. along the street scape and along the open space corridors and lanes.

5.5.10. Archaeological Impact Assessment

The results of the study indicate that the proposed Longlands Expansion Development in Vloffenburg near Stellenbosch will not impact or important archaeological heritage. The receiving environment (transformed agricultural land) is not a threatened archaeological landscape.

In conclusion, the study has identified no significant impacts to pre-colonial archaeological heritage that will need to be mitigated prior to proposed development activities commencing. The impact significance of the proposed Longlands Expansion Development on archaeological heritage is assessed as low and therefore there are no objections, on archaeological grounds, to the development proceeding.

The Environmental Control Officer ("ECO") should monitor the earthworks during construction for the unearthing of any stone artefacts. The ECO should also train the construction staff to be on the lookout for stone artefacts, which should be collected in a box. Any artefacts collected should be assessed by the archaeologist. A display of such artefacts could be located in the clubhouse.

5.5.11. Visual Impact

The two developments will have an immediate visual impact (in that a noticeable change will be perceived) with suitable mitigation, the visual impacts can be reduced. This impact is assessed to be of a moderate significance reducing to low significance with mitigation.

The Urban & Architectural Design Controls (UADC) for Longlands Manor have been developed to control the nature and aesthetic quality of the development, and to ensure the protection, improvement and enhancement of this unique setting within the Stellenbosch region.

The Architectural Controls aim to ensure the following:

- the celebration of the unique views to the Simonsberg and Jonkershoek Mountains;
- the protection of the visual and natural attributes of the site, most notably the vineyards and the protected tree avenue;
- the control of the aesthetic quality of the development in order to limit the visual impact of the residences.

Fragmentation of building forms is employed to minimise the visual impact of the development as a whole and to ensure the protection of views from neighbouring sites. Similarly, building elements are to step down with the natural slope to ensure a minimal visual impact. Roof shape shall reflect plan form. Neither the roofs over major forms, nor the eaves lines of major forms shall be stepped.

Buildings must adhere to a 1.5m setback for common boundaries and 2m with street boundaries. Garages are accessed directly off the street (i.e. facing the street), where a 3.5m building line applies. Pitched roofs, as well as flat, green roofs are permitted within the estate. Major plan forms are to be roofed individually and can be linked with flat roofs or other connecting elements such as light, glazed structures. Maximum roof height is based on a maximum height above ground floor level. This height restriction applies to all roof elements including parapet walls, etc.

The height of a double pitched roof for single storey will be 6m and for double storey will be 8.5m. A flat roof for single storey will be 4m in height and a double storey will be 6.5m.

Street boundary walls are to have a maximum height of 900mm above final ground level on the 0m building line. All other street boundary walls are to be 1.5m or 1.8m and must be a minimum of 4m from street boundary and must be set back beyond major building forms. All shared boundaries are to be a maximum of 1.8m final floor level or a maximum of 2.2m from natural ground level. Owners will be encouraged to have limited or no boundary walls on the green lungs to encourage integration of the green spaces and domestic gardens.

In terms of architectural controls, doors and windows with large expanses of glass will be permitted to optimise views to the surrounding mountains and no cottage pane windows will be allowed. Windows, doors and garage doors to be horizontal slat type in timber, aluminium, or steel. The roofs of the residences are to have a contemporary, robust structure and design. Large overhangs are encouraged to protect against the late afternoon sun. Roof materials should be steel, whilst copper, zinkalume or rheinzink will be subject to architect approval. Flat roofs (where accessible, minimum 25% green roof, rest to be natural stonechip or decking material). Lean-to roofs to match material of major roof forms. Flat roofs (concrete linking elements) are to be finished in natural stone chip and or planting.

The colour palette will be natural accent colours (10% of facades), and remainder light tone natural colours. Shutters are to be contemporary sliding or sliding and stacking timber shutters to shield the early morning and late afternoon sun. Materials permitted for shutters are natural timber or aluminium. The supports of decks and pergolas may be timber and steel posts, whilst pillars may be plastered masonry or natural stone pillars. Decks to be natural hardwood timber, painted timber or composite materials subject to approval by the architect. Pergolas to be a combination of wood and steel. Colours to match doors and windows.

External lighting must be contemporary indirect, unobtrusive, and indirect where possible. Lighting is to be provided by the owner at the vehicular entrance to property and no strong external accent lighting onto any buildings will be permitted. Solar Photovoltaic panels and heat pumps are permitted, subject to approval by the architect. Solar water heating and solar panels are to be panelling and no exposed piping will be allowed.

The proposed landscape design in open spaces within the development aims to create a meaningful spatial structure and character with due cognisance of the rural

surroundings and in particular the natural surrounding views of the Simonsberg and Jonkershoek mountains in the distance.

A series of connecting corridors or green lung communal open spaces have been introduced in the development, ranging in width, together with large scale soft landscaped of domestic gardens all comprised of locally indigenous vegetation (Swartland Granite Renosterveld). Informal tree groupings, play and outdoor gym areas, winding walkways and trails and water elements will complete the landscaping of the development. With the natural gradient on the site views towards the mountains are emphasised through the green lung spaces located throughout the site to allow the residents to have unobstructed views and generous spill-out space directly from their properties onto the green spaces.

5.5.12. Socio-Economic

In terms of the revised Spatial Development Framework ("SDF") for the Vloottenburg area, the Longlands Farm has been included into the urban edge and the area is earmarked for mixed use community and residential infill.

Multipurpose Business Solutions (for Longlands manor), has pointed out in their Socio-economic impact assessment that there is a worrying trend that indicates that the construction and manufacturing industries show a declining trend of gross value added ("GVA") in the Stellenbosch region. These two sectors tend to employ more labour than the growing trends of finance, insurance and business services, which tend to employ less staff and certainly less unskilled staff.

Agriculture is still the largest contributor to the GVA of the primary sector with a sector contribution of 97.4% in 2005, which remained the same in 2018. In terms of the general employment trends, there has been a decline in the primary sector of 34% for the period 2001-2018.

A perspective of employment for the different zones in the Municipal area, with specific reference to the number of employed, unemployed and not-economically active persons, show that within 3km of Vloottenburg, 54% of the residents are unemployed, whilst 64% are unemployed within 6km.

The proposed Longlands Manor development will contribute towards the provision of housing opportunities, independent from Governmental subsidies. The proposed project will add revenue and additional employment in the construction sector, which will further strengthen growth in the local economy.

Vloottenburg has been identified in the Stellenbosch SDF (Stellenbosch Municipality, 2019) as one of the loci of future development in the Stellenbosch Municipal area. Enhancing transport capacity and aligning the same with the greater Stellenbosch network is essential to ensure effective and efficient public transport. The location of the Vloottenburg station is an important factor to take into consideration. Research has been completed for the better use of the railway system between Paarl and Somerset West, that will service the various hamlets within the Stellenbosch municipal region, including the Vloottenburg station.

The proposed Longlands Manor development is aligned with several requirements and objectives stated in the local economic development framework strategy with specific reference to sustain employment during construction phase of the project, feed into the construction sector and maintain a semblance of stability and contribute indirectly to enabling sustainable livelihoods, addressing poverty reduction and social welfare

support. Small businesses will benefit from the traditional requirements of residential estates for garden services, security, general maintenance, etc.

In terms of impacts, the negative qualitative impacts during the construction phase mostly relate to large construction vehicles on access roads, noise and dust, the potential influx of job seekers, as well as criminal activities linked to the presence of construction workers and increased activity at the development site.

Potential positive impacts include the creation of new employment opportunities and a contribution towards local economic development, in particular the construction, retail and services industries. Whilst the influx of people in search of employment is not in itself a social impact, the consequence of such movement can result in social impacts. These impacts include disruption of local community networks and the cohesive social fabric that exists within communities, increase in crime levels and disruptions to social services. Construction work on the proposed project is limited to a specified period and non-local construction labourers may find themselves stranded in the area after the construction phase, resulting in more competition for employment. This could also result in an increase in the demand for housing and social services over the long term.

Additionally, the proposed positive socio-economic impacts that the proposed development of Longlands Manor will provide regarding the necessary capital to upgrade the water, sewage and electrical requirements within the Vloottenburg area in terms of the Municipal Bulk Service requirements for the area. Without this development, these costs of upgrades would need to be paid for by the rate payers of Stellenbosch and not by the private sector.

The proposed Longlands Manor development is aligned with several requirements and objectives stated in the Stellenbosch Local Economic Development strategy with specific reference to sustain employment during construction phase of the project, feed into the construction sector and maintain a semblance of stability and contribute indirectly to enabling sustainable livelihoods, addressing poverty reduction and social welfare support.

The proposed project is positioned as a development that is intended to contribute towards tourism, housing and infrastructure development in the Stellenbosch area, but specifically in a hamlet where the community needs private investment to uplift their socio-economic well-being and create more sustainable employment in the area.

The most significant benefits from the proposed Longlands Manor development will be a large contribution towards employment and local economic income during both construction and operational phases. Based on Scenario 1 that reflects constant productivity, the analysis of the impact on the Western Cape indicates an estimated total of 355 direct, indirect and induced jobs per annum on average during the construction period over 10 years, or 335 direct, indirect and induced jobs per annum on average when the impact on the Stellenbosch Municipal area is considered. These temporary job opportunities include direct, indirect and induced employment creation impacts. Once again, it is imperative to understand that the phasing of the project results in an incremental increase in the number of jobs created.

Given that the development entails 255 residential units, there will be a need for domestic workers, cleaning services, gardeners and garden services. In addition to security services, additional employment will be created by the clubhouse component. The application of employment densities related to full-time equivalent jobs for residential housing suggests that 100 jobs could be created for each 1 000 increase in the population. If they assume 255 residential units with a household size of three persons,

the total number of jobs during operations would be between 75 and 90 with a higher bound of 20% more. These jobs exclude those stated above.

The Municipality will levy property rates on the sale of an erf and on the improved value. It is therefore assumed that property rates will apply to the completed dwelling unit based on a 10-year assessment period. A total sell-out and completion of the construction is assumed over 10 years even though it is impossible to estimate the future values of the properties or estimate the increase in the rates factor applied by the Stellenbosch Municipality for budgetary purposes. Also note that the rates are considered in current terms (2019-2020) with an assumed annual escalation of 8% per annum. The estimated property taxes from the development after 10 years and occupation of all units, given the applied assumptions, is almost R6 million per annum.

5.6. **ALTERNATIVES**

No alternative properties were considered as the applicant only owns the Longlands Farm, namely remainder of Erf 1 Longlands and Erf 345 (previously Portion 11 of the Farm Longlands No. 393, Vlottenburg). The only alternatives put forward are the "No Go" alternatives. Given that the whole of the two properties have been totally altered, it was decided not to consider alternatives with a different layout of residential erven to the Preferred Alternative.

No activity alternatives were put forward as the approved Municipal SDF (2019) earmarks the property for mixed use community and residential infill. The properties are currently zoned Agriculture Zone I and will need to be rezoned to Subdivisional Area.

Various design alternatives were considered for the proposed development of Remainder of Portion 1 of Farm Longlands influenced by considering slope, visual impact from surrounding view-sheds and potential cultural landscape impacts arising from the visual impact of the proposed development on its surrounds. A best fit Preferred Alternative development comprising 255 single residential is proposed development for Longlands Manor which has been broken up into a number of smaller "villages", which are separated by green belts and roads with large verges to allow for judicious landscaping.

Preferred Alternative

The Preferred Alternative comprises 255 residential erven (139 934m²), Private Open Spaces (corridors and smaller isolated open spaces (88 071m²) and a Transport Zone for public roads (49 858m²) to be developed on Remainder of Erf 1 Longlands, which is located to the east of Longlands Country Estate and west of the approved Longlands Village. The preferred alternative for the Longlands Village site on Erf 345 comprises 70 smaller residential erven.

The Preferred land use for Manor and Village of residential development are the best fit alternatives for the two properties that will lead to the least potential number of significant impacts (heritage and visual) on the surrounding environment, while at the same time benefiting social upliftment and economic sustainability.

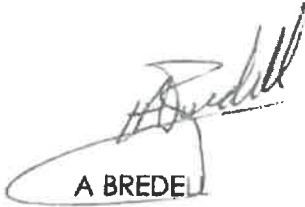
6. **Disclaimer:**

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Refusal of the Permit shall not be responsible for any damages or losses suffered by the holder, developer or his/ her successor in any instance where operation is permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Since I have discharged my decision-making powers when making the decision, I am *functus officio* in this regard. My decision is final and your only recourse, should a person still be aggrieved by my decision, is to apply to the Western Cape High Court to review my decision.

Your interest in the future of our environment is appreciated.

Sincerely,



A BREDE
**WESTERN CAPE MINISTER OF LOCAL GOVERNMENT,
ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

DATE: 25/7/2022

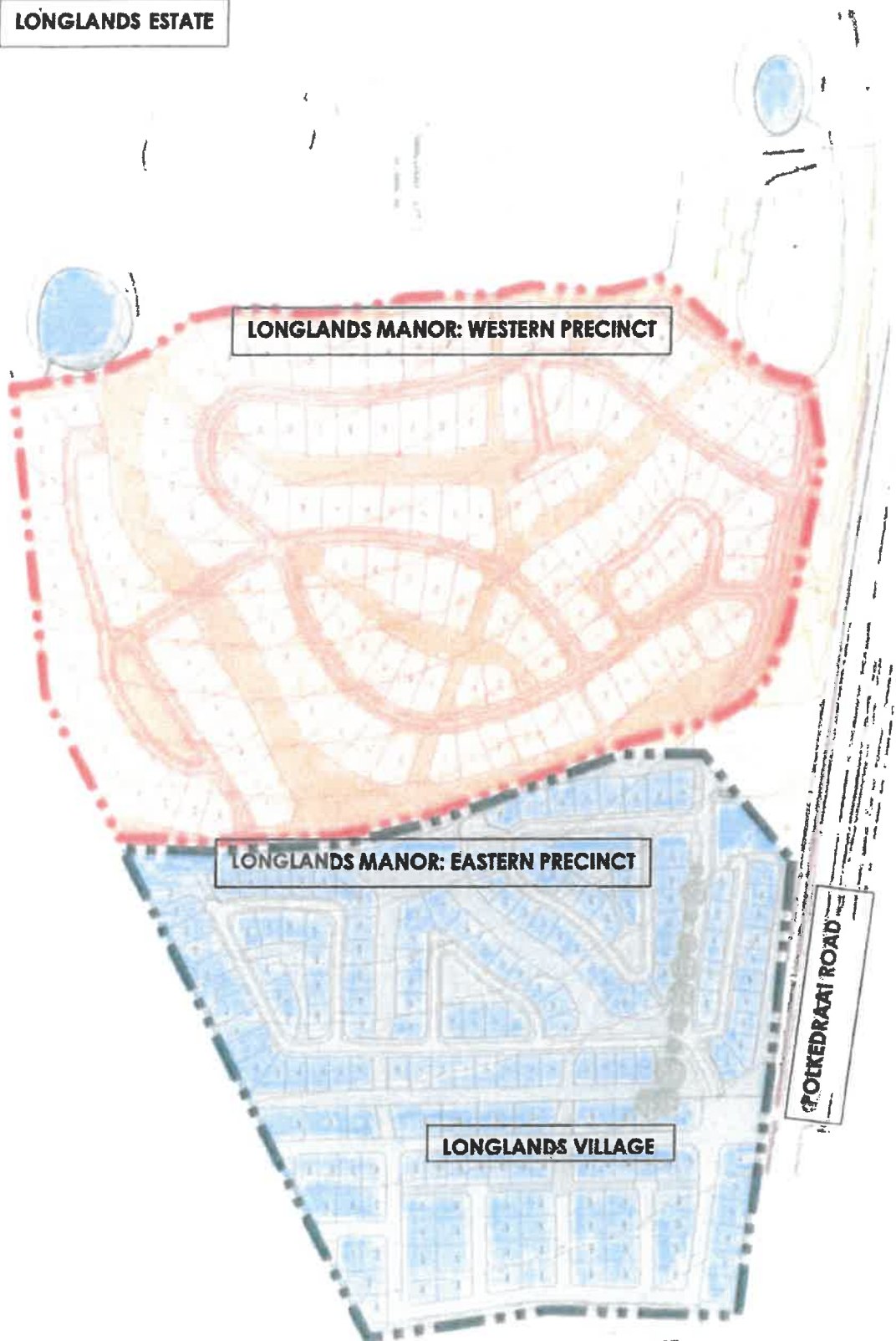
Copied to:

Mr. A. Withers Aubrey Withers Environmental Consultant
Mr. S. Carstens Stellenbosch Municipality

email: aubreywithers@mweb.co.za
email: stiaan.carstens@ Stellenbosch.gov.za

ANNEXURE 1:

LONGLANDS ESTATE



ANNEXURE K

**REZONING, SUBDIVISION, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING
AND NUMBERING, ARCHITECTURAL GUIDELINES
AND HOME OWNERS ASSOCIATION'S
CONSTITUTION: ERF 1, LONGLANDS**

**COMMENT FROM THE DEPARMENT
OF WATER AND SANITATION**



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

WESTERN CAPE REGION
Private Bag X16, Sanlamhof, 7532
52 Voortrekker Road, Bellville, 7530

☎ 021 941 6039
✉ 021 941 6082
📞 082 370 2708

✉ Mr. Nkosinathi Mkonto
📁 16/2/7/G200/A/8
💻 mkonton@dws.gov.za

Attention: Clifford Heys

TV3 Projects (Pty) Ltd
97 Dorp Street
STELLENBOSCH
7600

Dear Sir

APPLICATION FOR REZONING, SUBDIVISION ON ERF1, LONGLANDS STELLENBOSCH

The Department acknowledges receipt of your report dated 17 March 2020 for the above mentioned activity.

After evaluating the abovementioned application, you are hereby informed that the Department has no objection against your proposed activities subject to the following conditions:

1. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use and pollution management must be adhered to.
2. All relevant sections and regulations of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) must be adhered to.
3. No additional use of surface water and/or storage of water is permitted, unless the applicant has formally obtained an authorisation from this Department in terms of Section 22 of the National Water Act (Act 36 of 1998).
4. No activities may take place within a buffer area of 500m boundary radius of a wetland system without formal authorisation thereto obtained from this Department.



NATIONAL DEVELOPMENT PLAN
Our Future - make it work



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

CONTINUATION PAGE: (page. 2/2).

5. No permanent structures may be constructed within the 1:100 year flood line or 100m from the edge of the riparian habitat of a watercourse.
6. If any property that receives water from an Irrigation Board or Water User Association is subdivided, sold or consolidated, the Board or Association and this Department must be notified within sixty (60) days after the said transaction took place.
7. Please note that if the subdivision will affect the allocation of a water use as registered by this Department, the owner(s) of the new property(ies) must enter into a written mutual agreement to determine each property's share in any allocated water or water use and this must be communicated to this Department.
8. If this subdivision (or consolidation) will affect the allocation of a water use as licences by this Department, the Licencee must contact the Department for the amendment of this licence. This will also be necessary if the property description changes. The Licencee must provide full details of all changes in respect of the properties to the Responsible Authority within 60 days of said change taking place.
9. It is the duty of the applicant(s) to ensure that all servitudes of aqueduct, access and storage to give effect to the apportionment of water uses has been agreed upon prior amongst the property owners and formally registered with the Deeds of Office to give affect thereto upon approval of the application.

The Department reserves the right to revise its initial comments and request additional information that may arise from correspondence and/or upon inspection.

Should you have any queries, please do not hesitate to contact Nkosinathi Mkonto at the contact details provided above.

Yours faithfully

REGIONAL HEAD: WESTERN CAPE

Signed by: Nelisa Ndobeni

Designation: Control Environmental Officer

Date: 15 September 2020



NATIONAL DEVELOPMENT PLAN
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ANNEXURE N

**REZONING, SUBDIVISION, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET NAMING AND
NUMBERING, ARCHITECTURAL GUIDELINES AND
HOME OWNERS ASSOCIATION'S CONSTITUTION:
ERF 1, LONGLANDS**

**COMMENT FROM THE MANAGER:
HEALTH SERVICES (CAPE
WINELANDS)**

ERF 1 Longlands

Nolusindiso Momoti

Health comments File

7

From: Leandre Candice Davids <leandre@capewineland.gov.za>
Sent: Thursday, 06 August 2020 13:43
To: FILE NR: Nolusindiso Momoti
Cc: Fabian van Wyk
Subject: [EX] ERF 1 LONGLANDS- APPLICATION FOR REZONING; SUBDIVISION, OTHER & HOME OWNERS ASSOCIATION : COMMENTS

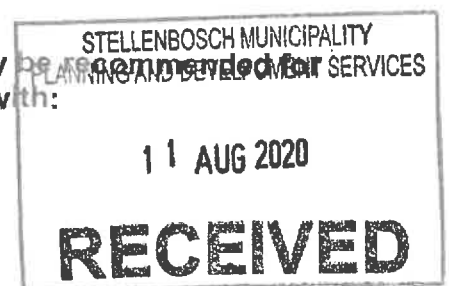
COLLABORATOR NR: 690291

APPLICATION IS MADE IN TERMS OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, PROMULGATED BY NOTICE NUMBER 354/2015, DATED 20 OCTOBER 2015, ON ERF 1 LONGLANDS FOR:

1. THE REZONING OF THE SAID PROPERTY FROM AGRICULTURE AND RURAL ZONE TO SUB-DIVISIONAL AREA IN TERMS OF SECTION 15(2) (A) OF THE SAID BYLAW TO ALLOW FOR THE FOLLOWING USES AS DEPICTED ON PLANS WITH REFERENCE NR. " PROPOSED SUBDIVISION 4A AND 4B," DATED 03 MARCH 2020, AND DRAWN BY TV3 ARCHITECTS AND TOWN PLANNERS:
 - a. 225 CONVENTIONAL RESIDENTIAL ZONE ERVEN MEASURING ± 14 HA TO ACCOMMODATE FREESTANDING SINGLE RESIDENTIAL UNITS;
 - b. ONE (1) PRIVATE OPEN SPACE ERF MEASURING $\pm 5,59$ HA FOR PURPOSES OF A PRIVATE ROAD;
 - c. THIRTEEN (13) PRIVATE OPEN SPACE ERVEN MEASURING $\pm 7,35$ HA FOR PRIVATE OPEN SPACE PURPOSES;
 - d. ONE (1) COMMUNITY ZONE ERF MEASURING 1,84HA FOR PURPOSES OF CLUBHOUSE AND ANCILLARY USES;
 - e. THREE(3) UTILITY SERVICES ZONE ERVEN MEASURING 10,97HA FOR PURPOSES OF A PUBLIC ROAD AND AUTHORITY USE ;
 - f. TWO (2) AGRICULTURE AND RURAL ZONE ERVEN MEASURING 20,50HA FOR PURPOSES OF AGRICULTURE AND GUEST HOUSE.
2. THE SUBDIVISION IN TERMS OF SECTION 15(2)(D) OF THE SAID BYLAW IN ACCORDANCE WITH THE SUBDIVISION PLAN " PROPOSED SUBDIVISION 4A AND 4B ", DATED 03 MARCH 2020, AND DRAWN BY TV3 ARCHITECTS AND TOWN PLANNERS, TO ALLOW FOR THE DEVELOPMENT IN ACCORDANCE WITH THE SUB-DIVISIONAL ZONE ABOVE;

From an environmental health perspective, this application may be recommended for approval; provided that the following conditions are complied with:

1. Environmental pollution



1.1 No pollution such as water, air, dust or noise pollution may occur on any part of the premises during the operational phase of the proposed development. Proper preventative measures must be put in place beforehand.

2. Potable water/Storm water

2.1 The quality of the potable water on the premises must at all times comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.

3. Solid waste disposal

3.1 Refuse collection and storage must be done in a way that will not cause a health nuisance.

4. Sewerage/Sanitary facilities

4.1 The sewerage system from the proposed development must be connected to an approved sewerage system according to Stellenbosch Municipality's specifications, conditions and approval.

4.2 Sewage disposal on the premises must at all times take place in a nuisance-free manner and shall be the owner's responsibility.

5. General conditions

5.1 This Department reserves the right to set further requirements during the operational phase.

Please contact me if you have any further questions or comments in this regard.

Yours faithfully



Leandre Davids
HEALTH OFFICER/INSPECTOR
for MUNICIPAL MANAGER

Leandre Candice Davids
Environmental Health Practitioner
Cape Winelands District Municipality



C/o Langenhoven and Bird Street
Stellenbosch 7600,



021 888 5814



021 887 9365



leandre@capewinelands.gov.za



www.capewinelands.gov.za