

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

Sir / Madam

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

Application Property Address: Trumali Road, Stellenbosch, 7600

Application Property Number: Remainder of the Farm Brandwacht No. 1049, Stellenbosch

Applicant: TV3 Projects (Pty) Ltd – C Heys (contact details: 021 861 3800)

Owner: Brandwacht Land Development (Pty) Ltd – N du Toit (contact details: 083 226 9858)

Application Reference: LU/13953

Application Type: Rezoning and deviation from the Spatial Development Framework

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

- Application is made i.t.o. section 15.2(a) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the rezoning of the Remainder of the Farm Brandwacht No. 1049, in the Division of Stellenbosch, Province of the Western Cape from Agriculture and Rural Zone to Subdivisional Area, consisting of Conventional Residential Zone erven (i.e. dwelling houses at a maximum residential density of 25 erven per hectare), Multi-Unit Residential Zone erven (i.e. group housing units at a maximum residential density of 50 units per hectare), a Local Business Zone erf (i.e. offices with a maximum bulk of 1.0 located west of Elsie du Toit Street and which will not form part of the residential estate), Private Open Space Zone erven (i.e. private open spaces and private roads) and Public Roads and Parking Zone erven (i.e. public road to accommodate the Eastern Link Road, utility services, etc.), and a site specific deviation from the approved Stellenbosch Municipality's Spatial Development Framework, 2019 to initiate an urban infill development outside the approved urban edge of Stellenbosch.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: [https://www.stellenbosch.gov.za/planning_portal/planning-notices/land-use-applications-advertisements]. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

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

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;

- Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **3 October 2022**.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 021 861 3800 during normal office hours.

Yours faithfully

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD
(1 September 2022)

KENNISGEWING VAN GROND ONTWIKKELINGSAANSOEK AAN GEINTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR

Meneer / Dame

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: Trumaliweg, Stellenbosch, 7600

Aansoek eiendom beskrywing: Restant van die Plaas Brandwacht No. 1049, Stellenbosch

Aansoeker: TV3 Projects (Pty) Ltd – C Heys (kontak besonderhede: 021 861 3800)

Eienaar: Brandwacht Land Development (Pty) Ltd – N du Toit (kontak besonderhede: 083 226 9858)

Aansoek Verwysing: LU/13953

Tipe Aansoek: Hersonerig en afwyking van die Ruimtelike Ontwikkelingsraamwerk

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(a) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir die hersonerig van die Restant van die Plaas Brandwacht No. 1049 vanaf Landbou en Landelike Sone na Onderverdelingsgebied, bestaande uit Konvensionele Residensiële Sone (d.w.s. woonhuise teen 'n maksimum residensiële digtheid van 25 erwe per hektaar), Multi Eenheid Residensiële Sone (d.w.s. groephuise teen 'n maksimum residensiële digtheid van 50 eenhede per hektaar), 'n Plaaslike Besigheid Sone erf (d.w.s. kantore met 'n vloerfaktor van 1.0 geleë wes van Elsie du Toitstraat en wat nie deel van die residensiële landgoed sal vorm nie), Privaat Oopruimte Sone erwe (d.w.s. private oopruimtes en private strate) en Publieke Pad en Parkering Sone erwe (d.w.s. publieke pad om die Oostelike Verbypad te akkommodeer, ingenieursdienste, ens.), en vir 'n terrein spesifieke wysiging van die goedgekeurde Stellenbosch Munisipaliteit se Ruimtelike Ontwikkelingsraamwerk, 2019 ten einde 'n stedelike invul ontwikkeling buite die goedgekeurde stedelike grens van Stellenbosch te inisieer.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydskuur van die publieke deelname proses by die volgende adres: [https://www.stellenbosch.gov.za/planning_portal/planning-notices/land-use-applications-advertisements]. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.

- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitingsdatum van **3 Oktober 2022**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 861 3800 gedurende normale kantoor ure.

Die uwe

**CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD
(1 September 2022)**

ATTACHMENTS:

- 1. EXECUTIVE SUMMARY OF THE APPLICATION**
- 2. LOCALITY PLAN**
- 3. CONCEPT SITE DEVELOPMENT PLAN**

EXECUTIVE SUMMARY

1. The following applications are made on the Remainder of the Farm Brandwacht No. 1049, in the Division of Stellenbosch, Province of the Western Cape, namely:
 - A site specific deviation from the approved Stellenbosch Municipality's Spatial Development Framework, 2019 to initiate an urban infill development outside the approved urban edge of Stellenbosch; and
 - Application i.t.o. section 15.2(a) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the rezoning of the Remainder of the Farm Brandwacht No. 1049, in the Division of Stellenbosch, Province of the Western Cape from Agriculture and Rural Zone to Subdivisional Area, consisting of Conventional Residential Zone erven (i.e. dwelling houses at a maximum residential density of 25 erven per hectare), Multi-Unit Residential Zone erven (i.e. group housing units at a maximum residential density of 50 units per hectare), a Local Business Zone erf (i.e. offices with a maximum bulk of 1.0 located west of Elsie du Toit Street and which will not form part of the residential estate), Private Open Space Zone erven (i.e. private open spaces and private roads) and Public Roads and Parking Zone erven (i.e. public road to accommodate the Eastern Link Road, utility services, etc.).
2. A detailed and final urban development proposal must still be prepared. However, a concept layout plan is included in this report, to illustrate vision of the proposed urban development (see **Section D**).
3. In 2018 and 2019 – as part of the Stellenbosch Municipal Spatial Development Framework process – we submitted numerous planning reports to the Municipal Manager motivating why the subject property should be included in the urban edge and earmarked for future urban development. As part of these submissions, detailed specialist studies were prepared (such as a traffic impact

assessment, engineering services report, visual impact assessment, heritage impact assessment, etc.) and included in the planning motivation reports. Copies of these specialist reports are again included in this application. However, these specialist input will be revisited and updated when the detailed urban development proposal is finalised.

4. The approval of the site specific deviation from the Stellenbosch Municipality's Spatial Development Framework and the rezoning of the subject property will allow the landowner to proceed with all the necessary specialist investigations and impact studies of the proposed development, and then to prepare and submit all the applications i.t.o. the Subdivision of Agricultural Land Act, 1970, the Land Use Planning Act, 2015, the Advertising on Roads and Ribbon Development Act, 1940, the National Environmental Management Act, 1998 and the National Heritage Resources Act, 1999.
5. These applications, specialist input, impact assessments and approvals will in turn provide the agreed development framework / envelope within which the final development proposal will be conceptualised.
6. In 2019, as part of the Stellenbosch Municipality's Spatial Development Framework process, a planning application report was submitted to motivate the inclusion of the subject property in the urban edge. This report included numerous preliminary specialist reports (transport, engineering, heritage, visual, etc.) which are again included as part of this land use planning application. These specialist reports will be updated with the subsequent planning, environmental, heritage, agriculture and transport applications.
7. With receipt of all the required planning, environmental, heritage, agriculture and transport approvals, a land use planning application i.t.o. the Stellenbosch Municipality's Planning By-Law, 2015 will be prepared and submitted for approval of the final development proposal.

8. The subject property is currently located outside the Stellenbosch Municipality's approved urban edge. This application will illustrate and motivate that a wide range of site specific circumstances exists which serves to support a deviation from the approved urban edge so as to allow for the inclusion of the application property as well as the subsequent development thereof of urban related purposes.

9. This application is based on the following motivating considerations as set out in more detail in the full application document:
 - The farm's agricultural potential is limited, and the Western Cape Department of Agriculture has no objection against the proposed urban development of the subject property;
 - The proposed urban development will generally support the municipal spatial planning policies;
 - The plan alignment for the proposed Eastern Link Road will traverse the application property and effectively by default divide it into two smaller land portions;
 - The proposed development of the application property for urban development purposes is compatible with the character of the immediate surrounding area;
 - It will provide different housing typologies in the Stellenbosch Municipal area;
 - It will not lead to a loss of a critical biodiversity area;
 - It will have a limited impact on heritage resources;
 - It will have a limited visual impact;
 - It will have significant socio-economic benefits for Stellenbosch town (e.g. it will create new employment opportunities);
 - It will increase the municipal tax base;
 - The resulting traffic impact will be limited; and

- It will contribute to the upgrading of municipal engineering infrastructure (e.g. payment of development charges).

10. We submit that well motivated considerations exist for the site specific based rezoning application to be considered favourably. Accordingly, we recommend that the application be approved, so that the landowner may formally proceed with satisfying the other legal requirements for the application process.



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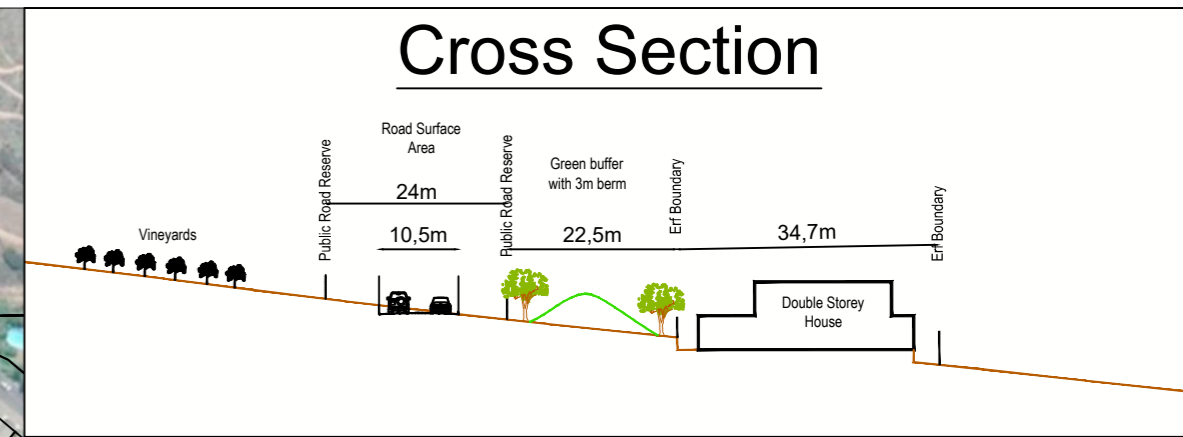
ARCHITECTS AND TOWN PLANNERS

Farm Brandwacht No.1049, Stellenbosch

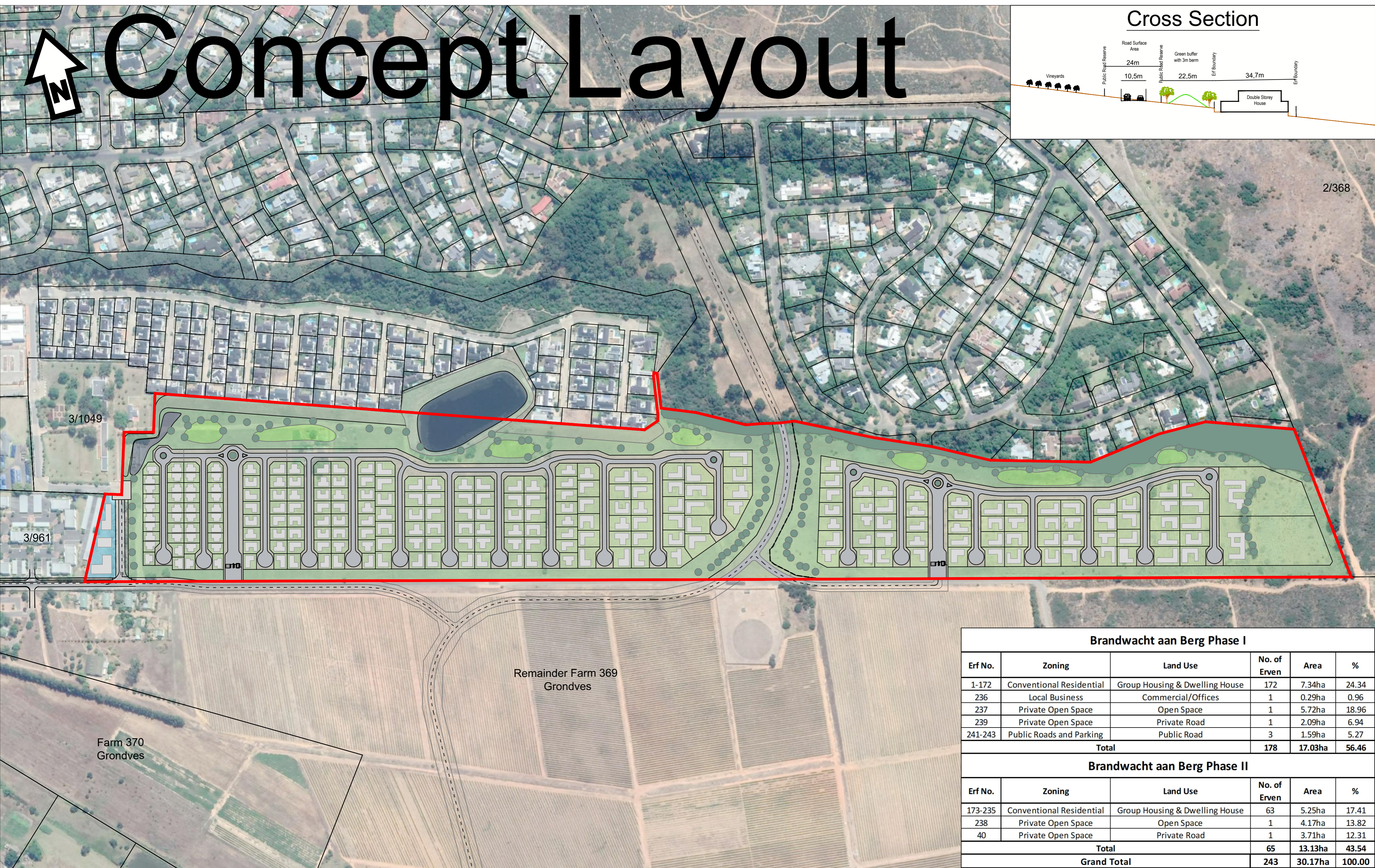
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Concept Layout



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Brandwacht aan Berg Phase I					
Erf No.	Zoning	Land Use	No. of Erven	Area	%
1-172	Conventional Residential	Group Housing & Dwelling House	172	7.34ha	24.34
236	Local Business	Commercial/Offices	1	0.29ha	0.96
237	Private Open Space	Open Space	1	5.72ha	18.96
239	Private Open Space	Private Road	1	2.09ha	6.94
241-243	Public Roads and Parking	Public Road	3	1.59ha	5.27
Total			178	17.03ha	56.46
Brandwacht aan Berg Phase II					
Erf No.	Zoning	Land Use	No. of Erven	Area	%
173-235	Conventional Residential	Group Housing & Dwelling House	63	5.25ha	17.41
238	Private Open Space	Open Space	1	4.17ha	13.82
40	Private Open Space	Private Road	1	3.71ha	12.31
Total			65	13.13ha	43.54
Grand Total			243	30.17ha	100.00

tv3 ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
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Brandwacht aan Berg Phase I & II

Property Description:
Remainder Farm 1049, Stellenbosch

Drawing: Concept SDP Plan no.: 2

Date: 27/10/2021 Scale: 1:3000 (A2)

Project no.: 3504-P Drawn: WH Checked: JvR

Notation:
Cadastral information obtained from Surveys and Mapping (DRDLR).
Aerial Photography obtained on Google Earth.
1m Contours are generalized and should be surveyed for design purposes

* 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