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8 June 2023

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

Dear Sir / Mam

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

Application Property Address: Nooitgedacht Farm Stellenbosch R304

Application Property Number: Portion 23 of Farm 74, Nooitgedacht, (Koelenhof) Stellenbosch.

Applicant: Arch Town Planners - Renaldo Muller (renaldo@archtownplanners.co.za)

Owner: Koelenhof Plase (Pty) Ltd

Application Reference: IP 331/2023

Application Type: Rezoning, Consent Use, Subdivision and Permanent Departure

Detailed description of land use or development:

Rezoning section 15(2)(a) of Portion 23 of the Farm 74 Nooitgedacht (Koelenhof) from Agriculture and Rural Zone to Subdivisional Area to allow for the following uses and in accordance with the land use framework plan as depicted in plan with reference "Subdivision & Rezoning Plan", drawn by Arch Town Planners (Pty) Ltd:

- (a) 4 x Multi-Unit Residential erven/precincts (Portion A = ±37 991m² in extent, Portion B = ±80 883m² in extent, Portion C = ±90 275m² in extent & Portion D = ±23 112m² in extent) and approximately 23,23ha in extent, for group housing purposes with densities ranging between 25 - 40 units per hectare per precinct.
- (b) 1 x Multi-Unit Residential erf (Portion I) and approximately 0,83ha in extent, for private road purposes.
- (c) 4 x Local Business Zone erven (Portions E, F, G & HJ and approximately 6,1ha in extent for local business purposes.
- (d) 1 x Public Road & Parking Zone erf (Portion J) and approximately 1,59ha in extent for public road purposes.
- 2 Subdivision in terms of Section 15(2)(d) of the Stellenbosch Municipality Land Use Bylaw, 2015, of Portion 23 of the Farm 74 Nooitgedacht (Koelenhof) in accordance with "Subdivision & Rezoning Plan" drawn by Arch Town Planners (Pty) Ltd; to allow for the residential development in accordance with the sub-divisional zone above.

- 3 Consent Use in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Bylaw, 2015, for purposes of a place of entertainment to allow for a theatre/function's venue on Portion E.
- 4 Consent Use in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Bylaw, 2015, to allow for purposes for a place of education (school).
- 5 Departure in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Bylaw, 2015, to exceed the permissible coverage of 50% to 60%.

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:
 - o Indicate the facts and circumstances that explain the comments;
 - o Where relevant demonstrate the undesirable effect that the application will have if approved;
 - o Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: **Arch Town Planners Pty (Ltd)** - renaldo@archtownplanners.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 **8 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 **072 587 1901** during normal office hours.

Yours faithfully

Renaldo Muller
Arch Town Planners Pty (Ltd)



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Dorpstraat, Stellenbosch, 7600
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8 Junie 2023

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

Beste Mnr en/of Mev.

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

Adres van aansoek eiendom: Nootgedacht Plaas Stellenbosch R304

Aansoek eiendom beskrywing: Gedeelte 23 van Plaas 74, Nootgedacht, (Koelenhof) Stellenbosch.

Aansoeker: Arch Town Planners - Renaldo Muller (renaldo@archtownplanners.co.za)

Eienaar: Koelenhof Phase (Pty) Ltd

Aansoek Verwysing: TP 331/2023

Tipe Aansoek: Hersoneering, Vergunningsgebruik, Onderverdeling en Permanente Afwyking.

Besonderhede van die grondgebruiksaansoek:

1 Hersoneering in terme van artikel 15(2)(a) van Gedeelte 23 van die Plaas 74 Nootgedacht (Koelenhof) van 'n Landbou en Landelike sone tot 'n onderverdelings area om toe te laat vir die volgende geboude dien-ooreenkomsig met die grondgebruik raamwerk plan en aangedui in die plan genaamd "Subdivision and Rezoning Plan" geteken deur Arch Town Planners (Pty) Ltd:

(a) 4 x Multi-Eenhheid Residensieele erwe (Gedeelte A = ±37 991m², Gedeelte B = ±80 883m², Gedeelte C = ±90 275m² & Gedeelte D = ±23 112m²) en ongeveer 23,23ha vir groeps behuising doeleindes met digtheid van 25 tot 40 eenhede per hektaar per gedeelte.

(b) 1 x Multi-Eenhheid Residensieele erf (Gedeelte I) ongeveer 0,83ha vir privaat paale.

(c) 4 x Plaaslike Besigheids Sone erwe (Gedeeltes E, F, G & H) met ongeveer 6,1 ha vir Plaaslike Besigheid doeleindes.

(d) 1x Publieke Paale en Parkeering sone erf (Gedeelte J) 1,59ha vir Publieke Paale en Parkeering doeleindes.

2 Onderverdeling in terme van artikel 15(2)(d) van die Stellenbosch Munisipaliteit Grondgebruiks Verordening, 2015 vir Gedeelte 23 van die Plaas 74 Nootgedacht (Koelenhof) dien-ooreenkomsig met die grondgebruik raamwerk plan en aangedui in die plan genaamd "Subdivision and Rezoning Plan" geteken deur Arch Town Planners (Pty) Ltd om die residensieele ontwikkeling in ooreenkoms met die onderverdelings sone bo te ontwikkel.

Page 3 of 4

3 Vergunningsgebruik in terme van artikel 15(2)(o) van die Stellenbosch Munisipaliteit Grondgebruiks Verordening, 2015 vir die doel om 'n plek van vermaak toe te laat op gedeelte E om as 'n teater of onthaal lokaal gebruik te word.

4 Vergunningsgebruik in terme van artikel 15(2)(o) van die Stellenbosch Munisipaliteit Grondgebruiks Verordening, 2015 vir die doel om 'n plek van onderwys (skool) toe te laat.

5 Afwyking in terme van artikel 15(2)(b) van die Stellenbosch Munisipaliteit Grondgebruiks Verordening, 2015, om die toelaatbare dekking te oorskryt: 60% in stede van 50%.

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 tydskedule van die publieke deelname proses by die volgende adres:

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

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terme 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 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: **Arch Town Planners Pty (Ltd) - renaldo@archtownplanners.co.za**. Deur 'n beswaar, kommentaar of versoë 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 vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **8 Julie 2023**

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermeldde 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 gekrewe 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 vermeldde elektroniese pos adres of telefonies by **072 587 1901** gedurende normale kantoor ure

Die uwe

Renaldo Muller
Arch Town Planners Pty (Ltd)

Page 4 of 4



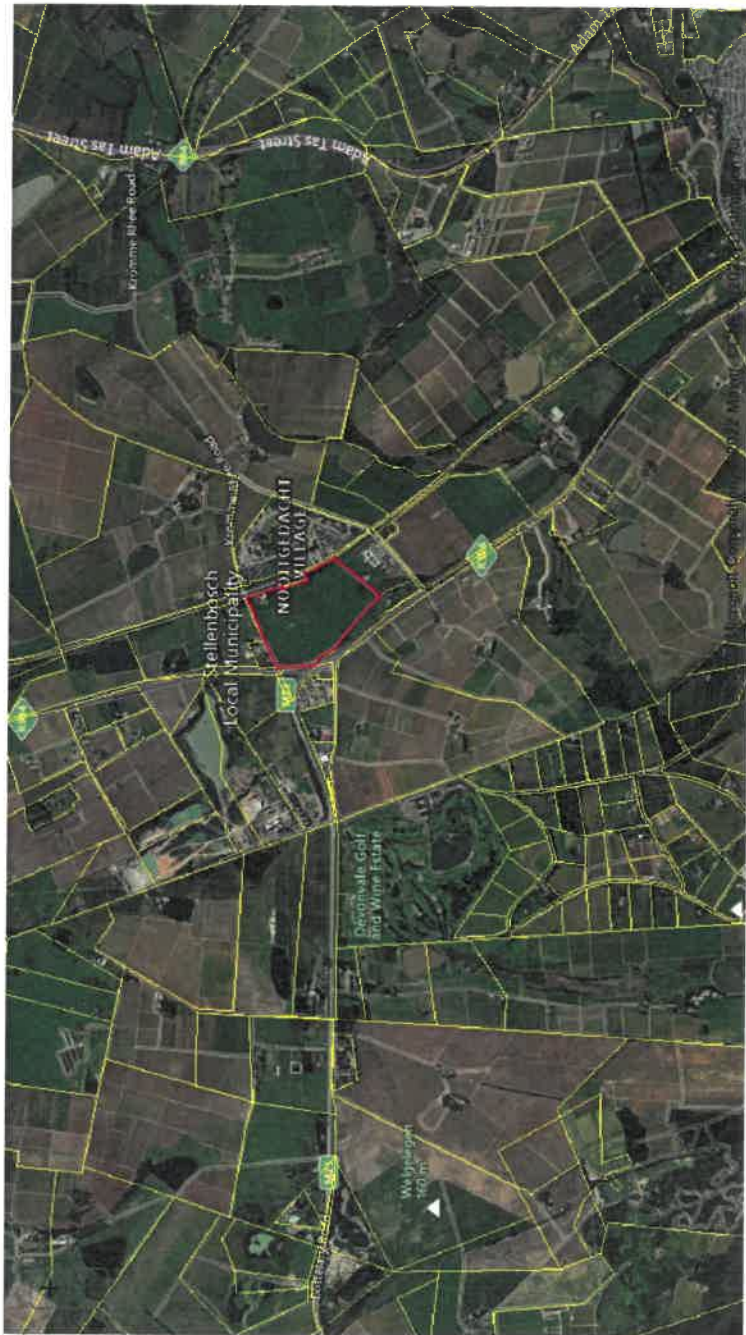
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Basemap ▾

+ Add Layers to Map

Surveyor-General Layers

- ☐ Erf
- ☒ Farm Portions



**REZONING, SUBDIVISION, CONSENT USE AND DEPARTURES
PORTION 23 OF THE FARM 74, NOOITGEDACHT,
STELLENBOSCH**



MARCH 2023

SUBMITTED TO: STELLENBOSCH MUNICIPALITY

PREPARED AND SUBMITTED BY:



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Table of Contents

1.	INTRODUCTION	5
1.1	Background Information.....	5
1.2	Planning Brief	5
1.3	Applications to Stellenbosch Municipality	5
2.	PROPERTY DESCRIPTION	6
2.1	Ownership Details and Title Deed.....	6
2.2	Locality and Context	6
2.3	Surrounding Land Uses (Existing and Proposed).....	7
2.4	Current Land Uses and Physical Characteristics of Application Site	8
2.5	Current Zoning.....	9
2.6	Servitudes.....	9
3.	DEVELOPMENT PROPOSAL.....	10
3.1	Overview.....	10
3.2	Access	10
3.3	Proposed Land Uses	10
3.3.1	Residential.....	12
3.3.2	Private Open Space.....	13
3.3.3	Local Business	16
3.4	Engineering Services	18
3.4.1	Road Infrastructure	18
3.4.2	Electrical Services.....	19
3.4.3	Civil Services	19
3.5	Other Applications Required	20
3.5.1	Environmental Impact Assessment.....	20
3.5.2	Heritage Impact Assessment	20
4.	LEGESLATIVE AND POLICY REVIEW.....	20
4.1	National Legislation.....	20
4.1.1	Spatial Planning and Land Use Management Act (Act 16 of 2013 (SPLUMA))	20

4.2	Provincial Legislation and Policies	21
4.2.1	Western Cape Land Use Planning Act (LUPA) (Act 3 of 2014)	21
4.2.2	Western Cape Provincial Spatial Development Framework (PSDF) (2014)	21
4.2.3	Western Cape Growth Potential Study (2014)	22
4.3	Municipal (Stellenbosch) Legislation and Policies	24
4.3.1	Stellenbosch Municipality Spatial Development Framework (SDF) (2019)	24
4.3.2	Stellenbosch Municipality Integrated Development Plan (IDP) (2022- 2027)	26
5.	MOTIVATION	27
5.1	Motivation in terms of Section 65 of the Stellenbosch Municipality By-Law (2015)	27
6.	CONCLUSION	32

ANNEXURE A:	Power of Attorney
ANNEXURE B:	Application Form
ANNEXURE C:	Title Deed and Conveyancer Certificate
ANNEXURE D:	SG Diagrams
ANNEXURE E:	Rezoning Plan
ANNEXURE F:	Subdivision Plan
ANNEXURE G:	Traffic Impact Assessment
ANNEXURE H:	Electrical Services Report
ANNEXURE I:	Engineering Services Report
ANNEXURE J:	Landscaping Plan
ANNEXURE K:	Environmental Impact Comments
ANNEXURE L:	Botanical report
ANNEXURE M:	Response To NID
ANNEXURE N:	Pre-Application Meeting Minutes

1. INTRODUCTION

1.1 Background Information

Portion 23 of Farm no. 74, Nootgedacht, Stellenbosch (hereafter referred to as 'the application site') is located in the Stellenbosch Municipal Area, 4km north-west of Stellenbosch at the intersection of the R304 (Klipheuwel Rd) and M23 (Kromme Rhee Rd). The property is 31.49 ha in extent and is currently undeveloped. The site has historically been utilised for cultivation (vineyards) but has been vacant for the past number of years.

The application site lies within the urban edge of Koelenhof and the owner of the property would now like to subdivide and rezone the application site to allow for the creation of a mixed-use development.

1.2 Planning Brief

In light of the above information, Arch Town Planners (Pty) Ltd has been appointed by the owner of the application site to prepare and submit the required subdivision and rezoning application to the Stellenbosch Municipality to allow for the proposed development. Please refer to the attached Power of Attorney **Annexure A**.

1.3 Applications to Stellenbosch Municipality

Arch Town Planners (Pty) Ltd hereby officially applies, in terms of Sections 15(2)(a), (b), (d) and (o) of the Stellenbosch Municipality Land Use By-Law, 2015 (hereafter referred to as 'the By-Law') for the following:

- The **Rezoning** of Portion 23 of the Farm 74 Nootgedacht from Agricultural and Rural to the following zonings (as indicated in the attached Rezoning Plan) and **Consent** use as indicated.
 - Portion A (approximately 3.80ha) to Multi-Unit Residential zone
 - Portion B (approximately 8.09ha) to Multi-Unit Residential zone
 - Portion C (approximately 9.03ha) to Multi-Unit Residential zone
 - Portion D (approximately 2.31ha) to Multi-Unit Residential zone
 - Portion E (approximately 3.72ha) to Local Business zone with a **Consent** for Place of Entertainment
 - Portion F (approximately 1.20ha) to Local Business zone with a **Consent** for Place of Education
 - Portion G (approximately 0.63ha) to Local Business zone
 - Portion H (approximately 0.55ha) to Local Business zone
 - Portion I (approximately 0.83ha) to Multi-Unit Residential zone (to allow for private road)
 - Portion J (approximately 1.59ha) to Public Roads and Parking zone
- ii. The **Subdivision** of Portion 23 of the Farm 74 Nootgedacht into 10 erven (portions), as indicated on the Subdivision Plan.
- iii. A **Permanent Departure** (applicable to the Multi-Unit Residential portions only) to allow for a coverage of 60% in lieu of 50%.

This report serves as motivation for the above-mentioned application. The official application form is attached to this report as **Annexure B**.

2. PROPERTY DESCRIPTION

2.1 Ownership Details and Title Deed

The table below is a summary of the ownership and characteristics of the application site. Please refer to the attached copy of the Title Deed **Annexure C**.

Property Details	Ownership	Farm Size	Title Deed	Restrictive Title Deed Conditions Applicable
Portion 23 of Farm 74, Nooitgedacht, (Koelenhof) Stellenbosch.	Koelenhof Plase (Pty) Ltd	31,49 Ha	T000072816/2006	N/A

Table 1: *Property Details*

2.2 Locality and Context

Please refer to Figures 1 and 2 for the regional and local context maps and aerial view of the application site. The site is situated between Stellenbosch, Paarl and City of Cape Town, directly east of the R304 which is a connector road between the N1 towards the north and Stellenbosch. The R304 forms the western boundary of the site with the Kromme Rhee Road running along the northern boundary. The railway line forms the eastern boundary with the Koelenhof Station on the eastern boundary of the property.

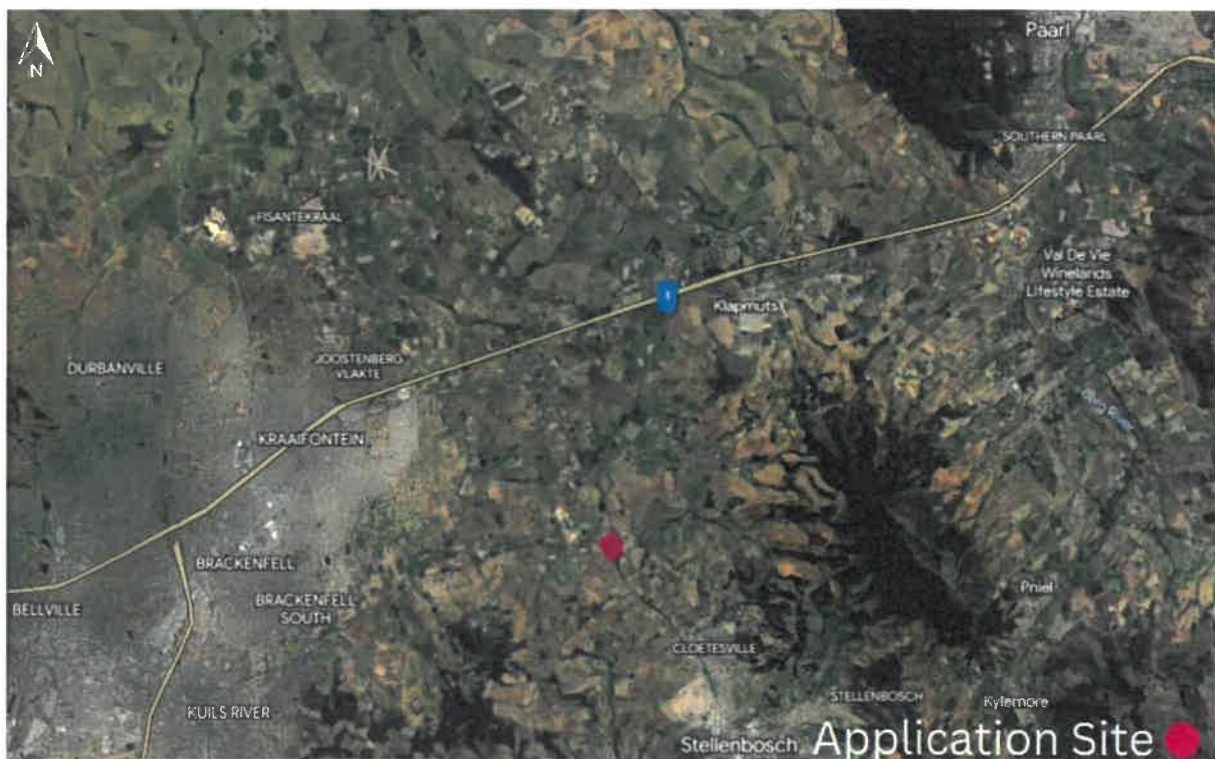


Figure 1: Regional Context.

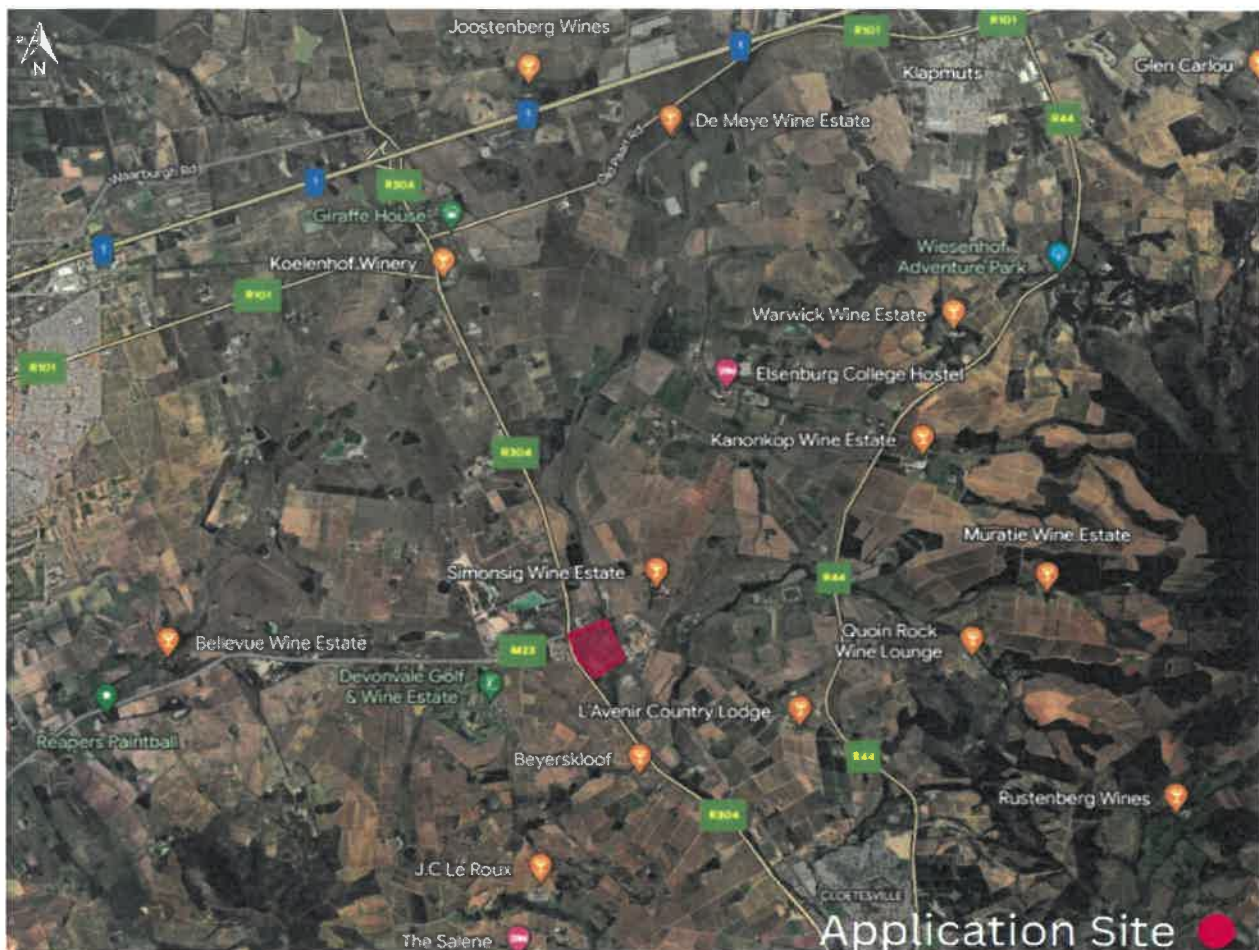


Figure 2: Local Context.

2.3 Surrounding Land Uses (Existing and Proposed)

Though the site is located in an area previously considered as a rural area, the surrounding land uses have greatly changed over the past few years. The existing land uses includes a church, youth centre, safari and outdoor and fuel station complex, school and Devenbosch golf estate. There is currently no formal access to the site, but access can be obtained from the Kromme Rhee road. The surrounding area has been earmarked for future development and has been included into the urban edge of the Koelenhof node. In response to this a few new developments have recently been approved including Devenbosch, Nooitgedacht and Malanshoop which allows for mixed use and residential developments.



Figure 3: Surrounding Land Uses.

2.4 Current Land Uses and Physical Characteristics of Application Site

The application site has an area of approximately 31,75ha and is a flat area of undeveloped vacant land. The perennial Plankberg river flows adjacent to the property along the south-western property boundary with a non-perennial tributary crossing the site from the north to the west.

The on-site investigation together with earlier Google Earth images revealed that the entire site (excluding the watercourse) was previously used for cultivation however the entire site is now dominated by weeds and grasses with the only structural difference being large patches of fluitjiesriet and bedding gras which re-emerged within the historic floodplain area on site. Natural plant diversity is very low. There is no representation of the original ecosystem Swartland Shale Renosterveld on site.

2.5 Current Zoning

As mentioned before the site is currently zoned Agricultural and Rural Zone, which allows for the following land uses:

Primary Uses	Additional Uses (not exceeding threshold in this chapter and subject to technical approval)	Consent Uses (Application required)
<ul style="list-style-type: none"> • Agricultural building ($\leq 2000\text{m}^2$) • Agriculture • Dwelling house • Forestry • Natural environment • Occasional use (one event/year) • Private road • Polytunnel ($\leq 2000\text{m}^2$) • Second dwelling • Employee housing (one unit) 	<ul style="list-style-type: none"> • Agricultural building ($> 2000\text{m}^2$) • Agricultural industry ($< 2000\text{m}^2$) • Bed and breakfast establishment • Employee housing (exceeding one unit) Guest house. • Home day care centre • Home occupation practice • Polytunnel ($\geq 2001\text{m}^2$ and $\leq 5000\text{m}^2$) • Rooftop base telecommunication station • Tourist dwelling units. • Tourist facility (existing buildings) 	<ul style="list-style-type: none"> • Abattoir • Additional dwelling units (max 4) • Airfield • Airstrip • Agricultural industry ($\geq 2000\text{m}^2$) • Camping site • Day care centre • Freestanding base telecommunication station • Helicopter landing pad • Intensive feed farming • Kennel • Market • Occasional use (> one event/year) • Plant nursery • Polytunnel ($> 5000\text{m}^2$) • Renewable energy structure • Service trade • Tourist accommodation establishment • Tourist facility (new buildings or exceeding threshold) • Any additional use exceeding the threshold set out in this chapter.

Table 2: Agricultural and Rural Zone Uses

2.6 Servitudes

The following servitudes are present on the site as indicated in the SG diagram and attached as **Annexure D**.

- Servitude 9574/1953: Pipeline Servitude 5m wide
- Servitude 9574/1953: Water Pipeline Servitude 3m wide
- Servitude 9574/1953: Sewer Pipeline Servitude

There is existing overhead electrical lines on the property that are not indicated on the SG diagram but identified by the electrical engineering services report **Annexure H**.

3. DEVELOPMENT PROPOSAL

3.1 Overview

Though the site is zoned Agriculture and Rural, it lies within the urban edge of Koelenhof (Stellenbosch) and the landowner now wishes to develop the site in line with the proposals made in the SDF, to allow for a high-density residential estate and a range of retail and community uses. The following section will provide a detailed description of the proposed development and should be read with the proposed Subdivision and Rezoning plans attached as **Annexures E and F**.

3.2 Access

The proposed development will be accessed via a proposed new full access from the Kromme Rhee road with a left in and left out onto and from the R304. The proposed new access road, which will be a public road, will link the Kromme Rhee road with the R304.

None of the proposed precincts will have direct access to either the Kromme Rhee road or R304. The residential precinct will take access from the new proposed public road, via one controlled access point and private internal road network. The business sites will all take access from the new proposed public road.

The development proposal also includes for a future road-link running between Portions A and F, to link the Koelenhof station with the new proposed public road, if the need arises in future.

3.3 Proposed Land Uses

The application site will be subdivided into different development portions (precincts), which will allow for a mix of land uses including, residential, business, roads (public and private), private open space and possible community uses. The section below will provide a more detailed description of the land uses proposed on each development precinct, please refer to the proposed zoning plan below for the different development portions:

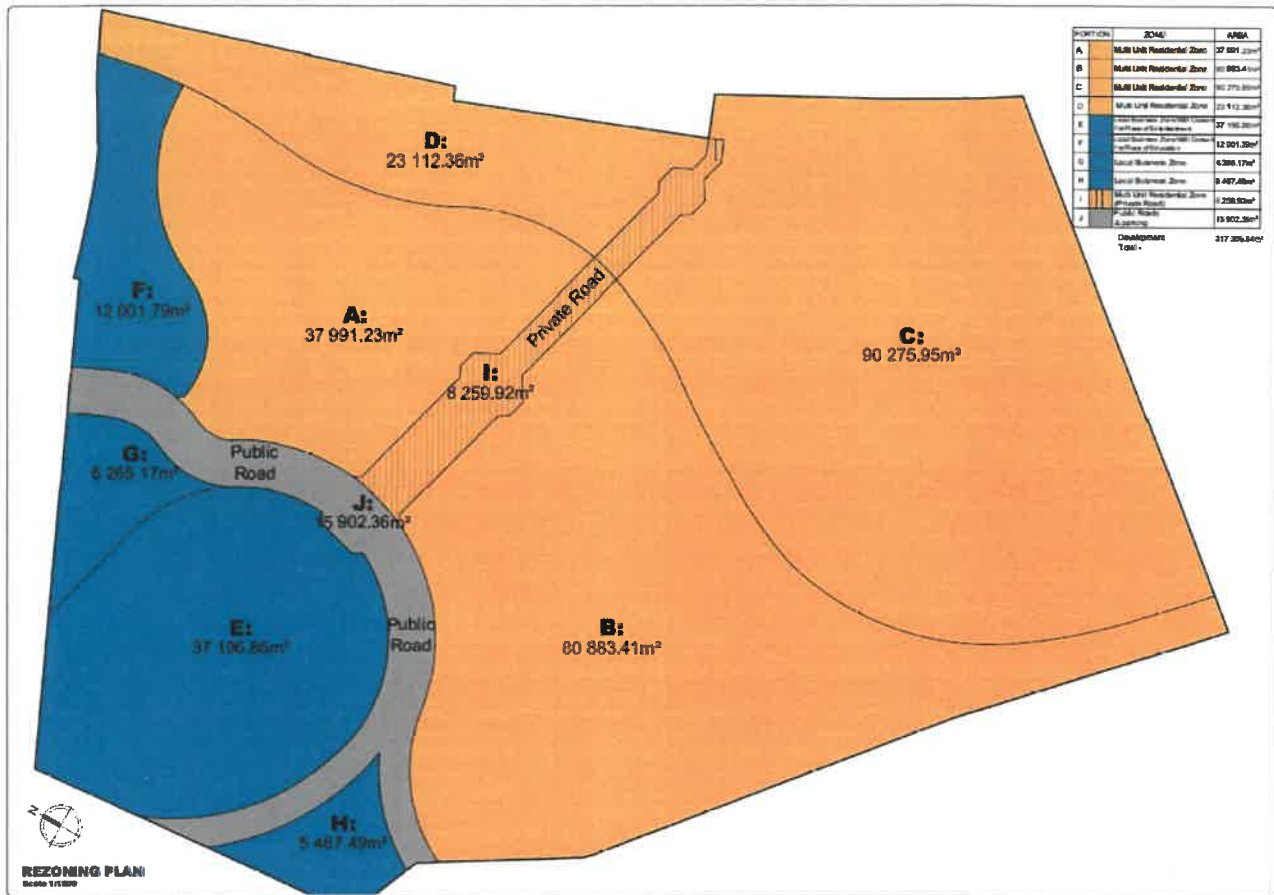


Figure 4: Rezoning Plan

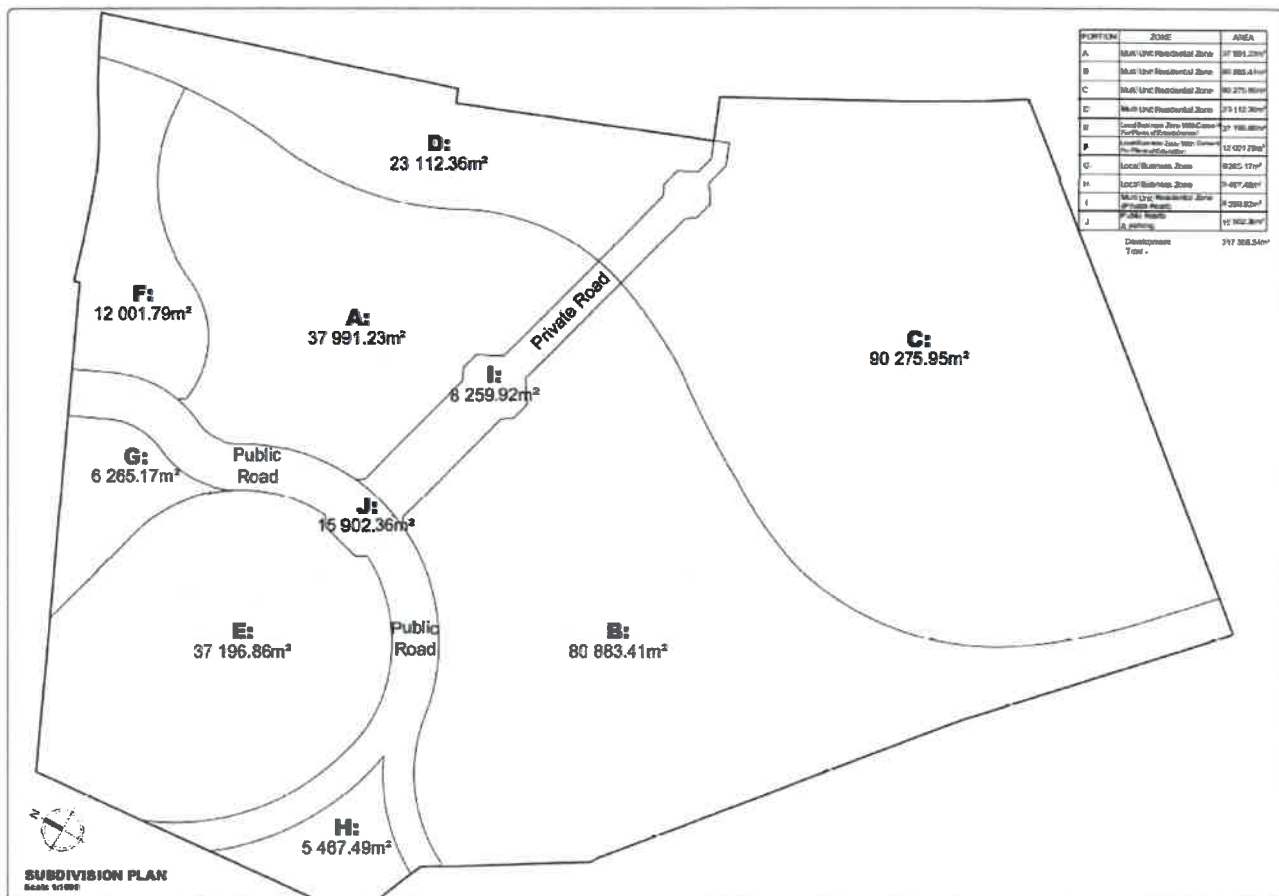


Figure 5: Subdivision Plan.

The table below provides an overview of the development and indicates the description of the proposed uses, the areas, and the number of units.

Residential Presincts							
Portion	Description	Land Use Summary			Residential Estimated Houses To Be Built		
		m ²	ha	as%	Coverage	Units Per ha	No of Units
A	Town Houses	37,991.23	3.80	11.97	60%	35	133
B	Town Houses	80,883.41	8.09	25.49	60%	25	202
C	Town Houses	90,275.95	9.03	28.45	60%	30	271
D	Duplex Houses	23,112.36	2.31	7.28	60%	40	92
Sub Total		232,262.95	23.23	73.19	60%		698
Developable Area Total		317,356.54	31.74	100			
		As % of total area		73%			

Commercial Presincts							
Portion	Description	Land Use Summary					
		m ²	ha	as%			
E	Commercial / Retail Presinct	37,196.86	3.72	11.72			
F	Commercial / Retail Presinct	12,001.79	1.20	3.78			
G	Commercial / Retail Presinct	6,265.17	0.63	1.97			
H	Commercial / Retail Presinct	5,467.49	0.55	1.72			
Sub Total		60,931.31	6.09	19.20			
Developable Area Total		317,356.54	31.74	100			
		As % of total area		19%			

Roads							
Portion	Description	Land Use Summary					
		m ²	ha	as%			
I	Private Road	8259.92	0.83	2.60			
J	Public Road	15902.36	1.59	5.01			
Sub Total		24162.28	2.42	7.61			
Developable Area Total		317356.54	31.74	100			
		As % of total area		8%			

Table 3: Proposed Precincts

3.3.1 Residential

The residential component will form approximately 70% of the total development. As indicated on the zoning plan above, the proposed development will have four residential precincts, all forming part of one security estate with one shared controlled access point. Each precinct will differ in density and unity typology to provide a range of options for different income groups. It will be a high-density residential estate, aimed at the middle-income group with densities ranging between 25-40 units per ha.

The high-density area will be Portions A and D, with Portion D having the highest density of 40units per ha, to allow for smaller duplex houses along the railway line. Average erf sizes in these precincts will vary between 175m² – 185m², with a proposed coverage of 60%.

Portions B and C will have slightly lower densities, between 25– 30 units/ha, allowing for town houses on erven of approximately 200m² - 220m². Please refer to Table 3 below for a summary of the type of developments on each residential precinct.

The total maximum number of units proposed is approximately 700 which equates to an overall density of approximately 23 units/ha.

Each of the residential development precincts will have its own private open spaces, with the proposed redirected watercourse (please refer to Sections below for more details on this proposal) forming the main private open space area for the residential estate.

3.3.2 Private Open Space

The open space areas within the residential estate will be private open space. It is proposed to redirect the existing non-perennial watercourse, which currently runs from the northern-most corner to the western boundary of the application site, back to its original course, running from the north-eastern corner to the southernmost corner of the application site (as indicated on the Landscaping Plan below) to connect to the Plankenburg River. This non-perennial watercourse will be situated within a 30m wide corridor, which will include cycle and pedestrian paths along the bank of the river and form part of the private open space system within the residential development.

The area next to the river will be rehabilitated with natural planning as per the recommendations of the environmental specialists. As indicated on the proposed landscaping plan below (Figure 6), this redirected watercourse will run through the centre of the residential precincts and provide for recreational purposes to the future residents.



Figure 6: Proposed Landscaping Plan

The existing servitudes on the boundary of the R304 will be landscaped to soften the potential visual impact from this road. It is also proposed to provide landscaping along Kromme Rhee Road and to allow for a slight set back on buildings form the erf boundary.

Figures 7 – 9 below provides a visual representation of the proposed landscaping along the watercourse and private open space areas within the development. As per the recommendations of the landscape architect, it is proposed to use mostly indigenous trees, shrubs and ground covers. Exotic specimen will be water wise and typical of Boland gardens. Tree lined streets will help with natural temperature control during hot summers. Natural planting along the river's edge will also include lawned areas to allow for recreation and pathways within the buffer area which will be permeable to maximize water infiltration into soil (where possible).



Figure 7: Proposed River Routing and Rehabilitation



Figure 8: Landscaping Proposals



Figure 9: Proposed Water Infiltration

As part of the environmental study, a terrestrial biodiversity assessment was completed by Johlene Krige on 15 November 2022 (please refer to **Annexure L** for a full copy of the report). The report concluded that the proposed development is acceptable from a terrestrial biodiversity perspective as the impact on terrestrial biodiversity will be negligible. The application site does not contribute to the preservation of the original ecosystem and has very low restoration potential. The report recommended that the development be authorised, but watercourses and biodiversity significant wetland areas should however be excluded from the development and buffer areas be maintained.

3.3.3 Local Business

The proposed development, though predominantly residential, will also include for business uses, which will make up approximately 19% of the total development area and consist of four separate commercial portions. The business sites will all be accessed via the new proposed public road, forming the boundary between the proposed residential estate and the business precinct. These business precincts will serve both the future residents of the proposed security residential estate as well as the surrounding community.

Portion E, the largest of the business sites (of approximately 3.4ha) will be the “main retail hub” of the proposed development and will be predominantly retail with line shops and a food court. The application also requests a Consent Use for a Place of Entertainment to allow for theatre/function venue, similar to the Barnyard at Willowbridge in Durbanville. The proposed development will not allow for a night club, and this can be stipulated as a condition of approval.

Portions G and H are the smaller retail sites, to accommodate the spill over retail from Portion E.

It is the intention to rezone Portion F, situated between Kromme Rhee road and Portion A, to Local Business with Consent for Place of Education, to allow for a future school if the need arises. Please refer to Table 4 below for a summary of the proposed land uses on the business portions:

Commercial Presincts				
Portion	Description	Land Use Summary		
		m ²	ha	as%
E	Commercial / Retail Presinct	37,196.86	3.72	11.72
F	Commercial / Retail Presinct	12,001.79	1.20	3.78
G	Commercial / Retail Presinct	6,265.17	0.63	1.97
H	Commercial / Retail Presinct	5,467.49	0.55	1.72
Sub Total		60,931.31	6.09	19.20
	Developeble Area Total	317,356.54	31.74	100
	As % of total area			19%

Table 4: Proposed Local Business Precincts

Please refer to Figure 10 below for a Conceptual Development Framework which provides a visual indication of the development proposal. Please note this is for indicative purposes only, detailed subdivision plans of each individual portion will only be submitted for approval after the rezoning and subdivision plan (as included in this application) is approved.



Figure 10: Conceptual Development Plan (for indicative purposes only)

3.4 Engineering Services

3.4.1 Road Infrastructure

A Transport Impact Assessment (hereafter referred to as TIA) was prepared by ITS Global to evaluate the traffic impact of the proposed development to be able to identify constraints within the surrounding road network and, where required, to recommend appropriate mitigation measures. The TIA was completed in January 2023. The extract below serves as a summary of the TIA, please refer to **Annexure G** for a copy of the full document, which should be read in combination with this section.

The TIA considered the impact of the proposed development on the main intersections in the area as well as the following existing roadways:

- Koelenhof Road (R304)
- Bottelary Road (M23)
- Kromme Rhee Road

The study assessed the 2022 existing traffic conditions, expected increase in trip generation as a result of the proposed development, projected 2027 background traffic conditions and all trips from the approved/in-process developments as well as the anticipated 2032 total traffic conditions.

It is clear from the study that the anticipated background traffic combined with trip generation of the already approved/in-process developments will require considerable road upgrades, regardless if this proposed development is approved or not. This proposed development will add to the capacity constraints and upon approval, will help to contribute to the upgrading of various intersection and road upgrades as set out in Section 18 of the TIA. These upgrades can be phased as all the developments are rolled out.

In terms of **Non-Motorized-Transport**, the study proposed that pedestrian sidewalks should be provided along all internal roads. It also recommended that an external sidewalk, with a minimum width of 1.8m, should be constructed along the southern side of Kromme Rhee Road.

Public Transport: The left in, left out access will require the existing embayment to be relocated further south along Koelenhof Road. It also suggested that a mini-bus taxi / bus embayment is constructed along Kromme Rhee Rd, between the R304 and the Koelenhof access.

The TIA proposed that a macro-TIA be conducted for the entire Koelenhof node, however, based on the findings in this investigation, it is evident that the impact of the proposed development could be sufficiently mitigated, provided that the upgrades discussed in this report are in place. It concluded that this development proposal should be supported and would not be subject to the conclusion of the proposed macro-TIA.

3.4.2 Electrical Services

The Electrical Engineering Service Report was prepared by *Rubicon Engineers and Project Managers* on 29 November 2022. Please refer to **Annexure H** for a copy of the full document, which should be read in combination with this section.

The proposed development falls within an Eskom supply area and will require an electrical capacity of 2 400kVA. The Koelenhof substation is the closest substation to the proposed development and would need to be upgraded to provide for the required demand.

3.4.3 Civil Services

A services report dated 20 February 2023, on Provision of Civil Engineering Services was prepared by *Bart Senekal Consulting Civil and Structural Engineers*. This report summarises the current situation regarding the provision of the bulk civil engineering services, i.e., water supply, sewerage, stormwater drainage and solid waste removal to the proposed development. The extract below serves as a summary of the findings and recommendations of this report, kindly refer to **Annexure I** for a full copy of this report:

- Water

Supply of potable water to the development will be from the Stellenbosch Municipality's Koelenhof Rural Water Scheme. In summary the Koelenhof Water Scheme consists of a bulk take-off from the City of Cape Town's Wemmershoek bulk supply line, a pumping system to the Koelenhof Area, a reservoir system (the Sonop Reservoir zone), and distribution pipelines for supply of water at constant pressure. The bulk water supply to the development is a 300mm supply pipeline with sufficient spare capacity, but the Devon Valley pump station and Koelenhof pumping station lacks capacity.

- Wastewater

The existing bulk sewer infrastructure of the Stellenbosch Municipality is found along the western boundary of the property in the form of the 300mm Ø Koelenhof Main Sewer. This bulk sewer drains sewage from the Koelenhof Area towards Stellenbosch. Sufficient spare capacity exists in the Koelenhof Main Sewer to accommodate the sewage run-off from the development.

Sewage from the development needs to be treated at the Stellenbosch Municipality's Wastewater Treatment Works in Devon Valley. The Wastewater Treatment Works has recently undergone a significant upgrade and sufficient spare capacity is available to accommodate the development.

- Stormwater

The Plankenbrug River traverses the development site from north to south. The route of the river channel has over years been modified through farming activities. It was proposed by the Fresh Water Specialist that the river channel be reinstated along its original route within a 30m wide river corridor, and the development layout accommodates this realignment proposal. The river serves as the primary stormwater conductor for the area and divides the development into two distinctive drainage areas. Both areas will drain via underground (pipes) and overland routes towards the river.

It is proposed that stormwater attenuation be implemented through a series of shallow, landscaped ponds and swales inside the development and along the river corridor, and a larger attenuation pond at the southern end of the property.

- Solid Waste Removal

The Stellenbosch Municipality indicated that they can provide a waste removal service to the development. Alternatively, the development will make use of a suitable, private, waste collection company for the removal of solid waste from the development.

3.5 Other Applications Required

3.5.1 Environmental Impact Assessment

The proposed development triggers the requirement for an environmental authorization from the Western Cape Department of Environmental Affairs and Development Planning. A pre-application Draft Scoping Report was prepared and sent out for public comment in September 2022. During this process the majority of comments received from the IA&Ps were in support of the proposed development. There were no major issues raised during this PPP, please refer to **Annexure K** for the comments received from Cape Nature and the Department of Agriculture, Land Reform and Rural Development. The EIA is currently underway, the formal decision on the EIA will be submitted in due course.

3.5.2 Heritage Impact Assessment

A notice of intent to develop was submitted to Heritage Western Cape to confirm if the proposed development would require a heritage impact assessment. Please refer to **Annexure M** for a copy of the response letter from Heritage Western Cape confirming that a Heritage Impact Assessment (HIA) that satisfies the provisions of Section 38(3) of the NHRA be submitted for their approval.

The process is currently still underway, the outcome will be submitted in due course.

4. LEGISLATIVE AND POLICY REVIEW

4.1 National Legislation

The following section will provide an overview of the relevant national, provincial and local legislation, policies and guidelines to which the proposed development needs to respond.

4.1.1 Spatial Planning and Land Use Management Act (Act 16 of 2013 (SPLUMA))

The SPLUMA came into effect on 1 September 2014. One of the main objectives of this act is to provide a framework for spatial planning and land use management to address past spatial and regulatory imbalances. The act sets out the following five main development principles applicable to spatial planning, land use management and land development which the proposed development should comply with:

1. Spatial justice (improved access to and use of land with an emphasis on informal settlements and disadvantaged communities);
2. Spatial sustainability (protection of prime and unique agricultural land, development in locations that are sustainable, limit urban sprawl and creation of viable communities);
3. Efficiency (optimising the use of existing resources and infrastructure)
4. Spatial resilience (allow for flexibility in spatial plans)
5. Good administration

The proposed development complies with these development principles, as is motivated in Section 5 below.

4.2 Provincial Legislation and Policies

4.2.1 Western Cape Land Use Planning Act (LUPA) (Act 3 of 2014)

The previous Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) (LUPO) placed a significant proportion of decision-making power for spatial planning and land use management within the provincial sphere of government. With the advent of the Constitution of the Republic of South Africa, 1996, decision-making for municipal spatial planning and land use management became a municipal competency, making provincial decisions on municipal land use matters unconstitutional.

One response to this situation was the drafting of LUPA, which has been assented to by the Premier of the Western Cape. LUPA now provides for each local municipality to be responsible for municipal spatial planning and land use management within its respective municipal area. This responsibility brings with it the need for a municipality to make administrative decisions which are lawful, reasonable and procedurally fair, in order for the municipality to avoid its decisions being unnecessarily taken on judicial review.

Section 2(2)(d) of LUPA states that a municipality must regulate the criteria for deciding on land use applications. These criteria have been included in Section 65(1) of the Stellenbosch Municipality Land Use By-Law (2015), please refer to Section 6.1 below for an indication of compliance with these criteria.

4.2.2 Western Cape Provincial Spatial Development Framework (PSDF) (2014)

The Western Cape PSDF was approved in 2014 by the Western Cape Parliament and serves as strategic spatial planning tool that "communicates the province's spatial planning agenda". The main spatial principles of the PSDF are the following:

i. Spatial Justice

A socially just society is based on the principles of equality, solidarity and inclusion.

ii. Sustainability and Resilience

Land development should be spatially compact, resource-frugal, compatible with cultural and scenic landscapes, and should not involve the conversion of high potential agricultural land or compromising eco-systems.

iii. Spatial Efficiency

Efficiency relates to the form of settlements and use of resources - compaction as opposed to sprawl; mixed-use as opposed

to mono-functional land uses; and prioritisation of public transport over private car use.

iv. Accessibility

Improving access to services, facilities, employment, training and recreation, including improving the choice of safe and efficient transport modes (e.g., public transport, private vehicle, bicycle, walking and wheelchair) is essential to achieving the stated settlement transitions of the NDP and OneCape 2040.

v. Quality and Liveability

The quality of an environment directly contributes to its liveability. A good environment is one that is legible, diverse, varied and unique. The legibility of a place is contributed to by the existence of landmarks such as notable buildings and landscaping or well-defined public space as well as the legibility and structure of its street networks.

The PSDF embraces the concept of sustainable and integrated human settlements, with the following objectives:

1. Protect and enhance sense of place and settlement patterns
2. Improve accessibility at all scales
3. Promote an appropriate land use mix and density in settlements
4. Ensure effective and equitable social services and facilities
5. Support inclusive and sustainable housing

4.2.3 Western Cape Growth Potential Study (2014)

One of the objectives of the Department of Environmental Affairs and Development Planning (DEA&DP) is to undertake spatial planning that promotes and guides the sustainable future development of the province and redresses spatial inequalities. This goal led to the development of the Provincial Spatial Development Framework (PSDF), which identifies the areas of growth in the province and the areas where, in terms of the sustainable development paradigm (or responsible development paradigm), growth should be emphasised in the future. It also addresses the form that this growth or development should take and further emphasises the restructuring of

The Growth Potential Study, which was done as part of the PSDF, determined the growth potential and socio-economic needs of settlements in the Western Cape outside of the Cape Town metropolitan area to give guidance as to where development should be focused and what type of developments/investments should be focused on. It is critical to understand that the indices provide an overall perspective of growth potential and socio-economic needs in the Western Cape, with its primary application to inform and guide strategic and cross-cutting decisions at a provincial level. These composite indices are, however, not the only decision support tool available for more detailed applications such as informing specific programmes within individual departments. According to this study, Stellenbosch has been identified as a town with a very high growth potential and high socio-economic needs. Please refer to Figure 11 below.

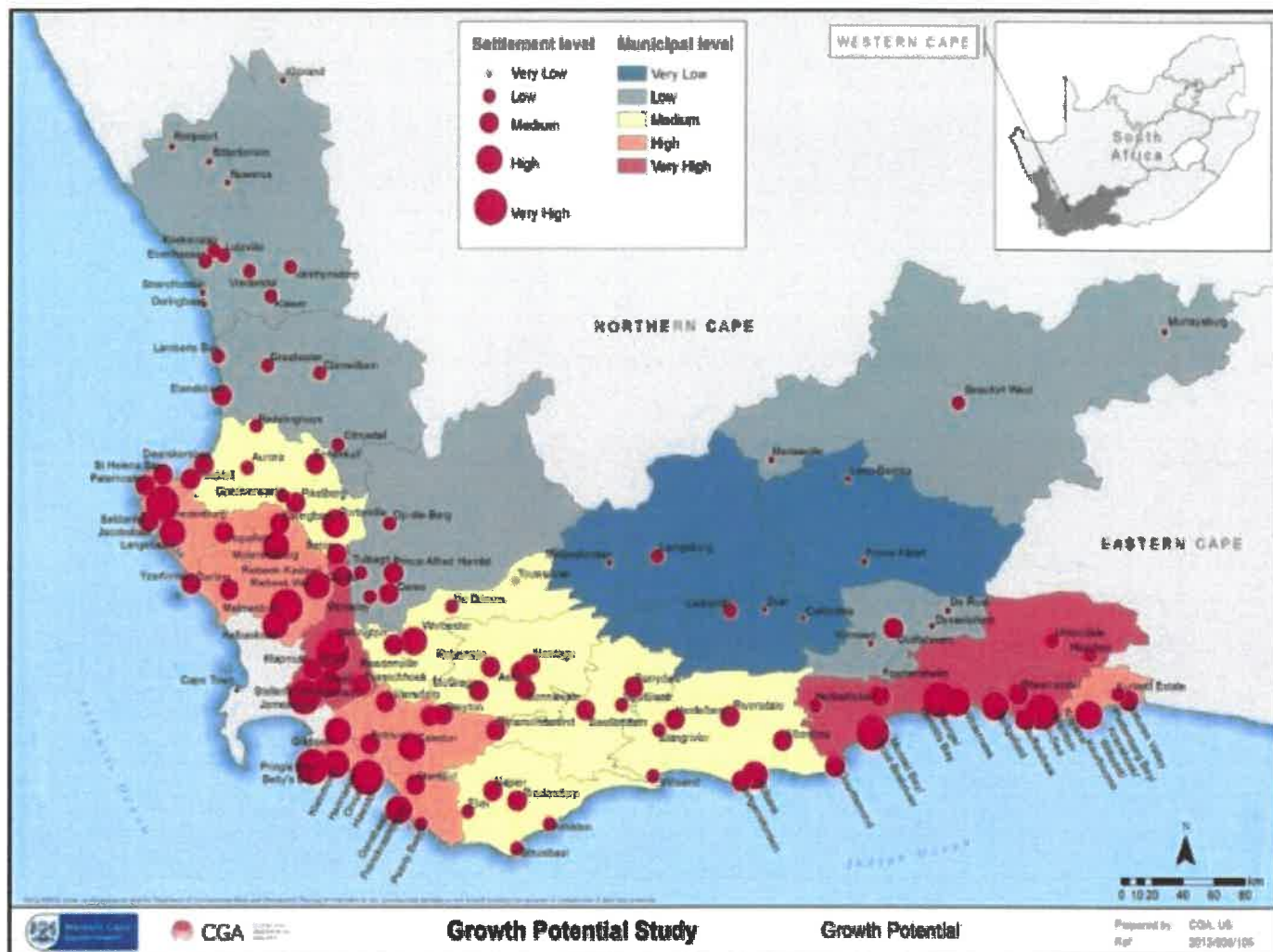


Figure 11: Spatial representation of the Growth Potential Index at settlement and municipal level

The 2014 study indicated Stellenbosch Municipality as one of the areas with the highest need for growth in the province and which resulted in pressure on the Municipality to provide areas where development can occur. Table 5 below, as indicated in the 2014 study, shows Stellenbosch has the municipal area with the second highest development potential of in the Western Cape.

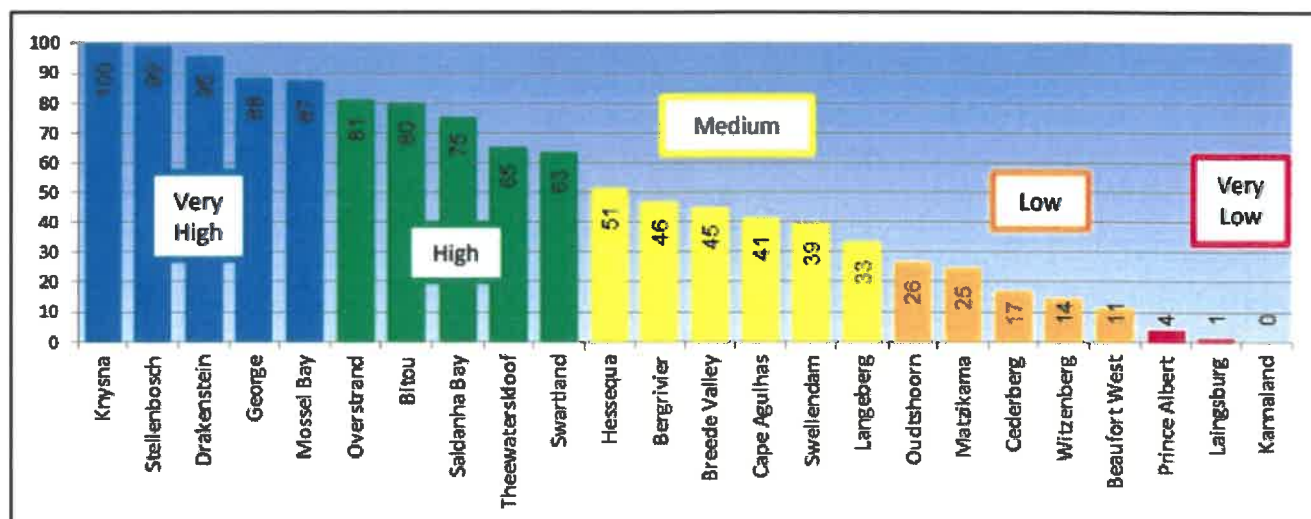


Table 5: Growth Potential at Municipal Level (2014)

Please note that this study was updated in 2020, based on statistics from the 2018 census data, which concluded that Stellenbosch Municipality has now surpassed Knysna and is now the number one highest ranking municipality in terms of growth potential. This clearly places pressure on the Municipality to ensure that enough land is made available, and that appropriate densities are allowed, to provide for the rising need. The Municipality should also ensure that the infrastructure can accommodate the expected increased capacities. It is therefore critical that the Municipality supports higher density developments such as the proposed and allows for the optimal use of infrastructure.

4.3 Municipal (Stellenbosch) Legislation and Policies

4.3.1 Stellenbosch Municipality Spatial Development Framework (SDF) (2019)

The Stellenbosch Municipality SDF was approved by council on 11 November 2019. As indicated in Figures 12 and 13 below, the application site lies within the urban edged of the Koelenhof node and has been identified as an area for infill development.

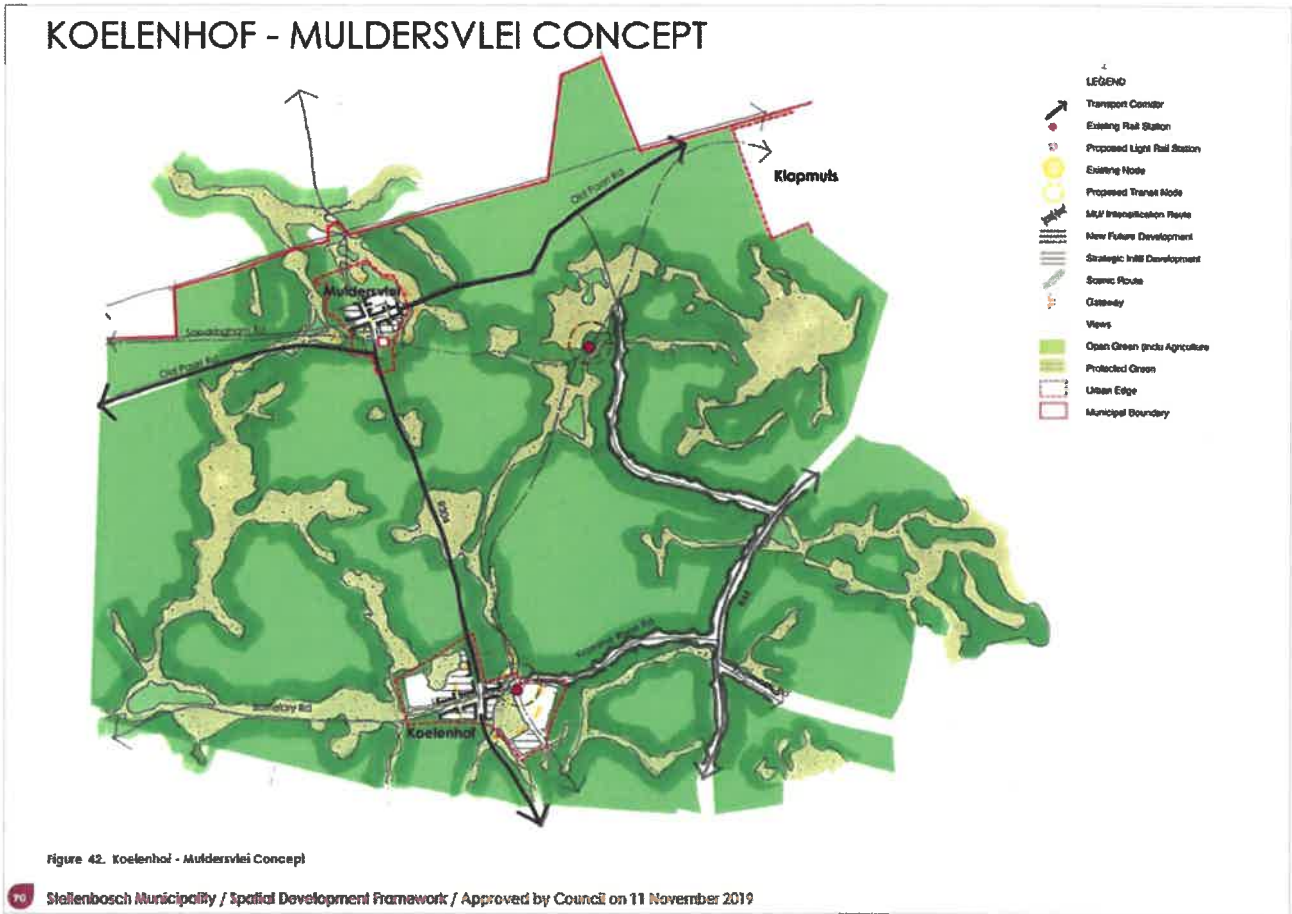


Figure 12: SDF Koelenhof Muldersvlei Concept Urban Edge Extract

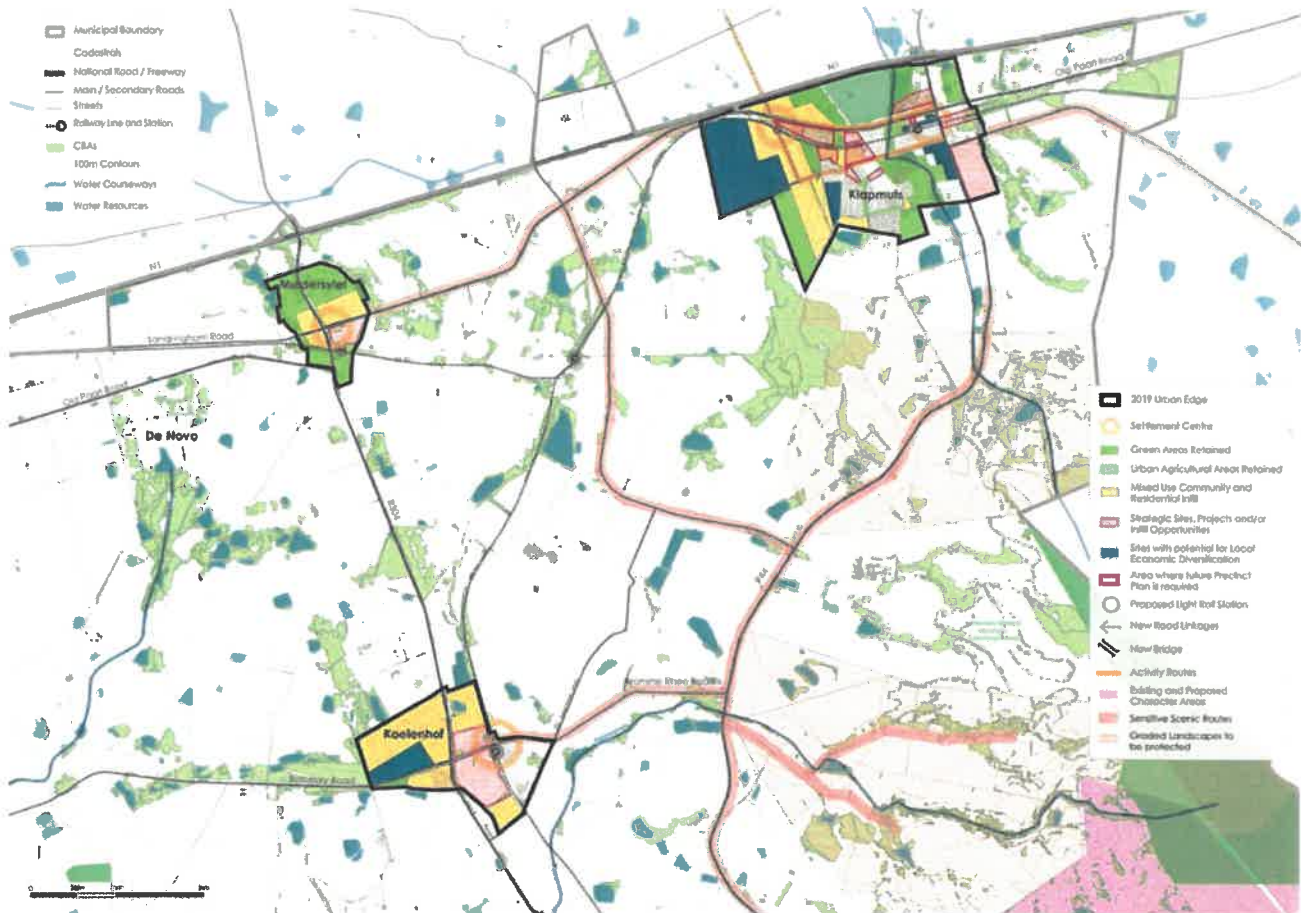


Figure 13: SDF Koelenhof Urban Edge Extract

The Koelenhof node is situated on the AdamTas-R304 which creates the opportunity for a settlement closely related to public transport, considering the road and rail connections in the area. The SDF does not see this area as a continuous development to link up with Stellenbosch town but should rather be used to contain sprawl. As set out in the SDF, the Koelenhof node should comprise of contained walkable settlements surrounded by nature and agriculture linked to the larger area with different transport nodes with the rail line as a backbone.

The SDF proposed that Koelenhof should be developed as an agricultural hamlet with limited residential and industrial uses and residential infill development should include for subsidy, GAP and market related housing. There is also opportunity for industrial and mixed-use development and institutional uses.

The Table 6 below is an extract from the SDF which contains the proposals for the Koelenhof node:

TYPE OF ACTION	SDF ELEMENT	SPATIAL PROPOSALS	RELATED NON SPATIAL PROPOSALS
Protective Actions	CBAs, ESA's, Protected areas	<ul style="list-style-type: none"> Maintain and improve the nature areas surrounding small settlements along the R304. Work to increasingly connect and integrate nature areas, also with the urban green areas, to form an integrated green web or framework across the municipal area. 	<ul style="list-style-type: none"> Implement management actions contained in the BMF.
	Water courses	<ul style="list-style-type: none"> Improve public continuity, access, and space along stream corridors. 	
	Agricultural land	<ul style="list-style-type: none"> Retain and improve the relationship between small settlements along the R304 and surrounding agricultural land. 	
	Urban edge	<ul style="list-style-type: none"> As a general principle, contain the footprints of small settlements along the R304 as far as possible within the existing urban edge. 	
	Scenic landscapes, scenic routes, special places	<ul style="list-style-type: none"> Retain the strong sense of transition between agriculture and human settlement at the entrances to small settlements along the R304. 	
	Historically and culturally significant precincts and places	<ul style="list-style-type: none"> Maintain the integrity of historically and culturally significant precincts and places (as indicated in completed surveys). 	
Change Actions	Informal settlements to be upgraded	<ul style="list-style-type: none"> Accommodate inhabitants of informal structures in planning for the settlements. 	
	Areas for residential densification and infill	<ul style="list-style-type: none"> Ensure that residential development provides for a range of housing types and income groups. Ensure that future development is woven into the urban fabric of existing settlements. Consider underutilised open space within the settlements for infill development that will enhance socio-economic potential of those who currently reside in these towns. 	<ul style="list-style-type: none"> Utilise government land assets to enable residential densification and infill development.
	Areas for mixed land use and improved economic opportunity	<ul style="list-style-type: none"> Focus addressing service needs in cluster developments, in this way improving mixed use and enhancing economic opportunities. 	
	Improved access and mobility	<ul style="list-style-type: none"> Pro-actively improve conditions for walking and NMT within and between small settlements along the R304. 	<ul style="list-style-type: none"> Ensure that the design of all roads within and surrounding settlements provides for appropriate NMT movement.
	Community/ institutional use	<ul style="list-style-type: none"> Cluster community facilities together with commercial, transport, informal sector and other activities so as to maximise convenience, safety and socio-economic potential. 	<ul style="list-style-type: none"> Actively support the shared use of community facilities.
	Improved landscaping and public amenity	<ul style="list-style-type: none"> As far as possible, focus investment in parks, open space, and social facilities accessible by public and NMT, in this way also increasing the surveillance of these facilities. 	<ul style="list-style-type: none"> Actively involve local communities in the development and management of public amenities.
New Development Actions	Significant new mixed use development	<ul style="list-style-type: none"> Over the longer term, Muldersvlei and Koelenhof along the R304 corridor could possibly accommodate more growth, and be established as inclusive settlements offering a range of opportunities. However, these settlements are not prioritized for development at this stage. Explore the feasibility of changing/ complementing the rail service along the Baden Powell Drive-Adam Tas-R304 corridor to a system providing a more frequent, flexible service better integrated into the urban realm. Alternatively, a regular bus service should be explored serving the same route. Explore the development of De Novo as an emerging farmer incubator. 	<ul style="list-style-type: none"> Support private sector led institutional arrangements to enable joint planning and development.
	Significant new residential development		
	Significant change to access and mobility provision		

Table 6: SDF: Plan Elements and Proposals for Koelenhof – Muldersvlei

In their comments of the SDF, Cape Nature requested that detailed designs for the Koelenhof node should be amended to allow for the natural functioning of freshwater ecosystems with appropriate buffers which would ultimately also function as open space corridors within these urban areas (as the Eerste River does in Stellenbosch).

4.3.2 Stellenbosch Municipality Integrated Development Plan (IDP) (2022- 2027)

The IDP identifies Koelenhof as a new node emerging around agricultural service centre. The IDP continues by indicating that Koelenhof is on the Adam Tas, Baden Powell, R304 corridor and that areas in this corridor could accommodate more growth and especially growth that incorporates opportunities for a range of income groups. Integration with the corridor in terms of public transport is deemed as important for any new development. The IDP does not prioritise significant development over the SDF period and indicates that if significant development would be enabled in these areas now, it is likely to be focused on private vehicular use and higher-income groups (in gated developments) and will in all probability reduce the potential initiatives to transform Stellenbosch and Klapmuts.

It is however stated that the area is indicated for growth over the longer term and states that the precondition for growth include measures required to ensure that settlements provide for a range of housing types and income groups, establishing regular public transport services between settlements, including services between the expanded smaller settlements and Stellenbosch town and providing local employment, minimising the need for transport to other settlements.

5. MOTIVATION

The following section provides a motivation for the proposed development and will indicate compliance with all related legislation, policies, and guidelines:

5.1 Motivation in terms of Section 65 of the Stellenbosch Municipality By-Law (2015)

Section 65(1) of the By-law sets out certain criteria which needs be met in consideration of an application by the decision-making authorities. In line with this section, Table 7, 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)(a) and 15(2)(d) of the By-law.
b. Procedure followed in terms of processing the application	To be decided. All relevant and required documentation are attached to this application and motivation.
c. Need	<ul style="list-style-type: none"> For a number of decades, especially during the late 1990s, a vast number of South African's emigrated to other countries, which peaked in 1999 when 58 000 people left the country. In the last few years, a new trend has arisen where South Africans searching for a better life aren't leaving the country, but rather moving to other parts of the country to make a new life for themselves. This trend has been dubbed 'semigration' and has seen a number of middle-class or high-net-worth individuals "emigrating" to other parts of the country. The largest 'shift' has been between people moving from Gauteng to the Western Cape. This 'semigration' has increased considerably over the last few years. Property economist at FNB, John Loos, puts the Western Cape as the province with the strongest net inflow of repeat buyers and suggests people are moving away from Gauteng for lifestyle reasons. This is also supported and confirmed in the Growth Potential Study of the Western Cape (updated 2020) which indicates Stellenbosch Municipal area as having the highest rating in terms of potential growth. This clearly indicates the need for sensible infill development, in line with the recommendations of the SDF. The Greater Stellenbosch area has not been unaffected by this, as can be seen in the increase in activity in the property market over the past several years. And the increase in property value for middle income housing. The proposed site is situated within an approximately 15 minutes' drive from Stellenbosch and is adjacent to a train station that can potentially be used as public transport to Stellenbosch, Klapmuts, Paarl and other nodes on the rail line. This site thus becomes more attractive to people moving to the Western Cape trying to escape

the city life and highway traffic.

- Stellenbosch has a limited number of housing options in town, this causes first time homeowners, the young working class and middle-income groups to search for housing elsewhere. These individuals then commute to Stellenbosch, increasing the stress on the road network and traffic problems of the town and surrounding areas. Not only does it increase the pressure on the traffic networks and bulk infrastructure within Stellenbosch, but it also greatly increases the time and economic pressure on these individuals. A development that is reasonably close to Stellenbosch with potential public transport connections is greatly needed for this demographic group.
- The lack of vacant developable land in Stellenbosch also causes pressure on the high potential agricultural land surrounding Stellenbosch. Areas with low agricultural potential should be targeted for development. The application site consists of low potential agricultural land and was already identified as a potential site for development. Developing this site would reduce the pressure on the more valuable agricultural land on the periphery of Stellenbosch and would be an optimal use of existing infrastructure and resources.

d. Desirability of land use

- The economic and social impact of the development will be relatively small but not unsubstantial and will provide for employment opportunities during and after construction to the community in the surrounding area.
- As mentioned above, there are limited housing opportunities within Stellenbosch town, especially for the more affordable to lower-middle income group. The proposed high-density development, with a range of different erf sizes will provide housing opportunities for a wider range of income groups and will help to address the housing need for first time homeowners and young professionals.
- The proposed development will help to increase the number of tax payers within the Municipal area. Where affordable housing is not available within the Municipal area, people will move to other areas and contribute to that Municipal tax base while still using, without contributing towards, the Stellenbosch Municipal infrastructure. It is therefore important to ensure that a wide range of housing options are available within the Stellenbosch Municipal area. It is motivated that there is currently a high need for smaller, more affordable housing options within close proximity to Stellenbosch town.
- The proposed development will provide housing opportunities not only to people working in Stellenbosch, but also to people within the surrounding agricultural area for whom there are very limited housing opportunities in and around Koelenhof. The proposed development will provide for a mixed-use development to provide for the basic needs of the future residents of the

	<p>residential estate as well as the surrounding community. This will help to reduce the pressure on the surrounding road network to and from Stellenbosch town.</p> <ul style="list-style-type: none"> • The proposed high-density development is seen as sensible infill housing as it is situated on vacant land with low agricultural potential within the urban edge. It will therefore not have a negative impact on valuable high potential agricultural land. • The proposed development will ensure the optimal use of existing municipal services. • The proposed development will not have a negative impact on the environment, as per the findings of the Terrestrial Biodiversity Assessment, which found that the development would have a minimal impact on the environment as the application site consist of degraded agricultural land. The creation of swails and retention dams and the redirection of the river to its original location would create a thriving aquatic ecosystem and serve as a natural area of beauty within the development that would be utilised as part of the green open spaces within the development and be integrated into the park and walkway network of the development. This is in line with the request from Cape Nature (in their comments on the SDF) to include freshwater ecosystems as open space areas in developments. • The proposed development will help to achieve the critical mass required to allow for a functioning and viable public transport system, with specific reference to the underutilized rail system with the Koelenhof station on the boundary of the site. • The proposed mixed-use development is desirable in that it will provide for the basic needs (housing and commercial) within walking distance form within the proposed development and surrounding area.
e. Comment in response to public participation.	The application to be advertised, if required, in accordance with the Stellenbosch Municipality's requirements.
f. Applicants response to comments received.	To be submitted as part of the Portfolio of Evidence upon conclusion of the Public Participation Process.
g. Investigations in terms of other laws.	Not Applicable.
h. Written assessment by planner.	To be done by the Stellenbosch Municipality.
i. Impact on municipal engineering services.	<ul style="list-style-type: none"> • The proposed development will result in the optimal use of existing infrastructure and where required, will contribute towards the upgrading and provision of new infrastructure to the benefit of the surrounding area.

	<ul style="list-style-type: none"> As mentioned above, the proposed development will help to achieve the critical mass required for the optimal functioning of public transport systems.
<p>j. Compliance with national legislation:</p> <ul style="list-style-type: none"> Spatial Planning and Land Use Management Act (SPLUMA) 	<p>Spatial Justice – The proposed development will be an integrated development to allow for a mix of housing densities and typologies with a focus on smaller erven.</p> <p>Spatial sustainability - The proposed development is situated on low potential agricultural land, within the urban edge and will help to reduce urban sprawl by providing a high density mixed-use development.</p> <p>Efficiency – The proposed development will result in the optimal use of existing infrastructure and will contribute towards the upgrading of existing and provision of new infrastructure (with specific reference to road infrastructure) to the benefit of the wider community.</p> <p>Spatial resilience – The proposed development will not negatively impact the rural character of the area, will not have a negative impact on the environment and will not result in the loss of high potential agricultural land. As motivated under point (d) above, it will have a positive impact on the natural environment, with specific reference to the re-alignment of the watercourse.</p> <p>Good administration – All the relevant legislation and processes will be followed to ensure the development complies with regulations.</p>
<p>k. Compliance with provincial legislation:</p> <ul style="list-style-type: none"> Western Cape Provincial Spatial Development Framework (PSDF) 	<p>Spatial Justice - The proposed development will be an integrated development to allow for a mix of housing densities and typologies and will focus on smaller erven to accommodate a wide range of income groups and families from different age- and demographic profiles as well as the provision of retail and business sites and educational facilities all within walking distance.</p> <p>Sustainability and Resilience – Please refer to point (j) above.</p> <p>Spatial Efficiency - The proposed development is a mixed-use development with residential capacity combined with a retail and institutional precinct. The development also focuses on the efficient use of land area and incorporates green open spaces with medium density residential areas.</p> <p>Accessibility - Access to the development will be taken via two entrances one left in and left out entrance and a unsignalized 3-way access. The proposed development also reserves access to the train station in case of future development of the area. The development would also be pedestrian friendly and include sidewalks and pathways.</p>

	<p>Quality and Liveability – The development focuses on the waterway crossing through the property this will create a sense of place in the development. This combined with effective landscaping will create a memorable and unique environment.</p>
<ul style="list-style-type: none"> Western Cape Growth Potential Study (2014) 	<p>The recently reviewed study (based on 2018 figures) indicates Stellenbosch Municipal Area as the area with the highest growth potential in the Western Cape. This creates pressure for the municipality to provide areas for development and places pressure on the valuable agricultural land. The application site lies within the Koelenhof node, on an area of low agricultural potential and it is motivated that this site should be developed to its full potential, as per the proposed development. It will help to address the high demand for housing opportunities while protecting the resources of the area.</p>
<p>I. Compliance with Municipal legislation:</p> <ul style="list-style-type: none"> Stellenbosch Municipality Spatial Development Framework (SDF) 	<ul style="list-style-type: none"> The proposed development falls within the urban edge of Koelenhof It will reduce urban sprawl and reduce pressure on valuable agricultural land Provides for a range of high-density housing opportunities. The proposed development aims to reintroduce natural elements to the area and redirect the waterway to its original natural position. The development is outside of the scenic overly zone nonetheless the development focuses on landscaping to decrease the visual effect and retain the sense of place and rural small-town identity. The development consists of residential, commercial and institutional uses and thus the effect will be positive for the community in terms of economic activity. The NMT system (pedestrian and cycling) of the development will be designed in such a way as to connect with other future developments. The development also provides for a possible future access road to link the development with the Koelenhof station, if the need arises.
m. Applicable structure plans	N/A
n. Applicable policies for decision making	Aligned.
r. Section 42 of the Spatial Planning and Land Use Act	The application is considerate towards the requirement and provisions of Section 42 of the Spatial Planning and Land Use Management Act.
t. Applicable provisions of the Zoning Scheme	As discussed, the proposed development is in line with the provisions of the Zoning Scheme.

Table 7: Assessment of Application in terms of Section 65 of the By-law

6. CONCLUSION

It is motivated that this proposed development should be supported and the application should be approved, considering the nature of this application, the compliance with the applicable legislation, policies and frameworks. In light of the above information, Council is respectfully requested to favourably consider the application for the following:

- i. The **Rezoning** of Portion 23 of the Farm 74 Nooitgedagcht from Agricultural and Rural to the following zonings (as indicated in the attached Rezoning Plan) and **Consent** use as indicated.
 - Portion A (approximately 3.80ha) to Multi-Unit Residential zone
 - Portion B (approximately 8.09ha) to Multi-Unit Residential zone
 - Portion C (approximately 9.03ha) to Multi-Unit Residential zone
 - Portion D (approximately 2.31ha) to Multi-Unit Residential zone
 - Portion E (approximately 3.72ha) to Local Business zone with a **Consent** for Place of Entertainment
 - Portion F (approximately 1.20ha) to Local Business zone with a **Consent** for Place of Education
 - Portion G (approximately 0.63ha) to Local Business zone
 - Portion H (approximately 0.55ha) to Local Business zone
 - Portion I (approximately 0.83ha) to Multi-Unit Residential zone (to allow for private road)
 - Portion J (approximately 1.59ha) to Public Roads and Parking zone
- ii. The **Subdivision** of Portion 23 of the Farm 74 Nooitgedagcht into 10 erven (portions), as indicated on the Subdivision Plan.
- iii. A **Permanent Departure** (applicable to the Multi-Unit Residential portions only) to allow for a coverage of 60% in lieu of 50%.

Report compiled by: Renaldo Muller

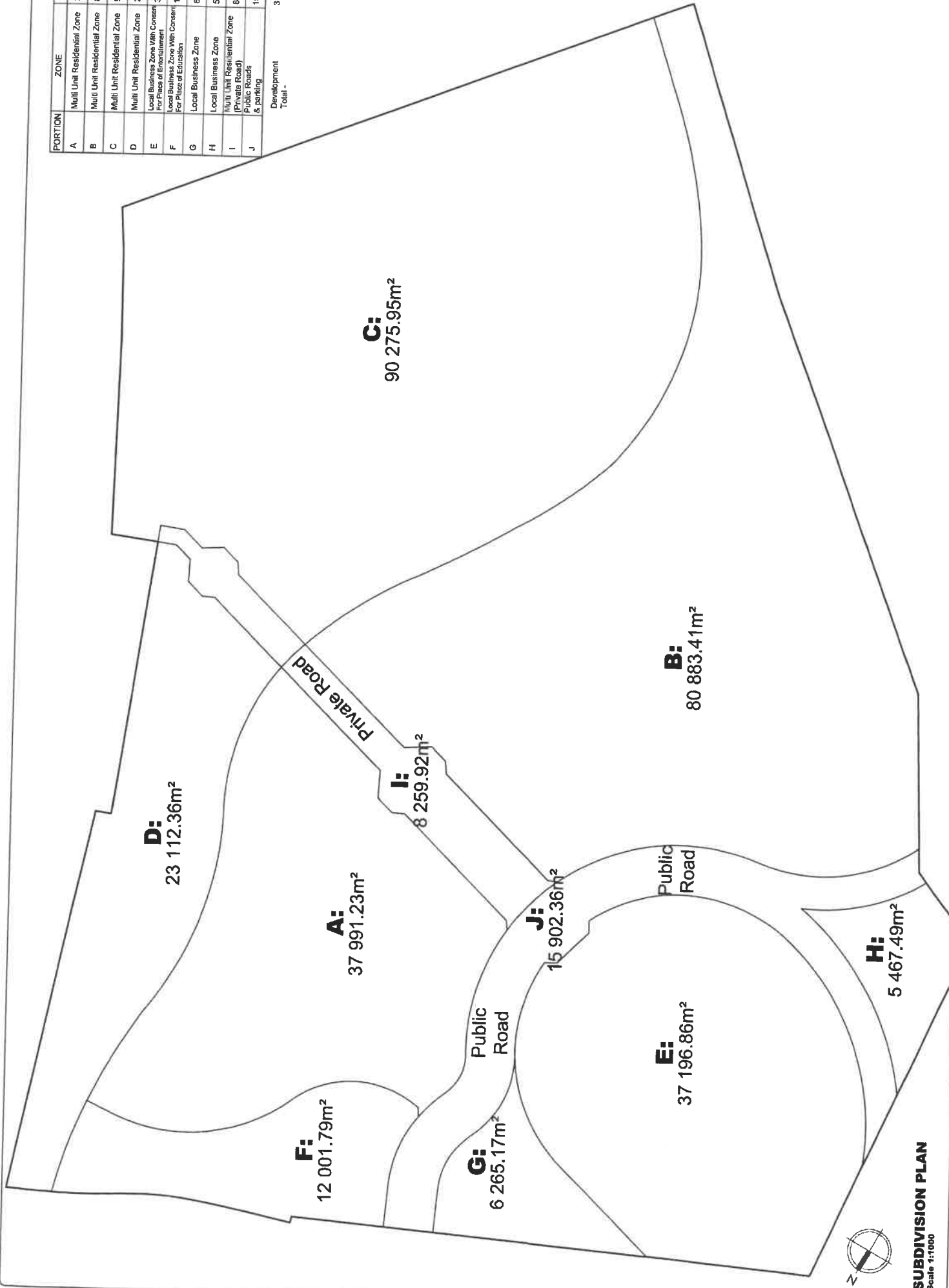
Reviewed by:



Marike Bolz (Director)

for Arch Town Planners (Pty) Ltd

PORTION	ZONE	AREA
A	Multi Unit Residential Zone	37 991.23m ²
B	Multi Unit Residential Zone	80 883.41m ²
C	Multi Unit Residential Zone	90 275.95m ²
D	Multi Unit Residential Zone	23 112.36m ²
E	Local Business Zone With Consent For Place of Entertainment	37 196.86m ²
F	Local Business Zone With Consent For Place of Education	12 001.79m ²
G	Local Business Zone	6 265.17m ²
H	Local Business Zone	5 467.49m ²
I	Multi Unit Residential Zone (Private Road)	8 259.92m ²
J	Public Roads & parking	15 902.36m ²
Development Total -		317 356.54m ²



SUBDIVISION PLAN
Scale 1:1000

PORTION	ZONE	AREA
A	Multi Unit Residential Zone	37 991.23m ²
B	Multi Unit Residential Zone	80 883.41m ²
C	Multi Unit Residential Zone	90 275.95m ²
D	Multi Unit Residential Zone	23 112.36m ²
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