

STELLENBOSCH

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**NOTICE OF MUNICIPAL PLANNING
TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2026-02-27 FROM
10:00 - 15:00**



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**NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2026-02-27 FROM 10:00-15:00**

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 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
Pniel Library Hall, Pniel on FRIDAY, 2026-02-27 from 10h00-15:00 to consider the items on the
Agenda.*

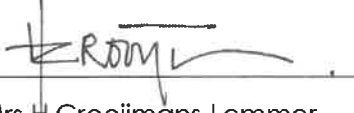

Mrs H Crooijmans-Lemmer
CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



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MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 21 NOVEMBER 2025

**MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING
HELD ON FRIDAY, 21st OF NOVEMBER 2025 AT THE KAYAMANDI CORRIDOR,
KAYAMANDI, STELLENBOSCH MUNICIPALITY, GEORGE BLAKE STREET, STELLENBOSCH
FROM
10H00-15H00**

**Ref. no. 3/4/5/2/40
2025-11-21**

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 M Williams: Senior Legal Advisor

Mr A Barnes: Director - Planning and Economic Development

Mr J Benjamin: Senior Manager – Development Planning

Officials

Mr S Carstens: Senior Manager: Development Management

Mrs C Kriel: Manager: Land Use Management

Mr B de la Bat: Manager: Spatial Planning

Mrs O Vergotine: Administrative Officer

Mr G Goosen: Senior Town Planning

Mr G de Vries: Land Use Inspector

Mr K Erasmus: Planning Intern

Mr E Ascott: Planning Intern

Observers

Ms Tamryn Kumm, Councillor: Ward 8, Mayoral Committee Member: Planning, Local Economic Development & Tourism

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 21 NOVEMBER 2025

ITEM	SUBJECT
SMPT 01/11/25	OPENING AND WELCOME
	Chairperson Crooijmans-Lemmer welcomed all present and highlighted the importance of using today as a moment to take a stand against gender-based violence.

SMPT 02/11/25	LEAVE OF ABSENCE
	Mr A van der Merwe: Senior Manager: Community Services Mrs M Francis: Senior Manager - Infrastructure Planning, Development, and Implementation Mr K Munro: Director Development Management, Department Environmental Affairs and Development Planning

SMPT 03/11/25	DISCLOSURE OF INTERESTS
	None received

SMPT 04/11/25	MINUTES OF THE PREVIOUS MEETING DATED 31 OCTOBER 2025
	The minutes of the previous meeting was noted.

	MATTERS FOR CONSIDERATION
SMPT 05/11/25	APPLICATION FOR CONSENT USES TO PERMIT A TOURIST ACCOMMODATION ESTABLISHMENT AND TOURIST FACILITIES ON ERF 211, RAITHBY Discussion: <ol style="list-style-type: none"> Chairperson Crooijmans-Lemmer handed over to Mr Goosen to give a brief introduction of the application that served before the Tribunal. A general discussion followed about the trend of padel courts being built in rural areas of Stellenbosch. It was noted that an application for padel courts on a farm in Franschhoek was refused by the Municipality, and the decision was overturned and approved by the Appeal Authority. Mention was also made of two applications for padel courts in the City of Cape Town on farms where such developments were approved as a tourist

facility, as well as references to international examples. Recognition was also given to the fact that there are a lot of complaints in urban areas because the activity is accompanied by noise, flood lighting and other social activities and therefore the location of the site, whether in the rural or the urban area must be carefully considered.

- c. The unsafe access to the Avontuur farm as well as previous conditions requiring improvements to access from the R44 were discussed. Plans for the possible future upgrading of the R44 road and the comments of the Provincial Roads Authority were noted.
- d. The members emphasised that long-term consequences of decisions about land uses, especially in the rural area must be carefully considered.
- e. It was confirmed by the Municipality that a compliance notice was served for the contravention and based on representations submitted, the decision was taken to confirm the compliance notice and the landowner was instructed to cease the activity pending the outcome of the land use decision which was in process. Further enforcement and legal processes will follow should the application not be approved.
- f. The members agreed that padel courts are viewed as destination sporting facilities rather than tourist facilities and should in principle not be supported on agricultural zoned properties outside rural nodes but can possibly be supported as part of a rural resort development. An alternative suggestion was made to possibly support the application to permit the padel courts for a limited period of time, with the condition of a contravention penalty being payable and that the activity should not extend beyond a maximum period of five years.
- g. Clarity was given on the internal comments from the Spatial Planning Office (which suggested this permission for a limited period of time), which were included in the report. The comment from Spatial Planning was written in 2023 and since then internal discussions have been held on policy positions as part of the review of the MSDF which influenced the evaluation of the application for consideration to refuse the padel court. The MPT asked that in future the Planning Assessment report should highlight such shifts and consolidated policy positions.
- h. The MPT Members voted on the decision on the application relating to the padel courts and four members voted to support the proposal that the application be approved for a limited period of time which should not be extended and subject to a contravention penalty, while four members voted against the approval of the application, in which case the Chairperson in the event of an equality of votes had the deciding vote in terms of paragraph 5.6 of the Rules of Procedure of the MPT. The Chairperson cast her deciding vote in support of not approving the padel courts part of the application, as recommended in the report.
- i. The MPT members are all in support of the application for the tourist accommodation establishment and the tourist facility for the restaurant, wine tasting and sales facility to also be used as a function venue.

RESOLVED:

1. That the application in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law for consent use to permit a tourist facility

(outdoor sport) consisting of two (2) padel courts with associated viewing deck, clubhouse facilities and parking area on Erf 211, Raithby

BE REFUSED in terms of Section 60 of the said By-law.

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

- 2.1. The proposal is not generally in line with the spatial vision of the Spatial Development Framework for the rural areas.
- 2.2. The proposed land use is not aligned with the purpose of the Zoning Scheme By-law for Agriculture and Rural Zone properties as the use is not considered an ancillary use to agriculture or an appropriate agriculture and rural tourism activity.
- 2.3. The proposed land use is in conflict with the objectives of the Zoning Scheme By-law and the Western Cape Land Use Planning Guidelines for Rural Areas as it is not considered a rural activity but rather an urban activity that is more appropriate within, or peripheral to, urban centres.
- 2.4. Competitive sporting facilities such as padel courts in rural areas have a negative impact on not only agricultural activities and the tranquillity and ambience of the rural areas but also other appropriate and established agriculture and rural tourism and passive recreational activities.

UNANIMOUSLY RESOLVED:

3. That the following application(s) in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law for consent use on Erf 211, Raithby for:

- 3.1. the use of the existing main dwelling house as a tourist accommodation establishment,
- 3.2. a tourist facility to permit a restaurant and wine tasting and sales facility, including the expansion of the existing restaurant and wine tasting and sales facility with indoor and outdoor seating areas,
- 3.3. a tourist facility to use the restaurant and wine tasting and sales facility and existing wine cellar as a function venue,

BE APPROVED in terms of Section 60 of the said By-law and subject to conditions of approval.

4. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said By-law:

- 4.1. The approval only applies to the land uses hereby approved and shall not be construed as authority to depart from any other legal

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 21 NOVEMBER 2025

	<p>prescriptions or requirements from Council or other legislation or By-laws or Regulations that may be applicable.</p> <p>4.2. 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.</p> <p>4.3. The land uses hereby approved be located in accordance with the endorsed site development plans, attached as Annexure A with drawings referenced Basemap of Avontuur Estate Erf 211, with Sheet No. 1 of 5 to 5 of 5, drawn by Joubert & Brink Surveyors and dated 20 Jul 2023.</p> <p>4.4. The non-agricultural land uses hereby permitted must remain subservient to and not adversely impact the primary agricultural land use activities on the subject property or surrounding properties.</p> <p>4.5. The tourist accommodation establishment be limited to the existing dwelling house indicated on the site plan, attached as Annexure A with drawings referenced Floor plans of Tourist Accommodation Establishment, with Sheet No. 1 of 2 to 2 of 2, and the surrounding associated outdoor areas.</p> <p>4.6. The existing building to be used as the tourist accommodation establishment is to remain the primary use dwelling house on the subject property and the construction of a new dwelling unit to serve as a replacement of the primary use dwelling house is not permitted.</p> <p>4.7. The tourist accommodation establishment be limited to a maximum number of nine (9) bedrooms and a maximum of 18 paying overnight guests shall be permitted at any one time.</p> <p>4.8. The tourist accommodation establishment facilities and surrounding associated outdoor areas be for the exclusive use of paying overnight guests only.</p> <p>4.9. The selling or supply of meals and/or refreshments by the tourist accommodation establishment shall be for overnight paying guests only.</p> <p>4.10. The area for the restaurant and wine tasting and sales facility be limited to the building and area indicated on the site plan, attached as Annexure A with Drawing No. D2149/C/201, referenced Ground floor plan: Restaurant / Wine tasting extensions, drawn by Jurgen Breuninger Architectural Design and dated 3rd of September 2024 and Drawing No. D2149/C/301, referenced Section A-A/Elevations: Restaurant / Wine tasting extensions, drawn by Jurgen Breuninger Architectural Design and dated 20th of August 2024.</p>
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| | <p>4.11. The function venue be limited to 170 seats/attendees and the building and area indicated on the site plan, attached as Annexure A with Drawing No. D2149/C/201, referenced Ground floor plan: Restaurant / Wine tasting extensions, drawn by Jurgen Breuninger Architectural Design and dated 3rd of September 2024 and Drawing No. D2149/C/301, referenced Section A-A/Elevations: Restaurant / Wine tasting extensions, drawn by Jurgen Breuninger Architectural Design and dated 20th of August 2024.</p> <p>4.12. The function venue hereby permitted to operate only between 09:00-24:00.</p> <p>4.13. The use of outdoor amplified sound associated with the approved land uses is not permitted.</p> <p>4.14. No more than one event (function, reception, or any other) is permitted on the property at any given time.</p> <p>4.15. Effective traffic control measures must be provided during functions or events to regulate traffic flow at the entrance and exit points of the property, and also to direct and manage onsite traffic flow and parking to ensure that the R44 Road is not obstructed.</p> <p>4.16. Sufficient on-site parking to be provided in accordance with the provisions of the Zoning Scheme By-law to the satisfaction of the Municipality.</p> <p>4.17. The existing entrance and exist points of the subject property along the R44 Road to be relocated in accordance with the requirements, and at a time determined by the Western Cape Government Department of Infrastructure (Transport Infrastructure Branch).</p> <p>4.18. The land uses hereby permitted, and all related premises must comply with the relevant health regulations at all times.</p> <p>4.19. The non-agricultural land uses hereby permitted shall not create any undue noise or be a nuisance to the surrounding area and that precautionary measures be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulation PN200/2013 and the By-law on the Prevention of Public Nuisances & the Keeping of Animals.</p> <p>4.20. Building plans be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.</p> |
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MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 21 NOVEMBER 2025

	<p>4.21. Building plans be submitted for all changes of use in the existing buildings and which building plan(s) be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.</p> <p>4.22. Building plans be generally in accordance with the site plans, attached as Annexure A with drawings referenced Floor plans of Tourist Accommodation Establishment, with Sheet No. 1 of 2 to 2 of 2, Drawing No. D2149/C/201, referenced Ground floor plan: Restaurant / Wine tasting extensions, drawn by Jurgen Breuninger Architectural Design and dated 3rd of September 2024, and Drawing No. D2149/C/301, referenced Section A-A/Elevations: Restaurant / Wine tasting extensions, drawn by Jurgen Breuninger Architectural Design and dated 20th of August 2024.</p> <p>4.23. Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director Infrastructure Services.</p> <p>4.24. The conditions imposed by the Directorate Infrastructure Services as contained in the memorandum dated 05/08/2025, and attached as Annexure B1, be complied with to the satisfaction of the said department.</p> <p>4.25. The conditions imposed by the Cape Winelands District Municipality (Environmental Health) as contained in the email dated 05/12/2023, and attached as Annexure B2, be complied with to the satisfaction of the said department.</p> <p>4.26. The conditions imposed by the Western Cape Government Department of Infrastructure (Transport Infrastructure Branch) as contained in the letter dated 17/02/2024, and attached as Annexure B4, be complied with to the satisfaction of the said department.</p> <p>5. The reasons for the above decision are as follows:</p> <p>5.1. The land uses hereby approved is for the expansion of existing approved tourist facilities and/or uses to be accommodated within and around exiting approved buildings. Agricultural land will not be converted to make provision for any of the non-agricultural activities and the proposal will therefore not undermine the agricultural potential of the subject property or surrounding properties.</p> <p>5.2. The land uses hereby approved is compatible with the surrounding area and serves as the diversification of farm income through appropriate and acceptable means. Similar agricultural and rural</p>
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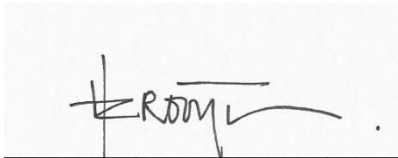
	<p>tourism uses are currently conducted on the surrounding properties.</p> <p>5.3. The land uses hereby approved are aligned with the objectives and principles of the Stellenbosch Municipality Spatial Development Framework and Western Cape Land Use Planning Guidelines for Rural Areas, and the purpose of the Zoning Scheme By-law for Agriculture and Rural Zone. It establishes appropriate agricultural and rural related tourism opportunities without compromising agricultural production, biodiversity conservation, or scenic quality.</p> <p>6. Matters to be noted:</p> <p>6.1. An application for the erection of advertising signs to be submitted for approval to the Municipality and that all signage on the property be erected to the satisfaction of the Municipality or be in line with the relevant signage policy of the Municipality.</p> <p>6.2. No directional signage be erected without the prior approval of the applicable authority.</p> <p>6.3. All electrical requirements to be directed to Eskom.</p> <p>6.4. A business license and a liquor license to be applied for if required.</p> <p>6.5. Any existing unauthorised land uses and building structures not supported in this decision must be ceased and any unauthorised structures must be removed, and the land be rehabilitated.</p> <p>6.6. Should, after following due process -</p> <ul style="list-style-type: none"> a) The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or b) The operational use of the approved tourist facilities or tourist accommodation establishment be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and/ or c) The property be used for any unauthorised uses not permitted in terms of this approval, <p>the authorised official of the Municipality will exercise its discretion in terms of Section 90(c) of the Municipal Land Use Planning By-Law to withdraw the subject approval granted and the building structures to be reverted to uses in line with the primary use of the property.</p>
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SMPT 06/11/25	OTHER MATTERS																														
6.1	PLANNING POLICIES (REVIEWED OR APPROVED BY COUNCIL)																														
	The Municipality is considering the comments received on the draft Zoning Scheme Bylaw and it is noted that further public participation may be followed depending on the amendments forthcoming from the input received.																														
6.2	APPEALS RECEIVED AGAINST MPT DECISION																														
	<p>No new appeals were received or decided in November, and five appeals are currently in the administrative process.</p> <table><tr><th>Reference</th><th>Erf No.</th><th>Date received</th><th>Application detail</th><th>Status</th></tr><tr><td>LU/9820</td><td>Farm 717/1, Paarl</td><td>28-05-2025</td><td>MPT decision on Groenfontein development, Klapmuts</td><td>Administrative phase</td></tr><tr><td>LU/14498</td><td>Farm 1252, Stellenbosch</td><td>17-06-2025</td><td>MPT refusal of tourist accommodation and facilities on Bo-Helderberg farm</td><td>Administrative phase</td></tr><tr><td>LU/16630</td><td>Farm 266/11, Stellenbosch</td><td>10-06-2025</td><td>MPT refusal of tourist accommodation on farm north of Polkadraai Road</td><td>Administrative phase</td></tr><tr><td>LU/16357</td><td>Farm 1832, Paarl</td><td>04-06-2025</td><td>MPT refusal of tourist accommodation on farm north of Wemmershoek</td><td>Administrative phase</td></tr><tr><td>LU/16752</td><td>Farm 1557, Stellenbosch</td><td>08-10-2025</td><td>MPT decision on subdivision and consolidation of agricultural land, Welgevonden area</td><td>Administrative phase</td></tr></table>	Reference	Erf No.	Date received	Application detail	Status	LU/9820	Farm 717/1, Paarl	28-05-2025	MPT decision on Groenfontein development, Klapmuts	Administrative phase	LU/14498	Farm 1252, Stellenbosch	17-06-2025	MPT refusal of tourist accommodation and facilities on Bo-Helderberg farm	Administrative phase	LU/16630	Farm 266/11, Stellenbosch	10-06-2025	MPT refusal of tourist accommodation on farm north of Polkadraai Road	Administrative phase	LU/16357	Farm 1832, Paarl	04-06-2025	MPT refusal of tourist accommodation on farm north of Wemmershoek	Administrative phase	LU/16752	Farm 1557, Stellenbosch	08-10-2025	MPT decision on subdivision and consolidation of agricultural land, Welgevonden area	Administrative phase
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MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 21 NOVEMBER 2025

6.3	GENERAL
	The Chairperson wished everyone a blessed festive season and thanked the members and officials for their contribution during the year. The Tribunal in turn thanked the Chairperson for her leadership during the year.



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

Mr P van Zyl**DEPUTY-CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL**



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 TP919/2024	Commencement Date	04 December 2024
Applicant	Clifford Heys TV3 Architects & Town Planners	Last day for comments or additional information	29 January 2026 <u>Due date:</u> 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 and Application detail

The subject property is located within the rural settlement of Vlotenburg 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 Vlotenburg Primary School.

The following applications were submitted on subject properties:

a) Application approved on 28 January 2015:



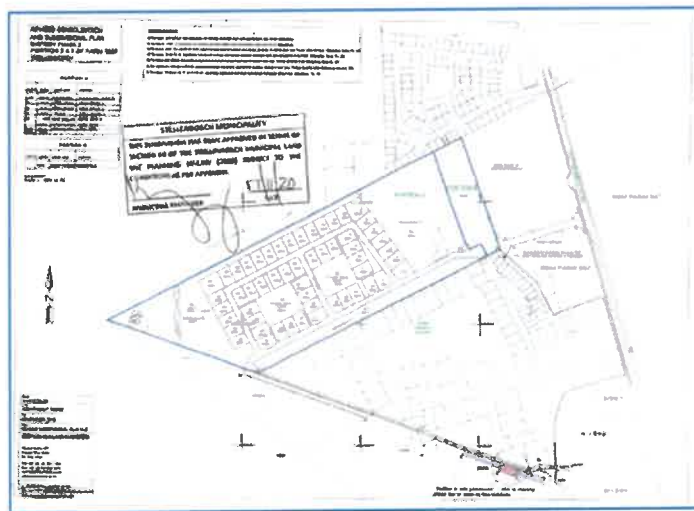
On 28 January 2015, the Stellenbosch Municipality granted approval for the rezoning and subdivision of the consolidated Farms No. 1307/2 and 1307/3, Stellenbosch Division to permit the establishment of a residential development comprising **28** residential erven. The said approval also permitted the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

3. 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			
CONSIDERATION CRITERIA	YES	NO	Comments, if any
Accurate intergovernmental and public participation process followed	X		<p>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.</p> <p>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</p>

			<p>rights were introduced beyond those already contemplated under the approved framework.</p> <p>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.</p> <p>Importantly, the surrounding affected landowners were formally notified of the proposal and were afforded an opportunity to familiarise themselves with the proposed amendments and to raise any comments or objections.</p> <p>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.</p> <p><u>The application was circulated to the relevant internal departments and external departments, and the following departments gave comments:</u></p> <p>a) The Directorate: Infrastructure Services supported the proposal subject to conditions. See ANNEXURE F for memo dated 11 September 2025.</p>
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			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 . 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): 1. Stellenbosch Interest Group 2. Rochelle Ueckermann- living in Digteby Estate 3. Irma Faul – The Valley Collaborative Project Manager 4. Johan Schoonwinkel – on behalf of Digteby Estate HOA 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 Vloottenburg 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	
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, Vloottenburg 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	<p><i>Water:</i></p> <p>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.</p> <p><i>Roads:</i></p> <p>The following road upgrades must be installed – signalisation of the Polkadraai Road/Access Intersection.</p> <p><i>Stormwater:</i></p> <p>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.</p>

	<p><i>Solid Waste:</i></p> <p>Refuse collection will be integrated with the refuse management of the Longlands Estate development.</p> <p><i>Servitudes:</i></p> <p>The developer will be responsible for the registration of the required servitude(s) as well as the cost thereof.</p> <p><i>Installation of Engineering Services:</i></p> <p>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.</p>
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 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	<p>Access for the development was previously approved via a servitude along the Digteby Estate border to and from Vlothenburg Road. However, the revised development proposal now provides access via Longlands Estate to and from Polkadraai Road.</p> <p>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</p>

	<p>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.</p> <p>Parking will be provided as prescribed in the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (two parking bays per dwelling unit).</p> <p>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.</p>
Whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land	<p>Conditions will be imposed to mitigate or prevent any potential adverse impacts arising from the proposed development.</p>

OBJECTIONS RECEIVED (SEE ANNEXURE H) AND CORRESPONDING REPLY BY APPLICANT (SEE ANNEXURE I)

OBJECTIONS	APPLICANT'S RESPONSE
1.Stellenbosch Interest Group	
<p>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.</p> <p>From a road safety perspective, the approved—though not yet constructed—access onto Vlothenburg Road (via the south-eastern corner of Chantecler) is preferred over routing additional traffic through Longlands to</p>	<p>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.</p>

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 Vloffenburg Road (via the south-western corner of Chantecler).

Ideally, access to both Polkadraai and Vloffenburg 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 Vloffenburg Road will also better support future public transport and non-motorised transport infrastructure.

The proposal to have more than double the number of approved conventional residential erven is not supported.

The absence of supporting infrastructure such as recreation and frail care facilities is also unacceptable.

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

The new development will form part of the Longlands Estate and will have access to the Longlands Estate's recreational facilities.

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.

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.

The new development is intended to serve elderly and retired people. It will not be a traditional old age home or retirement village (with all the supporting medical care facilities) but will be designed to be accessible by elderly people.

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.

about the adequacy of space, functionality, and liveability.

In addition, it remains unclear how Portion B will be accessed or serviced from a traffic and road infrastructure perspective.

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.

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 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.

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.

The new development will not be student accommodation. A minimum age for the residents will be written into the Constitution to ensure that it remains a development for elderly and retired persons.

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.

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 quieter than the surrounding residential developments (including Digteby Estate).

<p>If more houses sink a borehole/well it may reduce the water to our disposal in Digteby Estate.</p> <p>Hard landscapes/houses will change the flow of water and impact on the underground water. This will impact availability of ground water to Digteby.</p> <p>The proposed change to the site plan will be an impediment to the increase in the value of my property.</p> <p>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.</p> <p>I live opposite the wooden houses on the corner of Vlotenburg road and Polka Road. 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.</p>	<p>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).</p> <p>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.</p> <p>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.</p> <p>As mentioned before, this application does not relate to Portion B (the social housing portion that was approved by Council in 2015).</p>
3.Irma Faul – The Valley Collaborative Project Manager	
<p>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 Vlotenburg Community.</p> <p>There is confusion in the community about the type of housing planned for Portion B. We call</p>	<p>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.</p> <p>The public participation was undertaken in accordance with the municipal advertising instructions. Furthermore, voluntary consultations</p>

on the Municipality and developers to clearly clarify what type of housing is planned, who it is for, and how it will be allocated.

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.

In the Longlands Subsidized 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.

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.

Although some level of public participation has occurred, key affected stakeholders, including local institutions like Vlothenburg Primary School and the Ward 20 Committee, did not receive notice of the proposal as required by Section 45 of the Bylaw.

and meetings were held with the ward councillor and members of the public (including Digteby Estates's HOA).

Based on the type of application submitted (and the proposed changes to the approved layout) we feel the level of public participation was sufficient.

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.

Effective consultation with community members adjacent to the proposed Chantecler development and greater Vlothenburg 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.

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.

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.

Opportunity for mixed-income housing should be explored, along with urban planning strategies that prioritise accessibility and inclusivity.

4. 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.

Due to the proposed erf sizes and density of plots planned as part of the development, Digteby Estate would like to receive written

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.

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

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.

Requests from Digteby Estate HOA:

- *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.*
- *An increase in the distance between the Digteby Estate northern fence and the first row of plots to 15m.*
- *The Chantecler main building (erf 114) to be moved away from the border of the Digteby Estate northern fence.*
- *Berm to be built as part of the Chantecler development to also screen proposed low-cost housing from Digteby Estate number 46/83.*
- *Access road for low cost housing on Portion B to connect to the Klein Digteby access*

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.

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.

A landscape plan will be submitted to Council for approval that will adequately screen the new development.

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.

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

<p>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.</p>	<p>primarily service the needs of the elderly people residing there. It will not be a noisy building.</p> <p>The existing approval of Portion B remains unchanged, and the conditions therein will need to be met.</p>
<p>5. Amelia Heyns – Owner of Erf 38, Digteby Estate</p>	
<p>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.</p> <p>The Vlothenburg 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 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.</p> <p>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, loud music, and occasional gunshots. These can all be heard from our property that lies to the north of Digteby.</p>	<p>The objector borders on Portion B – which does not form part of this application. The objector's house is located $\pm 100\text{m}$ from the nearest residential erf in the new development.</p>  <p>For the objector to claim that the new development will negatively impact them is insincere.</p> <p>As mentioned earlier, Portion B does not form part of the current application.</p> <p>The proposed amendment of the approved layout does not require the Department of Environmental Affairs and Development Planning's authority.</p> <p>The remainder of Portion A (i.e the two agricultural portions that bookends the application area) does not form part of this application.</p>

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 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.



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

Assessment of objections

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

i) Increased density

The subject property is situated within the Vloottenburg 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 development 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 approved 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, Vlotenburg 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 development in Portion A to create additional land units beyond those previously approved. No amendments are proposed to Portion B.
11. 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.
12. 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.

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.

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 ANNEXURE B: PREVIOUS APPROVALS ANNEXURE C: AMENDED SUBDIVISIONAL PLAN ANNEXURE D: CONCEPT SUBDIVISION PLAN ANNEXURE E: APPLICANT'S MOTIVATION REPORT; CIVIL AND ELECTRICAL ENGINEERING SERVICES REPORT AND TRAFFIC IMPACT STATEMENT ANNEXURE F: COMMENT FROM THE DIRECTORATE: INFRASTRUCTURE SERVICES ANNEXURE G: COMMENT FROM DEPARTMENT OF INFRASTRUCTURE (TRANSPORT INFRASTRUCTURE BRANCH) ANNEXURE H: OBJECTIONS RECEIVED

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 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.*
- 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 (122) and approximately 1,43ha in extent for agricultural purposes and a wine cellar (agricultural industry).*
- 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** 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.

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 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 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first land unit or approval of any building plans, whichever occurs first to the satisfaction of the said department.
- 2.7 Should the full extent of permissible development rights, as approved herein-above, not be implemented initially or development is phased, a pro rata development charge will be levied in accordance with the extent to which the development rights will be implemented, provided that the remaining development charges will be levied for the remaining permissible development rights when implemented in future. Remaining development charges will be levied in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first land unit or approval of any building plans, whichever occurs first to the satisfaction of the said department.
- 2.8 A service agreement regarding the responsibilities for the provision of engineering services be entered into with the Municipality prior to the construction of any engineering services or infrastructure in terms of Section 66(3) and Section 82(4) of the said Bylaw, which service agreement includes and complies with the conditions as imposed by the **Directorate: Infrastructure Services** in their memo dated 11 September 2025, attached as **ANNEXURE F**.
- 2.9 The conditions imposed by the **WGC Department of Infrastructure (Transport Infrastructure Branch)** in their letter dated 28 March 2025, attached as **ANNEXURE G**, be complied with to the satisfaction of the said department.

- 2.10 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.
- 2.11 A Landscaping Plan be submitted and approved by the Municipality prior to the registration of the first property or the submission of any building plan application, whichever occurs first, which plan must indicate the planting of mature trees to mitigate the heat island.
- 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 indicated on the subdivision plan and earmarked for social housing be transferred to the Municipality upon transfer of the first unit/erf in the subdivision, of which the cost for the surveying and transfer of such land be for the account of the applicant/developer.
- 2.14 The wine cellar on portion 122 be limited to 350m².
- 2.15 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).

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:

Date: 05/02/2026

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(b)2; D(c)2

Decision Making Authority: MPT

Rational: Application is not inconsistent and may be contested

Name:

Capacity:

SACPLAN Registration:

Signature:

Date:

Steven Gaster
SNAM
A/ISS
[Signature]
12/02/2026

CONDONATIONS OF ERRORS OR OMISSIONS 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 when the application to amend the subdivision plan was advertised 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:

Stiaan Coetzee

Capacity:

Sr Men Der Man.

Signature:

[Signature]

Date:

12/02/2026

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:

Name: *Chizelle Kriel*

Capacity: *MunM*

Signature: *[Signature]*

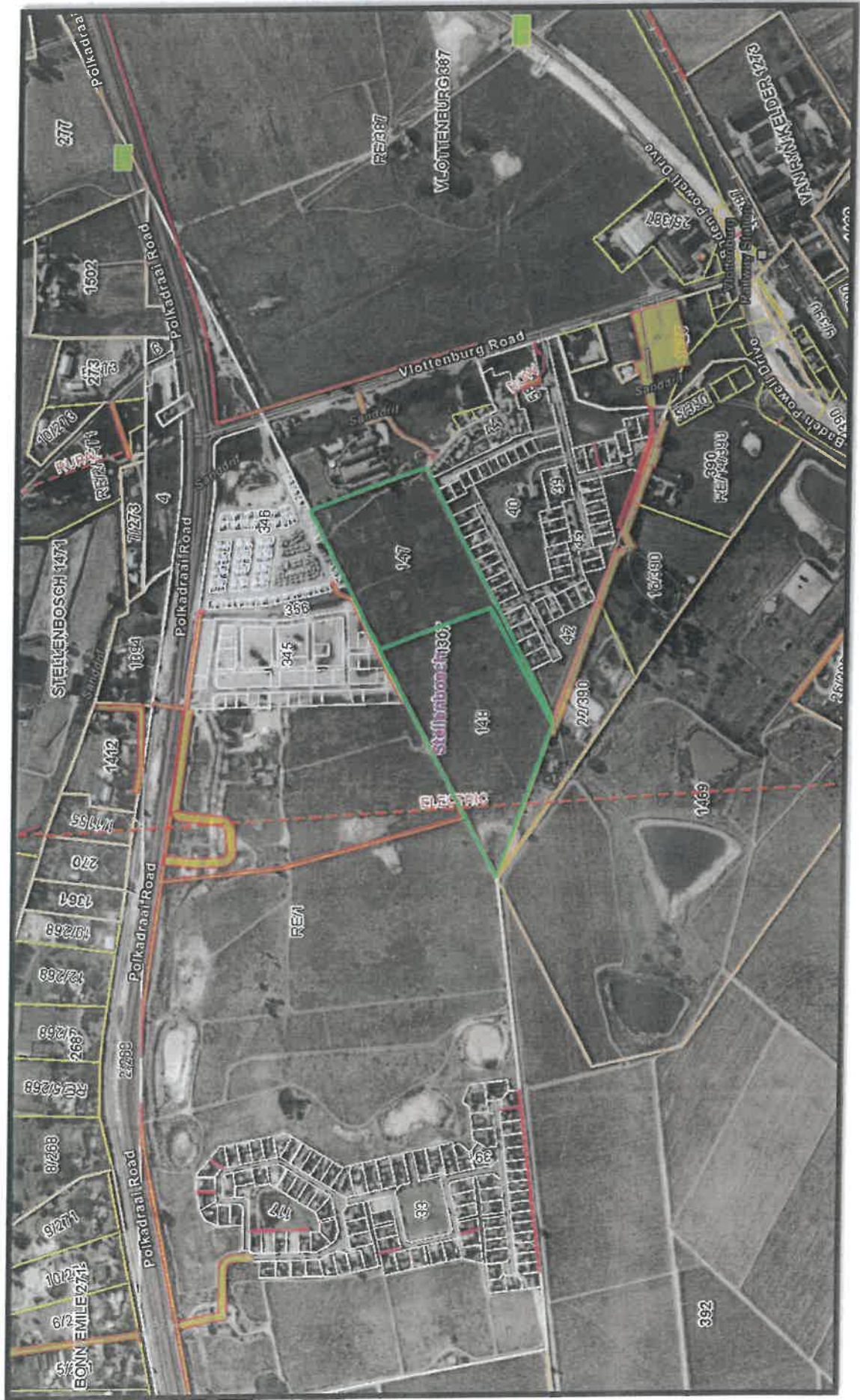
Date: *12-02-2026*

ANNEXURE A

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

PREVIOUS APPROVAL

APPENDIX 3

(57)

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

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

Sir

FILE NR:	OUTGOING POST
F130725 LU 1978	Appl:
SCAN NR:	
COLLABORATOR NR:	355686

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

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 (± 9.8568 ha) and Portion B (± 0.9772 ha) 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**.

*Grant
Antony* 29/1/15

0 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).

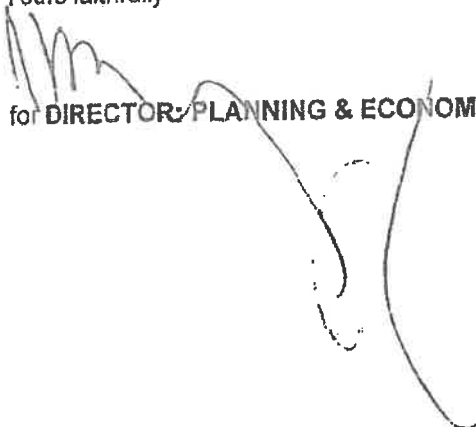
Kindly be advised that objectors (if any) are granted a simultaneous right of appeal in terms of the internal appeal process approved by Council at its meeting held on 29 October 2014.

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

REGISTERED LETTER GEREGISTREERDE BRIEF		Post Office (with an insurance option/met 'n versekeringsopsie)	
Full tracking and tracing/Volledige volg en spoor		Postage paid R _____ Service fee/Diensgeld R _____ Insurance/Versekering R _____ Total/Totaal R _____	
Addressed to/Geadresseer aan The Surbys - General P.O. Box 100025 Cape Town		Insured value of contents Versekerde waarde van inhoud R _____	
81000 Postcode Postcode		Enquiries/Navrae Toll-free number Tollvry nommer 0800 111 502	
The value of the contents of this letter is as indicated and compensation is not payable for a letter received undelivered. Compensation is limited to R100 000. No compensation is payable without documentary proof. Optional insurance up to R2 000 000 is available and applies to domestic registered letters only. Die waarde van die inhoud van hierdie brief is soos aangedui en vergoeding sal nie betaal word vir 'n brief wat sonder dokumentêre bewys onafgeleë ontvang is. Vergoeding is beperk tot R100 000. Geen vergoeding is sonder dokumentêre bewys betaalbaar nie. Opsionele versekering tot R2 000 000 is beskikbaar en is slegs op binnelandse geregistreerde briewe van toepassing.		Initial of accepting officer Date stamp 1 FEB 2015 701281	
After Track and Trace REGISTERED LETTER (with a domestic insurance option) Sharecell 0800 111 502 www.sand.co.za RD 873 176 606 ZA		Paraaf van aangeleë beamppte Datumstempel	
CUSTOMER COPY Klientafskrif		301 028R	

* 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 • FRASSCHHOEK
MUNICIPALITY • UMMSIPALA • 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)

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)

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)

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:

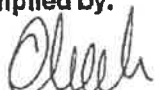
- a) That the approval applies only to the subdivision and rezoning in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;



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- 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:

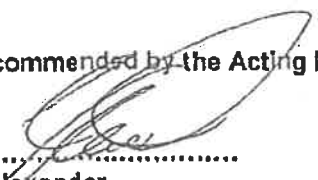


C Charles
 Senior Town Planner

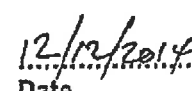


Date

Recommended by the Acting Manager: Land Use Management

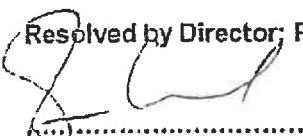


C Alexander

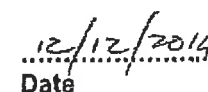


Date

Resolved by Director: Planning and Economic Development



D Lombaard



Date

393/11

390/22

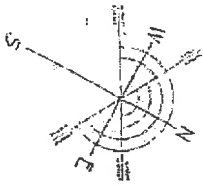
1307/1

98568m²
PORTION A

PORTION B

9772m²

Remainder Farm 387



MOORE STEPHENS VDA GEROU
 TECHNO AVE & ELECTRONIC
 STELLENBOSCH 7800
 PO BOX 7305
 STELLENBOSCH 7808

TEL:
 FAX:
 E MAIL:
 WEBSITE:

MOORE STEPHENS VDA BUILDING
 40 TECHNO AVE & ELECTRONIC
 TECHNOPARK
 STELLENBOSCH 7800
 PO BOX 7305
 STELLENBOSCH 7808

**DEKKER
 PAPENDORF
 ARCHITECTS**

REG NO: 200202380/07

SKEMA / PROJECT
DIGTEBY PHASE 2
 Subdivision of Portion 283 of
 Farm 1307, Stellenbosch

TEKENING / DRAWING
Subdivision Plan - Portion A&B

UTTOE / EKK / ISS / JED
 DUTUM / DAY
 ANNIEMER / DESIGNED DPA

2011/02/26
 09473-02

TEKENING NR.
 DRAWING NO.
 09473-02

SWAAL / SCALE As indicated

STELLENBOSCH MUNICIPALITY
LAND USE MANAGEMENT

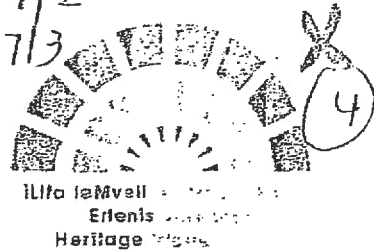
THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF
 SECTION 25 OF ORDINANCE 15 OF 1985, SUBJECT TO
 THE CONDITIONS AS PER ANNEXURE

DIRECTOR: PLANNING & ENVIRONMENT

28/11/12
 JAE

Approved 12/12/2011

Case No: 110726JW31
 File No: HM/STELLENBOSCH/PORTION 2 & 3 OF FARM 1307
 Enquiries: JONATHAN WINDVOGEL
 E-mail: jwindvog@pcwc.gov.za
 Tel: (021) 483 9736
 Date: 4 AUGUST 2011



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.

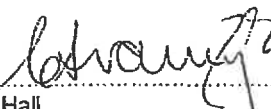
You are hereby notified that, since there is no reason to believe that the proposed development will impact on heritage resources, further processes under Section 38 of the National Heritage Resources Act (Act 25 of 1999) does not apply.

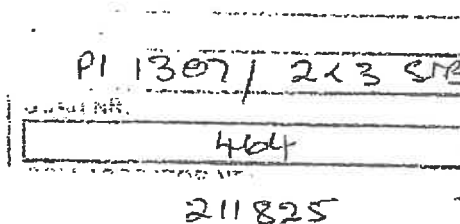
However, should any evidence of human burials be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape be notified without delay.

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)





FILE NR:	LAND USE MANAGEMENT
PI 1307/2&3 SB	1307/2
SCAN NR:	738
COLLABORATOR NR:	1307/3
238 298	

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

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, 7507
 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

<p><u>Copies:</u></p> <p>Directorate Land Use and Sustainable Resource Management</p> <p>National Department of Agriculture</p> <p>Private Bag X 120</p> <p>PRETORIA</p> <p>0001</p>	<p>Stellenbosch Municipality</p> <p>PO Box 17</p> <p>STELLENBOSCH</p> <p>7599</p>
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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: 012-319-7834 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

M. MARUBINI
DELEGATE OF THE MINISTER: LAND USE AND SOIL MANAGEMENT



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, Vloottenburg 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

M. Lintner-Strauss
CHIEF DIRECTOR: WESTERN CAPE
DATE: 9 September 2014

F1307/2x35
340677



DEPARTMENT of TRANSPORT & PUBLIC WORKS

Provincial Government of the Western Cape

ROAD NETWORK MANAGEMENT

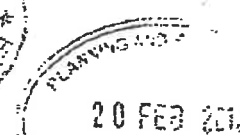
Grace.Swanepoel@pgwc.gov.za
tel: +27 21 483 4669; +27 21 483 2427
Rm 335, 9 Dorp St, Cape Town, 8000
PO Box 2603, Cape Town, 8000
www.capegateway.gov.za

(39)

1307/2
1307/3

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

The Municipal Manager
Stellenbosch Municipality
P O Box 17
STELLENBOSCH
7599



FILE NR:	P1 1307 / 2 + 3 SRB
SCAN NR:	678
COLLABORATOR NR:	237908

Attention: C Charles / U von Molendorff

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 Vloffenburg.

Yours faithfully



ML WATERS

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 $\pm 98808\text{m}^2$) and Portion B (Residential Zone II – grouphousing – 9788m^2) 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 (350m^2 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
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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).

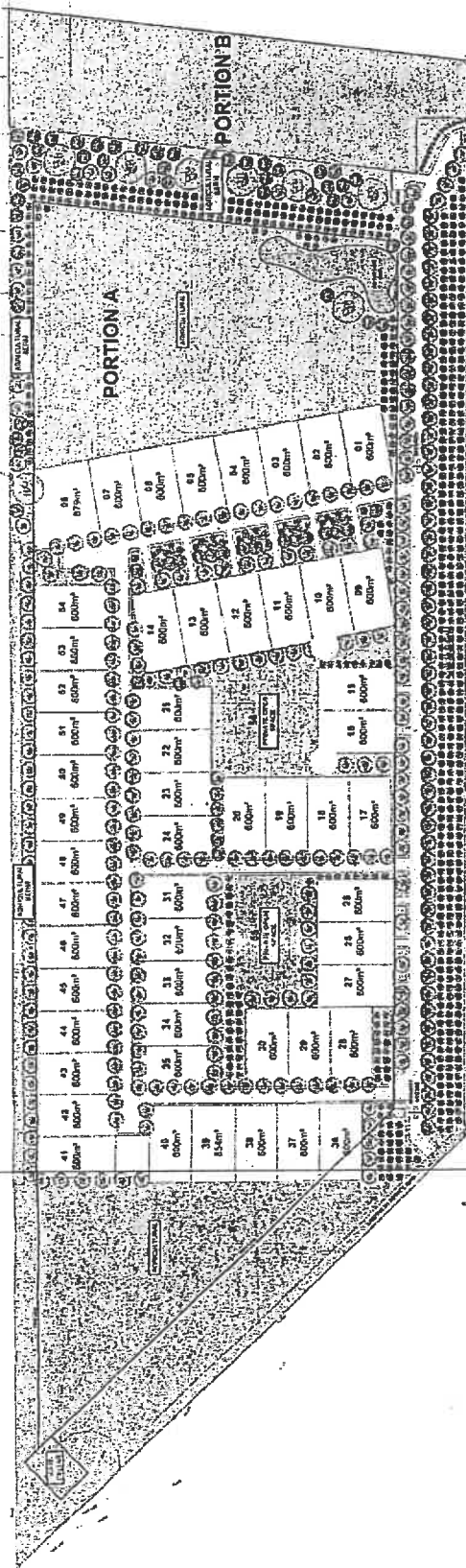
EXTENT OF APPROVAL: Amendment of the approved Subdivisional and Site Development Plan in order to consolidate Farm No. 1307/2 and 1307/3, Stellenbosch Division and to subdivide the consolidated property with the following zonings into;

- (i) Portion A (Subdivisional Area $\pm 98808\text{m}^2$) and Portion B (Residential Zone II – grouphousing – 9788m^2) 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 (350m^2 Wine Cellar) and Agricultural Zone I for the rest of the property, as indicated on **APPENDIX 3**, in terms Section ~~15(4)~~ ³⁰⁽¹⁾ 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

DIGTEBY
RESIDENTIAL
DEVELOPMENT

PORTION A		
UNIT	LAND USE	ZONING
1-54	Residential	Residential zone 01
55-56	Open Space	Open Space 2
57	Road	Open Space 2
REM	White Cellar	Agric Zone 2
	Agriculture	Agric Zone 1
TOTAL		9888m ²

PORTION B		
UNIT	LAND USE	ZONING
	Group Housing	Residential 2
TOTAL		9759m ²

STELLENBOSCH MUNICIPALITY

393/11 LAND USE MANAGEMENT

THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 26 OF ORDINANCE 15 OF 1955, SUBJECT TO THE CONDITIONS AS PER ANNEXURE

GENERAL NOTES

DIRECTOR: PLANNING ENVIRONMENT

DATE

REVISED SUBDIVISIONAL PLAN
DIGTEBY PHASE 2
PORTION 2 & 3 OF FARM 1307
STELLENBOSCHJose Sucena
083 302 3868



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNICIPALITY • UMASIPALA • MUNISIPALITEIT
DIRECTORATE:
PLANNING AND ECONOMIC DEVELOPMENT

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. Dednam
 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 an 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@patroncapital.com

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

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**



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

FILE NR:	OUTGOING POST
	F 1307 / 2
SCAN NR:	693880
STELLENBOSCH MUNICIPALITY	
PLANNING AND DEVELOPMENT SERVICES	

REFERENCE: 16/9/6/ 1-25/212 (Job 19505)

ENQUIRIES: Ms GD Swanepoel

DATE: 23 September 2020

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 Vloottenburg 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**



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:	<p>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</p>

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

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

14 AUG 2020

RECEIVED

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 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.

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, Chantecier\1842 - revised SOP\1842 (TK) - Farm 1307-2 and 3.doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	dhb 1862
Date	Monday, 03/Jun/2016
Financial Year	2015-16
Erf Location	
Erf No	1307 283
Erf Size (m ²)	
Suburb	
Applicant	
Approved Building Plan No.	Revised consolidation and subdivisional plan Digsby Phase 2 Portion 283 of Farm 1807 Stellenbosch, dated November 2015 by Stephen old Land surveyors

SUMMARY OF DC CALCULATION

Units	Water l/s/day	Sewer l/s/day	Storm-water ha°C	Solid-Waste t/week	Roads l/s/day	Community Facilities person	Totals
Total Increased Services Usage	44,800	38,325	1,411	2,300	223.00	223.0	
Total Development Charges before Deductions	R 1 062 466,22	R 829 931,62	R 210 908,72	R 107 233,16	R 1 297 938,01		R 3 508 468,73
Total Deductions							
Total Payable (excluding VAT)	R 1 062 466,22	R 829 931,62	R 210 908,72	R 107 233,16	R 1 297 938,01		R 3 508 468,73
VAT	R 169 358,43	R 126 489,74	R 31 638,31	R 16 084,87	R 194 690,85		R 526 270,31
Total Payable (including VAT)	R 1 231 824,65	R 956 421,36	R 242 547,03	R 123 318,03	R 1 492 628,86		R 4 034 739,02

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	9 June 2016
Amount Paid:	
Date Payment Received	
Receipt Number	

[illegible]



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

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

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

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:

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

- 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 Development 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

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

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

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

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;

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

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;

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

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

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

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;

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

- 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

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

"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

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

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

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



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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

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

Active: ☒

Developer: The Developer / Owner / Applicant

Contact:

Tel No's:

Ref No:

VAT No:

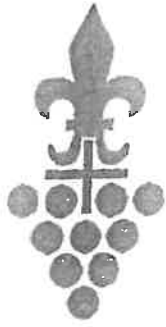
Address:

Area (m ²)	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
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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



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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 (m ²)	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
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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	m ² Area	52 415	7 338
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	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	m ² Area	89 696	12 557
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	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, Stellenbosch 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 10 July 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.

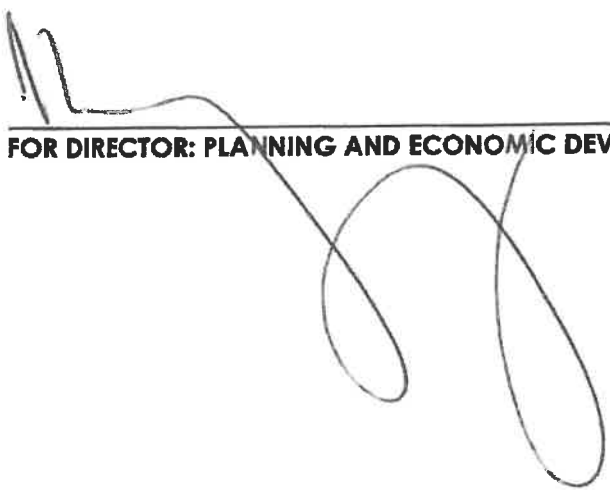
(c) The grounds of the appeal which may include the following grounds:

- (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 an 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

20/7/2023
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: Chantaclet: 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 subdivisinal plan and to allow for the main access to the estate and minor amendments to the internal layout of the approved subdivisinal 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.

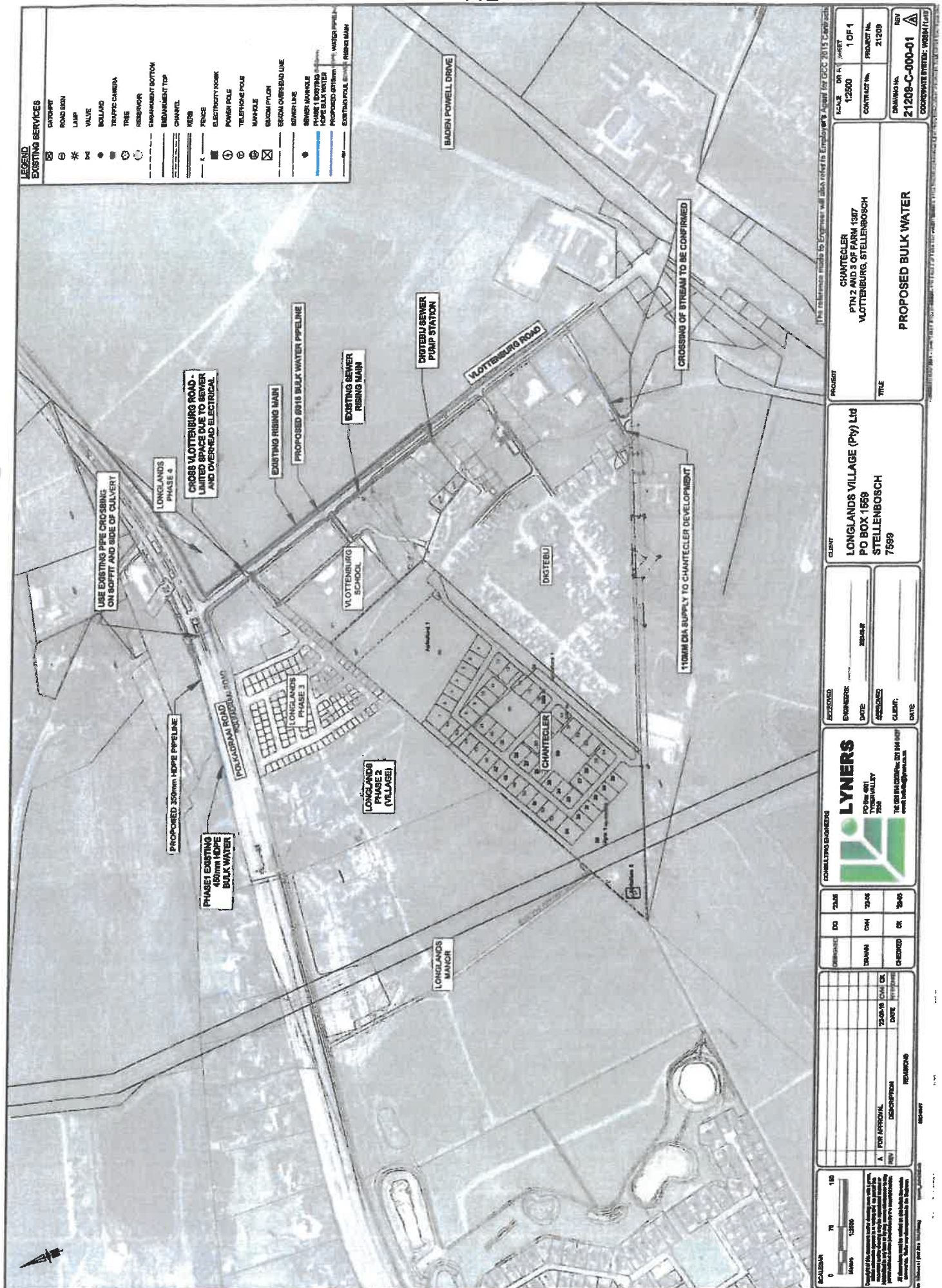
3. Development Charges (DCs)

- 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





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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.

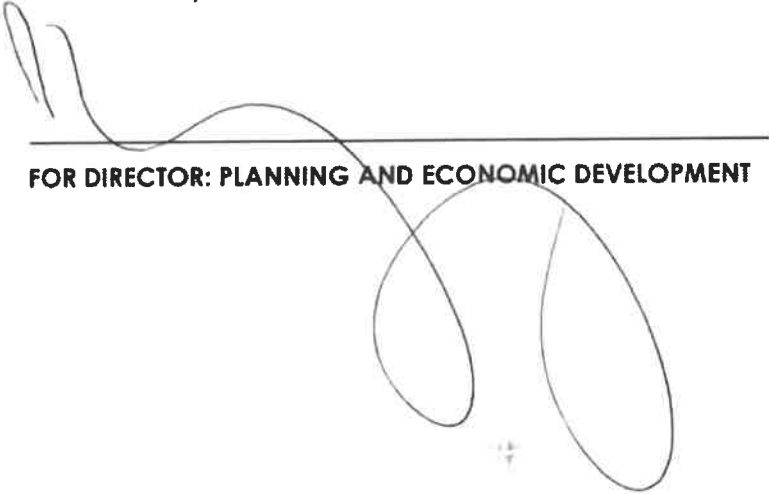
3. The reasons for the above decision are as follows:

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 SUBDIVISIONAL 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	Dwelling 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%



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STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

Property Description:

Portions 2 & 3 of Farm 1307,
Stellenbosch

Drawing:

Subdivision & Zoning Plan

Date:
01/10/2024

Project no.:
4028-P

Scale:
1:2000 (A3)

Drawn: WHI
Checked: CH

Plan no.:

1

Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained on Google Earth.

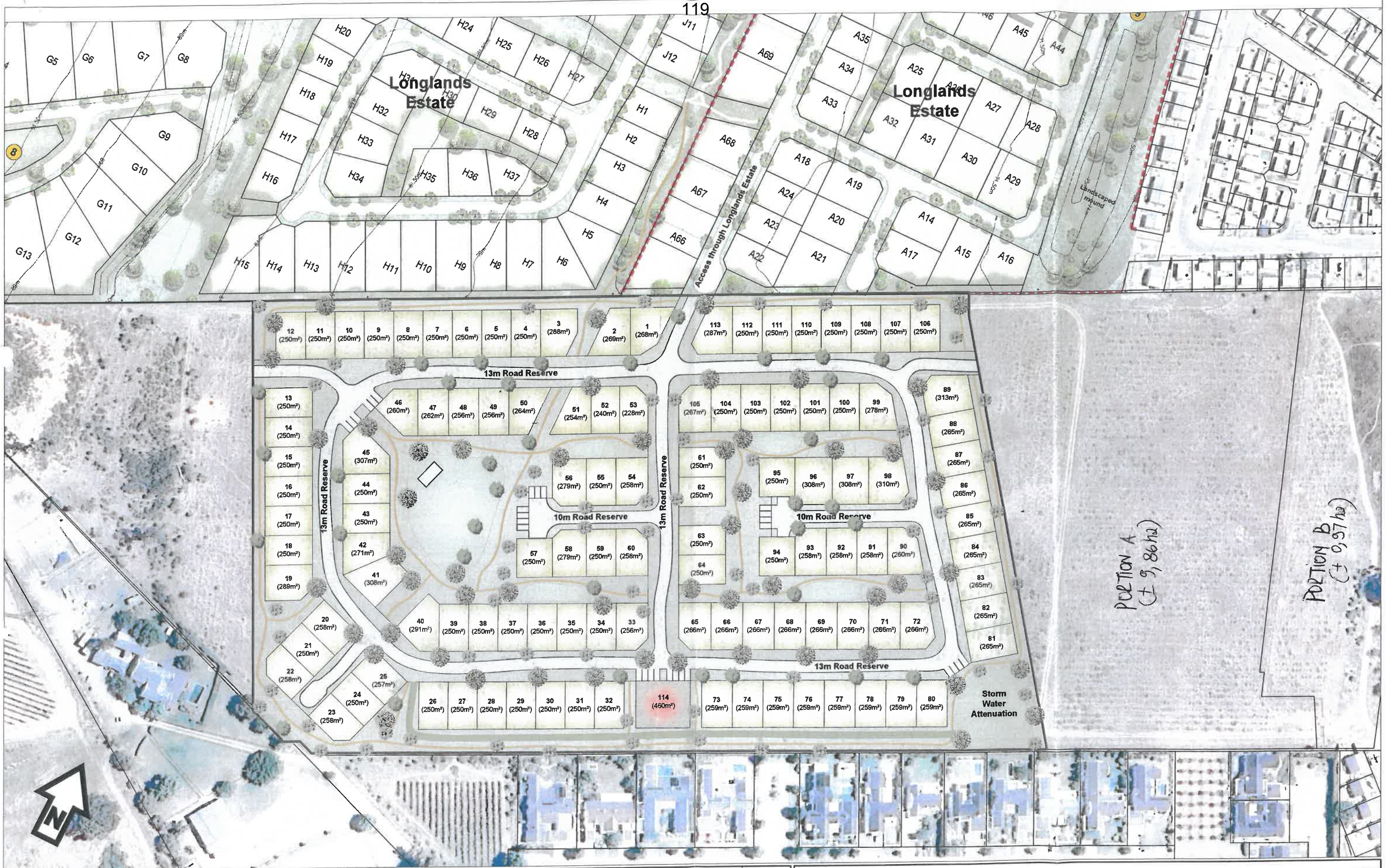
* All areas and dimensions are approximate and should be verified by a professional land surveyor.

* 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 SUBDIVISIONAL 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:

Concept Subdivision Plan

Date:

29/08/2024

Project no.:

3604-P

Scale:

1:1000 (A2)

Drawn:

WH

Plan no.:

1

Checked:

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 SUBDIVISIONAL PLAN AND SITE
DEVELOPMENT PLAN: FARM NO. 1307/2 AND FARM
NO. 1307/3, STELLENBOSCH DIVISION**

APPLICANT'S MOTIVATION



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 of 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

A handwritten signature in black ink, appearing to read 'CRH', with a long horizontal flourish extending to the right.

CLIFFORD HEYS

TV3 PROJECTS (PTY) LTD

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 Chantecler 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.

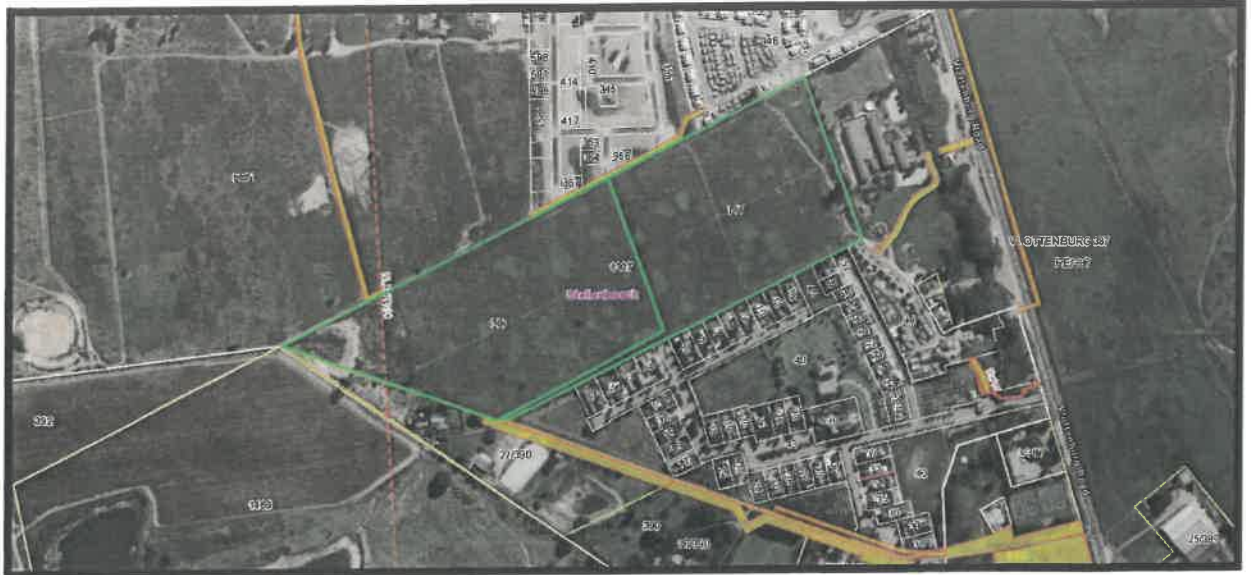


Figure 1: Locality of the subject property

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.

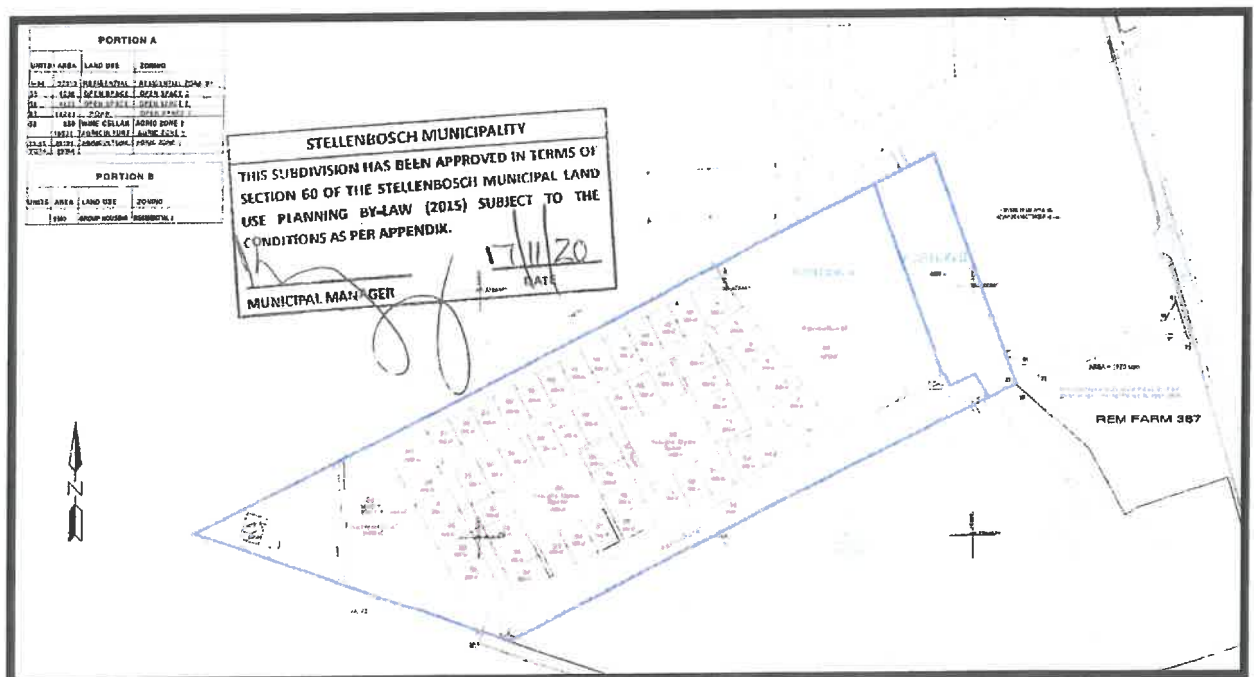


Figure 2: Approved Subdivision Plan (17 Dec 2020)

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 Vloottenburg 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. Their 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

A handwritten signature in black ink, appearing to be 'CRH' followed by a stylized flourish.

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

Caring
Innovative
Focussed

Neil

LYNERS

and Associates (Pty) Ltd Est. 1999

Consulting Engineers & Project Managers



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

Postal Address : P O Box 4901 TYGERVALLEY 7536
Street Address : Office 2, Ground Floor, Riverside Place
South Gate Entrance, Carl Cronjé Drive
Tyger Valley Waterfront BELLVILLE 7530

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

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 for 113 single residential opportunities with sizes of between 250m² and 310m². 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 Vlotenburg 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.

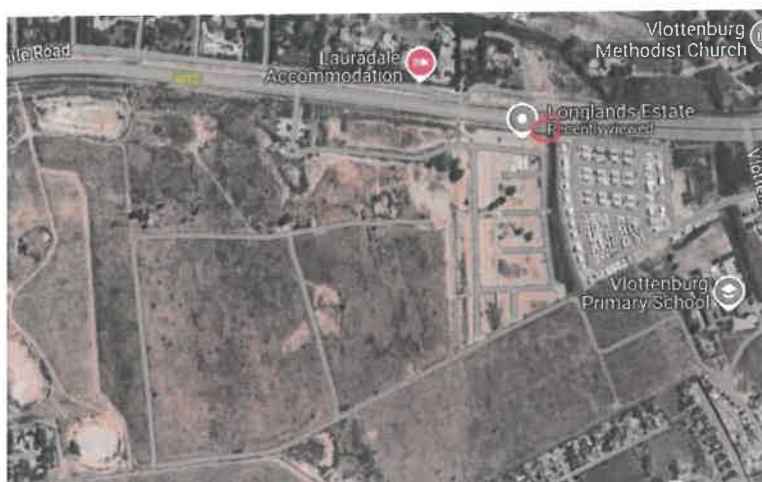


Image: Indicating Longlands 11kV connection

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 sparse 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 Vlotenburg 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.

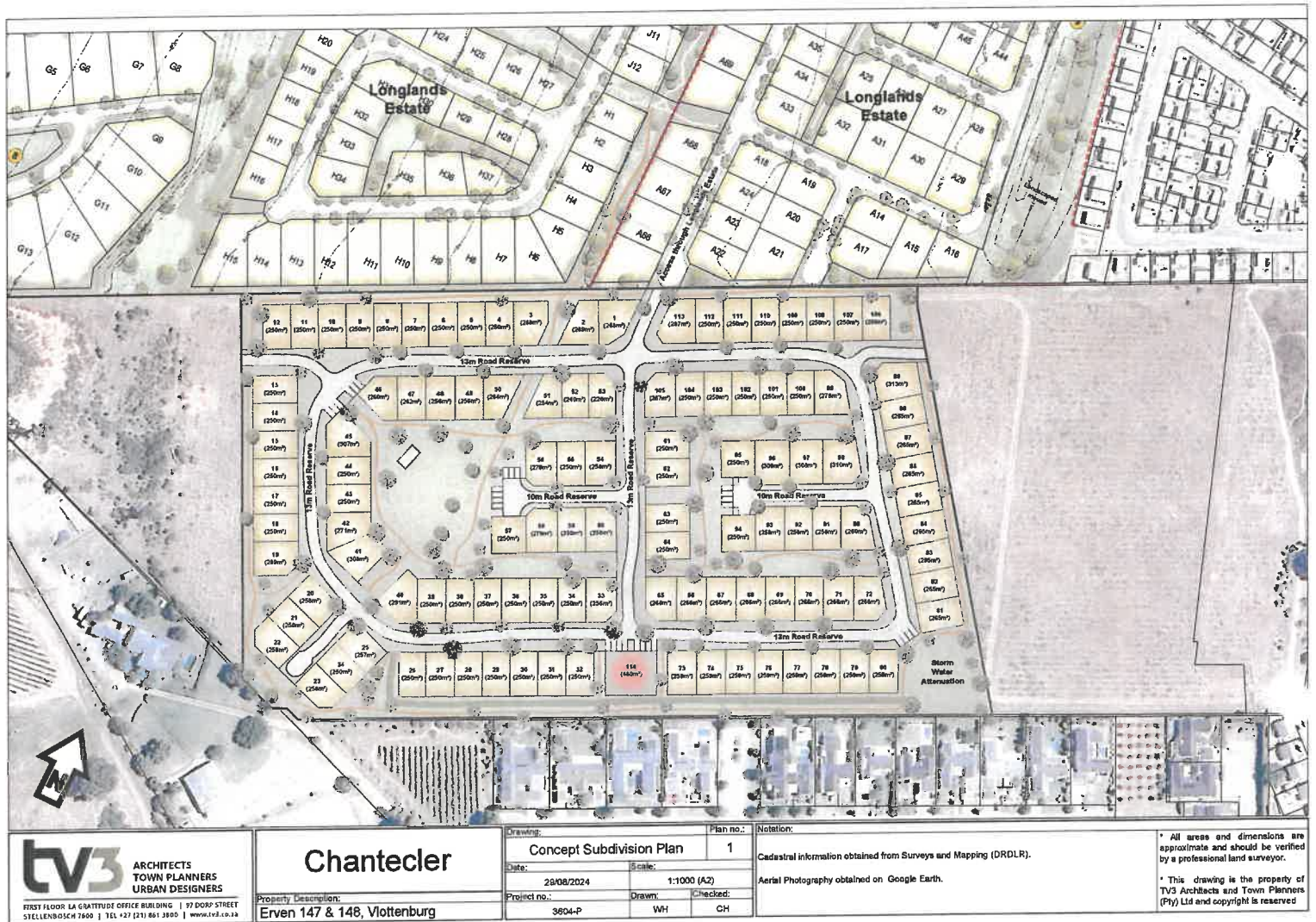
We trust you find the above in order. Please feel free to contact us should there be any queries relating to the above.

Yours faithfully

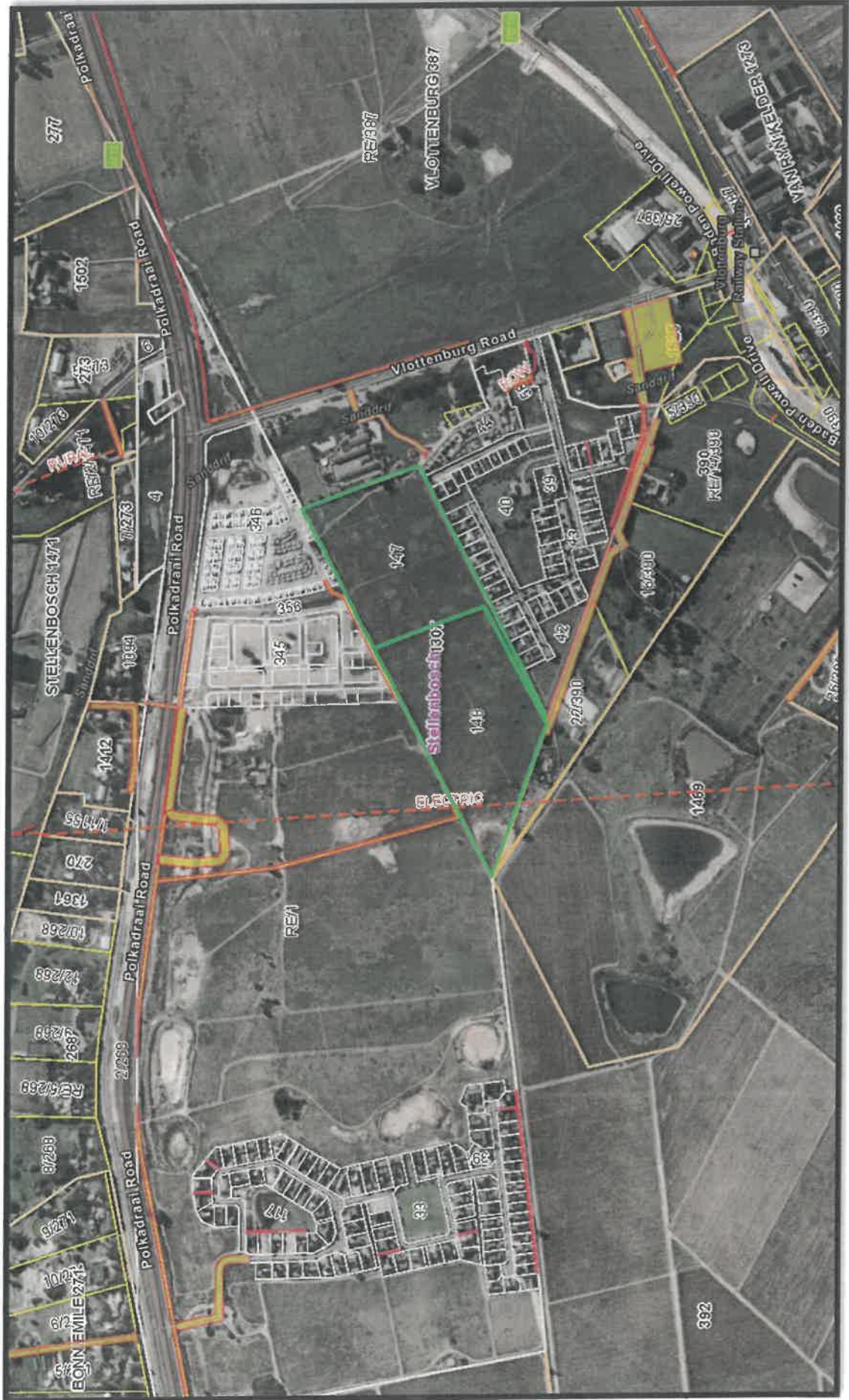
Charl Koegelenberg
for LYNERS
Annexure A – Site Development Plan

ANNEXURE A

Site Development Plan



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





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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, Somerset
West, Clanwilliam



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 Vlotenburg 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.

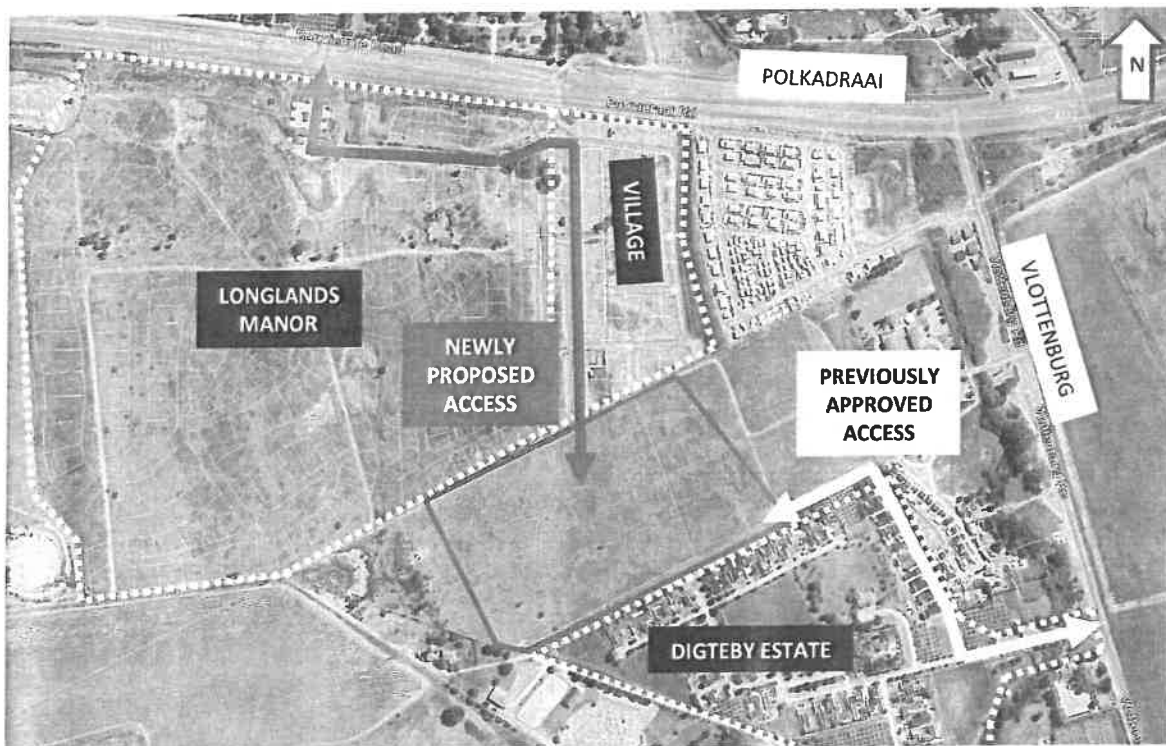


Diagram 2 : Access to subject property and proposed development

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.

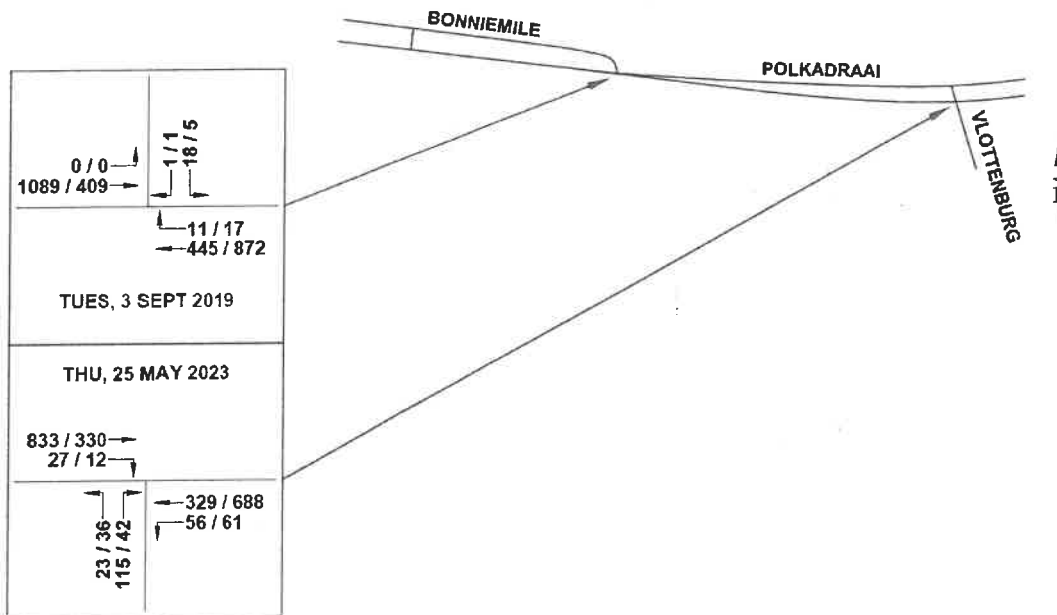


Figure 1 : Available AM/PM Peak Hour Traffic Volumes

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 horizon 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.

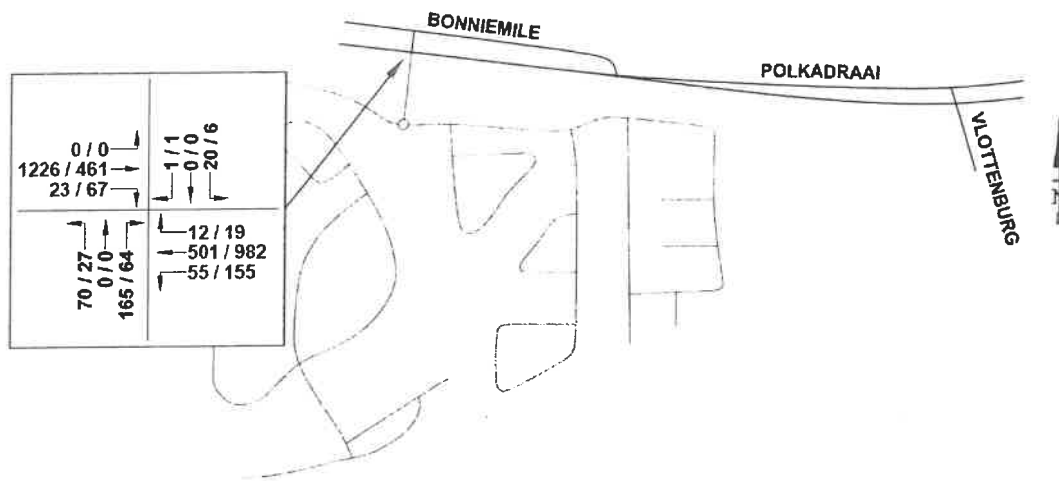


Figure 2 : Estimated 2029 AM/PM Peak Hour Volumes (incl Longlands Manor & Village)

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**.

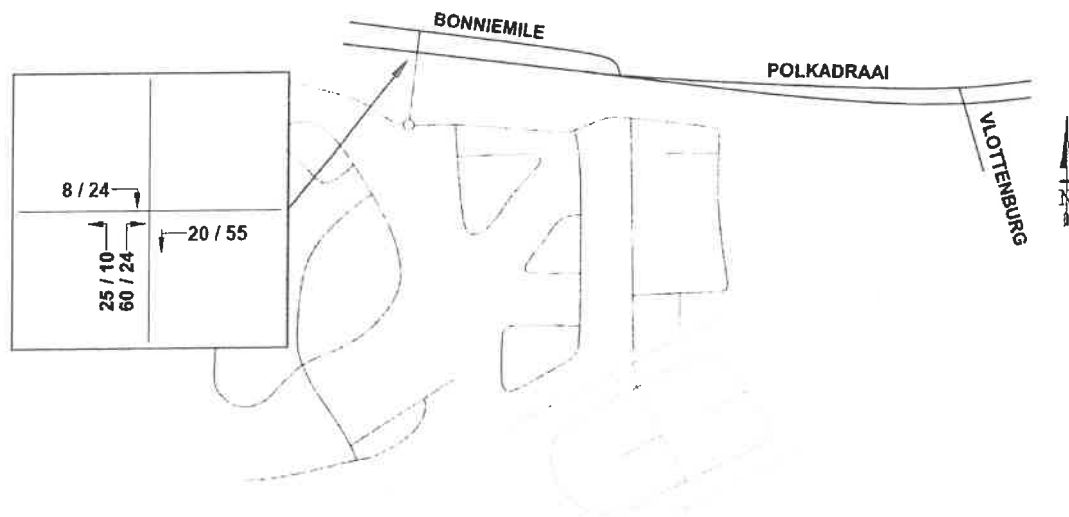


Figure 3 : Distribution of Peak Hour Traffic Potentially Generated by Proposed Development

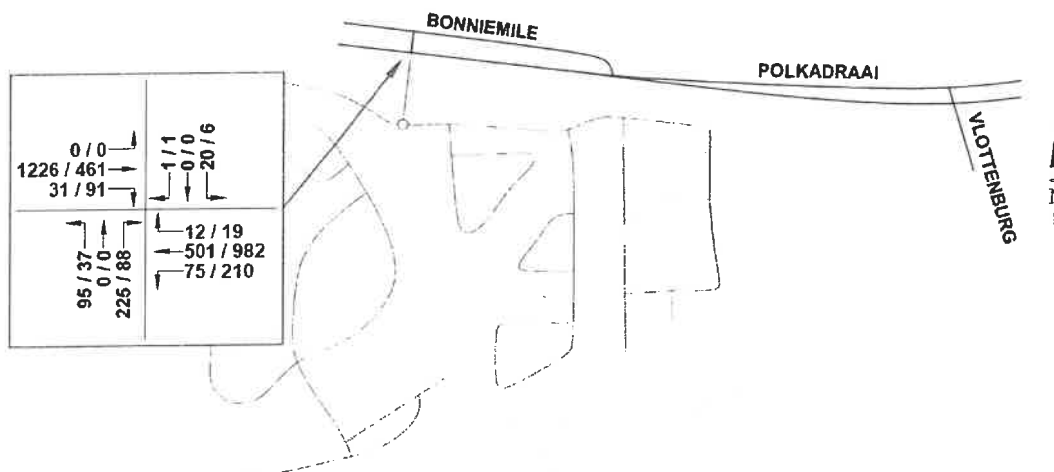


Figure 4 : Expected 2029 AM/PM Peak Hour Volumes (incl proposed development)

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.

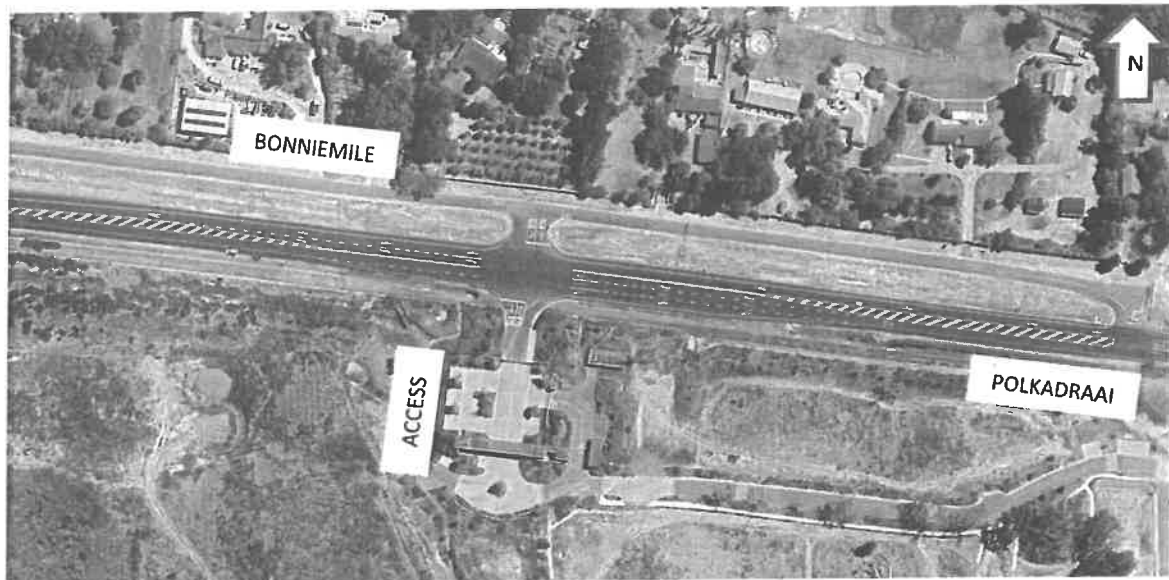


Diagram 3 : Existing Polkadraai Road/Access intersection lane layout

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:

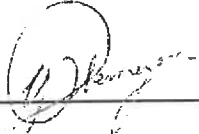
- 1) That this TIS accompanies the application for the updated development proposal on Farm 1307 Portions 2 and 3, situated between the existing Digteby Estate and Longlands Estates, west of Vlottenburg Road, Stellenbosch;
- 2) That the previous approval for the subject property included 54 single residential 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 SUBDIVISIONAL 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

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:	<p>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.</p>

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 Vlotenburg 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 its 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)

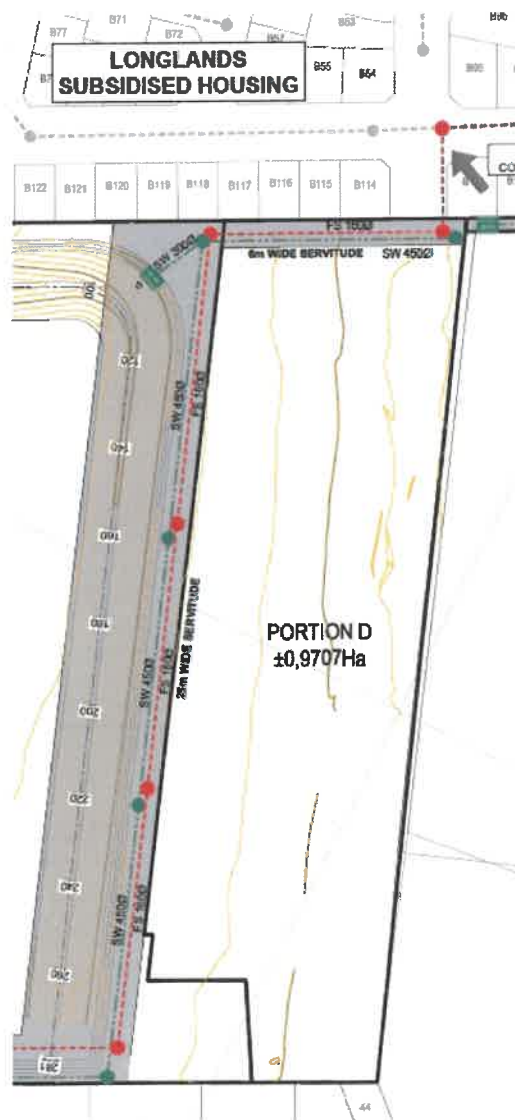
- 7.1 DCs are payable in accordance with the prevailing and applicable Council DCs Tariffs and DCs Policy at the time of payment prior to the transfer of the first property or approval of any building plans, whichever occurs first. The amount payable will therefore be the amount as calculated according 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.



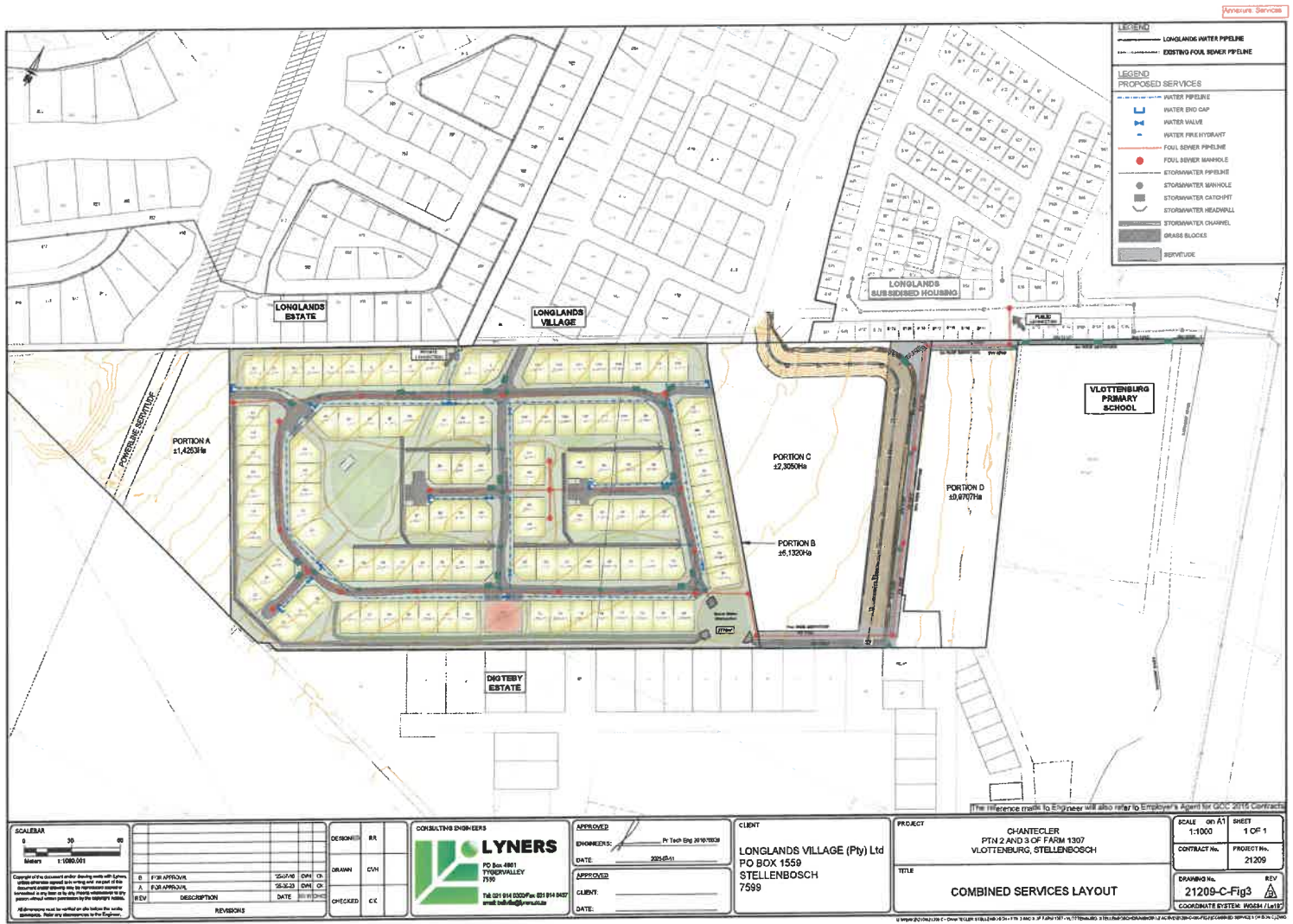
General Conditions

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





Stellenbosch Municipality

Development Charge Calculation



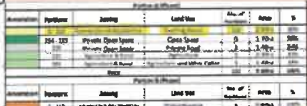
APPLICATION INFORMATION

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 458 266,58	R 1 323 454,94	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 10 146 554,57	R 2 170 949,90	R 12 317 514,47

APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature:	Estimate only
Notes:	 <p>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.</p>

All	Land Use Category		Unit Type	Existing usage		Proposed New Usage		Revised Usage	Development Charges (Local Head V&T)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
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ANNEXURE G

**APPLICATION FOR THE AMENDMENT OF AN
APPROVED SUBDIVISIONAL 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 $\pm$ 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: Vlotenburg Road) at $\pm$ 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 ($\pm$ 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 $\pm$ 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@udsafrika.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 SUBDIVISIONAL 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 Vloottenburg 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 Vloottenburg Road (via the south-west corner of Chantecler) rather than only to Polkadraai Road. Ideally access to both the Polkadraai and Vloottenburg 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 Vlotenburg 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, Vlotenburg 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/Sandriif 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 Vlotenburg 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 even, 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 Vlotenburg Primary School and the Ward 20 Committee, did not receive notice of the amendment to the subdivision plan 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 Vlotenburg 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 Vlotenburg 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

Vlotenburg road

Stellenbosch

7600

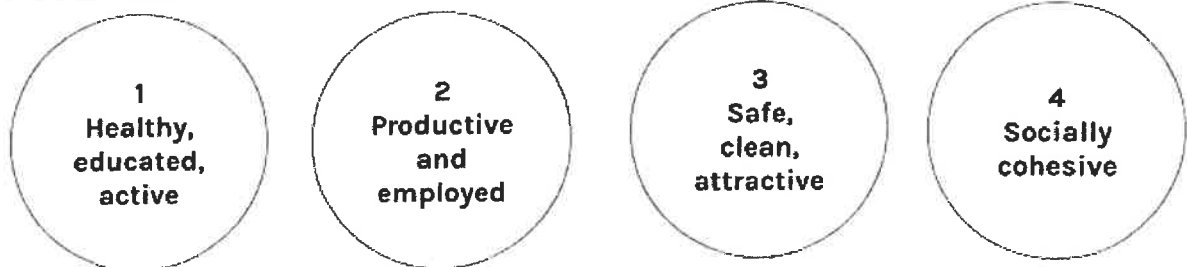


About the Valley Collaborative

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 project clarity to effectively address challenges and create a positive impact. We work in the Lynedoch Valley which includes the Vlottenburg, Vlaeberg 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

The Valley Collaborative started with the following role players:

Education sector: Vlottenburg After-school program, Vlottenburg Primary, Klein Ma Getrain Creche, Stellenbosch Waldorf School, Lynedoch Community School, Lynedoch Children's House, Lynedoch Youth Programme

Arts and recreation: The Living Arts Foundation, Stellenbosch gymnastics

Food security: Living Soils Community Learning Farm, Helping Hands Sunday meals, Anna & Dinah's Community Kitchen and 2 other community kitchens in Vlottenburg

Residents (not entire HOA) from: Lynedoch EcoVillage, Longlands Subsidised Housing, Klein Digteby, Digteby Estate, Longlands Country Estate

Other: 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,

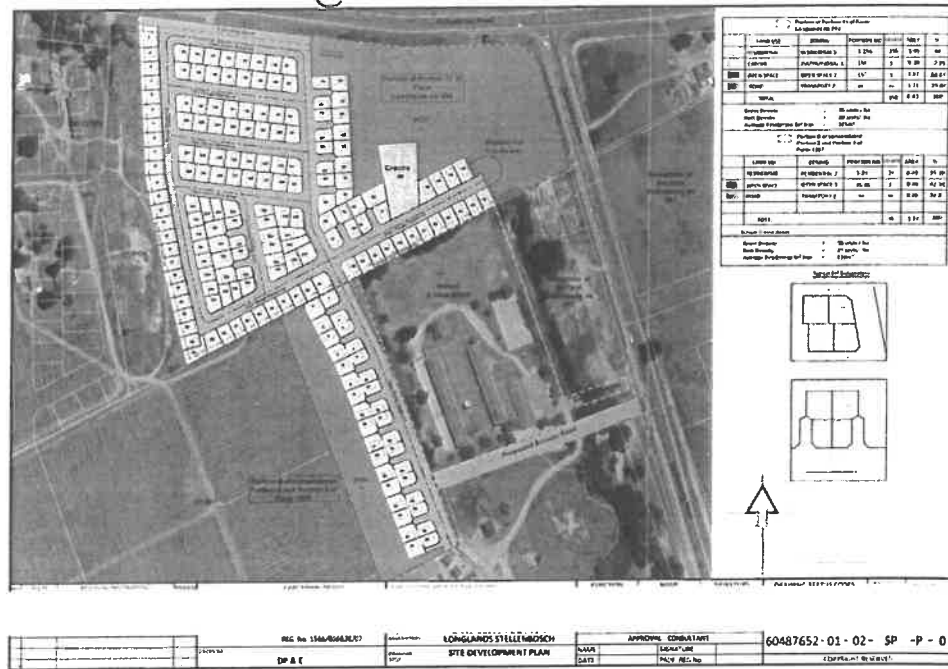
Re: COMMENTS ON THE APPLICATION SUBMITTED FOR THE AMENDMENT OF THE APPROVED SUBDIVISION PLAN AND SITE DEVELOPMENT PLAN FOR FARMS 1307/2 AND 1307/3, VLOTTENBERG STELLENBOSCH

1. We, Amelia Heyns and Edo Heyns, joint owners of Erf 83, Digteby Estate, Vlotenburg, 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 Vlotenburg 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

Wed, Mar 12 6:45 AM

Hi Amelia

Ons klient (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 resant 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 SUBDIVISIONAL 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	<p>In principle Digteby Estate supports the development, but we have some concerns which we would like to raise:</p> <ul style="list-style-type: none"> - 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. 	<p>A 10m wide landscaped corridor is proposed between the new development and the Digteby Estate – see image below.</p>  <p>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.</p> <p>The development of Portion B into 20 erven was approved by Council in 2015. See extract of Council's decision below:</p> <p>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 Pepondorf Architects) attached as Appendix 3.</p>

		<p>In 2020 they stated that Portion B must be transferred to Council free of charge. See extract of Council's decision below:</p> <p>(l) Portion B is transferred to the Stellenbosch Municipality free of charge;</p> <p>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.</p> <p>In other words, complaints about Portion B are not a valid reason to object to the proposed development on Portion A.</p>	<p>A 10m wide landscaped corridor is proposed between the new development and the Digteby Estate.</p> <p>The dwellings will be single storey.</p> <p>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.</p>
2.	Digteby HOA	<p>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:</p> <ul style="list-style-type: none"> - The gap between the Digteby Estate northern fence and the first row of plots. - Confirmation that only single-story 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. 	

3.	Digteby HOA	<p>Requests from Digteby Estate HOA:</p> <ul style="list-style-type: none"> - 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. - An increase of the distance between the Digteby Estate northern fence and the first row of plots to 15m. - The Chantecler main building (erf 114) to be moved away from the border of the Digteby Estate northern fence. - 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. - 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. 	<p>A landscape plan will be submitted to Council for approval, that will adequately screen the new development.</p> <p>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.</p> <p>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.</p> <p>The existing approval on Portion B remains unchanged and the conditions therein will need to be met.</p>
4.	Stellenbosch Interest Group	<p>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 Vlotenburg 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 Vlotenburg Road (via the south-west corner of Chantecler) rather than only to Polkadraai Road. Ideally access to both the Polkadraai and Vlotenburg Roads should be retained for the combined development areas. This is necessary</p>	<p>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.</p> <p>Furthermore, the new development will form part of the Longlands Estate and will have access to the Longlands Estate's recreational facilities.</p>

		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 Vlotenburg 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 82m ² 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. 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). 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	Vlotenburg 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.

		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 “ <i>environmental quality</i> ”. 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 2 nd 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. 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 “ <i>will be an eye sore</i> ”. The house design will complement the architectural style of the Longlands Estate and will not be an eye sore. Furthermore, as a development for elderly persons, we disagree with the objector that it will bring the “ <i>hustle and bustle of city life</i> ” to the Digteby Estate. It will, in all probability, be quieter than the surrounding residential developments (including the Digteby

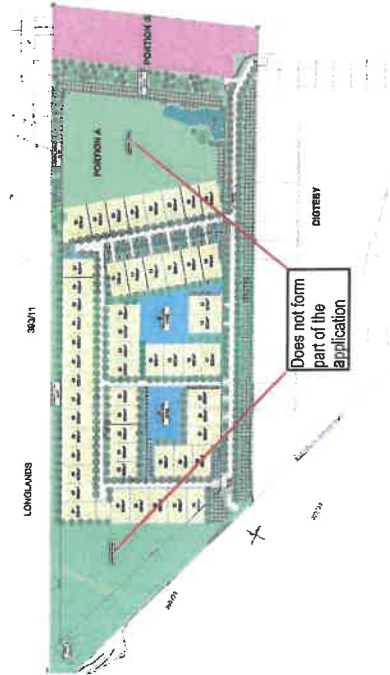
			Estate).
10.	Rochelle Ueckermann	If more houses sink a borehole/well it may reduce the water to our disposal in Digteby Estate.	Not that it is relevant to the planning application, but there are currently no plans for each new landowner to sink a borehole. The new development will link to municipal services (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 Vlothenburg 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).

16.	Rochelle Ueckermann	<p>reviews on Airbnb.</p> <p>Existing owners are impacted negatively by the proposed development as the local municipality cannot ensure that bylaws are implemented.</p>	<p>As mentioned in row 13, this application does not relate to Portion B (the social housing portion that was approved by Council in 2015).</p>
17.	Irma Faul	<p>Ensuring the Delivery of Affordable Housing:</p> <ul style="list-style-type: none"> - 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 Vlotenburg 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, 	<p>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.</p> <p>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).</p> <p>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.</p>

		<p>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.</p> <ul style="list-style-type: none"> - 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. 	
18.	Irma Faul	<p>Insufficient Public Participation:</p> <ul style="list-style-type: none"> - Although some level of public participation has occurred, key affected stakeholders, including local institutions like Vlotenburg Primary School and the Ward 20 Committee, did not receive notice of the amendment to the subdivision plan 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 Vlotenburg area, and whose rights will likely be materially and adversely affected, is critical to ensure that they are 	<p>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).</p> <p>Based on the type of application submitted (and the proposed changes to the approved layout), we feel the level of public participation was sufficient.</p>

		<p>able to meaningfully engage and submit meaningful comments during the public participation process.</p> <ul style="list-style-type: none"> - 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	<p>Promoting Inclusive Urban Development:</p> <ul style="list-style-type: none"> - 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. 	<p>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.</p>
20.	Amelia Heyns	<p>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.</p>	<p>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.</p>

			 <p>Objector's house</p>	<p>For the objector to claim that the new development will negatively impact them is insincere.</p>
21.	Amelia Heyns	<p>The Vlothenburg 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.</p>	<p>The objector is referring to the social housing component on Portion B that was approved by Council in 2015.</p> <p>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.</p>	
22.	Amelia Heyns	<p>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</p>	<p>This application does not refer to Portion B.</p>	

		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.	

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

ANNEXURE I

**APPLICATION FOR THE AMENDMENT OF AN
APPROVED SUBDIVISIONAL AREA PLAN AND
SUBDIVISION PLAN: FARM NO. 1307/2 AND FARM
NO. 1307/3, STELLENBOSCH DIVISION**

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



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

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

021 941 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, Vloottenburg 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

m Lintner - Strauss
CHIEF DIRECTOR: WESTERN CAPE
DATE: 9 September 2014

F1307/2x3S

340677



APPLICATION FOR CONSENT USE ON FARM 140/3 KYLEMORE

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STELLENBOSCH

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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 DETAILS			
Application Reference	LU/16946	Commencement Date	21/08/2024
Applicant	Dupre Lombaard - Virdus Works (Pty) Ltd	Last day for comments or additional information	22/10/2025
Erf/Farm nr	Farm 140/3	Place	Kylemore
Zoning	Agriculture and Rural Zone	Other approvals	An approval Departure for building line was approved on the 23/08/2023.
X	TYPE OF APPLICATION		
	15(2)(a) rezoning of land*		
	15(2)(b) a permanent departure from the development parameters of the zoning scheme		
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land		
	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*		
	15(2)(e) a consolidation of land that is not exempted in terms of section 24*		
	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*		
	15(2)(g) a permission required in terms of the zoning scheme		
	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		
X	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 of the Application:
 - o The applicant intends to construct the proposed second dwelling unit and utilise the second dwelling unit as three (3) bedrooms guest house.
2. Existing uses:
 - o The subject property is 1.14 ha and currently comprises of a main dwelling unit and pool house.
3. Background:
 - o A building plan (BP/4294/2023) was submitted on the 23/10/2023 for bed and breakfast establishment (three units with two bedrooms each, total six bedrooms) (**See Annexure B**). building plan was refused and a land use application was requested.
 - o A land use application was submitted on the 21/08/2024 for consent use for tourist accommodation establishment to accommodate proposed second dwelling unit + two new tourists dwelling units. The proposal reflected the exact same footprint with the BnB building plan. (**See Annexure B**). Subsequently, outstanding information was requested, specifically pertaining to a site-specific circumstances motivation.
 - o Subsequently, a building plan (BP/5680/2024) was submitted on 12 September 2024 for the proposed second dwelling unit, in terms of a primary right on a farm. The proposal reflects the same footprint as the above-mentioned application, with the only difference being the internal layout (interleading) (refer to **Annexure B**). The application was, however, not accepted.
 - o Thereafter, the land use application was amended to propose a second dwelling unit, to be utilised as a four (4) bedroom guest house.
 - o Following the public participation process, the application was further amended to propose a second dwelling unit to be utilised as a three (3) bedroom guest house.
 - o A site inspection was conducted on the property to verify the approved uses. It was established that the approved pool house is currently being utilised as a second dwelling unit, with a fully functional kitchen installed in place of the approved bar (**See Annexure G**).
4. Summary of applicant's motivation: (**See Annexure C**)
 - o The proposed second dwelling unit is a permitted primary use of the land.
 - o The proposed use does not trigger an authorisation application in terms of the National Environmental Management Act.
 - o The proposed use does not require authorisation in terms of the National Heritage Resources.
 - o No impact is foreseen on the traffic, as the projected visitor numbers are extremely low and the frequency and number of vehicles to or from the property, at most three to five per week and not during peak periods.
 - o The proposed use allows for the best possible use of the land resource.
 - o The proposal is in keeping with the relevant provincial policies by the proposed accommodation establishment use being limited and the planning done in a way to minimise any effect on the agricultural use of the farm and the surrounding area.
 - o The potential for the guest house to create nuisances and disturbances is deemed extremely low.

ASSESSMENT CHECKLIST

CONSIDERATION CRITERIA	YES	NO	Comments, if any
Accurate public participation processed followed	X		Circulated to internal departments and external departments
Conditions imposed by departments	X		o The Director: Infrastructure Services: recommended for approval (See Annexure E for Memo dated 22 November 2024).
DCs applicable	X		See Annexure E

Objections received	X	<p>One (1) objection received from surrounding properties (See Annexure D).</p> <p>The following objection (s)/comment (s) were received:</p> <p>a) Capolavoro HOA</p> <p>The following is summary of comments/objections received during public participation (interested and affected parties):</p> <p>a) Increase in traffic using the road abutting the estate.</p> <p>b) Requests upgrading of the road with speed control, traffic control signage to ensure safety at the entrance of the estate.</p> <p>c) Damage to the paved section of the road caused by construction vehicles must be repaired by the user.</p>
Proposal complies with applicable laws, policies, guidelines, the IDP and SDP and/or technical requirements in terms of Section 65	X	<ul style="list-style-type: none"> o A second dwelling unit is a primary right, while a guest house a consent use on properties zoned agriculture and rural zone in terms of the applicable zoning scheme by-law. o However, a site inspection was conducted on the property to verify the approved uses. It was established that the approved pool house is currently being utilised as a second dwelling unit, with a fully functional kitchen installed in place of the approved bar. It is therefore the opinion of the undersigned that the proposed second dwelling unit effectively constitutes a third dwelling unit on the property. o Furthermore, in terms of the applicable policies, MSDF, the proposal does not align with the vision of the MSDF to retain agricultural land and maintain the rural character. In particular, the subject property plays a significant role as a transitional zone between the built-up environment of Kylemore and the broader agricultural hinterland of the Dwars River Valley. Moreover, the proposal may further be interpreted as contributing to urban sprawl. o In terms of the zoning scheme, a third dwelling unit on a property situated within an agricultural and rural zone is not permitted on properties smaller than 10 ha.

DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW

Socio-economic impact	<p>Although the proposal facilitates economic growth, it is not appropriate to the rural context of the agricultural surrounding area. However, farm densification should not result in encroachment into farmland with agricultural potential. Development in rural areas should be in keeping with its location and sensitive to the rural landscape that is a tourist asset for the winelands economy.</p>
Compatibility with surrounding uses	<p>The subject property is located outside the demarcated urban edge and falls within an area identified as Extensive Agricultural Area in terms of the Spatial Planning Categories (SPCs). The property plays an important role as a transition zone between the built-up urban environment of Kylemore and wider agricultural land of the Dwars river valley. The proposal (non-agricultural) could potentially negatively impact on the surrounding areas by increased infrastructure demand, traffic and visual impact which are not aligned with the spatial intentions for this zone.</p> <p>Furthermore, the proposed uses are not subservient to the agricultural activities on the subject property. Moreover, the surrounding properties raised concerns regarding the increase in traffic using the road abutting the estate and potential damage of road infrastructure.</p>
Impact on the external engineering services	<p>The existing water and sewer infrastructure will be utilised for the proposed. Furthermore, the application was circulated to the infrastructure services department, and they supported the application.</p>
Impact on safety, health and wellbeing of the surrounding community	<p>There is no indication that the proposed development will result in any adverse impact on safety and security within the area, except for a potential increase in vehicular traffic associated with the proposed guest house.</p>
Impact on heritage	<p>The subject property is located on the Dwars River Valley Rural Conservation Overlay Zone. The subject property contains several heritage resource features as identified in the Stellenbosch Municipality Heritage Inventory Survey (2016), which may be at risk. These features include:</p> <ul style="list-style-type: none"> o Municipal Conservation Systems: Conservation Systems- Scenic Routes, o Conservation Foothills and Landscape Units. o Landscape Unit: Grade II, sensitivity 9. o Conservation systems – Scenic Route: Grade II o Conservation Foothills: Dwars River -F10 <p>However, the proposal was presented to the Stellenbosch Municipality Conservation Advisory Committee (SMCAC), and the committee raised no objections to the proposed development.</p>

Impact on the biophysical environment	<p>A Visual Impact Assessment has been prepared by S.C Lategan, dated August 2025 (See Annexure F). The assessment concludes that the proposed dwelling will have a low visual impact within the receiving environment. The site's high absorption capacity, combined with the scale, design, and landscape integration of the proposed dwelling, ensures that the development is visually acceptable and does not compromise the area's scenic, cultural, or heritage values.</p> <p>However, the proposal is likely to have a negative impact on the biophysical environment, as it is situated on agricultural land and may consequently compromise the land's agricultural potential and the presentation of the low-density rural character.</p>
Traffic impacts, parking, access and other transport related considerations	Adequate parking has been provided for the proposed uses. Furthermore, the scale of the development on the subject property is not expected to have a negative impact on traffic volumes.
Whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land	The negative impacts that the proposal has on the rural landscape cannot be mitigated through the imposition of conditions. In terms of the zoning scheme, a third dwelling unit on a property situated within an agricultural and rural zone is not permitted on properties smaller than 10 ha.

Assessment of comments on application

One objection was received from the surrounding properties with concerns regarding:

- a) Increase in traffic using the road abutting the estate.
- b) Requests for upgrading the road with speed control and traffic control signage to ensure safety at the entrance of the estate.
- c) Damage to the paved section of the road caused by construction vehicles must be repaired by the user.

The proposal, a third dwelling unit and (non-agricultural) could potentially negatively impact on the surrounding areas by increased infrastructure demand, traffic and visual impact which are not aligned with the spatial intentions for this zone.

Spatial planning and site inspection considerations

Farm 140/3, Kylemore, is located outside the demarcated urban edge and falls within an area identified as C.A - Extensive Agricultural Area in terms of the Spatial Planning Categories (SPCs). The farm is zoned as Agricultural and Rural Zone, and as such, its primary function is agricultural production and the preservation of rural character. This property plays an important role as a transition zone between the built-up urban environment of Kylemore and the wider agricultural hinterland of the Dwars River Valley. This transition is not only important from a visual and landscape perspective, but also functionally, supporting a range of agricultural and rural-based activities that contribute to the local economy and food systems. Allowing large-scale non-agricultural developments, such as resorts, tourist accommodation, or recreational facilities, within this rural context could undermine the long-term sustainability of the area. Such uses often bring with them increased infrastructure demand, traffic, and visual impact, which are not aligned with the spatial intentions for this zone.

A site inspection was conducted on the property to verify compliance with the approved land uses. During the inspection, it was established that the approved pool house is currently being utilised, or being unlawfully converted, into a second dwelling unit. Notably, a fully functional kitchen has been installed in place of the approved bar area. It is therefore the opinion of the undersigned that the proposed "second dwelling unit" effectively constitutes a "third dwelling unit" on the property. This existing use was not disclosed by the applicant. Consequently, the proposal, as submitted, is misleading and amounts to a misrepresentation of the true status of development on the property. In terms of Section 62 of the Stellenbosch Municipality Land Use Planning By-Law, an agent (applicant) may not provide information or make a statement in support of an application which he or she knows, or reasonably believes, to be misleading, false, or inaccurate. Such conduct constitutes an offence in terms of Section 86(1)(d) of the aforementioned By-Law. Moreover, in terms of Section 10(1) of the zoning scheme By-Law, the municipality may refuse any application submitted in terms of the Scheme or the Planning By-Law if, in its opinion, the plan or application facilitates or constitutes an evasion of the intent of the Scheme or any of its provisions.

Based on the scale, location, impact and the farm's spatial categorization, the establishment of a third dwelling unit on a 1ha property does not align with the vision of the MSDF, which seeks to preserve agricultural land and maintain the rural character of the area. Such development may be construed as contributing to urban sprawl. It is recommended that Farm 140/3 retain its current use and that any proposed land use changes are critically assessed against the Municipality's spatial vision, the Stellenbosch Spatial Development Framework (SDF), and the principle of protecting high-potential agricultural land for current and future generations.

The MSDF states that additional dwelling units should be restricted to one (1) unit per 10ha, to a maximum of 5 units: 175m² maximum floor area including garaging and building height of one (1) storey. Similarly, the Western Cape Land Use Planning Guidelines (Rural Guidelines) also prescribes one (1) additional dwelling unit per 10 ha with a maximum of five (5) additional dwelling units per land unit. Establishing a third dwelling unit on a property situated within an agricultural and rural zone is not permitted on properties smaller than 10 ha.

The primary intent of agricultural zoning is to safeguard productive farmland, limit fragmentation of rural properties, and preserve the low-density, open character that defines rural landscapes. The introduction of an additional dwelling beyond what is ordinarily contemplated for such zoning intensifies residential use on land intended predominantly for agricultural purposes. This incrementally shifts the functional character of the property away from agriculture toward residential occupation, thereby undermining the purpose and integrity of the zoning scheme.

Furthermore, while a third dwelling on an agricultural property of 1ha is not permitted, allowing a guesthouse that is not subservient to the agricultural land use may set an undesirable precedent, encouraging similar applications and contributing cumulatively to the gradual urbanisation of rural land. Such incremental intensification erodes the rural character, increases service demands, and fosters patterns of development more akin to suburban expansion than bona fide agricultural use.

In this context, the proposal is inconsistent with sound planning principles aimed at protecting agricultural land, preventing urban sprawl, and maintaining the rural identity and long-term sustainability of the area.

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 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.
2. A second dwelling unit as proposed is a primary right, while a guest house a consent use on properties zoned agriculture and rural zone in terms of the applicable zoning scheme by-law.
3. Although the proposal is submitted and motivated as a second dwelling unit, a site inspection conducted revealed that the existing pool house with bar is being utilised as a second dwelling unit in contravention with the approval (see **Annexure G**).
4. Establishing a third dwelling unit on a property situated within an agricultural and rural zone is not permitted on properties smaller than 10 ha.
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.
6. 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.
7. 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-cursor to urban sprawl.
8. The proposal has the potential to contribute to densification of the rural area, which may result in urban encroachment onto farmland with agricultural potential, as the proposed guest house/consent use is not subservient to the agricultural land uses.

The subject land use and land development application is, having regard to the conclusions above, viewed as not consistent with the MSDF and consequently grounds for the **non-supporting** of the subject land use and land development application.

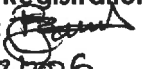
List relevant plan numbers	Site Development Plan, referenced as Drawing No: I 0422/A1/01-05, drawn by: M OS, dated 20 October 2025.
List annexures to decision	None

ANNEXURES

- ANNEXURE A: Locality Plan & Site Development Plan
- ANNEXURE B: Previous submissions
- ANNEXURE C: Applicants motivation
- ANNEXURE D: Objections & Response to objections
- ANNEXURE E: Comments from internal & external departments
- ANNEXURE F: Visual Impact Assessment
- ANNEXURE G: Site inspections photos

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: Bongwiwe Zondo
Capacity: Senior Town Planner
SACPLAN Registration: A/3477
Signature: 
Date: 13/02/2026

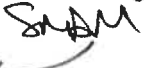
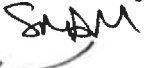
REVIEW OF ASSESSMENT AND RECOMMENDATION

The recommendation for decision is hereby submitted for consideration to the authorised decision-maker in accordance with the System of Delegations OR Categorisation Model approved in terms of Section 69 of the said Bylaw vide item 10.8.1 dated 26 February 2025.

Category / Delegation Item Number: O (c)

Decision Making Authority: MPT

Rational: Consent use on agricultural zoned land that, due to the specific nature is deemed to may impact on the agricultural viability or cause the undue transformation of the character of the cultural landscape and is not consistent with the purpose of the agriculture and rural zone.

Name: 
Capacity: 
SACPLAN Registration: 
Signature: 
Date: 13/2/2026.

SUBMISSION OF LAND USE AND LAND DEVELOPMENT ASSESSMENT REPORT**APPLICATION FOR CONSENT USE: FARM 140/3 KYLEMORE****Administrator to Authorised Official / 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 Municipal Planning Tribunal on:

Date: 27 February 2026

Name:

Capacity:

Signature:

Date:



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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

PLANNING DECISION IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW

APPLICATION DETAILS

Application Reference	LU/16946
Erf/Farm nr	Farm 140/3 Kylemore
Zoning	Agriculture and Rural Zone

CONSIDERATION BY AUTHORISED DECISION-MAKER

As the authorised employee in terms of Section 68 of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 to decide on the above application, it is confirmed that said authority had access to and has considered all the relevant information pertaining to the subject land use and land development application, and accordingly decides as follows:

Approve in whole	Approve in part	Refuse
------------------	-----------------	--------

Authorised Official:

Capacity:

SACPLAN Registration:

Signature:

Date:

ADDITIONAL EVALUATION CONSIDERATIONS, IF ANY

DECISION

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.

BE REFUSED in terms of Section 60 of the said Bylaw.

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

- 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.
- 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.
- 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.
- 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.
- 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.
- 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-cursor to urban sprawl.
- 2.7 The proposal has the potential to contribute to densification of the rural area, which may result in urban encroachment onto farmland with agricultural potential, as the proposed guest house/consent use is not subservient to the agricultural land uses.

ANNEXURE A:
LOCALITY PLAN + SITE DEVELOPMENT PLAN

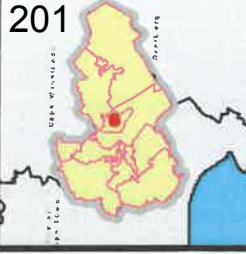
Stellenbosch GIS Map

SCALE

1:4 513,99

Legend

201



Stellenbosch Municipality
Planning & Economic Development
Created by: Corporate GIS

Date: 2026/02/13

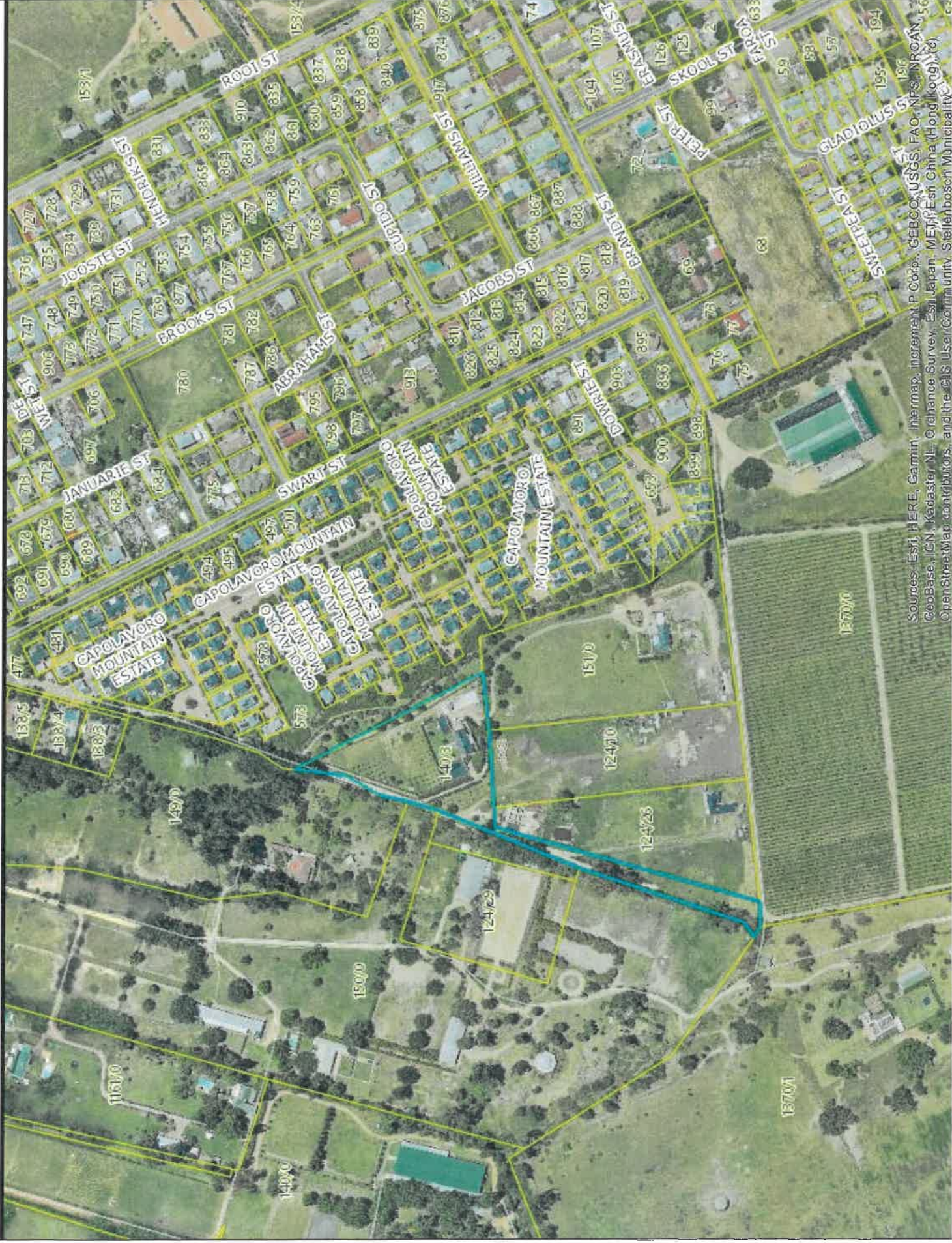


Author: Stellenbosch Municipality

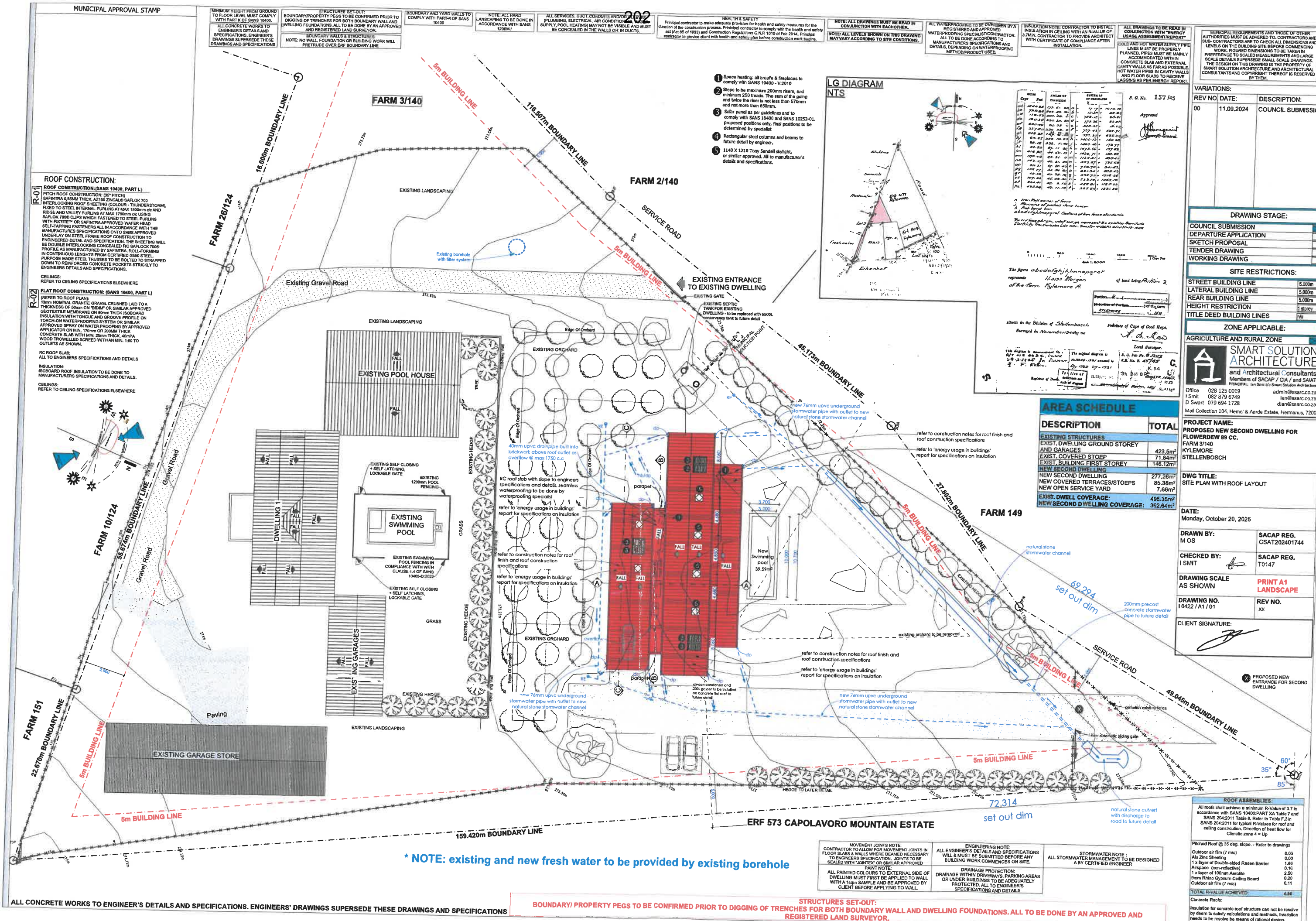


Stellenbosch Municipality
Street Address:
71 Plain Street, Stellenbosch, 7600
Tel: 021 808 8658

This map is a general overview of the Stellenbosch Municipality and is not intended to be used for legal purposes. It is not responsible for any errors or omissions in the map data. The map is published as a general overview and is not intended to be used for legal purposes. It is not responsible for any errors or omissions in the map data.



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Esri, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, OpenStreetMap contributors, and the GIS User Community, Stellenbosch Municipality.



ROOF CONSTRUCTION:
R-01 ROOF CONSTRUCTION: (SANS 10400, PART 1)
PITCH ROOF CONSTRUCTION: (30° PITCH)
SAFIRTRA 0.55MM THICK, A2150 ZINCALU6 SAPHK 700
INTERLOCKING ROOF SHEETING (COLOUR: TRUNDERSTORM),
FIXED TO STEEL INTERNAL PURLINS AT MAX. 1000mm c/c AND
RIDGE AND VALLEY PURLINS AT MAX. 1700mm c/c USING
SAFLOCK 7000 CLIPS WHICH FASTENED TO STEEL PURLINS
WITH FIXITITE™ OR SAFIRTRA APPROVED WAFER HEAD
SELF-TAPPING FASTENERS ALL IN ACCORDANCE WITH THE
MANUFACTURER'S SPECIFICATIONS ONTO SABS APPROVED
UNDERLAY ON STEEL FRAME ROOF CONSTRUCTION TO
ENGINEERED DETAIL AND SPECIFICATION. THE SHEETING WILL
BE DOUBLE INTERLOCKING CONCEALED FIC SAFLOCK 7000
PROFILE AS MANUFACTURED BY SAFIRTRA. ROLL-FORMING
IN CONTINUOUS LENGTHS FROM CERTIFIED 6500 STEEL
PURPOSE MADE STEEL TRUSSES TO BE BOLTED TO STRAPPED
DOWN TO REINFORCED CONCRETE POCKETS STRICTLY TO
ENGINEER'S DETAILS AND SPECIFICATIONS.

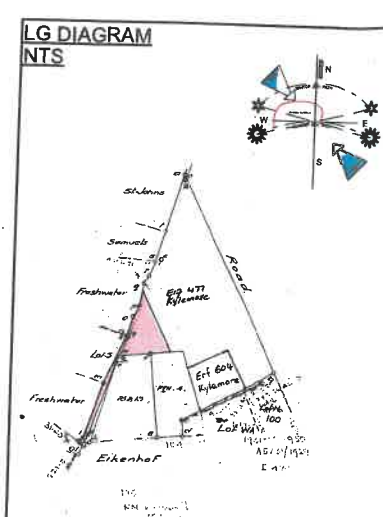
R-02 FLAT ROOF CONSTRUCTION: (SANS 10400, PART 1)
(REFER TO ROOF PLAN)
15mm NOMINAL GRANITE GRAVEL CRUSHED LAD TO A
THICKNESS OF 50mm ON "BED" OR SIMILAR APPROVED
GEOTEXTILE MEMBRANE ON 80mm THICK ISOBORD
INSULATION WITH TONGUE AND GROOVE PROFILE ON
TORCH-ON WATERPROOFING SYSTEM OR SIMILAR
APPROVED SPRAY ON WATERPROOFING BY APPROVED
APPLICATOR ON MIN. 170mm OR 200mm THICK
CONCRETE SLAB WITH MIN. 25mm THICK, 40MPa
WOOD TROWELLED SCREED WITH MIN. 180 TO
OUTLETS AS SHOWN.

RC ROOF SLAB:
ALL TO ENGINEER'S SPECIFICATIONS AND DETAILS

INSULATION:
ISOBORD ROOF INSULATION TO BE DONE TO
MANUFACTURER'S SPECIFICATIONS AND DETAILS.

CEILING:
REFER TO CEILING SPECIFICATIONS ELSEWHERE

1. Space heating: all brazes & fireplaces to comply with SANS 10400 - V.2010
2. Steps to be maximum 200mm risers, and minimum 250 treads. The sum of the going and twice the rise is not less than 570mm and not more than 650mm.
3. Solar panel as per guidelines and to comply with SANS 10400 and SANS 10252-01, proposed positions only. Final positions to be determined by specialist.
4. Rectangular steel columns and beams to future detail by engineer.
5. 1140 X 1210 Tony Sandell skylight, or similar approved. All to manufacturer's details and specifications.



R.O. No. 157/145

Approved: *[Signature]*

NO.	DATE	REVISION	DESCRIPTION
1	11.09.2024	01	ISSUED FOR TENDER

THE SIGNATURE OF THE ARCHITECT
[Signature]
of the firm **Kylemore Architects**
situated in the Division of Stellenbosch
Surgeons in November 2024

THE SIGNATURE OF THE LAND SURVEYOR
[Signature]
of the firm **Land Surveyors**
situated in the Division of Stellenbosch
Surgeons in November 2024

AREA SCHEDULE

DESCRIPTION	TOTAL
EXISTING STRUCTURES	
EXIST. DWELLING GROUND STOREY	423.5m²
AND GARAGES	71.84m²
EXIST. COVERED STOEP	146.12m²
NEW SECOND DWELLING	
NEW COVERED TERRACES/STOEPS	277.26m²
NEW OPEN SERVICE YARD	85.38m²
NEW DWELL. COVERAGE:	495.35m²
NEW SECOND DWELLING COVERAGE:	362.64m²

VARIATIONS:

REV NO	DATE	DESCRIPTION
00	11.09.2024	COUNCIL SUBMISSION

DRAWING STAGE:

COUNCIL SUBMISSION
DEPARTURE APPLICATION
SKETCH PROPOSAL
TENDER DRAWING
WORKING DRAWING

SITE RESTRICTIONS:

STREET BUILDING LINE	5.000m
LATERAL BUILDING LINE	5.000m
REAR BUILDING LINE	5.000m
HEIGHT RESTRICTION	1 storey
TITLE DEED BUILDING LINES	7m

ZONE APPLICABLE:
AGRICULTURE AND RURAL ZONE

SMART SOLUTION ARCHITECTURE
and Architectural Consultants
Members of SACAP / CIA / and SAIAI
PROVIDING: Integrated Smart Solution Architecture

Office: 028 125 0019
I Smit: 082 879 6749
D Swart: 079 694 1728
Mail Collection 104, Hemel & Aarde Estate, Hermanus, 7200

PROJECT NAME:
PROPOSED NEW SECOND DWELLING FOR FLOWERDEW 89 CC.

FARM 3/140
KYLEMORE
STELLENBOSCH

DWG TITLE:
SITE PLAN WITH ROOF LAYOUT

DATE:
Monday, October 20, 2025

DRAWN BY:
MOS

CHECKED BY:
I Smit

DRAWING SCALE:
AS SHOWN

DRAWING NO.:
10422 / A1 / 01

CLIENT SIGNATURE:
[Signature]

SACAP REG.
CSAT202401744

SACAP REG.
T0147

PRINT A1 LANDSCAPE

REV NO.
xx

ROOF ASSEMBLIES:
All roofs shall achieve a minimum R-Value of 3.7 in accordance with SANS 10400-PART 1A Table 7 and SANS 204:2011 Table 8. Refer to Table F.3 in SANS 204:2011 for typical R-Values for roof and ceiling construction. Direction of heat flow for Climatic zone 4 = Up

Pitched Roof @ 35 deg. slope - Refer to drawings	
Outdoor air film (7 m/s)	0.03
Alu. Zinc Sheeting	0.00
1 x layer of Double-sided Raden Barrier	1.86
Airspace (non-reflective)	0.16
1 x layer of 100mm Aerolite	2.50
9mm Rhine Gypsum Ceiling Board	0.20
Outdoor air film (7 m/s)	0.11
TOTAL R-VALUE ACHIEVED:	4.86

Concrete Roofs:
Insulation for concrete roof structure can not be resolved by deem to satisfy calculations and methods. Insulation needs to be resolved by means of rational design.

*** NOTE: existing and new fresh water to be provided by existing borehole**

BOUNDARY/ PROPERTY PEGS TO BE CONFIRMED PRIOR TO DIGGING OF TRENCHES FOR BOTH BOUNDARY WALL AND DWELLING FOUNDATIONS. ALL TO BE DONE BY AN APPROVED AND REGISTERED LAND SURVEYOR.

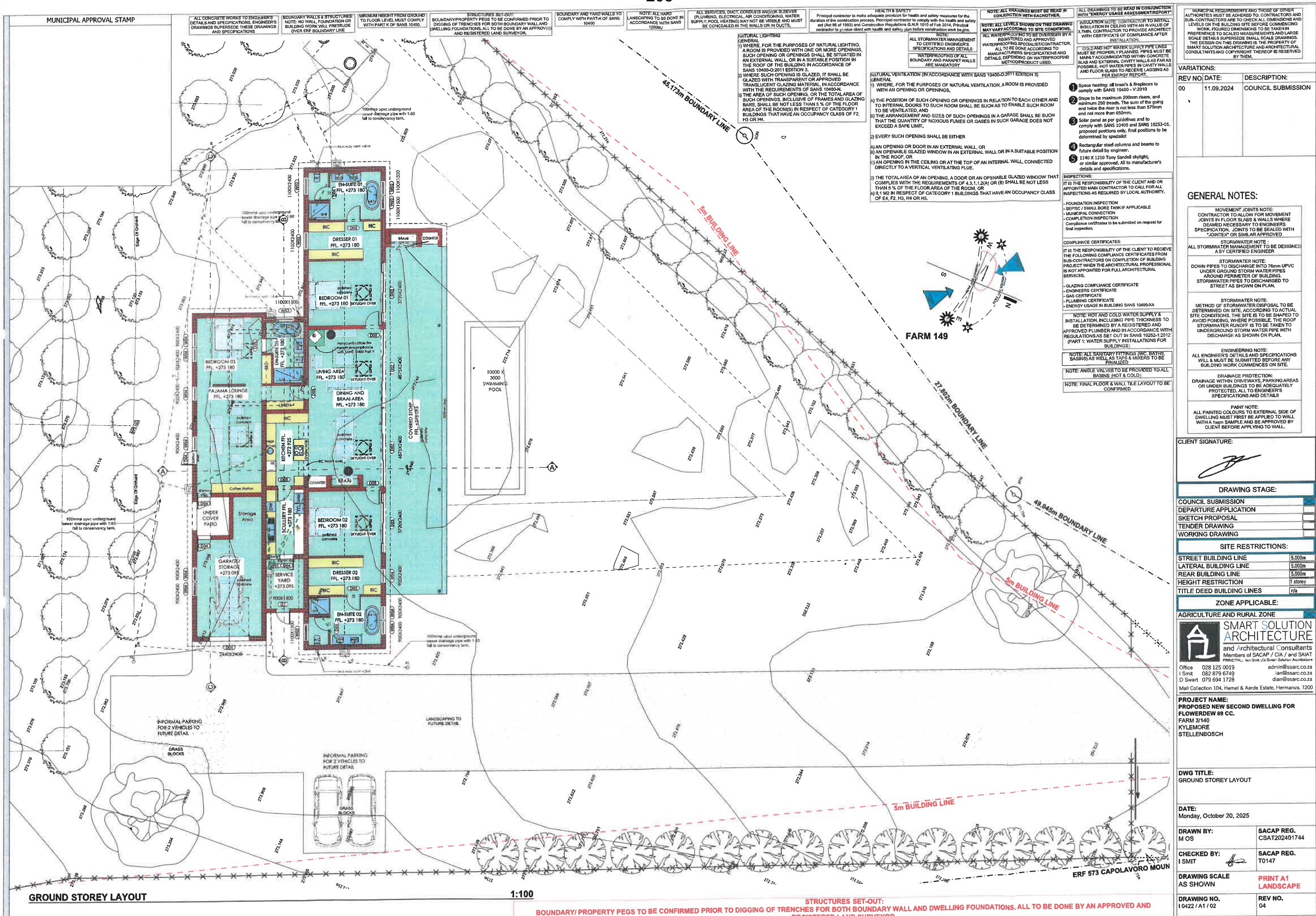
STRUCTURES SET-OUT:
CONTRACTOR TO ALLOW FOR MOVEMENT JOINTS IN FLOOR SLABS & WALLS WHERE DEEMED NECESSARY TO ENGINEER'S SPECIFICATION. JOINTS TO BE SEALED WITH "JOINTEX" OR SIMILAR APPROVED

PAINT NOTE:
ALL PAINTED COLOURS TO EXTERNAL SIDE OF DWELLING MUST FIRST BE APPLIED TO WALL WITH A 1sqm SAMPLE AND BE APPROVED BY CLIENT BEFORE APPLYING TO WALL

ENGINEERING NOTE:
ALL ENGINEER'S DETAILS AND SPECIFICATIONS WILL & MUST BE SUBMITTED BEFORE ANY BUILDING WORK COMMENCES ON SITE.

DRAINAGE PROTECTION:
DRAINAGE WITHIN DRIVEWAYS, PARKING AREAS OR UNDER BUILDINGS TO BE ADEQUATELY PROTECTED. ALL TO ENGINEER'S SPECIFICATIONS AND DETAILS

STORMWATER NOTE:
ALL STORMWATER MANAGEMENT TO BE DESIGNED BY A CERTIFIED ENGINEER



MUNICIPAL APPROVAL STAMP

HEALTH & SAFETY
Principal contractor to make adequate provision for health and safety measures for the duration of the construction process. Principal contractor to comply with the health and safety act (Act 85 of 1993) and Construction Regulations G.N.R 1010 of Feb 2014. Principal contractor to provide plan with health and safety plan before construction work begins.

ALL SERVICES, DUCT, CONDUITS AND/OR SLEEVES (PLUMBING, ELECTRICAL, AIR CONDITIONING, WATER SUPPLY, POOL HEATING) MAY NOT BE VISIBLE AND MUST BE CONCEALED IN THE WALLS OR IN DUCTS.
NOTE: ALL HARD LANSKAPING TO BE DONE IN ACCORDANCE WITH SANS 1200MJ

BOUNDARY AND YARD WALLS TO COMPLY WITH PART K OF SANS 10400
NOTE: ALL HARD LANSKAPING TO BE DONE IN ACCORDANCE WITH SANS 1200MJ
WATERPROOFING OF ALL BOUNDARY AND PARAPET WALLS ARE MANDATORY

STRUCTURES SET-OUT:
BOUNDARY/PROPERTY PEGS TO BE CONFIRMED PRIOR TO DIGGING OF TRENCHES FOR BOTH BOUNDARY WALL AND DWELLING FOUNDATIONS. ALL TO BE DONE BY AN APPROVED AND REGISTERED LAND SURVEYOR.

BOUNDARY WALLS & STRUCTURES:
NOTE: NO WALL, FOUNDATION OR BUILDING WORK WILL PRETEND OVER ERF BOUNDARY LINE
MINIMUM HEIGHT FROM GROUND TO FLOOR LEVEL MUST COMPLY WITH PART K OF SANS 10400.

NOTE:
ALL STORMWATER MANAGEMENT TO CERTIFIED ENGINEERS' SPECIFICATIONS AND DETAILS
ALL CONCRETE WORKS TO ENGINEERS' DETAILS AND SPECIFICATIONS, ENGINEERS' DRAWINGS SUPERSEDE THESE DRAWINGS AND SPECIFICATIONS

ALL WATERPROOFING TO BE OVERSEEN BY A REGISTERED AND APPROVED WATERPROOFING SPECIALIST/CONTRACTOR.
ALL TO BE DONE ACCORDING TO MANUFACTURERS' SPECIFICATIONS AND DETAILS, DEPENDING ON WATERPROOFING METHOD/PRODUCT USED.

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH "ENERGY USAGE ASSESSMENT REPORT"
NOTE: ALL DRAWINGS MUST BE READ IN CONJUNCTION WITH EACH OTHER.
NOTE: ALL LEVELS SHOWN ON THIS DRAWING MAY VARY ACCORDING TO SITE CONDITIONS.

INSULATION NOTE: CONTRACTOR TO INSTALL INSULATION IN CEILING WITH MINIMUM R-VALUE OF 0.15m. CONTRACTOR TO PROVIDE ARCHITECT WITH CERTIFICATE OF COMPLIANCE AFTER INSTALLATION.

COLD AND HOT WATER SUPPLY PIPE LINES MUST BE PROPERLY PLANNED, PIPES MUST BE MAINLY ACCOMMODATED WITHIN CONCRETE SLAB AND EXTERNAL CAVITY WALLS AS FAR AS POSSIBLE. HOT WATER PIPES IN CAVITY WALLS AND FLOOR SLABS TO RECEIVE LAGGING AS PER ENERGY REPORT.
ALL WATERPROOFING TO BE OVERSEEN BY A REGISTERED AND APPROVED WATERPROOFING SPECIALIST/CONTRACTOR. ALL TO BE DONE ACCORDING TO MANUFACTURERS' SPECIFICATIONS AND DETAILS, DEPENDING ON WATERPROOFING METHOD/PRODUCT USED.

MUNICIPAL REQUIREMENTS AND THOSE OF OTHER AUTHORITIES MUST BE ADHERED TO. CONTRACTORS AND SUB-CONTRACTORS ARE TO CHECK ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE COMMENCING WORK. FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALE DIMENSIONS. LARGE SCALE DETAILS SUPERSEDE SMALL SCALE DRAWINGS. THE DESIGN ON THIS DRAWING IS THE PROPERTY OF SMART SOLUTION ARCHITECTURE AND ARCHITECTURAL CONSULTANTS AND COPYRIGHT THEREOF IS RESERVED BY THEM.

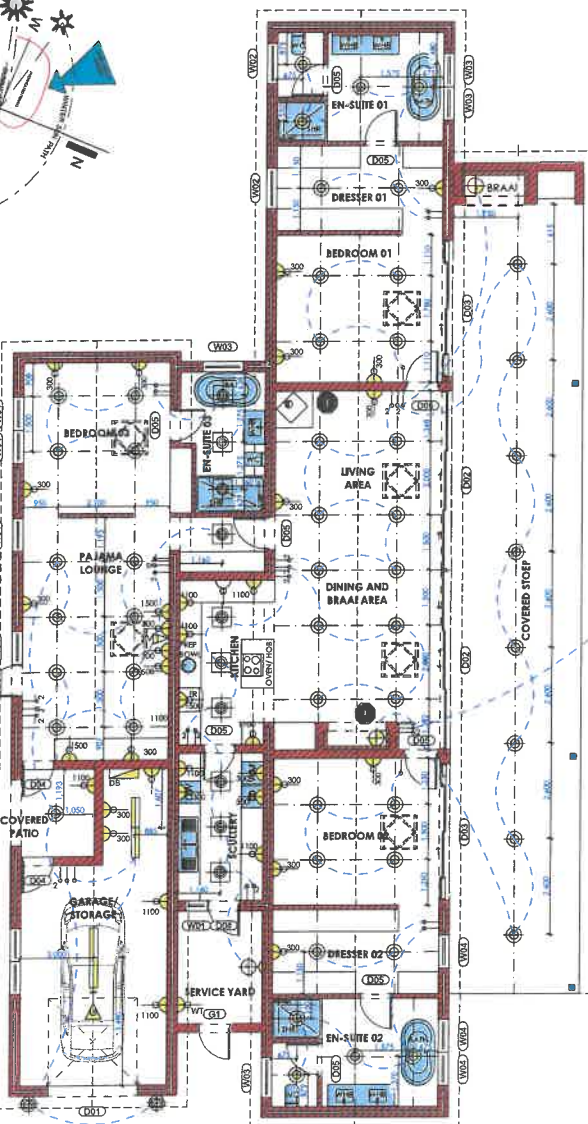
VARIATIONS:
REV NO DATE DESCRIPTION:
00 11.09.2024 COUNCIL SUBMISSION

GENERAL ELECTRICAL NOTES

- THE ENTIRE RETICULATION SHOULD BE CHECKED TO CONFIRM COMPLIANCE WITH EXISTING LEGAL REQUIREMENTS.
- THE POSSIBILITY & FEASIBILITY OF UPGRADING THE SUPPLY TO ASSESSED & REPORTED.
- ANY CHASE WORK TO BE DONE ON INTERNAL WALL IF POSSIBLE.
- ALTERNATIVELY CHASE WORK TO BE DONE IN WALLS CURRENTLY SHOWN TO BE PLASTERED.
- CONSULTANT FOR THE ALARM RETICULATION TO POINT OUT EXACT CABLE ROUTES, CONDUIT SIZES & HARDWARE POSITIONS BEFORE ROUTES ARE CHASED IN.
- THE ELECTRICAL CONTRACTOR TO PROVIDE CABLE ROUTES & DRAW WIRING TO THE ELECTRICAL CONTRACTOR TO PROVIDE CABLE ROUTES & DRAW WIRING TO THE APPROVAL OF THE ALARM SUB-CONTRACTOR.
- PROPOSED PCTEL POINTS ALL TO BE RETICULATED FROM A CENTRAL POINT, A SEPARATE CONDUIT ALLOCATED TO EACH POINT TO BE CONNECTED TO A CENTRAL CONNECTION POINT, ALL CONDUITS TO BE MIN. 25 Ø WITH SLOW BENDS OR DRAW BOXES. PROVIDE A DRAW WIRE IN EACH CONDUIT FOR SIMPLE RETICULATION BY SUB-CONTRACTOR.
- COMPLETE RETICULATION TO BE DONE BEFORE BUILDING IS FINISHED.
- ELECTRICAL CONTRACTOR TO BE HELD RESPONSIBLE FOR ANY BLOCKAGES IN CABLEWIRE ROUTES AND WILL BE HELD RESPONSIBLE FOR THE REPAIR INCLUDING CONSEQUENTIAL DAMAGE. ELECTRICAL CONTRACTOR TO CHECK ALL ROUTES BEFORE MAIN CONTRACTOR CLOSES WALLS & THE ROUTES.
- TELEPHONE RETICULATION TO BE DONE IN STRICT ACCORDANCE WITH TELKOM REQUIREMENTS AND IT IS ASSUMED THAT THE ELECTRICAL CONTRACTOR WILL ACQUAINT HIMSELF WITH THE MOST RECENT REQUIREMENTS.
- THE ELECTRICAL CONTRACTOR WILL BE RESPONSIBLE FOR THE ENTIRE CABLEING RETICULATION IN THE BUILDING (TV, SOCKETS, TEL, SOCKETS, PC SOCKETS COMPLETE), THE COMPLETED INSTALLATION WILL BE A "PLUG & PLAY" INSTALLATION TO APPROVAL.
- PROVIDE A CERTIFICATE OF COMPLIANCE ON COMPLETION OF INSTALLATION.
- THE ELECTRICAL CONTRACTOR TO BE RESPONSIBLE FOR PURCHASING ALL REQUIRED MATERIALS & LIGHT FITTINGS (A PC AMOUNT TO FORM PART OF QUOTE).
- TELEPHONE CABLEING TO BE DRAWN BY CONTRACTOR (CABLEING AVAILABLE FROM TELKOM-INFRASTRUCTURE).
- PC, ALARM, TV CABLEING TO BE DRAWN BY APPROVED SELECTED SUB-CONTRACTOR BUT WILL FORM PART OF MAIN ELECTRICAL RETIC. CONTRACT.
- QUOTES TO BE SUBMITTED FOR THE SELECTION OF DESIGN-SUPPLY CONSULTANTS FOR ALARM, TV & PC RETICULATION.
- CONTRACTOR TO PROVIDE ARCHITECT WITH E.C.A. REGISTRATION.
- CONTRACTOR TO PROVIDE PROOF OF WORKS RISK & PUBLIC INDEMNITY INSURANCE OF MIN. R 1 000 000.00.
- CONTRACTOR TO PROVIDE ARCHITECT WITH COMPLETE ROOM BY ROOM STATUS QUD AND APPROPRIATE RECOMMENDATION REPORT OUTLINING PROPOSED WORK, COST & COUNCIL REQUIREMENTS & COSTS.
- ASSES MAINS CONNECTION & CABLE CONDITION & REPORT TO ARCHITECT.
- ALL SITE RETICULATION OF LIGHTS TO BE DONE WITH ARMORED CABLE. ROUTES TO BE APPROVED.
- SOFFITS OF SLABS ARE OFF-SHUTTER CONCRETE. THE GALVANIZED "SLAB-BOXES" ARE TO BE RECESSED TO ALLOW APPROVED LIGHT FITTINGS.
- EXTERNAL SPIKE LIGHT POSITIONS TO BE CONFIRMED BY LANDSCAPE ARCHITECT.
- CONFIRM POSITIONS & SPEC. FOR ANY SURFACE MOUNT WIRING.
- INSULATION IN ROOF VOID TO BE CUT OUT AROUND LOW VOLTAGE TRANSFORMERS IN VOID. ALLOW AT LEAST 300 X 300 CLEARANCE AROUND POINT.
- EACH LOW VOLTAGE TRANSFORMER TO BE EITHER COMPLETE WITH TRANSFORMER INTEGRATED IN FITTING OR TO BE PROVIDED WITH A SEPARATE TRANSFORMER FOR EACH FITTING.
- REINFORCE SURFACE BEDS WHERE HIGH CONCENTRATION OF CONDUITS ARE CUT IN.

GROUND STOREY GENERIC ELECTRICAL LAYOUT

1:100



ANNEXURE B:
PREVIOUS SUBMISSIONS

- Building plan (BP/4294/2023) was submitted on the 23/10/2023 for bed and breakfast establishment (three units with two bedrooms each, total six bedrooms)



[illegible]

- A building plan (BP/5680/2024) was submitted on 12 September 2024 for the proposed second dwelling unit, in terms of a primary right on a farm.

[illegible]

- Proposed new garages

[illegible]

[illegible][illegible][illegible]

The architectural drawings show the three elevations of the 'Barn' building. The North Elevation (top) shows a gabled roof with a dormer and a large window. The South Elevation (middle) shows a gabled roof with a dormer and a large window. The East Elevation (bottom) shows a gabled roof with a dormer and a large window. The drawings include dimensions, material specifications, and construction notes. The North Elevation shows a gabled roof with a dormer and a large window. The South Elevation shows a gabled roof with a dormer and a large window. The East Elevation shows a gabled roof with a dormer and a large window.

Architectural drawings of the West Elevation of a building. The drawings include a side elevation and a section view. The side elevation shows a building with a dark facade, a series of windows, and a roofline. The section view shows the internal structure, including a gabled roof with a 60-degree pitch, a new storage area, and a new garage (2B). Annotations include 'NEW TO CONSTRUCTION: ROOF TRUSSES AND JOIST CONNECTIONS SPECIFICATIONS' and 'NEW TO CONSTRUCTION: ROOF TRUSSES AND JOIST CONNECTIONS SPECIFICATIONS'. The drawings are labeled with dimensions and elevations.

[illegible]

ANNEXURE C:
APPLICANT'S MOTIVATION

APPLICATION FOR CONSENT USE ON

**PORTION 3 OF FARM RIVERSIDE NO. 140,
STELLENBOSCH RD**



Original: March 2024
Amended: October 2024

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ANNEXURE**ANNEXURE A: LOCALITY****ANNEXURE B: APPLICATION AUTHORISATION****ANNEXURE C: APPLICATION FORM****ANNEXURE D: CONVEYANCER'S CERTIFICATE****ANNEXURE E: TITLE DEED****ANNEXURE F: DIAGRAM****ANNEXURE G: SITE DEVELOPMENT PLAN**

EXECUTIVE SUMMARY

MOTIVATION IN SUPPORT OF LAND DEVELOPMENT APPLICATION FOR: PORTION 3 OF FARM RIVERSIDE NO. 140, STELLENBOSCH RD SG Code: C0670000000014000003 / Location: Lat: 33° 55' 0.984" S Lon: 18° 56' 49.311" E	
<u>Owner:</u> Flowerdew 89 CC Reg. No. 2002/064937/23 Represented by: Mr Barend Landman Cellular: +27 82 575 5988 E-mail: barend@landmanclift.co.za Address: Riverside Farm, Kylemore, Stellenbosch, 7600	<u>Project Consultant:</u> Virdus Works (Pty) Ltd Reg. No. 2018/585747/07 Represented by: Mr Dupré Lombaard SACPLAN: B/8076/1998 // EAPASA: 2019/304 Cellular: +27 82 895 6362 E-mail: dupre.lombaard@virdus.com Address: 3 rd Floor, Time Square, Elektron Street, Techno Park, Stellenbosch, 7600, South Africa

This amended motivation report is submitted in response to the email from case officer, Ms B Zondo, dated 09 October 2024, read with the submission of an amended application form and site development plan, submitted under cover of a letter dated 20 September 2024. The amendments are made in terms of Section 52 of the Stellenbosch Municipality Land Use Planning Bylaw, 2023.

The amendments entail the submission of a building plan for a second dwelling in compliance with the Stellenbosch Municipality: Zoning Scheme Bylaw, 2019, as a primary right and for the use of the second dwelling as a guest house with four guest bedrooms, i.e., the use of the house in its entirety for guest house purposes, while the owner resides on the property in the main dwelling.

The application is therefore for approval of a consent use for a guest house, in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning Bylaw, 2023 (LUPB), read with Sections 207, and 213 of the Zoning Scheme Bylaw.

The property has an Agricultural and Rural Zone, and is 1,1392ha in extent. It has been cultivated with an orchard mostly for own use, but with surplus provided to local suppliers. The farm has a borehole that supplies it with potable and irrigation water. Sewerage is collected in a conservancy tank and removed periodically for emptying to the municipal works. Solid waste is removed by the Municipality.

Access to the farm is to the north from Klip Street in Kylemore via a servitude access road.

There are no title deed restrictions preventing the proposed consent use in Deed T1250/2017.

MOTIVATION REPORT

1. BACKGROUND

1.1 Introduction

Portion 3 of Riverside Farm No. 140, Stellenbosch, is located south of the Capolavoro Estate in Kylemore. It is accessed via a servitude road from Klip Street in Kylemore. The farm has an area of 1,1392ha, abutting a seasonal stream that is a tributary of the Dwars River.



Figure 1: Portion 3 of Riverside Farm No. 140, Stellenbosch locality

The farm was acquired by the current owner in 2017, following which it has been developed by the establishment of a dwelling, outbuildings, and an orchard. The primary use of the property is agriculture, with 0,6ha used as orchard and 0,3 for

farm buildings. The remaining land retains natural vegetation and access to the adjacent farms.

1.2 Proposal

The proposal is to build a second dwelling with a coverage area of 423,68m² as a primary right on an unused portion of the farm and the use thereof as a guest house¹ with four bedrooms, to be used for transient guests while the owner resides in the main dwelling on the farm.

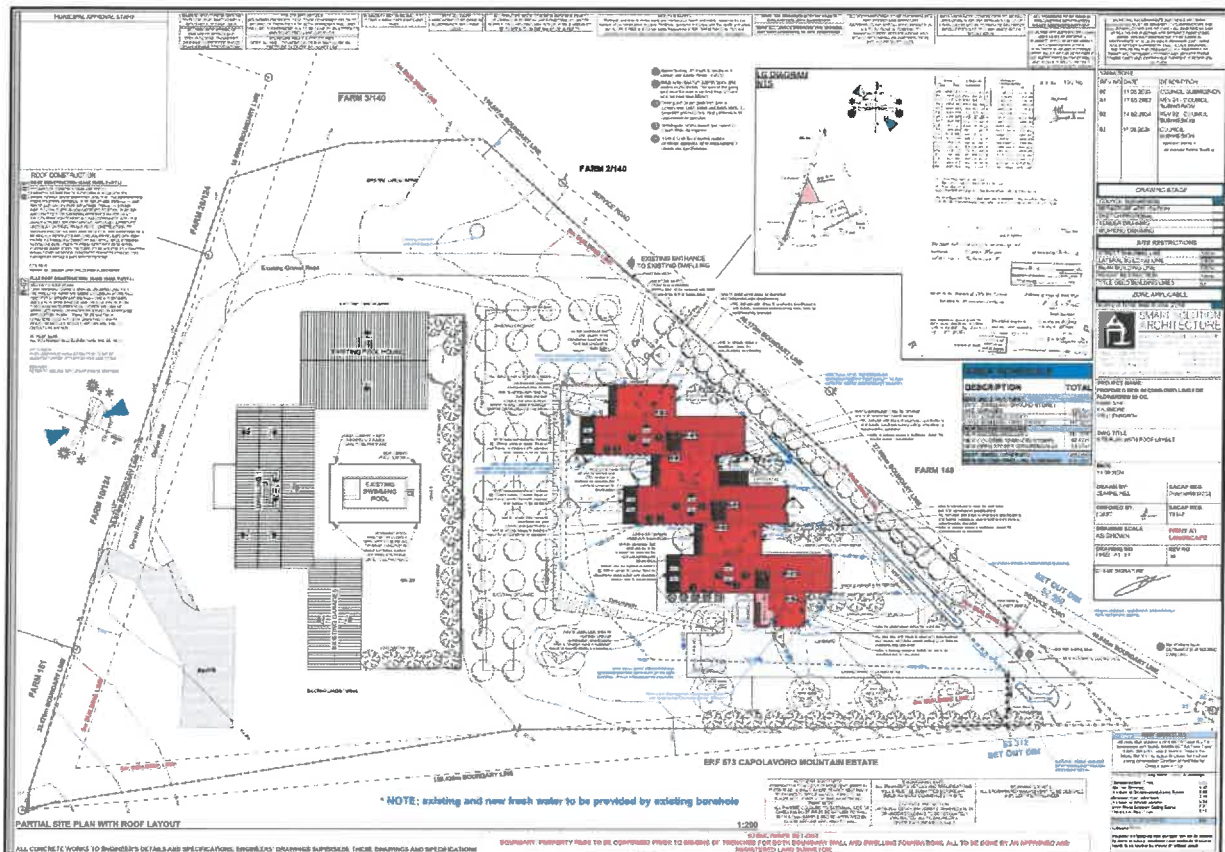


Figure 2: Site development plan for Ptn 3 Farm 140, Stellenbosch

¹ **"guest house" (gaste huis)** means the use of furnished bedrooms or suites in a dwelling house and/or second dwelling, for the accommodation of **transient guests**, where accommodation is rented out on an individual room- by-room basis, where no proprietor is required to live on the property as a permanent resident, and where no self-catering facilities are provided, subject to the following: - in the zones where this Scheme permits a dwelling house or second dwelling house but not flats or hotel, the scale of anyone building may not exceed that of a dwelling house or second dwelling house which would ordinarily accommodate one family and must be able to revert back to a dwelling house when no longer used for a guest house. - up to one meeting room and one room for beauty treatments per land unit may be provided on properties which are zoned other than Conventional Residential zone, provided that the facilities may only serve resident guests of that specific land unit and may not be used by residents of the same enterprise who reside on different land units. - at least one communal bathroom shall be provided to guests, but rooms may be an en-suite. - one kitchen per dwelling unit will be retained from which the establishment may serve meals to guests who are resident on that same land unit. - it is not compulsory for the establishment to have staff present on a 24-hour basis, but the operation may include such staff. - a guest house premises may be licensed to sell liquor for consumption on the property in a Local Business zone, Mixed-use Zone, Agriculture and Rural Zone, and Open Space Zone. In any other zones, a consent use application must first be approved before such a license may be issued. - a guest house may not include a shop for sale of alcohol for off-site consumption. - alcohol may only be served to resident guests and the facility may not include a pub.

The site development plan of the farm shows the existing buildings and use areas, in keeping with the requirements of the Bylaw.

2. LAND DEVELOPMENT APPLICATION AND AUTHORISATION

2.1 Land use

In terms of the Zoning Scheme Bylaw, one dwelling house and one second dwelling shall be permitted on any land unit as a primary right, each of which may not exceed a coverage of 600m². Coverage excludes garages, carports, or outbuildings which are ordinarily associated to a dwelling house for one family, as exist on the property and shown on the site development plan (SDP). The existing buildings cover 495,35m².



Figure 3: Portion 3 of Riverside Farm No. 140, Stellenbosch situation

The proposed second dwelling covers an area of 423,68m². The number or scale of buildings, in which accommodation for transient guests is proposed to be provided,

do not exceed the scale of dwelling houses and additional dwelling houses permitted on a land unit. The remaining 0,3ha is used for the farm dwelling, and outbuildings. As indicated above, the farm is used primarily for agricultural purposes², namely for orchards, access to adjacent farms, and natural vegetation on approximately 0,8ha.

When considering a consent use application, the Municipality must consider the assessment criteria and other requirements in Section 213.

- ✓ A site development plan in accordance with the requirements of Section 216 of the ZSB is submitted herewith.
- ✓ As already indicated above, the scale of the individual buildings used for consent uses are (and must) remain in keeping with the character of buildings on the land unit. The layout of the buildings on the farm are cognisant of the "Werf" concept, albeit in modern style.

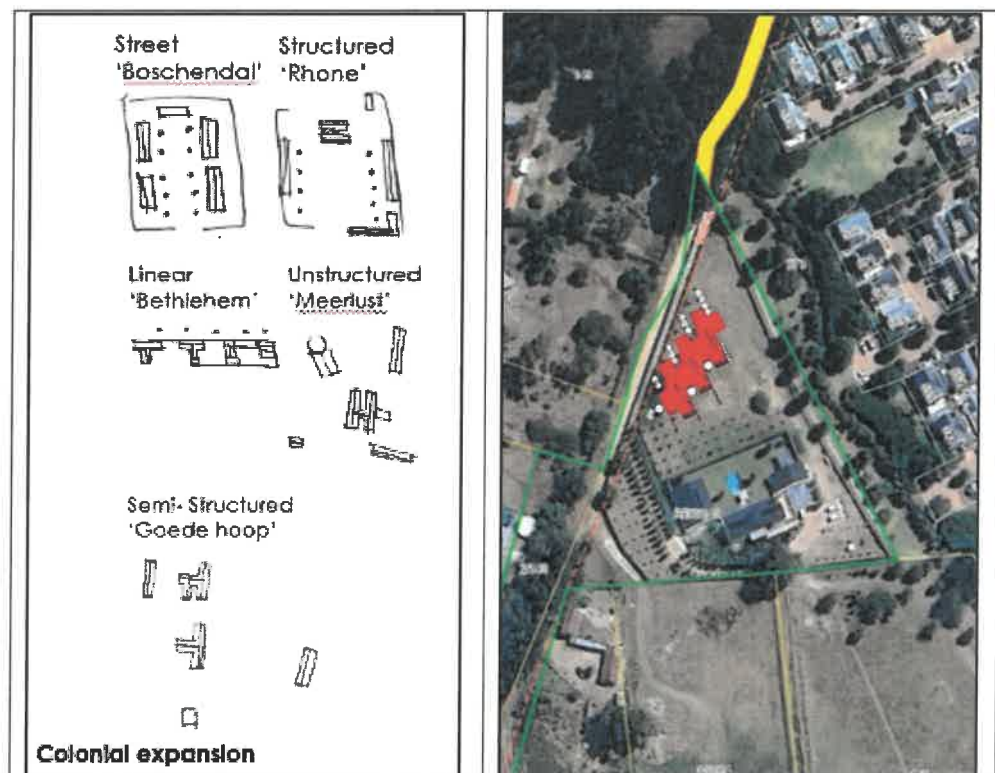


Figure 4: Werf concept on Ptn 3 Farm 140, Stellenbosch

² "agriculture means the cultivation of land for crops and/or plants, the keeping and/or breeding of animals, livestock, game, bees, birds, whether or not in the open or in enclosures, and/or the breeding of water fauna and/or flora in artificially constructed dams or natural waterways, and includes a riding school, generating compost for own use on the land unit or farm, but excludes intensive feed farming or any other additional or consent uses in the Agriculture and Rural zone".

The Bylaw further determines that: "The purpose of this zone is to make provision for: (a) the protection and preservation of agricultural land, rural landscapes and biodiversity; (b) use of land for purposes of bona fide agricultural production or conservation; (c) buildings and structures which may be erected for reasonable and normal agricultural purposes; (d) a limited range of other ancillary uses which may take place on agricultural land units, either as additional rights or with the consent of the Municipality and which provides for more intensive agricultural use, agricultural industry or tourism which has the objective of creating variety, ensuring sustainability and providing diversified income to land owners, without adversely impacting on the primary use of the land unit for agricultural purposes".

The Conservation Management Plan for the Tangible Heritage Resources in the Stellenbosch Municipality, 2019, requires of development in the Dwars River Valley to: *"Respect traditional werf settlement patterns by considering the entire werf as the component of significance. This includes the backdrop of the natural landscape against which it is sited, as well as its spatial structure. Any development that impacts the inherent character of the werf component should be discouraged."*

The architects took cognisance of the requirement and accordingly propose the *"layout, scale, massing, hierarchy, alignments, access, landscaping, and setting"* as shown in the SDP, with the proposed unit closing the north-western side of the werf.

- ✓ The proposed guest house use fits with the objectives of the Agriculture and Rural Zone as indicated in footnote 2, by not having any negative effect on the preservation of agricultural land and the continued use of farmland for agriculture. The proposed building does not diminish the supply of productive cultivated land and does not have a negative effect on the productive capacity of the farm or the surrounding area.

The non-agricultural land uses (guest house) do not dominate the farm activities or buildings form.

- ✓ The proposed use is subservient to the primary use of bona fide agriculture and retained natural environment as the primary agricultural uses. The proposed dwelling units take direct access off the existing farm road and servitude access, without increasing the overall area effect of the dwellings. The non-agricultural uses thus cover no more than 5% of the total farm area and do not disrupt the agricultural use.
- ✓ The application is for approval of the proposed new building for the guest house, as there are no other suitable unused buildings on the land unit which can be used for the purpose. When the current owner acquired the farm in 2017 it was completely vacant and undeveloped.

2.2 Application

Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning Bylaw, 2023 (LUPB), read with Sections 207, 208, and 213 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (ZSB), for the construction of a second dwelling to be used as a guest house on Portion 3 of Farm Riverside No. 140, Stellenbosch.

2.3 Title deed restrictions

The title deed (T1250/2017) of the farm is attached together with the conveyancer's certificate. There are no restrictive title conditions that prevent the proposed use of the land for the proposed guest house and consent use.

3. MOTIVATION

The Stellenbosch municipal spatial development framework (SDF) and the integrated development plan (IDP) make specific provision for the use of agricultural assets and land as part of the attraction of the Stellenbosch municipal area. It confirms that the natural assets and the agricultural character are major elements in the area's attraction for tourism and that tourism is one of the largest creators of employment and it makes a substantial contribution to the economic sustainability of the Stellenbosch agricultural sector.

Moreover, the Dwars River Valley has an attractive character, and many farms in the Valley offer guest houses, guest accommodation, spa's / wellness centres, shops, restaurants, and events venues. The farms in the Valley are of varying extent and the larger ones are used primarily for commercial agricultural purposes, while others are not commercially viable and require additional and consent uses such as tourist facilities and accommodation establishments to supplement the primary use. Without such supplementary uses, the farms will not be sustainable, and the area would be bound to degrade.

The Bylaw determines that tourist facilities in the Agriculture and Rural Zone may only be undertaken from a land unit where the primary use of the land is *"bona fide agriculture or natural environment or a combination of these uses and where the proposed activity is subservient to the primary land use on the farm."* Compliance with this criterion has been illustrated above, with the SDP showing that 95% of the land unit remains to be used for agricultural purposes, and the guest house will not affect the use. The accommodation establishment will also not be affected by the agricultural use of the farm or any of the surrounding farms, as the attraction for tourists to stay in such establishment is the rural setting and agricultural environment.

The potential tourist numbers (and thus traffic generated by it) will be low if the Wesgrow and Western Cape Government statistics are correct. Wesgrow (Tourism Research Overview, 2023) indicates that approximately 1,9 million international 6 million domestic visitors come to the Western Cape Province annually. 35 - 40% of the domestic tourists visit the Cape Winelands, while 70% of international tourists visit the Winelands. Of these, only 35% overnight in the Winelands, spread over a large number of accommodation establishments, and focused (53%) on cultural and heritage attractions and outdoor activities.

The owner wishes to increase the revenue potential of the farm, which in its current form is a "gentleman's estate" rather than a productive agricultural unit. While the agricultural use of the property is predominant, it does not generate any feasible financial returns and the only way to improve on the revenue outlook for the property is by the creation of a tourist-related use that does not have negative effects on the farm's agricultural use, or that of the surrounding properties. The potential for the guest to cause nuisances and disturbances is deemed extremely low and the use could accordingly be approved in keeping with the relevant statutory provisions in the Bylaw.

The proposed second dwelling is a permitted primary use of the land.

3.1 Stellenbosch Municipality IDP and SDF

Although the proposed guest house use is of such minor nature that it cannot be assessed in terms of the spatial planning policies of the Municipality, reference thereto is included for the sake of completeness in the motivation. Suffice to state that the Integrated Development Plan 2023 (IDP), and the Spatial Development Framework (SDF) provide for the retention of the agricultural and natural character of the Stellenbosch rural landscape as a primary attraction. On the other hand, diversification of agricultural activities to enhance the economic sustainability of the farms is promoted.

This application is in line with the relevant policies. Although of limited scale and reliant on visitors who use their own vehicles or rent vehicles, it will make a contribution to local tourism and the local economy. In this respect, the IDP makes specific provision for the use of farms as tourism attractions: *"Manage and develop tourism as one of the key economic sectors - Facilitate the development of tourism attractions, as contained in the Local Economic Development Strategy, in all sectors and at all levels of the local economy."* It further states that the Municipality must *"Support compatible and sustainable rural activities outside the urban edge (including tourism) if these activities are of a nature and form appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment, agricultural sustainability, or the ability of the municipality to deliver on its mandate."*

The SDF specifically states that the protection and expansion of tourism assets and the protection of agricultural land, enablement of its use and expansion of agricultural output are core to the sustainability of Stellenbosch. Considering the proposal to maintain the farm as an agricultural asset by placing the proposed units on the side of the farm in a werf layout, there is positive alignment between the policy and the proposal.

3.2 Provincial Spatial Development Framework

The Provincial Spatial Development Framework (PSDF) and the supporting and complementary regional spatial development framework as contemplated in Section 18 of the Spatial Planning and Land Use Management Act, 2013 determine principles and the planning and development norms and criteria for tourism related uses in the area. Nothing proposed in this application contradicts any of the said principles or guidelines. As above, the level and the nature of the proposed use are of such insignificance in provincial terms that a full assessment of this aspect is not justified.

The Western Cape Rural Development Guidelines indicate that: *"The Western Cape economy is founded on the Province's unique asset base. These include farming resources, that make the Western Cape the country's leading exporter of agricultural commodities and whose value chains (e.g., agri-processing) underpin the Province's industrial sector; and its natural capital (i.e., biological diversity) and varied scenic and cultural resources which are the attraction that makes the Western Cape the country's premier tourism destination. The Western Cape seeks to ensure: 1) sustainable development of its rural areas; 2) conservation of their biological*

diversity; 3) functionality of ecosystems; 4) protection of agricultural productive land; and 5) safeguarding of rural heritage and culture."

The proposal is in keeping with the relevant provincial policies by the proposed accommodation establishment use being limited and the planning done in a way to minimise any effect on the agricultural use of the farm and the surrounding area.

3.3 SPLUMA principles

The matters referred to in Section 42 of the Spatial Planning and Land Use Management Act, 2013, with specific reference to spatial justice, spatial sustainability, efficiency, and good administration have all been considered in making this application.

- ✓ Spatial Justice. It refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access to opportunities, facilities, services, and land. In the broadest sense, it seeks to promote the integration of communities and the creation of settlements that allow the poor to access opportunities. In a spatially just settlement, opportunities and access are provided to those whose historical access and opportunities have been impeded by past spatial planning. Land development procedures must include provisions that accommodate access to, and facilitation of, security of tenure and the incremental upgrading of informal areas.

The proposed use of the land does not have any negative effect on the spatial development framework and policies for such redress.

It does not prevent or hinder access to additional land for the poor for settlement purposes and it does not add to the cost of land acquisition to the state, as it is outside of the urban edge and not identified as settlement land or land for land reform purposes.

- ✓ Spatial Sustainability. According to this principle, a sustainable form of development must be pursued. Amongst others it means promoting less resource consuming development typologies that promote compaction and mixed-use urban environments. A spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and limits urban sprawl.

Spatial sustainability, although primarily focused on urban development, has been considered. The proposed use of the land does not have any negative effect on the abutting Kylemore urban area and fits with the surrounding rural area. Albeit insignificantly small, the guest house will contribute to the municipal and local economic revenue base, without requiring public expenditure to occur. Moreover, it is located in an area where some of the primary tourist attractions as indicated above are located, and it complements these.

Land earmarked for agriculture, conservation, or urban development, is not negatively affected, or restricted by the proposed use of the farm. The proposed consent use is unlikely to cause the lowering of the service levels in municipal or other public infrastructure.

- ✓ **Efficiency.** It refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources, and land. Inherent in this statement is the need to promote densification and compact urban development typologies. This also has to do with the manner in which the settlement itself is designed and functions, which should reduce the need to travel long distances to access services, facilities, and opportunities. Efficiency also refers to decision making procedures which are designed to minimise negative financial, social, economic, or environmental impacts. In addition, efficiency refers to the need for development application procedures that are efficient and streamlined.

Efficiency (optimising the use of existing resources and infrastructure) has been addressed and the use of the agricultural land resource will contribute to increased efficiencies. The attraction will further improve efficiency in the area, as it is located in an area where many tourist facilities are located, adding to the attraction while retained primarily as a farm in an agricultural environment.

- ✓ **Spatial Resilience.** In the context of land use management and planning, it refers to the need to promote the development of sustainable livelihoods for the poor (i.e., communities that are most likely to suffer the impacts of economic and environmental shocks). It also refers to the requirement for flexibility in spatial plans, policies, and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks.

The applicant cannot dictate the SDF and other spatial planning policies and strategies. At best, the applicant can collaborate with the relevant authorities to assist with the implementation of the relevant policies and strategies, as is the case with this application. Spatial resilience has thus been addressed, as the SDF and other policies allow for flexibility to ensure sustainable use of land and development, amongst others by determining policy to assess the application in terms of the SDF and IDP strategies, both of which promote the better use of agricultural resources, and the conservation of the rural environment.

- ✓ **Good administration.** In the context of land development planning, it refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role-players ensure a joint planning approach is pursued. Land development decisions should seek to minimise the negative financial, social, economic, and environmental impacts of a development in an efficient process where all statutory requirements are adhered to.

Good administration is primarily a function of the authorities, not affected by the proposed use of the land. A flexible approach to the application and agreement on the achievement of the desired outcomes in the most economic and administratively justifiable and lawful manner is critically important. The applicant has taken the necessary actions to ensure that the decision-maker is provided with the required information to be able to take a decision based on the relevant considerations.

3.4 LUPA principles

The principles referred to in Chapter VI of the Western Cape Land Use Planning Act, 2014, Act 3 of 2014 (LUPA) have all been considered. The LUPA considerations and development principles require:

- ✓ The protection and promotion of the sustainable use of land, which is the purpose of the proposal. As indicated above, the application does not affect land essential for conservation, other uses, or service delivery by the Municipality. The application however requires adherence to national and provincial government policies, which it does, as illustrated above, inclusive of the municipal spatial development framework that promotes the conservation of agricultural land and the rural character on land outside of the urban areas without negatively affecting the agricultural use.
- ✓ Consideration of the public interest, which is done through compliance with the aforementioned policies and guidelines, together with the creation of new economic opportunities in proximity of the other tourist facilities and existing road infrastructure without negative impact on surrounding land use or the natural environment.
- ✓ Promotion of constitutional transformation imperatives and the related duties of the state. No comment.
- ✓ Proper consideration of the facts and circumstances relevant to the application, as have been set out above, indicating grounds for a positive land development consideration and decision. The relevant considerations include that the property is a small farm with limited agricultural potential, most of which retained in the planning thereof and a guest house as a consent use to improve the economic sustainability thereof.
- ✓ The respective rights and obligations of all those potentially affected, primarily the surrounding property owners, public and private service providers and the wider community have been considered and there are no identified significant issues. The servitude access road to the farm is not limited in its use, while other farms have access over the property by way of agricultural access right of way.
- ✓ The impact of the proposed development on engineering services infrastructure, social infrastructure, and open space requirements is insignificant. The proposed use contributes to the provision of economic activities without requiring additional infrastructure services. No roads will be congested, or municipal services infrastructure overloaded, and the farm is self-sufficient with potable water.

The proposed use allows for the best possible use of the land resource.

3.5 Environmental Management

The proposed occasional use does not trigger an authorisation application in terms of the National Environmental Management Act, 1998, Act 107 of 1998.

3.6 Heritage

The proposed occasional use does not require authorisation in terms of Section 38 of the National Heritage Resources Act, 1999, Act 25 of 1999.

3.7 Architecture

The proposed second dwelling will require building plan approval following a decision by the delegated decision-maker.

3.8 Engineering

No impact is foreseen on the traffic, as the projected visitor numbers are extremely low and the frequency and number of vehicles to or from the property, at most three to five per week and not during peak periods.

Electricity is supplied by Eskom, through an existing service, which does not require any upgrading.

The farm is self-sufficient with potable water from the borehole as indicated on the SDP and above.

The sewerage system is an existing conservancy tank system that is regularly emptied by a local service provider, in keeping with the approved building plans. The tank has sufficient capacity to accommodate the proposed use.

Solid waste is removed by the Municipality, which service will continue with no significant increase in volume.

4. CONCLUSION

The application made in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning Bylaw, 2023 as read with the Stellenbosch Municipality Zoning Scheme Bylaw, 2023, for the use of the proposed second dwelling as a guest house with four bedrooms is in keeping with municipal policy and legislation and can accordingly be approved.

ANNEXURE D:
OBJECTIONS & RESPONSE TO OBJECTIONS

Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)
 Development Management Consultants and
 Environmental Assessment Practitioners



09 January 2025

The Director: Planning and Development
 Stellenbosch Municipality
 PO Box 17
 Stellenbosch
 7599
 Per: Landuse.Enquiries@stellenbosch.gov.za

Dear Sir

SUBMISSION OF PORTFOLIO OF EVIDENCE FOR PUBLIC PARTICIPATION REGARDING LAND DEVELOPMENT APPLICATION: PORTION 3 OF FARM NO. 140 STELLENBOSCH RD (LU16946 TP678/2024)

Notice of the application for the consent use was given in terms of the provisions of Section 46 of the Stellenbosch Municipality: Bylaw on Municipal Land Use Planning, 2023, to all the identified stakeholders on 14 November 2024. The following are submitted in evidence of the public participation process:

- A. Copy of the mailing list.
- B. Proof of sending of email notices.
- C. Comment received.
- D. Checklist and affidavit.
- E. Proof of prior sending to the Municipality.

SUMMARY OF PUBLIC PARTICIPATION					
Methods of advertising				Date published	Closing date for objections
Press			N/A		
Notices (by email)	Y			14-11-2024	18-12-2024
Ward councillor	Y				
On-site display			N/A		
Community organisation(s)	Y			14-11-2024	18-12-2024
Government bodies	Y			14-11-2024	18-12-2024
Other		N	If yes, specify		

SUMMARY OF COMMENTS DURING PUBLIC PARTICIPATION (INTERESTED AND AFFECTED PARTIES)		
FARM/ ERF NO.	ISSUES RAISED	APPLICANT'S RESPONSE
Capolavoro HOA	<ul style="list-style-type: none"> The HOA has no objection to the proposed use. The HOA is concerned about the increase 	<ul style="list-style-type: none"> The increase in traffic due to the proposed guest house use will be minimal, as indicated in the application. A second dwelling is a primary use right on the

Document: SUBMISSION OF PORTFOLIO OF EVIDENCE FOR PUBLIC PARTICIPATION REGARDING LAND DEVELOPMENT APPLICATION: PORTION 3 OF FARM NO. 140 STELLENBOSCH RD (LU16946 TP678/2024)

Date: 09 January 2025

	<p>in traffic using the road abutting the Estate due to upgrading of properties along it and the resulting dust.</p> <ul style="list-style-type: none"> • The HOA requests upgrading of the road by providing it with a paved surface. • Upgrading of the road must include speed control measures to ensure its safe use. • Traffic safety must be addressed at the entrance to Capolavoro, amongst others by erecting traffic control signage. • Any damage to the paved section of the road caused by construction vehicles must be repaired by the user. 	<p>property, and it does not require any application, other than submission of a building plan. It will generate additional traffic. Use of it for guest house purposes will not create more trips over an extended period, than it would as a second dwelling.</p> <ul style="list-style-type: none"> • The applicant is not the only user of the road. There are 12 other properties, i.e., 13 in total that make use of the access, which was already established as a servitude access road before 1953. Not only that, but as all the properties were agricultural, and Swart Street was the closest public road, all had reciprocal rights over the other for access to the nearest public road, inclusive of access over what was the Remainder of Farm Fortuin that became Erf 477 on which Capolavoro was established. With the establishment of Capolavoro in 2006, it contributed to the access by increasing the width thereof along a portion and by paving the entrance / intersection portion. • The applicant cannot be made to undertake any road upgrading as requested by the HOA. Each owner must maintain the servitude road over its property to appropriate standards for safe use.
SUMMARY OF COMMENTS FROM INTERNAL DEPARTMENTS AND/OR ORGANS OF STATE AND/OR COMMUNITY ORGANISATIONS AND/OR WARD COUNCILLOR		
Name of Department	DATE / SUMMARY OF COMMENTS	APPLICANT'S RESPONSE
Ward Councillor	<ul style="list-style-type: none"> • Asked for extension of time to comment. 	<ul style="list-style-type: none"> • No further comment received.

No comment has been received from the municipal departments.

The comment relating to the application does not warrant refusal of the proposed guest house use.

Yours faithfully



DUPRÉ LOMBAARD

Technical Planner and Environmental Assessment Practitioner

SACPLAN B/8076/1998 // EAPASA 2019/304

ANNEXURE E:
COMMENTS FROM INTERNAL DEPARTMENTS



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Nolusindiso Momoti
From ▫ Van:	Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer:	Ilze Fillies
Date ▫ Datum:	22 November 2024
Our Ref ▫ Ons Verw:	Civil LU 2812
Town Planning Ref:	LU/16946 – TP678/2024
Re ▫ Insake:	Farm 140/3, Stellenbosch: Application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, 2023 on Farm 140/3, Kylemore for: Consent use in terms of Section 15(2)(o) of the said bylaw in order to utilize the proposed second dwelling as four (4) bedroom guest house.

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

- 1. Water**
 - 1.1 The existing borehole must be used for the proposed development. The potable water must comply with SANS 241.
- 2. Sewer**
 - 2.1 The existing conservancy tanks must be used for the proposed development
- 3. Development Charges (DCs)**
 - 3.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and will be amended

based on the detail information provided on subsequent applications ie building plans.

- 3.2 The DC's were calculated by using the 2024/2025 tariff structure. If DC's are paid after 30 June 2025 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 3.3 The appropriate DC's are payable before building plan approval.



Ilze Fillies

Principal Technician: Development (Infrastructure Services)

N:\2.0 DEVELOPMENT\01 Land Use applications\2812 (IF) Farm 140-3 Stellenbosch (LU-16946 TP678-2024)\2812 () Farm 140-3 Stellenbosch (LU-16946 TP678-2024).doc



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	2812 (IF) Farm 140-3 Stellenbosch (LU-18946 TP678-2024)
Development Name:	
Date:	22 November 2024
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Rural
Erf No. / Farm No.:	Farm 140 portion 3
DC Parameters Reference:	Motivation report Portion3 of Farm Riverside 140 by Viridus Works dated 3 Oct 2024

SUMMARY OF DC CALCULATION							
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Totals
Unit(s):	kl/day	kl/day	ha°C	t/week	trips/day		
Total Increased Services Usage:	1,32	1,08	0,024	0,09	18		
Total Service Usage Reduction:	0	0	0	0	9,0		
Total Service Usage after Reduction:	1,32	1,08	0,02400	0,090	9,0		
Charges before adjusting for positive only, before Deductions	R -	R -	R 5 225,56	R 9 252,00	R 114 174,62	R 128 652,18	R 152 978,06
Charges adjusted for positive only, before Deductions	R -	R -	R 5 225,56	R 9 252,00	R 114 174,62	R 128 652,18	R 152 978,06
Total Deductions:	R -	R -	R -	R -	R 57 087,31	R 57 087,31	R 57 087,31
Total Development Charges Payable (excluding VAT):	R -	R -	R 5 225,56	R 9 252,00	R 57 087,31	R 71 564,87	R 95 890,75
VAT:	R -	R -	R 783,83	R 1 387,80	R 8 563,10	R 10 734,73	R 14 383,61
Total Development Charges Payable (including VAT):	R -	R -	R 6 009,39	R 10 639,80	R 65 650,41	R 82 299,60	R 110 274,36

APPLICANT INFORMATION	
Application Processed by:	Iize Filles
Signature:	<i>AFALLACS</i>
Notes:	

Stellenbosch Town

Land Use Category	Subcategory	Zoning/Permit			Proposed New Usage			Increased Usage	Water			Sewer		Stormwater	Solid Waste		Roads & Transport		Site Team (Civil Eng Services)	Community	Total		
		Area (m²)	Intensity	Permit	Area (m²)	Intensification	Permit		No	R	No	R	Yes		R	Yes	R	Yes				R	
Residential	Single Residential >100m2	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Single Residential >50m2	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Single Residential >250m2	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Single Residential <250m2	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Second Dwelling	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Less Formal Residential	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Group Residential	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Apartments	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Retirement Village	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Old age home	du						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
Accommodation	Student Accommodation/Commune/Hostels	rooms						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Guest House	rooms					6	6	R	-	R	-	R	-	R	-	R	-	R	-	162 978.06		
	Converted Guest House	rooms						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Hotel, Residential	rooms						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
Commercial	General Business	m2 GLA						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Office	m2 GLA						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Retail/Shop	m2 GLA						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Restaurant	m2 GLA						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Outdoor Function / Picnic Area	persons						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Conference Facility/Place of assembly	m2 GLA						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Hospital/Clinic/Medical Rooms	m2 GLA						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	University/College	student						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	School/Day Care	student						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Industrial	Industrial - light	m2 GLA						0	R	-	R	-	R	-	R	-	R	-	R	-	-	
Industrial - heavy		m2 GLA						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
Warehousing/Light Manufacturing		m2 GLA						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
Storage Facilities		unit						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
Non demand	Open Space/Natural Environment/Utility Site	ha						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
	Roads and Parking	ha						0.0000	R	-	R	-	R	-	R	-	R	-	R	-	-		
Other	To be calculated	n/a						0.0000	R	-	R	-	R	-	R	-	R	-	R	-	-		
	(Based on equivalent demands)	n/a						0	R	-	R	-	R	-	R	-	R	-	R	-	-		
Total Area:		0	Total Area:				0																

		R	-	R	5 225,56	R	9 252,00	R	114 174,62	R	128 652,18	R	24 325,88	R	152 978,06
Deduct	Charges before adjusting for positive only, before Deductions	R	-	R	5 225,56	R	9 252,00	R	114 174,62	R	128 652,18	R	24 325,88	R	152 978,06
	Charges adjusted for positive only, before Deductions	R	-	R	5 225,56	R	9 252,00	R	114 174,62	R	128 652,18	R	24 325,88	R	152 978,06
	Deductions per service (from usage reductions)	R	-	R	-	R	-	R	57 087,31	R	57 087,31	R	-	R	57 087,31
	Discount Deduction (%)	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 Adjustments and Deductions (excluding VAT)	R	-	R	5 225,56	R	9 252,00	R	57 087,31	R	71 564,87	R	24 325,88	R	98 890,76
	VAT	R	-	R	783,83	R	1 387,80	R	6 563,10	R	10 734,73	R	3 646,88	R	14 383,61
	Total Development Charges	R	-	R	8 009,39	R	10 639,80	R	65 650,41	R	82 299,60	R	27 974,76	R	110 274,36

ANNEXURE F:
VISUAL IMPACT ASSESSMENT

VISUAL IMPACT & HERITAGE ASSESSMENT

**Prt 3 Farm 140, Kylemore
STELLENBOSCH**

Client:

Virdus Works (Pty) Ltd

Dupré Lombaard

dupre.lombaard@virdus.com

Compiled by:

S.C. Lategan

Farm 216

Bredasdorp

7280

Report history:

Version	Date	Amendments
Final Report Ref VIA-140-01	15/08/2025	

Report to be cited: Visual Impact and Heritage Assessment for the Residential unit on Portion 3, Farm 140, Kylemore, Stellenbosch. August 2025

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ADDENDUM

- A Heritage Site: "France"
- B Landscape Unit: Banghoek F10 assessment

Relevant Qualifications & Experience of the Author

Ms Sarien Lategan holds an Honours Degree in Geography as well as a Masters Degree in Town and Regional Planning from the University of Stellenbosch. She has 7 years' experience as Town Planner at a local government; 3 years with South African National Parks as planner and project manager of various GEF and World Bank managed, tourist facilities in the Table Mountain National Park; and since 2004 as private practitioner involved in inter alia Site Analysis, Geospatial Analysis, Renewable Energy resources assessment and Visual Impact assessments for various types of developments ranging from housing, tourism to infrastructure developments.

Declaration of Independence

I, Sarah C. Lategan, declare that I am an independent consultant to Viridus Works (Pty) Ltd and have no business, financial, personal, or other interest in the proposed project or application in respect of which I was appointed other than fair remuneration for work performed in connection with the application. There are furthermore no circumstances that compromise my objectivity in executing the task appointed for.



SC Lategan

15 August 2025

EXECUTIVE SUMMARY

This visual impact assessment evaluates the proposed development of a dwelling on Prt 3 Farm 140, Kylemore, Stellenbosch. The study considered the Zone of Theoretical Visibility (ZTV) and Areas of Visual Influence (AVI) to assess the extent and significance of potential visual impacts on the surrounding landscape, settlements, and specific on the heritage landscape in accordance with the guidelines of the Stellenbosch Heritage Survey of 2016.

The development comprises the construction of a single-storey second dwelling to be utilized as a guesthouse.

The application property is situated within the Dwars River Valley, forming part of the Banghoek landscape unit, with the Simonsberg and Jonkershoek ranges providing a prominent topographical frame. The sense of place is strongly defined by this mountain enclosure, which establishes both the scenic backdrop and the visual containment of the valley floor. The site forms part of the western edge of Kylemore and occupies a transitional position between the urban fabric of the settlement and the agricultural land uses that dominate the valley.

Key Findings

- Visibility and Screening:
 - While the theoretical visibility extends up to 10 km, actual visibility is limited to about 3 km due to dense vegetation, orchards, and treescapes that create strong visual absorption.
 - Immediate surroundings benefit from perimeter trees and orchards, which enclose properties within "view pockets," substantially reducing intervisibility.
 - Lush vegetation creates a high visual absorption level
- Impact on Surroundings:
 - Immediate Area: Low impact, with the proposed dwelling screened by existing vegetation and compatible in scale and style with nearby residences.
 - Kylemore Village: No direct visual connection from heritage sites or the original settlement; overall impact is insignificant.
 - Banghoek Valley, Northern Hills, Helshoogte Scenic Route, and Eastern Slopes: Distance, topography, and vegetation ensure the development is not readily visible; impacts are negligible to insignificant.
- Heritage and Scenic Context:

- The site lies within the Banghoek landscape unit, and the proposal aligns with its guidelines.
- No heritage resources are directly affected. The closest, the France homestead, experiences filtered, non-intrusive views.
- Scenic routes are unaffected due to limited visibility and lack of formal viewpoints.
- Landscape Character & Sense of Place:
 - The area reflects a transitional urban-rural edge influenced by both agriculture and residential development.
 - The valley's strong scenic containment and high vegetation cover allow the landscape to absorb additional development without compromising its visual integrity.
 - The design of the dwelling is compatible with the surrounding character and contributes to a low overall level of intrusion.
- Impact Significance:
 - Visual impact significance is assessed as low:
 - Medium sensitivity of landscape character due to the scenic mountain backdrop.
 - High visual absorption capacity from existing vegetation.
 - Low visual intrusion and strong compatibility with sense of place.
 - Impact is localised and long-term but mitigated by design and landscape integration.
- Mitigation Measures:
 - Retain and reinforce treescapes and orchards to strengthen screening.
 - Minimise visual intrusion through careful management of lighting and infrastructure.
 - Integrate the dwelling into the agricultural landscape pattern with compatible planting.
- Cumulative and Construction Impacts:
 - No significant cumulative effects were identified.
 - Construction-related impacts are temporary and rated as low.

Conclusion

The assessment concludes that the proposed dwelling will have a low visual impact within the receiving environment. The site's high absorption capacity, combined with the scale, design, and

landscape integration of the proposed dwelling, ensures that the development is visually acceptable and does not compromise the area's scenic, cultural, or heritage values.

Kylemore, VIA

1 INTRODUCTION

This report assesses the visual impact of a proposed second dwelling unit, to be utilized as a guesthouse on portion 3, Farm 140, Kylemore, Stellenbosch. The report includes an evaluation of the heritage and cultural landscape and the context of the development within the Stellenbosch heritage zones.

The property is located just west of the Kylemore village and gain access via the village. Klip street provides access to the Capolavoro Mountain Estate and rural properties west of the estate. The street is closed off just after the estate from where it becomes a servitude access to the application property and other surrounding properties.

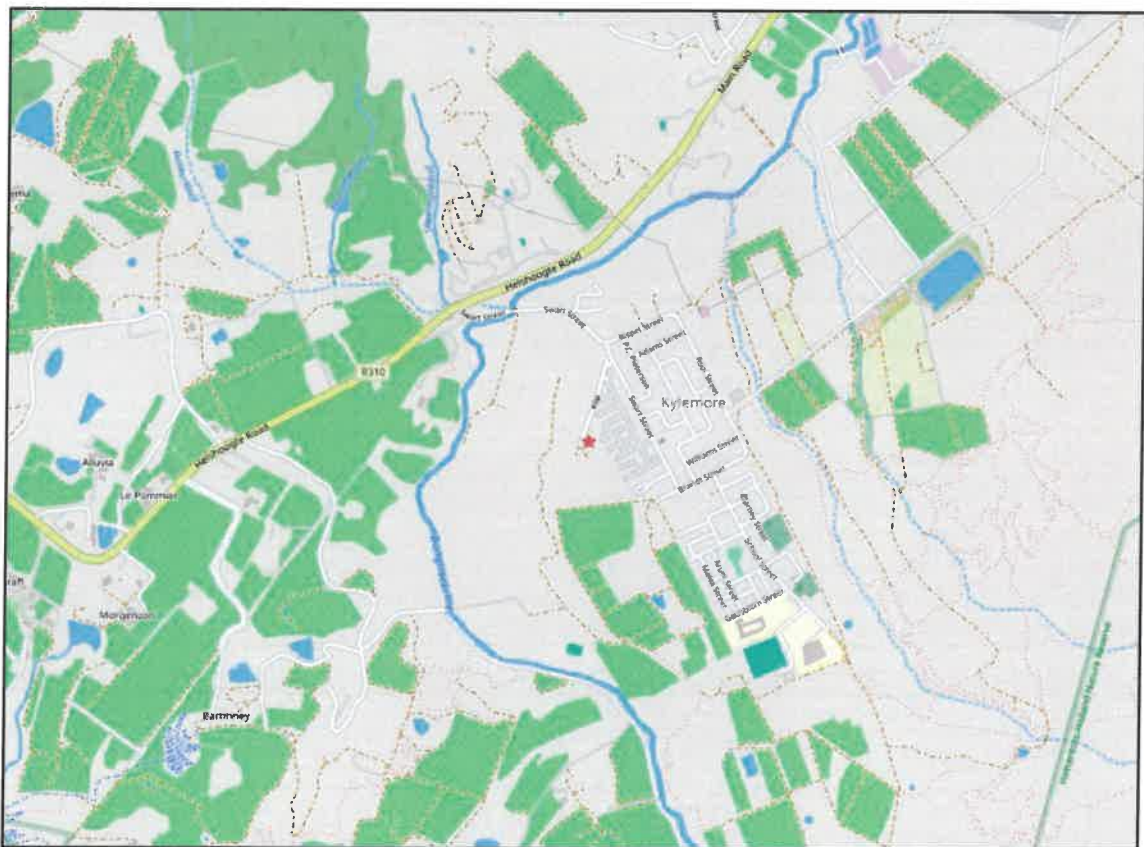


Figure 1 Locality

2 TERMS OF REFERENCE

The objective of the Visual Impact Assessment (VIA) is to determine the significance of any visual impact which may result from the construction of the proposed dwelling unit. This assessment will indicate whether from a visual perspective, the development constitutes an acceptable level of change and if so, what potential mitigation measures can reduce such impacts.

Kylemore, VIA

The Stellenbosch Municipality Heritage Inventory Survey (2016) indicates that the property is identified as a landscape unit with a Grade II rating, A scenic route Grade II and Conservation of the Dwars River Foothills landscape. For this reason, the assessment will include the assessment of the relevance of the heritage aspects and the visual impact in this context.

To determine the potential extent of the VIA required, the following broad criteria are considered.

Table 1: Requirements for visual assessment

Areas with protection status, e.g., nature reserves	Site within the Cape Winelands Biosphere Reserve No other protected area within 1km radius. (Figure 2)
Areas with proclaimed heritage sites or scenic routes	Stellenbosch Heritage Survey: Landscape Unit: Grade II, Sensitivity 0 Conservation systems: scenic route Grade II Conservation Foothills: Dwars River The site is not a proclaimed heritage site.
Areas with intact wilderness qualities or pristine ecosystems	Surrounding Mountains
Areas with intact or outstanding rural or townscape qualities	Banghoek valley. Dwarsriver valley
Areas with a recognized special character or sense of place	Yes
Areas with sites of cultural or religious significance	Potentially
Areas of important tourism or recreation value	Yes
Areas with important vistas or scenic corridors	Various hiking and mountain biking routes in the area
Areas with visually prominent ridgelines or skylines.	Site within valley with ridgelines in area.

Kylemore, VIA

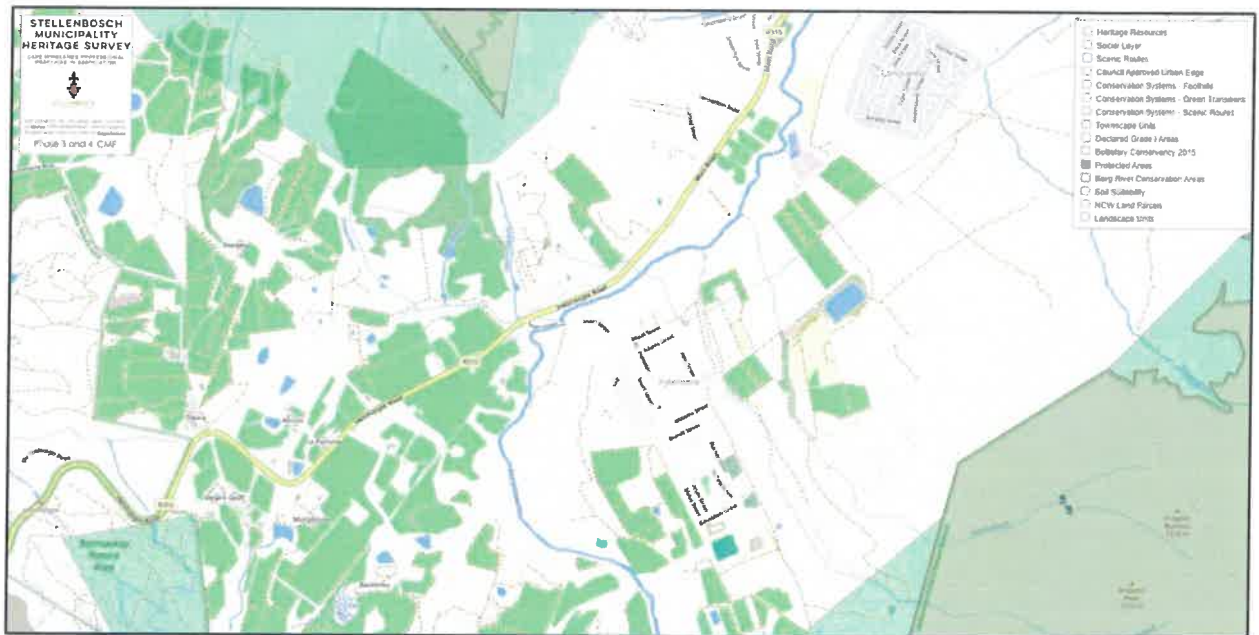


Figure 2 Protected Areas

The term visual and aesthetic is defined to cover the broad range of visual, scenic, cultural, and spiritual aspects of the landscape. The terms of reference for the specialist are to:

- Provide the visual context of the site regarding the broader landscape context and site-specific characteristics.
- Provide input in compiling layout/design alternatives.
- To describe the affected environment and set the visual baseline for assessment
- Identify the legal, policy and planning context
- Identifying visual receptors
- Predicting and assessing impacts
- Recommending management and monitoring actions

3 Methodology and principles

3.1 Methodology

The assessment entails not only the visual but specifically the cultural and impact on the cultural landscape. Following a summary of the methodology –

1. Describe the receiving landscape. The receiving landscape set the context within the visual impact should be assessed as it creates the baseline sensitivity of the landscape.

Kylemore, VIA

2. Determine the Zone of Theoretical Visibility (ZTV). A digital elevation model (DEM) is used to determine the theoretical area from where the proposed development may be visible. The modelling method includes the height of the proposed building.
3. Demarcate areas of visual influence (AVI). Based on the ZTV, the areas which may experience similar impact from the development, are demarcated.
4. Assess the impact of development on the demarcated areas of visual influence. Determine the significance of the impact and whether any mitigation measures are required and/or possible to reduce the impact. The following criteria are used to rate the impact

Table 2 Visual significance rating

Criteria	High	Moderate	Low
Exposure	Dominant, clearly visible	Recognizable to the viewer	Not particularly noticeable to the viewer
Sensitivity	Residential, nature reserves, scenic routes	Sporting, recreational, places of work	Industrial, mining, degraded areas
Intrusion/Obstructive	A noticeable change, discordant with surroundings	Partially fits but clearly visible	Minimal change or blends with surroundings

Throughout the evaluation the following fundamental criteria were applied:

- Awareness that “visual” implies the full range of visual, aesthetic, cultural and spiritual aspects of the environment that contribute to the area’s sense of place.
- Consideration of both the natural and cultural (urban) landscape, and their inter-connectivity.
- The identification of all scenic resources, protected areas and sites of special interest, as well as their relative importance in the region.
- Understanding of the landscape processes, including geological, vegetation and settlement patterns which give the landscape its character or scenic attributes.
- The inclusion of both quantitative criteria, such as visibility and qualitative criteria, such as aesthetic value or sense of place.
- The incorporation of visual input as an integral part of the project planning and design process, so that the findings and recommended mitigation measures can inform the final design and quality of the project.
- To test the value of visual/aesthetic resources through public involvement.

Kylemore, VIA

3.2 Fatal flaw statement

A potentially fatal flaw is defined as an impact that could have a “no-go” implication for the project. A “no-go” situation could arise if the proposed project is to lead to (Oberholzer, 2005):

1. Non-compliance (where no option exists to bring the proposal in-compliance) with Acts, Ordinance, By-laws and adopted policies relating to visual pollution, scenic routes, special areas or proclaimed heritage sites.
2. Non-compliance with conditions of existing Records of Decision.
3. Impacts that may be evaluated to be of high significance and that are considered by most stakeholders and decision-makers to be unacceptable.

The screening of the site and initial project intentions did not reveal any of the above issues which may result in a fatal flaw.

3.3 Gaps, limitations and assumptions

1. The assessment is based on the design details provided by the client.

4 Legal Framework, Guidelines and policies

4.1.1 Western Cape Provincial Spatial Development Framework, 2014

No specific references on this scale of development.

4.1.2 Stellenbosch Municipality Zoning Scheme By-Law (2024)

The by-law sets out development parameters such as height restrictions, setbacks, site development plan requirements, and environmental considerations for renewable energy installations. The site is zoned for Agricultural and rural (Figure 3).

Kylemore, VIA

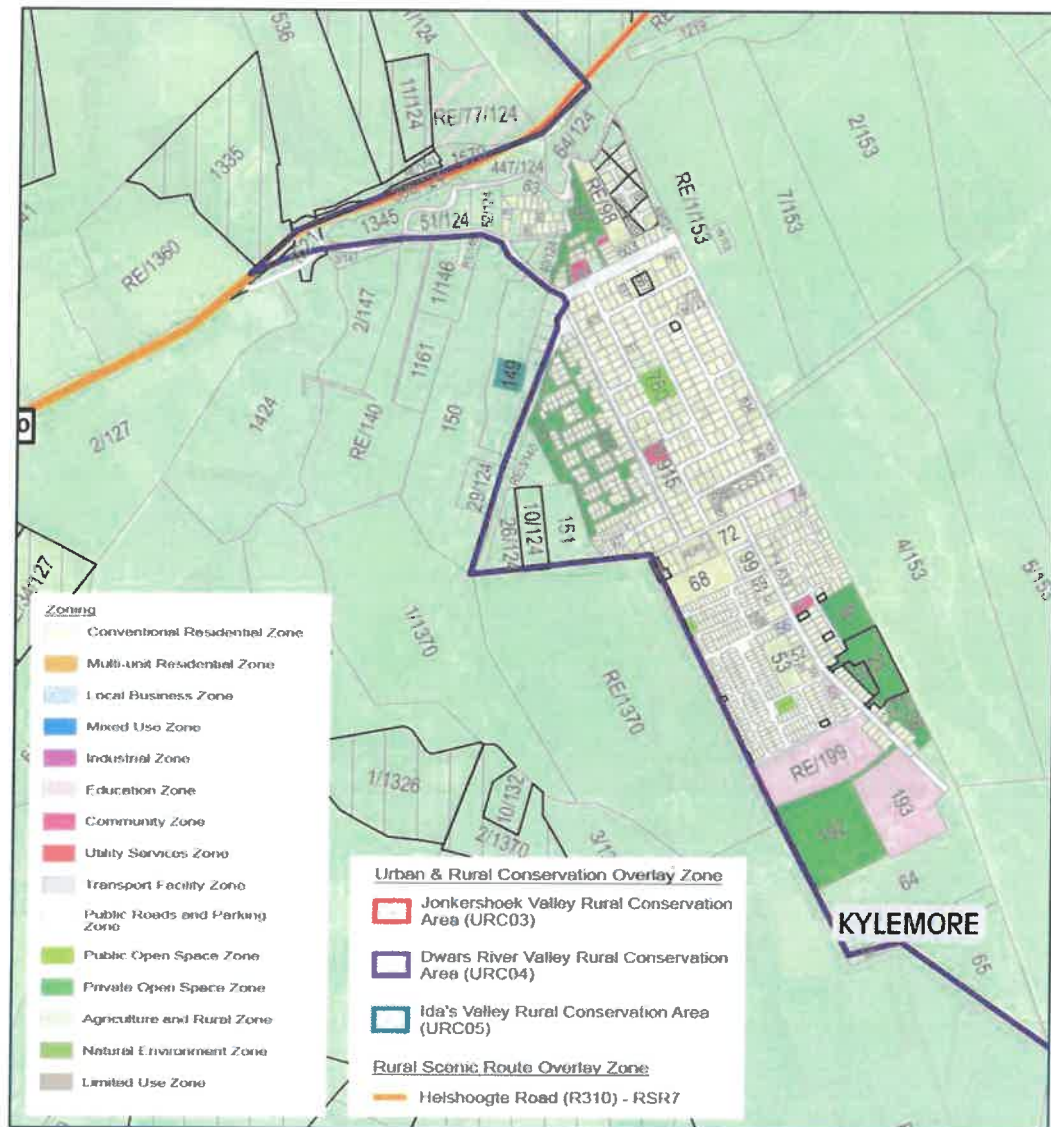


Figure 3 Zoning

4.1.3 Stellenbosch Municipal Spatial Development Framework (2019)

The MSDF outlines the spatial vision for the municipality, identifying areas suitable for development and conservation. It provides strategic guidance on land use, including the integration of renewable energy projects, while considering visual and environmental impacts.

4.1.4 Stellenbosch Land Use Planning By-Law (2023)

This by-law governs land use planning applications and procedures. It emphasizes the need for environmental and visual impact assessments for developments that may affect the municipality's character.

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4.1.5 Stellenbosch Heritage Management Plan

The following heritage and conservation zones are relevant to the site:

1. Conservation systems -Scenic Routes: Helshoogte Pass
(Note: Klip street is indicated as a scenic route, but this route has been closed for public and only provide access via a servitude)
2. Conservation systems - Foothills:
3. Landscape Units: Dwarsrivier in the Lusch Banghoek unit F10 with sensitivity of 9
The upper reaches of Simonsberg and Jonkershoek come together to form Banghoek, once a dense, danger-filled forest on the route to the Berg River Valley (F10-F13)¹

5 Development Proposal

The project entails the development of a second dwelling unit on the property to be utilized as a guesthouse. A main residence already exists on the property. The second dwelling is planned on the vacant section to the north of the existing building.



Figure 4 Site Layout

¹ <https://www.stellenboschheritage.co.za>

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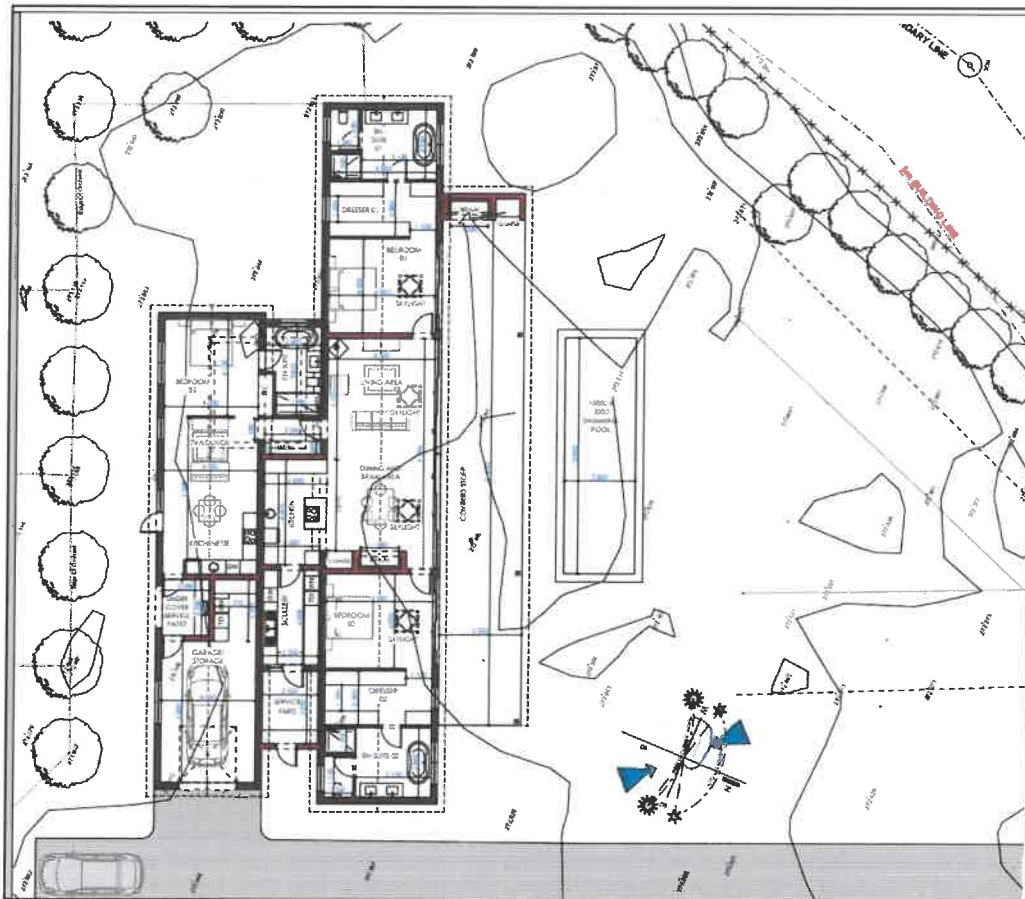


Figure 5 Proposed Layout



Figure 6 South view (Source Smart Solution Architecture)

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Figure 7 North view (Source: Smart solution Architecture)

The new building is situated amongst the young orchards. The architectural style reflects simplicity and is a single-storey building. It hosts a traditional verandah and has the appearance of a typical farmhouse.

6 RECEIVING VISUAL ENVIRONMENT

An understanding of the receiving environment is important to conceptualize the potential impact of a proposed development. In this regard, the main elements of the receiving environment relate to the character of the current surrounding land use, cultural landscape and the topographical absorption capacity of the area. The character of the area entails the sense of place created by the current land use and the scale and type of infrastructure or physical elements within the immediate area.

The absorption capacity relates to the density of physical elements and topographical variations of the landscape, which will determine the visual catchment area.

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6.1 Landform and Vegetation

The application property is situated in the Dwars river Valley in the Banghoek area. It is located within the valley floor, surrounded by mountains (Figure 8).

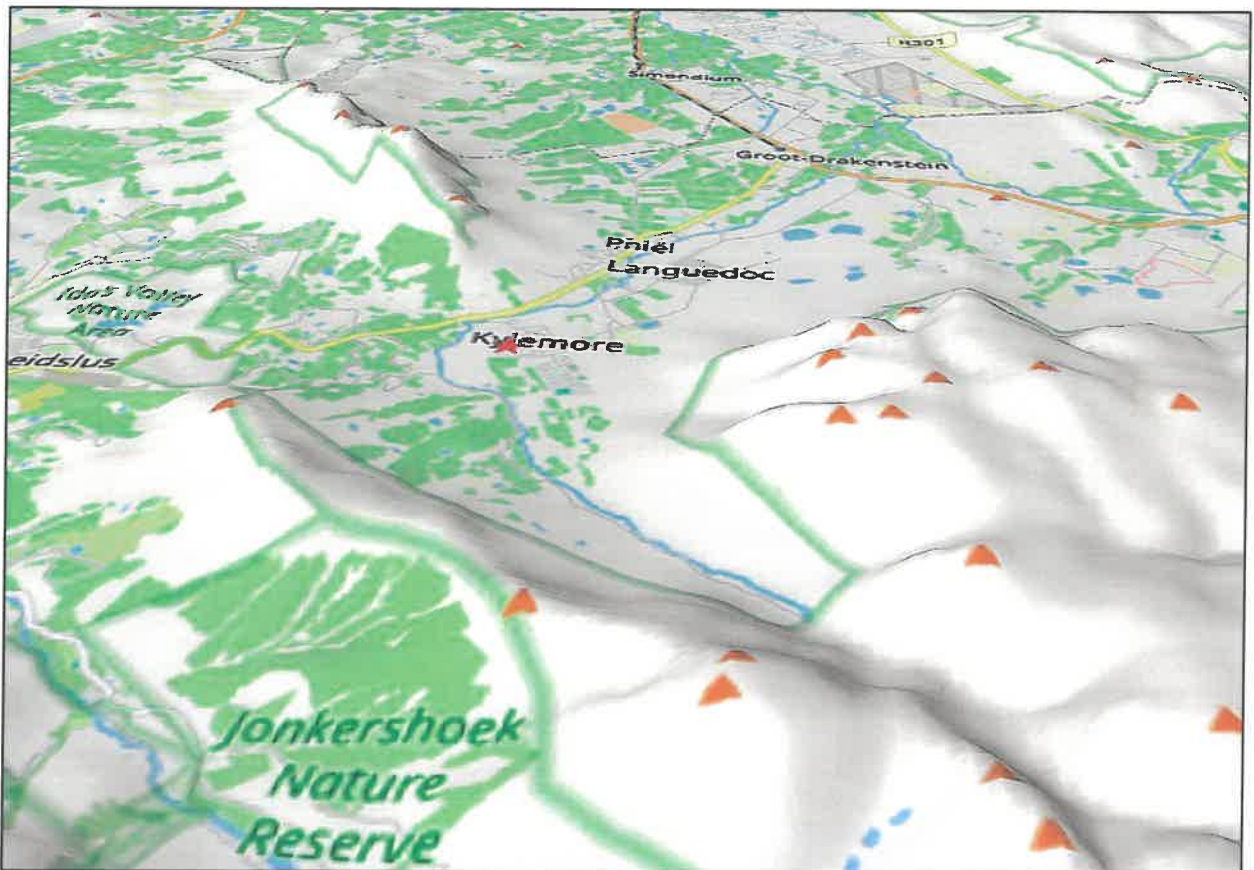


Figure 8 Topographic Landscape

The mountains provide the backdrop to the valley and frame the landscape. Views from the peaks down to the valley are important as many recreational trails exist on the mountain slopes. Views from the valley towards the mountains contribute to the sense of place.

In the valley vegetation is characterized by predominantly agricultural activities consisting of mostly vineyards and orchards. Trees and specifically avenues of trees, either along roads or serving as windbreaks are a common element in the environment. Photo 1, taken during the winter with many trees without leaves, illustrates the high density of trees in the valley. This leads to a high visual absorption as spaces are demarcated by trees and forms enclosed visual pockets.

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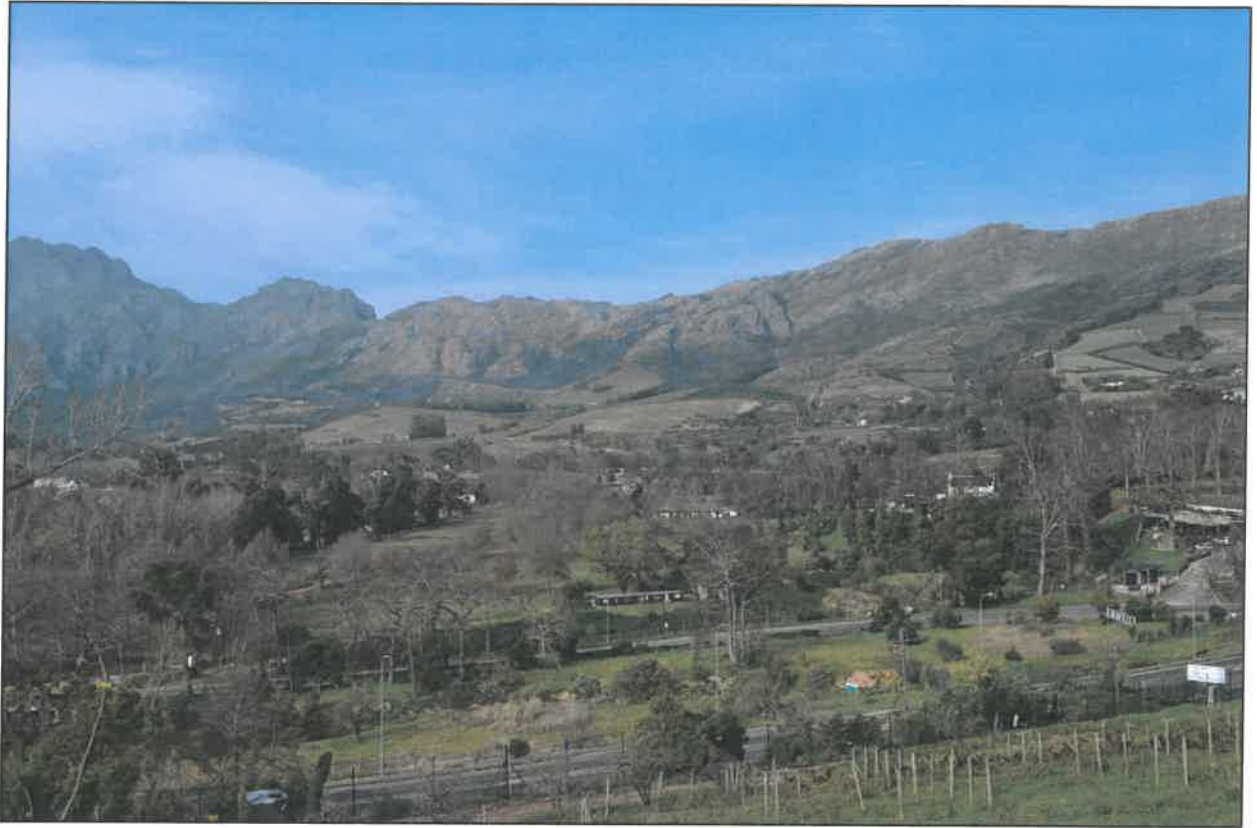


Photo 1 Treescape

6.2 Urban - Rural landscape

The original Kylemore village was characterized by a clear urban edge with transition to agriculture. This transition has been changed on the western side of the town, with the development of small farm units which are primarily used for residential purposes. The application property is situated within this altered zone, directly adjacent to the urban area and marks the urban edge on the west.

The Kylemore village comprises mostly single residential properties with the related community land uses. Photo 2 illustrates a typical streetscape in the town. With individual ownership, houses were built each in its own style and in different time periods. As a primarily a post 1950's town, no specific architectural style or form has been followed and houses reflect individual character.

The more recent developments within the town, comprise medium density, gated group housing complexes. The architecture is varied and does not reflect a specific style but is primarily single storey. The grouphousing complexes are detached and semi-detached single and double-storey buildings (Photo 3). These grouphousing complexes, however, focus inward and this combined with the gated nature does not visually and socially integrate with the original townscape. Photo

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4 illustrates how the grouphousing complexes front with its rear towards the street with electrical perimeter fences.



Photo 2 Illustration of existing old town (Source Google Streetview)



Photo 3 Example of Grouphousing complex in Kylemore

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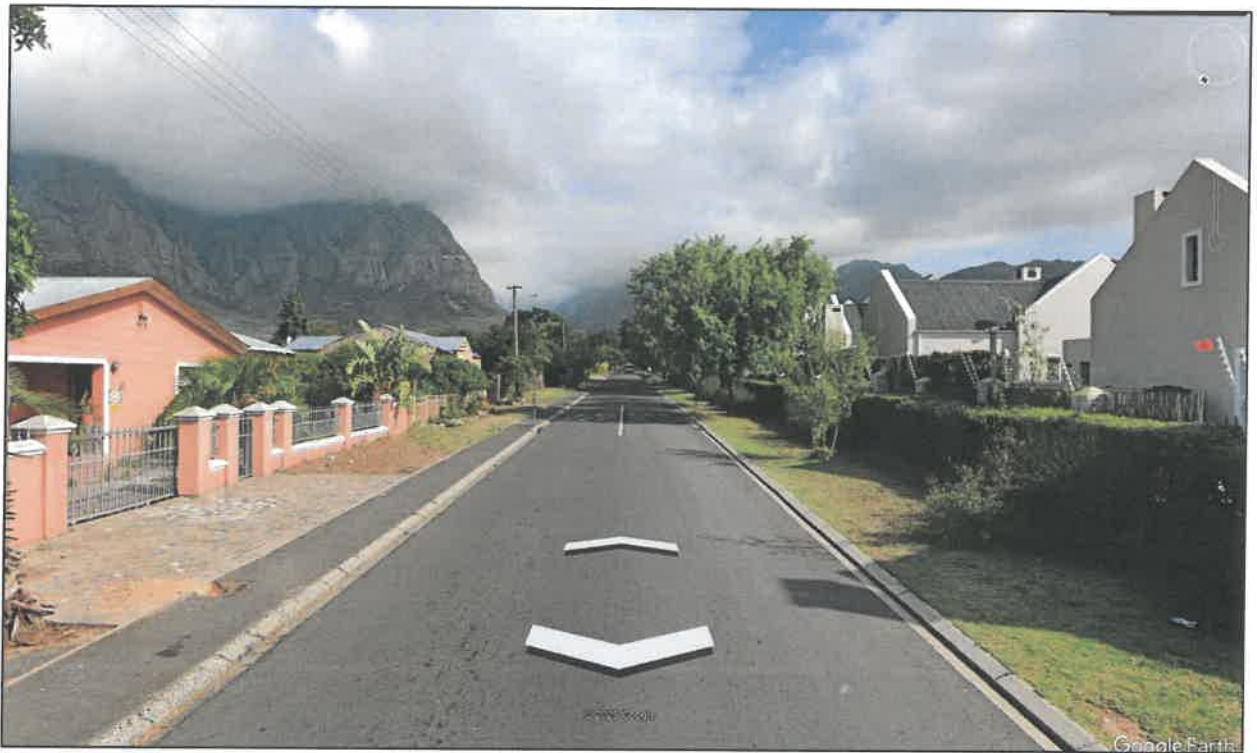


Photo 4 Interface between original townscape and grouphousing complexes (Source Google earth Streetview)

The overall size, scale and grain of the urban environment is medium to low density with low vertical extent being primarily single-story and to a lesser extent double-storey houses.

Farmsteads, however, in the rural area comprise historical to recent houses of larger extent but also primarily single storey.

The new development to the south of the application erf includes double storey buildings (Photo 5). The size and density of these houses are changing the historical landscape, creating a lifestyle character not associated with agriculture or the original town.

The overall urban elements thus do not represent a specific architectural style and thus the character is based on the scale and grain of buildings rather than architectural significance.

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Photo 5 New development to the south

6.3 Cultural and Heritage Landscape

6.3.1 Kylemore

The town developed as residences for farm workers and was officially founded by Kyle Mohr in 1955. It is thus a fairly new town and the objective for its establishment relates to addressing rural housing needs in the medium to lower income group. Although the town thus does not have a specific architectural character, it has a strong social coherence where the church plays an important role.

The heritage of the town is thus based more on the social character than the visual appearance. The gated new developments already visually alienate it from the original town although it gains access through the town.

6.3.2 Heritage Resources

The application property does not hold any heritage resources. Figure 9 shows the heritage resources in the area as identified in the Stellenbosch Heritage Survey, 2016. All these are a distance from the site and does not create a specific heritage context for the application property. The potential visual exposure to these resources is assessed in Paragraph 7.

The only resource which may have an impact on the site is "France" (Addendum A) for which the significance is described as follows -

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*"These historically layered buildings and their setting are very significant from a heritage perspective (the barn displays an NMC plaque). Neither the homestead nor the barn are listed in Fransen's work, yet they display considerable aesthetic, architectural, scenic and landscape significance"*²

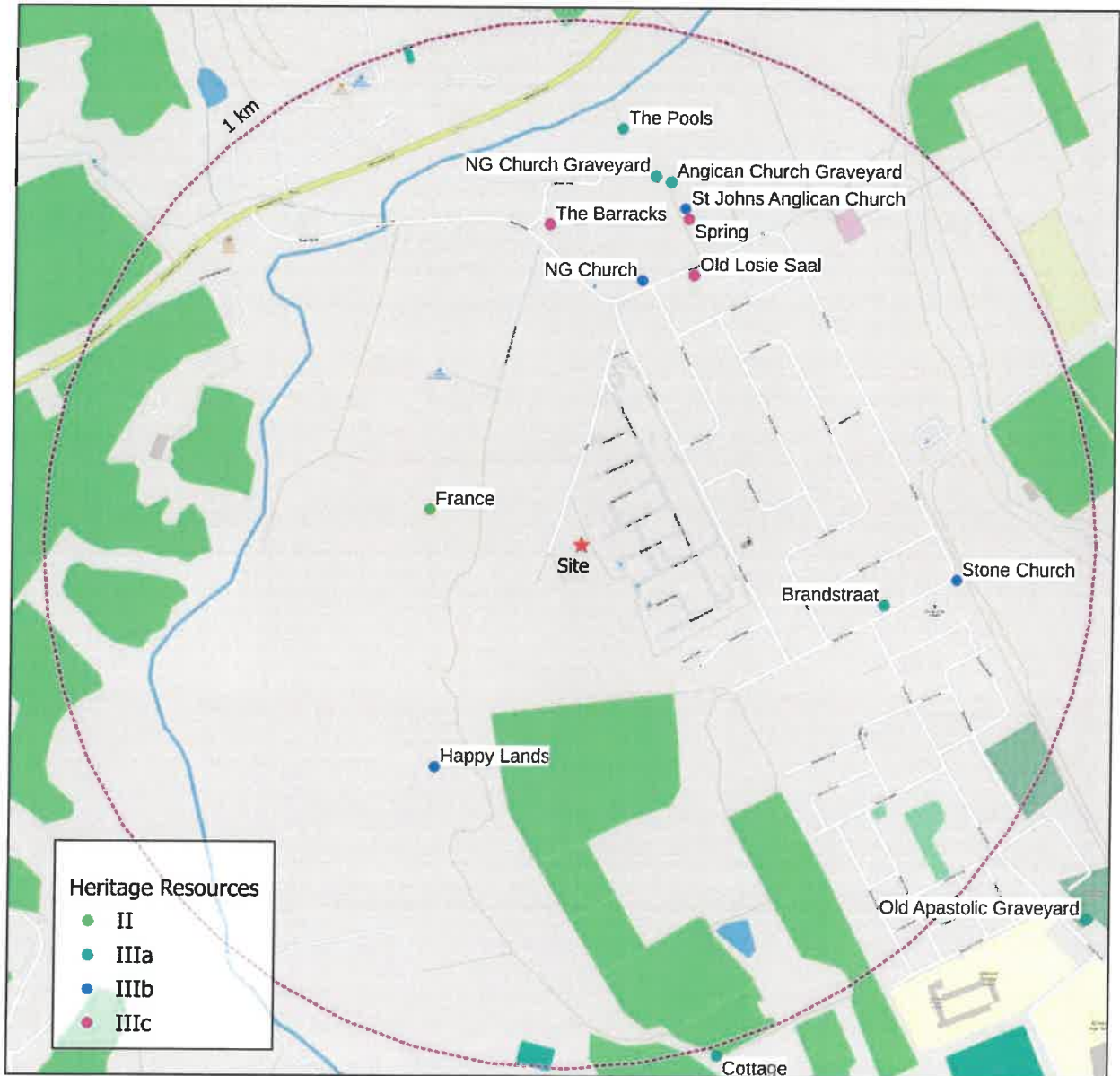


Figure 9 Heritage Resources within 1km (Stellenbosch Heritage Survey, 2016)

6.3.3 Banghoek Landscape Unit F10

The upper reaches of Simonsberg and Jonkershoek come together to form Banghoek, once a dense, danger-filled forest on the route to the Berg River Valley (F10-F13). Here the peaks of

² Stellenbosch Heritage Survey, 2016

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Botmaskop, Joubert Peak, Bullerskop and Dragoon Peak keep watch over the area (Stellenbosch Heritage Survey, 2016).

The application property is situated within landscape unit F10 and its compatibility within this context needs to be evaluated. The context and relationship with the surrounding Foothills set the overall scene within the proposed development should be assessed.

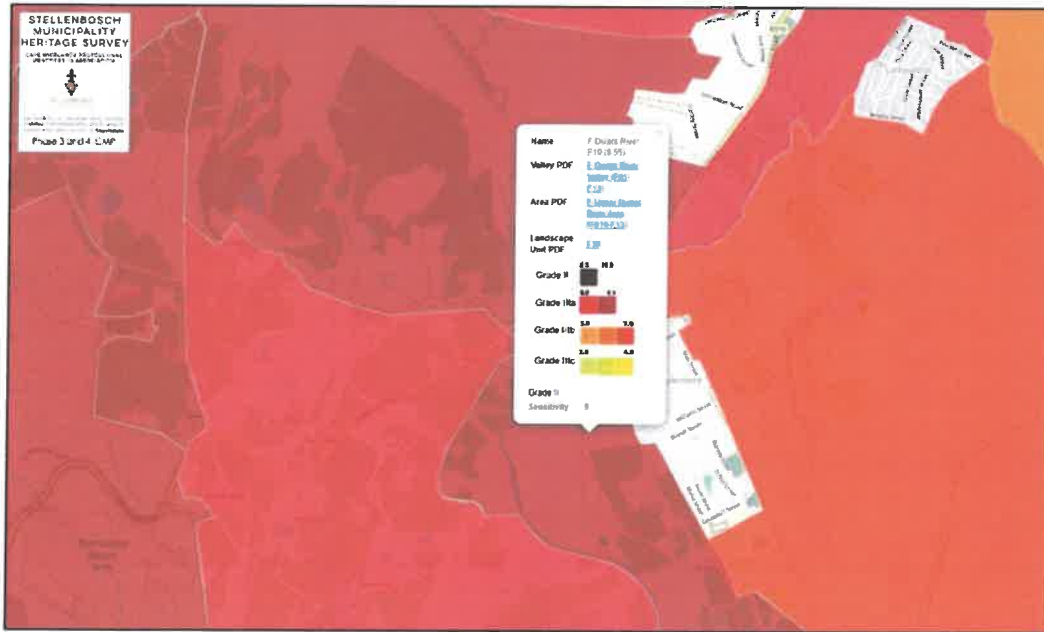


Figure 11 Dwars River Landscape Unit (Stellenbosch Heritage Survey, 2016)

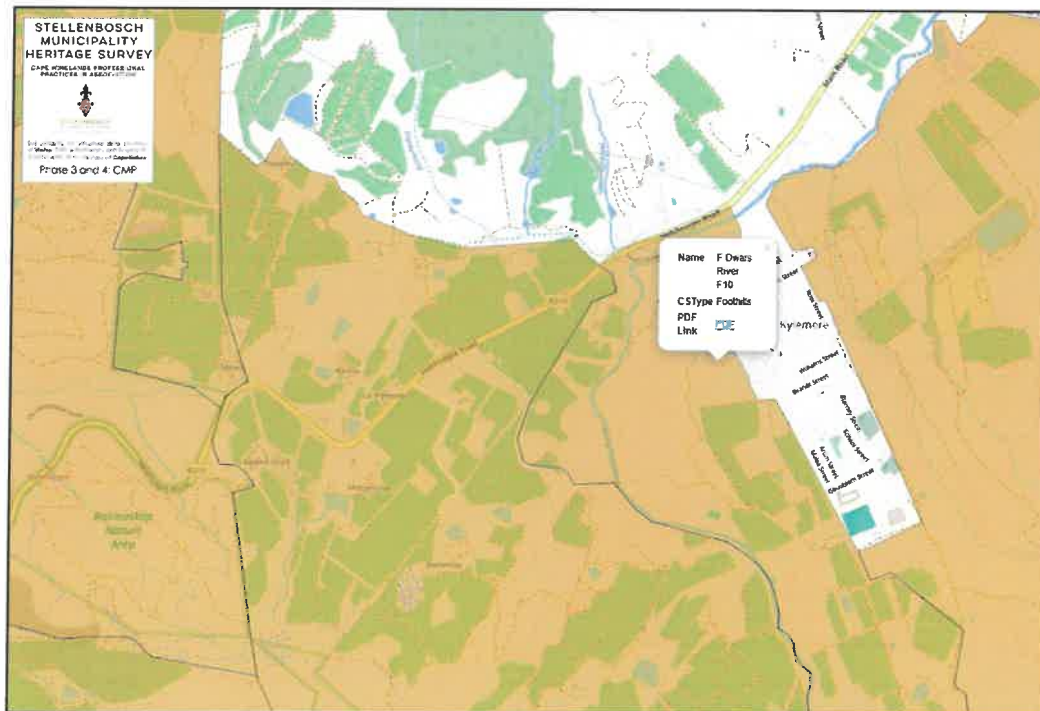


Figure 10 Dwars river Foothills (Stellenbosch Heritage Survey, 2016)

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6.3.4 Scenic Routes

The Stellenbosch Heritage Survey map, 2016 (Figure 12) indicates two scenic routes namely Helshoogte road and Klipstreet. Since the survey, Klipstreet has been closed and access is gained through servitudes. This route is therefore no longer relevant.

The Helshoogte road cut through the area and has been identified as an important scenic route. Guidelines pertaining to scenic routes are applied according to the distance to the landscape feature. The site is in the "middleground" zone (500 metres to 3 kilometres) as illustrated in Figure 13.

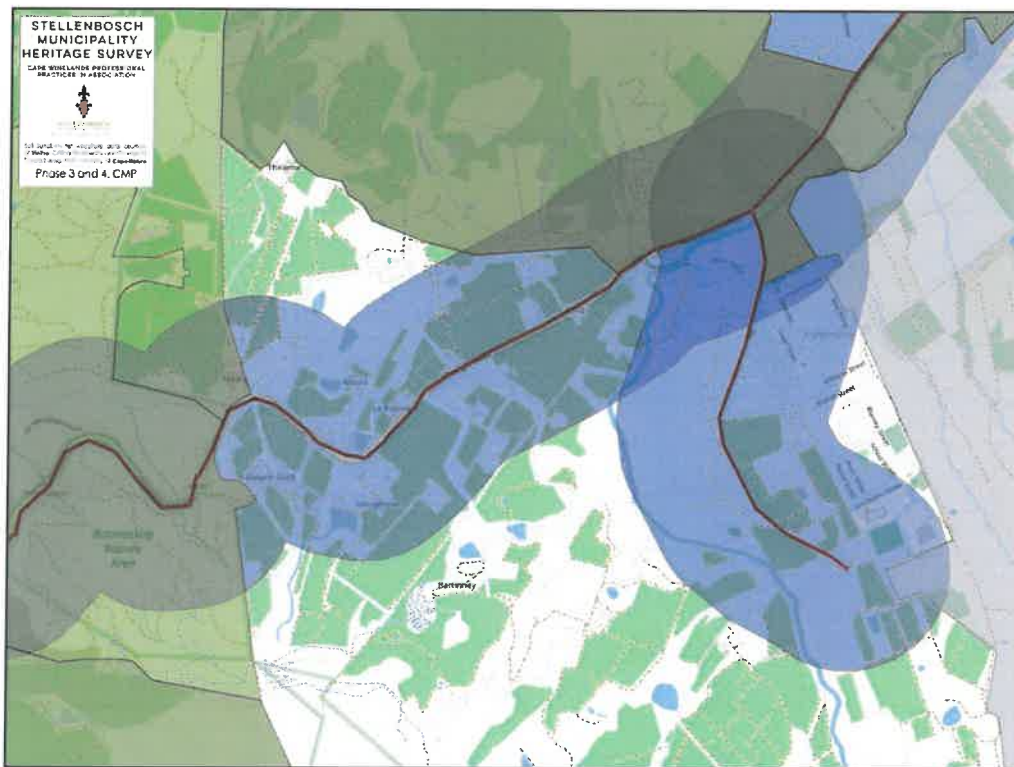


Figure 12 Scenic Routes (Stellenbosch heritage survey, 2016)

As the route runs through a grade II landscape unit, the route is identified as a separate receiving element where it falls within the zone of theoretical visibility.

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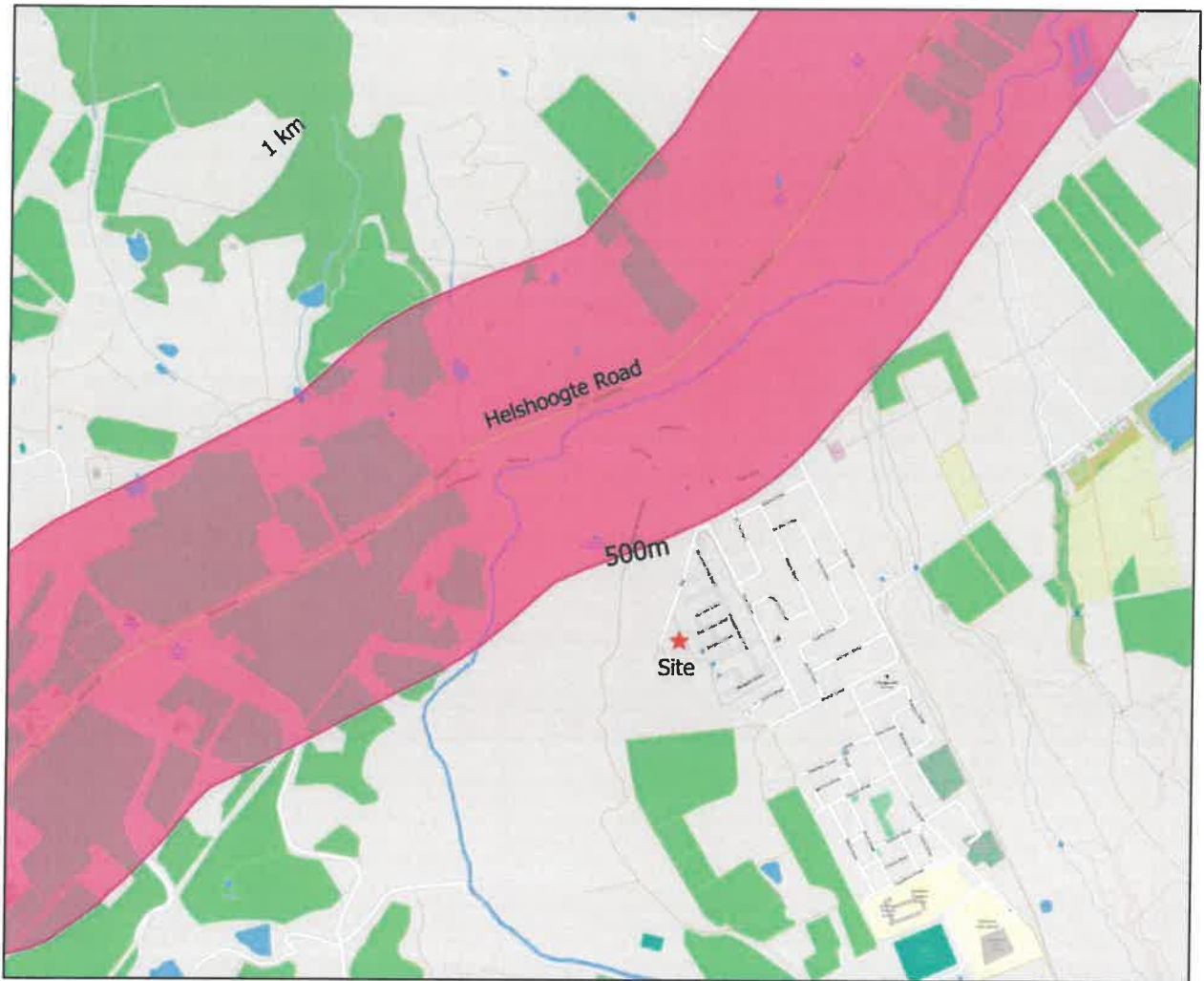


Figure 13 Helshoogte Scenic Route Zone

6.4 Sense of Place

The application property is situated within the Dwars River Valley, forming part of the Banghoek landscape unit, with the Simonsberg and Jonkershoek ranges providing a prominent topographical frame. The sense of place is strongly defined by this mountain enclosure, which establishes both the scenic backdrop and the visual containment of the valley floor. The site forms part of the western edge of Kylemore and occupies a transitional position between the urban fabric of the settlement and the agricultural land uses that dominate the valley.

The immediate receiving environment reflects a hybrid urban-rural character. Historically, Kylemore developed as a workers' settlement during the mid-20th century, with a low-density, fine-grain layout of single residential dwellings. The architectural expression is varied and lacks stylistic cohesion, with the town's cultural identity deriving primarily from its social and community

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structures rather than its built form. More recent interventions, including gated medium-density group housing complexes and lifestyle residential units on smallholdings, have altered the town's western edge, introducing built forms that are visually and socially detached from the original settlement fabric. The application property is located within this altered edge, thereby marking the interface between the historic village core and the evolving peri-urban landscape.

Within the valley, land use is dominated by viticulture and orchards, supported by a dense treescape of windbreaks and avenues that structure the landscape. These elements create enclosed spatial compartments and contribute to a high degree of visual absorption capacity.

The influence of cultivated agriculture and tree patterns enhances the legibility of the valley landscape while simultaneously screening and filtering views.

The broader cultural landscape context indicates limited direct heritage sensitivity within the application property. Kylemore itself holds social and historical value as a planned settlement established in 1955, but the townscape does not embody architectural distinctiveness. The surrounding agricultural landscape contributes more significantly to the visual character of the valley, while declared heritage sites, such as "France," remain visually separate from the immediate site.

In summary, the sense of place of the application property is defined by:

- Topographical containment provided by the enclosing mountain ranges;
- Agricultural structuring of the valley floor, creating a coherent and absorptive landscape pattern;
- Urban-rural transition where the settlement edge of Kylemore interfaces with dispersed smallholdings and lifestyle developments; and
- Heritage character rooted in social cohesion rather than architectural or heritage resources.

The property therefore occupies a sensitive edge condition, where new development will need to acknowledge both the natural scenic qualities of the valley and the evolving but low-intensity settlement pattern along Kylemore's western boundary.

7 ASSESSMENT

7.1 Zone of theoretical Visibility

Area of Visual Influence (AVI) refers to the geographical extent within which a proposed development, structure, or landscape modification is likely to be visible to the human eye. It is the area from which the development can be seen, either in whole or in part, under typical viewing conditions.

The human eye will observe the horizon on a perfectly flat surface at 30km. This is significantly reduced by landscape elements which obstruct the view or increase if the viewer is elevated above the site. The Zone of Theoretical Visibility (ZTV) was modelled within a 30km radius taking into account the building maximum vertical extent (roof pitch) of 5.4metres. The ZTV does not include landscape features such as buildings and vegetation.

Figure 14 illustrates that the maximum ZTV is 10km however the real extent would be much closer to within about 3km when landscape elements are incorporated.

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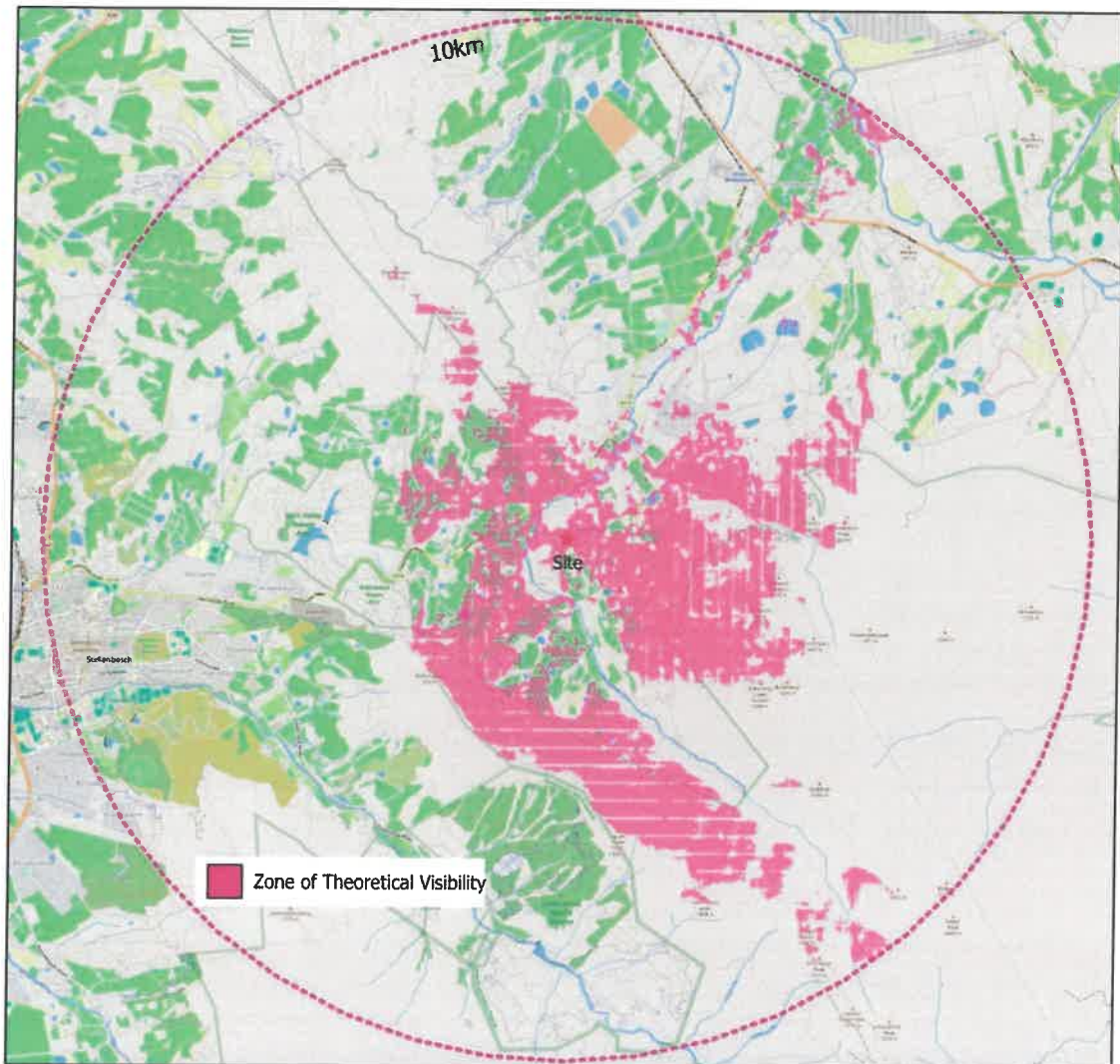


Figure 14: Zone of Theoretical Visibility

7.2 Areas of Visual Influence

Based on the Zone of Theoretical Visibility, areas of visual influence (AVI) have been identified and various potential viewpoints within these areas are assessed to determine the level and significance of impact.

The Area of Visual Influence refers to the parts of the landscape where a proposed development is likely to have a noticeable effect on visual character, sense of place, or viewer experience. Unlike the Zone of Theoretical Visibility, which simply maps where a development can be seen, the AVI goes a step further by considering how that visibility matters – i.e., whether the change is likely to be significant from key viewpoints, routes, settlements, or sensitive receptors.

In practice, the AVI is determined by overlaying the ZTV with contextual information such as land use, settlement patterns, heritage sites, tourism and recreation areas, and existing visual

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character. It highlights those locations where the development could influence how people perceive, use, or value the landscape. The AVI therefore provides the basis for selecting representative viewpoints, assessing degrees of impact, and ultimately judging the significance of visual change.

The identified Areas of visual Influence are -

1. Immediate surrounding area
2. Kylemore Village
3. Banghoek valley and hills to the west
4. Northern Hills
5. Helshoogte Scenic Route
6. Eastern Mountain Slopes

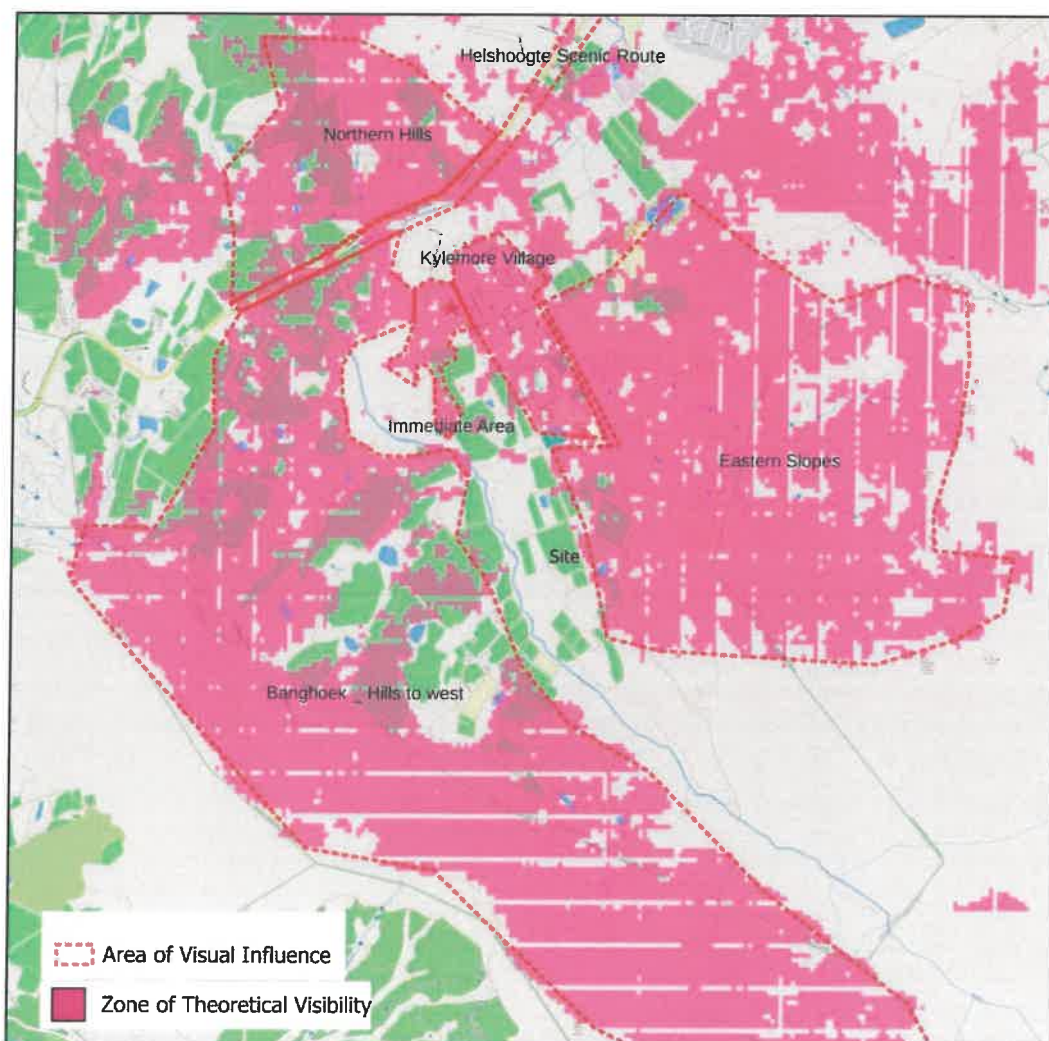


Figure 15 Area of Visual Influence

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7.2.1 Immediate Surrounding Area

Perimeter trees and on-site orchards create a visual pocket within the property and provide filtered screening from surrounding properties.

The property is located in an area of change with a gated grouphousing complex to the east and Important mountain peaks that can be seen from the valley are Bothmanskop, Joubertspeak, Simonsberg and the Drakenstein peaks. Views towards these peaks add value to the sense of place and view corridors should be retained.

Figure 16 illustrates that the building does not obstruct the views towards the peaks and that the view is filtered by the trees along the fence. During winter time when the trees do not have leaves, the peaks are more visible in the distance.



Figure 16 View from Pear Grove Street towards Bothmanskop

The houses under construction to the south are at a slightly higher elevation. Views from these houses towards the application property are directed to the rear of the existing house and across to Simonsberg. The proposed dwelling will be screened by the existing house (Photo 6).

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Photo 6 View from new houses north of site towards Simonsberg

The France homestead heritage property is situated within the immediate AVI. Figure 17 and Figure 18 illustrates the effect of vegetation in the landscape where the view is filtered to such an extent that although the building may be visible, it is not intrusive or obstructive.

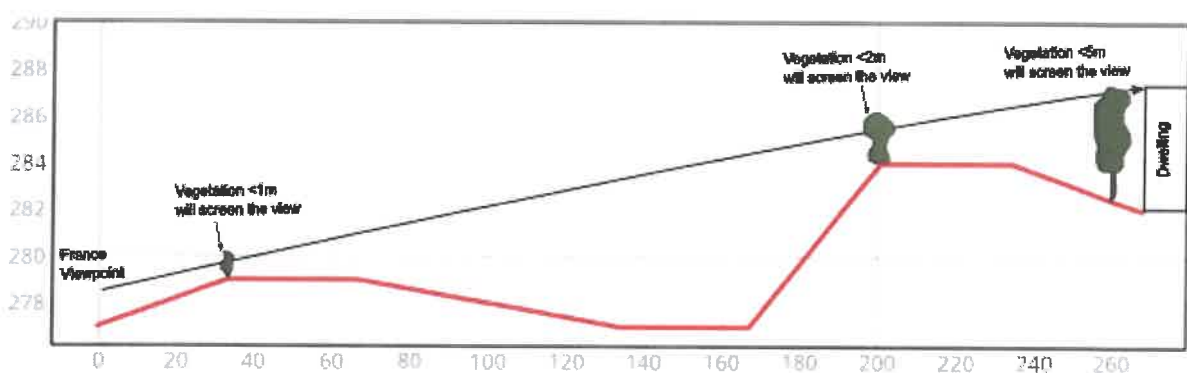


Figure 17 Profile from France homestead towards site

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Figure 18 View from France homestead

Table 3 Assessment of Immediate Surrounding Area

Criteria	High	Moderate	Low
Exposure	dominant, clearly visible	recognizable to the viewer	not particularly noticeable to the viewer
Sensitivity	residential, nature reserves, scenic routes - Specific to Glare Impact	sporting, recreational, places of work, national road	industrial, mining, degraded areas
Intrusion/Obstructive	noticeable change, discordant with surroundings	Partially fits but clearly visible	minimal change or blends with surroundings
Duration	Permanent		

With the number of trees in the area, views between properties are either totally screened or filtered to such an extent that each property is enclosed in a view pocket. This high absorption capacity created by vegetation thus reduces visual impact significantly as long as structures are of low vertical extent.

The architecture of the proposed dwelling compliments the surrounding architecture and does not introduce a new style not compatible with the environment. The scale and size of the building is also in line with the surrounding residences.

The overall visual impact on the immediate surroundings is thus low.

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7.2.2 Kylemore village

The site is west of the original village and visually separated by the new gated grouphousing complexes. None of the heritage sites have a direct view of the site. Photo 7 taken from the old Apostolic graveyard illustrates how the urban elements screen off view to the site. Although the site is accessed through the town, there is no visual connection between the properties to the west of the town and the original town.



Photo 7 View from Old Apostolic graveyard

Table 4: Kylemore village impact rated

Criteria	High	Moderate	Low
Exposure	dominant, clearly visible	recognizable to the viewer	not particularly noticeable to the viewer
Sensitivity	residential, nature reserves, scenic routes	sporting, recreational, places of work, national road	industrial, mining, degraded areas
Intrusion/Obstructive	noticeable change, discordant with surroundings	Partially fits but clearly visible	minimal change or blends with surroundings
Duration	Permanent		

The overall impact on the original town is insignificant.

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7.2.3 Banghoek valley and hills to the west

From the Sevenrivieren Road, Kylemore is vaguely visible in the distance. Individual buildings cannot be distinguished unless they are of an extraordinary size or colour. The lush vegetation creates a high absorption level and views are restricted to the immediate area. The only prominent views are framed views of the mountains across the valley due to its extreme vertical extent.

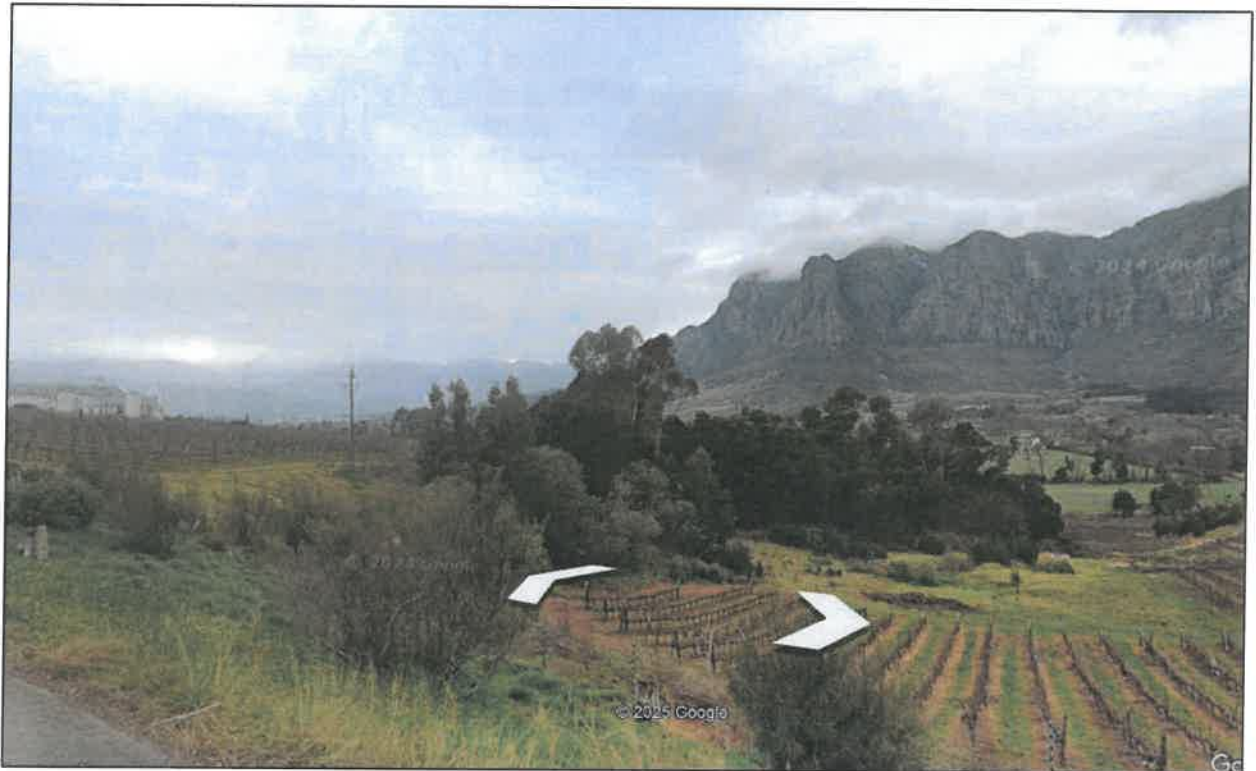


Photo 8 Representative view from Sevenrivieren Road towards Kylemore (Source Google earth Streetview)

The small scale of the proposed development is such that it does not impact on the areas beyond the immediate surroundings.

7.2.4 Northern Hills

Views from the northern hills are screened and filtered by the lush vegetation and the distance to the site further reduces the impact. Photo 9 shows the view from Hillcrest Berry Orchards. The town and other buildings in the valley are dotted through the lush vegetation. No specific buildings are thus easily distinguishable. Due to the small scale of the proposed building, it will not be visible or clearly distinguishable from this viewpoint neither from any other viewpoint on the northern hills.

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Photo 9 View from the northern Hills - Berry farm

7.2.5 Helshoogte Scenic Route

Travelling on the Helshoogte Road from Pniel towards Kylemore the view is fairly restricted to within metres from the road due to the lush vegetation. Very few view corridors exist along the route and no official viewpoints are provided on the route. In fact parking along the road is fairly difficult due to the narrow edge and high traffic volumes. In the rare occasions that a glimpse of Kylemore appears it is of short duration to such an extent that the town is barely visible and the traveller only become fully aware of the town when reaching the entrance intersection.

Approaching from Stellenbosch the view is similarly screened and individual buildings in the town or the site not visible.

Photo 11, to Photo 12 illustrates the view from the Helshoogte Road towards Kylemore confirming that views are screened off by the lush roadside vegetation as well as the trees in the town.

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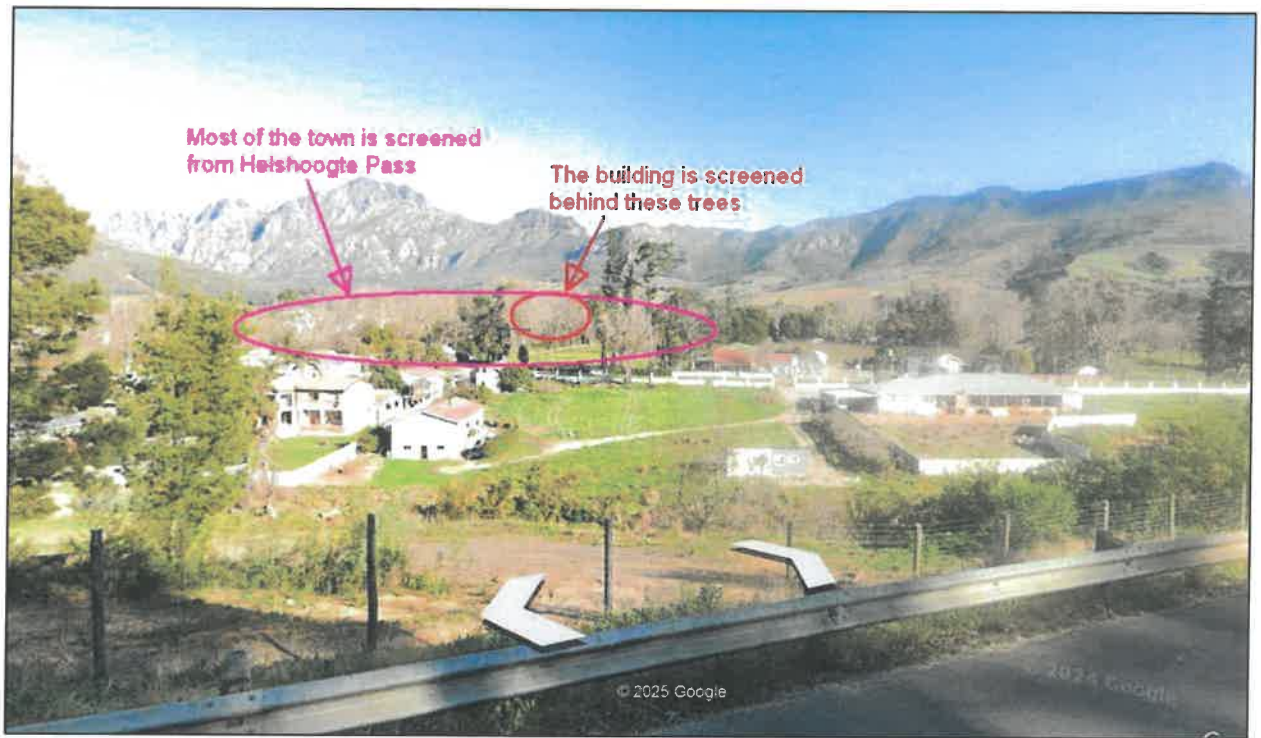


Photo 11 Helshoogte approach from Pniel



Photo 10 Photo collage showing restricted view from Helshoogte Pass

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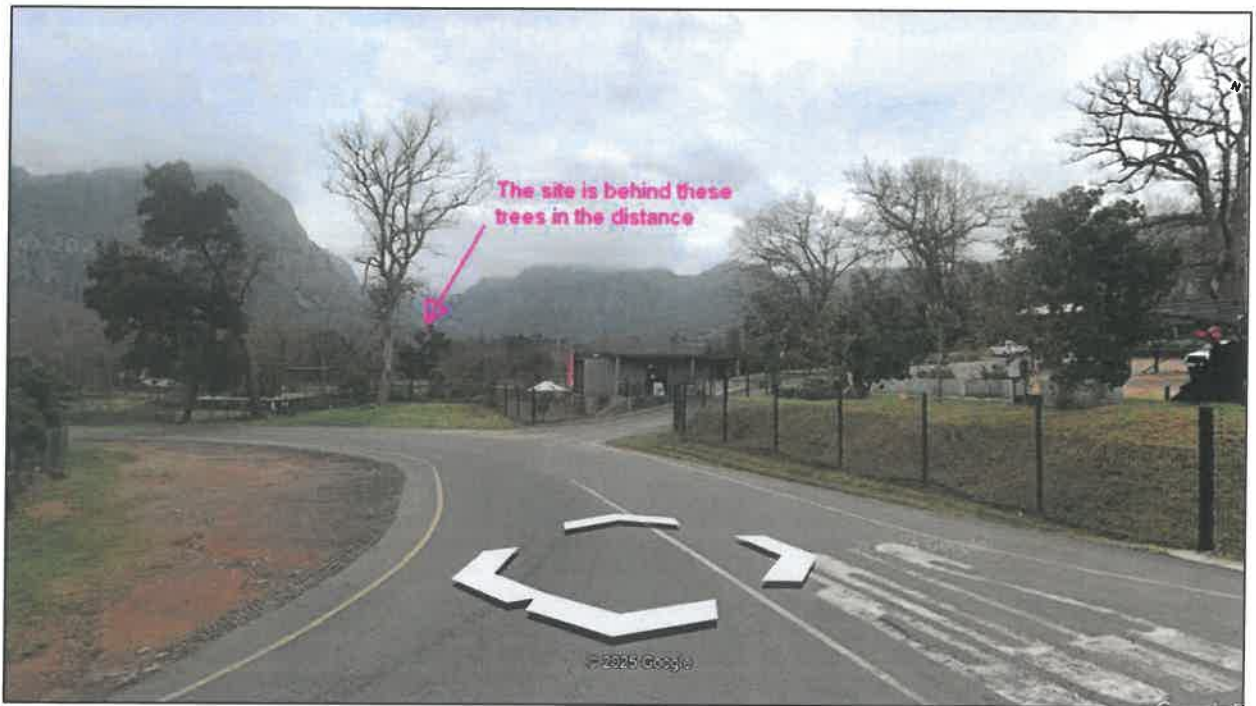


Photo 12 View from Entrance to town off Helshoogte Road

The views from the Helshoogte road are extremely limited and of short duration. The proposed dwelling will not be noticeable and therefore will not detract from the visual experience. The overall impact on the Helshoogte scenic route is thus insignificant.

7.2.6 Eastern Mountain Slopes

Due to the distance of these slopes from the site and the lush vegetation, the individual building will not be distinguishable with the naked eye and therefore the impact from these slopes are negligible.

7.3 Heritage Context

7.3.1 Banghoek Landscape Unit

With the site within the Banghoek landscape unit it is important to assess the impact against the guidelines provided for this landscape unit. Addendum B provides a detail assessment of the landscape unit. The scale and design of the building is such that it fits well within the landscape unit and thus the criteria are sufficiently met as to not create a negative impact on cultural heritage.

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7.3.2 Scenic Routes

The site is situated within the “middleground” zone impact area. However due to the limited view from the road to the site, the development poses no threat to the integrity of the scenic route and does not change the heritage landscape associated with the route.

7.3.3 Heritage Resources

Par 7.2.1 indicated that the only heritage resource near the site which may be impacted by the development is the France homestead. The assessment confirmed that the development does not impose on the heritage site, and the impact is thus insignificant.

Similarly Par 7.2.2 illustrates that the site is visually separated from the site and therefore none of the heritage sites are impacted by the development. The impact is thus insignificant.

7.4 Findings

7.4.1 Landscape Character

The application property is located on the western edge of Kylemore within the Dwars River Valley, an enclosed landscape framed by the mountain ranges. The topographical setting provides strong scenic containment, with long-distance views from both valley floor and elevated slopes reinforcing the valley’s visual identity. Land use in the immediate area is transitional in nature: while Kylemore to the east reflects a modest, low-density settlement of post-1950s origin, the western edge has been modified by smallholdings and lifestyle properties that introduce a semi-rural residential character. The site therefore forms part of a shifting urban-rural interface rather than a purely agricultural or purely urban context.

7.4.2 Visual Absorption Capacity

The valley floor is characterized by extensive viticulture and orchards interspersed with avenues of trees and windbreaks. These vegetative structures delineate visual compartments, limit sightlines, and contribute to a high level of visual absorption. While the broader mountain backdrop remains a dominant scenic element, the localised pattern of dense planting, treed enclosures, and small-scale built form provides the capacity to absorb additional development without disproportionate visual intrusion, provided scale and siting are appropriate.

7.4.3 Cultural and Heritage Context

The property itself contains no heritage resources and declared heritage sites are located at some distance. Kylemore’s cultural landscape value lies in its social history as a planned settlement (established in 1955) rather than its architectural expression, which is diverse and stylistically

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fragmented. The more recent gated housing complexes and lifestyle units diverge visually and socially from the original village fabric, further diluting the architectural coherence of the settlement edge. The site, in this respect, does not contribute to a strong heritage-defined sense of place but rather to an evolving peri-urban landscape with increasing residential influence.

7.4.4 Overall Sensitivity

The sense of place of the application property is defined primarily by:

- the topographical containment and scenic dominance of the surrounding mountains;
- the productive agricultural framework of vineyards, orchards, and treescapes;
- the transitional settlement edge character of Kylemore, where rural and residential patterns converge; and
- the heritage landscape as defined in the Banghoek land unit.

Table 5 Summary of Impact

Criteria	Impact	Notes
Landscape Character Sensitivity	Medium	The site lies within a transitional urban-rural edge; sensitivity is moderate due to scenic mountain backdrop but diluted by existing smallholdings and residential uses. The development complies with the Banghoek land unit criteria
Visual Absorption Capacity	High	Existing treescapes, agricultural structuring, and enclosed valley setting provide strong absorption potential.
Visual Intrusion / Contrast	Low	The new dwelling a compatible designed; colour palette, and screening reduces intrusion.
Compatibility with Sense of Place	Low	The proposed scale is consistent with adjacent smallholdings; integration with landscape design ensures compatibility.
Extent of Impact	Localised (site and immediate surrounds)	Impact does not extend meaningfully beyond the property due to visual containment.
Duration of Impact	Long-term	Permanent built form, but softened through design and vegetation.

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Criteria	Impact	Notes
Overall Significance	Low	The overall significance is low.

8 MITIGATION MEASURES

The following mitigation measures can be considered to ensure that the development is executed within the context of this assessment.

1. Landscaping and Screening

- Reinforce existing treescapes and windbreaks with additional indigenous or compatible planting to provide visual screening, especially along edges
- Avoid clearing of existing trees that contribute to the high visual absorption capacity of the site.
- Use hedgerows, orchards, or vineyard-style planting around the dwelling footprint to integrate the structure into the productive agricultural landscape pattern.

2. Lighting and Infrastructure

- Restrict exterior lighting to low-level, downward-directed fixtures to minimise night-time visual intrusion.
- Screen service infrastructure (water tanks, solar panels) with vegetation or incorporate them into the built form to reduce clutter.

9 CUMULATIVE IMPACT

The Department of Environment and Tourism issued a guideline document in terms of which cumulative impacts should be assessed.³ This guideline document identifies the types and characteristics of different cumulative effects as summarized in the table below.

Table 6: Types and characteristics of cumulative effects

TYPE	CHARACTERISTIC	IDENTIFY POTENTIAL IMPACT
Time Crowding	Frequent and repetitive effects.	Activity remains at the same pace, frequency and intensity over time. No time crowding

³ DEAT (2004) *Cumulative Effects Assessment, Integrated Environmental Management, Information Series 7, Department of Environmental Affairs and Tourism (DEAT)*, Pretoria

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		impacts.
Time Lags	Delayed effects.	No time lag impacts.
Space Crowding	High spatial density of effects.	The additional dwelling is of small scale and have minimal space crowding impact.
Cross-boundary	Effects occur away from the source.	No impact
Fragmentation	Change in landscape pattern.	No change.
Compounding Effects	Effects arise from multiple sources or pathways.	No impact
Indirect Effects	Secondary effects.	No impact
Triggers and Thresholds	Fundamental changes in system functioning and structure.	The heritage survey and associated guidelines set the development parameters. The development is well within these parameters.

10 CONSTRUCTION

During construction, various types of vehicles and equipment will be transported to the site and perform work on the site. Construction activities may impact the view of surrounding properties. This impact is, however, temporary and not uncommon during construction.

11 SENSITIVITY STATEMENT

The proposed dwelling, located on the western edge of Kylemore within a transitional urban-rural setting, will introduce a new built element into a landscape of high scenic value but with high visual absorption capacity. Through the application of appropriate siting, scale, architectural treatment, and landscape integration measures, the residual impact is of low significance. The development is therefore considered visually acceptable within the receiving environment.

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STELLENBOSCH MUNICIPALITY HERITAGE SURVEY AND MANAGEMENT PLAN

CAPE WINELANDS PROFESSIONAL PRACTICES IN ASSOCIATION

SITE NAME: FRANCE**LANDSCAPE UNIT NUMBER: F10**
LANDSCAPE UNIT GRADE: Grade II**ADDRESS OF THE SITE**

PROPERTY NO 150
 SITE ADDRESS Banghoekrivieren Road
 CURRENT USE Farm
 ORIGINAL USE Farm

PROTECTION AND GRADING

Curr.NHRA Protection S34
 >60YRS? **Yes**
 PROPOSED GRADING Grade II

MAP**LATITUDE/LONGITUDE**

-33.91647 18.9446816667

**SIGNIFICANCE**

Associational	Representivity
Age Medium	Rarity High
Scientific	Archaeology
Symbolic	Intangible
Architectural	High

ARCHITECTURAL STYLE

Georgian / Cape Revival

ARCHITECT/BUILDER**SITE DESCRIPTION**

Homestead, and barn used as stables. T-plan house with Georgian facade with fine doors, windows and fanlight. Cape Revival alterations to rear introduced new entrance door in northern corner of T. Long barn with new roof and stable features (building has NM plaque but no trace in Fransen or PHS list).

STATEMENT OF SIGNIFICANCE

These historically layered buildings and their setting are very significant from a heritage perspective (the barn displays an NMC plaque). Neither the homestead nor the barn are listed in Fransen's work, yet they display considerable aesthetic, architectural, scenic and landscape significance.

INTERIOR DESCRIPTION**GROUPING WITH OTHER SITES**

Yes with barn

EVIDENCE OF DEMOLITION**SITE HISTORY****LANDSCAPE SIGNIFICANCE**

Large trees

CONTEXTUAL DESIGN**INVASIVE ELEMENTS****HERITAGE VULNERABILITY**

REFERENCES Winter 1988: 11 #9

DATE

9/4/2017

Land Unit: F10, Banghoek

1 Overview

The unit has contextual significance in relation to units F8 and F11 and Kylemore. It also presents a dense historic fabric with landscape and architectural significance and a discernible pattern of settlement.

MAIN AIM: CONSERVE (Maintain) existing character: This may require both protection and maintenance of the significant elements and features as well as appropriate development thereof. It includes the promotion of these landscapes and places for the appreciation and continuity of their cultural significance.

MAIN VALUE: AESTHETIC, HISTORIC - This landscape unit has exceptional significance for its aesthetic and historic relevance (pattern of settlement) within the winelands, and needs to be conserved as such.

CONSERVATION SYSTEM: This landscape unit is triggered by the Foothills conservation system. A grade II scenic route follows the road through the middle of the unit where 'foreground' development criteria apply.

DEVIATED LAND USE/USES THAT WILL LIKELY ERODE LANDSCAPE CHARACTER:

Overscaled private dwellings, cluttered properties, agricultural related practices (other than viticulture and orchards), gated residential estates, large scale industrial structures, suburban development, mining, substation, landfill or sewage plant, extensive parking lot, business park, isolated shopping centre.

2 ASSESSMENT CRITERIA

A. ECOLOGICAL

Development Criteria	Assessment/Compliance
<ul style="list-style-type: none"> ● Maintain ecological support areas to sites of heritage significance (particularly river corridors). Only permit development that responds to the heritage sensitivity of the site, and that will not dominate, or irreparably damage the environments adjacent to these heritage sites. Optimize the scenic and recreational opportunities provided by water courses and larger water bodies, especially where they were enjoyed through historic right of way. 	N/A
<ul style="list-style-type: none"> ● Promote transitions or buffers, and larger connected systems, to nature reserves (see Foothill conservation system). To protect important habitats, provide increased opportunities for recreation and the traditional use of the landscape. 	N/A

<ul style="list-style-type: none"> • Protect areas of critical biodiversity, and irreplaceable habitats, by not allowing development in areas of sensitivity as per the EMF (2017). These also include; wetlands, drainage lines, steep slopes, floodplains, areas with a high water table, areas with high biodiversity, and areas with threatened species. 	N/A
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B. AESTHETIC

Although enclosed by lush vegetation, framed views are found towards the majestic mountains on four sides. This land unit is flanked by the Groot Drakenstein Mountains to the east and the Jonkershoek Mountains to the west. Banghoek, or 'scary corner', refers to the dense forest that travellers had to pass through to get to Franschoek. This unit represents the valley bottom and is relatively flat in relation to its sides. The loss of vegetation in this unit will result in the loss of its inherent character

Development Criteria		
Views	Assessment	
<ul style="list-style-type: none"> • It is recommended that visual permeability should be maintained towards mountains (these are important place-making and orientating elements for experiencing the cultural landscape), valleys and across open, and cultivated fields. (a) Discourage the use of solid walls around vineyards and agricultural areas in public view and along scenic routes. (b) Views should be framed and enhanced by development wherever possible. • Retain view-lines and vistas focused on prominent natural features such as mountain peaks, as these are important place-making and orientating elements for experiencing the cultural landscape. They are not only important for landscape character, but also for water security, and biodiversity. 	<p>The orientation of the building in relation to the adjacent grouphousing complex, enable view corridors and does not create a obstruction towards the mountains. Par. 7.2.1 illustrates that the views towards the peaks are maintained from the adjacent grouphousing complex.</p> <p>A clearvue fence between the application property and adjacent property allow for filtered views.</p>	
Planting Pattern		
<ul style="list-style-type: none"> • In some cases, remnant planting patterns (even single trees) uphold the historic character of an area. Interpretation of these landscape features as historic remnants should occur. • Many of the strongest planting patterns that contribute to the historic character of landscape and townscape units, are within road reserves and on public land. A maintenance and re-planting plan should be developed. • Traditional planting patterns should be protected by ensuring that existing tree 	<p>The development does not require the removal of mature trees. Planting of orchards and perimeter trees are proposed and this pattern supports the historical planting pattern.</p>	

alignments and copses are not needlessly destroyed, but reinforced or replaced, thereby enhancing traditional patterns with appropriate species. • The felling of mature exotic or indigenous trees within residential areas should be avoided. Instead, continuous tree canopies should be encouraged, especially within urban environments.		
Development		
<ul style="list-style-type: none"> • Avoid the loss of rural character due to suburban development that engulfs rolling foothills and severs the agricultural continuum that encircles settlements. (a) Avoid inappropriate suburban extensions to rural villages and hamlets, to retain their sense of scale, civic structure and rootedness. (b) Avoid the decentralisation of retail and office centres, which contribute to urban sprawl. • Maintain the balance of Urban, Rural and Wilderness areas. It is the interplay and relationship between these that give the study area its unique character (refer to the Conservation Systems). 	The development is on the urban edge and thus in the transition area from urban to rural. The size of the building is such that sufficient space around the buildings is retained and the rural character is maintained.	

C. HISTORIC

Several significant heritage sites are located within the unit. Zevenrivieren, on the lower river reaches, has been altered over the years but retains a strong sense of authenticity. Dwarsrivierhoek (Baldric) Estate, at the head of the valley, boasts an early 19th century Cape Dutch complex that has high aesthetic, architectural, scenic and landscape significance.

Development Criteria		
Patterns of Settlement		
<ul style="list-style-type: none"> • Respect the natural landscape as the setting within which settlements (towns, hamlets, farm werfs) are embedded. Avoid insensitive 'dominating' developments that erode the natural-agricultural continuum found on the rolling foothills of the study area. Dominating development include sprawling suburban development, over-scaled private dwellings etc. • The backdrop of rolling hills and mountain peaks form an important component of the whole, and development in these areas that is destructive to the whole should be discouraged. • Respect existing settlement patterns and building typologies along rivers within the rural area. Proposals should be 	<p>The dwelling is the same scale than houses in the village. The character is not foreign to the architecture in the area and aligns well with existing buildings in the area.</p> <p>The use as residential is in line with the surrounding land use and does not introduce a different type of landuse.</p> <p>Since the property abuts the existing town, it does not create a leapfrog effect.</p>	

carefully considered in relation to impacts on the heritage significance of these settlements and the historic riverine corridor. ● Avoid visual clutter that erodes the settlement pattern.		
Historic Werf		
<ul style="list-style-type: none"> ● Respect traditional werf settlement patterns by considering the entire werf as the component of significance. This includes the backdrop of the natural landscape against which it is sited, as well as its spatial structure. Any development that impacts the inherent character of the werf component should be discouraged. ● Interventions on the werf must respect the layout, scale, massing, hierarchy, alignments, access, landscaping and setting. ● Historical layering must be respected and protected. Alterations and additions to conservation-worthy structures should be sympathetic to their architectural character and period detailing. Inappropriate 'modernisation' of conservation worthy structures and traditional werfs should be prevented. Inappropriate maintenance can compromise historic structures. Heritage expertise is required where appropriate. ● Ensure visual harmony between historical fabric and new interventions in terms of appropriate scale, massing, form and architectural treatment, without directly copying these details. Distinguish old from new. ● Encourage development that prolongs the longevity of historic family farms as an increasingly rare typology. ● Any development that threatens the inherent character of family burial grounds should be discouraged. ● Encourage the multifunctional use of existing heritage sites and resources with different but sensitive new uses. Development and adaptive re-use that caters for the integration of different modes of access and a greater diversity of users should be encouraged. ● Encourage intervention to revive heritage features in decline, by engaging with innovative development proposals where appropriate, and considering 	The development is not part of an historical werf.	N/A

<p>sensitive adaptive reuse strategies for each, specific heritage resource.</p> <ul style="list-style-type: none"> • Adaptive strategies need to take the surroundings as well as the structures into account. • Where the historic function of a building is still intact, the function has heritage value and should be protected. • Significant avenues should be protected as a heritage component 		
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D. SOCIAL

The Anglican and NG Church graveyards in Kylemore appear somewhat neglected, but the graveyards and grave markers retain socio-historic significance. Close to the graveyard were natural pools in the river (known as The Pools), which add to the intangible and social significance of the place.

Development Criteria		
<ul style="list-style-type: none"> • Any development that threatens the inherent character of family burial grounds should be discouraged. • The character of the church precinct (established by its walled qualities and building pattern) must be respected. Negative impacts on visual-spatial relationships (including the broader setting) and buildings of architectural and historical significance must be avoided. • The strong character and patterns of the village precinct (established by street and building-patterns, including building setback, scale and form, and dwellings on thin agricultural strips, must be respected. Over-scaled new development should not be allowed. • Cultural sites associated with 20th century settlement and farming practices should be protected, particularly church and farm school sites that occur at the intersection of farm roads. The displacement of farm employees to nearby townships results in the loss of integrity of their former dwellings • Gentrification of rural settlements through lifestyle 'rural' estates be discouraged. • Alterations and additions to conservation-worthy structures should be sympathetic to their architectural character and period detailing. Inappropriate maintenance can compromise historic fabric. 	<p>No burial grounds are present on the property.</p> <p>The Anglican and NG Church graveyards are also located well away from the site. Refer par 7.2.2 for details on the views from the village towards the site.</p> <p>The development of secure grouphousing and lifestyle development to the south of the site, has already set the trend for "gentrification".</p>	

<ul style="list-style-type: none"> • Prevent over-engineered and insensitive infrastructural upgrades within historical settlements. • Proposed development should recognise the relationship of communities to their land and communal facilities. Any development proposal should show a clear understanding of the 'intangible' features and values of these sites. 		
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E. ECONOMIC

The entire unit displays highly suitable soils for agriculture (viticulture). Situated on the western boundary of Kylemore, this land unit is significantly greener and features a number of windbreaks and lush stream banks with vineyards.

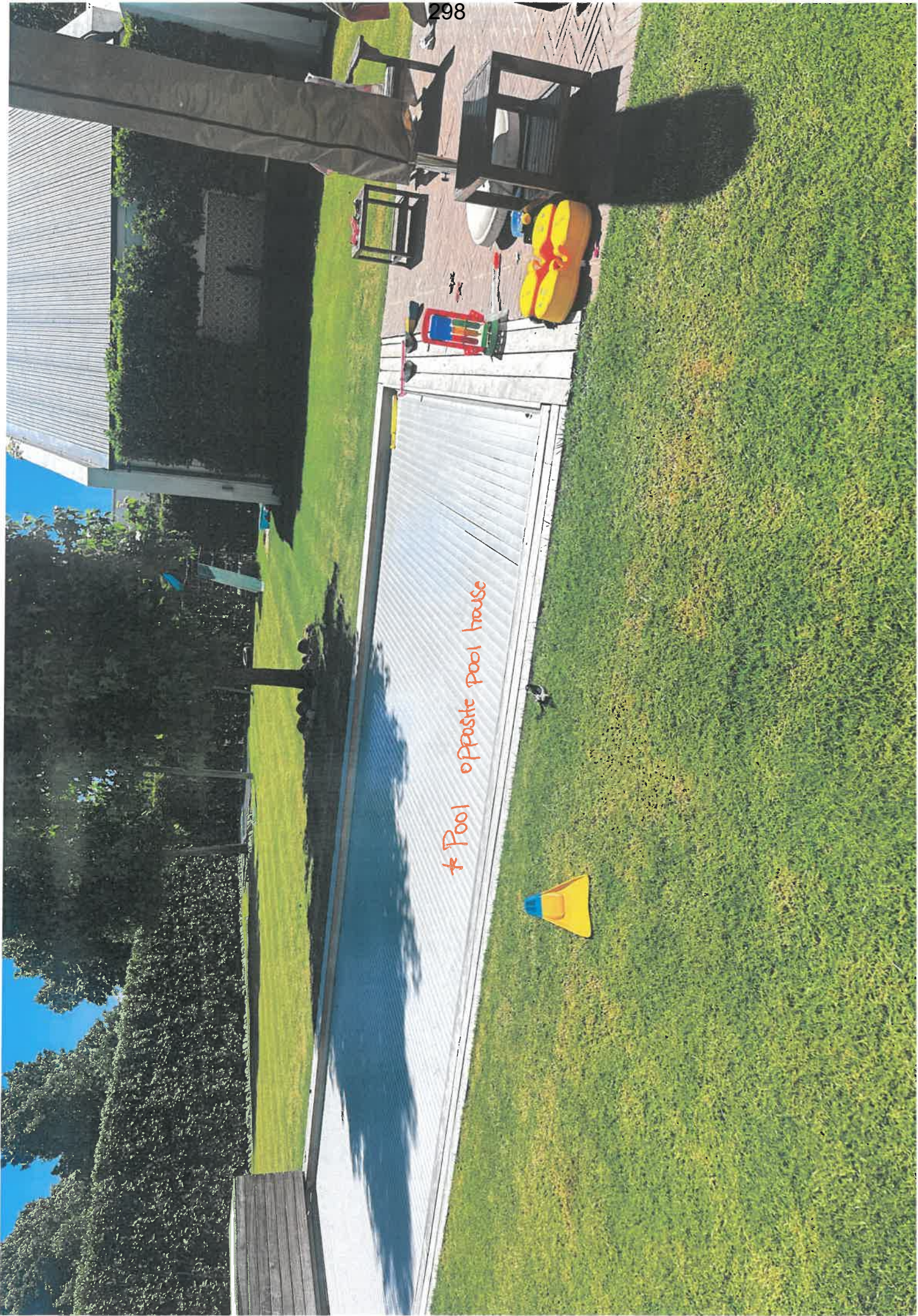
Development Criteria		
<ul style="list-style-type: none"> • Care should be taken that vineyards are not needlessly destroyed, and replaced by non-agricultural development. The potential agricultural use of the land should be retained for the future. • Fruit orchards are associated with windbreak trees (see T10.3 for windbreak species) which form distinctive strong lines on the landscape. In cases where the orchard has lost its function, to retain its heritage values the windbreak trees should be kept and new development could be included within existing blocks. • Land-use and infrastructure that is not one of the core agricultural systems (vineyards and orchards), could have a negative visual effect in the landscape (greenhouses, black plastic ground cover, shade netting, chicken batteries). The placement of these agricultural elements should be carefully considered. • The proliferation of non-agricultural uses, particularly in visually prominent locations, should be avoided. This is in order to protect the predominantly agricultural character of the landscape. • The subdivision of farms into smaller uneconomic 'lifestyle' plots of less than 3 hectares fundamentally erodes the agricultural character of the landscape. • Prevent fragmentation and rezoning of wilderness or 'natural' areas within the municipality, to ensure that the important contribution of wilderness areas to the character of a variety of heritage sites is maintained. 	Orchards are planted on the property and these are retained. These orchards also contribute to the visual absorption of buildings on the site.	

<ul style="list-style-type: none">● Maintain larger unified land areas to protect larger landscape continuums that display a unified scenic character.● Developments that promote the continuity of the core function of agriculture(viticulture) within the Stellenbosch winelands should be promoted.● Commercial farming, although it has transformed land use, continues to uphold large areas of uniform agrarian character associated with vineyards.● Cultural sites associated with 20th century settlement and farming practices should be protected, particularly church and farm school sites that occur at the intersection of farm roads. The displacement of farm employees to nearby townships results in the loss of integrity of their former dwellings.		
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ANNEXURE G: SITE INSPECTIONS PHOTOS

* Outside view of the pool house





* Pool opposite pool house

* Pool house interior with full functioning kitchen in lee of Bar





*Pool house interior with full functioning kitchen in lieu of Bar

* Pod house interior (guest bedroom)

