

NOTICE OF LAND DEVELOPMENT APPLICATION

APPLICATION FOR CONSENT USE AND DEPARTURE ON ERF 14716, STELLENBOSCH (195m²)

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

Application Property Address: 7 Sonnedou Road, Stellenbosch

Application Property Number: Erf 14716, Stellenbosch

Applicant: Johannes Benadé of the firm Maxim Planning Solutions (Pty) Ltd (018 468 6366)

Owner: Vantiwave Eiendoms Beperk (Registration No. 2016/152767/07) (018 468 5403)

Application Reference: LU/16272 / TP326/2023

Description of land development proposal:

Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 for a Consent Use for a three (3) bedroom commune within the existing dwelling house on Erf 14716, Stellenbosch.

Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 for a departure for the under provision of parking in order to provide two (2) on-site parking in lieu of three (3) required on-site parking bays.

Notice is hereby given in terms of the provisions of the said By-Law 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 must 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. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: Johannes Benadé from the firm Maxim Planning Solutions (Pty) Ltd at johannes@maxim.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 (07 May 2024) to be received on or before the closing date of 06 June 2024.

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 083 745 4717 / 018 468 6366 during normal office hours.

Yours faithfully

Johannes Benadé of the firm Maxim Planning Solutions (Pty) Ltd
06 May 2024

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

AANSOEK OM TOESTEMMINGSGEBRUIK EN AFWYKING OP ERF 14716, STELLENBOSCH (195m²)

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

Adres van aansoek eiendom: 7 Sonnedou Road, Stellenbosch

Aansoek eiendom beskrywing: Erf 14716, Stellenbosch

Aansoeker: Johannes Benadé van die firma Maxim Planning Solutions (Pty) Ltd (018 468 6366)

Eienaar: Vantiwave Eiendoms Beperk (Registration No. 2016/152767/07) (018 468 5403)

Aansoek Verwysing: LU/16272 / TP326/2023

Besonderhede van die grondgebruiksaansoek:

Aansoek word gedoen in terme van Artikel 15(2)(o) van die Stellenbosch Munisipaliteit Verordening op Munisipale Grondgebruikbeplanning, 2023 vir 'n Toestemmingsgebruik vir 'n drie (3) slaapkamers kommune binne die bestaande woonhuis op Erf 14716, Stellenbosch.

Aansoek word gedoen ingevolge Artikel 15(2)(b) van die Stellenbosch Munisipaliteit Verordening op Munisipale Grondgebruikbeplanning, 2023 vir 'n afwyking van die ondervoorsiening van parkeerplekke ten einde twee (2) op-terrein parkeerplekke te voorsien in plaas van drie (3) vereiste op-terrein parkeerplekke.

Kennis word hiermee gegee in terme van die voorskrifte 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 tydspan 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, moet 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. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: Johannes Benadé van die firma Maxim Planning Solutions (Pty) Ltd by johannes@maxim.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 dae vanaf die datum van hierdie kennisgewing (07 Mei 2024) gestuur word en moet ontvang word voor of op die laaste dag van die sluitingsdatum van 06 Junie 2024.

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 voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 083 745 4717 / 018 468 6366 gedurende normale kantoor ure.

Die uwe

Johannes Benadé van die firma Maxim Planning Solutions (Pty) Ltd
06 Mei 2024

MEMORANDUM

APPLICATION FOR CONSENT: ERF 14716, STELLENBOSCH

INDEX

- 1. APPLICATION**
- 2. PARTICULARS OF THE PROPERTY**
 - 2.1 LOCALITY**
 - 2.2 OWNER**
 - 2.3 AREA**
 - 2.4 EXISTING ZONING**
 - 2.5 CURRENT LAND USE**
 - 2.6 ACCESS**
 - 2.7 BONDHOLDER**
 - 2.8 RESTRICTIVE TITLE CONDITIONS**
- 3. INTENTIONS OF THE CLIENT**
- 4. PURPOSE OF THE APPLICATION**
- 5. MOTIVATION**
 - NEED AND DESIRABILITY OF THE PROPOSED DEVELOPMENT**
 - 5.1 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013
(ACT 16 OF 2013)**
 - 5.2 STELLENBOSCH MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK,
2019 (HEREAFTER REFERRED TO AS THE SPATIAL DEVELOPMENT
FRAMEWORK)**
 - 5.3 ACCESSIBILITY OF THE PROPERTY**
 - 5.4 DENSITY**
 - 5.5 EFFECT ON THE SURROUNDING PROPERTIES AND ENVIRONMENT**
 - 5.6 TARGET GROUP**
 - 5.7 TRAFFIC INFLUENCES**
 - 5.8 TITLE CONDITIONS TO BE REMOVED**
 - 5.9 ENGINEERING SERVICES**
 - 5.10 OTHER**

MEMORANDUM

APPLICATION FOR CONSENT: ERF 14716, STELLENBOSCH

1. APPLICATION

Application is hereby made for the following:

- In terms of the provisions of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law, 2015, read with Sections 12 and 53 of the Stellenbosch Zoning Scheme By-Law, 2019, read with Section 49 of the Stellenbosch Zoning Scheme Regulations and read together with the Spatial Planning Land Use Management Act, 2013 (Act No. 16 of 2013), for the:
 - ❖ Consent of the Stellenbosch Municipality to permit a commune on Erf 14716, Stellenbosch.

2. PARTICULARS OF THE PROPERTY

2.1 LOCALITY

Erf 14716, Stellenbosch is located adjacent to Sonnedou Road, between Buchu-, Langelier- and Olive Street, within the central portion of Welgevonden Estate. **(Map 1 – Annexure C refers)**. The property is referred to as 7 Sonnedou Road, Welgevonden Estate, within the area of jurisdiction of the Stellenbosch Municipality.

2.2 OWNER

According to Deed of Transfer T68911/2017, Erf 14716, Stellenbosch is registered in the name of Vantiwave Eiendoms Beperk (Registration No. 2016/152767/07). **(Annexure G refers)**

2.3 AREA

Erf 14716, Stellenbosch comprises an area of 195m². General plan No. 3401/2003 is attached as **Annexure H**.

2.4 EXISTING ZONING

In terms of the Stellenbosch Municipality Zoning Scheme, 2018, Erf 14716, Stellenbosch is currently zoned for “Conventional Residential Zone” purposes. The surrounding properties are zoned for “Conventional Residential Zone” purposes. (Map 2 – Annexure C refers)

2.5 CURRENT LAND USE

- Erf 14716, Stellenbosch is currently utilized for residential purposes, comprising of a dwelling unit.
- The surrounding properties are utilized for residential purposes, comprising of dwelling units. (Map 3 – Annexure C refers).



View of existing dwelling unit on Erf 14716, Stellenbosch



View of existing dwelling unit on the adjacent property

2.6 ACCESS

Vehicular access to Erf 14716, Stellenbosch is obtained from Sonnedou Road, Welgevonden Estate. Vehicular access to the proposed commune will also be obtained from Sonnedou Road, Welgevonden Estate.

2.7 BONDHOLDER

- According to WinDeed–Deeds Office-Property Result and Deed of Transfer T68911/2017, Erf 14716, Stellenbosch is currently subject to a bond, in favour of ABSA Home Loans Guarantee, Co RF (PTY) LTD. The application for consent of the bondholder to utilize Erf 14716, Stellenbosch for the purpose of a commune is attached as **Annexure J**. The consent of the bondholder will be forwarded to the Stellenbosch Municipality following receipt thereof.

2.8 RESTRICTIVE TITLE CONDITIONS

- According to Deed of Transfer T68911/2017, there are no title conditions registered against Erf 14716, Stellenbosch, restricting the utilization of the concerned property for the purposes of a commune. **(Annexure G refers)**

3. INTENTIONS OF THE CLIENT

- The intention of the client, i.e. Dr. Johan van Aswegen, on behalf of Vantiwave Eiendoms Beperk (Registration Nr. 2016/152767/07), being the owner of Erf 14716, Stellenbosch, is to utilize Erf 14716, Stellenbosch for the purposes of a commune.
- The intention is further to utilize the existing dwelling unit on Erf 14716, Stellenbosch, comprising of three (3) bedrooms, for the purposes of a commune, to accommodate three (3) boarders.
- A commune is defined as follows in terms of the Stellenbosch Municipality Zoning Scheme By-law, 2019:

***“Commune”(kommune)** means the use of the entire dwelling house, a second dwelling if one is built on the same land unit or dwelling unit in flats for the accommodation of **boarders**. A dwelling unit is used for a commune if the dwelling house, second dwelling or dwelling unit in flats is not occupied by a family as defined. The accommodation may be rented to boarders furnished or unfurnished. In the case of a dwelling house or second dwelling, the scale of any one building may not exceed that of a dwelling house which would ordinarily accommodate one family and must be able to revert to a dwelling house. Boarders may make use of the dwelling unit's kitchen facilities and separate kitchens may not be installed for each room in contravention of the permitted number of dwelling units in the zone. At least one communal bathroom, kitchen and lounge/eating area shall be provided for boarders on in each dwelling unit on the land unit”;*

4. PURPOSE OF THE APPLICATION

- Erf 14716, Stellenbosch is currently zoned “Conventional Residential Zone”, in terms of the Stellenbosch Zoning Scheme Regulations. In order to utilize the property for the purposes of a commune, the client was advised to apply for the consent of the Stellenbosch Municipality.
- The purpose of the application for consent is to comply with the requirements contained in the Stellenbosch Zoning Scheme Regulations and the Stellenbosch Municipal Land Use Planning By-Law, 2015.

5. **MOTIVATION**

- * Maxim Planning Solutions was appointed to apply for:
 - In terms of the provisions of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law, 2015, read with Sections 12 and 53 of the Stellenbosch Zoning Scheme By-Law, 2019, read with Section 49 of the Stellenbosch Zoning Scheme Regulations and read together with the Spatial Planning Land Use Management Act, 2013 (Act No. 16 of 2013), for the:
 - Consent of the Stellenbosch Municipality to permit a commune on Erf 14716, Stellenbosch.
- * From a land use and town planning point of view no problems are foreseen with regard to the utilization of Erf 14716, Stellenbosch for the purposes of a commune, due to the following reasons / factors:

NEED AND DESIRABILITY OF THE PROPOSED DEVELOPMENT

5.1 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT NO. 16 OF 2013) (HEREAFTER REFERRED TO AS SPLUMA)

The act applies to spatial planning, land development and land use management. The development principles referred to in SPLUMA and explained in SPLUMA: A Practical Guide compiled by Nic Laubscher, Lizette Hoffman, Ernst Drewes and Jan Nysschen, 2016, need to be taken into consideration:

Application of development principles

- “6. (1) The general principles set out in this Chapter apply to all organs of state and other authorities responsible for the implementation of legislation regulating the use and development of land, and guide –“**
- (a) the preparation, adoption and implementation of any spatial development framework, policy of by-law concerning spatial planning and the development or use of land;**
The Stellenbosch Municipality needs to adhere to the development principles.
 - (b) the compilation, implementation and administration of any land use scheme or other regulatory mechanism for the management of the use of land;**

The Stellenbosch Zoning Scheme Regulations, as well as the Stellenbosch Municipal Land Use Planning By-Law, 2015 and Stellenbosch Zoning Scheme, By-Law, 2019, need to comply with this act.

(c) the sustainable use and development of land;

Sustainable development comprises of social development, economic growth and environmental protection. The opinion is being held that the proposed development will lead to sustainable development of the concerned property, due to the locality of the concerned property within a residential area.

(d) the consideration by a competent authority of any application that impacts or may impact upon the use and development of land; and

Land use management applications will be considered and dealt with by officials from the Stellenbosch Municipality and the Municipal Planning Tribunal of the Stellenbosch Municipality.

(e) the performance of any function in terms of this Act or any other law regulating spatial planning and land use management; and

The Stellenbosch Municipality needs to perform its spatial planning and land use management actions in terms of this act.

(2) Notwithstanding the categorisation of principles in this section, all principles contained in this Act apply to all aspects of spatial development planning, land development and land use management.

The principles contained in this act need to be adhered to.

Development principles

“7. The following principles apply to spatial planning, land development and land use management:”

(a) the principle of spatial justice, whereby-

(i) past spatial and other development imbalances must be redressed through improved access to and use of land;

The focus of the principle would be on integration or development of rural and/or traditional settlements and urban integration strategies. The opinion is being held that the proposed development would not be

detrimental to the fore-mentioned principle, as well as to the integrated approach towards improved access to and use of land.

- (ii) spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation;**

The Spatial Development Framework and land use scheme of the local municipality also addresses the previously disadvantaged areas and historically disadvantaged residents of the local municipality. The opinion is being held that the residents of the local municipality have reasonable access to opportunities and facilities which support living in the urban settlement. The proposed development can accommodate the historically disadvantaged residents of the Stellenbosch Municipality.

- (iii) spatial planning mechanisms, including land use scheme, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;**

The local municipality identified portions of land within the local municipal area, through the Spatial Development Framework, that will redress access to land by previously disadvantaged people. The proposed development can also serve previously disadvantaged persons.

- (iv) land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas;**

Land uses within the municipal area are covered by a wall-to-wall land use scheme. Land use management within the tribal area is mostly regulated by traditional authorities. These traditional authorities need to be consulted during the process of land use management. The concerned property is not situated within an area covered by a traditional authority.

- (v) **land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and**

The rights of the residents in the informal settlements are accommodated in the land use management scheme of the local municipality. The upgrading of informal settlements within the area of the local municipality is an ongoing process, including conducting of the required geotechnical investigations, environmental investigations and other specialised studies. The concerned property is not situated within an informal area.

- (vi) **A Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application;**

Residents of the local municipality were consulted during the compilation of the Spatial Development Framework of the local municipality. The Municipal Planning Tribunal of the local municipality comprises of competent professionals, when considering applications for change of land use rights.

- 7. (b) **the principle of spatial sustainability, whereby spatial planning and land use management systems must –**

The principle of spatial sustainability should allow for flexibility in dealing with applications and proposals, which may not have been anticipated.

- (i) **promote land development that is within the fiscal, institutional and administrative means of the Republic;**

In terms of the sub-principle, the opinion is being held that the Stellenbosch Municipality has sufficient fiscal, institutional and administrative capacity, as well as resources to administer the proposed development. The Stellenbosch Municipality will ensure that the proposed development complies with the requirements contained in the Stellenbosch Zoning Scheme Regulations and the Stellenbosch Municipality Spatial Development Framework, 2019. The local municipality needs to ensure that the residents have reasonable access to community services and amenities, as well as employment

opportunities and that the form of land development need to provide for basic needs in an affordable way.

(ii) ensure that special consideration is given to the protection of prime and unique agricultural land;

The area where the concerned property is situated is not being regarded as prime or unique agricultural land, in terms of the Stellenbosch Zoning Scheme Regulations and the Stellenbosch Municipality Spatial Development Framework, 2019. The prime and unique agricultural land will be protected and remain in production. The proposed development will not lead to unrestrained urban sprawl across fertile agricultural land.

(iii) uphold consistency of land use measures in accordance with environmental management instruments;

Environmental sustainability refers to the relationship between the settlement and the natural landscape.

The proposed development is planned with a full level of infrastructure elements, such as sewer, water, electricity, access and refuse removal, thereby reducing the effect that the proposed development will have on the natural surrounding area. For an area to be environmentally sustainable, it should protect the unique amenity and character of the surrounding environment and also prevent degradation. The proposed development will not be situated on an ecological sensitive area or in places of hazard or high risk, such as within the flood plain. The proposed development is not a noxious industry.

(iv) promote and stimulate the effective and equitable functioning of land markets;

The local municipality is in favour of ongoing dialogue with private investors and relevant government departments, to promote integrated economic growth.

Principle 7 (b)(iv) recognizes the need for land development to be based on competition and the principle of a competitive economy. The proposed development will contribute to the economic growth of the municipal area. The proposed development represents a private sector initiative, planned and applied for in the context of such open market competition.

The policy and decision-making by the local municipality will reduce the risk for investors, but will be flexible enough to adapt to economic, social and technological trends. The local municipality is in favour of ongoing dialogue with private investors and relevant government departments, to promote integrated economic growth.

(v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;

The local municipality needs to comply with the guidelines for the provision of emergency, social services, education services and engineering services, in terms of the provision of infrastructure and social services.

The proposed development will contribute to an efficient usage of the concerned property and will also ensure the effective usage of the existing infrastructure network available in the direct vicinity of the concerned property. The proposed development will be in line with the sub-principle by taking the cost of the proposed development into consideration. The opinion is also being held that the Stellenbosch Municipality has sufficient capacity and resources to accommodate the proposed development.

(vi) promote land development in locations that are sustainable and limit urban sprawl; and

The local municipality intends to promote a more compact city, to prevent the expansive provision of social and engineering services, as well as to prevent the economic decline of the traditional city centre. The Spatial Development Framework addresses the scale of urban growth through planned extensions, infill and redevelopment strategies. The local municipality is aware of the need to integrate urban settlements, with a view to reduce travel distances to the areas of employment opportunities. The Spatial Development Framework addresses measures to promote compact and connected growth opportunities, such as infill development.

The planning practice of the past has resulted in sprawling urban areas that are un-economical. Today, planning policies transformed to mainly infill development on vacant land within an urban environment, in order to

combat urban sprawl. The principle also calls for a balance in land development processes. The proposed development is in line with the sub-principle and will combat urban sprawl. The proposed development will also ensure maximum utilization of the concerned property.

(vii) result in communities that are viable;

For any development to be sustainable and viable to the community, land development and planning should ensure that communities are located close to job opportunities, social facilities and basic services. The proposed development addresses the need identified by the client, being a land owner within the Stellenbosch Municipality, for the provision of a commune, serving three (3) boarders, within Stellenbosch. The local municipality needs to balance the requirements of the provision of basic services. The local municipality addresses the provisions of mixed land use and social mix, such as the availability of housing in different price ranges.

(c) the principle of efficiency, whereby -

(i) land development optimises the use of existing resources and infrastructure;

The granting of development permissions should be coupled with the provision of adequate infrastructure. The efficient usage of existing resources can promote high density growth, alleviate urban sprawl and optimise the use of land.

The proposed development will ensure the optimum utilization of one of the most valuable resources being land, if used to its full potential and is already supported with full infrastructure elements such as water, sewer, refuse removal, electricity and access road; thus reducing the effect of the development on the natural surrounding area. The proposed development will be in line with the sub-principle, as well as with the requirements of the Stellenbosch Municipality.

(ii) decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts; and

The opinion is being held that the proposed development will not have a negative financial, social, economic or environmental impact on the

surrounding properties, due to the concerned property situated within an area already utilized for higher density residential development (group housing).

(iii) development application procedures are efficient and streamlined and timeframes are adhered to by all parties;”

Public participation is a key element when compiling development applications. The affected parties will be afforded an opportunity to comment on the application.

This application procedure proposes a more user-friendly, democratic and facilitative land development process, by following an affected consultation-based town planning process, whereby the client should provide as much information as possible to all the affected residents and protect the fundamental rights of all involved.

The final process set for the obtaining of the necessary land use rights is contained by way of an application for consent in terms of the provisions of the Stellenbosch Municipal Land Use Planning By-Law, 2015, and the Stellenbosch Zoning Scheme Regulations, read together with SPLUMA, 2013 (Act No. 16 of 2013). The prescribed process and procedures set time limits for such application.

All the administrative aspects regarding the application should be clear and generally available for all parties affected thereby and it should promote trust and acceptance.

(d) the principle of spatial resilience, whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks; and -

Standards for the protection of natural resources, agricultural land, open spaces and ecosystems have been compiled on a national and regional level. The local municipality compiled a Spatial Development Framework to increase resilience for human settlements, focusing on vulnerable and informal areas. The Spatial Development Framework needs to be flexible to adapt to social, economic and technological trends. The local

municipality intends to diversify the economy, in order to counter the negative effects from global and local economies. The local municipality is in favour of the stimulation of job creation, entrepreneurship and expanded local skills, forming integral elements of a more resilient municipality. The opinion is being held that the proposed development will be in line with the principle.

(e) principle of good administration, whereby-;

(i) all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;

Spatial planning and decision making should be dealt with at the relevant geographical or administrative scale. The land use scheme and the Spatial Development Framework of the local municipality need to be linked, to ensure an integrated approach to land use and land development.

(ii) all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;

Integration between the different levels of government assists to create complimentary and mutually reinforcing policies, while integration between the different sectors will result in positive benefits. Government departments have been consulted during the compilation of the Spatial Development Framework of the local municipality.

(iii) the requirements of any law relating to land development and land use are met timeously;

The Minister of Agriculture, Land Reform and Rural Development has prescribed timeframes. The timeframes in respect of the application process have been divided into three phases, being an administrative phase, consideration phase and decision phase. It should be noted that different timeframes apply to difference types of land development applications. The timeframes will be adhered to by the municipal officials and the Municipal Planning Tribunal of the Stellenbosch Municipality.

- (iv) the preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and;

Policy formulation and decision making processes need to be transparent. It is widely recognised that spatial planning decisions have widespread impact. The spatial planning decisions are being made by competent authorities, to ensure fairness and respect for human rights.

Effective procedures for public participation are in place, to afford the residents and other parties the opportunities to provide inputs on development applications and other matters affecting them.

- (v) policies, legislation and procedures must be clearly set in order to inform and empower members of the public;

Citizens of the local municipality have access to the relevant information regarding policies, plans and development proposals, as well as to officials and committees taking the relevant decisions. Citizens of the local municipality have an opportunity to comment on spatial planning policy and principles and can submit formal objections against the decisions.

5.2 STELLENBOSCH MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK, 2019 (HEREAFTER REFERRED TO AS THE SPATIAL DEVELOPMENT FRAMEWORK)

- The vision of the Stellenbosch Municipality, in terms of spatial development and management, is described as follows:

"We envisage a municipal area even more special than it is today; a place of natural beauty, rich in the way it preserves and exposes elements of history and culture, its produce from the land, the quality of its institutions, and the mindfulness and innovations of its people. It is a future Stellenbosch municipal area that remains familiar; it has retained what differentiates the municipality from other places, its landscapes, historic buildings and settlement patterns, and the specialness of its institutions. It is resilient; it has adapted to the needs of today without losing what is special from the past. It is inclusive; it has

accommodated the needs of citizens from all walks of life without fear. It is diverse and therefore productive. In adapting to new needs, and accommodating new people, it has become the stage for new expressions of culture, new businesses, and new ways of doing. In form, it comprises a set of compact settlements, large and small, surrounded by natural and productive landscapes, and linked by means of public transport. Internally, settlements are relatively dense, cyclable and walkable. Each portrays a unique character, closely linked to its surrounding landscape, the reach and extent of its public institutions, and the capacity and opportunity of its infrastructure. Each provides for a range of citizens from all walks of life, with significant choice in place of residence."

- The following key principles have been identified, as a result of the fore-mentioned vision.
 1. *"Maintain and grow the assets of the Stellenbosch Municipality's natural environment and farming areas".*
 2. *"Respect and grow our cultural heritage, the legacy of physical artefacts and intangible attributes of society inherited from past generations maintained in the present and preserved for the benefit of future generations."*
 3. *"Within developable areas – areas not set aside for limited development owing to its natural or cultural significance - allow future opportunity to build on existing infrastructure investment, on the opportunity inherent in these systems when reconfigured, augmented or expanded."*
 4. *"Clarify and respect the different roles and potentials of existing settlements."*
 5. *"Address human needs – for housing, infrastructure, and facilities – clearly in terms of the constraints and opportunity related to natural assets, cultural assets, infrastructure, and the role of settlements."*
 6. *"Pursue balanced communities."*
 7. *"Focus energy on a few catalytic areas that offer extensive opportunity and address present risk."*
- The opinion is being held that the utilisation of Erf 14716, Stellenbosch for the purposes of a commune will not be detrimental to the fore-mentioned key principles, due to:
 - Erf 14716, Stellenbosch situated within an existing residential area and not utilized for farming purposes.

- Addressing the need to accommodate three (3) boarders, wishing to reside in Stellenbosch.
 - To ensure a balanced community and residential area.
- According to the Spatial Development Framework, the concept for spatial development and management of the Stellenbosch Local Municipality comprises of the following key tenets:
 1. *"Maintain and grow our natural assets."*
 2. *"Respect and grow our cultural heritage."*
 3. *"Direct growth to areas of lesser natural and cultural significance as well as movement opportunity."*
 4. *"Clarify and respect the different roles and functions of settlements."*
 5. *"Clarify and respect the roles and functions of different elements of movement structure."*
 6. *"Ensure balanced, sustainable communities."*
 7. *"Focus collective energy on critical lead projects."*

The opinion is being held that the utilization of Erf 14716, Stellenbosch for the purposes of a commune will be in line with the fore-mentioned tenets, due to the following:

- * Erf 14716, Stellenbosch is not situated within a critical biodiversity area,
 - * The development will lead to a balanced and sustainable community by providing for different groups.
- Erf 14716, Stellenbosch is further situated within the 2019 Urban Edge, in terms of the Spatial Development Framework, to prevent urban sprawl.
 - The concerned property is not situated within an area identified as a Critical Biodiversity Area.
 - Erf 14716, Stellenbosch is situated in close proximity to an area identified as "Mixed Use Community and Residential Infill", in terms of the Spatial Development Framework.
 - In view of the fore-mentioned, the opinion is being held that the utilisation of Erf 14716, Stellenbosch for the purposes of a commune will not be detrimental to the spatial development and management proposals contained in the Spatial Development Framework.

5.3 ACCESSIBILITY OF THE PROPERTY

- Erf 14716, Stellenbosch enjoys a high degree of accessibility, due to the locality of the concerned property situated adjacent to an existing street and in close proximity to Welgevonden Boulevard, where Welgevonden Boulevard serves as a collector road within Welgevonden Estate.

5.4 DEVELOPMENT PARAMETERS

- Erf 14716, Stellenbosch is zoned "Conventional Residential Zone" and will be subject to the building development parameters for the zone. The concerned property comprises an area of 195m² and will be subject to the following building lines, coverage, height and parking requirements:
 - * Street boundary : 2 metre (building line)
 - * Common boundary : 1 metre (building line)
 - * Coverage : 70%
 - * Height : 2 storeys
 - * Parking : One (1) parking bay per bedroom

5.5 EFFECT ON THE SURROUNDING PROPERTIES AND ENVIRONMENT

- With the popularity of higher density residential development, due to the inherent advantages offered by such development as a result of greater security and safety, as well as the advantages enjoyed due to lower maintenance costs, no negative impact is anticipated on the property values of the surrounding residential properties.
- It should be noted that the intention is to retain the existing dwelling unit, with no additions to the existing dwelling unit.
- A commune does not constitute a factory, industry or a noxious industry and will have no detrimental effect on the surrounding properties or land uses.
- In assessing the impact of the development on the surrounding properties, cognisance should be taken of the fact that Erf 14716, Stellenbosch is located within an area that can be regarded as a "group housing scheme".

- No negative impact is anticipated on the surrounding area or land uses, as the land use “commune” exclude a noxious industry, as contained within the Stellenbosch Municipality Zoning Scheme By-Law, 2019.

5.6 TARGET GROUP

- Based on the nature of the development and in view of the client being a land owner within the Stellenbosch Municipality, the client identified the need for a commune, within Stellenbosch. The client also intends to cater for the housing needs of individuals wishing to reside in Stellenbosch.

5.7 TRAFFIC INFLUENCES

- The opinion is being held that the development will not have a negative impact on the traffic flow within the surrounding area, due to access to Erf 14716, Stellenbosch from an existing street, being Sonnedou Road, a tarred road.
- Sufficient parking is available off the tarred road to serve three boarders on Erf 14716, Stellenbosch.

5.8 ENGINEERING SERVICES

- **Water**
Water is being made available by means of the existing municipal water network.
- **Sewer**
The concerned property is connected with the existing municipal sewer network.
- **Electricity**
Electricity is being made available by means of the existing municipal electricity network.
- **Roads and storm water**
The concerned property is being served by the existing municipal roads and storm water network.

- **Refuse removal**

Refuse is being collected by the Stellenbosch Municipality and dumped at an approved municipal dumping site.

5.9 OTHER

- Erf 14716, Stellenbosch is currently utilized for residential purposes and a commune refers to the usage of a dwelling unit to accommodate boarders.
- The purpose of the application for consent is to enable the owner of Erf 14716, Stellenbosch to comply with the requirements contained in the Stellenbosch Municipality Zoning Scheme By-Law, 2019.

In view of the fore-mentioned, it is trusted that the application will be considered favourably.



.....
J.G. BENADÉ
Pr. PIn A/177/2010
17 March 2023

LOCALITY MAP OF ERF 14716, STELLENBOSCH



Drawing Compiled by : C. Cloete
 Drawings Nr. : 2/1990
 Date : 2023/02/22
 Revision : 0
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View of parking area in front of the existing dwelling unit on Erf 14716, Stellenbosch

PART H: 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.

Y	N	Power of attorney / Owner's consent if applicant is not owner	Y	N	Owners' association consent with signature on layout plan
Y	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	N	Consent form duly completed by abutting owner(s) with signature on layout plan
Y	N	Proof of registered ownership (Full copy of the title deed)	Y	N	
Y	N	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)	Y	N	Written motivation pertaining to the need and desirability of the application
Y	N	Locality plan (A4 or A3 only) to scale	Y	N	Floor layout plan (A4 or A3 only) to scale

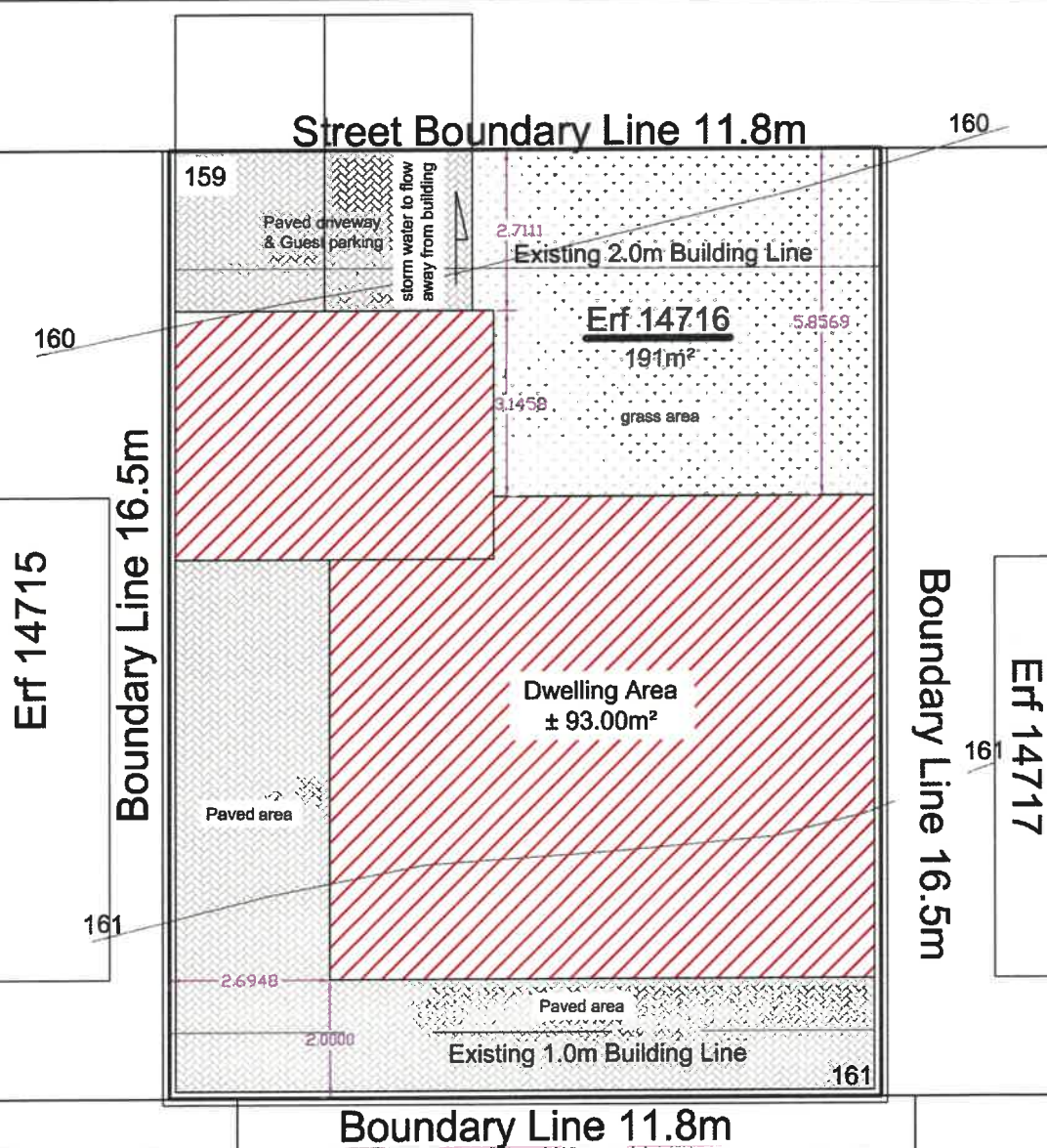
SECTION I: DECLARATION

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) of said bylaw 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.

SITE DEVELOPMENT PLAN OF ERF 14716, STELLENBOSCH

Sonnedou Road (Erf 14711)



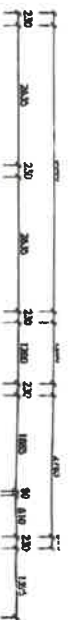
Site Area = 191m²

House Area = 65m²

Coverage = 34%



Drawing Compiled by : C. Cloete
 Drawings Nr. : 2/1990
 Date : 2023/02/27
 Revision :
 \\SERVER1\Max\m2-PROJECTS\2-1990 - Erf 14716, Stellenbosch\Maps\CAD



ITEMS

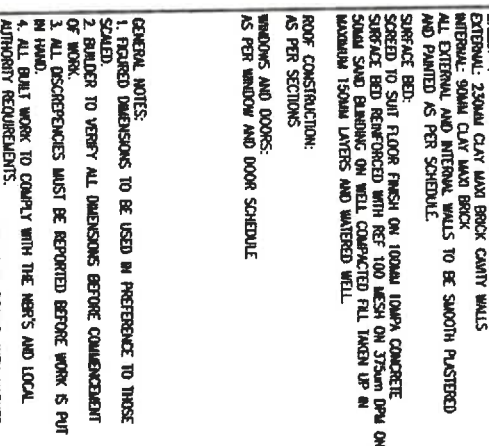
SPECIFICATIONS:

FOUNDATIONS:

ALL EXTERNAL AND INTERNAL LOAD-BEARING WALLS TO BE FORMED ON 150MM CONCRETE STRIP FOUNDATIONS FOUNDED IN SOLID NATURAL GROUND. SOIL CONDITIONS AND FOUNDATION SIZES TO BE VERIFIED BY THE ENGINEER.

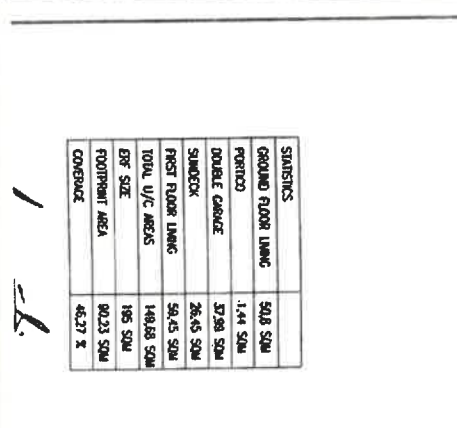
230MM CAVITY WALLS - 700x200MM

DOWN NAIL LOAD-BEARING - 600x250MM



COVERS.
6. ALL WASTES TO BE ACCESSIBLE FOR REPAIR AND TO BE FITTED WITH RESEAL TRAPS AS PER AER'S.
7. GLAZING TO DOORS AND WINDOWS IN EXCESS OF 1M

3. MINOR AGENTS TO BE A MINIMUM OF 10% OF THE FLOOR
WITH A MINIMUM OF 5% OPENABLE.
5. MINIMUM FOUR BROOKCROFTS WITH BROOKCROFT EVERY
CODED ABOVE LINTOS.
TO ALL BROCKING TO GATE WALLS TO ENHANCE SPECIFICATIONS
11. HEIGHT AND THICKNESSES OF FOUNDATION WALLS TO COMPLY
WITH ALL RESPECTS WITH THE SACS (400).
12. SPACING AND 4. BUTTERFLY WALL. TIES PER SACS. BROOKCROFT
TO COMPLY WITH.



STATISTICS	
GRAND FLOOR LIVING	50.8 SQM
PORCH	1.44 SQM
DOUBLE GARAGE	37.98 SQM
SHED/BOX	26.45 SQM
FIRST FLOOR LIVING	59.45 SQM
TOTAL U/C AREAS	144.88 SQM
EST. SIZE	165 SQM
FOOTPRINT AREA	90.23 SQM
COVERAGE	46.27 %

AMERICAN CANCER SOCIETY
CONCRETE SHOP
FOUNDATION

200-300 Lbs/yr
Concrete Strip
Foundation

200-300 Lbs/yr
Concrete Strip
Foundation