



**ERF 1772 STANFORD
&
REMAINDER OF PORTION 13 OF THE FARM
RIVERSIDE 644 CALEDON**

APPLICATION FOR SUBDIVISION, CONSOLIDATION,
REZONING, CONSENT USE, PHASING PLAN OF SUBDIVISION,
EXEMPTION FOR RIGHT OF WAY SERVITUDE, ALLOCATION
OF STREET NAMES, APPROVAL OF THE ARCHITECTURAL
DESIGN GUIDELINES AND ESTABLISHMENT OF AN OWNER'S
ASSOCIATION AND APPROVAL OF CONSTITUTION.

Application prepared for:

**SEBUMO TUDE GUEST SERVICES AND MORE (PTY) LTD &
BONNYBRAE PROPERTY HOLDINGS (PTY) LTD**

Application prepared by:
WRAP Project Office
PO Box 1247 | Hermanus | 7200
Tel: 028 313 1411
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Web: www.wrapgroup.co.za

Author

Thian Jansen (A/2858/2019)

Submitted

February 2022

Amended August 2022



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OVERSTRAND MUNICIPALITY APPLICATION FORM

 Municipaliteit • U-Maxipala • Municipality OVERSTRAND	TOWN & SPATIAL PLANNING APPLICATION FORM (2021/2022) (APPLICABLE FROM 1 JULY 2021 – 30 JUNE 2022)
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16 Paterson Street / PO Box 20
HERMANUS, 7200
 Tel: 028 313 8900 Fax: 028 313 2093

Please complete this form using BLOCK capitals and ticking the appropriate boxes	Application number (To be completed by an official)
THREE (3) HARD COPIES OF THE APPLICATION MUST BE SUBMITTED TO THE ABOVE ADDRESS. IT IS IMPORTANT TO NOTE THAT THE DATE ON WHICH THE APPLICATION IS REGARDED AS COMPLETE TO PROCEED WITH THE PROCESSING THEREOF, WILL BE REGARDED AS THE OFFICIAL SUBMISSION DATE.	For Official Use Only Initial Submission Date Official Submission Date

SECTION A : APPLICANT DETAILS

First name(s)	THIAN				
Surname	JANSEN				
Company name (if applicable)	WRAP PROJECT OFFICE				
Postal Address <u>ONLY</u>	P O BOX 1247, HERMANUS				
Postal code	7200	E-mail	ADMIN@WRAPGROUP.CO.ZA		
Tel	028 313 1411	Fax		Cell	082 951 7868

SECTION B: OWNER DETAILS (compulsory)

Registered owner	SEBUMO TUDE GUEST SERVICES AND MORE (PTY)		BONNYBRAE PROPERTY HOLDINGS (PTY) LTD		
Postal Address	P O BOX 123 STANFORD		P O BOX 2140 RIVONIA		
Postal code	7210	2128	E-mail	HHADELKANTOR@GMAIL.COM ALASDAIR@MAED.CO.UK	
Tel		Fax		Cell	072 141 2375 00 44 773 260174

SECTION C : PROPERTY DETAILS

Erf / Portion and Farm no.	ERF 1772 STANFORD	REMAINDER PORTION 13 OF THE FARM RIVERSIDE 644 CALEDON	Area	STANFORD		
Street Address	R326					
Current Zoning	AGRICULTURAL ZONE 1: AGRICULTURAL (AGR2)	Extent	3,3306HA	282.1367HA	Are there existing buildings?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Title Deed number & date	T	23937/2016	110767/2002			
Any restrictive conditions?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	If Yes, please specify				
Is property encumbered by a bond?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	If Yes, Bondholder?				
Any existing unauthorized building work / structures on the subject premises?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	If so, has owner been served with a notice?			Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	

SECTION D : TYPE OF APPLICATION BEING SUBMITTED IN TERMS OF SECTION 16 OF THE OVERSTRAND MUNICIPALITY BY-LAW ON MUNICIPAL LAND USE PLANNING AND APPLICATION TARIFFS PAYABLE.

Has there been any previous related application(s)?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	If yes, reference/application no.		FEES PAID
<i>All tariffs (except the appeal deposit tariff) include VAT and are valid from 1 July 2021 to 30 June 2022</i>				
X	Rezoning – Section 16(2)(a)	Erven 150m ² and smaller	R703.00	R
		Erven between 150m ² and 400m ²	R1 150.00	R
		Erven between 400m ² and 5000m ²	R7683.00	R
		Erven larger than 5000m ²	R8798.00	R8798.00



APPLICATION FORM

	Departure – Section 16(2)(b) – Permanent departure from the provisions of the zoning scheme	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R264.00 R585.00 R3341.00	R R R
	Departure –Section 16(2)(c) – Departure to use land on a temporary basis for which no provision is made in the zoning scheme	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R264.00 R585.00 R3341.00	R R R
X	Subdivision –Section 16(2)(d) a subdivision of land including the registration of a new servitude or lease agreement that is not exempted in terms of section 26	Up to 5 erven 6 – 10 erven More than 10 Additional per erf after 10	R4514.00 R7683.00 R7683.00 R116.00	R R R7683.00 R10556.00
X	Consolidation of land–Section 16(2)(e) that is not exempted in terms of section 26	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R291.00 R586.00 R3340.00	R R R3340.00
	Relaxation of Title Deed <i>(if combined with departure application only the highest fee applies)</i>	Erven 150m ² and smaller Erven 400m ² and smaller Erven larger than 400m ²	R300.00 R585.00 R3325.00	R R R
	Amendment, suspension or deletion of restrictive conditions in respect of a land unit – Section 16(2)(f)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R311.00 R622.00 R4730.00	R R R
	Permission required in terms of the zoning scheme – Section 16(2)(g)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R264.00 R585.00 R3341.00	R R R
	Amendment, deletion or additional conditions in respect of an existing approval – Section 16(2)(h)		R2685.00	R
	Extension of the period of validity of an approval –Section 16(2)(i)		R839.00	R
	An approval of an overlay zone as provided in the land use scheme – Section 16(2)(j)		R3341.00	R
X	Phasing, amendment or cancellation of a plan of subdivision or a part thereof, including a General Plan or diagram – Section 16(2)(k)		R2431.00	R2431.00
	A permission required in terms of the conditions of approval – Section 16(2)(l) <i>(Amendment of Site Development Plan (SDP), Constitution / Architectural Guidelines)</i>		R2431.00	R
	Zoning determination– Section 16(2)(m)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R703.00 R5512.00 R7683.00	R R R
	Closure of a public place or part thereof – Section 16(2)(n)		R7683.00	R
X	Consent use provided for in the zoning scheme – Section 16(2)(o)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R264.00 R703.00 R3341.00	R R R3341.00
	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 – Section 16(2)(p)		-	R
	Determination of an administrative penalty – Section 16(2)(q)		To be determined.	
	Appeal – Section 78.(2)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R331.00 R621.00 R3351.00	R R R
	Amendment of SDF/Sectoral Plans – Municipal Systems Act, Act 32 of 2000		R3161.00	R
	Disestablishment of Homeowners Association (HOA)		R3341.00	R
X	Exemption of subdivisions and consolidations i.t.o Section 26 of the By-Law		R133.00	R133.00
	Search fee		R336.00	R
	Section 30.(2) Certificate / Clearance		R1981.00	R
	Zoning Certificate – 21 days to issue		R336.00	R
	Zoning Certificate – Non-Profit Organisation (NPO)		No charge	-

SUBTOTAL APPLICATION FEE: R36 282.00

ADVERTISING FEES (All prices include VAT and are valid from 1 July 2021 to 30 June 2022)

*** Placing of advertisements for all other applications can be required by the Town Planner at his/her discretion.

*** Site notice for ROR applications to be displayed on the erf/erven according to Section 50.(1)(a) & (2) of the Overstrand Municipality By-Law.

INTERESTED AND AFFECTED PARTIES	Registered Letters: >10 : Applicant to pay according to SAPO rates	T.B.A.	R
ADVERTISEMENT IN NEWSPAPERS	Rezoning, Subdivision (≥2 erven), etc.	Local Newspaper	R4676.00
	Removal or Title Deed Restrictions	Local Newspaper & Provincial Gazette	R9351.00
	Placing of Final Notice (Removal of Title Deed Restrictions)	Provincial Gazette	R1322.00

SUBTOTAL ADVERTISING FEE: R4,676.00

TOTAL APPLICATION FEE: R40,958.00



Your attention is hereby drawn to Section 40.(1), (2) and (3) of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020, which is quoted as follows:

- (1) "An applicant must pay the application fees determined by the Municipality prior to submitting an application in terms of this By-law;
- (2) Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.
- (3) If an applicant wishes to retract the application and the said application has never been advertised, the advertising fees may be refunded to the applicant on request."

METHOD OF PAYMENT

Electronic transfer (EFT)	Y	N	If yes, is proof of payment attached?	Y	N
Payment at municipal office	Y	N	If yes, is proof of payment attached?	Y	N

BANKING DETAILS

Name Overstrand Municipality
 Bank NEDBANK
 Branch Code 198765
 Account no. 1190136678
 Payment reference Erf number, suburb and APPL or ADV / Farm number, portion and APPL or ADV

*** KINDLY INCLUDE THE REQUESTED REFERENCE NUMBER ON ALL INTERNET PAYMENTS, AND ATTACH PROOF OF PAYMENT TO THE APPLICATION.**

SECTION E : DETAILS OF APPLICATION

Departure / consent / amendment / rezoning required :

Y	N	Building line encroachment	Street	From		m	To		m
			Street	From		m	To		m
			Side	From		m	To		m
			Side	From		m	To		m
			Rear	From		m	To		m
Y	N	Exceeding permissible site coverage		From			To		%
Y	N	Erection of special / accessory buildings (please specify)					Extent		m ²
Y	N	Other / temporary uses (please specify)					Extent		m ²
Y	N	Rezoning	From:	AGRICULTURAL ZONE 1 – AGRICULTURE (AGR2)	TO:	SUBDIVISIONAL AREA ZONE (SA)			

Brief description of proposed development / intent of application

1. SUBDIVISION OF ERF 1772 STANFORD INTO PORTION A, ±94 M² AND THE REMAINDER OF ERF 1772 STANFORD, ±33212 M² IN TERMS OF SECTION 16(2)(D) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
2. SUBDIVISION OF THE REMAINDER OF PORTION 13 OF THE FARM RIVERSIDE 644 CALEDON INTO PORTION B, ±1909 M² AND THE REMAINDER OF THE REMINDER OF PORTION 13 OF THE FARM RIVERSIDE 644 CALEDON, ±281.9458 HA IN TERMS OF SECTION 16(2)(D) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
3. CONSOLIDATION OF PORTION B, ±1909 M² AND THE REMAINDER OF ERF 1772 STANFORD, ±33212M² IN TERMS OF SECTION 16(2)(E) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
4. CONSOLIDATION OF THE PORTION A, ±94M² AND THE REMAINDER OF THE REMAINDER OF PORTION 13 OF THE FARM RIVERSIDE 644 CALEDON, ±281,9458 HA IN TERMS OF SECTION 16(2)(E) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
5. REZONING OF THE CONSOLIDATED ERF 1772 FROM AGRICULTURAL ZONE 1 – AGRICULTURE (AGR2) TO SUBDIVISIONAL AREA ZONE (SA) IN TERMS OF SECTION 16(2)(E) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
6. SUBDIVISION OF THE CONSOLIDATED ERF 1772 STANFORD INTO NINETY-ONE (91) GENERAL RESIDENTIAL ZONE 1: TOWN HOUSING (GR1) ERVEN, FIVE (5) OPEN SPACE ZONE 2: PRIVATE OPEN SPACE (OS3) ERVEN AND THREE (3) TRANSPORT ZONE 2: ROAD AND PARKING (TR2) ERVEN IN TERMS OF SECTION 16(2)(D) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
7. CONSENT USE TO ALLOW A "RECREATIONAL FACILITY" ON ERF 92 (OPEN SPACE) OF THE PROPOSED DEVELOPMENT IN TERMS OF SECTION 16(2)(O) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
8. CONSENT USE TO ALLOW A "DAY CARE CENTRE" ON ERF 92 (OPEN SPACE) OF THE PROPOSED DEVELOPMENT IN TERMS OF SECTION 16(2)(O) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
9. EXEMPTION OF THE REGISTRATION OF A RIGHT OF WAY SERVITUDE OVER ERF 78 IN FAVOUR OF ERVEN 23 AND 77 IN TERMS OF SECTION 26(1)(H)(V) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.



- 10. PHASING PLAN OF SUBDIVISION IN TERMS OF SECTION 16(2)(K) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
- 11. ALLOCATION OF STREET NAMES IN TERMS OF SECTION 96 OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
- 12. APPROVAL OF THE ARCHITECTURAL DESIGN GUIDELINES.
- 13. ESTABLISHMENT OF AN OWNER'S ASSOCIATION AND APPROVAL OF CONSTITUTION IN TERMS OF SECTION 31 OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.

SECTION F : LIST OF ATTACHMENTS & SUPPORTING INFORMATION : REQUIRED (R) / SUBMITTED (S)

R		S	R		S
Y	N	Power of Attorney / Owner's consent if applicant is not owner	Y	N	Approved building plans / Approval letter(s) of previous application(s)
Y	N	Trust Resolution (if applicable)	Y	N	Parking Layout
Y	N	Copy of the board of active directors / members / trustees resolution (if applicable)	Y	N	Home Owner's Association consent (if applicable)
Y	N	Bondholder's consent (if applicable)	Y	N	SG diagram
Y	N	Copy of Title Deed	Y	N	CES @ GLS report (if applicable)
Y	N	Conveyance's certificate (if applicable) (Annexure A)	Y	N	Heritage Western Cape approval (if applicable)
Y	N	Motivation report / Letter (Annexure A & B)	Y	N	1:50 / 1:100 Flood line certificate
Y	N	Locality plan (Annexure A)	Y	N	Land Use Plan / Zoning Map (if applicable)
Y	N	Proposed Subdivision Plan / Consolidation Plan / Phasing Plan (Annexure A)	Y	N	Copy of Environmental Impact Assessment / Heritage Impact Assessment / Traffic Impact Assessment Traffic Impact Statement / Record of Decision
Y	N	To-scale building plans & elevations indicating proposal (A4 or A3) (Annexure A)	Y	N	List of Title deed conditions to be removed/amended
Y	N	Site development plan (indicating all structures & building lines) (Annexure A)	Other (Specify) –		
			<ul style="list-style-type: none"> • ARCHITECTURAL DESIGN GUIDELINES, • HOMEOWNERS' CONSTITUTION • ELECTRICITY REPORT • CIVIL SERVICES REPORT 		Y

***Please note that in terms of the National Environmental Management Act, 1998 any change in land use may be subject to an Environmental Assessment)*

SECTION G: DECLARATION

I / we hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. That I/we am/are properly authorized to make this application on behalf of the owner and (where applicable) that copies of such full relevant Powers of Attorney/Consent are attached hereto.
3. **Where a consultant/agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the By-law will be sent only to the consultant/agent and that the owner will regularly consult with the consultant/agent in this regard.**
4. That, as owner/applicant/developer, I'm/we're aware of the state of existing bulk services provision and infrastructure availability in the subject area and that any development contributions might be payable in respect of the development herein proposed (if applicable).
5. **I'm aware that it is an offense in terms of Section 84.(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct and in doing so can lead to criminal proceedings of a fine or imprisonment or both.**
6. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
7. That the removal of a title deed restriction will be evaluated by the Municipality in relation to a proposed land use application or development as set out in a detailed and comprehensive motivation.
8. In terms of **section 13, read with section 18 of the Protection of Personal Information Act** and **sections 46.(1)(b); 46.(3)(a) and (b); 46.(4); 47.; 48.; 49. and 50. of the Municipal Land Use Planning by-law**, I accept and consent that my personal information disclosed in this application, may be collected and disclosed by the Overstrand Municipality for purposes of complying with the requirements of public participation

Registered owner's signature _____

Date _____

Full name _____

Agent / Consultant's signature _____

Date FEBRUARY 2022 AND AMENDED AUGUST 2022

Full name THIAN JANSEN

Professional capacity PROFESSIONAL TOWN PLANNER (A/2858/2019)



APPLICATION FORM

If application is made by person other than registered owner (eg. Consultant / Agent), full power of attorney and both signatures above are required. If property is owned by more than one person, signature of each owner is required. Where the property is owned by a company / trust / other juristic person, a copy of the board of directors / members / trustees resolution is required.

The following Annexures are attached for your information.

Please DO NOT SUBMIT these Annexures with the application form.

- Annexure A : Application Submission and Procedural requirements
- Annexure B : Motivational Report Guidelines
- Annexure C : Planning Principles
- Annexure D : Application Submission Checklist

The following Annexures are available on request or can be downloaded from our website:
(www.overstrand.gov.za/Document/TownPlanning)

- Annexure E : Categorization of Applications
- Annexure F : Development Contribution Fees (2021/2022)
- Annexure G : Conveyance Certificate (Template)
- Annexure H : Grounds of Appeal

FOR OFFICE USE ONLY

Date received	<input type="text"/>	Received by	<input type="text"/>
Receipt no.	<input type="text"/>		
Date application complete	<input type="text"/>		



1. ABBREVIATIONS

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
OM BY-LAW	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
DEADP	Western Cape Department of Environmental Affairs and Development Planning
PSDF	Western Cape Provincial Spatial Development Framework, 2014
SHC	Stanford Heritage Committee
OMSDF	Overstrand Municipality Spatial Development Framework, 2020
SDP	Site Development Plan

2. PROPERTY DETAILS

Consultant	WRAP Project Office	
Restrictive title deed conditions	None	
Property Information	Erf 1772, Stanford	Remainder of Portion 13 of the Farm Riverside 644 Caledon
Extents	3,3306 ha	282,1367 ha
Current zoning	Agricultural Zone 1: Agriculture	
Owners	Erf 1772 owned by Sebumo Tude Guest Services and More (Pty) Ltd. It is important to note Sebumo Tude Guest Services and More CC has been converted from a CC to a (Pty) Ltd. (Refer Annexure A for the Company Resolution and Power of Attorney).	Remainder of Portion 13 of the Farm Riverside 644 Caledon owned by Bonnybrae Property Holdings (Pty) Ltd. (Refer Annexure A for the Company Resolution and Power of Attorney).

3. BACKGROUND

3.1 Stanford, Overstrand Municipality

Stanford is a flourishing farming community with the Klein River meandering through lush fields and village homes built along its banks. The rural atmosphere of the old village with its many historical features has been retained and preserved.

Stanford has a peaceful and quiet charm that has drawn many people from the city in search of the quality of life a small village and the surrounding area offers. Many of the old homes have been renovated and restored and countless new homes have been built in Stanford in the past decade.

With continuing pressures to provide adequate space for development, the Overstrand Municipality introduced new urban development areas to the East of Stanford by

expanding the Urban Edge¹. One of the properties that were included in the Urban Edge is Erf 1772, Stanford. Erf 1772 Stanford is situated adjacent to the R326 and has an extent of 3,3306 ha.

Section 14.3.2 focuses on the relevant content of the OMSDF.

Figure 1 below, is an extract from the OMSDF illustrating the new area incorporated in the urban edge with specific reference to Erf 1772, Stanford.

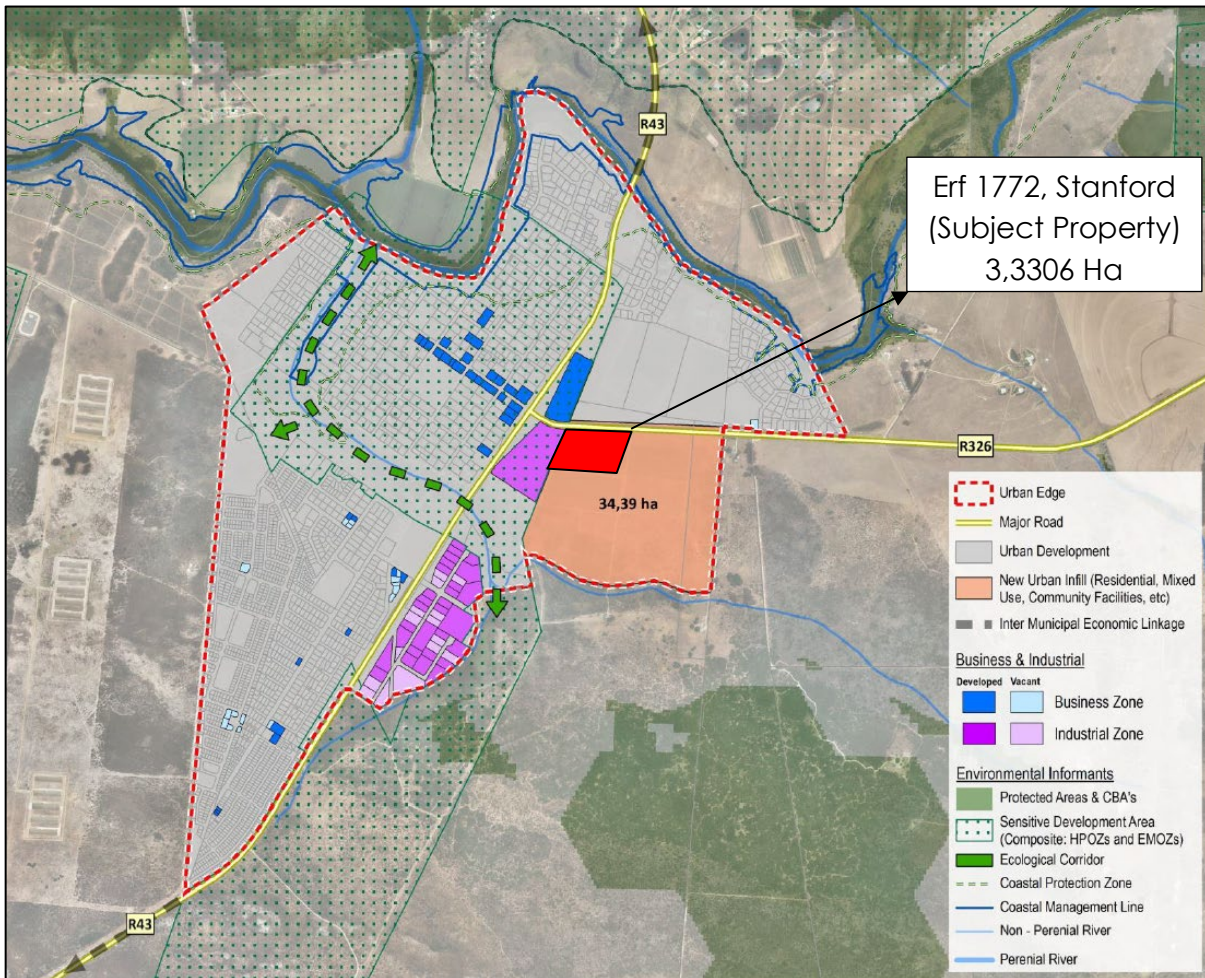


Figure 1: Stanford Spatial Proposal 2020 (Page 214, OMSDF)

3.2 Residential housing market

From the inclusion of the subject property in the urban edge, approximately 20 months have passed since South Africa and the rest of the world were hit by the Covid-19 pandemic that caused many lockdowns and restrictions. The impact of the pandemic forced many people to work from home which brought a different perspective to their residential situation and its immediate environment. In many cases people realised that working from home is not ideal, especially when dependent on Eskom power and other services such as water provision and refuse removal to be provided by poorly managed

¹ Overstrand Municipality, Spatial Development Framework, 2020 - p215



municipalities or non-functional municipalities. This made people realise that if they are forced to work from home, they can just as well do it in an environment where the quality of management of municipalities and the functioning thereof is of the highest standard, such as is the case with most municipalities in the Western Cape, especially Overstrand Municipality.

This brought about change in the South African housing market and created a wave of South Africans “semigrating,” to the Western Cape. Quoting Dr Andrew Golding of Pam Golding: “If you can live and work anywhere, it makes sense to live somewhere with a better quality of life in a more desirable location.”

The benefit to the municipality of the big movement to coastal areas is that such areas will become more developed with better infrastructure and amenities.² The pressures of an increased population includes that the Overstrand Municipality facilitates the development of new housing opportunities ensure adequate housing options are available.

Stanford specifically is already attracting semigrating families as it is child friendly and located in a safe and secure environment. Stanford also provides a peaceful, slow paced, outdoor lifestyle that families are escaping to from hustling cities.

Not only does Stanford provide a relaxed and peaceful lifestyle, but it is also located close to hospitals and world class medical facilities in Hermanus, good schools, and quality retail experiences. Airports are also accessible with a relatively short drive to ensure easy access to the rest of South Africa.

The criteria for housing of people moving to the Western Cape includes items such as:

- Affordable estate living with good security and access control to replace the accommodation type they were used to;
- Preferably new and modern residential units;
- Free standing, with small garden, but larger communal open space;
- Lesser dependence on Eskom for power supply;
- High speed internet such as fibre or satellite internet; and
- Communal recreational facilities.

It was found that people are also retiring and semi-retire younger which brought about “multi-generational living” where people of all ages and stages of their life such as younger families, semi-retired and retired people live in the same development.

4. APPLICANT’S BRIEF

The brief from the owners of Erf 1772 Stanford (the subject property) to the consultants was that the planning of the development must be approached on the basis of “not what Stanford can do for the development” but rather “what the development can do for Stanford”.

² Ooba Home Loans. 2021. <https://www.ooba.co.za/resources/semigration/> Date of Access: 20 January 2022



The brief further included:

- The development must attract people with a disposable income that can be spent in Stanford.
- With the development being a multi-generational development, families need to be encouraged to send their children to local schools.
- The type of development needs to attract a wider market for which Stanford does not cater for at present.
- Land and services must be optimised as both are scarce commodities and cannot be wasted with large erven, low densities and large gardens requiring a lot of water.
- The dependence on Eskom for power provision must be minimised and solar power must be introduced as far as possible and supplemented by gas.
- An integrated solar system must be incorporated into the development to ensure equal distribution to all residents and any access must be able to be fed back into the grid.
- High speed internet to be planned with overall services design.'
- Functional open space and recreational areas must be incorporated and needs to serve a dual purpose as far as possible.
- Access control and high-quality security.
- Only indigenous vegetation to be used in landscaping and all effort must be made to use indigenous vegetation currently on site.
- Architectural style to be modern, but still containing the elements of the Overberg and Stanford Style.

To assist the applicants with the planning of the development, the following professional team was appointed:

- WRAP Project Office – Project Managers and Town Planners
- Rise Architecture – Architects
- AVDM Consulting Engineers – Civil engineers
- Driger Consulting - Electrical Engineers
- EFG Engineers - Transport Engineers
- GLS Consulting - Bulk Services Engineers
- Lornay Environmental Consulting- Environmental and Heritage Consultants
- Megan Anderson - Landscape Architects
- O Solar - Solar Energy Consultants and Suppliers
- Gas Hub - Gas Consultants and Suppliers

5. PROCESS AND PROCEDURE TO ACHIEVE THE APPLICANT'S INTENT

5.1 Project summary

Erf 1772, Stanford (hereafter referred to as the subject property) is 33306 m² (3,3306 ha) in extent (Refer **Plan 1 – Regional Plan & Plan 2 – Locality Plan**) and is currently zoned as Agricultural Zone 1: Agricultural (AGR2). The subject property was included in the Urban Edge with the 2020 revision of the Overstrand Municipality Spatial Development Framework (OMSDF).



This proposed development will consist of the following:

- 91 Residential Properties;
- 5 Private Open Spaces; and
- 3 Private Roads.




Access to the development will be taken from the R326 through a controlled entrance gate.

The current access to Erf 1772 Stanford is via a registered right of way servitude over Remainder of Portion 13 of Farm Riverside No 644, Caledon. Access to a development consisting of 91 residential opportunities via a right of way servitude is not desirable and it was agreed with the owners of the Remainder of Portion 13 of Farm Riverside 644, to exchange two portions of land on condition that the existing servitude is cancelled, and the Western Cape Department of Transport approves the new proposed access to Erf 1772 Stanford from the R326.

The execution of this agreement, included in the land use application, entails the following:

Approximately 94 m² will be subdivided from Erf 1772 Stanford and consolidated with the Remainder of Portion 13 of the Farm Riverside 644 Caledon and approximately 1909 m² will be subdivided from the Remainder of Portion 13 of Farm 644, Caledon and consolidated with Erf 1772, Stanford.

This will increase the property extent of Erf 1772, Stanford from 33306 m² to 35121 m² and the extent of the Remainder of Portion 13 of Farm Riverside 644, Caledon will decrease from 282,1367 ha to 281,9552 ha. The percentage of each component of the subject development, after completion of the abovementioned subdivisions and consolidations is summarised below:

Table 1: Percentage of each component			
Legend Colour	Zoning	Size (m ²)	Percentage
	Open Space Zone 3: Private Open Space	6106	17,39%
	General Residential Zone 1: Town Housing	21564	61,4%
	Transport Zone 2: Road and Parking (A)	7451	21,2%
Total		35121	100,00%

The rezoning and subdivision of the subject property will introduce a new type of residential opportunity into the housing market in Stanford.

The proposed zoning and morphology are however aligned with development trends in other areas of the Overstrand Municipality.

This development proposal combines a modern feel to the historic Stanford in an attempt to attract and satisfy a market that is not being catered for within the current urban context of Stanford.

5.2 Land assembly approvals required

Approval of the following land assembly approvals are required for the implementation of this development:

- **Subdivision** of Erf 1772 Stanford into Portion A, $\pm 94 \text{ m}^2$, and the Remainder of Erf 1772 Stanford, $\pm 33212 \text{ m}^2$, in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Subdivision** of the Remainder of Portion 13 of the Farm Riverside 644 Caledon into Portion B, $\pm 1909 \text{ m}^2$, and the Remainder of the Remainder, $\pm 281.9458 \text{ Ha}$ in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Consolidation** of the Portion A, $\pm 94 \text{ m}^2$, and the Remainder of the Remainder of Portion 13 of the Farm Riverside 644 Caledon, $\pm 281,9458 \text{ Ha}$ in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Consolidation** of Portion B, $\pm 1909 \text{ m}^2$, and the Remainder of Erf 1772 Stanford, $\pm 33212 \text{ m}^2$ in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

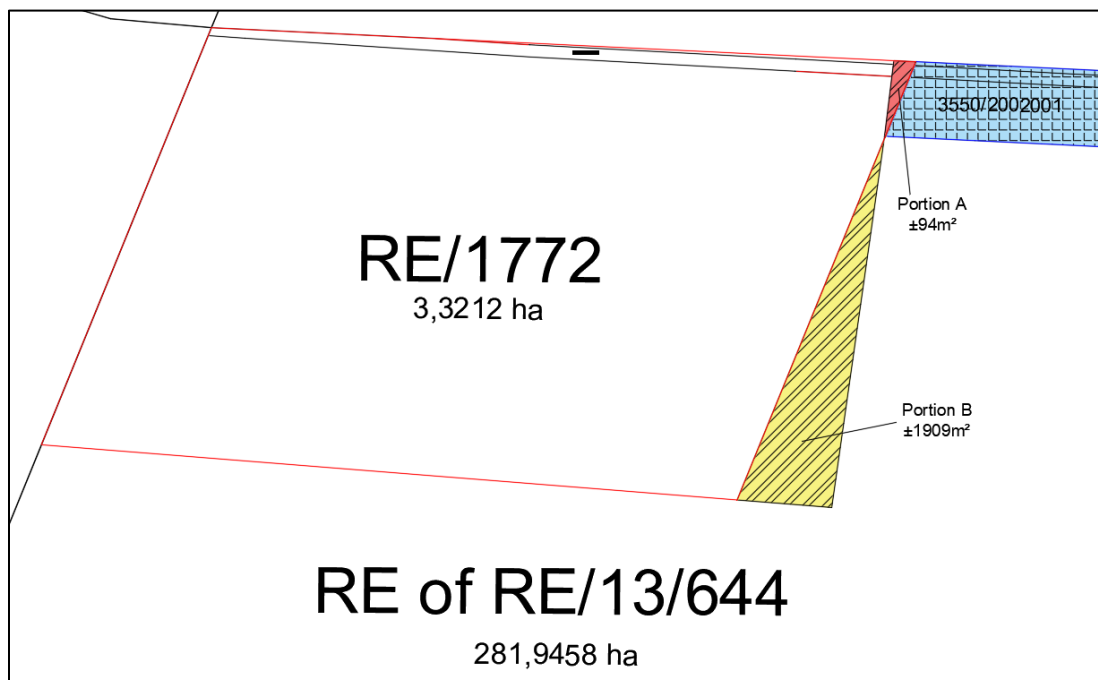


Figure 2: Proposed subdivision of Erf 1772 and Remainder of Portion 13 of the Farm Riverside 644, Caledon

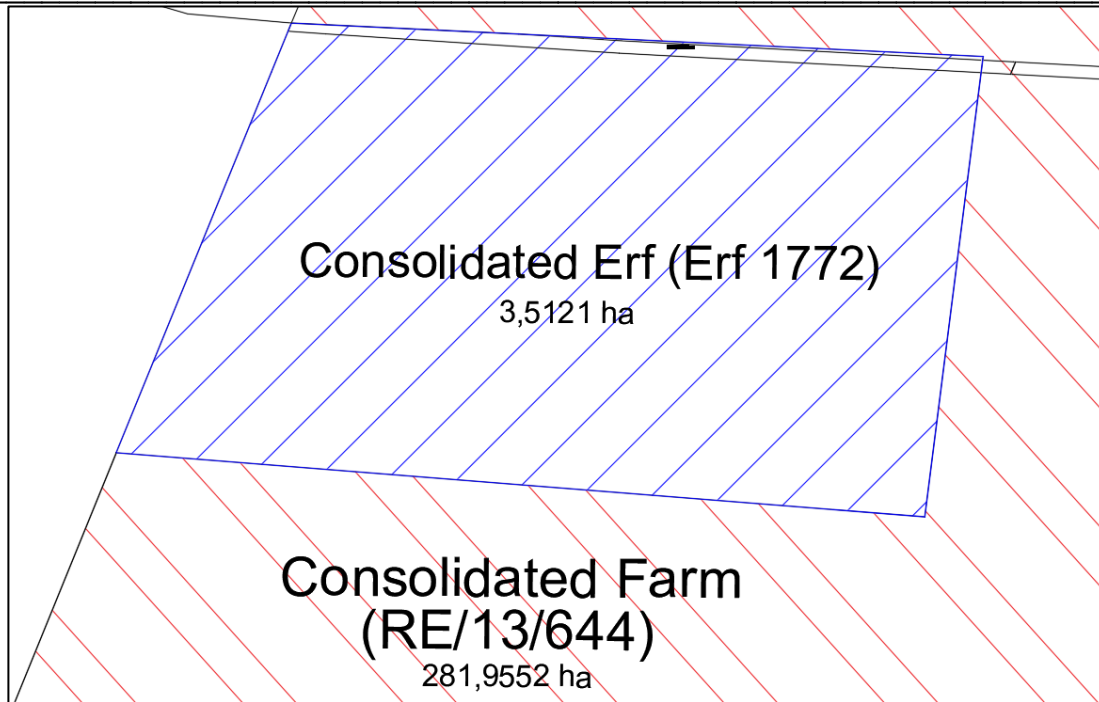


Figure 3: Proposed consolidation of Consolidated Erf and Consolidated Farm

5.3 Land Development

5.3.1 Rezoning and subdivision

Once the proposed subdivision and consolidation is completed, the extent of Consolidated Erf 1772 Stanford will be 35 121 m² after which the following applications need to be considered for approval:

- **Rezoning** of the Consolidated Erf 1772 Stanford from Agricultural Zone 1 – Agriculture (AGR2) to Subdivisional Area Zone (SA) in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Subdivision** of the Consolidated Erf 1772 Stanford into ninety-one (91) General Residential Zone 1: Town Housing (GR1) erven, five (5) Open Space Zone 2: Private Open Space (OS3) erven and three (3) Transport Zone 2: Road and Parking (TR2) erven in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

(Refer **Plan 6 – Subdivision Plan** and **Plan 7: Proposed Zoning Plan**)

5.3.2 Density

The OMSDF made calculations on the population growth for Stanford at different occasions in the past and the most recent calculation included projections up until 2031. The methodology used to calculate the population growth were based on the Statistics South Africa Census, 2011 and a 2016 community survey, which was used as the baseline population in 2016 (**OMSDF, p28**).



Year	Stanford	
	Total dwelling units (du) required	% growth
2011	330	6,4
2016	454	5,7
2021	604	4,9
2026	772	4,2
2031	953	

Based on information obtained within the OMSDF (OMSDF, p28)

The OMSDF determined that the housing demand for Stanford would be an additional 953 dwelling by 2031. Calculate at a density of 20du/ha, an additional ±48ha would be required to meet the housing demand.

In terms of the OMSDF only an additional 34,39 ha was included in the urban edge which is less than what is required to meet the current projected housing demand for 2031. To meet the 2031 housing demand with the available land included in the Urban Edge the following density would be required:

$$953 \text{ dwelling units} / 34,3900 \text{ ha} = \mathbf{27,71} \text{ dwelling units per hectare.}$$

The development proposal for Consolidated Erf 1772 Stanford includes 91 dwelling units on 3,5121ha of land which equates to the following:

$$91 \text{ dwelling units} / 3,5121 \text{ ha} = \mathbf{25.91} \text{ dwelling units per hectare.}$$

The proposed density is very close to the density required to be able to comply with the projected 2031 demand without including any additional land into the urban edge before 2031.

5.3.3 Layout

The layout of the development (Refer **Plan 8 for the SDP**) follows the grid layout of Stanford and the layout optimise on the northern aspect, providing each erf with a view of the majestic Klein River mountains.

The layout was designed to ensure that ample functional green open spaces are created, and that each property can house a free-standing dwelling unit, with a front and back garden.

The largest of the open space provided (Erf 92), will house club house which will be utilised as a day care centre during the day, a swimming pool as well as a Padel court. Open air gym equipment will be placed on all open spaces to be used as an open-air exercise area for circuit training for residents.

A distributor road with a 13m road reserve will carry traffic into and out of the development. All other roads will have an 8m road reserve.

5.3.4 Green, well-being focussed development

The foundation of the proposed development is sustainability with strong green aspects focussed on the wellbeing of its residents. It is proposed to include solar panels to the roof of each dwelling unit and communal buildings in the development which will generate electricity that will feed to a central distribution and storage point from where electricity will be fed back to each dwelling. Excess power not used within the development will feed back into the municipal grid.

The solar panels will however be part of the roof design of each unit and incorporated into the roof as far as possible.

Each dwelling will be connected to a pre-paid gas supply and each owner will pre-pay for its gas supply and a gas service provider will ensure that there is a constant supply of gas fed from manifolded bottles placed on each erf. Stormwater will be directed towards a low-lying detention pond to harness the stormwater generated on site and to re-use the water onsite.

The plumbing of each house will be designed in such a way that grey water and black water is separated. Grey water will be directed to a sperate tank in which the water will settle and treated for re-use as irrigation water.

The boundary wall, proposed to be built along the R326 will be a “green living boundary wall”. The wall will be broken into sections of green living sections that will utilise indigenous plans. The wall will be 2,1 m high. The wall sections will soften the visual impact of the proposed development on the natural area surrounding Stanford as well as protecting the R 326 being a scenic route.

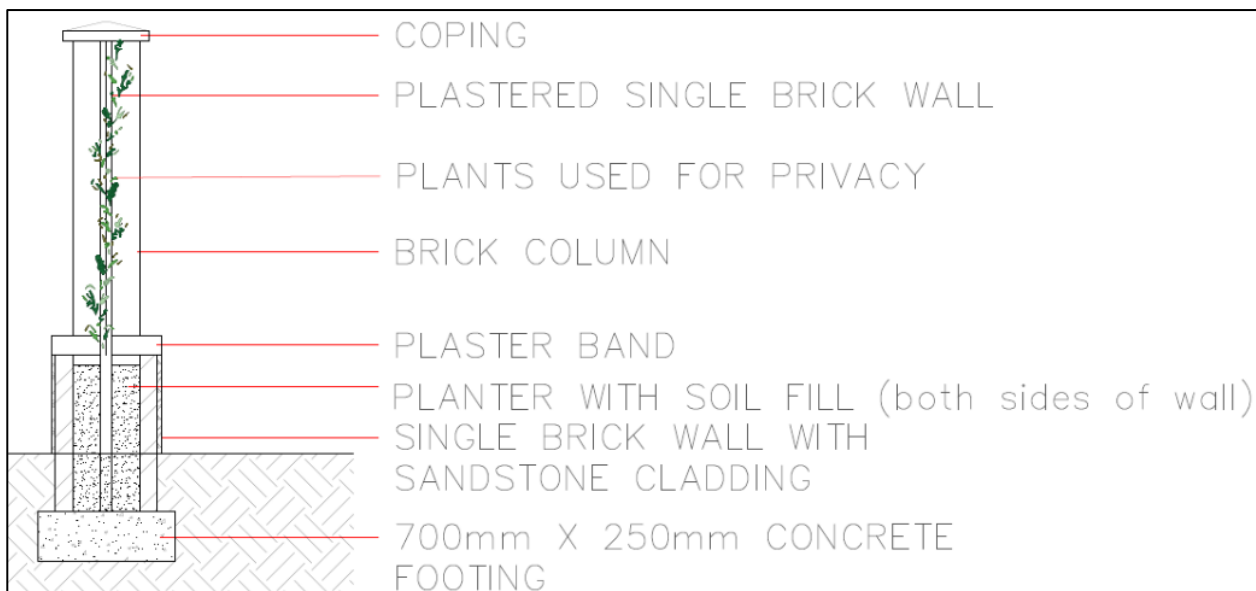


Figure 4: Green living boundary wall example



The proposed development will have various communal facilities which include an outdoor swimming pool and a club house which is allowed in terms of the OMLUS on a Private Open Space. It is however required to obtain consent from the OM to allow a recreational facility, namely a Padel court and a day care centre.

Padel tennis is a sport, which is a combination of tennis and squash, played on a small 10m x 20m court encircled in glass that allows the ball to be contained. It is the fastest-growing sport in the world that will add to facilities the community can enjoy and will further contribute to outdoor amenities the development offers.

Open air gym equipment will also be placed strategically on open space areas allowing circuit training where residents can jog or walk from one open space area to another and using the open-air gym equipment to exercise.

It is also proposed to include a day care centre into the proposed development that will add an additional feature that will draw families to relocate to the proposed development. The day care centre will adhere to the OMLUS' guidelines and will allow for the appropriate amount of parking to be accommodated on-site.

The day care centre will have a floor area of $\pm 101\text{m}^2$ and is proposed to accommodate 20 children that will be cared for by two teachers. To ensure compliance with the OMLUS 2 parking bays will be provided for the teachers and two parking bays for 20 children with a functional drop off facility.

Both facilities are proposed to add value to the entire development and will ensure various land uses are incorporated into the proposed development.

Approval of the following applications will be required:

- **Consent Use** to allow a "recreational facility" on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Consent Use** to allow a "day care centre" on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

5.3.5 Right of Way Servitude Exemption

Erven 23 and 77 requires that an access servitude be registered over Erf 78 in their favour. Erf 77 will also require a servitude over Erf 23 to ensure access. The proposed right of way servitude will be 5.0 m wide.

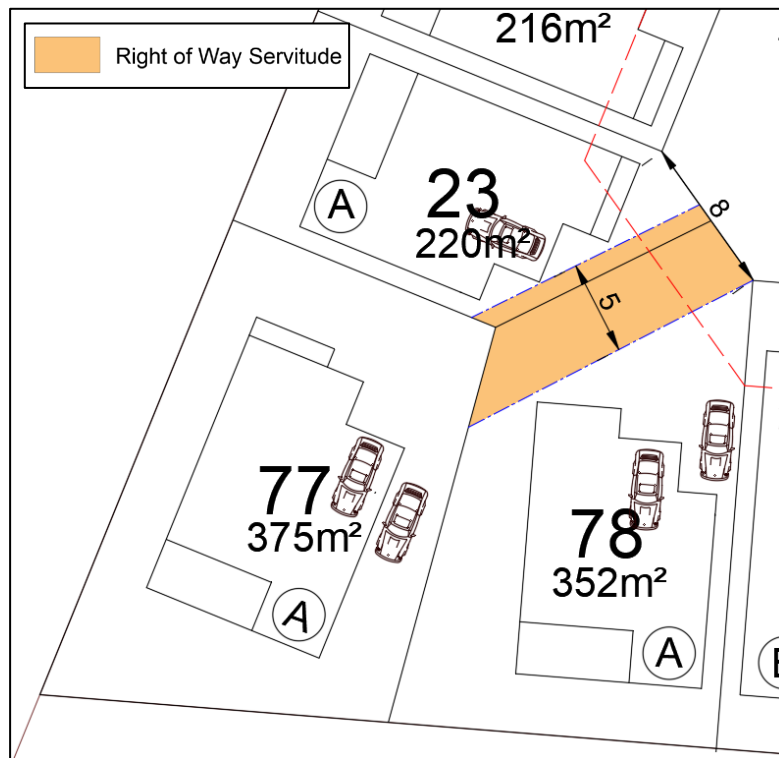


Figure 5: Proposed Right of Way Servitude

The following approval is required:

- **Exemption of the registration of a right of way servitude** in terms of Section 26(1)(h)(v) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

5.3.6 Phasing Plan

As the development will be implemented in phases, it is required that approval be obtained for a **phasing plan of subdivision**.

To ensure the development is being developed in a conscientious way the development is proposed to be developed in three (3) phases (refer **Plan 9 – Phasing Plan**).

The development will be implemented in the following phases:

- Phase 1: Erven 1 to 37 & Erven 93 to 97**
- Phase 2: Erven 38 to 64 & Erven 92 and 98**
- Phase 3: Erven 65 to 91 & Erf 99**

Approval will be required for a:

- **Phasing Plan of Subdivision** in terms of Section 16(2)(k) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



5.3.7 Street names

Application is also made in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020. for the approval of the naming of streets and numbering of erven within the development.

The proposed street names and numbers are indicated on the Street Name and Numbering Plan (refer **Plan 10**). The plan has already been circulated to the Overstrand Municipality GIS Department and their preliminary comments were incorporated into **Plan 10**.

The proposed street names are in keeping with the theme of the surrounding area, containing various water elements. The river and waterfalls in the surrounding area are the motivation for the street names.

The name of the streets also refers to water in different forms. To ensure compliance with the OMLUS the names have no reference to any person or historical figure and forms part of the theme of the development.

- **Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

5.3.8 Architectural Design Guidelines

The development will feature various erf options and house types that can be accommodated on each erf. Five different house designs were developed which may be adjusted by the purchaser who will be able to choose fittings and finishes (refer **Annexure B**).

The extent of the proposed dwelling units varies between $\pm 95\text{m}^2$ and $\pm 220\text{m}^2$. All units will be fully detached or free-standing, requiring no departure from building lines as each unit is contained within the allowable building area. The units will have two- and three-bedrooms, single and double garages and there will be a choice between single and double storey. Architectural Design Guidelines will control all building work within the development (refer **Annexure C**).

- **Approval** of the Architectural Design Guidelines.

5.3.9 Establishment of a Homeowner's association

To ensure the development and residential estate is properly managed, a homeowner's association is required to be established which includes the approval of a homeowners' constitution by the Municipality in terms of Section 31 of the By-Law (Refer **Annexure D**).

- **Establishment** of an owner's association and approval of constitution in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



6. APPLICABILITY OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 70 OF 1970

Erf 1772 Stanford was subdivided from Remainder of Portion 13 of the Farm Riverside 644, Caledon during 2002. The Department of Agriculture made it a condition of approval that the area be included in the jurisdiction of the “Stanford Municipality” by incorporating therein the agricultural land and portions thereof in respect of which a township may be established in terms of the Consent from the Minister of Agriculture (refer **Annexure E – Historic Department of Agriculture approval**).

During 2017 it was confirmed by the Surveyor-General that Erf 1772 Stanford is exempt from the provisions of the Subdivision of Agricultural Land Act 70 of 1970.

The Remainder of Portion 13 of the farm Riverside 644, Caledon from which $\pm 1909\text{m}^2$ is proposed to be subdivided and to be consolidated with Erf 1772 Stanford, is however still subject to the provisions of The Subdivision of Agricultural Land Act, 70 of 1970 and will a separate application specifically for the subdivision and consolidation of the portion of land be submitted to the National Department of Agriculture.

The same applies to the approximately 94 m^2 to be subdivided from Erf 1772 Stanford and to be consolidated with Remainder of the Remainder of Portion 13 of Farm Riverside 644, Caledon.

7. APPLICATION

Considering the above, application is made for the following:

- 7.1 Subdivision** of Erf 1772 Stanford into Portion A, $\pm 94\text{ m}^2$, and the Remainder of Erf 1772 Stanford, $\pm 33212\text{ m}^2$, in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.2 Subdivision** of the Remainder of Portion 13 of the Farm Riverside 644 Caledon into Portion B, $\pm 1909\text{ m}^2$, and the Remainder of the Remainder of Portion 13 of the Farm Riverside 644 Caledon, $\pm 281.9458\text{ Ha}$, in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.3 Consolidation** of Portion B, $\pm 1909\text{ m}^2$, and the Remainder of Erf 1772 Stanford, $\pm 33212\text{ m}^2$ in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.4 Consolidation** of the Portion A, $\pm 94\text{ m}^2$ and the Remainder of the Remainder of Portion 13 of the Farm Riverside 644 Caledon, $\pm 281,9458\text{ Ha}$ in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.5 Rezoning** of the Consolidated Erf 1772 from Agricultural Zone 1 – Agriculture (AGR2) to Subdivisional Area Zone (SA) in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



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- 7.6 Subdivision** of the Consolidated Erf 1772 Stanford into ninety-one (91) General Residential Zone 1: Town Housing (GR1) erven, five (5) Open Space Zone 2: Private Open Space (OS3) erven and three (3) Transport Zone 2: Road and Parking (TR2) erven in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.7 Consent Use** to allow a “recreational facility” on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.8 Consent Use** to allow a “day care centre” on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.9 Exemption of the registration of a right of way servitude** over Erf 78 in favour of Erven 23 and 77 in terms of Section 26(1)(h)(v) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.10 Phasing Plan of Subdivision** in terms of Section 16(2)(k) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.11 Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.12 Approval** of the Architectural Design Guidelines.
- 7.13 Establishment** of an owner's association and approval of constitution in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

8. CHARACTER OF THE ENVIRONMENT

The proposed residential development will be located on the Eastern periphery of the Stanford settlement, abutting the R326 to the North agricultural land on the East and South and a property zoned for industrial purposes to the West.

A perusal of the locality and zoning plan (Refer **Plan 2 – Locality Plan & Plan 3 – Zoning Plan**) reveals that the vacant subject property is located adjacent to properties with various different zonings in the Stanford settlement. With the urban edge recently being expanded, it left the subject property in an ideal location for the proposed development.

The subject property is located adjacent to industrially zoned, agriculture and undeveloped residential properties. A portion of the undeveloped properties to the South of the subject property were also included in the expanded urban edge with the implication that future development will inevitably be proposed in these undeveloped areas.



The development is located $\pm 500\text{m}$ from the center of Stanford, ensuring the proposed development has access to all the amenities available inside Stanford. These included the community facilities such as schools and local businesses.

The character of the area is of great importance to the Stanford community and the planning of the proposed development took cognizance of this. Several attributes were important to be upheld with the proposed residential development which included the environment, character, visual impact and to protect the tranquillity of the Stanford area which will be addressed in detail, later in the report.

9. TITLE DEED

The title deeds of the two subject properties were perused. Title deed T23937/2016 – Erf 1772, Stanford and Title deed T110767/2002 – Remainder of Portion 13 of the Farm Riverside 644 Caledon (refer **Annexure F – Title Deeds**), contains no restrictive title deed conditions that prohibits the approval of the proposed applications.

10. ZONING

The following zoning parameters were assessed in conjunction with AGR, GR2, TR2 and OS3, OMLUS zonings as this is a relevant consideration in terms of Section 66 (1)(q) of the OM By-Law:



The **current zoning** of the subject properties is:

Agricultural Zone 1: Agriculture		
	Use of the property	Current Use
Primary uses	Agriculture, Crèche, Dwelling House, Guest Rooms and Home Occupation.	Undeveloped
Consent uses	Additional Dwelling Units, Agricultural Industry, Animal Care Centre, Aquaculture, Day Care Centre, Farm Shop/Stall, Fertiliser Plant, Guest House, Hotel, Institution, Intensive Animal Farming, Intensive Horticulture, Lodge, Mining, Place of Assembly, Place of Entertainment, Place of Instruction, Plant Nursery, Riding Stables, Service Trade, Tourist Accommodation, Tourist Facilities, Transmission Apparatus, Utility Services, Wellness Centre and 4x4 Trail.	Not applicable

The **proposed zonings** of the subject property are:

GENERAL RESIDENTIAL ZONE 1: TOWN HOUSING (GR1)			
	Use of the property	Proposal	Comply/ deviate
Primary use	Town Housing, Private Road and Private Open Space	Town Housing	Applied for and motivated
Consent uses which may be applied for	Crèche, Day Care Centre, Dwelling House in accordance with 6.1.2, Flats, Green House, Home Occupation, Residential Building, Retirement Village and Tourist Accommodation.	N/A	Comply
Development Parameters			
Density	<ul style="list-style-type: none"> i. The maximum gross density in this zone is 35 units a hectare. ii. A minimum erf size of 3000 m² is applicable for densification. 	<ul style="list-style-type: none"> i. The subject property has an extent of 3,5121ha. The result if the maximum density is applied 3,5121x 35 unit = 123 units that may be allowed in terms of the zoning. 	Comply



MOTIVATION

		<p>Only 91 dwelling units are proposed, which equates to a density of 25,91 units per hectare dwelling units per hectare.</p> <p>This is also aligned with the OMSDF as 953 dwelling units are required to be provided by 2031 to meet the housing demand.</p> <p>With the additional 34,39ha included into the Urban Edge it equates to – $34,39 / 953 = 27,71$ units per hectare.</p> <p>To meet the 2031 housing demand a density of 27,71 units per hectare is required.</p> <p>ii. The consolidated erf has an extent of 35121m² that meets the minimum requirement of 3000 m².</p>	
Coverage	The maximum coverage for all buildings on the land unit is 65%.	The erven within the development range from 210 m ² and although house sizes will range between 95 m ² and 220 m ² <u>none</u> of the proposed dwellings will exceed the maximum allowed coverage of 65%.	Comply
Height	The maximum height of a building (other than flats), measured from the base level to the top of the structure, is 8,0 m, provided that the maximum height for flats, measured from the base level to the top of the structure, is 9,0 m.	None of the proposed buildings will be higher than 8m.	Comply
Building lines on the perimeter of	i. The building line on the perimeter of the property is 3,0 m; and	i. A 3m building line on the perimeter will be enforced.	Comply



MOTIVATION

a town housing development	ii. The general building line exemptions of 16.1 apply.		
Building lines within the town housing site	<p>i. The street building lines on internal roads are 1,0 m, provided that garages must be set back at least 5,0 m from the road kerb;</p> <p>ii. The lateral and rear building line is 1,0 m;</p> <p>iii. A garage may be constructed at 0 m on one internal side boundary and 0 m on the internal rear boundary, provided that the building does not occupy more than 50% of such internal side or rear boundary; and</p> <p>iv. The general building line exemptions of 16.1 apply.</p>	<p>i. Comply</p> <p>ii. Comply</p> <p>iii. Comply</p> <p>iv. Not applicable</p>	Comply
Parking	<p>i. Parking and access shall be provided on the land unit in accordance with 17.1; and</p> <p>ii. Parking may be provided at the group house concerned, or form part of a communal parking or a combination of the two. window shall be permitted in the wall concerned.</p>	<p>Two parking bays are provided for each property – minimum one garage and one parking bay.</p> <p>Day Care Centre – 4 Parking bays & drop-off facility (2 Parking bays for teachers and 2 Parking bays for children)</p>	Comply
Internal roads	The minimum internal road reserve width is 8,0 m, provided that the Municipality may require a greater road reserve width where it is of the opinion that the vehicular use or length of the road requires a greater road reserve width.	The internal roads proposed are minimum 8.0m and 13m wide.	Comply
Flats within a town housing development	a) Flats, if provided, must form an integrated component of the town housing development, and the development parameters for town housing apply, provided that;	N/A	N/A



MOTIVATION

	1. the total floor area of flats shall not exceed 60% of the total floor space of all buildings on the town housing site; and 2. the open space requirements for town housing units in a town housing site apply.		
Day care centre	The provisions of Chapter 16.10 apply.	N/A	N/A
Home occupation	The provisions of Chapter 16.10 apply.	N/A	N/A
Site development plans	The Municipality may require that a site development plan be submitted for approval in accordance with 16.3.	Refer to Plan 8 for the SDP.	Comply
Open space provision	The following requirement to the satisfaction of the Municipality is applicable: Communal open space of at least 10% of the whole property must be provided as outdoor recreational/garden areas as one functional space.	A total of 17,37% of the property is provided as Open Space and although it is composed of different areas, it is one functional space.	Comply

OPEN SPACE ZONE 3: PRIVATE OPEN SPACE (OS3)			
	Use of the property	Proposal	Comply
Primary uses	Private Open Space	Private Open Space	Comply
Consent uses	Cemetery, Environmental Facilities, Recreational Facilities , Tourist Accommodation, Tourist Facilities, Transmission Apparatus (Subject to the provisions of chapter 16.10), Urban Agriculture, Utility Services and any other related uses permitted by the Municipality.	Recreational Facility (Padel Court) Day Care Centre	Applied for and motivated
Development Parameters			
a) A site development plan must be submitted in terms of 16.3 to the satisfaction of the Municipality. – Refer to Plan 8 for the SDP. b) The Municipality may require an environmental study and/or environmental management plan in terms of 16.4. – This is noted			



MOTIVATION

c) Prior to the approval of any building plans or engineering services, the Municipality must determine the development parameters that apply when:

- i) the zoning of a land unit to this zone is approved;
- ii) any environmental impact report is considered;
- iii) any environmental management plan is considered; and
- iv) any site development plan is approved. - **This is noted**

d) No structure shall be erected, or use practised except such as is compatible with the “private open space” as defined. – **No additional structures will be built on the private open spaces that are not being applied for and motivated.**

e) Structures/buildings may be erected with the written consent of the Municipality, should the Municipality deem it necessary, provided that the Municipality may impose conditions relating to design, architecture and development parameters.

TRANSPORT ZONE 2: ROAD AND PARKING (TR2 B)			
	Use of the property	Proposal	Comply/ deviate
Primary use	Private Parking and Private Road	Private Parking and Private Road	Comply
Consent uses which may be applied for	Informal Trading (subject to the provisions of Chapter 16.10), Transmission Apparatus (subject to the provisions of Chapter 16.10) or any other uses determined by the Municipality, provided that: <ul style="list-style-type: none"> i. such other use does not detract from the transport use as the predominant use; and ii. the property shall be rezoned if the other use constitutes a significant and permanent change from the primary use and if this land use scheme provides a more suitable alternative. 	Not applicable	
Development Parameters			
Deemed zoning	Any public road and/or street or any portion of land indicated as a public road on an approved subdivision plan that has not lapsed	Not applicable	Not applicable



MOTIVATION

	shall be deemed to be zoned as Transport Zone 2 B: Public Road.		
<p>Construction and deposit of materials</p>	<p>Except when written permission was acquired from the Municipality and requirements of the Municipality adhered to, no person may:</p> <ul style="list-style-type: none"> i. construct a private crossing, bridge or culvert onto or across a public street; ii. construct or lay a sidewalk on a public street; iii. construct a veranda, stoep, wall, steps or other projection in or over a public street; or iv. deposit or leave any goods, articles, building materials or waste in a public street, other than for a reasonable period of time during the course of loading, off-loading or removal of these goods, articles, building materials or waste. 	<p>Not applicable</p>	<p>Not applicable</p>



11. NOTIFICATION OF INTEND TO DEVELOP (NID)

Section 38 of the National Heritage Resources Act, contains the following provisions and the proposed development will necessitate a Notice of Intent to Develop to Heritage Western Cape:

"Heritage resources management
38.

(1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—

- a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- b) the construction of a bridge or similar structure exceeding 50 m in length;
- c) any development or other activity which will change the character of a site
 - i. **exceeding 5 000 m² in extent**; or
 - ii. involving three or more existing erven or subdivisions thereof; or
 - iii. involving three or more erven or divisions thereof which have been consolidated within the past five years; or
 - iv. the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
- d) **the re-zoning of a site exceeding 10 000 m² in extent**; or
- e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,

An NID will was submitted to Heritage Western Cape by Lornay Environmental Consulting. The Record of Decision (ROD) is attached as **Annexure L - Notification of Intend to Develop: Record of Decision**.

The conditions of the HWC ROD are that a Heritage Impact Assessment (HIA) be conducted to address Section 38(3) of the National Heritage Resources Act (Act 25 of 1999) (NHRA).

12. HERITAGE IMPACT ASSESSMENT (HIA) & VISUAL IMPACT ASSESSMENT (VIA)

As indicated in Section 12 above, HWC requested that an HIA be conducted. The property owners duly appointed a Heritage Specialist, Mr Henry Aikman from Aikman Associates Heritage Management to conduct the HIA. Refer to **Annexure M - Heritage Impact Assessment**.

The HIA was required to comply with Section 38(3) of NHRA, which may be in Annexure M. The HIA continued to state –

"There are no tangible heritage resources on Erf 1772 or in the immediate vicinity, no structures, botanical, or geological resources."

At the request of the HWC a VIA was required to determine the visual impact that the proposed development may have. The VIA was compiled by Antionette de Beer from ARLA Consulting Landscape Architects. Refer to **Annexure N - Visual Impact Assessment**.



The HIA continues to state –

“The only heritage resource identified is the current rural landscape of this part of the Klein River Valley. This is in transition as has been recognised in the ORSDF where Erf 1772 has been included within the Urban Edge and is designated as part of a large area as Urban Infill.

The VIA found that... The visual absorption capacity (VAC) of the broader landscape varies between the village and the rural landscape. Within the village or vineyards, the VAC is moderate-high however, when covered with crops such as wheat or canola, used for pasture, vacant or abandoned fields have a low VAC. The site therefore has an overall moderate VAC.

The VIA concluded... From a visual perspective, the development should be endorsed on the condition that the mitigation measures for the proposed development are implemented as per the Architectural Design Guidelines and Landscape Report prepared for this development.”

The HIA concluded that with the proposed development being recommended by the Visual Specialist that the proposed development should be endorsed. It was however mentioned that it is important that the mitigation measures for the proposed development are implemented as per the Architectural Design Guidelines and Landscape Report prepared for this development.

The HIA will be submitted to the Overstrand Heritage and Aesthetics Committee and the Stanford Heritage Committee for comment.

13. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated:

13.1 Electricity

An electrical services report was compiled by Driger Consulting and this report addresses the electricity requirements of the proposed development.

The OM will provide access to their grid to ensure the proposed development has adequate electricity back up should it be required when the solar system may be unable to supply maximum demand (Refer **Annexure G – Electricity Report**).

13.2 Water and Sewage

A report compiled by AVDM Consulting Engineers provides clear services information incorporating GLS Consulting's capacity report, which confirmed the availability of bulk water and sewer capacity. The report confirmed that the network capacity, reservoir capacity and the bulk supply all have sufficient capacity to accommodate the



proposed development, subject to certain upgrades required. (Refer **Annexure H – GLS Bulk Services Investigation** & Refer **Annexure I – Civil Services Report**).

13.3 Access, Egress, Parking and Traffic Impacts

Vehicular access and egress to the subject property will be obtained from the R326. The applicant has appointed Transport Engineers (EFG Engineers) to provide a Traffic Impact Statement (TIS) (Refer **Annexure J – Traffic Impact Statement**).

The TIS concluded that the R326 will be able to accommodate and absorb the additional traffic from the proposed development.

Referring to the SDP (Plan 8), the plan indicates two access points. EFG had preliminary discussions with the Provincial Department of Transport to, for the development, on a temporary basis, gain access directly from the R326 until such time that the remainder of the land included in the urban edge is developed. Once the remaining surrounding areas commence with development, the access will move to the Eastern side of the development to connect to an access on the R 326, opposite the existing access to Birkenhead Brewery. The gate structures will be relocated to the Eastern boundary and access to the development will be gained via this gate.

In terms of parking, 2 parking bays will be provided on each erf as required in terms of the OMLUS. The parking options may consist of a double garage or a single garage and one covered or uncovered parking bay.

13.4 Stormwater

The services report compiled by AVDM Consulting Engineers addresses the stormwater management of the development (refer **Annexure H – Civil Services Report**). As mentioned within the report, a retention pond will be constructed in the north-west corner of the subject property to retain the stormwater on site.

14. ENVIRONMENTAL CONSIDERATIONS

Lornay Environmental Consulting (Pty) Ltd was appointed to ensure the proposed residential development is compliant with the provisions of the Regulations promulgated in terms of the National Environmental Management Act (NEMA).

Lornay Environmental Consulting applied for clarification to the Western Cape Department of Environmental Affairs and Development Planning (DEADP). The outcome of this submission is that no listed activities are triggered by the proposed development and that no Environmental Authorisation will therefore be required in terms of NEMA (refer **Annexure K – Environmental Clarification**)



15. NEED AND DESIRABILITY

The need and desirability of the approval and implementation of this proposal in accordance with Section 66 (1) (c) of the OM By-Law are indicated as follow:

15.1 Need

The need for the residential development arose from the applicant's vision to respond to the need set out within the OMSDF. It is important to note, that even though the housing demand today is not seen as an issue, the future as projected by the OMSDF, holds a different reality.

To only address the housing demand issue once it becomes a problem is not feasible and requires a proactive response. The municipality took the first step by including additional land into the Urban Edge. This application serves as the second step by ensuring the land has the applicable land use rights to be develop into a residential development.

15.2 Desirability

The desirability is more often a personal feeling or personal gain, but with regard to the proposed development, the applicant is attempting to address the future housing demand for the Stanford area. This will also allow the applicant to maximise the subject property to its full potential.

The applicant's vision may in the future benefit others including the OM, by providing space for 91 families to live in a unique residential development. These families will be paying rates and taxes towards the OM which will generate additional income that may be used to upgrade public infrastructure. To achieve this desire, the applicant has appointed WRAP Project Office to submit this application to ensure the application is in line with the relevant policies and legislation.

15.3 Impact on views, sunlight and character of the area

Most of the surrounding properties are not yet fully developed and there will be little to no impact on the surrounding properties. To ensure the proposed development does not impede on the above mentioned these will be addressed individually:

Views

The proposed development is part of the area recently incorporated in the urban edge, creating a supplementary character to the existing urban area of the Stanford area.

The applicant has employed RISE Architects that designed the proposed dwellings as illustrated in **Annexure B – Design Layouts**. These designs are conscious about the views and other natural elements of the area.

During the planning phase of the development, it was ensured that the proposed development is aligned with the development parameters set out by the Overstrand



Municipality. These include compliance with building lines, coverage, height etc, all of which will have an impact on how the proposed development will be perceived.

Sunlight

With the proposed development being aligned with the development parameters of the Overstrand Municipality, it is not predicted to negatively affect any other user's sunlight.

The maximum height of the structures will be below the maximum height of 8m allowed, with a maximum of 2 storeys.

Character

With regards to character, it was of great importance to ensure the proposed development does not disrupt the character of the broader Stanford area. Even though the proposed residential development is not located in the core Stanford area it is important to ensure the Stanford character is not affected.

The proposed development has open spaces located next to the R326 to create a buffer along the route to lessen the impact that the development may have. In addition to the open space, the green 'living' boundary wall is also proposed against the R326 to minimise visual impact.

15.4 Economic impact

The proposed development will have both a short- and long-term economic impact on the surrounding area and the Overstrand Municipality.

In the short term, once the approval has been received the construction phase will commence, creating construction jobs and providing income to several residents of Stanford and the municipal area in general.

Long term economic impact will be in terms of the additional rates and taxes that will be payable to the Overstrand Municipality.

Calculated at a ratio of only 3 people per dwelling unit the **residential additionality** was calculated at **273** which means that the development will bring at least 273 new people to Stanford. These people will spend money in Stanford on various items such as food, petrol, restaurant, repairs etc, contributing to the local economy.

The **initial direct investment** into the development was calculated to be approximately **R 220 000 000**.

Based on this investment the additional **basic charges** payable to the Municipality will be approximately **R 1 051 246 per annum**.

The **annual rates payable** to the Overstrand from the development, calculated at the entry level value of dwellings in the development, will be approximately **R 987 168.00 per annum**.



The **bulk services levy** that the development will need to pay to the Overstrand Municipality is approximately **R 6 048 497**.

In terms of the GLS report approximately **R 1 840 000** will be required to upgrade bulk water and sewer networks to accommodate the proposed and other developments, leaving approximately **R 4 200 000** for the Municipality to upgrade other services in and surround the Stanford area.

15.5 Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal which leads to the devaluation or foregoing valued land use rights of interested and affected parties when an application is approved.

The proposed development is not foreseen to negatively affect any surrounding landowners as the development is aligned with what the new urban area is being earmarked for. The development is a starting point for the future of Stanford and will enable the OM to ensure that the projected housing demand is met.

16. COMPLIANCE WITH POLICIES AND REGULATIONS

16.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located within this zone.

16.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

16.2.1 Scenic Route

The subject property is located adjacent the R326, identified as a 'Route of Regional Scenic Significance'. The applicant acknowledges the significance of the route and would not want to impact on the scenic nature thereof.

To ensure compliance, the HPOZ has guidelines in place to ensure new developments do not impact the scenic route as indicated in Section 8.2.6:

Protection of scenic corridors	Compliance
8.2.6.1 - New buildings must not block views from scenic routes, particularly views towards the mountains and the coastline and towards places/sites identified as having visual or heritage significance, where possible.	<p>The subject property is located on the southern side of the R326, and the mountains are located to the north of Stanford and the subject property. The proposed development will therefore not block the view of the mountains from the scenic route.</p> <p>To ensure compliance with the HPOZ, it was ensured in the planning phase, that the proposed development is aligned with the provisions of the HPOZ.</p>



MOTIVATION

<p>8.2.6.2 - Comment must be obtained from the Overstrand Heritage and Aesthetics Committee, Stanford Heritage Committee and/or a registered conservation body on potential visual impacts before the Municipality approves any applications within this HPOZ.</p>	<p>This application will be circulated to the relevant departments and committees for comment.</p> <p>The Overstrand and Stanford Heritage Committees will be afforded the opportunity to comment on the application during the public- and authority commenting period.</p>
<p>8.2.6.3 - Development on ridge lines and on steep slopes greater than 1:4 must be avoided in this zone.</p>	<p>This is noted and is <u>not</u> applicable to this application as the development is almost flat.</p>
<p>8.2.6.4 - New interventions must be modest and restrained in scale, limited in height, recessive in character and appropriate to the natural and cultural landscape.</p>	<p>As previously mentioned, the development was designed in such a way to ensure compliance with the Overstrand Municipality's by-laws, zoning scheme, etc in order to ensure that the application is appropriate in scale and height.</p>
<p>8.2.6.5 - New developments must be associated and linked with existing settlements, rather than being built on isolated sites on undeveloped land.</p>	<p>The proposed development is approximately 500m from the centre of Stanford and closer to the centre of Stanford than for instance Stanhaven Estate.</p> <p>The geographical locations of the land recently incorporated in the urban edge makes it impossible to directly link to the existing settlement, but forms part of a new urban area.</p>
<p>8.2.6.6 - Buildings must be aligned parallel to the contours. Hard and soft landscaping must be used to tie the buildings into the landscape.</p>	<p>With the topography of the subject property, this is not applicable as the subject property is almost flat.</p>
<p>8.2.6.7 - Building platforms on sloping sites must be kept to a minimum. Buildings on high stilts in excess of 2,4 m, as measured from the base level and as defined in the land use scheme, must be avoided. New levels must be designed to fit into the surrounding landform. Mitigation measures must be identified to limit visual impacts.</p>	<p>With the topography of the subject property, this is not applicable as the subject property is almost flat.</p>
<p>8.2.6.8 - Outdoor spaces must be designed so that the landscape appears to flow throughout the site. Extensions on coverage will be discouraged.</p>	<p>The proposed development is within the coverage limit of the development parameters. Open spaces were designed to be functional and integrated.</p>
<p>8.2.6.9 - The layout and design of new buildings must respect local traditions and</p>	<p>The layout of the proposed development follows the "grid layout" of Stanford and</p>

settlement patterns in terms of the placement and alignment of buildings on sites.	the architectural style incorporates the elements of the Overberg and Stanford Styles.
8.2.6.10 - Access roads and pathways must be designed to avoid excessive cutting and filling and to ensure harmonious adaptation to the existing topography.	This is noted and all access roads will be constructed engineering standards and will meet the requirements of the OM.

16.2.2 Significant landscape

A portion of the subject property is located in the Heritage Protection Overlay Zone as a 'Significate landscape' as illustrated by the figure below:

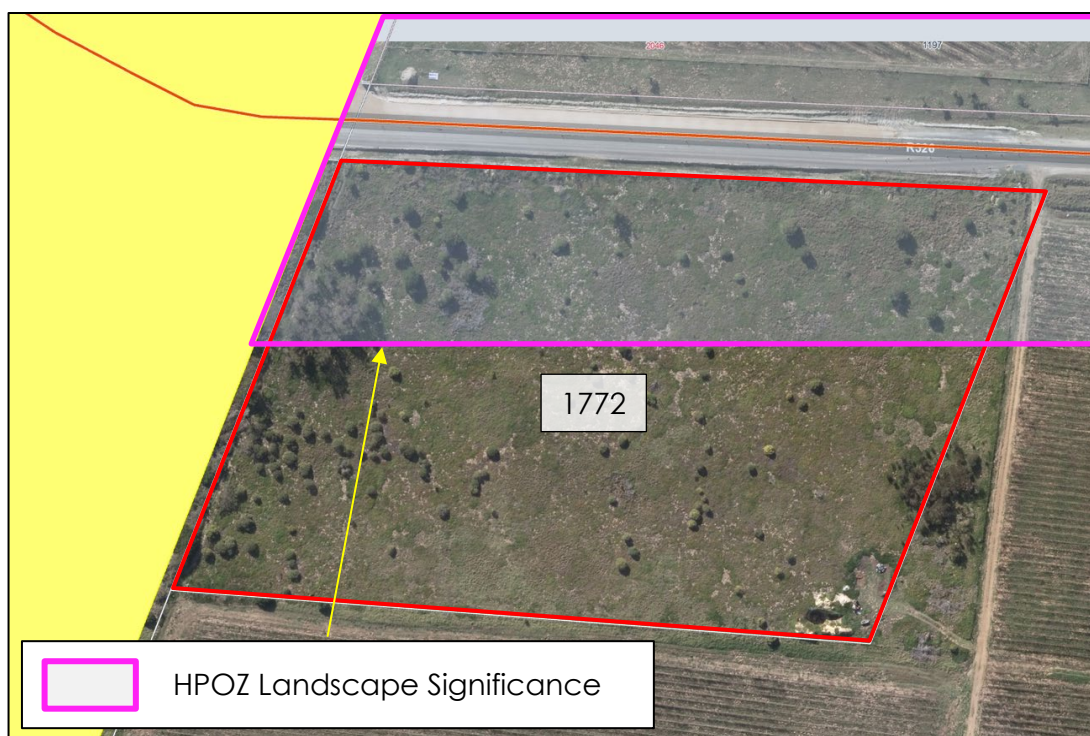


Figure 6: HPOZ Landscape Significance

The portion of the subject property is located within a significant landscape area, and it is predicted the subject property will not have a further impact on the HPOZ.

To ensure the application may be considered, compliance with the HPOZ it is of importance and certain aspects need to be provided and addressed in terms of Overstrand Municipality Heritage Protection Overlay Zone Regulations, 2020:

Section 20 – 22 states the following -

“20

The Overstrand Municipality By-Law on Municipal Planning, 2020, will apply in respect of all applications, processes and decisions contemplated in these regulations.



21

In considering an application for written consent in order to undertake an activity in terms of the Heritage Protection Overlay Zone, the Municipality may require from an applicant whatever information it deems necessary in order for an informed decision to be made regarding the application.

22 *This could include, inter alia:*

22.1 *statements of significance;*

22.2 *heritage research;*

22.3 *photographs, including contextual photographs;*

22.4 *results of public consultation;*

22.5 *impact assessments; and*

22.6 *comment from affected and interested bodies."*

Statements of Significance

The heritage significance of the subject property is not large. The area has been included into the urban edge for development. It is however important to ensure the heritage aspect is appropriately addressed.

The steps to ensure heritage significance is respected, steps were taken such as a 5m buffer between the scenic route (R326), as well as a green "living" boundary wall. This will also have a positive impact to minimise the impact of the proposed development viewed from the scenic R 326 route.

Heritage Research

The relevant heritage research was done as part of the requirements set out by HWC. Refer to Section 12 of this motivational report.

Photographs, Including Contextual Photograph

Aerial maps were included into the application, refer to **Plan 11 – Aerial Plan**. As illustrated by the Aerial map the site is empty and not developed. Further photographs will be included in the NID, HIA and VIA.

Results of Public Consultation

Regarding this application an extensive public participation process will be held. If any comments are received with regard to the heritage aspect it will be addressed accordingly.

Impact Assessments

Refer to Section 12 of this motivational report.

Comment From Affected and Interested Bodies

This application will be circulated to affected and interested bodies for comment.

Stanford Heritage Committee

The application will be circulated to the Stanford Heritage Committee for comments. It is of importance to note that heritage is of great importance to the applicants.



17. SPATIAL PLANNING POLICIES

The consistency of this proposal with the applicable spatial development policies will herewith be illustrated. The spatial policies which are pertinent to the submitted proposal are the following:

PSDF
<p>The PSDF is a product of a provincial inter-departmental and inter-governmental collaboration under the guidance of the inter-departmental steering committee in collaboration with the private sector, academia, and non-governmental organisations. This broad participatory process has created a shared spatial vision that is intended to inform spatial development patterns in urban and rural areas in the province.</p> <p>Throughout the PSDF the importance of developing integrated and sustainable settlements as an objective of the framework is highlighted. The PSDF also provides a settlement agenda which addresses the full spectrum of Western Cape settlements irrespective of their size from metropolitan Cape Town to the smallest hamlets.</p>
OMSDF
<p>The Municipal Spatial Development Framework is a sectoral component of the IDP (Integrated Development Plan) that, in terms of the MSA (Municipal Systems Act), is aimed at providing general direction to guide decision making on an ongoing basis, aiming at the creation of integrated, sustainable and habitable regions, cities, towns and residential areas.</p>

The PSDF and OMSDF are frameworks to be interpreted on a local level. National policies, such as the National Development Plan, National Spatial Development Frameworks etc. provide guidelines on several important aspects which includes human settlements. To focus on provincial and local policies will ensure alignment with the above-mentioned higher hierarchy of legislation and policies.

17.1 Spatial Planning Policies

17.1.1 PSDF

To ensure the proposed residential development is in line with the PSDF, the Provincial settlement policy objectives, the proposed development was evaluated in terms of the policy objectives.

Provincial settlement policy objective	Alignment of the proposal with the policy objectives.
Protect and enhance sense of place and settlement patterns	The proposed development is located to the southern side of the R326, being the first residential development, south of the R326.



	<p>It is of great importance to ensure the proposed development is incorporated into the Stanford urban area and have access to all the heritage and history of the area.</p> <p>This was done by respecting the location of the development and ensuring the residents have access to the surrounding area. While creating a new place of attraction through the wellbeing emphasised by the development.</p>
<p>Improve accessibility at all scales</p>	<p>The subject property has adequate accessibility to the Stanford centre and also access to Hermanus through the routes in the area. The proposed development was designed to fall into the Stanford area and form part of the extended town.</p> <p>While ensuring access is granted to larger towns and cities such as Hermanus and Cape Town.</p>
<p>Promote an appropriate land use mix and density in settlements</p>	<p>The mix of land use is predominantly residential with smaller land uses available for the residents these included outdoor gym equipment as well as a day care centre. While ensuring the development has access to nature through the use of specifically placed open spaces.</p> <p>The density is approximately 25 dwelling units per hectare which is regulated by the OMLUS.</p>
<p>Ensure effective and equitable social services and facilities</p>	<p>With Hermanus being a regional service centre as indicated by the PSDF, the importance to ensure access to the area is important.</p> <p>There are adequate road networks between the proposed development and Hermanus which have been upgraded recently.</p>

17.1.2 OMSDF

The OMSDF is directed by National Provincial and Municipal Planning legislation, policies and plans. These include SPLUMA, LUPA, By-Law, PSDF and the IDP. The OMSDF aims to provide sufficient guidance regarding what constitutes appropriate spatial development land uses and direction within the urban edge. The SDF was drafted after considering input from other state departments and the public and provides a shared spatial vision which the development proposal should ideally attempt to synchronise with.

To ensure compliance with the principles and objectives set out by the PSDF and the National Development Plan the OMSDF was synthesised through the influence of these policies and frameworks.

The proposed residential development was aligned with the OMSDF to ensure that policy requirements are met. The OMSDF focussed on the increasing pressure to provide



adequate housing options to the increasing population. This includes the Stanford area. Refer to **Table 1** for an indication of the population growth within the Stanford area. The following was identified within the OMSDF, p90:

*“A survey in terms of the availability of vacant land was undertaken in 2019. A total of 225 vacant residential erven were identified. A total amount of 2 828 additional people will need to be accommodated from 2019 to 2031, based on the aforementioned population total. Based on an average household size of 2.6 persons per household, this amounts to a total requirement of **1 088 additional dwelling units by 2031.**”*

The increase in population is based on the growth indicated by Table 2.7 p25 of the OMSDF. The proposed development will add 91 additional dwelling units to the Stanford area, addressing 8,36% of the estimated demand identified by the OMSDF within the Stanford Area. These 91 dwelling units are located within the area recently incorporated within the urban edge as discussed in Section 3 of this document, refer **Figure 1**.

The application is aligned with the OMSDF as the proposal would assist the OM to be able respond to the future housing demand and ensure adequate residential options are available within the Stanford area.

18. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided. Policy proposals in SPLUMA which are pertinent to this proposal are recorded below:

18.1 Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal for new a residential development is not proposed to contribute to the perpetuation of apartheid spatial development imbalances.

The development aims to provide housings options for all within the Stanford area, and the position of the development is located close to the current urban centre.

18.2 Spatial sustainability

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal is intended to increase the economic power of the Stanford area, increasing the tax base collectable by the OM, (refer to **Section 14** of this report). The proposal is to establish a residential development in an area where there is access to the Stanford centre and also located close to distributor routes that lead to Hermanus and other towns in the Overberg.



18.3 Efficiency

This proposal is intended to maximise the usage of the subject property and ensure the entire area is used in a manner that will assist the entire Stanford area. The new proposal will also ensure the whole property is utilised in a sustainable way that will ensure efficient usage of services required by the development.

18.4 Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience. The policies identified earlier in Section 16.1 are guided by a higher hierarchy of several policies and legislation that the proposal is aligned with.

18.5 Good administration

The OM has a credible track record of good administration regarding the method of public participation which accepts comments from the public to make an informed decision as well as complying with the prescribed time frames pertaining to the processing of applications.



19. EVALUATION

With the promulgation of the revised OMSDF in 2020, the applicants instructed a professional team to commence with investigations to determine the “**highest and best use**” of the subject property within the provisions of the OMSDF. It was clear that residential development was required as the OMSDF identified the need clearly throughout the OMSDF as identified several times throughout this report.

The applicants approached WRAP Project Office to facilitate and coordinate all the relevant professionals and studies to identify if the proposal would be a feasible development.

The proposed development is in-line with the spatial frameworks, legislation and policies of the OM. The OMSDF clearly included the new urban areas to allow for urban development to occur.

The land uses are not out of the context of the surrounding area and is not seen as a development that is undesirable. The development aims not to impede on views, sunlight or negatively affect the character of the area. In several years' time once developed the proposed development will form part of Stanford and become an integral part in reviving the affluent town. By accommodating 91 new families and new “blood” into the Overberg area and ensuring a positive impact on not only Stanford but the whole region.

20. RECOMMENDATION

Based on the abovementioned motivation, it is recommended that the following be approved:

- 20.1 Subdivision** of Erf 1772 Stanford into Portion A, ±94m² and the Remainder of Erf 1772 Stanford, ±33212m² in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.2 Subdivision** of the Remainder of Portion 13 of the Farm Riverside 644 Caledon into Portion B, ±1909m² and the Remainder of the Remainder Portion 13 of the Farm Riverside 644 Caledon, ±281.9458Ha in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.3 Consolidation** of Portion B, ±1909m² and the Remainder of Erf 1772 Stanford, ±33212m² in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.4 Consolidation** of the Portion A, ±94m² and the Remainder of the Remainder of Portion 13 of the Farm Riverside 644 Caledon, ±281,9458Ha in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



EVALUATION AND RECOMMENDATION

- 20.5 Rezoning** of the Consolidated Erf 1772 from Agricultural Zone 1 – Agriculture (AGR2) to Subdivisional Area Zone (SA) in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.6 Subdivision** of the Consolidated Erf 1772 Stanford into ninety-one (91) General Residential Zone 1: Town Housing (GR1) erven, five (5) Open Space Zone 2: Private Open Space (OS3) erven and three (3) Transport Zone 2: Road and Parking (TR2) erven in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.7 Consent Use** to allow a “recreational facility” on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.8 Consent Use** to allow a “day care centre” on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.9 Exemption of the registration of a right of way servitude** over Erf 78 in favour of Erven 23 and 77 in terms of Section 26(1)(h)(v) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.10 Phasing Plan of Subdivision** in terms of Section 16(2)(k) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.11 Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.12 Approval** of the Architectural Design Guidelines; and
- 20.13 Establishment** of an owner's association and approval of constitution in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



PLAN 1: REGIONAL PLAN

Regional Context Plan

● - Stanford

Plan prepared by: Thian Jansen

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200

Stanford is an enchanting town situated just 30 minutes from its bustling seaside neighbour Hermanus. Sitting pretty on the banks of the Klein River, Stanford is a relaxed town with a quaint slightly Victorian feel to it.




Project Office
Town Planning & Project Management





PLAN 2: LOCALITY PLAN

Locality Plan Erf 1772 - Stanford

 Subject property (Erf 1772 - Stanford)

Plan prepared by: Thian Jansen

Tel: 028 313 1411

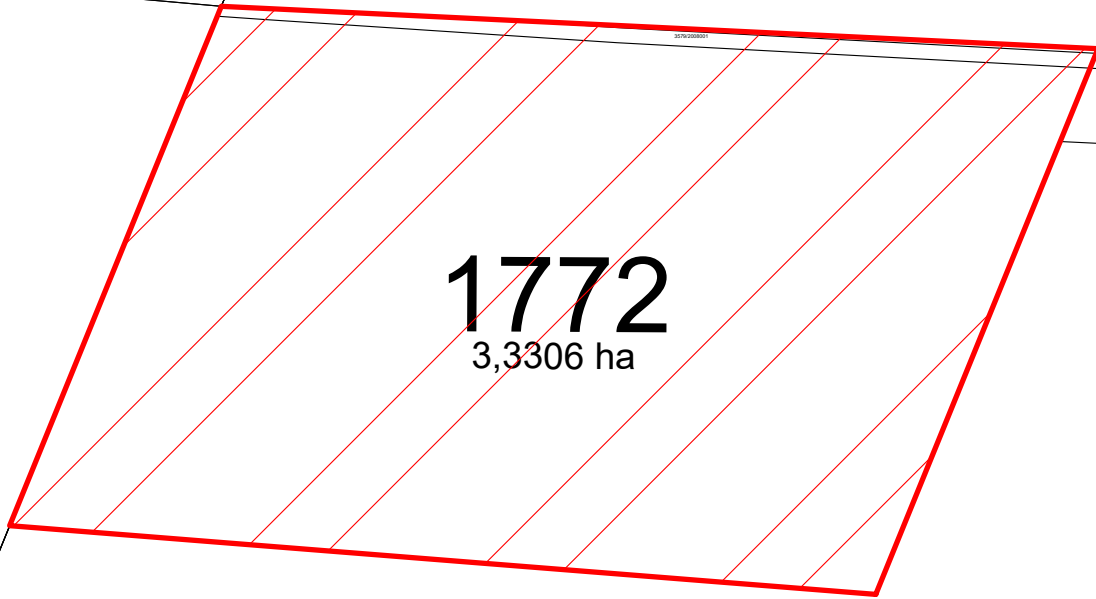
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Unit B, Standard House, Corner of Royal
and Dirkie Uys Street Hermanus, 7200



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Town Planning & Project Management

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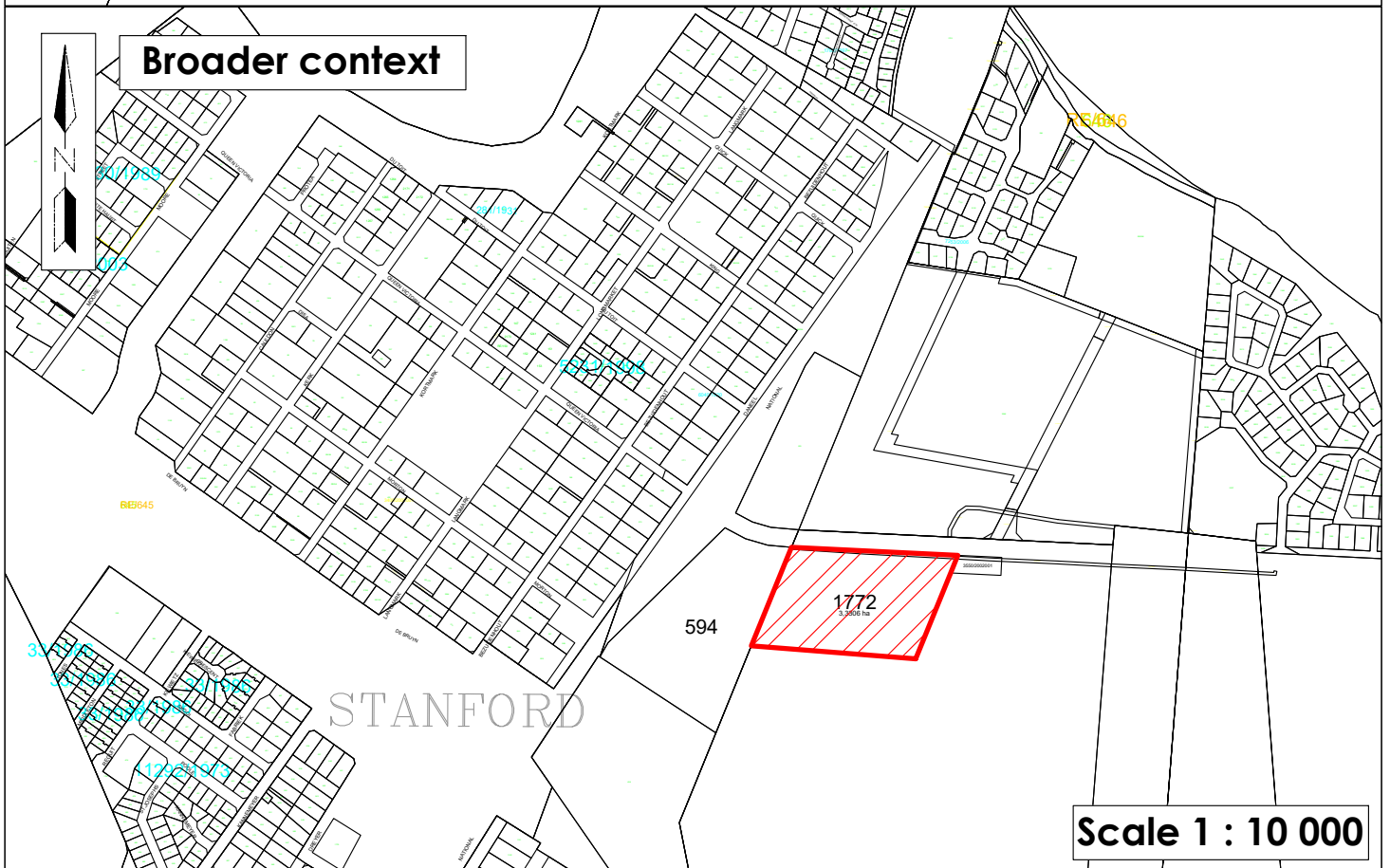
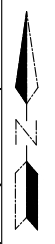


3550/2002001

1772
3,3306 ha

Scale 1 : 2000

Broader context



Scale 1 : 10 000

Locality Plan

Remainder of Portion 13 of the Farm Riverside 644 - Caledon

 Subject property (RE/PTN 13 OF 644)

Plan prepared by: Thian Jansen

Tel: 028 313 1411

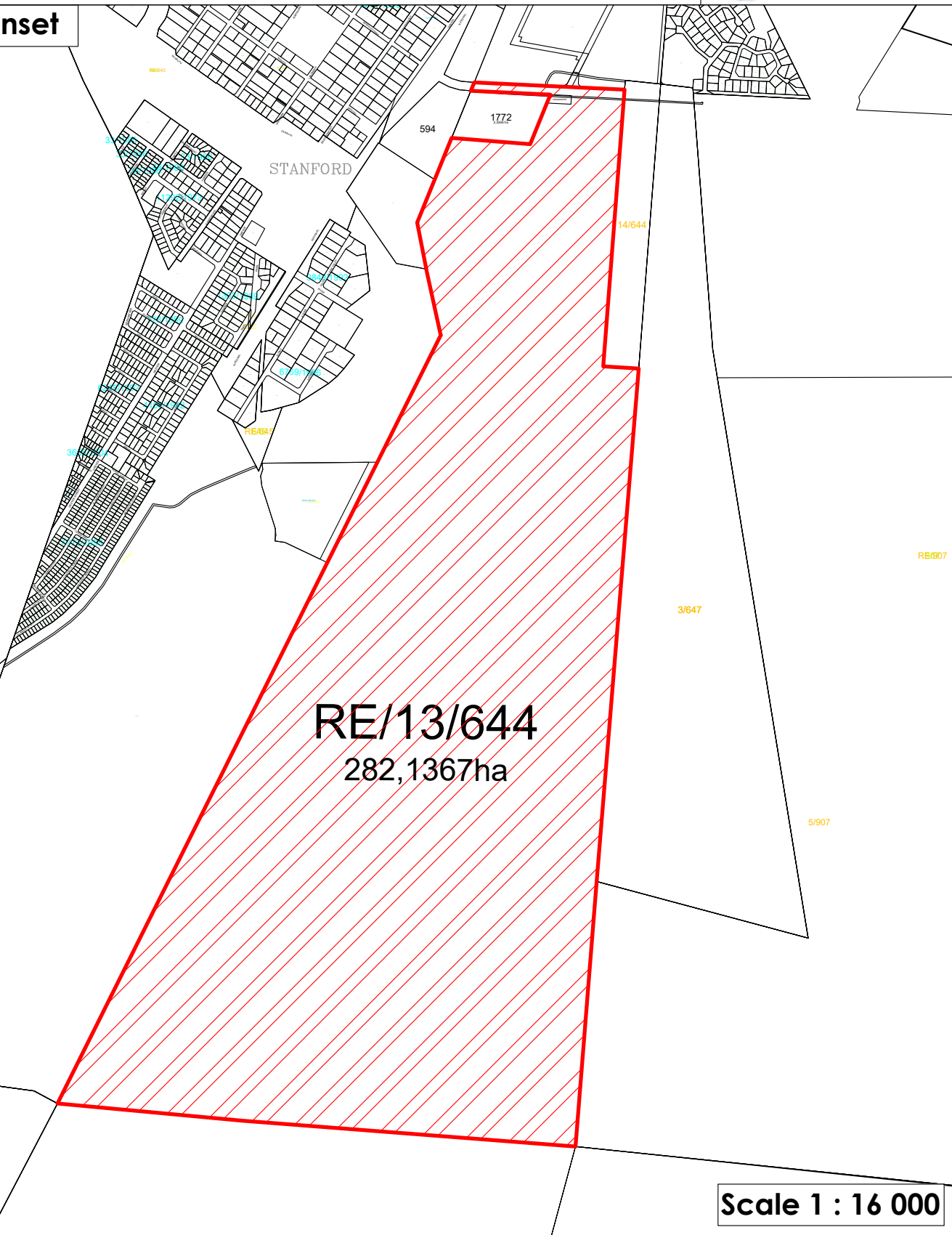
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Unit B, Standard House, Corner of Royal
and Dirkie Uys Street Hermanus, 7200



Project Office
Town Planning & Project Management

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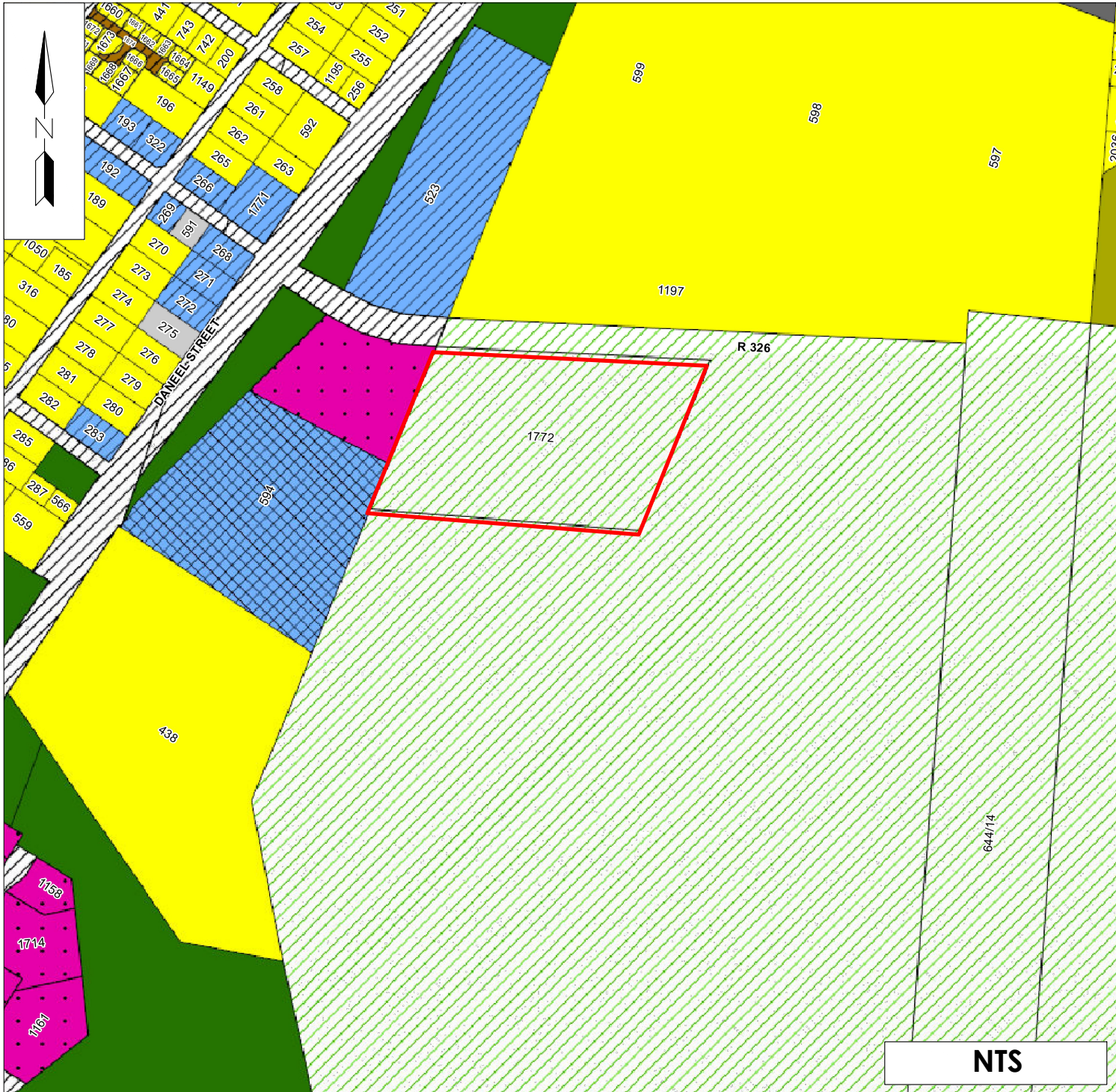
























Scale 1 : 16 000



PLAN 3: ZONING PLAN

Zoning Plan Erf 1772 - Stanford



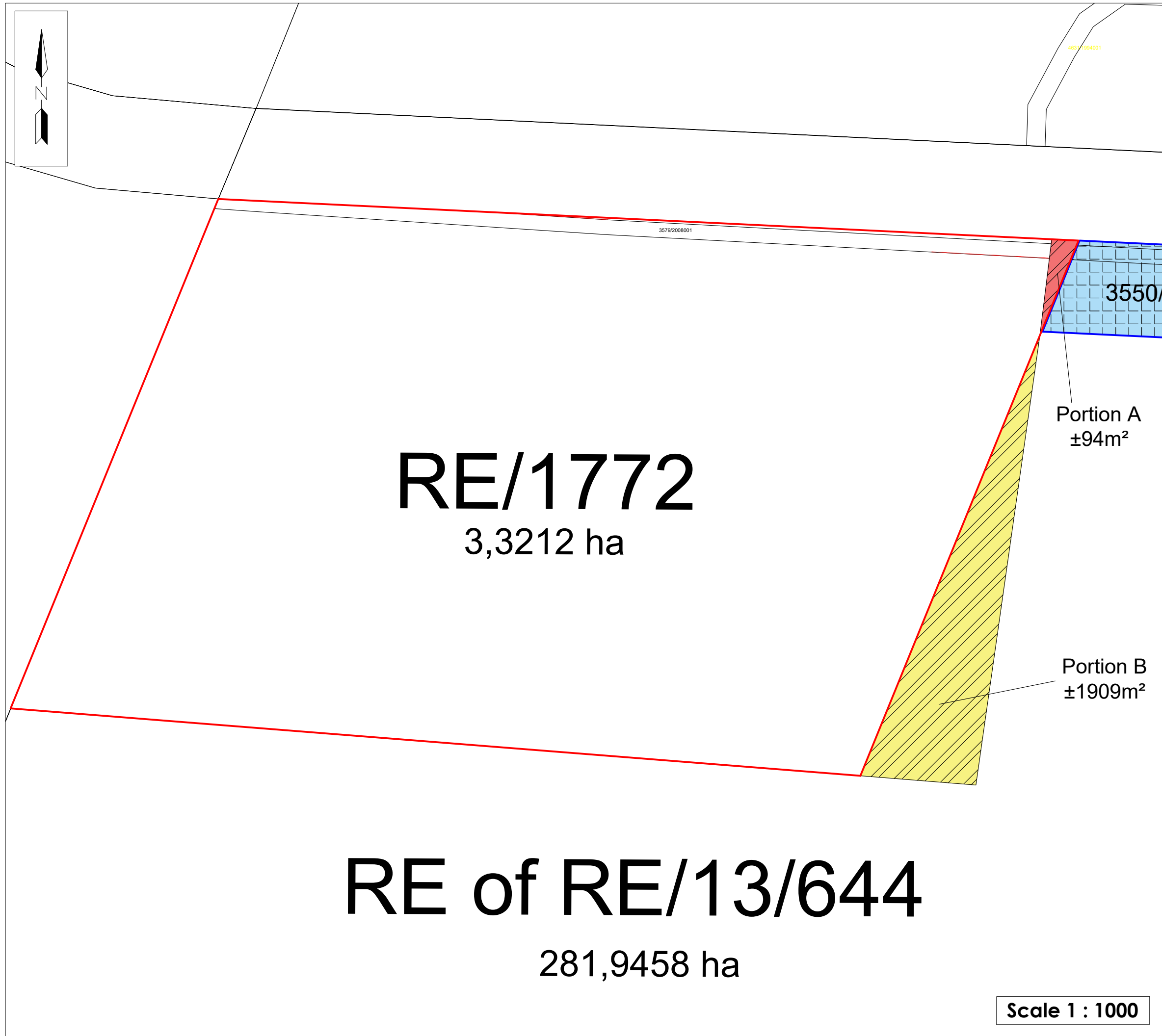
-  Agricultural Zone 1: Agriculture
-  Authority Zone : Authority Usage
-  Business Zone 1: General Business Bulk Zone
-  Business Zone 2: General Business Bulk Zone
-  Business Zone 3: Local Business
-  Business Zone 4: Service Station
-  Community Zone 1: Community Facilities
-  General Residential Zone 1: Town Housing
-  General Residential Zone 2: Town Housing
-  General Residential Zone 3: Flats Bulk Zone 1
-  General Residential Zone 3: Flats Bulk Zone 2
-  Industrial Zone 1: General Industry
-  Less Formal Development Zone
-  Open Space Zone 1: Nature Reserve
-  Open Space Zone 2: Public Open Space
-  Open Space Zone 3: Private Open Space
-  Residential Zone 1: Single Residential
-  Resort Zone: Holiday Resorts
-  Rural Zone 1: Agricultural Small Holdings
-  Rural Zone 2: Conservation Usage
-  SUBDIVISIONAL AREA
-  Special Zone
-  Transport Zone 1: Transport Usage
-  Transport Zone 2: Road and Parking (B)

NTS








**PLAN 4: SUBDIVISION PLAN
(ERF 1772 & RE PTN 13 OF FARM 644 CALEDON)**



Subdivision Plan 1
 Erf 1772 - Stanford &
 Remainder of the Portion 13
 of the Farm 644, Caledon


 Portion A
 a Portion of Erf 1772 - Stanford
 Area - ±94m²


 Portion B
 a Portion of the Remainder of Portion
 13 of the Farm 644 Caledon
 Area - ±1909m²


 Right of Way Servitude area in favour
 of Erf 1772 across the Remainder of
 Portion 13 of the Farm 644, Caledon

Portion A
 ±94m²

Portion B
 ±1909m²

RE/1772
 3,3212 ha

RE of RE/13/644
 281,9458 ha

Scale 1 : 1000

Plan prepared by: Thian Jansen

All distances are approximate
 and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

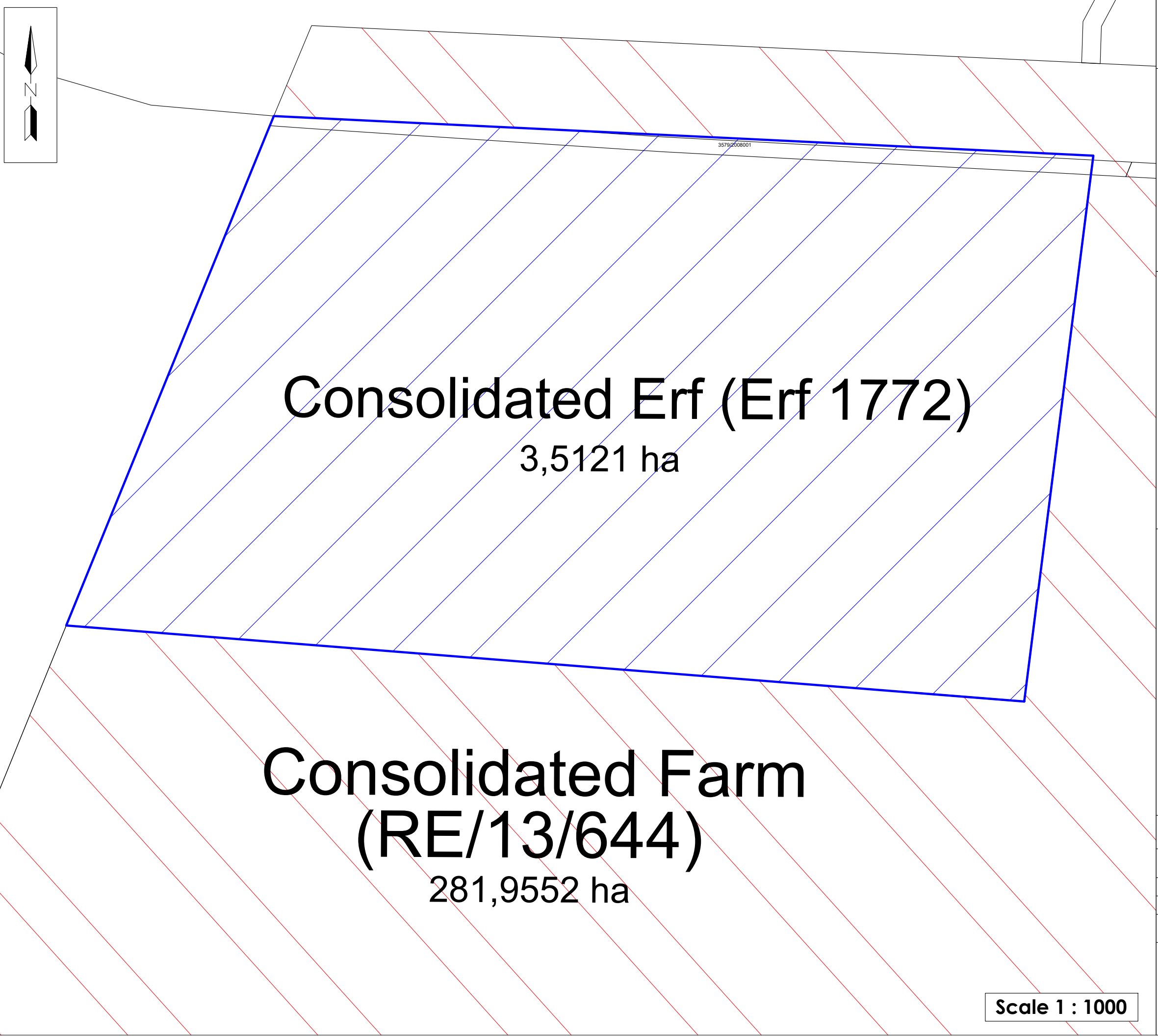
Unit B, Standard House, Corner of Royal and Dirkie Uys
 Street Hermanus, 7200



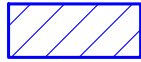
Project Office
 Town Planning & Project Management



PLAN 5: CONSOLIDATION PLAN



Consolidation Plan



Consolidated Erf (Erf 1772)
Area - 3,5121Ha

Consolidation of the
Remainder of Erf 1772
&
a Portion (Portion B) of Remainder of
Portion 13 of the Farm 644, Caledon



Consolidated Farm
(Remainder of Portion 13 of the Farm
644, Caledon)
Area - 281,9552Ha

Consolidation of the
Remainder of Remainder of Portion 13
of the Farm 644, Caledon
&
a Portion (Portion A) of Erf 1772,
Stanford

Consolidated Erf (Erf 1772)
3,5121 ha

Consolidated Farm
(RE/13/644)
281,9552 ha

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Corner of Royal and Dirkie Uys
Street Hermanus, 7200

Scale 1 : 1000



Consolidation Plan

Erf 1772 - Stanford & Remainder of Portion 13 of the Farm Riverside 644 - Caledon

Consolidated Erf (Erf 1772)
Area - 3,5121Ha

Consolidation of the
Remainder of Erf 1772
&
a Portion (Portion B) of Remainder of Portion 13 of the Farm
644, Caledon



Consolidated Farm
(Remainder of Portion 13 of the Farm 644, Caledon)
Area - 281,9552Ha

Consolidation of the
Remainder of Remainder of Portion 13 of the Farm 644,
Caledon
&
a Portion (Portion A) of Erf 1772, Stanford



Plan prepared by: Thian Jansen

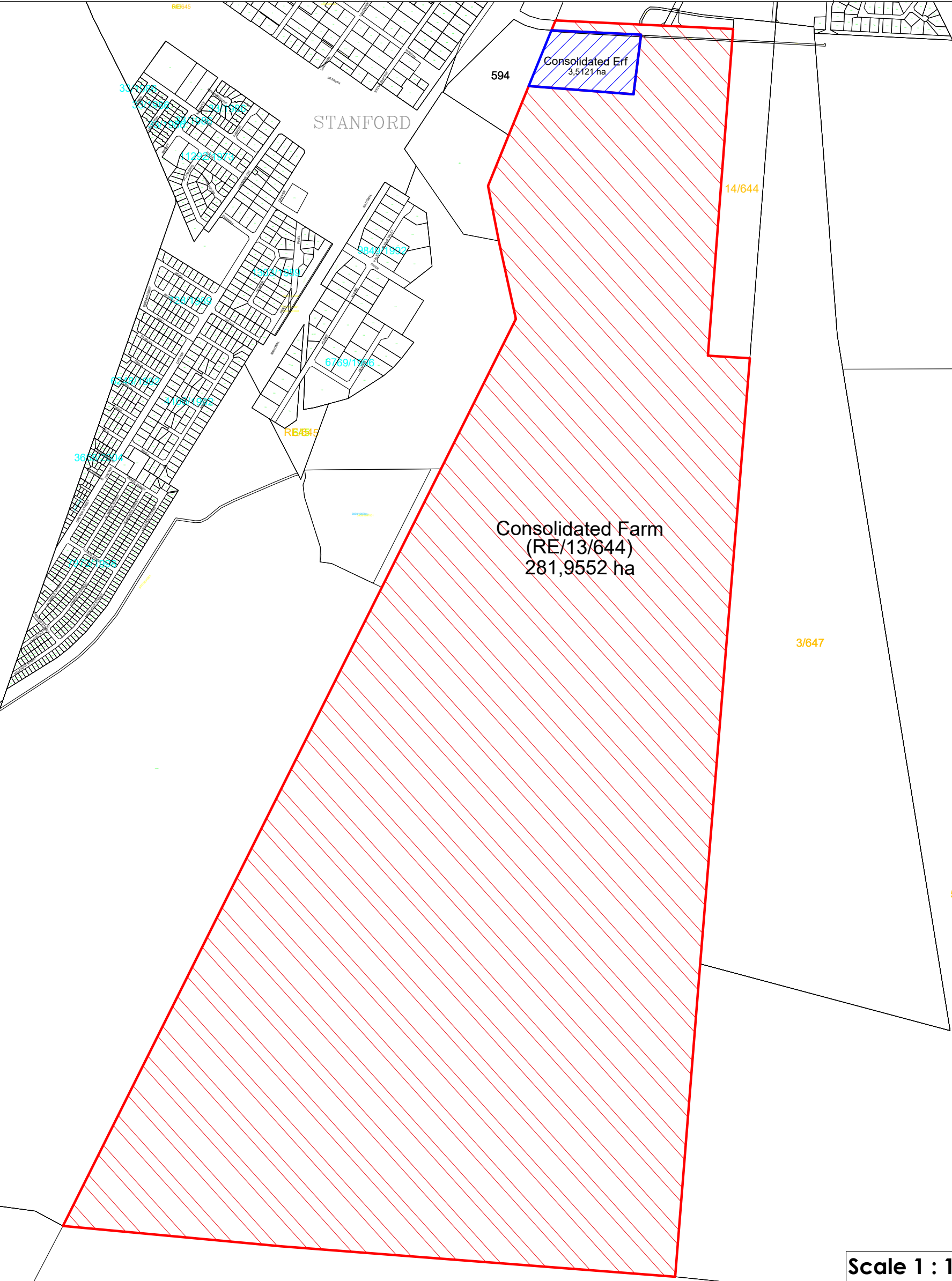
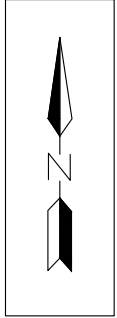
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Corner of Royal
and Dirkie Uys Street Hermanus, 7200



Project Office
Town Planning & Project Management

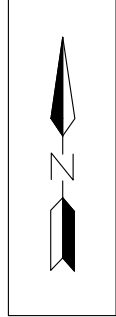


Scale 1 : 10 000



PLAN 6: SUBDIVISION PLAN

Subdivision Plan (Consolidated Erf 1772)



Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Corner of Royal and Dirkie Uys
Street Hermanus, 7200

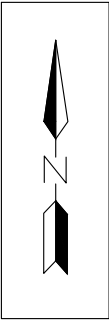
Scale 1 : 1000



Project Office
Town Planning & Project Management

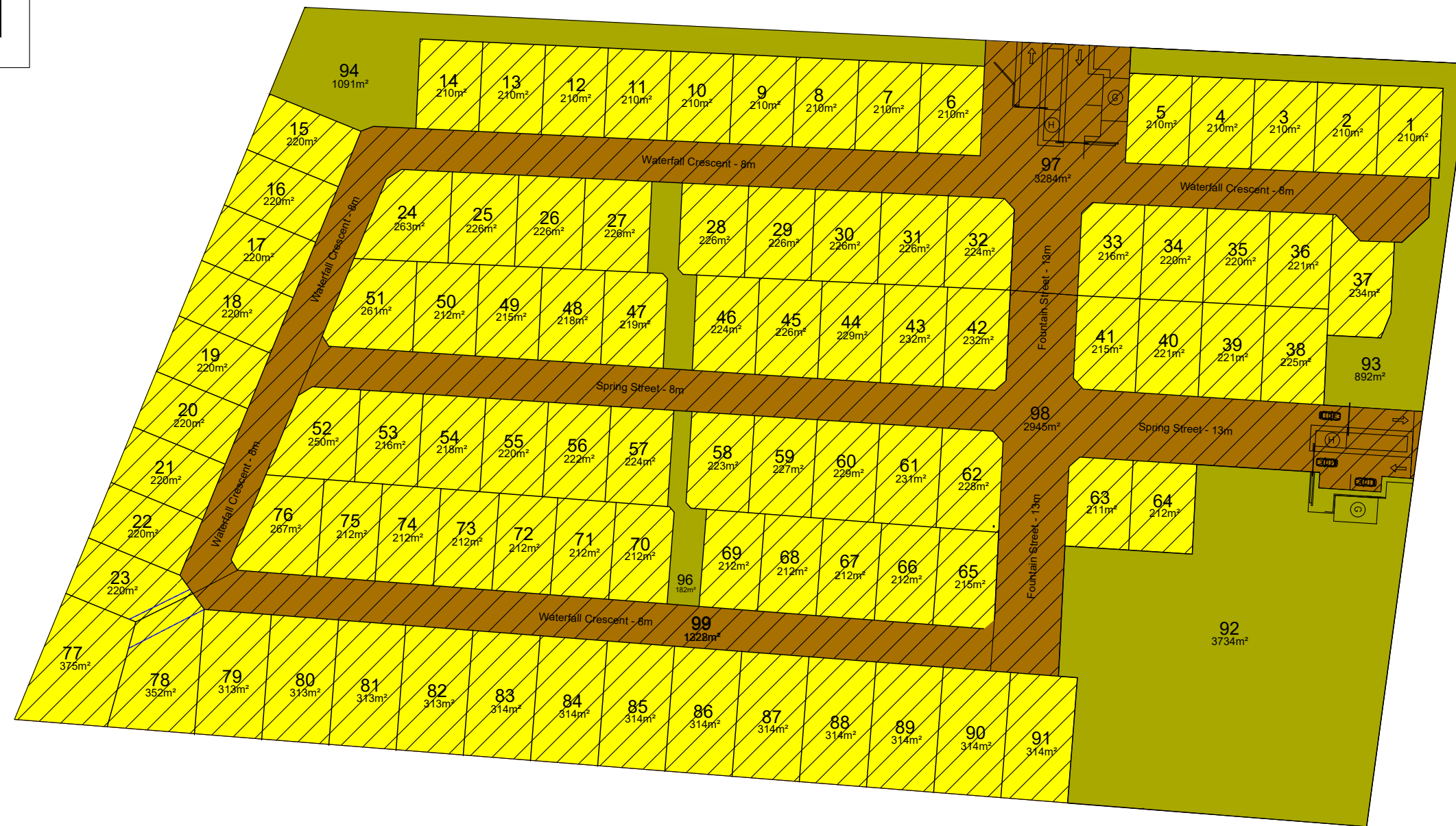





PLAN 7: PROPOSED ZONING PLAN



Scale 1 : 1000

Proposed Zoning Plan
(Consolidated Erf 1772)



PROPOSED ZONING		
	<p>General Residential Zone 1: Town Housing</p> <p>Total area of residential properties = 21 246 m²</p> <p>Total land area = 35 121 m²</p> <p><u>Total coverage of Residential Properties</u></p> <p>21246 x 100 / 35121 = 60,494%</p>	
	<p>Open Space Zone 3: Private Open Space</p> <p>Area 1 (Erf 92) = 3734m²</p> <p>Area 2 (Erf 93) = 892 m²</p> <p>Area 3 (Erf 94) = 1091 m²</p> <p>Area 4 (Erf 95) = 207 m²</p> <p>Area 5 (Erf 96) = 187 m²</p> <p>Total area of open spaces = 6106 m²</p> <p>Total land area = 35 121 m²</p> <p><u>Total coverage of Open Spaces</u></p> <p>6106 x 100 / 35121 = 17,386%</p>	
		<p>Transport Zone 2: Road and Parking (Private)</p> <p>Total area of road network = 7769 m²</p> <p>Total land area = 35 121 m²</p> <p><u>Total coverage of Road Network</u></p> <p>7769 x 100 / 35121 = 22,121%</p>

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management



PLAN 8: SITE DEVELOPMENT PLAN

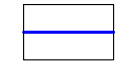
Site Development Plan (Consolidated Erf 1772)

Perimeter Building Lines
3m side and rear perimeter building lines
5m street building line

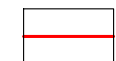
Internal Building Lines
1m side, rear and street building lines



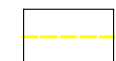
Garage Setback
3,5m garage setback
1,5m kerb distance



4m Service and Access Servitude



Right of way servitude



Unit Layout



Communal Facilities

- (F) Clubhouse & Day Care Centre
- (G) Refuse Room
- (H) Guard House
- (I) Padel Court
- (J) Swimming Pool

VERSION APRIL 2022

Plan prepared by: Thian Jansen
Based partially on plans of RISE Architects

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Scale 1 : 1000

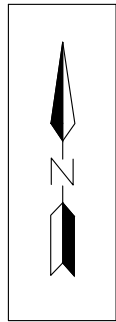


PROPOSED DEVELOPMENT

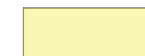


<p> General Residential Zone 1: Town Housing</p> <p><u>General Residential Zone 1: Town Housing</u></p> <p>Total area of residential properties = 21 564 m²</p> <p>Total land area = 35 121 m²</p> <p><u>Total coverage of Residential Properties</u></p> <p>21564 x 100 / 35121 = 61,399%</p>	<p> Open Space Zone 3: Private Open Space</p> <p><u>Open Space Zone 3: Private Open Space</u></p> <p>Area 1 (Erf 92) = 3734m² Area 2 (Erf 93) = 892 m² Area 3 (Erf 94) = 1091 m² Area 4 (Erf 95) = 207 m² Area 5 (Erf 96) = 187 m²</p> <p>Total area of open spaces = 6106 m²</p> <p>Total land area = 35 121 m²</p> <p><u>Total coverage of Open Spaces</u></p> <p>6106 x 100 / 35121 = 17,386%</p>	<p> Transport Zone 2: Road and Parking (Private)</p> <p><u>Transport Zone 2: Road and Parking (Private)</u></p> <p>Total area of road network = 7451 m²</p> <p>Total land area = 35 121 m²</p> <p><u>Total coverage of Road Network</u></p> <p>7451 x 100 / 35121 = 21,215%</p>
--	---	---

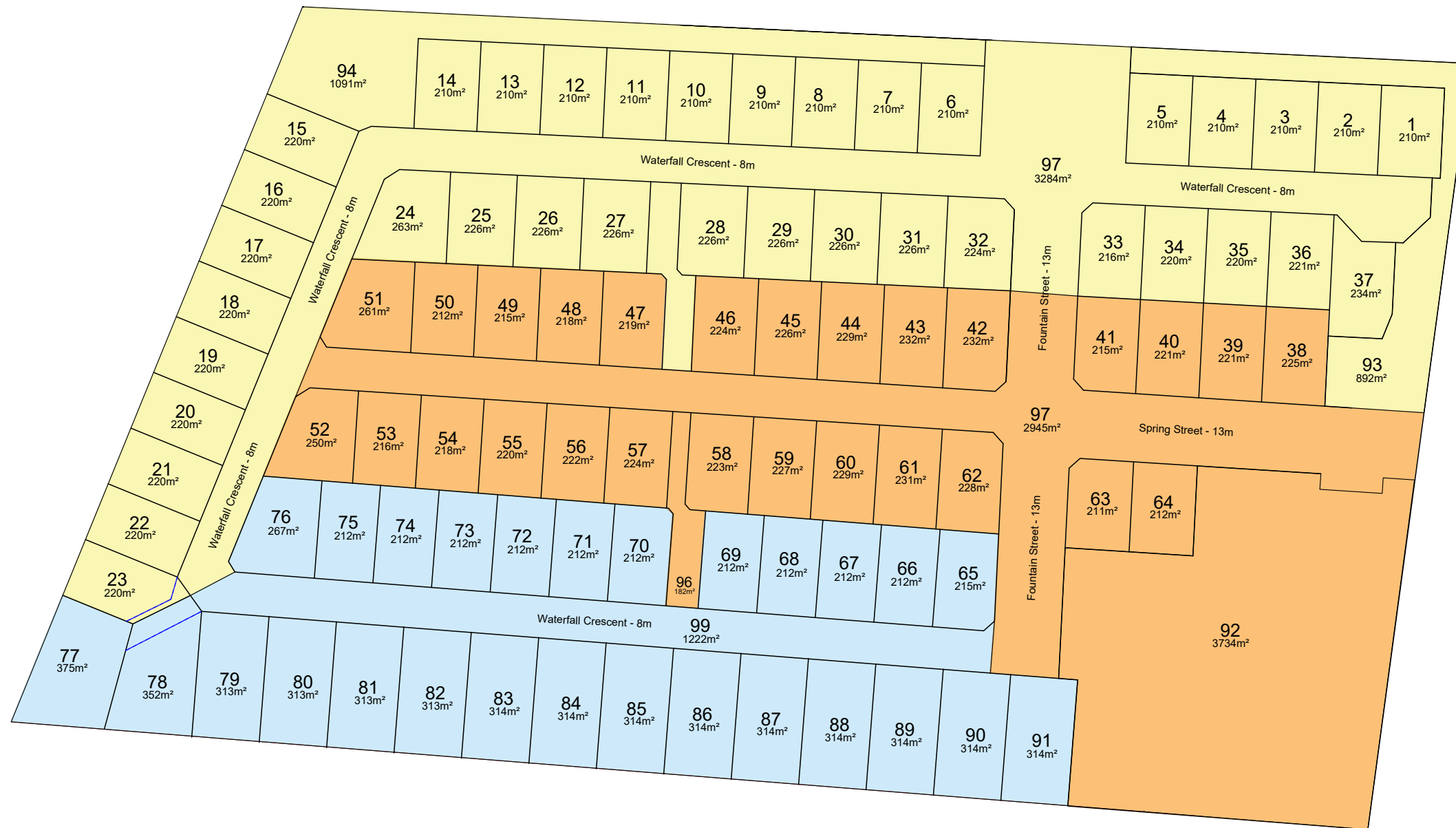


PLAN 9: PHASING PLAN



Phasing Plan (Consolidated Erf)

-  Phase 1
-  Phase 2
-  Phase 3



Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Corner of Royal and Dirkie Uys
Street Hermanus, 7200

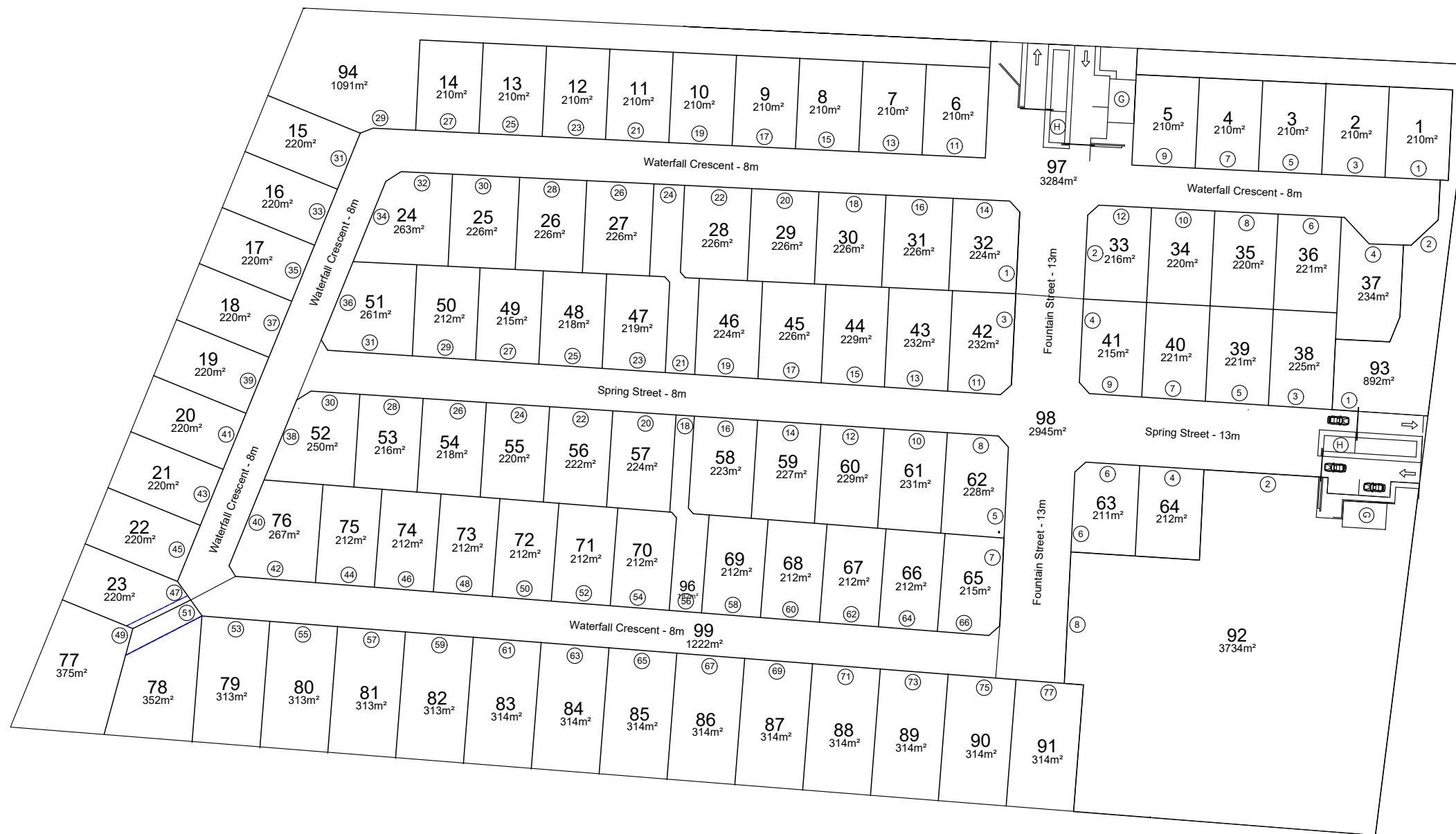
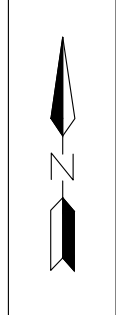
Scale 1 : 1000



Project Office
Town Planning & Project Management



PLAN 10: STREET NAME AND NUMBERING PLAN



Street Name and Numbering Plan

Street Names

All street names are water related, with reference being made to the various water sources around Stanford (River, waterfalls etc.).

Waterfall Crescent - 8m
Fountain Street - 8/13m
Spring Street - 8/13m

① Street Numbers are enclosed in a circle on each erf.

Plan prepared by: Thian Jansen

All distances are approximate and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Corner of Royal and Dirkie Uys Street Hermanus, 7200

Scale 1 : 250





PLAN 11: AERIAL PLAN



Aerial Plan Erf 1772 - Stanford

 Subject property

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200

NTS





PLAN 12: SURVEYOR GENERAL PLAN

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System WG19 X		S.G. No. 3550/2002
		Constants	±	0,00 +3 800 000,00	
A B	232,19	272 46 00	A -	42 301,24	+ 12 770,73
B C	155,83	22 10 10	B -	42 533,16	+ 12 781,94
C D	229,82	94 32 10	C -	42 474,36	+ 12 926,25
D A	148,32	202 10 30	D -	42 245,26	+ 12 908,08
Servitude Data:					
B E	61,36	272 46 00	E -	42 594,45	+ 12 784,88
E F	25,02	2 49 00	F -	42 593,22	+ 12 809,87
F G	70,14	92 46 00	G -	42 523,16	+ 12 806,49
G B	26,51	202 10 10			
WELTEVREDE (101)			△ -	44 328,74	+ 14 376,79
BOSCHKOP (4)			△ -	41 043,04	+ 7 110,86

Approved
[Signature]
Surveyor-General
2002.09.25

Descriptions of Beacons:

A - 12mm iron peg
B - wooden fence post
All beacons are: 20mm iron peg
other

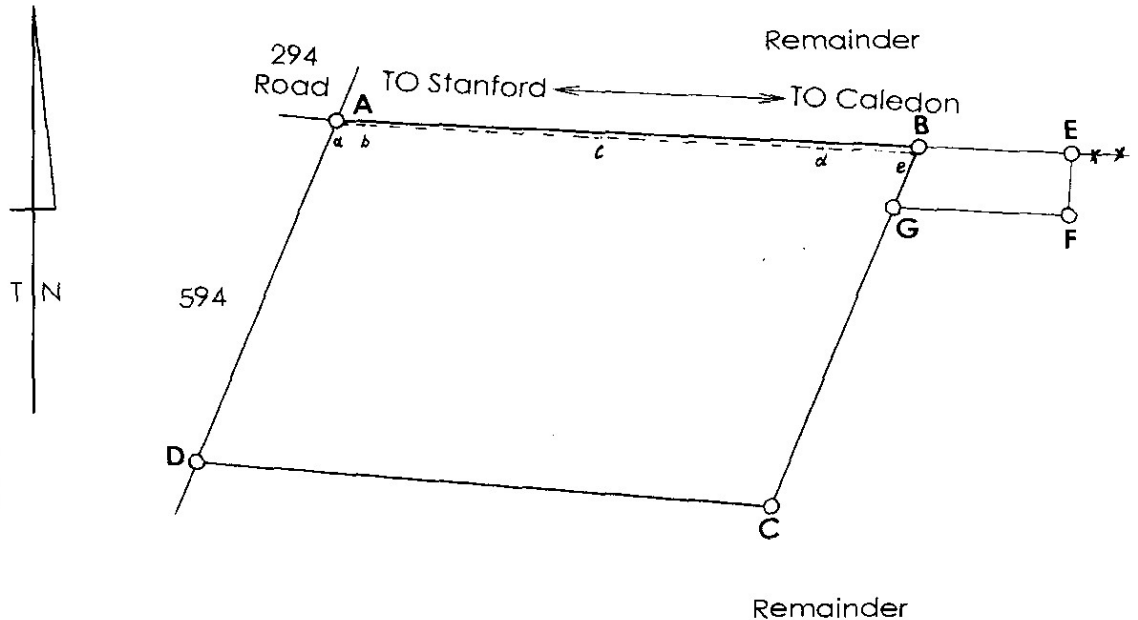
Servitude Note:

The figure BEFG represents an access servitude over the the remainder as shown.

THIS PORTION IS SUBJECT TO CONDITIONS REFERRED TO IN SECT. 11 (C) OF ACT 21/1940.

APPROVED IN TERMS OF SECT. 4 OF ACT 70/1970
REF 35462
DATE 2001.10.25

APPROVED IN TERMS OF SECT. 23 OF ACT 15/1955
REF 16 (Spec 213) (TPI-11/2001)
DATE 2001.10.25



Scale 1: 3 000

The figure A B C D

represents 3,3306 hectares of land, being

ERF 1772 STANFORD

situate in the Overstrand Municipality
Administrative District of Caledon Province Western Cape
Surveyed in July 2002
by me

[Signature]

Land Surveyor NA Clark (PLS 1072)

This diagram is annexed to

No. dated T110766/2002

i.f.o.

Registrar of Deeds

The original diagram is

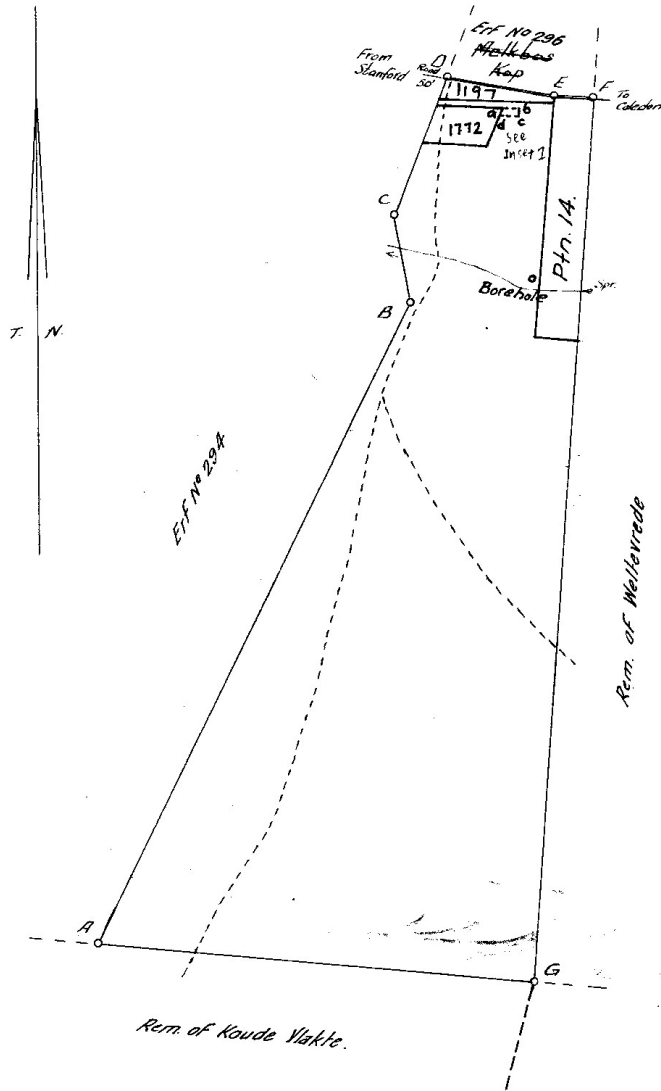
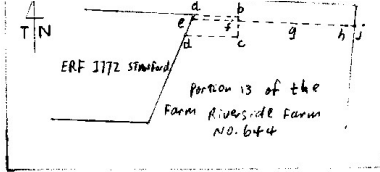
No.37/1945
annexed to D/T
No 1985.72.3554
(Farm 644 portion 13)

File No. CLDN.644
S.R. No. E1600/2002
Comp. AINX-1444(M4309)
AINX-1472(M4311)

**FOR ENDORSEMENTS
SEE BACK OF DIAGRAM**

SERVITUDES/LEASEHOLD AREAS

SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
1673/2008	3579/2008	The line abcde represents the centreline of a Services and Access Serv. 4,00m wide except were the cadastral boundary is closer than 2 meters from the centreline the servitude extent up to the cadastral Boundary.		

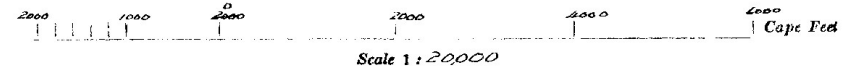


SIDES	Feet	ANGLES OF DIRECTION	CO-ORDINATES Constant to be added
AB	7943.0	206. 31. 30	A + 8000.00 + 84000.00 + 6119.0 + 13717.0
BC	980.8	168. 43. 20	B + 2571.8 + 6610.1
CD	1661.8	201. 52. 20	C + 2763.6 + 5648.2
DE	1184.0	279. 53. 10	D + 2144.4 + 4106.1
EF	464.4	275. 37. 20	E + 978.0 + 4309.4
FG	9863.6	4. 18. 20	F + 515.8 + 43549
GA	4886.0	95. 33. 50	G + 1256.0 + 14190.7

Approved
J. J. Rouquier
Surveyor General.

- Beacon Description
- ✓ A Large iron fence post in centre of cairn 3'6"x1'
 - B Stout iron fence post
 - C " " " " projecting 4'6" Cairn & point
 - D Cairn
 - E "
 - F "
 - G "

Portion 13 (.....)
(a portion of Portion.....) of the farm
Riverside Farm No. 644
CALEDON



The figure A.B.C.D.E.F.G.
represents 346.2333 Morgen of land being ^{*} ERF No. 304
(a portion of ERF No. 293) Stanford.

Now Portion 13 of the farm
Klein Riviers Valley

situate in the Division of Caledon
Surveyed in Oct. 1926 & July 1940 by me

Province of Cape of Good Hope.
A. L. Hill
Land Surveyor.

This diagram is annexed to D/T. No. 3554 Dated 22.3.1945 I.F.O. S.A.Z. van Brakel	The original diagram is No. annexed to	S. G. File No. 5941/11 S.R. No. E. 977/45
---	--	---

SURVEY RECORD	DATE	DESCRIPTION	AREA	REMARKS
E1043/47	4080/47	Pln. 14.	10,3658M.	22045/47
E894/93	2431/93	ERF 1197	2,2139	79985/94
E9858/96	7400/96	Pln. 24	3,3306Ha	110766/2002
E1600/2002	3550/2002	Erf 1772	3,3306 Ha	110766/2002

STANFORD

SURVEY RECORD	DATE	DESCRIPTION	AREA	REMARKS
E1043/47	4080/47	The black circle repr. a Serv. Bore-hole.	22045/47	
E1600/2002	3550/2002	The figure abcd represents an access servitude.	110766/2002	WXX
1673/2008	3579/2008	The line eghj represents the centreline of a Services and Access Servitude 4m wide		

S. A. M. M. M.

2008-07-28

for: SURVEYOR-GENERAL

SCHEDULE OF PROPERTIES

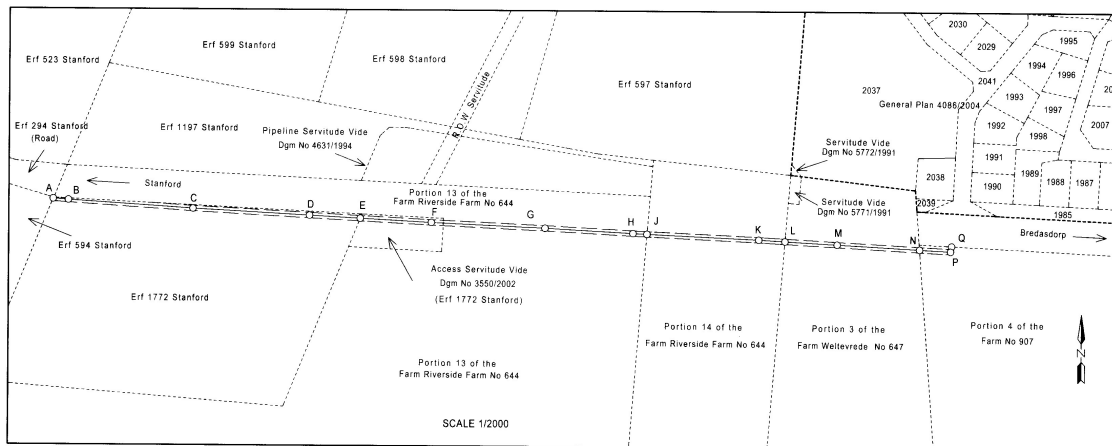
DESCRIPTION OF SERVITUDE	PROPERTY	SG DIAGRAM NO	DEED OF TRANSFER	DEED OF SERVITUDE	DEED OF CANCELLATION
1 The line ABCDE represents the centerline of a Services and Access Servitude 4.00 m wide except where the cadastral boundary is closer than 2 meters from the centreline the servitude extends up to the cadastral boundary as shown.	Erf 1772 Stanford	3550/2002	T110766/2002		
2 The line EFGHJ represents the centerline of a Services and Access Servitude 4.00m wide as shown	Remainder Portion 13 of the Farm Riverside Farm No 644	37/1945	1945- 72 -3554		
3 The line JKL represents the centerline of a Services and Access Servitude 4.00m wide as shown	Portion 14 (a Portion of Portion 13) of the Farm Riverside Farm No 644	4080/1947	1947- -22045		
4 The line LMN represents the centerline of a Services and Access Servitude 4.00m wide as shown	Portion 3 of the Farm Weltevrede 647	4082/1947	1947-450-22482		
5 The line NPQ represents the centerline of a Services and Access Servitude 4.00m wide as shown	Portion 4 of the Farm No 907	6173/2001	T56099/2006		

SERVICES AND ACCESS SERVITUDES

OVER THE PROPERTIES QUOTED IN THE SCHEDULE

situate in the Overstrand Municipality
Administrative District of Caledon
Province of Western Cape

S.G.OFFICE NOTES



SIDES Metres	ANGLES OF DIRECTION		CO-ORDINATES	
			Y	X
Constants			± 0.00	± 0.00
AB	11.45	274 05 20	A	-42 300.98 +3812 771.38
BC	93.93	273 46 00	B	-42 312.40 +3812 772.19
CD	87.64	273 04 10	C	-42 406.03 +3812 778.95
DE	38.38	273 05 40	D	-42 493.54 +3812 783.05
EF	53.52	273 05 40	E	-42 531.86 +3812 785.12
FG	85.56	272 33 50	F	-42 582.31 +3812 788.01
GH	65.93	273 05 10	G	-42 670.78 +3812 791.84
HJ	10.53	272 40 10	H	-42 736.62 +3812 795.39
JK	83.98	272 40 10	J	-42 747.14 +3812 795.88
KL	19.68	273 16 10	K	-42 831.03 +3812 799.79
LM	39.24	273 16 10	L	-42 850.67 +3812 800.91
MN	82.08	273 09 10	M	-42 889.85 +3812 803.15
NP	23.34	273 09 10	N	-42 951.84 +3812 806.57
PQ	4.07	191 05 00	P	-42 975.14 +3812 807.85
			Q	-42 975.92 +3812 803.86
			Boschkop (4)	-41 043.04 +3807 110.86
			Weltevreden 2 (101)	-44 328.74 +3814 376.78

Description of Beacons
A, E, J, L, N, Q : 20mm Round Iron Peg
B, C, D, F, G, H, K, M, P : Centre of manhole cover

Surveyed in June 2008 by me

P F SPRONK (PLS-07/9)
Professional Land Surveyor

FILE No Cldn. 644
SURVEY RECORDS No. 1673/2008
LPI C0130021 (Stanford)
LPI C0130000 (Caledon Admin)
COMPILATION: AINX-1444 (M4309)
AINX-1472(M4311) AI-3DDB(3385)

Servitude dgm 3579/2008

Servitude dgm filed as Plan
DUMMY TRIPLICATE

Servitude plan

Dgm nr **3579/2008**

Admin. District **Caledon**

FILED AS

PLAN No. 3579/2008

Servitude dgm 3579/2008



ANNEXURE A: COMPANY RESOLUTIONS AND POWER OF ATTORNEYS

POWER OF ATTORNEY

I, the undersigned

RONALD KARL DETTKE
ID NO: 610924 5241 18 0

In my capacity as the authorized representative Sebumo Tude Guest Services and More (Pty) Ltd (Reg No. 2021/721413/07) the owner of Erf 1772 Stanford , hereby nominate, constitute and appoint Wright Approach Investments 136 CC (Reg No. 2002/060745/23) trading as Wrap Project Office, with power of substitution, to be the duly authorised attorney and agent in name, place and stead, which may be necessary in order to sign documents and to perform all such acts which may be necessary in connection with the following applications:

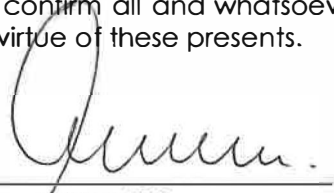
SUBDIVISION
CONSOLIDATION
REZONING
CONSENT USE FOR A RECREATIONAL FACILITY
CONSENT USE FOR A CRECHE
EXEMPTION OF THE REGISTRATION OF A RIGHT OF WAY SERVITUDE
PHASING PLAN OF SUBDIVISION
ALLOCATION OF STREET NAMES
ESTABLISHMENT OF HOMEOWNER'S ASSOCIATION AND APPROVAL OF CONSTITUTION
APPROVAL OF ARCHITECTURAL GUIDELINES

and generally for effecting the purposes aforesaid, to do or cause to be done whatever shall be requisite, as fully and effectual, for all intents and purposes as I might or could do if personally present and acting herein – hereby ratifying, allowing, confirming, promising and agreeing to ratify, allow and confirm all and whatsoever my said Agent shall lawfully do, or cause to be done, by virtue of these presents.

SIGNED AT HERMANUS ON THIS 21st DAY OF JANUARY 2022



R K DETTKE



WITNESS



WITNESS

COMPANY RESOLUTION

The Directors of **SEBUMO TUDE GUEST SERVICES AND MORE (PTY) LTD** (REG NR 2021/721413/07), the owner of **ERF 1772, STANFORD** authorizes

RONALD KARL DETTKE
ID NUMBER: 610924 5241 18 0

In his capacity as member to act on behalf of the Close Corporation regarding the following applications:

**SUBDIVISION
CONSOLIDATION
REZONING
CONSENT USE FOR A RECREATIONAL FACILITY
CONSENT USE FOR A CRECHE
EXEMPTION OF THE REGISTRATION OF A RIGHT OF WAY SERVITUDE
PHASING PLAN OF SUBDIVISION
ALLOCATION OF STREET NAMES
ESTABLISHMENT OF HOMEOWNER'S ASSOCIATION AND APPROVAL OF CONSTITUTION
APPROVAL OF ARCHITECTURAL GUIDELINES**

SIGNED AT HERMANUS ON THIS 21st DAY OF JANUARY 2022



R K DETTKE



WITNESS



WITNESS

POWER OF ATTORNEY

I, the undersigned

NAME: ALASDAIR STUART

PASSPORT NUMBER: 6606156132084

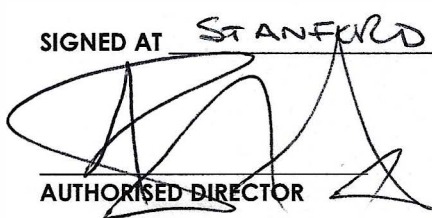
In my capacity as authorized director of **BONNYBRAE PROPERTY HOLDINGS (PTY) LTD (REG NR 199701224407)**, the owners **PORTION 13 OF FARM RIVERSIDE 644, CALEDON**, hereby

nominate, constitute and appoint Wright Approach Investments 136 CC (Reg No. 2002/060745/23) trading as WRAP Project Office, with power of substitution, to be the duly authorised attorney and agent in name, place and stead, which may be necessary in order to sign documents and to perform all such acts which may be necessary in connection with the following applications:

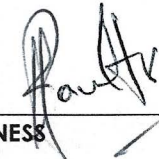
SUBDIVISION OF A PORTION OF PORTION 13 OF FARM RIVERSIDE 644, CALEDON AND CONSOLIDATION WITH ERF 1772 STANFORD

and generally for effecting the purposes aforesaid, to do or cause to be done whatever shall be requisite, as fully and effectual, for all intents and purposes as I might or could do if personally present and acting herein – hereby ratifying, allowing, confirming, promising and agreeing to ratify, allow and confirm all and whatsoever my said Agent shall lawfully do, or cause to be done, by virtue of these presents.

SIGNED AT STANFORD ON THIS 31 DAY OF JANUARY 2022



AUTHORISED DIRECTOR



WITNESS



WITNESS

COMPANY RESOLUTION

The Directors of **BONNYBRAE PROPERTY HOLDINGS (PTY) LTD (REG NR 199701224407)**, the owner of **PORTION 13 OF FARM RIVERSIDE 644, CALEDON** authorizes

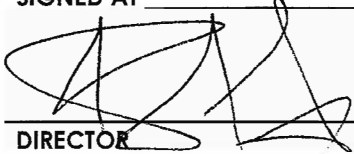
ALASDAIR STUART

ID/PASSPORT NUMBER: 6606156132084

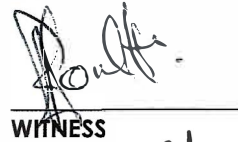
In his capacity as Director to act on behalf of the Company regarding the following applications:

SUBDIVISION OF A PORTION OF PORTION 13 OF FARM RIVERSIDE 644, CALEDON AND CONSOLIDATION WITH ERF 1772 STANFORD

SIGNED AT STANFORD ON THIS 31 DAY OF JANUARY 2022



DIRECTOR



WITNESS

DIRECTOR



WITNESS

DIRECTOR

WITNESS



ANNEXURE B: DESIGN LAYOUTS



ERF 1772 - STANFORD

DESIGN LAYOUTS

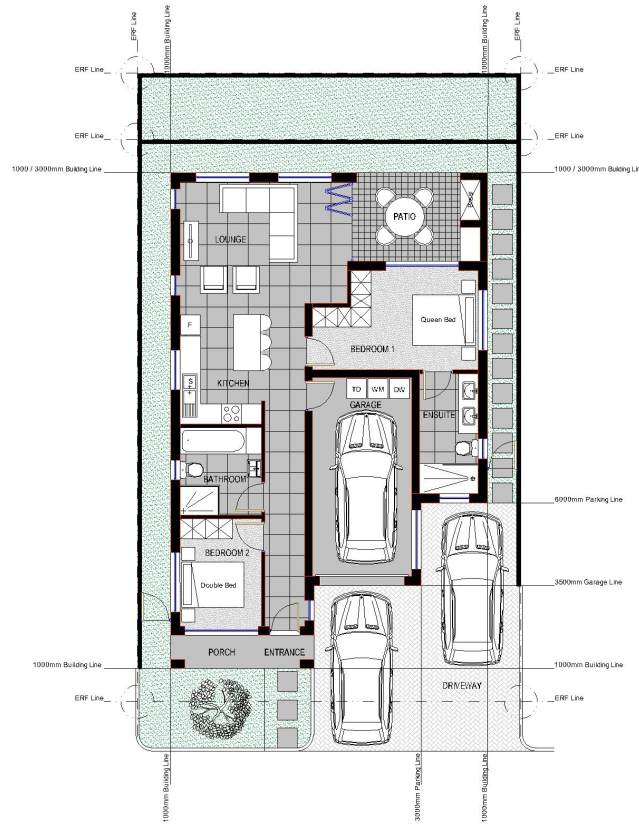
Five concept layout types on the property relevant to certain erven (Type A – E) are proposed:

Type A1 & A2:

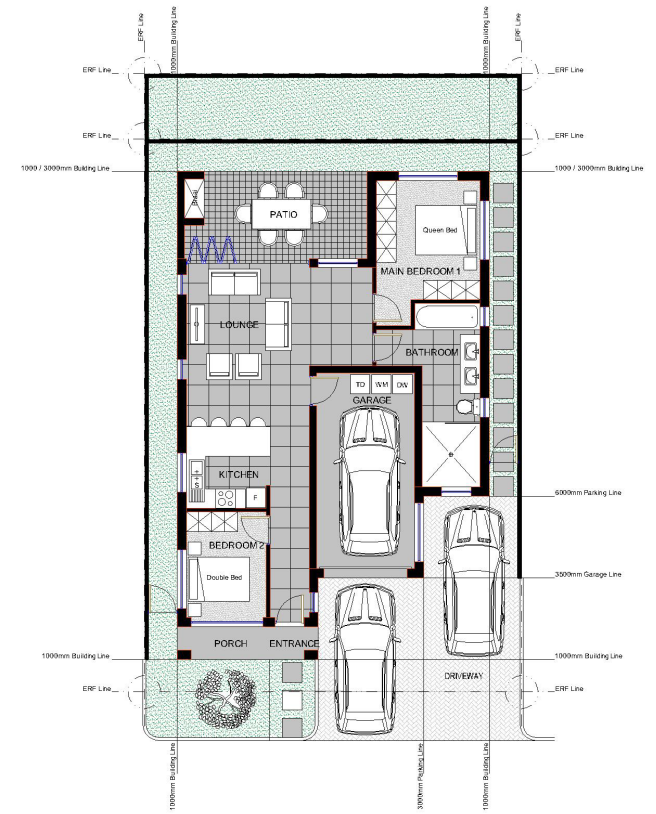
Street: 1m
 Common Lateral Boundary: 1m
 Common : 1m – 3m
 Garage: 3.5m
 Parking: 1.5m (Public) + 3.5m (Garage Line) = 5m

Type A1 & A2:

Street: 1m
 Common Sides: 1m
 Common Back (Boundary): 3m
 Garage: 3.5m
 Parking: 1.5m (Public) + 3.5m (Garage Line) = 5m



TYPE: A1 - Ground Floor Layout

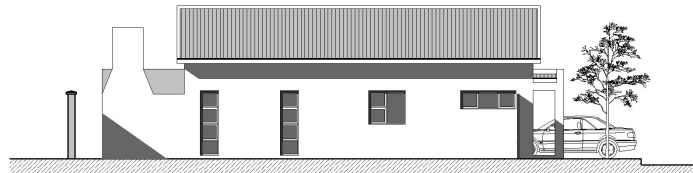


TYPE: A2 - Ground Floor Layout

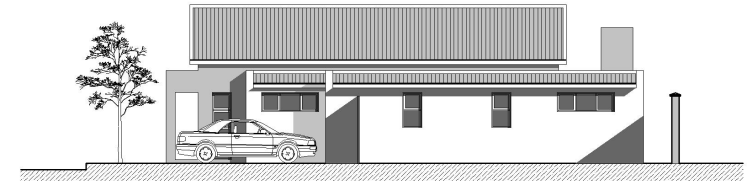
Type A1 & A2 (Different cable roof options):



TYPE: A1 – Concept Back Elevation



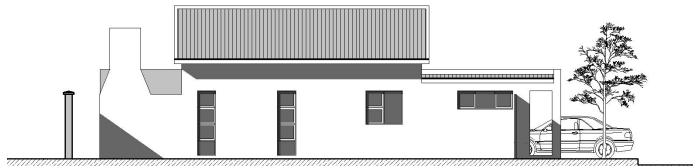
TYPE: A1 – Concept Side Elevation



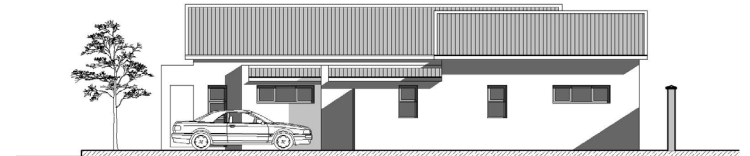
TYPE: A1 – Concept Side Elevation



TYPE: A2 – Concept Back Elevation



TYPE: A2 – Concept Side Elevation



TYPE: A2 – Concept Side Elevation

Type B:

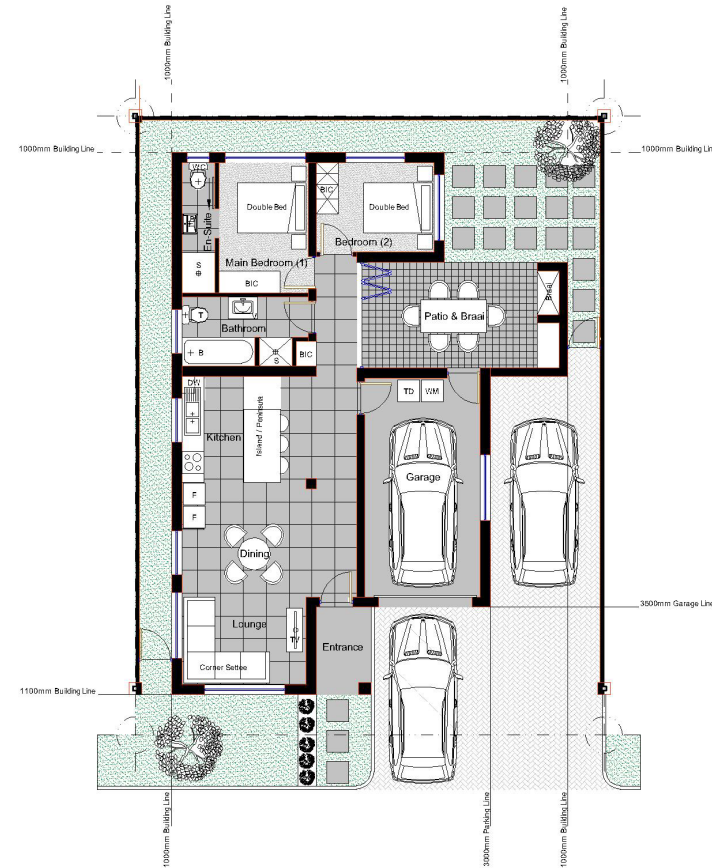
Street: 1,0m

Common Sides: 1m

Common Back: 1m

Garage: 3.5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m

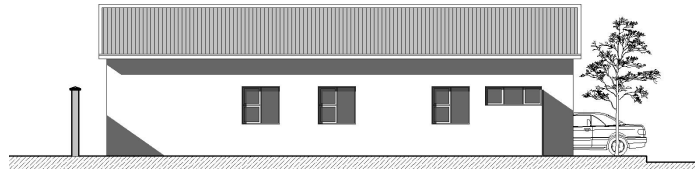


TYPE: B - Ground Floor Layout

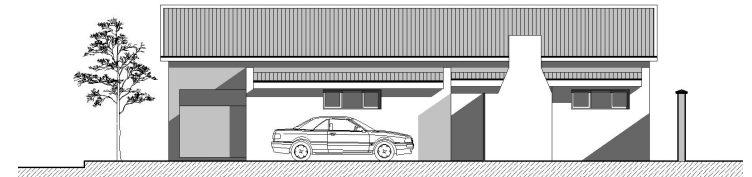
Type B:



TYPE: B – Concept Back Elevation



TYPE: B – Concept Side Elevation



TYPE: B – Concept Side Elevation

Type C:

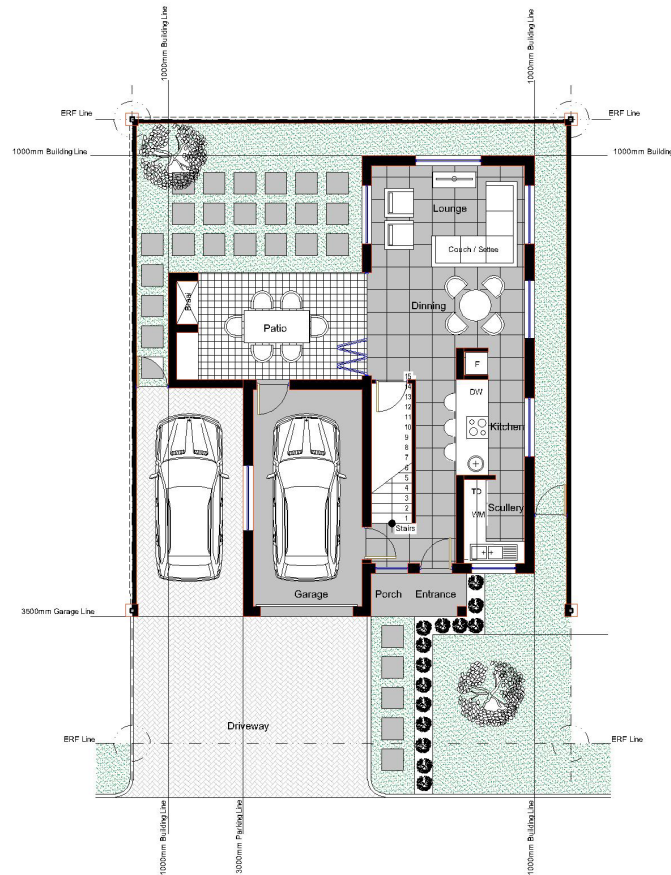
Street: 1m

Common Sides: 1m

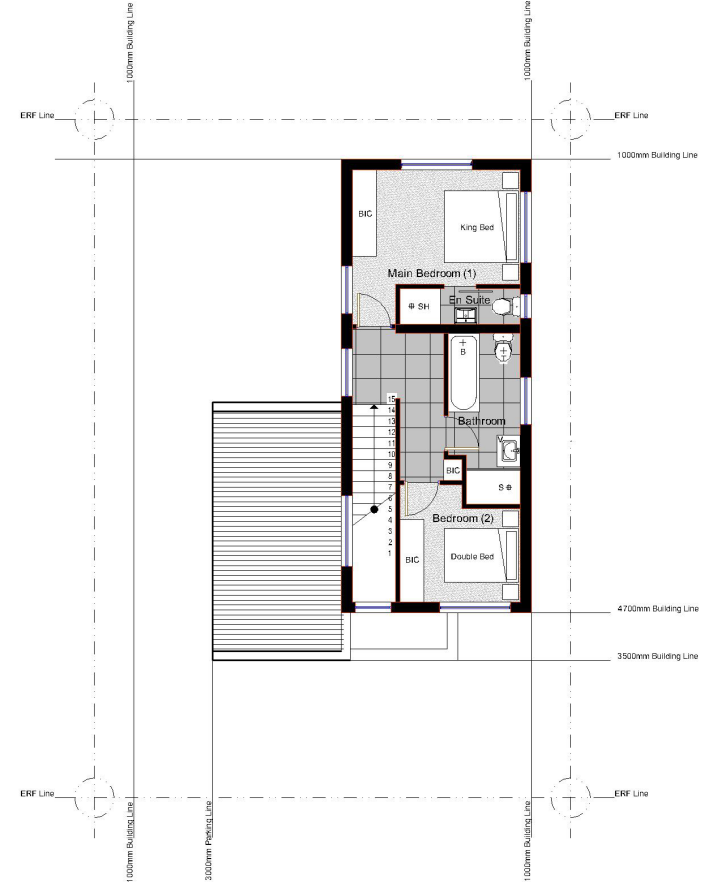
Common Back: 1m

Garage: 3.5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m

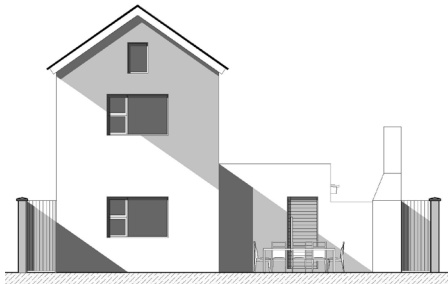


TYPE: C - Ground Floor Layout

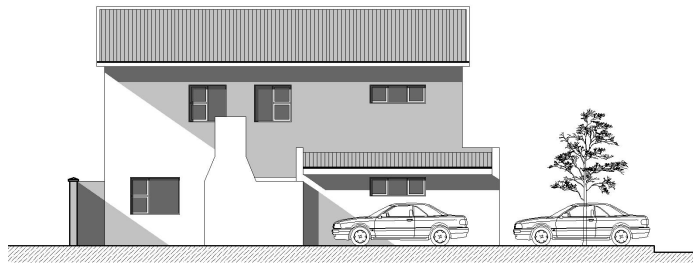


TYPE: C - First Floor Layout

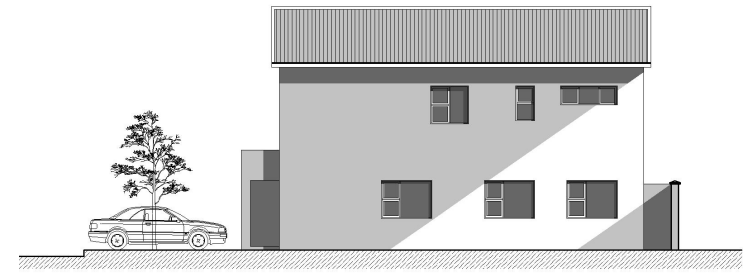
Type C1 & C2 (Different Layouts with different cable and hip roof options):



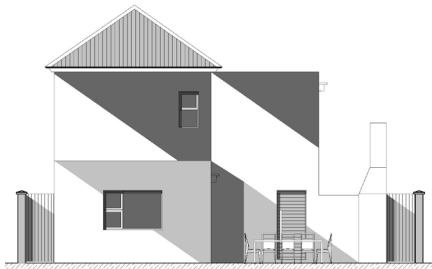
TYPE: C1 – Concept Back Elevation



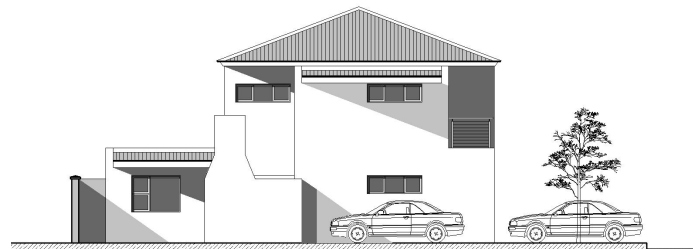
TYPE: C1 – Concept Side Elevation



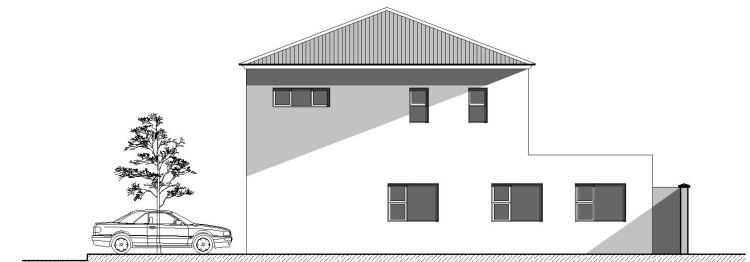
TYPE: C1 – Concept Side Elevation



TYPE: C2 – Concept Back Elevation



TYPE: C2 – Concept Side Elevation



TYPE: C2 – Concept Side Elevation

Type D:

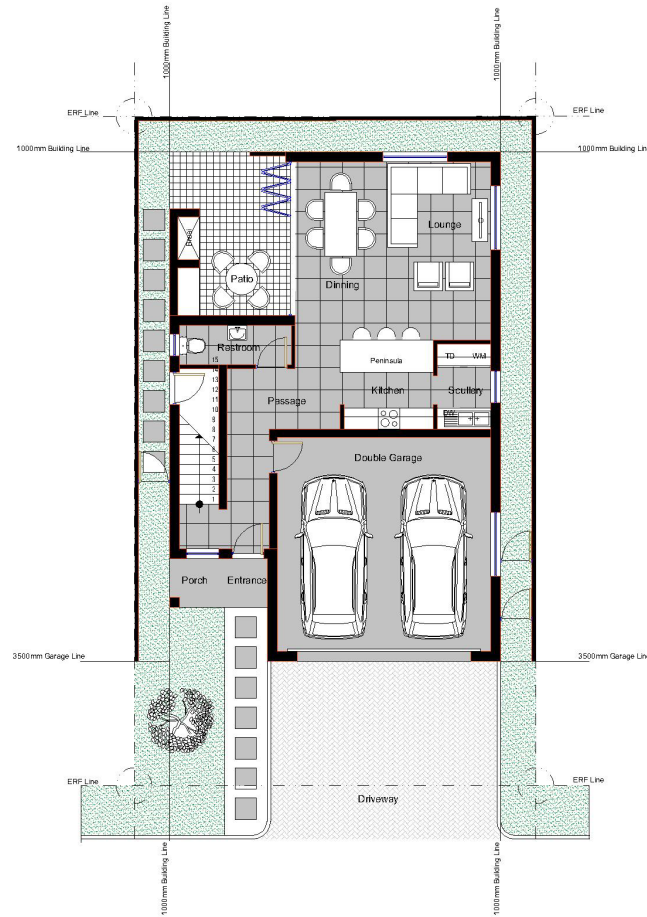
Street: 3,5m

Common Sides: 1m

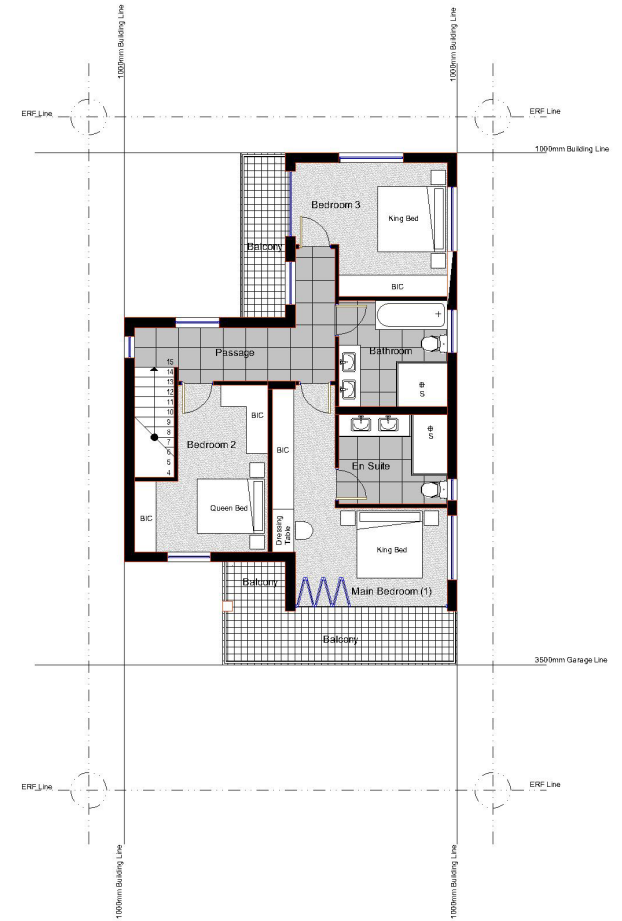
Common Back: 1m

Garage: 3,5m

Parking: 1,5m (Public) + 3,5m (Garage Line) = 5m



TYPE: D - Ground Floor Layout

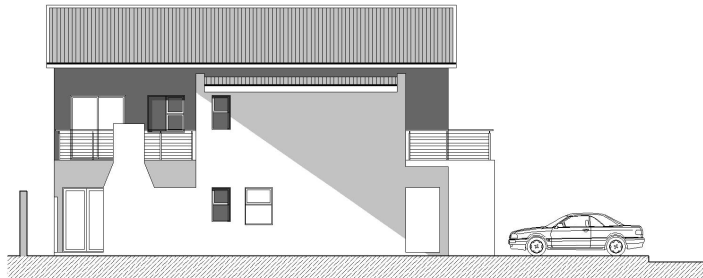


TYPE: D - First Floor Layout

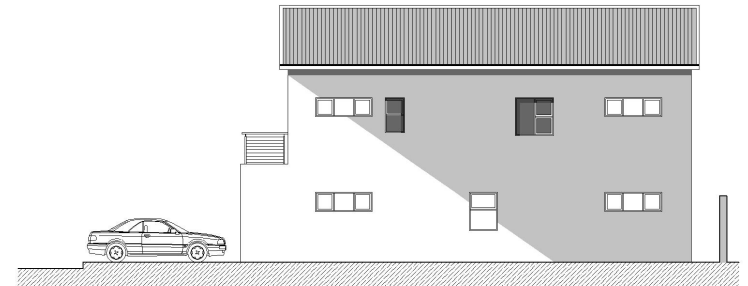
Type D:



TYPE: D – Concept Back Elevation



TYPE: D – Concept Side Elevation



TYPE: D – Concept Side Elevation

Type E:

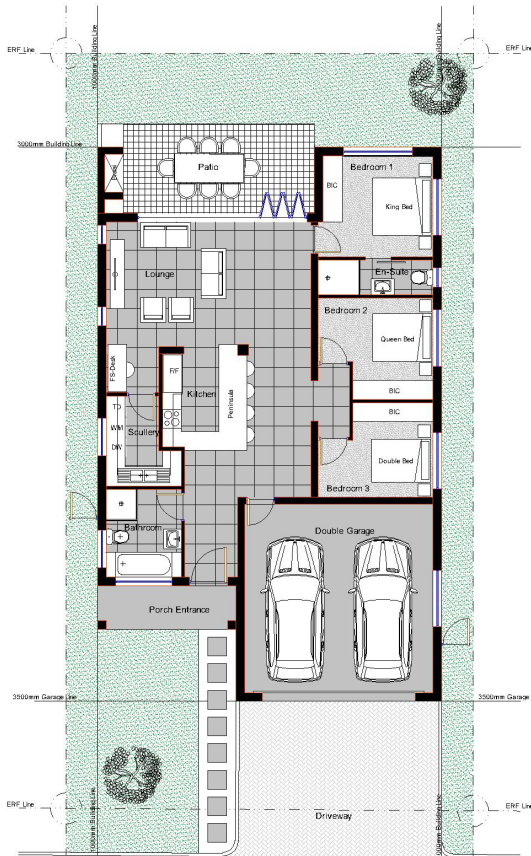
Street: 3,5m

Common Sides: 1m

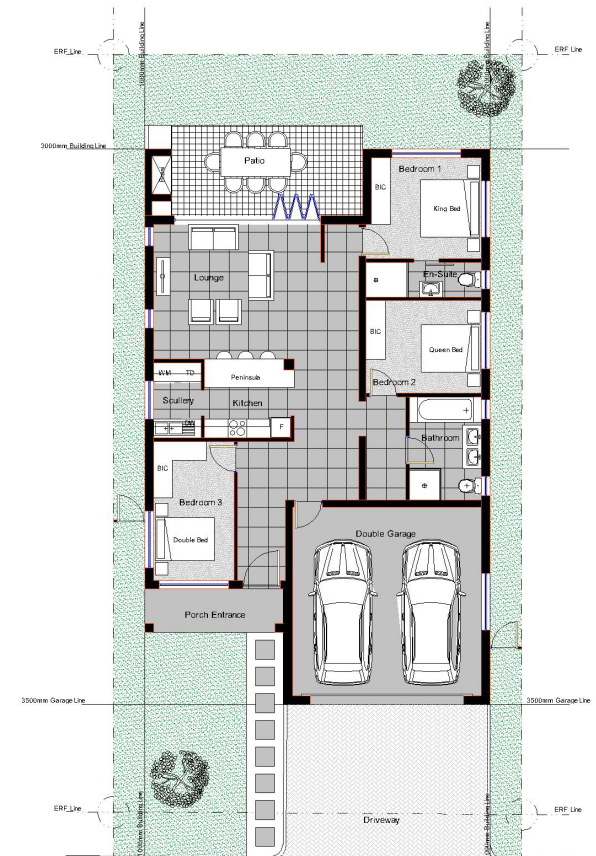
Common Back: 3m

Garage: 3.5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m

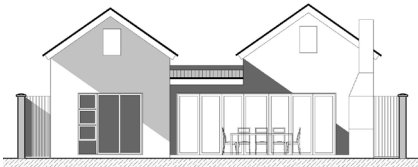


TYPE: E1 - Ground Floor Layout

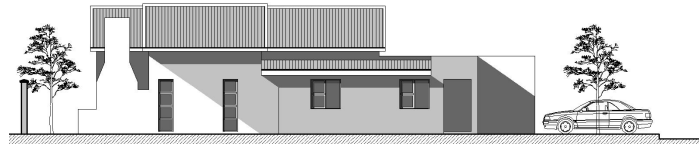


TYPE: E2 - Ground Floor Layout

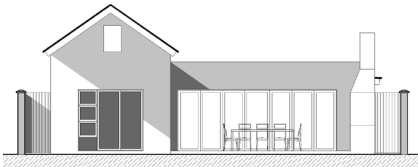
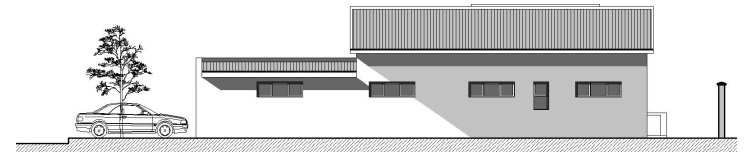
Type E1 & E2 (Different cable roof options):



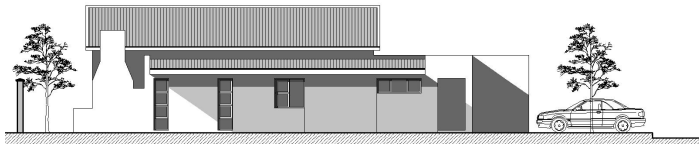
TYPE: E1 – Concept Back Elevation



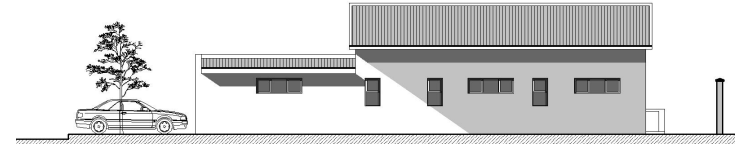
TYPE: E1 – Concept Side Elevation



TYPE: E2 – Concept Back Elevation



TYPE: E2 – Concept Side Elevation



TYPE: E2 – Concept Side Elevation



ANNEXURE C: ARCHITECTURAL DESIGN GUIDELINES



ERF 1772 - STANFORD

ARCHITECTURAL DESIGN GUIDELINES

COMPILED: JANUARY 2022

-
1. Introduction: (Pages: 03 – 05)
 2. Building parameters: (Pages: 06 – 17)
 3. Building design parameters: (Pages: 18 – 40)
 4. Building plan submission: (Pages: 41 – 44)
 5. Builders conduct and rules: (Pages: 45 –47)
 6. Responsibility: (Pages: 48 – 48)
 7. Amendment: (Page: 49 – 49)

Purpose of the Development and Design Manual

This Development and Design Manual is in essence a set of guidelines to establish the intent for the design and development of the estate and to provide the framework within which site development and building applications can be aesthetically evaluated. The purpose of this manual is to guide the design and architectural aesthetics of all development and building and to set conditions and standards which must be met by the Property Owner. The guidelines as set out in this document are additional to any clause in the Constitution of the Erf 1772 Stanford Home Owners Association (HOA), the regulations or by-laws of the Local Authority. All structures must also comply with the National Building Regulations.

Terms used in this manual such as Home Owners Association (HOA), Owner, Managing Agent and Controlling Architect, all have the meaning as defined in the Constitution of the HOA. The Building Committee (BC) referred to later on is comprised of two Trustees from the HOA and the Controlling Architect.

Philosophy behind the development of Erf 1772, Stanford

With the ever increasing demand for residential housing in the Overstand region it was inevitable that the local authority thought it well to amend the urban edge and to increase the urban development area in the Stanford region. Stanford historically is a small tight knit community. The architectural topology (look & feel) of the town of Stanford is one of established design and implementation.

In saying this, the developers wants to take inspiration of the existing towns architecture and incorporate it into this development. Embracing the existing culture and lifestyle of the immediate surroundings and the town.

The newly upgraded roads infrastructure will allow the residents of this development not to increase the feel of traffic in the area.

This development will serve other communities in close proximity such as Hermanus, Caledon and Gansbaai. The location is ideal for potential residents/ owners to seek work opportunities in these areas.

The layout and design of the development will create cohesiveness and allow, “elbow on the wall neighbourness”. The layout imitates the rustic country style living as found in the backyards of the houses in small towns such as Stanford, by landscaping it with simplistic indigenous open spaces, linked with pathways through the development. These pathways leading off the internal roads, afford all residents to access and walk the whole development within the confines of the outside walled fenced perimeter.

The stately development of Erf 1772 Stanford is necessary to ensure exclusivity of this prime location. The building style should be a reflection of the context it is situated in. The design must show responsiveness to the pedicular landscape and surroundings. A strong modulated type mass should be visible within the design of the house. The design must be softened with the attention to detail in the joining of elements. The image must make full use of the vistas with the use of landscaping, balconies, terraces, view lines and patios.”

This development will be an asset to the current micro economy in the area and will increase trade with the existing local community.

- 1.1 The purpose of these design guidelines is to facilitate a cohesive architectural character with a unity of materials and finishes ensuring that the development harmonizes with the surrounding suburban fabric.
- 1.2 The proposed style constitutes a modern contemporary Character. To achieve this, Architectural Design Guidelines have been drawn up as far as the use of materials and colors, the treatment of boundaries and the landscaping is concerned.
- 1.3 No classical or Mediterranean facade architecture or elements will be permitted. Simple detailing is encouraged with window and door elements to be square or rectangular in shape.
- 1.4 The Homeowners Association reserve the right to alter or amend these guidelines with approval of the Overstrand Municipality as the need arises.
- 1.5 The controlling authority for the Development is the Homeowners Association (HOA) who will be responsible for the scrutiny of all drawings for new dwellings, additions and alterations on behalf of the owners before the drawings may be submitted to Council for approval.
- 1.6 The design of the dwelling unit and the entire stand must show sensitivity to the existing natural features, flora and topography.
- 1.7 The siting of the Buildings and their heights must not unreasonably affect the amenities of adjacent properties. The HOA decision in this regard will be binding and final.

2.1 All consent uses mentioned below requires the approval of the HOA.

2.1.1 General Residential Zone 1: Town Housing (GR1)

Overstrand Municipality Land Use Scheme, 2020 or any amendments thereto and/or any superseding schemes

2.1.1.1 Height of dwelling and out-buildings:

- Erven with building type: A, B & E, are permitted to construct single storey dwellings with a maximum height of 5,5 m.
- Erven with building type: C & D, may construct double storey dwellings with a maximum height of 8,0 m.

2.1.1.2 Parking:

- A minimum of 2 parking bays per erf (Including garage) to be provided and clearly indicated on the drawings.

2.1.1.3 Permitted Land Uses:

- Primary Use – Town Housing.
- Consent Use – Home Occupation, Tourist Accommodation.

2.1.2 Open Space Zone 3: Private Open Space

Overstrand Municipality Land Use Scheme, 2020 or any amendments thereto and/or any superseding schemes

2.1.2.1 Permitted Land Uses:

- Primary Use – Private Open Space.
- Consent Use – Recreational Facilities, Day Care Centre.

2.1.3 TRANSPORT ZONE 2: ROAD AND PARKING (TR2 A)

Overstrand Municipality Land Use Scheme, 2020 or any amendments thereto and/or any superseding schemes

2.1.3.1 Permitted Land Uses:

- Primary Use – Private Parking and Private Road.
- Consent Use – None.

2.2 Planning (1)

2.2.1 Development parameters:

- Soil conditions: A detailed geotechnical survey shall be undertaken by the developers and should be made available when approval is granted on SDP from the local authority.
- Building lines on erven: All structures must be confined within the building lines as per predetermined footprint area in order to conform to general town planning and building regulations and is done to ensure privacy of adjacent sites and to preserve vistas of and from the site.

Building Lines on the perimeter of the development

- The building line on the perimeter of the development is 3,0 m
- The general building line exemptions of 16.1 apply

Building Lines within the development

- The street building lines on internal roads are 1,0 m provided that garages must be set back at least 5,0 m from the kerb.
- Lateral and Rear building line is 1,0 m
- A garage may be constructed at 0 m on one internal side boundary and 0 m on the internal rear boundary, provided that the building does not occupy more than 50% of such internal side or rear boundary
- The general building line exemptions of the Overstrand Municipality Land Use Scheme, 2020 apply
- All relaxations of building lines will be subject to the pre-approval of the Building Committee and on the final approval or revised site development plan (SDP) or building plans with the local authority.
- Approximate building extent and coverage: One dwelling per stand with no loose standing outbuilding permissible with a maximum coverage and bulk percentages will be determined by the local authority.
- Vehicle access points to erven: This must be considered to ensure maximum safety and convenience to road users. The Architect must indicate the point of entry to the site for consideration and approval of the Building Committee. The most important consideration however is the aesthetic impact on the streetscape.
- Back yards/Laundry: Kitchen yards to be screened by walls 2m in height with no washing lines visible from street or adjacent properties.

2.2 Planning (2)

- Traditional sun control: Use of pergolas is encouraged to protect patios, large windows and doors from the sun.
- Outbuildings: Free standing outbuildings will not be allowed/ permitted, but an application to the HOA or BC can be lodged for comments and approval from the appointed architect.

2.2.2 Erven boundaries:

- Maximum site closure: Internal street boundary walls will not be permitted. Walls between the house and the side boundary should be set back as far as possible. These walls should not be higher than 1800mm in order to contain animals, etc. Pre- cast boundary walls will not be permitted.

2.2.3 Estate boundary:

- Treatment of perimeter: A green “living wall” will be constructed by the developer on the boundary of R 326 and on all other perimeters “clearvu” fencing will be erected, to provide adequate security and an aesthetic definition to the estate’s boundaries.

2.2.4 Landscaping:

- Formal planting: The developer will provide landscaping to the entrance gate area, boundary wall and central focus points to match and suit the style of the development. The developer will extend landscaping to other open space areas as building of houses progress. HOA will maintain this. The homeowner must consider these elements in the landscape design of his erf after taking ownership of his/her property.

2.2 Planning (3)

2.2.5 Water features:

- Water features might be provided at certain focal points and will be maintained by the HOA.

2.2.6 Streets:

- All internal roads will be provided by the developer and will have a suitable hardwearing surface to match the style of the development. Entrance to the erven are the responsibility of the homeowner in accordance with the paving specifications.

2.2.7 Storm water drainage:

- Storm water collected on the internal roads will be disposed of as per Local Authority requirements and as per Engineers layout and design.

2.2.8 Water reticulation:

- A pipe network will be provided with the individual municipal stand connections and adequate provision for fire protection. Owner to purchase water meter through HOA.

2.2.9 Sewerage:

- All stands will be connected to a piped sewerage reticulations system at the lowest point of each property.

2.3 Type of Dwellings

Concept Elevations (Street View):



Type A1: Concept Elevation



Type C1: Concept Elevation



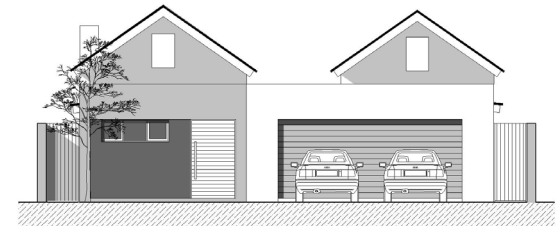
Type D: Concept Elevation



Type A2: Concept Elevation



Type C2: Concept Elevation



Type E1: Concept Elevation



Type B: Concept Elevation



Type E2: Concept Elevation

2.4 Erven Sizes (1):

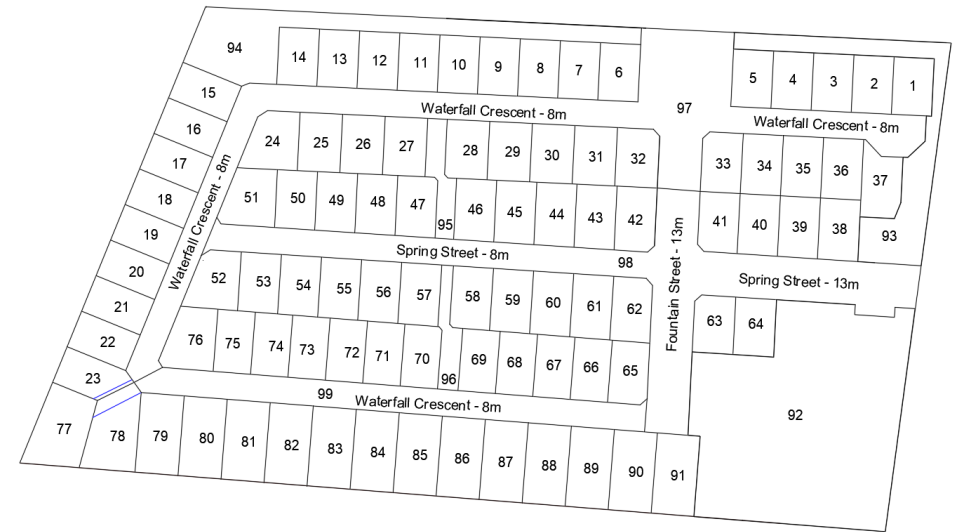
- Erf/ Portion: **01** – Residential (**210 m²**)
- Erf/ Portion: **02** – Residential (**210 m²**)
- Erf/ Portion: **03** – Residential (**210 m²**)
- Erf/ Portion: **04** – Residential (**210 m²**)
- Erf/ Portion: **05** – Residential (**210 m²**)
- Erf/ Portion: **06** – Residential (**210 m²**)
- Erf/ Portion: **07** – Residential (**210 m²**)
- Erf/ Portion: **08** – Residential (**210 m²**)
- Erf/ Portion: **09** – Residential (**210 m²**)
- Erf/ Portion: **10** – Residential (**210 m²**)
- Erf/ Portion: **11** – Residential (**210 m²**)
- Erf/ Portion: **12** – Residential (**210 m²**)
- Erf/ Portion: **13** – Residential (**210 m²**)
- Erf/ Portion: **14** – Residential (**210m²**)
- Erf/ Portion: **15** – Residential (**220 m²**)
- Erf/ Portion: **16** – Residential (**220 m²**)
- Erf/ Portion: **17** – Residential (**220 m²**)
- Erf/ Portion: **18** – Residential (**220 m²**)
- Erf/ Portion: **19** – Residential (**220 m²**)
- Erf/ Portion: **20** – Residential (**219 m²**)
- Erf/ Portion: **21** – Residential (**219 m²**)
- Erf/ Portion: **22** – Residential (**220 m²**)
- Erf/ Portion: **23** – Residential (**221 m²**)
- Erf/ Portion: **24** – Residential (**263 m²**)
- Erf/ Portion: **25** – Residential (**226 m²**)
- Erf/ Portion: **26** – Residential (**226 m²**)
- Erf/ Portion: **27** – Residential (**226 m²**)
- Erf/ Portion: **28** – Residential (**226 m²**)
- Erf/ Portion: **29** – Residential (**226 m²**)
- Erf/ Portion: **30** – Residential (**226 m²**)



2.4 Erven Sizes (2):

Erf/ Portion: **31** – Residential (**226 m²**)
 Erf/ Portion: **32** – Residential (**224 m²**)
 Erf/ Portion: **33** – Residential (**216 m²**)
 Erf/ Portion: **34** – Residential (**220 m²**)
 Erf/ Portion: **35** – Residential (**220 m²**)
 Erf/ Portion: **36** – Residential (**221 m²**)
 Erf/ Portion: **37** – Residential (**234 m²**)
 Erf/ Portion: **38** – Residential (**224 m²**)
 Erf/ Portion: **39** – Residential (**221 m²**)
 Erf/ Portion: **40** – Residential (**221 m²**)
 Erf/ Portion: **41** – Residential (**215 m²**)
 Erf/ Portion: **42** – Residential (**232 m²**)
 Erf/ Portion: **43** – Residential (**232 m²**)
 Erf/ Portion: **44** – Residential (**229 m²**)
 Erf/ Portion: **45** – Residential (**226 m²**)
 Erf/ Portion: **46** – Residential (**224 m²**)
 Erf/ Portion: **47** – Residential (**219 m²**)
 Erf/ Portion: **48** – Residential (**218 m²**)
 Erf/ Portion: **49** – Residential (**215 m²**)
 Erf/ Portion: **50** – Residential (**212 m²**)
 Erf/ Portion: **51** – Residential (**261 m²**)
 Erf/ Portion: **52** – Residential (**251 m²**)
 Erf/ Portion: **53** – Residential (**216 m²**)
 Erf/ Portion: **54** – Residential (**218 m²**)
 Erf/ Portion: **55** – Residential (**220 m²**)
 Erf/ Portion: **56** – Residential (**222 m²**)
 Erf/ Portion: **57** – Residential (**224 m²**)
 Erf/ Portion: **58** – Residential (**226 m²**)
 Erf/ Portion: **59** – Residential (**228 m²**)
 Erf/ Portion: **60** – Residential (**230 m²**)

Erf/ Portion: **61** – Residential (**232 m²**)
 Erf/ Portion: **62** – Residential (**229 m²**)
 Erf/ Portion: **63** – Residential (**211 m²**)
 Erf/ Portion: **64** – Residential (**213 m²**)
 Erf/ Portion: **65** – Residential (**215 m²**)
 Erf/ Portion: **66** – Residential (**212 m²**)
 Erf/ Portion: **67** – Residential (**212 m²**)
 Erf/ Portion: **68** – Residential (**212 m²**)
 Erf/ Portion: **69** – Residential (**212 m²**)
 Erf/ Portion: **70** – Residential (**211 m²**)
 Erf/ Portion: **71** – Residential (**212 m²**)
 Erf/ Portion: **72** – Residential (**211 m²**)
 Erf/ Portion: **73** – Residential (**212 m²**)
 Erf/ Portion: **74** – Residential (**212 m²**)
 Erf/ Portion: **75** – Residential (**212 m²**)
 Erf/ Portion: **76** – Residential (**266 m²**)
 Erf/ Portion: **77** – Residential (**376 m²**)
 Erf/ Portion: **78** – Residential (**352 m²**)
 Erf/ Portion: **79** – Residential (**313 m²**)
 Erf/ Portion: **80** – Residential (**313 m²**)
 Erf/ Portion: **81** – Residential (**313 m²**)
 Erf/ Portion: **82** – Residential (**313 m²**)
 Erf/ Portion: **83** – Residential (**315 m²**)
 Erf/ Portion: **84** – Residential (**314 m²**)
 Erf/ Portion: **85** – Residential (**314 m²**)
 Erf/ Portion: **86** – Residential (**315 m²**)
 Erf/ Portion: **87** – Residential (**315 m²**)
 Erf/ Portion: **88** – Residential (**315 m²**)
 Erf/ Portion: **89** – Residential (**315 m²**)
 Erf/ Portion: **90** – Residential (**315 m²**)



Erf/ Portion: **91** – Residential (**313 m²**)

Erf/ Portion: **92** – Open Space (**3734 m²**)
 Erf/ Portion: **93** – Open Space (**892 m²**)
 Erf/ Portion: **94** – Open Space (**1091 m²**)
 Erf/ Portion: **95** – Open Space (**207 m²**)
 Erf/ Portion: **96** – Open Space (**182 m²**)

Erf/ Portion: **97** – Road (**3284 m²**)
 Erf/ Portion: **98** – Road (**2945 m²**)
 Erf/ Portion: **99** – Road (**1222 m²**)

2.5 Building Lines (1):

Five concept layout types on the property relevant to certain erven (Type A – E) are proposed:

Type A1 & A2:

Erf/ Portion: **01 – 14**

Street: 1,0m

Common Lateral Boundary: 1m

Common : 1m – 3m

Garage: 3.5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m

Type A1 & A2:

Erf/ Portion: **15 – 23**

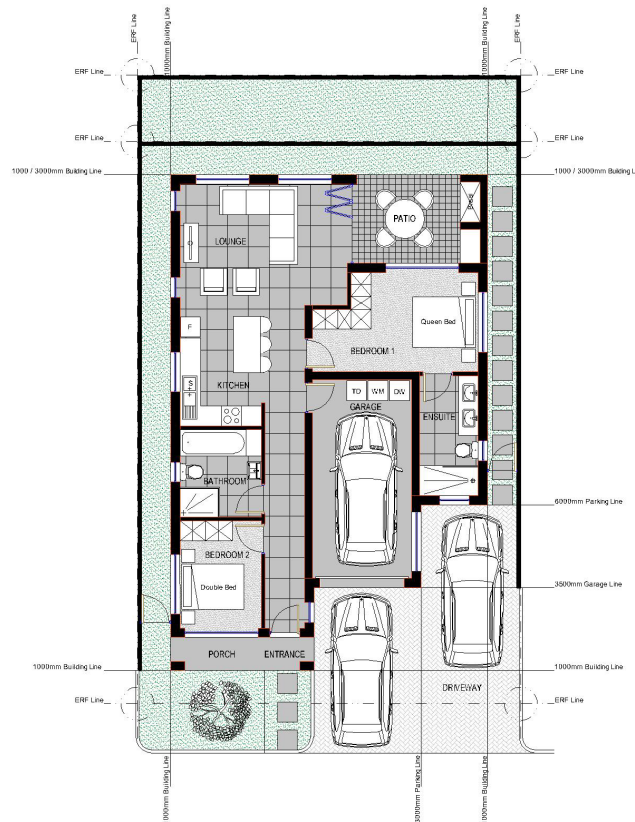
Street: 1,1m

Common Sides: 1m

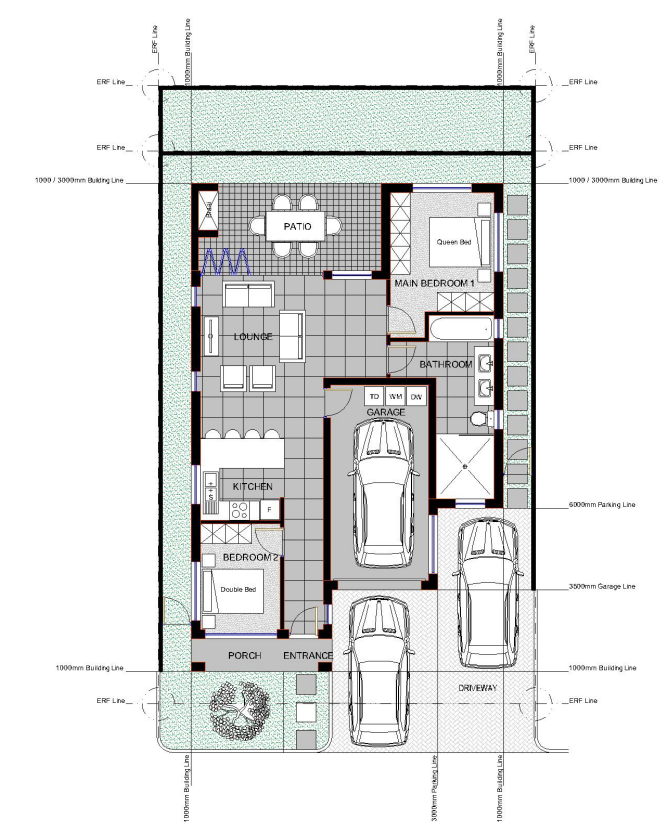
Common Back (Boundary): 3m

Garage: 3.5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m



TYPE: A1 - Ground Floor Layout



TYPE: A2 - Ground Floor Layout

2.5 Building Lines (2):

Type B:

Erf/ Portion: **24 – 32**

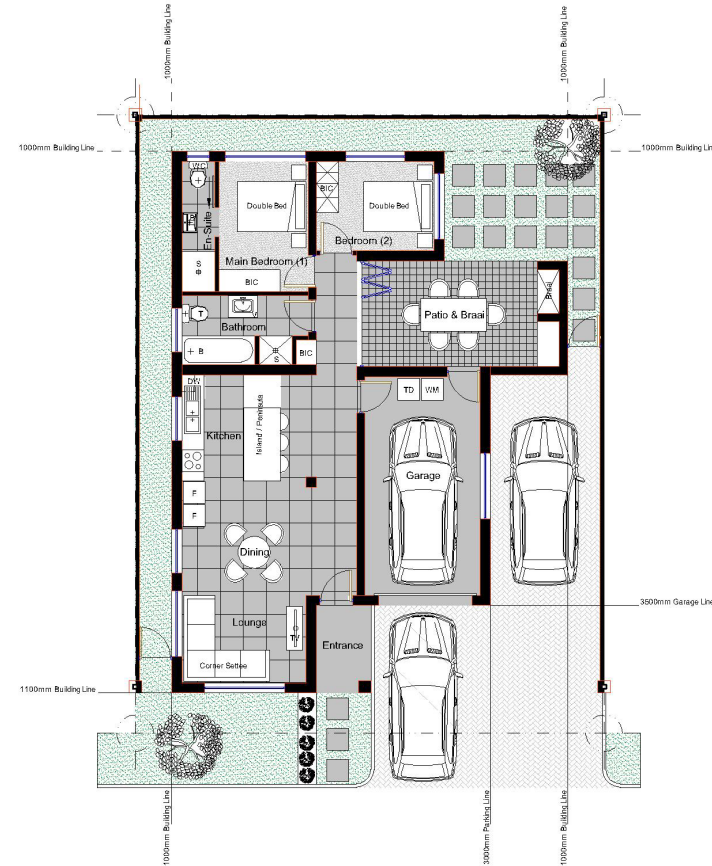
Street: 1,0m

Common Sides: 1m

Common Back: 1m

Garage: 3,5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m



TYPE: B - Ground Floor Layout

2.5 Building Lines (3):

Type C:

Erf/ Portion: 33 – 64

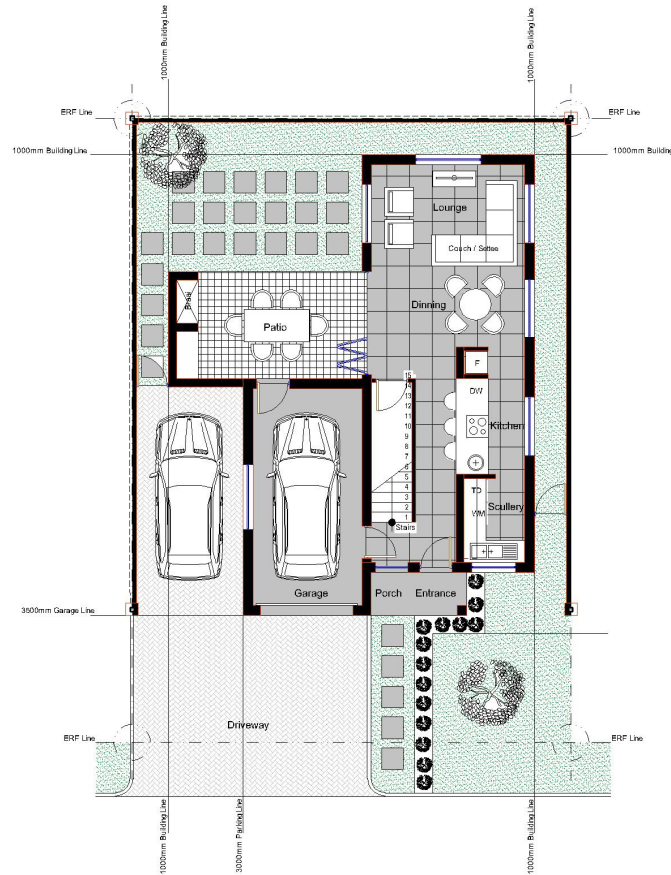
Street: 3,5m

Common Sides: 1m

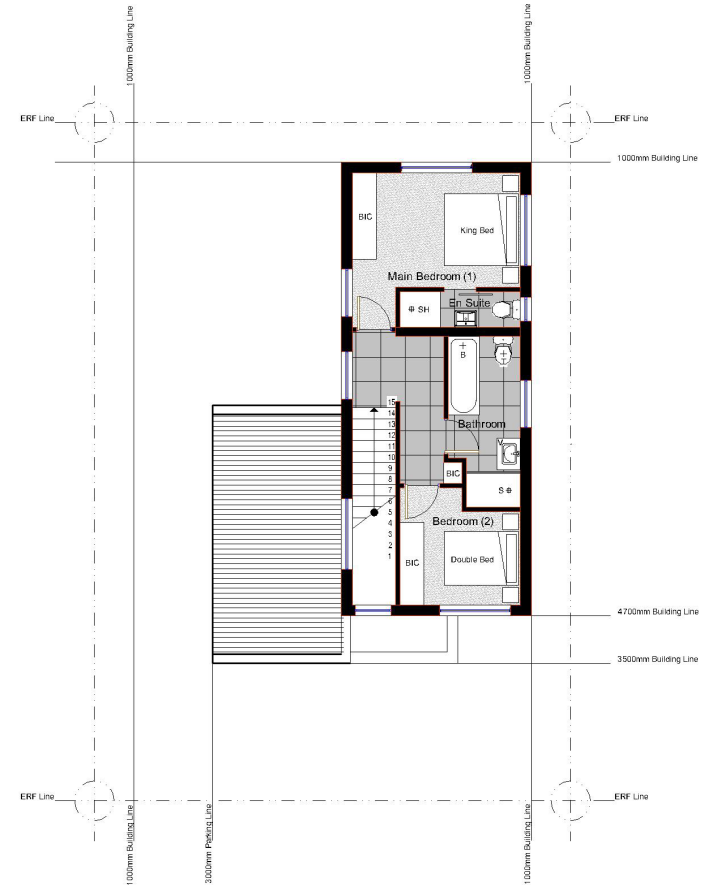
Common Back: 1m

Garage: 3,5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m



TYPE: C - Ground Floor Layout



TYPE: C - First Floor Layout

2.5 Building Lines (4):

Type D:

Erf/ Portion: **65 – 76**

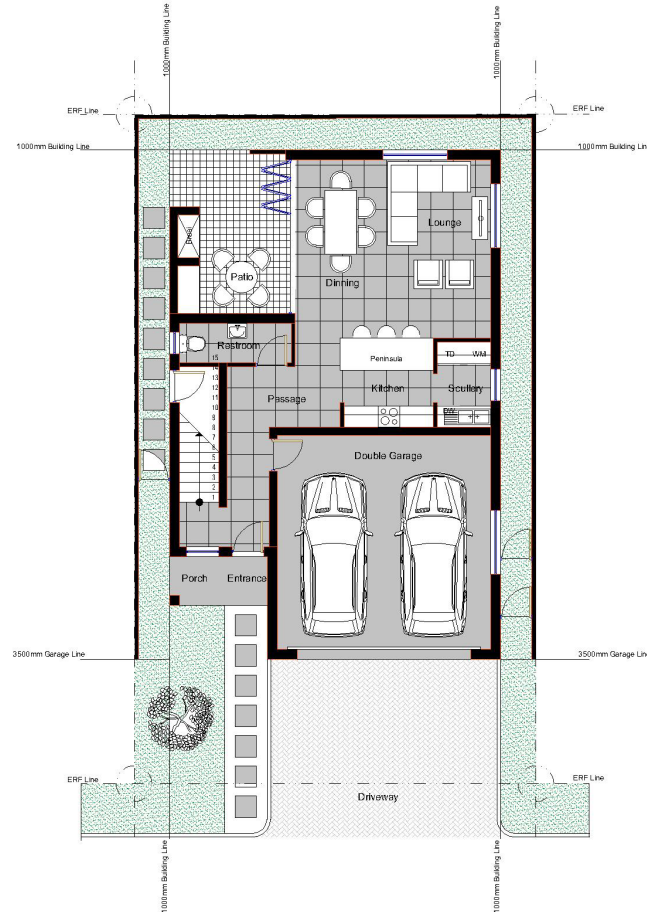
Street: 3,5m

Common Sides: 1m

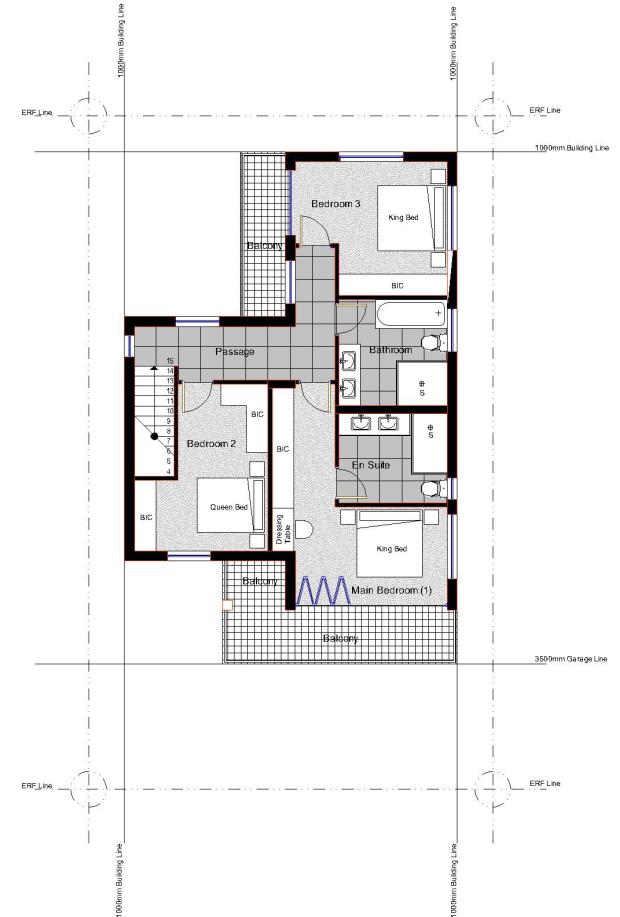
Common Back: 1m

Garage: 3,5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m



TYPE: D - Ground Floor Layout



TYPE: D - First Floor Layout

2.6 Building Lines (5):

Type E:

Erf/ Portion: 77 – 91

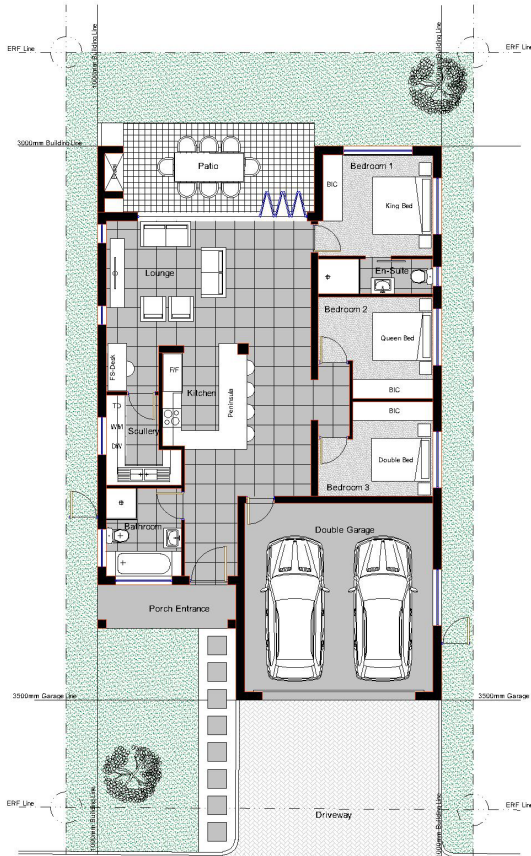
Street: 3,5m

Common Sides: 1m

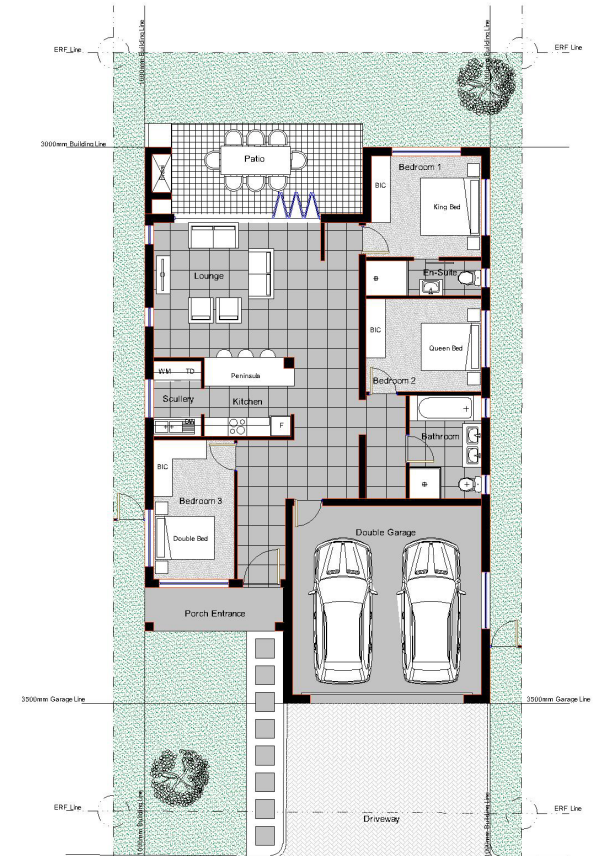
Common Back: 3m

Garage: 3,5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m



TYPE: E1 - Ground Floor Layout



TYPE: E2 - Ground Floor Layout

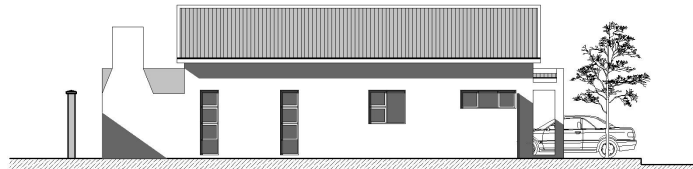
3.1 Concept Design - Elevations (1):

Concept elevations of the design style relevant to the types of dwellings in mind (Type A – D)
Street scape concept elevation has been provided earlier in this document

3.1.1 Type A1 & A2 (Different cable roof options):



TYPE: A1 – Concept Back Elevation



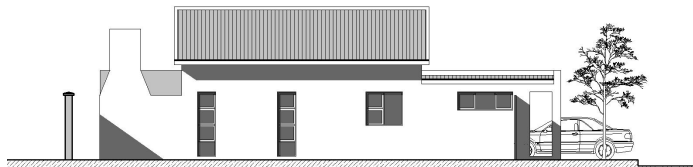
TYPE: A1 – Concept Side Elevation



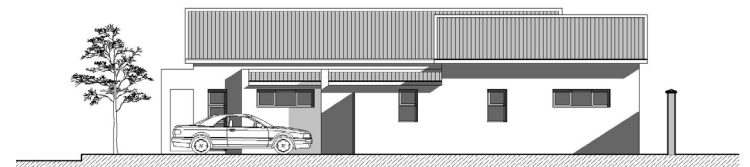
TYPE: A1 – Concept Side Elevation



TYPE: A2 – Concept Back Elevation



TYPE: A2 – Concept Side Elevation



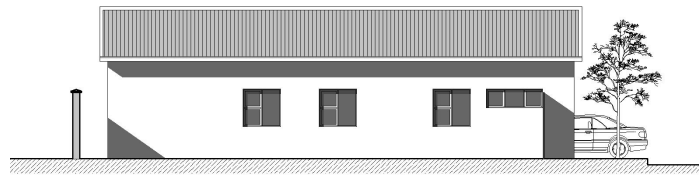
TYPE: A2 – Concept Side Elevation

3.1 Concept Design - Elevations (2):

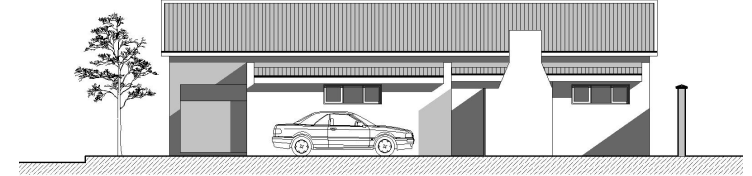
3.1.2 Type B:



TYPE: B – Concept Back Elevation



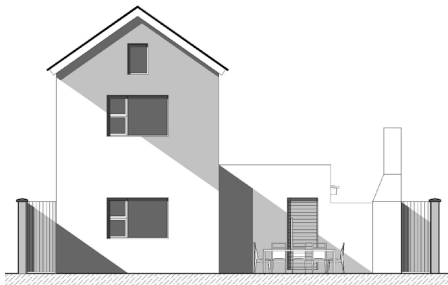
TYPE: B – Concept Side Elevation



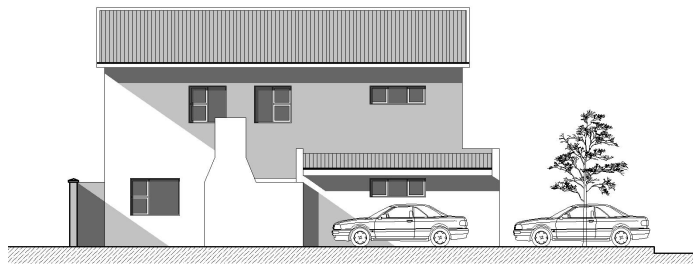
TYPE: B – Concept Side Elevation

3.1 Concept Design - Elevations (3):

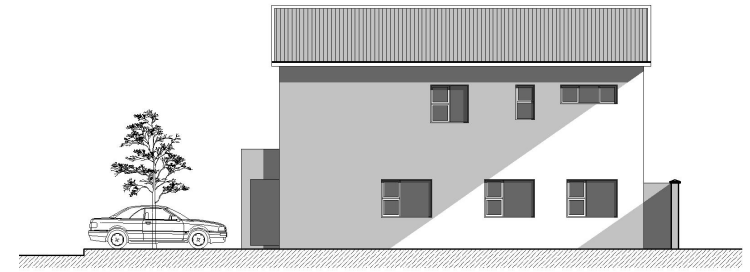
3.1.3 Type C1 & C2 (Different Layouts with different cable and hip roof options):



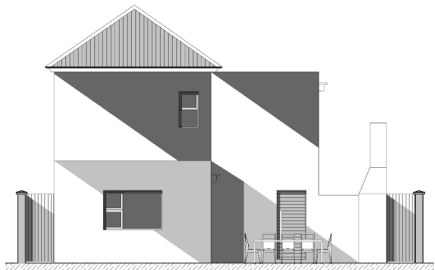
TYPE: C1 – Concept Back Elevation



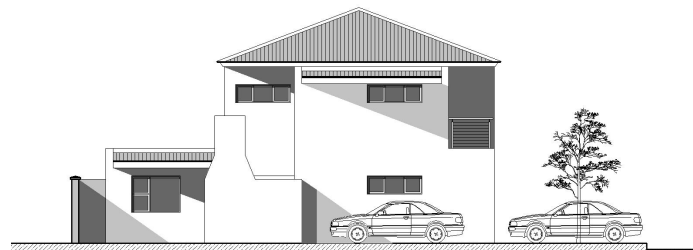
TYPE: C1 – Concept Side Elevation



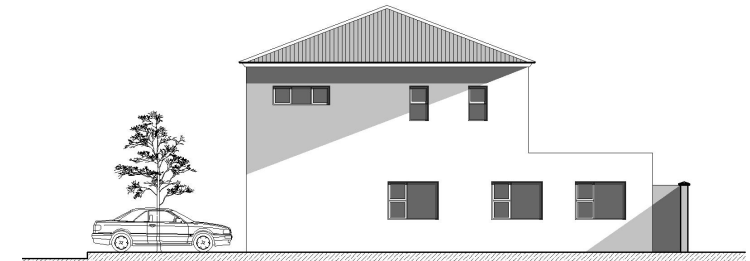
TYPE: C1 – Concept Side Elevation



TYPE: C2 – Concept Back Elevation



TYPE: C2 – Concept Side Elevation



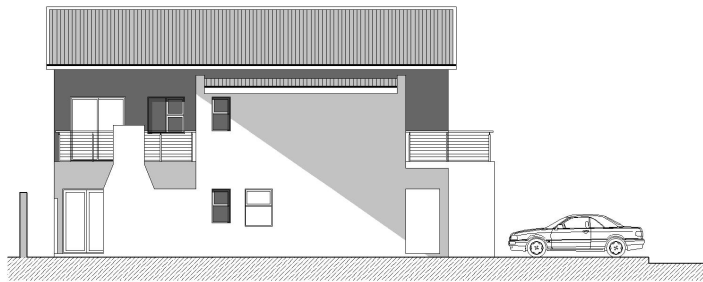
TYPE: C2 – Concept Side Elevation

3.1 Concept Design - Elevations (4):

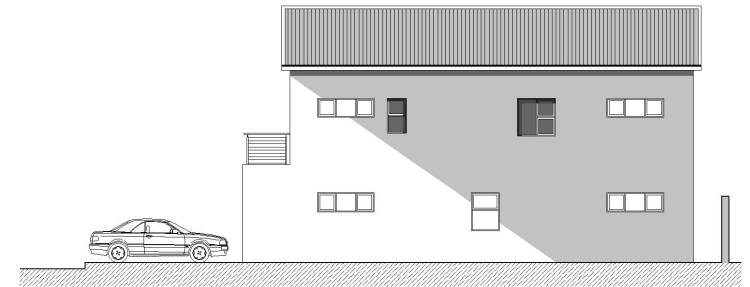
3.1.4 Type D:



TYPE: D – Concept Back Elevation



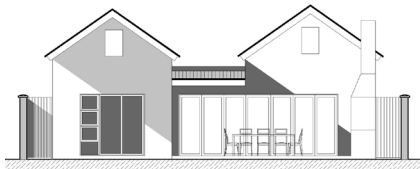
TYPE: D – Concept Side Elevation



TYPE: D – Concept Side Elevation

3.1 Concept Design - Elevations (5):

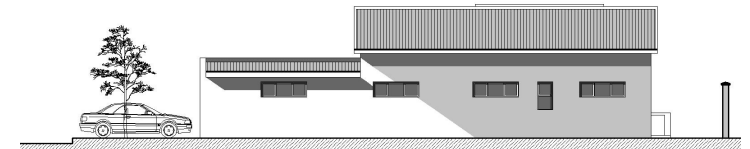
3.1.5 Type E1 & E2 (Different cable roof options):



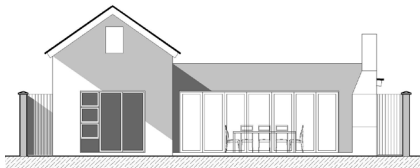
TYPE: E1 – Concept Back Elevation



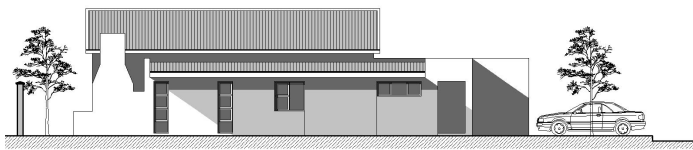
TYPE: E1 – Concept Side Elevation



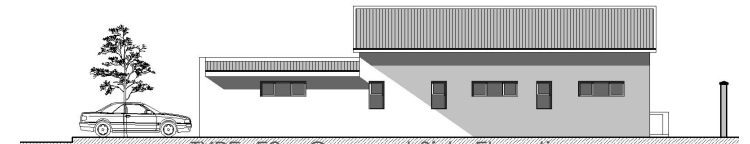
TYPE: E1 – Concept Side Elevation



TYPE: E2 – Concept Back Elevation



TYPE: E2 – Concept Side Elevation



TYPE: E2 – Concept Side Elevation

3.2 Design Manual (1):

Statement of architectural principles and style

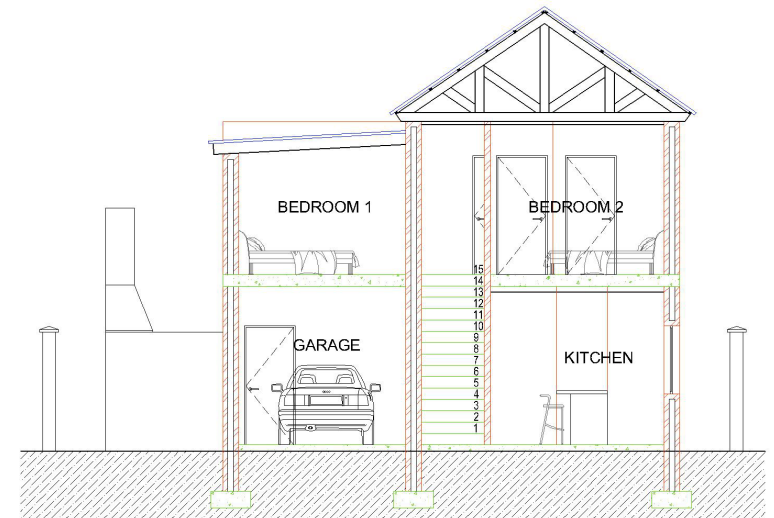
3.2.1: Typical elements:

- The purpose of this manual is to serve as a guideline in identifying certain elements.
- Smooth plastered walls painted as per approved spec/ sample with style bound relevant copings and plaster details, anodized/powder coated aluminium framed (colour as per approved spec/ sample) windows and doors, hard wood pergola structures are typical characteristics of the style.
- Foot paths and landscaping are provided by the developer on open space areas.

General design principles- major elements

3.2.2: Roofs:

- Roofs shall be double pitched and coincide with major plan elements. The roof pitch shall be symmetrical about the ridges and have a slope between 15 and 45 degrees. Roofs less than 15 degrees shall be behind Parapets, which are extensions of main walls (lean too). Flat roofs are permitted only when parapet walls become the main decorative feature. No concrete roofs and other flat roofs will be permitted. If there are roofs not concealed behind parapets it shall be corrugated sheet metal roof covering colour charcoal or approved spec/ sample.



3.2 Design Manual (2):

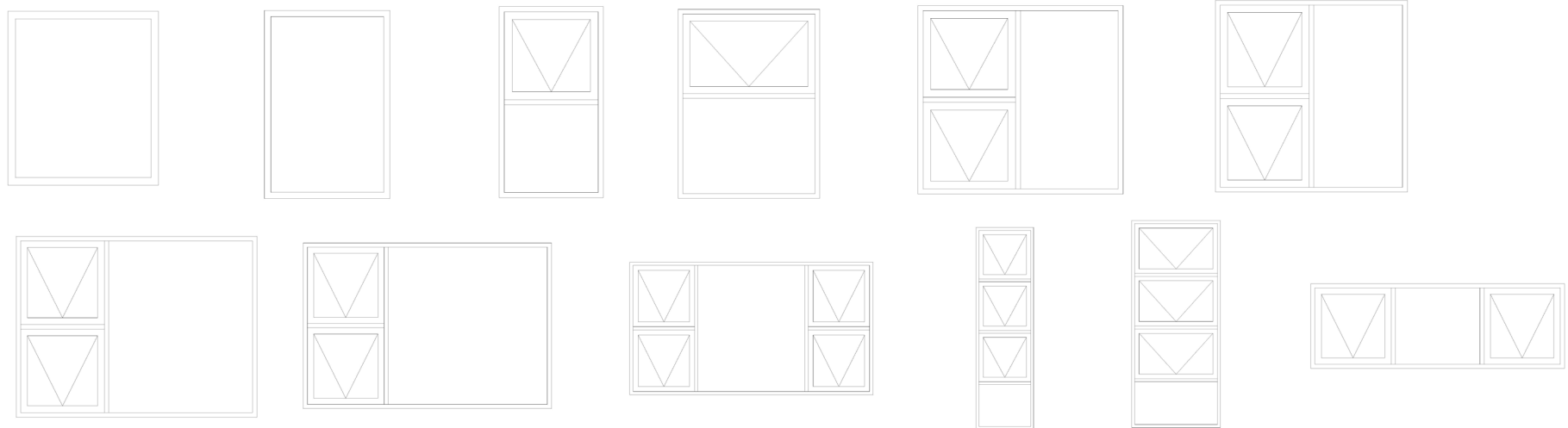
3.2.3: Walls:

- All houses will be constructed in brick and no roughcast concrete, concrete blocks and so-called innovative building concepts will be allowed.
- Walls shall be:
 - Flushed joined brick work with smooth or approved plaster colour white.
 - Style bound smooth plastered copings and plaster details. Bagged plaster to stone walls, colour as per approved spec/ sample.
 - Limited natural stone cladding will be allowed but not necessarily a standard feature.

3.2 Design Manual (3):

3.2.3: Windows:

- Position and proportions of the windows are important and careful consideration to the application should be given. Windows shall at least be square or have vertical/ horizontal proportion as per relevant style as indicated on sketches in this manual. (see below). The use of sash windows will be encouraged. Hard wood louvers to form part of an additional option to be considered. The use of winblocks, free from styles, mirror glazed and coloured glass will not be permitted.
- Windows will be made of anodized/powder coated aluminium framed (colour as per approved spec/ sample) . Steel and other materials such as concrete and PVC will not be permitted.
- External burglar bars are not permitted.

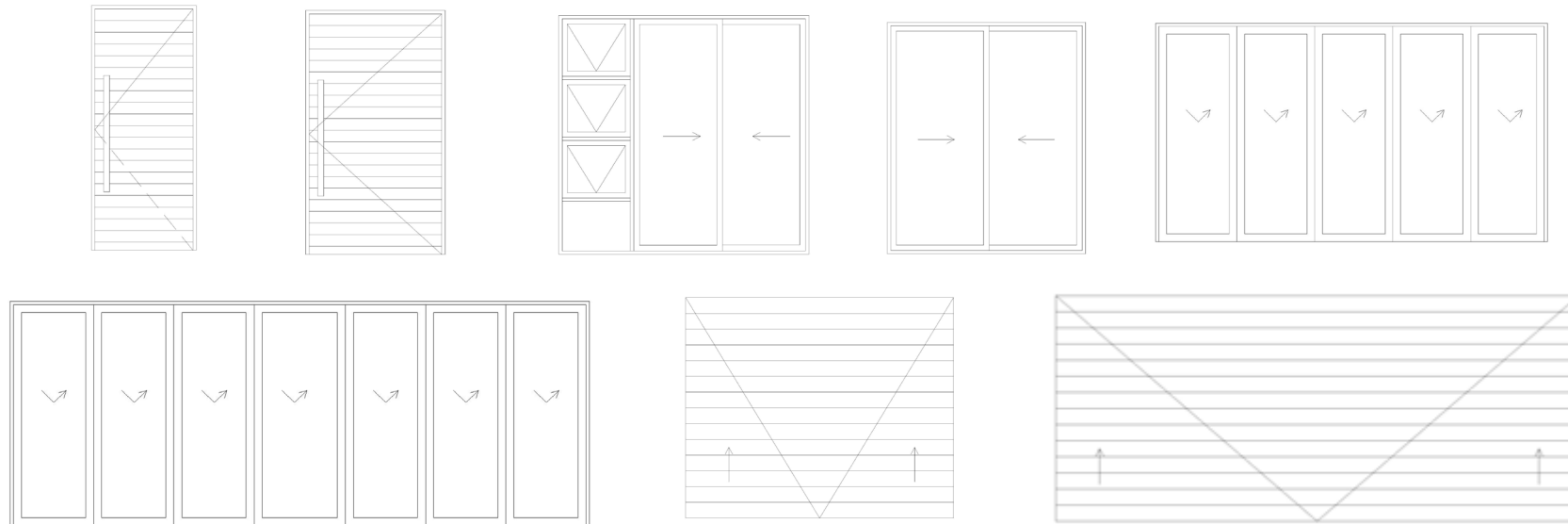


If aluminium windows are to be used it must have a full pane configuration. (see figure 11)

3.2 Design Manual (4):

3.2.4: Doors: Doors:

- Will be constructed of anodized/powder coated aluminium framed (colour as per approved spec/ sample) or similar approved with glazing as per relevant styles. In the case of glazed doors, the vertical styles will not be less than 100mm wide. Sliding and stacking doors to be the same as glazed doors. Refer to attached elevation perspectives and sketches in this manual.
- Garage doors will be constructed in the same material as windows with the horizontal slatted pattern.
- No trellidor type expanding security doors will be permitted externally.

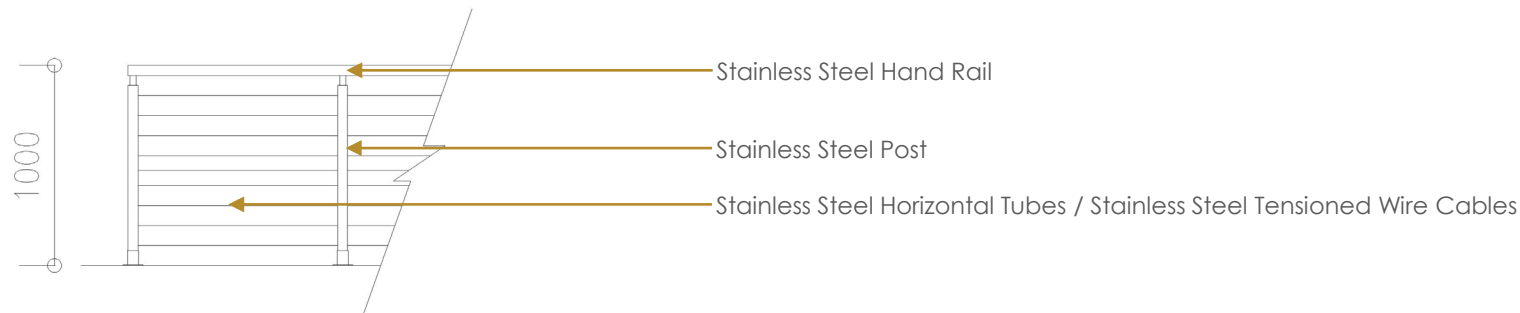


If aluminium doors are to be used it must have a full pane configuration. (see figure 13 above)

3.2 Design Manual (5):

3.2.5: External balustrades:

- A combination of steel with hard wood grab rails will be permitted. Solid panelling in glass, metal or other sheet products will not be permitted. The design of all entrance balustrading and hand railing to be approved by the Building Committee. (see figure below)



Typical Balustrade Elevation

3.2.6: Paving:

- Only cobble pavers will be used and must match and compliment surrounding paving on sidewalks and internal roads by the developer. No concrete interlocking pavers will be permitted in public sight but will be considered inside/ back of the property.

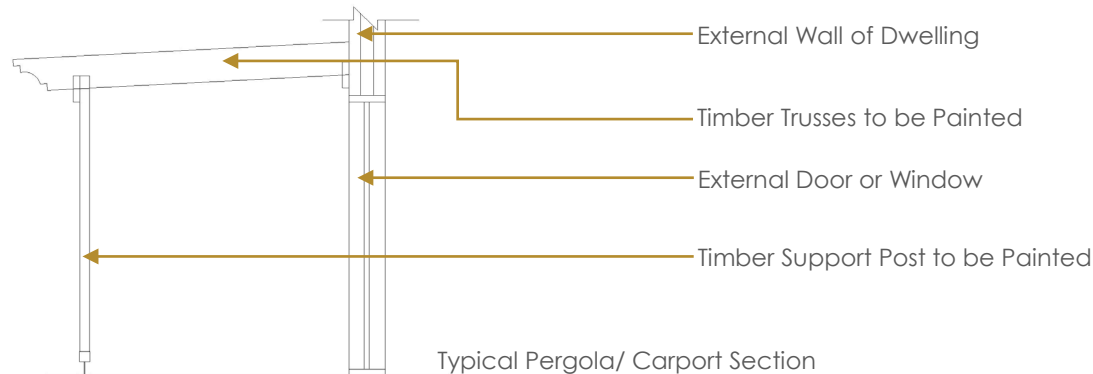
3.2.7: Porches, verandas and pergolas:

- Porches and pergolas to be constructed of hard wood and must form part and match style of house. Porches to open out on and face street façade. Not polycarbonate sheeting or similar lean-to structures will be permitted.

3.2 Design Manual (6):

3.2.8: Carports:

- Carports will be of similar material and construction as per pergolas and must blend in with the specific style of the house. Columns to be smooth plaster colour white ditto house wall finish.
- No curved carports made of shade netting or other screen cloth and no lean-to structures will be permitted.



3.2.9: Boundary walls and fences:

All boundary walls will be constructed in brick and or concrete blocks and no so-called innovative building concepts will be allowed.

Boundary walls shall be:

- Flush jointed brick work with smooth plaster or approved bagging colour white.
- Smooth plastered copings and plaster details colour white.
- Pre-cast boundary walls will not be permitted.

3.2 Design Manual (7):

3.2.10: Swimming pools:

- Any swimming pool to be constructed to the specifications of the Building Committee which include the following:
- Composition of the construction material thoroughly tested and accepted by the industry for such construction.
- Fencing of a pool area on the street frontage must be in harmony with the architectural design of the dwelling. No typical sparrred steel swimming fencing will be permitted.
- Any pool area accessible from public areas must be provided with a childproof gate.

3.2.11: Gutters and waterspouts:

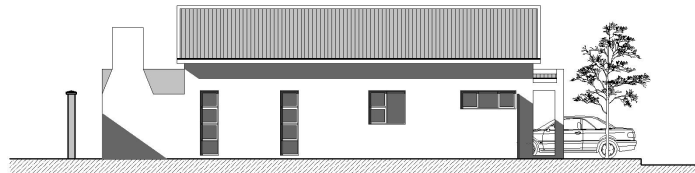
- PVC and aluminium will be permitted no fibre cement gutters, down pipes or waterspouts will be allowed.

3.2 Design Layouts (8):

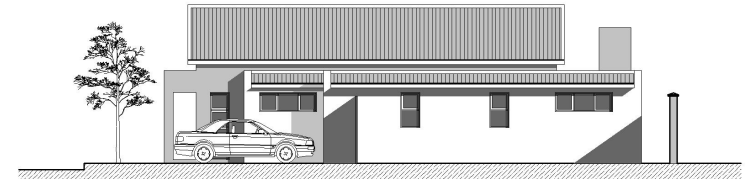
Type A1 & A2 (Different cable roof options):



TYPE: A1 – Concept Back Elevation



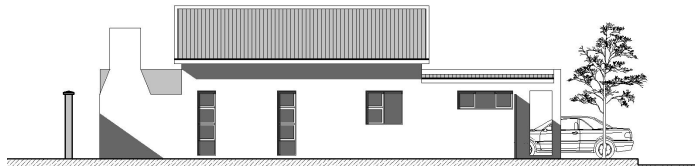
TYPE: A1 – Concept Side Elevation



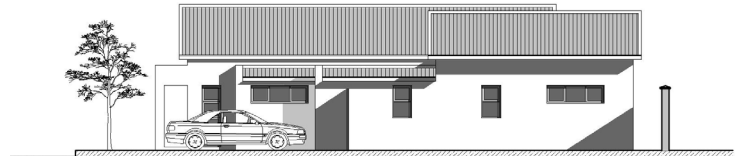
TYPE: A1 – Concept Side Elevation



TYPE: A2 – Concept Back Elevation



TYPE: A2 – Concept Side Elevation



TYPE: A2 – Concept Side Elevation

Type B:

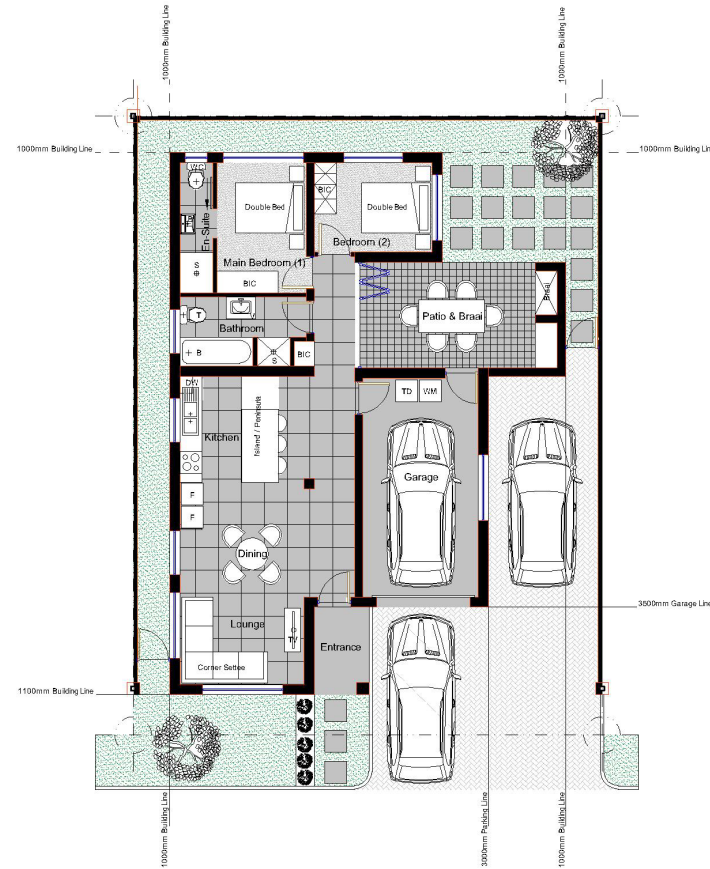
Street: 1,0m

Common Sides: 1m

Common Back: 1m

Garage: 3.5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m

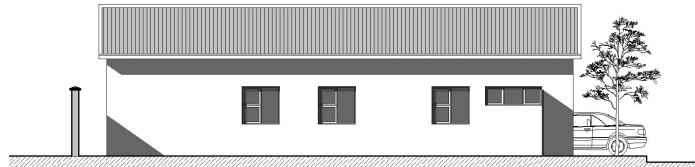


TYPE: B - Ground Floor Layout

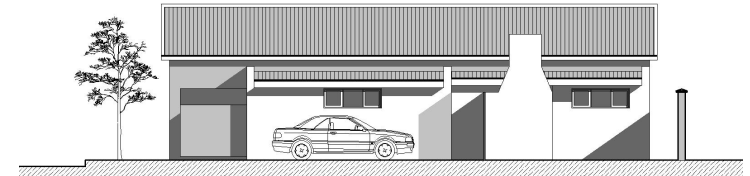
Type B:



TYPE: B – Concept Back Elevation



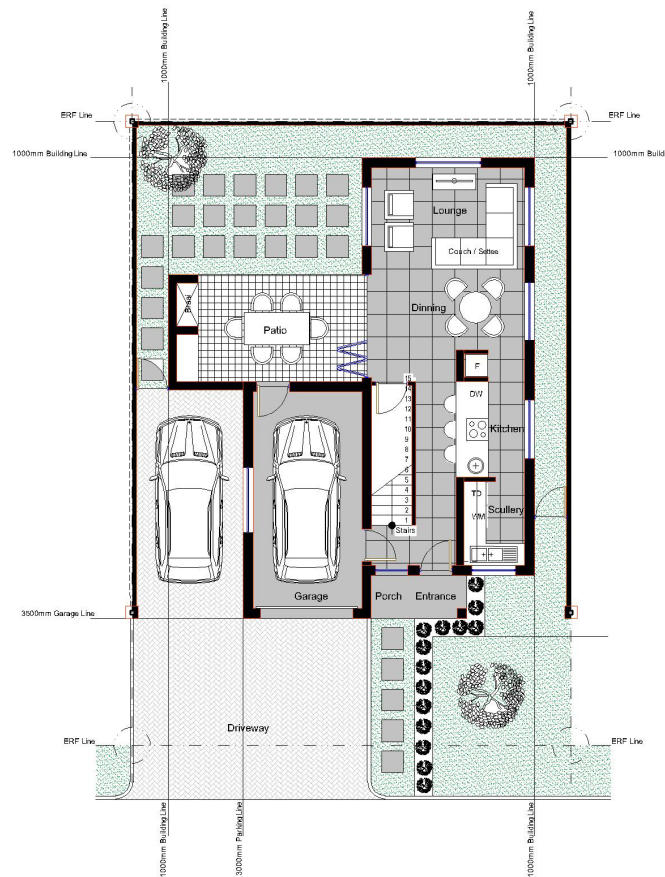
TYPE: B – Concept Side Elevation



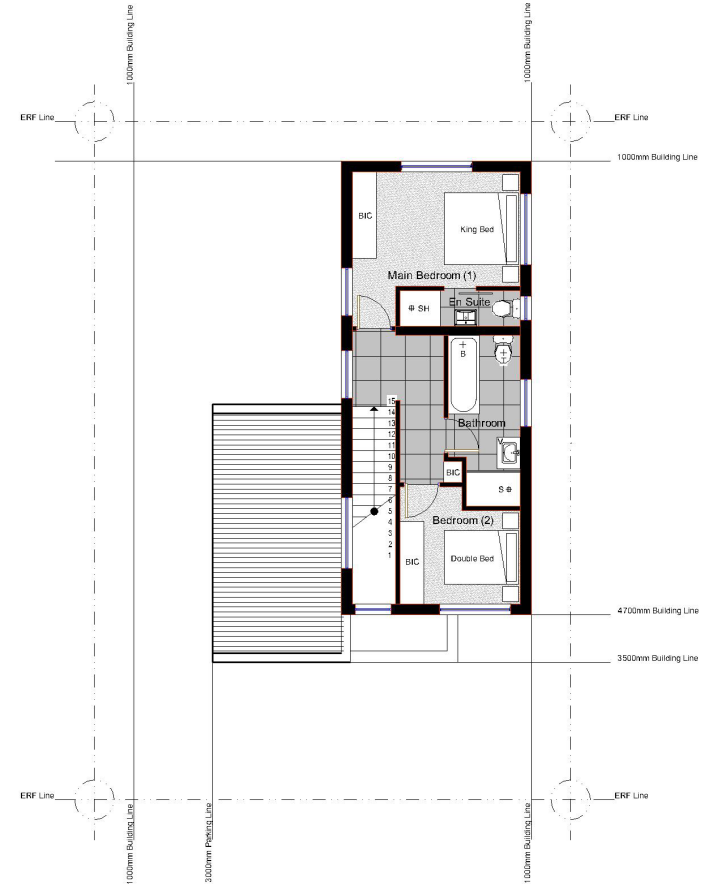
TYPE: B – Concept Side Elevation

Type C:

Street: 1m
 Common Sides: 1m
 Common Back: 1m
 Garage: 3.5m
 Parking: 1.5m (Public) + 3.5m (Garage Line) = 5m

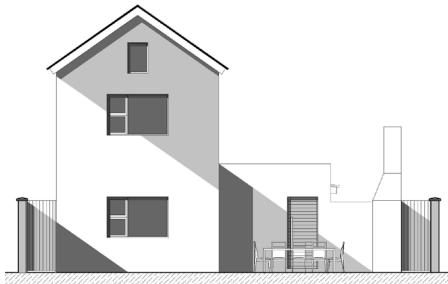


TYPE: C - Ground Floor Layout

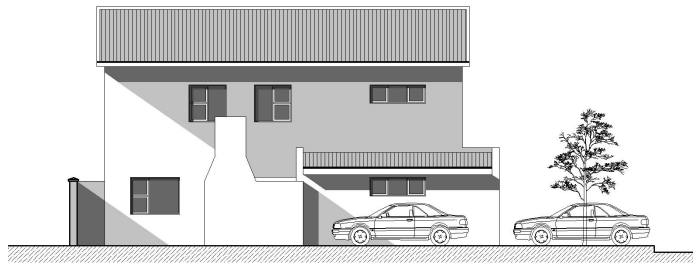


TYPE: C - First Floor Layout

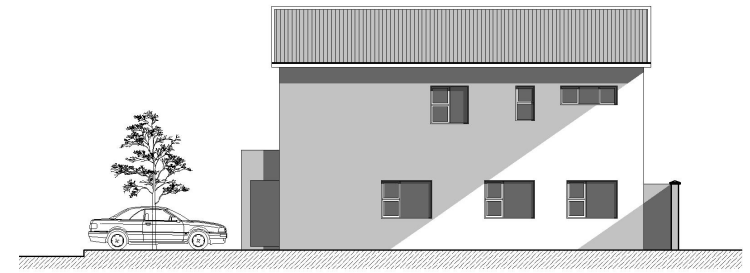
Type C1 & C2 (Different Layouts with different cable and hip roof options):



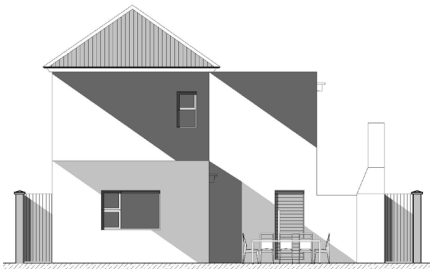
TYPE: C1 – Concept Back Elevation



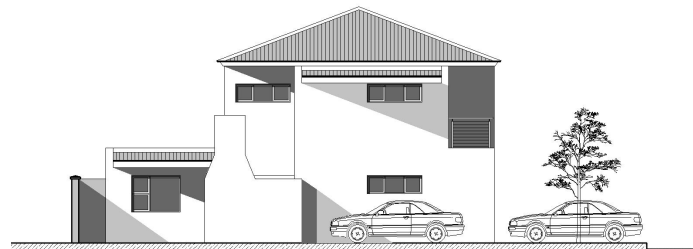
TYPE: C1 – Concept Side Elevation



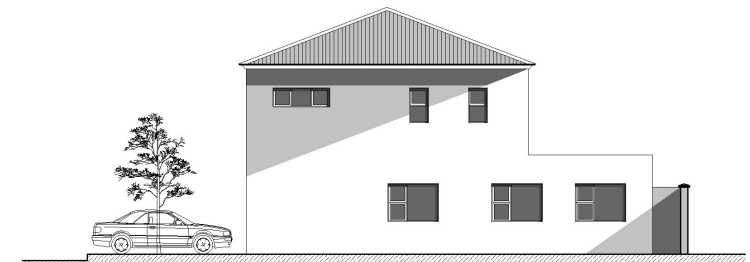
TYPE: C1 – Concept Side Elevation



TYPE: C2 – Concept Back Elevation



TYPE: C2 – Concept Side Elevation



TYPE: C2 – Concept Side Elevation

Type D:

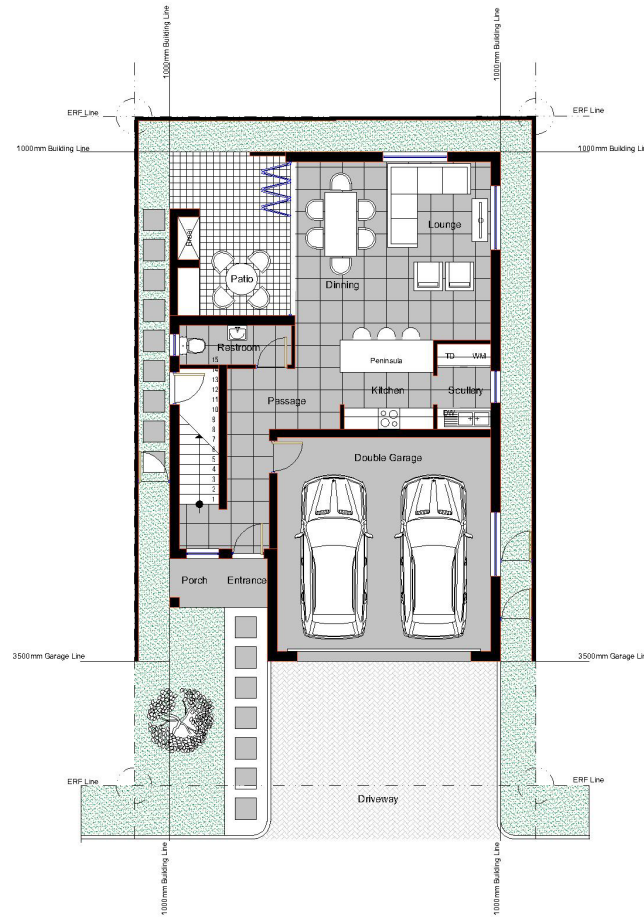
Street: 3,5m

Common Sides: 1m

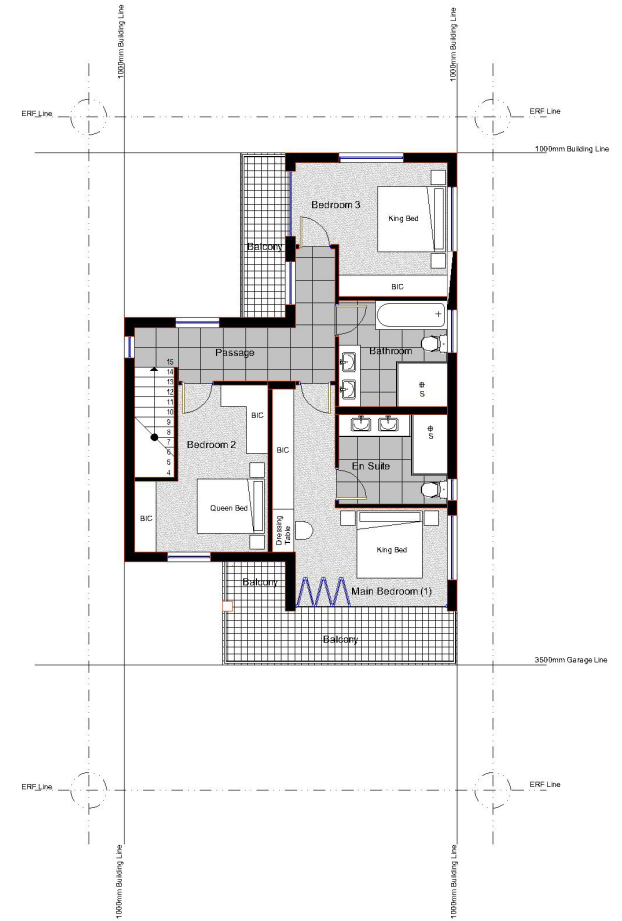
Common Back: 1m

Garage: 3,5m

Parking: 1,5m (Public) + 3,5m (Garage Line) = 5m

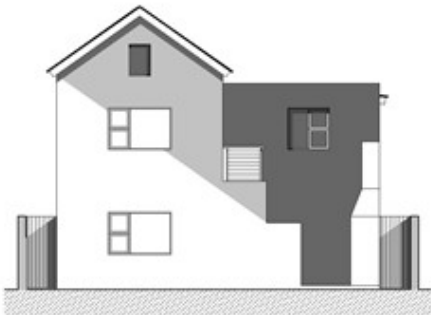


TYPE: D - Ground Floor Layout

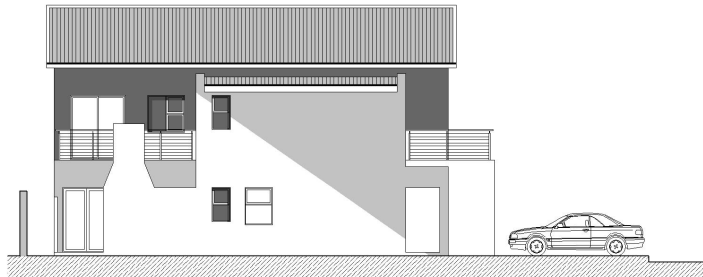


TYPE: D - First Floor Layout

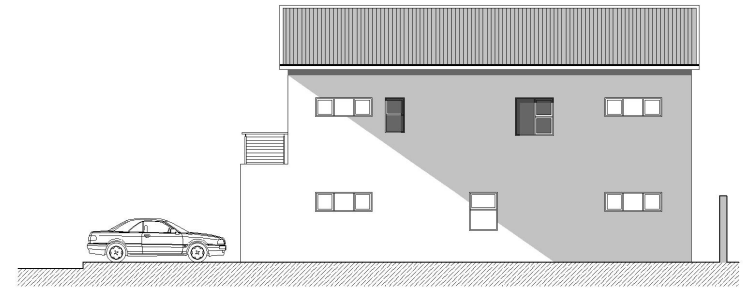
Type D:



TYPE: D – Concept Back Elevation



TYPE: D – Concept Side Elevation



TYPE: D – Concept Side Elevation

Type E:

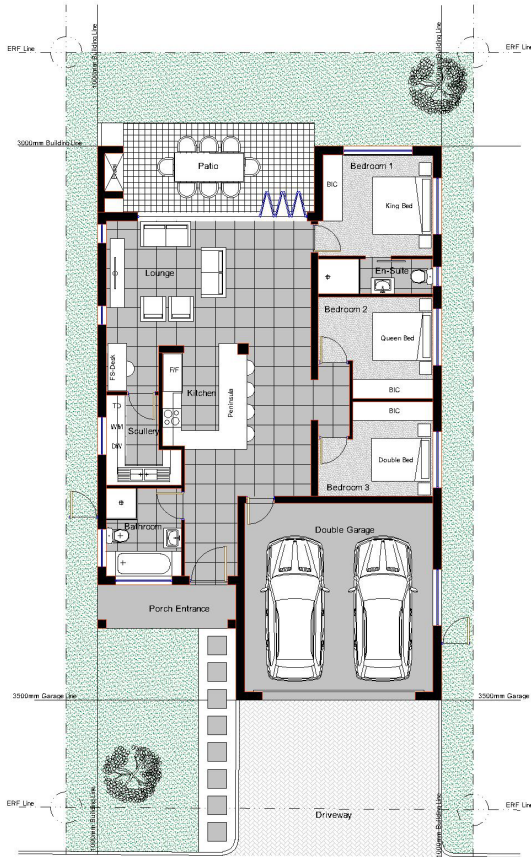
Street: 3,5m

Common Sides: 1m

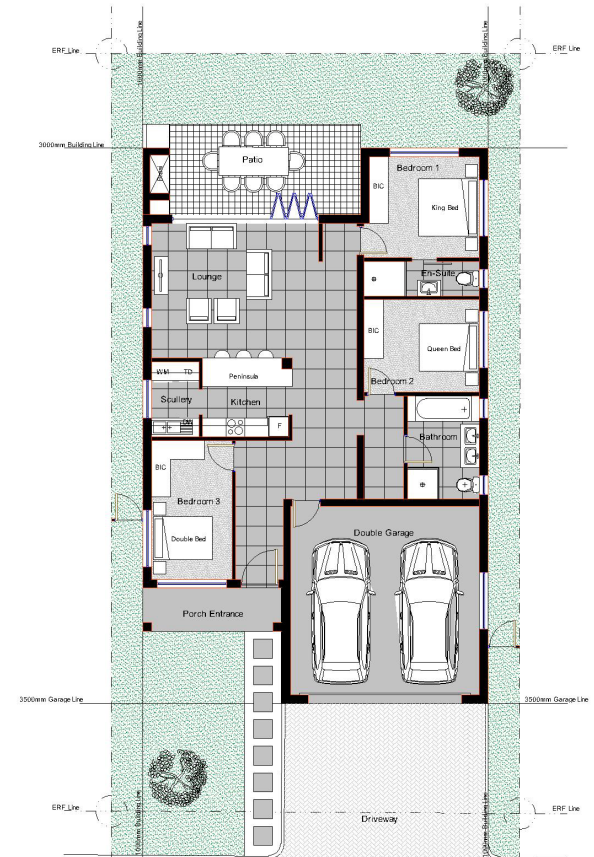
Common Back: 3m

Garage: 3.5m

Parking: 1.5m (Public) + 3,5m (Garage Line) = 5m



TYPE: E1 - Ground Floor Layout



TYPE: E2 - Ground Floor Layout

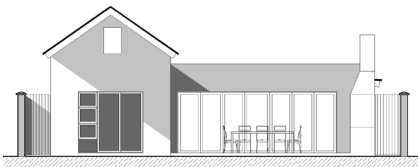
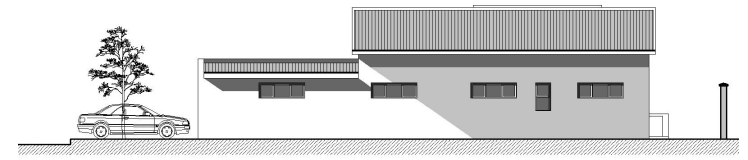
Type E1 & E2 (Different cable roof options):



TYPE: E1 – Concept Back Elevation



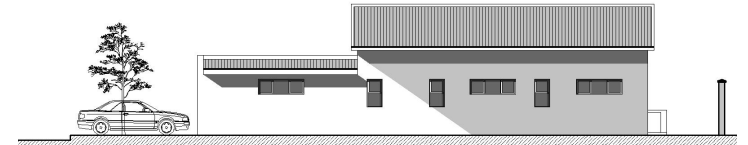
TYPE: E1 – Concept Side Elevation



TYPE: E2 – Concept Back Elevation



TYPE: E2 – Concept Side Elevation



TYPE: E2 – Concept Side Elevation

Prior and post Submission: (1)

The following must be adhered to before building plans will be considered for inspection:

4.1: Scrutiny Fees:

A plan scrutiny fee is payable on submission of plans to the appointed consulting architectural firm.

4.2: Performance Deposit:

A building performance deposit to the value of 1% (one percent) of the value of the building contract must be paid to the HOA and before construction commences and it will be held in trust (interest free) by the HOA.

4.3: Making Good:

The deposit amount will be used in the event of a breach of non-performance to remove rubble or make good any damage caused by the contractor or his sub-contractors or suppliers, including kerbing, landscaping, community services, roads, irrigation etc. and for any outstanding spot fines.

4.4: Occupancy:

The building performance deposit shall be released by the HOA subject to the submission to the architect and Local Authority's Certificate of Completion and Occupancy and shall only be refunded within 14 days once all of the above documents are correctly completed and submitted. The HOA is not to release the deposit without the approval stamp and signature of the HOA Architectural Consultant.

4.5: Record Keeping:

All plans necessary for Council approval must be submitted together with an extra rendered paper copy to be kept for record purposed by the HOA. Plan approval fees, is for the owners own account.

Prior and post Submission: (2)

4.6: The following items must be clearly shown on the plans:

- A fully coloured in site plan, plans and elevations.
- Area of dwelling including patios and outbuildings.
- Coverage (%).
- Correct building lines.
- All external finishes including colour specifications.
If colours and material/finished are not available for submission, a full colour palette to be submitted to the HOA prior to ordering of any relevant materials or finishes.
- Boundary wall/fence details including elevations.
- Drainage layout and how it will be concealed where visible to the roads.
- Position of the driveway and all paving on street facing sides of the property.

During Submission: (1)

The procedure is for both new plans and plans for the amendment or alterations to existing houses and structures. The Building Committee is comprised of two Trustees from the H.O.A. and the Controlling Architect who is responsible for the approval and signing-off of the plans. The Managing Agent to ensure fluent communication and an orderly system of documentation.

4.7: Notification:

A written notification must be submitted to the Managing Agent in order to register the intent. A short description and accompanying sketch to be included for initial evaluation.

4.8: Managing Agent:

The Managing Agent to acknowledge receipt and convene a meeting with the Building Committee within a period of 14 days in order to discuss and evaluate the proposal. The Controlling Architect to issue and document recommendations if necessary. The Managing Agent to notify the Home Owner/Applicant.

4.9: Home Owner:

The Home Owner/Applicant to submit complete drawings together with the prescribed Evaluation Fee to the Managing Agent for consideration by The Building Committee. Written notification of approval or revision will be issued by the Managing Agent to the Home Owner/Applicant within 14 days of receipt of the plans.

4.10: Revisions:

Any revision to be submitted together with a prescribed Revision Fee. The same procedure to be followed as with point 4.9 above.

During Submission: (2)

4.11: Approval:

On approval the Home Owner/Applicant will submit the Municipal Submission Plans to the Managing Agent. The Controlling Architect must sign all copies within 7 days. On collection by the Home Owner/Applicant or Representative, the Managing Agent to retain one copy on file.

4.12: Copies:

The Home Owner/Applicant to ensure that the Managing Agent receive a copy of the approved Municipal Plans for record keeping and future reference.

4.13: Changes:

Any changes or revisions of the approved plans are subjected to the submission procedure as detailed above. This will be for both cases during and after construction or completion.

4.14: Building Committee:

Should the Home Owner wish to erect, add or place any structure or item not required by the Municipal By-Laws as prerequisite for a building plan approval, an application must be submitted for approval by the Building Committee. This pertains to the following:

TV Antennas.

Air Conditioning units.

Garden structures and pergolas visible from the common area.

Security gates and garden fencing.

Security lighting and other items that might cause a disturbance to neighbours and other owners.

5.1 Intention of building rules:

- The objective of erf 1772, Stanford is the provision of a high quality lifestyle for residents, and the intention of these rules is for the protection of this lifestyle. The rules have been established in terms of the Constitution of erf 1772, Stanford HOA and are binding upon all Owners and Occupants of the Estate, as is any decision taken by the Trustees in interpreting these rules.
- The Registered Owners of the properties are responsible for ensuring that members of their families, tenants, friends, visitors, employees and contractors abide by these rules. These rules, as outlined below, must form part of the contractor's agreement.

5.2: Building Rules

5.2.1: No construction will be allowed without approved municipal plans.

5.2.2: Prior to construction, a builder's deposit (defined in the Constitution) is payable to the Managing Agent. This deposit is calculated at one percent (1,0%) of the contract value. The builders deposit will be released after final building completion and on final inspection of the pavement, roads, kerbs and structures adjacent to the stand.

5.2.3: Repair of any broken kerbs and changes as a result of the construction of driveways is the responsibility of the Home Owner and must be done to the satisfaction of the Building Committee.

5.2.4: Both the Home Owner and the Contractor are to sign this Development and Design Manual as well as the Estate Rules which will form part of the Contractors Agreement as referred to in the Constitution.

5.2.5: The Contractor will provide the Security Co-ordinator with a list of all sub-contractors and their employees who will need access authorization during the construction period.

5.2.6: All existing foundations and structures to be protected.

5.2.7: A temporary shed or container for materials and supplies may be used during the construction period, provided that it is immediately removed from the property on completion of the house. The placing and position of the structure to be approved by the Building Committee. The said store must also be approved by the Building Committee.

5.2.8: The Contractor to ensure at all times that reasonable measures are taken to prevent dust, noise effluent or waste pollution that may affect the adjacent properties.

5.2.9: A site toilet for the contractors must be provided for the building site and a service agreement must be provided to the Managing Agent. Under no circumstances will this toilet be linked to the internal sewer system.

5.2.10: Each Owner to ensure that all reasonable measures are taken to prevent damage to roads or pavements through any act or omission of the contractor on site. The size of trucks is to be limited as far as possible. Special arrangements to be made with the delivery of bulk concrete so that access and movement can be monitored in order to record damages. Any damages will be recovered directly from the owner and the Building Deposit will be retained for the purpose as set out above.

5.2.11: The Owner will also be responsible for any damages to plants on the sidewalks and other common areas, also including damage to Estate or other private property.

5.2.12: Construction activity is only allowed during the following hours:

08h00 to 17h00 on normal weekdays

No work on Saturdays

No work on Sundays and Public Holidays

5.2.13: Any overtime or work to be done outside the working hours need to be approved by the Building Committee.

5.2.14: Construction should not be interrupted for periods exceeding 10 (Ten) working days except for the prescribed statutory builder's holidays.

5.2.15: The construction period should not exceed 12 months and will be regulated as set out in the Constitution.

5.2.16: All Construction Signs must be removed from the stand within one week of completion of building activities.

5.2.17: All rubble and excess building materials must be removed from the stand within 2 weeks of completion of building activities. Failure to do so will result in having the HOA to do so for costs to the Home Owner.

6.1: This document is to be read in conjunction with:

- The Constitution of erf 1772, Stanford, Homeowners Association.
- The Regulations and Code of Conduct Governing "Building Contractor Activity".

6.2: This document is considered supplementary and does not take precedence over:

- Any claims in the sales agreement.
- Any statutory requirements.

6.3: The HOA:

- in evaluating the aesthetics of submissions will not take responsibility for technical, structural, health and safety standards or for non-compliance with any statutory requirements.

6.4: Final: Any decision by the HOA shall be final and binding on all parties.

6.5: Construction: The above document must be fully understood, and the contractor and owner undertake to comply with the above points, in addition to any further controls which may be instituted by the HOA of the developer from time to time in the form of a written notification and to ensure compliance by any subcontractors employed by the contractor, and any suppliers to wither contractors, subcontractors or owners.

6.6: Rental/ Renting: In the case where the property is sold or leased, the seller or lessor must ensure that the buyer or lessee receives a copy of these guidelines and that is binding on the buyer or lessee.

6.7 Compliance: These guidelines do not absolve the house owner from complying with the National Building Regulations and the requirements of the Local Authority. Approval of the drawings by the HOA does not absolve the owner from complying with the standards set by the Architectural Guidelines.

This architectural guidelines, or any part thereof, as contained herein, shall not be repealed or amended, and no new guidelines shall be made, save by a special resolution adopted at an Annual General Meeting or Special Meeting of the Members. Where any amendment or repealing affects the Council's interest, the Council needs to approve such an alteration to be effective and binding.



ANNEXURE D: HOMEOWNERS ASSOCIATION'S CONSTITUTION

CONSTITUTION

OF

ERF 1772 STANFORD

HOMEOWNERS' ASSOCIATION

**A statutory Homeowners' Association established
in terms of Section 31 of the Overstrand
Municipality By-Law on Municipal Land Use Planning
2015, as amended**

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1. PRELIMINARY

The rules contained herein shall not be added to, amended or repealed without the written approval of the local authority.

2. INTERPRETATION

2.1 The following words shall, unless the context requires, have the meanings hereinafter assigned to them:

"Auditors" means the Auditors of the Association

"a Trustee" means one of the Trustees of the Trustee Committee

"Business Day" means weekdays other than Saturdays, Sundays and Public Holidays

"Chairman" means the Chairman of the Trustee Committee

"Common property" means erven not utilized as residential erven, including open spaces and roads on which the Homeowners' Association shall not raise any levy payments

"erf" – the same as "the Erven" -

"in writing" means written, printed or lithographed, or partly one and partly another, and other modes of representing or producing words in a visible form

"month" means calendar month

"Ordinary Resolution" means a resolution passed at a general meeting of the Association

"Private Services" means all internal services including roads, open spaces and internal water, sewer, electrical and stormwater reticulations, as well as all security services.

"Special Resolution" means a resolution passed at a special general meeting of which no less than 21 clear days' notice has been given specifying the intention to propose the resolution as a special resolution, the terms and effect of the resolution and the reasons for it, and passed, by show of hands, of no less than three-fourths of the total number of members present at that meeting who, at a minimum, form a quorum for a general meeting

"the Association" means Erf 1772 Stanford Homeowners' Association

"the Council" means Overstrand Municipality

"the Developer" means the registered owner of the land upon which homes are to be erected

"the Development" means any development by the developer or his nominee within the Estate regarding construction (or infrastructure)

"the Estate" means the sum of all the erven known as Erf 1772 Stanford

"the Office" means the registered office of the Association

"these present" means this Constitution and regulations and by-laws of the Association in force from time to time

"the Registered Owner" means the Member(s), for the time being, of the Association

"the Trustee Committee" means the Board of Trustees of the Association

"the Erven" means the residential erven resulting from the subdivision of Erf 1772 Stanford

"Vice-Chairman" means the Vice-Chairman of the Trustee Committee

"year" means calendar year

2.2 Unless the context otherwise requires, any words importing the singular number only shall include the plural number, and vice versa and words importing any one gender only shall include the other gender.

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3. PURPOSE DESCRIBING THE MAIN BUSINESS

The main business of the Association is to carry on the promotion, advancement and protection of this Homeowners' Association. The Homeowners' Association becomes liable for all management, service and maintenance costs of the estate from the date that the first erf is registered in an owner's name.

4. MAIN OBJECTIVES

In accordance with the provisions of Section 31 of the By-Law, the main objects of the Association are:

- 4.1 the care, and control of the Private Services;
- 4.2 the design of buildings;
- 4.3 the improvement of the private services erected on erven;
- 4.4 the promotion, advancement and protection of the communal and group interest of the Members generally;
- 4.5 the promotion, advancement and protection of the area, suburb and neighbourhood in accordance with the conditions of approval.
- 4.6 without limiting the generality of the foregoing:
 - 4.6.1 all maintenance, servicing and repairs to the private services shall be the responsibility of the Association;
 - 4.6.2 to enforce the conditions of approval and management plans.
- 4.7 the promotion, advancement and protection of the communal and group interests of the Members in general.
- 4.8 to regulate the aesthetic appearance, colour scheme, design and maintenance of the houses erected on an erf and to request of owners to comply where applicable (such as painting their property or mowing their lawns)
- 4.9 to regulate the behaviour of the occupants of the estate by way of House Rules and monetary fines should it be necessary.

5. FINANCIAL YEAR END

The financial year end of the Association is the end of February.

6. MEMBERSHIP

- 6.1 Membership of the Association shall be compulsory for every registered owner of an erf.
- 6.2 Such membership shall commence simultaneously with the transfer of the erf into the name of the Transferee;
- 6.3 Membership of the Association shall be limited to the registered owners of the erven provided that:
 - 6.3.1 a person who is entitled to obtain a certificate of registered title to any such erf shall be deemed to be the registered owner thereof;
 - 6.3.2 where any such owner is more than one person, all the registered owners of that erf shall be deemed jointly to

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- be one Member of the Association;
- 6.3.3 where any person is the Registered Owner of more than one erf, such person shall be regarded to be a Member and shall have the rights and obligations of a Member in respect of each of the Erven registered in the person's name, it being recorded that the provisions of this clause shall also apply to the Developer whilst it is the registered owner of an erf or erven, subject to para 31 hereof;
- 6.4 When a member ceases to be the registered owner of an erf, he shall ipso facto cease to be a member of the Association;
- 6.5 A Member shall not be entitled to:
- 6.5.1 sell or transfer an erf, unless it is a condition of the sale and transfer that:
- 6.5.1.1 the transferee becomes a Member of the Association;
- 6.5.1.2 the registration of transfer of that erf into the name of that transferee shall ipso facto constitute the transferee as a Member of the Association;
- 6.5.1.3 he first obtains the written consent of the Association, which consent shall be given provided the Purchaser of such erf agrees in writing to abide by the rules of the Constitution of the Association (where the developer gives transfer, written consent of the Association is not necessary);
- 6.5.2 erect any additional buildings and/or structures of any nature whatsoever, nor to make any alterations, modifications or renovations to such buildings and/or structures ("the proposed work") on his erf without the written approval of the Trustees, which approval shall only be given after -
- a) detailed plans of the proposed work have been submitted to the Trustees, or any person nominated by the Trustees (who may be an Architect, registered with the South African Council of Architects or the Institute of South African Architects); and
- b) the Trustees or their nominee is satisfied that the proposed work is in accordance with the character and style of the Estate and provided that part of the garden that is located in front of the front door of the home may not be enclosed with any form of walling, fencing or any other method to enclose the property (excluding corner erven) and no part of the building, garages excluded, may be closer than 1.0 meter from the boundary bordering onto the street from which the property receives its main access. All garages must be at least 3.5 m from the street boundary.
- c) the Member has made payment of any costs which may be incurred in obtaining this approval, including the costs of the Trustees or their nominee, such costs to be based on the recommended tariff of the Institute of South African Architects, for work of a similar nature.
- 6.5.3 park motor vehicles on the garden area in front of the property. Motor vehicles are restricted to the parking areas and driveways in front of the garages. The Trustees may grant permission for the extension of driveways, provided that the proposed extension on the applicant's property and its neighbour's does not constitute a violation of the fire regulations as laid down by the Overstrand Municipality and more specifically regarding screen walls to garages built on the boundary. If an extension shall have the effect of building a screen wall on the boundary in front of the garage, then such application shall not be granted.
- 6.6 The Registered Owner of an erf may not resign as a member of the Association.
- 6.7 The Trustee Committee may, by regulation, provide for the issue of a membership certificate, which certificate shall be in such form as may be prescribed by the Trustee Committee.
- 6.8 The rights and obligations of a Member shall not be transferable, and every Member shall:
- 6.8.1 to the best of his ability further the objectives and interests of the Association.
- 6.8.2 observe all by-laws and regulations instituted by the Association or the Trustee Committee.
- 6.8.3 be jointly liable with all the Members for all expenditure incurred in connection with the Association and approved at the annual meeting in accordance with this constitution. This condition may be altered only by a special general meeting;

provided that nothing contained in this Constitution shall prevent a Member from ceding his rights in terms of this Constitution as security to the Mortgagee of that Member's Erf.

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7. LEVIES

- 7.1 The Trustee Committee shall from time to time, impose levies upon the Members for the purpose of meeting all the expenses which the Association has incurred, or which the Trustee Committee reasonably anticipates the Association will require to cover all expenses necessary or reasonably incurred in connection with the management of the Association, and the Association's affairs in general, as set out in Par 4 hereof. In calculating levies, the Trustee Committee shall take into account income, if any, earned by the Association.
- 7.2 The Trustee Committee shall estimate the amount which shall be required by the Association to meet the expenses during each year, together with such estimated deficiency, if any, as shall result from the preceding year, and shall impose a levy upon the Member's, equal to, or as close as is reasonably practical to such estimated amount. The Trustee Committee may include in such levies an amount to be held in reserve to meet anticipated future expenditure not of an annual nature. Every such levy shall be made payable by equal monthly instalments due in advance on the first day of each and every succeeding month of such year.
- 7.3 The Trustee Committee, may from time to time, impose special levies upon the members in respect of all such expenses as are mentioned in 7.1 (which are not included in any estimate made in terms of 7.2), and such levies may be imposed in the sum or by such instalments and at such time or times as the Trustee Committee shall think fit. Subject to para 7.5.
- 7.4 Any amount due by a Member by way of a levy shall be a debt due by him to the Association. The obligation of a Member to pay a levy shall cease upon him ceasing to be a Member of the Association, without prejudice to the Association's right to recover levies that might be in arrears. No levies paid by a member shall under any circumstances be repayable by the Association upon him ceasing to be a member. A Member's successor in title to an erf shall be liable as from the date upon which he becomes a member pursuant to the transfer of the erf, to pay the levy attributable to that erf. No Member shall transfer his until the Association has certified that the Member has at the date of transfer, fulfilled all his financial obligations to the Association.
- 7.5 Notwithstanding the afore mentioned, the aggregate levy imposed in any year shall not exceed 15% of the previous years' levy without the sanction of a Special Resolution of the Association (and no members shall be entitled to unreasonably vote against a Resolution proposing an increase) provided that the aforesaid limit shall not apply if it shall have the effect of the Association being unable to fulfil its objectives in respect of expenditure for:
- 7.5.1 rates and taxes; and/or
 - 7.5.2 any other obligation assumed by it in terms of an agreement with the local authority,
 - 7.5.3 the upkeep of all the property transferred to itself or to be transferred to itself as well as the upkeep and maintenance of the Estates gardens, security internal private services such as roads, stormwater, electrical, sewerage and water, reticulation optical fibre technology should any of the aforementioned be applicable or any other services the Homeowners engaged into in terms of decisions taken at a special general homeowners' meeting.
- 7.6 No Member shall be entitled to any of the privileges of membership unless and until he has paid every subscription and other sum (if any) which shall be due and payable to the Association in respect of his membership thereof.
- 7.7 The Management Association shall, upon the application of a member or any person authorised by such member, certify in writing the -
- (a) amount determined as the contribution of that member;
 - (b) manner in which such contribution is payable;
 - (c) extent to which such contribution has been paid by that member; and
 - (d) amount of any rate paid by the management association and not recovered by it;
- 7.8 Each owner of an erf will make a contribution calculated as follows:
- $$\frac{\text{The total amount of the expenses}}{\text{Total number of erven registered at any given time}}$$
- This formula can be changed only in terms of a special general resolution by the members of the Homeowners' Association as defined hereunder in para 7.10.
- 7.9 The Homeowners' Association shall collect as a special levy from each owner when an erf is transferred from one person to another, 1% of the selling price or of the fair value of the erf transferred (calculated on the higher value). The Seller or his attorney shall furnish the Homeowners Association with an acceptable guarantee or undertaking for this special levy

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payable on transfer of the property to the transferee, before the Homeowners' Association shall issue its consent to such transfer.

This condition does not apply to transfers between spouses married according to the Laws of the Republic of South Africa.

This special levy may only be increased/decreased by a special general resolution of the members of the Homeowners' Association, as defined in para 7.10.

- 7.10 The special general resolutions referred to in para 7.8 and 7.9 shall be as reflected under the definition of special resolution. The quorum for such meeting will however be as stipulated in para 18.3.

8. CONTRACTS AND REGULATIONS

- 8.1 The Trustee Committee may from time to time -
- 8.1.1 implement regulations, governing inter alia
 - 8.1.1.1 the erection of any buildings and/or structures of any nature whatsoever, and the alteration, modification and renovation to such buildings and/or structures on erven, (which regulations may be incorporated in a development manual);
 - 8.1.1.2 matters mentioned in para 7.5 and
 - 8.1.1.3 matters mentioned in para 4 being the main objective of the Association.
 - 8.1.2 enter into agreement(s) with the Council on any other incidental matters.
- 8.2 Each Member undertakes to the Association that he shall comply with:
- 8.2.1 the provisions of this Constitution;
 - 8.2.2 any regulations made in terms of 8.1.
- 8.3 Should any Member:
- 8.3.1 fail to pay on due date any amount due by that Member in terms of this constitution or any regulation instituted thereunder and remain in default for more than 7 days after being notified in writing to do so by the Trustees; or
 - 8.3.2 commit any breach of any of the provisions of this Constitution or any regulation made thereunder and fail to commence remedying that breach within a period of 7 days after the receipt of written notice to that effect by the Trustees, and complete the remedying of such breach within a reasonable time, then and in either such event, the Trustees shall be entitled on behalf of the Association, without prejudice, to any other rights or remedies which the Trustees or the Association or any other Member may have in law, including the right to claim damages:
 - 8.3.2.1 to institute legal proceedings on behalf of the Association against such Member for payment of such overdue amount or for performance of his obligations in terms of this Constitution or any regulation made thereunder, as the case may be; or
 - 8.3.2.2 in the case of para 8.3.2 to remedy such breach and immediately recover the total cost incurred by the Trustees or the Association in so doing from such Member.
 - 8.3.3 Should the Trustees institute any legal proceedings against any Member pursuant to a breach by that Member of this Constitution or any regulation made thereunder, then without prejudice to any other rights which the Trustees or the Association or any other member may have in law, the Trustees shall be entitled to recover from such Member all legal costs incurred by the Trustees or the Association, including attorney/client charges, tracing fees and collection commission.
- 8.4 Without prejudice to any of the rights of the Trustees or the Association, granted under this Constitution, should any member fail to pay any amount due by that Member on due date, such member shall pay interest thereon at the publicly quoted prime rate of interest charged by the Association's bankers from time to time, and calculated from the due date for payment until the actual date of payment of such amount.

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9 CESSATION OF MEMBERSHIP

No member ceasing to be a Member of the Association for any reason shall have any claim upon or interest in the funds or other property of the Association, but this paragraph shall be without prejudice to the rights of the Association to claim from such member or his estate any subscriptions in arrears or other sums due from him to the Association at the time of him so ceasing to be a Member. This provision shall also apply to any such member's executor, curators, trustees or liquidators.

10 TRUSTEE COMMITTEE

10.1 There shall be a Board of the Trustees of the Association which shall consist of not less than ~~three~~ (3) and not more than six (6) elected Members.

10.2 A Trustee shall be a natural person. The Trustee Committee may consist of trustees that are Members and trustees that are not Members (non-Member Trustees). Only the following persons qualify to be non-Member Trustees:

10.2.1 The spouse of a Member, but only if such spouse is a resident and in such a case the Member is not eligible to be a Trustee;

10.2.2 The representative of a Trust, Company, Close Corporation that is a member and where that representative is a resident of the development.

10.3 The Trustee Committee shall have the right to appoint a Managing Agent and assign or cede any of its rights and duties in terms of this constitution.

The Developer shall have the right to appoint one Trustee to the Committee who shall have voting power as set out in Paragraph 31.

11 REMOVAL AND ROTATION OF TRUSTEE MEMBERS

11.1 Save as set forth in paragraph 25 below, each Trustee shall continue to hold office until the next annual General Meeting following his said appointment, at which meeting each trustee shall be deemed to have retired from office as such but shall be eligible for re-election to the Trustee Committee at such meeting.

11.2 A Trustee shall be deemed to have vacated his office as such upon:

11.2.1 his estate being sequestered, whether provisionally or finally, or his surrendering his estate;

11.2.2 him making any arrangement or compromise with his creditors;

11.2.3 his conviction of any offence involving dishonesty;

11.2.4 him becoming of unsound mind or being found mentally ill;

11.2.5 him resigning from such office in writing, and the notification delivered to the Secretary;

11.2.6 his death;

11.2.7 him being removed from office by a Special Resolution of the members;

11.2.8 his levies being in arrears for more than 30 (thirty) days and him failing to bring those up to date after having been given 7 (seven) days written notice to do so by the Trustee Committee;

provided that anything done in the capacity of a Trustee in good faith, by a person who ceases to be a Trustee, shall be valid until the fact that he is no longer a Trustee has been recorded in the Minute Book of the Trustee Committee.

11.3 Upon any vacancy occurring on the Trustee Committee prior to the next Annual General Meeting, the vacancy in question shall be filled by a person nominated by those remaining members of the Trustee Committee.

12 OFFICE OF TRUSTEES

12.1 The Trustees shall appoint from amongst themselves, a Chairman and Vice-Chairman.

12.2 The first Chairman, and Vice-Chairman, shall be appointed by the Developer, and such office bearers shall hold their respective offices until the First Annual General Meeting following the date of their appointment, provided that any such office shall ipso facto be vacated by the Trustee holding such office upon his ceasing to be a Trustee for any reason.

12.3 Within seven (7) days of such Annual General Meeting, the Trustee Committee shall meet and shall elect from its own number the Chairman and Vice-Chairman, who shall hold their respective offices until the Annual General Meeting held next after their said appointment, provided that the office of the Chairman or Vice-Chairman shall ipso facto be vacated by the Trustee holding such office upon his ceasing to be a Trustee for any reason. No one Trustee shall be appointed to more than one of the aforesaid offices at any time, and the Trustee Committee shall meet immediately to appoint one of their members as replacement to such office.

12.4 Save as otherwise provided in these presents, the Chairman shall preside at all meetings of the Trustee Committee, and all general meetings of Members, and shall perform all duties incidental to the office of Chairman and such other duties as may be prescribed

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by the Trustee Committee or of Members.

- 12.5 The Vice-Chairman shall assume the powers and duties of the Chairman in the absence of the Chairman, or his inability or refusal to act as Chairman, and shall perform such other duties as may from time to time be assigned to him by the Chairman or the Trustee Committee.
- 12.6 Trustees shall be entitled to be repaid all reasonable and bona fide expenses incurred by them respectively in or about the performance of their duties as Trustees and/or Chairman, Vice-Chairman, as the case may be, but save as aforesaid, shall not be entitled to any other remuneration fees or salary in respect of the performance of such duties, unless approved at a Special General Meeting.

13 FUNCTIONS AND POWERS OF THE TRUSTEE COMMITTEE

- 13.1 Subject to the express provisions of these presents, the Trustee Committee shall manage and control the business and affairs of the Association, shall have full powers in the management and direction of such business and affairs and, save as may be expressly provided in these presents, may exercise all such powers of the Association, and perform all such acts on behalf of the Association as may be exercised by the Association in a general meeting, subject nevertheless to such regulations as may be prescribed by the Association in a general meeting from time to time, and provided that no regulation instituted by the Association in a general meeting shall invalidate any prior act of the Trustee Committee which would have been valid if such regulation had not been instituted.
- 13.2 The Trustee Committee shall have the right to vary, conceal or modify any of its decisions and resolutions from time to time but not decisions adopted by its members at a general or special general meeting.
- 13.3 The Trustee Committee shall have the right to co-opt onto the Trustee Committee any Member or Members chosen by it. A co-opted Trustee shall enjoy all the rights and be subject to all the obligations of the Trustees.
- 13.4 The Trustee Committee may, should it so decide, investigate any suspected or alleged breach by any Member or Trustee of these presents, in such reasonable manner as it shall decide from time to time.
- 13.5 The Trustee Committee may institute regulations and by-laws, and monetary fines provided that such regulations are not inconsistent with this Constitution, or any regulations or by-laws prescribed in the Association in general meeting:
 - 13.5.1 for the furtherance and promotion of any of the objects of the Association;
 - 13.5.2 for the better management of the affairs of the Association;
 - 13.5.3 for the advancement of the interests of Members;
 - 13.5.4 for the conduct of Trustee Committee meetings and general meetings; and
 - 13.5.5 to assist it in administering and governing its activities generally.
- 13.6 The Trustee Committee shall have perpetual succession, and shall be capable of suing and being sued in its corporate name, in respect of -

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- 13.6.1 any contract made by it;
- 13.6.2 any damage done to the land, the common property or facilities;
- 13.6.3 any matter in connection with the housing development scheme, the land, the common property, facilities or services for which the management association is responsible; and
- 13.6.4 implementing rules for the conduct of members, which rules shall not be in conflict with the Act or a regulation, shall be reasonable, and shall apply equally to all members in respect of accommodation put to substantially the same use and to be approved at a special general meeting;
- 13.6.5 investing any money with one of the following banks, ABSA Bank Ltd, Standard Bank, Nedbank Ltd, FNB or Capitec, and to enter into any agreement with the local authority or any person or body for the supply of electric, current, gas, water, fuel, sanitary and other services to any building and the land;
- 13.6.6 appointing/dismissing employees as it may deem fit; or any other functions authorised by the regulations issued under The Housing Development Act, Act 65/1988; and shall be entitled to cancel, vary or modify any of the same, from time to time.

14 PROCEEDINGS OF THE TRUSTEE COMMITTEE

- 14.1 The Trustee Committee may meet for the despatch of business, adjourn and otherwise regulate their meetings as they think fit, subject to any provisions of these presents.
- 14.2 Meetings of the Trustee Committee shall be held at least once every quarter, provided that if all the Trustees have waived the above requirement in respect of a particular quarter in writing, then no meeting of the Trustee Committee need be held for that quarter.
- 14.3 The quorum necessary for the holding of any meeting of the Trustee Committee shall be three (3) Trustees.

The Chairman shall preside as such at all meetings of the Trustee Committee, provided that should the Chairman not be present at any meeting of the Trustee Committee within five (5) minutes after the time appointed for the holding thereof, the Vice-Chairman shall act as Chairman at such meeting, provided further that should the Vice-Chairman also not be present within five (5) minutes of the time appointed for the holding of such meeting, those present of the Trustees shall vote to appoint a Chairman for the meeting, who shall thereupon exercise all the powers and duties of the Chairman in respect of such meeting.

- 14.4 A Trustee shall take minutes of every Trustee Committee meeting, although not necessarily verbatim, which minutes shall be reduced to writing without undue delay after the meeting has closed and shall then be certified as correct by the Chairman of the meeting. All minutes of Trustee Committee meetings shall after certification as aforesaid be placed in a Trustee Committee Minute Book to be kept in accordance mutatis mutandis, with the provisions of the law relevant to the keeping of minutes of meetings of directors of companies. The Trustee Committee Minute Book shall be open for inspection by a Trustee, the Auditors, the Association Members and Local Authority, at all reasonable times.
- 14.5 All competent resolutions recorded in the minutes of any Trustee Committee meeting shall be valid and of full force and effect as therein recorded, with effect from the date of passing such resolutions, and until varied or rescinded, but no resolution or purported resolution of the Trustee Committee shall be of any force or effect or shall be binding upon the Members or any of the Trustees, unless such resolution is competent within the powers of the Trustee Committee.
- 14.6 Save as otherwise provided in these presents, the proceedings at any Trustee meeting shall be conducted in such reasonable manner and form as the Chairman of the meeting shall decide.
- 14.7 A resolution signed by all the Trustees shall be valid in all respects as if it had been duly passed at a meeting of the Trustee Committee duly convened.

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15 GENERAL MEETINGS OF THE ASSOCIATION

15.1 Within 6 (six) months after its financial year-end in each calendar year, the Association shall, hold a general meeting as its Annual General Meeting, in addition to any other general meetings, during that year, and shall specify the meeting as such in the notices, in terms of the constitution

15.1.1 Such Annual General Meeting shall be held at such time and place, subject to the foregoing provisions, as the Trustee Committee shall decide from time to time.

15.1.2 All general meetings other than Annual General Meetings shall be called special general meetings.

15.1.3 The Trustee Committee, may, whenever it thinks fit, convene a special general meeting.

16 NOTICE OF MEETINGS

16.1 An Annual General Meeting and a meeting called for the passing of a special resolution, shall be called by at least twenty- one (21) days' notice in writing, and a special general meeting, other than one called for the passing of a special resolution, shall be called by at least fourteen (14) days' notice in writing. In each case, the notice shall be exclusive of the day on which it is given, and shall specify the place, the day and the hour of the meeting and, in the case of special business, in addition to any other requirements contained in these presents, the general nature of that business, and in the case of a special resolution, the terms and effect of the resolution and the reasons for it, shall be given in the manner hereinafter mentioned or in such other manner, if any, as may be prescribed by the Trustee Committee to such persons as are under these presents entitled to receive such notices from the Association; provided that a general meeting of the Association shall, notwithstanding that it is called by shorter notice than that specified in these presents, be deemed to have been duly called if it is so agreed :

16.1.1 in the case of a meeting called as the Annual General Meeting, by all the Members entitled to attend and vote thereat; and

16.1.2 in the case of special general meeting, by a majority of the Members having a right to attend and vote at the meeting, the majority being no less than seventy-five percent (75%) of the total voting rights of all Members.

16.2 The accidental omission to give notice of a meeting or of any resolution, or to give any other notification, or present any document required to be given or sent in terms of these presents, or the non-receipt of any such notice, notification or document by any Member or other person entitled to receive the same, shall not invalidate the proceedings at, or any resolution passed at any meeting.

If the development has not been completed by the developer and/or where a Managing Agent has been appointed by the Trustee Committee, these parties must also receive notice of any meetings as contemplated in para 16.1 and 16.2 hereof;

16.3 The budget for each fiscal year shall be made available to all members that have housing interests, at least 14 (fourteen) days prior to the date of the Trustee Committee's annual general meeting;

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17 VENUE OF MEETINGS

General Meetings of the Association shall take place at such place(s) as shall be determined by the Trustee Committee from time to time.

18 QUORUM

18.1 No business shall be transacted at any general meeting unless a quorum is present when the meeting proceeds to business. The quorum necessary for the holding of any general meeting shall be such of the Members entitled to vote, as together at the time, represent one half of the total votes of all Members of the Association entitled to vote, at the time, provided that no less than 10% must be personally present.

18.2 If, within half an hour from the time appointed for the holding of a general meeting a quorum is not present, the meeting, if convened by request of Members, shall be dissolved. In any other case it shall stand adjourned to the same day in the next week, at the same place and time, or at such other place as the Chairman of the meeting shall determine and if at such adjourned meeting a quorum is not present within half an hour from the time appointed for holding the meeting, the Members present shall be a quorum.

18.3 At a meeting to pass a special general resolution, as referred to in para 7.8 and 7.9 and 7.10, the vote to carry such resolution shall be no less than 65% of all the members, once the developer has completed construction on the estate and sold or let all the even as approved by Overstrand Municipality.

At least 30% of the members must be personally present. Should there not be a quorum within half an hour from the time appointed for the holding of the special general meeting, the meeting shall stand over as per 18.2. Should there, however, not be a quorum at the adjourned meeting either, a new notice is to be given for a special General Meeting within the guidelines of this constitution.

19 AGENDA AT MEETINGS

19.1 In addition to any other matters required by these presents, to be dealt with at an Annual General Meeting, the following matters shall be dealt with at every Annual General Meeting:

19.1.1 the election of the Trustee Committee and determining a domicilium citandi et executandi for the Management Association;

19.1.2 the consideration of any other matters raised at the meeting, including any resolutions proposed for adoption by such meeting, and the voting upon any such resolutions;

19.1.3 the consideration of the balance sheet of the Association for the last financial year of the Association preceding the date of such meeting;

19.1.4 the consideration of the report of the Auditors;

19.1.5 the consideration of the total levy (as referred to in 8) for the calendar year during which such Annual General Meeting takes place; and

19.1.6 the consideration and fixing of the remuneration of the Auditors for the financial year of the Association preceding the Annual General Meeting;

19.1.7 the election of a Managing Agent to be appointed by the Trustee Committee, such agent to have a fidelity fund as prescribed by the Estate Agents Act or the Attorneys Act

20 PROCEDURE AT GENERAL MEETINGS

20.1 The Chairman shall preside as such at all general meetings, provided that should he not be present within five minutes after the time appointed for the holding thereof, the Vice-Chairman shall act as Chairman at such meeting, provided further that should the Vice-Chairman also not be present within five minutes of the time appointed for the holding of such meeting, the Members present as such meeting and entitled to vote, shall vote to appoint a Chairman for the meeting, who shall thereupon exercise all the powers and duties of the Chairman in relation to such meeting.

20.2 The Chairman may, with the consent of any general meeting at which a quorum is present (and if so, directed by the meeting) adjourn a meeting from time to time and place to place, but no business shall be transacted at any adjourned meeting other than the business which might have been transacted at the meeting from which the adjournment had taken place. Whenever a meeting is adjourned for ten (10) days or more, notice of the adjourned meeting shall be given in the same manner as for an original meeting. Save as aforesaid, the members shall not be entitled to any notice of adjournment, or of the business to be transacted at an adjourned meeting.

20.3 Except as otherwise set forth in these presents, all general meetings shall be conducted in accordance with generally accepted

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practices.

21 PROXIES

- 21.1 A Member may be represented at a general meeting by a proxy, who need not be a Member of the Association. The instrument appointing a proxy shall be in writing, signed by the member concerned or his duly authorised agent in writing, but need not be in any particular form, provided that where a Member is more than one person, any one of those persons may sign the instrument appointing a proxy on such Member's behalf. Where a Member is a company, the same may be signed by the Chairman of the Board of Directors of the Company or by its secretary, and where a Member is an association of persons, by the secretary thereof.
- 21.2 The instrument appointing a proxy and the Power of Attorney or other authority (if any) under which it is signed, or a certified copy thereof, shall be deposited at the office at any time before the time appointed for the commencement of the meeting, or adjourned meeting, at which the person named in the instrument is proposed to vote. No instrument appointing a proxy shall be valid after the expiration of twelve (12) months from the date of its execution. The limitation of twelve (12) months does not apply where a person is appointed as the representative of a property owner who is a Trust or other judicial person such as a Company, Close Corporation or other statutory body.
- 21.3 A vote given in accordance with the terms of an instrument of proxy shall be valid, notwithstanding the death of the principal or revocation of the proxy, provided that no indication in writing of the death or revocation shall have been received by the Trustee Committee at least one hour before the time set for the holding of the meeting.

22 VOTING

- 22.1 At every general meeting, every Member in person or by proxy, and entitled to vote, shall have one vote for each erf registered in his name, provided that if an erf is registered in more than one person's name, they shall jointly have one vote.
- 22.2 Save as expressly provided for in these presents, no person other than a member duly registered, and who shall have paid every levy and other sum (if any) which shall be due and payable to the Association in respect of or arising out of his membership, and who is not under suspension, shall be entitled to be present or to vote on any question, either personally or by proxy, at any general meeting.
- 22.3 At any general meeting a resolution put to the vote of the meeting shall be decided by show of hands, unless either prior to or on the declaration by the Chairman of the result of the show of hands, a poll is demanded by any person entitled to vote at such meeting.
- 22.4 Notwithstanding the provisions of 22.2 and 22.3 aforesaid, voting on the election of a Chairman of a general meeting (if necessary) or on any question of adjournment, may be decided by a show of hands by a majority of the members present in person or by proxy, and entitled to vote.
- 22.5 Every resolution and every amendment of a resolution proposed for adoption by a general meeting shall be seconded at the meeting and, if not seconded, shall be deemed not to have been proposed.
- 22.6 An ordinary resolution (that is a resolution other than a special resolution) or the amendment of an ordinary resolution, shall be carried on a simple majority of all the votes cast thereon, and an abstention shall not be counted as a vote for or against the resolution in question. In the case of an equality of votes, whether by a show of hands or by poll, the Chairman of the general meeting shall be entitled to a casting vote in addition to his deliberative vote.
- 22.7 Unless any member present in person or by proxy at a general meeting shall before closure of the meeting have objected to any declaration made by the Chairman of the meeting as to the result of any voting at the meeting, whether by show of hands or by poll, or to the propriety of validity for the procedure at such meeting, such declaration by the Chairman shall

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23 OTHER PROFESSIONAL OFFICERS

Save as specifically provided for in this Constitution, the Trustee Committee shall at all times have the right, on behalf of the Association, to engage the services of Accountants, Auditors, Attorney's, Advocates, Architects, Engineers, Town Planners any other professional person or firm and/or any other employee/s whatsoever, for any reasons thought necessary by the Trustee Committee and on such terms as the Trustee Committee shall decide, subject to any of the provisions of these presents, provided that any expenditure incurred in respect of the above, shall in total not exceed 5% (five percent) of the total annual levy for the year in question, unless authorised by a Special Resolution.

24 ACCOUNTS

24.1 The Association, in general meeting of the Trustee Committee, may from time-to-time institute reasonable conditions and regulations as to the time and manner of the inspection by the Members of the accounts and books of the Association, or any of those, and subject to such conditions and regulations, the accounts and books of the Association shall be open to the inspection of members at all reasonable times during normal business hours.

24.2 At each Annual General Meeting the Trustee Committee shall lay before the Association a proper income and expenditure account for the financial year of the Association immediately preceding such Annual General Meeting, or in the case of the first account, for the period since the incorporation of the Association, together with the proper balance sheet made up as the last financial year-end of the Association. Every such balance sheet shall be accompanied by proper and extensive reports of the Trustee Committee and the Auditors, and there shall be attached to the notice sent to Members convening each Annual General Meeting, as set forth in 16 above, copies of such accounts, balance sheet and reports and of any other documents required by law to accompany the same.

25 AUDIT

Once, at least, in every year, the accounts of the Association shall be examined, and the correctness of the income and expenditure account and balance sheets shall be ascertained by the Auditors (reviewed).

26 SERVICE OF NOTICES

26.1 A notice shall be in writing and shall be given or served by the Association upon any Member, either personally or by post in a prepaid registered letter at the address of the Erf owned by him or such other address chosen by such member in writing as its domicilium address or an e-mail properly addressed to the Member.

26.2 No Member shall be entitled to have a notice served on him at any address not within the Republic of South Africa which shall be deemed to be his address for the purpose of the service of notices.

26.3 Any notice by post shall be deemed to have been served at the time when the letter containing the same was posted, and in proving the giving of the notice by post, shall be sufficient to prove that the letter containing the notice was properly addressed and posted and where by e-mail, on the date that the email delivery confirmation is received.

26.4 The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings of that meeting.

27 INDEMNITY

27.1 All Trustee members and the Auditors shall be indemnified out of the funds of the Association against any bona fide liabilities incurred by them in their respective said capacities and, in the case of a Trustee member, in his capacity as Chairman, Vice-Chairman, whether defending any proceedings, civil, criminal or otherwise, in which relief is granted to any such person/s by the Court.

Every Trustee member, every servant, agent and employee of the Association, and the Auditors shall be indemnified by the Association against (and it shall be the duty of the Trustee Committee out of the funds of the Association to pay) all costs, losses and expenses (including travelling expenses) which such person or persons may incur or become liable for by reason of any contract entered into, or any act or deed done, by such person or persons in the discharge of any of his/their respective duties, including in the case of a Trustee member, his duties as Chairman or Vice-Chairman. Without prejudice to the generality of the above, the Association shall specifically indemnify every such person against all losses of whatsoever nature incurred, arising out of any bona fide act, deed or letter done or written by him jointly or severally in connection with the discharge of his duties, provided that any such act, deed or letter has been done or written in good faith.

27.2 A Trustee member shall not be liable for the acts, receipts, neglects or defaults of the Auditors or of any of the other Trustee members, whether in their capacities as Trustee members or as Chairman or Vice-Chairman, or for any loss or expense sustained or incurred by the Association through the insufficiency or deficiency of title to any property acquired by the Trustee Committee for or on behalf of the Association, or for the insufficiency or deficiency of any security in or upon which any of the monies of the Association shall be invested, or for any loss or damage arising from the insolvency or tortuous act of any person with whom any monies, securities or effects shall be deposited, or for any loss or damage occasioned by any error of judgment or oversight on his part, or for any other loss, damage

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or misfortune whatsoever that shall happen in the execution of any of the duties of his office/s or in relation thereto, unless the same shall happen through lack of bona fides or breach of duty or breach of trust.

28 PRIVILEGE IN RESPECT OF DEFAMATION

Every Member of the Association and every Trustee member, by virtue of his membership or, as the case may be, his holding office as a Trustee member, shall be deemed to have waived all claims and rights of action which such Member or Trustee member might otherwise have had in law, arising as a result of any statement, report, complaint or notice of or concerning such Member or Trustee member, or any reference to such Member or Trustee member, made by any other Member, the Trustee Committee, the Chairman or Vice-Chairman, any other Trustee member, the Auditors and everybody else engaged to perform any function or duty on behalf or for the benefit of the Association, or the Trustee Committee, or any sub-committee, at any Trustee Committee meeting, or otherwise in the performance or exercise of any right, function, duty, power or trust, within the ambit of these presents, being a statement, report, complaint, notice or reference defamatory to such Member or Trustee member, or otherwise injurious to the dignity, reputation, business or financial interest of such Member or Trustee member, whether such statement be true or false.

29 ARBITRATION

29.1 Any dispute, question or difference arising at any time between Members or between Members and Trustees out of or in regard to:

- 29.1.1 any matters arising out of this Constitution; or
- 29.1.2 the rights and duties of any of the parties mentioned in this Constitution; or
- 29.1.3 the interpretation of this Constitution.

shall be submitted to and decided by arbitration on notice given by any party to the other parties who have an interest in the matter in question.

29.2 Arbitration shall be held informally, in Stanford, and otherwise upon the provisions of the Arbitration Act No 42 of 1965 (as amended or replaced from time to time) it being intended that, if possible, it shall be held and concluded within twenty-one (21) Business Days after it has been demanded.

29.3 Save as otherwise specifically provided herein, the Arbitrator shall be, if the question in dispute is:

- 29.3.1 primarily an accounting matter - an independent accountant;
- 29.3.2 primarily a legal matter - a practising counsel or attorney of no less than ten (10) years standing;
- 29.3.3 any other matter - an independent and suitably qualified person appointed by the Auditors; as may be agreed upon between the parties to the dispute.

29.4 If agreement cannot be reached on whether the question in dispute falls under 29.3.1, 29.3.2 or 29.3.3 or upon a particular arbitrator in terms of 29.3.3, within three (3) business days after the arbitration has been demanded, then:

- 29.4.1 the President for the time being of the Law Society of the Cape of Good Hope shall determine whether the question in dispute falls under 29.3.1, 29.3.2 or 29.3.3; or
- 29.4.2 the President for the time being of the Law Society of the Cape of Good Hope shall nominate the arbitrator in terms of 29.3 within seven (7) business days after the parties have failed to agree so that the arbitration can be held and concluded as soon as possible within the 21 Business Days referred to in 28.

29.5 The arbitrator shall make his award within seven (7) days after completion of the arbitration and shall, in giving his award, have regard to the principles laid down in terms of the Constitution. The arbitrator may determine that the cost of the arbitration may be paid by either one or other of the disputing parties, or by the Association, as he in his sole discretion may deem fit.

29.6 The decision of the arbitrator shall be final and binding and may be made an Order of the Cape Provincial Division of the Supreme Court of South Africa upon the application of any party to the arbitration.

29.7 Notwithstanding anything to the contrary contained in 29 to 29.6 inclusive, the Trustees shall be entitled to institute legal proceedings on behalf of the Association by way of application, action or otherwise in any Court having jurisdiction for the purposes of restraining or interdicting breaches of any of these provisions.

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30 EFFECTIVE DATE

The provisions hereof shall come into force simultaneously with the first passing of transfer of Erven.

31 STATUS AND RIGHTS OF DEVELOPER

- 31.1 Notwithstanding any of the provisions hereof, the Developer shall, until such time as the number of erven sold and transferred by the Registered Owner equals 90% of the total number of Erven in the Estate, be entitled at any General Meeting to:
- 31.1.1 a number of votes equal to the total number of votes of all the other Members of the Association plus one.
- 31.1.2 appoint one Trustees who will have a vote equal to the votes of all the other members of the Trustee Committee plus one, to ensure that the Developer has the majority vote of such Trustees at all times.
- 31.2 A developer shall convene a meeting of the members of the Trustee Committee, not later than 60 (sixty) days after the establishment of the management association, at which meeting he shall furnish the members with a certificate from the local authority within whose jurisdiction the land is situated, to the effect that all rates and taxes due in respect of the land, up to the date of the establishment of the management association, have been paid; (all land owned by the Association)
- 31.3 As from the date of establishment of the Trustee Committee, the rights and obligations of the developer, arising from the management agreement, shall be deemed to have been assigned to the Management Association that is bound to whatever agreement was concluded with a Management Agent;
- 31.4 On the basis set out in para 7.5 as the case may be, the developer shall pay levies from the date of establishment of the Trustee Committee on all completed housing interests which are owned by the Developer and have not yet been alienated by him and is occupied by tenants or other people residing there with his permission;
- 31.5 For purposes of clarity, it is hereby confirmed that until an erf is developed as per para 31.5, the Developer does not pay any levies on an erf. Rates & Taxes on the remainder of the property, until transferred to a purchaser, is for the account of the Developer.
- 31.6 Until the last erf being developed by the Developer, the Developer shall have a veto right at any general or special general meeting or at a Trustee Committee meeting for a period of 6 (six) months after completion of the construction on the second last erf.
- 31.7 The private roads and parks and the buildings thereon shall on completion thereof, be transferred to the Homeowners' Association, once the new access is finalised.
31. Until completion of the development as approved by the Council, the Developer, by choice, has the right to act as the Managing Agent and shall be entitled to the remuneration that is normally charged by Managing Agents.
- 31.10 On the first transfer from an erf owner to a transferee, as contemplated in Par 7.9, the Developer shall receive 50% (fifty percent) of the Special Levy as a contribution to the developer's expenses for subsidising the Association's operating cost of the infrastructure and services.
- 31.11 Until completion of the development as approved by the Council, the Developer may utilize a house on the Estate as an Office for Marketing and Administration.
- 31.12 Section 6.5.2 and 6.5.3 shall not apply to the developer where the Developers' architect designs a property that sits close to the boundary and it is built by the Developer as a unit type, provided such unit type shall adhere to all Municipal Building and Fire Regulations regarding the property itself and all abutting properties.

32. LETTING OF PROPERTIES

An owner of an erf who wishes to rent out his/her property will make use of the letting agent appointed by the developer before completion of the estate and thereafter by the Homeowners' Association. This measure is to make sure that a tenant can afford the monthly rent and levy and are informed of the rules and stipulations of the Homeowner's Association. Before taking occupation of a erf within the estate, all tenants shall sign a copy of the constitution of the Homeowners' Association and any rules promulgated thereunder and confirm that they shall abide by the rules of the constitution.

33. AMENDMENTS TO CONSTITUTION

This constitution, or any part thereof, as contained herein, shall not be repealed or amended, and no new rules shall be made, save by a special resolution adopted at an Annual General Meeting or Special Meeting of the Members. Where any amendment or repealing affects the Council's interest, the Council needs to approve such an alteration to be effective and binding. The Council has the power to impose conditions in terms of the Municipal Bylaws regarding the functionality of the Municipal Services, Water and Electricity and the upkeep and maintenance thereof.

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ANNEXURE A: HOUSE RULES

HOMEOWNERS ASSOCIATION - CODE OF CONDUCT AND RULES AND REGULATIONS

INTRODUCTION:

1. These rules are designed to promote and protect the high-quality lifestyle and the security to which residents of aspire. The price objective of the Code of Conduct and Rules and Regulations are to preserve and enhance security, the harmonious internal and external control, the aesthetics and the environment.
2. The documents contained herein have been established in terms of the Constitution of Erf 1772 Stanford Homeowners Association (HOA) and they are binding upon all occupants and owners of properties of Erf 1772 Stanford. All owners, occupants and residents are also bound by any decision taken by the Trustees in interpreting and enforcing these rules.
3. Harmonious community living is achieved when residents use and enjoy their private property. General consideration of all residents by and for each other will greatly assist in assuring harmonious relations in Erf 1772 Stanford.
4. In the event of annoyances or complaints, the parties involved should attempt as far as possible to settle the matter between themselves, exercising tolerance and consideration. When a problem cannot be resolved, the matter should be brought to the attention of the Trustees for further recommendation in terms thereof. The Trustees, who meet from time to time, will entertain written submissions only.
5. The decision of the Trustees is final and binding in respect of the interpretation of these rules.
6. These rules are subject to change from time to time by the Trustees.

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RULES OF CONDUCT:

1. STREETS WITHIN THE ESTATE:

1.1 Vehicles

1.1.1 No owner or occupier shall be permitted to dismantle or effect major repairs to any vehicle outside any building on his property.

1.1.2 No vehicles to be parked on any vacant erven, without the written consent of the owner of the relevant erf/erven and the trustees.

1.2 The streets of the development are for the use of all residents. Children and the elderly should have right of Way. Please note that cars are considered to be part of the street environment, but not necessarily the dominating user. All roads in the development are subject to the relevant road traffic legislation or by-laws.

1.3 Road traffic legislation regarding road and street usage will apply.

1.4 Parents are responsible for ensuring that their children are made aware of the dangers relating to the use of streets and must take responsibility for their children's safety.

2. BUSINESS RIGHTS:

2.1 No business activity or hobby, which would cause aggravation or nuisance to fellow occupants, may be conducted, including auctions and jumble sales.

2.2 No business or home-occupation, other than allowed by the Overstrand Zoning Scheme, may be conducted from the private properties within Erf 1772 Stanford.

2.1 All business- home occupation operations must adhere to the criteria and conditions as specified by the Overstrand Zoning Scheme.

3. GENERAL CONDUCT OF RESIDENTS:

3.1 The volume of music or electronic instruments or devices should be tuned to a level so as not to be heard on adjacent properties.

3.2 Partying has to be conducted with the minimum noise generation and no music, noise or merrymaking may be heard outside the boundaries of the applicable stand between midnight and 08:00 Fridays to Saturdays and between 22:00 to 08:00 Sundays to Thursdays.

3.3 The DIY mechanical maintenance of residents' vehicles will be conducted out of sight from the streetscapes and may never cause disturbance and intrusion to neighbours and or other residents.

3.4 The provisions of 3.2 apply mutatis mutandis to the DIY maintenance of any internal combustion engine vehicle, craft or implement of whatsoever nature.

3.5 The use of power saws, lawn movers, brush cutters, weed eaters and the like (electric mowers are preferred), should only be indulged between the following hours: Mondays to Saturday: 07:30 – 18:30, Sundays should be regarded as "private time" and such activities and use of powered implements are strongly discouraged.

4. DOMESTIC WASHING:

4.1 An owner or occupier of an erf shall not, without the consent in writing of the trustees, erect his own washing lines, nor hang any washing or laundry or any other items on any part of the building so as to be visible from the streetscape frontage of any erven.

4.2 Washing should only be hung on lines screened from the street and neighbouring properties.

4.3 Washing lines are not allowed on the street front.

4.4 No washing may be hung from windows, boundary walls, balconies or the like.

4. REFUSE REMOVAL:

5.1 An owner or occupier of an erf shall –

5.1.1 maintain in a hygienic and dry condition a receptacle (black in colour only) for refuse within his erf;

5.1.2 for the purpose of having the refuse collected, place such receptacle on the sidewalk;

5.1.3 when the refuse has been collected, promptly return such receptacle to his erf.

ERF 1772 STANFORD

- 5.2 Refuse removal is the responsibility of the owner of occupier.
- 5.3 The timetable and prescriptions for domestic refuse removal, as published by the local authority shall apply.
- 5.4 All household refuse must be placed in a receptacle (black in colour only) and placed outside properties on the designated refuse removal day as prescribed by the local authority. Receptacles should be removed from sight as soon as possible after collection and emptying.
- 5.5 Refuse may never be burnt within the Erf 1772 Stanford development.
- 6. FIREWORKS AND FIREARM USE:**
- 6.1 No fireworks may be set off within the Erf 1772 Stanford development.
- 6.2 As the discharge of fireworks has been prohibited by law, criminal charges could be brought against any perpetrator.
- 6.3 Discharging a firearm in a residential area is an offence and is therefore prohibited within the development. Criminal charges may be instituted in all cases of unlawful firearm discharges. Any reckless handling or endangerment involving a firearm will be dealt with by law enforcement against the transgressor/s.
- 7. THE STREETScape/S & GARDENS:**
- 7.1 Garden fences, gates and walls, which form part of the streetscape, must be maintained and if painted, painted regularly and when necessary. The neglect to do so will result in the HOA affecting the necessary upkeep, repairs or replacements or painting of structures, and the reasonable cost thereof charged to the owner. Written notice to such effect will be given at least seven (7) days prior to the executing thereof in order to have the resident/owner placed in position to rectify same at own expense.
- 7.2 No Wendy houses or outbuildings, such as tool sheds, trailer stores, boat stores, loose standing under cover areas etc. will be allowed as per the Architectural Design Guidelines, attached hereto.
- 7.3 Accommodation for pets must not exceed 1 meter in height and may not be visible from the street.
- 7.4 No trees, shrubs or landscaping in the development, may under any circumstances be removed, damaged or pruned on any erf without prior written approval from the Trustees.
- 7.5 Only indigenous trees, plants and shrubs will be allowed to be planted on each erf. Owners are encouraged to plant waterwise gardens and only indigenous flora will be allowed. Vegetable gardens will be allowed in the back of properties and should be out of sight from streetscapes.
- 7.6 Lean-to's / carports and temporary carports will not be allowed without prior approval from the Trustees. Necessary plans to be submitted to both Trustees and Municipality for approval.
- 7.7 Water tanks with a maximum holding capacity of 3500L will be allowed, in only grey colour tones and must be placed out of sight from the Streetscape. See Architectural Design Guidelines.
- 7.8 Air conditioning units are not to be visible from the streetscape and should be covered in a box or moved to a lower level or removed.
- 7.9 The positioning of satellite dishes/wi-fi antennas must be carefully considered. The colour of the dish must be white.
- 8. ENVIRONMENTAL MANAGEMENT:**
- 8.1 Residents are expected to maintain a high standard of garden frontage and sidewalk appearance. Lawn must be kept short, and edges trimmed. Hedges must be suitably shaped and may not consist of poisonous plants.
- 8.2 Residents must ensure that declared noxious flora is not planted or growing in their gardens as well as to adhere to the Indigenous Plants and Protection Act, No. 185 of 2000.
- 8.3 Swimming pool water may not be emptied into the storm water system.
- 8.4 Vacant erven must be kept them tidy and veld grass or foliage must be kept short to prevent veld fires as well as for security reasons. Veld grass or foliage must not be allowed to grow higher than 60cm. Grass taller than the prescribed height may be trimmed by the Trustees / HOA and the expense thereof will be added to the monthly levy and recovered from the relevant owner.
- 8.5 Any floodlights installed must be adequately screened as not to cause discomfort to neighbours.

ERF 1772 STANFORD

9. SECURITY - SUMMARY:

9.1 ROAMING GUARD/S

9.1.1 Roaming guard/s may be appointed by the trustees, if this service seems to be necessary by the HOA and such charge will be added to the monthly levy.

9.2 HOUSE ALARMS

9.2.1 Armed Response will be allowed in the development at all times and must be aware of which house they will be visiting.

9.2.2 House alarms sirens should not become a nuisance to fellow residents and the homeowner will be responsible for disconnecting the siren immediately once notification has been received by his/her security company.

9.3 SECURITY: GENERAL

9.3.1 Security is top of mind within the development, therefore no disrespect towards security persons will be tolerated at any time.

9.3.2 Owners / residents living on property adjacent to development boundary must ensure that the inside of the perimeter wall be kept clean from flora which may interfere with the working of the boundary security system, where applicable.

9.3.3 No resident may refuse access to his property when any form of maintenance (preventative or on-going) is to be carried out to the perimeter wall and/or security related equipment.

10. LETTING AND RESELLING PROPERTY

10.1 Estate agents must ensure that the purchaser / lessee is informed and receives a copy of the Code of Conduct and Rules and Regulations and any other regulations applicable at the time.

10.2 The purchaser of a property in Erf 1772 Stanford confirms that on registration of the property into his name he shall automatically become a member of Erf 1772 Stanford Homeowners Association (referred to herein as the HOA) and that he shall obtain membership subject to the provisions of the Homeowner's Constitution and the Code of Conduct and Rules and Regulations of the HOA. Copies of these documents are available for inspection for the Trustees and the purchaser confirms being aware of the provisions thereof.

10.3 The purchaser of a property in Erf 1772 Stanford shall remain a member of the HOA and be bound to its provisions for so long as he remains the registered owner of the property.

10.4 Should the purchaser of a property in Erf 1772 Stanford sell the property he will be obliged to inform the new purchaser of the HOA and the new purchaser's obligations in terms of its provisions.

10.5 The purchaser of a property in Erf 1772 Stanford shall require the prior written consent of the HOA to sell or alienate the property, which consent will not unreasonably be withheld.

10.6 As from date of transfer the purchaser of a property in Erf 1772 Stanford shall be liable for payment to the HOA of a levy as determined by the HOA, which levy shall be utilized inter alia towards management and administering the HOA, maintenance of the private services as well as payment of disbursements relating to security matters and for such other purposes as the Constitution of the HOA may prescribe. Such levy shall not include rates and taxes for which the purchaser shall remain liable separately.

10.7 The purchaser of a property in Erf 1772 Stanford agrees that the following conditions may be inserted in the title deed of the property purchased by it upon registration:

10.7.1 No improvements of any nature whatsoever shall be executed on property, nor shall any exterior alterations, renovations or extensions to any buildings or other structures erected or to be erected on the property be made without the prior written approval by the HOA, which consent shall not unreasonably be withheld.

10.8 No property may be let or utilized for purpose of a commune.

10.9 The owner/lessee must provide his tenant with a copy of the Code of Conduct and Rules and Regulations and any other regulations applicable at the time and he must bind the lessee to the Code of Conduct and Rules and Regulations in the lease agreement.

10.10 ADVERTISEMENT BOARDS:

10.10.1 No owner or occupier of an erf shall place any sign, notice, billboard or advertisement of any kind whatsoever on any part of his/her property so as to be visible from outside the property without the written consent of the trustees first having been obtained.

10.10.2 No advertisement boards will be allowed on property in Erf 1772 Stanford or on the perimeter wall or at the main entrances thereof.

10.10.3 No for sale signs / sold signs will be allowed from estate agents working in Erf 1772 Stanford, except with prior permission from the HOA.

10.10.4 All sales by estate agents must be reported immediately to the Trustees in order to update the records.

ERF 1772 STANFORD

10.10.5 Accredited estate agents may arrange show dates for sale of properties over weekends only, and only during such period (relevant weekend) will for sale and pointer boards be allowed. Such boards have to be removed once the show house weekend period has lapsed before or no later than 17:00 on the relevant day.

11. PETS

11.1 Only animals as allowed by the relevant Overstrand By-Laws may be kept.

11.2 Animals and pets must be kept within the owner/occupier's property and under control at all times.

11.3 The number of medium sized pets, such as cats and dogs, will be allowed as per the relevant municipal By-Law.

11.4 Residents must ensure that their pets (as allowed) do not cause a nuisance to their neighbours. Excessive barking of dogs must be prevented by the owners.

11.5 Pets are not allowed to roam the streets. Roaming pets will be removed when it becomes a habit of a specific pet, without notice to the owners and be handed to the municipal pound or HAWS.

11.6 Dogs must be walked on a leash in public areas at all times. All streets are defined as public areas.

11.7 Any legal action taken by the Trustees or the managing agent to have animals / pets removed from the premises will be for the account of the owner of such pet / animal and will be added to the levy account of such owner / resident.

11.8 The owner will be responsible for any damage or injury caused to property / persons / other animals within the Erf 1772 Stanford development by his/her pet/s.

12. ADMINISTRATION

12.1 The administration of the development is solely the responsibility of the elected HOA. They may decide to delegate certain or all of the managerial powers to an estate manager and/or appointed agent, but notwithstanding such delegation they themselves shall still be entitled to exercise any of the powers, rights and entitlements referred to herein and/or the Constitution of the Association.

12.2 The appointed estate manager or agent will collect levies on behalf of the HOA. All levies are due and payable in advance before or on the seventh (7th) day of each and every month.

12.3 Any unpaid account, outstanding for a period exceeding 60 days will be handed to the attorneys of the HOA for collection.

12.4 The HOA shall be entitled to recover all legal costs incurred on attorney and client scale from owners who are in arrears.

12.5 Interest will be levied on all arrear accounts, at the maximum rate allowed by the National Credit Act No. 34 of 2005, or by substituting acts.

13. NOTICES DECISIONS AND APPEALS

13.1 In the event of appeals or contesting of the facts relating to any decision made by appointed agent, written representation must be addressed to the HOA which appeal, or defence will be dealt with at the first HOA meeting subsequent to receiving such written representation.

13.2 The decision of the HOA is final and no further appeal is allowed thereafter.

13.3 All notices to a transgressor will be served by attaching the notice to the front gate / front door of the property which will be regarded as sufficient service.

14. COMPLAINTS / ARBITRATION

14.1 In the event of annoyances or complaints, the parties involved should attempt as far as possible to settle the matter between themselves, exercising due tolerance, reasonableness and mutual consideration.

14.2 Where a dispute cannot be resolved, and in particular a dispute between neighbours, the procedure shall be the following:

14.2.1 A written submission has to be made by the parties involved in the dispute to the Trustees.

14.2.2 The Trustees may at their sole discretion decide if they will arbitrate in the matter or not.

14.2.3 In the event that the Trustees are of the view that they are entitled to arbitrate in the matter, the decision of the Trustees shall be final and binding in respect of the resolution of the dispute.

ERF 1772 STANFORD

- 14.2.4 In the event that the Trustees are of the view that they are not prepared to arbitrate in the matter, the Trustees may either:
- 14.2.4.1 Inform the parties involved that the Trustees are not prepared to arbitrate in the matter and the parties will have to resolve the dispute themselves and/or by legal action and/or arbitration.
 - 14.2.4.2 The Trustees may refer the matter to an independent arbitrator, at the Trustees' discretion, in which event the arbitrator's fees shall be paid in advance by equal shares by the parties to the dispute and subsequently charged to the next month's levy amount.
 - 14.2.4.3 In this regard, the arbitrator's decision shall be final, and binding and the arbitrator shall be entitled to make an award as regards legal costs.

15. INTERPRETATION AND AMENDMENT OF RULES

- 15.1 No person / owner / lessee shall have any claim of whatsoever nature for damages against the HOA or any of its officials or employees as a result of a decision taken by the appointed agent or the HOA regarding the interpretation of these Code of Conduct and Rules and Regulations.
- 15.2 The Trustees may amend or add to the Code of Conduct and Rules and Regulations from time-to-time as may be deemed necessary to ensure harmonious co-existence of residence.

16. ARCHITECTURAL RULES AND BUILDING GUIDELINES

16.1 Appearance from Outside

The owner or occupier of a property shall not place or do anything on his property which, in the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from the outside of the property. All gardens to be maintained and no owner or occupier of a property shall allow their gardens / driveways to become overgrown with weeds.

- 16.2 The architectural design guidelines are deemed to be incorporated in and to form part of these Code of Conduct and Rules and Regulations, attached hereto.

17. LIABILITY

17.1 Storage of Inflammatory Material and Other Dangerous Acts

An owner or occupier shall not store any material, or do or permit or allow to be done, any other dangerous act on his property which will or may increase the rate of the premium payable by the Association on any insurance policy.

- 17.2 Should the resident not be the owner of the property; the owner and the resident will be jointly and severally liable in respect of the Code of Conduct and Rules and Regulations.



ANNEXURE E: HISTORIC DEPARTMENT OF AGRICULTURE APPROVAL



DEPARTMENT: AGRICULTURE
REPUBLIC OF SOUTH AFRICA

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

From: Directorate Land Use and Soil Management
Tel: 012-319-7564 Fax: 012-329-5938 E-mail:
Enquiries: Ms. M.L. Groenewald Ref: 01/16309(2) & 01/20016

Messrs. Overplan
P.O. Box 1141
HERMANUS
7200

2002-92-17

Dear Sirs

**APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 1970:
REMAINDER OF PORTION 5 OF THE FARM WELTEVREDE NO. 647 AND PORTION 13 OF THE
FARM RIVERSIDE NO. 644, DIVISION CALEDON**

Your application 02.037/1/2 refers.

With reference to the above-mentioned subject I wish to inform you that the application has been granted.


Consent No. 35462 issued in terms of section 4 of the Act, is enclosed in duplicate.

The Conveyancer must lodge the signed copy of the Consent with the Registrar of Deeds together with the documents for registration.

Regarding the condition imposed in subparagraph 3.1, the contact person at the Overstrand Municipality is Mrs. Burman, Tel. no.: (028) 313-8000, Ref. no.: L6 (Spes 214).

Kindly note that the properties concerned are subject to the provisions of the Conservation of Agricultural Resources Act 1983 (Act 43 of 1983).

Yours faithfully


SENIOR MANAGER: LAND USE AND SOIL MANAGEMENT

AdrieVDW/LUSM/Groenewald/Sig/Division 2002/Weltevrede-Appi



DEPARTMENT: AGRICULTURE
REPUBLIC OF SOUTH AFRICA

VERW/REF.

01/16309(2)
&
01/20016

TOESTEMMING

KRAGTENS DIE WET OP DIE ONDERVERDELING VAN
LANDBOUGGROND, 1970

CONSENT

IN TERMS OF THE SUBDIVISION OF AGRICULTURAL
LAND ACT, 1970

35462

By virtue of the powers delegated to me by the Minister of Agricultural / By direction of the Minister of Agricultural consent is hereby granted in terms of Act 70 of 1970 of the Subdivision of Agricultural Land Act, 1970, to utilise a portion of the agricultural land described in paragraph 1 .. for township establishment/to establish an area of jurisdiction for a local authority/to enlarge the area of jurisdiction of a local authority .. as indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

- 1.1 REMAINDER OF PORTION 5 OF THE FARM WELTEVREDE NO. 647, IN EXTENT 292,4180 HECTARES; AND
- 1.2 REMAINDER OF PORTION 13 OF THE FARM RIVERSIDE NO. 644, IN EXTENT 287,6812 HECTARES; DIVISION CALEDON

PARAGRAPH 2: CONSENT GRANTED

2.1 The deduction of

- i. a portion measuring approximately 13,5 hectares from the agricultural land mentioned in subparagraph 1.1.
- ii. a portion measuring approximately 3,0 hectares from the agricultural land mentioned in subparagraph 1.2.

for township lay-out, as represented by the figures marked 1 to 99 and Portion 1 of the farm 644/13 as shown on the sketch plans marked A and B respectively which is attached to this Consent.


- 2.2 To enlarge the area of jurisdiction of Stanford Municipality by incorporating therein the agricultural land and portions thereof in respect of which a township may be established in terms of this Consent.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer, written proof will have to be submitted that the conditions imposed by the Overstrand Municipality have been complied with.
- 3.2 This Consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.3 The Consent does not exempt any person from any provision of any law, with special reference to The Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.

2002 -02- 17

.....
Date


.....
Deputy-Director: Land Use and
Soil Management



D.C.

162

Tel (021) 950-7100
Fax (021) 946-3666
E-mail

Strandweg 17 Strand Road
Bellville
7530

Privaat Sak / Private Bag X16
Sanlamhof
7532

Navrae
Enquiries



Verwysing
Reference:

16/27/G400/A/8

1998-10-23



Chief Executive Officer
Overberg District Council
Private Bag X22
BREDASDORP
7280

Attention: Mnr. D. Lambrechts

Sir

**PROPOSED REZONING AND SUBDIVISION: REMAINDER PORTION 13
OF THE FARM RIVERSIDE NO 644, CALEDON**

Referring to your letter L/6 (Spes 213) dated 11 September 1998, the following:

This office has no objections to the proposed rezoning, subject to the following conditions:

1. The requirements of Sections 21 and 23 of the Water Act, 1956 must be adhered to at all times, especially the disposal of industrial effluent and sewage. No septic tanks and french drains will be accepted on the premises.
2. The requirements of Section 20 of the Environmental Conservation Act 1989 must be adhered to at all times. Solid Waste must be disposed of on an approved landfill site.
3. No pollution of stormwater or underground water must take place as the result of activities on the premises.

Any further questions or information needed, contact this office.

Yours faithfully

REGIONAL DIRECTOR: WESTERN CAPE



ANNEXURE F: TITLE DEEDS

A. VIR AKTEBESORGER SE GEBRUIK / FOR CONVEYANCER'S USE:

(a) Gelyktydiges met ander registrasiekantore / deeltitels: Simuls with other registries / sectional titles:

Kode/Code	Firma / Firm	Eiendom / Property	Kantoor / Office
1			
2			
3			
4			

(b) Kliënt afskrifte van aktes permanent in Aktekantoor geliasseer: Client copies of deeds filed permanently in Deeds Office:

Aard en nommer van akte / Nature and number of deed	Cover No. / Omslag Nr.	Parawe van ondersoekers Initials of Examiners

(c) Notas / Notes:

B. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:

Interdike nagesien Interdicts checked		Opmerkings / Remarks	Paraaf Initials
Datum / Date	Paraaf Initials	(1) Dorp goedgekeur (geproklameer) Township approved (proclaimed)	
		(2) Begiftigingserwe Endowment erven	
		(3) Begiftiging Endowment	
		(4) Voorwaardes Conditions	
		(5) Mikroskopiese OPE	
		(6) Algemene Plan General Plan	
		(7) Titellakte Title Deed	
		(8) Verbanne teen dorps-titel Bonds against township title	
		(9) Datum nagesien Date checked	

Kantoor instruksies / Office instructions:
Seksie / Section

Deeds Reg A/C No: **Hennie Oosthuizen**
CTN **301** TEL: (021) 914 7370
Akte Kant Rek Nr. Ref No / Verw. Nr **V1433(VIS)**

EXECUTION / UITVOERING
25 APR 2016

A. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:

Datum van indiening / Date of lodgement

LODGED
2016-04-13
INGEDIEN

1.	Ondersoekers / Examiners	Kamers Rooms	Skakeling / Linking	Reject Verwerp	Passeer Pass
1.	E. RAMAFALO	1228			
2.	N. MOT HARANE 1228	114			
3.					

B. VIR AKTEBESORGER SE GEBRUIK / FOR CONVEYANCER'S USE

Aard van Akte / Nature of Deed: **Transfer: Bradcam Pty Ltd**
t.g.v. / i.f.o. **Sebumo Tude Guest Services**

T000023937 / 2016

Skakeling / Linking	Titellaktes / Title deeds within
1	T110766/2002

GELYKTYDIGES / SIMULS

No. in stel / batch	Kode / Code	Name van Partye / Names of Parties	Naam van Firma / Name of Firm	Firma Firm No.
1	T	Bradcam / Sebumo Tude	H.M. OOSTHUIZEN	301
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				

EXAMINER'S NOTES INSIDE

HANDED IN FOR EXECUTION
2016-04-28
CAPE TOWN
HANDED IN FOR EXECUTION

080006258054

Registrasie versoek deur / Registration requested by:
Datum / Date:

(Kort beskrywing van eiendom (legs para 1 in Akte) / Brief description of property (merely para 1 in Deed)

EF 112 Stanford

3

For Information Only

① Condition D on deed to be brought forward on P.A

⑦ e

see edward
on 15 y (H.M.)

N. MOTLABANE 1228

2016-04-20

② Amend Condition D in deed
e. instance. Redwood
Heron.

E. RAMAFALO

26/04/2016

Done

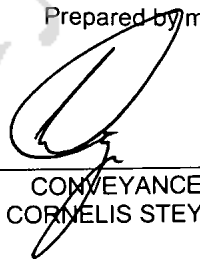
Deed
PA
TDR
RCC
C/Cat
Title.

For Information Only

301 HENNIE
OOSTHUIZEN

Vorster & Steyn
Mitchell House
16 Mitchell Street
HERMANUS
7200

Prepared by me



CONVEYANCER
LUCAS CORNELIS STEYN

Fee endorsement		Office fee
	Amount	
Purchase price/Value	R. 1 020 000,00	R. 990,00
Mortgage capital Amount		R.
Reason for exemption	Section 12. a	

T 000023937 / 2016

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

Johannes Hendrik Blaauw

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at HERMANUS on 4 MARCH 2016 granted to him by

BRADCAM PROPRIETARY LIMITED
Registration Number 1970/006019/07

DATA / CAPTURE
12 MAY 2016
MITYATYAMBA NOLUVO

DATA / VERIFY
17 MAY 2016
VAN WYK JESSE

fy

And the appearer declared that his said principal had, on 18 February 2016, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

SEBUMO TUDE GUEST SERVICES AND MORE CC
Registration Number 2003/068880/23

or its Successors in Title or assigns, in full and free property

ERF 1772 STANFORD in the Overstrand Municipality, Division of Caledon, Western Cape Province

IN EXTENT 3,3306 (THREE COMMA THREE THREE ZERO SIX) Hectares

FIRST REGISTERED and still held by Certificate of Registered Title No 110766/2002 with Diagram SG No 3550/2002 relating thereto.

- A. SUBJECT** to the conditions referred to in Deed of Transfer No 8032/1930.
- B. SUBJECT FURTHER** to the condition referred to in the endorsement dated 13 November 1947 on Deed of Transfer No 3554/1945, which endorsement reads as follows:-

"REMAINDER
REGISTRATION OF SERVITUDE

By Deed of Transfer No 22045 dd 13/11/1947 the remainder held hereunder is subject to the condition that the owner and his successors in title of Portion 14 thereby transferred shall be entitled to the full stream of water rising from the borehole situate on said Remainder on the Western boundary of Portion 14 as shown on diagram thereto annexed every day from 8pm to 8am together with the right of ingress and egress during the said hours to lead water onto the said Portion 14 as will more fully appear on reference to said Deed of Transfer."

- C. ENTITLED** to the benefit of a servitude right of pipeline 5 metres wide, the eastern, south eastern and southern boundaries of which pipeline are indicated by the line ABCDEFGH on Servitude Diagram No 4631/94 over Erf 1197 Stanford measuring 2,2139 hectares held under Deed of Transfer No T79985/1994 as will more fully appear from the said Deed of Transfer and the endorsement dated 24th October 1994 on the said Deed of Transfer No 8094/1962.
- D.** By Deed of Transfer No T110767/2002 the within property is entitled to a access Servitude indicated by the figure BEFG on Diagram SG No. 3550/2002 annexed to CRT No. T110766/2002 over the Remainder of Portion 13 of the Farm Riverside No. 644 measuring 282.1367 ha and held by Deed of Transfer No. T110767/2002.

WHEREFORE the said Appearer, renouncing all right and title which the said

BRADCAM PROPRIETARY LIMITED
Registration Number 1970/006019/07

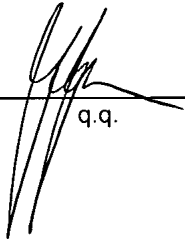
heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

SEBUMO TUDE GUEST SERVICES AND MORE CC
Registration Number 2003/068880/23


or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R1 020 000,00 (ONE MILLION TWENTY THOUSAND RAND) .

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 29 April 2016


_____ q.q.

In my presence



REGISTRAR OF DEEDS

For Information Only



ky

1-6-7E
①

Vorster & Steyn
Mitchell House
16 Mitchell Street
HERMANUS
7200

Prepared by me

CONVEYANCER
LUCAS CORNELIS STEYN



301 HENNIE
OOSTHUIZEN

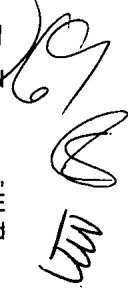
POWER OF ATTORNEY TO PASS TRANSFER

I, the undersigned

GEORG SCHWEGLER
duly authorised hereto by a resolution of the Directors of
BRADCAM PROPRIETARY LIMITED
Registration Number 1970/006019/07

do hereby nominate and appoint

HENDRIK MALHERBE OOSTHUIZEN or **NADIA MATTHYSEN**, or **NASHREEN TALIEP** or **JACQUES ETTIENNE STEYL** or **MEYER DE WAAL**

JOHANNES HENDRIK BLAAUW


with power of substitution to be my true and lawful Attorney and Agent in my name, place and stead to appear at the Office of the REGISTRAR OF DEEDS at CAPE TOWN or any other competent official in the Republic of South Africa and then and there to act as my Attorney and Agent and to pass transfer to:

SEBUMO TUDE GUEST SERVICES AND MORE CC
Registration Number 2003/068880/23

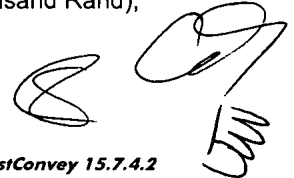
the property described as:

ERF 1772 STANFORD in the Overstrand Municipality, Division of Caledon, Western Cape Province

IN EXTENT 3,3306 (THREE COMMA THREE THREE ZERO SIX) Hectares

HELD BY Certificate of Registered Title Number T110766/2002

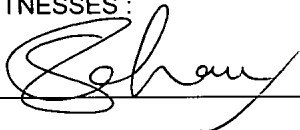


the said property having been sold by me on 18 February 2016, to the said transferee/s for the sum of R1 020 000,00 (One Million Twenty Thousand Rand);



and further cede and transfer the said property in full and free property to the said Transferee; to renounce all right, title and interest which the Transferor heretofore had in and to the said property, and generally, for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, to all intents and purposes, as the Transferor might or could do if personally present and acting therein; hereby ratifying, allowing and confirming all and whatsoever the said Agent/s shall lawfully do or cause to be done in the premises by virtue of these presents.

Signed at HEERMANUS on 4 MARCH 2016
in the presence of the undersigned witnesses.

AS WITNESSES :

1.  
On behalf of BRADCAM
PROPRIETARY LIMITED
2. 



8 E

Transfer Duty Declaration **TDREP**

Reference Details

Transfer Duty Reference Number: TDE01A6CF6

Details

Details of Seller / Transferor / Time Share Company			
Surname / Registered Name	BRADCAM PROPRIETARY LIMITED	Full Name	BRADCAM PROPRIETARY LIMITED
Company / CC / Trust Reg No.	197000601907	Marital Status	
Details of Purchaser / Transferee			
Full Name	SEBUMO TUDE GUEST SERVICES AND MORE CC	Surname / Registered Name	SEBUMO TUDE GUEST SERVICES AND MORE CC
Company / CC / Trust Reg No.	200306888023	Marital Notes if applicable	
Details of the Property			
Date of Transaction/Acquisition (CCYYMMDD)	2016-02-18	Total Consideration	R 1020000.00
Total Fair Value	R 1020000.00		
Calculation of Duty and Penalty / Interest			
Transfer Duty Payable on Natural Person	R 0.00		
Property Description			
1 ERF 1772 STANFORD in the Overstrand Municipality, Division of Caledon, Western Cape Province IN EXTENT 3.3306 (THREE COMMA THREE THREE ZERO SIX) Hectares			

Exemption Certificate

Exemption Certificate Details	
Transfer Duty Reference No.	TDE01A6CF6
Exempt in terms of Section 9 of the Transfer Duty Act	Other
Exemptions allowed by another Act	Section 9(15)

Declaration by Conveyancer / Attorney

<p>I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.</p>	<p>XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX</p> <p>Please ensure you sign over the 2 lines of 'X's above</p>
<p>Date (CCYYMMDD): 20160406</p>	<p>For enquiries go to www.sars.gov.za or call 0800 00 SARS (7277)</p>

13

(3) 2

301 HENRI ERVEN OOSTHUIZEN



OVERSTRAND LOCAL MUNICIPALITY

CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT No. 32 OF 2000) (AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

ISSUED BY OVERSTRAND LOCAL MUNICIPALITY

In terms of section 118 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), it is hereby certified that all amounts that became due to Overstrand Local Municipality in connection with the undermentioned property situated within that municipality for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for this certificate, have been fully paid.

DESCRIPTION OF PROPERTY (see definition of property in section 1 of Act 32 of 2000)

21 Digit Code (or Municipal Reference Number): MAUREEN DICKSON

Erven: 1772 ✓

Portion: 0

Extension: STANFORD

Zoning:

Registration division / Administrative District:

Suburb:

Town:

Sectional Title unit number:

Exclusive use area and number as referred to on the registered plan:

Real right:

Scheme registration number:

Sectional Title Scheme Name:

Registered owner: BRADCAM PROPRIETARY LIMITED (1970/006019/07)

Name and Identity/ Registration Number of all purchaser/s: SEBUMO TUDE GUEST SERVICES AND MORE CC (2003/068880/23)

This Certificate is valid until: 11/07/2016

Given under my hand at HERMANUS on 12/04/2016

Certified by HENDRIK MALHERBE OOSTHUIZEN (full name and surname) hereby certify that this is a print-out of a data message in respect of the original clearance certificate electronically issued by the Overstrand Local Municipality.

Contyancer

~~11 APR 2016~~ 12 APR 2016

Date

Digitally signed by Overstrand Municipality
 Signee: Maureen Dickson
 Sign date: 12/04/2016 07:49:26
 Expiration date: 22/05/2017 03:24:00

MUNICIPAL MANAGER Overstrand Local Municipality Date issued: 12/04/2016 Authorised Officer: Maureen Dickson

④

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301 HENNIE OOSTHUIZEN

CONVEYANCER'S CERTIFICATE

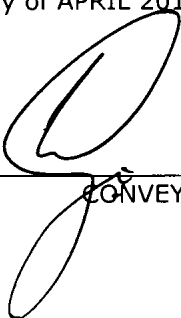
I, the undersigned,

LUCAS CORNELIS STEYN,

Conveyancer of Hermanus, do hereby certify:

1. That Bradcam Proprietary Limited, Registration Number 1970/006019/07, is the owner of Erf 1772 Stanford in the Overstrand Municipality, Division of Caledon, Western Cape Province.
2. That on 25 August 2008 Bradcam Proprietary Limited sold Erf 1772 Stanford to Suncam Construction CC, Registration Number 1998/004542/23, but that the sale was cancelled and the registration of the transfer did not take place.

THUS DONE and SIGNED at HERMANUS on the 6th day of APRIL 2016



CONVEYANCER

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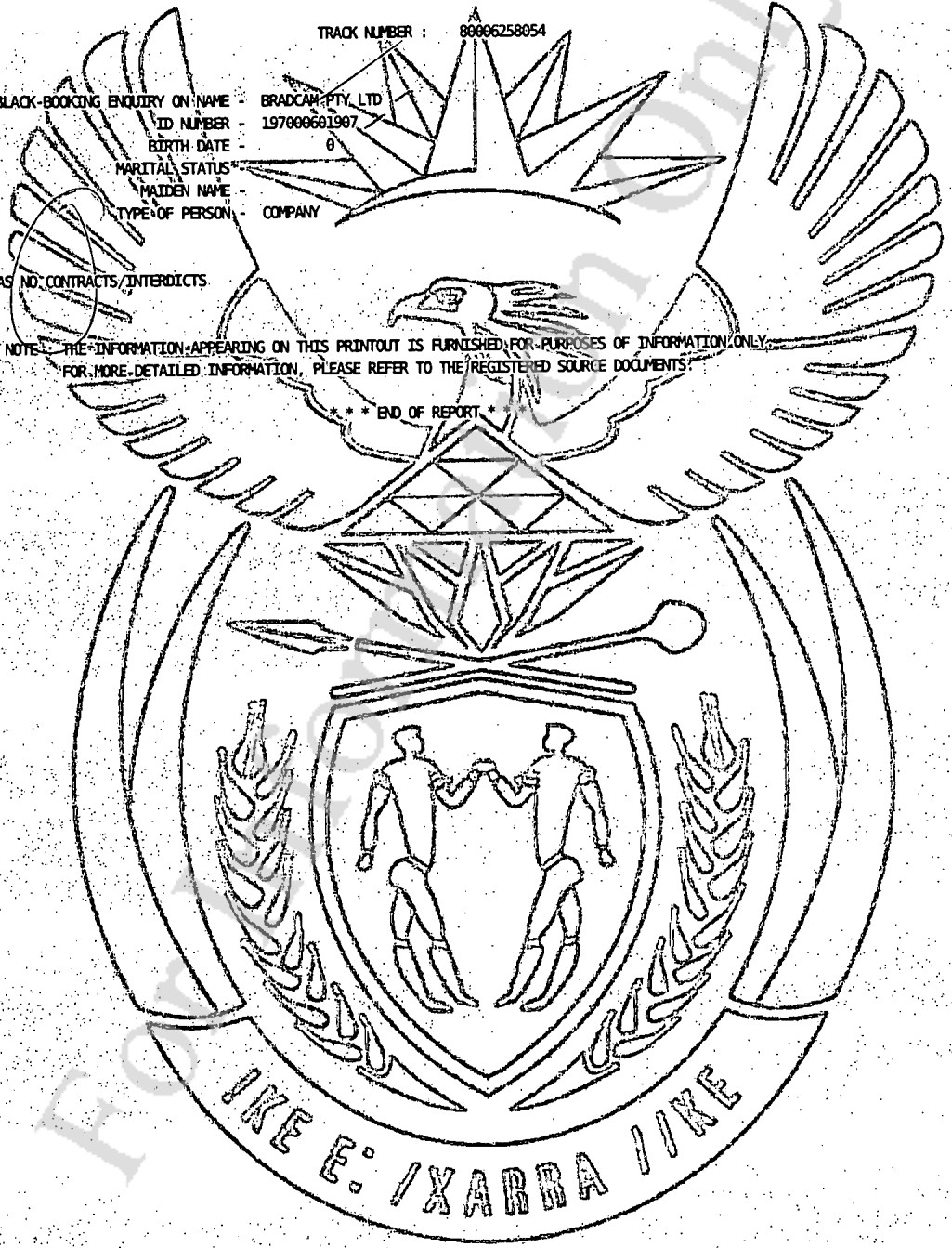
TRACK NUMBER : 88896258054

BLACK-BOOKING ENQUIRY ON NAME - BRADCAM PTY LTD
ID NUMBER - 197006681907
BIRTH DATE - 0
MARITAL STATUS -
MAIDEN NAME -
TYPE OF PERSON - COMPANY

PERSON HAS NO CONTRACTS/INTERDICTIONS

** PLEASE NOTE: THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***



(6) E
h

TRACK NUMBER : 89986258054

PROPERTY DETAILS: PRINT FOR PORTION

0 :
ERF NO 1772
TOWNSHIP STANFORD
REG DIV CALEDON RD

PROVINCE WESTERN CAPE
PREV DESCRIPTION
DIAGRAM DEED NO T110766/2002
EXTENT 3,3386 H.
CLEARANCE CALEDON DC

ORIGIN REASON SUBDIVISION FROM ORIGIN: PROPERTY
REG DIV CALEDON RD , FARM NAME , FARM NO. 644 , PRTN 13

NO INTERDICTS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE
BRADCAM PTY LTD

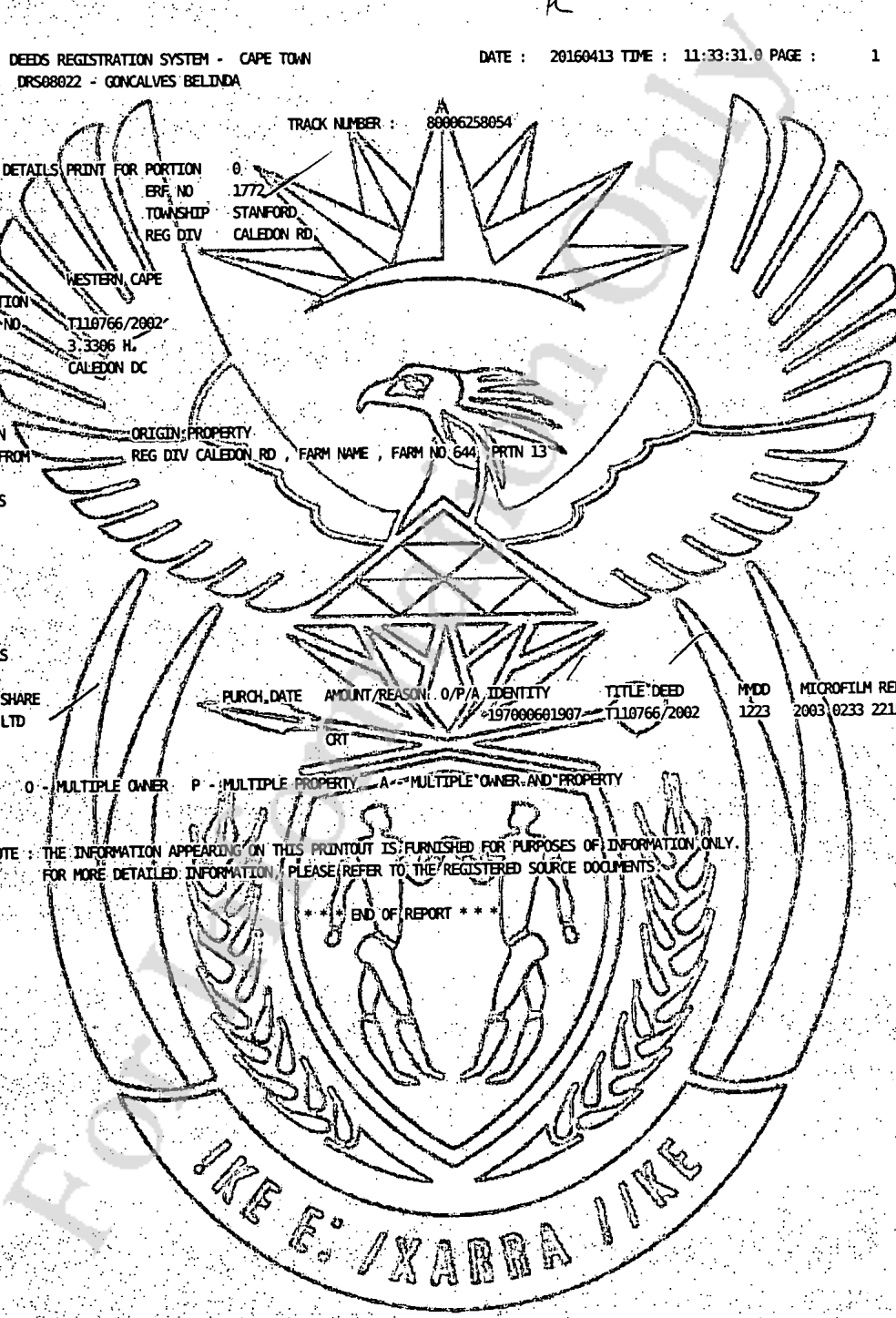
PURCH. DATE AMOUNT/REASON O/P/A IDENTITY TITLE DEED
19700601907 T110766/2002
CRT

MDD MICROFILM REF
1223 2003 0233 2215

* O/P/A - 0 - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***




Vorster & Steyn
Mitchell House
16 Mitchell Street
HERMANUS
7200

Prepared by me


CONVEYANCER
Steyn LC

SEEL REG DUTY R.....
FOOI FEE R. <u>400,00</u>


REGISTRAR OF DEEDS
CAPE TOWN

T 110767/2002

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

HENDRIK MALHERBE OOSTHUIZEN

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said
appearer being duly authorised thereto by a Power of Attorney which said Power
of Attorney was signed at HERMANUS on 8 October 2002 granted to him by

BRADCAM (PROPRIETARY) LIMITED
No. 1970/006019/07



And the appearer declared that his said principal had, on 3 OCTOBER 2002 truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of:

BONNYBRAE PROPERTY HOLDINGS (PROPRIETARY) LIMITED
No. 1997/12244/07

or its Assigns, in full and free property

REMAINDER OF PORTION 13 OF THE FARM RIVERSIDE NO 544, in the Overstrand Municipality, Division of Caledon, Western Cape Province;

IN EXTENT 282,1367 (TWO HUNDRED AND EIGHTY TWO COMMA ONE THREE SIX SEVEN) Hectares;

FIRST TRANSFERRED by Deed of Transfer No 3554/1945 with Diagram relating thereto and held by Deed of Transfer No T 86867/1996.

- A. SUBJECT to the conditions referred to in Deed of Transfer No 8032/1930.
- B. SUBJECT FURTHER to the condition referred to in the endorsement dated 13 November 1947 on Deed of Transfer No 3554/1945, which endorsement reads as follows:-

"REMDR.

REGISTRATION OF SERVITUDE.

By Deed of Transfer No 22045 dd 13/11/1947 the remdr. held hereunder is subject to the condition that the owner and his successors in title of Portn. 14 thereby transferred shall be entitled to the full stream of water rising from the borehole situate on said Remdr. on the Western boundary of Portn. 14 as shown on diagram thereto annexed every day from 8 pm to 8 am together with right of ingress and egress during the said hours to lead water onto said Ptn. 14 as will more fully appear on reference to said Deed of Transfer."

- C. ENTITLED to the benefit of a servitude right of pipeline 5 metres wide, the eastern, south eastern and southern boundaries of which pipeline are indicated by the line ABCDEFGH on Servitude Diagram No 4631/94 over Erf 1197 Stanford measuring 2,2139 hectares held under Deed of Transfer No T 79985/1994 as will more fully appear from the said Deed of Transfer and the endorsement dated 24th October 1994 on the said Deed of Transfer No 8094/1962.
- D. SUBJECT FURTHER to an access servitude indicated by the figure BEFG on Diagram SG No 3550/2002 in favour of Erf 1772 Stanford, in the Overstrand Municipality, Division of Caledon, Western Cape Province; In extent 3,3306 (THREE COMMA THREE THREE NOUGHT) hectares;

Held by Certificate of Registered Title No T 110766/2002

WHEREFORE the said Appearer, renouncing all right and title which the said

BRADCAM (PROPRIETARY) LIMITED
No. 1970/006019/07

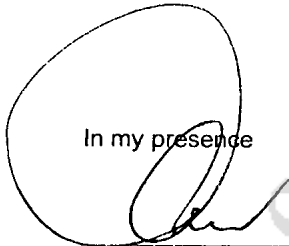
heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by these presents, the said

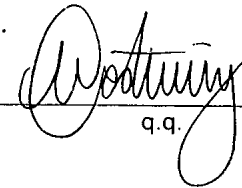
BONNYBRAE PROPERTY HOLDINGS (PROPRIETARY) LIMITED
No. 1997/12244/07

or its Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of **R684 000,00 (SIX HUNDRED AND EIGHTY FOUR THOUSAND RAND)**.

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at CAPE TOWN on *23rd December 2002.*

In my presence

REGISTRAR OF DEEDS


q.q.

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FOR ENDORSEMENTS SEE PAGE 4



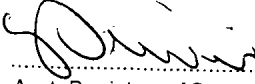
VA 002681/1/1

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T 110767/2002

Certified a true copy of the duplicate original filed of record in this Registry, issued to serve in place of the original thereof under the provisions of Deeds Regulation No. 68

Deeds Registry
Cape Town



2011-05-05 Asst. Registrar of Deeds

For Information Only



ANNEXURE G: ELECTRICITY REPORT

STANFORD ERF 1772: ELECTRICAL SERVICES REPORT

1. ELECTRICITY SUPPLY NETWORK

This development comprises of the following:

- a) The Overstrand Municipality will make an 11kV supply available at the Service Station across the road. RMU to be installed.
- b) A 70mm² PILC 11kV cable must be installed from this new switch to the minisubstation.
- d) The installation must be done strictly as per the consulting engineer's layout **drawing No. SF 20192/E1 Rev 2**, still to be approved by the municipality.

The entire distribution network shall be provided at the cost of the DEVELOPER.

The installation will also be according to the municipality's "Standard Guidelines for Electrical Services."

1.1 Underground services

The electricity network shall be an underground installation with all material/equipment and installation methods in accordance with the "Standard Guidelines for Electrical Services."

1.2 Impact on bulk and reticulation systems

The impact of this development on the existing 11kV supply in this area is not of such a nature that majure infrastructure upgrading is required.

1.3 Bulk service requirements (External 11kV connection)

No ring feed required.

1.4 Servitudes

All services will be installed in road reserves. No servitudes required.

1.5 Erf connections

Erf connections shall be for 60A single phase prepaid metering.

Due to the fact that this will be a secured village, all LV and prepaid metering will be by a private vendor.

1.6 Services charges

The developer will be responsible to pay the applicable bulk services levies on the bulk LV supply.

1.7 **Ownership and maintenance**

Ownership of the electricity supply network infrastructure as described in the plans and specification necessary for the development, shall **not** be transferred to the Overstrand Municipality. They will not be responsible for the operation and maintenance thereof.

2. **STREETLIGHTS**

The street lighting shall be provided at the cost of the DEVELOPER as per the client's requirements and specification.

2.1 **Underground services**

The electricity supply network to the streetlights shall be underground with all material/equipment and installation methods in accordance with the Guidelines for Township Electrical Services.

2.2 **Type of streetlight**

To be confirmed.

2.3 **Streetlights power supply**

The power to the new streetlights will be supplied from the new minisub.

2.4 **Connection to existing streetlights**

Not applicable.

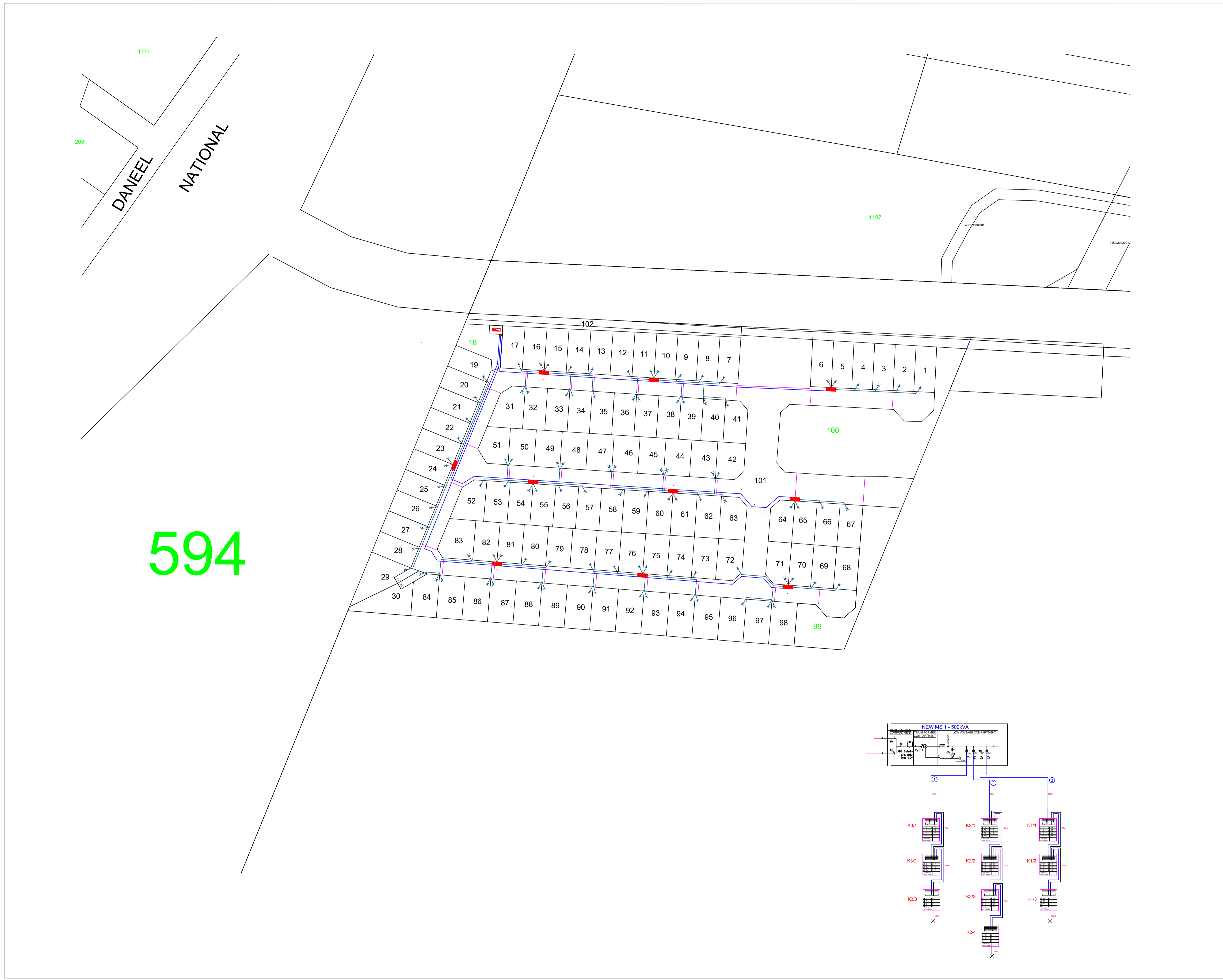
2.5 **Connection/metering**

A threephase meter, with a cell phone modem, will be installed by the private vendor in the proposed minisub.

Compiled by:



G J Bester Pr. Eng.
For Driger Consulting cc
082 4141 867



LEGEND/LEGENDE																																											
Symbol/Simbool	Description/Beskrywing																																										
	NEW MINISUB																																										
	SERVICE CONNECTION CABLE INSTALLED 1m INTO ERF, 1m FROM SIDE & STREET BOUNDARIES. CABLES DIRECTLY BEHIND KIOSK TO BE INSTALLED.																																										
	16mm ² X 2 CORE (Cu), SERVICE CONNECTION CABLE, with 2x1mm ² PILOT CORES, INSTALLED 600mm BELOW FINISHED GROUND LEVEL UNLESS OTHERWISE SPECIFIED																																										
	4 CORE LV CABLE, PVC INSULATED STEEL WIRE ARMoured AND PVC SERVED WITH AI CONDUCTORS OF SIZE AS SHOWN ON SCHEMATIC WITH BARE COPPER EARTH WIRE.																																										
	HDPE DOUBLE DOOR LV DISTRIBUTION/MUNICIPAL METERING KIOSK TO MUNICIPAL SPECIFICATION																																										
	LV CABLE FEEDER No. 1																																										
	CABLE JOINT																																										
	2 x 110mm Dia. Class 34 uPVC SLEEVES																																										
	2 x 160mm Dia. Class 34 uPVC SLEEVES																																										
	HDPE SINGLE DOOR LV DISTRIBUTION KIOSK WITH 63A SINGLE POLE 6KA CURVE 1 CIRCUIT BREAKERS FOR PRE-PAYMENT METERS																																										
	3 PHASE MCB (175 Amp)																																										
	SINGLE PHASE MCB (60 Amp)																																										
	SINGLE PHASE ISOLATOR (20 Amp)																																										
	SPLIT PRE-PAYMENT METER																																										
	KWh METER (BODY CORPORATE)																																										
	PHOTO-CELL (DAY/NIGHT)																																										
1775	ERF NUMBER																																										
	STREET LIGHTING																																										
<table border="1"> <thead> <tr> <th>No.</th> <th>Date/Datum</th> <th>Description/Beskrywing</th> <th>By/Deur</th> </tr> </thead> <tbody> <tr> <td colspan="4">REVISIONS/WYSIGINGS</td> </tr> <tr> <td colspan="4">Client: Kient:</td> </tr> <tr> <td colspan="4">Project: ERF 1772 Stanford</td> </tr> <tr> <td colspan="4">Electrical & Mechanical Consulting Engineers Driger Consulting</td> </tr> <tr> <td colspan="4">P O BOX/POSBUS 560 DURBANVILLE 7551 E-Mail: johnd@driger.co.za Dring TelerTek Beskrywing</td> </tr> <tr> <td colspan="4">LV ELECTRICAL RETICULATION</td> </tr> <tr> <td>Drawn: gjb</td> <td>Designed: DEV</td> <td>Scale: Skaal</td> <td></td> </tr> <tr> <td>Date: Sept 2021</td> <td>Approved: GJB</td> <td>Pr. Eng.</td> <td></td> </tr> <tr> <td>DRG NO: SF 20192/E1</td> <td>REVISIONS: WYS</td> <td></td> <td>2</td> </tr> </tbody> </table>				No.	Date/Datum	Description/Beskrywing	By/Deur	REVISIONS/WYSIGINGS				Client: Kient:				Project: ERF 1772 Stanford				Electrical & Mechanical Consulting Engineers Driger Consulting				P O BOX/POSBUS 560 DURBANVILLE 7551 E-Mail: johnd@driger.co.za Dring TelerTek Beskrywing				LV ELECTRICAL RETICULATION				Drawn: gjb	Designed: DEV	Scale: Skaal		Date: Sept 2021	Approved: GJB	Pr. Eng.		DRG NO: SF 20192/E1	REVISIONS: WYS		2
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ANNEXURE H: GLS BULK SERVICES INVESTIGATION



30 September 2021

WRAP
Unit B, Standard House
Cnr of Royal and Dirkie Uys Street
P.O. Box 1247
HERMANUS
7200

Attention: Mr Richard Kotzé

Dear Sir,

PROPOSED HOUSING DEVELOPMENT ON ERF 1772, STANFORD: CAPACITY ANALYSIS OF THE BULK WATER AND SEWER SERVICES

This report replaces the previous bulk water and sewer capacity report for the proposed development on Erf 1772, dated 24 November 2017.

The request by Mr Richard Kotzé of WRAP regarding comments on the bulk water supply and sewer discharge of the proposed development (Group housing development on Erf 1772, Stanford), refers.

This document should inter alia be read in conjunction with the Water Master Plan (performed for the Overstrand Municipality) dated June 2021 and the Sewer Master Plan dated June 2021.

A portion of the proposed development was conceptually taken into consideration for the June 2021 master plans for the water and sewer networks as a section of future development area SF4.

1. WATER DISTRIBUTION SYSTEM

1.1 Distribution zone

The master plan indicated that the proposed development should be accommodated within the existing Stanford reservoir water distribution zone. The proposed connection to the existing Stanford water system is to the existing 160 mm Ø pipe along the R326 Road, as shown in Figure 1 attached.

1.2 Water demand

The original water analysis for the master plan was performed with a total annual average daily demand (AADD) for the proposed development (a section of future development area SF4 in the June 2021 water master plan) of 60,0 kL/d.

For this re-analysis, the AADD and fire flows for the proposed development stay the same and is qualified as follows:

- 100 Group housing units @ 0,6 kL/d/unit = 60,0 kL/d
- Fire flow criteria (Low risk) = 15 L/s @ 7 m

GLS Consulting (Pty) Ltd

T +27 21 880 0388

Stellenpark, Block D North, Cnr of R44 and School Rd, Jamestown, Stellenbosch, 7600, ZA | PO Box 814, Stellenbosch, 7599, ZA

Reg no: 2007/003039/07

www.gls.co.za

Directors: HA Baartman, AG Hingeston

1.3 *Present situation*

Network conveyance

The existing Stanford reservoir water distribution network is supplied via the Stanford reservoir from a Top Water Level (T.W.L.) of 85,4 metres above sea level (m.a.s.l.). The existing water reticulation network of the Stanford reservoir water distribution zone has sufficient capacity in order to accommodate the proposed development with sufficient supply pressure and fire flow as per the criteria set out in the water master plan.

Reservoir capacity

The criteria for total reservoir volume used in the Overstrand Water Master Plan is 48 hours of the AADD (of the reservoir supply zone).

According to the water master plan the AADD of the Stanford reservoir water distribution zone is currently approximately 880 kL/d (based on the 2021 Water Master Plan water figures). The combined reservoir storage capacity of the existing Stanford reservoirs are 2 750 kL, which results in a reservoir storage capacity of **75** hours of the AADD.

There is therefore sufficient reservoir storage capacity in the existing Stanford reservoirs to accommodate the proposed development. The impact of the proposed development on the existing Stanford reservoirs storage capacity is however relatively significant as the development will use approximately 4% of the existing storage capacity available.

Bulk supply

The existing bulk supply system from the Stanford boreholes to the Stanford reservoir has sufficient capacity in order to accommodate the proposed development within the Stanford water system.

1.4 *Master plan*

It is proposed in the Water Master Plan for Stanford that the existing 110 mm Ø supply pipe in Kleine Street is reinforced in the near future to improve network conveyance and fire flow capacity to the Stanford North area. This is however not a minimum required item in order to accommodate the proposed development in the existing water system.

Network upgrade

- OSW1.3 : 485 m x 160 mm Ø parallel reinforcement R 620 000 *

(* Including P & G, Contingencies and Fees, but excluding VAT - Year 2020/21 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

Take note that the route of the proposed pipeline is schematically shown on Figure 1, but has to be finalised subsequent to detailed pipeline route investigations.

1.5 *Minimum items required*

There are no minimum items required to accommodate the proposed development in the existing Stanford water system.

2. SEWER NETWORK

2.1 *Drainage area*

The master plan indicated that the proposed development should be accommodated within the existing Stanford pumping station (PS) drainage area. The proposed connection to the existing Stanford sewer system is to the existing 200 mm Ø outfall sewer along the R43 Road, as shown on Figure 2 attached.

The development is inside the sewer priority area.

2.2 *Sewer flow*

The original sewer analysis for the master plan was performed with a total peak daily dry weather flow (PDDWF) for the proposed development (a section of future development area SF4 in the June 2021 sewer master plan) of 42,0 kL/d.

For this re-analysis, the PDDWF for the proposed development was also used as 42,0 kL/d.

2.3 *Present situation*

The existing Stanford PS drainage area in Stanford has insufficient capacity to accommodate the proposed development within the existing sewer system.

2.4 *Implementation of the master plan*

The following master plan item will be required to reinforce the existing sewer network of the Stanford PS drainage area in order to accommodate the proposed development together with other future development areas.

Network upgrade

- OSS2.3 : 260 m x 400 mm Ø upgrade existing 250 mm Ø outfall sewer R 1 220 000 *

(* Including P & G, Contingencies and Fees, but excluding VAT - Year 2020/21 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

Take note that the route of the proposed pipeline is schematically shown on Figure 2, but has to be finalised subsequent to detailed pipeline route investigations.

2.5 *Minimum items required*

The minimum item required to accommodate the proposed development in the existing sewer system is master plan items OSS2.3 to reinforce the existing Stanford sewer system downstream of the Stanford PS 1.

3. CONCLUSION

The developer of Erf 1772 in Stanford may be liable for the payment of a Development Contribution (as calculated by the Overstrand Municipality) for bulk water and sewer infrastructure as per Council Policy.

The existing water reticulation network of the Stanford reservoir water distribution zone has sufficient capacity in order to accommodate the proposed development with sufficient supply pressure and fire flow as per the criteria set out in the water master plan. There is also sufficient reservoir storage capacity in the existing Stanford reservoirs to accommodate the proposed development.

It is proposed in the Water Master Plan for Stanford that the existing 110 mm Ø supply pipe in Kleine Street is reinforced in the near future to improve network conveyance and fire flow capacity to the Stanford North area. This is however not a minimum required item in order to accommodate the proposed development in the existing water system.

There is insufficient capacity in the existing sewer reticulation system to accommodate the proposed development.

The minimum item required to accommodate the proposed development in the existing sewer system is master plan items OSS2.3 to reinforce the existing Stanford sewer system downstream of the Stanford PS 1.

We trust that you find this of value.

Yours sincerely,

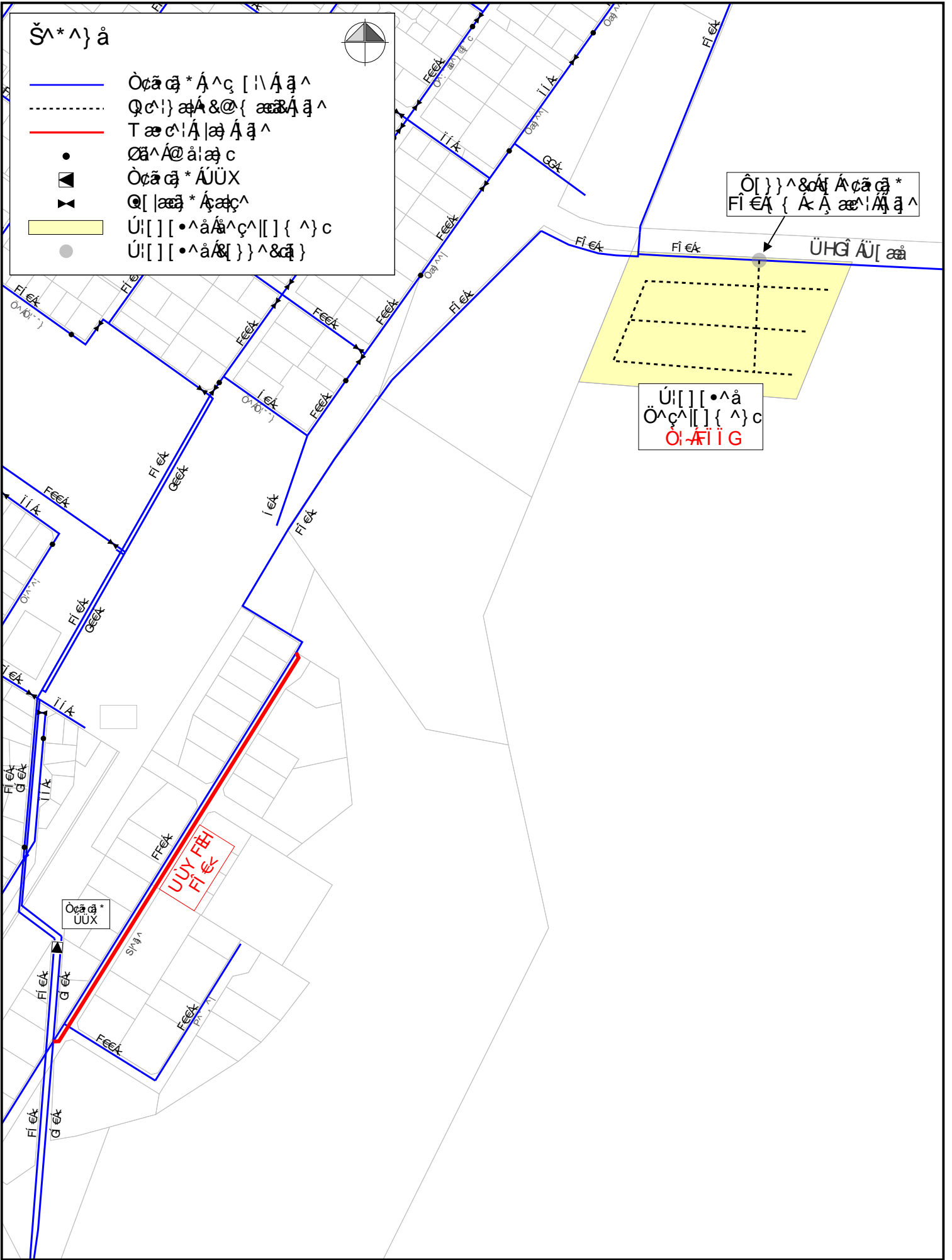
GLS CONSULTING (PTY) LTD
REG. NO.: 2007/003039/07



Per: PC DU PLESSIS

cc. The Director : Civil Engineering Services
Overstrand Municipality
P. O. Box 20
HERMANUS
7200

Attention: Mr Dennis Hendriks



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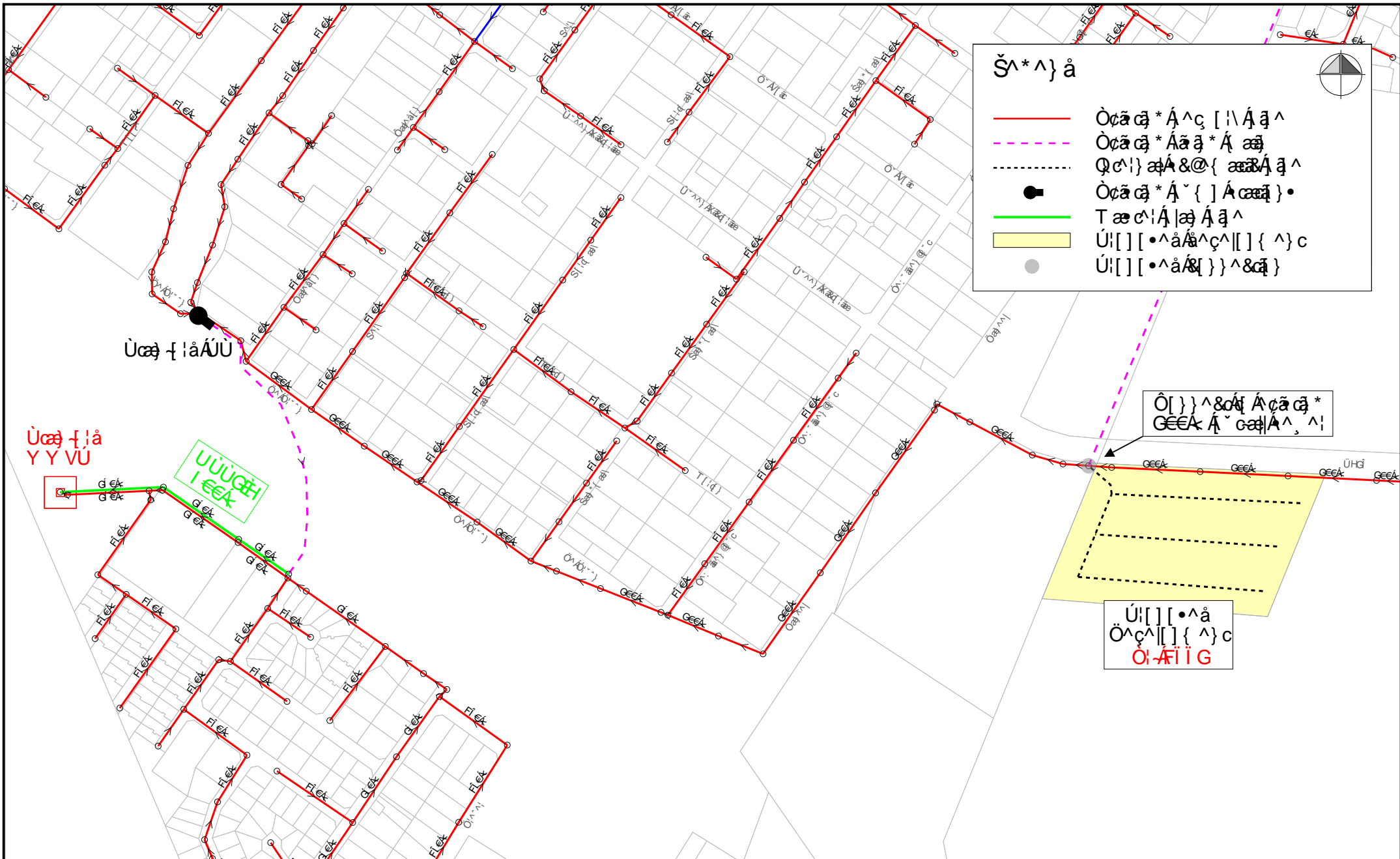
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ANNEXURE I: CIVIL SERVICES REPORT

STANDEV PROPERTY DEVELOPMENT (PTY) LTD

**ERF 1772
STANFORD**

ENGINEERING SERVICES

PROJECT NO. P243

DECEMBER 2021

AVDM
RAADGEWENDE INGENIEURS
& PROJEK BESTUURERS

ENGINEERING SERVICES

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1. INTRODUCTION

This report discusses the engineering implications of the proposed development of erf 1772 at Stanford. The subdivision plan as prepared by Wrap Town Planners, was used as basis for discussion.

The site is situated to the east of Stanford on the southern side of the R 326 opposite the Birkenhead Brewery site.

Basic levels obtained from Google Earth was used for the preliminary design process. The site slopes from the south-eastern corner to the north-western corner.

2. WATER

A bulk water and sewer capacity report for this development, dated 30 September 2021, was done by GLS Consulting.

The proposed connection to the existing Stanford water system is to the existing 160mm dia. pipe along the R326 Road.

The AADD for the 91 erven is 54.6 kl/day. The development is seen as a low-risk group 1 fire risk area and a minimum flow of 15 L/s per hydrant and a minimum residual head of 7m will be required.

The internal network will consist of a 110mm dia. ring main with 22mm dia. water connections to individual erven. A bulk water meter will be installed at the entrance to the

development and each individual erf will be supplied with a water meter as required by the local authority.

The GLS report confirm that the network capacity, reservoir capacity and the bulk supply all has sufficient capacity to accommodate the proposed development.

3. SEWER NETWORK

A bulk water and sewer capacity report for this development, dated 30 September 2021, was done by GLS Consulting.

The proposed development will be accommodated within the existing Stanford pumping station drainage area. The proposed connection for the development will be to the existing 200mm dia. outfall sewer along the R326 Road.

The existing Stanford pumping station drainage area has insufficient capacity to accommodate the proposed development. Network upgrading of 260m of an existing 250mm dia. to be replaced with a 400mm dia. pipe, will be required.

The internal sewer network will consist of normal waterborne 160mm dia. main lines with 110mm dia. service connections.

4. ROADS

A traffic impact study was done by EFG Engineers and is attached as part of the re-zoning application.

Access to the development will be from the R326 Road on the northern side of the development through a controlled gate. Sufficient distance will be provided to allow the stacking of 4 motor vehicles in front of the gate.

The streets within the development will consist of 6m and 4.5m wide surfaced road with kerbs and channels on each side built on a cross fall.

The pavement layers will be designed in accordance with TRH4 guidelines.

5. STORMWATER

The proposed internal minor stormwater system will consist of catch pits installed in the kerbed channels of the roads, which will be connected to an underground pipe network. This network will discharge into a soak away retention pond situated in the north-western corner of the site. The internal minor system will cater for the 5-year design return period.

The roadways will act as the major stormwater system. This system will have a low point in the north-western corner with an overland flow channel into the soak away retention pond which will be adequate in size to accommodate the 50-year design storms.

The retention pond will have a gabion protected spillway over the whole length of the northern wall to cater for storms bigger than the 50-year design storm.

7. ELECTRICITY

See attached the electrical services report compiled by Driger Consulting for information on the electricity supply network.

8. CONCLUSION

All Civil and Electrical Engineering Services will have to be designed according to Standards and Specifications as laid down by the Overstrand Municipality.

A service agreement will have to be drawn up between the developer and the Overstrand Municipality which will spell out the exact bulk levy contributions as well as the standard of services required.

AS van der Merwe

Pr Eng

December 2021



ANNEXURE J: TRAFFIC IMPACT STATEMENT

TRANSPORT IMPACT STATEMENT

NOVEMBER 2021

**PROPOSED RESIDENTIAL DEVELOPMENT
ERF 1772, STANFORD**

PREPARED FOR:

SEBUMO TUDE GUEST SERVICES & MORE CC

EFG Engineers (Pty) Ltd

Transport, Infrastructure, Municipal Services & Development

Reg. No. 2005/024246/07

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Ref: 912/02/adb


	EFG ENGINEERS (Pty) Ltd		Document No:	F8.6/2
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Project Number:	912			
Prepared For:	Sebumo Tude Guest Services & More CC			
Representative:	Richard Kotze (WRAP)			
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	CHECKED BY:	EF		2021/11/25
	AUTHORISED BY:	EF		2021/11/25
	AUTHOR:			
	CHECKED BY:			
	AUTHORISED BY:			
QUALITY VERIFICATION				
This report has been prepared under the controls established by a Quality Management System that meets the requirements of ISO 9001: 2015.				
© COPYRIGHT: EFG Engineers (Pty) Ltd				

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1. INTRODUCTION

1.1 Terms of Reference

EFG Engineers (Pty) was appointed to prepare a Traffic Impact Statement in support of a proposed residential development of 91 Town Housing erven on Erf 1772, Stanford. A locality plan is shown as **Figure 1.1**.



Figure 1.1: Locality Plan

1.2 Background Information

During 2001, approval was granted to subdivide Erf 1772, Stanford from Portion 13 of the Farm Riverside No. 644 and to rezone Erf 1772 from Agricultural Zone 1 to Industrial Zone 1 to allow for the operation of a brick making plant. An access servitude was registered over the adjacent property to provide for access to Erf 1772 opposite the Birkenhead Brewery off the R326. The proposed brick making plant did not become operational, Erf 1772 was not rezoned and its zoning remained Agricultural 1. Erf 1772 was also not included in the urban edge of Stanford when the Overstrand Spatial Development Framework was compiled.

A Consent Use application was subsequently submitted in November 2016 to propose an Agri-Tourism development that would include a Guest House (5 rooms to let), Conference Facility (60 seats), Farm Store, Restaurant, and other related minor uses. This application was rejected by Western Cape Government as a Traffic Study was not conducted and submitted with the application i.e., WCG Letter dated 3 April 2017, Ref. 16/9/6/1-21/121, Job 24795 included as **Appendix A**.

Subsequent to the WCG letter dated 3 April 2017, a traffic study was conducted by DECA Consulting Engineers in May 2017 to address the comments of WCG in terms of the Consent Use application for the Agri-Tourism development as described above. This study was favourably considered and the outcome was summarised in further correspondence by WCG dated 4 October 2017, Ref. 16/9/6/1-21/121, Job 24795 (also included in **Appendix A**). The DECA study proposed a formalised access opposite the Birkenhead Brewery, which was approved. A further approval condition entailed the permanent closure of all other access points to/from Erf 1772.

Erf 1772 was eventually included in the urban edge of Stanford when the Overstrand Spatial Development Framework was revised in 2020.

1.3 Proposed Land Use

The application now entails the Rezoning of Erf 1772 to General Residential 1 and Subdivision to allow for 91 Town Housing erven. The proposed Site Development Plan is included as **Appendix B**. This application and new proposed SDP supersedes the previous applications and SDPs.

2. OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK (DRAFT 2020)

Figure 2.1 shows the Overstrand SDF for Stanford.

The purple zones represent future industrial land uses, while the orange area represent a new urban infill area of 34.39ha for future residential development, mixed-use development and community facilities.

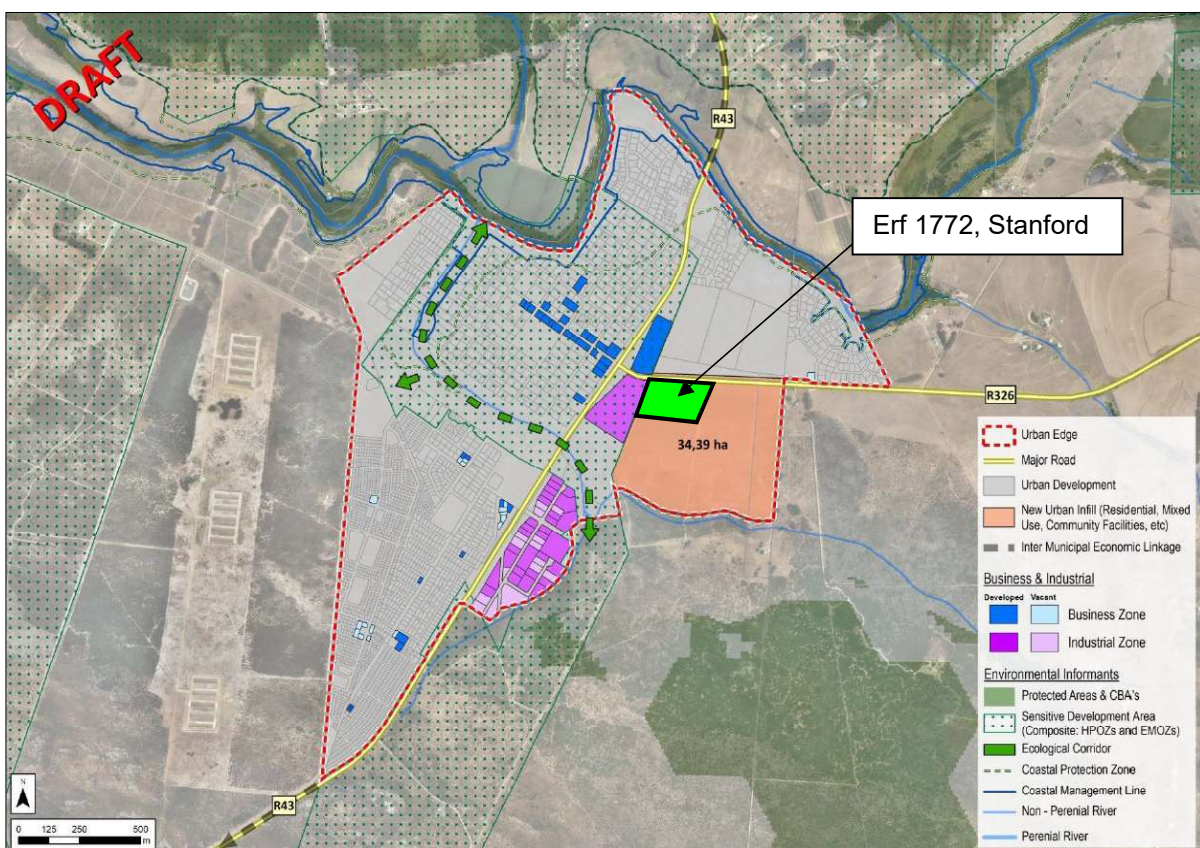


Figure 2.1: Overstrand Spatial Development Framework (DRAFT 2020)

It is not considered ideal to include industrial/commercial land uses with residential land uses in terms of mixing industrial/commercial/residential traffic and having an increase in pedestrian traffic between the four quadrants of the TR28/2 and MR267 intersection.

3. LOCAL ACCESS MANAGEMENT

3.1 WCG Access Management Guidelines (2020)

As Erf 1772 is now included in the urban edge of Stanford and given the residential development being planned (including the approved Stanhaven residential development further east also included in the urban edge), the

roadside development environment (RDE) can be considered to be suburban when fully developed, although the area currently still has a semi-rural character.

The WCG Access Management Guidelines (2020) access spacings for a Suburban RDE should therefore be acceptable in terms of future planning for the area.

Assuming only one access to/from MR267 (in the short term), it is anticipated that the access would be classified as an “Equivalent Collector (Class 4)” for a Suburban RDE (as well as Semi-Rural). The trip generation of the proposed development is detailed elsewhere.

The minimum spacing requirement between two unsignalized full intersections along Class 3 roads is 225m for Suburban and 260m for Semi-Rural RDEs.

By including the second future access point to/from the eastern boundary of the site, the future development trips will redistribute and a “High-volume (Class 5)” driveway category will apply for at least one of the two future accesses. Refer to Table 11-1 of the WCG Access Management Guidelines (2020).

The minimum spacing requirement between an unsignalized full intersection and high-volume driveway is 80m for Suburban and 105m for Semi-Rural RDEs along a Class 3 road. The same minimum spacing requirements apply between two high-volume driveways.

High-volume driveways are permissible along Class 3 through routes within Suburban and Semi-Rural RDEs, but not along Class 2 through routes (Table 11.3, WCG Access Management Guidelines, 2020). A High-volume driveway (full access) is therefore permissible along MR267 while MR267 remains undivided. It will be motivated elsewhere that MR267 has sufficient spare capacity given low traffic volumes. Based on this, it is therefore unlikely that MR267 will become a divided/dual-carriageway road in the short term.

3.2 Proposed Access to Erf 1772

The Site Development Plan (**Appendix B**) shows one access point off MR267 with a second future access point to/from the east of the site that can become operational in the longer term if and when the adjacent land to the east is developed.

Figure 3.1 shows a proposed conceptual local access management plan for the south-eastern quadrant of the TR28/2 and MR267 and possible future internal road links that also link with TR28/2 to the west. The proposed spacings along MR267 are as follow:

- First access to Erf 1772 at $\pm 130\text{m}$ from the western erf boundary; and
- Second access located opposite the Birkenhead Brewery access at $\pm 130\text{m}$ to the east of the first access position.

In the short term, only the first access point will be in place and will operate as an Equivalent Collector (Class 4) and a full intersection with MR267. This is until the wider area to the east has been developed in the future.

In the longer term future, the first access point can be converted to a left-in left-out access point with the proposed main access to the wider area opposite Birkenhead Brewery to be established as a full intersection with MR267. Alternatively, the first access point could be closed entirely and two to three additional Town Housing erven could be created.

An access point to/from TR28/2 is proposed at $\pm 240\text{m}$ from the traffic circle and on the boundary between Erf 438 and Erf 594. This position is preferred in order to create the opportunity for these erven to be developed independent of one another, while also serving as a possible additional access for future development on Portion 13 of Farm 644.

Figure 3.1 was discussed with the WCG prior to this report being prepared.

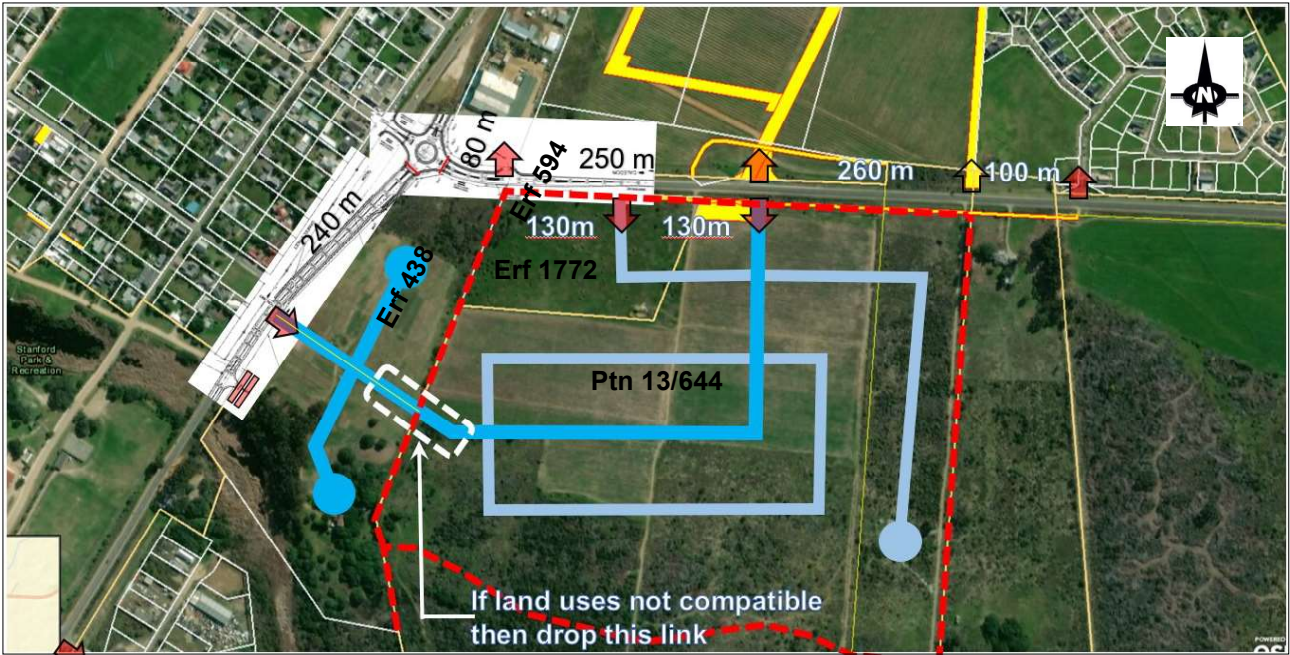


Figure 3.1: Proposed Local Access Management Concept

Figure 3.2 (extract of SG diagram) shows the existing right-of-way servitude that was previously registered over Portion 13 of Farm 644 in favour of Erf 1772. This is not a practical access as the servitude is running adjacent to MR267 and would require acute traffic manoeuvres when leaving or entering the main road.

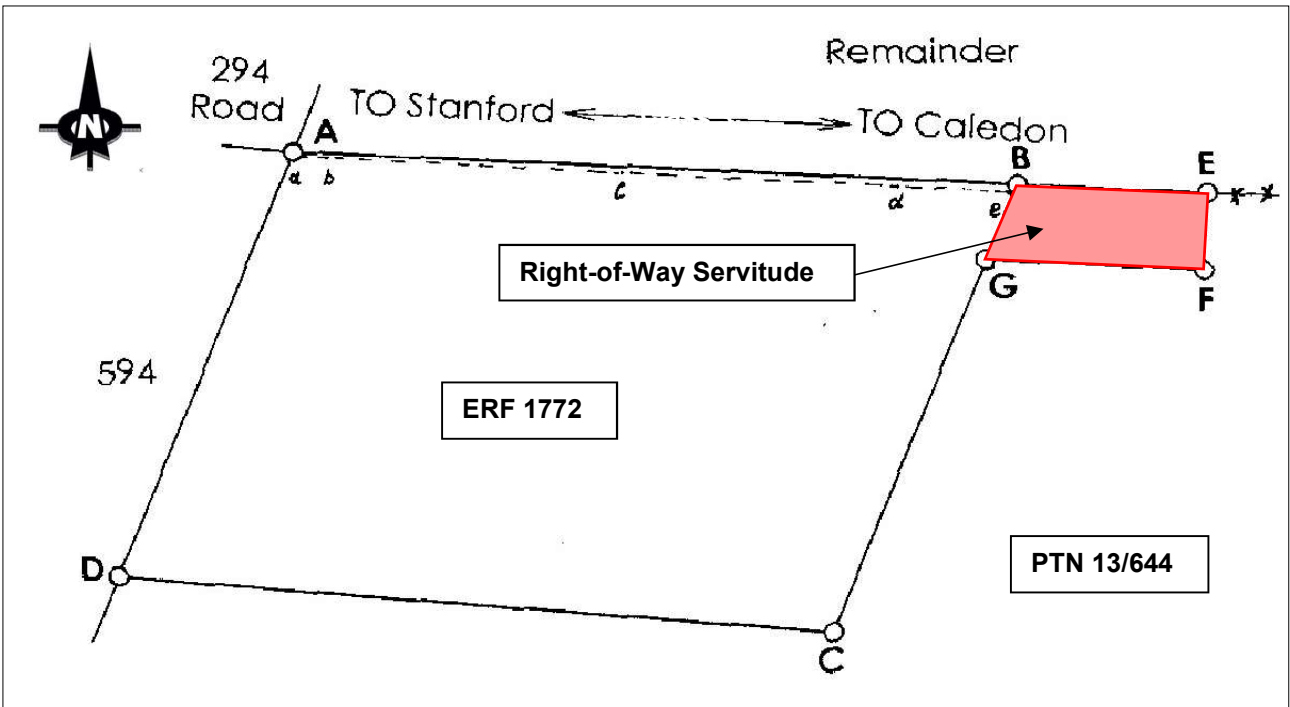


Figure 3.2: (Extract of) SG Diagram for Erf 1772, Stanford

4. TRAFFIC DATA

The latest traffic data on the Road Network Information System for MR267 dates 2015 for a typical weekday. The daily distribution is shown in **Figure 4.1**. Detail RNIS output is included in **Appendix C**.

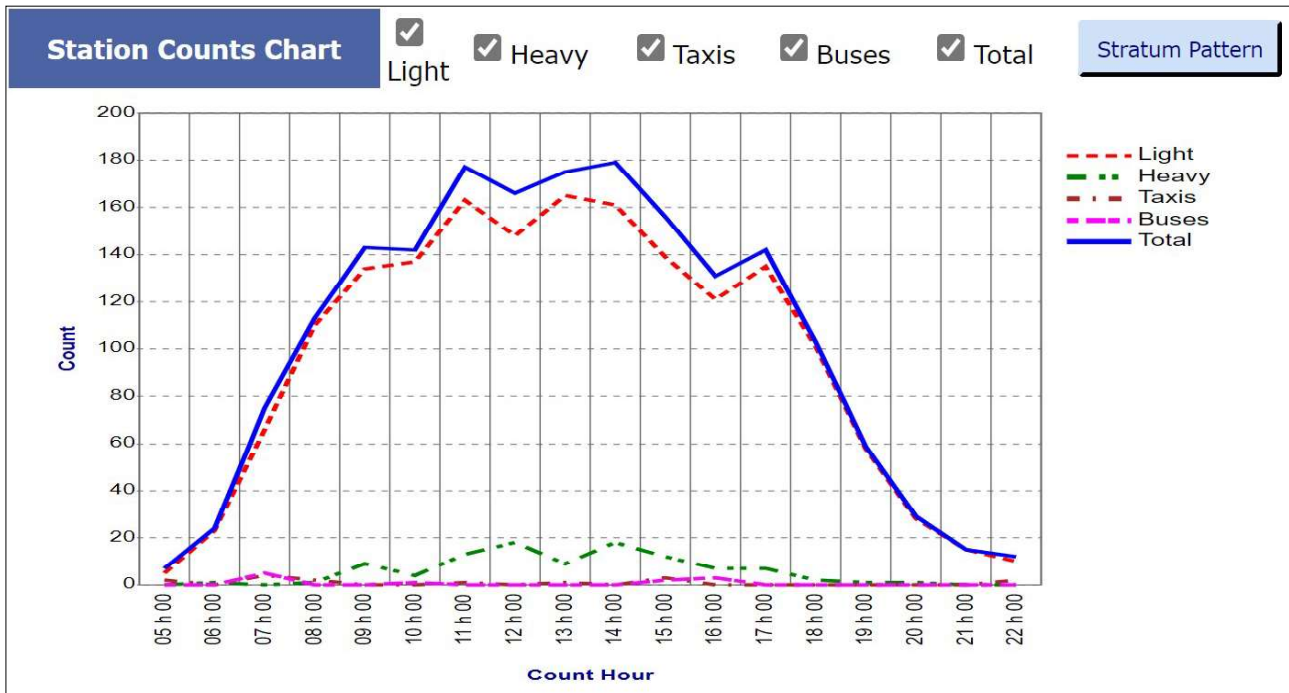


Figure 4.1: Daily Traffic Distribution (RNIS; MR267)

The daily traffic along MR267 at the intersection with TR28/2 does not follow a commuter traffic pattern with defined peaks in the AM and PM periods. The critical peak hour is observed to be the midday peak hour of 13:00-14:00. Its two-way traffic volume along MR267 is in the order of 180 vehicles per hour, which is low for this class of road.

The AADT traffic growth is ±2.5% per annum along MR267 based on the RNIS AADT data between 1999 and 2015. The 2015 peak hour traffic was escalated to 2021 peak hour traffic by applying the growth of 2.5% per annum. The estimated 2021 peak hour traffic calculates to ±210 vehicles (two-way volume), which is still considered to be low for the class of road.

Based on the above, the proposed development peak hours and external road network peak hour are not anticipated to overlap, which is beneficial in terms of the proposed development’s anticipated traffic impact.

5. TRIP GENERATION

Table 5.1 summarises the trip generation for the proposed development in terms of 91 Town Housing erven. It is anticipated that some of the units could be retirement units as well as recreational homes, for which lower trip rates are typical.

The trip rate for a Town Housing unit is 0.85 trips per unit as per TMH17. The base trip rate was reduced by ±15% (i.e. in line with the TMH17 mixed-use reduction factor) to allow for the reduced trip rates associated with retirement units and recreational homes. A trip rate of 0.7 trips per unit is therefore proposed.

Table 5.1: Trip Generation - Erf 1772, Stanford

Erf 1772, Stanford	No. of Units	Trip Rate	IN	OUT	TOTAL
AM Peak Hour	91 Townhouses (incl. some recreational and retirement units)	0.7 trips per unit	25%	75%	-
			16	48	64
PM Peak Hour		0.7 trips per unit	70%	30%	-
			44	20	64

Table 5.1 shows that the proposed development is anticipated to generate 64 trips during the AM and PM peak hours respectively.

6. TRIP DISTRIBUTION

The Site Development Plan (**Appendix B**) shows one access point off MR267 with a second future access point to/from the east of the site that can become operational in the longer term when the area to the east is developed. In the shorter term, the one access off MR267 will carry all the trips to and from the site. The trip distribution will be assessed on this basis as part of this TIS.

The following trip distribution was assumed:

- 35% towards Hermanus;
- 25% towards Gansbaai;
- 20% towards Stanford; and
- 20% towards the east along MR267.

The above implies that 80% of trips will turn left out of the proposed development while 20% will turn right from the proposed access point.

Figure 6.1 shows the future 2021 total traffic.

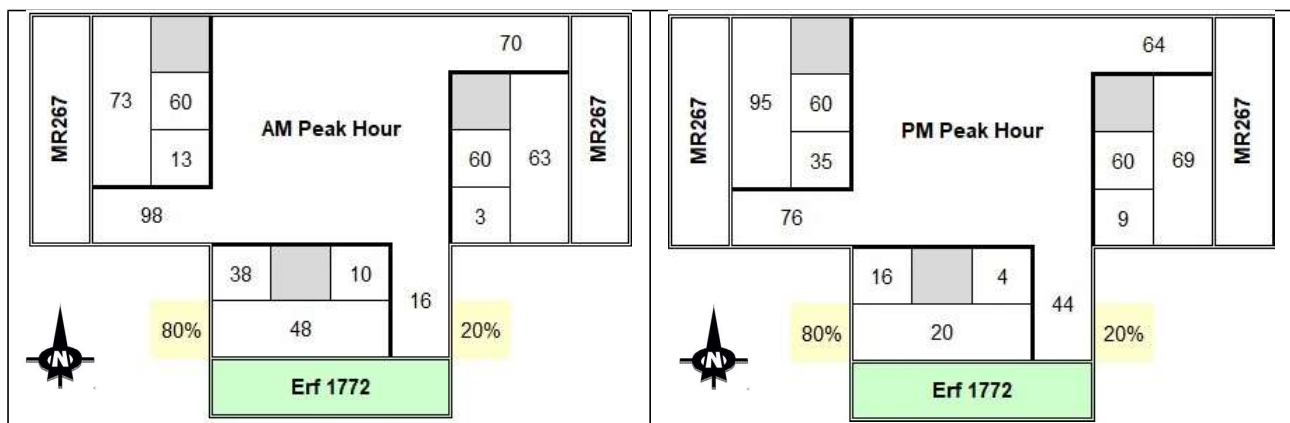


Figure 6.1: Future 2021 Traffic

The maximum number of vehicles to be generated for any turning movement is 38 vehicles during the AM peak hour (i.e., the left-turn from the site). The 2021 background traffic was taken as 60 vehicles in each direction along MR267 during the AM and PM peak hours respectively (i.e., 50 vehicles in each direction based on 2015 data escalated to 2021 traffic based on 2.5% growth per annum – also see **Figure 4.1**).

The existing traffic on MR267 is low for the class of road therefore the road has sufficient spare capacity to absorb the additional trips to/from the proposed development. Further detail capacity analysis is therefore not deemed necessary.

7. TURNING LANE WARRANT EVALUATION

The right-turn lane warrants as per the WCG Access Management Guidelines (dated 2020) were investigated at the proposed access off MR267 based on the estimated traffic volumes as per **Figure 6.1**.

Table 7.1 summarises the traffic data to inform the right-turn lane warrant evaluation.

Table 7.1: Traffic Data for Right-Turn Lane Warrant Evaluation (MR267)

Parameter	AM Peak Hour	PM Peak Hour
V_o (Opposing Volume)	63	69
V_a (Advancing Volume)	73	95
V_r (right-turn % of V_a)	13 (18%)	35 (37%)

(Based on Figure 14-2, WCG Access Management Guidelines, 2020)

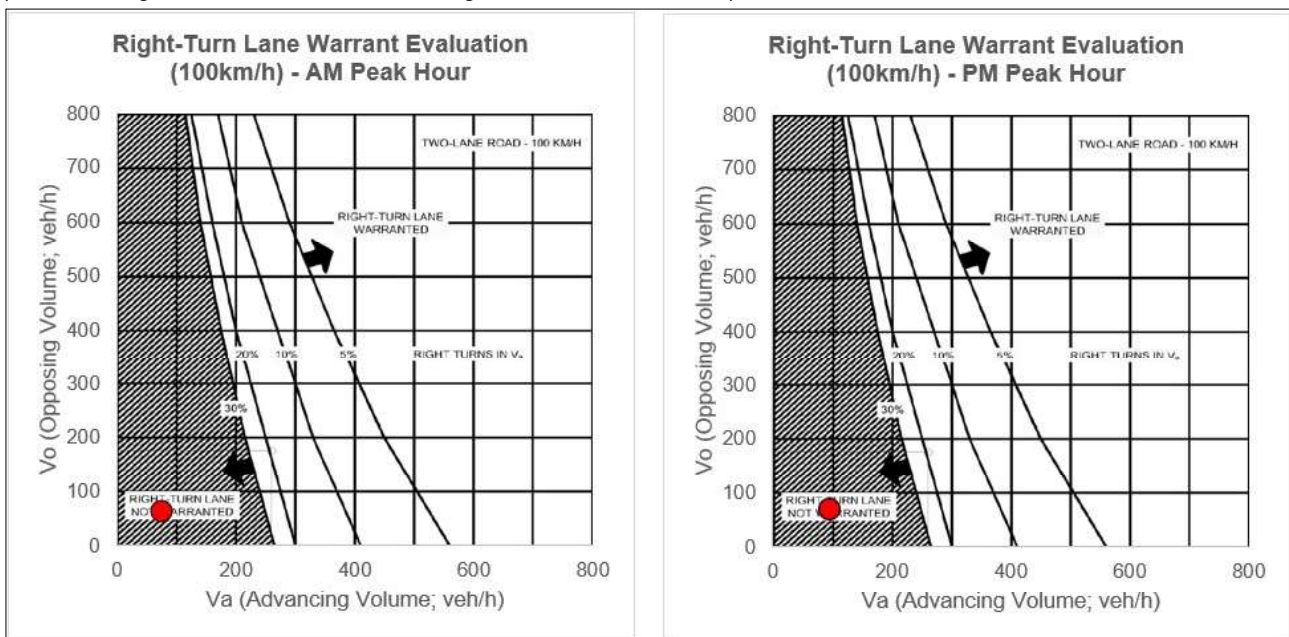


Figure 7.1: Right-Turn Lane Warrant Evaluation (2021 Future Traffic)

Figure 7.1 shows that the data points that are plotted based on the AM and PM advancing and opposing traffic volumes are to the left of the 30% reference line (i.e. the line used as reference for right-turn volumes in the order of 30% of the advancing volume).

Based on the right-turn lane warrant evaluation in **Figure 7.1**, a right-turn lane would not be warranted along MR267 based on the relatively low AM and PM peak hour traffic volumes along MR267.

8. STACKING AND PARKING

The matter of access provision was discussed in the previous section.

8.1 Available Stacking

Based on the Site Development Plan included in **Appendix B**, the on-site circulation is anticipated to be adequate. The plan shows that at both the initial and the future access points, the available on-site stacking space upon entering the site is roughly three passenger cars and upon exiting the development the available on-site stacking is roughly two passenger cars. There is one approach lane for entering and one approach lane for exiting at each access point.

A queuing analysis was conducted to check the available stacking for the entering vehicles as the entering movements are more of significance in terms of the impact on MR267. All types of access control methods that could typically apply at a residential development were included. A spreadsheet developed by City of Cape Town's Willie Liebenberg was used to conduct the analysis. The results are summarised in **Table 8.1**.

Table 8.1: Queuing Analysis Results

Access Control Method	Entering On-Site Stacking (Probability of <4 vehicles,%)	
	AM 18 vehicles	PM 49 vehicles
Swipe magnetic card	100%	100%
Remote control (Boom)	100%	100%
Remote control (Swing/Sliding gates)	100%	100%
Manual control	100%	96%
Coded card reader	100%	100%
Proximity card reader (1-2m)	100%	100%
Pin number operated gates	100%	99%
Cell-phone operates gates (gate opens when call is received)	100%	96%
Manual recording (visitor completes form)	100%	94%
Intercom operated gates (visitor contacts resident by intercom)	99%	Na*

*Na = not achievable in terms of one approach lane.

The results in **Table 8.1** indicate that apart from manual recording access control the probability of less than 4 vehicles stacking on-site upon entering is 96% or more. There are also two parallel parking bays for visitors upon entering where some administration can be conducted. The exiting movements are less critical and lower probabilities can be accepted. It is concluded that the stacking space provided upon entering and exiting the site is acceptable.

8.2 Parking Provision

The Overstrand Municipality Land Use Scheme of 2020 stipulates an off-street parking requirement of 1 bay per dwelling unit plus 1 bay per dwelling unit for visitors. For 91 Town Housing units, the total minimum off-street parking requirement is therefore 182 bays.

9. CONCLUSIONS

Based on the findings of this report the following conclusions can be drawn:

- Erf 1772 just outside of Stanford along MR267 has been the focal point for development since at least 2001 when it was subdivided from Portion 13 of the Farm Riverside 644. At the time, Erf 1772 was not included in the urban edge of Stanford. However, it was included in the urban edge in 2020 when the Overstrand Spatial Development Framework was revised.
- The current application entails the Rezoning of Erf 1772 to General Residential 1 and Subdivision to allow for 91 Town Housing erven. This application and proposed SDP in **Appendix B** supersedes the previous applications.
- Access to/from MR267 is supported within the context of a local access management plan as illustrated in **Figure 3.1**.
- The existing traffic along MR267 does not follow a commuter traffic pattern, while the proposed residential development will have its peak trips in the AM and PM peak hours on a typical weekday. The peak periods for the development and external road network therefore does not overlap, which is beneficial from a traffic impact point of view.
- The latest available traffic data from RNIS dates 2015. The data was escalated to 2021 traffic by applying a growth factor of 2.5% per annum. The estimated 2021 AM and PM peak hour traffic along MR267 calculates to approximately 60 vehicles in each direction, which is low for the class of road.
- It is anticipated that some of the proposed residential units could be retirement units and recreational homes, for which lower trip rates apply compared to that of a typical townhouse. A trip rate of 0.7 trips per Town Housing unit is proposed in lieu of 0.85 trips per unit based on TMH17 trip rates.
- The proposed development is anticipated to generate 64 peak hour trips i.e. 16 trips IN and 48 trips OUT during the AM peak hour and 44 trips IN and 20 trips OUT during the PM peak hour. MR267 will be able to accommodate the additional trips given sufficient spare capacity during the AM and PM peak hours when the development traffic peaks.
- The proposed trip distribution implies that 80% of the trips will turn left and travel along MR267 towards Stanford, while 20% will turn right.
- A right-turn lane warrant evaluation based on the WCG Access Management Guidelines of 2020 shows that a separate right-turn lane would not be warranted along MR267 during the AM or PM peak hours at full development and assuming only one access point to/from MR267.
- It is not considered ideal to include industrial/commercial land uses with residential land uses as per the Overstrand Spatial Development Framework (DRAFT 2020). The mix of traffic will (amongst others) lead to an increase in pedestrian traffic between the quadrants of the TR28/2 and MR267 intersection and thereby result in possible increased conflicts with pedestrians.
- The available stacking at the proposed access point(s) is acceptable based on the queuing analysis conducted. Most access control methods for residential developments can be implemented with a high probability that the entering and exiting queues will not extend beyond the available stacking space.
- The parking provision is found to be acceptable in terms of the requirements for minimum off-street parking based on the Overstrand Municipality Land Use Scheme of 2020.

10. RECOMMENDATIONS

Based on the conclusions drawn it is recommended that the proposed development of 91 Town Housing units on Erf 1772 be supported on the following basis:

- The external road network (MR267) has sufficient spare capacity during commuter peak hours to accommodate the peak hour trips to/from the development.
- The access provision to/from MR267 should be implemented in the short and longer term within the context of the proposed local access management plan in **Figures 3.1**.

Signed by: Frederick Hugo Foster
Signed at: 2021-11-25 08:31:48 +02:00
Reason: Witnessing Frederick Hugo Foster

Frederick Hugo Foster

Eric Foster (PrEng)

EFG Engineers (Pty) Ltd

Signed by: Andri De Bruin
Signed at: 2021-11-24 23:30:55 +02:00
Reason: Witnessing Andri De Bruin

Andri De Bruin



Andri de Bruin (PrEng)

EFG Engineers (Pty) Ltd

APPENDIX A



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

REFERENCE: 16/9/6/1-21/121 (Job 24795)
ENQUIRIES: Ms GD Swanepoel
DATE: 3 April 2017

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

Attention: Mr P Roux

Dear Sir

ERF 1772, STANFORD, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSENT USE: WRAP ON BEHALF OF SEBUMO TUDE GUEST SERVICES & MORE CC

1. Your letter 1772 SSS [3543] dated 13 March 2017 refers.
2. The subject property is located in Stanford, adjacent to Main Road 267.
3. This application is for consent use in order to accommodate the following:
 - 3.1 Guesthouse with 5 lettable rooms;
 - 3.2 Intensive horticulture;
 - 3.3 Plant nursery;
 - 3.4 Additional dwelling units;
 - 3.5 Tourist facilities including a lecture room, gift shop, restaurant, picnic area and restrooms and
 - 3.6 Farm store
4. It is noted that a Traffic Impact Statement has not been undertaken.

www.westerncape.gov.za

5. Accordingly, this Branch objects to the application in terms of the Land Use Planning Act, No 3 of 2014.

Yours faithfully

A handwritten signature in black ink, appearing to read 'ML Waters', written in a cursive style.

ML WATERS
For **CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**



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

REFERENCE: 16/9/6/1-21/121 (Job 24795)
ENQUIRIES: Ms GD Swanepoel
DATE: 4 October 2017

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

Attention: Mr P Roux

Dear Sir

**ERF 1772, STANFORD, OVERSTRAND MUNICIPAL AREA: MAIN ROAD 267: PROPOSED
CONSENT USE: WRAP ON BEHALF OF SEBUMO TUDE GUEST SERVICES & MORE CC**

1. The following refer:
 - 1.1 Your letter 1772 SSS (3543) dated 13 March 2017;
 - 1.2 This Branch's letter 16/9/6/1-21/121 (Job 24795) dated 3 April 2017 and
 - 1.3 The Traffic Impact Statement submitted by DECA Consulting Engineers dated 31 May 2017.
2. Cognisance is taken of the recommendations of the Traffic Impact Statement.
3. Accordingly, this Branch withdraws its objection to the application in terms of the Land Use Planning Act, No 3 of 2014 on condition that:
 - 3.1 The approved access is at ±km0.42 off Main Road 267 (opposite the access to the Birkenhead Brewery);
 - 3.2 The access must be hard-surfaced and conform to the geometry of a Main Farm Access;
 - 3.3 All other accesses to the property are to be permanently closed and

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- 3.4 The new access must be hard-surfaced and the design thereof must be sent to the Design Directorate (Ms MK Hofmeyr 021 4833999) of this Branch for approval.

Yours faithfully



ML WATTERS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

APPENDIX B



VERSION 6
SDP
A2 - SCALE 1:500

161 028 313 1411
Email: enquiries@efc.co.za
Unit 10, 11 & 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Plan prepared by: Bruce Jansen
As approved on: 08/11/2021
Date of issue: 08/11/2021

Project Office
WRAP - Water Planning & Project Management

APPENDIX C

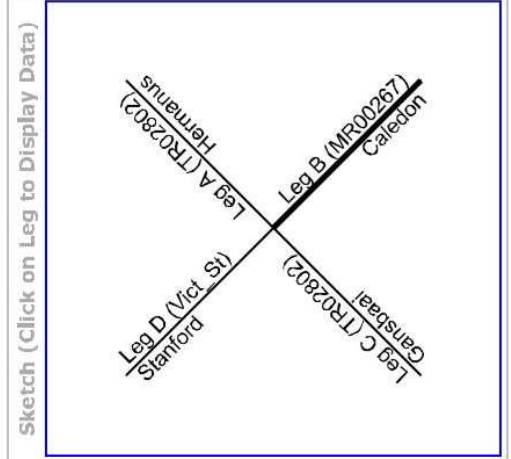
Traffic Counts				
Time	Light	Heavy	Taxis	Buses
00-01h00				
01-02h00				
02-03h00				
03-04h00				
04-05h00	5	0	2	0
05-06h00	23	1	0	0
Sub-Totals	28	1	2	0
06-07h00	66	0	4	5
07-08h00	110	1	2	0
08-09h00	134	9	0	0
09-10h00	137	4	0	1
10-11h00	163	13	1	0
11-12h00	148	18	0	0
12-13h00	165	9	1	0
13-14h00	161	18	0	0
14-15h00	139	12	3	2
15-16h00	121	7	0	3
16-17h00	135	7	0	0
17-18h00	101	2	0	0
Sub-Totals	1580	100	11	11
18-19h00	58	1	0	0
19-20h00	28	1	0	0
20-21h00	15	0	0	0
21-22h00	10	0	2	0
22-23h00				
23-24h00				
Sub-Totals	111	2	2	0
Totals	1719	103	15	11

Station AADT's

Light	Heavy	Taxis	Buses
2063	124	18	13
Total	2218		

Station Data

Station No	4106B
Road No	MR00267
Km Distance	0.00
Count Date	24/08/2015
Hours Counted	18
Day Counted	Monday
Counted by	C
Expansion Factor	1.20
Stratum	RA
Peak Hour Ratio	0.00
Total AADT	2218



Print

Print

Intersection Diagram

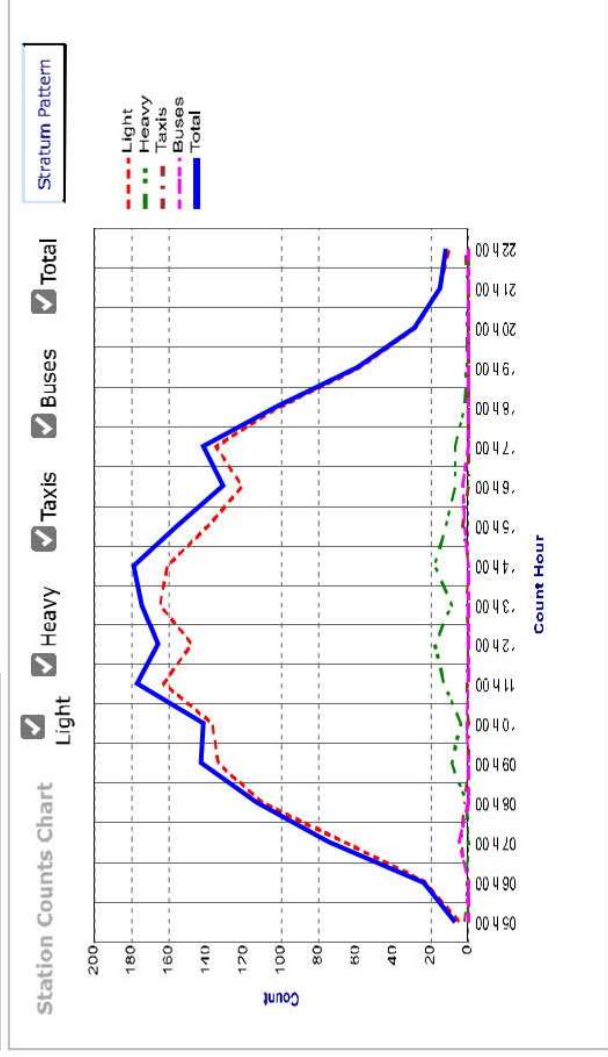
Growth Rate Growth Rate Chart

Historical Data 1 of 5

< 2015/08/24 >

Exit

Station Data





ANNEXURE K: ENVIRONMENTAL CLARIFICATION



REFERENCE: 16/3/3/6/1/E2/37/1331/21
DATE OF ISSUE: 7 December 2021

The Proponent
Lornay Environmental Consulting
P. O. Box 1990
HERMANUS
7200

Attention: Ms. M. Naylor

Cell: 083 245 6556
Email: michelle@lornay.co.za

Dear Madam

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) WITH RESPECT TO THE PROPOSED SUBDIVISION AND REZONING TO CREATE RESIDENTIAL ERVEN ON ERF 1772, STANFORD.

1. The documents for the determination of the applicability of the EIA Regulations, 2014 (as amended) received via electronic mail correspondence by this Department on 01 October 2021, this Department's request for additional information dated 19 October 2021, the additional information received via electronic mail correspondence by this Department on 25 October 2021, this Directorate's correspondence dated 1 December 2021 and the additional information received by this Directorate via electronic mail correspondence on 6 December 2021, refer.
2. Based on the information provided (6 December 2021), the proposed site has not been used for agriculture on or after 1 April 1998.
3. It is herewith confirmed that the proposed residential development on Erf 1772, Stanford does not trigger Activity 28 of Listing Notice 1 of the EIA Regulations, 2014 (as amended).
4. This determination is based on the fact that the proposed site was not used for agriculture on or after 1 April 1998.
5. Written Environmental Authorisation will therefore **not be required** from the competent authority (in this instance this Directorate) prior to the undertaking of the said development.
6. However, should any revision of your proposed development comprise any activities that constitute a listed activity as defined in Listing Notice 1, 2 or 3 of the EIA Regulations, 2014 (as amended), an application for Environmental Authorisation must be submitted to the competent authority and authorisation obtained before such activity(ies) may commence.
7. You are reminded of the general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is*

authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."

8. This Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

Melanese Schippers Digitally signed by
Melanese Schippers
Date: 2021.12.07
13:41:24 +02'00'

pp HEAD OF COMPONENT
DIRECTORATE: DEVELOPMENT MANAGEMENT – REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
CC: Ms. P. Aplon (Overstrand Municipality) Email: paplon@overstrand.gov.za



**ANNEXURE L: NOTIFICATION OF INTEND TO DEVELOP:
RECORD OF DECISION**

PAGE 1 OF 2

Our Ref: HM/ OVERBERG/ OVERSTRAND/ STANFORD/ ERF 1772

Case No.: 2220300801AM0308E

Enquiries: Ayanda Mdludlu

E-mail: ayanda.mdludlu@westerncape.gov.za

Tel: 021 483 5959

RM Kotze

admin@wrapgroup.co.za



RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: HIA REQUIRED
In terms of Section 38(4) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: SUDIVISION, REZONING AND RESIDENTIAL DEVELOPMENT ON ERF 1772, STANFORD, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 2220300801AM0308E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received. This matter was discussed at the Heritage Officers' Meeting held on 24 March 2022.

You are hereby notified that, since there is reason to believe that the proposed subdivision, rezoning and residential development on erf 1772, Stanford will impact on heritage resources, HWC requires that a Heritage Impact Assessment (HIA) that satisfies the provisions of Section 38(3) of the NHRA be submitted. Section 38(3) of the NHRA provides

- (3) *The responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection (2)(a): **Provided that the following must be included:***
- (a) *The identification and mapping of all heritage resources in the area affected;*
 - (b) *an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6(2) or prescribed under section 7;*
 - (c) *an assessment of the impact of the development on such heritage resources;*
 - (d) *an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;*
 - (e) *the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;*
 - (f) *if heritage resources will be adversely affected by the proposed development, The consideration of alternatives; and*
 - (g) *plans for mitigation of any adverse effects during and after the completion of the proposed development.*

(Our emphasis)

This HIA must in addition have specific reference to the following:

- Visual impact assessment, &
- Cultural landscape study.

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
• **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000
• **Tel:** +27 (0)21 483 5959 • **E-pos:** ceoheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **linombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za

PAGE 2 OF 2

Our Ref: HM/ OVERBERG/ OVERSTRAND/ STANFORD/ ERF 1772
Case No.: 2220300801AM0308E
Enquiries: Ayanda Mdludlu
E-mail: ayanda.mdludlu@westerncape.gov.za
Tel: 021 483 5959
RM Kotze
admin@wrapgroup.co.za



RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: HIA REQUIRED
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape
Provincial Gazette 6061, Notice 298 of 2003

The HIA must have an overall assessment of the impacts to heritage resources which are not limited to the specific studies referenced above.

The required HIA must have an integrated set of recommendations.

The comments of relevant registered conservation bodies; all Interested and Affected parties; and the relevant Municipality must be requested and included in the HIA where provided. Proof of these requests must be supplied.

Please note, should you require the HIA to be submitted as a Phased HIA, a written request must be submitted to HWC prior to submission. HWC reserves the right to determine whether a phased HIA is acceptable on a case-by-case basis.

If applicable, applicants are strongly advised to review and adhere to the time limits contained the Standard Operational Procedure (SOP) between DEADP and HWC. The SOP can be found using the following link <http://www.hwc.org.za/node/293>

Kindly take note of the HWC meeting dates and associated agenda closure date in order to ensure that comments are provided within as Reasonable time and that these times are factored into the project timeframes.

HWC reserves the right to request additional information as required.
Should you have any further queries, please contact the official above and quote the case number.

.....
Colette Scheermeyer
Deputy Director



www.westerncape.gov.za/cas

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Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, ekapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za



ANNEXURE M: HERITAGE IMPACT ASSESSMENT

PROPOSED RESIDENTIAL DEVELOPMENT ERF 1772 STANFORD



Figure 1: View from the south east corner of the site looking towards development at the intersection of the R326 and the R43; Agri Overberg's warehouse and service station

DRAFT HERITAGE IMPACT ASSESSMENT

Prepared in compliance with **Section 38(3)** of the National Heritage Resources Act
(No 25 of 1999)

AIKMAN ASSOCIATES
HERITAGE MANAGEMENT
P. O. Box 140
Tulbagh 6820
Cell 083 306 67 68
aikman@wol.co.za

August 2022

HWC Case number: 220300801

Contents

1. BACKGROUND.....	3
2. LOCALITY AND SETTING	3
3. HISTORICAL DEVELOPMENT	6
4. STATUTORY CONTEXT	8
5. HERITAGE RESOURCES	10
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1. BACKGROUND

The owners of Erf 1772 Stanford (Sebumo Tude Guest Services & More Pty Ltd) wish to develop a residential estate on the currently vacant site. As the proposed activity involves the rezoning of a site larger than 10 000m², it was required that submission be made to Heritage Western Cape (HWC) in terms of section 38 of the National Heritage Resources Act (NHRA). RM Kotzé on behalf of WRAP Project Office submitted the standard Notification of Intent to Develop (NID) form and details of the proposed residential development. In the form it was noted that the Department of Environmental Affairs and Development Planning (DEADP) had confirmed that the proposed development will not trigger any Listed Activity in terms of the EIA Regulations, 2014 (as amended). The NID recommended that a Heritage Impact Assessment (HIA) was required based on the fact that the site was partially within the Landscape HPOZ of Stanford. It should be noted that a Landscape Report for the development had been prepared for the development by Megan Anderson Landscape Architect and RISE Architects had prepared fairly detailed Architectural Design Guidelines for the development (both attached).

The NID was reviewed HWC's HOMS Committee on 24 March 2022. It was resolved that an HIA was required that satisfies the provisions of section 38(3) of the NHRA be submitted and that this HIA must have specific reference to the following:

- *Visual impact assessment, and*
- *Cultural landscape study.*

Aikman Associates: Heritage Management was then appointed to prepare this draft HIA report. ARLA Consulting Landscape Architects was appointed to prepare the attached Visual Impact Assessment (VIA).

2. LOCALITY AND SETTING

The Overberg village of Stanford is 16km to the east of Hermanus accessed via the R43. It is linked via the R326 and the Akkedisberg Pass to Riviersonderend on the N2 and Overberg towns of Caledon, Napier and Bredasdorp.

Erf 1772 is bordered by vineyards on its south and east boundaries and by a vacant property on its west boundary owned by the Municipality, Erf 594. This is zoned Industrial. Its north boundary is the R326.

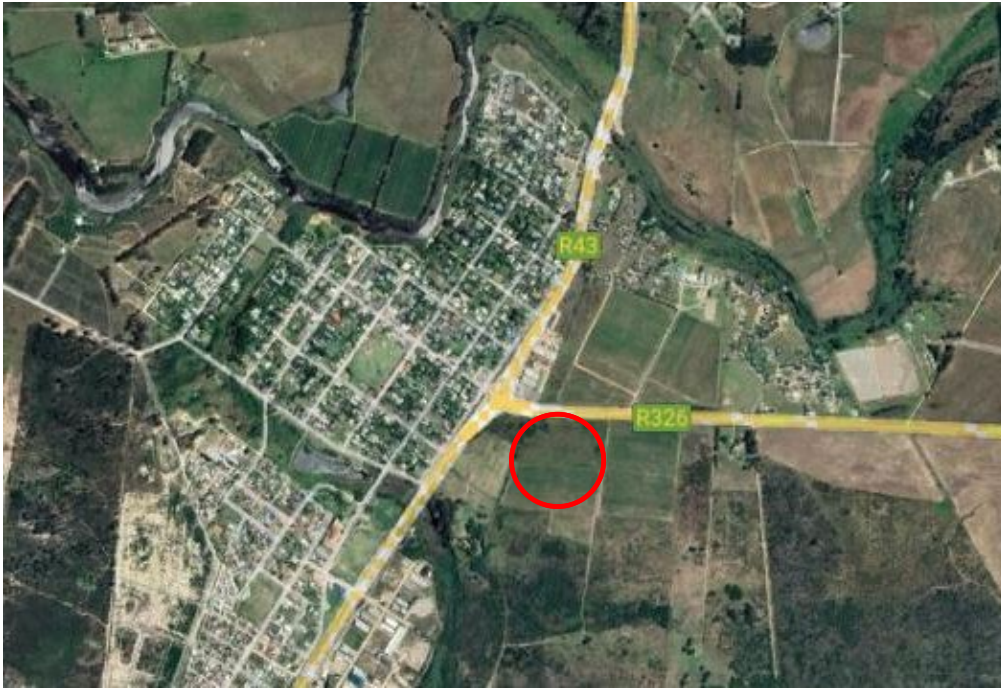


Figure 2: 2022 Google Earth satellite image



Figure 3: View from the east boundary of the site towards the R43



Figure 4: There is a vineyard to the south of the property seen on the left



Figure 5: The current access to Erf 1772 Stanford is via a registered right of way servitude over Remainder of Portion 13 of Farm Riverside No 644 shown above



Figure 6: R326 forms the northern boundary of the property



Figure 7: Erf 594 shown above on the west boundary of Erf 1772 and at the intersection of the R326 and the R43 is owned by the Municipality and is zoned Industrial Zone 1. At the intersection itself is a vacant portion of Erf 523 that straddles the R326 and is zoned Business Zone 2. Most of Erf 523 to the north of the R326 is occupied by the agricultural supply company Agri Overberg

3. HISTORICAL DEVELOPMENT

Local Stanford Historian Ms Annalize Mouton, in 2008 on the 150th anniversary of the village produced a detailed history of the village's development from the first grazing rights granted to MR Vlotman at Kleyneriviers Valleij in 1758 to the present. This history is outlined below.¹

Vlotman's grazing rights were transferred first to Jeremias Auret and then to Christoffel Brand in 1783. In 1798 Lady Anne Barnard recorded in her diary spending two nights at the Brand's house and departing for Swellendam the next day via what she referred to as the Clyne Rivier Cloof. This was the road that linked Kleyneriviers Valleij to Riviersonderend. This would have been the Akkedisberg Pass that had been a Khoi stock trail for centuries. Archaeologists working at the Klipgat cave at De Kelders, about 12km to the east of this site, have found some of the best evidence for this. Sheep bones were recovered and dated to about 2000 years ago.

The farm remained in the ownership of the Brand family until 1813 when it was sold to JA Truter (later Sir John Truter) Chief Justice of the Cape Colony. Truter increased the size of the farm (8000ha). He then sold the farm in 1831 to Major Samuel Parby, who had retired from the East India Company to the Cape. Captain Robert Stanford having served in Burma and in the Frontier War in the Eastern Cape retired on half pay from the army.

In 1838 he bought the farm from Parby who was close to bankruptcy. By then the farm was 10 927ha in extent. Besides Kleine Riviers Valley Estate. described himself as being of "ample means" and indeed he was. He owned a town house on Stal Plein, farms in the Caledon district, a farm in Stellenbosch, Gustrouw/Fortuintjie farms near Gordons Bay, Myrtle Grove at the foot of Sir Lowry's Pass and Kogel Bay on the coast.

At Klein Rivier he built a mill on the river and produce from the farm was shipped to Cape Town by a cutter from Skulpiesbaai. In 1849 he leased the farm to Captain Smails and the Stanford family then settled at Gustrouw/Fortuintjie. In the same year he was forced as an officer to supply meat and produce to the ship Neptune anchored in Simons Bay. It was carrying Irish convicts to the Cape. Most citizens were opposed to the Cape becoming a penal colony and boycotted supplying the ship. After five months the ship sailed for Australia but Stanford and other loyalists were ostracized. Stanford was bankrupted. Despite appeals to the British Government for compensation his farms at the Cape including Kleine Rivier Estate were sold to pay creditors.

¹ MOUTON, A. (2008). Stanford-150: Portrait of a Village. Wordpress.

Kleine Rivier was bought at auction by Phillipus de Bruyn in 1857. De Bruyn then laid out a village of 165 plots. He named it Stanford.



Figure 8: 1997 aerial photograph. At that stage only the agricultural co-op had been built on the R326

Stanford has grown significantly and now has a population of over 7000 people. Its economy is primarily driven by tourism. There are numerous guest houses and restaurants in the village as well as houses used for holidays and weekends. Boat trips on the Klein River are popular. Recent growth has been to the east of the R43 along the R43 along the river.

4. STATUTORY CONTEXT

Erf 1772, Stanford) is 33306 m² (3,3306ha) in extent and is currently zoned as Agricultural Zone 1: Agricultural (AGR2). It is however within an area identified within the Overberg District Spatial Development Framework (ODSDF)

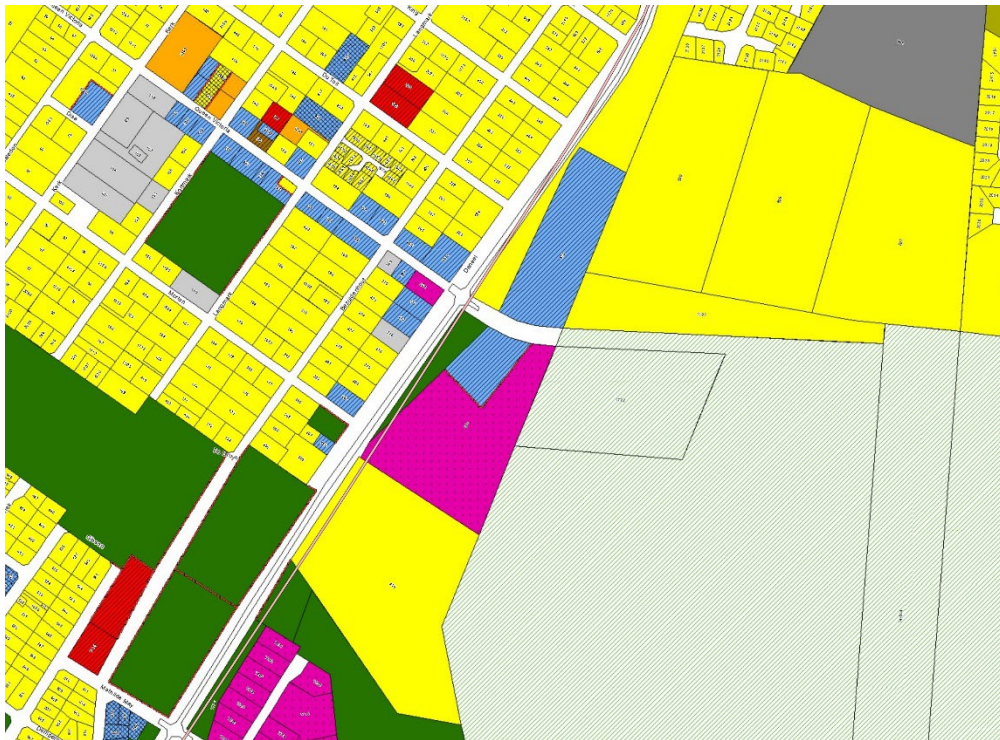


Figure 9: Extract from the zoning map

The subject property was included in the Urban Edge with the 2022 revision of the Overstrand Local Municipality Spatial Development Framework (OMSDF).

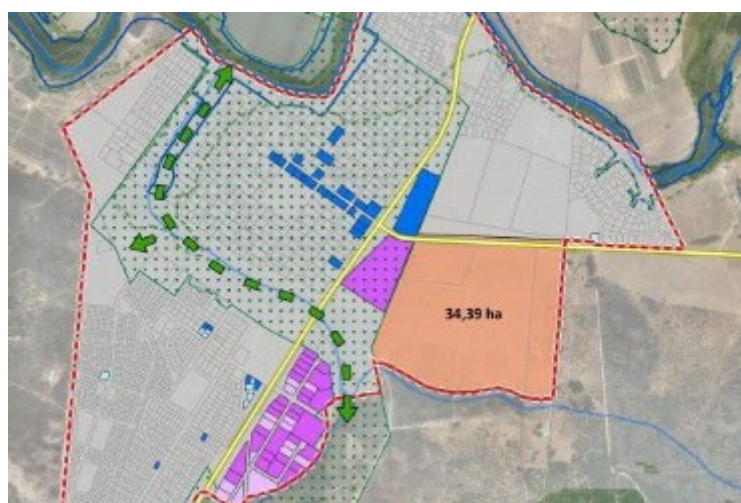


Figure 10: OMSDF indicating Erf 1772 is part of an area identified in the SDF as Urban Infill



Figure 11: The erf is located in the heritage conservation area but not in the Heritage Protection Overlay Zone



Figure 12: The erf is partly located within the HPOZ Landscape significance (strip along the R326)

The R43 and R326 are categorized in the Landscape HPOZ as scenic routes of regional significance.

5. HERITAGE RESOURCES

Cultural significance can be defined as: aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value of significance. The national estate includes, inter alia, places, buildings, and structures of cultural significance; historical settlements and townscapes; and landscapes and natural features of cultural significance (NHRA).

There are no tangible heritage resources on Erf 1772 or in the immediate vicinity, no structures, botanical, or geological resources. It was simply a camp providing rough grazing for livestock as was most of the land in the Klein River Valley. From an archaeological perspective it can be concluded that although isolated MSA and LSA stone tools may be exposed below the top soils during preparation of the site for development, the significance is likely to be low.

5.1 Cultural landscape

Cultural landscape is a term used in the fields of geography, ecology, and heritage studies, to describe a symbiosis of human activity and environment. As defined by the World Heritage Committee, it is the "cultural properties [that] represent the combined works of nature and of man" and falls into three main categories:

- "a landscape designed and created intentionally by man"
- an "organically evolved landscape" which may be a "relict (or fossil) landscape" or a "continuing landscape"
- an "associative cultural landscape" which may be valued because of the "religious, artistic or cultural associations of the natural element."

The landscape setting of Erf 1772 Stanford is unremarkable. It is a landscape in transition. Historically the valley supported Elim ferricrete fynbos (Eff) but this has almost entirely disappeared over more than 250 years from the grazing of livestock. Fynbos needs fire to endure but the Khoi and the later settlers used fire to increase grazing. Erf 1772 has some Eff species but is dominated by aliens. Apart from isolated stands of sugar gums and trees along the river (mostly invasive alien poplars and wattle) it is a fairly treeless landscape. In the last 30 years the transition has been more dramatic with vineyards beginning to appear and even groves of olives as well as cereal and canola production. Since the construction of the Birkenhead Brewery and the Walker Bay Wine Estate on the river to the east of the R43 in 1998 there has been considerable urban development in the area along the river and stretching to the R326; the gated Stanhaven residential complex.

There is no coherence or theme running through this landscape. It can't for example be compared to the Cape Winelands Cultural Landscape as there are no iconic white-washed farmsteads set in groves of oaks surrounded by vineyard and orchards as found in the Boland.

The setting of Erf 1772 Stanford is rural in character with its grazing camps, and vineyards but it is of little or no heritage significance unlike the Cape Winelands.

5.2 Visual impact

The attached VIA prepared by ARLA Consulting Landscape Architects follows the criteria, definitions and terminology for a Level 3 Visual Assessment as set out in the reference document: Oberholzer, B. 2005: Guideline for involving Visual & Aesthetic Specialists in EIA processes: Edition 1. CSIR Report No ENV-S-C 2005 053 F. Republic of South Africa, Provincial Government of the Western Cape, Department of Environmental Affairs & Development Planning, Cape Town.

The VIA concluded that from a visual perspective, the development should be endorsed from a visual perspective, on the condition that the mitigation measures for the proposed development are implemented as per the Architectural Design Guidelines and Landscape Report prepared for this development.

6. THE PROPOSED DEVELOPMENT

The Site Development Plan (SDP) shows that a simple gridiron layout is to be used (a reference to Stanford itself) and the proposed units are to have a contemporary Cape vernacular architectural expression.



Figure 13:

This proposed residential development will consist of the following:

- 91 Residential Properties;

- 5 Private Open Spaces; and
- 3 Private Roads.

Access to the development will be taken from the R326 through a controlled entrance gate. The current access to Erf 1772 Stanford is via a registered right of way servitude over Remainder of Portion 13 of Farm Riverside No 644, Caledon. Access to a development consisting of 91 residential opportunities via a right of way servitude is not desirable and it was agreed with the owners of the Remainder of Portion 13 of Farm Riverside 644, to exchange two portions of land on condition that the existing servitude is cancelled, and the Western Cape Department of Transport approves the new proposed access to Erf 1772 Stanford from the R326. The execution of this agreement, included in the land use application, entails the following: Approximately 94 m² will be subdivided from Erf 1772 Stanford and consolidated with the Remainder of Portion 13 of the Farm Riverside 644 Caledon and approximately 1909 m² will be subdivided from the Remainder of Portion 13 of Farm 644, Caledon and consolidated with Erf 1772, Stanford.

The rezoning and subdivision of the subject property will introduce a new type of residential opportunity into the housing market in Stanford. The proposed zoning and morphology are however aligned with development trends in other areas of the Overstrand Municipality.

The town planners maintain that the proposed development will combine a modern feel to historic Stanford in an attempt to attract and satisfy a market that is not being catered for within the current urban context of Stanford.

7. IMPACT ON HERITAGE RESOURCES

The only heritage resource identified is the currently rural landscape of this part of the Klein River Valley. This is in transition as has been recognised in the ORSDF where Erf 1772 has been included within the Urban Edge and is designated as part of a large are as Urban Infill.

The VIA found that... The visual absorption capacity (VAC) of the broader landscape varies between the village and the rural landscape. Within the village or vineyards, the VAC is moderate-high however, when covered with crops such as wheat or canola, used for pasture, vacant or abandoned fields have a low VAC. The site therefore has an overall moderate VAC.

The VIA concluded... From a visual perspective, the development should be endorsed on the condition that the mitigation measures for the proposed development are implemented as per the Architectural Design Guidelines and Landscape Report prepared for this development

8. SUSTAINABLE SOCIAL AND ECONOMIC BENEFITS

The NHRA specifically refers to social and economic development.² In addition Section 38(3)(d) of the NHRA requires that the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development should be evaluated.

Erf 1772 Stanford is located within an area identified in the ORSDF as being within the Urban Edge of Stanford and desirable for Urban Infill. The ORSDF inter-alia considered sustainable social and economic benefits as part of the formulation of the plan.

The development involves an estimated capital expenditure of over R100-million. It will provide jobs during construction and generate need for goods and services once completed. The Municipal rates income will be significantly increased.

9. PUBLIC PARTICIPATION

This draft HIA is to be reviewed by the Stanford Heritage Committee and Overstrand Heritage and Aesthetics Foundation. Comment from these two bodies will be incorporated into the Final HIA.

10. RECOMMENDATIONS

It is recommended that that as this proposed residential development was recommended by the visual specialist that the development should be endorsed from a visual perspective on the condition that the mitigation measures for the proposed development are implemented as per the Architectural Design Guidelines and Landscape Report prepared for this development.

This assessment should be considered to have met the requirements of s38(3) of the NHRA and therefore HWC is requested to endorse and confirm that no further studies are required.

² National Heritage Resources Act, 1999, Section 5(7)(d).



ANNEXURE N: VISUAL IMPACT ASSESSMENT

VISUAL IMPACT ASSESSMENT

for the Proposed Subdivision, Rezoning and Residential Development on Erf 1772, Stanford Overstrand Local Municipality

HWC Case No: 2220300801AM0308E



Prepared for submission in terms of section 38 of the National Heritage Resources Act,
Act 25 of 1999

Client: Tude Guest Services and More (Pty) Ltd
(Reg No. 2021/721413/07)

Prepared by:



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EXECUTIVE SUMMARY

The town of Stanford falls within the region of the Overberg which has significant natural and rural beauty, and thus visual sensitivity. The region is characterised by rugged mountain ranges, fynbos, rolling wheat and canola fields, picturesque vineyards and coastal vistas. Stanford village, full of rural charm, is located 24km east of the town of Hermanus and was established as a farming community in 1857.

The site for the proposed development is located south of the R326 at about 250m from the R326 - R43 intersection at the entrance to Stanford Village. It falls inside the urban edge of the Overstrand SDF (2022); also refer to the legislative context below.

The site is currently surrounded by land used for agricultural purposes or land that has been used for agricultural purposes but has since been abandoned.

“This proposed development will consist of: 91 Residential Properties; 5 Private Open Spaces; and 3 Private Roads. Access to the development will be taken from the R326 through a controlled entrance gate. The rezoning and subdivision of the subject property will introduce a new type of residential opportunity into the housing market in Stanford” (NID, 2022:4).

The site is located on the valley floor of Kleinrivier Valley and, based on topography only, highly visible i.e. visible from several square kilometres. The site is not visible from the town centre because of existing buildings and vegetation. The site is visible from sections of the R43 & R326, especially where the road ascends up and out of the valley towards Hermanus, Caledon or Gansbaai. However, existing trees on the adjacent properties as well as along these “Routes of Regional Scenic Significance” provide moderate screening.

The visual absorption capacity of the broader landscape varies between the village and the rural landscape. Within the village or vineyards the VAC is moderate-high however, when covered with crops such as wheat or canola, used for pasture, vacant or abandoned fields have a low VAC. The site therefore has an overall **moderate VAC**.

Visually sensitive areas within the ZVI include the Stanford Village HPOZ as well as the Landscape of Significance. Visually sensitive receptors include residential area in and around Stanford, residents or visitors travelling on the R43 & R326.

Potential visual impacts include:

- Change from Agricultural Landscape to Residential Development,
- Visibility from Sensitive Areas & Receptors,
- Night light.

From a visual perspective, the development should be endorsed on the condition that the mitigation measures for the proposed development are implemented as per the Architectural Design Guidelines and Landscape Report prepared for this development.

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Addendum B: Criteria used for the Assessment of Impacts

1. INTRODUCTION

A notice of intent to develop (NID) was submitted to Heritage Western Cape on the 28th of February 2022 and the response received on the 24th of March 2022 indicated that a Heritage Impact Assessment (HIA), assessing the visual impact of the proposed development, would be required in terms of Section 38(3) of the National Heritage Resources Act No. 25 of 1999 (Refer Addendum A).

Antoinette Raimond Landscape Architectural Consulting, hereafter referred to as ARLA Consulting, was appointed on the 31st of May 2022 by WRAP Group to conduct a Visual Impact Assessment (VIA) for the proposed development on Erf 1772 in Stanford, within the Overstrand Local Municipality.

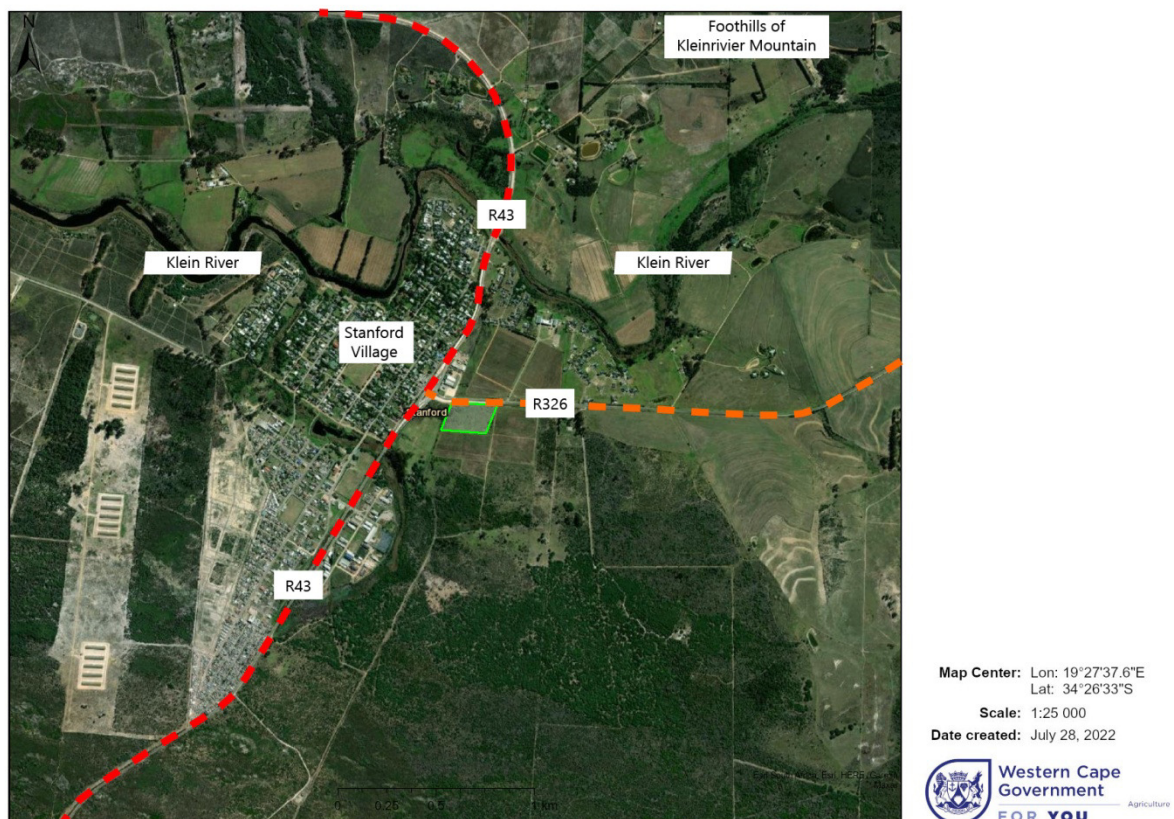


Figure 1: Site location
(Source: CapeFarmMapper with adaptations)

1.1 Background to the Study

The Site Context

The town of Stanford falls within the region of the Overberg which has significant natural and rural beauty, and thus visual sensitivity. The region is characterised by rugged mountain ranges, fynbos, rolling wheat and canola fields, picturesque vineyards and coastal vistas. Stanford village, full of rural charm, is located 24km east of the town of Hermanus and was established as a farming community in 1857.

The site for the proposed development is located south of the R326 at about 250m from the R326 - R43 intersection at the entrance to Stanford Village. It falls inside the urban edge of the Overstrand SDF (2020); also refer to the legislative context below.

The site is currently surrounded by land used for agricultural purposes or land that has been used for agricultural purposes but has since been abandoned. Birkenhead Brewery is located immediately opposite the site (to the north) and gently slopes down to Kleinrivier. A service station as well as the Overberg Agri is located west of The Birkenhead (and thus north west of the site) on the corner of the R43 and R326. A fairly new residential area is located east of the Birkenhead (thus north east of the site) called Stanhaven. The property to the west, immediately adjacent to the site, is zoned as industrial. The farms located north and east of the site are zoned as agriculture and used as such although, an additional approximately 35ha of the agricultural area surrounding the subject property is also included in the Overstrand urban edge (2020).



Figure 2: Site Context
(Source: Google Earth with adaptations)

1.2 Legislative Context

This study forms part of a Basic Assessment process undertaken in terms of the National Heritage Resources Act (Act 25 of 1999).

Following the submission of a notification of Intent to Develop (NID) Heritage Western Cape (HWC) requested a Heritage Impact Assessment (HIA) in terms of Section 38(3) of NHRA as described in the introduction.

Cultural Landscape:

In terms of this VIA, cultural landscape will be defined as per the Operational Guidelines for the Implementation of the World Heritage Convention which states that: "*cultural landscapes are cultural properties that represent the combined works of nature and man*" designated in Article I of the Convention (ICOMOS 2009); are:

- *illustrative of the evolution of human society and settlement over time,*
(in this case the cultural landscape of Stanford is of high significance in terms of its rich and dense historical layering dating to the 18th century: resources reflecting the use of the area for a wide range of farming activities, from the seasonal activity related to Khoisan herders (cattle grazing), to the market gardening associated with Stanford in the mid 19th century to the present-day wine, wheat and canola farming; Overstrand EMF. 2013:40)
- *under the influence of the physical constraints and/or opportunities presented by their natural environment, and*
(in this case the high local significance in terms of its unique Klein River valley setting, relationship between the Stanford village and the surrounding farmland- Klein River Valley- and the natural features bisecting the town i.e. the Klein River & Mill Stream, the ecological corridor)
- *of successive social, economic, and cultural forces, both external and internal*
(in this case development pressure for a mix of residential housing within Stanford).

The following documents have been reviewed in terms of the visual aspects:

Overberg District Spatial Development Framework (2014) &

Draft Overberg District Spatial Development Framework (2022)

The frameworks refer to Stanford as an agricultural town on the coastal plain and highlight the link between its biophysical assets and the tourism economy which in turns places significant value on its heritage and scenic landscapes that must be protected. It refers to the Heritage and Scenic Resources: Inventory and Policy Framework for the Western Cape, a supporting study commissioned with the 2014 PSDF for more deal with regards to the scenic and heritage assets (2022:37).

Overstrand Spatial Development Framework (2020)

Stanford is described as "an increasingly popular tourist destination due to its historical character - the settlement dates from the mid-nineteenth century" (2020:88). "Stanford's more recent suburbs to the east of the" ... Klein River ..." are characterised by higher density more modern layout patterns, although informed to an extent by the historical grid layout. The eastern suburbs were laid out based on the garden city concept" (2020:89).

"The historical grid layout and Cape vernacular townscape is regarded as such a significant heritage resource, that the Overstrand Municipality delineated this entire area as an individual and unique draft HPOZ. In addition to the aforementioned, the area south of the natural spring (i.e. "Die Oog") and the area that connects to the non-perennial river that bisects the town have been included in one urban conservation EMOZ and is therefore protected in terms of the draft EMOZ regulations" (2020:89).

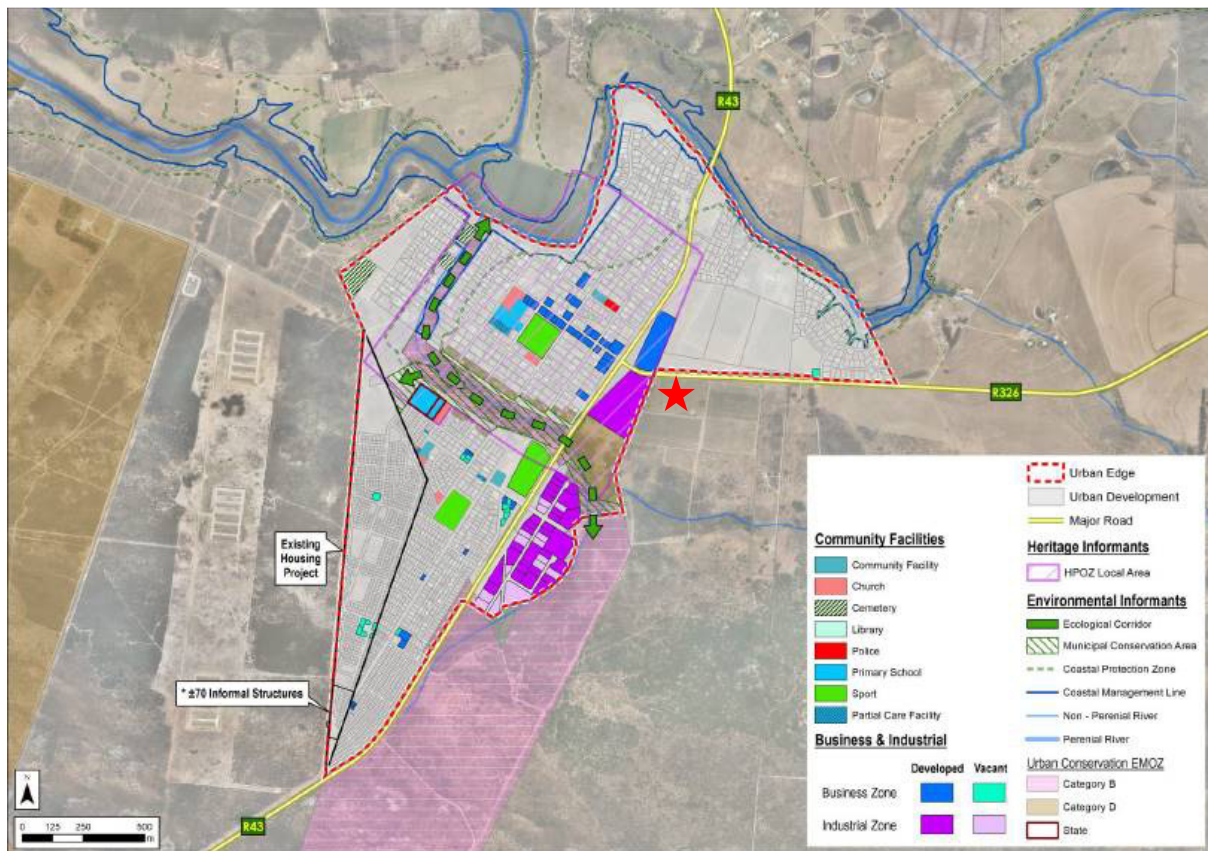


Figure 3: Stanford Status Quo
Source: Overstrand SDF 2020:90

The Stanford Draft HPOZ states "foreign or unsympathetic styles of site layout and buildings should be discouraged in urban settlements and rural areas so as to strengthen the local sense of place and minimise visual impact" (2020:132). This pertains specifically to the HPOZ however, due to the site's close proximity, it should be considered in the proposal.

One of the local spatial development and growth management principles in the SDF is to promote "urban expansion in less sensitive areas" (2020:212). The site falls within an area that the Spatial Proposal highlights as "new urban infill: residential, mixed use, community facilities, etc." See Figure 4 below.

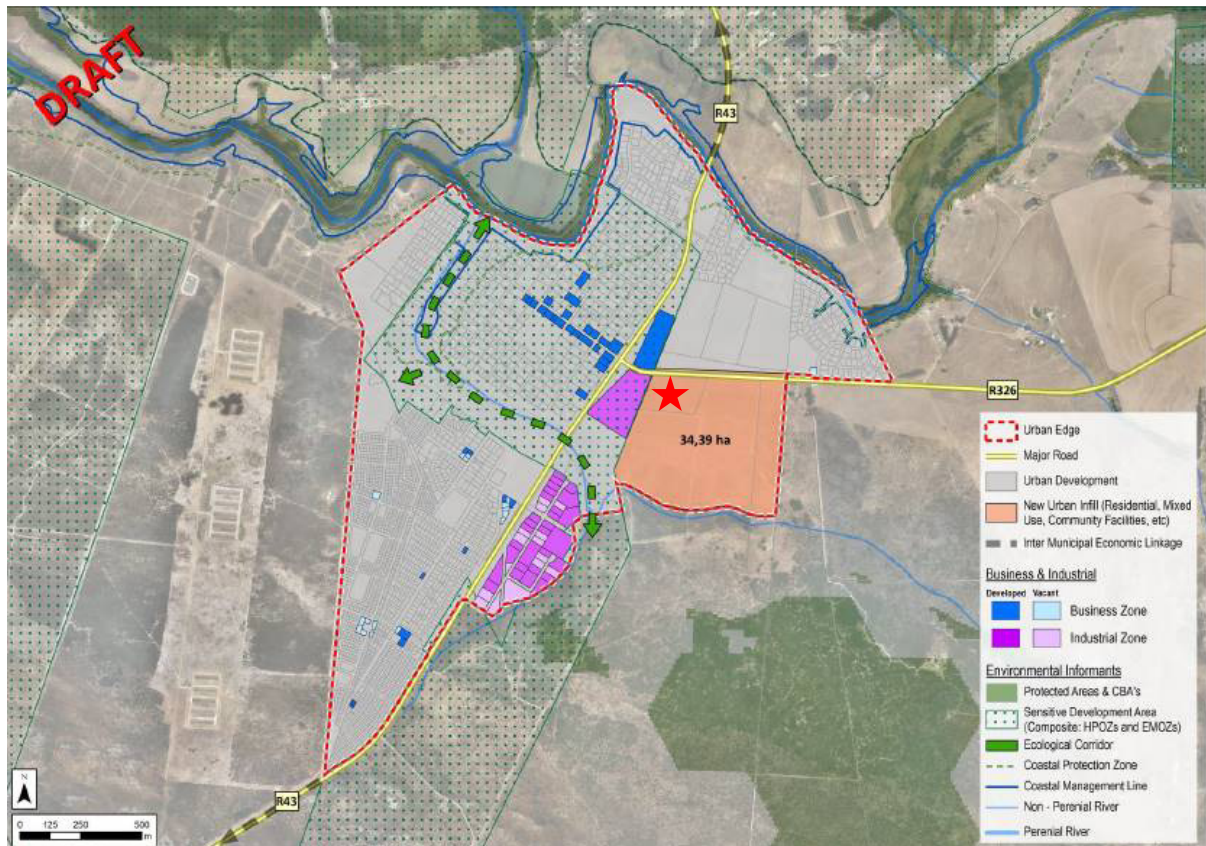


Figure 4: Stanford Spatial Proposal 2020
Source: Overstrand SDF 2020:213

Draft Overstrand Heritage Survey (2009)

The survey notes that Stanford is located at "the junction of the route to the coast and the link route from the Cape over the Hottentots Holland, through Botrivier towards Bredasdorp" (2009:23). It also notes that scenic and natural heritage significance typically increases where "mountains are in close relation to the coastline or lagoons" such as the Klein River Valley in which Stanford is located (2009:35). Heritage Significance for Stanford is described under five headings namely: architectural, aesthetic, social & historical, scientific and technological. Under Aesthetic Significance it notes that it "relates primarily to the natural setting of the village". Reference is made to the riverine corridor to the north (the Klein River), the Kraal recreational area to the south, the water from the spring in the south (Die Oog) which feeds the leiwater system and the way the buildings have been located close to the street boundaries (leaving the rear portion open for the planting of fruit trees and vegetables). It further states that "heritage management actions thus need to ensure the visual spatial interrelationship between settlement and nature" (2020:83).

One of the vulnerabilities it lists is the "inappropriate development at the entrance to the village which could impact negatively on its rural setting". It does not mention any specific development however; it can be assumed that reference is being made to the service stations at the entrance to the village.

The Survey notes that the Heritage Protection Overlay Zone proposed for Stanford relates specifically to the conservation of existing fabric as opposed to the control of building form (2009:5). It further recommends "that the existing conservation areas demarcated for Stanford, be consolidated and extended to include the river courses north and south, the area immediately to the east of the main route between Hermanus and Gansbaai to preserve the scenic qualities of this area, and Die Bron school and church area, and die 'Kraal' area to the south" (2020:84).

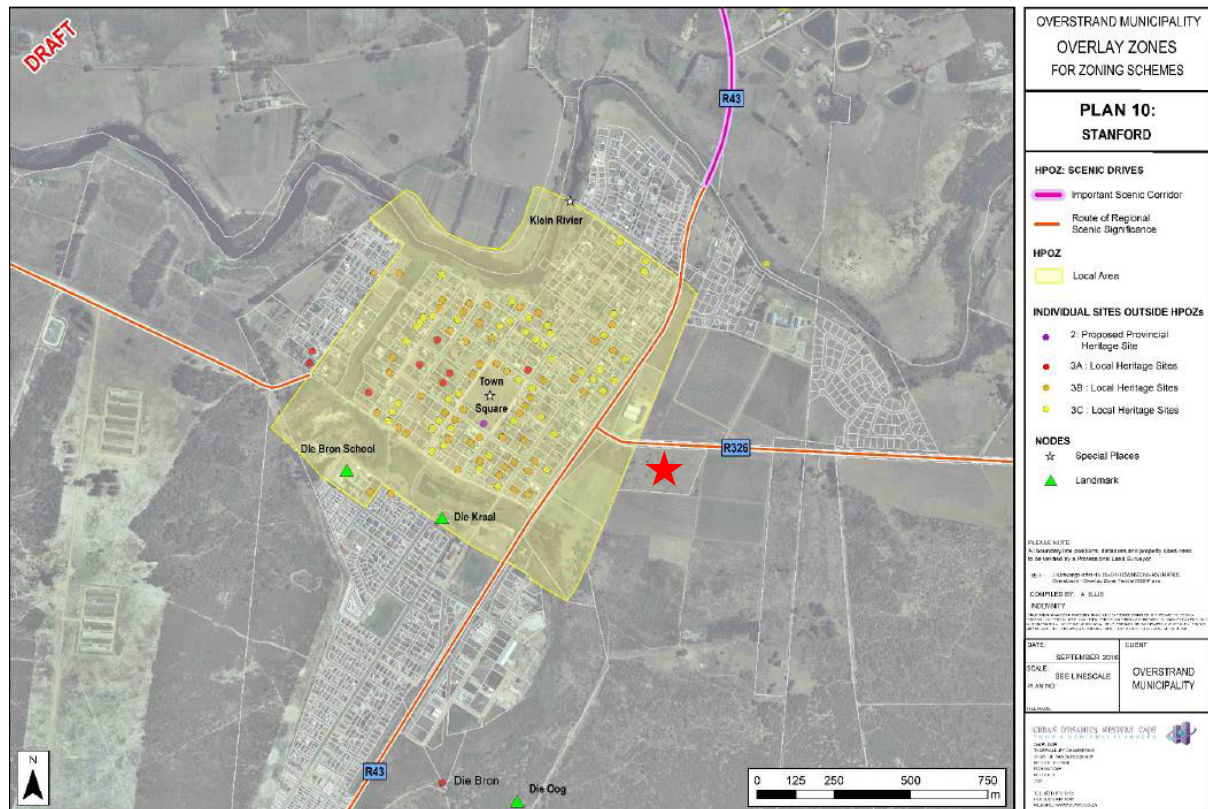


Figure 5: Overlay Zones for Zoning Schemes, Plan 10: Stanford
Source: Draft Overstrand Heritage Survey (2009:80)

NOTE: the HPOZ immediately adjacent to / west of Erf 1772, the important scenic corridor north of Stanford and the route regional scenic significance in close proximity to Erf 1772 (R43 & R326).

The Survey also includes Conservation and Development Guidelines for the Overstrand Municipality. Keeping in mind that it was developed in 2009 the following heritage, planning and design informants are relevant: "*consolidate development within the existing urban edge line*" & "*prevent further development of gated villages along the northern edge of the R326*". The former is no longer possible since the Overstrand SDF (2020) noted that approximately 34ha is required for new urban development by 2031 (2020:88). The proposed development will be a gated estate however, it is located along the southern edge of the R326.

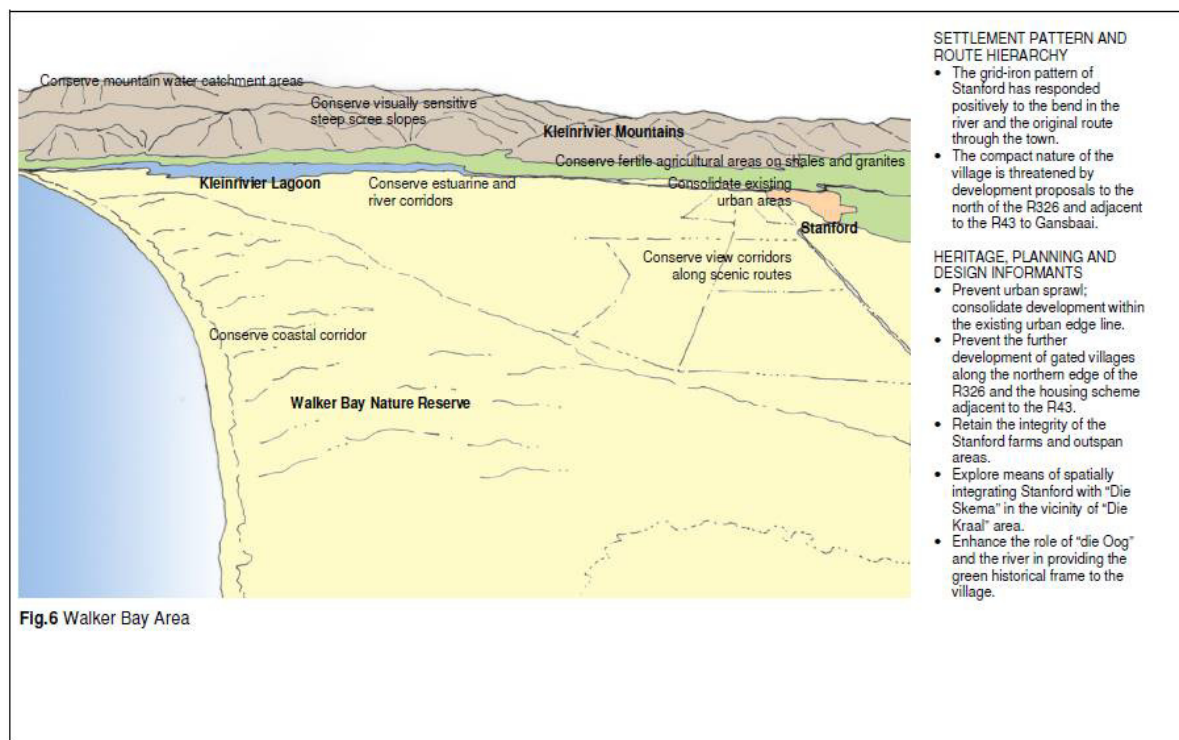


Figure 6: Heritage, Planning Design Informants: Walker Bay Area
Source: Draft Overstrand Heritage Survey (2009:290)

Heritage and Scenic Resources: Inventory and Policy Framework for the Western Cape (2014)

Appendix A of the Inventory gives a description and overview of each municipal district. The historical themes and layering relevant to Stanford are: landscape of high scenic beauty, historical architecture, place of recreation and its use for a wide range of farming activities. It lists Stanford as worthy of formal heritage protection (2014:42)

Appendix B (provides an inventory of each municipal district. It lists Akkedisberg Mountains as a Grade III Landscape, Kleinrivier Estuary as a Grade III Landscape, Kleinrivier Valley as a Grade III Landscape (rural landscape with scenic, cultural and biodiversity value), R326 as Grade III Route (Scenic route between Stanford and N2 through rural landscape/ cultural landscape), R43 Kleinrivier Valley as Grade III Route (Scenic route along Kleinrivier lagoon between Hermanus and Gansbaai) and Stanford as Historic Core III (2014:33-39). These would be categorised as visually sensitive areas in this VIA.

1.3 Terms of Reference

The DEA&DP Guidelines (Oberholzer, 2005:11) determines the level of assessment according to:

- a. The type of environment where development is proposed, and
- b. The type of development that is proposed.

The type of environment is rated as "*areas or routes of high scenic, cultural, historical significance*" due to Stanford's ecological and heritage value and tourism potential due to the former.

The type of development is rated as Level 4 "*e.g. medium density residential development*, sports facilities, small-scale commercial facilities / office parks, one-stop petrol stations, light industry, medium-scale infrastructure.*"

* Medium density development is described as: "*generally 1 to 3-storey structures, including cluster development, usually with more than 25% of the area retained as green open space*" (2005:11).

Due to the above a high visual impact can be expected i.e.:

- Potential intrusion on protected landscapes or scenic resources;
(heritage protection overlay zone, mountain and agricultural views)
- Noticeable change** in visual character of the area;
(depending on architectural and landscape guidelines)
- Establishes a new precedent for development in the area (2005:12).
(new development south of R326)

** Noticeable change is described as: "*clearly visible within the view frame and experience of the receptor*" (2005:12).

However, the Overstrand SDF proposes new development in "*less sensitive areas*" and proposes new urban infill south of the R326 (2020:212-213). In addition new residential development such as Stanhaven has been developed north of the R326 and east of the Birkenhead Brewery. Due to the above it is our opinion that a Level 3 Assessment will be sufficient to evaluate the visual impact of the proposed development on the receiving environment (Oberholzer, 2005:19).

1.4 Methodology

The Level 3 Visual Assessment will be compiled as per the criteria, definitions and terminology as set out in the reference document: Oberholzer, B. 2005: ***Guideline for involving Visual & Aesthetic Specialists in EIA processes***. Edition 1. CSIR Report No ENV-S-C 2005 053 F. Republic of South Africa, Provincial Government of the Western Cape, Department of Environmental Affairs & Development Planning, Cape Town; as per our standard practice.

The method followed to produce this report has been to:

- a) A site visit / field survey, with Henry Aikman (HIA specialist), was undertaken on 22nd of June 2022. This site visit allowed us to:
 - Assess the scenic resources within the vicinity of the site, including *its context* and visual sensitivity,
 - Determine the actual or practical extent of potential visibility of the proposed development, by assessing the screening effect of landscape features (i.e. ZVI),
 - Conduct a photographic survey of the landscape surrounding the development, and
 - Identify sensitive landscape and visual receptors;

- b) A review of relevant studies & documentation available that contribute to the context and understanding of the anticipated visual impact, namely:
 - Notice of Intend to Develop submitted to Heritage Western Cape by Richard Kotze on 28th of February 2022,
 - Response to Notice of Intend to Develop from Heritage Western Cape dated 24th of March 2022;
 - Plans prepared by WRAP Town Planning & Project Management:
 - Site Development Plan (no date)
 - Elevation (double- no date)
 - Elevation (single- no date)
 - Erf 1772- Stanford: Architectural Design Guidelines. January 2022 by RISE Architects & WRAP Town Planning & Project Management.
 - Landscape Report and Plan dated December 2022 prepared by Megan Anderson Landscape architect.

1.5 Assumptions and Limitations

- The information and deductions in this report are based on information received from the client, as well as research and fieldwork by the specialist.
- This report assumes that the information provided by others is correct.
- This report is based on the information that was available at the time of writing.
- The perception of visual impact can be highly subjective. Unlike, for instance water quality, visual and scenic quality cannot be easily quantified as they tend to be abstract and relate to cultural values and perception.
- There is often a divergence of opinion on what constitutes 'acceptable' change, by the individual, the community or society in general.
- The report relies on a combination of 1:50 000 Topocadastral, 1:10 000 Orthophoto, Google Earth and CapeFarmMapper Images.

2. THE PROPOSED DEVELOPMENT

2.1 Site Description

The site is located east and south of the developed edge of Stanford and is zoned for agriculture. It is bounded on the west, south and eastern side by farmland and by the R326 on the northern side. The Birkenhead Brewery, with its vineyards in the foreground, is located towards the north immediately opposite the R326.

The site and Stanford Village, located approximately 250m west of the site, falls within the Kleinrivier Valley on the foothills of the Klein River Mountain Range. Major routes within the vicinity are the R43, connecting Hermanus past Stanford to Gansbaai, and the R326 connecting the coastal route with the N2 national road via Caledon.

The site is 3.3ha in extent and fronts onto the R326 for approximately 230m. The site is very flat and falls in a north-westerly direction, towards Stanford. The highpoint at the south-east corner is approximately 25mamsl and the low point on the north-west corner approximately 22mamsl. This represents a total fall of approximately 3m over a mean distance of 230m, an approximate slope of 1:76. The site was used for agricultural purposes (vegetables and grazing) however it is currently not in use and has not been for some time.

As mentioned above the historic village of Stanford is located approximately 250m west of the site however, the proposed Heritage Protection Overlay includes Erf 594, the erf immediately west of the site. Both the R326 and the R43 are proposed 'Routes of Regional Scenic Significance'. There are no significant tree lines or clumps on the site but there are several within close proximity on the adjacent erven.

2.2 Development Description

"Erf 1772, Stanford (hereafter referred to as the subject property) is 33306m² in extent and is currently zoned as Agricultural Zone 1: Agricultural (AGR2). The subject property was included in the Urban Edge with the 2020 revision of the Overstrand Municipality Spatial Development Framework (OMSDF). This proposed development will consist of: 91 Residential Properties; 5 Private Open Spaces; and 3 Private Roads. Access to the development will be taken from the R326 through a controlled entrance gate. The current access to Erf 1772 Stanford is via a registered right of way servitude over Remainder of Portion 13 of Farm Riverside No 644, Caledon. Access to a development consisting of 91 residential opportunities via a right of way servitude is not desirable and it was agreed with the owners of the Remainder of Portion 13 of Farm Riverside 644, to exchange two portions of land on condition that the existing servitude is cancelled, and the Western Cape Department of Transport approves the new proposed access to Erf 1772 Stanford from the R326. The execution of this agreement, included in the land use application, entails the following:

Approximately 94m² will be subdivided from Erf 1772 Stanford and consolidated with the Remainder of Portion 13 of the Farm Riverside 644 Caledon and approximately 1909m² will be subdivided from the Remainder of Portion 13 of Farm 644, Caledon and consolidated with Erf 1772, Stanford. The rezoning and subdivision of the subject property will introduce a new type of residential opportunity into the housing market in Stanford. The proposed zoning and morphology are however aligned with development trends in other areas of the Overstrand Municipality. This development proposal combines a modern feel to the historic Stanford in an attempt to attract and satisfy a market that is not being catered for within the current urban context of Stanford' (NID, 2022:4).

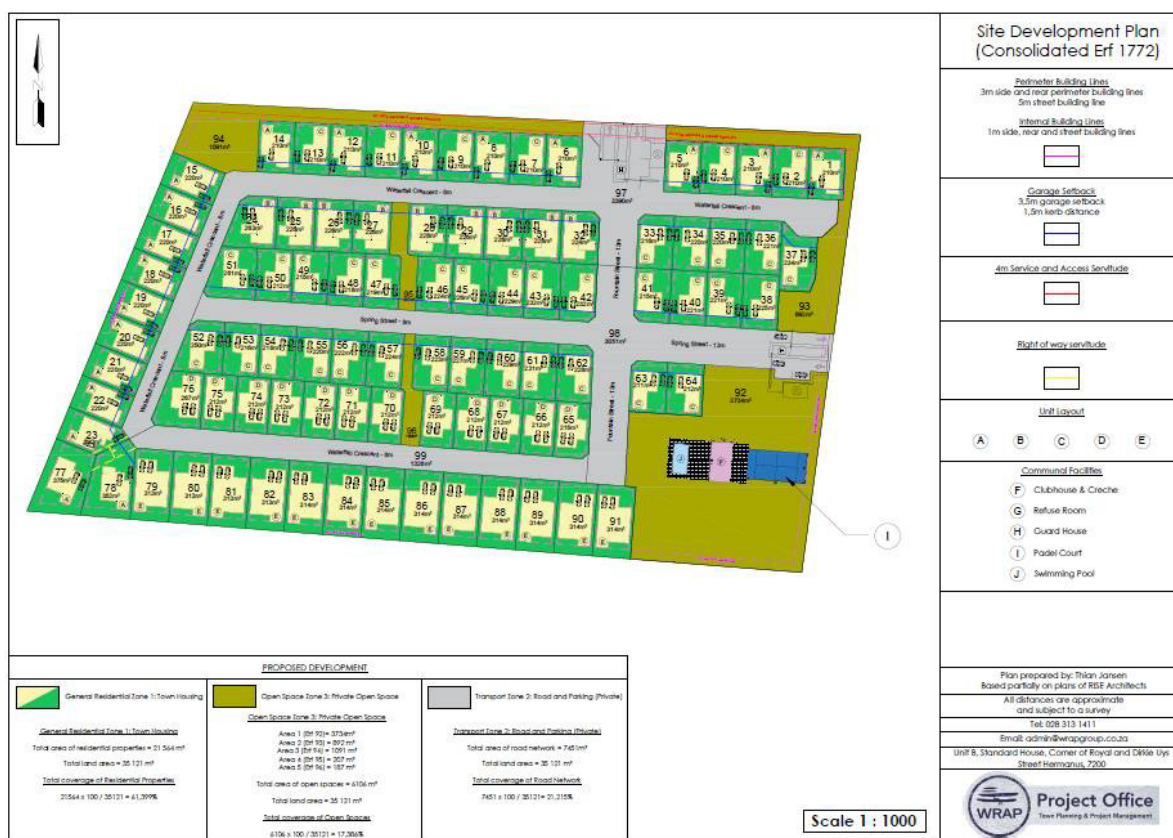


Figure 7: Site Development Plan (no date)
Source: WRAP Town Planning & Project Management

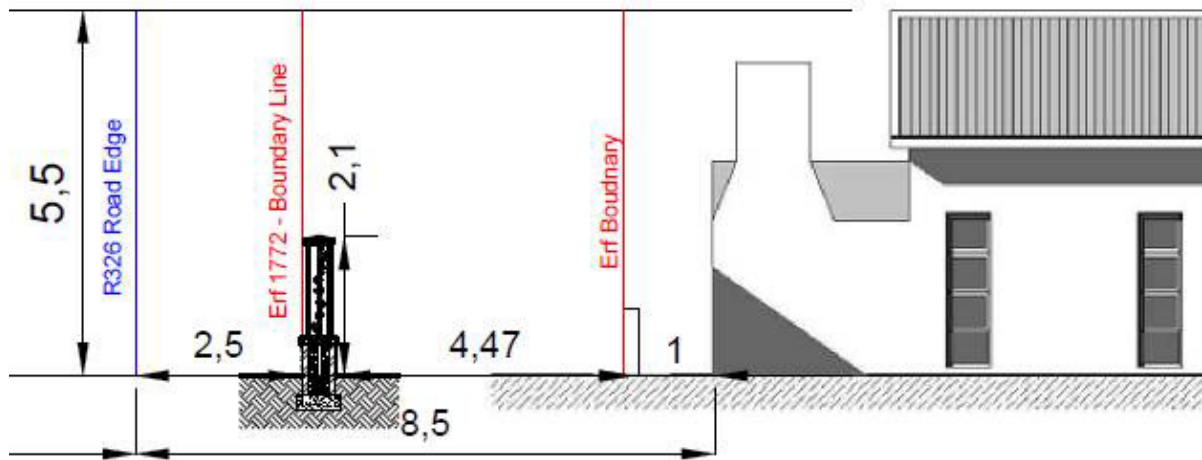


Figure 8: Elevation- single storey (no date)
Source: WRAP Town Planning & Project Management

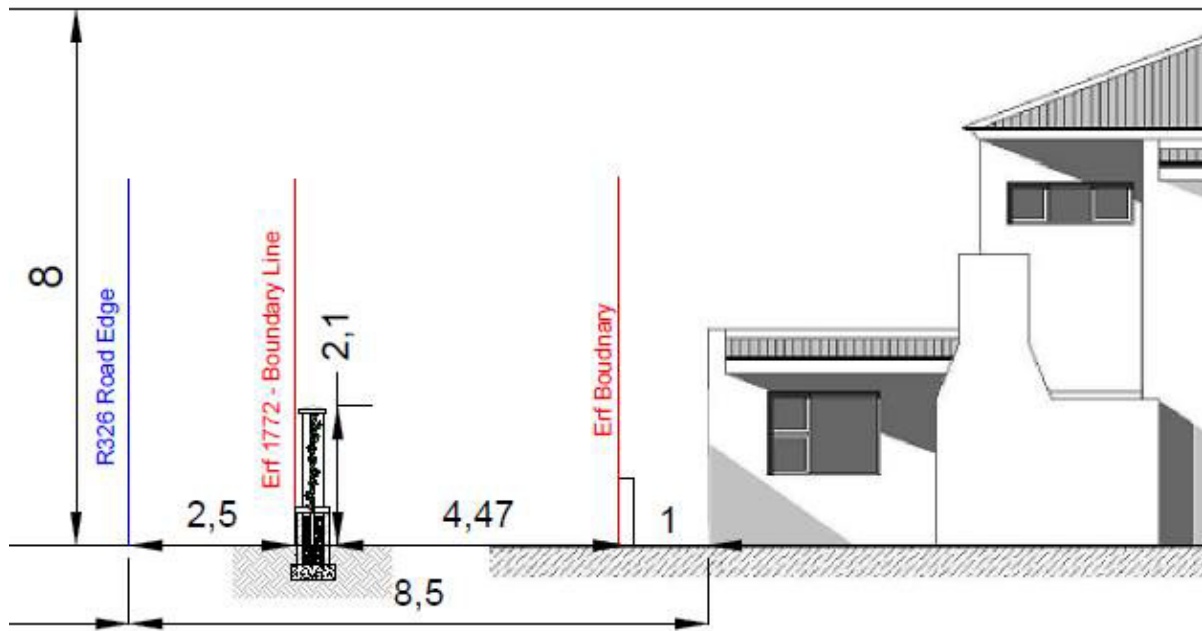


Figure 9: Elevation- double storey (no date)
Source: WRAP Town Planning & Project Management



Figure 10: Typical Detail: Boundary Wall (no date)
 Source: WRAP Town Planning & Project Management

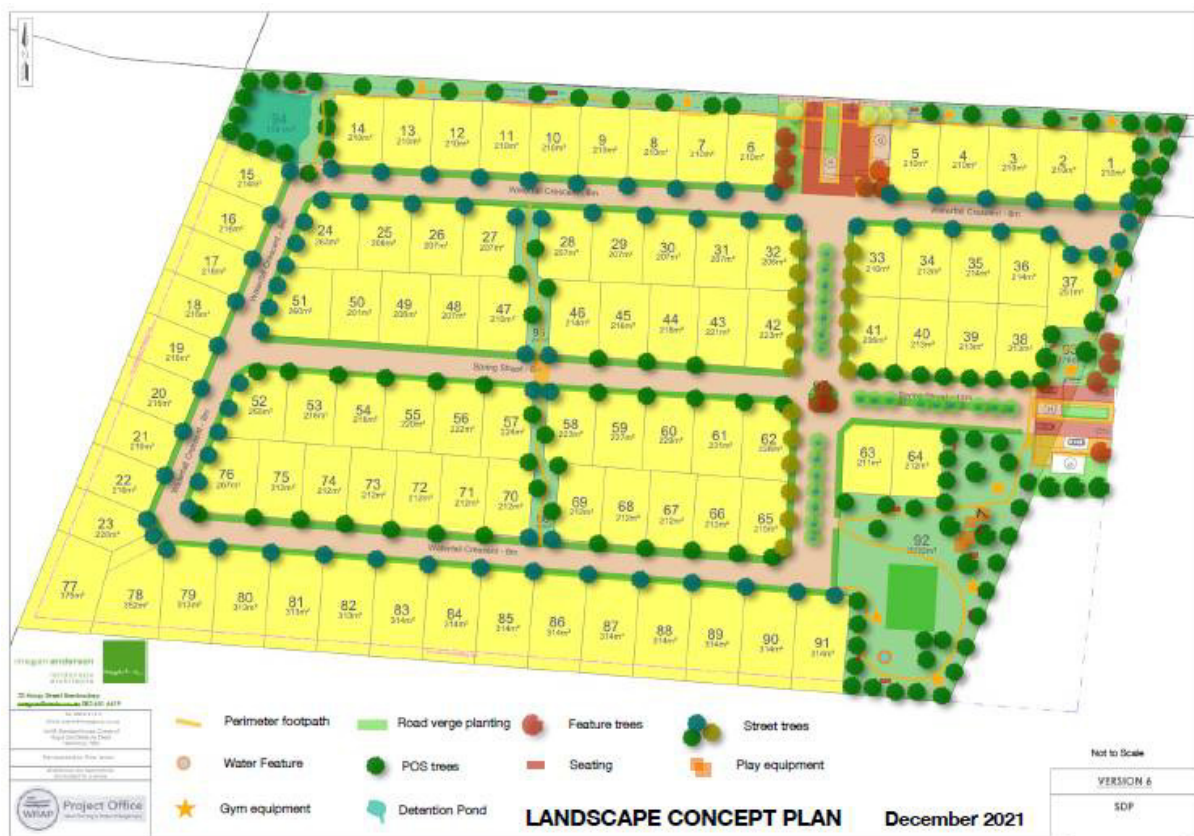


Figure 11: Landscape Concept Plan (December 2022)
 Source: Megan Anderson Landscape Architect

3. RECEIVING ENVIRONMENT

3.1 Description of the Affected Area and the Scenic Resources

This section is a description of the existing visual environment that will be affected by the proposed residential development. It involves the identification of landscape types, landscape character and sense of place, generally based on geology, landforms, vegetation cover and land use patterns.

3.1.1 Geology & Landform

As mentioned under Item 2.1 the site is located within the Kleinrivier Valley on the foothills of the Klein River Mountain. The Overstrand Environmental Management Framework (2013:23) notes that *"due to the folded and resistant nature of the fractured quartzites of the Peninsula and Skurweberg Formations, the Table Mountain Group outcrops form steep, rocky mountains and the west-east trending topographic backbone of the Onrus, Babilonstoring and Kleinriviersberg mountain ranges..."*. However the site's geology consists of *"mudstone, siltstone, shale and feldspathic sandstone of the Gydo Formation, Bokkeveld Group, partly covered by alluvial and colluvial sand"*. This is due to the Klein River north of the site.

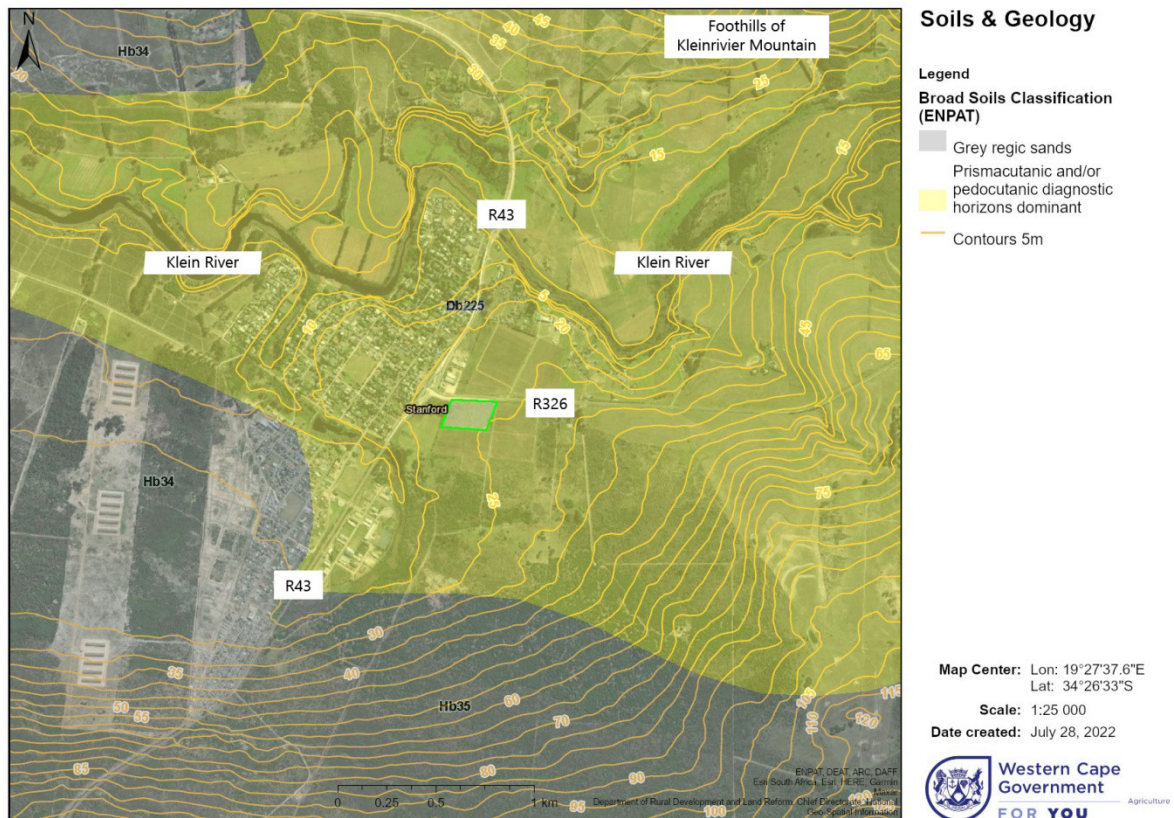


Figure 12: Geology & Landform
(Source: CapeFarmMapper with adaptations)

3.1.2 Topography and Drainage

As previously stated, the site and Stanford Village located approximately 250m west of the site, falls within the Kleinrivier Valley on the foothills of the Kleinrivier Mountain Range.

The site drains towards the north-west, towards the Klein River, and has a north-western aspect. The site is visually exposed towards the north, west and south and has a minor ridgeline towards the east. Development is generally more visible from higher elevations and less visible from lower elevations (such as the Birkenhead Brewery buildings).

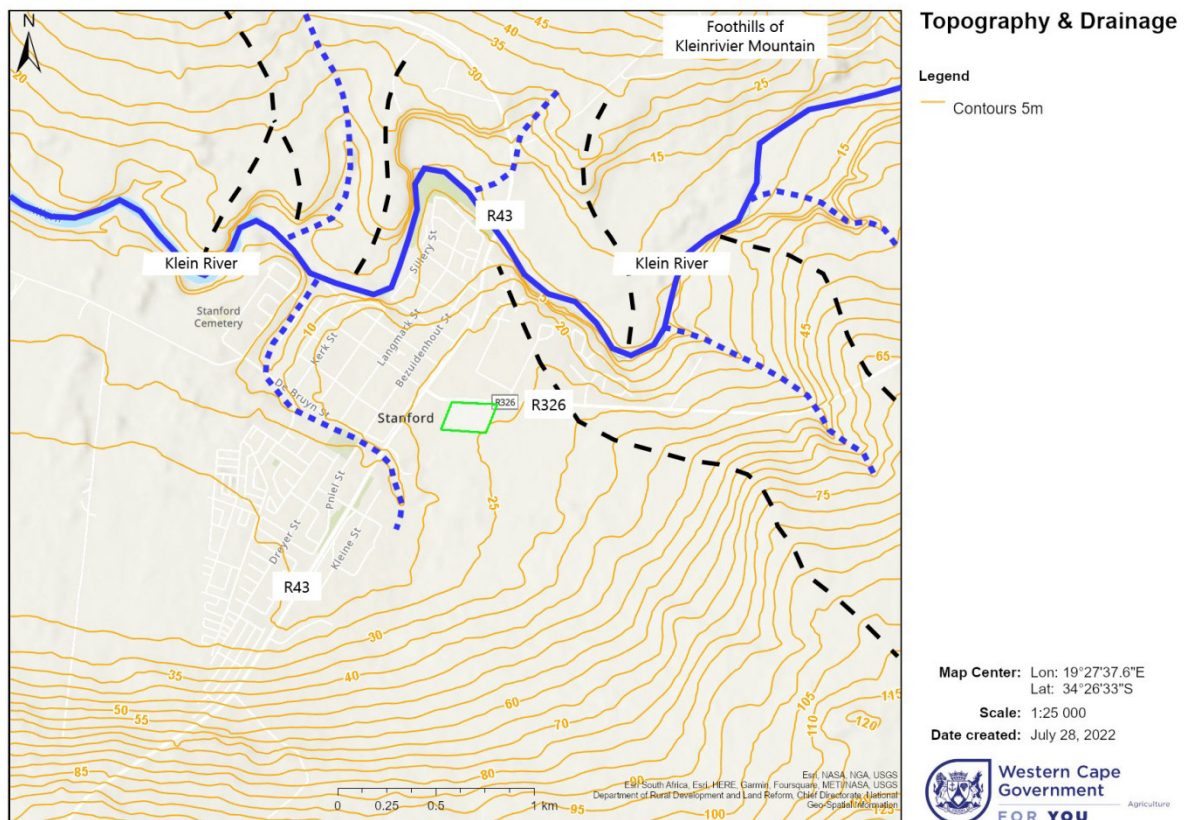


Figure 13: Topography and Drainage for Kleinrivier Valley (Source: CapeFarmMapper with adaptations)

3.1.3 Landscape Cover/Vegetation

The site itself was originally covered with Elim Ferricrete Fynbos but has long since been transformed by agriculture. "Elim ferricrete fynbos has been classified as critically endangered due to the high threats this vegetation faces from alien invasive plant species, land transformation and poor fire regimes. This vegetation originally used to dominate the low lying areas from Botriver to Agulhas" (Grootbosfoundation.org). Although zoned for agriculture it is not used, and has not been for some time, for agricultural purposes.

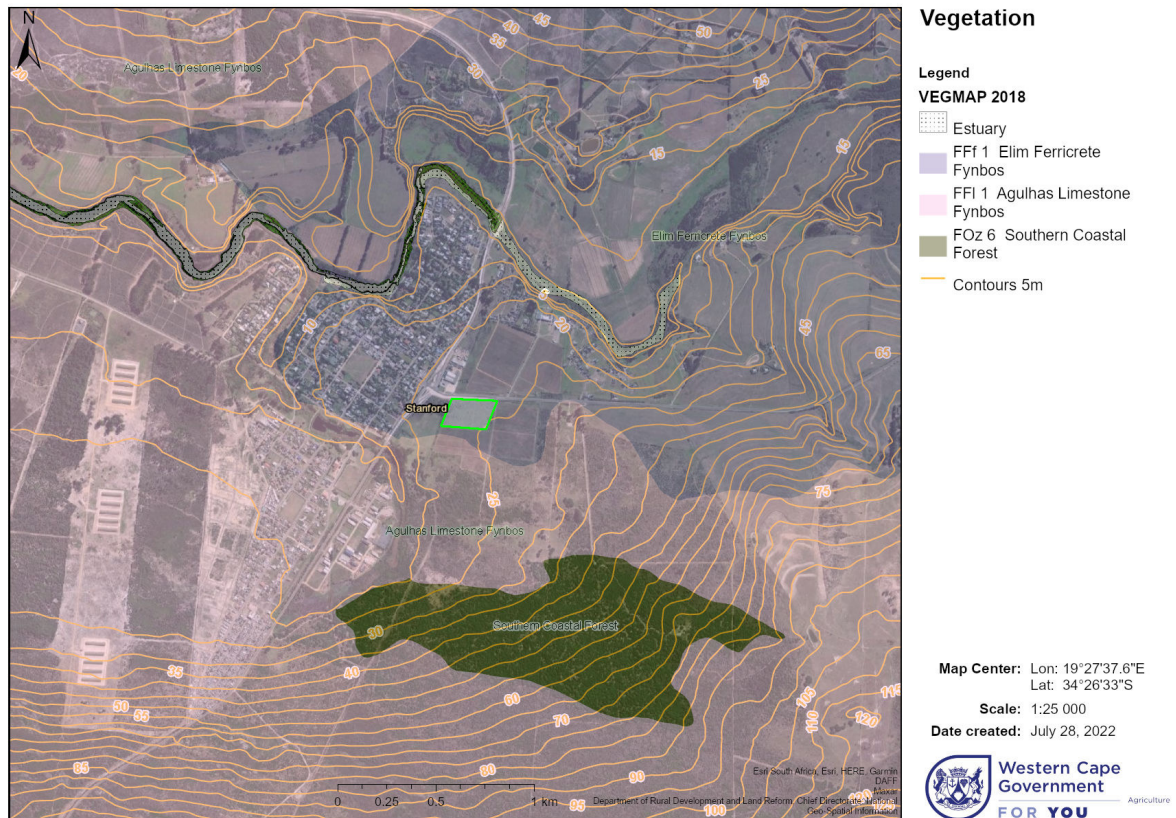


Figure 14: Vegetation for Kleinrivier Valley (Source: CapeFarmMapper with adaptations)

Large swaths of Ecological Support Areas (ESAs) located west, south and south-east of the site but none on or in close proximity to the site.

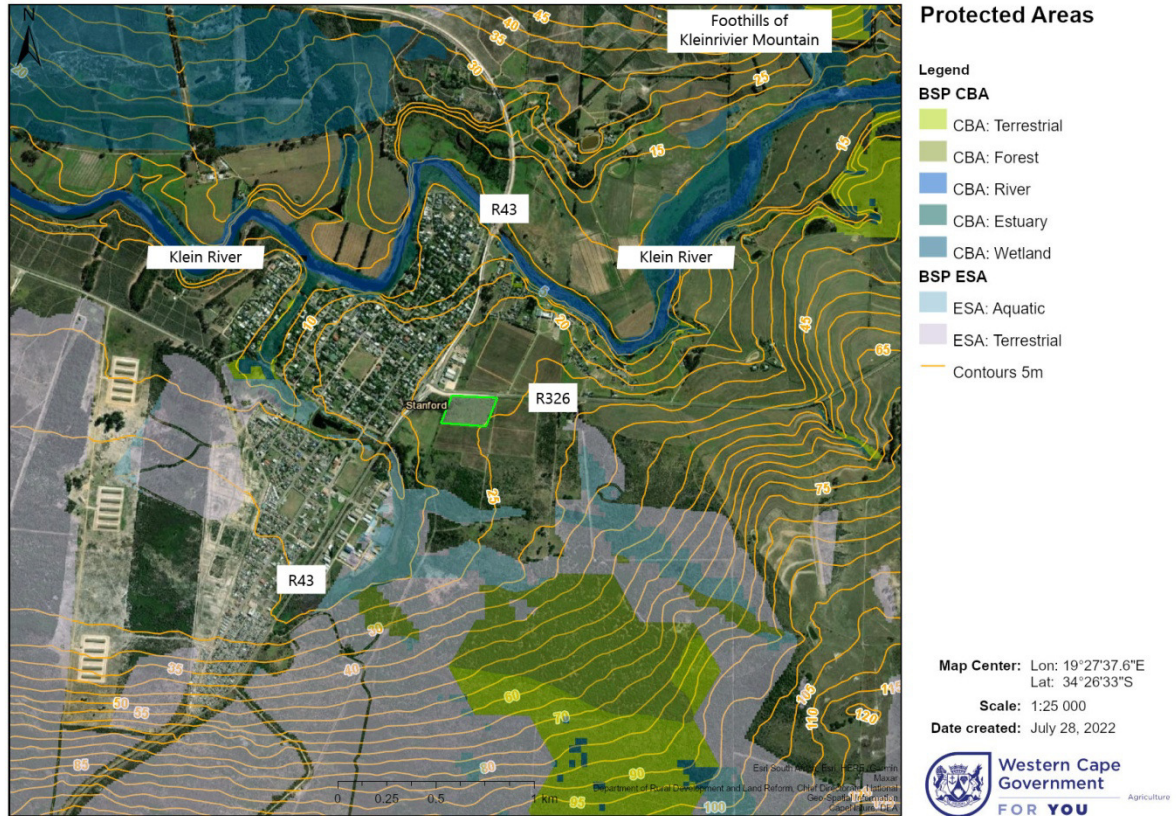


Figure 15: Critical Biodiversity Areas & Ecological Support Areas for Kleinrivier Valley (Source: CapeFarmMapper with adaptations)

The Kleinrivier Valley is characterised by its rectangular patterns of vineyards and fields of wheat or canola. Tree lines are often associated with property boundary lines or windbreaks and tree clumps often with homesteads.

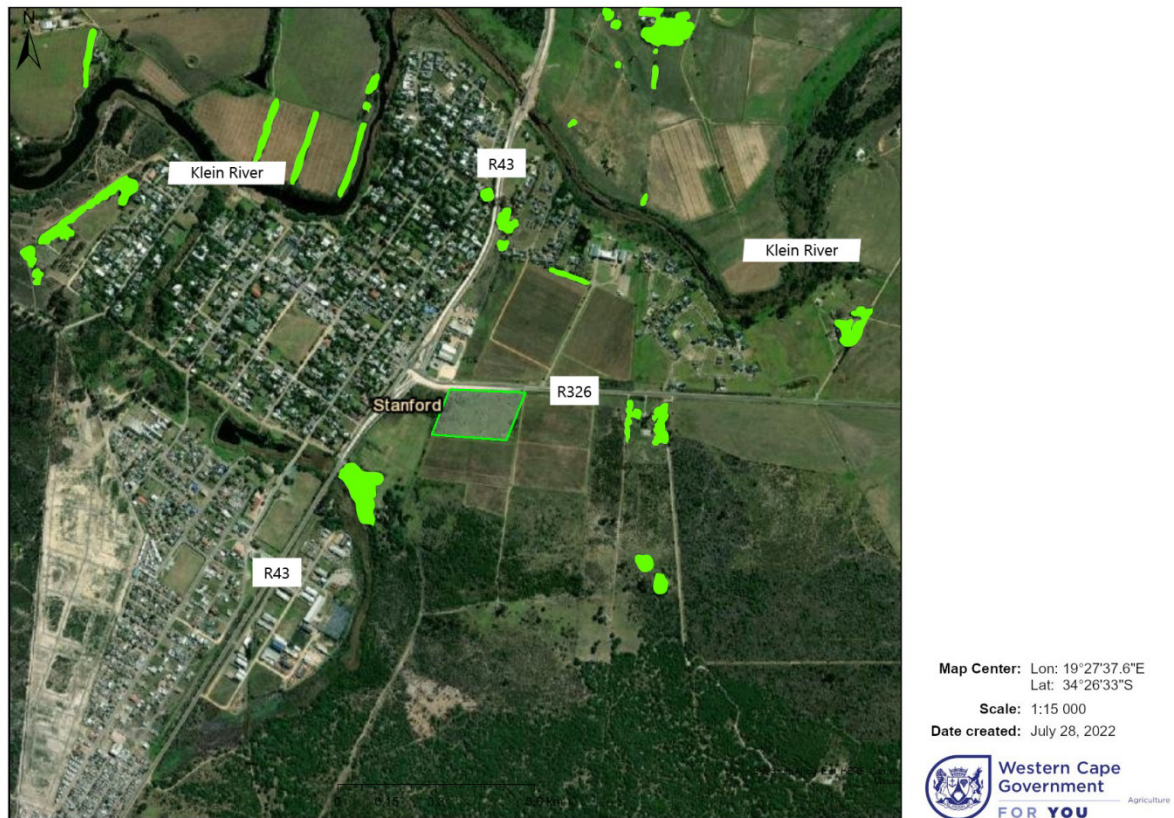


Figure 16: Trees within the Klein River Valley
NOTE: not all significant tree lines, clumps or specimens have been highlighted.
(Source: CapeFarmMapper with adaptations)

3.1.4 Settlement Patterns

"The majority of the farms in the Overberg during the mid 18th century were owned by farmers who had their residential farms in the Cape district, but ran cattle and stock farms in the outlying regions. Mostly these farms were manned by Hottentot servants or slaves who acted as shepherds. Farms dating to the 18th century are: Zilwermynbosch, Kleinriviersvallei, Springfontein, Middleberg. As well as Modderrivier, Wortelgat which were granted in quitrent in the early half of the 19th century.

Captain Robert Stanford acquired the farms Springfontein, Zilwermyn and Middleberg, previously owned by Johannes Andreas Trutter, as well as Kleinriviersvallei where he lived. He built a watermill on Kleinriviersvallei and started market gardening. The vegetables were transported by cutter from de Kelders to Cape Town. Capt Stanford returned to England in 1849 and Kleinriviersvallei was leased to Capt Smailes. In 1855 Kleinriviersvallei was sold to Phillipus de Bruyn and a town was laid out in 1857: Stanford. The town is laid out on a grid" (2009:82).

As mentioned under Item 2.1, the historic village of Stanford is located approximately 250m west of the site however; the proposed Heritage Protection Overlay includes Erf 594, the erf immediately west of the site. Both the R326 and the R43 are proposed 'Routes of Regional Scenic Significance'. There are no significant tree lines or clumps on the site but there are several within close proximity on the adjacent erven (refer Figure 15 below).

As per the Overstrand Heritage Survey (OHS, 2009:5) the Heritage Protection Overlay Zone proposed for Stanford relates specifically to the conservation of existing fabric as opposed to the control of building form (2009:5). The site also falls partially (the section along the R326) within HPOZ Landscape Significance.

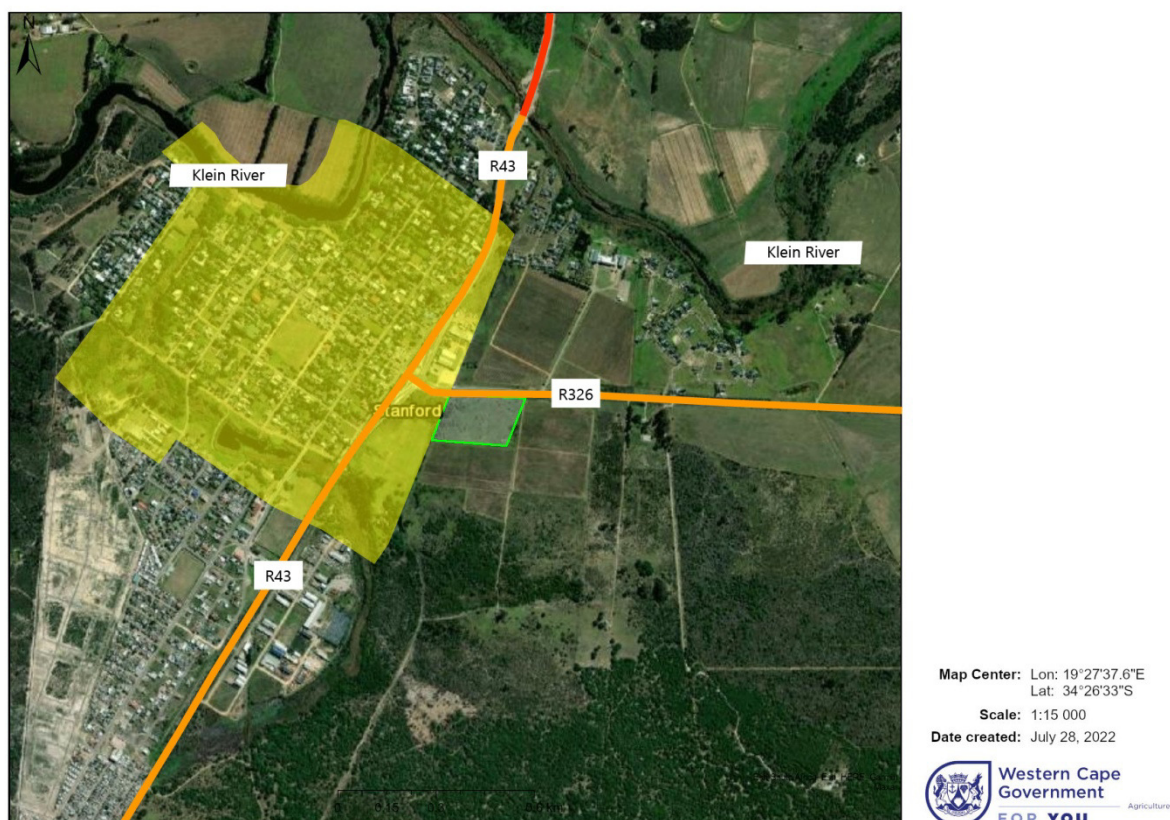


Figure 17: Heritage Overlay Zone & Scenic Routes in relation to Erf 1772
(Source: CapeFarmMapper & OHS, 2009:80)

3.1.5 Visibility

3.1.5.1 View Shed

The visibility of the project is based on the geographic area from which the project will be visible, or view catchment area. However, the actual zone of visual influence of the project may be smaller because of screening by existing trees and buildings.

The site is located on the valley floor of Kleinrivier Valley and, based on topography only, highly visible i.e. visible from several square kilometres.

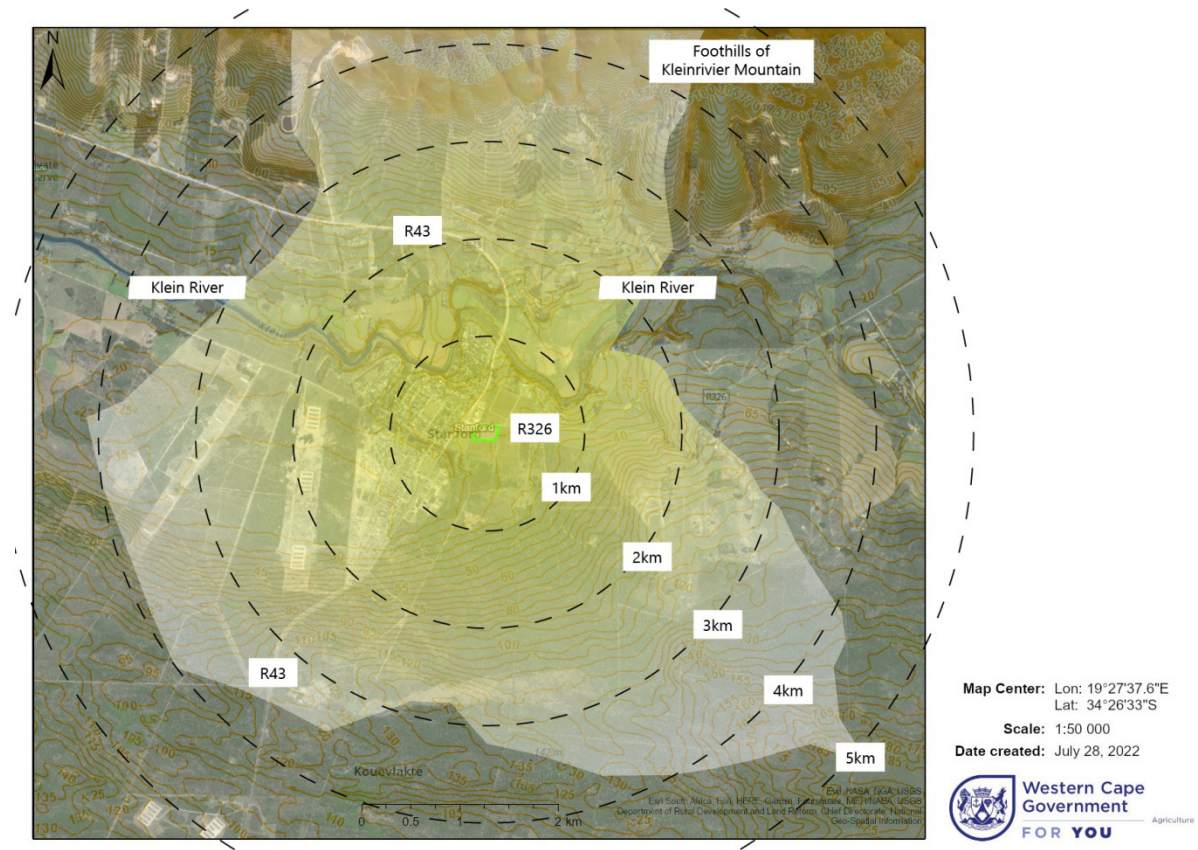


Figure 18: View catchment based on Topography
(Source: CapeFarmMapper with adaptations)

3.1.5.2 Zone of Visual Influence

The actual zone of influence is limited due to:

- Flat topography, any structures or vegetation would immediately screen the development (unless viewed from an elevated position),
- the existing trees on the adjacent properties.

The site is not visible from the town centre because of existing buildings and vegetation. The site is visible from sections of the R43 & R326, especially where the road ascends up and out of the valley towards Hermanus, Caledon or Gansbaai. However, existing trees on the adjacent properties as well as along these “Routes of Regional Scenic Significance” provide moderate screening.

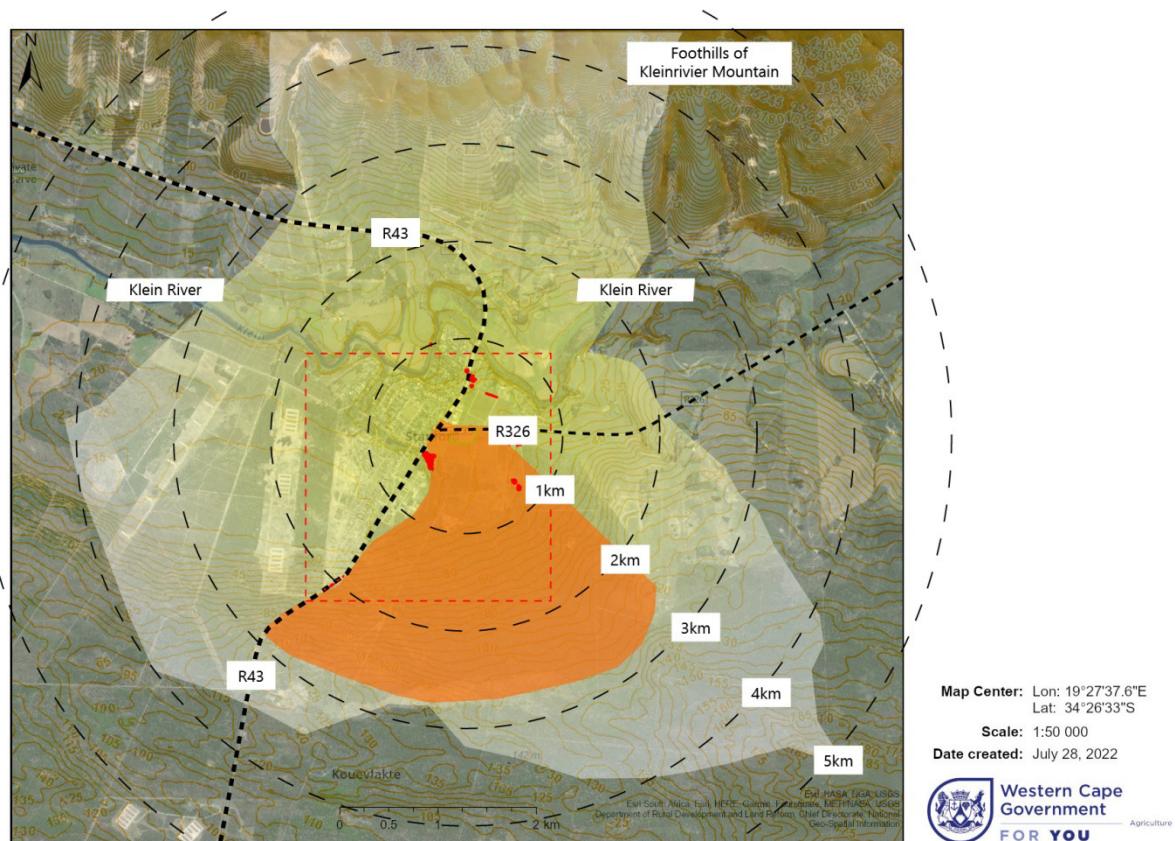


Figure 19: Zone of Visual Influence
(Source: CapeFarmMapper with adaptations)

3.1.5.3 Visual Absorption Capacity

Visual Absorption Capacity (VAC) is defined as the landscape's ability to absorb physical changes without transformation in its visual character and quality. This depends on the following characteristics of the environment:

- The density and distribution of similar developments in an area;
- The similarity between existing features and the new feature to be introduced;

Other factors that may also influence VAC relate to the proposed development setting in the landscape. A landscape may offer VAC on the grounds of colour, texture and topography, where the background against which the development is set may assimilate the development to a certain degree. The foreground, which is formed by the distance between the observer and the development, plays an important role in screening the development or creating a visual buffer.

For example, grassland and croplands have a low visual absorption capacity (VAC), whereas parkland and plantations have a high VAC. Similarly, rural areas generally have a low VAC, whereas urban areas have a high VAC (refer to Figure 18).

The visual absorption capacity of the broader landscape varies between the village and the rural landscape. Within the village or vineyards the VAC is moderate-high however, when covered with crops such as wheat or canola, used for pasture, vacant or abandoned fields have a low VAC. The site therefore has an overall moderate VAC.

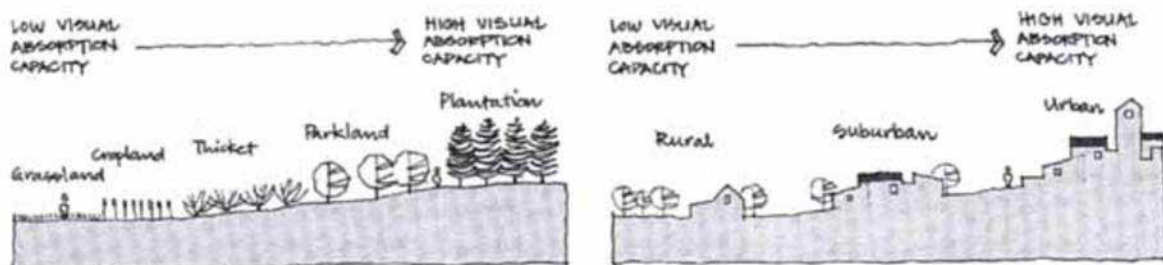


Figure 20: Degrees of Visual Absorption Capacity
(Source: Oberholzer, 2011:88)

3.1.6 Receptors

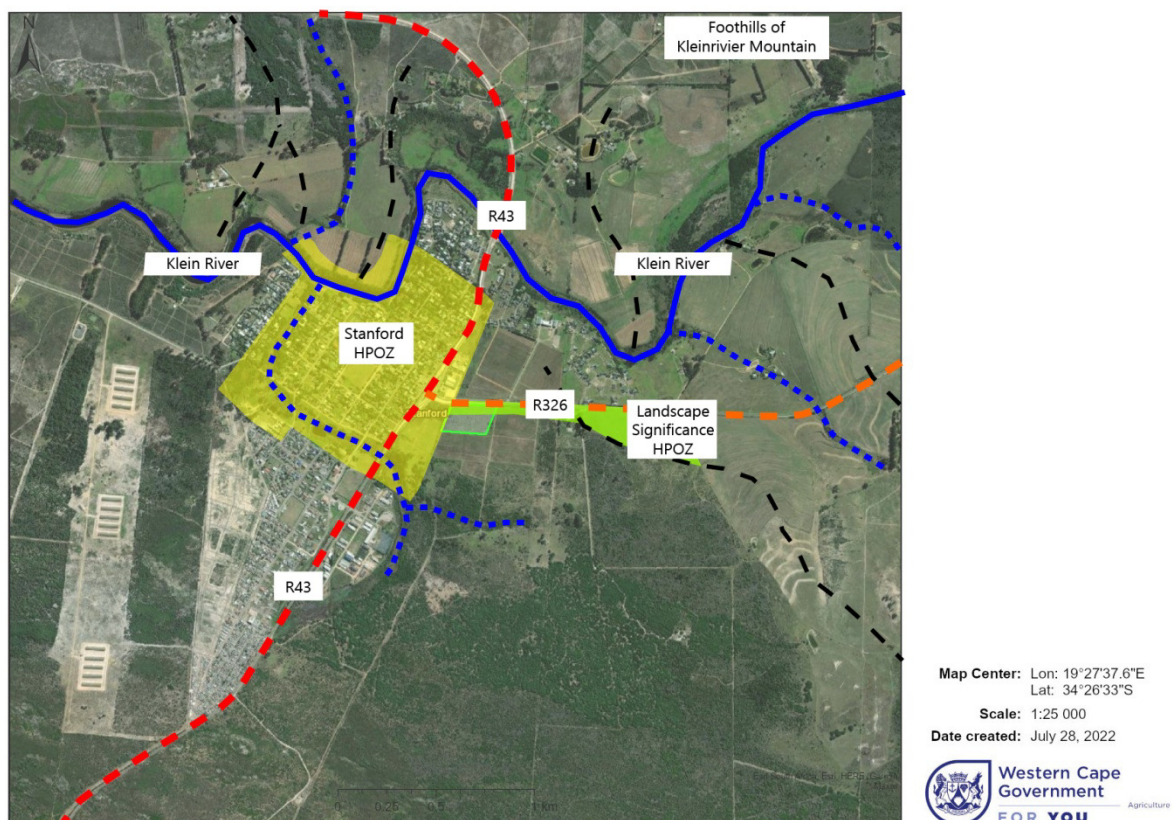
The level of visual impact considered acceptable is dependent on the type of receptors.

- *High sensitivity – e.g. residential areas, nature reserves and scenic routes or trails;*
- *Moderate sensitivity – e.g. sporting or recreational areas, or places of work;*
- *Low sensitivity – e.g. industrial, or degraded areas.*

An area, viewer or viewer group can be affected by visual change. In this section we distinguish between visually sensitive areas (i.e. a landscape with a particular character) and visually sensitive receptors (i.e. a node or route affecting a viewer or viewer group).

3.1.6.1 Visually Sensitive Areas & Receptors

Visually sensitive areas within the ZVI include the Stanford Village HPOZ as well as the Landscape of Significance. Visually sensitive receptors include residential area in and around Stanford, residents or visitors travelling on the R43 & R326.



From the above it is clear that the interface of the site with the Stanford Village HPOZ and the R326 will need to be carefully considered.

Figure 21: Visually Sensitive Areas & Receptors
(Source: CapeFarmMapper with adaptations)

3.1.7 Viewpoints

The following viewpoints have been established:

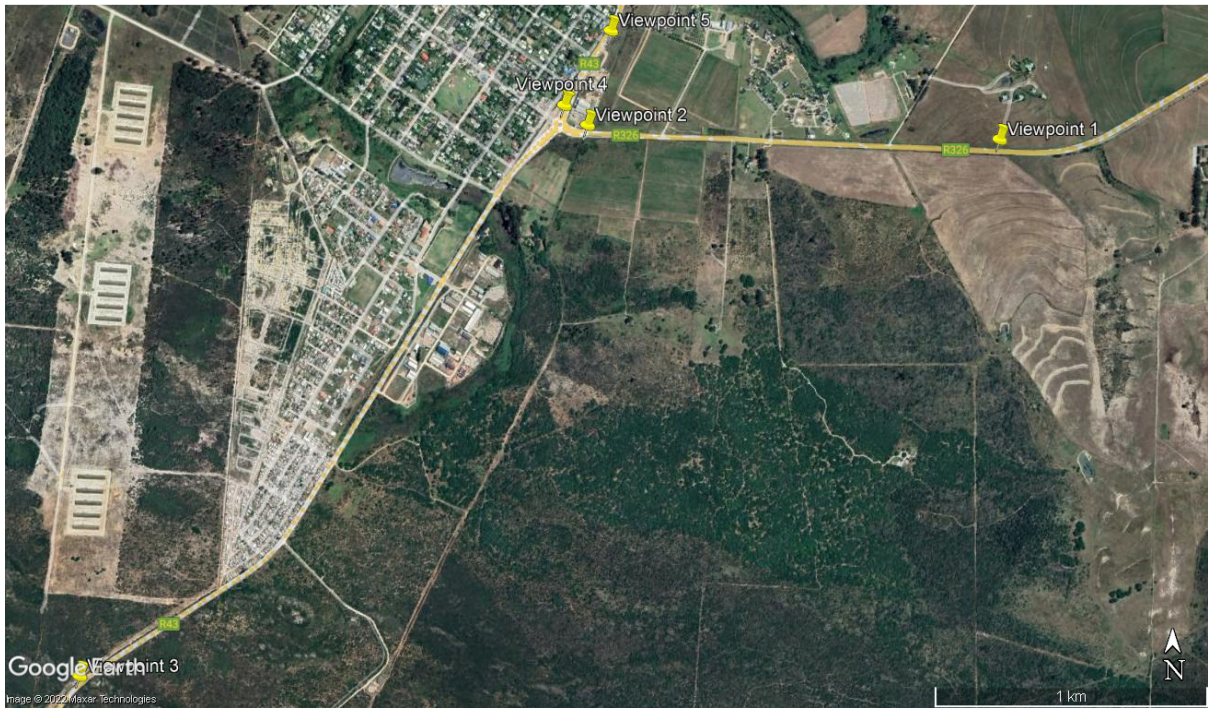


Figure 22: Viewpoints based on Google Earth (2022)



Image 1: Viewpoint 1 (taken by author:2022)

Viewpoint 1 was taken from the R326, approximately 1.3km from site, travelling towards Stanford.

Visual Exposure

Due to the distance of this viewpoint from the site and the existing mature gum trees between the viewpoint and the site the visual impact is expected to be low / minimal.

Visual Intrusion

The visual intrusion is expected to be low because the development will most probably cause limited change i.e. not particularly noticeable within the view frame and experience of the Receptor.



Image 2: Viewpoint 2 (taken by author:2022)

Viewpoint 2 was taken on the north-western corner of Erf 1772 along the R326. This viewpoint is located opposite the entrance / exit to the service station & Overberg Agri.

Visual Exposure

This viewpoint is situated on the northern corner of the proposed development and the visual exposure is expected to be high due to its proximity to the development.

Visual Intrusion

The visual intrusion is expected to be high because the development will cause a noticeable change to the landscape (change from agriculture to residential).



Image 3: Viewpoint 3 (taken by author:2022)

Viewpoint 3 was taken along the R43 when travelling from Gansbaai towards Stanford. It is located approximately 2.6km from the southern boundary of the site.

Visual Exposure

Due to the distance of this viewpoint from the site and the existing mature gum trees along Mill stream, between the industrial area and the south-western corner of the site, the visual impact is expected to be low / minimal.

Visual Intrusion

The visual intrusion is expected to be low because the development will most probably cause limited change i.e. not particularly noticeable within the view frame and experience of the Receptor.



Image 4: Viewpoint 4 (taken by author:2022)

Viewpoint 4 was taken from the corner of the R43 & R326 at the entrance to Stanford Village. This viewpoint is located approximately 110m away from the north west corner of the site.

Visual Exposure

This viewpoint is situated within close proximity to the proposed development however, there is a lot happening at this intersection i.e. visual clutter. It is therefore expected that the visual exposure will be moderate.

Visual Intrusion

The visual intrusion is expected to be moderate i.e. partially fits into the surroundings, but clearly noticeable within the view frame.



Image 5: Viewpoint 5 (taken by author:2022)

Viewpoint 5 was taken along the R43 when travelling from Hermanus to Stanford approximately 350m away from the site. The Birkenhead vineyards are located in the middle ground view.

Visual Exposure

Due to the distance from the site and the vineyards, trees and other structure in the fore and middle ground the visual exposure is moderate-low.

Visual Intrusion

The visual intrusion is moderate-low i.e. recognisable feature within the view frame and experience of the receptor.

4. POTENTIAL VISUAL IMPACTS OF THE PROPOSED DEVELOPMENT

These visual impacts will be assessed based on a synthesis of criteria (nature of impact, extent, duration, probability, intensity, level of significance and significance after mitigation) as defined by the NEMA regulations. The nature of the visual impacts will be the visual effect the activity would have on the receiving environment. These visual impacts are:

4.1 Change from Agricultural Landscape to Residential Development

The proposed development is to take place on lands used for agricultural purposes. It will result in a visual change from an agricultural landscape to a residential development.

The Architectural Guidelines for the estate states that: *“The architectural topology (look & feel) of the town of Stanford is one of established design and implementation. In saying this, the developers want to take inspiration of the existing town’s architecture and incorporate it into this development; embracing the existing culture and lifestyle of the immediate surroundings and the town”* (2022:03).

EXTENT	National	Regional	Local <3km	Site
DURATION	Permanent until landscaping mature	Long-term	Medium-term	Short-term
INTENSITY	High	Moderate – High the scenic resources will be affected	Moderate	Low
PROBABILITY	Definite	Highly Probable most likely that the visual impact will occur	Possible	Improbable
SIGNIFICANCE	High	Moderate – High mitigation must be implemented	Moderate	Low
SIGNIFICANCE AFTER MITIGATION	High	Medium – High	Medium	Low

4.2 Visibility from Sensitive Areas & Receptors

Visually sensitive areas within the ZVI include the Stanford Village HPOZ as well as the Landscape of Significance. Visually sensitive receptors include residential area in and around Stanford and residents or visitors travelling on the R43 & R326.

The interface with the HPOZ's as well as the R326 Regional Route of Significance needs to be carefully considered.

EXTENT	National	Regional	Local < 3km	Site
DURATION	Permanent	Medium – Long term until landscaping matures	Medium-term	Short-term
INTENSITY	High	Moderate – High the scenic resources will be affected	Moderate	Low
PROBABILITY	Definite	Highly Probable most likely that the visual impact will occur	Possible	Improbable
SIGNIFICANCE	High	Moderate – High mitigation must be implemented	Moderate	Low
SIGNIFICANCE AFTER MITIGATION	High	Medium – High	Medium	Low

4.3 Night Light

The proposed development will require additional lighting on and in buildings and possibly across the site. This will change the night-time landscape from rural to suburban. Limited mitigation measures are available to counter-act this. Trees would only partially screen night light and berms will have a limited effect therefore the type and amount of lights are important factors.

However, the proposed development is located immediately adjacent to an existing residential area and therefore additional lighting will most probably be seen as part of the town of Stanford.

EXTENT	National	Regional	Local <3km	Site
DURATION	Permanent	Medium – Long term until landscaping matures	Medium-term	Short-term
INTENSITY	High	Moderate – High	Moderate some scenic resources might be affected	Low
PROBABILITY	Definite	Highly Probable most likely that the visual impact will occur	Possible	Improbable
SIGNIFICANCE	High	Moderate – High	Moderate mitigation must be implemented	Low
SIGNIFICANCE AFTER MITIGATION	High	Medium – High	Medium	Low

6. VISUAL INDICATORS

The following has been addressed by RISE Architects and WRAP Project Office in the [Erf 1772, Stanford Architectural Design Guidelines](#) dated January 2022 and Megan Anderson Landscape Architect in the [Erf 1772, Stanford Landscape Report](#) dated December 2021.

6.1 Development Design Considerations

6.2.1 Height and Scale of Buildings

Articulated, simple rectangular forms are characteristic of rural buildings, and this typology should inform the development proposal. Building heights should therefore be limited to maximum 2 storeys along the north and western boundaries of the site, but preferably single + loft type accommodation (6m height).

6.2.2 Massing and Aggregation of Buildings

The architectural significance of many of Stanford's conservation worthy structures lies in their authenticity with regards to massing, form and house – street relationship. If the developers want to take inspiration of the existing town, it should continue this house – street relationship which *"contributes substantially to the character of the town"* (OHS, 2009:83).

6.2.3 Landscape and Building Integration

The aesthetic significance of Stanford relates primarily to the natural setting of the village. *"This sense of green is reinforced by the way in which buildings have been located close to street boundaries, contributing to place-making qualities along the street while leaving the rear portion of the erven open..."* (OHS, 2009:83).

Establish traditional patterns of planting where appropriate with suitable species. The underlying purpose must be to weave into the existing landscape pattern, rather than to displace it with a new pattern.

A Landscape Plan must be developed at building plan submission stage to anchor and settle the buildings, shelter the outdoor spaces, frame views and vistas, provide a backdrop for feature elements, mitigate against windy conditions, provide shade in summer, and provide graded visual transitions between erven edge landscaping and road landscaping. To this end a Registered Landscape Architect is to be appointed to prepare a landscape plan and is to be retained to ensure this landscaping is implemented to standard.

6.2 Development Detail Considerations

6.2.1 Texture & Colour

Structures within Stanford are generally white or muted tones / 'earth colours'. These are more subtle and are more easily absorbed (visually) than bright or highly reflective surfaces. For suitable colours refer to the existing built fabric and to on-site geology/rock/soil and vegetation types for reference. Rough/textured surfaces are preferable to shiny/highly reflective surfaces in terms of visual absorption (minimize reflection/ glare/shine).

6.2.2 Edge Conditions

Buildings should be 'dissolved' into the landscape through a subtle transition from building platform to landscape context, at the dwelling scale. No retaining walls higher than one (1) meter should be allowed.

Consider incorporating indigenous vegetation consistent with (but not exclusively of) the original vegetation unit (Elim Ferricrete fynbos); especially along the R326. Informal clusters of trees and large shrubs should be considered to anchor the buildings into the landscape and to create "*places within clumps of trees*".

Due to R326 status as a "Route of Regional Scenic Significance" the boundary treatment should be carefully considered. Solid walls should be located at key points and these sections should not be more than 40% of the entire northern boundary wall. The boundary wall should be softened and screening / privacy created with appropriate planting.

The boundary treatments must be visually permeable, using fencing for the most part and walls to accentuate the entrances and key points only. No precast concrete walls unless used in combination with visually permeable fencing such as 'ClearVu' or similar, including steel palisade (similar to Stanhaven).

6.2.3 Lighting Conditions

Avoid light 'pollution' by reducing lighting to the minimum necessary. Lighting is to be discrete, and well-integrated into the design proposal.

- Naked light sources must not be visible outside the area of the site
- Light sources must be shielded to reduce light spillage
- Up-lighting onto the outer sides of the buildings must be used sparingly
- Shielded down-lights must be used on all open public areas
- Neon or unshielded bright security lights may not be used
- No spotlights should be allowed (only motion sensor security lighting where absolutely necessary)

Along the site boundary, lighting may be permitted at the entrance gateways only – but not along the length of the R326. To preserve the rural quality, no freestanding lamp standards are to be installed within the development. Rather lighting should be provided by low level bollards (i.e. not exceeding 900mm height) or via luminaires affixed to the buildings themselves - subject to the normal cautionary regarding naked light sources.

6.4 Mitigation

To accompany the building plans a Landscape Development Plan (prepared by a SACLAP-registered Professional Landscape Architect) should be submitted, showing the following:

- indicating suggested plant species list for trees, shrubs and groundcovers (including total areas, planting-out sizes and planting-out ratios),
- details of proposed security / boundary treatment
- details of proposed footways (including suggested materials),
- indication of lighting – positions to be included on plan,
- stormwater strategy (open, planted channels and swales recommended), and
- details of parking including screening.

The below describes mitigation required during the various phases of development in addition to the aforesaid:

Construction phase: careful environmental management measures should be enacted to prevent damage to surrounding soil, vegetation and drainage lines. Dust control measures should be put in place. The use of heavy machinery should be minimised to prevent scarring and erosion of the site, and cut and fill operations should be minimized.

Operational phases: when the site is handed over to the client / HOA the landscape architect needs to provide them with a landscape maintenance manual for both the hard and soft landscape as well as the irrigation system. The soft landscape section needs to specifically deal with the maintenance of new trees.

The continuation of the town character and the recognition of the heritage resources adjacent to the site are imperative, as this will contribute significantly to the beauty, uniqueness and tourism potential of the Klein River Valley.

7. CONCLUSION & RECOMMENDATIONS

The proposed development is located on the built edge of Stanford within the town's revised urban edge. The development is compatible with the Overstrand SDF and allows a 5m development buffer on along the R326- a *"Route of Regional Scenic Significance"*.

The visual impacts include a change from agricultural landscape to a residential development, visibility from sensitive areas & receptors and night light. The sensitivity in layout and design towards the Landscape and Architectural HPOZ's are key element within this development.

The visibility of the development will be restricted to mainly the area south of the site for approximately 3km from the site. There will be additional lighting in the area, visible to receptors around the site. Visually sensitive areas within the ZVI include the Stanford Village HPOZ as well as the Landscape of Significance. Visually sensitive receptors include residential area in and around Stanford and residents or visitors travelling on the R43 & R326.

From a visual perspective, the development should be endorsed on the condition that the mitigation measures for the proposed development are implemented as per the Architectural Design Guidelines and Landscape Report prepared for this development.

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Addendum A

CURRICULUM VITAE: ANTOINETTE DE BEER

Antoinette de Beer graduated as a landscape architect from UCT in 2010 and started her own business, ARLA Consulting, in 2012. She aims to design integrated, multi-functional, resilient yet stimulating SPACES for PEOPLE that capture the expression of culture within a community and that celebrate its CONTEXT. To this end, she regularly collaborates with and is inspired by, other professionals, specialists and NPO's. She often teaches on a part-time basis at the Cape Peninsula University of Technology and enjoys mentoring students.

She is a registered professional landscape architect with the South African Council for the Landscape Architectural Profession (SACLAP) and has fifteen (15) years of landscape architectural experience (of which 10-years post-registration experience). She has been a member of the Institute for Landscape Architecture in South Africa (ILASA) from 2010 and the elected president of the institute from 2013 – 2015. During her term as president she represented the institute at the 2nd International Federation of Landscape Architects (IFLA) Africa Symposium in Abuja, Nigeria. She has been a member of the Society for Architects, Planners, Engineers and Surveyors+ (APES+) since 2012 and enjoys the collaborative nature of the association.

PROFESSIONAL QUALIFICATIONS

Certificate Fundamentals of Project Management (UCT), 2011

Master of Landscape Architecture (UCT), 2010

Certificate Architectural & Urban Conservation (UCT), 2010

BL(Hons) Landscape Architecture (UP), 2004

BTech Environmental Management (CPUT), 2003

REGISTRATION

(SACLAP) South African Council for the Landscape Architectural Profession

Professional Landscape Architect: No. 20218 (Registration Year: 2012)

EXPERIENCE

2012 – PRESENT Director:

ARLA Consulting Pty (Ltd): private landscape architectural and environmental planning practice

2011 -2012

Candidate Landscape Architect: EPLA Consulting CC: sub-consultant to a landscape architectural and environmental planning practice

2007 – 2010

Senior Landscape Architectural Technologist at OvP Associates CC: Architects, Landscape Architects & Environmental Planners

2005 Junior Landscape Architectural Technologist at De Villiers Turner CC: Landscape Architects

MEMBERSHIP

- Immediate Past President of the ILASA (2015 - 2016)
- President of the ILASA (2013 - 2015) – NEC Chair
- ILASA 2014 Conference LOC Chair – Organising the National Conference (2013 – 2014)
- ILASA President Designate (2012-2013) – NEC Vice-chair
- ILASA Treasurer (2011-2013) - ILASA Financial Management
- International Federation of Landscape Architects 2012 World Congress LOC member (2009-2012) – International Liaison
- Member of APES (Architects, Planners, Engineers & Surveyors Society; 2012 - current)
- Member of ILASA (2010 – current)

TEACHING & EXTERNAL EXAMINATION:

Part-time Lecturing at Cape Peninsula University of Technology (CPUT):

External Examiner:	various subjects (1 st year to 4 th year) from 2014- current.
First Semester 2021:	Construction Drawing 1 st year
Second Semester 2018:	Draughting Software and Construction Detailing 2 nd year
Second Semester 2017:	Integrated Design Studio 1 st year
First Semester 2016:	Landscape Technology & Plant Material Studies 3 rd year
Second Semester 2015:	Applied Mathematics & Introduction to Design Foundation Year AutoCAD and Construction Detailing 2 nd year

Mentorship of several 4th year students during the design development stages of their mini-thesis.

Part-time Lecturing at University of Cape Town (UCT):

Second Semester 2013:	Teaching Landscape Design to Landscape Architecture Conversion year students.
Guest Landscape Architect for MLA Presentations at University of Cape Town (UCT):	
Second Semester 2019:	Guest landscape architect for review of MLA work prior to final hand-in.

OTHER:

Assurance Reviews: Part of panel that reviews tender documents prepared by the City of Cape Town to ascertain if they are compliant with all legal aspects and professional standards (2020- current)

Regional Judge for the 2020, 2021 & 2022 SALI Awards of Excellence
Evaluate and adjudicate entries for the annual SALI Awards of Excellence (November 2019, 2020 & 2021).

Adjudicator for the 2017 ILASA Awards of Excellence
Adjudicate entries and select winners for the bi-annual ILASA Awards of Excellence (June 2017).

Adjudicator for the 2016 Concrete Manufacturers Association Awards of Excellence
Adjudicate entries and select winners for the bi-annual Concrete Manufacturers Association's Awards of Excellence (November 2015).

Adjudicator at CPUT: CPUT Landscape Technology Vertical Garden Challenge February 2014
CPUT Landscape Technology Recycled Bench Challenge February 2013
CPUT-Corobrik Landscape Technology Construction Week July 2013

Cape Town World Design Capital: Co-design Workshops:

- 7 November 2014: Participated in workshop as lead designer for the Dunoon cul-de-sacs (Developing a Tree Planting and Infiltration Strategy for the Dunoon cul-de-sacs). Presentation available on request.
- 14 May 2014: Participated in workshop at Rylands Civic Centre as designer. Re-visioning the Gatesville CBD.
- 23 April 2014: Participated in workshop as designer for the Bonteheuwel Civic Precinct Upgrade (as part of the Mayoral Urban Regeneration Programme (MURP)).
- 13 November 2013: Participated in workshop as designer for the Upgrade of Public Open Space at Doordekraal Dam in Welgemoed.

RECENT VISUAL IMPACT ASSESSMENTS**VIA's for Mixed-use Developments:**

- VIA for Proposed Mixed Use Development Lucullus Gardens, Joostenbergvlakte
- VIA for Proposed Mixed Use Development on Remainder of Cape Farms No. 1529 (Imhoff's Gift), Kommetjie
- Confidential VIA for Proposed Mixed Use Development, Durbanville
- VIA for the Proposed Mixed Use Sence de Lieu Development on a portion of Farm No. 845/3, Paarl
- VIA for Commercial development Cecilia Junction, Paarl

VIA's for Waste Services:

- VIA for Proposed Amendment to the Highlands WDF Waste Management Permit, Malmesbury
- VIA for Proposed Amendment of the Worcester WDF Waste Management Permit, Worcester
- VIA for Proposed Amendment to Waste Management License, Vissershok WMF
- VIA for Proposed Amendment to Waste Management License, Tulbagh WDF
- VIA for Proposed Caledon Waste Transfer Station, Caledon
- VIA for Proposed Waste Recovery, Beneficiation and Energy Project, Wellington

VIA's for Residential Developments:

- VIA for the Proposed Residential Development on Waterval Farm, Franschhoek
- VIA for the Proposed Die Eike Residential Development on Erf 3476, Franschhoek
- VIA for the Proposed Medium Density Drakenzicht Residential Development, Paarl South
- VIA for Proposed Kanonberg Residential Development, Oude Westhof
- VIA for Proposed De Fortuijn Housing Development, Somerset West

VIA's for Renewable Energy Projects:

- VIA for Proposed Klipfontein Solar Farm & Energy Storage Facility, Hopefield
- VIA for Proposed Zoutekloof Solar Farm, Hopefield

Other:

- Confidential VIA for Proposed Tourist Facility, Franschhoek
- VIA for Proposed Petroport, Wolseley
- VIA for Proposed Van Wyks River Business Park, Paarl
- VIA for Proposed Micro-brewery, Le Fut, Paarl

Addendum B

Criteria used for the Assessment of Impacts

The assessment of impacts is based on a synthesis of the following assessment criteria (2005:28):

Nature of the impact –

An appraisal of the visual effect the activity would have on the receiving environment. This description should include visual and scenic resources that are affected, and the manner in which they are affected, (both positive and negative effects).

Extent – the spatial or geographic area of influence of the visual impact, i.e.:

- *site-related*: extending only as far as the activity;
- *local*: limited to the immediate surroundings;
- *regional*: affecting a larger metropolitan or regional area;
- *national*: affecting large parts of the country;
- *international*: affecting areas across international boundaries.

Duration - the predicted lifespan of the visual impact:

- *short term*, (e.g. duration of the construction phase);
- *medium term*, (e.g. duration for screening vegetation to mature);
- *long term*, (e.g. lifespan of the project);
- *permanent*, where time will not mitigate the visual impact.

Intensity – the magnitude of the impact on views, scenic or cultural resources.

- *low*, where visual and scenic resources are not affected;
- *medium*, where visual and scenic resources are affected to a limited extent;
- *high*, where scenic and cultural resources are significantly affected.

Probability – the degree of possibility of the visual impact occurring:

- *improbable*, where the possibility of the impact occurring is very low;
- *probable*, where there is a distinct possibility that the impact will occur;
- *highly probable*, where it is most likely that the impact will occur; or
- *definite*, where the impact will occur regardless of any prevention measures.

Significance – The significance of impacts can be determined through a synthesis of the aspects produced in terms of their nature, duration, intensity, extent and probability, and be described as:

- *low*, where it will not have an influence on the decision;
- *medium*, where it should have an influence on the decision unless it is mitigated; or
- *high*, where it would influence the decision regardless of any possible mitigation.



ANNEXURE O: LANDSCAPE REPORT

Erf 1772, Stanford



Landscape Report

December 2021

Prepared for:

Wrap Project Office
Town Planning and Project Management
Unit B, Standard House
Cnr Royal and Dirkie Uys Street
Hermanus
7200

Prepared by:

Megan Anderson Landscape Architect
33 Hoop Street, Bredasdorp
7280

1 Introduction

Wrap Project Office, Town Planners and Project Managers, are in the process of compiling an application for rezoning and subdivision of Erf 1772 Stanford. This Erf was recently included in the urban edge.

Megan Anderson Landscape Architect has been appointed to prepare a brief Landscape Report indicating how the open spaces in the development will be treated.

2 Proposed Development

2.1 Site Location

The proposed site of development is located in Stanford, on the eastern side of the R43 road (between Hermanus and Gansbaai, and immediately south of the R326 road, linking Stanford to N2 near Riviersonderend.



Figure 1: Location of Erf 1772, Stanford

2.2 Proposed Site Development Plan (SDP)

The Site Development Plan (SDP), drawn up by the Town Planners, has evolved over time with the latest version thereof being attached below.



Figure 2: Proposed Site Development Plan for Erf 1772

The proposed development allows for 90 residential erven zoned for “General Residential Zone 1: Town Housing”. The erven range in size between 206 m² and 375 m².

Open space, zoned as Open Space Zone 3: Private Open Space, is found along the east and north edges of the site.

The balance of the Erf is zoned as Transport Zone 2: Road and Parking.

3 Site Description

A site inspection and photo survey was made on the 29 September 2021 to familiarise ourselves with the site.

The site is situated in the lower, east west orientated, Kleinrivier valley, approximately 15 kms inland of the mouth of the river and the coastline which lies to the west of the site. The Kleinrivier is approximately 500m north of the site, and flows from east to west. The site has good views of the Klein Rivier Mountains.

Erf 1772 is east of the village of Stanford and the R43 which links Hermanus and Gansbaai, and is adjacent to, and south of, the R326 road, which links Stanford to the N2 near Riviersonderend in the north east.



Figure 3: Location of Erf 1772 in the valley of the Klein Rivier



Photo Plate 1 View of the Kleinrivier Mountains from Erf 1772.



Photo Plates 2 View of the R326 which runs past the northern boundary of Erf 1772, boundary fence thereof to left of photo

The site is on low lying slopes at the toe of the Koueberge, adjacent to the river plain. The slope gradient is very gentle, sloping down from the south and the site is orientated north - north west. The lowest portion of the site is in the north western corner.

The surface soils are sandy and support remnants of typical sand plain fynbos) such as *Pelargonium capitatum*, *Carpobrorus* spp., *Passerina* spp, *Senecio elegans*, *Chrysanthemoides monilifera* (bietou), *Searsia crenata* and *Stenotaphrum secundatum*.

Invasive alien vegetation is also present on site with a clumps of *Acacia saligna* (Port Jackson) in the north western part of site and along the eastern boundary, *Avena fatua* (common wild oats) is widespread, *Pennisetum clandestine* (Kikuyu) is in south east section, probably dumping related. Other invasive aliens include *Datura* spp., (thorn apples) and *Spartium junceum* (Spanish broom).

The prevailing winds are westerly and easterly.

Groundwater level is relatively shallow, approximately 1m below ground level, as seen in the open excavation in the south eastern portion of the site. Standing water is also evident in the R326 side drain. Both these observations are probably related to the time of year that the site was visited, namely late September, after a winter of high rainfall.

Environmental factors that need to be considered and enhanced or ameliorated will be:

- Making the most of the northern orientation;
- Making the most of the views of the Kleinberg Mountains to the north;
- Planting numerous trees to provide shelter from sun and wind and mitigate the predominantly newly paved and developed areas;
- Allow for detention and infiltration of stormwater runoff from newly paved and built areas ;
- Make use of local, indigenous vegetation when revegetating open spaces.

4 Landscape Concept

This section will cover some landscape development concepts of the proposed Erf 1772 residential development including the Entrance Gateways, the Street tree planting and the multi-functional Private Open Spaces.

4.1 Entrance Gateways to Erf 1772

There are two entrances namely the Main entrance off R376 and the secondary entrance off the eastern boundary.

Both gateways provide for controlled access and have islands for landscaping, outside and inside the control gates.

Large trees were proposed to flank the gateways, enhancing and identifying these entrances, but not blocking sightlines. Groundcovers will be planted under the trees and shrubs/hedges up against the walls.

Pedestrian sidewalks will be paved in a material that is different to the roadways, distinguishing pedestrian from vehicular paths.

Similarly the paving at the gateway will differ from the roadways/streets, enhancing the Gateways and introducing a visual clue that the area differs from streets/roads.

4.2 Streets within Erf 1772

Numerous street trees are proposed for a number of reasons.

a) the road layout is orientated west - east, the same direction as the local winds, and trees, once established with good crowns, will assist in reducing the wind speed.

b) trees will help to adjust the micro climate of the paved roadway providing pedestrians with relief from paved surfaces.

c) street trees will add character to the residential development, making it more a village than a town.

d) there is little space on the residential erven for planting trees so these trees will also be shared by the adjacent erven.

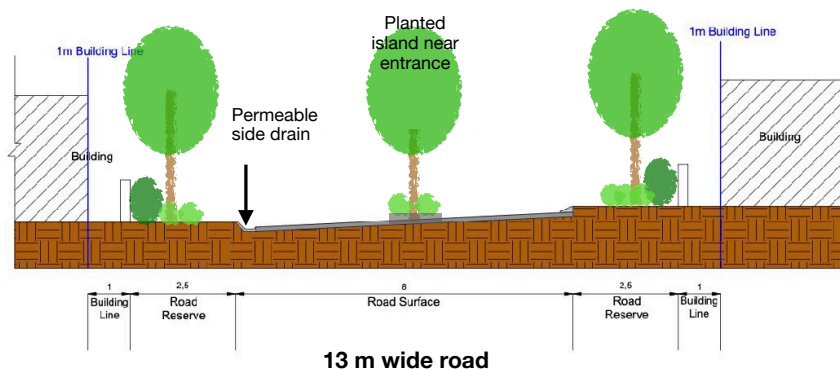


Figure 4: Cross Section through 13m streets (Fountain/Spring Streets adjacent to Entrance Gates)

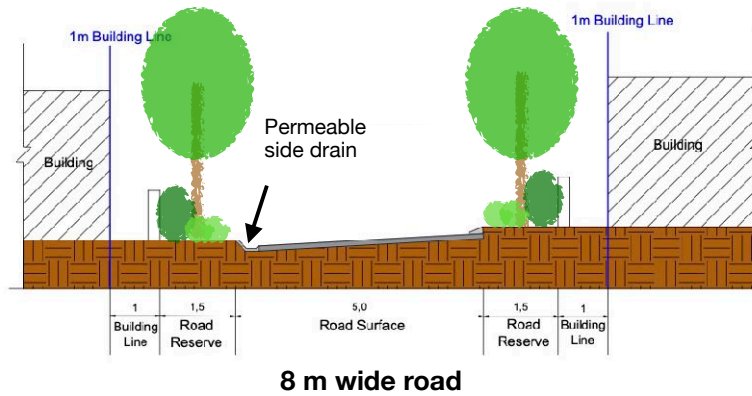


Figure 5: Cross Section through 8m streets

A 1,5 to 2,5 meter wide planted strip will be provided on either side of the roads, with a permeable side drain on the lowerlying edge of the paved road.

4.3 Private Open Spaces (POS)

The POS is found along the eastern and northern edges of the site, with a couple of Open Space corridors between the centrally situated erven.

The POS will provide for active and passive recreation and be vegetated with indigenous trees, shrubs, ground covers and lawns.

A perimeter path, 1,2 - 1,5 meters wide, will be provided from the south east to the north west.

A Sustainable Urban Drainage system (SUDS) will be accommodated where possible, allowing for some infiltration of stormwater runoff of the hardened area.

The POS is divided up into a few areas and discussed below.

4.3.1 South eastern POS (Erf 101)

This area is the larger POS and will allow for numerous activities, including the proposed Well, which will be in a passive corner, a more active area for example allowing for a kick-about area and/or ball court for slightly older children and a Jungle Gym for younger children. Outdoor Gym equipment will also be provided as will seating.

A pedestrian pathway, commencing from the south eastern end of Waterfall Crescent, will continue through this space and the rest of the POS till the POS in the north west corner where it will rejoin Waterfall Crescent again.

Indigenous trees and shrubs will be provided in and around the edges of the POS with groundcovers/meadow covering much of the area, and mown lawn grass along the pathways and seating.

4.3.2 Eastern POS (between Waterfall Crescent and Spring Street)

The pedestrian pathway will continue through this area with Outdoor Gym equipment and seating. Trees, shrubs and groundcovers will be planted on the edges with mown lawn along the paths, around the Gym Equipment and seating.

The north eastern corner could be used as a stormwater collection and infiltration area, attractively vegetated as a seasonal wetland swale which flows into the northern POS.

4.3.3 *Northern POS (4m wide buffer between residential development and northern boundary)*

This is a long narrow strip, 4 - 5 meters wide and being used primarily as a service area.

The pedestrian perimeter path continues through this area with trees placed so that views of the Kleinberg Mountains are not completely obscured.

This area could include a few narrow swale areas for stormwater infiltration and will also contain outdoor gym equipment and some seating.

4.3.4 *North western POS*

This space is proposed as a SUDS (Sustainable Urban Drainage System), being in the lowest area of the site. While not big enough to complete the task, it will allow for detention of some stormwater runoff from the paved and built areas. It is proposed to be a seasonal wetland with trees and seating around the edges and will include the perimeter pedestrian pathway which enters/exits onto Waterfall Crescent.

4.3.5 *Central POS corridors*

Open Space corridors have been provided between erven that are in the centre of the site. These will primarily allow for pedestrians to pass through from Waterfall Crescent to Spring Street so will have a pedestrian path and be planted with indigenous trees, shrubs and ground covers with some lawn on either side of the pathway.

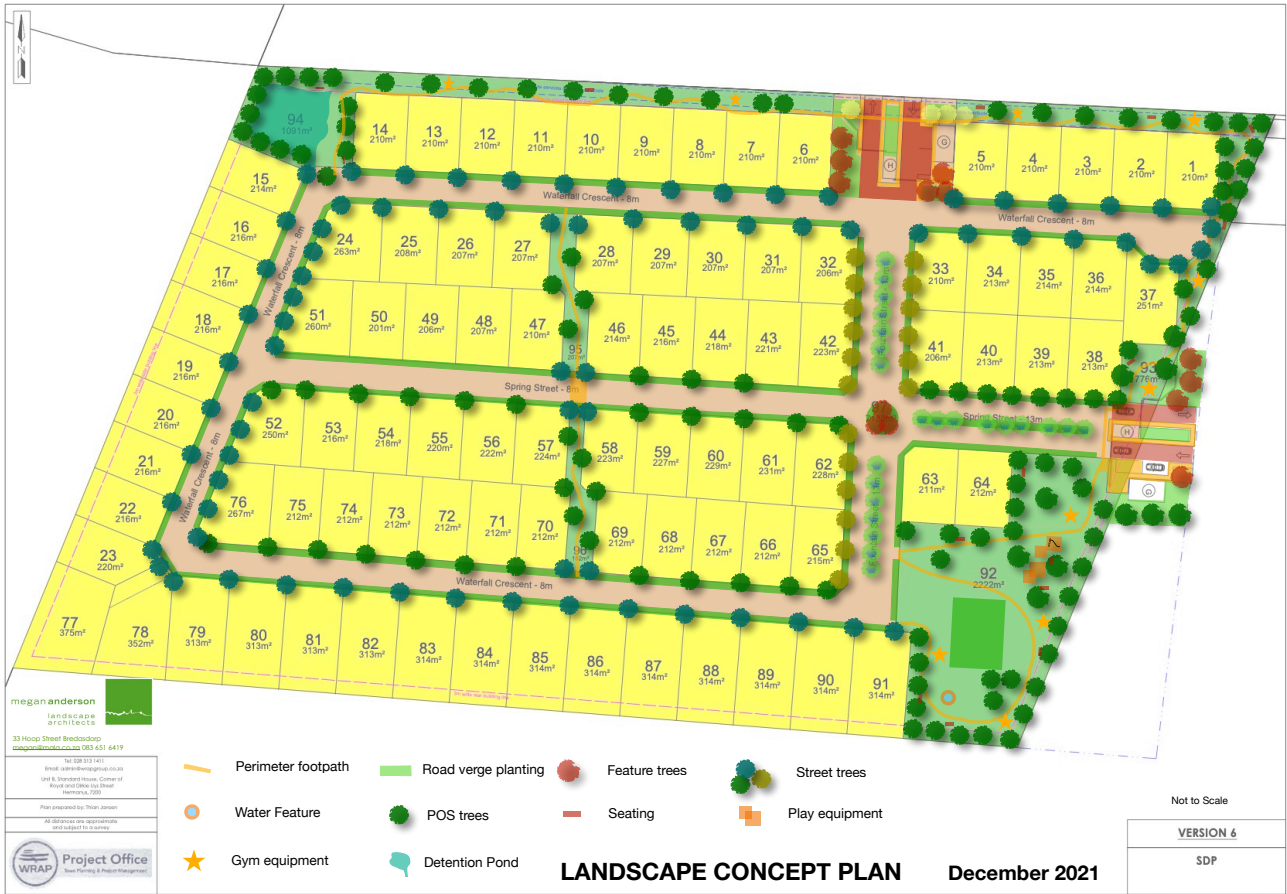


Figure 6: Landscape Concept Plan

4.4 Plant List

Trees at Entrance Way

Aloidendron barberae
Erythrina caffra
Syzigium guineense

Street Trees

Celtis africana
Ceratonia siliqua
Curtis dentata
Harpephyllum caffrum
Rapanea melanophloes
Syzigium guineense

POS trees

Afrocarpus latifolius
Aloidendron barberae
Apodytes dimidiata
Buddleja saligna
B. Salvo;ia
Curtis dentata
Cunonia capensis
Cussonia spicata
Diospyros whyteana
Ekerbergia capensis
Ilex mitis
Harpephyllum caffrum
Kiggelaria africana
Olea african
Rapanea melanophloes
Sideroxylon inerme
Vachelia xanthephloea
Vepris lanceolata

POS Shrubs and ground covers

Lawns

Stenotaphrum secundatum