

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Affected person's Name

Affected persons Physical Address

Dear Sir/Madam

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: No 20 Verreweide Streets Stellenbosch

Application Property Number: Erf 3491 Stellenbosch

Applicant: Emile van der Merwe Town Planning Consultants

Owner: Apex SPV1 (Pty) Ltd

Application Reference: LU 15293 (TP306 /2023)

Application Type: Removal of Title Deed Conditions, Technical approval and Permanent Departures

Detailed description of land use or development proposal, including its intent and purpose:

Application made in terms of the Stellenbosch Municipal Land Use Planning By-Law promulgated by notice number 345/2015 dated 20 October 2015 on Erf 3491 Stellenbosch for the following:

- Removal of Title Deed conditions in terms of Section 15(2)(f) of the said by-law in order to facilitate the proposed block of flats.
- Permission in terms of Section 15 (2) (g) of the said by-law as required in terms of the zoning scheme to allow for 3x motor vehicle parking bays to be substituted with 8x motorcycle bays (equal to 2 motor vehicles bays) and 6 bicycle bays (equal to 1 motor vehicle bays).
- Permanent departure in terms of Section 15(2) (b) of the said by-law to allow for a bulk of 97% in lieu of 75% in order to accommodate the new block of flats.
- Permanent departure in terms of Section 15 (2) (b) of the said by-law to relax the common building lines as follows:
 - North building line from 4.5m to 2.467m (ground, first and second floor)
 - Eastern building line from 4.5 to 2m (ground floor) to 1.641m (first and second floor) and to 2.640 (third floor)
 - Rear building line from 4.5 to 2m (ground floor) to 3.506m (first, second and third floor)
 - Southern building line from 4.5m to 1.860m (ground floor) and to 3,5m (first and second floor)

Notice is hereby given in terms of the provisions of Section 46 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 address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: (Emile van der Merwe Town Planning Consultants: emilevdm@adept.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 31 July 2023.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

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 (0845566461/021-8865050) during normal office hours.

Yours faithfully

EMILE VAN DER MERWE
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GETRESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Geagte Meneer/Mevrou

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: No 20 Verreweide Straat Stellenbosch

Aansoek eiendom beskrywing: Erf 3491 Stellenbosch

Aansoeker: Emile van der Merwe Stadsbeplanningskonsultante

Eienaar: Apex SPV 1 (Pty) Ltd

Aansoek Verwysing: LU 15293 (TP306/2023)

Tipe Aansoek: Opheffing van titelvoorwaardes, tegniese goedkeuring en permanente afwyking

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek word gedoen in terme van die Stellenbosch Munisipaliteit se Verordening of Grondgebruikbeplanning afgekondig by kennisgewings nommer 345/2015 gedateer 20 Oktober 2015 op Erf 3491 Stellenbosch vir die volgende:

- Opheffing van titelvoorwaardes in terme van Artikel (15 (2) (f) van genoemde by-wet ten einde die voorgestelde woonstelle te akkommodeer
- Goedkeuring in terme van Artikel 15 (2) (g) van genoemde by-wet soos vereis in terme van die soneringskema vir die vervanging van 3 motorstaanplekke met 8 motorfietsstaanplekke (gelykstaande aan 2 motorstaanplekke) en 6 fiets staanplekke (gelykstaande aan 1 motorstaanplek).
- Permanente afwyking in terme van Artikel 15 (2) (b) van genoemde by-wet ten einde 'n vloerfaktor van 97% toe te laat in plaas van 75%
- Permanent afwyking in terme van Artikel (15) (2) (g) van genoemde by-wet vir die verslapping van die gemeenskaplike boulyne as volg:
 - Noordelike boulyn (vanaf 4.5m na 2.467m (grond, eerste en tweede vloer)
 - Oostelike boulyn vanaf 4m na 2m (grondvloer) na 1.641m (eerste and tweede vloer en na 2.640m (derde vloer)
 - Agter boulyn vanaf 4.5 na 2m (grondvloer) na 3.506m (eerste, tweede en derde vloer)
 - Suidelike boulyn vanaf 4.5m na 1.860m (grondvloer) en na 3,5m (eerste en tweede vloer)

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 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 tydskuur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: (Emile van der Merwe Stadsbeplanningskonsultante: emilevdm@adept.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 kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing ingedien word en moet ontvang word voor of op die sluitingsdatum van 31 Julie 2023.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by (0845566461/ 886 5050) gedurende normale kantoor ure.

Die uwe

EMILE VAN DER MERWE
EMILE VAN DER MERWE STADSBEPLANNINGSKONSULTANTE

**APPLICATION FOR REMOVAL OF TITLE DEED
CONDITIONS, TECHNICAL APPROVAL AND
PERMANENT DEPARTURES
ERF 3491 STELLENBOSCH**

PREPARED BY



EMILE VAN DER MERWE
town planning consultants



PIET DEKKER.
ARGITEKTE ARCHITECTS

1. BRIEF

Emile van der Merwe Town Planning Consultants in consultation with Piet Dekker Architects have been appointed by, the registered owner of Erf 3491 Stellenbosch, to prepare and submit the required town planning report to the Stellenbosch Municipality in respect of the following:

- Application is made in terms of Section 15(2)(f) of the Land Use Planning By-Law for the removal of a restrictive title deed conditions - "Condition I C. (1) & (5) and II E. (1) & (5) contained in Title Deed T59059/2022.
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for a permanent departure to allow for a floor factor of 0.97 in lieu of 0.75;
- Application is made in terms of Section 15(2) (b) of the Land Use Planning By-Law for a permanent departure to relax the common building line as follows:
 - North building line from 4.5m to 2.467m (ground, first and second floor)
 - Eastern building line from 4.5 to 2m (ground floor) to 1.641m (first and second floor) and to 2.640 (third floor)
 - Rear building line from 4.5 to 2m (ground floor) to 3.506 (first, second and third floor)
 - Southern building line from 4.5m to 1.860m (ground floor) and to 3,5m (first and second floor)
- Application for permission in terms Section 15(2)(g) of the Land Use Planning By-Law to allow for 6 bicycle bays and 8 motorcycle bays in lieu of 3 parking bays.

The following report will endeavour to show that the development proposals are in line and conforms to documents and frameworks that it consistent wit the land use and planning objections set out in the Spatial Planning and Land Use Management Act as well as the Western Cape Planning Act. The proposal in terms of its density (only 18 apartments) will not have a negative impact on municipal service infrastructure (roads, water, sewerage etc).

2. LOCATION - APPENDIX 1

The application property (Nr 20 Verreweide street) is located in the area known as Universiteits Oord approximately 50m south from the intersection of Banhoek and Verreweide Road.

LOCATION (REFER TO APPENDIX 1)



The property is situated in an area that over the years has been drastically transformed from a low density single residential character to high density multi-storey residential area that predominately provide residential accommodation aimed for the student market. The said infill, and gentrification process has development naturally mainly due it close proximity and easy walking distance o the Stellenbosch University and the opportunity it provide to make use of alternative modes of transport (bicycle's and motor bikes).

3. OWNERSHIP AND PROPERTY DESCRIPTION

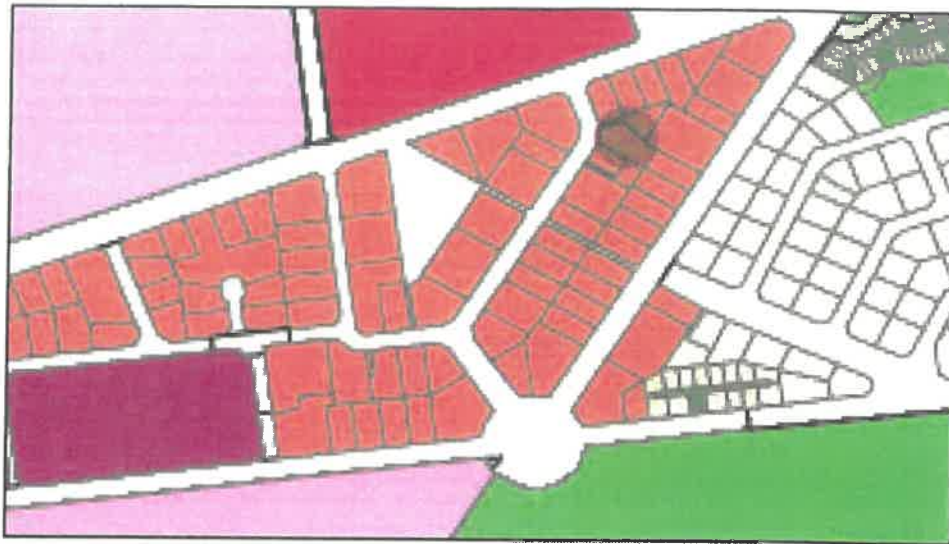
OWNER	TITLE DEED	PROPERTY DESCRIPTION
Apex SPVI (Pty) Ltd	T59059/2022	Restant Erf 3491 in die Munisipaliteit en Afdeling Stellenbosch Provinsie Wes-Kaap

The Conveyancer certificate and a copy of the Title Deed is attached as **Appendix 2**. The company resolution and power of attorney is attached as **Appendix 3**. The SG diagram is attached as **Appendix 4**.

4. ZONING AND DEVELOPMENT RIGHTS

The property in terms of the Stellenbosch Zoning Scheme By-Law is zoned as Multi-Unit residential zone.

Extract – Stellenbosch Zoning Maps – approved zoning scheme by-law : Multi-Unit residential zone



The following primary, additional and consent uses in terms of Section 78 (1) of the said By-Law are permitted:

Primary Uses	Additional Uses in dwelling house 2 nd dwelling and other dwelling units (not exceeding threshold in this chapter and subject to technical approval)	Consent Uses (application required)
<ul style="list-style-type: none"> • Commune • Dwelling house • Flats • Group housing • Guest house • Hostel • Retirement village • Second dwelling house • Tourist dwelling unit • Private road 	<ul style="list-style-type: none"> • Bed and breakfast establishment • Home day care centre • Home occupation practice • Home lodging • Occasional use (one event/year) 	<ul style="list-style-type: none"> • Community residential building • Guest house (meeting & beauty treatment room) • Occasional use (>one/year) • Renewable energy structure • Rooftop base telecommunication station • Tourist accommodation establishment • Welfare institution • Additional uses exceeding parameters in this chapter

The Multi-Unit residential zoning in terms of Section 77 (c) and (d) of the By-Law make provision for high density residential development such as flats as well as for other multi-unit high residential accommodation. The development proposal with regards to zoning and land use rights can thus be accommodated as a primary/vested right.

The development parameters in accordance with Section 83 of the Zoning Scheme By-Law is provided below.

Building type permitted	Street boundary building lines (m)	Common boundary building lines (m)	Max Coverage	Max Height	Floor area
Group housing; Retirement village	External: 3m Internal: 0m	External: 3m Internal: 0m	50%	2 storeys	n/a
Flats	All levels: 4,5m	Ground floor: 4,5m First floor: 4,5m Second floor: 6m	50%	4 storeys	75%
All other buildings	All levels: 4,5m	Ground floor: 4,6m First floor: 4,5m Second floor: 6m	50%	3 storeys	75%

5. PROPOSED DEVELOPMENT - SEE PLANS ATTACHED AS APPENDIX 5

Given the transformation of the Universteitsoord area of the last number of years and the limited land available for redevelopment it is important that any new infill development **present a distinct and unique opportunity** that would benefit the contextual and morphology (urban form and space) of the area in which it is located. The professional team is of the opinion that the development proposals put forward for the re-development of the property are in support of sustainability and that the fundamental objectives of appropriate design, dimensions, elements and experience of place are met in a holistic and integrated manner.

The development proposal prepared by Piet Dekker Architects (refer to **Appendix 5**) entails the following:

- 18 luxury one bedroom apartments with an average size of 54m² designed to reflect the history and style of the area;
- Low population density with minimum impact on traffic volume and traffic flow;
- State of the art communal/recreation space provided on third floor level that is ancillary and in support of the residential offering (life, work and play)
- Sufficient street set back line (6.3m) that allows for a green forecourt and enhancement of street scape
- Departures from building line to minimize impact on surrounding habitable space – refer to adjacent parking areas
- Inclusive balconies and flower boxes to enhance elevations and aesthetic appearance
- Innovative treatment of height and roof structure – maximum height to top of roof only 11.8m and to wall plate level only 11m

- Parking has been provided in terms of the provision of the zoning scheme (1,5 bay per 1 or 2 bedroom unit) and in accordance with Section 36 (4) (a) (b) of the said zoning scheme by-law. The proposed bays are in line with the NMT policy of the Municipality where a 100% substitution is allowed (permission in terms of the zoning scheme)

A detailed architectural statement in support of the proposals is attached under **Appendix 5**.

6. SPATIAL PLANNING AND LAND USE PRINCIPLES

LAND USE PLANNING ACT, 2014

The development principles on National level are embedded in terms of Section 7 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), while the land use planning principles on Provincial level is in terms of Section 59 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA). These development principles were adopted and included into the subsequent Land Use Planning By-Laws promulgated for each Local Municipality.

The application on Erf 3491 Stellenbosch is considered consistent with the following 5 development principles:

(a) Principle of spatial justice

The spatial justice principle requires that the past spatial and development imbalances should be redressed through improved access to and utilization of land. The property and proposed development will occur within the approved urban edge of Stellenbosch town in area designated for higher density infill development. The proposed land use and density promotes this principle by optimizing resources without compromising the surrounding character of the area.

(b) Principle of spatial sustainability

The principle of spatial sustainability will be achieved by a development if it is spatially compact, using resources sparingly. The proposal achieves and promotes the optimal use of space without compromising the surrounding area and character of the neighbourhood.

The proposal promotes land uses that are spatially compact and recourse frugal within an urban area with sufficient service level capacities.

(c) Principle of efficiency

The property is located within an urban area that is characterised by similar type of developments. The property is linked to the municipal service network system and it is envisaged that the re-development of the property with increase residential density will not impact negatively on municipal service level capacities. The proposed land uses will have a direct and indirect contribution to the local economy of the area through rates and taxes as well as employment.

(d) Principle of spatial resilience

The principles is not applicable since the proposal will take place on an existing erf with development rights

(e) Principle of good administration

The formal application will be submitted to the local authority and relevant statutory authorities for approval and will be administered in accordance with the procedures contemplated in the relevant Municipality's Land Use Planning By-Law.

STELLENBOSCH SPATIAL DEVELOPMENT FRAMEWORK (2019)

The proposals are considered consistent with the broad objectives and strategic directives of the Stellenbosch Municipal Spatial Development Framework (MSDF) for the following reasons:

- The property is located within the approved urban edge for Stellenbosch Town and in area that has been identified for higher density residential development
- The redevelopment of the property will not impact negatively on the conservation of agricultural land and does not constitute any form of urban sprawl outside the urban edge
- The property is located in an area that is predominantly characterised by higher residential development in support of non-motorised and public transport
- The heritage and scenic quality of the area and broader area will not be comprised as a result of the development
- The proposal can be accommodated within the existing service level capacities of the Municipality
- The proposal will assist in providing high quality residential development with a relative low population density (only 18 units)
- It is compatible with the concept of densification and promotes urban growth inside the urban edge.

- The proposals conform to the underlying development principles put forward in the Land Use Planning Act, 2014 as well as the Spatial Development Land Use Management Act upon which the MSDFs are aligned too.

It can thus be argued that proposals will not unreasonably or unacceptably prejudice the interest of the contemplated users of the property, the residents of the immediate surroundings, the broader community and the local authority and will in all probability give rise to an improvement in the social, economical and physical circumstances of the parties concerned.

7. TRAFFIC IMPACT – APPENDIX 6

UDS Traffic Engineering compiled a Traffic Services Report, which outlines the expected traffic impact of the proposed Multi Residential development on the property. The report found that the estimated number of trips associated with the proposed development will be minimal and will have an insignificant impact on the external road network. The findings of the report further indicated that no external road upgrades are considered necessary as a result of the proposed development traffic.

8. MUNICIPAL SERVICES – APPENDIX 7

Barn Senekal Inc prepared a services report and plan in accordance with the development proposals. In terms of the report it is noted that the required basic civil engineering services for the proposed development, i.e. potable water, sewerage and solid waste removal can be accommodated by the Stellenbosch Municipality in their existing infrastructure, and from this perspective the development can be supported.

9. CONCLUSION

From a land use management and spatial planning perspective it is evident that the application conforms to the overarching planning policies and guidelines as adopted and endorsed by national, provincial and local government. The removal of the restrictions will enable the owner to develop the property in accordance with the zoning and the proposed spatial planning proposals envisaged for this section of town. The development proposal is based on sound planning and urban design guidelines that will support appropriate

densification within the urban edge. With reference to the proposed departures the following should be considered:

- The proposed development is consistent with the development pattern, land uses and predominant general residential character of the area;
- The proposed development is not out of scale or character with the surrounding area;
- The population density is low (18 one-bedroom apartments) with minimize impact on traffic volumes and traffic flow
- Innovative design (storey level and roof scape) to reduce height (11.8m to top of roof)
- Ancillary communal and recreation space provided in support of luxury apartments
- Provision of motor bikes and bicycles in support of Non-Motorized Transport
- Treatment of setback lines to enhance street and visual appearance
- Parking in accordance with the zoning scheme
- Top class interior design, material and fixtures
- Ample provision of open space on ground floor level

The professional team is of the opinion that the development will deliver and enable a final product that will create a sense of place with unique qualities and characteristics – visual, cultural, social and environmental in order to provide meaning to the specific location and surrounding area.

The restrictive factors in this regard has in fact been incorporated and forms part of the whole building as a system and should not be evaluated as not just a part or component of it.

It is trusted that the Stellenbosch Municipality favourably will consider the application on Erf 3491 Stellenbosch.

APPENDIX 1
LOCATION PLAN



ERF 3491 - 20 Verreweide - Stellenbosch

DATE: 2022.11.28



APPENDIX 2
TITLE DEED



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMABITALA • MUNICIPALITY

CONVEYANCER CERTIFICATE

I/We ELFRIEDE MARIE MULLER

Practising at:

VOS MAREE INC.

STELLENBOSCH

In respect of:

REMAINDER ERF 3491 STELLENBOSCH

In the Municipality and Division Stellenbosch,
Province of the Western Cape.

In extent 1287 square metres.

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

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

1. T1673/2006

2.

3.

4.

5.

6.

7.

8.

(In case of transfer of title, the title deed of transfer must be attached to this certificate)

EM



A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (If any)

Categories		Are there deed restrictions (Indicate below)		Title Deed and Clause number if restrictive conditions are found.
				T1673/2006
1.	Use of land	X	N	1.C.(1) Residential only 1.C.(6) Residential only. Same in 11.E(1) and (6)
2.	Building lines	X	N	1.C.(5) 6,3m from front/street boundary. 3,15m from side and back boundary of property. Same in 11.E(5)
3.	Height	Y	X	
4.	Number of Dwellings	X	N	1.C.(1) One residence or a semi-detached residence (subject to clause 1.C.(4)) Same in 11.E(1)
5.	Bulk floor area	Y	X	
6.	Coverage/built upon area	Y	X	
7.	Subdivision	X	N	1.C.(7) May not be subdivided without Council's consent Same in 11.E(7)
8.	Servitudes that may be registered over or in favour of the property	X	N	1.D: Allow sewage, drainage and storm water.
9.	Other Restrictive Conditions	X	N	1.C.(4): Architectural features of all elevations must harmonise with the scheme of the town planning as designed by Council. Same in 11.E(4)

ZM



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

Indicate the parties who are affected by the restrictive conditions in the title deed in terms of the Planning System (2015) and/or other laws and/or regulations and/or for the following purposes (as elaborated in the accompanying application):

a. Organ(s) of State that might have an interest in the restrictive condition.	Stellenbosch Municipality
b. A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	Unknown
c. All persons mentioned in the deed for whose benefit the restrictive condition applies	None

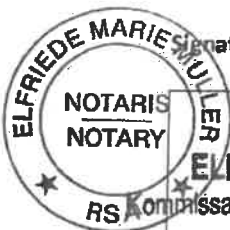
C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

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

Signed at STELLENBOSCH (Place) on this 23rd (Day) NOVEMBER (Month) of 2022.

Full names and Surname: ELFRIEDE MARIE MULLER

Signature: [Handwritten Signature]



ELFRIEDE MARIE MULLER
Kommissaris van Ede / Commissioner of Oaths
Prokureur / Attorney
Eenheid / Unit 23 Oewerpark
Rokewoodlaan / Rokewood Avenue, STELLENBOSCH

Tel: 021 887 6860

Cell:

Email: elfriede@vosmaree.co.za

9

VOS MAREE INGELYF
POSBUS 168, STELLENBOSCH 7599

Opgestel deur my,

Elmüller
TRANSPORTBESORGER
ELFRIEDE MARIE MULLER
LPCM Number 90922

Mortgage		Office let
Purchase price/Verske	Amount	
	R 15 200 000,00	R 45 881,00
Mortgage capital Amount		
Reason for exemption	Exempt I.L. 6	

DATA / CAPTURE
08-12-2022
FATGEYAH LARNEY

T 059059/22

TRANSPORTAKTE

SY DIT KENNELIK AAN ALMAL WIE DIT MAG AANGAAN

DATA / VERIFY
08-12-2022
YOLANDI OLIVIER

Dat JACOBUS PETRUS VAN ZYL (LPCM Number 79800)

voor my, Registrateur van Aktes, verskyn het, te KAAPSTAD, die genoemde komparant synde behoorlik daartoe gemagtig deur 'n volmag aan hom/haar verleen deur

RUSSELL TIMOTHY CLARK
Identiteitsnommer 570430 5086 08 6
Getroud buite gemeenskap van goed

gedateer die 7de dag van NOVEMBER 2022

en geteken te STELLENBOSCH

En genoemde komparant het verklaar dat voormelde TRANSPORTGEWER waarlik en wettiglik verkoop het op 22 JULIE 2022 en dat hy/sy, in sy/haar voornoemde hoedanigheid hierby sedgeer en transporteer aan en ten gunste van

APEX SPV 1 PROPRIETARY LIMITED
Registrasienuommer 2017/406083/07

hul Gemagtigdes of Regverkrygendes

in volle en vrye eiendom

RESTANT ERF 3491 STELLENBOSCH
in die Munisipaliteit en Afdeling Stellenbosch, Provinsie Wes-Kaap

GROOT : 1 287 (Een Duisend Twee Honderd Sewe en Tagtig) Vierkante meter

AANVANKLIK OORGEDRA kragtens Transportakte Nommer T11415/1963 met Kaart Nommer 6003/1962 daarby aangeheg en **GEHOU** kragtens Transportakte Nommer T1673/2006.

1. Wat betref die figuur AGEF op Kaart Nr. 6003/62 geheg aan T.11415/1963, naamlik:
 - A. ONDERHEWIG aan die volgende voorwaardes vervat in Grondbrief gedateer 8 Januarie 1908 (Stellenbosch Eiendomsbriewe boekdeel 8 Nr. 5):
 - "II. That all roads and thoroughfares being or existing on the said land described in the plan or diagram of the same shall remain free and uninterrupted unless the same be loosed or altered by competent authority.
 - III. ..."
 - B. ONDERHEWIG verder aan die volgende voorwaarde vervat in Grondbrief gedateer 8 Januarie 1908 (Stellenbosch Eiendomsbriewe boekdeel 8 Nr. 5):

"SUBJECT, however, to all such duties and regulations as are either already or shall in future be established with regards to such lands."
 - C. ONDERHEWIG VERDER aan en GEREKTIG op die voordeel van die volgende voorwaardes vervat in Transportakte Nr. T15798/1943 opgelê ten gunste van alle eienaars van persele wat deel uitmaak van daardie gedeelte van die DORP STELLENBOSCH, nou bekend as The New University Area aangedui op Algemene Plan S. 102;
 - "(1) The lot shall be utilized for residential purposes only and only one residence shall be erected on the said lot, provided, however, that a semi-

detached residence may be erected thereon subject to the conditions of clause 4 hereof.

- (2) Buildings, in terms of clause 4 hereof, shall be erected on each lot by the owner within three years from the date of purchase, failing which the owner shall pay the council annually an amount equal to 2½ per cent on the original purchase price of the lot, which annual payment shall continue until such time as the buildings are erected and completed.
 - (3) In the event of one party purchasing two adjacent lots, he shall be allowed to build on one lot and be exempted from the penalty provided for in clause 2 in respect of the other lot. Should the purchaser choose to build a residence standing on both lands, he may do so provided that no other residence shall be erected on either lot.
 - (4) Plans of all proposed buildings must be submitted in duplicate to the council for approval and no building shall be commenced until the council's approval thereto has been granted. The buildings on each lot shall be of a minimum value of R1 500,00. The architectural features of all elevations and in regard of lots abutting on the Jan Marais Park, the hedges, fences and walls shall harmonise with the scheme of town planning as designed by the Council and with the surrounding properties.
 - (5) All buildings shall be erected not less than 6,30 metres from the front or street boundary line of the lot and not less than 3,15 metres from the side and back boundary of the lot.
 - (6) The above lot being sold exclusively for residential purposes, no trade or business with the exception of private hotels or boarding houses, shall be carried on on the lot.
 - (7) The above lot shall not be subdivided without the sanction of the council first had and obtained.
 - (8) The said Council and their successors in title of those portions of Lot LIII held under Deed of Grant dated 8 January 1908 (Stellenbosch Freeholds Volume 8 no. 5) and Lot M Held under Deed of Grant dated 22 March 1905 (Stellenbosch Freeholds volume 7 no. 12), excluded from the general plan S102, shall in the event of a sale or alienation of any portion or portions of the said ground within 62,97 metres of the eastern and western boundaries of the said General Plan S102 only sell such portion or portions on similar conditions to the above."
- D. ONDERHEWIG VERDER aan die volgende voorwaardes vervat in Transportakte Nr. T15798/1943 opgelê ten gunste van die Raad van die Munisipaliteit van Stellenbosch:

"The owner of this lot shall be obliged to allow sewage, drainage and stormwater from any other erf or erven to be conducted over this lot should it be deemed necessary and expedient by the Council of the Municipality of Stellenbosch and in a manner and situation as may from time to time be reasonably required by it."

II. WAT betref die figuur GBCDE op kaart Nr. 6003/62 geheg aan T.11415/1963-

- A. ONDERHEWIG aan die voorwaardes verwys na in Transportakte Nr. T.11413/1963.

- B. **ONDERHEWIG VERDER** aan voorwaardes II en III vervat in Grondbrief gedateer 8 Januarie 1908 (Stellenbosch Eiendomsbriewe Boekdeel 8 Nr. 5) soos volledig uiteengesit in komponent I.A.
- C. **ONDERHEWIG VERDER** aan die voorwaarde vervat in Grondbrief gedateer 8 Januarie 1908 (Stellenbosch Eiendomsbriewe boekdeel 8 nr. 5) soos volledig uiteengesit in Komponent I.C.)
- D. **GEREGTIG** op die voordeel van die voorwaardes verwys na in die volgende 5 endossemente op Grondbrief gedateer 8 Januarie 1908 (Stellenbosch Eiendomsbriewe boekdeel 8 Nr. 5):

Endossement gedateer 11 Maart 1925:

REDR. REGISTRATION OF SERVITUDE

In terms of special condition 8 Transfer No. 2230/1925 & 2231/1925, certain portion of portions of this land and the land held by Grant dated 22 March 1905 made in favour of the Municipality of Stellenbosch shall be sold on similar conditions to those set out in the said transfers and numbered 1 to 7 as will more fully appear from the said transfers.

Endossement gedateer 25 Junie 1938:

REMAINDER. REGISTRATION OF SERVITUDE

In terms of special conditions 8 of Transfer nos. T6379/1938, T10332/1940, T11335/1940, T10306/1941, T10307/1941, T2249/1942, T9297/1943, T13280/1943, T13281/1943, T14521/1943, T15797/1943, T16622/1943, T2065/1944, T2066/1944, T7703/1944, T12491/1944, T12492/1944, T17366/1944, T12161/1945, T12162/1945, T13897/1945, T17915/1945, T2164/1946, T7949/1946, T21259/1946, T21260/1946, T10324/1947, T21508/1947, T8946/1948, T19309/1949, T4507/1952, certain portion or portions of this land and the land held by Grant dated 11 March 1905 in favour of the Municipality of Stellenbosch, shall be sold on similar conditions as set out in the said transfer and numbered 1 to 7 as will more fully appear from the said transfers.

Endossement gedateer 26 Maart 1952:

By Deed of Transfer T4507/52 the property thereby transferred, namely Lot 79, is subject to a certain building restrictions in favour of the remainder within, as will more fully appear from the said Deed."

Endossement gedateer 17 April 1953:

By Deed of Transfer T5270/53 the property thereby transferred, namely lot 49, is subject to certain building restrictions in favour of the remainder within, as will more fully appear from the said deed.

Endossement gedateer 22 Maart 1955:

REMAINDER

By Deed of Transfer no. T3840/1955 Portion 9 of Lot LIII Portion 10 of Lot LIII and Portion 8 of lots XXVI to XXXVII thereby transferred are subject to conditions relative to use thereof for accommodation of buses, erection of buildings, value thereof, restoration of damages in lieu, restraint against the sale of said land, fences, etc., the construction and maintenance of water, sewerage & drain pipes, electric way leaves, etc, over the said land and maintenance of cleanliness of the land – which conditions are in favour of the remainder of lot LIII held hereunder and other land. As will more fully appear from said Deed of Transfer.

E. ONDERHEWIG VERDER aan en GEREGTIG op die voordeel van die volgende voorwaardes vervat in Transportakte Nr. T.11414/1963 opgelê vir die voordeel van al die eienaars van persele wat deel uitmaak van daardie gedeelte van die dorp STELLENBOSCH, nou bekend as New University Area aangedui op Algemene Plan S.102:

- (1) The lot shall be utilized for residential purposes only and only one residence shall be erected on the said lot, provided, however that a semi-detached residence may be erected thereon subject to the conditions of clause 4 hereof.
- (2) Buildings, in terms of clause 4 hereof, shall be erected on each lot by the owner within three years from the date of purchase, failing which the owner shall pay the council annually an amount equal to 2½ per cent on the original purchase price of the lot, which annual payment shall continue until such time as the buildings are erected and completed.
- (3) In the event of one party purchasing two adjacent lots, he shall be allowed to build on one lot and be exempted from the penalty provided for in clause 2 in respect of the other lot. Should the purchaser choose to build a residence standing on both lots, he may do so provided that no other residence shall be erected on either lot.
- (4) Plans of all proposed buildings must be submitted in duplicate to the council for approval and no building shall be commenced until the Council's approval thereto has been granted. The buildings on each lot shall be of a minimum value of R1 500.00. The architectural features of all elevations and in regard of lots abutting on the Jan Marais Park, the hedges, fences and walls, shall harmonise with the scheme of town planning as designed by the council and with the surrounding properties.

- (5) All buildings shall be erected not less than 6,30 metres from the front or street boundary line of the lot and not less than 3,15 metres from the side and back boundary of the lot.
- (6) The above lot being sold exclusively for residential purposes, no trade or business with the exception of private hotels or boarding houses, shall be carried on on the lot.
- (7) No subdivision of the lot shall be made without the saction of the council first had and obtained.
- (8) The council and the successors in title of those portions of lot L.III held under Deed of Grant dated 8 January 1908 (Stellenbosch Freeholds volume 8 no. 5) and of lot M Held under Deed of Grant dated 22 March 1905 (Stellenbosch Freeholds volume 7 no. 12), excluded from the general plan S102, shall in the event of a sale or alienation of any portion or portions of the said ground within 62,97 metres of the eastern and western boundaries of the said general plan S102, only sell such portion or portions on similar conditions to the above.

Weshalwe / ...

Weshalwe die Komparant afstand doen van al die regte en titel wat die TRANSPORTGEWER voorheen op genoemde eiendom gehad het, en gevolglik ook erken dat die TRANSPORTGEWER geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie, en dat kragtens hierdie akte, bogenoemde TRANSPORTNEMER, sy Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat; en erken hy/sy ten slotte dat die hele Koopsom die bedrag van R15 200 000-00 (Vyftien Miljoen Twee Honderd Duisend Rand) bedra, wat ten volle betaal of verseker is.

Ten Bewyse waarvan ek, die genoemde Registrateur, tesame met die Komparant, hierdie Akte onderteken en dit met die Ampseël bekragtig het.

ALDUS GEDOEN en verly op die Kantoor van die Registrateur van Aktes, te KAAPSTAD
op 28 NOV 2022

q.q sy Prinsipaal/ale

In my teenwoordigheid,


REGISTRATEUR VAN AKTES.

APPENDIX 3
COMPANY RESOLUTION AND POWER OF
ATTORNEY

RESOLUTION

PASSED AT THE MEETING OF APEX SPV1 (PTY) LTD (REG NO 406083/07)
HELD IN CAPE TOWN ON 16 FEBRUARY 2023

LYNN MILLER AND/OR JASON KOMBO in their capacity as Directors of the Company are hereby authorized to sign on relevant documentation pertaining to the land use applications on Erf 3491 Verreweide street Stellenbosch

LYNN MILLER
DIRECTOR

A handwritten signature in black ink, appearing to be 'LM' with a long horizontal stroke extending to the right.

JASON KOMBO
DIRECTOR

A handwritten signature in black ink, appearing to be 'JK' with a circular flourish at the bottom.

POWER OF ATTORNEY

Apex SPV1 (Pty) Ltd, the registered owner of Erf 3491 Stellenbosch

Do hereby nominate and appoint

Emile van der Merwe Town Planning Consultants

With the power of substitution, to be my/our lawful Agent in my/our name, place and stead and to make the necessary application for the following

- **APPLICATION IN TERMS OF SECTION 15 OF THE STELLENBOSCH LAND USE PLANNING BY-LAW (2015) READ WITH THE STELLENBOSCH ZONING SCHEME BY-LAW (2019)**

On the above mentioned property and to proceed with any required work to the final end and termination thereof and generally of effecting the purpose aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done ; by virtue of these present.

SIGNED AT CAPE TOWN
DAY OF FEBRUARY 2022.

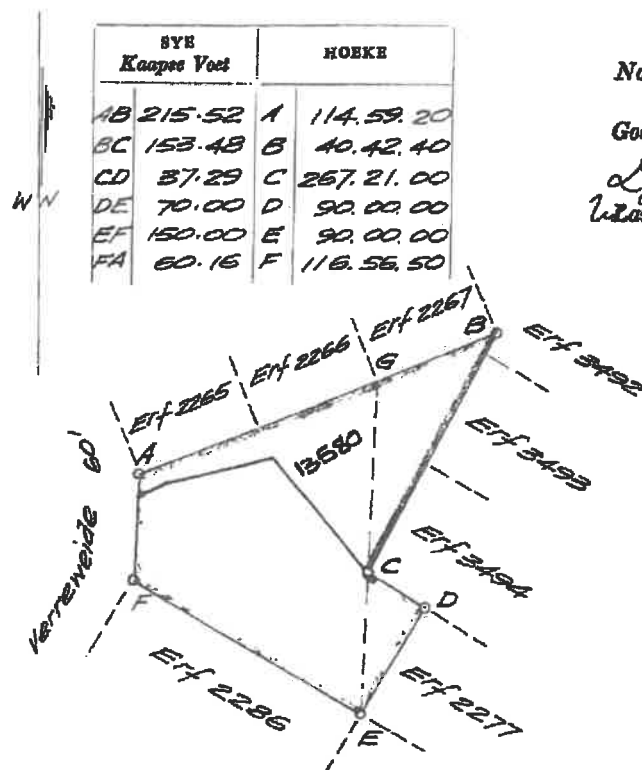
ON THIS 16TH

DIRECTOR


Jason Kombo

APPENDIX 4

SG DIAGRAM



No. 6003/62

Goedgekeur.

[Signature]
Landmeter-Generaal.
5. 11. 1962

Beskrywing van Baken:
B.C.E = 12" x 18" ysterpenne.
D = Geen baken.

1. FIGUUR A.G.E.F. met Erf 2287 Stellenbosch, groot 113 VR. Rd, 138 VR. Vt, voorstel, Kaart Nr. 4237/1943 getreg aan T/A 1943-316-15798.
2. FIGUUR B.C.D.E met Erf 3497 Stellenbosch, groot 4909 VR. Vt, voorstel, Kaart Nr. 6003/1962 getreg aan T/A. 1963. 11414.

Skaal 1: 1000

Die figuur A.B.C.D.E.F

stel voor 21,319

Vierkanse Voet grond synde

Erf 3491 Stellenbosch

soos hierboort aangevulde

geleë in die Munisipaliteit en
Afdeling Stellenbosch,

Provinsie Kaap die Goeie Hoop.

Stangestel

Opgemets in Aug. 1962 deur my

[Signature]

Landmeter.

Hierdie kaart is gehag aan Sert.
van Verenigde Titel
Nr. 11415/1963.

Die oorspronklike kaart is soos
No. gehag-aan-
in die beskrywing
aangenaad

L.G. Leer No. 2239/2347
Meetstukke No. E. aangestel

BH-BDB
211

S

C

Registrateur van Aktes

B & L.P.C.T.-ATIS

APPENDIX 5

PLANS AND ARCHITECTURAL STATEMENT



PIET DEKKER.
ARGITEKTE · ARCHITECTS

24 Techno Ave Techno Park Stellenbosch South Africa
T+27 (0)21 880 2016 info@pietdekker.co.za www.pietdekker.co.za
Piet Dekker Architects (Pty)Ltd Reg.No.2022/022362/07

29 November 2022

To whom it may concern

**RE: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS
AND PERMANENT DEPARTURES: ERF 3491, VERREWEIDE STREET,
STELLENBOSCH**

This office has been appointed by the owner of Erf 3491 Stellenbosch to prepare the architectural drawings in support of the land use development application submitted by Emile van der Merwe Town Planning Consultants.

The proposed architectural language is a contemporary reflection of the spirit of Verreweide's history and style. Situated on an almost 90° degree bend, the proposed massing and built form steps back into the site to create a forecourt filled with trees, shadows and a stepped façade. The simple roofscape is in balance with the surrounding neighbourhood and the proposed façade treatment reflects a well-balanced contextual fit – making use of shadow lines, stepped balconies and flower boxes on the sides all contribute to an asset for the neighbourhood.

Reflecting on the future, this proposed development is an upmarket vision distinguishing itself from the normal "cookie cutter" approach and cramped units seen as student accommodation. The room sizes for the one-bedroom units are 54m² (double the size of the norm) reflecting an upmarket luxury residential development in terms of style and size. The population density is low with only 18 units (instead of 36 units) with an upper floor area that opens up to the mountain view with a communal lifestyle lounge, - gym, - entertaining area as well as a swimming pool.

VALUES:

- Upmarket/luxurious
- Spacious - unique bigger sizing of units

Director: P.J.K. Dekker BArch (UOFS) Pr Arch M SACAP



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ARGITEKTE • ARCHITECTS

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Piet Dekker Architects (Pty)Ltd Reg No.2022/022362/07

- State of the art communal areas with magnificent mountain views
- Sense of care for the surroundings
- Respect for proportion, scale & contextual fit
- Timeless character
- Catering for the needs of the top-end student and professional market.

Instead of harvesting the maximum number of units, this proposal will be a long term asset for the neighbourhood and community. We belief in quality; not quantity.

SUMMARY FOR THE BULK ENCROACHMENT FROM 75% to 0.9753%

1. The minimum size for all the one-bedroom units is 54m² each with its own balcony.
2. The proposal focuses on quality rather than quantity. The development consists of 18 luxury upper market apartments instead of the 36 units, but with the same bulk and therefore 50% less parking is required.
3. The upper floor consists of only two-bedroom units and the rest of the area (150m²) creating space for an upmarket gym, games room, lounge, and pool area – supporting the long-term vision and to create associated recreation facilities in support of an luxury residential environment.
4. This site is located on an almost 90° bend in Verreweide Road – the proposed entrance condition and “massing” steps away from the road creating space for a welcoming forecourt.
5. Inclusive balconies for every unit with the flower boxes to provide privacy. Side elevations with sympathetic elegance also adds to the aesthetic and visual quality of the building.
6. Activating the forecourt and street by means of a planted terrace above the laundry facilities adding to the streetscape.
7. The “gees”/spirit of the street and side elevations shows stepped facades which reflects correct proportions and contextual fit.



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Piet Dekker Architects (Pty)Ltd Reg No 2027/12230/07

8. The height of the building has been dramatically reduced by means of innovative design and roof typology. The maximum height to the top of the roof is 11,8m and the height to wall level is 11m.

We strongly believe that the development presents a unique residential opportunity that in terms of built form, and architectural elements will be to the benefit of the area and Stellenbosch town.

Yours sincerely,

PIET DEKKER
MANAGING DIRECTOR

ERF 3491 - 1 287m²

Coverage - 643.37m² (48.99%)

Green Area - 388m² (31%)

Flower Boxes - 75m² (all floors)

Total Green - 473m² (37%)

Bulk - 1 255.17m² (97.53%)

Ground - 46.15m²

First - 504.54m²

Second - 418.78m²

Third - 285.70m²

Parking

18 Units at 1.5 bays / unit = 27 bays

Provided - 27 bays

- 24 car bays

- 8 motorcycle bays (2 car bays)

- 6 bicycle bays (1 car bay)

Construction Area - 2 420.86m²

Ground - 723.79m²

First - 620.70m²

Second - 545.86m²

Third - 530.52m²



02 - Ground Floor Plan

1 : 100

STREET
SIDE NORTH
SIDE EAST
REAR
SIDE SOUTH

Current Building Lines

6300mm
4500mm
4500mm
4500mm
4500mm

Proposed Building Lines

6300mm
2467mm
2000mm
2000mm
1860mm

ERF 3491 - 20 Verreweide - Stellenbosch

DATE: 2023.01.31



PIET DEKKER.
ARCHITECTS

ERF 3491 - 1 287m²

Coverage - 643.37m² (48.99%)

Green Area - 398m² (31%)

Flower Boxes - 75m² (all floors)

Total Green - 473m² (37%)

Bulk - 1 255.17m² (97.53%)

Ground - 46.15m²

First - 504.54m²

Second - 418.78m²

Third - 285.70m²

Parking

18 Units at 1.5 bays / unit = 27 bays

Provided - 27 bays

- 24 car bays

- 8 motorcycle bays (2 car bays)

- 6 bicycle bays (1 car bay)

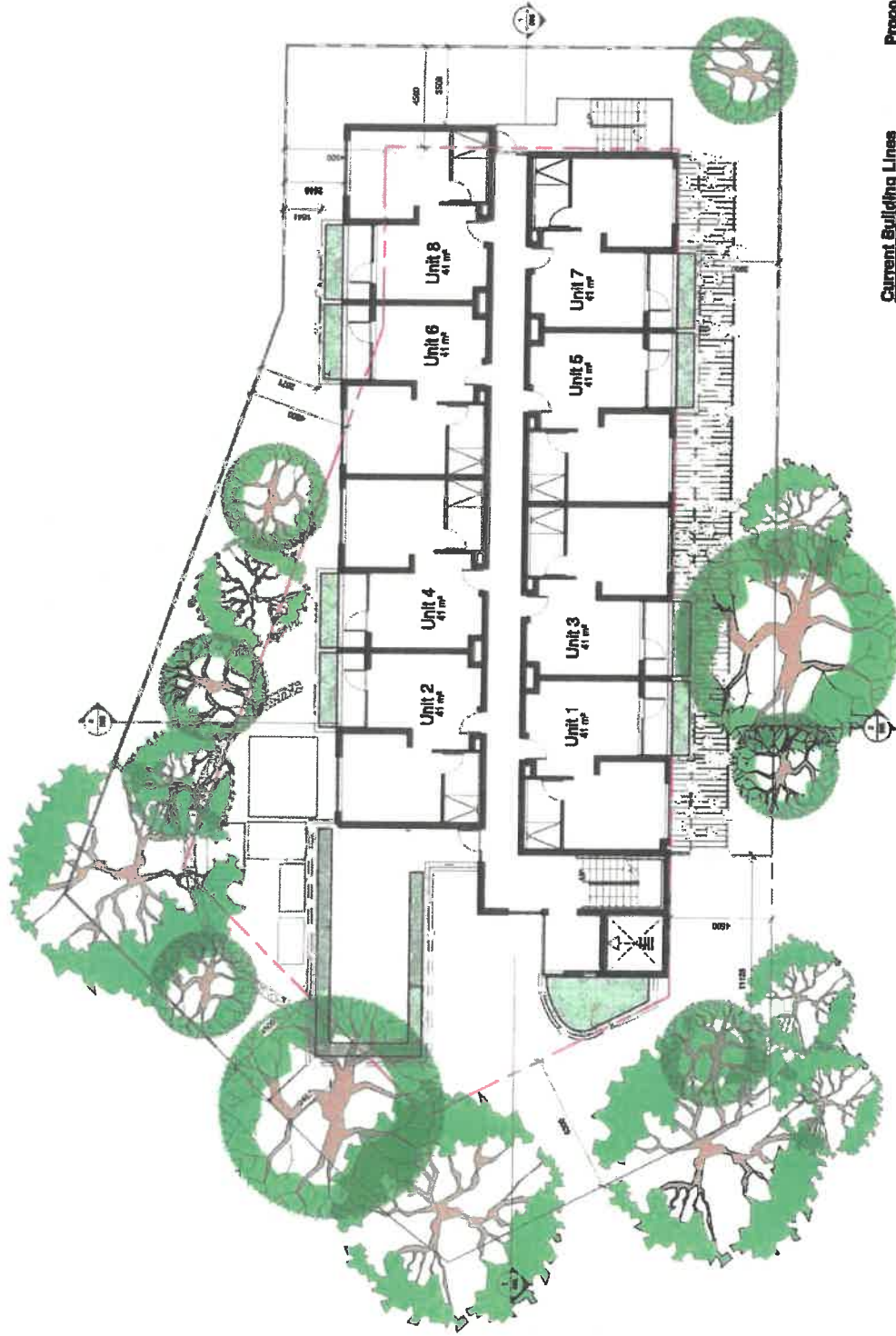
Construction Areas - 2 420.86m²

Ground - 723.79m²

First - 620.70m²

Second - 546.85m²

Third - 530.52m²



03 - First Floor Plan

1:100

Current Building Lines

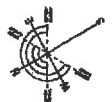
STREET 6300mm
SIDE NORTH 4500mm
SIDE EAST 4500mm
REAR 4500mm
SIDE SOUTH 4500mm

Proposed Building Lines

6300mm
2467mm
1641mm
3506mm
3500mm

ERF 3491 - 20 Verreweide - Stellenbosch

DATE: 2023.01.31



ERF 3491 - 1 287m²

Coverage - 643.37m² (49.99%)

Green Area - 398m² (31%)
Flower Boxes - 75m² (all floors)
Total Green - 473m² (37%)

Bulk - 1 255.17m² (97.53%)

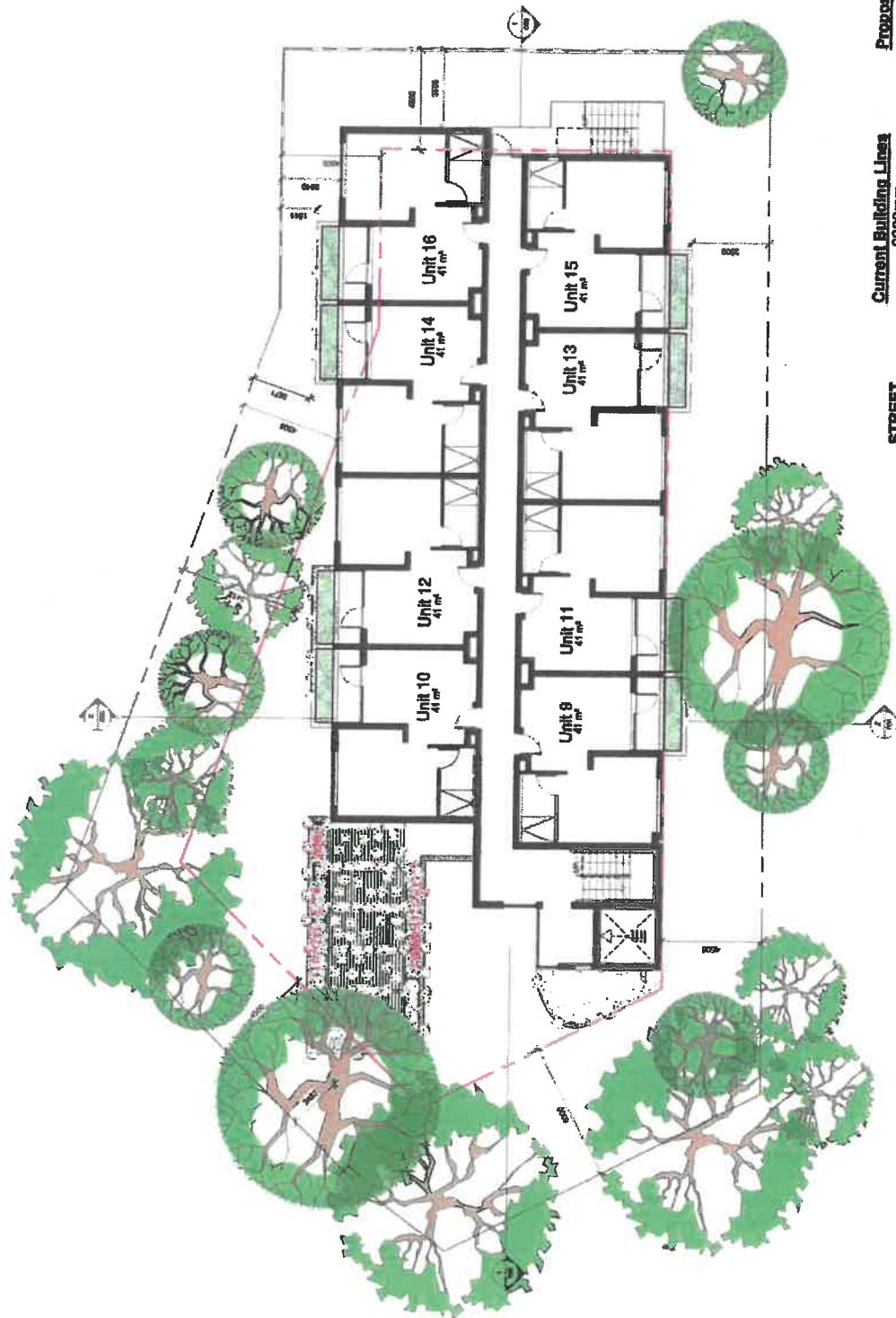
Ground - 46.15m²
First - 504.54m²
Second - 418.78m²
Third - 295.70m²

Parking

18 Units at 1.5 bays / unit = 27 bays
Provided - 27 bays
- 24 car bays
- 8 motorcycle bays (2 car bays)
- 6 bicycle bays (1 car bay)

Construction Areas - 2 420.86m²

Ground - 723.70m²
First - 820.70m²
Second - 545.85m²
Third - 530.52m²



04 - Second Floor Plan
1:100

Proposed Building Lines

6300mm
2467mm
1641mm
3506mm
3500mm

Current Building Lines

6300mm
4500mm
4500mm
4500mm
4500mm

STREET
SIDE NORTH
SIDE EAST
REAR
SIDE SOUTH



ERF 3491 - 20 Verreweide - Stellenbosch

DATE: 2023.01.31



PIET DEKKER.
ARCHITECTS

ERF 3491 - 1 287m²

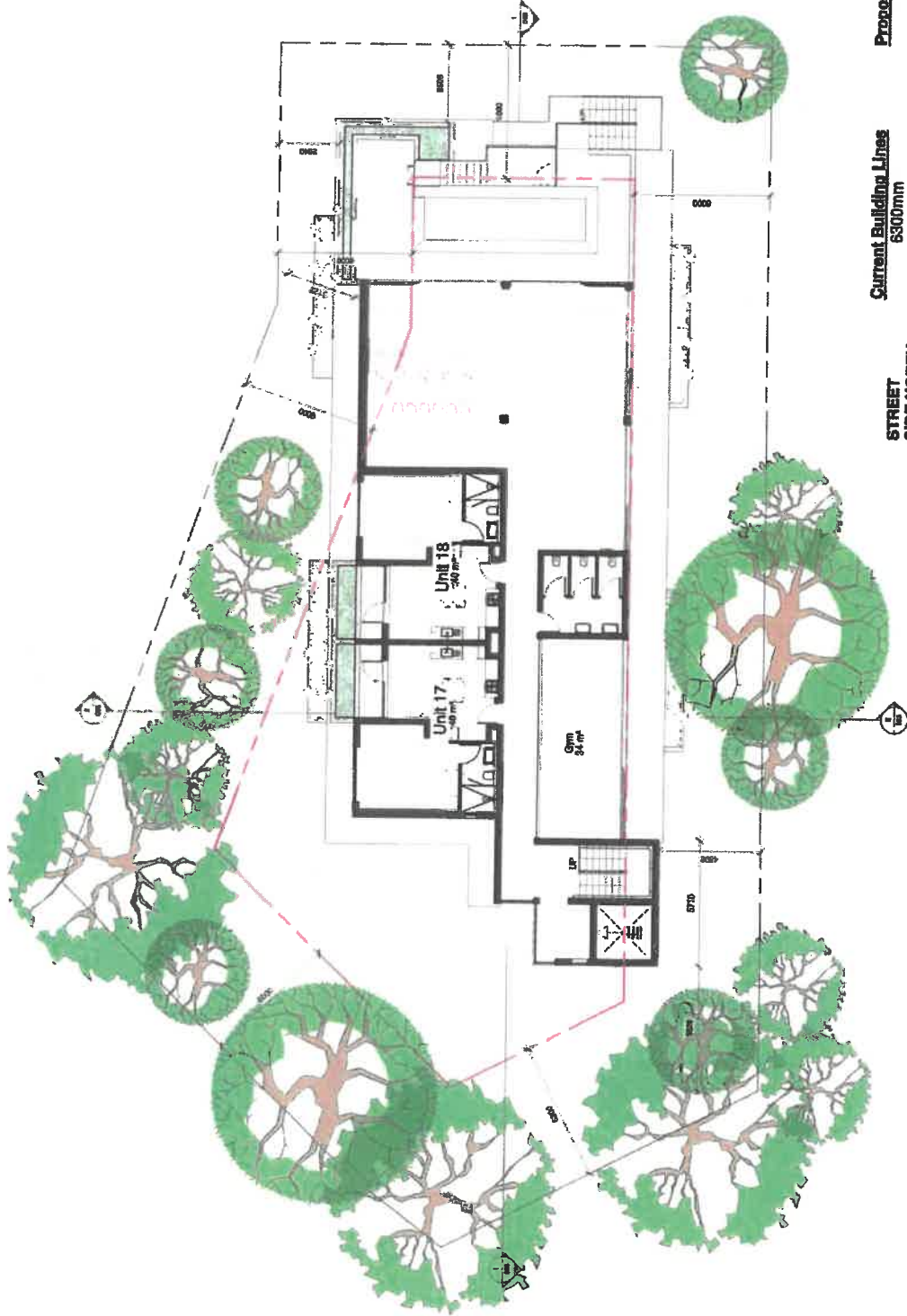
Coverage - 843.37m² (49.99%)

Green Area - 398m² (31%)
Flower Boxes - 75m² (all floors)
Total Green - 473m² (37%)

Bulk - 1 255.17m² (97.53%)
Ground - 46.15m²
First - 504.54m²
Second - 418.78m²
Third - 285.70m²

Parking
18 Units at 1.5 bays / unit = 27 bays
Provided - 27 bays
- 24 car bays
- 8 motorcycle bays (2 car bays)
- 6 bicycle bays (1 car bay)

Construction Areas - 2 420.86m²
Ground - 723.79m²
First - 820.70m²
Second - 545.85m²
Third - 530.52m²



05 - Third Floor Plan
1:100

Current Building Lines

6300mm
6000mm
6000mm
6000mm
6000mm

Proposed Building Lines

6300mm
6000mm
2640mm
3506mm
4508mm

STREET
SIDE NORTH
SIDE EAST
REAR
SIDE SOUTH



ERF 3491 - 20 Verreweide - Stellenbosch

DATE: 2023.01.31

ERF 3491 - 1 287m²

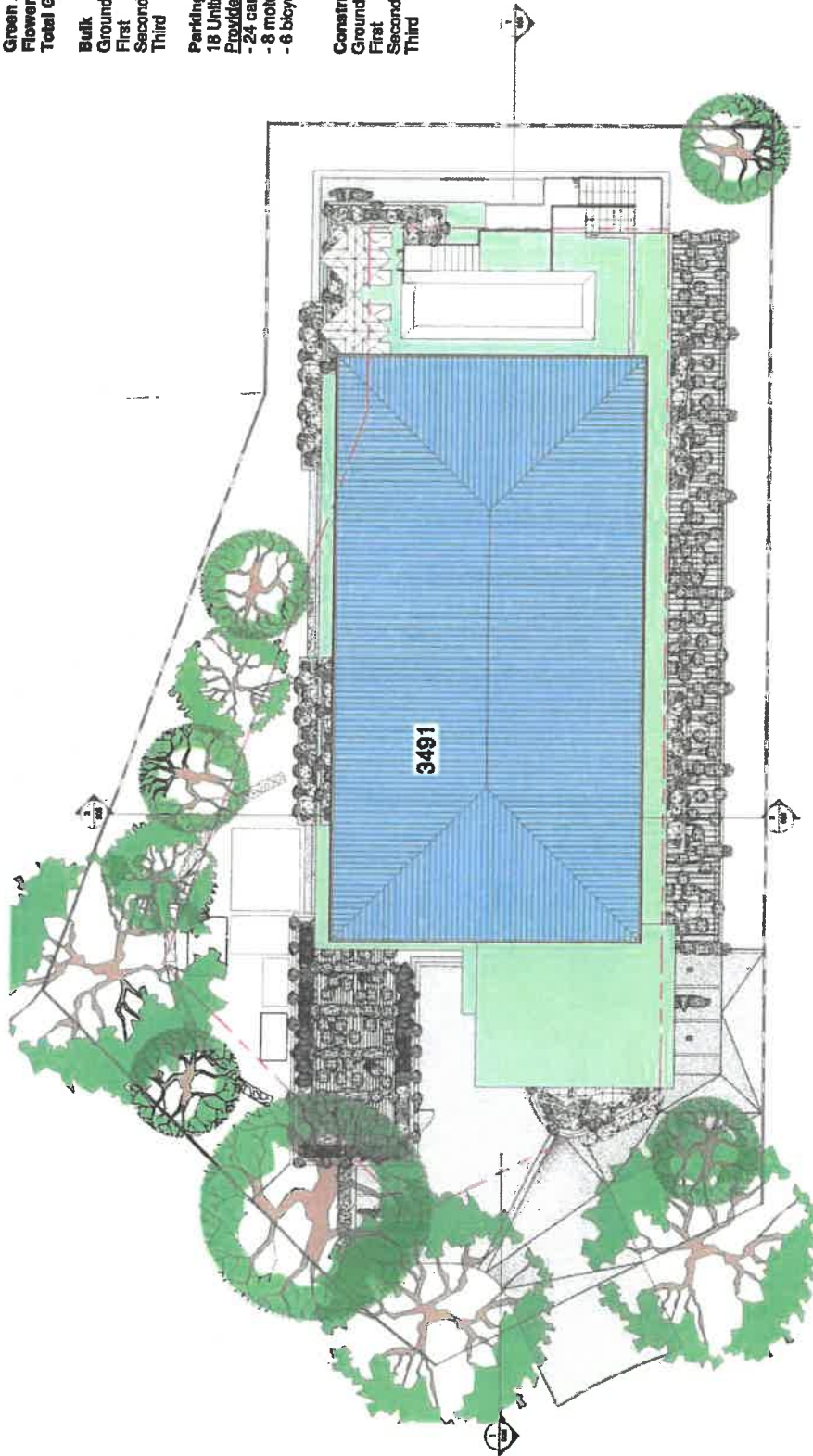
Coverage - 843.37m² (49.95%)

Green Area - 398m² (31%)
Flower Boxes - 75m² (all floors)
Total Green - 473m² (37%)

Bulk - 1 255.17m² (97.53%)
Ground - 46.15m²
First - 504.54m²
Second - 418.78m²
Third - 285.70m²

Parking
18 Units at 1.5 bays / unit = 27 bays
Provided - 27 bays
- 24 car bays
- 8 motorcycle bays (2 car bays)
- 6 bicycle bays (1 car bay)

Construction Areas - 2 420.86m²
Ground - 723.79m²
First - 820.70m²
Second - 545.85m²
Third - 530.52m²



Roof Plan
1:100

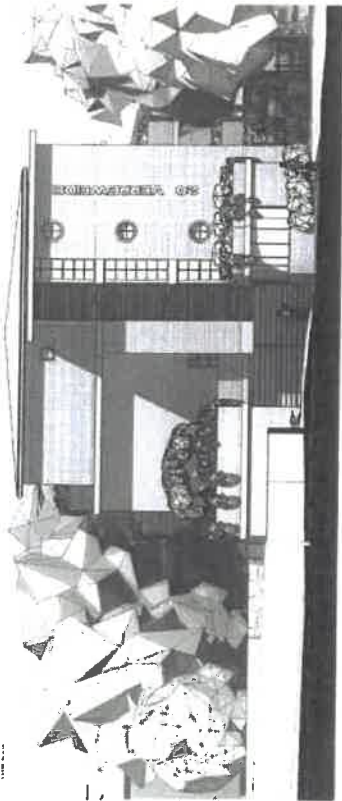


ERF 3491 - 20 Verreweide - Stellenbosch

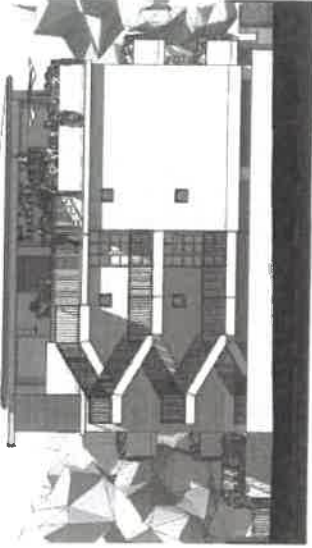
DATE: 2023.01.31



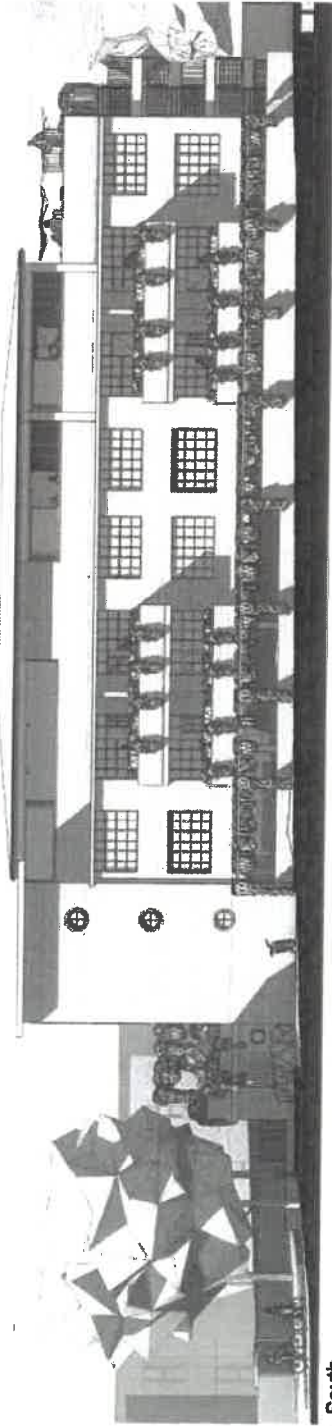
PIET DEKKER.
ARCHITECTS



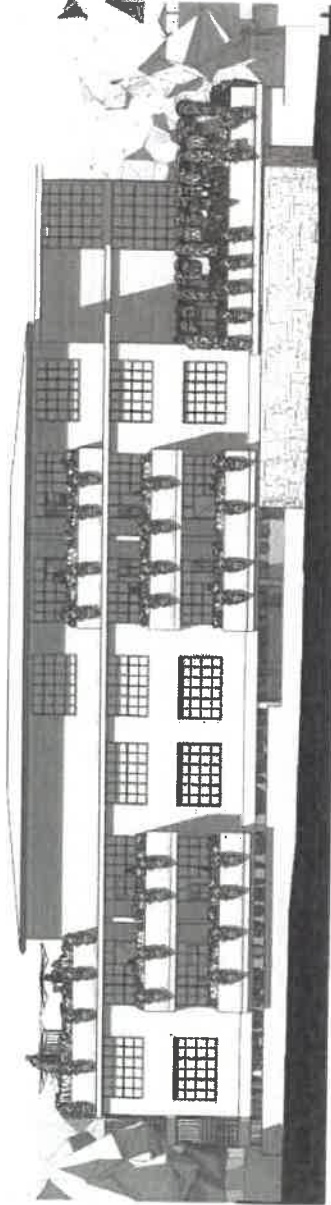
1 West
1:100



3 East
1:100



2 South
1:100

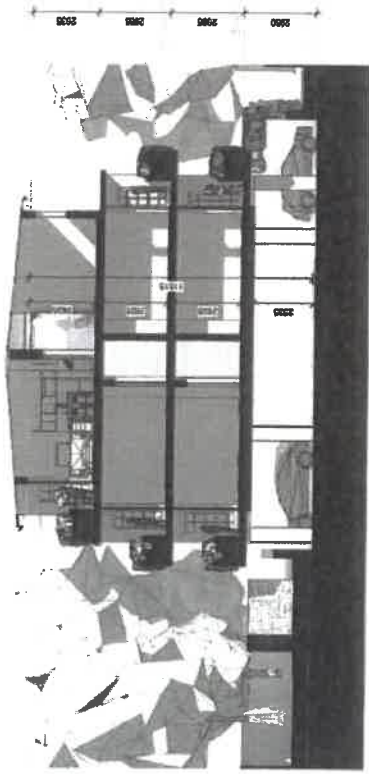


4 North
1:100

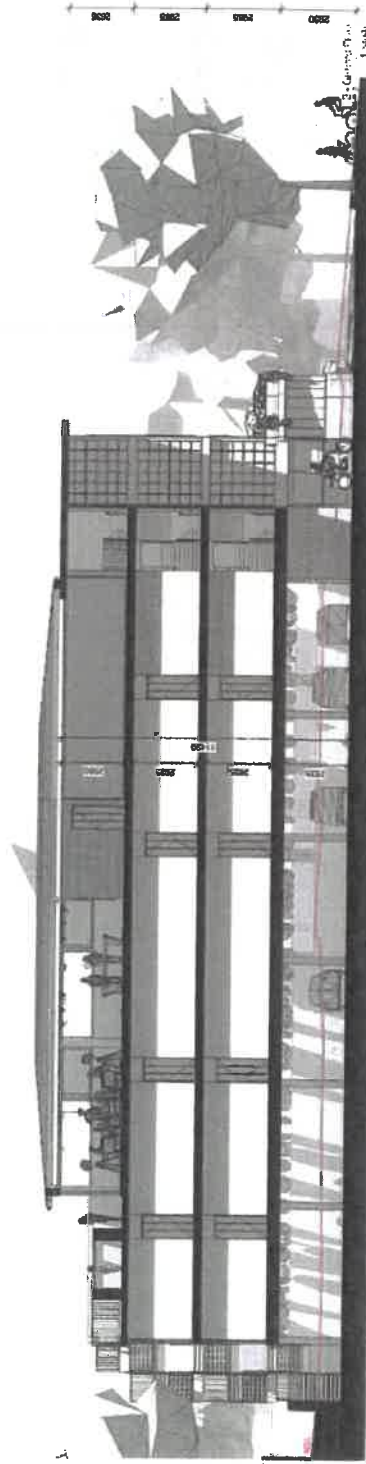


ERF 3491 - 20 Verreweide - Stellenbosch

DATE: 2022.11.28



2 Section B
1:100



1 Section A
1:100

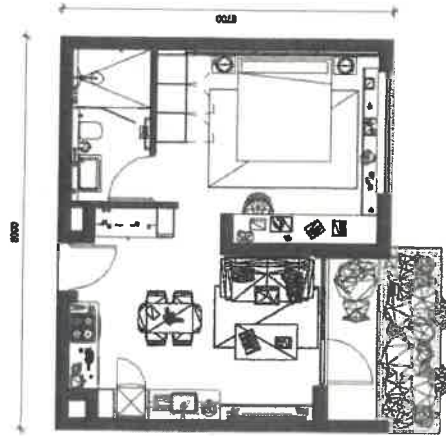


ERF 3491 - 20 Verreweide - Stellenbosch

DATE: 2022.11.28



PIET DEKKER.
ARGITEKTE ARCHITECTS



1 Unit Layout
1 : 50



ERF 3491 - 20 Verreweide - Stellenbosch

DATE: 2022.11.28



ERF 3491 - 20 Verreweide - Stellenbosch

DATE: 2022.11.28

APPENDIX 6
TRAFFIC STATEMENT



Date: 30 January 2023

Our Ref: UDS625/Reports/Traffic

EVDM Town Planning Consultants

P.O. Box 204

STELLENBOSCH

7599

ATTENTION: Mr Emile van der Merwe

Dear Sir,

**PROPOSED APARTMENTS ON ERF 3491, 20 VERREWEIDE STREET, STELLENBOSCH:
TRAFFIC INPUT**

Your request for traffic input for the proposed apartments on Erf 3491, Stellenbosch, refers.

1. LOCALITY

The subject property is situated along Verreweide Street, to the south of its intersection with Banghoek Road, Stellenbosch. See the locality below.



Diagram 1 : Locality Plan

head office

Unit 8, Time Square Building,
9 Electron Street, Techno Park,
Stellenbosch

PO Box 50487
V&A Waterfront
8002

T +27 (0)21 880 0443

F +27 (0)86 523 8227

info@udsafrika.co.za

general enquiries

Elmarie Els 021 880 0443

managing member

A Khan PrEng

associates

JW Wessels PrEng

P v Blerk PrEng

JN Louw PrCPM

offices

Clanwilliam, Stellenbosch,
Somerset West

Reg no. 2003/043709/23

urban development solutions



2. PROPOSED DEVELOPMENT

The proposed redevelopment of the site includes 18 residential apartments, most likely to be rented by students. The *Site Plan* is indicated below:

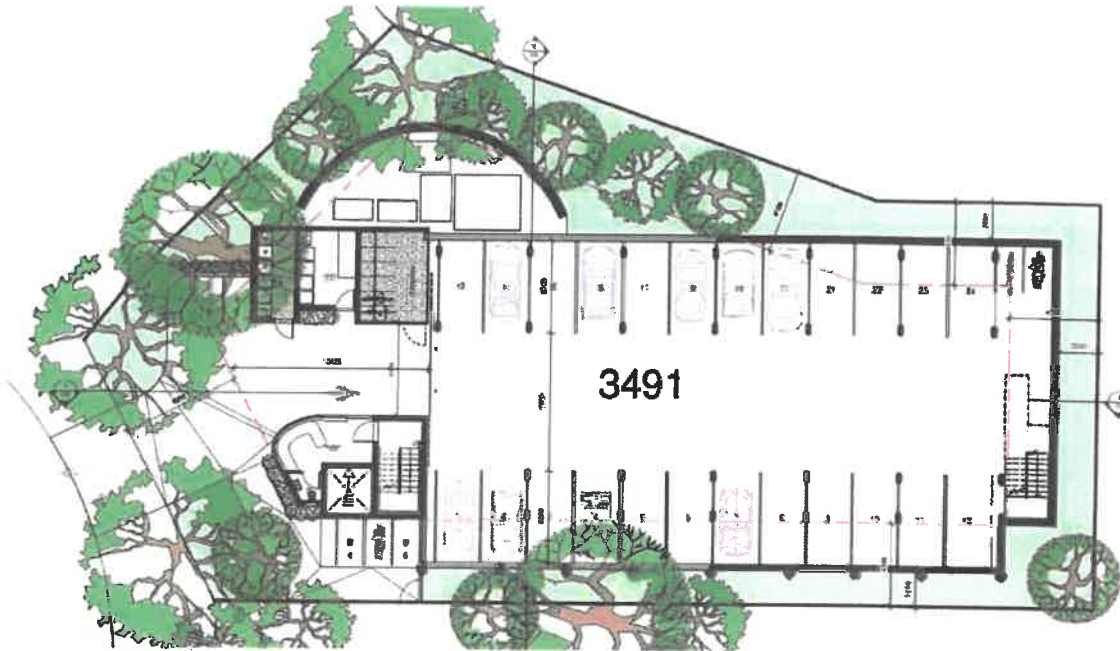


Diagram 2 : Site Plan (Piet Dekker Architects)

Access to the subject property is currently obtained from Verreweide Street, and is proposed to remain in the same position. The access will serve the security controlled parking below the apartment building. A panhandle driveway which provides access to the neighbouring property exists along the northern property boundary.

3. TRAFFIC

Trip generation rates as contained in the TMH17 *South African Trip Data Manual* were consulted to calculate the potential peak hour traffic that can be generated by the proposed development. The TMH17 suggests the following relevant trip generation rates:

	Rate	Split AM (in/out)	Split PM (in/out)
Apartments and Flats	0,65 trips per unit (AM & PM)	25/75	70/30
Student Apartments and Flats	0,2 AM trips per unit 0,3 PM trips per unit	25/75	65/35

Based on the rate for standard 'Apartments and Flats', the proposed 18 units can be expected to generate 12 peak hour trips (3 in, 9 out during the AM peak hour and 8 in, 4 out during the PM peak hour). This results in 1 trip every 5 minutes during the peak hours, which is considered insignificant.

According to the *Manual for Traffic Impact Studies* of the *Department of Transport*, Traffic Impact Statements are required should 50 peak hour trips or more (up to 150 trips) be added to the road network by the proposed development. As the proposed development does not meet the said requirement, no traffic analyses were conducted at the surrounding intersections.

It can thus be concluded that no external road upgrades are considered necessary as result of the proposed development traffic.

4. GEOMETRY

Verreweide Street, from which access is obtained, is classified as a Class 5 on the *Stellenbosch Municipality Road Master Plan*.

The access as indicated on the Site Plan measures $\pm 6,0$ metres at its intersection with Verreweide Street, with the security controlled gate $\pm 5,0$ metres wide, which is considered sufficient for the traffic expected on-site. The access gate to the parking is setback ± 20 metres from the edge of Verreweide Street, which is more than sufficient to accommodate stacking.

Parking for the proposed apartments will be situated below the apartment-building.

A refuse room is indicated to the outside of the security controlled gate. Wheelie-bins will thus be moved kerbside on Municipal collection days, as is current practice in the area.

5. PARKING

The *Stellenbosch Municipality Zoning Scheme* requires '1 bay/dwelling unit' for '1- & 2-bedroom units', plus '0,5 bay/dwelling unit' for visitors. The proposed 18 apartments will thus require $18 + 9 = 27$ parking bays.

As indicated on the *Site Plan*, 24 vehicular parking bays are provided below the apartment-building, with 8 motorcycle bays and 6 bicycle spaces. Based on a substitution of 4 motorcycle bays for 1 vehicular bay, and 6 bicycle spaces for 1 vehicular bay, a total of 27 equivalent parking bays are provided, which corresponds with the requirement mentioned above.

Vehicular parking bays measure 2,5 by 5,0 metres, with 7,5 metre isle widths. These are in line with normal parking standards and thus considered acceptable. Bays situated adjacent to walls are provided with an offset of $\pm 0,35$ metres minimum, which is sufficient in terms of the standard requirements.

Motorcycle bays measure $\pm 1,5$ by 2,5 metres, which is considered sufficient. Bicycle spaces are provided within an area that can be closed/locked for security purposes.

6. PUBLIC- AND NON-MOTORISED TRANSPORT

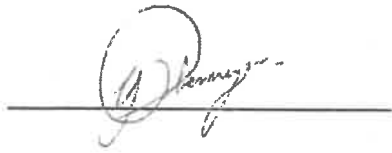
Additional formal public- or non-motorised transport facilities are not considered necessary as result of the proposed development.

7. CONCLUSION

From the above, it is recommended that the proposed apartments be considered for approval from a traffic point of view as the peak hour trip generation is considered insignificant.

We trust that the above will be sufficient for the purpose of your application and will gladly provide any additional information required on request.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Yolandi Obermeyer', is written over a horizontal line.

Compiled by: Yolandi Obermeyer (B Eng)

UDS AFRICA



APPENDIX 7
SERVICES REPORT



BART SENEKAL INC.
Consulting Civil & Structural
Engineers

12 Alexander Street, Stellenbosch 7600
P.O.Box 1196, Stellenbosch 7599
Telephone (021) 883-8710
Fax No. (021) 887-6547
E-mail info@bs-inc.co.za

DATE: 02 February 2023

YOUR REF:

OUR REF: 10584 / A1

**PROPOSED APARTMENTS DEVELOPMENT ON ERF 3491,
VERREWEIDE STREET, STELLENBOSCH**

REPORT ON PROVISION OF CIVIL ENGINEERING SERVICES

1. INTRODUCTION

The proposed apartments development on Erf 3491, Verreweide Street, Stellenbosch comprises 18 one bedroom apartments. This report summarises the current situation with regard to the provision of the basic civil engineering services, i.e. water supply, sewerage and solid waste removal to the proposed development.

The development proposal is indicated on the site plan by Piet Dekker Architects in Appendix A. The concept civil engineering services are as indicated on Drawing 10584/01 in Appendix B.

2. SITE LOCATION AND DESCRIPTION

The site is located in Die Weides area of Stellenbosch. On three sides the site is bordered by student accommodation. To the west the site is bordered by Verreweide Street.

The site has a flattish fall of approximately 1 in 50 in a westerly direction. The existing house on the property will be demolished.

3. WATER SUPPLY

3.1 Demand :

The demand for potable water for the proposed development is calculated as follows:

Apartments (bachelors): 18 units @ 0,15 kl/unit/day = 2.7 kl/day

The development is classified as a "low-risk" fire protection area, with a required fire flow of 15 l/s at 7m minimum residual head.

3.2 Supply :

The Stellenbosch Municipality's water reticulation network is found in the road reserve of Verreweide Street in the form of a 100mm Ø pipeline. Indication from the Municipality is that the water reticulation network does have sufficient spare capacity to accommodate the development.

4. SEWERAGE

4.1 Run-off :

Sewage run-off from the proposed development is calculated as follows:

Apartments (bachelors): 18 units @ 0,15 kl/unit/day = 2.7 kl/day

4.2 Drainage :

The Municipality's sewerage network is found in Verreweide Street in the form of a 150mm Ø pipeline. The Municipality indicated that the network has spare capacity and will be able to accommodate the development.

6. SOLID WASTE REMOVAL

Solid waste generated by the development is calculated as follows:

Apartments (bachelors): 18 units @ 1.0 kg/unit/day = 0.126 t/week

The Stellenbosch Municipality indicated that they can provide a waste removal service to the development. A solid waste yard will be provided on the boundary with Verreweide Street from where the development will be serviced.

7. CONCLUSION

From the above it is concluded that the required basic civil engineering services for the proposed development, i.e. potable water, sewerage and solid waste removal can be accommodated by the Stellenbosch Municipality in their existing infrastructure, and from this perspective the development can be supported.

On behalf of: **BART SENEKAL & PARTNERS**



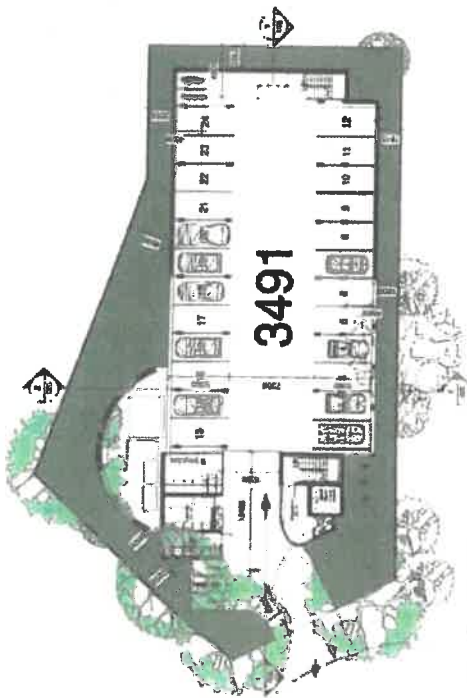
L J Louw Pr. Eng.

APPENDIX A

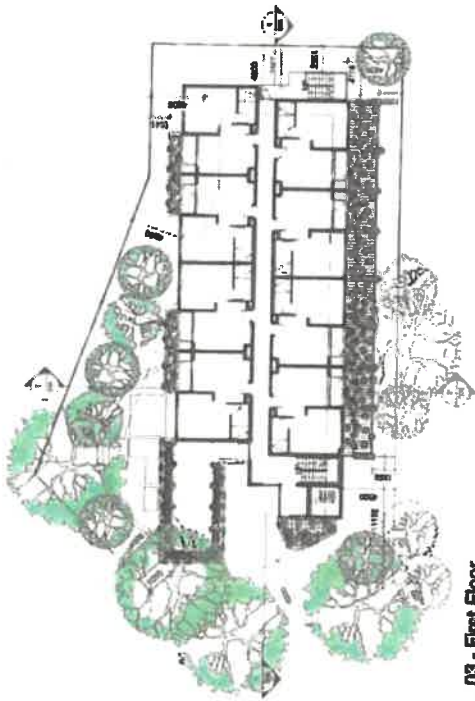
DEVELOPMENT PROPOSAL



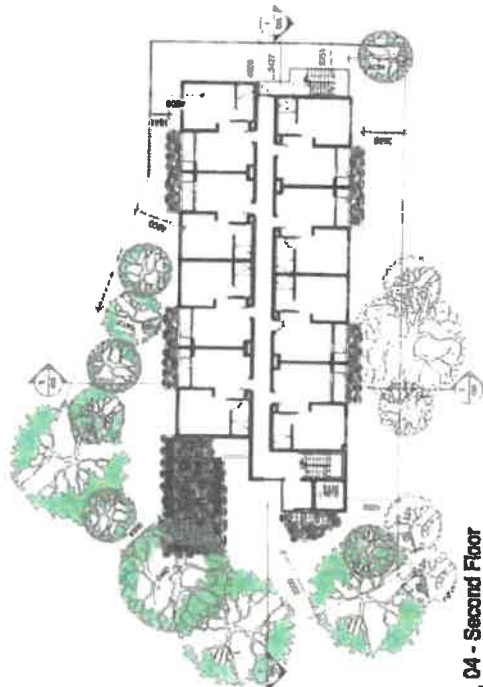
ERF 3491 - 20 Verreweide - Stellenbosch



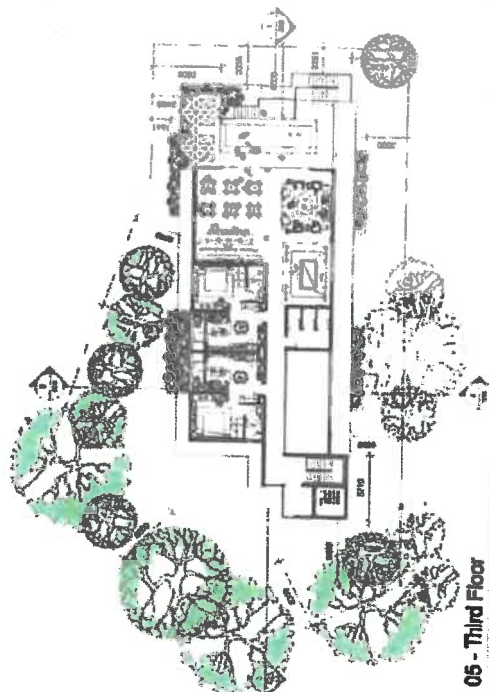
02 - Ground Floor
1:200



03 - First Floor
1:200



04 - Second Floor
1:200



05 - Third Floor
1:200

ERF 3491 - 1 267m²

Coverage - 643.37m² (49.99%)

Green Area - 396m² (31%)

Flower Boxes - 75m² (all floors)

Total Green - 473m² (37%)

Built - 1 255.17m² (87.53%)

Ground - 46.15m²

First - 504.54m²

Second - 418.76m²

Third - 285.70m²

Parking

18 Units at 1.5 bays / unit = 27 bays

Provided - 27 bays

- 24 car bays

- 6 motorcycle bays (2 car bays)

- 6 bicycle bays (1 car bay)

Construction Areas - 2 420.86m²

Ground - 723.78m²

First - 820.70m²

Second - 545.85m²

Third - 530.52m²



ERF 3491 - 20 Verreweide - Stellenbosch

APPENDIX B

CONCEPT CIVIL ENGINEERING SERVICES

APPENDIX 8
APPLICATION FORM



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

SUBMIT COMPLETED FORM TO landuseapplications@stellenbosch.gov.za

LAND USE PLANNING APPLICATION FORM

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation)

KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	Emile				
Surname	Van der Merwe				
Company name (if applicable)	Emile van der Merwe Town Planning Consultants				
Postal Address	PO Box 204				
	Stellenbosch	Postal Code	7599		
Email	emilevdm@adept.co.za				
Tel	0218865050	Fax	0218838965	Cell	0845566461

PART B: REGISTERED OWNER(S) DETAILS (if different from applicant)

Registered owner(s)	Apex SPV1 (Pty) Ltd				
Physical address	15 Willow Road, Newlands				
	Cape Town	Postal code	7700		
E-mail	info@apexam.co.za				
Tel	0878093300	Fax		Cell	

PART C: PROPERTY DETAILS (in accordance with title deed)

Erf / Erven / Farm No.	Erf 3491	Portion(s) if Farm		Allotment area	Stellenbosch		
Physical Address	Nr 20 Verreweide Street, Stellenbosch						
Current Zoning	Multi-Unit Residential	Extent	1287m²	Are there existing buildings?	Y	N	
Applicable Zoning Scheme	Stellenbosch Zoning Scheme By-Law						
Current Land Use	Boarding house (students)						

Title Deed number and date	T	59059/2022										
Attached Conveyance's Certificate	Y	N	Any Restrictions to the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate									
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies):									
Is the property encumbered by a bond?	Y	N	If Yes, list the bondholder(s):									
Is the property owned by Council?	Y	N	If Yes, kindly attach a power of attorney from the Manager Property Management									
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.			
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 ?			Y	N			
Are there any pending court case(s) / order(s) relating to the subject property(ies)?			Y	N	Are there any land claim(s) registered on the subject property(ies)?			Y	N			

PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY

Has there been any pre-application consultation?	Y	N	If Yes, please attach the minutes of the pre-application consultation.
Has the pre-application scrutiny form been submitted?	Y	N	If yes, please attach the written feedback received.

* The submission of a pre-application scrutiny form is compulsory for this type of application as listed below and written feedback must be attached to the land use planning application.

PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE**APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)**

Type of application: Cost are obtainable from the Council Approved tariffs	Tick
15(2)(a) rezoning of land*	
15(2)(b) a permanent departure from the development parameters of the zoning scheme	
15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land	X
15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*	
15(2)(e) a consolidation of land that is not exempted in terms of section 24*	
15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*	X
15(2)(g) a permission required in terms of the zoning scheme	X
15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing 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)(i) an extension of the validity period of an approval	
15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme	
15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram*	
15(2)(l) a permission required in terms of a condition of approval	
15(2)(m) a determination of a zoning*	
15(2)(n) a closure of a public place or part thereof	
15(2)(o) a consent use contemplated in the zoning scheme	
15(2)(p) an occasional use of land	
15(2)(q) to disestablish a home owner's association	
15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services	
15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	
15(2)(6) when the Municipality on its own initiative intends to conduct land development or an activity	
15(2)(f) amendment of Site Development Plan	
15(2)(f) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines	

OTHER APPLICATIONS

Deviation from Council Policies/By-laws	R
Consent / Permission required in terms of a title deed	R
Technical approval in terms of the Zoning Scheme Bylaw, 2019	R
Other (specify): _____	R
TOTAL A:	

PRESCRIBED NOTICE AND FEES* (for completion and use by official)**

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 OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	Provincial Gazette	R
	INTEGRATED PROCEDURES	T.B.C	R
	TOTAL B:		R
	TOTAL APPLICATION FEES**		
	(TOTAL A + B)		R7500

****The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable and once proof of payment is received, the application will be regarded as duly submitted.**

*****All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, height, bulk, parking. Contact: indigent.office@ Stellenbosch.gov.za or 021 808 8501 or 021 808 8579**

****** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.**

BANKING DETAILS

Account Holder Name: Stellenbosch Municipality
 Bank: FIRST NATIONAL BANK (FNB)
 Branch no.: 210554
 Account no.: 62869253684
 Payment reference: LU/_____ and ERF/FARM _____

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

DETAILS FOR INVOICE

Name & Surname/Company name (details of party responsible for payment)	EVDM Town Planning Services
Postal Address	PO Box 204 Stellenbosch, 7599
Vat Number (where applicable)	4740239944

PART F: DETAILS OF PROPOSAL

Building line encroachment	Street		From	m	To	m
	Street		From	m	To	m
	Side		From	m	To	m
	Side		From	m	To	m
	Aggregate side		From	m	To	m
	Rear		From	m	To	m
Exceeding permissible site coverage		From	%	To	%	
Exceeding maximum permitted bulk / floor factor / no of habitable rooms		From		To		
Exceeding height restriction		From	m	To	m	
Exceeding maximum storey height		From	m	To	m	
Consent/Conditional Use/Special Development						
To permit.....						
In terms of Section.....of the.....Zoning Scheme Regulations						
Other (please specify)	<hr/> <hr/> <hr/>					

Brief description of proposed development / intent of application:

SEE MOTIVATION DOCUMENT

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required

Y	N	Power of attorney / Owner's consent if applicant is not owner	Y	N	Bondholder's consent (if applicable)
Y	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	N	Proof of any other relevant right held in the land concerned
Y	N	Written motivation pertaining to the need and desirability of the proposal	Y	N	S.G. diagram / General plan extract (A4 or A3 only)
Y	N	Locality plan (A4 or A3 only) to scale	Y	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale
Y	N	Proposed subdivision plan (A4 or A3 only) to scale	Y	N	Proof of agreement or permission for required servitude
Y	N	Proof of payment of application fees	Y	N	Proof of registered ownership (Full copy of the title deed)
Y	N	Conveyancer's certificate	Y	N	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)
Y	N	N/A Consolidation plan (A4 or A3 only) to scale	Y	N	N/A Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	N/A Street name and numbering plan (A4 or A3 only) to scale	Y	N	N/A 1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	N/A Landscaping / Tree plan (A4 or A3 only) to scale	Y	N	N/A Home Owners' Association consent
Y	N	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)	Y	N	N/A Services Report or indication of all municipal services / registered servitudes
Y	N	N/A Copy of original approval and conditions of approval	Y	N	N/A Proof of failure of Home owner's association
Y	N	N/A Proof of lawful use right	Y	N	N/A Any additional documents or

							information required as listed in the pre-application consultation form / minutes	
Y	N	N/A	Required number of documentation copies		Y	N	N/A	Other (specify)

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION

Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))
			Y N/A National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y N/A National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y 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	Y N/A Other (specify)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	
Y	N	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, 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.
9. 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.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.
15. I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.

Applicant's signature:



Date:

2023/02/16

Full name:

Emile van der Merwe

Professional capacity:

Pr. Planner

FOR OFFICE USE ONLY

Date received: _____

Received By: _____

