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# NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING OF STELLENBOSCH MUNICIPALITY FRIDAY, 2026-06-26 FROM 10:00 - 15:00

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**NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING**
**OF STELLENBOSCH MUNICIPALITY**
**FRIDAY, 2026-06-26 FROM 10:00-15:00**

**Ref. no. 3/4/5/2/40**
**2026-06-26**

**Chairperson**
Mrs H Crooijmans-Lemmer
**Deputy-Chairperson**
Mr P Van Zyl
**External Members**
Mrs C Havenga
Mr D Leo
Mr S Boshoff
**Internal Members**
Mr A Barnes: Director - Planning and Economic Development
Mr M Williams: Senior Legal Advisor
Mr A van der Merwe: Senior Manager - Community Services
Mrs M Francis: Senior Manager - Infrastructure Planning, Development and Implementation, Directorate Infrastructure Services
Mr J Benjamin: Senior Manager - Planning and Economic Development

**Technical Advisor**
Mr K Munro - Director Environmental & Spatial Planning: Department of Environmental Affairs and Development Planning

*Notice is hereby given in terms of Section 75(1) of the Stellenbosch Municipality Land Use Planning By-Law (2023), of the Municipal Planning Tribunal Meeting which will be* held at the **Stellenbosch Council Chambers, Stellenbosch Municipality, Plein Street, Stellenbosch on FRIDAY, 2026-06-26 from 10h00-15:00** *to consider the items on the Agenda.*

Mrs H Crooijmans-Lemmer
**CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL**

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**MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON FRIDAY, 29th OF MAY 2026 AT THE STELLENBOSCH COUNCIL CHAMBERS, STELLENBOSCH MUNICIPALITY, PLEIN STREET, STELLENBOSCH FROM 10H00-15H00**

**Ref. no. 3/4/5/2/40**
**2026-05-29**

Chairperson
Mrs H Crooijmans-Lemmer

External Members
Mrs C Havenga
Mr S Boshoff

Internal Members
Mr A Barnes: Director - Planning and Economic Development
Mr J Benjamin: Senior Manager – Development Planning

Technical Advisor
Mr K Munro: Director Development Management, Department Environmental Affairs and Development Planning

Officials
Mr S Carstens: Senior Manager: Development Management
Mrs C Kriel: Manager: Land Use Management
Mrs O Vergotine: Administrative Officer
Mr P April: Senior Town Planner
Mr T King: Manager: Development: Infrastructure Services
Mrs T Leibrandt: Manager: Environmental Management
Mr L van Stavel: Manager: Housing Development
Mr S October: Programme Manager – Housing Development

Visitors
Ms Qwabe - HAD
Ms Mfenguza - HAD
Mr Nicholas Wilson
Mrs Jo Smith

Observers
Councillor G Petersen

| ITEM | SUBJECT |
|---|---|
| SMPT 01/05/26 | **OPENING AND WELCOME** |
| | Chairperson Crooijmans-Lemmer welcomed all present. |

| SMPT 02/05/26 | **LEAVE OF ABSENCE** |
|---|---|
| | Deputy-Chairperson Mr P van Zyl<br>Mr D Leo<br>Mr M Williams: Senior Legal Advisor<br>Mrs M Francis: Senior Manager - Infrastructure Planning, Development, and Implementation<br>Mr A van der Merwe: Senior Manager - Community Services<br>Councillor Kumm<br>Ms T Kumm: Ward 8 and Mayoral Committee Member: Planning, Local Economic Development & Tourism |

| SMPT 03/05/26 | **DISCLOSURE OF INTERESTS** |
|---|---|
| | None received |

| SMPT 04/05/26 | **MINUTES OF THE PREVIOUS MEETING DATED 24 APRIL 2026** |
|---|---|
| | The minutes of the previous meeting was noted. |

| | **MATTERS FOR CONSIDERATION** |
|---|---|
| SMPT 05/05/26 | **APPLICATION FOR REZONING, SUBDIVISION, CANCELLATION OF A SUBDIVISION (ROAD SERVITUDE), STREET NAMING AND NUMBERING: ERF 64, KYLEMORE.**<br><br>**Discussion:**<br><br>a. Chairperson Crooijmans-Lemmer handed over to Mr P April to give a brief introduction of the application that served before the Tribunal.<br>b. Mr Nicolas Wilson requested an oral presentation on behalf of the Farm Dwarsriviershoek Banhoek Stellenbosch – Baldric Farm 1118 Stellenbosch Division as attached and asked Mrs. Jo Smith to speak on his behalf first. She raised |

| | |
|---|---|
| | concerns regarding the specific beneficiaries of the project and the capacity of existing community facilities (specifically schools, clinics, and police services) to support the development.<br>c. Mr Nicholas Wilson raised concerns regarding the proposed development's density, layout design, and potential environmental impacts.<br>d. In response to a query from the Chairperson regarding the noted objections, the Municipality confirmed that the public participation process had been conducted in full compliance with prescribed statutory processes.<br>e. A query was raised regarding stormwater management on the site and the Applicant clarified that while the initial design layout featured a man-made dam, the layout was subsequently amended following a dam catchment and water body study. A green belt open space system has now been incorporated into the design to serve as a stormwater management and retention area. The Administration confirmed that the design of these green areas for stormwater management is included under the conditions of approval from the Infrastructure Services Department and will be finalised during the detailed planning phase.<br>f. Concerns were raised regarding the need for a clear, definitive report confirming that the dam site is safe and suitable for urban development and how stormwater now will be accommodated on site. It is not clear which portion of the Public Open Space is required for this and if/how this can be combined with active use of these spaces especially during the rainy season. Concerns were also raised regarding the lack of passive surveillance on these green areas.<br>g. Concerns were raised regarding discrepancies and conflicting information within the report and specialist studies submitted, specifically concerning the outdated heritage and environmental reports attached. It was noted that the engineering report corresponds to the initial layout rather than the revised design. The Applicant explained that numerous additional documents had been requested post-submission. Because the project has been in development for many years, explain the different dates of the reports. The Applicant acknowledged an omission if certain reports were missing from the current agenda pack.<br>h. Mr. Munro noted that the previous EIA had lapsed, and a new EIA had only recently been submitted. It was acknowledged that alternative layout options would be addressed during the EIA process, which may subsequently impact the land use application. There is no clarity as to what specialist studies are required as part of the current EIA process.<br>i. Mr. van Stavel provided historical context, noting the project commenced in 2010 but faced significant delays due to municipal property transfers, service provider appointments, and securing powers of attorney. He highlighted that there are currently 760 registered applicants on the Kylemore housing database and that the beneficiaries already reside in Kylemore and utilise local infrastructure such as roads, schools, etc. In order to secure funding for the project from National Government in the current funding cycle it is critical to have an approved land use application soonest.<br>j. It was mentioned by Mr Munro that the previous EIA had lapsed, and a new EIA has only recently been submitted. It is noted that alternative options and layouts will be addressed in the process and may impact the land use application.<br>k. Members expressed support for addressing local housing needs but noted that clear, concise, and integrated supporting documentation is currently lacking. |

The current layout plan was questioned, which, despite 15 years of development, proposes 400 identical erven without addressing the need for rental units for single or elderly residents. It was noted that the information presented is insufficient for an immediate decision and queried the way forward to approve the rezoning in principle while safeguarding community interests and ensuring local resident's benefit by proactively reserving land for future community needs, such as a crèche, or clinic.

l. Mr van Stavel clarified that because the area is not designated as a restructuring zone, social rental housing is excluded from the project. However, the proposal accommodates various housing typologies based on available government subsidies.

m. Mr. Munro proposed a phased approach, suggesting that the Tribunal consider approving only the rezoning application to subdivisional area at this stage, leaving the detailed layout plan and other technical considerations to be reviewed and approved at a later phase and members agreed that this is the best approach and agreed that a decision on the subdivision application will not be considered but be referred back to the Municipality to address the matters as discussed.

n. Members debated mechanisms to ensure that the immediate community benefits directly from the project, and it was decided to include such a condition of approval.

**UNANIMOUSLY RESOLVED:**

1. That the application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 64, Kylemore for the **Rezoning** in terms of Section 15(2)(a) of the said bylaw, from Agricultural and Rural Zone to Subdivisional Area Overlay Zone

   **BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.

2. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:

   2.1 The approval only applies to the proposed applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

   2.2 The density requirement for residential opportunities be limited to a maximum of 80 dwelling units per hectare.

   2.3 The development includes but is not necessarily limited to, the following supporting land uses: local business, community facilities, utility services, transport facilities, open space and public roads.

   2.4 A subdivision plan be submitted for approval by the Municipal Planning Tribunal.

2.5 The proposed development primarily addresses the housing need of people living in the Dwarsrivier Valley.

2.6 The rezoning hereby approved be valid for a period of ten (10) years from the date of final notification that the approval comes into operation and lapses if the conditions herein are not complied with within that period.

3. The **reasons** for the above decision are as follows:

3.1. The property is needed by the Municipality for an integrated urban settlement development to address the municipal housing backlog and Erf 64, Kylemore was identified as a suitable site for such a development with a particular goal to deliver on the mandate to provide subsidize housing opportunities.

3.2. The land was obtained from the national treasury with the sole purpose to construct or develop low-cost houses and should the land not be used for this purpose, the land must be returned to the custodianship of the DPWI, hence the application for subsidize housing opportunities.

3.3. It is not envisaged that the health, safety and welfare of the community will be affected negatively by the proposed housing development.

4. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 64, Kylemore for:

4.1 The **subdivision** in terms of Section 15(2)(d) of the said bylaw, in accordance with the Subdivisional Area Overlay Zone into 432 Portions.

4.2 In terms of Section 15(2)(k) of the said bylaw for the **cancellation** of a right of way servitude (Diagrams L.G. No. 11339/94 and No. 3262/1999), which will be replaced by a public road.

**BE REFERRED BACK** to the Municipality to adequately and satisfactorily address the matters and concerns raised by the MPT given that the relevant information to make an informed decision is not available.

5. Matters **to be noted**:

5.1. The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

5.2. The necessary authorization/permission in terms of NEMA needs to be obtained from the Department of Environmental Affairs and Development Planning.

| SMPT 06/05/26 | OTHER MATTERS |
|---|---|
| 6.1 | **PLANNING POLICIES (REVIEWED OR APPROVED BY COUNCIL)** |
| | 1. The Problem Property Bylaw was approved by Council and promulgated on 8 May 2026.<br>2. A meeting with the Franschhoek Rate Payers Association took place and the finalisation of the Draft Zoning Scheme Bylaw is underway. Further consultation with the Agricultural Society will also be undertaken. |
| 6.2 | **APPEALS RECEIVED AGAINST MPT DECISION** |
| | 1. No new appeals received in May against decisions taken by the MPT.<br>2. One appeal decision taken by the Appeal Authority on 6 May 2026 to dismiss and vary the decision taken by the MPT by amending conditions of approval<br>• Farm 717/1, Paarl – rezoning for a mixed-use development, Klapmuts |
| 6.3 | **GENERAL**<br>**N/A** |
| | |

**Mrs H Crooijmans-Lemmer**

**CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL**

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**APPLICATION FOR REZONING TO SUBDIVISIONAL AREA & SUBDIVISION: FARM NO. 1307/2 AND FARM NO. 1307/3 (TO BE CONSOLIDATED), STELLENBOSCH DIVISION**

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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT
DEVELOPMENT MANAGEMENT: LAND USE MANAGEMENT

# PLANNING REPORT ON APPLICATION IN TERMS OF SECTION 15(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW

## APPLICATION FOR REZONING TO SUBDIVISIONAL AREA & SUBDIVISION: FARM NO. 1307/2 AND FARM NO. 1307/3 (TO BE CONSOLIDATED), STELLENBOSCH DIVISION

**APPLICATION DETAILS**

| | | | |
|---|---|---|---|
| **Application Ref,** | LU/17766<br>TP919/2024 | **Commencement Date** | 04 December 2024 |
| **Applicant** | Clifford Heys<br>TV3 Architects & Town Planners | **Last day for comments or additional information** | 29 January 2026<br>Due date: 29 May 2026 |
| **Farm Nr** | 1307/2 & 3 (See **ANNEXURE A**) | **Place** | Vlottenburg, Stellenbosch Division |
| **Zoning** | Subdivisional Area | **Other approvals** | See **ANNEXURE B** for previous approvals. |

| X | TYPE OF APPLICATION |
|---|---|
| x | **15(2)(a) rezoning of land*** |
| | 15(2)(b) a permanent departure from the development parameters of the zoning scheme |
| | 15(2)(c) a departure granted on a temporary basis to utilize land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land |
| x | **15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*** |
| | 15(2)(e) a consolidation of land that is not exempted in terms of section 24* |
| | 15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit* |
| | 15(2)(g) a permission required in terms of the zoning scheme |
| | 15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval* |
| | 15(2)(i) an extension of the validity period of an approval |

| | |
|---|---|
| | 15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme |
| | 15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram* |
| | 15(2)(l) a permission required in terms of a condition of approval |
| | 15(2)(m) a determination of a zoning |
| | 15(2)(n) a closure of a public place or part thereof |
| | 15(2)(o) a consent use contemplated in the zoning scheme |
| | 15(2)(p) to disestablish a homeowners' association |
| | 15(2)(q) to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services |
| | 15(2)(r) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building |
| | Approval required in terms of relevant policy for street naming and numbering |
| | Approval required in terms of Council policies or by-laws – Specify: |
| | Consent / Permission required in terms of a title deed (includes where planning permission is required in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940) |

**NATURE AND SCOPE OF PROPOSED LAND USE APPLICATION**

1. **Purpose**

The applicant seeks to amend the approved subdivision plan to allow for the development of 113 single residential units instead of the 54 units previously approved. See **ANNEXURE C** for **Subdivisional and Zoning Plan** and **ANNEXURE D** for the **Concept Subdivision Plan.**

2. **Background**

***Matters arising from the MPT meeting held on 27 February 2026***

*2a. The application was referred back in order to allow the applicant to submit additional information. The decision was as follows:*

*That the item BE REFERRED BACK to the Municipality, in order to address the matters and concerns that was raised by the MPT.*

*(2) Noting the following matters:*

*(2.1) There is general support for the proposed increase density of the development.*

*(2.2) The proposed revised access and egress on Polkadraai Road appear acceptable.*

*(2.3) However, the following items need to be explored with the applicant / developer:*

*(2.3.1) The integrated future development of the Vlottenburg precinct and the subject land holding as a whole, including considering an appropriate future for holdings currently listed as Portion A and Portion B as part of the implementation of the development.*

*(2.3.2) This should consider the broader community needs, for example increased affordable or social housing, communal sport fields, public open space etc.*

2b. *The applicant responded as follows:*

| ***Future of the two agricultural portions*** | ***Social housing component (Portion B)*** |
|---|---|
| *Council's 2015 and 2020 approvals in respect of the agricultural portions will remain unchanged.*<br><br>*The client has entered into an agreement with the landowner to purchase only the single residential portion of Chantecler. In addition, a right of first refusal has been secured to acquire the two agricultural portions should the landowner decide to sell them in future. If successful, the client's long-term intention is to extend the Longlands Life Estate into these areas, subject to the same conditions applicable to the existing Longlands Life Estate. Any such extension will be subject to the requisite planning applications and approvals.*<br><br>*At present, however, no proposals can be submitted for the agricultural portions as they are not under the client's* | *Vlottenburg is not identified as a priority development area in terms of the MSDF and, as such, the Inclusionary Zoning Policy is not applicable to this application.*<br><br>*Notwithstanding this, the client has committed to transferring a ±1ha portion of the subject property to Council at no cost for social housing purposes. While Council will still need to finalize the internal layout and urban design of Portion B, the land is strategically located adjacent to Vlottenburg Primary School to enable access to educational and sports facilities.*<br><br>*In addition to this land contribution, the proposed development will yield further social benefits, including the payment of development contributions and municipal rates and taxes for 113 erven,* |

| | | | |
|---|---|---|---|
| | *ownership. It is anticipated that these portions will ultimately form part of the broader Longlands Estate, with provision made for an internal access road linking the agricultural areas.* | *as opposed to the previously approved 54 erven. The development contributions are estimated at approximately R12.3 million as a once-off payment, with annual municipal rates and taxes of approximately R3 million. This represents a significant financial benefit to the Stellenbosch Municipality, enabling further investment in social projects within Vlottenburg.*<br><br>*Furthermore, the client has offered their services to Council, at no cost, to act as the implementing agent for the development of Portion B.*<br><br>*The proposed increase in residential density is achieved through reduced erf sizes—akin to the introduction of second dwellings on the originally approved 54 erven—without expanding the overall development footprint.*<br><br>*Given the reduced erf sizes and the limitation of top structures to single storey, the overall bulk is expected to remain comparable to that of the existing approval, which permits double-storey dwellings on 600m² erven. Accordingly, the increase in the number of erven will not necessarily result in an increase in bulk. It is also important to note that the layout, which creates a perceived buffer between housing components, was approved by Council in both 2015 and 2020. The current application pertains only to the densification of the single* | |

| | |
|---|---|
| | *residential component and does not materially alter the layout previously deemed acceptable by Council.* |

2c. ***Administration's comment on the information submitted***

*Because an application for the densification of the residential component has been submitted, it necessitated the lodging of a Rezoning application to a Subdivisional Area. This, in turn, provides an opportunity to reconsider the entire proposal in its broader context.*

*It is, however, important to note that the spatial arrangement of the respective zonings (agricultural, single residential, and social housing component) was already evaluated and confirmed desirable through the 2015 approval.*

*The primary changes proposed by this application, aside from the increased density, pertains to access to the property and the division of the agricultural unit (which was previously connected by an agricultural strip on the northern border of the subject property) into two separate portions.*

*The aspect with regards to the social housing component, communal sportsfield, public open space, refers.*

*The January 2015 approval provided for a development comprising 28 large residential erven, an agricultural component, and a social housing component intended for transfer to the Council. Discussions were held between the Housing Department and the owner regarding the transfer of a portion of land to provide access to Klein Digteby, which currently lacks formal access.*

*See figure below:*




*The primary purpose of this portion of land was to create a road providing access to the existing social housing development to the east of Digteby Estate. The owner subsequently ceded this portio of land (±1ha) for the purposes of a road, while also allowing the Council to configure the layout in a manner that could accommodate dwelling units.*

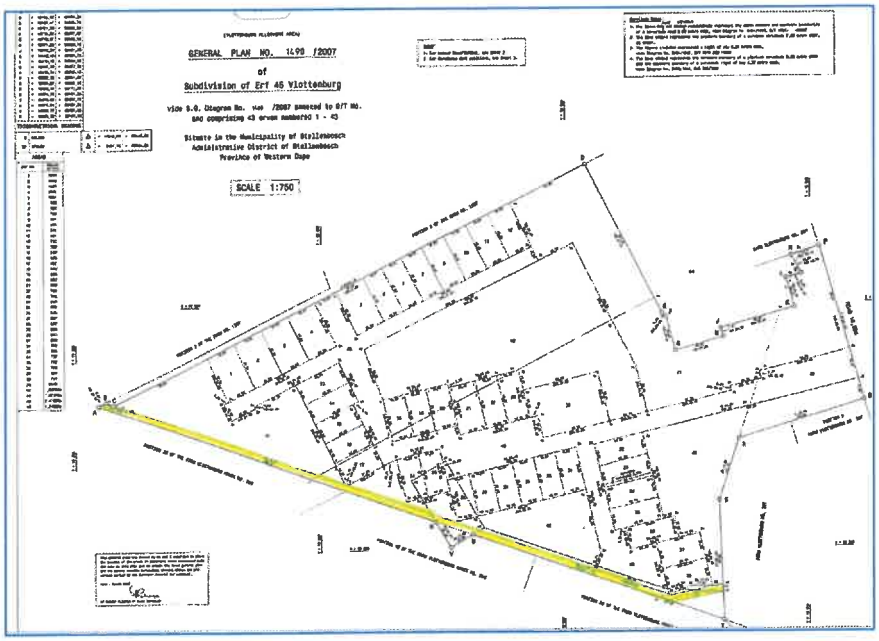
*The reason for the change in the layout from 26 to 54 erven is that the owner became aware that GAP housing was to be developed on the northern portion of the property (adjacent to Longlands Estate). The introduction of GAP housing on the neighbouring property had a significant impact on the original intent, nature, feasibility, and marketability of the proposed development. The originally proposed 26 upper-market stands of approximately 1,000 m² each were therefore no longer considered desirable, which led to the application to amend the subdivisional plan to permit increased residential density. The portion allocated for social housing remains unchanged.*

*The application that served before the MPT on 27 February 2026 proposes an amendment to the previously approved subdivision and site development plans for the conventional residential component, aimed at increasing density through smaller erf sizes and raising the number of single residential erven from 54 to 113. The single residential component will now form part of Longlands*

*Estate, with access provided via the estate's main entrance on Polkadraai Road instead of Vlottenburg Road, as originally approved. The portion allocated for social housing remains once again unchanged as the main purpose of this portion of land was to establish a road to give access to Klein Digteby which currently has no formal access. Access to the site is obtained via the School property. It is also important to note that rates clearance cannot be granted for these erven, as there is no permanent access to the properties.*

*Agricultural portions*

*In the January 2015 approval, the agricultural areas were arranged around the residential development in a manner that appears to be the open space component of the overall development. The December 2015 approval introduced a different layout, with the agricultural portions now positioned on either side of the development, linked by a narrow strip on the northern side of the subject property. A buffer was incorporated along the southern boundary adjoining Digteby Estate. Access to the agricultural portion were obtained from the servitude road over Erf 42, Digteby. See extract of diagram showing the servitude road below:*




*None of the previous applications indicated whether the agricultural portions were to be incorporated into the development for use as recreational areas for the estate residents, or whether the agricultural portions were to be held under the ownership of a particular party.*

*The current development proposal includes two agricultural portions, measuring approximately 2 hectares and 1 hectare respectively, which, according to the applicant, are to be retained by the*

*owner of Farm No. 1307/2 & 3, Stellenbosch Division. Both portions will obtain access via the internal streets of the development, which may give rise to potential conflicts related to agricultural vehicles operating within a residential environment. This is considered an internal matter to be managed by the Homeowners' Association, should Council decide to support the application.*

*The two portions may not be economically viable for conventional agricultural practices, given their limited size and location within the urban edge. However, they could be notarially tied to form a larger consolidated land parcel. A condition will be imposed in this regard.*

## Matters arising from the MPT meeting held on 24 April 2026

### Municipal Planning Tribunal (MPT) Considerations

At its meeting of 24 April 2026, the Municipal Planning Tribunal reconsidered the application together with the applicant's previous submission.

The MPT noted that concerns raised at its previous meeting of 27 February 2026 had not been adequately addressed. The primary concern relates to the spatial rationale of the proposed development and the absence of a comprehensive development framework for the entire landholding. In this regard, further engagement is required with the applicant, developer, and registered landowner to demonstrate how the proposal aligns with the long-term integrated development vision for both the subject property and the broader Vlottenburg precinct. This must include clarity on the future role and development of Portions A and B within the overall development concept.

The MPT further required clarity on the provision of social and community facilities, and whether the proposed increase in development intensity has been appropriately assessed in relation to the social infrastructure and broader community needs of the area.

It was also noted that TV3 is acting under a power of attorney on behalf of the developer intending to acquire and develop the residential component of the property. The MPT confirmed that all substantive responses must be provided by the registered owner of the parent property, as the party responsible for the overall development.

In addition, the MPT highlighted that a condition of the January 2015 approval requires Portion B (identified for social housing) to be transferred to the Municipality free of charge. The Tribunal expressed concern that this requirement is not adequately addressed in the planning report and

appears only as a standalone condition. The MPT requested that this matter be properly incorporated into the report and supported by the relevant agreement.

The MPT further recommended that the application be referred to the Senior Manager: Community Services for input regarding community facility needs and priorities in the area.

**Applicant's Response (see ANNEXURE K)**

The applicant's response (dated 10 June 2026) is submitted in support of the resubmission of the application for final consideration.

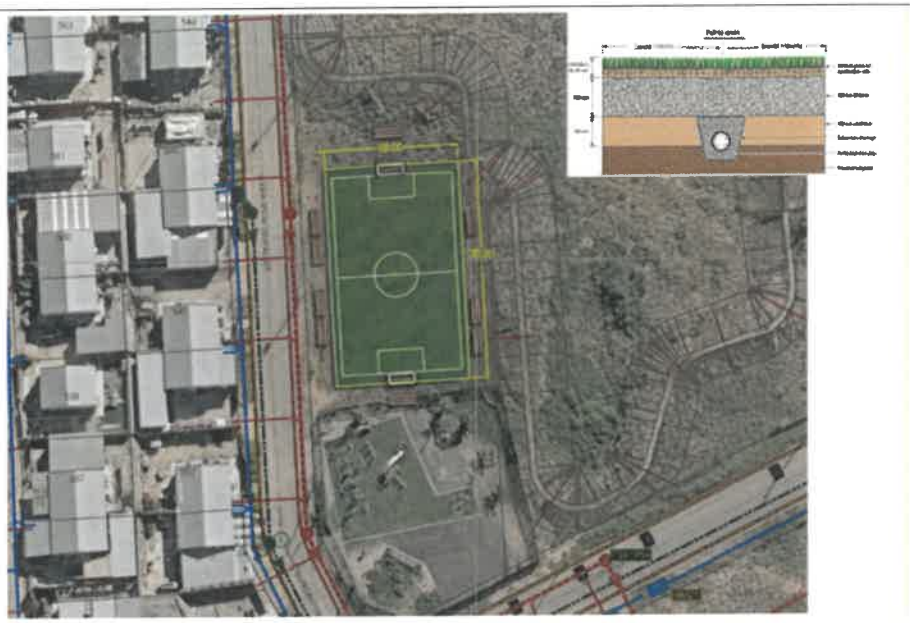
With regard to Portion 121, no changes to the approved agricultural zoning or land use (approved 17 November 2020) are proposed. The portion will remain in agricultural use in the short term. Any future proposal to extend the Longlands Life development into this area will be subject to a separate land use application in terms of applicable legislation.

In respect of public benefit contributions, the applicant indicates the following:

- The transfer of a ±1ha land parcel to the Municipality free of charge for social housing purposes (estimated value ±R3 million, unserviced);

- Provision of implementation support for the approved social housing project at no cost, subject to inclusion in the municipal housing pipeline and confirmation of funding (estimated value ±R500 000);

- Provision of a community multi-purpose recreational field on Erf 346, Longlands, as an extension to the existing playground, with an estimated value of ±R1.5 million.



Should the recreational field not be supported by the Municipality and/or MPT, the applicant is willing to provide an equivalent financial contribution of ±R1.5 million, to be ring-fenced for the development of a community facility (including a possible community hall) on an identified site. The applicant has also retained the steel structure from the previously demolished community hall for possible reuse.

Furthermore, the applicant indicates that development contributions in terms of the Stellenbosch Municipality Development Charges Policy, in the estimated amount of ±R12.3 million, will be payable and utilised for municipal infrastructure and service upgrades within Vlottenburg.

**Administration's Response**

*Agricultural portions:*

It is recorded that no changes are proposed to the existing agricultural portions; however, these areas may in future be considered for a potential extension of the Longlands Life development. Should such development be pursued, a new land use application must be submitted to the Municipality for consideration in terms of applicable legislation. The agricultural portions as proposed will obtain access via the internal streets of the development and be member of the HOA.

*Social housing portion:*

It is further recorded that the applicant reaffirmed its previous proposal to donate a ±1ha land parcel to the Municipality for housing purposes. A condition of approval relating to this contribution was included in the recommendation. The applicant also indicated its willingness to act as

implementing agent for the approved social housing project. A condition can be imposed by the MPT to regulate this arrangement through a formal agreement.

*Social and Community Facilities:*

It is also recorded that the applicant proposes a social contribution towards the provision of community facilities. A condition can be imposed by the MPT to regulate this arrangement through a formal agreement.

It is important to note that development contributions (DCs) do not constitute a social or voluntary contribution. Rather, they are a statutory mechanism through which a developer is required to fund its proportionate share of the additional demand that a development places on municipal infrastructure and services, including, but not limited to, roads, water supply, stormwater management, and sewerage systems.

## 3. Application detail

The subject property is located within the rural settlement of Vlottenburg that is situated approximately 10km east of the Stellenbosch Town. The property is located between Longlands Estate and Digteby Residential Development and to the immediate east of the Vlottenburg Primary School.

***The following applications were submitted on subject properties:***

a) **Application approved on 28 January 2015:**




On 28 January 2015, the Stellenbosch Municipality granted approval for the rezoning and subdivision of the consolidated Farms No. 1307/2 and 1307/3, Stellenbosch Division to permit the establishment of a residential development comprising **28** residential erven. The said approval also

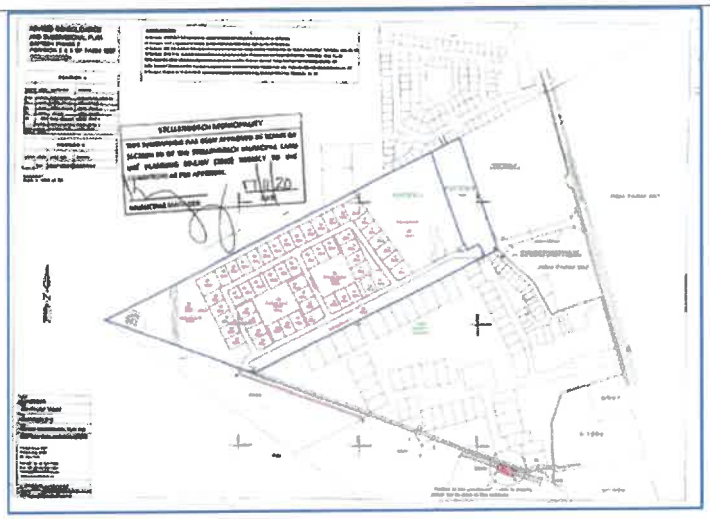
permitted the subdivision of the property into two portions namely Portion A (the Estate Development) and Portion B (the Municipal housing development). Portion B was to be transferred to the Stellenbosch Municipality to form part of the subsided housing project in the Vlottenburg node. The approved access to the development at that stage was planned from the existing Digteby entrance from the Vlottenburg Road and via the internal private road within Digteby Estate.

b) **Application approved on 17 December 2015:**




A revised application was approved by the Municipality on 17 December 2015 to allow for **54** single residential erven on Portion A, subject to conditions of approval. Condition 5 reads as follows: "*that all previous conditions of approval remain the same, unless it is replaced by this approval. No access to the subject development may therefore be obtained from the 5,0m servitude road west of the property without the written consent of the affected property owners and the controlling roads authority.* ***The main access to this development will therefore be off the access over the Digteby Development as previously approved by Council***". This condition was imposed because of the letter of approval issued by the Department of Transport and Public Works.

c) **Application approved on 17 November 2020 (*final letter was issued on 18 January 2021*):**



An application for the amendment of a condition of approval; the amendment of the approved subdivisional and site plan; and the registration of a 10m wide right of way servitude was submitted on 03 July 2020. This application was approved on 17 November 2020 (final letter was issued on 18 January 2021). This application was mainly to provide access to the 54 residential erven in the Chantecler Estate, via the proposed 10m wide servitude right of way to be registered over Remainder Farm No. 390/14, Farm No. 390/16 and Farm No. 390/22, Stellenbosch Division in lieu of the approved access through the existing Digteby Estate.

d) **Extension of validity period:**

The approval has already been extended twice and is valid until 15 January 2031.

e) **Current application:**

The application under consideration proposes an amendment to the previously approved subdivision and site development plans in respect of the conventional residential component only, with the intention of increasing residential density. This is to be achieved through a reduction in individual erf sizes and an increase in the number of single residential erven from **54** to **113**. Erf sizes will range between 250 m² and 310 m², and provision is made for a communal clubhouse site.

The single residential component will form part of the Longlands Estate, with access to the development to be provided via the estate's main entrance on Polkadraai Road, as opposed to Vlottenburg Road as originally approved. The development will further be incorporated into the Longlands Estate Homeowners' Association and will be subject to the Association's Constitution and Design Guidelines.

The remainder of the development, comprising agricultural land uses on Portion A and social housing on Portion B, will remain unchanged and will continue to be developed in accordance with the approvals granted by the Stellenbosch Municipality.

f) **Change in Application Type**

The application was submitted as an **amendment to the previously approved subdivision plan** rather than as a **rezoning to subdivisional Area (and the subsequent subdivision thereof)**. Notwithstanding the error in the application type, the intent of the proposal was clearly communicated to the affected landowners, namely the increase in density of the single-residential component from 54 to 113 erven. The differences in the sizes of the respective zoning pockets are minimal and arise solely from the realignment of erf boundaries. Access is proposed via Longlands Estate. All the necessary information was disclosed to the affected landowners, thereby enabling them to make an informed decision.

**4. Motivation** (See **ANNEXURE E**)

a) The adjoining Longlands Estate comprises approximately 328 single residential erven, predominantly consisting of smaller townhouse-style erven designed to accommodate young families, as well as larger single dwelling erven intended for traditional family households. However, the estate currently lacks residential offerings tailored to older and retired persons. This proposed development aims to introduce 113 residential units specifically designed for older adults, though it is not intended to function as a retirement village. Through this addition, Longlands Estate will broaden its housing options to better cater to all stages of a family's life cycle.

b) The development will have access to all Longlands Estate's facilities (clubhouse, gardens, security, etc).

c) The proposed development will not entail any rezonings, or consent uses, or departures. Only the amendment of the approved Subdivision Plan.

d) The proposed development will lead to the densification of the residential area by providing smaller and more erven. The densification of residential areas is promoted by the MSDF and the proposed amendment of the residential development's layout will therefore support the principles of the MSDF.

e) The details of the remainder of the development, which consists of agricultural land uses (including a wine cellar) on Portion A and social/group housing units on Portion B, will not change. These land uses will remain as approved by the Stellenbosch Municipality.

| ASSESSMENT CHECKLIST | | | |
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| **CONSIDERATION CRITERIA** | **YES** | **NO** | **Comments, if any** |
| **Accurate intergovernmental and public participation process followed** | **X** | | The applicant has in terms of Section IV of the Stellenbosch Municipality Planning By-Law, sent e-mails to the interested and affected parties as well as internal and external departments. A notice was placed on the Stellenbosch Municipality planning portal.<br><br>Although the application was submitted as an amendment to the approved subdivision plan rather than as a rezoning to Subdivisional Area, and was therefore not advertised in the local newspaper, the public participation process nonetheless achieved its intended purpose. The nature and extent of the proposed development were adequately communicated to affected parties, and no materially different development rights were introduced beyond those already contemplated under the approved framework.<br><br>The proposal is limited to an increase in density within the single residential component of the development, with the social housing and agricultural components remaining unchanged in both extent and location. Furthermore, only the central block of the development is affected by the proposed amendment, and access is via the approved Longlands Manor Development.<br><br>Importantly, the surrounding affected landowners were formally notified of the proposal and were afforded an opportunity to familiarise |

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| | | | themselves with the proposed amendments and to raise any comments or objections.<br><br>Section 63(2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023, indicates that the Municipality may, on its own initiative or on application by the applicant or intended party, upon good cause shown, condone an error in a procedure, if the condonation does not have a material adverse effect on, or unreasonably prejudice, any party. The rectification in the procedure will not have a material adverse effect on any party.<br><br>**The application was circulated to the relevant internal departments and external departments, and the following departments gave comments:**<br><br>a) The **Directorate: Infrastructure Services** supported the proposal subject to conditions. See **ANNEXURE F** for memo dated 11 September 2025.<br><br>b) The **Department of Infrastructure (Transport Infrastructure Branch)** supported the proposal subject to conditions. See **ANNEXURE G** for letter dated 28 March 2025. |
| **Conditions imposed by departments** | **X** | | a) The **Directorate: Infrastructure Services**. See **ANNEXURE F.**<br><br>b) The **Department of Infrastructure (Transport Infrastructure Branch).** See **ANNEXURE G.** |
| **DCs applicable** | **X** | | See **ANNEXURE F** |
| **Objections received** | **X** | | **Objections** were received from the following people (See **ANNEXURE H**):<br><br>*1. Stellenbosch Interest Group* |

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| | | | 2. *Rochelle Ueckermann- living in Digteby Estate*<br>3. *Irma Faul – The Valley Collaborative Project Manager*<br>4. *Johan Schoonwinkel – on behalf of Digteby Estate HOA*<br>5. *Amelia Heyns – Owner of Erf 38, Digteby Estate* |
| **Proposal complies with applicable laws, policies, guidelines, the IDP and SDP and/or technical requirements in terms of Section 65** | **X** | | In terms of the approved Stellenbosch Municipality SDF, the subject property is located inside the approved urban edge of the Vlottenburg node and within the residential area known as Digteby Estate. Densification and infill development are encouraged in terms of the approved Stellenbosch Municipality SDF. |

| **DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW** | |
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| **Socio-economic impact** | Residential developments generate valuable employment opportunities, beginning with the construction phase and continuing through ongoing services. While the nature of these jobs varies, they contribute to local economic activity and help support community growth. The creation of new residential areas also tends to boost property values and stimulate demand for goods and services, encouraging further investment and enhancing the vibrancy of surrounding neighbourhoods. |
| **Compatibility with surrounding uses** | The proposed development is well aligned with the established spatial pattern of the area, being bordered by Longlands Estate to the north, Vlottenburg School to the east, and Digteby Estate to the south. It is further noted that the site already enjoys approval for residential development, and the present application relates to the amendment of the previously approved subdivisional area and layout and the densification of the proposed residential area. The principle and desirability of residential use on this property have therefore been formally established through prior planning processes. |
| **Impact on the external engineering services** | *Water:* |

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| | The water reticulation network for the proposed development will be connected to the bulk water meter of Longlands Estate, thereby enabling the municipality to obtain water consumption readings from a single bulk meter.<br><br>*Roads:*<br>The following road upgrades must be installed – signalisation of the Polkadraai Road/Access Intersection.<br><br>*Stormwater:*<br>The applicant is required to engage with the school's management during the detailed design phase of the stormwater line crossing the school's property to ensure that the school is informed of the project and that the design is optimised for the benefit of all parties. The stormwater infrastructure must not adversely impact the use of the school's sports field. Additionally, provision must be made for stormwater from the school's sports field to be integrated into the proposed new pipe network.<br><br>*Solid Waste:*<br>Refuse collection will be integrated with the refuse management of the Longlands Estate development.<br><br>*Servitudes:*<br>The developer will be responsible for the registration of the required servitude(s) as well as the cost thereof.<br><br>*Installation of Engineering Services:*<br>Detailed engineering drawings must be submitted for approval prior to the commencement of construction. The Municipality's approval letter for the engineering drawings shall serve as the "engineering services agreement" governing the provision and installation of services between the Municipality and the landowner/developer. |
| **Impact on safety, health and wellbeing of the surrounding community** | The proposed development seeks to introduce 113 residential units specifically designed to accommodate older adults; however, it is not intended to operate as a retirement village per se. Owing to the nature of the proposal, this form of development is not anticipated to have any |

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| | adverse impact on the safety, health, or well-being of the surrounding community. |
| **Impact on heritage** | The subject property is located outside of any of the heritage overlay zones or scenic routes in terms of the Stellenbosch Zoning Scheme Bylaw. |
| **Impact on the biophysical environment** | This has no bearing on the applicant. |
| **Traffic impacts, parking, access and other transport related considerations** | Access for the development was previously approved via a servitude along the Digteby Estate border to and from Vlottenburg Road. However, the revised development proposal now provides access via Longlands Estate to and from Polkadraai Road.<br><br>A Traffic Impact Statement prepared by UDS Africa was submitted in support of the application (refer to **ANNEXURE E**). The Polkadraai Road/access intersection is proposed to be signalised, and the assessment indicates that, even with the additional trips generated by the development, the intersection will continue to function within acceptable levels of service. While a slight increase in queuing and delays may occur on the development access approach, these impacts are considered manageable and do not materially affect the overall performance of the road network.<br><br>Parking will be provided as prescribed in the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (two parking bays per dwelling unit).<br><br>For the Longlands Development, public transport embayments were proposed along the Polkadraai Road-outbound legs of the access intersection – these will be implemented along with the signalization of the intersection as to accommodate pedestrians across Polkadraai Road. In terms of non-motorized transport (NMT) facilities for the proposed development, it is expected that the proposed development's sidewalks/recreational walking/jogging routes would tie in with the overall Longlands Development's facilities. It is thus not expected that additional public or non-motorised transport facilities would be required for/as result of the proposed development. |
| **Whether the imposition of conditions can mitigate an** | Conditions will be imposed to mitigate or prevent any potential adverse impacts arising from the proposed development. |

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| **adverse impact of the proposed use or development of land** | |

| **OBJECTIONS RECEIVED (SEE ANNEXURE H) AND CORRESPONDING REPLY BY APPLICANT (SEE ANNEXURE I)** | |
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| **OBJECTIONS** | **APPLICANT'S RESPONSE** |
| **1.Stellenbosch Interest Group** | |
| The increased density brought about by the additional number of dwelling units will adversely impact on traffic congestion on the access routes to and from Stellenbosch.<br><br>From a road safety perspective, the approved—though not yet constructed—access onto Vlottenburg Road (via the south-eastern corner of Chantecler) is preferred over routing additional traffic through Longlands to Polkadraai Road. The existing Longlands access to Polkadraai Road presents safety concerns, and it would therefore be more appropriate to direct some of the Longlands traffic towards Vlottenburg Road (via the south-western corner of Chantecler).<br><br>Ideally, access to both Polkadraai and Vlottenburg Roads should be retained for the combined development areas to ensure safer and more balanced vehicle movement in both eastbound and westbound directions. In the long term, access to Vlottenburg Road will also better support future public transport and non-motorised transport infrastructure.<br><br>The proposal to have more than double the number of approved conventional residential erven is not supported. | An independent transport impact assessment was undertaken by UDS transport engineers, and they concluded that the proposed development can be supported from a transport point of view. The Provincial Roads Engineer concurred with UDS and support the proposed development and a second access point is not necessary from a transport point of view and is not required.<br><br>The new development will form part of the Longlands Estate and will have access to the Longlands Estate's recreational facilities.<br><br>The current application only refers to a portion of Portion A (i.e to amend the Portion A subdivision plan). It does not refer to Portion B or propose any changes to Portion B. Portion B will be developed in accordance with Council's approval and the transfer of Portion B to the Stellenbosch Municipality can be a condition of approval.<br><br>Abacus Development Company will undertake the role of implementing agent for the roll out of Portion B works at no cost to the Stellenbosch Municipality.<br><br>The new development intends to serve elderly and retired people. It will not be a traditional old age home or retirement village (with all the supporting |

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| The absence of supporting infrastructure such as recreation and frail care facilities is also unacceptable.<br><br>With respect to Portion B of the site, which measures 0.9 hectares in extent, the proposal to accommodate 113 units—more than double the permitted density—is not supported. As per current zoning regulations for multi-unit residential areas, group housing developments are limited to a maximum of 50 units per hectare. The current proposal equates to a density of approximately 116 units per hectare, significantly exceeding this limit. Allowing this level of density would result in erven as small as approximately 82 m² each, raising concerns about the adequacy of space, functionality, and liveability.<br><br>In addition, it remains unclear how Portion B will be accessed or serviced from a traffic and road infrastructure perspective.<br><br>Vlottenburg is classified as a rural node rather than an urban centre, and development should not proceed unless more frequent and flexible public transport services are made available. In light of these concerns, it is hoped that the proposed development will be reconsidered. Ensuring safe and convenient access to the wider road network for residents of both Longlands Estate and Chantecler Estate is particularly important—if not essential. | medical care facilities) but will be designed for an accessible by elderly persons.<br><br>We fail to see how the provision of smaller homes for elderly persons will harm the "environmental quality". Nor do we feel there is a need for additional public transport systems to accommodate these elderly persons. |
| **2.Rochelle Ueckermann- living in Digteby Estate** | |
| he motivation states that the project is intended for people in a later stage of life. From my own | The new development will not be student accommodation. A minimum age for the residents |

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| experience managing a retirement village, I know how challenging it is to enforce a minimum age requirement. Many people start families later, and economic pressures often lead to multiple generations sharing a home. Without careful management, this could even result in student accommodation developing right next door. | will be written into the Constitution to ensure that it remains a development for elderly and retired persons. |
| The small houses will be an eye sore against the Stellenbosch landscape. The houses will bring the hustle and bustle of the city life to use and not the tranquillity that we sought when we invested in Digteby Estate. | As the objector has not yet seen the house design, we feel she is acting prematurely to claim that the houses "will be an eye sore". The house design will complement the architectural style of the Longlands Estate and will not be an eye sore.<br><br>Furthermore, as a development for elderly persons, we disagree with the objector that it will bring the "hustle and bustle of the city life" to the Digteby Estate. It will, in all probability, be quitter than the surrounding residential developments (including Digteby Estate). |
| If more houses sink a borehole/well it may reduce the water to our disposal in Digteby Estate. | The matter regarding the borehole is not relevant to the planning application, but there are currently no plans for each new landowner to sink a borehole. The new development will link to municipal services (including water). |
| Hard landscapes/houses will change the flow of water and impact on the underground water. This will impact availability of ground water to Digteby. | This is not a green field development proposal. The proposed residential development on a portion of Portion A is located on land that has already been approved for the development of residential erven and the engineering department supports the development form inter alia a stormwater point of view. |
| The proposed change to the site plan will be an impediment to the increase in the value of my property. | We disagree with the objector's claim regarding the property values. It is our opinion that the establishing of a high-end residential product on abutting land will rather have a positive impact on the objector's property value. |
| There was no opportunity to comment on the proposed location for the social housing component. The identified area lies close to existing residences, and the vineyard is unlikely to provide effective noise mitigation. | |
| I live opposite the wooden houses on the corner of Vlottenburg road and Polka Road. On almost a daily basis I must contact Law Enforcement | |

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| regarding the loud music coming from that area. In the early morning hours dogs are barking which are most probably dog fights. Law Enforcement has not been able or has no desire to put a stop to the noise. | As mentioned before, this application does not relate to Portion B (the social housing portion that was approved by Council in 2015). |
| **3.Irma Faul – The Valley Collaborative Project Manager** | |
| We acknowledge the inclusion of the 34 low cost housing units in Portion B. It is crucial that clear commitments and mechanisms are put in place to ensure that these units are built and made accessible to qualifying beneficiaries from the greater Vlottenburg Community.<br><br>There is confusion in the community about the type of housing planned for Portion B. We call on the Municipality and developers to clearly clarify what type of housing is planned, who it is for, and how it will be allocated.<br><br>The delivery of these units ultimately falls under the responsibility of the Stellenbosch Municipality and we request that the Municipality provide a clear timeline, budget allocation, and enforcement measures to guarantee their completion, before the Subdivisional Plan is approved.<br><br>In the Longlands Subsided Housing development, only 106 houses of the 145 were built. On the remaining 39 erven, wendy houses were provided. Wendy houses are not considered dignified homes and concerns were raised of the impact of the temporary homes not only on the families living in the temporary structure, but also the greater community. | This objection relates to the social housing development on Portion B, and as explained earlier, this application only refers to Portion A. It does not refer to Portion B or propose any changes to Portion B.<br><br>The public participation was undertaken in accordance with the municipal advertising instructions. Furthermore, voluntary consultations and meetings were held with the ward councillor and members of the public (including Digteby Estates's HOA).<br><br>Based on the type of application submitted (and the proposed changes to the approved layout) we feel the level of public participation was sufficient.<br><br>The new development only entails the redesign of an approved layout. With the original planning approval of 2015, Council identified Portion B as the greater development's social housing component to create an integrated and inclusive urban development. No changes to Council's approval of Portion B are proposed with this application. It will be implemented in accordance with Council's approval. |

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| Given the history of the Municipality's ongoing failure to manage the houses at Longlands Subsidized Housing development concerns were raised that there is a risk that these new units will face similar challenges. We request that the Municipality outline how it plans to monitor and enforce these commitments and prevent delays or non-delivery.<br><br>Although some level of public participation has occurred, key affected stakeholders, including local institutions like Vlottenburg Primary School and the Ward 20 Committee, did not receive notice of the proposal as required by Section 45 of the Bylaw.<br><br>Effective consultation with community members adjacent to the proposed Chantecler development and greater Vlottenburg area, and whose rights will likely be materially and adversely affected, is critical to ensure that they are able to meaningfully engage and submit meaningful comments during public participation process.<br><br>May people living adjacent the proposed Chantecler development are semi-literate and illiterate and therefore community engagement must ensure that their voice are included and considered during the planning and decision-making processes.<br><br>We urge the Municipality and the developer to consider how this development can contribute to a more integrated and socially cohesive community, rather than reinforcing spatial divisions. | |

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| Opportunity for mixed-income housing should be explored, along with urban planning strategies that prioritise accessibility and inclusivity. | |
| **5. Johan Schoonwinkel – on behalf of Digteby Estate HOA** | |
| The estate has some concerns regarding the following: privacy due to proximity of houses to the northern border of Digteby Estate; possible noise pollution from Chantecler main building (erf 114); noise pollution from low-cost housing to be built on Portion B.<br><br>Due to the proposed erf sizes and density of plots planned as part of the development, Digteby Estate would like to receive written confirmation of the following: The gap between Digteby Estate northern fence and the first row of plots; confirmation that only single storey houses will be built as part of the development (including on erf 114); the type of screening which will be used between the fence and the first row of plots on the southern border of the proposed Chantecler development; a copy of the registered Chantecler constitution to be shared with Digteby Estate to confirm the minimum required age for residents of the proposed Chantecler estate; plans of houses to be built as part of the proposed Chantecler development to show possible plot boundary walls.<br><br><u>Requests from Digteby Estate HOA</u>:<br>• *A 2m hedge to be planted between the Digteby Estate northern fence and the first row of plots to provide a privacy and noise buffer.* | A 10m wide landscaped corridor is proposed between the new development and the Digteby Estate. The proposed development will be a later living estate, aimed at retirees. The building on Erf 114 will serve the needs of the retirees. It is unlikely that this building will lead to noise pollution.<br><br>The development of Portion B into 20 erven was approved by Council in 2015. In 2020 they stated that Portion B must be transferred to Council free of charge. This application only refers to a portion of Portion A (i.e to amend the Portion A subdivision plan). It does not refer to Portion B or propose any changes to Portion B. In other words, complaints about Portion B are not a valid reason to object to the proposed development on Portion A.<br><br>A 10-metre-wide landscaped corridor is proposed to separate the new development from the Digteby Estate. All dwellings within the development will be single-storey. Following the approval of the planning application, the development's constitution, landscape plan, and building plans will be submitted to Council for consideration. It is therefore not appropriate for the Digteby Estate to request access to these documents or plans at this stage.<br><br>A landscape plan will be submitted to Council for approval that will adequately screen the new development. |

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| • *An increase in the distance between the Digteby Estate northern fence and the first row of plots to 15m.*<br><br>• *The Chantecler main building (erf 114) to be moved away from the border of the Digteby Estate northern fence.*<br><br>• *Berm to be built as part of the Chantecler development to also screen proposed low-cost housing from Digteby Estate number 46/83.*<br><br>• *Access road for low cost housing on Portion B to connect to the Klein Digteby access road. This will allow the Klein Digteby residents to receive title deeds from the Municipality, since it is currently prevented by the lack of an approved access road.* | It appears as if the Digteby Estate's erven have a 4,5m common boundary building line. With the new development, there will be a 10 wide landscaped buffer between the Digteby erven and the new erven, and the new erven will have a 1,5m common boundary building line (as part of the Longlands Estate's Design Guidelines). A 10m landscaped buffer and internal 1,5 building line will sufficiently screen the Digteby Estate from the new development.<br><br>The proposed building on Erf 114 will not be a clubhouse. The Longlands Estate already has an approved clubhouse with supporting facilities that these residents will use. The building on Erf 114 will primarily service the needs of the elderly people residing there. It will not be a noisy building.<br><br>The existing approval of Portion B remains unchanged, and the conditions therein will need to be met. |
| **6. Amelia Heyns – Owner of Erf 38, Digteby Estate** | |
| The plans for Portion B remain vague. While the 2020 approved plan refers to 34 group housing units, an increase from 20 group housing homes planned in 2015, no detailed information is provided regarding their location, design, height, quality standards, the buffer zone between Portion B and Digteby, or whether units will be state-funded or privately developed. This lack of clarity prevents meaningful public engagement and informed decision-making.<br><br>The Vlottenburg community is generally peaceful and pre-urban in nature. The introduction of 34 group housing units in close proximity to the local school, the northern boundary of Digteby (where | The objector borders on Portion B – which does not form part of this application. The objector's house is located ±100m from the nearest residential erf in the new development.<br><br>  <br><br><br>For the objector . to claim that the new development will negatively impact them is insincere. |

our home is situated), and Klein Digteby raises concerns about increased noise, safety risks, and the potential erosion of the area's peaceful community character.

As an example, the Longlands Subsidized Housing Development demonstrates the risks of inadequate planning. Of the 145 erven there, only 106 have brick houses, the remaining 39 were developed using temporary wooden structures. This inconsistency has contributed to a decline in the quality of life, with frequent reports of drug and alcohol abuse, load music, and occasional gunshots. These can all be heard from our property that lies to the north of Digteby. If similar housing is developed on Portion B, it will likely lead to further community degradation.

An assessment of the impact of both Portion A and B is essential. The application documents for Chantecler do not indicate that any Basic Assessment Process has been undertaken NEMA. While a Basic Assessment was conducted for the Longlands Development, it has not been updated to include the proposed new homes on Chantecler.

A traffic impact assessment was conducted for Portion A, however no such assessment appears to have been done for the proposed new road on Portion B. This is concerning, especially given the proximity to the local school, the residents of Klein Digtey, and our home on Erf 83, Digteby Estate.

The architectural layout includes fencing for the 113 proposed homes but remains silent on how

As mentioned earlier, Portion B does not form part of the current application.

The proposed amendment of the approved layout does not require the Department of Environmental Affairs and Development Planning's authority.

The remainder of Portion A (i.e the two agricultural portions that bookends the application area) does not form part of this application.




It will remain zoned for agricultural purposes and will be developed in accordance with Council's 2015 approval.

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| the remaining portion of Portion A will be used. TV3 has indicated in correspondence that the current developers do not intend to use the Remainder of Portion A. It is essential that the intended future use and potential users be clearly communicated to ensure transparency. | |

**Assessment of objections**

The principal matters highlighted in the submitted objections are summarized below:

***i) Increased density***

The subject property is situated within the Vlottenburg Urban Edge, where urban development principles encourage appropriate densification. The area retains a distinct small-village character, positioned between agricultural land to the east and west, providing an opportunity to carefully guide development in a way that complements the existing spatial and environmental context.

The proposed development will form an integral part of the Longlands Estate, which comprises two existing components: Longlands Manor, characterised by larger residential erven, and Longlands Village, which consists of medium-sized erven. The area known as the Chantecler development is proposed to accommodate smaller erven, specifically designed to cater for residents over the age of 55. Collectively, the development will contribute to a diversified residential environment, capable of accommodating a range of socio-economic groups within the broader estate.

The proposed development constitutes a form of sensible densification, as it is designed to be compatible with the character and scale of the surrounding area, while making efficient use of available land. Furthermore, the existing infrastructure has sufficient capacity to support the additional development.

*ii)* ***Traffic Congestion***

A traffic impact statement was conducted by UDS Africa for the redevelopment of the subject properties. The previous land use approval included 54 single residential erven, obtaining access via a servitude over Remainder of Portion 14 of Farm No. 390, Stellenbosch Division, Portion 16 of Farm No. 390, Stellenbosch Division and Portion 22 of Farm No. 390, Stellenbosch Division. The proposed development is that of 113 residential erven with access to these erven proposed via the Longlands Estate development to/from Polkadraai Road.

In the previous application, it was proposed that a 10 m / 15 m right-of-way servitude be registered over three private properties to provide access to the proposed estate comprising 54 dwelling units. This access would have connected to Vlottenburg Road, which functions as a lower-order road in comparison to Polkadraai Road.

In the current application, the number of residential units has doubled, and it is therefore considered more practical and appropriate for access to be obtained from a public, higher-order road. Furthermore, the incorporation of the former Chantecler development (the application property) with the Longlands Estate makes it more practical for access to be taken from Polkadraai Road.

The Directorate: Infrastructure Services indicated its support for the proposal, subject to the implementation of a road upgrade involving the signalization of the intersection between Polkadraai Road and the proposed access road.

***iii) Portion B – Social Housing Component***

A significant number of objections relate to Portion B, the social housing component, particularly concerning its location, implementation, housing typologies, architectural guidelines, and the anticipated timeframe for delivery, among other matters.

The current application relates solely to an amendment of the approved subdivision layout (Portion A) for the purpose of creating additional land units beyond those previously approved. No amendments are proposed to Portion B. This section was originally approved with the specific intent of accommodating social housing, and this purpose remains unaltered. Portion B was not subdivided into smaller erven as part of the amended approval, to allow the Council the flexibility to implement a layout as may be required in the future.

An error was identified in the annotation of the number of erven for Portion B on the subdivision plan; however, this is purely a typographical error, as it is Portion A that is proposed to be subdivided into 113 erven.

***iv) Property Values***

The proposed change to the subdivision plan is not expected to negatively affect surrounding property values. On the contrary, the development has been carefully designed to complement the existing character of the area, enhance local amenities, and promote a well-maintained, attractive environment. Developments catering to active adults (50+) are typically associated with stable

ownership, low traffic generation, and high maintenance standards, all of which contribute positively to neighborhood desirability and, in turn, property values.

***v) Frail care facilities***

The proposed development is intended for residents aged 55 and over, but it is not a traditional retirement village or aged care facility; it is designed to provide accessible, comfortable living for independent older adults.

***vi) Lack of public participation***

The department is of the opinion that sufficient public participation has taken place. The proposal was advertised to the surrounding landowners, the Ward Councillor, the SRA and SIG, and the application was placed on the municipal website.

***vii) Privacy will be impacted upon due to proximity of houses to the northern border of Digteby Estate***

The Digteby Estate Homeowners Association (HOA) has requested several mitigation measures to address potential visual, privacy, and noise impacts from the proposed Chantecler development. These include planting a 2-metre hedge and increasing the setback to 15 metres between the northern boundary and the first row of erven, relocating the main building (Portion 114) further from the boundary, and constructing a berm to screen the proposed low-cost housing from Erf 46/83. The HOA has further requested that the access road for Portion B connect to the existing Klein Digteby access road to facilitate the issuance of title deeds.

A 10 metre-wide landscaped corridor is proposed between the new development and Digteby Estate, which is regarded as adequate to safeguard the privacy of the residents of Digteby Estate. It is also noteworthy that a 1,5 m building line applies to these erven, providing an additional buffer between the developments. As a condition of approval, a landscaping plan will be required to ensure that appropriate vegetation is incorporated into the development to safeguard the privacy of the objecting parties. Given that both the proposed development and Digteby Estate are both residential developments, any potential noise impacts are expected to be minimal, and the Department is of the opinion that the proposed use will not result in a significant increase in noise levels.

It is also considered unlikely that the proposed building on Portion 114 will generate any significant noise impact. All senior residents will have access to the Longlands Estate clubhouse, landscaped gardens, and associated communal spaces. The building on Portion 114 is intended to function as a dedicated community facility serving residents exclusively. Potential components include an administrative office,

a braai/barbecue area or room, a small gym, a swimming pool for water-aerobics activities, a library, and related ancillary spaces; however, the final layout and specifications are still to be confirmed.

The development will be incorporated with Longlands Estate and will therefore conform to the architectural guidelines of Longlands Estate. As the development is intended for residents aged 55 years and older, the applicant proposes that all dwelling units be restricted to single-storey structures. This design approach will further mitigate the privacy concerns previously raised by residents of the Digteby Estate.

**KEY FINDINGS OF PLANNING EVALUATION**

After having independently considered and weighted all the relevant information the evaluation of the subject land use and land development application concludes that:

1. The application seeks to amend the approved subdivisional area plan in order to permit the development of 113 single residential units, in place of the 54 units previously authorised.

2. The proposed development (previously known as Chantecler) will form part of the Longlands Estate development.

3. The adjoining Longlands Estate contains about 328 single residential erven, including smaller townhouse-type erven for young families and larger single-dwelling erven for traditional family households. However, the estate does not currently offer housing suited to older or retired persons. The proposed development will add 113 units designed for older adults, although it will not operate as a retirement village. This will help Longlands Estate offer housing options that better support residents at all stages of life.

4. The proposed development will lead to the densification of the residential area by providing smaller and more erven. The densification of residential areas is promoted by the MSDF and the proposed amendment of the residential development's layout will therefore support the principles of the MSDF.

5. The proposed development will fit in well with the surrounding land uses, as it is bordered by Longlands Estate to the north, Vlottenburg School to the east, and Digteby Estate to the south. A residential development has already been approved on this property, and this application only seeks to amend the existing subdivision plan and to increase the density.

6. Owing to the nature of the proposal, this form of development is not anticipated to have any adverse impact on the safety, health, or well-being of the surrounding community.

7. A Traffic Impact Statement, compiled by UDS Africa, was submitted in support of the application. The Polkadraai Road/access intersection will be signalised.

8. Several objections were received.

9. The proposed development will contribute to a diversified residential environment, capable of accommodating a range of socio-economic groups within the broader estate.

10. Many objections pertain to Portion B, the social housing component, specifically about its location, implementation, housing typologies, architectural guidelines, and the anticipated timeframe for implementation, among other aspects. The current application relates solely to an amendment of the approved layout (Portion A) for the purpose of creating additional land units beyond those previously approved. No amendments are proposed to Portion B.

11. The primary purpose of Portion B was to create a road to provide access to the existing social housing development, to the east of Digteby Estate. The properties in this development cannot be transferred to the beneficiaries of the dwelling houses as no formal access exists to these properties.

12. The proposed development is intended for residents aged 55 and over, but it is not a traditional retirement village or aged care facility; it is designed to provide accessible, comfortable living for independent older adults.

13. Although the proposal specifies that only single-storey structures will be permitted, it is important to note that the zoning applicable to the subject properties allows for the development of double-storey dwelling units.

14. This item was referred back to the developer/applicant on two separate occasions by the MPT (27 February 2026 and 24 April 2026), as the concerns and issues raised by the MPT had not been adequately addressed in the submissions provided.

15. The MPT noted that a condition of the January 2015 approval required Portion B, identified for social housing purposes, to be transferred to the Municipality free of charge. The Tribunal expressed concern that this requirement was not adequately addressed in the planning report and appeared only as a standalone condition, without any supporting discussion or reference to the underlying agreement. The MPT therefore requested that the matter be properly addressed in the report and supported by the relevant documentation.

16. The applicant/developer, based on the requests and wishes of the MPT, indicated that he is willing to act as the implementation agent for the approved social housing project.

17. The MPT required further clarity regarding the provision of social and community facilities, and whether the proposed increase in development intensity has been adequately considered in relation to the social infrastructure and broader community needs of the area. In response to the MPT's request, the applicant proposes financial contribution for the provision of community facilities. A condition of approval in this regard will be included in the recommendation should the MPT be satisfied with the applicant/developer's proposal as requested.

18. The applicant further notes that development charges, estimated at approximately R12.3 million, will be payable in accordance with the Stellenbosch Municipality Development Charges Policy. These funds may be utilised by the Municipality for the upgrading and expansion of municipal infrastructure and services within Vlottenburg. It should, however, be noted that development charges (DCs) do not constitute a social or community contribution. Rather, they are statutory payments intended to offset the proportional impact of a development on municipal infrastructure and services, including roads, water supply, sewerage, and other engineering services.

The subject land use and land development application is, having regard to the conclusions above, viewed as in Consistent with the Stellenbosch By-laws and policies and consequently grounds for the support of the subject land use and land development application.

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| **List relevant plan numbers** | **Subdivision & Zoning Plan No. 1, dated 01 October 2024, and drawn by TV3 Architects Town Planners and Urban Designers.** |
| **List annexures to decision** | **ANNEXURE A: LOCALITY PLAN**<br>**ANNEXURE B: PREVIOUS APPROVALS**<br>**ANNEXURE C: AMENDED SUBDIVISIONAL PLAN**<br>**ANNEXURE D: CONCEPT SUBDIVISION PLAN**<br>**ANNEXURE E: APPLICANT'S MOTIVATION REPORT; CIVIL AND ELECTRICAL ENGINEERING SERVICES REPORT AND TRAFFIC IMPACT STATEMENT**<br>**ANNEXURE F: COMMENT FROM THE DIRECTORATE: INFRASTRUCTURE SERVICES**<br>**ANNEXURE G: COMMENT FROM DEPARTMENT OF INFRASTRUCTURE (TRANSPORT INFRASTRUCTURE BRANCH)**<br>**ANNEXURE H: OBJECTIONS RECEIVED**<br>**ANNEXURE I: COMMENT ON OBJECTIONS**<br>**ANNEXURE J: APPLICANT'S SUBMISSION ON THE MPT'S REQUEST** |

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|---|---|
| | **ANNEXURE K: APPLICANT'S 2ND SUBMISSION ON THE MPT'S REQUEST** |

**RECOMMENDATION**

1. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, 2023, on Farm No. 1307/2 and Farm No. 1307/3, Stellenbosch Division namely:

   1.1 The **rezoning** of the subject property from Subdivisional Area Zone to Subdivisional Area in terms of Section 15(2)(a) of the said Bylaw to allow for the following uses:

   *a) Hundred and thirteen (113) x **Conventional Residential Zone** erven (erven 1 – 113) and approximately 2,93ha in extent, for dwelling houses.*

   *b) Six (6) x **Private Open Space Zone** erven (114-119) and approximately 1,79ha in extent, for open space purposes.*

   *c) One (1) x **Private Open Space Zone** erf (120) and approximately 1,40ha in extent for private road purposes.*

   *d) One (1) x **Agriculture and Rural Zone** erf (121) and approximately 2,3ha in extent for agricultural purposes.*

   *e) One (1) x **Agriculture and Rural Zone** erf (121) and approximately 1,43ha in extent for agricultural purposes and a wine cellar of 350m².*

   *f) One (1) x **Multi-Unit Residential Zone** erf (Portion B) and approximately 0,97ha in extent for group housing purposes.*

   1.2 The **subdivision** in terms of Section 15(2)(d) of the said Bylaw of Portion A in accordance with Subdivision Zoning Plan No 1, 01 October 2024, and drawn by TV3 Architects Town Planners and Urban Designer; to allow for a residential development in accordance with the sub-divisional zone above.

**BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.

2. **The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw.**

2.1 The approval only applies to the proposal under consideration, 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 Bylaws or Regulations that may be applicable.

2.2 The development must be undertaken in accordance with the subdivision plan as referenced Subdivision & Zoning Plan No. 1, dated 01 October 2024, and drawn by TV3 Architects Town Planners and Urban Designers and attached as **ANNEXURE** C.

2.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

2.4 New erf diagrams or general plans for the newly created land units be submitted to this municipality for clearance and record purposes.

2.5 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*

2.6 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, which plan must indicate the planting of mature trees to mitigate the heat island.

2.7 All previous conditions of approval remain applicable unless it has been replaced by this approval.

2.8 The land use shall not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken to avoid environmental noise pollution in terms of the Noise Control Regulations (PN200 dated 20 November 2013) made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).

2.9 The conditions imposed by the **Directorate: Infrastructure Services** in their memo dated 11 September, attached as **ANNEXURE F**, be adhered to.

2.10 The conditions imposed by the **Department of Infrastructure (Transport Infrastructure Branch)** in their letter dated 28 March 2025, attached as **ANNEXURE G**, be adhered to.

2.11 The Longland Estate's HOA Constitution and Architectural Guidelines be amended to include this development and be submitted and approved prior to the registration of the first land unit or prior to the first building plan approval, whichever occurs first. The HOA's Constitution shall explicitly stipulate that residents of this development are required to be 55 years of age or older. Compliance with the Constitution shall be binding on all current and future owners and occupiers within the development.

2.12 Given that the development is intended for a specific age group, all buildings and structures within the development shall be limited to a single storey. No additional storeys and mezzanine levels shall be constructed without the prior written approval of the Municipality.

2.13 Portion B (approximately 1 hectare), identified for social housing purposes, be transferred to the Stellenbosch Municipality free of charge, upon registration of the first land unit of which the cost for surveying and transfer of such land unit be for the account of the applicant/developer.

2.14 An agreement regarding the social contribution offered by the applicant/developer to act as implementation agent for the approved social housing project, as well as the provision of community facilities be entered into with the Municipality prior to the issuing of a Section 28 Transfer Certificate, which agreement takes into account the social contribution offered in the letter attached as **ANNEXURE K.**

**3. The reasons for the above decision are as follows:**

3.1 The proposal remains within the Urban Edge.

3.2 All services could be provided and upgraded to the satisfaction of the relevant departments if needed.

3.3 The proposed residential development constitutes infill development and is therefore in line with the principles of the Spatial Development Framework.

3.4 The proposed development will have a positive impact on the town's local economy as it indirectly will create many new employment opportunities during the construction phase.

**4. Matters to be noted**

4.1 That the approval of the **naming and numbering of streets** as per the proposed subdivision plan, **BE DECIDED** by the delegated official.

**ASSESSMENT RECOMMENDATION BY TOWN PLANNER**

The proposed land use and land development application has been duly evaluated in terms of process and desirability with the recommendation for consideration.

**Name:** Louisa Engelbrecht
**Capacity:** Senior Town Planner
**Signature:** Engelbrecht
**Date:** 17/06/2026

**REVIEW OF ASSESSMENT AND RECOMMENDATION**

The recommendation for decision is hereby submitted for consideration to the authorised decision-maker in accordance with the System of Delegations approved vide Item 11.8.1 dated 24 May 2023 OR Categorisation Model approved vide Item 10.8.1 dd dated 26 February 2025.

**Category / Delegation Item Number:** A(d)2
**Decision Making Authority:** MPT
**Rational:** Application is not consistent but is contested.
**Name:** Steven Castens
**Capacity:** SMDM
**SACPLAN Registration:** A/1551
**Signature:**
**Date:** 17/6/2026

## CONDONATIONS OF ERRORS OR OMMISIONS DURING THE PROCESSING OF THE PLANNING APPLICATION

**Authorised Official to condone errors or omissions**

As the duly authorised official the error in the processing of the land use and land development application to not advertise the application for rezoning to subdivisional area as prescribed

**BE CONDONED** in terms of section 63(2) of the said Bylaw.

Reason for the decision:

(i) The surrounding affected landowners were formally notified of the intent of the proposal and were afforded an opportunity to familiarise themselves with the proposed amendments and to raise any comments or objections.

(ii) The nature and extent of the proposal were communicated and therefore the public participation process achieved its intended purpose.

**Name:** Steven Carstens

**Capacity:** SMM

**Signature:**

**Date:** 17/6/2026.

## MPT ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT

**Administrator to Stellenbosch Municipal Planning Tribunal:**

It is hereby confirmed that proper notice was served of the Municipal Planning Tribunal meeting at which this land use and land development application will serve for consideration.

The land use and land development application will serve at the scheduled meeting of the Stellenbosch Municipal Planning Tribunal on:

Date: 26-06-2026

**Name:** Chrizelle Fael

**Capacity:** MMM

**Signature:**

**Date:** 17-06-2026

# ANNEXURE A

## APPLICATION FOR THE AMENDMENT OF AN APPROVED SUBDIVIONAL PLAN AND SITE DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM NO. 1307/3, STELLENBOSCH DIVISION

## LOCALITY PLAN

**LOCALITY MAP: FARMS 1307/2 AND 1307/3, STELLENBOSCH**



# ANNEXURE B

## APPLICATION FOR THE AMENDMENT OF AN APPROVED SUBDIVIONAL PLAN AND SITE DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM NO. 1307/3, STELLENBOSCH DIVISION

## PREVIOUS APPROVAL

APPENDIX 3 (S7)

| | |
|---|---|
| Enquiries | C Charles / B Mdoda |
| Your ref | - |
| Our ref | Farm 1307/2, Stellenbosch |
| Application No | LU/1978 |
| Date | 2015-01-28 |
| Telephone | 021-808 8699 / 8690 |
| Fax | 021-886 6899 |

**REGISTERED MAIL**

FILE NR: OUTGOING POST
F1307 25 14 1978 Appl.:
SCAN NR:
COLLABORATOR NR:
355686

Emile Van Der Merwe Town Planning Consultants
PO Box 204
Stellenbosch
7599

Sir

**APPLICATION FOR REZONING AND SUBDIVISION ON FARMS 1307/2 AND 1307/3, STELLENBOSCHDIVISION**

Your application in the above regard, refers.

The Director: Planning and Economic Development at a recent meeting resolved as follows:

1. That **approval be granted** in terms of Sections 16 and 25 of the Land Use Planning Ordinance, 1985 (15 of 1985) for the rezoning and subdivision of consolidated Farms 1307/2 and 1307/3, Stellenbosch Division Agricultural Zone I to Subdivisional Area to accommodate the following: Residential Zone I, Agricultural Zone I, Agricultural Zone II and Open Space Zone II (Portion A) and Residential Zone II, Open Space Zone I and Transport Zone II (Portion B) as per Drawing Number 09473-03, dated 06 July 2011, drawn by EH (Dekker Papendorf Architects) attached as **Appendix 3**.

2. That **approval be granted** in terms of Sections 25 of the Land Use Planning Ordinance, 1985 (15 of 1985) for the subdivision of consolidated Farms 1307/2 and 1307/3, Stellenbosch Division into two portions namely Portion A (±9.8568ha) and Portion B ((±0.9772ha) as per Drawing Number 09473-02, dated 06 July 2011, drawn by EH (Dekker Papendorf Architects) attached as **Appendix 4**.

3. That **approval be granted** in terms of Sections 25 of the Land Use Planning Ordinance, 1985 (15 of 1985) for the subdivision of Portion A into 26 residential erven, 6 open space erven and remainder agriculture as per Drawing Number 09473-03, dated 06 July 2011, drawn by EH (Dekker Papendorf Architects) attached as **Appendix 3**.

Email. 29/1/15
ontvang

D 23 02 15

4. That **approval be granted** in terms of Sections 25 of the Land Use Planning Ordinance, 1985 (15 of 1985) for the subdivision of Portion B into 20 Residential Zone II erven, 1 Open Space Zone I erf and 1 Transport Zone II erf as per Drawing Number 09473-03, dated 06 July 2011, drawn by EH (Dekker Papendorf Architects) attached as **Appendix 3**.

This approval is subject to the conditions set out in **APPENDIX 1**, which conditions must be complied with prior to subdivision clearance being granted for the transfer of any portion and/or registration of a Certificate of Registered Title.

Kindly note, this rezoning and subdivision approval will lapse unless all conditions of approval have been complied with and separate registration of at least one erf therein is effected in the Deeds Registry within 5 years of Council's final notification letter, which is to follow in due course. Should it be required, any application for extension of validity of the subdivision approval should be lodged well in advance of lapsing of this approval.

Kindly note that the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally passed.

Kindly also note, you are advised in terms of Section 5 of the Promotion of Administrative Justice Act, No 3 of 2000 that you are entitled to request in writing reasons for the above decision.

Kindly be advised that you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) by giving written notice of such appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000 ("MSA"), *and/or* the internal appeal process approved by Council at its meeting held on 29 October 2014. In terms of the aforesaid Council decision, an applicant or objector aggrieved by a decision of Council in respect of an application in terms of the Ordinance, Zoning Scheme Regulations or applicable By-Law, may appeal against such decision to the Municipal Manager, by giving written notice of such appeal.

A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee to the amount of R 737,00, should be directed to and received by the Municipal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to the Advice office, Land Use Management, Ground floor, municipal building, Plein Street, Stellenbosch, or faxed to fax number 021 886 6899 within 21 days of the date of registration at the Post Office of this notification letter (with such registration day not included in the appeal period), provided where the last day for lodging an appeal falls either on a Saturday, Sunday or public holiday, it shall be deemed to be the next working day thereafter. Where this letter is collected by hand, the above appeal period will be similarly calculated from the next day after collection. Failure to comply with the above requirements may result in the appeal being ruled invalid by the Appeal Authority. ***Kindly be advised that no appeal will be accepted via email.***

Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted in the normal manner, as only the above decision can be appealed at this stage.

* In *Minister of Local Government, Environmental Affairs and Development Planning, Western Cape* v *The Habitat Council and Others; Minister of Local Government, Environmental Affairs and Development Planning, Western Cape* v *City of Cape Town and Others* [2014] ZACC 9 (Case No.CC117/13).

Kindly be advised that objectors (if any) are granted a simultaneous right of appeal in terms of the internal appeal process approved by Council at its meeting held on 29 October 2014.

Please note, appellants are not permitted to canvass the Municipal Manager or members of Council before or after the matter is heard.

**Important note:** ***Rights of appeal*** *in terms of Section 44(1)(a), (b), (c) or (d) of the Land Use Planning Ordinance, No 15 of 1985* ***no longer exist****, as such an appeal to the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape has been declared* ***unconstitutional*** *by the Constitutional Court in its unanimous judgment* on* ***4 April 2014****, as such matters fall within the exclusive functions of a municipality in terms of the Constitution.*

Kindly note the above Council decision is suspended and may therefore not be acted on until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

for **DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT**




* In *Minister of Local Government, Environmental Affairs and Development Planning, Western Cape* v *The Habitat Council and Others; Minister of Local Government, Environmental Affairs and Development Planning, Western Cape* v *City of Cape Town and Others* [2014] ZACC 9 (Case No.CC117/13).

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

APPENDIX 1
FILE NO: PL1307/2S

In this approval document:
"Council" means the Stellenbosch Municipality
"the Owner" means the registered owner of the property.
"the property" means **Farms 1307/2 and 1307/3, Stellenbosch Division**
"scheme regulations" has the meaning assigned thereto by Ordinance 15 of 1985.

| | |
|---|---|
| **EXTENT OF APPROVALS:** | Approval for the rezoning and subdivision of consolidated Farms 1307/2 and 1307/3, Stellenbosch Division from Agricultural Zone I to Subdivisional Area to accommodate the following: Residential Zone I, Agricultural Zone I, Agricultural Zone II and Open Space Zone II (Portion A) and Residential Zone II, Open Space Zone I and Transport Zone II (Portion B) as per Drawing Number 09473-03, dated 06 July 2011, drawn by EH (Dekker Papendorf Architects)<br><br>Approval for the subdivision of consolidated Farms 1307/2 and 1307/3, Stellenbosch Division into two portions namely Portion A (±9.8568 ha) and Portion B (±0.9772 ha) as per Drawing Number 09473-02, dated 06 July 2011, drawn by EH (Dekker Papendorf Architects)<br><br>Approval for the subdivision of Portion A into 26 residential erven, 6 open space erven and remainder agriculture as per Drawing Number 09473-03, dated 06 July 2011, drawn by EH (Dekker Papendorf Architects)<br><br>Approval for the subdivision of Portion B into 20 Residential Zone II erven, 1 Open Space Zone I erf and 1 Transport Zone II erf. |
| **VALIDITY OF APPROVAL:** | The approval for subdivision and rezoning will be valid for five (5) years after the date of final notification |
| **CONDITIONS IMPOSED:** | Subdivision and Rezoning Conditions |

**CONDITIONS IMPOSED IN TERMS OF SECTION 42(1) OF THE LAND USE PLANNING ORDINANCE 15 OF 1985 IN RESPECT OF THE PROPERTY CONCERNED:**

a) That the approval applies only to the subdivision and rezoning in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

b) That erf diagrams of the newly created properties must be submitted to this Municipality for clearance and record purposes;

c) That building plans must be submitted for approval prior to any building work commencing on site;

d) That the capacity of the boutique wine cellar be restricted to 50 tonnes;

e) That a development agreement must be entered into between Council and the developer with regard to contributing to community and municipal development funds from the sale of each property. Percentage to be contributed will be specified in aforementioned development agreement;

f) That the condition imposed by the Heritage Western Cape (attached hereto as Appendix 5) be adhered to;

g) That the conditions imposed by Western Cape Government: Agriculture (attached hereto as Appendix 6) be adhered to;

h) That the conditions imposed by the Provincial Government of the Western Cape: Department of Transport and Public Works (attached hereto as Appendix 7) be adhered to;

i) That the conditions imposed by the Department: Water and Sanitation (Republic of South Africa) (attached hereto as Appendix 8) be adhered to;

j) That the conditions imposed by the Directorate: Engineering Service (attached hereto as Appendix 9) be adhered to;

k) Council reserves the right to impose further conditions if deemed necessary.

**Compiled by:**

.....
**C Charles**
**Senior Town Planner**

11/12/2014
**Date**

**Recommended by the Acting Manager: Land Use Management**

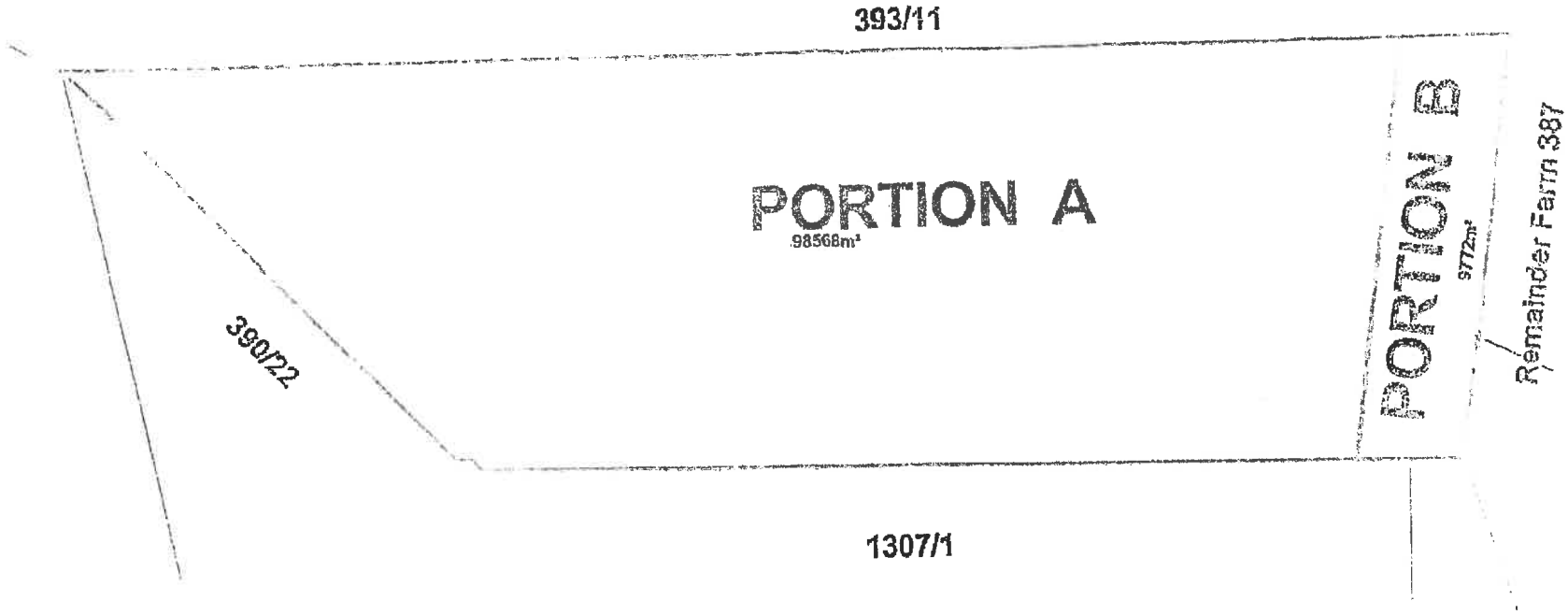
.....
**C Alexander**

12/12/2014
**Date**

**Resolved by Director: Planning and Economic Development**

.....
**D Lombaard**

12/12/2014
**Date**




STELLENBOSCH MUNICIPALITY

LAND USE MANAGEMENT

THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 25 OF ORDINANCE 15 OF 1985, SUBJECT TO THE CONDITIONS AS PER ANNEXURE

DIRECTOR: PLANNING & ENVIRONMENT 28/11/16

MOORE STEPHENS VDA GEBOU
h/v TECHNO RLN & ELEKTRON
TECHNOPARK
STELLENBOSCH 7600
PO BOX 7305
STELLENBOSCH 7599

TEL.
FAX:
E MAIL:
WEBSITE:

MOORE STEPHENS VDA BUILDING
c/o TECHNO AVE & ELECTRON
TECHNOPARK
STELLENBOSCH 7600
PO BOX 7305
STELLENBOSCH 7599

D E K K E R
P A P E N D O R F
A R C H I T E C T S
REG NO: 2002/022382/07

SKEMA / PROJECT
DIGTEBY PHASE 2
Subdivision of Portion 2&3 of
Farm 1307, Stellenbosch

Approved 12/12/2016

TEKENING / DRAWING
Subdivision Plan - Portion A&B

UITGAWE/ISSUED
DATUM / DATE 2011.07.07
ONTWERP/DESIGNED DPA
GETEKEN/DRAWN EH

TEKENING NR.
DRAWING NO.
09473-02

SKAAL / SCALE As indicated

56




**PORTION A**

| UNIT | AREA | LAND USE | ZONING | |
|---|---|---|---|---|
| REM | 44943m² | Agriculture | Agri 1 | |
| 1-26 | 25600m² | Residential | Res 1 | |
| 27 | 9975m² | Road | Open Space 2 | |
| 28 | 4060m² | Open Space | Open Space 2 | |
| 29 | 4060m² | Open Space | Open Space 2 | |
| 30 | 4060m² | Open Space | Open Space 2 | |
| 31 | 4060m² | Open Space | Open Space 2 | |
| 32 | 4060m² | Open Space | Open Space 2 | |
| | 350m² | Wine cellar | Agri 2 | |
| SUBTOTAL | 56325m² | | | |
| REM | 44943m² | | | |
| TOTAL | 98568m² | | | |

**PORTION B**

| UNIT | AREA | LAND USE | ZONING | |
|---|---|---|---|---|
| 1-20 | 2951m² | Group Housing | Res 2 | |
| 21 | 1970m² | Road | Transport Zone 2 | |
| 22 - | 4851m² | Open Space | Open Space 1 | |
| TOTAL | 9772m² | | | |

MOORE STEPHENS VDA GEBOU
h/v TECHNO RLN & ELEKTRON
TECHNOPARK
STELLENBOSCH 7600
PO BOX 7305
STELLENBOSCH 7599

TEL.
FAX:
E MAIL
WEBSITE:

MOORE STEPHENS VDA BUILDING
c/o TECHNO AVE & ELECTRON
TECHNOPARK
STELLENBOSCH 7600
PO BOX 7305
STELLENBOSCH 7599

DEKKER PAPENDORF ARCHITECTS
REG NO: 2002/022362/07

SKEMA / PROJECT
DIGTEBY PHASE 2
Subdivision of Portion 2&3 of Farm 1307, Stellenbosch

Approved 12/12/2014

TEKENING / DRAWING
Subdivision Plan - Portion A&B

UITGEREIK / ISSUED
DATUM / DATE 2011.09.05
ONTWERP / DESIGNED DPA
GETEKEN / DRAWN EH

TEKENING NR.
DRAWING NO.
09473-03
SKAAL / SCALE As indicated

1307/2
1307/3

4

iLifa laMveli
Erfenis
Heritage

Case No: 110726JW31

File No: HM/STELLENBOSCH/PORTION 2 & 3 OF FARM 1307

Enquiries: JONATHAN WINDVOGEL

E-mail: jwindvog@pgwc.gov.za

Tel (021) 483 9736

Date: 4 AUGUST 2011

PLANNING AND ENVIRONMENT
24 AUG 2011
STELLENBOSCH
BEPLANNING EN OMGEWING

Emile van der Merwe Town Planning Consultants
Moore Stephans VDA Building
**TECHNOPARK**
7600

Dear Mr van der Merwe

**CASE NUMBER: 110726JW31**
**NOTIFICATION OF INTENT TO DEVELOP (NID): PROPOSED RESIDENTIAL DEVELOPMENT ON PORTION 2 & 3 OF FARM 1307, STELLENBOSCH IN TERMS OF SECTION 38 OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

The matter above has reference.

Heritage Western Cape is in receipt of your NID for the above matter, dated 8 July 2011.

You are hereby notified that, since there is no reason to believe that the proposed development will impact on heritage resources, further processes under Section 38 of the National Heritage Resources Act (Act 25 of 1999) does not apply.

However, should any evidence of human burials be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape be notified without delay.

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

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

Yours faithfully

AB Hall
(CEO: Heritage Western Cape)

PI 1307/2+3 STB
464
211825

(38)

Western Cape Government

FILE NR: LANDUSE MANAGEMENT
PI 1307/2&3 SIB
SCAN NR:
738
COLLABORATOR NR:
238 298

1307/2
1307/3

OUR REFERENCE : 20/9/2/5/6/646
YOUR REFERENCE : Farm 1307/2&3
ENQUIRIES : Cor van der Walt

PLANNING AND DEVELOPMENT
28 FEB 2012

CAPACITY · LUNGUSHWA
27 FEB 2012
CENTRAL RECORDS STELLENBOSCH

Emile Van Der Merwe Town Planning Consultants
PO Box 204
STELLENBOSCH
7599

Att: Emile Van Der Merwe

**PROPOSED REZONING AND SUBDIVISION: DIVISION STELLENBOSCH**
**PORTION 2 OF THE FARM NO 1307**
**PORTION 3 OF THE FARM NO 1307**

Your application of 03 February 2012 has reference.

After reconsidering your application and motivation the Provincial Department of Agriculture: Western Cape revised its comment to one of no-objection, with conditions.

- That the allocated irrigation water be used for the agricultural development of ±5.8ha as indicated in your letter.
- That additional water be harvested and stored to supplement the irrigation requirements of the agricultural development.
- That all newly created portion be zoned out of agriculture to the applicable zoning for township development in accordance with the zoning scheme regulations of the Local Authority.

Private Bag X1, Elsenburg, 7607
LandUse.Elsenburg@elsenburg.com
www.elsenburg.com

tel: +27 21 808 5099 fax: +27 21 808 5092
www.westerncape.gov.za

- That all newly created portions is linked with the bulk services of the Local Authority.

- That the ±5.8ha which is reserved for agriculture with the cellar must be zoned Agricultural Zone 1 and Agriculture Zone II, respectively.

- That no further subdivision or alienation of the Agricultural Land will be supported.

Please note:

- That this is only a recommendation to the relevant deciding Authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970, Conservation of Agricultural Resources Act no 43 of 1983 and the Land Use Planning Ordinance 15 of 1985. The applicant must provide the local government and the National Department of Agriculture, Fisheries and Forestry with copies of the application.

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely

**AS ROUX Pr Eng**

**DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT**

14/2/12

| Copies: | |
|---|---|
| Directorate Land Use and Sustainable Resource Management<br>National Department of Agriculture<br>Private Bag X 120<br>PRETORIA<br>0001 | Stellenbosch Municipality<br>PO Box 17<br>STELLENBOSCH<br>7599 |

agriculture,
forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria (Tshwane), 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management
Tel: 012-319-7634 Fax: 012-329-5938 E-mail: nhlakd@daff.gov.za
Enquiries: Helpdesk Ref: 2012_03_0215

Emile Van Der Merwe
P.O. Box 204
**STELLENBOSCH**
7599

2013 -01- 30

Dear Sir/Madam

**APPLICATION FOR REZONING AND SUBDIVISION OF PORTION 2 AND 3 OF FARM NO. 1307, DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE**

Your e-mailed letter dated 20 March 2012 refers.

This Department supports the application for the rezoning and subdivision from Agricultural Zone I to Subdivisional Area to assist in the alleviation of the housing and services backlog on a portion measuring approximately 10 hectares from an agricultural point of view.

Yours faithfully

**MC MARUBINI**
**DELEGATE OF THE MINISTER: LAND USE AND SOIL MANAGEMENT**

1307/3

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 6311
rhodaf@dwa.gov.za

Ms. F. Rhoda
Reference number: 16/2/7/G100/A/08

Attention: C Charles/ U Von Molendorff




The Municipal Manager
Stellenbosch Municipality
P.O. Box 17
STELLENBOSCH
7599

Dear Sir/Madam

**REZONING AND SUBDIVISION: PORTIONS 2 & 3 OF FARM NO 1307, VLOTTENBURG, DIGTEBY, PHASE 2: STELLENBOSCH DIVISION**

The document with your reference: Ptns 2 & 3 of Farm no 1307, Vlottenburg Digteby, Stellenbosch refers.

This Department has reviewed the application and does not object to the proposed development from going ahead provided that the following conditions are adhered to:

1. No abstraction of surface or groundwater may be done or storage of water be created without prior authorization from this Department, unless it is Schedule 1 or Existing Lawful use as described in the National Water Act 1998 (Act No. 36 of 1998).

2. The Department is aware that the Stellenbosch Waste Water Treatment Works is currently overloaded. Please note that the Stellenbosch Waste Water Treatment Works can only accept the proposed development's wastewater after the upgrading of the treatment works has been completed.

3. Please note that a sufficient storm water management plan must be developed and implemented.

4. No surface, ground or storm water may be polluted as a results of any activities on the site. In the event that pollution does occur, this Department must be informed immediately.

5. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.

Should you have any further queries, you are welcome to contact this office.

Yours faithfully

mLintnaer-Strauss

AA **CHIEF DIRECTOR: WESTERN CAPE**
**DATE:** 9 September 2014

F1307/2&3S
340677

(39)

DEPARTMENT of TRANSPORT & PUBLIC WORKS
Provincial Government of the Western Cape

ROAD NETWORK MANAGEMENT
Grace.Swanepoel@pgwc.gov.za
tel: +27 21 483 4669; +27 21 483 2427
Rm 335, 9 Dorp St, Cape Town, 8000
PO Box 2603, Cape Town, 8000
www.capegateway.gov.za

1307/2
1307/3

REFERENCE: 13/3/5/1-25/182 (Job 19505)
ENQUIRIES: Ms GD Swanepoel

20 FEB 2012

20 FEB 2012

FILE NR:
PI 1307/2 & 3 SRB
SCAN NR:
678
COLLABORATOR NR:
237908

The Municipal Manager
Stellenbosch Municipality
P O Box 17
**STELLENBOSCH**
7599

Attention: C Charles / U von Molendorf

Dear Sir/Madam

**REZONING AND SUBDIVISION: PORTIONS 2 AND 3 OF FARM NO 1307, VLOTTENBURG, DIGTEBY, PHASE 2: STELLENBOSCH DIVISION**

1. Your letter with reference "Ptns 2 and 3 of Farm No 1307, Digteby" dated 2 September 2011 refers.

2. Portions 2 and 3 of Farm No 1307 are located adjacent to DR1065. For this development access will be taken from the existing Digteby Development access.

3. This application is to rezone and subdivide the property to enable the following:

3.1 26 Residential Zone I erven

3.2 20 Residential Zone II (Group housing) erven

3.3 6 Open Space Zone II erven

3.4 Remainder Agricultural Zone I with a small portion zone Agricultural Zone II for a wine cellar.

4. This Branch has no objection to the application in terms of Section 17 of the Land Use Planning Ordinance No 15 of 1985, provided the following conditions are met:

4.1 Access is taken from internal roads within the Digteby Development.

4.2 No more than 46 residential erven are developed.

5. As the controlling authority in terms of Act 21 of 1940, this Branch approves the subdivision of Portions 2 and 3 of Farm 1307 Vlottenburg.

Yours faithfully

ML WATTERS
for EXECUTIVE MANAGER: ROAD & TRANSPORT MANAGEMENT
DATE: 15. Feb. 2017.

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY
INNOVATION CAPITAL • ISIXEKO ESIZA NENGUQU • INNOVASIESTAD

| | |
|---|---|
| Enquiries | P April / S Newman |
| Our ref | Farm 1307/2, Stellenbosch |
| Application no | LU/4118 |
| Date | 2015-12-17 |
| Telephone | 021-808 8683 / 8659 |
| Fax | 021-886 6899 |

**REGISTERED MAIL**

Emile van der Merwe Town Planning
PO Box 204
**STELLENBOSCH**
7599

Sir / Madam

**APPLICATION FOR THE AMENDMENT OF A SUBDIVISIONAL PLAN: FARM 1307/2 & 3, STELLENBOSCH**

Your application in the above regard, refers.

The Director: Planning and Economic Development at a recent meeting resolved as follows:

1. That the application for the amendment of the approved Subdivisional and Site Development Plan in order to consolidate Farm No.1307/2 and 1307/3, Stellenbosch Division and to subdivide the consolidated property with the following zonings into;

(i) Portion A (Subdivisional area ±98808m²) and Portion B (Residential Zone II – grouphousing – 9788m²) and;

(ii) Subdivision of Portion A into 54 Residential Zone I, 2 Open Space Zone II erven (Private Open Space) and a Remainder zoned Agricultural Zone II (350m² Wine Cellar) and Agricultural Zone I for the rest of the property, as indicated on Appendix 3, **be approved** in terms of Section 30(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), subject to the conditions as per the attached **Appendix 1.**

Kindly note, this subdivision approval will lapse unless all conditions of approval have been complied with and separate registration of at least one erf therein is effected in the Deeds Registry within 5 years of Council's final notification letter, which is to follow in due course. Should it be required, any application for extension of validity of the subdivision approval should be lodged well in advance of lapsing of this approval.

Kindly also note where applicable, the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally approved.



Kindly note, you are advised in terms of Section 5 of the Promotion of Administrative Justice Act, No 3 of 2000 that you are entitled to request in writing reasons for the above decision.

Kindly be advised that you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) by giving written notice of such appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000 ("MSA"), *and/or* the internal appeal process approved by Council at its meeting held on 29 October 2014. In terms of the aforesaid Council decision, an applicant or objector aggrieved by a decision of Council in respect of an application in terms of the Ordinance, Zoning Scheme Regulations or applicable By-Law, may appeal against such decision to the Municipal Manager, by giving written notice of such appeal. A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee to the amount of R 800,00, should be directed to and received by the Municipal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to the Advice office, Land Use Management, Ground floor, municipal building, Plein Street, Stellenbosch, or faxed to fax number 021 886 6899 within 21 days of the date of registration at the Post Office of this notification letter (with such registration day not included in the appeal period), provided where the last day for lodging an appeal falls either on a Saturday, Sunday or public holiday, it shall be deemed to be the next working day thereafter. Where this letter is collected by hand, the above appeal period will be similarly calculated from the next day after collection. Failure to comply with the above requirements may result in the appeal being ruled invalid by the Appeal Authority. ***Kindly be advised that no appeal will be accepted via email.***

Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted in the normal manner, as only the above decision can be appealed at this stage.

Kindly be advised that objectors (if any) are granted a simultaneous right of appeal in terms of the internal appeal process approved by Council at its meeting held on 29 October 2014.

Please note, appellants are not permitted to canvass the Municipal Manager or members of Council before or after the matter is heard.

**Important note:** ***Rights of appeal*** *in terms of Section 44(1)(a), (b), (c) or (d) of the Land Use Planning Ordinance, No 15 of 1985* ***no longer exist****, as such an appeal to the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape has been declared* ***unconstitutional*** *by the Constitutional Court in its unanimous judgment* on* ***4 April 2014****, as such matters fall within the exclusive functions of a municipality in terms of the Constitution.*

Kindly note the above Council decision is suspended and may therefore not be acted on until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

for **DIRECTOR : PLANNING & ECONOMIC DEVELOPMENT**

* In *Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v The Habitat Council and Others; Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v City of Cape Town and Others* [2014] ZACC 9 (Case No.CC117/13).

# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

**DIRECTORATE:**

**PLANNING AND ECONOMIC DEVELOPMENT**

**APPENDIX 1**

**FILE NO: FARM 1307/2 & 3, STELLENBOSCH DIVISION.**

In this approval document:
"Council" means the Stellenbosch Municipality
"the owner" means the registered owner of the property.
"the site " means **FARM 1307/2 & 3, STELLENBOSCH DIVISION.**
"scheme regulation" has the meaning assigned thereto by the Land Use Planning Ordinance (15 of 1985).

**EXTENT OF APPROVAL:** Amendment of the approved Subdivisional and Site Development Plan in order to consolidate Farm No. 1307/2 and 1307/3, Stellenbosch Division and to subdivide the consolidated property with the following zonings into;

(i) Portion A (Subdivisional Area ±98808m²) and Portion B (Residential Zone II – grouphousing – 9788m²) and;

(ii) Subdivision of Portion A into 54 Residential Zone I, 2 Open Space Zone II erven (Private Open Space) and a Remainder zoned Agricultural Zone II (350m² Wine Cellar) and Agricultural Zone I for the rest of the property, as indicated on **APPENDIX 3**, in terms Section 30(1) ~~15(1)b~~ of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

**CONDITIONS IMPOSED IN TERMS OF SECTION 42(1) OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985:**

1. That the approval applies only to amendment of the subdivisional plan in question, as indicated on **APPENDIX 3** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

2. That all conditions from the Municipal Engineering Services (See **APPENDIX 4**) be adhered to.

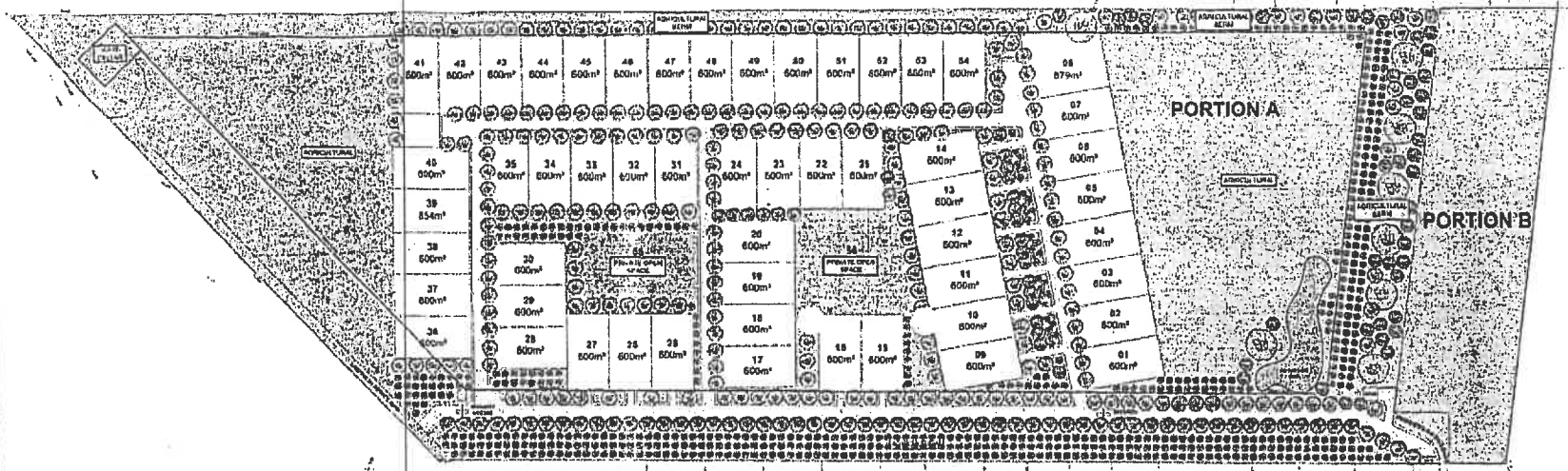
3. That building plans for the new developments be submitted to this municipality for approval, prior to any building work commencing on site.

4. That any changes to the existing municipal infrastructure will be for the account of the applicant.

5. ~~That all previous conditions of approval (See APPENDIX 5) remains the same, unless it~~ is replaced by this approval. No access to the subject development may therefore be obtained from the 5m servitude road west of the property without the written consent of the effected property owners and the controlling roads authority. The main access to this development will therefore be off the access over the Digteby Development as previous approved by Council.

6. That new erf diagrams and general plans of the newly created units be submitted to this Council for clearance and record purposes.

LONGLANDS RESIDENTIAL ESTATE 393/11




**PORTION A**

| UNIT | AREA | LAND USE | ZONING |
|---|---|---|---|
| 1 -54 | 32430m² | Residential | Residential zone 01 |
| 55-56 | 9292m² | Open Space | Open Space 2 |
| 57 | 9214m² | Road | Open Space 2 |
| | 380m² | Wine Cellar | Agric Zone 2 |
| REM | 46922m² | Agriculture | Agric Zone 1 |
| TOTAL | 98938m² | | |

**PORTION B**

| UNIT | AREA | LAND USE | ZONING |
|---|---|---|---|
| | 9799m² | Group Housing | Residential 2 |
| TOTAL | 9799m² | | |

**STELLENBOSCH MUNICIPALITY**

30(1) LAND USE MANAGEMENT

THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 25 OF ORDINANCE 15 OF 1985, SUBJECT TO THE CONDITIONS AS PER ANNEXURE

GENERAL NOTES

DIRECTOR: PLANNING & ENVIRONMENT DATE 19/12/15

**Jose Sucena**
**083 302 3868**

**REVISED SUBDIVISIONAL PLAN**
**DIGTEBY PHASE 2**
**PORTION 2 & 3 OF FARM 1307**
**STELLENBOSCH**

68

APPENDIX 3

7. That the approval for the subdivision shall lapse if not exercised within 5 years from the date of final notification.

8. That this Council reserves the right to impose further conditions if needed.

**RECOMMENDED BY:**

**P. April**
**SENIOR TOWN PLANNER**

17/12/2015
**Date**

**THE MANAGER: LAND USE MANAGEMENT HEREBY APPROVES THE ABOVE RECOMMENDATION UNDER DELEGATED AUTHORITY.**

**H. Bednam**
**MANAGER: LAND USE MANAGEMENT**

17/12/2015
**Date**

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11601
Our File Reference Number: Farm 1307/2&3 Stellenbosch
Your Reference Number: None
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

**PER E-MAIL:** emilevdm@adept.co.za

Sir / Madam

**APPLICATION FOR AMENDMENT OF A CONDITION OF APPROVAL, AMENDMENT OF THE APPROVED SUBDIVISIONAL AND SITE DEVELOPMENT PLAN, REGISTRATION OF A PRIVATE RIGHT OF WAY SERVITUDE: FARM 1307/2 & 3 STELLENBOSCH**

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

2.1 That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Farm No. 1307/ 2 and Farm No. 1307/3, Stellenbosch Division, namely:

2.2 The **amendment of a condition of approval** (condition 5 in the letter of approval dated 17/12/2015) in order to provide access to the estate development (portion A – 54 residential erven) via the proposed 10m and 15m wide servitude right of way to be registered over Remainder of Portion 14 of Farm No. 390, Stellenbosch Division, Portion 16 of Farm No. 390, Stellenbosch Division and Portion 22 of Farm No. 390, Stellenbosch Division in lieu of the approved access through the existing Digteby Estate in terms of Section 15(2)(h) of the said Bylaw;

2.3 The **amendment of the approved subdivisional plan and site development plan** to allow for the new main access to the Estate and minor amendments to the internal layout of the approved erven in terms of Section 15(2)(k) of the said Bylaw as indicated on **"Revised Subdivisional Plan No.5", dated November 2018** and drawn by **Stephen Old Land Surveyors.**

**BE APPROVED** in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

(a) The approval applies only to the applications for the amendment of the subject condition of approval, the site development plans and subdivisional plan in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

(b) The approval will lapse if not implemented within the timeframe stipulated in the subject Bylaw.

(c) A new Site Development & Landscaping Plan based on the approvals granted in this application be submitted to the authorized employee for endorsement.

(d) The developer must implement, in consultation with the Digteby Estate, adequate screening similar to the existing vegetation on the south western boundary (± 60 meter) of the Digteby Estate (opposite erven 37 and 38) to mitigate the possible impact of the entrance gate.

(e) All previous conditions of approval remain applicable unless it has been replaced by this approval.

(f) All conditions imposed by the **Director: Engineering Services** be complied with, as per **Appendix J;**

(g) The new erf diagrams and general plans of the newly created land units be submitted to this municipality for clearance and record purposes;

(h) The number of erven in Portion A be limited to 54;

(i) The servitude access road over Farm No. 387, Stellenbosch only be used for construction/service road purposes and the developer agrees to a development contribution with our applicable municipal departments for the construction of the applicable servitude access road;

(j) The right of way servitude for the access road to Portion A is registered and constructed before the 1st erf is transferred, excluding Portion B, which will be transferred to Stellenbosch Municipality;

(k) The proposed 10m and 15m wide servitude over Remainder of Portion 14 of Farm No 390, Stellenbosch, Portion 16 of Farm No. 390, Stellenbosch and Portion 22 of Farm No. 390, Stellenbosch will serve as the only permanent access to Portion A;

(l) Portion B is transferred to the Stellenbosch Municipality free of charge;

(m) It will be the responsibility of the developer to put all necessary safety measures in place during the construction period of the access road to the development;

(n) Building plans be submitted to this municipality for approval.

2.4 **The Reasons for the Above Decision are as follows:**

(a) The proposal remains within the Urban Edge.

(b) Is in keeping with the relevant prescriptions, policies and guidelines of the municipality and provincial department.

(c) All services could be provided and upgraded to the satisfaction of the relevant departments if needed.

(d) The amendment of the relevant conditions of approval and the Site Development Plan only entails the relocation of the access point to the development.

(e) The amendment of the subdivisional plan only entails minor amendments with no impact on the surrounding interested and affected parties.

(f) The original rezoning and subdivision of the subject properties has been approved by the Municipality during 2016. The merits of the proposed development have therefore already been assessed and decided upon.

2.5 **Matters on the application TO BE NOTED:**

(a) The requirements stated in letter, reference 16/9/6/1-25/212 (Job 19505) by the Department of Transport and Public Works BE **NOTED (see Appendix H).**

3. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or

an extension of time for the submission of appeals are permitted in terms of Section 80(1) (a) of the said By-Law.

4. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1) (b) of the said By-Law. The following prescribed information is accordingly required:

(a) The personal particulars of the Appellant, including:

(I) First names and surname;
(II) ID number;
(III) Company of Legal person's name (if applicable)
(IV) Physical Address;
(V) Contact details, including a Cell number and E-Mail address;

(b) Reference to this correspondence and the relevant property details on which the appeal is submitted.

(c) The grounds of the appeal which may include the following grounds:

(i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);

(ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

(d) whether the appeal is lodged against the whole decision or a part of the decision;

(e) if the appeal is lodged against a part of the decision, a description of the part;

(f) if the appeal is lodged against a condition of approval, a description of the condition;

(g) the factual or legal findings that the appellant relies on;

(h) the relief sought by the appellant; and

(i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(j) That the appeal includes the following declaration by the Appellant:

(i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

(ii) That the Appellant is aware that it is and offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: Lenacia.Kamineth@stellenbosch.gov.za

6. An applicant who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

7. The approved tariff structure may be accessed and viewed on the municipal website (https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs) and the banking details for the General Account can also be accessed on the municipal website (https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file).

8. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

(a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

(b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

(c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.

(d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

10. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

**FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

17/11/20.
**DATE:**

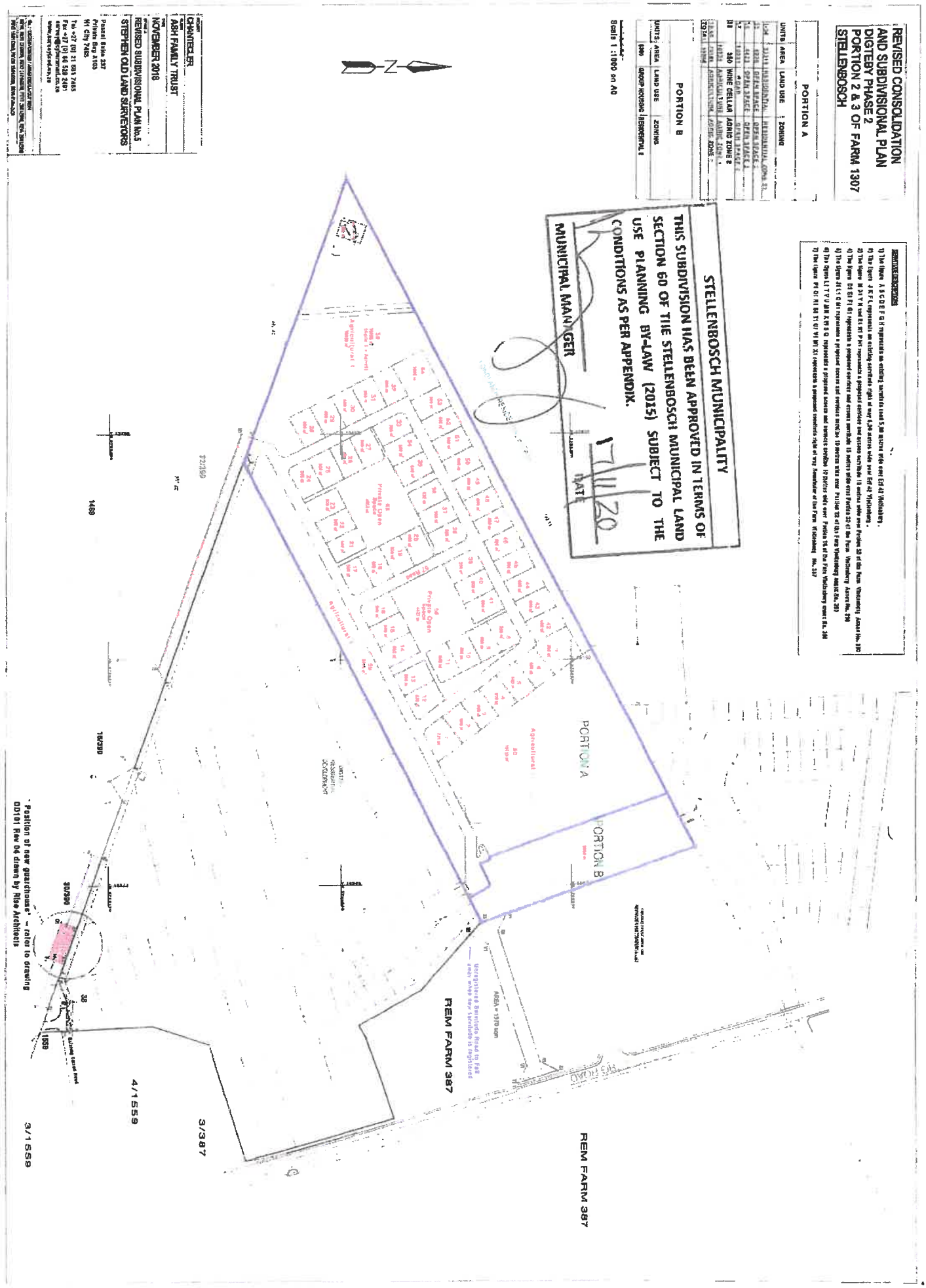
**COPIES TO:**

Rochelle Uekerman
Digteby Estate Nr 10
Vlottenburg Road
Email rochelleueckermann@gmail.com

Michelle Groenewald
27, Digteby Estate
VLOTTENBURG
Email: michgroenewald7@gmail.com

Mackenzie Johnson
Patron Capital SA (PTY) LTD
Muscadel House, Trumali Road
STELLENBOSCH
7600
Email:mackenzie@patronicapital.com

Roelof Feenstra Inc.
PO BOX 1029
STELLENBOSCH
7599
Email: roelof@feenstrainc.co.za


REVISED CONSOLIDATION AND SUBDIVISIONAL PLAN
DIGTEBY PHASE 2
PORTION 2 & 3 OF FARM 1307
STELLENBOSCH
PORTION A
PORTION B
STELLENBOSCH MUNICIPALITY
THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER APPENDIX.
MUNICIPAL MANAGER
DATE
CHANTECLER
ASH FAMILY TRUST
NOVEMBER 2018
REVISED SUBDIVISIONAL PLAN No.5
STEPHEN OLD LAND SURVEYORS
Scale 1:1000 on A0
REM FARM 387
3/387
4/1559
3/1559
1469
18/390
30/390
1558
"Position of new guardhouse" – refer to drawing DD181 Rev 04 drawn by Rise Architects

# ANNEXURE H

## AMENDMENT OF A CONDITION OF APPROVAL, AMENDMENT OF THE APPROVED SUBDIVISIONAL AND SITE DEVELOPMENT PLAN AND PRIVATE RIGHT OF WAY SERVITUDE – FARM NO. 1307 PTN'S 2 & 3, STELLENBOSCH DIVISION

## COMMENT FROM THE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

13

Western Cape Government

**ROAD NETWORK MANAGEMENT**
Email: Grace.Swanepoel@westerncape.gov.za
tel: +27 21 483 4669
Km 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

FILE NR: ~~OUTGOING POST~~ 1307/2
SCAN NR: 693880

**REFERENCE: 16/9/6/ 1-25/212 (Job 19505)**
**ENQUIRIES: Ms GD Swanepoel**
**DATE: 23 September 2020**

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
23 SEP 2020
RECEIVED

The Municipal Manager
Stellenbosch Municipality
PO Box 17
**STELLENBOSCH**
7599

Attention: Mr P April

Dear Sir

**PORTION 2 AND 3 FARM 1307 VLOTTENBURG, STELLENBOSCH, DIGTEBY: APPLICATION FOR AMENDMENT OF APPROVED SITE DEVELOPMENT PLAN AND SUBDIVISION**

1. The following refer:

1.1 This Branch's letter 16/9/6/1-25/212 (Job 19505) dated 12 March 2019;

1.2 The application received from Emile van der Merwe Town Planning Consultants on 4 August 2020;

1.3 The Revised Subdivision Plan No. 5 dated November 2018 prepared by Stephen Old Land Surveyors; and

2. The application is for the amendment of conditions of approval in order to provide access to Portion A by means of the registration of a 10m wide servitude right of way over Remainder of Portion 14 of Farm 390 Stellenbosch, Portion 16 of Farm 390 Stellenbosch and Portion 22 of Farm 390 Stellenbosch. The width of the servitude road will be 15m over Portion 30 of Farm 390 to accommodate the new entrance gate.

3. This Branch offers no objection to the application in terms Stellenbosch Land Use Planning Bylaw of 2015 subject to the following conditions:

3.1 The number of units are limited to 54;

3.2 The right of way servitude for the access road to Portion A is registered and constructed before the 1st erven is transferred, excluding Portion B, which will be transferred to Stellenbosch Municipality;

3.3 The design of the connection of the right of way servitude road to the Main Road 168 service road must be approved by the District Roads Engineer in Paarl (Mr Stewart Bain - 021 863 2020);

3.4 Temporary construction access to Portion A will be allowed via the existing informal road off Divisional Road 1065 as per the servitude agreement with the landowner of Remainder Farm 387;

3.5 Formal access to Portion B will be via the approved access off Divisional Road 1065 through the Longlands Low Cost Housing Development (Remainder Erf 3) once Divisional Road 1065 has been realigned to connect with Main Road 177 at the intersection with Divisional Road 1067 and not from the proposed access south of the Vlottenburg School as indicated on Page 6 of the town planning report. The said road will also enable access over Portion B to the existing Klein Digteby Low Cost Housing development. The development of Portion A however is not subject to the formal approval and design of the access road to the municipal subsidised housing projects on Portion B and the Klein Digteby Low cost housing development.

3.6 The proposed 10m and 15m wide servitude over Remainder of Portion 14 of Farm 390 Stellenbosch, Portion 16 of Farm 390 Stellenbosch and Portion 22 of Farm 390 will serve as the only permanent access to Portion A.

Yours faithfully

**SW CARSTENS**
**For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**

**ENDORSEMENTS**

1. Stellenbosch Municipality

   Attention: Mr P April (e-mail: pedro.april@stellenbosch.gov.za)
   Mr U von Molendorff (e-mail: Ulrich.Vonmolendorff@stellenbosch.gov.za)

2. Emile van der Merwe Town Planning Consultants

   Attention: Mr E van der Merwe (e-mail: emilevdm@adept.co.za)

3. District Roads Engineer
   Paarl

4. Mr S Carstens (e-mail)

5. Mr F Fakier (e-mail)

6. Mr B du Preez (e-mail)

# ANNEXURE J

## AMENDMENT OF A CONDITION OF APPROVAL, AMENDMENT OF THE APPROVED SUBDIVISIONAL AND SITE DEVELOPMENT PLAN AND PRIVATE RIGHT OF WAY SERVITUDE – FARM NO. 1307 PTN'S 2 & 3, STELLENBOSCH DIVISION

## COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES

(11)

# STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

# MEMORANDUM

**DIREKTEUR: INFRASTRUKTUURDIENSTE**
**DIRECTORATE: INFRASTRUCTURE SERVICES**

---

| | |
|---|---|
| **To ▫ Aan:** | **Director: Planning + Economic Development** |
| **Att Aandag** | **Nolusindiso Momoti** |
| **From ▫ Van:** | **Manager: Development (Infrastructure Services)** |
| **Author ▫ Skrywer:** | **Tyrone King** |
| **Date ▫ Datum:** | **12 Aug 2020** |
| **Our Ref ▫ Ons Verw:** | **Civil LU 2022** |
| **Your Ref:** | **LU/11601** |
| **Re ▫ Insake:** | **Farm 1307/2&3 (Chantecler): amendment of a condition of approval (condition 5 in the letter of approval dated 17/12/2015) in order to provide access to the estate development (portion A – 54 residential erven) via the proposes 10m wide servitude right of way to be registered over Remainder of Portion 14 of Farm No. 390, Stellenbosch Division, Portion 16 of Farm No. 390, Stellenbosch Division and Portion 22 of Farm No. 390, Stellenbosch Division in lieu of the approved access through the existing Digteby Estate); the amendment of the approved sub-divisional plan and site development plan to allow for the new main access to the Estate and minor amendments to the internal layout of the approved erven** |

FILE NR:
SCAN NR: F 1307 / 2&3 S
COLLABORATOR NR: 690584

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
14 AUG 2020
RECEIVED

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**Background:** The SDP for this development was originally recommended for approval as per our Memo dated 3 June 2019 (Ref Civil 1842). This SDP indicated a 15m wide access servitude, 5m of which was over the Digteby Private Estate. It is understood that this new application is merely to reduce the 15m servitude to 10m, due to the removal of the 5m section across Digteby. This is seen as a minor amendment that does not further impact on

engineering services and the application is therefore recommended for approval. The following conditions apply:

**1. Civil Engineering Services**

1.1 All previous conditions of approval as per memo from Vincent Harris dated 2014-10-13, and as per memo from Tyrone King dated 3 June 2019 (Ref Civil 1842) remain valid.

**2. Electrical Engineering**

2.1 All previous conditions of approval remain valid.

**Tyrone King Pr Tech Eng**
**MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

**W:\2.0 DEVELOPMENT\00 Developments\2022 (TK) Farm 1307 2-3 Stellenbosch (LU-11601) (Chantecler), C\2022 (TK) Farm 1307 2-3 Stellenbosch (LU-11601) (Chantecler), C.doc**

# STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

# MEMORANDUM

**DIREKTEUR: INFRASTRUKTUURDIENSTE**
**DIRECTORATE: INFRASTRUCTURE SERVICES**

| | |
|---|---|
| **To ▫ Aan:** | **Director: Planning + Economic Development** |
| **Att Aandag** | **B Mdoda** |
| **From ▫ Van:** | **Manager: Development (Infrastructure Services)** |
| **Author ▫ Skrywer:** | **Tyrone King** |
| **Date ▫ Datum:** | **3 June 2019** |
| **Our Ref ▫ Ons Verw:** | **Civil 1842** |
| **Your Ref:** | **LU/8130** |
| **Re ▫ Insake:** | **Farm 1307 2&3: Chantecler: Amendemnt of SDP in order to provide the main access over the existing 6m servitude right of way and proposed 6.3m extensions thereto; amendment of the approved subdivisional plan and to allow for the main access to the estate and minor amendments to the internal layout of the approved subdivisional plan.** |

Details, specifications and information reflected in the following documentation refers:

- Application i.t.o. Stellenbosch Municipality Land Use Planning By-law, dated 8 July 2018
- Revised consolidation and subdivisional plan Digteby Phase 2 Portion 2&3 of Farm 1307 Stellenbosch, dated November 2018 by Stephen old Land surveyors;
- Letter by WCG: Road Network Management dated 12 March 2019 stating development conditions;

The application is recommended for approval, **subject to the following conditions:**

This recommendation for approval is based on the following parameters:

- 54 residential erven

Any development beyond these parameters would require a further approval from this Directorate as well as a revised DC calculation.

**1. General**

1.1 All previous conditions of approval as per Memo from Vincent Harris dated 2014-10-13 remain valid (**Annexure A**). The revised development charges are attached.

1.2 Water provision shall be via borehole, as per the aforementioned Memo condition #32. This will be a temporary measure and once the capacity has been created in the bulk network, the Developer will be responsible for connecting the development to the municipal network at the Developer's cost.

1.3 Capacity at the Digteby sewer pumpstation is limited. The status of the pumpstation must be investigated prior to the approval of engineering drawings. The sewer run-off of the adjacent Longlands development must also be taken into account. It should be determined how many housing units can still be accommodated by the pumpstation and if any upgrades are required, a service agreement must be entered into between the Developer and the Municipality. Such upgrades may be offset against DCs.

1.4 All conditions by the WCG: Road Network Management must be adhered to before clearance.

**2. Development Charges (DCs)**

2.1 The following DC's are payable: See **Annexure DCs** attached.

2.2 The DC's were calculated by using the 2018/2019 tariff structure. If DC's are paid after 30 June 2019 it will have to be recalculated by using the tariff structure applicable at date of payment.

2.3 The appropriate DC's are payable before a Section 28 Clearance certificate can be issued.

**TYRONE KING Pr Tech Eng**
**MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

W:\2.0 DEVELOPMENT\00 Developments\1024 and 1842 (TK) - Farm 1307-2 and 3, Chantecler\1842 - revised SDP\1842 (TK) - Farm 1307-2 and 3.doc

# Stellenbosch Municipality - Development Charge Calculation

## APPLICATION INFORMATION

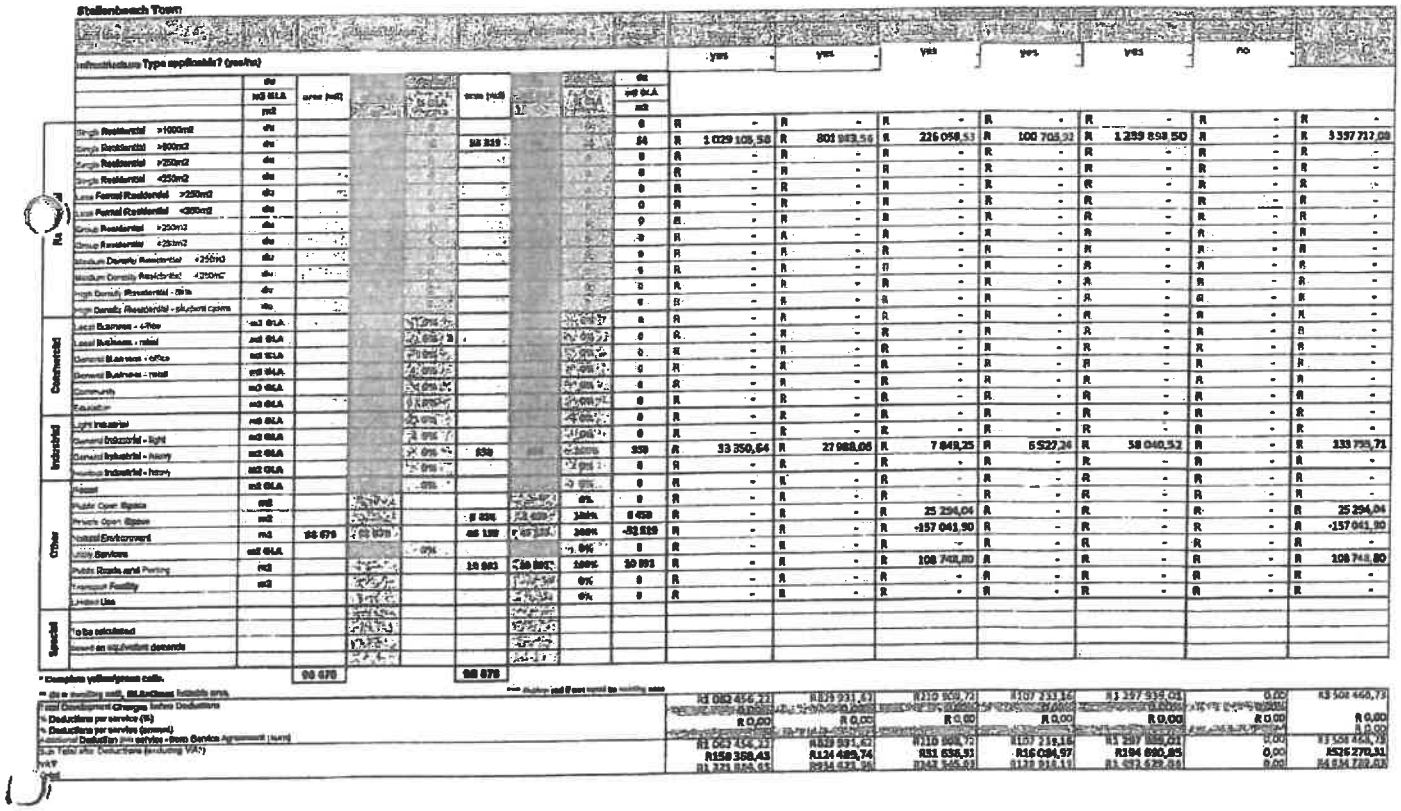
| | |
|---|---|
| Application Number | civil 1862 |
| Date | Monday, 03/Jan/2018 |
| Financial Year | 2018-19 |
| Erf Location | |
| Erf No | 1307 283 |
| Erf Size (m²) | |
| Suburb | |
| Applicant | |
| Approved Building Plan No. | Revised consolidation and subdivisional plan Digitally Phase 2 Portion 283 of Farm 1307 Stellenbosch, dated November 2015 by Stephen old Land surveyors |

## SUMMARY OF DC CALCULATION

| | Water | Sewer | Storm-water | Solid-Waste | Roads | Community Facilities | Totals |
|---|---|---|---|---|---|---|---|
| Unit/s | kl/day | kl/day | ha*C | tons/week | trips/day | person | |
| Total Increased Services Usage | 44,500 | 36,125 | 1,411 | 2,300 | 223,00 | 223,0 | |
| Total Development Charges before Deductions | R 1 062 455,22 | R 829 931,62 | R 210 908,72 | R 107 233,16 | R 1 297 939,01 | | R 3 508 468,73 |
| Total Deductions | | | | | | | |
| Total Payable (excluding VAT) | R 1 062 455,22 | R 829 931,62 | R 210 908,72 | R 107 233,16 | R 1 297 939,01 | | R 3 508 468,73 |
| VAT | R 159 368,43 | R 124 489,74 | R 31 636,31 | R 16 084,97 | R 194 690,85 | | R 526 270,31 |
| Total Payable (including VAT) | R 1 221 824,65 | R 954 421,36 | R 242 545,03 | R 123 318,13 | R 1 492 629,86 | | R 4 034 739,03 |

## APPLICANT INFORMATION

| | |
|---|---|
| Application Processed by: | Tyrone King |
| Notes | DCs calculated for Portion A only - Portion B to be transferred to Municipality for subsidised housing. |
| Date | 3 June 2018 |
| Amount Paid: | |
| Date Payment Received | |
| Receipt Number | |



Stellenbosch Town

| Infrastructure Type applicable? (yes/no) | | | | | | | | yes | yes | yes | yes | yes | no | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | du | | | | | | du | | | | | | | |
| | m2 GLA | area (m2) | | | area (m2) | | m2 GLA | | | | | | | |
| | m2 | | | | | | m2 | | | | | | | |
| Residential: Single Residential >1000m2 | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: Single Residential >800m2 | du | | | | 58 329 | | 54 | R 1 029 105,58 | R 803 983,56 | R 226 058,53 | R 100 705,32 | R 1 299 858,50 | R - | R 3 357 712,09 |
| Residential: Single Residential >250m2 | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: Single Residential <250m2 | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: Low Formal Residential >250m2 | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: Low Formal Residential <250m2 | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: Group Residential >250m2 | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: Group Residential <250m2 | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: Medium Density Residential >250m2 | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: Medium Density Residential <250m2 | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: High Density Residential - flats | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Residential: High Density Residential - student rooms | du | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Commercial: Local Business - office | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Commercial: Local Business - retail | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Commercial: General Business - office | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Commercial: General Business - retail | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Commercial: Community | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Commercial: Education | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Industrial: Light Industrial | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Industrial: General Industrial - light | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Industrial: General Industrial - heavy | m2 GLA | | | | 836 | | 359 | R 33 350,64 | R 27 988,06 | R 7 849,25 | R 6 527,24 | R 58 040,52 | R - | R 133 755,71 |
| Industrial: Noxious Industrial - heavy | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Industrial: Retail | m2 GLA | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Other: Public Open Space | m2 | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - |
| Other: Private Open Space | m2 | | | | 8 458 | | 100% | 8 458 | R - | R - | R - | R - | R - | R 25 294,04 |
| Other: Natural Environment | m2 | 98 670 | 98 670 | | 48 180 | 48 180 | 100% | -52 519 | R - | R - | R - | R - | R - | R -157 041,90 |
| Other: Utility Services | m2 GLA | | | | | | 0% | 0 | R - | R - | R - | R - | R - | R - |
| Other: Public Roads and Parking | m2 | | | | 10 993 | 10 993 | 100% | 10 993 | R - | R - | R 108 748,80 | R - | R - | R 108 748,80 |
| Other: Transport Facility | m2 | | | | | | 0% | 0 | R - | R - | R - | R - | R - | R - |
| Other: Undetermined Use | | | | | | | 0% | 0 | R - | R - | R - | R - | R - | R - |
| Special: To be calculated | | | | | | | | | | | | | | |
| Special: based on equivalent demands | | | | | | | | | | | | | | |
| | | 98 670 | | | 68 978 | | | | | | | | | |

* Complete yellow/green cells.

** GLA = building m2, NB Purchase footprint area.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Total Development Charges before Deductions | R3 082 456,22 | R829 931,42 | R210 908,72 | R107 233,16 | R1 297 898,01 | 0,00 | R5 508 468,73 |
| % Deductions per service (%) | R 0,00 | R 0,00 | R 0,00 | R 0,00 | R 0,00 | R 0,00 | R 0,00 |
| R Deductions per service (amount) | | | | | | | R 0,00 |
| Additional Deduction per service - Bulk Services Agreement (R/m²) | R3 082 456,22 | R829 931,42 | R210 908,72 | R107 233,16 | R1 297 898,01 | 0,00 | R5 508 468,73 |
| Sub Total after Deductions (excluding VAT) | R158 358,43 | R124 489,74 | R31 636,31 | R16 084,97 | R194 680,85 | 0,00 | R526 270,31 |
| VAT | R1 321 866,65 | R934 431,96 | R343 545,09 | R138 916,11 | R1 692 629,06 | 0,00 | R4 834 789,03 |
| Total | | | | | | | |

# MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

---

**TO** : **The Director: Planning and Development**

**FOR ATTENTION** : **Land-use Admin**

**FROM** : **Vincent Harris**

**DATE** : **2014-10-13**

**RE.** : **PROPOSED REZONING AND SUBDIVISION OF PORTIONS 2 & 3 OF THE FARM 1307, DIGTEBY PHASE 2**

**Reference** : **PL 1307/2 and PL 1307/3**

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Details, specifications and information reflected in the abovementioned application, dated June 2011, as well as the Subdivisional Plan C9473-03 by Dekker Papendorf Architects, dated 06 July 2011, refers.

Comments from the Directorate: Engineering Services i.e. Roads & Stormwater, Water Services, Traffic Engineering and Development Services will be reflected in this memo and is to be regarded as development conditions to be reflected in the land-use approval. It must be noted that Electrical Services will comment in a separate memo.

**Background**

The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). The current capacity of the existing Stellenbosch WWTW does not allow for any new developments at this stage.
However, planning and sourcing of funding for the upgrade of the Stellenbosch WWTW with a design capacity of 20, 4ML/day, to a 35 ML/day treatment works has commenced two years ago.
The approved 3 year municipal capital budget reflects a financial commitment towards the upgrade of the Stellenbosch WWTW which will lead to additional capacity to accommodate this development.
With the above mentioned commitments in place it is anticipated that the commissioning of the first

phase of the upgraded WWTW to accommodate sewage from new developments will be by the end of the 2016/2017 financial year.

This development will be recommended for approval but occupation will only be allowed once capacity at the waste water treatment works is created.

After long negotiations between the professional team of the Developer and the Directorate: Engineering Services it was agreed that the source of potable water for the development could be borehole water as a temporary source until the Stellenbosch Municipality's water system is upgraded.

The above-mentioned land-use **application is supported, subject to the following conditions:**

**General**

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 metropolitan municipality, 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: Engineering Services, to perform the duties envisaged in terms of this land-use approval;

2. that no occupation certificates will be issued or taking up of proposed rights will be allowed until sufficient capacity at the Stellenbosch Waste Water Treatment Works is confirmed by the "Engineer". In order to accommodate the development, the "Developer" will be allowed to agree with the "Engineer" on an implementation plan that will reflect development processes by the "Developer", like construction of internal services, parallel to the upgrade of the waste water treatment works;

**PROPOSED REZONING AND SUBDIVISION OF PTN 2 & 3 OF FARM 1307**

3. 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: Engineering Services by the "*Developer*" for further comment and conditions. Should this revised Engineering report confirms 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 rate clearance in terms of Section 31 of LUPO will not be supported by the Directorate: Engineering Services for this development if bulk services are not available upon occupation or taking up of proposed rights;

4. 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.

5. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;

6. that the conditions as set by the Provincial Administration: Western Cape be adhered to before Section 31 Clearance Certificate will be issued;

7. 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;

8. 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 2nd Edition of 2010;

9. 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: Engineering Services before land-use and or SDP approval is obtained;

e.) that no building plans will be recommended for approval by the Directorate: Engineering 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: Engineering Services before a Clearance Certificate in terms of Section 31 of the Land-use Planning Ordinance is issued.

**Site Developement Plan**

10. 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";

**Internal- and Link Services**

11. that it be noted that as per Subdivisional Plan C9473-03 by Dekker Papendorf Architects, dated 06 July 2011, the roads are reflected as private roads. Therefor all internal services on the said erf will be regarded as private services and will be maintained by the "*Developer*" and or HOA;

12. that the "*Developer*", at his/her cost, construct the internal (on-site) private 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;

**PROPOSED REZONING AND SUBDIVISION OF PTN 2 & 3 OF FARM 1307**

13. 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;

14. that plans of all the internal civil services and such municipal link services as required by the Directorate: Engineering Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;

15. that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with the Standard Conditions imposed by the Directorate: Engineering Services in this respect or as otherwise agreed. The Standard Conditions is available in electronic format and available on request;

16. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "*Engineer*";

17. that the "*Developer*" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (BS1028) and that his/her design engineer will comply to the mentioned document or as otherwise agreed in writing with the Directorate: Engineering Services;

18. that engineering design drawings will only be approved once Final Notice of LUPO approval is issued;

19. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Engineering Services;

20. that all internal - and link services be inspected by the "*Engineer*" on request by the "*Developer*" or his Consulting Engineer;

21. that a practical completion certificate be issued prior to transfer of individual units or utilization of buildings;

22. 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 a monthly basis;

23. that the "*Developer*" shall adhere to the specifications of Telkom (SA) and or any other telecommunications service provider. Copies of all correspondence with Telkom shall be handed over to the "*Engineer*";

24. that the "*Developer*" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;

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

26. 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*".

27. That, if not connected to Phase1, the "*Developer*" shall install a bulk water meter conforming to the specifications of the Directorate: Engineering Services at his cost at the entrance gate of all private developments before the practical completion inspection is carried out;

28. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;

29. that Section 31 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;

30. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;

31. 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 HOA, in respect of private services, and to the Municipality in respect of public services;

***Water Provision***

32. that it is agreed that the source of potable water for the development could be borehole water as a temporary source until the Stellenbosch Municipality's water system is upgraded;

33. that the onus will be on the "Developer" and or the HOA to ensure that the connection to the municipal water reticulation system be made as and when such a system is available and to the cost of the "Developer" and or HOA;

34. that the onus is on the "Developer" to ensure a sustainable water source to the said development and that the "Municipality" be exempted from any claims whatsoever should the natural water source not be sufficient;

35. that a complete SANS 241 analysis by an accredited laboratory be done before any Section 31 Clearance will be given for any erven;

36. that the "Developer" needs to comply with all relevant legislation required by DWA when using borehole water and that proof thereof be submitted to the "Municipality" before any Section 31 Clearance will be given for any erven;

37. that a complete geo-hydrology report be submitted to the "Municipality" before any Section 31 Clearance will be given for any erven;

***Servitudes***

38. that the "*Developer*" ensures that all main services to be taken over by the Directorate: Engineering Services, all existing municipal – and or private services crossing private - and or other institutional property and any other services crossing future private land/erven are protected by a registered servitude before final Section 31 Clearance will be given;

39. 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;

40. 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***

41. 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;

42. 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;

43. 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;

44. 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: Engineering Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans;

***Floodplain Management***

45. that the 1:50 and 1:100 year flood lines of the stream adjacent to Phase 2 B be shown on all plans submitted. The flood lines are to be verified by a suitably qualified registered engineering professional. Where flood lines have not previously been determined, the *"Developer"* must procure the services of a suitably qualified registered engineering professional to undertake such determinations at his/her own cost. No new development will be allowed under the 1:100 year flood line;

46. that the floor level of all buildings be at least 100 mm above the 1:100 year flood level. These levels must be indicated on all building plans submitted and must be certified by a Registered Professional Engineer;

47. that all perimeter fencing below the 1:50 year flood line be visually permeable from ground level and not adversely effects the free flow of water (e.g. palisade fencing). No fences will be allowed across the watercourse;

***Development Contributions***

48. that the "*Developer*" hereby acknowledges that development contributions are payable towards the following civil services: water, sewerage, roads, stormwater and solid waste as per Council's Policy;

49. that the "*Developer*" hereby acknowledges that the development contribution 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;

50. that the "*Developer*" immediately familiarise himself with the latest development contributions applicable to his/her development;

51. that the "*Developer*" accepts that the development contributions will be subject to annual escalation up to date of payment. The amount payable will therefore be the amount as calculated at the time that payment is made;

52. that the "*Developer*" may enter into a services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Contributions payable in respect of bulk civil engineering services;

53. that the "*Developer*" is aware that a contribution is required for municipal services to permit the development at this stage;

**PROPOSED REZONING AND SUBDIVISION OF PTN 2 & 3 OF FARM 1307**

54. that the "*Developer*" accepts the average amount, as reflected in this document as the amount required for the provision of municipal services in the event that the development is approved;

55. that the Development Contribution levy as reflected below and attached herewith, 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.
Based on the 2014/2015 tariff structure and the approved lay-out, the following amounts are payable:

**Phase 2A**

| Service | Contribution | VAT | TOTALS |
|---|---|---|---|
| Roads | R 467 758 | R 65 486 | R 533 244 |
| Solid Waste | R 17 536 | R 2 455 | R 19 991 |
| Stormwater | R 306 549 | R 42 916 | R 349 465 |
| Sewerage | R 271 011 | R 37 942 | R 308 953 |
| Water | R 546 617 | R 76 526 | R 623 143 |
| | R1 609 471 | R225 325 | R1 834 796 |

56. that the Development Contribution levy be paid by the "*Developer*" per phase –

-prior to the approval of a Certificate in terms of Section 31 in the case of Phase A
-prior to the erf or portion thereof being put to the approved use;

57. that it be noted that the Development Contributions as reflected on the BICLS Contribution calculation sheet will be subject to annual escalation up to date of payment. The final amount payable will therefore be the amount as calculated at the time that payment is made;

58. 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 will result in the recalculation of the Development Contributions;

59. Bulk infrastructure contribution levies 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;

PROPOSED REZONING AND SUBDIVISION OF PTN 2 & 3 OF FARM 1307

***Home Owners Association***

60. that a Home Owners Association (HOA) be established in accordance with the provisions of section 29 of the Land Use Planning Ordinance no 15 of 1985 and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;

61. that the HOA take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;

62. that in addition to the responsibilities set out in section 29, the HOA also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;

63. that the Constitution of the HOA specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;

**Green Technologies**

64. Peak water demand should be accommodated with supplementary storage and recycling (e.g. rainwater tanks, grey water recycling) of water so that municipal water only be used to satisfy the base demand;

65. Technologies that facilitate the efficient use of irrigation water must be used;

66. Planting of waterwise flora is encouraged;

67. In accordance with the new SANS 10400-XA standard, all new housing should install solar water heating devices;

68. All non-subsidy housing is encouraged to meet the portion of their electrical demand that exceeds 300 kWh per month by generators such as solar photovoltaic panels and solar hot water heating devices;

69. SANS 10400-XA energy efficiency standards should be adhered to in all planning applications

for new buildings, major renovations and usage changes;

**Solid Waste**

70. 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 unless otherwise agreed with the Phase 1 HOA;

71. that the "*Developer*" will enter into a service agreement with the "Municipality" for the removal of refuse;

72. 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*";

73. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";

74. All refuse storage areas shall be approved by the Directorate: Engineering 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**

75. 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 componitization 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;

76. 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*";

77. 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;

78. 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;

79. Section 31 Clearance certificates shall not be issued unless said services have been inspected by the "*Engineer*" and written clearance given, by the "*Engineer*";

**Section 31 Clearance Certificate**

80. It is specifically agreed that the "*Developer*" undertakes to comply with all conditions of subdivision and rezoning as laid down by the "*Municipality*" before clearance certificates shall be issued, unless otherwise agreed herein;

81. It is specifically agreed that the "*Developer*" undertakes to ensure that ALL applicable development conditions and requirements are met before submitting an application for the issuing of a Clearance Certificate in terms of Section 31. A list stipulating ALL conditions must be attached to the application and ALL conditions to the list must be ticked, indicating that it has been complied to, and evidence of such compliance also needs to be attached;

82. 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;

83. that clearance will only be given per phase and the onus is on the "*Developer*" to phase his development accordingly;

84. 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 31 Certificate;

85. 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*".

**Avoidance of waste, nuisance and risk**

86. Where in the opinion of the "*Municipality*" a lack of maintenance of any service constitutes a nuisance, health or other risk to the public the "*Municipality*" may give the "*Developer*" and or HOA 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 HOA.

**Streetlighting**

87. 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 electrotechnical engineer and under the supervision of the consulting engineer, appointed by the "*Developer*";

88. 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 electrotechnical engineer, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;

89. 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 electrotechnical engineer for approval before any construction work commences;

90. 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*";

91. The maintenance and servicing of all private internal street lighting shall be the responsibility and to the cost of the "*Developer*" and or Home Owners Association.

V.R. HARRIS

**V.R. HARRIS**

**MANAGER: DEVELOPMENT SERVICES**

PROPOSED REZONING AND SUBDIVISION OF PTN 2 & 3 OF FARM 1307

**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 BOUNDARIES | Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are) |
| 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, 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 en 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

**PROPOSED REZONING AND SUBDIVISION OF PTN 2 & 3 OF FARM 1307**

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

# STELLENBOSCH

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2014-10-08

## Development Contributions (Services Summary)

Project No: **2014/1307/01**
Alt Project Ref: **Digteby Phase 2 Ptn A**
Town Plan Ref: **PL 1307/2**
Project Name: **Digteby Phase 2 Ptn A**
Location: **Stellenbosch**
Developer: **The Developer / Owner / Applicant**
Contact:
Tel No's:
Ref No:
VAT No:

Registration Date: **08-Oct-14**
BICLS FY: **2014/5**
BICLS Date: **08-Oct-14**
Project Status: **Estimate**
Address:

Active: ☑

| | Area (m²) | Contribution | + VAT | = TOTAL |
|---|---|---|---|---|
| **TOTAL CONTRIBUTION:** | 55 975 | 1 609 471 | + 225 325 | = 1 834 796 |

| Service | Usage | UOM | Contribution | VAT | TOTALS |
|---|---|---|---|---|---|
| Roads | 101.400 | trips/day | 467 758 | 65 486 | 533 244 |
| Solid Waste | 1.040 | t/week | 17 536 | 2 455 | 19 991 |
| Stormwater | 2.386 | ha * C | 306 549 | 42 916 | 349 465 |
| Sewerage | 19.500 | kl/day | 271 011 | 37 942 | 308 953 |
| Water | 39.260 | kl/day | 546 617 | 76 526 | 623 143 |

| | | | | |
|---|---|---|---|---|
| **SubTotal Contribution for New:** | 55 975 | 1 609 471 | + 225 325 | = 1 834 796 |

| Service | Usage | UOM | Contribution | VAT | TOTALS |
|---|---|---|---|---|---|
| Roads | 101.400 | trips/day | 467 758 | 65 486 | 533 244 |
| Solid Waste | 1.040 | t/week | 17 536 | 2 455 | 19 991 |
| Stormwater | 2.386 | ha * C | 306 549 | 42 916 | 349 465 |
| Sewerage | 19.500 | kl/day | 271 011 | 37 942 | 308 953 |
| Water | 39.260 | kl/day | 546 617 | 76 526 | 623 143 |

# STELLENBOSCH

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2014-10-08

## Development Contributions

Project No: **2014/1307/01**
Alt Project Ref: **Digteby Phase 2 Ptn A**
Town Plan Ref: **PL 1307/2**
Project Name: **Digteby Phase 2 Ptn A**
Location: **Stellenbosch**
Developer: **The Developer / Owner / Applicant**
Contact:
Tel No's:
Developer Ref:
VAT No:

Registration Date: **08-Oct-14** Active: ☑
BICLS FY: **2014/5**
BICLS Date: **08-Oct-14**
Project Status: **Estimate**
Address:

| New/Existing | Development | Usage Category | Area (m²) | Units | UOM | Contribution | VAT |
|---|---|---|---|---|---|---|---|
| | | **TOTAL CONTRIBUTION:** | 55 975 | | | 1 609 471 | 225 325 |
| | | **GRAND TOTAL (VAT Incl):** | | | | R 1 834 796 | |
| | | **SubTotal Contribution for New:** | 55 975 | | | 1 609 471 | 225 325 |
| New | Ptn A Unit 1 - 26 | Single (Med/high income) | 25 600 | 26 | Erf | 1 467 360 | 205 430 |

| Service | Calc Type | UOM | Demand | Usage | UOM | Service Tariff | Contribution | VAT | TOTALS |
|---|---|---|---|---|---|---|---|---|---|
| Roads | per Each | Erf | 3.900 | 101.400 | trips/day | 4 613 | 467 758 | 65 486 | 533 244 |
| Solid Waste | per Each | Erf | 0.040 | 1.040 | t/week | 16 862 | 17 536 | 2 455 | 19 991 |
| Stormwater | per Ha | C | 0.500 | 1.280 | ha * C | 128 467 | 164 438 | 23 021 | 187 459 |
| Sewerage | per Each | Erf | 0.750 | 19.500 | kl/day | 13 898 | 271 011 | 37 942 | 308 953 |
| Water | Graph Erf to kl/da | Erf | 1.510 | 39.260 | kl/day | 13 923 | 546 617 | 76 526 | 623 143 |

| New | Ptn A Unit 28 - 32 | Open Space | 20 400 | 20 400 | m² Area | 52 415 | 7 338 |
|---|---|---|---|---|---|---|---|

| Service | Calc Type | UOM | Demand | Usage | UOM | Service Tariff | Contribution | VAT | TOTALS |
|---|---|---|---|---|---|---|---|---|---|
| Roads | per 100m² GLA | 100m² | 0.000 | 0.000 | trips/day | 4 613 | 0 | 0 | 0 |
| Solid Waste | per Ha | ha | 0.000 | 0.000 | t/week | 16 862 | 0 | 0 | 0 |
| Stormwater | per Ha | C | 0.200 | 0.408 | ha * C | 128 467 | 52 415 | 7 338 | 59 753 |
| Sewerage | per Ha | ha | 0.000 | 0.000 | kl/day | 13 898 | 0 | 0 | 0 |
| Water | per Ha | ha | 0.000 | 0.000 | kl/day | 13 923 | 0 | 0 | 0 |

| New | Ptn A Unit 27 | Road Reserves | 9 975 | 9 975 | m² Area | 89 696 | 12 557 |
|---|---|---|---|---|---|---|---|

| Service | Calc Type | UOM | Demand | Usage | UOM | Service Tariff | Contribution | VAT | TOTALS |
|---|---|---|---|---|---|---|---|---|---|
| Roads | per 100m² GLA | 100m² | 0.000 | 0.000 | trips/day | 4 613 | 0 | 0 | 0 |
| Solid Waste | per Ha | ha | 0.000 | 0.000 | t/week | 16 862 | 0 | 0 | 0 |
| Stormwater | per Ha | C | 0.700 | 0.698 | ha * C | 128 467 | 89 696 | 12 557 | 102 253 |
| Sewerage | per Ha | ha | 0.000 | 0.000 | kl/day | 13 898 | 0 | 0 | 0 |
| Water | per Ha | ha | 0.000 | 0.000 | kl/day | 13 923 | 0 | 0 | 0 |

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Application Number: LU/12009
Our File Reference Number: Farm 1307/2&3, Stellenbosch
Your Reference Number:
Enquiries: Ulrich von Molendorff
Contact No: 021 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

**PER E-MAIL:** emilevdm@adept.co.za

Sir/Madam

**APPLICATION FOR EXTENSION OF VALIDITY PERIOD IN TERMS OF SECTION 15(2)(i) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015: FARM NO. 1307/2 AND 3, STELLENBOSCH DIVISION**

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

2.1 That the application to **Extend the Validity period** for the amendment of the Subdivisional Plan on Farm No. 1307/2 & 3, Stellenbsoch Division in terms of Section 15(2)(i) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for five (5) years from 15 January 2021 to 15 January 2026,

**BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.

2.2 **The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:**

2.2.1 The approval only applies to the proposed extension of validity period under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

2.2.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

2.2.3 The conditions imposed by the **Director: Engineering Services** in their memo dated 10July 2023, attached as **ANNEXURE D**, be adhered to.

2.2.4 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.

2.2.5 All conditions of approval as per approval letters dated 28 January 2015 (final letter dated 24 February 2015) and 17 December 2015 (final letter dated 15 January 2016) is still applicable.

2.3 **The reasons for the above decision are as follows:**

2.3.1 No changes were made since the previous approval was granted and the proposed land uses will not have a detrimental effect on the surrounding natural or built environment.

3. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

4. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

(a) The personal particulars of the Appellant, including:

(I) First names and surname;
(II) ID number;
(III) Company of Legal person's name (if applicable)
(IV) Physical Address;
(V) Contact details, including a Cell number and E-Mail address;

(b) Reference to this correspondence and the relevant property details on which the appeal is submitted.

(c) The grounds of the appeal which may include the following grounds:

(i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);

(ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

(d) whether the appeal is lodged against the whole decision or a part of the decision;

(e) if the appeal is lodged against a part of the decision, a description of the part;

(f) if the appeal is lodged against a condition of approval, a description of the condition;

(g) the factual or legal findings that the appellant relies on;

(h) the relief sought by the appellant; and

(i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(j) That the appeal includes the following declaration by the Appellant:

(i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

(ii) That the Appellant is aware that it is and offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: landuse.appeals@stellenbosch.gov.za

6. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

7. The approved tariff structure may be accessed and viewed on the municipal website (https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs) and the banking

details for the General Account can also be accessed on the municipal website (https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file).

8. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

   (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

   (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

   (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.

   (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

10. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

**FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT**

30/7/2023
**DATE:**

# ANNEXURE D

**APPLICATION FOR EXTENSION OF VALIDITY PERIOD IN TERMS OF SECTION 15(2)(i) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015: FARM NO. 1307/2 AND 3, STELLENBOSCH DIVISION**

## COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES

# STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

# MEMORANDUM
**DIREKTEUR: INFRASTRUKTUURDIENSTE**
**DIRECTORATE: INFRASTRUCTURE SERVICES**

| | |
|---|---|
| **To ▫ Aan:** | **Director: Planning + Economic Development** |
| **Att Aandag** | **Louisa Guntz** |
| **From ▫ Van:** | **Manager: Development (Infrastructure Services)** |
| **Author ▫ Skrywer:** | **Tyrone King** |
| **Date ▫ Datum:** | **10 July 2023** |
| **Our Ref ▫ Ons Verw:** | **Civil 1842** |
| **Your Ref:** | **LU/8130** |
| **Re ▫ Insake:** | **Farm 1307 2&3: Chantecler: Amendemnt of SDP in order to provide the main access over the existing 5m servitude right of way and proposed 6.3m extensions thereto; amendment of the approved subdivisional plan and to allow for the main access to the estate and minor amendments to the internal layout of the approved subdivisional plan.** |

This Memo follows our Memo dated 3 June 2019, and is in response to your e-mail query dated Friday, 07 July 2023 10:39 regarding the extension of validity for this application.

All our previous conditions remain valid, but the following conditions regarding Water and Sewer are now applicable:

**1. Water**

1.1 The Municipality is in the process of upgrading the external water network in the area, to create spare capacity for new developments. In order to link the Development with the municipal network, the Developer must construct a link pipeline from the main water line along Stellenbosch Arterial Road, towards the entrance of the development. This must be completed before subdivision clearance.

This pipeline is conceptually indicated on Drawing No 21209-C-000-01 Rev A by Lyners. **See attached.**

1.2 Water provision via borehole, as originally approved, will only be allowed as an interim measure, should there be circumstances outside the Developer's control preventing the installation of the link pipeline.

**2. Sewer**

2.1 There is insufficient capacity in the Digteby sewer pumpstation to accommodate the proposed development.

2.2 The municipality is in the process of planning the implementing a new gravity outfall sewer project between the Digtebij pumpstation and the Blaauwklippen pumpstation and completion is anticipated in August 2024 (subject to Contractor's programme and performance). This pipeline must be completed before subdivision clearance.

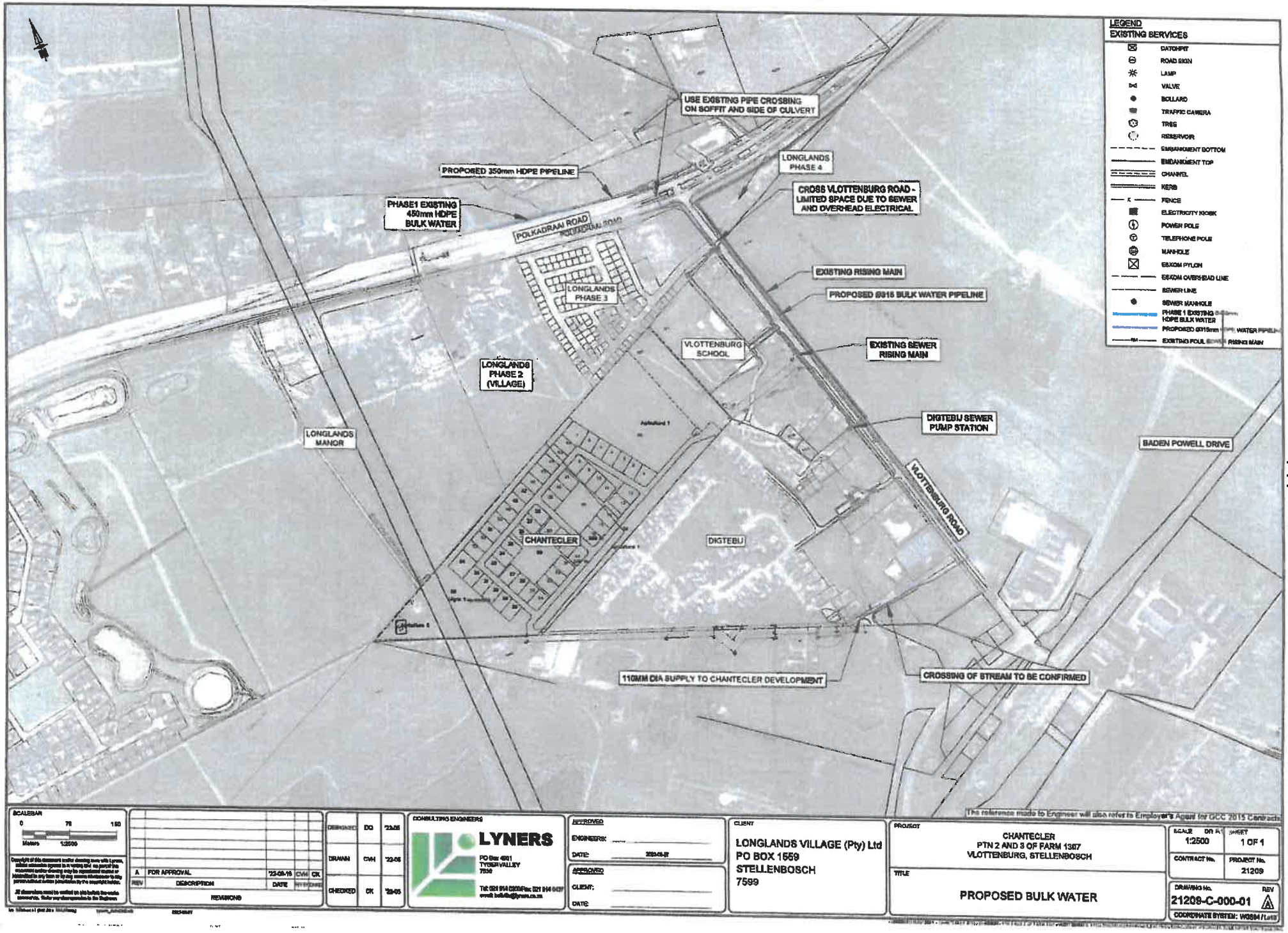
**3. Development Charges (DCs)**

3.1 Revised DCs will be applicable based on the latest tariffs.

3.2 The appropriate DC's are payable before subdivision clearance can be issued.

**TYRONE KING Pr Tech Eng**
**MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

**W:\2.0 DEVELOPMENT\01 Land Use applications\2202 (LU11601) 1024 and 1842 (TK) Farm 1307-2 and 3, Chantecler\1842 - revised SDP (new access position access)\1842 (TK) - Farm 1307-2 and 3_1 (10 July 2023).doc**


LEGEND
EXISTING SERVICES
CATCHPIT
ROAD SIGN
LAMP
VALVE
BOLLARD
TRAFFIC CAMERA
TREE
RESERVOIR
EMBANKMENT BOTTOM
EMBANKMENT TOP
CHANNEL
KERB
FENCE
ELECTRICITY KIOSK
POWER POLE
TELEPHONE POLE
MANHOLE
ESKOM PYLON
ESKOM OVERHEAD LINE
SEWER LINE
SEWER MANHOLE
PHASE 1 EXISTING HDPE BULK WATER
PROPOSED 6315mm WATER PIPELI
EXISTING FOUL SEWER RISING MAIN
USE EXISTING PIPE CROSSING ON SOFFIT AND SIDE OF CULVERT
PROPOSED 350mm HDPE PIPELINE
PHASE1 EXISTING 450mm HDPE BULK WATER
POLKADRAAI ROAD
LONGLANDS PHASE 4
CROSS VLOTTENBURG ROAD - LIMITED SPACE DUE TO SEWER AND OVERHEAD ELECTRICAL
LONGLANDS PHASE 3
EXISTING RISING MAIN
PROPOSED 6315 BULK WATER PIPELINE
VLOTTENBURG SCHOOL
EXISTING SEWER RISING MAIN
LONGLANDS PHASE 2 (VILLAGE)
LONGLANDS MANOR
DIGTEBIJ SEWER PUMP STATION
BADEN POWELL DRIVE
VLOTTENBURG ROAD
CHANTECLER
DIGTEBIJ
110MM DIA SUPPLY TO CHANTECLER DEVELOPMENT
CROSSING OF STREAM TO BE CONFIRMED
The reference made to Engineer will also refer to Employer's Agent for GCC 2015 Contracts
SCALE BAR
0 75 150
Metres 1:2500
A FOR APPROVAL '22-08-16 CWH CR
REV DESCRIPTION DATE INITIALS
REMARKS
DESIGNED DG '22-05
DRAWN CWH '22-05
CHECKED CR '22-05
CONSULTING ENGINEERS
LYNERS
PO Box 4001
TYGER VALLEY
7536
Tel: 021 914 0300 Fax: 021 914 0427
email: bellville@lyners.co.za
APPROVED
ENGINEER: _____
DATE: 2022-08-17
APPROVED
CLIENT: _____
DATE: _____
CLIENT
LONGLANDS VILLAGE (Pty) Ltd
PO BOX 1559
STELLENBOSCH
7599
PROJECT
CHANTECLER
PTN 2 AND 3 OF FARM 1307
VLOTTENBURG, STELLENBOSCH
TITLE
PROPOSED BULK WATER
SCALE 1:2500
SHEET 1 OF 1
CONTRACT No.
PROJECT No. 21209
DRAWING No. 21209-C-000-01
REV A
COORDINATE SYSTEM: WGS84 / Lo19

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/19141(TP1196/2024)
Our File Reference Number: Farm 1307/2 & 1307/3, Stellenbosch
Your Reference Number:
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

**PER E-MAIL:** clifford@tv3.co.za

Sir / Madam

**APPLICATION FOR AN EXTENSION OF THE VALIDITY PERIOD ON FARM 1307/2 & 1307/3, STELLENBOSCH**

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

2.1.1 That the following application(s) in terms of the Stellenbosch Municipal Land Use Planning Bylaw, 2023, namely the:

2.1.2 **Extension of the validity period** for the consolidation, rezoning and subdivision as amendment on Farm No. 1307/2 & 3, Stellenbosch Division in terms of Section 15(2)(i) of the said By-Law, for five (5) years from 15 January 2026 to 15 January 2031,

**BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.

**2.2 The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:**

2.2.1 The approval only applies to the proposed extension of validity period under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

2.2.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

2.2.3 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 by the Directorate Infrastructure Services.

2.2.4 All conditions of approval as per approval letters dated 28 January 2015 (final letter dated 24 February 2015); 17 December 2015 (final letter dated 15 January 2016) and 17 November 2020 (final letter dated 18 January 2021) is still applicable.

3. **The reasons for the above decision are as follows:**

3.1 No changes were made since the previous approval was granted and the proposed land uses will not have a detrimental effect on the surrounding natural or built environment.

4. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

5. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.

6. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za**

7. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

8. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021- 808 8684.

9. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

(a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

(b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

(c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.

(d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

11. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

**FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT**

24/11/2025

**DATE**

# ANNEXURE C

## APPLICATION FOR THE AMENDMENT OF AN APPROVED SUBDIVIONAL PLAN AND SITE DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM NO. 1307/3, STELLENBOSCH DIVISION

## SUBDIVISIONAL PLAN




**Portion A (Phase)**

| Annotation | Portions | Zoning | Land Use | No. of Portions | Area | % |
|---|---|---|---|---|---|---|
| | 1 - 113 | Conventional Residential | Dweling House | 113 | 2.93ha | 30% |
| | 114 - 119 | Private Open Space | Open Space | 6 | 1.79ha | 18% |
| | 120 | Private Open Space | Private Road | 1 | 1.40ha | 14% |
| | 121 | Agriculture & Rural | Agriculture | 1 | 2.30ha | 23% |
| | 122 | Agriculture & Rural | Agriculture and Wine Cellar | 1 | 1.43ha | 14% |
| **Total** | | | | **122** | **9.86ha** | **100%** |

**Portion B (Phase)**

| Annotation | Portions | Zoning | Land Use | No. of Portions | Area | % |
|---|---|---|---|---|---|---|
| | B | Multi-Unit Residential | Group Housing | 1 | 0.97ha | 100% |

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

Property Description:

Portions 2 & 3 of Farm 1307, Stellenbosch

| Drawing: | | Plan no.: |
|---|---|---|
| Subdivision & Zoning Plan | | 1 |
| Date: | Scale: | |
| 01/10/2024 | 1:2000 (A3) | |
| Project no.: | Drawn: | Checked: |
| 4028-P | WH | CH |

Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained on Google Earth.

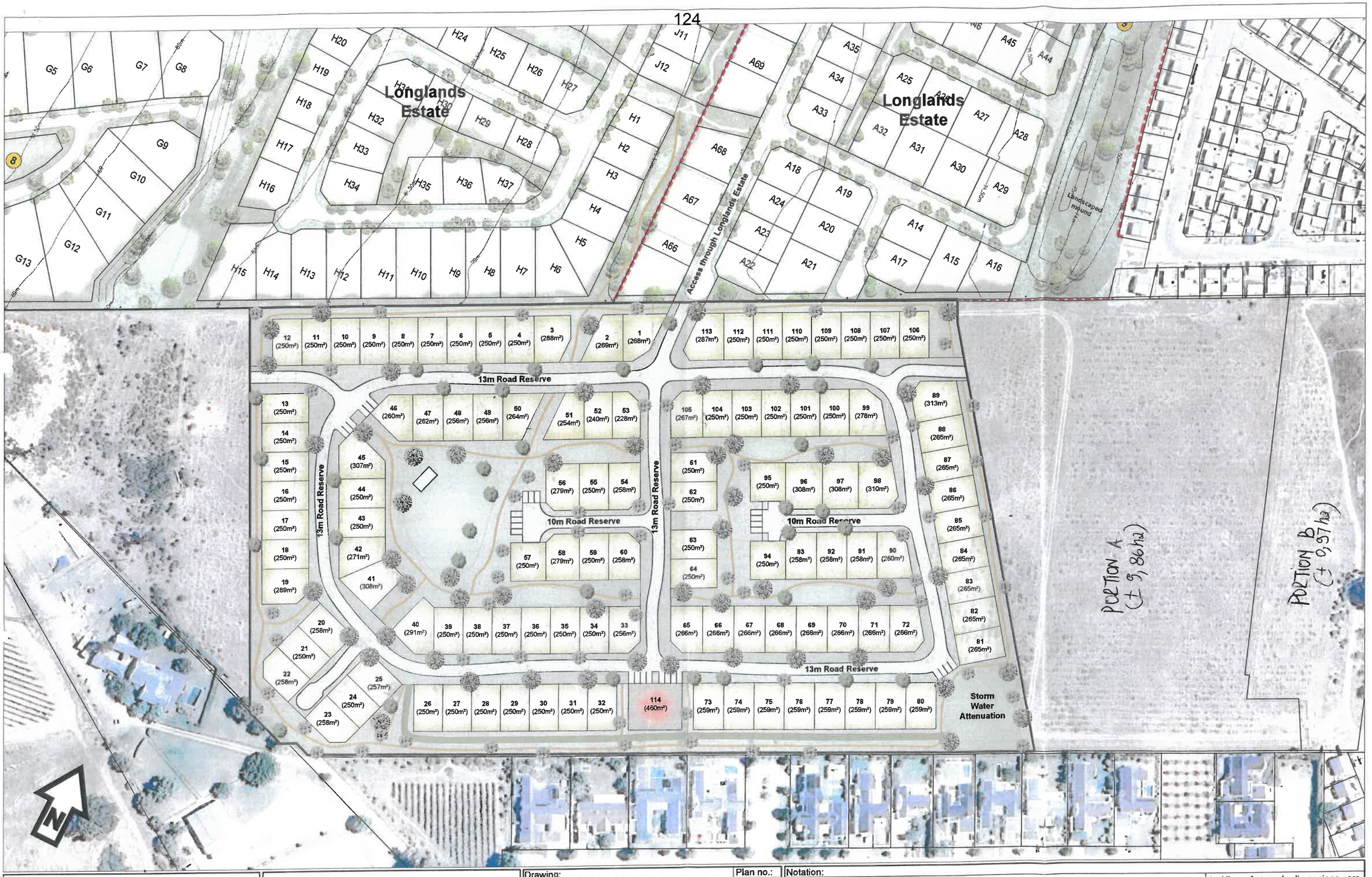
* All areas and dimensions are approximate and should be verified by a professional land surveyor.

* This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

# ANNEXURE D

## APPLICATION FOR THE AMENDMENT OF AN APPROVED SUBDIVIONAL PLAN AND SITE DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM NO. 1307/3, STELLENBOSCH DIVISION

## SITE DEVELOPMENT PLAN




ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

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

# Chantecler

Property Description:
Erven 147 & 148, Vlottenburg

| Drawing: | | Plan no.: |
|---|---|---|
| Concept Subdivision Plan | | 1 |
| Date: | Scale: | |
| 29/08/2024 | 1:1000 (A2) | |
| Project no.: | Drawn: | Checked: |
| 3604-P | WH | CH |

Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained on Google Earth.

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

* This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

# ANNEXURE E

## APPLICATION FOR THE AMENDMENT OF AN APPROVED SUBDIVIONAL PLAN AND SITE DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM NO. 1307/3, STELLENBOSCH DIVISION

## APPLICANT'S MOTIVATION

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URBAN DESIGNERS

FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
97 DORP STREET
STELLENBOSCH 7600
TEL 021 861 3800

Our Reference: 4028-P
Application No: LU/17766

19 January 2026

Directorate: Planning and Economic Development
Stellenbosch Municipality
Town House
**7600 STELLENBOSCH**

**Attention: Ms. Louisa Engelbrecht**

Madam

**CHANTECLER: LAND USE PLANNING APPLICATION ON FARMS 1307/2 AND 1307/3, STELLENBOSCH**

1. Your e-mail of 19 January 2026 has reference.

2. On 28 January 2015 the Stellenbosch Municipality approved the rezoning and subdivision of the subject property to permit the development of the Chantecler residential estate (26 single residential erven), agricultural land uses (including a wine cellar), and 20 group housing units on the subject property.

3. On 17 December 2015 the Stellenbosch Municipality approved the amendment of the Subdivision Plan, and on 17 November 2020 the Stellenbosch Municipality (again) approved the amendment of the Subdivision Plan.

4. On 15 October 2024, TV3 applied for the amendment of the approved Subdivision Plan in order to accommodate the proposed changes to the Chantecler residential estate (which will now consist of 113 single residential erven in lieu if the approved 54 single residential erven).

5. However, to comply with your e-mail, we hereby request that our application be amended from the "*amendment of the approved subdivisional plan*" to the "*rezoning of the subject property to subdivisional area and the subdivision of the property in accordance with the subdivisional area plan*".

6. This amendment of the wording of the application will not change the actual development proposal that was submitted for approval and circulated for public and departmental input. In other words, our planning motivation for the development proposal (as submitted) remains pertinent, regardless of this administrative rephrasing of the application type.

7. We will arrange for the payment of the additional application fee (R10 800) and provide you with the proof thereof.

8. We trust this information will suffice in finalising the application and submitting it to the Municipal Planning Tribunal in February 2026 for a decision. However, if you have any additional queries, please feel free to contact the undersigned.

Yours faithfully



**CLIFFORD HEYS**
**TV3 PROJECTS (PTY) LTD**

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97 DORP STREET
STELLENBOSCH 7600
TEL 021 861 3800

Our Reference: 4028-P

15 October 2024

Directorate: Planning and Economic Development
Stellenbosch Municipality
Town House
**7600 STELLENBOSCH**

**Attention: Ms. Chrizelle Kriel**

Madam

**APPLICATION FOR THE AMENDMENT OF A SUBDIVISION PLAN: FARMS 1307/2 AND 1307/3, STELLENBOSCH**

## 1. BACKGROUND TO THE CHANTECLER RESIDENTIAL DEVELOPMENT

We refer to the pre-submission consultation on 17 April 2024 with Mr. Stiaan Carsten (Senior Manager: Development Management) regarding the proposed changes to the approved Cantecler residential development on Farms 1307/2 and 1307/3, Stellenbosch [*hereafter referred to as the subject property*].

On 28 January 2015 the Stellenbosch Municipality approved the rezoning and subdivision of the subject property to permit the development of the Chantecler residential estate (26 single residential erven), agricultural land uses (including a wine cellar), and 20 group housing units on the subject property. A copy of the decision letter is included in this submission.

On 17 December 2015 the Stellenbosch Municipality approved the amendment of the Subdivision Plan, and on 17 November 2020 the Stellenbosch Municipality (again) approved the amendment of the Subdivision Plan. Copies of these decision letters are included in this submission.

In order to accommodate the proposed changes to the Chantecler residential estate (which will now consist of 113 single residential erven), application is again made for the amendment of the Subdivision Plan.

## 2. LAND USE PLANNING APPLICATION

Pertaining to Farms 1307/2 and 1307/3, Stellenbosch:

- Application is made i.t.o. Section 15(2)(k) of the Stellenbosch Municipality Land Use Planning By-Law (2015) for the amendment of an approved Subdivision Plan.

The amended Subdivision Plan is included in this submission for your approval.

## 3. PROPERTY DESCRIPTION

The subject property is described in the Deed of Transfer No. T6692/1995 as Farms 1307/2 and 1307/3, Stellenbosch. The subject property is 10.8341ha in extent and the Ash Family Trust is the registered owner. A copy of the subject property's Deed of Transfer is included in this submission.

## 4. LOCALITY

The subject property is located in Vlottenburg, between the Longlands Estate and Digteby Estate, ±5km west of Stellenbosch – see image below.

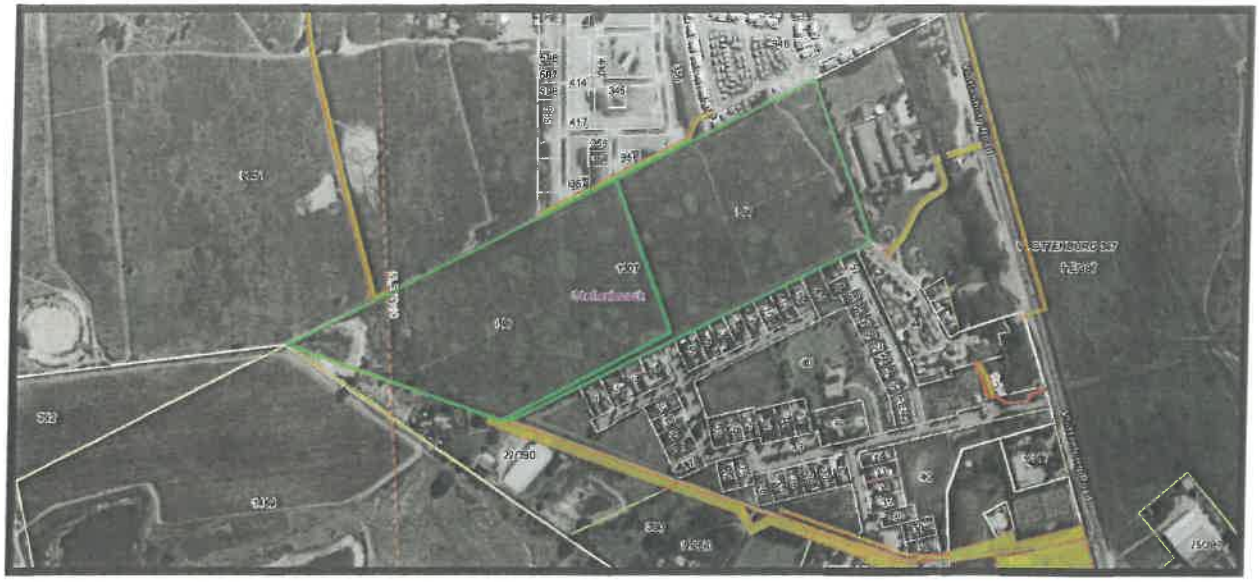


*Figure 1: Locality of the subject property*

## 5. AMENDED DEVELOPMENT PROPOSAL

In terms of the latest approved Subdivision Plan, the Chantecler residential estate (located in Portion A) consists of 54 single residential erven – see image below.

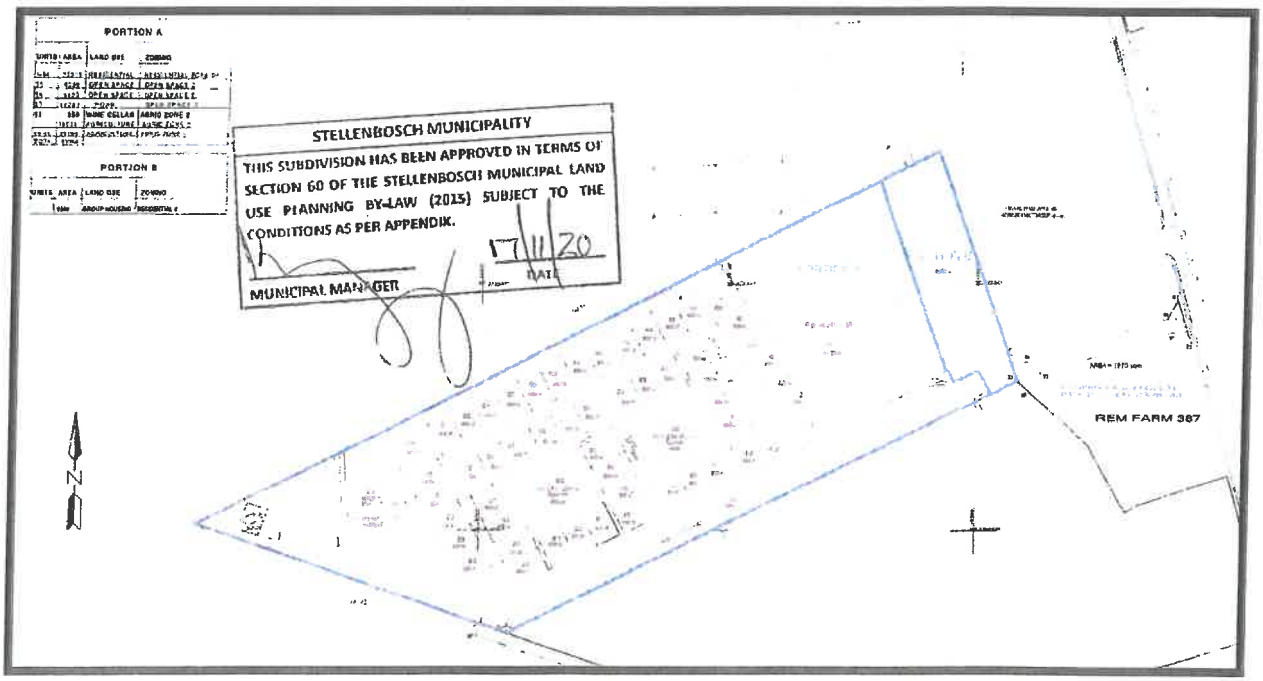



*Figure 2: Approved Subdivision Plan (17 Dec 2020)*

With this application, the Chantecler residential layout (located in Portion A) will be amended to increase the residential density by reducing the individual erf sizes and by increasing the number of single residential erven from 53 to 113 – see image below.




*Figure 3: Amended / proposed Subdivision Plan*

Included in this subdivision is an amended Subdivision Plan (and a Site Development Plan) for your approval.

The single residential development will form part of the Longlands Estate and access to the development will be via the Longlands Estate's main entrance on Polkadraai Road, and not via the Vlottenburg Road as originally approved.

The single residential development will also form part of the Longlands Estate Homeowners' Association (HOA) and will be subject to Longlands Estate's HOA's Constitution and Design Guidelines.

The details of the remainder of the development – consisting of agricultural land uses (on Portion A) and social housing (on Portion B) – will not change. It will remain as approved by the Stellenbosch Municipality.

## 6. MOTIVATION FOR THE PROPOSED AMENDMENT OF THE SUBDIVISION PLAN

The development proposal entails an amendment to the Chantecler residential estate's Subdivision Plan by increasing the number of single residential erven from 53 to 113.

Our land use planning application is motivated as follows:

- The abutting Longlands Estate has ±328 single residential erven. It consists mainly of smaller townhouse-type erven (for a young family) and larger single dwelling-type erven (for a traditional family). However, it does not have a residential product for an older and retired family. With this development, it is the intention to create 113 residential units for older persons (but not a retirement village). In doing so, the Longlands Estate will provide a residential product for all the phases in a family's life cycle.

- As mentioned above, the single residential development will form part of the Longlands Estate and will be subject to the estate's HOA Constitution and Design Guidelines. It will also have access to all the Estate's facilities (clubhouse, gardens, security, etc.).

- The proposed development will be for older persons, but it will not be a formal retirement village. The HOA Constitution will be amended to prescribe the requirements (such as age) for a resident of this development phase.

- The proposed development will not entail any rezonings, or consent uses, or departures. Only the amendment of the approved Subdivision Plan.

- The proposed development will lead to the densification of the residential area by providing smaller and more erven. The densification of residential areas is promoted by the Stellenbosch Municipal Spatial Development Framework (MSDF) and the proposed amendment of the residential development's internal layout will therefore support the principles of the MSDF.

- The details of the remainder of the development, which consists of agricultural land uses (including a wine cellar) on Portion A and social / group housing units on Portion B, will not change. These land uses will remain as approved by the Stellenbosch Municipality.

## 7. ORDERLY PLANNING

Lyners civil and electrical engineers and UDS transport engineers have been instructed to assess the amended development proposal's impact on bulk engineering services. There engineering reports are included in this submission.

## 8. CONCLUSION

We are of the opinion that the proposed single residential development can be deemed desirable as the approval will lead to significant tangible benefits for the community, such as:

- It will not have a negative effect on the surrounding environment.
- Lead to a development that is in line with the character of the area and the Municipality's spatial planning policies.
- Provide ±113 "later living" housing opportunities for older persons.
- Help to address the housing backlog.
- The impact on bulk engineering infrastructure is acceptable.
- Pay development charges to the Municipality.
- Create new employment opportunities.
- Increase the Municipality's rates and taxes.

If the development proposal is refused all of the aforementioned benefits will be lost to the community and for this reason, we recommend that the application be granted.

We trust the information provided will suffice in processing the land use planning application. However, feel free to contact the undersigned at 021 861 3800 or clifford@tv3.co.za if you have any queries or require any additional information to process the application.

Yours faithfully



**CLIFFORD HEYS**

**TV3 PROJECTS (PTY) LTD**

Caring
Innovative
Focussed

Neil
LYNERS
and Associates (Pty) Ltd Est. 1999
Consulting Engineers & Project Managers

Postal Address : P O Box 4901 TYGERVALLEY 7536
Street Address : Office 2, Ground Floor, Riverside Place
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Tyger Valley Waterfront BELLVILLE 7530

Tel: +27 (0) 21 914 0300 | Fax: +27 (0) 21 914 0437
E-mail: bellville@lyners.co.za | Website: www.lyners.co.za

Our reference :21209C/COR/CK/ck/07

Your reference :

8 October 2024

Longlands Village (Pty) Ltd
P O Box 1559
**STELLENBOSCH**
7599

**Attention: Mr Martin Lange**

Sir

**21209C: CIVIL AND ELECTRICAL ENGINEERING SERVICES FOR PORTIONS 2 AND 3 OF FARM 1307, STELLENBOSCH: CHANTECLER RESIDENTIAL DEVELOPMENT: CIVIL ENGINEERING SERVICES REPORT (REV 1)**

## 1 INTRODUCTION

Neil Lyners and Associates Ltd (Lyners) and KLS Consulting Engineers (KLS) were requested to supply input on the required civil (Lyners) and electrical (KLS) engineering services for the proposed development of Portions 2 and 3 of Farm 1307, Stellenbosch (Chantecler).

The previous version of this report discussed the civil engineering services requirements for 54 erven. A revised layout was workshopped with the Client and the proposed development now allows or 113 single residential opportunities with sizes of between 250m$^2$ and 310m$^2$. Allowance is also made for a communal clubhouse site. The development will form part of the larger Longlands Estate. The services report for the estate was already submitted to the Municipality as part of its planning application process.

This report will deal with the internal engineering services as well as the required existing connection points.

## 2 SITE DESCRIPTION

### 2.1 Existing infrastructure

The site is located on Portion 2 and 3 of Farm 1307, near the intersection of Polkadraai and Vlottenburg Roads. The site can be accessed via Vlottenburg Road on the south and the internal road of the Longlands subsidised housing development (Longlands Phase 3) on the north.

No formal infrastructure exists on the site as it was previously used for farming. On the southwestern corner there is an existing cellar building as well as existing Eskom and Wynland Irrigation servitudes which were accommodated in the approved site development plan.

### 2.2 Topography

The site slopes at a gradient of between 4% and 8% from the southwestern corner towards the northeastern corner, towards the Sanddrif Stream. A geotechnical investigation is yet to be completed; however, it is expected that the site geology will consist mostly of sandy alluvial material.

## 3 SITE DEVELOPMENT PLAN

Please refer to Annexure A for the proposed site development plan. The development will have access via the Longlands Estate Gatehouse and the Longlands Estate Eastern Precinct.

## 4 EXTERNAL AND LINK CIVIL ENGINEERING SERVICES

### 4.1 External Water

As part of the Municipality's water master plan, a new bulk water supply pipeline was installed along Polkadraai Road, from the Blackheath Water Treatment Facility towards Stellenbosch. A new bulk water connection was installed for the Longlands Estate from where this development will be supplied with potable water. This development will form part of Longlands Estate and will therefore not require a separate bulk municipal water meter.

### 4.2 External Sewer

As part of the Municipality's sewer master plan, a new bulk sewer pump station was completed during 2020/2021 as part of the Jamestown drainage zone. The new Vlottenburg pump station is located further south of the proposed Chantecler development, south of Baden Powell Road and the Van Ryn's Distillery.

Sewage from the developed Digtebij residential area, located directly south of Chantecler, drains towards the existing Digtebij pump station. This pump station however does not have any further available capacity to accommodate additional flows from new developments and will have to be upgraded. The Municipality however indicated that they would prefer that the Digtebij pump station be decommissioned, and a new gravity supply pipeline be installed towards the Vlottenburg pump station. During the most recent communications with the Municipality, the decommissioning of the Digtebij pump station and the installation of the new gravity supply towards the Vlottenburg Pump station should be completed by November 2025.

The internal sewer network will connect to the existing internal sewer network of the Longlands subsidised housing development, located northeast of the Chantecler development. The connection will also accommodate a connection point for the remainder of the developable land between the Vlottenburg Primary School and the Chantecler development.

## 5 INTERNAL CIVIL ENGINEERING SERVICES

All civil engineering services will be designed using the Human Settlements Planning and Design Guideline ('i.e., Red Book), along with the Stellenbosch Municipality Design Guidelines and Minimum Standards for Civil Engineering Services.

### 5.1 WATER

#### 5.1.1 Existing:

The internal water pipe network will connect to a new 160mm diameter PVCU pipe which will be installed as part of the internal network of the Longlands Estate.

#### 5.1.2 Proposed

The proposed internal water network will be installed on the lower side of the road reserve (higher side of road) and will consist of the required isolating valves, fire hydrants, air valves and erf connections as per Stellenbosch Municipality's requirements. Every erf will receive a 30mm erf connections and will be clearly marked 1m inside the erf.

The water demand generated by the development can be summarised as follows:

Peak Flow (113 erven @ 900l/day/erf) = 111.14 l/s (Including fire demand – Moderate Risk)

## 5.2 SEWERAGE

### 5.2.1 Existing

The internal sewer pipe network will connect onto the internal network of the Longlands Subsidised Housing Development. The pipe route will follow existing cadastral boundaries and will allow for a connection point for the remainder of the developable land between the Vlottenburg Primary School and the Chantecler development. Servitudes will be registered as may be required.

### 5.2.2 Proposed

The internal underground pipe network will be installed in the roadway, on the higher side of the road and will comply to the Municipality's minimum requirements with regards to vertical gradients as well as material.

Every erf will receive a 110mm erf connection and will be clearly marked 1m inside the erf.

Sewer demand generated by the development can be summarised as follows:

Peak Factor (113 erven @ 630l/day/erf) = 3.33 l/s (Including an allowance of 25% for stormwater infiltration)

## 5.3 STORMWATER

### 5.3.1 Existing

There is currently no formal stormwater infrastructure available on the site.

### 5.3.2 Proposed

The site naturally drains towards the existing Sanddrif Stream, located east of the site. The internal stormwater network will consist of an underground pipe network with the required inlet and outlet structures as well as manholes, complying to the Municipality's minimum requirements. The pipe network will convey stormwater to a new detention facility from where stormwater will be released towards the Sanddrif Stream at a predetermined flow rate. The flow rate will be based on the difference in flow from the pre- and post-development storm events before stormwater may be released into the existing stream. The quality of the released stormwater will also be addressed in the proposed pond.

A stormwater management plan was completed and approved by the Municipality for the previous layout which will be updated and resubmitted as part of the formal plan approval.

## 5.4 ROADS

All internal roads will have a 13m wide road reserve with a 5m wide road. Road surfaces will be a combination of asphalt and interlocking paved roads. The kerb on the high side of the road will consist of a E1 edging while the lower side will allow for a stone pitch channel to accommodate stormwater from the road surfaces.

The following road layerworks will be allowed for:

**Asphalt roads**

- 30mm Continuously graded asphalt
- 150mm G4 base course compacted to 95% Mod AASHTO density
- 150mm G5 subbase compacted to 95% Mod AASHTO density (100% for sand)
- 150mm G7 selected compacted to 93% Mod AASHTO density (100% for sand)

**Paved roads**

- 80mm Paver on 20mm sand
- 150mm C4 base course compacted to 98% Mod AASHTO density
- 150mm G5 subbase compacted to 95% Mod AASHTO density (100% for sand)

- 150mm G7 selected compacted to 93% Mod AASHTO density (100% for sand)

## 5.5 COMMUNICATION

As part of the installation of the civil engineering services, an underground sleeve layout, with junction boxes, will be installed to accommodate fibre services to be installed by a suitable services provider. This network will connect to the internal network of Longlands Estate.

## 6. ELECTRICAL ENGINEERING SERVICES

The development will include 113 units plus common area supply. At 5kVA the additional load required will be 540kVA. Currently larger Longlands development have a 11kV connection point from Stellenbosch Municipality. The connection point is indicated in the image below positioned at the red circle.




Image: Indicating Longlands 11kV connection

The new development is next to Longlands Estate and all its services will link to the Longlands infrastructure. Longlands have a private 11kV network that supply power to all the erven via minisubs and LV reticulation for the complete phase and future phase. The new development will have its own minisub which will supply power via LV network to all the erven. The private 11kV network in Longlands will be link to the minisub, making it part of the private 11kV network supply via the 11kV supply point from Stellenbosch Municipality. The 11kV network supply from Stellenbosch Municipality, has sparce capacity in this area for the additional units that is part of the new development.

## 6 CONCLUSION

The approval of civil engineering services drawings and the implementation of the works on site will be dependent on the completion of the external sewer pipe network towards the Vlottenburg bulk sewer pump station. The updated completion date will have to be confirmed with the Municipality to ensure the implementation programme can be finalised.

The internal civil engineering service will comply to the required standards and specifications from Stellenbosch Municipality.

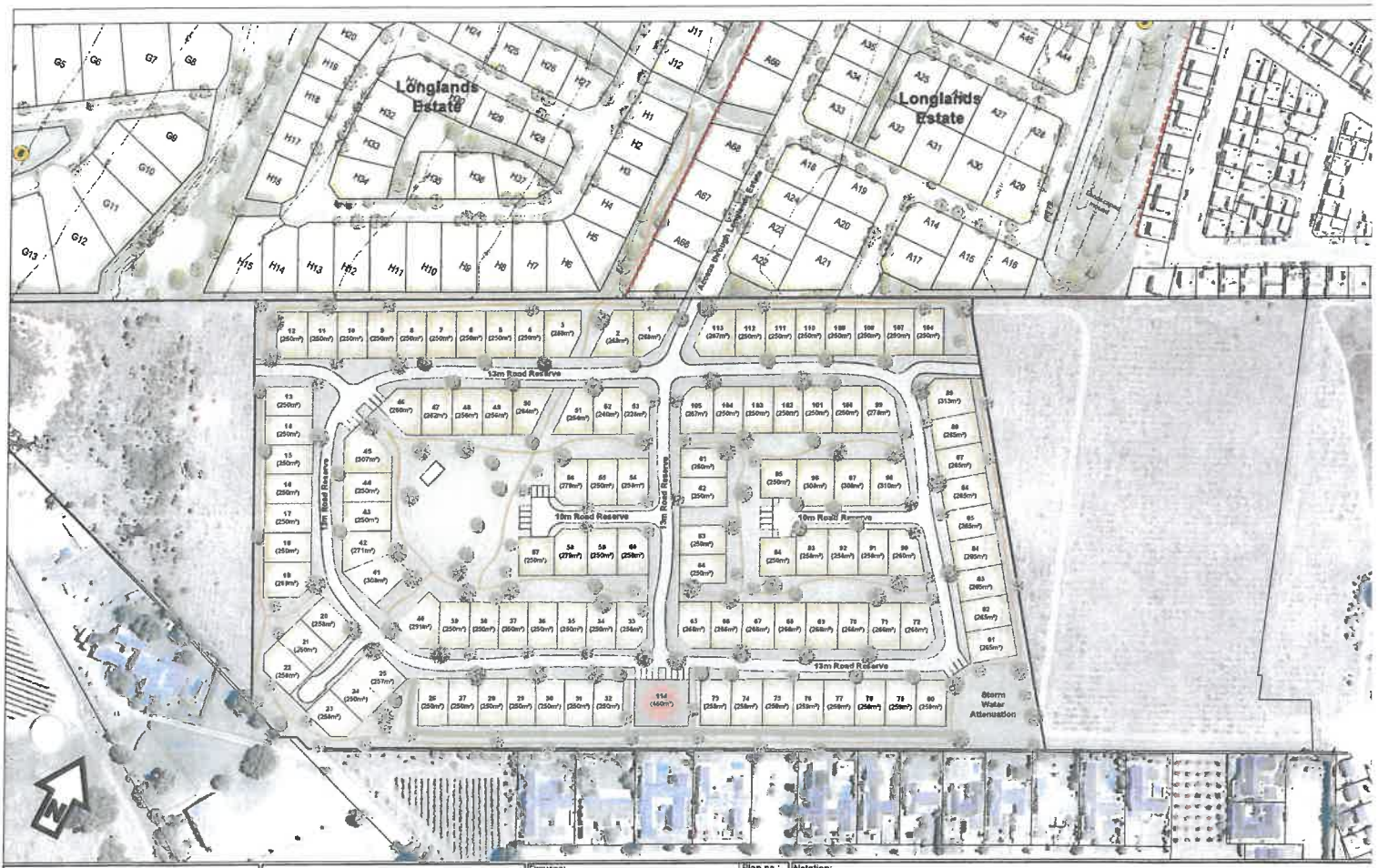
We trust you find the above in order. Please feel free to contact us should there be any queries relating to the above.

Yours faithfully

**Charl Koegelenberg**
**for LYNERS**
**Annexure A – Site Development Plan**

## ANNEXURE A

**Site Development Plan**




ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

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

# Chantecler

Property Description:
Erven 147 & 148, Vlottenburg

| Drawing: | | Plan no.: |
|---|---|---|
| Concept Subdivision Plan | | 1 |
| Date: | Scale: | |
| 29/08/2024 | 1:1000 (A2) | |
| Project no.: | Drawn: | Checked: |
| 3604-P | WH | CH |

Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained on Google Earth.

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

* This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

**LOCALITY MAP: FARMS 1307/2 AND 1307/3, STELLENBOSCH**



africa

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Reg no. 2003/043709/23

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Services
Civil Engineering
(Water, Sewer, Stormwater)
Roads and Transport
Traffic Engineering
Project Management

Offices
Stellenbosch, Piketberg Somer
West, Clanwilliam

CESA

DEKRA
Certified

A Level 1 Contributor to B-BBEE

**Date:** 13 November 2024

**Our Ref:** UDS775/Reports/TIS

Abacus Development Company
Ground Floor, My Space Building
Corner of Bird- and Alexander Streets
STELLENBOSCH
7600

**ATTENTION:** Mr Martin Lange

Dear Sir,

**RE: APPLICATION FOR AMENDMENT OF AN APPROVED SUBDIVISION PLAN TO INCREASE THE NUMBER OF SINGLE RESIDENTIAL ERVEN ON FARM 1307 PORTIONS 2 AND 3, STELLENBOSCH: TRAFFIC IMPACT STATEMENT**

This company was appointed by *Abacus* to prepare a Traffic Impact Statement (TIS) for the abovementioned application for Farm 1307 Portions 2 and 3, Stellenbosch.

## 1. BACKGROUND AND LOCALITY

The subject property is situated between the existing Digteby Estate and Longlands Estates, west of Vlottenburg Road. See the locality in ***Diagram 1*** below.

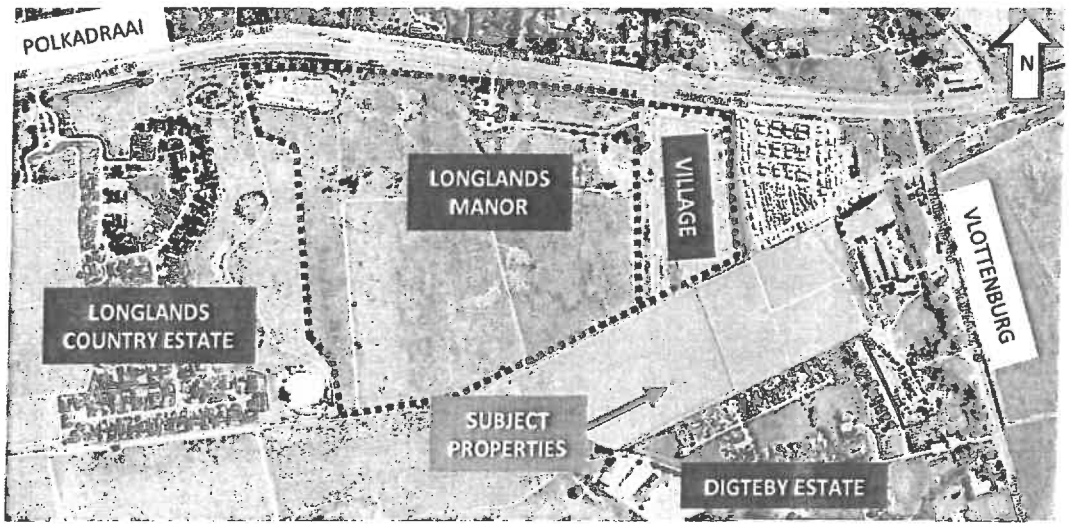



***Diagram 1** : Locality of Subject Property*

Asger Khan (Pr Eng) (Managing Member), John Wessels (Pr Eng), Piet van Blerk (Pr Eng), Cobus Louw (Pr CPM), Tian Koch (Pr Tech Eng), Cobus van der Merwe (Pr Eng), Ruaan Siebrits (Pr Tech Eng), Petri Germishuys (Pr Tech Eng), Dominique Ter Huurne (PhD, M Eng M Phil), Shameez Patel (MSc Eng), Yolandi Obermeyer (B Eng), Fergus Swartz (B Tech), Erhard Blom (Geometric & Traffic Signal Design)

Approval for the development of the subject properties were previously granted. Application is now made to amend the said approval. This TIS accompanies the application for the updated development proposal.

## 2. PROPOSED DEVELOPMENT

### 2.1 Previous Approval

The previous approval for the subject properties included 54 single residential erven, obtaining access via the existing Digteby Estate to the south thereof. Digteby Estate obtains access via Vlottenburg Road.

### 2.2 Proposed Development

The proposed development is that of 113 residential erven, with the intention of marketing the properties to the '50-and-over' market. Access to these erven are proposed via the Longlands Development to/from Polkadraai Road as opposed to the previously approved access configuration via Digteby Estate to/from Vlottenburg Road.

The proposed layout is indicated in the attached ***Subdivision & Zoning Plan*** *(01/10/2024)* prepared by *tv3 Architects, Town Planners, Urban Designers*.

As can be noted on the attached plan, three (3) portions of the subject property are not included as part of the proposed residential erven, i.e. 'erf 121' and 'erf 122' remaining agricultural and 'portion b' multi-unit residential to form part of the existing low cost housing pocket to the north thereof.

### 2.3 Access to the Property

As mentioned above, access to the development was previously planned via Digteby Estate, with the updated proposal via Longlands Estate – see ***Diagram 2*** below. Detail on access will be further discussed in *paragraph 4* below.

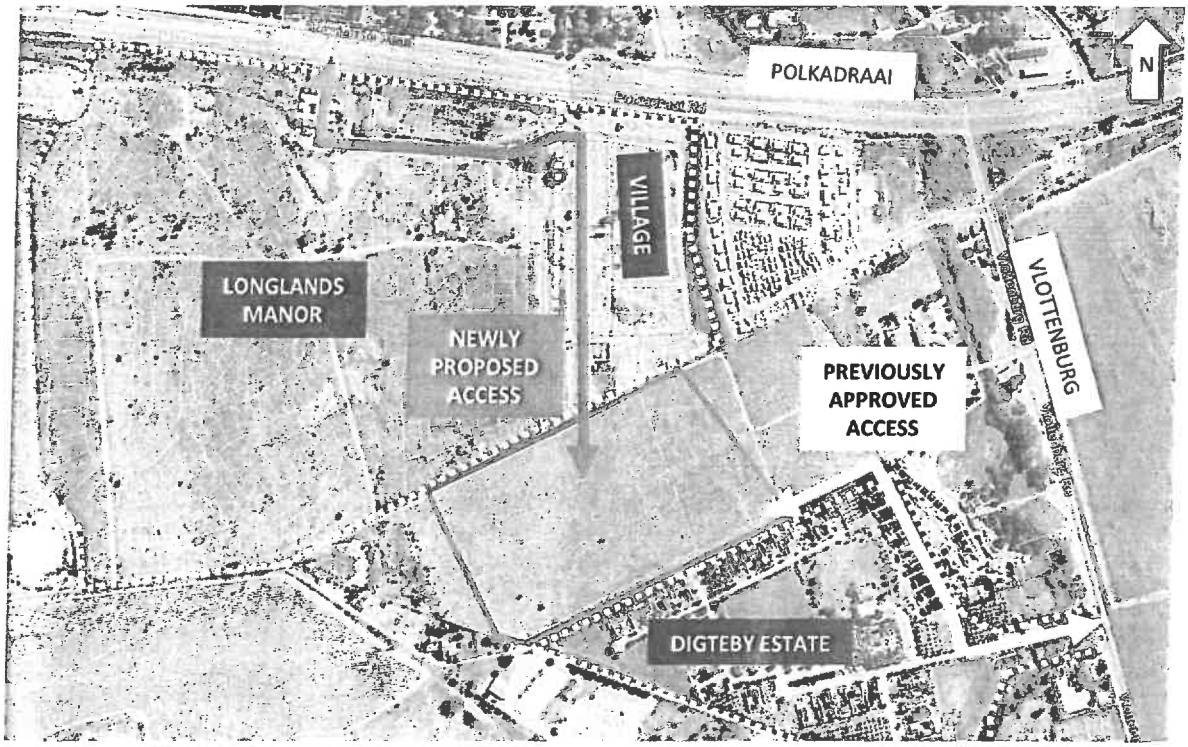



***Diagram 2 :*** Access to subject property and proposed development

## 3. TRAFFIC

### 3.1 Available Traffic

Traffic counts were previously conducted along Polkadraai Road for the purpose of the Longlands Manor development application (Tuesday, 3 September 2019). Updated information in the area was obtained from counts conducted for another project on Thursday, 25 May 2023. The relevant peak hour volumes derived from these counts are indicated in ***Figure 1*** below.

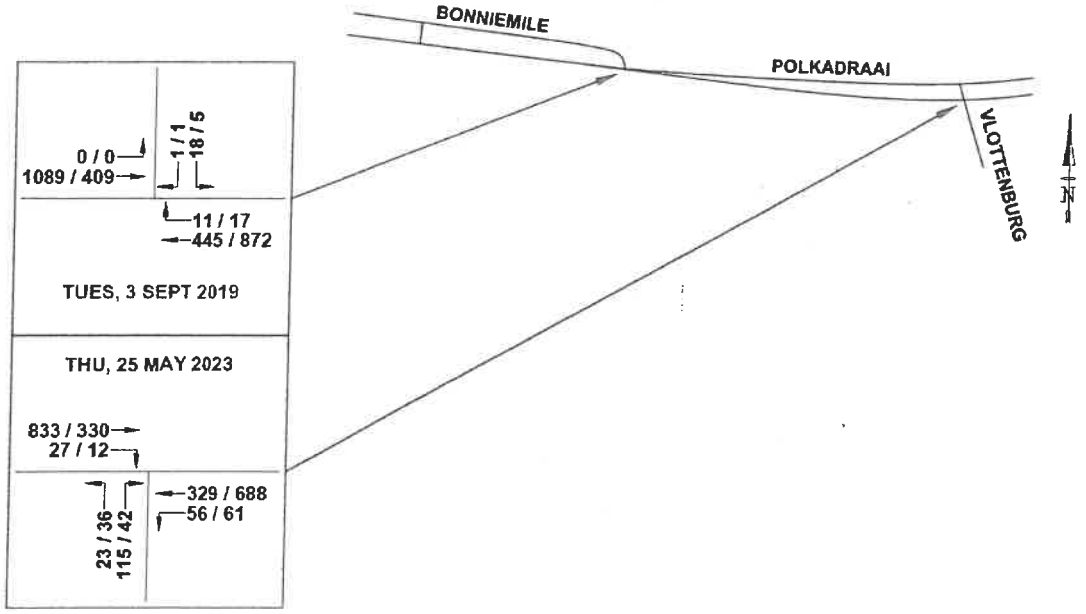



***Figure 1** : Available AM/PM Peak Hour Traffic Volumes*

### 3.2 Traffic Growth

From the counts as included above, it can be noted that the 2019 volumes along Polkadraai Road was higher than those surveyed in 2023. For the purpose of the following analyses, the 2019 volumes in the vicinity of the access along Polkadraai Road was therefore assumed to be 'existing' base year volumes. These volumes were increased by 2% per annum for a further five (5) years to obtain the 2029 background volumes (five-year horison from date of report).

Further to the above, the expected peak hour trip generation of the Longlands Manor- and Village developments were added (as per its TIA). The estimated 2029 background volumes are indicated in ***Figure 2*** below.

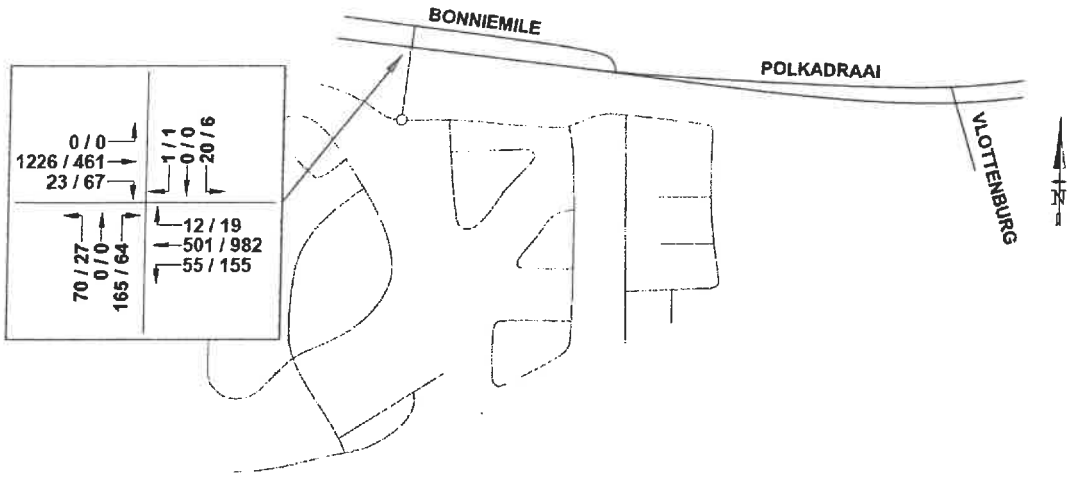



***Figure 2** : Estimated 2029 AM/PM Peak Hour Volumes (incl Longlands Manor & Village)*

### 3.3 Trip Generation

As discussed above, the previous approval for the subject property was that of 54 single residential erven, whilst the newly proposed development is that of 114 erven. The TMH17 suggests 1,0 trip per single dwelling unit. The potential trip generation thus calculates to the following:

***Table 1** : Potential trip generation*

| Development | AM Peak Hour Trips | | | PM Peak Hour Trips | | |
|---|---|---|---|---|---|---|
| | Total | In | Out | Total | In | Out |
| Previous approval (*54 erven*) | 54 | 13 | 41 | 54 | 38 | 16 |
| **New proposal (*113 erven*)** | **113** | **28** | **85** | **113** | **79** | **34** |
| Difference (*additional*) | 59 | 15 | 44 | 59 | 41 | 18 |

### 3.4 Trip Distribution

As previously mentioned, access was initially approved via the Digteby Estate to/from Vlottenburg Road, whilst the updated development proposal takes its access via the Longlands Estate instead, to/from Polkadraai Road.

The potential peak hour trip generation of the newly proposed development was distributed to Polkadraai Road, via the Longlands Manor-access, similarly to the distribution as applied in the Longlands Manor-TIA. The distributed volumes of the proposed development is indicated in ***Figure 3*** below, whilst these volumes added to the background volumes are indicated in ***Figure 4***.

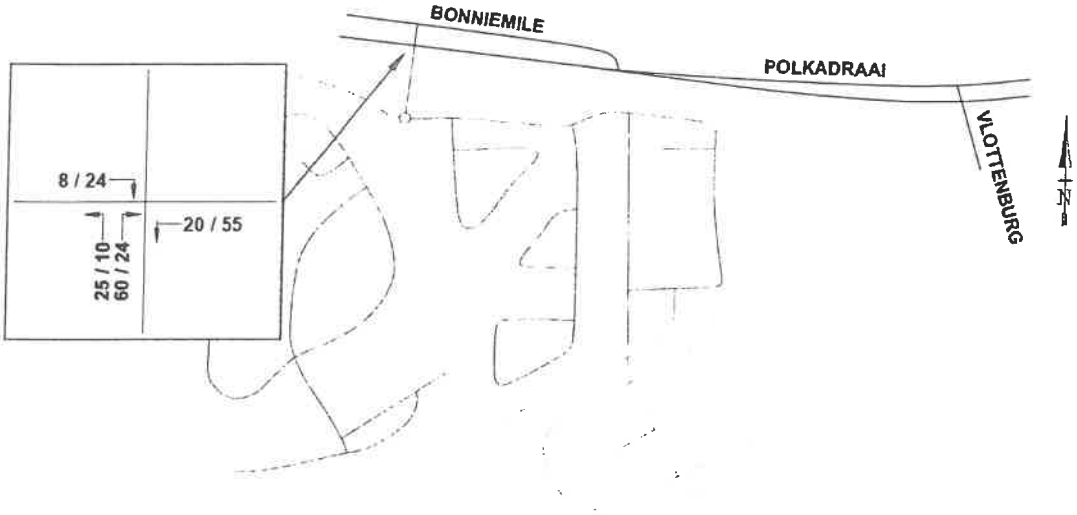



***Figure 3 :*** *Distribution of Peak Hour Traffic Potentially Generated by Proposed Development*

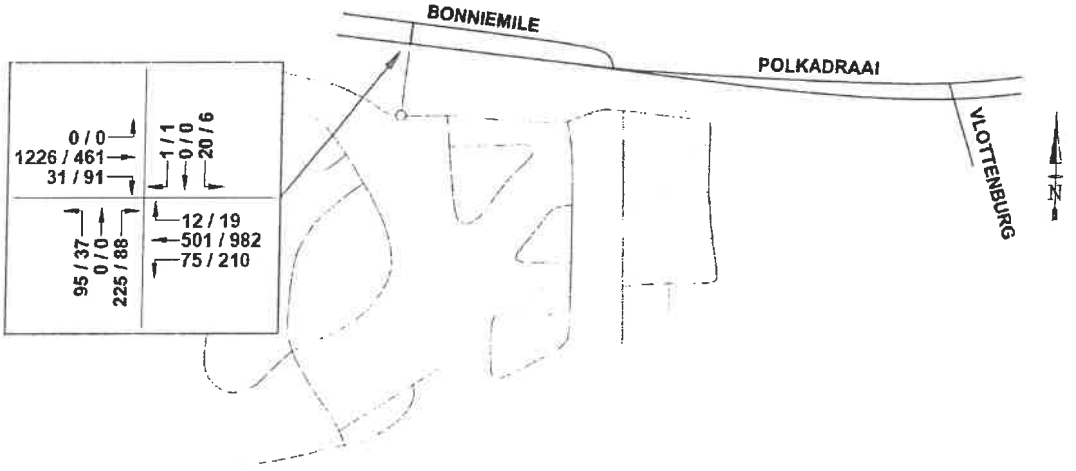



***Figure 4 :*** *Expected 2029 AM/PM Peak Hour Volumes (incl proposed development)*

### 3.5 Traffic Analyses

Traffic analyses of the Polkadraai Road/Access intersection were done by means of the Sidra Intersection 9.1 software. Service levels A to D are considered acceptable, with D the critical.

The access-intersection along Polkadraai Road was initially constructed with free-flow conditions along Polkadraai Road and stop-control on the side streets (i.e. development-access and Bonniemile-approach). Dedicated right-turn lanes were provided along both Polkadraai Road-approaches, with a dedicated left-turn lane along the eastern Polkadraai Road-approach as well. The access-approach also consists of a dedicated right-turn lane. See ***Diagram 3*** below. The Longlands Manor-approval includes the signalisation of this intersection when warranted.

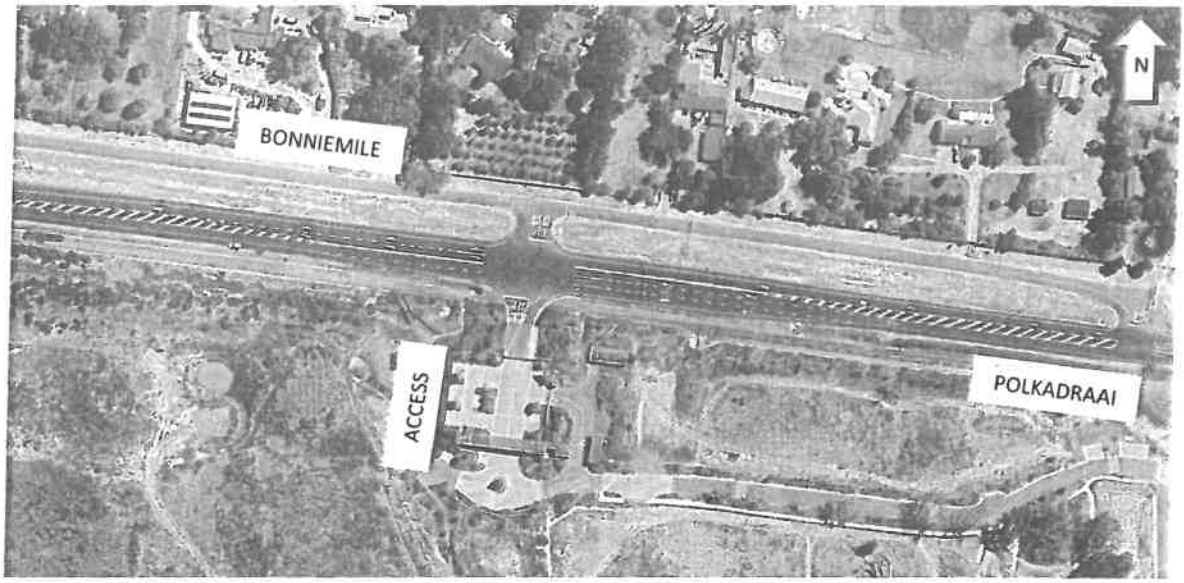



***Diagram 3** : Existing Polkadraai Road/Access intersection lane layout*

During the estimated/background 2029 peak hours, acceptable service levels can be expected along Polkadraai Road, however, along the stop-controlled side street-approaches, unacceptable service levels F are expected on the right-turn movements. As mentioned, the signalisation of this intersection is planned when warranted. To accommodate the total Longlands development, the signalisation is considered required. At the signalised intersection, acceptable service levels can be expected on all movements during both the AM and PM peak hours.

With the addition of the proposed development-traffic, the acceptable service levels expected at the signalised intersection can be expected to remain. On the development access-approach, marginal increase in queuing/delays can be expected.

***It can thus be concluded that the signalised Polkadraai Road/Access intersection would have sufficient capacity to accommodate the proposed development-traffic.***

## 4. GEOMETRY AND PARKING

The Longlands Manor development was approved with its security/access controls setback ± 60 metres from Polkadraai Road, providing two (2) inbound lanes as well as a separate lane and boom for service providers/contractors. With the addition of the proposed development-traffic via these controls, the queuing calculations previously done were updated to include the additional peak hour traffic. With the inbound traffic during the PM peak hour being the critical for residential estates in terms of stacking at the controlled accesses, the said peak hour was reassessed. The inbound volume (Manor- plus Village- plus proposed development) would be in the order of 300 vehicles. By assessing it as a single server system, the maximum queuing expected at the access-controls during the peak hour calculates to ± 10 metres – this is taking into consideration that there are two (2) inbound lanes, and by assuming each vehicle would take up about 15 seconds to sign in. For a scenario where all vehicles take up to 20 seconds to sign-in, about 30 metres stacking would be required, i.e. the available stacking space between the access-controls and Polkadraai Road is considered sufficient to accommodate the addition of the proposed development traffic.

The 'main access route' within the Longlands Manor-development consists of a road reserve of about 15 metres, whilst the route traversing the Village-development (via which access to the proposed development is planned) consists of a 10 metre wide road reserve. The Village-development street currently terminates in a cul-de-sac. The traffic expected to utilise that said street via the Village-development would only be a portion of the Village-development, and not expected to be the majority portion based on the layout of the streets and erven. The addition of the proposed development-traffic would thus result in an increase to that initially planned for this street, however, sufficient

capacity would remain along the street to accommodate the proposed development-traffic. It would be suggested that traffic calming be implemented along the said street as direct erf access is obtained to/from the abutting erven. From aerial photo information, it does seem that traffic calming measures have been implemented along the streets within the Village-development pocket.

It is expected that additional access controls would be provided at the proposed development pocket. Based on the proposed subdivision layout, it is not expected that issues with stacking at these secondary access controls would be experienced.

Internal streets within the proposed development pocket are provided with 13- and 10 metre road reserves. It is expected that street widths would be similar to the existing Village-development streets.

For the Longlands Development, refuse removal was planned to occur kerbside along the internal streets, with access for the refuse vehicles (be it Municipal or private) accommodated via the services access at the main access. Refuse removal for this proposed development will thus tie in with the operations of the Longlands Development.

Detail regarding parking is not provided on the attached plan, however, it is expected that parking would be provided on the individual erven in the form of garages/driveways/carports, with the number of bays in line with the Municipal requirements. With 5,0 to 5,5 metre wide streets within 10 metre road reserves, sufficient isle width remains available behind parking spaces, i.e. back of bay (individual property boundary) and the opposite edge of the street (7,5 metres).

## 5. PUBLIC- AND NON-MOTORISED TRANSPORT

For the Longlands Development, public transport embayments were proposed along the Polkadraai Road-outbound legs of the access intersection – these will be implemented along with the signalisation of the intersection as to accommodate pedestrians across Polkadraai Road.

In terms of non-motorised transport (NMT) facilities for the proposed development, it is expected that the proposed development's sidewalks/recreational walking/jogging routes would tie in with the overall Longlands Development's facilities.

It is thus not expected that additional public- or non-motorised transport facilities would be required for/as result of the proposed development.

## 6. CONCLUSIONS

The following can be concluded from the report:

1) That this TIS accompanies the application for the updated development proposal on Farm 1307 Portions 2 and 3, situated between the existing Digteby Estate and Longlands Estates, west of Vlottenburg Road, Stellenbosch;
2) That the previous approval for the subject property included 54 single residential erven, obtaining access via the existing Digteby Estate, which obtains access to/from Vlottenburg;
3) That the updated development proposal is that of 113 residential erven obtaining access via the Longlands Development to/from Polkadraai Road;
4) That the proposed development would have the potential to generate 113 peak hour trips (28 in, 85 out during the AM peak hour and 79 in, 34 out during the PM peak hour) and that the previous approval had the potential to generate 54 peak hour trips, i.e. 59 additional trips;
5) That the signalisation of the Polkadraai Road/Access intersection is required to accommodate the overall Longlands Development, and that with the addition of the propose development traffic via the said access, the signalised intersection can be expected to remain operating acceptably;
6) That the stacking space provided between the Longlands access controls and Polkadraai Road is considered sufficient with the addition of the proposed development traffic;
7) That internal streets and refuse removal will be similar to the existing Longlands, and that detail regarding the provision of parking is not yet available, but also expected to be provided similarly to Longlands; and
8) That NMT facilities would tie in with the Longlands-facilities, and that public transport embayments are planned along Polkadraai Road (outbound legs of access-intersection) along with the signalisation of the intersection.

## 7. RECOMMENDATIONS

From the above, it is recommended that the updated development proposal for the subject property via the Longlands Development be considered for approval from a traffic flow point of view.

We trust that the Traffic Impact Statement will be to your satisfaction and will gladly provide any additional information required on request.

Yours faithfully,

Compiled by: Yolandi Obermeyer (B Eng)

**UDS AFRICA**

**Attachments:**

Subdivision & Zoning Plan (01/10/2024) (*tv3 Architects, Town Planners, Urban Designers*)

# ANNEXURE F

## APPLICATION FOR THE AMENDMENT OF AN APPROVED SUBDIVIONAL PLAN AND SITE DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM NO. 1307/3, STELLENBOSCH DIVISION

## COMMENT FROM THE DIRECTORATE: INFRASTRUCTURE SERVICES

# STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

# MEMORANDUM

**DIREKTEUR: INFRASTRUKTUURDIENSTE**
**DIRECTORATE: INFRASTRUCTURE SERVICES**

**CIVIL ENGINEERING SERVICES**

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| | |
|---|---|
| **To ▫ Aan:** | **Director: Planning + Economic Development** |
| **Att Aandag:** | **Nicole Katts** |
| **From ▫ Van:** | **Manager: Development (Infrastructure Services)** |
| **Author ▫ Skrywer:** | **Tyrone King** |
| **Date ▫ Datum:** | **11 September 2025** |
| **Our Ref ▫ Ons Verw:** | **Civil LU 2853** |
| **Town Planning Ref:** | **LU/17766 – TP919/2024** |
| **Re ▫ Insake:** | **Farm 1307/2 &3, Stellenbosch: Application is made in terms of Section 15(2)(k) of the Stellenbosch Municipal Land Use Planning By-Law (2024) for the amendment of the approved subdivisional plan and site development plan to allow for the accommodation of 113 conventional residential erven (instead of the previously approved 54 erven) on Farm No. 1307/2 and Farm No. 1307/3, Stellenbosch Division. This development will form part of the Longlands Estate and access to the development will be via die Longlands Estate's main entrance on Polkadraai Road, and not via the Vlottenburg Road as originally approved.** |

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The following engineering documents were evaluated as part of this application:

- Civil Engineering Report ref 21209C/COR/CK/ck/07 by Lyners dated 8 October 2024
- Combined Services Layout Drawing No 21209-C-Fig3 Rev B by Lyners dated 2025-07-11 (**Annexure: Services**)

- TIS by UDS dated 13 Nov 2024
- Subdivision and Zoning Plan No 1 by TV3 dated 01/10/2024

In consideration of provisions related to Civil Engineering Services the application is supported subject to the following conditions:

**Specific Conditions:** These conditions must be complied with prior to transfer of the first property or approval of any building plans, whichever occurs first.

**1. Water**

1.1 The water connection is proposed to be to the existing private network of Longlands Estate. Therefore the water reticulation network of this development must also be linked to the bulk water meter of Longlands Estate so that the municipality only needs to read a single bulk water meter.

**2. Roads**

2.1 The following upgrades must be installed (see **Annexure: Roads**):

2.1.1 Signalisation of the Polkadraai Road / Access intersection.

- Must be according to municipal standards – please contact the Manager: Traffic Engineering for design input and approval.
- The cost hereof will be for the Developer.



2.2 Any conditions stated by the Provincial Roads Engineer must be complied with.

**3. Stormwater**

3.1 The consent letter dated 11 July 2025 for the stormwater line across the property on which the Vlottenburg Primary School is located is acknowledged. We do however request that there be engagement with the school's management during detail design stage to ensure that they are aware of the project and to optimize the design so that all parties may benefit from the stormwater interventions. The usage of the school's sports field must not be negatively impacted by the stormwater infrastructure. The above requirements will be assessed during engineering drawing approval stage.

3.2 Provision must be made for stormwater from the school sports-field to tie into the proposed new pipe network.

3.3 The difference between the pre-and post-development run-off must be attenuated on site, as indicated on **Annexure: Services**. The detention pond, associated stormwater pipelines, inlet and outlet structures and erosion protection must be completed to municipal standards. All earthworks and trimming and shaping of the pond must also be completed. Details of the aforementioned stormwater infrastructure must be clearly indicated on the building plans and/or engineering drawings submitted for approval prior to construction.

**4. Solid Waste**

4.1 Refuse collection must be integrated with the refuse management of the Longlands Estate development.

**5. Servitudes**

5.1 All servitudes as indicated on the Combined Services Layout Drawing No 21209-C-Fig3 Rev B by Lyners dated 2025-07-11 (**Annexure: Services**), and any other servitudes identified at detail design stage, must be registered. The developer will be responsible for the registration of the required servitude(s), as well as the cost thereof.

**6. Installation of Engineering Services**

6.1 Over and above the bulk and external upgrades identified above, each newly created erf (or each building where subdivision is not applicable) must also be fully serviced ito water- and sewer connections, stormwater drainage and roads/access points. All internal and link engineering services for the development must be installed by the developer at his cost.

6.2 Detail engineering drawings must be submitted for approval prior to the commencement of construction. The engineering drawings approval letter issued by the Municipality will constitute the "engineering services agreement" for the provision and installation of services between the municipality and the land owner / developer, as stated in the municipality's land-use planning by-law.

**7. Development Charges (DCs)**

7.1 DCs are payable in accordance with the prevailing and applicable Council DCs Tariffs and DCs Policy at the time of payment prior to the transfer of the first property or approval of any building plans, whichever occurs first. The amount payable will therefore be the amount as calculated according to the approved tariff structure and according to the DCs Policy principles at the time that payment is made.

7.2 A DCs estimate is provided in **Annexure DC**. This calculation is purely provisional, based on the information available at this stage, and a final calculation will be provided prior to payment and based on the final/approved development parameters.

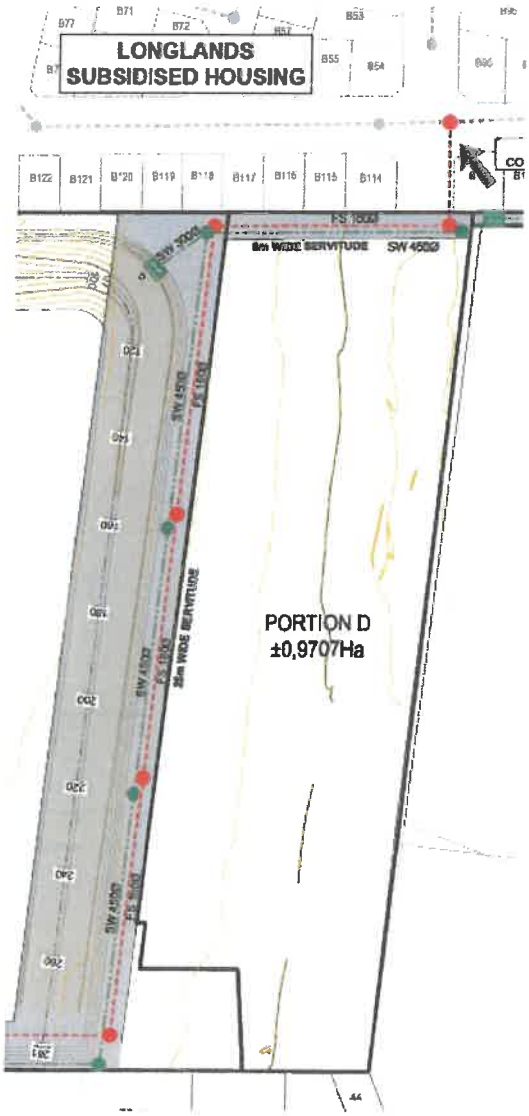
7.3 Where DCs are identified above as a potential funding source for infrastructure projects, the Developer must enter into a DCs Agreement with the Municipality, prior to any work commencing. Any work done or expenditure incurred prior to such an agreement will be at the Developer's own risk.

**8. As - Builts**

8.1 Upon completion, a complete set of as-built drawings, as well as the asset verification information (in the case of municipal services) be submitted in a format acceptable to the Municipality. These drawings must be signed by a professionally registered engineer.

## 9. General

9.1 Portion D, as labelled on the Combined Services Layout Drawing, has been earmarked for social/municipal housing in future. The positioning of services and servitudes across this area must be sensitive to this and try to not sterilize potential development area on Portion D. More detail regarding the compatibility of the services with a potential cadastral layout of Portion D will be required at engineering drawing approval stage.

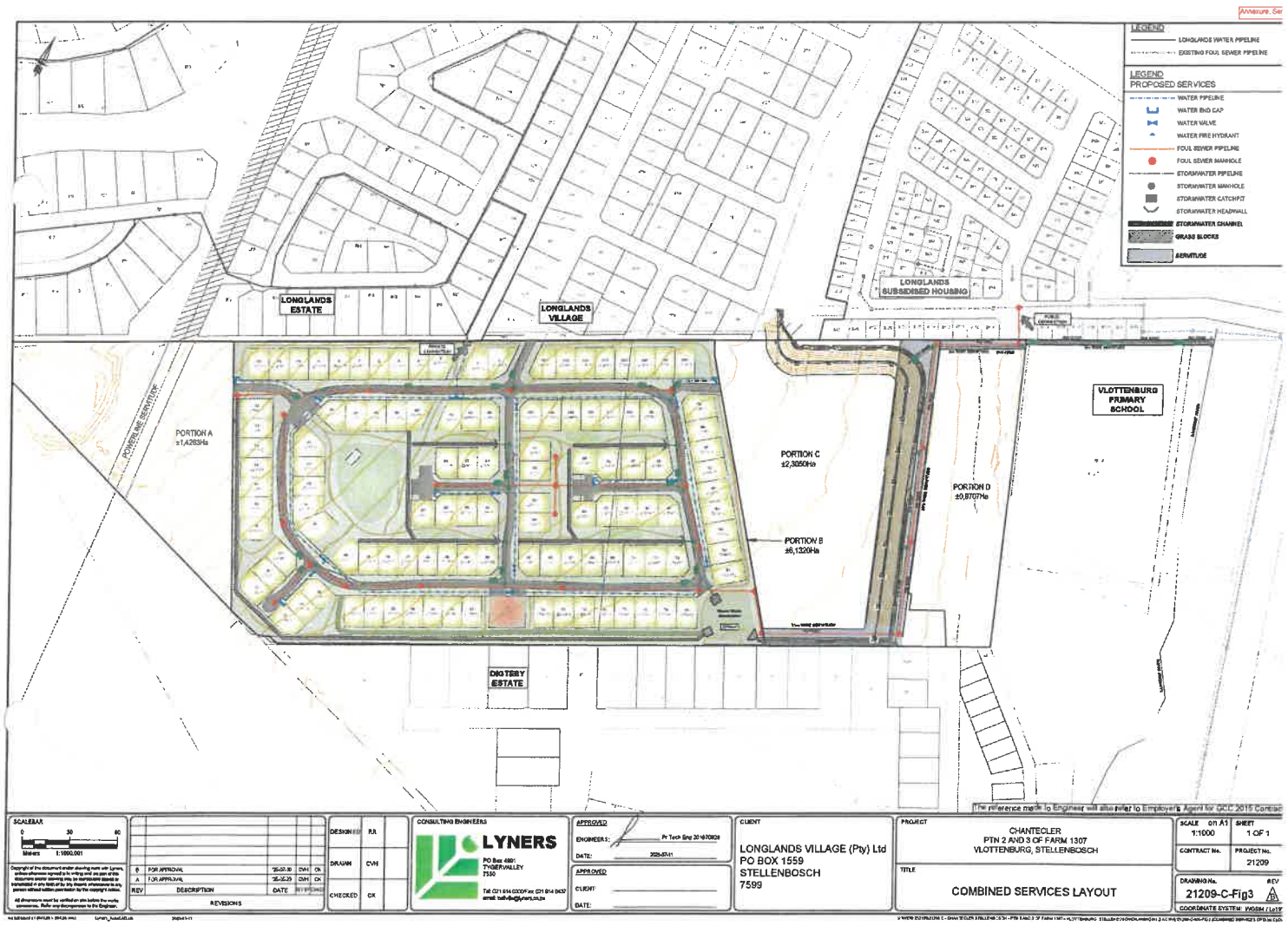


**General Conditions**

10. The implementation of the development wrt the provision of civil engineering services, must comply with the "*General guidelines and standard practices for the provision of civil engineering services for new developments*" as published on the municipality's website and as amended from time-to-time.
11. The design of the civil engineering services for the development must comply with the "*Design Guidelines and Minimum Standards for Civil Engineering Services*" as published on the municipality's website and as amended from time-to-time.
12. The internal services are private. Therefore, all internal services must be maintained by the Developer and/or Owner's Association.
13. The Developer will be held liable for any damage to municipal infrastructure, 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, prior to transfer of the first property or approval of any building plans or occupation certificate, whichever occurs first.

**Tyrone King Pr Tech Eng**
**MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

**W:\2.0 DEVELOPMENT\01 Land Use applications\2853, 2202 (LU11601) 1024 and 1842 (TK) Farm 1307-2 and 3, Chantecler\2853 (TK) Farm 1307-2&3 Stellenbosch (LU-17766 TP919-2024), Chantecler 113 erven\2853 (TK) Farm 1307-2&3 Stellenbosch (LU-17766 TP919-2024)_2.doc**


LEGEND
LONGLANDS WATER PIPELINE
EXISTING FOUL SEWER PIPELINE
LEGEND
PROPOSED SERVICES
WATER PIPELINE
WATER END CAP
WATER VALVE
WATER FIRE HYDRANT
FOUL SEWER PIPELINE
FOUL SEWER MANHOLE
STORMWATER PIPELINE
STORMWATER MANHOLE
STORMWATER CATCHPIT
STORMWATER HEADWALL
STORMWATER CHANNEL
GRASS BLOCKS
SERVITUDE
LONGLANDS ESTATE
LONGLANDS VILLAGE
LONGLANDS SUBSIDISED HOUSING
VLOTTENBURG PRIMARY SCHOOL
POWERLINE SERVITUDE
PORTION A
±1,4283Ha
PORTION C
±2,3050Ha
PORTION D
±0,8707Ha
PORTION B
±0,1320Ha
DIGTEBY ESTATE
SCALEBAR
0
30
60
Meters
1:1000.001
DESIGNED
RA
DRAWN
CVH
CHECKED
CK
REVISIONS
CONSULTING ENGINEERS
LYNERS
PO Box 480
TYGERVALLEY
7536
APPROVED
ENGINEER:
DATE:
APPROVED
CLIENT:
DATE:
CLIENT
LONGLANDS VILLAGE (Pty) Ltd
PO BOX 1559
STELLENBOSCH
7599
PROJECT
CHANTECLER
PTN 2 AND 3 OF FARM 1307
VLOTTENBURG, STELLENBOSCH
TITLE
COMBINED SERVICES LAYOUT
SCALE
1:1000
ON A1
SHEET
1 OF 1
CONTRACT No.
PROJECT No.
21209
DRAWING No.
21209-C-Fig3
REV
A
COORDINATE SYSTEM: WGS84 / Lo19

# Stellenbosch Municipality

## Development Charge Calculation

| APPLICATION INFORMATION | |
|---|---|
| Application Number: | 2853 (TK) Farm 1307-2&3 Stellenbosch (LU-17766 TP919-2024) |
| Development Name: | Chantecler |
| Date: | 11 September 2025 |
| Financial Year: | 2025/2026 |
| Erf Location (Select from 7 Locations): | All |
| School/ECD Category (Select Quintile 1-4 or 5 or N/A) | N/A |
| Erf Region (Select Urban or Rural): | Urban |
| Erf No. / Farm No.: | Farm 1307 2&3 |
| DC Parameters Reference: | Subdivision and Zoning Plan No 1 by TV3 dated 01/10/2024 |

**SUMMARY OF DC CALCULATION**

| Service: | Water | Sewer | Stormwater | Solid Waste | Roads & Transport | Sub Total (Civil Eng Services) | Community | Totals |
|---|---|---|---|---|---|---|---|---|
| Unit(s): | kl/day | kl/day | ha*C | t/week | trips/day | | persons | |
| Total Increased Services Usage: | 79.1 | 67.8 | 2.599 | 4.52 | 452 | | 452 | |
| Total Service Usage Reduction: | 0 | 0 | 0 | 0 | 0.0 | | 0 | |
| Total Service Usage after Reduction: | 79.10 | 67.80 | 2.59900 | 4.520 | 452.0 | | 452 | |
| Charges before adjusting for positive only, before Deductions | R 2 401 098.69 | R 2 420 874.39 | R 467 208.60 | R 478 660.78 | R 3 055 257.17 | R 8 823 099.63 | R 1 887 782.52 | R 10 710 882.15 |
| Charges adjusted for positive only, before Deductions | R 2 401 098.69 | R 2 420 874.39 | R 467 208.60 | R 478 660.78 | R 3 055 257.17 | R 8 823 099.63 | R 1 887 782.52 | R 10 710 882.15 |
| Total Deductions: | R - | R - | R - | R - | R - | R - | R - | R - |
| Total Development Charges Payable (excluding VAT): | R 2 401 098.69 | R 2 420 874.39 | R 467 208.60 | R 478 660.78 | R 3 055 257.17 | R 8 823 099.63 | R 1 887 782.52 | R 10 710 882.15 |
| VAT: | R 360 164.80 | R 363 131.16 | R 70 081.29 | R 71 799.12 | R 458 288.58 | R 1 323 464.94 | R 283 167.38 | R 1 606 632.32 |
| Total Development Charges Payable (including VAT): | R 2 761 263.49 | R 2 784 005.55 | R 537 289.89 | R 550 459.90 | R 3 513 545.74 | R 10 146 564.57 | R 2 170 949.90 | R 12 317 514.47 |

| APPLICANT INFORMATION | |
|---|---|
| Application Processed by: | Tyrone King |
| Signature: | Estimate only |
| Notes: |  DC calc is for the residential erven only. The Agricultural buildings DCs will be calculated at building plan stage. The Multi-Unit residential DCs will be calculated when a subdivision application is submitted. |

All

| | Land Use Category | Unit Type | Existing Usage | | | Proposed New Usage | | | Previously Paid | Charges before Deductions | | | | | Sub Total (excluding VAT) | Municipality | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Description | Unit | Area (m²) | Unit Amount | Rands | Area (m²) | Unit Amount | Rands | Amount | Water | Sewer | Roads | Electricity | Stormwater | | Tax | |
| Residential | Single Residential >1000m2 | du | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Single Residential >500m2 | du | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Single Residential >250m2 | du | | | | | 113 | | 113 | R 2 401 098.69 | R 2 420 874.39 | R 467 208.60 | R 478 860.78 | R 3 055 257.17 | R 8 823 099.63 | R 1 887 782.52 | R 10 710 882.15 |
| | Single Residential <250m2 | du | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Second Dwelling | du | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Less Formal Residential | du | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Group Residential | du | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Apartments | du | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Retirement Village | du | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Old age home | du | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| Accommodation | Student Accommodation/Commune/Hostels | rooms | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Guest House | rooms | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Hotel, Residential | rooms | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| Commercial | General Business | m2 GLA | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Office | m2 GLA | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Retail/Shop | m2 GLA | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Restaurant | m2 GLA | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Outdoor Function / Picnic Area | persons | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Farm Market | stall | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Conference Facility/Place of assembly | m2 GLA | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Hospital/Clinic/Medical Rooms | m2 GLA | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | University/College | student | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | School/Day Care | student | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| Industrial | Industrial - light | m2 GLA | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Industrial - heavy | m2 GLA | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Warehousing/Light Manufacturing | m2 GLA | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Storage Facilities | unit | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| Non Rateable | Open Space/Natural Environment/Utility Site | ha | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | Roads and Parking | ha | | | | | | | 0.0000 | R - | R - | R - | R - | R - | R - | R - | R - |
| Other | To be calculated | n/a | | | | | | | 0.0000 | R - | R - | R - | R - | R - | R - | R - | R - |
| | (Based on equivalent demands) | n/a | | | | | | | 0 | R - | R - | R - | R - | R - | R - | R - | R - |
| | | Total Area: | 0 | | Total Area: | 0 | | | | | | | | | | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Charges before adjusting for positive only, before Deductions | R 2 401 098.69 | R 2 420 874.39 | R 467 208.60 | R 478 860.78 | R 3 055 257.17 | R 8 823 099.63 | R 1 887 782.52 | R 10 710 882.15 |
| Deduct | Charges adjusted for positive only, before Deductions | R 2 401 098.69 | R 2 420 874.39 | R 467 208.60 | R 478 860.78 | R 3 055 257.17 | R 8 823 099.63 | R 1 887 782.52 | R 10 710 882.15 |
| | Deductions per service (from usage reductions) | R - | R - | R - | R - | R - | R - | R - | R - |
| | Discount Deduction (%) Percentage 0.00% | R - | R - | R - | R - | R - | R - | R - | R - |
| | Additional Deduction per service - from Service Agreement (sum) | R - | | R - | R - | R - | R - | R - | R - |
| Totals | Sub Total after Ajustments and Deductions (excluding VAT) | R 2 401 098.69 | R 2 420 874.39 | R 467 208.60 | R 478 860.78 | R 3 055 257.17 | R 8 823 099.63 | R 1 887 782.52 | R 10 710 882.15 |
| | VAT | R 360 164.80 | R 363 131.16 | R 70 081.29 | R 71 799.12 | R 458 288.58 | R 1 323 464.94 | R 283 167.38 | R 1 606 632.32 |
| | Total Development Charges | R 2 761 263.49 | R 2 784 005.55 | R 537 289.89 | R 550 459.90 | R 3 513 545.74 | R 10 146 564.57 | R 2 170 949.90 | R 12 317 514.47 |

# ANNEXURE G

## APPLICATION FOR THE AMENDMENT OF AN APPROVED SUBDIVIONAL PLAN AND SITE DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM NO. 1307/3, STELLENBOSCH DIVISION

## COMMENT FROM THE DEPARTMENT OF INFRASTRUCTURE (TRANSPORT INFRASTRUCTURE BRANCH)

Western Cape Government

Department of Infrastructure
**Vanessa Stoffels**
Chief Directorate: Road Planning
Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

**Ref:** DOI/CFS/RN/LU/REZ/SUB-25/520 (Application No: 2024-11-0096)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
**STELLENBOSCH**
7599

Attention: Mr U von Molendorff

Dear Sir

**PORTION 2 AND PORTION 3 OF FARM 1307, STELLENBOSCH: MAIN ROAD 177 AND DIVISIONAL ROAD 1065: APPLICATION FOR THE AMENDMENT OF THE PROPOSED CHANTECLER ESTATE'S SUBDIVISION PLAN**

1. The following refer:

1.1. The letter 4028-P from TV3 Architects, Town Planners and Urban Designers to you dated 15 October 2024 containing the Application and Motivation Report;

1.2. The Subdivision and Rezoning Plan (4028-P) prepared by TV3 Architects, Town Planners and Urban Designers dated 1 October 2024;

1.3. Concept Subdivision Plan (3604-P) prepared by TV3 Architects, Town Planners and Urban Designers dated 29 August 2024; and

1.4. The letter UDS775/Reports/TIS from UDS Africa Consultants dated 13 November 2024 containing the Traffic Impact Statement (TIS).

2. Main Road 177 (MR177: Polkadraai Road) is affected by this application at the existing access to Longlands Manor which will also serve Portion 2 and 3 of Farm 1307 at ±km26.32 on the right-hand side (RHS). The Bonniemile Service Road has access at the same location on left-hand-side (LHS) as well as Divisional Road 1056 (DR1056: Vlottenburg Road) at ±km0.8 LHS;

3. The application entails the amendment of all previous Subdivision Plans for the subject properties to accommodate the latest proposed changes to the Chantecler residential estate (which will now consist of 113 single residential erven) for the '50-and-over' market also forming part of the Longlands Estate Homeowners' Association (HOA) and will be subject to Longlands Estate's HOA's Constitution and Design Guidelines. The details of the remainder of the development, which consists of agricultural land uses (including a wine cellar) on Portion A and social/group housing units on Portion B, will not change.

4. Previous approvals by Stellenbosch Municipality for the subject properties are as follows:

4.1. 28 January 2015: Approval of the Rezoning and Subdivision to permit the development of the Chantecler residential estate (26 single residential erven), agricultural land uses (including a wine cellar), and 20 group housing units;

4.2. 17 December 2015: Approval of the amendment of the revised Subdivision Plan for 54 single residential erven; and

4.3. 17 November 2020: the Stellenbosch Municipality again approved the amendment of the revised Subdivision Plan.

5. The key findings and recommendations of the TIS are summarised as follows:

5.1. This application aims to increase the number of single residential erven from 54 to 113, targeting the '50-and-over' market, with access via the Longlands Estate and Longlands Manor developments to/from MR177 instead of Digteby Estate.

5.2. The previous approval included 54 erven with access via Digteby Estate.

5.3. Traffic counts and analyses indicate that the signalised MR177/Longlands Manor access/Bonniemile Road intersection can accommodate the additional traffic from the proposed Chantecler residential estate.

5.4. Public transport embayments and non-motorised transport facilities will integrate with the overall Longlands Development.

5.5. Previous approval for the subject property (54 single residential erven) was for access from DR1065 using the existing Digteby Estate access.

5.6. The updated development proposal includes 113 residential erven obtaining access via the Longlands Development onto Polkadraai Road.

5.7. The proposed Chantecler residential estate development has the potential to generate 113 peak hour trips (28 in, 85 out during the AM peak hour and 79 in, 34 out during the PM peak hour), whereas the previous approval had the potential to generate 54 peak hour trips, resulting in an additional 59 trips.

5.8. The signalisation of the MR177/Longlands Manor access/Bonniemile Road intersection is required to accommodate the overall Longlands Development. With the addition of the proposed Chantecler residential estate development traffic via the said access, the signalised intersection is expected to continue operating acceptably.

5.9. The stacking space provided between the Longlands Manor access controls and Polkadraai Road (± 60 metres from Polkadraai Road, providing two inbound lanes as well as a separate lane and boom for service providers/contractors) is considered sufficient with the addition of the proposed Chantecler residential estate development traffic.

5.10. Non-motorised transport facilities would integrate with the Longlands facilities, and public transport embayments are planned along Polkadraai Road (outbound legs of access-intersection) along with the signalisation of the intersection.

6. This Branch offers no objection to the Revised Subdivision and Rezoning Plan (Dwg: 4028-P) as prepared by TV3 Architects, Town Planners and Urban Designers dated 1 October 2024 subject to the following conditions;

6.1. Portion B must only be accessed via Longlands subsidised development off DR1056 at ±km0.8 LHS;

6.2. The MR177/Longlands Manor/Bonniemile Road intersection must be signalized when warranted;

6.3. The traffic signal design, layout and settings must be submitted to our Design Directorate (Mr Faiz Hunter - faiz.hunter@westerncape.gov.za) for final approval;

6.4. All previous approvals and conditions for prior Subdivision Plans for the subject property must be cancelled; and

6.5. Previous approvals and conditions for the Longlands Manor development remain in effect.

6.6. This Branch hereby in terms of Section 11 of Act 21 of 1940 approves the Subdivision of Portions 2 and 3 of Farm 1307 in accordance with the Subdivision and Rezoning Plan (4028-P) dated 1 October 2024 as well as the Concept Subdivision Plan (3604-P) dated 29 August 2024, both prepared by TV3 Architects, Town Planners and Urban Designers.

Yours Sincerely

**DD FORTUIN**
***For* DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH**
**DATE: 28 MARCH 2025**

**ENDORSEMENTS**

1. Stellenbosch Municipality

   Attention: Mr U von Molendorff (e-mail: landuse.enquiries@stellenbosch.gov.za)

2. Clifford Heys

   Attention: Mr C Heys (e-mail: clifford@tv3.co.za)

3. UDS Africa

   Attention: Me Y Obermeyer (e-mail: yolandi@udsafrica.co.za)

4. Mr DD Fortuin (e-mail)

5. Mr B du Preez (e-mail)

6. Mr E Smith (e-mail)

7. Ms R Beukes (e-mail)

# ANNEXURE H

## APPLICATION FOR THE AMENDMENT OF AN APPROVED SUBDIVIONAL PLAN AND SITE DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM NO. 1307/3, STELLENBOSCH DIVISION

## OBJECTIONS RECEIVED

# Belangegroep Stellenbosch Interest Group

5 April 2025

Municipal Application No. LU/17766

Mr Clifford Heys Clifford@tv3.co.za
TV3 PROJECTS (PTY) LTD.
97 Dorp Street
STELLENBOSCH

Mr Stiaan Carstens Stiaan.Carstens@stellenbosch.gov.za
Senior Manager, Land Use Management
Planning and Economic Development
Stellenbosch Municipality

Dear Mr Heys

**APPLICATION FOR THE AMENDMENT OF A SITE DEVELOPMENT PLAN: FARMS 1307/2 AND 1307/3, STELLENBOSCH (ALSO KNOWN AS ERVEN 147 AND 148 VLOTTENBURG, "CHANTECLER")**

1. The Stellenbosch Interest Group (SIG) refers to your e-mail of 6 March 2025, calling for comment on the above-mentioned application by 7 April 2025. The following comments are submitted by SIG for your attention.

2. Having carefully considered the proposed amendment to the approved site development plan, SIG cannot support the proposal for two principal reasons. These reasons relate to vehicular traffic issues, and to the impact the increased density of development will have, not only on the quality of the immediate environment but also on the wider area.

3. From a vehicular traffic perspective, the increased density brought about by the additional number of dwelling units will adversely impact on traffic congestion on the access routes to and from Stellenbosch. From a road safety point of view, the approved (but yet to be constructed) access onto Vlottenburg Road (via the south-east corner of Chantecler) is also preferable to directing additional traffic, via Longlands to the Polkadraai Road. (See attached extract from Cape Farm Mapper). Because of the danger posed by the Longlands access to Polkadraai Road, it would also be preferable to direct Longlands traffic to Vlottenburg Road (via the south-west corner of Chantecler) rather than only to Polkadraai Road. Ideally access to both the Polkadraai and Vlottenburg Roads should be retained for the combined development areas. This is necessary to provide safer access in

both an easterly and westerly direction for both inbound and outbound vehicular traffic. In the longer term it will also be more practical to provide access to Vlottenburg Road to link with future public and non-motorised transport. Thoughtful consideration accordingly needs to be given to road access issues to address road safety concerns and to provide for the integration of various modes of transport. Irrespective of road access issues, however, more than doubling the approved number of conventional residential erven on Portion A of the Site Development Plan, from 53 to 113, is not supported. The absence of supporting infrastructure such as recreation and frail care facilities on Portion A is also unacceptable.

4. Concerning Portion B of the site, 0,97 ha in extent, the proposal to provide 113 Group Housing units on the site (also at more than double the permitted density) is not supported. As you are aware in a Multi-unit Residential Zone the number of Group Housing units is limited to a maximum of 50 units per hectare, not 116 units per hectare as is currently proposed. While in terms Section 80(4) of the Town Planning Scheme it is possible to apply for an increase in the number of Group Housing units, no such application for this purpose has been submitted. In any event, permitting a density of 116 Group Housing Units per ha will result in erven only 82m² in extent. It is also not clear how this site (Portion B) will be served from a traffic or road usage point of view.

5. To conclude, Vlottenburg is regarded as a rural node, not an urban center, and "development should not proceed unless more frequent, flexible public transport can be provided." It is accordingly trusted that the proposed development will be reconsidered in the light of the above-mentioned information and concerns. It is particularly important if not essential that residents of both Longlands Estate and Chantecler Estate have safe and easy access to the broader road network. The proposed density of 116 group houses on Portion B is also unacceptable from an environmental quality point of view and it raises the question as to who this development is intended to serve.

6. While it is accepted that two access points to a consolidated Longlands/Chantecler Development may be more costly to manage if it is gated, the road-safety and other ease of access benefits will be of much greater value to residents/owners of dwellings in such development.

Yours faithfully

Ronnie Donaldson (Chairperson)

10 Digteby Estate
Vlottenburg Road
Stellenbosch

24 Maart 2025

Application Reference number: LU/17766
Application Property Address: Vlottenburg, Stellenbosch
Interest: 10 Digteby Estate is on the boundary of Digteby Estate, overlooking Portion A.

For attention: TV3 Projects (Pty Ltd - Mr C Heys

**Proposal to increase houses in portion A from 53 to 113 erven**

I am objecting to the proposal to increase the number of erven to 113.

1. In the motivation it is stated that the project will be aimed at people at a later stage of their lives. Though it sounds idyllic from a planning point of view, it may be difficult to implement. In my experience of managing a retirement village it is difficult to implement a minimum age. People start with families at a later stage and/or due to economic circumstances more than one generation lives in one house.

   We can potentially end up with student accommodation on our doorstep.

2. The small houses will be an eye sore against the Stellenbosch landscape. The houses will bring the hustle and bustle of city life to us and not the tranquillity that we sought when we invested in Digteby Estate.

3. If more houses sink a borehole/well it may reduce the water to our disposal in DIgteby Estate.

4. Hard landscaping/houses will change the flow of water and impact on the underground water. This will impact availability of ground water to Digteby.

5. The proposed change to the site plan will be an impediment to the increase in the value of my property.

**Portion B – social housing**

I did not have an opportunity to comment on the suggested spot for social housing. The area will be very close to my house and a vineyard will not mitigate noise levels.

**Background:** I live opposite the wooden houses on the corner of Vlottenburg road and Polka road (also referred to as Klein Longlands). On almost a daily basis I have to contact Law Enforcement regarding the loud music coming from that area. In the early morning hours dogs are barking which are most probably dog fights. Law Enforcement has not been able or has no desire to put a stop to the noise.

The above problem with noise is also experienced by people in Digteby Estate living next to our "Portion B" or Klein Digteby. Houses had to be sold as a result and people received negative reviews on Airbnb.

To conclude: Existing owners are impacted negatively by the proposed development as the local municipality cannot ensure that bylaws are implemented.

Kind regards

Rochelle Ueckermann
082 9778471
(Living in Digteby Estate since 2008)

# Comments to the Proposed Amendment of the Subdivision Plan – Farms 1307/2 and 1307/3, Stellenbosch

**To:**

TV3 Projects (Pty) Ltd

**Application reference:** LU/17766

**Address:** Farms 1307/2 and 1307/3, Vlottenburg, Stellenbosch

**Attention:** Clifford Heys

**Date:** 7 April 2025

---

**Dear Clifford,**

I am writing to provide comments on the proposed amendment of the subdivision plan for the Chantecler residential development, as submitted by TV3 Projects (Pty) Ltd. I represent the Valley Collaborative, a community-driven initiative that works to address critical issues such as safety, youth empowerment, food security, housing and infrastructure, substance abuse and wellbeing, and economic empowerment. Our goal is to enhance communication, coordination, and project clarity to effectively tackle these challenges and create a lasting positive impact. We work in the Lynedoch Valley, which includes the Vlottenburg, Vlaeberg and Lynedoch Communities.

As part of this work, we consulted community leaders and residents from Longlands (formerly an informal settlement), Klein Digteby/Sandriff and surrounding Vlottenburg farms, on 19 March at Vlottenburg Primary. Although we anticipated a smaller meeting of 30 people, the meeting was attended by over 100 residents and community leaders (attendance register available upon request), where the urgent need for affordable and dignified housing was clearly expressed. Our submissions are based on engagements with the community and local stakeholders. I do not speak on behalf of all members that are part of the Valley Collaborative, or the entire Vlottenburg and Lynedoch community, but submit these comments as part of the steering committee of the Valley Collaborative.

While we recognise the potential benefits of the development, including the allocation of Portion B for low-cost housing**, there are several concerns that must be addressed to ensure that the project contributes meaningfully to community development and equitable urban growth.

** In this document, we refer to the proposed housing in portion B as low-cost housing, because there is confusion about whether Portion B will include social or gap housing, as the developers' documents mention social housing while the municipality refers to gap housing.

## Key concerns and recommendations

### 1. Ensuring the Delivery of Affordable Housing

- We acknowledge the inclusion of 34 low cost housing units in Portion B. Although these plans have already been approved, it is crucial that clear commitments and mechanisms are put in place to ensure that these units are built and made accessible to qualifying beneficiaries from the greater Vlottenburg community.
- There is confusion in the community about the type of housing planned for Portion B. The developers' documents mention social housing, while the municipality has referred to gap housing in our discussions. We call on the municipality and developers to clearly clarify what type of housing is planned, who it is for, and how it will be allocated. Clear communication is essential for community trust and meaningful participation.
- The delivery of these units ultimately falls under the responsibility of the Stellenbosch Municipality, and we request that the Municipality provide a clear timeline, budget allocation, and enforcement measures to guarantee their completion, before the Subdivision Plan is approved. We also urge the municipality to clarify its role in overseeing the completion of these units and ensuring that they are allocated transparently and fairly.
- In the Longlands Subsidised Housing development, only 106 houses of 145 were built. On the remaining 39 erven, wendy houses were provided. Wendy houses are not considered dignified homes, and concerns were raised of the impact of the temporary homes not only on the families living in the temporary structures, but also the greater community.
- Given the history of the municipality's ongoing failure to manage the houses at the Longlands Subsidised Housing development (as mentioned in the previous point), concerns were raised at our meeting with the community that there is a risk that these new units will face similar challenges.
- We request that the municipality outline how it plans to monitor and enforce these commitments to prevent delays or non-delivery.
- In the alternative, if no plans are in place, we seek clarification on what alternative measures will be taken to address the pressing need for affordable housing in the area, including improving conditions for existing social housing residents.

**2. Insufficient Public Participation**

- Although some level of public participation has occurred, key affected stakeholders, including local institutions like Vlottenburg Primary School and the Ward 20 Committee, did not receive notice of the amendment to the subdivision plan as as required by Section 45 of the Stellenbosch Municipality By-law on Municipal Land Use Planning 2023. This was evident in our engagement with the community on 19 March.
- Effective consultation with community members adjacent to the proposed Chantecler development and greater Vlottenburg area, and whose rights will likely be materially and adversely affected, is critical to ensure that they are able to meaningfully engage and submit meaningful comments during the public participation process.
- Many people living adjacent to the proposed Chantecler development are semi-literate and illiterate and therefore community engagement must ensure that their voices are included and considered during the planning and decision-making processes.

**3. Promoting Inclusive Urban Development**

- We urge the municipality and the developer to consider how this development can contribute to a more integrated and socially cohesive community, rather than reinforcing spatial divisions.

- Opportunities for mixed-income housing should be explored, along with urban planning strategies that prioritise accessibility and inclusivity.

## Conclusion

We believe that this development has the potential to benefit the greater Vlottenburg community if managed correctly in collaboration with community leaders and the municipality. Ensuring transparency, accountability, and meaningful community engagement will be key to its success. By addressing the concerns outlined above, we believe that Stellenbosch Municipality has an opportunity to promote equitable housing development while strengthening trust and participation from affected residents.

We appreciate your consideration of these comments and request confirmation of receipt. Please keep us informed about the next steps in the review process and any opportunities for further public participation.

**Kind regards,**

**Irma Faul**

**The Valley Collaborative Project Manager**

**Contact details:**

irma@sustainabilityinstitute.net

irmafaul@gmail.com

0605855315

**Physical Address:**

29 Digteby Estate

Vlottenburg road

Stellenbosch

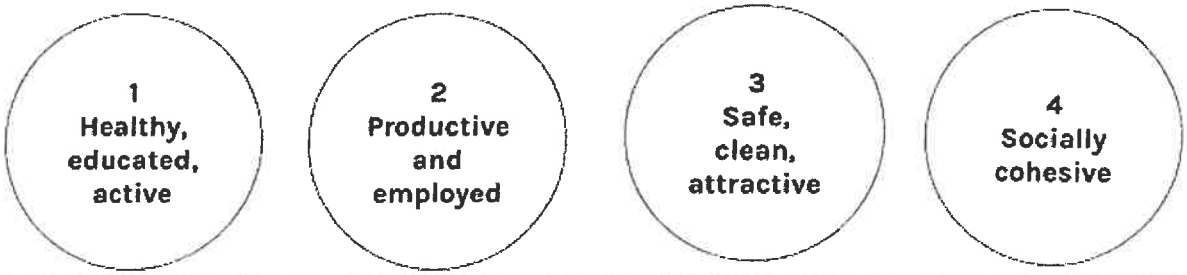
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# About the Valley Collaborative

The Valley Collaborative is a community-driven initiative that tackles critical issues including safety, youth empowerment, food security, housing and infrastructure, substance abuse and wellbeing, and economic empowerment. Our goal is to enhance communication, coordination, and projects jointly to effectively address challenges and create a positive impact. We work in the Lynedoch Valley which includes the Vlottenburg, Watsberg and Lynedoch communities.

## Our aim is to collaborate for a Valley that is:

These focus areas are aligned with the Ranyaka model, the approach that we are following: https://ranyaka.co.za/




## How and why we started:

- The Valley Collaborative began during the COVID-19 pandemic with local leaders addressing food security in the Lynedoch Valley. This evolved into monthly Community Committee meetings, expanding the focus to other areas.
- In 2023, the Collaborative had 20 members, today, this network has grown to 45 volunteers and 80+ active participants*!

*Active participants include people that signed up for action groups, are part of our WhatsApp group, engage regularly in meetings/workshops or have shown interest in other ways.

Vlottenburg After-school program, Vlottenburg Primary, Klein Ma Gerrain Creche, Stellenbosch Waldorf School, Lynedoch Community School, Lynedoch Children's House, Lynedoch Youth Programme

The Living Arts Foundation, Stellenbosch gymnastics

Living Soils Community Learning Farm, Helping Hands Sunday meals, Anna & Dinah's Community Kitchen and 2 other community kitchens in Vlottenburg

Lynedoch EcoVillage, Longlands Subsidised Housing, Klein Digleby, Digleby Estate, Longlands Country Estate

Spier Wine farm, The Sustainability Institute, Vlottenburg Vineyard Church, Longlands Beneficiary Committee, Vlottenburg Neighbourhood watch

**Clifford Heys**

| | |
|---|---|
| **From:** | Johan Schoonwinkel <johan.schoonwinkel@gmail.com> |
| **Sent:** | Sunday, 06 April 2025 14:07 |
| **To:** | Clifford Heys; Nicole.Katts@stellenbosch.gov.za |
| **Cc:** | Carel Lubbe; Waldo Booysen; Debbie Davidson; Monica Brown; JD van Schalkwyk |
| **Subject:** | Comment: Farms 1307/2 and 1307/3, Stellenbosch [LU/17766] proposed Chantecler development |

Dear Clifford,

Address of proposed development: Vlottenburg, Stellenbosch
Property description: Farms 1307/2 and 1307/3, Stellenbosch
Application by: TV3 Projects (Pty) Ltd – C Heys
Owner: Ash Family Trust – M Lange
Application reference number: LU/17766

The trustees of Digteby Estate (which borders the Chantecler development) would like to make the following comments on the proposed development:

1. In principle Digteby Estate supports the development, but we have some concerns which we would like to raise:
1.1 Privacy due to proximity of houses to the northern border of Digteby Estate
1.2 Possible noise pollution from Chantecler main building (erf 114)
1.3 Noise pollution from low cost housing to be built on Portion B

2. Due to the proposed erf sizes and density of plots planned as part of the development, Digteby Estate would like to receive written confirmation of the following:
2.1 The gap between the Digteby Estate northern fence and the first row of plots.
2.2 Confirmation that only single story houses will be built as part of the development (including on erf 114)
2.3 The type of screening which will be used between the fence and the first row of plots on the southern border of the proposed Chantecler development.
2.4 A copy of the registered Chantecler constitution to be shared with Digteby Estate to confirm the minimum required age for residents of the proposed Chantecler estate.
2.5 Plans of houses to be built as part of the proposed Chantecler development to show possible plot boundary walls.

3. Requests from Digteby Estate HOA:
3.1 A 2m hedge to be planted between the Digteby Estate northern fence and the first row of plots to provide a privacy and noise buffer.
3.2 An increase of the distance between the Digteby Estate northern fence and the first row of plots to 15m.
3.3 The Chantecler main building (erf 114) to be moved away from the border of the Digteby Estate northern fence.
3.4 Berm to be built as part of the Chantecler development to also screen proposed low cost housing (on Portion B) from Digteby Estate number 46/83.

3.5 Access road for low cost housing on Portion B to connect to the Klein Digteby access road. This will allow Klein Digteby residents to receive title deeds from the municipality, since it is currently prevented by the lack of an approved access road.

Regards,
Johan Schoonwinkel
On behalf of Digteby Estate HOA
Vlottenburg, Stellenbosch
Cell: 076 735 7505

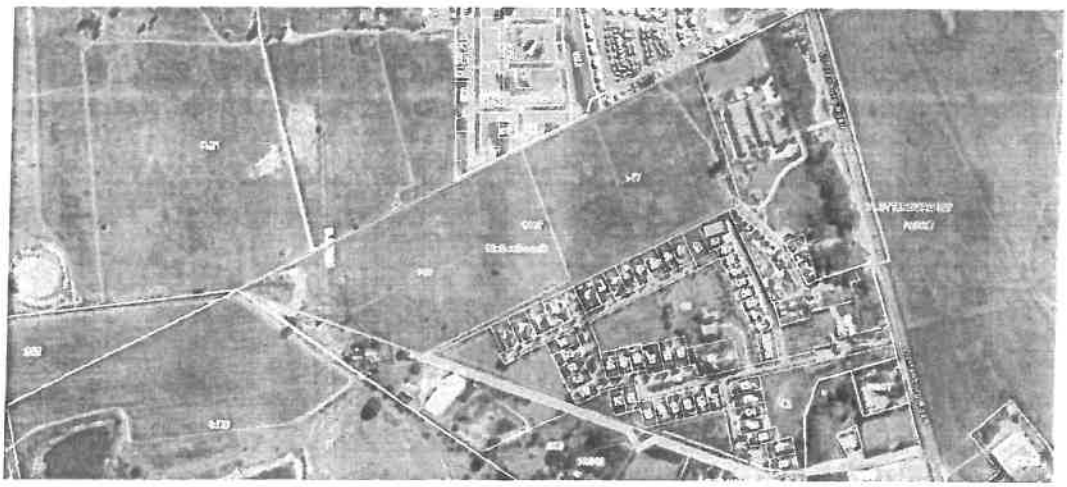
To: **TV3 Projects (Pty) Ltd**
Stellenbosch
Attention: Clifford Heys
Email: clifford@tv3.co.za
Application ref: LU/17766

Dear Sir/Madam,

**Re: COMMENTS ON THE APPLICATION SUBMITTED FOR THE AMENDMENT OF THE APPROVED SUBDIVISION PLAN AND SITE DEVELOPMENT PLAN FOR FARMS 1307/2 AND 1307/3, VLOTTENBERG STELLENBOSCH**

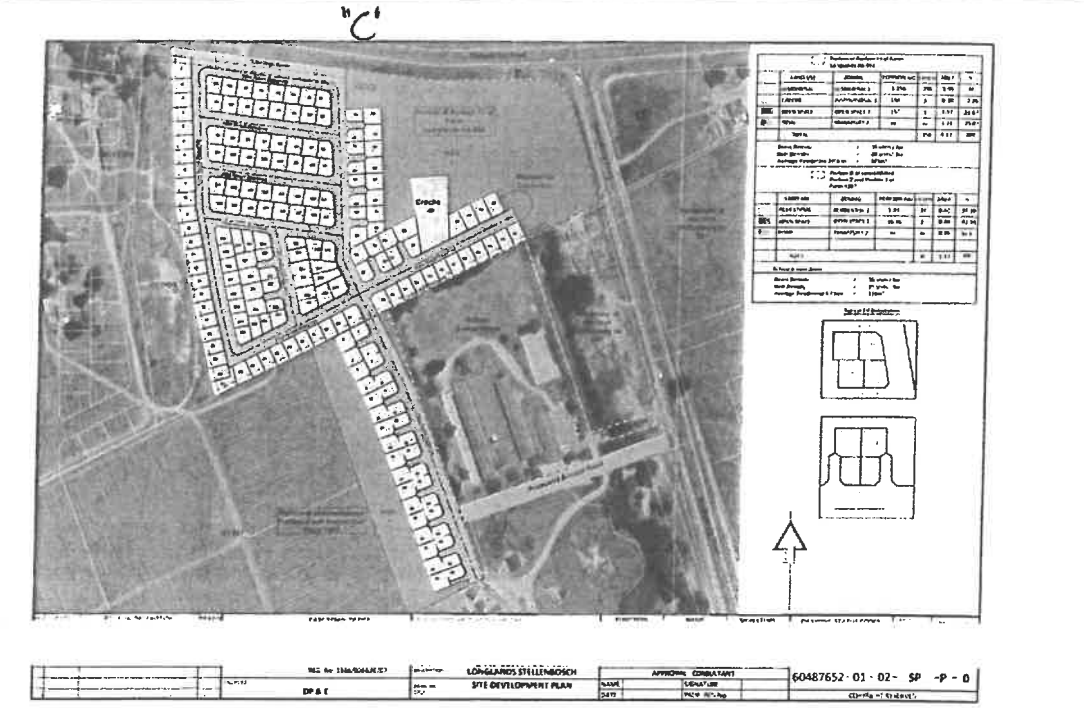
1. We, Amelia Heyns and Edo Heyns, joint owners of Erf 83, Digteby Estate, Vlottenburg, hereby submit our formal comments on the proposed amendment to the subdivision and site development plan for Farms 1307/2 and 1307/3, as outlined in the abovementioned application.

2. Our property, indicated in orange in the diagram below, borders both Portion A and Portion B of the subject farms. As such, we will be directly impacted by the proposed development, particularly on Portion B.



3. The plans for Portion B remain vague. While the 2020 approved plan refers to 34 group housing units, an increase from 20 group homes planned in 2015, no detailed information is provided regarding their location, design, height, quality standards, the buffer zone between Portion B and Digteby, or whether units will be state-funded or

privately developed. This lack of clarity prevents meaningful public engagement and informed decision-making.



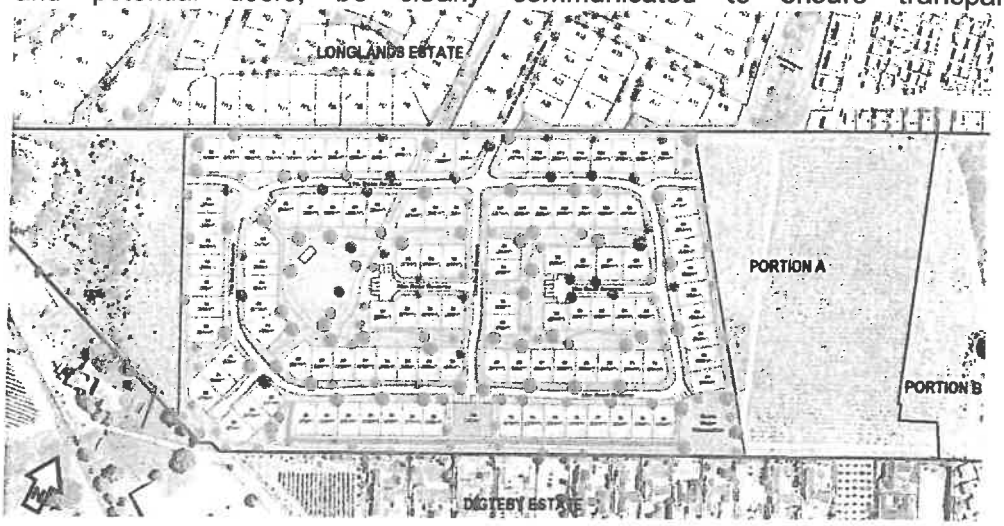

4. The Vlottenburg community is generally peaceful and peri-urban in nature. The introduction of 34 group housing units in close proximity to the local school, the northern boundary of Digteby Estate (where our home is situated), and Klein Digteby raises concerns about increased noise, safety risks, and the potential erosion of the area's peaceful, community character.

5. As an example, the Longlands Subsidised Housing Development demonstrates the risks of inadequate planning. Of the 145 erven there, only 106 have brick houses; the remaining 39 were developed using temporary wooden structures ("wendy homes"). This inconsistency has contributed to a decline in the quality of life, with frequent reports of drug and alcohol abuse, loud music, and occasional gunshots. These can all be heard from our property that lies to the north of Digteby. If similar housing is developed on Portion B, it will likely lead to further community degradation.

6. An assessment of the impact of both Portion A and B is essential. The application documents for Chantecler do not indicate that any Basic Assessment Process has been undertaken under the National Environmental Management Act. While a Basic Assessment was conducted for the Longlands Development, it has not been updated to include the proposed new homes on Chantecler.

7. Further, a traffic impact assessment was conducted for Portion A, however no such assessment appears to have been done for the proposed new road on Portion B. This is concerning, especially given the proximity to the local school, the residents of Klein Digteby, and our home on Erf 83, Digteby Estate.

8. Lastly, the architectural layout includes fencing for the 113 proposed homes, but remains silent on how the remaining portion of Portion A will be used. TV3 has indicated in correspondence (refer to email below) that the current developers do not intend to use the remainder of Portion A. It is essential that the intended future use, and potential users, be clearly communicated to ensure transparency.




**Clifford Heys**
to me

Wed, Mar 12, 6:45 AM

Hi Amelia

Ons kliënt (Abacus) het slegs die residensiële deel by die grondeienaar (Ash Family Trust) gekoop. Abacus sal hierdie residensiële deel ontwikkel en dit insluit by die Longlands Estate (met meegaande sekuriteit).

Die restant van die eiendom – d.w.s. die twee landbou dele en Portion B – behoort steeds aan die Ash Family Trust. Na my wete wil hulle 'n wynkelder daar oprig en die landbou gedeeltes boer. Hulle is ook verantwoordelik vir die ontwikkeling van Portion B. Abacus is nie daarby betrokke nie.

Ek stuur vir jou die hele aansoek dokument per WeTransfer.

Groete

9. We trust that the Municipality will take these concerns into account in its decision-making process, and we look forward to a more transparent, inclusive, and sustainable approach to development in the area.

Yours faithfully,

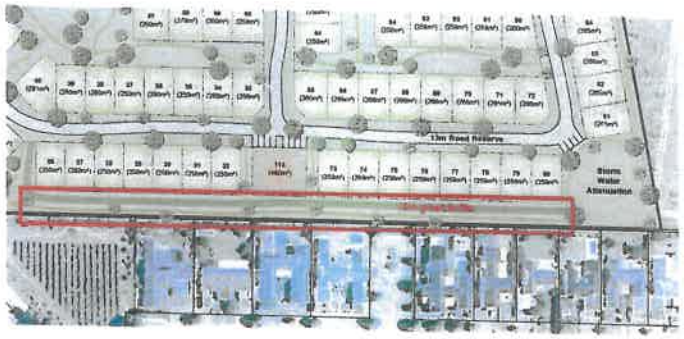
Amelia Heyns
07 April 2025

# ANNEXURE I

## APPLICATION FOR THE AMENDMENT OF AN APPROVED SUBDIVIONAL PLAN AND SITE DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM NO. 1307/3, STELLENBOSCH DIVISION

## COMMENT ON OBJECTIONS

## Table 1: Summary of the comments and objections received and the applicant's response.

| NO. | PERSON / PARTY | ISSUES RAISED | APPLICANT'S RESPONSE |
|---|---|---|---|
| 1. | Digteby HOA | In principle Digteby Estate supports the development, but we have some concerns which we would like to raise:<br><br>- Privacy due to proximity of houses to the northern border of Digteby Estate.<br>- Possible noise pollution from Chantecler main building (erf 114).<br>- Noise pollution from low-cost housing to be built on Portion B. | A 10m wide landscaped corridor is proposed between the new development and the Digteby Estate – see image below.<br><br>  <br><br>The proposed development will be a later living estate, aimed at retirees. The building on erf 114 will serve the needs of the retirees. It is unlikely that this building will lead to noise pollution.<br><br>The development of Portion B into 20 erven was approved by Council in 2015. See extract of Council's decision below:<br><br>4. That **approval be granted** in terms of Sections 25 of the Land Use Planning Ordinance, 1985 (15 of 1985) for the subdivision of Portion B into 20 Residential Zone II erven, 1 Open Space Zone I erf and 1 Transport Zone II erf as per Drawing Number 09473-03, dated 06 July 2011, drawn by EH (Dekker Papendorf Architects) attached as **Appendix 3**. |

| | | | |
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| | | | In 2020 they stated that Portion B must be transferred to Council free of charge. See extract of Council's decision below:<br>(I) Portion B is transferred to the Stellenbosch Municipality free of charge;<br><br>This application only refers to a portion of Portion A (i.e. to amend the Portion A subdivision plan). It does not refer to Portion B or propose any changes to Portion B.<br><br>In other words, complaints about Portion B are not a valid reason to object to the proposed development on Portion A. |
| 2. | Digteby HOA | Due to the proposed erf sizes and density of plots planned as part of the development, Digteby Estate would like to receive written confirmation of the following:<br><br>- The gap between the Digteby Estate northern fence and the first row of plots.<br>- Confirmation that only single-story houses will be built as part of the development (including on erf 114).<br>- The type of screening which will be used between the fence and the first row of plots on the southern border of the proposed Chantecler development.<br>- A copy of the registered Chantecler constitution to be shared with Digteby Estate to confirm the minimum required age for residents of the proposed Chantecler estate.<br>- Plans of houses to be built as part of the proposed Chantecler development to show possible plot boundary walls. | A 10m wide landscaped corridor is proposed between the new development and the Digteby Estate.<br><br>The dwellings will be single storey.<br><br>The proposed development's constitution, landscape plan, and building plans will be submitted to Council for approval, once the planning application has been approved. It is inappropriate for the Digteby Estate to request these documents and plans. |

| | | | |
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| 3. | Digteby HOA | Requests from Digteby Estate HOA:<br><br>- A 2m hedge to be planted between the Digteby Estate northern fence and the first row of plots to provide a privacy and noise buffer.<br>- An increase of the distance between the Digteby Estate northern fence and the first row of plots to 15m.<br>- The Chantecler main building (erf 114) to be moved away from the border of the Digteby Estate northern fence.<br>- Berm to be built as part of the Chantecler development to also screen proposed low-cost housing (on Portion B) from Digteby Estate number 46/83.<br>- Access road for low-cost housing on Portion B to connect to the Klein Digteby access road. This will allow Klein Digteby residents to receive title deeds from the municipality, since it is currently prevented by the lack of an approved access road. | A landscape plan will be submitted to Council for approval, that will adequately screen the new development.<br><br>It appears as if the Digteby Estate's erven have a 4.5m common boundary building line. With the new development, there will be a 10m wide landscaped buffer between the Digteby erven and the new erven, and the new erven will have a 1.5m common boundary building line (as per the Longlands Estate's Design Guidelines). We feel the 10m landscaped buffer and internal 1.5m building line will sufficiently screen the Digteby Estate from the new development.<br><br>The proposed building on erf 114 will not be a clubhouse. The Longlands Estate already has an approved clubhouse with supporting facilities that these residents will use. The building on erf 114 will primarily service the needs of the elderly persons residing there. It will not be a noisy building.<br><br>The existing approval on Portion B remains unchanged and the conditions therein will need to be met. |
| | | | |
| 4. | Stellenbosch Interest Group | From a vehicular traffic perspective, the increased density brought about by the additional number of dwelling units will adversely impact on traffic congestion on the access routes to and from Stellenbosch. From a road safety point of view, the approved (but yet to be constructed) access onto Vlottenburg Road (via the south-east corner of Chantecler) is also preferable to directing additional traffic, via Longlands to the Polkadraai Road. Because of the danger posed by the Longlands access to Polkadraai Road, it would also be preferable to direct Longlands traffic to Vlottenburg Road (via the south-west corner of Chantecler) rather than only to Polkadraai Road. Ideally access to both the Polkadraai and Vlottenburg Roads should be retained for the combined development areas. This is necessary | An independent transport impact assessment was undertaken by UDS transport engineers, and they concluded that the proposed development can be supported from a transport point of view. The Provincial Roads Engineer concurred with UDS, and they support the proposed development.<br><br>Furthermore, the new development will form part of the Longlands Estate and will have access to the Longlands Estate's recreational facilities. |

| | | | |
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| | | to provide safer access in both an easterly and westerly direction for both inbound and outbound vehicular traffic. In the longer term it will also be more practical to provide access to Vlottenburg Road to link with future public and non-motorised transport. Thoughtful consideration accordingly needs to be given to road access issues to address road safety concerns and to provide for the integration of various modes of transport. Irrespective of road access issues, however, more than doubling the approved number of conventional residential erven on Portion A of the Site Development Plan, from 53 to 113, is not supported. The absence of supporting infrastructure such as recreation and frail care facilities on Portion A is also unacceptable. | |
| 5. | Stellenbosch Interest Group | Concerning Portion B of the site, 0,97 ha in extent, the proposal to provide 113 Group Housing units on the site (also at more than double the permitted density) is not supported. As you are aware in a Multi-unit Residential Zone the number of Group Housing units is limited to a maximum of 50 units per hectare, not 116 units per hectare as is currently proposed. While in terms Section 80(4) of the Town Planning Scheme it is possible to apply for an increase in the number of Group Housing units, no such application for this purpose has been submitted. In any event, permitting a density of 116 Group Housing Units per ha will result in erven only 82m² in extent. It is also not clear how this site (Portion B) will be served from a traffic or road usage point of view. | As explained in row 1 of this table, this application only refers to a portion of Portion A (i.e. to amend the Portion A subdivision plan). It does not refer to Portion B or propose any changes to Portion B.<br><br>Portion B will be developed in accordance with Council's approval and the transfer of Portion B to the Stellenbosch Municipality can be a condition of approval (in the approval of the proposed 113 erven).<br><br>Abacus Development Company will undertake the role of implementing agent for the roll out of Portion B works at no cost to the Stellenbosch Municipality. |
| 6. | Stellenbosch Interest Group | Vlottenburg is regarded as a rural node, not an urban center, and "development should not proceed unless more frequent, flexible public transport can be provided." It is accordingly trusted that the proposed development will be reconsidered in the light of the above-mentioned information and concerns. It is particularly important if not essential that residents of both | As explained in the land use planning application, the new development intends to serve elderly and retired persons. It will not be a traditional old age home or retirement village (with all the supporting medical care facilities), but it will be designed for and accessible by elderly persons. |

| | | | |
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| | | Longlands Estate and Chantecler Estate have safe and easy access to the broader road network. The proposed density of 116 group houses on Portion B is also unacceptable from an environmental quality point of view, and it raises the question as to who this development is intended to serve. | We fail to see how the provision of smaller homes for elderly persons will harm the "*environmental quality*". Nor do we feel there is a need for additional public transport systems to accommodate these elderly persons. |
| 7. | Stellenbosch Interest Group | While it is accepted that two access points to a consolidated Longlands/Chantecler Development may be more costly to manage if it is gated, the road-safety and other ease of access benefits will be of much greater value to residents/owners of dwellings in such development. | As explained in row 4 of this table, an independent transport impact assessment was undertaken by UDS transport engineers, and they concluded that the proposed development can be supported from a transport point of view. The Provincial Roads Engineer concurred with UDS, and they support the proposed development. A 2nd access point is therefore not necessary from a transport point of view and is not required. |
| | | | |
| 8. | Rochelle Ueckermann | In the motivation it is stated that the project will be aimed at people at a later stage of their lives. Though it sounds idyllic from a planning point of view, it may be difficult to implement. In my experience of managing a retirement village it is difficult to implement a minimum age. People start with families at a later stage and/or due to economic circumstances more than one generation live in one house. We can potentially end up with student accommodation on our doorstep. | The new development will not be student accommodation.<br><br>A minimum age for the residents will be written into the Constitution to ensure that it remains a development for elderly and retired people. |
| 9. | Rochelle Ueckermann | The small houses will be an eye sore against the Stellenbosch landscape. The houses will bring the hustle and bustle of city life to us and not the tranquillity that we sought when we invested in Digteby Estate. | As the objector has not yet seen the house design, we feel she is acting prematurely to claim that the houses "*will be an eye sore*". The house design will complement the architectural style of the Longlands Estate and will not be an eye sore.<br><br>Furthermore, as a development for elderly persons, we disagree with the objector that it will bring the "*hustle and bustle of city life*" to the Digteby Estate. It will, in all probability, be quieter than the surrounding residential developments (including the Digteby |

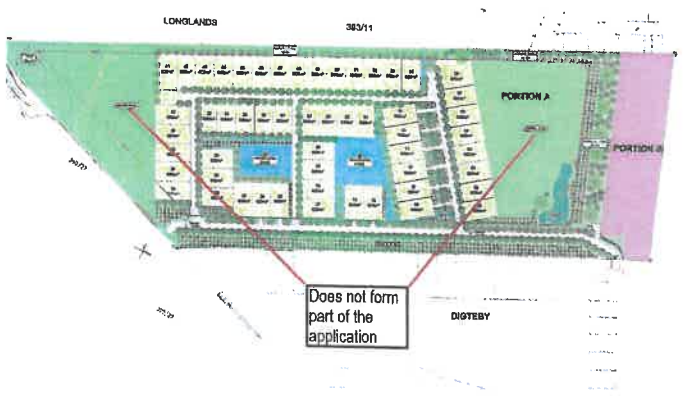
| | | | |
|---|---|---|---|
| | | | Estate). |
| 10. | Rochelle Ueckermann | If more houses sink a borehole/well it may reduce the water to our disposal in Digteby Estate. | Not that it is relevant to the planning application, but there are currently no plans for each new landowner to sink a borehole. The new development will link to municipal services (including water). |
| 11. | Rochelle Ueckermann | Hard landscaping/houses will change the flow of water and impact on the underground water. This will impact availability of ground water to Digteby. | This is not a 'green field' development proposal. The proposed residential development on a portion of Portion A is located on land that has already been approved for the development of residential erven and the engineering department supports the development from inter alia a stormwater point of view. |
| 12. | Rochelle Ueckermann | The proposed change to the site plan will be an impediment to the increase in the value of my property. | We disagree with the objector's claim. It is our opinion that the establishing of a high-end residential product on abutting land will rather have a positive impact on the objector's property value. |
| 13. | Rochelle Ueckermann | I did not have an opportunity to comment on the suggested spot for social housing. The area will be very close to my house and a vineyard will not mitigate noise levels. | This application does not relate to Portion B (the social housing portion that was approved by Council in 2015). |
| 14. | Rochelle Ueckermann | I live opposite the wooden houses on the corner of Vlottenburg road and Polka Road (also referred to as Klein Longlands). On almost a daily basis I must contact Law Enforcement regarding the loud music coming from that area. In the early morning hours dogs are barking which are most probably dog fights. Law Enforcement has not been able or has no desire to put a stop to the noise. | As mentioned in row 13, this application does not relate to Portion B (the social housing portion that was approved by Council in 2015). |
| 15. | Rochelle Ueckermann | The above problem with noise is also experienced by people in Digteby Estate living next to our "Portion B" or Klein Digteby. Houses had to be sold as a result and people received negative | As mentioned in row 13, this application does not relate to Portion B (the social housing portion that was approved by Council in 2015). |

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| | | reviews on Airbnb. | |
| 16. | Rochelle Ueckermann | Existing owners are impacted negatively by the proposed development as the local municipality cannot ensure that bylaws are implemented. | As mentioned in row 13, this application does not relate to Portion B (the social housing portion that was approved by Council in 2015). |
| | | | |
| 17. | Irma Faul | Ensuring the Delivery of Affordable Housing:<br><br>- We acknowledge the inclusion of 34 low-cost housing units in Portion B. Although these plans have already been approved, it is crucial that clear commitments and mechanisms are put in place to ensure that these units are built and made accessible to qualifying beneficiaries from the greater Vlottenburg community.<br>- There is confusion in the community about the type of housing planned for Portion B. The developers' documents mention social housing, while the municipality has referred to gap housing in our discussions. We call on the municipality and developers to clearly clarify what type of housing is planned, who it is for, and how it will be allocated. Clear communication is essential for community trust and meaningful participation.<br>- The delivery of these units ultimately falls under the responsibility of the Stellenbosch Municipality, and we request that the Municipality provide a clear timeline, budget allocation, and enforcement measures to guarantee their completion, before the Subdivision Plan is approved. We also urge the municipality to clarify its role in overseeing the completion of these units and ensuring that they are allocated transparently and fairly.<br>- In the Longlands Subsidised Housing development, only 106 houses of 145 were built. On the remaining 39 erven, | This objection relates to the social housing development on Portion B, and as explained in row 1 of this table, this application only refers to a portion of Portion A (i.e. to amend the Portion A subdivision plan). It does not refer to Portion B or propose any changes to Portion B.<br><br>Portion B will be developed in accordance with Council's approval and the transfer of Portion B to the Stellenbosch Municipality can be a condition of approval (in the approval of the proposed 114 erven).<br><br>Abacus Development Company will undertake the role of implementing agent for the roll out of Portion B works at no cost to the Stellenbosch Municipality. |

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| | | wendy houses were provided. Wendy houses are not considered dignified homes, and concerns were raised of the impact of the temporary homes not only on the families living in the temporary structures, but also the greater community.<br>- Given the history of the municipality's ongoing failure to manage the houses at the Longlands Subsidised Housing development (as mentioned in the previous point), concerns were raised at our meeting with the community that there is a risk that these new units will face similar challenges.<br>- We request that the municipality outline how it plans to monitor and enforce these commitments to prevent delays or non-delivery.<br>- In the alternative, if no plans are in place, we seek clarification on what alternative measures will be taken to address the pressing need for affordable housing in the area, including improving conditions for existing social housing residents. | |
| 18. | Irma Faul | Insufficient Public Participation:<br><br>- Although some level of public participation has occurred, key affected stakeholders, including local institutions like Vlottenburg Primary School and the Ward 20 Committee, did not receive notice of the amendment to the subdivision plan as as required by Section 45 of the Stellenbosch Municipality By-law on Municipal Land Use Planning 2023. This was evident in our engagement with the community on 19 March.<br>- Effective consultation with community members adjacent to the proposed Chantecler development and greater Vlottenburg area, and whose rights will likely be materially and adversely affected, is critical to ensure that they are | The public participation was undertaken in accordance with the municipal advertising instructions. Furthermore, voluntary consultations and meetings were held with the ward councillor and members of the public (including the Digteby Estate's HOA).<br><br>Based on the type of application submitted (and the proposed changes to the approved layout), we feel the level of public participation was sufficient. |

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| | | able to meaningfully engage and submit meaningful comments during the public participation process.<br>- Many people living adjacent to the proposed Chantecler development are semi-literate and illiterate and therefore community engagement must ensure that their voices are included and considered during the planning and decision-making processes. | |
| 19. | Irma Faul | Promoting Inclusive Urban Development:<br><br>- We urge the municipality and the developer to consider how this development can contribute to a more integrated and socially cohesive community, rather than reinforcing spatial divisions.<br>- Opportunities for mixed-income housing should be explored, along with urban planning strategies that prioritise accessibility and inclusivity. | The new development only entails the redesign of an approved layout. With the original planning approval of 2015, Council identified Portion B as the greater development's social housing component, to create an integrated and inclusive urban development. No changes to Council's approval of Portion B are proposed with this application. It will be implemented in accordance with Council's approval. |
| | | | |
| 20. | Amelia Heyns | Our property, indicated in orange in the diagram below, borders both Portion A and Portion B of the subject farms. As such, we will be directly impacted by the proposed development, particularly on Portion B. | The objector borders onto Portion B – which does not form part of this application. The objector's house is located ±100m from the nearest residential erf in the new development – see image below. |

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| | | |  <br>For the objector to claim that the new development will negatively impact them is insincere. |
| 21. | Amelia Heyns | The Vlottenburg community is generally peaceful and peri-urban in nature. The introduction of 34 group housing units near the local school, the northern boundary of Digteby Estate (where our home is situated), and Klein Digteby raises concerns about increased noise, safety risks, and the potential erosion of the area's peaceful, community character. | The objector is referring to the social housing component on Portion B that was approved by Council in 2015.<br><br>As explained in row 1 of this table, this application only refers to a portion of Portion A (i.e. to amend the Portion A subdivision plan). It does not refer to Portion B or propose any changes to the development rights of Portion B. |
| 22. | Amelia Heyns | As an example, the Longlands Subsidised Housing Development demonstrates the risks of inadequate planning. Of the 145 erven there, only 106 have brick houses; the remaining 39 were developed using temporary wooden structures ("wendy homes"). This inconsistency has contributed to a decline in the quality of life, with frequent reports of drug and alcohol abuse, loud music, and occasional gunshots. These can all be heard from our property that lies to the north of Digteby. If similar housing is developed on Portion B, it will likely lead to further | This application does not refer to Portion B. |

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| | | community degradation. | |
| 23. | Amelia Heyns | An assessment of the impact of both Portion A and B is essential. The application documents for Chantecler do not indicate that any Basic Assessment Process has been undertaken under the National Environmental Management Act. While a Basic Assessment was conducted for the Longlands Development, it has not been updated to include the proposed new homes on Chantecler. | The proposed amendment of the approved layout does not require the Department of Environmental Affairs & Development Planning's authorisation. |
| 24. | Amelia Heyns | Further, a traffic impact assessment was conducted for Portion A, however no such assessment appears to have been done for the proposed new road on Portion B. This is concerning, especially given the proximity to the local school, the residents of Klein Digteby, and our home on Erf 83, Digteby Estate. | This application does not refer to Portion B. |
| 25. | Amelia Heyns | The architectural layout includes fencing for the 113 proposed homes but remains silent on how the remaining portion of Portion A will be used. TV3 has indicated in correspondence that the current developers do not intend to use the remainder of Portion A. It is essential that the intended future use, and potential users, be clearly communicated to ensure transparency. | The remainder of Portion A (i.e. the two agricultural portions that bookends the application area) does not form part of this application – see image below.<br>  |

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| | | | It will remain zoned for agricultural purposes and will be developed in accordance with Council's 2015 approval. |
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# ANNEXURE J

**APPLICATION FOR REZONING TO SUBDIVISIONAL AREA & SUBDIVISION: FARM NO. 1307/2 AND FARM NO. 1307/3 (TO BE CONSOLIDATED), STELLENBOSCH DIVISION**

# APPLICANT'S SUBMISSION ON THE MPT's REQUEST

since 1991 tv3
ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
97 DORP STREET
STELLENBOSCH 7600
TEL 021 861 3800

Our Reference: 4028-P
Application No: LU/17766

18 March 2026

Directorate: Planning and Economic Development
Stellenbosch Municipality
Town House
**7600 STELLENBOSCH**

**Attention: Ms. Chrizelle Kriel**

Madam

**CHANTECLER: DEVELOPMENT OF FARMS 1307/2 AND 1307/3, STELLENBOSCH**

1. We refer to the meeting on Thursday (12 March 2026) with yourself and Louisa Engelbrecht to discuss the MPT's reasons for not taking a decision.

2. At the MPT meeting of 27 February 2026 it was decided that the application be referred back to the Municipality, to address the matters and concerns that were raised by the MPT. In the MPT meeting's minutes the following points were raised:

- There is general support for the proposed increase density of the development.

- The proposed revised access and egress on Polkadraai Road appear acceptable.

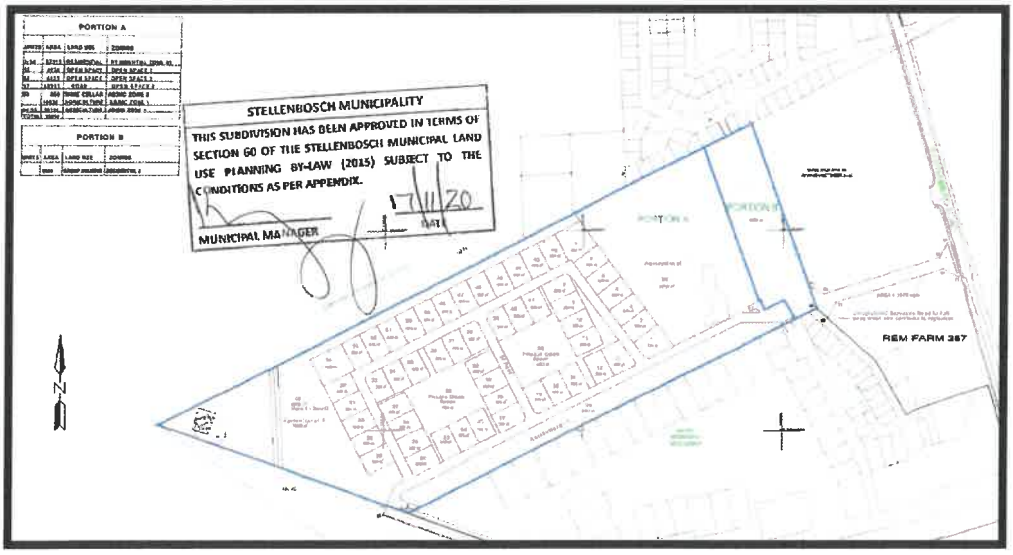
- However, the following items need to be explored with the applicant / developer:

  - The integrated future development of the Vlottenburg precinct and the subject land holding as a whole, including considering an appropriate future for holdings currently listed as Portion A and Portion B as part of the implementation of the development.
  - This should consider the broader community needs, for example increased affordable or social housing, communal sport fields, public open space, etc.

3. In other words, the MPT's main concerns related to (1) the two agricultural portions and (2) the social housing component – see image below.




4. Before we respond to the MPT's concerns, it is important to remember that in 2015 and again in 2020 Council approved the Chantecler Subdivision Plan that consisted of a Portion A (with 54 single residential erven and two agricultural portions) and a Portion B (for social housing purposes) – see image below of the approved Subdivision Plan.




5. With this application, the Chantecler residential layout (located in Portion A) will be amended to increase the residential density by reducing the individual erf sizes and by increasing the number of single residential erven from 54 to 113 – see image below of the amended and proposed Subdivision Plan.




6. The development details of the remainder of the development – consisting of the two agricultural portions and the social housing component – will not change. It will remain as agreed with and approved by Council. We do not have a mandate to amend any of the land uses on the agricultural portions or the social housing component. These land uses have been agreed with Council when they approved the Subdivision Plan in 2015 and again in 2020.

7. With regards to the future of two agricultural portions:

- Council's 2015 and 2020 approvals w.r.t. the agricultural portions will remain unchanged.
- Our client (Abacus) has entered into an agreement with the landowner, to purchase only the single residential portion of Chantecler.
- They have also signed a '*First Right of Refusal*' with the landowner, to purchase the two agricultural portions if the landowner were ever to sell.
- If successful, our client's long-term plan will be to extend the Longlands Life estate into these areas, with the same conditions applicable to Longlands Life.
- Such a proposal will be subject to the necessary planning applications and approvals.
- However, at this time, our client cannot put forward any proposals as they do not own the agricultural portions.

- The agricultural portions will form part of the Longlands Estate, and an internal access road will be provided to link the agricultural portions.

8. With regards to Portion B and the social benefits and development contributions that will be realized by the proposed development:

- Vlottenburg is not identified as a priority development area i.t.o. the MSDF, and for this reason, the Inclusionary Zoning Policy is not applicable.
- Nevertheless, despite the Inclusionary Zoning Policy not being applicable, a ±1ha portion of the subject property will be transferred cost-free to Council for social housing purposes.
- Council must still finalise the internal layout and urban design of Portion B, but it is proposed directly next to the Vlottenburg Primary School to provide access to educational and sports facilities.
- Additional social benefits that will be realised with the proposed development – over and above the ±1ha land parcel that will be given to Council cost-free – include the payment of DC's and municipal rates & taxes for 113 erven (in lieu of 54 erven).
- The payment of DCs will amount ±R12.3 million (a once off payment to Council) and municipal rates & taxes to the amount of ±R3 million (per annum).
- This is a significant financial gain for the Stellenbosch Municipality, and these additional funds can be used by Council on social projects in Vlottenburg.
- Our client has offered their services cost-free to Council to be the implementing agent for the development of Portion B.
- The residential density will be increased by reducing the erf sizes (akin to constructing 2nd dwellings on the approved 54 erven), but the development footprint will not be enlarged.
- Given that our erf sizes have halved and we have limited the top structures to a single storey, the bulk on the site will end up very similar to that of the existing approval on 600m² erven that can be double storey. In other words, the increase in the number of erven will not necessarily lead to an increase in the development's bulk.
- The layout – which creates the perceived buffer between the housing developments (as claimed by the MPT) – was approved by Council in 2015 and again in 2020. This application relates only to the densification of the single residential component and will (in essence) not change the layout that was previously considered desirable by Council.

9. We trust this information will suffice in finalising the application and submitting it to the MPT for a decision. However, if you have any queries or require any additional information, please feel free to contact the undersigned.

Yours faithfully



**CLIFFORD HEYS**
**TV3 PROJECTS (PTY) LTD**

# MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON FRIDAY, 27th OF FEBRUARY 2026 AT THE PNIEL LIBRARY HALL, MAIN ROAD, PNIEL, FROM 10H00-15H00

**Ref. no. 3/4/5/2/40**
**2026-02-27**

Chairperson
Mrs H Crooijmans-Lemmer

Deputy-Chairperson
Mr P Van Zyl

External Members
Mrs C Havenga
Mr S Boshoff

Internal Members
Mr A van der Merwe: Senior Manager- Community Services
Mr M Williams: Senior Legal Advisor
Mr J Benjamin: Senior Manager – Development Planning
Mrs M Francis: Senior Manager - Infrastructure Planning, Development, and Implementation

Technical Advisor
Mr K Munro: Director Development Management, Department Environmental Affairs and Development Planning

Officials
Mr S Carstens: Senior Manager: Development Management
Mrs C Kriel: Manager: Land Use Management
Mrs O Vergotine: Administrative Officer
Mrs L Engelbrecht: Senior Town Planner
Ms B Zondo: Senior Town Planner
Mr G Goosen: Senior Town Planner

**MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 27 FEBRUARY 2026**

| ITEM | SUBJECT |
|---|---|
| SMPT 01/02/26 | **OPENING AND WELCOME** |
| | Chairperson Crooijmans-Lemmer welcomed all present. |

| SMPT 02/02/26 | **LEAVE OF ABSENCE** |
|---|---|
| | Mr D Leo<br>Mr A Barnes: Director - Planning and Economic Development<br>Councillor: T Kumm |

| SMPT 03/02/26 | **DISCLOSURE OF INTERESTS** |
|---|---|
| | None received |

| SMPT 04/02/26 | **MINUTES OF THE PREVIOUS MEETING DATED 21 November 2025** |
|---|---|
| | The minutes of the previous meeting was noted. |

| | **MATTERS FOR CONSIDERATION** |
|---|---|
| SMPT 05/02/26 | **APPLICATION FOR REZONING TO SUBDIVISIONAL AREA & SUBDIVISION: FARM NO. 1307/2 AND FARM NO. 1307/3 (TO BE CONSOLIDATED), STELLENBOSCH DIVISION**<br><br>**Discussion:**<br><br>a. Chairperson Crooijmans-Lemmer handed over to Mrs L Engelbrecht to give a brief introduction of the application that served before the Tribunal.<br>b. Overall, it is the opinion of the MPT that the bigger picture has not been resolved by the applicant as there appears to be no consideration to connect and integrate the different areas of development.<br>c. Questions were raised regarding the purpose of Portion A and Portion B of the former and current development proposal. Clarity was given based on the applicant's motivation that Portion A will keep its current zoning to be used for agricultural activities, while Portion B is earmarked for a municipal housing project |

adjacent to the Longlands Village development. However the above results in an increasingly fragmented and segregated urban form.

d. A question was raised whether the application to be considered is only restricted to the housing estate component that was submitted in the application as an amendment for subdivision, or if the rest of the property should also be regarded as being part of the current application and therefore subject to reconsideration. It was confirmed that the approach of the initial application was for the amendment of the subdivision plan to increase the density of the approved conventional residential component to more than double. As the former subdivisional area zoning did not support the proposed increased density, the approach of the application had to be amended to establish a new subdivisional area zone that will support and permit such increased density and the associated subdivision plan. As such, the total property must be subject to the application and decision.

e. Regarding the clarity obtained on the scope of the application, and having regard that the previous agreements relating to the social housing contribution on Portion B are still applicable, concerns were raised on the principle that a significant increase in residential opportunities are petitioned in the current application, whilst the associated contribution to the social housing development component have not been re-considered. As the area is not identified as a priority development area in the MSDF, it is noted that the Inclusionary Zoning Policy is not enforceable, but the application for enhanced densities and the social housing agreement does present a similar opportunity to review the social development contribution. The layout currently creates a buffer between the housing developments. The available vacant land can instead offer opportunities for (much needed) sport and recreation facilities for the community as well as an increase of the Social Housing component.

f. The rationale of the original development concept and proposal presented the agricultural portions of the property as being inherent design features of the envisaged estate development. The current application still alludes to present the agricultural land as an open space design element of the development but does not clarify the continued purpose of these agricultural components and this matter should be clarified and the rationale of the agricultural components as part of the proposed development should be reinforced as part of the development and to be owned and managed as communal land by the HOA to the benefit of the wider community.

**UNANIMOUSLY RESOLVED:**

1. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, 2023, on Farm No. 1307/2 and Farm No. 1307/3, Stellenbosch Division namely:

1.1 The **rezoning** of the consolidated property in terms of Section 15(2)(a) of the said Bylaw from the Subdivisional Area Zone as approved in 2015 to a Subdivisional Area to allow for the following uses:

*a) Hundred and thirteen (113) x* ***Conventional Residential Zone*** *erven (erven 1 – 113) and approximately 2,93ha in extent, for dwelling houses.*

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| | *b) Six (6) x **Private Open Space Zone** erven (114-119) and approximately 1,79ha in extent, for open space purposes.*<br><br>*c) One (1) x **Private Open Space Zone** erf (120) and approximately 1,40ha in extent for private road purposes.*<br><br>*d) One (1) x **Agriculture and Rural Zone** erf (121) and approximately 2,3ha in extent for agricultural purposes.*<br><br>*e) One (1) x **Agriculture and Rural Zone** erf (122) and approximately 1,43ha in extent for agricultural purposes and a wine cellar (agricultural industry).*<br><br>*f) One (1) x **Multi-Unit Residential Zone** erf (Portion B) and approximately 0,97ha in extent for group housing purposes.*<br><br>1.2 The **subdivision** of the consolidated property in terms of Section 15(2)(d) of the said Bylaw in accordance with Subdivision Zoning Plan No 1, 01 October 2024, and drawn by TV3 Architects Town Planners and Urban Designer; to allow for a residential development on Portion A in accordance with the subdivisional area zone above.<br><br>**BE REFERRED BACK** to the Municipality, in order to address the matters and concerns that was raised by the MPT.<br><br>2. Noting the following matters:<br><br>2.1 There is general support for the proposed increase density of the development.<br>2.2 The proposed revised access and egress on Polkadraai Road appear acceptable.<br>2.3 However, the following items need to be explored with the applicant / developer:<br>2.3.1 The integrated future development of the Vlottenburg precinct and the subject land holding as a whole, including considering an appropriate future for holdings currently listed as Portion A and Portion B as part of the implementation of the development.<br>2.3.2 This should consider the broader community needs, for example increased affordable or social housing, communal sport fields, public open space etc. |
| **SMPT 6/02/26** | **APPLICATION FOR CONSENT USE ON FARM 140/3 KYLEMORE**<br><br>**Discussion:**<br><br>a. Chairperson Crooijmans-Lemmer handed over to Mrs B Zondo to give a brief introduction of the application that served before the Tribunal.<br>b. Discussions follow about the desirability of the proposal in an area where the rural character is changing due to the major construction works on adjacent properties. On its own the proposal might be acceptable but not clarifying the |

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| | current uses which constitutes a contravention of the zoning scheme, the misrepresentation is noted.<br>c. The Municipality confirmed that a process for the drafting of a Local SDF for the area has commenced. It was also confirmed that the construction on the adjacent properties is in compliance with approved building plans.<br><br>**UNANIMOUSLY RESOLVED:**<br><br>1. That the following application(s) in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm 140/3 Kylemore for a **Consent Use** to construct the proposed second dwelling unit and utilise the second dwelling unit as three (3) bedrooms guest house.<br><br>**BE REFUSED** in terms of Section 60 of the said Bylaw.<br><br>2. **The reasons for the above decision are as follows:**<br><br>2.1 The proposal is in conflict with the applicable Stellenbosch Zoning Scheme By-law, on its presentation and not in line with the intent of the zoning scheme.<br><br>2.2 The proposal is submitted and motivated as a second dwelling unit, while a site inspection conducted revealed that the existing pool house with bar is being utilised/converted to a second dwelling unit in contravention with the approval, thereby constituting a misrepresentation of current uses.<br><br>2.3 Establishing a third dwelling unit on a property situated within an agricultural and rural zone is not permitted on properties smaller than 10 ha.<br><br>2.4 In the event that the pool house has not been converted, the proposed development would nevertheless have a detrimental impact on the surrounding low-density rural agricultural area, as well as on the broader cultural landscape of the Dwarsriver Valley.<br><br>2.5 The application is misleading and not consistent with the vision of the MSDF to preserve agricultural land and maintain the rural character of the area and may be regarded as contributing to urban sprawl.<br><br>2.6 The property is located adjacent and just outside of the approved urban edge within a transitional area which forms the buffer between the Kylemore urban area, and the rural area and the development is regarded as pre-curser to urban sprawl. |
| **SMPT 07/02/26** | **OTHER MATTERS** |
| | |
| **7.1** | **PLANNING POLICIES (REVIEWED OR APPROVED BY COUNCIL)** |

a. The draft Zoning Scheme Bylaw is still under way, and the Municipality is considering the input received, especially from the Agricultural Society and the Franschhoek community relating to AirB&B / tourist dwelling units.
b. The draft Problem Property Bylaw was submitted to Council for approval.
c. The Koelenhof LSDF which was funded by private developers, was submitted to Council for approval to proceed with the public participation process.
d. A consultant was appointed to draft the Dwarsrivier LSDF to be finalised in the next financial year.
e. The economic Rural Development Strategy was advertised for public comment.
f. The Tree Management Policy has been updated.

**7.2 APPEALS RECEIVED AGAINST MPT DECISION**

a. Two new appeals were received for Erf 346, Stellenbosch and Erf 211, Raithby.

| Reference | Erf No. | Date received | Application detail | Status |
|---|---|---|---|---|
| LU/16002 | Erf 211 Raithby | 27-11-2025 | MPT decision on Padel Courts | Administrative phase |
| LU/17275 | Erf 346 Stellenbosch | 9-12-2025 | MPT decision on Alexander Street flats and offices | Administrative phase |

b. One appeal was recently decided for Farm 124/11.

| Reference | Erf No. | Date received | Application detail | Status |
|---|---|---|---|---|
| LU16296 | Farm 124/11 Stellenbosch Division | 22-12-2024 | MPT decision on Tourist accommodation | The Appeal Authority resolved on 16 January 2026 that the appeal submitted against the decision of the Municipal Planning Tribunal of the 29th of November 2024, in respect of the subject application **BE UPHELD**, and |

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| | | | | | that the subject decision **BE REVOKED** in terms of Section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law and **BE REPLACED** |
| **7.3** | **GENERAL** | | | | |
| | a. The Chairperson gave feedback on a meeting held with Anthony Barnes and Stiaan Carstens and the agreement that was reached to make the Departments' quarterly reports available to the MPT. | | | | |

**Mrs H Crooijmans-Lemmer**

**CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL**

**Mr P van Zyl**

**DEPUTY-CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL**

# ANNEXURE K

**APPLICATION FOR REZONING TO SUBDIVISIONAL AREA & SUBDIVISION: FARM NO. 1307/2 AND FARM NO. 1307/3 (TO BE CONSOLIDATED), STELLENBOSCH DIVISION**

# APPLICANT'S 2ND SUBMISSION ON THE MPT'S REQUEST

since 1991 tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS

FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
97 DORP STREET
STELLENBOSCH 7600
TEL 021 861 3800

Our Reference: 4028-P
Application No: LU/17766

10 June 2026

Directorate: Planning and Economic Development
Stellenbosch Municipality
Town House
**7600 STELLENBOSCH**

**Attention: Ms. Chrizelle Kriel**

Madam

**RE: CHANTECLER: DEVELOPMENT OF FARMS 1307/2 AND 1307/3, STELLENBOSCH**

1. We refer to the meeting held on Monday, 18 May 2026, with the applicant, yourself, Mr. Stiaan Carstens and Ms. Louisa Engelbrecht to discuss the reasons why the MPT did not take a decision on the Chantecler land use planning application.

2. The Chantecler land use planning application was considered by the MPT on 27 February 2026. At that meeting, the MPT referred the application back to Planning and Economic Development to address additional matters and concerns raised during its deliberations.

3. On 18 March 2026, the applicant submitted a written response to the MPT's queries. A copy of that letter is attached for ease of reference.

4. The application, together with the applicant's response, was again considered by the MPT on 24 April 2026. At that meeting, the MPT referred the application back to Planning and Economic Development for further clarity from the applicant, specifically regarding the two remaining agricultural portions of land, being portions 121 and 122.

5. The applicant was informed at the meeting of 18 May 2026 that the MPT requires responses to the following outstanding questions. This letter is intended to address those questions and to support the resubmission of the application to the MPT for decision.

5.1 *The MPT wishes to know what is going to happen to portion 121 – see image below of the proposed subdivision plan.*

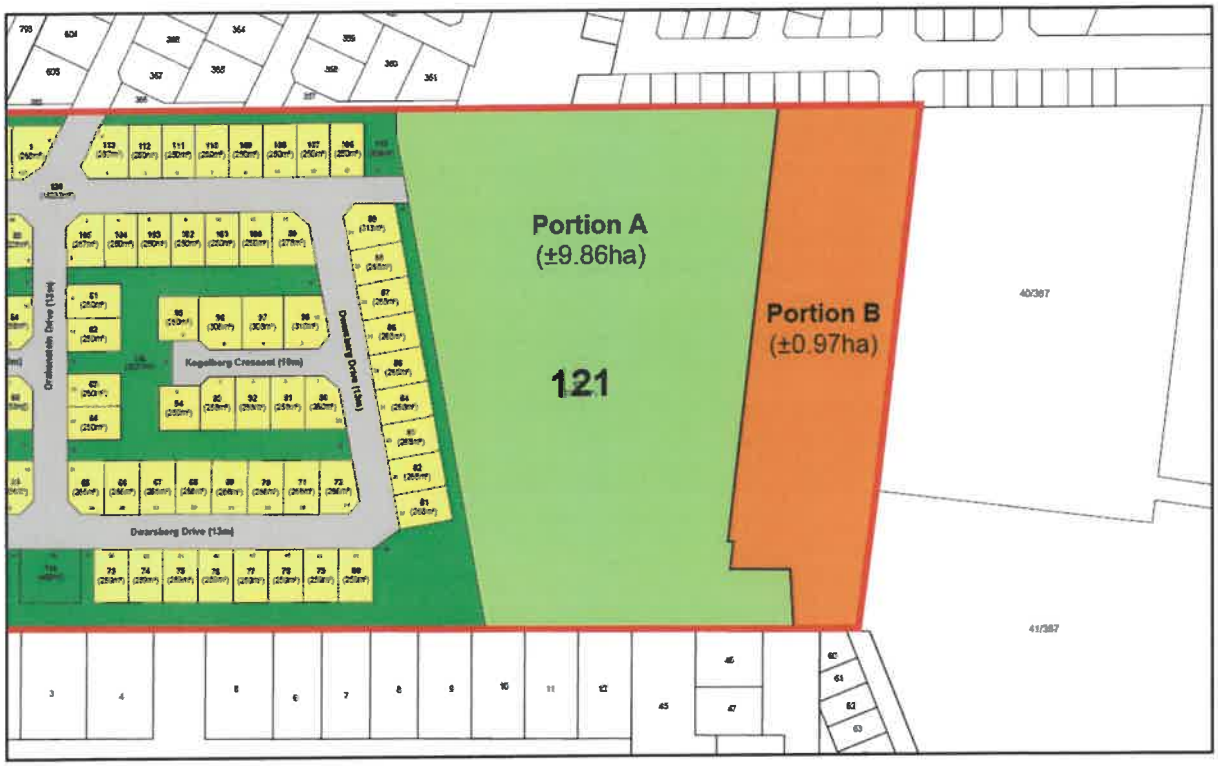



*Figure 1: Extract of the proposed Subdivision Plan*

In the short term, portion 121 will retain its current agriculture zoning and use as approved by the Stellenbosch Municipality on 17 November 2020 – see image below of the approved subdivision plan.

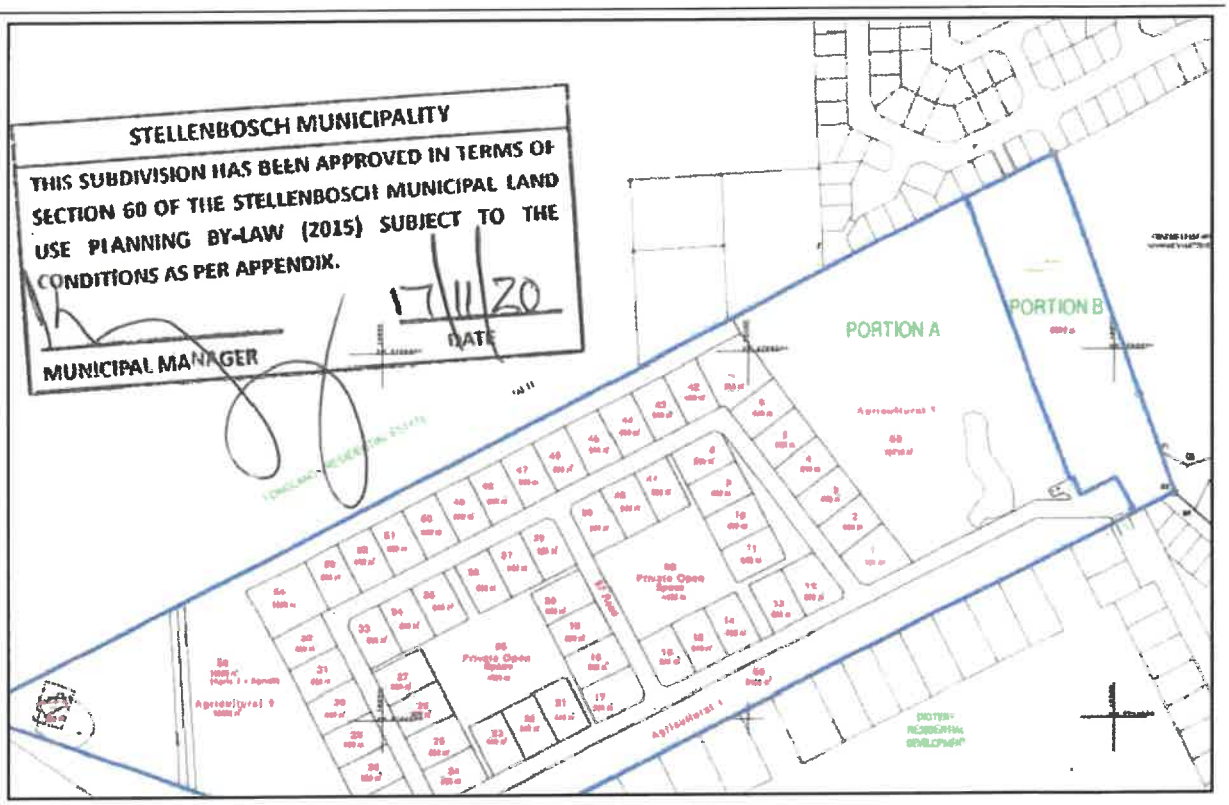



*Figure 2: Extract of the approved Subdivision Plan*

This application proposes no changes for portion 121. However, in the future, the applicant may investigate the possible development of portion 121 as an extension to Longlands Life. If it is a viable development option, then the applicant will submit the necessary land use planning applications to the Stellenbosch Municipality for assessment and a decision.

5.2 *The MPT wishes to know how the proposed development will benefit the broader community.*

The broader community will benefit in the following ways:

- **Provision of land for social housing**: The applicant will transfer a ±1ha land parcel free of charge to the Stellenbosch Municipality, to be used for social housing. The value of this land parcel is estimated to be ±R3 million (un-serviced land).

- **Implementation support for social housing**: The applicant has offered to be the implementing agent for the social housing development project at no cost, following confirmation from the Stellenbosch Municipality that the project has been added to

the projected social housing runway and earmarked for development. Further to this, their service will commence following confirmation from Provincial Department of Informal Settlements that the project funding is available. The value of this service is estimated to be ±R500 000.

- **Delivery of a community, multi-purpose, recreational field as an extension to the pre-existing playground**: The developer had a meeting on 9 June 2026 with Albert van der Merwe, Garth Abrahams (Manager: Sport, Recreation & Halls) & Nazeema Mohamed, wherein the Developers proposal was discussed.

  The Developer is willing to provide a recreational multi-purpose field as an extension to the existing playground area on Erf 346, Longlands – see image below. This will be a grass field with irrigation and some seating on the periphery. The value of this facility is estimated to be ±R1.5million.

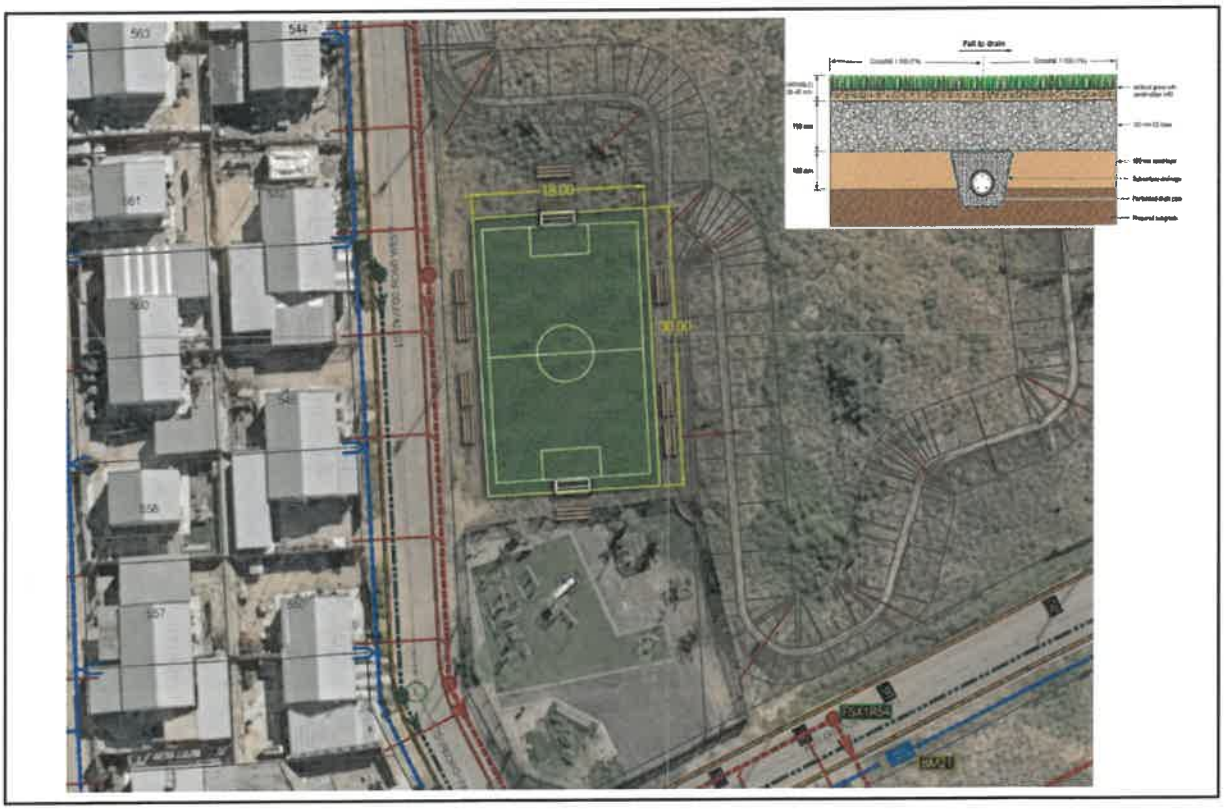


*Figure 3: Proposed sporting facility on Erf 346, Longlands*

In the event that the Municipality and or MPT are not in agreement with the above proposal, the Developer would be willing to donate these funds (±R1.5million) to the local community to assist with the construction of a new community hall, on the

identified erf. This would be done on the proviso that the funds are ring fenced for this specific end use. Further to this, the Developer has also retained the steel structure from the now demolished structure that the community used previously as their community hall.

- **Significant Development Charge contribution**: The applicant will pay Development Charges (in line with the Stellenbosch Municipality DC-policy) to the amount ±R12.3 million. It will be a once off payment to the Municipality which can be used by the Municipality for upgrades and improvements of municipal infrastructure and services in Vlottenburg to the benefit of the broader community.

6. We trust that the information set out above adequately addresses the MPT's outstanding questions and will assist in finalising the application for resubmission to the MPT for decision. The applicant respectfully requests an opportunity to attend the next MPT meeting to respond to any further questions the MPT may have

Yours faithfully



**CLIFFORD HEYS**
**TV3 PROJECTS (PTY) LTD**