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Dear Ms Havenga

OBJECTION TO THE APPLICATION FOR AMENDMENT OF THE STELLENBOSCH MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK AND APPLICATION FOR THE URBAN DEVELOPMENT ON LIBERTAS FARM (REMAINDER FARM NO. 1480 AND 1040, STELLENBOSCH RD)

The application with reference LU/15191 and related public notice refer.

This response is from ……. (name), the owner of …… (property) at ……. (address), who has an interest in the matter due to ……

My contact details are: ……. (email and mobile/telephone number)

The objection is to the requested amendment of the Stellenbosch Municipality Spatial Development Framework (SMSDF) for amongst others the inclusion of Libertas Farm, some 250ha north of TechnoPark at the western end of Van Reede Road into the designated urban edge and the subsequent rezoning, subdivision, and development of the property for urban settlement purposes.

The proposal is contrary to the spatial development policies of the Municipality as stated in the SMSDF. The Municipality has a stated objective of retaining good agricultural land for the production of agricultural produce, the conservation of the agricultural resources and character features of the rural landscapes and employment opportunities (Table 6 of the SMSDF), stating that: "*The region's extensive agricultural areas, particularly those under vineyards and orchards, also attribute scenic value and character to the region, which is valued by both the local inhabitants and visitors. This is a significant contributor to the value of the area as one of South Africa's premier tourist destinations and there is a strong interdependence between tourism and the wine industry in Stellenbosch*". Moreover, the objection to the proposed incorporation of the Libertas farmland into the urban edge stems from the Municipality's stated policy not to allow for any urban expansion unless such neighbourhood or node is already fully serviced by public transport, consisting of trains and buses. This is the main development principle of the priority development corridor, the so-called Adam Tas Corridor. The SMSDF (2019 approved and proposed amended 2023 version) development strategy is clear. It states that the SMSDF promotes development inside of the urban area first, e.g., along the Adam Tas Corridor, at Jamestown, in the Northern Extension and infill development inside of the town, where it is reported that more than 630 ha of land is available inside of the existing urban edge (Chapter 3.6 - Land Budget Considerations). No significant development has occurred inside of Stellenbosch since 2019, thus it is safe to assume that more than 600ha is still available for infill development. Numerous applications for urban edge amendments are recorded in the SMSDF public comments, from 2019 and 2022. Applications for inclusion of land into the urban edge for development purposes are consistently recommended for refusal, due to the oversupply of existing developable land within the urban edge. This irrational urban edge expansion to incorporate 250 ha of good agricultural land into the edge should likewise not succeed.

In the response to the development proposals for the Vlottenburg node astride the railway line and the Baden Powell public transport route, where the land is not cultivated and it is of medium to low potential, the Municipality indicated is a "*future settlement node, comprising a balanced community with inclusive residential opportunity and ready access to public transport and that the proposal deviates substantially from the core principles of the MSDF and is likely to predominantly attract private vehicles*." This argument applies exactly to the Libertas proposal. The response to the Mountain Breeze proposal reads that: "*The development, located on the southern urban edge of Stellenbosch town, is not supported at this stage. The MSDF sets out to actively curtail sprawl of Stellenbosch town and protect agricultural land over the planning period. The MSDF maintains that sufficient land exists within the urban edge for the type of development envisaged*." This argument equally applies to the Libertas proposal. With two related proposals refused in the 2019 SMSDF consideration and similar applications in the 2022 amendment process, it is strange that the Libertas proposal was recommended for inclusion in the SMSDF in 2021 by the Mayoral Committee and it is now subject to an application, barely three years after the other two arguably more appropriately located and less valuable agricultural resources were refused.

As is obvious from the Libertas development proposals, all traffic from the development will be conveyed via Van Reede Road onto an already congested R44, or diverted to the Stellenbosch Arterial, which is equally congested at its entry to Stellenbosch via Adam Tas Road. The approved Roads Master Plan (RMP)(2019) indicates that no further development should occur along the R44, due to it being overly congested and the economic cost of such congestion. Using the trip modelling of the RMP, it is safe to assume that unless the Western Bypass is developed prior to the development as proposed on the Libertas land, the negative effect thereof will be significant, and will impact an area much wider than Stellenbosch town. Road users of the R44 originate from surrounding areas and not only the town. The TechnoPark – Stellenbosch Arterial link road as proposed in the application is not equal to and will not serve the same purpose as a bypass. The point of congestion in Stellenbosch is the Eerste River with limited bridge capacity and the Adam Tas – R44 – Alexander Street – Merriman Avenue intersection stretch of road. Unless this is completely bypassed, the link from TechnoPark to the Stellenbosch Arterial will simply exacerbate the existing congestion problems.

The following extract from the RMP is significant: "*The 2040 traffic assignment results clearly show a strong northbound demand of between 600 and 1300 vehicles per hour along different sections of this road. The section from the Eerste River crossing to the R310 (Adam Tas Road) may even require a 4-lane dual carriageway cross-section if the bypass also connects to Technopark. The 2040 network scenario comparison with and without the Western Bypass illustrates the impact of the bypass on the surrounding road network, with numerous link road traffic increases and reductions. In terms of the modelling results, one may conclude that the bypass could have a positive impact on the existing Provincial Road system in and around Stellenbosch. For example, traffic reductions of more than 1200 vehicles per hour (both directions) are expected on Adam Tas Road and the R44 south of the CBD - generally where Stellenbosch currently experiences its worst traffic problems*".

In view of the above, it is abundantly clear that the inclusion of the Libertas farmland into the urban edge of Stellenbosch conflicts with the Municipality's own plans and policies, contradicts the objections raised to more appropriately located development such as in the Vlottenburg node and at Koelenhof and will cause significant negative effects on R44 road users. It should not be permitted until such time as there is a solution for the traffic situation, until more appropriate outlying nodes linked to public transport routes on the Adam Tas Corridor (Vlottenburg and Koelenhof), and the remaining 600-odd hectares of land within the Stellenbosch town's urban edge have been developed.

Agricultural land such as exists on Libertas is of vital importance to ensure long term food security in

South Africa. These principles of food security as well as an integrated, inclusive rural economy underpin the core focus areas of the National Development Plan, Vision 2030 (NDP). The NDP states that the national food security goal for South Africa is to maintain a positive trade balance for primary and processed agricultural products whilst job creation and increased agricultural productivity is needed to address food insecurity at household and individual level in rural areas. The concomitant Food Security Policy for the Republic of South Africa (2013) states unambiguously that food security is a key element of both poverty and inequality. The land is thus subject to processes provided for in the Subdivision of Agricultural Land Act, Act 70 of 1970 and the Spatial Planning and Land Use Management Act, Act 16 of 2013 before any consideration can be given to a development of the land or its inclusion in the urban edge of a town.

SPLUMA determines amongst others, principles that apply to spatial planning, land development and land use management and under Section 7(b) includes the principle of spatial sustainability: "*whereby spatial planning and land use management systems must — (ii) ensure that special consideration is given to the protection of prime and unique agricultural land.*" It goes further under Section 21 to determine that: "*A municipal spatial development framework must — (j) include a strategic assessment of the environmental pressures and opportunities within the municipal area, including the spatial location of environmental sensitivities, high potential agricultural land and coastal access strips, where applicable.*" Such assessment, inclusive of the high potential agricultural land would be a minimum requirement when considering any change in the urban area of Stellenbosch.

The Subdivision of Agricultural Land Act, 1970, Act 70 of 1970 under Section 3 (Prohibition of certain actions regarding agricultural land) determines that: "*Subject to the provisions of section 2 – (f) no area of jurisdiction, local area, development area, peri-urban area or other area referred to in paragraph (a) or (b) of the definition of 'agricultural land' in section 1, shall be established on, or enlarged so as to include, any land which is agricultural land;*" and "*(g) no public notice to the effect that a scheme relating to agricultural land or any portion thereof has been prepared or submitted under the ordinance in question, shall be given, unless the Minister has consented in writing.*" It is clear from the applicants' supporting documents that this process has not been followed.

In view of the above, I / we strongly object to any change in the status of the land and the development.

Yours faithfully