**REMAINDER OF THE FARM BRANDWACHT No. 1049,**

**TRUMALI ROAD, STELLENBOSCH**

**OBJECTION TO APPLICATION REFERENCE: LU/13953**

Mr Clifford Heys

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Mr Stiaan Carstens

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Date:

Dear Mr Heys

**APPLICATION IN TERMS OF SECTION 15.2 (a) OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW, 2015 FOR THE REZONING OF THE REMAINDER OF THE FARM BRANDWACHT NO. 1049 FROM AGRICULTURE AND RURAL ZONE TO SUBDIVISIONAL AREA TO PERMIT A VARIETY OF URBAN LAND USES: OBJECTION TO THE APPROVAL OF THE APPLICATION**

1. Introduction
	1. TV3 Projects (Pty) Ltd (under brief from Brandwacht Land Development (Pty) Ltd – the registered owner) has applied for rezoning and deviation from the Stellenbosch Municipality’s Spatial Development Framework in respect of Remainder of the Subject Matter Farm Brandwacht No. 1049, in the division of Stellenbosch, Province of the Western Cape (“**the Subject Matter Farm**”).
	2. The Application has been submitted to the Stellenbosch Municipality for consideration under Application Reference: LU/13953 (Rezoning and deviation from the Spatial Development Framework) (“**the Application**”).
	3. In summary, the Application states: **“*The aim of this land use planning application report is to provide the Stellenbosch Municipality with sufficient information to approve a site specific deviation from the Stellenbosch Municipality's Spatial Development Framework to initiate an urban infill development outside the approved urban edge of Stellenbosch, and to approve the rezoning of the subject property from Agriculture and Rural Zone to Subdivisional Area*.”**
	4. Whilst the Application is not for approval of the development of the Subject Matter Farm, one cannot ignore the concept development plan and ultimate desired development on the Subject Matter Farm were the Application successful.
	5. My details are set out below:

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| **RESIDENTIAL ADDRESS** | **E-MAIL** | **TEL/CEL** |
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* 1. As a resident of [**Brandwacht/Dalsig/Stellenboch**], I have an interest in the subject Application as my rights and legitimate expectations may be affected by the approval of the Application.
	2. I wish to object to the Application and express my strong opposition thereto for the reasons set out herein.
1. objection
	1. I urge the Municipality to disapprove and reject the Application for the various reasons referred to below, including:
		1. the Application is in direct conflict with the Municipality’s stated and adopted position in, inter alia, its Spatial Development Framework, as well as the Constitution and other national, provincial and local legal frameworks within which the Municipality must act;
		2. the urban edge cannot and should not be amended based on draft ideas and visions of the Applicant;
		3. the approval of this Application would result in a piecemeal, inefficient and disjointed approach, contrary to the fundamental principle that the IDP/SDF and its application should be based on sustainable development and long-term sustainability considered in the Greater Stellenbosch context;
		4. the Application does not fit within the concept of an infill-development – it falls squarely within the concept of urban sprawl and if allowed will set an undesirable precedent for further development outside of the urban edge;
		5. were the Application successful, and the envisioned development thereon be ultimately permitted, the Eastern Link Road will almost certainly be required to manage the additional traffic between the proposed development and Stellenbosch. The Eastern Link Road is a flawed concept from the 1960s that is no longer feasible or viable for Stellenbosch in 2022. Amongst the many technical reasons, including legal and land-use issues, transport planning considerations and financial considerations. These needs to be assessed separately from the Application to ensure that the Eastern Link Road is not forced upon the Municipality, with the concomitant legal and financial consequences for the municipality, as an aftermath of approving the Application. The Estern Link Road is vigorously opposed and requires public participation;
		6. should this Application be considered, thus amending the urban edge of Stellenbosch and rezoning Agricultural and Rural land, this process requires a comprehensive public participatory and consultative process;
		7. with reference to the Applicant’s summary of facts and motivation, I comment as follows quoting their assertions:
			1. “*The farm’s agricultural potential is limited*” – this has been inadequately assessed and its veracity is contested. This especially considering the Applicant, contrary to conditions imposed on the existing Brandwacht aan Rivier development, has failed to farm the land to demonstrate its viability or lack thereof, and never had any intention of farming the land;
			2. *“The proposed urban development will generally support the municipal spatial planning policies”* – this statement is false and the Application should be rejected on the basis that it does not support the Municipality’s spatial planning policies;
			3. “*The proposed development of the application property for urban development purposes is compatible with the character of the immediate surrounding area*” – this statement is false as the proposed urban development is in no way compatible with the character of the immediate surrounding area, including the foothills of the mountain behind it, the vineyards alongside it and the “sense of space” of Stellenbosch;
			4. “*It will not lead to a loss of a critical biodiversity area” –* the Subject Matter Farm falls within The Cape Winelands Biosphere Reserve that has been included in the world Network of Biosphere Reserves. Known for its uniqueness and high species diversity, the renosterveld of the Stellenbosch Mountain is already under serious under threat with only 5% of its original extent remaining and further urban sprawl into the fynbos biome is undesirable;
			5. *“It will have a limited impact on heritage resources*” – the Subject Matter Farm is close to and visible from a “Scenic Route” of the Winelands, and is part of the heritage resources of Stellenbosch. Stellenbosch has a unique combination of mountain scenery and rural landscape that makes this area a prime tourist destination of critical importance to the economy of the region. The heritage value of Stellenbosch is under great threat of fragmentation through creeping urbanization and the Application ignores this;
			6. *“It will have a limited visual impact” –* there is medium to high visual impact of including the Subject Matter Farm inside the urban edge and the consequent development thereon will destroy the beauty of Stellenbosch for which it is known and admired. Without the view of the mountains, including the Stellenbosch Mountain, without the vineyards and fynbos close to our urban areas, it is simply not Stellenbosch;
			7. “*It will have significant socio-economic benefits for Stellenbosch town (e.g. it will create new employment opportunities*)” – this statement is false as there is no evidence of any socio-economic assessment being done that supports this sweeping statement. The short-term job creation benefits of a development such as this must be offset against the long-term impact on the infrastructure and cost of the municipality, the nature of the town, the historic and biodiversity value of the winelands, its tourism potential and various other factors that undermine economic growth and prosperity. There is no evidence that this has been considered and it is my contention that the development will have long-lasting negative impacts associated with it urban sprawl, its impact on already strained existing municipal infrastructure (roads, water supply and sewerage, electricity, stormwater management, etc), on the provision of school and hospital facilities, along with the impact on biodiversity, heritage and tourism value;
			8. “*It will increase the municipal tax base” –* the factual accuracy ofthis statement should be interrogated further and should be tested before the Application is approved. The increased long-term cost and financial risk to the municipality arising from this development must be carefully considered against any possible increased municipal tax revenue. In addition, the financial risks of individual residents in Brandwacht and greater Stellenbosch, and the associated risk and impact for the Municipality, must be investigated as there is an imminent risk for a decline in house prices, at least for the landowner adjacent to the Subject Matter Farm, as well an increased burden on residencies outside of the proposed residential estate to cross-subsidise municipal tariffs;
			9. *“The resulting traffic impact will be limited” –* this statement is false, even based on the information included in the Application. The traffic impact will be substantial and will compound the significant congestion and traffic challenges that Stellenbosch already faces. Should the Application result in the Eastern Link Road being progressed through Brandwacht, there is no doubt it will result in increased traffic through the quiet suburb and over the beautiful reserve leading to Coetzenburg. As stated elsewhere, the technical, financial, legal and operational viability of this Link Road is strongly in doubt and there is no evidence that the Link Road will alleviate the congestion and traffic issues of Stellenbosch nor the additional burden that the proposed development imposes. It is clear that contrary to the statement in the application, the proposed development will lead to additional congestion of Stellenbosch roads, with all the concomitant impacts;
	2. I thus object to the approval of:
		1. the site-specific deviation from the Stellenbosch Municipality's Spatial Development Framework to initiate an urban infill development outside the approved urban edge of Stellenbosch on the Subject Matter Farm; and
		2. the rezoning of the Subject Matter Farm from Agriculture and Rural Zone to Subdivisional Area.

Yours faithfully

Signature