

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 27 MARCH 2026

MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON FRIDAY, 27th OF MARCH 2026 AT THE STELLENBOSCH COUNCIL CHAMBERS, STELLENBOSCH MUNICIPALITY, PLEIN STREET, STELLENBOSCH FROM 10H00-15H00

**Ref. no. 3/4/5/2/40
2026-03-27**

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 J Benjamin: Senior Manager – Development Planning

Mrs M Francis: Senior Manager - Infrastructure Planning, Development, and Implementation

Mr A van der Merwe: Senior Manager - Community Services

Technical Advisor

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

Councillor

Ms T Kumm: Ward 8 and Mayoral Committee Member: Planning, Local Economic Development & Tourism

Officials

Mr S Carstens: Senior Manager: Development Management

Mrs C Kriel: Manager: Land Use Management

Mrs O Vergotine: Administrative Officer

Mr P April: Senior Town Planner

Mr G Goosen: Senior Town Planner

Mr R Fooy: Senior Town Planner

Mr B de la Bat: Manager: Spatial Planning

Mrs C Hauptfleisch: Senior Spatial Planner

Ms X Mqhoma: Spatial Planner

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Mr T King: Manager: Development – Infrastructure Services

Visitors

Ms J Samson: JS Consultancy (Applicant)

Mr E Coetzee: UniQon Developers (Pty) Ltd

Mr C du Toit: UniQon Developers (Pty) Ltd

Observers

Mr G Lem

Ms Van Wilgen

Ms R Muman

ITEM	SUBJECT
SMPT 01/03/26	OPENING AND WELCOME
	Chairperson Crooijmans-Lemmer welcomed all present.

SMPT 02/03/26	LEAVE OF ABSENCE
	Mr M Williams: Senior Legal Advisor

SMPT 03/03/26	DISCLOSURE OF INTERESTS
	None received

SMPT 04/03/26	MINUTES OF THE PREVIOUS MEETING DATED 27 February 2026
	The minutes of the previous meeting was noted.

	MATTERS FOR CONSIDERATION
SMPT 05/03/26	APPLICATION FOR REZONING, SUBDIVISION, STREET NAMING AND NUMBERING: FARM NO. 468/28, STELLENBOSCH DIVISION. Discussion:

- a. Chairperson Crooijmans-Lemmer handed over to Mr P April to give a brief introduction of the application that served before the Tribunal.
- b. Ms Jacqui Samson made an oral presentation on behalf of UniQon Developers (Pty) Ltd as attached.
- c. A question of clarity was asked about the extent of discussions in pre-application consultations between the officials and the applicant about the alignment of the proposal with the SMSDF and officials confirmed that during the pre-application consultation meeting it was indicated that the proposal is not in compliance with the SMSDF and that motivation must be submitted to justify site specific circumstances and this aspect was included in the Minutes. The applicant acknowledged it and noted that a site-specific motivation was submitted and that various specialist reports were done which refers to the site-specific conditions.
- d. Clarity was given by the applicant about the statement made that little reference was made in the motivation about the scenic route and protection of the corridor and rural landscape, noting that the Visual Impact Assessment and the detailed proposals considered the sensitive areas of the site and mitigated the impact through the placement of buildings and density grading of the development as proposed.
- e. Follow up questions were asked about the intent of the proposal and if it is envisaged to grow the Lynedoch node to the same extent as other rural nodes such as Vlothenburg and if the scale of the development found in other rural areas is likely to occur in this area as well. The applicant responded that the site is completely within the urban edge of the Lynedoch node, that it is an existing node that is earmarked for development over time and it is acknowledged that it is said by municipal officials that the proposal is premature in terms of the SMSDF with reference to providing infrastructure. Because of the extent of the development, the intention is to develop over a period of 10 years which will require link and bulk services and to only provide for 12 ha of agricultural use is not economically viable. The application was informed by the growth indicators of the municipality and indicates how future needs are addressed through this development based on economic market studies. The proposal indicates land release of 200-300 units per year in anticipation to provide in the growing need of Stellenbosch over time and does include inclusionary housing opportunities which aims at addressing the needs of the community.
- f. With this remark the presentation and discussion with the Ms Jacqui Samson and representatives of UniQon Developers (Pty) Ltd was closed.
- g. In considering the application, it was acknowledged that the applicant's presentation in the conclusion contends there was a misinterpretation of key issues and is therefore requesting referral back of the case to the administration with the aim of presenting an alternative. Discussions follow on the applicant's recommendation and what was included in the

municipality's planning assessment report and the MPT members concluded that they are of opinion that there was no misrepresentation of information.

- h. The main consideration on whether the proposal is consistent with the SMSDF and if there are site specific circumstances to justify a deviation from the SMSDF was discussed and it was agreed by the MPT that the proposed development is inconsistent with the SMSDF. The argument was made that the line in the SMSDF (urban edge) is positioned taking into consideration what is happening around the line and that the SMSDF is clear on what type of development is foreseen for the growth of this community in the regional context. The designation in the SMSDF as "green area" is consistent with the existing village and the spatial development vision of the Municipality with references being made to the development focus of Klappmuts and other growth development areas. The long-term vision in the SMSDF to first fulfil this development vision and only after that to reconsider the development potential of the other rural nodes was recognised. It is noted that these arguments are not addressed in the applicant's motivation. The inconsistency with the SMSDF and broader impact of development in Stellenbosch Municipality with reference to the alignment with the infrastructure strategy and policy objectives regarding the provision of bulk capacity is also noted. Officials confirmed that Lynedoch is not a priority development area and no additional bulk infrastructure is planned for the area.
- i. The discussion concluded that insufficient justification and motivation to deviate from the SMSDF has been submitted by the applicant and that this informed the decision to refuse the application.

UNANIMOUSLY RESOLVED:

1. That it BE DECIDED that the application for Rezoning, Subdivision, Street naming and numbering on Farm No. 468/28, Stellenbosch Division **deviates from the provisions of the Stellenbosch Municipality Spatial Development Framework** (SMSDF) as contemplated in terms of Section 19 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014), for the following reasons:
 - 1.1. The proposal is inconsistent with the SMSDF spatial designations of "Green Areas Retained", subsequently violates Section 19 of the LUPA relating to compliance with adopted spatial plans, and thus conflicts with the spatial planning objectives of the SMSDF.
2. That it BE DECIDED that the application for Rezoning, Subdivision, Street naming and numbering on Farm No. 468/28, Stellenbosch Division, **does not warrant site specific circumstances** as contemplated in terms of Section 22(2) of Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) for the following reasons:

- 2.1. There are not any unique circumstances or considerations to serve as compelling justification to deviate from the prescribed SMSDF spatial provisions and designation, which specifically envisages small-scale infill development and not a new township as proposed. It's the SMSDF's intent to preserve areas of agricultural significance, maintain the rural landscape character and prevent premature or inappropriate urban expansion.
3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm No. 468/28, Stellenbosch Division:
 - 3.1 **Rezoning** in terms of Section 15(2)(a) of the said bylaw, for the rezoning of the Remainder Portion 28 of Farm No 468, Stellenbosch Division from Agricultural and Rural Zone to Subdivisional Area Overlay Zone to allow the following uses in a mixed use and Multi-unit residential development namely; Private Open Space, Education Zone; Mixed Use Zone, Multi-Unit Residential Zone, Conventional Residential Zone and Public Roads and Parking Zone.
 - 3.2 **Subdivision** in terms of Section 15(2)(d) of the said bylaw for the subdivision of Farm No 468/28, Stellenbosch Division into 52 Portions and a Remainder, namely;

Erf 1 (±0,6682ha), Erf 2 (±1,7655ha), Erf 3 (±0,3054ha), Erf 4 (±0,8815ha), Erf 5 (±0,8274ha), Erf 6 (±0,7024ha), Erf 7 (±1,0678ha), Erf 8 (±0,7719ha), Erf 9 (±0,5976ha), Erf 10 (±1,0671ha), Erf 11 (±05,5319ha), Erf 12 (±0,1794ha), Erf 13 (±0,9219ha), Erf 14 (±0,9179ha), Erf 15 (±0,9300ha), Erf 16 (±2,6625ha), Erf 17 (±1,5857ha), Erf 18 (±0,3214ha), Erf 19 (±0,1159ha), Erf 20 (±0,1440ha), Erf 21 (±0,1302ha), Erf 22 (±0,2216ha), Erf 23 (±0,7267ha), Erf 24 (±1,5497ha), Erf 25 (±1,5905ha), Erf 26 (±1,2612ha), Erf 27 (±0,4115ha), Erf 28 (±0,6034ha), Erf 29 (±0,7905ha), Erf 30 (±0,4438ha), Erf 31 (±0,4699ha), Erf 32 (±0,5252ha), Erf 33 (±0,5896ha), Erf 34 (±0,0367ha), Erf 35 (±0,0426ha), Erf 36 (±0,6180ha), Erf 37 (±0,5786ha), Erf 38 (±0,4251ha), Erf 39 (±0,5881ha), Erf 40 (±0,7033ha), Erf 41 (±0,8611ha), Erf 42 (±2,3266ha), Erf 43 (±1,2018ha), Erf 44 (±1,2249ha), Erf 45 (±1,2691ha), Erf 46 (±1,2800ha), Erf 47 (±0,7212ha), Erf 48 (±0,4833ha), Erf 49 (±0,4972ha), Erf 50 (±2,3244ha), Erf 51 (±0,4615ha), Erf 52 (±0,8823ha) and a Remainder Farm No. 468/28 (±0,734ha).
 - 3.3 **Subdivision** in terms of Section 15(2)(d) of the said bylaw for the subdivision of Farm No 468/28, Stellenbosch Division into 14 Phases

and the registration of services servitudes (5m wide gravity sewer line, 3m wide water line and 5m wide rising main sewer line).

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

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

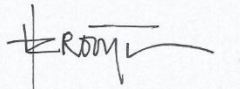
- 4.1 The proposal is inconsistent with the SMSDF spatial designations of "Green Areas Retained", subsequently violates Section 19 of the LUPA relating to compliance with adopted spatial plans, and thus conflicts with the spatial planning objectives of the SMSDF.
- 4.2 There are not any unique circumstances or considerations to serve as compelling justification to deviate from the prescribed SMSDF spatial provisions and designation, which specifically envisages small-scale infill development and not a new township as proposed. It's the SMSDF's intent to preserve areas of agricultural significance, maintain the rural landscape character and prevent premature or inappropriate urban expansion.
- 4.3 The proposal converts ±29ha of high-potential agricultural land to non-agricultural urban uses, undermining long-term agricultural productivity and the rural economy.
- 4.4 The site forms part of a Grade IIIb cultural landscape and falls within the R310 Scenic Route Conservation System. The scale, massing and suburban typologies will introduce visual intrusion, disrupt scenic vistas and erode the rural character.
- 4.5 Lynedoch is designated as a secondary rural settlement, not a growth node and the MSDF only identifies ±6ha for small-scale infill development and not ±29ha township establishment, a scale more appropriate to primary nodes and contradicting municipal settlement hierarchy objectives.
- 4.6 Lynedoch is a "maintenance-only" area in the Municipality's Capital Expenditure Framework (CEF) and is not prioritized for bulk infrastructure upgrades and the proposal requires significant unplanned upgrades to bulk infrastructure networks.
- 4.7 The proposal is founded on unsupported mobility assumptions; the Lynedoch train station rail service is not fully functional or reliable, and the proposal and design does not fully explore intermodal change or Non-Motorised Transport (NMT) provisions to the broader settlement.
- 4.8 Lynedoch is an established socially mixed, sustainable community; the proposal introduces a gated, exclusionary typology with private social facilities undermining inclusive community development and the existing settlement ethos.

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	<p>4.9 MSDF directives align with SPLUMA, WCPSTDF, LUPA and Rural Land Use Guidelines planning principles, while the proposal demonstrates substantial deviation from all supporting frameworks, with no changed circumstances justifying urban transformation of this land unit.</p> <p>4.10 Most internal and external public departments consulted in the application process have opposed or recommended refusal of the application, confirming that the land unit remains critical for agricultural, heritage, scenic and rural landscape functions and that no policy or contextual changes justify its transformation.</p> <p>4.11 The application under the Subdivision of Agricultural Land Act (70/1970) to extend municipal jurisdiction into the urban area for Farm 468/28, Stellenbosch was refused, considering that including the property in the urban edge would result in opportunistic, speculative development, loss of valuable agricultural land and erosion of rural and scenic character.</p> <p>5. Matters to be noted:</p> <p>5.1. The application for the approval of the following 18 street names (alternatives in brackets where applicable) in terms of the Stellenbosch Municipal Street Naming and Numbering Policy 2022;</p> <p>Lynedoch Street, Welmoed Avenue (Welmoed Road), Meerlust Avenue (Meerlust Road), Cellar Street (Kelder Street), Spier Avenue (Farm Road), Granite Avenue (Plunton Road), Drie Gewels Avenue (Institute Road), Uniqon Sqaure Avenue (Hendrich Square Road), Avalien Street (Anika Street), Marcell Street (Carla Street), Olive Street (Renosterbos), Windpomp Street (Windmill Street), Varney Street (Glen Eagles Street), Oakleaf Street (Villafontes Street), Spring Street (Fontein Street), Bendeman Street (Christelle Street), Cabernet Street (Vineyard Street) and Christiaan Close (Stella Close)</p> <p>be submitted for consideration based on the outcome of the rezoning and subdivision application to the delegated functionary in accordance with the Delegations of the Policy for the Naming and Renaming of Streets, Public Places, Natural Areas, Artefacts and Council-Owned Buildings and Facilities, July 2022 as approved by Council vide Item 11.8.3 and dated 23 November 2022.</p>
<p>SMPT</p> <p>06/02/26</p>	<p>OTHER MATTERS</p>

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6.1	PLANNING POLICIES (REVIEWED OR APPROVED BY COUNCIL)
	<ol style="list-style-type: none">1. The Koelenhof LSDF and Overlay Zone was advertised for public comment to be submitted by 11 May 2026.2. The Dwarsriver Valley LSDF process commenced.3. Inputs received for the amendment of the SMSDF are under consideration to be submitted to Council as part of the 2026/2027 IDP.4. The Capital Expenditure Framework is being reviewed as part of the 2026/2027 IDP process.5. A meeting with the Franschhoek Rate Payers Association took place and the finalisation of the Draft Zoning Scheme Bylaw is underway.
6.2	APPEALS RECEIVED AGAINST MPT DECISIONS
	No new appeals were received or decided in March 2026.
6.3	GENERAL
	None



Mrs H Crooijmans-Lemmer

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



Mr P van Zyl

DEPUTY-CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL