



**STELLENBOSCH**

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**NOTICE OF MUNICIPAL PLANNING  
TRIBUNAL MEETING  
OF STELLENBOSCH MUNICIPALITY  
FRIDAY, 2020-01-31 FROM 10:00-15:00**

**VOLUME 1**



**STELLENBOSCH**  
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING  
OF STELLENBOSCH MUNICIPALITY  
FRIDAY, 2020-01-31 FROM 10:00-15:00**

**Ref. no. 3/4/5/2/40**

**2020-01-31**

**Chairperson**

Dr DJ Du Plessis

**Deputy-Chairperson**

Ms C Havenga

**External Members**

Mr C Rabie

Dr R Pool-Stanvliet

Mrs H Crooijmans-Lemmer

Mr J Knight

Mr E Delport

**Internal Members**

Mr B de la Bat-Manager - Spatial Planning, Heritage and Environment

Mr M Williams - Senior Legal Advisor

Mr S van der Merwe - Environmental Planner

Ms J Mowers- Senior Manager: Development, Asset Management and Systems & Project Management Unit (PMU)-Infrastructure Services

Ms M Francis - Manager: Project Management Unit

Mr G Cain: Manager- IDP & Performance Management

Mr A van der Merwe: Senior Manager-Community Services

**Technical Advisor**

Mr K Munro- Director Environmental & Spatial Planning: Department of Environmental Affairs and Development Planning

*Notice is hereby given in terms of Section 75(1) of the Stellenbosch Municipality Land Use Planning By-Law (2015), of the Municipal Planning Tribunal Meeting which will be held in the **COUNCIL CHAMBERS, TOWN HOUSE, PLEIN STREET, STELLENBOSCH** on **FRIDAY, 2020-01-31 from 10h00-15:00** to consider the items on the Agenda. (In the event that the items on the agenda cannot be finalised during this sitting, an urgent MPT meeting will be arranged for Monday, the 3<sup>rd</sup> of February 2020).*

Dr DJ Du Plessis

**CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL**



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## - MINUTES-

OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON FRIDAY, 29 NOVEMBER 2019, AT THE STELLENBOSCH MUNICIPAL COUNCIL CHAMBERS, PLEIN STREET, STELLENBOSCH AT 10H00

Ref. no. 3/4/5/2/40

2019-11-29

**Chairperson**

Dr DJ Du Plessis

**Deputy-Chairperson**

Ms C Havenga

**External Members**

Mr C Rabie

Dr R Pool-Stanvliet

Mrs H Crooijmans-Lemmer

Mr J Knight

Mr E Delport

**Internal Members**

Mr B de la Bat: Manager- Spatial Planning, Heritage and Environment

Mr M Williams - Senior Legal Advisor

Mr S van der Merwe - Environmental Planner

Ms M Francis: Manager-Project Management Unit

Mr G Cain: Manager-IDP & Performance Management

Mr A van der Merwe: Senior Manager-Community Services

**Technical Advisor**

Mr K Munro-Director Environmental & Spatial Planning: Department of Environmental Affairs and Development Planning

**Councillor**

Esther Groenewald: Mayco: Planning, LED & Corporate Services

**Officials**

Mr R Fooy: Acting Manager: Land-Use Management & Senior Town Planner

Mr P April: Senior Town Planner

Ms L Guntz: Senior Town Planner

Ms L Kamineth: Senior Administrative Officer: MPT

Ms O Sims: Administrative Officer: MPT

ITEM	SUBJECT
SMPT 01/11/19	<b>OPENING AND WELCOME</b> Chairperson Du Plessis welcomed all tribunal members, officials and members of the public present.

SMPT 02/11/19	<b>LEAVE OF ABSENCE</b> Ms Jerri-Lee Mowers
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SMPT 03/11/19	<b>DISCLOSURE OF INTERESTS</b> The Chairperson enquired whether any member wanted to declare a conflict of interest regarding any item on the agenda. No conflicts of interest were noted.
SMPT 04/11/19	<b>MINUTES OF THE PREVIOUS MEETING DATED 25 OCTOBER 2019</b> The minutes of the previous meeting were included as approved and signed by the Chairperson.

	<b>MATTERS FOR CONSIDERATION</b>
SMPT 05/11/19	<p><b>APPLICATION FOR REZONING, AMENDMENT OF SDP AND CONSENT USE: PORTION 30 OF THE FARM LA MOTTE NO. 1108, PAARL (LA PETITE FERME), DIVISION OF STELLENBOSCH (LU/5384)</b></p> <p>Chairperson Du Plessis announced the 1<sup>st</sup> item on the agenda which also served before the Tribunal on the 25<sup>th</sup> of October 2019, when the matter was referred back for additional information. He further confirmed that a site visit has been conducted earlier the morning in respect of this application. Chairperson declared the item open for discussion. An in-depth discussion followed between the members of the Tribunal.</p> <p><b>UNANIMOUSLY RESOLVED:</b></p> <ol style="list-style-type: none"> <li><b>Approval be granted</b> in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by PN 354/2015, dated 20</li> </ol>

	<p>October 2015, for the following land use applications relating to Portion 30 of Farm 1108, Stellenbosch:</p> <ol style="list-style-type: none"> <li>1.1 The Amendment of the Site Development and Zoning Alignment Plans;</li> <li>1.2 The Rezoning of a ±1,2ha portion of Farm 1108/30, Paarl Division from Business Zone II to Agriculture Zone I;</li> <li>1.3 A Consent Use for a tourist facility (existing La Petite Ferme restaurant, tea garden, gift shop &amp; wine sales / new wine tasting &amp; sales/ new tourist facility and new olive sales);</li> <li>1.4 A Consent Use in order to use the main dwelling house and four labourers cottages as guest accommodation;</li> <li>1.5 The amendment of a condition of approval in order to increase the amount of resort units, by converting the existing winery structure into 4 non-interleading suites and reception for holiday accommodation to 10 resort accommodation units.</li> </ol> <p>2. The application for <b>Consent Use</b> in order to use the four existing labourer's cottages as additional dwelling units <b>be refused</b>.</p> <p><b>3. The approvals granted in Section 1. is subject to the following conditions in terms of Section 66 of the above-mentioned By-Law;</b></p> <ol style="list-style-type: none"> <li>3.1 The approval applies only to the applications for rezoning, consent use, amendment of site development plans and zoning plans in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;</li> <li>3.2 A new Site Development &amp; Landscaping Plan and floor layout plans of all applicable buildings be submitted to the authorized employee for approval that clearly depicts all approvals granted in the application, the realignment and indication of the respective zonings approved on the site and all existing and newly required accesses.</li> </ol>
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	<p>3.3 The Resort Zone I area be restricted to 7 structures, consisting of 10 guest suits and a reception area of which the area covered by the said structures may not exceed <math>\pm 700\text{m}^2</math>.</p> <p>3.4 The use of the manor house as a guest house be limited to the existing footprint of <math>\pm 351\text{m}^2</math> and only five (5) on-suite bedrooms be permitted.</p> <p>3.5 All conditions imposed by the municipal Engineering Department be complied with, as per <b>Appendix 6-page 116 of agenda</b>;</p> <p>3.6 All conditions as laid down by the Department of Transport and Public Works be adhered to, as per <b>Appendix 7-page 145 of agenda</b>;</p> <p>3.7 The building plans to be submitted be substantially in accordance with the approved Site Development Plan;</p> <p>3.8 No building plan may be submitted for approval prior to the applicable conditions of approval being adhered to;</p> <p>3.9 The proposed multipurpose tourist facilities not be used as function or a wedding venue and is only for the use of in house guests;</p> <p>3.10 The storm water management plan be submitted to the Engineering Department for approval;</p> <p>3.11 All Visual Assessment mitigation measures and heritage related design indicators as outlined in the Heritage Impact Assessment (Annexure 14) be adhered to.</p> <p><b>REASONS FOR APPROVAL:</b></p> <p>1. The proposed development on the indicated portions of the Farm 1108/30, Paarl Division complies with the relevant provincial and municipal forward planning policies.</p>
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	<ol style="list-style-type: none"> <li>2. The proposed tourist facility will further develop and promote this destination and stimulate a stable rural economy, which will support the local economy.</li> <li>3. The proposed land uses will not compromise the existing rural agricultural landscape, considering that predominantly existing building will be used and proposed new building will be built on current vacant land.</li> <li>4. The proposed development strategically aligns with other established land uses in the area and will diversify tourist amenities within the rural area.</li> <li>5. The visual impact could be mitigated to a reasonable level by appropriate landscaping proposals.</li> <li>6. The proposal complies mostly with the land use planning principles referred in Section 59 (spatial justice, spatial sustainability, efficiency and good administration) of LUPA.</li> <li>7. The application for consent use for 4 additional dwelling units, which are recommended for refusal in this report, contradict the requirements of the subject definition for additional dwelling units and can therefore not be supported.</li> <li>8. The tourist facility will not make allowance for functions and weddings and will not generate additional traffic over and above the paid guests to the property.</li> </ol>
<p>SMPT 06/11/19</p>	<p><b>APPLICATION FOR THE PROPOSED AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN TO ALLOW FOR THE CONSTRUCTION OF TWO NEW BUILDINGS ON ERF 16523, TRUMALI HOUSE, STELLENBOSCH (LU/7730)</b></p> <p>Chairperson Du Plessis announced the 2<sup>nd</sup> item on the agenda. Mr C Heys and Mr A Swart provided an oral presentation on behalf of the applicant. Mr Schaafsma was granted an opportunity to present his oral presentation on behalf of the Stellenbosch Interest Group (SIG) as the objector.</p>

The chairperson declared the item open for discussion. A lengthy in-depth discussion followed between the members of the Tribunal. The members could not reach an agreement in respect of the application. Chairperson Du Plessis indicated that the Rules of Procedure of the MPT stated, in the event of members not reaching an agreement, the members will have to take a vote on the application.

<b>Proposed Refusal</b>	<b>Proposed Approval with Amended Conditions</b>
Mr B de la Bat	Chairperson D Du Plessis
Mr E Delpont	Mr C Rabie
Mrs C Havenga	Dr R Pool-Stanvliet
Mrs H Crooijmans-Lemmer	Mrs M Francis
Mr J Knight	Mr M Williams
Mnr S Van der Merwe	Mr G Cain
	Mr A van der Merwe

**RESOLVED BY MAJORITY VOTING:**

1. Approval be granted in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By law, promulgated by notice number 354/2015 dated 20 October 2015, for the amendment of the condition number 3 in Appendix number 1 of the approval dated 23.06.2014

2. **The approval granted in Section 1. is subject to the following conditions in terms of Section 66 of the above-mentioned By-Law;**

2.1 The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

2.2 The following development parameters shall apply to the subject

	<p>property:</p> <p>2.2.1 A maximum coverage of 23.5%;</p> <p>2.2.2 The maximum number of storeys be limited to 2 Storeys and building to not exceed the height of the existing buildings;</p> <p>2.2.3 All new building work in accordance with the footprint indicated on the proposed SDP;</p> <p>2.3 The building plans may not differ substantially from the Site Development Plan presented and submitted during the oral presentation to the MPT on 29 November 2019. Detailed facades/elevations of the new office buildings be submitted to the Director Planning and Economic Development giving an indication of the treatment of the interface with the R44, being a scenic route;</p> <p>2.4 A detailed landscaping plan be compiled and submitted to the Director Planning and Economic Development for approval in conjunction with the Director Community Services. Special regard should be given to limiting the impact of the new office blocks on view corridors from the R44;</p> <p>2.5 The conditions imposed by the Manager: Development (Infrastructure Services) in its memo dated 12 November 2019, condition C &amp; D of the memo be adhered to;</p> <p>2.6 The conditions imposed by the Manager: Electrical Engineering in its Memo dated 9 September 2018 be adhered to;</p> <p>2.7 The conditions imposed by the Department of Transport and Public Works in its memo dated 8 November 2018 be adhered to;</p> <p>2.8 Approval shall lapse if not exercised within 5 years from date of final notification;</p> <p>2.9 Provision be made for disabled parking to the satisfaction of the Directorate Engineering Services.</p> <p><b>REASONS FOR APPROVAL:</b></p> <p>1. The subject property is located within the urban edge of Stellenbosch.</p> <p>2. The proposed further development of the subject property will not lead to a change in land use.</p> <p>3. The proposal is in line with the property's office zoning and development rules and will lead to the more optimal use of the subject property.</p> <p>4. The proposed extension to the existing building constitutes an infill development on an underutilised commercial erf.</p>
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	<ol style="list-style-type: none"> <li>5. The proposed redevelopment is in line with the Stellenbosch Municipality's SDF which forces urban development to be concentrated within urban areas inside the urban edge.</li> <li>6. The additional medical facilities will have a positive impact on safety, health and wellbeing of the surrounding community.</li> <li>7. The proposed development will have a limited visual impact.</li> <li>8. The visual impact could be mitigated by appropriate landscaping proposals.</li> <li>9. The proposal complies with the land use planning principles (spatial justice, spatial sustainability, efficiency, spatial resilience and good administration) referred to in section 59 of the Land Use Planning Act, 3 of 2014.</li> </ol>
<b>SMPT</b> <b>07/11/19</b>	<p><b>APPLICATION FOR THE REMOVAL OF A RESTRICTIVE TITLE DEED CONDITION ON PORTION 20 OF FARM 1646, DIVISION OF PAARL (7491)</b></p> <p>Chairperson Du Plessis announced the third item on the agenda. He handed over to the applicant (Mr Schrire) to conduct his oral presentation. Mr Carel Hofmeyr from Du Plessis Hofmeyr Malan Incorporated was also furnished with an opportunity to present his oral presentation on behalf of the objectors. Chairperson Du Plessis declared the item open for discussion. An in-depth discussion followed between the members of the Tribunal.</p> <p><b>UNANIMOUSLY RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. <b>Refused</b> in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015 dated 20 October 2015, for the following applications: <ol style="list-style-type: none"> <li>1.1 Removal of the restrictive title deed condition I.C and II.C on page 3 of the subject properties Title Deed (Portion 20 of Farm 1646) which are in favour of Two Rivers Owners Association.</li> </ol> </li> </ol> <p><b>REASONS FOR REFUSAL</b></p> <ol style="list-style-type: none"> <li>1. The applicant could not obtain the approval / mandate of the Two Rivers Property Owners Association to leave the association.</li> <li>2. The proposal was not supported by a number of owners within the Two Rivers Property Owners Association as the proposal would have a financial impact on the property owners.</li> </ol>

	<p>3. The Two Rivers Property Owners Association is an active entity and thus the Municipality cannot interject or override a decision taken by the members of the association by approving an application which is not supported by the same members of the association.</p> <p>4. The Stellenbosch Land Use Planning By-Law (2015) does not make provision for the required application.</p>
<p>SMPT 08/11/19</p>	<p><b>APPLICATION FOR THE CONSOLIDATION, REZONING AND SUBDIVISION OF THE APPLICABLE LAND PARCELS (PORTION 9 OF FARM 119, REMAINDER 168, PORTION OF FARM 167/1 AND UNREGISTERED ERF 16739), STELLENBOSCH(LU/7466)</b></p> <p>Chairperson Du Plessis announced the application before the Tribunal. The matter served before the MPT on 25 October 2019. The annexures K,L, M and N which were discussed at the said sitting were not included in the 29 November agenda, due to an administrative oversight. Chairperson declared the item open for discussion. An in-depth discussion followed between the members of the Tribunal.</p> <p><b>UNANIMOUSLY RESOLVED:</b></p> <p>1. <u><b>Approval be granted</b></u> in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for:</p> <p>1.1 The consolidation of the following properties:</p> <ul style="list-style-type: none"> <li>● A portion of Farm 167/1 (2039m<sup>2</sup>);</li> <li>● The Remainder of the Farm No. 168 (5.9045ha);</li> <li>● Portion 9 of the Farm No. 119 (9.9034ha); and</li> <li>● The unregistered Erf 16739 (1.6902ha).</li> </ul> <p>1.2 The rezoning of the consolidated development site to Subdivisional Area for the following:</p> <ul style="list-style-type: none"> <li>● Residential Zone II;</li> <li>● Open Space Zone II;</li> <li>● Transport Zone II;</li> <li>● Authority Zone; and</li> </ul> <p>1.2.1 Agricultural Zone I.</p> <p>1.3 The subdivision of the consolidated development site to create:</p>

- 152 Residential erven (Residential Zone II),
- 4 Portions for private open space (Open Space Zone II),
- 1 Portion for private road (Open Space Zone II),
- 1 Portion for public road (Transport Zone II),
- 3 Portions to accommodate electrical substations (Authority Zone),
- 1 Portion for an agricultural holding (Agricultural Zone I), and
- 1 Portion for the Remainder (Agricultural Zone I).

1.4 The registration of servitudes on the property to allow for the installation and maintenance of services.

**2. The approval(s) granted in Section 1 is subject to the following conditions in terms of Section 66 of the above-mentioned By-law:**

- 2.1 The approval only applies to the proposed development under consideration, as indicated on Drawing Nos. SDP001 dated 31 July 2018 and PL002 dated 20 February 2018, drawn by Dennis Moss Partnership, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- 2.2 The building plans be substantially in accordance with the approved SDP;
- 2.3 No building plan be submitted for approval prior to the applicable conditions of approval being adhered to;
- 2.4 The approval not be acted upon prior to the issuing of a certificate of consolidated title;
- 2.5 The applicant submits an electronic copy of the General Plan which was preliminary approved by the SG. The following information be indicated:
- Newly allocated Erf Numbers
  - Co-ordinates
  - Survey Dimensions
  - Street names (approved by Council);
- 2.6 The conditions imposed by the Directorate: Infrastructure Services as listed in **Section B** and **C** of the memo dated 11 November 2019 be adhered to (**Annexure H-page 135 of the agenda**);
- 2.7 The conditions imposed by Heritage Western Cape in its memo

dated 14 September 2019 be adhered to (**Annexure I-page 190 of the agenda**);

- 2.8 All mitigation measures outlined in the Visual Statement report (February 2018) be implemented (Contained in Annexure L of the documents dated 25 October 2019, it was not included in the 29 November 2019 document);
- 2.9 No further development be allowed on the Agricultural zoned portions that forms part of the project site. Building plans for the entrance gates, boundary walls and associated structures be submitted to the Municipality for approval prior to any building work being undertaken;
- 2.10 No building plans for residential units be submitted for approval prior to the submission of an approved General Plan (electronic or hard copy, containing a GP number and signed by the Office of the SG) and confirmation that the residential property is being registered or has been registered in the deeds offices;
- 2.11 Building plans for the residential units will only be approved once all conditions of subdivision have been complied with and confirmation of registration of the property is in process;
- 2.12 The refuse room entrance gates with associated structures, external walls / fences be completed prior to the transfer of the first property of the development;
- 2.13 An application for the deviation from the By-Law Relating to the Control of Boundary Walls and Fences be submitted to Council should they not comply with the relevant regulation.

**REASONS FOR APPROVAL:**

- 1. The property is located inside the urban edge where densification and higher density development is encouraged.
- 2. The proposal promotes Council policy as noted in the SDF and IDP of densification within the urban edge.
- 3. The property is designated for *Urban Development* in terms of the Stellenbosch Guide Plan.
- 4. The proposed development is not regarded to be out of scale or character with its surroundings.
- 5. The proposal is compatible with the surrounding land uses and built environment.
- 6. The proposal complies with the land use planning principles (spatial

	<p>justice, spatial sustainability, efficiency, spatial resilience and good administration) referred to in section 59 of the Land Use Planning Act, 3 of 2014.</p> <p>7. Sufficient municipal infrastructure is available for the proposed development.</p> <p>8. The Visual Impact would be kept to within acceptable levels if identified mitigation measures are implemented.</p>
<p>SMPT 09/11/19</p>	<p><b>APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, SPECIAL DEVELOPMENT AND PERMANENT DEPARTURE ON ERF 4731, STELLENBOSCH (LU/8162)</b></p> <p>Chairperson Du Plessis informed all present that the application could not be heard by the Tribunal and is withdrawn. This was due to an administrative error that occurred. The item will thus have to stand over until the next MPT sitting.</p>
<p>SMPT 10/11/19</p>	<p><b>APPLICATION FOR DEPARTURE ON ERF 2823, IDAS VALLEY, STELLENBOSCH (LU/7800)</b></p> <p>Chairperson Du Plessis handed over to Ms Guntz to present a summary of the application. The Chairperson declared the item open for discussion. An in-depth discussion followed between the members of the Tribunal.</p> <p><b>UNANIMOUSLY RESOLVED:</b></p> <p>1. <b>Approval be granted</b> in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for a permanent departure in order to relax the common building line (adjacent to Erf 2824, Stellenbosch) from <b>1,5m</b> to <b>0m</b> and to exceed the permissible coverage from <b>50%</b> to <b>62,68%</b> for purposes of a carport on Erf 2823, Stellenbosch.</p> <p>2. <b>The approval(s) granted in Section 1 is subject to the following conditions in terms of Section 66 of the above-mentioned By-law;</b></p> <p>2.1 The approval applies only to the departure in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;</p>

2.2 The approval granted does not exempt the applicant/operator from complying with any other legal prescriptions or requirements that might have a bearing on the activity;

2.3 No run-off (rain water) from the proposed carport be channelled or dispensed onto the abutting property ;

2.4 No structure or any portion thereof may encroach over the erf boundary;

2.5 Appropriate caution be taken during construction, to prevent damage to existing municipal services in the vicinity and in such an event should damage occur, the applicant be liable for the cost involved repairing damages;

2.6 A contravention levy is communicated to the applicant as stipulated in terms of section 87(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law, dated 20 October 2015 and is payable within 30 days from date of said communication;

2.7 Building plans be submitted to Council for approval.

**REASONS FOR APPROVAL:**

1. The proposal will have no detrimental impact on the character of the existing area as the proposal is in keeping with the current land use of the subject property and the area.
2. It is a logical extension to the residential activity and will add value to the existing building.
3. The relaxation of the prescribed building line is for a non-habitable structure (carport) only and should not have a detrimental impact on the neighboring property as it will be used for storage purposes only.
4. The proposed location of the carport is the most practical position to

	<p>build an outbuilding due to the placement of the existing dwelling house on the site.</p> <p>5. The proposed carport will not have a negative impact on the streetscape.</p>
<p>SMPT 11/11/19</p>	<p><b>APPLICATION FOR CONSENT USE FOR FARM 124/56 STELLENBOSCH DIVISION (LU6294)</b></p> <p>Chairperson Du Plessis handed over to Mr April to present a summary of the application. Chairperson declared the item open for discussion. An in-depth discussion followed between the members of the Tribunal.</p> <p><b>UNANIMOUSLY RESOLVED:</b></p> <p><b>APPLICATION REFERRED BACK TO ADMINISTRATION FOR THE FOLLOWING ADDITIONAL INFORMATION:</b></p> <ol style="list-style-type: none"> <li>1. A Visual Impact Assessment needs to be submitted with the application to address the impact of the tower in the proposed position;</li> <li>2. Motivation and proof for the need of mast in this specific area;</li> <li>3. Identification and availability of alternative Sites ;</li> <li>4. Documentation in line with the requirements of the Stellenbosch Telecommunication Mast Infrastructure Policy.</li> </ol>
<p>SMPT 12/11/19</p>	<p><b>OTHER MATTERS</b></p> <p>The Chairperson thanked all for attending the meeting.</p> <p>Meeting adjourned at 15h51.</p>




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Dr Danie du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



# STELLENBOSCH

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## LAND USE PLANNING REPORT TO THE MUNICIPAL PLANNING TRIBUNAL

### APPLICATION FOR THE REZONING AND PERMANENT DEPARTURES ON ERF 184, STELLENBOSCH

Reference number	LU/8873	Application submission date	November 2018	Date report finalized	December 2019
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#### PART A: AUTHOR DETAILS

First name(s) and Surname	R P Fooy				
Job title	Senior Town Planner for Stellenbosch Town				
SACPLAN registration number	N/A				
Directorate/Department	Planning and Economic Development Directorate				
Contact details	021 808 8680				

#### PART B: APPLICANT DETAILS

First name(s) and Surname	Marika Bolz				
SACPLAN registration number	A/060/2008				
Company name	Arch Town Planners	Is the applicant authorized to submit this application?	Y	N	
Registered owner(s)	Ribiero Trust				

#### PART C: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Erf 184 Stellenbosch				
Physical address	22 Dennesig Road	Town/City	Stellenbosch		
Current zoning	Single Residential	Extent (m <sup>2</sup> /ha)	1 332m <sup>2</sup>	Are there existing buildings on the property?	Y N



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Applicable Zoning Scheme	Stellenbosch Municipality Zoning Scheme Regulations, 1996		
Current Land Use	Residential – single house with fenced garden and garage	Title Deed number & date	T 42000/2016
Any restrictive title conditions applicable?	Y	N	If Yes, list condition number(s)
Any third party conditions applicable?	Y	N	If Yes, specify
Any unauthorised land use/building work?	Y	N	If Yes, explain

### PART D: APPLICATION DESCRIPTION

1. Application in terms of Section 15(2)(a and b) of the Stellenbosch Municipal Planning By-Law promulgated by notice number 354/2015, dated 20 October 2015 (hereinafter referred to as the By-Law) Planning By-Law (2015) to allow for the following on Erf 184 Stellenbosch:
  - 1.1 Rezoning of Erf 184 from Single Residential to Specific Business Zone, in terms of the Stellenbosch Municipality Zoning Scheme Regulations, 1996, to develop 86 m<sup>2</sup> of commercial space and 50 residential units in a 5 storey building;
  - 1.2 Permanent departures from development rules pertained in the Stellenbosch Municipality Zoning Scheme Regulations, 1996 for the following:
    - 1.2.1 Street Building Line (Denneisg) of 0.0m in lieu of 7.6m on Floors 1 – 4;
    - 1.2.2 Street Building Line (Hofman) of 0.0m for a portion of the building and 1.7m for the remainder of the building in lieu of 7.6m on Floors 1 – 4;
    - 1.2.3 Common boundary (Erf 155) 0.0m for a portion of the building on Ground and Floors 1 – 4 in lieu of 3.0m on ground and 4.6m on Floors 1- 4;
    - 1.2.4 Common boundary (Erf 4683) 0.0m on Ground Floor to allow for the stairwell and 0.0m (stairwell) and 1.7 (remainder building) on Floors 1 – 4 in lieu of 3m (ground floor) and 4.6m on Floors 1-4.
    - 1.2.5 To allow a coverage of 76% in lieu 50% for the residential component of the building on Floors 1-3;
    - 1.2.6 To allow the height of the building to be 5 storeys in lieu of 4;
    - 1.2.7 To allow the provision of 10.6% of the site for communal open space, in lieu of 25%;



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1.2.8 To allow the provision of 67 parking bays (which would include provision for 12 motorcycles, 56 standard motorized vehicles and 50 bicycle bays) in lieu of 74.

### PART E: SUMMARY OF APPLICANTS MOTIVATION

The proposed development conforms to the Dennesig Urban Design Guidelines Report compiled by *Jakupa Architects and Urban Designers*, as described below:

- The inclusion of retail components along both Hofman and Dennesig street edges, no 'dead' parking areas facing the streets, creation of multiple entry points; all strive to create physical interactivity with the urban realm beyond the building's edges
- The urban edge has been designed to interface directly with the building at street level, eliminating the need for boundary walls and effectively widening the pavement as much as possible. The levels above further overhang the street to create an interstitial realm along the entire building's street facing edge
- All levels above GF are created with large balcony expanses to promote living onto the urban realm and promote the concept of 'eyes on the street' which contribute to safer urban environments
- The building has been detailed and designed in such a manner as to fragment the bulk massing and to keep the building as low as possible. This articulation of the building in terms of a Base, a Middle and a Top creates a lower impact upon the urban realm and acknowledges the human scale needed, as opposed to an imposing 5 storey walled edge. The fine grain detailing of the façade likewise contributed to this.
- The Penthouse level is set back from the building edge below and articulated as a lightweight structure perched at the top. This is deliberately set up to recede from view of the street and the wrap-around balconies create the potential for active edges.
- The upmarket architecture and larger unit sizes are designed to specifically target young professionals to avoid a single tenancy within the area. The focus upon 2/3 bed unit mix likewise seeks to inject much needed activity into the area during the typically vacant student holiday months.

The proposed development complies with the National, Provincial and Local policy, which all promote urban densification; particularly in centrally located areas such as Dennesig;

The Stellenbosch IDP specifically identified Dennesig as a primary densification and development intensification area for the establishment of blocks of flats up to six storeys;

There is a high demand for flats within close proximity to town and campus, increased development rights (coverage, height) can increase supply on the property market which will help to address the demand and affordability.

Increased development rights will help to reduce the pressure on other single residential areas in town and also the agricultural areas.



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The proposed departures will not have a significant impact on adjoining or surrounding properties with regards to the loss of privacy to the effect to warrant refusal;

The proposed departures will not result in a visually intrusive building;

The proposed building was designed in such a way to contribute to the visual character of the area by being of a high architectural standard.

The development seeks to re-establish the urban design principle of creating safe urban spaces through active street frontages, whereby buildings are pushed towards the street boundaries and parking is shielded from the street scape;

The provision of safe bicycle and motorcycle parking bays and the reduction of the provided number of motor vehicle bays are in line with the municipality's principles to achieve a car-free vision for Stellenbosch.

### PART F: SUMMARY OF PUBLIC PARTICIPATION

Methods of advertising				Date published	Closing date for objections
Press	Y		N/A	28-02-2019	30-03-2019
Notices	Y		N/A	04-03-2019	04-04-2019
Ward councillor	Y		N/A	04-03-2019	04-04-2019
On-site display	Y		N/A	02-03-2019	04-11-2019
Community organisation(s)	Y	N	N/A	04-03-2019	04-04-2019
Other	N	If yes, specify			

Was public participation undertaken in accordance with sections 44-49 of the Stellenbosch Land Use Planning By-law, October 2015

Y

N

### PART G: SUMMARY OF COMMENTS DURING PUBLIC PARTICIPATION (INTERESTED AND AFFECTED PARTIES)

412 Registered letters were sent out as well as the newspaper advert and only three objections from the public were received

FARM/ ERF NO.	ISSUES RAISED	APPLICANT'S RESPONSE	DEPARTEMENTAL REPOSE
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Stellenbosch Roman Catholic Church	Increase in traffic which will result in noise disturbance	It is true that it is to be expected there will be an increase in noise and traffic as a result of the proposed development. However, it should be noted that the majority of traffic movement can be accepted to be along Dennesig Road and during peak traffic hours which does not coincide with the times of the church services or the other activities listed in the above-mentioned letter. Ample on-site parking is provided to accommodate the parking requirements of the future occupiers of the proposed development. It is therefore considered that the increase in traffic will not affect the church to the extent to warrant refusal. In the letter of objection, the Church requested that an overall TIA be done for the Dennesig area which has now been concluded. The proposed development is in line with the recommendation of the Transport Study (as part of the Urban Design Study).	The Dennesig area has been identified as an area in which densification can take place as a result of the redevelopment of the area. The additional traffic will not be limited to only vehicles as the road infrastructure within the area will prioritise none motorized transport in the form of pedestrians and cyclists. The movement of vehicles within the area will be limited to slow traffic as a result of the prioritization of none motorized traffic and thus the additional noise referred to by the objector will be limited.
	Increase in noise will affect the functioning of the church	It is not considered that the proposed residential block, situated a block away from the church would result in a level of noise disturbance to detrimentally affect the church services or church activities. It should be noted that Dermont flats, which was established in 1995 with a total of 39 units, is situated right next to the church and has clearly not resulted in the level of noise and disturbance now anticipated by the church (with regard to the	The additional noise referred to by the objector is not quantified and thus it is assumed that the noise in general will have an impact on the church which should not be the case as the urban design guidelines specifically promote the interaction of the buildings with the



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		<p>proposed development). It is anticipated that the noise levels from the proposed development will be far less (based on distance from the church) than the existing 39 units situated right next to the church. There are numerous examples, for instance in European cities, where churches are situated within high density residential areas, which has not resulted in the prevention of church services or activities.</p> <p>Apart from the small section of the building facing onto Hofman, the majority of the building is situated within the allowable building lines. The building is setback from the northern boundary (facing towards the Church) more than the required 4.6m and on Floor 4 the setback has now been increased from the previously proposed 4.6m to 5.6m as mitigation to the perceived noise disturbance.</p>	<p>street to ensure that the redevelopment of the area will create a vibrant residential area with limited noise.</p>
Meglis (Pty) Ltd	<p>Building line departures and increased height and floor factor will have a negative impact on the area as it will set a dangerous precedent for future developments in the area.</p>	<p>It is argued that the Dennesig Neighbourhood Design Guidelines have indicated and motivated for the increased density to which this proposed development fully complies (as confirmed in the attached "Happy Letter"). As a further motivation, it is considered that the current zoning scheme, approved in 1996, more than 20 years ago, is outdated as it does not respond to or promote the development of sustainable communities through densification. Densification is one</p>	<p>The proposal as submitted is seen as sensible infill development that will make optimal use of existing land and services within the existing urban area / urban edge. The subject property is located in an area where densification is promoted due to its location within close proximity to town and campus, as set out in</p>



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		<p>of the main land use tools to promote sustainable use of resources (land, services, public transport, etc). As outlined in the approved SDF and IDP, it is clear that the Municipality acknowledges the dire need for densification, especially in areas such as Dennesig within close proximity to the town center, the University and public transport nodes. The IDP specifically identified the Dennesig area, between Paul Kruger, Dennesig, Merriman, the R44 and Bird Streets, as a primary densification and development intensification area. This can only be achieved if property owners are allowed to depart from the existing (albeit outdated) zoning parameters which restrict coverage, floor factor and height. Given the municipality's recent approval of The Den (situated on the corner of the R44 and Dennesig Road), it is considered that the precedent for this type of development in the area has been established. Nonetheless, given the requested increase in coverage, floor factor and height of the proposed development, it should be noted that great effort has been made to ensure that the building is aesthetically pleasing; both in terms of public interface from the street, as well as for incoming residents in the development. The building will therefore not seem overbearing or out of character to those which have been approved for development in the area. It is further considered that the</p>	<p>the IDP and SDF. The proposed building will not be seen to be out of character with its surroundings as a number of high density developments have been approved in the surrounding area and any proposal would need to still comply with the Dennesig Neighbourhood Design Guidelines.</p>
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		<p>proposed development, being a brownfields development, will result in the optimal redevelopment of the application site, in line with municipal policies. The proposed development will contribute to the creation of a sustainable neighbourhood in that it is situated close to existing and proposed transport nodes, it is within walking distance to surrounding amenities and optimizes the use of infrastructure.</p>	
	<p>Concerns regarding possible impact of retail with regards to increased traffic, parking requirements, delivery routes and crime associated with retail as well as request for provision of 25% green area.</p>	<p>See above, this was adequately addressed and considered in the Design Study to which this proposed development complies. As a further motivation, Dennesig is developing at a rapid pace, many land use applications for new residential developments have been submitted to Stellenbosch Municipality in the past year. The majority of these applications seek to provide higher-density residential accommodation. Given the rapid rate of densification in the area, the municipality must critically consider the needs of incoming residents, beyond the provision of mere accommodation. Students, young professionals and families require services and convenience goods that are easily accessible, within their immediate neighbourhood. Basic convenience goods and services (such as milk, bread, a cup of coffee and laundry services) should not need to be attained through the use of a motorized</p>	<p>The proposed retail component of the development will be limited to providing a service to the surrounding buildings in the form of a small coffee shop, convenience store and self-service launderette, while offering co-working and private space for meetings, quiet study and socializing etc.</p> <p>The concern raised about deliveries or heavy traffic being drawn into the area are thus mitigated as the commercial component will be of a small scale which will not draw customers into the area but only serve the residents within the Dennesig area.</p>



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		<p>vehicle. Rather, such conveniences should be made readily available within urban settlements that prioritise accessible, integrated and human-scale development. In this vein, the proposed development will feature a small retail area of 73m.2 The intention of this space is to allow for a business that would directly cater to the everyday demands of urban residents within the immediate vicinity. The proposed business concept would be to create a lively retail space that would feature a small coffee shop, convenience store and self-service launderette, while offering co-working and private space for meetings, quiet study and socializing. Though the proposed retail area have made provision for 3 parking areas, it is considered highly likely that customers will walk / cycle to the facility as it is situated within such close proximity to the existing and proposed surrounding residential units. The target market for this retail area is not the wider Stellenbosch but will be focused to provide for the everyday demands of the urban residents within the immediate vicinity. It is therefore considered that the proposed retail area will not add to traffic, or parking requirements as suggested by the objector. It is proposed that retail area will have a small coffee shop with tables and chairs which would spill out on to the pavement in front of the building, activating the street front and sense of place on Dennesig</p>	<p>The fact that the proposal includes the reduction of onsite recreational space is noted but should have no impact on the surrounding area as the property is located within walking distance of the CBD area and a number of public recreation facilities.</p>
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		<p>Road, which is considered highly desirable and necessary to increase safety. It is argued that the proposed retail area and will not result in an increase in crime more than that currently experienced in the area and will actually increase safety in the area. The proposed development will create an integrated living environment, which values the creation of livable, green outdoor spaces that are appealing not only to residents of the proposed development, but which also contribute towards creating an aesthetically pleasing street interface. In this regard, the current plans propose a space of approximately 295m<sup>2</sup> to be provided on the roof of the building, which will be made available to all residents for recreational and relaxation purposes, with sweeping views of the surrounding mountains. In addition, there are also plans for a lush, green courtyard on the ground floor, which will be thoroughly landscaped and visible to all units. It should be considered that most of the units will also have balconies which, though it can't be counted towards communal areas, will add additional areas for relaxation. Though the proposed 22% communal green area is slightly less than the required 25%, it is considered that sufficient open and communal areas are provided to address the needs of the future occupiers.</p>	
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	<p>Departing from the zoning scheme restrictions would have a negative impact on the surrounding community and optimal utilization only refers to financial gain.</p>	<p>This has been adequately assessed and addressed in the Dennesig Neighbourhood Design Guidelines which have motivated for the increased density to which this proposed development fully complies (as confirmed in the attached "Happy Letter").</p> <p>It is inevitable that the character of the area will change to a higher density area, with higher buildings than the existing structures in the Dennesig area. The proposed development was designed to respond to the future planning vision of the area, being a high-density development area, in consultation with the Stellenbosch Municipality. It is therefore considered that the proposed scale, massing and street scape of the development will tie in with the future planning vision of the area and will not result in having a detrimental effect on the surrounding community. Optimal utilisation in this instance does not refer to the profitability for the developer but rather to the optimal use of one of the last and best located areas in town (as specifically identified by the Stellenbosch Municipality) for a high density brownfield development. The only way to optimize the use of land within the urban edge of Stellenbosch, which is also within close proximity to town and campus, would be to allow for considerable departures from the current zoning scheme. It is strongly motivated that allowing for higher density brownfield</p>	<p>The relaxation of the development parameters has been considered in the urban design and traffic impact assessment that was done for Dennesig.</p> <p>The departures being applied for will ensure that the development creates a vibrant urban space that people would want to live in.</p> <p>Any redevelopment of an urban area will have an impact on the existing urban character of the area. To ensure that the redevelopment taking place in the Dennesig area compliments each other the various development within the area would have to comply with the Dennesig Neighbourhood Design Guidelines ensuring that a</p>
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		developments such as the proposed, being situated within the urban edge and within walking distance to campus and the town center, would be to the benefit of the surrounding community and the wider town as it will help to increase safety, result in optimal uses of service infrastructure and reduce pressure to develop high agricultural land.	vibrant residential area is created which meets the needs of the residents that stay in the area.
Mr A B Hamman	The proposed development will negatively affect the single residential character of the area and will result in overlooking and a loss of privacy.	The Dennesig area has been identified by the Stellenbosch Municipality (as confirmed in the IDP) as a densification area, which will allow for buildings up to 6 storeys. Subsequent to the approval of the IDP, the majority of the single residential erven along Paul Kruger, Hoffman and Dennesig Roads have been bought by private developers and developments of similar scale to this proposed development are currently either under consideration by the Stellenbosch Municipality or, in the design and planning phases. It is inevitable that the character of the area will change, not only as a result of the proposed development but due to the identification of the Dennesig area as a high-density development area (as proposed by the Stellenbosch Municipality). It is also important to note that the majority of houses, as was clearly visible during our site visits, are not being occupied by single residential families, but are rented out to students/young people. Erf 184 is situated on a corner plot with the proposed development designed to face onto Hofman	This comment has been addressed above, as any redevelopment of an urban area will have an impact on the existing urban character of the area. To ensure that the redevelopment taking place in the Dennesig area compliments each other the various development within the area would have to comply with the Dennesig Neighbourhood Design Guidelines.  The fact that the new buildings will have an impact on the adjoining properties is noted but will be reduced as the Dennesig area is redeveloped with high density buildings comprised of a number of storeys.



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		<p>Road and Dennesig Road. These roads separate the proposed development from the properties on the other side of the roads. There will therefore be no overlooking from the southern and western sections of the proposed development. The two neighbouring properties, being Erf 155 situated towards the north of the application site, and Erf 4683, situated toward the east of the application site, have both been acquired by private developers with the intention to develop these properties as high density residential developments similar to this proposed development. The proposed development will comply with the building line restrictions relating to Erf 155 and it is considered that it will have a sufficient setback to prevent overlooking. The building line departures relating to Erf 4683 is mainly to allow for the staircases and balconies and is considered to be of sufficient setback to prevent overlooking to the extent to warrant refusal.</p>	
	<p>Objects to the demolition and redevelopment of the existing building based on preserved historical value of the building and surrounding historical character of the area.</p>	<p>A heritage report was undertaken by Cape Winelands Professional Practices in Association, which was completed in May 2018, to take stock of all heritage resources in Stellenbosch. This study found that the Dennesig community is not acknowledged to be historically or aesthetically significant and does not outline any heritage requirements for redeveloping the area. As part of</p>	<p>The fact that the buildings in the area are older than 60 years does not imply that they and the area that they are located in have any heritage value that needs to be retained. Heritage Western Cape has endorsed the redevelopment of</p>



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	Concerns regarding negative traffic impact	<p>this application, a demolition permit will be obtained from HWC who will assess the historical value of the building prior to issuing the demolition permit.</p> <p>The overall Traffic Impact Study has considered this and have made recommendations towards the required upgrades to address these concerns. It is believed that the proposed upgrades, which can only be done in the case that this and other similar developments are constructed, will have a major positive impact not only to the Dennesig area but also on the wider Stellenbosch town.</p>	<p>the area due to the fact that the area has no heritage value that would need to be retained.</p> <p>A detailed traffic impact study has been done for the Dennesig area in which a number of recommendations and proposals have been made which will be implemented to ensure that the redevelopment of the Dennesig area has minimal impact on the wider Stellenbosch area.</p>
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### PART H: SUMMARY OF COMMENTS FROM INTERNAL DEPARTMENTS AND/OR ORGANS OF STATE AND/OR COMMUNITY ORGANISATIONS AND/OR WARD COUNCILLOR

#### NAME OF DEPARTMENT

DAT

DIRECTORATE: INFRASTRUCTURE SERVICES	27 November 2019	The proposal is supported by this department with standard conditions of approval.	<b>Positive</b>	Nega- tive	No Com- ment
Department Spatial Planning, Heritage and Environment	9 December 2019	The proposal is supported by this department due to the fact that the building will comply with the Dennesig Neighbourhood Design Guidelines.	<b>Positive</b>	Nega- tive	No Com- ment
Western Cape, Department of Transport and Public Works	16 November 2018	The proposal is supported by this department with standard conditions of approval.	<b>Positive</b>	Nega- tive	No Com- ment

### PART I: MUNICIPAL PLANNING EVALUATION ( REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

#### Background:

The application site (being Erf 184) is situated in Dennesig which has been identified by the approved IDP as an area for high density developments. Though the Dennesig area was initially designed as a



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single residential suburb, the close proximity to campus and town has led to the change in character to higher density general residential buildings. The application site is located next to Adam Tas road which has a negative impact on the quality of the environment.

Similar applications to this have already been submitted to the municipality for consideration for properties along Paul Kruger Road. For all practical purposes the subject property / site is therefore surrounded by general residential buildings.

In addition to the above locational factors, the Adam Tas Corridor was identified as an area that can be redeveloped based on the transport orientated development model (TOD). Broadly speaking the TOD consists of high-density mixed-use development that is largely dependent on public transport. Such developments are usually characterized by a wide range of housing types that caters for a diverse range of income groups and families.

The subject property is currently zoned for Single Residential purposes and the redevelopment of the property is limited by this zoning category. The owner's vision for this property is not to create an accommodation establishment exclusively targeted at students but to develop a high density, residential development consisting of flats which is within walking distance from town and campus and which promotes non-motorized transport.

During the application process, the Stellenbosch Municipality called for an overall urban design and traffic study to be undertaken. The initial development proposal, as submitted in November 2018 has been amended to comply with the requirements and proposals of these studies. The amended development proposal entails the rezoning of the erf, and various departures to allow for a five-storey residential complex, consisting of 15 studio units, 13 one-bedroom units, 19 two-bedroom units and 3 three-bedroom units.

Parking will be provided on the basement and ground floor levels of the proposed development with the commercial component on the ground floor create an active street interface. The proposal allows for 58 standard parking bays, 50 bicycle bays and 12 motorcycle parking bays.

(In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

- The proposed development is consistent with SPLUMA, particularly the principle of "spatial sustainability" and "efficiency"
- The proposed development is aligned with spatial sustainability, as it will permit a high-density residential development, in close proximity to the university campus and town and encourage walking or cycling, hence decreasing the need for motorised vehicles.
- In terms of "efficiency," the proposed development makes use of existing infrastructures (roads, sewers, etc.) which decreases the need for significant upgrades to infrastructure.
- The public participation process, as set out by SPLUMA, has been adequately attended to within this application.



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(In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Consistent with LUPA

(In)consistency with the IDP/Various levels of SDF's/Applicable policies

In terms of the approved IDP and the MSDP for Stellenbosch Municipality, the subject property is located within the urban edge and in the Dennesig area which has been identified by these policies as an area for high density infill developments.

(In)consistency with guidelines prepared by the Provincial Minister

Consistent with all relevant guidelines, specifically relating to urban densification and infill development.

Outcomes of investigations/applications i.t.o other laws

Not applicable.

Existing and proposed zoning comparisons and considerations

The following table provides a summary of a comparison between the maximum development parameters and the proposed development.

It should be noted that the amended development, in the far-right column, is the result of the proposals made by the overall design study to which this proposal has to comply. The attached "Happy Letter" confirms that the amended proposal complies with the findings and recommendations from the study.

<b>Land Uses and Rules Specific Business Erf size: 1 332m<sup>2</sup></b>	<b>Permitted Development Specific Business</b>	<b>Original Proposal November 2018</b>	<b>Amended Proposal October 2019</b>
Street Boundary Building Line from Dennesig Road	0.0m for Basements and Ground Floor 7.6m for Floors 1-4	0.0m for Basements and Ground Floor 1.7m for Floors 1-4	1.36m for Basement 1.36m for stairwell and 2.0m for Ground Floor <b>0.0m for Floors 1-4</b>
Street Boundary building Line from Hofman Road	0.0m for Basements and Ground Floor 7.6m for Floors 1-4	0.0m for Basements and Ground Floor 1.92m for Floors 1-4	1.8m for Basement and Ground Floor <b>0.0m and 1.7m on Floors 1-4</b>
Common Boundary Building Line from the boundary with Erf 155	0.0m for Basements 3.0m for Ground Floor 4.6m for Floors 1-4	0.0m for Basements 4.3m for Ground Floor 4.6m for Floors 1-4	0.0m for Basement <b>0.0m for a portion of the building on Ground Floor and Floors 1 - 4</b>


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Common Boundary Building Line from the boundary with Erf 4683	0.0m for Basements 3.0m for Ground Floor 4.6m for Floors 1-4	0.0m for Basements 4.3m for Ground Floor and First Floor 2.7m for Floors 2-4	0.0m for Basement <b>0.0m for stairwell on Ground Floor</b> <b>0.0 for Stairwell and 1.75m for the remainder of the building on Floors - 4</b>
Coverage	85% for Ground Floor Business 50% for Residential Floors 1-4	5.5% for Ground Floor Business 60.6% for Residential Floors 1-4	10% for ground floor business <b>75.6% for Residential (Floors 1 – 3)</b> 40.2% for Residential (Floor 4)
Height	3 Storeys + 1 if more than 75% of any storey is occupied by parking	5 Storeys	<b>5 Storeys</b>
Floor Factor	<i>Non provided</i>	1.67	<b>2.19 (2 919.05m<sup>2</sup>)</b>
Number of Units	N/A	8 < 30m <sup>2</sup> 32 > 30m <sup>2</sup> (8 studio, 8 one-bedroom and 24 two-bedroom units)	15 < 30m <sup>2</sup> 35 > 30m <sup>2</sup> (15 studios, 13 one-bedroom units, 19 two-bedroom units and 3 three bedroom )
Parking	Parking required: 74 1.25: dwelling units > 30m <sup>2</sup> 1: dwelling units <30m <sup>2</sup> 0.25 per dwelling unit for visitors  1 parking bay per 25m <sup>2</sup> of GLA	63 (including 50 standard vehicle bays and 24 bicycle bays)	<b>67</b> <ul style="list-style-type: none"> <li>• 56 vehicle bays,</li> <li>• 8 (50 bicycle bays)</li> <li>• 3 (12 motorcycle bays,</li> <li>• Additional 13 x tandem bays</li> </ul>
Communal Outdoor Space	25%	22.2%	<b>10.6%</b>

**Table 1: Zoning Compliance of Proposed Development**
The need and desirability of the proposal

The proposed development is situated in an area which has been identified by the Stellenbosch Municipality as an area for high density development. The site is located in an area within close proximity of the University and town where there is a high need for this type of development. The proposed development is seen as sensible high density infill development within the urban edge. This area is one of a number of areas identified in the SDF where densification should be promoted as a



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result of its location within Stellenbosch town. The proposal under consideration will also facilitate the optimal use of the existing infrastructure within the urban edge.

The proposed development will consist of studio, one-bedroom, two-bedroom and three-bedroom apartments and will not be targeted exclusively to students. The proposal would also appeal to young professionals and first-time homeowners. The increased development area applied for will enable the marketing of the residential units at a more affordable rate than what is currently available in Die Weides and other parts of town due to the higher density that will be achieved, resulting in more units which can be sold to help recuperate the high land costs found in Stellenbosch.

In comparison, the application is to depart from the zoning parameters to develop a larger-scale building than is permissible in terms of the applicable development rights and which is encouraged in terms of the Dennesig Urban Design Guidelines.

The proposal departs further from the zoning parameters by providing 67 vehicular parking bays in lieu of the conventional requirement for 74 bays. This is motivated in terms of the proximity of the building to the Central Business District and the University Campus, thereby negating the need for private vehicular trips. The motivation is also based on the fact that bicycle bays and motorcycle bays are provided, and that the development proposal forms part of the Dennesig area which will be transformed in line with woonerf principles. Further motivation is found in the Transport Master Plan which provides for a scheduled shuttle service for residents of the area, thereby further reducing the need for parking bays.

**PART J: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS**

N/A

**PART K: SUMMARY OF EVALUATION**

The subject property is located in a neighbourhood known as Dennesig which is bounded by Merriman, Bird, Molteno and Adam Tas roads and is within walking distance of the CBD area of Stellenbosch, the central campus of the Stellenbosch University and a number of public amenities. While the neighbourhood is largely residential in character, retail uses are found along Bird and Merriman roads. The Roman Catholic Church complex is forms part of the urban fabric of the neighbourhood. Dennesig is located on the periphery of Stellenbosch CBD and is currently undergoing significant pressure from developers to be redeveloped due to its location within Stellenbosch. The proposals under consideration forms part of a number of applications that have been submitted within the Dennesig area.

The Dennesig area has been identified as an in fill area where densification will be promoted. This is mainly due to the fact that the area is located within walking distance of the CBD area and facilities that a resident of the area would need. To facilitate a uniform design language for the area and to ensure that a vibrant living environment will be created once the redevelopment of the properties are complete the Municipality



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requested the current developers within the area to facilitate the development of urban design guidelines for the area. The urban design guidelines were developed with the help of a team of professionals consisting of an urban designer and a traffic engineer. The urban design component was required to facilitate a uniform set of rules that would enable the developers to develop their properties with specific guidelines or design language, but did not limit them to a specific architectural style. As a result, the initial proposals that were submitted had to be amended to comply with the Design Guidelines that had been drafted for the area. The proposal under consideration has thus been amended to comply with the design language as determined in the Dennesig Neighbourhood Development Guidelines.

The main aim of the design guidelines (Dennesig Neighbourhood Development Guidelines) is to establish a generous public realm that services the lowest common denominator: pedestrians on foot. Thus the streets within the development are also to be designed with people in mind where roads have been translated into streets. The streets are imagined to be generous, offering good protection from the elements and generous landscaping. All streets that traverse the neighbourhood are continuous and integrated into the neighbouring areas. On-street parking is limited to where it is managed, doesn't interfere with pedestrian movement and where it will slow down traffic. The remainder of the parking is shifted to below grade and hidden in structured parking area within the proposed buildings.

The traffic engineering component of the team was tasked with determining what the impact of the proposals currently submitted and the possible future impact of the properties that could be developed within this area would have on existing traffic patterns and volumes. The traffic engineering component of the study as noted above was also required to ensure that none motorised traffic within the area was prioritised. This was done to facilitate and ensure that residents within the area would opt to not use private vehicles on a daily basis as they would have easy access to other modes or forms of transport, such as none motorised and public transport facilities. The developers were also encouraged to provide the minimal number of vehicle parking bays required for the developments but also had to include parking facilities and secure facilities for none motorised modes of transport (Cycles) and motorcycles.

The proposal under consideration as noted above has been amended to comply with the Dennesig Neighbourhood Development Guidelines and thus the impact of the building in terms of its height, scale, bulk and setbacks complies with these drafted guidelines. The onsite parking provisions have also ensured that the tenants of the building will be able to store their vehicles onsite but out of view of the street within a secure area. The building has also been setback where required and only encroaches a number of building lines to comply with the drafted design guidelines (Dennesig Neighbourhood Development Guidelines).

Where the building encroaches the side building lines to comply with the design guide lines it has been done in a sensitive manner to ensure that the building is not intruding / overlooking the adjoining properties private space areas. Windows, corridors and balconies have also been placed on the property or within the building to ensure that they have minimal impact on the adjoining properties. The objections submitted by the objector are noted but should be mitigated as development within this area progresses and the residential area is transformed by the high density buildings which will all need to comply with the Dennesig Neighbourhood Development Guidelines.



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The residential units within the subject building are comprised of one and two bedroom units which should ensure a diverse composition of tenants and owners within the building. This will also ensure that the building is not only occupied by students but also working young professionals. The encroachments applied for will also ensure that a living, vibrant streetscape is created in which people would want to live.

The developer has also undertaken to support the findings and outcomes of a Transport Master Plan (TMP) for the area. The TMP indicate the prioritization of transport projects to be implemented. An initial fourteen projects have been identified in the TMP which is to be implemented by the developer and developers of other projects in the Dennesig area, over time.

The TMP prioritizes these transport projects to guide the implementation of the full Transport Master Plan over time. The goal of the TMP is to implement as many of the projects listed by the Dennesig developers as soon as possible to create a holistic pedestrianized environment that will be connected to the external non-motorized transport network of the municipality.

As all the properties within Dennesig area will belong to a Master Owners Association should they be redevelop and would need to comply with the Dennesig Neighbourhood Development Guidelines and ultimately comply with the approval conditions of the Directorate: Infrastructure Services. The MOA will also ensure that the Development Contributions of each of the developments is used as required to facilitate the implementation of the changes that need to be made to accommodate and priorities pedestrian movement. This would also ensure that the existing infrastructure within the area is up graded to meet the needs of the redeveloping area and its residents.

The revised proposal as submitted is supported by the Land Use Planning Department and all the relevant internal departments of the Municipality as it complies with the Dennesig Neighbourhood Development Guidelines thus ensuring that a vibrant residential area will be developed.

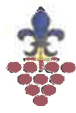
## **PART I: RECOMMENDATION**

1. That **approval be granted** in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the following applications:
  - 1.1 **Rezoning** of Erf 184 from Single Residential to Specific Business Zone, in terms of the Stellenbosch Municipality Zoning Scheme Regulations, 1996 to develop 86 m<sup>2</sup> of commercial space and 50 residential units in a 5 storey building.
  - 1.2 **Permanent departures** for the following::
    - 1.2.1 **Street Building Line** (Denneisg) of 0.0m in lieu of 7.6m on Floors 1 – 4;



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- 1.2.2 **Street Building Line** (Hofman) of 0.0m for a portion of the building and 1.7m for the remainder of the building in lieu of 7.6m on Floors 1 – 4;
  - 1.2.3 **Common boundary** (Erf 155) 0.0m for a portion of the building on Ground and Floors 1 – 4 in lieu of 3.0m on ground and 4.6m on Floors 1- 4;
  - 1.2.4 **Common boundary** (Erf 4683) 0.0m on Ground Floor to allow for the stairwell and 0.0m (stairwell) and 1.7 (remainder building) on Floors 1 – 4 in lieu of 3m (ground floor) and 4.6m on Floors 1-4.
  - 1.2.5 **Coverage** of 76% in lieu 50% for the residential component of the building on Floors 1-3;
  - 1.2.6 **Height** of the building to be 5 storeys in lieu of 4;
  - 1.2.7 **Provision** of 10.6% of the site for communal open space, in lieu of 25%;
  - 1.2.8 **Provision** of 67 parking bays (which would include provision for 12 motorcycles, 56 standard motorized vehicles and 50 bicycle bays) in lieu of 74 parking bays for vehicles.
2. That the approval granted in **Sections 1** above is subject to the following conditions in terms of Section 66 of the above-mentioned by-law;
- 2.1 The approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
  - 2.2 That the conditions of approval as imposed by the Manager: Development (Infrastructure Services) in its memo dated 27 November 2019, condition C & D of the memo be adhered to (**Annexure H**);
  - 2.3 The development be undertaken in accordance with the approved Site Development Plan as attached in **Annexure B**, drawings 3618/C/101-108 rev 8 dated 2019-10-23;
  - 2.4 Building plans are to be submitted to the Municipality for approval prior to any building work taking place on the property;
  - 2.5 A landscaping plan be submitted for approval with the building plans and implemented prior to an occupation certificate being issued;
  - 2.6 Rates clearances will only be granted once all the conditions of approval for the development have been complied with;



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## PART M: REASONS FOR RECOMMENDATION

The proposed development is recommended for approval for the following reasons:

- I. The proposed development is in line with the Dennesig Neighbourhood design Guidelines, September 2019 as confirmed with the Happy Letter attached as **Annexure J**
- II. The subject property is located in an area where high density development is promoted by Council due to its proximity to the Stellenbosch University and Central Business District;
- III. Adequate provision is made for bicycle parking facilities;
- IV. The proposed development is not seen to be out of scale or character with its surroundings;
- V. The proposal promotes Council policy as noted in the SDF of densification within the urban edge;
- VI. The proposal promotes Council policy as noted in the IDP of high-density developments within Dennesig;
- VII. The development is compatible with the surrounding land uses and built environment;
- VIII. The applicant has followed due process for public participation;
- IX. The proposed development ties in with the existing character and land use of the surrounding area;
- X. The proposal is seen as a form of sensible densification and will make optimal use of existing infrastructure;
- XI. The proposed development is in line with the Stellenbosch MSDF, IDP and other relevant planning legislation;
- XII. The proposed redevelopment of the subject property complies with the land use planning principles referred in Section 59 (spatial justice, spatial sustainability, efficiency and good administration) of LUPO.

## PART N: ANNEXURES

Annexure A	Locality and Zoning map
Annexure B	Proposed Site Development Plan, drawings 3618/C/101-108 rev 8 dated 2019-10-23;
Annexure C	Title deed and Conveyance certificate
Annexure D	Motivation of Applicant
Annexure E	Portfolio of Evidence/ Affidavit
Annexure F	Objections/ comments received from Interested Affected parties
Annexure G	Applicant's comments on objections
Annexure H	Comments received from Internal and External Departments
Annexure I	Happy Letter from Khalied Jacobs
Annexure J	Dennesig Neighbourhood Development Guidelines



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## PART T P: SIGNATURES

### REPORT COMPILED BY:



R FOOPY  
SENIOR TOWN PLANNER

15/01/2020  
DATE

### RECOMMENDED BY:



C ALEXANDER  
ACTING MANAGER: LAND USE MANAGEMENT

13/01/2020  
DATE

## PART U: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL DECISION IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW, OCTOBER 2015:

APPROVE		APPROVE IN PART		REFUSE	
---------	--	-----------------	--	--------	--

Tick the appropriate box:

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

CHAIRPERSON OF THE MUNICIPAL PLANNING TRIBUNAL  
DR D J DU PLESSI

### ADDITIONAL COMMENTS IF ANY:

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## **ANNEXURE A**

## Locality Plan: Erf 184

22 Dennesig Road, Stellenbosch



## **ANNEXURE B**

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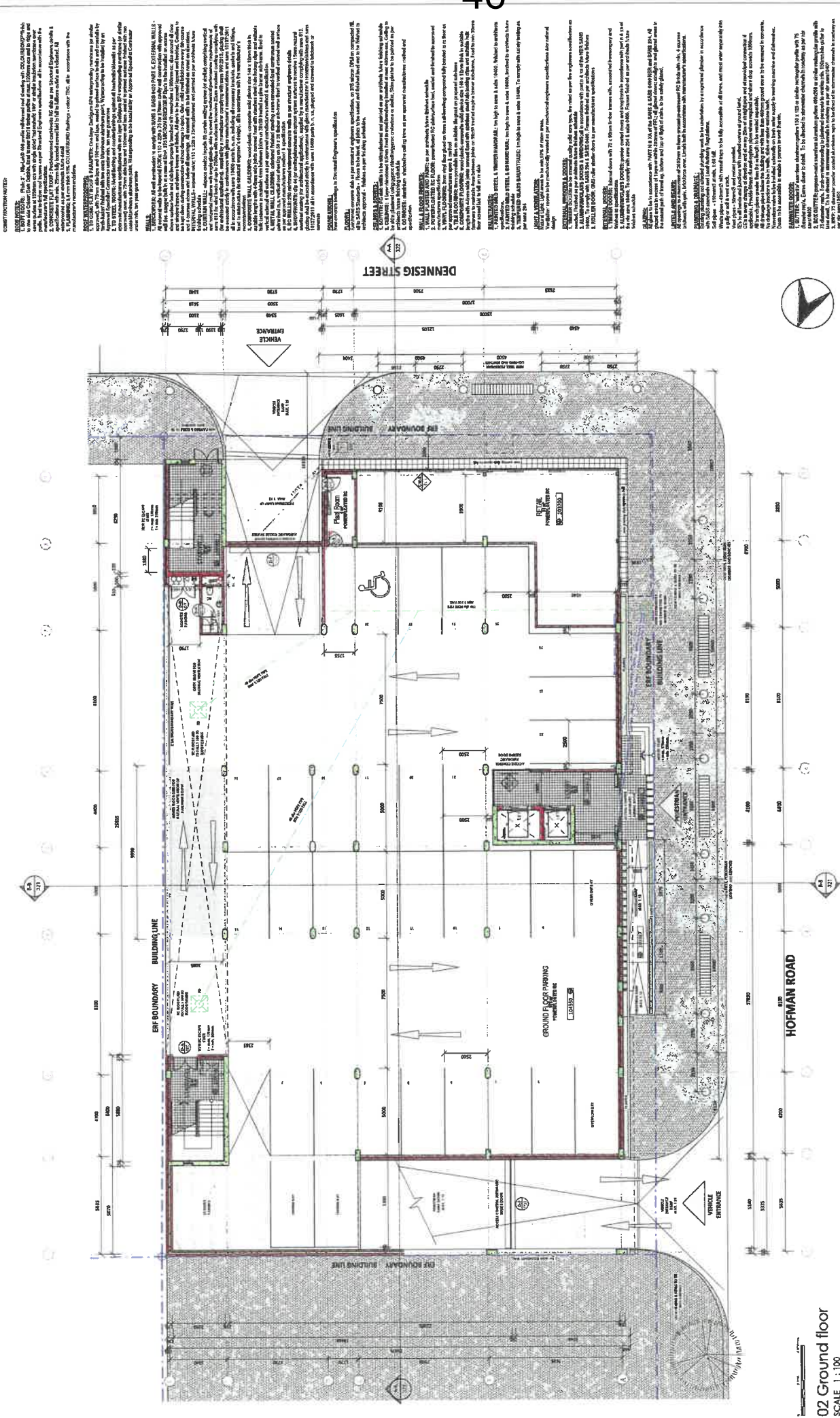
100 Demolition Plan  
SCALE 1 : 100

**NOTE: DEMOLISHED BUILDING MATERIALS TO BE REUSED IN NEW SCHEME AS FAR AS POSSIBLE. ALL HEALTH AND SAFETY MEASURES TO BE IN PLACE PRIOR TO DEMOLITION COMMENCEMENT. ALL RELEVANT APPROVALS TO BE IN PLACE BEFORE DEMOLITION CAN START.**

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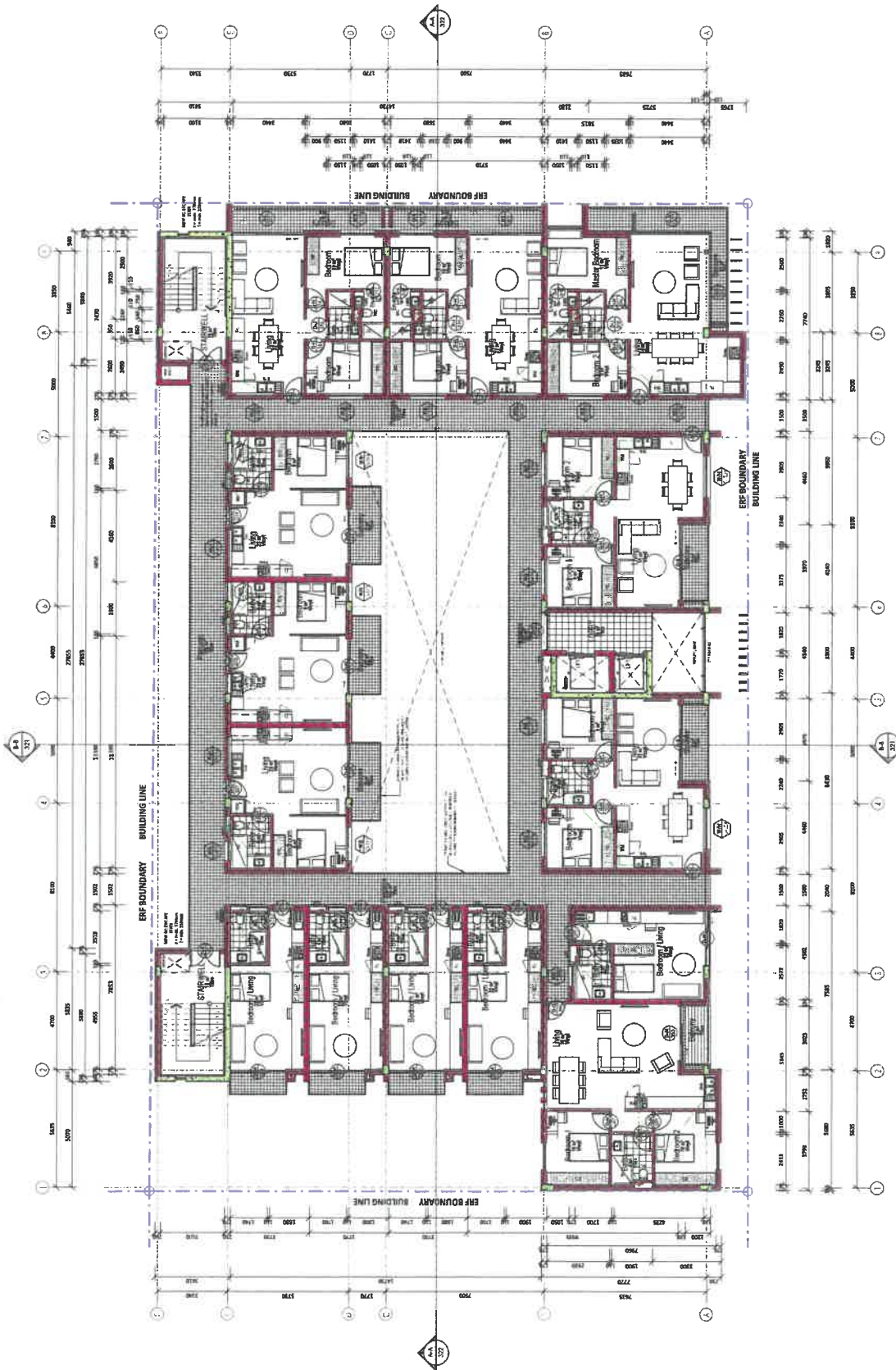


02 Ground floor  
SCALE 1:100

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05 Third floor  
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ARCHITECTS AND TOWN PLANNERS

DRAWING No.:  
**3618 /C /107**  
DRAWING STATUS:

MUNICIPAL



**DRAWING STATUS CODES:**

**A**—Design is in Working; **C**—Complete; **F**—Forthright; **H**—Hold; **I**—Issued; **L**—Let; **N**—Noted; **P**—Preliminary; **R**—Revised; **S**—Submitted; **T**—Tentative; **U**—Under Review; **V**—Vandalism; **W**—Withdrawn; **X**—Expired; **Y**—Yielded; **Z**—Zoned.

**PROJECT / CLIENT:**  
**22 DENNESIG**

**LVS**

ARCHITECTS AND TOWN PLANNERS

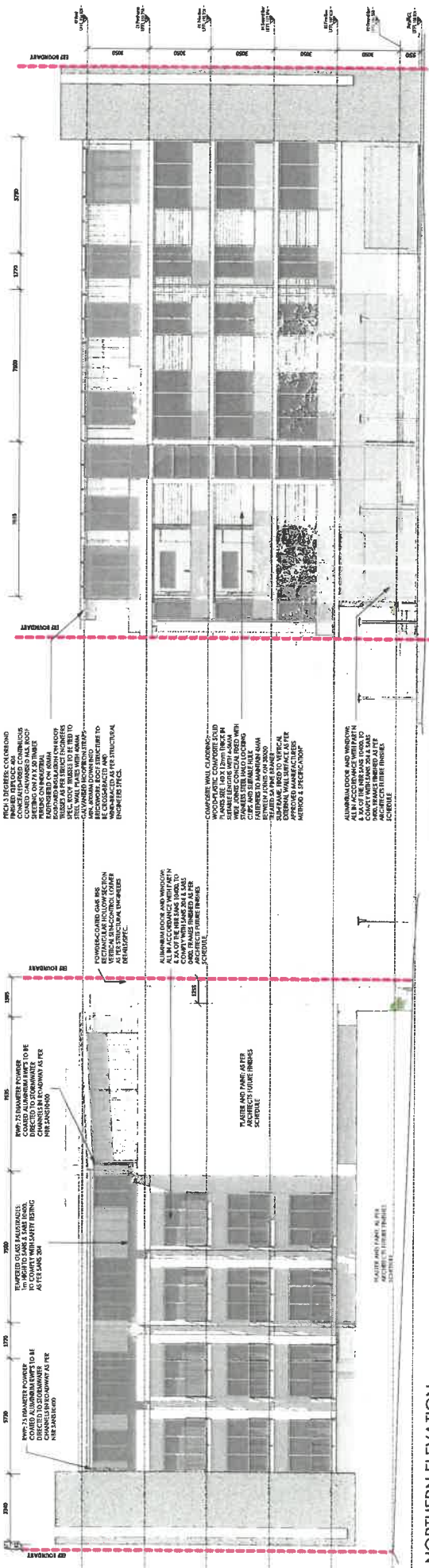
8007 ALCOA BLVD. CHATTAHOOCHEE BUILDING  
ST. LOUIS, MISSOURI 63105-1900  
TEL: 314/863-1100 FAX: 314/863-1101  
LVS ARCHITECTS INC.

DRAWING No.: **3618 / C / 108**  
 DRAWING STATUS: **MUNICIPAL**

DATE: 2019.10.23  
 DRAWN: **Amir**  
 CHECKED: **Checker**  
 SCALE: 1:100

REVISOR: **8**

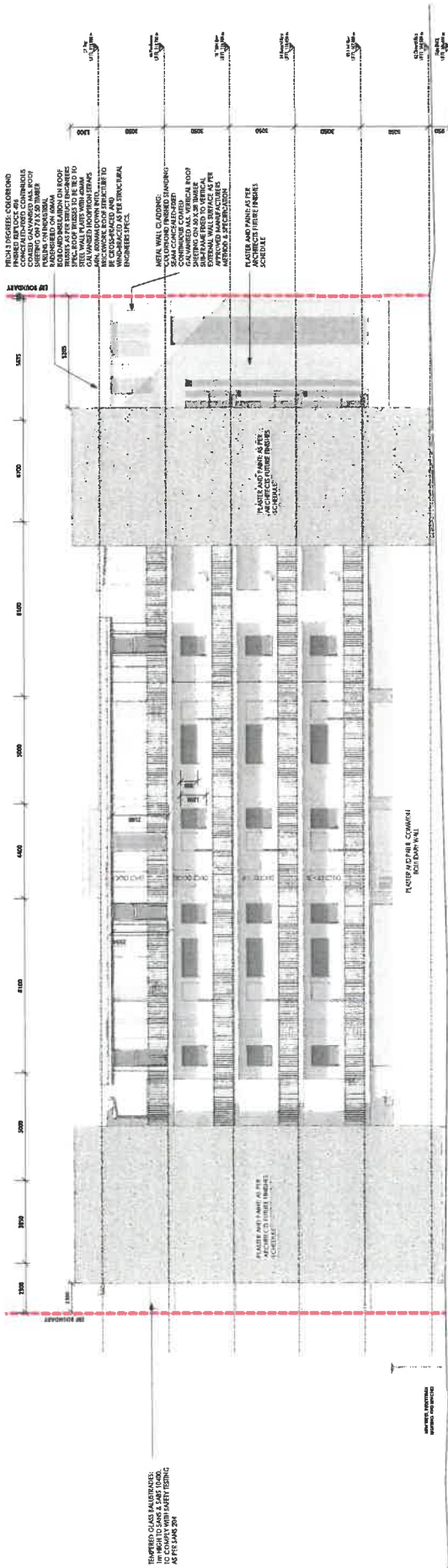
<b>ORIGINAL DOCUMENT</b> DRAWING NO.: _____ PROJECT NO.: _____ DATE: _____ DRAWING: _____ CHECKED: _____ 2013 3D: _____ SACAP MEMBER: _____ SACAP MEMBER: _____	<b>PROJECT CLIENT:</b> <b>22 DENNESIG</b>	<b>DRAWING No.:</b> <b>3618 / C / 321</b>	<b>REVISIONS:</b> <b>8</b>	<b>PROJECT STATUS:</b> <b>22 DENNESIG</b>
<b>DRAWING STATUS CODES:</b> A - Design & Planning    C - Material    D - Detail    E - Construction    F - Job Bill				
<b>PROJECT DESCRIPTION:</b> <b>ERF 184 STELLENBOSCH</b>				
<b>DRAWING DESCRIPTION:</b> <b>SECTION</b>				
<b>SECTION</b>				



**SOUTHERN ELEVATION**  
**SCALE 1:100**

NORTHERN ELEVATION  
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**EASTERN ELEVATION**  
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Ref.	Model	Model description	Year	Age	Sex	Location
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[2]	1D	1D	1998	10	♀	USA
[3]	1D	1D	1998	10	♀	USA
[4]	1D	1D	1998	10	♀	USA
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[illegible]

Winter Schedule									
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W1	12:45	12:50	12:55	1:00	1:05	1:10	1:15	1:20	1:25
W2	1:30	1:35	1:40	1:45	1:50	1:55	2:00	2:05	2:10
W3	2:15	2:20	2:25	2:30	2:35	2:40	2:45	2:50	2:55
W4	3:00	3:05	3:10	3:15	3:20	3:25	3:30	3:35	3:40
W5	3:45	3:50	3:55	4:00	4:05	4:10	4:15	4:20	4:25
W6	4:30	4:35	4:40	4:45	4:50	4:55	5:00	5:05	5:10
W7	5:15	5:20	5:25	5:30	5:35	5:40	5:45	5:50	5:55
W8	6:00	6:05	6:10	6:15	6:20	6:25	6:30	6:35	6:40
W9	6:45	6:50	6:55	7:00	7:05	7:10	7:15	7:20	7:25
W10	7:30	7:35	7:40	7:45	7:50	7:55	8:00	8:05	8:10
W11	8:15	8:20	8:25	8:30	8:35	8:40	8:45	8:50	8:55
W12	9:00	9:05	9:10	9:15	9:20	9:25	9:30	9:35	9:40
W13	9:45	9:50	9:55	10:00	10:05	10:10	10:15	10:20	10:25
W14	10:30	10:35	10:40	10:45	10:50	10:55	11:00	11:05	11:10
W15	11:15	11:20	11:25	11:30	11:35	11:40	11:45	11:50	11:55
W16	12:00	12:05	12:10	12:15	12:20	12:25	12:30	12:35	12:40
W17	12:45	12:50	12:55	1:00	1:05	1:10	1:15	1:20	1:25
W18	1:30	1:35	1:40	1:45	1:50	1:55	2:00	2:05	2:10
W19	2:15	2:20	2:25	2:30	2:35	2:40	2:45	2:50	2:55
W20	3:00	3:05	3:10	3:15	3:20	3:25	3:30	3:35	3:40
W21	3:45	3:50	3:55	4:00	4:05	4:10	4:15	4:20	4:25
W22	4:30	4:35	4:40	4:45	4:50	4:55	5:00	5:05	5:10
W23	5:15	5:20	5:25	5:30	5:35	5:40	5:45	5:50	5:55
W24	6:00	6:05	6:10	6:15	6:20	6:25	6:30	6:35	6:40
W25	6:45	6:50	6:55	7:00	7:05	7:10	7:15	7:20	7:25
W26	7:30	7:35	7:40	7:45	7:50	7:55	8:00	8:05	8:10
W27	8:15	8:20	8:25	8:30	8:35	8:40	8:45	8:50	8:55
W28	9:00	9:05	9:10	9:15	9:20	9:25	9:30	9:35	9:40
W29	9:45	9:50	9:55	10:00	10:05	10:10	10:15	10:20	10:25
W30	10:30	10:35	10:40	10:45	10:50	10:55	11:00	11:05	11:10
W31	11:15	11:20	11:25	11:30	11:35	11:40	11:45	11:50	11:55
W32	12:00	12:05	12:10	12:15	12:20	12:25	12:30	12:35	12:40
W33	12:45	12:50	12:55	1:00	1:05	1:10	1:15	1:20	1:25
W34	1:30	1:35	1:40	1:45	1:50	1:55	2:00	2:05	2:10
W35	2:15	2:20	2:25	2:30	2:35	2:40	2:45	2:50	2:55
W36	3:00	3:05	3:10	3:15	3:20	3:25	3:30	3:35	3:40
W37	3:45	3:50	3:55	4:00	4:05	4:10	4:15	4:20	4:25
W38	4:30	4:35	4:40	4:45	4:50	4:55	5:00	5:05	5:10
W39	5:15	5:20	5:25	5:30	5:35	5:40	5:45	5:50	5:55
W40	6:00	6:05	6:10	6:15	6:20	6:25	6:30	6:35	6:40
W41	6:45	6:50	6:55	7:00	7:05	7:10	7:15	7:20	7:25
W42	7:30	7:35	7:40	7:45	7:50	7:55	8:00	8:05	8:10
W43	8:15	8:20	8:25	8:30	8:35	8:40	8:45	8:50	8:55
W44	9:00	9:05	9:10	9:15	9:20	9:25	9:30	9:35	9:40
W45	9:45	9:50	9:55	10:00	10:05	10:10	10:15	10:20	10:25
W46	10:30	10:35	10:40	10:45	10:50	10:55	11:00	11:05	11:10
W47	11:15	11:20	11:25	11:30	11:35	11:40	11:45	11:50	11:55
W48	12:00	12:05	12:10	12:15	12:20	12:25	12:30	12:35	12:40
W49	12:45	12:50	12:55	1:00	1:05	1:10	1:15	1:20	1:25
W50	1:30	1:35	1:40	1:45	1:50	1:55	2:00	2:05	2:10
W51	2:15	2:20	2:25	2:30	2:35	2:40	2:45	2:50	2:55
W52	3:00	3:05	3:10	3:15	3:20	3:25	3:30	3:35	3:40
W53	3:45	3:50	3:55	4:00	4:05	4:10	4:15	4:20	4:25
W54	4:30	4:35	4:40	4:45	4:50	4:55	5:00	5:05	5:10
W55	5:15	5:20	5:25	5:30	5:35	5:40	5:45	5:50	5:55
W56	6:00	6:05	6:10	6:15	6:20	6:25	6:30	6:35	6:40
W57	6:45	6:50	6:55	7:00	7:05	7:10	7:15	7:20	7:25
W58	7:30	7:35	7:40	7:45	7:50	7:55	8:00	8:05	8:10
W59	8:15	8:20	8:25	8:30	8:35	8:40	8:45	8:50	8:55
W60	9:00	9:05	9:10	9:15	9:20	9:25	9:30	9:35	9:40
W61	9:45	9:50	9:55	10:00	10:05	10:10	10:15	10:20	10:25
W62	10:30	10:35	10:40	10:45	10:50	10:55	11:00	11:05	11:10
W63	11:15	11:20	11:25	11:30	11:35	11:40	11:45	11:50	11:55
W64	12:00	12:05	12:10	12:15	12:20	12:25	12:30	12:35	12:40
W65	12:45	12:50	12:55	1:00	1:05	1:10	1:15	1:20	1:25
W66	1:30	1:35	1:40	1:45	1:50	1:55	2:00	2:05	2:10
W67	2:15	2:20	2:25	2:30	2:35	2:40	2:45	2:50	2:55
W68	3:00	3:05	3:10	3:15	3:20	3:25	3:30	3:35	3:40
W69	3:45	3:50	3:55	4:00	4:05	4:10	4:15	4:20	4:25
W70	4:30	4:35	4:40	4:45	4:50	4:55	5:00	5:05	5:10
W71	5:15	5:20	5:25	5:30	5:35	5:40	5:45	5:50	5:55
W72	6:00	6:05	6:10	6:15	6:20	6:25	6:30	6:35	6:40
W73	6:45	6:50	6:55	7:00	7:05	7:10	7:15	7:20	7:25
W74	7:30	7:35	7:40	7:45	7:50	7:55	8:00	8:05	8:10
W75	8:15	8:20	8:25	8:30	8:35	8:40	8:45	8:50	8:55
W76	9:00	9:05	9:10	9:15	9:20	9:25	9:30	9:35	9:40
W77	9:45	9:50	9:55	10:00	10:05	10:10	10:15	10:20	10:25
W78	10:30	10:35	10:40	10:45	10:50	10:55	11:00	11:05	11:10
W79	11:15	11:20	11:25	11:30	11:35	11:40	11:45	11:50	11:55
W80	12:00	12:05	12:10	12:15	12:20	12:25	12:30	12:35	12:40
W81	12:45	12:50	12:55	1:00	1:05	1:10	1:15	1:20	1:25
W82	1:30	1:35	1:40	1:45	1:50	1:55	2:00	2:05	2:10
W83	2:15	2:20	2:25	2:30	2:35	2:40	2:45	2:50	2:55
W84	3:00	3:05	3:10	3:15	3:20	3:25	3:30	3:35	3:40
W85	3:45	3:50	3:55	4:00	4:05	4:10	4:15	4:20	4:25
W86	4:30	4:35	4:40	4:45	4:50	4:55	5:00	5:05	5:10
W87	5:15	5:20	5:25	5:30	5:35	5:40	5:45	5:50	5:55
W88	6:00	6:05	6:10	6:15	6:20	6:25	6:30	6:35	6:40
W89	6:45	6:50	6:55	7:00	7:05	7:10	7:15	7:20	7:25
W90	7:30	7:35	7:40	7:45	7:50	7:55	8:00	8:05	8:10
W91	8:15	8:20	8:25	8:30	8:35	8:40	8:45	8:50	8:55
W92	9:00	9:05	9:10	9:15	9:20	9:25	9:30	9:35	9:40
W93	9:45	9:50	9:55	10:00	10:05	10:10	10:15	10:20	10:25
W94	10:30	10:35	10:40	10:45	10:50	10:55	11:00	11:05	11:10
W95	11:15	11:20	11:25	11:30	11:35	11:40	11:45	11:50	11:55
W96	12:00	12:05	12:10	12:15	12:20	12:25	12:30	12:35	12:40
W97	12:45	12:50	12:55	1:00	1:05	1:10	1:15	1:20	1:25
W98	1:30	1:35	1:40	1:45	1:50	1:55	2:00	2:05	2:10
W99	2:15	2:20	2:25	2:30	2:35	2:40	2:45	2:50	2:55
W100	3:00	3:05	3:10	3:15	3:20	3:25	3:30	3:35	3:40
W101	3:45	3:50	3:55	4:00	4:05	4:10	4:15	4:20	4:25
W102	4:30	4:35	4:40	4:45	4:50	4:55	5:00	5:05	5:10
W103	5:15	5:20	5:25	5:30	5:35	5:40	5:45	5:50	5:55
W104	6:00	6:05	6:10	6:15	6:20	6:25	6:30	6:35	6:40
W105	6:45	6:50	6:55	7:00	7:05	7:10	7:15	7:20	7:25
W106	7:30	7:35	7:40	7:45	7:50	7:55	8:00	8:05	8:10
W107	8:15	8:20	8:25	8:30	8:35	8:40	8:45	8:50	8:55
W108	9:00	9:05	9:10	9:15	9:20	9:25	9:30	9:35	9:40
W109	9:45	9:50	9:55	10:00	10:05	10:10	10:15	10:20	10:25
W110	10:30	10:35	10:40	10:45	10:50	10:55	11:00	11:05	11:10
W111	11:15	11:20	11:25	11:30	11:35	11:40	11:45	11:50	11:55
W112	12:00	12:05	12:10	12:15	12:20	12:25	12:30	12:35	12:40
W113	12:45	12:50	12:55	1:00	1:05	1:10	1:15	1:20	1:25
W114	1:30	1:35	1:40	1:45	1:50	1:55	2:00	2:05	2:10
W115	2:15	2:20	2:25	2:30	2:35	2:40	2:45	2:50	2:55
W116	3:00	3:05	3:10	3:15	3:20	3:25	3:30	3:35	3:40
W117	3:45	3:50	3:55	4:00	4:05	4:10	4:15	4:20	4:25
W118	4:30	4:35	4:40	4:45	4:50	4:55	5:00	5:05	5:10
W119	5:15	5:20	5:25	5:30	5:35	5:40	5:45	5:50	5:55
W120	6:00	6:05	6:10	6:15	6:20	6:25	6:30	6:35	6:40
W121	6:45	6:50	6:55	7:00	7:05	7:10	7:15	7:20	7:25
W122	7:30	7:35	7:40	7:45	7:50	7:55	8:00	8:05	8:10
W123	8:15	8:20	8:25	8:30	8:35	8:40	8:45	8:50	8:55
W124	9:00	9:05	9:10	9:15	9:20	9:25	9:30	9:35	9:40
W125	9:45	9:50	9:55	10:00	10:05	10:10	10:15	10:20	10:25
W126	10:30	10:35	10:40	10:45	10:50	10:55	11:00	11:05	11:10
W127	11:15	11:20	11:25	11:30	11:35	11:40	11:45	11:50	11:55
W128	12:00	12:05	12:10	12:15	12:20	12:25	12:30	12:35	12:40
W129	12:45	12:50	12:55	1:00	1:05	1:10	1:15	1:20	1:25</

[illegible]

DATE	2019 10 23
DRAWN	
CHECKED	
SCALE	
DRAWING No.:	<b>3618 / C / 602</b>
DRAWING STATES:	<b>MUNICIPAL</b>
REVISIONS:	<b>8</b>

55

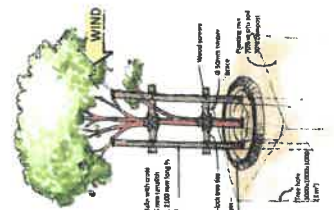
57/259



The site plan illustrates the proposed development layout. It features a central building footprint divided into several sections: a 3BD (55m²) section on the left, a 2BD (57m²) section, a STUDIO (27m²) section, another STUDIO (27m²) section, another 2BD (57m²) section, and a 3BD (55m²) section on the right. To the right of the building is a large RETAIL section. Adjacent to the building and retail sections are two large PARKING areas. The plan also shows landscaping with several large trees and smaller shrubs. A north arrow is located in the bottom right corner of the plan.

[illegible]

- A. Conditions related to Implementation and Maintenance
1. The developer is responsible for the implementation of all landscape plant to occupancy certificate being issued.
2. The implementation of landscape shall be to the satisfaction of the City Engineer.
3. The cost of implementation of all landscaping shall be for account of the developer.
4. The managing body will be responsible for the on-going maintenance of the landscaping, including on site as well as the landscaping within the road reserve.
5. No trees within the public road reserve may be topped, lopped or felled without prior approval from Shire/Moody Council Municipality.
- B. Alternative Water Sources
1. Alternative Water Sources will be investigated for irrigation purposes and the applicant are aware of the irrigation times as stipulated by Water Restriction Regulations.
2. The applicant will be required to provide water during the early season and should the applicant wish to delay the implementation, an understanding from the applicant will be necessary for approval by the Shire/Moody Council Municipality.
- C. Irrigation System
1. An Automatic irrigation system will be installed.
- D. Planting Specifications
1. Planting to be mostly indigenous & Weltevire.
2. Trees to be a minimum height of 1.8m
3. Average plant density to be 30+ plants per m<sup>2</sup>



PLAN - 1:150



## **ANNEXURE C**



**STELLENBOSCH**  
STELLENBOSCH • PHIL • FRANSCHROEK  
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

### CONVEYANCER CERTIFICATE

I/We HENDRIK VAN ROOYEN

(conveyancer's name and surname)

Practising at:

HENNIE VAN ROOYEN ATTORNEYS  
OU KOLLEGE BUILDING  
35 CHURCH STREET STELLENBOSCH

(firm and place of practice)

In respect of:

REMAINDER ERF 184 STELLENBOSCH  
IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH  
WESTERN CAPE PROVINCE  
IN EXTENT: 1332 m<sup>2</sup>

(full property description (erf / farm) as it appears in title deed of same)

Hereby certify that a search was conducted in the Deeds Registry, regarding the said property (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer):

1. DEED OF TRANSFER T 13459 / 1926
2. DEED OF TRANSFER T 578 / 1970
3. DEED OF TRANSFER T 42000 / 2016
4. DEED OF TRANSFER T 42001 / 2016

5. ....
6. ....
7. ....
8. ....

For example Deed of Transfer T12345/2000 or Certificate of Registered Sec. 1 title T1234/2000 (description of deed number and date)



**STELLENBOSCH**  
 STELLENBOSCH • PHILL • FRANSCHHOEK  
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)**

Categories		Are there deed restrictions (indicate below)		Title Deed and Clause number if restrictive conditions are found
1.	Use of land	Y	X	
2.	Building lines	Y	X	
3.	Height	Y	X	
4.	Number of Dwellings	Y	X	
5.	Bulk floor area	Y	X	
6.	Coverage/built upon area	Y	X	
7.	Subdivision	Y	X	
8.	Servitudes that may be registered over or in favour of the property	Y	X	
9.	Other Restrictive Conditions	Y	X	



**STELLENBOSCH**  
STELLENBOSCH • FNIEL • FRANSCHHOEK  
MUNISIPALITEIT • UNASIPALA • MUNICIPALITY

**B. INDICATE AFFECTED PARTIES AS PER TITLE DEED (if any)**

In respect of which it was found that there \*are/are no restrictive conditions with reference to Section 33(4) (a, b or c) of the Land Use Planning By-law (2015) registered against such property (ies) prohibiting it from being utilised/developed for the following purposes (as elaborated in the accompanying application):

a.	Organ(s) of State that might have an interest in the restrictive condition	N.A.
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	N.A.
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies	N.A.

**C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED**

(please tick appropriate box)

Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015)	Notarial Deed of Cancellation (Submit Copy of Signed Agreement)	Action by way of court order (Submit Copy of the Court Order)	If Other, Please Specify
--	---	---	--------------------------

Signed at Stellenbosch (Place) on this 12th (Day) NOVEMBER (Month) of 2018

Full names and surname HENDRIK VAN ROOYEN

Signature: [Signature]

P.O. Box 318  
STELLENBOSCH  
7599  
Firm Postal Address:

Kindly endorse certificate by affixing official stamp  
**HENNIE VAN ROOYEN**  
**PROKUREUR/ATTORNEY**  
318 STELLENBOSCH 7599

Tel: 021 887 1937

Cell: 072 1206931

Email: hennie@hvanrooyen.co.za

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Hennie Van Rooyen Attorneys  
Ou Kollege Building  
35 Church Street  
Stellenbosch  
7600

Prepared by me,

  
CONVEYANCER  
HENDRIK VAN ROOYEN

Purchase price/Value		Amount	Office fee
R. 1 663 400,00		R. 990,00	
Mortgage capital Amount		R. ....	R. ....
Reason for exemption		Exempt i.t.o.	
Cat. ....		section .... Act. ....	



T 000042000 / 2016

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

**ANNECKE LOUW**

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 **STELLENBOSCH** on 31 May 2016 and granted to him/her by

The Executors in the  
ESTATE LATE MANUEL MENDES RIBEIRO  
Number 8373/2013



AND the said Appearer declared that:-

WHEREAS MANUEL MENDES RIBEIRO who died **testate** on 22 May 2013 is the registered owner of the hereinafter mentioned property;

Hennie Van Rooyen Attorneys

**AND WHEREAS** the said late **MANUEL MENDES RIBEIRO** bequeathed the hereinafter mentioned property to **THE TRUSTEES FOR THE TIME BEING OF RIBEIRO TRUST** in terms of Clause 4 his Last Will and Testament signed at Stellenbosch on 5 April 2006 subject to Clauses 5 and 11 of the Last Will and Testament as more fully set out in condition A and B herein:

**NOW THEREFORE** the said Appearer, in his/her capacity aforesaid, did, by virtue these presents, cede and transfer to and on behalf of:-

**The Trustees for the time being of the  
RIBEIRO TRUST**

**Registration Number T679/1988**

their administrators or assigns, in full and free property

**½ (ONE HALF) SHARE IN THE REMAINDER OF ERF 184 STELLENBOSCH  
IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH,  
PROVINCE OF THE WESTERN CAPE**

**IN EXTENT: 1332 (ONE THOUSAND THREE HUNDRED AND THIRTY TWO)  
SQUARE METERS**

**FIRST TRANSFERRED** by Deed of Transfer No T13459/1926 with Diagram No A4062/26 relating thereto and held by Deed of Transfer No T578/1970.

**SUBJECT** to the conditions referred to in Deed of Transfer No 13459/1926.

**A. SUBJECT** to Clause 5 of the said Last Will and Testament signed at Stellenbosch on 5 April 2006 which read as follows:

- 5.1 That the Trustees of the said trust shall during her lifetime provide my surviving spouse, the said **ROSA PEREIRA RIBEIRO [Neé De Sousa]** with lifelong free accommodation of her own reasonable choice and preferably in the home that we occupied at the date of my death. Should the said trust be dissolved or vest before the death of my said spouse, **ROSA PEREIRA RIBEIRO [Neé De Sousa]**, the trust beneficiaries shall only receive the assets from the above-mentioned trust on condition that they provide my said surviving spouse with the said accommodation until her death.

Hennie Van Rooyen Attorneys



5.2 That the assets so bequeathed to the said trust be burdened with a right to lifelong income, payable out of the income derived from such assets, in favour of my surviving spouse, the said ROSA PEREIRA RIBEIRO [Nee De Sousa], taking into account other source of income at her disposal, so as to enable her to maintain the standard of living to which she was accustomed to during my lifetime. Should the said trust be dissolved or vest prior to the death of my said spouse, any benefits accruing from the trust assets shall pro rata be burdened with this said right to income in favour of my said surviving spouse, ROSA PEREIRA RIBEIRO [Nee De Sousa]. The amount of income to be so paid shall then be determined by my surviving spouse in conjunction with the relevant beneficiaries of the trust."

B. **SUBJECT** to Clause 11 of the said Last Will and Testament signed at Stellenbosch on 5 April 2006 which read as follows:

"11. All benefits which any beneficiary may receive in terms of this Will as well as any income derived there from shall at all times and for all purposes be excluded from any community of property or any community of profit and loss or accrual system and, in the case of female beneficiaries, from the marital power that may arise from any marriage which may be contracted between any beneficiary and her spouse."



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

**Estate Late MANUEL MENDES RIBEIRO**

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

**RIBEIRO TRUST**

its successors in office or assigns now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its rights, and finally acknowledging the value of the property to be **R1 663 400,00 (One Million Six Hundred and Sixty Three Thousand Four Hundred 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 12 July 2016



q.q.

In my presence:



REGISTRAR OF DEEDS

Hennie Van Rooyen Attorneys



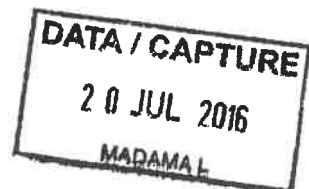
171

Hennie Van Rooyen Attorneys  
Ou Kollege Building  
35 Church Street  
Stellenbosch  
7600

Prepared by me,

  
CONVEYANCER  
HENDRIK VAN ROOYEN

For endorsement	
Purchase price/Value	Office fee
1663 400,00	990,00
Mortgage capital amount	
Exempt from	



T 000042001 / 2016

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

THAT

**ANNECKE LOUW**

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, he/she, the said Appearer, being duly authorised thereto by a Power of Attorney granted to him/her by

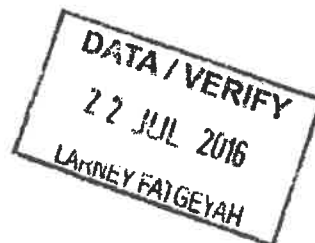
**ROSA PEREIRA RIBEIRO**

Identity Number 391128 0096 18 6

Unmarried

dated 15 March 2016 and signed at STELLENBOSCH

Hennie Van Rooyen Attorneys



AND the said Appearer declared that his/her principal the said **ROSA PEREIRA RIBEIRO** had on **3 February 2016** truly and legally sold and that he/she, the said Appearer in his/her capacity aforesaid, did, by these presents cede and transfer to and on behalf of:

**The Trustees for the time being of the  
RIBEIRO TRUST  
Registration Number T679/1988**

its successors in office or assigns in full and free property:

**½ (ONE HALF SHARE) IN THE REMAINDER OF ERF 184 STELLENBOSCH,  
IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH,  
PROVINCE OF THE WESTERN CAPE**

**IN EXTENT: 1332 (ONE THOUSAND THREE HUNDRED AND THIRTY TWO)  
SQUARE METERS**

**FIRST TRANSFERRED** by Deed of Transfer No T13459/1926 with Diagram No A4062/26 relating thereto and held by Deed of Transfer No T578/1970.

**SUBJECT** to the conditions referred to in Deed of Transfer No 13459/1926.



WHEREFORE the Appearer, renouncing all the right, title and interest which the said **ROSA PEREIRA RIBEIRO**

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

**Trustees for the time being of the  
RIBEIRO TRUST**

its successors in office 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 of the property hereby transferred to be the sum of

**R1 663 400,00 (ONE MILLION SIX HUNDRED AND SIXTY THREE THOUSAND FOUR HUNDRED RAND).**

IN WITNESS WHEREOF I, the said Registrar of Deeds 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

12 July 2016



q.q. Signature of Appearer

In my presence:

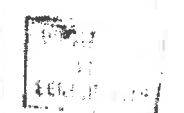
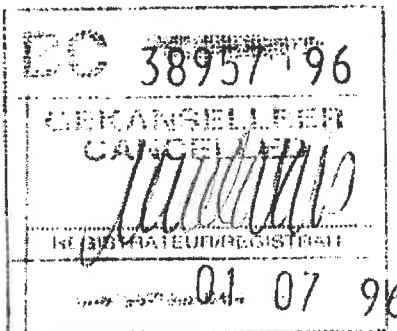
Registrar of Deeds



Hennie Van Rooyen Attorneys



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**DEED OF TRANSFER 1970**BY VIRTUE OF A POWER OF ATTORNEY. *Prepared by me.*

MALLINICK, RESS, RICHMAN & CO.  
Attorneys & Conveyancers,  
7th Floor, Mobil House,  
Hans Strijdom Avenue,  
CAPE TOWN

*M. H. Zetler*  
Conveyancer.

**Know all Men whom it may concern****That**MICHAEL HILLEL ZETLER

appeared before me, Registrar

of Deeds, He the said Appearer being duly authorised thereto by a power of Attorney executed at

STELLENBOSCH

on the 31st day of OCTOBER 1969 by

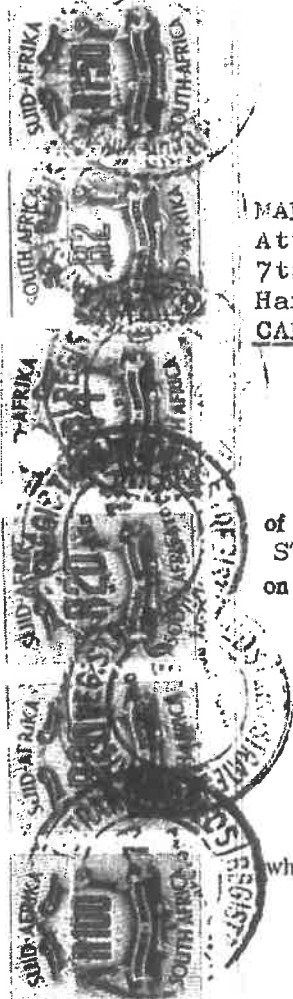
MAX ZETLER

(born on 28th September, 1915)

which power, witnessed in accordance with law, was exhibited to me on this day.

And the Appearer declared that his said Principal had truly and legally sold on 24th OCTOBER, 1969 and that He in his capacity as attorney aforesaid did by

these/



these presents, cede and transfer, in full and free property to and on behalf of

MANUEL MENDES RIBEIRO

(born on 28th March, 1936)

WHITE GROUP

His Heirs, Executors, Administrators or Assigns

CERTAIN piece of freehold land situate in the Municipality and Division of Stellenbosch being the remainder of Erf 18<sup>4</sup> Stellenbosch;

MEASURING as such ~~Thirteen Thousand Four Hundred and Forty (13,440) Square Feet; One Thousand Three hundred and thirty-two square metres (1,332)~~

EXTENDING as a Deed of Transfer with Diagram No. 4062 /26 annexed in favour of ~~C. M.~~ <sup>J. H.</sup> Nolte No. 13459 dated 31st December, 1926;

HOLD by the Appearer's Principal by Deed of Transfer No. 13342 dated 17th December, 1941;

SUBJECT to the conditions referred to in Deed of Transfer No. 13459 dated 31st December, 1926.

WHEREFORE / ...

- 3 -

**Wherefore** the Appearer, renouncing all the Right and Title his said Principal heretofore had to the premises on behalf as aforesaid did in consequence, also acknowledge his said Principal as aforesaid to be entirely dispossessed of, and disentitled to the same; and that by virtue of these Presents the said TRANSFEREE

his Heirs, Executors, Administrators, or Assigns, now is and henceforth shall be entitled thereto conformably to local custom, State, however, reserving its Right; and finally acknowledging his Principal to have been satisfactorily paid the whole of the purchase money amounting to the sum of TWENTY-FOUR THOUSAND RAND (R24,000-00)

**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 the 14th Day of the Month of January in the year of Our Lord, One Thousand Nine Hundred and ~~Sixty Nine~~ seventy (1970)

In my presence,

*M.H. Zeylen*  
*H. B. Mungall*  
 Registrar of Deeds

Registered in the \_\_\_\_\_ Register.

of \_\_\_\_\_ Book \_\_\_\_\_ folio \_\_\_\_\_

*[Signature]*  
 Clerk-in-Charge

VIR ENDOSSEMENTE KYK RADS  
 FOR ENDORSEMENTS SEE PAGE 6 ET SEQ.

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Kaapstad,  
Cape Town.

Aktekantoor/Asst. Registrar

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VERBOD  
MORTGAGEDvir R 100 000,00 (met preferensie  
for R 100 000,00 (with preference)vir 'n verder bedrag nie te bogaande  
for an additional amount not exceeding

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Aktekantoor,  
Deeds Office,  
Kaapstad,  
Cape Town.

Aktekantoor/Asst. Registrar

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MORTGAGEDvir 84 361,00 (met voorkeur  
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Deeds Office

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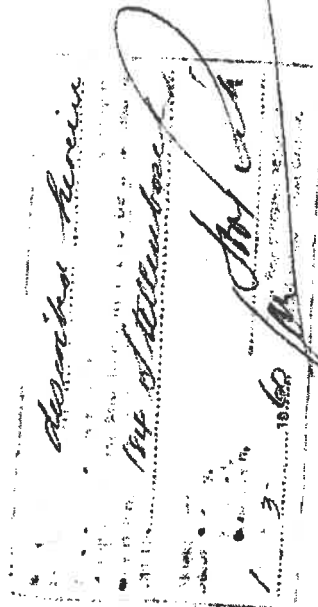
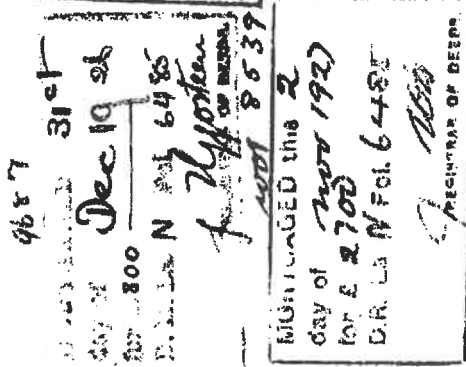
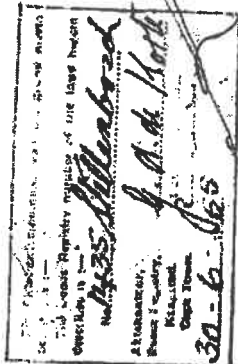
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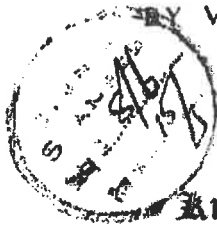
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# DEED OF TRANSFER,

BY VIRTUE OF A POWER OF ATTORNEY.



Prepared by  
*Edgar Dryden Tudhope*  
Conveyancer.

Know all Men whom it may concern,

That EDGAR DRYDEN TUDHOPE appeared before me, Registrar of Deeds, at Cape Town, he being authorised thereto by a Power of Attorney executed at STELLENBOSCH, on the 2nd day of December, 1926, by

HENDRIK JOHANNES LOUW DU TOIT,

which said Power of Attorney (duly witnessed in accordance with law) was this day exhibited to me;

And the said Appearer declared that his Principal had truly and legally sold and that he, in his capacity as Attorney aforesaid, did, in consequence, by these presents, cede and transfer in full and free property to and on behalf of

JAN HENDRIK NOLTE,  
His Heirs, Executors, Administrators or Assigns,

CERTAIN...

Municipal

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granted

Freehold

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CERTAIN piece of freehold land situate in the Municipality and Division of Stellenbosch being Lots Nos.36 and 37, a portion of the land known as "KROMME RIVIER", granted to G.J.du Toit on the 28th August,1862 (Stellenbosch Freeholds Volume 5 No.9 ) and lastly transferred to the Appearer's Principal on the 15th October,1888, No.149.

MEASURING one hundred and fifty six (156) square roods, thirty six (36) square feet.

AS will more fully appear from the diagram hereunto annexed.

SUBJECT to such conditions as are referred to in Deed of Transfer No.149 dated 15th October,1888, but free from the Servitude dated 5th July,1897, endorsed thereon by reason of the cancellation thereof; and also <sup>free from</sup> the Servitude dated 2nd March,1909, endorsed thereon by reason of the fact that the property hereby transferred is not situate within the areas affected by the said Servitude.

WHEREFORE.....

R,  
DEY.

Conveyancer.

I,  
ie, Registrar  
a Power of  
1926, by

bited to me;

y aforesaid,  
ree property

CERTAIN...

Wherefore the Appearer, renouncing all the Right and Title the Appearer's Principal

heretofore had to the premises, on behalf as aforesaid, did, in consequence, also acknowledge his said Principal to be entirely dispossessed of, and disentitled to, the same; and that by virtue of these Presents the said

JAN HENDRIK NOLTE,

His Heirs, Executors, Administrators, or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom; Government, however, reserving its rights:—and finally acknowledging to be satisfactorily paid or secured the whole of the Purchase Money, amounting to a sum of

ONE HUNDRED AND SEVENTY POUNDS (£170) Sterling.

In Witness whereof I, the said Registrar of Deeds, together with the Appearer, q.q., 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, in Cape Town, Cape Province, on the 31<sup>st</sup> Day of the Month of December in the year of our Lord One Thousand Nine Hundred and Twenty six (1926).

*Edgar R. du Toit*  
q.q. his Principal

In my presence,

*[Signature]*  
Registrar of Deeds.

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## **ANNEXURE D**



4 November 2019

Manager: Land Use Management Department  
Stellenbosch Municipality  
PO Box 17  
Stellenbosch  
7599

**Attention: Me. Hedre Dednam**

Dear Hedre

**LU/8873: AMENDED APPLICATION FOR A REZONING AND VARIOUS DEPARTURES TO ALLOW FOR THE DEVELOPMENT OF A BLOCK OF FLATS AND RETAIL SPACE ON ERF 184 STELLENBOSCH, SITUATED AT 22 DENNESIG ROAD**

## 1. Introduction

In response to our meeting held 30 October 2019, herewith please find our revised amended application now including more information on the Transport Conditions as requested by Robert Fooy during said meeting. This document will replace the amended application document submitted to your offices on 25 October 2019.

The original application (submitted in November 2018) included the rezoning of Erf 184 to allow for the development of a block of flats, comprising 40 units, together with a retail component on the Ground Floor measuring 80m<sup>2</sup>. During the application process, Stellenbosch Municipality requested that an overall Dennesig Urban Design and Traffic study be undertaken to assess the overall impact of all the proposed developments in Dennesig. As a consequence of the findings of these studies (Dennesig Neighbourhood Design Guidelines, September 2019), the design of this proposed building had to be amended to comply with the recommendations made by the studies. The following are considered the main recommendations which had an impact on our proposed design:

- a) All ground floors to have a height of 4m to allow for a uniform “datum line”;
- b) Buildings to be situated as close to the street boundaries as possible;
- c) Buildings to have a 0m common boundary setback when viewed from the street;
- d) Activation of buildings on the corner of Hofman and Dennesig Road, also to emphasize these buildings.
- e) Maximum number of parking bays to be provided as well as safe and secure parking for bicycles and motorbikes to support the establishment of public transport and a pedestrian friendly environment.

As a result of these recommendations, the design of the proposed development had to be amended which resulted in a change in the description of the formal application, as set out in Section 2 below.

## 2. Description of Amended Application

Application is made to the Stellenbosch Municipality, in terms of Section 15(2) of the Stellenbosch Municipality Land Use Planning By-Law, 2015, for the following:

Section 15(2)(a): **Rezoning** of Erf 184 from Single Residential to Specific Business Zone, in terms of the Stellenbosch Municipality Zoning Scheme Regulations, 1996.

Section 15(2)(b): **Permanent departures** from the following prescribed **building lines**:

- **Street Building Line** (Denneisg) of 0.0m in lieu of 7.6m on Floors 1 – 4;
- **Street Building Line** (Hofman) of 0.0m for a portion of the building and 1.7m for the remainder of the building in lieu of 7.6m on Floors 1 – 4;
- **Common boundary** (Erf 155) 0.0m for a portion of the building on Ground and Floors 1 – 4 in lieu of 3.0m on ground and 4.6m on Floors 1- 4;
- **Common boundary** (Erf 4683) 0.0m on Ground Floor to allow for the stairwell and 0.0m (stairwell) and 1.7 (remainder building) on Floors 1 – 4 in lieu of 3m (ground floor) and 4.6m on Floors 1-4.

**Permanent departures** from development rules:

- To allow a coverage of 76% in lieu 50% for the residential component of the building on Floors 1-3;
- To allow the height of the building to be 5 storeys in lieu of 4;
- To allow the provision of 10.6% of the site for communal open space, in lieu of 25%;
- To allow the provision of 67 parking bays (which would include provision for 12 motorcycles, 56 standard motorized vehicles and 50 bicycle bays) in lieu of 75.

Find attached the following annexures, as amended, relevant to this submission:

Annexure A: Amended Drawings, 3618/C/101-108 rev 8 dated 2019-10-23

Annexure B: “Happy letter” and signed drawings from appointed Urban Designers to confirm compliance with Design Study

Annexure C: Revised Response to Comments (dated 24 October 2019)

Annexure D: Transport Conditions : Dennesig Transport Master Plan

### 3. Description of Amended Proposed Development

As mentioned above, the proposed amended design is in response to the recommendations made by the Dennesig Neighbourhood Design Guidelines. This section will provide a brief overview of the proposed development which should be read with amended drawings (please refer to Annexure A). For ease of reference, the main amendments can be summarised as follows:

- The proposed access point from Hofman Road to the basement and ground floor parking has been split to allow for an additional access point from Dennesig Road to split the traffic volume moving in and out to the site. This was done to minimize possible interference on pedestrian movement along the site as recommended by the above-mentioned studies;
- The building lines on the common boundaries have been reduced to 0.0m if viewed from the streets to allow continuity of building lines as prescribed by the Urban Design Study;
- The staircases have been moved right up the common boundaries to achieve the above;
- The retail component and the residential section facing onto Dennesig Road has been moved forward to emphasize this corner;
- The building line on the common boundary of Erf 155 (Floors 1 – 4) has been increased from 4.6m to 5.45m;
- The above changes have resulted in an increase in bulk, thus also increasing from 40 – 50 units, still keeping within the same proposed height as before. It should be noted that though this is a 5-storey building, it is the same height as a 4-storey building;
- The proposed development now also includes larger 2- and 3-bedroom units increased to target a different range of income groups and a variety family sizes.
- Doubling up on the number of bicycles bays previously provided, now increasing from 24 to 50 bicycle bays and adding 12 motorcycle bays.
- No parking provided for the retail component.

A more detailed description is provided below:

The proposed development will entail the construction of a five-storey (plus basement) building, which will provide a total of 50 residential units ranging in size from 30m<sup>2</sup> (studio apartments), ±40m<sup>2</sup> (1-bedroom units), ±60m<sup>2</sup> (2-bedroom unit) up to ±80m<sup>2</sup> (3-bedroom units). The ground floor of the building will include a small business (retail) area with a floor space of 86m<sup>2</sup>. A total of 56 vehicle parking bays (which excludes an additional 13 tandem bays) will be provided in a secure and discrete parking area, as well as secure, lockable storage for at least 50 bicycles and 12 motorcycles. The parking area will be shielded from the street interfaces and will be situated in a basement and on ground floor. No parking will be visible from the street and from the perspective of pedestrians passing in front of the building via both Hofman and Dennesig Road.

Therefore, the provision of parking on the ground level will *not* detract from the development's capacity to contribute towards creating a sense of place and pedestrian safety on both streets. The parking will be accessed from two vehicular access points, one access point from Hofman Road, towards the basement and one from Dennesig Road towards the ground floor parking area. The proposed two access points will split the traffic movement onto the site which will help to reduce the impact on pedestrians walking past. Pedestrian will access the building from Hofman Road. It should be noted that this development does not make provision for **any on-street parking**, in line with the overall transport plan, and hence should not contribute towards clogging the streets with parked vehicles.

Table 1, below, provides a breakdown of the proposed unit sizes:

Amount of Units/Spaces	Allocation of Unit/Spaces	Approximate Size of Units/Spaces
15	Studio Apartments	30m <sup>2</sup>
13	1 Bedroom Apartments	40m <sup>2</sup>
19	2 Bedroom Apartments	60m <sup>2</sup>
3	3 Bedroom Apartments	80m <sup>2</sup>
1	Business	80m <sup>2</sup>

**Table 1** *Schedule of Units/Spaces Accommodated in the Proposed Development*

As mentioned, the proposed development will feature a small retail area of 86m.<sup>2</sup> The intention of this space is to allow for a business that would directly cater to the everyday demands of urban residents within the immediate vicinity. The proposed business concept would be to create a lively retail space that would feature a small coffee shop, convenience store and self-service launderette, while offering co-working and private space for meetings, quiet study and socializing. The proposed retail section on the corner of Hofman and Dennesig roads is in line with the Urban Design study which emphasise the importance to activate this street frontage to create a safe and secure environment.

In terms of the residential component of this development, the proposed development comprises a mix of unit typologies and sizes to accommodate a wider income group and differing family compositions. Furthermore, the provision of a mix of units provides the basis for accommodation that has the potential to integrate diverse residents, rather than contributing towards the growing trend whereby students live in segregated neighbourhoods that are isolated from other residents of the Stellenbosch community. The majority of the units 40m<sup>2</sup> and more, with almost half of the total number of units being 2x and 3x bedrooms larger than 60m<sup>2</sup> differentiating this development from the developments in *Die Weides* and also some of the recently constructed developments which were specifically targeted at the student market.

It should be further noted that the proposed development will create an integrated living environment, which values the creation of liveable, green outdoor spaces that are appealing not only to residents of the proposed development, but which also contribute towards creating an aesthetically pleasing street interface. In this regard, the current plans propose a space to be provided on the first floor of the building, which will be made available to all residents for recreational and relaxation purposes, with sweeping views of the surrounding mountains. In addition, there are also plans for a lush, green courtyard on the roof of the 4<sup>th</sup> Floor, which will be thoroughly landscaped and visible to all units. Where possible, existing trees along Dennesig and Hofman street fronts will be reserved and additional trees will be planted during the building process.

In order to reduce the future maintenance cost of the proposed development, great emphasis will be placed on the type of building materials which would require less maintenance. This will help to reduce the monthly levies, thereby adding to

the affordability of the units. Solar panels will be used to generate electricity for the communal areas which would also help to reduce maintenance cost. Where possibly (also with regards the type of plans used for landscaping) water saving mechanisms will be put in place to help reduce the water demand of the proposed development.

Table 2, below, identifies the difference between the previously submitted application and the amended application submitted herewith:

<b>Land Uses and Rules Specific Business Erf size: 1 332m<sup>2</sup></b>	<b>Permitted Development Specific Business</b>	<b>Original Proposal November 2018</b>	<b>Amended Proposal August 2019</b>
Street Boundary Building Line from Dennesig Road	0.0m for Basements and Ground Floor 7.6m for Floors 1-4	0.0m for Basements and Ground Floor 1.7m for Floors 1-4	1.36m for Basement 1.36m for stairwell and 2.0m for Ground Floor <b>0.0m for Floors 1-4</b>
Street Boundary building Line from Hofman Road	0.0m for Basements and Ground Floor 7.6m for Floors 1-4	0.0m for Basements and Ground Floor 1.92m for Floors 1-4	1.8m for Basement and Ground Floor <b>0.0m and 1.7m on Floors 1-4</b>
Common Boundary Building Line from the boundary with Erf 155	0.0m for Basements 3.0m for Ground Floor 4.6m for Floors 1-4	0.0m for Basements 4.3m for Ground Floor 4.6m for Floors 1-4	0.0m for Basement <b>0.0m for a portion of the building on Ground Floor and Floors 1 - 4</b>
Common Boundary Building Line from the boundary with Erf 4683	0.0m for Basements 3.0m for Ground Floor 4.6m for Floors 1-4	0.0m for Basements 4.3m for Ground Floor and First Floor 2.7m for Floors 2-4	0.0m for Basement <b>0.0m for stairwell on Ground Floor 0.0 for Stairwell and 1.75m for the remainder of the building on Floors 1 - 4</b>
Coverage	85% for Ground Floor Business 50% for Residential Floors 1-4	5.5% for Ground Floor Business 60.6% for Residential Floors 1-4	10% for ground floor business <b>75.6% for Residential (Floors 1 – 3)</b> 40.2% for Residential (Floor 4)
Height	3 Storeys + 1 if more than 75% of any storey is occupied by parking	5 Storeys	<b>5 Storeys</b>
Floor Factor	<i>Non provided</i>	1.67	<b>2.19 (2 919.05m<sup>2</sup>)</b>
Number of Units	N/A	8 < 30m <sup>2</sup> 32 > 30m <sup>2</sup> (8 studio, 8 one-bedroom and 24 two-bedroom units)	15 < 30m <sup>2</sup> 35 > 30m <sup>2</sup> (15 studios, 13 one-bedroom units, 19 two-bedroom units and 3 three bedroom )

Parking	Parking required: 75 1.25: dwelling units > 30m <sup>2</sup> 1: dwelling units <30m <sup>2</sup> 0.25 per dwelling unit for visitors  1 parking bay per 25m <sup>2</sup> of GLA	63 (including 50 standard vehicle bays and 24 bicycle bays)	<b>67</b> <ul style="list-style-type: none"> <li>• 56 vehicle bays,</li> <li>• 8 (50 bicycle bays)</li> <li>• 3 (12 motorcycle bays,</li> <li>• Additional 13 x tandem bays</li> </ul>
Communal Outdoor Space	25%	22.2%	<b>10.6%</b>

Table 2 Comparison between the Previously Submitted Application and the Proposed Amended Application

Figure 1 below provides an indication of the main differences of the buildings.

#### 4. Architectural Response to the Urban Design Guideline Report (August 2019)

Architecturally the recently documented Urban Design Guidelines set out with the aim to establish a 'sense of place' within the Dennesig precinct via a harmony of built vocabulary between newly proposed building forms, as well as the promotion of good, active street 'Woonerfs' via interactive street edges and interstitial realms.

Our proposed development not only conforms to these ideals but in fact champions the establishment of this sense of place via the following key architectural design indicators:

- **Active built edges at Street Level** – the inclusion of retail components along both Hofman and Dennesig street edges, no 'dead' parking areas facing the streets, creation of multiple entry points; all strive to create physical interactivity with the urban realm beyond the buildings edges
- **Bring pavement up to building edge** – The urban edge has been designed to interface directly with the building at street level, eliminating the need for boundary walls and effectively widening the pavement as much as possible. The levels above further overhang the street to create an interstitial realm along the entire building's street facing edge
- **Interstitial realms above** – all levels above GF are created with large balcony expanses to promote living onto the urban realm and promote the concept of 'eyes on the street' which contribute to safer urban environments
- **Low urban impact in terms of bulk and scale** – The building has been detailed and designed in such a manner as to fragment the bulk massing and to keep the building as low as possible. This articulation of the building in terms of a Base, a Middle and a Top creates a lower impact upon the urban realm and acknowledges the human scale needed, as opposed to an imposing 5 storey walled edge. The fine grain detailing of the façade likewise contributed to this.
- **Articulated and set-back 5<sup>th</sup> storey** – The Penthouse level is set back from the building edge below and articulated as a lightweight structure perched at the top. This is deliberately set up to recede from view of the street and the wrap-around balconies create the potential for active edges.
- **A diverse mix of tenancy** – The upmarket architecture and larger unit sizes are designed to specifically target young professionals so as to avoid a single tenancy within the area. The focus upon 2/3 bed unit mix likewise seeks to inject much needed activity into the area during the typically vacant student holiday months

## **5. Response to the Transport Master Plan**

The Dennesig Transport Master Plan (dated October 2019) is a response to a combined Dennesig Traffic Impact Assessment, which considered the combined impact of the current and potential future developments. From this study, ITS identified guidelines to help to promote pedestrian and cycle movement and the use of public transport. A Dennesig Transport Master Plan was established which identified the main priority projects to which all developers (current and future) will contribute to ensure that the overall vision for the area is achieved. This Master Plan also included the motivation for a shuttle service and a parking plan to which this development responds as set out below.

### **5.1 Parking**

As part of the Design and Transport studies, it was agreed that the provision of vehicle parking should be kept to a minimum while providing safe and secure bicycle bays. This will help to promote the use of public transport as well as pedestrian and cycle movement. Vehicle parking (including visitors parking) is provided at an overall rate of approximately 1 bay/unit (less than the requirement of 1.5 bays/unit). However, it should be noted that the majority of units are larger units, being above 30m<sup>2</sup>, and almost 50% of the units are 2- and 3-bedroom units. Though this development is not targeted at students, for indicative purposes, it is interesting to note that if one calculates the parking based on the number of bedrooms, the ratio comes down to 0.7 bays/bedroom. To promote the use of bicycles, safe and secure parking has been provided for 50 bicycles.

It is considered that the proposed parking departure as well as the provision of safe and secure bicycle parking is in line with the proposals made by the overall Transport study.

### **5.2 Shuttle Service**

One of the recommendations made by the Dennesig Transport Plan is that each development has to form part of an overall Master Home Owners Association (MHOA) who will manage and provide a free shuttle service to all the residence of the developments. To fund this shuttle service, it is proposed to charge a monthly levy on each building, to be paid into a separate trust fund owned by the MHOA.

The proposed development, which will form part of the MHOA, will help to fund the proposed shuttle service which will help to reduce the demand for parking and support the use of public transport.

Please refer to Annexure D for a summary of the Dennesig Densification Area: Transport Conditions which also sets out the mechanisms for funding of the transport network for the wide Dennesig Area.

## **6. Motivation**

The proposed amended design is a response to the Dennesig Neighbourhood Design Guidelines (dated September 2019) as well as the Transport Conditions, as set out in the Transport Master Plan, which was approved and supported by the Stellenbosch Municipality and it is clear from Section 4 above that the proposed amended design complies with these guidelines.

Section 5 of the Motivation Report (dated November 2018) provides a thorough motivation for the proposed development, the following is an expansion to this motivation based on the findings of the Design Guidelines:

- The proposed development is in line with the urban design principles to create a pedestrian focused environment where all parking is provided off-street and shielded from the street interface and the parking will not interfere with pedestrian movement;
- The proposed retail, balconies on the street boundary will ensure an active street interface and enhance the sense of safety;
- The proposed high-density development will help establish a critical mass to support the retail uses proposed for the area;
- By reducing the number of vehicle bays and funding for a shuttle service, it will also help to establish the critical mass needed to achieve the proposed pedestrian and public transport focused movement networks;
- This proposed development will help to fund the proposed upgrading of the road network (again, with the focus on public and non-motorized transport) which will be to the benefit of not only this development but to the wider Dennesig area.
- The proposed differing unit sizes can accommodate both differences in family sizes and income levels.

To conclude, we believe that the proposal clearly indicates compliance with the recommendations made by the Dennesig studies and respectfully request Council to proceed with the necessary processes to make a final decision on this application

Yours sincerely

Marike Bolz  
For Arch Town Planners (Pty) Ltd



**Annexure B: “Happy letter” and Signed Plans**

**Annexure C: Revised Response to Comments (dated 24 October 2019)**

**Annexure D: Transport Conditions : Dennesig Transport Master Plan**

**RE-ZONING & VARIOUS DEPARTURES TO ALLOW FOR  
A BLOCK OF FLATS AND RETAIL SPACE ON  
ERF 184, STELLENBOSCH**

*22 Dennesig Road, Stellenbosch*



**Date: NOVEMBER 15, 2018**

**Prepared and Submitted by Arch Town Planners**



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ANNEXURE F:	PROPOSED SITE DEVELOPMENT PLAN (SDP), BUILDING & ELEVATION PLANS
ANNEXURE G	LANDSCAPE MASTER PLAN
ANNEXURE H:	PRE-APPLICATION MEETING MINUTES
ANNEXURE I:	TRAFFIC IMPACT STATEMENT
ANNEXURE J:	SERVICES REPORT

## 1. Introduction

### 1.1 Background information

Erf 184 (hereafter referred to as the 'application site') is a single-residential erf located on the corner of Dennesig and Hofman Road in Stellenbosch.

Given the changing nature of the Dennesig community in recent years, in combination with the consistent demand for middle-income and student housing in Stellenbosch, the owners of the properties seek to contribute to the municipality's spatial plan of densification through localized, mixed-use development. The intention is to construct a five-story block of flats, of which the ground floor will consist of a small business area.

### 1.2 Planning Brief

In light of the above information, Arch Town Planners (Pty) LTD has been appointed by *Abacus Development Company* to prepare and submit the relevant application to the Stellenbosch Municipality. *Abacus* is a private development company that has been granted power of attorney to act on behalf of the current owners of Erf 184 (see attached Power of Attorneys, in Annexure B).

This application seeks approval to re-zone the property from Single Residential to Specific Business, as well as various permanent departures, in order to construct a five-storey block of flats and small (73m<sup>2</sup>) retail area.

### 1.3 Application to Stellenbosch Municipality

Arch Town Planners hereby officially applies for the following, in terms Sections 15(2)(a) and (b) of the Stellenbosch Municipality Land Use By-Law (2015), to allow for the proposed development on Erf 184, Stellenbosch:

- i) Rezoning from **Single Residential** to **Specific Business Zone**, in terms of the Stellenbosch Zoning Scheme.
- ii) **Building line departures** as follows:
  - Street building line (Dennesig Road) of 1.7m in lieu of 7.6m on Floors 1 – 4;
  - Street building line (Hofman Road) of 1.9m in lieu of 7.6m on Floors 1 – 4; Hofman Road
  - Common boundary building line (adjacent to Erf 4683) of 1.9m in lieu of 3m on the ground floor to accommodate the staircases, 1.9m in lieu of 4.6m on the first floor to accommodate the balconies and the staircases and 2.7m in lieu of 4.6m on Floors 2 –4.

iii) **Permanent Departures** as follows:

- The relaxation of **coverage**, to allow for  $\pm 61\%$  (808m<sup>2</sup>) on Floors 1 - 3, in lieu of 50% (666m<sup>2</sup>)
- The relaxation of **height** restrictions to allow for five-storeys;
- A departure to allow for the provision of  $\pm 22\%$  area of communal open space, in lieu of 25%
- To allow for 60 vehicle parking bays in lieu of 61 (these parking bays are to be substituted by the provision of 6 bicycle bays per 1 vehicle bay)

iv) The approval of the Site Development Plan

## 1.4 Applications to Other Authorities

### 1.4.1 National Heritage Resources Act

In order to construct the intended block of flats, the current structure on the site will need to be demolished. Given that the existing building is older than 60 years, an application for a demolition certificate will need to be attained, in terms of Section 34 of the National Heritage Resources Act 25 of 1999. An application has been prepared for submission to Heritage Western Cape as well as the Stellenbosch Heritage Foundation and will be submitted concurrently with this application.

### 1.4.2 National Environmental Management Act (NEMA)

Section 24 of The National Environmental Management Act sets out the application and authorization process for undertaking any development activities which could potentially impact the environment. It should be noted that the intended development has been considered in terms of the three Listing Notices (Regulations 983, 984 and 985) as issued as part of NEMA, Act 107 (1998). Arch Town Planners has found that the intended development **does not** trigger the need for an environmental impact assessment, and hence, NEMA is not applicable to this application.

The following serves as motivation for the application outlined in Section 1.3. The official application form is attached as Annexure A with supporting documents also attached as Annexures.

## 2. Property details

### 2.1 Summary of Property Information

Application Site	Erf 184, Stellenbosch
Physical Address	22 Dennesig Road, Stellenbosch
Property Size	1 332m <sup>2</sup>
Current Ownership	Ribiero Trust
Title Deed No & Date	T42000/2016 Date: 31 May 2016
Restrictive Title Deed Restrictions	<b>None</b> See Conveyancer Certificates, attached as Annexure C
Current Zoning	Single Residential (in terms of Stellenbosch Zoning Scheme, 1996)
Locality	Please refer to Annexure D and <i>Figures 1 &amp; 2</i> below

Table 1: Property Details

### 2.2 Locality of Application Site

Erf 184 is located on the corner of Dennesig Road and Hofman Road, in the Dennesig suburb of Stellenbosch, as indicated in Figure 1, below.



Figure 1: Locality Plan: Erf 184, Stellenbosch

It is considered that Dennesig is ideally situated between the University, town centre and major commuting roads, and this in combination with the urgent backlog of middle-income (professionals and small families) and student housing around Stellenbosch, has resulted in this area being earmarked by the municipality for higher-density residential development. This is in line with planning principles such as spatial sustainability and efficiency, which value the efficient use of space through brownfield development.

Importantly, Dennesig is well connected to a variety of accessible transportation options, including the R44 highway, which forms a main artery through Stellenbosch, linking nearby towns and roads including Somerset West, Klipmuts; as well as the R304 and R310, which link commuters to the N1 and N2 highways for access to Cape Town and surrounds. The application site is also within 1km (walking distance) from the Stellenbosch train station, Stellenbosch University as well as Stellenbosch Town Centre. Thus, the site is well located for easy commuting by foot, bicycle, train or private vehicle.

### 2.3 Surrounding Land Uses

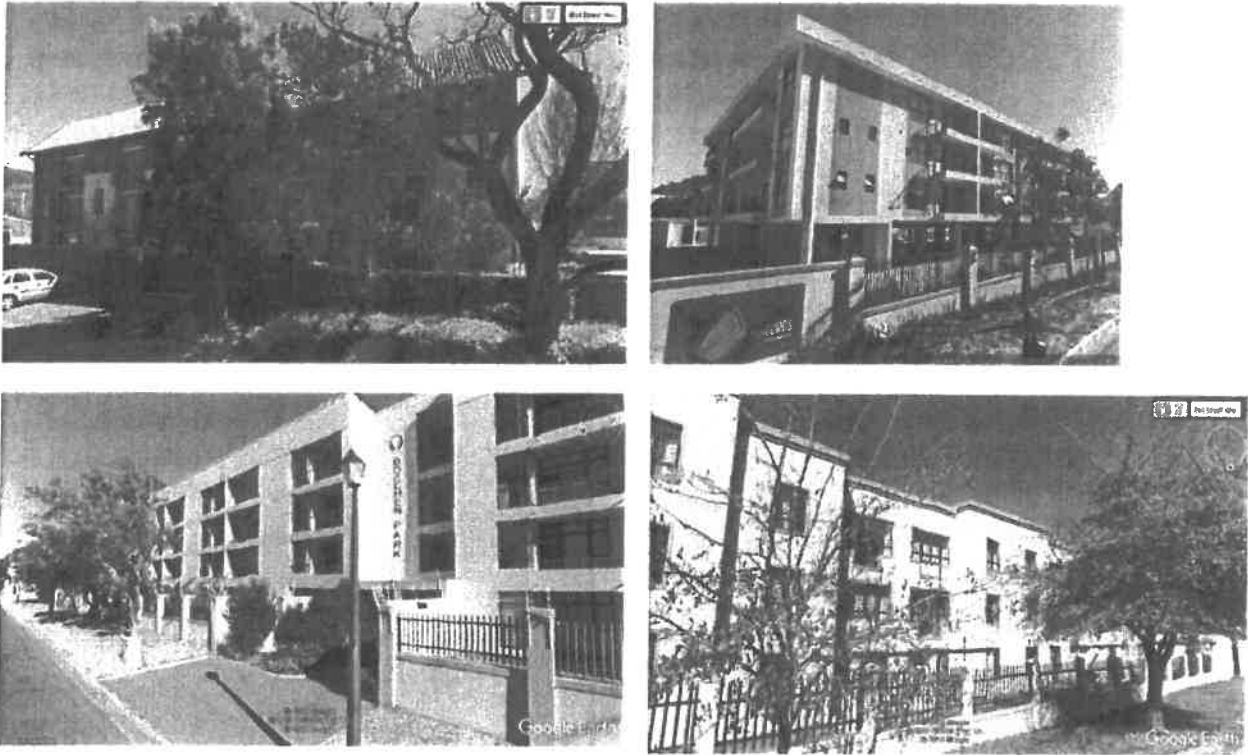
The Dennesig suburb was built predominantly in the 1940s and has historically been used as a residential neighborhood, with single-family homes and private gardens. However, this has changed considerably since 1998 when the first 4-storey block of flats were built directly south of Dennesig Road. Many more similar developments followed, with the entire street block south of Dennesig Road now made up of 3-4 storey blocks of flats. The only remaining single residential erven in the area are the erven situated between Paul Kruger and Dennesig Road, which as can be seen on Figure 2, have already been made available for high density developments. Erf 145 is believed to be the only single residential erf not included in any development proposals.



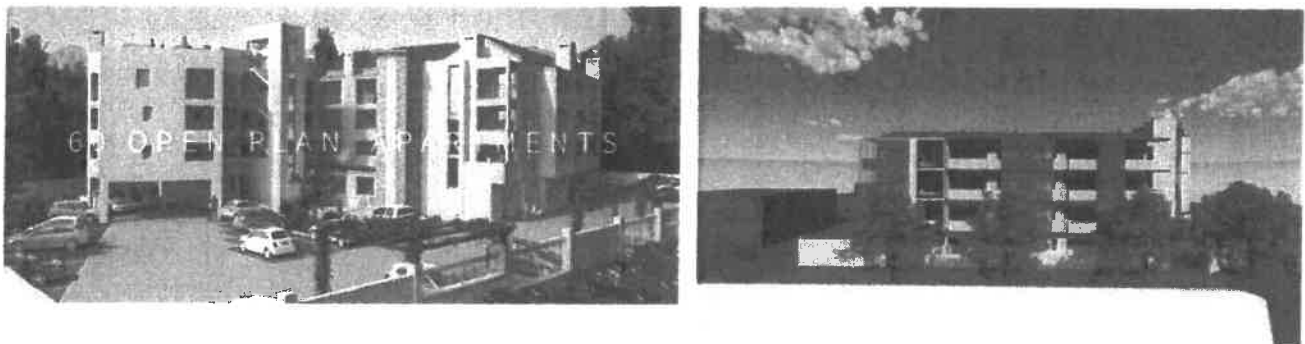
**Figure 2: Map of Existing and Planned Higher-Density Development in Dennesig**

There are also similar existing high density developments along Paul Kruger road, such as the three-storey-plus-loft *Plumbago* development. The municipality recently issued and approval for a 60-unit block of flats ('The Den') west of the application site.

Examples of existing and proposed development within the area are highlighted in the images below.



**Figure 3: Existing Medium-Density Development In the Dennesig Area**



**Figure 4: Examples of Planned Development in the Dennesig Area**

## 2.4 Current Land Use On Site

The current land use on the application site is single residential, including a single-storey house and fenced garden. The house was likely constructed in the 1940's, based on the earliest dates mentioned in the title deeds. It should be noted that in order for the proposed development to move forward, the current structure will need to be demolished. An application for a demolition certificate will be concurrently lodged with Heritage Western Cape and relevant authorities.

## 2.5 Current Zoning

The property is zoned as Single Residential, in terms of the Stellenbosch Zoning Scheme (1996). Since the current zoning is intended for single-family residential purposes, it is not appropriate for the proposed development of a five-storey block of flats and retail area. Hence, a zoning application is necessary.

## 2.6 SG Diagrams

The SG diagram for the Erf 184 is included in the image below. There does not appear to be any servitudes on the diagram that would be of relevance to this application. Full SG Diagrams are attached as Annexure E.

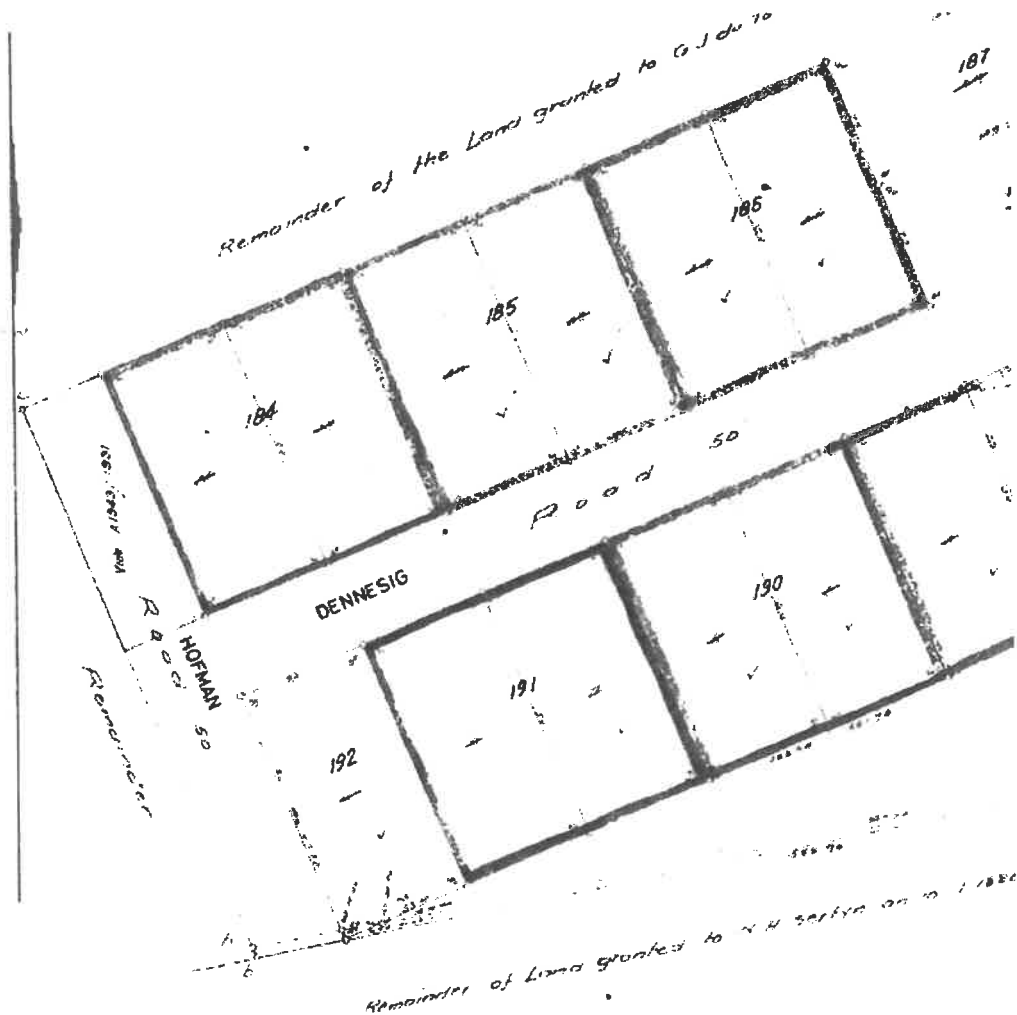


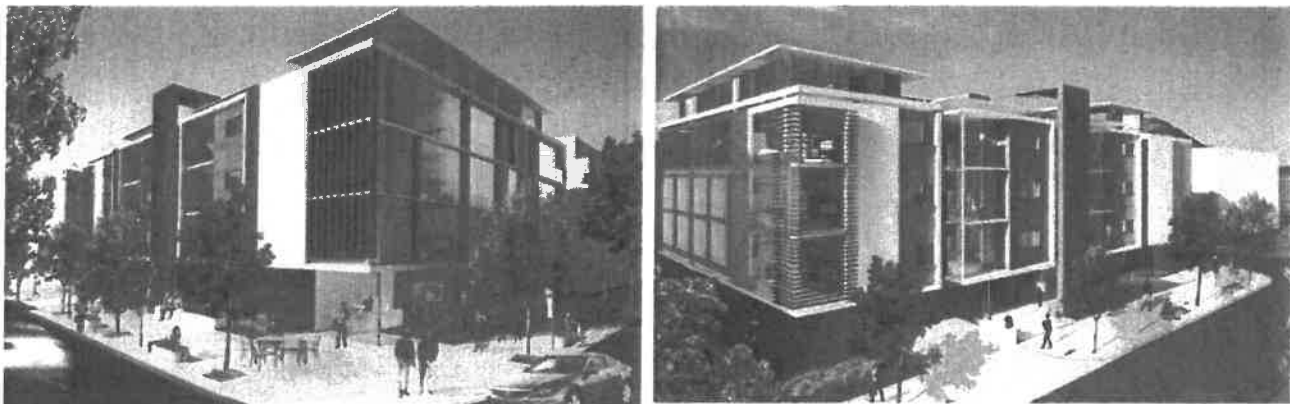
Figure 5: SG Diagram, Erf 184

### 3. Development Proposal

#### 3.1 Overview

The proposed development will entail the construction of a five-storey (plus basement) building, which will provide a total of 40 residential units ranging in size from 29m<sup>2</sup> (studio apartments), ±40m<sup>2</sup> (1-bedroom units) up to 58m<sup>2</sup> (2-bedroom unit). The ground floor of the building will include a small business (retail) area with a floor space of 73m<sup>2</sup>. A total of 60 vehicle parking bays will be provided in a secure and discrete parking area, as well as secure, lockable storage for at least 18 bicycles. It is also proposed to provide safe and secure parking on the ground floor, next to the proposal retail area.

In order to reduce the future maintenance cost of the proposed development, great emphasis will be placed on the type of building materials which would require less maintenance. This will help to reduce the monthly levies, thereby adding to the affordability of the units. Solar panels will be used to generate electricity for the communal areas which would also help to reduce maintenance cost. Where possibly (also with regards the type of plants used for landscaping) water saving mechanisms will be put in place to help reduce the water demand of the proposed development.



**Figure 6: Renderings of the Proposed Development**

#### 3.2 Proposed Retail Area:

As mentioned, Dennesig is developing at a rapid pace, and as indicated in Figure 2 above, many land use applications for new residential developments have been submitted to Stellenbosch Municipality in the past year. The majority of these applications seek to provide higher-density residential accommodation, which will be marketed predominantly towards students. Given the rapid rate of densification in the area, the municipality must critically consider the needs of incoming residents, beyond the provision of mere accommodation. Students, young professionals and families require services and convenience goods that are easily accessible, within their immediate neighbourhood. Basic convenience goods and services (such as milk, bread, a cup of coffee and laundry services) should not need to be attained through the use of a motorized vehicle. Rather, such conveniences should be made readily available within urban settlements that prioritise accessible, integrated and human-scale development.

It should therefore be the prerogative of Stellenbosch Municipality to approach the re-development and densification of the Dennesig community with the intention of encouraging controlled, mixed-use development, whereby residents have easy access to the basic goods and services that they need on a regular basis. This will ensure the sustainability, safety and integration of a new and emerging neighbourhood.

In this vein, the proposed development will feature a small retail area of 73m.<sup>2</sup> The intention of this space is to allow for a business that would directly cater to the everyday demands of urban residents within the immediate vicinity. The proposed business concept would be to create a lively retail space that would feature a small coffee shop, convenience store and self-service launderette, while offering co-working and private space for meetings, quiet study and socializing. It is proposed that tables and chairs would spill out on to the pavement in front of the building, activating the street front and sense of place on Dennesig Road, which is considered highly desirable and necessary. Concept images for the proposed retail area are seen below and attached as Annexure F.



*Figure 7: Concept Images for Retail Area*

### 3.3 Proposed Residential Units

Residential units would be provided on the first, second, third and fourth floor of the proposed building, all situated above the retail and parking areas. A total of **40 units** would be provided, as follows:

Type of Unit	Approximate Size	Number of Units
Studio	29m <sup>2</sup> – 31m <sup>2</sup>	8
1-Bedroom	41m <sup>2</sup> (plus private balconies)	8
2-Bedroom	57m <sup>2</sup> – 60m <sup>2</sup> (plus private balconies)	24

**Table 2: Proposed unit typologies**

As noted in the table above, the majority of units will consist of two-bedroom apartments, between 57m<sup>2</sup> and 60m<sup>2</sup>. This is an important feature that distinguishes this development from other developments proposed for the Dennesig area. Rather than developing a high number of tiny units that would only appeal to short-term residents (ie: students), this development acknowledges the need for truly livable accommodation, which would be desirable for a larger portion of the Stellenbosch population – including small families and professionals. The provision of a mix of units provides the basis for accommodation that has the potential to integrate diverse residents, rather than contributing towards the growing trend whereby students live in segregated neighbourhoods that are isolated from other residents of the Stellenbosch community.

### **3.4 Outdoor Space & Landscaping**

It should be further noted that the proposed development will create an integrated living environment, which values the creation of livable, green outdoor spaces that are appealing not only to residents of the proposed development, but which also contribute towards creating an aesthetically pleasing street interface.

In this regard, the current plans propose a space of approximately 295m<sup>2</sup> to be provided on the roof of the building, which will be made available to all residents for recreational and relaxation purposes, with sweeping views of the surrounding mountains. In addition, there are also plans for a lush, green courtyard on the ground floor, which will be thoroughly landscaped and visible to all units. Where possible, existing trees along Dennesig and Hofman street fronts will be reserved and additional trees will be planted during the building process. A portion of the Landscape Plan is indicated below, highlighting the rooftop terrace, internal courtyard space and surrounding mature trees that are planned for the development. The Full Landscape Plan is attached as Annexure G.

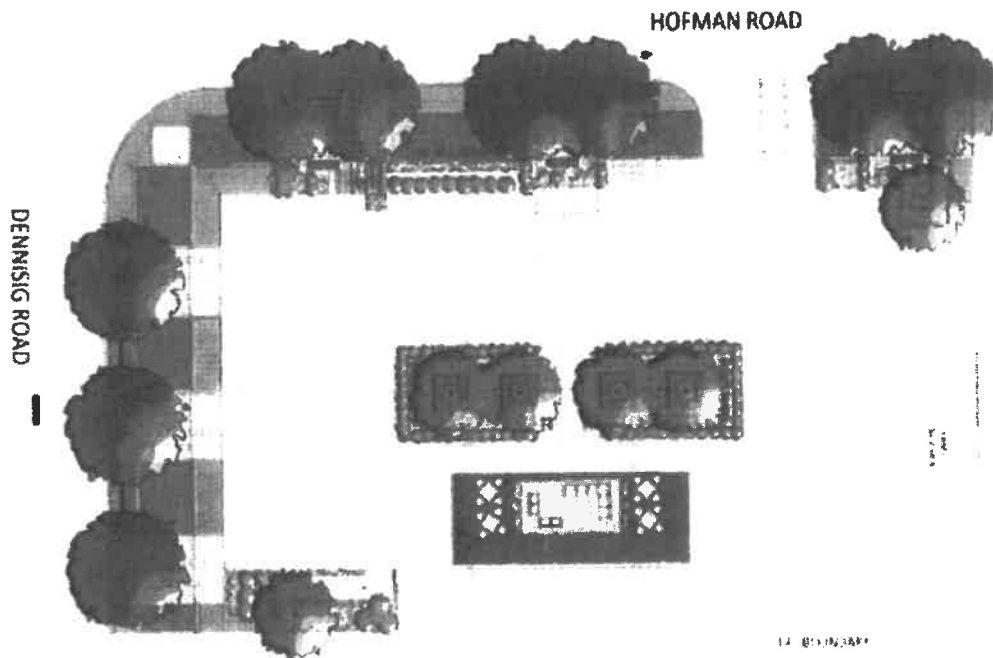


Figure 8: Proposed Landscape Plan for Erf 184

### 3.5 Vehicular Access, Parking and Traffic Impact

At present, access to Erf 184 is taken from multiple laneways on both Hofman and Dennesig Roads. For the purposes of this development, access to the site would be taken solely from Hofman Road, via a parking ramp of 6.25m in width, which is sufficient to accommodate vehicles entering and exiting the development simultaneously. A stacking distance sufficient to accommodate one vehicle entering the parking area will also be provided. Secure parking will be available on the ground floor, with additional parking to be provided on the basement level. Mirrors, signaling devices and/or access control doors will be required for vehicles navigating between the ground and basement floor parking areas.

No parking will be visible from the street and from the perspective of pedestrians passing in front of the building via both Hofman and Dennesig Road. Therefore, the provision of parking on the ground level will *not* detract from the development's capacity to contribute towards creating a sense of place and pedestrian safety on both streets. It should be noted that this development does not make provision for **any on-street parking**, and hence should not contribute towards clogging the streets with parked vehicles.

The current design would allow for a total of 60 vehicle parking bays (32 in the basement and 28 on the ground floor), as well as secure parking for at least 18 bicycles in the basement. Please note that as discussed and agreed with the Stellenbosch Municipality Traffic Engineers, 6 bicycle bays can substitute 1 vehicle bay. Collectively, the parking therefore equates to a total of 63 bays. A summary of parking provision is noted in the table below:

Parking Bays Required (i.t.o Stellenbosch Zoning Scheme)	Parking Bays Provided in Scheme
1.25 bays per unit under 30m <sup>2</sup> 8 units = <b>10 bays</b> required	Vehicle bays in basement: <b>32</b>
1.5 bays per unit over 30m <sup>2</sup> 32 units = <b>48 bays</b> required	Vehicle bays on ground floor: <b>28</b> (+2 tandem bays, not included in total)
1 bay per 25m <sup>2</sup> of Retail 73m <sup>2</sup> = <b>3 bays</b> required	Bicycle parking (6 bicycles = 1 vehicle bay): 18 bicycle bays = <b>3 vehicle bays</b>
<b>TOTAL BAYS REQUIRED: 61 bays</b>	<b>TOTAL BAYS PROVIDED: 63 bays</b>

Table 3: Proposed parking provisions

As per the table below, parking is currently over-supplied within the development by at least two vehicle bays, with an additional two tandem bays unaccounted for.

As part of this application, a thorough Traffic Impact Statement (TIS) has been prepared by *ICE Group Consulting Services*, and is attached as Annexure I. Upon completion of the traffic study, the consultants **recommended the application for approval**, and suggested the following points should be taken in to consideration:

1. An overall traffic study should be conducted for the subject area (enclosed by Merriman Avenue, R44, Molteno Road and Bird Street), taking into consideration the potential impact of the intended densification of the subject area, the probable changes in traffic patterns, as well as detail regarding the accommodation of pedestrians, public transport, traffic calming, access to the area, etc. It is further suggested that the cost of the said traffic study as well as any road upgrades, NMT- and Public Transport infrastructure, be off-set against development contributions payable by developments within the identified area. The study should also determine the estimated cost of the new infrastructure/upgrades required and whether the development contributions payable would cover the costs;
2. That to accommodate the background traffic, the following road upgrades are considered necessary:
  - a) R44/Merriman Avenue intersection: Additional dedicated right-turn lane on the southern R44 approach, additional dedicated left-turn lane on the Merriman Avenue-approach, and left-slip lane on the northern R44-approach (upgrades as per the Intersections Study compiled for Stellenbosch Municipality);
  - b) R44/Molteno Road: Dedicated right-turn lane on the southern R44-approach, as well as the provision of traffic signals;
3. That sidewalks be provided along the property boundaries abutting Hofman Street and Dennesig Street.

### 3.6 Engineering Services

As part of this application, a preliminary Civil Engineering Services Report has been prepared by *KLS Consulting Engineers*. The contents of this report are briefly summarized below, and the full report is attached as Annexure J.

#### *Storm Water Drainage:*

- There will be a slight increase in storm water discharge as a result of the development, since the new development would result in the increased impermeability of the site;
- There is an existing municipal underground stormwater pipe network inside the Hofman and Dennesig road reserves. An assessment of the capacity of this network must be commissioned to ensure that the existing network has sufficient capacity to adequately manage all stormwater run-off generated from the proposed development

#### *Sewage:*

- Annual average daily sewage yield would be 27m<sup>3</sup> per day; peak daily wet weather sewage yield would be 1.1 l/s
- Peak sewage flow would be approximately 0.605 l/sec.
- The capacity of the existing foul sewer network in Dennesig, as well as the Waste Water Treatment Work should be assessed in relation to this development.

#### *Water Reticulation:*

- The proposed internal water reticulation network will consist of a metered 110mm diameter uPVC Class 12 potable water connection onto the municipal water main and an internal building reticulation network.
- The estimated water demand from the development will be:
  - o Gross Annual Average Daily Demand : 30m<sup>3</sup> per day
  - o Instantaneous Peak Demand : 5.2 l/s
- There is an existing underground water main inside the Hofman/Dennesig road reserves. An assessment of the capacity of this network must be commissioned to ensure that the existing network has sufficient capacity for the increase water demand from the proposed development.
- The capacity of the existing municipal Water Treatment Works must also be addressed in the aforementioned assessment.

#### *Electrical*

- A minisub station exists in Boschem Park in Hofman Road, near the application site. The mini substation will need to be upgraded to accommodate the new Dennesig residential apartments.
- Stellenbosch municipality have confirmed that there is enough capacity on the network to accommodate this development at this stage in the area.
- A new LV cable will be installed from the minisub to the erf to supply the new development with power.

#### *Solid Waste:*

- The Developers have confirmed that they will hire a private company to deal with all solid waste created as a result of the development

- This will therefore solve any logistical issues associated with municipal refuse services.

**Overall:** The proposed scheme should be easily integrated into the existing network. More work should be done to understand the capacity of water and sewage networks in the area, and this should be further discussed with the municipality. See Annexure J for the full Services Report prepared for this application.

### 3.7 Summary of Development Proposal

In summary, the proposed development will entail a 40-unit, five-storey block of flats, with a 73m<sup>2</sup> residential area, and high-quality private and communal open spaces. A total of 63 parking bays will be provided, which will include a combination of vehicle and bicycle bays. The proposed development, in relation to the development rules mandated by the Specific Business zoning scheme regulations are indicated in the table below:

Land Use Parameter	Permitted Development for Specific Business	Proposed Development	Compliance
Land Use	Retail and Flats	Retail and Flats	Complies
Street Building Line (Dennesig Road)	0m Basement, Ground Floor (GF) 7.6m Floors 1 – 4	0m Basement, GF 1.7m Floors 1-4	Complies Departure required
Street Building Line (Hofman Road)	0m Basement, GF 7.6m Floors 1 – 4	0m Basement, GF 1.92m Floors 1-4	Complies Departure required
Common Boundary Building Line (adjacent to Erf 155)	0m Basement 3m GF 4.6m Floors 1 – 4	0m Basement 4.3m GF 4.6m Floors 1-4	Complies Complies Complies
Common Boundary BL (adjacent to Erf 4683)	0m Basement 3m GF 4.6m Floors 1 – 4	0m Basement 1.9m GF 1.9m Floor 1 2.7m Floors 2-4	Complies Departure required Departure required
Max Coverage	85% 1 132m <sup>2</sup> / GF business 50% Residential Floors 1-4	GF: 73.4% (978m <sup>2</sup> ) Floor 1: 60.6% (808m <sup>2</sup> ) Floor 2: 59.4% (792m <sup>2</sup> ) Floor 3: 59.4% (792m <sup>2</sup> ) Floor 4: 43.5% (580m <sup>2</sup> )	Complies Departure required Departure required Departure required Complies
Max Height	3 Storeys (+1 more if 75% parking contained on a floor other than basement)	5 Storeys	Departure required
Floor Area (Bulk)	None provided	1.67 (2222m <sup>2</sup> )	Complies
Communal Outdoor Space (for General Residential)	25% (333m <sup>2</sup> )	22.2% (295m <sup>2</sup> )	Departure required
Units		8 < 30m <sup>2</sup>	-
		32 > 30m <sup>2</sup>	-
Parking Required	61	63 (including 50 vehicle bays, 24 bicycles)	Complies

Table 4: Compliance of proposed development with land use parameters

## 4. Policy Alignment

### 4.1 Overview

The proposed development is well-aligned with the current policy environment, both from a macro perspective of South Africa as a whole (in terms of SPLUMA); as well as from a local perspective, in terms of the most recent Stellenbosch Municipality Spatial Development Framework (MSDF), Integrated Development Plan (IDP), and a recent heritage report, which takes account of key heritage resources throughout the municipality.

### 4.2 Spatial Planning and Land Use Management Act (SPLUMA) 2013

SPLUMA is a framework planning policy that outlines five core principles that must be considered in land-use decisions within all levels of governance in South Africa. These principles are presented below, with a rationale of how each principle relates to the application:

#### Principle of Spatial Justice:

The principle of *spatial justice* generally refers to ensuring that land is made fairly available to those who need it, within well-integrated urban areas. The outlined development is in line with this principle, as it proposes to offer a diverse array of flats that will provide viable and livable long-term accommodation to young professionals and small families in an area of town that is easily accessible to a wide array of urban conveniences and social services for residents of middle-income backgrounds. Since most development in central Stellenbosch has catered specifically towards students, the provision of larger, two-bedroom flats will help towards alleviating an urgent backlog of accessible, middle-income housing for families and young professionals.

#### Principle of Spatial Sustainability

The principle of spatial sustainability refers to town planning that is cognizant of the need to use land in a way that is environmentally, economically and socially responsible. For instance, spatial sustainability would prioritise land-use decisions that allow humans to live closer to work, to minimize traffic congestion and allow for denser, more efficient settlements. This proposed development is well-aligned with this principle, since it proposes the development of high-density flats in a central area of town, which facilitates the use of non-motorised transportation and is within close proximity to work, study and recreational opportunities. In addition, by adding a retail space that will feature the sale of convenience goods and services (coffee, milk, laundry services, etc.), the intention is to lessen the need for residents to unnecessarily use motorized vehicles for attaining these services, hence decreasing the amount of traffic generated within the community.

#### Principle of Spatial Resilience

This principle refers to land use decisions that allow human beings to be less susceptible to the negative effects of external factors, such as natural disasters (flooding, fires, climate change, etc.), which would impact their health and livelihood. It should be noted that this development is a brownfield development in an area of town that has already been urbanized. Thus, through this development, there will be no negative impact on

vulnerable agricultural and/or natural areas; nor would there be any additional risk to the resilience of human residents in the area.

#### **Principle of Efficiency:**

The efficiency principle refers to land-use decisions that seek to make use of existing infrastructures, in order to avoid the high development costs of installing new infrastructure associated with greenfield development. Again, this development is a brownfield site, that will make use of existing urban infrastructure. While this infrastructure may need to be upgraded slightly to accommodate the increased residential density of the area, these costs will be minimal compared to development in a non-urban area.

#### **Principle of Good Administration**

Finally, the principle of good administration refers to land use decisions that are well-planned, timely and based on sound planning principles. This proposal is very much in-line with the municipality's existing densification policies. It will promote a healthy, safe, integrated and livable urban community; and presents an aesthetically-pleasing public-street interface that complements existing land uses. Hence, the approval of this application would be in the best interest of Stellenbosch Municipality as a whole.

### **4.3 Stellenbosch Integrated Development Plan (IDP) 2017**

The current Stellenbosch IDP, approved in May 2017 (and updated in May 2018), provides the detailed development plans for the entire municipality, over the short term (2017 – 2022) and long term; as well as reviewing some of the challenges and opportunities experienced by the municipality. The IDP has also informed the municipality's recent Spatial Development Framework (2018).

Overall, the IDP prioritises the densification of existing urban areas, by "focusing development in low-density areas, infill, and brownfield land before considering greenfield sites." Given the low-density nature of the current Dennesig community, in combination with its ideal location in close proximity to the Town Centre, the area is well-aligned with the IDP strategy of densifying brownfield sites. Similarly, the IDP prioritises the objective of "Car Free Living" which refers to strategies that encourage more sustainable modes of travel such as public transportation, non-motorised transportation and other mechanisms to increase the number of passengers per vehicle. In order for such a strategy to be attained, the municipality must allow for the densification of areas of town that are easily accessible by pedestrians and cyclists, such as the Dennesig area. The IDP further acknowledges that traffic congestion and gridlock is a significant challenge in Stellenbosch; and hence, providing accessible accommodation and retail options in close proximity to areas of work and study is an important opportunity for reducing the need for residents to commute to town by motorised vehicle.

At a localized level, the IDP specifically identified the Dennesig area as a "primary densification and development intensification area for the establishment of blocks of flats [...] with heights of up to 6 storeys subject to certain performance criteria" (Page 64, Chapter 6).

With these points considered, the outlined development is well-aligned to the municipality's plan for increased densification and car-free living in centrally located urban areas.

#### 4.4 Stellenbosch Municipal Spatial Development Framework (MSDF) 2018

Stellenbosch Municipality recently completed a new MSDF, that will be used to guide land use decisions in both the short and long term. This document conceptualizes seven core principles, that should be considered in building a town that is spatially integrated, safe, cognizant of its history and economically sustainable. These principles are outlined below, in relation to the current application:

##### 1) Interconnected Nodes

This principle suggests that development should occur in densified urban "nodes," in order to prevent urban sprawl, and maintain local character. This application would allow for the re-development of an *existing* urban area, with the intention of aligning the Dennesig area towards better meeting the needs of residents for middle-income housing in the area.

##### 2) Car-Free Living

As explained elsewhere, this application seeks to promote car-free living in a central area of town, particularly through the provision of at least 18 secure cycling bays, which will encourage more environmentally friendly forms of transportation. The intention is to reduce traffic congestion in the Town Centre by providing housing that the middle-class (and particularly families) can afford, in close proximity to work and study destinations. This development seeks to facilitate healthy, active living and a cleaner environment.

##### 3) Inclusive Economic Growth

This principle identifies the need to allow groups of diverse financial backgrounds to live in close proximity to economic opportunities. At present, many of the existing flats within a 200-meter radius of Stellenbosch University are selling for upwards of R60,000 per square meter. The intention of this development is to cater to young professionals, families and students of a lower-income bracket; which will expand opportunities for a wider demographic of residents to live within walking and cycling-distance from study and work opportunities in the Town Centre, hence contributing to more inclusive economic opportunities, which will not specifically cater to high-income car owners.

##### 4) Optimal Land Use

This principle acknowledges that there is a shortage of at least 20,000 housing units in Stellenbosch, and that in order to fill this gap (while maintaining the rural-historical character of Stellenbosch), urban infill and brownfield development is essential. Hence, the proposed development is well positioned to align with this principle.

##### 5) Resource Custodianship

This principle acknowledges that shared resources (such as water, electricity, and other infrastructures) are expensive to build and maintain, and often result in negative effects to the environment. New development should therefore strive to offset environmental damage and infrastructural costs, by promoting environmentally-friendly building mechanisms and infrastructures.

It should be noted that the developer is willing to provide such infrastructures on the development, through further discussion with the municipality.

#### 6) Food & Agriculture

This principle is cognizant of the economic and cultural importance of high-value agricultural land in and around Stellenbosch. It should be noted that this development will result in no destruction of agricultural land and indeed, will likely contribute to its preservation by ensuring that demand for housing is achieved through urban-infill development, rather than greenfield development.

#### 7) Heritage

The Heritage principle recognises that the appeal of Stellenbosch largely stems from its well-preserved and distinct architectural and agricultural heritage, including scenic landscapes. It strives for the protection of key heritage resources and areas, particularly along scenic routes and in the historic urban core. It should be noted that Dennesig is an older suburb, but, despite the age of the existing building (approximately 70-years old), is it not considered historically significant according to the Stellenbosch Heritage Foundation..

#### 4.5 Stellenbosch Municipality Heritage Survey (2018)

A heritage report was undertaken by *Cape Winelands Professional Practices In Association*, and was completed in May 2018. The report is comprised of three phases, and aims to take stock of all heritage resources in Stellenbosch, to understand their contribution, and to develop maps and guidelines for their conservation. Ultimately, the report should be used to assist the Municipality with becoming compliant with the requirements of the National Heritage Act (25 of 1999).

Along with acknowledging the historical importance of physical structures in the town, the report also acknowledges culturally-significant landscapes and streetscapes. The "historical core," of Stellenbosch is identified and mapped as part of the project, and a survey undertaken to map and codify all important heritage resources within the municipality.

It should be noted that the Dennesig community is not acknowledged to be historically or aesthetically significant within this report, and the report does not outline any heritage requirements for developing the area.

## 5. Motivation

This following section highlights the need and desirability of the proposed development, while also providing a detailed motivation for each component of the application, by considering the proposal against the policies set out in Section 4 above.

### 5.1 Need and desirability

As identified in the 2018 IDP, there is a housing backlog of at least 20,000 residential units (specifically middle and low-income housing) that Stellenbosch Municipality must strive to overcome. According to Urban Econ's Student Accommodation Housing Demand Study, as quoted in the Status Quo document of the Draft SDF, there is a demand for almost 4 200 student accommodation units (requiring 47ha of land), 3 515 affordable housing units (requiring 56ha of land) and 1 850 middle- high income units (requiring 65ha of land). In the coming years, it is likely that this demand will only continue to rise. ). It is therefore, very clear from these figures that densification, by allowing a considerable increase in development opportunities within the urban edge, is the only way to address, even partially, these housing requirements.

At present, there has been a significant trend, specifically in Die Weides, towards the construction of three-or-four-story apartment blocks within 300-meter of the central university campus. It should also be noted that due to its location in relation to the university, the target market for developments in Die Weides is exclusively aimed at students. Also, many of the developments in Die Weides are boarding houses also targeted at and available only to students. Given the proximity of these flats and the demand for accessible accommodation, many of these units are selling for upwards of R60,000 per square meter; or at a monthly rental rate for more than R8,500 per room. This high cost is simply unaffordable to the vast majority of students and young professionals and hence, many young people make the choice to commute (by car) to town, while living either at home or within more-affordable towns around Stellenbosch. The results, as we regularly see, are grid-locked highways and neighborhood streets blocked due to heavy congestion during peak hours.

In contrast to Die Weides, the location of the application site, falling within the Dennesig suburb within walking distance (1km) from **both campus and town**, makes this site ideally located to provide for both students and young professionals/small families. Also, the initial land value of the erven is considered slightly less than that in Die Weides, which, together with the possible allowance of increased bulk, height and coverage, will help private developers to provide accommodation for the more affordable market (not only students). This is confirmed by the selling price of The Den development (under construction) which currently sells at approximately 30% less than the current selling price in Die Weides. This selling price is partly achieved by the lower land costs and the increased development potential of the sites. By not allowing for a considerable increase in development potential, the selling prices of the units will increase again, making it unaffordable to young professionals and small families. It is therefore critical, that as approved in the IDP, higher density development should be allowed in this area.

This proposed development will allow for the addition of 40 residential units (24 of which consist of two-bedroom units) towards the alleviation of the housing backlog in Stellenbosch. The proposed development will be aimed at families, professionals and students who need accessible housing in a well-located area of town. During a pre-application meeting with the municipality, a concern was raised regarding the longer-term safety of the Dennesig community, if it becomes a purely residential neighbourhood geared towards student accommodation. The fear is that the community becomes a target for crime during the four months of the year in which students are absent. This development is unique because unlike many of the other proposals recently been submitted for the area, this application proposes mixed-use development and larger-size residential units, which will attract residents beyond students, with the hope of contributing towards safer, more sustainable and more inclusive urban communities.

Moreover, through the provision of high-quality communal space and substantial provision for the storage of bicycles, this development seeks to achieve a high-quality, human-friendly and budget-conscious alternative for a diversity of residents.

## **5.2 Precedent in the Area**

As indicated in Section 2.3 above, a strong precedent for this type of development has already been established, with various 5-6-storey residential building proposed within the area, including the recent municipal approval of 'The Den' development on Dennesig Road.

In addition, this is one of the main urban areas targeted within the approved IDP to allow for higher-density developments, up to 6- storeys. It is therefore motivated that the proposed development will not be out of character to that of the surrounding area and it will comply with municipal policies in relation to the Dennesig area. Furthermore, this application will go further, to enhance the existing precedent, through the provision of a small, local convenience-retail outlet.

## **5.3 Impact on Surrounding Land Owners**

As mentioned, the majority of properties surrounding the application site have been earmarked for higher-density residential development, of similar scale to that proposed in this application. While the proposed development may impact surrounding land owners by way of increased traffic in and out of the area, it is motivated that this traffic will be mostly minimal, since the majority of residents will likely be young professionals and students who will find that it is easier to walk or cycle, and (if available) use public transport, rather than search out and pay for the notoriously scarce parking opportunities available on campus and throughout town. It is considered that the application will not produce any substantial negative effects to any surrounding properties.

From a safety perspective, it is clear from the high safety and barbed wire fences around the many of the properties in the Dennesig area that the area is experiencing a lack of safety. It is not considered that the proposed development will add to this, it is in fact argued that the proposed development will increase the level

of safety in the area by contributing to the provision and/or upgrade of safety controls and designated pedestrian and cycle lanes as discussed with the Stellenbosch Municipality. It is also considered that the proposed high standard development which includes for considerable landscaping along the street edges will enhance and contribute to creating an aesthetically pleasing street scape to the benefit of the existing and future developments in the area.

#### 5.4 Title Deed Conditions

A professional Conveyancer was appointed to review current and historic title deeds for Erf 184 (See Conveyancer Certificate and Title Deeds, attached as Annexure C). It should be noted that **no restrictive title deed conditions were identified** that were deemed to be of relevance to this application.

#### 5.5 Re-zoning from Single Residential to Specific Business

The proposed development and densification of the sites (including 40 residential units and retail area) cannot be accommodated under the existing Single Residential zoning, which only allows for low-density, single-dwelling land uses. It is therefore motivated that a zoning change is necessary to permit the intended development.

While the zoning category of 'General Business' would allow the developers to exercise their intention to develop flats and retail, during a pre-application meeting with Robert Fooy, it was highlighted that if the property were re-zoned to General Business, it would allow virtually any variety of business to use the proposed retail area on the ground floor. Given that one of the priorities of the Planning Department is to contribute towards principles such as spatial sustainability while creating well-integrated urban environments, it is considered that it would *not* be beneficial to allow for business such as offices or consultancies to use the intended business space. Instead, the space should be used *specifically to accommodate the everyday convenience needs of residents solely living in the surrounding community*. For this reason, it was agreed that it would be reasonable to apply for re-zoning to *specific business*, with the condition that business activities would be restricted to convenience retail purposes only. This is highly agreeable to the current developers as they seek to contribute towards the increased livability and accessibility of a new-and-upcoming diverse residential neighbourhood, through the provision a small retail area that will accommodate the needs of residents living nearby. Given that the proposed retail area would not be a "destination," but rather a convenience establishment, no external parking has been provided for customers, although three spaces have been reserved in the internal parking area. Nonetheless, it is envisioned that there will be few customers who would be accessing the proposed business by way of motorized vehicle. Rather, effort has been made to ensure that the shop is easily visible from the street (by making use of the 0m street building line for Business zones along Dennesig Road, for the shop front), and through the provision of a visible, outdoor bicycle rack, which will encourage customers to make use of cycling while visiting the retail area. Outside of university semesters (when it is proposed that many student residents of the Dennesig community may leave town), it is envisioned that the retail area (and specifically café services) would be appealing to the substantial cycling in fraternity in Stellenbosch, as a gathering place for coffee and light breakfast.

## 5.6 Building Line Departures

In order to accommodate the proposed development, the following building line relaxations are required:

- Dennesig Road building line from **7.6m to 1.7m** on Floors 1 – 4 to, in order to accommodate the main building and private balconies;
- Hofman Road building line from **7.6m to 1.9m** on Floors 1 –4, in order to accommodate the main building;
- Common boundary building line (adjacent to Erf 4683) from **3m to 1.9m** on the ground floor to accommodate the staircases, **4.6m to 1.9m** on the first floor to accommodate the balconies and the staircases and **4.6m to 2.7m** on Floors 2 –4 to accommodate a portion of the main building, external balconies and stairwells.

Street BL (Dennesig Rd)	7.6m Floors 1 – 4	1.7m Floors 1-4	Departure required
Street BL (Hofman Rd)	7.6m Floors 1 – 4	1.9m Floors 1-4	Departure required
Common Boundary BL (adjacent to Erf 4683)	3m GF	1.9m GF	Departure required
	4.6m Floors 1 – 4	1.9m Floor 1	Departure required
		2.7m Floors 2-4	

Table 3: Proposed building line departures

It should be noted that in terms of the Stellenbosch Zoning Scheme, it is specified that the "Specific Business Zone," should apply the same development rules associated with the General Business Category. General Business zoning, in turn, has different development rules in place depending on the nature of the intended building. In cases where businesses and flats are combined in to a single building (with flats above the business area), there is a change in prescribed building lines associated with the different floors of the building, depending on their intended usage.

For instance, the portion of a building containing shops, offices, etc. is allowed 0m building lines in all directions, unless the building backs on to a residential erf, in which case the building lines should be 3m. For flats above businesses, the building lines should be the same as those prescribed for General Residential buildings (ie: 7.6m street and 4.6m common boundary building lines). In the case of basement storeys, all building lines can be 0m.

This application is applying for departures on three sides of the building, including both street boundaries (for the residential portions of the building) and the common boundary adjacent to Erf 4683, for all floors other than the basement.

Regarding the departures to the street boundaries for the residential portions of the building, it should be noted that the prescribed street building lines for GR even of this size is 7.6m. Given the size of the erf (1 332m<sup>2</sup>) and the fact that it is located on a corner plot between two streets, a 7.6m setback for residential floors 1-4 would effectively result in only 40% of the site being available for development, and based on this design would warrant this project entirely non-viable and/or would prevent the developers from creating the type of larger, modern flats that would be necessary to attract families and professionals to the area. It is also considered

that compliance with these setback lines would result in parking being provided between the building and the street boundary which would have a determinantal effect on the street scape. By complying with the required setback lines, densification to the extend as proposed by the IDP would also not be achievable and the site would not be able to be developed to its full potential.

Of particular note is the proximity of the building to the street, being pushed as close to the street boundary as possible, which will result in the building forming the edge of the development. This means that there is no need for a wall or a security fence around the proposed development. As can be seen from the elevation drawings, access to the building will be set back from the street, however no fence or wall is proposed, this will enhance the interaction between the building and street and add to active and passive observation to the benefit of all future occupants of the units. This adds to the overall urban design principle of place making and enhancing the streets scape and improving. This is extremely rare in the context of Stellenbosch. Architecturally creative ways of building secure living environments, while facilitating passive 'eyes-on-the-street' surveillance and maintaining an active street front should be thoroughly encouraged from a design perspective.

It is also considered that the proposed setback from the street (1.94m along Hofman, 1.7m along Dennesig), and that the look-and-feel of the building has been designed in such a way that the building is visually dynamic, with layers of movement and interest in the form of balconies, large windows, decorative steel projections and greenery along Hofman Road. All of these features will soften the building, such that it will not feel out of scale with the surrounding environment but will rather add a sense of place to the neighborhood.

Regarding the application for the common boundary building line encroachment that would back on to Erf 4683, it should be noted that the main building will be situated approximately 3.5m from the erf boundary, the majority of the encroachments would be to accommodate rear balconies (2.796m from the property line) and staircases.

It is not considered that any of the above building line departures will result in the building appearing overbearing, out of character (if once considers the applications for the proposed developments around this proposed development) or visually intrusive, nor will it result in the loss of privacy of overlooking to the extend to warrant refusal. It is argued that the proposed building line departures will add to the sense of place and formation of an aesthetically pleasing active street front.

## 5.7 Additional Departures

Along with the above building-line departures, additional permanent departures are applied for in order to achieve the maximum development potential of the site, in line with the municipal policies which promote densification in this area and to ensure that the building fit in to the planned future street scape. The following **permanent departures** are applied for:

- The relaxation of **coverage**, to allow for  $\pm 61\%$  (808m<sup>2</sup>) on Floors 1 - 3, in lieu of 50% (666m<sup>2</sup>)
- The relaxation of **height** restrictions to allow for five-storeys;
- A departure to allow for the provision of  $\pm 22\%$  area of communal open space, in lieu of 25%

### 5.7.1 Coverage and Height

As set out under Section 4.4 above, the current Stellenbosch SDF sets out specific principles to guide development to achieve the creation of vibrant, livable and sustainable communities. It is considered that the current zoning scheme, approved in 1996, more than 20 years ago, is outdated and does not respond to or promote the development of sustainable communities through densification. Densification is one of the main land use tools to promote sustainable use of resources (land, services, public transport, etc.). As outlined in the approved SDF and IDP, it is clear that the municipality acknowledges the dire need for densification, especially in areas such as Dennesig within close proximity to the town center, the University and public transport nodes. The IDP specifically identified the Dennesig area, between Paul Kruger, Dennesig, Merriman and Bird Streets, as a primary densification and development intensification area. This can only be achieved if property owners are allowed to depart from the existing zoning parameters which restrict coverage, floor factor and height.

In terms of the zoning scheme, height is defined as 4m per storey, thus, in terms of the allowable number of 4 storeys, a building height of 16m would be allowed under the Specific Business zone. Though it is proposed to have a 5 storey building, it should be noted that the total building height is 16m, which in effect means that it is within the allowable height. It is therefore considered that the proposed height is not excessive to that which would normally be allowed under this zoning category. It should also be noted that the proposed 4<sup>th</sup> floor (5<sup>th</sup> storey) will be set back considerably from Hofman road which will help to reduce the potential visual impact.

Given the municipality's recent approval of *The Den*, as well as the existing 4-storey blocks of flats along Dennesig Road, it is considered that the precedent for this type of development in the area has been established. Nonetheless, given the requested increase in coverage, and height of the proposed development, it should be noted that great effort has been made to ensure that the building is aesthetically pleasing; both in terms of public interface from the street, as well as for residents of the development.

It is further considered that the proposed development, being a brownfields development, will result in the optimal redevelopment of the application site, in line with municipal policies. The proposed development will contribute to the creation of a sustainable neighborhood in that it is situated close to existing and proposed transport nodes, it is within walking distance to surrounding amenities and optimizes the use of infrastructure.

From discussions with the municipal officials and other developers in the area, it is understood that the proposed buildings adjacent and opposite this proposed development will have between 5 – 6 storey buildings. This proposed building, being situated on a corner erf, the last remaining erf on the block forms a very prominent focus point along Dennesig and Hofman roads and it is therefore imperative that it ties in with the massing and scale with the proposed adjoining buildings. It is motivated that the proposed building has taken cognizance of this and responds to what is understood to be the proposals for the adjoining properties.

### 5.7.2 Parking:

As per discussions with the municipality, they have agreed to allow vehicle parking bays to be substituted by bicycle bays. As per the zoning scheme requirements, the proposed development needs to allow for 61 vehicle parking. Provision has been made for 60 vehicle bays and 18 bicycle bays, which equates to a total of 63 bays which is more than the required 60. This does not include the two additional tandem bays which have been provided or the 6 bicycle bays provided along Hofman road at the retail component.

Given the centrality of the development, it will be easy for residents to walk, cycle or take the train to most areas of Central Stellenbosch and surrounds. The development is particularly well-located for walking to the town center, Stellenbosch University, Boland College, and the proposed future car-pooling on the R44. It is strongly motivated that the parking departure and the provision of safe and secure parking for non-motorised vehicles will in effect motivate the occupants of the flats, which will be located within 1km from town and campus, to make better use of public and non-motorized transport which will increase the safety in the area by passive and active observation. It should be noted that from discussions with agents from Stellies Student Stay, who is the letting agent for more than 16 blocks of student accommodation units, there has been and is a considerable decline in the uptake of parking bays for this and next year. Plumbago flats, situated in Paul Kruger road, has quite a number of excess parking bays which has not been rented out, even though the block was fully let in 2018 and currently 99% let for 2019.

In the 2018 MSDF, the vision of "Car-Free Transport" is proposed. In order to achieve this vision, a shift in planning policies and priorities is needed in order to drastically transform public mindset and create operational viability for alternatives to individual motorised vehicles. For instance, as part of a car-free vision, the SDF outlines a number of sub-principles, that decision makers must take in to account:

- Settlement form should lessen rather than increase the demand for private motor vehicle travel.
- The primary measure of access is appropriate walking distance. At least 50% of activities found within the urban area (e.g. employment, shopping, public transport, social & recreational) should be within 1km of where people live
- Development approvals should be guided by the need to achieve the settlement densities needed to make the public transport system financially and operationally viable.

It is motivated that the total number of residential units planned for the combined Dennisig area, including this proposed development, will create the required demand to support and sustain public transport initiatives. It is therefore imperative that this vision should be considered when ruling on the parking departure applied for, which, we believe should be supported in compliance with the municipality's own SDF principles to establish a car-free central Stellenbosch.

Based on the above, and the fact that ample bicycle parking is provided, it is argued that more than the required parking is provided and the formal application is just a technicality to comply with the 1996 zoning scheme.

## 6. Conclusion

From Section 5 above, it is clear that the proposed development should be supported based on the following summary of the main motivations:

- The proposed development complies with the National, Provincial and Local policy landscape, which all promote urban densification; particularly in centrally located areas such as Dennesig;
- The Stellenbosch IDP specifically identified Dennesig as a primary densification and development intensification area for the establishment of blocks of flats up to 6 storeys;
- The proposed departures will not have a significant impact on adjoining or surrounding properties with regards to the loss of privacy to the effect to warrant refusal;
- The proposed departures will not result in a visually intrusive building, but will rather allow for a lively street interface and increased security through passive surveillance of the street;
- The proposed building was designed in such a way to contribute to the visual character of the area by being of a high architectural standard, through the visually diverse cladding and greenspace on the façade of the structure;
- The proposal will contribute towards mixed-use development, enliven Dennesig Street and contribute to efficient urban design by offering convenience retail and services to local residents, including an outdoor patio area;
- The development seeks to re-establish the urban design principle of creating safe urban spaces through active street frontages, whereby buildings are pushed towards the street boundaries and parking is shielded from the street scape;
- No fencing along either Dennesig or Hofman roads will be constructed as part of the development;
- The intended development is not restricted by any title deed conditions;
- The intended development will oversupply parking bays, including secure, internal parking bays for at least 18 bicycles.
- The intended development will provide sizable flats that can accommodate families and young professionals in the long term, (rather than dormitory-style housing, which has been popular throughout Stellenbosch); and assist in alleviating the housing backlog throughout Stellenbosch.

In light of the above information, Council is respectfully requested to favorably consider the application for the following in terms of the Stellenbosch Municipality Land Use By-Law to allow for the following on Erf 184, Stellenbosch:

- i) Rezoning from **Single Residential** to **Specific Business Zone**, in terms of the Stellenbosch Zoning Scheme.
- ii) **Building line departures** as follows:
  - Street building line (Dennesig Road) of 1.7m in lieu of 7.6m on Floors 1 – 4;
  - Street building line (Hofman Road) of 1.9m in lieu of 7.6m on Floors 1 – 4; Hofman Road

- Common boundary building line (adjacent to Erf 4683) of 1.9m in lieu of 3m on the ground floor to accommodate the staircases, 1.9m in lieu of 4.6m on the first floor to accommodate the balconies and the staircases and 2.7m in lieu of 4.6m on Floors 2 -4.

iii) **Permanent Departures** as follows:

- The relaxation of **coverage**, to allow for  $\pm 61\%$  (808m<sup>2</sup>) on Floors 1 - 3, in lieu of 50% (666m<sup>2</sup>)
- The relaxation of **height** restrictions to allow for five-storeys;
- A departure to allow for the provision of  $\pm 22\%$  area of communal open space, in lieu of 25%
- To allow for 60 vehicle parking bays in lieu of 61 (these parking bays are to be substituted by the provision of 6 bicycle bays per 1 vehicle bay)

iv) **Approval of the Site Development Plan**

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Report compiled by:

Rebecca Hillyer and Marike Bolz (Pr. Plan A/060/2008)  
for Arch Town Planners (Pty) Ltd

## **ANNEXURE E**

## SWORN AFFIDAVIT

I, the undersigned [Full Name (s) and Surname]: Marite Balz

Identity Number: 7912090069088

in my capacity as (owner or authorised person through power of attorney): Authorised Person

do hereby declare under oath that:

1. The application for:

Rezoning

on Erf/ Farm Number: 184 Stellenbosch

Was advertised in at least two of the official languages of the Province in the following newspaper(s):

(a) Creke Stodnuss (b) \_\_\_\_\_

From 5 March 2019 to 5 April 2019

2. The public notices were prominently displayed and maintained in a legible condition for a continuous period of thirty (30) days from the date of the advertisement as indicated in Section (2) above<sup>i</sup>;
3. A notice containing the requirements as set out in the Stellenbosch Land Use Planning By-Law (2015), was posted per registered mail<sup>iii</sup> to all adjoining property owners/occupants/ interested and affected parties, during the same date of the advertising period as specified in Section (2) above;
4. Furthermore, a notice of the application was sent to the relevant Intergovernmental State Departments, per registered mail<sup>iv</sup>, commencing the same date as in Section (2) above with an additional 30 days (minimum 60 days) for comment;
5. That all comments and objections to the application concerned were forwarded to Stellenbosch Municipality as contemplated in sections 1 – 4 above.

The Deponent acknowledges that he / she knows and understands the contents of this Affidavit.

Signature: [Signature]

Signed at Stellenbosch

On this 10 day of April 2019

At: \_\_\_\_\_

Certify that this document is a true copy and likeness of the original  
Commissioner of Oaths Stamp and Signatures, the original has not been altered in any manner.

SIGNATURE

Mark Anthony O'Malley

FULL NAMES

Commissioner of Oaths  
Designation: CERTIFIED FINANCIAL PLANNER<sup>2</sup> ex officio: Republic of South Africa  
: ADVOCATE of the High Court of South Africa

Date: 10 / 04 / 2019

Place: Stellenbosch

Business address: 2<sup>nd</sup> Floor, Great Westerdord, Main Rd, Stellenbosch, 7700

<sup>i</sup> Must conform to Section 47 of the Stellenbosch Municipality Land Use Planning By-law (2015) [THE BY-LAW]— attach copy of advert (s)

<sup>ii</sup> Site Displays must conform to Section 48 (2)(a) of the By-law – attach photos

<sup>iii</sup> Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law

<sup>iv</sup> Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law



Participation in the ride were (from left) Ariane Lüthi, Darren Wenn, Dyaan September, Tenichia Malgas, Ziano-Dean Anthony, Anna Brom, Jowaine Bernardus, Fa-ez Abrahams and Joan Plek. All the learners are from the Simonsig aftercare school.

## Anna Foundation rides with cycling hero Ariane Lüthi

On Monday afternoon, five young Anna Foundation cyclists met their hero, Ariane Lüthi, and had the opportunity of riding the G-Spot trail with her.

"They embraced the rollers, berms and even had no fear of tackling jumps!" said Ariane.

The Swiss superstar is a multiple winner of the most gruelling mountain bike stage races in the world, including the ABSA Cape Epic, the Cape Pioneer Trek and the Swiss Epic.

She said: "Unfortunately, mountain biking is still not accessible to all. I very much wish to see this change in the next few years. Much like my sponsor, I support any initiative that

drives that change in South Africa. Although the Anna Foundation does much more than that, the non-profit organisation also gives underprivileged kids access to bikes and brings them the joy of playing around on them. Today is all about that."

Anna Brom, founder and director of the Stellenbosch-based NPO, added that: "This opportunity with Ariane Lüthi is all about inspiring our youth through sharing a passion and love for cycling and the outdoors. Positive role models such as Ariane go a long way in motivating these children to follow their own dreams and believe in their own abilities."

## Pink Ball Cricket comes to Paul Roos

The inaugural Paul Roos Gymnasium 100 Ball Premier League cricket tournament will take place over three days from today, Thursday 28 February, to Saturday 2 March at the PRG Oval and Markotter grounds in Stellenbosch.

Eight teams of 11 a side (16-boy squad) will take part in a round robin format with each match consisting of two 100-ball innings (20 x 5 ball overs per side). The tournament has been designed with inclusivity in mind and each team will be captained by a Grade 12 pupil with the remainder of the squad featuring boys from all age groups selected by the cricket teaching staff.

Matches will be fast-paced, played with a pink ball and teams will be kitted out in vibrant colours. Marquee players, rolling subs, free hits, power overs will all add to the excitement of this new form of cricket... and you saw it first at PRG!

The Doornbosch Daredevils, Roos Ramme and Krige Knight Riders are a few of the teams lining up to battle it out in the final, taking place at The PRG Oval at 14:30 on Saturday 2 March.

PRG head boy, Chris Albertyn, is looking forward to captaining the Roosenbosch Strikers: "The Paul Roos 100 Ball Premier League 2019 is a massive opportunity for the Paul Roos cricketers taking part and it's an event we are all looking forward to. Not only does it give the boys an opportunity to get to know one another - building relationships between all age groups, it is also a chance for us to develop new skills, which can help improve Paul Roos's cricket as well as the players' personal game. I think it



Francis Joubert will play for the Stellenbosch Scorpions.

is a great initiative and hopefully it will continue in the future and take Paul Roos cricket to new heights."

Dates & timings are:

Thursday 28 February @ 14:30 group matches x 3 (Markotter & Oval)

Friday 1 March @ 13:30 group matches x 3 (Markotter & Oval)

Saturday 2 March

Markotter

09:00 - 11:00 Group Matches x 2

11:30 - 13:30 Group Matches x 2

Oval

09:30 - 11:30 Group Match

12:00 - 14:00 Group Match

14:30 - 16:30 FINAL & Prize-giving

There will be a festival feel to the final day of the tournament at the PRG Oval with music, food and beverage vendors, golf and cricket competitions. Entry is free to all.

The event will raise funds for the development of cricket at PRG.

### NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA

APPLICATION FOR REZONING, VARIOUS DEPARTURES AND APPROVAL OF THE SITE DEVELOPMENT PLAN IN ORDER TO BUILD A FIVE-STOREY BLOCK OF FLATS WITH GROUND FLOOR RETAIL ON ERF 184, STELLENBOSCH

Applicant: Arch Town Planners (Pty) Ltd - Marika Bolz  
Contact Number: 072 480 5838

Owner: Erf 184: Cherry Lane Shopping Centre (Pty) Ltd  
Contact Number: 021 886 5262

Application number: LU/8873

Reference number: Erf 184 Stellenbosch

Property Description: Erf 184 Stellenbosch

Physical Address: 22 Dennesig Road, Stellenbosch, Western Cape

Detailed description of proposal: The matter for consideration is an application in terms of Sections 15(2)(a) and (b) of the Stellenbosch Municipal Land Use Planning By-Law for:

- Rezoning from Single Residential to Specific Business Zone;
- Building line departures as follows:
  - Street building line (Dennesig Road) of 1.7m in lieu of 7.6m on Floors 1-4;
  - Street building line (Hofman Road) of 1.9m in lieu of 7.6m on Floors 1-4;
  - Common boundary building line (adjacent to Erf 4883) of 1.9m in lieu of 3m on the ground floor to accommodate the staircases, 1.9m in lieu of 4.8m on the first floor to accommodate the balconies and the staircases and 2.7m in lieu of 4.8m on Floors 2-4.
- Permanent Departures as follows:
  - The relaxation of coverage, to allow for  $\pm 61\%$  (808m<sup>2</sup>) on Floors 1-3, in lieu of 50% (666m<sup>2</sup>);
  - The relaxation of height restrictions to allow for five-storeys;
  - A departure to allow for the provision of  $\pm 22\%$  area of communal open space, in lieu of 25%;
  - Parking departure to allow for 80 vehicle parking bays in lieu of 61 (these parking bays are to be substituted by the provision of 6 bicycle bays per 1 vehicle bay).
- The approval of the Site Development Plan

The above application has been submitted to allow for the development of a five-storey block of flats with retail on the ground floor.

Notice is hereby given in terms of the Stellenbosch Municipal Land Use Planning By-law that the above mentioned application has been received and is available for inspection during weekdays between 08:30 and 13:30 at the Planning Advice Centre at Stellenbosch Municipality, Plein Street, Stellenbosch. Any written comments/objections, with full reasons therefor, may be addressed in terms of Section 50 of the said legislation to the applicant in one of the following manners:

#### APPLICANT

Registered mail or normal mail  
Marika Bolz, Arch Town Planners, Postnet Suite #021, Private Bag X5071, Stellenbosch, 7600  
Or faxed to  
+086 218 9073  
Or hand delivered to  
Marika Bolz, Arch Town Planners, 1st Floor, Post Office Building, corner of Plein and Bird streets  
Or e-mailed to  
marika@archtownplanners.co.za

Comments, quoting the application number, reference number, your name, address or contact details, your interest in the application and reasons for comments should be received by the above party on or before 30 days from the date of publication of this notice. Telephonic enquiries can be made to the applicant, Arch Town Planners (Pty) Ltd at 072 480 5838. Any comment/objection received after aforementioned closing date will be considered invalid. Any person who cannot write will be assisted by a Municipal official by transcribing their comments.

### KENNISGEWING VAN GRONDONTWIKKELINGSAAVSOEK IN DIE STELLENBOSCH MUNISIPALE GEBIED

AANSOEK VIR DIE HERSONERING EN VERSKEIE PERMANENTE AFWYKINGS AAN DIE GOEDKEURING VAN DIE TERREINONTWIKKELINGSPLAN OM TOE TE LAAT VIR DIE OPRIG VAN 'N VYF-VERDIEPING WOONSTELBLOK MET KOMMERSEIELE GEBRUIK OP DIE GROND FLOOR OP ERF 184 STELLENBOSCH

Aansoeker: Arch Town Planners (Pty) Ltd - Marika Bolz  
Kontakbesonderhede: 072 480 5838

Eienaar: Erf 184: Cherry Lane Shopping Centre (Pty) Ltd  
Kontakbesonderhede: 021 886 5262

Aansoeknommer: LU/8873

Verwysingsnommer: Erf 184 Stellenbosch

Eiendomsbeskrywing: Erf 184, Stellenbosch

Fisiese Adres: Dennesigstraat 22, Stellenbosch

Beskrywing van aansoek: Die aansoek vir owerleging is 'n aansoek (ingevolge artikels 15(2)(a) en (b) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning vir die volgende:

- Die Hersonering van Erf 184 van Enkel Residensiële na Spesifieke Besigtheid;
- Permanente Afwykings om toe te laat vir die volgende boulyne:
  - Straatboulyn (Dennesigstraat) van 1.7m in stede van 7.6m op vloere 1-4;
  - Straatboulyn (Hofmanstraat) van 1.9m in stede van 7.6m op vloere 1-4;
  - Gemeenskaplike boulyn (met Erf 4883) van 1.9m in stede van 3m op grondvloer, 1.9m in stede van 4.8m op vloer 1 en 2.7m in stede van 4.8m op vloere 2-4.
- Permanente Afwykings om toe te laat vir die volgende:
  - Dekking van 61% op vloere 1-3 in stede van 50%;
  - Hoogte van 5-verdiepinge;
  - Gemeenskaplike oopruimte van 22% in stede van 25%;
  - Parkeerplekke (vir motors) van 60 in stede van 61;
- Goedkeuring van die Terreinontwikkelingsplan.

om voorsiening te maak vir die voorgestelde vyf-verdieping woonstelgebou met kommersieel gebruik op grondvloer.

Kennis geskied hiermee ingevolge die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning dat die bogenoemde aansoek ontvang is en gedurende wekedae tussen 08:30 en 13:30 by die Bepanningsadvieskantoor by Stellenbosch Munisipaliteit, Pleinstraat, Stellenbosch ter insae lê. Enige geskrewe kommentaar/besware, met volledige redes daarvoor, moet ingevolge Artikel 50 van die genoemde wetsgewing aan die aansoeker op een van die volgende wyses gedreëer word:

#### AANSOEKER

Geregistreerde of gewone pos  
Marika Bolz, Arch Town Planners, Postnet Suite #021, Private Bag X5071, Stellenbosch, 7600  
Of gefaks aan  
+086 218 9073  
Of per hand afgelewer aan  
Arch Town Planners, 1ste Vloer, Postkantoor-gebou, hoek van Plein- en Birdstraat  
Of per e-pos gelever aan  
marika@archtownplanners.co.za

Alle kommentare moet op of voor 30 dae vanaf die datum van publikasie van hierdie kennisgewing, met vermelding van die aansoeknommer, verwysingsnommer, u naam, adres en kontakbesonderhede, belangstelling in die aansoek en redes vir kommentaar, deur die bogenemde party ontvang word. Telefoniese navraag kan aan die aansoeker, Arch Town Planners (Pty) Ltd by tel 072 480 5838 gerig word. Enige kommentaar/beswaar ontvang na die voormelde sluitingsdatum sal as ongekwalifiseerd word. Enige persoon wat nie kan skryf nie sal deur 'n Munisipale amptenaar bygestaan word om hul kommentaar op skrif te stel.

**ANNEXURE D: Copy of Registered Letters (Public,  
Ward Councilor and External Departments) and Extract  
from Motivation Report**

**From:** [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)  
**To:** "SRA Info"  
**Subject:** Notice Erf 184 Stellenbosch  
**Date:** Monday, 04 March 2019 9:20:00 AM  
**Attachments:** [image001.png](#)  
[Erf 184 executive Summary Plans and Extract Final.pdf](#)  
[Erf 184 Public Participation Letter Rate Payers.pdf](#)  
[image002.png](#)

---

Dear Sir/Madam

Herewith attached, please find the notice of the proposed development on Erf 184, Stellenbosch (in Dennesig).

Also find attached the executive summary of the proposal.

Kindly contact us if you require any additional information.

Kind regards

Marike Bolz

**Address I** 1st Floor Anglo Africa Building,  
Plein street, Stellenbosch, 7600  
**M I:** +27 (0) 72 480 5838  
**F I:** +086 216 9073  
**E I:** [marike@archtownplanners.co.a](mailto:marike@archtownplanners.co.a)  
**W I:** [www.archtownplanners.co.za](http://www.archtownplanners.co.za)

**From:** [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)  
**To:** "SIG Info"  
**Subject:** Notice Erf 184 Stellenbosch Dennesig  
**Date:** Monday, 04 March 2019 9:19:00 AM  
**Attachments:** [image001.png](#)  
[Erf 184 executive Summary Plans and Extract Final.pdf](#)  
[Erf 184 Public Participation Letter Interest Group.pdf](#)  
[image002.png](#)

---

Dear Madam/Sir

Herewith attached, please find the notice of the proposed development on Erf 184, Stellenbosch (in Dennesig).

Also find attached the executive summary of the proposal.

Kindly contact us if you require any additional information.

Kind regards

Marike Bolz

**Address I** 1st Floor Anglo Africa Building,  
Plein street, Stellenbosch, 7600  
**M I:** +27 (0) 72 480 5838  
**F I:** +086 216 9073  
**E I:** [marike@archtownplanners.co.a](mailto:marike@archtownplanners.co.a)  
**W I:** [www.archtownplanners.co.za](http://www.archtownplanners.co.za)

**From:** [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)  
**To:** ["johannie.serdyn@ Stellenbosch.gov.za"](mailto:johannie.serdyn@ Stellenbosch.gov.za); ["janetta.gillomee@ Stellenbosch.gov.za"](mailto:janetta.gillomee@ Stellenbosch.gov.za)  
**Subject:** Notice Erf 184 Stellenbosch  
**Date:** Monday, 04 March 2019 9:16:00 AM  
**Attachments:** [Erf 184 Public Participation Letter Cllr Serdyn.pdf](#)  
[image001.png](#)  
[Erf 184 executive Summary Plans and Extract Final.pdf](#)  
[image003.png](#)

---

Hallo Johannie

Herewith attached, please find the notice of the proposed development on Erf 184, Stellenbosch (in Dennesig).

Also find attached the executive summary of the proposal.

Kindly contact us if you require any additional information.

Kind regards

Marike Bolz

**Address I** 1st Floor Anglo Africa Building,  
Plein street, Stellenbosch, 7600  
**M I:** +27 (0) 72 480 5838  
**F I:** +086 216 9073  
**E I:** [marike@archtownplanners.co.a](mailto:marike@archtownplanners.co.a)  
**W I:** [www.archtownplanners.co.za](http://www.archtownplanners.co.za)

**Municipal Reference Number:** LU/8873

**Applicant Reference Number:** Erf 184, Stellenbosch



**Date:** 4 March 2019

**Stellenbosch Interest Group**

**PO Box 2217**

**DENNESIG**

**7601**

**Dear Sir/Madam:**

**APPLICATION FOR REZONING, VARIOUS DEPARTURES AND APPROVAL OF THE SITE DEVELOPMENT PLAN IN ORDER TO BUILD A FIVE-STOREY BLOCK OF FLATS WITH GROUND FLOOR RETAIL ON ERF 184, STELLENBOSCH**

**Applicant:**

Arch Town Planners(Pty) Ltd- Marike Bolz

Contact Number : 072 480 5838

**Owner:** Erf 184; Cherry Lane Shopping Centre (Pty) Ltd

Contact Number: 021 886 5262

**Application number:** LU/8873

**Reference number:** Erf 184 Stellenbosch

**Property Description:** Erf 184 Stellenbosch

**Physical Address:** 22 Dennessig Road, Stellenbosch, Western Cape

**Detailed description of proposal:**

The matter for consideration is an application in terms of Sections 15(2)(a) and (b) of the Stellenbosch Municipal Land Use Planning By-Law for:

- i) Rezoning from Single Residential to Specific Business Zone;
- ii) Building line departures as follows:
  - Street building line (Dennessig Road) of 1.7m in lieu of 7.6m on Floors 1 – 4;
  - Street building line (Hofman Road) of 1.9m in lieu of 7.6m on Floors 1 – 4;
  - Common boundary building line (adjacent to Erf 4683) of 1.9m in lieu of 3m on the ground floor to accommodate the staircases, 1.9m in lieu of 4.6m on the first floor to accommodate the balconies and the staircases and 2.7m in lieu of 4.6m on Floors 2 – 4.
- iii) Permanent Departures as follows:

- The relaxation of coverage, to allow for  $\pm 61\%$  ( $808m^2$ ) on Floors 1 – 3, in lieu of 50% ( $666m^2$ );
- The relaxation of height restrictions to allow for five-storeys;
- A departure to allow for the provision of  $\pm 22\%$  area of communal open space, in lieu of 25%;
- Parking departure to allow for 60 vehicle parking bays in lieu of 61 (these parking bays are to be substituted by the provision of 6 bicycle bays per 1 vehicle bay).

**iv) The approval of the Site Development Plan**

The above application has been submitted to allow for the development of a five-storey block of flats with retail on the ground floor.

Notice is hereby given in terms of the Stellenbosch Municipal Land Use Planning By-law that the above mentioned application has been received and is available for inspection during weekdays between 08:30 and 13:30 at the Planning Advice Centre at Stellenbosch Municipality, Plein Street, Stellenbosch. Any written comments/objections, with full reasons therefore, may be addressed in terms of section 50 of the said legislation to the applicant in one of the following manners:

APPLICANT	
Registered mail or normal mail	
Marike Bolz, Arch Town Planners, Postnet Suite #027, Private Bag X5071, Stellenbosch, 7600	
Or faxed to	
+086 216 9073	
Or hand delivered to	
Marike Bolz, Arch Town Planners, 1 <sup>st</sup> Floor, Anglo Africa Building, Plein Street, Stellenbosch	
Or e-mailed to	
marike@archtownplanners.co.za	

All comments, quoting the application number, reference number, your name, address or contact details, your interest in the application and reasons for comments should be received by the above party on or before 30 days from the date of publication of this notice. Telephonic enquiries can be made to the applicant, Arch Town Planners (Pty) Ltd at 072 480 5838. Any comment/objection received after aforementioned closing date will be considered invalid. Any person who cannot write will be assisted by a Municipal official by transcribing their comments.

Marike Bolz

For Arch Town Planners (Pty) Ltd

- b. Hoogte van 5-verdiepinings;
  - c. Gemeenskaplike oopruimte van 22% in stede 25%;
  - d. Parkeerplekke (vir motors) van 60 in stede van 61;
4. Goedkeuring van die **Terreinontwikkelingsplan**.

om voorsiening te maak vir die voorgestelde vyf-verdieping woonstelgebou met kommersiele gebruik op grondvloer.

Kennis geskied hiermee ingevolge die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning dat die bogenoemde aansoek ontvang is en gedurende weksdae tussen 08:30 en 13:30 by die Beplanningsadvieskantoor by Stellenbosch Munisipaliteit, Pleinstraat, Stellenbosch ter insae lê. Enige geskrewe kommentare/besware, met volledige redes daarvoor, moet ingevolge Artikel 50 van die genoemde wetgewing aan die aansoeker op een van die volgende wyses geadresseer word:

<b>AANSOEKER</b>
<b>Geregistreerde of gewone pos</b>
Marike Bolz, Arch Town Planners, Postnet Suite #027, Private Bag X5071, Stellenbosch, 7600
<b>Of gefaks aan</b>
+086 216 9073
<b>Of per hand afgelewer aan</b>
Arch Town Planners, 1ste Vloer, Anglo Africa Gebou, Pleinstraat, Stellenbosch
<b>Of per e-pos gelever aan</b>
marike@archtownplanners.co.za

Alle kommentare moet op of voor **30 dae** vanaf die datum van publikasie van hierdie kennisgewing, met vermelding van die aansoeknommer, verwysingsnommer, u naam, adres en kontakbesonderhede, belangstelling in die aansoek en redes vir kommentaar, deur die bogenemde party ontvang word. Telefoniese navrae kan aan die aansoeker, Arch Town Planners (Pty) Ltd by tel 072 480 5838 gerig word. Enige kommentaar/beswaar ontvang na die voormelde sluitingsdatum sal as ongeldig geag word. Enige persoon wat nie kan skryf nie sal deur 'n Munisipale-amptenaar bygestaan word om hul kommentaar op skrif te stel.

Die Uwe,



Marike Bolz

Vir Arch Stadsbeplanners



Munisipale Verwysingsnommer : LU/8573

Aansoeker Verwysingsnommer : Erf 184 Stellenbosch

Datum: 4 Maart 2019

Stellenbosch Interest Group

PO Box 2217

DENNESIG

7601

Beste Mnr/Me:

**AANSOEK VIR DIE HERSONERING EN VERSKEIE PERMANENTE AFWYKINGS ASOOK DIE GOEDKEURING VAN DIE TERREINONTWIKKELINGSPLAN OM TOE TE LAAT VIR DIE OPRIG VAN 'N VYF-VERDIEPING WOONSTELBLOK MET KOMMERSEIELE GEBRUIK OP DIE GROND FLOOR OP ERF 184, STELLENBOSCH**

Aansoeker: Arch Town Planners (Pty) Ltd – Marike Bolz

Kontakbesonderhede: 072 480 5838

Eienaar: Erf 184: Cherry Lane Shopping Centre (Pty) Ltd

Kontakbesonderhede: 021 886 5262

LU/8873

Erf 184 Stellenbosch

Erf 184, Stellenbosch

Dennesigstraat 22, Stellenbosch

Beskrywing van aansoek: Die aansoek vir oorweging is 'n aansoek (ingevoelge artikels 15(2)(a) en (b) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning vir die volgende:

1. Die Hersonering van Erf 184 van Enkel Residensieel na Spesifieke Besigheid;
2. Permanente Afwykings om toe te laat vir die volgende boulyne:
  - a. Straatboulyn (Dennesigstraat) van 1.7m in stede van 7.6m op vloere 1 – 4;
  - b. Straatboulyn (Hofmanstraat) van 1.9m in stede van 7.6m op vloere 1 – 4;
  - c. Gemeenskaplike boulyn (met Erf 4683) van 1.9m in stede van 3m op grondvloer. 1.9m in stede van 4.6m op vloer 1 en 2.7m in stede van 4.6m of vloere 2 – 4.
3. Permanente Afwykings om toe te laat vir die volgende:
  - a. Dekking van 61% op vloere 1 – 3 in stede van 50%;

EXECUTIVE SUMMARY

The following is an extract from the Motivation Report submitted to the Stellenbosch Municipality as part of the application, kindly contact our offices if you require a full copy of the report or any other specific information.

1. Introduction

Arch Town Planners (Pty) LTD has been appointed by Abacus Development Company to prepare and submit the relevant application to the Stellenbosch Municipality for approval to re-zone the property from Single Residential to Specific Business, as well as various permanent departures, in order to construct a five-storey block of flats and small (73m²) retail area. Erf 184 is located on the corner of Dennesig Road and Hofman Road, in the Dennesig suburb of Stellenbosch, as indicated in Figure 1, below.

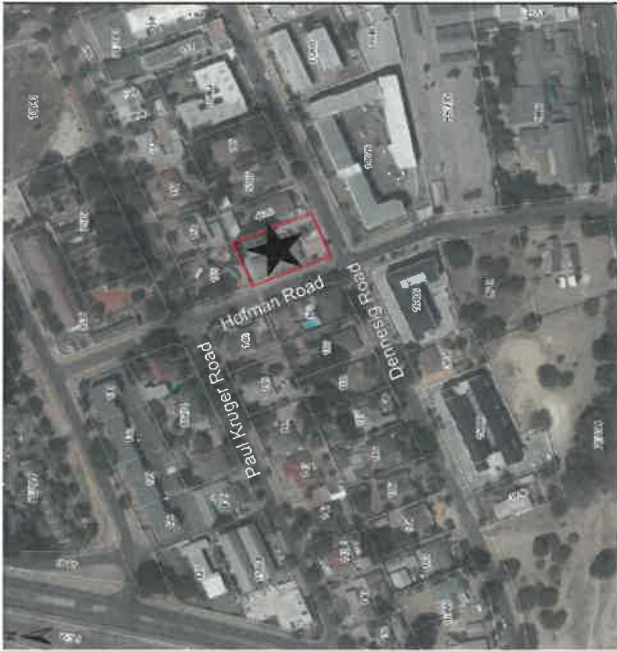


Figure 1: Locality Plan: Erf 184, Stellenbosch

2. Development Proposal

The proposed development will entail the construction of a five-storey (plus basement) building, which will provide a total of 40 residential units ranging in size from 29m² (studio apartments), ±40m² (1-bedroom units) up to 58m² (2-bedroom unit). The ground floor of the building will include a small business (retail) area with a floor space of 73m². A total of 60 vehicle parking bays will be provided in a secure and discrete parking area, as well as secure, lockable storage for at least 18 bicycles. It is also proposed to provide safe and secure parking on the ground floor, next to the proposal retail area.

In order to reduce the future maintenance cost of the proposed development, great emphasis will be placed on the type of building materials which would require less maintenance. This will help to reduce the monthly

levies, thereby adding to the affordability of the units. Solar panels will be used to generate electricity for the communal areas which would also help to reduce maintenance cost. Where possible (also with regards the type of plans used for landscaping) water saving mechanisms will be put in place to help reduce the water demand of the proposed development.



Figure 2: Renderings of the Proposed Development

2.1 Proposed Retail Area:

As mentioned, Dennesig is developing at a rapid pace. Given the rapid rate of densification in the area, the municipality must critically consider the needs of incoming residents, beyond the provision of mere accommodation. Students, young professionals and families require services and convenience goods that are easily accessible, within their immediate neighbourhood. Basic convenience goods and services (such as milk, bread, a cup of coffee and laundry services) should not need to be attained through the use of a motorized vehicle. Rather, such conveniences should be made readily available within urban settlements that prioritise accessible, integrated and human-scale development. In this vein, the proposed development will feature a small retail area of 73m.² The intention of this space is to allow for a business that would directly cater to the everyday demands of urban residents within the immediate vicinity. The proposed business concept would be to create a lively retail space that would feature a small coffee shop, convenience store and self-service launderette, while offering co-working and private space for meetings, quiet study and socializing. It is proposed that tables and chairs would spill out on to the pavement in front of the building, activating the street front and sense of place on Dennesig Road, which is considered highly desirable and necessary.

2.2 Proposed Residential Units

Residential units would be provided on the first, second, third and fourth floor of the proposed building, all situated above the retail and parking areas. A total of 40 units would be provided, as follows:

Type of Unit	Approximate Size	Number of Units
Studio	29m² – 31m²	8
1-Bedroom	41m² (plus private balconies)	8
2-Bedroom	57m² – 60m² (plus private balconies)	24

Table 1: Proposed unit typologies

As noted in the table above, the majority of units will consist of two-bedroom apartments, between 57m² and 60m². This is an important feature that distinguishes this development from other developments proposed for

the Dennesig area. Rather than developing a high number of tiny units that would only appeal to short-term residents (ie: students), this development acknowledges the need for truly livable accommodation, which would be desirable for a larger portion of the Stellenbosch population – including small families and professionals. The provision of a mix of units provides the basis for accommodation that has the potential to integrate diverse residents, rather than contributing towards the growing trend whereby students live in segregated neighbourhoods that are isolated from other residents of the Stellenbosch community.

### 2.3 Outdoor Space & Landscaping

It should be further noted that the proposed development will create an integrated living environment, which values the creation of livable, green outdoor spaces that are appealing not only to residents of the proposed development, but which also contribute towards creating an aesthetically pleasing street interface.

In this regard, the current plans propose a space of approximately 285m<sup>2</sup> to be provided on the roof of the building, which will be made available to all residents for recreational and relaxation purposes, with sweeping views of the surrounding mountains. In addition, there are also plans for a lush, green courtyard on the ground floor, which will be thoroughly landscaped and visible to all units. Where possible, existing trees along Dennesig and Hofman street fronts will be reserved and additional trees will be planted during the building process.

### 2.4 Vehicular Access, Parking and Traffic Impact

At present, access to Erf 184 is taken from multiple laneways on both Hofman and Dennesig Roads. For the purposes of this development, access to the site would be taken solely from Hofman Road, via a parking ramp of 6.25m in width, which is sufficient to accommodate vehicles entering and exiting the development simultaneously. A stacking distance sufficient to accommodate one vehicle entering the parking area will also be provided. Secure parking will be available on the ground floor, with additional parking to be provided on the basement level. Mirrors, signaling devices and/or access control doors will be required for vehicles navigating between the ground and basement floor parking areas.

No parking will be visible from the street and from the perspective of pedestrians passing in front of the building via both Hofman and Dennesig Road. Therefore, the provision of parking on the ground level will *not* detract from the development's capacity to contribute towards creating a sense of place and pedestrian safety on both streets. It should be noted that this development does not make provision for **any on-street parking**, and hence should not contribute towards clogging the streets with parked vehicles.

The current design would allow for a total of 60 vehicle parking bays (32 in the basement and 28 on the ground floor), as well as secure parking for at least 18 bicycles in the basement. Please note that as discussed and agreed with the Stellenbosch Municipality Traffic Engineers, 6 bicycle bays can substitute 1 vehicle bay. Collectively, the parking therefore equates to a total of 63 bays. Parking is currently over-supplied within the development by at least two vehicle bays, with an additional two tandem bays unaccounted for.

### 3. Conclusion

The motivation report submitted as part of the application provides a full motivation for the approval of the proposed development. Set out below is a summary of the main motivations contained in the report:

- The proposed development complies with the National, Provincial and Local policy landscape, which all promote urban densification; particularly in centrally located areas such as Dennesig;
- The Stellenbosch IDP specifically identified Dennesig as a primary densification and development intensification area for the establishment of blocks of flats up to 6 storeys;
- The proposed departures will not have a significant impact on adjoining or surrounding properties with regards to the loss of privacy to the effect to warrant refusal;
- The proposed departures will not result in a visually intrusive building, but will rather allow for a lively street interface and increased security through passive surveillance of the street;
- The proposed building was designed in such a way to contribute to the visual character of the area by being of a high architectural standard, through the visually diverse cladding and greenspace on the façade of the structure;
- The proposal will contribute towards mixed-use development, enliven Dennesig Street and contribute to efficient urban design by offering convenience retail and services to local residents, including an outdoor patio area;
- The development seeks to re-establish the urban design principle of creating safe urban spaces through active street frontages, whereby buildings are pushed towards the street boundaries and parking is shielded from the street scape;
- No fencing along either Dennesig or Hofman roads will be constructed as part of the development;
- The intended development is not restricted by any title deed conditions;
- The intended development will oversupply parking bays, including secure, internal parking bays for at least 18 bicycles.
- The intended development will provide sizable flats that can accommodate families and young professionals in the long term, (rather than dormitory-style housing, which has been popular throughout Stellenbosch); and assist in alleviating the housing backlog throughout Stellenbosch.

**ANNEXURE E: Original Registered Slips**

**ANNEXURE F: Unclaimed Registered Mail**

**None**

**ANNEXURE G:      Photos of Site Notices**





## **ANNEXURE F**

# Stellenbosch Roman Catholic Church

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## St Nicholas' Church/ St Mark's Church/ All Saints' Church

**Parish Priest:** Fr Wim Lindeque

16 Paul Kruger Street

7600 STELLENBOSCH

*Tel* (021) 887-5979/084 714 7817

frwim@stellenboschcatholic.org.za

2019-04-04

### **Objection to the proposed development of Erf 184 Stellenbosch**

**Application Number LU/8873**

**Reference Number Erf 184 Stellenbosch**

**Ms Marike Bolz, Arch Town Planners.**

Dear Ms Bolz,

We, the Catholic Community of St Nicholas' Church, Stellenbosch, strongly object to the proposed development on the property listed above. We are convinced that we will be impacted extremely disadvantageously by the plans outlined in your application..

As the owners and occupants of the Kromme Rivier homestead and cellar, classified as Grade II National Monuments, and as a multicultural religious community that have preserved and maintained these historic and irreplaceable buildings at great cost for almost nearly 90 years, our objections are as follows:

1. If this development is allowed to proceed, the character and the natural and social ecology of the area will be dramatically changed by the proposed development which your clients plan for the corner of Dennesig and Hoffman, especially in conjunction with at least five other multi-storey developments planned for the area between Paul Kruger and Dennesig Streets. The road infrastructure between Merriman, Molteno, Bird and Adam Tas Streets will certainly be overburdened by the large numbers of cars these developments will bring to the area. A detailed traffic analysis should be done to study the effects of this influx. Such a study should include what will happen during services in the church when many of our parishioners need to park along Paul Kruger Street. This will impact greatly on especially older Catholics who will find it difficult to park further away and walk to Holy Mass. It will also make funerals and weddings difficult for those who wish to attend.
2. The proposed development will interfere with our Constitutional right to practice our religious beliefs by bringing noise and traffic into the street and thus disrupting our devotions. Funerals and weddings take place not only inside the buildings where there might be some protection against the noise from a five-floor building with mainly students as tenants, within such a short distance of our premises. The serenity of the

werf area and the lane of trees is specifically mentioned in the Stellenbosch Municipality Heritage Survey and Management Plan. This has been a space for prayer and celebrations for almost ninety years.

3. The history of our community is reflected in our present activities on the premises. The planned development will interfere with and may even stop our ability to pray, celebrate, meditate, live and work here. We were never approached by any person or group to find out how we use the property and how a development around us would influence us.

In order to make clear the impact of the planned building of a five storey building so close by on our activities, please allow me to describe our weekly programme and the groups who utilize the premises: Mondays: Choir practice in the evening at 19:00 in the church, Narcotics Anonymous use the presbytery for their weekly meeting from 18:30 until 20:00. Tuesdays: Office hours from 09:00 until 14:00, people arrive for counselling, funeral arrangements, enquiries etc throughout the day. Holy Mass at 17:30, Adult Instruction at 18:15, often meetings at 19:00. Wednesdays: Continual prayer and meditation in silence from 08:00 until 18:00, office hours as above. Thursdays: office hours as above, Fridays: office hours as above, Holy Mass at 17:30, Saturdays: Confessions from 09:00 to 10:00, often funerals in the morning and weddings during the afternoon (last year we had 28 weddings at St Nicholas', mainly during the warmer months), Sundays: Holy Mass at 08:00 (08:30 during the winter months), catechism classes for children 09:15 to 10:15, Holy Mass in isiXhosa at 12:00 once a month, Holy Mass in the Nigerian languages at 12:00 once a month, Holy Mass at 18:30 for the Catholic student community (during term time). Two priests reside on the property and their lives will be affected by the increase in noise and traffic from the planned developments. Over three hundred of our parishioners have signed a petition against the developments. They live in various parts of Stellenbosch, but consider St Nicholas' church as their spiritual home, in many cases for several generations.

It is impossible to overstate the impact that a large block of flats across the road from us and down the road from us will have on our religious community, our enjoyment and use of this very special property. The Catholic Church has taken its role as steward of these historic buildings very seriously, often at great expense. The planned development could lead to this community having to abandon the premises if using them for religious purposes becomes too difficult, due to noise and traffic caused by the proposed development.

The history of these buildings and of our Catholic community are very precious to us and we feel that this heritage needs to be protected and preserved. We are well aware of the need for housing in Stellenbosch, especially for young families and we support the idea of the densification. This process needs to happen in a structured and well-planned manner and should not be allowed to destroy the character and ecology of our street and environs as has already happened to Dennesig Street.

The Archbishop of Cape Town, Stephen Brislin, whom I represent in Stellenbosch, is deeply concerned about these developments and fully supports these objections.

With concern,

Reverend Father Wim Lindeque

Parish Priest



**MEGLIS (PTY) LIMITED**

Reg No 2014/020865/07

Our Reference: Erf 184 Stellenbosch

Your Reference:LU/8873

01 April 2019

Arch Town Planners

Care of: Marike Bolz

P O Box 278

**STELLENBOSCH****77599**

Per e-mail: marike@archtownplanners.co.za

Dear Madam

**OBJECTION AGAINST PROPOSED DEVELOPMENT OF ERF 184, STELLENBOSCH**

Your letter dated 28 February 2019, informing us of the proposed development of the abovementioned property has reference.

We, Meglis (Pty) Ltd the owners of Erf 132,133,134 (Consolidated to Erf 17274) herewith formally submit our objection to the proposed development in terms of Section 50 of the Stellenbosch Municipality Land Use Planning By-Law .

It should be noted that our objection is not against the principle of densification in the area, as we acknowledge the need for - and legislative support of - densification in the area.

The objection is, however against the extensive deviations/departures from the land use regulations which are proposed, and which will not benefit the surrounding area in the long term. We therefore list the reasons for our objections below.

Directors: R Wintle; T Capuzzimati  
Suite 1 | Ground Floor | The Mirage | 44 Chiappini Street  
Cape Town 8001

**MEGLIS (PTY) LIMITED**

Reg No 2014/020865/07

**1. Departures:**

Zoning scheme regulations has a specific purpose and are formulated and implemented for a reason. This includes the conservation of the value of buildings and other properties in the area and to encourage the most appropriate use/development of the land. The character of an area is mainly determined by what is allowed in the zoning scheme regulations and extreme deviation from these regulations could have far reaching negative effects, especially when decisions on future developments have to be made.

It is our contention that a reduced in the building line from 7,6m to 1,7m on Dennesig Street and 7,6m to 1,9m on Hoffman street constitutes a significant departure and as such will impact on all adjoining properties.

It is acknowledged that – in certain site-specific circumstances - Council could consider certain minor departures from these regulations to allow practical solutions for the use of space. As a result, other buildings in the area has, e.g. been allowed limited departures from the regulations. Caution was however taken to ensure that most of the regulations pertaining to massing was adhered to.

In this instance, there are no specific reason why the proposal should deviate from both the floor factor and height. It will set a dangerous precedent for future proposals, should these departures be favourably considered. The combined impact of further development could therefore have far reaching negative results for the area.

**2. Retail Component / Specific Business Zoning**

We object to the inclusion of a retail component within the development and the way in which all developments currently applying for rezoning are dealing with the retail components. The inclusion of any retail component in the area has not been carefully considered by Stellenbosch Municipality or the development of this scheme with regards to impact on traffic, parking requirements for the retail, truck delivery routes and the crime associated with retail in the area.

At this juncture, we have not had any sight of a study / analysis of the impact of retail on a residential neighbourhood, nor the resulting manner in which retail is being considered for the Dennesig Area.

Directors: R Wintle; T Capuzzimati  
Suite 1 | Ground Floor | The Mirage | 44 Chiappini Street  
Cape Town 8001

## MEGLIS (PTY) LIMITED

Reg No 2014/020865/07

In considering the degree of fit of the proposed building with the character of the surrounding area, it is also important to take into account the relationship between the proposed building and the size of adjacent structures. In this case the proposed building (basement parking plus 5 storeys) entirely overshadow not only the adjacent buildings but also the other blocks of flats (which mainly consists of ground floor parking plus 3 storeys residential) recently approved in the area, with zero consideration of the impact any retail component will have on neighbouring properties.

Strong emphasis is made to the fact that this proposal should be dealt with and considered through applying similar decision-making criteria as was implemented with previously approved developments, with specific regard to the green area requirement of 25%.

### 3. Impact on Adjoining Properties:

In the report summary, the proposed floor factor is extensive and necessitate further departures and encroachments e.g. the height restriction, basement which encroaches the building lines to accommodate parking, etc. These encroachments would not be required for the optimal utilisation of the property and one therefore conclude that this 'optimal utilisation' relates to the financial gain for the developer – more units more money – and not to the benefit of the general community. Any significant departure from the zoning scheme regulations would most certainly have an impact on adjoining properties, after all, the zoning scheme regulations are in place for this very reason

### 4. Traffic

We have not seen or been issued with any traffic study to confirm the impact of this development on the immediate road infrastructure or its surroundings. Should this report be available, it should be circulated for review and comment prior to any approvals being granted

**MEGLIS (PTY) LIMITED**

Reg No 2014/020865/07

**5. Conclusion:**

In line with the above it is requested that Council consider the long-term impact this proposal will have on setting a precedent for future developers to apply for extensive departures which could have an impact on the massing, street scape and scale of development and accordingly negatively impact on the character, health, safety and wellbeing of the surrounding community, and the building be re-designed to conform with the zoning scheme regulations

It is also requested that Council carefully consider the retail component of the development as the impact on neighbouring properties will be extensive. There is currently no mater planning for the retail for the precinct and as such development is currently undertaken in a "Haphazard Way"

We trust that you find the above in order.

Yours faithfully



---

T Capuzzimati  
Director



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10 April 2019

Land Use Department  
Stellenbosch Municipality  
STELLENBOSCH  
7600  
**Attention: Robert Fooy**

Dear Robert

**RESPONSE TO COMMENTS: APPLICATION FOR REZONING AND VARIOUS PERMANENT DEPARTURES, ERF 184, STELLENBOSCH**

Please note that the public participation process has concluded on 5 April 2019, we have allowed till this morning for post to come in and can now confirm that we have only received 3 letters of objection to the proposed development.

Figure 1 below indicates the locality of the 3 of the objector's properties with relation to the application site. Please note that we have sent out 412 registered letters and these 3 objections represents less than 1% of the potential respondents (excluding all the Stellenbosch residence who could have responded to the advert in the EikestadNuus.



**Figure 1: Location of objector's properties**

Set out below, please find our response to each letter of objection:

**1. Stellenbosch Roman Catholic Church, letter dated 4 April 2019**

Owner of Erf 7575, Paul Kruger Road

**1.1 Objection:** Increase in traffic which will result in noise disturbance

**Response:** It is true that it is to be expected that there will be an increase in noise and traffic as a result of the proposed development. However it should be noted that the majority of traffic movement can be accepted to be along Dennesig Road and during peak traffic hours which does not coincide with the times of the church services or the other activities listed in the above mentioned letter. Ample on-site parking is provided to accommodate the parking requirements of the future occupiers of the proposed development. It is therefore considered that the increase in traffic will not affect the church to the extend to warrant refusal.

In the letter of objection, the Church requested that an overall TIA be done for the Dennesig area which we believe, as confirmed by the Engineering Department of Stellenbosch, is currently being undertaken.

**1.2 Objection:** Increase in noise will affect the functioning of the church

**Response:** It is not considered that the proposed 40 residential units, situated a block away from the church would result in a level of noise disturbance to detrimentally affect the church services or church activities. It should be noted that Dermont flats, which was established in 1995 with a total of 39 units, is situated right next to the church and has clearly not resulted in the level of noise and disturbance now anticipated by the church (with regard to the proposed development). It is anticipated that the noise levels from the proposed development of 40 units will be far less (based on distance from the church) than the existing 39 units situated right next to the church. There are numerous examples, for instance in European cities, where churches are situated within high density residential areas, which has not resulted in the prevention of church services or activities.

**2. Meglis (Pty) Limited, letter dated 1 April 2019**

Owner of Erven 132, 133, 134 (consolidated erf 17274), Paul Kruger Road

**2.1 Objection:** Building line departures and increased height and floor factor will have a negative impact on the area as it will set a dangerous precedent for future developments in the area.

**Response:** It is considered that the current zoning scheme, approved in 1996, more than 20 years ago, is outdated as it does not respond to or promote the development of sustainable communities through densification. Densification is one of the main land use tools to promote sustainable use of resources (land, services, public transport, etc). As outlined in the approved SDF and IDP, it is clear that the Municipality acknowledges the dire need for densification, especially in areas such as Dennesig within close proximity to the town center, the University and public transport nodes. The IDP specifically identified the Dennesig area, between Paul Kruger, Dennesig, Merriman, the R44 and Bird Streets, as a primary densification and development intensification area. This can only

be achieved if property owners are allowed to depart from the existing (albeit outdated) zoning parameters which restrict coverage, floor factor and height.

Given the municipality's recent approval of *The Den* (situated on the corner of the R44 and Dennesig Road), it is considered that the precedent for this type of development in the area has been established. Nonetheless, given the requested increase in coverage, floor factor and height of the proposed development, it should be noted that great effort has been made to ensure that the building is aesthetically pleasing; both in terms of public interface from the street, as well as for incoming residents in the development. The building will therefore not seem overbearing or out of character to those which have been approved for development in the area.

It is further considered that the proposed development, being a brownfields development, will result in the optimal redevelopment of the application site, in line with municipal policies. The proposed development will contribute to the creation of a sustainable neighborhood in that it is situated close to existing and proposed transport nodes, it is within walking distance to surrounding amenities and optimizes the use of infrastructure.

**2.2 Objection:** Concerns regarding possible impact of retail with regards to increased traffic, parking requirements, delivery routes and crime associated with retail as well as request for provision of 25% green area.

**Response:** Dennesig is developing at a rapid pace, many land use applications for new residential developments have been submitted to Stellenbosch Municipality in the past year. The majority of these applications seek to provide higher-density residential accommodation. Given the rapid rate of densification in the area, the municipality must critically consider the needs of incoming residents, beyond the provision of mere accommodation. Students, young professionals and families require services and convenience goods that are easily accessible, within their immediate neighbourhood. Basic convenience goods and services (such as milk, bread, a cup of coffee and laundry services) should not need to be attained through the use of a motorized vehicle. Rather, such conveniences should be made readily available within urban settlements that prioritise accessible, integrated and human-scale development.

In this vein, the proposed development will feature a small retail area of 73m.<sup>2</sup> The intention of this space is to allow for a business that would directly cater to the everyday demands of urban residents within the immediate vicinity. The proposed business concept would be to create a lively retail space that would feature a small coffee shop, convenience store and self-service launderette, while offering co-working and private space for meetings, quiet study and socializing. Though the proposed retail area have made provision for 3 parking areas, it is considered highly likely that customers will walk / cycle to the facility as it is situated within such close proximity to the existing and proposed surrounding residential units. The target market for this retail area is not the wider Stellenbosch, but will be focused to provide for the everyday demands of the of urban residents within the immediate vicinity. It is therefore considered that the proposed retail area will not add to traffic, or parking requirements as suggested by the objector.

It is proposed that retail area will have a small coffee shop with tables and chairs which would spill out on to the pavement in front of the building, activating the street front and sense of place on Dennesig Road, which is considered highly desirable and necessary to increase safety. It is argued that the proposed retail area and will not

result in an increase in crime more than that currently experienced in the area and will actually increase safety in the area.

The proposed development will create an integrated living environment, which values the creation of livable, green outdoor spaces that are appealing not only to residents of the proposed development, but which also contribute towards creating an aesthetically pleasing street interface. In this regard, the current plans propose a space of approximately 295m<sup>2</sup> to be provided on the roof of the building, which will be made available to all residents for recreational and relaxation purposes, with sweeping views of the surrounding mountains. In addition, there are also plans for a lush, green courtyard on the ground floor, which will be thoroughly landscaped and visible to all units. It should be considered that most of the units will also have balconies which, though it can't be counted towards communal areas, will add additional areas for relaxation. Though the proposed 22% communal green area is slightly less than the required 25%, it is considered that sufficient open and communal areas are provided to address the needs of the future occupiers.

**2.3 Objection:** Departing from the zoning scheme restrictions would have a negative impact on the surrounding community and optimal utilization only refers to financial gain.

**Response:** It is inevitable that the character of the area will change to a higher density area, with higher buildings than the existing structures in the Dennesig area. The proposed development was designed to respond to the future planning vision of the area, being a high-density development area, in consultation with the Stellenbosch Municipality. It is therefore considered that the proposed scale, massing and street scape of the development will tie in with the future planning vision of the area and will not result in having a detrimental effect on the surrounding community.

Optimal utilisation in this instance does not refer to the profitability for the developer but rather to the optimal use of one of the last and best located areas in town (as specifically identified by the Stellenbosch Municipality ) for a high density brownfield development. The only way to optimize the use of land within the urban edge of Stellenbosch, which is also within close proximity to town and campus, would be to allow for considerable departures from the current zoning scheme. It is strongly motivated that allowing for higher density brownfield developments such as the proposed, being situated within the urban edge and within walking distance to campus and the town center, would be to the benefit of the surrounding community and the wider town as it will help to increase safety, result in optimal uses of service infrastructure and reduce pressure to develop high agricultural land.

**2.4 Request for TIS –** Kindly see attached e-mail confirmation that the TIS was send to Mr Capuzzimati

**3. Mr A B Hamman, letter dated 11 March 2019  
(owner Erf 146, Stellenbosch)**

**3.1 Objection: The proposed development will negatively affect the single residential character of the area and will result in overlooking and a loss of privacy.**

**Response:** The Dennesig area has been identified by the Stellenbosch Municipality (as confirmed in the IDP) as a densification area, which will allow for buildings up to 6 storeys. Subsequent to the approval of the IDP, the majority of the single residential erven along Paul Kruger, Hoffman and Dennesig Roads have been bought by private developers and developments of similar scale to this proposed development are currently either under consideration by the Stellenbosch Municipality or, in the design and planning phases. It is inevitable that the character of the area will change, not only as a result of the proposed development but due to the identification of the Dennesig area as a high-density development area (as proposed by the Stellenbosch Municipality).

It is also important to note that the majority of houses, as was clearly visible during our site visits, are not being occupied by single residential families, but are rented out to students/young people.

Erf 184 is situated on a corner plot with the proposed development designed to face onto Hofman Road and Dennesig Road. These roads separate the proposed development from the properties on the other side of the roads. There will therefore be no overlooking from the southern and western sections of the proposed development. The two neighbouring properties, being Erf 155 situated towards the north of the application site, and Erf 4683, situated toward the east of the application site, have both been acquired by private developers with the intention to develop these properties as high density residential developments similar to this proposed development. The proposed development will comply with the building line restrictions relating to Erf 155 and it is considered that it will have a sufficient setback to prevent overlooking. The building line departures relating to Erf 4683 is mainly to allow for the staircases and balconies and is considered to be of sufficient setback to prevent overlooking to the extent to warrant refusal.

**3.2 Objection: Objects to the demolition and redevelopment of the existing building based on preserved historical value of the building and surrounding historical character of the area.**

**Response:** A heritage report was undertaken by Cape Winelands Professional Practices in Association, which was completed in May 2018, to take stock of all heritage resources in Stellenbosch. This study found that the Dennesig community is not acknowledged to be historically or aesthetically significant and does not outline any heritage requirements for developing the area. As part of this application, a demolition permit will be obtained from HWC who will assess the historical value of the building prior to issuing the demolition permit.

**3.3 Objection: Concerns regarding negative traffic impact**

**Response:** It is true that the proposed development, together with other similar developments planned for this area will result in an increase in traffic. Though a TIS study was undertaken as part of this application, it is our

understanding that the municipality is currently in the process of assisting in the appointment of transport engineering consultants to undertake a full TIA for the entire Dennesig area which will make recommendations on the required upgrading of existing traffic infrastructure to accommodate the anticipated increase in traffic volumes. It is motivated that the proposed high-density development is in line with the approved IDP and that the dire need for housing within close proximity to town outweighs the perceived negative impact on the traffic, especially as the proposed TIA will make recommendations as to how to address the anticipated increases effectively.

We are confident that the above addresses and responds to the concerns raised to enable the Municipality to proceed with approving the application for the proposed development.

Yours sincerely



M Bolz

For Arch Town Planners

## **ANNEXURE G**



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E: [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)

24 October 2019

Land Use Department  
Stellenbosch Municipality  
STELLENBOSCH  
7600  
**Attention: Robert Fooy**

Dear Robert

**RESPONSE TO COMMENTS: APPLICATION FOR REZONING AND VARIOUS PERMANENT DEPARTURES, ERF 184, STELLENBOSCH**

Please note that the public participation process has concluded on 5 April 2019, we have allowed till this morning for post to come in and can now confirm that we have only received 3 letters of objection to the proposed development.

Figure 1 below indicates the locality of the 3 of the objector's properties with relation to the application site. Please note that we have sent out 412 registered letters and these 3 objections represents less than 1% of the potential respondents (excluding all the Stellenbosch residence who could have responded to the advert in the EikestadNuus.



**Figure 1: Location of objector's properties**

Set out below, please find our response to each letter of objection:

**1. Stellenbosch Roman Catholic Church, letter dated 4 April 2019**

Owner of Erf 7575, Paul Kruger Road

**1.1 Objection:** Increase in traffic which will result in noise disturbance

**Response:** It is true that it is to be expected that there will be an increase in noise and traffic as a result of the proposed development. However it should be noted that the majority of traffic movement can be accepted to be along Dennesig Road and during peak traffic hours which does not coincide with the times of the church services or the other activities listed in the above mentioned letter. Ample on-site parking is provided to accommodate the parking requirements of the future occupiers of the proposed development. It is therefore considered that the increase in traffic will not affect the church to the extend to warrant refusal.

In the letter of objection, the Church requested that an overall TIA be done for the Dennesig area which has now been completed and to which this proposed development responds.

**1.2 Objection:** Increase in noise will affect the functioning of the church

**Response:** It is not considered that the proposed residential development, situated a block away from the church would result in a level of noise disturbance to detrimentally affect the church services or church activities. It should be noted that Dermont flats, which was established in 1995 with a total of 39 units, is situated right next to the church and has clearly not resulted in the level of noise and disturbance now anticipated by the church (with regard to the proposed development). It is anticipated that the noise levels from the proposed development will be far less (based on distance from the church) than the existing 39 units situated right next to the church. There are numerous examples, for instance in European cities, where churches are situated within high density residential areas, which has not resulted in the prevention of church services or activities.

Apart from the small section of the building facing onto Hofman, the majority of the building is situated within the allowable building lines. The building is setback from the northern boundary (facing towards the Church) more than the required 4.6m and on Floor 4 the setback has now been increased from the previously proposed 4.6m to 5.6m as mitigation to the perceived noise disturbance.

**2. Meglis (Pty) Limited, letter dated 1 April 2019**

Owner of Erven 132, 133, 134 (consolidated erf 17274), Paul Kruger Road

**2.1 Objection:** Building line departures and increased height and floor factor will have a negative impact on the area as it will set a dangerous precedent for future developments in the area.

**Response:** It is argued that the Dennesig Neighbourhood Design Guidelines have indicated an motivated for the increased density to which this proposed development fully complies (as confirmed in the attached "Happy Letter). As a further motivation, it is considered that the current zoning scheme, approved in 1996, more than 20 years ago, is outdated as it does not respond to or promote the development of sustainable communities through densification.

Densification is one of the main land use tools to promote sustainable use of resources (land, services, public transport, etc). As outlined in the approved SDF and IDP, it is clear that the Municipality acknowledges the dire need for densification, especially in areas such as Dennesig within close proximity to the town center, the University and public transport nodes. The IDP specifically identified the Dennesig area, between Paul Kruger, Dennesig, Merriman, the R44 and Bird Streets, as a primary densification and development intensification area. This can only be achieved if property owners are allowed to depart from the existing (albeit outdated) zoning parameters which restrict coverage, floor factor and height.

Given the municipality's recent approval of *The Den* (situated on the corner of the R44 and Dennesig Road), it is considered that the precedent for this type of development in the area has been established. Nonetheless, given the requested increase in coverage, floor factor and height of the proposed development, it should be noted that great effort has been made to ensure that the building is aesthetically pleasing; both in terms of public interface from the street, as well as for incoming residents in the development. The building will therefore not seem overbearing or out of character to those which have been approved for development in the area.

It is further considered that the proposed development, being a brownfields development, will result in the optimal redevelopment of the application site, in line with municipal policies. The proposed development will contribute to the creation of a sustainable neighborhood in that it is situated close to existing and proposed transport nodes, it is within walking distance to surrounding amenities and optimizes the use of infrastructure.

**2.2 Objection:** Concerns regarding possible impact of retail with regards to increased traffic, parking requirements, delivery routes and crime associated with retail as well as request for provision of 25% green area.

**Response:** As set out in Section 2.1 above, we believe that this was adequately addressed and considered in the Design Study to which this proposed development complies. As a further motivation, it is considered that Dennesig is developing at a rapid pace, many land use applications for new residential developments have been submitted to Stellenbosch Municipality in the past year. The majority of these applications seek to provide higher-density residential accommodation. Given the rapid rate of densification in the area, the municipality must critically consider the needs of incoming residents, beyond the provision of mere accommodation. Students, young professionals and families require services and convenience goods that are easily accessible, within their immediate neighbourhood. Basic convenience goods and services (such as milk, bread, a cup of coffee and laundry services) should not need to be attained through the use of a motorized vehicle. Rather, such conveniences should be made readily available within urban settlements that prioritise accessible, integrated and human-scale development.

In this vein, the proposed development will feature a small retail area of 86m.<sup>2</sup> The intention of this space is to allow for a business that would directly cater to the everyday demands of urban residents within the immediate vicinity. The proposed business concept would be to create a lively retail space that would feature a small coffee shop, convenience store and self-service launderette, while offering co-working and private space for meetings, quiet study and socializing. Though the proposed retail area have made provision for 3 parking areas, it is considered highly likely that customers will walk / cycle to the facility as it is situated within such close proximity to the existing and proposed surrounding residential units. The target market for this retail area is not the wider Stellenbosch, but will be focused to provide for the everyday demands of the of urban residents within the immediate vicinity. It is

therefore considered that the proposed retail area will not add to traffic, or parking requirements as suggested by the objector.

It is proposed that retail area will have a small coffee shop with tables and chairs which would spill out on to the pavement in front of the building, activating the street front and sense of place on Dennesig Road, which is considered highly desirable and necessary to increase safety. It is argued that the proposed retail area and will not result in an increase in crime more than that currently experienced in the area and will actually increase safety in the area.

The proposed development will create an integrated living environment, which values the creation of livable, green outdoor spaces that are appealing not only to residents of the proposed development, but which also contribute towards creating an aesthetically pleasing street interface. In this regard, the current plans propose a space of to be provided on the roof of the building, which will be made available to all residents for recreational and relaxation purposes, with sweeping views of the surrounding mountains. In addition, there are also plans for a lush, green courtyard on the ground floor, which will be thoroughly landscaped and visible to all units. It should be considered that most of the units will also have balconies which, though it can't be counted towards communal areas, will add additional areas for relaxation. Though the proposed communal green area is slightly than the required, it is considered that sufficient open and communal areas are provided to address the needs of the future occupiers.

**2.3 Objection:** Departing from the zoning scheme restrictions would have a negative impact on the surrounding community and optimal utilization only refers to financial gain.

**Response:** This has been adequately assessed and addressed in the Dennesig Neighbourhood Design Guidelines which have motivated for the increased density to which this proposed development fully complies (as confirmed in the attached "Happy Letter"). It is inevitable that the character of the area will change to a higher density area, with higher buildings than the existing structures in the Dennesig area. The proposed development was designed to respond to the future planning vision of the area, being a high-density development area, in consultation with the Stellenbosch Municipality. It is therefore considered that the proposed scale, massing and street scape of the development will tie in with the future planning vision of the area and will not result in having a detrimental effect on the surrounding community.

Optimal utilisation in this instance does not refer to the profitability for the developer but rather to the optimal use of one of the last and best located areas in town (as specifically identified by the Stellenbosch Municipality ) for a high density brownfield development. The only way to optimize the use of land within the urban edge of Stellenbosch, which is also within close proximity to town and campus, would be to allow for considerable departures from the current zoning scheme. It is strongly motivated that allowing for higher density brownfield developments such as the proposed, being situated within the urban edge and within walking distance to campus and the town center, would be to the benefit of the surrounding community and the wider town as it will help to increase safety, result in optimal uses of service infrastructure and reduce pressure to develop high agricultural land.

**2.4 Request for TIS** – Kindly see attached e-mail confirmation that the TIS was send to Mr Capuzzimati. The overall Traffic study has also now been completed to which this amended proposal complies.

**3. Mr A B Hamman, letter dated 11 March 2019  
(owner Erf 146, Stellenbosch)**

**3.1 Objection: The proposed development will negatively affect the single residential character of the area and will result in overlooking and a loss of privacy.**

**Response:** The Dennesig area has been identified by the Stellenbosch Municipality (as confirmed in the IDP) as a densification area, which will allow for buildings up to 6 storeys. Subsequent to the approval of the IDP, the majority of the single residential erven along Paul Kruger, Hoffman and Dennesig Roads have been bought by private developers and developments of similar scale to this proposed development are currently either under consideration by the Stellenbosch Municipality or, in the design and planning phases. It is inevitable that the character of the area will change, not only as a result of the proposed development but due to the identification of the Dennesig area as a high-density development area (as proposed by the Stellenbosch Municipality).

It is also important to note that the majority of houses, as was clearly visible during our site visits, are not being occupied by single residential families, but are rented out to students/young people.

Erf 184 is situated on a corner plot with the proposed development designed to face onto Hofman Road and Dennesig Road. These roads separate the proposed development from the properties on the other side of the roads. There will therefore be no overlooking from the southern and western sections of the proposed development. The two neighbouring properties, being Erf 155 situated towards the north of the application site, and Erf 4683, situated toward the east of the application site, have both been acquired by private developers with the intention to develop these properties as high density residential developments similar to this proposed development. The building line departures relating to Erf 155 is mainly to allow for a small portion of the building to be build right up to the common boundary to comply with the recommendations of the Design Guidelines. The remainder of the building is sufficiently set back, even more than the required building lines to act as mitigation to the perceived overlooking. The proposed setbacks are considered to be sufficient to prevent overlooking to the extend to warrant refusal.

**3.2 Objection: Objects to the demolition and redevelopment of the existing building based on preserved historical value of the building and surrounding historical character of the area.**

**Response:** A heritage report was undertaken by Cape Winelands Professional Practices in Association, which was completed in May 2018, to take stock of all heritage resources in Stellenbosch. This study found that the Dennesig community is not acknowledged to be historically or aesthetically significant and does not outline any heritage requirements for developing the area. As part of this application, a demolition permit will be obtained from HWC who will assess the historical value of the building prior to issuing the demolition permit.

### 3.3 Objection: Concerns regarding negative traffic impact

**Response:** The overall Traffic Impact Study has considered this and have made recommendations towards the required upgrades to address these concerns. It is believed that the proposed upgrades, which can only be done in the case that this and other similar developments are constructed, will have a major positive impact not only to the Dennesig area but also on the wider Stellenbosch town.

We are confident that the above addresses and responds to the concerns raised to enable the Municipality to proceed with approving the application for the proposed development.

Yours sincerely



M Bolz

For Arch Town Planners

**Annexure G:           Comments Received from Internal and External  
Departments**

**Annexure J: Happy Letter**

## **ANNEXURE H**



# MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES  
DIREKTORAAT: INFRASTRUKTUURDIENSTE

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**TO** : **The Director: Planning and Development**

**FOR ATTENTION** : **Robert Fooy**

**FROM** : **Manager: Development (Infrastructure Services)**

**DATE** : **27 November 2019**

**RE.** : **Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

**YOUR REF** : **LU/8873**

**OUR REF** : **CIVIL LU 1799**

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Details, specifications and information reflected in the following documents refer:

- The revised land use application dated 4 November 2019 by Arch Town Planners;
- Site Plan Drawing No 3618/C/101 Rev 8 by TV3;
- Dennesig Densification Area Transport Impact Assessment dated November 2019 (Final Version 2) by ITS;
- Report on Civil Engineering Services, by KLS Consulting Engineers, dated Nov 2018, Rev 8;

These comments and conditions are based on the following proposed development parameters:

- Total flat units: 50 No.
- Total GLA retail: 86 m<sup>2</sup>

Any development beyond these parameters would require a further approval and/or a recalculation of the Development Charges from this Directorate.

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

*This document consists of the following sections:*

*A. Definitions*

*B. Recommendation to decision making authority*

*C. Specific conditions of approval: These conditions must be complied with before clearance certificate, building plan or occupation certificate approval; whichever is applicable to the development in question.*

*D. General conditions of approval: These conditions must be adhered to during implementation of the development to ensure responsible development takes place. If there is a contradiction between the specific and general conditions, the specific conditions will prevail:*

**A. Definitions**

1. that the following words and expressions referred to in the development conditions, shall have the meanings hereby assigned to except where the context otherwise requires:
  - (a) "Municipality" means the STELLENBOSCH MUNICIPALITY, a Local Authority, duly established in terms of section 9 of the Local Government Municipal Structures act, Act 117 of 1998 and Provincial Notice (489/200), establishment of the Stellenbosch Municipality (WC024) promulgated in Provincial Gazette no. 5590 of 22 September 2000, as amended by Provincial Notice 675/2000 promulgated in Provincial Gazette;
  - (b) "Developer" means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;
  - (c) "Engineer" means an engineer employed by the "Municipality" or any person appointed by the "Municipality" from time to time, representing the Directorate: Infrastructure Services, to perform the duties envisaged in terms of this land-use approval;
  - (d) "Dennesig Developers" means the entities on behalf of which the applications are submitted (i.e. landowner) or their successors in title, and will include all applications within the Dennesig Neighbourhood Area, bordered by Adam Tas Road, Molteno Road, Bird Street and Merriman Avenue. The "Dennesig Developers" currently consists of the following developments:

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Development	Property No	Entity on behalf the application was submitted (i.e. landowner)
Dennesig 1	Erven 143 – 145 & 166 – 170 Stellenbosch	Buffshelfco 54 Pty Ltd
The Edge	Erven 139 & 140 Stellenbosch	Cabzis (Pty) Ltd
The Den 2	Erven 141 – 142 & 163 – 165 Stellenbosch	Scandals African Footwear CC Joz Investments Trust Daniel Jacobus & Sara Da Luz Winterbach Saper Investments (Pty) Ltd. Ingrid Kirsten Blumer & Christopher Vernon Swart
Abacus	Erf 184 Stellenbosch	Dennesig Properties (Pty) Ltd

- (e) “*Master Home Owner’s Association (MHOA)*” means the Master Homeowners Association that shall be established by the “*Dennesig Developers*”.

**B. Recommendation:**

- Despite the considerable investment in the creation of housing opportunities through numerous government programmes, there is still a significant housing need across the country and indeed in Stellenbosch. Many of the government subsidised housing opportunities have been developed on cheaper land parcels, mainly outside of the urban core, further exacerbating apartheid spatial divides. This has placed significant strain on the lower- and middle-income residents who find it increasingly difficult to purchase or rent affordable, well-located properties in Stellenbosch. We have current and future housing backlog, half of which are for middle and upper-income households. As the population has grown, the release of land for development and housing has not kept pace. Housing has become so expensive that many of those who work in the Stellenbosch municipal area commute from outside this area and for these and others, the most basic shelter – even of a temporary nature – within this municipal domain remains an unattainable dream. It is recognised that housing challenges cannot be addressed by the public sector alone and the development of the Dennesig Precinct presents an ideal opportunity for private sector (in partnership with the municipality) to extend its role in catering to an affordable housing market. This is why part of the scope of works for the urban design study done was to indicate how these developments propose to respond to the need for affordable housing for young families in the broader Stellenbosch area. None of the current applications indicate that there will be specifically catered for affordable units and

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we advise the decision making authority to take cognisance of this when making their final decision and setting approval conditions.

3. From an engineering services perspective, the development is recommended for approval, subject to the conditions as stated below.

<b>C. <u>Specific condition of approval</u></b>
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4. **that the following upgrades are required to accommodate the development:**

- a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.
- b. **Water Network:** There is sufficient capacity in the bulk water network to accommodate the proposed development. Any network upgrades will be identified when engineering drawings/building plans are submitted for approval. The Municipality may request a capacity analysis report at that stage which will be for the Developer's cost. Any network upgrades identified, which are triggered by the development will be the Developer's responsibility and for their cost.
- c. **Sewer Network:** There is sufficient capacity in the bulk sewer network to accommodate the proposed development. Any network upgrades will be identified when engineering drawings are submitted for approval. The Municipality may request a capacity analysis report at that stage which will be for the Developer's cost. Any network upgrades identified, which are triggered by the development will be the Developer's responsibility and for their cost.
- d. **Roads Network:** A Transport Master Plan (TMP) (see **Annexure A**) has been approved as part of the Dennesig Densification Area Transport Impact Assessment and indicate the prioritization of transport projects to be implemented. This TMP (as amended) will be used as a guideline for the implementation of the identified projects, in parallel with the development of the Dennesig Precinct. Fourteen transport items have been listed to be implemented by the Dennesig developers over time. The focus of the TMP is to improve pedestrian and cycling facilities and activity in an attempt to reduce private car usage over time. The TMP prioritises these transport projects to guide the implementation of the full TMP. It also states the threshold in

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number of units developed, at which point each of the upgrade items will be triggered. The goal of the Municipality as well as the Developers is to implement as many of the projects listed as soon as possible to create a holistic pedestrianized environment that will be connected to the external Non Motorized Transport (NMT) network of the Municipality. The items as per the TMP must be implemented in a phased approach. The Masters Home Owner's Association (MHOA) will act as a vehicle to enter into service agreements with the Municipality for the implementation of upgrades. The process is outlined as follows:

- i. A Memorandum of Agreement must be concluded between the "Dennesig Developers" in which they undertake to establish a Master Home Owners Association "MHOA" as a vehicle to implement the relevant items of the Dennesig Transport Master Plan, and to adhere with the responsibilities regarding the payment of DCs into a trust account,
- ii. The Municipality must approve the conceptual Memorandum of Agreement.
- iii. This Agreement must be concluded and signed by all parties before the Municipality will approve any building plans of the "Dennesig Developers".
- iv. The MHOA must set up a trust account held by an attorney firm into which the DCs of the individual developments will be paid. The trust account will be an interest bearing account, which interest will be for the benefit of the municipality;
- v. The DCs of any one of the "Dennesig Developers" requesting building plan approval, must be paid into the trust account before the building plans will be approved;
- vi. Each building plan submission must be accompanied by an updated schedule from the Consulting Engineer appointed by the MHOA, indicating the number of units so far approved versus the thresholds in terms of units developed that will trigger project implementation. This schedule needs to identify if the current building plan submission triggers the implementation of one or more of the projects identified in the transport master plan;
- vii. Should a project/s be triggered, an Engineering Services Agreement (ESA) for the implementation of that project must be concluded between the MHOA and the Municipality. The ESA must be concluded before building plans can be approved;
- viii. The projects as per the ESA must then be completed and certified as complete by the Municipality, before further clearance certificates (i.e. occupation certificates) for the development will be issued;

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- ix. The trust fund will be terminated once all projects identified in the Transport Masterplan have been implemented. Any balance of paid DCs with interest earned thereon will be paid back to the Municipality;
- x. The Municipality reserves the right to give instruction to the Attorney firm in which trust account the DC's was paid that the DCs within the trust fund be paid over to the Municipality at any point, should the Municipality wish to do any infrastructure upgrades themselves;

**e. Shuttle Service:**

- i. Shuttle Service: A shuttle service must be provided, operated and maintained by MHOA or a service provider approved by the Municipality;
- ii. The funding and management of this service must be stipulated in the Memorandum of Agreement between "The Dennesig Developers";
- iii. The threshold for providing a shuttle service must be agreed and stipulated in the MOA;
- iv. The shuttle service shall be managed and operated by the MHOA and can only be terminated with mutual agreement of the Stellenbosch Municipality;
- v. The shuttle service route must be approved by the Stellenbosch Municipality

**f. Comments and conditions from Senior Manager: Roads, Transport, Stormwater & Traffic Engineering, Mr Johan Fullard: Dennesig Densification Area, Traffic Impact Assessment by ITS (November 2019), is herewith supported, with the following conditions being applicable:**

The Dennesig precinct falls within the Adam Tas Corridor (ATC) which comprises an area of approx. 300Ha. Within the ATC area, the principals of Transit-Oriented Development (TOD) is promoted, these principals encourage walking, cycling use of public transport with the aim to reduce the amount of private vehicles.

Chapter 6 of the SDF, highlights strategies such as the provision of remote parking facilities and the management the private vehicle demand. Other Municipal strategies (contained, both in the CIP and SDF) includes the, promotion of Non-Motorized Transport (NMT), promotion of Public Transport and the reducing the usage of Motor Vehicles.

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The Dennesig Development promotes both NMT, and Public Transport by providing adequate facilities for NMT and by providing a scheduled Public Transport Service.

In support of the municipal strategies, i.e: provision of remote parking facilities, management the private vehicle demand, promotion of NMT and Public Transport, reductions to the zoning scheme off-street parking requirements may be considered.

Where individual developments have reduced their off street-parking provision, and the parking is not in line with the current zoning scheme, the following will be applicable:

- i. The standard Stellenbosch Municipal practice, currently in place, allows for the reduced parking provision (between the approved zoning scheme and the number of bays provided) to be accommodated, by the payment of a municipal approved Parking Development Contribution (Parking DC) tariff.
- ii. Guidelines for allowable reductions to off-street parking are set out in the above mentioned TIA, these reductions relate to off-street parking requirements that are similar to the City of Cape Town's Public Transport (PT1) zone, which has shared characteristics to the municipality's envisaged ATC.
- iii. Funding from the Parking DC's will be set aside for, remote municipal parking facilities and the introduction of a municipal public transport services.

**g. Stormwater Network:**

- i. that the consulting engineer, appointed by the "*Developer*", analyses the existing stormwater systems and determine the expected stormwater run-off for the proposed development, for both the minor and the major storm event. Should the existing municipal stormwater system not be able to accommodate the expected stormwater run-off, the difference between the pre- and post-development stormwater run-off must be accommodated on site, or the existing system must be upgraded to the required capacity at the cost of the "*Developer*" and to the standards and satisfaction of the

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Directorate: Infrastructure Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans;

- ii. that in the case of a sectional title development, the internal stormwater layout be indicated on the necessary building plans to be submitted for approval.
- iii. that no overland discharge of stormwater will be allowed into a public road for erven with catchment areas of more than 1500m<sup>2</sup> and for which it is agreed that no detention facilities are required. The "*Developer*" needs to connect to the nearest piped municipal stormwater system with a stormwater erf connection which may not exceed a diameter of 300mm.

**h. Solid Waste:**

- i. For large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site. The Developer will have to indicate and provide evidence of safe re-use or proper disposal at an alternative, licensed facility. This evidence must be presented to the Manager: Solid Waste (Mr Saliem Haider; 021 808 8241; [saliem.haider@ Stellenbosch.gov.za](mailto:saliem.haider@ Stellenbosch.gov.za)), before building plan approval and before implementation of the development. Clean rubble can be utilized by the Municipality and will be accepted free of charge, providing it meets the required specification.
- ii. Due to the limited airspace capacity available, waste arriving at the site needs to be dramatically reduced in order to extend the lifespan of the landfill site. All new developments must have a mandatory separation-at-source programme to encourage recycling, possible organic waste separation to tie in with the municipality's future diversion programme, and adequate storage facilities to enable waste removal. This programme must be enforced by the HOA and provision must be made therefore in the Constitution and Rules of the HOA.

**Development Charges**

- 5. that the "*Developer*" hereby acknowledges that Development Charges are payable towards the following bulk civil services: water, sewerage, roads, stormwater, solid waste and community facilities as per Council's Policy;

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6. that the "*Developer*" hereby acknowledges that the development charges levy as determined by the "*Municipality*" and or the applicable scheme tariffs will be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;
7. that the "*Developer*" immediately familiarise himself with the latest Development Charges applicable to his/her development;
8. that the "*Developer*" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;
9. that the "*Developer*" may enter into an engineering services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services;
10. that the Development Charges as reflected on the DC calculation sheet, dated 20 November 2019, and attached herewith as **Annexure DC**, be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy.
11. that the Development Charges levy be paid by the "*Developer*"
  - prior to the approval of any building- and/or services plans;
12. that the development shall be substantially in conformance with the Site Development Plan submitted in terms of this application. Any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of units i.e. more than 50 units, or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 86 m<sup>2</sup>, will result in the recalculation of the Development Charges;
13. Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

**Site Development Plan**

14. that the layout of the proposed development shall be generally in accordance with the spatial provisions of the Transport Master Plan. It is the Developer's responsibility to ensure that his

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SDP is aligned with the Transport Master Plan in terms of inter alia: access points, sidewalks, refuse truck and public transport embayments etc.

15. that provision be made for a stacking distance of 6m (< 15 units served); 12m (15-40 units served); site specific requirements (> 40 units served or a business premises). The stacking distances shall be measured from the edge of the closest sidewalk or cycle lane to the entrance gate. The guiding principle is that vehicle and pedestrian traffic should not be obstructed by stacking vehicles;
16. that sufficient entrance and exit widths will be created at the vehicle access points: 2.7m minimum and 4,0m maximum width for a single entrance or exit way; 5,0m min and 8,0m maximum for a combined entrance and exit way. To accommodate emergency vehicles, at least one lane should be 4, 0 metres wide and have a minimum height clearance of 4.3 m.
17. that provision be made for a refuse room as per the specification of the standard development conditions below. The refuse room position as indicated on the Basement Storey plan 3618/C/102 Rev 8, is not approved;
18. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
19. that provision be made for a refuse embayment off the roadway/sidewalk to accommodate refuse removal. (Embayment to be minimum 15m x 2.5m). This must be clearly indicated on the engineering drawings when submitted for approval. The specifications of such embayment shall be as per the standard development conditions below unless otherwise agreed with the Municipality at building plan approval stage;
20. that any amendments to cadastral layout and or site-development plan to accommodate the above requirements will be for the cost of the "Developer" as these configurations were not available at land-use application stage;

**Ownership and Responsibility of services**

21. that all internal services on the said erf will be regarded as private services and will be maintained by the "Developer" and or Owner's Association;

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**Internal- and Link Services**

22. that the “*Developer*”, at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;

**Bulk Water Meter, water and sewer connections**

23. that an Occupation Certificate (in the case of a sectional title erf) will only be issued if the bulk watermeter is installed, a municipal account for the said meter is activated and the consumer deposit has been paid;
24. Each erf may only have a single water connection and a single sewer connection. Multiple connections are not allowed. Details of connection points must be indicated on all building plans submitted for approval;

**Roads**

25. that the “*Developer*” will be held liable for any damage to municipal infrastructure within the road reserves of the roads, caused as a direct result of the development of the subject property. The “*Developer*” will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services;

**Bulk Electricity**

26. Please refer to the conditions attached as **Annexure: Electrical Engineering**;

<p><b><u>D. General conditions of approval</u></b></p>
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27. that the “*Developer*” will enter into an Engineering Services Agreement with the “*Municipality*” in respect of the implementation of the infrastructure to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;
28. that should the “*Developer*” not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Infrastructure Services by the “*Developer*” for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development

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must be re-planned around the availability of bulk services as any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;

29. that the "*Developer*" indemnifies and keep the "*Municipality*" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the municipalities' services or apparatus or otherwise) arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.
30. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
31. that the "*Developer*" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;
32. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 3<sup>rd</sup> Edition (2015);
33. that the "*Developer*" takes cognizance and accepts the following:
  - a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
  - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
  - c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
  - d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;
  - e.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before the approval of internal – and external civil engineering services drawings;

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- f.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued;

**Site Development Plan**

34. that it is recognized that the normal Site Development Plan, submitted as part of the land-use application, is compiled during a very early stage of the development and will lack engineering detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the "Developer";
35. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;
36. that if the fully detailed Site Development Plan, as mentioned in the above item, contradicts the approved Site Development Plan, the "Developer" will be responsible for the amendment thereof and any costs associated therewith;
37. that an amended Site Development Plan be submitted for approval prior to the approval of building plans for new buildings not indicated on the Site Development Plan applicable to this application and or changes to existing buildings or re-development thereof;

**Internal- and Link Services**

38. that the "Developer", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;

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39. that the Directorate: Infrastructure Services may require the "*Developer*" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services;
40. that the detailed design and location of access points, circulation, parking, loading - and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;
41. that plans of all the internal civil services and such municipal link services as required by the Directorate: Infrastructure Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
42. that construction of services may only commence after municipal approval has been obtained;
43. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "*Engineer*";
44. that the "*Developer*" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (as amended) and that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with this document, unless otherwise agreed with the Engineer. The said document is available in electronic format on request;
45. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
46. that engineering design drawings will only be approved once approval in terms of the Stellenbosch Municipal Land Use Planning By-law is issued;
47. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
48. that prior to the issuing of the Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1, all internal - and link services be inspected for approval by the "*Engineer*" on request by the "*Developer's*" Consulting Engineer;

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49. that a Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1 be issued before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued (prior to transfer of individual units or utilization of buildings);
50. that a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer be submitted to the "Engineer" on request;
51. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
52. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the "Developer" to determine the location of existing civil and electrical services;
53. that all connections to the existing services be made by the "Developer" under direct supervision of the "Engineer" or as otherwise agreed and all cost will be for the account of the "Developer".
54. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;
55. that the "Developer", at his/her cost, will be responsible for the maintenance of all the internal (on-site) municipal – and private civil engineering services constructed for this development until at least 80% of the development units (i.e. houses, flats or GLA) is constructed and occupied whereafter the services will be formally handed over to the Owner's Association, in respect of private services, and to the Municipality in respect of public services;

**Servitudes**

56. that the "Developer" ensures that all main services including roads to be taken over by the Directorate: Infrastructure Services, all existing municipal – and or private services including roads, crossing private - and or other institutional property and any other services/roads crossing future private land/erven are protected by a registered servitude before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be given;

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

57. The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "*Developer*" will be responsible for the registration of the required servitude(s), as well as the cost thereof;
58. that the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party before final approval of engineering drawings be obtained.

**Stormwater Management**

59. that the geometric design of the roads and/or parking areas ensure that no trapped low-points are created with regard to stormwater management. All stormwater to be routed to the nearest formalized municipal system;
60. that overland stormwater escape routes be provided in the cadastral layout at all low points in the road layout, or that the vertical alignment of the road design be adjusted in order for the roads to function as overland stormwater escape routes. If this necessitates an amendment of the cadastral layout, it must be done by the "*Developer*", at his/her cost, to the standards of the Directorate: Infrastructure Services;
61. that the design engineer needs to apply his/her mind to ensure a design that will promote a sustainable urban drainage system which will reduce the impacts of stormwater on receiving aquatic environments;
62. that no disturbance to the river channel or banks be made without the prior approval in accordance with the requirements of the National Water Act;

**Roads**

63. that, prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Infrastructure Services for approval, and that the approved plan be implemented by the "*Developer*", at his/her cost, to the standards of the Directorate: Infrastructure Services;
64. that visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

**Wayleaves**

65. that way-leaves / work permits be obtained from the Directorate: Infrastructure Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;
66. that wayleaves will only be issued after approval of relevant engineering design drawings;
67. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

**Owner's Association (Home Owner's Association or Body Corporate)**

68. that an Owner's Association be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
69. that the Owner's Association take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
70. that in addition to the responsibilities set out in section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
71. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;
72. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

**Green Technologies**

73. It is encouraged that peak water demand should be accommodated with supplementary storage and recycling (e.g. rainwater tanks, grey water recycling) of water so that municipal water only be used to satisfy the base demand;
74. Technologies that facilitate the efficient use of irrigation water is encouraged;
75. Planting of waterwise flora is encouraged;

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

76. In accordance with the new SANS 10400-XA standard, all new housing should install solar water heating devices;
77. All non-subsidy housing is encouraged to meet the portion of their electrical demand that exceeds 300 kWh per month by generators such as solar photovoltaic panels and solar hot water heating devices;
78. SANS 10400-XA energy efficiency standards should be adhered to in all planning applications for new buildings, major renovations and usage changes;

**Solid Waste**

79. The reduction, reuse and recycle approach should be considered to waste management:

- Households to reduce waste produced
- Re-use resources wherever possible
- Recycle appropriately

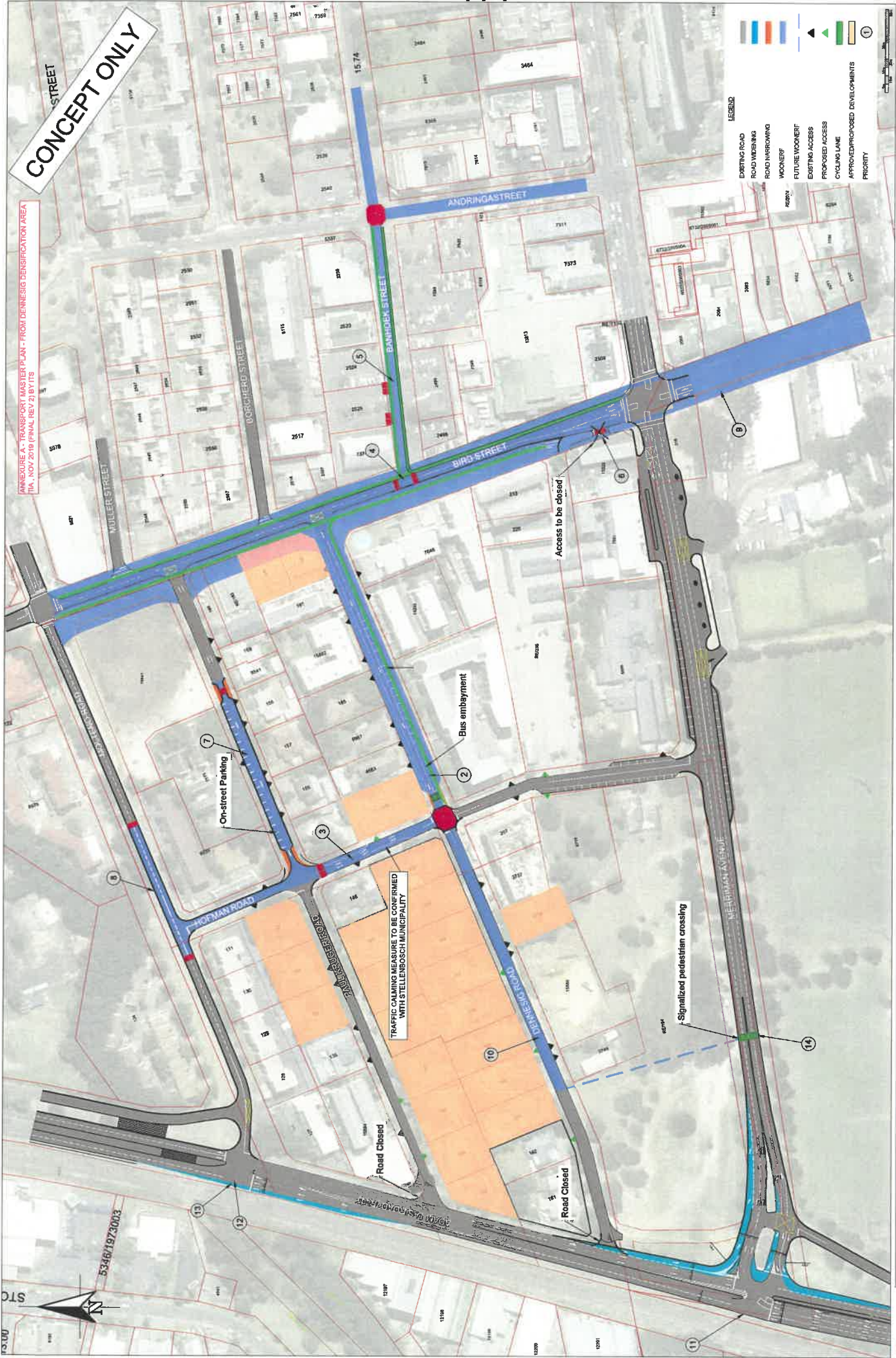
To give effect to the above, the following are some typical waste minimization measures that should be implemented by the Developer, to the satisfaction of the Stellenbosch Municipality:

- Procedures should be stipulated for the collection and sorting of recyclable materials;
- Provision should be made for centralized containers for recyclable materials including cardboard, glass, metal, and plastic and green waste;
- A service provider should be appointed to collect recyclable waste. Such service provider must be legally compliant in terms of all Environmental Legislation and/or approved by the Municipality's Solid Waste Management Department;
- Procedures for removal of waste (materials that cannot be reused or recycled) from the site should be stipulated;
- General visual monitoring should be undertaken to identify if these measures are being adhered to;
- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

Where an Owner's Association is to be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Constitution of the Owner's Association shall incorporate the above in the Constitution and:

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
  - A set of penalties for non-compliance should be stipulated in the Constitution
80. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
81. that the "*Developer*" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person Mr Saliem Haider, 021 808 8241; [saliem.haider@stellenbosch.gov.za](mailto:saliem.haider@stellenbosch.gov.za);
82. that should it not be an option for the "*Municipality*" to enter into an agreement with the "*Developer*" due to capacity constraints, the "*Developer*" will have to enter into a service agreement with a service provider approved by the "*Municipality*" prior to clearance certificate or occupation certificate (where clearance not applicable);
83. that if the "*Developer*" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "*Municipality*";
84. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;
85. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
86. Maximum depth of cul-de-sac shall be 20 meters or 3 erven, whichever is the lesser. Where this requirement is exceeded, it will be necessary to construct a turning circle with a minimum turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Infrastructure Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;
87. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
88. Road foundation shall be designed to carry a single axle load of 8.2 tons;





# Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION	
Application Number	Civil LU 1795 (LU/8573)
Date	
Financial Year	2019-20
Erf Location	Stellenbosch Town
Erf No	184
Erf Size (m <sup>2</sup> )	
Suburb	Denessig
Applicant	
Approved Building Plan No.	Site Plan Drawing No 3518/C/101 Rev 8 by TV3

SUMMARY OF DC CALCULATION							
Unit(s)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
	l/day	l/day	ha°C	t/week	trips/day	person	
Total Increased Services Usage	21 644	19 601	0.359	1.954	141.24	141.2	
Total Development Charges before Deductions	R 566 475.30	R 492 019.35	R 35 370.15	R 102 159.98	R 896 176.86	R 635 196.49	R 2 727 398.12
Total Deductions							
Total Payable (excluding VAT)	R 566 475.30	R 492 019.35	R 35 370.15	R 102 159.98	R 896 176.86	R 635 196.49	R 2 727 398.12
VAT	R 84 971.29	R 73 802.90	R 5 305.52	R 15 324.00	R 134 426.53	R 95 279.47	R 409 109.72
Total Payable (including VAT)	R 651 446.59	R 565 822.25	R 40 675.67	R 117 483.98	R 1 030 603.39	R 730 475.96	R 3 136 507.84

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature	Retail area - 86m2 - See p3 of revised land use application letter dated 4 November 2019 by Arch Town Planners
Date	20 Nov 2019
Amount Paid:	
Date Payment Received	
Receipt Number	

[illegible]

**Complete verification call:**

...the - dimension will be sufficient to handle the

**Global Transformation Challenge**

Deductions per student (%)

Deductions per service (amount)

Additional Deduction per service - from Service Agre

Sub Total after Deductions (excluding VAT)

AT

Category	Value
Total	100

**ELECTRICITY SERVICES: CONDITIONS OF APPROVAL**  
**Erf 184**

**GENERAL COMMENT:**

1. Development Bulk Levy Contributions are payable

**CONDITIONS**

2. The electrical consulting engineer responsible for the development shall schedule an appointment with Manager Electricity Services (Engineering Services) before commencing with the construction of the development. As well as to discuss new power requirements if required.

3. The development's specifications must be submitted to Stellenbosch Municipality (Engineering Services) for approval. i.e.

a) The design of the electrical distribution system

b) The location of substations(s) and related equipment.

4. A separate distribution board/s shall be provided for municipal switchgear and metering. (Shall be accessible & lockable). Pre-paid metering systems shall be installed in domestic dwellings.

5. 24-hour access to the location of the substation, metering panel and main distribution board is required by Technical Services. (On street boundary)

6. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity, should damage occur, the applicant will be liable for the cost involved for repairing damages.

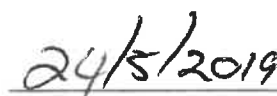
7. On completion of the development, Stellenbosch Municipality (Technical Services) together with the electrical consulting engineer and electrical contractor will conduct a take-over inspection.

8. No electricity supply will be switched on (energised) if the Development contributions, take-over Inspection and Certificate(s) of Compliance are outstanding.

9. All new developments and upgrades of supplies to existing projects are subject to **SANS 10400-XA** energy savings and efficiency implementations such as:

- Solar water Heating or Heat Pumps in Dwellings
- Energy efficient lighting systems
- Roof insulation with right R-value calculations .
  - In large building developments;
  - Control Air condition equipment tied to alternative efficiency systems
  - Preheat at least 50% of hotwater with alternative energy saving sources
- All hot water pipes to be clad with insulation with R-value of 1
- Provide a professional engineer's certificate to proof that energy saving measures is not feasible.

  
Signature

  
Date

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

89. Refuse storage areas are to be provided for all premises other than single residential erven;
90. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;
91. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
92. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 l Municipal wheelie bin;
93. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;
94. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;
95. All black 85 l refuse bins or black refuse bags is in the process of being replaced with 240 l black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

Commercial and Domestic : 585 mm wide x 730 mm deep x 1100 mm high

96. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;
97. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224
98. Building specifications for refuse storage area:

**Floor**

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).

**Walls and Roof**

The Refuse Storage Area shall be roofed to prevent any rainwater from entering. The walls shall be constructed of brick, concrete or similar and painted with light color high gloss enamel. The height of the room to the ceiling shall be not less than 2.21 meters.

**Ventilation and Lighting**

The refuse storage area shall be adequately lit and ventilated. The room shall be provided with a lockable door which shall be fitted with an efficient self-closing devise. The door and ventilated area shall be at least 3 metres from any door or window of a habitable room. Adequate artificial lighting is required in the storage area.

**Water Supply and Drainage**

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

99. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;
100. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
101. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Infrastructure Services, to ensure their compatibility with the servicing equipment and lifting attachments;
102. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

103. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
104. All refuse storage areas shall be approved by the Directorate: Infrastructure Services, to ensure that the Council is able to service all installations, irrespective of whether these are currently serviced by Council or other companies;

**AS-BUILTs**

105. The "*Developer*" shall provide the "*Municipality*" with:
  - a. a complete set of as-built paper plans, signed by a professional registered engineer;
  - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the "*Engineer*" and is reflected herewith as Annexure X;
  - c. a completed Asset Verification Sheet in Excell format, reflecting the componitization of municipal services installed as part of the development. The Asset Verification Sheet will have to be according to the IMQS format, as to be supplied by the "*Engineer*", and is to be verified as correct by a professional registered engineer;
  - d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;
  - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "*Municipality*" are fully paid;
106. All relevant as-built detail, as reflected in the item above, of civil engineering services constructed for the development, must be submitted to the "*Engineer*" and approved by the "*Engineer*" before any application for Certificate of Clearance will be supported by the "*Engineer*";
107. The Consulting Civil Engineer of the "*Developer*" shall certify that the location and position of the installed services are in accordance with the plans submitted for each of the services detailed below;

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

108. All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;
109. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law shall not be issued unless said services have been inspected by the "Engineer" and written clearance given, by the "Engineer";

**Occupation Certificate in terms of Section 14 of the the National Building Regulations and Building Standards Act 103 of 1977 (where a subdivision and clearance certificate is not applicable)**

110. It is specifically agreed that the "Developer" undertakes to comply with all conditions of approval as laid down by the "Municipality" before occupation certificates shall be issued, unless otherwise agreed herein;
111. that the "Municipality" reserves the right to withhold any occupation certificate until such time as the "Developer" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "Municipality" reserves the right to withhold any occupation certificate until such time as the amount owing has been paid;
112. The onus will be on the "Developer" and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for an occupation certificate in terms of the National Building Regulations. Verifying documentation (proof of payment in respect of Development Charges, services installation, etc.) must be submitted as part of the application before an application will be accepted by this Directorate;

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

**Avoidance of waste, nuisance and risk**

113. Where in the opinion of the "Municipality" a nuisance, health or other risk to the public is caused due to construction activities and/or a lack of maintenance of any service, the "Municipality" may give the "Developer" and or OWNER'S ASSOCIATION written notice to remedy the defect failing which the "Municipality" may carry out the work itself or have it carried out, at the cost of the "Developer" and or OWNER'S ASSOCIATION.

**TYRONE KING Pr Tech Eng**

**MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

W:\2.0 DEVELOPMENT\00 Developments\1799 - Erf 184, Dennesig (50 Flats)\1799 - Erf 184, Dennesig (50 Flats)\_1.doc

**ATTACHMENT X**

**Geographic Information System (GIS) data capturing standards**

In drawing up the As-build Plans relating to this development, the consultant must create the following separate layers in ESRI .shp, electronic file format in order for the data to reflect spatially correct.

Layer name	Content
TITLE	Title information, including any endorsements and references
NOTES	All noted information, both from the owner / surveyor and SG
PARENT_PROPLINES	Parent property lines
PARENT_PROPNUM	Parent erf number (or portion number)
PROPLINES	New portion boundaries
PROPANNO	New erf numbers
SERVLINEs	Servitude polygons
SERVANNO	Servitude type
STREET_NAMES	Road centre lines with street names
STREET_NUMBERS	Points with street numbers
COMPLEX BOUNDARIES	Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are)
SUBURB	Polygon with suburb name, where new suburb / township extension created
ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

When data is provided in a .shp format it is mandatory that the .shx, .dbf, files should accompany the shapefile. The prj file containing the projection information must also accompany the shapefile.

It is important that different geographical elements for the GIS capture process remains separate. That means that political boundaries like wards or suburbs be kept separate from something like rivers. The same applies for engineering data types like water lines, sewer lines, electricity etc. that it is kept separate from one another. When new properties are added as part of a development, a list of erf numbers with its associated SG numbers must be provided in an electronic format like .txt, .xls or .csv format.

For road layer shapefiles; the road name, the from\_street and to\_street where applicable as well as the start en end street numbers needs to be included as part of the attributes. A rotation field needs to be added to give the street name the correct angle on the map.

In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the Stellenbosch Municipality standard as follows:

- Datum : Hartebeeshoek WGS 84
- Projection : Transverse Mercator
- Central Longitude/Meridian 19
- False easting : 0.00000000
- False northing : 0.00000000
- Central meridian : 19.00000000
- Scale factor : 1.00000000
- Origin latitude : 0.00000000
- Linear unit : Meter



## **ANNEXURE I**

99 buitenkant street  
gardens, cape town  
8001  
[t] +27 21 462 1824  
[f] +27 21 462 1629  
[e]info@jakupa.co.za  
[www.jakupa.co.za](http://www.jakupa.co.za)




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**DATE** 25 October 2019  
**ADDRESS** Petrus Erasmus  
Abacus  
La Gratitude Offices  
97 Dorp Street  
Stellenbosch

**RE:** Dennesig Urban Design Framework: review process

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To whom it may concern,

This letter confirms that I have undertaken a review process with the development team of the Dennesig Apartments project located on the corner of Hofman and Dennesig roads, Dennesig on the 1<sup>st</sup> August 2019. The purpose of the meeting was to review the architectural proposals and test it against the set of urban design principles developed in the series of workshops for the neighbourhood and captured in Jakupa's Dennesig Urban Design Guidelines Report.

I can confirm that at this meeting a number of recommendations were made to bring the proposal in line with the ambition of the Design Guidelines Report. I can also confirm that these recommendations have largely been captured in the latest set of drawings sent to me as proof of the changes made. These drawings include PDF set of drawings that include:

1. Dennesig Apartment general arrangement drawing set in PDF format dated 23 October 2019

These drawings represent a considerable improvement in the building's urban design responses and will generally be in keeping with the intent and spirit of the Dennesig Urban Design Guideline Report.

It is noted however, that it is not Jakupa's role to approve the proposal which will remain the competence of the Stellenbosch Municipality and proposal would still need to go through their plans submission processes to secure formal approvals. It is however noted that the development team for this project has enthusiastically participated and responded to the spirit of making a better and coherent precinct in Dennesig.

Yours Sincerely

---

**Khalied Jacobs**  
Director



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

*Spatial Planning, Heritage and Environment*

**To :** Head: Customer Interface & Administration  
**From :** Manager: Spatial Planning  
**Reference:** Dennesig, Stellenbosch  
**Date :** 9 December 2019  
**Re :** Application for rezoning, various departures, Dennesig, Stellenbosch

I refer to your request for comment on the above application.

**APPLICATION FOR REZONING AND DEPARTURES FOR:**

- a. Erf 184
- b. Erven 143-145 and erven 166-170
- c. Erven 141, 142, 163 – 165
- d. Erf 139, 140

Various applications were received for the rezoning and departures i.t.o. permissible height, building lines, floor factor and coverage were received for the above properties all located in Dennesig. The applications were based on an urban design report and traffic impact statement prepared in conjunction with the municipality in order to be able to evaluate the applications against the same principles.

The applications were evaluated in general against current national, provincial and local policy, general trends internationally and lastly individually.

The comments, general and specific is contained in the report attached to this memorandum.

The applications are recommended for approval.

**BJG DE LA BAT**  
**MANAGER: SPATIAL PLANNING**



## INTRODUCTION

The combined impact of the approval of the various applications for redevelopment of the larger part of the Dennesig neighbourhood will have an impact on the neighbourhood itself and on the larger area within which the precinct is located. The impact can be severely negative in terms of residential quality, public space, infrastructure, traffic and congestion as well as the liveability of the area should conventional planning principles be applied.

An alternative development approach based on SMART Growth principles to create a regenerated, efficient, sustainable and liveable neighbourhood where infrastructure is used efficiently, public transport and NMT is promote and used frequently and where the public space is of a high quality so as to create a safe, pleasant and socially integrated realm, is possible. Should such an approach will be a departure from the normal planning approach in reaction to land use planning applications and would entail the proactive preparation of an urban design guideline that leads development. Should this approach prove to be successful and result in a substantially improved urban environment, it can be further improved on and used as a development model for the redevelopment and regeneration of similar areas within the city.

Such an approach will be in line with recent and current national, provincial and local policy as well as with international development trends necessitated by *inter alia* population growth, the severe lack of government funding and climate change. Due to the importance of this background, the report is structured as follows:

SECTION A: SOUTH AFRICAN CONTEXT

SECTION B: MUNICIPAL SPATIAL DEVCEOPMENT FRAMEWORK

SECTION C: THE ARGUMENT FOR DENSIFICATION

SECTION D: URBAN DESIGN GUIDELINES

SECTION E: RESPONSE TO APPLICATIONS

## SECTION A: THE SOUTH AFRICAN PLANNING CONTEXT

Section 7 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) prescribe five (5) general principles that applies to spatial planning, land development and land use management:

- (a) The principle of spatial justice.
- (b) The principle of spatial sustainability.
- (c) The principle of spatial efficiency.
- (d) The principle of spatial resilience, and
- (e) The principle of good administration.

With regards to the application of particular importance are the following aspects under the above principles:

- Past spatial and other development imbalances must be redressed through improved access to and use of land.
- Land development must optimise the use of existing resources and infrastructure.
- Only land development that is within the fiscal, institutional and administrative means of government may be promoted.
- Special consideration must be given to the protection of prime and unique agricultural land.
- Current and future costs to all parties must be considered when providing infrastructure and social services for land developments.
- Land development should only be promoted in locations that are sustainable, limit urban sprawl, and result in communities that are viable.
- Spatial plans, policies and land use management systems must be flexible to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

Numerous policy frameworks focus the work of government holistically, the spatial arrangement of activities or specific sectors.

The National Development Plan 2030 (NDP), developed by the National Planning Commission and adopted in 2012, serves as the strategic framework guiding and structuring the country's development imperatives and is supported by the New Growth Path (NGP) and other national strategies.

Of particular relevance are the recommendations set out in Chapter 8: Transforming Human Settlements and the National Space Economy, including the upgrading of all informal settlements on suitable, well-located land; increasing urban densities to support public transport and reduce sprawl; promoting mixed housing strategies and compact urban development in close proximity to services and livelihood opportunities;

and investing in public transport infrastructure and systems (with a special focus on commuter rail) to ensure more affordable, safe, reliable and coordinated public transport.

The Integrated Urban Development Framework (IUDF), approved by National Cabinet in 2016, aims to steer urban growth nationally towards a sustainable model of compact, connected and coordinated towns and cities. The IUDF provides a roadmap to implement the NDP's vision for spatial transformation, creating liveable, inclusive and resilient towns and cities while reversing apartheid spatial legacy.

The Provincial Spatial Development Framework (PSDF) sets out the key strategic spatial transitions required to achieve a more sustainable use of provincial assets, the opening-up of opportunities in the space-economy and the development of integrated and sustainable settlements. Of particular importance involves the promotion of an urban rather than suburban approach to settlement development (i.e. diversification, integration and intensification of land uses).

The Greater Cape Metro (GCM) Regional Spatial Implementation Framework (RSIF), completed under the guidance of the WCG in 2017, aims to build consensus between the spheres of government and state-owned companies on what spatial outcomes the GCM should strive for, where in space these should take place, and how they should be configured.

The regional settlement concept proposed by the GCM RSIF is built *inter alia* on the following key tenets:

- Containing settlement footprints by curtailing the further development of peripheral dormitory housing projects.
- Targeting built environment investments within regional centres, specifically in nodes of high accessibility and economic opportunity.
- Targeting these locations for public and private residential investment, especially rental housing, to allow for maximum mobility between centres within the affordable housing sector.
- Using infrastructure assets (specifically key movement routes) as “drivers” of economic development and job creation.
- Promoting regeneration and urban upgrading within strategic economic centres as well as high-population townships across the functional region.
- Shifting to more urban forms of development within town centres including higher densities and urban format social facilities.
- Maintaining valuable agricultural and nature areas.

## **SECTION B: MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK**

The MSDF argues that Stellenbosch town will remain the major settlement within the municipality; a significant centre comprising extensive education, commercial and government services with a reach both locally and beyond the borders of the municipality, tourism attractions, places of residence, and associated community facilities.

Retaining what is special in Stellenbosch town requires change. The town has grown significantly as a place of study, work, and tourism, while perhaps inadequately providing residential opportunity for all groups, and certainly lacking adequate provision of public transport and NMT options. Managing residential growth of the town, through providing more inclusive housing at higher densities than the norm, is vital. This can and must bring significant reductions in commuting by private vehicles to and within Stellenbosch town, and provide the preconditions for sustainable public transport and NMT to and within the town.

The most significant redevelopment opportunity within Stellenbosch town is the Adam Tas Corridor, stretching from the Droë Dyke and the Old Sawmill sites in the west along Adam Tas Road and the railway line, to Kayamandi, the R304, and Cloetesville in the north. Large industrial spaces – currently disused or to be vacated over time – exist here. Redevelopment offers the opportunity to accommodate many more residents within Stellenbosch town, without a negative impact on agricultural land, nature areas, historically significant precincts, or “choice” lower density residential areas. In many ways, the Adam Tas Corridor represents the key to protect and enhance what is special within Stellenbosch town, as well as the relationship between the town and surrounding nature and agricultural areas.

Conceptually, the Adam Tas Corridor is the focus of new town building, west of the old Stellenbosch town and central business district (CBD). The “seam” between the new and old districts comprises Die Braak and Rhenish complex, which can form the public heart of Stellenbosch town. The CBD or town centre in itself can be improved, focused on public space and increased pedestrianism. A recent focus on the installation of public art could be used as catalyst for further public space improvements

The inclusivity of infill housing opportunity – referring to the extent to which the housing provides for different income and demographic groups – whether as part of the Adam Tas Corridor or elsewhere within Stellenbosch town – is critical. Unless more opportunity is provided for both ordinary people working in Stellenbosch, and students, it will be difficult to impact on the number of people commuting to and from Stellenbosch town in private vehicles on a daily basis.

Further development of Stellenbosch town as a balanced, inclusive settlement, with sustainable public and NMT options available, will require significant partnership

between major institutions across sectors. For example, most of the Adam Tas Corridor is in private ownership, and a purely commercial approach to redevelopment of the land may not be in the best interest of the town. Further, it would appear that much of the traffic congestion in Stellenbosch town relate to the university, whether it is students commuting from other areas in the metropolitan areas, or students living within the town using cars for short trips.

A key prerequisite for implementation of the spatial proposals for Stellenbosch town is therefore establishing the institutional arrangements for joint planning and implementation towards common objectives, beyond those of individual institutional or corporate interests.

Of particular importance “to the applications at hand is the intention expressed in the IDP 2018/19 which reads as follows:

*A number of strategies are being proposed to address some of the issues, namely:*

- *significant densification of existing neighbourhoods located in proximity of major transport infrastructure and the Stellenbosch University;*
- *establishment of an urban restructuring zone along the Helshoogte/Banhoeck Road corridor for the development of high-density residential accommodation together with relevant non-residential facilities;*
- *identification of the Dennesig area bounded by Adam Tas Road/R44, Merriman Avenue, Bird Street and Molteno Road as a primary densification and development intensification area for the establishment of blocks of flats according to a predetermined pattern on clustered erven with heights of up to 6 storeys subject to certain performance criteria mixed with non-residential facilities;*
- *permitting the use of open spaces for the establishment of markets in response to the LED Strategy;*
- *designation of heritage conservation areas and places; and*
- *accommodating the growth and development planning of the University of Stellenbosch inside the current urban area.*

## SECTION C: THE AGUMENT FOR DENSIFICATION

From the above policy perspective, it is clear that the densification of urban areas will be required. Densification of urban areas beyond the core of the city is not an easy task but it is a challenge worth taking to fight against urban sprawl. City centres, which are usually already dense and mostly regenerated, are surrounded by transitional belts (sometimes called fringe areas) which have diverse urban functions with lower density, offering in principle good opportunities for densifying interventions towards the aim of compact city development. However, the task is not easy at all: physical interventions to achieve environmental benefits have high risks of negative social externalities; more-over they require substantial financial means in a period when the public sector suffers from the consequences of the financial crisis.

Density is one of the central issues in the debate about the urban future. The reason for that lies in the contradiction between the private and public interests in relation to the density of urban living: most actors (households, developers, businesses, etc.) strive to increase their individual, private benefits which, however, can only be satisfied at the expense of public interests. For example, most families prefer less dense urban forms, and their dreams result in sprawling suburbs which are very harmful from the perspective of sustainable urban development.

This contradiction between individual interests and their disastrous collective consequences is described as the '[Tragedy of the Commons](#)' (Hardin, 1968). The problem lies in the fact that the gains (returns) and the costs are neither accrued to nor born by the same actors. Moreover, the gains are often abstract and lie in the future while the costs are concrete and fall due in the present. This is a big challenge of the future: how can the – in the long run – more sustainable forms of (compact) urban development get more accepted by households, against their own immediate preferences.

This challenge is further complicated by the fact that density is not the only aspect of sustainable urban development. Sustainability in a broader sense should mean a dynamic balance between economic, environmental and social considerations. Therefore, in the end it is not density in itself that is interesting, but the relationship between the economic, environmental and social outcomes produced by different density levels.

### The Compact City

How the 'urban sprawl' can be defined? The most common definition which can be found in dictionaries and on the web claims that urban sprawl is the "unplanned, uncontrolled spreading of urban development into areas adjoining the edge of a city". The European Environmental Agency (EEA) defines the phenomenon of urban sprawl

as the “physical pattern of low-density expansion of large urban areas, under market conditions, mainly into the surrounding agricultural areas”.

The Compact City Model becomes known as one of the solutions to face the problem of the rapid development of the decentralisation outwards of the cities. The compact form has been studied in the planning literature mostly during the last twenty years, to implement the sustainability within the urban environment. The European Commission and national governments in many Western Countries adopted in latest years’ policies to promote the densification of the cities to reduce the pollution and the energy consumption (Breheny, 1995). In fact, the European Community and Agenda 21 encourage and require the high density development as a central principle for the growth of cities (De Roo, 2000).

The hypothesis of the Compact City is mainly based on the followings advocate qualities: - high-density development; - less car dependency; - improvement of the public transportation services and support for the walking and cycling; - mixed-use development and better access to services and facilities; - the preservation of green areas and the conservation of the countryside; - the regeneration of inner urban areas; - the efficient use of infrastructure. All of these aspects are considered the best efficient urban strategy from a sustainable planning development perspective for the social, economic and environmental dimensions, and they have to interact one with each other to increase the density from current levels. In fact, in recent years there has been a significant consensus that planning to get a denser urban form is the most proficient way to reduce energy consumption and pollution (Breheny, 1995)

The Compact City hypothesis promotes the social justice as a prerequisite to achieve urban sustainability, as it has been claimed at the Rio Summit in 1992. One of the arguments which supports the social equity is the possibility to have a better access to facilities and services in a compact urban development. In fact, the mixed-use and the high-density play an important role in favour of the disadvantaged: the grouping of different activities gives the possibility to people without a car to save money in travelling to stores out of town, or using more expensive local stores. Furthermore, the potential to reduce the distances between home and work permits to save time and money usually spent in commuting (Burton, 1999). The reduction of crime is mentioned as well as an argument in favour of the densification, and as “Jane Jacobs argued, the presence of ‘eyes on the street’ deters wrongdoing and promotes personal safety”.

The debate on the Compact City Model raised up when the benefits expected from the implementation of compact policies did not happen as it was claimed. Empirical experiences in some cities in Britain demonstrated that after ten years since the intensification, no reduction of car used has been proved, and other problems showed up, like the increase of pollution in the city centres due to the higher density and traffic. “[..] there is an evidence which suggests that these claims are at the very least

romantic and dangerous, and do not reflect the hard reality of economic demands, environmental sustainability and social expectations" (Thomas & Cousins, 1996).

The critics on the Compact strategy point out the problem on the affordability of housing, claiming that the reduction of available land to build on will better increase the prices of the dwellings for the citizens, rather than decreasing.

The breakthrough of the Compact City concept has been confirmed with the emission of the report "De compacte stad gewogen" (The Compact City Evaluated) in 1985, which motto was 'the city in the centre' (De Roo, 2004), and with the 'City Central' Structure Plan, that promoted the process of reversion of the de-urbanisation in favour of developing compact cities, and it was the first structure plan to deal with all policy areas in an integrated manner. The report describes the strategies and benefits of the compact hypothesis, as the traffic reduction, a better quality of life, the limitation of the sprawl and the improvement of the accessibility; although at the beginning the compact strategy has been used mostly with housing in order to abate income attrition (Faludi, 1992). Nevertheless, the compact city policies evolve rapidly and constantly in other sectors, such as economy and transports. The leading principles claimed by the report are: (De Roo, 1996) - to increase the city's population and limit the increase in use of urban space; - to emphasise city and landscape, build by adding to the existing structure; - to emphasise public transport and low traffic speeds in the city; - to strengthen spatial and functional cohesion; 30 Compact City and Densification Strategies The case of Gothenburg - to distribute facilities to limit necessary traffic and improve accessibility for inhabitants; - to utilise investments already made. These leading principles aim at the change in traffic patterns as a result of compact building, which should lead to a reduction in mobility.

## **SECTION D: URBAN DESIGN GUIDELINES**

The Municipality received several land use applications for medium to high density residential developments within the Dennesig neighbourhood. These applications were submitted independently from each other, without due consideration of the overall/combined impacts of the developments on the neighbourhood. In the absence of a Transit Orientated Development Framework (TOD) and Densification Policy for the area, the municipality identified the need for an overarching study to assess and inform planned densification within the Dennesig neighbourhood.

The guidelines would be mainly informed by transport impact investigation and urban design proposals. The main objective for such a study would be to provide a non-statutory guideline document for the Municipality as a basis to firstly assess applications, and secondly to guide existing developers and future developers towards a coherent integrated development vision.

The purpose of this document is to set out the broad development guidelines for all the current and future development applications in order to ensure an integrated and holistic approach towards development in the neighbourhood.

The primary study area for the Dennesig Neighbourhood Design Guideline (DNDG) is located between Merriman Avenue, Bird Street, Molteno Road and Adam Tas Road. The locality is specifically relevant and important in terms of its location relative to the Stellenbosch University (SU) and the central business district (CBD) of the town. The area is a built up environment, consisting of predominantly residential uses. Dennesig is a relatively small neighbourhood (200m radius) and only within 500m walking distance to the SU. The St Nicholas Catholic Church (hereafter the Catholic Church) is also located in the Dennesig neighbourhood and is regarded as an important landmark and place making element within this context.

The Dennesig neighbourhood is a built up area consisting predominantly of residential uses. In recent years, the market has responded to the high demand for student housing within Stellenbosch. Several existing high density residential developments are located within the primary study area.

The 2018/19 IDP stated clearly that future growth, expansion and innovation cannot be allowed to unfold in haphazard ways as this is likely to result in expensive outward low density sprawl and the related destruction of valuable ecosystem and agricultural resources. The following two strategies are being proposed in terms of the IDP:

- “Significant densification of existing neighbourhoods located in proximity of major transport infrastructure and the SU; and

- Identification of the Dennesig area bounded by Adam Tas Road/R44, Merriman Avenue, Bird Street and Molteno Road as a primary densification and development intensification area for the establishment of blocks of flats according to a predetermined pattern on clustered erven with heights of up to 6 storeys, subject to certain performance criteria mixed with non-residential facilities."

Following the assessment of the IDP above, this department concurs with the DNDG that it can be concluded that the implications for this study are:

- The Dennesig neighbourhood has been identified as a primary densification area.
- Densification is one of the primary 'tools' to address student accommodation shortages, increasing demand for housing for young professionals and families, and the need to find innovative solutions to discourage private vehicular usage.
- Development of the study area will contribute towards the principle of urban growth containment and the release of pressures within the urban fringes.

Furthermore, the area is located in or adjacent the catalytic project for the development of the Adam Tas Corridor contained in the 2019/2020 IDP and MSDF.

This department is therefore satisfied that Dennesig neighbourhood is appropriately located for an area that can be redeveloped into a compact neighbourhood to address the various urban challenges contained in the IDP and MSDF.

### **The Purpose of the document**

The primary role of this report is to record a set of design principles in an attempt to find the balance between compact and vibrant urban environments and the pragmatic demands of the context and what is feasible to aid development.

The purpose of this document is to:

- Develop a spatial set of principles and a rationale for the way in which the neighbourhood could transform over time;
- As a tool to negotiate and guide the various actors in the development process as the various proposals are processed by the Municipality, property owners, their professional teams and development partners that responds to the generally accepted urban design principles;
- And, to be used as a tool for the authorities to measure the development proposals.

## **Design Principles**

The design principles that are seen as necessary to support a healthy, safe and sustainable environment are described below:

- A pedestrian focussed environment.
- A safe activated public realm.
- Vibrant mixed use opportunities
- A sustainable lifestyle community.
- Multiplicity in scale.
- A contemporary architectural approach.

## **Proposed Neighbourhood Spatial Structure**

The primary spatial structure is focused on establishing a pedestrian oriented movement system that supplements the larger superblock vehicular movement system.

- (a) Entrench and expand the existing Catholic church werf as the heart of the neighbourhood.
- (b) Limit vehicular movement through Hoffman Street between Dennesig and Paul Kruger streets to prevent rat-runs.
- (c) Convert Dennesig street into a pedestrian oriented Woonerf street where kerbs are removed from the road reserve to create a single plane on which both people and vehicles move. Vehicles are slowed through creating an indirect route. Maximise the opportunity to create interactive edges along both sides of the street that include building entrances and public uses.
- (d) Create a pedestrian link between Dennesig Street and Merriman Street and establish a new mixed-use development and an urban park on the existing green space. Establish a focal point on the intersection of Adam Tas and Merriman Street.
- (e) To create an urban room along Bird Street, pinch the urban form at the intersections of Merriman Street and Birds Street. Populate the urban room with equipment that supports the occupation of this space by people.
- (f) Create a raised pedestrian crossing where Dennesig and Banghoek streets intersect with Bird to ease the movement of pedestrians across it.

The existing St. Nicholas Catholic church complex is a remnant of a larger precinct that was subdivided over time and is a prominent spatial feature in Dennesig (the heart of the Dennesig). The space is imagined to be established as the heart of the neighbourhood with its hierarchy entrenched through raising it onto a platform. Various specific proposals were made to recognise and preserve/complement this significant historical landmark.

It is thus proposed to expand and elevate the werf around the Church onto a platform. This expansion of the werf will then be the start of the woonerf along Paul Kruger Street. This woonerf will also act as a traffic calming mechanism and prioritise pedestrian movement in the vicinity of the church. To emphasise the Church even more, it is proposed to “pinch” the road at the start of the Church werf and change the road direction of the road to a one directional road in the westward direction.

To promote non-motorised transport as well as an attempt to reduce vehicle usage in the Dennesig area, a woonerf is proposed along Dennesig Road (between Bird and Hofman Streets), along Hofman Street (between Paul Kruger and Dennesig Roads) and Paul Kruger Street in front of the church. A woonerf can be defined as a “living” street which shares space between all transport modes but especially pedestrians and vehicles. It also introduces a slow vehicular speed environment to increase pedestrian and cycling activities.

A similar woonerf is proposed along Hofman Road. This woonerf will limit vehicular movement through Hoffman Street between Dennesig and Paul Kruger Street in an attempt to reduce through traffic and especially the current rat-run. This will also promote pedestrian movement towards the Krom River.

The most prominent woonerf is proposed along Dennesig Road where the street is to be converted into a pedestrian corridor for the people to use when walking or cycling to the Stellenbosch CBD or the University. To allow for larger NMT and PT facilities it is proposed to change the direction of the road to a one-way also in the westbound direction.

It is furthermore proposed to extend the pedestrian corridor of Dennesig Road over Bird Street by means of a raised pedestrian crossing, to prioritise NMT movement across Bird Street. The cross-section of Bird Street will therefore also change to implement a pedestrian hub along Bird Street, pinch the road allowing for a shorter crossing distance for pedestrians and to accommodate cyclists. The SM recommends the following cross sections to accommodate cyclists. This recommended cross-section was used as a guide to develop the cross-section recommended for Bird Street.

Fundamental to the development strategy for the neighbourhood it to create a perimeter block model. The building typology requires buildings to be built to the site boundary edge which has the primary advantage of providing enclosure to streets and makes layering possible between public frontage and private courtyards. This ensures that they address the public realm with a high degree of legibility. Positive and active fronts help to minimise unsupervised and unsafe communal spaces and access routes. Successful **perimeter blocks** have two key characteristics: **public fronts** – that form a strong outward (or public facing) edge and **private backs** – that form an

inward (semi-public and/or exclusively private) edge. Fragmented or broken perimeter blocks are easy to spot by the lack of building fronts facing onto and engaging the street, often lacking surveillance opportunities making backs vulnerable to intrusion.

A typical perimeter block street interface section would need to comply to a set of principles that guides the perimeter block morphology. These are expressed by a series of datum lines that tie individual buildings together into an orchestrated whole. The articulation of the 4-storey interface for the podium buildings along Paul Kruger must mitigate its height through the establishment of setbacks at fourth storey level in the form of a pulvinar. This is conceived as a generous public balcony that overlooks the werf.

A critical interface to ensuring the success of the intentions of these guidelines is the difficult relationship between residential units and the street. The expectation is that architects give this interface special attention so as not to erode the intent of creating positive interactive spaces without compromising a sense of security. Carefully manage the interface between residential units on the ground floor and the street. Employ depth, screens and planting layers to articulate layers of privacy.

A significant risk to the neighbourhood is that the radical transformation of this neighbourhood would result in mono-functional and sterile environments. These risks include that market-driven development would exclude diversity through solely targeting high income brackets or student populations. Both these markets seem readily available. With its strong identity and growing demand for students to be resident in the town, there is a risk of the neighbourhood to be transformed either into an exclusively rich neighbourhood or a moribund place during the two-month vacation period at the end of the year. The ambition of this report is to promote a sense of diversity in both use and income levels throughout the neighbourhood. In the absence of an inclusionary housing policy, this report promotes the following sets of principles to promote a healthy neighbourhood eco-system:

**(a) Diverse forms of tenure**

That models for housing promote a diverse spectrum of tenure that may include accessing diverse financial models to achieve these outcomes. This may include the need for the Municipality to establish policies to assist property owners access a diverse set of tools to promote hybrid tenure models. These may include rental models, lease-to-purchase and owner-occupied/sectional title units.

**(b) Diverse unit sizes**

While consolidating single residential erven may benefit the ability to densify, targeting narrow markets runs the risk of a narrowly defined resident community. To counter this risk this report promotes diverse unit sizes that could accommodate both differences in family size and income levels.

**(c) Diverse uses**

A strong spatial structure needs to be supplemented by supporting uses. We promote the idea of mixed-use developments across the neighbourhood with appropriate diversity of uses that relates to its role in the spatial structure.

**(d) Diverse income levels**

In the absence of an inclusionary housing policy, developers are encouraged to target a range of income levels. This report also calls for the municipal owned land, including the existing municipal parking lot and open space be considered for a mixed-use, mixed-income scheme as promoted by the Provincial Government's Better Living Model. These sites could accommodate a mix of subsidized housing [social and FLIPS housing] alongside mixed-use market related housing targeting the low-end and "Gap" markets.

Although the TOD principles suggest that people would reduce their private vehicle usage by choice, this realisation will only happen over time. The transition period between the "business as usual" and full TOD has to accept that people will still own cars. However, the intention is to reduce the usage of the car during peak periods. It can therefore be expected that residents will still need parking to use their cars over weekends and holiday periods. If parking is insufficiently provided initially, parking of vehicles can spill over into the public streets which can conflict with the objectives of creating a pedestrian-friendly environment.

All streets will accommodate on-street parking where possible for mainly visitors to the area as well as for delivery and refuge vehicles. All development parking must still be situated on the erf. However, it is proposed to change the parking requirements from a minimum to a maximum number of parking bays. On the other hand, a minimum number of motorbike and bicycle bays are recommended to discourage private vehicle usage and also coincide with the TOD objective of the Dennesig area.

Key to the development is the implementation of the changes and upgrades to the public realm and infrastructure. The required costs to upgrade the road network is calculated at approximately R16 million and is unlikely to be funded by individual developers due the quantum of each individual contribution. There are various options being considered to collect DCs and implement infrastructure.

The preferred option is to create a Masters Home Owner's Association (MHOA) that will act as a vehicle to enter into service agreements with the Municipality for the implementation of upgrades. The process is outlined as follows:

- (a) A Memorandum of Agreement must be concluded between the "Dennesig Developers" in which they undertake to establish a Master Home Owners Association "MHOA" as a vehicle to implement the relevant items of the

- Dennesig Transport Master Plan, and to adhere with the responsibilities regarding the payment of DCs into a trust account,
- (b) The Municipality must approve the conceptual Memorandum of Agreement.
  - (c) This Agreement must be concluded and signed by all parties before the Municipality will approve any building plans of the “Dennesig Developers”.
  - (d) The MHOA must set up a trust account held by an attorney firm into which the DCs of the individual developments will be paid. The trust account will be an interest bearing account, which interest will be for the benefit of the municipality;
  - (e) The DCs of any one of the “Dennesig Developers” requesting building plan approval, must be paid into the trust account before the building plans will be approved;
  - (f) Each building plan submission must be accompanied by an updated schedule from the Consulting Engineer appointed by the MHOA, indicating the number of units so far approved versus the thresholds in terms of units developed that will trigger project implementation. This schedule needs to identify if the current building plan submission triggers the implementation of one or more of the projects identified in the transport master plan;
  - (g) Should a project/s be triggered, an Engineering Services Agreement (ESA) for the implementation of that project must be concluded between the MHOA and the Municipality. The ESA must be concluded before building plans can be approved;
  - (h) The projects as per the ESA must then be completed and certified as complete by the Municipality, before further clearance certificates (i.e. occupation certificates) for the development will be issued;

This department concurs with the Urban Design Guidelines and Traffic Guidelines and recommendations that stems from these reports.

The Dennesig area is located within an are identified for a future Transport Orientated Development (TOD) and is well located with respect to the Adam Tas Corridor. In order to achieve the vision for a compact, liveable city where private vehicle ownership is discouraged and an integrated, mixed use and vibrant environment with an emphasis on a safe, quality public environment, a departure from the normal development parameters will be required. The development guidelines make provision for a public environment substantially different from the existing urban form where the use of the street will be broadened to include people rather than private vehicles. International president has proved that the use of public streets as public places generally improves security, social integration and liveability.

It can be expected that there will be opposition to change from the public. However, in order to create the environment envisaged by the MSDF and Urban Design Guidelines, difficult decisions will be required. Critical to the success of the envisaged development is the creation of a Masters Home Owners Association that will be tasked, together with the municipality for the implementation of the infrastructure

proposals to develop the "woonerf" proposal and public transport to add substantial value to the public realm. Should this be done successfully, the redevelopment of Dennesig can perhaps serve as an example for future similar developments.

## SECTION E: EVALUATION OF APPLICATIONS

The evaluation of the separate development proposals, as revised, are discussed below.

### 1. Erf 184

Applicant:	ARCH Town Planners
Zoning required:	Specific Business
GLA retail component: 86m <sup>2</sup>	zero m Dennesig Street (floor 1-4) Zero m and 1,7 m partially
Coverage:	76%
Total number of units:	50
Total GLA retail:	86m <sup>2</sup>
Number of floors:	5
Building lines:	
Parking provided:	56 plus 13 tandem bays 12 motor cycles 67 bicycles
Bicycle/motorbike parking provided:	
Adherence to urban design guidelines:	Yes

The development will entail the construction of a five-storey building, which will provide a total of 50 residential units ranging in size from 30m<sup>2</sup> (studio apartments), ±40m<sup>2</sup> (1-bedroom units), ±60m<sup>2</sup> (2-bedroom unit) up to ±80m<sup>2</sup> (3-bedroom units). The ground floor of the building will include a small business (retail) area with a floor space of 86m<sup>2</sup>. A total of 56 vehicle parking bays (which excludes an additional 13 tandem bays) will be provided in a secure and discrete parking area, as well as secure, lockable storage for at least 50 bicycles and 12 motorcycles. The parking area will be shielded from the street interfaces and will be situated in a basement and on ground floor. No parking will be visible from the street and from the perspective of pedestrians passing in front of the building via both Hofman and Dennesig Road. Amended Application: Erf 184 situated at 22 Dennesig Road Stellenbosch Page 4

A parking basement providing 69 parking bays with an additional 13 tandem bays, 12 bays for motor cycles and 67 bays for bicycles. Parking will be accessed from two vehicular access points, one access point from Hofman Road, towards the basement and one from Dennesig Road towards the ground floor parking area. Pedestrian will access the building from Hofman Road.

The development will feature a small retail area of 86m<sup>2</sup>. The intention of this space is to allow for a business that would directly cater to the everyday demands

of urban residents within the immediate vicinity. The retail section on the corner of Hofman and Dennesig roads is in line with the Urban Design study which emphasise the importance to activate this street frontage to create a safe and secure environment.

The residential component of the proposed development comprises a mix of unit typologies and sizes to accommodate a wider income group and differing family compositions. The provision of a mix of units provides the basis for accommodation that has the potential to integrate diverse residents, rather than contributing towards the growing trend whereby students live in segregated neighbourhoods that are isolated from other residents of the Stellenbosch community. The majority of the units 40m<sup>2</sup> and more, with almost half of the total number of units being 2x and 3x bedrooms larger than 60m<sup>2</sup>. The larger unit sizes are designed to specifically target young professionals so as to avoid a single tenancy within the area. The focus upon 2/3 bed unit mix likewise seeks to inject much needed activity into the area during the typically vacant student holiday months

In following the Urban Design Guidelines development will provide for an integrated living environment. The plans propose a space to be provided on the first floor of the building, which will be made available to all residents for recreational and relaxation purposes. In addition, there are also plans for a lush, green courtyard on the roof of the 4th floor, which will be thoroughly landscaped and visible to all units.

The revised application responded positively to the Urban Design Guidelines by actively promoting active street 'Woonerfs' via interactive street edges. The proposed development conforms to these ideals by providing active built edges at Street Level and through extending the pavement up to building edge. The building façade has been designed to interface directly with the building at street level, eliminating the need for boundary walls and effectively widening the pavement as much as possible.

All levels above the ground floor are created with large balcony expanses to promote living onto the urban realm and promote the concept of 'eyes on the street' which contribute to safer urban environments

The Penthouse level (5<sup>th</sup> storey) is set back from the building edge below and articulated as a lightweight structure perched at the top. This is deliberately set up to recede from view of the street and the wrap-around balconies create the potential for active edges.

The amended application is therefore **SUPPORTED** from a spatial planning perspective.

**2. Dennesig Court: Erven 143-145 and erven 166-170**

Applicant:	Urban Dynamics Western Cape
Zoning requested:	Specific Business
Total number of units:	508 (538 rooms)
Total GLA retail:	475m <sup>2</sup>
Coverage:	58% for flats above ground floor
Number of floors:	6
Building lines:	Ground floor: 0 m for Basement 1,9 m Dennesig Street 1,9 m Paul Kruger Street 3,2 and 2,4 respectively Erf 146
	1st-3rd floor: 0 m for street building line
	4, 5 <sup>th</sup> floor 1,9 Street building lines
Parking provided:	410 motor vehicles
Bicycle/motorbike parking provided:	96 Motor bikes 604 Bicycles

Adherence to urban design guidelines: Yes

The development of Dennesig Court takes place on 8 erven to be consolidated. The consolidated erf measures 8 363m<sup>2</sup>. The development consists of a 6 storey block of flats and a basement earmarked for parking. On the ground floor a retail proponent of 475m<sup>2</sup> is provided to activate the corner of Dennesig and Hofman Streets. The building is configured around two green court yard that provides recreational space and includes a swimming pool, mini-sports field and multi-purpose hall of 548m<sup>2</sup>.

The first storeys have a setback of 1,9 meter form the erf boundary to provide for a landscaped area in order to ensure security on street level. The 2<sup>nd</sup> to 4<sup>th</sup> floors adheres to the build-to line of zero meter 5<sup>th</sup> and 6<sup>th</sup> storeys have a set-back of 1,9 meters to mitigate the height of the building. The set-back line is aligned with the Urban Design Guidelines and contribute to the 5<sup>th</sup> and 6<sup>th</sup> floors to less visible form the street view. A 6<sup>th</sup> storey will only be erected on the southern side of the property next to Dennesig Street while only 5 floors in total will be erected on the Paul Kruger side of the property.

A basement with parking as indicated above obtains access from Dennesig Street. The total number of parking bays provided in the basement is 410 while 96 bays are for motorbikes and 604 bicycle bays will be provided. The proposed development adheres to the parking ratios proposed by the DNDG. A

Memorandum of Undertaking (MOU) will be signed by the developers, which include the condition for the provision of a student shuttle service.

The edge treatment adheres to the Urban Design Guidelines to manage the interface between the residential units on ground floor and the public space. Ground floor units are set back  $\pm 1.9\text{m}$  from the street. A private landscaped garden along the property boundary will mitigate potential interface impacts.

The main pedestrian entrance is located on Dennesig Road. Retail use is also located along a portion of Dennesig Road (i.e. on the corner of Dennesig and Hofman Roads). Pedestrian entrances to the proposed development are located on Dennesig and Hofman Roads (both off the 'Woonerf'). Retail use is proposed on the corner of Dennesig and Hofman Roads.

The development is aimed at student accommodation and makes provision for 508 units with 538 rooms.

Overall the redesign of the building is aligned with the Urban Design Guidelines. Although it is aimed at student accommodation it also includes a retail component on ground floor in an appropriate position which will contribute to the activation of the ground floor.

The building is located next to the Den 2 and although it is a tall building the height will be mitigated in the context of the street and will fit in with the perimeter block model advocated by the Urban Design Guidelines.

The department therefor **SUPPORTS** the application in its revised format.

### 3. The Den 2: Erven 141, 142, 163 – 165

Applicant:	Dennis Moss Partnership
Zoning requested:	General Residential
Total number of units:	176 units (91 x 2-bedroom, 85 x 1 bedroom/bachelor units)
Floor factor :	1.6m <sup>2</sup>
Coverage:	79,4%
Number of floors:	5 (5 <sup>th</sup> floor set back)
Building lines:	Street: 0m Lateral: against erf 143 – 4,6 m Lateral: all other – 0 m
Parking provided:	176 in lieu of 204
Bicycle/motorbike parking provided:	176 and 44
Access	Paul Kruger & Dennesig Streets
Adherence to urban design guidelines:	Yes

The development of The Den 2 takes place on 5 erven to be consolidated. The consolidated erf measures 5 218m<sup>2</sup>. The development consists of a 5 storey block of flats of which the 5<sup>th</sup> floor is set back in line with the urban design guidelines. The building is configured around a green courtyard that provides recreational space and includes a swimming pool. The units on the 5<sup>th</sup> floor faces inwards to court yard.

The first 4 storeys of the building adheres to the build-to line of zero meter on street level while the 5<sup>th</sup> storey has a set-back of 7,6 meter. The set-back line is aligned with the Urban Design Guidelines and contribute to the 5<sup>th</sup> floor receding from view.

A semi-basement with parking as indicated above gets access from Paul Kruger and Dennesig Streets. Over and above the 176 parking bays provided, 176 bicycle parking and 44 motor bike parking are also provided for in lieu of the under provision of parking 28 parking bays.

The edge treatment adheres to the Urban Design Guidelines to manage the interface between the residential units on ground floor and the public space.

Overall the redesign of the building is aligned with the Urban Design Guidelines, will provide an option of residential units and will contribute to the public realm.

The Den 2 is located adjacent to the Den 1 which is a 4 storey building and complements the existing building in height and architectural design.

Unfortunately, the Den 1 was erected before the urban design guidelines were drafted and therefor has a street building line setback.

An application for the development to a 6 storey building adjacent and to the east of The Den 2 will result in a continuous building façade creating the perimeter block preferred in the Urban Design Guidelines.

The department therefor **SUPPORTS** the application in its revised format.

**4. The Edge: Erf 139, 140**

Applicant:	ARCH Town Planners	
Zoning requested:	General Residential	
Coverage:	60	%
Floor Factor:	1,6	
Total number of units:	66	
Total GLA retail:	m <sup>2</sup>	
Number of floors:	5	
Building lines:	1,1 m Ground floor Paul Kruger Street 0 m floors 1-3 Paul Kruger Street 0 m Common building line Erf 141 4,2 m Common building line Erf 16399	
Parking provided:	77 bays (11 tandem)	
Bicycle/motorbike parking provided:	66 bicycles	
Adherence to urban design guidelines:	Yes	

The proposed development entails the consolidation of Erven 139 and 140 to allow for the development of a block of flats, comprising 66 units. The consolidated property will measure 1 724m<sup>2</sup> in total.

All the units will be larger than 30m<sup>2</sup> and almost half the units will be more than 42m<sup>2</sup>. The amended proposal also includes 23 in an attempt to expand the target market to include not only students but also young professionals and small families.

Parking is provided in a semi-basement and on the ground floor with 4 floors of residential units above. A total number of 50 parking bays are provided in the basement of which 11 are tandem. On ground level another 27 parking s bays are provided while 66 bays for bicycles are catered for on this level. Vehicle access is obtained from a ramp in Paul Kruger street.

The ground floor parking is shielded from the street interface by the ground floor residential units. In order to soften the visual impact, the proposed building will comprise of two sections, a 4-storey section facing onto Paul Kruger Road with the 5-storey section set back from the road, positioned at the rear of the property.

There will be 6 residential units situated on the ground floor which will shield the parking from the street interface. The ground floor units will be set back from Paul Kruger street to create private outdoor areas and to help activate the street interface. These areas will be landscaped to create a visual pleasing interface between the public and private realm. The height of the ground floor units has

been increased to 4m to comply to the design guidelines as set out in the Urban Design Guideline Report.

The first, second and third floors have been pushed out onto the street boundary to comply to the build-to line of the design guidelines.

Only the rear section of the building will have a 5<sup>th</sup> storey which will be setback considerably from the Paul Kruger Road Street boundary. A Rooftop Braai Area is proposed on this level which will offer beautiful views over the town and towards the mountains.

The development will include a sufficient amount of high-quality communal outdoor space, in the form of rooftop terraces on the fourth storey. Approximately 715m<sup>2</sup> of communal open space will be provided, which accounts for more than 41% of the total consolidated erf size.

In context of the perimeter block model proposed by the Design Guidelines the form and bulk of the building relates positively with the adjacent buildings and its interface with the street. The building adheres to the require the building to extend to a "build-to" line, which corresponds with the street boundary line to obtain a continuous street facade.

The ground floor was set back, in order to create outside living spaces overlooking the street, in line with the guidelines. To achieve privacy for residents on the ground floor, the floor and stoep level was raised, in line with the guidelines for dealing with the semi-basement. The resulting grade separation and low street boundary / balcony wall allow for a positive transition from the public street to the private residential units.

The revised application responded positively to the Urban Design Guidelines and fits well within the context of existing and proposed new buildings.

The application is therefore **SUPPORTED**.

I trust that the above information will enable you to finalise the report to the MPT.



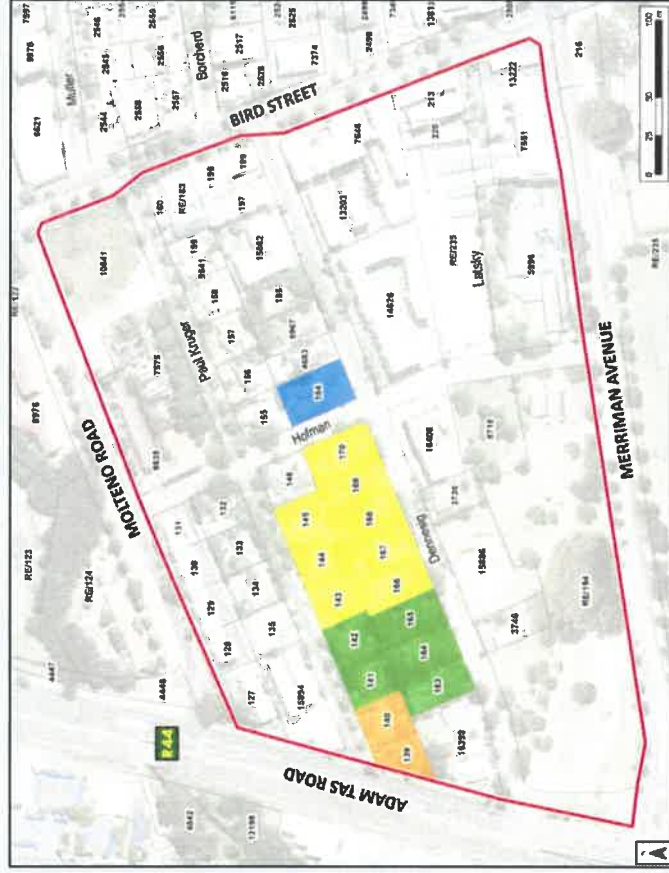
**BJG DE LA BAT**  
**MANAGER SPATIAL PLLANNING**

## **ANNEXURE J**

# DENNESIG NEIGHBOURHOOD DEVELOPMENT GUIDELINES

COMPILED FOR THE STELLENBOSCH MUNICIPALITY

SEPTEMBER 2019





## **STRUCTURE OF THIS REPORT**

This report is named the Dennesig Neighbourhood Development Guidelines (DNDG) and consists of four parts, namely:

- Part A: Background
- Part B: Urban Design Guidelines
- Part C: Transport Guidelines
- Part D: Conclusion and Recommendations

## **HOW TO USE THE DOCUMENT?**

Part B should be read in conjunction with Part C. The purpose of Part B is to set out the guidelines that must be used as a reference to determine whether a particular development proposal is generally in accordance with the approach, philosophy, urban design principles and strategy of the guidelines. Development proposals and architectural plans must be measured against the urban design principles according to Section H of this report.

Part C provides a comprehensive Traffic Impact Assessment (TIA) for the Stellenbosch Municipality to guide decision making. This section contains interventions that may be required. Development proposals must be generally in accordance with and in support of the following proposals: Section 5 (NMT), Section 6 (public transport and demand), Section 7 (development access), Section 9 (parking) and Section 10 (development charges). Development proposals must be measured against Section 11 (conclusion and recommendation).

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## PART A: BACKGROUND

## SECTION 1 INTRODUCTION

### 1.1 BACKGROUND

The Municipality received several land use applications for medium to high density residential developments within the Dennesig neighbourhood. These applications were submitted independently from each other, without due consideration of the overall/combined impacts of the developments on the neighbourhood. In the absence of a Transit Orientated Development Framework (TOD) and Densification Policy for the area, the Planning and Infrastructure Services Department identified the need for an overarching study to assess and inform planned densification within the Dennesig neighbourhood.

One of these applications was submitted by Urban Dynamics South Cape, on behalf of Buffshelfco 54 (Pty) Ltd, for the procurement of land use rights to enable the development of a high density residential building, mixed with ancillary and business uses (the Dennesig Phase 1 application). This application was accepted by the Stellenbosch Municipality and processed as prescribed in the Stellenbosch Municipal Land Use Planning By-Law (2015). The application was circulated within internal municipal departments and advertised for public comments (on-site notices, registered mail and published in the press), as per the standard advertising requirements of the Stellenbosch Municipal Land Use Planning By-Law (2015). Following the closure of the advertising process, the Municipality decided not to process Dennesig Phase 1 or any of the other three development applications located within this neighbourhood.

Following a number of meetings and consultation sessions between applicants/developers and the Stellenbosch Municipality, the unprecedented decision was made to voluntarily pend (put on hold) these four land use applications. It was agreed by all affected parties (i.e. applicants, developers and the Municipality) that further processing of the said applications would only proceed on the basis of a set of overarching guidelines (hereafter referred to as the Dennesig Neighbourhood Development Guidelines / DNDG). The guidelines would be mainly informed by transport impact investigation and urban design proposals. The main objective for such a study would be to provide a non-statutory guideline document for the Municipality as a basis to firstly assess applications, and secondly to guide existing developers and future developers towards a coherent integrated development vision.

The purpose of this document is to set out the broad development guidelines for all the current and future development applications in order to ensure an integrated and holistic approach towards development in the neighbourhood.



## 1.2 PROBLEM STATEMENT

The realisation for the need of a set of development guidelines, is a result of the combination of the following concerns and needs that were identified:

- The gap that exist between policy direction (densification) and implementation (impact on the environment);
- Private sector demand 'overtaking' the Municipality's preparedness for densification;
- The need for overarching transport and urban design guidelines;
- Understanding the ultimate development envelope and its impact on roads, bulk services and neighbourhood character;
- Avoiding ad-hoc development improvements (i.e. intersection upgrading);
- The need for a uniform set of development parameters (i.e. height, parking, setbacks, build-to lines, parking ratios etc.) unique to this neighbourhood;
- Compliance with policy directives according to the Stellenbosch Municipal Spatial Development Framework (MSDF), Integrated Development Plan (IDP) etc.;
- The need for a mechanism to ensure that combined DC's from developers can be allocated towards once-off/phased implementation of infrastructure, including NMT infrastructure, and thereby avoiding a piece-meal approach; and
- In support of the phenomenon of gentrification and re-development, a set of guidelines that address the public realm.



### 1.3 TERMS OF REFERENCE

The brief for the specialists was developed in consultation with the Stellenbosch Municipality. As a point of departure, the scope of the study was planned on the basis of the following decisions:

- Buffshelfco 54 (Pty) Ltd, as the main proponents for the largest building, will appoint and conduct the study on behalf of the Municipality to fast track the process;
- Urban Dynamics South Cape will act as co-ordinators and facilitators between the appointed specialists, the Municipality and other developers who have submitted their respective applications;
- Buffshelfco 54 (Pty) Ltd undertook to fund the costs for the study;
- Agreement that the costs incurred for the study may be deducted from Development Charges (DC's), upon approval of the Dennesig Phase 1 application;
- Alignment of proposals by the Traffic Engineer and Urban Designer to ensure an integrated overarching document, consistent with the vision of the Stellenbosch Municipality (i.e. alignment with the MSDF and IDP);
- Agreement must be reached with the Stellenbosch Municipality (Mr. Bernabe De La Bat and Mr. Johan Fullard) on the scope of works for each specialist before commencement;
- The document will serve as a tool/guideline for the Municipality to enable the assessment of land use applications in the Dennesig neighbourhood. The guidelines will not only inform the design of proposed developments, but will also enable the Municipality to make informed decisions on land use applications;
- To avoid any further time delays, it was agreed that the guidelines will be compiled in a period of 3 months and once accepted, the document will be approved as a non-statutory guideline; and
- As the pending applications were delayed due to unique circumstances, the Municipality further confirmed that the land use applications will be processed immediately following the completion of the study.



Following agreement of the above-mentioned, the following consultants were appointed by Buffshelco 54 (Pty) Ltd on behalf of the Municipality, to undertake the specialist studies independent of the current proponents and within a three month timeframe (June 2019 – August 2019):

- **Traffic Impact Assessment (TIA) and Transportation Planning – ITS: Johan Brink; and**
- **Urban Design Study – Jakupa Architects and Urban Designers: Khalied Jacobs.**

A scope of works was drafted for each specialist consultant and approved by the Municipality. The scope of works was based on, but not limited to, the following salient principles (full copies of the approved scope of works for each specialist are attached as **Annexure A**):

#### **i) Transport**

- Analysis of previous TIA's;
- Illustration of typical cross-sections (road width, sidewalk width, cycling facility, on-street parking etc.);
- Undertake traffic and pedestrian counts;
- Promotion of public transport and Non-motorised Transport (NMT);
- Analysis of the anticipated traffic growth and distribution thereof;
- Assessment of on – and off-street parking standards;
- Road infrastructure upgrades and DC's;
- etc.



## ii) Urban Design

- A spatial analysis of the area, indicating the location, linkages, accessibility, land uses and general context of the study area;
- Indicate design guidelines addressing built form, heritage resources, public interface, contextual fit etc.;
- Analyse and comment on the fit of the existing proposals which have been pending by the Municipality;
- Integration of Dennesig neighbourhood with the greater town;
- Recommendations to amend the Zoning Scheme By-Law to create a special neighbourhood overlay zone.
- Recognition of heritage indicators and appropriate mitigation;
- Urban Design Framework with a set of design parameters, diagrams and descriptions (i.e. character of area, height, massing, setbacks, linkages etc.);
- etc.

## 1.4 STUDY AREA

The primary study area for the DNDG is located between Merriman Avenue, Bird Street, Molteno Road and Adam Tas Road, as indicated by Figure 1.1 below. The locality is specifically relevant and important in terms of its location relative to the Stellenbosch University (SU) and the central business district (CBD) of the town. The area is a built up environment, consisting of predominantly residential uses. Dennesig is a relatively small neighbourhood (200m radius) and only within 500m walking distance to the SU. The St Nicholas Catholic Church (hereafter the Catholic Church) is also located in the Dennesig neighbourhood and is regarded as an important landmark and place making element within this context.



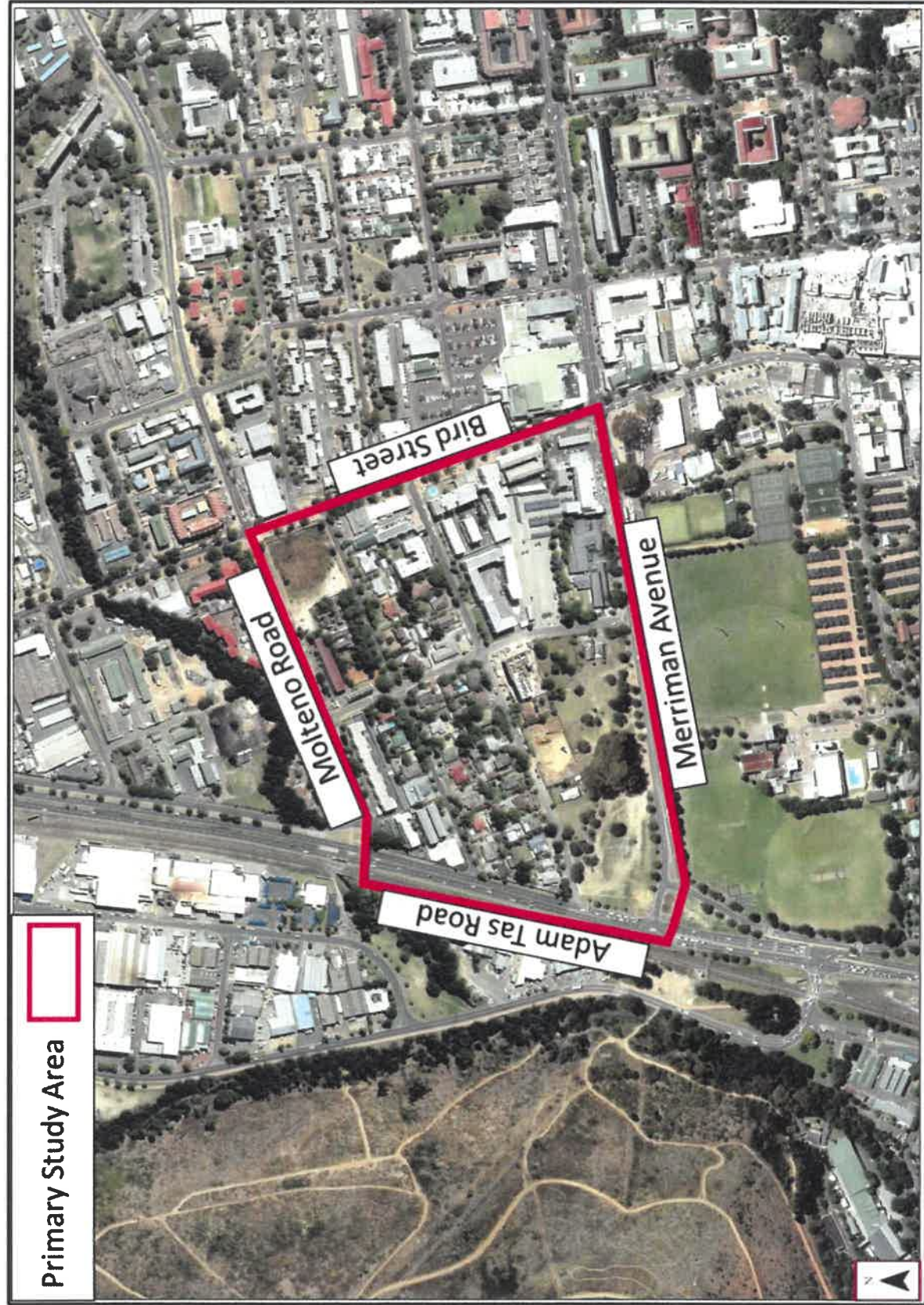


Figure 1.1: Primary Study Area



Prior to commencement with the detailed assessment, an analysis was undertaken of the broader urban context to determine how the Dennesig neighbourhood connects with the town, especially with the SU located in the heart of the town. Understanding the context and fit of the primary study area relative to the broader environment, provided the basis for conceptualising linkages and movement patterns. The broader urban context included the following structuring elements:

- Landscape (rivers, mountain, farms etc.);
- The grid layout as the primary structure of the historic town;
- Key movement routes (Adam Tas Corridor, Merriman Avenue, Bird Street etc.); and
- Spatial barriers.

Following the contextual assessment of the primary study area, one of the main findings is the disjuncture between the Dennesig neighbourhood and the spatial qualities and spatial structure of Stellenbosch (CBD, SU, Dorp Street etc.). The Dennesig neighbourhood is regarded as 'accessible in distance', but not 'accessible in terms of structuring.'

## 1.5 EXISTING LAND USES IN DENNESIG

The Dennesig neighbourhood is a built up area consisting predominantly of residential uses. In recent years, the market has responded to the high demand for student housing within Stellenbosch. The following existing high density residential developments are located within the primary study area:



**Table 1: Existing high density developments** [\*Note: The Leiden development, block of flats (70 units) have been approved, but not developed.]

Development	Erf No	Ownership	Street	Extent (m <sup>2</sup> )	Zoning	No of Units Developed
The Den 1	16399	Private	Dennesig	2708	General Residential	60
Melrose Square	15886	Private	Dennesig	3004	General Residential	62
The Acorns	16406	Private	Dennesig	2147	General Residential	42
Boschenpark	14626	Private	Dennesig	5414	General Residential	124
Schoongezicht	13203	Private	Dennesig	2228	General Residential	18
Akkerhof	7646	Private	Dennesig/Bird	3947	General Business	83
Lockington House 2	197	Private	Dennesig	921	General Business	25
Dennebosch	15862	Private	Dennesig	2037	General Residential	29
Bergzicht	7551	Private	Merriman	2303	General Business	54
Lar Shei (63 on Bird)	220	Private	Bird	1998	General Business	18
	213		Bird		General Business	
Plumbago	15894	Private	Paul Kruger	2314	General Residential	24
Molteno Park	127	Private	Molteno	1504	General Residential	12
Molteno Park 2	128	Private	Molteno	3703	General Residential	44
	129		Molteno		General Residential	
	130		Molteno		General Residential	
	131		Molteno		General Residential	
Dermom	9535	Private	Molteno/Hofman	3224	General Residential	31
<b>Total</b>						<b>626</b>

## 1.6 EXISTING LAND USE APPLICATIONS

As stated in Paragraph 1.1, several land use applications for medium to high density residential developments within the Dennesig neighbourhood were submitted for approval. A list of these applications is presented in Table 2, but pended thereafter subject to the outcome of the study. Refer Figure 1.2 for the locality of the applications.



**Table 2: Pending land use applications (Note: The applications listed below have all been accepted and advertised by the Municipality.)**

Development	Erf No	Ownership	Street	Extent m²	Zoning	Proposed Zoning	GLA (m²)	Proposed Number of Units
Paul Kruger 1 & 3	139	Private	Paul Kruger	1714	General Residential	-	-	59 (application pending)
	140		Paul Kruger		General Residential			
The Den 2	163	Private	Dennesig	5229	Single Residential	General Residential	-	145 (application pending)
	164		Dennesig		Single Residential			
	165		Dennesig		Single Residential			
	141		Paul Kruger		Single Residential			
	142		Paul Kruger		Single Residential			
Abacus	184	Private	Dennesig/Hofman	1333	General Residential	-	73	40 (application pending)
Dennesig 1	143	Private	Paul Kruger	8383	Single Residential	Specific Business	304	508 (application pending)
	144		Paul Kruger		Single Residential			
	145		Paul Kruger		Single Residential			
	166		Dennesig		Single Residential			
	167		Dennesig		Single Residential			
	168		Dennesig		Single Residential			
	169		Dennesig		Single Residential			
<b>Total</b>	170		Dennesig/Hofman		Single Residential		377	752

According to Table 2, 752 new residential units have been proposed along with 377m² of retail. All these developments are now awaiting approval.

It is also believed that an application for the re-development of Erven 198 and 199 Stellenbosch (i.e. the Heuer development; 42 residential units), is to be submitted to the Municipality.



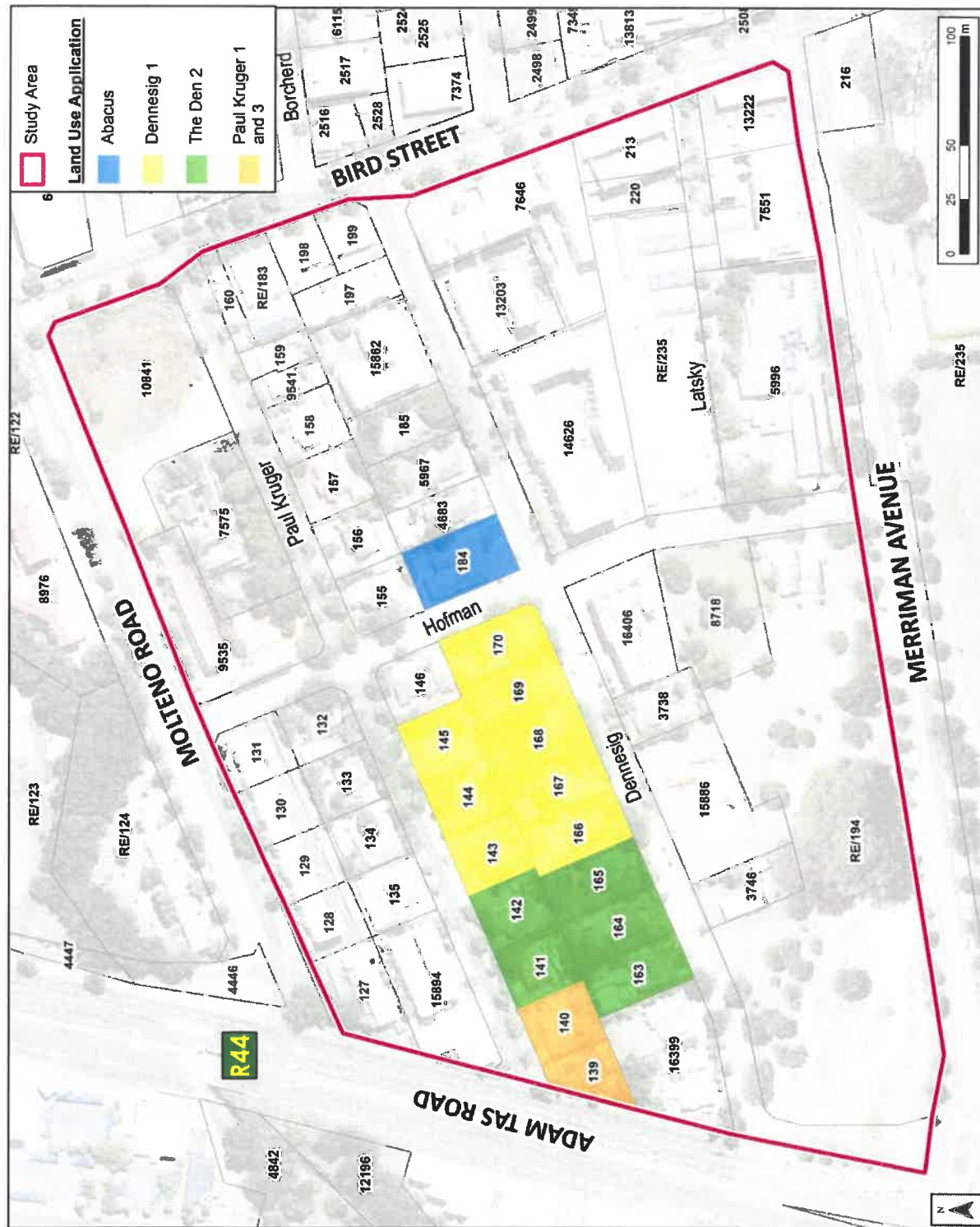


Figure 1.2: Locality of pending applications

## 1.7 PROJECT STRUCTURE AND PARTICIPATION FRAMEWORK

The compilation of the DNDG involved an integrated process. The project structure and participation framework included the following parties:

- **Technical Committee** (Urban Dynamics South Cape, Jakupa Architects & Urban Designers and ITS);
- **Developers Forum** (developers with applications that have been pending);
- **Design Workshop** (consulting firms representing developers, the Developers Forum, as well as the Catholic Church as Interested and Affected Party); and
- **Steering Committee** (Stellenbosch Municipality, Technical Committee and Buffshelfco 54 (Pty) Ltd).

Workshops were arranged between the appointed consultants (ITS and Jakupa) and the architects responsible for current applications. These workshops created the opportunity to discuss, debate, question and amend current architectural proposals, based on a mutual agreement and consensus between specialists and proponents.

Special meetings (4 meetings) were also arranged between the Technical Committee and the Catholic Church. The Catholic Church have a particular history within the Stellenbosch context and socio-cultural significance within the neighbourhood and broader community. This importance was later signified through its prominence as the focus point within the urban design framework. Table 3 shows the project structure and participation framework.



Table 3: Structure and Participation Framework

Group	Members	Meetings
Technical Committee	<ul style="list-style-type: none"> <li>UDSC</li> <li>Jakupa</li> <li>ITS</li> </ul>	<ul style="list-style-type: none"> <li>15 May 2019</li> <li>21 May 2019</li> <li>4 June 2019</li> <li>16 July 2019</li> </ul>
Developers Forum	<ul style="list-style-type: none"> <li>The Den 1 &amp; 2</li> <li>Dennesig 1</li> <li>Paul Kruger 1 &amp; 3</li> <li>Abacus</li> </ul>	<ul style="list-style-type: none"> <li>27 May 2019</li> <li>11 June 2019</li> <li>30 July 2019</li> </ul>
Design Workshop & Individual Workshops with Architects	<ul style="list-style-type: none"> <li>Jakupa</li> <li>JSA</li> <li>DMP</li> <li>TV3</li> <li>Abacus</li> <li>UDSC</li> <li>Boogertman</li> <li>ITS</li> <li>Arch Town Planners</li> <li>Catholic Church</li> </ul>	<ul style="list-style-type: none"> <li>21 June 2019</li> <li>25 June 2019</li> <li>9 July 2019</li> <li>22 July 2019 *</li> <li>26 July 2019 *</li> <li>30 July 2019</li> <li>22 August 2019 *</li> </ul>
Steering Committee	<ul style="list-style-type: none"> <li>Stellenbosch Municipality (Planning, Engineering, Transport)</li> <li>Technical Committee</li> <li>On Site Solutions (on behalf of Buffshelco 54)</li> </ul>	<ul style="list-style-type: none"> <li>7 June 2019</li> <li>19 July 2019</li> <li>1 August 2019</li> <li>14 August 2019</li> </ul>

\* St Nicholas Catholic Church meetings



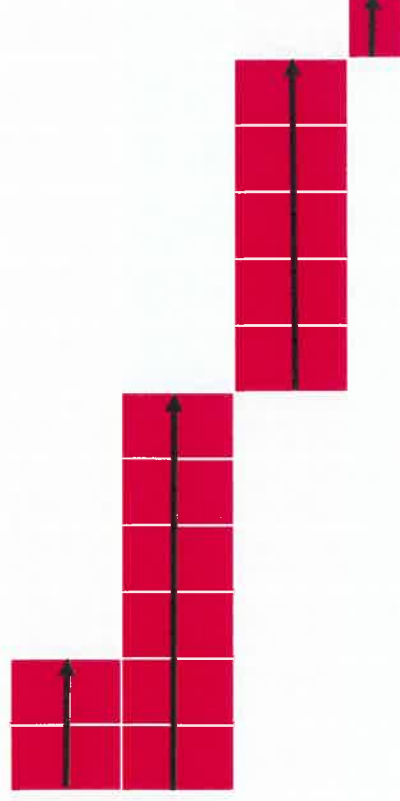
## 1.8 PROJECT PROGRAMME

An intensive consultation process was followed over a 3 months period (June 2019 – August 2019). The main steps of the process is summarised in Table 4.

**Table 4: Project Programme**

	May – June 2019	June – July 2019	July – August 2019
1	Project Set-up (appointments, terms of reference etc.)		
2	Analysis & Assessment (data collation, 3 design workshops & developers information meetings, meeting no 1 with Stellenbosch Municipality etc.),		
3	Conceptual Design (3 design workshops & developers information meetings, development proposals, meeting no 2 with Stellenbosch Municipality, present final proposals to Municipality).		
4	Hand Over		

Week 1  
Week 2  
Week 3  
Week 4  
Week 5  
Week 6  
Week 7  
Week 8  
Week 9  
Week 10  
Week 11  
Week 12



## SECTION 2 SPATIAL PLANNING AND POLICY CONTEXT

### 2.1 IMPLICATIONS FOR PENDING APPLICATIONS

The Municipality recognised the urgency to fast-track the pending of current applications. The imposition of the neighbourhood study, is as a result of an unique set of circumstances where the Municipality requested the developers to voluntarily take part in an overall urban design/ transport planning process.

The following was agreed with the Stellenbosch Municipality, with regards to applications that have been pending:

- Applicants will submit revised applications, should these Site Development Plans (SDP) and related plans require deviation from the original submission.
- Notification (advertisement) would not be required, as the amendments will be regarded as forming part of the amendments undertaken during the normal course of events, and as described in Section 52(1) of the Stellenbosch Municipal Land Use Planning By-Law (2015).
- All of the above is subject to individual assessment by the Municipality's land use management department of the nature and impact of the changes and when compared with the final set of guidelines.

### 2.2 POLICY CONTEXT: INTEGRATED DEVELOPMENT PLAN (2018/2019)

The Municipal Systems Act (MSA) 32 of 2000 mandates South African municipalities to formulate a five-year Integrated Development Plan (IDP) to inform the municipal budget and guide all development within the municipal area. The IDP is considered the Municipality's principle strategic plan that deals with the most critical development needs of the municipal area as well the critical governance needs of the organisation. At the heart of the IDP lies the improvement in the provision of basic municipal services and expanding livelihood opportunities for the people of the Stellenbosch Municipality. The IDP also focuses on expanding and transforming municipal capacity, enterprise development and crucially, exploring new ways of working and living together. This is especially relevant in an ever changing environment.



According to the IDP, Stellenbosch is transforming rapidly as a result of the following trends that also signifies the importance of densification as a spatial development strategy:

- A high influx of job seekers, residents and investors from other centres resulting from major changes in the means of production and wealth creation.
- New property developments have transformed the landscape in response to new market demands.
- The SU has expanded its footprint.
- Student accommodation has extended into the suburbs.
- Traffic congestion has become symptomatic of these patterns that also bring forth new challenges.

The IDP states clearly that future growth, expansion and innovation cannot be allowed to unfold in haphazard ways as this is likely to result in expensive outward low density sprawl and the related destruction of valuable ecosystem and agricultural resources. The following two strategies are being proposed in terms of the IDP:

- *“Significant densification of existing neighbourhoods located in proximity of major transport infrastructure and the SU; and*
- *Identification of the Dennesig area bounded by Adam Tas Road/R44, Merriman Avenue, Bird Street and Molteno Road as a primary densification and development intensification area for the establishment of blocks of flats according to a predetermined pattern on clustered erven with heights of up to 6 storeys, subject to certain performance criteria mixed with non-residential facilities.”*

Following the assessment of the IDP above, it can be concluded that the implications for this study are:

- The Dennesig neighbourhood has been identified as a primary densification area.
- Densification is one of the primary ‘tools’ to address student accommodation shortages, increasing demand for housing for young professionals and families, and the need to find innovative solutions to discourage private vehicular usage.
- Development of the study area will contribute towards the principle of urban growth containment and the release of pressures within the urban fringes.



## 2.3 POLICY CONTEXT: SPATIAL DEVELOPMENT FRAMEWORK (2019)

The DNDG need to reflect the spatial policies and vision of the Municipality, and must therefore be consistent with the MSDF. The following section presents a summary of the main informants which need to shape the DNDG.

The Stellenbosch MSDF, is a policy statement that seeks to influence the overall spatial distribution of current and future land use within the Municipality to give effect to the vision, goals and objectives of the municipal IDP or related business plans of government.

In the case of Stellenbosch Municipality, the MSDF must answer the following questions:

- How is Stellenbosch going to develop over the next 10 to 30 years?
- What kinds of development take place?
- Where will the development take place?
- Who will be responsible for what aspect of development?

The MSDF states that Stellenbosch as a town requires change. The town has grown significantly as a place of study, work and tourism, while perhaps inadequately providing residential opportunity for all groups, and certainly lacking adequate provision of public transport and NMT options. Managing residential growth through providing more inclusive housing at higher densities is of utmost importance, according to the MSDF. This can and must bring forth significant reductions in commuting by private vehicles to and within Stellenbosch, and provide the preconditions for sustainable public transport and NMT to and within the town.

The following is recommended in the Stellenbosch MSDF:

*“The most significant redevelopment opportunity within Stellenbosch town is the Adam Tas Corridor, stretching from the Droë Dyke and the Old Sawmill sites in the west along Adam Tas Road and the railway line, to Kayamandi, the R304, and Cloeteville in the north. Large industrial spaces – currently disused or to be vacated over time – exist here. Redevelopment offers the opportunity to accommodate many more residents within Stellenbosch town, without a negative impact on agricultural land, nature areas, historically significant precincts, or “choice” lower density residential areas. In many ways, the Adam Tas Corridor represents the key to protect and enhance what is special, as well as the relationship between the town and surrounding nature and agricultural areas.”*



The MSDF further states:

*“The CBD or town centre in itself can be improved, focussed on public space and increased pedestrianism. Further development of Stellenbosch town as a balanced, inclusive settlement, with sustainable public and NMT options available, will require significant partnership between major institutions across sectors. For example, most of the Adam Tas Corridor is in private ownership, and a purely commercial approach to redevelopment of the land may not be in the best interest of the town. Further, it would appear that much of the traffic congestion in Stellenbosch town relate to the university, whether it is students commuting from other areas in the metropolitan areas, or students living within the town using cars for short trips. A key prerequisite for implementation of the spatial proposals for Stellenbosch town is therefore establishing the institutional arrangements for joint planning and implementation towards common objectives, beyond those of individual institutional or corporate interests.*

The following are proposed in terms of the MSDF relevant to the DNDG:

- Improve public space and movement routes within historically and culturally significant precincts, with a focus on pedestrianism;
- Pro-actively support higher density infill residential opportunity in the town centre, areas immediately surrounding it, and along major routes;
- Retain and actively support mixed use redevelopment and buildings within the town centre and surrounding areas, comprising living space above active street fronts;
- Actively support pedestrianism and improved public space within the old town centre;
- Pro-actively improve conditions for walking and NMT;
- As far as possible, focus investments in parks, open space, and social facilities accessible by public transport and NMT, in this way also increasing the surveillance of these facilities;
- Develop the Adam Tas Corridor as a mixed-use, high density urban district, with strong internal and external public transport and NMT connections; and
- Support infill development on private land, in a manner which serves to compact the town, expand residential opportunity, and rationalise the edges between built and unbuilt areas.



Following the above, it can be concluded that the DNDG are fully consistent with the Stellenbosch MSDF, as:

- Densification is regarded as a guiding principle for re-development.
- The proposed guidelines create a framework for private investment in support of planning principles according to the MSDF.
- Dennesig neighbourhood can be regarded as the first phase (or 'trigger') for the implementation of the Adam Tas Corridor.

## 2.4 POLICY CONTEXT: TRANSIT ORIENTATED DEVELOPMENT FINAL DRAFT REPORT (REVISION 2015)

The Stellenbosch Municipality's initiatives resonate well with the current national emphasis and investment to shift from low density, mono-functional and private transport orientated development to higher density, compact, diverse mixed use, public transport and NMT solutions i.e. TOD for towns and cities.

The Stellenbosch Draft TOD seeks to increase the levels of diversity and vibrancy, as follows:

- Mixed use development is to be encouraged as far as possible. This can take form of general mixed use in a precinct or town block, mixed use on a single site and or mixed use in a building.
- Higher densities in general should be encouraged in infill or redevelopment to increase activity thresholds and development viability, but these should commensurate with the character of adjacent existing development, capacity of historic buildings and the general scale of surroundings.
- Higher densities to be promoted in greenfield developments.
- Land use fronting onto public places and key pedestrian routes (NMT) should encourage active edges at ground floor levels i.e. shops, cafes, restaurants etc.



The principles of high density development have been recognised in the wider context, by the TOD final draft report. The potential of links with the proposed relocation of the Stellenbosch train station, new transit orientated sites, primary pedestrian links (Hofman Road), intermodal plaza, etc. points towards the locational advantages of the study area in contributing towards a new vision for redevelopment in support of TOD.

The Draft TOD states that the Adam Tas Corridor is a critical/essential component to achieve the vision of the Stellenbosch Municipality. The Adam Tas Corridor is the primary gateway to the town, as well as a critical conduit for regional through traffic generated north and south of the town. The corridor creates the opportunity for high quality, high density, mixed use and pedestrian orientated urban development.

Key principles for the development of the Adam Tas Corridor, include (as per the Draft TOD):

- Provide for interlinked mixed use clusters/precincts/neighbourhoods;
- Increase densities without impacting negatively on existing heritage character;
- Create a gateway landscape and form;
- Create inspiring public space;
- Accommodate regional through traffic;
- Improve multi-nodal access to the town and region;
- Enable and promote the shift from private transport to public transport and NMT; and
- Protect, enhance and integrate environmental assets and systems within the town.

The draft TOD report represents a sound basis upon which the principles for the DNDG have been compiled.



## PART B: URBAN DESIGN GUIDELINES

## DENNESIG NEIGHBOURHOOD, STELLENBOSCH URBAN DESIGN GUIDELINE REPORT

August 2019  
Revision 0



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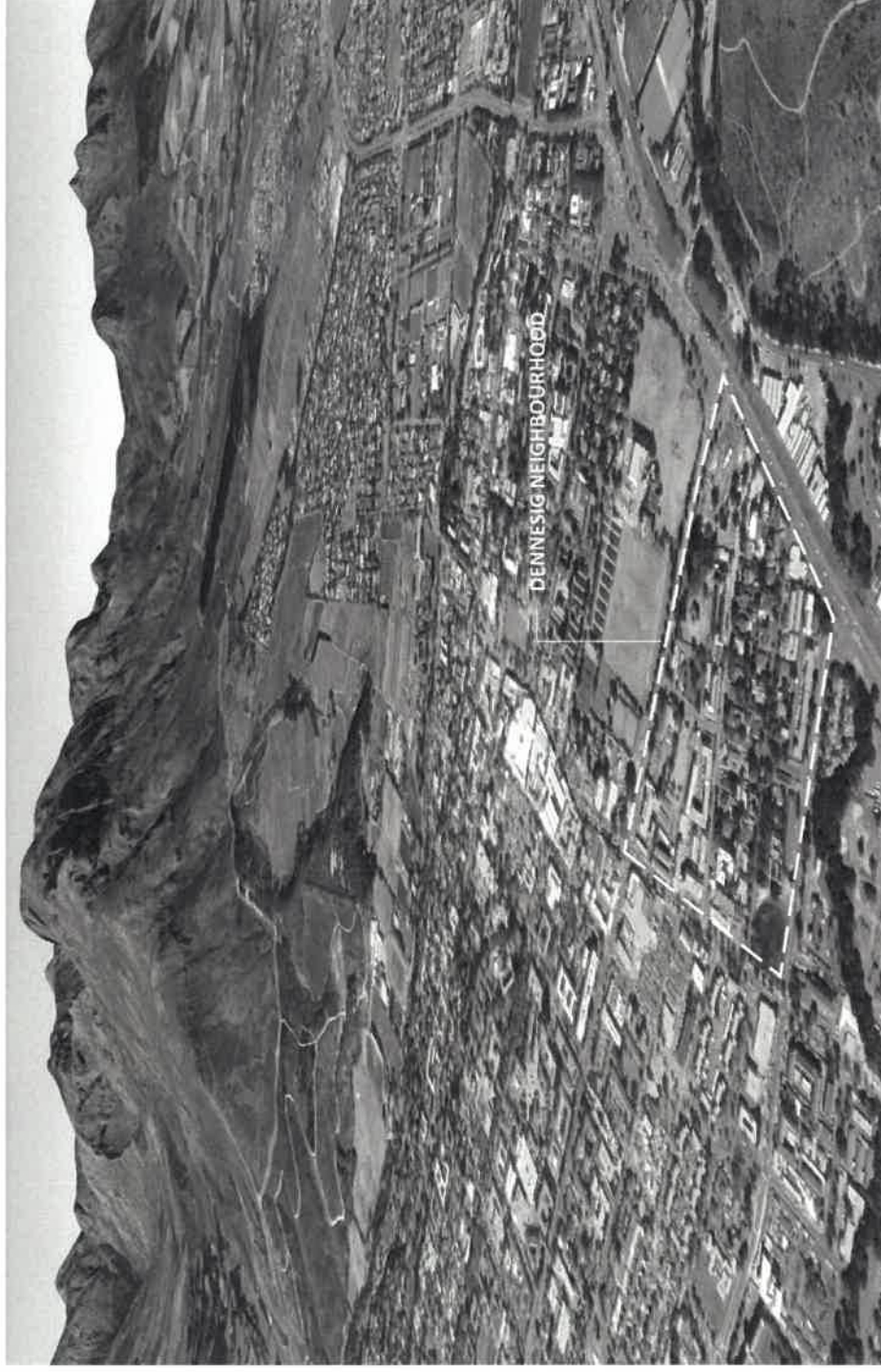
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24 August 2019

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## A. INTRODUCTION AND BRIEF

Dennesis is a neighbourhood on the periphery of Stellenbosch CBD that is currently undergoing significant pressure from developers to transform its eclectic nature that includes the consolidation of single residential erven into bigger development sites.

A number of development proposals have therefore been submitted to the municipality for approval. Many of these have been put on hold until the municipality was able to formulate a consolidated response to developers. One of the tools that the municipality requires, is to establish a vision for the neighbourhood to assist in their evaluation process. They've subsequently elected to undertake an Urban Design process to unpack the neighbourhood's character and development potential that could produce a coherent neighbourhood with great spatial quality and performance.

Jakupa was appointed to provide urban design services to establish urban design guidelines for the neighbourhood after a quotation process. Urban Design services were supplemented by Town Planning services [Urban Dynamics, also the lead consultant] and Traffic engineering services [Integrated Traffic Solutions]

The extent of the study area was defined as the neighbourhood known as Dennesis which is bounded by Merriman, Bird, Molteno and Adam Tas roads. The area is made up of a wide range of property owners and an equally eclectic urban form. While the neighbourhood is largely residential in character, it includes significant uses that include retail uses predominantly along Bird and Merriman roads and a church complex towards the northern extent of the study area.

Historically, the study area has deep roots in farming and the Catholic Church complex and thus have significant heritage and social value. The nature of the complex however has undergone significant changes over time, including a general loss of its prominence and spatial presence which has unfolded in fears of the implications of extensive redevelopment of the neighbourhood.

Similarly, Bird street has declared heritage status which is lost in its spatial quality and character. In fact, looking at the street, it is hard to find the tangible physical, social or latent historic value. The street is dominated by equipment that supports vehicular movement despite the wide sidewalks and a scattering of mature trees. The character of the street is one of a lack of coherence and poor spatial quality.

The remainder of the morphology ranges from multi-storey walk-up residential buildings to single residential buildings that have one common feature: buildings in the centre of the site surrounded either by gardens or parking lots. The net result is a non-place that sits uncomfortably in its context.

The nature of the developments under consideration tends to replicate the status quo and it is the ambition of this report to shift the pattern of development and bring spatial coherence across the divergent development parcels.

Through the identification of contextually appropriate design principles and guidelines the Urban Design Framework Document intends ultimately to put good urban design principles into practice, making evident the Stellenbosch Municipality's intentions of making great places in an evolving built environment.



## B. THE PURPOSE OF THIS DOCUMENT

The primary role of this report is to record a set of design principles that largely emerged from a series of design charrettes. The neighbourhood design problem is interpreted as the attempt to find the balance between compact and vibrant urban environments and the pragmatic demands of the context and what is feasible to aid development.

The purpose of this document is to:

- Develop a spatial set of principles and a rationale for the way in which the neighbourhood could transform over time;
- As a tool to negotiate and guide the various actors in the development process as the various proposals are processed by the Municipality, property owners, their professional teams and development partners that responds to the generally accepted urban design principles;
- And, to be used as a tool for the authorities to measure the development proposals.

The document also intends to support the making of memorable places that reflects the culture and identity of its people, place and time. It supports a positive and legible urban structure that is integrated into the neighbourhood's "found potential". It argues for an improved spatial quality of the public realm and promotes the creation of safe and vibrant places. It makes room for social and economic opportunities that are accessible and diverse. It also proposes a development form that is robust, promote intensity of use and is adaptable over time. It promotes a sense of enclosure of communal space and motivates for positive public interface with abutting streets and aim to build on the existing sense of place.

The foundation of our methodology is to produce active documents that results in developable actions. Key to the ability to influence development decisions is the view that we are not the final decision maker in the making of rich and vibrant environments. Meaningful public environments have to be layered by many hands over time as economic and socio-political changes shape the making of cities. Iteration of refining the making of public space over time by many people has the potential to produce places that reflect the culture of its people that are layered and nuanced and where the immediate outcomes may not be predictable but has a great potential of becoming a vibrant and exciting place that reflects its context in time and place.

## C. METHODOLOGY AND APPROACH

Design and, more so, urban design is an iterative design led process. Requiring the testing of urban design principles and ideals against often competing, pragmatic and feasibility constraints. As such, a process of negotiation, where principles, trade-offs and mitigation drives the final outcome, is necessary and ultimately desirable. Jakupa values a collaborative approach. This work has evolved from process of ongoing collegial collaboration and cooperation.

Our method is a structured planning approach opposed to a master planning approach. The intent of which is to ensure that the minimum amount of strategic interventions are identified to unlock the maximum amount of benefits and opportunities on any given site.

To this end we've negotiated the enclosed set of guidelines which was developed through a series of design charrettes with a range of developers currently proposing developments in the neighbourhood. The Catholic Church was consulted and through consultation and negotiation, the proposals were nuanced and developed to produce adjusted proposals. While the process may not have been exhaustive, it did represent a certain level of engagement outside the appointed team which we trust will result in achievable guidelines.

The final step in this truncated process, we met once with each of the developers and reviewed their proposals and reached agreement with their level of responsiveness to the agreed guidelines. Subsequent to this, developers were expected to adjust their proposals accordingly.



## D. OUR PHILOSOPHY

Our approach is governed by humanistic ideals translated into pragmatic and workable solutions.

Key high level principles that guide our approach are:

**01** *Places Matter Most* > places are much more important than individual buildings or traffic volumes. We endeavour to create attractive and interesting places that are shaped by the human scale, qualitative and functional organization of the site. The intention of which is to enliven the physical experience of the development by and for both its occupants and the passers-by. The rich potential of the broader site context is invaluable and more often than not already provides key qualitative principles from which to draw inference.

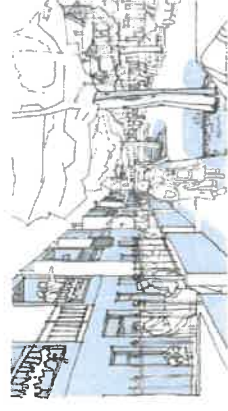
**02** *Craft is King* > attention to the grain and texture of the making of public places and urban form must be complemented by the crafting of the making of the place. All too often commercial developments are associated with built forms that are shaped by reductive technical solutions.

**03** *People and Space Integration* > we encourage a positive relationship with the existing morphology and integrate it with it's *genius loci*. This "sense of place" includes the relationship of people, their activities and cultural practices and should, ultimately, reflect their character in its making.

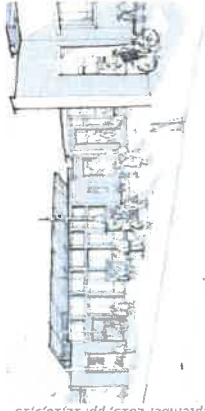
**04** *Community over Time* > Systems thinking and incremental development will allow opportunity for the development to shape its form and character over time. Sustainability [social, economic, environmental and resource based] is treated as a matter of course. All developments should allow for flexibility in accommodating a changing program that, in time, may be influenced by changing needs.



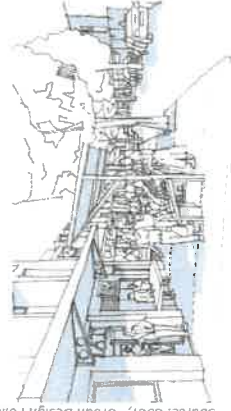
Intensity,  
diversity and  
adaptability



Safe and secure  
communities



Place matters >  
Positive public  
realm



Interface

Source: CoCT, "Urban Design Policy", September 2013, pp. 12,10,9,13

## E. URBAN DESIGN PRINCIPLES

The nature of the urban design proposal argues for making a place that is deeply rooted in great city-building traditions. Some of these robust urban design principles include:



### The Greater Public Good

These development guidelines work towards reconciling a long-standing problem posed by the lack of density in suburban environments by creating and linking places of existing amenity value where people can come together to enjoy the shared benefits of living in a close-knit community. It is proposed that this is achieved through the arrangement of significant numbers of residential uses into the neighbourhood that contains largely suburban uses and where additional functions tends to be subverted [such as the church precinct].

The development imagines a new and exciting place for residents, workers and visitors through a strong and legible open space system that makes great places and that reaches out to initiate a broader suburb-wide spatial system.

The project has the enormous benefit of making vibrant social and economic opportunities in an otherwise underdeveloped neighbourhood within Stellenbosch. The set of development guidelines has the potential to transform the site into a busy and thriving community.



### The Whole Above the Parts

The foundation of the urban design rationale is a spatial system that simultaneously connects the site to the existing surrounding context and unlocks broader benefits in the way of NMT and public amenity upgrading. The proposal recommends a myriad of improvements to the existing precinct. This includes traffic flow improvements, pedestrian oriented spatial systems and a range of uses that have the potential to transform the site's identity into a memorable place that will be part of the greater Stellenbosch experience.

The proposal has also investigated impacts on vehicular movement systems. The proposed general upgrading to surrounding roads will improve access to greater Stellenbosch.

Similarly, the proposal has undergone many iterations to improve its environmental performance [especially water treatment] and sustainability systems have been integrated into the design [SUDS, etc]



### Identity, Context + Place Making

The proposal makes considerable effort in extracting the found potential on site and making it evident to bolster its representation in its *genius loci*. These include making its relationship to the church complex, lost spaces embedded in the fabric, the development energy being unleashed and the site's historic relationship to water in the making of its environment. All these benefit from a sustained urban relationship which goes beyond the constraints of individualerven.

The identity intended to create is one that reflects Stellenbosch's urban character through making places that are relevant to locals and one that's rooted in its time and context. It is also argued that a place of deeper meaning will emerge through time as the place is inhabited and settles into its skin, become one with the context and the town.

The development will fundamentally alter the existing character of the place, but for the better: creating a vibrant, people orientated and safe space.

The ambition of this set of guidelines is to create a high density, mixed-use development that is an interesting and vibrant place to live, work and play. The design principles that are seen as necessary to support a healthy, safe and sustainable environment are described below:

## 1. A PEDESTRIAN FOCUSED ENVIRONMENT

The focus of this set of guidelines is to establish a generous public realm that services the lowest common denominator: pedestrians on foot. The streets within the development have been designed with people in mind where roads have been translated into streets. The streets are imagined to be generous, offering good protection from the elements and generous landscaping. All streets that traverse the site are continuous and integrated into the neighbouring precincts. On-street parking is limited to where it is managed, doesn't interfere with pedestrian movement and where it will slow down traffic. The remainder of the parking is shifted to below grade and hidden in structured parking.



## 2. A SAFE ACTIVATED PUBLIC REALM

In the context of a commercial development that is owned and managed by the developer, it is important that the public spaces remain publicly accessible and managed to remain activated through concession spaces and with clear and diverse interfaces with building interiors. Safety is achieved through developing a sense of ownership of the public spaces as well as generating security by design onto them. Active street interfaces with building interiors are encouraged on a 70/30 principle where 70% of the interface remains "active". Balconies and overlooking features are encouraged to enhance the sense of safety.



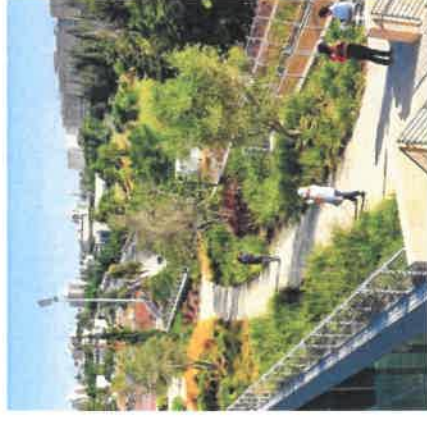
### 3. VIBRANT MIXED-USE OPPORTUNITIES

The high density development will develop a critical mass that will support a mixed-use environment well beyond the site boundaries. A 24-hr development is encouraged with activities spread throughout the day and into the night all supported by an integrated public transport system [BRT abutting the site + rail, bus and train within walking distance]. A mixed-use precinct however will tend to reduce the need for private mobility through the convenience offered. The significant residential and hotel component will ensure that there is a presence on site all day to reverse the current character of the place. A diversity of function that includes residential, retail, commercial and services functions are encouraged.



### 4. A SUSTAINABLE LIFESTYLE COMMUNITY

At a time of acute resource scarcity, the responsible use of resources is encouraged. The proposal plans to develop sustainable development systems that include responsible use of electricity, stormwater [SUDS] and grey water recycling systems which will be used for irrigation and flushing purposes. Sustainability includes the creation of wholesome space for people such as safe and vibrant streets and public spaces for social and mental health. At a building scale, a holistic approach to services provision is promoted. The equipment in support of sustainability, like bicycle racks and stormwater management is integrated into the fabric of the building.



## 5. MULTIPLICITY IN SCALE

The development will consist mostly of buildings that range between 4-5 storeys in height with a range of shorter existing buildings or where buildings step down to reduce its scale. All buildings, irrespective of their scale will be strongly grounded at street level to support a human-scaled pedestrian environment. This set of guidelines attempts to maintain a consistent datum at first floor level [4m ground floor height].



## 6. CONTEMPORARY ARCHITECTURAL APPROACH

A diverse architectural form and façade treatment is encouraged to establish a rich architectural language and identity. Along with the urban design indicators and design principles, a rich architectural environment would build identity and a sense of place. No stylised architecture will be promoted [neo-classical, Tuscan, etc]. Instead, a contemporary architectural style using materials, features and detailing that reflects its location in Stellenbosch and its micro-climate is encouraged.



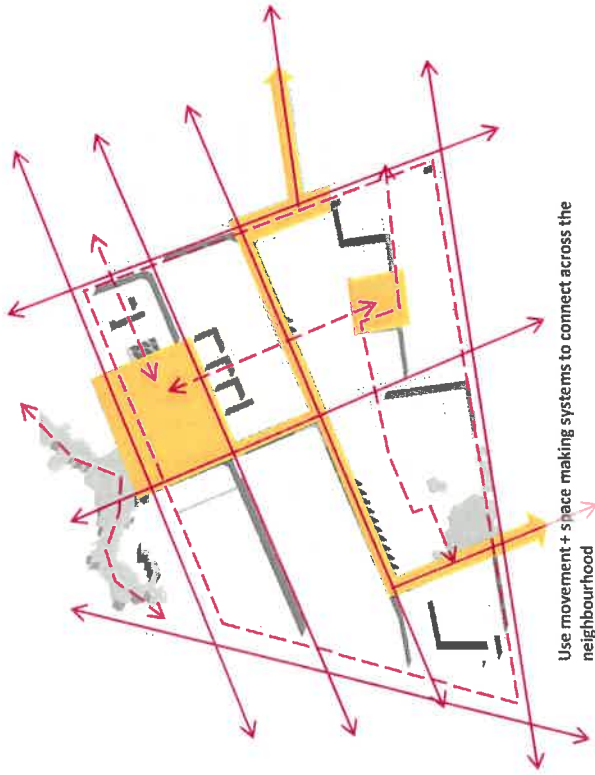
## F. URBAN DESIGN STRATEGY

In the context of the nature of the place, three high level design principles are imagined to counteract and bring balance between the predominantly suburban context of Ottery as a suburb and the unique sense of place present on the site.

### 01

#### CONNECT

Establish a system of movement on both the scale of the neighbourhood and the broader town. The site must facilitate movement between the local and town scales. Focus on the lowest common denominator: people on foot and public transport systems. Break the spatial barriers by encouraging pedestrian movement across them.



Use movement + space making systems to connect across the neighbourhood

### 02

#### INTENSIFY

Rather than describing density as a measure of the number of [mono-functional] dwelling units per hectare, this document argues that to transform this place into a vibrant urban environment, we need to promote the intensity and diversity of uses on site. The intense use of the site is translated through creating the opportunity for diverse active and passive functions at ground level



Intensity rather than density

### 03

#### LAYER

Bring depth to the experience on site in both its meaning and its various physical manifestations. Layering of facades, through changes in architectural typology (balconies, terraces, private gardens, communal street interface spaces, screening devices, etc.) and function (residential, commercial, retail, etc.). Layering happens in the horizontal and vertical plane where public and private spaces are sequenced. Ensuring visual permeability into functions and spaces.



Kengo Kama's Nest We Grow

## G. READING THE CONTEXT

Developing a critical understanding of the environment in which we are acting is pivotal to developing an argument for an appropriate intervention. Rather than simply describing the context, which risks being reductive, we have opted to “read” the context - conceptualizing our understanding of what exists and interpreting its characteristics. This method of understanding the context has its limitations – i.e. it could be interpreted differently by another set of consultants. To counter this potential, we have workshopped the issues with a broader team and other actors within the charette process to incorporate other perspectives. The following then sets out a reading of the significant qualities that describes the essence of the place.

### URBAN FORM

Stellenbosch is a tourist mecca primarily because it represents a layer of history and its physical representation that is cohesive and alluring to visitors. This representation is rooted in its colonial construct, the working of the landscape into stunning farmlands and a cosmopolitan culture that plays out in public space. A cursory review of the town however, shows a much more complex set of dynamics which is played out spatially.

Conceptually, therefore, the spatial systems that emerge is rooted in its historic relationship to the working of the land and its water ecology. The setting out of the original settlement is directly related to the economy of the town’s relationship to the Eerste River. Subsequently though, the expansion of the town has evolved in keeping with shifts in global planning theory that is rooted in modernist thinking. The built form follows with a proliferation of suburban developments [one house in the center of a property], the dominance of deterministic planning through the emergence of vehicle infrastructure and shopping malls. These spatial systems have been exacerbated by political narratives that encouraged separation of functions and communities.

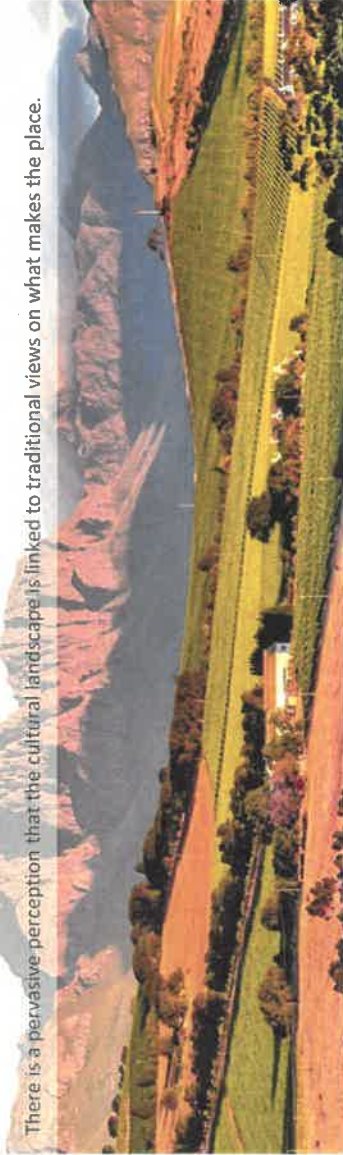
This report argues that in the context of *place/lessness*, that contemporary planning systems has produced, the macro narrative should therefore shift to balancing ecological, mobility and morphology in service of spatial justice, equity and experiential quality.



## CULTURAL LANDSCAPE

The cultural landscape of Stellenbosch is dominated by the relationship between the constructed landscape where the winelands represent a constructed productive landscape, and the historic town centre characterised by quaint heritage streetscapes and a café culture.

There is a pervasive perception that the cultural landscape is linked to traditional views on what makes the place.



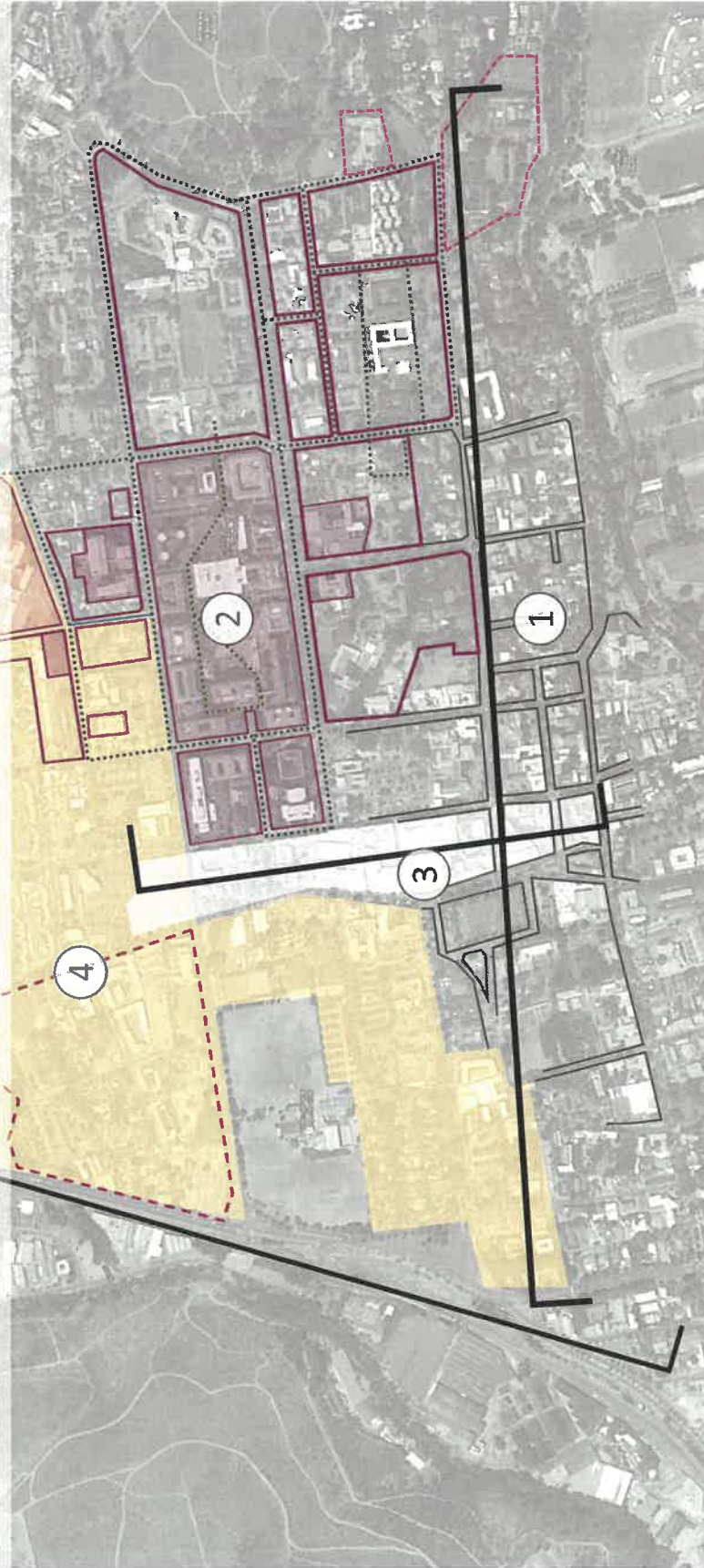
## A PLACE OF PARADOX + DISLOCATION

The spatial ecology of Stellenbosch however is one of contrasts where extreme beauty and order lives cheek by jowl with impoverished communities that starkly reflects the challenges of South Africa's GINI coefficient. Similarly, the urban experience across the CBD varies sharply with the old town displaying wonderful spaces with clear identities. Bird Street is challenged by the lack of spatial identity despite it being designated heritage protection and its important role it plays while cutting across the town.



## SPATIAL ECOLOGY

At the scale of the town, these paradoxes are evident in the three precincts that drive the predominant spatial characteristics of the Town. These spatial systems can be described as the historic portion of town organized along its southern edge along the banks of Eerste River and Dorp Street. At the heart of the contemporary town is Stellenbosch University which has a significant presence in its footprint, culture and governance of the town. A third spatial system is a think layer of development which represent a "Wall of Malls" that offers a mass of building that offers few links across it and breaks the movement continuity between west and east flanks of the town. A fourth spatial system is the remaining extent of town which has experienced phenomenal growth represented by modernist thinking. This includes suburban development models with single buildings built in the centre of its site and a dominance of infrastructure supporting vehicular movement all conversely, a dearth of pedestrian oriented systems. Outside these spatial systems are the neighbourhoods of Idusvallei and Khayamandi.



These paradoxes are represented at the scale of the neighbourhood along the periphery of Stellenbosch

## SPATIAL ECOLOGY

The Dthat drive the nature of this neighbourhood are concepts rooted in modernism:

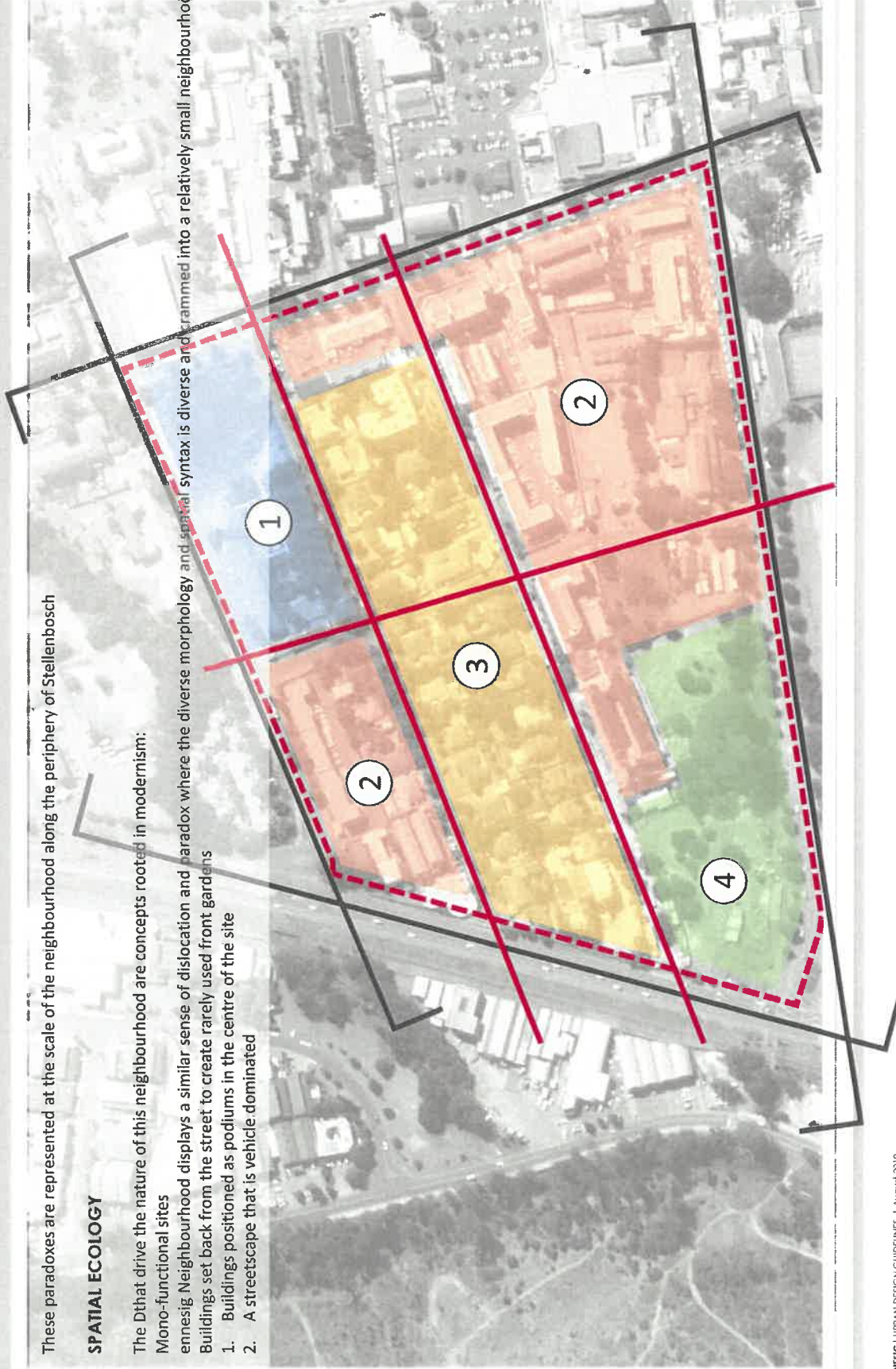
Mono-functional sites

ennessig Neighbourhood displays a similar sense of dislocation and paradox where the diverse morphology and spatial syntax is diverse and crammed into a relatively small neighbourhood. It is clear that the ideas

Buildings set back from the street to create rarely used front gardens

1. Buildings positioned as podiums in the centre of the site

2. A streetscape that is vehicle dominated



1 CHURCH CAMPUS

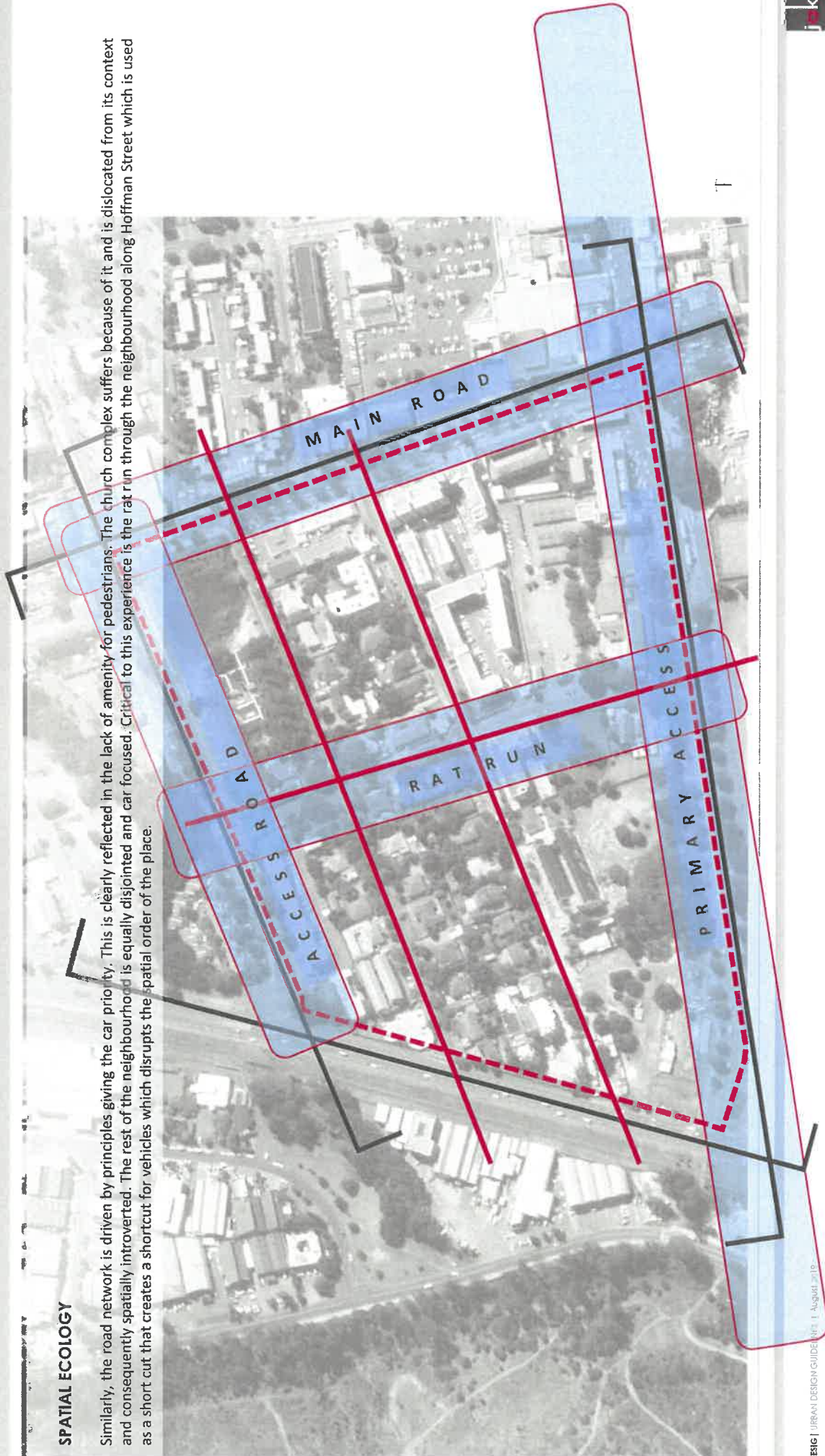
2 BIG BLOCK

3 SUBURBAN UNITS

4 OPEN GREEN

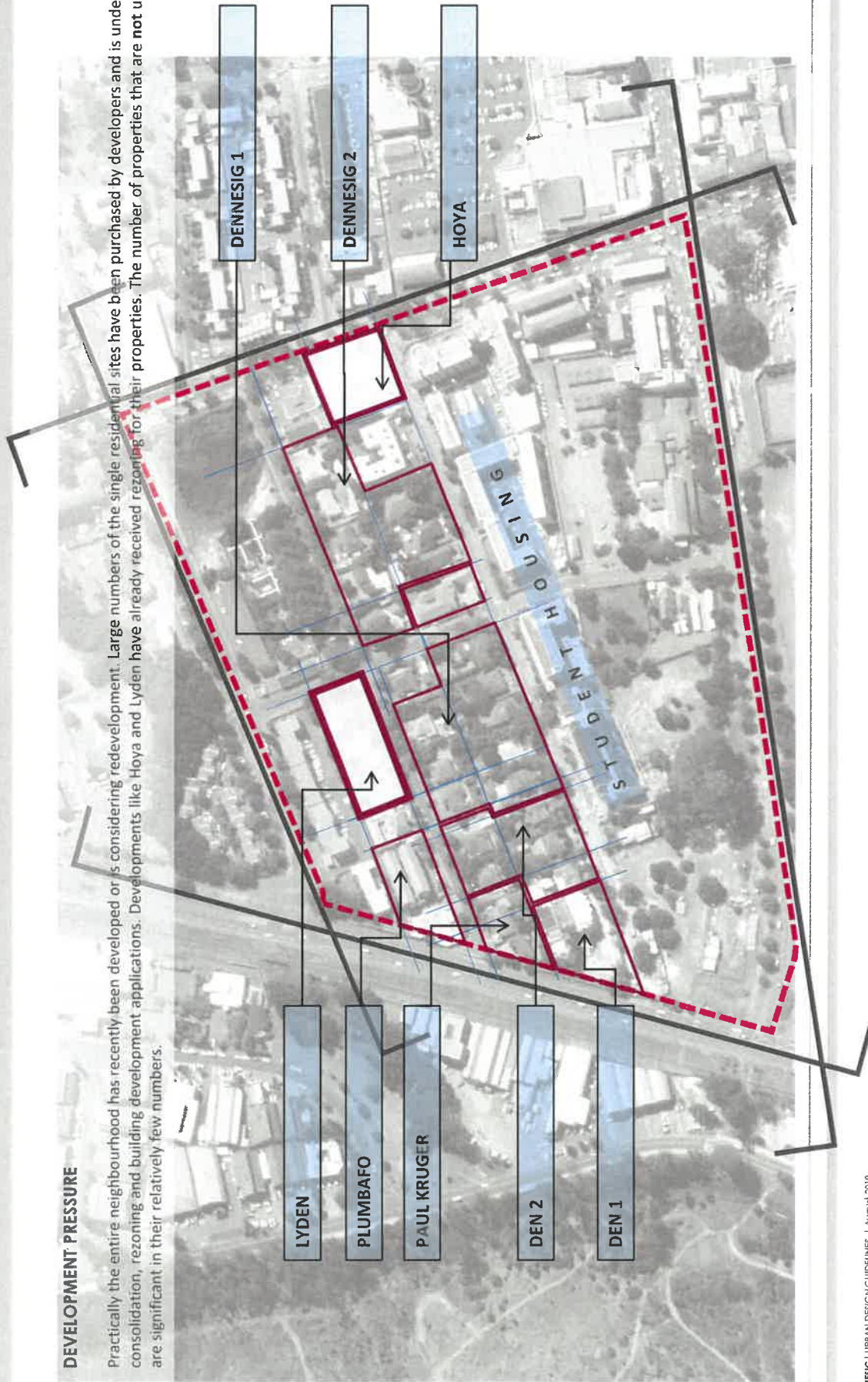
## SPATIAL ECOLOGY

Similarly, the road network is driven by principles giving the car priority. This is clearly reflected in the lack of amenity for pedestrians. The church complex suffers because of it and is dislocated from its context and consequently spatially introverted. The rest of the neighbourhood is equally disjointed and car focused. Critical to this experience is the rat run through the neighbourhood along Hoffman Street which is used as a shortcut for vehicles which disrupts the spatial order of the place.



## DEVELOPMENT PRESSURE

Practically the entire neighbourhood has recently been developed or is considering redevelopment. Large numbers of the single residential sites have been purchased by developers and is undergoing a process of consolidation, rezoning and building development applications. Developments like Hoya and Lyden have already received rezoning for their properties. The number of properties that are **not** under consideration are significant in their relatively few numbers.





Catholic Church campus in Paul Kruger Street



Looking South along Bird Street towards the taxi rank and CBD



Contrasting residential typologies, all set back from the street

## PRIMARY CHARACTER ZONES

**CATHOLIC CHURCH COMPLEX** represents an identifiable precinct with an assembly of historic Cape Dutch Buildings, welf walls and treescapes. The church also offers a social presence both historically and in its current operations which include both religious and social services.

**BIRD STREET** is a shopping street dominated by equipment that supports the car. It has large dead interfaces with rows of trees and inconsistent quality of sidewalks and pedestrian equipment. The eastern edge of the road in particular [along this stretch of interface] is dominated by an aggressive interface with an introverted shopping centre and its associated parking lot.

**ECLECTIC RESIDENTIAL** form that all tend to be buildings built into the centre of the site and surrounded by gardens or parking lots. The scale of residential buildings range from single storey suburban models to speculative multi-storey developments, often directly opposite each other.

## H. URBAN DESIGN PRINCIPLES APPLIED

The following section sets out an argument for the shaping the Neighbourhood using Urban Design Indicators as a tool to determine general goals and a set of design guidelines that interpret these. Together, these are to be used as a measure against which the various design proposals will be tested. The set of design indicators responds to a reading of the context alongside well understood arguments for contributing to a convivial interface with the very different conditions onto which each of the development parcels interfaces. It also aims to set up arguments that supports the town planning application and its architectural interpretation. The Design Guidelines spells out the principles of the design and it is not intended as a fait accompli, instead the design team shall intelligently apply its mind to the principles and interpret its intent to the various conditions of their briefs.

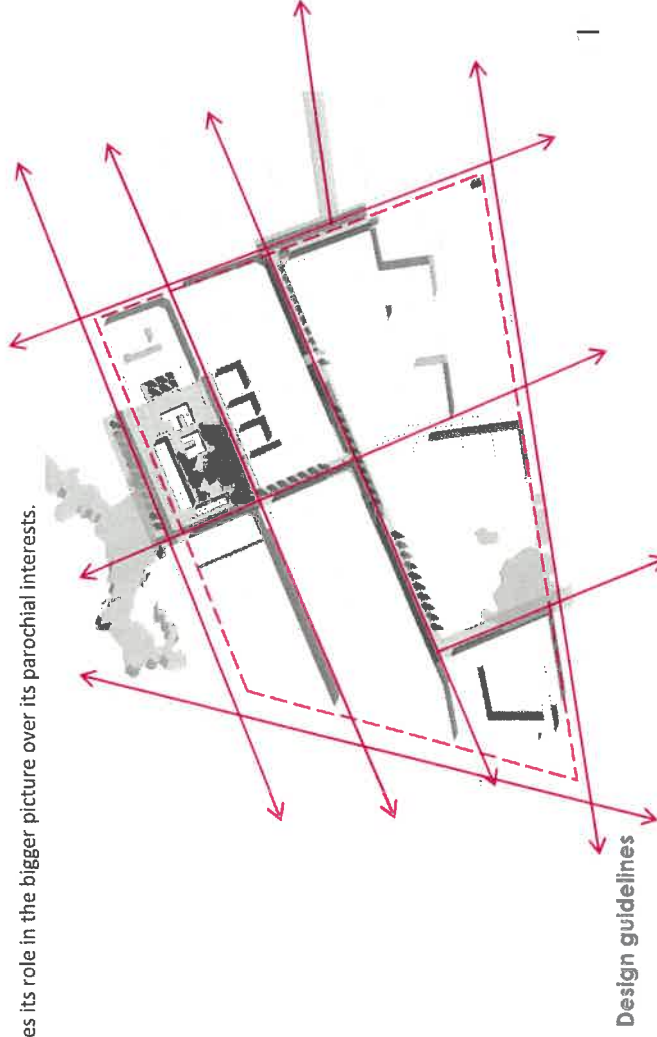
The aspiration of these Indicators is to produce a calm and respectful development that prioritises its role in the bigger picture over its parochial interests.

### 1. PRECINCT

The various developments need to mediate its role as improving density in a very suburban context and responsibly responding to its immediate context such as the interface with existing and relatively low-scaled homes. Ultimately, this development needs to respond to the broad challenge of improving densities and making great places.

#### Design Indicators

- 1 Build with density + diverse urban spatial qualities
- 2 Connect NMT to broader NMT system
- 3 Limit height to four storeys unless the development includes mixed-uses in which case they can motivate for additional floors up to 6 storeys
- 4 The articulation of height needs to respond to neighbouring fixes
- 5 Provide a mix of function along Bird Street that include function that relates to making an active street.
- 6 Layer the interface between streets and building facades
- 7 Make provision for different forms of tenure + a diversity of unit typologies



#### Design guidelines

Consider the site's spatial structure to be legible and an extension of the existing street structure. Integrate movement systems with the site and how it connects to the neighbourhood.

### PROPOSED BROAD SPATIAL STRUCTURE

This report makes an argument for expanding the existing spatial structure of Stellenbosch beyond the town's historic and central cores. It makes an attempt to link the disparate neighbourhoods through a pedestrian oriented movement system including the following structuring systems:

①

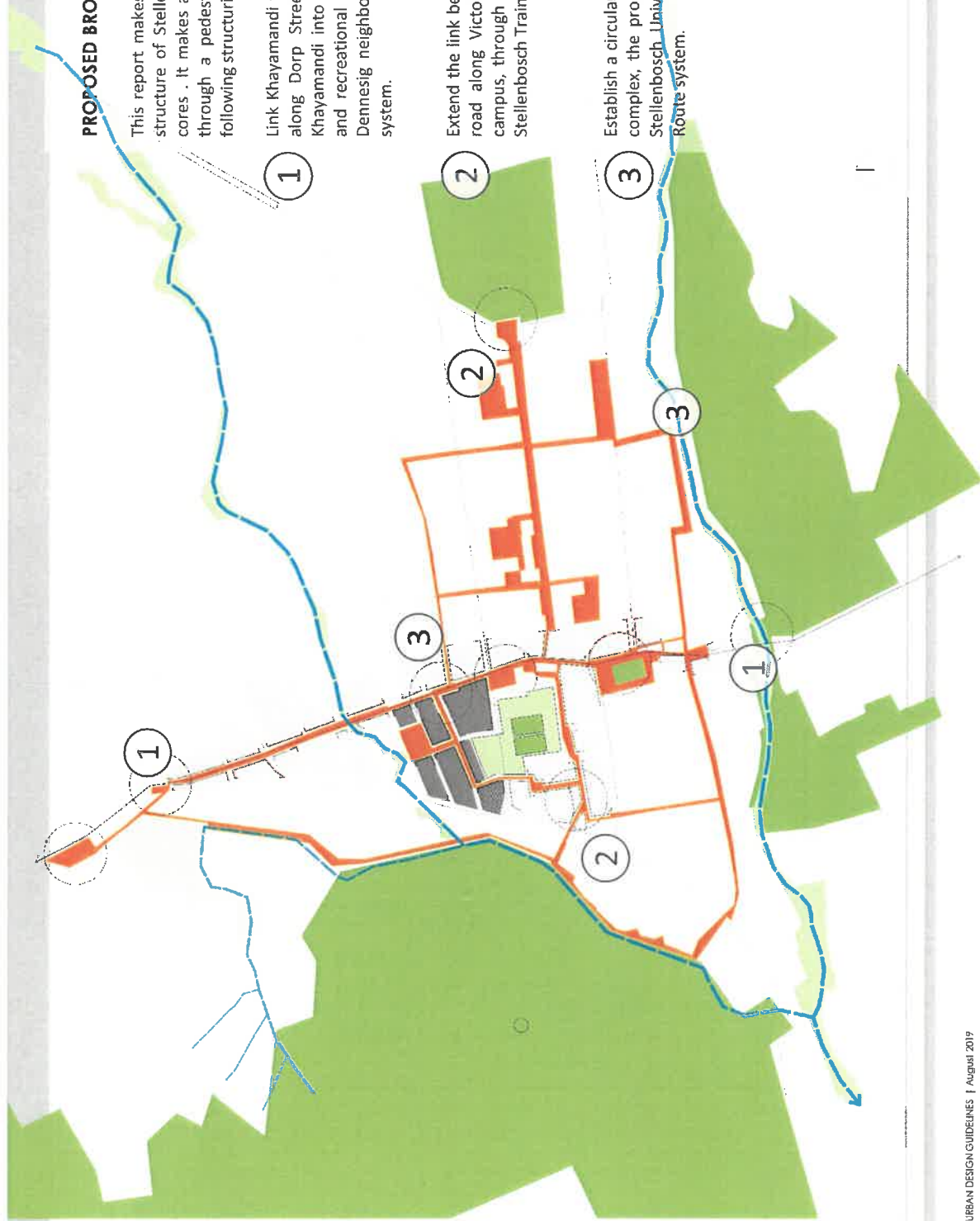
Link Khayamandi through Stellenbosch CBD to the historic quarter along Dorp Street. This system brings the spatially dislocated Khayamandi into Stellenbosch and connects the southern sports and recreational spaces, Die Braak, the main taxi rank and the Dennerig neighbourhood into a single and clearly defined spatial system.

②

Extend the link between Jan Marais Nature Reserve and Adam Tas road along Victoria Road and through Stellenbosch University's campus, through the "Wall of Malls" and along Du Toit Street to Stellenbosch Train Station.

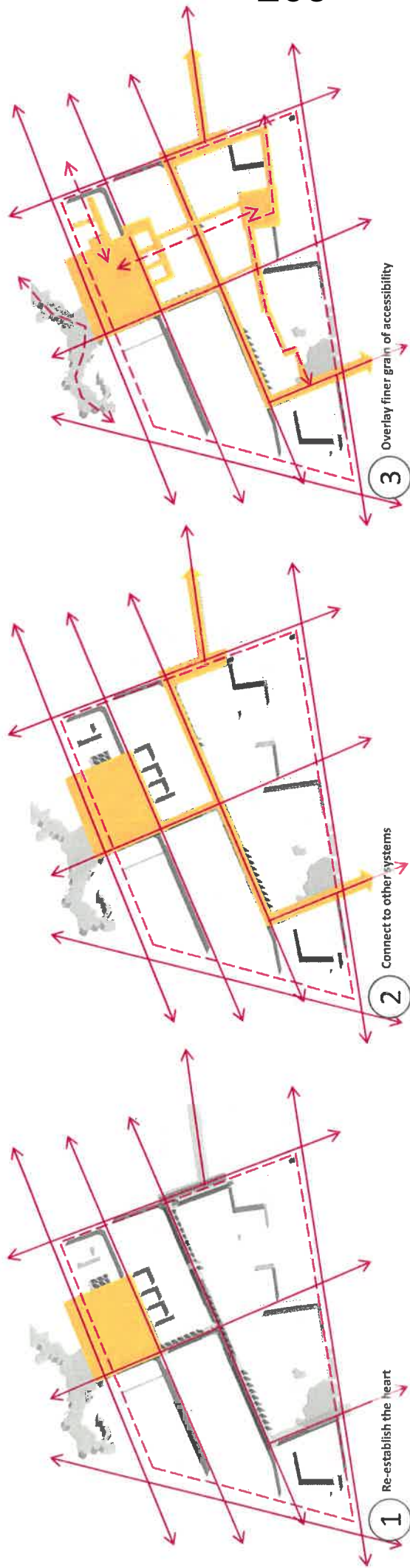
③

Establish a circular spatial system that connects the Catholic church complex, the proposed TOD node along Adam Tas and the main Stellenbosch University node, including integrating into its Green Route system.



## PROPOSED NEIGHBOURHOOD SPATIAL STRUCTURE

The foundation of a proposed adjusted spatial structure is a series of interventions that are implemented in its spatial hierarchy as follows:



The foundation to the spatial transformation is re-establishing the precinct to its historical roots in the Catholic Church complex. The re-imposition of its significance implies that it needs to exert its spatial dominance over other spatial systems and technologies.

The second-most important system is the reprioritisation of modes of movement with its core ambition to shift mobility systems to support the lowest common denominator: pedestrians on foot and/or other NMT modes of movement in balance with those of vehicle movements.

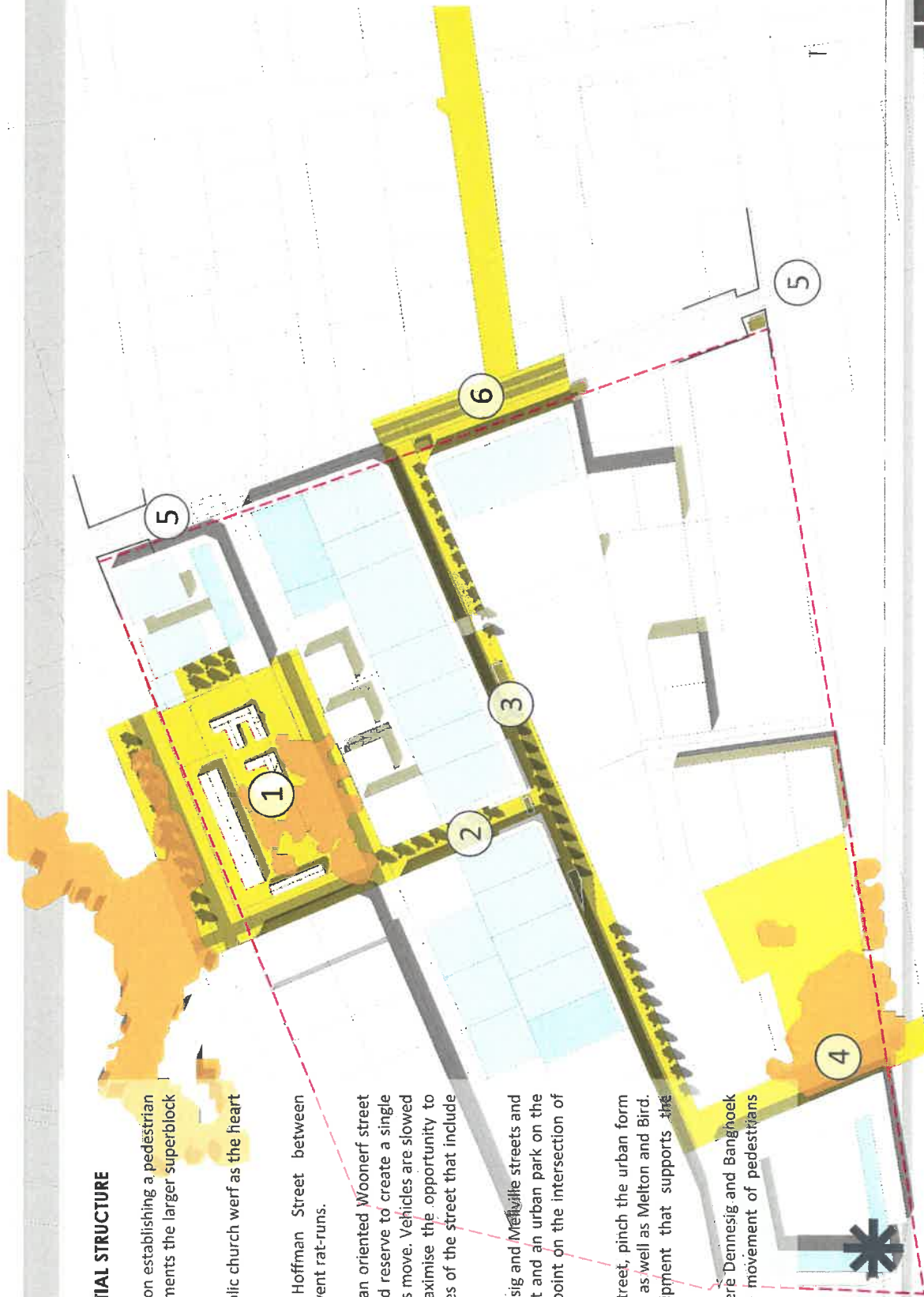
Here the system proposes two primary links: connect to the existing "Green Route" system developed by Stellenbosch University to promote safety towards the east and secondly, link to a proposed TOD development towards the south along Adam Tas.

Overlay and interlink a finer grain of pedestrian movement systems, portions of which exist, that link municipal owned land and support access to the church campus. The finer grain movement system overlay promotes permeability of the neighbourhood and improves accessibility of its services.

### PROPOSED NEIGHBOURHOOD SPATIAL STRUCTURE

The primary spatial structure is focused on establishing a pedestrian oriented movement system that supplements the larger superblock vehicular movement system.

- 1 Entrench and expand the existing Catholic church werf as the heart of the neighbourhood.
- 2 Limit vehicular movement through Hoffman Street between Dennessig and Paul Kruger streets to prevent rat-runs.
- 3 Convert Dennessig street into a pedestrian oriented woonerf street where kerbs are removed from the road reserve to create a single plane on which both people and vehicles move. Vehicles are slowed through creating an indirect route. Maximise the opportunity to create interactive edges along both sides of the street that include building entrances and public uses.
- 4 Create a pedestrian link between Dennessig and Melville streets and establish a new mixed-use development and an urban park on the existing green space. Establish a focal point on the intersection of Adam Tas and Melville roads.
- 5 To create and urban room along Bird Street, pinch the urban form at the intersections of Melville and Birs as well as Melton and Bird. Populate the urban room with equipment that supports the occupation of this space by people.
- 6 Create a raised pedestrian crossing where Dennessig and Banghoek streets intersect with Bird to ease the movement of pedestrians across it.



## 2. SPATIAL TYPOLOGIES

### SPATIAL TYPOLOGY: WERF

A werf is a spatial typology rooted in the viticulture traditions synonymous with Stellenbosch's agrarian roots. The space is characterised by defining space within a broader landscape that is associated with a sequencing of space through procession/routes to a defined place often surrounded by low walls. The werf would host a series of buildings held within space with a subset of interlinked spaces for both labour and recreation/symbolic spaces.

These traditions of defining space within a productive landscape can be found in farms in the immediate vicinity of Stellenbosch and represent the tradition of the Catholic Church precinct. The pattern of making of the precinct reflects its roots as a farm which transformed through the course of its life into a church compound. Today fragments of the original werf and farm remains.

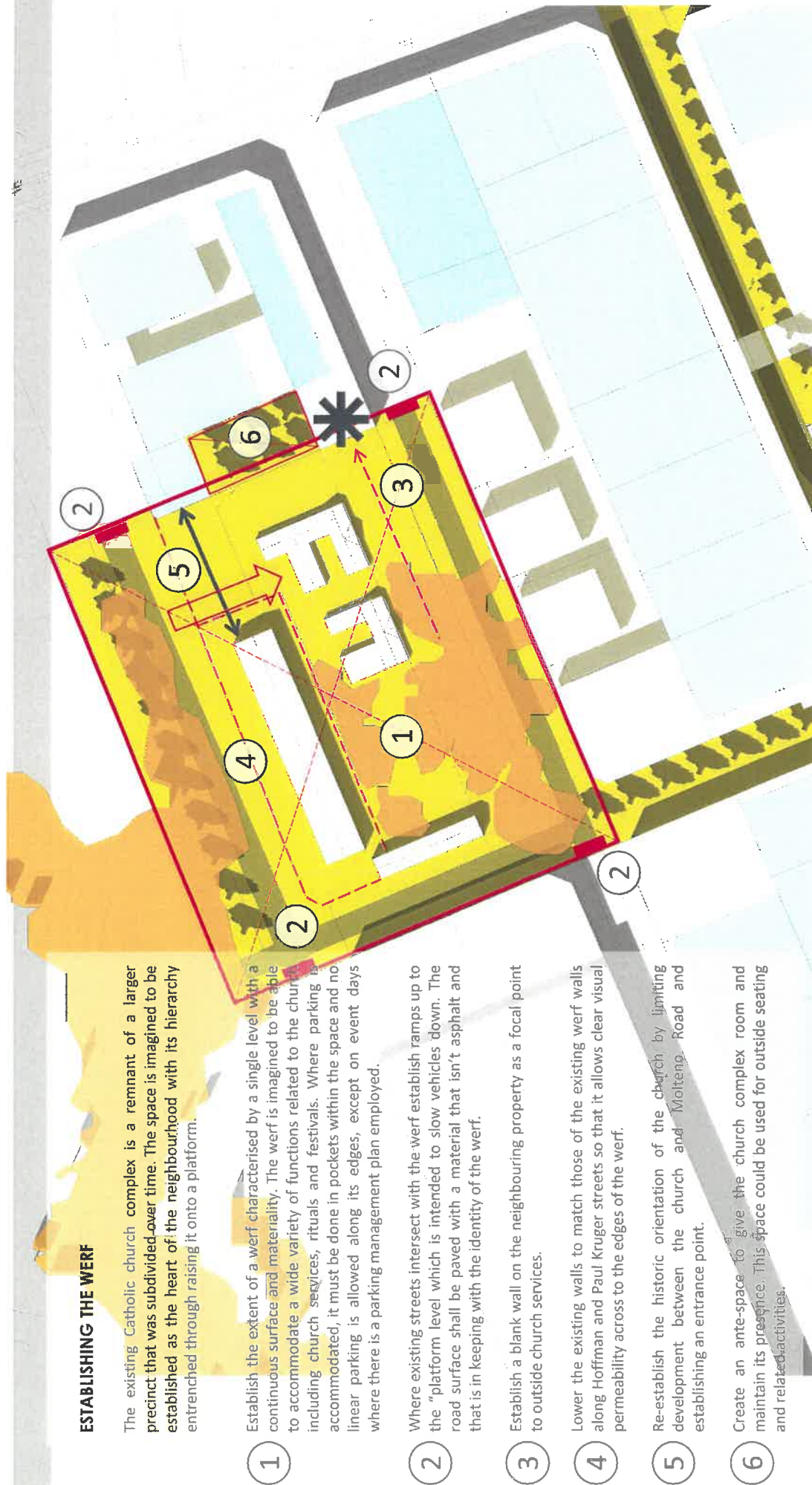
Low walls

Buildings in space

Courtyard

Trees

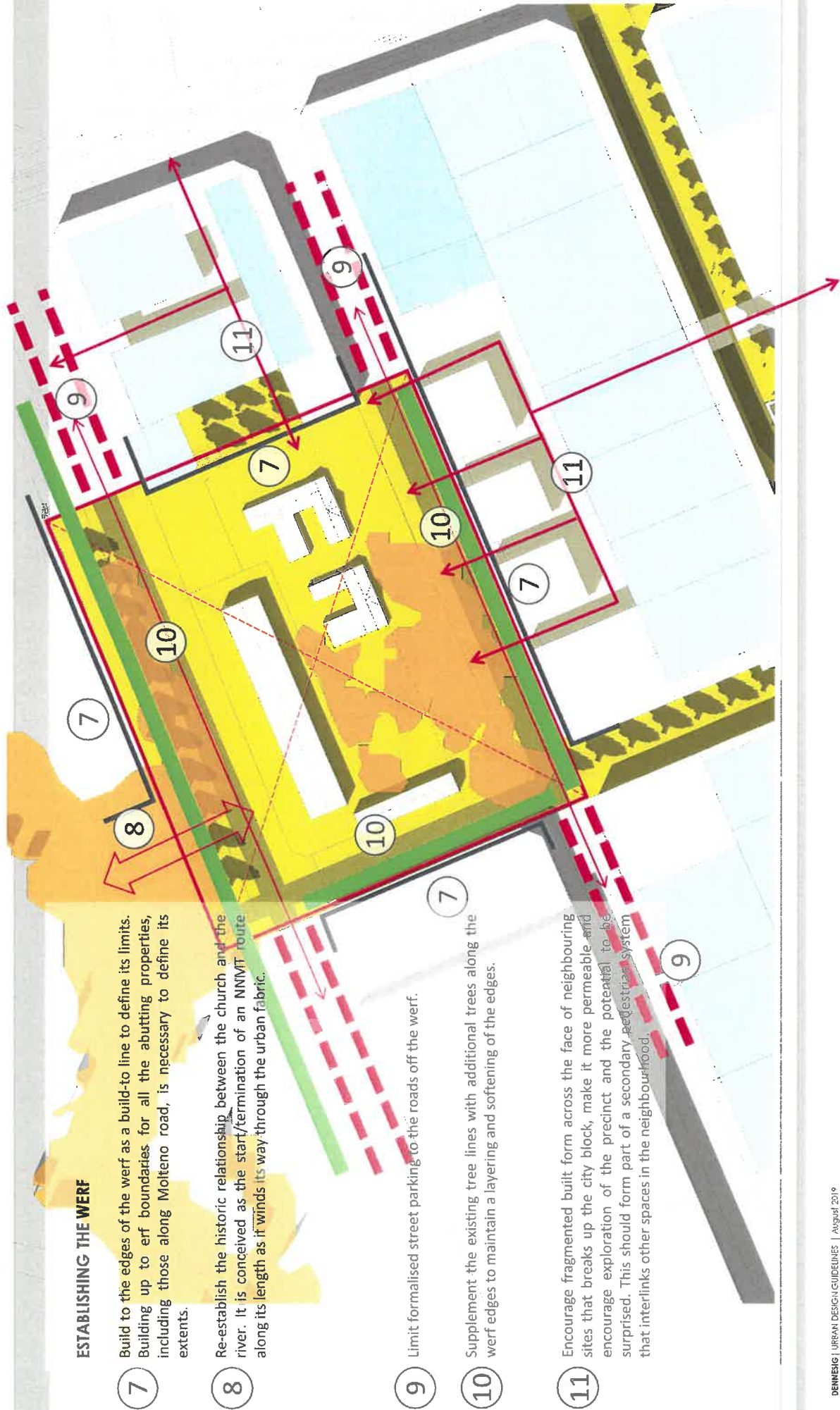


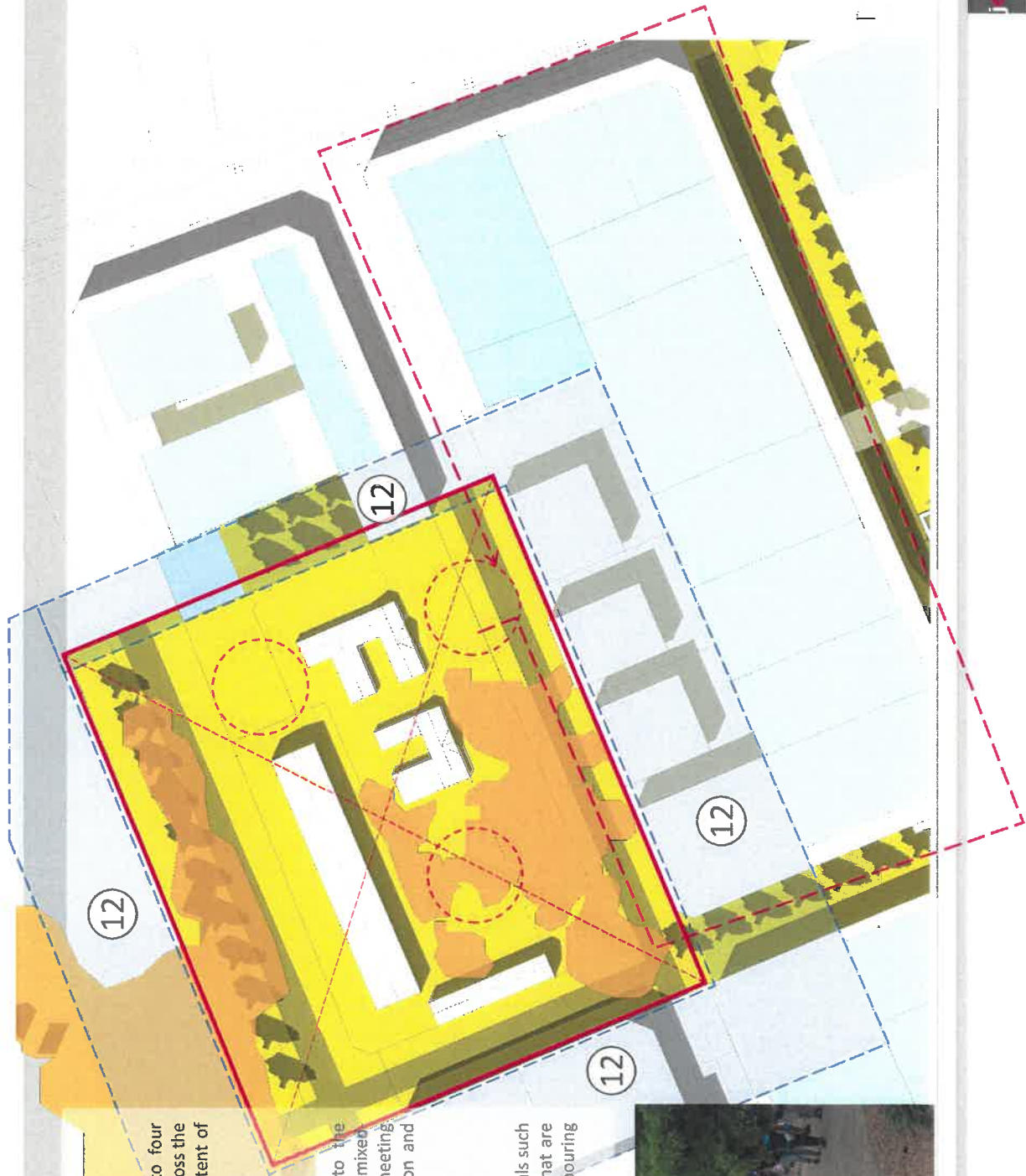


### ESTABLISHING THE WERF

The existing Catholic church complex is a remnant of a larger precinct that was subdivided over time. The space is imagined to be established as the heart of the neighbourhood with its hierarchy entrenched through raising it onto a platform.

- 1 Establish the extent of a werf characterised by a single level with a continuous surface and materiality. The werf is imagined to be able to accommodate a wide variety of functions related to the church including church services, rituals and festivals. Where parking is accommodated, it must be done in pockets within the space and no linear parking is allowed along its edges, except on event days where there is a parking management plan employed.
- 2 Where existing streets intersect with the werf establish ramps up to the "platform level" which is intended to slow vehicles down. The road surface shall be paved with a material that isn't asphalt and that is in keeping with the identity of the werf.
- 3 Establish a blank wall on the neighbouring property as a focal point to outside church services.
- 4 Lower the existing walls to match those of the existing werf walls along Hoffman and Paul Kruger streets so that it allows clear visual permeability across to the edges of the werf.
- 5 Re-establish the historic orientation of the church by limiting development between the church and Molteng Road and establishing an entrance point.
- 6 Create an ante-space to give the church complex room and maintain its presence. This space could be used for outside seating and related activities.





### ESTABLISHING THE WERF

**12** Limit the height of potential neighbouring development to four storeys where the parapet level is a consistent datum line across the precinct edges. The height limitation extends for the full extent of the existing residential erven.

**13** The ambition is for the neighbouring buildings to add to the character of the werf by supplementing it with a variety of mixed use functions that include business hubs, communal meeting rooms, club houses, doctors rooms, student accommodation and study related uses.

**14** Entrench traditions for occupation of the werf by church rituals such as the Sunday mass services, funeral services and festivals that are currently offered to both congregants and neighbouring community.



## SPATIAL TYPOLOGY: COURTYARDS

Courtyards are places often surrounded by a building or a building complex that circumscribes it and is open to the sky. Successful courtyards tend to have active edges that interfaces with it, accommodates a range of functions and allows sunlight to penetrate deep into the space.

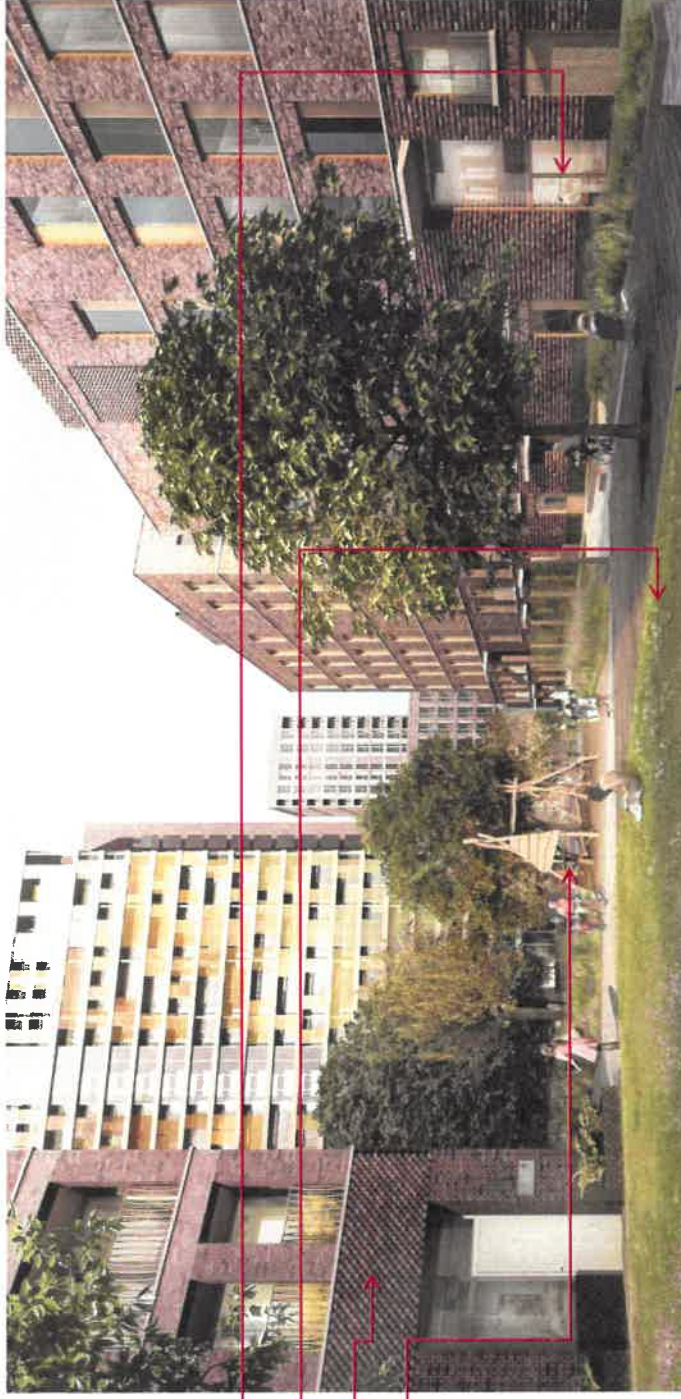
Interactive interface

Soft + hard horizontal surfaces

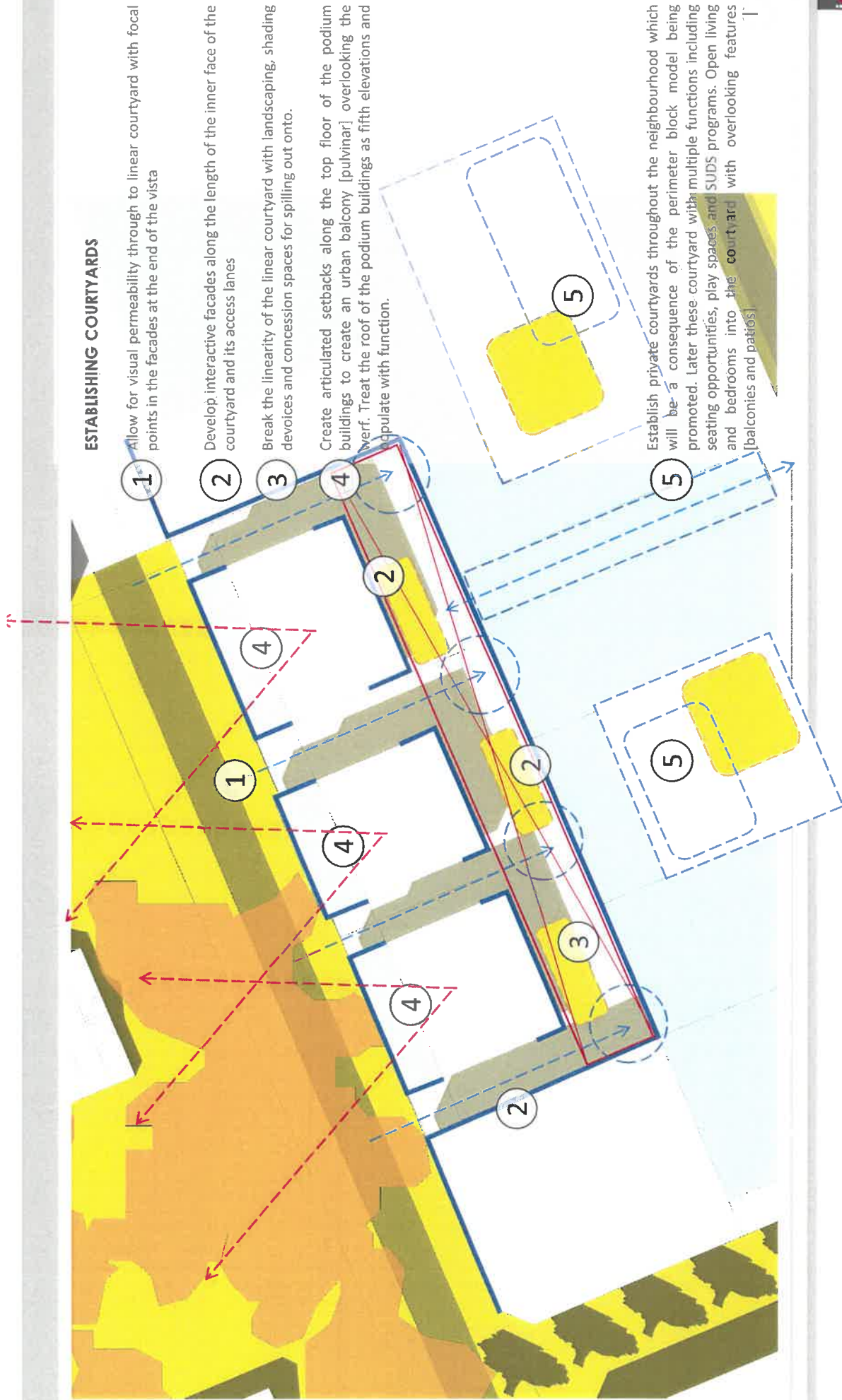
Scale of buildings for enclosure

Play equipment

Equipment for pause and rest



### ESTABLISHING COURTYARDS



## SPATIAL TYPOLOGY: WOONERF

A woonerf is a street typology that subverts the movement of vehicles in favour of pedestrian movement and is often called a "living street". The space is characterised by shared space between pedestrians and vehicles, slow vehicle speeds and traffic calming measures. The space is often well-landscaped which integrates planting into road calming measures.

SUDS systems

Overlay of pause spaces

Integrated landscaping

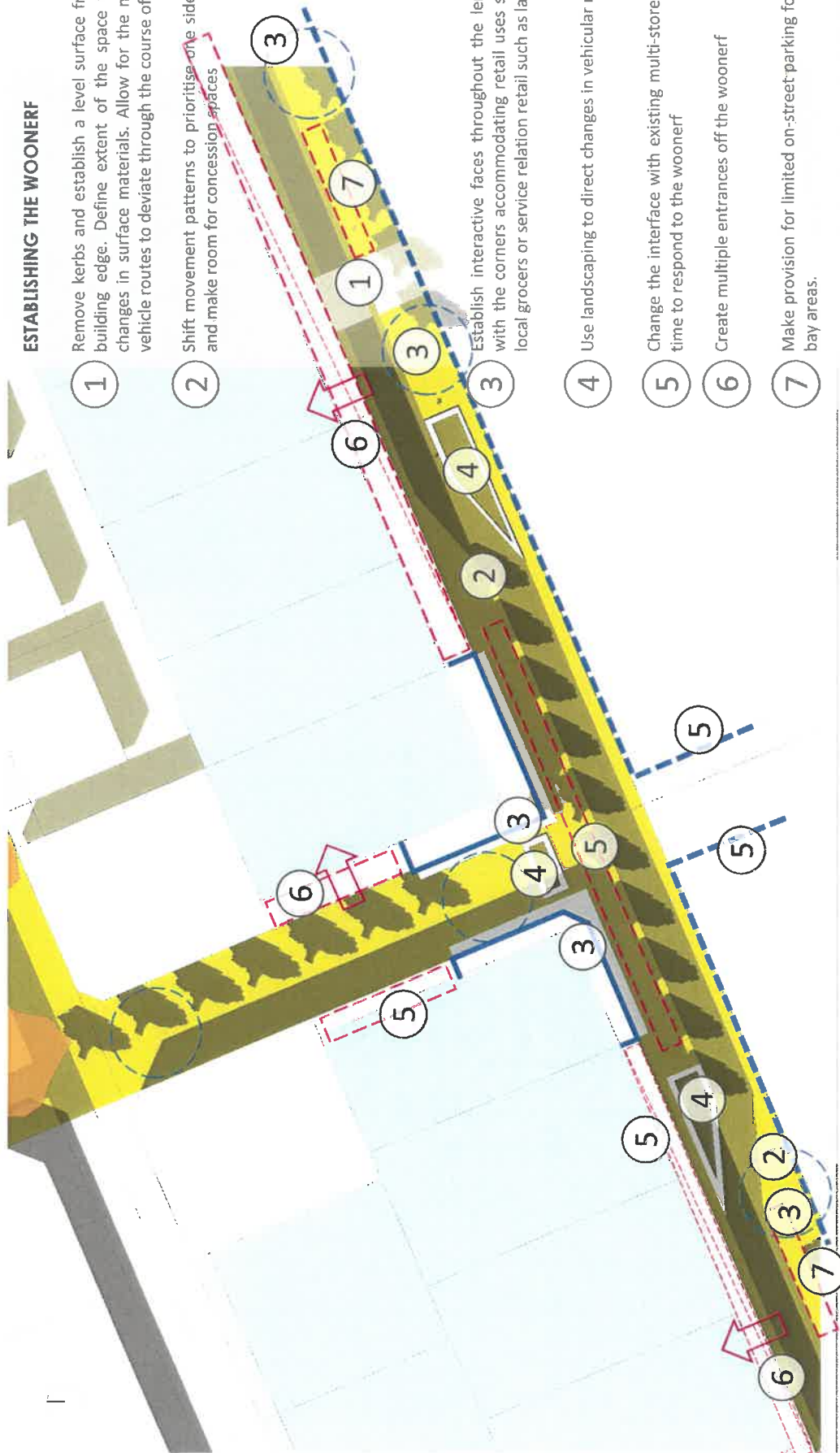
Change in surface textures over a single plane

Limited and controlled parking + loading

Street lighting for both vehicles and pedestrians



### ESTABLISHING THE WOONERF



1 Remove kerbs and establish a level surface from building edge to building edge. Define extent of the space for vehicles through changes in surface materials. Allow for the movement pattern of vehicle routes to deviate through the course of the woonerf.

2 Shift movement patterns to prioritise one side of the road reserve and make room for concession spaces

3 Establish interactive faces throughout the length of the woonerf with the corners accommodating retail uses such as coffee shops, local grocers or service relation retail such as laundromats.

4 Use landscaping to direct changes in vehicular movement.

5 Change the interface with existing multi-storey developments over time to respond to the woonerf

6 Create multiple entrances off the woonerf

7 Make provision for limited on-street parking for visitors and loading bay areas.

## SPATIAL TYPOLOGY: PEDESTRIAN WALKWAY

Normally areas in urban environments that exclude general vehicular traffic in favour of pedestrian and NMT movement systems. These spaces are generally designed to provide better access and mobility for people on foot that are safe.

Integrated landscaping and hard surfaces

SUD systems integrated

Street furniture, water fountains, street lighting

Smooth and level surfaces

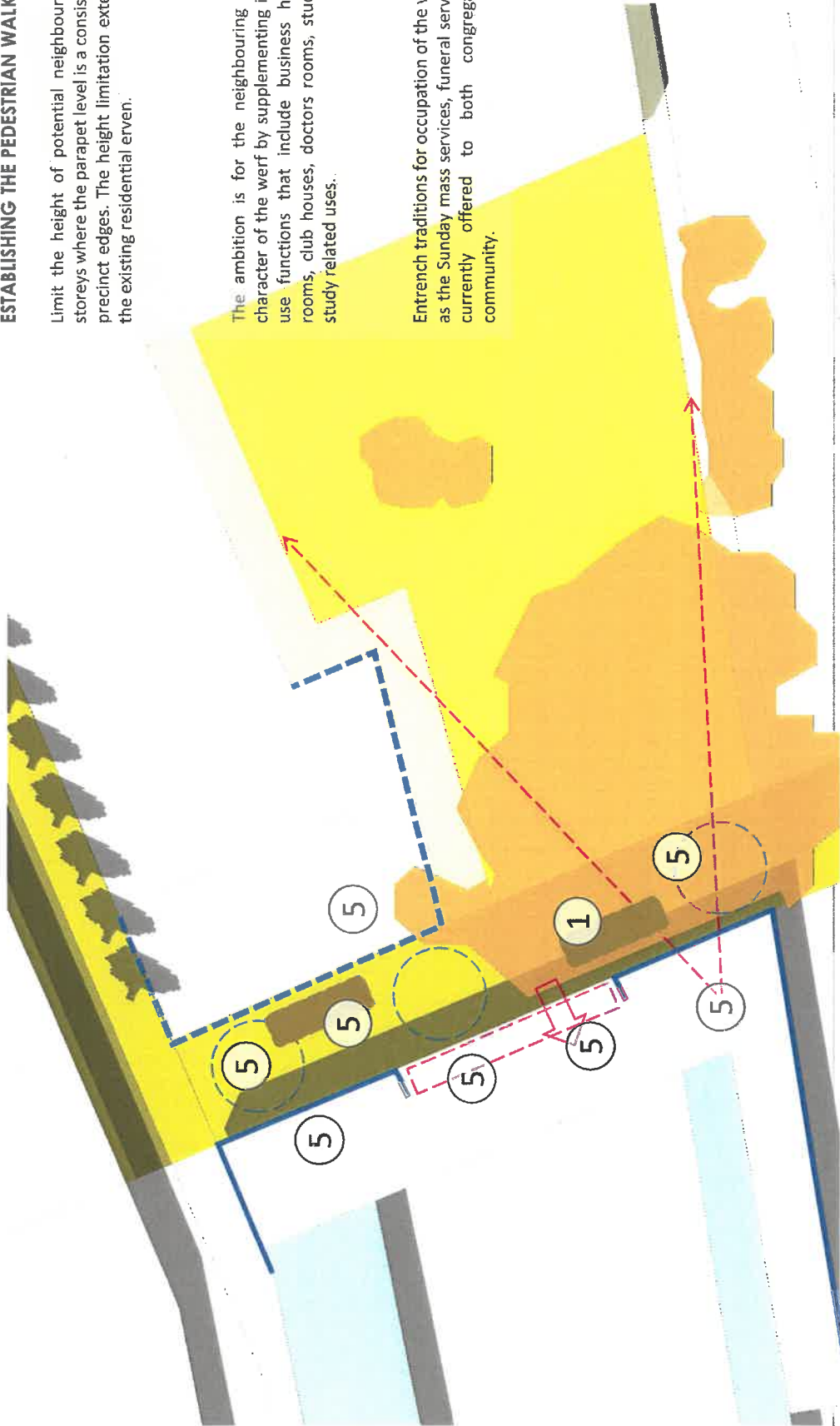


## ESTABLISHING THE PEDESTRIAN WALKWAY

Limit the height of potential neighbouring development to four storeys where the parapet level is a consistent datum line across the precinct edges. The height limitation extends for the full extent of the existing residential erven.

The ambition is for the neighbouring buildings to add to the character of the werf by supplementing it with a variety of mixed-use functions that include business hubs, communal meeting rooms, club houses, doctors rooms, student accommodation and study related uses.

Entrench traditions for occupation of the werf by church rituals such as the Sunday mass services, funeral services and festivals that are currently offered to both congregants and neighbouring community.



## SPATIAL TYPOLOGY: MIXED-USE STREET

Streets that serve a range of commercial, residential and retail uses that tends to be found in urban areas and has the potential to create dynamic spaces rich with experiential quality. They serve residents, workers and visitors. They support high levels of walking, cycling, public transport systems and foster economic functions.

Varied and interactive street frontages + height

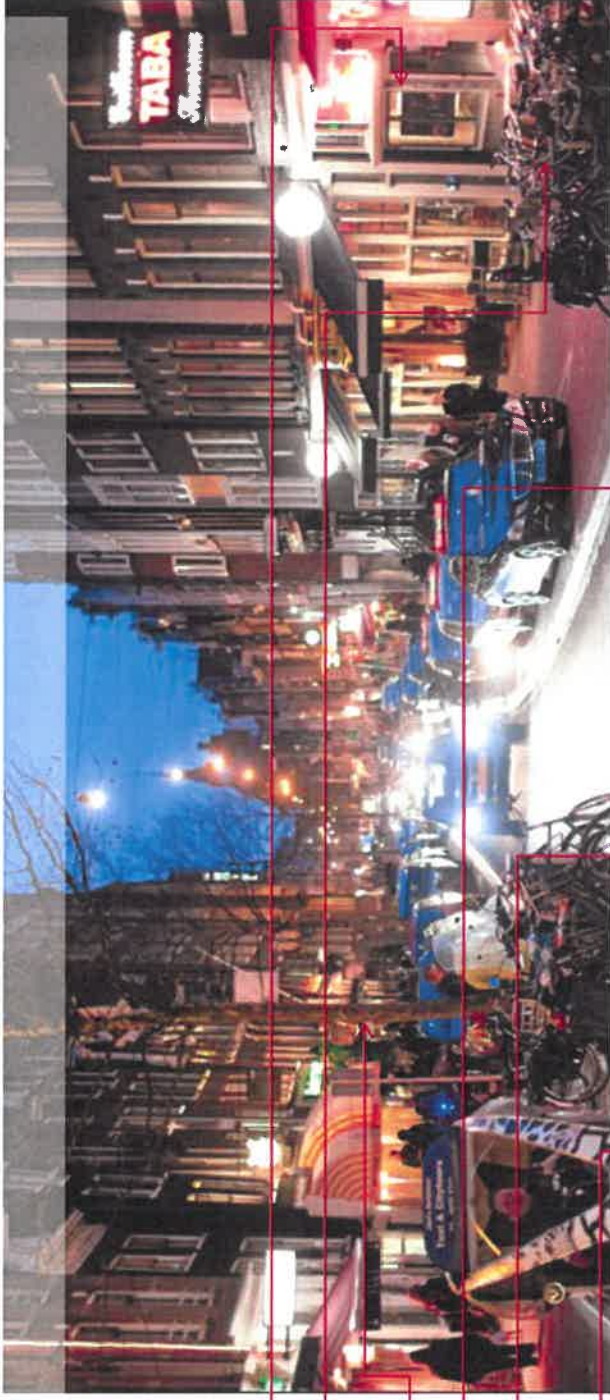
Accommodate multiple modes of transport

Tree lines and landscaping

Concession areas for spill-out

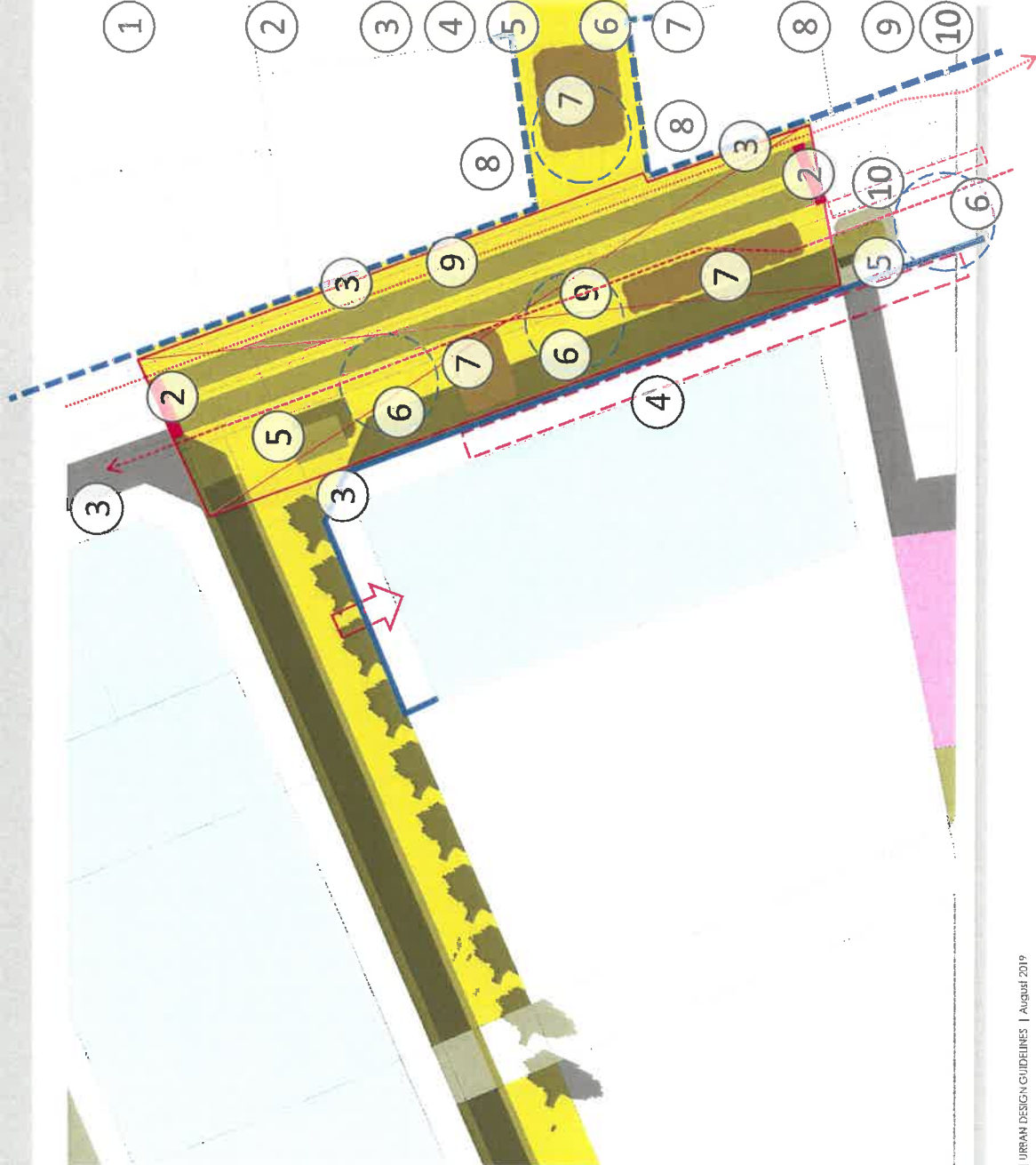
Overlooking features

Street furniture + lighting



### ESTABLISHING THE MIXED-USE STREET

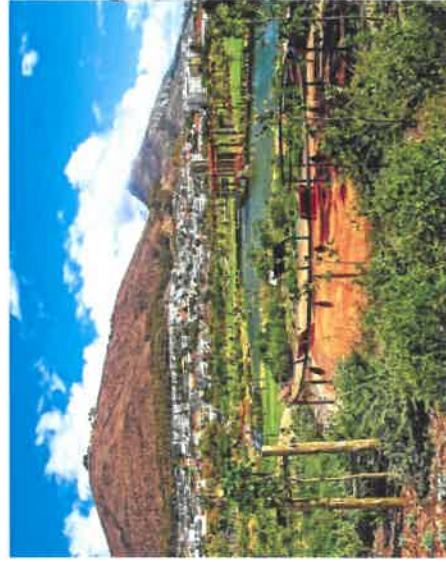
- 1 While much of the buildings along Bird Street has been built, the principles of supporting the street activity needs to be integrated as the buildings develop and mature over time. The overarching principle is to develop an intensity of function supported by a sense of enclosure.
- 2 Create a generous pedestrian crossing where Bird Street intersects with Dennessig and Banghoek streets. Raise vehicles onto a landscaped platform with materials choices being consistent with the woonerf.
- 3 Retrofit interactive facades where it doesn't exist to create a continuous interface at the ground floor.
- 4 Build into facades overlooking features
- 5 Build structures on the sidewalk to break the linearity of the street and create a sense of enclosure. These could be urban pergolas or small scale retail opportunities.
- 6 Establish zones for pause which could include equipment for sitting, concession areas or temporary markets, etc.
- 7 Re-establish a landscaping plan that reorients directional tree lines to space making planting patterns [grouped]. Integrate SUDS into its design along with street furniture and equipment that supports pedestrian movement.
- 8 Where vacant property about the street, encourage development that contributes to the making of the street through maximizing interface conditions at ground level and above.
- 9 Accommodate dedicated NMT facilities on the sidewalk
- 10 Limit on-street parking into pockets



## SPATIAL TYPOLOGY: URBAN PARK

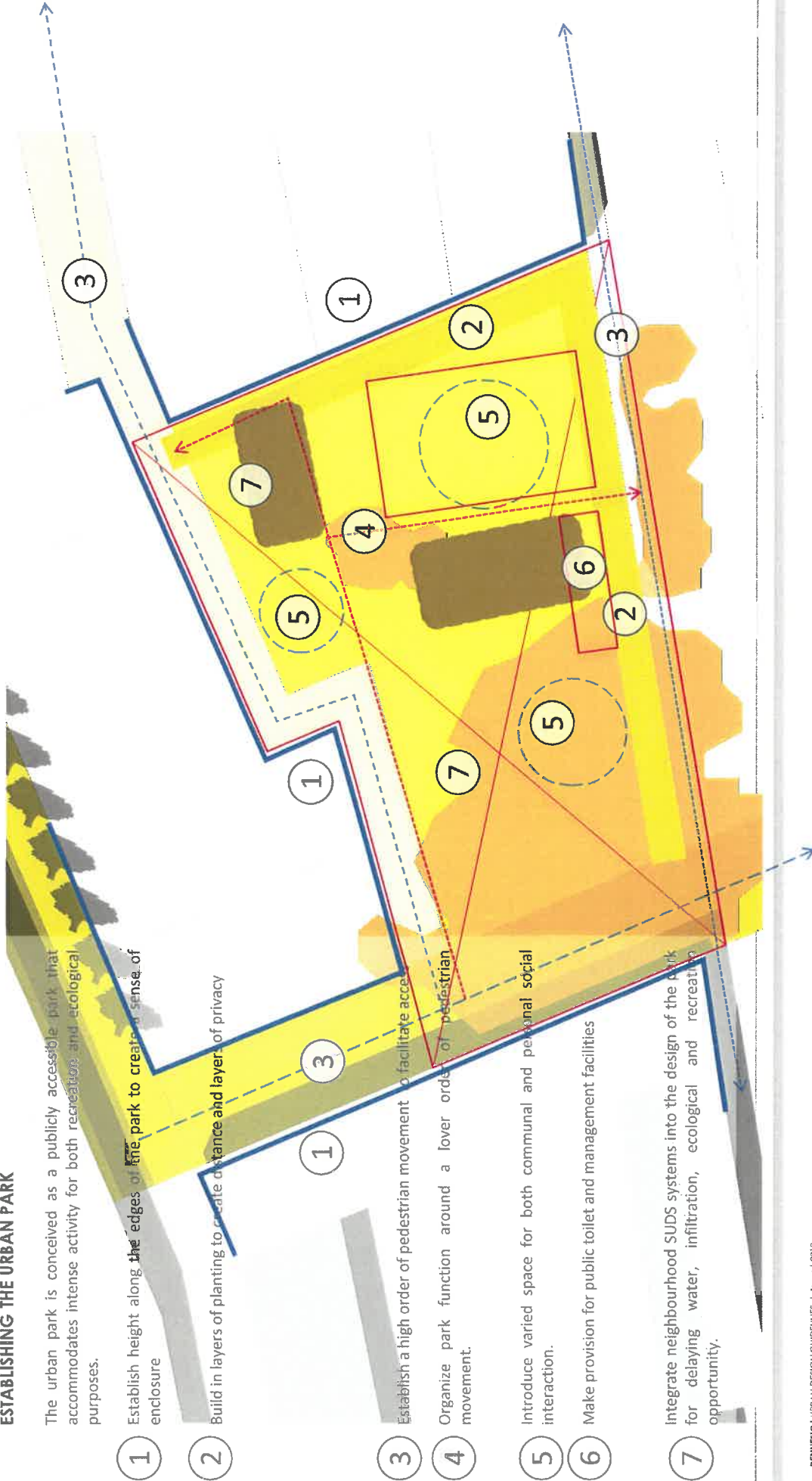
An urban park is generally a public space established for recreation and environmental management purposes. These spaces tend to be nested into urban environments with a potential to host a wide variety of recreational activities such as sport courts, play courts, amphitheatres and play equipment that are age specific.

Urban parks have the potential to integrate ecological functions as well as manage natural systems in a non-engineering focused way. Integral to this are Sustainable Drainage Systems.



## ESTABLISHING THE URBAN PARK

The urban park is conceived as a publicly accessible park that accommodates intense activity for both recreation and ecological purposes.



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### 3. MASSING + GRAIN

The neighbourhood has a responsibility to build a form that is fine grained and articulated. The moulding of the perimeter block pattern needs to respond to both human scale and neighbouring built form.

#### Design Indicators

- 1 Massing of the various buildings must be responsive to its interfaces
- 2 Develop a perimeter block model that makes and holds streets
- 3 Fragment the building form so that it reads as a series of buildings within a perimeter block pattern
- 4 Create difference on corner units through architectural articulation on the ground floor and integrating over-looking features
- 5 Ensure depth and layering of interfaces between buildings and streets
- 6 Design to a build-to line for floors 1-4 that equates to the site boundary line
- 7 Use setbacks on the ground floor and floors 5-6 to articulate depth and recede the building from view
- 8 Employ an 80/20 principle for the articulation of the façade plane between floors 1-4 with 80% aligning to the build-to line

#### Design guidelines

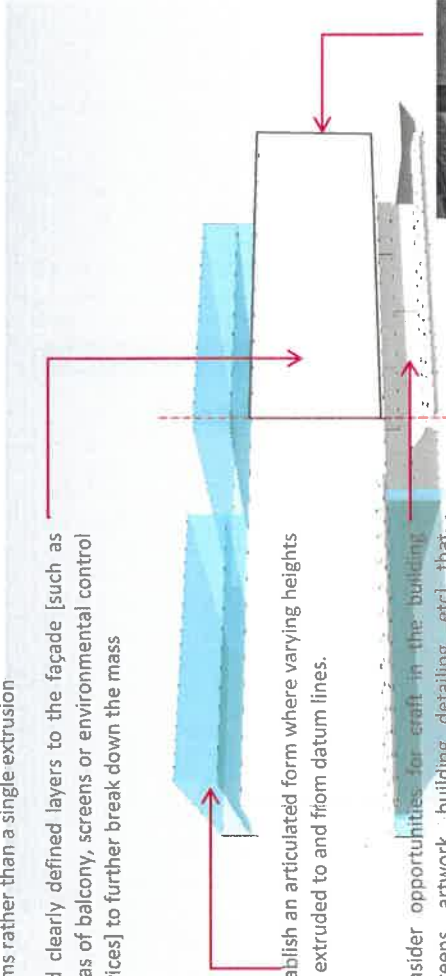
Fragment the massing so that it reads as a series of forms rather than a single extrusion

Add clearly defined layers to the façade [such as areas of balcony, screens or environmental control devices] to further break down the mass

Establish an articulated form where varying heights are extruded to and from datum lines.

Consider opportunities for craft in the building [screens, artwork, building detailing, etc] that locates the building in its time and place.

Consider using families of materials/colours employed in different ways to maintain formal unity but allows for articulation and difference.



Dead-ends to extruded forms along the boundary line shall be animated with texture or abstract patterns. The pattern should be subtle. No branding or advertising shall be allowed along this portion of façade.

## PERIMETER BLOCK DEVELOPMENT MODEL

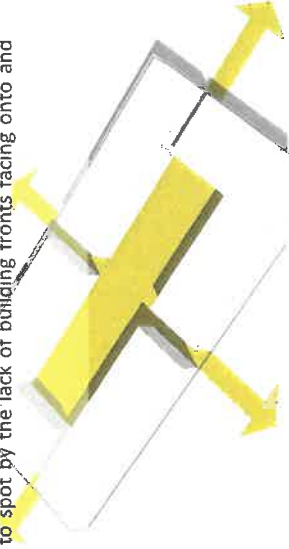
Fundamental to the development strategy for the neighbourhood is to create a perimeter block model. The building typology requires buildings to be built to the site boundary edge which has the primary advantage of providing enclosure to streets and makes layering possible between public frontage and private courtyards. This ensures that they address the public realm with a high degree of legibility. Positive and active fronts help to minimise unsupervised and unsafe communal spaces and access routes. Successful **perimeter blocks** have two key characteristics: **public fronts** – that form a strong outward (or public facing) edge and **private backs** – that form an inward (semi-public and/or exclusively private) edge. Fragmented or broken perimeter blocks are easy to spot by the lack of building fronts facing onto and engaging the street, often lacking surveillance opportunities making backs vulnerable to intrusion.



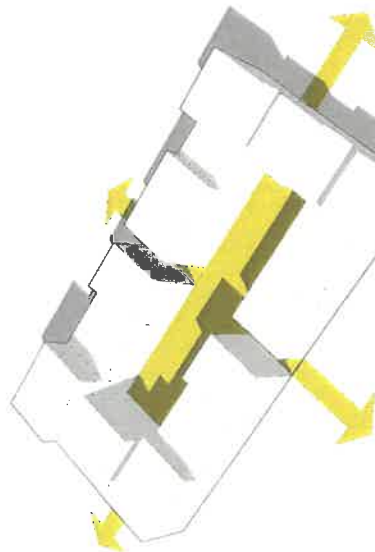
Build along the perimeter of the city block with fronts and backs clearly defined with appropriate interface conditions.



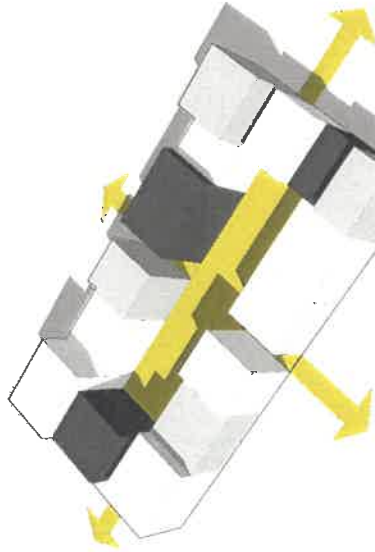
Fragment the form into many buildings making up a city block to create diversity of opportunity.



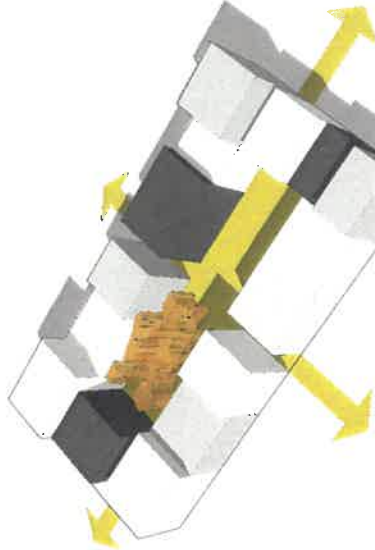
Create access points along the perimeter block to either enter the courtyard if its public or buildings if its not.



Articulate the height of individual buildings in response to its function and programmatic needs.



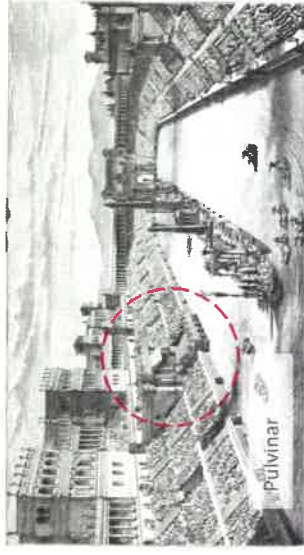
Articulate buildings with its identity so that it is legible



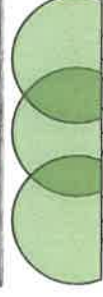
Populate the courtyard and street interface with functions that brings intensity of uses and vibrancy.

## ESTABLISHING BUILD-TO LINES AND SETBACKS: werf interface

The articulation of the 4-storey interface for the podium buildings along Paul Kruger must mitigate its height through the establishment of setbacks at fourth storey level in the form of a pulvinar. This is conceived as a generous public balcony that overlooks the werf.

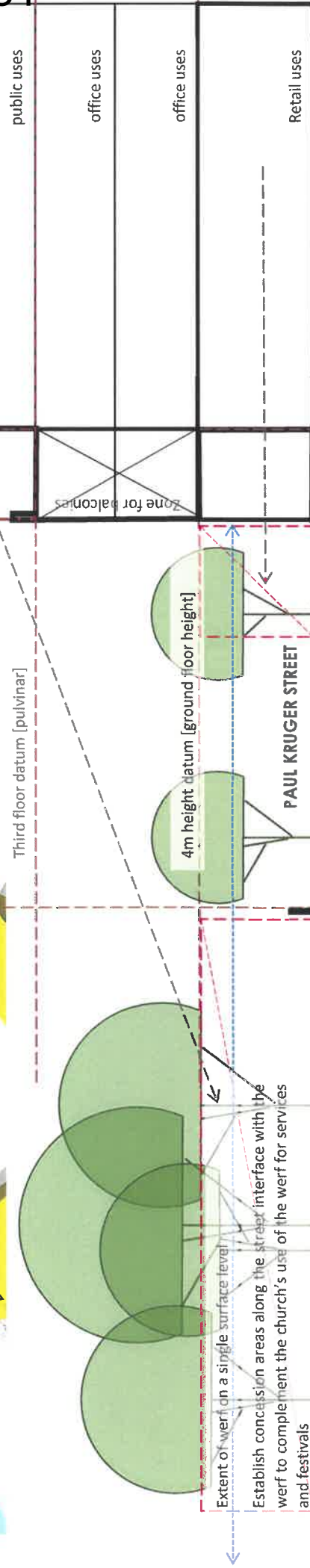


articulated setback line



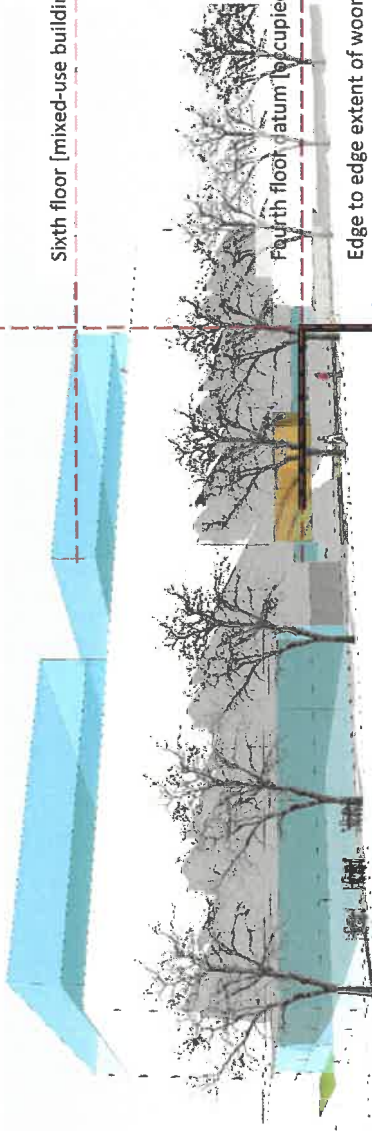
occupied roof uses

281

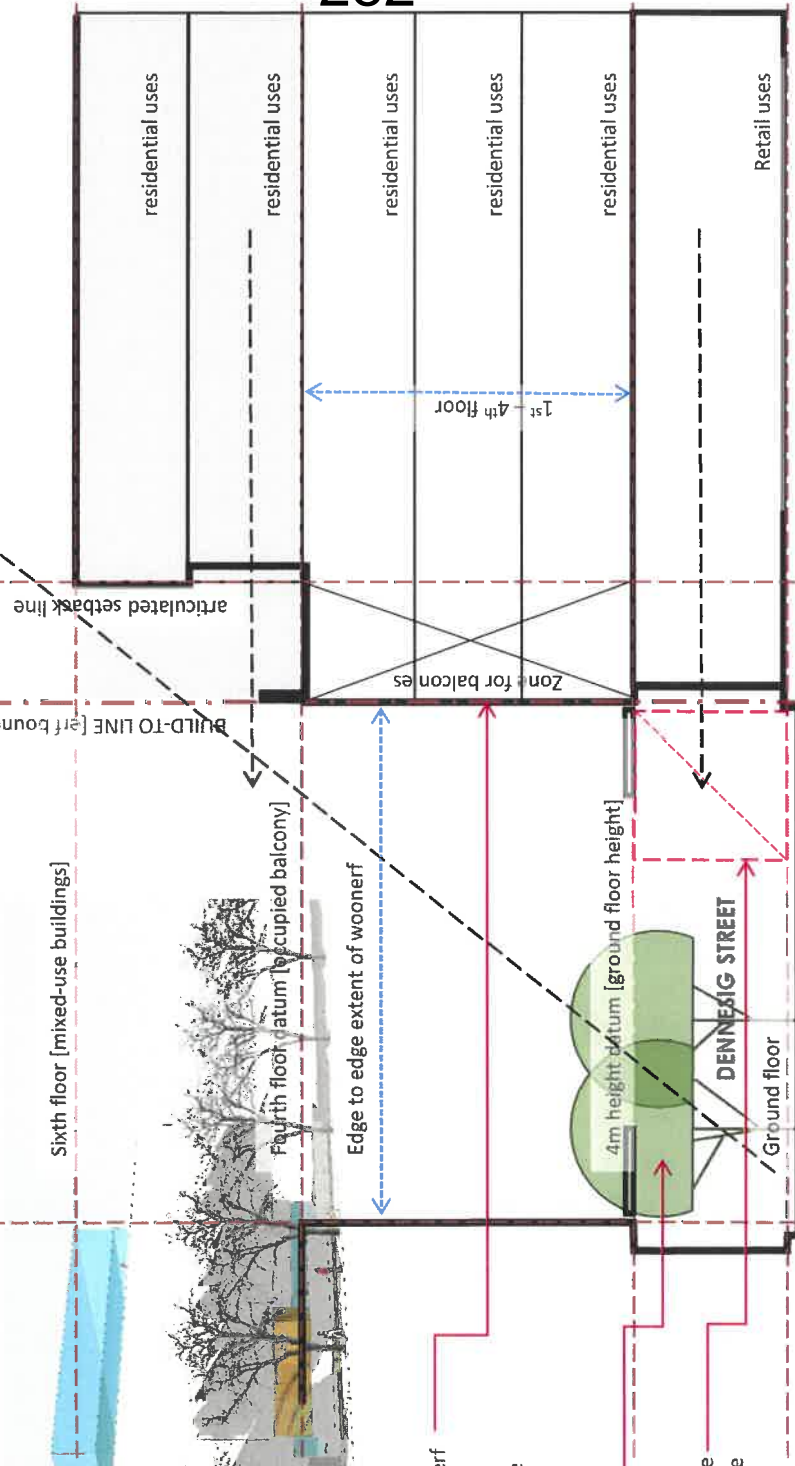


## ESTABLISHING BUILD-TO LINES AND SETBACKS: generic corner interface

A typical perimeter block street interface section would need to comply to a set of principles that guides the perimeter block morphology. These are expressed by a series of datum lines that tie individual buildings together into an orchestrated whole.



Set back the floors above the 4<sup>th</sup> floor where applicable and treat the architecture in a manner that allows it to recede from view.



Three-storey interface from first floor to fourth built to erf boundary build-to line along the lines of an 80/20 principle:

80% > continuous façade + 20% > articulation of façade plane

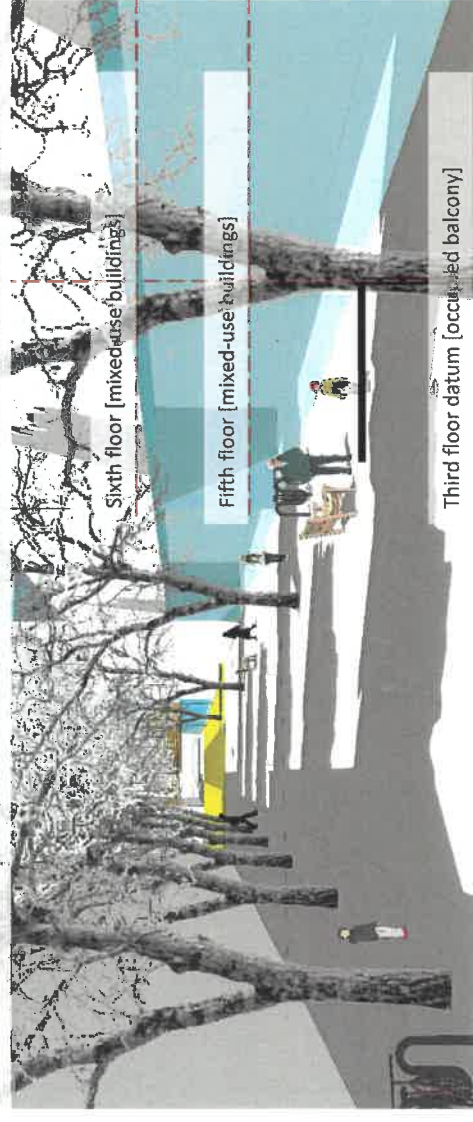
Landscaped streets with lines of trees

Establish concession areas along the street interface with the woonerf including street canopies built outside the site boundary line.



## ESTABLISHING BUILD-TO LINES AND SETBACKS: generic 5-storey Paul Kruger interface

A typical perimeter block street interface section would need to comply to a set of principles that guides the perimeter block morphology. These are expressed by a series of datum lines that tie individual buildings together into an orchestrated whole.

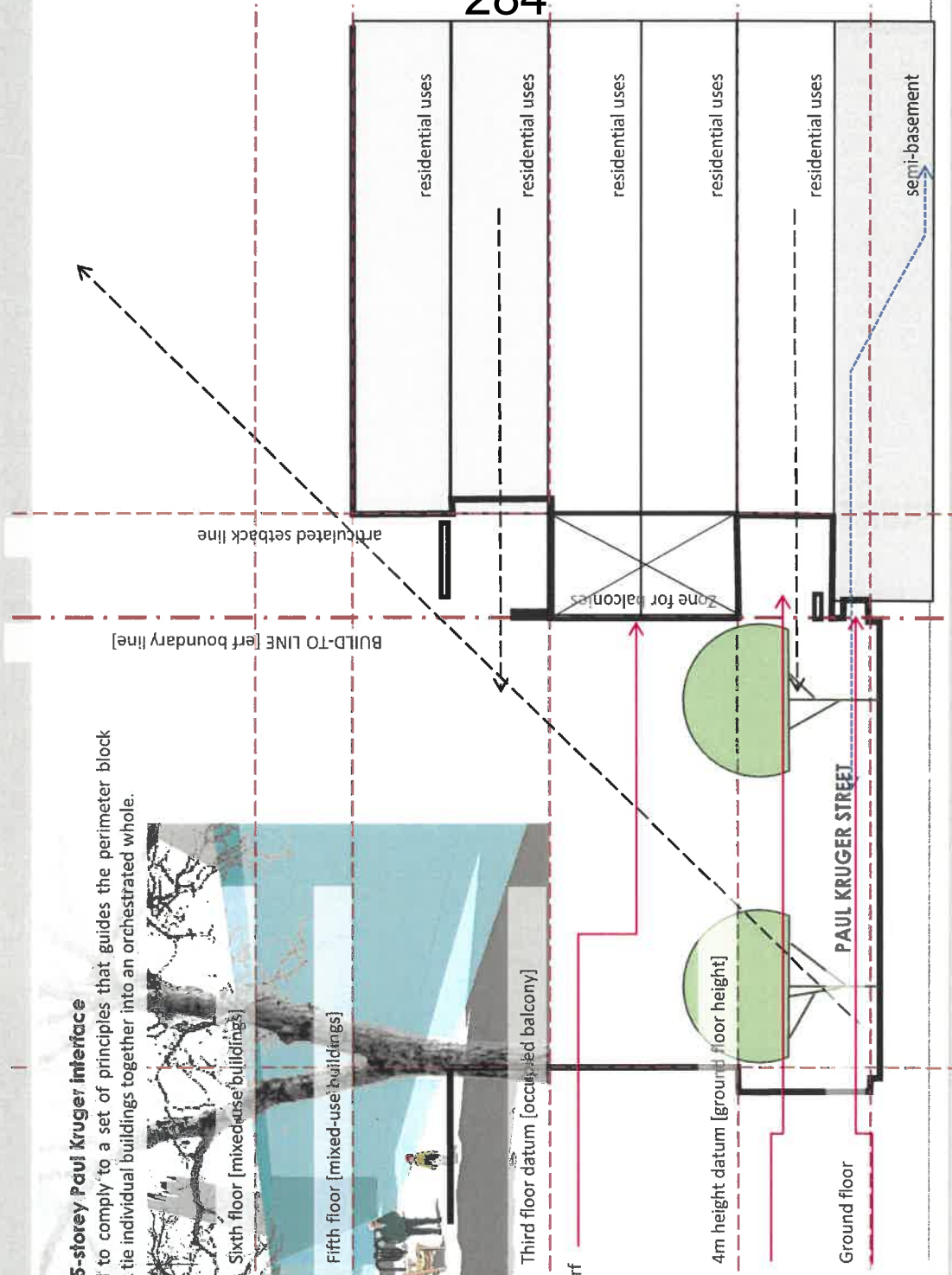


Two-storey interface from first floor to third built to erf boundary build-to line along the lines of an 80/20 principle:

80% > continuous façade + 20% > articulation of façade plane

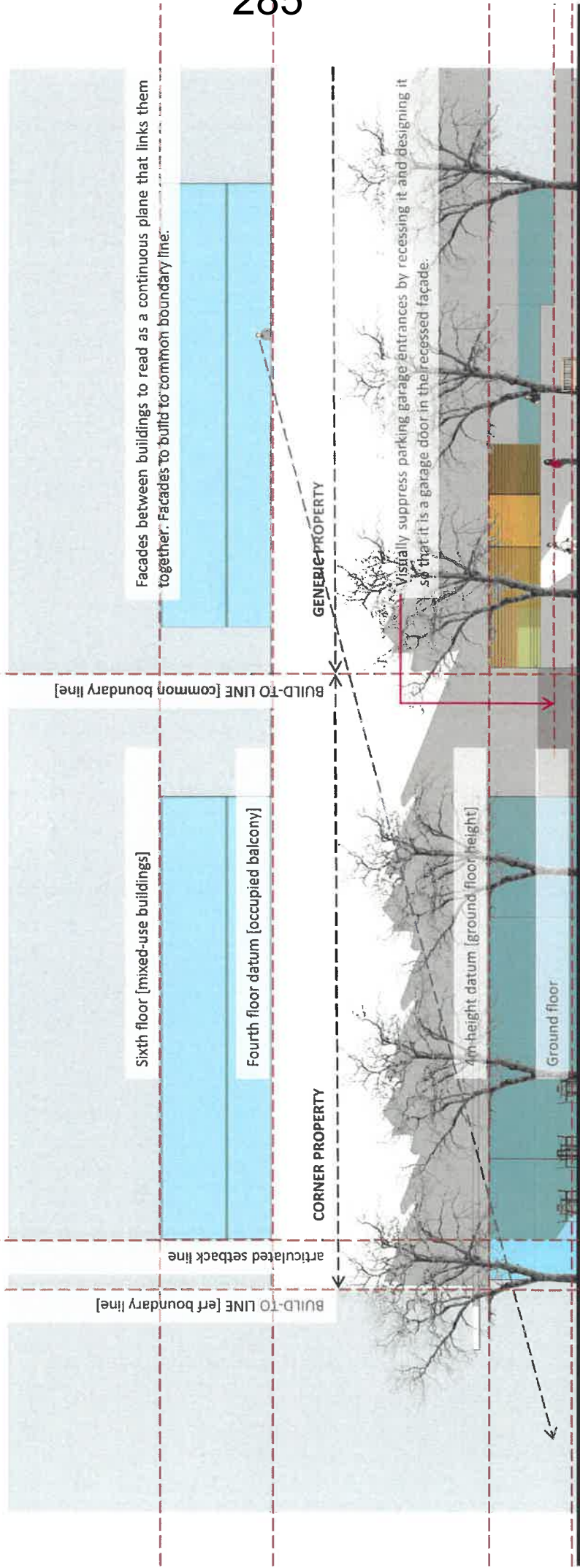
Carefully manage the interface between residential units on the ground floor and the street. Employ depth, screens and planting layers to articulate layers of privacy

Mitigate the effects of semi-basements by suppressing the ventilation grills by recessing the ventilators and layer with sidewalk planting



## ESTABLISHING BUILD-TO LINES AND SETBACKS

A typical perimeter block street interface section would need to comply to a set of principles that guides the perimeter block morphology. These are expressed by a series of datum lines that tie individual buildings together into an orchestrated whole.



## ARTICULATING THE GROUND PLANE INTERFACE

A critical interface to ensuring the success of the intentions of these guidelines is the difficult relationship between residential units and the street. The expectation is that architects give this interface special attention so as not to erode the intent of creating positive interactive spaces without compromising a sense of security. Carefully manage the interface between residential units on the ground floor and the street. Employ depth, screens and planting layers to articulate layers of privacy.



#### 4. ESTABLISHING ON-SITE PARKING CONDITIONS

Consider the circulation of people on foot as a priority over vehicular movement so that continuity of surfaces and materiality supports them first.

##### Design Indicators

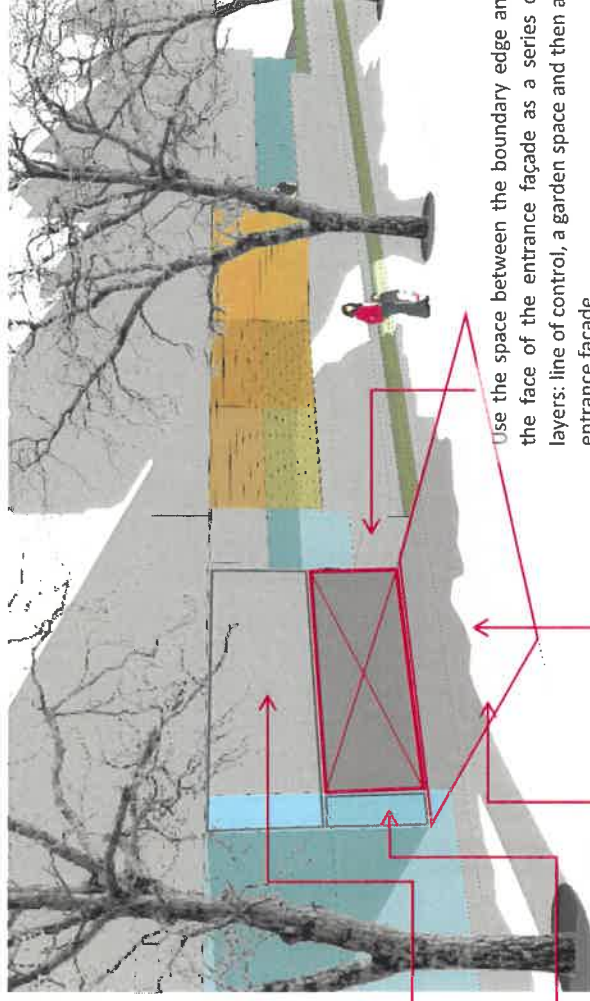
- 1 Build layering at pedestrian interface along both roads
- 2 Ensure that the main pedestrian entrance is from Main Road
- 3 Provide 2 vehicular entrance points to split vehicles and reduce garage entrances to one lane each to reduce impact of garage entrances on the façade. Ensure that the remaining façade at ground level is active
- 4 Build continuity in the materiality of the sidewalk in favour of the pedestrian environment, including tree canopy + surface levels

Suppress the garage entrance by projecting the active face beyond its face. Garage entrance to read as a background surface that is continuous in materiality with adjacent surfaces

Richly texture the vertical face of the service rooms such that the door to the space is merged into its making

Reduce the width of vehicular lanes to a maximum of one lane in and one lane out. Any additional stacking distances required shall be accommodated beyond the façade/garage door.

##### Design guidelines



Use the space between the boundary edge and the face of the entrance façade as a series of layers: line of control, a garden space and then an entrance façade.

Prioritise the pedestrian movement by not delineating carriageway crossings with a level difference but with a change in material rather. Vehicles to mount the sidewalk at road kerb position where applicable ensuring continuity to the sidewalk.

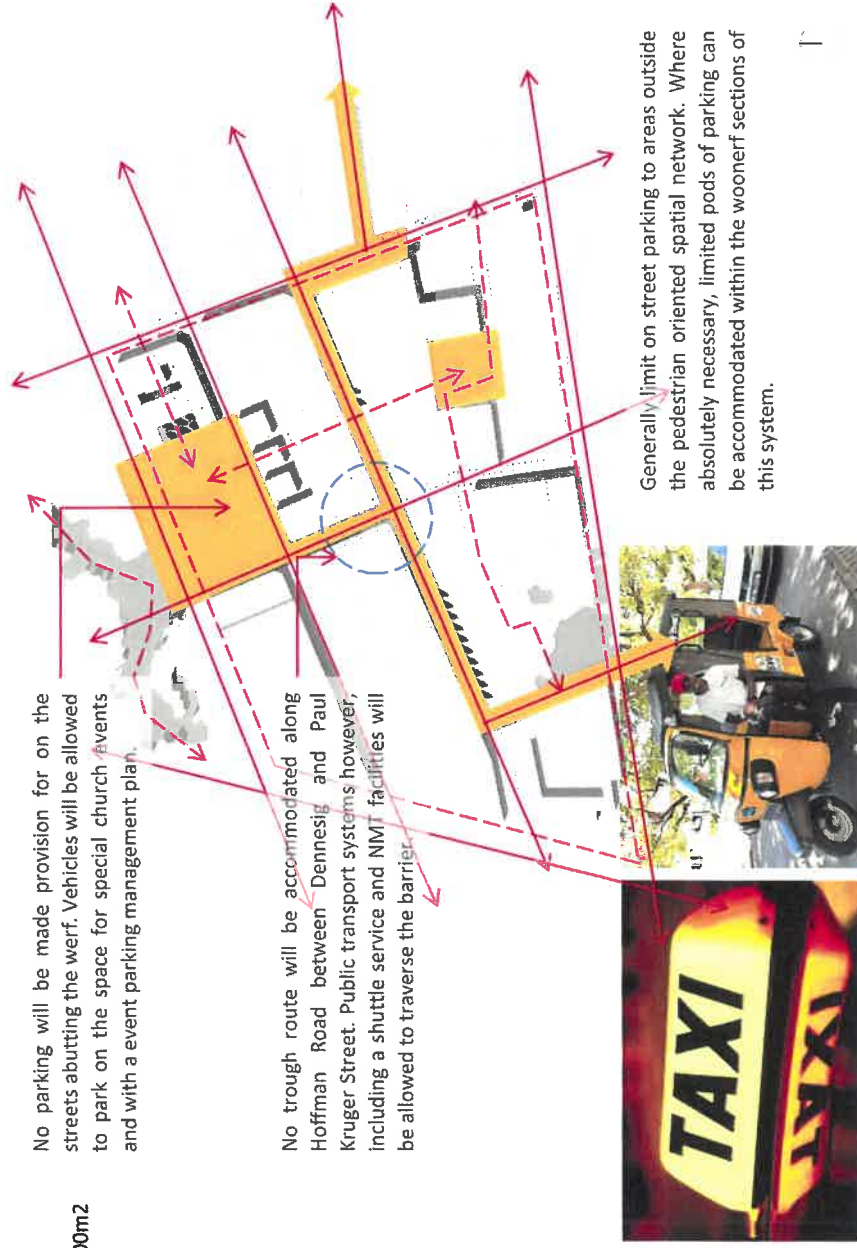
## Design guidelines

The manner in which parking is arranged on site can have a significant impact on the experience of the neighbourhood. First principles built into these guidelines promote pedestrian movement above vehicular movement and encourages car owners to leave them at home. In an attempt to promote moving on foot, bicycle or public transport, a set of principles were established to support this change in behaviour. These principles include:

1. Maximum parking ratio > 1.5 bays per unit + retail maximum of 4 bays per 100m<sup>2</sup>
2. Minimum provision of 1 bicycle parking per unit [can be within unit]
3. Minimum of 0.25 motorbike/scooter parking bays per unit
4. Provision of a scheduled shuttle service

### On-site parking:

1. Set back semi-basements from façade and mitigate street interface
2. When parking is on site and on-grade > screen with a layer of function
3. Access to basement parking to be integrated into the façade [garage door]



## 5. DIVERSITY AND A SENSE OF BELONGING

A significant risk to the neighbourhood is that the radical transformation of this neighbourhood would result in mono-functional and sterile environments. These risks include that market-driven development would exclude diversity through solely targeting high income brackets or student populations. Both these markets seems readily available. With its strong identity and growing demand for students to be resident in the town, there is a risk of the neighbourhood to be transformed either into an exclusively rich neighbourhood or a moribund place during the two month vacation period at the end of the year. The ambition of this report is to promote a sense of diversity in both use and income levels throughout the neighbourhood. In the absence of an inclusionary housing policy, this report promotes the following sets of principles to promote a healthy neighbourhood eco-system:

### DIVERSE FORMS OF TENURE

That models for housing promote a diverse spectrum of tenure that may include accessing diverse financial models to achieve these outcomes. This may include the need for the Municipality to establish policies to assist property owners access a diverse set of tools to promote hybrid tenure models. These may include rental models, lease-to-purchase and owner-occupied/sectional title units.

### DIVERSE UNIT SIZES

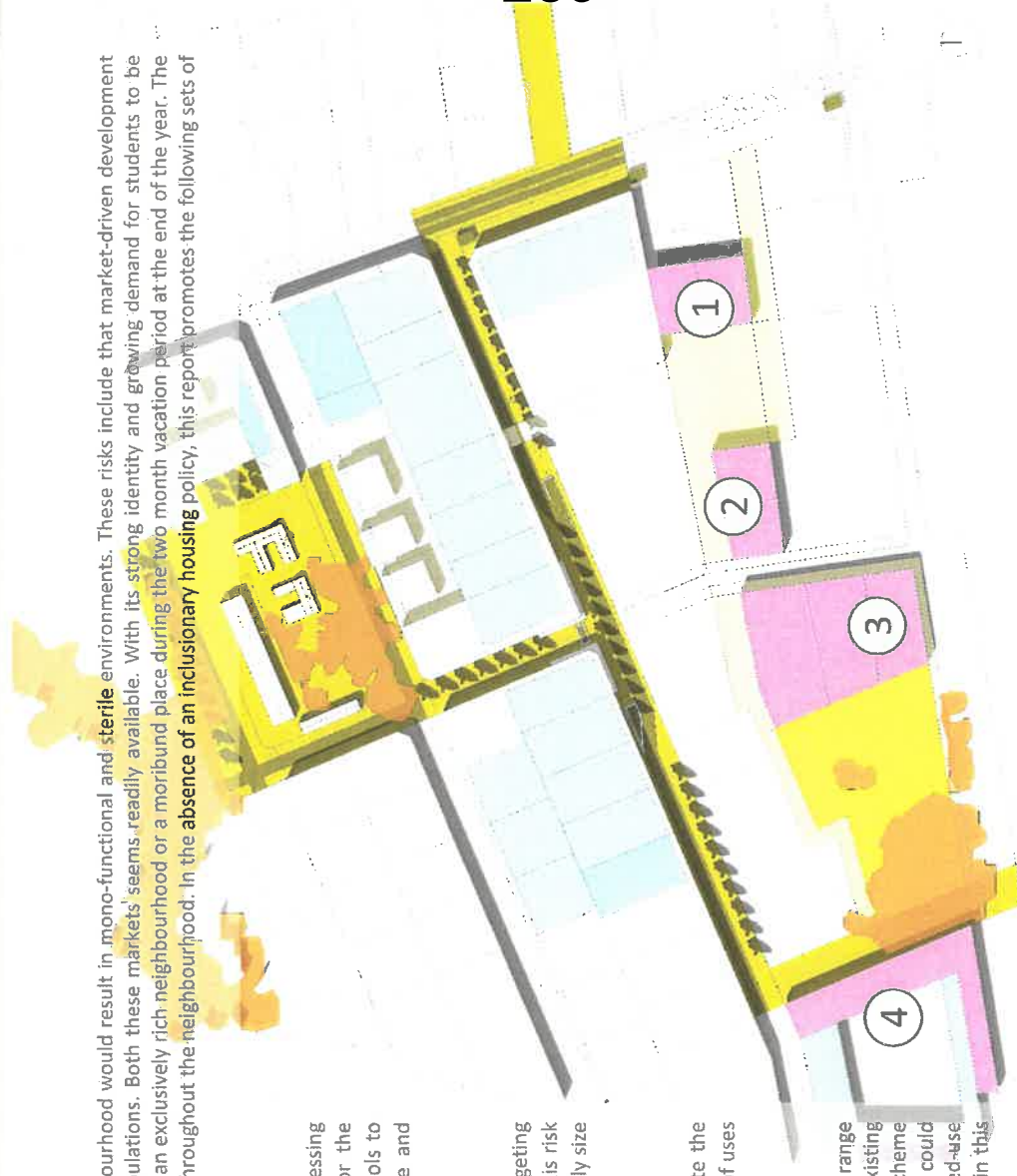
While consolidating single residential erven may benefit the ability to densify, targeting narrow markets runs the risk of a narrowly defined resident community. To counter this risk this report promotes diverse unit sizes that could accommodate both differences in family size and income levels.

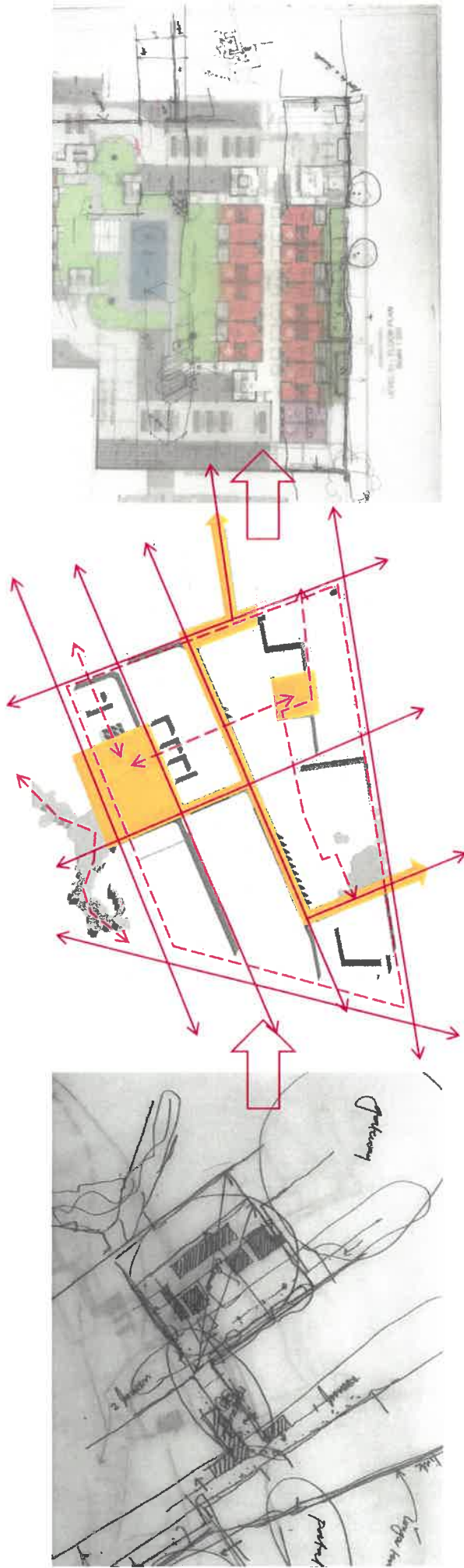
### DIVERSE USES

A strong spatial structure needs to be supplemented by supporting uses. We promote the idea of mixed-use developments across the neighbourhood with appropriate diversity of uses that relates to its role in the spatial structure.

### DIVERSE INCOME LEVELS

In the absence of an inclusionary housing policy, we encourage developers to target a range of income levels. This report also calls for the municipal owned land, including the existing municipal parking lot and open space be considered for a mixed-use, mixed-income scheme as promoted by the Provincial Government's Better Living Model. These sites could accommodate a mix of subsidized housing [social and FLIPS housing] alongside mixed-use market related housing targeting the low-end and "Gap" markets. Showing leadership in this market is likely the most achievable way in attaining this goal.





## J. PROCESS AND WAY FORWARD

This report is imagined to be describing a portion of the **process** of establishing a set of design guidelines that can be acted on by others implementing the ideas set out herein. It does however only spell out a set of principles and controls without offering resolution of the building brief [function, viability, circulation, etc]. These controls were established through a series of site visits, the application of our urban design sensibilities and a series of design charrettes with the client and developers, their professional teams and the Catholic Church where trade-offs were negotiated and three presentations to City officials who influenced the design through their commentary. The result described in this document does not necessarily offer an idealised urban design response but is a product of a process of iteration. The expectation is that the professional teams, led by the architects, interpret these into viable architectural propositions using this report to substantiate arguments.

The principles established for this neighbourhood has already enormously benefitted from undergoing an iterative process. In return, developers have adjusted their proposals and we've facilitated an additional review of individual development proposals to test responsiveness. Developers and their architects have generally found that the principles were achievable with some reporting that it improved their development viability.

It is expected that developers will re-submit their applications to the Stellenbosch Municipality for approval and undertake the necessary statutory processes that may arise from complying to these guidelines,

## PART C: TRANSPORT GUIDELINES

# ***Dennesig Densification Area***

## ***Transport Impact Assessment***

### ***Stellenbosch***

292

***August 2019***

SUMMARY SHEET

Report Type	Transport Impact Assessment
Title	Dennesig Densification Area
Location	Stellenbosch
Client	Buffshelco 54 (Pty) Ltd
Reference Number	ITS 4122
Project Team	Carla Sequeira Johan Brink (Pr. Eng)
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*It is herewith certified that this Traffic Impact Assessment has been prepared according to requirements of the South African Traffic Impact and Site Traffic Assessment Manual.*

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## APPENDIX

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Appendix B – Traffic Analyses
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Appendix E – Land Use Summary
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## 1 INTRODUCTION

### 1.1 Purpose

The purpose of the study is to provide a comprehensive Transport Impact Assessment (TIA) for the Stellenbosch Municipality to guide decision making regarding project proposals in the Dennesig area. This includes not only decisions regarding applications on specific properties, but also interventions that may be required in the general area, such as the upgrading of roads, intersection, non-motorised transport, public transport and parking. All the proposals made for the precinct will be in line with the Spatial Development Framework (SDF), Comprehensive Integrated Transport Plan (CITP), Integrated Development Plan (IDP), other municipal initiatives and relevant guidelines such as Transit Orientated Development (TOD). These proposals have all been discussed and agreed to by the Municipality.

### 1.2 Study Area Description

Dennesig is a suburb within Stellenbosch bordered by Merriman Avenue (south), Molteno Road (north), Bird Street (east) and Adam Tas Road (west). Refer to Figure 1 for the Locality Map.



Figure 1: Locality Map

Figure 1 also indicates major destinations within Stellenbosch. As most of the Dennesig proposed developments are predominantly student accommodation, the likely attractions are all situated east and south of the Dennesig Area. The transport demand to and from these destinations/attractions is therefore a primary focus to improve and connect movements to the east (Stellenbosch Central) with Dennesig.

### 1.3 Background

Numorius land owners in the study area have been working for a number of years to get everyone's buy-in to consolidate their plots, in order to facilitate the large scale redevelopment of Dennesig.

Simultaneously, the Stellenbosch Municipality (SM) has been working on a policy to facilitate the densification of the Dennesig area in Stellenbosch resulting in the approval and construction of a number of developments comprising of four to five storey buildings. The design and approval processes for a number of projects in the study area are well advanced, and one new application has been approved to date. Furthermore, zoning for flats mixed with non-residential facilities in excess of four storeys have previously been approved on some of the other properties in the area on an ad-hoc basis.

It is stated in the SM Fourth Generation Integrated Development Plan (2017-2022) (Stellenbosch Municipality, 2018) that in light of answering the question of what, how and where development is to take place over the next 10 to 30 years, the SM is considering the Stellenbosch Transit Oriented Development (STOD) approach to redefine the future spatial development of Stellenbosch around a set of high density development nodes built around integrated public transport services. The TOD Report (Royal HanskoningDHV, 2015) which focussed on the Adam Tas corridor (ATC) included the section of Stellenbosch adjacent to , and either side of, Adam Tas Road (R44) and the railway and which lies between the Eerste and Krom Rivers. The Dennesig neighbourhood falls thus within the ATC.

The STOD report concludes that *"the conceptual proposals discussed build on the exciting "Shaping Stellenbosch" initiative by focusing on the Adam Tas corridor as a key new spatial and economic restructuring intervention in the town as it strives to accommodate growth and change through the application and implementation of TOD and sustainable development principles."*



TRANSIT ORIENTATED DEVELOPMENT:  
A CONCEPT FOR THE TOWN OF STELLENBOSCH (FINAL DRAFT)



The SM is in the process of recommending to Council that overlay zones be created to specifically enhance or restrict development in certain areas due to the unique charater and location of the area, as well as to ensure certainty to developers on achieving the developmental objective of council. One of these areas is the Dennesig area.

Events have overtaken the Municipal planning processes as many applications are in the process of being submitted for the study area without the STOD being completed or an Urban Design Framwork for the area having been drawn up to guide decision making and the approval process. While the applications are generally in line with the applicant's discussions with officials, the SM requires an approved Urban Design Framework to motivate their apprcals and/or inputs. For the Urban Design Framwork a TIA needs to be conducted that will assess the collective transport impact of the area.

## 1.4 Transit Orientated Development (TOD)

TOD is the creation of compact, walkable, pedestrian-oriented, mixed-use communities centred around high quality public transport. This allows for easy accessibility to surrounding areas without making use of a private vehicle. To date, the successful implementation of TOD in municipalities is not seen regularly as the success relies on a number of components that needs to be in place to coherently change the way people move. TOD mainly consists of three dimensions:

- Land use planning
- Transport
- Behaviours

The land use planning dimension is not only about densification but to distribute densities in order to favour transit accessibility and at the same time to satisfy people's preference as a location *choice*. This means that a person would choose to reside or work at a particular location due to its accessibility to transport and thus its convenience. Land use is one of the most influential dimensions to change or improve current transport patterns by placing homes (production trips) closer to employment (attraction trips). This not only shortens the trip length but can also utilise spare capacity of the road system in the opposite direction of existing traffic flows during the daily peak hours. The land use planning of Dennesig is not TOD orientated at micro level but fits the profile at macro level as it brings residential opportunities closer to the Stellenbosch CBD and therefore reduces the external transport demand to and from Stellenbosch which is evident from the current traffic congestion of the town.

The quality, performance, supply and safety of public transport are critical elements of public transport that must be improved to attract car users towards transit. This can be done by reinforcing transit supply in peripheral areas, improve quality and performance of public transport in the central areas and also improve intermobility between transit nodes. This should not only be done for the public transport but also for the non-motorised transport (NMT), such as reinforce walking and cycling as transport modes and improve the quality and performance of the NMT network.

Land use and transport are incentives of public decision makers to endorse TOD while individual mobility behaviour is the *target*. This can be achieved by influencing people's modal choice by making it more attractive, making the urban daily functions more accessible by transit and aiming to make "accessibility to transit" the most important criterion of the location *choice*. Ways to make this more attractive is by ensuring that it is convenient, safe (CCTV cameras) and faster than other transport modes and caters for the full journey from start to end.

## 2 EXISTING TRANSPORT

### 2.1 Existing Road Network

Table 1 provides a summary of the roads in the vicinity. The road classification is based on the Current Road Classification within the Cycle Master Plan for Stellenbosch Town (Transport Futures, 2015), refer to Figure 2. Photos of the existing roads of the surrounding network is attached in Appendix A.

Table 1: Road Network Characteristics

Road Name	Road Classification	Cross Section	Speed Limit (km/h)	NMT Facilities
Adam Tas Road (MR27)	Major Arterial (Class 2)	4 lanes	60	Western side
Merriman Avenue (MR175)	Major Arterial (Class 2)	4 lanes	60	Both sides
Bird Street (MR173)	Minor Arterial (Class 3)	2 lanes	60	Both sides
Molteno Street	Collector (Class 4)	2 lanes	60	Northern side
Hofman Street	Local Street (Class 5)	2 lanes	60	None
Paul Kruger Street	Local Street (Class 5)	2 lanes	60	Northern side
Dennessig Street	Local Street (Class 5)	2 lanes	60	None

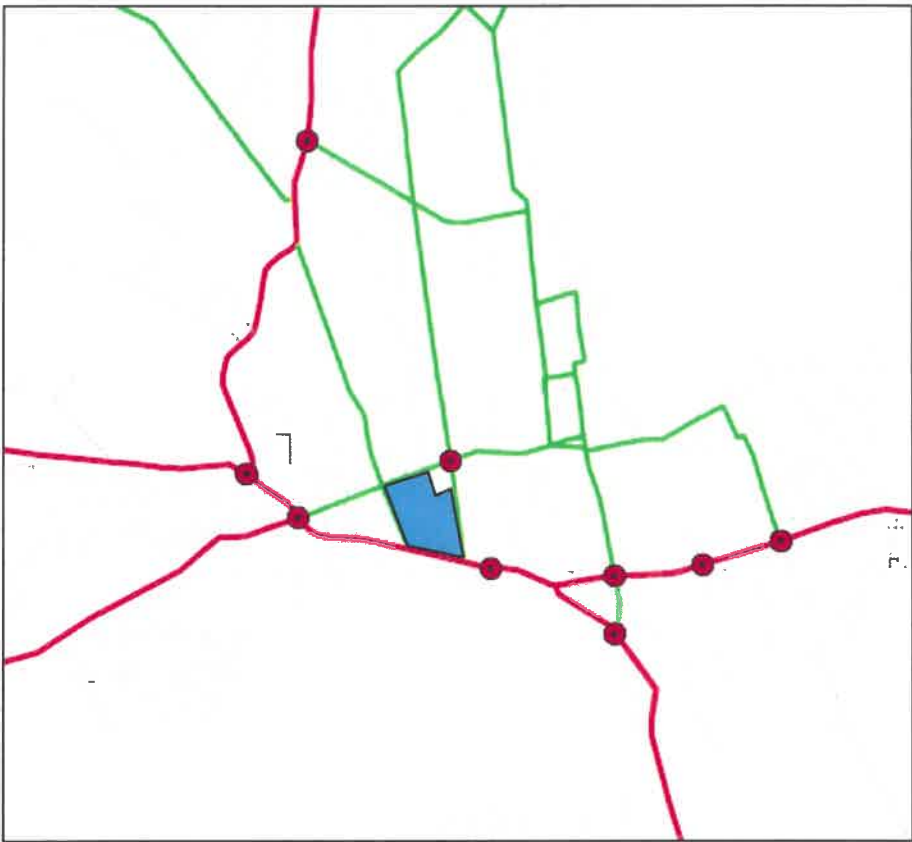


Figure 2: Current Road Classification (Transport Futures, 2015)



### 2.3 Public Transport (PT)

The main PT modes serving Stellenbosch is rail and MBT services. These services provide access to more localised commuter or longer distance and inter-municipal destinations.

The Bergzicht Rank is the key MBT facility serving the Stellenbosch CBD. It is located at the corner of Bird Street and Merriman Avenue which is in strategic proximity to the TOD site. Most MBT routes either originate or depart from the Bergzicht Rank, which means that Dennesiig will have access to a range of destinations. See Figure 5 which shows the coverage of the local commuter NMT service to the following destinations:

- Kayamandi
- Elsenburg
- Jonkershoek
- Kylemore/Pniel/Lanquedoc
- Vloottenburg/Devonvalley/Lynedoch Station
- Koelenhof
- Jamestown
- Idasvalley
- Cloetesville
- Franschoek
- Klapmuts



Figure 5: Stellenbosch PT Routes

There has always been a large demand to access destinations in neighbouring municipalities i.e. the City of Cape Town, Drakenstein and Breede Valley. Dennesiig will also have access to these longer distance or inter-municipal locations either via rail or MBT services. The rail services has been declining over the past few years. The Stellenbosch Station is situated at approximately 700m south from the Adam Tas Road/Merriman Avenue intersection (MR27) which is regarded as the upper limit for acceptable walking distance.

There are also several inter-municipal and long distance MBT routes served from Bergzicht Rank or from ranks in outside municipalities. These destinations include:

- Cape Town: Somerset West, Bellville, Kuilsriver, Khayelitsha
- Drakenstein: Paarl
- Breede Valley: Worcester, Ashton, Robertson, Montagu
- Overberg: Hermanus

It is therefore concluded that the current SM MBT routes mainly connects Stellenbosch with external towns and with Merriman Avenue as a major PT arterial for most routes. However, it appears that there are no internal circulating services within the Stellenbosch CBD. Most commuters are therefore transported from the neighbouring towns to the Bergzicht MBT rank. Adequate NMT infrastructure is therefore important to complete the "last mile" of their journey.

The Stellenbosch University (SU) operates a daytime shuttle service transporting students and staff from the peripheral parking areas, like Coetzenbug, to the main campus. They also have a pre-booked evening shuttle that transport students to their private housing within a 6km radius) from the campus centre. The routes travelled by the SU's shuttle service is shown in Figure 6. However, the service is not for the public and only operate along four specific routes with the Neelsie as the main centroid.

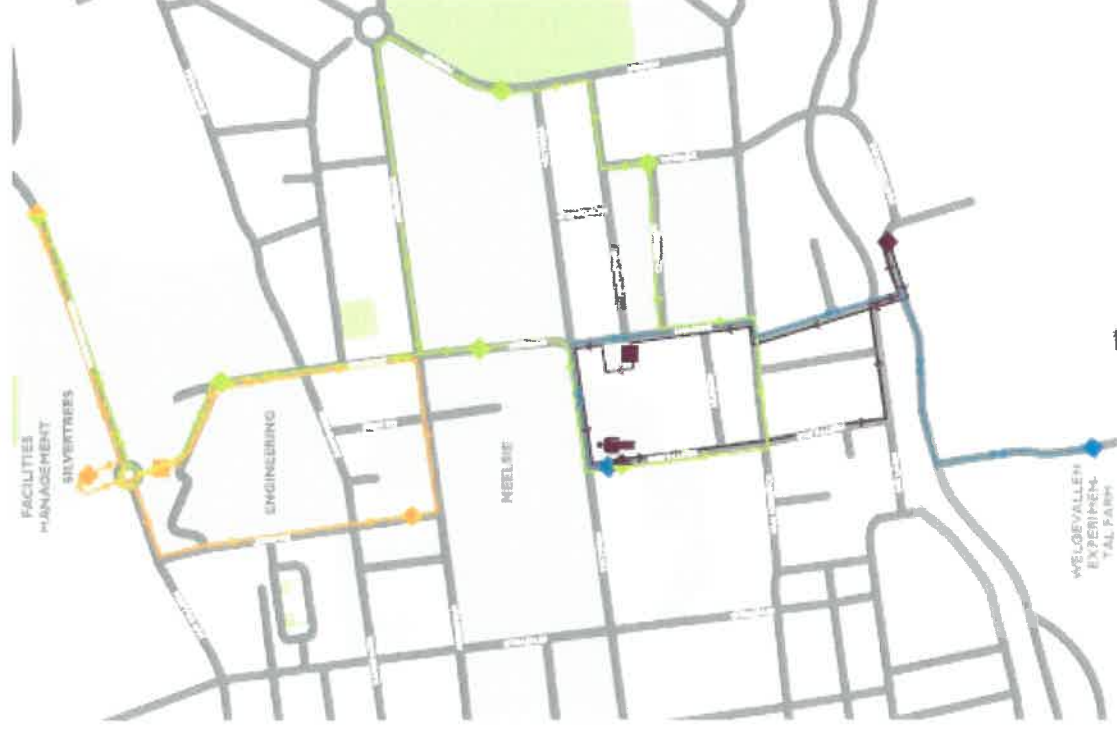


Figure 6: Routes for the day shuttle service of the SU

## 2.4 Study Intersections

Table 2 and Figure B1 in Appendix B provide a summary of the intersections that were identified in the Terms of Reference to be included in the study area. This is used to determine the transport impact of the proposed developments on the surrounding road network.

Table 2: Study Intersection and Existing Control (2019)

No.	Name	Existing Control
1	R44/Molteno Road	Priority Stop Control
2	Molteno Road/Hofman Road	Priority Stop Control
3	Bird Street/Molteno Road	Signalised Intersection
4	Hofman Road/Paul Kruger Road	Priority Stop Control
5	Bird Street/Paul Kruger Road	Priority Stop Control
6	Hofman Road/Dennesig Road	4-way Stop
7	Bird Street/Dennesig Road	Priority Stop Control
8	R44/Merriman Avenue	Signalised Intersection
9	Merriman Avenue/Hofman Road	Priority Stop Control
10	Merriman Avenue/Bird Street	Signalised Intersection

## 2.5 Existing Traffic Volumes

Traffic counts were conducted on Tuesday, 23 May 2019 during the AM and PM peak periods. Refer to Figure B2 and B3 in Appendix B for the summary of the traffic counts. It is noted that the counts were done during the student exam period and may affected the traffic counts. However, the counts were compared with counts provided in individual development TIAs and are comparable.

The traffic counts indicate that there is a rat-run along Hofman Road during both peak hours of the day. The rat-run during the morning peak hour (Figure B2, Appendix B) appears to be from Adam Tas Road in the southbound direction when vehicles use Molteno and Hofman Roads to access Merriman Avenue. The reverse occurs in the afternoon peak hour (Figure B3, Appendix B) when vehicles turn right from Merriman Avenue (westbound) into Hofman Road and then left into Molteno Road towards Adam Tas Road. The rat-ran is approximately 100 vehicles per hour.

It is proposed to change the character of Hofman Road by implementing traffic calming measures to prevent/reduce the rat-run traffic and redistributed traffic to the surrounding major road network. Hofman Road is a classified as a local street and should function as a residential street and not accommodate through traffic. Through traffic will also conflict with the pedestrianisation proposals of Hofman Road in context of TOD and student accommodation.

## 2.6 Origins and Destinations

Heat maps were developed to indicate the origins and destinations of the vehicles leaving and entering the Dennesig Area. The *destinations* of the vehicles exiting the Dennesig area are shown for the AM peak hour as this would be the typical pattern for a residential area. Similarly, the *origins* of the vehicles entering the Dennesig area are indicated for the PM peak hour. The detailed origin and destination densities are shown in in Appendix C.

These figures indicate that the majority of the origins and destinations are within the Eikestad Mall area. The reason for this can be the parking availability at the Eikestad Mall. It is likely that the proximity of the parking area to the Stellenbosch University encourage motorists to utilise the mall and public parking and then walk to where ever they need to go. Other destinations during the morning peak hour include the western end of Dorp Street, the central campus area and Merriman Avenue north. The origins of the PM peak hour indicate similar patterns but also highlights the Paul Roos School and the retail and filling station node around Merriman Avenue and Bird Street. This can be expected as many motorists would refuel vehicles and shop en-route back to home and could be regarded as a mid-stop between origins and Dennesig.

## 2.7 Exiting Traffic Flows (Congestion)

Google traffic maps illustrate the typical congestion bottlenecks during the morning and afternoon peak periods. A typical Thursday was investigated at 07:30 and at 17:00, to identify where travel speeds are slow along the roads in the site vicinity during both the AM and PM peak periods. The low speeds along road links give an indication of congestion although slow speeds can be expected at intersections. Figure 7 and Figure 8 indicates the congestion formed during the AM and PM peak hours respectively.



Figure 7: Google Maps' Typical Traffic during the AM Peak Period

It can be concluded that during the AM peak period, there is slow moving traffic along Adam Tas Road which is caused by the traffic signals along Adam Tas Road with Dorp Street and the R44.

Another bottleneck forms along the R304 in the inbound direction during the morning. It is assumed that this is caused by the high traffic volumes travelling inbound through the industrial area of Stellenbosch as well as the high pedestrian movement along that section of the R304, leading to vehicles travelling at a slow speed. It also suggests that that section of the R304 experiences capacity constraints as travel speeds increase along Bird Street south of the R304/Adam Tas intersection. The reason for this is that vehicles diverge into three alternative routes to enter into Stellenbosch.

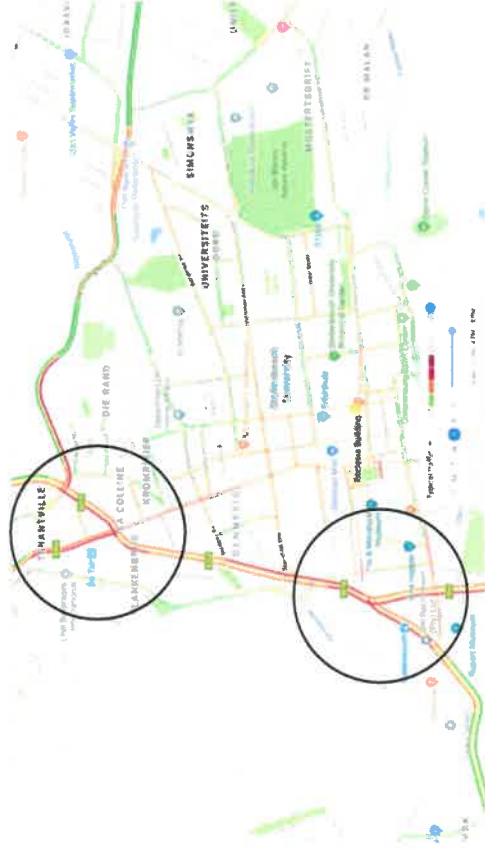


Figure 8: Google Maps' Typical Traffic during the PM Peak Period

Similarly during the PM peak period, traffic speeds are low along Adam Tas Road. The likely cause of this bottleneck is the traffic signal at the R310/R44 intersection which create queuing up to Merriman Avenue.

The same bottleneck experienced in the morning at the R304/Adam Tas intersection, occurs in the afternoon but in outbound direction. It is assumed that this is caused by the three routes from Stellenbosch that intersects at this intersection.

It can therefore be concluded that the lower travel speeds currently experienced along the surrounding road network of Dennesig, is mainly as a result of downstream bottlenecks at the intersections along Adam Tas Road with the R304 and R44 (south).

## 2.8 Existing Traffic Conditions

An intersection capacity analysis was performed for the existing (2019) traffic conditions. Refer to Figure B2 and B3 in Appendix B for the existing weekday AM and PM traffic operations.

Based on the traffic analysis, it is evident that all the intersections are operating at acceptable levels of service and there are no major capacity issues. However, from a site visit and Section 2.7, it is evident that there is congestion on Bird Street during the peak periods. This is, however, not caused by any of the intersections in the site vicinity but by intersections up and downstream of Bird Street.

## 2.9 Future Road Network Planning

SM is currently planning on dualling the R304 from the Welgevonden Road to Adam Tas Road. Conceptual drawings of the horizontal alignment and cross-sections by ICE Group in 2014 are attached in Appendix D. These upgrades will improve the congestion caused along the R304 during both the AM and PM peak periods, which will alleviate the current congestion experienced along Adam Tas Road and Bird Street.

3 LAND USE AND DEVELOPMENT FRAMEWORK

3.1 Land Use

Within the Dennessig area there are six proposed/approved developments, namely:

- Leiden
- Abacus
- Paul Kruger
- Den 2
- Dennessig 1
- Heuer

These developments will be the first developments to be evaluated based on the guidelines stated within this document, should it be approved. There are also several existing properties that can re-develop in the future. Figure 9 indicates the locations of these proposed/approved developments as well as the potential re-developments in the Dennessig area.

The land uses of the proposed developments and potential re-development in the Dennessig area are a combination of student accommodation, apartments and flats aimed at low to middle income groups and retail. It was assumed that the land uses for all the potential re-development will be split 70% student accommodation and 30% middle income residential and the current applications will remain as mainly student accommodation. The individual land use per development is attached in Appendix E. The total land use and extent of the Dennessig area is summaries in Table 3.



Figure 9: Proposed Developments and their Access Locations

Table 3: Dennessig land use and extent

Land Use		Extent
Apartment and Flats		265 units
Student Accommodation		1 480 units
Retail		972 m² GLA

3.2 Time Frames

For this TIA, two horizon years were analysed, a five-year (2024) and a 10-year horizon (2029) period. For the five-year period, the proposed and approved developments were included in the analysed as their applications are in process. The 10-year horizon period analyses all the proposed, approved and potential re-developments within the Dennessig area.

## 4 TRANSPORT IMPACT ANALYSES

### 4.1 Scope of Analyses

The focus of this traffic analyses is to look at the overall land uses of the Dennesig area. Each individual development will still require a TIA to be submitted to the Stellenbosch Municipality for approval. However, this TIA identifies the overall required transport infrastructure requirements which will guide individual TIAs.

### 4.2 Trip Generation

The trip generation for the developments are based on the rates provided in COTO TMH17 (COTO, 2013). A summary of the peak hour and daily trip generation rates used to determine the development trips are provided in Table 4. Low vehicle ownership and PT reduction factors (refer to Table 5) were applied for the whole Dennesig area as based on the TMH17 manual.

Table 4: Trip Generation Rates

Land Use	Units	Size/ Volume	Weekday AM Peak Hour			Weekday PM Peak Hour		
			Rate	In	Out	Rate	In	Out
Apartments and Flats	Units	265	0.65	25%	75%	0.65	70%	30%
Student Accommodation	Units	1480	0.20	25%	75%	0.30	65%	35%
Shopping Centre	m <sup>2</sup> GLA	972	0.60	65%	35%	3.40	50%	50%

Table 5: Adjustment Factors

Land Use	Mixed Use	Low Vehicle	Transit	Combined
Apartments and Flats	<del>15%</del>	30%	15%	40.50%
Student Accommodation	<del>25%</del>	50%	15%	57.50%
Shopping Centre	<del>40%</del>	30%	15%	40.50%

### 4.2.1 Adjustment Factors

The low vehicle ownership reduction applies to all student and low to middle income accommodation, but is in fact included to reduce the private vehicle demand by means of walking and cycling as preferred transport modes. It will be likely that tenants will still have vehicles, but the aim is to promote NMT and PT and thus reduce the actual trip generation. Similarly, the proposed NMT infrastructure, must integrate with PT infrastructure and services in order to assume a reduced trip generation as a result of PT.

Even though the Dennesig area will consists of some mixed use, this was not taken into account due to the low retail land use component relative to the high residential land uses. No pass-by or diverted trips were taken into account for the Dennesig area, as the retail component within the Dennesig is so small and is assumed to be used by mainly the local residents. From Table 5, it is clear that more than 40% of the private car trips are reduced. It must be noted that the reduction in private trips must be accommodated for in NMT and PT infrastructure provision. For every reduction in car trips, the expected increase in number of pedestrian and cyclists and demand in PT users must be determined and quantified.

4.2.2 Resultant Transport Demand

The reduction in vehicular trips will lead to an increase in NMT and PT trips as these trips do not just disappear, they are converted to an alternative transport mode. The alternative transport modes within the Dennessig area are identified as walking, cycling and shuttle services. It is assumed that the reduced trips be split 40% walking, 30% cycling and 30% shuttle service. However, these percentages are difficult to predict and the proposed infrastructure to support these trips must be able to accommodate these possible variances.

A generally accepted vehicle occupancy of 1.5 persons per vehicle was used to convert the number of reduced vehicle trips to person trips for the respective NMT and PT modes. The estimated person trip split between the alternative transport modes are indicated in Table 6 and Table 7.

Table 6: AM Modal Split

AM Reduced Trips Adjustment Factor	Reduced trips (vph)	Persons trips	walk 40%	cycle 30%	shuttle 30%
Low Vehicle Ownership	210	315	126	94	94
Public Transport	75	113	45	34	34
Total	285	428	171	128	128

Table 7: PM Modal Split

PM Reduced Trips Adjustment Factor	Reduced trips (vph)	Persons trips	walk 40%	cycle 30%	shuttle 30%
Low Vehicle Ownership	330	495	198	149	149
Public Transport	121	181	72	54	54
Total	451	677	271	203	203

Development trips can either be categorised as attractions or productions. Land uses such as shopping centres are known as attractions as they draw trips to the area. Land uses such as residential is known as productions as they produce trips that travel to the attractions. The resultant transport demand per mode is illustrated in Figure 10 and Figure 11 for the AM and PM peak hours respectively.

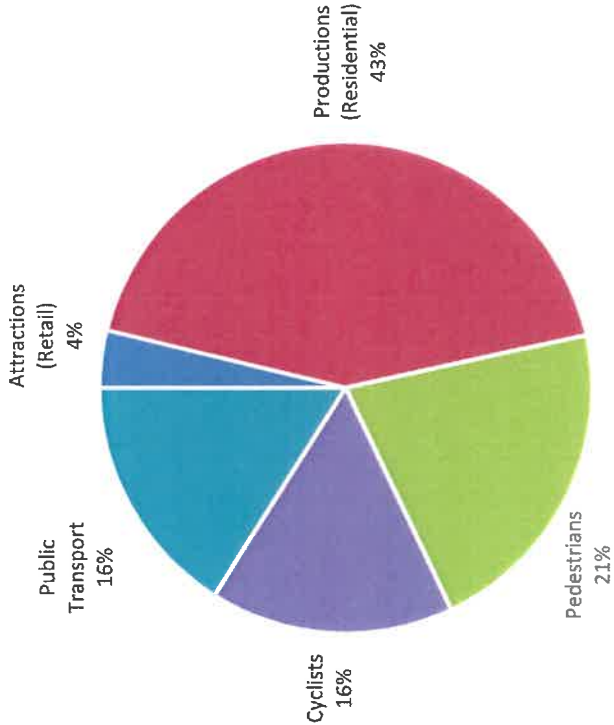


Figure 10: Dennessig AM Modal Split

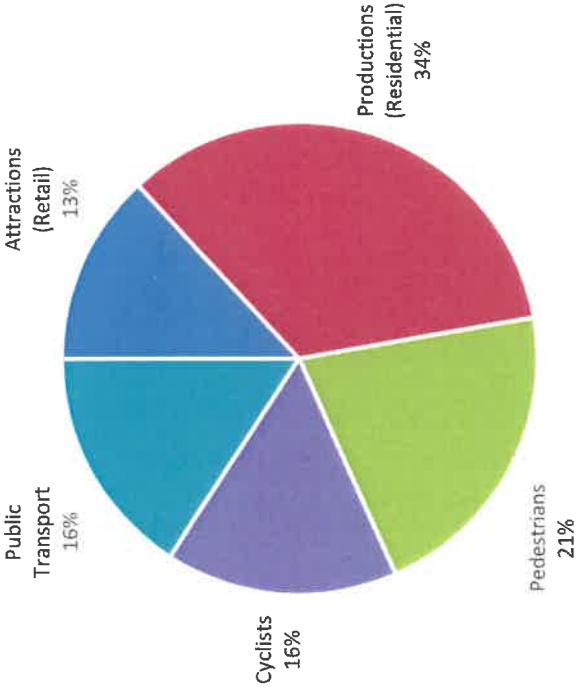


Figure 11: Dennesig PM Modal Split

Figure 12 is a summary of the proportion of person trips generated by the different transport modes (i.e. modal split). It was assumed that the shuttles can transport 12 passengers per vehicle, thus leading to a shuttles service frequency of 10 trips during the AM peak period and 17 trips during the PM peak period.

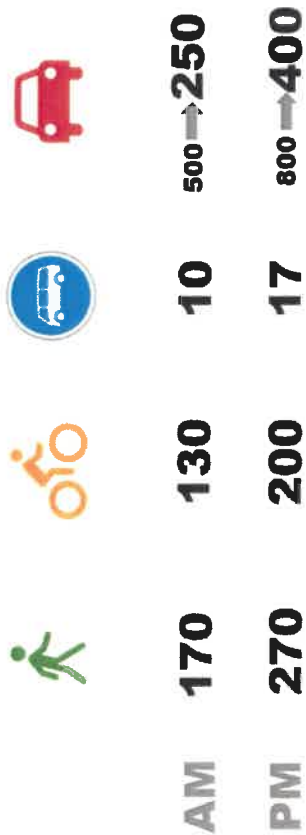


Figure 12: Summary of the Transport Demand

## 5 PROPOSED NON-MOTORISED TRANSPORT

From Section 4.2.2, the expected walking demand would be 170 and 270 pedestrians during the AM and PM peak period respectively. NMT facilities need to be implemented to accommodate these pedestrian volumes. It is also very important to implement infrastructure that will complete pedestrian linkages between Dennesig and existing NMT facilities.

Stellenbosch is currently planning on improving their cycling routes. The proposed cycle network and interventions are detailed in the Cycle Network Plan (Stellenbosch Municipality, 2015), refer to Figure 13.



Figure 13: Stellenbosch Long Term Cycle Network (Stellenbosch Municipality, 2015)

Stellenbosch Municipality is also proposing several NMT and cycling interventions along the roads surrounding the Dennesig area as shown in Figure 14. These interventions are classified as either a short, medium or long-term intervention. There are no short-term interventions planned around the Dennesig area, however there are several medium interventions planned. It is recommended that any proposals for the

Dennesig area are in line with and link up with the current plans of the Stellenbosch Municipality.

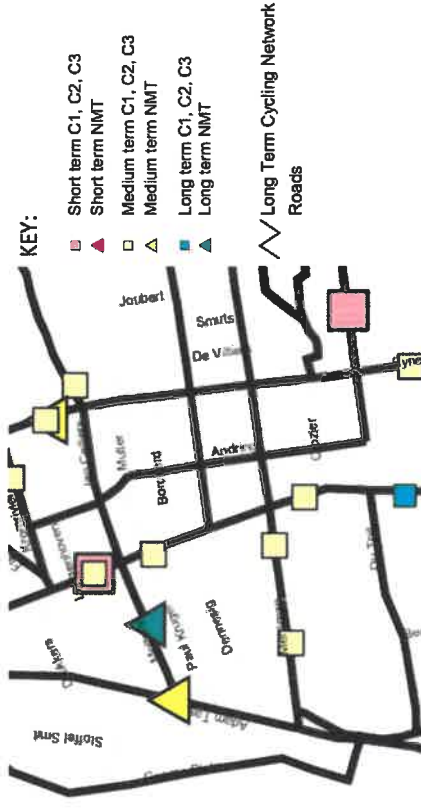


Figure 14: Proposed Interventions (Stellenbosch Municipality, 2015)

To promote non-motorised transport as well as an attempt to reduce vehicle usage in the Dennesig area, a woonerf is proposed along Dennesig Road (between Bird and Hofman Streets), along Hofman Street (between Paul Kruger and Dennesig Roads) and Paul Kruger Street in front of the church. A woonerf can be defined as a "living" street which shares space between all transport modes but especially pedestrians and vehicles. It also introduces a slow vehicular speed environment to increase pedestrian and cycling activities. There are several examples of these woonerven situated with in Cape Town CBD. Refer to Figure 15, this is an example of a woonerf in Cape Town CBD.

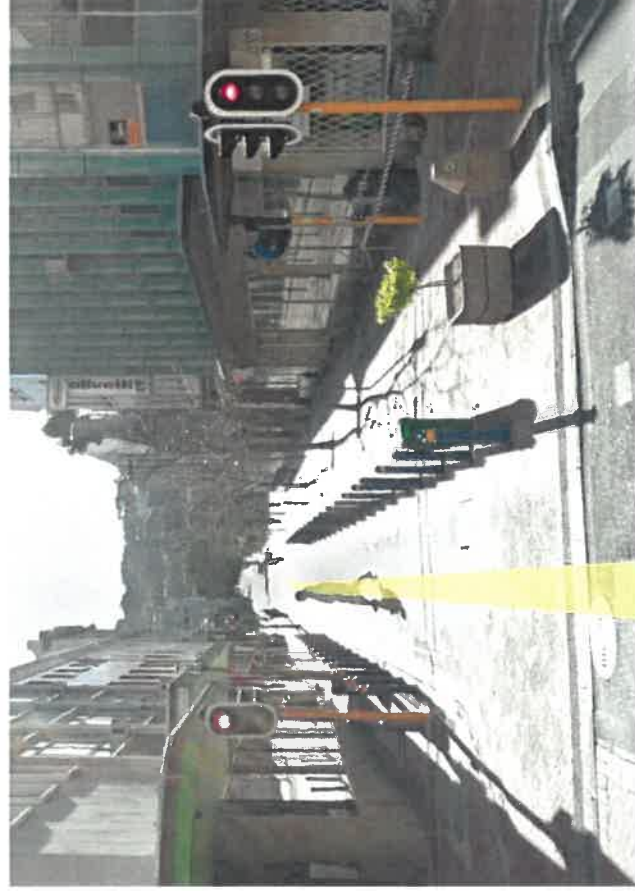


Figure 15: Shortmarket Street (Google Earth, 2019)

The St. Nicholas Catholic Church is a prominent spatial feature in Dennesig (the heart of the Dennesig). It is thus proposed to expand and elevate the werf around the Church onto a platform. This expansion of the werf will then be the start of the woonerf along Paul Kruger Street. This woonerf will also act as a traffic calming mechanism and prioritise pedestrian movement in the vicinity of the church. To emphasise the Church even more, it is proposed to “pinch” the road at the start of the Church werf and change the road direction of the road to a one directional road in the westward direction. Discussions with the church representatives resulted in an agreement that traffic volumes and parking be managed along Paul Kruger Street. Given the relatively large development potential of Erf 10841 at the Paul Kruger/ Bird Street corner, it is suggested to maintain a two-direction traffic flow along Paul Kruger Street between Bird Street and

the eastern end of the church. From here, it is recommended that Paul Kruger Street is converted to a one-way in the westbound direction to increase on-street parking which will be for the exclusive use by the church on Sundays.

A similar woonerf, as indicated in Figure 15, is proposed along Hofman Road. This woonerf will limit vehicular movement through Hoffman Street between Dennesig and Paul Kruger Street in an attempt to reduce through traffic and especially the current rat-run. This will also promote pedestrian movement towards the Krom River. Refer to Figure F5 in Appendix F for the proposed Hofman Street layout.

The most prominent woonerf is proposed along Dennesig Road where the street is to be converted into a pedestrian corridor for the people to use when walking or cycling to the Stellenbosch CBD or the University. To allow for larger NMT and PT facilities it is proposed to change the direction of the road to a one-way also in the westbound direction. Refer to Figure F4 in Appendix F for the proposed Dennesig Street layout.

It is furthermore proposed to extend the pedestrian corridor of Dennesig Road over Bird Street by means of a raised pedestrian crossing, to prioritise NMT movement across Bird Street. The cross-section of Bird Street will therefore also change to implement a pedestrian hub along Bird Street, pinch the road allowing for a shorter crossing distance for pedestrians and to accommodate cyclists. The SM recommends the following cross-sections to accommodate cyclists, refer to Figure 16. This recommended cross-section was used as a guide to develop the cross-section recommended for Bird Street. Refer to Figure F3 in Appendix F for the Bird Street layout.



SU has a green route which is known as the safe pedestrian route. The developers within the Dennesig area must work alongside SU to extend this green route to the Dennesig area as the walking distance to the university is relatively short ( $\pm 500\text{m}$ ). Refer to Figure 17 for the SU green routes and possible extension location. This green route is a critical element in converting the Dennesig area to a TOD as this will also promote NMIT transport as a safe and well-maintained walking route for the students.

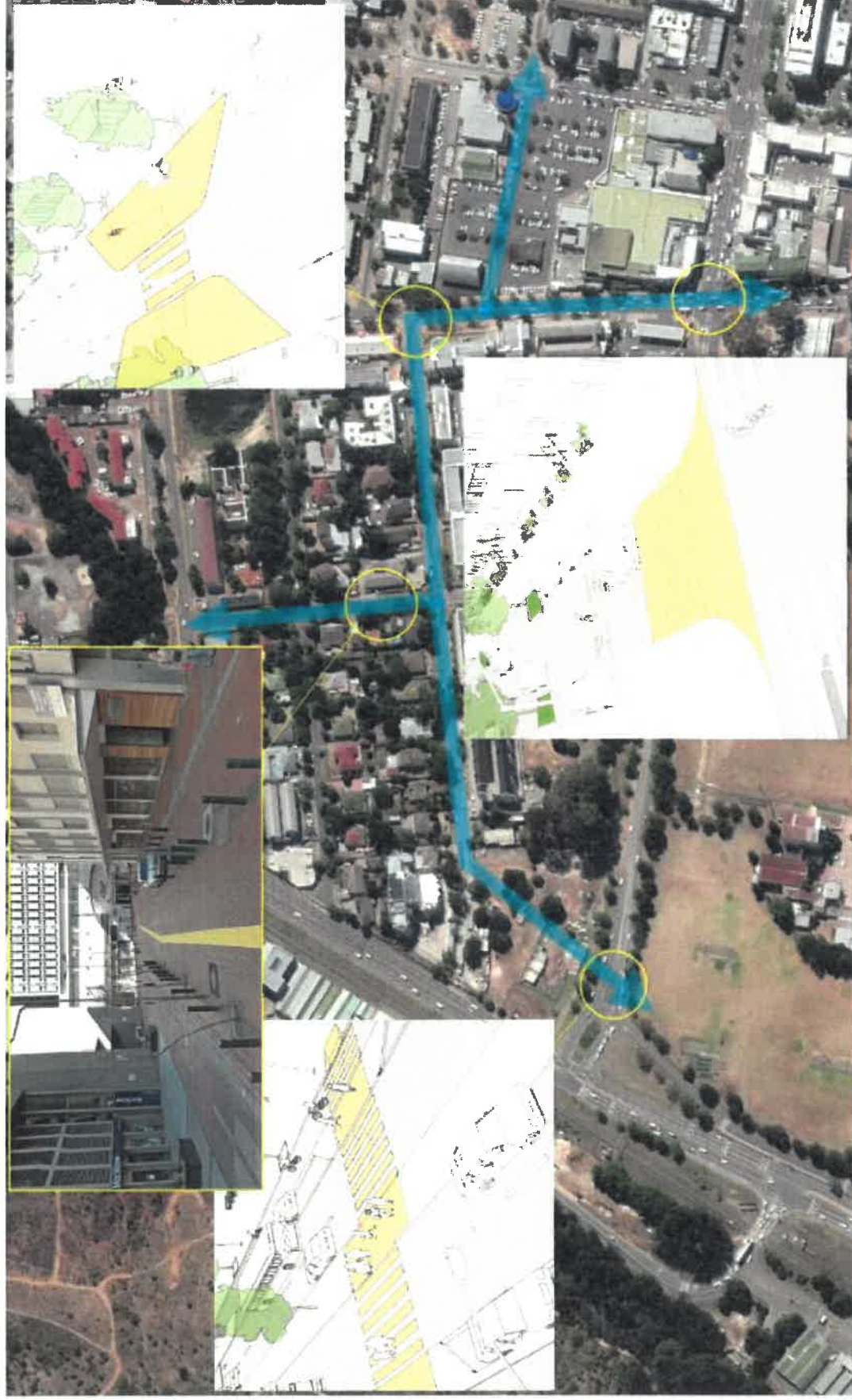


Figure 18: Pedestrian Facility Examples

## 6 PUBLIC TRANSPORT DEMAND AND REQUIREMENTS

As indicated in Section 4.2.2, the expected public transport demand could be approximately 130 and 200 peak hour passengers or 10 and 17 peak hour trips during the AM and PM peak period respectively.

PT services and facilities are thus required to service the developments within the Dennesig area. It is thus proposed that PT embayments be provided along Dennesig Road, close to the Dennesig Road/Hofman Street intersection. These embayments can then also be used by multiple public transport providers such as Ubers and MBTs as a pick-up and drop-off location.

There are two options for improving PT to Dennesig, namely

- (1) A private student shuttle service between Dennesig and SU
- (2) Expansion of the existing municipal PT services

Both options will be demand driven and it is unlikely to be viable initially. The first option focuses on students while the second on the general public. Given that the residential land use would accommodate both types of residents, both services could be implemented eventually.

### 6.1 Private student shuttle service

Once the number of students in Dennesig has accumulated to justify a shuttle service, such intervention should be considered. The negative aspect of a private service is that another public transport service provider will be operating in Stellenbosch other than the municipality and the university. Ideally, all PT services should be integrated and unified where possible to make PT in Stellenbosch a recognisable service for all. When the student demand increases over time, a private shuttle service can be provided and operated by a Home Owners Association (HOA) represented by all developers in the Dennesig area. Such service can be used as a

marketing tool, but it will also be in greater demand especially in winter months when other transport modes like cycling becomes less attractive. An example of a student shuttle service is shown in Figure 19. The primary destination of the shuttle service will be the Neelsie as this would make transfer to the university's shuttle service possible. Alternatively, the route can be expanded if demand justifies to cover a wider area.



Figure 19: Proposed Student Shuttle Route Example

### 6.2 Public Transport Services

The second proposal is focused on the general public and given the proximity of the MBT rank at Merriman Street, the initial access to PT will be to walk to this rank. Once the demand has increased and scheduled stops can be provided, a PT stop can be introduced in Dennesig. However, such stop must be identified now as part of the urban design framework so that it can be integrated with supporting activities and infrastructure.

## 7 DEVELOPMENT ACCESSSES

### 7.1 Internal Development Accesses

All the existing and proposed access locations of individual developments and erven within the Dennesig area were identified and are indicated on Figure 9. An assessment of existing and proposed accesses has been done in association with the proposed access configurations of the main road network (i.e one-way proposals). It is recommended that development proposals take cognisance of these road proposals in their applications and must support the woonerf objective by promoting NMT movements.

### 7.2 Access to the External Road Network

There are four accesses to the Dennesig area shown in Figure 20. Access to the Dennesig area is from Merriman Avenue, Bird Street and Molteno Street. However, it is recommended to reconfigure Paul Kruger and Dennesig Roads to one-ways up to Hofman Street to utilise the available road reserve as a woonerf with shared space for pedestrians as discussed in Section 5. However, vehicles will only be allowed to exit the Dennesig area through Molteno Road and Merriman Avenue.

The lane configuration of the road network once the directions of the roads have been made is indicated in Figure B4 in Appendix B.



Figure 20: Dennesig Access Locations

## 8 FUTURE TRAFFIC CONIDITONS

### 8.1 Private Vehicular Trips

The proposed/approved development trips were taken into account during the five-year horizon period as these developments are in the process of developing. The potential re-development trips are added during the 10-year horizon period.

The peak hour trips for these developments were calculated based on the rates summarised in Table 4. These trips are known as driveway trips and they are the total trips generated by each land use before any adjustments have been made. Once the trips have been reduced by the adjustment factors as indicated in Table 5, they are then known as nett adjusted trips. Table 8 summarises the AM and PM peak hour nett adjusted trips for the five-year horizon period.

Table 8: 5-year Nett Adjusted Trips

Land Use	Weekday AM Peak Hour			Weekday PM Peak Hour		
	In	Out	Total	In	Out	Total
<b>Apartments and Flats</b>	4	12	16	11	4	15
<b>Student Accommodation</b>	18	51	69	67	37	104
<b>Shopping Centre</b>	5	3	8	21	22	43
<b>GRAND TOTAL</b>	<b>27</b>	<b>66</b>	<b>93</b>	<b>99</b>	<b>63</b>	<b>162</b>

For the 10-year horizon period the driveway and net adjusted trips are indicated for both the AM and PM peak hour periods, refer to Table 9 and Table 10. The 10-year driveway trips will be used in Section 8.3.3 in a sensitivity analysis to assess a worst-case scenario on request of the municipality.

Table 9: 10-year Driveway Trips

Land Use	Weekday AM Peak Hour			Weekday PM Peak Hour		
	In	Out	Total	In	Out	Total
<b>Apartments and Flats</b>	43	129	172	121	52	173
<b>Student Accommodation</b>	74	222	296	289	155	444
<b>Shopping Centre</b>	22	12	34	94	94	188
<b>GRAND TOTAL</b>	<b>139</b>	<b>363</b>	<b>502</b>	<b>504</b>	<b>301</b>	<b>805</b>

Table 10: 10-year Nett adjusted trips

Land Use	Weekday AM Peak Hour			Weekday PM Peak Hour		
	In	Out	Total	In	Out	Total
<b>Apartments and Flats</b>	26	76	102	72	31	103
<b>Student Accommodation</b>	31	95	126	123	66	189
<b>Shopping Centre</b>	13	7	20	56	56	112
<b>GRAND TOTAL</b>	<b>70</b>	<b>178</b>	<b>248</b>	<b>251</b>	<b>153</b>	<b>404</b>

## 8.2 Historic Traffic Growth

A historical traffic growth rate of approximately 3% per annum is evident along the Adam Tas Road in the Dennesig area. This is based on the Western Cape Government's Road Network Information System (RNIS) (WCG, 2019). This growth rate is used to account for the growth in background traffic in the area. This growth rate was applied to the roads surrounding the Dennesig area as a more conservative approach and was used for both the five and 10-year horizon periods.

## 8.3 Traffic Scenarios

Scenario 1 focuses on a 5-year horizon period. There were two traffic analyses conducted under this scenario, the first analysis was with background traffic only and for the second analysis development trips were added.

Scenario 2 focuses on a 10-year horizon period. The first analysis was scenario 1 plus background traffic growth. The second analysis was conducted for the all the developments (proposed/approved and potential re-development) within the Dennesig area.

## 8.3.1 Scenario 1 (5-years)

### 8.3.1.1 Background traffic only

This analysis is based on the existing traffic volumes plus the assumed traffic growth. Refer to Figure B5 and B6 in Appendix B for the background weekday AM and PM traffic operations. Based on the traffic analyses, it is evident that all the intersections will operate at acceptable levels of service and at an acceptable degree of saturation (volume/capacity ratio).

### 8.3.1.2 Background and development traffic

This analysis is based on the background traffic volumes (existing plus assumed traffic growth) plus the proposed/approved development traffic added to the network. Refer to Figure B7 and B8 in Appendix B for the total weekday AM and PM traffic operations. Based on the traffic analyses, it is evident that all the intersections are operating at acceptable levels of service and are operating at an acceptable capacity.

### 8.3.2 Scenario 2 (10 years)

#### 8.3.2.1 Scenario 1 plus background traffic growth

This analysis is based on the existing traffic volumes, the proposed/approved developments traffic (5-year scenario) plus the assumed traffic growth for 10 years. Refer to Figure B10 and B11 in Appendix B for the background weekday AM and PM traffic operations. Based on the traffic analyses, the Adam Tas Road/Molteno Road and Adam Tas Road/Merriman Avenue will operate at capacity.

During the AM peak period, the Adam Tas Road/Molteno Street intersection is at capacity due to the critical right-turn movement at the southern approach. The poor levels of services expected for this traffic scenario is largely as a result of background traffic and not Dennesig development traffic. The access spacing does not allow for a traffic signal according to the Western Cape Governments Access Management Guidelines (WCG, 2019). However, a traffic signal has been proposed in previous TIAs and is in accordance with the SM planning for this intersection. Refer to Figure F1 in Appendix F for the proposed intersection upgrade at the Adam Tas Road/Molteno Street intersection.

The left-turn movements at the eastern approach of the Adam Tas Road/Merriman Avenue intersection causes the intersection to operate at capacity during both the AM and PM peak periods. It is thus recommended that an additional left-turn lane be added at the eastern approach. Previously proposed developments also recommend a left-turn slip lane at the northern approach and an additional right-turn lane at the southern approach. However, the left-slip lane is not required for this scenario and it is recommended that the traffic conditions be updated to assess the necessity for the left slip lane in future. Refer to Figure F1 in Appendix F for

the proposed intersection upgrade at the Adam Tas Road/Merriman Avenue intersection.

#### 8.3.2.2 Total traffic conditions

This analysis is based on the background traffic volumes (existing plus assumed traffic growth) plus all the proposed/approved and potential re-development traffic added to the network. Refer to Figure B12 and B13 in Appendix A for the total weekday AM and PM traffic operations. Based on the traffic analyses, it is evident that all the intersections are operating at acceptable levels of service, except the Adam Tas Road/Molteno Road intersection. This intersection will remain at capacity during the AM peak period if a traffic signal is not implemented as indicated in Section 8.3.2.1.

### 8.3.3 Sensitivity Analyses

A sensitivity analyses was conducted to determine whether the intersections around the Dennesig area will remain functioning at acceptable levels of service, if the Dennesig area does not become a TOD, i.e. there are no shuttle services implemented in the area and the residents mainly travel by means of their private vehicles. The driveway trips are added to the road network, no adjustment factors have been taken into account. This sensitivity analysis is conducted for a 10-year horizon period.

Based on the traffic analyses conducted, the Adam Tas Road/Molteno Road intersection will remain at capacity during the AM peak period if a traffic signal is not implemented. The Merriman Avenue/Bird Street intersection will also operate at capacity during both the AM and PM peak periods. This intersection is already at its full capacity with limited upgrade potential.

### 8.4 Private Vehicle Trip Distribution and Assignment

The distribution of the traffic for all the land uses in the Dennesig area is as follows:

- 5% north via the R44
- 5% north via Bird Street
- 20% east via Molteno Road
- 60% east via Merriman Avenue
- 10% south via the R44

The trip distribution is based on the proposed TIAs as well as the land uses in the area. The origins and destinations of the vehicles as discussed in Section 2.6 was also used to determine the trip distribution.

The assignment of trips was along all the most direct routes to/from the development and focussed towards Stellenbosch University and the main arterials. This trip distribution should be used for all the developments in the Dennesig area, unless a sufficient reasoning is supplied for the deviation from this distribution.

## 9 PARKING

Although the TOD principles suggest that people would reduce their private vehicle usage by choice, this realisation will only happen over time. The transition period between the “business as usual” and full TOD has to accept that people will still own cars. However, the intention is to reduce the usage of the car during peak periods. It can therefore be expected that residents will still need parking to use their cars over weekends and holiday periods. If parking is insufficiently provided initially, parking of vehicles can spill over into the public streets which can conflict with the objectives of creating a pedestrian-friendly environment.

All streets will accommodate on-street parking where possible for mainly visitors to the area as well as for delivery and refuge vehicles. All development parking must still be situated on the erf. However, it is proposed to change the parking requirements from a minimum to a maximum number of parking bays. On the other hand, a minimum number of motorbike and bicycle bays are recommended to discourage private vehicle usage and also coincide with the TOD objective of the Dennesig area. Refer to Table 11 for the number of parking, motorbikes and bicycle bays. This is a requirement for all the developments within the Dennesig Area.

Table 11: Parking rate for each transport mode

Transport Mode	Maximum/Minimum	Number of bays per unit	
		Residential	1.5 bays/unit
Vehicle	Maximum	Retail	4 bays/100m <sup>2</sup>
Motorbike	Minimum		0.25 bays/unit
Bicycle	Minimum		1 bays/unit

## 10 DEVELOPMENT CHARGES (THIS SECTION IS SUBJECT TO CONFIRMATION WITH THE SM)

There exists a challenge in the execution of both STOD and the Development Charge policies as the latter primarily focusses on upgrading the road network which would promote or sustain private car usage. The implementation of NMT and public transport infrastructure are the key to the start of successful TOD and is therefore recommended to be implemented prior any road upgrades although the latter is not excluded.

### 10.1 Background

This section describes general principles in applying DC funding within the area, the required infrastructure costs and phasing of developments over time.

“In terms of Section 152 of the Constitution, the objects of local government include the provision of services to communities in a sustainable manner and the promotion of social and economic development” (Stellenbosch Municipality, Development Charges Policy 2018/2019). The goals of the SM DC Policy include the following:

- *Striving to make Stellenbosch the preferred town for investment and business, where investment inflows and new enterprise translate into jobs and prosperity.* The transport proposals made for the Dennesig Area is to make it a place of choice for everyone living there by making it more accessible and connected to the central campus and CBD.
- *Establishing the greenest municipality which will not only make Stellenbosch attractive for visitors and tourists, but will also provide a desirable environment for new businesses and appropriate industries.* For Dennesig, this means reduced vehicle emissions through the promotion of NMT transport modes.

- *Ensuring a dignified living for all Stellenbosch citizens, who feel that they own their town, take pride in it and have a sense of self-worth and belonging.* The woonerf is the initiative in Dennesig to establish such type of living.
- *Creating a safer Stellenbosch, where civic pride and responsibility supplant crime and destructive behaviour.* More people on the streets will create a safe environment through the increase in human surveillance throughout the Dennesig neighbourhood.

Applicable transport infrastructure includes the following:

- Class 2 and 3 roads
- Selected Class 4 roads that serve the same function as Class 2/3
- Major intersections on above roads including traffic signals (not included are intersections to individual developments and additional lanes/widenings/signalisation due to individual developments, as identified and quantified in a TIA approved by the Municipality.)
- Bridges/underpasses
- Central public taxi ranks (not for individual developments)

From these items, most road infrastructure is to mitigate private vehicle impacts on the road network except for the central PTIs. However, the specific street furniture is not clearly specified (e.g. street lighting, sidewalks, pedestrian crossings, etc.). It would therefore be assumed that most of the street furniture must be included and would then also qualify as road infrastructure.

## 10.2 Dennesig Densification Development Charges

The Roads component of the DC for the three applicable land uses are summarise in Table 12. A total amount of approximately R17 million is expected to be generated by die Dennesig Densification Area. Figure 21 indicates the individual contributions by each proposed development.

Table 12: Calculated Development Charges for the Dennesig Densification Area

Land Use	Units	Source	Size/ Volume	TRIPS DEVELOPMENT CHARGES		
				Daily Rate	TripGen	DC
Apartments and Flats	Units	COTO 220	265	2.75	729	R 4 597 803
Student Accommodation	Units	COTO 225	1480	1.25	1850	R 11 667 950
Shopping Center	100m2	COTO 820	15	9	133	R 838 831
						<b>R17 104 584</b>

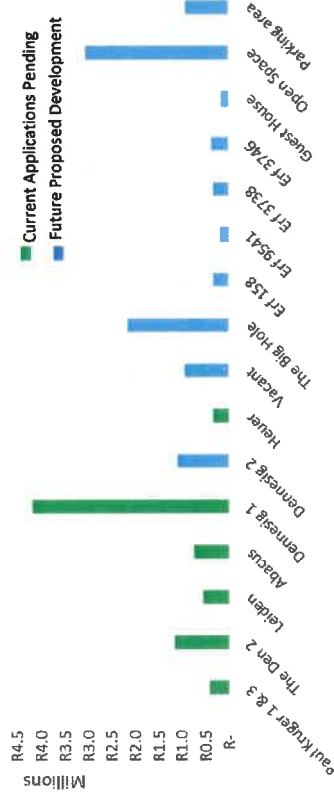


Figure 21: Individual Development Charge Estimate

It is clear from Figure 21 that only three proposed development will make an individual DC contribution of more than R2 million and that 45% of the remainder of DCs will be less than R1 million per development. However, the DCs of six developments with current applications pending, amounts to more than R7 million.

The required costs to upgrade the road network is calculated at approximately R16 million and is unlikely to be funded by individual developers due the quantum of each individual contribution. There are

four options being considered to collect DCs and implement infrastructure as follows:

### (1) Establishing a HOA Trust Fund

For this option, the HOA creates a Dennesig DC trust fund to “ring-fence” contributions from the area. The purpose of the fund will be to accumulate development charge amounts over time until sufficient funds are available to implement a significant piece of infrastructure. The municipality can then manage the expenditure accordingly. The concern of this option, is whether such arrangement is allowable within the Municipal Finance Management Act.

### (2) Municipal Fund

Similar to the first option, the municipality creates an account where development charge funds are deposited. The municipality manages the fund and the roll-out of infrastructure or request a developer to implement of their behalf. It is uncertain whether this is possible within the current municipal structures.

### (3) Development Agreements

The developers nominate developers to construct the required infrastructure in lieu of DCs in advance of other developments. This would rely on the larger developers to cash-flow infrastructure and agree that smaller developers pay their DCs directly to them at a later stage. The risk in this option, is the guarantee that properties would develop later.

### (4) Phased approach

The developers agree to a phasing of development so that the DCs payable by the group of developers can implement the next required infrastructure. Again, the risk with this option is developer’s planning to coincide which will be unlikely.

### 10.3 Infrastructure Cost Estimates

There are two components of road infrastructure recommended to accommodate the future transport demand of the proposed developments of Dennesig, namely transport (NMT and PT facilities) and road construction. It is important that the recommended NMT and PT infrastructure be implemented as these items are critical to the realisation of the transport demand estimation and objectives of the area.

It is therefore recommended to start with establishing the woonerf road sections and expand the NMT and cycling infrastructure towards the existing MBT rank at Merriman Avenue and also to the central campus. It is also recommended to construct PT embayments from the beginning and incorporate it into the urban design framework of the woonerf. A high-level cost estimate was done of the recommended transport infrastructure for three timeframes and is summarised in Table 13.

Table 13: Estimate Transport Infrastructure Costs for Dennesig

Item	Description	Term	Area	Rate	Cost
1	Dennesig Road woonerf	short	3120	R 1 200	R 3 744 000
2	Dennesig Road PT embayments	short		R 1 200	R -
3	Hofman Road woonerf	short	1520	R 1 200	R 1 824 000
6	Bird Street raised pedestrian crossing	short	120	R 1 200	R 144 000
7	Parking area pedestrian and cycle lane	short	675	R 1 200	R 810 000
9	Closure of Caltex access in Birds Street	short	30	R 1 200	R 36 000
4	Paul Kruger Road woonerf	medium	1920	R 1 200	R 2 304 000
5	Molteno Road woonerf	medium	1280	R 1 200	R 1 536 000
10	Merriman/Adam Tas upgrade + signal changes	medium	1120	R 1 500	R 2 180 000
11	Molteno/Adam Tas upgrade	medium	270	R 1 500	R 405 000
12	Molteno/Adam Tas signalisation	medium		lump	R 2 500 000
13	Merriman median and pedestrian crossing	long	360	R 1 500	R 540 000
Total					R 16 023 000

The challenge is to marry the required transport upgrade costs with available DCs at a specific timeframe. From the current six development proposals, approximately R7.4 million DCs will be payable. This will be

more than the total short-term infrastructure upgrading costs estimated at R6.6 million.

The medium-term infrastructure requirements consist of woonerven and intersection improvements of approximately R3 million each. The accumulated DCs for the intersection improvements can be paid directly to the municipality and be upgraded according to their construction planning. The remainder of the R3 million for the Paul Kruger and Molteno woonerf upgrades, will need to be planned for by the developers. The likely cost comparison to Development Charges is summarised in Table 14 and illustrated in Figure 22.

Table 14: Cost comparison with Development Charges over time Periods

Timeframe	Costs	DCs	DCs - Cost
Short-term	R 6 558 000	R 7 348 790	R 790 790
Medium-term	R 8 925 000	R 9 495 504	R 570 504
Long-term	R 540 000	R 260 290	-R 279 710
Totals	R 16 023 000	R 17 104 584	R 1 081 584

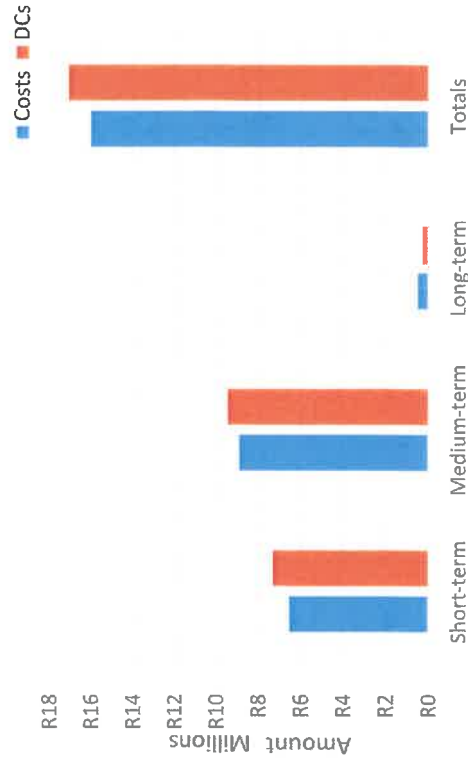


Figure 22: Infrastructure Costs vs Development Charges

## 11 CONCLUSION AND RECOMMENDATION (TO BE FINALISED IN FINAL REPORT)

The following can be concluded from this TIA:

- The TIA will be used as a guide for decision making regarding proposals in the Dennesig area.
- The land uses considered are predominantly student accommodation as well as low to middle income groups and retail.
- The current SM MBT routes connects Stellenbosch with the external towns and with Merriman Avenue as a major PT arterial for most routes and there does not exist an internal circulating services within the Stellenbosch CBD.
- The lower travel speeds currently experienced along the surrounding road network of Dennesig, is due to a downstream bottleneck at the intersections along Adam Tas Road with the R304 and R44 (south).
- Low vehicle ownership and transit adjustment factors were applied to reduce the private vehicle demand.
- The reduction in vehicular trips will lead to an increase in NMT and PT trips.
- The number of reduced vehicular trips were converted to person trips to estimate the NMT and PT demand and determine the required transport infrastructure to accommodate these modes.
- The pedestrian linkages between Dennesig and the existing NMT facilities needs to be completed.
- No road upgrades are required during traffic scenario 1 (5 years)
- Major road upgrades will be required if the Dennesig area does not become a TOD.
- All transport upgrades correspond with the goals of the DC and STOD policies. High-level cost estimates and initial DC calculations indicate that sufficient funding will be generated to implement the recommended transport infrastructure.

It is thus recommended that:

- The St. Nicholas Catholic Church werf be expanded and elevated.
- Paul Kruger Street be “pinched” at the start of the Church werf and the change in road direction to a one directional road in the westward direction be implemented.
- A woonerf be implemented along Hofman Street and Dennesig Road.
- Dennesig Road be converted to a one-way in the westbound direction as this road will be converted into a pedestrian thoroughfare.
- The pedestrian thoroughfare of Dennesig Road be extended over Bird Street by means of a raised pedestrian crossing.
- The developers within Dennesig area work alongside Stellenbosch University to extend their green route to the Dennesig area.
- NMT facilities be upgraded and implemented prior to the road upgrades.
- PT embayments be provided along Dennesig Road, close to the Dennesig Road/Hofman Street intersection.
- A private student shuttle service be implemented from Dennesig to the Neelsie when the public transport demand increases. However, it is expected that such shuttle service will be required initially, given the current development applications pending.
- The operating costs of the shuttle service can be levied from parking bays. The HOA for Dennesig can facilitate such agreement and funding can be collecting within the HOA trust fund.
- A PT stop be introduced within Dennesig for easier access to the PT services within Stellenbosch.
- Adam Tas Road/Molteno Street be signalised in the medium-term.
- A left-turn movement at the eastern approach be implemented at the Adam Tas Road/Merriman Avenue intersection in the medium-term.
- A maximum of 1.5 bays per residential unit and a minimum of 4 bays per 100m<sup>2</sup> retail GLA be applied.

- A minimum of 0.25 bays per unit for motorbikes and 1 bay per unit for bicycles be applied.
- The current developments with applications enter into an agreement to implement the short-term transport improvements collectively and provide a student shuttle service between Dennesig and the Neelsie.
- Subsequent developments enter into an agreement with the municipality to ring-fence DCs either through the Dennesig HOA trust fund or through a municipal finance mechanism to complete the woonerf along Paul Kruger and Molteno Roads. The remaining DC for external intersection upgrades along Adam Tas at Merriman and Molteno can be paid directly to the municipality.

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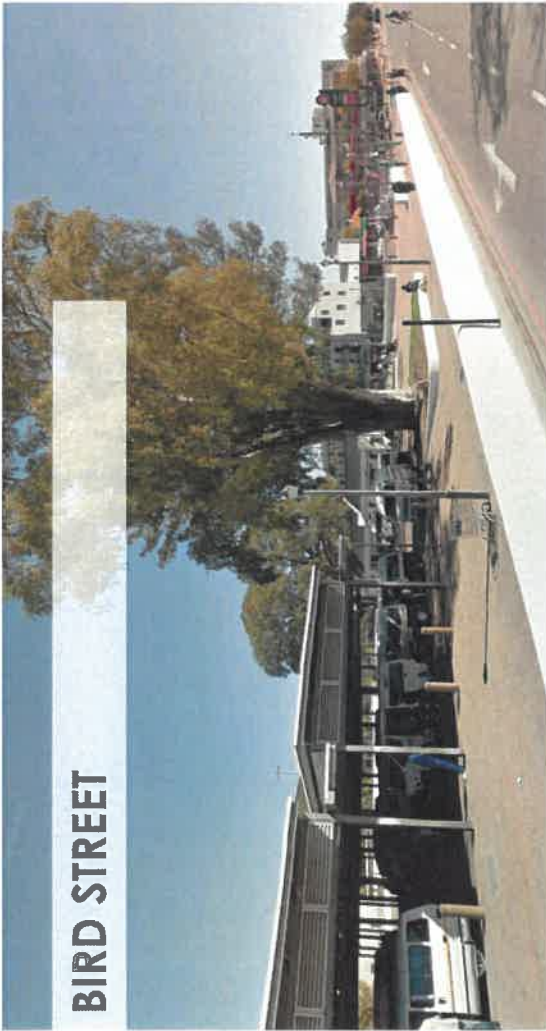
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## Appendix A

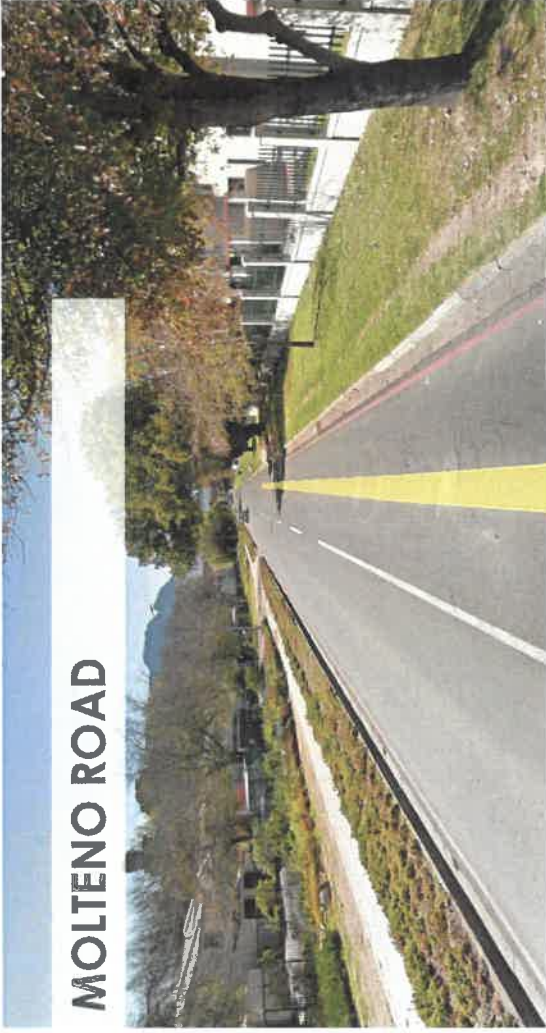
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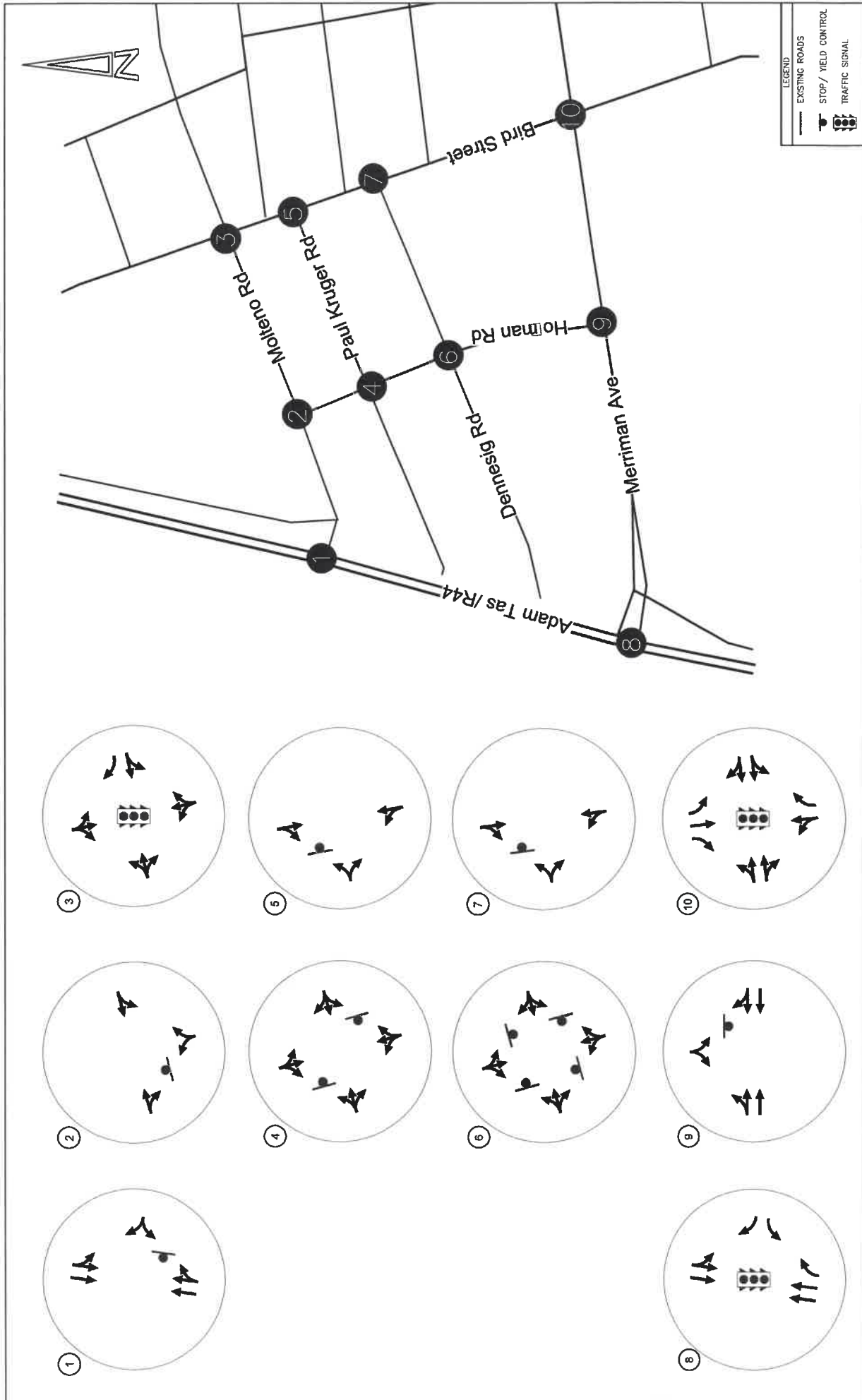
ADAM TAS ROAD



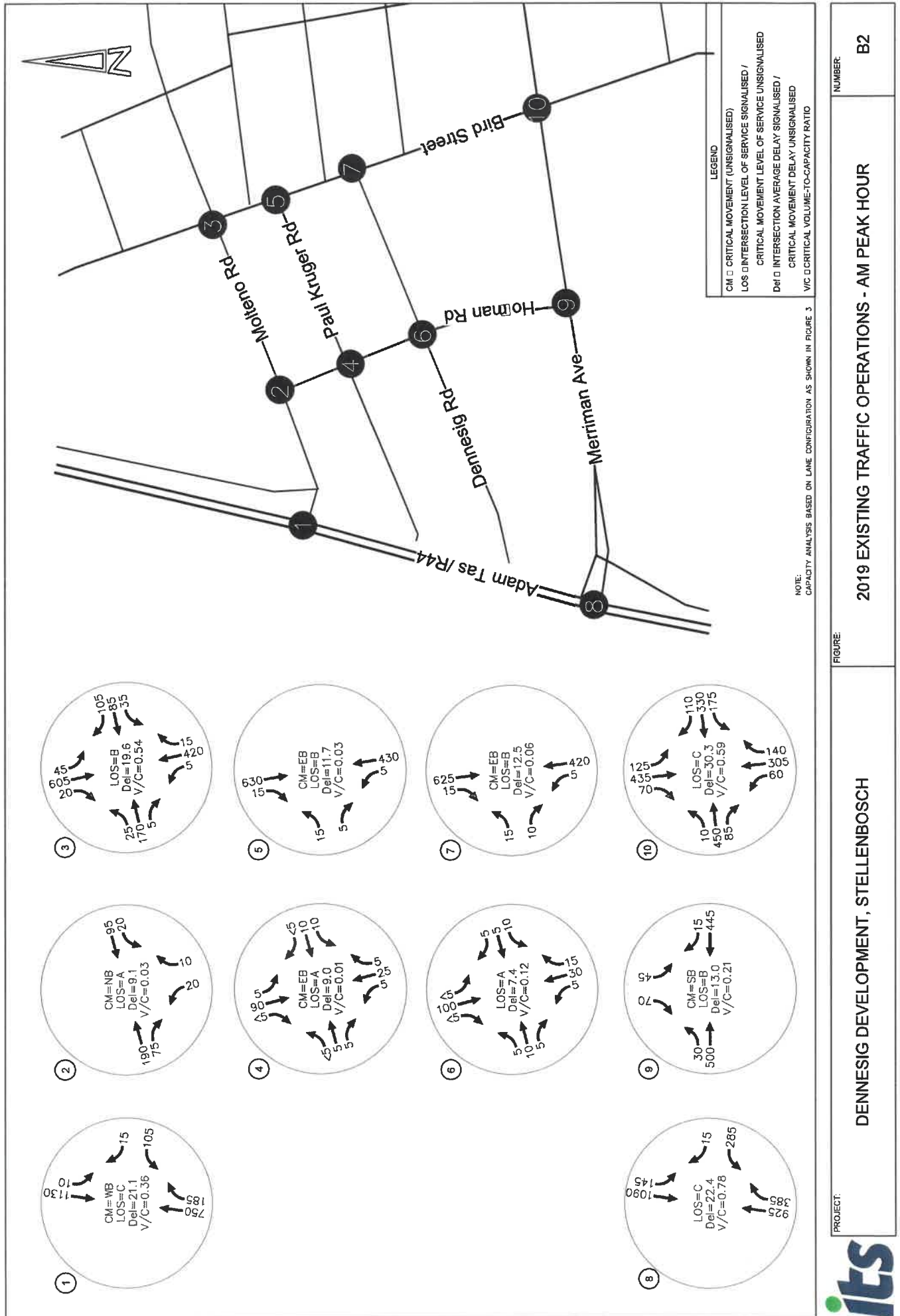


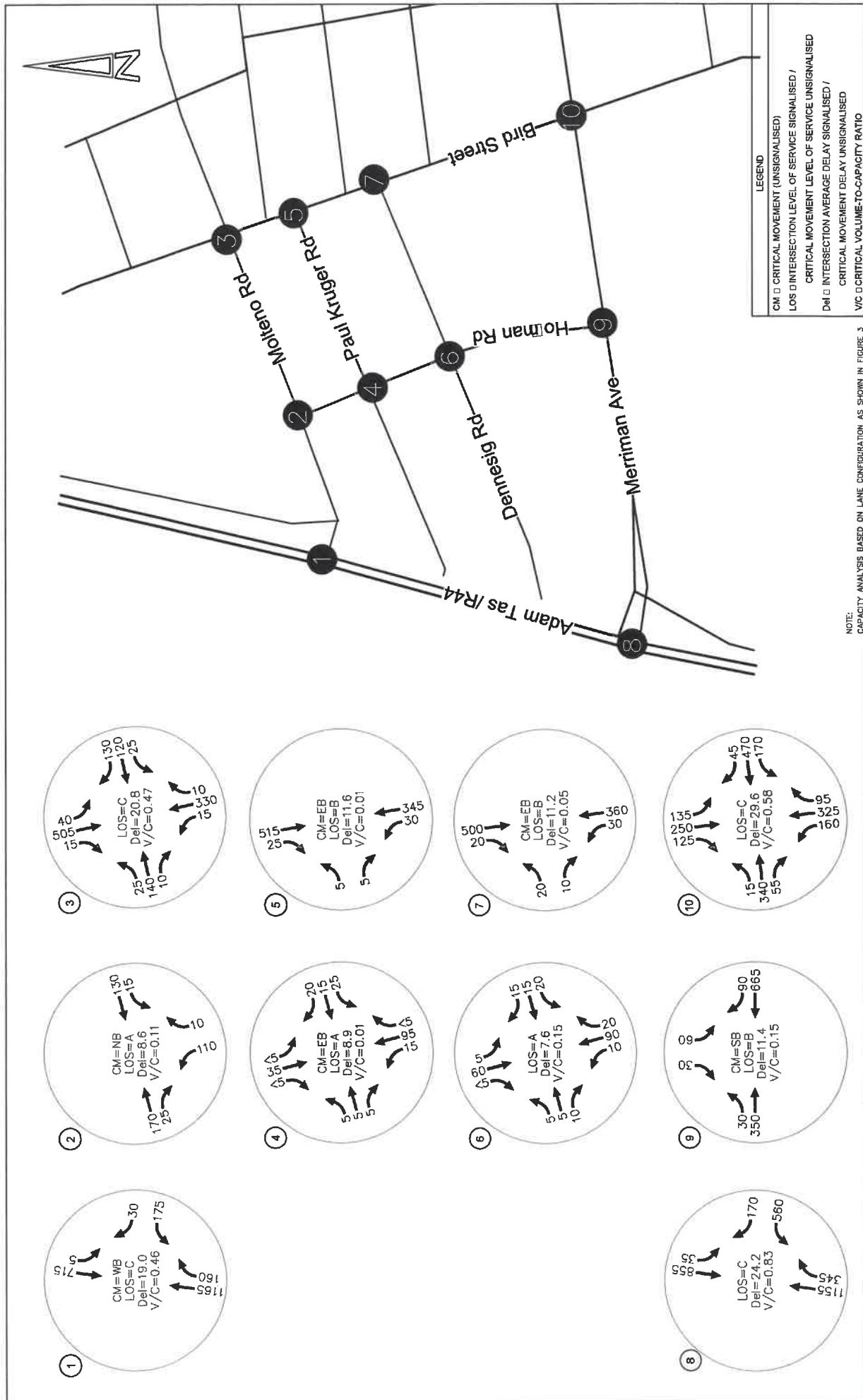
## Appendix B

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PROJECT: DENNESIG DEVELOPMENT, STELLENBOSCH	FIGURE: 2019 EXISTING LANE CONFIGURATION NUMBER: B1
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PROJECT:

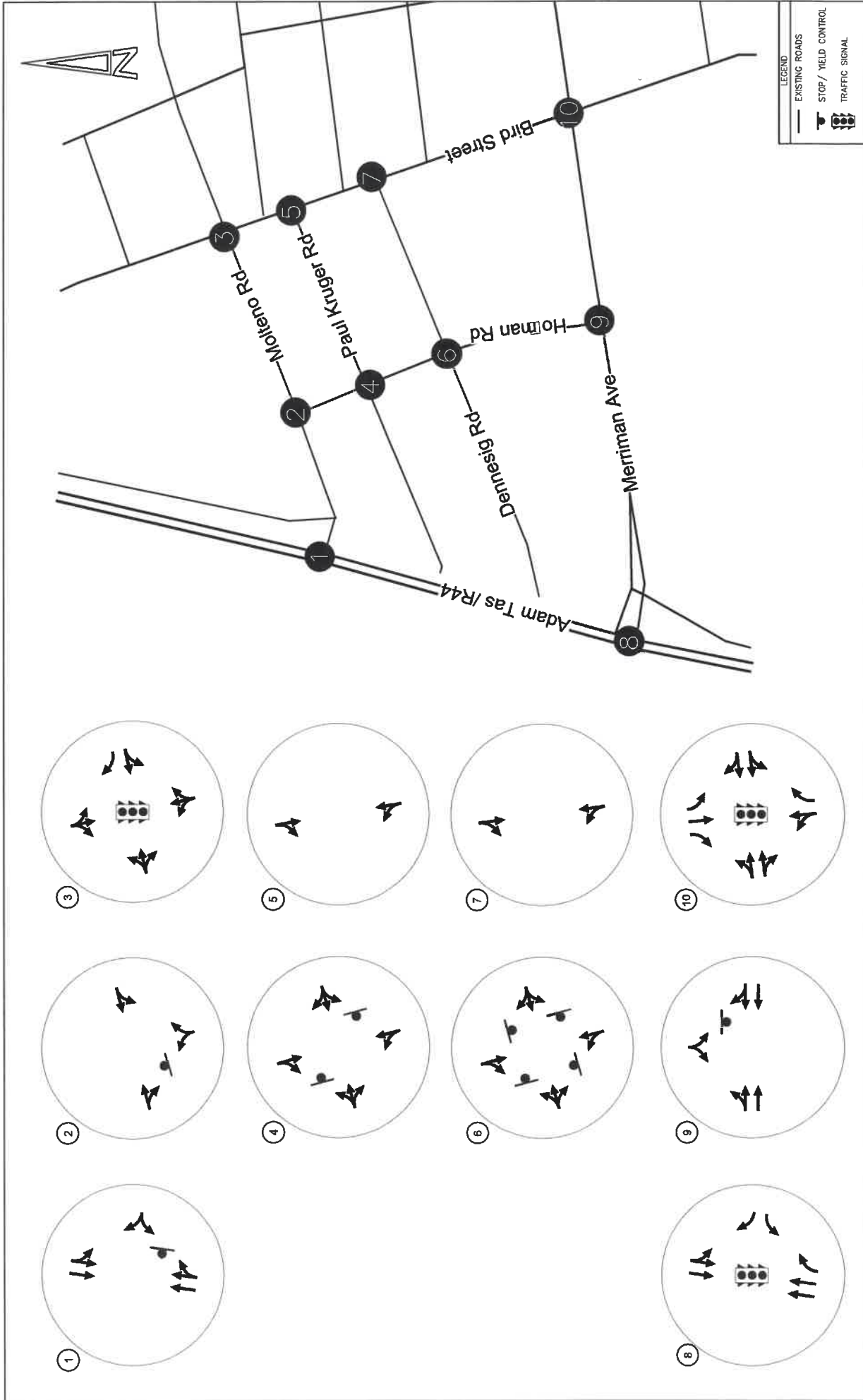
FIGURE:

NUMBER:

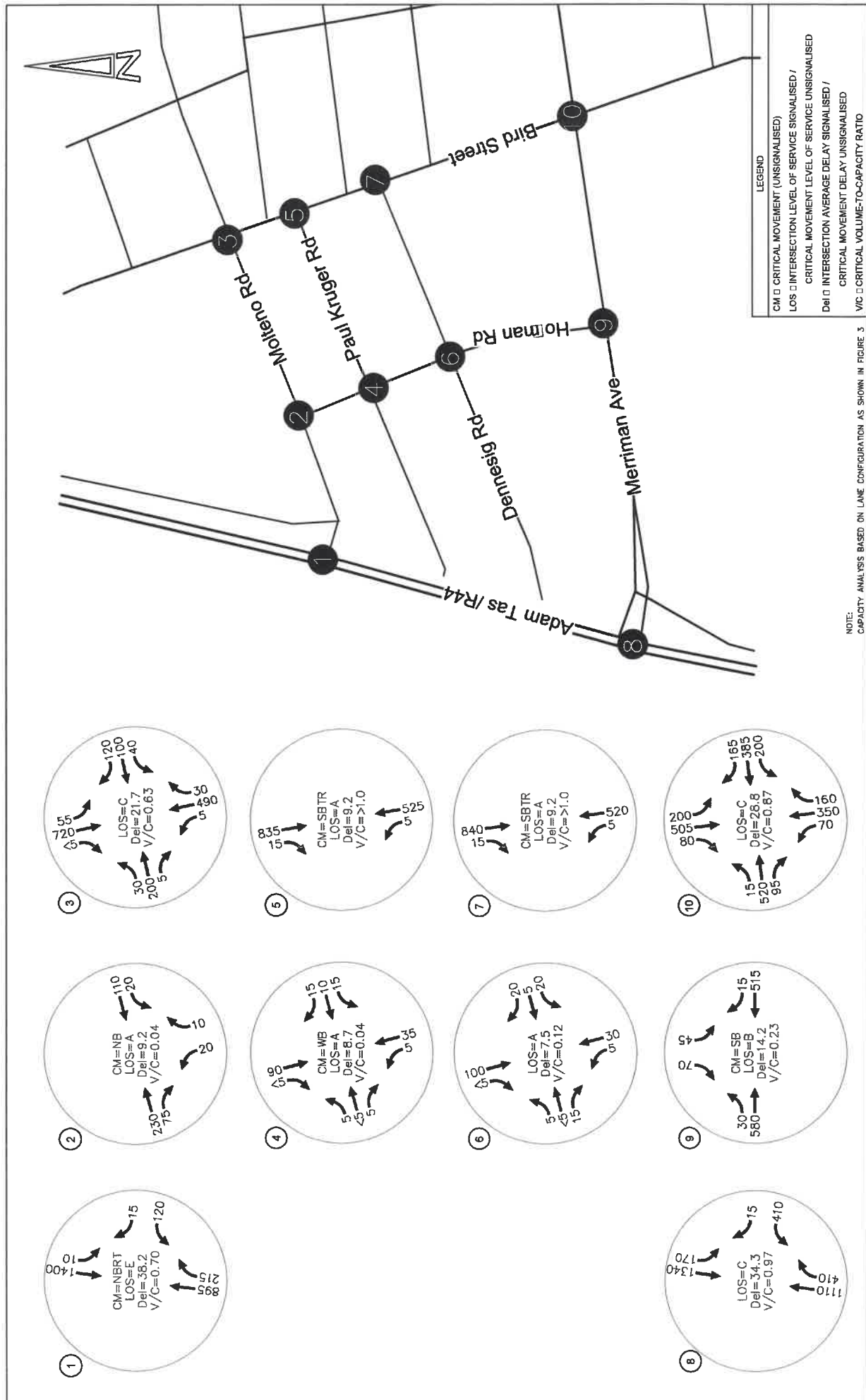
DENNESIG DEVELOPMENT, STELLENBOSCH

2019 EXISTING TRAFFIC OPERATIONS - PM PEAK HOUR

B3



<p>PROJECT: DENNESIG DEVELOPMENT, STELLENBOSCH</p>	<p>FIGURE: 2024 BACKGROUND LANE CONFIGURATION</p>
<p>NUMBER: B4</p>	<p>its</p>



PROJECT:

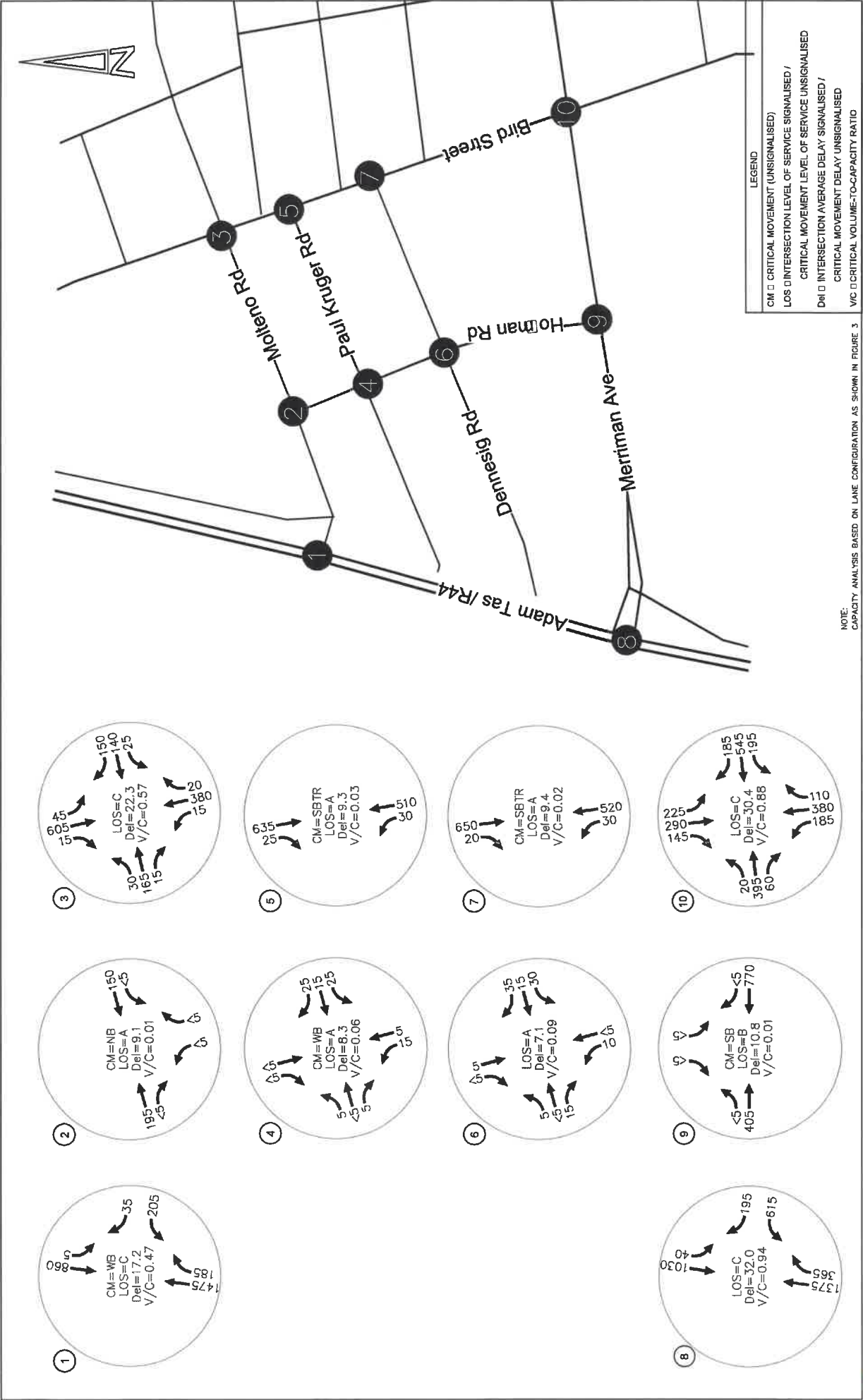
FIGURE:

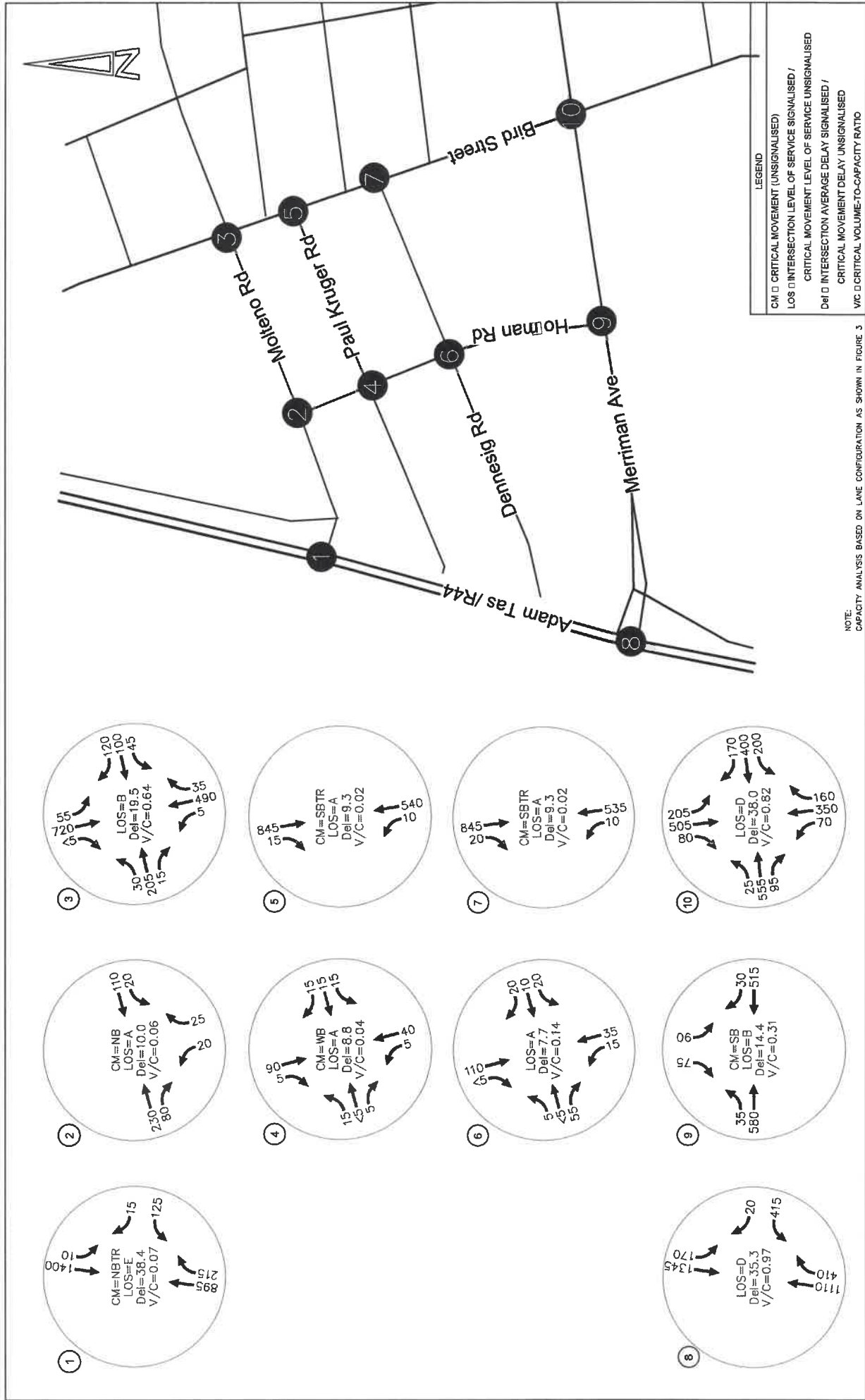
DENNESSIG DEVELOPMENT, STELLENBOSCH

2024 BACKGROUND TRAFFIC OPERATIONS (5 YEAR HORIZON) -  
AM PEAK HOUR

NUMBER:

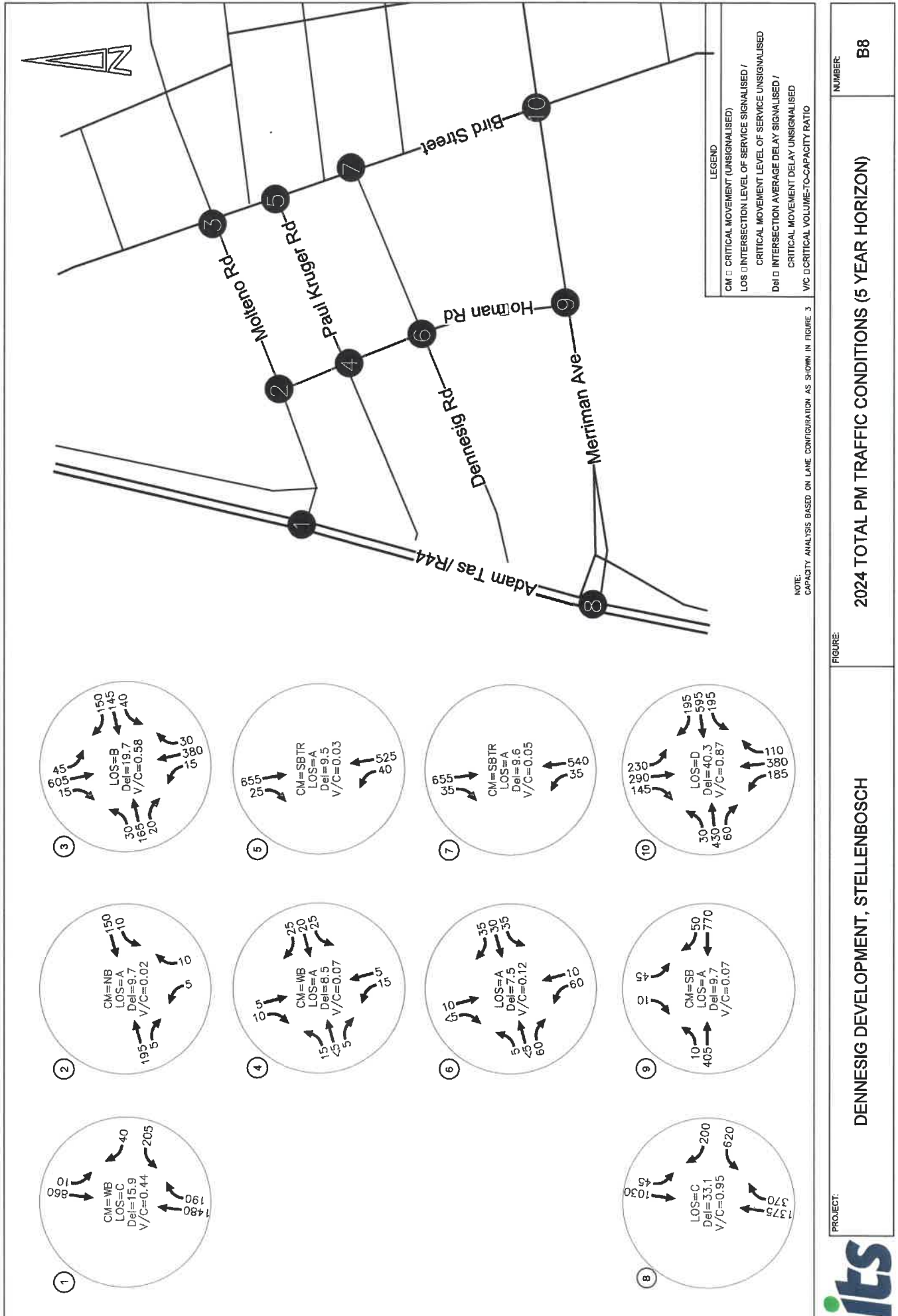
B5

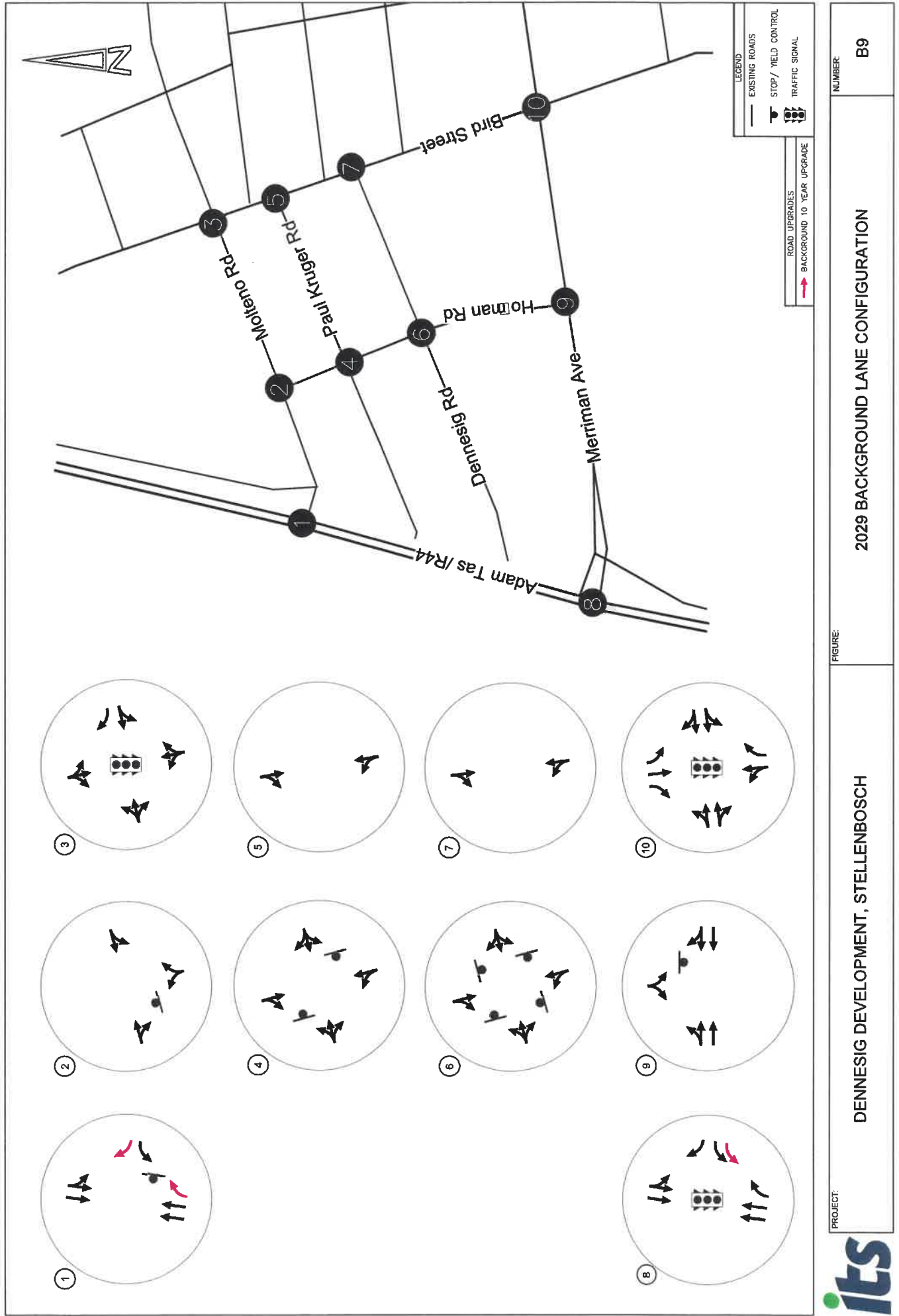


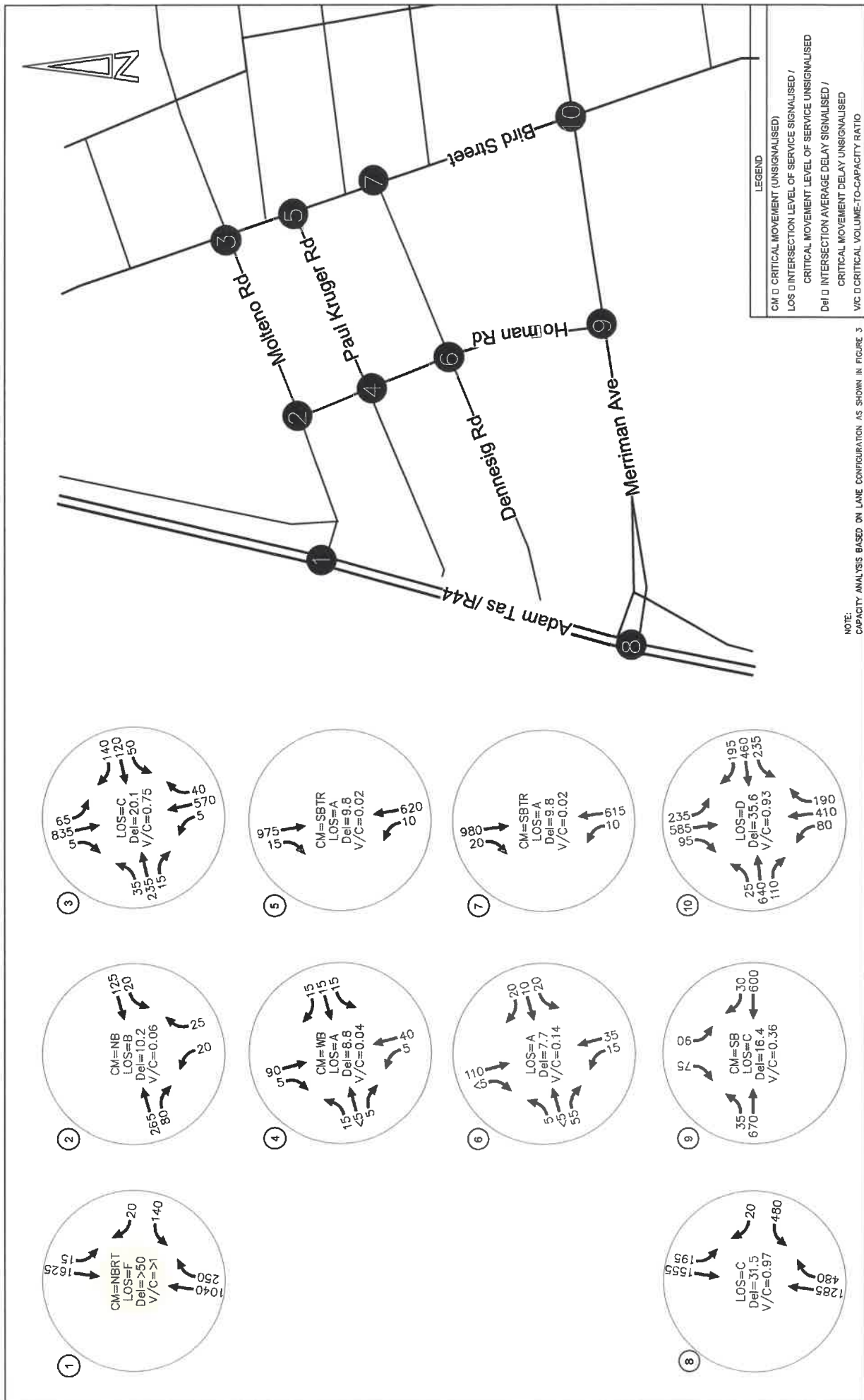


<p>PROJECT: DENNESIG DEVELOPMENT, STELLENBOSCH</p>	<p>FIGURE: 2024 TOTAL AM TRAFFIC CONDITIONS (5 YEAR HORIZON)</p>
<p>NUMBER: B7</p>	<p>NUMBER: B7</p>









PROJECT:

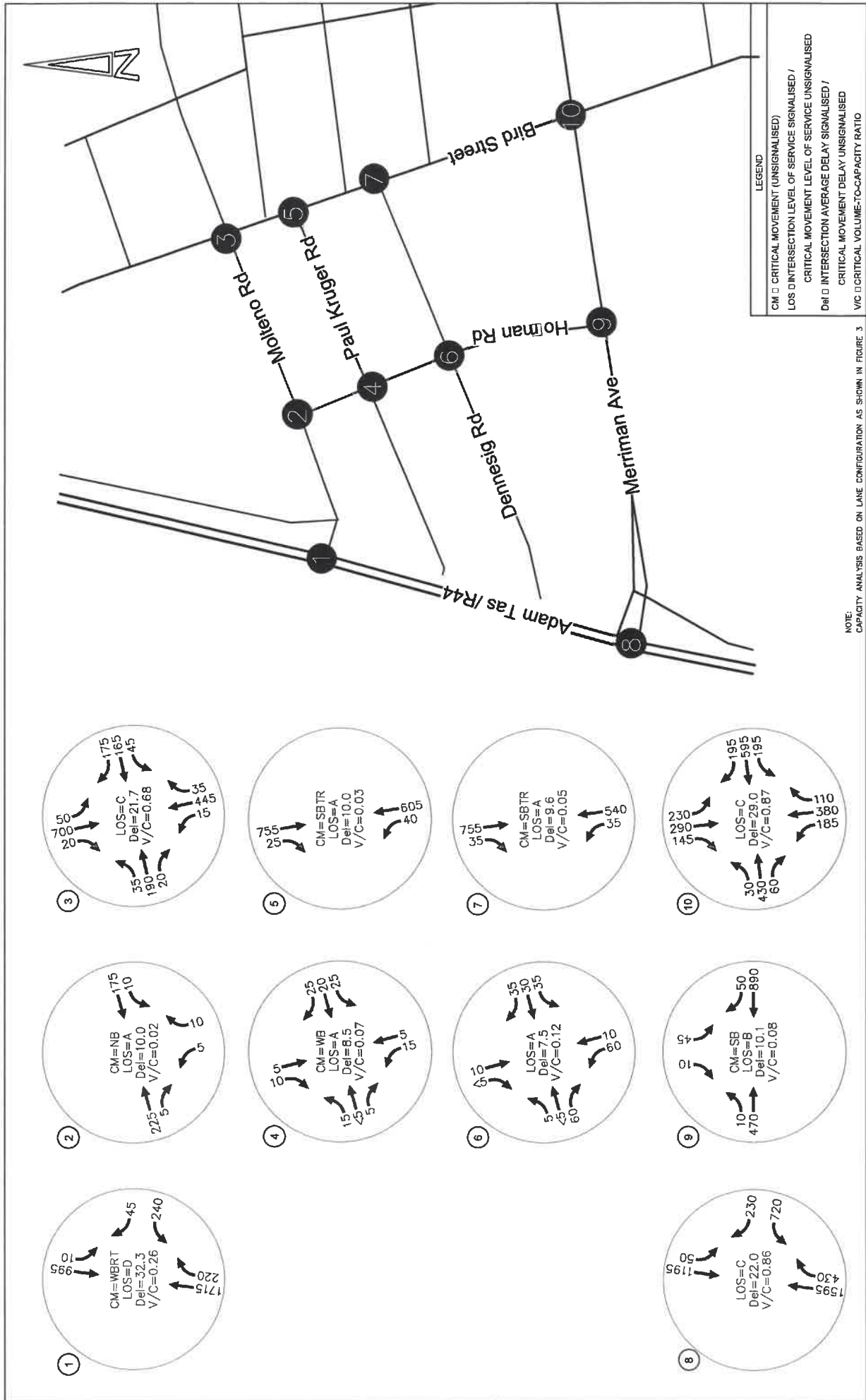
FIGURE:

NUMBER:

DENNESIG DEVELOPMENT, STELLENBOSCH

2029 BACKGROUND AM TRAFFIC CONDITIONS (10 YEAR HORIZON)

B10



PROJECT:



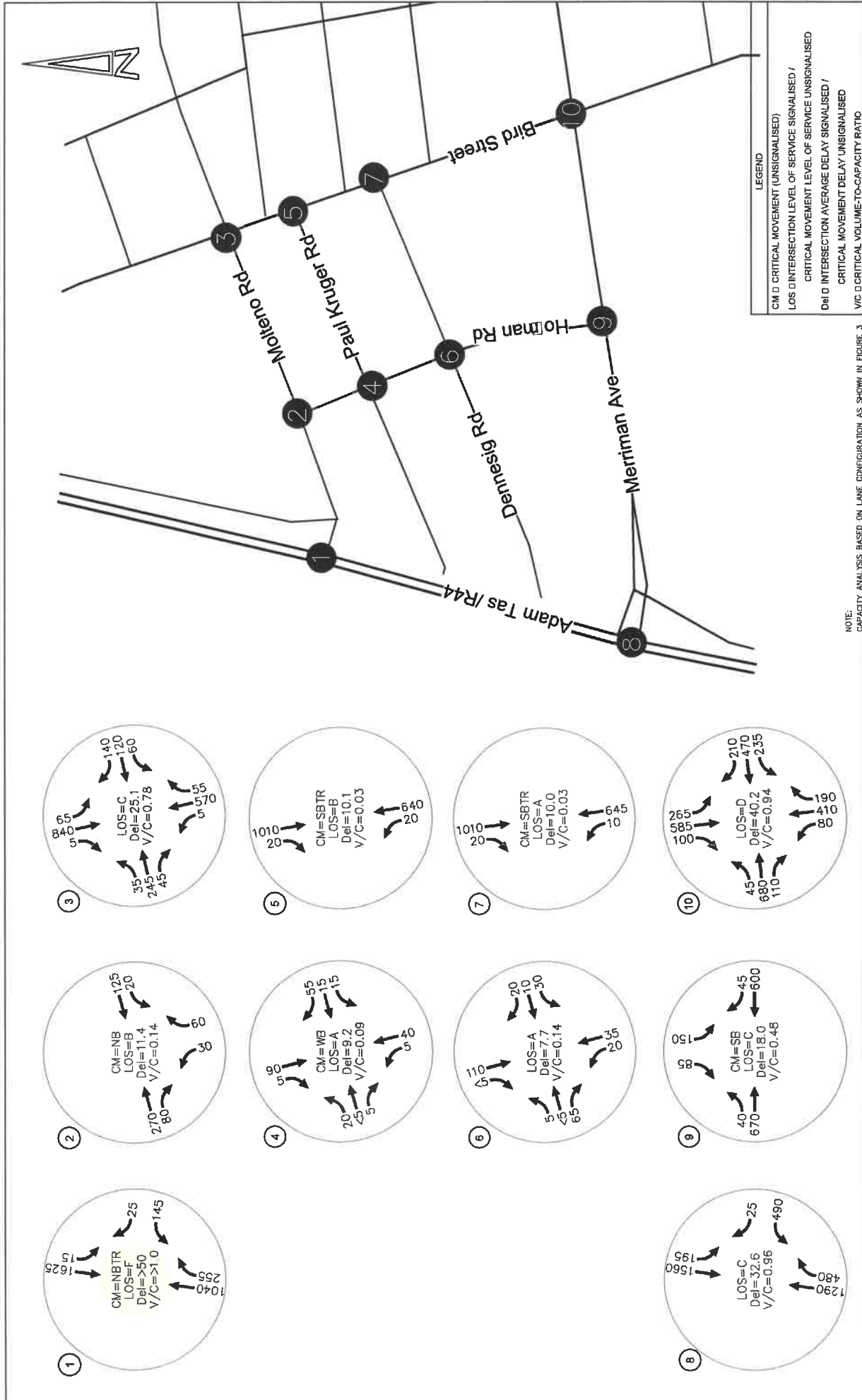
FIGURE:

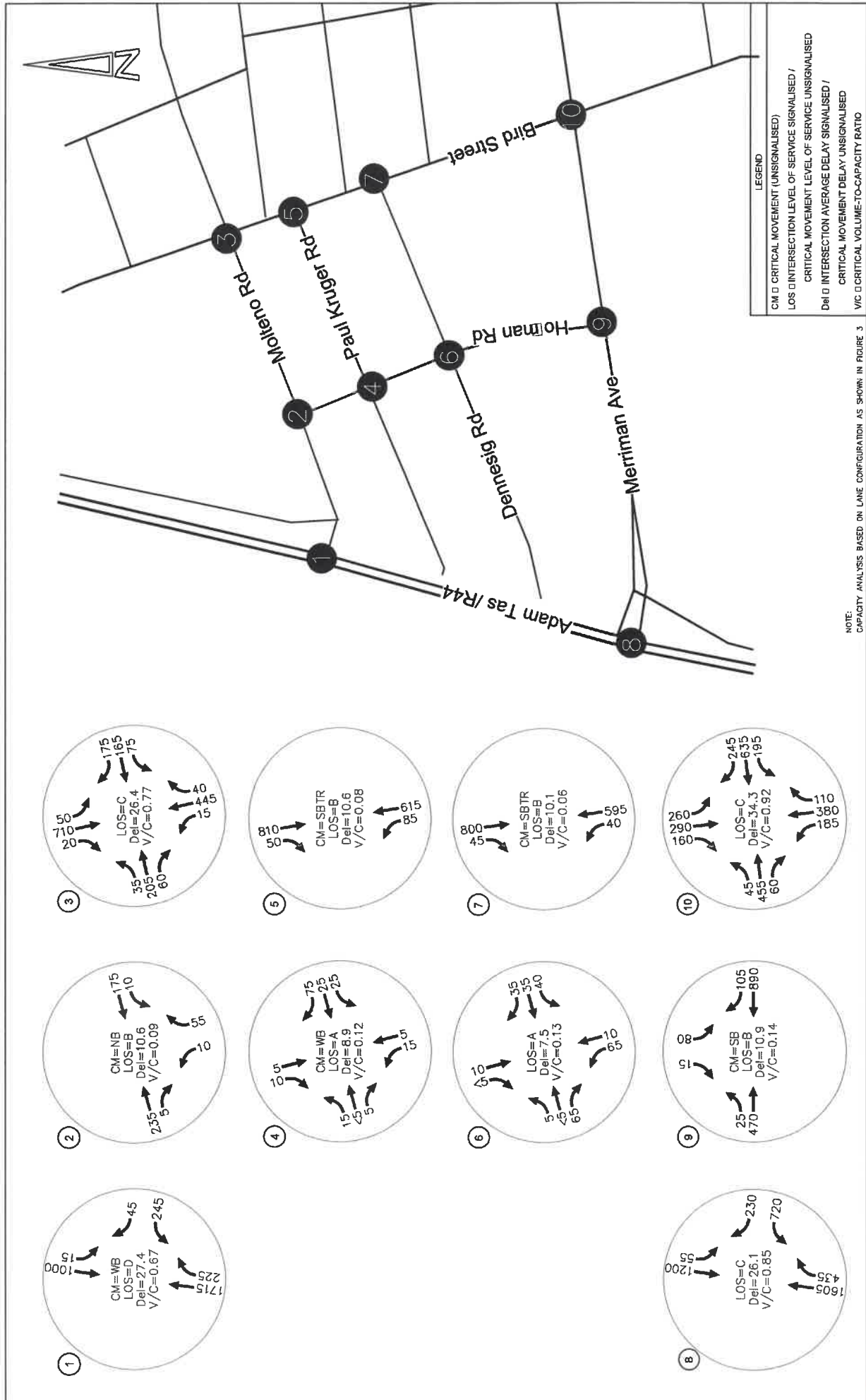
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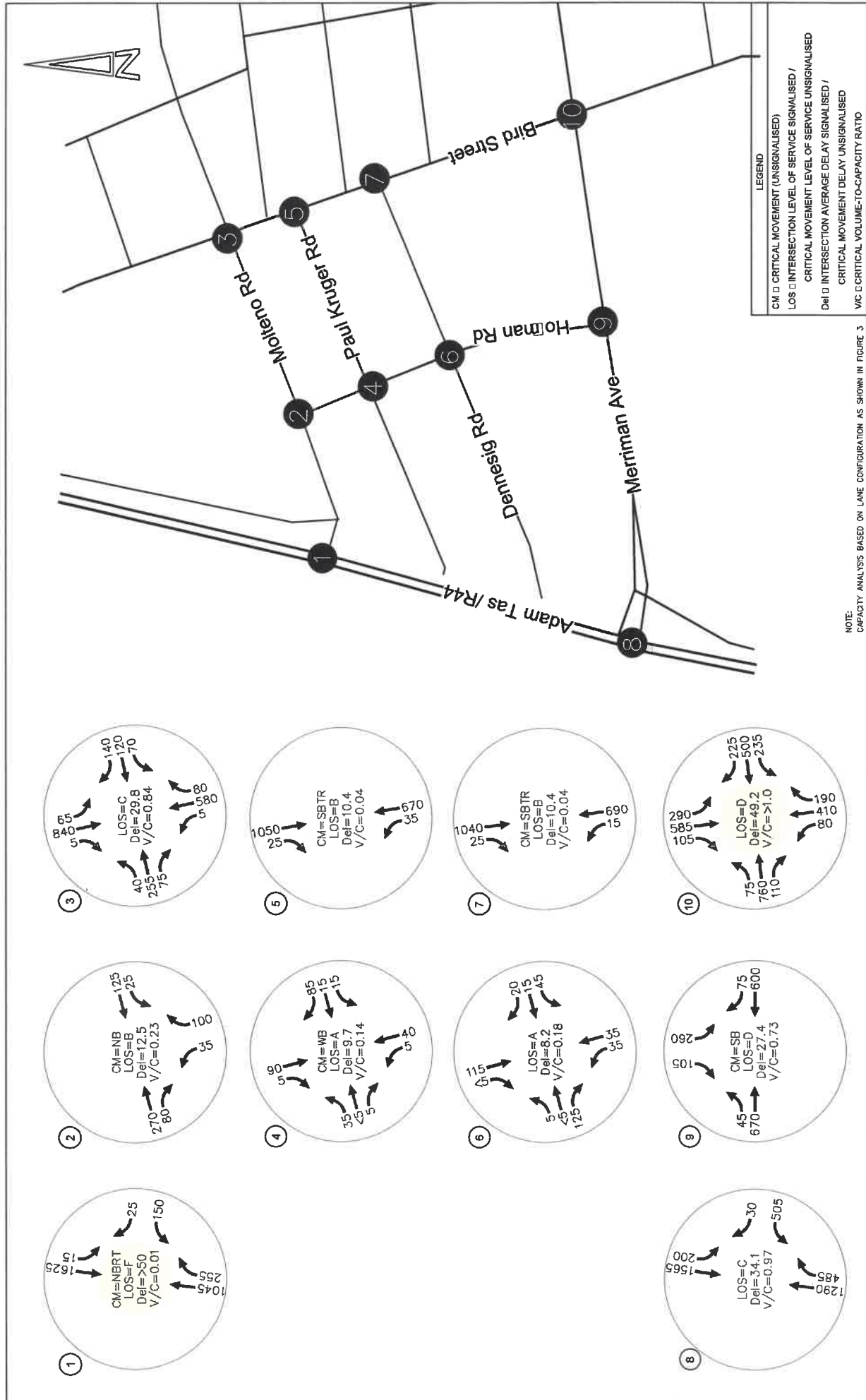
DENNESIG DEVELOPMENT, STELLENBOSCH

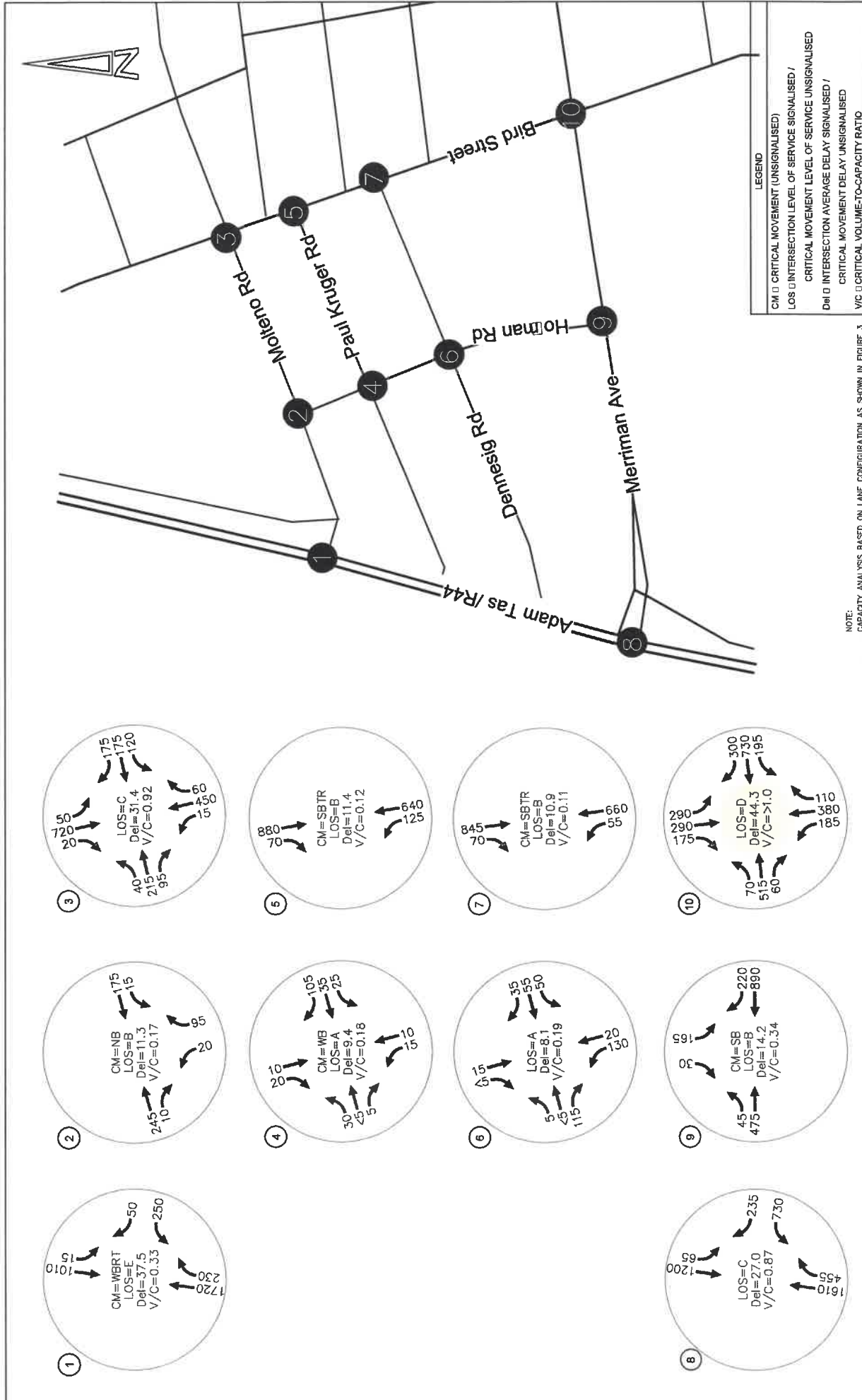
2029 BACKGROUND PM TRAFFIC CONDITIONS (10 YEAR HORIZON)

B11



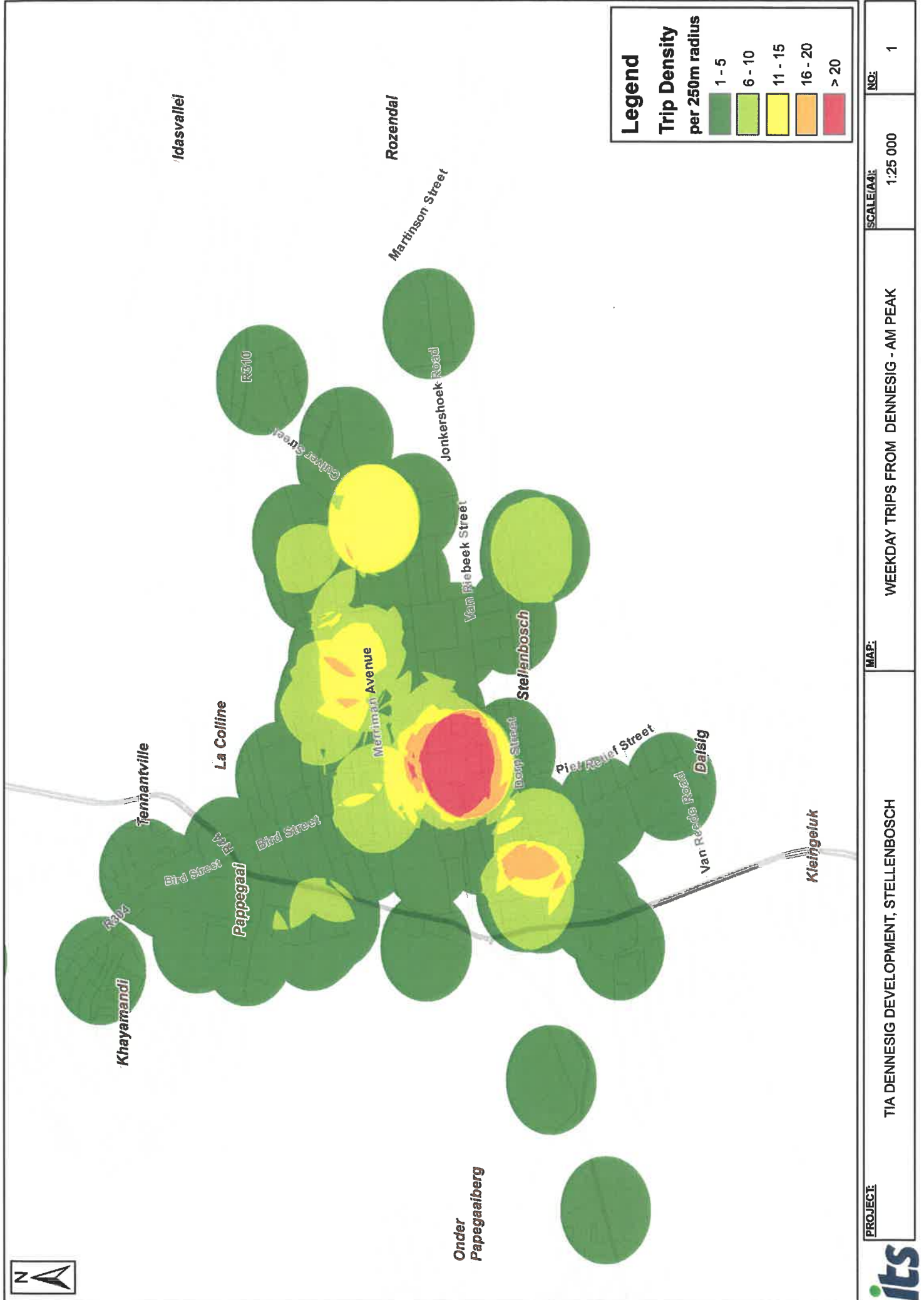


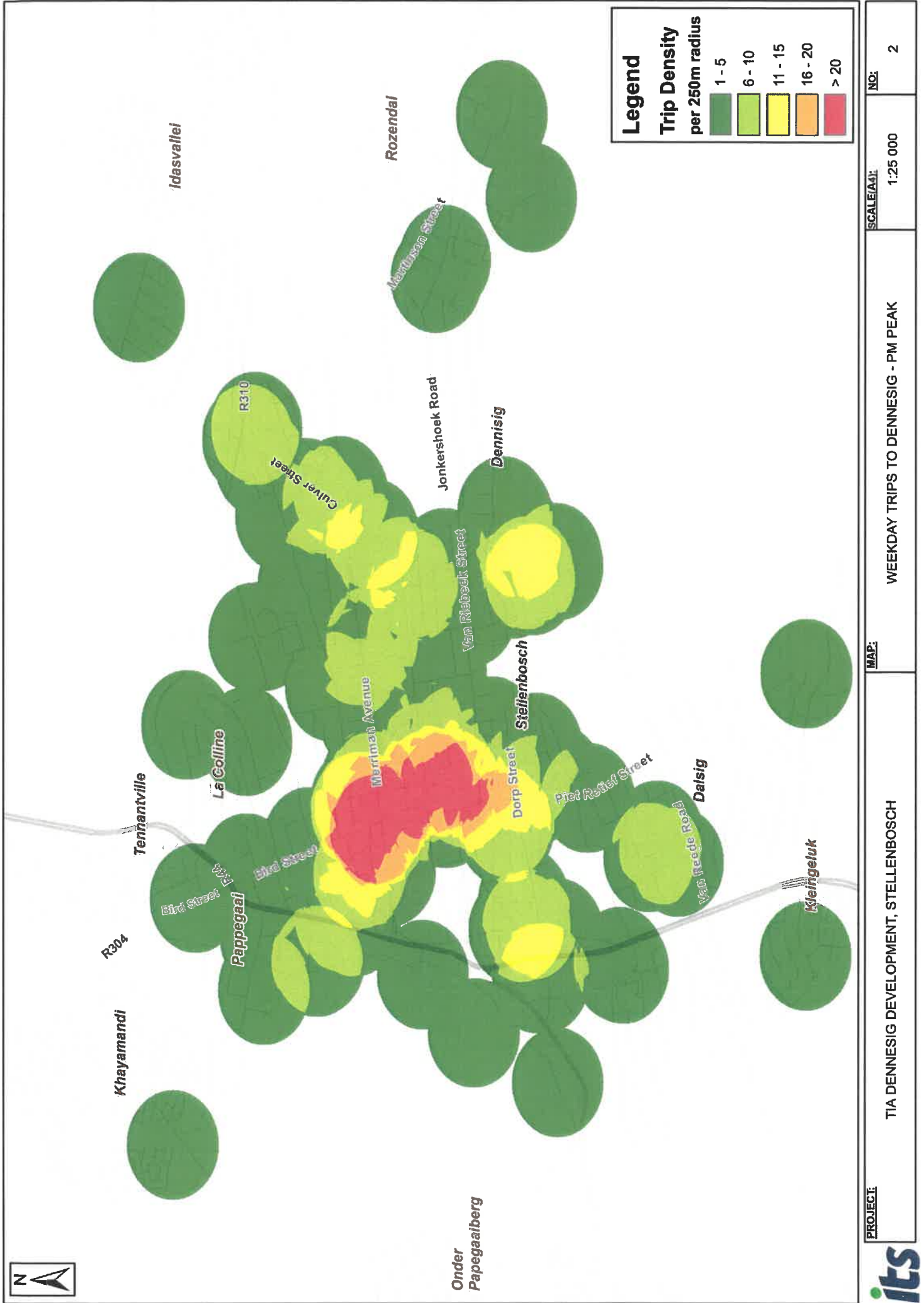




## Appendix C

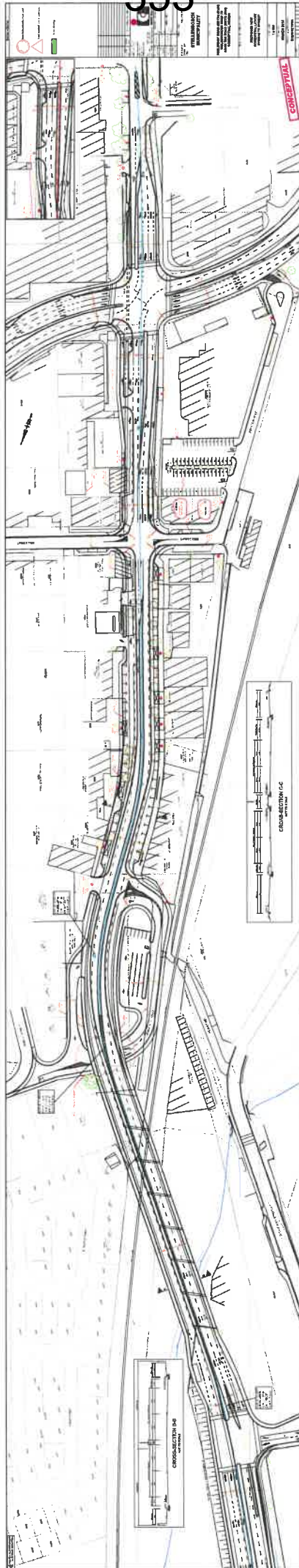
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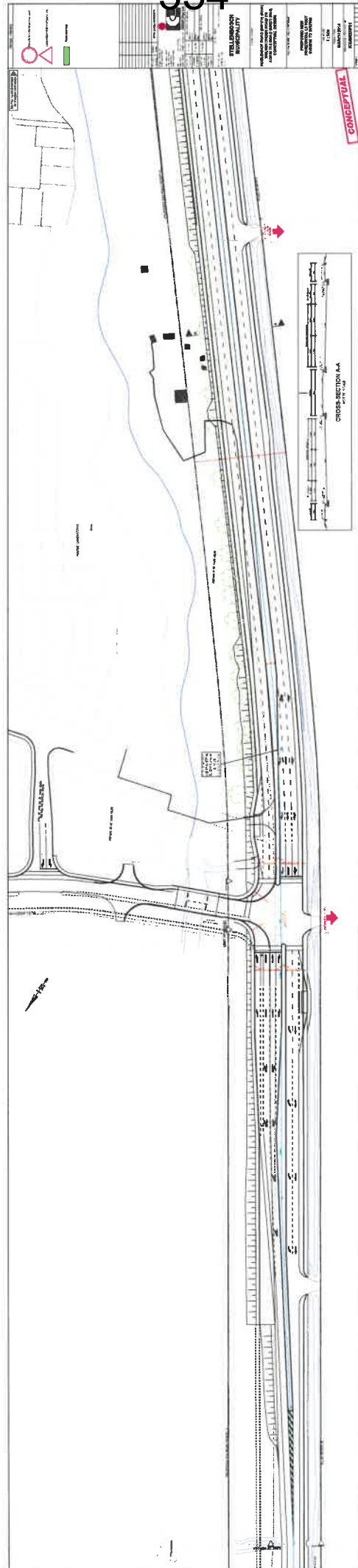


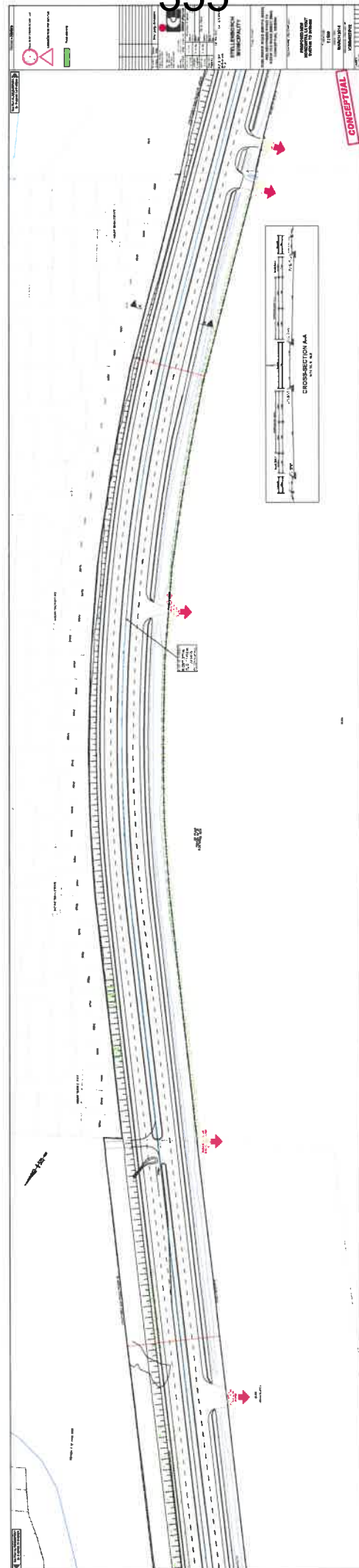


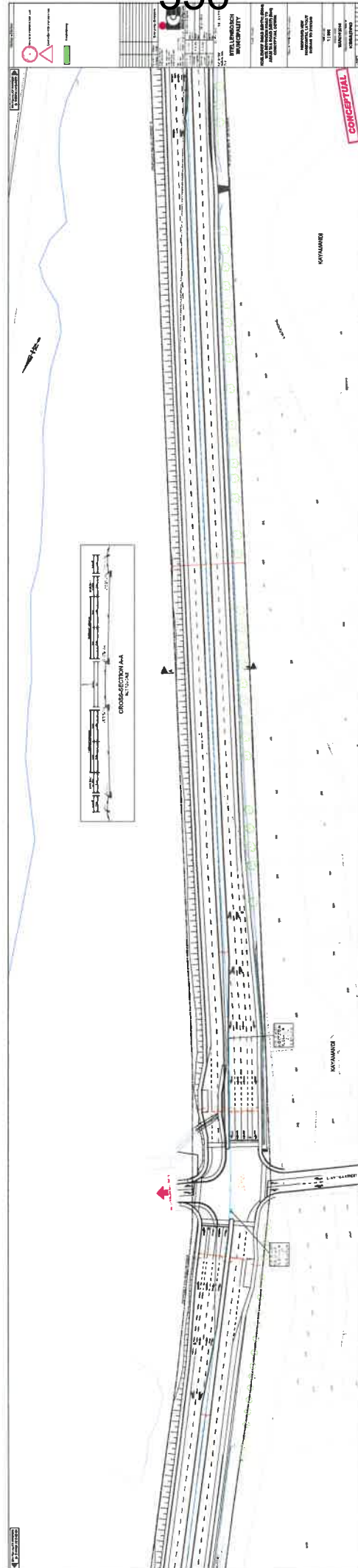
## Appendix D

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## Appendix E

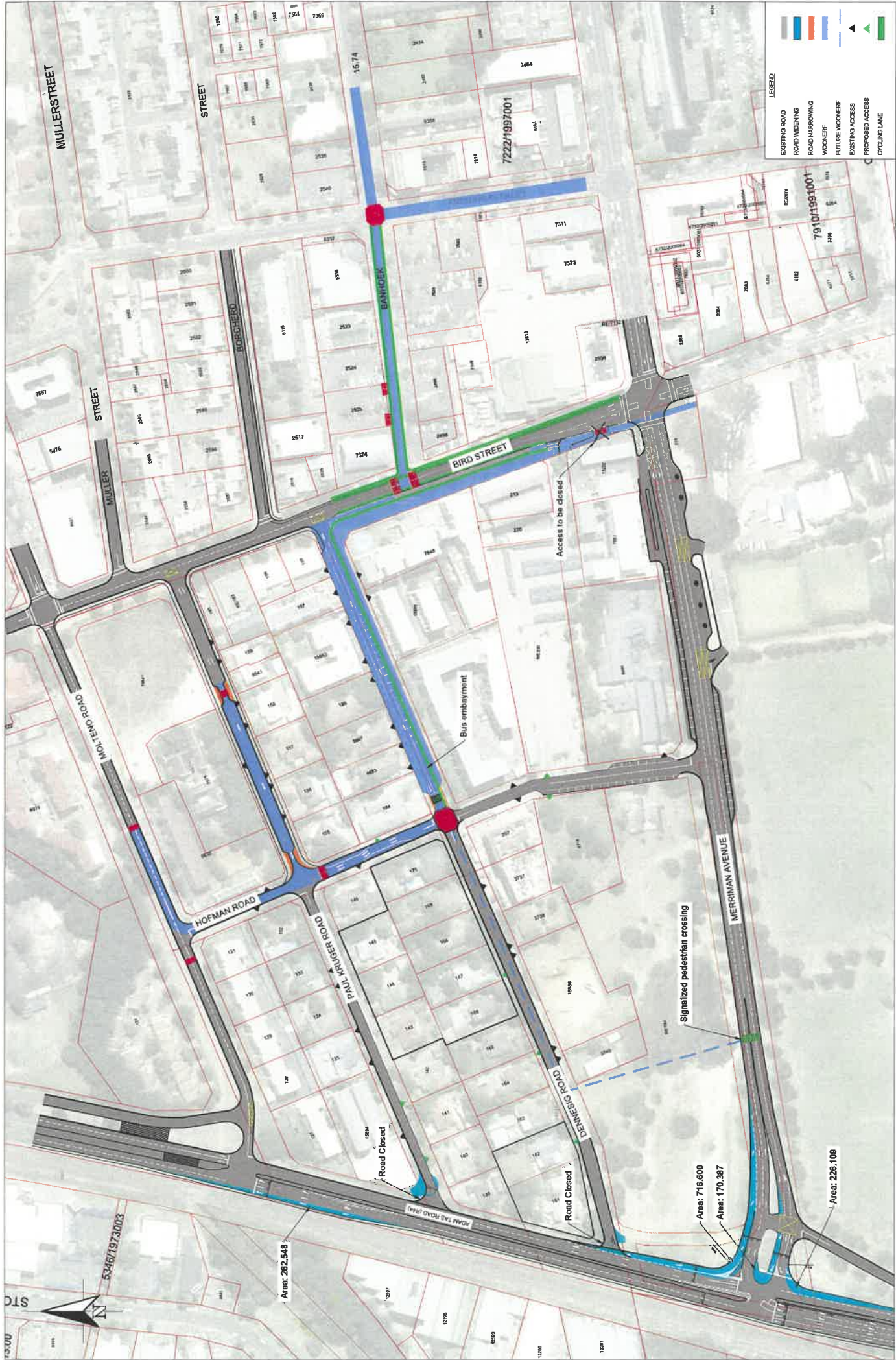
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Table E1: Land use per development

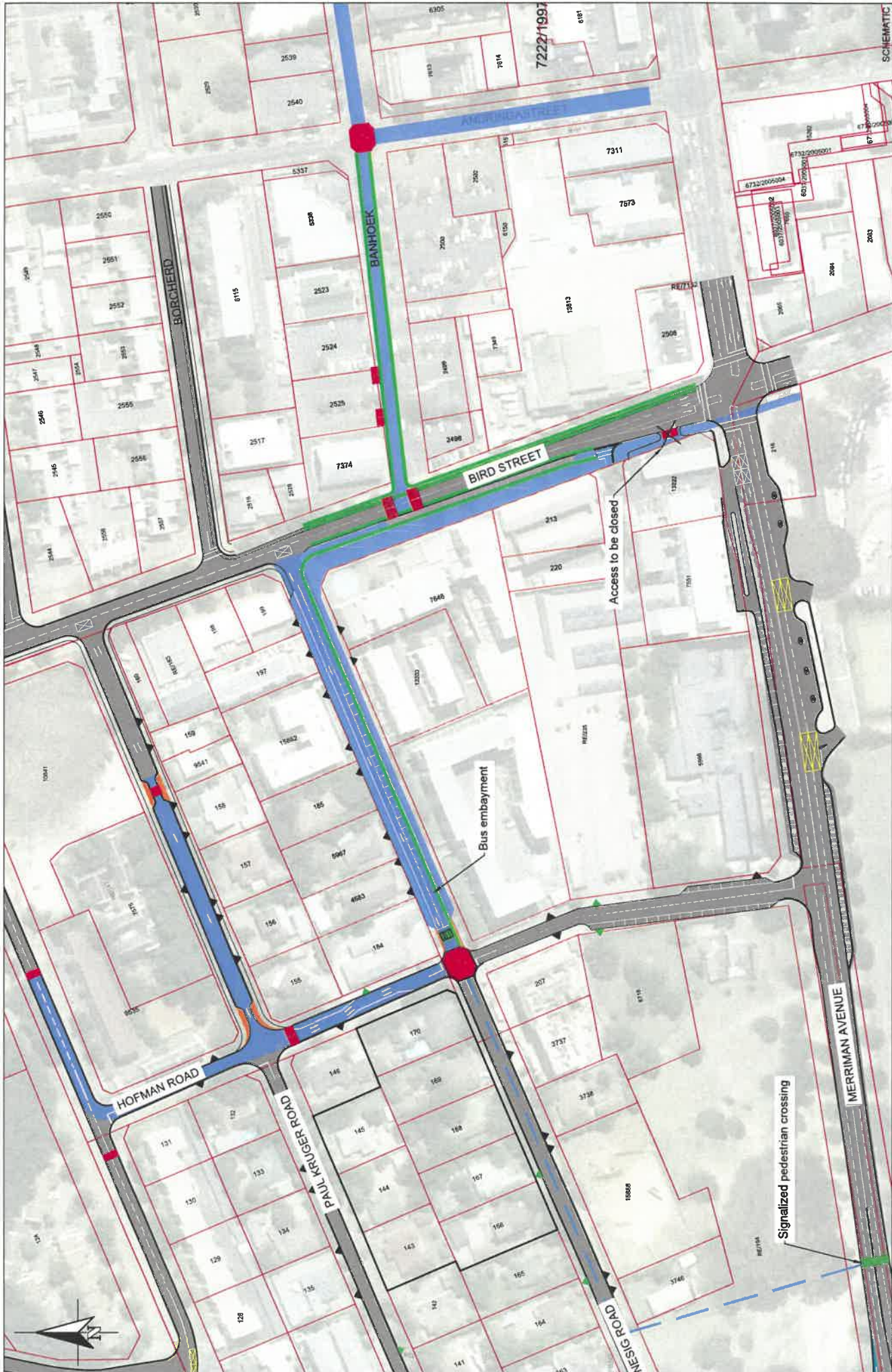
Development	Erf No	Precinct	Access Street	Extent (m <sup>2</sup> )	Proposed Zoning	GLA m <sup>2</sup>	Units No.
Paul Kruger 1 & 3	139	2	Paul Kruger	1 714	Student Accommodation		52
The Den 2	163	1	Dennesig	5 229	Student Accommodation		145
Leiden	132	2	Paul Kruger/Hofman	2 773	Student Accommodation		70
Abacus	184	3	Dennesig/Hofman	1 333	Apartment and Flats	73	40
Dennesig 1	143	1	Paul Kruger	8 383	Specific Business	304	508
Dennesig 2	155	6	Paul Kruger	6 880	Student Accommodation		138
Heuer	198	6	Bird	1 479	Specific Business		42
Vacant	8718	7	Hofman	2 699	Apartment and Flats		54
The Big Hole	10841	4	Paul Kruger/Bird	5 266	Mixed-use	595	105
Erf 158	158	5	Paul Kruger	935	Apartment and Flats		19
Erf 9541	9541	5	Paul Kruger	465	Apartment and Flats		9
Erf 3738	3738	1	Dennesig	930	Apartment and Flats		19
Erf 3746	3746	1	Dennesig	1 076	Apartment and Flats		22
Guest House	135	2	Paul Kruger	928	Student Accommodation		19
Open Space	RE/194	7	Merriman/Dennesig	19 334	Student Accommodation		387
Parking area	RE/235	8	Hofman	5 794	Student Accommodation		116
<b>TOTAL</b>				<b>11.49 ha</b>		<b>972</b>	<b>1 745</b>

## Appendix F

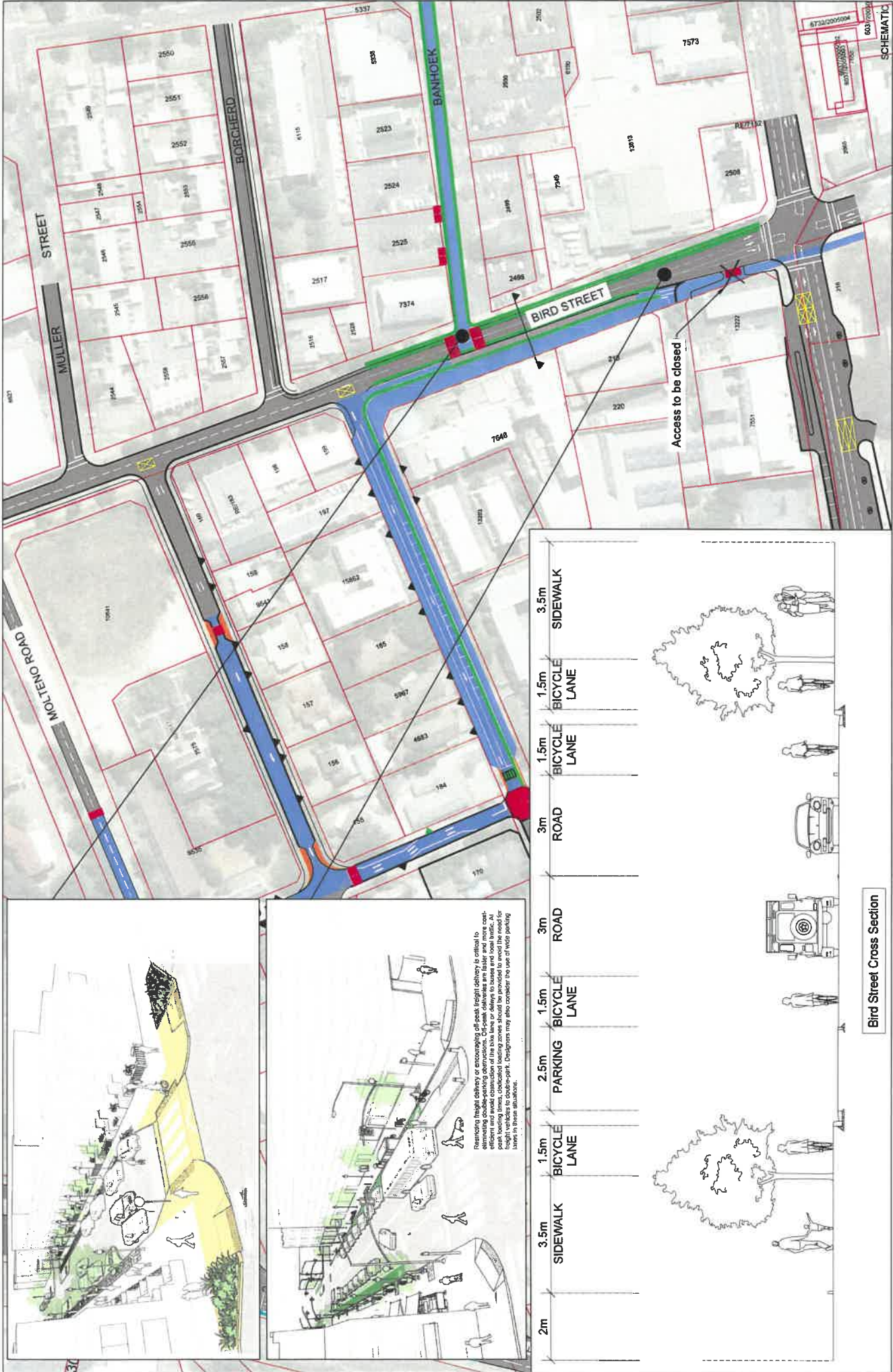
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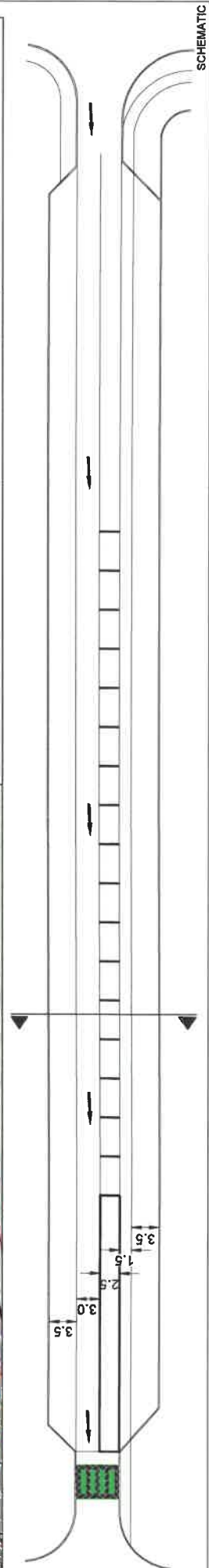
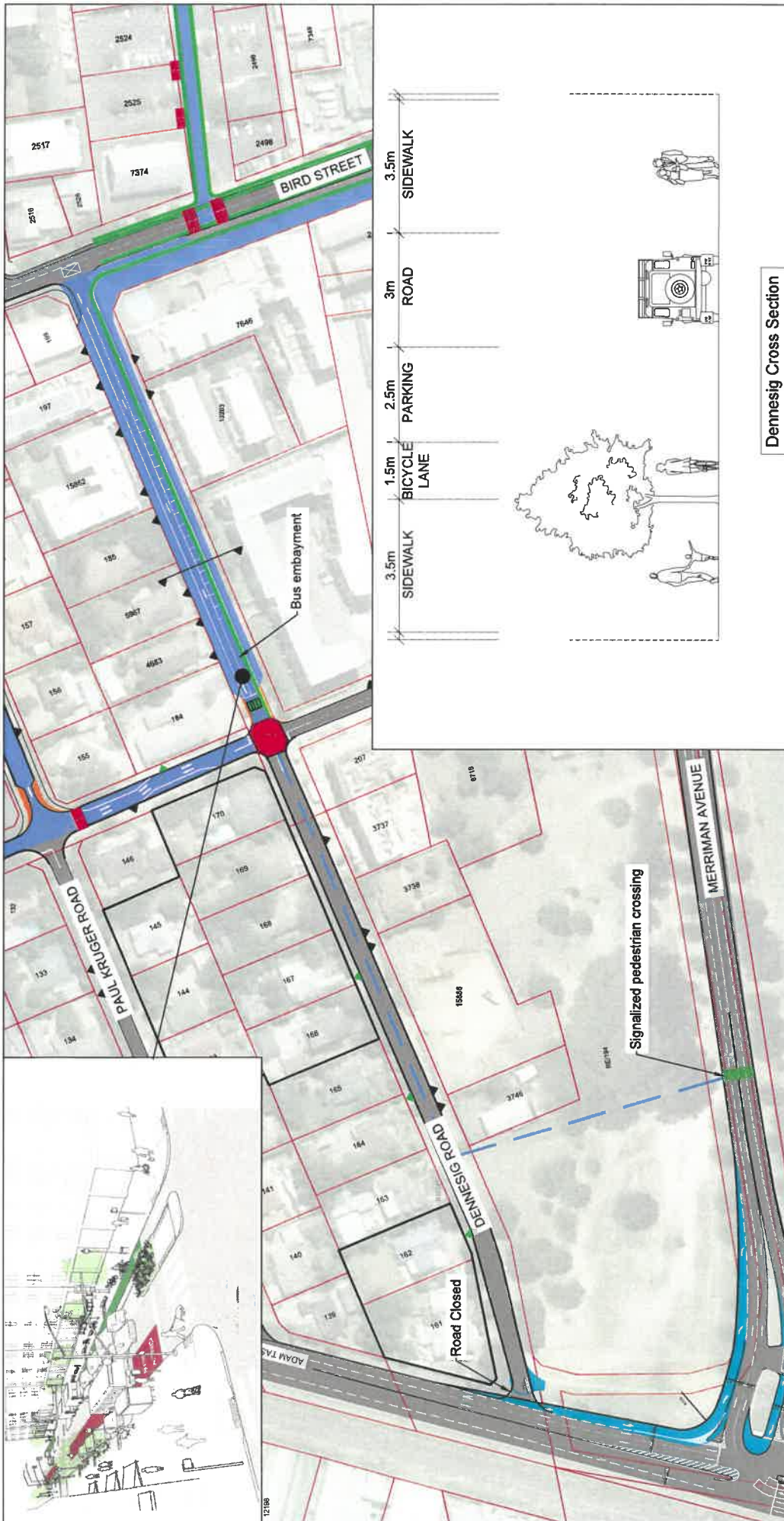


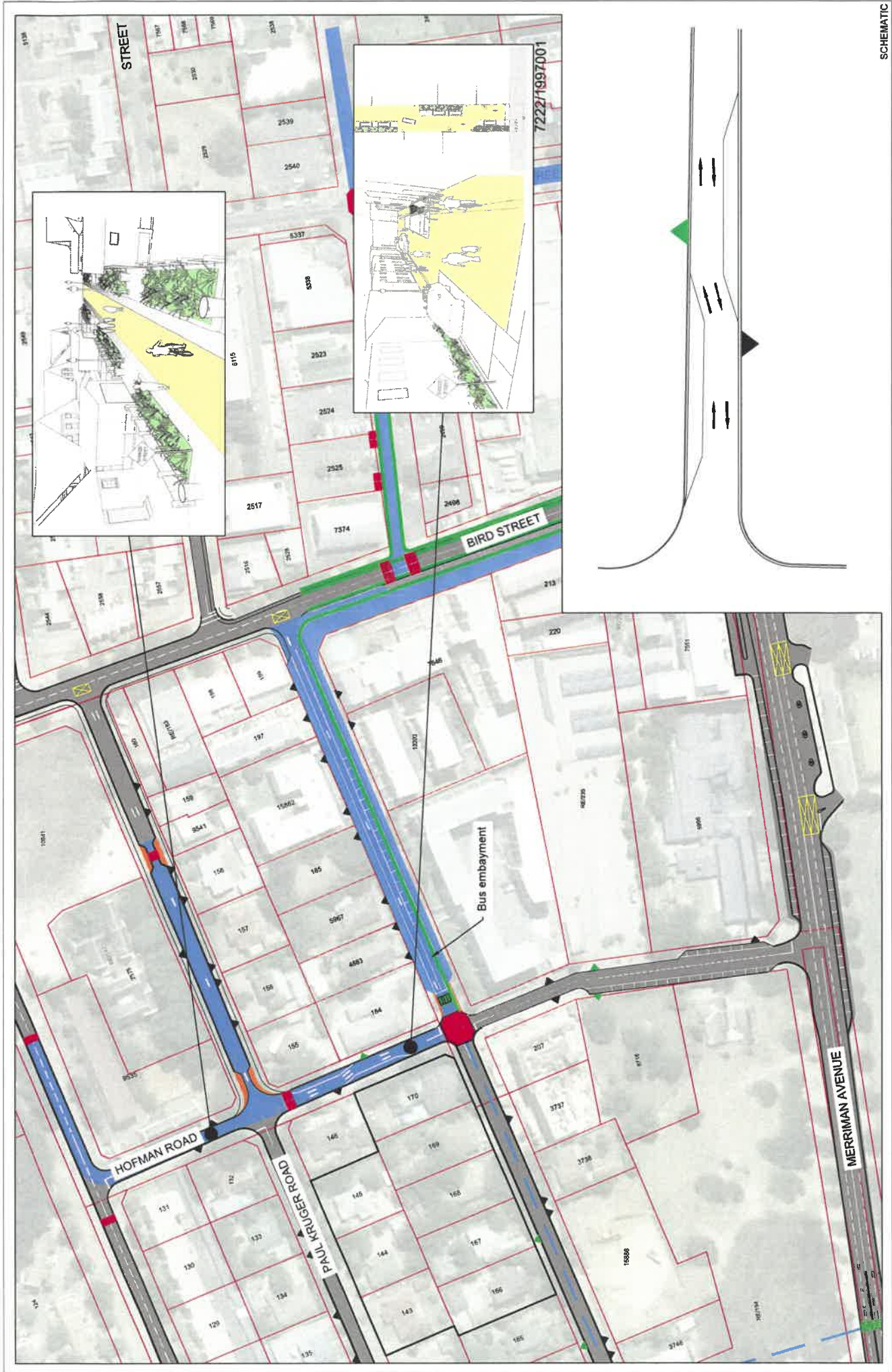
<p>its</p>	<p>FIGURE</p> <p>Dennesig Development, Stellenbosch</p>
<p>NUMBER</p> <p>F1</p>	<p>FIGURE</p> <p>Transport Network</p>




PROJECT:	Dennisig Development, Stellenbosch	FIGURE:
NUMBER:	F2	NMT Network







SCHEMATIC	NUMBER	PROJECT
F5	Hofman Street	Dennisig Development, Stellenbosch
		



## PART D: CONCLUSION AND RECOMMENDATIONS

## SECTION 3 CONCLUSION

The DNDG will serve as a non-statutory guideline document for the Municipality to assess existing and future applications in Dennesig. The purpose of the study was to set out the broad development guidelines for all the current and future development applications in order to ensure an integrated and holistic approach towards development in the neighbourhood. The recommended proposals of the study will be consistent with the vision of the Municipality's policy directives (i.e. IDP, MSDF, draft TOD etc.). The DNDG study is not only specifically relevant to the Dennesig neighbourhood, but also identifies required development interventions for the general/broader area.

The following results and outcomes of the guidelines are highlighted:

- The DNDG will enable the Municipality to make **informed decisions** on land use applications (i.e. the assessment of existing pending and future applications);
- A mechanism/strategy is proposed to ensure the **effective management and implementation** of DC's (this may be in the form of an Engineering Services Agreement);
- Compliance with **policy directives** according to the Stellenbosch MSDF and IDP;
- All IAP's (developers, applicants, Municipality etc.) **supported** the study approach;
- The Urban Design Guidelines and Transport Guidelines are aligned as an **integrated overarching study**, consistent with the vision of the Municipality;
- The opportunity was created for the amendment of architectural designs to enable proposed developments to **positively respond** to the immediate surrounds;
- The implementation of the DNDG will most definitely **improve the spatial qualities of the neighbourhood, especially the public realm**. Private vehicular movement is discouraged while pedestrianism is promoted (i.e. by pro-actively improving conditions for walking), which may 'spill-over' to the broader area;



- An integrated and iterative process consisting of design workshops allowed the opportunity to **produce an active document** that results in developable/implementable actions;
- The implementation of the DNDG within the Dennesig neighbourhood, can be regarded as the first phase (or 'trigger') for the implementation of the **Adam Tas Corridor** and to 'kick-start' TOD; and
- The DNDG can play a key role in informing future **policy changes** (i.e. Integrated Zoning Scheme, DC policy etc.).

#### i) Urban Design Guidelines

The Urban Design Guidelines report proposes a spatial set of principles and a rational for the way in which the Dennesig neighbourhood could transform over time. The document will serve as a tool for the Municipality to measure and assess development proposals. The Urban Design Guidelines are primarily based on the following underlying urban design principles:

- **Broad Spatial Structure:** Expand the existing spatial structure of Stellenbosch beyond the town's historic and central cores;
- **Neighbourhood Spatial Structure:** Re-establish the precinct to its historical roots in the Catholic Church complex, promote pedestrianism and NMT, and promote permeability and accessibility of the neighbourhood services;
- **Spatial Typologies:** Establishment of the werf, courtyards, woonerf, pedestrian walkway, mixed use streets, and urban parks;
- **Massing and Grain:** Promotion of the perimeter block development model and the establishment of build-to lines and setbacks (interface and height on Paul Kruger Road, corner units, residential units, semi-basements, balconies, ground plane interface articulation etc.);
- **On-site Parking Conditions:** Setback of semi-basements, screen on-site parking, promotion of maximum vehicular parking ratios and minimum bicycle parking ratios, provision of a shuttle service etc.; and
- **Diversity and a Sense of Belonging:** The ambition is to promote a sense of diversity in both use and income levels throughout the neighbourhood, by diverse forms of tenure, diverse unit sizes, diverse uses and diverse income levels (all in the absence of an inclusionary housing policy).



## ii) Transport Guidelines

The purpose of the Transport Guidelines report was to provide a comprehensive TIA for the Municipality to guide decision making regarding existing and future applications in the Dennesig neighbourhood, as well as interventions that may be required in the general area, such as the upgrading of roads, intersections, NMT, public transport and parking allocation. The TIA confirmed the following salient points:

- TOD is the establishment of compact, walkable, pedestrian-orientated, mixed use communities, centred in close proximity of high quality public transport. For TOD to be successful, there needs to be a **change in behaviours** (people must choose to walk), **transport** (provide a safe high quality alternative to private vehicles), and **land use planning** (promote high density and mixed use development);
- The **main public transport** modes serving Stellenbosch is rail and mini-bus taxi services. Most mini-bus taxi routes either originate or depart from the Bergzicht Rank, which means that Dennesig will have good access to a range of destinations;
- Traffic counts indicate a **rat-run along Hofman Road**. It is therefore proposed to implement traffic calming measures to prevent/reduce the said rat-run;
- To promote NMT and reduce private vehicle usage in Dennesig, a **woonerf** (i.e. a 'living street') is proposed along Dennesig Road (between Bird and Hofman Streets), along Hofman Street (between Paul Kruger and Dennesig Roads) and Paul Kruger Street in front of the Catholic Church. The woonerf will also act as a traffic calming mechanism and prioritise pedestrian movement in the vicinity of the Church. It is also proposed to 'pinch' the road at the start of the Church werf and to possibly change the road direction to a one directional road in a westward direction;
- **Connect to the SU green routes**, which is a critical element in converting the Dennesig neighbourhood to a TOD area as this will also promote NMT. It is proposed to extend the pedestrian corridor of Dennesig Road across Bird Street by means of a raised pedestrian crossing, to prioritise NMT movement across Bird Street;
- Consider a **private student shuttle service** from and to the Dennesig neighbourhood;
- It is proposed to change the minimum parking requirements (as per the Stellenbosch Zoning Scheme Regulations) to **maximum parking ratios**; and
- The implementation of NMT and public transport infrastructure is the key to the successful implementation of TOD and is therefore recommended to be **implemented prior to any road upgrades** (the DC policy may require revision).



## SECTION 4 RECOMMENDATIONS

The DNDG document provides an excellent opportunity for the Municipality to make informed decisions with regard to planned densification in the Dennesig neighbourhood, especially in the absence of a TOD Framework and Densification Policy for the area. The document will not only serve to enable the Municipality to assess existing and future land use applications in Dennesig, but will also guide developers towards a coherent integrated development vision.

On the basis of the afore-mentioned, it is recommended that:

- The Municipality adopt the DNDG as a **non-statutory guideline document** for the assessment of existing and future land use applications, and to guide existing and future developers towards a coherent integrated development outcome.
- Deposit DC's accumulated from the pending land use applications into a singular account in order to 'ring-fence' contributions from the area and to enable developers to construct the required infrastructure. An **Engineering Services Agreement (ESA)** is proposed in terms of Section 49(4) of the Spatial Planning and Land Use Management Act (2013), to enable the afore-mentioned. The Developers Forum then appoints an engineer with the assistance of a landscape architect to compile a master plan of the public infrastructure, other interventions and upgrades that are required to implement the proposals in a phased manner.
- The Municipality **prioritise applications and fast-track the processing of the four applications**, as follows:
  - **Step 1:** Jakupa and ITS to undertake independent review of applications that have been revised on the basis of the DNDG, and issue a letter of consent indicating compliance with the DNDG (the "happy letter").
  - **Step 2:** Applicants send updated proposals to the Municipality.
  - **Step 3:** Re-circulation internally by the Municipality of the revised applications as soon as possible.
  - **Step 4:** Final recommendation to the Municipal Planning Tribunal (MPT) for the approval of the four development applications at the meeting scheduled for November 2019.
- The DNDG to be considered as a **Local Area Overlay Zone (LAO)** to be incorporated into the new Stellenbosch Municipality Zoning Scheme By-Law (Draft 2017). This LAO for Dennesig should supersede the Bird Street Section of the Stellenbosch Urban Conservation Area (Map no: URC01).



## ANNEXURE A: SCOPE OF WORKS

## Traffic Impact Assessment – Dennesig

### 1. Purpose

The purpose of the study is to provide a comprehensive Traffic Impact Assessment (TIA) and Urban Design Framework for the Municipality to guide decision making regarding project proposals in the Dennesig area. This includes not only decisions regarding applications on specific properties, but also interventions that may be required in the general area, such as the upgrading of roads, intersections, non-motorized transport, public transport and parking.

The consultant appointed for the TIA would have to appoint a sub consultant to conduct the Urban Design Framework. The Scope of Works for the Urban Design Framework is attached hereto.

The scope of the works is to include a compilation Municipal approved documents, comprising of a (Public Transport, Roads, Traffic, NMT) upgrade proposal plans for the precinct that aligns with, SDF, CIP, IDP, other municipal initiatives, relevant guidelines ect. Work undertaken must also support and provide motivation for proposals / recommendation such as reduced parking requirements ect. Such proposals must be discussed and agreed to by the Municipality.

The documentation and plans should also give an indication to the roll out of the identified works i.e. the phasing of works to be implemented.

### 2. The Study Area

The primary study area is located within the following designation: Merriman Avenue, Molteno Road, Bird Street, Adam Tas Road (R44).

It is, however, important to understand the context of the study area, so where relevant, the analysis and proposals should include a broader area. This would include an understanding of the destinations in town, such as shopping and University facilities and the routes to and from these destinations as well as the proximity of the study area to the proposed TOD area and the relationship; between these areas in terms of traffic and transport.

### 3. Background

The landowners of a number of erven in the study area have been working for a number of years to get all the landowner's buy-in to consolidate their plots, in order to facilitate the large-scale redevelopment of Dennesig.

In parallel, the Municipality have been working on policy to facilitate the densification of this part of Stellenbosch. As such a number of developments comprising of 4 to 5 storey buildings have been approved and been constructed in the study area.

The design and approval processes for a number of projects in the study area are well advanced, and one new application has been approved to date. Furthermore, zonings for flats mixed with non-residential facilities in excess of four storeys have previously been approved on some of the other properties in the area on an ad-hoc basis.

It is stated in the Stellenbosch Municipality Fourth Generation Integrated Development Plan (2017-2022) that in light of answering the question of what, how and where development is to take place over the next 10 to 30 years, the Municipality is considering the STOD approach to redefine the future spatial development of Stellenbosch around a set of high density development nodes built around integrated public transport services. The study area is one such node.

The Municipality is in the process of recommending to Council that overlay zones be created to specifically enhance or restrict development in certain areas due to the unique character and location of the area, as well as to ensure certainty to developers in achieving the developmental objectives of Council. One of these areas is the Dennesig area.

However, according to Municipal correspondence (Ref 15/10 date 01 September 2017, "in the absence of approved overlay zones, the owners of individual properties are free to apply for the rezoning of these properties given the policy context and other similar rezoning approvals. Such decisions will follow the processes prescribed in the Stellenbosch Land Use Planning Bylaw, 2015 and could be finalised within a 12 month period" .

Events have overtaken the Municipal planning processes in that many applications are in the process of being submitted for the study area without the STOD been completed or an Urban Design framework for the area having been drawn up to guide decision making and the approval process.

While the applications are generally in line with the applicant's discussions with officials, the Municipality require an approved Urban design framework to motivate their approvals and/or inputs.

Based on this Urban Design Framework a Traffic Impact Assessment is to be conducted with the scope of works as set out below.

#### **4. Scope of Work**

The scope of works must take in to consideration aspects as included in the Urban Design Framework and must include the following:

1. Gathering of all relevant information including previous TIA's conducted in the area and the perusal thereof;
2. Obtaining the latest information with regard to traffic flow in the area including traffic counts at the following intersections:
  - i) *Adam Tas Road/Merriman Avenue-intersection*
  - ii) *Adam Tas Road/Molteno Road-intersection*
  - iii) *Molteno Street/Hofman Street-intersection*
  - iv) *Molteno Road/Bird Street-intersection*
  - v) *Bird Street/Paul Kruger Street-intersection*
  - vi) *Bird Street/Dennesig Street-intersection*
  - vii) *Bird Street/Merriman Avenue-intersection*
  - viii) *Merriman Avenue/Hofman Street-intersection*
  - ix) *Hofman Street/Dennesig Street-intersection*
  - x) *Hofman Street/Paul Kruger Street-intersection*
3. Obtaining the latest information with regard to non-motorized transport (pedestrians and bicycles) in the area including counts at the following locations:
  - i) *Molteno Street/Hofman Street-intersection*
  - ii) *Bird Street/Paul Kruger Street-intersection*
  - iii) *Bird Street/Dennesig Street-intersection*
  - iv) *Merriman Avenue/Hofman Street-intersection*



# STELLENBOSCH

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## MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

### LAND USE PLANNING REPORT TO THE MUNICIPAL PLANNING TRIBUNAL

#### APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, REZONING, CONSOLIDATION AND PERMANENT DEPARTURES: ERVEN 139 AND 140 STELLENBOSCH

Reference number	LU/83 81	Application submission date	August 2018	Date report finalized	October 2019
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#### PART A: AUTHOR DETAILS

First name(s) and Surname	R P Fooy				
Job title	Senior Town Planner				
SACPLAN registration number					
Department	Planning and Economic Development				
Contact details	021 808 8680				

#### PART B: APPLICANT DETAILS

First name(s) and Surname	Marike Bolz				
SACPLAN registration number	A/060/2008				
Company name	Arch Town Planners	Is the applicant authorized to submit this application?	Y	N	
Registered owner(s)	Erf 139: Ernst Julius Harbich, Erf 140: Engela Heleen Bester				

#### PART C: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Erven 139 and 140 Stellenbosch				
Physical address	1 and 3 Paul Kruger Street	Town/City	Stellenbosch		
Current zoning	Single Residential	Extent (m <sup>2</sup> /ha)	1 723m <sup>2</sup> (consolidated)	Are there existing buildings on the property?	Y N
Applicable Zoning Scheme	Stellenbosch Municipality Zoning Scheme Regulations, 1996				



# STELLENBOSCH

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## MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Current Land Use	Residential (single-storey house, used for student accommodation)			Title Deed number & date	Erf 139:28075/1996 Erf 140:54174/2012
Any restrictive title conditions applicable?	Y	N	If Yes, list condition number(s)	Erf 139: Clause B, C(a, b), Clause D(a, b,c, d), Clause E(3) Erf 140: Clause B(a, b), Clause C(a, b,c, d), Clause D(3)	
Any third party conditions applicable?	Y	N	If Yes, specify		
Any unauthorised land use/building work?	Y	N	If Yes, explain		

### PART D: APPLICATION DESCRIPTION

**Application in terms of Section 15(2)(a, b, e and f) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 to allow for the following on Erven 139 and 140 Stellenbosch:**

- a) The **removal of the Title Deed Restrictions** from the Title Deed T28075/1996 for Erf 139 and Title Deed T54174/2012 for Erf 140 which reads as follows:

#### Erf 139

Clause B: "Not entitled as a result of condition (a) in paragraph C hereunder to the benefit of the reservation of water rights but otherwise entitled to the benefit of the conditions as referred to in the two notes dated 2 June 1939 and 5 June 1939 on deed of Transfer No T7492/1932 which reads as follows: " Deur die ondergenoemde Aktes van Transport van erwe in die Kromme Rivier C Dorp is deur die eienaar en sy opvolgers in title van die restant van die eiendomme paras. 1, 2, 3, en 4 van hierdie Akte al sy bestaande regte as oewereienaar uigehou en die grond deur die gesegde Aktes oorgedra is onderhewig ten gunste van die gemelde eiendomme hieronder gehou en sekere rege wat betref die bedryf van sekere besighede en verkoop van terk drank, soos meer volledig sal blyk uit transportakte Nrs. 5594 gedateer 2.6.1939; 9842 gedateer 8.9.1939; 536 gedateer 25.1.1940; Nr 4379 gedateer 9.5.1940;"

Clause C (a) " dat die bogenoemde erf nie geregtig sal wees op die gebruik van enige water uit die Kromme Rivier vir huishoudelike of enige ander doeleindes die Transportgewer behou vir himself as eienaar van die grond nog in sy naam geregistreer onder die gemelde Akte van Transport gedateer 10 Desember 1970 nr. 7492 en sy opvolgers in title al sy teenwoordige bestaande regte as oewereienaar op sulke regte"

Clause C(b): " Geen bottelstoor, kantien of plek waar sterk drank kan verkry word sal op die hierbo gemelde grond opgerig word nog sal enige hotel, slagter, algemene handelaar of andere besigheid van sulke aard gedryf of gedoen word daarop."



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Clause D(a): "Die erf moet uitsluitlik vir woning doeleindes gebruik word."

Clause D(b): " Dat die erf nie verdeel sal word nie."

Cause D(c): "Dat nie meer as een woonhuis met die nodige buitegeboue en toebehoorsels op die erf gebou sal word nie en dat nie meer as een helfte van die oppervlakte van die erf op gebou word nie."

Clause D(d): " Dat geen gebou binne 5,67 meter van enige straatlyn wat die grens van die erf is, moet opgerig word nie."

Clause E(3): " Dat die eienaar van elke erf en die namalige eienare daarvan verplig sal wees om die rioleering en rioolstelsel van enige erf of erwe oor sodanige erf te laat neem indien nodig geag deur die Munisipaliteit redelike vereis word."

#### **Erf 140**

Clause B (a): "dat die bogenoemde erf nie geregtig sal wees op die gebruik van enige water uit die Kromme Rivier vir huishoudelike of enige ander doeleindes die Transportgewer behou vir himself as eienaar van die grond nog op 23 Augustus 1932 in sy naam geregistreer onder die gemelde Sertifikaat van gegistreerde Titel gedateer 15 Oktober 1888 en Sertifikaat van geregistreerde Titel gedateer 16 September 1932 nr. 7492 en sy opvolgers in titel al sy teenwoordige bestaande regte as oewereienaar op sulke regte"

Clause B(b): "Geen bottelstoor, kantien of plek waar sterk drank kan verkry word sal op die hierbogemelde grond opgerig word nog sal enige hotel, slagter, algemene handelaar of andere besigheid van sulke aard gedryf of gedoen word daarop."

Clause C(a): "die erf moet uitsluitelik vir wonings doeleindes gebruik word. Geen winkel of hotel en geen handel of industriële besigheid van enige aard sal daarop gedryf word nie."

Clause C(b): " dat die erf nie sal verdeel word nie".

Cause C(c): "Dat nie meer as een woonhuis met die nodige buitegeboue en toebehoorsels op die erf gebou sal word nie en dat nie meer as een helfte van die oppervlakte van die erf op gebou word nie."

Clause C(d): " Dat geen gebou binne 18 voet van enige straatlyn wat die grens van die erf is moet opgerig word nie."

Clause D(3): " Dat die eienaar van elke erf en die namalige eienare daarvan verplig sal wees om die rioleering en rioolstelsel van enige erf of erwe oor sodanige erf te laat neem indien nodig geag deur die Munisipaliteit redelike vereis word."

b) **Consolidation** of Erf No. 139 and Erf No.140 into a single, consolidated unregistered property;

c) **Rezoning** of the consolidated unregistered property from Single Residential to General Residential;

d) **Permanent departures** to allow for the relaxation of the following building lines:

- Street boundary building line (R44) from 7.6m to 5m for the basement parking;
- Street boundary building line (R44) from 7.6m to 1.62m for the basement parking area;



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- Street boundary building line (R44) from 7.6m to 5.35m for the building;
- Street boundary building line (Paul Kruger Road) from 7.6m to 1.62m for the basement parking area;
- Street boundary building line (Paul Kruger Road) from 7.6m to 1.1m on Ground Floor and 0m on Floors 1-3;
- Common boundary building line (Erf 141) from 4.6m to 0m for the parking area on ground floor and the basement parking area;
- Common boundary building line (Erf 141) from 4.6m to 0m on Floors 1 – 4 (only on front 4-storey section of building);
- Common boundary building line (rear -Erf 16399 and 163) from 4.6m to 4.2m on Floors 1 – 4.

e) **Permanent departures** to allow for:

- Relaxation of permissible **coverage** from 25% to 60%;
- Relaxation of permissible **floor factor** from 0.5 to 1.6;
- Relaxation of **height** restrictions to allow for a five-storey building in lieu of a 3 storey building;
- Relaxation of required **parking** bays from 99 bays to 77 bays (which would include parking provision for 66 bicycles, 66 motorized vehicles and 11 tandem bays, as result having a parking ratio of 1.29 parking bays / unit if the 11 tandem parking bays are not included in the parking calculation)

### PART E: SUMMARY OF APPLICANTS MOTIVATION

The proposed development conforms to the Dennesig Urban Design Guidelines Report compiled by *Jakup Architects and Urban Designers*, as described below:

- The objective of the Urban Design Guidelines impact on the proposed development on a number of levels: Firstly, the form and bulk of the building, its relationship with adjacent buildings and its interface with the street. This impacts on the building's footprint, its height, as well as the articulation of its façade.
- The guidelines require continuous street facades. In response, we extended the building footprint to the boundary shared with The Den 2. To further achieve continuous street facades, the guidelines require the building to extend to a "build-to" line, which corresponds with the street boundary line. The building was therefore re-designed to extend to that line on its higher levels.
- In response to the above, the building is designed in two sections, creating a courtyard building. The height on Paul Kruger Street is four storeys, with an active roof, accommodating a recreational area overlooking the street. The back wing is 5 storeys high, where it does not impact on the street. This is in line with the guidelines that require the top floor to be set back.
- The ground floor is set back, in order to create outside living spaces overlooking the street, in line with the guidelines ("use setbacks on the ground floor and floors above the 4<sup>th</sup> level"). To achieve privacy for residents on the ground floor, the floor and stoep level was raised, in line with the guidelines for dealing with the semi-basement. The resulting grade separation and low street boundary / balcony wall allow for a positive transition from the public street to the private residential units. This was done within the 4m height requirement of the ground floor.
- The proposed screens and the form of the balconies are in response to the requirement to manage the street interface by employing "depth and screens and planting layers", as well as the requirement to layer the façade through balconies and screening devices.



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- The garage entrance is kept to a minimum width and is designed as part of the façade (set back from the balcony line) in line with the guidelines ("Suppress the garage entrance by projecting the active façade beyond its face, to be integrated into the façade").
- The authors of Urban Design Guidelines have scrutinised the revised proposals and have **confirmed that the building meets all the requirements set out in the design guidelines**. Please refer to the attached "Happy Letter".

The Stellenbosch IDP specifically identified the Dennesig neighborhood as a primary densification and development area for the establishment of blocks of flats. There is a high demand for flats within close proximity to the Stellenbosch CBD and Stellenbosch University campus.

Increased development rights will help to reduce the pressure on other single residential areas in town and also prevent urban sprawl in to the agricultural areas.

The proposed departures will not have a significant impact on adjoining or surrounding properties with regards to the loss of privacy to the effect to warrant refusal and will also not result in a visually intrusive building design. The proposed building was designed in such a manner to contribute to the visual character of the area by being of a high architectural standard, in terms of the materials that are to be used to construct and clad the façade of the building and by the incorporation of existing mature trees on the site. The development seeks to re-establish the urban design principle of creating safe urban spaces through active street frontages, whereby buildings are pushed towards the street boundaries and parking is shielded from the streetscape.

The restrictive title deed conditions were intended to protect the single residential character of the Dennesig area, but are presently in conflict with approved municipal policies, including the SDF and IDP;

The provision of safe bicycle parking bays and the reduction of the provided number of motor vehicle bays are in line with the municipality's principles to achieve a car-free vision for Stellenbosch.

### PART F: SUMMARY OF PUBLIC PARTICIPATION

Methods of advertising				Date published	Closing date for objections
Press	Y		N/A	04-10-2018	04-11-2018
Notices	Y		N/A	06-10-2018	06-11-2018
Ward councillor	Y		N/A	06-10-2018	06-11-2018
On-site display	Y		N/A	04-10-2018	04-11-2018
Community organisation(s)	Y	N	N/A	06-10-2018	06-11-2018
Other	Y		If yes, specify	Prov. Department of Transport	06-10-2018
					06-12-2018



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			and Public Works		
Was public participation undertaken in accordance with sections 44-49 of the Stellenbosch Land Use Planning By-law, October 2015					Y N
<b>PART G: SUMMARY OF COMMENTS DURING PUBLIC PARTICIPATION (INTERESTED AND AFFECTED PARTIES)</b>					
412 Registered letters were sent out as well as the newspaper advert and only four objections from the public were received					
FARM/ ERF NO.	ISSUES RAISED	APPLICANT'S RESPONSE	DEPARTEMENTAL REPOSE		
Stellenbosch Rate Payers Association	No objection to the proposed ROR and Building Line Departures	Noted	Noted		
	Objection to bulk, height and coverage	<p><b>The proposed development is in line with the recommendations of the Urban Design Study.</b> As a further motivation: The Approved IDP identified Dennesig as a primary densification and development intensification area (to allow for developments of up to 6 storeys). Densification can only be achieved if departures from bulk, height, floor factor, coverage and parking is allowed.</p> <p>The proposed development is a brownfields development which will result in the optimal redevelopment of a site within walking distance from town, campus and all the surrounding amenities, in line with national, provincial and local policies.</p> <p>There is limited land available in Stellenbosch and infill development should be maximized to its full potential, especially in this area.</p> <p>There is an existing precedent in the area for similar type of developments. Though the proposed development</p>	<p>The subject property is located in an area where densification is being promoted due to its location within close proximity to the CBD and campus, as set out in the Stellenbosch IDP and SDF.</p> <p>The proposal as submitted is seen as sensible infill development that makes optimal use of the existing infrastructure within the urban edge.</p> <p>The proposed building is not seen to be out of character with its surroundings as a number of high-density developments have been approved in the surrounding area.</p>		



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	<p>allows for 5 storeys, the 5<sup>th</sup> storey will be set back considerably from the road which results in the building appearing to be a 4 storey building from the public street perspective. The building will be aesthetically pleasing and will not seem overbearing or out of character.</p> <p>The proposed development is for flats (not a boarding house exclusively targeted at students) and also includes 23 two bedroom units, which will be attractive to young professionals and small families. The locality of the site is within walking distance of to town and campus makes it attractive to both students and young professionals. The allowance for increased bulk, coverage and height will help to provide accommodation at a more affordable price (anticipated selling price is between 28% - 35% lower than properties currently being sold in Die Weides). It will also result in more property owners being able to contribute to the levies which will reduce the monthly costs, also helping to make the units more affordable. Land costs in Stellenbosch are exceptionally high and if the site cannot be developed to its full potential, the selling prices of the units will have to be increased to cover the high land costs.</p> <p>Due the excessive high land costs in Stellenbosch, unit sizes cannot be excessive as it will be too expensive. The proposed unit sizes are considered sufficient to provide for liveable and workable spaces, taking cognizance of affordability of the units.</p>	
Objection to development of small units only targeted at students		<p>The proposal under consideration is to provide accommodation in the form of a block of flats and not as a residence. The fact that a number of units may be occupied by students is a fact as there is a shortage of accommodation for students within Stellenbosch. As noted above the proposal consists of a block of flats and thus will accommodate a diverse mixes of tenants which should range from students to young working professionals and also include small families.</p>



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	<p>Objection to parking departure</p>	<p>From the Urban Econ Housing Demand Study, the following housing need is identified:</p> <ul style="list-style-type: none"> <li>- 4 200 student accommodation (47ha land)</li> <li>- 3 515 affordable units (56ha land)</li> <li>- 1 850 middle – high income units (65ha of land)</li> </ul> <p>It is clear that there is not enough land to accommodate the high need for housing and therefore densification, especially brownfields and infill developments within the urban edge and within in areas such as Dennesig (as proposed by the approved IDP) should be supported.</p> <p><b>The proposed parking is in line with the overall Transport Study (done as part of the Urban Design Study, dated September 2019). As a further motivation:</b></p> <p>The proposed development falls within close proximity to the proposed TOD area (where the use of public transport is supported and motivated) as well as the proposed car-pooling area on the R44. Ample secure parking for bicycles are provided. Given the central location of the proposed development, it will be easier for future residents to walk or cycle to town or campus. The proposed development will result in an increase in pedestrians and cyclists in the area which will result in increased safety in the area. The proposed development will also contribute to the provision and upgrade of dedicated pedestrian and cycling lanes though the payment of development contributions.</p> <p>The 2018 MSDF sets out principles for their vision of "car-free transport". The</p>	<p>The parking provided is in line with the Transport Study that was done for the Dennesig Area. The parking provided is to get residents within this development to use alternative transport methods such as none motorised modes of transport to and from the CBD area or to facilities that are located within walking distance of Dennesig.</p> <p>The under provision of parking will also help reduce the impact that the development will have on peak hour traffic as the majority of residents will use alternative modes of</p>
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		<p>proposed vehicular parking in combination with the ample provision of secure bicycle parking is perfectly aligned with these principles.</p> <p>From discussions with letting agents in Stellenbosch, there has already been a considerable decline in the uptake of parking bays for 2019.</p>	<p>transport to private vehicles.</p> <p>Additional on street parking will be provided for visitors to the neighbourhood of Dennesig in strategic positions that have less or no impact on the none motorized modes of transport or the NMT routes.</p>
Stellenbosch Roman Catholic Church	Objection to potential increase and noise	<p>The promotion and support for the use of non-motorized transport will help reduce potential noise disturbance caused by motor-vehicles.</p> <p>Majority of traffic movement past the church will be during peak traffic hours which does not coincide with times of the church services.</p>	<p>The objection submitted in terms of the additional noise that will be created by the additional traffic is noted but should this be the case will only be limited to peak hours during week days.</p>
	Objection to the provision of student housing	<p>The proposed development consists of flats, see response above.</p>	<p>The application under consideration is for the development of the property for flats and not a student accommodation and thus the building should accommodate a diverse range of tenants and not only students.</p>
	Potential Service upgrades will have a detrimental effect on church activities and endanger church buildings	<p>This should not be the deciding factor when infill development is considered. The area has been identified in the IDP as a high density infill area which will result in service upgrades and construction. This will however have to be done in accordance with a construction plan which will limit construction times and try to limit the impact on</p>	<p>The fact that existing infrastructure / services may need to be upgraded should have no impact on the church property as the municipal infrastructure / services are located within the road reserve</p>



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	<p>Objection to height as it will alter the nature of the area</p>	<p>surrounding property owners as much as possible.</p> <p>The proposed development is in line with the recommendations of the Urban Design Study.</p> <p>The area already has a number of 4 storey blocks of flats in the area and thus the area cannot be considered as a single residential area as the nature of the area has already changed considerably from that which it was originally developed as (single residential neighbourhood).</p> <p>The few single residential erven in the area have already been purchased by developers with the aim of redeveloping them for multi residential units in line with the guidelines set out by the Stellenbosch Municipality's approved IDP and SDF.</p> <p>The 5th floor of the proposed development will be set back from the street to reduce the visual impact on the street interface.</p>	<p>As the subject property is in an area identified for densification the buildings proposed will not be able to comply with the development parameters as prescribed in the zoning scheme due to the fact that densification needs to be facilitated. The result of this is that the building height will need to be increased to include additional storeys and bulk.</p> <p>To ensure that all the properties within the Dennesig neighbourhood are evaluated using the same criteria the Dennesig Neighbourhood Development Guidelines have been developed. The proposal under consideration has been evaluated in terms of these guidelines and complies with them.</p>
Meglis (Pty) Ltd	<p>Objected to the bulk and height.</p> <p>Concerns regarding massing and streetscape and open space</p>	<p>See response above.</p> <p><b>The proposed development is in line with the recommendations of the Urban Design Study.</b> As discussed above, it is inevitable that the massing and street scape will change</p>	<p>This issue has been addressed above.</p> <p>As noted above the Dennesig Neighbourhood Development Guidelines have been</p>



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		<p>from what it is now. It is considered that the massing and placement of the proposed building will tie in with the applications currently under consideration for similar type of developments as well as the existing general residential buildings in the area. The design of the proposed building took cognisance of the design of the newly constructed The Den to the rear of the property and the proposed building on erven 141 and 142 directly east of the application site. The building design was done in accordance with recommendations by the municipal planning officials during the pre-application meeting where they indicated that the building should be aesthetically pleasing and create a visually pleasing street scape. As requested by the municipal officials, the building will be situated on the front of the property with the parking shielded from the street by the ground floor units and gardens. The proposed gardens on the ground floor will interact directly with the street front and increase passive and active observation. The proposed building line will be in line with that of the proposed building on erven 141 and 142 which will assist in adding continuity to the architectural façade along Paul Kruger Road and the R44.</p> <p>Where possible, the mature trees on site, along Paul Kruger street and the R44 will be preserved to soften the visual impact of the proposed development.</p> <p>Roof top gardens on the 4<sup>th</sup> floor will provide high quality communal outdoor space, which together with the ground floor gardens and tree-area along the R44 equates to approximate 40% of open space.</p>	<p>developed to ensure that the impact of the additional floor area and storeys will be acceptable.</p> <p>The guideline will also ensure that the character of the area is such that it will promote a sense of place and that the buildings proposed will be designed to ensure that they interact with the streetscape and facilitate a vibrant living space.</p> <p>The concerns raised by the objector have also been addressed in the guidelines set out in the Dennesig Neighbourhood Development Guidelines which will ensure that buildings interact with the streetscape and that the additional mass of the buildings has minimal impact on the character of the neighbourhood in general.</p>
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	<p>Departures will have an impact on the adjoining properties</p> <p>Objection to parking departure</p>	<p>We assume this refers to the current single residential properties. The Den development to the rear of the application site already replaced the single residential houses there and Erven 141 and 142 are currently under consideration for a similar development. There will be no single residential erven within the immediate vicinity of the application site.</p> <p>See above</p>	<p>This comment is noted but will not be relevant once all the properties within Dennesig have been developed in line with the Dennesig Neighbourhood Development Guidelines.</p> <p>The under provision of parking as noted by the objector has been mitigated by the fact that the development of the area also includes a "Woon erf" concept road reserve which will ensure that tenants and owners within the Dennesig area are encouraged to use alternative modes of transport, thus reducing the need to use private vehicles. The TIA has taken this fact into consideration and thus the under provision of parking on these properties is supported.</p>
Marius Munstermann	<p>Objects to rezoning based on concerns regarding pollution (including location close to industrial area), over supply of student housing and believes the development is not financially viable.</p>	<p>The area is already a residential area and not affected by the industrial area situated west of the R44. The proposed units will face towards Paul Kruger Road and Van der Stell sports fields, none of the units will face directly onto the R44. The units will be set back and shielded from the R44 with a landscape area and trees. It is not considered that the area will be affected by pollution from the</p>	<p>This comment is noted but the objector has also obtained approval to redevelop two consolidated properties for multi residential purposes and thus is also contributing to his statement.</p>



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	<p>Objects to more than 30 units.</p>	<p>industrial area or fumes from the R44 to warrant refusal.</p> <p>The draft Stellenbosch SDF and Status Quo document indicates a very high demand for student and more affordable housing as well as entry level housing for young professionals and small families. It is clear that there is a very high need for more accommodation in Stellenbosch. The proposed limit of 30 units is unfounded and will not result in the optimal use of the land, which is a scarce resource and should be used to its maximum potential.</p>	
	<p>Objects to height of more than 3 storeys.</p>	<p>See above. The character of the area has already changed from single to three storey buildings and a 4 – 5 storey building will not be out of character. The IDP has identified this area for height density developments with heights of up to six storeys.</p>	<p>As noted above the objector has obtained approval for a multi residential building even though a number of the surrounding property owner submitted objections to the three storey building that has been approved on his rezoned and consolidated property.</p>
	<p>Objects to building line departures based on concerns regarding pollution and safety.</p>	<p>The ground floor units will be set back more almost 4m from the road which is considered sufficient to provide privacy but to still allow for passive observation which will increase safety in the area. From a design perspective it is considered better practice to have the buildings situated closer to the street boundary with parking shielded from view at the rear of the building. This enhance the visual appearance and create a better interaction between the building and street scape. As Paul Kruger road does not link with the R44, there will be very limited traffic past this proposed development.</p>	<p>The issue of building line departures has been addressed above.</p>



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	<p>Objects to coverage based on stormwater runoff concerns.</p> <p>Objects to the provision of "too much parking"</p>	<p>The increased coverage will not result in an increased coverage to warrant refusal. The increased coverage will allow for densification to the extent as supported in the IDP and SDF to allow for a high density development. It should also be noted that there are currently two existing buildings with paved parking areas on the sites. A stormwater management plan will be designed to ensure that the pre and post development runoff stay the same.</p> <p>The parking provision is stipulated by the Stellenbosch Municipality. Though we agree that the number of parking bays provided should be kept at a minimum it is unlikely that the municipality will support less than currently proposed.</p>	<p>The issue of coverage, bulk height and building line departures has been addressed above.</p> <p>The proposal under consideration is supported by the Manager: Development (Infrastructure Services) as adequate services are available for the new building to be connected to.</p> <p>The issue of parking has been addressed by the TIA and the amount of parking provided is adequate for the proposed development. Onsite parking is required as the owners and tenants within the building will in most probability have a vehicle.</p>
Department Spatial Planning, Heritage and Environment	<p>Objects to the provision of housing targeted mainly at students. Proposed development does not address the socio-economic profile and needs of the town.</p>	<p>The proposed development is not exclusively targeted at students but also aimed at young professionals, first time home owners and small families who wish to enter the property market in Stellenbosch or who wish to be within walking distance from the town and surrounding amenities. Though only one and two bedroom units are proposed, it is considered that this ties in with national and provincial densification policies. It is considered</p>	<p>This comment has been addressed above in detail.</p>



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		<p>that the high cost of land in Stellenbosch reduces the affordability of units. Only through densification (which also includes the provision of smaller but liveable spaces and allowing for increased development rights) can units become more affordable and can more people live closer to town centres and surrounding amenities.</p> <p>It is also argued that property prices in Stellenbosch are excessively high as there is still a very high demand for accommodation such as the proposed. It is anticipated that the property prices will stabilize/decrease only when the supply outweighs the demand, which will in turn have a positive effect on the affordability of the units.</p> <p>As the land cost in Stellenbosch is excessively high, it is very difficult for private developers to provide more affordable housing. One of the possible ways to achieve this is to allow for densification (such as the increased bulk, coverage and height as proposed) in centrally located areas such as the Dennesig area. By allowing for the proposed increased density within Dennesig, pressure for housing within single residential neighbourhoods and agricultural land will be reduced.</p>	
	<p>Objects to a height of more than 4 storeys (based on possible sunlight and loss of privacy on property to the south, previous erven 161 and 162, The Den)</p>	<p>Please refer to attached Annexure I for an illustration of the effect the height will have on the extend of loss of sunlight. The height of the proposed building will only impact the morning sun as the sun would have moved past the development by 12:00 (a bit later during winter months). It is also argued that most of the units at the Den will be vacant between 07:30 – 17:00 as it can be</p>	<p>The issue of impact of a building on the adjoining property has been addressed in the Dennesig Neighbourhood Development Parameters and by the applicant as the building has been setback from the</p>



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		<p>expected that the residents in these units will be at class/ work during the day. The additional 5th floor will not result in a significantly higher degree of loss of sunlight to the Den to warrant refusal.</p> <p>The proposed building will be set back 4.2m from the rear boundary, with only six units on the 4th floor. The newly constructed The Den is set back at least 4.6m which will result in an area of almost 9m between the two buildings. This is considered a sufficient set back to allow for natural light and privacy especially as this area is considered to be an area to be developed as a high-density area. It is not considered that the possible additional overlooking from the 5th floor towards the Den will result in an increase in loss of privacy to that of only a 4th floor building to warrant refusal.</p> <p>The 4th floor will also help to prevent overlooking from the main rooftop garden proposed on the roof of the 3th floor section, which will help to protect the privacy of the residents of the Den. The roof top braai area proposed on the 5th floor section can be shielded from the developments to the south to prevent overlooking.</p>	<p>property boundary where it did not have to comply with the Dennesig Neighbourhood Development Parameters.</p> <p>The fact that the building will exceed a height of three floors / storeys will not result in any additional impact on the adjoining properties as the building has been setback where possible.</p>
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### PART H: SUMMARY OF COMMENTS FROM INTERNAL DEPARTMENTS AND/OR ORGANS OF STATE AND/OR COMMUNITY ORGANISATIONS AND/OR WARD COUNCILLOR

NAME OF DEPARTMENT	DATE	SUMMARY OF COMMENTS	RECOMMENDATION		
Manager: Development (Infrastructure Services)	27/11/2019	The proposal is supported by this department with standard conditions.	<b>Positive</b>	Nega-tive	No Com-ment
Department Spatial Planning, Heritage and Environment	05/12/2019	The proposal is supported by this department with standard conditions.	<b>Positive</b>	Nega-tive	No Com-ment
Western Cape, Department of Transport and Public Works	16 November 2018	The proposal is supported by this department with standard conditions of approval.	<b>Positive</b>	Nega-tive	No Com-ment

### PART I: MUNICIPAL PLANNING EVALUATION ( REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

#### Background:

The application site (being Erf 139 and 141) is situated in Dennesig which has been identified by the approved IDP as an area for high density developments. Though the Dennesig neighborhood was initially designed as a single residential suburb, the close proximity to the Stellenbosch University campus and CBD has led to the change in character to higher density general residential buildings. The application site is located next to Adam Tas Road which has a negative impact on the quality of the environment. General residential buildings were erected or are in the process of being erected across the road to the north (Plumbago) and directly to the south (recently completed the Den). Similar applications to this has already been submitted to the municipality for consideration for properties directly to the east and up to Dennesig Road (see Figure 1 as included above). For all practical purposes the site is therefore surrounded by general residential buildings. In addition to the above locational factors, the Adam Tas Corridor was identified as an area that can be redeveloped based on the Transport Orientated Development model (TOD).

The TOD Concept focusses on transport modal interchange sites along transport routes, and to earmark areas along these routes for high-density residential led mixed use development. The TOD Concept is based making public transport modes more accessible to commuters in close proximity to residences. Such developments are usually characterized by a wide range of housing types that caters for a diverse range of income groups and families.

The subject property is zoned Single Residential, which permits the property owner to construct a dwelling house for a single family with ancillary outbuildings. The current zoning does thus not allow for the construction of a block of flats and / or a general residential building. The owner's proposal for this property is not to create an accommodation establishment exclusively targeted at students, but to develop a high density, residential



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development consisting of flats which is within walking distance from Stellenbosch CBD and the Stellenbosch University Campus; and which promotes the use of non-motorized transport.

The proposed development entails the consolidation of the two erven, the rezoning of the consolidated property, and various departures to allow for a five (5) storey residential complex, consisting of 43 one bedroom units and 23 two bedroom units, totaling 66 residential units. The proposed development is comprised of two sections, the front section boarding on Paul Kruger which will be a 4 storey building with the rear section being a 5 storey building which is set back from the street. Parking will be provided on the ground floor, shielded from Paul Kruger Road by a number of ground floor units within the 4 storey section. A basement parking area has been provided and the proposal provides for 66 standard parking bays, 66 bicycle bays and 11 tandem bays, with a total of 77 vehicle parking bays, which is acceptable to the Transport Engineer.

During the application process, the Stellenbosch Municipality called for an overall urban design and traffic study to be undertaken for the Dennesig Neighborhood. The initial development proposal, as submitted in August 2018 had to be amended to comply with the requirements and proposals of these studies. The amended development proposal entails the rezoning of the property with various departures to allow for a 5 storey residential complex, consisting of 43 one-bedroom units and 23 two-bedroom units, totaling 66 residential units.

(In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

- The proposed development is consistent with the principle contained in SPLUMA, particularly the principles of "spatial sustainability" and "efficiency"
- The proposed development is aligned with spatial sustainability, as it will permit a high-density residential development, in close proximity to the university campus and town and encourage walking or cycling, hence decreasing the need for motorised vehicles.
- In terms of "efficiency," the proposed development makes use of existing infrastructures (roads, sewers, etc.) which decreases the need for significant upgrades to infrastructure.
- The public participation process, as set out by SPLUMA, has been adequately attended to within this application.

(In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Consistent with LUPA

(In)consistency with the IDP/Various levels of SDF's/Applicable policies

In terms of the approved IDP and the MSDF for Stellenbosch Municipality, the subject property is located within the urban edge and in the Dennesig area which has been identified by these policies as an area for high density infill developments.

(In)consistency with guidelines prepared by the Provincial Minister

Consistent with all relevant guidelines, specifically relating to urban densification and infill development.



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### Outcomes of investigations/applications i.t.o other laws

Not applicable.

### Existing and proposed zoning comparisons and considerations

The following table provides a summary of a comparison between the maximum development parameters and the proposed development. **It should be noted that the amended development, in the far-right column, is the result of the proposals made by the overall design study to which this proposal had to comply. The attached "Compliance Letter / Happy Letter" confirms that the amended proposal complies with the findings and recommendations from the study.**

Land Uses and Rules (Flats) Erf size: 1 724m <sup>2</sup>	Permitted Development General Residential (GR)	Original Proposal (August 2018)	Amended Proposal (October 2019)
Street Boundary BL R44	7.6m	6.51m	<b>All Floors: 5.35m</b>
Street Boundary BL Paul Kruger Road	7.6m	2.49m	<b>Ground 1.1m Floors 1 - 3: 0m Floor 4: 11.5 m</b>
Common Boundary BL (Side) Erf 141	4.6m	3.56m	Ground Floor: 5.38 <b>Floors 1 – 3: 0m Floor 4: 5.08m</b>
Common Boundary BL (Rear) Erven 16399 and 163	4.6m	4.06	<b>Floors 1 – 4: 4.2m</b>
Coverage	25% (431m <sup>2</sup> )	47% (816m <sup>2</sup> )	60% (1 034m <sup>2</sup> )
Height	3 Storeys + 1 if more than 75% of any storey is occupied by parking	5 Storeys	5 Storeys
Floor Factor	0.5	1.18 (2 026,73m <sup>2</sup> )	1.6 (2 720m <sup>2</sup> )
Number of Units	N/A	52 units 33 < 30m <sup>2</sup> 19 > 30m <sup>2</sup> (38 one-bedroom 14 two-bedroom)	66 0 < 30m <sup>2</sup> 66 > 30m <sup>2</sup> (43 one-bedroom 23 two-bedroom )
Parking	99 required: 1.25: dwelling units > 30m <sup>2</sup> 0.25 per dwelling unit for visitors	61 (50 vehicle bays, 48 bicycle bays 12 motorcycle bays)	77 (66 vehicle bays, 66 bicycle bays PLUS 11 tandem bays)
Communal Outdoor Space	25% (431m <sup>2</sup> )	41% (714m <sup>2</sup> )	41% (714m <sup>2</sup> )



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**Table 1: Zoning Compliance of Proposed Development**

Only Marius Munsterman objected to the proposed building line departures, based on safety and pollution concerns which were addresses above. The Department Spatial Planning, Heritage and Environment supports the proposed building line and the Engineering Department supports the parking departures. Although the proposed coverage proposed exceeds the current development parameters applicable to a property zoned for General Residential purposes, it is considered to be in line with current densification strategy for the Dennesig Neighborhood, as set out in the Stellenbosch SDF and IDP.

The need and desirability of the proposal

The proposed development is situated in an area which has been identified by the Stellenbosch Municipality as an area for high density development. The subject properties are located in an area within close proximity of the University and CBD area of Stellenbosch where there is a high need for this type of development. The proposed development is seen as sensible high density infill development within the urban edge and this area is one of a number of areas identified in the SDF where densification should be promoted as a result of its location within Stellenbosch Town. The proposal will also facilitate the optimal use of the existing infrastructure within the urban edge.

The proposed development consists of one and two bedroom flats and is not targeted exclusively for students. The proposal would also appeal to young professionals and first time property owners. The increased development area will enable the marketing of the units at a more affordable rate than what is currently available in other parts of Stellenbosch.

**PART J: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS**

Financial or other value of the rights affected

The removal of restrictions, in this case, would likely entail a financial gain, both for the owner of the property (who will benefit from increasing rental value from leased units), as well as surrounding land owners due to the increase in property value as a result of the proposed development.

Benefits to the holder of such rights in terms of the restrictive condition

The developer would be able to maximise the development potential of the property and ensure that existing infrastructure is optimally utilised.

Personal benefits which will accrue to the applicant

The removal of the restrictive title deed condition will enable the owner to optimally develop the property by allowing flats to be developed in lieu of an accommodation establishment which can currently only be developed.



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Social benefit of the restriction remaining in place:

None

Social benefit of the proposal and whether the application will completely remove all rights enjoyed by the beneficiary or only some of those rights

None

#### **PART K: SUMMARY OF EVALUATION**

The subject property is located in a neighbourhood known as Dennesig which is bounded by Merriman-, Bird-, Molteno Street and Adam Tas Road. While the neighbourhood is largely residential in character, it includes retail land uses predominantly along Bird- and Merriman Street and a church complex towards the northern extent of the neighbourhood. Dennesig is located on the periphery of Stellenbosch CBD and is currently experiencing significant pressure from developers to transform its eclectic nature. The proposals mostly include the consolidation of single residential erven to form bigger development sites or blocks.

The area has been identified as an infill area where densification is be promoted. This is mainly due to the fact that the area is located within walking distance of the CBD area and most of the facilities that a resident of the area would need. To facilitate a uniform design language for the area and to ensure that a vibrant living environment will be created once the redevelopment of the properties are complete the Municipality requested the current developers within the area to facilitate the development of urban design guidelines for the area. The urban design guidelines were developed with the help of a team of professionals consisting of an urban designer and a traffic engineer. The urban design component was required to facilitate a uniform set of guidelines that would enable the developers to develop their properties with specific guidelines or design language, but did not limit them to a specific architectural style. As a result, the initial proposals that were submitted prior to the Design Guidelines being drafted for the area, had to be amended. The proposal under consideration has thus been amended to comply with the design guidelines as determined in the Dennesig Neighbourhood Development Guidelines.

The main aim of the guidelines (Dennesig Neighbourhood Development Guidelines) is to establish a generous public realm that services the lowest common denominator, in this case pedestrians. Thus the streets within the development are also to be designed with pedestrians in mind where roads have been translated into streets. The streets are imagined to be generous, offering good protection from the elements and generous landscaping. All streets that traverse the neighbourhood are continuous and integrated into the neighbouring areas. On-street parking is limited to where it is managed, doesn't interfere with pedestrian movement and where it will slow down traffic. The remainder of the parking is shifted to below grade and hidden in structured parking area within the proposed buildings.

The traffic engineering component of the team was tasked with determining what the impact of the proposals currently submitted and the possible future impact of the properties that could be developed within this area would have on existing traffic patterns and volumes. The traffic engineering component of the study as noted above was also required to ensure that none motorised traffic within the area was prioritised.



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This was done to facilitate and ensure that residents within the area would opt to not use private vehicles on a daily basis as they would have easy access to other modes or forms of transport, such as non-motorised and public transport facilities. The developers were also encouraged to provide the minimal number of vehicle parking bays required for the developments but also had to include parking facilities and secure facilities for non-motorised modes of transport (Cycles) and motorcycles.

The proposal under consideration as noted above has been amended to comply with the Dennesig Neighbourhood Development Guidelines and thus the impact of the building in terms of its height, scale, bulk and setbacks complies with these drafted guidelines. The on-site parking provisions have also ensured that the tenants of the building will be able to store their vehicles on-site but out of view of the street within a secure area. The building has been setback where required and only encroaches a number of building lines to comply with the drafted design guidelines (Dennesig Neighbourhood Development Guidelines). Where the building encroaches the side building lines to comply with the design guidelines it has been done in a sensitive manner to ensure that the building is not intruding on the adjoining properties private recreational areas. Windows, corridors and balconies have also been placed on the property or within the building to ensure that they have minimal impact on the adjoining properties. The objections / concerns submitted by the objector are noted but should be mitigated as development within this area progresses and the residential area is transformed by the high density buildings which will all need to comply with the Dennesig Neighbourhood Development Guidelines.

The residential units within the subject building comprise of one and two bedroom units which should ensure a diverse composition of tenants and owners within the building. This will also ensure that the building is not only occupied by students but also working young professionals. The encroachments applied for will also ensure that a living, vibrant streetscape is created.

As all the properties within this area will need to belong to a Master Owners Association once they want to redevelop to ensure that they comply with the Dennesig Neighbourhood Development Guidelines and ultimately comply with the approval conditions of the Directorate: Infrastructure Services. The MOA will also ensure that the Development Contributions of each of the developments are used as required and to facilitate the implementation of the changes that need to be made to the existing streets to prioritise pedestrian movement and to ensure that the existing infrastructure within the area is upgraded to meet the needs of the area and its residents.

**PART L: RECOMMENDATION**

1. That **approval be granted** in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the following applications:
  - 1.1 **Removal of the Title Deed Restrictions** from the Title Deed T28075/1996 for Erf 139 and Title Deed T54174/2012 for Erf 140 which reads as follows:
 

The Title Deed T28075/1996 for Erf 139

    - 1.1.1 Clause B: "Not entitled as a result of condition (a) in paragraph C hereunder to the benefit of the reservation of water rights but otherwise entitled to the benefit of the conditions as referred to in the two notes dated 2 June 1939 and 5 June 1939 on deed of Transfer No T7492/1932 which reads as follows: " Deur die ondergenoemde Aktes van Transport van erwe in die Kromme Rivier C Dorp is deur die eienaar en sy opvolgers in title van die restant van die eiendomme paras. 1, 2, 3, en 4 van hierdie Akte al sy bestaande regte as oewereienaar uigehou en die grond deur die gesegde Aktes oorgedra is onderhewig ten gunste van die gemelde eiendomme hieronder gehou en



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sekere rege wat betref die bedryf van sekere besighede en verkoop van terk drank, soos meer volledig sal blyk uit transportakte Nrs. 5594 gedateer 2.6.1939; 9842 gedateer 8.9.1939; 536 gedateer 25.1.1940; Nr 4379 gedateer 9.5.1940;"

- 1.1.2 Clause C (a) " dat die bogenoemde erf nie geregtig sal wees op die gebruik van enige water uit die Kromme Rivier vir huishoudelike of enige ander doeleindes die Transportgewer behou vir himself as eienaar van die grond nog in sy naam geregistreer onder die gemelde Akte van Transport gedateer 10 Desember 1970 nr. 7492 en sy opvolgers in title al sy teenwoordige bestaande regte as oewereienaar op sulke regte"
- 1.1.3 Clause C(b): " Geen bottelstoor, kantien of plek waar sterk drank kan verkry word sal op die hierbogemelde grond opgerig word nog sal enige hotel, slagter, algemene handelaar of andere besigheid van sulke aard gedryf of gedoen word daarop."
- 1.1.4 Clause D(a): "Die erf moet uitsluitlik vir woning doeleindes gebruik word."
- 1.1.5 Clause D(b): " Dat die erf nie verdeel sal word nie."
- 1.1.6 Cause D(c): "Dat nie meer as een woonhuis met die nodige buitegeboue en toebehoorsels op die erf gebou sal word nie en dat nie meer as een helfte van die oppervlakte van die erf op gebou word nie."
- 1.1.7 Clause D(d): " Dat geen gebou binne 5,67 meter van enige straatlyn wat die grens van die erf is, moet opgerig word nie."
- 1.1.8 Clause E(3): " Dat die eienaar van elke erf en die namalige eienare daarvan verplig sal wees om die rioleering en rioolstelsel van enige erf of erwe oor sodanige erf te laat neem indien nodig geag deur die Munisipaliteit redelike vereis word."

Title Deed T54174/2012 for Erf 140:

- 1.1.9 Clause B (a): "dat die bogenoemde erf nie geregtig sal wees op die gebruik van enige water uit die Kromme Rivier vir huishoudelike of enige ander doeleindes die Transportgewer behou vir himself as eienaar van die grond nog op 23 Augustus 1932 in sy naam geregistreer onder die gemelde Sertifikaat van gegistreeerde Titel gedateer 15 Oktober 1888 en Sertifikaat van geregistreeerde Titel gedateer 16 September 1932 nr. 7492 en sy opvolgers in titel al sy teenwoordige bestaande regte as oewereienaar op sulke regte"
- 1.1.10 Clause B(b): "Geen bottelstoor, kantien of plek waar sterk drank kan verkry word sal op die hierbogemelde grond opgerig word nog sal enige hotel, slagter, algemene handelaar of andere besigheid van sulke aard gedryf of gedoen word daarop."
- 1.1.11 Clause C(a): " die erf moet uitsluitlik vir wonings doeleindes gebruik word. Geen winkel of hotel en geen handel of industriële besigheid van enige aard sal daarop gedryf word nie."
- 1.1.12 Clause C(b): " dat die erf nie sal verdeel word nie".



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- 1.1.13 Cause C(c): "Dat nie meer as een woonhuis met die nodige buitegeboue en toebehoorsels op die erf gebou sal word nie en dat nie meer as een helfte van die oppervlakte van die erf op gebou word nie."
- 1.1.14 Clause C(d): " Dat geen gebou binne 18 voet van enige straatlyn wat die grens van die erf is moet opgerig word nie."
- 1.1.15 Clause D(3): " Dat die eienaar van elke erf en die namalige eienare daarvan verplig sal wees om die rioleering en rioolstelsel van enige erf of erwe oor sodanige erf te laat neem indien nodig geag deur die Munisipaliteit redelike vereis word."
- 1.2 **Consolidation** of erf 139 and erf 140 into a single, consolidated unregistered property;
- 1.3 **Rezoning** of the consolidated unregistered property from Single Residential to General Residential;
- 1.4 **Permanent** departures to allow for the relaxation of the following building lines:
  - 1.4.1 Street boundary building line (R44) from 7.6m to 5.0m for the basement parking;
  - 1.4.2 Street boundary building line (R44) from 7.6m to 1.620m for the basement parking area;
  - 1.4.3 Street boundary building line (R44) from 7.6m to 5.35m for the building;
  - 1.4.4 Street boundary building line (Paul Kruger Road) from 7.6m to 1.62m for the basement parking area;
  - 1.4.5 Street boundary building line (Paul Kruger Road) from 7.6m to 1.1m on Ground Floor and 0m on Floors 1- 3;
  - 1.4.6 Common boundary building line (Erf 141) from 4.6m to 0m for the parking area on ground floor and the basement parking area;
  - 1.4.7 Common boundary building line (Erf 141) from 4.6m to 0m on Floors 1 – 4 (only on front 4-storey section of building);
  - 1.4.8 Common boundary building line (rear -Erf 16399 and 163) from 4.6m to 4.2m on Floors 1 – 4.
- 1.5 **Permanent departures** to allow for:
  - 1.5.1 Relaxation of permissible **coverage** from 25% to 60%;
  - 1.5.2 Relaxation of permitted **floor factor** from 0.5 to 1.6;
  - 1.5.3 Relaxation of **height restrictions** to allow for a five-storey building in lieu of a 3 storey building;
  - 1.5.4 Relaxation of **required parking bays** from 99 bays to 77 bays (which would include parking provision for 66 bicycles, 66 motorized vehicles and 11 tandem bays, as result having a parking ratio of 1.29 parking bays / unit. (If the 11 tandem parking bays are not included in the parking calculation)
2. That the approval granted in Sections 1 above is subject to the following conditions in terms of Section 66 of the above-mentioned by-law;
  - 2.1 The approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
  - 2.2 That the conditions of approval as imposed by the Manager: Development (Infrastructure Services) in its memo dated 27 November 2019, condition C & D of the memo be adhered to (**Annexure H**);



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- 2.3 That the applicant submits an electronic copy (shp,dwg,dxf) of the consolidation diagram which was preliminary approved by the SG indicating the newly allocated Erf Number, Co-ordinates and Survey Dimensions;
- 2.4 The development be undertaken in accordance with the approved site development plan as attached in **Annexure B**, The Edge, Rev 12, dated 27 November 2019;
- 2.5 Building plans are to be submitted to the Municipality for approval prior to any building work taking place on the property;
- 2.6 A landscaping plan be submitted for approval and implemented prior to an occupation certificate being issued;
- 2.7 The approvals granted for the departures only comes into effect once the relevant title deed has been endorsed by the Registrar of Deeds;
- 2.8 An occupation certificate will only be issued once the title deed has been endorsed and registered in the deed office;
- 2.9 Rates clearances will only be granted once all the conditions of approval for the development have been complied with;

**PART M: REASONS FOR RECOMMENDATION**

The proposed development is recommended for approval for the following reasons:

1. The proposed development is in line with the Dennesig Neighbourhood design Guidelines, September 2019 as confirmed with the Letter attached as **Annexure K**;
2. The proposed removal of the relevant restrictive title deed conditions will enable the owner to develop the property to the optimal development potential in line with the approved IDP;
3. The subject property is located in an area where high density development is being promoted by Council due to its proximity to the Stellenbosch University and Central Business District;
4. The proposed development is not seen to be out of scale or character with its surroundings;
5. The development is compatible with the surrounding land uses and built environment;
6. The applicant has followed due process for public participation;
7. The proposed development ties in with the existing character and land use of the surrounding area;
8. The proposal is seen as a form of sensible densification and will make optimal use of existing infrastructure;
9. The proposed development is in line with the Stellenbosch MSDP, IDP and other relevant planning legislation;
10. The proposed redevelopment of the subject property complies with the land use planning principles referred in Section 59 (spatial justice, spatial sustainability, efficiency and good administration) of LUPO.



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## PART N: ANNEXURES

Annexure A	Locality and Zoning map
Annexure B	Proposed Site Development Plan, Floor Plans and Elevations
Annexure C	Title deed and Conveyance certificate
Annexure D	Motivation of Applicant
Annexure E	Portfolio of Evidence/ Affidavit
Annexure F	Objections/ comments received from Interested Affected parties
Annexure G	Applicant's comments on objections
Annexure H	Comments received from Internal and External Departments
Annexure I	Sunlight Modelling and SDP of The Den (erven 161 and 162)
Annexure J	Letter of support as provided by Khalied Jacobs (Urban Designer)
Annexure K	Dennesig Neighbourhood Development Guidelines

## PART T P: SIGNATURES

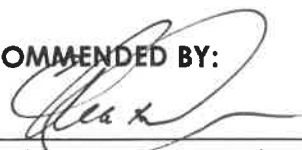
### REPORT COMPILED BY:



**R FOOY**  
**SENIOR TOWN PLANNER**

13/01/2020  
**DATE**

### RECOMMENDED BY:



**CRAIG ALEXANDER PR PLN (A/1749/2013)**  
**ACTING MANAGER: LAND USE MANAGEMENT**

13/01/2020  
**DATE**



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**PART U: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL DECISION IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW, OCTOBER 2015:**

APPROVE		APPROVE IN PART		REFUSE	
<p>Tick the appropriate box:</p> <p><b>SIGNATURE:</b> _____ <b>DATE:</b> _____</p> <p><b>CHAIRPERSON OF THE MUNICIPAL PLANNING TRIBUNAL</b>  <b>DR D J DU PLESSI</b></p> <p><b><u>ADDITIONAL COMMENTS IF ANY:</u></b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>					

## **ANNEXURE A**

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## **ANNEXURE B**



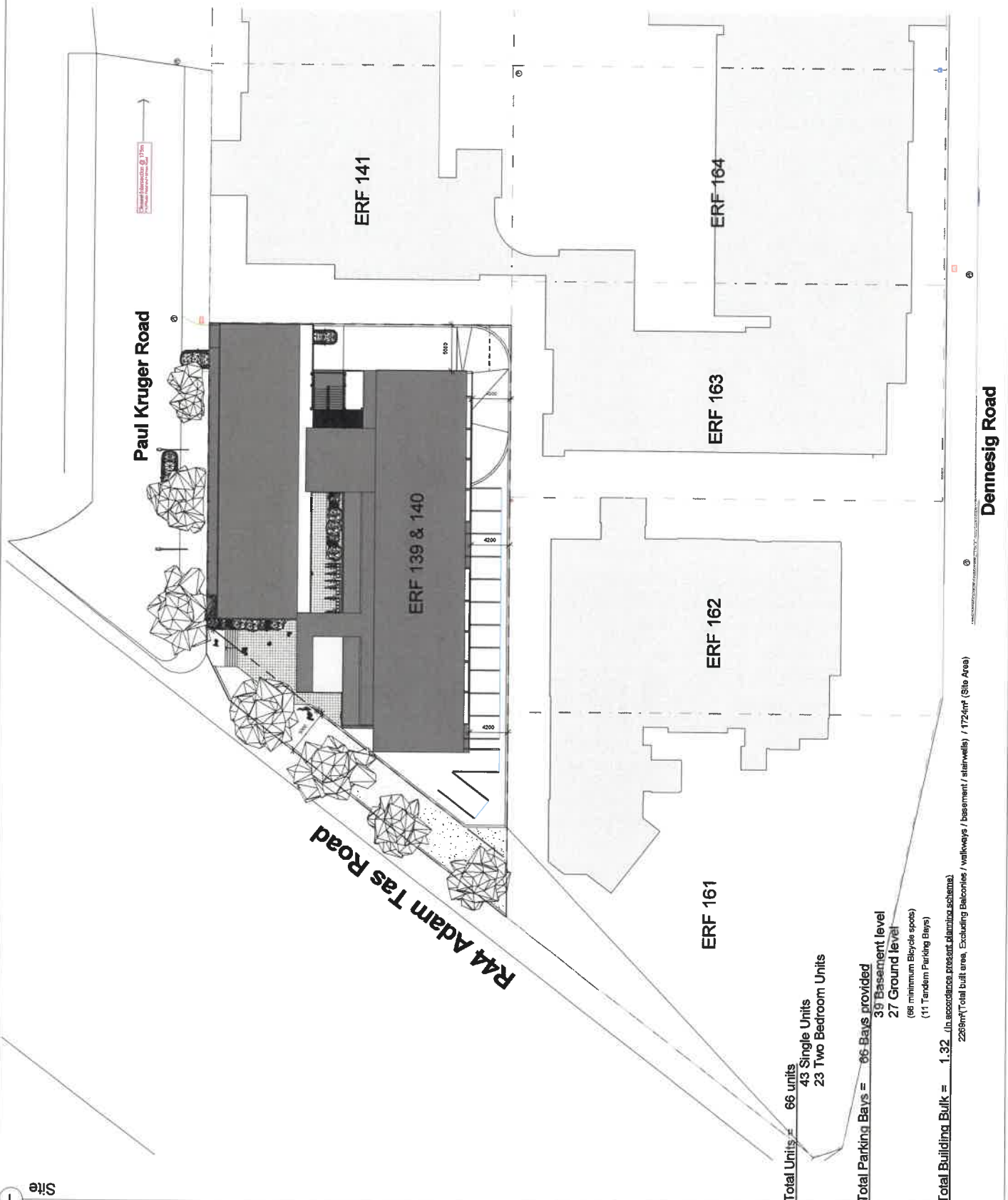
Site Area - 1,724m <sup>2</sup>	
Unit Break Down	
apartments	43
garages	23
Building Coverage (excluding parking ramp)	
1,034.3m <sup>2</sup>	
Building Coverage (including parking ramp)	
1,363.7m <sup>2</sup>	
Maximum Building Height - 16.855m	
Maximum Level Count - 5 Storeys	
Total Let-able area - 2,720m <sup>2</sup>	
Total Circulation area - 851m <sup>2</sup>	
Total Green Open Space - 714.31m <sup>2</sup>	

No.	Description	Date
REC 25	Paid to: Trust of Impact Studies LLC - Research	7/21/2019
REC 24	Intercompany - Affiliated Unit	1/6/2019
REC 23	Intercompany - Affiliated Unit	2/6/2019
REC 22	Intercompany - Affiliated Unit	2/6/2019
REC 21	Intercompany - Affiliated Unit	2/6/2019
REC 20	Intercompany - Affiliated Unit	2/6/2019
REC 19	Intercompany - Affiliated Unit	2/6/2019
REC 18	Intercompany - Affiliated Unit	2/6/2019
REC 17	Intercompany - Affiliated Unit	2/6/2019
REC 16	Intercompany - Affiliated Unit	2/6/2019
REC 15	Intercompany - Affiliated Unit	2/6/2019
REC 14	Intercompany - Affiliated Unit	2/6/2019
REC 13	Intercompany - Affiliated Unit	2/6/2019
REC 12	Intercompany - Affiliated Unit	2/6/2019
REC 11	Intercompany - Affiliated Unit	2/6/2019
REC 10	Intercompany - Affiliated Unit	2/6/2019
REC 9	Intercompany - Affiliated Unit	2/6/2019
REC 8	Intercompany - Affiliated Unit	2/6/2019
REC 7	Intercompany - Affiliated Unit	2/6/2019
REC 6	Intercompany - Affiliated Unit	2/6/2019
REC 5	Intercompany - Affiliated Unit	2/6/2019
REC 4	Intercompany - Affiliated Unit	2/6/2019
REC 3	Intercompany - Affiliated Unit	2/6/2019
REC 2	Intercompany - Affiliated Unit	2/6/2019
REC 1	Intercompany - Affiliated Unit	2/6/2019

## The Edge

## Site Plan

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
A000	
Scale	1 : 200



**Total Units = 66 units**  
43 Single Units  
23 Two Bedroom Units

**Total Parking Bays = 66 Bays provided**  
**39 Basement level**  
**27 Ground level**  
 (66 minimum Bicycle spots)  
 (11 Tandem Parking Bays)

Total Building Bulk = 1.32 (In accordance present planning scheme)

Dennesig Road

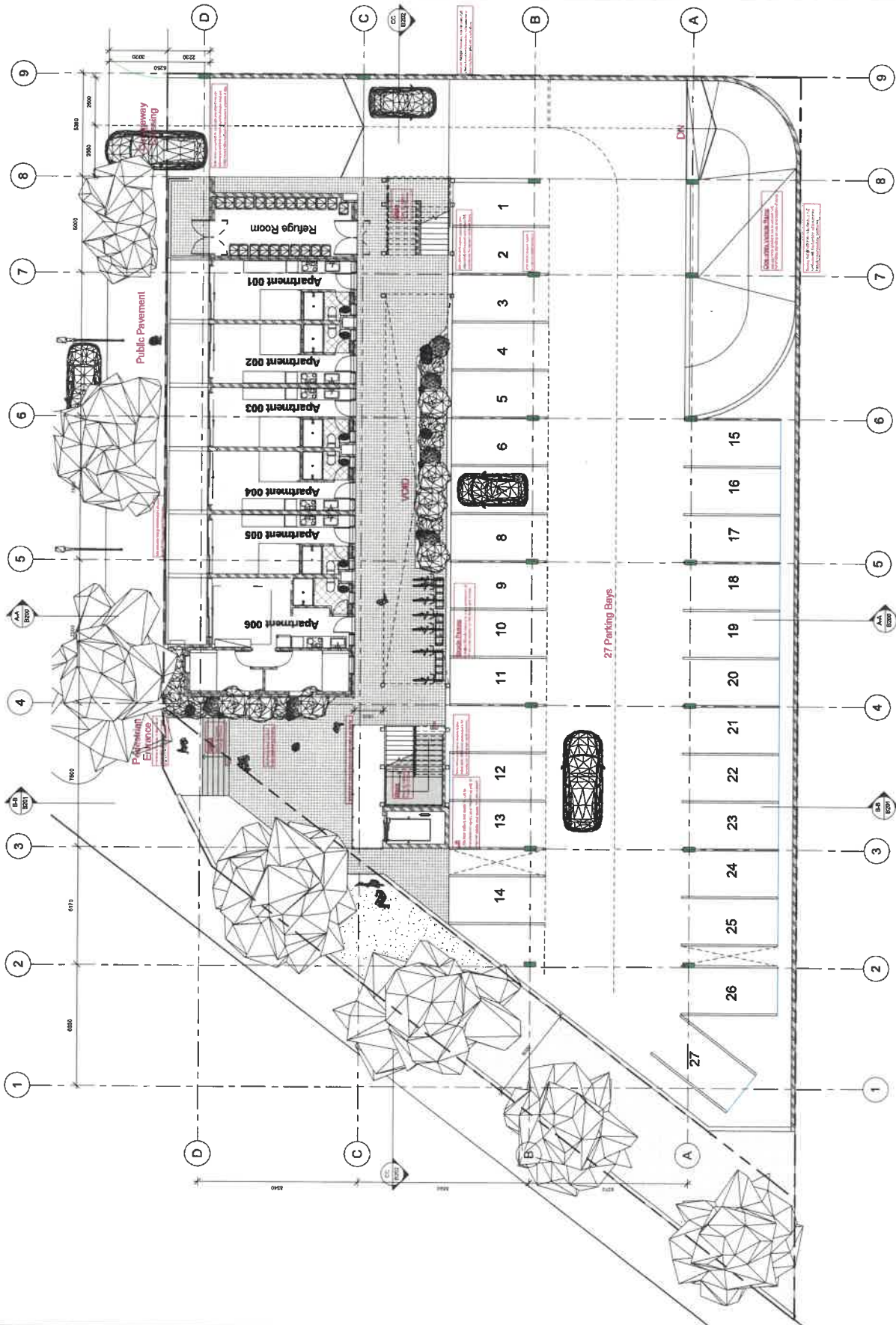


Parking Bay/s 27

[illegible]

## 00 Ground Floor Plan

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	A100
Scale	1 : 100



1 00 Ground Level  
1 : 100

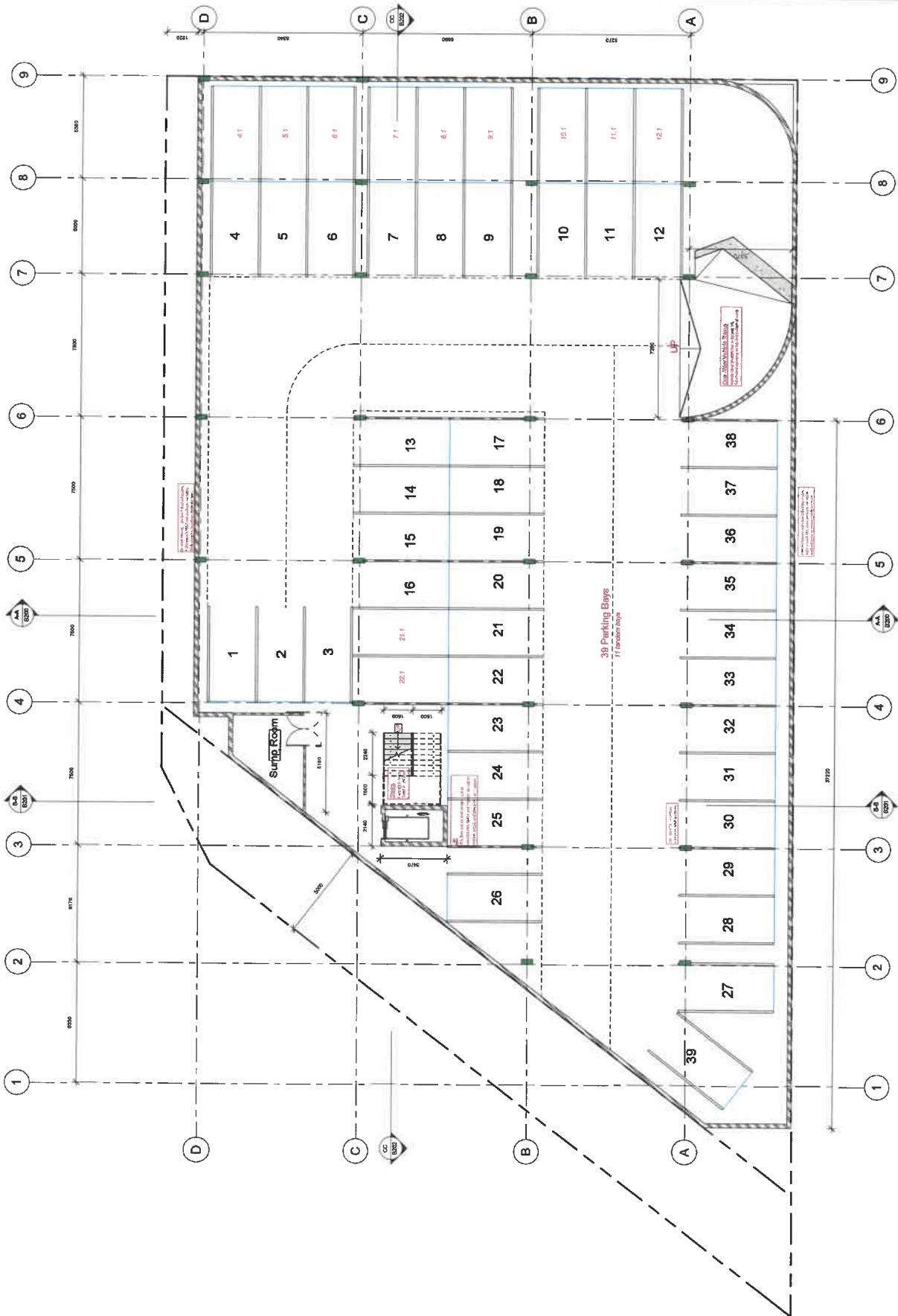


317

No.	Description	Date
1902 06	Payroll Credit - 1902 - Salary 100 - 10000	7/1/2019
1902 06	Payroll Payment - salaries 1000	7/1/2019
1902 06	Payroll Payment - salaries 1000	7/1/2019
1902 06	Payroll Payment - salaries 1000	7/1/2019
1902 06	Payroll Payment - salaries 1000	7/1/2019
1902 11	Check 1000 - 10000	11/1/2019
1902 12	Check 1000 - 10000	12/1/2019

**-01 Basement Plan**

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
A-101	
Scale	1 : 100



1 -01 Basement Parking 1:100

1 : 100



Unit Break Down  
 @200' 11  
 @500' 6

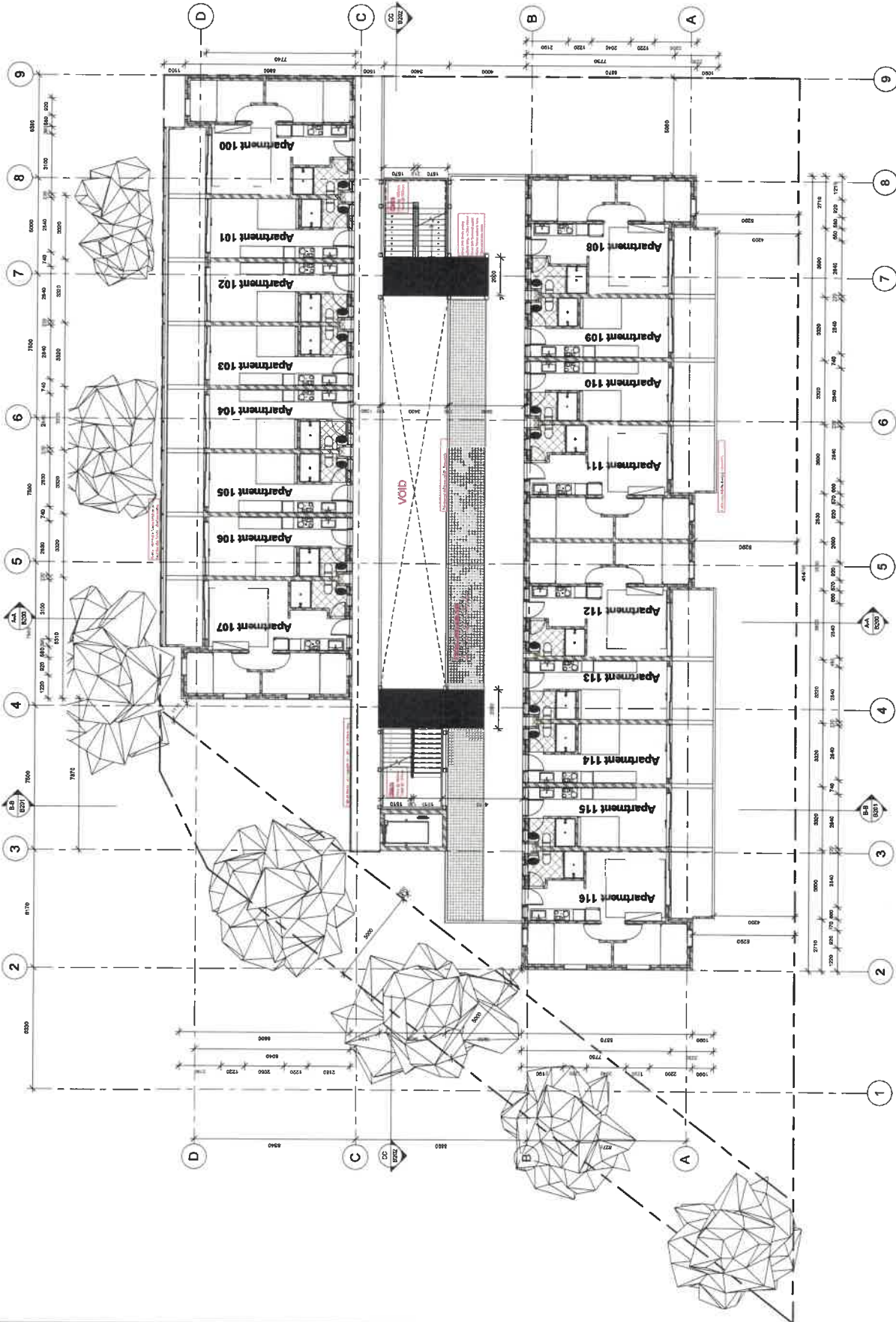
No.	Description	Date
001	Project Start	11/15/2018
002	Project Start	11/15/2018
003	Project Start	11/15/2018
004	Project Start	11/15/2018
005	Project Start	11/15/2018
006	Project Start	11/15/2018
007	Project Start	11/15/2018
008	Project Start	11/15/2018
009	Project Start	11/15/2018
010	Project Start	11/15/2018
011	Project Start	11/15/2018
012	Project Start	11/15/2018
013	Project Start	11/15/2018
014	Project Start	11/15/2018
015	Project Start	11/15/2018
016	Project Start	11/15/2018
017	Project Start	11/15/2018
018	Project Start	11/15/2018
019	Project Start	11/15/2018
020	Project Start	11/15/2018

## The Edge

### First Floor Plan

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	A101
Scale	1 : 100

01 First Level  
 1 1 : 100





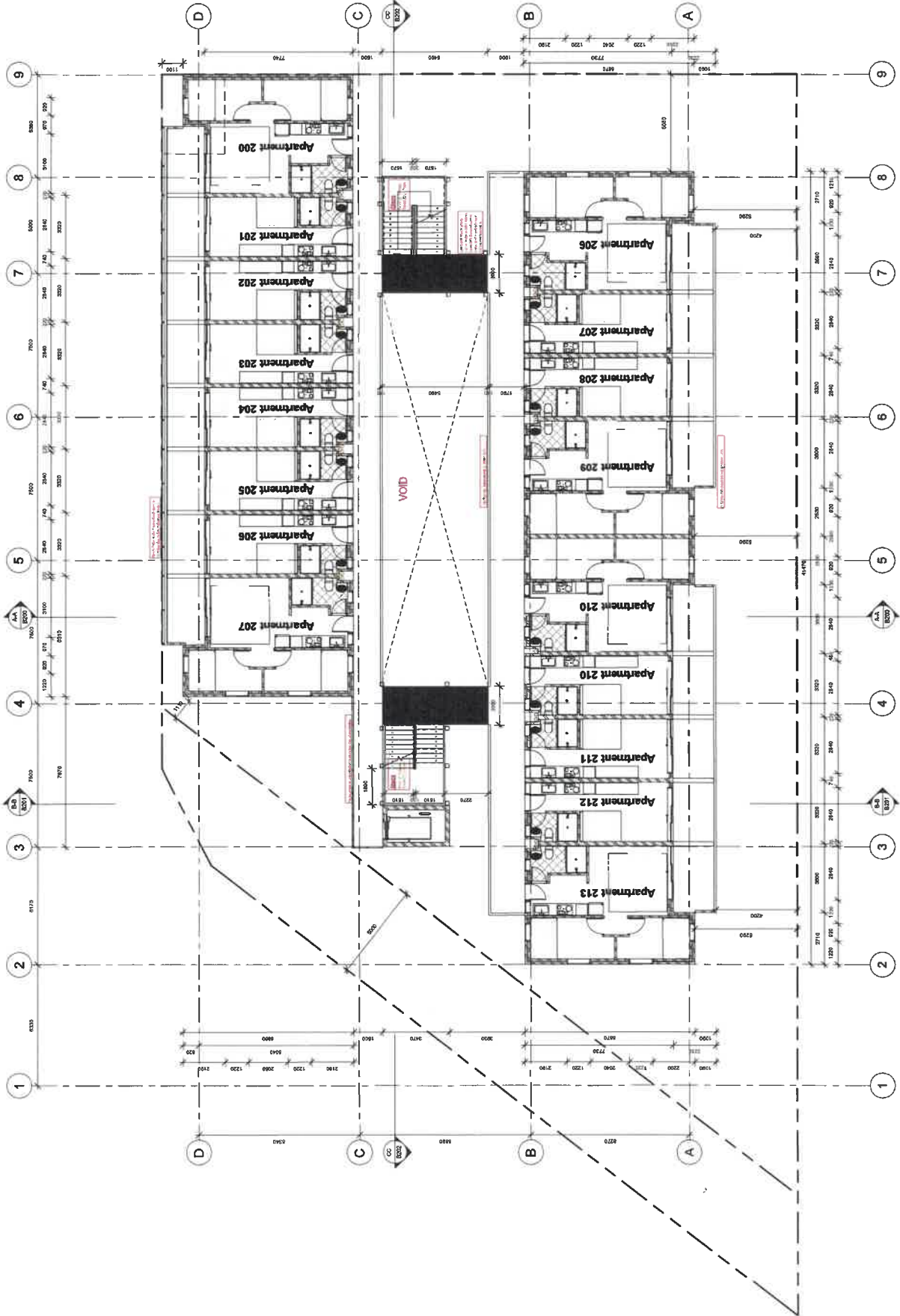
Unit Break Down  
@ 11  
@ 11  
@ 11

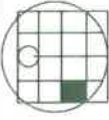
No.	Description	Date
1001	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1002	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1003	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1004	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1005	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1006	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1007	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1008	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1009	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1010	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1011	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1012	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1013	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1014	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1015	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1016	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1017	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1018	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1019	Project - 001 (1st Floor) - 1st Floor	15-10-2019
1020	Project - 001 (1st Floor) - 1st Floor	15-10-2019

## The Edge

### Second Floor Plan

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	A102
Scale	1 : 100





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No. 172A, 7th Floor, 5, Road Street,  
Singapore 170007  
e-mail: admin@jasaassociates.com.sg  
t: 65 6333 7445

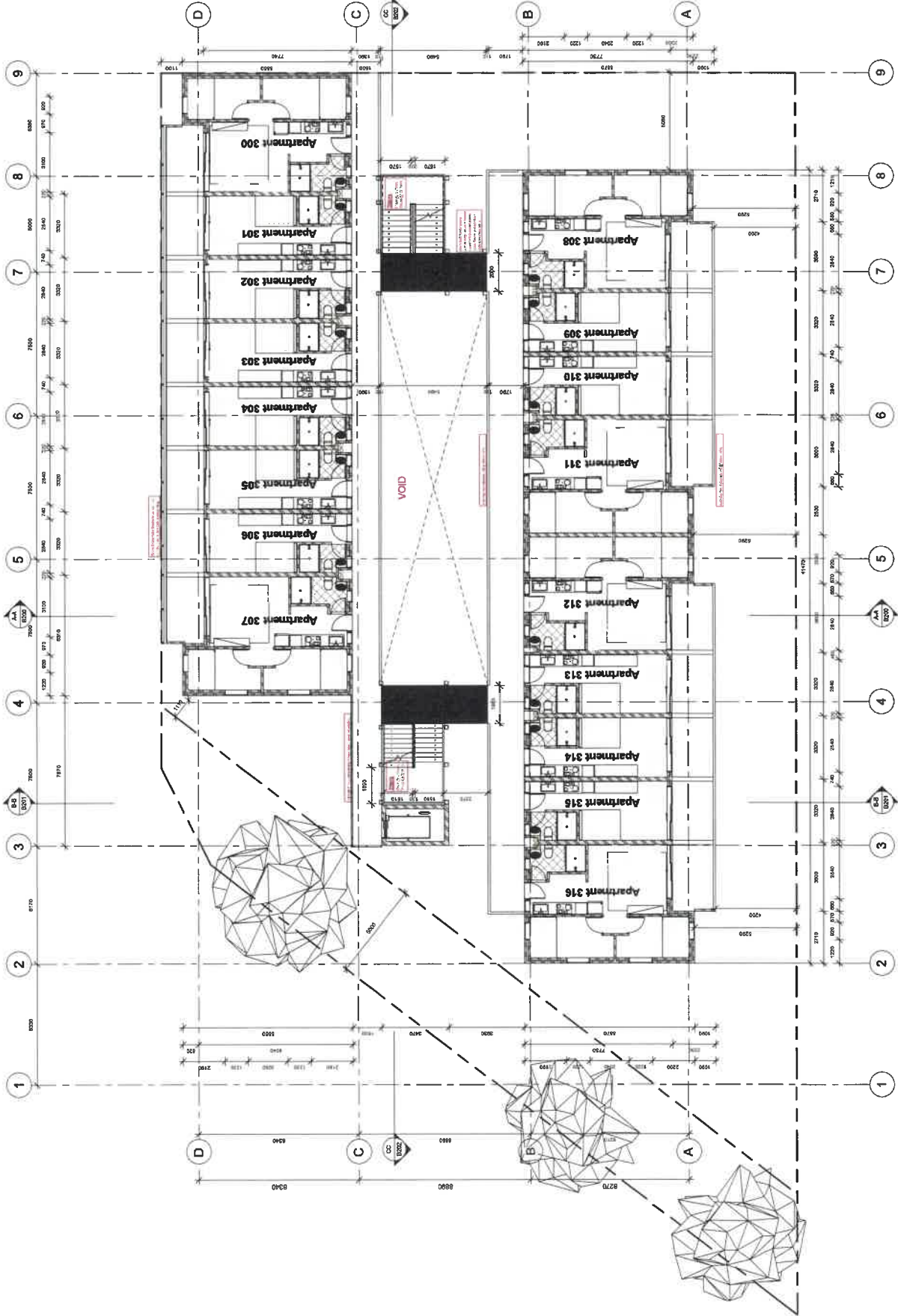
Unit Break Down  
0001 11  
0002 6

No.	Description	Date
0001	Project - Unit 11 & 12 - Building 11	12.12.2019
0002	Major Revision - 1.1 - 1.1	12.12.2019
0003	1.1 - 1.1	12.12.2019
0004	1.1 - 1.1	12.12.2019
0005	1.1 - 1.1	12.12.2019
0006	1.1 - 1.1	12.12.2019
0007	1.1 - 1.1	12.12.2019
0008	1.1 - 1.1	12.12.2019
0009	1.1 - 1.1	12.12.2019
0010	1.1 - 1.1	12.12.2019
0011	1.1 - 1.1	12.12.2019
0012	1.1 - 1.1	12.12.2019
0013	1.1 - 1.1	12.12.2019
0014	1.1 - 1.1	12.12.2019
0015	1.1 - 1.1	12.12.2019
0016	1.1 - 1.1	12.12.2019
0017	1.1 - 1.1	12.12.2019
0018	1.1 - 1.1	12.12.2019
0019	1.1 - 1.1	12.12.2019
0020	1.1 - 1.1	12.12.2019

The Edge

Third Floor Plan

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	A103
Scale	1 : 100





**JSA Associates**  
Architects & Urban Designers  
Tel: +1 272 384 1421  
Fax: +1 272 384 1421  
Email: info@jsa-associates.co.uk  
1745

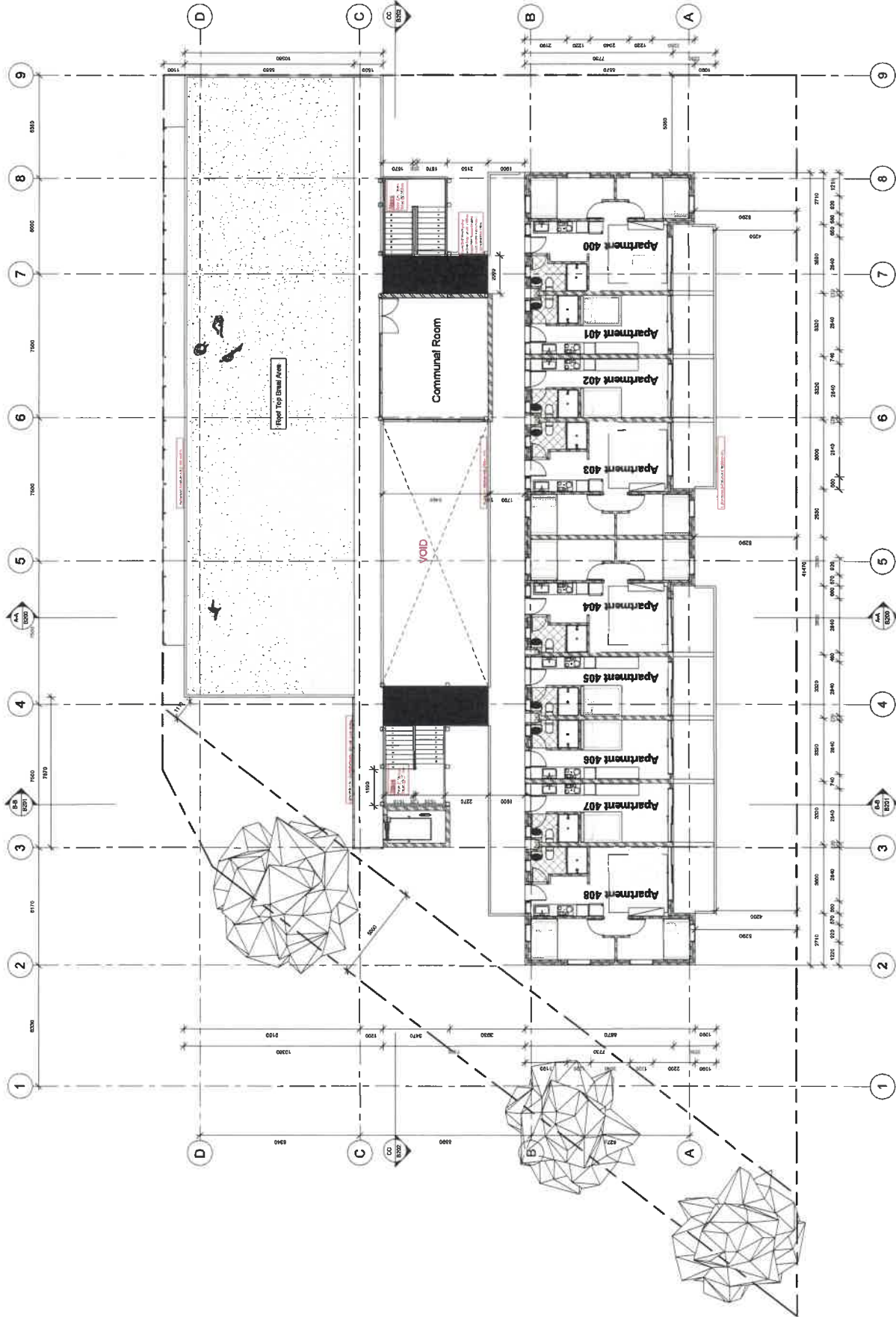
Unit Break Down  
5  
4

No.	Description	Date
REV 01	Project - Client of Project - JSA Associates	15/10/2019
REV 02	Project - Client of Project - JSA Associates	15/10/2019
REV 03	Project - Client of Project - JSA Associates	15/10/2019
REV 04	Project - Client of Project - JSA Associates	15/10/2019
REV 05	Project - Client of Project - JSA Associates	15/10/2019
REV 06	Project - Client of Project - JSA Associates	15/10/2019
REV 07	Project - Client of Project - JSA Associates	15/10/2019
REV 08	Project - Client of Project - JSA Associates	15/10/2019
REV 09	Project - Client of Project - JSA Associates	15/10/2019
REV 10	Project - Client of Project - JSA Associates	15/10/2019
REV 11	Project - Client of Project - JSA Associates	15/10/2019
REV 12	Project - Client of Project - JSA Associates	15/10/2019
REV 13	Project - Client of Project - JSA Associates	15/10/2019
REV 14	Project - Client of Project - JSA Associates	15/10/2019
REV 15	Project - Client of Project - JSA Associates	15/10/2019
REV 16	Project - Client of Project - JSA Associates	15/10/2019
REV 17	Project - Client of Project - JSA Associates	15/10/2019
REV 18	Project - Client of Project - JSA Associates	15/10/2019
REV 19	Project - Client of Project - JSA Associates	15/10/2019
REV 20	Project - Client of Project - JSA Associates	15/10/2019

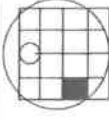
# The Edge

## Fourth Floor Plan

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	A104
Scale	1 : 100



04 Fourth Level  
1 1 : 100



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Tel: +2721 798 1421  
info@jsa.co.za  
www.jsa.co.za

Site Boundary

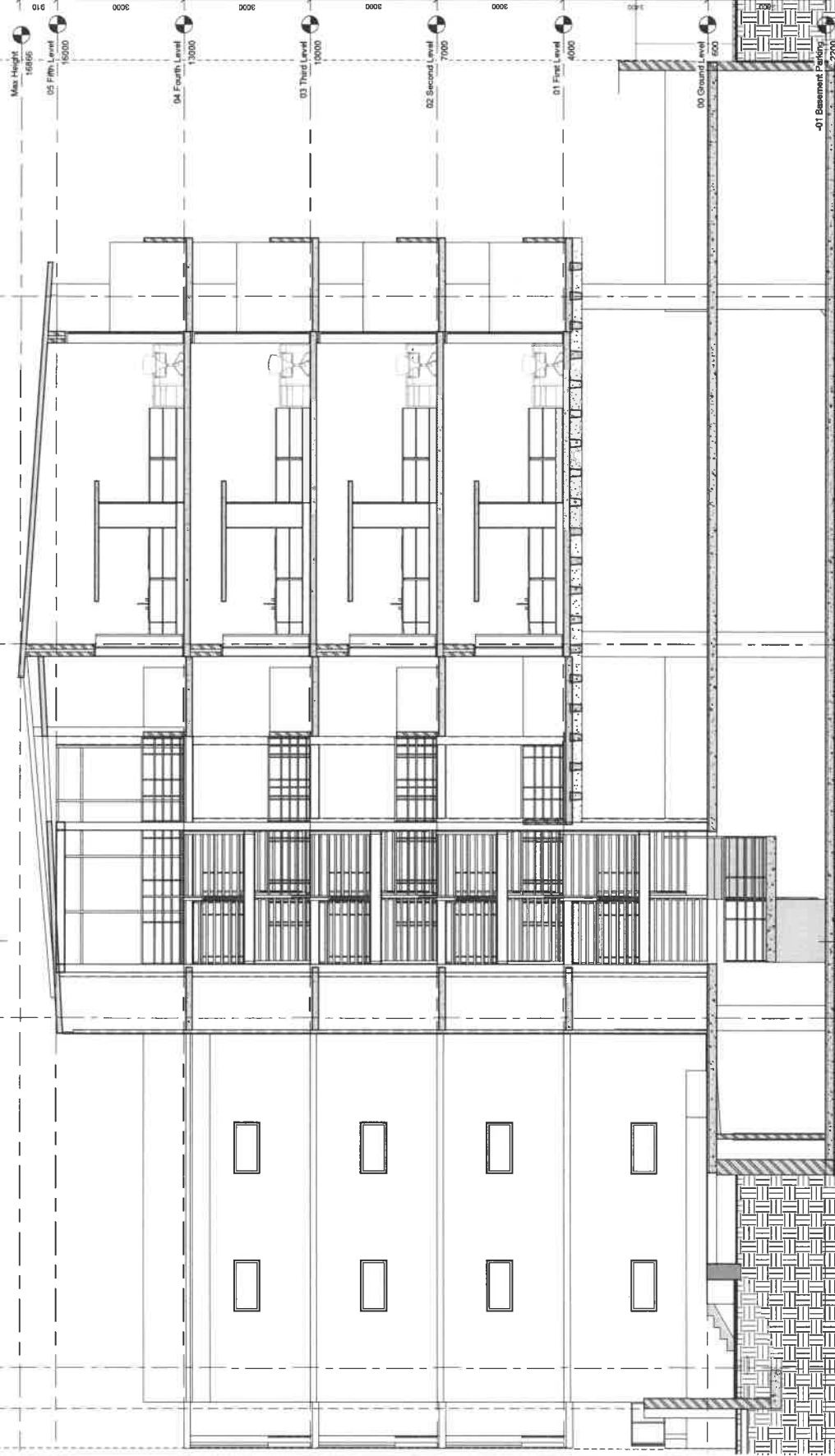
D

C

B

A

Site Boundary



No.	Description	Date
001	Final Design - 1st Floor Plan	15/10/2019
002	Final Design - 2nd Floor Plan	15/10/2019
003	Final Design - 3rd Floor Plan	15/10/2019
004	Final Design - 4th Floor Plan	15/10/2019
005	Final Design - 5th Floor Plan	15/10/2019
006	Final Design - 6th Floor Plan	15/10/2019
007	Final Design - 7th Floor Plan	15/10/2019
008	Final Design - 8th Floor Plan	15/10/2019
009	Final Design - 9th Floor Plan	15/10/2019
010	Final Design - 10th Floor Plan	15/10/2019
011	Final Design - 11th Floor Plan	15/10/2019
012	Final Design - 12th Floor Plan	15/10/2019
013	Final Design - 13th Floor Plan	15/10/2019
014	Final Design - 14th Floor Plan	15/10/2019
015	Final Design - 15th Floor Plan	15/10/2019
016	Final Design - 16th Floor Plan	15/10/2019
017	Final Design - 17th Floor Plan	15/10/2019
018	Final Design - 18th Floor Plan	15/10/2019
019	Final Design - 19th Floor Plan	15/10/2019
020	Final Design - 20th Floor Plan	15/10/2019

The Edge

Section B-B

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	B201
Scale	1 : 50

Section B-B  
1 : 50

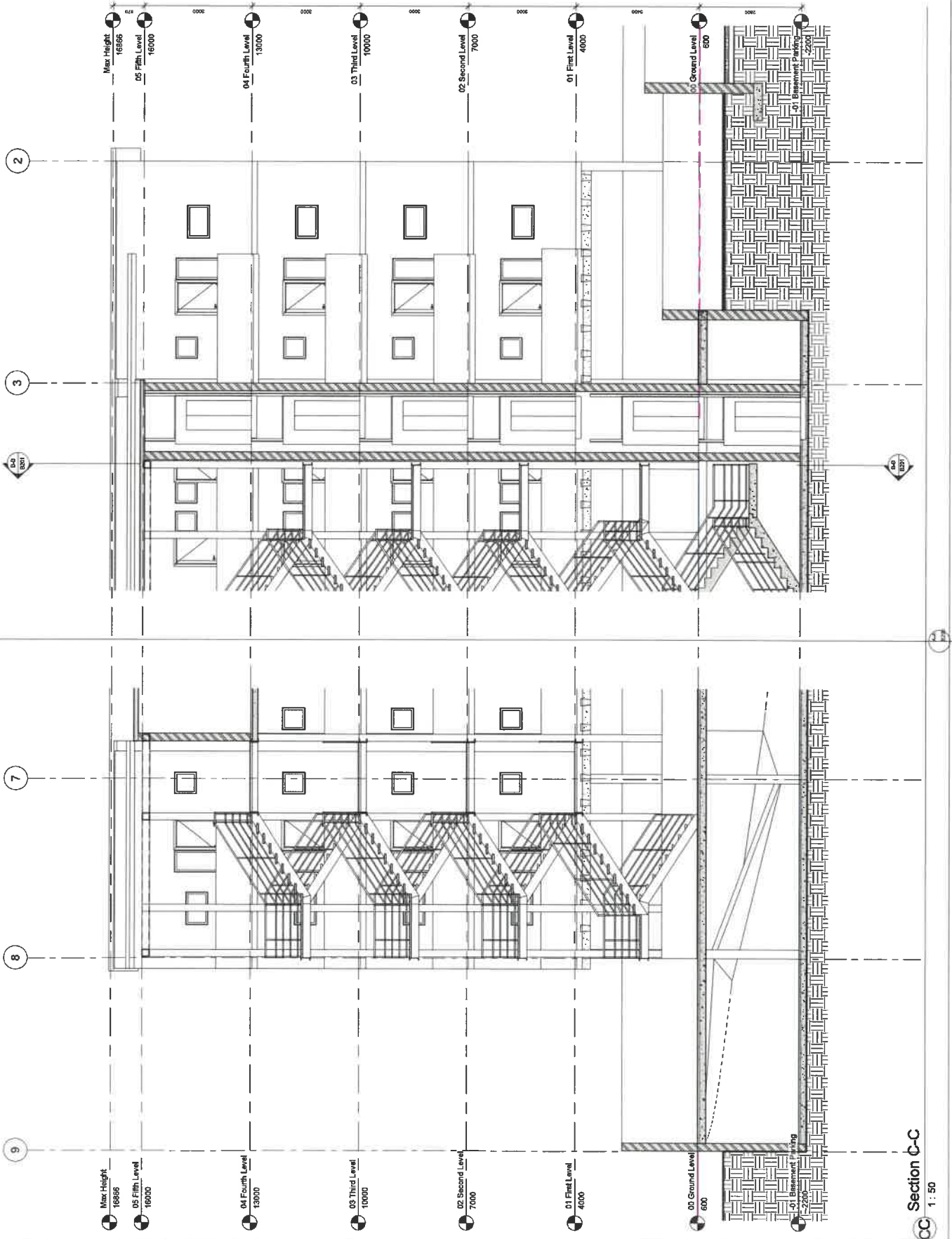


No.	Description	Date
REV 01	Project: 10000 US Highway 90, Suite 200, Jacksonville, FL 32216	08/01/2019
REV 02	Rev: 10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 03	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 04	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 05	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 06	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 07	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 08	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 09	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 10	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 11	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019
REV 12	10000 US Highway 90, Suite 200, Jacksonville, FL 32216	11/01/2019

## The Edge

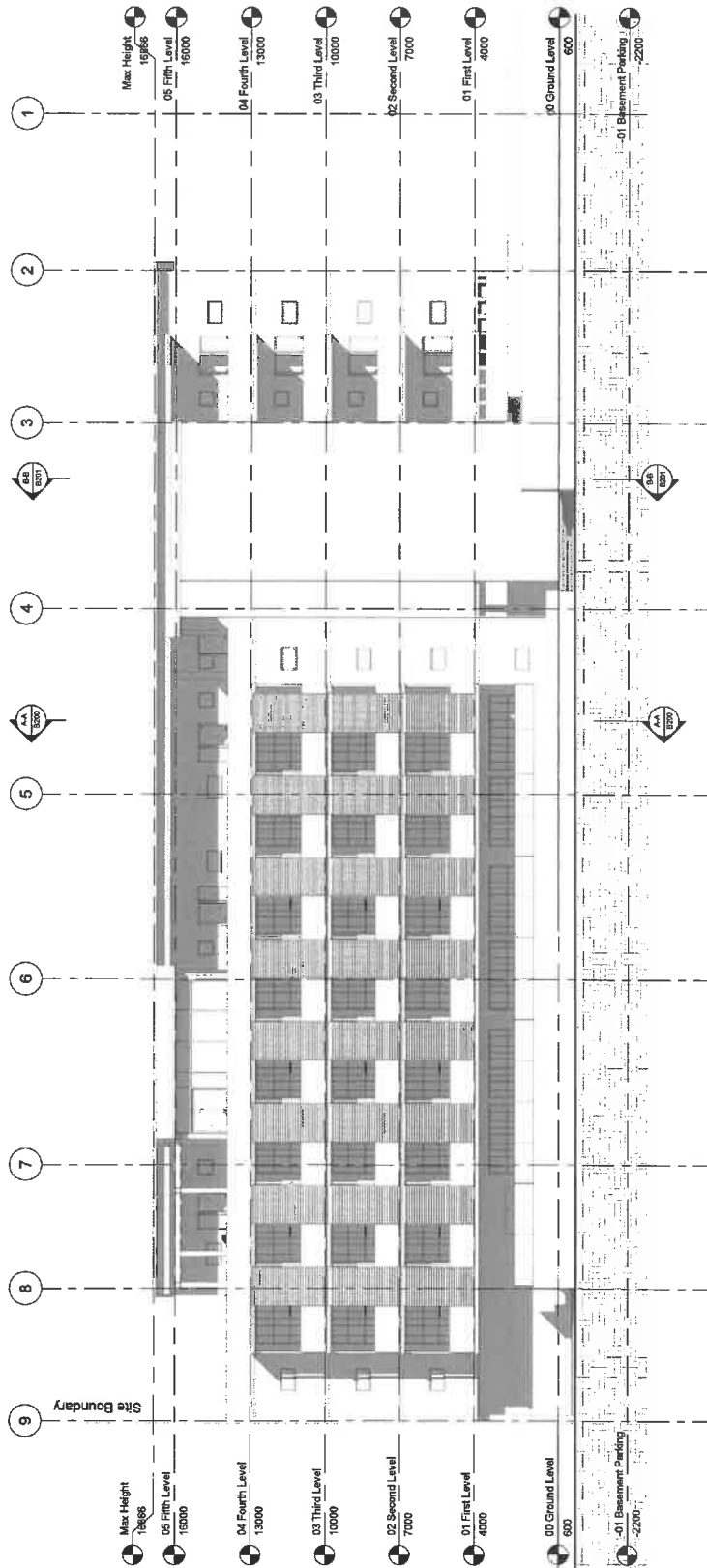
### Section C-C

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	B202
Scale	1 : 50





No.	Description	Date
REV 01	Project: "The Edge" - Mid-rise office building	10/10/2019
REV 02	Architectural - Initial design	11/05/2019
REV 03	Architectural - Initial design	11/05/2019
REV 04	Architectural - Initial design	11/05/2019
REV 05	Architectural - Initial design	11/05/2019
REV 06	Architectural - Initial design	11/05/2019
REV 07	Architectural - Initial design	11/05/2019
REV 08	Architectural - Initial design	11/05/2019
REV 09	Architectural - Initial design	11/05/2019
REV 10	Architectural - Initial design	11/05/2019
REV 11	Architectural - Initial design	11/05/2019
REV 12	Architectural - Initial design	11/05/2019
REV 13	Architectural - Initial design	11/05/2019
REV 14	Architectural - Initial design	11/05/2019
REV 15	Architectural - Initial design	11/05/2019
REV 16	Architectural - Initial design	11/05/2019
REV 17	Architectural - Initial design	11/05/2019
REV 18	Architectural - Initial design	11/05/2019
REV 19	Architectural - Initial design	11/05/2019
REV 20	Architectural - Initial design	11/05/2019



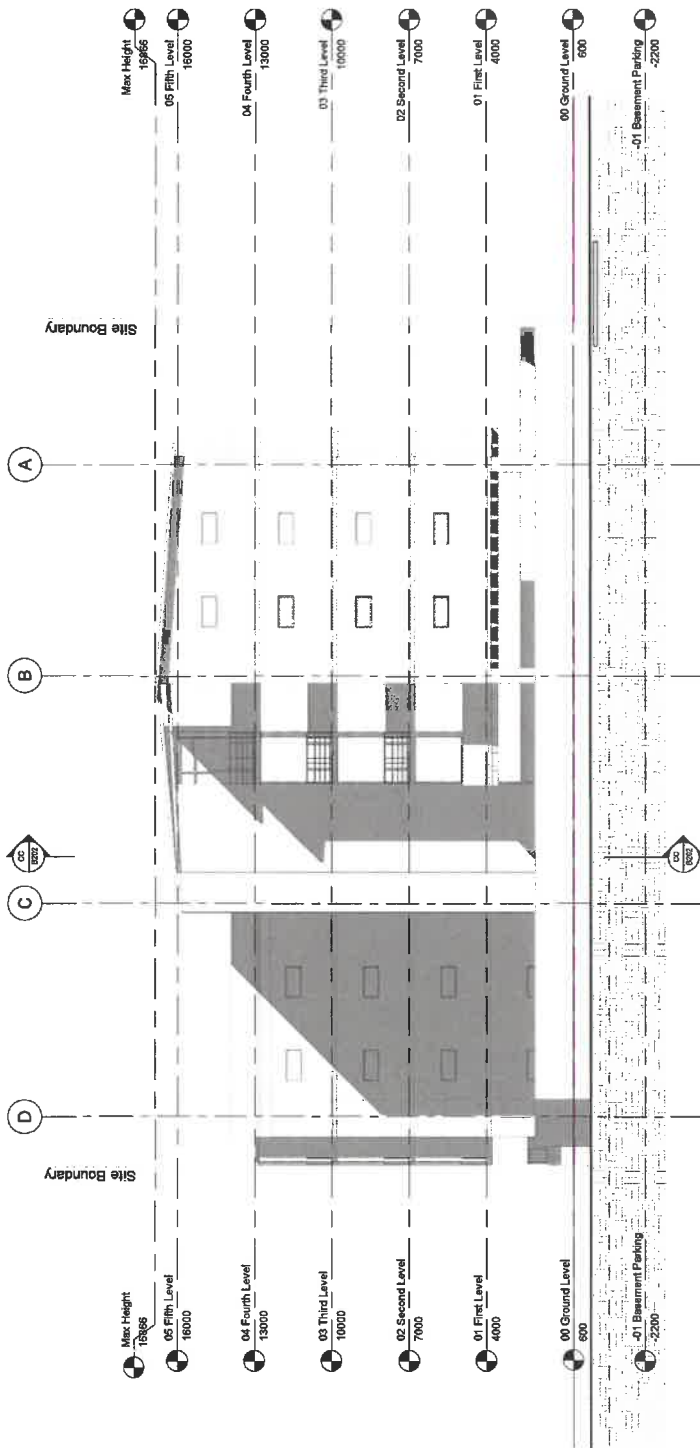
# The Edge

## North Elevation

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
Scale	1 : 100



No.	Description	Date
001	Project Start - 1st Floor - 1st Floor - 1st Floor	10/10/19
002	2nd Floor - 2nd Floor - 2nd Floor	10/10/19
003	3rd Floor - 3rd Floor - 3rd Floor	10/10/19
004	4th Floor - 4th Floor - 4th Floor	10/10/19
005	5th Floor - 5th Floor - 5th Floor	10/10/19
006	6th Floor - 6th Floor - 6th Floor	10/10/19
007	7th Floor - 7th Floor - 7th Floor	10/10/19
008	8th Floor - 8th Floor - 8th Floor	10/10/19
009	9th Floor - 9th Floor - 9th Floor	10/10/19
010	10th Floor - 10th Floor - 10th Floor	10/10/19
011	11th Floor - 11th Floor - 11th Floor	10/10/19
012	12th Floor - 12th Floor - 12th Floor	10/10/19
013	13th Floor - 13th Floor - 13th Floor	10/10/19
014	14th Floor - 14th Floor - 14th Floor	10/10/19
015	15th Floor - 15th Floor - 15th Floor	10/10/19
016	16th Floor - 16th Floor - 16th Floor	10/10/19
017	17th Floor - 17th Floor - 17th Floor	10/10/19
018	18th Floor - 18th Floor - 18th Floor	10/10/19
019	19th Floor - 19th Floor - 19th Floor	10/10/19
020	20th Floor - 20th Floor - 20th Floor	10/10/19



The Edge

West Elevation

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	C002
Scale	1 : 100



**USA associates**  
Architects & Urban Designers

Box 177527 78814 021  
5 Hedges Street  
Cincinnati, OH 45217  
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No.	Description	Date
REV 01	Project Start / Revit / Building Code Review	12/28/2019
REV 02	Model / Building / Architect / Owner	11/28/2019
REV 03	Final Design / 3D View / Design	2/10/2020
REV 04	Construction / Building	03/03/2020
REV 05	Project / Design / Design / Design / Design	04/02/2020
REV 06	Project / Design / Design / Design / Design	04/02/2020
REV 07	Project / Design / Design / Design / Design	11/28/2019
REV 08	Project / Design / Design / Design / Design	04/02/2020

**The Edge**

**East Elevation**

Project number 0001

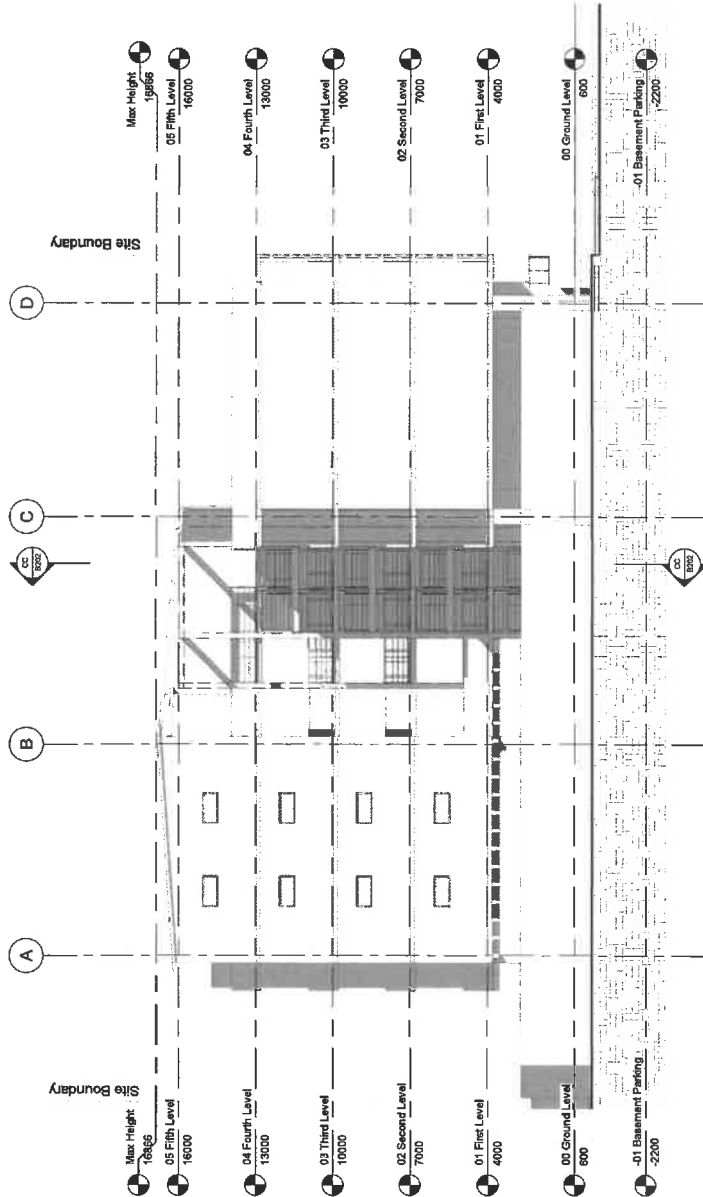
Date 28-10-2019

Drawn by ML

Checked by JS

C003

Scale 1 : 100



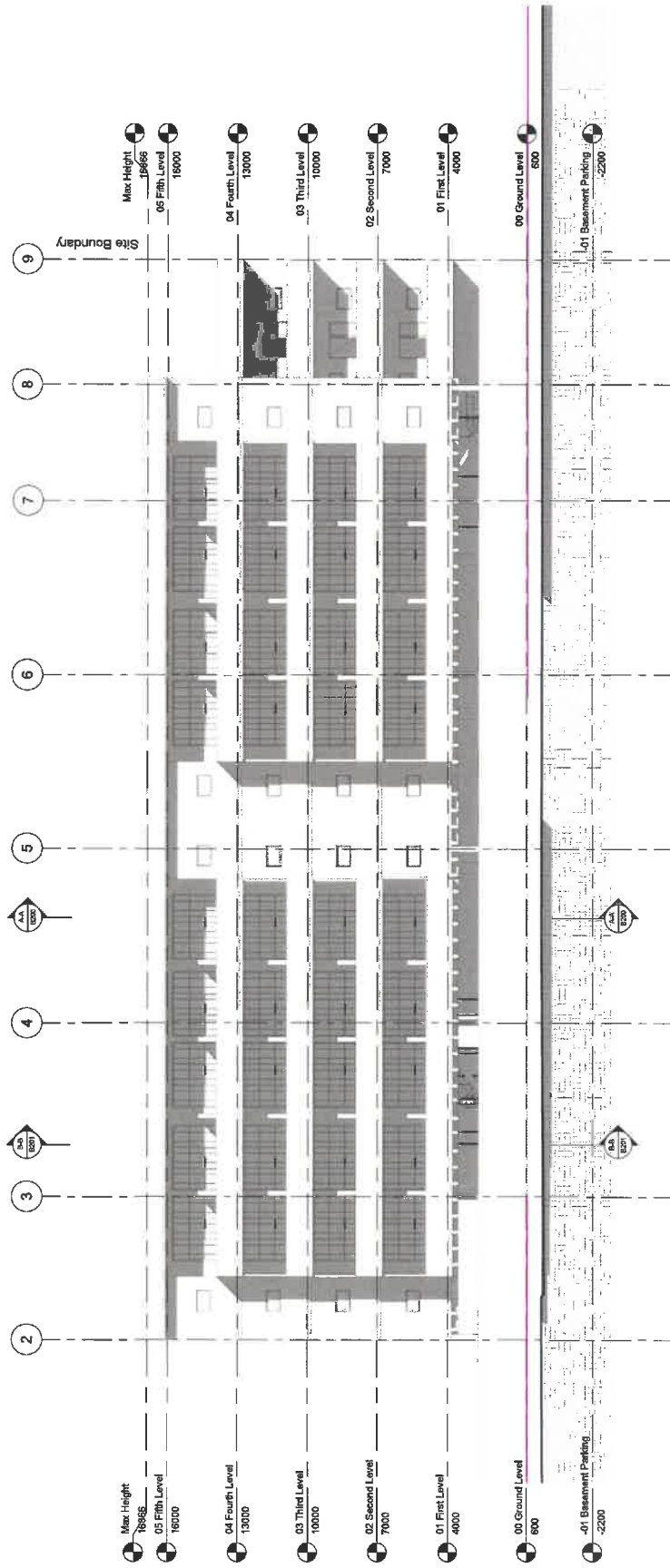
1 East Elevation  
1 : 100

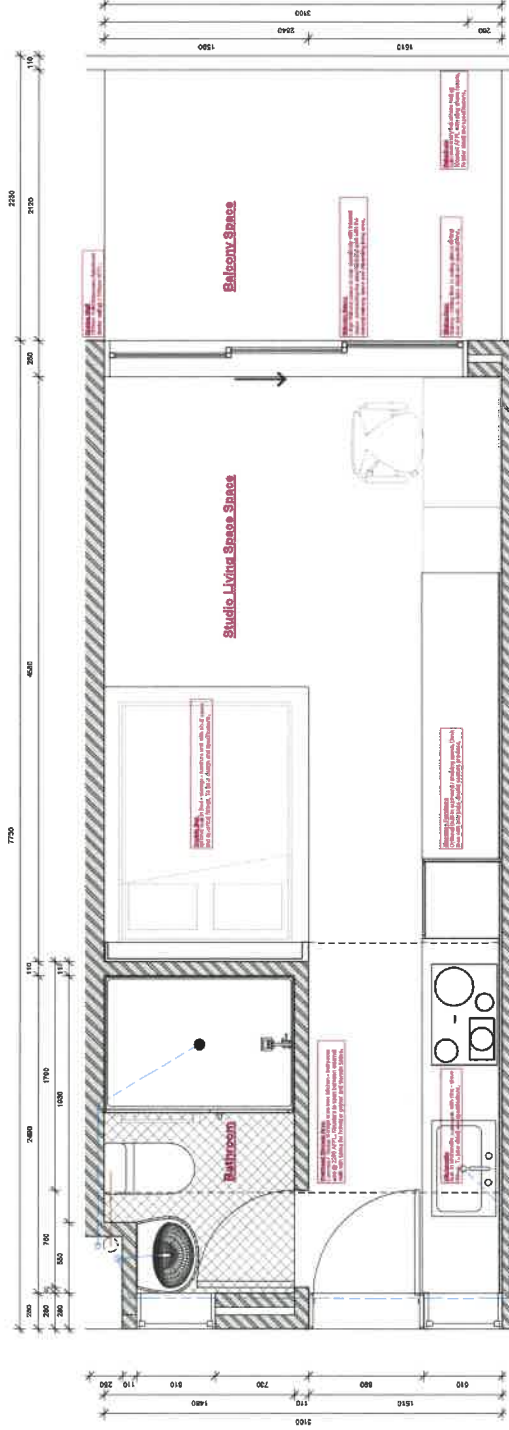


No.	Description	Date
001	Project: South Edge - Building and Site Plan	20-10-2019
002	Architectural: Building and Site Plan	20-10-2019
003	Architectural: Building and Site Plan	20-10-2019
004	Architectural: Building and Site Plan	20-10-2019
005	Architectural: Building and Site Plan	20-10-2019
006	Architectural: Building and Site Plan	20-10-2019
007	Architectural: Building and Site Plan	20-10-2019
008	Architectural: Building and Site Plan	20-10-2019
009	Architectural: Building and Site Plan	20-10-2019
010	Architectural: Building and Site Plan	20-10-2019
011	Architectural: Building and Site Plan	20-10-2019
012	Architectural: Building and Site Plan	20-10-2019
013	Architectural: Building and Site Plan	20-10-2019
014	Architectural: Building and Site Plan	20-10-2019
015	Architectural: Building and Site Plan	20-10-2019
016	Architectural: Building and Site Plan	20-10-2019
017	Architectural: Building and Site Plan	20-10-2019
018	Architectural: Building and Site Plan	20-10-2019
019	Architectural: Building and Site Plan	20-10-2019
020	Architectural: Building and Site Plan	20-10-2019

No.	Description	Date
001	Project: South Edge - Building and Site Plan	20-10-2019
002	Architectural: Building and Site Plan	20-10-2019
003	Architectural: Building and Site Plan	20-10-2019
004	Architectural: Building and Site Plan	20-10-2019
005	Architectural: Building and Site Plan	20-10-2019
006	Architectural: Building and Site Plan	20-10-2019
007	Architectural: Building and Site Plan	20-10-2019
008	Architectural: Building and Site Plan	20-10-2019
009	Architectural: Building and Site Plan	20-10-2019
010	Architectural: Building and Site Plan	20-10-2019
011	Architectural: Building and Site Plan	20-10-2019
012	Architectural: Building and Site Plan	20-10-2019
013	Architectural: Building and Site Plan	20-10-2019
014	Architectural: Building and Site Plan	20-10-2019
015	Architectural: Building and Site Plan	20-10-2019
016	Architectural: Building and Site Plan	20-10-2019
017	Architectural: Building and Site Plan	20-10-2019
018	Architectural: Building and Site Plan	20-10-2019
019	Architectural: Building and Site Plan	20-10-2019
020	Architectural: Building and Site Plan	20-10-2019

The Edge	
South Elevation	
Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	C004
Scale	1 : 100





## The Edge

### Typical Bachelor Unit

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	D001
Scale	1 : 20

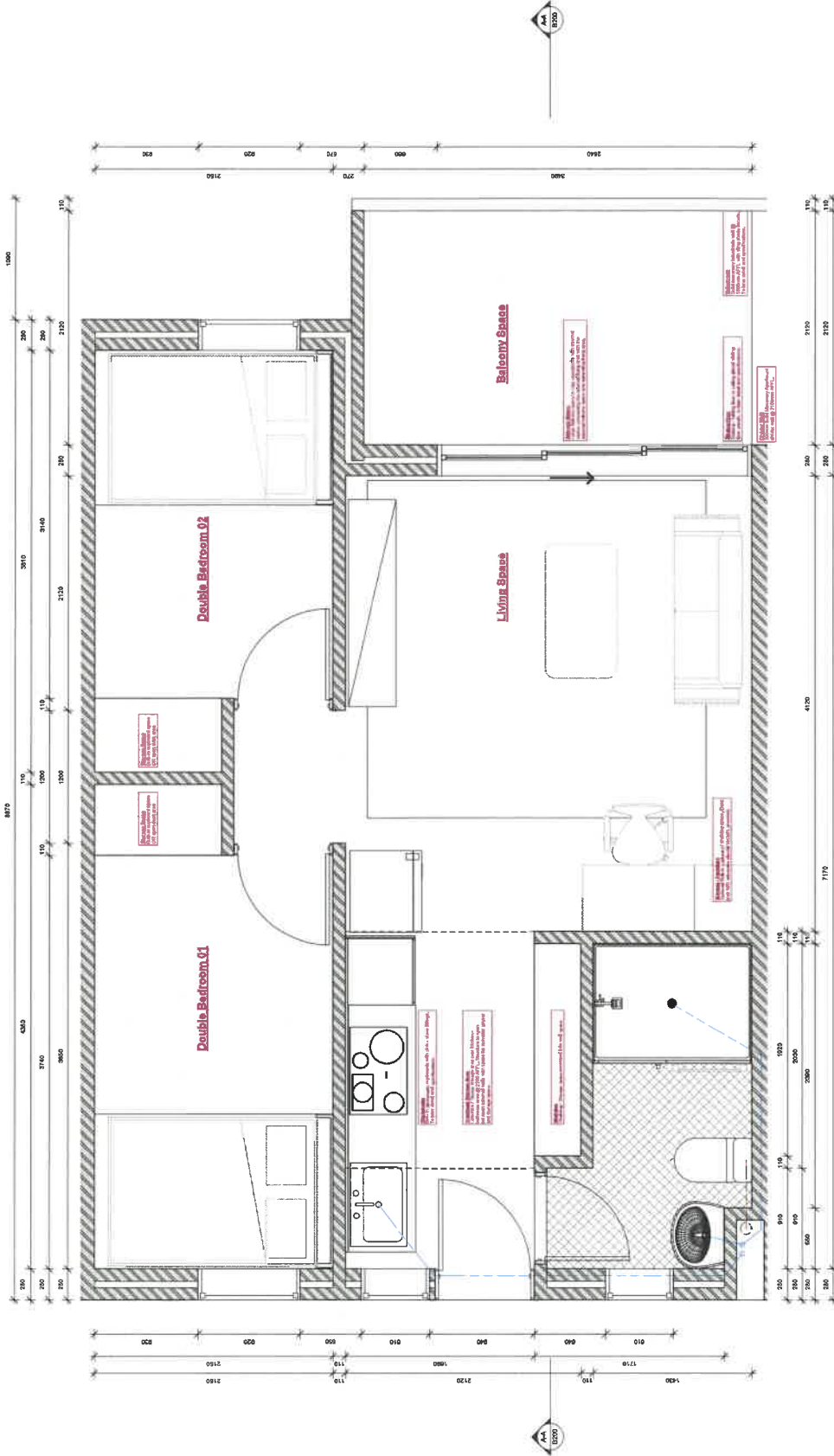


No.	Description	Date
REV 01	Planning, Site/Plot, Main Building and 2 Storeys	24-12-2019
REV 02	Main Building and 2 Storeys	1-03-2020
REV 03	Unit 1 and 2 - 1 Storey	26-03-2020
REV 04	Complete Building	09-05-2020
REV 05	Final Design and Construction Details	09-05-2020
REV 06	Final Design and Construction Details	24-05-2020
REV 07	Final Design and Construction Details	24-05-2020
REV 08	Final Design and Construction Details	24-05-2020
REV 09	Final Design and Construction Details	24-05-2020
REV 10	Final Design and Construction Details	24-05-2020
REV 11	Final Design and Construction Details	24-05-2020
REV 12	Final Design and Construction Details	24-05-2020

## The Edge

### Typical Two bedroom Unit

Project number	0001
Date	28-10-2019
Drawn by	ML
Checked by	JS
	D002
Scale	1 : 20



1 Typical two bedroom Unit  
1 : 20

PRICE 2 DOUBLES: COLORBOND FINISHED SURFACES AND CONCENTRATED CONTINUOUS COATED GALVANIZED H.S. ROOF PANELS ON INDUSTRIAL BUILDINGS. ON 14-1/2" WIDE RAINSCREEN INSULATION ON ADVA TRUSS AT PER TRUSS ENGINEERS SPEC. ROOF TIEBACKS TO REINFORCE STEEL WALL PLATES WITH ADAMA GALVANIZED HOOPS/STRAIPS. MAIN ADAMA DOWN R.I.O. MICROVON. ROOF TIEBACKS TO WIND BRACKETED AND WEATHER-SEALED AS PER STRUCTURAL

ALL WALL CLADDING:  
ORDERED FINISHED STANDING  
1" CONCEALED-ROOF  
INTERIORS COATED  
VANDERBILT VERTICAL ROOF  
FINISH ON 50" X 28 TALLER  
FINISH FROD TO VERTICAL  
FINISH WALL SURFACE AS PER  
POWER MANUFACTURING  
PCO & SPECIFICATION

1 CUTTER; PUMP OSE-MADE  
ALLS ALLS 1 CUTTERS  
2000 OR SIMILAR  
1 ANOMAL PROFILE WITH 15  
1 LATER BY 15 TO 10-10  
1 EMPLOYING TO PLASTER  
1 APETS TO OVERLAP MIN  
1 INTO CUTTER TO LATER  
1 TO BE DIRECTED TO  
1 IN WATER CHARIBELS IN  
1 AS PER NER 1000

[illegible]

ASTER AND PAINT: AS PER  
ARCHITECTS FUTURE EMBLEMES  
C. HEDDLE

FOR LITHIUM BATTERIES  
FROM 700 TO 1,500 MAH  
CONTROL SPEED & STARTS  
WITH A SINGLE SWITCH

**NEW AGRICULTURAL DRAIN:**  
A 6mm PERFORATED HIGH-PIPE IN  
STEEL WITH ALL VENTILATION  
POINTS AND A 10cm DIAMETER  
DRAINAGE HOLE. THE PIPE IS  
EASILY CONNECTED TO MUNICIPAL  
SEWER OR WATER MAIN. ALL TO GIVE  
THE BEST PROTECTION.

B-B  
SCALE

**ORIGINAL DOCUMENT DATE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
**DOCUMENT VARIATIONS REGISTER**

14	2013-05-31	201	10000000
15	2013-06-30	201	10000000

**Duttonbond Group, Inc.** 6000 17th Street  
 (t) +27 21 462 9500 (f) +27 21 462 8001  
 (t) +27 21 462 9500 (f) +27 21 462 8001



1

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LOAN: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_

ORIGINAL DOCUMENT					
DOCUMENT NUMBER	A	7013-06-51			
	B	19 1872			

**OBJECT DESCRIPTION:**  
**ERF 184 STELLENBOSCH**

**DRAWING STATUS CODES:**  
 de: Design • B: Marketing • C: Manufact • D: Tender • E: Construction • F: As Built

100

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 (0) +27 21 412 1523 (w)

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13. *Chrysomelidae* (continued)

DATE	
------	--

NAME: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 PAGE: \_\_\_\_\_

[illegible]PROJECT / CLIENT: **12 DENNESIG**

H3

**OBJECT DESCRIPTION:**  
**ERF 184 STEELNBOC**

Dr. Twissler, a *Psychiatrist* • Dr. H. H. H.

**DRAWING STATUS CODES**  
 A: Design & Manufacturing • C: Manufacturing

1

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1

[illegible]

EMPLOYEE: \_\_\_\_\_  
 EMPLOYER: \_\_\_\_\_

ORIGINAL DOCUMENT	7013-4	13			
50	8				

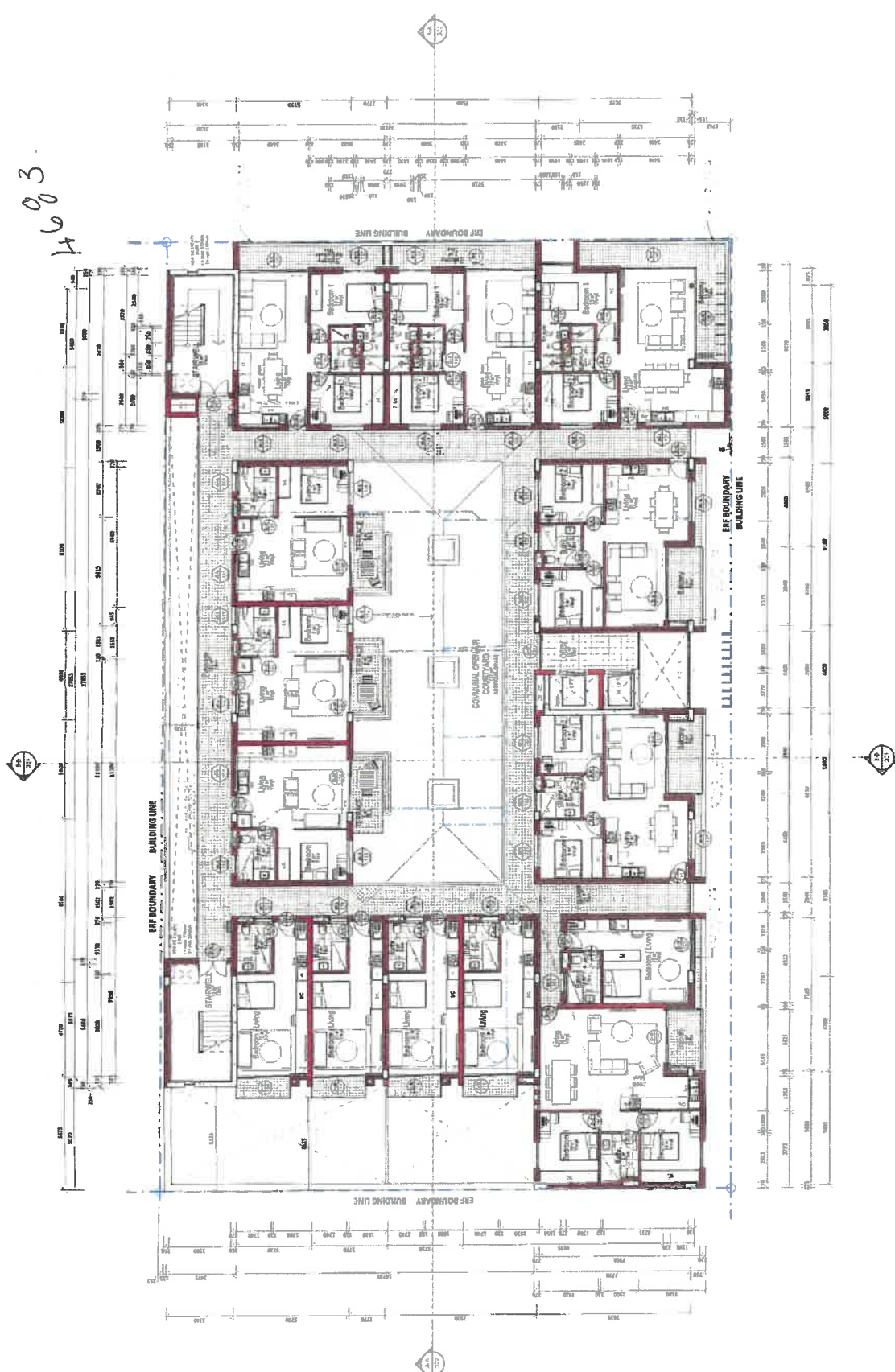
[illegible]



<b>PROJECT CLIENT:</b> <b>22 DENNESIG</b>		<b>DATE:</b> 2023.10.23
<b>PROJECT DESCRIPTION:</b> <b>ERF 184 STELLENBOSCH</b>		<b>DRAWING NO.:</b> <b>3618 / C / 323</b>
<b>DRAWING DESCRIPTION:</b> <b>ELEVATIONS 02</b>		<b>DRAWING STATUS:</b> <b>MUNICIPAL</b>
<b>ARCHITECTS AND TOWN PLANNERS</b> <b>TV</b>		
<b>ORIGINAL DOCUMENT DATE:</b> 2023.10.23		
<b>DOCUMENT VARIATIONS REGISTER:</b>		
NO. 1023 P. 23		

90 Bullant Street, Grahamstown, 6001  
 (0) +27 21 452 1451 (t) +27 21 452 1452 (f) +27 21 452 1453  
 (0) +27 21 452 1454 (f) +27 21 452 1455

90 Bullant Street, Grahamstown, 6001  
 (0) +27 21 452 1451 (t) +27 21 452 1452 (f) +27 21 452 1453  
 (0) +27 21 452 1454 (f) +27 21 452 1455



03 First floor  
SCALE 1:100

[illegible]





## **ANNEXURE C**



**STELLENBOSCH**

STELLENBOSCH • STIL • TRANSCHIEER

MUNISIPALITEIT • IMASIPALA • MUNICIPALITY

## CONVEYANCER CERTIFICATE

I/We **CHANTELLE LUDIK**

*(conveyancer's name and surname)*

Practising at:

**PIETER SCHOEMAN ATTORNEYS**

**5 SHORT STREET, POTCHEFSTROOM, 2531**

*(firm and place of practice)*

In respect of:

**ERF 140 STELLENBOSCH**

**IN DIE MUNISIPALITEIT EN AFDELING STELLENBOSCH**

**PROVINSIE WES KAAP**

**GROOT 937 (NEGE HONDERD SEWE EN DERTIG) VIERKANTE METER**

*(full property description (erf / farm) as it appears in title deed of same)*

Hereby certify that a search was conducted in the Deeds Registry, regarding the said property (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer):

1. **DEED OF TRANSFER T1656/1941**

2. **DEED OF TRANSFER T54174/2012**

3. ....

4. ....

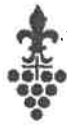
5. ....

6. ....

7. ....

8. ....

*(For example Deed of Transfer T12345/2000 or Certificate of Registered Sectional Title ST1234/2000 (description of title deed number and date))*



STELLENBOSCH

STELLENBOSCH • PNEL • TRANSCHOLK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)**

Categories		Are there deed restrictions (indicate below)		Title Deed and Clause number if restrictive conditions are found
1.	Use of land	Y	N	T54174/2012: CLAUSE B(a) & B(b) T54174/2012: CLAUSE C(a)
2.	Building lines	Y	N	T54174/2012: CLAUSE C(d)
3.	Height	Y	N	
4.	Number of Dwellings	Y	N	T54174/2012: CLAUSE C(c)
5.	Bulk floor area	Y	N	
6.	Coverage/built upon area	Y	N	T54174/2012: CLAUSE C(c)
7.	Subdivision	Y	N	T54174/2012: CLAUSE C(b)
8.	Servitudes that may be registered over or in favour of the property	Y	N	T54174/2012: CLAUSE D(3)
9.	Other Restrictive Conditions	Y	N	



**STELLENBOSCH**  
STELLENBOSCH • STIL • FRANSCHHOEK  
MUNISIPALITEIT • UMUNICIPAL • MUNICIPALITY

### B. INDICATE AFFECTED PARTIES AS PER TITLE DEED (if any)

in respect of which it was found that there *are* no restrictive conditions with reference to Section 33(1) (a, b or c) of the Land Use Planning By-law (2015) registered against such property (ies) prohibiting it from being utilized/developed for the following purpose (s) as elaborated in the accompanying application:

a.	Organ(s) of State that might have an interest in the restrictive condition	UNKNOWN
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	UNKNOWN
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies.	UNKNOWN

### C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

(Please tick appropriate box)

Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015)	Notarial Deed of Cancellation (Submit Copy of Signed Agreement)	Action by way of court order (Submit Copy of the Court Order)	If Other, Please Specify
--	---	---	--------------------------

Signed at Potchefstroom (Place) on this 26<sup>th</sup> (Day) July (Month) of 2018

Full names and Surname: Chantelle Ludik

Signature: [Signature]

POSBUS 20733  
NOOROBURG  
2522  
From Postal Address:

[Signature]  
**PIETER SCHOEMAN PROKUREURS**  
Notary Public in and out of Court by Deeds Office - Transvaal  
SHORTSTRAAT 5, POTCHEFSTROOM 2531  
Tel: 018 294 3273  
Faks: 086 245 6667  
E-Pos: pieters@pjalaw.co.za

Tel: 018 294 3273  
Cell: 076 906 8635

Email: aktes@pjalaw.co.za



**STELLENBOSCH**  
 STELLENBOSCH • STIL • TRANSCHOEK  
 MUNISIPALITEIT • UMKAPALA • MUNICIPALITY

## CONVEYANCER CERTIFICATE

I/We **CHANTELLE LUDIK**

*(conveyancer's name and surname)*

**Practising at:**

**PIETER SCHOEMAN ATTORNEYS**

**5 SHORT STREET, POTCHEFSTROOM, 2531**

*(firm and place of practice)*

**In respect of:**

**ERF 139 STELLENBOSCH**

**IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH**

**PROVINCE WESTERN CAPE**

**IN EXTENT: 787 (SEVEN HUNDRED AND EIGHTY SEVEN) SQUARE METRES**

*(full property description (erf / farm) as it appears in title deed of same)*

Hereby certify that a search was conducted in the Deeds Registry, regarding the said property (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer):

1. **DEED OF TRANSFER T9997/1940**

2. **DEED OF TRANSFER T28075/1996**

3. ....

4. ....

5. ....

6. ....

7. ....

8. ....

*(for example Deed of Transfer T12345/2000 or Certificate of Registered Sectional Title ST1234/2000 (description of title deed number and date))*



STELLENBOSCH

STELLENBOSCH • PNIFL • FRANSCHUUR

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)**

Categories		Are there deed restrictions (indicate below)		Title Deed and Clause number if restrictive conditions are found
1.	Use of land	Y	N	T28075/1996: CLAUSE B T28075/1996: CLAUSE C(a) & C(b) T28075/1996: CLAUSE D(a)
2.	Building lines	Y	N	T28075/1996: CLAUSE D(d)
3.	Height	Y	N	
4.	Number of Dwellings	Y	N	T28075/1996: CLAUSE D(c)
5.	Bulk floor area	Y	N	
6.	Coverage/built upon area	Y	N	T28075/1996: CLAUSE D(c)
7.	Subdivision	Y	N	T28075/1996: CLAUSE D(b)
8.	Servitudes that may be registered over or in favour of the property	Y	N	T28075/1996: CLAUSE E(3)
9.	Other Restrictive Conditions	Y	N	



**STELLENBOSCH**  
STELLENBOSCH • PHIL • FRANSCHHOEK  
MUNICIPALITEIT • UMAMPAKA • MUNICIPALITY

**B. INDICATE AFFECTED PARTIES AS PER TITLE DEED (if any)**

*in respect of which it was found that there "are/are no restrictive conditions with reference to Section 23(d) (a, b or c) of the Land Use Planning By-law (2015) registered against such property (ies) prohibiting it from being utilised/developed for the following purposes (as elaborated in the accompanying application):*

a.	Organ(s) of State that might have an interest in the restrictive condition	UNKNOWN
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition	UNKNOWN
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies	UNKNOWN

**C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED**

*(please tick appropriate box)*

Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015)	Notarial Deed of Cancellation (Submit Copy of Signed Agreement)	Action by way of court order (Submit Copy of the Court Order)	If Other, Please Specify
--	---	---	--------------------------

Signed at Potchefstroom (Place) on this 26<sup>th</sup> (Day) July (Month) of 2018

Full names and Surname: Chantelle Ludik

Signature: [Signature]

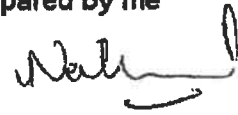
POSBUS 20733  
NOOR OBRUG  
2522

[Signature]  
**PIETER SCHOEMAN PROKUREURS**  
SHORTSTRAAT 5, POTCHEFSTROOM 2531  
Tel: 018 294 3273  
Faks: 086 245 6667  
E-Pos: pieters@pjalaw.co.za

Tel: 018 294 3273  
Cell: 076 906 8035

Email: akbes@pjalaw.co.za

Prepared by me

**N ULRICH**  
Conveyancer

REGISTRATION DUTY	R. ....
FOOT FEE	R. 100.00

T 28075 196

**DEED OF TRANSFER**

by virtue of a power of attorney

**KNOW ALL MEN WHOM IT MAY CONCERN**

That

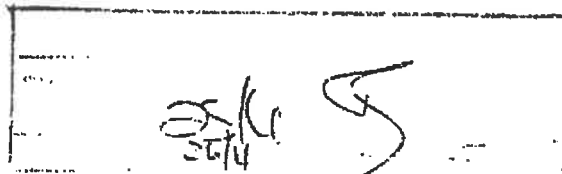
**NEIL ULRICH****SANDRÉ VAN TONDER**

appeared before me, the Registrar of Deeds at Cape Town, he being duly authorised by a power of attorney executed at STELLENBOSCH on the 19th day of February 1996, by

**ANNEMARE KOTZE**

Identity number 561003 0068 00 2

Married out of community of property



**AND THE APPEARER** declared that on 8 FEBRUARY 1996 his said Principal had truly and legally sold and that he in his capacity aforesaid did by these presents cede and transfer in full and free property unto and on behalf of

**ERNST JULIUS HARBICH**  
Born on 2 October 1957  
Unmarried

his heirs, executors, administrators or assigns

**ERF 139 STELLENBOSCH**  
**IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH**  
**PROVINCE WESTERN CAPE**

**IN EXTENT : 787 (SEVEN HUNDRED AND EIGHTY SEVEN) square metres**

**FIRST TRANSFERRED** by Deed of Transfer No T9997/1940 with Diagram relating thereto and held by Deed of Transfer No T1816/93.

- A. SUBJECT** to the conditions as mentioned in Deed of Transfer No T9997/1940.
- B. NOT ENTITLED** as a result of condition (a) in paragraph C hereunder to the benefit of the reservation of water rights but otherwise **ENTITLED** to the benefit of the conditions as referred to in the two notes dated 2 June 1939 and 5 June 1939 on deed of Transfer No T7492/1932, which read as follows:

"Deur die ondergenoemde Aktes van Transport van erwe in die Kromme Rivier C Dorp is deur die eienaar en sy opvolgers in titel van die restant van die eiendomme paras. 1,2,3 & 4 van hierdie Akte al sy bestaande regte as oewereienaar uitgehou en die grond deur die gesegde Aktes oorgedra is onderhewig ten gunste van die gemelde eiendomme hieronder gehou en sekere regte wat betref .....  
die bedryf van sekere besighede en verkoop van sterk drank: soos meer volledig sal blyk uit transportkate Nrs 5594 gedateer 2.6.1939; 9842 gedateer 8.9.1939; 536 gedateer 25.1.1940; Nr 4379 gedateer 9.5.1940;"

"Deur die ondergenoemde Aktes van Transport is deur die eienaar en sy opvolgers in titel van die restant van die eiendomme paras 1, 2, 3, & 4 van hierdie Akte al sy bestaande regte en oewereienaar uitgehou en die grond hierdeur en deur die gesegde Aktes oorgedra en onderhewig, ten gunste van die gemelde eiendomme hieronder gehou, aan sekere regte wat betref ..... en die bedryf van sekere besighede soos meer volledig sal blyk uit Transporte Nrs 5668, gedateer 5.6.1939; No 4379 gedateer 9.5.1940;"

- C. SUBJECT FURTHER to the following conditions mentioned in Deed of Transfer No T9997/1940 imposed by Charlie Guiluame Rocher du Toit as owner of the remainder of the land held by him under Deed of Transfer No T7492/1932 for the benefit of himself as owner of that land or any future owner thereof or part thereof who will always have the right in respect of the violation of anyone thereof to obtain, namely:

- "(a) Dat die bogenoemde erf nie geregtig sal wees nie op die gebruik van enige water uit die Kromme Rivier vir huishoudelike of enige ander doeleindes die Transportgewer behou vir homself as eienaar van die grond nog in sy naam geregistreer onder die gemelde Akte van Transport gedateer 10 Desember 1970 nr 7492 en sy opvolgers in titel al sy teenwoordige bestaande regte as oewereienaar op sulke regte;
- (b) Geen bottelstoor, kantien of plek waar sterk drankie kan verkry word sal op die hierbogemelde grond opgerig word nog sal enige hotel, slagter, algemene handelaar of andere besigheid van sulke aard gedryf of gedoen word daarop.

- D. SUBJECT FURTHER to the following conditions mentioned in the said Deed of Transfer No T9997/1940 (a) and (b) whereof was imposed by the Administrator on the approval of the establishment of Kromme Rivier B Township in terms of Section 15 of Ordinance 13 of 1927, namely:

- "(a) Die erf moet uitsluitlik vir wonings doeleindes gebruik word. Geen winkel of hotel en geen ander handel of industriële besigheid van enige aard sal daarop gedryf word nie;
- (b) Dat die erf nie verdeel sal word nie;
- (c) Dat nie meer as een woonhuis met die nodige buitegeboue en toebehoorsels op die erf gebou sal word nie en dat nie meer as een helfte van die oppervlakte van die erf op gebou word nie;

✓

- (d) Dat geen gebou binne 5,67 meter van enige straatlyn wat die grens van die erf is, moet opgerig word nie.

E. SUBJECT FURTHER to the following condition mentioned in the said Deed of Transfer No T9997/1940 imposed by the Municipality of Stellenbosch as appear from the annexure of the Consent of the aforementioned Administrator, namely:

- "(3) Dat die eienaar van elke erf en die namalige eienare daarvan verplig sal wees om die riolering en rioolstelsel van enige erf or erwe oor sodanige erf te laat neem indien nodig geag deur die Munisipaliteit op sulke wyse en op so 'n plek as mag van tyd tot tyd deur die Munisipaliteit redelik vereis word.

WHEREFORE/ . . .

For Information

For Information

✓

WHEREFORE the appearer in his said capacity, renouncing all the right and title the said TRANSFEROR heretofore had to the premises, did in consequence also acknowledge the said transferor to be entirely dispossessed of, and disentitled to same, and that by virtue of these presents the said TRANSFEREE his heirs, executors, administrators or assigns now is and henceforth shall be entitled thereto conformably to local custom, the State however reserving its rights.

AND FINALLY acknowledging the said transferor to be satisfactorily paid the whole of the purchase price, amounting to R220000,00 (TWO HUNDRED AND TWENTY THOUSAND RAND).

IN WITNESS whereof I, the said Registrar, together with the Appearer qq have subscribed to these presents and have caused the seal of office to be affixed thereto.

THUS DONE AND SIGNED at the office of the Registrar of Deeds in Cape Town.

on the 18<sup>th</sup> day of April

1996.

  
\_\_\_\_\_  
qq

In my presence

  
\_\_\_\_\_  
REGISTRAR OF DEEDS

↑

## Deeds Office Property

Lexis® Convey

## STELLENBOSCH, 139, 0 (CAPE TOWN)

## GENERAL INFORMATION

Date Requested 2018/07/26 16:31  
 Deeds Office CAPE TOWN  
 Information Source DEEDS OFFICE  
 Reference PC01147



## PROPERTY INFORMATION

Property Type ERF  
 Erf Number 139  
 Portion Number 0  
 Township STELLENBOSCH  
 Local Authority STELLENBOSCH MUN  
 Registration Division STELLENBOSCH RD  
 Province WESTERN CAPE  
 Diagram Deed T9997/1940  
 Extent 787.0000SQM  
 Previous Description PTN OF 12-TP772  
 LPI Code C06700220000013900000

## OWNER INFORMATION

## Owner 1 of 1

Person Type PRIVATE PERSON  
 Name HARBICH ERNST JULIUS  
 ID Number 571002  
 Title Deed T28075/1996  
 Registration Date 1996/04/18  
 Purchase Price (R) 220,000  
 Purchase Date 1996/02/08  
 Share  
 Microfilm Reference 1996 0324 2904  
 Multiple Properties NO  
 Multiple Owners NO

## ENDORSEMENTS

No endorsements

## HISTORIC DOCUMENTS (4)

#	Document	Owner	Amount (R)	Microfilm
1	I-8220/2003AT	.	UNKNOWN	
2	T15669/1973	ROUX JACOBUS HENDRIK LE	UNKNOWN	1990 0946 2308
3	T35792/1990	EVANS DAVID E & ANNETTE H M M/I	110,000	1993 0068 2799
4	T1816/1993	KOTZE ANNEMARE	185,000	1996 0324 2898

326

TIM DU TOIT PROKUREURS  
Eerste Vloer  
Bridge Place  
H/v Boundaryweg  
Century City  
Kaapstad

Opgastel deur my

*AB Barry-Kleynhans*  
TRANSPORTBESORGER  
BARRY-KLEYNHANS R

Particulars price/Value	R 2 400 000,00	R 950 000
Mortgage capital amount		R 1 000 000
Amount for insurance		Script 1,0

T 000054174/2012

## TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT

~~RENÉ-LYNNE BARRY-KLEYNHANS~~

PETRUS JOHANNES CILLIE

voor my verskyn het, REGISTRATEUR VAN AKTES te Kaapstad, hy die genoemde  
komparant synde behoorlik daartoe gemagtig deur 'n Volmag aan hom verleen deur

Die Eksekuteur in die Boedel Wyle  
ANDRIES JACOBUS BESTER  
Nommer 8759/2011

geteken te CENTURY CITY op 07 MAART 2012

DATA / CAPTURE  
11 SEP 2012  
NGUGWANA PENELOPE

DATA / VERIFY  
13 SEP 2012  
LARNIE EATGAYAH

GhostConvey 14.0.13.2

En genoemde komparant het verklaar dat

AANGESIEN genoemde ANDRIES JACOBUS BESTER op 29 MEI 2011 oorlede is;

EN AANGESIEN ENGELA HELEEN BESTER nagelate eggenote van die oorledene was, geregtig is op die hiernagenoemde eiendom, ingevolge die bepaling van die testament van die oorledene, geteken te STELLENBOSCH gedateer 8 APRIL 2004 onderhewig aan die voorwaarde vermeld in die testament van die oorledene.

EN DAT hy, die vermelde komparant, in sy voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

**ENGELA HELEEN BESTER**  
Identiteitsnommer 341020 0045 08 4  
Ongetroud

haar Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes, in volkome en vrye eiendom

**ERF 140 STELLENBOSCH, IN DIE MUNISIPALITEIT EN AFDELING  
STELLENBOSCH, PROVINSIE WES KAAP**

**GROOT 936 (NEGE HONDERD <sup>Sewe</sup> EN DERTIG) Vierkante Meter**

EERSTE GETRANSPORTEER kragtens Transportakte Nr T1656/1941 met Kaart 5784/1940 daaraan geheg en gehou kragtens Transportake Nr T16567/1968.

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Sertifikaat van Geregistreerde Titel gedateer 16 September 1932, Nr. 5749, maar weens spesiale voorwaarde B (a) hieronder sonder regte onder die serwituut waarna verwys word in die endossement gedateer 5 Oktober 1932 daarop;
- B. ONDERHEWIG aan die voorwaardes van die Serwitute waarna verwys word in die twee endossemente op 2 Junie 1939 en 5 Junie 1939 aangeteken op Akte van Transport gedateer 10 Desember 1932, Nr. 7492 naamlik:

Wat verwys na die volgende spesiale voorwaardes vervat in gesegde Akte van Transport gedateer 1 Maart 1941, Nr. 1656, wat deur Charlie Guillaume Rocher du Toit as eienaar van die restant van die grond geregistreer in sy naam deur Akte van Transport gedateer 10 Desember 1932, Nr 7492 bestaande uit die eiendomme beskryf in die Sertifikate van Geregistreerde Titel gedateer 16de September 1932 Nr. 5749 en 20ste Oktober 1931, Nr. 7946 en die Akte van Transport nr. 149 gedateer 15de Oktober 1888 opgele is vir voordeel van homself as eienaar van die grond tans deur hom gehou deur die gesegde Sertifikate en Akte van Transport of enige of deel daarvan, wie altyd die reg sal he om enige verbreking van enige een toekomstige eienaar daarvan verhaal te verkry, naamlik:

- (a) Dat die bogenoemde erf nie geregtig sal wees nie op die gebruik van enige water uit doe Kromme Rivier vir huishoudelik of enige ander doeleindes – die transport – gewer behou vir homself as eienaar van die Grond nog op 23 Augustus 1932 in sy naam geregistreer onder die gemelde Sertifikaat van Geregistreerde Titel gedateer 15 Oktober 1888 en Sertifikaat van Geregistreerde Titel gedateer 16 September 1932 No. 5749 en sy opvolgers in Titel al sy teenwoordig bestaande regte as oewereienaar op sulke regte.

- (b) Geen bottelstoor, kantien of plek waar sterk drank kan verkry word sal op heilbogemelde grond opgereig word nog sal enige hotel, slagter, algemene handelaar of andere besigheid van sulke aard gedryf of gedoen word daarop.
- C. ONDERHEWIG aan die voorwaardes vervat in gesegde Akte van Transport gedateer 1 Maart 1941, Nr. 1656, waaronder die Administrateur tot die oprigting van die Stadsgebied in terms van Ordonnansie 13/1927 Seksie 15, sy toestemming gegee het, naamlik:
- (a) die erf moet uitsluitelik vir wonings doeleindes gebruik word. Geen winkel of hotel en geen handel of industriële besigheid van enige aard sal daarop gedryf word nie.
- (b) Dat die erf nie sal verdeel word nie.
- (c) Dat nie meer dan een woonhuis met nodige buitegeboue en toebehoorsels op die erf sal gebou word nie en dat nie meer dan helfte van die oppervlakte van die erf op gebou word nie.
- (d) Dat geen gebou binne 18 voet van enige straatlyn wat die grens van die erf is moet opgerig word nie.
- D. ONDERHEWIG aan die voorwaarde (3) vervat in gesegde Akte van Transport gedateer 1 Maart 1941, Nr. 1656, opgele deur die Munisipaliteit van Stellenbosch so sal blyk van die byvoegsel aan die toestemming van die Admimitrateur voormeld te wete:
- (3) Dat die eienaar van elke erf en namalige eienare daarvan verplig sal wees om die riolering en rioolstelsel van enige erf of erwe oor sodanige erf te laat neem indien nodig geag deur die Munisipaliteit op sulke wyse en op so n plek as mag van tyd tot tyd deur die Munisipaliteit redelik vereis word.

WESHALWE die komparant afstand doen van al die regte en titel wat

**Boedel Wyle ANDRIES JACOBUS BESTER**

voorheen op genoemde eiendom gehad het, en gevolglik ook erken het dat hy geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

**ENGELA HELEEN BESTER , Ongetroud**

haar Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken sy dat die waarde van die eiendom die bedrag van R2 400 000,00 (TWO MILLION FOUR HUNDRED THOUSAND RAND) beloop.

TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die Komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

ALDUS GEDOEN EN VERLY op die Kantoor van die REGISTRATEUR VAN AKTES te Kaapstad op

28 AUG 2012

2012

In my teenwoordigheid

REGISTRATEUR VAN AKTES

q.q.

## **ANNEXURE D**



29 October 2019

Manager: Land Use Management Department  
Stellenbosch Municipality  
PO Box 17  
Stellenbosch  
7599  
Per Hand

**Attention: Me. Hedre Dednam**

Dear Hedre

**LU/8381: AMENDED APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, REZONING, CONSOLIDATION AND DEPARTURES TO ALLOW FOR THE DEVELOPMENT OF A BLOCK OF FLATS ON ERVEN 139 AND 140 SITUATED AT 1 AND 3 PAUL KRUGER STREET, STELLENBOSCH**

## **1. Introduction**

Our application for the above, submitted to your office on 21 August 2018, has reference. The original application included the consolidation of Erven 139 and 140 to allow for the development of a block of flats, comprising 52 units. During the application process, Stellenbosch Municipality requested that an overall Dennesig Urban Design and Traffic study be undertaken to assess the overall impact of all the proposed developments in Dennesig. As a consequence of the findings of these studies (Dennesig Neighbourhood Design Guideline Report, dated September 2019) the design of this proposed building had to be amended to comply with the recommendations made by the studies. The following are considered the main recommendations which had an impact on our proposed design:

- a) All ground floors to have a height of 4m to allow for a uniform "datum line";
- b) Build-to line of 0m on floors 1 – 3;
- c) Buildings to have a 0m common boundary setback when viewed from the street;

Herewith please find our amended application for the above in response to the studies which have now been concluded. Please refer to Section 2 below for a formal description of the amended application.

Section 3 below will provide a comparison between the original and the amended development proposal and summarize the main changes in the design.

## 2. Description of Amended Application

Application is made to the Stellenbosch Municipality, in terms of Section 15(2) of the Stellenbosch Municipality Land Use Planning By-Law, 2015, for the following:

Section 15(2)(f): To **remove title deed restrictions** [Clause B; Clause C (a, b); Clause D (a, b, c, d); Clause E(3)] from title deed number T28075/1996, for Erf 139; and  
To remove title deed restrictions [Clause B (a, b); Clause C (a, b, c, d); Clause D(3)] from title deed number T54174/2012, for Erf 140.

Section 15(2)(e): To **consolidate** Erven 139 and 140 into a single, consolidated erf.

Section 15(2)(a): To **rezone** the consolidated erf from Single Residential to General Residential, in terms of the Stellenbosch Municipality Zoning Scheme Regulations, 1996.

Section 15(2)(b): For **permanent departures** to allow for the relaxation of the following building lines:

- Street boundary building line (R44) from 7.6m to 5.35m;
- Street boundary building line (Paul Kruger Road) from 7.6m to 1.1 m on Ground Floor and 0m on Floors 1- 3;
- Common boundary building line (Erf 141) from 4.6m to 0m on Floors 1 – 3 (only on front 4-storey section of building);
- Common boundary building line (rear -Erf 16399 and 163) from 4.6m to 4.2m on Floors 1 – 4.

For **permanent departures** to allow for:

- The relaxation of permissible **coverage** from 25% to 60%;
- The relaxation of permitted **floor factor** from 0.5 to 1.6;
- The relaxation of **height** restrictions to allow for five-storey;
- The relaxation of required **parking** bays from 99 bays to 77 bays (which would include provision for 66 bicycles, 66 motorized vehicles and 11 tandem bays)

Find attached the following annexures, as amended, relevant to the amended application:

Annexure A: Amended Drawings (Dated 17 October 2019)

Annexure B: "Happy Letters" from appointed Urban Designers to confirm compliance with Design Study

Annexure C: Revised Response to Comments (dated 28 October 2019)

### 3. Description of Amended Proposed Development

The proposed development will entail the consolidation of Erven 139 and 140 to allow for the development of a block of flats, comprising 66 units. Parking will be provided in a basement and on the ground floor with 4 floors of residential units above. The ground floor parking is shielded from the street interface by the ground floor residential units. In order to soften the visual impact, the proposed building will comprise of two sections, a 4-storey section facing onto Paul Kruger Road with the 5-storey section set back from the road, positioned at the rear of the property. It is proposed to have two access points to the development, one vehicle access on the boundary of Erf 141 and one pedestrian access on the western corner of the site closest to the R44.

The original proposal included 33 units of less than 30m<sup>2</sup> where the new amended proposal now makes provision for larger units, with all units being more than 30m<sup>2</sup> and almost half the units (46%) will be more than 42m<sup>2</sup>. The amended proposal also includes more 2 x bedroom units (originally 14 now 23). This was done specifically to expand the target market to include not only students but also young professionals and small families. A brief description of each floor is provided below:

- **Basement:**

In order to comply with the 4m “datum line” on ground floor, the basement has been lifted to extend 0.8m above ground level. The basement will be accessed via a downwards ramp from the ground floor, located in the eastern corner of the application site. The basement will accommodate 39 vehicle parking bays, 11 tandem bays and vertical circulation structures.

- **Ground Floor:**

As mentioned above, two entrances are proposed from Paul Kruger street, one vehicle access on the boundary of Erf 141 and one pedestrian access on the western corner of the site closest to the R44. The Ground Floor will accommodate 27 vehicle parking bays as well as 66 bicycle bays. There will be 6 residential units situated on the GF which will shield the parking from the street interface. The ground floor units will be set back from Paul Kruger street to create private outdoor areas and to help activate the street interface. These areas will be landscaped to create a visual pleasing interface between the public and private realm. The height of the ground floor units has been increased to 4m to comply to the design guidelines as set out in the Urban Design Guideline Report.

The refuse room will be situated on ground floor next to the vehicular entrance.

- **First, Second and Third Floors:**

The first, second and third floors have been pushed out the street boundary, with the balconies going right up to the 0m erf boundary to comply to the build-to line of the design guidelines. Each of the units facing Paul Kruger has balconies facing onto the road thereby complying with the 70/30 principle where at least 70% of the interface remains “active” to enhance the sense of safety. These floors also have units extending over the vehicular entrance to the site right up to the common boundary in line with recommendations of the design guidelines. It is proposed to have a communal and braai area on the first floor, situated between the two sections of the buildings for relaxation.

The units situated at the rear of the property will have a 4.2m setback from the rear boundary (setback pertaining to the balcony, the building will have a setback of more than 5m) which will result in an approximate distance of just over 7m between this proposed development and *The Den* development (recently constructed) and approximately 7m from the proposed building on Erf 163 (which applied for a building line setback of 3.5m on this boundary). It is considered that this is a sufficient distance to prevent overlooking to the extent to warrant refusal and will also allow for enough natural and direct sunlight to the surrounding developments.

- **Fourth Floor:**

It is only the rear section of the building that proposes to have a Fourth Floor which will be setback considerably from the Paul Kruger Road Street boundary. A Rooftop Braai Area is proposed on this level which will offer beautiful views over the town and towards the mountains.

The development will include a sufficient amount of high-quality communal outdoor space, in the form of rooftop terraces on the fourth storey (as mentioned above), as well as private garden areas, including mature trees along the R44, which will assist in buffering the noise from passing traffic. Approximately 715m<sup>2</sup> of communal open space will be provided, which accounts for more than 41% of the total consolidated erf size.

Table 1, below, identifies the difference between the previously submitted application and this amended application submitted herewith:

Land Uses and Rules (Flats) Erf size: 1 724m <sup>2</sup>	Permitted Development General Residential (GR)	Original Proposal (August 2018)	Amended Proposal (October 2019)
Street Boundary BL R44	7.6m	6.51m	<b>All Floors: 5.35m</b>
Street Boundary BL Paul Kruger Road	7.6m	2.49m	<b>Ground 1.1m</b> <b>Floors 1 - 3: 0m</b> Floor 4: 11.5 m
Common Boundary BL (Side) Erf 141	4.6m	3.56m	Ground Floor : 5.38 <b>Floors 1 – 3: 0m</b> Floor 4: 5.08m
Common Boundary BL (Rear) Erven 16399 and 163	4.6m	4.06	<b>Floors 1 – 4: 4.2m</b>
Coverage	25% (431m <sup>2</sup> )	47% (816m <sup>2</sup> )	60% (1 034m <sup>2</sup> )
Height	3 Storeys + 1 if more than 75% of any storey is occupied by parking	5 Storeys	5 Storeys
Floor Factor	0.5	1.18 (2 026,73m <sup>2</sup> )	1.6 (2 720m <sup>2</sup> )
Number of Units	N/A	52 units 33 < 30m <sup>2</sup> 19 > 30m <sup>2</sup> (38 x one-bedroom 14 x two-bedroom)	66 0 < 30m <sup>2</sup> 66 > 30m <sup>2</sup> (43 x one-bedroom 23 x two-bedroom )
Parking	99 required: 1.25: dwelling units > 30m <sup>2</sup>	61 (50 x vehicle bays, 48 x bicycle bays 12 x motorcycle bays)	77 ( 66 x vehicle bays, 66x bicycle bays PLUS 11 tandem bays)

	0.25 per dwelling unit for visitors		
Communal Outdoor Space	25% (431m <sup>2</sup> )	41% (714m <sup>2</sup> )	41% (714m <sup>2</sup> )

**Table 1 Comparison between the Original Submitted Application and the Proposed Amended Application**

#### **4. Architectural Response to the Urban Design Guideline Report (August 2019)**

The objective of the Urban Design Guidelines impact on the proposed development on a number of levels: Firstly, the form and bulk of the building, its relationship with adjacent buildings and its interface with the street. This impacts on the building's footprint, its height, as well as the articulation of its façade.

The guidelines require continuous street facades. In response, we extended the building footprint to the boundary shared with The Den 2. To further achieve continuous street facades, the guidelines require the building to extend to a "build-to" line, which corresponds with the street boundary line. The building was therefore re-designed to extend to that line on its higher levels.

The building is designed in two sections, creating a courtyard building. The height on Paul Kruger Street is four storeys, with an active roof, accommodating a recreational area overlooking the street. The back wing is 5 storeys high, where it does not impact on the street. This is in line with the guidelines that require the top floor to be set back.

The ground floor is set back, in order to create outside living spaces overlooking the street, in line with the guidelines ("use setbacks on the ground floor and floors above the 4<sup>th</sup> level"). To achieve privacy for residents on the ground floor, the floor and stoep level was raised, in line with the guidelines for dealing with the semi-basement. The resulting grade separation and low street boundary / balcony wall allow for a positive transition from the public street to the private residential units. This was done within the 4m height requirement of the ground floor.

The proposed screens and the form of the balconies are in response to the requirement to manage the street interface by employing "depth and screens and planting layers", as well as the requirement to layer the façade through balconies and screening devices.

The garage entrance is kept to a minimum width and is designed as part of the façade (set back from the balcony line) in line with the guidelines ("Suppress the garage entrance by projecting the active façade beyond its face, to be integrated into the façade").

Note that the authors of the Urban Design Guidelines have scrutinised the revised proposals and have confirmed that the building meets all the requirements set out in the design guidelines. Please refer to the attached "Happy Letter".

#### **5. Motivation**

The proposed amended design is a response to the Urban Design Guidelines which was approved and supported by the Stellenbosch Municipality and it is clear from Section 4 above that the proposed amended design complies with these guidelines. Though the proposed development does not provide any retail use it is motivated that the design guidelines does not specify this as a requirement. It is also argued that it is not believed that it would be to the benefit of this design

precinct if there were to be an over supply of retail / commercial use as the intention is not to establish Dennesig as retail designation, but rather to ensure that provision is made for the basic day-to-day needs of the local residents. It is understood that there are development proposals in place that propose to provide substantial retail space along Hofman Road, which we believe is the best location for the retail component for the Dennesig precinct.

Section 5 of the Motivation Report (dated August 2018) provides a thorough motivation for the proposed development, the following is an expansion to this motivation based on the findings of the Urban Design Guideline Report:

- The proposed development is in line with the urban design principles to create a pedestrian focused environment where all parking is provided off-street and shielded from the street interface and the parking will not interfere with pedestrian movement;
- The proposed balconies on the street boundary will ensure an active street interface and enhance the sense of safety;
- The proposed high-density development will help establish a critical mass to support the retail uses proposed for the area;
- It will also help to establish the critical mass needed to achieve the proposed pedestrian and public transport focused movement networks;
- This proposed development will help to fund the proposed upgrading of the road network (again, with the focus on public and non-motorized transport) which will be to the benefit of not only this development but to the wider Dennesig area.
- The proposed variation in unit sizes can accommodate both differences in family sizes and income levels.

To conclude, we believe that the proposal clearly indicates compliance with the recommendations made by the Dennesig studies and respectfully request Council to proceed with the necessary processes to make a final decision on this application

Yours sincerely

Marika Bolz

For Arch Town Planners (Pty) Ltd

**REMOVAL OF RESTRICTIONS, RE-ZONING,  
CONSOLIDATION & VARIOUS DEPARTURES IN ORDER  
TO BUILD A BLOCK OF FLATS ON THE  
CONSOLIDATION OF ERF 139 AND 140**

***1 & 3 Paul Kruger Street, Dennesig, Stellenbosch***



**Date: AUGUST 2018**

**Prepared and Submitted by Arch Town Planners**



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## 1. Introduction

### 1.1 Background information

Erven 139 and 140 (hereafter referred to as the 'application site') are adjacent, single-residential erven located on Paul Kruger Road in Stellenbosch, directly east of the R44 highway in the neighbourhood of Dennesig.

Given the changing nature of the Dennesig community in recent years, in combination with the consistent demand for middle-income and student housing in Stellenbosch, the owners of the properties seek to contribute to the municipality's spatial plan of re-developing the area for higher-density housing, while increasing the economic potential of the property.

### 1.2 Planning Brief

In light of the above information, Arch Town Planners (PTY) LTD has been appointed by *Cabzus PTY LTD* to prepare and submit the relevant application to Stellenbosch Municipality, in order to obtain approval for the proposed block of flats. *Cabzus PTY LTD* is a private development company that has been granted power of attorney to act on behalf of the current owners of Erven 139 and 140 (see attached Power of Attorneys, in Annexure B).

This application seeks approval to remove title deed restrictions, consolidate the above-mentioned properties, rezone the consolidated erf as well as various permanent departures in order to accommodate a five-storey block of flats on the property. Please refer to Annexure A for the completed application form.

### 1.3 Application to Stellenbosch Municipality

Arch Town Planners hereby officially applies for the following, in terms of the Stellenbosch Municipality Land Use By-Law (2015), hereafter referred to as "The By-Law:"

#### 1.3.1 Removal of Title Deed Restrictions

Application is made in terms of Section 15(2)(f) of the By-Law:

- To remove title deed restrictions [Clause B; Clause C (a, b); Clause D (a, b, c, d); Clause E(3)] from title deed number T28075/1996, for Erf 139; and
- To remove title deed restrictions [Clause B (a, b); Clause C (a, b, c, d); Clause D(3)] from title deed number T54174/2012, for Erf 140.

#### 1.3.2 Consolidation

Application is made in terms of Section 15(2)(e) of the By-Law for the consolidation of erven 139 and 140 into a single, consolidated erf.

### 1.3.3 Rezoning

Application is made in terms of Section 15(2)(a) of the By-Law to rezone the consolidated erf from Single Residential to General Residential, in terms of the Stellenbosch Zoning Scheme.

### 1.3.4 Building Line Departures

Application is made in terms of Section 15(2)(b) of the By-Law for permanent departures to allow for the relaxation of the following **building lines**:

- Street building line (Paul Kruger) from 7.6m to 2.49m for the ground, first, second, third and fourth floors;
- Street building line (R44) from 7.6m to 6.51m;
- Common building line (adjacent to erf 141) from 4.6m to 3.56m; and
- Lateral (rear) building line (adjacent to erf 16399 and 163) from 4.6m to 4.06m

### 1.3.5 Additional Departures

Application is made in terms of Section 15(2)(b) of the By-Law for **permanent departures** to allow for:

- The relaxation of permissible **coverage** from 25% to 47% (+/- 816m<sup>2</sup>);
- The relaxation of permitted **floor factor** from 0.5 to 1.17 (+/- 2,026.7m<sup>2</sup>);
- The relaxation of **height** restrictions to allow for five-storeys;
- The relaxation of required **parking** bays from 70 bays to 61 bays (which would include provision for 48 bicycles; 12 motorcycles and 50 standard motorized vehicles)

The following serves as motivation for the above-mentioned application. The official application form is attached as Annexure A with supporting documents also attached as Annexures.

## 1.4 Applications to Other Authorities

### 1.4.1 National Heritage Resources Act

In order to construct the intended block of flats, the current structures on the site will need to be demolished. Given that the existing buildings are older than 60 years, an application for a demolition certificate will need to be attained, in terms of Section 34 of the National Heritage Resources Act 25 of 1999. An application has been prepared for submission to Heritage Western Cape as well as the Stellenbosch Heritage Foundation and will be submitted concurrently with this application.

### 1.4.2 National Environmental Management Act (NEMA)

Section 24 of The National Environmental Management Act sets out the application and authorization process for undertaking any development activities which could potentially impact the environment. It should be noted that the intended development has been considered in terms of the three Listing Notices (Regulations 983, 984 and 985) as issued as part of NEMA, Act 107 (1998). Arch Town Planners has found that the intended development **does not** trigger the need for an environmental impact assessment, and hence, NEMA is not applicable to this application.

## 2. Property details

Application Site	Erf 139 and 140, Stellenbosch
Physical Address	1 and 3, Paul Kruger Road, Dennesig, Stellenbosch
Property Size	Erf 139: 787m <sup>2</sup> Erf 140: 937m <sup>2</sup> Consolidated property: <b>1724m<sup>2</sup></b>
Ownership	Erf 139: Ernst Julius Harbich (Passport: 571002) Erf 140: Engela Heleen Bester (ID: 341020 0045 084)
Title Deed	Erf 139: 28075/1996 Erf 140: 54174/2012
Restrictive Title Deed Restrictions	See Conveyancer Certificates, attached as Annexure C
Current Zoning	Single Residential (in terms of Stellenbosch Zoning Scheme)
Locality	Please refer to Annexure D and <i>Figures 1 &amp; 2</i> below

### 2.1 Locality of Application Site

Erf 139 and 140 are located on the most western portion of Paul Kruger Road, directly adjacent to the R44 highway (Adam Tas Road), in the community of Dennesig. The R44 forms a main artery through Stellenbosch, linking nearby towns including Somerset West to the south and Klapmuts to the north. It also provides a direct link to other major roads, including the R304 and R310, which link commuters to the N1 and N2 highways for access to Cape Town and surrounds. The application site is also within 400 meters from the Stellenbosch train station, Stellenbosch University as well as Stellenbosch Town Centre. Thus, the site is well located for easy commuting by foot, bicycle, train or private vehicle.



**Figure 1: Locality Map, Erf 139 and 140 Stellenbosch**

The Dennesig community was built predominantly in the 1940's, and has historically been used as a traditional residential neighbourhood, with single-family homes and private gardens. Now, due to the community's ideal location between the university, town centre and major commuting roads, in combination with the urgent backlog of middle-income and student housing around Stellenbosch, the area has been earmarked by the

municipality for higher-density residential development, in order to acknowledge planning principles such as spatial sustainability and efficiency, which value the efficient use of space through brownfield development. Some higher-density development is already present in the area; such as the three-storey-plus-loft *Plumbago* development, across the road from the application site. In addition, various new higher-density developments are planned in the area, such as the recent municipal approval of a 60-unit block of flats ('The Den'), behind the application site, as well as a new application that has been submitted, which proposes the consolidation and re-zoning of five residential erven along Paul Kruger and Dennesig roads, for the development of ~140 new units.

Paul Kruger Road is a two-lane, dead-end road, lined with mature trees, as shown in *Figure 2*, below.



**Figure 2: Plumbago Flats Development (left); and Paul Kruger Streetscape (right)**

## 2.2 Surrounding Land Use

While Dennisig might previously have been considered to have a predominantly single-residential character, it is clear from *Figure 7* below that the character of the area is changing at a rapid speed. There are very few single residential houses left in the area surrounding the application site. This is largely in response to the identification of Dennisig as an area for primary densification and development intensification within the recently approved SDF and IDP. From the recently approved 'The Den' Development, it is clear that the precedent for high-density residential developments have already been established and are supported by the Municipality.



**Figure 3: Surrounding Properties**

### 2.3 Current Land Use

The current land use on the application site is single residential; with one-storey houses currently standing on each property. The houses were likely constructed in the 1940's, based on the earliest dates mentioned in the title deeds. It should be noted that in order for the proposed development to move forward, the current structures will need to be demolished. An application for a demolition certificate will be concurrently lodged with Heritage Western Cape and relevant authorities.



Figure 4: Current Land Use for Erf 140 (left) and 139 (right)

### 2.4 Current Zoning & Relevant Definitions

The properties are both currently zoned as Single Residential, in accordance with the Stellenbosch Zoning Scheme (1996). Since the current zoning is intended for single-family residential purposes, it is not appropriate for the development of a block of flats, and hence, a re-zoning application is required. The SG diagram for the properties is included in Figure 4.

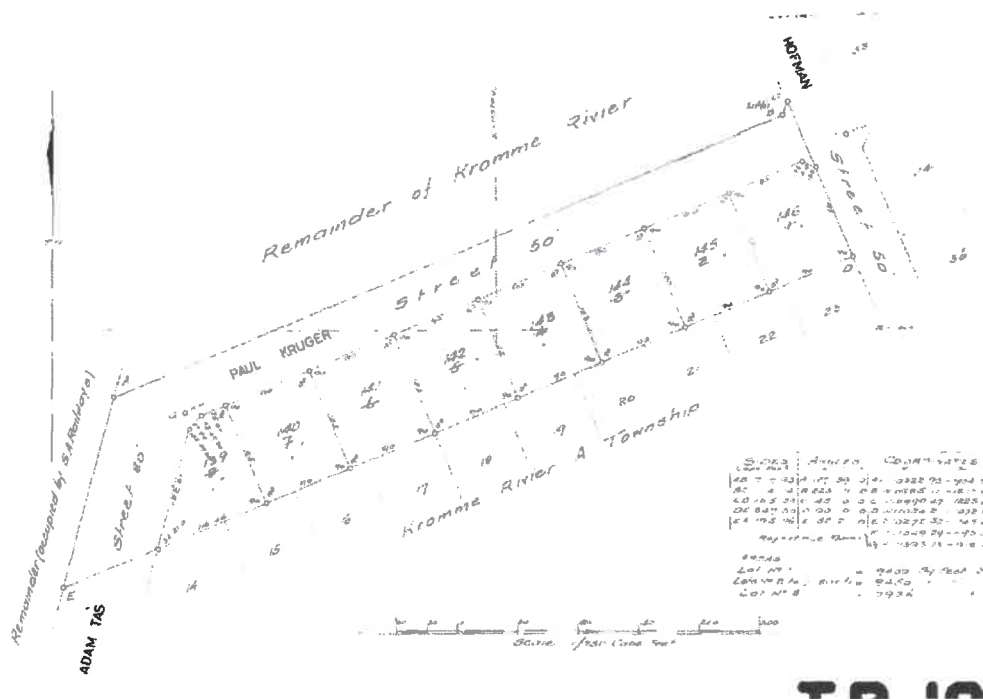


Figure 5: SG Diagram, Paul Kruger Street

### 3. Development Proposal

#### 3.1 Overview

The proposed development will entail the consolidation of the two erven 139 and 140 to allow for a 52-unit block of flats, which will be marketed towards students, young professionals and small families. In order to soften the visual impact, the proposed building will comprise of two sections, a 4-storey building along Paul Kruger Road and a 5-storey building toward the rear of the property. These two buildings will be linked with internal staircases and walk-ways forming one combined structure.



**Figure 6: Four-Storey View of building from Paul Kruger (Left); and Rear View showing fifth storey (right)**

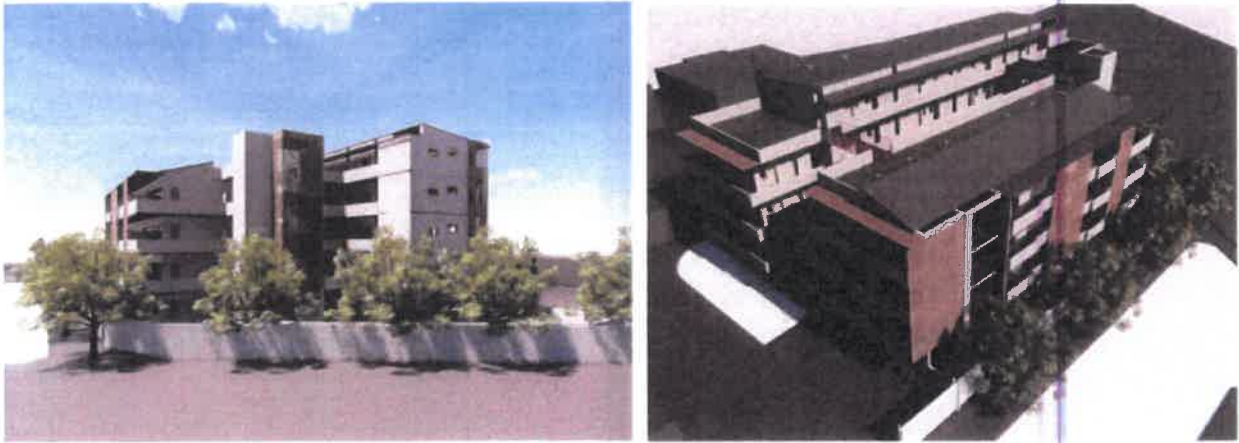
The ground floor of the 4-storey section along Paul Kruger Road will be set back from the street to accommodate a garden area in front of the ground floor units, facing onto Paul Kruger Road. This will ensure the creation of an active street front and will allow for landscaping to soften the visual appearance of the proposed building. The first – third floors will each have balconies facing Paul Kruger Road, the R44 and the property towards the east. A roof top terrace is proposed on the roof of the fourth floor.

The 5-storey section of the building, towards the rear of the application site, will have parking on the ground floor with four floors above the parking. The parking will be shielded from Paul Kruger Street by the ground-floor section of the 4-storey building. The fourth floor (5<sup>th</sup>-storey) of this building will have a significant setback from the adjoining property to the east (Erf 141), which allows for a rooftop terrace providing communal open space and a braai area.

The majority of units, 38 in total, will be one-bedroom units; while the remaining 14 units will be two-bedroom units. Unit sizes will range between 28m<sup>2</sup>-64m<sup>2</sup> excluding private balconies and outdoor space. Access to each floor will be provided by two sets of staircases on the eastern and western sections of the proposed building as well as a lift situated near the boundary of the R44.

Vehicular access to the proposed development will be provided from Paul Kruger Road entering the site on the eastern boundary. One level of basement parking is provided, with the remainder of parking being provided on the ground floor, behind the 4-storey building. Provision has been made for motor vehicle, bicycles and motorcycle parking bays.

The development would also include a sufficient amount of high-quality communal outdoor space, in the form of rooftop terraces on the fourth storeys of the building, as well as private garden areas, including mature trees along the R44, which will assist in buffering the noise from passing traffic. Approximately 715m<sup>2</sup> of communal open space will be provided, which accounts for more than 40% of the total consolidated erf size.



**Figure 7: View of Building from R44 (Left); and Aerial View showing Communal Roof-top Braai area (right)**

The building has been designed in keeping with the architectural aesthetic of Stellenbosch, consisting of light-coloured walls, with wood latticing along the stairwells, to visually soften the look and feel of the building.

### 3.2 Parking and Traffic Impact

As mentioned above, access to the site will be from Paul Kruger Street, with a carriageway entrance of 5.1 meters. Parking will be provided through a combination of ground-floor and basement-level parking. All parking will be invisible from the perspective of pedestrians crossing in front of Paul Kruger Street, since all ground-level parking has been discretely accommodated behind the planned ground-floor residential units. The underground parking will be accessed by a ramp, behind the building, which will run alongside Erf 141, on the eastern boundary of the property.

The current design allows for 50 standard parking bays, 48 bicycle bays and 12 motorcycle parking bays; or the equivalent parking allowance of 61 bays, as per discussions with Stellenbosch Municipality Traffic Engineers.

As part of this application, a preliminary Traffic Impact Assessment (TIA) has been prepared by *DECA Consulting Engineers*. Upon completion of the traffic study, the consultants recommended:

- A queuing survey done at the R44 Adam Tas Road / Molteno Road intersection in a previous study on request of Mr. Winter of Stellenbosch Municipality shows that **traffic signals are not currently warranted**. For the proposed improvements to the geometric layout of the intersection please refer to TIA for erven 163-165 Dennesig Rd and erven 141-142 Paul Kruger Rd, Stellenbosch, done by DECA Consulting Engineers on 31- 05-2018, Drawing No. D297/G1/01. It is important to note that the improvements are recommended to improve the existing situation and not as a result of additional traffic from the

development. The development can therefore not be held liable for the cost of improvements, although development contributions may be used towards the funding of improvements;

- **Sidewalks should be provided** along Paul Kruger Road in front of Erven 139 and 140;
- Stellenbosch Municipality should draw up a **non-motorised transport improvement plan** for this area so that future improvements may happen in a co-ordinated and standardised manner.

### 3.3 Water & Sewage

As part of this application, a preliminary Services Report has been prepared by *KCE Consulting*. The consultants found that:

- There will be minimal additional impact to the site in terms of storm water discharge as a result of the development, since existing structures are mostly impermeable.
- Peak water demand would be approximately ~4.111 l/sec.
- Peak sewage flow would be approximately 0.605 l/sec.
- Water supply to the scheme will be from either Paul Kruger or Adam Tas Road, which are currently supplied with 90mm and 100mm water mains, respectively.
- To supply the scheme adequately (including provision for firefighting services) the line in Paul Kruger may need to be upgraded to a 10mm line. If the supply is taken directly from Adam Tas, no upgrades are anticipated.
- The water upgrades associated with the development of Erven 4202 and 4203 are expected to relieve any potential pressure issues in the area.
- It has been indicated that the next phase (Phase 3) of the main outfall sewer is to commence soon and may well be in place before commencement of this scheme (December 2019) is placed on to the network.
- **Overall: The proposed scheme can be integrated into the existing network and short-term upgrades planned by the Municipality in the near future will minimise any additional impact to the system**

See Annexure J for the full Services Report prepared for this application.

### 3.4 Electrical

As part of this application, a preliminary Electrical Report has been prepared by *De Villiers & Moore Consultants*. The consultants found that:

- The maximum electrical demand will be in the order of 200 kVA.
- The Stellenbosch Municipal Electrical Department confirmed that the electricity supply could be made available from their network.
- A new mini-substation will be required for the proposed development and bulk levies and connection fees payable.

See Annexure J for the electrical report prepared for this application.

### 3.5 Summary of Development Proposal

In summary, the proposed development will entail a 52-unit, five-storey block of flats, with a combination of high-quality private and communal open spaces. A total of 60.5 parking bays will be provided, which will include a combination of motorcycle, bicycle and motor vehicle parking. The proposed development, in relation to development parameters permitted under General Residential Zoning, is indicated below:

<b>Land Use Parameter (Flats, erf size: 1,724m<sup>2</sup>)</b>	<b>Permitted Development for General Res (GR) (Stellenbosch Zoning Scheme 1996)</b>	<b>Proposed Development</b>
Street Building Line (BL) (R44)	7,6m	6,51m
Street Building Line (BL) (Paul Kruger)	7,6m	2,49m
Common Boundary BL (side)	4,6m	3,56m
Common Boundary BL (rear)	4,6m	4,06m
Max Coverage	25% (431m <sup>2</sup> )	47% (816m <sup>2</sup> )
Max Height	3 Storeys +1 if more than 75% parking cov	5 Storeys
Floor Area (Bulk)	50% (862m <sup>2</sup> )	50% to 117% (+/- 2,026.7m <sup>2</sup> )
Communal Outdoor Space	25%: (431m <sup>2</sup> )	42% (714m <sup>2</sup> )
Units		33 < 30m <sup>2</sup>
		19 > 30m <sup>2</sup>
Parking Required	70	61 (including 50 standard bays, 48 bicycles, 12 motorcycles)

## 4. Policy Alignment

### 4.1 Overview

The proposed development is well-aligned with the current policy environment, both from a macro perspective of South Africa as a whole (in terms of SPLUMA), as well as from a local perspective, in terms of the most recent Stellenbosch Municipality Spatial Development Framework (MSDF), Integrated Development Plan (IDP), as well as the recent heritage report, which takes account of key heritage resources throughout the municipality.

### 4.2 Spatial Planning and Land Use Management Act (SPLUMA) 2013

SPLUMA is a framework planning policy that outlines five core principles that must be considered in land-use decisions within all levels of governance in South Africa. These principles are presented below, with a rationale of how each principle relates to the application:

#### **Principle of Spatial Justice:**

The principle of *spatial justice* generally refers to ensuring that land is made fairly available to those who need it, within well-integrated urban areas. The outlined development is in line with this principle, as it proposes to offer flats that will be marketed predominantly to students, young professionals and small families in an area of town that is easily accessible to a wide array of urban conveniences and social services for residents of middle-income backgrounds.

#### **Principle of Spatial Sustainability**

The principle of spatial sustainability refers to town planning that is cognizant of the need to use land in a way that is environmentally, economically and socially responsible. For instance, spatial sustainability would prioritise land-use decisions that allow humans to live closer to work, to minimize traffic congestion and allow for denser, more efficient settlements. This proposed development is well-aligned with this principle, since it proposes the development of high-density flats in a central area of town, which facilitates the use of non-motorised transportation and is within close proximity to work, study and recreational opportunities.

#### **Principle of Spatial Resilience**

This principle refers to land use decisions that allow human beings to be less susceptible to the negative effects of external factors, such as natural disasters (flooding, fires, climate change, etc.), which would impact their health and livelihood. It should be noted that this development is a brownfield development in an area of town that has already been urbanized. Thus, through this development, there will be no negative impact on vulnerable agricultural and/or natural areas; nor would there be any additional risk to the resilience of human residents in the area.

**Principle of Efficiency:**

The efficiency principle refers to land-use decisions that seek to make use of existing infrastructures, in order to avoid the high development costs of installing new infrastructure associated with greenfield development. Again, this development is a brownfield site, that will make use of existing urban infrastructure. While this infrastructure may need to be upgraded slightly to accommodate the increased residential density of the area, these costs will be minimal compared to development in a non-urban area.

**Principle of Good Administration**

Finally, the principle of good administration refers to land use decisions that are well-planned, timely and based on sound planning principles. This proposal is very much in-line with the municipality's existing densification policies; promotes healthy, integrated and livable urban communities; and presents an aesthetically-pleasing public-street interface that complements existing land uses. Hence, the approval of this application would be in the best interest of Stellenbosch Municipality as a whole.

**4.3 Stellenbosch Integrated Development Plan (IDP) 2017**

The current Stellenbosch IDP, approved in May 2017 (and updated in May 2018), provides the detailed development plans for the entire municipality, over the short term (2017 – 2022) and long term; as well as reviewing some of the challenges and opportunities experienced by the municipality. The IDP has also informed the municipality's recent Spatial Development Framework (2018).

Overall, the IDP prioritises the densification of existing urban areas, by "focusing development in low-density areas, infill, and brownfield land before considering greenfield sites." Given the low-density nature of the current Dennesig community, in combination with its ideal location in close proximity to the Town Centre, the area is well-aligned with the IDP strategy of densifying brownfield sites. Similarly, the IDP prioritises the objective of "Car Free Living" which refers to strategies that encourage more sustainable modes of travel such as public transportation, non-motorised transportation and other mechanisms to increase the number of passengers per vehicle. In order for such a strategy to be attained, the municipality must allow for the densification of areas of town that are easily accessible by pedestrians and cyclists, such as the Dennesig area. The IDP further acknowledges that traffic congestion and gridlock is a significant challenge in Stellenbosch; and hence, providing accessible accommodation in close proximity to areas of work and study is an important opportunity for reducing the need for people (and particularly students) to commute to town by motorised vehicle.

Finally, at a localized level, the IDP specifically identified the Dennesig area as a "primary densification and development intensification area for the establishment of blocks of flats [...] with heights of up to 6 storeys subject to certain performance criteria" (Page 64, Chapter 6).

With these points considered, the outlined development is well-aligned to the municipality's plan for increased densification and car-free living in centrally located urban areas.

#### 4.4 Stellenbosch Municipal Spatial Development Framework (MSDF) 2018

Stellenbosch Municipality recently completed a new MSDF, that will be used to guide land use decisions in both the short and long term. This document conceptualizes seven core principles, that should be considered in building a town that is spatially integrated, safe, cognizant of its history and economically sustainable. These principles are outlined below, in relation to the current application:

##### 1) Interconnected Nodes

This principle suggests that development should occur in densified urban “nodes,” in order to prevent urban sprawl, and maintain local character. This application would allow for the re-development of an *existing* urban area, with the intention of aligning the Dennesig area towards better meeting the needs of residents for middle-income housing in the area.

##### 2) Car-Free Living

As explained elsewhere, this application seeks to promote car-free living in a central area of town, particularly through the provision of 48 bicycle and 10 motorcycle bays, which will encourage more environmentally friendly forms of transportation. The intention is to reduce traffic congestion in the Town Centre by providing housing that the middle-class can afford, in close proximity to work and study destinations. This development seeks to facilitate healthy, active living and a cleaner environment.

##### 3) Inclusive Economic Growth

This principle identifies the need to allow groups of diverse financial backgrounds to live in close proximity to economic opportunities. At present, many of the existing flats within a 200-meter radius of Stellenbosch University are selling for upwards of R60,000 per square meter. The intention of this development is to cater to students and young professionals of a lower-income bracket; which will expand opportunities for a wider demographic of students and young professionals to live within walking and cycling-distance from study and work opportunities in the Town Centre, hence contributing to more inclusive economic opportunities, which will not specifically cater to high-income car owners.

##### 4) Optimal Land Use

This principle acknowledges that there is a shortage of at least 20,000 housing units in Stellenbosch, and that in order to fill this gap (while maintaining the rural-historical character of Stellenbosch), urban infill and brownfield development is essential. Hence, the proposed development is well positioned to align with this principle.

##### 5) Resource Custodianship

This principle acknowledges that shared resources (such as water, electricity, and other infrastructures) are expensive to build and maintain, and often result in negative effects to the environment. New development should therefore strive to offset environmental damage and infrastructural costs, by promoting environmentally-friendly building mechanisms and infrastructures. It should be noted that the developer is willing to provide such infrastructures on the development, through further discussion with the municipality.

## 6) Food & Agriculture

This principle is cognizant of the economic and cultural importance of high-value agricultural land in and around Stellenbosch. It should be noted that this development will result in no destruction of agricultural land and indeed, will likely contribute to its preservation by ensuring that demand for housing is achieved through urban-infill development, rather than greenfield development.

## 7) Heritage

The Heritage principle recognises that the appeal of Stellenbosch largely stems from its well-preserved and distinct architectural and agricultural heritage, including scenic landscapes. It strives for the protection of key heritage resources and areas, particularly along scenic routes and in the historic urban core. It should be noted that the Dennesig is an older suburb, but, despite the age of the existing buildings (approximately 70-years old), they are not considered historically significant according to the Stellenbosch Heritage Foundation. Nonetheless, the proposed block of flats has been designed in such a way to complement the existing, historical fabric of Stellenbosch, but with a refined, modern finish that will offer a distinctly new, but uniquely Stellenbosch façade.

### 4.5 Stellenbosch Municipality Heritage Survey (2018)

A heritage report was undertaken by *Cape Winelands Professional Practices In Association*, and was completed in May 2018. The report is comprised of three phases, and aims to take stock of all heritage resources in Stellenbosch, to understand their contribution, and to develop maps and guidelines for their conservation. Ultimately, the report should be used to assist the Municipality with becoming compliant with the requirements of the National Heritage Act (25 of 1999).

Along with acknowledging the historical importance of physical structures in the town, the report also acknowledges culturally-significant landscapes and streetscapes. The "historical core," of Stellenbosch is identified and mapped as part of the project, and a survey undertaken to map and codify all important heritage resources within the municipality.

It should be noted that the Dennesig community is not acknowledged to be historically or aesthetically significant within this report, and the report does not outline any heritage requirements for developing the area. However, given that the application is approximately 200-meters from the eastern boundary of the historical core, it therefore imperative that the development of the property is accountable and complementary to the existing aesthetic of the area. Hence, the building has been designed in keeping with many of the key historical architectural features of Stellenbosch (ie: maintaining mature trees, light-coloured concrete walls, the integration of wood features in to the external façade, active street frontage), while at the same time, the building will add a distinctly modern feel to the area.

## 5. Motivation

This following section highlights the need and desirability of the proposed development, while also providing a detailed motivation for each component of the application, by considering the proposal against the policies set out in Section 4 above.

### 5.1 Need and desirability

As identified in the 2018 IDP, there is a housing backlog of at least 20,000 residential units (specifically middle and low-income housing) that Stellenbosch Municipality must strive to overcome. In the coming years, it is likely that this demand will only continue to rise, particularly as Stellenbosch University continues to increase its enrolment on an annual basis. At present, there has been a significant trend towards the construction of three-or-four-story apartment blocks within a 300-meter radius of the central university campus. However, given the proximity of these flats to campus and the town center, and the demand for accessible accommodation, many of these units are selling for upwards of R60,000 per square meter, or up to R7,500 per room, per month in rent. This high cost is simply unaffordable to the vast majority of students and young professionals and hence, many young people make the choice to commute (by car) to town, while living either at home or within more-affordable suburbs around Stellenbosch. The results, as we regularly see, are grid-locked highways and neighbourhood streets blocked due to heavy congestion during peak hours.

Due to the lack of developable land within Stellenbosch and especially close to the town, it is considered that where appropriate, urban infill should be explored and prioritized, in order to densify existing urban settlements.

The proposed development would allow for the addition of 52 units (including a total of 66 bedrooms) towards the alleviation of the housing backlog in Stellenbosch. The proposed development will be aimed at students, young professionals and small families, who need accessible housing in a well-located area of town. Through the provision of high-quality communal space and substantial provision for the storage of bicycles, this development seeks to achieve a high-quality, human-friendly and budget-conscious alternative for students, young professionals and small families, that is both distinctly urban and distinctly Stellenbosch.

### 5.2 Precedent in the Area

As indicated in Section 2.2 above, a strong precedent for this type of development has already been established. This is also one of the main densification areas identified by the approved IDP to allow for high-density developments. It is therefore motivated the proposed development will not be out of character to that of the surrounding area and it will comply with municipal policies in relation to the Dennisig area.

### 5.3 Impact on Surrounding Land Owners

As mentioned, all properties surrounding the application site have been earmarked for higher-density residential development, of similar scale to that proposed in this application. While the proposed development may impact surrounding land owners by way of increased traffic in and out of the area, it is motivated that this traffic will be mostly minimal, since the majority of residents will likely be students and young professionals who will find that it is easier to walk or cycle, and (if available) use public transport, rather than search out and pay for the notoriously scarce parking opportunities available on campus. It is considered that the application will not produce any substantial negative effects to any surrounding properties.

### 5.4 Removal of Restrictive Title Deeds

A professional Conveyancer was appointed to review the current title deeds for Erf 139 and 140, and a number of restrictions were found, which would be prohibitive to the current development and must therefore be removed (see Annexure C for Conveyancer Certificates). Application is therefore made for the removal of the following restrictive title deed conditions, as verified in the attached Conveyancer Certificates.

From title deed number T28075/1996, for Erf 139:

- Clause B;
- Clause C (a, b);
- Clause D (a, b, c, d);
- Clause E(3)] To remove title deed restrictions [Clause B (a, b); Clause C (a, b, c, d); Clause D(3)]

From title deed number T54174/2012, for Erf 140:

- Clause B (a, b);
- Clause C (a, b, c, d);
- Clause D(3)

It should be noted that the above restrictive title deed conditions limit the ways that the land can be used; including restrictions around the number of dwelling units, building lines, coverage, ability to subdivide, etc. All of these restrictions were put in place before the implementation of the current zoning scheme, as a way to regulate and protect the single-residential character of the area. As this area has been identified by the Stellenbosch Municipality as one of the main densification areas, the need for such restrictions to protect the single residential character of the area are no longer relevant and considered outdated. These restrictions would not permit the development of a block of flats on the site, and thus need to be removed in order for the intended development to be permissible on the identified erven.

Section 33(5) of the Stellenbosch Municipality Land Use Planning By-Law (as informed by LUPA) sets out the responsibility of the municipality to decide on the removal of restrictive title deed conditions based on whether or not they would be financially or otherwise beneficial to the owner of the properties, surrounding community and general public. To facilitate the decision-making process of the municipality, a number of key questions are addressed, below:

*5.4.1 Why were the restrictive condition(s) imposed and how are they beneficial?*

The restrictive conditions in each of the title deeds would have been imposed as a way of coordinating and restricting land use to protect the character of the area, prior to the implementation of the existing zoning scheme. They would have historically been beneficial for maintaining the single-residential character of the area. However, given the changing nature of Dennesig in the past decade, in combination with new spatial frameworks and land-use by-laws which promote high-density developments in this area, these restrictive conditions are now considered outdated and hence no longer beneficial to the area.

*5.4.2 Do the rights have any financial or other value for the holder of those rights (ie: including any other property owner) and is this value measurable?*

It is considered that there would be no financial or other value in the current restrictions remaining in place. It is strongly motivated that these conditions limit the development potential on the site and therefore the financial value of the property. It is motivated that the removal of these restrictive conditions, which would allow for further development of the site, would permit the property owners to increase the economic potential of their properties, which would likely have a knock-on effect to the property prices of surrounding properties.

*5.4.3 Would the restriction remaining in place be of benefit to the general public or public interest?*

There would be no benefit to the general public if the restrictions remain in place.

*5.4.4 How will the removal of the restrictive condition be in the public interest?*

The removal of the restrictive conditions is the first step towards securing the land use rights for the development of higher-density accommodation within close proximity to the town and public transport nodes (existing and the planned TOD at van der Stel Sports Ground). Given the shortage of accommodation in Stellenbosch for students, young professionals and families, it is in the best interest of the public to remove the restrictive conditions in order to allow for the development of new accommodation options in an accessible area of town.

*5.4.5 How will the applicant benefit from the removal of restrictions?*

The applicant and current property owners will benefit from the removal of restrictions as they will be allowed to develop the properties to their full development potential, in line with municipal policy, thereby increasing the economic potential of the property.

*5.4.6 How will members of the surrounding community benefit or not from the removal being kept in place, or from its removal?*

It is considered that the removal of the restrictions may trigger an increase in property prices of the area, as other property owners recognize the potential economic value of their land. Furthermore, it should be noted

that all adjoining properties are being re-developed as flats and would not be impacted negatively by allowing for the removal of restrictions. It is not considered that the proposed amendment to the building lines would result in a loss of sunlight or privacy.

### 5.5 Consolidation of Erven 139 and 140

The two individual properties (measuring 787 m<sup>2</sup> and 937m<sup>2</sup> respectively) are too small to allow for high density development on these sites, as singular units. The consolidation of the properties will result in an erf of sufficient size to accommodate the proposed development and therefore allow for the maximum development potential to be achieved, in line with the municipal policies. It is not considered that the proposed consolidation will result in any detrimental effect to any of the neighboring properties or have any negative effect on the visual appearance of the area.

### 5.6 Re-zoning from Single Residential to General Residential

The proposed development and densification of the sites cannot be accommodated under the existing Single Residential zoning, which only allows for low-density, single-dwelling land uses. It is therefore proposed to rezone the application site to General Residential in terms of the Stellenbosch Zoning Scheme (1996), which will allow for the proposed higher-density development, in line with the municipal policies.

The two properties directly behind the application site have already been rezoned to General Residential and as mentioned above, there is a current application to rezone erven 141 – 142 and 163-165 to General Residential to allow for a similar high-density development. It is understood that another application is being prepared to obtain the rezoning of the remainder of this street-block to General Residential. It is therefore motivated that the rezoning would not be out of character in the area and would allow for densification of the sites as promoted and supported in the approved IDP.

### 5.7 Building Line Departures

In order to accommodate the proposed development, this application also includes for an application to allow for the relaxation of the following **building lines**:

- Street building line (Paul Kruger) from 7.6m to 2.49m;
- Street building line (R44) from 7.6m to 6.51m;
- Lateral building line (adjacent to erf 141) from 4.6m to 3.56 m;
- Lateral (rear) building line (adjacent to erf 16399 and 163) from 4.6m to 4.06m (on the first – fourth floors);

It is proposed to reduce the street building line on Paul Kruger to 3.48m on the ground floor and to 2.49m on the first to third floors to allow for private balconies. This will allow for the ground floor gardens to interact directly with the street front, while also embedding an “eyes-on-the-street” design, which will assist with ensuring the safety of the area. Furthermore, through a relaxation of the street building line, all parking can be accommodated at the rear of the property, shielded from the street view by the proposed buildings. The

proposed street building line is similar to that recently applied for on adjoining erven 141 and 142, which will assist in adding continuity of the architectural facade along Paul Kruger Road.

It is also proposed to reduce the building line along the R44 from 7.6m to 6.51m to allow for the lift, the stairs and some apartment units located close to the rear of the property. It should be noted that all regional roads must retain a building line of at least five meters. With a proposed building line of 6.51m from the R44, the building is still sufficiently far away from the R44 to fall within these road-reserve parameters. Furthermore, the existing mature trees located along the R44 will be preserved as much as possible through the construction process on the site, which will soften the view of the building from motorists on the R44. The remaining 6.51m area along the R44 property boundary will be used as high-quality communal outdoor green space for building residents. With these measures in place, the proposed building line departure will ensure that the building does not seem overbearing or out of place along the R44. As this building line is only relevant to the R44, it will not result in any overlooking or loss of privacy.

The proposed building line relaxation from 4.6m to 3.5m along the common boundary of Erf 141 relates only to private balconies on the first to fifth floor. The main building will be set back approximately 5m from the common boundary of Erf 141, which complies with the prescribed building line of 4.6m. It should be noted that the proposed development on Erf 141 applied for a common boundary setback of 4.5m from this proposed development, which will result in these two buildings being approximately 8m apart. It is considered that this setback is more than enough to ensure that there will be no significant loss of privacy or overlooking to the extent to warrant refusal.

The rear five-storey section of the proposed development will be set back approximately 4m from the rear boundary, which will result in an approximate distance of just over 8m between this proposed development and *The Den* development (currently under construction) and approximately 7.5m from the proposed building on Erf 163 (which applied for a building line setback of 3.5m on this boundary). It is considered that this is a sufficient distance to prevent overlooking to the extent to warrant refusal and will also allow for enough natural and direct sunlight to the surrounding developments.

Since this proposal seeks to aesthetically complement current buildings as well as the new street scape that will be developed as a result of new, higher-density residential buildings, it is motivated that the building line departures proposed above will allow the municipality to contribute towards the goal of densifying the Dennesig area, while allowing property owners to maximize the development potential of the property and re-establishing Stellenbosch's traditional pattern of buildings in close proximity to street boundaries

## 5.8 Additional Departures

Along with the above building-line departures, additional permanent departures are applied for in order to achieve the maximum development potential of the site, in line with the municipal policies which promote densification in this area. The following **permanent departures** are applied for:

- The relaxation of permissible **coverage** from 25% to 47% (+/- 816m<sup>2</sup>);
- The relaxation of permitted **floor factor** from 0.5 to 1.17 (+/- 2,026.7m<sup>2</sup>);
- The relaxation of **height** restrictions to allow for five-storeys;
- The relaxation of required **parking** bays from 70 bays to 61 bays (which would include provision for 48 bicycles; 12 motorcycles and 50 standard motorized vehicles)

### 5.8.1 Coverage, Floor Factor and Height

As set out under Section 4.4 above, the recently approved Stellenbosch SDF sets out specific principles to guide development to achieve the creation of vibrant, livable and sustainable communities. It is considered that the current zoning scheme, approved in 1996, more than 20 years ago, is outdated as does not respond to or promote for the development of sustainable communities through densification. Densification is one of the main land use tools to promote sustainable use of resources (land, services, public transport, etc). As outlined in the approved SDF and IDP, it is clear that the municipality acknowledges the dire need for densification, especially in areas such as Dennesig within close proximity to the town center, the University and public transport nodes. The IDP specifically identified the Dennesig area, between Paul Kruger, Dennesig, Merriman and Bird Streets, as a primary densification and development intensification area. This can only be achieved if property owners are allowed to depart from the existing zoning parameters which restrict coverage, floor factor and height.

Given the municipality's recent approval of *The Den*, which comprises a five-storey block of flats, it is considered that the precedent for this type of development in the area has been established. Nonetheless, given the requested increase in coverage, floor factor and height of the proposed development, it should be noted that great effort has been made to ensure that the building is aesthetically pleasing; both in terms of public interface from the street, as well as for incoming residents of the development. The building section situated on Paul Kruger street will only be four-storeys in height, with the five-storey section positioned at the rear of the property. Thus, from the public perspective on the street, the building will appear to have only four-storeys. The building will therefore not seem overbearing or out of character to those which have been approved for development in the area.

Similarly, the proposed increase in bulk of the site will likewise be buffered by the mature trees that currently exist (and will be maintained) on the property, as well as the private, walk-out gardens to which all ground floor units will have access. Furthermore, natural-looking wood cladding will be added to shade the stairwells and soften the design of the building, which will add warmth and diversity to the façade and create a visually appealing streetscape, both from Paul Kruger Street as well as from the R44.

It is further considered that the proposed development, being a brownfields development, will result in the optimal redevelopment of the application site, in line with municipal policies. The proposed development will contribute to the creation of a sustainable neighborhood in that it is situated close to existing and proposed transport nodes, it is within walking distance to surrounding amenities and optimizes the use of infrastructure.

### 5.8.2 Parking

The attached Area Schedule (See Annexure F) indicates that a total number of 33 units will be less than 30m<sup>2</sup> and only 19 units will be more than 30m<sup>2</sup>. Based on this, a total number of 70 bays are required. As confirmed in discussions with the relevant municipal officials, applications that propose a substitution of up to 15% required parking bays with bicycle and motorcycles bays will be considered. The proposed development will have 61 parking bays, which will include parking for 48 bicycles, 12 motorcycles and 50 standard motor vehicle bays. Given the centrality of the development, it will be easy for residents to walk, cycle or take the train to most areas of Central Stellenbosch and surrounds. The development is particularly well-located for walking to the town center, Stellenbosch University, Boland College, and the proposed future car-pooling on the R44.

In the 2018 MSDF, the vision of “Car-Free Transport” is proposed. In order to achieve this vision, a shift in planning policies and priorities is needed in order to drastically transform public mindset and create operational viability for alternatives to individual motorised vehicles. For instance, as part of a car-free vision, the SDF outlines a number of sub-principles, that decision makers must take in to account:

- Settlement form should lessen rather than increase the demand for private motor vehicle travel.
- The primary measure of access is appropriate walking distance. At least 50% of activities found within the urban area (e.g. employment, shopping, public transport, social & recreational) should be within 1km of where people live
- Development approvals should be guided by the need to achieve the settlement densities needed to make the public transport system financially and operationally viable.

Given these strategic principles, the 9-bay parking departure proposed in this application, in combination with ample provisioning for secure bicycle and motorcycle parking, is well aligned to the promotion of a car-free urban environment that the municipality is seeking to create. With the on-going and planned densification of the Dennesig area, in combination with its 500-meter walkable radius to the train station, town centre, university, shopping and recreational opportunities, it is an indispensable opportunity for the municipality to begin exploring and implementing alternatives to private-vehicle travel. It is motivated that the total number of residential units planned for the combined Dennesig area, including this proposed development, will create the required demand to support and sustain public transport initiatives. It is therefore imperative that this vision should be considered when ruling on the parking departure applied for, which, we believe should be supported in compliance with the municipality's own SDF principles to establish a car-free central Stellenbosch.

From an aesthetic perspective, the vast majority of parking will be mostly hidden from the public view, since most will be contained either in basement parking, or behind the ground floor units. Again, efforts have been made in the design to preserve the public-street interface by ensuring that gardens, rather than vehicles, are visually connected to the street.

## 6. Conclusion

From Section 5 above, it is clear that the proposed development should be supported based on the following summary of the main motivations:

- The proposed development complies with the National, Provincial and Local policy landscape, which all promote urban densification; particularly in centrally located areas such as Dennisig;
- The Stellenbosch IDP specifically identified Dennisig as a primary densification and development intensification area for the establishment of blocks of flats up to six storeys;
- The proposed departures will not have a significant impact on adjoining or surrounding properties with regards to the loss of privacy to the effect to warrant refusal;
- The proposed departures will not result in a visually intrusive building;
- The proposed building was designed in such a way to contribute to the visual character of the area by being of a high architectural standard, through the use of wood cladding on the façade of the structure and through the incorporation of existing mature trees on the site;
- The development seeks to re-establish the urban design principle of creating safe urban spaces through active street frontages, whereby buildings are pushed towards the street boundaries and parking is shielded from the street scape;
- The restrictive title deed conditions were intended to protect the single residential character of the Dennisig area, but are presently in conflict with approved municipal policies, including the SDF and IDP;
- The provision of safe bicycle and motorcycle parking bays and the reduction of the provided number of motor vehicle bays are in line with the municipality's principles to achieve a car-free vision for Stellenbosch.

In light of the above information, Council is respectfully requested to favorably consider the application for the following in terms of the Stellenbosch Municipality Land Use By-Law to allow for the following on Erven 139 and 140, Stellenbosch:

**REMOVAL OF TITLE DEED RESTRICTIONS** In terms of Section 15(2)(f) of the By-Law:

- To remove title deed restrictions [Clause B; Clause C (a, b); Clause D (a, b, c, d); Clause E(3)] from title deed number T28075/1996, for Erf 139; and
- To remove title deed restrictions [Clause B (a, b); Clause C (a, b, c, d); Clause D(3)] from title deed number T54174/2012, for Erf 140.

**CONSOLIDATION** In terms of Section 15(2)(e) of the By-Law:

- To consolidate erven 139 and 140 into a single, consolidated erf.

**REZONING** in terms of Section 15(2)(a) of the By-Law:

- To rezone the consolidated erf from Single Residential to General Residential, in terms of the Stellenbosch Zoning Scheme.

PERMANENT DEPARTURE TO RELAX BUILDING LINES in terms of Section 15(2)(b) of the By-Law:

- Street building line (Paul Kruger) from 7.6m to 2.49m for the ground, first, second, third and fourth floors;
- Street building line (R44) from 7.6m to 6.51m;
- Common building line (adjacent to erf 141) from 4.6m to 3.56m; and
- Lateral (rear) building line (adjacent to erf 16399 and 163) from 4.6m to 4.06m

ADDITIONAL PERMANENT DEPARTURES in terms of Section 15(2)(b) of the By-Law:

- To relax permissible **coverage** from 25% to 47% (+/- 816m<sup>2</sup>);
- To relax permitted **floor factor** from 0.5 to 1.17 (+/- 2,026.7m<sup>2</sup>);
- To relax **height** restrictions to allow for five-storeys;
- To relax **parking** bays from 70 bays to 61 bays (which would include provision for 48 bicycles; 12 motorcycles and 50 standard motorized vehicles)

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Report compiled by:

Marika Bolz (Pr. Plan A/060/2008) &  
 Rebecca Hillyer  
 for Arch Town Planners

## **ANNEXURE E**

**PUBLIC PARTICIPATION:  
PORTFOLIO OF EVIDENCE (PoE)**

**Erven 139 and 140 Stellenbosch  
(Paul Kruger Road)**

**Date: 22 November 2018**

**Municipal Reference No: LU/8381**

**Prepared and Submitted by Arch Town Planners**



Postal address | PO Box 278  
Stellenbosch, 7599  
M | +27 (0) 72 480 5838  
F | +086 216 9073  
E | [marke@archtownplanners.co.za](mailto:marke@archtownplanners.co.za)  
W | [www.archtownplanners.co.za](http://www.archtownplanners.co.za)

# **PLANNING & ECONOMIC DEVELOPMENT**



PORTFOLIO OF EVIDENCE Applicant advertised CHECKLIST				22 November 2018	
Er/Even Farm no	139 and 140	Portion(s) if farm	Allotment Area LU/number	Stellenbosch LU/8381	
Owner/Applicant	Arch Town Planners (Pty) Ltd			ADMIN OFFICER/PLANNER VERIFY <input checked="" type="checkbox"/>	
<b>INDICATE WHICH OF THE FOLLOWING DOCUMENTATION (WHERE APPLICABLE) IS ATTACHED TO THE PORTFOLIO OF EVIDENCE</b>					
<b>Affidavit (TEMPLATE ATTACHED)</b>					
1. Is the affidavit signed by a Commissioner of Oaths <input checked="" type="checkbox"/>					
2. Does the affidavit confirm that the advertising was undertaken in accordance with the said prescriptions? <input checked="" type="checkbox"/>					
3. Does the affidavit confirm that the notice was placed and kept on site for the duration of the advertising period (from which date to which date)? <input checked="" type="checkbox"/>					
<b>Proof of publication</b>					
4. In one local newspaper in two official languages (or in those cases where Council has indicated two local newspapers) <input checked="" type="checkbox"/>					
5. Extract from the newspaper attached (date of publication visible) <input checked="" type="checkbox"/>					
6. Does the wording fully address the description of the application? <input checked="" type="checkbox"/>					
7. If no, define differences:					
8. Advertising period From 6 October 2018 To 6 November 2018					
9. Does the Advertising period comply with the required 30 days? <input checked="" type="checkbox"/>					
10. Was Council informed of the commencement date and closure date? <input checked="" type="checkbox"/>					
<b>The registered slips in respect of all the registered letters addressed to parties</b>					
11. A copy of the registered letter addressed to the affected parties <input checked="" type="checkbox"/>					
12. Are the dates concurring <input checked="" type="checkbox"/>					
13. A copy of the registered letter addressed to the external departments (where required) N/A <input checked="" type="checkbox"/>					
14. Affected interested and affected parties (registered property owners) (original registered slips) <input checked="" type="checkbox"/>					
15. Community organisations (original registered slips) <input checked="" type="checkbox"/>					
16. Ward Councillor (original registered slip) <input checked="" type="checkbox"/>					
17. External Departments (where required) (original registered slip) N/A <input checked="" type="checkbox"/>					
18. Unclaimed registered mail N/A <input checked="" type="checkbox"/>					

19. If no to any of the above, define differences:			
20. Were the external departments granted 60 days for comment?			x
<b>Notices placed on the property</b>			
21. Were the notices placed on the property on the same day as the notice in press?			X (notices where placed on the site on the 5 <sup>th</sup> of Oct)
22. Have photos been attached? (one close up and one from across the street)			x
23. Was the notice clearly visible on site?			x
24. Were the notices kept on site for the duration of the advertising period?			x
<b>Objections/Comments</b>			
25. From organs of state/external departments must be on a formal letterhead?			x
26. All objections/comments received attached?			x
27. All emails sent or received in respect of this application attached?			x
28. Applicant's comments on the objections attached?			x
<b>SIGNED BY APPLICANT/OWNER</b>			

For office use only	
<b>SIGNED BY ADMINISTRATIVE OFFICER</b>	
<b>VERIFIED &amp; SIGNED BY TOWN PLANNER</b>	
<b>DATE VERIFIED</b>	

## SWORN AFFIDAVIT

I, the undersigned [Full Name (s) and Surname]: Marike Boiz  
 Identity Number 7912080069088  
 in my capacity as (owner or authorised person through power of attorney):  
 Authorised person  
 do hereby declare under oath that:

1. The application for:  
 Removal of Restriction, Re-zoning, Consolidation and Various Departures  
 on Erf/ 139 and 140 Stellenbosch (Paul Kruger Road)

Was advertised in at least two of the official languages of the Province in the following newspaper(s):

(a) EkkestadNuus (b)

From 4 October 2018 to 4 November 2018

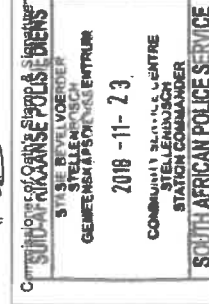
2. The public notices were prominently displayed and maintained in a legible condition for a continuous period of thirty (30) days from the date of the advertisement as indicated in Section (2) above.

3. A notice containing the requirements as set out in the Stellenbosch Land Use Planning By-Law (2015), was posted per registered mail<sup>1</sup> to all adjoining property owners/occupants/ interested and affected parties, during the same date of the advertising period as specified in Section (2) above;

4. Furthermore, a notice of the application was sent to the relevant Intergovernmental State Departments, per registered mail<sup>2</sup>, commencing the same date as in Section (2) above with an additional 30 days (minimum 60 days) for comment;

5. That all comments and objections to the application concerned were forwarded to Stellenbosch Municipality as contemplated in sections 1 – 4 above.

The Deponent acknowledges that he / she knows and understands the contents of this Affidavit.  
 Signature: *Marike Boiz*  
 Signed at: Stellenbosch  
 On this: 03<sup>rd</sup> day of Nov. 2018  
 At: 07:55



<sup>1</sup> Must conform to Section 47 of the Stellenbosch Municipality Land Use Planning By-law (2015) [THE BY-LAW]- attach copy of advert (s)  
<sup>2</sup> She Displays must conform to Section 46 (2)(a) of the By-law - attach photos  
<sup>3</sup> Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law  
<sup>4</sup> Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law



# ANNEXURE D: Copy of Registered Letters (Public, Ward Councilor and External Departments) and Extract from Motivation Report

Municipal Reference Number: LU/8381

Applicant Reference Number: Erven 139 and 140, Stellenbosch

Enquiries : Marike Bolz (Arch Town Planners)  
072 480 5838  
marike@archtownplanners.co.za



Date: 4 October 2018

REGISTERED MAIL

ADDRESS OF RECIPIENT

Dear Sir/Madame:

APPLICATION FOR REMOVAL OF TITLE DEED RESTRICTIONS, CONSOLIDATION, REZONING AND VARIOUS DEPARTURES IN ORDER TO BUILD A FIVE-STOREY BLOCK OF FLATS ON ERVEN 139 AND 140, STELLENBOSCH

Applicant:

Arch Town Planners(Pty) Ltd- Marike Bolz  
Contact Number : 072 480 5838

Owner:

Erf 139: Ernst Julius Harbich  
Contact Number: +264 61 383300  
Erf 140: Engela Heleen Bester  
Contact Number: 082 820 5342

Application number:

LU/8381

Reference number:

Erf 139 and 140 Stellenbosch

Physical Address:

1 and 3 Paul Kruger Street, Stellenbosch, Western Cape

Detailed description of proposal:

The matter for consideration is an application in terms of Sections 15(2)(a,b,e,f) of the Stellenbosch Municipal Land Use Planning By-Law for:

- The Removal of the following Title Deed Restrictions from Title Deed T28075/1996 for Erf 139:
  - i. Clause B, Clause C (a, b, c, d); Clause D (a, b, c, d); Clause E(3)
- The Removal of the following Title Deed Restrictions from Title Deed T54174/2012 for Erf 140:
  - ii. Clause B (a, b); Clause C (a, b, c, d); Clause D(3)
- The Consolidation of Erven 139 and 140;
- The Rezoning of the consolidated erf from Single Residential to General Residential, in terms of the Stellenbosch Zoning Scheme.
- Permanent Departures to relax the building lines as follows:



Munisipale Verwysingsnommer : LU/8381  
Aansoeker Verwysingsnommer : Erf 139 en 140, Stellenbosch  
Navrae : Marike Bolz (Arch Town Planners)  
072 480 5838  
marike@archtownplanners.co.za

Datum: 4 Oktober 2018  
GEREGISTREERDE POS  
ADDRESS OF RECIPIENT

Beste Mnr/Me:

AANSOEK VIR DIE OPHEFFING VAN BEPERKENDE TITELAKTEVOORWAARDES, KONSOLIDASIE, HERSONERING EN VERSKEIE PERMANENTE AFWYKINGS OM TOE TE LAAT VIR DIE OPRIG VAN 'N VYF-VERDIEPING WOONSTELBLOK OP ERWE 139 EN 140, STELLENBOSCH.

Aansoeker: Arch Town Planners (Pty) Ltd – Marike Bolz  
Kontakbesonderhede: 072 480 5838  
Elenaar: Erf 139: Ernst Julius Harbich  
Kontakbesonderhede: +264 61 383300  
Erf 140: Engela Heleen Bester  
Kontakbesonderhede: 082 820 5342  
LU/8381  
Aansoeknommer: Erwe 139 en 140 Stellenbosch  
Verwysingsnommer: 1 en 3 Paul Kruger straat, Dennesig, Stellenbosch, Weskaap  
Fisiese Adres: Die aansoek vir onreëling is 'n aansoek (ingevolge artikels 15(2)(a,b,e,f) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning vir die volgende:  
• Die Opheffing van die volgende Title Aktevoorwaardes in Titelakte T28075/1996 vir Erf 139:  
i. Voorwaardes B, C (a, b), D (a, b, c, d), E(3)  
• Die Opheffing van die volgende Title Aktevoorwaardes in Titelakte T54174/2012 for Erf 140:  
ii. Voorwaardes B (a, b), C (a, b, c, d), D(3)  
• Die Konsolidasie van Erwe 139 en 140;  
• Die Hersonering van die gekonsolideerde erf van Enkel Residensieel na Algemeen Residensieel;  
• Permanente Afwykings om toe te laat vir die volgende boulyne:

- i. Street building line (Paul Kruger) from 7.6m to 2.49m for the ground, first, second, third and fourth floors;
  - ii. Street building line (R44) from 7.6m to 6.51m;
  - iii. Common building line (adjacent to erf 141) from 4.6m to 3.56m; and
  - iv. Lateral (rear) building line (adjacent to erf 16399 and 163) from 4.8m to 4.06m
  - Permanent Departures:
    - i. To relax permissible coverage from 25% to 47% (+/- 816m<sup>2</sup>);
    - ii. To relax permitted floor factor from 0.5 to 1.17;
    - iii. To relax height restrictions to allow for five-storeys;
    - iv. To relax parking bays from 70 bays to 61 bays (which would include provision for 48 bicycles; 12 motorcycles and 50 standard motorized vehicles)
- to allow for the proposed development of a five storey block of flats.

Notice is hereby given in terms of the Stellenbosch Municipal Land Use Planning By-law that the above mentioned application has been received and is available for inspection during weekdays between 08:30 and 13:30 at the Planning Advice Centre at Stellenbosch Municipality, Plain Street, Stellenbosch. Any written comments/objections, with full reasons therefore, may be addressed in terms of section 50 of the said legislation to the applicant in one of the following manners:

APPLICANT
Registered mail or normal mail
Marike Bolz, Arch Town Planners, PO Box 278, Stellenbosch, 7599
Or faxed to
+086 216 9073
Or hand delivered to
Marike Bolz, Arch Town Planners, 1 <sup>st</sup> Floor, Anglo Africa Building, Plain Street, Stellenbosch
Or e-mailed to
marike@archtownplanners.co.za

All comments, quoting the application number, reference number, your name, address or contact details, your interest in the application and reasons for comments should be received by the above party on or before 30 days from the date of publication of this notice. Telephonic enquiries can be made to the applicant, Arch Town Planners (Pty) Ltd at 072 480 5838. Any comment/objection received after aforementioned closing date will be considered invalid. Any person who cannot write will be assisted by a Municipal official by transcribing their comments.

  
Marike Bolz  
For Arch Stadsbeplanners

1. Locality Plan



2. Development Proposal

2.1 Overview

The proposed development will entail the consolidation of the two erven 139 and 140 to allow for a 52-unit block of flats, which will be marketed towards students, young professionals and small families. In order to soften the visual impact, the proposed building will comprise of two sections, a 4-storey building along Paul Kruger Road and a 5-storey building toward the rear of the property. These two buildings will be linked with internal staircases and walk-ways forming one combined structure.

- i. Straatboulyn (Paul Kruger) van 2.49m in stede van 7.6m op grond, eerste, tweede, derde en vierde vloere;
- ii. Straatboulyn (R44) van 6.51m in stede van 7.6m;
- iii. Gemeenskaplike boulyn (Erf 141) van 3.56m in stede van 4.6m;
- iv. Agtersteboulyn (Erwe 16399 en 163) van 4.06m in stede van 4.6m;
- Permanente Afwykings om toe te laat vir die volgende:
  - i. Dekking van 47% in stede van 25%;
  - ii. Vloerfaktor van 1.17 in stede van 0.5;
  - iii. Hoogte-afwyking om toe te laat vir vyf-verdiepings;
  - iv. Parkeerafwyking om toe te laat vir 61 parkeerplekke in stede van 70 (insluitende 48 fiets-, 12 motorfiets- en 50 motorvoertuig-parkeerplekke)om voorsiening te maak vir die voorgestelde vyf-verdieping woonsteigebou.

Kennis geskied hiermee Ingevolge die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning dat die bogenoemde aansoek ontvang is en gedurende weksdae tussen 08:30 en 13:30 by die Beplanningsadvieskantoor by Stellenbosch Munisipaliteit, Pleinstraat, Stellenbosch ter insae lê. Enige geskrewe kommentare/besware, met volledige redes daarvoor, moet ingevolge Artikel 50 van die genoemde wetgewing aan die aansoeker op een van die volgende wyses geadreseer word:

AANSOEKER
Geregistreerde of gewone pos
Marieke Bolz, Arch Town Planners, Posbus 278, Stellenbosch, 7599
Of gefaks aan
+086 216 9073
Of per hand afgelewer aan
Arch Town Planners, 1ste Vloer, Anglo Africa Gebou, Pleinstraat, Stellenbosch
Of per e-pos gelewer aan
marieke@archtownplanners.co.za

Alle kommentare moet op of voor 30 dae vanaf die datum van publikasie van hierdie kennisgewing, met vermelding van die aansoeknommer, verwysingsnommer, u naam, adres en kontakbesonderhede, belangstelling in die aansoek en redes vir kommentaar, deur die bogemelde party ontvang word. Telefoniese navrae kan aan die aansoeker, Arch Town Planners (Pty) Ltd by tel 072 480 5838 gerig word. Enige kommentaar/beswaar ontvang na die voormelde sluitingsdatum sal as ongedigdig geag word. Enige persoon wat nie kan skryf nie sal deur 'n Munisipale-amptenaar bygestaan word om hul kommentaar op skrif te stel.


Die Uwe,  
  
Marike Bolz  
Vir Arch Stadsbeplanners



Figure 1: Four-Storey View of building from Paul Kruger (Left); and Rear View showing fifth storey (right)

The ground floor of the 4-storey section along Paul Kruger Road will be set back from the street to accommodate a garden area in front of the ground floor units, facing onto Paul Kruger Road. This will ensure the creation of an active street front and will allow for landscaping to soften the visual appearance of the proposed building. The first – third floors will each have balconies facing Paul Kruger Road, the R44 and the property towards the east. A roof top terrace is proposed on the roof of the fourth floor.

The 5-storey section of the building, towards the rear of the application site, will have parking on the ground floor with four floors above the parking. The parking will be shielded from Paul Kruger Street by the ground-floor section of the 4-storey building. The fourth floor (5<sup>th</sup>-storey) of this building will have a significant setback from the adjoining property to the east (Erf 141), which allows for a rooftop terrace providing communal open space and a braai area.

The majority of units, 38 in total, will be one-bedroom units; while the remaining 14 units will be two-bedroom units. Unit sizes will range between 28m<sup>2</sup>-64m<sup>2</sup> excluding private balconies and outdoor space. Access to each floor will be provided by two sets of staircases on the eastern and western sections of the proposed building as well as a lift situated near the boundary of the R44.

Vehicular access to the proposed development will be provided from Paul Kruger Road entering the site on the eastern boundary. One level of basement parking is provided, with the remainder of parking being provided on the ground floor, behind the 4-storey building. Provision has been made for motor vehicle, bicycles and motorcycle parking bays.

The development would also include a sufficient amount of high-quality communal outdoor space, in the form of rooftop terraces on the fourth storeys of the building, as well as private garden areas, including mature trees along the R44, which will assist in buffering the noise from passing traffic. Approximately 715m<sup>2</sup> of communal open space will be provided, which accounts for more than 40% of the total consolidated erf size.

The building has been designed in keeping with the architectural aesthetic of Stellenbosch, consisting of light-coloured walls, with wood latticing along the stairwells, to visually soften the look and feel of the building.

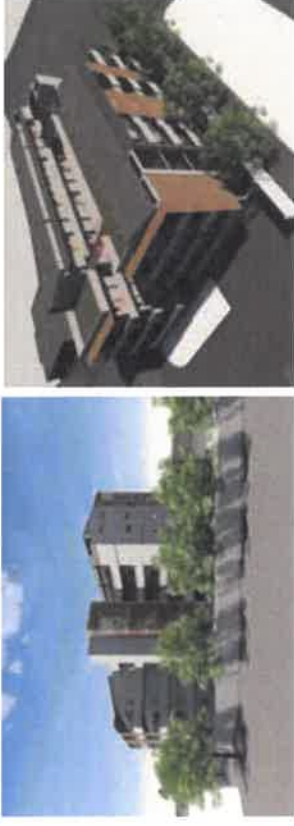


Figure 2: View of Building from R44 (Left); and Aerial View showing Communal Roof-top Braai area (right)

As part of the application, a Traffic Impact Statement and Services Report were conducted. Both reports concluded that the proposed development could be accommodated and supported. Kindly contact us if you would like a copy of the theses reports.

### 3. Motivation Summary

The motivation report submitted to the Stellenbosch Municipality has a detailed motivation for the proposed development, the following is a summary of the full motivation:

- The proposed development complies with the National, Provincial and Local policy landscape, which all promote urban densification; particularly in centrally located areas such as Dennisig;
- The Stellenbosch IDP specifically identified Dennisig as a primary densification and development intensification area for the establishment of blocks of flats up to six storeys;
- The proposed departures will not have a significant impact on adjoining or surrounding properties with regards to the loss of privacy to the effect to warrant refusal;
- The proposed departures will not result in a visually intrusive building;
- The proposed building was designed in such a way to contribute to the visual character of the area by being of a high architectural standard, through the use of wood cladding on the façade of the structure and through the incorporation of existing mature trees on the site;
- The development seeks to re-establish the urban design principle of creating safe urban spaces through active street frontages, whereby buildings are pushed towards the street boundaries and parking is shielded from the street scape;
- The restrictive title deed conditions were intended to protect the single residential character of the Dennisig area, but are presently in conflict with approved municipal policies, including the SDF and IDP;
- The provision of safe bicycle and motorcycle parking bays and the reduction of the provided number of motor vehicle bays are in line with the municipality's principles to achieve a car-free vision for Stellenbosch.

ANNEXURE E: Original Registered Slips

REGISTERED LETTER  
GEREGISTREERDE BRIEF

(with an insurance option/ met 'n versekeringsopsie)

Full tracking and tracing/Volledige volg en spoor

Addressed to/Gedreë aan

421/fortwo One

20 PO List

The value of the contents of this letter is as indicated and compensation is not payable for a letter received unconditionally. Compensation is limited to R100.00. No compensation is payable without documentary proof. Optional insurance up to R2 000.00 is available and applies to domestic registered letters only.

Die waarde van die inhoud van hierdie brief is soos aangedui en vergoeding sal nie betaal word vir 'n brief wat sonder voorbehoud ontvang word nie. Vergoeding is beperk tot R100.00. Geen vergoeding is sonder dokumentêre bewys betaalbaar nie. Opsionele versekering tot R2 000.00 is beskikbaar en is slegs op binnelandse geregistreerde briewe van toepassing.

Post Office

Postage paid R

Service fee/Diensgeld R

Insurance/Versekering R

Total/Totaal R

Insured value of contents  
Versekerde waarde van inhoud R

Enquiries Navrae  
Toll-free number  
Tollvry nommer  
0800 111 502

Affix Track and Trace  
customer copy

ARCT TOWN  
Post Office

Date stamp  
06 OCT 2018  
COUNTER 8

Paraaf van aanneem-beamepte  
Datumstempel

TAX INVOICE

South African Post Office Limited  
Somerset Street

66-OCT-2018 11:53:03  
Session No: 710-80474-3-1157101-2  
Tax No: 06373  
Letter Id: BELITA BRUNNER  
TAX INVOICE VAT R455010142  
ALL NOTES ARE INCLOSURE  
VAT DOES NOT APPLY TO ITEMS MARKED X  
Receipt For SA Post Office  
Products Or Services

PRODUCT	QTY	UNIT	VAT	PRICE	R AMOUNT
R/RAMBLION NIKTIN/S 2/40					
6 Y			R43.05 15%		R259.30
4R/ DEF 85.30 S/ingles			1065 x	85.30 15%	R10,455.60
4SUCCER 38L H			830 x	R2.10 15%	R1,743.00
4STAMP/38c/REH DEF/SH 50			6 Y	88.30 15%	R1.80
VAT TOTAL R153					R1,630.29
Sub Total					R12,489.30
VAT TOTAL R153					R1,630.29
Total					R12,489.30
Cash					R12,500.00
Change					-R10.70

\* Refunds are only allowed within 7 days of purchase.

We deliver, whatever it takes.

www.postoffice.co.za  
Customer Care Number 0800 111 502  
Crime Buster Hotline 0800 033 554

<b>REGISTERED LETTER</b> <b>GEREGISTREERDE BRIEF</b> (with an insurance option/met 'n versekeringsopsie)		<b>Post Office</b>	
<b>Full tracking and tracing/Volledige volg en spoor</b>			
Addressed to/Gaadreseer aan 421/fortwo One 40 per List		Insured value of contents/ Versekerde waarde van inhoud R	
Enquiries Navrae Toll-free number Tolvry nommer 0800 111 502		Date stamp 06 OCT 2018 COUNTER 8	
The value of the contents of this letter is as indicated and compensation is not payable for a letter received unconditionally. Compensation is limited to R100.00. No compensation is payable without documentary proof. Optional insurance up to R2 000.00 is available and applies to domestic registered letters only. Die waarde van die inhoud van hierdie brief is soos aangedui en vergoeding sal nie betaal word vir 'n brief wat sonder voorbehoud ontvang word nie. Vergoeding is beperk tot R100.00. Geen vergoeding is sonder dokumentêre bewys betaalbaar nie. Opsionele versekering tot R2 000.00 is beskikbaar en is slegs op binnelandse geregistreerde briewe van toepassing.		Paraaf van aanneem-beampte Datumstempel	

South African Post Office Limited  
Suid-Afrikaanse Poskantoor

06-401-2018  
 11:33:13  
 Session ID: 710-00474-3-1157101-2  
 Km No: 08973  
 Letter ID: BENITA BRUMMER  
 RAX INVOICE VRI: 4455101142  
 ALL PRICES incl. INCUSIVE  
 VAT DOES NOT APPLY TO ITEMS MARKED \*

Barcode for SA Post Office  
Products Or Services

PRODUCT	QTY	UNIT	UNIT PRICE	AMOUNT
42/HAMILTON MK1/M/5 2/1N	5 x	R43.05	15%	R258.39
42/ DEF 85.30 510105	1605 x	R6.30	15%	R10,455.90
*SUCCEER SSI N	830 x	R2.10	15%	R1,743.00
*510105/306/4th DEF/4th 50	5 x	R4.30	15%	R1.80
UNIT TOTAL 0158				R1,630.29
Sub Total				R11,489.30
UNIT TOTAL 0158				R1,630.29
Total				R12,458.30
Cash				R12,500.00
Change				-R41.70

\* Refunds are only allowed within 7 days of purchase.

We deliver, whatever it takes.

www.postoffice.co.za  
 Customer Care Number 0800 111 502  
 Crite Buiters Hotline 0800 033 554

CJ NIEUWOUT  
 POSBUS 335  
 CLANWILLIAM  
 8135

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223843ZA  
 CUSTOMER COPY 301028R

CRANE TRUST  
 58 UPPER MOUNTAIN RD  
 SOMERSET WEST  
 7130

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224039ZA  
 CUSTOMER COPY 301028R

DIRK SWART TRUST  
 SKAKELSTRAAT 24  
 PAARL  
 7646

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223939ZA  
 CUSTOMER COPY 301028R

E WATSON  
 POSBUS 10694  
 DANABAAJ  
 6810

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224541ZA  
 CUSTOMER COPY 301028R

FANTASTIC INVESTMENTS  
 57 DR JOHANN VAN DER  
 MERWE  
 P.O. BOX 788  
 STELLENBOSCH  
 7699

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224643ZA  
 CUSTOMER COPY 301028R

G POTGIETER  
 52 ALLENDALE 51  
 VREDENHOOF HOOGTE  
 BRACKENFELL  
 7560

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224101ZA  
 CUSTOMER COPY 301028R

CL CAMPBELL-L  
 DICKSON  
 10 GRENADE CLOSE  
 BLAUWBERGSTRAND  
 7444

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223581ZA  
 CUSTOMER COPY 301028R

OW+KB TURNER  
 HOUSE ON FARM 487A  
 SUB4B  
 LEOPARDS HILL ROAD  
 LUZAKA

INTERNATIONAL INSURED  
 (with a delivery address and return address)  
 CV 028 464 360 ZA  
 CUSTOMER COPY 301028R

DJ GAGIANO  
 41 BEETHOVEN STREET  
 STELLENBOSCH  
 7600

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223956ZA  
 CUSTOMER COPY 301028R

EC KRIEK  
 POSBUS 2565  
 PAARL  
 7620

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224585ZA  
 CUSTOMER COPY 301028R

FINANCIALS MARITZ CC  
 P.O. BOX 1002  
 STELLENBOSCH  
 7699

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224655ZA  
 CUSTOMER COPY 301028R

GC BOTHA  
 POSTNET SUITE 179  
 PRIVATE BAG X28  
 SOMERSET WEST  
 7129

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223231ZA  
 CUSTOMER COPY 301028R

CLUSHAW BUSINESS  
 TRUST  
 C/O PW WINSLOW  
 89 DORP STREET  
 STELLENBOSCH  
 7600

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223957ZA  
 CUSTOMER COPY 301028R

D ROUX  
 POSBUS 850  
 KATHU  
 8446

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224852ZA  
 CUSTOMER COPY 301028R

DJ+SD WINTERBACH  
 POSBUS 1339  
 STELLENBOSCH  
 7699

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223930ZA  
 CUSTOMER COPY 301028R

ER GRADWELL  
 PO BOX 5851  
 RUSTENBURG  
 300

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224512ZA  
 CUSTOMER COPY 301028R

FINE VISIONS  
 INVESTMENTS 58 PTY LTD  
 P.O. BOX 7149  
 DRESDEN CENTRE  
 STELLENBOSCH  
 7599

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224614ZA  
 CUSTOMER COPY 301028R

GC DE KLERK TRUST  
 POSBUS 371  
 STELLENBOSCH  
 7699

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223231ZA  
 CUSTOMER COPY 301028R

CM+KB VELLEMAN  
 P O BOX 186  
 FOURWAYS  
 2005

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223974ZA  
 CUSTOMER COPY 301028R

D SMIT  
 HELDERRANDWEG 7  
 SOMERSET WES  
 7130

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223841ZA  
 CUSTOMER COPY 301028R

DR N MARAIS  
 POSBUS 68  
 VREDENBURG  
 7380

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224484ZA  
 CUSTOMER COPY 301028R

ER SAVER  
 PRIVATE BAG X18  
 918 HELDERBERG  
 VILLAGE  
 SOMERSET WEST  
 7129

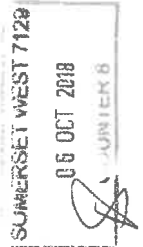
REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224588ZA  
 CUSTOMER COPY 301028R

FJ BRAND  
 PO BOX 118  
 CLANWILLIAM  
 8135

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251224688ZA  
 CUSTOMER COPY 301028R

GC DU TOIT  
 P O BOX 25  
 KOUDE BOKKEVELD  
 6636

REGISTERED LETTER  
 (with a delivery address and return address)  
 RC251223231ZA  
 CUSTOMER COPY 301028R

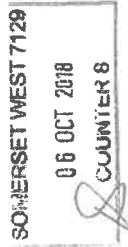


[illegible]

SOMERSET WEST 7129  
06 OCT 2018  
COUNTER 8

8  
06 OCT 2018  
COUNTER 8  
SOMERSET WEST 7129

PJHL D ELOFF PO BOX 1690 DURBANVILLE 7651	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226352ZA CUSTOMER COPY 301026R	PLF MOUTON PO BOX 7088 STELLENBOSCH 7598	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226043ZA CUSTOMER COPY 301026R	PKAKH TLADI PO BOX 449 POLKOWANE 7000	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226389ZA CUSTOMER COPY 301026R	POTGIETER- MODDERFONTEIN 1817 TRUST POSSBUS 2346 ROSSELBAAI 6000	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226587ZA CUSTOMER COPY 301026R	PRAEDO PROPERTIES CC POSSBUS 4862 LINDSE 2198	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226873ZA CUSTOMER COPY 301026R	JU JUAN UNIT 26 TUSCANY GROVE 11 SANDTON 2198	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226217ZA CUSTOMER COPY 301026R	JW ROELOFFSE POSSBUS 47 STELLENBOSCH 7598	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251222701ZA CUSTOMER COPY 301026R	JM J SMAL BROSERS TRUST POSSBUS 112 RIVERSONDEREND 7250	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251222718ZA CUSTOMER COPY 301026R	K JACK PO BOX 1044 SEA POINT 8060	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226352ZA CUSTOMER COPY 301026R	K201805188 SA (PTY) LTD PO BOX 120 BEAUFORT WES 8870	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226352ZA CUSTOMER COPY 301026R																																				
R FORSSMAN PO BOX 73907 SANDTON 2146	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226082ZA CUSTOMER COPY 301026R	R THORPE PO BOX 16982 NELSPRUIT 1200	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226128ZA CUSTOMER COPY 301026R	R J HEMPHILL PO BOX 8088 GEORGE 6630	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226202ZA CUSTOMER COPY 301026R	RJ JANSEN VAN VUUREN POSSBUS 10 LILJAVILLE 8165	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226178ZA CUSTOMER COPY 301026R	REDE TRUST MARAISSTRAAT 1 BAILEY'S MUCKLELEUK 181	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226835ZA CUSTOMER COPY 301026R	KJ NOTHMAEL PO BOX 3288 DURBANVILLE 7651	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251221817ZA CUSTOMER COPY 301026R	KLEINWATERVAL- RIVERSIDE LODGE CC PO BOX 12 GROOT BRAKENSTEIN 7680	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251221885ZA CUSTOMER COPY 301026R	KLEINMAN TRUST POSSBUS 1635 STELLENBOSCH 7598	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251221885ZA CUSTOMER COPY 301026R	KM MALAN PO BOX 10005 PAINA BAY 6610	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226030ZA CUSTOMER COPY 301026R	KR TULSI C/O MRIMS KR & J TULSI APARTMENT 4 MOUNT 7600	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226043ZA CUSTOMER COPY 301026R																																				
RR4 L VOS TWOEDE STRAAT 233 TWEELIJP HERMANUS 7650	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226386ZA CUSTOMER COPY 301026R	RIEIRO TRUST PO BOX 750 STELLENBOSCH 7598	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226253ZA CUSTOMER COPY 301026R	RYLEY TRUST 3 ABELIA STREET WELGEDACHT 7530	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226418ZA CUSTOMER COPY 301026R	RUKEYA TRUST 6 GLENHAVEN AVENUE GLENHAVEN BELLVILLE 7530	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226180ZA CUSTOMER COPY 301026R	S ENGELBRECHT SIPRESLAAN 6 GRABOUW 7160	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226382ZA CUSTOMER COPY 301026R	S N MUNGROO PO BOX 30970 KVALAMI 1684	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226387ZA CUSTOMER COPY 301026R	SCHOONGEZICHT REGSPERD P/O BOX 214 THE CRAIGS 8602	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226613ZA CUSTOMER COPY 301026R	SB BROHM P/O BOX 214 THE CRAIGS 8602	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226613ZA CUSTOMER COPY 301026R	SAPER INVESTMENTS (PTY) LTD PRIVATE BAG X34 SUITE 203 SOMERSET WEST 7129	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226508ZA CUSTOMER COPY 301026R	SA OBERHOLZER CONDESTRAT 29 LACOLLINE STELLENBOSCH 7600	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226532ZA CUSTOMER COPY 301026R	SM JOSEPH-MALHERBE POSTNET SUITE 219 PRIVATE BAG X5661 STELLENBOSCH 7598	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226171ZA CUSTOMER COPY 301026R	SMITHIE LURBE FAMILIE TRUST PPIC TRUST 14 RIDGEWORTH STR RIDGEWORTH 7530	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226352ZA CUSTOMER COPY 301026R	SPALH DU PLESSIS PO BOX 12935 DIE BOORD 7613	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226311ZA CUSTOMER COPY 301026R	STABILITAS BELEGINGS BK UTENHUS 822 POSSBUS 6230	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226382ZA CUSTOMER COPY 301026R	STANDER BELEGINGS TRUST POSTNET SUITE 91 PRIVAATSAK X8910 WHITE RIVER 1240	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226835ZA CUSTOMER COPY 301026R	VARIUS DE WET TRUST POSSBUS 12446 DIE BOORD 7613	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226182ZA CUSTOMER COPY 301026R	MARLYN FAMILY TRUST 38 GREY AVENUE FLAMINGO VILLAGE MILNERTON 7441	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226733ZA CUSTOMER COPY 301026R	M PHELPS 31 VAN PASSEL STREET BOTHABIG 7441	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226418ZA CUSTOMER COPY 301026R	M SCHNABEL 4 PELARGONIUM CLOSE BERGENDAL ESTATE HOUT BAY 7606	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226352ZA CUSTOMER COPY 301026R	M SCHOOBEE 13 PELTUNA CRESCENT WELGEDACHT ESTATE BELLVILLE 7530	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226185ZA CUSTOMER COPY 301026R	M SHAER PO BOX 21 ZASTRON 8660	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226091ZA CUSTOMER COPY 301026R	M ZIETSMAN 8 BINNENRING DALSIG STELLENBOSCH 7600	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226082ZA CUSTOMER COPY 301026R	MCBUYS TRUST POSSBUS 7562 STELLENBOSCH 7598	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226137ZA CUSTOMER COPY 301026R	MEV J L WICOMB FISANTSTRAAT 3 ONDER PAPERAMBERG STELLENBOSCH 7600	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251221885ZA CUSTOMER COPY 301026R	MEV I ROGERS KONSTANTINUSSTRAAT 17A ROBERTSON 6705	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226062ZA CUSTOMER COPY 301026R	MEV A VAN DER WESTHUIZEN KRIEBECK STREET LAMBERTS BAY 8130	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251221885ZA CUSTOMER COPY 301026R	MEI M S JONES O BOX 43 CONSTANTIA 7948	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251221885ZA CUSTOMER COPY 301026R	MEGLIS (PTY) LTD O BOX 61435 WATERFRONT 5002	REGISTERED LETTER PO BOX 111 002 www.mps.co.za RC251226835ZA CUSTOMER COPY 301026R



À LATEGAN  
POSBUS 809  
KUILSRIVIER  
7579

A SMUTS  
POSBUS 49  
LUTZVILLE  
8165

**A TRUTER  
POSBUS 10  
DARLING  
7345**

A+H VAN STADEN  
VOORTREKKEERSTRAAT  
37  
BEAUFORT-WES  
8970

REGISTERED LETTERS  
(with a return address)  
ShareCall 0800 111 562 www.4gso.co.za  
Hf.25172304h/1

ACORNS BODY  
CORPORATE  
C/O JPS TRUST  
2710 VALERIDA SENTRUM  
PIET RETIEF STREET  
7600

REGISTERED LETTER  
(with e-mail forwarding station)  
Shu-Mei Cai 0480 111 8021 [shu.mei.cai@cs.za](mailto:shu.mei.cai@cs.za)

Stellenbrosch. Ratapayus' Association  
PO Box 399  
Stellenbrosch  
7599

AH SCHLUTER  
2 ELM STREET  
BEACON BAY  
5241

REGISTERED LETTER  
(With a delivery preference option)  
Postnet 0200 111 502 [www.usps.com](http://www.usps.com)

RC251223719ZA

CUSTOMER COPY 3010284

FERNHOUT  
 STAMATARY TRUST  
 JULVARD 83  
 WERSTRAND GOLF  
 TATE  
 BERTSON  
 96  
 REGISTERED LETTER  
 1711 502 1711 502 1711 502 1711 502  
 1512237362A

W. MULLER  
 P.O. BOX 56  
 OERESFONTEIN  
 1185  
 REGISTERED LETTER  
 (with a domestic insurance option)  
 REG-CD 0953 111 502 [www.uspsafr.us](http://www.uspsafr.us)  
 C52512237402A  
 STOMER COPY 30102RR

**JOHN RIDDELL**  
**1333 VIA DELLA ROSA**  
**ROSEDALE ESTATE**  
**URBANVILLE**  
**5550**

**REGISTERED LETTER**  
 sent by registered mail with return receipt  
 Call 800 311 008 www.31100.ca.us

**251223753ZA**

**TOMER COPY** 20100808

Cl. J. Erdyn  
9 Kirkistown Avenue  
Onder Paapgaai  
Stellenbosch  
7600

ANNERINE SMIT  
BELEGINGS (PTY) LTD  
PO BOX 5562  
HELDERBERG  
7135

REGISTERED LETTER  
(with a domestic business card)  
Reference 0607 111 307 www.ippa.co.za

ACUSTOMER COPY 3/1/2004

ENDOMS TRUST  
TGEDACHT PLAAS  
US 99  
AGH

AFRICA TRADING 36E  
BOX 308  
MESBURY

W SUNDSTROM  
OFFICE GO 2  
EELSIE STUDENT  
ENTER  
E BEER STREET  
300

4-ER BRADFORD  
STNET SUITE 1307  
PRIVATE BAG X153  
RYANSTON  
21  
REGISTERED LETTER  
(with a classed Postmark)  
Postcode 0800 117 502 [www.ramp.co.za](http://www.ramp.co.za)  
RC9512248032A  
CUSTOMER COPY 20100818

1224325ZA  
 REGISTERED LETTER  
 010-6666 (toll-free)  
 010-6666 (toll-free)  
 010-6666 (toll-free)

UPESH PATEL FAMILY  
JUST  
BOX 1334  
JIS TRICHARDT

OUBERG TRUST  
 BUS 2243  
 NNESSIG  
 01  
 REGISTERED LETTER  
 24 e demostro (supremo audiol)  
 tel 0800 777 507 www.rpco.co.uk  
 2512243482A

Dept. of Transport & Public Roads  
Deputy Director-General: Roads Infrastructure  
PO Box 2603  
Cape Town  
8006

**C HENDRICKS**  
**100 VOLENDAM ESTATE**  
**WELLINGTON**  
**655**

**REGISTERED LETTER**  
(with a domestic business reply)  
Phone Call 0800 111 302 [www.singapore.com](http://www.singapore.com)  
**RC251224405ZA**

GRANT  
LUTCHINSON AVENUE  
MINGO VILLAGE  
BERTON

CA VAN DER  
VESTHUIZEN  
OSBUS 48  
EI MOUTH  
260

ARNUS EIENDOMME CC  
SIBUS 120  
RINGBOX  
40

REGISTERED LETTER  
Partly a divergent insurance policy  
McLear 0800 11 502 www.sibus.co.za  
C251224407A

Stellenbush Interest Group  
PO Box 2217  
Denver  
7601

CSI FAMILIE TRUST  
PO BOX 440  
TELLENBOSCH  
599  
REGISTERED LETTER  
(with a domestic insurance policy)  
Tel: 0850 111 502 web: 1800 20 28  
C2512240872A

TRUST  
OX 47  
PERSONDEREND

ORDER TREE FAMILY  
JUST  
BOX 1729  
NERTON  
5

ES KLEINKINDER  
ST  
GENSENSLAAN 21  
ROEKRAAL  
VILLE  
REGISTERED LETTER  
(with a domestic (in-uk)wide address)

Stellenbosch Heritage Committee  
PO Box 17  
Stellenbosch  
7599

SO. ERSET WEST 7129  
OCT 2018  
COUNTY 2

see also 2004f, 2004g, 2004h, 2004i, 2004j, 2004k, 2004l, 2004m, 2004n, 2004o, 2004p, 2004q, 2004r, 2004s, 2004t, 2004u, 2004v, 2004w, 2004x, 2004y, 2004z, 2005a, 2005b, 2005c, 2005d, 2005e, 2005f, 2005g, 2005h, 2005i, 2005j, 2005k, 2005l, 2005m, 2005n, 2005o, 2005p, 2005q, 2005r, 2005s, 2005t, 2005u, 2005v, 2005w, 2005x, 2005y, 2005z, 2006a, 2006b, 2006c, 2006d, 2006e, 2006f, 2006g, 2006h, 2006i, 2006j, 2006k, 2006l, 2006m, 2006n, 2006o, 2006p, 2006q, 2006r, 2006s, 2006t, 2006u, 2006v, 2006w, 2006x, 2006y, 2006z, 2007a, 2007b, 2007c, 2007d, 2007e, 2007f, 2007g, 2007h, 2007i, 2007j, 2007k, 2007l, 2007m, 2007n, 2007o, 2007p, 2007q, 2007r, 2007s, 2007t, 2007u, 2007v, 2007w, 2007x, 2007y, 2007z, 2008a, 2008b, 2008c, 2008d, 2008e, 2008f, 2008g, 2008h, 2008i, 2008j, 2008k, 2008l, 2008m, 2008n, 2008o, 2008p, 2008q, 2008r, 2008s, 2008t, 2008u, 2008v, 2008w, 2008x, 2008y, 2008z, 2009a, 2009b, 2009c, 2009d, 2009e, 2009f, 2009g, 2009h, 2009i, 2009j, 2009k, 2009l, 2009m, 2009n, 2009o, 2009p, 2009q, 2009r, 2009s, 2009t, 2009u, 2009v, 2009w, 2009x, 2009y, 2009z, 2010a, 2010b, 2010c, 2010d, 2010e, 2010f, 2010g, 2010h, 2010i, 2010j, 2010k, 2010l, 2010m, 2010n, 2010o, 2010p, 2010q, 2010r, 2010s, 2010t, 2010u, 2010v, 2010w, 2010x, 2010y, 2010z, 2011a, 2011b, 2011c, 2011d, 2011e, 2011f, 2011g, 2011h, 2011i, 2011j, 2011k, 2011l, 2011m, 2011n, 2011o, 2011p, 2011q, 2011r, 2011s, 2011t, 2011u, 2011v, 2011w, 2011x, 2011y, 2011z, 2012a, 2012b, 2012c, 2012d, 2012e, 2012f, 2012g, 2012h, 2012i, 2012j, 2012k, 2012l, 2012m, 2012n, 2012o, 2012p, 2012q, 2012r, 2012s, 2012t, 2012u, 2012v, 2012w, 2012x, 2012y, 2012z, 2013a, 2013b, 2013c, 2013d, 2013e, 2013f, 2013g, 2013h, 2013i, 2013j, 2013k, 2013l, 2013m, 2013n, 2013o, 2013p, 2013q, 2013r, 2013s, 2013t, 2013u, 2013v, 2013w, 2013x, 2013y, 2013z, 2014a, 2014b, 2014c, 2014d, 2014e, 2014f, 2014g, 2014h, 2014i, 2014j, 2014k, 2014l, 2014m, 2014n, 2014o, 2014p, 2014q, 2014r, 2014s, 2014t, 2014u, 2014v, 2014w, 2014x, 2014y, 2014z, 2015a, 2015b, 2015c, 2015d, 2015e, 2015f, 2015g, 2015h, 2015i, 2015j, 2015k, 2015l, 2015m, 2015n, 2015o, 2015p, 2015q, 2015r, 2015s, 2015t, 2015u, 2015v, 2015w, 2015x, 2015y, 2015z, 2016a, 2016b, 2016c, 2016d, 2016e, 2016f, 2016g, 2016h, 2016i, 2016j, 2016k, 2016l, 2016m, 2016n, 2016o, 2016p, 2016q, 2016r, 2016s, 2016t, 2016u, 2016v, 2016w, 2016x, 2016y, 2016z, 2017a, 2017b, 2017c, 2017d, 2017e, 2017f, 2017g, 2017h, 2017i, 2017j, 2017k, 2017l, 2017m, 2017n, 2017o, 2017p, 2017q, 2017r, 2017s, 2017t, 2017u, 2017v, 2017w, 2017x, 2017y, 2017z, 2018a, 2018b, 2018c, 2018d, 2018e, 2018f, 2018g, 2018h, 2018i, 2018j, 2018k, 2018l, 2018m, 2018n, 2018o, 2018p, 2018q, 2018r, 2018s, 2018t, 2018u, 2018v, 2018w, 2018x, 2018y, 2018z, 2019a, 2019b, 2019c, 2019d, 2019e, 2019f, 2019g, 2019h, 2019i, 2019j, 2019k, 2019l, 2019m, 2019n, 2019o, 2019p, 2019q, 2019r, 2019s, 2019t, 2019u, 2019v, 2019w, 2019x, 2019y, 2019z, 2020a, 2020b, 2020c, 2020d, 2020e, 2020f, 2020g, 2020h, 2020i, 2020j, 2020k, 2020l, 2020m, 2020n, 2020o, 2020p, 2020q, 2020r, 2020s, 2020t, 2020u, 2020v, 2020w, 2020x, 2020y, 2020z, 2021a, 2021b, 2021c, 2021d, 2021e, 2021f, 2021g, 2021h, 2021i, 2021j, 2021k, 2021l, 2021m, 2021n, 2021o, 2021p, 2021q, 2021r, 2021s, 2021t, 2021u, 2021v, 2021w, 2021x, 2021y, 2021z, 2022a, 2022b, 2022c, 2022d, 2022e, 2022f, 2022g, 2022h, 2022i, 2022j, 2022k, 2022l, 2022m, 2022n, 2022o, 2022p, 2022q, 2022r, 2022s, 2022t, 2022u, 2022v, 2022w, 2022x, 2022y, 2022z, 2023a, 2023b, 2023c, 2023d, 2023e, 2023f, 2023g, 2023h, 2023i, 2023j, 2023k, 2023l, 2023m, 2023n, 2023o, 2023p, 2023q, 2023r, 2023s, 2023t, 2023u, 2023v, 2023w, 2023x, 2023y, 2023z, 2024a, 2024b, 2024c, 2024d, 2024e, 2024f, 2024g, 2024h, 2024i, 2024j, 2024k, 2024l, 2024m, 2024n, 2024o, 2024p, 2024q, 2024r, 2024s, 2024t, 2024u, 2024v, 2024w, 2024x, 2024y, 2024z, 2025a, 2025b, 2025c, 2025d, 2025e, 2025f, 2025g, 2025h, 2025i, 2025j, 2025k, 2025l, 2025m, 2025n, 2025o, 2025p, 2025q, 2025r, 2025s, 2025t, 2025u, 2025v, 2025w, 2025x, 2025y, 2025z, 2026a, 2026b, 2026c, 2026d, 2026e, 2026f, 2026g, 2026h, 2026i, 2026j, 2026k, 2026l, 2026m, 2026n, 2026o, 2026p, 2026q, 202







# ANNEXURE F: Unclaimed Registered Mail

28 BAY TRUST PO BOX 35309 KELKOM CLAREMONT 7708	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223563/1 CUSTOMER COPY 301028R	A BASTER PO BOX 1105 KELKOM 9460	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223563/1 CUSTOMER COPY 301028R	A BRAUNE PO BOX 35309 KELKOM 102	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223563/1 CUSTOMER COPY 301028R	A C V V STELLENBOSCH TAK POSBUS 2088 STELLENBOSCH 7588	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223563/1 CUSTOMER COPY 301028R
AD-HIC SCHOEMAN POSBUS 28843 DANKHOF BLOEMFONTEIN 9310	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223652A CUSTOMER COPY 301028R	ADL KIDD PROPERTIES (PTY) LTD 16 DIGBY ESTATE ROAD STELLENBOSCH 7604	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC2512236192A CUSTOMER COPY 301028R	ADRIAN STEYN FAMILIE TRUST-HWESSEL STEYN FAMILIE TR POSBUS 7180 STELLENBOSCH 7180	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223882A CUSTOMER COPY 301028R	AGRO INVEST (PTY) LTD PO BOX 68 NEW VANDERKAMP 1638	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223765A CUSTOMER COPY 301028R
AM VAN ZYL POSBUS 82 POTTERLAND 6820	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223767A CUSTOMER COPY 301028R	AN PHILIP C/O LYNETTE BARNARD FANTASTIC INVESTMENTS TABLE VIEW 7441	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223767A CUSTOMER COPY 301028R	ANDROB TRUST PO BOX 735 DOORHOEK 7070	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223784A CUSTOMER COPY 301028R	ANICOL PROPERTIES (PTY) LTD 128 PINEWOOD ROAD DURBANVILLE 7851	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251223807A CUSTOMER COPY 301028R
B KRITZINGER APPLETHWAITE FARM APPLETISER ROAD POSBUS 211 7160	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224552A CUSTOMER COPY 301028R	BA GOUS 59 UPPER MOUNTAIN ROAD SOMERSET WEST 7130	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224552A CUSTOMER COPY 301028R	BARBARA DU TOIT FAMILY TRUST PO BOX 62 WORCESTER 6949	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224277A CUSTOMER COPY 301028R	BASFOUR 828 (PTY) LTD POSBUS 58 NEW WOODVILLE 8180	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224282A CUSTOMER COPY 301028R
BLUEBERRY TRUST PO BOX 12507 DIE BOORD 7613	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224451A CUSTOMER COPY 301028R	BOSTELPARK CC C/O MR JC ZANDBERG PO BOX 660 SPRINGBOK 8240	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224352A CUSTOMER COPY 301028R	BOTHMA DE KOCK FAMILIE TRUST PO BOX 330 DE DOORNS 6876	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224378A CUSTOMER COPY 301028R	BOWICK BELEGINGS TRUST SUITE 185 PRIVATE BAG X4 DIE BOORD 7613	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224382A CUSTOMER COPY 301028R
CARR FAMILIE TRUST POSBUS 6 UPINGTON 8800	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224453A CUSTOMER COPY 301028R	CB DE VRIES 24 CAROB CRESCENT LOEVENSTEIN BELLVILLE 7530	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224467A CUSTOMER COPY 301028R	CC DU TOIT TOURIST STREEK STELLENBOSCH 7600	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224475A CUSTOMER COPY 301028R	CC VAN DER MERWE 12 DE OEVER ROKEWOOD AVENUE DIE BOORD 7600	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224073A CUSTOMER COPY 301028R
CEW FAMILY TRUST PO BOX 1223 UPINGTON 8800	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224183A CUSTOMER COPY 301028R	CG LANDMAN POSBUS 1073 KALAMATI ESTATES 1684	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224183A CUSTOMER COPY 301028R	CH PAXTON+HIS DU TOIT PO BOX 31402 HAVERLEY 136	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224183A CUSTOMER COPY 301028R	CH VAN NIEKERK DEELSE EIEDOMME BAC BRECHT STUDENTESENTRUM WINIHOEK 7600	REGISTERED LETTER Sent on 08/09/11 11:02 www.afpost.co.za RC251224175A CUSTOMER COPY 301028R

**ANNEXURE G: Photos of Site Notices**





**From:** Marius Munstermann  
**To:** [mariek@archtownbuilders.co.za](mailto:mariek@archtownbuilders.co.za)  
**Subject:** Objection to application number LU/8381  
**Date:** Thursday, 01 November 2018 23:48:02

Dear Marike

your registered letter dated 4 October 2018 refers regarding the aforementioned application for removal of title deed restrictions, rezoning and relaxation of permanent departures for the two plots Erf 139 and 140 Stellenbosch, situated in Paul Kruger Street, Dennesig.

I am property owner and resident in the immediate neighbourhood and herewith notify you of my objection to this application. I officially ask you to make this objection known to the relevant officials and public authorities in order for them to take my objection into account when deciding about the aforementioned application.

The detailed reasons for my objection are as follows:

**1. Objection against rezoning to General Residential:** The Erfs in question are located directly on the R44 Highway which poses a massive pollution in terms of noise and exhaust fumes to the residents of a new apartment building. The block would overlook an industrial area on the other side of the road, which does not add to an attractive residential location. The argument that more students apartments are needed in town holds no longer up, as many developments have been completed during the last years in town and also in the outskirts of Stellenbosch adding a significant number of affordable and more liveable accommodation, than this planned project would provide. I am in close contact with the University's accommodation department and for the last two years Stellenbosch University struggles to rent out the available student accommodation in the residences on Campus, as so many more alternative accommodation options have become available. At the same time the number of students at Stellenbosch University has not increased in the same way. This leads to the conclusion, that this development is economically not viable and large portions might remain vacant because of its unpleasant location. This in turn can lead to illegal land-property invasion and establishment of an inner-city high rise informal settlement. Such social precarious buildings can be found in many other cities in South Africa and across the world, as high rise buildings are difficult to control and to police. This would be contradicting all recent efforts which the municipality of Stellenbosch had successfully established in terms of inner-city sustainable development and crime eradication. Even if the application for rezoning is granted, a restriction to a maximum of 30 units should strongly be considered to reduce the likelihood of the mentioned issues.

**2. Objection against relaxation of height restriction:** The surrounding area of Dennesig is characterised by single storey buildings and a few apartment blocks of 2 or 3 storeys in height (incl. ground floor). The above mentioned lack of demand for accommodation in this area does not bode well for a 4 to 5 story building with so many units as this also reduces its attractiveness. At the same time, a building of this height would take daylight away from neighbouring buildings and leads to strong falling winds, as such a high solitaire building at the street corner will redirect winds into the streets and onto other properties, which would otherwise have just passed over. In terms of town planning and city architecture the particular area is characterised by the open plan Van der Stel sport ground, the vast and wide R44 highway traverse and the green belts along the Kromrivier and Plankenbrugrivier, which create a harmonic ensemble with the single residential houses and some 2-3 storey general residential houses along Molteno Road. A 4-5 storey building does not fit architecturally into this ensemble. A height restriction of a maximum of 3 storeys incl. ground floor should strongly be considered.

**3. Objection against relaxation of building lines:** Bringing out the building lines to the street will compound the pollution of the residents with noise and exhaust fumes. Ground floor units will have no privacy as pedestrians will literally walk past their bedroom window. Such a relaxation makes sense in the town centre, but this quarter is characterised by gardens/public areas/parking around the houses which provides some privacy as well as ins as apartments are not easily accessible from the road/pavement. If a relaxation of building line is considered, it should be reasonable in order for parking bays to be available around the house. Eliminating a ground floor parking under the apartment will also reduce building height (see objection 1 and 5).

**4. Objection against relaxation of permissible coverage factor:** The recent drought has shown how important sustainable management of surface and ground water is. Sealing nearly 50% of the surface of the plot(s) will significantly reduce the natural ability of the soil to absorb rainfalls and to add it to the ground water which in turn can be used for borehole water as a means of sustainable irrigation. Surface water on tar/concrete portions of the building gets collected and treated with other waste water, therefore increasing the costs and capacity needed for water treatment by the municipality. During heavy rainfalls a large sealed surface adds to flooding. Therefore a reasonable portion of green / public areas should strongly be considered

**5. Objection against relaxation of parking bays - this should be even more relaxed to actually reduce the number of bays further!** In line with the car-free-city vision of Stellenbosch, it is imperative to encourage future residents of this building to walk or cycle or to use public transport. As this property is walking distance to amenities and campus, parking bays should be reduced to 30 bays in total, in line with 30 units (see objection no. 1). This would also be in line with making Stellenbosch a sustainable and green city and at the same time encourage its residents to walk and cycle in order to foster overall public health by reducing the risk of diabetes, obesity and other illnesses linked to the lack of daily movement.

Kindly confirm that you have received these objections in time and that you will make them know to the relevant authorities.

Please keep me informed about the outcome of the application process.

Kind regards

Marius Munstermann  
 110 Dermont  
 Molteno Road  
 Dennesig  
 Stellenbosch 7600  
[Email.marius@muenstermann.org](mailto:Email.marius@muenstermann.org)

# Stellenbosch Roman Catholic Church

## St Nicholas' Church/ St Mark's Church/ All Saints' Church

Parish Priest: Fr Wim Lindeque

16 Paul Kruger Street

7600 STELLENBOSCH

Tel (021) 887-5979/084 714 7817

frwim@stellenboschcatholic.org.za

2018-11-02

**Objection to application for removal of title deed restrictions, consolidation, rezoning and various departures in order to build a five-storey block of flats on Erven 139 and 140 (#1 and #3 Paul Kruger Street) Stellenbosch in terms of section 50 of the Stellenbosch Municipal Land Use Planning By-Law.**

Ms Marike Bolz, Arch Town Planners

Dear Ms Bolz,

Herewith we would like to object to the above development planned for 1 and 3 Paul Kruger Street. We are a religious community that occupy two historical buildings at 16 Paul Kruger Street. These buildings are the original wine cellar and homestead of the Kromme Rivier farm, established in the 1690's and the buildings date, according to an archaeological survey done in 1989, from around 1740, the later additions being from that date until 1831. The Catholic Church has owned this property since 1928 and continues to use it for religious activities during the week, on Saturdays and Sundays. It is also used as a residence by the two priests who serve the Stellenbosch Catholic community.

Our objections are as follows:

**Permanent Departures to relax the building lines as follows:**

- i. Street building line (Paul Kruger) from 7.6m to 2.49m for the ground, first, second, third and fourth floors

**Permanent Departures:**

- i. To relax permissible coverage from 25% to 47% (+/- 816m<sup>2</sup>);
- ii. To relax permitted floor factor from 0.5 to 1.17;
- iii. To relax height restrictions to allow for five-storeys

1. Such a large development (with its present configuration of 38 tiny one-bedroom flats and 14 two-bedroom units) will cause a huge increase in traffic and noise in the area.

Such an increase in traffic and noise will hinder the St Nicholas Catholic Church in performing our religious practices. This is especially grave as the traffic from the proposed development will feed onto Paul Kruger Street towards Hoffman Street because the road has been closed to Adam Tas Road.

2. The removal of the height restriction will set a precedent for other developments in the same street. We are aware of two other developments planned on Paul Kruger Street for the near future.
3. The density of the floor factor, the number and configuration of the flats serve only students and does not address the needs of many young families searching for accommodation in Stellenbosch.
4. At this very time, the adjacent Denpesig Street is partially inaccessible because new sewage pipes are being laid under it to service the large blocks of flats being constructed there. Similar activity on Paul Kruger Street will probably also be necessary and would have a direct effect on our activities and may endanger our buildings.
5. We believe that such a large development on such a small plot will dramatically alter the nature of our area and, by adding a large amount of traffic to Paul Kruger Street, will seriously impinge on our activities on the grounds and in the buildings on our premises. We understand the higher density housing is needed in Stellenbosch, but feel very strongly that this level of densification will be detrimental to our community and the area.

With concern and thanks,

Reverend Father Wim Lindeque

Parish Priest

# *Stellenbosse Belastingbetalersvereniging Stellenbosch Ratepayers' Association*

✉ 399 Stellenbosch 7599; F 0866758040; [info@stellenboschratespayers.org](mailto:info@stellenboschratespayers.org)

5 November 2018

Ms Marika Bolz  
P O Box 278  
Stellenbosch  
7599  
[marika@archtownplanners.co.za](mailto:marika@archtownplanners.co.za)

Director: Planning & Economic Development  
Stellenbosch Municipality  
P O Box 17  
Stellenbosch  
7599  
[tabiso.mfeva@stellenbosch.gov.za](mailto:tabiso.mfeva@stellenbosch.gov.za)

Dear Ms Bolz

## **COMMENT ON AND OBJECTION TO THE APPROVAL OF ASPECTS OF AN APPLICATION FOR THE REZONING OF ERVEN 139 AND 140, STELLENBOSCH, INCLUDING THE APPROVAL OF PERMANENT DEPARTURES FOR INCREASES IN THE PERMISSIBLE HEIGHT, COVERAGE, BULK (FLOOR FACTOR) AND RELAXATION OF BUILDING LINES.**

1. I refer to your Notice in the Eikestadnuus, Application Number LU/8381, in the above regard.
2. The SRA is aware that developers are anxious to obtain planning approval as quickly as possible, however, the SRA is of the view that this should not happen at the expense of the environmental amenity of Stellenbosch. We are uncertain whether approval has been obtained from Heritage Western Cape (HWC), for the demolition of the dwellings on the above-mentioned Erven. It accordingly appears to be prudent to first obtain the approval of HWC before proceeding with the rezoning and ancillary applications.
3. The SRA has nevertheless considered the merits of the departures applied for and believe that applications such as this one should be evaluated in terms of sustainability as well as the impact the current proposal would have on the future environmental amenity of the Dennessig area. The conclusion reached is that, permitting more than double the floor factor in Dennessig (1.17 instead of 0.5), 5

stories instead of 3, on an erf of less than 1 750m<sup>2</sup>, will have a negative long-term impact on the environmental amenity of Dennessig and even more importantly, Stellenbosch.

4. A further objection to the application concerns the proposed permanent departure for the provision of only 61 parking bays (only 48 standard bays are provided) instead of 70 parking bays. The location of this site will force the occupants to make use of private vehicles. (safety etc.) In Die Weides parking is already a severe problem and only 3 storeys were allowed there.
5. The present proposal is an opportunistic and unacceptable over design in area that deserves a more innovative solution for accommodation needs. This proposal is for student accommodation, the design is a typical university hostel. The proposed construction is not sustainable in the long term and does not comply with the requirements of human well-being and environmental integrity. Nor does this development and other similar development contribute to the local economy in the long term - no families live in the blocks. Student accommodation raises safety and security issues as the buildings stand empty for more than 4 months per year, thus not contributing to an acceptable living environment for other occupants.
6. Although densification in Stellenbosch is an important objective the proposed floor factor of 1.33 is excessive. An in-depth debate is accordingly necessary to determine whether the floor factor should be limited to the prescribed factor (existing and proposed zoning scheme regulations) of 0.75 and the permissible coverage to 25%. As indicated in previous submissions by the SRA, the provision of housing in Stellenbosch is skewed because of the high demand for student accommodation. The Weides is a good example of what should not be permitted to happen. One would hope that the adverse experience in the Weides will not be repeated in Dennessig. The Council has yet to approve the rezoning of even in Dennessig from single residential to general residential.
7. Most, if not all, newly built flats in and around Stellenbosch are being occupied by students. The design of these units is aimed at providing a minimum amount of space at a maximum rental. Stellenbosch is in dire need of housing options for first time home buyers, young working persons and the middle-income group. Student flats are not "densification" in the true sense of the word. Students occupy these units for only eight months of the year. The safety and security risks are largely increased during the four months of the year that students are not in Stellenbosch. This period is also a loss to the local economy. The Dennessig area was/is the ideal solution for the categories of accommodation not provided for at present. Council has a facilitation role and needs to ensure sustainable development for the benefit of the broader community and environment. The present trend is not sustainable at all. Permitting "overdevelopment" increases land prices and renders sound urban design and development very difficult, if not impossible. Without a proper development plan and innovative urban design, opportunities will be lost. Present development approvals also have a negative impact on the character and attractiveness of Stellenbosch – our only hope for sustainable long-term stability.
8. The Municipality and Mayor are on record that they will look at innovative

alternatives to provide for a range of accommodation options. The fact that medium income group and first-time buyers cannot find affordable housing in Stellenbosch contributes to the present unacceptable traffic situation and a drain of capital from Stellenbosch. The Dennesig area is an opportunity to fulfill several needs if development is well managed and facilitated. The SRA accordingly requests that the Municipality stop all development in this area until such time as urban design and architectural guidelines for the area are in place.

9. The education environment is changing rapidly, and distance education is starting to play a greater role. Should these small boxes or "hokkies" not be required by students a normal family or single person will not be able to live in this environment and the result will be very negative for Stellenbosch

10. In the light of the above-mentioned comments it is trusted that you will reconsider the proposal and amend the design to reduce the impact of the proposed development to an acceptable and sustainable level that will hopefully contribute to a high standard or quality of environmental amenity.

Kind regards,

Andre Pelser (Chairman)

Cc Ms Gesie van Deventer [Mayor@stellenbosch.gov.za](mailto:Mayor@stellenbosch.gov.za)  
Executive Mayor  
Stellenbosch Municipality

Ms Geraldine Mettler [mm@stellenbosch.gov.za](mailto:mm@stellenbosch.gov.za)  
Municipal Manager  
Stellenbosch Municipality

Mrs Esther Groenewald [esther.groenewald@stellenbosch.gov.za](mailto:esther.groenewald@stellenbosch.gov.za)  
Councillor for Ward 22  
Stellenbosch Municipality

## MEGLIS (PTY) LIMITED

Reg No 2014/020865/07

Our Reference: Erven 139-140, Stellenbosch  
Your Reference: LU/8381

01 November 2018

Arch Town Planners  
Care of: Marike Bolz  
P O Box 278  
**STELLENBOSCH**  
**77599**

Per e-mail: [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)

Dear Madam

### OBJECTION AGAINST PROPOSED DEVELOPMENT OF ERVEN 139-140, STELLENBOSCH

Your letter dated 04 October 2018 informing us of the proposed development of the abovementioned properties has reference.

We, Meglis (Pty) Ltd the owners of Erf 132,133,134 (Consolidated to Erf 17274) herewith formally submit our objection to the proposed development in terms of Section 50 of the Stellenbosch Municipality Land Use Planning By-Law.

It should be noted that our objection is not against the principle of densification in the area, as we acknowledge the need for - and legislative support of - densification in the area.

The objection is, however against the extensive deviations/departures from the land use regulations which are proposed, and which will not benefit the surrounding area in the long term. We therefore list the reasons for our objections below.

Directors: R Wintle; T Capuzzimati  
Suite 1 | Ground Floor | The Mirage | 44 Chiappini Street  
Cape Town 8001

### 1. Departures:

Zoning scheme regulations has a specific purpose and are formulated and implemented for a reason.

This includes the conservation of the value of buildings and other properties in the area and to encourage the most appropriate use/development of the land. The character of an area is mainly determined by what is allowed in the zoning scheme regulations and extreme deviation from these regulations could have far reaching negative effects, especially when decisions on future developments have to be made.

It is acknowledged that – in certain site-specific circumstances - Council could consider certain minor departures from these regulations to allow practical solutions for the use of space. As a result, other buildings in the area has, e.g. been allowed limited departures from the regulations. Caution was however taken to ensure that most of the regulations pertaining to massing was adhered to.

In this instance, there are no specific reason why the proposal should deviate from both the floor factor and height. It will set a dangerous precedent for future proposals, should these departures be favourably considered. The combined impact of further development could therefore have far reaching negative results for the area.

### 2. Massing & Streetscape:

The proposed increase in floor factor and number of storeys will have a direct impact on the buildings' size and massing as it sets the maximum volume or envelope in which a building(s) can be developed.

The location of this proposal, however, is a residential area characterised by small intimate streets, where the focus is more on the building and its relationship to the sidewalk and street(s) and the associated importance to "human" scale. The scale of the proposed buildings will completely overshadow the human scale as experienced from passers-by and can create a tunnel effect – especially if this precedent is continued through similar developments in the area. This furthermore emphasise the concern to deviate from the By-Law relating to the Control of Boundary Walls and Fences, which could have a direct impact on the interpretation of the scale of the building and accordingly the streetscape.

In considering the degree of fit of the proposed building with the character of the surrounding area, it is also important to take into account the relationship between the proposed building and the size of adjacent structures. In this case the proposed building (basement parking plus 5 storeys) entirely overshadow not only the adjacent buildings but also the other blocks of flats (which mainly consists of ground floor parking plus 3 storeys residential) recently approved in the area.

In significantly relaxing the building boundary to Paul Kruger Street, the streetscape and green area is reduced, reinforcing the tunnel effect which will be created, as well as the requirement to create a minimum of 25% site coverage for landscaping. The calculation for green area or landscaping has not been included in this submission for our ability to pass comment on.

Strong emphasis is made to the fact that this proposal should be dealt with and considered through applying similar decision-making criteria as was implemented with previously approved developments.

The form of the building is in also a direct relation to the neighbourhood context. Aspects such as the importance of existing patterns, future planning vision for the area and neighbourhood scale form part of the neighbourhood context and should be taken into account when taking a decision if the building fits in with the area. In this instance the proposed building, due to its massive scale, does not fit into the existing neighbourhood patterns, neighbourhood scale.

### 3. Impact on Adjoining Properties:

In the motivation report summary, the applicant refers to the proposed departures will not have a significant impact on the adjoining or surrounding properties with regard to loss of privacy, however optimal utilisation of the land would seek to firstly adhere to the zoning scheme regulations for a specific zoning/use, with the consideration of *minor* departures, determined by site specific conditions. The proposed floor factor is extensive and necessitate further departures and encroachments e.g. the height restriction, basement which encroaches the building lines to accommodate parking, etc. These encroachments would not be required for the optimal utilisation of the property and one therefore conclude that this 'optimal utilisation' relates to the financial gain for the developer – more units more money – and not to the benefit of the general community. Any significant departure from the zoning scheme regulations would most certainly have an impact on adjoining properties, after all, the zoning scheme regulations are in place for this very reason

Directors: R Wintle; T Capuzzimati

Suite 1 | Ground Floor | The Mirage | 44 Chiappini Street  
Cape Town 8001

Directors: R Wintle; T Capuzzimati

Suite 1 | Ground Floor | The Mirage | 44 Chiappini Street  
Cape Town 8001

# MEGLIS (PTY) LIMITED

Reg No 2014/020865/07

## 4. Parking:

We are concerned about the number of actual parking bays which are provided (61 bays of which 11 are proposed to be converted to bicycle and motorcycle bays) for the following reasons:

- i. The number of visitors' parking bays are reduced, and it is a concern that visitors who can't find parking inside the development will have to park in the road reserve. This will not only lead to traffic congestion, but will also draw the wrong elements as cars parked in the street (unsecure) are easy targets for criminals.
- ii. There is no guarantee that the units will only be occupied by students with the result of lower motor vehicle use. The two bedroom units lend themselves to young families who might have the need for more than one safe parking bay on-site.

## 5. Traffic

We have not seen or been issued with any traffic study to confirm the impact of this development on the immediate road infrastructure or its surroundings. Should this report be available, it should be circulated for review and comment prior to any approvals being granted

## 6. Conclusion:

In line with the above it is requested that Council consider the long-term impact this proposal will have on setting a precedent for future developers to apply for extensive departures which could have an impact on the massing, street scape and scale of development and accordingly negatively impact on the character, health, safety and wellbeing of the surrounding community, and the building be redesigned to conform with the zoning scheme regulations

We trust that you find the above in order.

Yours faithfully



T Capuzzimati  
Director

Directors: R Wintle; T Capuzzimati  
Suite 1 (Ground Floor) The Mirage (44 Chiappini Street  
Cape Town 8001



ROAD NETWORK MANAGEMENT  
Email: [Grace.Swanepoel@westerncape.gov.za](mailto:Grace.Swanepoel@westerncape.gov.za)  
Tel: +27 21 485 4489  
Rm 335, 9 Dorp Street, Cape Town, 8001  
PO Box 2603, Cape Town, 8000

REFERENCE: 16/9/6/1-25/283 (Job 26472)  
ENQUIRIES: Ms GD Swanepoel  
DATE: 16 November 2018

Director: Planning and Economic Development  
Stellenbosch Municipality  
PO Box 17  
STELLENBOSCH  
7599

Attention: Mr U von Molendoff

Dear Sir

## ERVEN 139 & 140 PAUL KRUGER ROAD, STELLENBOSCH: APPLICATION FOR REZONING, CONSOLIDATION, REMOVAL OF RESTRICTIONS AND DEPARTURES

1. Letter to this Branch from Arch Town Planners, ref. Erven 139 & 140, Stellenbosch, Application ref. no. LU/8381, dated 4 October 2018 refers.
2. The subject properties are located on the south side of Paul Kruger Road, with the west boundary of erf 139 being adjacent to Main Road 27 (Adam Tas Road) at 4km,35.05. Both erven currently take their access off Paul Kruger Road, a cul de sac ending close to Main Road 27 and fenced to prevent access by vehicles or pedestrians from Main Road 27.
3. The application is for the following:
  - 3.1 Consolidation of erven 139 and 140 to create a single consolidated development site for the erection of a 5-storey residential apartment complex comprising 52 flats;
  - 3.2 Rezoning of the consolidated erf from Single Residential to General Residential;
  - 3.3 Departures to allow the relaxation of the street building lines from 7.6m to 2.49m in respect of Paul Kruger Road, and from 7.6m to 6.51m in respect of Main Road 27 (Adam Tas Road, the R310), in addition to relaxations in respect of shared boundary setbacks;
  - 3.4 Removal of the following title deed restrictions:

ENDORSEMENTS

- 3.4.1 In respect of Erf 139, Title Deed 28075/1996: Clauses B, C(a & b), D(a,b,c,d) and E(3);
- 3.4.2 In respect of Erf 140, Title Deed 54174/2012: Clauses B(a & b), C(a, b, c & d) and D(3).
- 3.5 Departures in respect of permissible coverage, floor factor, height restrictions and parking provision.
- 4. The site development plan proposes to reduce the parking provision from the required 70 bays to 61 bays, with the available spaces marked to provide 50 bays for cars, 48 bicycle spaces and 12 motorcycle spaces. As the development takes access from the municipal street system, it is within the Municipality's jurisdiction to decide whether they are willing to accept a lower parking ratio for the development.
- 5. The site development plan respects the 5m building line on Main Road 27 Adam Tas Road in terms of the Roads Ordinance 19 of 1976.
- 6. This Branch offers no objection to the application described in paragraph 3 above.
- 7. It is recommended that care is taken to ensure that the various title deed restrictions which may be removed as part of this application process are not carried over to any sectional title properties created within this development.

Yours faithfully



ML WATTERS  
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

- 1. Stellenbosch Municipality  
Attention: Ulrich von Molendorff (e-mail: [ulrich\\_vonmolendorff@stellenbosch.gov.za](mailto:ulrich_vonmolendorff@stellenbosch.gov.za))
- 2. Arch Town Planners  
Attention: Marike Bolz (e-mail: [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za))
- 3. Malcolm Watters (email)
- 4. Harry Thompson (email)

## Annexure I: Response to Comments



Postal address: PO Box 276  
Stellenbosch 7530

M: +27 (0)72 460 5931  
F: +27 (0)21 216 9072  
E: [manke@archtownplanners.co.za](mailto:manke@archtownplanners.co.za)

20 November 2018

Land Use Department  
Stellenbosch Municipality  
STELLENBOSCH  
7600

Attention: Robert Fooy

Dear Robert

**RESPONSE TO COMMENTS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, REZONING, CONSOLIDATION AND VARIOUS PERMANENT DEPARTURES, ERVEN 139 AND 140 STELLENBOSCH**

Please note that the public participation process has concluded on 5 November 2018 and we have received a total of 4 letters of objections to the proposed development. Figure 1 below indicates the locality of 3 of the objector's properties (Stellenbosch Rate Payers are not shown) with relation to the application site. Please note that we have sent out 412 registered letters and these 4 objections represents less than 1% of the potential respondents (excluding all the Stellenbosch residence who could have responded to the advert in the EikestadNuus.



Figure 1: Location of objector's properties

Erven 139 and 140, Paul Kruger Road, Stellenbosch: Response to Comments

Page 1

Set out below, please find our response to each letter of objection:

#### 1. Stellenbosch Rate Payers, letter dated 5 November 2018

##### 1.1. Objection: To obtain approval from HWC for demolition of existing dwellings

**Response:** In process, approval seen as a formality by our Heritage Consultant

##### 1.2. Objection: Proposed bulk, height and floor factor is excessive and will have a negative long-term impact on the environmental amenity of Dennesig and Stellenbosch

**Response:** It is considered that the current zoning scheme, approved in 1986, more than 20 years ago, is outdated as it does not respond to or promote the development of sustainable communities through densification. Densification is one of the main land use tools to promote sustainable use of resources (land, services, public transport, etc). As outlined in the approved SDF and IDP, it is clear that the Municipality acknowledges the dire need for densification, especially in areas such as Dennesig within close proximity to the town center, the University and public transport nodes. The IDP specifically identified the Dennesig area, between Paul Kruger, Dennesig, Merriman, the R44 and Bird Streets, as a primary densification and development intensification area. This can only be achieved if property owners are allowed to depart from the existing (albeit outdated) zoning parameters which restrict coverage, floor factor and height.

Given the municipality's recent approval of *The Den*, located directly adjacent to Erven 139 and 140, which comprises a four-storey block of flats, it is considered that the precedent for this type of development in the area has been established. Nonetheless, given the requested increase in coverage, floor factor and height of the proposed development, it should be noted that great effort has been made to ensure that the building is aesthetically pleasing; both in terms of public interface from the street, as well as for incoming residents in the development. The building section situated on Paul Kruger street will only be four-storeys in height, with the five-storey section positioned at the rear of the property. Thus, from the public perspective on the street, the building will appear to have only four-storeys. The building will therefore not seem overbearing or out of character to those which have been approved for development in the area.

Similarly, the proposed increase in bulk of the site will be buffered by the mature trees that currently exist (and will be maintained) on the property, as well as the private, walk-out gardens to which all ground floor units will have access. Furthermore, natural-looking wood cladding will be added to shade the stairwells and soften the design of the building, which will add warmth and diversity to the façade and create a visually appealing streetscape, both from Paul Kruger Street as well as from the R44.

It is further considered that the proposed development, being a brownfields development, will result in the optimal redevelopment of the application site, in line with municipal policies. Please note that a recent application was submitted for the redevelopment of erven 143 – 146 and erven 165 – 170, which will include a substantial retail section. This retail section will provide for the wider area including this proposed development, which will help to reduce the pressure on the town center and will help to create a sustainable living environment where. The proposed development will contribute to the creation of a sustainable neighbourhood in that it is situated close to existing and

proposed transport nodes, it is within walking distance to surrounding amenities and optimizes the use of infrastructure.

Please also refer to the response in Point 1.4 below.

##### 1.3. Objection: Not in support of parking departure as location of development will force occupants to use private vehicles (due to safety concerns);

**Response:** It is strongly motivated that the parking departure and the provision of safe and secure parking for non-motorised vehicles will in effect motivate the occupants of the flats, which will be located within 1km from town and campus, to make better use of public and non-motorized transport which will increase the safety in the area by passive and active observation. It should be noted that from discussions with agents from Stelliess Student Stay, who is the letting agent for more than 16 blocks of student accommodation units, there has been and is a considerable decline in the uptake of parking bays for this and next year. Plumbago flats, situated right opposite the proposed development, has quite a number of excess parking bays which has not been rented out, even though the block was fully let in 2018 and currently 99% let for 2019.

As per the motivation report attached to the application, a total number of 70 parking bays are required. As confirmed in discussions with the relevant municipal officials, applications that propose a substitution of up to 15% required parking bays with bicycle and motorcycles bays will be considered. The proposed development will have the equivalent of 61 parking bays, i.e. parking for 48 bicycles, 12 motorcycles and 50 standard motor vehicle bays. Given the centrality of the development, it will be easy for residents to walk, cycle or take the train to most areas of Central Stellenbosch and surroundings. The development is particularly well-located for walking to the town centre, Stellenbosch University, Boland College, and the proposed future car-pooling on the R44.

In the 2018 MSDP, the vision of "Car-Free Transport" is proposed. In order to achieve this vision, a shift in planning policies and priorities is needed in order to drastically transform public mindset and create operational viability for alternatives to individual motorised vehicles. For instance, as part of a car-free vision, the SDF outlines a number of sub-principles, which decision makers should take into account:

- Settlement form should lessen rather than increase the demand for private motor vehicle travel.
- The primary measure of access is appropriate walking distance. At least 50% of activities found within the urban area (e.g. employment, shopping, public transport, social & recreational) should be within 1km of where people live
- Development approvals should be guided by the need to achieve the settlement densities needed to make the public transport system financially and operationally viable.

Given these strategic principles, the 9-bay parking departure proposed in this application, in combination with ample provisioning for secure bicycle and motorcycle parking, is perfectly aligned with the promotion of a car-free urban environment that the Municipality is seeking to create. With the on-going and planned densification of the Dennesig area, in combination with its 500-meter walkable radius to the train station, town centre, university, shopping and recreational opportunities, it is an indispensable opportunity for the Municipality to begin exploring and implementing alternatives to private vehicle travel. It is motivated that the total number of residential units planned for the

combined Dennesig area, including this proposed development, will create the required demand to support and sustain public transport initiatives. It is therefore imperative that this vision should be considered when ruling on the parking departure applied for, which, we believe should be supported in compliance with the Municipality's own SDF principles to establish a car-free central Stellenbosch.

From a safety perspective, it is clear from the very high safety and barbed wire fences around the many of the properties in the Dennesig area that the area is already experiencing a lack of safety. It is not considered that the proposed development will add to this, it is in fact argued that the proposed development will increase the level of safety in the area by contributing to the provision and/or upgrade of safety controls and designated pedestrian and cycle lanes as discussed with the Stellenbosch Municipality.

**1.4. Objection:** Development proposal is opportunistic, and over design aimed at student accommodation. The proposed design does not comply with the requirements of human well-being and environmental integrity, does not contribute to the local economy as no families live in the blocks and will result in safety issues as student accommodation typically stand vacant for 4 months of the years, which raises safety issues – thereby not contributing to an acceptable living environment for other occupants. The Dennesig area should provide for different categories of accommodation.

**Response:** It should be noted that the proposed development is not targeted specifically at students as provision has been made for a number of 2 bedroom units which are attractive to young professionals and/or small families. It is therefore clear that the proposed development does in fact provides for different categories of accommodation as proposed by the Rate Payers Association.

Due to its location in relation to the University, the target market for developments in Die Weides is exclusively aimed at students. Many of the developments in Die Weides are boarding houses also targeted at and available only to students which does result in safety issues and a negative impact on the local economy.

However, in contrast to Die Weides, the location of the application site, falling within the Dennesig suburb within walking distance (1km) from both campus and town, makes this site ideally located to provide for both students and young professionals/small families. The possible allowance of increased bulk, height and coverage, will help private developers to provide accommodation for the more affordable market (not only students). This will also result in more students/m<sup>2</sup> who can contribute to levies payable toward security, thereby increasing security for all. Please note that the selling price of the The Den development adjacent to Erven 139 and 140, (under construction) which currently sells at R42 000 – R47 000/m<sup>2</sup>, i.e between 28 - 35% lower than the selling price in Die Weides. This selling price is partly achieved by the increased development potential of the sites. By not allowing for a considerable increase in development potential, the selling prices of the units will increase again, making it unaffordable to young professionals and small families. It is therefore critical, that as supported by the IDP, higher density development should be allowed in this area. It is agreed that developments in this area should not only provide for students, hence the proposed development's design.

It should also be considered that, according to Urban Econ's Student Accommodation Housing Demand Study, as quoted in the Status Quo document of the Draft SDF, there is a demand for almost 4 200 student accommodation units (requiring 47ha of land), 3 515 affordable housing units (requiring 56ha of land) and 1 850 middle- high income

units (requiring 65ha of land). It is very clear from these figures that densification, by allowing a considerable increase in development opportunities within the urban edge, is the only way to address, even partially, these housing requirements.

**1.5 Objection:** Distance education is starting to play a greater role and the need for very small student units will decline. These small units will not be attractive to young professionals/small families.

**Response:** Given the figures above, it is clear that this statement is unfounded.

**2. Stellenbosch Roman Catholic Church, letter dated 2 November 2018**  
Owner of Erf 7575, Paul Kruger Road

**2.1 Objection:** Increase in traffic and noise to the detriment of the religious practices.

**Response:** It is true that it is to be expected that there will be an increase in noise and traffic as a result of the proposed development. However it should be noted that the majority of traffic movement past the church will be during peak traffic hours, which does not coincide with the times of the church services. It is not considered that the proposed development, being situated approximately 280m from the church will result in any noise disturbance to the detriment of the religious practices.

Please also refer to the response in Section 1.3 above for the motivation of support for the Stellenbosch Municipality's vision to achieve "Car-free Transport " which will mitigate potential noise and traffic increase to the area.

**2.2 Objection:** Proposed development only provides for students

**Response:** As described in Section 1.4 above, the proposed development will provide for students, young professionals and small families.

**2.3 Objection:** Potential service upgrades as a result of the proposed development would result in detrimental effect on church activities and endanger church buildings.

**Response:** As confirmed by the Services Statement provided by KCE Consulting Engineers, the proposed development will be able to tie into the existing municipal services network and only minor upgrades to the water network will be required. The upgrades to the sewer network currently being done along Dennesig road has already taken cognisance of the overall densification proposals for the Dennesig area and will therefore have capacity for the proposed development to tie into without the requirement for further upgrades.

**2.4 Objection:** Removal of height restriction and the large scale of the development will dramatically alter the nature of the area and result in traffic increase.

**Response:** The Dennesig area has been identified by the Stellenbosch Municipality (as confirmed in the IDP) as a densification area, which will allow for buildings up to 6 storeys. Subsequent to the approval of the IDP, the majority of the single residential erven along Paul Kruger, Hoffman and Dennesig Roads have been bought by private developers and developments of similar scale to this proposed development are currently either under consideration by the Stellenbosch Municipality or, in the design and planning phases. It is inevitable that the character of the area will change, not only as a result of the proposed development but due to the identification of the Dennesig area as a high-density development area (as proposed by the Stellenbosch Municipality).

Please refer to the response in Section 1.3 above for the motivation for support for the Stellenbosch Municipality's vision to achieve "Car-free Transport" which will reduce potential noise and traffic increase to the area.

**3. Meglis (Pty) Limited, letter dated 1 November 2018**  
Owner of Erven 132, 133, 134 (consolidated erf 17274), Paul Kruger Road

**3.1 Objection:** Increased height and floor factor will have a negative impact on the area.

**Response:** Refer to Sections 1.2 and 2.4 above

**3.2 Objection:** Massing and Street Scape and concerns regarding open space/landscaping

**Response:** As set out in Section 1.2 and 2.4 above, it is inevitable that the character of the area will change to a higher density area, with higher buildings than the existing structures in the Dennesig area. As proposed by Mr. Capuzzimati, the proposed development was designed to respond to the future planning vision of the area, being a high-density development area, in consultation with the Stellenbosch Municipality. It is therefore considered that the proposed scale, massing and street scape of the development will tie in with the future planning vision of the area and will not result in having a detrimental effect on the street scape. It is motivated that the proposal seeks to aesthetically complement current buildings as well as the new street scape that will be developed as a result of the new development proposals for the area and that the massing and scale therefore will not result in having a detrimental effect on the area.

As per our pre-application meeting with the Stellenbosch Municipality where the proposed design was presented and discussed, the officials confirmed that they will allow for certain departures if the proposed design will contribute to the street scape and visual character of the area.

The proposed ground floor building line departures will allow for the ground floor gardens to interact directly with the street front, while also embedding an "eyes-on-the-street" design, which will assist with ensuring the safety of the area. Furthermore, through a relaxation of the street building line, all parking can be accommodated at the rear of the property, shielded from the street view by the proposed buildings. The proposed street building line is similar to that recently applied for on adjoining erven 141 and 142, which will assist in adding continuity of the architectural facade along Paul Kruger Road.

It is proposed to preserve the existing mature trees located along the R44 which will soften the view of the building from motorists on the R44. The area along the R44 property boundary will be used as high-quality communal outdoor green space for building residents. With these measures in place, the proposed building line departure will ensure that the building does not seem overbearing or out of place along the R44. As this building line is only relevant to the R44, it will not result in any overlooking or loss of privacy.

The proposed building line relaxation along the common boundary of Erf 141 relates only to private balconies on the first to fifth floor. The main building will be set back approximately 5m from the common boundary of Erf 141, which complies with the prescribed building line of 4.6m. It should be noted that the proposed development on Erf 141 applied for a common boundary setback of 4.5m from this proposed development, which will result in these two buildings being approximately 9.5m apart. It is considered that this setback is more than enough to ensure that there will be no significant loss of privacy or overlooking.

The rear five-storey section of the proposed development will be set back approximately 4m from the rear boundary, which will result in an approximate distance of just over 8m between this proposed development and *The Den* development (currently under construction) and approximately 7.5m from the proposed building on Erf 163 (which applied for a building line setback of 3.5m on this boundary). It is considered that this is a sufficient distance to prevent overlooking and will also allow for enough natural and direct sunlight to the surrounding developments.

The development would also include a sufficient amount of high-quality communal outdoor space, in the form of rooftop terraces on the fourth storeys of the building, as well as private garden areas, including mature trees along the R44, which will assist in buffering the noise from passing traffic. Approximately 715m<sup>2</sup> of communal open space will be provided, which accounts for more than 40% of the total consolidated erf size.

**3.3 Objection:** Impact on adjoining properties and optimal utilisation

**Response:** Optimal utilisation in this instance does not refer to the profitability for the developer but rather to the optimal use of one of the last and best located areas in town (as specifically identified by the Stellenbosch Municipality) for high density brownfield development. As discussed under 1.2 above, the only way to optimize the use of land within the urban edge of Stellenbosch, which is also within close proximity to town and campus, would be to allow for considerable departures from the current zoning scheme. Please refer to Sections 1.2, 1.4 and 3.2 for the motivation for the relevant departures.

**3.4 Objection:** Limited visitor's parking provided will result in on-street parking, also young families might have a need for more than one parking bay.

**Response:** Please refer to Section 1.3 above

**3.5 Request for TIS** – Kindly see attached e-mail confirmation that the TIS was sent to Mr Capuzzimati

4. Marius Munstermann, e-mail dated 1 November 2018  
Dermont Flats, Malleno Road

**4.1 Objection:** Against rezoning to General Residential. Concerns regarding pollution (noise and fumes from R44, close proximity to industrial area which does not add to an attractive residential location, over supply of student accommodation (the objector claims that the University is struggling to rent out accommodation in their residences and that the number of students at the University have not increased at the same rate as the provision of accommodation through new developments). Development is economically not viable, can result in units being vacant which may result in illegal occupation of buildings. Request restriction of maximum number of 30 units.

**Response:**

- The proposed development will be set back from the R44, with the closest ground floor unit being set back more than 8m from the erf boundary along the R44. The units will be shielded from the R44 by the proposed landscaping which will be within the 5m building line area between the R44 and the proposed development. The units will be positioned in such a way that it will face in a north-western direction (looking towards Paul Kruger street and the green open space area north of the industrial area) and south-western direction, looking towards the Van der Stiel sport fields and the Stellenbosch mountains. None of the units are positioned to directly overlook the industrial area. It should also be noted that the proposed development will be set back more than 54m from the industrial area. In addition, The Den development, situated directly behind the proposed development and currently under construction, is almost sold out and Plumbago flats, 2 Paul Kruger road, situated directly opposite the proposed development, is also 99% let for 2019. It is therefore clear that the close proximity to the R44 and the industrial area has no effect on the attractiveness of the units to potential investors.

- As indicated above and as confirmed in the Status Quo document of the Draft SDF, there is currently a demand for 4 200 student accommodation units, and this only relates to students and does not even include young professionals and small families. Also, from discussions with students and estate agents it is very clear that there is a great shortfall in accommodation and that it is almost impossible to get accommodation in the residences. The claim that the University struggles to fill the residences is therefore rejected.

- It is unclear on what basis the objector claims the development to be economically unviable (apart from the objectors claim that there is already an oversupply of student accommodation which we believe to be incorrect). Private developers will not undertake a project of this scale if they believe the project to be financially unviable.

- The claim that the proposed development will result in potentially empty units being invaded by illegal occupants is also considered to be unfounded. It should be noted that Stellenbosch is not a city and can not be compared to cities such as Johannesburg and Durban where this has happened. The objector proposes to restrict the maximum number of units to 30 units, which is considered to be unreasonable and not in line with National, Provincial and Local (with specific reference to the IDP) policies where densification (though brownfield development) is strongly motivated and supported. Please also refer to Sections 1.2 and 2.4 above for a motivation for the higher density as proposed.

**4.2 Objection:** The Denmesig area is characterized by single storey buildings and a few 2 – 3 storey buildings. The proposed height will be out of character, result in the loss of sunlight and create wind-tunnels.

Erven 139 and 140, Paul Kruger Road, Stellenbosch: Response to Comments

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**Response:** Please refer to Section 2.4 above which addresses the changing character of the area. Also note, the majority of the blocks of flats along Denmesig street are 4 storey buildings and not only 2-3 storeys as claimed by the objector. It is considered that there will be some degree of loss of sunlight to surrounding properties (which will all be similar to the proposed development) but not to the extend to warrant refusal.

**4.3 Objection:** Relaxation of building lines will result in pollution and noise disturbance, loss of privacy and result in safety issues to ground floor flats. Parking should be situated around the building and not under the building.

**Response:** Please refer to the response under Section 4.1 relating to noise and pollution. The ground floor units will be set back approximately 3.9m from the erf boundary which is considered more than sufficient in terms of allowing for privacy. It should be noted that one of the general principles of urban design is to bring buildings, such as the proposed one, as close to the erf boundaries as possible to help create and formalize the street edge, to improve safety through passive observation and to help the building interact with the street. The parking is deliberately shielded from the street to increase the visual appearance of the street scape as "dead" and hard paved parking areas detracts from the visual appearances and experience of the street scape. It should further be noted that as the proposed development is situated at the end of Paul Kruger road, which is closed off, with no link to the R44, there will be no traffic movement past these units. There will also be very little pedestrian movement past these units which will in effect add to the value of these units with direct access to the landscaped areas in front of the units.

**4.4 Objection:** Concerned about stormwater run off and requests that provision is made for green open areas.

**Response:** The proposed coverage will be similar to the existing, i.e no change in stormwater runoff. Also note, a substantial area along the boundary with the R44, as well area along Paul Kruger road has been set aside for landscaping which will also address the concerns regarding the stormwater run-off. A stormwater management plan will be designed as part of the development to ensure that the pre-development and post-development runoff stay the same.

**4.5 Objection:** Too much parking is provided, number of vehicular parking bays should be reduced to encourage future residents to make use of public transport, cycle or walk.

**Response:** It is highly unlikely that the Municipality will at this stage support the provision of less parking than currently proposed.

We are confident that the above addresses and responds to the concerns raised to enable the Municipality to proceed with approving the application for the proposed development.

Yours sincerely



M Bolz

For Arch Town Planners

Erven 139 and 140, Paul Kruger Road, Stellenbosch: Response to Comments

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## Annexure J: E-mail correspondence relating to Application

**From:** Ian Moodie  
**To:** [madie@archtownplanners.co.za](mailto:madie@archtownplanners.co.za)  
**Subject:** LU/8381, Erf 139 & 140 Stellenbosch  
**Date:** Friday, 12 October 2018 15:19:23

For the attention of Marike Bolz, Arch Town Planners

Municipal Reference Number: Erf 139 and 140 Stellenbosch  
Application Number: LU/8381

I refer to the notice received detailing the application for the rezoning and development of the properties referred to above.

I am the owner of Erf 14626, being a unit in the Boschpark block on Dennessig Street near to where the proposed development is planned to take place.

I do not have any objection to the proposed development as it appears to be in keeping with various other developments in the area and will bring capital injection and hopefully more residential units will bring a revitalisation to this area. My comment is that with the increase in residents in this and other similar developments in the area, there should be more provision made for the increase in traffic that this will entail.

Under item 3 Motivation Summary, note is made of “the provision of safe bicycle and motorcycle bays ..... in line with the municipality’s principle to achieve a car-free vision for Stellenbosch”.

I entirely agree with a suggestion that a non-motorised transport improvement plan for the area be drawn up. With the increasing population in this part of Stellenbosch, the cycle path initiative implemented towards the upper end of Merriman Avenue should be extended down to the R44 and also implemented along and across Bird Street. Converting to non-motorised and pedestrian transport will help reduce some of the pressure that vehicle numbers bring. The area around the intersection between Bird Street and Merriman Avenue needs to be improved and better policing of the traffic and pedestrian congestion needs to be implemented. Currently there is no provision for cyclists at this end of Merriman Avenue.

With the approval of this application as well as the blocks of units currently being built in the area between Bird Street and the R44 Adam Tas Road there definitely needs to be more provision for cycle and pedestrian movement.

Yours sincerely,  
Ian Moodie (Owner Erf 14626)

P.O. Box 65  
Elgin 7180

Email: [ian.moodie@mnh.co.za](mailto:ian.moodie@mnh.co.za)  
Mobile: +27 82 928 2413

**From:** [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)  
**To:** "Welly du Toit"  
**Cc:** "becky@archtownplanners.co.za"  
**Subject:** RE: Removal of title deed restrictions  
**Date:** Monday, 15 October 2018 10:22:00  
**Attachments:** [image001.png](#)  
[image002.png](#)

Hallo Welly

Ons moes al die woonstelle binne 'n radius van 2 blokke in kennis gestel het, dit word vereis volgens die Stellenbosch "By-Law" en vorm deel van die publieke deelname proses.

Vriendelike groete

Marike Bolz

**Address** 1st Floor Anglo Africa Building,  
 Plein street, Stellenbosch. 7600  
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**W** t: [www.archtownplanners.co.za](http://www.archtownplanners.co.za)

**From:** Welly du Toit <[wellydutoit@telkomsa.net](mailto:wellydutoit@telkomsa.net)>  
**Sent:** Monday, 15 October 2018 09:19  
**To:** [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)  
**Subject:** Removal of title deed restrictions

More

Ek het die geregistreerde posstuk ontvang.

Ek begryp nie hoekom dit aan my gestuur is nie. Ek het woonstelle in Akkerhof. Is dit miskien die rede?

Groete

J.L. du Toit  
 0827889315

**From:** [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)  
**To:** "Toni Capuzzimati - Igual PM"  
**Cc:** "becky@archtownplanners.co.za"; "Nopinki Datsel"  
**Subject:** RE: Objection to Proposed Re-development of Erf 139 & 140 Stellebosch  
**Date:** Friday, 02 November 2018 10:00:00  
**Attachments:** [Annexure H - TIA.pdf](#)  
[image002.png](#)  
[image004.png](#)  
[image001.png](#)

Hallo Toni

This is an acknowledgement of your e-mail with the letter of objection. As requested in your letter, kindly find the TIA attached for your information.

Kind regards

Marike Bolz

**Address** 1st Floor Anglo Africa Building,  
 Plein street, Stellenbosch. 7600  
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**W** t: [www.archtownplanners.co.za](http://www.archtownplanners.co.za)

**From:** Toni Capuzzimati - Igual PM <[Toni@igual.co.za](mailto:Toni@igual.co.za)>  
**Sent:** Thursday, 01 November 2018 19:04  
**To:** [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)  
**Subject:** Objection to Proposed Re-development of Erf 139 & 140 Stellebosch

Dear Marike

On behalf of **Meglis (Pty) Ltd** (owners of Erf 132, 133 & 134 Paul Kruger Street, Stellenbosch), please find attached letter of objection to the proposed redevelopment of Erf 139 & 140 Stellenbosch.

Kind Regards

**Toni Capuzzimati**  
 Director



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**7 West Quay, Ground Floor Block B,**  
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[www.igual.co.za](http://www.igual.co.za)

P Save trees. Print only when necessary.

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## **ANNEXURE F**

**From:** [Marius Münstermann](mailto:marike@archtownplanners.co.za)  
**To:** [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)  
**Subject:** Objection to application number LU/8381  
**Date:** Thursday, 01 November 2018 23:48:02

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Dear Marike

your registered letter dated 4 October 2018 refers regarding the aforementioned application for removal of title deed restrictions, rezoning and relaxation of permanent departures for the two plots Erf 139 and 140 Stellenbosch, situated in Paul Kruger Street, Dennesig.

I am property owner and resident in the immediate neighbourhood and herewith notify you of my objection to this application. I officially ask you to make this objection known to the relevant officials and public authorities in order for them to take my objection into account when deciding about the aforementioned application.

The detailed reasons for my objection are as follows:

**1. Objection against rezoning to General Residential:** The Erfs in question are located directly on the R44 Highway which poses a massive pollution in terms of noise and exhaust fumes to the residents of a new apartment building. The block would overlook an industrial area on the other side of the road, which does not add to an attractive residential location. The argument that more students apartments are needed in town holds no longer up, as many developments have been completed during the last years in town and also in the outskirts of Stellenbosch adding a significant number of affordable and more liveable accommodation, than this planned project would provide. I am in close contact with the University's accommodation department and for the last two years Stellenbosch University struggles to rent out the available student accommodation in the residences on Campus, as so many more alternative accommodation options have become available. At the same time the number of students at Stellenbosch University has not increased in the same way. This leads to the conclusion, that this development is economically not viable and large portions might remain vacant because of its unpleasant location. This in turn can lead to illegal land-/property invasion and establishment of an inner-city high rise informal settlement. Such social precarious buildings can be found in many other cities in South Africa and across the world, as high rise buildings are difficult to control and to police. This would be contradicting all recent efforts which the municipality of Stellenbosch had successfully established in terms of inner-city sustainable development and crime eradication. Even if the application for rezoning is granted, a restriction to a maximum of 30 units should strongly be considered to reduce the likelihood of the mentioned issues.

**2. Objection against relaxation of height restriction:** The surrounding area of Dennesig is characterised by single storey buildings and a few apartment blocks of 2 or 3 storeys in height (incl. ground floor). The above mentioned lack of demand for accommodation in this area does not bode well for a 4 to 5 story building with so many units as this also reduces its attractiveness. At the same time, a building of this height would take daylight away from neighbouring buildings and leads to strong falling winds, as such a high solitaire building at the street corner will redirect winds into the streets and onto other properties, which would otherwise have just passed over. In terms of town planning and city architecture the particular area is characterised by the open plan Van der Stel sport ground, the vast and wide R44 highway traverse and the green belts along the Kromrivier and Plankenbrugrivier, which create a harmonic ensemble with the single residential houses and some 2-3 storey general residential houses along Molteno Road. A 4-5 storey building does not fit architecturally into this ensemble. A height restriction of a maximum of 3 storeys incl. ground floor should strongly be considered.

**3. Objection against relaxation of building lines:** Bringing out the building lines to the street will compound the pollution of the residents with noise and exhaust fumes. Ground floor units will have no privacy as pedestrians will literally walk past their bedroom window. Such a relaxation makes sense in the town centre, but this quarter is characterised by gardens/public areas/parking around the houses which provides some privacy as well as distance from the noise and air pollution. At the same time it will reduce the risk of break-ins as apartments are not easily accessible from the road/pavement. If a relaxation of building line is considered, it should be reasonable in order for parking bays to be available around the house. Eliminating a ground floor parking under the apartment will also reduce building height (see objection 1 and 5).

**4. Objection against relaxation of permissible coverage factor:** The recent drought has shown how important sustainable management of surface and ground water is. Sealing nearly 50% of the surface of the plot(s) will significantly reduce the natural ability of the soil to absorb rainfalls and to add it to the ground water which in turn can be used for borehole water as a means of sustainable irrigation. Surface water on tar/concrete portions of the building gets collected and treated with other waste water, therefore increasing the costs and capacity needed for water treatment by the municipality. During heavy rainfalls a large sealed surface adds to flooding. Therefore a reasonable portion of green / public areas should strongly be considered

**5. Objection against relaxation of parking bays - this should be even more relaxed to actually reduce the number of bays further!** In line with the car-free-city vision of Stellenbosch, it is imperative to encourage future residents of this building to walk or cycle or to use public transport. As this property is walking distance to amenities and campus, parking bays should be reduced to 30 bays in total, in line with 30 units (see objection no. 1). This would also be in line with making Stellenbosch a sustainable and green city and at the same time encourage its residents to walk and cycle in order to foster overall public health by reducing the risk of diabetes, obesity and other illnesses linked to the lack of daily movement.

Kindly confirm that you have received these objections in time and that you will make them know to the relevant authorities.

Please keep me informed about the outcome of the application process.

Kind regards

Marius Munstermann  
110 Dermont  
Molteno Road  
Dennesig  
Stellenbosch 7600  
[Email.marius@muenstermann.org](mailto:Email.marius@muenstermann.org)

# Stellenbosch Roman Catholic Church

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## St Nicholas' Church/ St Mark's Church/ All Saints' Church

**Parish Priest:** Fr Wim Lindeque

16 Paul Kruger Street

7600 STELLENBOSCH

*Tel (021) 887-5979/084 714 7817*

[frwim@stellenboschcatholic.org.za](mailto:frwim@stellenboschcatholic.org.za)

2018-11-02

**Objection to application for removal of title deed restrictions, consolidation, rezoning and various departures in order to build a five-storey block of flats on Erven 139 and 140 (#1 and #3 Paul Kruger Street) Stellenbosch in terms of section 50 of the Stellenbosch Municipal Land Use Planning By-Law.**

Ms Marike Bolz, Arch Town Planners

Dear Ms Bolz,

Herewith we would like to object to the above development planned for 1 and 3 Paul Kruger Street. We are a religious community that occupy two historical buildings at 16 Paul Kruger Street. These buildings are the original wine cellar and homestead of the Kromme Rivier farm, established in the 1690's and the buildings date, according to an archaeological survey done in 1989, from around 1740, the later additions being from that date until 1831. The Catholic Church has owned this property since 1928 and continues to use it for religious activities during the week, on Saturdays and Sundays. It is also used as a residence by the two priests who serve the Stellenbosch Catholic community.

Our objections are as follows:

***Permanent Departures to relax the building lines as follows:***

*i. Street building line (Paul Kruger) from 7.6m to 2.49m for the ground, first, second, third and fourth floors*

***Permanent Departures:***

*i. To relax permissible coverage from 25% to 47% (+/- 816m<sup>2</sup>);*

*ii. To relax permitted floor factor from 0.5 to 1.17;*

*iii. To relax height restrictions to allow for five-storeys*

1. Such a large development (with its present configuration of 38 tiny one-bedroom flats and 14 two-bedroom units) will cause a huge increase in traffic and noise in the area.

Such an increase in traffic and noise will hinder the St Nicholas Catholic Church in performing our religious practices. This is especially grave as the traffic from the proposed development will feed onto Paul Kruger Street towards Hoffman Street because the road has been closed to Adam Tas Road.

2. The removal of the height restriction will set a precedent for other developments in the same street. We are aware of two other developments planned on Paul Kruger Street for the near future.
3. The density of the floor factor, the number and configuration of the flats serve only students and does not address the needs of many young families searching for accommodation in Stellenbosch.
4. At this very time, the adjacent Dennesig Street is partially inaccessible because new sewage pipes are being laid under it to service the large blocks of flats being constructed there. Similar activity on Paul Kruger Street will probably also be necessary and would have a direct effect on our activities and may endanger our buildings.
5. We believe that such a large development on such a small plot will dramatically alter the nature of our area and, by adding a large amount of traffic to Paul Kruger Street, will seriously impinge on our activities on the grounds and in the buildings on our premises. We understand the higher density housing is needed in Stellenbosch, but feel very strongly that this level of densification will be detrimental to our community and the area.

With concern and thanks,

Reverend Father Wim Lindeque

Parish Priest

# *Stellenbosse Belastingbetalersvereniging* *Stellenbosch Ratepayers' Association*

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✉ 399 Stellenbosch 7599; F 0866758040; [info@stellenboschratedpayers.org](mailto:info@stellenboschratedpayers.org)

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5 November 2018

Ms Marika Bolz LU8381  
P O Box 278  
Stellenbosch  
7599 [marika@archtownplanners.co.za](mailto:marika@archtownplanners.co.za)

Director: Planning & Economic Development  
Stellenbosch Municipality  
P O Box 17  
Stellenbosch  
7599 [tabiso.mfeya@stellenbosch.gov.za](mailto:tabiso.mfeya@stellenbosch.gov.za)

Dear Ms Bolz

**COMMENT ON AND OBJECTION TO THE APPROVAL OF ASPECTS OF AN APPLICATION FOR THE REZONING OF ERVEN 139 AND 140, STELLENBOSCH, INCLUDING THE APPROVAL OF PERMANENT DEPARTURES FOR INCREASES IN THE PERMISSIBLE HEIGHT, COVERAGE, BULK (FLOOR FACTOR) AND RELAXATION OF BUILDING LINES.**

1. I refer to your Notice in the Eikestadnuus, Application Number LU/8381, in the above regard.

2. The SRA is aware that developers are anxious to obtain planning approval as quickly as possible, however, the SRA is of the view that this should not happen at the expense of the environmental amenity of Stellenbosch. We are uncertain whether approval has been obtained from Heritage Western Cape (HWC), for the demolition of the dwellings on the above-mentioned Erven. It accordingly appears to be prudent to first obtain the approval of HWC before proceeding with the rezoning and ancillary applications.

3. The SRA has nevertheless considered the merits of the departures applied for and believe that applications such as this one should be evaluated in terms of sustainability as well as the impact the current proposal would have on the future environmental amenity of the Dennesig area. The conclusion reached is that, permitting more than double the floor factor in Dennesig (1.17 instead of 0.5), 5

stories instead of 3, on an erf of less than 1 750m<sup>2</sup>, will have a negative long-term impact on the environmental amenity of Dennesig and even more importantly, Stellenbosch.

4. A further objection to the application concerns the proposed permanent departure for the provision of only 61 parking bays (only 48 standard bays are provided) instead of 70 parking bays. The location of this site will force the occupants to make use of private vehicles. (safety etc.) In Die Weides parking is already a severe problem and only 3 storeys were allowed there.

5. The present proposal is an opportunistic and unacceptable over design in area that deserves a more innovative solution for accommodation needs. This proposal is for student accommodation, the design is a typical university hostel. The proposed construction is not sustainable in the long term and does not comply with the requirements of human well-being and environmental integrity. Nor does this development and other similar development contribute to the local economy in the long term - no families live in the blocks. Student accommodation raises safety and security issues as the buildings stand empty for more than 4 months per year, thus not contributing to an acceptable living environment for other occupants.

6. Although densification in Stellenbosch is an important objective the proposed floor factor of 1.33 is excessive. An in-depth debate is accordingly necessary to determine whether the floor factor should be limited to the prescribed factor (existing and proposed zoning scheme regulations) of 0.75 and the permissible coverage to 25%. As indicated in previous submissions by the SRA, the provision of housing in Stellenbosch is skewed because of the high demand for student accommodation. The Weides is a good example of what should not be permitted to happen. One would hope that the adverse experience in the Weides will not be repeated in Dennesig. The Council has yet to approve the rezoning of erven in Dennesig from single residential to general residential.

7. Most, if not all, newly built flats in and around Stellenbosch are being occupied by students. The design of these units is aimed at providing a minimum amount of space at a maximum rental. Stellenbosch is in dire need of housing options for first time home buyers, young working persons and the middle- income group. Student flats are not "densification" in the true sense of the word. Students occupy these units for only eight months of the year. The safety and security risks are largely increased during the four months of the year that students are not in Stellenbosch. This period is also a loss to the local economy. The Dennesig area was/is the ideal solution for the categories of accommodation not provided for at present. Council has a facilitation role and needs to ensure sustainable development for the benefit of the broader community and environment. The present trend is not sustainable at all. Permitting "overdevelopment" increases land prices and renders sound urban design and development very difficult, if not impossible. Without a proper development plan and innovative urban design, opportunities will be lost. Present development approvals also have a negative impact on the character and attractiveness of Stellenbosch – our only hope for sustainable long-term stability.

8. The Municipality and Mayor are on record that they will look at innovative

alternatives to provide for a range of accommodation options. The fact that medium income group and first-time buyers cannot find affordable housing in Stellenbosch contributes to the present unacceptable traffic situation and a drain of capital from Stellenbosch. The Dennesig area is an opportunity to fulfill several needs if development is well managed and facilitated. The SRA accordingly requests that the Municipality stop all development in this area until such time as urban design and architectural guidelines for the area are in place.

9. The education environment is changing rapidly, and distance education is starting to play a greater role. Should these small boxes or “hokkies” not be required by students a normal family or single person will not be able to live in this environment and the result will be very negative for Stellenbosch

10. In the light of the above-mentioned comments it is trusted that you will reconsider the proposal and amend the design to reduce the impact of the proposed development to an acceptable and sustainable level that will hopefully contribute to a high standard or quality of environmental amenity.

Kind regards,

Andre Pelser (Chairman)

Cc Ms Gesie van Deventer [Mayor@ Stellenbosch.gov.za](mailto:Mayor@ Stellenbosch.gov.za)  
Executive Mayor  
Stellenbosch Municipality

Ms Geraldine Mettler [mm@ Stellenbosch.gov.za](mailto:mm@ Stellenbosch.gov.za)  
Municipal Manager  
Stellenbosch Municipality

Mrs Esther Groenewald [esther.groenewald@ Stellenbosch.gov.za](mailto:esther.groenewald@ Stellenbosch.gov.za)  
Councillor for Ward 22  
Stellenbosch Municipality

## MEGLIS (PTY) LIMITED

Reg No 2014/020865/07

Our Reference: Erven 139-140, Stellenbosch

Your Reference: LU/8381

01 November 2018

Arch Town Planners

Care of: Marike Bolz

P O Box 278

**STELLENBOSCH**

**77599**

Per e-mail: [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)

Dear Madam

### **OBJECTION AGAINST PROPOSED DEVELOPMENT OF ERVEN 139-140, STELLENBOSCH**

Your letter dated 04 October 2018 informing us of the proposed development of the abovementioned properties has reference.

We, Meglis (Pty) Ltd the owners of Erf 132,133,134 (Consolidated to Erf 17274) herewith formally submit our objection to the proposed development in terms of Section 50 of the Stellenbosch Municipality Land Use Planning By-Law .

It should be noted that our objection is not against the principle of densification in the area, as we acknowledge the need for - and legislative support of - densification in the area.

The objection is, however against the extensive deviations/departures from the land use regulations which are proposed, and which will not benefit the surrounding area in the long term. We therefore list the reasons for our objections below.

Directors: R Wintle; T Capuzzimati  
Suite 1 | Ground Floor | The Mirage | 44 Chiappini Street  
Cape Town 8001

**MEGLIS (PTY) LIMITED**

Reg No 2014/020865/07

**1. Departures:**

Zoning scheme regulations has a specific purpose and are formulated and implemented for a reason. This includes the conservation of the value of buildings and other properties in the area and to encourage the most appropriate use/development of the land. The character of an area is mainly determined by what is allowed in the zoning scheme regulations and extreme deviation from these regulations could have far reaching negative effects, especially when decisions on future developments have to be made.

It is acknowledged that – in certain site-specific circumstances - Council could consider certain minor departures from these regulations to allow practical solutions for the use of space. As a result, other buildings in the area has, e.g. been allowed limited departures from the regulations. Caution was however taken to ensure that most of the regulations pertaining to massing was adhered to.

In this instance, there are no specific reason why the proposal should deviate from both the floor factor and height. It will set a dangerous precedent for future proposals, should these departures be favourably considered. The combined impact of further development could therefore have far reaching negative results for the area.

**2. Massing & Streetscape:**

The proposed increase in floor factor and number of storeys will have a direct impact on the buildings' size and massing as it sets the maximum volume or envelope in which a building(s) can be developed.

The location of this proposal, however, is a residential area characterised by small intimate streets, where the focus is more on the building and its relationship to the sidewalk and street(s) and the associated importance to "human" scale. The scale of the proposed buildings will completely overshadow the human scale as experienced from passers-by and can create a tunnel effect – especially if this precedent is continued through similar developments in the area. This furthermore emphasise the concern to deviate from the By-Law relating to the Control of Boundary Walls and Fences, which could have a direct impact on the interpretation of the scale of the building and accordingly the streetscape.

**MEGLIS (PTY) LIMITED**

Reg No 2014/020865/07

In considering the degree of fit of the proposed building with the character of the surrounding area, it is also important to take into account the relationship between the proposed building and the size of adjacent structures. In this case the proposed building (basement parking plus 5 storeys) entirely overshadow not only the adjacent buildings but also the other blocks of flats (which mainly consists of ground floor parking plus 3 storeys residential) recently approved in the area.

In significantly relaxing the building boundary to Paul Kruger Street, the streetscape and green area is reduced, reinforcing the tunnel effect which will be created, as well as the requirement to create a minimum of 25% site coverage for landscaping. The calculation for green area or landscaping has not been included in this submission for our ability to pass comment on.

Strong emphasis is made to the fact that this proposal should be dealt with and considered through applying similar decision-making criteria as was implemented with previously approved developments.

The form of the building is in also a direct relation to the neighbourhood context. Aspects such as the importance of existing patterns, future planning vision for the area and neighbourhood scale form part of the neighbourhood context and should be taken into account when taking a decision if the building fits in with the area. In this instance the proposed building, due to its massive scale, does not fit into the existing neighbourhood patterns, neighbourhood scale.

**3. Impact on Adjoining Properties:**

In the motivation report summary, the applicant refers to the proposed departures will not have a significant impact on the adjoining or surrounding properties with regard to loss of privacy, however optimal utilisation of the land would seek to firstly adhere to the zoning scheme regulations for a specific zoning/use, with the consideration of *minor* departures, determined by site specific conditions. The proposed floor factor is extensive and necessitate further departures and encroachments e.g. the height restriction, basement which encroaches the building lines to accommodate parking, etc. These encroachments would not be required for the optimal utilisation of the property and one therefore conclude that this 'optimal utilisation' relates to the financial gain for the developer – more units more money – and not to the benefit of the general community. Any significant departure from the zoning scheme regulations would most certainly have an impact on adjoining properties, after all, the zoning scheme regulations are in place for this very reason

Directors: R Wintle; T Capuzzimati  
Suite 1 | Ground Floor | The Mirage | 44 Chiappini Street  
Cape Town 8001

**MEGLIS (PTY) LIMITED**

Reg No 2014/020865/07

**4. Parking:**

We are concerned about the number of actual parking bays which are provided (61 bays of which 11 are proposed to be converted to bicycle and motorcycle bays) for the following reasons:

- i. The number of visitors' parking bays are reduced, and it is a concern that visitors who can't find parking inside the development will have to park in the road reserve. This will not only lead to traffic congestion, but will also draw the wrong elements as cars parked in the street (unsecure) are easy targets for criminals.
- ii. There is no guarantee that the units will only be occupied by students with the result of lower motor vehicle use. The two bedroom units lend itself for young families who might have the need for more than one safe parking bay on-site.

**5. Traffic**

We have not seen or been issued with any traffic study to confirm the impact of this development on the immediate road infrastructure or its surroundings. Should this report be available, it should be circulated for review and comment prior to any approvals being granted

**6. Conclusion:**

In line with the above it is requested that Council consider the long-term impact this proposal will have on setting a precedent for future developers to apply for extensive departures which could have an impact on the massing, street scape and scale of development and accordingly negatively impact on the character, health, safety and wellbeing of the surrounding community, and the building be re-designed to conform with the zoning scheme regulations

We trust that you find the above in order.

Yours faithfully



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T Capuzzimati  
Director

Directors: R Wintle; T Capuzzimati  
Suite 1 | Ground Floor | The Mirage | 44 Chiappini Street  
Cape Town 8001

## **ANNEXURE G**



Postal address: PO Box 278,  
Stellenbosch, 7599

M: +27 (0)72 480 5838

F: +27 (0)86 216 9073

E: [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za)

20 November 2018

Land Use Department  
Stellenbosch Municipality  
STELLENBOSCH  
7600  
**Attention: Robert Fooy**

Dear Robert

**RESPONSE TO COMMENTS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, REZONING, CONSOLIDATION AND VARIOUS PERMANENT DEPARTURES, ERVEN 139 AND 140 STELLENBOSCH**

Please note that the public participation process has concluded on 5 November 2018 and we have received a total of 4 letters of objections to the proposed development. Figure 1 below indicates the locality of 3 of the objector's properties (Stellenbosch Rate Payers are not shown) with relation to the application site. Please note that we have sent out 412 registered letters and these 4 objections represents less than 1% of the potential respondents (excluding all the Stellenbosch residence who could have responded to the advert in the EikestadNuus.



**Figure 1: Location of objector's properties**

Set out below, please find our response to each letter of objection:

**1. Stellenbosch Rate Payers, letter dated 5 November 2018**

**1.1. Objection:** To obtain approval from HWC for demolition of existing dwellings

**Response:** In process, approval seen as a formality by our Heritage Consultant

**1.2. Objection:** Proposed bulk, height and floor factor is excessive and will have a negative long-term impact on the environmental amenity of Dennesig and Stellenbosch

**Response:** It is considered that the current zoning scheme, approved in 1996, more than 20 years ago, is outdated as it does not respond to or promote the development of sustainable communities through densification. Densification is one of the main land use tools to promote sustainable use of resources (land, services, public transport, etc). As outlined in the approved SDF and IDP, it is clear that the Municipality acknowledges the dire need for densification, especially in areas such as Dennesig within close proximity to the town center, the University and public transport nodes. The IDP specifically identified the Dennesig area, between Paul Kruger, Dennesig, Merriman, the R44 and Bird Streets, as a primary densification and development intensification area. This can only be achieved if property owners are allowed to depart from the existing (albeit outdated) zoning parameters which restrict coverage, floor factor and height.

Given the municipality's recent approval of *The Den*, located directly adjacent to Erven 139 and 140, which comprises a four-storey block of flats, it is considered that the precedent for this type of development in the area has been established. Nonetheless, given the requested increase in coverage, floor factor and height of the proposed development, it should be noted that great effort has been made to ensure that the building is aesthetically pleasing; both in terms of public interface from the street, as well as for incoming residents in the development. The building section situated on Paul Kruger street will only be four-storeys in height, with the five-storey section positioned at the rear of the property. Thus, from the public perspective on the street, the building will appear to have only four-storeys. The building will therefore not seem overbearing or out of character to those which have been approved for development in the area.

Similarly, the proposed increase in bulk of the site will be buffered by the mature trees that currently exist (and will be maintained) on the property, as well as the private, walk-out gardens to which all ground floor units will have access. Furthermore, natural-looking wood cladding will be added to shade the stairwells and soften the design of the building, which will add warmth and diversity to the façade and create a visually appealing streetscape, both from Paul Kruger Street as well as from the R44.

It is further considered that the proposed development, being a brownfields development, will result in the optimal redevelopment of the application site, in line with municipal policies. Please note that a recent application was submitted for the redevelopment of erven 143 – 146 and erven 165 – 170, which will include a substantial retail section. This retail section will provide for the wider area including this proposed development, which will help to reduce the pressure on the town center and will help to create a sustainable living environment where. The proposed development will contribute to the creation of a sustainable neighbourhood in that it is situated close to existing and

proposed transport nodes, it is within walking distance to surrounding amenities and optimizes the use of infrastructure.

Please also refer to the response in Point 1.4 below.

- 1.3. Objection:** Not in support of parking departure as location of development will force occupants to use private vehicles (due to safety concerns);

**Response:** It is strongly motivated that the parking departure and the provision of safe and secure parking for non-motorised vehicles will in effect motivate the occupants of the flats, which will be located within 1km from town and campus, to make better use of public and non-motorized transport which will increase the safety in the area by passive and active observation. It should be noted that from discussions with agents from Stellies Student Stay, who is the letting agent for more than 16 blocks of student accommodation units, there has been and is a considerable decline in the uptake of parking bays for this and next year. Plumbago flats, situated right opposite the proposed development, has quite a number of excess parking bays which has not been rented out, even though the block was fully let in 2018 and currently 99% let for 2019.

As per the motivation report attached to the application, a total number of 70 parking bays are required. As confirmed in discussions with the relevant municipal officials, applications that propose a substitution of up to 15% required parking bays with bicycle and motorcycles bays will be considered. The proposed development will have the equivalent of 61 parking bays, i.e parking for 48 bicycles, 12 motorcycles and 50 standard motor vehicle bays. Given the centrality of the development, it will be easy for residents to walk, cycle or take the train to most areas of Central Stellenbosch and surrounds. The development is particularly well-located for walking to the town centre, Stellenbosch University, Boland College, and the proposed future car-pooling on the R44.

In the 2018 MSDF, the vision of “Car-Free Transport” is proposed. In order to achieve this vision, a shift in planning policies and priorities is needed in order to drastically transform public mindset and create operational viability for alternatives to individual motorised vehicles. For instance, as part of a car-free vision, the SDF outlines a number of sub-principles, which decision makers should take into account:

- Settlement form should lessen rather than increase the demand for private motor vehicle travel.
- The primary measure of access is appropriate walking distance. At least 50% of activities found within the urban area (e.g. employment, shopping, public transport, social & recreational) should be within 1km of where people live
- Development approvals should be guided by the need to achieve the settlement densities needed to make the public transport system financially and operationally viable.

Given these strategic principles, the 9-bay parking departure proposed in this application, in combination with ample provisioning for secure bicycle and motorcycle parking, is perfectly aligned with the promotion of a car-free urban environment that the Municipality is seeking to create. With the on-going and planned densification of the Dennesig area, in combination with its 500-meter walkable radius to the train station, town centre, university, shopping and recreational opportunities, it is an indispensable opportunity for the Municipality to begin exploring and implementing alternatives to private vehicle travel. It is motivated that the total number of residential units planned for the

combined Dennesig area, including this proposed development, will create the required demand to support and sustain public transport initiatives. It is therefore imperative that this vision should be considered when ruling on the parking departure applied for, which, we believe should be supported in compliance with the Municipality's own SDF principles to establish a car-free central Stellenbosch.

From a safety perspective, it is clear from the very high safety and barbed wire fences around the many of the properties in the Dennesig area that the area is already experiencing a lack of safety. It is not considered that the proposed development will add to this, it is in fact argued that the proposed development will increase the level of safety in the area by contributing to the provision and/or upgrade of safety controls and designated pedestrian and cycle lanes as discussed with the Stellenbosch Municipality.

**1.4. Objection:** Development proposal is opportunistic, and over design aimed at student accommodation. The proposed design does not comply with the requirements of human well-being and environmental integrity, does not contribute to the local economy as no families live in the blocks and will result in safety issues as student accommodation typically stand vacant for 4 months of the years, which raises safety issues – thereby not contributing to an acceptable living environment for other occupants. The Dennesig area should provide for different categories of accommodation.

**Response:** It should be noted that the proposed development is not targeted specifically at students as provision has been made for a number of 2 bedroom units which are attractive to young professionals and/or small families. It is therefore clear that the proposed development does in fact provides for different categories of accommodation as proposed by the Rate Payers Association.

Due to its location in relation to the University, the target market for developments in Die Weides is exclusively aimed at students. Many of the developments in Die Weides are boarding houses also targeted at and available only to students which does result in safety issues and a negative impact on the local economy.

However, in contrast to Die Weides, the location of the application site, falling within the Dennesig suburb within walking distance (1km) from **both campus and town**, makes this site ideally located to provide for both students and young professionals/small families. The possible allowance of increased bulk, height and coverage, will help private developers to provide accommodation for the more affordable market (not only students). This will also result in more students/m<sup>2</sup> who can contribute to levies payable toward security, thereby increasing security for all. Please note that the selling price of the The Den development adjacent to Erven 139 and 140,(under construction) which currently sells at R42 000 – R47 000/m<sup>2</sup>, i.e between 28 - 35% lower than the selling price in Die Weides. This selling price is partly achieved by the increased development potential of the sites. By not allowing for a considerable increase in development potential, the selling prices of the units will increase again, making it unaffordable to young professionals and small families. It is therefore critical, that as supported by the IDP, higher density development should be allowed in this area. It is agreed that developments in this area should not only provide for students, hence the proposed development's design.

It should also be considered that, according to Urban Econ's Student Accommodation Housing Demand Study, as quoted in the Status Quo document of the Draft SDF, there is a demand for almost 4 200 student accommodation units (requiring 47ha of land), 3 515 affordable housing units (requiring 56ha of land) and 1 850 middle- high income

units (requiring 65ha of land). It is very clear from these figures that densification, by allowing a considerable increase in development opportunities within the urban edge, is the only way to address, even partially, these housing requirements.

- 1.5 Objection:** Distance education is starting to play a greater role and the need for very small student units will decline. These small units will not be attractive to young professionals/small families.

**Response:** Given the figures above, it is clear that this statement is unfounded.

**2. Stellenbosch Roman Catholic Church, letter dated 2 November 2018**

Owner of Erf 7575, Paul Kruger Road

- 2.1 Objection:** Increase in traffic and noise to the detriment of the religious practices.

**Response:** It is true that it is to be expected that there will be an increase in noise and traffic as a result of the proposed development. However it should be noted that the majority of traffic movement past the church will be during peak traffic hours, which does not coincide with the times of the church services. It is not considered that the proposed development, being situated approximately 280m from the church will result in any noise disturbance to the detriment of the religious practices.

Please also refer to the response in Section 1.3 above for the motivation of support for the Stellenbosch Municipality's vision to achieve "Car-free Transport " which will mitigate potential noise and traffic increase to the area.

- 2.2 Objection:** Proposed development only provides for students

**Response:** As described in Section 1.4 above, the proposed development will provide for students, young professionals and small families.

- 2.3 Objection:** Potential service upgrades as a result of the proposed development would result in detrimental effect on church activities and endanger church buildings.

**Response:** As confirmed by the Services Statement provided by KCE Consulting Engineers, the proposed development will be able to tie into the existing municipal services network and only minor upgrades to the water network will be required. The upgrades to the sewer network currently being done along Dennesig road has already taken cognisance of the overall densification proposals for the Dennesig area and will therefore have capacity for the proposed development to tie into without the requirement for further upgrades.

- 2.4 Objection:** Removal of height restriction and the large scale of the development will dramatically alter the nature of the area and result in traffic increase.

**Response:** The Dennesig area has been identified by the Stellenbosch Municipality (as confirmed in the IDP) as a densification area, which will allow for buildings up to 6 storeys. Subsequent to the approval of the IDP, the majority of the single residential erven along Paul Kruger, Hoffman and Dennesig Roads have been bought by private developers and developments of similar scale to this proposed development are currently either under consideration by the Stellenbosch Municipality or, in the design and planning phases. It is inevitable that the character of the area will change, not only as a result of the proposed development but due to the identification of the Dennesig area as a high-density development area (as proposed by the Stellenbosch Municipality).

Please refer to the response in Section 1.3 above for the motivation for support for the Stellenbosch Municipality's vision to achieve "Car-free Transport "which will reduce potential noise and traffic increase to the area.

### **3. Meglis (Pty) Limited, letter dated 1 November 2018**

Owner of Erven 132, 133, 134 (consolidated erf 17274), Paul Kruger Road

#### **3.1 Objection:** Increased height and floor factor will have a negative impact on the area.

**Response:** Refer to Sections 1.2 and 2.4 above

#### **3.2 Objection:** Massing and Street Scape and concerns regarding open space/landscaping

**Response:** As set out in Section 1.2 and 2.4 above, it is inevitable that the character of the area will change to a higher density area, with higher buildings than the existing structures in the Dennesig area. As proposed by Mr. Capuzzimati, the proposed development was designed to respond to the future planning vision of the area, being a high-density development area, in consultation with the Stellenbosch Municipality. It is therefore considered that the proposed scale, massing and street scape of the development will tie in with the future planning vision of the area and will not result in having a detrimental effect on the street scape. It is motivated that the proposal seeks to aesthetically complement current buildings as well as the new street scape that will be developed as a result of the new development proposals for the area and that the massing and scale therefore will not result in having a detrimental effect on the area.

As per our pre-application meeting with the Stellenbosch Municipality where the proposed design was presented and discussed, the officials confirmed that they will allow for certain departures if the proposed design will contribute to the street scape and visual character of the area.

The proposed ground floor building line departures will allow for the ground floor gardens to interact directly with the street front, while also embedding an "eyes-on-the-street" design, which will assist with ensuring the safety of the area. Furthermore, through a relaxation of the street building line, all parking can be accommodated at the rear of the property, shielded from the street view by the proposed buildings. The proposed street building line is similar to that recently applied for on adjoining erven 141 and 142, which will assist in adding continuity of the architectural facade along Paul Kruger Road.

It is proposed to preserve the existing mature trees located along the R44 which will soften the view of the building from motorists on the R44. The area along the R44 property boundary will be used as high-quality communal outdoor green space for building residents. With these measures in place, the proposed building line departure will ensure that the building does not seem overbearing or out of place along the R44. As this building line is only relevant to the R44, it will not result in any overlooking or loss of privacy.

The proposed building line relaxation along the common boundary of Erf 141 relates only to private balconies on the first to fifth floor. The main building will be set back approximately 5m from the common boundary of Erf 141, which complies with the prescribed building line of 4.6m. It should be noted that the proposed development on Erf 141 applied for a common boundary setback of 4.5m from this proposed development, which will result in these two buildings being approximately 9.5m apart. It is considered that this setback is more than enough to ensure that there will be no significant loss of privacy or overlooking.

The rear five-storey section of the proposed development will be set back approximately 4m from the rear boundary, which will result in an approximate distance of just over 8m between this proposed development and *The Den* development (currently under construction) and approximately 7.5m from the proposed building on Erf 163 (which applied for a building line setback of 3.5m on this boundary). It is considered that this is a sufficient distance to prevent overlooking and will also allow for enough natural and direct sunlight to the surrounding developments.

The development would also include a sufficient amount of high-quality communal outdoor space, in the form of rooftop terraces on the fourth storeys of the building, as well as private garden areas, including mature trees along the R44, which will assist in buffering the noise from passing traffic. Approximately 715m<sup>2</sup> of communal open space will be provided, which accounts for more than 40% of the total consolidated erf size.

### **3.3 Objection:** Impact on adjoining properties and optimal utilisation

**Response:** Optimal utilisation in this instance does not refer to the profitability for the developer but rather to the optimal use of one of the last and best located areas in town (as specifically identified by the Stellenbosch Municipality ) for high density brownfield development. As discussed under 1.2 above, the only way to optimize the use of land within the urban edge of Stellenbosch, which is also within close proximity to town and campus, would be to allow for considerable departures from the current zoning scheme. Please refer to Sections 1.2, 1.4 and 3.2 for the motivation for the relevant departures.

### **3.4 Objection:** Limited visitor's parking provided will result in on-street parking, also young families might have a need for more than one parking bay.

**Response:** Please refer to Section 1.3 above

### **3.5 Request for TIS –** Kindly see attached e-mail confirmation that the TIS was send to Mr Capuzzimati

#### 4. Marius Munstermann, e-mail dated 1 November 2018

Dermont Flats, Malteno Road

- 4.1 Objection:** Against rezoning to General Residential. Concerns regarding pollution (noise and fumes from R44, close proximity to industrial area which does not add to an attractive residential location, over supply of student accommodation (the objector claims that the University is struggling to rent out accommodation in their residences and that the number of students at the University have not increased at the same rate as the provision of accommodation through new developments). Development is economically not viable, can result in units being vacant which may result in illegal occupation of buildings. Request restriction of maximum number of 30 units.

**Response:**

- The proposed development will be set back from the R44, with the closest ground floor unit being set back more than 8m from the erf boundary along the R44. The units will be shielded from the R44 by the proposed landscaping which will be within the 5m building line area between the R44 and the proposed development. The units will be positioned in such a way that it will face in a north-western direction (looking towards Paul Kruger street and the green open space area north of the industrial area) and south-western direction, looking towards the Van der Stel sport fields and the Stellenbosch mountains. None of the units are positioned to directly overlook the industrial area. It should also be noted that the proposed development will be set back more than 54m from the industrial area. In addition, The Den development, situated directly behind the proposed development and currently under construction, is almost sold out and Plumbago flats, 2 Paul Kruger road, situated directly opposite the proposed development, is also 99% let for 2019. It is therefore clear that the close proximity to the R44 and the industrial area has no effect on the attractiveness of the units to potential investors.
- As indicated above and as confirmed in the Status Quo document of the Draft SDF, there is currently a demand for 4 200 student accommodation units, and this only relates to students and does not even include young professionals and small families. Also, from discussions with students and estate agents it is very clear that there is a great shortfall in accommodation and that it is almost impossible to get accommodation in the residences. The claim that the University struggles to fill the residences is therefore rejected.
- It is unclear on what basis the objector claims the development to be economically unviable (apart from the objectors claim that there is already an oversupply of student accommodation which we believe to be incorrect). Private developers will not undertake a project of this scale if they believe the project to be financially unviable.
- The claim that the proposed development will result in potentially empty units being invaded by illegal occupants is also considered to be unfounded. It should be noted that Stellenbosch is not a city and can not be compared to cities such as Johannesburg and Durban where this has happened. The objector proposes to restrict the maximum number of units to 30 units, which is considered to be unreasonable and not in line with National, Provincial and Local (with specific reference to the IDP) policies where densification (though brownfield development) is strongly motivated and supported. Please also refer to Sections 1.2 and 2.4 above for a motivation for the higher density as proposed.

- 4.2 Objection:** The Dennesig area is characterized by single storey buildings and a few 2 – 3 storey buildings. The proposed height will be out of character, result in the loss of sunlight and create wind-tunnels.

**Response:** Please refer to Section 2.4 above which addresses the changing character of the area. Also note, the majority of the blocks of flats along Dennesig street are 4 storey buildings and not only 2 -3 storeys as claimed by the objector. It is considered that there will be some degree of loss of sunlight to surrounding properties (which will all be similar to the proposed development) but not to the extent to warrant refusal.

**4.3 Objection:** Relaxation of building lines will result in pollution and noise disturbance, loss of privacy and result in safety issues to ground floor flats. Parking should be situated around the building and not under the building.

**Response:** Please refer to the response under Section 4.1 relating to noise and pollution. The ground floor units will be set back approximately 3.9m from the erf boundary which is considered more than sufficient in terms of allowing for privacy. It should be noted that one of the general principles of urban design is to bring buildings, such as the proposed one, as close to the erf boundaries as possible to help create and formalize the street edge, to improve safety through passive observation and to help the building interact with the street. The parking is deliberately shielded from the street to increase the visual appearance of the street scape as "dead" and hard paved parking areas detracts from the visual appearances and experience of the street scape. It should further be noted that as the proposed development is situated at the end of Paul Kruger road, which is closed off, with no link to the R44, there will be no traffic movement past these units. There will also be very little pedestrian movement past these units which will in effect add to the value of these units with direct access to the landscaped areas in front of the units.

**4.4 Objection:** Concerned about stormwater run off and requests that provision is made for green open areas.

**Response:** The proposed coverage will be similar to the existing, i.e no change in stormwater runoff. Also note, a substantial area along the boundary with the R44, as well area along Paul Kruger road has been set aside for landscaping which will also address the concerns regarding the stormwater run-off. A stormwater management plan will be designed as part of the development to ensure that the pre-development and post-development runoff stay the same.

**4.5 Objection:** Too much parking is provided, number of vehicular parking bays should be reduced to encourage future residents to make use of public transport, cycle or walk.

**Response:** It is highly unlikely that the Municipality will at this stage support the provision of less parking than currently proposed.

We are confident that the above addresses and responds to the concerns raised to enable the Municipality to proceed with approving the application for the proposed development.

Yours sincerely



M Bolz

For Arch Town Planners

## **ANNEXURE H**



# MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES  
DIREKTORAAT: INFRASTRUKTUURDIENSTE

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**TO :** The Director: Planning and Development

**FOR ATTENTION :** Robert Fooy

**FROM :** Manager: Development (Infrastructure Services)

**DATE :** 27 November 2019

**RE. :** Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>

**YOUR REF :** LU/8873

**OUR REF :** CIVIL LU 1799

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Details, specifications and information reflected in the following documents refer:

- The revised land use application dated 4 November 2019 by Arch Town Planners;
- Site Plan Drawing No 3618/C/101 Rev 8 by TV3;
- Dennesig Densification Area Transport Impact Assessment dated November 2019 (Final Version 2) by ITS;
- Report on Civil Engineering Services, by KLS Consulting Engineers, dated Nov 2018, Rev 8;

These comments and conditions are based on the following proposed development parameters:

- Total flat units: 50 No.
- Total GLA retail: 86 m<sup>2</sup>

Any development beyond these parameters would require a further approval and/or a recalculation of the Development Charges from this Directorate.

**Erf 184, Dennesig/Hofman Street, Stellenbosch: Development of 50 flats and retail space of 86m<sup>2</sup>**

*This document consists of the following sections:*

*A. Definitions*

*B. Recommendation to decision making authority*

*C. Specific conditions of approval: These conditions must be complied with before clearance certificate, building plan or occupation certificate approval; whichever is applicable to the development in question.*

*D. General conditions of approval: These conditions must be adhered to during implementation of the development to ensure responsible development takes place. If there is a contradiction between the specific and general conditions, the specific conditions will prevail:*

**A. Definitions**

1. that the following words and expressions referred to in the development conditions, shall have the meanings hereby assigned to except where the context otherwise requires:
  - (a) *"Municipality"* means the STELLENBOSCH MUNICIPALITY, a Local Authority, duly established in terms of section 9 of the Local Government Municipal Structures act, Act 117 of 1998 and Provincial Notice (489/200), establishment of the Stellenbosch Municipality (WC024) promulgated in Provincial Gazette no. 5590 of 22 September 2000, as amended by Provincial Notice 675/2000 promulgated in Provincial Gazette;
  - (b) *"Developer"* means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;
  - (c) *"Engineer"* means an engineer employed by the *"Municipality"* or any person appointed by the *"Municipality"* from time to time, representing the Directorate: Infrastructure Services, to perform the duties envisaged in terms of this land-use approval;
  - (d) *"Dennesig Developers"* means the entities on behalf of which the applications are submitted (i.e. landowner) or their successors in title, and will include all applications within the Dennesig Neighbourhood Area, bordered by Adam Tas Road, Molteno Road, Bird Street and Merriman Avenue. The *"Dennesig Developers"* currently consists of the following developments:

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Development	Property No	Entity on behalf the application was submitted (i.e. landowner)
Dennesig 1	Erven 143 – 145 & 166 – 170 Stellenbosch	Buffshelfco 54 Pty Ltd
The Edge	Erven 139 & 140 Stellenbosch	Cabzis (Pty) Ltd
The Den 2	Erven 141 – 142 & 163 – 165 Stellenbosch	Scandals African Footwear CC Joz Investments Trust Daniel Jacobus & Sara Da Luz Winterbach Saper Investments (Pty) Ltd. Ingrid Kirsten Blumer & Christopher Vernon Swart
Abacus	Erf 184 Stellenbosch	Dennesig Properties (Pty) Ltd

- (e) *"Master Home Owner's Association (MHOA)"* means the Master Homeowners Association that shall be established by the *"Dennesig Developers"*.

<b>B. <u>Recommendation:</u></b>
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- Despite the considerable investment in the creation of housing opportunities through numerous government programmes, there is still a significant housing need across the country and indeed in Stellenbosch. Many of the government subsidised housing opportunities have been developed on cheaper land parcels, mainly outside of the urban core, further exacerbating apartheid spatial divides. This has placed significant strain on the lower- and middle-income residents who find it increasingly difficult to purchase or rent affordable, well-located properties in Stellenbosch. We have current and future housing backlog, half of which are for middle and upper-income households. As the population has grown, the release of land for development and housing has not kept pace. Housing has become so expensive that many of those who work in the Stellenbosch municipal area commute from outside this area and for these and others, the most basic shelter – even of a temporary nature – within this municipal domain remains an unattainable dream. It is recognised that housing challenges cannot be addressed by the public sector alone and the development of the Dennesig Precinct presents an ideal opportunity for private sector (in partnership with the municipality) to extend its role in catering to an affordable housing market. This is why part of the scope of works for the urban design study done was to indicate how these developments propose to respond to the need for affordable housing for young families in the broader Stellenbosch area. None of the current applications indicate that there will be specifically catered for affordable units and

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we advise the decision making authority to take cognisance of this when making their final decision and setting approval conditions.

3. From an engineering services perspective, the development is recommended for approval, subject to the conditions as stated below.

<b>C. <u>Specific condition of approval</u></b>
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4. **that the following upgrades are required to accommodate the development:**

- a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.
- b. **Water Network:** There is sufficient capacity in the bulk water network to accommodate the proposed development. Any network upgrades will be identified when engineering drawings/building plans are submitted for approval. The Municipality may request a capacity analysis report at that stage which will be for the Developer's cost. Any network upgrades identified, which are triggered by the development will be the Developer's responsibility and for their cost.
- c. **Sewer Network:** There is sufficient capacity in the bulk sewer network to accommodate the proposed development. Any network upgrades will be identified when engineering drawings are submitted for approval. The Municipality may request a capacity analysis report at that stage which will be for the Developer's cost. Any network upgrades identified, which are triggered by the development will be the Developer's responsibility and for their cost.
- d. **Roads Network:** A Transport Master Plan (TMP) (see **Annexure A**) has been approved as part of the Dennesig Densification Area Transport Impact Assessment and indicate the prioritization of transport projects to be implemented. This TMP (as amended) will be used as a guideline for the implementation of the identified projects, in parallel with the development of the Dennesig Precinct. Fourteen transport items have been listed to be implemented by the Dennesig developers over time. The focus of the TMP is to improve pedestrian and cycling facilities and activity in an attempt to reduce private car usage over time. The TMP prioritises these transport projects to guide the implementation of the full TMP. It also states the threshold in

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number of units developed, at which point each of the upgrade items will be triggered. The goal of the Municipality as well as the Developers is to implement as many of the projects listed as soon as possible to create a holistic pedestrianized environment that will be connected to the external Non Motorized Transport (NMT) network of the Municipality. The items as per the TMP must be implemented in a phased approach. The Masters Home Owner's Association (MHOA) will act as a vehicle to enter into service agreements with the Municipality for the implementation of upgrades. The process is outlined as follows:

- i. A Memorandum of Agreement must be concluded between the "Dennesig Developers" in which they undertake to establish a Master Home Owners Association "MHOA" as a vehicle to implement the relevant items of the Dennesig Transport Master Plan, and to adhere with the responsibilities regarding the payment of DCs into a trust account,
- ii. The Municipality must approve the conceptual Memorandum of Agreement.
- iii. This Agreement must be concluded and signed by all parties before the Municipality will approve any building plans of the "Dennesig Developers".
- iv. The MHOA must set up a trust account held by an attorney firm into which the DCs of the individual developments will be paid. The trust account will be an interest bearing account, which interest will be for the benefit of the municipality;
- v. The DCs of any one of the "Dennesig Developers" requesting building plan approval, must be paid into the trust account before the building plans will be approved;
- vi. Each building plan submission must be accompanied by an updated schedule from the Consulting Engineer appointed by the MHOA, indicating the number of units so far approved versus the thresholds in terms of units developed that will trigger project implementation. This schedule needs to identify if the current building plan submission triggers the implementation of one or more of the projects identified in the transport master plan;
- vii. Should a project/s be triggered, an Engineering Services Agreement (ESA) for the implementation of that project must be concluded between the MHOA and the Municipality. The ESA must be concluded before building plans can be approved;
- viii. The projects as per the ESA must then be completed and certified as complete by the Municipality, before further clearance certificates (i.e. occupation certificates) for the development will be issued;

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- ix. The trust fund will be terminated once all projects identified in the Transport Masterplan have been implemented. Any balance of paid DCs with interest earned thereon will be paid back to the Municipality;
- x. The Municipality reserves the right to give instruction to the Attorney firm in which trust account the DC's was paid that the DCs within the trust fund be paid over to the Municipality at any point, should the Municipality wish to do any infrastructure upgrades themselves;

**e. Shuttle Service:**

- i. Shuttle Service: A shuttle service must be provided, operated and maintained by MHOA or a service provider approved by the Municipality;
- ii. The funding and management of this service must be stipulated in the Memorandum of Agreement between "The Dennesig Developers";
- iii. The threshold for providing a shuttle service must be agreed and stipulated in the MOA;
- iv. The shuttle service shall be managed and operated by the MHOA and can only be terminated with mutual agreement of the Stellenbosch Municipality;
- v. The shuttle service route must be approved by the Stellenbosch Municipality

**f. Comments and conditions from Senior Manager: Roads, Transport, Stormwater & Traffic Engineering, Mr Johan Fullard: Dennesig Densification Area, Traffic Impact Assessment by ITS (November 2019), is herewith supported, with the following conditions being applicable:**

The Dennesig precinct falls within the Adam Tas Corridor (ATC) which comprises an area of approx. 300Ha. Within the ATC area, the principals of Transit-Oriented Development (TOD) is promoted, these principals encourage walking, cycling use of public transport with the aim to reduce the amount of private vehicles.

Chapter 6 of the SDF, highlights strategies such as the provision of remote parking facilities and the management the private vehicle demand. Other Municipal strategies (contained, both in the CIP and SDF) includes the, promotion of Non-Motorized Transport (NMT), promotion of Public Transport and the reducing the usage of Motor Vehicles.

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The Dennesig Development promotes both NMT, and Public Transport by providing adequate facilities for NMT and by providing a scheduled Public Transport Service.

In support of the municipal strategies, i.e: provision of remote parking facilities, management the private vehicle demand, promotion of NMT and Public Transport, reductions to the zoning scheme off-street parking requirements may be considered.

Where individual developments have reduced their off street-parking provision, and the parking is not in line with the current zoning scheme, the following will be applicable:

- i. The standard Stellenbosch Municipal practice, currently in place, allows for the reduced parking provision (between the approved zoning scheme and the number of bays provided) to be accommodated, by the payment of a municipal approved Parking Development Contribution (Parking DC) tariff.
- ii. Guidelines for allowable reductions to off-street parking are set out in the above mentioned TIA, these reductions relate to off-street parking requirements that are similar to the City of Cape Town's Public Transport (PT1) zone, which has shared characteristics to the municipality's envisaged ATC.
- iii. Funding from the Parking DC's will be set aside for, remote municipal parking facilities and the introduction of a municipal public transport services.

**g. Stormwater Network:**

- i. that the consulting engineer, appointed by the "*Developer*", analyses the existing stormwater systems and determine the expected stormwater run-off for the proposed development, for both the minor and the major storm event. Should the existing municipal stormwater system not be able to accommodate the expected stormwater run-off, the difference between the pre- and post-development stormwater run-off must be accommodated on site, or the existing system must be upgraded to the required capacity at the cost of the "*Developer*" and to the standards and satisfaction of the

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Directorate: Infrastructure Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans;

- ii. that in the case of a sectional title development, the internal stormwater layout be indicated on the necessary building plans to be submitted for approval.
- iii. that no overland discharge of stormwater will be allowed into a public road for erven with catchment areas of more than 1500m<sup>2</sup> and for which it is agreed that no detention facilities are required. The "*Developer*" needs to connect to the nearest piped municipal stormwater system with a stormwater erf connection which may not exceed a diameter of 300mm.

**h. Solid Waste:**

- i. For large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site. The Developer will have to indicate and provide evidence of safe re-use or proper disposal at an alternative, licensed facility. This evidence must be presented to the Manager: Solid Waste (Mr Saliem Haider; 021 808 8241; [saliem.haider@ Stellenbosch.gov.za](mailto:saliem.haider@ Stellenbosch.gov.za)), before building plan approval and before implementation of the development. Clean rubble can be utilized by the Municipality and will be accepted free of charge, providing it meets the required specification.
- ii. Due to the limited airspace capacity available, waste arriving at the site needs to be dramatically reduced in order to extend the lifespan of the landfill site. All new developments must have a mandatory separation-at-source programme to encourage recycling, possible organic waste separation to tie in with the municipality's future diversion programme, and adequate storage facilities to enable waste removal. This programme must be enforced by the HOA and provision must be made therefore in the Constitution and Rules of the HOA.

**Development Charges**

- 5. that the "*Developer*" hereby acknowledges that Development Charges are payable towards the following bulk civil services: water, sewerage, roads, stormwater, solid waste and community facilities as per Council's Policy;

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6. that the "*Developer*" hereby acknowledges that the development charges levy as determined by the "Municipality" and or the applicable scheme tariffs will be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;
7. that the "*Developer*" immediately familiarise himself with the latest Development Charges applicable to his/her development;
8. that the "*Developer*" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;
9. that the "*Developer*" may enter into an engineering services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services;
10. that the Development Charges as reflected on the DC calculation sheet, dated 20 November 2019, and attached herewith as **Annexure DC**, be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy.
11. that the Development Charges levy be paid by the "*Developer*"
  - prior to the approval of any building- and/or services plans;
12. that the development shall be substantially in conformance with the Site Development Plan submitted in terms of this application. Any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of units i.e. more than 50 units, or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 86 m<sup>2</sup>, will result in the recalculation of the Development Charges;
13. Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

**Site Development Plan**

14. that the layout of the proposed development shall be generally in accordance with the spatial provisions of the Transport Master Plan. It is the Developer's responsibility to ensure that his

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SDP is aligned with the Transport Master Plan in terms of inter alia: access points, sidewalks, refuse truck and public transport embayments etc.

15. that provision be made for a stacking distance of 6m (< 15 units served); 12m (15-40 units served); site specific requirements (> 40 units served or a business premises). The stacking distances shall be measured from the edge of the closest sidewalk or cycle lane to the entrance gate. The guiding principle is that vehicle and pedestrian traffic should not be obstructed by stacking vehicles;
16. that sufficient entrance and exit widths will be created at the vehicle access points: 2.7m minimum and 4,0m maximum width for a single entrance or exit way; 5,0m min and 8,0m maximum for a combined entrance and exit way. To accommodate emergency vehicles, at least one lane should be 4, 0 metres wide and have a minimum height clearance of 4.3 m.
17. that provision be made for a refuse room as per the specification of the standard development conditions below. The refuse room position as indicated on the Basement Storey plan 3618/C/102 Rev 8, is not approved;
18. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
19. that provision be made for a refuse embayment off the roadway/sidewalk to accommodate refuse removal. (Embayment to be minimum 15m x 2.5m). This must be clearly indicated on the engineering drawings when submitted for approval. The specifications of such embayment shall be as per the standard development conditions below unless otherwise agreed with the Municipality at building plan approval stage;
20. that any amendments to cadastral layout and or site-development plan to accommodate the above requirements will be for the cost of the "Developer" as these configurations were not available at land-use application stage;

**Ownership and Responsibility of services**

21. that all internal services on the said erf will be regarded as private services and will be maintained by the "Developer" and or Owner's Association;

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**Internal- and Link Services**

22. that the “*Developer*”, at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;

**Bulk Water Meter, water and sewer connections**

23. that an Occupation Certificate (in the case of a sectional title erf) will only be issued if the bulk watermeter is installed, a municipal account for the said meter is activated and the consumer deposit has been paid;
24. Each erf may only have a single water connection and a single sewer connection. Multiple connections are not allowed. Details of connection points must be indicated on all building plans submitted for approval;

**Roads**

25. that the “*Developer*” will be held liable for any damage to municipal infrastructure within the road reserves of the roads, caused as a direct result of the development of the subject property. The “*Developer*” will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services;

**Bulk Electricity**

26. Please refer to the conditions attached as **Annexure: Electrical Engineering**;

<p><b><u>D. General conditions of approval</u></b></p>
--

27. that the “*Developer*” will enter into an Engineering Services Agreement with the “*Municipality*” in respect of the implementation of the infrastructure to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;
28. that should the “*Developer*” not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Infrastructure Services by the “*Developer*” for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development

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must be re-planned around the availability of bulk services as any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;

29. that the "*Developer*" indemnifies and keep the "*Municipality*" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the municipalities' services or apparatus or otherwise) arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.
30. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
31. that the "*Developer*" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;
32. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 3<sup>rd</sup> Edition (2015);
33. that the "*Developer*" takes cognizance and accepts the following:
  - a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
  - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
  - c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
  - d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;
  - e.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before the approval of internal – and external civil engineering services drawings;

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- f.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued;

**Site Development Plan**

34. that it is recognized that the normal Site Development Plan, submitted as part of the land-use application, is compiled during a very early stage of the development and will lack engineering detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the "Developer";
35. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;
36. that if the fully detailed Site Development Plan, as mentioned in the above item, contradicts the approved Site Development Plan, the "Developer" will be responsible for the amendment thereof and any costs associated therewith;
37. that an amended Site Development Plan be submitted for approval prior to the approval of building plans for new buildings not indicated on the Site Development Plan applicable to this application and or changes to existing buildings or re-development thereof;

**Internal- and Link Services**

38. that the "Developer", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;

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39. that the Directorate: Infrastructure Services may require the "*Developer*" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services;
40. that the detailed design and location of access points, circulation, parking, loading - and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;
41. that plans of all the internal civil services and such municipal link services as required by the Directorate: Infrastructure Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
42. that construction of services may only commence after municipal approval has been obtained;
43. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "*Engineer*";
44. that the "*Developer*" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (as amended) and that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with this document, unless otherwise agreed with the Engineer. The said document is available in electronic format on request;
45. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
46. that engineering design drawings will only be approved once approval in terms of the Stellenbosch Municipal Land Use Planning By-law is issued;
47. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
48. that prior to the issuing of the Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1, all internal - and link services be inspected for approval by the "*Engineer*" on request by the "*Developer's*" Consulting Engineer;

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49. that a Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1 be issued before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued (prior to transfer of individual units or utilization of buildings);
50. that a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer be submitted to the “Engineer” on request;
51. that the “Developer” shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
52. that the “Developer” be liable for all damages caused to existing civil and electrical services of the “Municipality” relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the “Developer” to determine the location of existing civil and electrical services;
53. that all connections to the existing services be made by the “Developer” under direct supervision of the “Engineer” or as otherwise agreed and all cost will be for the account of the “Developer”.
54. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;
55. that the “Developer”, at his/her cost, will be responsible for the maintenance of all the internal (on-site) municipal – and private civil engineering services constructed for this development until at least 80% of the development units (i.e. houses, flats or GLA) is constructed and occupied whereafter the services will be formally handed over to the Owner’s Association, in respect of private services, and to the Municipality in respect of public services;

**Servitudes**

56. that the “Developer” ensures that all main services including roads to be taken over by the Directorate: Infrastructure Services, all existing municipal – and or private services including roads, crossing private - and or other institutional property and any other services/roads crossing future private land/erven are protected by a registered servitude before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be given;

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57. The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "*Developer*" will be responsible for the registration of the required servitude(s), as well as the cost thereof;
58. that the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party before final approval of engineering drawings be obtained.

**Stormwater Management**

59. that the geometric design of the roads and/or parking areas ensure that no trapped low-points are created with regard to stormwater management. All stormwater to be routed to the nearest formalized municipal system;
60. that overland stormwater escape routes be provided in the cadastral layout at all low points in the road layout, or that the vertical alignment of the road design be adjusted in order for the roads to function as overland stormwater escape routes. If this necessitates an amendment of the cadastral layout, it must be done by the "*Developer*", at his/her cost, to the standards of the Directorate: Infrastructure Services;
61. that the design engineer needs to apply his/her mind to ensure a design that will promote a sustainable urban drainage system which will reduce the impacts of stormwater on receiving aquatic environments;
62. that no disturbance to the river channel or banks be made without the prior approval in accordance with the requirements of the National Water Act;

**Roads**

63. that, prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Infrastructure Services for approval, and that the approved plan be implemented by the "*Developer*", at his/her cost, to the standards of the Directorate: Infrastructure Services;
64. that visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;

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**Wayleaves**

65. that way-leaves / work permits be obtained from the Directorate: Infrastructure Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;
66. that wayleaves will only be issued after approval of relevant engineering design drawings;
67. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

**Owner's Association (Home Owner's Association or Body Corporate)**

68. that an Owner's Association be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
69. that the Owner's Association take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
70. that in addition to the responsibilities set out in section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
71. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;
72. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

**Green Technologies**

73. It is encouraged that peak water demand should be accommodated with supplementary storage and recycling (e.g. rainwater tanks, grey water recycling) of water so that municipal water only be used to satisfy the base demand;
74. Technologies that facilitate the efficient use of irrigation water is encouraged;
75. Planting of waterwise flora is encouraged;

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76. In accordance with the new SANS 10400-XA standard, all new housing should install solar water heating devices;
77. All non-subsidy housing is encouraged to meet the portion of their electrical demand that exceeds 300 kWh per month by generators such as solar photovoltaic panels and solar hot water heating devices;
78. SANS 10400-XA energy efficiency standards should be adhered to in all planning applications for new buildings, major renovations and usage changes;

**Solid Waste**

79. The reduction, reuse and recycle approach should be considered to waste management:

- Households to reduce waste produced
- Re-use resources wherever possible
- Recycle appropriately

To give effect to the above, the following are some typical waste minimization measures that should be implemented by the Developer, to the satisfaction of the Stellenbosch Municipality:

- Procedures should be stipulated for the collection and sorting of recyclable materials;
- Provision should be made for centralized containers for recyclable materials including cardboard, glass, metal, and plastic and green waste;
- A service provider should be appointed to collect recyclable waste. Such service provider must be legally compliant in terms of all Environmental Legislation and/or approved by the Municipality's Solid Waste Management Department;
- Procedures for removal of waste (materials that cannot be reused or recycled) from the site should be stipulated;
- General visual monitoring should be undertaken to identify if these measures are being adhered to;
- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

Where an Owner's Association is to be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Constitution of the Owner's Association shall incorporate the above in the Constitution and:

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- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
  - A set of penalties for non-compliance should be stipulated in the Constitution
80. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
  81. that the "*Developer*" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person Mr Saliem Haider, 021 808 8241; [saliem.haider@stellenbosch.gov.za](mailto:saliem.haider@stellenbosch.gov.za);
  82. that should it not be an option for the "*Municipality*" to enter into an agreement with the "*Developer*" due to capacity constraints, the "*Developer*" will have to enter into a service agreement with a service provider approved by the "*Municipality*" prior to clearance certificate or occupation certificate (where clearance not applicable);
  83. that if the "*Developer*" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "*Municipality*";
  84. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;
  85. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
  86. Maximum depth of cul-de-sac shall be 20 meters or 3 erven, whichever is the lesser. Where this requirement is exceeded, it will be necessary to construct a turning circle with a minimum turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Infrastructure Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;
  87. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
  88. Road foundation shall be designed to carry a single axle load of 8.2 tons;

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89. Refuse storage areas are to be provided for all premises other than single residential erven;
90. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;
91. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
92. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 ℓ Municipal wheelie bin;
93. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;
94. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;
95. All black 85 ℓ refuse bins or black refuse bags is in the process of being replaced with 240 ℓ black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

Commercial and Domestic : 585 mm wide x 730 mm deep x 1100 mm high

96. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;
97. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224
98. Building specifications for refuse storage area:

**Floor**

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The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).

**Walls and Roof**

The Refuse Storage Area shall be roofed to prevent any rainwater from entering. The walls shall be constructed of brick, concrete or similar and painted with light color high gloss enamel. The height of the room to the ceiling shall be not less than 2.21 meters.

**Ventilation and Lighting**

The refuse storage area shall be adequately lit and ventilated. The room shall be provided with a lockable door which shall be fitted with an efficient self-closing devise. The door and ventilated area shall be at least 3 metres from any door or window of a habitable room. Adequate artificial lighting is required in the storage area.

**Water Supply and Drainage**

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

99. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;
100. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
101. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Infrastructure Services, to ensure their compatibility with the servicing equipment and lifting attachments;
102. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;

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103. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
104. All refuse storage areas shall be approved by the Directorate: Infrastructure Services, to ensure that the Council is able to service all installations, irrespective of whether these are currently serviced by Council or other companies;

**AS-BUILTs**

105. The "*Developer*" shall provide the "*Municipality*" with:
  - a. a complete set of as-built paper plans, signed by a professional registered engineer;
  - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the "*Engineer*" and is reflected herewith as Annexure X;
  - c. a completed Asset Verification Sheet in Excell format, reflecting the componitization of municipal services installed as part of the development. The Asset Verification Sheet will have to be according to the IMQS format, as to be supplied by the "*Engineer*", and is to be verified as correct by a professional registered engineer;
  - d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;
  - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "*Municipality*" are fully paid;
106. All relevant as-built detail, as reflected in the item above, of civil engineering services constructed for the development, must be submitted to the "*Engineer*" and approved by the "*Engineer*" before any application for Certificate of Clearance will be supported by the "*Engineer*";
107. The Consulting Civil Engineer of the "*Developer*" shall certify that the location and position of the installed services are in accordance with the plans submitted for each of the services detailed below;

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108. All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;
109. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law shall not be issued unless said services have been inspected by the "*Engineer*" and written clearance given, by the "*Engineer*";

**Occupation Certificate in terms of Section 14 of the the National Building Regulations and Building Standards Act 103 of 1977 (where a subdivision and clearance certificate is not applicable)**

110. It is specifically agreed that the "*Developer*" undertakes to comply with all conditions of approval as laid down by the "*Municipality*" before occupation certificates shall be issued, unless otherwise agreed herein;
111. that the "*Municipality*" reserves the right to withhold any occupation certificate until such time as the "*Developer*" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "*Municipality*" reserves the right to withhold any occupation certificate until such time as the amount owing has been paid;
112. The onus will be on the "*Developer*" and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for an occupation certificate in terms of the National Building Regulations. Verifying documentation (proof of payment in respect of Development Charges, services installation, etc.) must be submitted as part of the application before an application will be accepted by this Directorate;

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**Avoidance of waste, nuisance and risk**

113. Where in the opinion of the “Municipality” a nuisance, health or other risk to the public is caused due to construction activities and/or a lack of maintenance of any service, the “Municipality” may give the “Developer” and or OWNER’S ASSOCIATION written notice to remedy the defect failing which the “Municipality” may carry out the work itself or have it carried out, at the cost of the “Developer” and or OWNER’S ASSOCIATION.

**TYRONE KING Pr Tech Eng**

**MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

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**ATTACHMENT X**

**Geographic Information System (GIS) data capturing standards**

In drawing up the As-build Plans relating to this development, the consultant must create the following separate layers in ESRI .shp, electronic file format in order for the data to reflect spatially correct.

Layer name	Content
TITLE	Title information, including any endorsements and references
NOTES	All noted information, both from the owner / surveyor and SG
PARENT_PROPLINES	Parent property lines
PARENT_PROPNUM	Parent erf number (or portion number)
PROPLINES	New portion boundaries
PROPANNO	New erf numbers
SERVLINES	Servitude polygons
SERVANNO	Servitude type
STREET_NAMES	Road centre lines with street names
STREET_NUMBERS	Points with street numbers
COMPLEX BOUNDARIES	Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are)
SUBURB	Polygon with suburb name, where new suburb / township extension created
ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)

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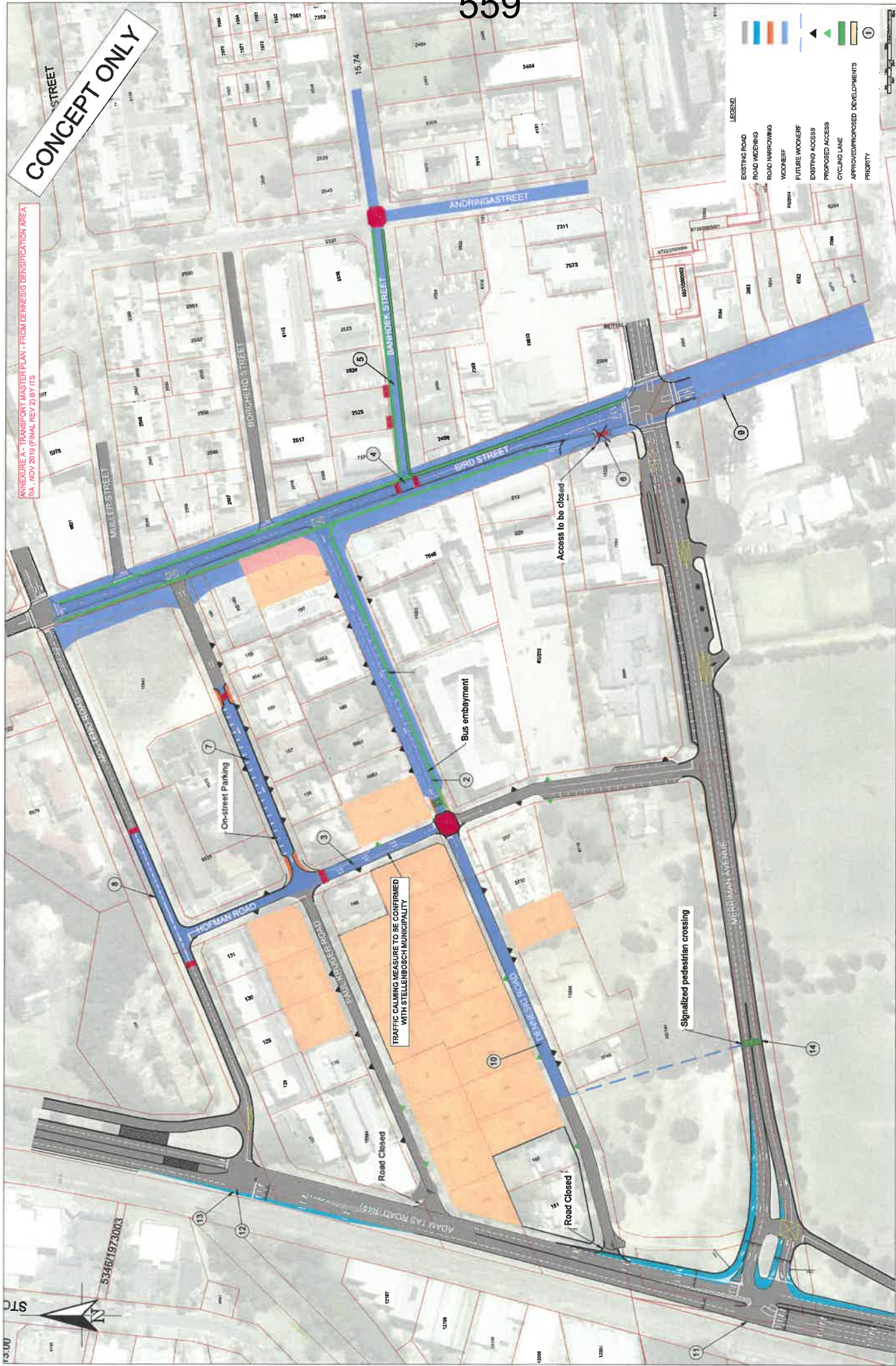
When data is provided in a .shp format it is mandatory that the .shx, .dbf, files should accompany the shapefile. The prj file containing the projection information must also accompany the shapefile.

It is important that different geographical elements for the GIS capture process remains separate. That means that political boundaries like wards or suburbs be kept separate from something like rivers. The same applies for engineering data types like water lines, sewer lines, electricity etc. that it is kept separate from one another. When new properties are added as part of a development, a list of erf numbers with its associated SG numbers must be provided in an electronic format like .txt, .xls or .csv format.

For road layer shapefiles; the road name, the from\_street and to\_street where applicable as well as the start en end street numbers needs to be included as part of the attributes. A rotation field needs to be added to give the street name the correct angle on the map.

In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the Stellenbosch Municipality standard as follows:

- Datum : Hartebeeshoek WGS 84
- Projection : Transverse Mercator
- Central Longitude/Meridian 19
- False easting : 0.00000000
- False northing : 0.00000000
- Central meridian : 19.00000000
- Scale factor : 1.00000000
- Origin latitude : 0.00000000
- Linear unit : Meter

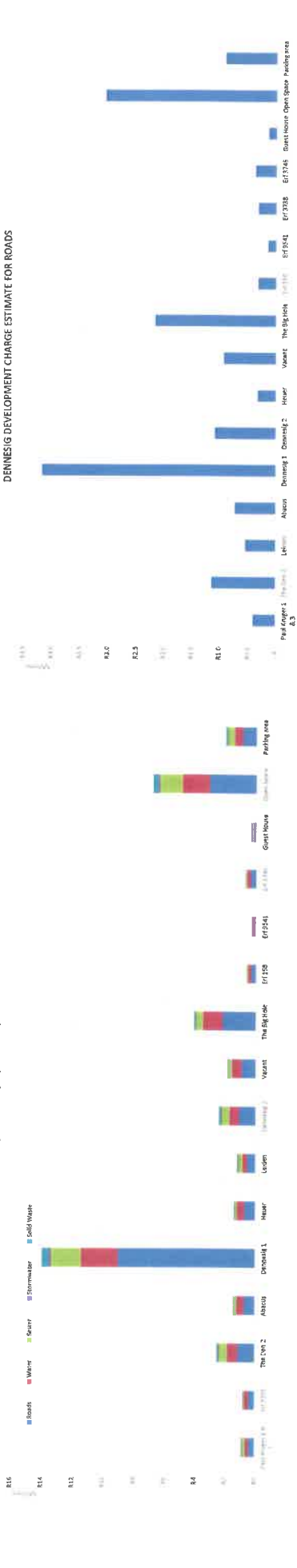


DENNESIG NEIGHBOURHOOD: TRANSPORTATION & URBAN DESIGN FRAMEWORK  
DEVELOPMENT CHARGE CALCULATIONS

Number	Development	Proposed Zoning	GIA m <sup>2</sup>	Units th	Total Trips			Status	Timing	Roads			Water			Sewer			Stormwater			Solid Waste			TOTAL \$
					AM	PM	Full			Divisional	DC	Roadfrontal	DC	Roadfrontal	DC	Roadfrontal	DC	Roadfrontal	DC	Roadfrontal	DC	Roadfrontal	DC	Roadfrontal	
1	Paul Kruger 1 & 3	Student Accommodation		52	10	16	137	65 Substantiated	Short	7 883	R 409 916	R 4 711	R 244 972	R 3 765	R 8 786	R 335 790	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 911 092	R
2	Erft 2/16	Apartment and Flats		14	14	0	14	64 Substantiated	Short	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
3	The 2/2	Apartment and Flats		14	20	4	14	117 Substantiated	Short	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
4	Abacus	Apartment and Flats		73	40	28	40	117 Substantiated	Short	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
5	Dennessig 1	Specific Business/Student		304	508	112	211	662 Substantiated	Short	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
6	Heuer	Specific Business		42	0	0	13	58 Approved	Short	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
7	Leiden	Student Accommodation		337	681	187	304	88 Approved	Short	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
8	Dennessig 2	Student Accommodation		138	28	41	173	123	Medium	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
9	Neant	Apartment and Flats		14	35	35	149	149	Medium	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
10	The Big Hide	Apartment and Flats		14	183	183	342	342	Medium	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
11	Erft 1/18	Apartment and Flats		14	14	14	14	14	Medium	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
12	Erft 5/41	Apartment and Flats		9	6	6	25	25	Medium	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
13	Erft 2/16	Apartment and Flats		22	14	14	41	41	Medium	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
14	Guest House	Student Accommodation		39	4	6	24	24	Medium	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
15	Open Space	Student Accommodation		182	77	116	444	444	Medium	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
16	Pedestrian	Student Accommodation		118	23	35	145	145	Medium	17 343	R 410 232	R 4 711	R 382 672	R 3 765	R 8 786	R 90 360	R 786	R 394	R 20 468	R 786	R 2 049	R 39 916	R 18 437	R 817 152	R
TOTAL			595	663	1 196	474	771	2 604																	23 716.96

TRANSPORT INFRASTRUCTURE COST ESTIMATE													R/m	
1	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
2	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
3	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
4	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
5	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
6	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
7	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
8	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
9	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
10	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
11	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
12	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
13	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
14	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
15	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
16	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road	Dennessig Road
TOTAL													23 716.96	R/m

Estimated Development Charges per Development



## APPLICATION INFORMATION

## SUMMARY OF DC CALCULATION

### **APPLICANT INFORMATION**

## Stellenbosch Town

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage	Water	Sewer	Storm-water	Development Charge Isued (excl VAT)		Community Facilities		Total	
Infrastructure Type applicable? (yes/no)															
	du m2 GLA m2	area (m2)	du/ha m2 GLA m²	% GLA	du/ha m2 GLA m²	% GLA	du/ha m2 GLA m²	yes	yes	-	yes	-	yes	-	
Residential	Single Residential >100m2	du	1	0	0	0	-1	R -31 406.87	R -17 571.22	R	-4 730.74	R	-2 048.94	R -12 937.96	R -93 922.39
	Single Residential >500m2	du		0	0	0	0	R -	R -	R	-	R	-	R	-
	Single Residential >250m2	du		0	0	0	0	R -	R -	R	-	R	-	R	-
	Single Residential <250m2	du		0	0	0	0	R -	R -	R	-	R	-	R	-
	Less Formal Residential >250m2	du		0	0	0	0	R -	R -	R	-	R	-	R	-
	Less Formal Residential <250m2	du		0	0	0	0	R -	R -	R	-	R	-	R	-
	Group Residential >250m2	du		0	0	0	0	R -	R -	R	-	R	-	R	-
	Group Residential <250m2	du		0	0	0	0	R -	R -	R	-	R	-	R	-
	Medium Density Residential >250m2	du		0	0	0	0	R -	R -	R	-	R	-	R	-
	Medium Density Residential <250m2	du		0	0	0	0	R -	R -	R	-	R	-	R	-
Commercial	High Density Residential - flats	du		0	0	0	0	R -	R -	R	-	R	-	R	-
	High Density Residential - student rooms	du		0	0	0	50	R 588 878.87	R 502 034.95	R	39 422.81	R	102 446.83	R 867 166.21	R 2 746 847.82
	Local Business - office	m2 GLA		0%	0%	0%	0	R -	R -	R	-	R	-	R	-
	Local Business - retail	m2 GLA		0%	0%	86	R 9 003.30	R 7 555.63	R	678.07	R	1 762.09	R 54 237.30	R 1 236.29	R 74 472.69
Industrial	General Business - office	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	General Business - retail	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	Community	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	Education	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	Light Industrial	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	General Industrial - light	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	General Industrial - heavy	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	Noxious Industrial - heavy	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	Resort	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	Public Open Space	m2			0%	0	0	R -	R -	R	-	R	-	R	-
Other	Private Open Space	m2			0%	0	0	R -	R -	R	-	R	-	R	-
	Natural Environment	m2			0%	0	0	R -	R -	R	-	R	-	R	-
	Utility Services	m2 GLA		0%	0%	0	0	R -	R -	R	-	R	-	R	-
	Public Roads and Parking	m2			0%	0	0	R -	R -	R	-	R	-	R	-
	Transport Facility	m2			0%	0	0	R -	R -	R	-	R	-	R	-
Special	Limited Use				0%	0	0	R -	R -	R	-	R	-	R	-
	To be calculated based on equivalent demands														
*** complete yellow/green cells.															
** du = dwelling unit, GLA=Gross lettable area.															
*** display red if not equal to existing area															
Total Development Charges before Deductions															
% Deductions per service (%)															
Additional Deduction per service - from Service Agreement (sum)															
Sub Total after Deductions (excluding VAT)															
VAT															
Total															
							R566 475.30	R492 019.35	R35 370.15	R102 159.98	R896 176.86	635 195.49	R2 727 398.12		
							0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	R 0.00		
							R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00		
							R566 475.30	R492 019.35	R35 370.15	R102 159.98	R896 176.86	635 195.49	R2 727 398.12		
							R84 971.29	R73 802.90	R5 305.52	R15 324.00	R134 426.53	95 279.47	R409 109.72		
							R651 446.59	R565 822.25	R40 675.67	R117 483.98	R1 030 603.39	730 475.96	R3 138 507.84		

**ELETRICITY SERVICES: CONDITIONS OF APPROVAL**  
**Erf 184**

**GENERAL COMMENT:**

1. Development Bulk Levy Contributions are payable

**CONDITIONS**

2. The electrical consulting engineer responsible for the development shall schedule an appointment with Manager Electricity Services (Engineering Services) before commencing with the construction of the development. As well as to discuss new power requirements if required.

3. The development's specifications must be submitted to Stellenbosch Municipality (Engineering Services) for approval. i.e.

a) The design of the electrical distribution system

b) The location of substations(s) and related equipment.

4. A separate distribution board/s shall be provided for municipal switchgear and metering. (Shall be accessible & lockable). Pre-paid metering systems shall be installed in domestic dwellings.

5. 24-hour access to the location of the substation, metering panel and main distribution board is required by Technical Services. (On street boundary)

6. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity, should damage occur, the applicant will be liable for the cost involved for repairing damages.

7. On completion of the development, Stellenbosch Municipality (Technical Services) together with the electrical consulting engineer and electrical contractor will conduct a take-over inspection.

8. No electricity supply will be switched on (energised) if the Development contributions, take-over Inspection and Certificate(s) of Compliance are outstanding.

9. All new developments and upgrades of supplies to existing projects are subject to **SANS 10400-XA** energy savings and efficiency implementations such as:

- Solar water Heating or Heat Pumps in Dwellings
- Energy efficient lighting systems
- Roof insulation with right R-value calculations .
  - In large building developments;
  - Control Air condition equipment tied to alternative efficiency systems
  - Preheat at least 50% of hotwater with alternative energy saving sources
  - All hot water pipes to be clad with insulation with R-value of 1
  - Provide a professional engineer's certificate to proof that energy saving measures is not feasible.

  
Signature

  
Date



**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: 16/9/6/1-25/283 (Job 26472)**

**ENQUIRIES: Ms GD Swanepoel**

**DATE: 16 November 2018**

Director: Planning and Economic Development  
 Stellenbosch Municipality  
 PO Box 17  
**STELLENBOSCH**  
 7599

Attention: Mr U von Molendorff

Dear Sir

**ERVEN 139 & 140 PAUL KRUGER ROAD, STELLENBOSCH: APPLICATION FOR REZONING, CONSOLIDATION, REMOVAL OF RESTRICTIONS AND DEPARTURES**

1. Letter to this Branch from Arch Town Planners, ref. Erven 139 & 140, Stellenbosch, Application ref. no. LU/8381, dated 4 October 2018 refers.
2. The subject properties are located on the south side of Paul Kruger Road, with the west boundary of erf 139 being adjacent to Main Road 27 Adam Tas Road at  $\pm$ km.35.05. Both erven currently take their access off Paul Kruger Road, a cul de sac ending close to Main Road 27 and fenced to prevent access by vehicles or pedestrians from Main Road 27.
3. The application is for the following:
  - 3.1 Consolidation of erven 139 and 140 to create a single consolidated development site for the erection of a 5-storey residential apartment complex comprising 52 flats;
  - 3.2 Rezoning of the consolidated erf from Single Residential to General Residential;
  - 3.3 Departures to allow the relaxation of the street building lines from 7.6m to 2.49m in respect of Paul Kruger Road, and from 7.6m to 6.51m in respect of Main Road 27 (Adam Tas Road, the R310), in addition to relaxations in respect of shared boundary setbacks;
  - 3.4 Removal of the following title deed restrictions:

- 3.4.1 In respect of Erf 139, Title Deed 28075/1996: Clauses B, C(a & b), D(a,b,c,d) and E(3);
- 3.4.2 In respect of Erf 140, Title Deed 54174/2012: Clauses B(a & b), C(a, b, c & d) and D(3).
- 3.5 Departures in respect of permissible coverage, floor factor, height restrictions and parking provision.
4. The site development plan proposes to reduce the parking provision from the required 70 bays to 61 bays, with the available spaces marked to provide 50 bays for cars, 48 bicycle spaces and 12 motorcycle spaces. As the development takes access from the municipal street system, it is within the Municipality's jurisdiction to decide whether they are willing to accept a lower parking ratio for the development.
5. The site development plan respects the 5m building line on Main Road 27 Adam Tas Road in terms of the Roads Ordinance 19 of 1976.
6. This Branch offers no objection to the application described in paragraph 3 above.
7. It is recommended that care is taken to ensure that the various title deed restrictions which may be removed as part of this application process are not carried over to any sectional title properties created within this development.

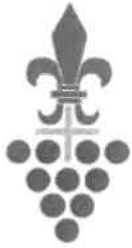
Yours faithfully



**ML WATTERS**  
**For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**

**ENDORSEMENTS**

1. Stellenbosch Municipality  
Attention: Ulrich von Molendorff (e-mail [ulrich.vonmolendorff@stellenbosch.gov.za](mailto:ulrich.vonmolendorff@stellenbosch.gov.za))
2. Arch Town Planners  
Attention: Marike Bolz (e-mail: [marike@archtownplanners.co.za](mailto:marike@archtownplanners.co.za))
3. *Malcolm Watters (email)*
4. *Harry Thompson (email)*



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

*Spatial Planning, Heritage and Environment*

**To :** Head: Customer Interface & Administration  
**From :** Manager: Spatial Planning  
**Reference:** Dennesig, Stellenbosch  
**Date :** 9 December 2019  
**Re :** Application for rezoning, various departures, Dennesig, Stellenbosch

I refer to your request for comment on the above application.

**APPLICATION FOR REZONING AND DEPARTURES FOR:**

- a. Erf 184
- b. Erven 143-145 and erven 166-170
- c. Erven 141; 142, 163 – 165
- d. Erf 139, 140

Various applications were received for the rezoning and departures i.t.o. permissible height, building lines, floor factor and coverage were received for the above properties all located in Dennesig. The applications were based on an urban design report and traffic impact statement prepared in conjunction with the municipality in order to be able to evaluate the applications against the same principles.

The applications were evaluated in general against current national, provincial and local policy, general trends internationally and lastly individually.

The comments, general and specific is contained in the report attached to this memorandum.

The applications are recommended for approval.

**BJG DE LA BAT**  
**MANAGER: SPATIAL PLANNING**

## INTRODUCTION

The combined impact of the approval of the various applications for redevelopment of the larger part of the Dennesig neighbourhood will have an impact on the neighbourhood itself and on the larger area within which the precinct is located. The impact can be severely negative in terms of residential quality, public space, infrastructure, traffic and congestion as well as the liveability of the area should conventional planning principles be applied.

An alternative development approach based on SMART Growth principles to create a regenerated, efficient, sustainable and liveable neighbourhood where infrastructure is used efficiently, public transport and NMT is promote and used frequently and where the public space is of a high quality so as to create a safe, pleasant and socially integrated realm, is possible. Should such an approach will be a departure from the normal planning approach in reaction to land use planning applications and would entail the proactive preparation of an urban design guideline that leads development. Should this approach prove to be successful and result in a substantially improved urban environment, it can be further improved on and used as a development model for the redevelopment and regeneration of similar areas within the city.

Such an approach will be in line with recent and current national, provincial and local policy as well as with international development trends necessitated by *inter alia* population growth, the severe lack of government funding and climate change. Due to the importance of this background, the report is structured as follows:

SECTION A: SOUTH AFRICAN CONTEXT

SECTION B: MUNICIPAL SPATIAL DEVCEOPMENT FRAMEWORK

SECTION C: THE ARGUMENT FOR DENSIFICATION

SECTION D: URBAN DESIGN GUIDELINES

SECTION E: RESPONSE TO APPLICATIONS

## SECTION A: THE SOUTH AFRICAN PLANNING CONTEXT

Section 7 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) prescribe five (5) general principles that applies to spatial planning, land development and land use management:

- (a) The principle of spatial justice.
- (b) The principle of spatial sustainability.
- (c) The principle of spatial efficiency.
- (d) The principle of spatial resilience, and
- (e) The principle of good administration.

With regards to the application of particular importance are the following aspects under the above principles:

- Past spatial and other development imbalances must be redressed through improved access to and use of land.
- Land development must optimise the use of existing resources and infrastructure.
- Only land development that is within the fiscal, institutional and administrative means of government may be promoted.
- Special consideration must be given to the protection of prime and unique agricultural land.
- Current and future costs to all parties must be considered when providing infrastructure and social services for land developments.
- Land development should only be promoted in locations that are sustainable, limit urban sprawl, and result in communities that are viable.
- Spatial plans, policies and land use management systems must be flexible to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

Numerous policy frameworks focus the work of government holistically, the spatial arrangement of activities or specific sectors.

The National Development Plan 2030 (NDP), developed by the National Planning Commission and adopted in 2012, serves as the strategic framework guiding and structuring the country's development imperatives and is supported by the New Growth Path (NGP) and other national strategies.

Of particular relevance are the recommendations set out in Chapter 8: Transforming Human Settlements and the National Space Economy, including the upgrading of all informal settlements on suitable, well-located land; increasing urban densities to support public transport and reduce sprawl; promoting mixed housing strategies and compact urban development in close proximity to services and livelihood opportunities;

and investing in public transport infrastructure and systems (with a special focus on commuter rail) to ensure more affordable, safe, reliable and coordinated public transport.

The Integrated Urban Development Framework (IUDF), approved by National Cabinet in 2016, aims to steer urban growth nationally towards a sustainable model of compact, connected and coordinated towns and cities. The IUDF provides a roadmap to implement the NDP's vision for spatial transformation, creating liveable, inclusive and resilient towns and cities while reversing apartheid spatial legacy.

The Provincial Spatial Development Framework (PSDF) sets out the key strategic spatial transitions required to achieve a more sustainable use of provincial assets, the opening-up of opportunities in the space-economy and the development of integrated and sustainable settlements. Of particular importance involves the promotion of an urban rather than suburban approach to settlement development (i.e. diversification, integration and intensification of land uses).

The Greater Cape Metro (GCM) Regional Spatial Implementation Framework (RSIF), completed under the guidance of the WCG in 2017, aims to build consensus between the spheres of government and state-owned companies on what spatial outcomes the GCM should strive for, where in space these should take place, and how they should be configured.

The regional settlement concept proposed by the GCM RSIF is built *inter alia* on the following key tenets:

- Containing settlement footprints by curtailing the further development of peripheral dormitory housing projects.
- Targeting built environment investments within regional centres, specifically in nodes of high accessibility and economic opportunity.
- Targeting these locations for public and private residential investment, especially rental housing, to allow for maximum mobility between centres within the affordable housing sector.
- Using infrastructure assets (specifically key movement routes) as “drivers” of economic development and job creation.
- Promoting regeneration and urban upgrading within strategic economic centres as well as high-population townships across the functional region.
- Shifting to more urban forms of development within town centres including higher densities and urban format social facilities.
- Maintaining valuable agricultural and nature areas.

## **SECTION B: MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK**

The MSDF argues that Stellenbosch town will remain the major settlement within the municipality; a significant centre comprising extensive education, commercial and government services with a reach both locally and beyond the borders of the municipality, tourism attractions, places of residence, and associated community facilities.

Retaining what is special in Stellenbosch town requires change. The town has grown significantly as a place of study, work, and tourism, while perhaps inadequately providing residential opportunity for all groups, and certainly lacking adequate provision of public transport and NMT options. Managing residential growth of the town, through providing more inclusive housing at higher densities than the norm, is vital. This can and must bring significant reductions in commuting by private vehicles to and within Stellenbosch town, and provide the preconditions for sustainable public transport and NMT to and within the town.

The most significant redevelopment opportunity within Stellenbosch town is the Adam Tas Corridor, stretching from the Droë Dyke and the Old Sawmill sites in the west along Adam Tas Road and the railway line, to Kayamandi, the R304, and Cloetesville in the north. Large industrial spaces – currently disused or to be vacated over time – exist here. Redevelopment offers the opportunity to accommodate many more residents within Stellenbosch town, without a negative impact on agricultural land, nature areas, historically significant precincts, or “choice” lower density residential areas. In many ways, the Adam Tas Corridor represents the key to protect and enhance what is special within Stellenbosch town, as well as the relationship between the town and surrounding nature and agricultural areas.

Conceptually, the Adam Tas Corridor is the focus of new town building, west of the old Stellenbosch town and central business district (CBD). The “seam” between the new and old districts comprises Die Braak and Rhenish complex, which can form the public heart of Stellenbosch town. The CBD or town centre in itself can be improved, focused on public space and increased pedestrianism. A recent focus on the installation of public art could be used as catalyst for further public space improvements

The inclusivity of infill housing opportunity – referring to the extent to which the housing provides for different income and demographic groups – whether as part of the Adam Tas Corridor or elsewhere within Stellenbosch town – is critical. Unless more opportunity is provided for both ordinary people working in Stellenbosch, and students, it will be difficult to impact on the number of people commuting to and from Stellenbosch town in private vehicles on a daily basis.

Further development of Stellenbosch town as a balanced, inclusive settlement, with sustainable public and NMT options available, will require significant partnership

between major institutions across sectors. For example, most of the Adam Tas Corridor is in private ownership, and a purely commercial approach to redevelopment of the land may not be in the best interest of the town. Further, it would appear that much of the traffic congestion in Stellenbosch town relate to the university, whether it is students commuting from other areas in the metropolitan areas, or students living within the town using cars for short trips.

A key prerequisite for implementation of the spatial proposals for Stellenbosch town is therefore establishing the institutional arrangements for joint planning and implementation towards common objectives, beyond those of individual institutional or corporate interests.

Of particular importance “to the applications at hand is the intention expressed in the IDP 2018/19 which reads as follows:

*A number of strategies are being proposed to address some of the issues, namely:*

- *significant densification of existing neighbourhoods located in proximity of major transport infrastructure and the Stellenbosch University;*
- *establishment of an urban restructuring zone along the Helshoogte/Banhoek Road corridor for the development of high-density residential accommodation together with relevant non-residential facilities;*
- *identification of the Dennesig area bounded by Adam Tas Road/R44, Merriman Avenue, Bird Street and Molteno Road as a primary densification and development intensification area for the establishment of blocks of flats according to a predetermined pattern on clustered erven with heights of up to 6 storeys subject to certain performance criteria mixed with non-residential facilities;*
- *permitting the use of open spaces for the establishment of markets in response to the LED Strategy;*
- *designation of heritage conservation areas and places; and*
- *accommodating the growth and development planning of the University of Stellenbosch inside the current urban area.*

## SECTION C: THE AGUMENT FOR DENSIFICATION

From the above policy perspective, it is clear that the densification of urban areas will be required. Densification of urban areas beyond the core of the city is not an easy task but it is a challenge worth taking to fight against urban sprawl. City centres, which are usually already dense and mostly regenerated, are surrounded by transitional belts (sometimes called fringe areas) which have diverse urban functions with lower density, offering in principle good opportunities for densifying interventions towards the aim of compact city development. However, the task is not easy at all: physical interventions to achieve environmental benefits have high risks of negative social externalities; more-over they require substantial financial means in a period when the public sector suffers from the consequences of the financial crisis.

Density is one of the central issues in the debate about the urban future. The reason for that lies in the contradiction between the private and public interests in relation to the density of urban living: most actors (households, developers, businesses, etc.) strive to increase their individual, private benefits which, however, can only be satisfied at the expense of public interests. For example, most families prefer less dense urban forms, and their dreams result in sprawling suburbs which are very harmful from the perspective of sustainable urban development.

This contradiction between individual interests and their disastrous collective consequences is described as the 'Tragedy of the Commons' (Hardin, 1968). The problem lies in the fact that the gains (returns) and the costs are neither accrued to nor born by the same actors. Moreover, the gains are often abstract and lie in the future while the costs are concrete and fall due in the present. This is a big challenge of the future: how can the – in the long run – more sustainable forms of (compact) urban development get more accepted by households, against their own immediate preferences.

This challenge is further complicated by the fact that density is not the only aspect of sustainable urban development. Sustainability in a broader sense should mean a dynamic balance between economic, environmental and social considerations. Therefore, in the end it is not density in itself that is interesting, but the relationship between the economic, environmental and social outcomes produced by different density levels.

### The Compact City

How the 'urban sprawl' can be defined? The most common definition which can be found in dictionaries and on the web claims that urban sprawl is the "unplanned, uncontrolled spreading of urban development into areas adjoining the edge of a city". The European Environmental Agency (EEA) defines the phenomenon of urban sprawl

as the "physical pattern of low-density expansion of large urban areas, under market conditions, mainly into the surrounding agricultural areas".

The Compact City Model becomes known as one of the solutions to face the problem of the rapid development of the decentralisation outwards of the cities. The compact form has been studied in the planning literature mostly during the last twenty years, to implement the sustainability within the urban environment. The European Commission and national governments in many Western Countries adopted in latest years' policies to promote the densification of the cities to reduce the pollution and the energy consumption (Breheny, 1995). In fact, the European Community and Agenda 21 encourage and require the high density development as a central principle for the growth of cities (De Roo, 2000).

The hypothesis of the Compact City is mainly based on the followings advocate qualities: - high-density development; - less car dependency; - improvement of the public transportation services and support for the walking and cycling; - mixed-use development and better access to services and facilities; - the preservation of green areas and the conservation of the countryside; - the regeneration of inner urban areas; - the efficient use of infrastructure. All of these aspects are considered the best efficient urban strategy from a sustainable planning development perspective for the social, economic and environmental dimensions, and they have to interact one with each other to increase the density from current levels. In fact, in recent years there has been a significant consensus that planning to get a denser urban form is the most proficient way to reduce energy consumption and pollution (Breheny, 1995)

The Compact City hypothesis promotes the social justice as a prerequisite to achieve urban sustainability, as it has been claimed at the Rio Summit in 1992. One of the arguments which supports the social equity is the possibility to have a better access to facilities and services in a compact urban development. In fact, the mixed-use and the high-density play an important role in favour of the disadvantaged: the grouping of different activities gives the possibility to people without a car to save money in travelling to stores out of town, or using more expensive local stores. Furthermore, the potential to reduce the distances between home and work permits to save time and money usually spent in commuting (Burton, 1999). The reduction of crime is mentioned as well as an argument in favour of the densification, and as "Jane Jacobs argued, the presence of 'eyes on the street' deters wrongdoing and promotes personal safety".

The debate on the Compact City Model raised up when the benefits expected from the implementation of compact policies did not happen as it was claimed. Empirical experiences in some cities in Britain demonstrated that after ten years since the intensification, no reduction of car used has been proved, and other problems showed up, like the increase of pollution in the city centres due to the higher density and traffic. "[..] there is an evidence which suggests that these claims are at the very least

romantic and dangerous, and do not reflect the hard reality of economic demands, environmental sustainability and social expectations" (Thomas & Cousins, 1996).

The critics on the Compact strategy point out the problem on the affordability of housing, claiming that the reduction of available land to build on will better increase the prices of the dwellings for the citizens, rather than decreasing.

The breakthrough of the Compact City concept has been confirmed with the emission of the report "De compacte stad gewogen" (The Compact City Evaluated) in 1985, which motto was 'the city in the centre' (De Roo, 2004), and with the 'City Central' Structure Plan, that promoted the process of reversion of the de-urbanisation in favour of developing compact cities, and it was the first structure plan to deal with all policy areas in an integrated manner. The report describes the strategies and benefits of the compact hypothesis, as the traffic reduction, a better quality of life, the limitation of the sprawl and the improvement of the accessibility; although at the beginning the compact strategy has been used mostly with housing in order to abate income attrition (Faludi, 1992). Nevertheless, the compact city policies evolve rapidly and constantly in other sectors, such as economy and transports. The leading principles claimed by the report are: (De Roo, 1996) - to increase the city's population and limit the increase in use of urban space; - to emphasise city and landscape, build by adding to the existing structure; - to emphasise public transport and low traffic speeds in the city; - to strengthen spatial and functional cohesion; 30 Compact City and Densification Strategies The case of Gothenburg - to distribute facilities to limit necessary traffic and improve accessibility for inhabitants; - to utilise investments already made. These leading principles aim at the change in traffic patterns as a result of compact building, which should lead to a reduction in mobility.

## **SECTION D: URBAN DESIGN GUIDELINES**

The Municipality received several land use applications for medium to high density residential developments within the Dennesig neighbourhood. These applications were submitted independently from each other, without due consideration of the overall/combined impacts of the developments on the neighbourhood. In the absence of a Transit Orientated Development Framework (TOD) and Densification Policy for the area, the municipality identified the need for an overarching study to assess and inform planned densification within the Dennesig neighbourhood.

The guidelines would be mainly informed by transport impact investigation and urban design proposals. The main objective for such a study would be to provide a non-statutory guideline document for the Municipality as a basis to firstly assess applications, and secondly to guide existing developers and future developers towards a coherent integrated development vision.

The purpose of this document is to set out the broad development guidelines for all the current and future development applications in order to ensure an integrated and holistic approach towards development in the neighbourhood.

The primary study area for the Dennesig Neighbourhood Design Guideline (DNDG) is located between Merriman Avenue, Bird Street, Molteno Road and Adam Tas Road. The locality is specifically relevant and important in terms of its location relative to the Stellenbosch University (SU) and the central business district (CBD) of the town. The area is a built up environment, consisting of predominantly residential uses. Dennesig is a relatively small neighbourhood (200m radius) and only within 500m walking distance to the SU. The St Nicholas Catholic Church (hereafter the Catholic Church) is also located in the Dennesig neighbourhood and is regarded as an important landmark and place making element within this context.

The Dennesig neighbourhood is a built up area consisting predominantly of residential uses. In recent years, the market has responded to the high demand for student housing within Stellenbosch. Several existing high density residential developments are located within the primary study area.

The 2018/19 IDP stated clearly that future growth, expansion and innovation cannot be allowed to unfold in haphazard ways as this is likely to result in expensive outward low density sprawl and the related destruction of valuable ecosystem and agricultural resources. The following two strategies are being proposed in terms of the IDP:

- “Significant densification of existing neighbourhoods located in proximity of major transport infrastructure and the SU; and

- Identification of the Dennesig area bounded by Adam Tas Road/R44, Merriman Avenue, Bird Street and Molteno Road as a primary densification and development intensification area for the establishment of blocks of flats according to a predetermined pattern on clustered erven with heights of up to 6 storeys, subject to certain performance criteria mixed with non-residential facilities.”

Following the assessment of the IDP above, this department concurs with the DNDG that it can be concluded that the implications for this study are:

- The Dennesig neighbourhood has been identified as a primary densification area.
- Densification is one of the primary ‘tools’ to address student accommodation shortages, increasing demand for housing for young professionals and families, and the need to find innovative solutions to discourage private vehicular usage.
- Development of the study area will contribute towards the principle of urban growth containment and the release of pressures within the urban fringes.

Furthermore, the area is located in or adjacent the catalytic project for the development of the Adam Tas Corridor contained in the 2019/2020 IDP and MSDF.

This department is therefore satisfied that Dennesig neighbourhood is appropriately located for an area that can be redeveloped into a compact neighbourhood to address the various urban challenges contained in the IDP and MSDF.

### **The Purpose of the document**

The primary role of this report is to record a set of design principles in an attempt to find the balance between compact and vibrant urban environments and the pragmatic demands of the context and what is feasible to aid development.

The purpose of this document is to:

- Develop a spatial set of principles and a rationale for the way in which the neighbourhood could transform over time;
- As a tool to negotiate and guide the various actors in the development process as the various proposals are processed by the Municipality, property owners, their professional teams and development partners that responds to the generally accepted urban design principles;
- And, to be used as a tool for the authorities to measure the development proposals.

## **Design Principles**

The design principles that are seen as necessary to support a healthy, safe and sustainable environment are described below:

- A pedestrian focussed environment.
- A safe activated public realm.
- Vibrant mixed use opportunities
- A sustainable lifestyle community.
- Multiplicity in scale.
- A contemporary architectural approach.

## **Proposed Neighbourhood Spatial Structure**

The primary spatial structure is focused on establishing a pedestrian oriented movement system that supplements the larger superblock vehicular movement system.

- (a) Entrench and expand the existing Catholic church werf as the heart of the neighbourhood.
- (b) Limit vehicular movement through Hoffman Street between Dennesig and Paul Kruger streets to prevent rat-runs.
- (c) Convert Dennesig street into a pedestrian oriented Woonerf street where kerbs are removed from the road reserve to create a single plane on which both people and vehicles move. Vehicles are slowed through creating an indirect route. Maximise the opportunity to create interactive edges along both sides of the street that include building entrances and public uses.
- (d) Create a pedestrian link between Dennesig Street and Merriman Street and establish a new mixed-use development and an urban park on the existing green space. Establish a focal point on the intersection of Adam Tas and Merriman Street.
- (e) To create an urban room along Bird Street, pinch the urban form at the intersections of Merriman Street and Bird Street. Populate the urban room with equipment that supports the occupation of this space by people.
- (f) Create a raised pedestrian crossing where Dennesig and Banghoek streets intersect with Bird to ease the movement of pedestrians across it.

The existing St. Nicholas Catholic church complex is a remnant of a larger precinct that was subdivided over time and is a prominent spatial feature in Dennesig (the heart of the Dennesig). The space is imagined to be established as the heart of the neighbourhood with its hierarchy entrenched through raising it onto a platform. Various specific proposals were made to recognise and preserve/complement this significant historical landmark.

It is thus proposed to expand and elevate the werf around the Church onto a platform. This expansion of the werf will then be the start of the woonerf along Paul Kruger Street. This woonerf will also act as a traffic calming mechanism and prioritise pedestrian movement in the vicinity of the church. To emphasise the Church even more, it is proposed to “pinch” the road at the start of the Church werf and change the road direction of the road to a one directional road in the westward direction.

To promote non-motorised transport as well as an attempt to reduce vehicle usage in the Dennesig area, a woonerf is proposed along Dennesig Road (between Bird and Hofman Streets), along Hofman Street (between Paul Kruger and Dennesig Roads) and Paul Kruger Street in front of the church. A woonerf can be defined as a “living” street which shares space between all transport modes but especially pedestrians and vehicles. It also introduces a slow vehicular speed environment to increase pedestrian and cycling activities.

A similar woonerf is proposed along Hofman Road. This woonerf will limit vehicular movement through Hoffman Street between Dennesig and Paul Kruger Street in an attempt to reduce through traffic and especially the current rat-run. This will also promote pedestrian movement towards the Krom River.

The most prominent woonerf is proposed along Dennesig Road where the street is to be converted into a pedestrian corridor for the people to use when walking or cycling to the Stellenbosch CBD or the University. To allow for larger NMT and PT facilities it is proposed to change the direction of the road to a one-way also in the westbound direction.

It is furthermore proposed to extend the pedestrian corridor of Dennesig Road over Bird Street by means of a raised pedestrian crossing, to prioritise NMT movement across Bird Street. The cross-section of Bird Street will therefore also change to implement a pedestrian hub along Bird Street, pinch the road allowing for a shorter crossing distance for pedestrians and to accommodate cyclists. The SM recommends the following cross sections to accommodate cyclists. This recommended cross-section was used as a guide to develop the cross-section recommended for Bird Street.

Fundamental to the development strategy for the neighbourhood it to create a perimeter block model. The building typology requires buildings to be built to the site boundary edge which has the primary advantage of providing enclosure to streets and makes layering possible between public frontage and private courtyards. This ensures that they address the public realm with a high degree of legibility. Positive and active fronts help to minimise unsupervised and unsafe communal spaces and access routes. Successful **perimeter blocks** have two key characteristics: **public fronts** – that form a strong outward (or public facing) edge and **private backs** – that form an

inward (semi-public and/or exclusively private) edge. Fragmented or broken perimeter blocks are easy to spot by the lack of building fronts facing onto and engaging the street, often lacking surveillance opportunities making backs vulnerable to intrusion.

A typical perimeter block street interface section would need to comply to a set of principles that guides the perimeter block morphology. These are expressed by a series of datum lines that tie individual buildings together into an orchestrated whole. The articulation of the 4-storey interface for the podium buildings along Paul Kruger must mitigate its height through the establishment of setbacks at fourth storey level in the form of a pulvinar. This is conceived as a generous public balcony that overlooks the werf.

A critical interface to ensuring the success of the intentions of these guidelines is the difficult relationship between residential units and the street. The expectation is that architects give this interface special attention so as not to erode the intent of creating positive interactive spaces without compromising a sense of security. Carefully manage the interface between residential units on the ground floor and the street. Employ depth, screens and planting layers to articulate layers of privacy.

A significant risk to the neighbourhood is that the radical transformation of this neighbourhood would result in mono-functional and sterile environments. These risks include that market-driven development would exclude diversity through solely targeting high income brackets or student populations. Both these markets seem readily available. With its strong identity and growing demand for students to be resident in the town, there is a risk of the neighbourhood to be transformed either into an exclusively rich neighbourhood or a moribund place during the two-month vacation period at the end of the year. The ambition of this report is to promote a sense of diversity in both use and income levels throughout the neighbourhood. In the absence of an inclusionary housing policy, this report promotes the following sets of principles to promote a healthy neighbourhood eco-system:

**(a) Diverse forms of tenure**

That models for housing promote a diverse spectrum of tenure that may include accessing diverse financial models to achieve these outcomes. This may include the need for the Municipality to establish policies to assist property owners access a diverse set of tools to promote hybrid tenure models. These may include rental models, lease-to-purchase and owner-occupied/sectional title units.

**(b) Diverse unit sizes**

While consolidating single residential erven may benefit the ability to densify, targeting narrow markets runs the risk of a narrowly defined resident community. To counter this risk this report promotes diverse unit sizes that could accommodate both differences in family size and income levels.

**(c) Diverse uses**

A strong spatial structure needs to be supplemented by supporting uses. We promote the idea of mixed-use developments across the neighbourhood with appropriate diversity of uses that relates to its role in the spatial structure.

**(d) Diverse income levels**

In the absence of an inclusionary housing policy, developers are encouraged to target a range of income levels. This report also calls for the municipal owned land, including the existing municipal parking lot and open space be considered for a mixed-use, mixed-income scheme as promoted by the Provincial Government's Better Living Model. These sites could accommodate a mix of subsidized housing [social and FLIPS housing] alongside mixed-use market related housing targeting the low-end and "Gap" markets.

Although the TOD principles suggest that people would reduce their private vehicle usage by choice, this realisation will only happen over time. The transition period between the "business as usual" and full TOD has to accept that people will still own cars. However, the intention is to reduce the usage of the car during peak periods. It can therefore be expected that residents will still need parking to use their cars over weekends and holiday periods. If parking is insufficiently provided initially, parking of vehicles can spill over into the public streets which can conflict with the objectives of creating a pedestrian-friendly environment.

All streets will accommodate on-street parking where possible for mainly visitors to the area as well as for delivery and refuge vehicles. All development parking must still be situated on the erf. However, it is proposed to change the parking requirements from a minimum to a maximum number of parking bays. On the other hand, a minimum number of motorbike and bicycle bays are recommended to discourage private vehicle usage and also coincide with the TOD objective of the Dennesig area.

Key to the development is the implementation of the changes and upgrades to the public realm and infrastructure. The required costs to upgrade the road network is calculated at approximately R16 million and is unlikely to be funded by individual developers due the quantum of each individual contribution. There are various options being considered to collect DCs and implement infrastructure.

The preferred option is to create a Masters Home Owner's Association (MHOA) that will act as a vehicle to enter into service agreements with the Municipality for the implementation of upgrades. The process is outlined as follows:

- (a) A Memorandum of Agreement must be concluded between the "Dennesig Developers" in which they undertake to establish a Master Home Owners Association "MHOA" as a vehicle to implement the relevant items of the

Dennesig Transport Master Plan, and to adhere with the responsibilities regarding the payment of DCs into a trust account,

- (b) The Municipality must approve the conceptual Memorandum of Agreement.
- (c) This Agreement must be concluded and signed by all parties before the Municipality will approve any building plans of the "Dennesig Developers".
- (d) The MHOA must set up a trust account held by an attorney firm into which the DCs of the individual developments will be paid. The trust account will be an interest bearing account, which interest will be for the benefit of the municipality;
- (e) The DCs of any one of the "Dennesig Developers" requesting building plan approval, must be paid into the trust account before the building plans will be approved;
- (f) Each building plan submission must be accompanied by an updated schedule from the Consulting Engineer appointed by the MHOA, indicating the number of units so far approved versus the thresholds in terms of units developed that will trigger project implementation. This schedule needs to identify if the current building plan submission triggers the implementation of one or more of the projects identified in the transport master plan;
- (g) Should a project/s be triggered, an Engineering Services Agreement (ESA) for the implementation of that project must be concluded between the MHOA and the Municipality. The ESA must be concluded before building plans can be approved;
- (h) The projects as per the ESA must then be completed and certified as complete by the Municipality, before further clearance certificates (i.e. occupation certificates) for the development will be issued;

This department concurs with the Urban Design Guidelines and Traffic Guidelines and recommendations that stems from these reports.

The Dennesig area is located within an are identified for a future Transport Orientated Development (TOD) and is well located with respect to the Adam Tas Corridor. In order to achieve the vision for a compact, liveable city where private vehicle ownership is discouraged and an integrated, mixed use and vibrant environment with an emphasis on a safe, quality public environment, a departure from the normal development parameters will be required. The development guidelines make provision for a public environment substantially different from the existing urban form where the use of the street will be broadened to include people rather than private vehicles. International president has proved that the use of public streets as public places generally improves security, social integration and liveability.

It can be expected that there will be opposition to change from the public. However, in order to create the environment envisaged by the MSDF and Urban Design Guidelines, difficult decisions will be required. Critical to the success of the envisaged development is the creation of a Masters Home Owners Association that will be tasked, together with the municipality for the implementation of the infrastructure

proposals to develop the "woonerf" proposal and public transport to add substantial value to the public realm. Should this be done successfully, the redevelopment of Dennesig can perhaps serve as an example for future similar developments.

## SECTION E: EVALUATION OF APPLICATIONS

The evaluation of the separate development proposals, as revised, are discussed below.

### 1. Erf 184

Applicant:	ARCH Town Planners
Zoning required:	Specific Business
GLA retail component: 86m <sup>2</sup>	zero m Dennesig Street (floor 1-4) Zero m and 1,7 m partially
Coverage:	76%
Total number of units:	50
Total GLA retail:	86m <sup>2</sup>
Number of floors:	5
Building lines:	
Parking provided:	56 plus 13 tandem bays 12 motor cycles 67 bicycles
Bicycle/motorbike parking provided:	
Adherence to urban design guidelines:	Yes

The development will entail the construction of a five-storey building, which will provide a total of 50 residential units ranging in size from 30m<sup>2</sup> (studio apartments), ±40m<sup>2</sup> (1-bedroom units), ±60m<sup>2</sup> (2-bedroom unit) up to ±80m<sup>2</sup> (3-bedroom units). The ground floor of the building will include a small business (retail) area with a floor space of 86m<sup>2</sup>. A total of 56 vehicle parking bays (which excludes an additional 13 tandem bays) will be provided in a secure and discrete parking area, as well as secure, lockable storage for at least 50 bicycles and 12 motorcycles. The parking area will be shielded from the street interfaces and will be situated in a basement and on ground floor. No parking will be visible from the street and from the perspective of pedestrians passing in front of the building via both Hofman and Dennesig Road. Amended Application: Erf 184 situated at 22 Dennesig Road Stellenbosch Page 4

A parking basement providing 69 parking bays with an additional 13 tandem bays, 12 bays for motor cycles and 67 bays for bicycles. Parking will be accessed from two vehicular access points, one access point from Hofman Road, towards the basement and one from Dennesig Road towards the ground floor parking area. Pedestrian will access the building from Hofman Road.

The development will feature a small retail area of 86m<sup>2</sup>. The intention of this space is to allow for a business that would directly cater to the everyday demands

of urban residents within the immediate vicinity. The retail section on the corner of Hofman and Dennesig roads is in line with the Urban Design study which emphasise the importance to activate this street frontage to create a safe and secure environment.

The residential component of the proposed development comprises a mix of unit typologies and sizes to accommodate a wider income group and differing family compositions. The provision of a mix of units provides the basis for accommodation that has the potential to integrate diverse residents, rather than contributing towards the growing trend whereby students live in segregated neighbourhoods that are isolated from other residents of the Stellenbosch community. The majority of the units 40m<sup>2</sup> and more, with almost half of the total number of units being 2x and 3x bedrooms larger than 60m<sup>2</sup>. The larger unit sizes are designed to specifically target young professionals so as to avoid a single tenancy within the area. The focus upon 2/3 bed unit mix likewise seeks to inject much needed activity into the area during the typically vacant student holiday months

In following the Urban Design Guidelines development will provide for an integrated living environment. The plans propose a space to be provided on the first floor of the building, which will be made available to all residents for recreational and relaxation purposes. In addition, there are also plans for a lush, green courtyard on the roof of the 4th floor, which will be thoroughly landscaped and visible to all units.

The revised application responded positively to the Urban Design Guidelines by actively promoting active street 'Woonerfs' via interactive street edges. The proposed development conforms to these ideals by providing active built edges at Street Level and through extending the pavement up to building edge. The building façade has been designed to interface directly with the building at street level, eliminating the need for boundary walls and effectively widening the pavement as much as possible.

All levels above the ground floor are created with large balcony expanses to promote living onto the urban realm and promote the concept of 'eyes on the street' which contribute to safer urban environments

The Penthouse level (5<sup>th</sup> storey) is set back from the building edge below and articulated as a lightweight structure perched at the top. This is deliberately set up to recede from view of the street and the wrap-around balconies create the potential for active edges.

The amended application is therefore **SUPPORTED** from a spatial planning perspective.

**2. Dennesig Court: Erven 143-145 and erven 166-170**

Applicant:	Urban Dynamics Western Cape
Zoning requested:	Specific Business
Total number of units:	508 (538 rooms)
Total GLA retail:	475m <sup>2</sup>
Coverage:	58% for flats above ground floor
Number of floors:	6
Building lines:	Ground floor: 0 m for Basement 1,9 m Dennesig Street 1,9 m Paul Kruger Street 3,2 and 2,4 respectively Erf 146
	1st-3rd floor: 0 m for street building line
	4, 5 <sup>th</sup> floor 1,9 Street building lines
Parking provided:	410 motor vehicles
Bicycle/motorbike parking provided:	96 Motor bikes 604 Bicycles

Adherence to urban design guidelines: Yes

The development of Dennesig Court takes place on 8 erven to be consolidated. The consolidated erf measures 8 363m<sup>2</sup>. The development consists of a 6 storey block of flats and a basement earmarked for parking. On the ground floor a retail proponent of 475m<sup>2</sup> is provided to activate the corner of Dennesig and Hofman Streets. The building is configured around two green court yard that provides recreational space and includes a swimming pool, mini-sports field and multi-purpose hall of 548m<sup>2</sup>.

The first storeys have a setback of 1,9 meter form the erf boundary to provide for a landscaped area in order to ensure security on street level. The 2<sup>nd</sup> to 4<sup>th</sup> floors adheres to the build-to line of zero meter 5<sup>th</sup> and 6<sup>th</sup> storeys have a setback of 1,9 meters to mitigate the height of the building. The set-back line is aligned with the Urban Design Guidelines and contribute to the 5<sup>th</sup> and 6<sup>th</sup> floors to less visible form the street view. A 6<sup>th</sup> storey will only be erected on the southern side of the property next to Dennesig Street while only 5 floors in total will be erected on the Paul Kruger side of the property.

A basement with parking as indicated above obtains access from Dennesig Street. The total number of parking bays provided in the basement is 410 while 96 bays are for motorbikes and 604 bicycle bays will be provided. The proposed development adheres to the parking ratios proposed by the DNDG. A

Memorandum of Undertaking (MOU) will be signed by the developers, which include the condition for the provision of a student shuttle service.

The edge treatment adheres to the Urban Design Guidelines to manage the interface between the residential units on ground floor and the public space. Ground floor units are set back  $\pm 1.9\text{m}$  from the street. A private landscaped garden along the property boundary will mitigate potential interface impacts.

The main pedestrian entrance is located on Dennesig Road. Retail use is also located along a portion of Dennesig Road (i.e. on the corner of Dennesig and Hofman Roads). Pedestrian entrances to the proposed development are located on Dennesig and Hofman Roads (both off the 'Woonerf'). Retail use is proposed on the corner of Dennesig and Hofman Roads.

The development is aimed at student accommodation and makes provision for 508 units with 538 rooms.

Overall the redesign of the building is aligned with the Urban Design Guidelines. Although it is aimed at student accommodation it also includes a retail component on ground floor in an appropriate position which will contribute to the activation of the ground floor.

The building is located next to the Den 2 and although it is a tall building the height will be mitigated in the context of the street and will fit in with the perimeter block model advocated by the Urban Design Guidelines.

The department therefor **SUPPORTS** the application in its revised format.

### 3. The Den 2: Erven 141, 142, 163 – 165

Applicant:	Dennis Moss Partnership
Zoning requested:	General Residential
Total number of units:	176 units (91 x 2-bedroom, 85 x 1 bedroom/bachelor units)
Floor factor :	1.6m <sup>2</sup>
Coverage:	79,4%
Number of floors:	5 (5 <sup>th</sup> floor set back)
Building lines:	Street: 0m Lateral: against erf 143 – 4,6 m Lateral: all other – 0 m
Parking provided:	176 in lieu of 204
Bicycle/motorbike parking provided:	176 and 44
Access	Paul Kruger & Dennesig Streets
Adherence to urban design guidelines:	Yes

The development of The Den 2 takes place on 5 erven to be consolidated. The consolidated erf measures 5 218m<sup>2</sup>. The development consists of a 5 storey block of flats of which the 5<sup>th</sup> floor is set back in line with the urban design guidelines. The building is configured around a green courtyard that provides recreational space and includes a swimming pool. The units on the 5<sup>th</sup> floor faces inwards to court yard.

The first 4 storeys of the building adheres to the build-to line of zero meter on street level while the 5<sup>th</sup> storey has a set-back of 7,6 meter. The set-back line is aligned with the Urban Design Guidelines and contribute to the 5<sup>th</sup> floor receding from view.

A semi-basement with parking as indicated above gets access from Paul Kruger and Dennesig Streets. Over and above the 176 parking bays provided, 176 bicycle parking and 44 motor bike parking are also provided for in lieu of the under provision of parking 28 parking bays.

The edge treatment adheres to the Urban Design Guidelines to manage the interface between the residential units on ground floor and the public space.

Overall the redesign of the building is aligned with the Urban Design Guidelines, will provide an option of residential units and will contribute to the public realm.

The Den 2 is located adjacent to the Den 1 which is a 4 storey building and complements the existing building in height and architectural design.

Unfortunately, the Den 1 was erected before the urban design guidelines were drafted and therefor has a street building line setback.

An application for the development to a 6 storey building adjacent and to the east of The Den 2 will result in a continuous building façade creating the perimeter block preferred in the Urban Design Guidelines.

The department therefor **SUPPORTS** the application in its revised format.

**4. The Edge: Erf 139, 140**

Applicant:	ARCH Town Planners	
Zoning requested:	General Residential	
Coverage:	60	%
Floor Factor:	1,6	
Total number of units:	66	
Total GLA retail:	m <sup>2</sup>	
Number of floors:	5	
Building lines:	1,1 m Ground floor Paul Kruger Street 0 m floors 1-3 Paul Kruger Street 0 m Common building line Erf 141 4,2 m Common building line Erf 16399	
Parking provided:	77 bays (11 tandem)	
Bicycle/motorbike parking provided:	66 bicycles	
Adherence to urban design guidelines:	Yes	

The proposed development entails the consolidation of Erven 139 and 140 to allow for the development of a block of flats, comprising 66 units. The consolidated property will measure 1 724m<sup>2</sup> in total.

All the units will be larger than 30m<sup>2</sup> and almost half the units will be more than 42m<sup>2</sup>. The amended proposal also includes 23 in an attempt to expand the target market to include not only students but also young professionals and small families.

Parking is provided in a semi-basement and on the ground floor with 4 floors of residential units above. A total number of 50 parking bays are provided in the basement of which 11 are tandem. On ground level another 27 parking s bays are provided while 66 bays for bicycles are catered for on this level. Vehicle access is obtained from a ramp in Paul Kruger street.

The ground floor parking is shielded from the street interface by the ground floor residential units. In order to soften the visual impact, the proposed building will comprise of two sections, a 4-storey section facing onto Paul Kruger Road with the 5-storey section set back from the road, positioned at the rear of the property.

There will be 6 residential units situated on the ground floor which will shield the parking from the street interface. The ground floor units will be set back from Paul Kruger street to create private outdoor areas and to help activate the street interface. These areas will be landscaped to create a visual pleasing interface between the public and private realm. The height of the ground floor units has

been increased to 4m to comply to the design guidelines as set out in the Urban Design Guideline Report.

The first, second and third floors have been pushed out onto the street boundary to comply to the build-to line of the design guidelines.

Only the rear section of the building will have a 5<sup>th</sup> storey which will be setback considerably from the Paul Kruger Road Street boundary. A Rooftop Braai Area is proposed on this level which will offer beautiful views over the town and towards the mountains.

The development will include a sufficient amount of high-quality communal outdoor space, in the form of rooftop terraces on the fourth storey. Approximately 715m<sup>2</sup> of communal open space will be provided, which accounts for more than 41% of the total consolidated erf size.

In context of the perimeter block model proposed by the Design Guidelines the form and bulk of the building relates positively with the adjacent buildings and its interface with the street. The building adheres to the require the building to extend to a "build-to" line, which corresponds with the street boundary line to obtain a continuous street facade.

The ground floor was set back, in order to create outside living spaces overlooking the street, in line with the guidelines. To achieve privacy for residents on the ground floor, the floor and stoep level was raised, in line with the guidelines for dealing with the semi-basement. The resulting grade separation and low street boundary / balcony wall allow for a positive transition from the public street to the private residential units.

The revised application responded positively to the Urban Design Guidelines and fits well within the context of existing and proposed new buildings.

The application is therefore **SUPPORTED**.

I trust that the above information will enable you to finalise the report to the MPT.



**BJG DE LA BAT**  
**MANAGER SPATIAL PLLANNING**

## **ANNEXURE I**



Figure 1: Summer- 07:00 Pm

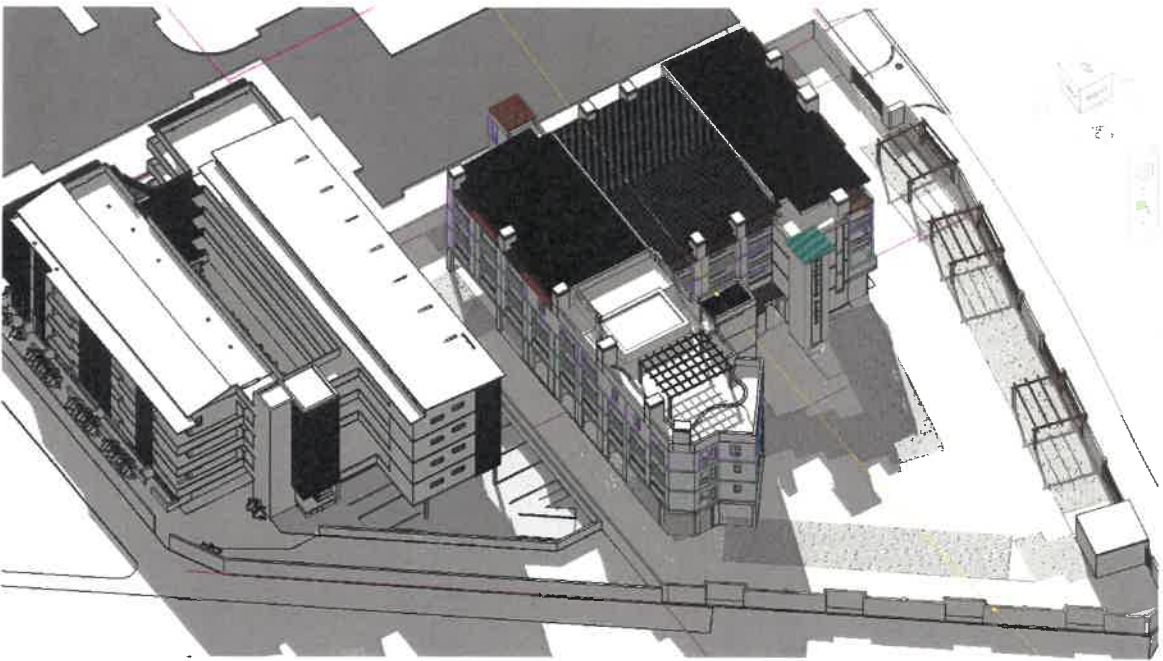


Figure 2: Summer 08:30 pm



Figure 3: Summer 12:00 am

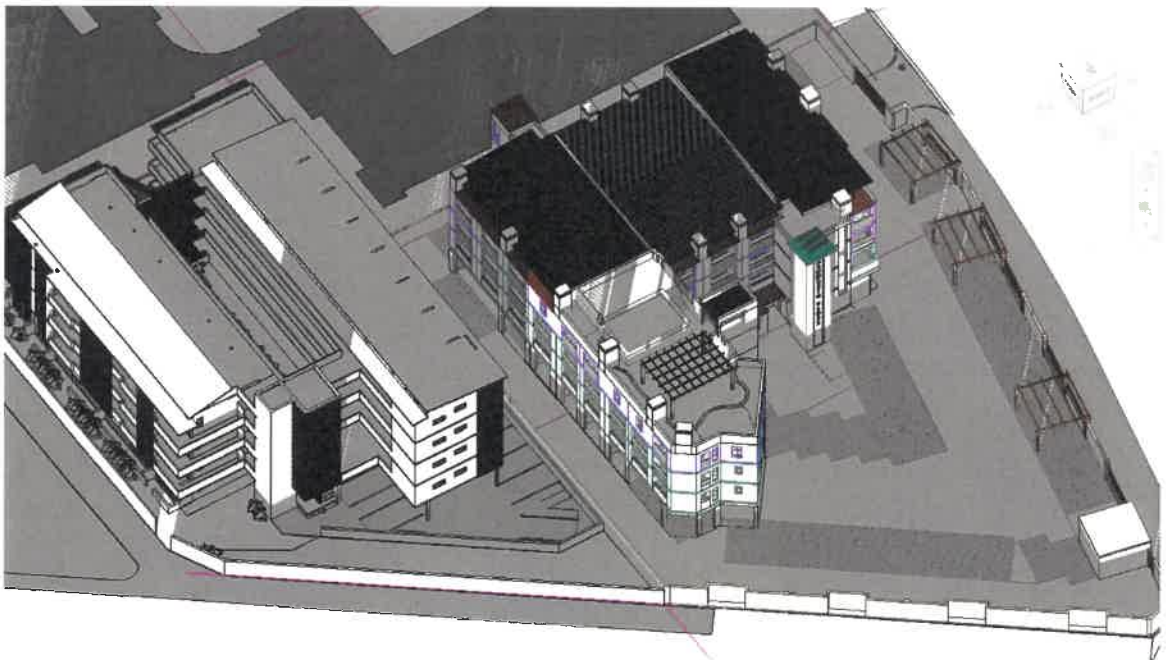
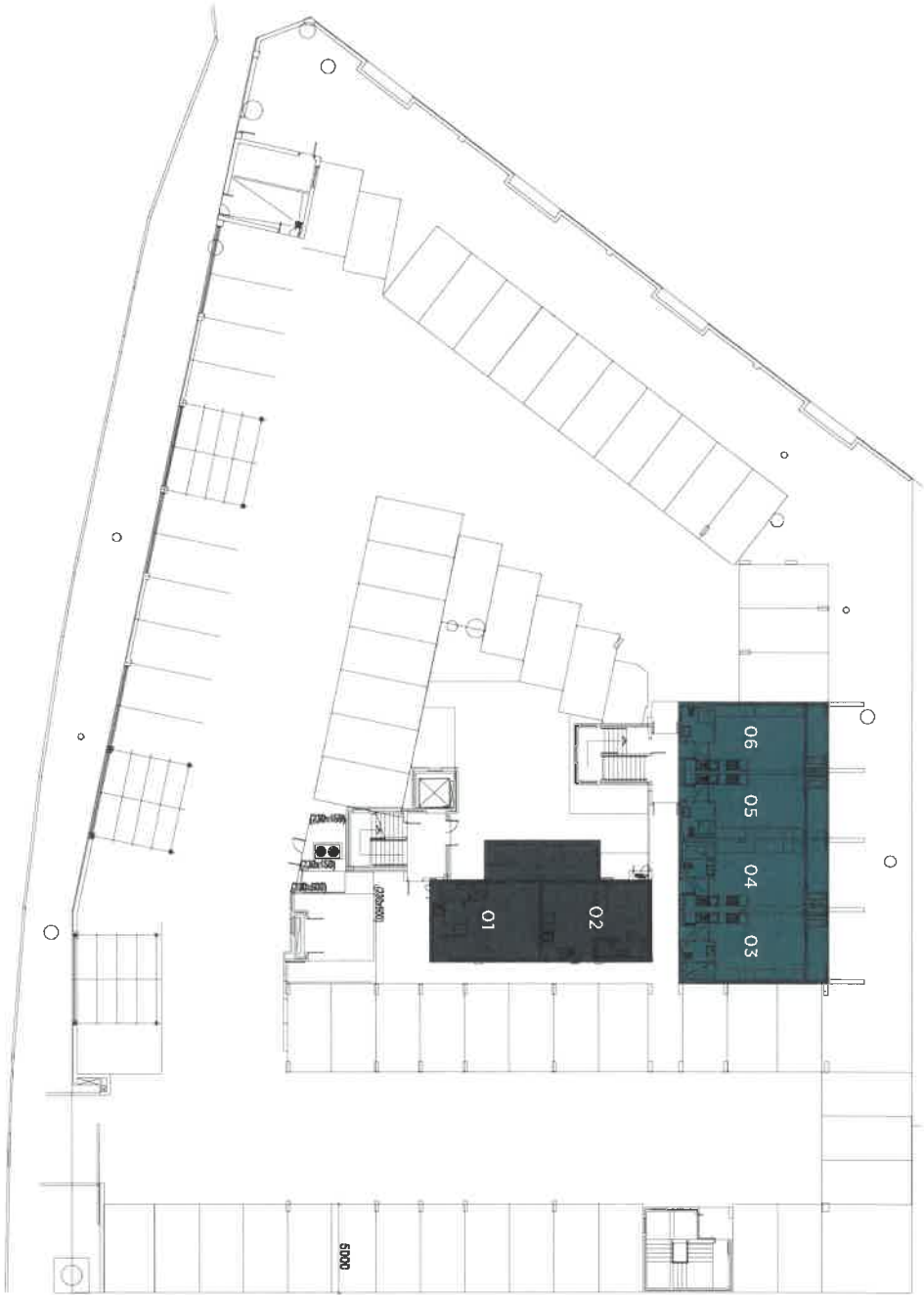


Figure 4: Winter 07:30 pm

SITE AND GROUND FLOOR



UNIT TYPES



FIRST FLOOR



UNIT TYPES



SECOND FLOOR



UNIT TYPES



THIRD FLOOR

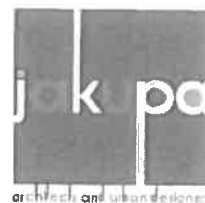


UNIT TYPES

- 01
- 02
- 03
- 04
- 05
- 07

## **ANNEXURE J**

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**DATE** 22 October 2019  
**ADDRESS** Jac Snyman  
JSA Associates  
5 Niblick Street, Lakeside  
Cape Town

**RE:** Dennesig Urban Design Framework: review process

Dear Jac,

This letter confirms that I have undertaken a review process with the development team of The Edge, Erf 139 and 140 on Paul Kruger street, on the 30<sup>th</sup> July 2019. The purpose of the meeting was to review the architectural proposals and test it against the set of urban design principles developed in the series of workshops for the neighbourhood and captured in Jakupa's Dennesig Urban Design Guidelines Report. We have also subsequently worked through revisions to drawings made in response to further comments made by me.

I can confirm that at this meeting and the subsequent revised drawings received, a number of recommendations were made to bring the proposal in line with the ambition of the Design Guidelines Report. I can also confirm that these recommendations have largely been captured in the latest set of drawings sent to me as proof of the changes made. These drawings include PDF documents titled:

1. A full set of general arrangement drawings [~~revision 11~~] **REVISION 12**
2. The Edge small - Rev11 [3D animation]

These drawings represent a considerable improvement in the building's urban design responses and will generally be in keeping with the intent and spirit of the Dennesig Urban Design Guideline Report.

It is noted however, that it is not my or Jakupa's role to approve the proposal which will the competence of the Stellenbosch Municipality's and would still need to go through their plans submission processes to secure formal approvals. It is however noted that the development team for this project has enthusiastically participated and responded to the spirit of making a better and coherent precinct in Dennesig.

Yours Sincerely

  
Khalied Jacobs  
Director

P. Pather

K. Jacobs

## **ANNEXURE K**

**To save paper and printing costs the Dennesig Neighbourhood Development Guidelines are attached as an appendix of the application for erf 184 which also forms part of this agenda**