NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA

APPLICATION TYPE: ERF 3223, IDAS VALLEY, STELLENBOSCH

Application Address: Comer of Sonnebloem and Banhoek streets, Idas Valley

Applicant:

Arch Town Planners (Pty) Ltd - Marike Bolz e-mail: marike@archtownplanners.co.za

Contact number: 072 480 5838

Varkblom (Pty) Ltd

Application Reference: LU/ 13875

Description of land development application:

In terms Sections 15(2)(b) and (g) of the Stellenbosch Municipality Land Use By-Law (2015), application is made to allow for the following (to enable to property to be developed as flats):

- A **Permanent Departure** to allow for the following building lines: Street building line (Banhoek street): Ground floor: 1m and 2m, Floors 1-3: 1m (balconies) and 2m(building) in lieu of 4.5m
- Street building line (Sonnebloem street): Floors 1 3: 3m in lieu of 4.5m

 Street building line (Juffembrunch street): Floors 1 3: 1m (balconies) and 2m (building) in lieu of 4.5m

 Common boundary building line: All floors: 1m in lieu of 4.5m (staircase) and Floors 1 3: 3m in lieu of
- Permission to substitute 6 vehicle parking bays with 36 bicycle bays

Notice is hereby given in terms of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following its. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

Written comments, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person in the application, may be submitted in terms of Section 50 of the said Bylaw to the Applicant by electronic mail as follows: Arch Town Planners (Marike Bolz), marike@archfownplanners.co.za. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 6 June 2022.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 072 480 5838 during normal office hours.

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KENNISGEWING VAN GRONDONTWIKKELINGSAANSOFK IN DIE STELLENBOSCH MUNISIPALE AREA

AANSOEK TIPE: ERF 3223, IDAS VALLEY, STELLENBOSCH

Adres van eiendom: Hoek van Sonnebloem- en Banhoekstraat, Idasvallei, Stellenbosch

Arch Town Planners (Pty) Ltd - Marike Bolz

e-pos: marike@archtownplanners.co.za Kontaknommer: 072 480 5838

Varkblom (Pty) Ltd - Earle Williams Kontakbesonderhede: 082 782 6625

Aansoek Verwysing: LU/ 13875

Aansoeker:

Elenaar

Beskrywing van grondontwikkelingsaansoek:

Aansoek word gedoen in terme van Artikel 15(2)(b) en (g) van die Stellenbosch Verordeninge op Grondgebruikbeplanning (2015) vir die volgnede (ten einde voorsienning te maak vir die oprig van 'n

- i) 'n Permanente afwyking om toe te laat vir die volgende boulynafwykings:
- Straatboulyn (op Banhoekstraat): Grondvloer: 1m and 2m, Vloere 1 3: 1m (balkonne) en 2m (gebou) in stede van 4.5m

- Straatboulyn (op Sonnebloemstraat): Vloere 1 3: 3m in stede van 4.5m
 Straatboulyn (Juffembrunch straat): Vloere 1-3: 1m (balkonne) en 2m (gebou) in stede van 4.5m.
 Gemeenskaplike-boulyne: Alle vloere: 1 m in stede van 4.5m (staircase) en vloere 1 3: 3m in stede van
- ii) Toestemming om 6 x motorparkeerplekke te vervang met 36 fietsparkeerplekke

Kennis word hiermee gegee in terme van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: https://www.stellenbosch.gov.za/planning/documents/planning-no <u>ns-advertisements</u>. Indien die webtuiste of tersaaklike dokumente nie toeganglik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie beskikbaar te stel.

Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van de gansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die gansoek, kan ingedien word in terme van Artikel 50 van genoemde Verordeninge aan die Aansoeker by wyse van elektroniese pos as volg: Arch Town Planners (Marike Bolz): marike@archtownplanners.co.za. Deur 'n beswaar, kommentaar of vertoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die slultings datum van 6 Junie 2022.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of Indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorslenning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 072 480 5838 gedurende normale kantoor ure,

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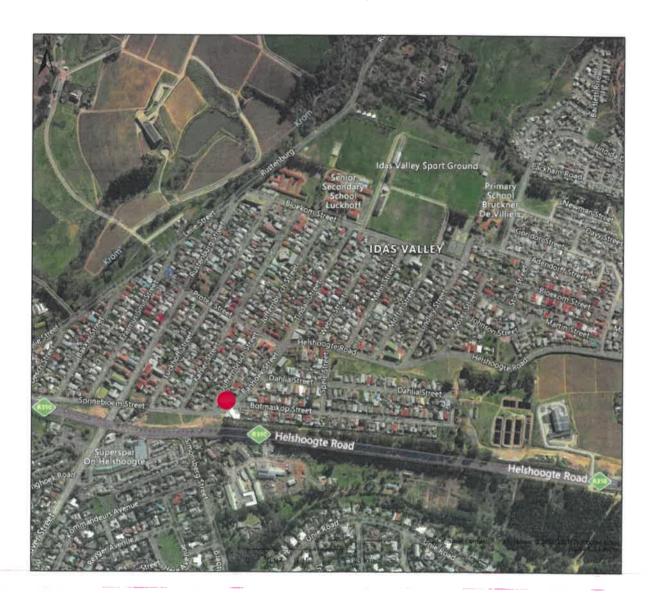
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BUILDING LINE DEPARTURE

ERF 3223 IDAS VALLEY, STELLBOSCH



December 2021

SUBMITTED TO: STELLENBOSCH MUNICIPALITY

PREPARED AND SUBMITTED BY:



Postal Address: 2 Floor, Bakkershuis 152 Dorp Street

Stellenbosch, 7600 +27 (0)72 480 5838

Mobile: Email: marike@archtownplanners.co.za

Website: www.archtownplanners.co.za

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1. Introduction

1.1 Packground information		
1.1 Background information		
The owner of Erf 3223 Stellenbosch	h, recently bought the property with the intention to develop a block of flats,	
in line with the existing Mixed-Use	zoning. Due to the awkward shape of the erf, the proposed building can	
only be accommodated through va	arious building line departures. This report serves as the motivation report	
for the proposed building line depart	rtures.	
1.2 Planning Brief		
In light of the above information, Ar	rch Town Planners (Pty) LTD has been appointed by Varkblom (Pty) Ltd to	
	and parking departure application to the Stellenbosch Municipality for their	
approval. Please refer to Annexure	es A and B for the Application Form and Power of Attorneys.	
1.3 Application to Stellenbosch	h Municipality	
	ally applies for the following, in terms Sections 15(2)(b) and (g) of the	
Stellenbosch Municipality Land Use	e By-Law (2015), to allow for the following:	
i) A Permanent Departure to all	low for the following building lines:	
Street building line (Banhoek s	street): Ground floor: 1m and 2m, Floors 1 – 3: 1m (balconies) and 2m	
(building) in lieu of 4.5m		
 Street building line (Sonnebloe 	em street): Floors 1 – 3: 3m in lieu of 4.5m	
Street building line (Juffernbrui	nch street): Floors 1 – 3: 1m (balconies) and 2m (building) in lieu of 4.5m	
 Common boundary building lin 4.5m 	ne: All floors: 1m in lieu of 4.5m (staircase) and Floors 1 – 3: 3m in lieu of	
ii) Permission to substitute 6 veh	hicle parking bays with 36 bicycle bays	
2. Property details		
2. Property details		
2.1 Summary of Property Infor	mation	
Application Site	Erven 3223 Stellenbosch	
Physical Address	Corner of Sonnebloem and Banhoek streets, Idas Valley	
Property Size	1201m²	
Current Ownership	Varkblom (Pty) Ltd	
Title Deed No & Date	T58610/2021 (Please refer to Annexure C of a copy of the Title	
Dood 140 tt Date	Deed.	
Restrictive Title Deed Conditions	None (please refer to Annexure C for Conveyancer Certificate)	
	D 0	
ARCH	Page 2 Erven 3223 Stellenbosch, Building line departure	

Current Zoning	Mixed -Use in terms of Stellenbosch Zoning Scheme By-Law
	(2019) (please refer to Annexure D for copy of Zoning Certificate)
Locality	Please refer Figures 1 & 2 below

Table 1: Property Details

2.2 Locality of Application Site

See Attached Locality Plan

2.3 Current Zoning

The zoning of properties in the Stellenbosch Municipal Area is regulated in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (hereafter referred to as the 'Zoning Scheme'). According to the Zoning Scheme and as illustrated in Figure 5 below, erf 3223 is zoned Mixed-Use, this is also confirmed in the attached zoning certificate (please refer to Annexure D).



Figure 5 Zoning Map of Idas Valley



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The following land uses and building parameters are applicable to erven within the Mixed-Use Zone:

	Land Uses within the Mixed-Use Zo	ne:		
Primary Uses	Additional Uses (technical approval)	Consent Uses (application required)		
Commune Business premises (including shops, markets, restaurants, office) Clinic Community residential building Extramural facility Flats Guest house Hostel Hotel Occasional use (one event/year) Plant nursery Public institution Public parking area Private road Tourist dwelling unit Tourist accommodation establishment Welfare institution	None	Adult Entertainment Builders yard Commercial gymnasium Conference facility Day care Filling station Freestanding base telecommunication station Funeral parlour Gambling place Helicopter landing pad Hospital Indoor sport Liquor Store Motor vehicle fitment centre Motor showroom Occasional use (> one event/year) Parking garage Place of assembly Place of education Place of entertainment Renewable energy structure Rooftop base telecommunication station Tertiary educational institution Warehouse		

Building Parameters applicable to the Mixed-Use zone:

Building type	Street boundary Common boundary building lines (m)		Coverage	Height	
Business premises	0m	0m	85%	6 storeys	
Filling station	3m	3m	85%	2 storeys	
Guest house, hostel,hotel, tourist accommodation	All levels 4,5m	Ground floor: 4,5m First floor: 4,5m Second floor: 6m	50%	6 storeys	
All other buildings (including Flats)	4,5m	4,5m	85%	6 storeys	

Table 2: Zoning parameters of Mixed- Use Zone

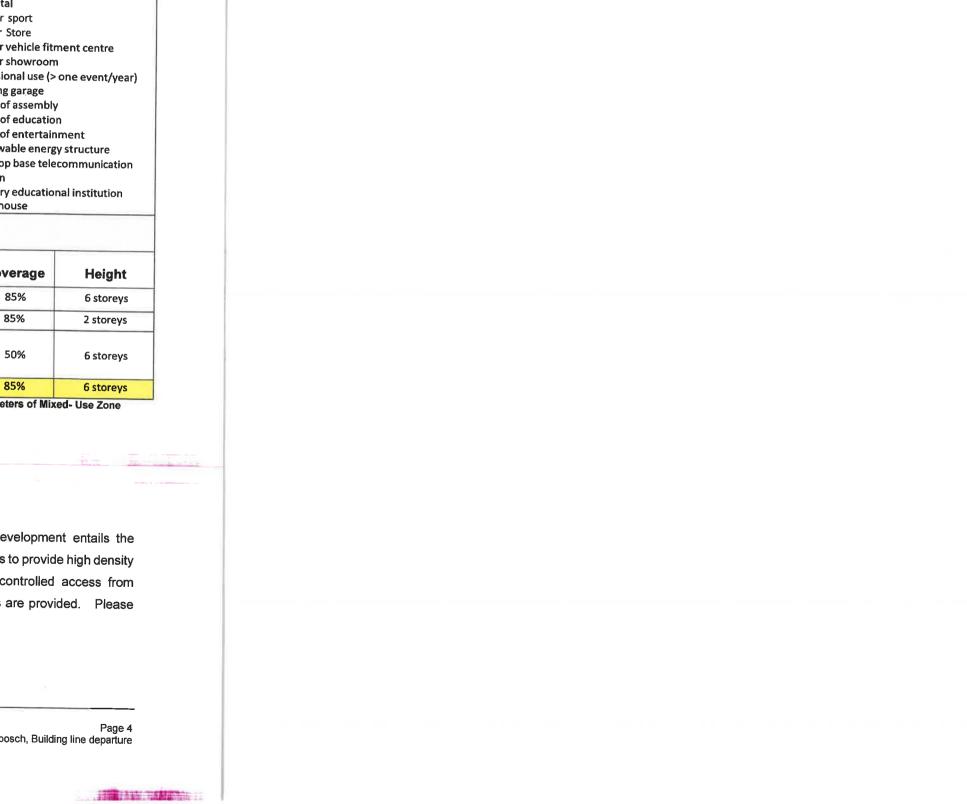
Proposed Development

3.1 Development Proposal

In line with the allowable primary uses of the Mixed-Use zone, the proposed development entails the development of a four storey block of 2-bedroom (9 units) and 3-bedroom (15 units) flats to provide high density residential units in Idas Vallei. Parking will be provided on ground floor, with controlled access from Jufferenbruch street. 34 Vehicle bays and 36 safe and secure bicycle parking bays are provided. Please refer to Annexure E for the proposed SDP, floor plans and elevations.



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A security kiosk with bathroom is provided at the entrance gate, with a communal braai area and pool proposed on the southern boundary of the site. Two staircases on the ground floor provides access to the flats above. Landscaping is proposed along Banhoek street to enhance the street interface which will be a great improvement to the existing street scape. The proposed landscaping will present an active interface on ground level to the street.

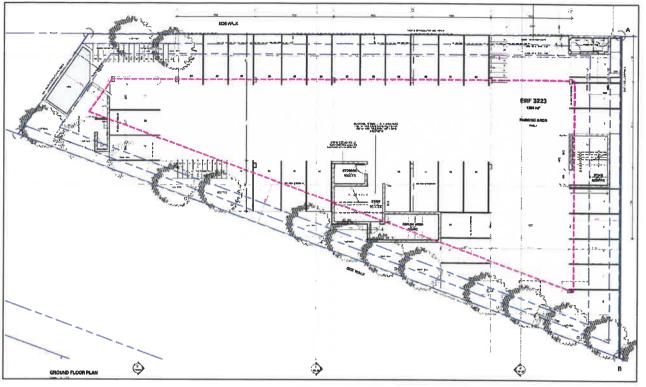


Figure 6 Proposed Ground Floor

The 24 proposed flats will be situated on the first, second and third floors, above the ground floor parking. Each floor will have 3 x 2-bedroom units and 5 x 3-bedroom units. Apart from the communal area on ground floor, each unit will have a patio to provide outdoor space.



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The 2-bedroom units will each have one shared bathroom and a patio, the 3-bedroom units will have two shared bathrooms and will also have patios on each unit.

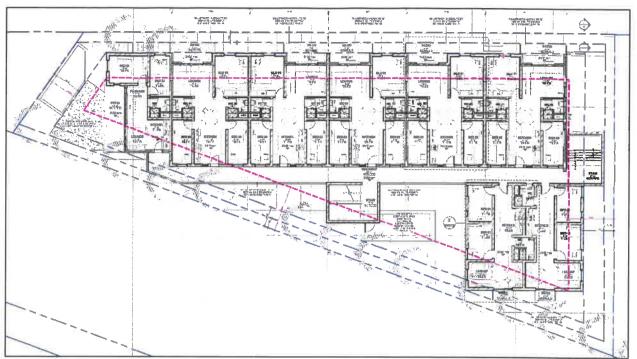


	Figure 7 Layout of proposed first, second and third floors			
	Figure 8 Proposed Elevation along Banhoek street	Ł		
	ns of the application site limits development of the site if the			
4.5m building lines are to be complied with. The	e following building lines are proposed:			
Western boundary (Juffernbruch street):				
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In order to allow for a viable development, the proposal is to push the bulk of the building onto Juffernbruch street, with the building (on first, second and third floors only) build up to a 2m building line and the balconies up to the 1m building line. No building line departures are required on ground floor on this boundary. Juffernbruch street is approximately 16m wide which is considered an excessive street width for a cul-de-sac, especially as this road only serves the few single residential houses along the road. The houses on the western boundary of Juffernbruch street, opposite the proposed development, are all approximately 500m², with required street building line setbacks of 3m. This results in the proposed balconies being set back a minimum of 20m from the nearest residential houses, which is considered more than sufficient. It is therefore motivated that the locality of the street, being situated between the proposed development and the nearest residential houses enforces an automatic setback of 16-20m. This is considered to be more than sufficient to prevent loss of privacy or any detrimental effect on the properties towards the west of the proposed development. It is future motivated that the proposed patios will increase passive observation along this boundary to the benefit of the surrounding area.

Corner of Sonnebloem and Banhoek streets (southern boundary):

There is no building line departure on ground floor on this boundary. However, a small section of the building (first, second and third floors) extends beyond the 4.5m building line, being 3m from the erf boundary. It is considered that this proposed projection is insignificant as it will have no impact on the surrounding properties.

• Banhoek Street (eastern boundary):

On ground floor, the proposed bathroom of the braai area and a small portion of the staircase and refuse area projects beyond the 4.5m building line. The proposed bathroom will extend up to the 1m building line, and a small portion of the staircase and refuse area will extend up to the 2m building line. Again, it is considered that these sections of the building are so small and insignificant that it will have no detrimental impact to warrant refusal. It will not be visible from the street scape and will be shielded by landscaping. It will also have no impact on any sightlines for traffic along Banhoek street.

On the first, second and third floors, small sections of the building (including a portion of the staircase) will be build up to the 2m building line, with a very small section (of the units situated on the northern boundary) extending up the 1m building line. As with Juffernbruch street, Banhoek street's road reserve is approximately 16m, with a wide sidewalk between the application site and the black to of the road. There are only two properties situated directly opposite the application site along Banhoek street, Erf 3193 (single residential house) and Remainder Erf 3152 (commercial building (Okkasie warehouse)). It is not considered that these very slight departures will have any detrimental effect on these or any of the surrounding properties to warrant refusal. It is argued that the passive observation from these units will greatly enhance the safety in the area. It will also have no impact on any sightlines for traffic along Banhoek street.



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• Erf 3222 (northern boundary):

The bulk of the building, apart from the staircase and a portion of the units facing Banhoek street will be within the 4.5m building line on this boundary. The staircase will be built up to the 1m building line and the units will be build up to 3m, therefore only requesting a 1.5m departure. There will be no windows on the staircase facing Erf 3222, therefore there will be no loss of privacy as a result of the placement of the staircase.

	ent is situated south of Erf 3222 e, will not result in any loss of l	2, this proposed section of t light.	he building, projecting
se and can therefore also be so important to note, that if uild up to the 0m building lin se). It is therefore argue	bugh Erf 3222 currently has a single be developed according to the fithe proposed development wane, thus on the erf boundary we ad that the limited building er Erf 3222 or the street scape to version to the street scape to the street scape to the street scape to version to the street scape to the scape	e building parameters of the ras for a business premisses with Erf 3222 (as Erf 3222 is no croachment on this bound	Mixed-use zone. It is s, the building could be also zoned for Mixed-
.2 Building Developmer	nt Parameters		
able 3, below, is a summar n this site.	ry of the applicable building de	evelopment parameters perta	aining to development
and Use Parameters (flats)	Mixed-Use Zone	Proposed Development	Compliance/ Application Required
treet Building Line Juffernbruch)	4.5m	1m (balconies), 2m (building): Floors 1 – 3	Departure
treet Building Line (Corner onnebloem and Banhoek)	4.5m	3m : Floors 1 - 3	Departure
treet Building Line (Banhoek)	4.5m	1m (balconies), 2m (building): Floors 1 – 3	Departure
ommon Boundary (Erf 3222)	4.5m	1m staircase (all floors) 3m building : Floors 1 – 3	Departure
	85%	64%	Complies
ax Coverage		4 storeys	Complies
ax Goverage	6 Storeys	4 storeys	- Compileo
		24 x units	
ax Height	6 Storeys 1.5 bays / 2-bed flat (9) = 13.5 1.75 bays/3-bed flat(15) = 26.25 = 40 bays	24 x units 40 = 34 (vehicle bays) + 6 (36 bicycle bays)	

3.3 Traffic Impact Statement

The proposed development does not entail a rezoning. The proposed development is allowed for under the existing zoning and it is argued that a TIS is therefore not required.

3.4 Availability of Services

The proposed development does not entail a rezoning. The proposed development is allowed for under the existing zoning and does not exceed the permissible height or coverage. All the services will tie into the existing Municipal services.

4. Motivation

4.1 Stellenbosch Municipality Land Use By-Law (2015)

As set out in Section 65(1) of the By-law, certain criteria need be met in consideration of an application by the decision-making authorities. In line with this section, Table 4, below, sets out the criteria and assesses the application accordingly:

Section 65(1) Criteria	Assessment of Proposal
a. Application submitted in terms of the By-law.	The application is submitted in terms of Sections 15(2)(b) and (g) of the By-law.
b. Procedure followed in processing the application.	To be decided. The proposed development was tested with the Municipality by means of pre-application consultation. See Annexure F for feedback received during the pre-application scrutiny process. All relevant and required documentation are attached to this application and motivation.
c. Desirability of land use	The application site is zoned mixed use, which allows for flats as a primary use. The application for the proposed departures and permission to substitute vehicle parking are considered to be favorable as motivated for in Section 3.1 above. Future motivations can be summarized as follows:
THE PROPERTY OF THE PROPERTY O	Section 36(3) of the Zoning Scheme allows for the substitution of vehicle parking bays with bicycle bays, with council's permission, to support the NMT policy of the Municipality. The proposed development will provide 34 motor vehicle bays, thus all 24 proposed flats have at least one motor vehicle parking bay, with a parking ratio of 1.42 bays per flat. This is very close to the 1.5 requirement for 2-bedroom flats. Though there are 3-bedroom flats proposed, it is considered that the 1.75 bays per flat can be accommodated by providing bicycle bays, as promoted for by the Stellenbosch Municipality in their IDP and SDF. It is also important to note that the application site is within walking distance from surrounding schools, commercial uses (Spar shopping centre), public transport and the



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University and therefore the use of bicycles in lieu of motor vehicles should be promoted. It is therefore argued that 6 vehicle bays are substituted by 36 bicycle bays.

- It is important to note that the proposed building line departures will not result in an increase in coverage or height, the proposed coverage of 64% is still well below too allowable 85% and the proposed 4 storeys are less than the allowable 6 storeys. If the proposed building lines are not supported, the building design would have to be amended which could result in a higher building (5 6 floors) to ensure that the development is still financially viable. As discussed under Section 3.1, the shape of the site makes it extremely difficult to stay within the 4.5m building lines.
- As the proposed development complies with the coverage, height and parking (with the bicycle bays included) the proposed building line departures will not result in the over development of the site.
- The proposed building line departures along Banhoek street allows the bulk
 of the building to be broken, thus creating a less bulky and more
 aesthetically pleasing building, which would greatly enhance the character
 of the area.
- Though the majority of the surrounding buildings are 1 storey buildings, it should be noted that most of these buildings along Banhoek street is zoned Mixed-Use. It can therefore be expected that these erven will also be redeveloped in future to the same (or more) height as the proposed building.
- The parking on ground floor will be shielded from view by the communal braai area on the southern boundary and landscaping along the street boundaries. It is motivated that the landscaping will greatly enhance the character of the surrounding street scape.
- The proposed building is not considered the be visually intrusive and will
 enhance the character of the area, especially as this site is currently vacant
 and derelict.
- The development of the site will greatly improve the safety of the area and could be seen as a catalyst for future development.
- The proposed development, situated within the urban edge will provide new upmarket, housing opportunities in Idas Valley.



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o. Chapter VI of the Land Use Planning Act

Spatial Justice: The proposed development is situated within the urban edge, in an area earmarked for high density infill development.

Spatial Sustainability: Spatial sustainability would prioritise land use decisions that allow individuals to live close to where they work or study. As a result of the locality of the proposed development, it may contribute to relief the traffic congestion whilst allowing for more dense and efficient settlements.

Efficiency: This development is proposed on a brownfield site that will make use of the existing urban infrastructure. No services upgrades are required to accommodate the proposed development, it will result in the more efficient use of well-located land and existing infrastructure.

Good Administration: The proposed flats are in-line with the municipality's existing densification policies. The building presents an aesthetically pleasing public street interface. The approval of this application will be in the best interest of the Stellenbosch Municipality.

It should be noted that this development is a brownfield Spatial Resilience: 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

zoning scheme

p. Applicable provisions of the As discussed, the proposed development is in line with the provisions of the Zoning Scheme. The application is for building line departures only and permission to substitute vehicle parking with bicycle parking (in line with the Municipal Policies).

Table 4 Assessment of Application in terms of Section 65 of the By-law

4.2 Consistency with the Applicable Spatial Development Frameworks

Western Cape Provincial Spatial Development Framework, 2014 4.2.1

The Western Cape Spatial Development Framework (hereafter referred to as 'the PSDF') identifies densification as of the provincial objectives. The PSDF specifies that the residential density in urban areas be increase to 25 dwellings per hectare. This density should be achieved by means of urban development tools such as sectional title developments. This application complies with the PSD as it is proposed the development of a block of flats comprising 24 dwelling units on an erf of 1 201m².

4.2.2 The Stellenbosch Municipality Integrated Development Plan, 2017

The current Stellenbosch Integrated Development Plan (hereafter referred to as "the IDP"), approved in May 2017 (and updated in May 2018), provides the detailed development plans for the Stellenbosch Municipal Area, over the short term (2017 - 2022) and long term; as well as reviewing some of the challenges and



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opportunities experienced by the municipality. The IDP has also informed the municipality's recent Draft Spatial Development Framework (2019).

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 that the site is currently vacant and not utilized at all, in combination with its ideal location near the town centre and university, the area is wellaligned 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. 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 and support the use of bicycles and motorbikes in lieu of motor vehicles.

4.2.3 The Stellenbosch Municipality Spatial Development Framework, 2019

As indicated in the Stellenbosch Municipal Spatial Development Framework, the erven lie well within the urban edge of Stellenbosch Municipality, in an urban development area and within close proximity of an Activity Road (Rusternberg Road).

The SDF promotes densification and infill development within the urban edge and the following statements of the SDF should be noted:

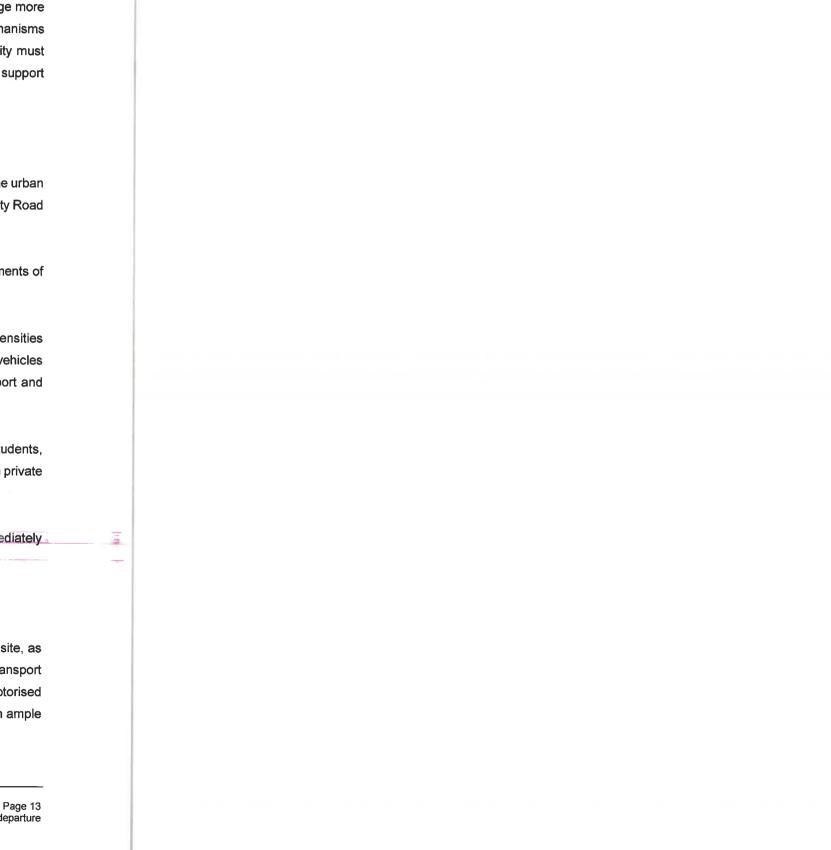
- Managing residential growth of the town, through providing more inclusive house at higher densities than the norm, is vital. This can and must bring significant reductions in commuting by private vehicles to and within Stellenbosch town, and provide the preconditions for sustainable public transport and NMT to and within the town;
- 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.
- Pro-actively support higher density residential infill development in the town centre, areas immediately surrounding it and along major routes (with consideration of historic areas and structures).

It is clear that the SDF supports and promotes infill development and densification.

In terms of access and movement, the SDF identifies Helshoogte Road, within close proximity of the site, as functioning beyond its capacity. It is the responsibility of development to ensure that non-motorised transport modes be promoted such as bicycles and walking. The development of this site will support non-motorised transport as the site is ideally situated within walking distance from all surrounding amenities although ample off-street parking is provided.



Erven 3223 Stellenbosch, Building line departure



The SDF points out that the Municipality should "Pro-actively support higher density infill residential opportunity in the town centre and areas immediately surrounding it". Furthermore, and as part of the SDF's Implementation Framework, the Municipality must assist in the "broadening of residential opportunity for lower income groups, students, and the lower to middle housing market segments.

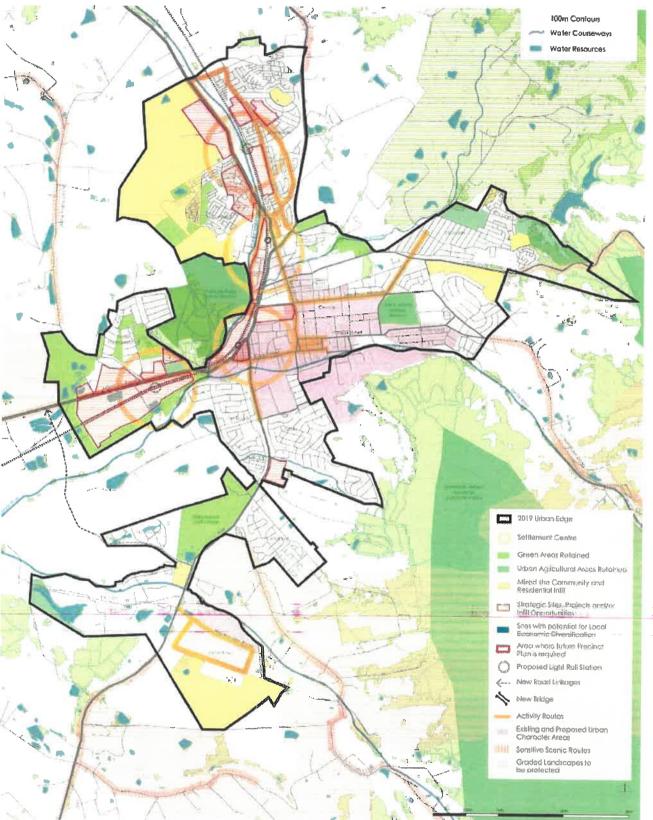


Figure 9 Stellenbosch SDF (2019)



A STATE OF S

Page 14 Erven 3223 Stellenbosch, Building line departure

To summarize:

- The proposed development complies with the National, Provincial and Local policy landscape, which all promote urban densification; particularly in centrally located areas.
- The proposed development is seen as sensible infill development within the urban edge.
- The proposed departures will not have a significant impact on adjoining or surrounding properties with regards to the loss of privacy.
- 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 and is considered to enhance an uplift the surrounding area.
- The proposed development is not seen as overdevelopment of the site.
- The proposed development allows for a higher-density residential development without compromising the character of the area.

5. Conclusion

In light of the above, Council is respectfully requested to approve the following:

- i) A Permanent Departure to allow for the following building lines:
- Street building line (Banhoek street): Ground floor: 1m and 2m, Floors 1 3: 1m (balconies) and 2m (building) in lieu of 4.5m
- Street building line (Sonnebloem street): Floors 1 3: 3m in lieu of 4.5m
- Street building line (Juffernbrunch street): Floors 1 3: 1m (balconies) and 2m (building) in lieu of 4.5m
- Common boundary building line: All floors: 1m in lieu of 4.5m (staircase) and Floors 1 3: 3m in lieu of 4.5m
- ii) Permission to substitute 6 vehicle parking bays with 36 bicycle bays

Report compiled by:

Marike Bolz (Pr. Plan A/060/2008)

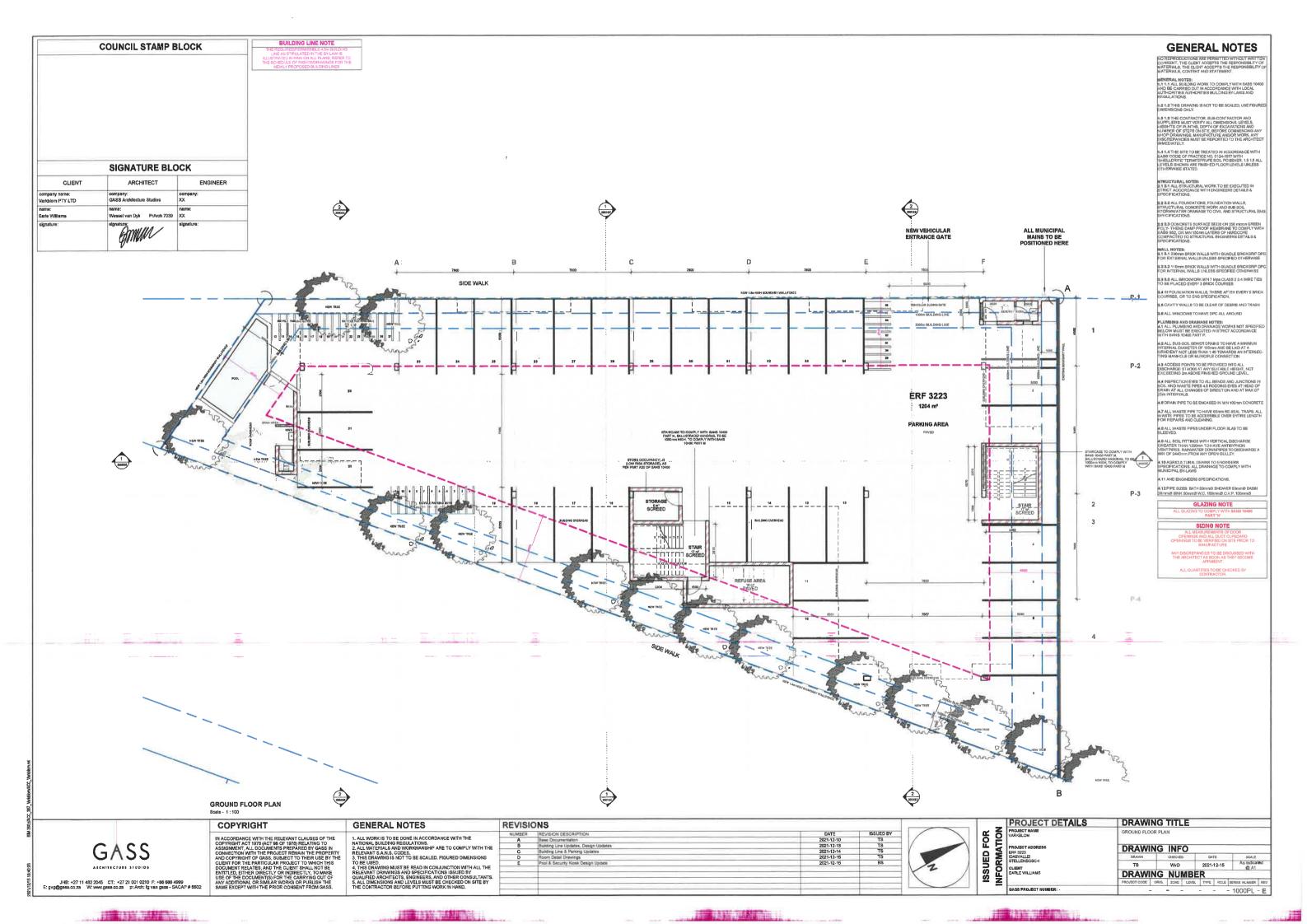
for Arch Town Planners (Pty) Ltd

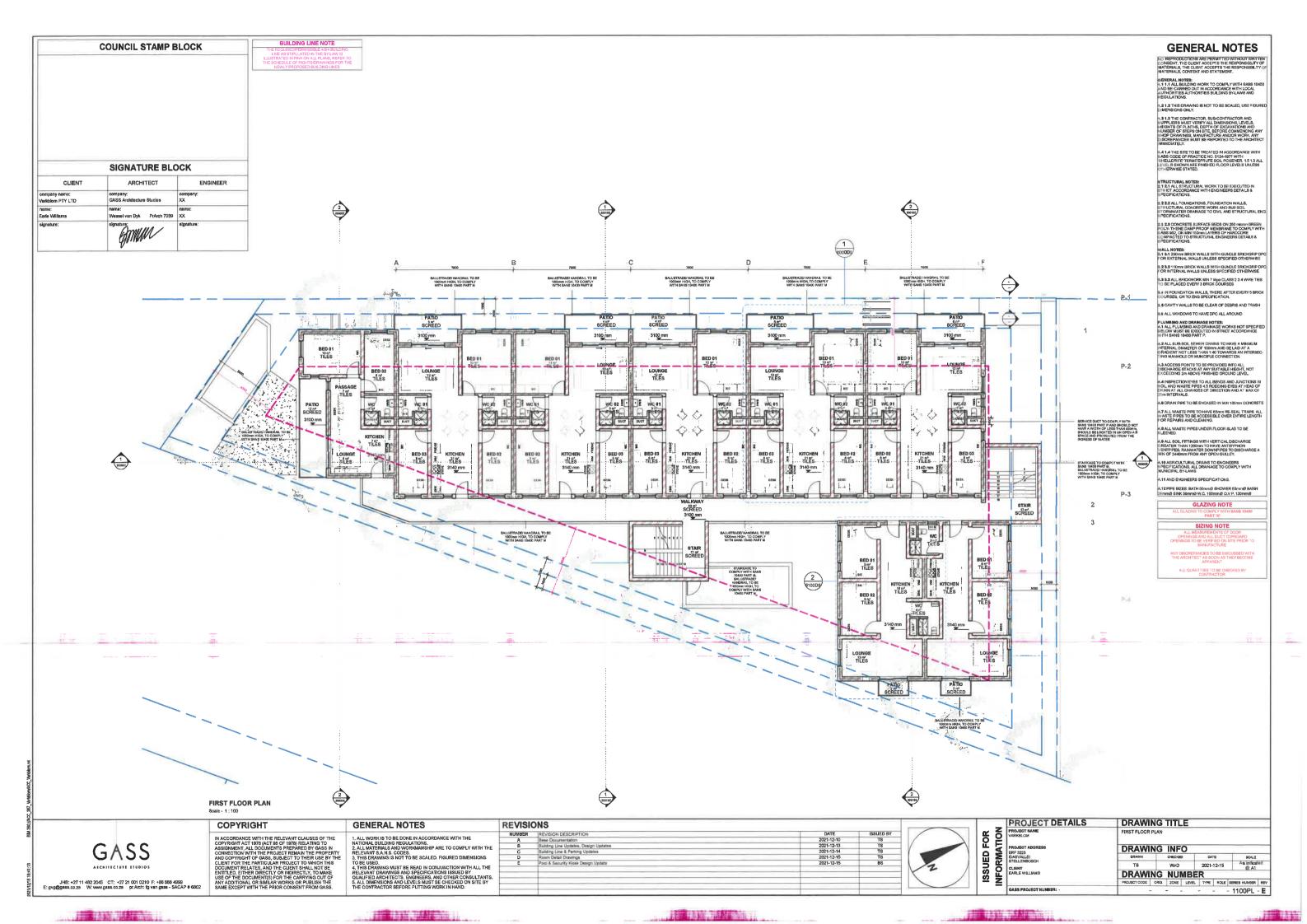


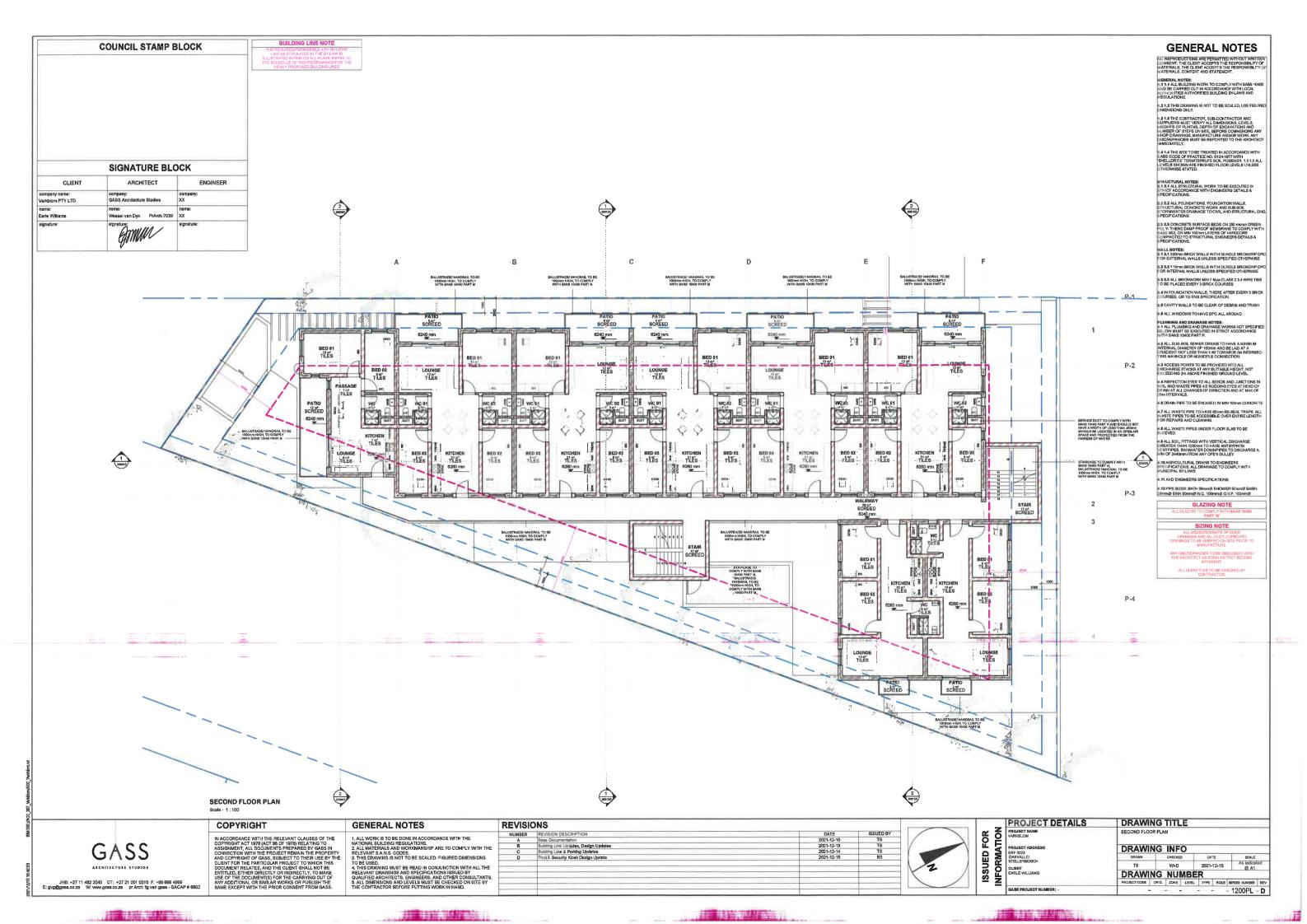
Page 15 Erven 3223 Stellenbosch, Building line departure

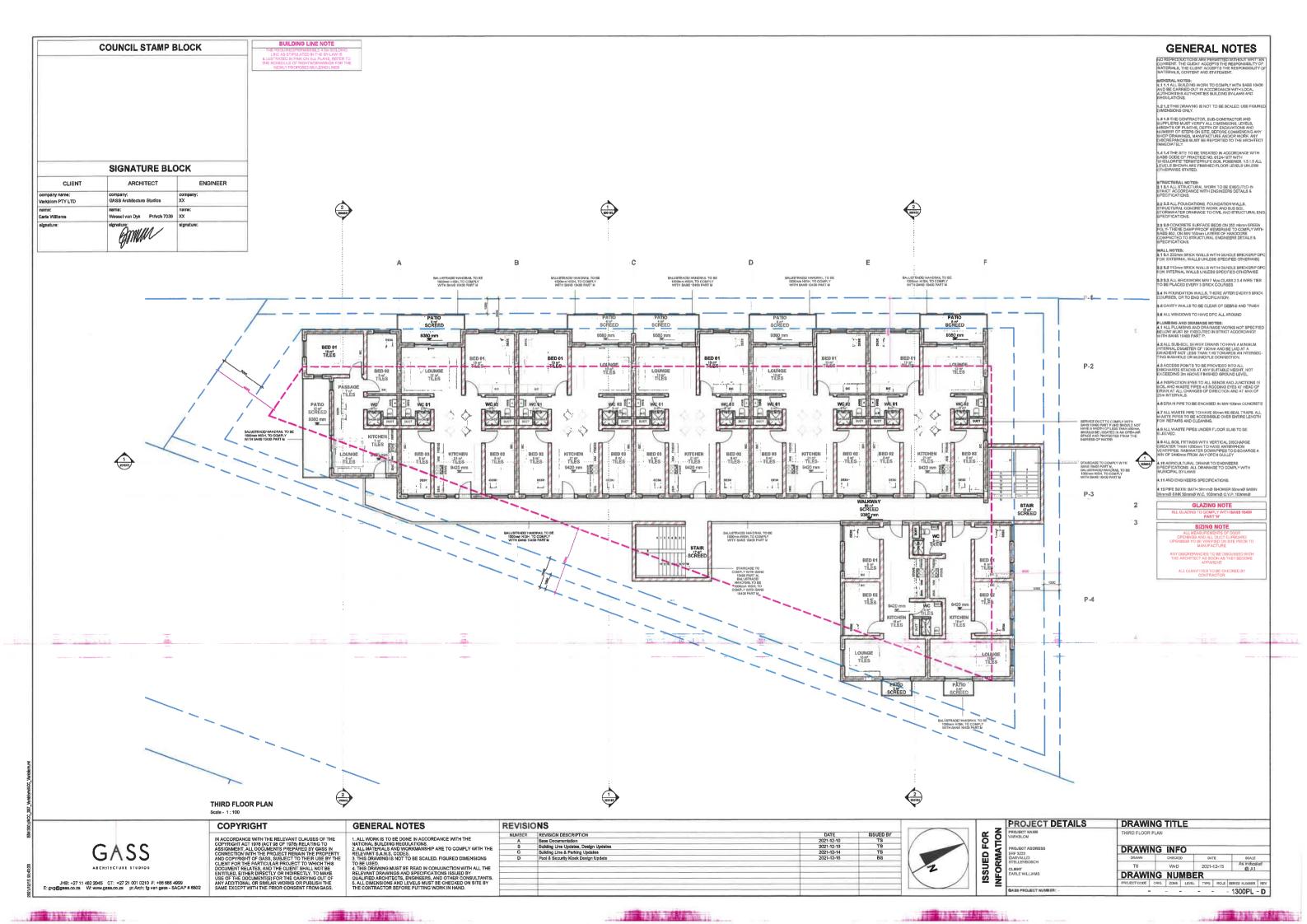


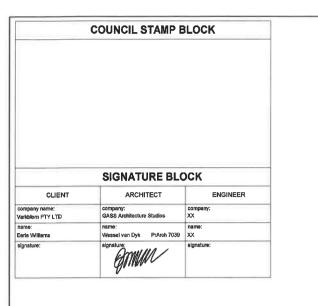














EASTERN ELEVATION



SOUTHERN ELEVATION Scale - 1:150



WESTERN ELEVATION

GASS ARCHITECTURE STUDIOS

NORTHERN ELEVATION

JHB: +27 11 482 2045 CT: +27 21 001 0210 F: +86 686 4999 E: gvg@gasa.co.za W: www.gass.co.za pr.Arch: fg van gass - SACAP#6802

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5. ALL DIMENSIONS AND LEVELS MUST BE CHECKED ON SITE BY THE CONTRACTOR BEFORE PUTTING WORK IN HAND.

PROJECT DETAILS

Level 4

Level 3

Level 2 6280

DRAWING TITLE DRAWING INFO

DRAWING NUMBER

- 3000EL - C

THE RESERVE OF THE PARTY OF THE

REVISIONS

GENERAL NOTES

1.2 1.2 THIS DRAWING IS NOT TO BE SCALED, USE FIGURE

WALL NOTES; 1.1 3.1 230mm BRICK WALLS WITH GUNDLE BRICKGRP FOR EXTERNAL WALLS UNLESS SPECIFIED OTHERWIS

1.2 3.2 110mm BRICK WALLS WITH GUNDLE BRICKGRIP D OR INTERNAL WALLS UNLESS SPECIFIED OTHERWISE 3.3.3.4 ALL BRICKWORK MIN 7 Mps CLASS 23.4 WIRE TIES TO BE PLACED EVERY 3 BRICK COURSES II.4 IN FOUNDATION WALLS, THERE AFTER EVER COURSES, OR TO ENG SPECIFICATION. 5.5 CAVITY WALLS TO BE CLEAR OF DEBRIS AND 8 ALL WINDOWS TO HAVE DPC ALL AROUND FUNNENG AND DRAMAGE MOTES: 4.1 ALL PLUMBING AND DRAMAGE WORKS NOT SPECIFIELOW MUST BE EXECUTED IN STRICT ACCORDANCE WITH SANS 10400 PART P.

4.2 ALL SUB-SOIL SEWER DRAINS TO HAVE A MINIMU INTERNAL DIAMETER OF 100mm AND BE LAID AT A CHADIENT NOT LESS THAN 1:40 TOWARDS AN INTER ENG MANHOLE OR MUNICIPLE CONNECTION.

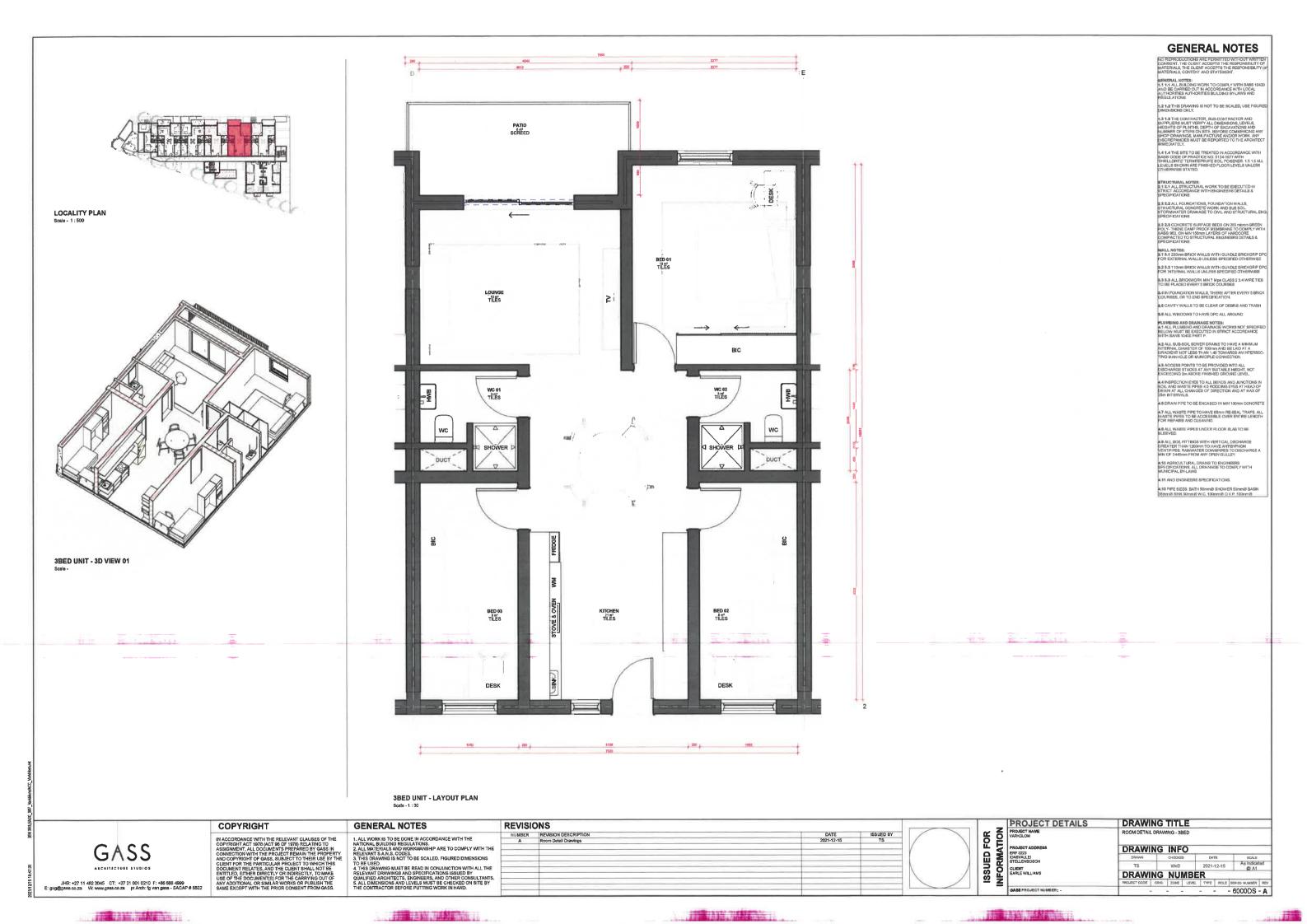
I 7 ALL WASTE PIPE TO HAVE 65mm RE-SEAL TRAPS, ALL WASTE PIPES TO BE ACCESSIBLE OVER ENTIRE LENGTH FOR REPAIRS AND CLEANING.

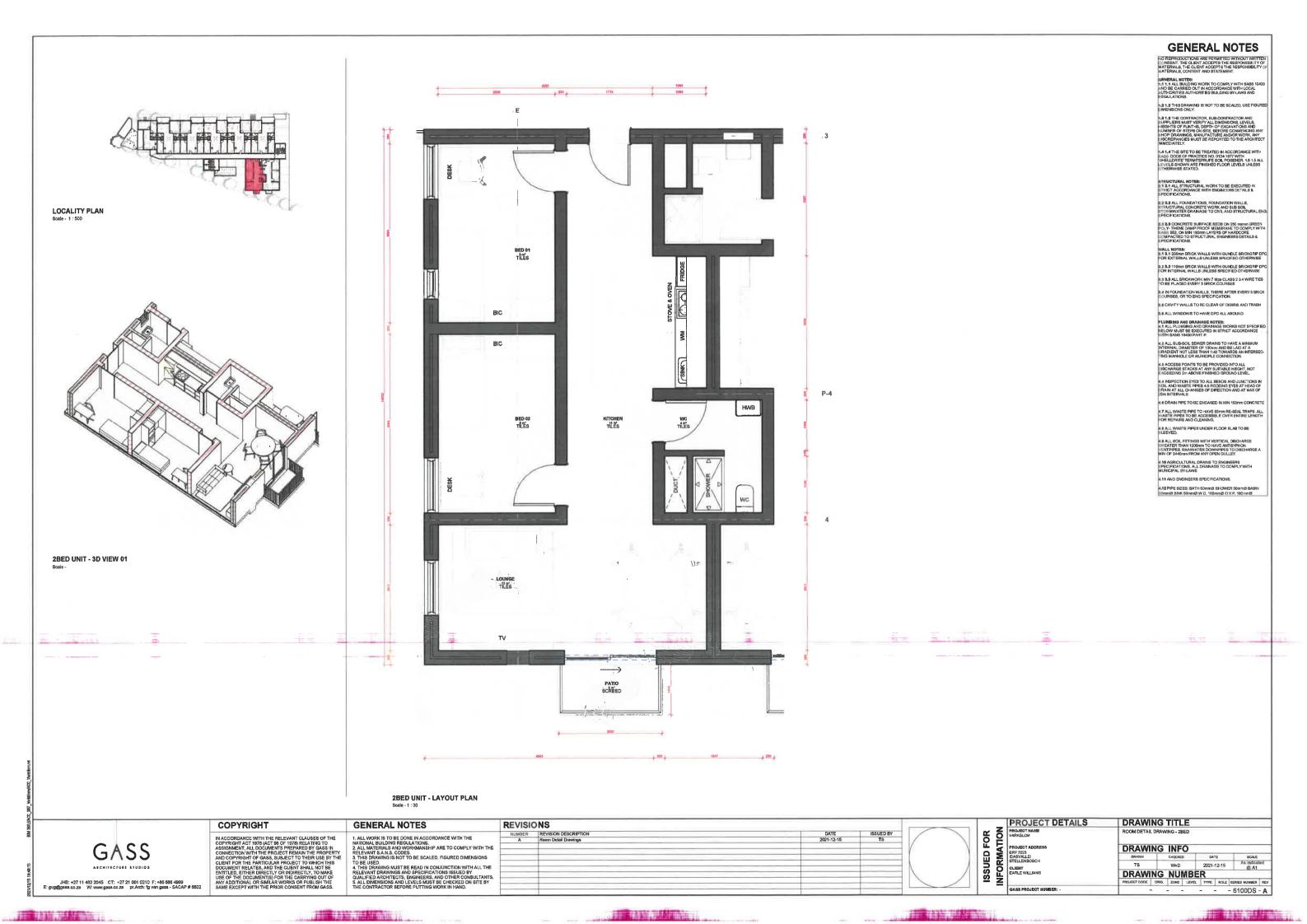
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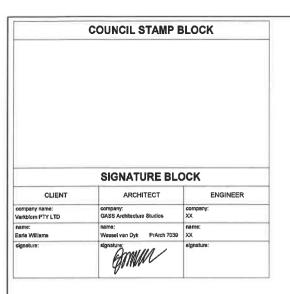
ALL QUANTITIES TO BE CHECKED B

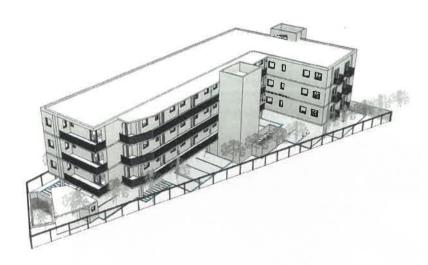
4.8 ALL WASTE PIPES UNDER FLOOR SLAB TO BE ELEEVED.

4.11 AND ENGINEERS SPECIFICATIONS. 12 PIPE SIZES: BATH 50mm@ SHOWER 50mm@ BASIN mm@ SINK 50mm@ W.C. 100mm@ O.V.P. 100mm@

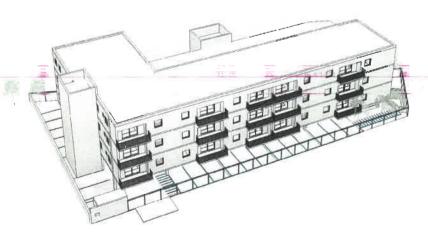








3D View 4



3D View 5



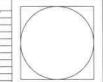
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5. ALL DIMENSIONS AND LEVELS MUST BE CHECKED ON SITE BY THE CONTRACTOR BEFORE PUTTING WORK IN HAND.

REVISIONS MUMBER REVISION DESCRIPTION

A Building Line & Parking Updates

B Poof & Security Kloak Design Upda



PROJECT MAME
VARIAGOM
PROJECT HAME
VARIAGOM
PROJECT ADPRES
ERF 3223
ERF 322

GASS PROJECT NUMBER:

DRAWING TITLE

DRAWING INFO TS WVD

DRAWING NUMBER

GENERAL NOTES

MALL WINDOWS TO HAVE DRO ALL AROUND

L11 AND ENGINEERS SPECIFICATIONS 4.12 PIPE SIZES: BATH 50mm/Ø SHOWER 50mm/Ø BASIN 8mm/Ø SINK 50mm/Ø W.C. 100mm/Ø O.V.P. 100mm/Ø GLAZING NOTE

SIZING NOTE

3D View 1 Scale -



3D View 2 Scale -



3D View 3

TAX INVOICE



1

STELLENBOSCH STELLENBOSCH - PNIEL - FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599 PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2022-03-22	DOCUME	NT NO:	727057			
ERF / FARM NO:	3223	CREATED BY:		Salome NEWMAN			
LOCALITY:	, STELLENBOSCH	APPLICATION NO:		LU/13875			
OWNER'S NAME:	BOTMANSKOP PROPERTY (PTY)LTD	APPLICATION VAT NO:		0000			
	ATT: EB WILLIAMS	VAT NO:		4700102181			
ADDRESS:	5 WORCESTER ROAD PARKWOOD	APPLICANT:		BOTMANSKOP PROPERTY (PTY)LTD			
	JOHHANNESBURG 2193	TEL NO:		0827826625			
FEE DESCRIPTION			PER UNIT (R)	OF UNITS	VOTE NUMBER	AMOUNT (R)	
	RTURE - Departure applications including but r ge, height, bulk, parking, Per applications per p		2500.00	1	20180711011484	2500.00	
PERMANENT DEPAR	RTURE - Departure applications including but r	not limited to	2500.00	1	20180711011484	2500.00	
building lines, coverage	ge, height, bulk, parking, Per applications per p	горепу	print 1 - A 12 - 17 A 12 -		20180711011484 STELLENBOSCH MUN		
			-	PLAN	NING AND DEVELPON	ENT SERVICES	
					0 5 APR 20	22	
			-	-	EPEN		
				-			
				-	AND DESCRIPTION OF THE OWNER, OR PROPERTY OF THE OWNER, OR PROPERTY OF THE OWNER, OWNE	and the second s	
				TOTAL	AMOUNT PAYABLE	5000.00	
ALL TABLES INCL.	IDE 15% VAT FROM 1 JULY 2021 TO 30 JUI	VE 2022			FINCLUDED @ 15%	652.47	
ALL TARIFFS INCLU	IDE 15% VAT FROM 1 JULY 2021 TO 30 JUN	VE 2022	,	VA	INCLUDED W 13/A		
CALCULATED BY		VEI	RIFIED BY FILE N	IR:			
NAME:			ME:				
SIGNATURE		SIG	NATURE SCAN	INR:	E 3223	<	
1116							
XII Wen	man		22.3	ARCHATOR	NR:		
DATE:		DA	TE:				
	E MADE AT THE APPLICABLE DISTRICT OF	FICE BA	NKING DETAILS	FOR EFT PAY	MENT:		
MUNICIPALITY	ADÉ PAYABLE TO STELLENBOSCH	AC	COUNT HOLDER	Stellenbos	sch Municipality		
APPLICANT TO RET	URN THIS FORM TO THE ADVICE CENTRE	FOR AC	NK: COUNT NUMBER	First Natio : 62869253	nal Bank (FNB)		
DIRECTOR: PLANNII	NG & ECONOMIC DEVELOPMENT		ANCH CODE: FERENCE:	210554 LU/	and ERF/FARM_		

Please use both the Land Use Application number and the Erf/Farm number indicated on this invoice as a reference when making EFT payment.



Payment Results

VODSPTGB87BJ

Date

2022-03-24 14:57:34.0

Time

2022-03-24 14:57:34.0

Your payment was successful

Details Account Gold Business Account - 62778916886	Recipient Name Planningstellenbosch	
Recipient Details		
Public Recipient	Account	
Stellenbosch Mun Primary		
Branch Code	Bank	
Type	Own Reference	
	Planning Dept Stb	
Recipient Reference	Amount	
Lu/13875 & Erf3223	5000.00	



PLANNING & ECONOMIC DEVELOPMENT

COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				ssion of		17/03/2022		
Erf / Erven/ Farm no	3223	Portion(s) if farm		Allotm Area	ent	Stellenbosch		ch
Owner / Applicant		olz – Arch Town Planners	Contac	t numb	er 082 782 6625			25
Email address	marike@arc	htownplanners.co.	.za					
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE					ADMIN TO		VERIFY ¹	PLANNER
	DOCUME	NTATION			YES		NO	TO EVALUATE ²
1. Completed app	olication forn	n that is signed			1			V
Power of Attornagent	ey / Owners	Consent if the	applicar	nt is an				
3. Bondholders' co	onsent							
Proof that applied entity	icant is auth	orized to act o	n behalf	of an				
5. Proof of owners	hip or rights h	neld in land						
6. Motivation based on criteria in s65				~				
7. SG diagram or 0	General Plan							
8. Locality plan					1			
9. Site development plan or plan showing the land development				~				
10. Subdivision plan	1							
11. Permission for re	equired servit	ude						
12. Title Deed				~				
13. Conveyancer's certificate				1				
14. Feedback on Pre-application scrutiny				~				
15. Minutes of Pre-c	consultation	Meeting						
16. Consolidation p	olan							
17. Street name an	d numbering	g plan						

Verification by Admin only of the documentation attached and completeness of application and not the correctness thereof.

² Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.

INDICATE WHICH OF THE FOLLO	ADMIN TO VERIFY		PLANNER TO VERIFY	
18. Land use plan / zoning plan				
19. Landscaping / tree plan				
20. Flood line plan				
21. Neighbours' consent				
22. HOA consent				
23. Assessments: EIA, HIA, TIA, TIS,	MHIA, EA/ROD			V
24. Services report				
25. Previous approvals				
26. Proof of failure of HOA				
27. Proof of lawful use right / zonir	ng certificate	-		
28. Other documents Specify:				
VERIFIED & SIGNED BY ADMIN NAME: Nicole Katts			Low	
VERIFIED & SIGNED BY PLANNER NAME: Robert Fooy		Acon		cory
Outstanding information (to be completed	d by Planner):			

NOTES:

- The documentation is not considered as a registered application until such time as it has been scrutinized, all
 outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after
 Applicant has been requested by Admin to make payment.
- 2. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(ii)].
- 3. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41(1)(c)(i)] and will receive instructions to advertise [s48(4)].
- 4. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41 (4)].

From: marike@archtownplanners.co.za

To: "Robert Fooy"

Bcc: "Wessel van Dyk"

Subject: RE: [EX] RE: Erf 3223 Stellenbosch

Date: 06 December 2021 09:49:00

Attachments: image004.png

image011.png image012.png image013.png image015.png image016.png image017.png image018.png image001.png

Importance: High

Hallo Robert

Kan jy my asb. dringend skakel om bg. te bepsreek. Dit is geweldig slegte nuus vir ons klieënt en sy tydsraamwerke. Ek het nou weer deur die soneeringskema gegaan en dit sê nêrens dat daar besigheid om die grondvloer MOET wees nie.

Kyk asb. na Section 105 (2): One or more of the above-mentioned primary uses are permitted on a land unit at the same time – dus voldoen ons moet dit – ons mag "one" primary land use op site hê.

Section 106: Not flats shall be permitted on ground Ifoor, except with the permission of the Municipality - dit is presies wat ons vir Stellenbosch Lodge gedoen het waar ons vir 'n afwying van die soneeringskema gevra het om flats op grondvloer toe te laat en wat so deur jul goedgekeur is.

Daar word nêrens gesê dat daar commercial op grondvloer MOET kom en indien nie moet dit na 'n ander gebruik gesoneer word. Kan jy asb. vir my sê waar dit 'n kondisie is?

My voorstel is as volg:

Ons doen aansoek vir Council Consent soos in Section 106 hierbo toegelaat en motiveer hoekom ons flats op grondvloer wil sit.

En ons doen aansoek vir ons Boulynverslapping.

Het jy en Stiaan asb. dalk erens vandag 'n 20min opening om oor bg te praat, ons aansoek is amper gereed om in te dien en hierdie is 'n baie groot issue wat ons dringend moet uitklaar.

Vriendelike groete

Marike Bolz

Address I 2nd Floor, Bakkershuis, 152 Dorp Street, Stellenbosch, 7600

M I: +27 (0) 72 480 5838 F I: +086 216 9073

E I: marike@archtownplanners.co.za
W I: www.archtownplanners.co.za

From: Robert Fooy <Robert.Fooy@stellenbosch.gov.za>

Sent: 06 December 2021 09:10

To: marike@archtownplanners.co.za

Subject: RE: [EX] RE: Erf 3223 Stellenbosch

Hi Marike

I have had a quick discussion with Stiaan and he agrees that you will need to rezone. (I did not mention the erf number etc only the scenario)



Kind regards, Robert Fooy

Senior Town Planner: Land Use Management Department: Planning & Economic Development

T: +27 21 808 8680

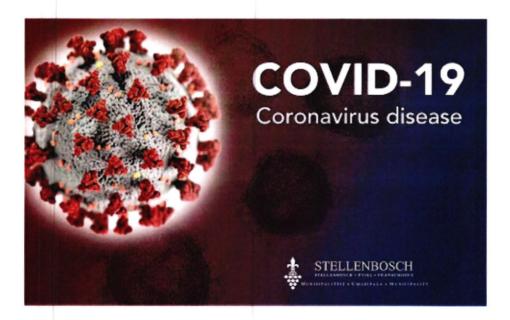
Email: robert.fooy@stellenbosch.gov.za

3nd Floor, Stellenbosch Mall Aandringa Street, Stellenbosch, 7600

www.stellenbosch.gov.za

www.facebook.com/stellenboschmunicipality

twitter.com/StellMun



For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

Stay alert, stay updated and stay safe.







About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.



Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

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From: marike@archtownplanners.co.za <marike@archtownplanners.co.za>

Sent: Friday, 03 December 2021 16:47

To: Robert Fooy < Robert. Fooy@stellenbosch.gov.za>

Subject: [EX] RE: Erf 3223 Stellenbosch

Hallo Robert

Baie dankie!

Kan ons dalk eerder as om te hersoneer vra vir 'n deviation om nie commercial op grondvloer te sit nie? Soos wat ons met on sander aansoeke doen om toe te laat om res wel op grondvloer te sit. Die hersoneering gaan te lank vat....

Ek sal kyk na die kamers om die uitlegte aan te pas.

Vriendelike groete

Marike Bolz

Address I 2nd Floor, Bakkershuis, 152 Dorp Street, Stellenbosch, 7600

MI: +27 (0) 72 480 5838 F I: +086 216 9073

E I: marike@archtownplanners.co.za W I: www.archtownplanners.co.za

From: Robert Fooy < Robert. Fooy@stellenbosch.gov.za >

Sent: 03 December 2021 15:38

To: marike@archtownplanners.co.za

Subject: Erf 3223 Stellenbosch

Hi Marike

I have had a look at the pre-application submitted and as discussed you will need to look at including a commercial component on ground floor as the current zoning requires a commercial component on ground floor.

Should you not be able to provide a commercial component then you would need to Rezone the subject property to an appropriate zone to accommodate the proposal.

Should you rezone the property then please note that the development parameters applicable in terms of the proposed zoning will need to be complied with or the relevant land use departures will need to be submitted with the rezoning application.

I have also noted that you have four bedrooms units with living areas which are out of proportion to the rest of the unit, which is also not the norm.

Please note that should the owner intend to use these units to accommodate students or a number of unrelated persons then the relevant land use application to facilitate this use must also be submitted.

The parking provision for this use will also need to be complied with. (1 parking bay per bed)



Groete
Robert Fooy
Senior Town Planner: Land Use Management Department:
Planning & Economic Development

T: +27 21 808 8680

Email: robert.fooy@stellenbosch.gov.za

3nd Floor, Stellenbosch Mall Aandringa Street, Stellenbosch, 7600

www.stellenbosch.gov.za

www.facebook.com/stellenboschmunicipality



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- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/
SUBMIT COMPLETED FORM TO landuse.applications@stellenbosch.gov.za

LAND USE PRE-APPLICATION SCRUTINY FORM

- This Land Use Pre-Application Scrutiny Form must be submitted prior to the submission of any Land Use and Land Development application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015 (SLUPB).
- 2. Relevant documents can be accessed at: https://stellenbosch.gov.za/planning-portal/
- 3. The applicant will receive feedback per e-mail following a weekly internal technical discussion on the pre-application scrutiny submission.
- A pre-application consultation meeting <u>may be</u> required in terms of Section 37 of the said Bylaw on receipt and consideration of this Pre-Application Scrutiny.

PART A: APPLICANT, OWNERSHIP & PROPERTY PARTICULARS

Applicant Name	Marike Bolz for Arch Town Planners	
E-Mail Address	Marike@archtownplanners.co.za	
Tel/ Cell Number	0724805838	
Registered Owner		
Property Description (Erf / Farm Number)	Erf 3223 Stellenbosch	
Physical / Street Address	Botmaskop street, Idasvallei, Stellenbosch	
Suburb & Town	Stellenbosch	
Current Zoning	Mixed-use	
Current Land Use Activities / Buildings	Vacant	

Are there existing buildings on the subject property(ies)?	Yes	No
Are there any existing unauthorized buildings and/or land use on the subject property(ies)?	Yes	No
If yes, is this application to legalize the building/ land use?	Yes	No
Are there any pending court case(s)/ order(s) relating to the subject property(ies)?	Yes	No
Is the property located in a heritage area or contains any heritage significant buildings?	Yes	No
Does the property fall inside the urban edge?	Yes	No

PART B: APPLICATION

1. WHAT LAND USE PLANNING APPLICATIONS ARE REQUIRED IN TERMS OF SECTION 15(2) OF THE SLUPB?

515 (2)(a)	Rezoning			
\$15 (2)(b)	Permanent Departure			
s15 (2)(c)	Temporary Departure			
515 (2)(d)	Subdivision			
s15 (2)(e)	Consolidation			

s15 (7)(f)	Removal / Suspension Amendment of restrictive conditions		
s15 (2)(g)	Permission in terms of zoning scheme		
s15 (2)(h)	Amendment of condition(s) of approval		
s15 (2)(i)	Extension of validity period of approval		
s15 (2)(k)	Amendment / cancelation of approved subdivision plan		

s15 (2)(p)	Occasional use		
s15 (2)(o)	Consent use		
±15 (2)(n)	Closure of a public place		
s15 (2)(m)	Determination of a zoning		
>15 (2)(1)	Permission in terms of condition of approval		

s15 (2)(q)	Disestablishment of HOA
s15 (2)(r)	Rectify failure by HOA
s15 (2)(s)	Permission required for the reconstruction of a building Other:
	Other:

OTHER

113	Technical Approval
Z\$B1	recrifical Apploval

SLUPB Exemption

Litle	Title Deed consent
Deed	/ permissions

Details of the Proposal:

The application site has a Mixed-Use zoning, allowing for flats from first floor upwards. The development proposal entails to develop a block of flats, with ground floor parking and 6×4 bedroom flats on first, second and third floors. Thus, 4 storeys in height.

Due to the shape of the site, the 4.5m building line restrictions allows for very limited development on the site, and if abided to, will force the building to be 6 storeys (as allowed for) to be financially viable. It is therefore proposed to relax the building lines on first – third floors to allow for the following:

 3m building line (for the building) and 1m building line (for the circulation staircase) on the northern boundary;

- 3m building line on the eastern boundary
- 2m building line (for the building) and 1m building line (for the balconies) on the western boundary.

To shield the ground floor parking from street view it is proposed to have landscaping along the southern and eastern boundaries. It is important to note that the building has existing development rights for 6 storey commercial buildings, which if acted on, could result at worst in a 6-storey building with 0m building lines on all or some of the street/common boundaries. It is considered that a 6 storey building will be out of character in Idasvallei and the majority of Stellenbosch (in general).

Though the proposed building will require building line departures it is considered that this will allow for a much more sensible building. Please refer to the attached drawings which shows the proposed building vs the building envelope which could be develop as a primary right (as indicated in red). It is also important to note that the majority of Bosmaskop Road is zoned for mixed-use and could be developed to the same extend as the proposed building. It should therefore not be seen as out of character of the area, but rather as one of the first building responding to the existing development rights, which could potentially be the catalyst for the other properties to follow, in line with the allowable zoning.

Due to the wide road reserves of the three roads boarding on the application site, it is not considered that the proposed building line departures would be detrimental on those sides. The 3m building line on the northern boundary, though 1.5m closer than the allowable 4.5m is still better than potentially having a 6 storey building build on the 0m building line. It is also proposed that the balconies of the flats on the northern boundary of the application site will be screened on the northern boundary to only allow for views toward the east and west, to limit overlooking towards the neighboring property.

2. RELEVANCE OF ANY PLANNING LEGISLATION/ POLICIES AND PLANS

RELEVANT PLANNING CONSIDERATIONS		
(a) Are any Municipal plans/policies/guidelines, or any restrictive title conditions, or other legislation / authorizations applicable to the application, and if yes, is the proposal consistent/ compliant with such?	Yes	No
Compatible with above		
(b) Does the proposal require the following additional infrastructure / services? e.g. electricity; water; sewerage; road network; other?	YES	NO x
No, proposed development is in an urban area and can tie in with existing services. It will less than that allowed for under the primary development rights.	in effe	. 33
(c) Does the development proposal include the provision of residential units, and if so, what is the target market re: range in income bracket/ selling price or rental for the	YES	NO
units?	x	
4 x bedroom flats, for middle income group		

on the provi			nd as it relates to prescripts evelopment proposal target	YES N
N/A				
PART C: COPIES OF	PLANS / DOCUMENTS TO	D BE SUBMITTED AS F	PART OF PRE-APPLICATION SCR	RUTINY
The following minim	num documentation mu	ust be attached to	this pre-application scrutiny fo	orm:
	roposal (e.g. copy of ex title deed or Conveyand		, indicating proposal on site p	lan, etc.)
application scruIf an incomplete	tiny. pre-application scrutin	ny form or the requir	ed necessary for the purpose ed minimum supporting docu accepted by the Municipality	ıments are
DECLARATION: I hereby confirm that the documentation is compared to the compar		d in this pre-applice	ation scrutiny form and accon	npanying
Applicant's signature: FOR OFFICE USE:	Mak	Date: 3 Nover	nber 2021	
TOR OTHER USE.			Municipal Stamp	
Received by:				
Date:				
DETERMINATION BY AUT	HORISED OFFICIAL			
Additional Information	Pre-Applico	ation Consultation	Application Ready	
Sign:			Date:	
APPLICANT INFORMED B	Y RESPONSIBLE OFFICIA	L.		
Sign:			Date:	

WinDeed Database D/O Property STELLENBOSCH, 3223, 0 (REMAINING EXTENT), CAPE TOWN

Lexis® WinDeed



Any personal information obtained from this search will only be used as per the Terms and Conditions agreed to and in accordance with applicable data protection laws including the Protection of Personal Information Act, 2013 (POPI), and shall not be used for marketing purposes.

SEARCH CRITERIA			
Search Date	2021/12/15 10:55	Erf Number	3223
Reference	-	Portion Number	-
Report Print Date	2021/12/15 10:56	Township Remaining Extent	NO
Township	STELLENBOSCH	Search Source	WinDeed Database
Deeds Office	Cape Town		

ERF	Diagram Deed Number	T8160/1928		
TELL ENDOCCLI		T8160/1928		
STELLENBOSCH	Local Authority	STELLENBOSCH MUN		
3223	Province	WESTERN CAPE		
(REMAINING EXTENT)	Remaining Extent	YES		
	Extent	1201.000SQM		
	LPI Code	C06700220000322300000		
	3223 D (REMAINING EXTENT)	D (REMAINING EXTENT) Remaining Extent Extent		

OWNER INFORMATION (1)		
VARKBLOM PTY LTD			Owner 1 of 1
Company Type	TRANSFER	Document	T58610/2021
Registration Number	202189430107	Microfilm / Scanned Date	-
Name	VARKBLOM PTY LTD	Purchase Price (R)	1 700 000
Multiple Owners	NO	Purchase Date	2021/09/29
Multiple Properties	NO	Registration Date	2021/11/25
Share (%)	-		

ENDORSEMENTS

No endorsements to display

DISCLAIMER

This report contains information provided to LNRM by content providers and LNRM cannot control the accuracy of the data nor the timely accessibility. LNRM will not be held liable for any claims based on reliance of the search information provided. This report is subject to the terms and conditions of LexisNexis Risk Management Agreement. LexisNexis Risk Management (Pty) Ltd is a registered credit bureau (NCRCB26).



# Document Institution 1 T65525/1996 ADAM ZAHIDA 2 B57947/1996 FIRST NAT BANK	Amount (R)	Microfilm / Scanned Date
2 B57947/1996 FIRST NAT BANK	200 000	1996 0698 2360
	210 000	1996 0698 2373
3 T3118/1963 WILLIAMS BASIL LLOYD	Unknown	1996 0698 2355
4 T62359/2011 SHOCK PROOF INV 143 PTY LTD	900 000	-
5 BC51798/2011 -	210 000	-
6 T16175/2013 AWAN FIAZ ANJUM		-

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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/

SUBMIT COMPLETED FORM TO landuse.applications@stellenbosch.gov.za

JODIVIII				_		plicalionses		0301	1.901.20		
(Section 15 of th			1000			PPLICATION F ning By-Law (20		othe	r relevant le	gislatic	on)
KINDLY NOTE: Plea	se complete t	his form	n usin	g BLOCK	(letter	s and ticking th	e appro	oriate	e boxes.		
PART A: APPLICANT	DETAILS										
First name(s)	Marike										
Surname	Bolz										
Company name (if applicable)	Arch Town F	Planner	s (Pty) Ltd							
	Bakkershuis,	152 Do	orpstr	aat,							
Postal Address Stellenbosch							Postal Code	760	00		
Email	Marike@arc	htown	olanr	ers.co.z	<u>a</u>						
Tel		Fax					Cell	072	480 5838		
PART B: REGISTERED	OWNER(S) DE	TAILS (If diffe	erent fro	т арр	olicant)					
Registered owner(s)	VARKBLOM P	TY LTD									
	Corner of So	nnebl	om a	nd Banh	oek str	eets, Idasvallei					
Physical address							Postal code	760	00		
E-mail	Earle.William	s@rmb	.co.za	a							
Tel		Fax					Cell	082	782 6625		
PART C: PROPERTY	DETAILS (in ac	cordan	ice w	ith title o	deed)						
Erf / Erven / Farm No.	Erf 3223	Portion of Far	on(s) m			Allotment area	Stellen	bosc	th		
	Corner of So	nneblo	m ar	nd Banho	oek stre	eets, Idasvallei					
Physical Address											
Current Zoning	Mixed Use Zo	ne	Exte	ent		1201m²	Are the		kisting	Y	И
Applicable			5 99293		100 %		50.05				
Zoning Scheme		Munic	ipalit	y Zoning	Scher	me By-Law (201	9)				
Current Land Use	Vancant								-		
Title Deed number and	T58610/202	1									

500 V 1000	hed eyance's icate	Υ		1	Any Restrictions ito the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate												
cond	or of a third		N	If Yes,	f Yes, list the party(ies):												
20000	e property mbered by nd?	Y	N	If Yes,	Yes, list the bondholder(s):												
Is the	ed by	Y	N	1	If Yes, kindly <u>attach a power of attorney</u> from the Manager Prop Management					perty							
Is the core?	ed within historical	Ÿ	N	Is the building older than 60 Y N National Heritage Resources Act, 1999 (Act 25 of 1999)1			If Yes, kind indicate v section ar triggered attached relevant p applicable	te which n are red and ned the ant permit if									
Any existing unauthorized buildings and/or land use on the subject property(ies)? N If yes, is this application to legalize the building / land use ² ?																	
9.093 0000	Are there any pending court case(s) / order(s) Y N Are there any land claim(s) registered on the subject Y property(ies)?																
PART	D: PRE-APPLIC	ATION	CON	SULTAT	ION								Total Control	I			
	nere been an cation consul		?		Y	И			ple tatio		attach the r	minutes	6 0	f	the pre-ap	plic	ation
	ne pre-applic been submitte		crutir	ny	Y	И	If y	es, p	oleas	se att	tach the writte	n feedl	oac	k r	eceived.		
PART	E: LAND USE P	LANNI	NG A	PPLICA	ION	S AI	ND A	APPL	CAT	ION	FEES PAYABLE			1			
APPLI	CATIONS IN T	ERMS (OF SE	CTION 1	5 OI	THE	STE	LLEN	IBOS	CH N	MUNICIPAL LAN	D USE F	LAI	NN	ING BY-LAV	V (20	15)
Tick	Type of appl	ication	n: Cos	st are ol	btair	abl	e fro	m th	ne Co	ounc	il Approved ta	riffs		Ť			
	15(2)(a) rezo													t			
X			11.		e fro	m tl	ne c	deve	lopn	nent	parameters of	the zor	ning	sc	cheme		
											lise land for a p	ourpose	e no	ot p	permitted in	terr	ns of
	the primary i										ns of section 24	1 inclu	dina	~ +k	ne registrati	on o	of a
	servitude or				G1 13	1101	CVE	inbi	eu II	i ieii	113 01 36011011 24	+, II ICIU	anıç	9 11	io registrati		u
					l tha	t is r	not e	exen	npte	d in t	erms of sectior	n 24					
	15(2)(f) a rer	noval,	suspe	ension c	or an	nen	dme	ent o	f res	trictiv	e conditions in	respe	ct o	f o	land unit		
X	15(2)(g) a pe	ermissi	on red	quired i	n ter	ms c	of th	e zo	ning	sche	eme						
						-					ions in respect	of an e	exist	inç	g approval		
	15(2)(i) an e													1			
											d in the zoning						21
					cello	atior	n of	an a	ippro	oved	subdivision pla	an or po	art t	ne	reot, includ	ing (a
	general plan or diagram 15(2)(1) a permission required in terms of a condition of approval																

¹ All applications triggered by section 38(1)(a) - (e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department
² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015)

	15(2)(m) a determination of	a zoning						
	15(2)(n) a closure of a publi	c place or part thereof						
	15(2)(o) a consent use cont	emplated in the zoning scheme						
	15(2)(p) an occasional use	of land						
	15(2)(q) to disestablish a ho	me owner's association						
	15(2)(r) to rectify a failure by	a home owner's association to meet its obligations in res	pect of the cont					
	over or maintenance of serv	vices						
		d for the reconstruction of an existing building that constit oyed or damaged to the extent that it is necessary to den						
	part of the building							
	15(2)(6) when the Municipa	lity on its own initiative intends to conduct land developm	ent or an activity					
	15(2)(I) amendment of Site I	Development Plan						
	15(2)(I) Compilation / Establ	ishment of a Home Owners Association Constitution / Desi	gn Guidelines					
OTHE	R APPLICATIONS							
	Deviation from Council Police	cies/By-laws	R					
	Consent / Permission require	·	R					
		of the Zoning Scheme Bylaw, 2019	R					
	Other (specify):		R					
		TOTAL A:	R					
DDEC	CDIDED NOTICE AND EEEC** (fo	or completion and use by official)						
KE3C		or completion and use by officially						
Tick	Notification of application in media	Type of application	Cost					
	SERVING OF NOTICES	Delivering by hand; registered post; electronic communication methods	R					
	PUBLICATION OF NOTICES	Local Newspaper(s); Provincial Gazette; site notice; Municipality's website	R					
	ADDITIONAL PUBLICATION	Site notice, public meeting, local radio station,	R					
	OF NOTICES	Municipality's website, letters of consent or objection						
	NOTICE OF DECISION	Provincial Gazette	R					
	INTEGRATED PROCEDURES	T.B.C	R					
		TOTAL B:	R					
		TOTAL APPLICATION FEES*	R					
		(TOTAL A + B)						
satisfie applic of pay ** The	ed that a complete and accur cant with payment instructions. A yment is received, the application of applicant is liable for the cost	st be submitted without the payment of any applicable applica ate application has been submitted, will a proforma invoice application fees that are paid to the Municipality are non-refund on will be regarded as duly submitted. To of publishing and serving notice of an application. Additional	be submitted to t able and once pro					
	cable and the applicant will be i	nformed accordingly.						
	ING DETAILS							
Accou Bank:		ch Municipality ONAL BANK (FNB)						
Branch		OTAL BAIR (1140)						
	ont no.: 628692536							
A CONTRACTOR OF THE PARTY OF TH		and ERF/FARM number and the Erf/Farm number indicated on the invoice as a reference	when makina EFT					
payme		ionibel did the Enfrant hombel maleared on the invoice as a reference	. when making Err					
DETAI	ILS FOR INVOICE							
		Botmaskop Property (Pty) Ltd						
Name	e & Surname/Company	Attention: EB Williams						
	e (details of party responsible	5 Worcester Road Parkwood						
for po	ayment)	JOHANNESBURG 2193						

X		CI .		T _E	1.5	T .	2
		Street		From	4.5m	То	3m
	D. ilalia - lia - a a a a a a a la acada	Street		From	4.5 m	То	1m
	Building line encroachment	Street		From	4.5m	То	lm
		Side	anto side	From	4.5 m	То	1 m
			gate side	From	m	То	m
	Fig. 2 and in a company college with	Rear		From	m %	То	m %
	Exceeding permissible site coverage			From	%		76
	Exceeding maximum permitted bulk / floor factor / no of habitable rooms			From		То	
	Exceeding height restriction			From	m	То	m
	Exceeding maximum storey height			From	m	То	m
	in terms of Section Other (please specify)						Regulatio
			iliaanon on two (arven.			
		-				+	_
	lescription of proposed develop	ment / i	ntent of applica	ition:			
eet	and common boundary buildir	_	- (4)		d ground floo	or parking.	Also to al
eet	and common boundary buildir	_	- (4)		d ground floo	or parking.	Also to all
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eet	and common boundary buildir	_	- (4)		d ground floo	or parking.	Also to all
RT	and common boundary buildir otor vehicle parking to be substi	tuted wi	th bicycle bays				
RT	and common boundary buildir otor vehicle parking to be substi	RTING II	NFORMATION A	ND DOCUME	NTATION FO	OR LAND U	SE PLANN

Y			er of attorney / Owner's consent if cant is not owner		N	Bond	Iholder's consent (if applicable)		
	ap	opli	ution or other proof that cant is authorised to act on If of a juristic person		N		f of any other relevant right held in and concerned		
Y			en motivation pertaining to the and desirability of the proposal		N		diagram / General plan extract (A4 3 only)		
Υ			ity plan (A4 or A3 only) to scale	Y		Site c	development plan or conceptual ut plan (A4 or A3 only) to scale		
			osed subdivision plan (A4 or A3 to scale			Proof	f of agreement or permission for ired servitude		
			of payment of application fees	Y		Proof of registered ownership (Full cop of the title deed)			
Y	Co	onv	eyancer's certificate	Υ		scruti	en feedback of pre-application iny and Minutes of pre-application ultation meeting (if applicable)		
			Consolidation plan (A4 or A3 only) to scale Street name and numbering plan (A4 or A3 only) to scale			N/A	Land use plan / Zoning plan (A4 or A3 only) to scale		
	N/	/A	Landscaping / Tree plan (A4 or A3 only) to scale			N/A	1:50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale		
	N/	/A	Abutting owner's consent			N/A	Home Owners' Association consent		
	N/	/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)			N/A	Services Report or indication of all municipal services / registered servitudes		
	N/	/A	Copy of original approval and conditions of approval			N/A	Proof of failure of Home owner's association		
	N/	/A	Proof of lawful use right			N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes		
	N/	/A	Required number of documentation copies			N/A	Other (specify)		
PART	H: AUTHO	RIS	ATION(S) SUBJECT TO OR BEING CON	SIDERED	IN TER	MS OF	OTHER LEGISLATION		
Υ	If r	requ	uired, has application for EIA / TIA / TIS / MHIA approval been	Spec	cific En Enviro	vironm	ental Management Act(s) (SEMA) al Conservation Act, 1989 (Act 73		
			e? If yes, attach documents / / proof of submission etc.	Y	N/A	1	onal Environmental Management: uality Act, 2004 (Act 39 of 2004)		

				Λ_{-}		
Υ	N/A	Subdivision of Agricultural Land C 1970 (Act 70 of 1970)	F	4	N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Υ	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)		Υ	N/A	National Water Act, 1998 (Act 36 of 1998)
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		Υ	N/A	Other (specify)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)				
Υ	N	Do you want to follow an integrated stellenbosch Municipality Land Use Plann				cedure in terms of section 44(1) of the es, please attach motivation.

SECTION I: DECLARATION

I hereby wish to confirm the following:

- 1. That the information contained in this application form and accompanying documentation is complete and correct.
- 2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
- 3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
- 4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
- 5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
- 6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
- 7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
- 8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
- Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
- 10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
- 11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.
- 12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
- 13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.

Person/profession	al person is registere	ed in the event that	it has reason	ody with whom a Compe to believe that informo I person is incorrect, fals	ation
Applicant's signature:	Make		Date:	December 2021	
Full name:	Marike Bolz for Arcl Ltd	h Town Planners (Pty)			
Professional capacity:	Registered Town Pl	anner			
FOR OFFICE USE ONLY					
Date received:			Men	scipalStar p	
Received By:					



CONVEYANCER CERTIFICATE

canvey	ancer's name and sumana;
Oracti	sing at:
racti	OLIVIER & ASSOCIATES ATTORNEYS, 5 ACORN ROAD, NEWLANDS, CAPE TOWN
	7700
tinin at	ei plans of emerces)
In res	spect of:
REMAIN	DER ERF 3223 STELLENBOSCH . IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH
PROVI	NCE OF THE WESTERN CAPE, IN EXTENT 1201(ONE THOUSAND TWO HUNDRED AND ONE) SQUARE METRES
HELD B	Y DEED OF TRANSFER NO T16175/2013
	murio descuptos (c. 1. "grand as it appeur in thic dan a gravine")
groa pa	Alexan services with a Countries with bearing many and the services of the ser
	by certify that a search was conducted in the Deeds Registry, regarding the said
Herei	by certify that a search was conducted in the Deeds Registry, regarding the said
	erty (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer):
prope	
prope	erty (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer): HELD BY DEED OF TRANSFER NO T16175/2013
prope 1 2	erty (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer): HELD BY DEED OF TRANSFER NO. T16175/2013
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prope 1 2 4 5 6	erty (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer): HELD BY DEED OF TRANSFER NO. T16175/2013
1 2 3 4 5 6 7	erty (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer): HELD BY DEED OF TRANSFER NO. T16175/2013



A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)

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





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

In respect of which it was fauld that time tarkfore no removine conditions with inference to Section (3(4) (a, b in 1) in 6 and Use Floriday By-low (2015) is givered against such property (ses) prohibiting it, from being utilisen (sevelated).

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

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 CAPE TOV	VN	(Place) on this	26th _{Day)} NOVEMBER (Month)
Full names and Surname	YOLANDI O	LIVIER	
Signature: 11	/ <u>`</u>		
OLIVIER & ASSOCIATES A 5 ACORN STREET NEWLANDS 7700 CAPE TOWN		7700	ORN ENTERT ATTORNEYS
Tel: 0216718296		Email:	OLIVIERASSOC@POLKA.CO.ZA

Cell: 0824992801

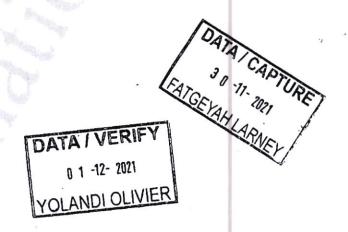
Email: OLIVIERASSOC@POLKA.CO.ZA

222

Miltons Matsemela Inc 221 Main Road Paarl 7646 Prepared by me

CONVEYANCER JOLENE LINDY JACOBS (49235)

Deeds Q	ffice Registration fees as p	er Act 47 of 1937			
	Office Fee				
Purchase Price	R 1700 000,00	R 1283,00			
Reason for exemption	Category Exemption	Exemption i t o. Sec/RegAct/Proc			



T000058610/2021

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

INGRID MARÉ (LPC NUMBER 97215)

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

FIAZ ANJUM AWAN Identity Number 790307 6257 08 6 Unmarried

which said Power of Attorney was signed at DURBANVILLE on 11 October 2021

And the appearer declared that his/her said principal had, on 29 September 2021, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

VARKBLOM PROPRIETARY LIMITED Registration Number 2021/894301/07

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

REMAINDER ERF 3223 STELLENBOSCH IN THE STELLENBOSCH MUNICIPALITY DIVISION OF STELLENBOSCH WESTERN CAPE PROVINCE

IN EXTENT 1201 (ONE THOUSAND TWO HUNDRED AND ONE) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T8160/1928 with Diagram No. A2599/28 relating thereto and held by Deed of Transfer Number T16175/2013

SUBJECT to the conditions referred to in Deed of Transfer No. T2644 dated 15 April 1916.





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

FIAZ ANJUM AWAN, Unmarried

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

VARKBLOM PROPRIETARY LIMITED Registration Number 2021/894301/07

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R1 700 000,00 (ONE MILLION SEVEN HUNDRED THOUSAND RAND).

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

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

2 5 NOV 2021

q.q.

In my presence

REGISTRAR OF DEEDS

do

s~ 😭

222

Miltons Matsemela Inc 221 Main Road Paarl 7646



Prepared by me

CONVEYANCER JOLENE LINDY JACOBS (49235)

POWER OF ATTORNEY TO PASS TRANSFER

I, the undersigned

FIAZ ANJUM AWAN Identity Number 790307 6257 08 6 Unmarried

do hereby nominate and appoint ANDREW JOHN MURRAY (81710) and/or DAVID ERIC LOTZ (82577) and/or WILHELMUS JACOBUS KNOETZE (81663) and/or FRANCOIS TREDOUX (79397) and/or TERESA GRAUSO (85387) and/or JENINE LOUISE BOSHOFF (88153) and/or VUKI MICHAEL NGUBENI (85397) and/or ELENE GROENEWALD and/or ANDREA ROBERTA VAN NELSON (93984) and/or JOLENE LINDY JACOBS (49235) and/or KRISTEN LAUREN SEARLE (94725) and/or ROBERT PAUL RUDOLF KRAUTKRäMER (85459) and/or TIFFANY PAMELA RADEMEYER (94170) and/or NADIA DE KOCK (86675) and/or IZAK STEPHANUS VENTER (84995) and/or PAUL WOLTER STELLING (82666) and/or KARIEN VISAGIE (95758) and/or SONJA BANTJES (96510) and/or ELBE YOUNG (98021) and/or CARMEN LOUISE DEN HAAN (95665) and/or CHENÉ LABUSCHAGNE (95899) and/or QUINTIN THOMAS COMBRINK (95836) and/or CORNELIUS ALEWYN BOTHA (94215) and/or ROBBYN DANAE FRANK (97770) and/or HERBIE OOSTHUIZEN (78397) and/or VERA VIVIEN REYNOLDS (96350) and/or YOLANDA-MINNIE (95870) and/or SHERYL LEE-ANNE SCHOEMAN (95238) and/or INGRID MARÉ (97215) and/or CHERYLEEN NAIDOO (97661)

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

VARKBLOM PROPRIETARY LIMITED Registration Number 2021/894301/07

Lexis® Convey 18.0.10.6

FA Oll

the property described as:

REMAINDER ERF 3223 STELLENBOSCH IN THE STELLENBOSCH MUNICIPALITY DIVISION OF STELLENBOSCH WESTERN CAPE PROVINCE

IN EXTENT 1201 (ONE THOUSAND TWO HUNDRED AND ONE) Square metres

HELD BY Deed of Transfer Number T16175/2013

ih

the said property having been sold by me on 29 September 2021, to the said transferee/s for the sum of R1 700 000,00 (One Million Seven Hundred Thousand Rand)

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

Signed at DURBANVILLE on 11 OCT 2021 in the presence of the undersigned witnesses.

AS WITNESSES:

.

2

FIAZ AN II WAYANI





Transfer Duty

Declaration

TDREP

(Reference, Details)

Transfer Duty Reference Number: TDE048467B

Details of Seller / Transfer	or raine onare com	Parity.		Albahan di .	
Surname / Registered Name AWAN			Full Name	FIAZ ANJUM	
ID Number 790307	6257086		Date of Birth (CCYYMMDD)	1979-03-07	
Passport Country ZAF			Passport Number		
Company / CC / Trust Reg No.			Marital Status	NOT MARRIED	
Marital Notes if applicable UNMAF	RRIED		Spouse Initials		
Details of Purchaser / Tran	sferee				
Full Name VARKB	LOM PROPRIETARY LIMITED		Surname / Registered Name	VARKBLOM PROPRIETARY LIMITED	
Company / CC / Trust Reg No. 202189	430107		Marital Notes If applicable		
Details of the Property					
Date of Transaction/Acquisition (CCYYM	MDD) 202	1-09-29	10000		
Total Fair Value	R	1700000.00	Total Consideration	R	1700000.00
Calculation of Duty and Pe	enalty / Interest				-
Transfer Duty Payable R	1700000.00			<u> </u>	
Property Description					
1 REMAINDER ERF 3223 STELLENS TWO HUNDRED AND ONE) Square		MUNICIPALITY DIV	ISION OF STELLENBOSCH WES	STERN CAPE PROVINCE IN EXTENT 120	01 (ONE THOUSAND
Receipt					
Receipt Details		250			
Transfer Duty Reference Number TO	E048467B		Receipt No.	1200886544	
	30750.00	4	1		

I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS effiting site, which will be retained by me for 5 years from the date of registration of transfer.

Date (CCYYMMDD)

27 DC 2021

For enquiries go to www.aars.gov.za or call 0800 00 SARS (7277)

Page 001/001



STELLENBOSCH

MUNISIPALITEIT . UMASIPALA . MUNICIPALIT

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

ISSUED BY STELLENBOSCH LOCAL MUNICIPALITY

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

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

21 Digit Code (or Municipal Reference Number):

C06700220000322300000

Erven:

Portion:

Remainder of 0

Extension:

STELLENBOSCH

Zoning:

Registration division / Administrative District:

in the Municipality and division of Stellenbosch, Western

Cape Province

Suburb:

Town:

Sectional Title unit number:

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

Real right:

Scheme registration number:

Sectional Title Scheme Name:

Registered owner:

FIAZ ANJUM AWAN

(7903076257086)

Name and Identity/ Registration Number of all purchaser/s: VARKBLOM PROPRIETARY LIMITED (2021/894301/07)

This Certificate is valid until:

10/01/2022

Given under my hand at

STELLENBOSCH

on 11/11/2021

Digitally signed by Stellenbosch Municipality

Signee: Keron Shane Rhode

Sign date: 12/11/2021 02:41:32.920 PM Expiration date: 29/07/2026 11:56:38 AM

MUNICIPAL MANAGER

Stellenbosch Local Municipality

Date issued: 11/11/2021

Authorised Officer: Keron Rhode

1emma

Certificate By Conveyancer: DAVID ERIC LOTZ (full name and surname) hereby certify that this is a printout of a data message in respect of the original clearance certificate electronically issued by the Stellenbosch Local Municipality.

2021-11-12.

Conveyancer

21 Digit Code (or Municipal Reference Number): C06700220000322300000

Certificate number: 12017479

Page 1 of 1



MUNISIPALITEIT . UMASIPALA . MUNICIPALITY

Our Ref:

3223

Contact number:

(021) 808 8683

Contact Person:

P April

Date:

29 September 2021

ZONING CERTIFICATE - ERF 3223, STELLENBOSCH

It is hereby certified that the zoning of Erf 3223, in terms of the Stellenbosch Municipality Zoning Scheme By-Law, November 2019 is:

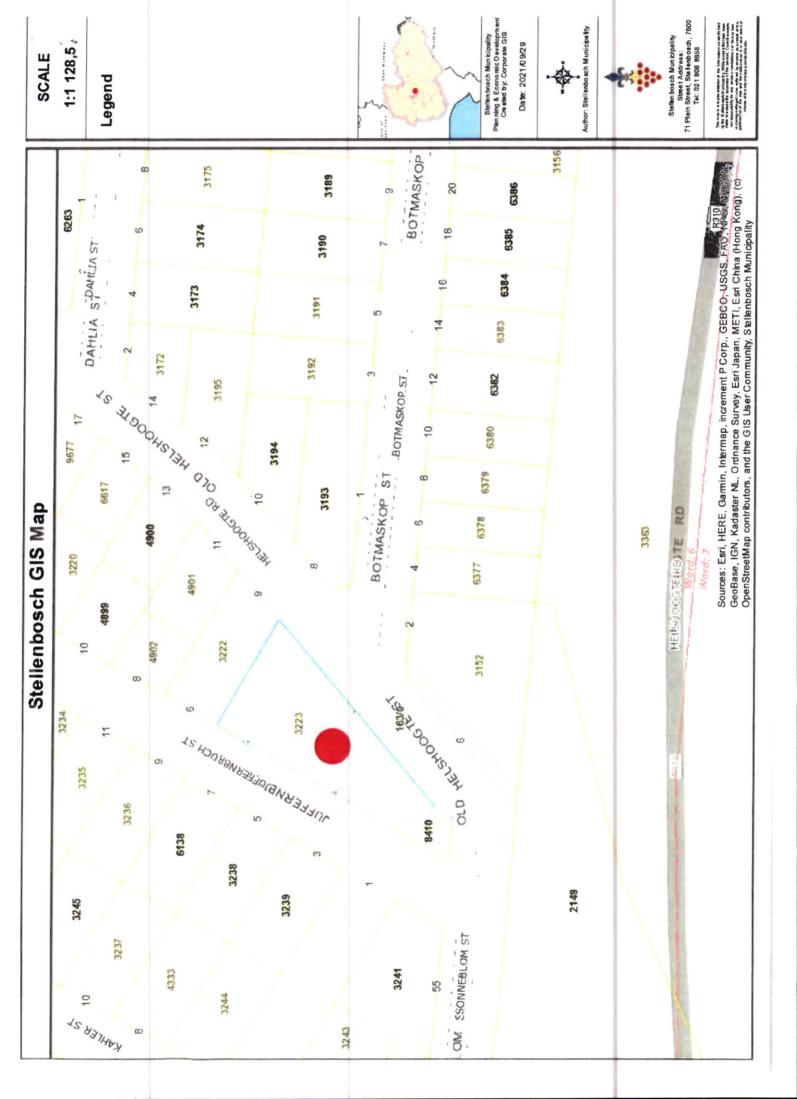
MIXED-USE ZONE

PRIMARY USES	ADDITIONAL USES (Not exceeding threshold in	CONSENT USES
	this chapter and subject to technical approval)	(Application required).
Commune Business premises (including shops, markets, restaurants, office) Clinic Community residential building Extramural facility Flats Guest house Hostel Hotel Occasional use (one event/year) Plant nursery Public institution Public parking area Private road Tourist dwelling unit Tourist accommodation establishment Welfare institution	• None	 Adult Entertainment Builders yard Commercial gymnasium Conference facility Day care Filling station Freestanding base telecommunication station Funeral parlour Gambling place Helicopter landing pad Hospital Indoor sport Liquor Store Motor vehicle fitment centre Motor showroom Occasional use (> one event/year) Parking garage Place of education Place of entertainment Renewable energy structure Rooftop base telecommunication station Tertiary educational institution Warehouse

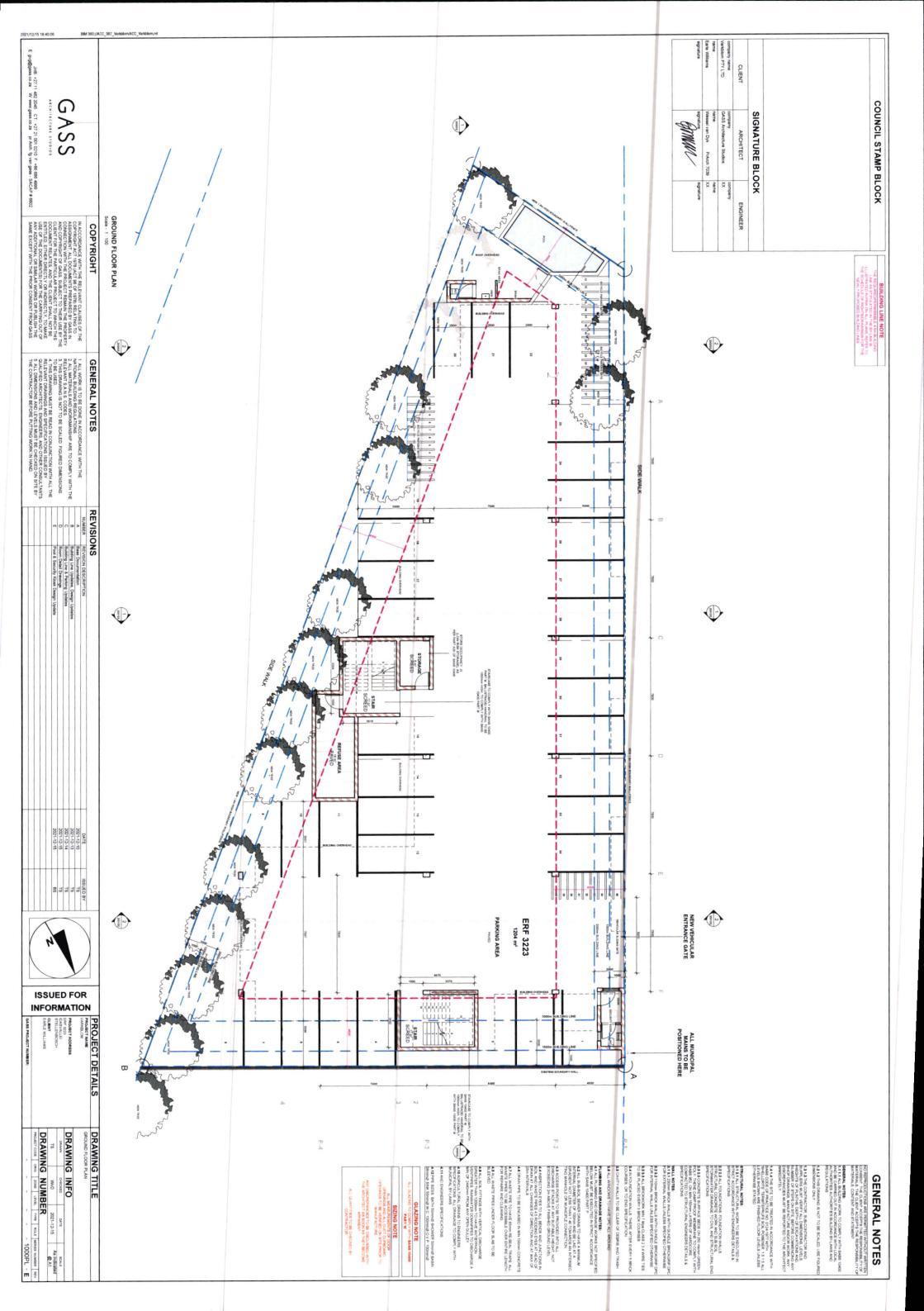
Director: Planning and Economic Development

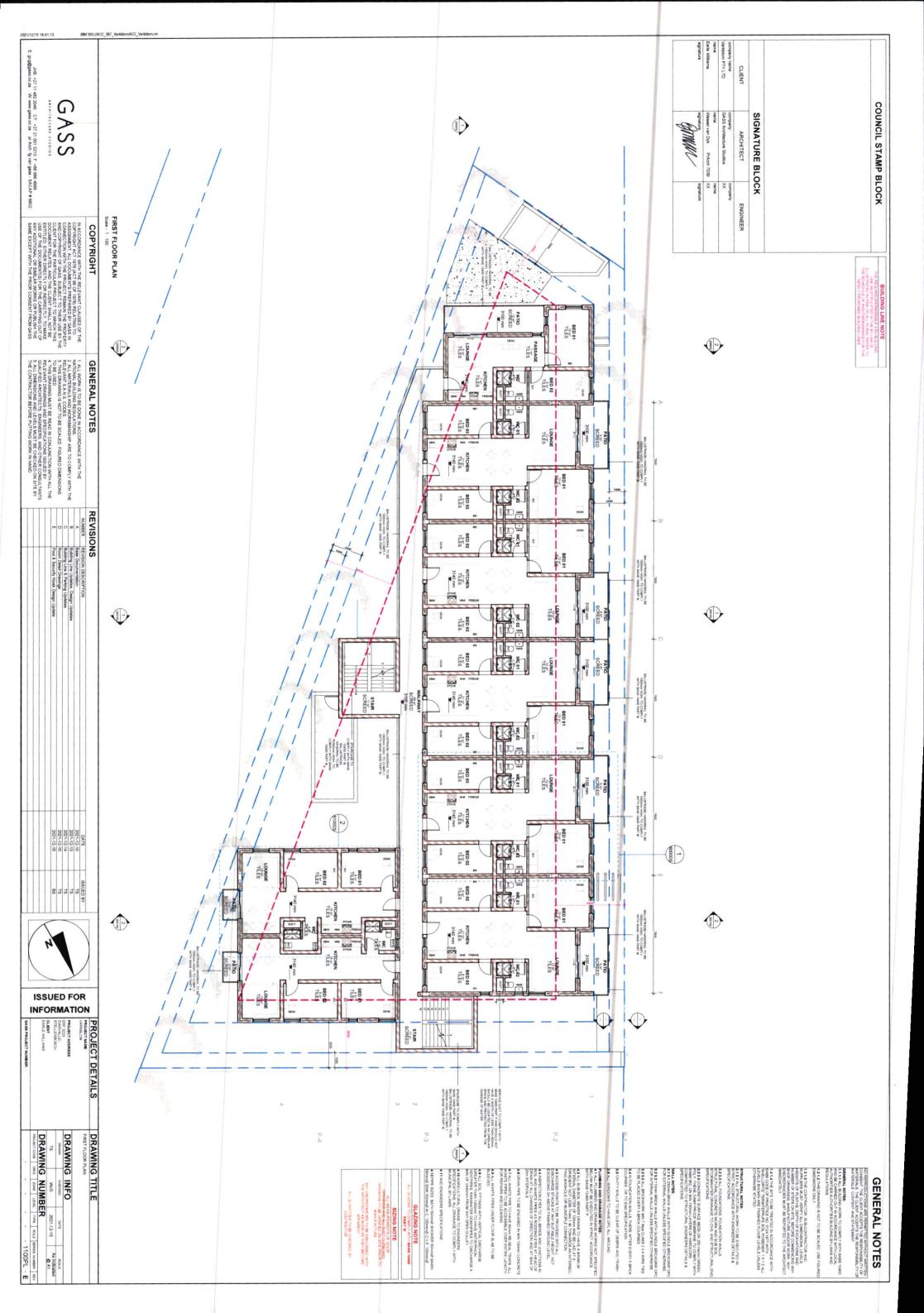
Please Note:

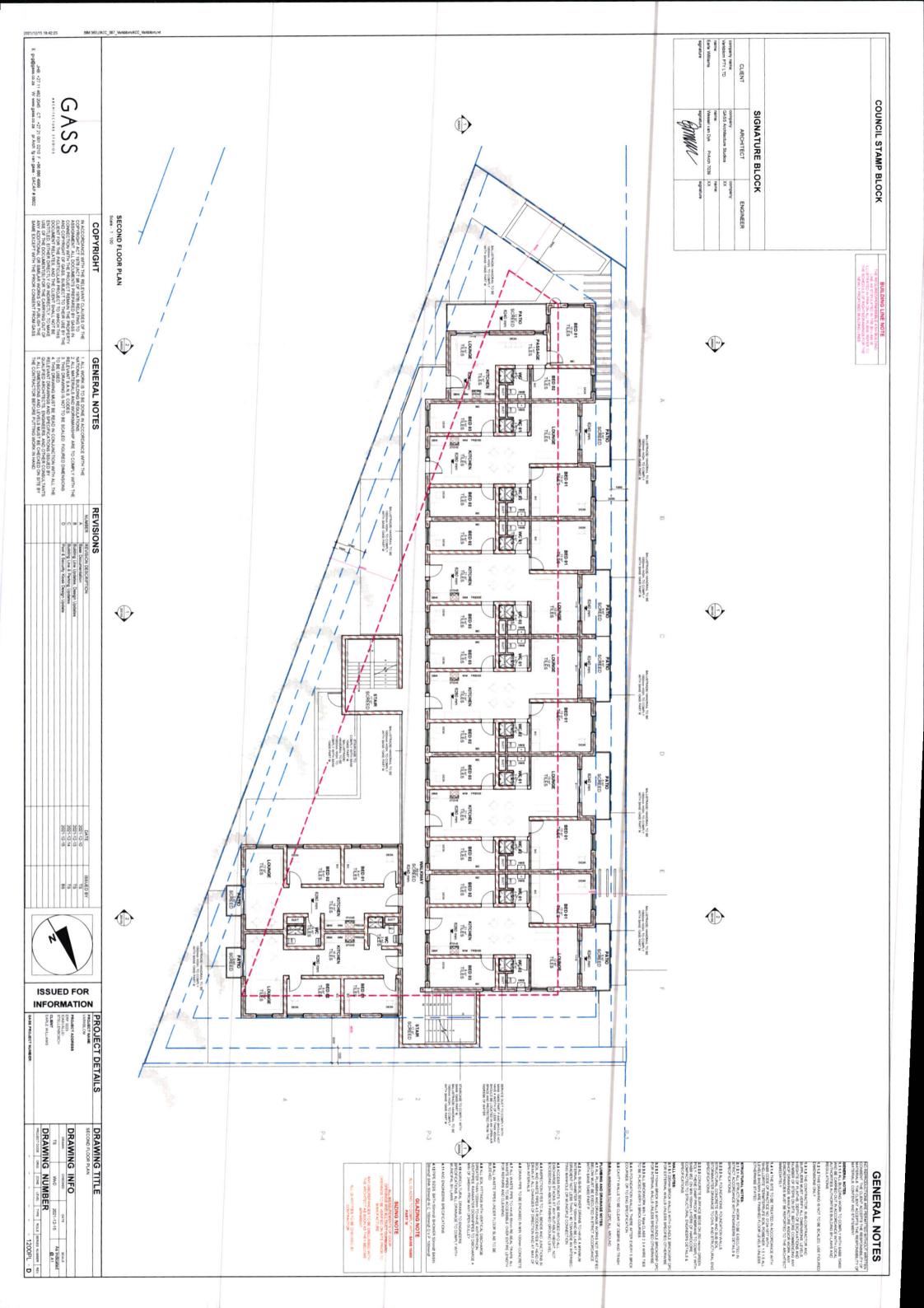
Where discrepancies exist between the zoning information contained in this certificate and any Council decision, Council's decision override the contents of this zoning certificate.

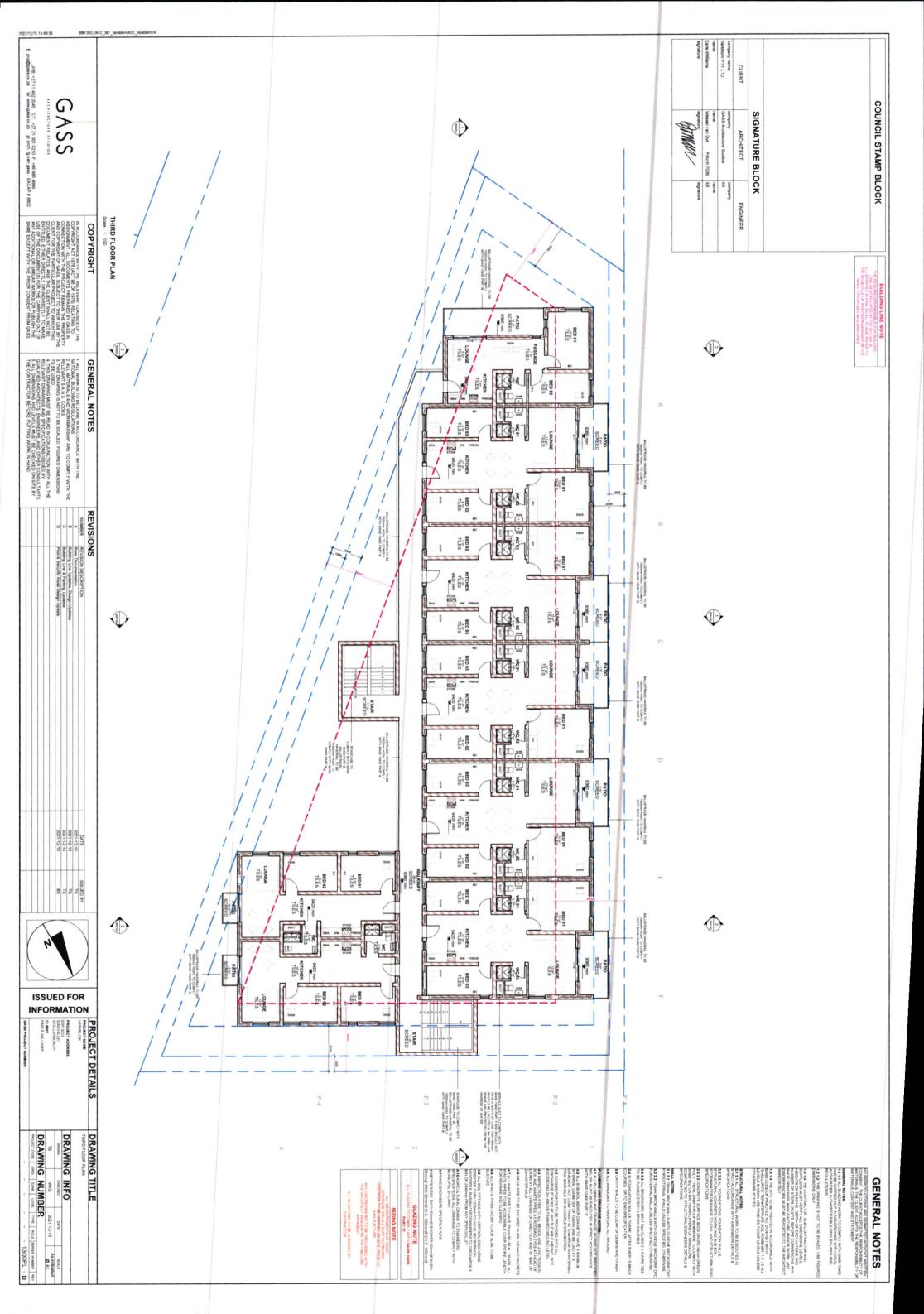


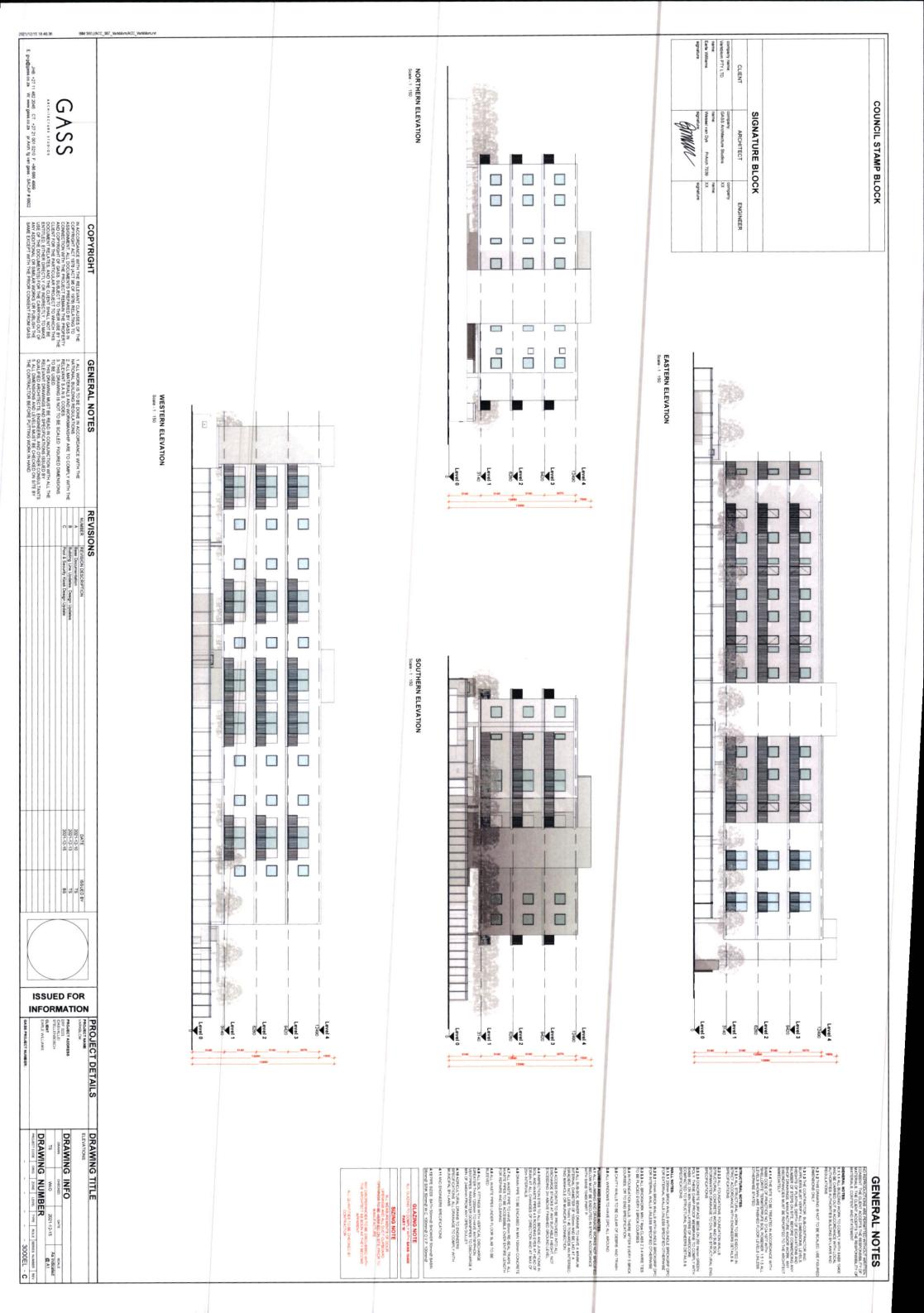


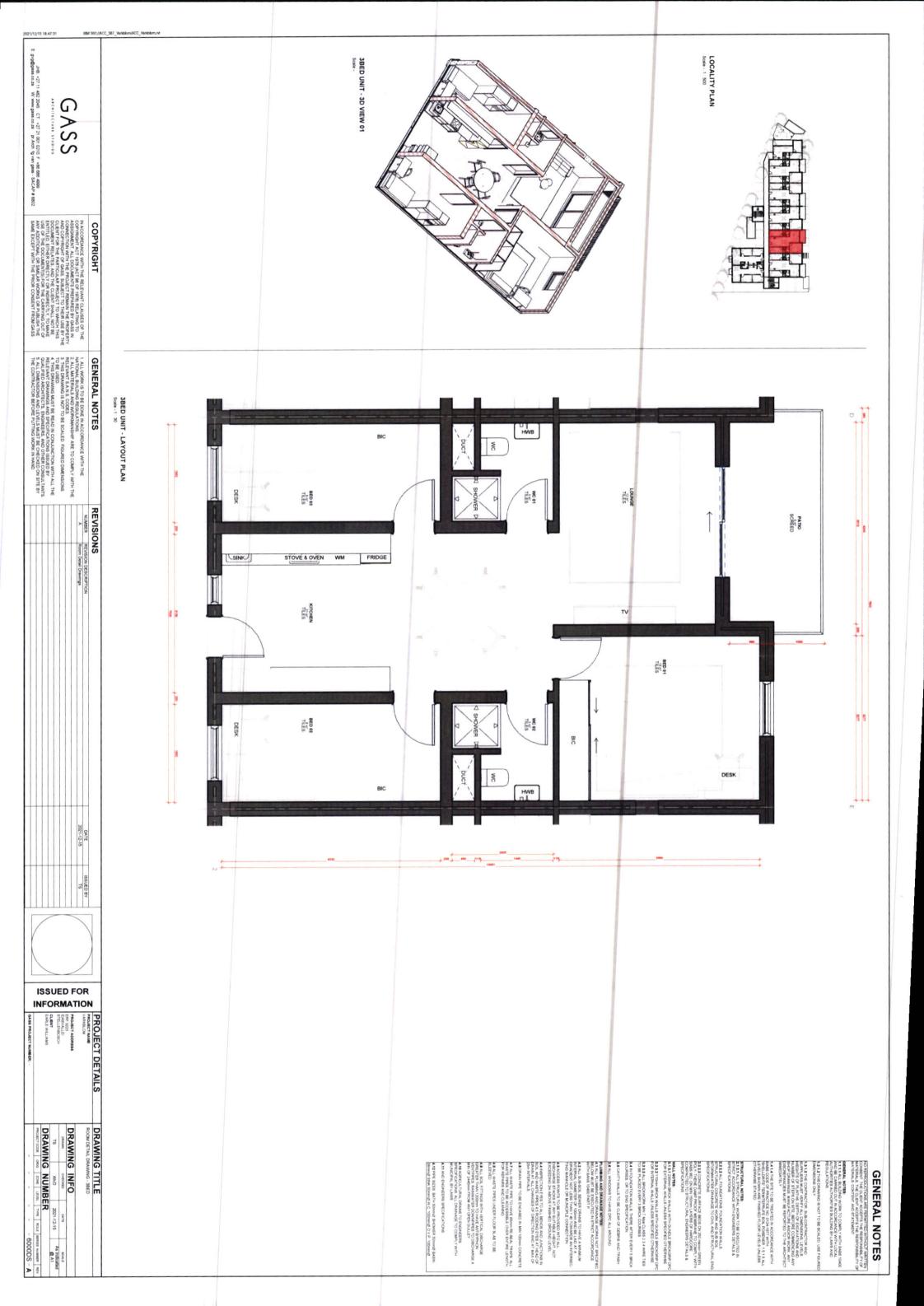




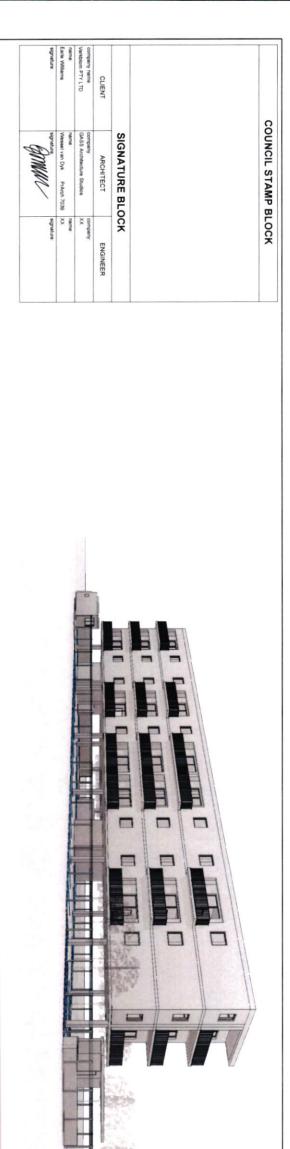


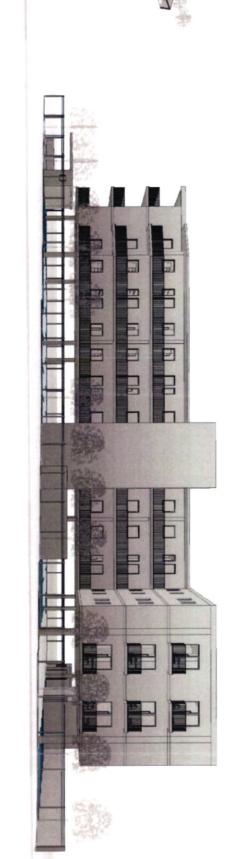


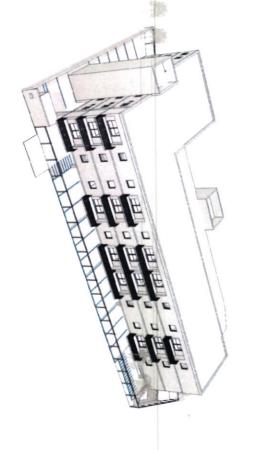




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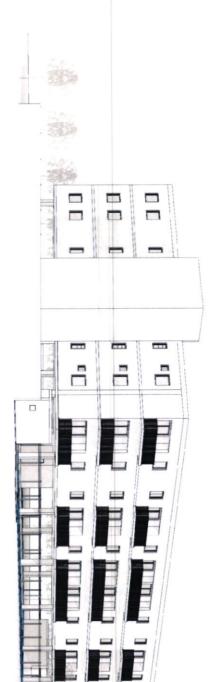






3D View 2 Scale ·

3D View 4 Scale





3D View 5

JHB: +27 11 482 2045 CT +27 21 001 0210 F: +86 686 4669 WG@gass.co.za W www.gass.co.za pr.Arch: fg van gass - SACAP # 6802

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GENERAL NOTES 1. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE MATTOWAL BUILDING REGULATIONS.
2. ALL MATERIALS, AND WORKMANSHIP ARE TO COMPLY WITH THE RELEVANT S.A. N.S. CODES.
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INFORMATION

DRAWING NUMBER

2021-12-15 As indicated @ A1

ROLE BENES NUMBER REV

DRAWING INFO

PROJECT DETAILS
PROJECT NAME
VARIABLES

DRAWING TITLE
30 VIEWS & PERSPECTIVES

GENERAL NOTES

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Traffic Impact Statement

for the

PROPOSED RESIDENTIAL DEVELOPMENT ON ERF 3223 STELLENBOSCH, WESTERN CAPE

Project No: STUR0351

February 2022 Draft Report

PREPARED BY:

STURGEON CONSULTING (PTY) LTD 7 Waterberg Crescent Clara Anna Fontein Durbanville 7550

CONTACT PERSON:

Annebet Krige Tel no: +27 (84) 610 0233

PREPARED FOR:

ARCH TOWN PLANNERS (PTY) LTD 152 Dorp Street Stellenbosch 7600

CONTACT PERSON:

Mr Earle Williams Tel no: +27 (82) 782 6625

sturgeonsa.wix.com/sturgeon-consulting

STURCEON Consulting (PTY) LTD (Reg No. 2015/059313/07)
Directors A Krige (Pr Eng) & AC Krige | Associate SJ Larratt (Pr Tech Eng)
7 Waterberg Crescent, Clara Anna Fontein, Durbanville. 7550

DOCUMENT CONTROL SHEET

DATE	REPORT	AUTHORE) RY:	APPROVED BY:			
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	STATUS						
		NAME		NAME			
		Lize Neethl	ing	Annebet Krige Pr Eng			
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February 2022	comment	SIGNATURE		SIGNATURE			
		-kij		Atrige			
		NAME		NAME			
	Final	SIGNATURE		SIGNATURE			
TITLE:		1					
PROPOSED RESIDE	NTIAL DEVEL	OPMENT ON	ERF 3223, STELL	ENBOSCH: TRAFFIC IMPACT			
STATEMENT							
CARRIED OUT BY:			COMMISSIONED BY:				
Sturgeon Consultin	g		Arch Town Plan	ners (Pty) Ltd			
7 Waterberg Cresce	ent		152 Dorp Stree	t			
Clara Anna Fontein			Stellenbosch				
5 1 .11							

Durbanville

7550

Mrs Annebet Krige

Tel: +27 84 610 0233

Email: annebet@sturgeonsa.co.za

7600

Mr Earle Williams

Tel: +21 82 782 6625

Email: <u>earle.williams@rmb.co.za</u>

SYNOPSIS:

This report assesses the key transportation issues pertaining to the development of 24 apartments on Erf 3223 in Stellenbosch, Western Cape.

SUMMARY SHEET

Report Type Traffic Impact Statement

Title Proposed Residential Development, Erf 3223

Location Stellenbosch, Western Cape

Client Mr Earle Williams

Reference Number STUR0351

Project Team Sarah Larratt

Lize Neethling

Annebet Krige

Contact Details 083 418 4241 | sarah@sturgeonsa.co.za

079 399 6333 | lize@sturgeonsa.co.za

084 610 0233 | annebet@sturgeonsa.co.za

Date February 2022

Report Status Draft

This transport impact assessment has been prepared by a suitable qualified and registered professional traffic engineer. Details of any of the calculations on which the results of this report are based will be made available on request.

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Figure 2: Site Development Plan (NTS)

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Table 1: Proposed Trip Generation Rates and Estimated Peak Hour Trips

Acronyms

AMG - Access Management Guidelines

RAG-Road Access Guidelines

TIA - Traffic Impact Assessment

TIS - Traffic Impact Statement

SDP - Site Development Plan

LOS - Level of Service

IPTN - Integrated Public Transport Network

WCG - Western Cape Government

NMT - Non-Motorised Transport

PHF - Peak Hour Factor

AM - Morning

PM - Afternoon

d - Average delay in seconds

v/c - Volume/capacity ratio

vph - vehicles per hour

vpd - vehicles per day



Traffic Impact Statement (TIS)

Proposed Residential Development on Erf 3223, Stellenbosch, Western Cape

1. Purpose of Report

Sturgeon Consulting (Pty) Ltd has been appointed by Arch Town Planners (Pty) Ltd to undertake the Traffic Impact Statement (TIS) for the proposed residential development comprising of 24 apartments on Erf 3223, Stellenbosch, Western Cape. The purpose of the report is to determine the expected transport related impacts of the proposed development on the surrounding road network.

2. Locality

Reference: Figure 1

Erf 3223, Stellenbosch, Western Cape

Description: The subject property is located in Idasvallei, Stellenbosch, north of Helshoogte Road (MR172) and east of Rustenburg Road (DR1078). Erf 3223 borders Juffernbruch Street to the west and Old Helshoogte Road to the east.





The scope of the work included in the TIS covers the following traffic 3. Scope of Work engineering aspects: Site observations Existing traffic flows in the vicinity of the development Existing and future road network planning Trip generation for the proposed development Recommended road upgrades if necessary Non-motorised Transport (NMT) and public transport Access assessment Parking assessment Erf 3223 is approximately ±1 204m² in extent and is currently vacant. 4. Proposed Development The proposed residential development will accommodate 24 apartments. Reference: Figure 2



5. Land Use/Zoning Existing Zoning: Mixed Use Zone
The zoning for Erf 3223 will remain as Mixed Use Zone.



6. Existing Access

There is currently no formal access to Erf 3223.

7. Existing Roadways

The major roads in the vicinity of the site are as follows:

Helshoogte Road (MR172): is a Class 3 minor arterial, four-lane undivided road (±19.80m width). Helshoogte Road has paved sidewalks and streetlights present on both sides of the road. There is a posted speed limit of 60km/h in the vicinity of the site.

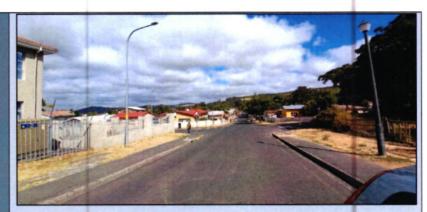


Rustenburg Road (DR1078): is a Class 4 collector street, undivided two-lane road (±7.2m width). Rustenburg Road has paved sidewalks and streetlights present on both sides of the road.



<u>Protea Street:</u> is a Class 5 local access street, undivided two-lane road (±6.60m width). Protea Street has paved sidewalks on both sides of the road while streetlights are present on the southern side of the road.





<u>Sonneblom Street:</u> is a Class 5 local access street, undivided two-lane road (±8.4m width). Sonneblom Street has paved sidewalks and streetlights on both sides of the road.



<u>Juffernbruch Street:</u> is a Class 5 local access street, undivided twolane road (±6.60m width). Juffernbruch Street is a cul-de-sac with a paved sidewalk on the western side of the road.





8. Future Road Network	No major future road network changes are foreseen in the vicinity of the proposed development.
9. Trip Generation Rates Reference: Table 1	The additional vehicle trips that will be generated by the proposed residential development were calculated using the trip generation rates provided in the <i>TMH17 South African Trip Data Manual (Draft 2.1, August 2020)</i> published by the Committee of Transport Officials (COTO).
	The recommended peak hour trip generation rates and directional split for Apartments and Flats (COTO220) are shown below:
	 AM Peak Hour: 0.65 trips/dwelling unit (25:75) PM Peak Hour: 0.65 trips/dwelling unit (70:30)
10.Development Trips	The total peak hour trips likely to be generated by the proposed development in the AM and PM peak hours are as follows:
Reference: Table 1	 16 total AM trips (4 inbound, 12 outbound) 16 total PM trips (11 inbound, 5 outbound)
	Refer to Table 1 for a summary of the Trip Generation calculations.
11.Traffic Impact	The number of trips that will be generated by the proposed development is minimal (< 50 peak hour trips) and will have an insignificant traffic impact. No further analysis will be required.
12.Site Access	The proposed development will only have one access along Juffernbruch Street, approximately ±185m south of the Juffernbruch Street / Protea Street intersection. The proposed access will require a two-lane cross section i.e. one lane in and one lane out.

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13.Parking Requirements

Parking provision for the proposed development should satisfy the requirements as suggested in the *Stellenbosch Municipality Zoning Scheme By-Law, 2019*. For Flats the number of parking bays and visitor parking bays required are determined by the number of bedrooms per unit.

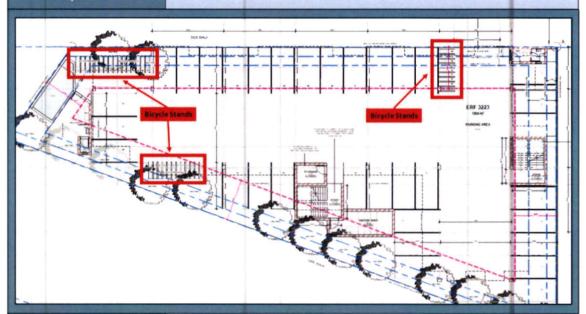
L	and Use	Parking Ratio	Parking Required
	2 Bedroom	1 bay / dwelling unit	9 parking bays
	Unit	0.5 bays / dwelling unit for visitors	4 parking bays
Flats	3 Bedroom	1.25 bays / dwelling unit	19 parking bays
	Unit	0.5 bays / dwelling unit for visitors	8 parking bays

A total of 40 parking bays are required for the proposed residential development. The current SDP indicates that 34 vehicle parking bays and 36 bicycle stands, equating 6 parking bays, will be provided on Erf 3223. A total of 40 parking bays will therefore be provided on site.

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14. Non-Motorised Transport (NMT) and Public Transport It is expected that the proposed development wll generate additional non-motorised and pedestrian trips. As mentioned in **Section 13**, a total of 36 bicycle stands will be provided within the development, as illustraded in the figure below.



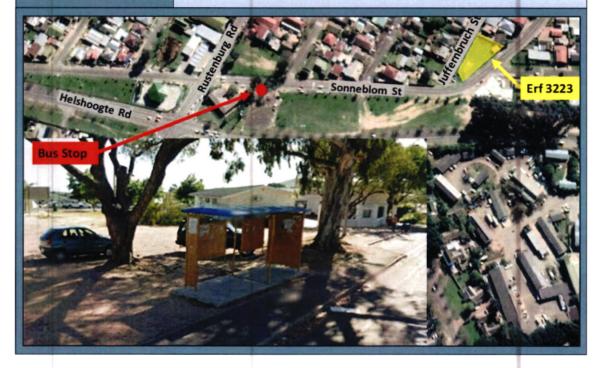
Sidewalks are present along Juffernbruch Street, Protea Street, Old Helshoogte Road, Sonneblom Street, Helshoogte Road and Rustenburg Road. All pedestrian crossings in the vicinity of the site are illustrated in red on the figure below.

It is recommended that a sidewalk be construced on the eastern side of Juffernbruch Street from the proposed access southbound, linking with the sidewalk along Sonneblom Street. No further non-motorised transport facilities are proposed in the vicinity of the site.





A bus stop is located along Sonneblom Street approximately ±260m west of the proposed development. No additional public transport facilities are proposed in the vicinity of the site.





15.Conclusions and Recommendations This report describes the investigation of transport implications of the proposed residential development on Erf 3223, Stellenbosch. It summarises the existing transportation conditions within the site vicinity, provides an assessment of the transportation impacts of the proposed development on the surrounding road network and recommendations about improvements to mitigate negative impacts, if relevant.

The main findings are as follows:

- This TIS is in support of the application for the proposed residential development on Erf 3223 in Stellenbosch.
- The proposed development will consist of 24 apartments.
- The development has the potential to generate 16 trips during the AM peak hour (4 in, 12 out) and 16 trips during the PM peak hour (11 in, 5 out).
- The number of trips that will be generated by the proposed development is minimal (<50 peak hour trips) and will have an insignificant traffic impact.
- No upgrades will be required at the Helshoogte Road / Rustenburg Road intersection.
- The proposed access to the development will be off Juffernbruch Street approximately ±180m south of the Juffernbruch Street / Protea Street intersection.
- The site access will require a two-lane cross section i.e. one lane in and one lane out.
- The access intersection will be stop-controlled on the development side.
- Parking should be provided in accordance with the Stellenbosch Municipality Zoning Scheme By-Law, 2019.
- Sufficient parking is provided according to the SDP.
- It is proposed that a sidewalk be constructed along the eastern side of Juffernbruch Street from the proposed access southbound towards Sonneblom Street.
- · No public transport improvements are required.

This report has shown that the proposed development will have an insignificant traffic impact and can be accommodated by the adjacent transport network. From a traffic engineering perspective, the approval of the application for this development is supported and it is recommended that the development be approved.



REFERENCES

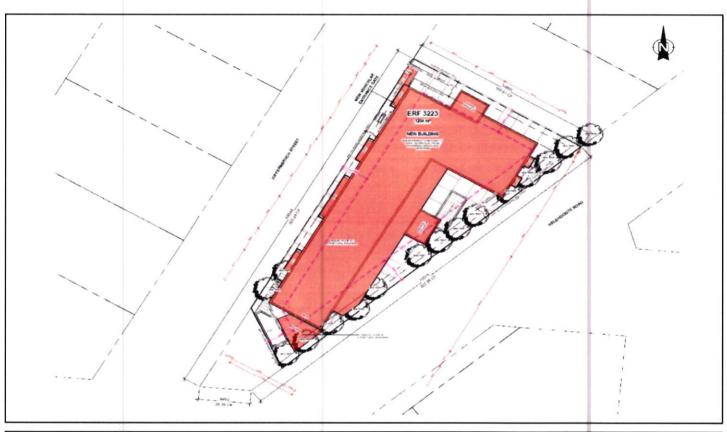
- 1. Western Cape Government: Access Management Guidelines, Final AMG, 2020.
- Department of Transport, Guidelines for Traffic Impact Studies, Report No. PR93/645, Pretoria, 1995.
- Department of Transport, South African Trip Generation Rates, Report No. RR92/228, Pretoria, 1995.
- Committee of Transport Officials (COTO), South African Trip Data Manual, TMH 17, Committee Draft 2.2, August 2020.
- Committee of Transport Officials (COTO), South African Traffic Impact and Site Traffic Assessment Manual Standards and Requirements Manual, Volume 2 TMH 16, Committee Draft 2.0, October 2020.
- 6. Committee of Transport Officials (COTO), South African Traffic Impact and Site Traffic Assessment Manual, Volume 1 TMH 16, Committee Draft 2.0, May 2018.
- 7. Stellenbosch Municipality, Stellenbosch Municipality Zoning Scheme By-Law 2019, September 2019.



APPENDIX A: FIGURES



STURGEON	Project: PROPOSED STUDENT HOUSING DEVELOPMENT ON ERF 3223, STELLENBOSCH, WESTERN CAPE TIS	Job No: STUR0351
CONSULTING	LOCALITY PLAN	Figure:



STURGEON	Project: PROPOSED STUDENT HOUSING DEVELOPMENT ON ERF 3223, STELLENBOSCH, WESTERN CAPE TIS	
CONSULTING	SITE DEVELOPMENT PLAN (N.T.S)	Figure:



CONSULTING	Erf 3223, S tellenbosch
APPENDIX B: TABLES	

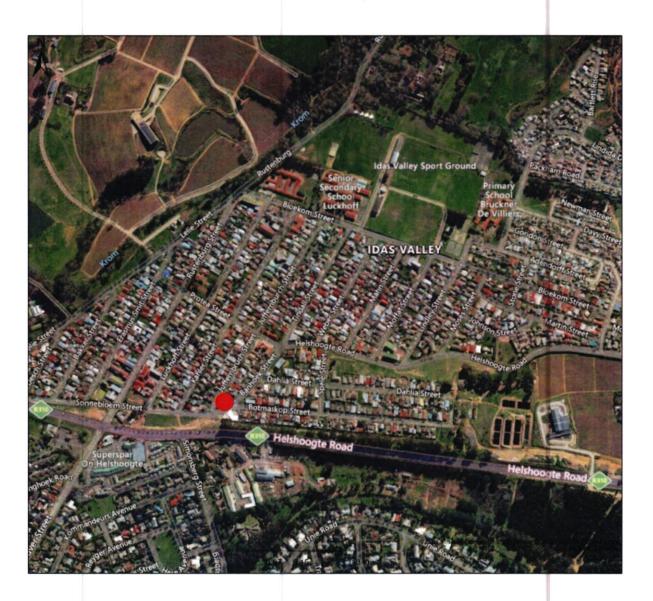


Table 1: Proposed Trip Generation Rates and Estimated Peak Hour Trips

	GLA/		Trip	S	plit	Tota	l Trips	
Land Use	Number of Units	Peak Hour	Generation Rate	IN	OUT	IN	OUT	Total Trips
220	24	АМ	0.65	25	75	4	12	16
Apartments and Flats	24	РМ	0.65	70	30	11	5	16

BUILDING LINE DEPARTURE

ERF 3223 IDAS VALLEY, STELLBOSCH



December 2021

SUBMITTED TO: STELLENBOSCH MUNICIPALITY

PREPARED AND SUBMITTED BY:



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ANNEXURE C: TITLE DEED AND CONVEYANCER CERTIFICATE

ANNEXURE D: ZONING CERTIFICATE

ANNEXURE E: PROPOSED FLOOR PLANS AND ELEVATIONS

ANNEXURE F: PRE-APPLICATION SUBMISSION



1. Introduction

1.1 Background information

The owner of Erf 3223 Stellenbosch, recently bought the property with the intention to develop a block of flats, in line with the existing Mixed-Use zoning. Due to the awkward shape of the erf, the proposed building can only be accommodated through various building line departures. This report serves as the motivation report for the proposed building line departures.

1.2 Planning Brief

In light of the above information, Arch Town Planners (Pty) LTD has been appointed by Varkblom (Pty) Ltd to prepare and submit a building line and parking departure application to the Stellenbosch Municipality for their approval. Please refer to Annexures A and B for the Application Form and Power of Attorneys.

1.3 Application to Stellenbosch Municipality

Arch Town Planners herby officially applies for the following, in terms Sections 15(2)(b) and (g) of the Stellenbosch Municipality Land Use By-Law (2015), to allow for the following:

- i) A Permanent Departure to allow for the following building lines:
 - Street building line (Banhoek street): Ground floor: 1m and 2m, Floors 1 3: 1m (balconies) and 2m (building) in lieu of 4.5m
 - Street building line (Sonnebloem street): Floors 1 3: 3m in lieu of 4.5m
 - Street building line (Juffernbrunch street): Floors 1 3: 1m (balconies) and 2m (building) in lieu of 4.5m
 - Common boundary building line: All floors: 1m in lieu of 4.5m (staircase) and Floors 1 3: 3m in lieu of
 4.5m
- ii) Permission to substitute 6 vehicle parking bays with 36 bicycle bays

2. Property details

2.1 Summary of Property Information

Application Site	Erven 3223 Stellenbosch
Physical Address	Corner of Sonnebloem and Banhoek streets, Idas Valley
Property Size	1201m²
Current Ownership	Varkblom (Pty) Ltd
Title Deed No & Date	T58610/2021 (Please refer to Annexure C of a copy of the Title Deed.
Restrictive Title Deed Conditions	None (please refer to Annexure C for Conveyancer Certificate)



Current Zoning	Mixed -Use in terms of Stellenbosch Zoning Scheme By-Law			
	(2019) (please refer to Annexure D for copy of Zoning Certificate)			
Locality	Please refer Figures 1 & 2 below			

Table 1: Property Details

2.2 Locality of Application Site

Erf 3223 lies on the corner of Sonnebloem and Banhoek streets, in Idas Valley, north of the Helshoogte road running between Stellenbosch and Pniel. Banhoek street is the old Helshoogte road, with a surrounding mix of single and higher residential and limited commercial uses. The site is within walking distance from Spar and 1.5km from Stellenbosch University main campus. Please refer to Figures 1 and 2 below for the locality and context of the erven.

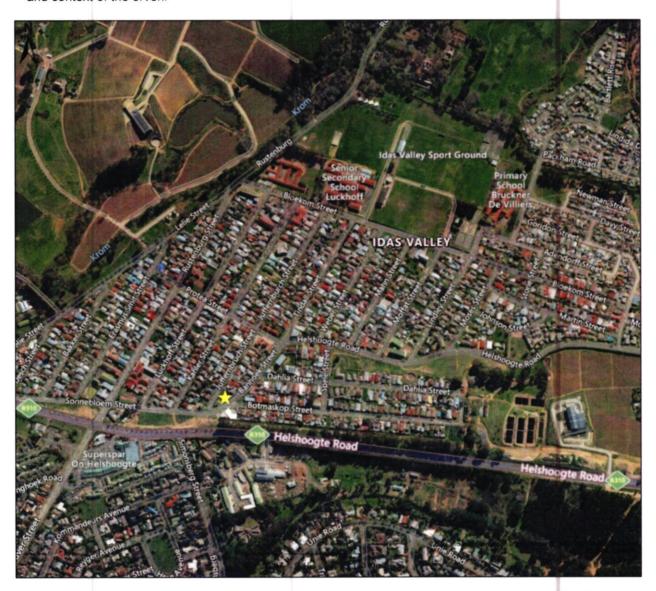


Figure 1 Locality Map of Application Site



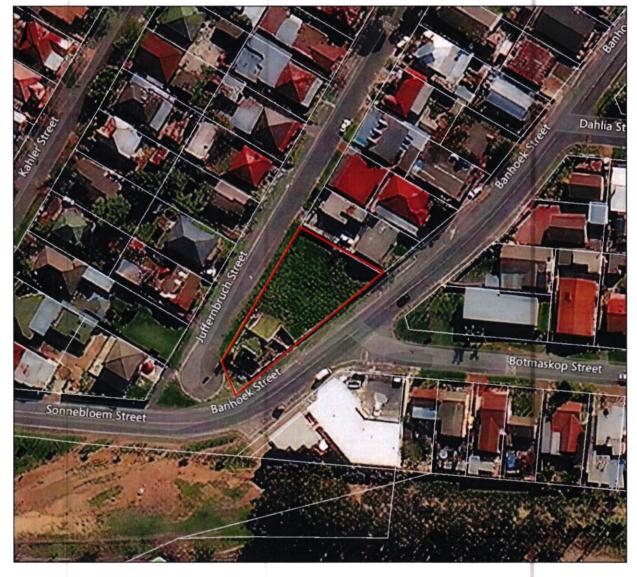


Figure 2 Locality of Erf 3223 Stellenbosch

2.3 **Existing and Surrounding Land Uses**

The building on Erf 3223 has been demolished, the site is currently vacant with a low perimeter wall around the property. There are no previous approvals applicable to this site. The majority of the surrounding buildings are single residential buildings with a few blocks of flats and small cafes further along Banhoek street.





Figure 3 Application Site (viewed from Banhoek Street)

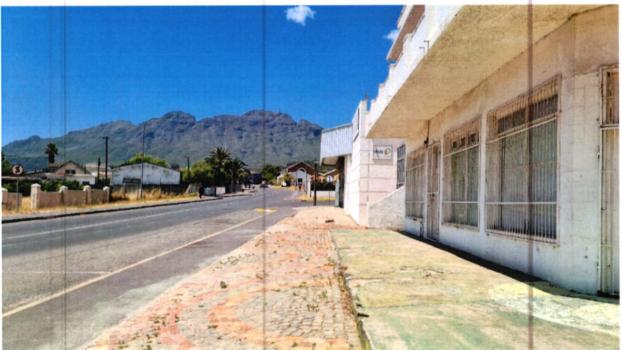


Figure 4 View from Banhoek street towards Idas Valley and Simonsberg

2.4 Current Zoning

The zoning of properties in the Stellenbosch Municipal Area is regulated in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (hereafter referred to as the 'Zoning Scheme'). According to the Zoning Scheme and as illustrated in Figure 5 below, erf 3223 is zoned Mixed-Use, this is also confirmed in the attached zoning certificate (please refer to Annexure D).



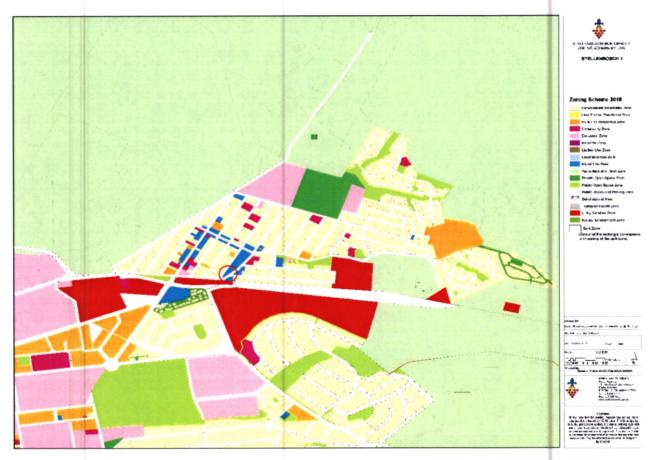


Figure 5 Zoning Map of Idas Valley

The following land uses and building parameters are applicable to erven within the Mixed-Use Zone:

	Land Uses within the Mixed-Use Zo	ne:
Primary Uses	Additional Uses (technical approval)	Consent Uses (application required)
Commune Business premises (including shops, markets, restaurants, office) Clinic Community residential building Extramural facility Flats Guest house Hostel Hotel Occasional use (one event/year) Plant nursery Public institution Public parking area Private road Tourist dwelling unit Tourist accommodation establishment Welfare institution	None	Adult Entertainment Builders yard Commercial gymnasium Conference facility Day care Filling station Freestanding base telecommunication station Funeral parlour Gambling place Helicopter landing pad Hospital Indoor sport Liquor Store Motor vehicle fitment centre Motor showroom Occasional use (> one event/year) Parking garage Place of assembly Place of education Place of entertainment Renewable energy structure Rooftop base telecommunication station Tertiary educational institution



Building Parameters applicable to the Mixed-Use zone:				
Building type	Street boundary building lines (m)	Common boundary building lines (m)	Coverage	Height
Business premises	0m	0m	85%	6 storeys
Filling station	3m	3m	85%	2 storeys
Guest house, hostel, hotel, tourist accommodation	All levels 4,5m	Ground floor: 4,5m First floor: 4,5m Second floor: 6m	50%	6 storeys
All other buildings (including Flats)	4,5m	4,5m	85%	6 storeys

Table 2: Zoning parameters of Mixed- Use Zone

3. Proposed Development

3.1 Development Proposal

In line with the allowable primary uses of the Mixed-Use zone, the proposed development entails the development of a four storey block of 2-bedroom (9 units) and 3-bedroom (15 units) flats to provide high density residential units in Idas Vallei. Parking will be provided on ground floor, with controlled access from Jufferenbruch street. 34 Vehicle bays and 36 safe and secure bicycle parking bays are provided. Please refer to Annexure E for the proposed SDP, floor plans and elevations.

A security kiosk with bathroom is provided at the entrance gate, with a communal braai area and pool proposed on the southern boundary of the site. Two staircases on the ground floor provides access to the flats above. Landscaping is proposed along Banhoek street to enhance the street interface which will be a great improvement to the existing street scape. The proposed landscaping will present an active interface on ground level to the street.

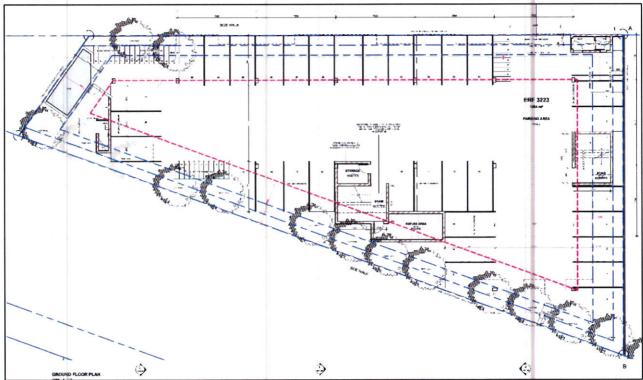


Figure 6 Proposed Ground Floor



The 24 proposed flats will be situated on the first, second and third floors, above the ground floor parking. Each floor will have 3 x 2-bedroom units and 5 x 3-bedroom units. Apart from the communal area on ground floor, each unit will have a patio to provide outdoor space.

The 2-bedroom units will each have one shared bathroom and a patio, the 3-bedroom units will have two shared bathrooms and will also have patios on each unit.

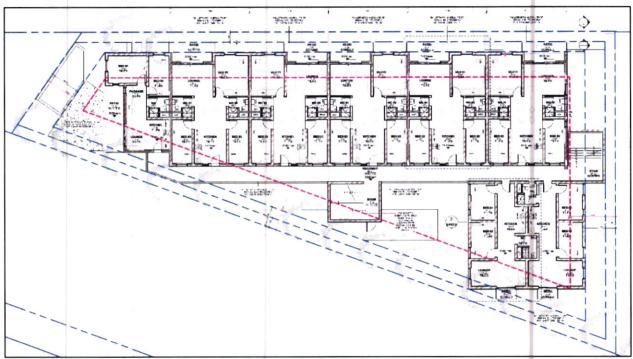


Figure 7 Layout of proposed first, second and third floors

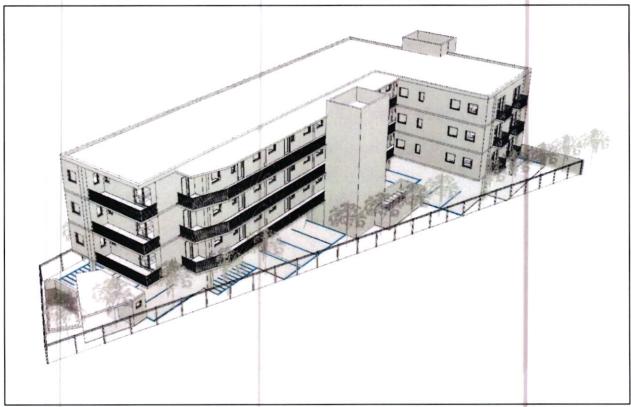


Figure 8 Proposed Elevation along Banhoek street



As mentioned above, the shape and dimensions of the application site limits development of the site if the 4.5m building lines are to be complied with. The following building lines are proposed:

. Western boundary (Juffernbruch street):

In order to allow for a viable development, the proposal is to push the bulk of the building onto Juffernbruch street, with the building (on first, second and third floors only) build up to a 2m building line and the balconies up to the 1m building line. No building line departures are required on ground floor on this boundary. Juffernbruch street is approximately 16m wide which is considered an excessive street width for a cul-de-sac, especially as this road only serves the few single residential houses along the road. The houses on the western boundary of Juffernbruch street, opposite the proposed development, are all approximately 500m², with required street building line setbacks of 3m. This results in the proposed balconies being set back a minimum of 20m from the nearest residential houses, which is considered more than sufficient. It is therefore motivated that the locality of the street, being situated between the proposed development and the nearest residential houses enforces an automatic setback of 16-20m. This is considered to be more than sufficient to prevent loss of privacy or any detrimental effect on the properties towards the west of the proposed development. It is future motivated that the proposed patios will increase passive observation along this boundary to the benefit of the surrounding area.

Corner of Sonnebloem and Banhoek streets (southern boundary):

There is no building line departure on ground floor on this boundary. However, a small section of the building (first, second and third floors) extends beyond the 4.5m building line, being 3m from the erf boundary. It is considered that this proposed projection is insignificant as it will have no impact on the surrounding properties.

. Banhoek Street (eastern boundary):

On ground floor, the proposed bathroom of the braai area and a small portion of the staircase and refuse area projects beyond the 4.5m building line. The proposed bathroom will extend up to the 1m building line, and a small portion of the staircase and refuse area will extend up to the 2m building line. Again, it is considered that these sections of the building are so small and insignificant that it will have no detrimental impact to warrant refusal. It will not be visible from the street scape and will be shielded by landscaping. It will also have no impact on any sightlines for traffic along Banhoek street.

On the first, second and third floors, small sections of the building (including a portion of the staircase) will be build up to the 2m building line, with a very small section (of the units situated on the northern boundary) extending up the 1m building line. As with Juffernbruch street, Banhoek street's road reserve is approximately 16m, with a wide sidewalk between the application site and the black to of the road. There are only two properties situated directly opposite the application site along Banhoek street, Erf 3193 (single residential house) and Remainder Erf 3152 (commercial building (Okkasie warehouse)). It is not considered that these very slight departures will have any detrimental effect on these or any of the surrounding properties to warrant refusal. It is argued that the passive observation from these units will greatly enhance the safety in the area. It will also have no impact on any sightlines for traffic along Banhoek street.



Erf 3222 (northern boundary):

The bulk of the building, apart from the staircase and a portion of the units facing Banhoek street will be within the 4.5m building line on this boundary. The staircase will be built up to the 1m building line and the units will be build up to 3m, therefore only requesting a 1.5m departure. There will be no windows on the staircase facing Erf 3222, therefore there will be no loss of privacy as a result of the placement of the staircase.

As the proposed development is situated south of Erf 3222, this proposed section of the building, projecting 1.5m beyond the building line, will not result in any loss of light.

It is important to note that though Erf 3222 currently has a single residential house, this erf is also zoned Mixed-use and can therefore also be developed according to the building parameters of the Mixed-use zone. It is also important to note, that if the proposed development was for a business premisses, the building could be build up to the 0m building line, thus on the erf boundary with Erf 3222 (as Erf 3222 is also zoned for Mixed-Use). It is therefore argued that the limited building encroachment on this boundary would not have a detrimental effect on either Erf 3222 or the street scape to warrant refusal.

3.2 Building Development Parameters

Table 3, below, is a summary of the applicable building development parameters pertaining to development on this site.

Land Use Parameters (flats)	Mixed-Use Zone	Proposed Development	Compliance/ Application Required
Street Building Line (Juffernbruch)	4.5m	1m (balconies), 2m (building): Floors 1 – 3	Departure
Street Building Line (Corner Sonnebloem and Banhoek)	4.5m	3m : Floors 1 - 3	Departure
Street Building Line (Banhoek)	4.5m	1m (balconies), 2m (building): Floors 1 – 3	Departure
Common Boundary (Erf 3222)	4.5m	1m staircase (all floors) 3m building : Floors 1 – 3	Departure
Max Coverage	85%	64%	Complies
Max Height	6 Storeys	4 storeys	Complies
Total Number of Flats		24 x units	
Parking	1.5 bays / 2-bed flat (9) = 13.5 1.75 bays/3-bed flat(15) = 26.25 = 40 bays	40 = 34 (vehicle bays) + 6 (36 bicycle bays)	Permission required

Table 3 Compliance with Development Parameters

It is important to note that the proposed development complies with ALL OTHER building development parameters.



3.3 Traffic Impact Statement

The proposed development does not entail a rezoning. The proposed development is allowed for under the existing zoning and it is argued that a TIS is therefore not required.

3.4 Availability of Services

The proposed development does not entail a rezoning. The proposed development is allowed for under the existing zoning and does not exceed the permissible height or coverage. All the services will tie into the existing Municipal services.

4. Motivation

4.1 Stellenbosch Municipality Land Use By-Law (2015)

As set out in Section 65(1) of the By-law, certain criteria need be met in consideration of an application by the decision-making authorities. In line with this section, Table 4, below, sets out the criteria and assesses the application accordingly:

Section 65(1) Criteria	Assessment of Proposal
a. Application submitted in terms of the By-law.	The application is submitted in terms of Sections 15(2)(b) and (g) of the By-law.
b. Procedure followed in processing the application.	To be decided. The proposed development was tested with the Municipality by means of pre-application consultation. See Annexure F for feedback received during the pre-application scrutiny process. All relevant and required documentation are attached to this application and motivation.
c. Desirability of land use	The application site is zoned mixed use, which allows for flats as a primary use. The application for the proposed departures and permission to substitute vehicle parking are considered to be favorable as motivated for in Section 3.1 above. Future motivations can be summarized as follows:
	Section 36(3) of the Zoning Scheme allows for the substitution of vehicle parking bays with bicycle bays, with council's permission, to support the NMT policy of the Municipality. The proposed development will provide 34 motor vehicle bays, thus all 24 proposed flats have at least one motor vehicle parking bay, with a parking ratio of 1.42 bays per flat. This is very close to the 1.5 requirement for 2-bedroom flats. Though there are 3-bedroom flats proposed, it is considered that the 1.75 bays per flat can be accommodated by providing bicycle bays, as promoted for by the Stellenbosch Municipality in their IDP and SDF. It is also important to note that the application site is within walking distance from surrounding schools, commercial uses (Spar shopping centre), public transport and the



University and therefore the use of bicycles in lieu of motor vehicles should be promoted. It is therefore argued that 6 vehicle bays are substituted by 36 bicycle bays.

- It is important to note that the proposed building line departures will not result in an increase in coverage or height, the proposed coverage of 64% is still well below too allowable 85% and the proposed 4 storeys are less than the allowable 6 storeys. If the proposed building lines are not supported, the building design would have to be amended which could result in a higher building (5 6 floors) to ensure that the development is still financially viable. As discussed under Section 3.1, the shape of the site makes it extremely difficult to stay within the 4.5m building lines.
- As the proposed development complies with the coverage, height and parking (with the bicycle bays included) the proposed building line departures will not result in the over development of the site.
- The proposed building line departures along Banhoek street allows the bulk
 of the building to be broken, thus creating a less bulky and more
 aesthetically pleasing building, which would greatly enhance the character
 of the area.
- Though the majority of the surrounding buildings are 1 storey buildings, it should be noted that most of these buildings along Banhoek street is zoned Mixed-Use. It can therefore be expected that these erven will also be redeveloped in future to the same (or more) height as the proposed building.
- The parking on ground floor will be shielded from view by the communal braai area on the southern boundary and landscaping along the street boundaries. It is motivated that the landscaping will greatly enhance the character of the surrounding street scape.
- The proposed building is not considered the be visually intrusive and will enhance the character of the area, especially as this site is currently vacant and derelict.
- The development of the site will greatly improve the safety of the area and could be seen as a catalyst for future development.
- The proposed development, situated within the urban edge will provide new upmarket, housing opportunities in Idas Valley.



	 It is clear that that the building line departures will not result in an intrusive, overbearing building. As the proposed development complies with all the other building parameters, it is clear that the development cannot be considered as over development of the site. It is considered that the proposed development an tie into the existing services network and no services upgrades are required to accommodate the proposed development. The proposed development is considered as sensible infill development which will make optimal use of existing infrastructure within the urban edge. The approval of the application will not have a negative impact on the surrounding properties. 	
d. Comment in response to	The application to be advertised in accordance with the Stellenbosch Municipality's	
public participation.	requirements.	
e. Applicants response to	To be submitted as part of the Portfolio of Evidence upon conclusion of the Public	
comments received.	Participation Process.	
f. Investigations in terms of	Not Applicable.	
other laws.		
g. Written assessment by	To be done by the Stellenbosch Municipality.	
planner.		
h. Impact on municipal	The proposed development will not have a negative impact on the Stellenbosch	
engineering services.	municipal engineering services, it will make use of the existing services. It is seen	
	as a The development is considered a form of sensitive densification within the	
- Th. IDD 1005	existing development rights of the property (being zoned Mixed-Use).	
i. The IDP and SDF	See Section 4.2 below	
j. Applicable structure plans	N/A	
k. Applicable policies for decision making	Aligned.	
I. Provincial spatial	The application is in line with the Municipal and District SDF and IDP, which is	
development framework	informed by the provincial IDP and SDF which all promotes densification. Thus,	
	the application is in line with the provincial SDF. Please also refer to Section 4.2	
	below.	
m. Regional spatial	N/A	
development framework.		
n. National policies, norms,	N/A	
and criteria.		



Chapter VI of the Land Use
 Planning Act

Spatial Justice: The proposed development is situated within the urban edge, in an area earmarked for high density infill development.

Spatial Sustainability: Spatial sustainability would prioritise land use decisions that allow individuals to live close to where they work or study. As a result of the locality of the proposed development, it may contribute to relief the traffic congestion whilst allowing for more dense and efficient settlements.

Efficiency: This development is proposed on a brownfield site that will make use of the existing urban infrastructure. No services upgrades are required to accommodate the proposed development, it will result in the more efficient use of well-located land and existing infrastructure.

Good Administration: The proposed flats are in-line with the municipality's existing densification policies. The building presents an aesthetically pleasing public street interface. The approval of this application will be in the best interest of the Stellenbosch Municipality.

Spatial Resilience: 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.

 Applicable provisions of the zoning scheme As discussed, the proposed development is in line with the provisions of the Zoning Scheme. The application is for building line departures only and permission to substitute vehicle parking with bicycle parking (in line with the Municipal Policies).

Table 4 Assessment of Application in terms of Section 65 of the By-law

4.2 Consistency with the Applicable Spatial Development Frameworks

4.2.1 Western Cape Provincial Spatial Development Framework, 2014

The Western Cape Spatial Development Framework (hereafter referred to as 'the PSDF') identifies densification as of the provincial objectives. The PSDF specifies that the residential density in urban areas be increase to 25 dwellings per hectare. This density should be achieved by means of urban development tools such as sectional title developments. This application complies with the PSD as it is proposed the development of a block of flats comprising 24 dwelling units on an erf of 1 201m².

4.2.2 The Stellenbosch Municipality Integrated Development Plan, 2017

The current Stellenbosch Integrated Development Plan (hereafter referred to as "the IDP"), approved in May 2017 (and updated in May 2018), provides the detailed development plans for the Stellenbosch Municipal Area, 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 Draft Spatial Development Framework (2019).

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 that the site is currently vacant and not utilized at all, in combination with its ideal location near the town centre and university, 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. 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 and support the use of bicycles and motorbikes in lieu of motor vehicles.

4.2.3 The Stellenbosch Municipality Spatial Development Framework, 2019

As indicated in the Stellenbosch Municipal Spatial Development Framework, the erven lie well within the urban edge of Stellenbosch Municipality, in an urban development area and within close proximity of an Activity Road (Rusternberg Road).

The SDF promotes densification and infill development within the urban edge and the following statements of the SDF should be noted:

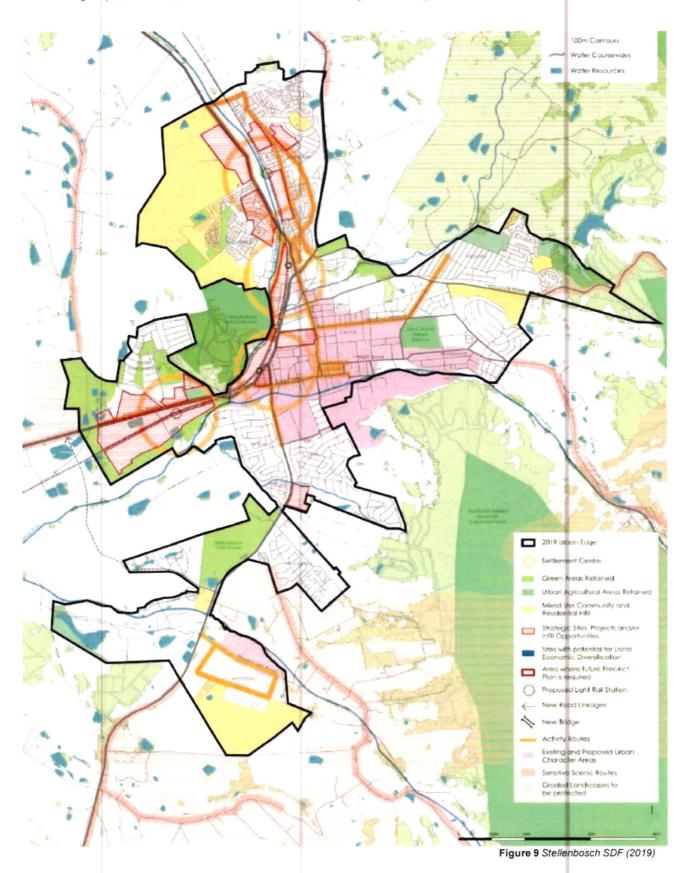
- Managing residential growth of the town, through providing more inclusive house at higher densities
 than the norm, is vital. This can and must bring significant reductions in commuting by private vehicles
 to and within Stellenbosch town, and provide the preconditions for sustainable public transport and
 NMT to and within the town;
- 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.
- Pro-actively support higher density residential infill development in the town centre, areas immediately surrounding it and along major routes (with consideration of historic areas and structures).

It is clear that the SDF supports and promotes infill development and densification.

In terms of access and movement, the SDF identifies Helshoogte Road, within close proximity of the site, as functioning beyond its capacity. It is the responsibility of development to ensure that non-motorised transport modes be promoted such as bicycles and walking. The development of this site will support non-motorised transport as the site is ideally situated within walking distance from all surrounding amenities although ample off-street parking is provided.



The SDF points out that the Municipality should "Pro-actively support higher density infill residential opportunity in the town centre and areas immediately surrounding it". Furthermore, and as part of the SDF's Implementation Framework, the Municipality must assist in the "broadening of residential opportunity for lower income groups, students, and the lower to middle housing market segments.





To summarize:

The proposed development complies with the National, Provincial and Local policy landscape, which

all promote urban densification; particularly in centrally located areas.

The proposed development is seen as sensible infill development within the urban edge.

• The proposed departures will not have a significant impact on adjoining or surrounding properties with

regards to the loss of privacy.

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

and is considered to enhance an uplift the surrounding area.

The proposed development is not seen as overdevelopment of the site.

The proposed development allows for a higher-density residential development without compromising

the character of the area.

5. Conclusion

In light of the above, Council is respectfully requested to approve the following:

i) A Permanent Departure to allow for the following building lines:

• Street building line (Banhoek street): Ground floor: 1m and 2m, Floors 1 - 3: 1m (balconies) and 2m

(building) in lieu of 4.5m

• Street building line (Sonnebloem street): Floors 1 – 3: 3m in lieu of 4.5m

• Street building line (Juffernbrunch street): Floors 1 - 3: 1m (balconies) and 2m (building) in lieu of 4.5m

• Common boundary building line: All floors: 1m in lieu of 4.5m (staircase) and Floors 1 – 3: 3m in lieu of

4.5m

ii) Permission to substitute 6 vehicle parking bays with 36 bicycle bays

Report compiled by:

Marike Bolz (Pr. Plan A/060/2008)

for Arch Town Planners (Pty) Ltd





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