



Application Number: LU/16587

Our File Reference Number: Erf 183 & 184, Devonbosch Estate, Koelenhof

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir

APPLICATION FOR PERMISSION REQUIRED IN TERMS OF CONDITION OF APPROVAL IN TERMS OF SECTION 15(2)(I) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2023: ERF 183 & ERF 184, DEVONBOSCH ESTATE, KOELENHOF

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows.

2.1 That the application in terms of Section 15(2)(I) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 for a **permission required in terms of a condition of approval for the approval of the Site Development Plan** for Phase 6 of the Devonbosch Lifestyle Estate on Erven 183 & 184, Koelenhof,

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

2.2 **The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:**

2.2.1 The approval only applies to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

2.2.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

2.2.3 The development be undertaken generally in accordance with the Site Development Plan as referenced below and attached as **ANNEXURE B**.

2.2.3.1 PH06_SDP_UD_01_Locality Plan

2.2.3.2 PH06_SDP_UD_02_Site Plan

2.2.3.3 PH06_SDP_UD_03_Landscape Plan

2.2.3.4 PH06_SDP_UD_04.1; 04.2; 04.3; 04.4_Building Use Plan

2.2.3.5 PH06_SDP_UD_05_Schedule of Rights and Building Areas

2.2.3.6 PH06_SDP_UD_06.1;06.2_Parking and Basement Plans

2.2.3.7 PH06_SDP_UD_07_Engineering Services (Refuse Plan)

2.2.3.8 PH06_SDP_UD_08.1; 08.2; 08.3 _Sections and Elevations

2.2.4 The remaining conditions imposed by council in its approval letter dated 02 June 2020.

2.2.5 The conditions imposed by the **Directorate: Infrastructure Services** in their memo dated 15 July 2024, attached as **ANNEXURE E** be adhered to.

2.2.6 The final landscaping plan to be submitted with the building plans for approval by the Department: Community and Protection Services.

2.2.7 Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme Bylaw as illustrated on the site development plan to the satisfaction of the Municipality.

2.2.8 Building plans must be submitted to this Municipality for approval.

2.3 The reasons for the above decision are as follows:

2.3.1 The Site Development Plan will not result in any additional rights being granted and will not lead to an increase in the permissible floor factor, coverage and height.

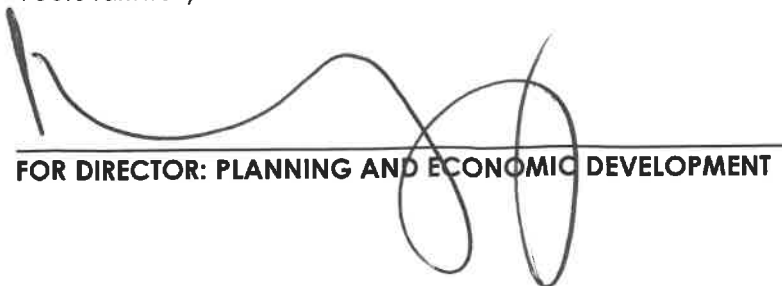
2.3.2 The Site Development Plan complies with the approved land use rights.

2.3.3 The proposal does not contradict the previous municipal approval and would not affect the development or the surrounding properties negatively.

3. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

4. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.
5. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za**
6. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
7. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021 – 808 8684.
8. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

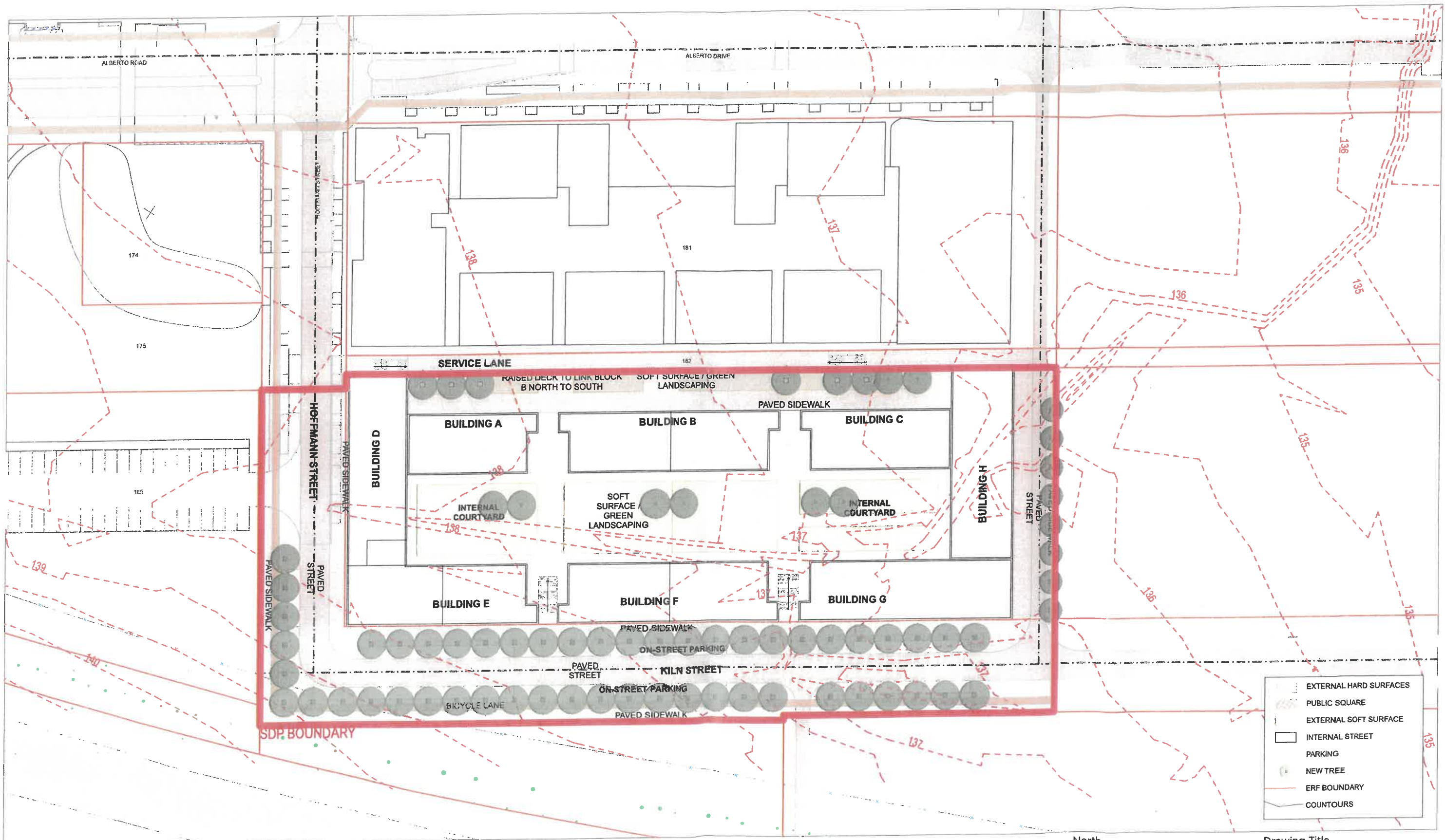

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

13/9/2024
DATE

ANNEXURE B

**APPLICATION FOR PERMISSION REQUIRED IN TERMS
OF CONDITION OF APPROVAL IN TERMS OF
SECTION 15(2)(I) OF THE STELLENBOSCH MUNICIPAL
LAND USE PLANNING BYLAW, 2023: ERF 183 & ERF
184, DEVONBOSCH ESTATE, KOELENHOF**

SITE DEVELOPMENT PLAN



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4. This drawing to be read in conjunction with all consultants drawings, details + specifications.
5. Any discrepancies to be reported to the architects prior to work commencing.

Revisions

Rev.	Issue Date	Description	Checked	Signed

LHA+Ud
LUDWIG HANSEN
ARCHITECTS + URBAN DESIGNERS

North



*Dwg to be read in conjunction with:

Project

Devonbosch
Erf 165 Koelenhof
Phase 6; Erf 183 & 184

Project No

LH2023/01

Drawing Title

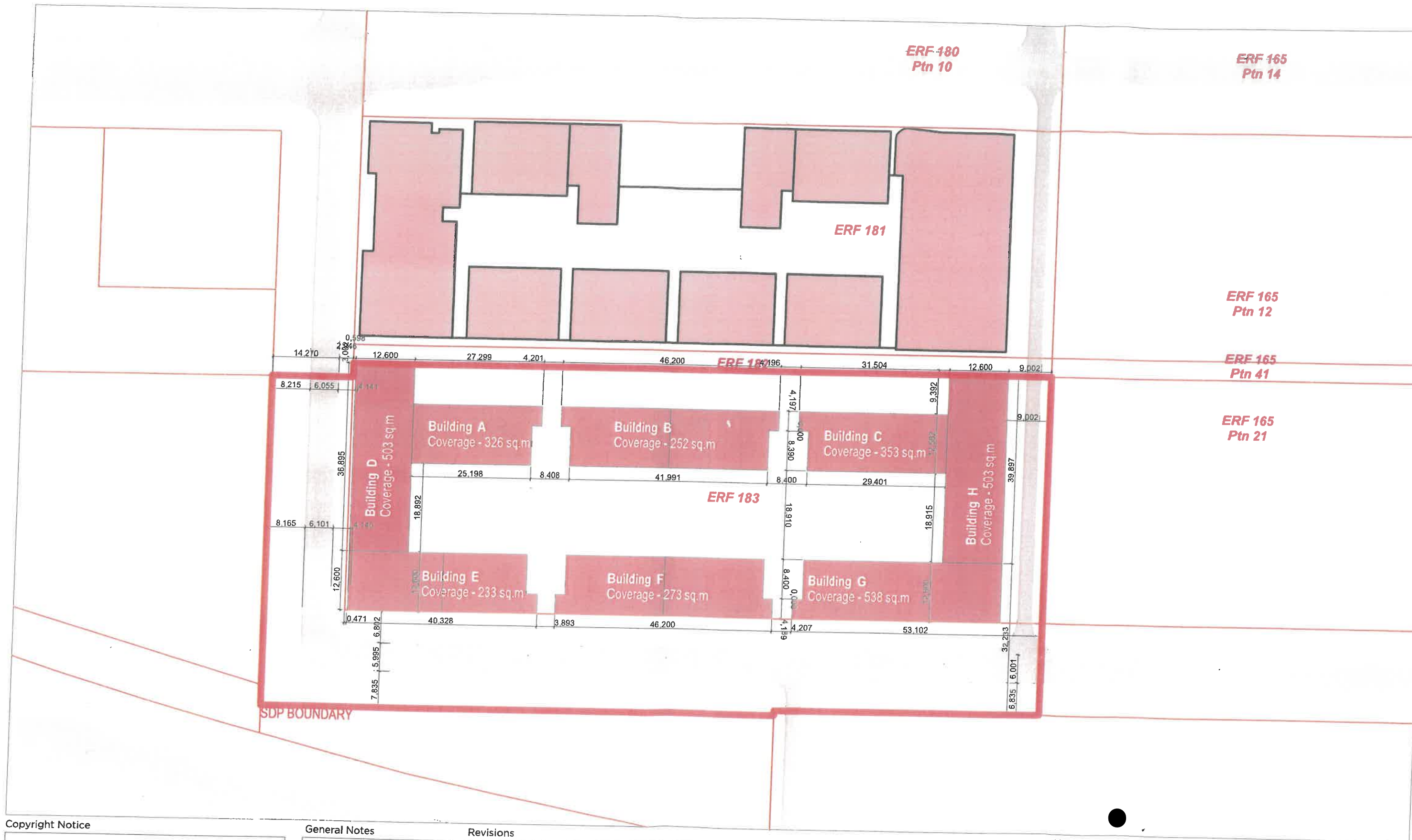
Landscape Plan

Drawing Info

DRAWN	CHECKED	ISSUE DATE	SCALE
JS		2023/11/24	1:750@A3

Dwg No.

DISCIPLINE - SERIES - DWG NO.	REVISION	STAGE
PH06_SDP_UD_03		M



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*Dwg to be read in conjunction with:

Project

Devonbosch
Erf 165 Koelenhof
Phase 6: Erf 183 & 184

Project No.

LH2023/01

Drawing Title

Building Layout

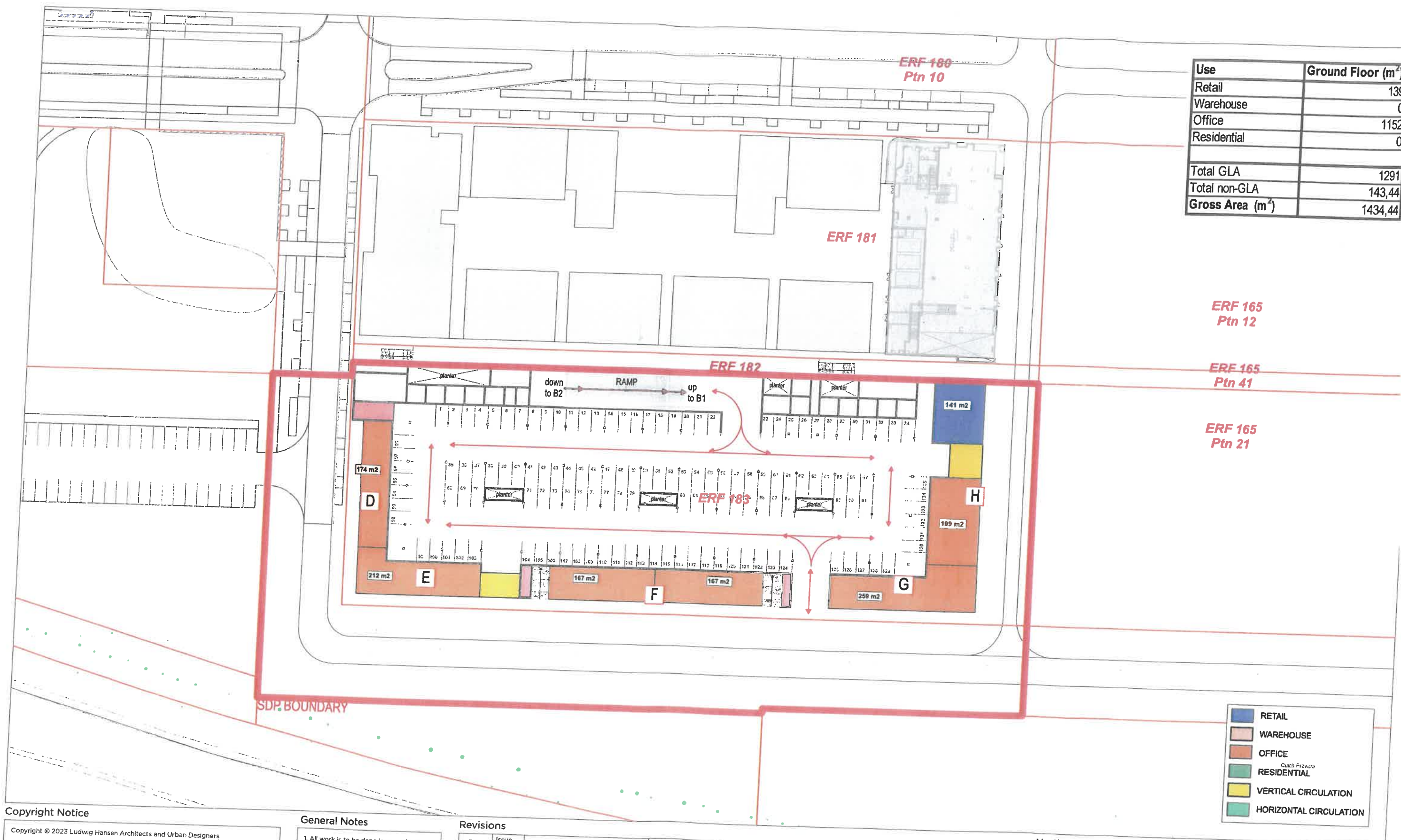
Devonbosch Erf 165 Koelenhof

Drawing Info

DRAWN	CHECKED	ISSUE DATE	SCALE
JS		2023/11/24	1:750@A3

Dwg No.

DISCIPLINE - SERIES - DWG NO.	REVISION	STAGE
PH06_SDP_UD_04.1		M



Use	Ground Floor (m ²)
Retail	139
Warehouse	0
Office	1152
Residential	0
Total GLA	1291
Total non-GLA	143,44
Gross Area (m²)	1434,44

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[illegible]

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*Dwg to be read in conjunction with:

Project

Devonbosch
Erf 165 Koelenhof
Phase 6: Erf 183 & 184

Project No

LH2023/01

Drawing Title

Building Use - Ground Floor

Drawing Info

DRAWN	CHECKED	ISSUE DATE	SCALE
JS		2023/11/24	1:750@A3

Dwg No.

DISCIPLINE - SERIES - DWG NO.	REVISION	STAGE
PH06_SDP_UD_04.2		M

Use	2nd Floor (m ²)
Retail	0
Warehouse	0
Office	2233
Residential	1080
Total GLA	3313
Total non-GLA	304,95
Gross Area (m ²)	3617,95

ERF 165
Ptn 12

ERF 165
Ptn 41

ERF 165
Ptn 21

	RETAIL
	WAREHOUSE
	OFFICE
	RESIDENTIAL
	VERTICAL CIRCULATION
	HORIZONTAL CIRCULATION

North

*Dwg to be read in conjunction with:

Project

Devonbosch
Erf 165 Koelenhof
Phase 6: Erf 183 & 184

Project No

LH2023/01

Drawing Title			
Building Use - Second Floor			
Drawing Info			
DRAWN	CHECKED	ISSUE DATE	SCALE
JS		2023/11/24	1:750@A3
Dwg No.			
DISCIPLINE - SERIES - DWG NO.	REVISION	STAGE	
PH06_SDP_UD_04.4		M	

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SCHEDULE OF RIGHTS		
PROPERTY DESCRIPTION		
Erf No.	165 Koelenhof	
Portion	Erf 183	
Site Area (sqm)	11 989,00	
ZONING INFORMATION		
Town Planning Scheme	Stellenbosch Municipality Zoning Scheme By-Law	
Amendment Scheme	n/a	
Use Zone	Approved Business Use 1, with a consent use for flats (current zoning Mixed-use Zone)	
DEVELOPMENT CONTROL MEASURES		
PERMISSIBLE	CONTROL	ACTUAL
22 m	Height	11,22m
100%	Coverage	31,94%
7 780,00	Coverage (m²)	3 829,00
n/a	Floor Area Ratio	0,73
Refer to approved bulk register	Gross Floor Area (m²)	8 796,67
Residential: 2 per unit Office: 4 per 100 sq.m Retail: 4 per 100 sq.m Warehouse: 1 per 100 sq.m	Parking	As per masterplan guidelines: Residential: 2 per unit Office: 3 per 100 sq.m Retail: 3 per 100 sq.m Warehouse: 2 per 100 sq.m
0m	Building lines	As per building layout plan

Erf no.	Building	Coverage (sq.m)	Height (storeys)	Gross Area (sq.m)	Retail GLA (sq.m)	Office GLA (sq.m)	Warehouse GLA (sq.m)	Residential GLA (sq.m)	Residential (no. of units)	No. of parking bays required
183	A	326	2	648,8889	0,00	0,00	0,00	584,00	6	12
	B	547	2	1062,222	0,00	0,00	0,00	956,00	12	24
	C	379	2	688,8889	0,00	0,00	0,00	620,00	8	16
	D	503	3	1078,889	0,00	971,00	0,00	0,00		29
	E	486	3	1227,778	0,00	1105,00	0,00	0,00		33
	F	547	3	1394,444	0,00	1255,00	0,00	0,00		38
	G	538	3	1376,667	0,00	1239,00	0,00	0,00		37
	H	503	3	1318,889	139,00	1048,00	0,00	0,00		36
Total		3829		8796,667	139	5618	0	2160	26	225

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North



*Dwg to be read in conjunction with:

Project

Devonbosch
Erf 165 Koelenhof
Phase 6: Erf 183 & 184

Project No

LH2023/01

Drawing Title

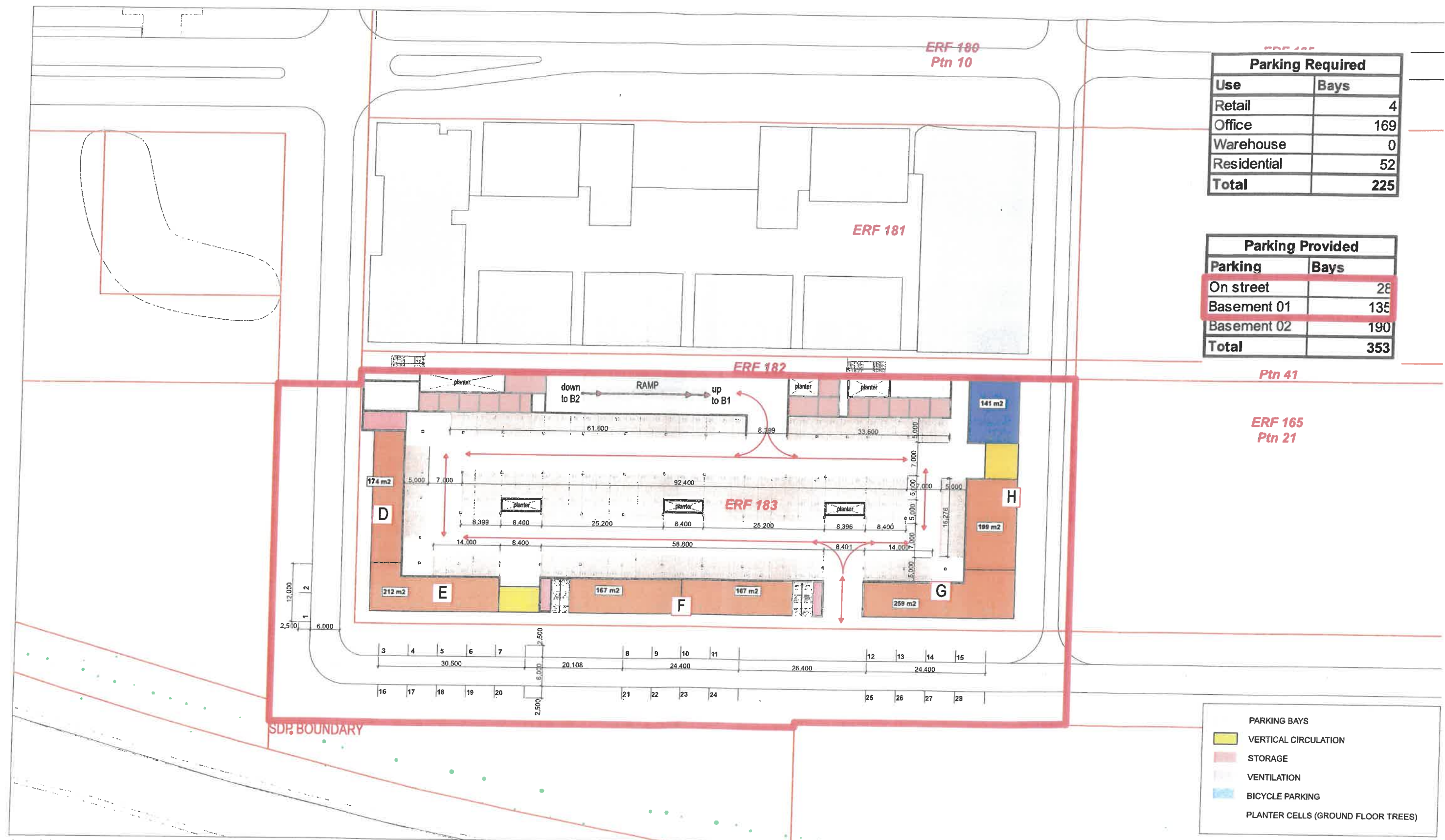
Schedule of Rights and
Building Areas

Drawing Info

DRAWN	CHECKED	ISSUE DATE	SCALE
JS		2023/11/24	1:11.10.77:0A3

Dwg No.

DISCIPLINE - SERIES - DWG NO.	REVISION	STAGE
PH06_SDP_UD_05		M



Parking Required	
Use	Bays
Retail	4
Office	169
Warehouse	0
Residential	52
Total	225

Parking Provided	
Parking	Bays
On street	28
Basement 01	135
Basement 02	190
Total	353

PARKING BAYS	
	VERTICAL CIRCULATION
	STORAGE
	VENTILATION
	BICYCLE PARKING
	PLANTER CELLS (GROUND FLOOR TREES)

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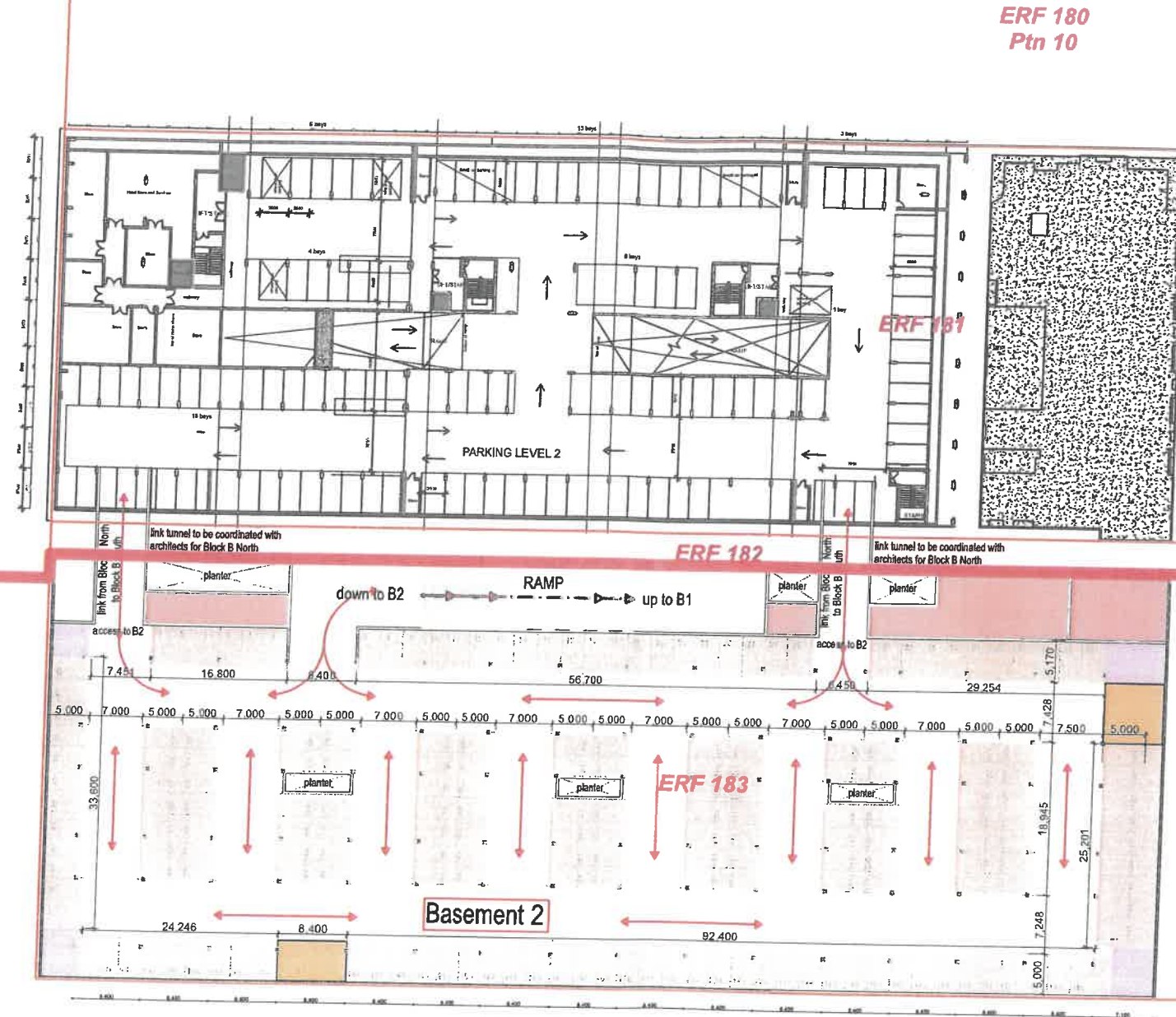
Project

Devonbosch
Erf 165 Koelenhof
Phase 6: Erf 183 & 184

Project No

LH2023/01

Drawing Title			
Parking: Surface and Ground Basement Parking Layout			
Drawing Info			
DRAWN	CHECKED	ISSUE DATE	SCALE
JS		2023/11/24	1:750, 1:10, 99@A
Dwg No.			
DISCIPLINE - SERIES - DWG NO.	REVISION	STAGE	
PH06_SDP_UD_06.1		M	



Parking Required	
Use	Bays
Retail	4
Office	169
Warehouse	0
Residential	52
Total	225

Parking Provided	
Parking	Bays
On street	28
Basement 01	135
Basement 02	190
Total	353

- PARKING BAYS**
- VERTICAL CIRCULATION
 - STORAGE
 - VENTILATION
 - BICYCLE PARKING
 - PLANTER CELLS (GROUND FLOOR TREES)

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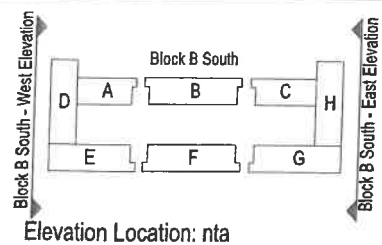
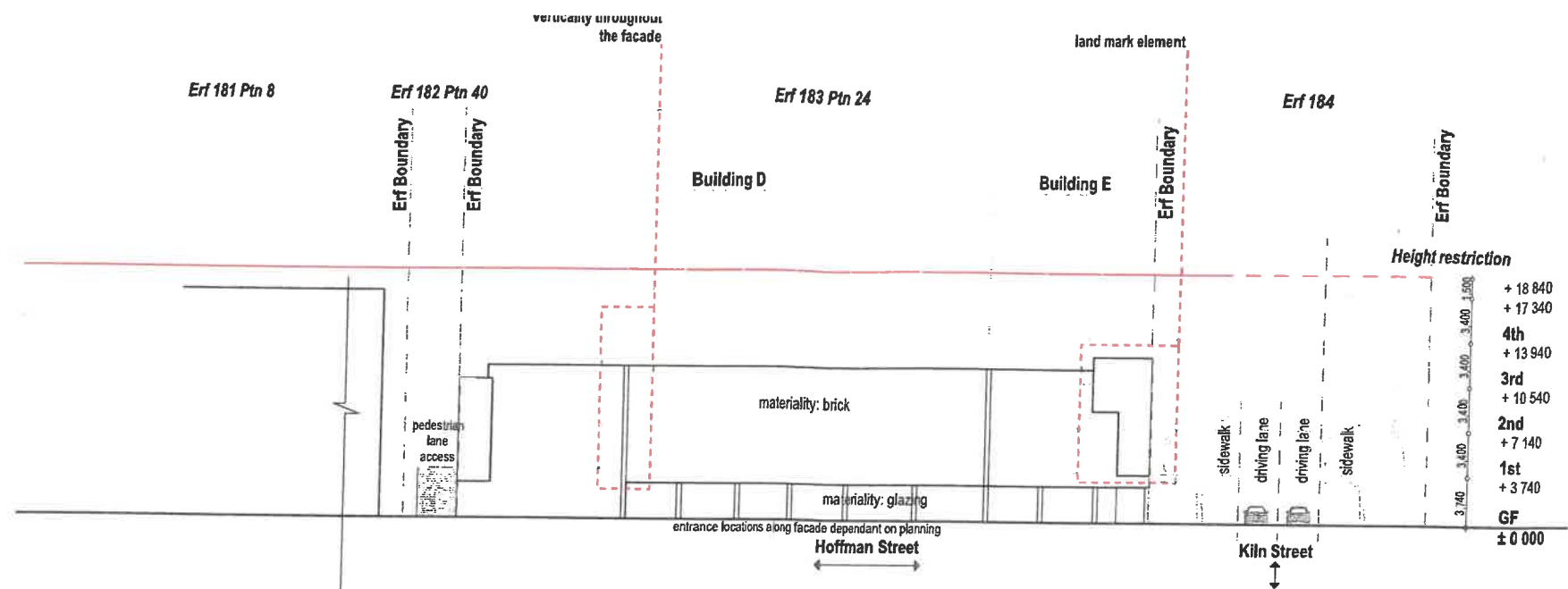
Project

Devonbosch
Erf 165 Koelenhof
Phase 6: Erf 183 & 184

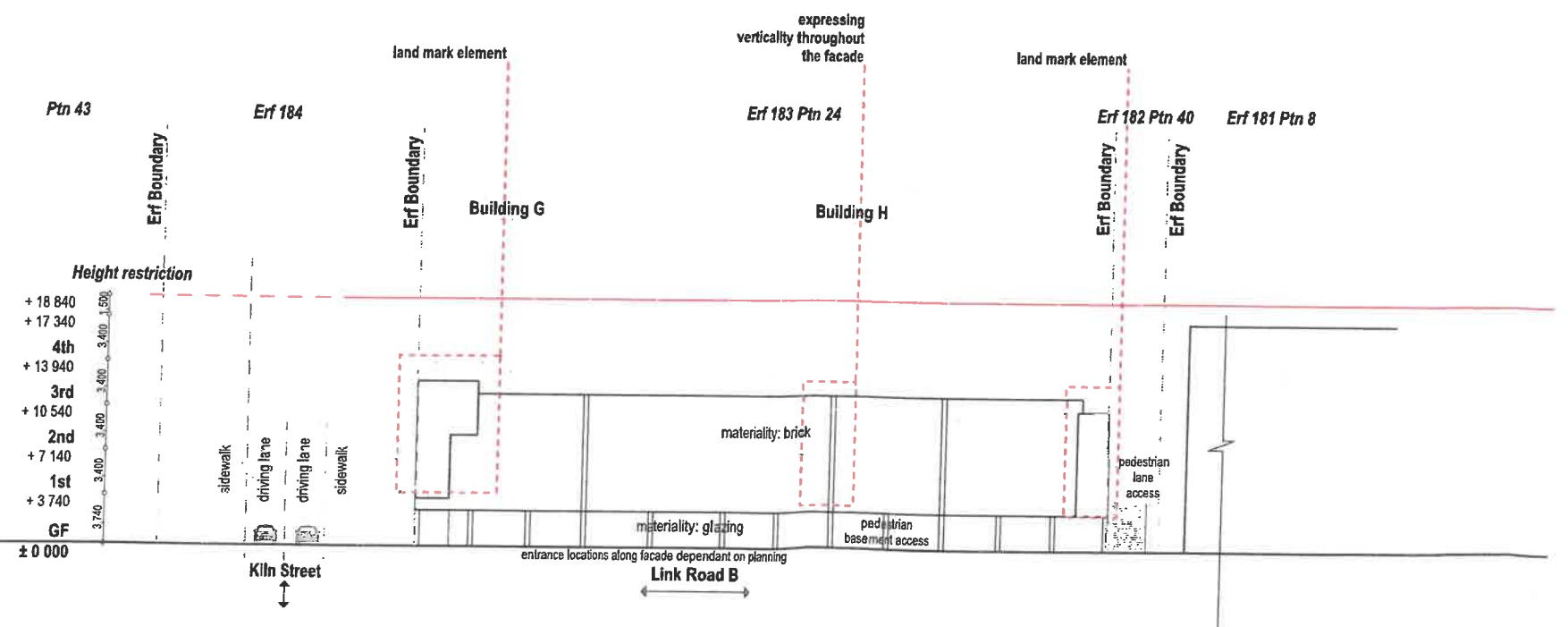
Project No

LH2023/01

Drawing Title			
Parking: Basement 01 Parking Layout			
Drawing Info			
DRAWN	CHECKED	ISSUE DATE	SCALE
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Dwg No.			
DISCIPLINE - SERIES - DWG NO.	REVISION	STAGE	
PH06_SDP_UD_06.2		M	



Block B South - West Elevation 1:500



Block B South - East Elevation 1:500

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Project

Devonbosch
Erf 165 Koelenhof
Phase 6; Erf 183 & 184

Project No

LH2023/01

Drawing Title

Elevations Block B South -
East and West

Drawing Info

DRAWN	CHECKED	ISSUE DATE	SCALE
JS		2023/11/24	1:3500@A3

Dwg No.

DISCIPLINE - SERIES - DWG NO.	REVISION	STAGE
PH06_SDP_UD_08.2		M

ANNEXURE E

**APPLICATION FOR PERMISSION REQUIRED IN TERMS
OF CONDITION OF APPROVAL IN TERMS OF
SECTION 15(2)(I) OF THE STELLENBOSCH MUNICIPAL
LAND USE PLANNING BYLAW, 2023: ERF 183 & ERF
184, DEVONBOSCH ESTATE, KOELENHOF**

**COMMENT FROM THE DIRECTORATE:
INFRASTRUCTURE SERVICES**



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : The Director: Planning and Development
FOR ATTENTION : Bulelwa Mdoda
FROM : Manager: Development (Infrastructure Services)
ENQUIRIES : Tyrone King (Manager: Development)
DATE : 15 July 2024
RE. : Erf 183 and 184, Koelenhof: Phase 6 - SDP approval
(Devonbosch – Farm 65/43)
YOUR REF : LU/16448
OUR REF : CIVIL 2660

Background: the overall development has been approved, with Engineering approval conditions as per Memo dated 17 February 2020. This application is for an SDP approval of Phase 6 – Erven 183 & 184, of the development and these conditions specifically addresses the impact of this application on civil engineering services. The overarching conditions of the overall development remain valid.

The development parameters and locality of the application is as follows:

- o 139m² retail GLA
- o 5 618m² office GLA
- o 26 residential units

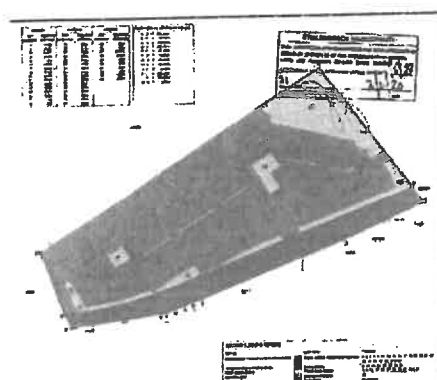


Figure 1 – SDP area on site plan

DEVONBOSCH ERF 183 & 184, SDP APPROVAL – PHASE 6

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

- SDP Phase 06 dated 2023/11/24 by LHA+Ud;
- Devonbosch Development Water Bulk Register Phases 2, 3.1, 3.2 & 6 Water dated 17-May-2024 received from Bart Senekal Inc;
- Devonbosch Development Bulk Register Transport dated July 2024 Revision 5, by ITS;

The development is recommended for approval, subject to the conditions as stated below.

1. that the following upgrades are required to accommodate the development:

- a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.
- b. **Water Network:** According to the bulk register, the cumulative water demand to date, including this application, is **201 kl/day**. The next phase of the water upgrades (Phase 2 upgrades as per the original approval conditions) will be triggered when a demand of **132kl/day** is reached. This application does therefore trigger the Phase 2 water upgrades. The cumulative effect of the development's roll-out will however be monitored as building plans are submitted. If a building plan triggers the water upgrade, then it must be implemented.

TOTAL DEMAND:	450,0	DEMAND TO DATE:	201,0	356,0	Spare for this scenario
BULK WATER CAPACITIES 17-May-24					
		Added	Cumulative		
		kl/day	kl/day		
Existing Farm 65/43 allocation as per GLS		42	42		
Bulk water upgrade - Phase 1 (implemented)		90	132		
Bulk water upgrade - Phase 2		425	557		
				Current total capacity	
				121,5% of Total Demand	

Extract from Bulk Register Phases 2, 3.1, 3.2 & 6 Water dated 17-May-2024

- c. **Sewer Network:** the Koelenhof bulk outfall sewer has sufficient capacity for the proposed development. This Koelenhof sewer line connects to the Plankenbrug outfall sewer line at Cloetesville, in the vicinity of the Nuutgevonden Estate. The Plankenbrug outfall sewer does have spare capacity for the proposed development.

- d. **Road Network:** The Provincial Roads Authority has set specific approval condition for this development. Before subdivision clearance or occupation certificates (whichever comes first) will be approved by this Directorate, the Developer must furnish proof from the Provincial Roads Authority that all their conditions have been met for this particular phase/application. For information purposes, the triggers for the road upgrades are given below: The intersection is the R304/Bottelary Road intersection, unless otherwise indicated.

Trigger	Upgrade	Cum. Trips	To Date
1	LT & RT lanes to E Leg Add Through lane on N leg Add receiving lane to S leg Change LT to LT+THU at W leg Change THRU to RT lane	550	186%
2	PT bay at Blumberg NMT lane: Blumberg to R304 MR87 ULO + median extension	1 051	97%
3	LT lane at W leg Change LT + THU to THU at W leg	1 324	
4	Dualling of MR187	1 631	

According to the Transport Bulk register, the cumulative trip generation to date, including this application, is **1 024 trips**. This application does therefore trigger #1 of the upgrades listed above.

The cumulative effect of the development's roll-out will however be monitored as building plans are submitted. If a building plan triggers the upgrade, then it must be implemented.

e. **Stormwater Network:**

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

DEVONBOSCH ERF 183 & 184, SDP APPROVAL – PHASE 6

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

f. Solid Waste:

- i. Solid Waste will be removed by a private contractor. Should this function revert to the municipality in future, the municipality will require that adequate refuse removal infrastructure, according to municipal standards be constructed (if not yet available) i.e. refuse removal bays and refuse rooms. Any alterations or upgrades will be for the Owner's cost.

Development Charges

2. It is proposed that a DCs will be calculated and managed cumulatively for the entire development of Farm 65/43.
3. To achieve this, a DC register must be kept by the Engineering Consultant and submitted with each building plan.
4. If a project needs to be implemented in lieu of DCs, then an Engineering Services Agreement for DC expenditure must be concluded.
5. If there is a shortfall on the DCs of that particular building/phase to cover the cost of the upgrade, then the Developer must cover the shortfall and it can be credited to the DCs of a future phase. This must be reflected on future DC registers.

The following general conditions will apply to the payment of DCs: If in contradiction with condition 3, condition 3 shall govern.

6. that the "Developer" hereby acknowledges that the development charges levy as determined by the "Municipality" and or the applicable scheme tariffs will be paid by the "Developer" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;
7. that the "Developer" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;

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8. that the “Developer” may enter into an engineering services agreement with the “Municipality” to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services;
9. that the Development Charges levy be paid by the “Developer” –
- prior to the approval of any building- and/or services plans in the case of a Sectional title erf in that phase or where a clearance certificate is not applicable and/or;
 - prior to the approval of subdivision clearance in terms of the Stellenbosch Municipal Land Use Planning By-law in all cases and;
- Whichever comes first
10. that the development shall be substantially in conformance with the development parameters and Site Development Plan submitted in terms of this application. Any amendments and/or additions to the parameters and/or Site Development Plan, once approved, which might lead to an increase in the Gross Leasable Area or residential units, will result in the recalculation of the Development Charges;
11. Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;



TYRONE KING Pr Tech Eng

MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)