

STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**NOTICE OF MUNICIPAL PLANNING
TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2025-10-31 FROM
10:00-15:00**



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**NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2025-10-31 FROM 10:00-15:00**

Ref. no. 3/4/5/2/40

2025-10-31

Chairperson

Mrs H Crooijmans-Lemmer

Deputy-Chairperson

Mr P Van
Zyl

External Members

Mrs C Havenga

Mr D Leo

Mr S Boshoff

Internal Members

Mr A Barnes: Director - Planning and Economic Development

Mr M Williams: Senior Legal Advisor

Mr A van der Merwe: Senior Manager - Community Services

Mrs M Francis: Senior Manager - Infrastructure Planning, Development and Implementation,
Directorate Infrastructure Services

Mr J Benjamin: Senior Manager - Planning and Economic Development

Technical Advisor

Mr K Munro - Director Environmental & Spatial Planning: Department of Environmental Affairs
and Development Planning

*Notice is hereby given in terms of Section 75(1) of the Stellenbosch Municipality Land Use
Planning By-Law (2023), of the Municipal Planning Tribunal Meeting which will be held at the
**Stellenbosch Council Chambers, Stellenbosch Municipality, Plein Street, Stellenbosch on
FRIDAY, 2025-10-31 from 10h00-15:00 to consider the items on the Agenda.***

Mrs H Crooijmans-Lemmer

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



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MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 26 SEPTEMBER 2025

MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON FRIDAY, 26th OF SEPTEMBER 2025 AT THE STELLENBOSCH COUNCIL CHAMBERS, STELLENBOSCH MUNICIPALITY, PLEIN STREET, STELLENBOSCH FROM 10H00-15H00

**Ref. no. 3/4/5/2/40
2025-09-26**

Chairperson

Mrs H Crooijmans-Lemmer

Deputy-Chairperson

Mr P Van Zyl

External Members

Mrs C Havenga

Mr D Leo

Mr S Boshoff

Internal Members

Mr A van der Merwe: Senior Manager - Community Services

Mrs M Francis: Senior Manager - Infrastructure Planning, Development, and Implementation

Mr M Williams: Senior Legal Advisor

Mr A Barnes: Director - Planning and Economic Development

Mr J Benjamin: Senior Manager – Development Planning

Technical Advisor

Mr K Munro: Director Development Management, Department Environmental Affairs and Development Planning

Officials

Mr S Carstens: Senior Manager: Development Management

Mrs C Kriel: Manager: Land Use Management

Ms O Vergotine: Administrative Officer

Mr P April: Senior Town Planning

Mr R Fooy: Senior Town Planner

Observers

Mr K Erasmus

Mr E Ascott

Mr L Ndaba

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 26 SEPTEMBER 2025Visitors

Mr Du Plessis

Mrs Harris

Mrs Ferreira

Mrs Bolz

Ms Coetzee

Mr Winshaw

Mr Swart

Mr Groenewald

ITEM	SUBJECT
SMPT 01/09/25	OPENING AND WELCOME
	Chairperson Crooijmans-Lemmer welcomed all present.
SMPT 02/09/25	LEAVE OF ABSENCE
	Mr. A van der Merwe and Mr. A Barnes joined during the proceedings due to another meeting
SMPT 03/09/25	DISCLOSURE OF INTERESTS
	None received
SMPT 04/09/25	MINUTES OF THE PREVIOUS MEETING DATED 29 AUGUST 2025
	The minutes of the previous meeting was noted.
	MATTERS FOR CONSIDERATION
SMPT 05/09/25	APPLICATION FOR THE REZONING OF ERF 787, HAMMAN STREET, FROM CONVENTIONAL RESIDENTIAL ZONE TO MIXED USE ZONE TO ALLOW FOR THE EXISTING BUILDINGS ON THE PROPERTY TO BE USED AS OFFICES. (LU/16567) Discussion:

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a. Chairperson Crooijmans-Lemmer handed over to Mr Fooy to give a brief introduction of the application that served before the Tribunal.

b. Mr Johan du Plessis, on behalf of the applicant, submitted a written input to the MPT which was presented. The written submission and map indicating the land uses in Hamman Street are attached.

Mr Lombard submitted written presentation (attached) on behalf of the objector, who requested a presentation, however Mr Slabber did not attend the meeting.

c. Questions for clarity were asked relating to the approval of the temporary departure for 5 years, the subsequent appeal decision permitting only 1 year, and the reason for submitting the rezoning application. The Department responded confirming that the intention of the Municipality was communicated with the appeal decision. The applicant responded stating that meetings were held with the Municipality on the proposal before the submission of any of the applications and clarity was given that the rezoning application was already in process when the temporary departure application was decided, as the temporary departure would have allowed the continuation of the activities while the rezoning process was underway.

d. Clarity was asked about the type of land uses that are currently operating from the property and the owner responded by stating that the activities include the services of a chiropractor, physiotherapists, a trauma psychologist, rehabilitating Pilates and small offices occupied by 3-4 people.

e. The owner was asked what their future intention is of the site, and it was indicated that they currently don't have any plans for expansion but to continue with the current activities that are existing for almost ten years. They are young owners who want to keep the property in the family.

f. MPT Members debated the proposal and discussed how activities related to tourism and residential uses, business and offices is defined and what the impact of the use is with reference to the extent and nature of activities in the local context, recognising that the proposal is to maintain the status quo in the existing building. It was noted that the current impact is known, enough parking can be provided on site and what happens in future is outside of the scope of the application under consideration.

g. Consensus was reached that the applicant's intention is to find a legal way to continue with current activities and support the approval for the existing office use.

UNANIMOUSLY RESOLVED:

1. That it **BE DECIDED** that the application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw for the Rezoning of Erf 787,

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 26 SEPTEMBER 2025

	<p>Hamman Street, from Conventional Residential Zone to Mixed Use Zone for the use of the existing buildings on the property for office purposes, as indicated on the Site Development Plan, Drawn by: Alan King, Drawing No: W.04/23, Dated 25-04-2023, Page 1 of 6</p> <p>BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.</p> <p>2. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:</p> <p>2.1 The approval only applies to the proposed 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.</p> <p>2.2 The conditions imposed by the Directorate Infrastructure Services: Civil Engineering Services in their memo dated 23 April 2024, attached as Annexure G, be adhered to.</p> <p>2.3 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to approval of any building plans, or as may be agreed on in writing with the Director Infrastructure Services.</p> <p>2.4 Building plans be submitted to the Municipality for approval and be in accordance with the Site Development Plan, Drawn by: Alan King, Drawing No: W.04/23, Dated 25-04-2023, Pages 1 of 6, attached as Annexure B.</p> <p>2.5 That the onsite parking be clearly demarcated and provided with a suitable surface material approved by the Directorate Infrastructures Services.</p> <p>3. The reasons for the above decision are as follows:</p> <p>3.1 The proposed development is in support of the continuation of the status quo which does not detract from the related municipal policy or amenity or character of the immediate area.</p> <p>3.2 Any future redevelopment of the property will require a new and comprehensive application inclusive of public participation.</p>
<p>SMPT 06/09/25</p>	<p>APPLICATION FOR A CONSENT USE FOR A TOURIST ACCOMMODATION ESTABLISHMENT, DEPARTURE AND SUBDIVISION ON FARM NO. 65/13 & 30, STELLENBOSCH DIVISION. (LU/17271)</p> <p>Discussion:</p> <p>a. Chairperson Crooijmans-Lemmer handed over to Mr April to give a brief introduction of the application that served before the Tribunal.</p>

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- b. Mr Gerhard Swart, on behalf of the applicant, submitted a written input to the MPT which was presented. The written submission is attached.
- c. The argument differentiating between pods / barrels and dwelling units is noted, recognising the statutory definition of a residential unit being a self-contained unit. Clarity was asked about the applicant's opinion of the difference in the footprint per unit proposed in relation to the permitted size of a dwelling unit in comparison to the total footprint of the proposal and it was noted that the footprint / landscaped area is bigger than the footprint allowed for additional dwelling units. The applicant confirms their opinion that the proposed pods are not regarded as dwelling units.
- d. The scale of the proposal in comparison to the farm is not desirable and the resultant sprawl and fragmentation of the landscape is part of the consideration as the impact is broader than the definition of number of dwelling units allowed.
- e. The proposal to subdivide the developable property in the form of a long term lease agreement to facilitate the development is a further consideration which cannot be supported in the context of the protection of the agricultural landscape in the Boland.

UNANIMOUSLY RESOLVED:

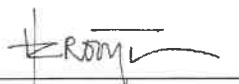
1. That it **BE DECIDED** that the application for Consent Use on Farm No. 65/13 and 65/30, Stellenbosch Division to establish ten (10) tourist accommodation units deviates from the provisions of the Stellenbosch Municipality Spatial Development Framework (SMSDF) as contemplated in terms of Section 19 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014), for the following reasons:
 - 1.1 The proposal exceeds the number of dwelling units permitted on a property in extent of 16ha as prescribed by the SMSDF for agricultural properties and thus conflicts with the spatial planning objectives of the SMSDF.
2. That it **BE DECIDED** that the application for Consent Use on Farm No. 65/13 and 65/30, Stellenbosch Division to establish ten (10) new tourist accommodation units does not warrant site specific circumstances as contemplated in terms of Section 22(2) of Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) for the following reasons:

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	<p>2.1 There are no convincing unique circumstances or considerations provided to serve as compelling justification to deviate from the prescribed number of additional dwelling units.</p> <p>3. That the following applications in terms of the Stellenbosch Municipality Land Use Planning Bylaw, 2023 on Farm No. 65/13 and 65/30, Stellenbosch Division:</p> <p>3.1 In terms of Section 15(2)(o) of the said bylaw for a consent use for a tourist accommodation establishment to accommodate 10 tourist accommodation units on Farm No. 65/13, Stellenbosch Division</p> <p>3.2 In terms of Section 15(2)(b) of the said bylaw for a departure to provide no parking bays on Farm No. 65/13, Stellenbosch division, but instead providing the required 10 parking bays on Farm No. 65/30, Stellenbosch Division, requiring that the properties be notarial tied.</p> <p>3.3 In terms of Section 15(2)(d) of the said bylaw for a subdivision to register Lease Area A ($\pm 4206\text{m}^2$) on Farm No. 65/30, Stellenbosch Division and Lease Area B ($\pm 11471\text{m}^2$) over Farm No. 65/13, Stellenbosch Division to enable a long-term lease over the accommodation units and parking area</p> <p>BE REFUSED in terms of Section 60 of the said Bylaw for the following reasons:</p> <p>4. The reasons for the above decision are as follows:</p> <p>4.1 The nature and scale of the subject proposed land use is not consistent with the broader spatial planning principles as set out in LUPA and SPLUMA and consequently deviates from the provisions of the prevailing development agenda and strategy of the Stellenbosch MSDF as contemplated in terms of Section 19 of LUPA and there are no site-specific circumstances as contemplated in terms of section 22(2) of SPLUMA that warrant justifiable grounds to deviate from the MSDF.</p> <p>4.2 The tourist accommodation establishment exceeds the number of dwelling units permitted on a property which is 16ha in extent and there are no exceptional or unique considerations provided that would warrant to deviate from the prescribed provisions on the number of additional dwelling units.</p> <p>4.3 Favorable consideration of the subject applications will set a precedent, where such a decision will set a specific course of action or interpretation</p>
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	<p>of the relevant policy and bylaws that will compromise this municipality's mandate to make future decisions of similar nature and locality.</p> <p>4.4 The proposed development therefore contradicts the overall vision, strategic objectives, or principles outlined in the Stellenbosch Municipality's approved Spatial Development Framework and purpose of the subject Agriculture and Rural Zoning category.</p> <p>4.5 The application involves a registered long-term lease agreement that constitutes a subdivision which will fragment agricultural land for an extended period.</p>
SMPT 07/08/25	OTHER MATTERS
7.1	PLANNING POLICIES (REVIEWED OR APPROVED BY COUNCIL)
	Nothing to note.
7.2	APPEALS RECEIVED AGAINST MPT DECISION
	<p>No new appeals were received or decided in August.</p> <p>A judicial review of the application on Farm Portion 9 and Portion 12 of the Farm Nietgegund, No 516, Stellenbosch is in court. This application was not approved by the MPT and which decision was confirmed on Appeal.</p>
7.3	GENERAL
	Nothing to note.



Mrs H Crooijmans-Lemmer

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



Mr P van Zyl

DEPUTY-CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL

SUBMISSION TO STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL ON APPLICANT'S BEHALF BY ATTORNEY JOHAN DU PLESSIS: HEARING DATE 26 SEPTEMBER 2025

Application for rezoning Erf 787 Hamman Street from Conventional Residential Zone to Mixed Use Zone to allow for the 2 existing buildings on the Property to be used as Offices: LU/16567

Land use application: The planning assessment report evaluated the land use application as if it is a land development application, which it is not. It is only proposed to use the existing dwelling and garage for office purposes – NOT to develop the property.

- The dwelling was internally converted, with municipal approval, for office use. It was used for that purpose for the last 7 years, with municipal "departure" approval and *without* any of the negative impacts alluded to in the assessment report.
- None of the officials' concerns, now raised in the assessment report, were previously raised when they in fact supported the earlier departure applications.
- If the proposed condition restricting the office use to the existing buildings is imposed, the only additional impact that will arise from the rezoning approval will be as a result of the proposed conversion of the existing garage (with a GLA of ±145m²) to offices.

Rezoning is required to enable continuation of the office use as a primary right, due to the Planning By-law limitation on the maximum validity period of departure approvals. The "Mixed Use" category was selected, as agreed by all parties in the pre-application meeting, because "Multi-Use Residential" does not permit office use. The rezoning is an interim measure designed to generate much needed income to fund rates and taxes on a large property, Special Rating Area charges for cleaning and security and so forth, until such time as residential development becomes a viable option.

Reasons for the official's recommending refusal include that the property is more suited for medium-density residential development which would align with the character of Hamman and Dorp Streets, support tourism, help reduce traffic impacts and contribute to a safer environment. Office use is seen as at odds with the prevailing residential and tourism-orientated surrounding land uses and will undermine the traditional residential character of the neighbourhood. The rezoning to mixed use would encourage office development at the expense of more suitable land use.

Rational decision: The principle of legality requires that decisions should not be arbitrary or irrational. [1] In order to be rational, the decision must be "based on accurate findings of fact and a correct application of the law". [2]

¹ See for example *Pharmaceutical Manufacturers of South Africa: In re ex parte President of the RSA* 2000 (2) SA 674 (CC) at para 85; *Affordable Medicines Trust v Minister of Health* 2006 (3) SA 247 (CC) at paras 74-75).

² *Kotzé v Minister of Health & Another* 1996 (3) BCLR 417 (T) at 425F.

- The official's "reasons" for opposing the approval, abound with statements not supported by any facts, have no merit and are, at best, highly speculative.
- The information provided in the assessment report falls far short as a basis for forming a rational opinion concerning any alleged lack of desirability of the proposed use.

Character of Hamman Street: The two existing buildings will remain "residential" in terms of appearance, scale and character.

- An *in loco* inspection will show that the two existing buildings are not even visible from Hamman Street and therefore unable to have any visual impact on its alleged residential character.
- The attached plan shows that only 6 of the 16 erven in Hamman Street are currently still used for purely residential purposes.
- There is no information in the assessment report to support the idea that the buildings in Hamman Street have any tourism value or that the street has a tourism-orientated character.
- The medium-density residential development of the available 8 795m², favoured by the officials, translates into potentially 48 residential units. It will change the area's character far more than the retention of the existing house and garage.

Traffic: There is no factual information in the TIA (Annexure "H") or the assessment report to indicate that the proposed office use will "*exacerbate localised congestion and residential disruption*". To the contrary, the TIA confirms that the number of trips associated with the proposed use "*will be marginal and will have an insignificant impact on the external road network*".

- It explains why the responsible municipal engineer raised no concerns regarding the potential traffic impact of the proposed office use.
- Potentially 48 residential units will have a resultant trip generation of 48 vehicles/ hour during the a.m. and p.m. peak hours, whilst the use of the garage's ±145m² additional GLA, will only add 3 peak hour trips to the trips generated by the dwelling's office use.

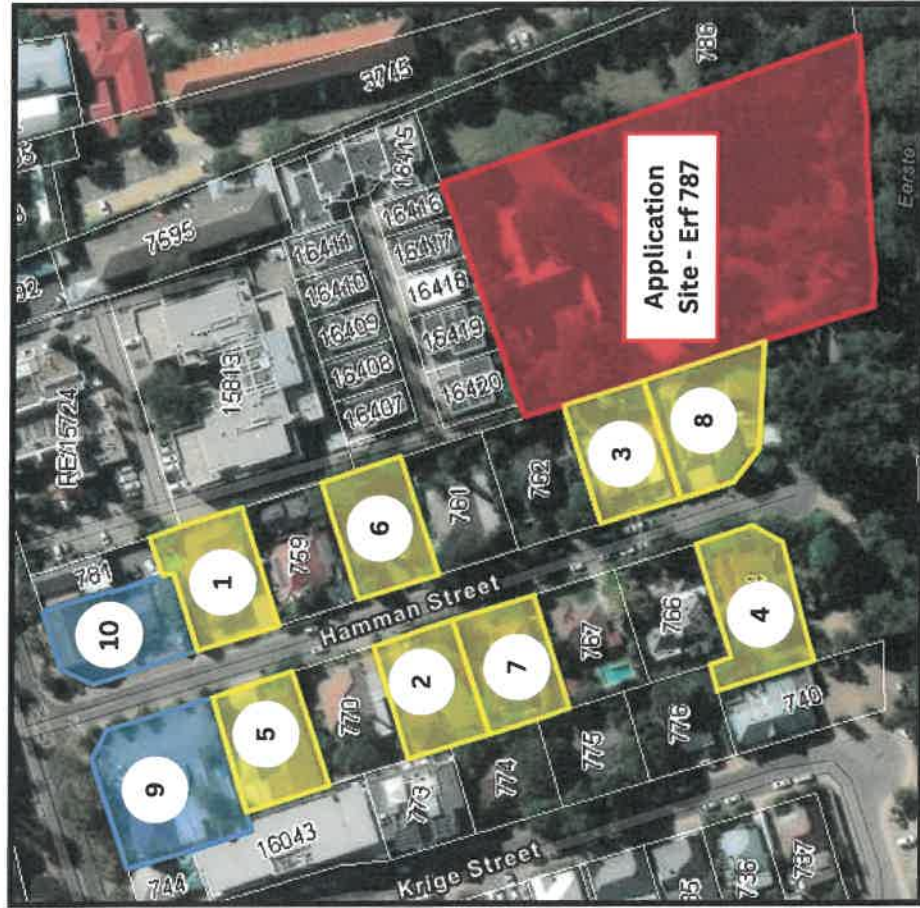
Tourism and safer environment: The assessment report fails to include any facts to support the idea that residential development will support tourism and contribute to a safer environment.

- The Police will confirm that the number of burglaries, robberies and assaults taking place in residential areas by far exceeds such occurrences where office use takes place.
- None of the 23 property owners in the area, that were individually notified, raised safety concerns. All but one of those that initially objected to the proposal, have withdrawn their objections and 18 owners have expressed themselves in favour of the proposal.

The remaining objector's concern relates to the impact of future redevelopment of the property, which is legally irrelevant for purposes of the current land use application.

I submit that there is no factual information before you to support a rational finding that the proposed use lacks desirability due to its *effects on existing rights* and request that the rezoning application be approved.

HAMMAN STREET LAND USES



- Mixed-Use Zone
- Conventional Residential Zone
- Application Site

Nr Erf Description

HAS FORMAL LAND USE APPROVAL BASED ON INFORMATION OBTAINED FROM STELLENBOSCH MAPPING PUBLIC GIS VIEWER:

- 1 Erf 758 Consent use approval for a guest house
- 2 Erf 769 Consent use approval for a guest house - temporary approval from 2024/05/31 until 2029/05/31
- 3 Erf 763 Temporary approval for a B&B facility - no date available. Current land use application concluded public participation for a consent use for a guest house
- 4 Erf 14144 Consent use approval for a guest house

DOES NOT HAVE FORMAL LAND USE APPROVAL (THAT IS PUBLICLY AVAILABLE) - BUT IS USED FOR THE FOLLOWING LAND USES:

- 5 Erf 771 Student accommodation - Hamman Student Rooms Accommodation (Wincere Executive)
- 6 Erf 760 Peet le Roux Physiotherapy
- 7 Erf 768 Twice Central Guest House
- 8 Erf 764 Student commune

ZONING ALLOWS FOR THE LAND USE ON SITE:

- 9 Erf 722 Hudsons (Restaurant)
- 10 Erf 757 Dorp Street Dental, Optometrist, Okasie (flower shop)

22 September 2025

SUBMISSION TO THE MUNICIPAL PLANNING TRIBUNAL REGARDING OBJECTION TO THE LAND DEVELOPMENT APPLICATION: ERF 787, HAMMANN STREET, STELLENBOSCH (REFERENCE TP605/2024)

The submission is made by Mr Roelou Slabber, on behalf and as Trustee of the Venezia Trust, an adjacent owner of Erf 14144 in Hammann Street.

We lodged an objection against the application as we will be affected by the office use and a rezoning permanently permitting offices in the street, as well as any future mixed use redevelopment of the property.

We are in principle not opposed to a change in use and intensified development or to the redevelopment of the property in keeping with the surrounding residential land use and spatial development policies of the Municipality but object to the proposed rezoning for the continued and expanded office use and accordingly a foot in the door for future unspecified mixed use development.

Erf 787 is located at the end of a *cul-de-sac*, surrounded by residential properties. It currently takes access via a right of way servitude through the La Gratitude Office Park and if the use is changed, then this access should be retained to avoid negative effects on the Hammann Street residents.

The proposed Mixed-use Zone in terms of the Stellenbosch Municipality Zoning Scheme Bylaw permits numerous uses and development which would not be compatible with the surrounding residential character of the area and should not be permitted at the end of a *cul-de-sac*. Rezoning of the property to an undesirable zoning on the grounds that it will be limited to a single primary use of limited scale cannot be supported, as a future application would only have to argue that the primary use needs to change, which requires a significantly less onerous process and motivation than a rezoning. A rezoning to a Local Business Zone, which also permits offices as a primary use, would be more appropriate although still not desirable from our perspective as neighbours. Any redevelopment should be for appropriate residential purposes and not for any business use that would cause continuous discomfort and disturbance to the residents in the street.

The conversion of the garage will further entrench the current business use and lead to an increase in business-related traffic in the street and can therefore not be supported. Extension or expansion of the existing temporary business use erodes the residential character of the street where the only business is guest accommodation and occupational practices in dwelling houses, and which play an important role in the retention of the character of the street under difficult circumstances in a central location. Additional traffic and business activity will put further pressure on the owners in trying to retain the residential character of the street, while the owners of the business premises (subject property) do not reside there and might not understand the importance of retaining the residential character as do the residents.

Densification and intensification of the land development on the site can be achieved with a lesser Local Business Zone as indicated above, albeit equally unacceptable to us, and with a rezoning to a Multi-unit Residential Zone that will also increase the value of the land for the owner and contribute to the achievement of the Municipality's spatial planning objectives. If development of the site in

terms of the primary uses under the Mixed-use Zone is not intended, then why apply for such zoning?

According to the motivation a traffic impact statement was prepared (ITS Innovative Transport Solutions) and it concluded that: *"the estimated number of trips associated with the proposed development will be marginal and will have an insignificant impact on the external road network."* However, it did not assess the development impact of a Mixed-use Zone development which, according to the application, can be achieved with a site development plan amendment application. If cannot be argued that the access via Hamman Street is acceptable for a Mixed-use Zone development. If so, then it would assume that all other properties in the street could be granted similar use rights, in which case clearly the access would be completely insufficient.

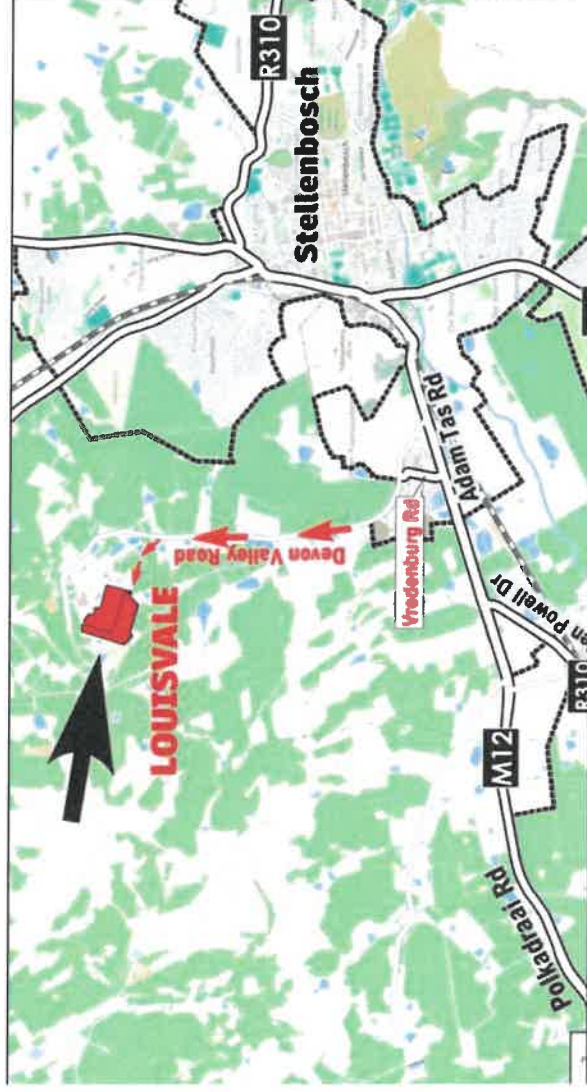
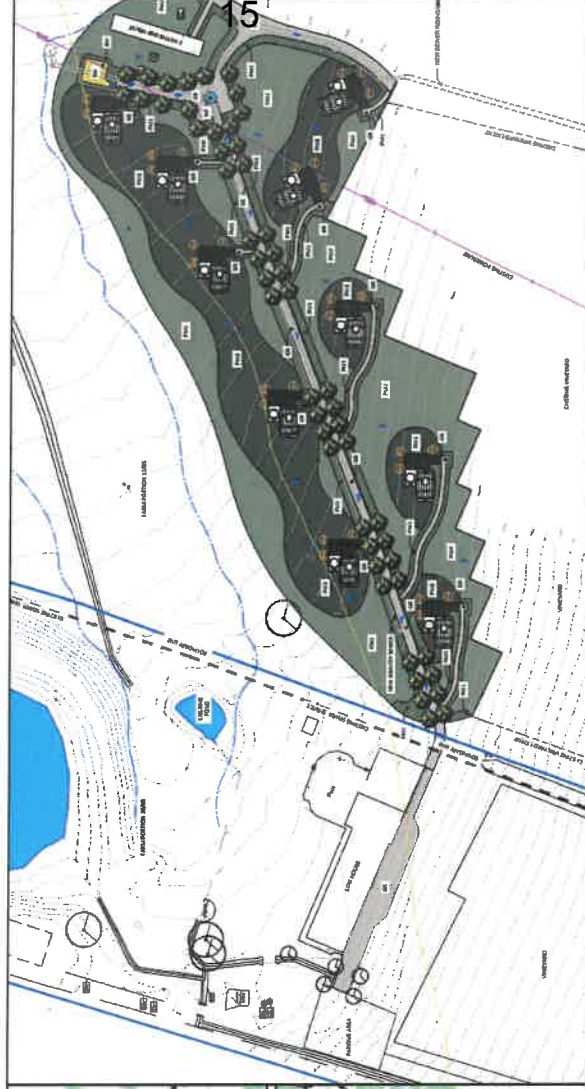
The potential impact of traffic in the *cul-de-sac* with limited space, the additional pedestrian movement, the changing movement patterns, the change in activity patterns, and the effects of non-residential buildings on the residents of the street have not been appropriately assessed and are under-estimated.

We maintain our objection and request that the application for rezoning to a Mixed-use Zone be refused.

APPLICATION FOR A CONSENT USE FOR A TOURIST ACCOMMODATION ESTABLISHMENT, DEPARTURE AND SUBDIVISION ON FARM NO. 65/13 & 30, STELLENBOSCH DIVISION

PRESENTATION TO THE MPT

DATE: 26 SEPTEMBER 2025

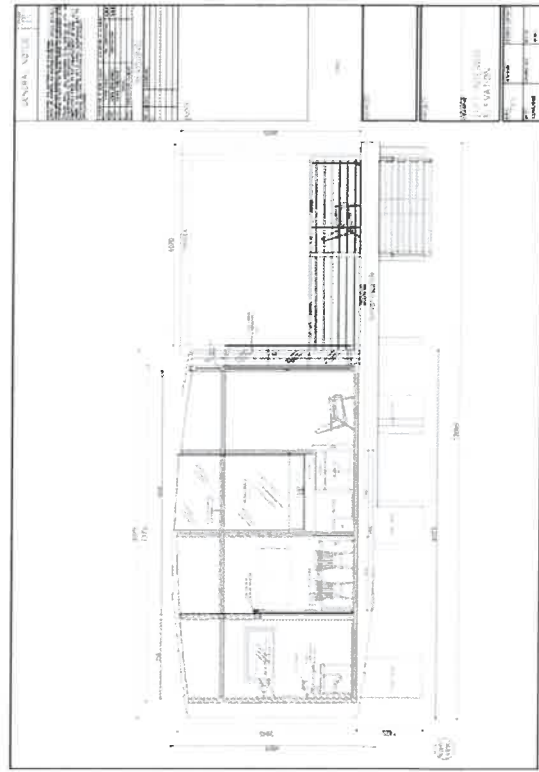


PREPARED BY:



URBAN DYNAMICS CAPE
TOWN & REGIONAL PLANNERS

1 DEVELOPMENT AREA



2 REASONS FOR DECISION



1. SITE-SPECIFIC CIRCUMSTANCES

No site-specific circumstances that warrants justifiable grounds to deviate from MSDF.

2. EXCEEDS NUMBER OF DWELLING UNITS

Exceeds the number of dwelling units permitted on a property of 16ha

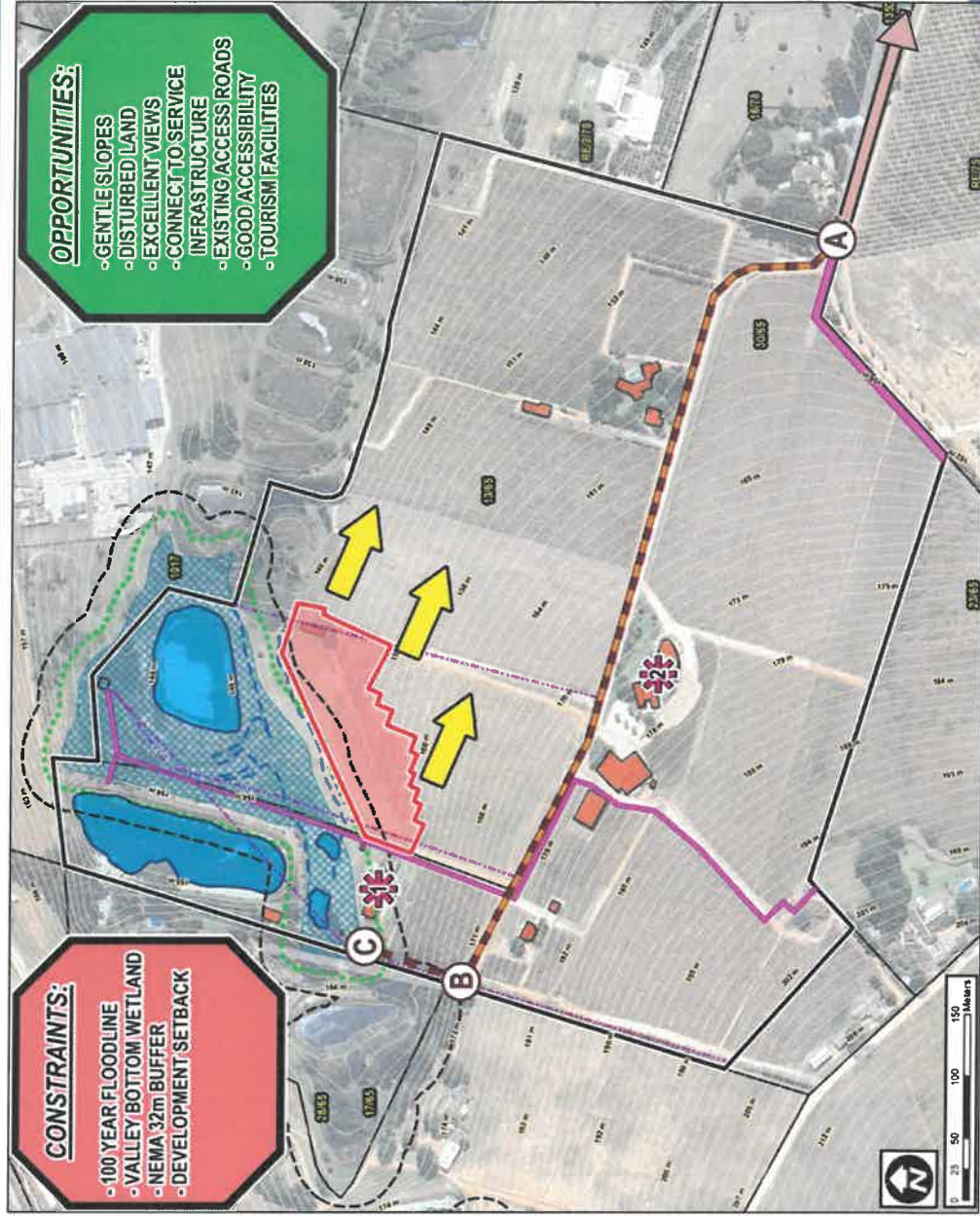
3. PRECEDENT SETTING

4. CONTRADICTS WITH VISION, STRATEGIC OBJECTIONS/PRINCIPLES OF MSDF

2 REASONS FOR DECISION

1. SITE-SPECIFIC CIRCUMSTANCES

- High visual absorption capacity
- Association with wine industry
- Access route is closed off
- Closed off valley
- Unique design (1st in South Africa)



2 REASONS FOR DECISION

1. SITE-SPECIFIC CIRCUMSTANCES

- High visual absorption capacity
- Association with wine industry
- Access route is closed off
- Closed off valley
- Unique design (1st in South Africa)



2 REASONS FOR DECISION



2. EXCEEDS NUMBER OF DWELLING UNITS

- Tourism accommodation **not** similar to additional dwelling unit

Additional Dwelling Unit: Definition	Compliant
• Self-contained & interleading rooms	X
• At least one bedroom & one kitchen	✓
• Utilized as a complete residence	X
• Residence for 1 x family	X

Tourism accommodation **cannot** be defined as an additional dwelling unit

2

REASONS FOR DECISION



2. EXCEEDS NUMBER OF DWELLING UNITS

- Key findings of the planning evaluation

6.4 “The proposed units are self-catering and subsequently classified in terms of the zoning scheme as dwellings”

10. “The proposed number of dwelling units for tourist accommodation will exceed the number allowed and will be out of character...”

13. “...deviates from the MSDP (i.e. number of dwelling units)



2

REASONS FOR DECISION



2. EXCEEDS NUMBER OF DWELLING UNITS

2.18. Tourist accommodation and hotel in this zone

- (1) When the number or scale of buildings, in which accommodation for transient guests is provided, exceed the maximum number or scale of dwelling houses and additional dwelling houses permitted on a land unit, or if other buildings, which are not the approved main dwelling house, second dwelling house or additional dwellings units, are converted to transient guest accommodation, the activity shall be classified either as a tourist accommodation establishment or a hotel, depending on the type of accommodation and the ancillary uses.
- (2) A tourist accommodation establishment or hotel is a consent use in this zone.
- (3) When considering a consent use application, the Municipality shall adhere to the assessment criteria and other requirements set out in section 213.

2 REASONS FOR DECISION



2. EXCEEDS NUMBER OF DWELLING UNITS

“tourist accommodation establishment” (toeriste-akkommodasie-onderneming) means an enterprise which provides the accommodation for **transient guests** which exceeds the scale and extent of tourist dwelling unit or guest house, and which is also not a hotel with its ancillary public facilities, and:

- i) may have an informal, clustered layout which takes cognisance of the natural features of the site and where internal road standards do not necessarily comply with formal township standards.
- ii) may consist of self-catering units.
- iii) and where enabled by the Scheme, may include tourist facilities subject to the development parameters of the zone.
- iv) where the following land uses may only be undertaken only with the specific further consent use approval of the Municipality regardless of whether tourist accommodation or tourist facilities is a primary right in that zone or not:
 - a) additional facilities for day visitors.
 - b) wellness centres and meeting rooms which serve resident guests.
 - c) camping sites with ancillary facilities.
 - d) tented accommodation, tree houses, mobile accommodation or the use of any construction materials and methodologies that are not ordinarily used.

2

REASONS FOR DECISION



3. PRECEDENT SETTING

As a general rule, non-agricultural development may not be permitted outside the urban edge except for bona-fide holiday/tourism accommodation, bona fide agri-industry development, agri-settlements, and social facilities and infrastructure necessary for rural development **(this guideline is subject to the principle that each proposed land development area should be judged on its own merits and no particular use of land, such as residential, commercial, conservation, industrial, community facility, mining, agricultural or public use, should in advance or in general be regarded as being less important or desirable than any other land-use).**

2

REASONS FOR DECISION



4. CONTRADICTS WITH VISION, STRATEGIC OBJECTIONS/PRINCIPLES OF MDSF

4.1.2. Key Principles

Working towards this vision, a number of principles are key:

First, maintain and grow the assets of the Stellenbosch Municipality's natural environment and farming areas. Humanity depends on nature for physical and spiritual sustenance, livelihoods, and survival. Ecosystems provide numerous benefits or ecosystem services that underpin economic development and support human well-being. They include provisioning services such as food, freshwater, and fuel as well as an array of regulating services such as water purification, pollination, and climate regulation. Healthy ecosystems are a prerequisite to sustaining economic development and mitigating and adapting to climate change. The plan provides for activities enabling access to nature and for diversifying farm income in a manner which does not detract from the functionality and integrity of nature and farming areas and landscapes.

KEY POLICY FOR SPCs :

SEMF

- As a general rule, non-agricultural development may not be permitted outside the urban edge except for bona-fide holiday/tourism accommodation, bona-fide agri-industry development, agri-settlements, and social facilities and infrastructure necessary for rural development (this guideline is subject to the principle that each proposed land development area should be judged on its own merits and no particular use of land, such as residential, commercial, conservation, industrial, community facility, mining, agricultural or public use, should in advance or in general be regarded as being less important or desirable than any other land-use).

2

REASONS FOR DECISION



4. CONTRADICTS WITH VISION, STRATEGIC OBJECTIONS/PRINCIPLES OF MDSF

Tourist accommodation:

- ✓ Recognising the prospects of tourism to diversify and strengthen the rural economy, the provision of a variety of short term tourism accommodation across the rural landscape that is in keeping with the local character is supported.
- Large scale tourist accommodation should preferably be provided in or adjacent to existing towns and rural settlements. Tourist accommodation in the rural landscape could be allowed if, of an appropriate scale and form, appropriate to the SPC.
- ✓ Tourist accommodation situated outside of the urban edge should be clustered in visually discreet nodes, preferably make use of existing buildings or new buildings on disturbed footprints, located within or peripheral to the farmstead, reinforce rural landscape qualities, and cater exclusively for the temporary accommodation for in town visitors.
- ✓ Whilst it is preferable that they be located within the farmstead, dispersed rental units should be on existing farm roads, in visually unobtrusive locations, and be self-sufficient in terms of servicing.
- ✗ Additional dwelling units should be restricted to 1 unit per 10ha, to a maximum of 5 units; 175m² maximum floor area including garaging and building height of 1 storey (6.5m).
- ✓ Additional dwelling units should be non-alienable, whether individual erf, sectional title, share block or other.
- Camp sites of multiple free standing or linked structures of a temporary nature may include caravans and tents, but excludes mobile homes (pleitenberg homes or ship containers) and are conventionally seen as being part of resort developments, but can also be permitted on agricultural land, dependent on scale.
- Camping establishments should be restricted to a low impact scale and intensity in keeping with the context of the area and its surrounding character.
- ✓ A resort development should be closely associated with a resource which clearly advantaged and distinguished the site, in terms of its amenity value, from surrounding properties.
- ✓ Resorts may not be located within productive agricultural landscapes, but must be situated adjacent to a rural feature or resource (e.g. dam, river) that offers a variety of leisure and recreation opportunities (e.g. hiking, mountain biking, water based activities), and is well connected to regional routes.
- Rezoning to resort zone should not be entertained for properties of which the size is less than 50 ha. Only in exceptional circumstances should more than 50 units be allowed.
- ✓ Subdividing and alienating individual units in rural resort developments is not be allowed. The resort development itself may not be subdivided and alienated from the original farm (whether individual erf, sectional title, share block or other).
- ✓ Rural resorts should be compact and clustered in nodes and a range of accommodation types is encouraged.
- The building height of any new resort unit should be restricted to that of a single storey (6.5m).
- ✓ The maximum floor area of a resort unit should be limited to 120m², including garaging.

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TOWN & REGIONAL PLANNERS

CONCLUSION



THANK YOU



APPLICATION FOR REZONING AND SUBDIVISION OF PORTION 1 OF FARM 1631, PAARL

CONTENT	
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ANNEXURE C: External Comments	44-46
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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT
DEVELOPMENT MANAGEMENT: LAND USE MANAGEMENT
**PLANNING REPORT ON APPLICATION IN TERMS OF SECTION 15(2) OF THE
STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW**

APPLICATION DETAILS			
Application Reference	LU/18385 (TP967/2024)	Commencement Date	22/08/2025
Applicant	Zanelle Nortje	Last day for comments or additional information	26/08/2025
Erf/Farm nr	1631/1	Place	Paarl Farms
Zoning	Agriculture and Rural Zone	Other approvals	None
X	TYPE OF APPLICATION		
X	15(2)(a) rezoning of land*		
	15(2)(b) a permanent departure from the development parameters of the zoning scheme		
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land		
X	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*		
	15(2)(e) a consolidation of land that is not exempted in terms of section 24*		
	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*		
	15(2)(g) a permission required in terms of the zoning scheme		
	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval*		
	15(2)(i) an extension of the validity period of an approval		
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme		
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram*		
	15(2)(l) a permission required in terms of a condition of approval		
	15(2)(m) a determination of a zoning		
	15(2)(n) a closure of a public place or part thereof		
	15(2)(o) a consent use contemplated in the zoning scheme		
	15(2)(p) to disestablish a homeowners' association		
	15(2)(q) to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services		
	15(2)(r) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building		

NATURE AND SCOPE OF PROPOSED LAND USE APPLICATION

Stellenbosch Municipality is in the planning process to construct the new 20MVA 66/11kV substation and powerline to ensure adequate capacity for the existing and future electricity needs in the Groot Drakenstein and Pniel areas, which is supplied by Stellenbosch Municipality. The new substation will be supplied from Eskom's Safariland substation, located next to the R301, via a new 66kV overhead line that also forms part of this project but not the application under consideration.

A portion of Portion 1 of Farm 1631, Paarl, has been identified as the most suitable location for the proposed substation intended to supply electricity to the Groot Drakenstein and Pniel areas. The substation site will be divided into two portions, with one portion owned by the Stellenbosch Municipality and the other by Eskom. A 66kV overhead powerline, located within a 22-metre-wide servitude area, will connect the Safariland and Bien Donné substations to each other and to the broader electricity grid. The route of the 22-meter-wide servitude powerline route will be ± 0.6 km in length as can be seen in the figure below.



Servitude Area

Location of Proposed Substation Erven

Portion 1 of Farm 1631, Paarl, is located adjacent to the R45, immediately south of Simondium and north-east of Pniel. The R45 functions as a regional collector route, linking Franschhoek to the east with Paarl to the north. The property lies just north of the intersection with the R310, which provides connections to both Stellenbosch and Pniel. While the farm itself has direct access from the R45, access to the proposed substation will be obtained via the Bien Donné Road (Minor Road 5232), located on the eastern boundary of the subject property.

Portion 1 of Farm 1631, Paarl, is zoned Agriculture and Rural Zone in terms of the 2023 Stellenbosch Zoning Scheme Regulations and is managed as a dairy farm, with pastures for grazing and an on-site milking facility. The portion of the farm identified for the proposed substation is currently utilised as irrigated pasture. The surrounding land uses are agricultural properties and include the small town of Simondium located to the north; the Rhodes Food Group factory and offices. The neighbouring farms are cultivated with vineyards, olive orchards, grazing and small areas of lavender.

The construction of the powerline will be undertaken by Stellenbosch Municipality and subsequently handed over to Eskom, who will be responsible for its operation and maintenance. The powerlines will be supported by cement pylons, with the overhead conductors strung between the pylons. Each pylon will have an underground concrete foundation ranging between 16m² and 64m² in size, depending on soil conditions. A 22-metre-wide servitude will be required to protect the powerline and prevent the construction of any structures beneath it. Once operational, there will be no permanent staff on site, and maintenance activities will occur only when necessary and on a temporary basis.

The application under consideration is as follows.

- a) The **Rezoning** of Portion 1 of Farm 1631, Paarl, in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law 2023, from Agriculture and Rural Zone to Subdivisional area to accommodate:
 - Agriculture and Rural Zone
 - Utility Services Zone;
- b) The **Subdivision** of Portion 1 of Farm 1631, Paarl, in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law 2023, into 2 portions and a remainder;
- c) An **Exemption** for the registration of a servitude on Portion 1 of Farm 1631, Paarl, in terms of Section 24(1)(f)(i) of the Stellenbosch Municipal Land Use Planning By-Law 2023, for the proposed 22m electrical servitude over the proposed overhead line.

The exemption application submitted has been dealt with as a subdivision application so that the total application can be decided by the Planning Tribunal.

ASSESSMENT CHECKLIST			
CONSIDERATION CRITERIA	YES	NO	Comments, if any
Accurate intergovernmental and public participation process followed			The application was advertised to the surrounding affected property owners and was also circulated to the relevant internal and external departments for comment.
Conditions imposed by departments			None
DCs applicable			No
Objections received			No objections were received on the application.
Proposal complies with applicable laws, policies, guidelines, the IDP and SDP and/or technical requirements in terms of Section 65			<p>The Stellenbosch SDF establishes Urban Edges to contain urban sprawl and protect high-value agricultural land and sensitive landscapes, discouraging development where possible beyond these boundaries unless it involves essential infrastructure, such as telecommunications and utility services, that cannot reasonably be accommodated within the edge.</p> <p>The infrastructure located outside the Urban Edge must demonstrate strategic necessity, avoid fragmenting viable agricultural land, prevent a negative impact on natural systems and biodiversity. The location of the proposed substations have been determined by the location of the existing substations and the proximity of the Eskom power supply and the feeder area.</p>

DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW	
Socio-economic impact	While direct job creation on site will be limited, the infrastructure is expected to create broader employment opportunities as the feeder area that the infrastructure will services is able to be provided with an adequate supply of electricity.
Compatibility with surrounding uses	The facility is carefully sited on a portion of the Farm where it will have minimal impact on the existing agricultural activity taking place on the subject property, as the existing agricultural activities can continue unaffected on the remainder of the farm and the facility will not introduce any noise and traffic that would compromise the existing farming operations on the farm and its surrounding.
Impact on the external engineering services	The proposal will have a positive impact on the existing municipal services as it will create additional electrical capacity in the area, without having an impact on existing traffic volumes, as the impact of the proposed land use will be less than those already generated by the existing agricultural activities taking place in the surrounding area.
Impact on safety, health and wellbeing of the surrounding community	The proposed infrastructure does not pose health or safety risks, as the technology complies with all the relevant regulations. Access to the infrastructure will be controlled, as security fencing will be installed, and minimal staff will visit periodically, reducing any potential impact on neighbouring land uses and the surrounding community.
Impact on heritage	The application confirms that the site is not subject to heritage legislation requirements from PHRA or SAHRA. As the land contains no heritage-sensitive structures or landscapes and thus the proposal will also not negatively affect any cultural or historical assets.
Impact on the biophysical environment	The proposed facility will have minimal environmental impact, as it occupies only a small portion of the property / agricultural entity and will not disrupt the existing agricultural unit or existing farming activities.
Traffic impacts, parking, access and other transport related considerations	The proposed will initially generate an increase in traffic volumes during the construction phase but will generally generate very low traffic volumes once construction is complete, as a result of the periodic maintenance that will be required. Access to the site will be via the Bean Donne Road which runs along the eastern boundary line of the subject property.
Whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land	The imposition of conditions could help reduce any potential impact that the proposal could have on its surroundings.

KEY FINDINGS OF PLANNING EVALUATION

After having independently considered and weighted all the relevant information the evaluation of the subject land use and land development application concludes that:

- 1) The Stellenbosch Spatial Development Framework (SDF) defines Urban Edges to limit urban sprawl, protect high-value agricultural land, and safeguard sensitive landscapes. Development beyond these boundaries is discouraged, except for essential infrastructure such as telecommunications or utility services that cannot feasibly be located within the Urban Edge.
- 2) Infrastructure situated outside the Urban Edge must demonstrate strategic necessity, avoid the fragmentation of viable agricultural land, and prevent negative impacts on natural systems and biodiversity which the proposal does.
- 3) The locations of the proposed substations were determined based on the location of the existing substation, the proximity of Eskom's power supply, and the designated feeder area.
- 4) Site access will be from Bean Donne Road along the eastern boundary of the property.
- 5) The facility is strategically located to minimize its impact on the existing agricultural activities, which can continue uninterrupted on the remainder of the farm.
- 6) The proposal will not generate significant noise or traffic that could affect the existing farming operations or surrounding area.
- 7) The approval of the proposal will contribute to municipal services by increasing local electrical capacity within the feeder area.
- 8) The site has no heritage significance and is not subject to PHRA or SAHRA requirements due to the scale of the proposal.
- 9) The impact of the proposal will be minimal, as the facility occupies a small portion of the farm and therefore will not disrupt the existing agricultural operations.
- 10) Construction will temporarily increase traffic volumes, but post-construction traffic will be minimal, limited to periodic maintenance.

The subject land use and land development application is, having regard to the conclusions above, viewed as in Compliance to the relevant principles, and guidelines of the 2023 Stellenbosch Spatial Development Framework and consequently grounds for the support of the subject land use and land development application.

List relevant plan numbers	Subdivision Plan Ref: BIEN/12799/ZN, Dated: SEPT 2024 Servitude Plan Ref: BIEN/12799/ZN, Dated: SEPT 2024
List annexures to report	Annexure A: Locality Plan Annexure B: Subdivision & Servitude Plans Annexure C: External Comments Annexure D: Internal Comments Annexure E: Motivation

RECOMMENDATION

1. That the following application(s) in terms of Section 15(2) of the 2015 Stellenbosch Municipal Land Use Planning Bylaw on Portion 1 of Farm 1631, Paarl for:
 - 1.1. **Rezoning** of Portion 1 of Farm 1631, Paarl, in terms of Section 15(2)(a) of the said by-law from *Agricultural Zone I to sub divisional area*, to accommodate the following zonings:
 - 1.1.1. 2 X Utility Services Zone.
 - 1.1.2. 1 X Agriculture and Rural Zone.

1.2. **Subdivision** of Portion 1 of Farm 1631, Paarl, into 2 portions and a remainder in terms of Section 15(2)(d) of the said by-law comprising the following:

- 1.2.1. 2 X Utility Services Zone - **Portion A** ($\pm 4930\text{m}^2$) and **Portion B** ($\pm 5484\text{m}^2$)
- 1.2.2. 1 X Agriculture and Rural Zone - **Remainder** Portion 1 of Farm 1631, Paarl ($\pm 101.4567\text{m}^2$)

1.3. **Subdivision** of Portion 1 of Farm 1631, Paarl, to register an **electrical servitude area** - with a width of 22m for the proposed overhead line, in terms of Section 15(2)(d) of the said by-law.

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

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

- 2.1. The approval only applies to the proposed 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. 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.
- 2.3. The development be undertaken in accordance with the Subdivision and Servitude Plans with reference BIEN/12799/ZN, Dated: SEPT 2024, attached as **Annexure B**.
- 2.4. All land designated for the provision of municipal service infrastructure and amenities on the subdivision plan be transferred to the Municipality upon transfer of the first erf in the subdivision.
- 2.5. The services servitude be registered in the title deed of Portion 1 of Farm 1631, Paarl, on registration of the 1st property of the subdivision application.
- 2.6. Building plans be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of the land.
- 2.7. The subdivision only comes into effect once all the conditions or relevant legislative provisions have been complied with.

3. The **reasons** for the above decision are as follows:

- 3.1. The proposal is aligned with the strategic intent of the Municipal Spatial Development Framework (MSDF) and capital expenditure framework of the Municipality to provide the surrounding rural area of Groot Drakenstein, Simondium and Pniel with increased electricity supply in support of economic resilience and growth.
- 3.2. The locations of the proposed substations were determined based on the location of the existing substation, the proximity of Eskom's power supply, and the designated feeder area.

ASSESSMENT RECOMMENDATION BY TOWN PLANNER

The proposed land use and land development application has been duly evaluated in terms of process and desirability with the recommendation for consideration.

Name: R P Fooy

Capacity: Senior Town Planner

SACPLAN Registration:

Signature: 

Date: 10/10/2025

REVIEW OF ASSESSMENT AND RECOMMENDATION

The recommendation for decision is hereby submitted for consideration to the authorised decision-maker in accordance with the Categorisation Model approved vide Item 10.8.1 dd dated 26 February 2025.

Category / Delegation Item Number: A.b.5; D.c.5

Decision Making Authority: MPT

Rational: Application on the Initiative / Undertaken by Council.

Name:

Capacity:

SACPLAN Registration:

Stellenbosch
SNPM A/1551

Signature:

Date:

[Signature]
17/10/2025

MPT ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT**Administrator to Stellenbosch Municipal Planning Tribunal:**

It is hereby confirmed that proper notice was served of the Municipal Planning Tribunal meeting at which this land use and land development application will serve for consideration.

The land use and land development application will serve at the scheduled meeting of the Stellenbosch Municipal Planning Tribunal on:

Date: *31-10-2025*.....

Name: *Chrizele Kriel*

Capacity: *member*

Signature: *[Signature]*

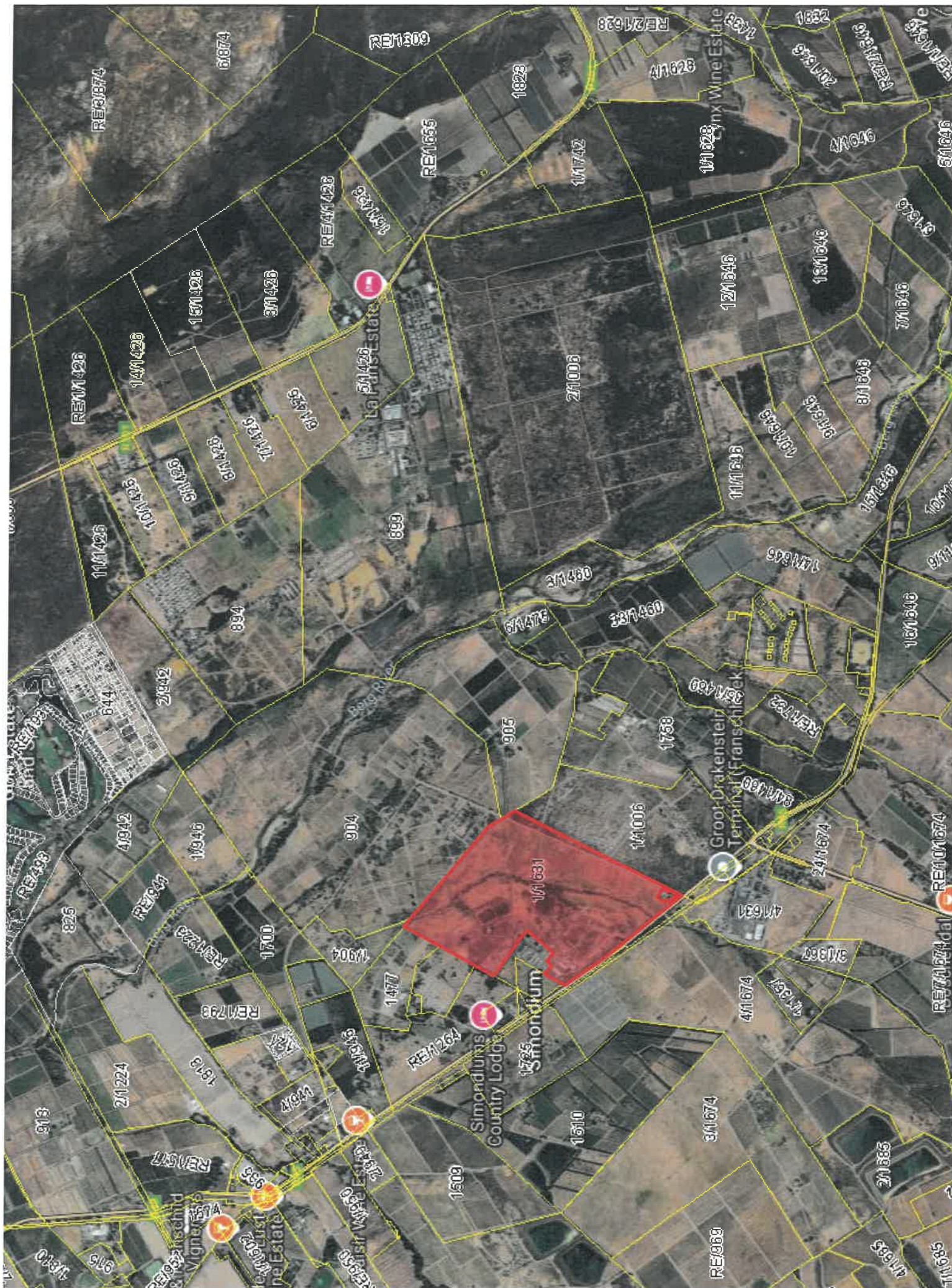
Date: *17-10-25*



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ANNEXURE A



Locality Plan of Existing Substation

Legend

 Farm Portions



Map Center: Lon: 18°58'31.1"E
Lat: 33°51'33.7"S

Scale: 1:2,257

Date created: 2025/07/10



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ANNEXURE B

KEY:

Existing Farm Boundary

Existing Servitude

Proposed subdivision

Centerline of proposed servitude

Proposed 22m electrical servitude

Proposed new pylons

SCALE:

0 50 100 150 200m

REMAINDER OF
PORTION 1 OF
FARM 1631
±101.4567 ha

Minor Road 5232

22m

PORTION A
ESKOM
SUBSTATION
±4930m²

PORTION B
STELLENBOSCH
MUNICIPALITY
SUBSTATION
±5484m²

5/982

R45 / Main Road 191

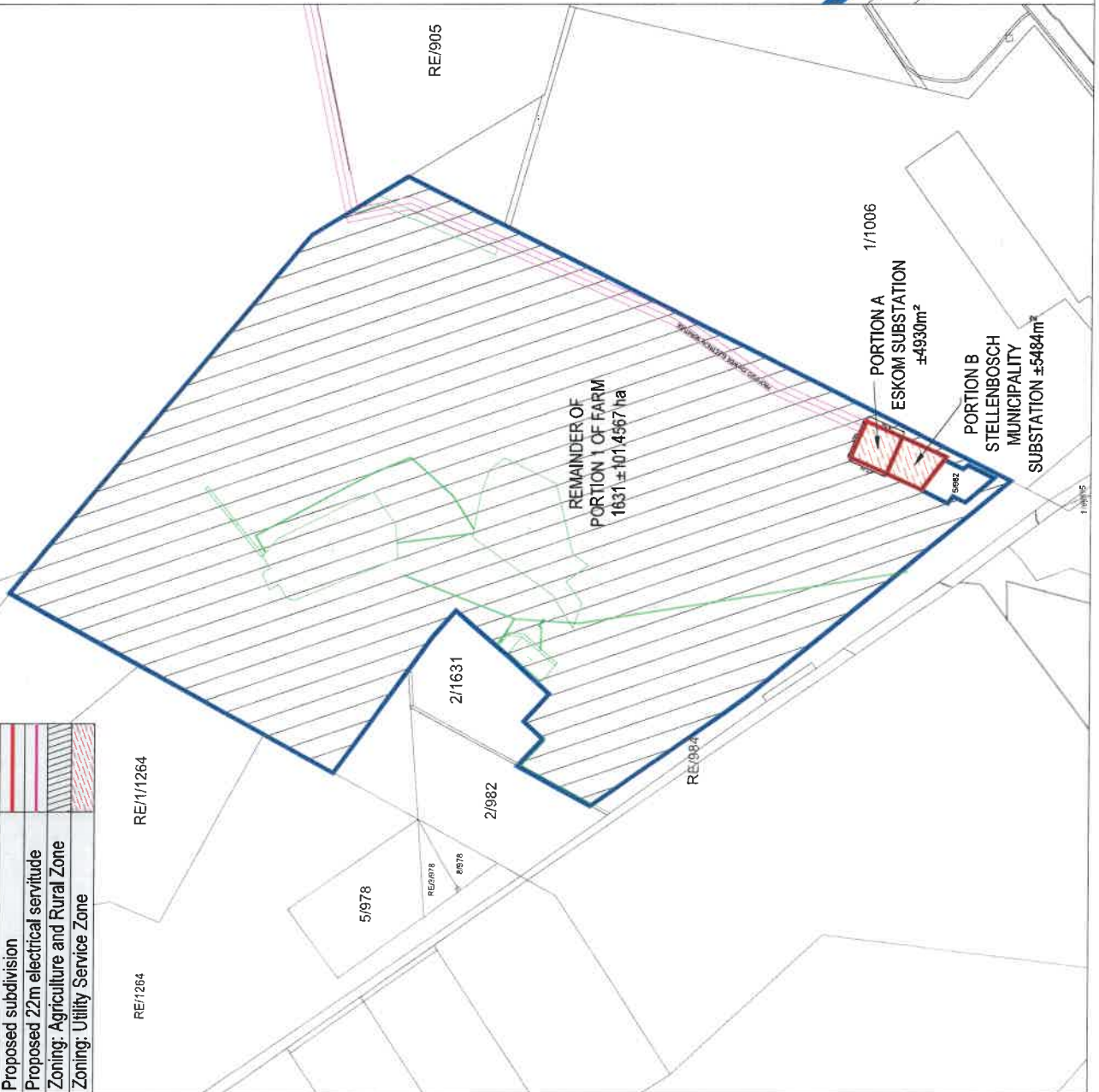
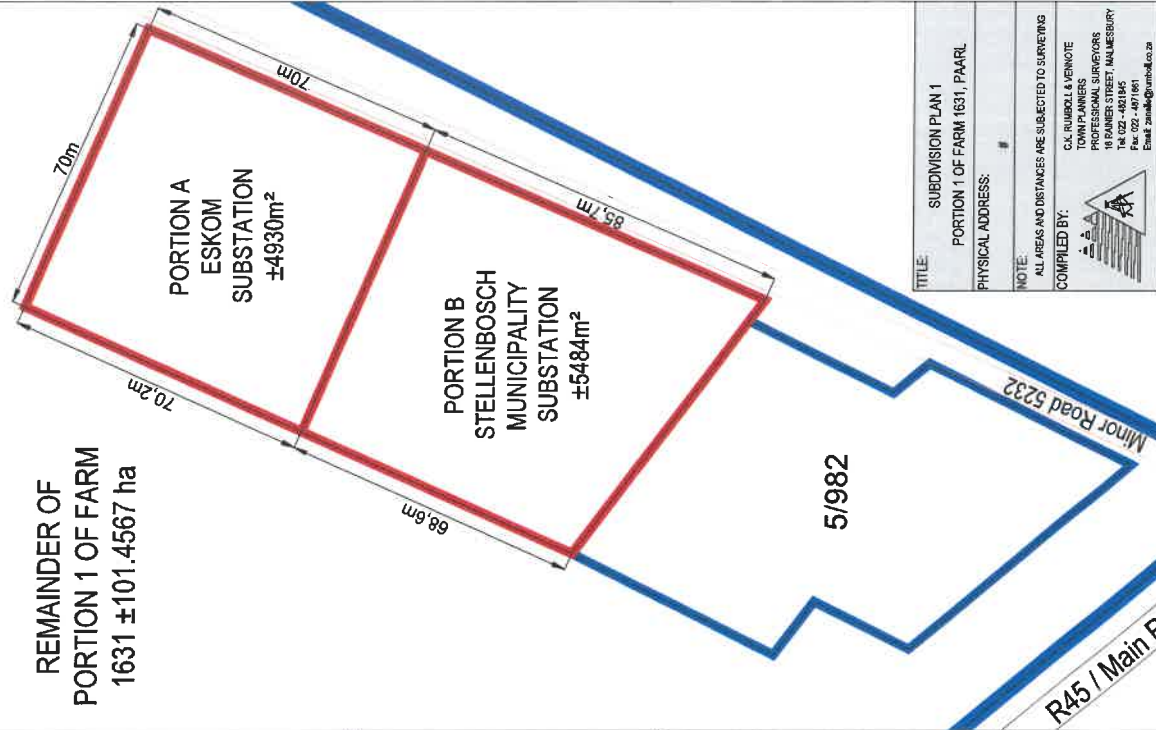
1/1006

TITLE: SERVITUDE PLAN 1 PORTION 1 OF FARM 1631, PAARL	
PHYSICAL ADDRESS: #	
NOTE: ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING	
COMPILED BY:  C.K. RUMBOLD & VENNOTE TOWNPLANNERS PROFESSIONAL SURVEYORS 16 RAINIER STREET, MALMESBURY Tel: 022 - 4821845 Fax: 022 - 4871861 Email: zan@rumbold.co.za	
DATE: SEPT 2024	AUTHORITY: STELLENBOSCH MUNICIPALITY
REF: BIEN/12799/ZN	

INSET:

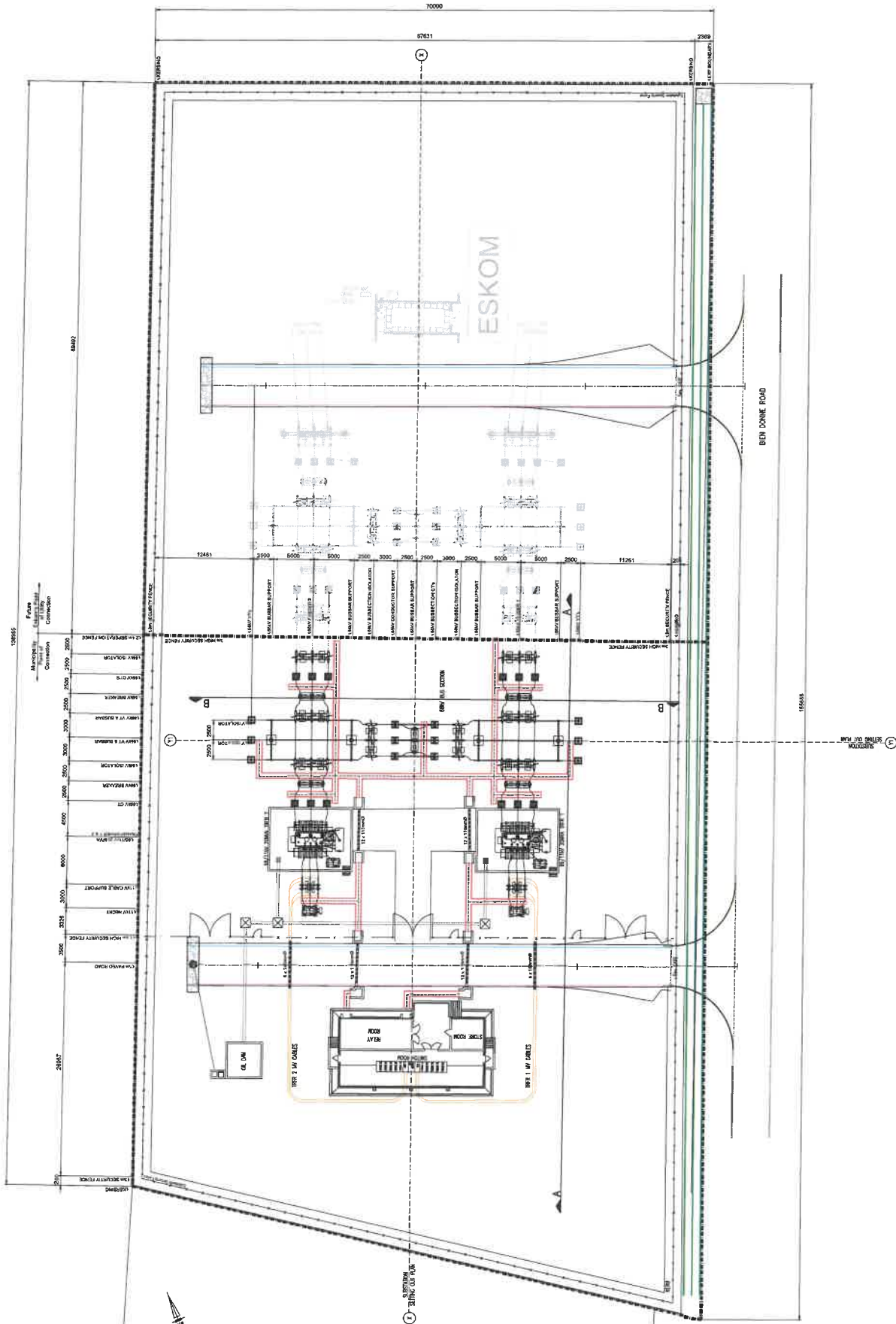
SCALE:
0 100 200 300 400m

Existing Farm Boundary	
Existing Servitude	
Proposed subdivision	
Proposed 22m electrical servitude	
Zoning: Agriculture and Rural Zone	
Zoning: Utility Service Zone	



TITLE:	SUBDIVISION PLAN 1
PHYSICAL ADDRESS:	PORTION 1 OF FARM 1631, PAARL
NOTE:	ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYS
COMPILED BY:	C.A. RUMOLD & VENOTE TOWN PLANNERS PROFESSIONAL SURVEYORS 18 PAMER STREET, MALESBURY Tel: 022-4011845 Fax: 022-4011891 Email: info@rumold.co.za
DATE:	SEPT 2024
AUTHORITY:	STELLENBOSCH MUNICIPALITY
REF:	BIEN/127892N





SCALE ON A1 AS SHOWN CONTRACT NO. PROJECT NO. 2008E	2 OF 2 PROJECT NO. 2008E	REV 22085E-04-2 COORDINATE SYSTEM GENERAL ARRANGEMENT
PROJECT STELLENBOSCH BIEN DONNE 66/11KV SUBSTATION		
TITLE GENERAL ARRANGEMENT (ESKOM)		
CLIENT STELLENBOSCH CONSULTING ENGINEERS		
APPROVED ENGINEERS: DATE: 2024-09-05 APPROVED: CLIENT: DATE:		
LYNERS CONSULTING ENGINEERS 114 GUY 914 LYNERS RD 914 0407 PO BOX 114 TYERBURY 7530 email: lyners@lyners.co.za		
DESIGNED HB 22-06	DRAWN CO 22-06	CHECKED HB 22-06
REV DESCRIPTION DATE REVISIONS	REVISIONS DATE REVISIONS	



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ANNEXURE C



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MEMORANDUM

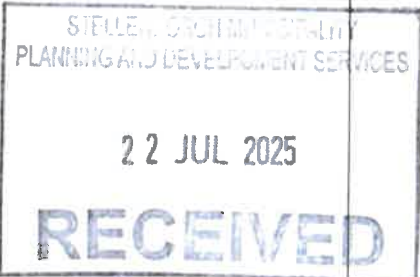
DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

F 1631/1 P

790652

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Nolusindiso Momoti
From ▫ Van:	Development (Infrastructure Services)
Author ▫ Skrywer:	Kurt Titus
Date ▫ Datum:	18 July 2025
Our Ref ▫ Ons Verw:	Civil LU 2918
Town Planning Ref:	LU/18385
Re ▫ Insake:	Farm 1631/1, Paarl: Rezoning of Portion 1 of Farm 1631, Paarl, in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law 2023, from Agriculture and Rural Zone to Subdivisional area to accommodate: • Agriculture and Rural Zone • Utility Services Zone Subdivision of Portion 1 of Farm 1631, Paarl, in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law 2023, into 3 portions (2 portions Utility Services Zone and a remainder portion. (Agriculture and Rural Zone) Exemption for the registration of a servitude on Portion 1 of Farm 1631, Paarl, in terms of Section 24(1)(f)(i) of the Stellenbosch Municipal Land Use Planning By-Law 2023, for the proposed 22m electrical servitude for the proposed overhead line.



The application is recommended for approval.

1. **Civil Engineering services**
- 1.1 No objections.

KTitus

Kurt Titus

Principal Technician: Development (Infrastructure Services)

Z:\2.0 DEVELOPMENT\01 Land Use applications\2918 (Ku) Farm 1631-1 Paarl (LU-18385 TP967-2024)\2918 (I) Farm 1631-1 Paarl (LU-18385 TP967-2024).doc



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ANNEXURE D



**Western Cape
Government**

Department of Environmental Affairs and Development Planning

Helene Janser

Directorate: Development Management (Region 2)

Helene.Janser@westerncape.gov.za | Tel: 084 585 2000

Reference: 15/3/2/12/BS2

CK Rumboll & Partners
6 Rainier Street
MALMESBURY
7300

FOR ATTENTION: ZANELLE NORTJE

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

23 APR 2025

RECEIVED

PROVINCIAL PLANNING COMMENT: APPLICATION FOR REZONING, SUBDIVISION AND EXEMPTION ON FARM NO. 1/1631, PAARL DIVISION

F 1631 / 1 P

1. Your request for comment, dated 17 April 2025, has reference.
2. The application as submitted is for consideration of the following:
 - Rezoning of Portion 1 of Farm 1631, Paarl from Agriculture and Rural Zone to Subdivisional area to accommodate Agriculture and Rural Zone and Utility Services Zone for a proposed substation
 - Subdivision of Portion 1 of Farm 1631, Paarl into 3 portions (2 portions Utility Services Zone and a remainder Agriculture and Rural Zone).
 - Exemption for the registration of a servitude on Portion 1 of Farm 1631, Paarl for the proposed 22m electrical servitude for the proposed overhead line.
3. The subject property is zoned for Agriculture and Rural and measures 102ha in extent.
4. The proposal is aligned with the Western Cape Land Use Planning Guidelines for Rural Areas (March 2029), which recognises that due to their substantial space demands and distinct locational needs, essential infrastructure installations are often required to be situated beyond urban boundaries. The Guidelines provide further that where located within the Agricultural SPC, installations should be sited on previously disturbed land or areas with low biodiversity or agricultural value, and should not interfere with or negatively impact existing or planned agricultural production areas or infrastructure
5. In consideration of the above, the Directorate Development Management Region 2 has no objection from a provincial perspective to the proposed construction of a new 20MWVA 66/11kV substation (to be known as the Bien Donne substation) and

powerline for Stellenbosch Municipality, to supply electricity to the Groot Drakenstein and Pniel areas.

Kobus Munro Digitally signed by Kobus Munro
Date: 2025.04.17 13:03:02 +02'00'
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

Copy to: Bulelwa Mdoda, Stellenbosch Municipality





**Western Cape
Government**

Department of Infrastructure

Vanessa Stoffels

Chief Directorate: Road Planning

Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: DOI/CFS/RN/LU/REZ/SUB -10/604 (Application number: 2025-04-0089)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Ms C Coetzee

Dear Madam



PORTION 1 OF FARM NO. 1631, PAARL: MINOR ROAD 5232: APPLICATION FOR REZONING, SUBDIVISION AND EXEMPTION

1. The application 12799/ZN received from Messrs CK Rumboll on 17 April 2025 refers.
2. The subject property is 2 km south from Simondium and abuts Main Road 191 (MR00191, R45), and also fronts onto Minor Road 5232 (OP05232, Bien Donne Road).
3. This application is for the following:
 - 3.1. Rezoning of the subject property from Agriculture to Subdivisional Area to accommodate Agriculture (Rural Zone) and Utility Services Zone for a proposed sub-station;
 - 3.2. Subdivision into 3 portions; and
 - 3.3. Exemption from the registration of a servitude.
4. The Branch offers no objection to the application in terms of the Land Use Planning Act, No. 3 of 2014.
5. In terms of Act 21 of 1940, the Branch approves the subdivision.

Yours Sincerely

DD FORTUIN

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 16 JULY 2025

ENDORSEMENTS

1. Stellenbosch Municipality
Attention: landuse.enquiries@stellenbosch.gov.za
2. Applicant: CK Rumboll
Attention: Ms Z Nortje (e-mail: zanelle@rumboll.co.za)
3. Ms R Beukes (e-mail)
4. Mr E Smith (e-mail)
5. Mr D Fortuin (e-mail)
6. Mr F Fakier (e-mail)



STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE E

MOTIVATIONAL REPORT:
PROPOSED SUBDIVISION AND
REZONING OF
PORTION 1 OF FARM 1631, PAARL

Our reference: STB/12799/ZN



REVISION 0

Compiled by:



CK RUMBOLL
& PARTNERS

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1. INTRODUCTION

CK Rumboll and Partners has been appointed by Stellenbosch Municipality to assist them in the procurement of two portions of land for substations and registering a service servitude for a new powerline. Power of Attorney was received from the land owner, being RFG Foods (PTY) Ltd, to undertake an application for the exemption of servitudes, rezoning and subdivision of Portion 1 of Farm 1631, Paarl, to create two new land portions for the proposed substations and accommodate the powerline. Power of Attorney is attached as **Annexure A**.

2. BACKGROUND & PURPOSE

Stellenbosch Municipality is in the planning process to construct the new 20MVA 66/11kV substation and powerline to ensure adequate capacity for the existing and future electricity needs in the Groot Drakenstein and Pniel areas supplied by Stellenbosch Municipality. The substation will be known as the Bien Donne substation. The new Bien Donne substation will be supplied from Eskom's Safariland substation, located next to the R301, via a new 66kV overhead line that must be constructed as part of the project.

After desktop studies and on site studies were done, with regards to access and infrastructure, a portion of Portion 1 of Farm 1631, Paarl, was identified, next to the R45, which will be the most sustainable and effective site for the proposed substation to supply Groot Drakenstein and Pniel areas. The line route between the Safariland substation and the new position of the Bien Donne substation was then determined and the necessary negotiations with the land owners were initiated. With the signed sales and servitude agreements the land use applications could be prepared and submitted, which this is one of the application. The signed agreements from RFG for the sale of the land and the registration of the servitude over their land is attached as **Annexure B**.

The actual Bien Donne substation site will be split to create a portion of land owned by Stellenbosch Municipality and a portion of land which will be owned by Eskom. The 66kV powerline, which is an overhead powerline, will be accommodated in a 22m wide servitude, to connect the Safariland and Bien Donne substations.

The purpose of this document is to apply for the following:

- The proposed **rezoning of Portion 1 of Farm 1631, Paarl**, in terms of *Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law 2023*, from Agriculture and Rural Zone to Subdivisional area to accommodate:
 - Agriculture and Rural Zone
 - Utility Services Zone;

- The proposed **subdivision of Portion 1 of Farm 1631, Paarl**, in terms of *Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law 2023*, into 2 portions and a remainder;
- The proposed **exemption for the registration of a servitude on Portion 1 of Farm 1631, Paarl**, in terms of *Section 24(1)(f)(i) of the Stellenbosch Municipal Land Use Planning By-Law 2023*, for the proposed 22m electrical servitude over the proposed overhead line.

A copy of the application form is attached as **Annexure C**.

3. PROPERTY DESCRIPTION

	Portion 1 of Farm 1631, Paarl
Extent	102.4981 ha
Registered Owner	RFG Foods Pty Ltd
Local Authority	Stellenbosch Municipality
Servitudes	Pipeline servitude area 12.59m, pipeline servitude area (x4), effluent works servitude area (x2), 5m overflow furrow servitude (x2), effluent pipeline servitude 2m (x5), effluent dump servitude area, 5m road servitude (x3)
Current Zoning	Agriculture and Rural Zone
Current Land Use	Dairy farm
Coordinates	33.858728°S 18.974836°E
Title Deed	T7807/2013
Title Deed Restrictions	None
SG number	401/1918
Applicable Zoning Scheme	<i>Stellenbosch Municipality Zoning Scheme By-Law 2019 (PG 8153)</i>

Diagram and Title Deed are attached as **Annexure D**.

4. LOCALITY

The relevant farm, Portion 1 of Farm 1631, Paarl, is located adjacent to the R45, just south of Simondium and north-east of Pniel. The R45 is regional collector route and connects Franschhoek, to the east, with Paarl, to the north. The relevant farm is also located just north of the connection with the R310, which connects to Stellenbosch town and Pniel. The farm gains direct access from the R45, although the proposed substation will gain access from the Bien Donne Road, being Minor Road 5232, which is located on the eastern portion of the property. Locality Map attached as **Annexure E**.



5.1. ZONING AND SURROUNDING LAND USES

The surrounding uses consist of the small town of Simondium to the north, RFG (also known as the Rhodes Food Group) factory and office to the north in the Groot Drakenstein node and the remainder of the farms are cultivated with vineyards, olive fruit orchards and a small amount of lavender. The agricultural industry in the area and rural accommodation is growing rapidly and all the additional uses needs to be provided with electricity, of which the proposed substations and powerline will assist with.

5.2. PHYSICAL FEATURES

A topographical survey was done for the substation area as well as the proposed servitude area for the powerline, by CK Rumboll and Partners. The land is relatively flat and falls from south to north on a ratio of 2m per 150m distance. This allows for lower risk construction as the levelling of the site will be less costly and save time. The site needs to be level for the proposed substation. The general fall of the land will also assist in the construction of the powerline and allows for pylons to be placed further away from each other, ensuring a smaller impact on the environment.



5.3. REAL RIGHTS

The property has no rights or restrictive title conditions in the Title Deed that would impact the proposed development. There are, however, several servitudes registered on the farm, including those for pipelines, furrows, designated areas, and roads. While the substation does not interfere with any servitude, the powerline will cross one pipeline servitude. However, the pipeline is situated beneath the powerline, and no pylons are planned directly on top of it. Title Deeds and Diagrams attached as **Annexure D**.

6. OTHER APPLICABLE LEGISLATION

6.1. Heritage Western Cape

A Heritage Consultant was appointed to conduct a Heritage Impact Assessment (HIA) for the project. There are no heritage resources on the farm or close by and this portion of the R45 is not a scenic route. The substation on Farm 1631/1 does not impact on any heritage resources, but the linear development of the Powerline does trigger a Section 38 application in accordance with the National Heritage Resources Act, Act 25 of 1999. The HIA is still underway, although the main focus is the position of the powerline close to the National heritage site, Mandela's House, located north east of the relevant farm.

6.2. Environmental Authorisation

An independent environmental consultant, Guillaume Nel Environmental Consultants, was appointed to conducting an Environmental Assessment for the proposed substation and powerline. The substation and proposed powerline is located mostly on the grazing fields for the cattle and three pylons are suggested on indigenous vegetation. A botanical study was conducted to ensure the three pylons will not affect red-specie vegetation, ensuring a minimal impact on the environment.

6.3. Department of Transport and Public Works

A Traffic Impact Assessment / Statement is not needed for the proposed development, seeing that the use will not generate any traffic increase, except when under construction. The Department of Transport and Public Works will still be notified about the development of the substation and powerline, as access to the substation will need to be from the provincial road, being Minor Road 5232.

6.4. Subdivision of Agricultural Land

The repealed *Subdivision of Agricultural Land Act, Act 70 of 1970*, controls the subdivision of agricultural land. This subdivision of Portion 1 of Farm 1631 is exempted from the need for approval in terms of this act, due to subdivision being done for a state department, being Stellenbosch Municipality and Eskom.

7. THE PROPOSED DEVELOPMENT

7.1. GENERAL

The purpose of the project is to construct a new 20MVA 66/11kV substation and powerline for Stellenbosch Municipality to supply electricity to the Groot Drakenstein and Pniel areas. The new substation will be located on Portion 1 of the Farm 1631, Paarl, and will be known as the Bien Donne substation. The Bien Donne substation will be supplied from Eskom's Safariland substation, next to the R301, about 0.5km north-east of Farm 1631/1, via a new 66kV powerline. The route of the powerline and position of the substation has been determined and negotiated with the affected property owners. The entire powerline route will be ± 0.6 km in length and can be seen in the figure below, the Development map is attached as **Annexure F**.

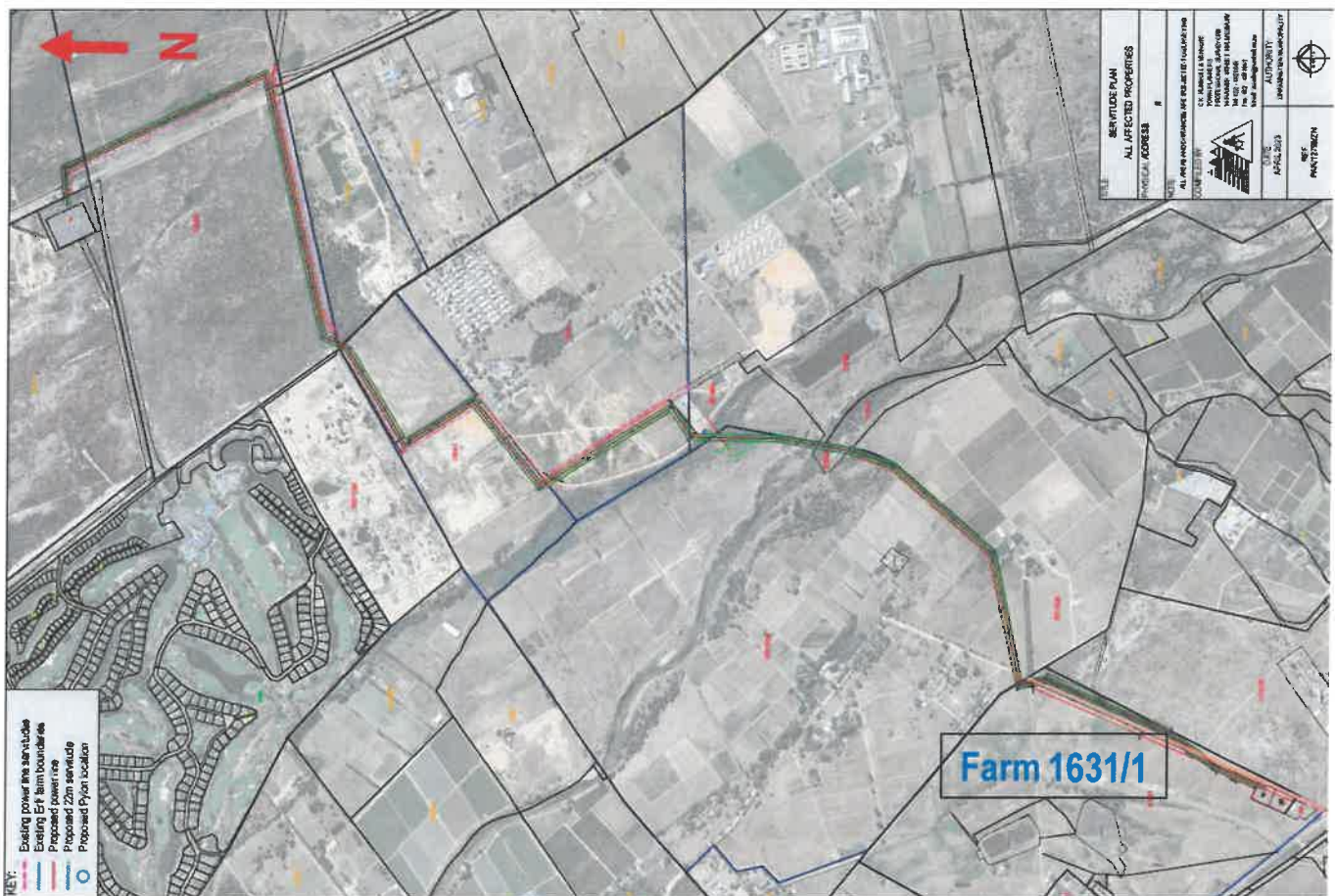


Figure 3: Overall route of the 66kV powerline

The substation site will be split between two portions, of which one portion will be transferred to Stellenbosch Municipality and the other to Eskom. The construction of the powerline will be done by Stellenbosch Municipality but will be handed over to Eskom, who will be responsible for the operation and maintenance of the line.

The powerline will be supported by cement pylons, see schematic drawing below of pylon, and the overhead conductor powerline will then be strung between pylons. The pylons consist of an underground concrete foundation between 16m² and 64m² in size depending on the soil conditions. The cement column of the pylon is then connected to the foundation, either via a connection drum or directly in the foundation. The footing is then back filled with soil where vegetation can continue to grow. The powerline will need a 22m wide servitude to protect the line and ensure no structures are constructed under the line. The substation and powerline will be constructed within 1.5 – 2 years from approval dates. After the substation and powerline is in operation there will be no permanent workers on site. Maintenance will be done when needed and during this time it will only be temporary.

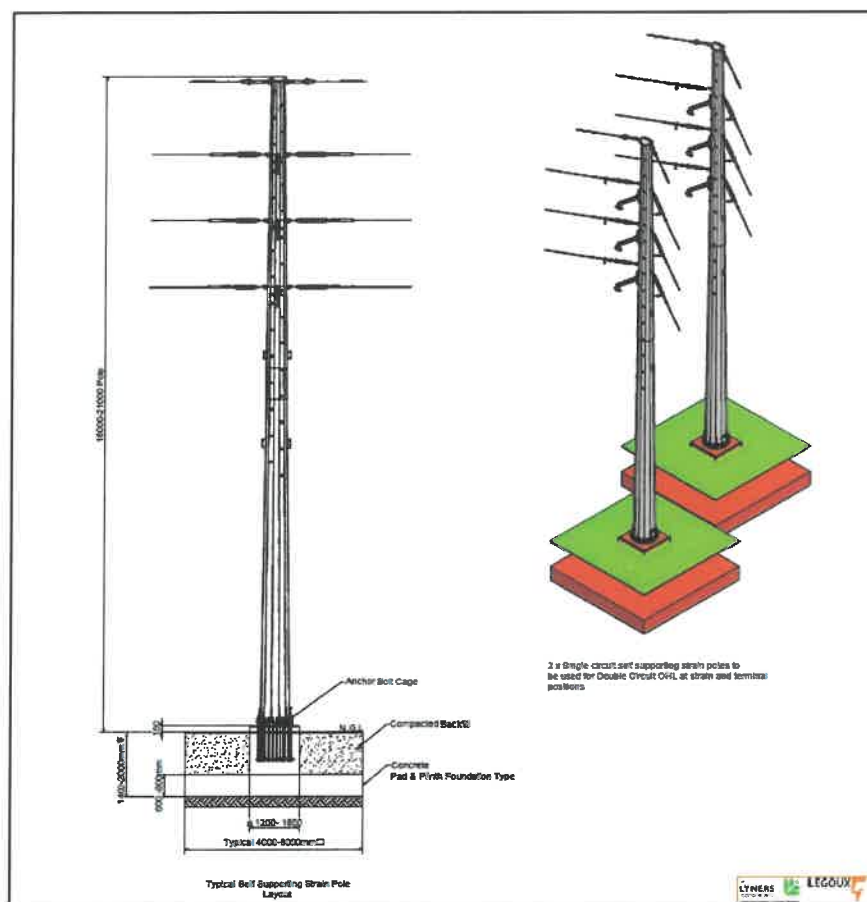


Figure 4: Schematic drawing of pylons

This application relates to the subdivision and powerline on Portion 1 of Farm 1631, Paarl. The remainder of the powerline is located on farms allocated in the Drakenstein Municipal area and sufficient applications will be brought in terms of their By-laws.

7.2. REZONING

To allow for the subdivision of Farm 1631/1, the farm first needs to be rezoned to **Subdivisional Area** as required in Section 20(2) of the *Stellenbosch Land Use Planning By-Law 2023*. Application is thus being made for the proposed **rezoning of Portion 1 of Farm 1631, Paarl**, in terms of *Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law 2023*, from Agriculture and Rural Zone to **Subdivisional Area** to accommodate:

- Agriculture and Rural Zone
- Utility Services Zone;

According to the Stellenbosch Zoning Scheme By-law (2024) the purpose of Agriculture and Rural Zone, the current zoning of Farm 1631/1 is as follows:

- a) *the protection and preservation of agricultural land, rural landscapes and biodiversity;*
- b) *use of land for purposes of bona fide agricultural production or conservation;*
- c) *buildings and structures which may be erected for reasonable and normal agricultural purposes;*

The new portions, which will be created for the substation, will not have any agricultural uses on site and it is thus necessary to apply for Utility Service Zone on the substation portions. According to the Stellenbosch Zoning Scheme By-law (2024) the purpose of Utility Services Zone is as follows:

- a) *the use of land for the provision and protection of any infrastructure services for the general public, whether in public or private ownership.*

The proposed substation will comply with all the parameters set out in the Zoning Scheme By-law and building plans will be submitted for approval. The draft layout plan can be seen below and is attached as **Annexure G**.

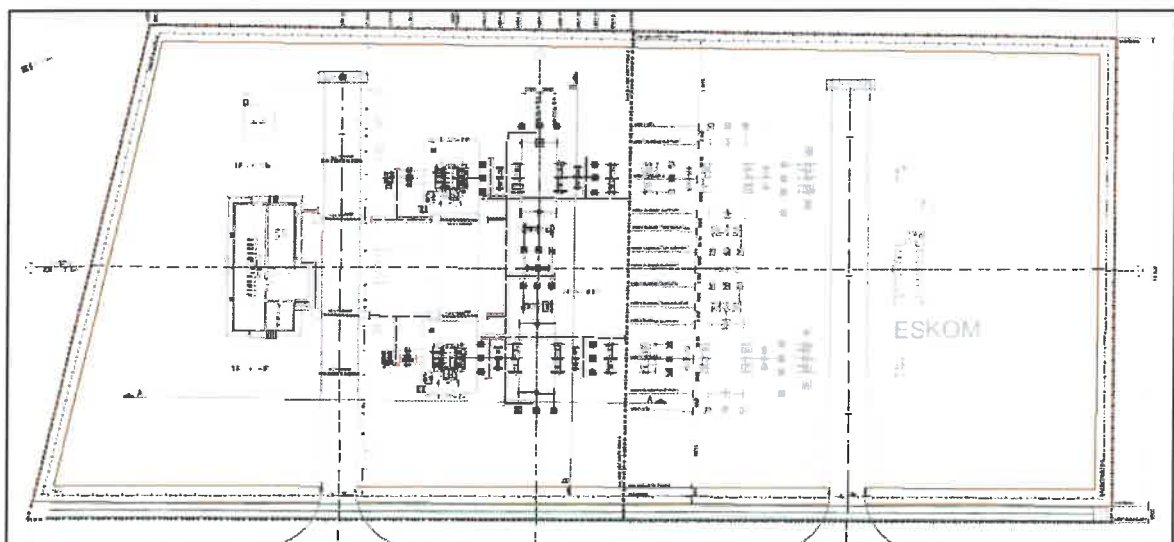


Figure 5: Proposed substation layout

To create new portions for the substations, application is made for the proposed **subdivision of Portion 1 of Farm 1631, Paarl**, in terms of *Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law 2023*, into 2 portions and a remainder as follows:

Portion	Size	Proposed Zoning
Remainder	±101.4567 ha	Agriculture and Rural Zone
Portion A	±4930m²	Utility Services Zone
Portion B	±5484m²	Utility Services Zone

The proposed subdivision of Farm 1631/1 can be seen in the figure below and the Subdivision Plan is attached as **Annexure H**.

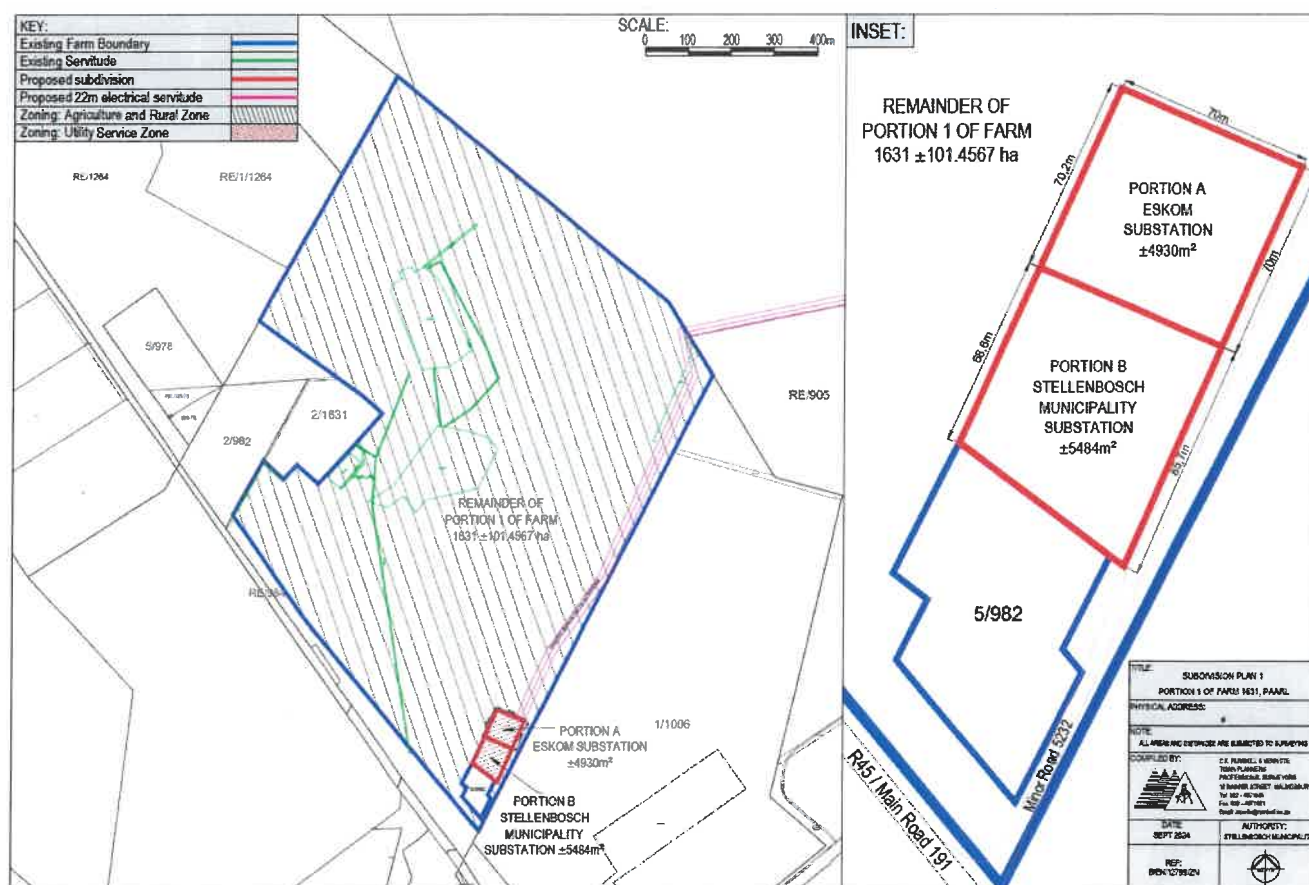


Figure 6: Proposed subdivision of Portion 1 of Farm 1631, Paarl

7.4. SERVITUDE

The 66/11kV powerline leading into the new proposed substation sites will cross the property from the eastern corner, following the existing dirt road. To accommodate the proposed powerline, application is being made for the **exemption for the registration of a servitude on Portion 1 of Farm 1631, Paarl**, in terms of Section 24(1)(f)(i) of the Stellenbosch Municipal Land Use Planning By-Law 2023, for the proposed 22m electrical servitude over the proposed overhead line.

The route of the powerline was created to impact the agricultural uses of the farm as little as possible and disturb protected vegetation as little as possible. The line zigzags over the Bien Donne Road, also known as Minor Road 5232, to ensure minimal impact on the existing uses and environment. The servitude can be seen in the figure below and the plan is attached as **Annexure I**.

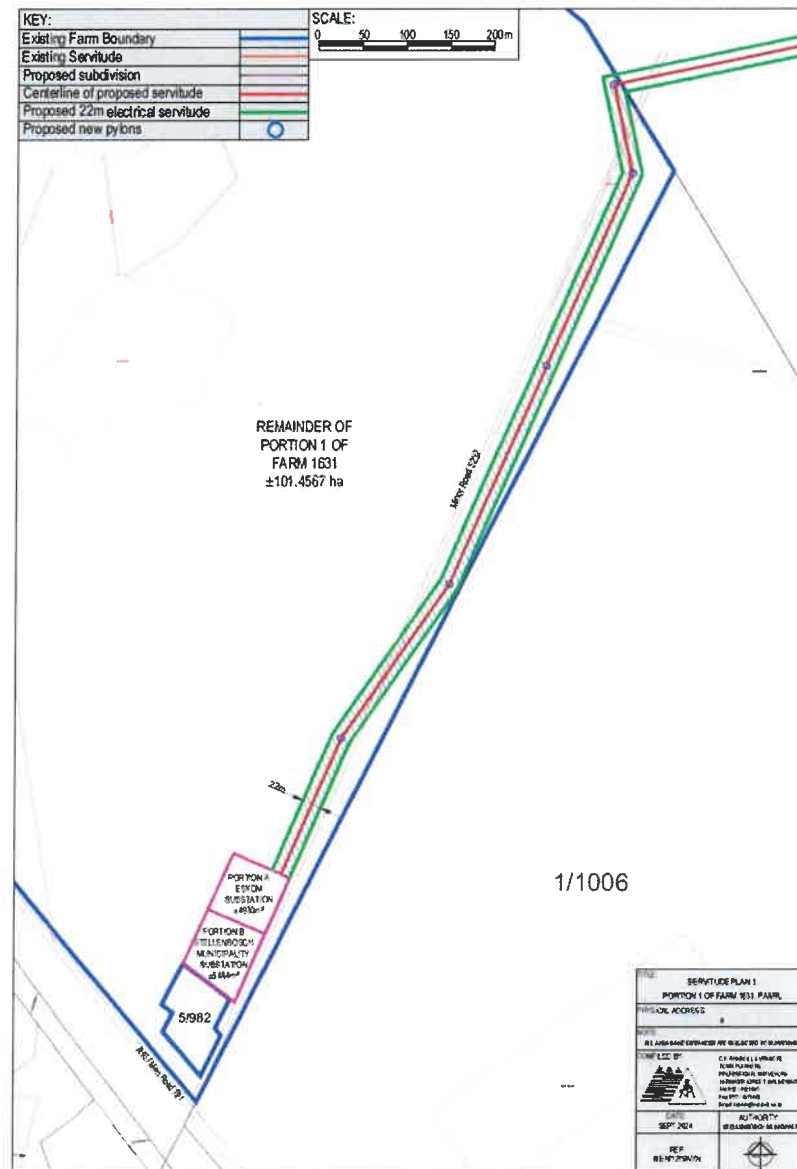


Figure 7: Proposed 22m wide electrical servitude

8. SERVICES

The proposed substation will only require a rudimentary water connection and no sewage connection, as there will not be any facilities for bathrooms or uses that will create water waste. Any solid waste generated will be disposed of by the workers when leaving the site.

9. ACCESS

Access to the substation will be from the Bien Donne Road, Minor Road 5232, which is a provincial road. Bien Donne Road connects to the R45, Main Road 191, which connects Franschhoek and Paarl. The Bien Donne Road is located on Portion 1 of Farm 1631 and cuts a small corner of the farm off in the eastern corner. The security fence of the RFG Dairy farm is located to the west of the road and the small portion of the farm east of the road is not in use and covered in natural vegetation. The existing fence will be moved to the western boundary of the substation and powerline and three new access gates will be placed next to the Bien Donne road; being 1) for the Stellenbosch substation, 2) the Eskom substation and 3) the powerline.

As mentioned before, Department of Transport and Infrastructure will be notified of the substation and powerline and access will be requested to the Bien Donne Road (Minor Road 5232). The trip generation will only increase during construction, and after commissioning of the substation and powerline trip generation will not be constant and limited to 1-3 vehicles when maintenance is needed.

10. PLANNING POLICY

PROVINCIAL POLICY CONTEXT

The **Western Cape Provincial Spatial Development Framework (PSDF)** was approved and published in March 2014 and Chapter 4 was amended in 2021. The main guiding principle on which the PSDF is based is spatial justice, sustainability and resilience, spatial efficiency, accessibility, quality and liveability.

The PSDF supports and contributes to the National Development Plan (NDP) of 2012 which strives to eliminate poverty and reduce inequality by creating jobs and livelihoods, transform urban spaces, expand infrastructure and provide capable public services. The PSDF further supports the OneCape 2040 initiative on the following key transition areas of the OneCape vision:

- Integrated neighbourhoods and upgrading the built environment
- Integrated services planning and provision
- Design and produce settlements that addresses resource scarcity
- Healthy, accessible, liveable, multi-opportunity communities

The proposed substation and powerline will provide additional electrical capacity to the area which will support integration within the rural area and the surrounding towns through infrastructure and services. The increased capacity will also support further growth in the area and allow for future developments.

The proposed substation and powerline further aligns with the objectives and priorities outlined in the PSDF as amended in Chapter 4. Specifically, the project supports the PSDF's goal of improving infrastructure to boost spatial efficiency, resilience, and economic development across urban and rural areas. The development complies with PSDF objectives as follows:

- a) **Spatial Efficiency and Economic Growth (VIP 4):** The PSDF emphasizes "improved infrastructure" to support connectivity and economic opportunity within identified growth areas and regional corridors. This development would enhance energy reliability, crucial for local uses and future development in the area, aligning with the PSDF's economic development and energy security goals.
- b) **Spatial Transformation and Accessibility:** The PSDF encourages targeted infrastructure investments that promote accessibility and reduce spatial inequities from historical development patterns. Enhancing electrical capacity in Groot Drakenstein and Pniel ensures these regions can support population growth and meet increasing demands for energy, helping balance spatial inequalities.
- c) **Regional Spatial Implementation Frameworks (RSIFs):** The PSDF identifies infrastructure development as a critical component of sustainable and resilient urban-rural environments. The development aligns with RSIF strategies, particularly around the integration of essential services and infrastructure to manage growth in a coordinated manner.
- d) **Environmental Sustainability and Resilience:** The PSDF stresses the importance of sustainable infrastructure that can adapt to future demands and supports ecological resilience. Upgraded infrastructure like the substation and powerline can contribute to reduced reliance on emergency power solutions, promoting more sustainable energy use.

This project thereby supports the PSDF's broader spatial, economic, and environmental objectives, positioning Groot Drakenstein and Pniel as better connected, economically viable, and sustainably powered communities within the Western Cape's spatial framework.

LOCAL POLICY CONTEXT

The **Stellenbosch Municipal Spatial Development Framework (MSDF)** was approved in 2023 and guides all future development in the municipal area.

The proposal for a new substation and powerline to enhance the electrical capacity in the Groot Drakenstein and Pniel areas aligns with several goals and guidelines outlined in the MSDF, which emphasizes sustainable infrastructure development. This alignment can be seen in a few key areas:

- **Economic Growth and Service Provision:** The MSDF highlights the need for infrastructure upgrades to support economic and population growth, particularly in rural and semi-rural nodes like Groot Drakenstein and Pniel. As these areas experience population increases, reliable electrical infrastructure becomes crucial for both residential needs and local businesses, facilitating economic resilience and sustainable growth.
- **Infrastructure Resilience and Expansion:** The MSDF's Capital Expenditure Framework (CEF) includes specific allocations for electrical infrastructure in Stellenbosch's rural nodes, particularly aimed at enhancing service reliability and capacity. Investments in the electrical grid, like substations and upgraded lines, directly support the framework's call for well-maintained, resilient infrastructure to accommodate future demand increases.
- **Environmental Considerations:** Infrastructure projects are encouraged to adopt practices that minimize environmental impact, aligning with the MSDF's objective of environmentally sensitive planning. Proper planning and site selection for new substations and powerlines would help avoid or mitigate potential ecological disturbances, making the proposal consistent with sustainable development goals outlined in the framework.

Although infrastructure like substations are preferred within urban areas, the purpose of this substation is to provide the rural area of Groot Drakenstein, Pniel and Simondium with increased electrical capacity. It is thus sensible to locate the substation central in the area. Portion 1 of Farm 1631, Paarl, has the following site specific characteristics which resulted in the location of the proposed substation:

- It is located directly next to the telecommunication station on Portion 5 of Farm 982, Paarl, which creates a small infrastructure hub. This helps prevent fracturing of agricultural land by not having infrastructure scattered in the area.
- The closest substation with capacity to feed the area is the Safariland substation on the R301 and the powerline was designed to follow existing electrical infrastructure and farm boundaries to further ensure no fracturing of agricultural land.
- If the substation had to be accommodated in Pniel's Urban Edge it would have resulted in a 4km additional powerline which would have had to be doubled to feed the electricity back to the Groot Drakenstein area.
- From the proposed location of the substation it can easily connect to the infrastructure next to the R45 to the north and south and also the infrastructure next to the R301 to Pniel. From there it can connect inland were capacity is needed.

The expansion of electrical capacity through a new substation and powerline in this area is thus consistent with the MSDF's objectives of fostering sustainable development, supporting growth in rural nodes, and ensuring that infrastructure keeps pace with the needs of the community and local economy.

The **Stellenbosch Integrated Development Plan** (May 2022) is the municipality's principal five-year strategic plan that deals with the most critical development needs of the municipal area as well as the most critical governance needs of the organisation. The Bien Donne 66/11kV project is listed on the budget as one of the Infrastructure project between the years 2022 and 2025.

The proposed substation and powerline further complies with the IDP strategies as follows:

1. **Improvement of Infrastructure and Electrical Network Reliability:** The IDP emphasizes enhancing infrastructure services, particularly the electrical network, to meet increasing demand and ensure reliable service delivery. For example, there are multiple projects and budget, as with this project, allocations aimed at upgrading electrical infrastructure across regions, showing a commitment to robust and sustainable power supply solutions expansion for Economic Growth. The IDP outlines the need for expanded bulk infrastructure to support economic development, noting that reliable electricity is a key driver for local economic stability and growth. An increased electrical capacity in Groot Drakenstein and Pniel would align with the municipality's goal to create sufficient capacity for both residential and commercial areas, promoting job creation and investment in these regions.
2. **Meeting Co-eds and Addressing Ward Priorities:** The plan identifies specific infrastructure improvements as priorities for certain wards, including upgrades to electricity networks in areas like Pniel. Enhancing electrical capacity aligns with these community-based priorities, aiming to meet local needs and improve residents' quality of life by reducing power shortages and outage.

This project thus comply with the IDP's focus on efficient service delivery and sustainability.

11. PRINCIPLES FOR LAND USE PLANNING

The criteria for the assessment of application as per Chapter VI Section 59 of the Land use Planning Act, 2014 (Act 3 of 2014) and Chapter 2 Section 7 of the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) are addressed as follows:

- **Spatial Justice**

The proposed Bien Donne substation and powerline supports the spatial and development goals of the Western Cape as well as the local municipality's need to increase electrical capacity for the area. The proposed substation and powerline will not cause any segregation of communities, it will

rather ensure there are sufficient electrical capacity for the surrounding community. The development promotes access to services for the entire rural community of the area.

- **Spatial Sustainability**

The proposed location of the substation and route of the powerline ensures the impact on the surrounding agricultural and other uses are minimal. The proposed development will ensure long term financial sustainability. The proposed substation and powerline is located to make efficient use of existing infrastructure in the area as well. By creating the additional capacity in the area, the municipality can service the area and developers will not be forced to use alternative energy, which is costly.

The substation and line will take up some of the agricultural land in the area, but the design was made to ensure this was kept to a minimum, by overlapping servitudes and other services like roads. This also applies to the natural areas, where footings will be placed outside sensitive vegetation areas and mostly on disturbed land. The substation is ideally situated to support integration within the area and support the municipal's financial viability. By allowing them the opportunity to provide electricity in the area. The substation and powerline is also planned to be the most cost-effective and efficient way of delivering services to the area's inhabitants.

- **Efficiency**

The development will ensure the optimisation of existing infrastructure, rather than require the development of alternative infrastructure. The development will further support the efficient functioning of the area by providing a basic service.

- **Principles of Good Administration**

The proposed development will be subject to a public participation process whereby all interested and affected individuals and departments will be approached to comment. The decision making process will be guided by statutory land use planning systems.

- **Spatial resilience**

The development will not limit the resilience of the area or any surrounding community. It supports growth and the provision of basic services to the community. The proposed rezoning will also allow the opportunity for other uses in the area to thrive, if approved and supported by the Municipality.

12.CONCLUSION

The proposed application for the rezoning, subdivision and exemption on Portion 1 of Farm 1631 to accommodate the said substation and powerline, complies with the goals of the Local and Provincial Planning Policies with regards to service provision as follows:

- The implementation of this proposed development will effectively integrate with the existing infrastructure to ensure the sustainability of the proposal and contribute to the viability of the area.
- The development supports and complies with the Western Cape Provincial Spatial Development Framework and due to the site specific circumstances will not be consistent with the Stellenbosch SDF.
- The development also supports and comply with the criteria for the assessment of an application as per the Land Use Planning Act, 2014 (Act 3 of 2014) and the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013).
- The development is accessible and there will be no major negative effects on the surrounding built environment, natural environment or economic environment.
- The development improves access to services to create a sustainable Municipal area.
- The proposed development represents a spatially compact development that fully considered the opportunities provided by the site and addressed the potential impacts and restrictions that was identified by various specialist studies with the required mitigation measures to ensure sustainable development.
- This development will promote smart growth by ensuring the efficient use of land and infrastructure.

This office supports the proposed development of the Bien Donne substation and powerline, providing for better and more effective utilisation of land, infrastructure and services within the designated area with a design concept to effectively address the impact. In light of the above, we herewith respectfully request the application to be consider favourably.



Zanelle Nortjé

For CK Rumboll and Partners



APPLICATION FOR REZONING, DEPARTURE AND PERMISSION IN TERMS OF THE ZONING SCHEME BYLAW: ERF 346, STELLENBOSCH.

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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT DEVELOPMENT MANAGEMENT: LAND USE MANAGEMENT

PLANNING REPORT ON APPLICATION IN TERMS OF SECTION 15(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW

APPLICATION DETAILS:

APPLICATION FOR REZONING, DEPARTURE AND PERMISSION IN TERMS OF THE ZONING SCHEME BYLAW:
ERF 346, STELLENBOSCH.

Application Reference	LU/17275	Commencement Date	18/07/2024
Applicant	CK Rumboll & Partners	Last day for comments or additional information	13/10/2025
Erf/Farm nr	Erf 346	Place	Stellenbosch
Zoning	Multi-Unit Residential Zone	Other approvals	none
X	TYPE OF APPLICATION		
X	15(2)(a) rezoning of land*		
X	15(2)(b) a permanent departure from the development parameters of the zoning scheme		
	15(2)(c) a departure granted on a temporary basis to utilize land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land		
	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*		
	15(2)(e) a consolidation of land that is not exempted in terms of section 24*		
	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*		
X	15(2)(g) a permission required in terms of the zoning scheme		
	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval*		
	15(2)(i) an extension of the validity period of an approval		
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme		
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram*		
	15(2)(l) a permission required in terms of a condition of approval		
	15(2)(m) a determination of a zoning		
	15(2)(n) a closure of a public place or part thereof		
	15(2)(o) a consent use contemplated in the zoning scheme		
	15(2)(p) to disestablish a homeowners' association		
	15(2)(q) to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services		
	15(2)(r) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building		
	Approval required in terms of relevant policy for street naming and numbering		

	Approval required in terms of Council policies or by-laws – Specify:
	Consent / Permission required in terms of a title deed (includes where planning permission is required in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)

NATURE AND SCOPE OF PROPOSED LAND USE APPLICATION

1. Application for rezoning of Erf 346, Stellenbosch in terms of Section 15(2)(a) of the Stellenbosch Municipal Bylaw on Municipal Land Use Planning from Multi-Unit Residential Zone to Local Business Zone to accommodate flats and offices space.
2. Application for departure in terms of Section 15(2)(b) of the said bylaw to provide 24 parking bays instead of the required 28 parking bays.
3. Application for permission in terms of Section 15(2)(g) of the said bylaw to construct a new building in the Urban Conservation Overlay Zone.

See **APPENDIX 2** for Site Development Plans and Building Plans, and the applicant's motivation in **APPENDIX 3**.

Note: Although the western common building line of 3m is encroached, the written consent of the adjacent property owner was obtained which automatically relax the building line as per Section 97(2)(g) of the Zoning Scheme Bylaw. Hence no application for building line departure submitted.

ASSESSMENT CHECKLIST

CONSIDERATION CRITERIA	YES	NO	Comments, if any
Accurate intergovernmental and public participation process followed	Yes		<p>The application was extensively advertised to all interested and affected parties, internal and external departments.</p> <p>The public participation process commenced on 10 October 2024 with advertising in the Eikestad News, a site notice and notices to interested and affected party, with 30days granted for interested and affected parties (which concluded on 13 November 2024) and 60days for departments.</p> <p>One (1) objection was received, which the applicant responded to in the Portfolio of Evidence attached as APPENDIX 4.</p>
Conditions imposed by departments	Yes		<p>1) Conservation Advisory Committee (APPENDIX 5).</p> <p>2) Director: Infrastructure Services (APPENDIX 6).</p> <p>3) Western Cape Government – Chief Directorate Road Planning (APPENDIX 7)</p>
DCs applicable	Yes		Calculations will be applicable as provided in the engineering comments, based on the municipal DC policy (APPENDIX 7).
Objections received	Yes		<p>1) Michael Scheepers from Amatoni Flats (Pty) Ltd (Flat 34)</p> <p>See the POE, attached as APPENDIX 4 (In Annexure M of the POE).</p>

Proposal complies with applicable laws, policies, guidelines, the IDP and SDP and/or technical requirements in terms of Section 65	Yes		
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DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW

Socio-economic impact	The introduction of office space may drive up local demand for services, creating some jobs which may reduce poverty and increase revenue. The proposed facilities could subsequently contribute to increase and enhanced economy activity of the town.
Compatibility with surrounding uses	Access will be obtained from Alexander Street, which is characterise by a variety of different lands use including a retirement village, a church with ancillary use, multi-level residential flats, single residential dwellings, a police station, offices and the municipal courts. The immediate surrounding area therefore have a mix of land uses and the proposed mixed of offices and flats will therefore not be foreign to the surrounding land uses.
Impact on the external engineering services	Sufficient municipal services can be provided to the development, subject to Development Contribution payments.
Impact on safety, health and wellbeing of the surrounding community	The mixed of residential and offices will compliment the residential uses adjacent to it, notwithstanding the rezoning to Local Business Zone. The zoning is just the most appropriate zoning for the intended land use.
Impact on heritage	The Municipal Conservation Advisory Committee recommended the application and proposed building plans for approval, subject to certain conditions.
Impact on the biophysical environment	None.
Traffic impacts, parking, access and other transport related considerations	<p>The existing access has been deemed sufficient, while the future realignment of the road was also considered in the road access designs on the property. These proposals were accepted by both the municipal and provincial roads authorities.</p> <p>Although application is made for a parking departure from 28 to 24 parking bays in terms of the municipal zoning scheme bylaw, a total number of 26 parking's bays is provided of which 4 will be tandem. Additional 8 bicycle and 4 motorbike parking are provided. The 24 parking bays will be sufficient in terms of the provincial road's authorities' requirements, which only require 23 parking bays onsite.</p>
Whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land	Conditions could be imposed that could mitigate the impact on the surrounding environment.

OBJECTIONS RECEIVED AND CORRESPONDING REPLY BY APPLICANT

In a separate letter the applicant responded to the objection as listed in the Portfolio of Evidence, attached as **APPENDIX 4**.

The departmental comment is provided in the planning evaluation section of this report.

KEY FINDINGS OF PLANNING EVALUATION

1. Proposal

The application intends to establish a local business premises, providing 8 flats and $\pm 403\text{m}^2$ of offices space. The existing dwelling on the property has already been demolished, leaving the property vacant.

The initial application was amended to reduce the number of residential units from 12 to 8 and to increase the office space from $\pm 224\text{m}^2$ to $\pm 400\text{m}^2$ in reaction to objections received.

2. Characteristics of surrounding environment;

As previously mentioned the area are characterise by a mixed of land uses, ranging from offices, tourist accommodation (guesthouses), student residences, residential flats specifically to its south and single dwellings to its north, a church with ancillary uses, a retirement village and public open spaces.

The low-key local business use for offices is therefore not a noise generated business, that will change the ambience and character of the area negatively. Noise pollution generated by the daily traffic on the R44 is of more off a concerned than the possible noise nuisances being generated from the proposed onsite activities.

The proposed uses are not foreign to Stellenbosch and the specific neighbourhood, as the town also boasts a number of office buildings and residential flats all over the Stellenbosch Conservation area. This proposed development maintains the 3m building line and 3 storey height applicable to the adjacent objector's property, for when the adjacent zoning of a property is not local business or Industrial Zone, considering that Erf 10825 is zone Multi-Unit Residential Zone. The 3m distance away from Erf 10825, Stellenbosch is therefore compliant in terms of the zoning scheme bylaw. The original zoning of Multi-Unit Residential would have allowed a similar building line of 4.5m for any flats and the new site development plan for a Local Business zoning do still allows for a reasonable distance away from the objector's property. No overlooking features is proposed that may have an influence over privacy concerns raised by the objector.

The neighbour's consent has however been obtained for Erf 440, to have a building at 1m instead of the 3m required building line where a Local Business Zone site borders a property with another zoning other than Local Business or Industrial. The zoning scheme stipulate that once the adjacent property owners' consent has been obtained in writing the building line is deemed to be automatically relaxed and no further application is therefore applicable.

It is therefore not envisaged that the office and apartment building, will have a negative impact on its immediate surroundings.

3. The height of the proposed building

It should be noted that the height of the building is restricted to 3 storeys for 15m from the public road and not higher than 10m from ground level. The proposal complies with this zoning parameter. See building plans in **APPENDIX 2**.

4. Access to the property:

Main access is proposed from Alexander Street over an existing access arrangement. The proposal however does make provision for future road widening and realignment purposes of Alexander Street and R44 intersection. The trips generated is insignificant to future road widening at the subject intersection. No further requirements were stipulated by both the Traffic Impact Statement or the competent roads authorities. The proposed access arrangements are not envisaged to have a safety concern to traffic in Alexander Street.

5. Parking arrangements

The parking arrangements was approved by our Infrastructure Services Department and the shortfall of 4 parking bays, supplemented by bicycle and motorbike parking on site, would not significantly impact on traffic flow or overflow of parking onto public places and adjacent streets. The provincial roads authority only requires 23 parking bays for the envisaged development, 24 provided parking bays and the additional bicycle and motorbike parking, plus 4 tandem parking bays, is therefore deemed sufficient for the development's purposes.

As the area is centrally located and within walking distance of most amenities including the station, the departure for the number of parking bays is supported.

6. Heritage perspective:

Erf 346 is located within the Urban Conservation zone. The demarcation of the conservation zone was based on the 'Core zone' which consisted of the area where historical Stellenbosch originally developed and which is around Dorp Street, Church Street, and the area around the Braak. This area function as a buffer zone to control new development. To properly preserve the core urban conservation zone as well as the main entrances leading to the urban conservation zones, a wider area was included in the urban conservation zone. The proposed development is located within the buffer zone and at the entrance to the Urban Conservation zone leading to the Braak.

As such, one of the primary factors to consider when assessing the development proposal is the impact that the new buildings will have on one of the main and important gateways into historical Stellenbosch. For this reason, the application was submitted to the Conservation Advisory Committee (CAC) for assessment and advice. The CAC supported the proposed development after engaging in the design on several occasions. The CAC recommended that the final building plans be referred to them to ensure that the building plans conform to the design proposal.

Flats and Offices are not listed in the zoning scheme as land uses that may have a detrimental impact on the conservation character of the area.

7. Entrance to the Urban Conservation Zone

The new building will be north facing and particularly visible by traffic driving along Adam Tas in a southerly direction and will act to some degree as a focal point at the entrance to the Conservation zone at Alexander Street. The design of the building as well as the scale and proportion, makes it an appropriate building for the particular position.

However, due to the building being situated as a focal point at the entrance to the Conservation zone, and furthermore, due to the high degree of visibility, any signage on the façade of the building will have an impact. Signage should therefore be designed with particular sensitivity to respect the importance and nature of the entrance to the Urban Conservation Zone and Stellenbosch Central Business District (CBD). In this regard no internally, illuminated signage should be permitted and an application for signage, designed by the architect of the building, must be submitted to the Stellenbosch Conservation Advisory Committee together with the final building plan.

The new building will therefore not detract aesthetically from its immediate surroundings and the permission in terms of the zoning scheme regulations could be recommended for approval to the competent municipal authority. See **APPENDIX 8** for site photos.

8. Land Use Planning assessment:

Proposed zoning:

The zoning of Local Business Zone is best fit and appropriate zoning category to accommodate a

land use which is not uncommon in the area. Several Local Business zonings has been approved in the past accommodate office space in Herold Street and Mark Street, which is in close proximity. All activities will be restricted to only the proposed land use and no other land uses is an automatic assume right. Flats and offices in the Stellenbosch historic area, is therefore not foreign to cultural landscapes, streetscape and Land uses and could be recommended for approval.

Building line departures:

As mentioned the applicable departure is automatically relaxed with the written consent granted by the affected adjacent property owner of Erf 440, Stellenbosch. The proposed departure will not compromise road safety, hinder the municipalities infrastructure department to perform its mandatory tasks or impact on any adjacent property owner.

Spatial perspective:

The development will provide a mix of office and residential units within walking distance of most amenities in town and is close to the train station. As such the development is consistent with the spirit of the Municipal SDF and Adam Tas Corridor LSDF, in that it provides infill development that is supportive of non-motorized transport, and which will increase residential opportunities in the Central Business District. The immediate area surrounding the proposed new development is characterized by multi-unit residential development interspersed with professional offices.

The Municipal Spatial Development do recognise that the spatial decisions impact on what settlements become.

In terms of this approved document, seven principles need to be considered:

1. Maintain and grow the assets of Stellenbosch Municipality;
2. Respect and grow cultural heritage;
3. Direct growth to areas of lesser cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and potentials of existing 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 a few catalytic lead projects

The MSDF therefore seeks to promote consistency and uniformity in procedures and decision-making. Other objectives include the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments.

Chapter 2 of SPLUMA on the other hand sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land. These principles are the following, Spatial Justice, Spatial Efficiency, Spatial Sustainability, Spatial Resilience and Good Administration. None of the above principles is compromised by the proposed apartments and office development in a generally mixed used area.

After having independently considered and weighted all the relevant information, as explained above, the evaluation of the subject land use and land development application concludes that:

1. The proposed development will provide much needed residential opportunities within walking distance to the CBD and transport interchanges.
2. It is in a mixed-use area adjacent to the Adam Tas Corridor and will complement the latter development.
3. Sufficient municipal services will be provided for the development.
4. The development will enhance accommodation and office space needs and the local economy without significantly disrupting the immediate surrounding residential environment.

5. The proposed land uses will be easily integrated into the existing surrounding neighbourhood.
6. The unique design and architectural styles for the new building approved by the municipal advisory committee, will complement the character of the surrounding area.
7. The zoning applied for, relevant departures from parking provision, access of a public road and architectural style will ensure that the proposal is compatible with the surrounding land uses and will minimize the potential conflict with residents of the area it is located in.
8. The proposed building is well designed to blend in with the architectural style of the existing buildings and the area, preserving its character while attracting visitors to the urban conservation area.
9. The zoning category is just a tool to the intended flats and offices and will be restricted to the proposed operations, which is not prohibited by the relevant spatial planning frameworks.
10. The properties location on the periphery of the urban conservation zone, in a mixed-use area of residential, community buildings, accommodation and business use, is in a transition zone where partially protected land meets new developmental needs, potentially acting as a buffer zone to ensure that the inner part of the conservation needs, the need for development and the safety, protection and welfare of habitats are balanced.
11. The objector's concerns were adequately address with the proposals submitted and amended, considering that all relevant building lines will be complied with on the objector's side and the uses reverts to flats which was a primary right in the original zoning of the property as well. The residential development adjacent to the objector's property was therefore not an unknown and could have happened at any stage.

The subject land use and land development application is, having regard to the conclusions above, viewed as consistent with the relevant legislative / principles / policy / guidelines / plans and consequently grounds for supporting the subject land use and land development application.

List relevant plan numbers	Project S025-23, Drawing Number 00-00 and 00-01, dated 2025/10/13 and drawn by NEO Architects.
List annexures	APPENDIX 1 – Locality APPENDIX 2 – Site and building plans APPENDIX 3 – Motivational Report APPENDIX 4 – Portfolio of Evidence APPENDIX 5 – Conservation Advisory Committee APPENDIX 6 – Director: Infrastructure Services & Electrical Engineering APPENDIX 7 – Western Cape Government – Chief Directorate Road Planning APPENDIX 8 – Site photos

RECOMMENDATION:

1. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 346, Stellenbosch for:
 - 1.3 the **rezoning** of Erf 346, Stellenbosch in terms of Section 15(2)(a) of the said bylaw, from Multi-Unit Residential Zone to Local Business Zone to accommodate flats and offices space.
 - 1.4 **Departure** in terms of Section 15(2)(b) of the said bylaw to provide 24 parking bays instead of the required 28 parking bays.

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

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

- 2.3 The approval only applies to the proposed applications 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.
- 2.4 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.
- 2.5 The development be undertaken in accordance with the Site Development and Building Plans with reference; Project S025-23, Drawing Number 00-00 and 00-01, dated 2025/10/13 and drawn by NEO Architects and attached as **APPENDIX 2**.
- 2.6 Building plans be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant conditions of approval have been complied with.
- 2.7 Compliance with the conditions relating to infrastructure services, including DC calculations contained in their memorandum (Civil LU2798, dated 03 February 2025) and attached as **APPENDIX 6**.
- 2.8 Compliance with the conditions relating to Western Cape Government – Chief Directorate Road Planning contained in their letter dated 14 March 2025, attached as **APPENDIX 7**.
- 2.9 Sufficient on-site parking be provided in accordance with the provisions of the Building Plans with reference; Project S025-23, Drawing Number 00-00 and 00-01, dated 2025/10/13 and drawn by NEO Architects, attached as **APPENDIX 2** and to be illustrated on the final building plans at all times.
- 2.10 The rezoning only grants the right to operate the property for flats and office space from Erf 346, Stellenbosch and any other land uses listed in the zoning categories will require a new application for processing and a decision by the municipal decision maker.
- 2.11 Signage should be designed with particularly sensitivity to respect the importance and nature of the entrance to the Stellenbosch Urban Conservation Zone and Stellenbosch Central Business District. No internally illuminated signage should be permitted and an application for signage, designed by the architect of the building must be submitted to the Conservation Advisory Committee together with the final building plans before submissions to the municipal building management department.

3 The **reasons** for the above decision are as follows:

- 3.1 The proposed highly visibility building at a focal point at the entrance to the Stellenbosch town will enhance the entrance to the town and not detract from its cultural significance.
- 3.2 Access will be from a major higher order road, carry through traffic into and out of town, and not a quiet residential street, which will protect the residential neighbourhood.
- 3.3 The development will provide in the need for office space and residential opportunities, without significantly disrupting its immediate residential environment.
- 3.4 Sufficient municipal services will be provided for the development.
- 3.5 The requested parking departure has been approved by the relevant competent road's authorities, and the provided parking arrangements is deemed sufficient for the number of trips envisage to be generated and the onsite activities.
- 3.6 Although the zoning of the block of properties between Harolds, Stasie, Papegaai and Alexander Streets is all zoned Multi-Unit Residential, the rezoning applied for of Local Business Zone, relevant departure from onsite parking provisions, access off an higher order access street into the Central Business District and proposed architectural style, will ensure that the proposed flats and office space is compatible with the surrounding land uses and will minimize the potential conflict with local residents.

4 Matters **to be noted**:

- 4.1 That the application for permission in terms of Section 15(2)(g) of the said bylaw to construct a new building in the Stellenbosch Urban Conservation Overlay Zone revert

back to the Authorized Employee for a decision in terms of the approved system of delegations.

- 4.2 When the new zoning scheme bylaw is implemented for Stellenbosch Municipality, the property's zoning will be converted to the most restrictive use permitted under the new bylaw.

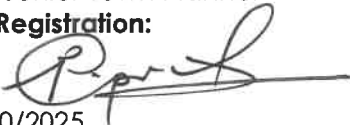
ASSESSMENT RECOMMENDATION BY TOWN PLANNER

The proposed land use and land development application has been duly evaluated in terms of process and desirability with the recommendation for consideration.

Name: P April

Capacity: Senior Town Planner

SACPLAN Registration:

Signature: 

Date: 13/10/2025

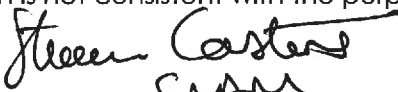
REVIEW OF ASSESSMENT AND RECOMMENDATION

The recommendation for decision is hereby submitted for consideration to the authorised decision-maker in accordance with the System of Delegations OR Categorisation Model approved in terms of Section 69 of the said Bylaw vide Item 11.8.1 dated 24 May 2023.

Category / Delegation Item Number: (i) A(c), B(2) – decided by MPT (ii) LUP85 (Under delegated authority)

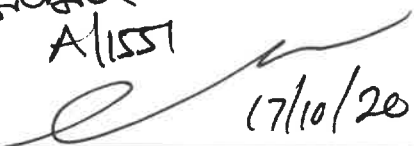
Decision Making Authority: MPT

Rational: Rezoning of any land to a scale or to use(s) in nature that are deemed to cause the transformation of an area, regardless of any supportive planning directives and /or alternatively, if the application is not consistent with the purpose and intent of the prevailing zoning scheme provision.

Name: 

Capacity: 

SACPLAN Registration: A/1551

Signature: 

Date: 17/10/2025

MPT ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT**Administrator to Stellenbosch Municipal Planning Tribunal:**

It is hereby confirmed that proper notice was served of the Municipal Planning Tribunal meeting at which this land use and land development application will serve for consideration.

The land use and land development application will serve at the scheduled meeting of the Stellenbosch Municipal Planning Tribunal on:

Date: 31.10.2025

Name: Chizelle Kriel

Capacity: MLCM

Signature: 

Date: 17.10.25

APPENDIX 1

Locality



Figure 1: Locality of Erf 346 Stellenbosch

APPENDIX 2

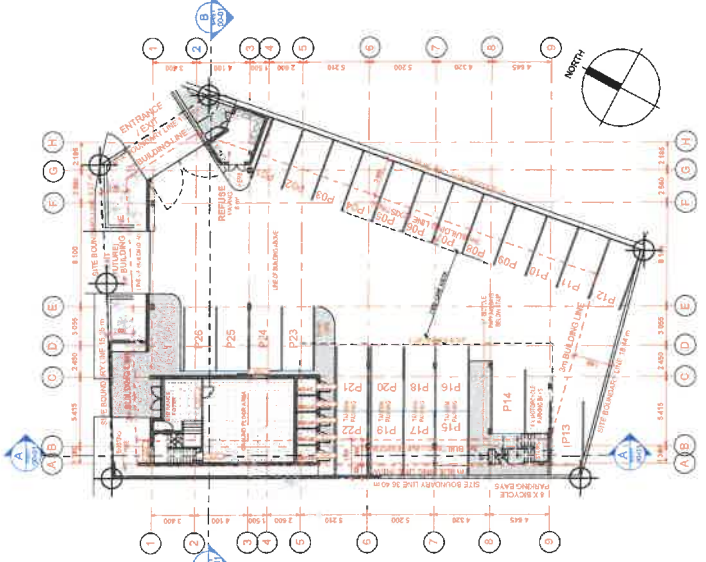
Site and building plans

No.	Date	Locality	Remarks
A 2007-02-01	2007-02-01	Local Authority	UP SUBMITTAL FOR TOWNSHIP APPROVAL
B 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
C 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
D 2007-02-01	2007-02-01	Local Authority	UP SUBMITTAL FOR TOWNSHIP APPROVAL
E 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
F 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
G 2007-02-01	2007-02-01	Local Authority	UP SUBMITTAL FOR TOWNSHIP APPROVAL
H 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
I 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
J 2007-02-01	2007-02-01	Local Authority	UP SUBMITTAL FOR TOWNSHIP APPROVAL
K 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
L 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
M 2007-02-01	2007-02-01	Local Authority	UP SUBMITTAL FOR TOWNSHIP APPROVAL
N 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
O 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
P 2007-02-01	2007-02-01	Local Authority	UP SUBMITTAL FOR TOWNSHIP APPROVAL
Q 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
R 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
S 2007-02-01	2007-02-01	Local Authority	UP SUBMITTAL FOR TOWNSHIP APPROVAL
T 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
U 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
V 2007-02-01	2007-02-01	Local Authority	UP SUBMITTAL FOR TOWNSHIP APPROVAL
W 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
X 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED
Y 2007-02-01	2007-02-01	Local Authority	UP SUBMITTAL FOR TOWNSHIP APPROVAL
Z 2007-02-01	2007-02-01	Local Authority	APPROVAL OF RESOLVED

FOR INFORMATION

CLIENT SIGNATURE _____	ARCHITECT SIGNATURE _____ GACAP REG NO _____
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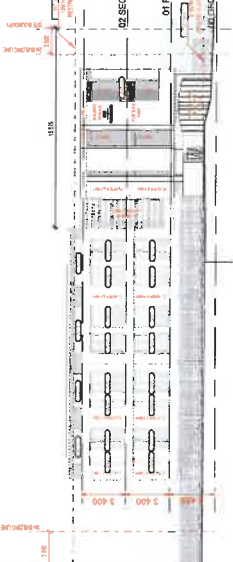
 ARCHITECT	WEC PROJECTS 1150 STREET LIGHTWAY SUITE 200 ST. LOUIS, MO 63103 PHONE: 314.433.8800 WWW.WECPROJECTS.COM
	WEC PROJECTS 1150 STREET LIGHTWAY SUITE 200 ST. LOUIS, MO 63103 PHONE: 314.433.8800 WWW.WECPROJECTS.COM
Client worktype project title	WEC PROPERTY INVESTMENTS WORKSPACE 4.1 ONE ON ALEXANDER 1 ALEXANDER STREET STELLERBOOCH, ERF 546
drawing sheet	SDD - PLANS, SECTIONS & ELEVATIONS project no. SDD25-23
date scale sheet	08/2014 1:200 WW
checked approved by	J. CHASE WW J. CHASE
revision description by	01 01-01 J. CHASE



REFERENCE PLAN - ROOF
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REFERENCE PLAN - FIRST & SECOND FLOOR
scale = 1 : 200

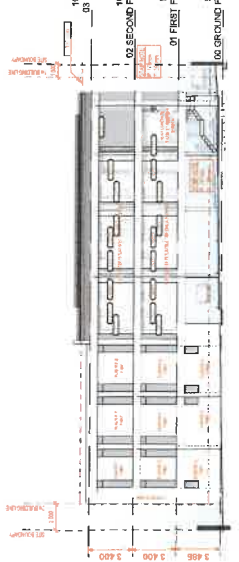
REFERENCE PLAN - GROUND FLOOR
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SECTION A-A (REFERENCE)
Scale = 1 : 200

NORTH WEST ELEVATION
Scale = 1 : 200

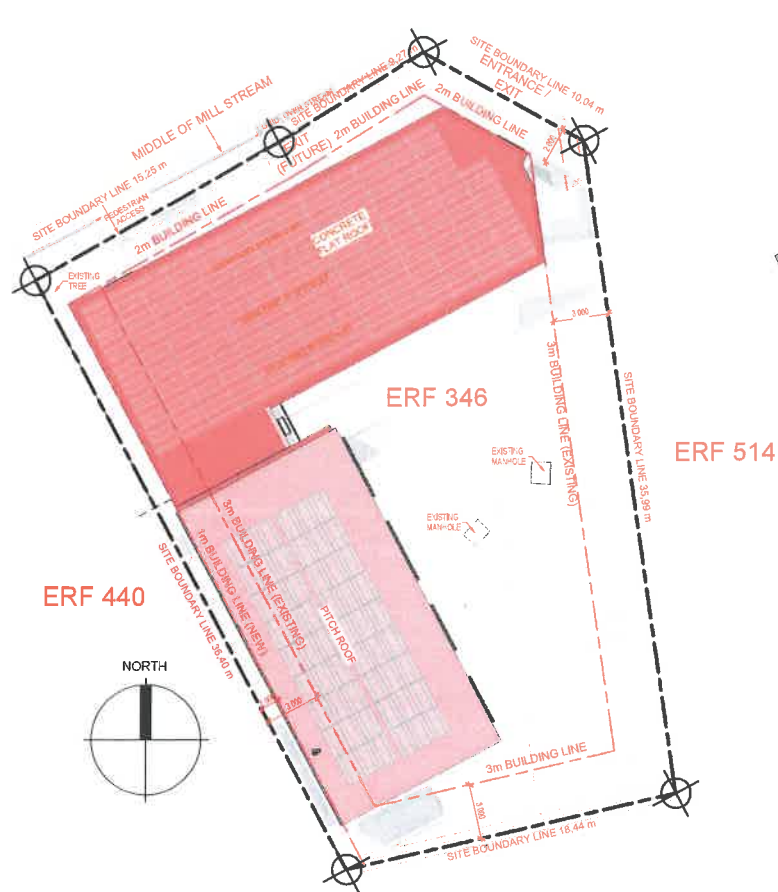
NORTH EAST ELEVATION
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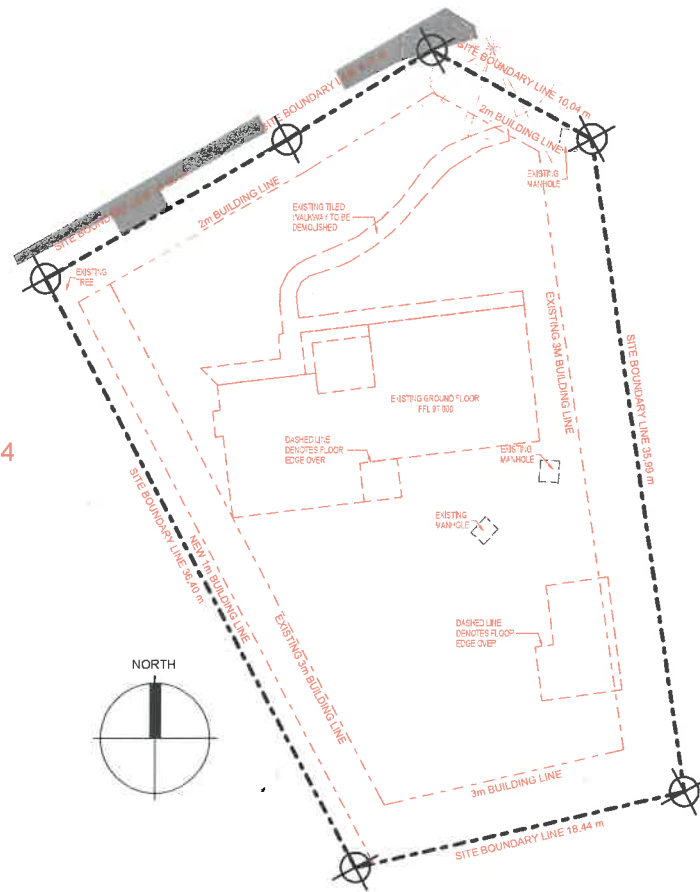
SECTION B-B (REFERENCE)
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SOUTH EAST ELEVATION
Scale = 1 : 200

SOUTH WEST ELEVATION
Scale = 1 : 200



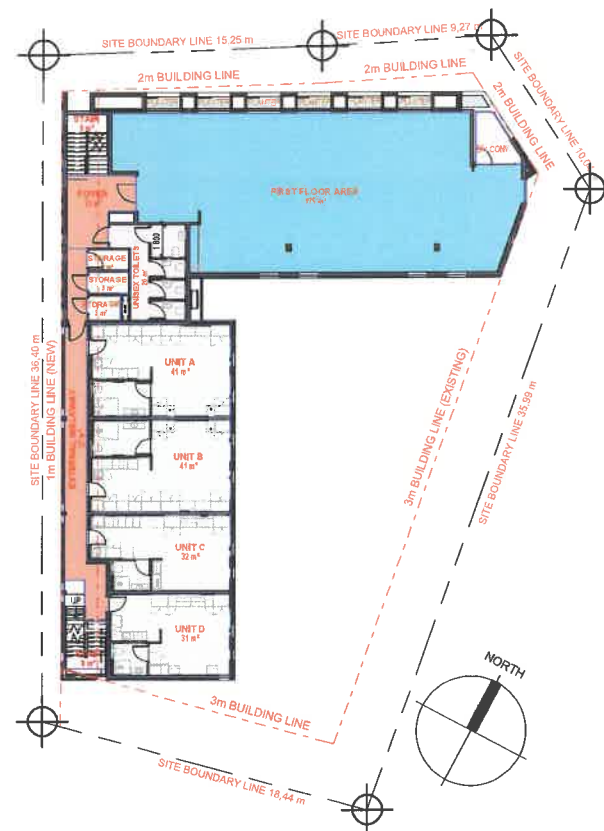
SITE PLAN - SDP
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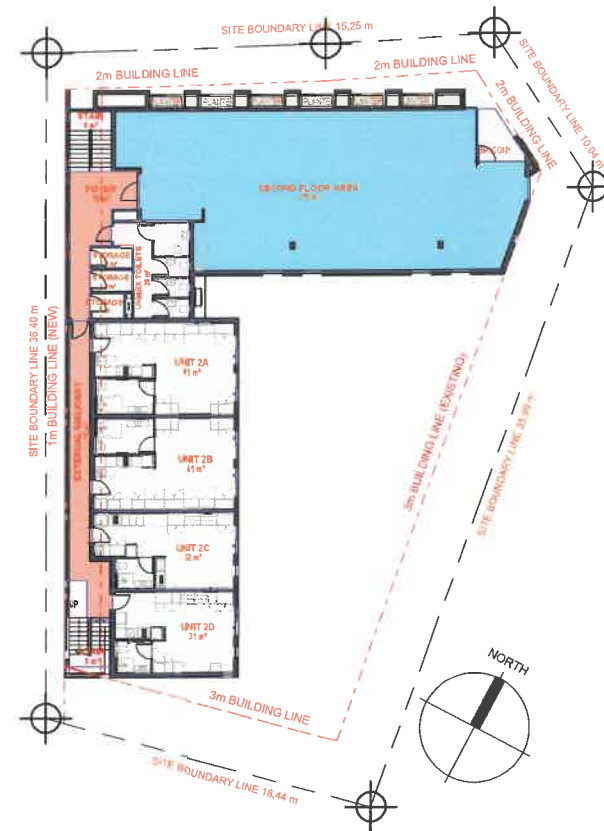
DEMOLITION PLAN
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AREA PLAN - GROUND FLOOR
Scale = 1 : 200



AREA PLAN - FIRST FLOOR
Scale = 1 : 200



AREA PLAN - SECOND FLOOR
Scale = 1 : 200

AREA & PARKING

RESIDENTIAL FLATS

	QTY	GLA / AREA
FIRST STOREY (ONE BEDROOM)	4 UNITS	145m ²
SECOND STOREY (ONE BEDROOM)	4 UNITS	145m ²
TOTAL PROVIDED	8 UNITS	290m ²

OFFICE AREA

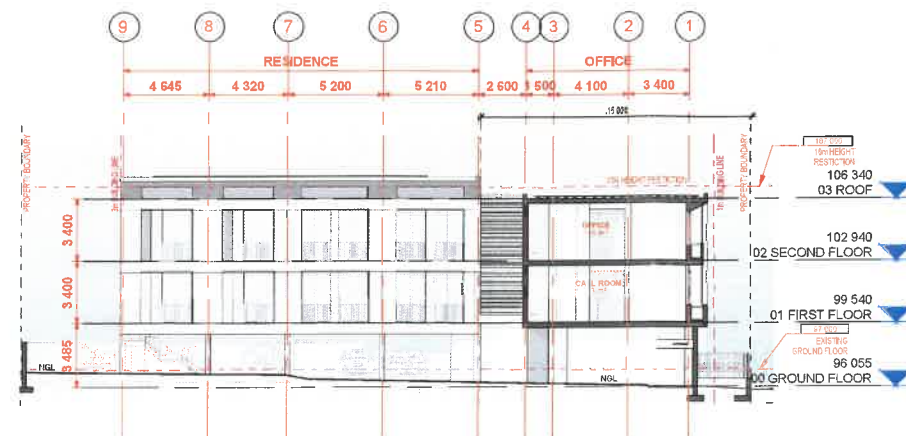
	GLA / AREA
GROUND STOREY OFFICE AREA	50m ²
FIRST STOREY OFFICE AREA	175m ²
SECOND FLOOR OFFICE AREA	175m ²
TOTAL PROVIDED	400m ²

PARKING

	PARKING RATIO	UNITS & AREA	BAYS REQUIRED
RESIDENTIAL	1.5 BAYS / UNIT	8 UNITS	12 BAYS
OFFICE	4 BAYS / 100m ²	400m ²	16 BAYS
TOTAL PARKING REQUIRED			28 BAYS
TOTAL PARKING PROVIDED			28 BAYS
BICYCLE BAYS PROVIDED			8 BAYS
MOTORCYCLE BAYS PROVIDED			5 BAYS

2 AERIAL SURVEY

Scale = 1 : 1



SITE SECTION
Scale = 1 : 200

GENERAL NOTES

THE FOLLOWING NOTES ARE TO BE READ IN CONJUNCTION WITH THE CONSTRUCTION DOCUMENTS:

- ALL CONSTRUCTION DRAWINGS TO BE READ IN CONJUNCTION WITH THE PERFORMANCE SPECIFICATION DOCUMENT.
- Architect & Engineer's drawings to be read in conjunction with each other.
- All construction is to take place in strict accordance with SANS 10400 standard codes of practice.
- All dimensions to be checked on site. No work is to be taken in hand before measurements are checked on site.
- Do not scale plans.
- Setting out: setting out is the responsibility of the main contractor. A 'setting out certificate' by a registered professional land surveyor is to be issued to the principal agent by the main contractor. This certificate should state that the set out was done with coordinates. The land surveyor should also be present at the site handover to initiate the set point.
- Earthwork and lighting protection. Please note on all projects where there is no electrical engineer at the time of tendering, the quantity surveyor should include a provisional amount in the bill of quantities for earthwork and lighting protection of your building.
- Any discrepancy between engineering and architectural drawings or specifications is to be reported to the architect immediately.
- Appointment for setting out to be done before foundations have been cast. The appointment should be done right after site handover.
- Note when casting without an electrical engineer: please make sure, that the electrical engineer at the time of tendering, the quantity surveyor should include a provisional amount in the bill of quantities for earthwork and lighting protection of your building.
- SANS codes of practice 10199 (2010) and 10313 (2011) in conjunction with SANS 62305-1-2-2-4: 2011 and IEC 62305-2-2-4: 2011.
- A minimum of 2 garden taps to be provided for the building unless otherwise specified, by the architect.
- Any dimensional error or incorrect or incomplete specification is to be reported to the architect immediately.
- Any discrepancy between the drawings and the bill of quantities must be reported to the architect immediately.
- All construction to take place in strict accordance with the relevant municipal regulations.
- No fixtures to be taken in hand without prior approval of a sample of adequate size.
- All consultant drawings to be coordinated & approved by architect prior to commencement of works on site.
- All subcontractor's shop drawings to be provided and approved by architect before manufacture commences.
- All materials in strict accordance with the manufacturer's specifications.
- Contractor must verify all levels and dimensions on site before commencing work or making any shop drawings. All shop drawings are to be approved by the architect before any manufacturing takes place.
- Any discrepancies and/or errors to be reported to the architect.
- Soft roof insulation: Shallow to be installed under purlins to create a void between roof sheathing and roof structure. 75-135mm ROOFER. Acoustic glass wool to be installed between purlins, substructure or specified otherwise.
- Concrete roof insulation: Iso Board® Insulated roof installation to be installed above water-proofing membranes (unless otherwise specified).

DESIGN RESPONSIBILITY:

- NEO welcomes practical suggestions from the Contractor. The Contractor may, however, not assume design responsibility without the prior written approval of the Architect.
- Any variation order resulting from the above is to be documented by means of an Architect's instruction.
- In all aspects pertaining to structure the Engineer's specifications take precedence. However, any discrepancies with the architect's drawings must be reported.
- It is assumed that an experienced contractor will know when drawings are defective and therefore has an obligation to raise concerns.

NEO ARCHITECTS - SPECIFICATIONS & STANDARDS:
(GENERAL NOTES & DISCLAIMERS)



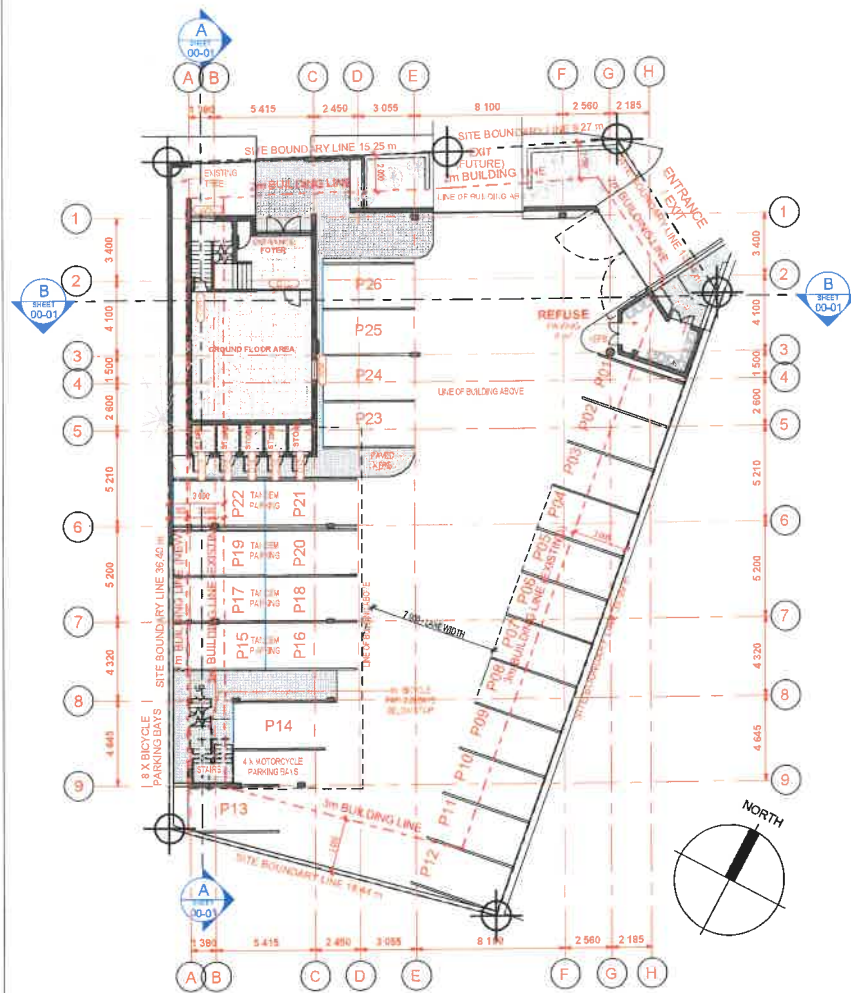
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REVISIONS			
No.	Date	Issued to	Description
A	2024 02 15	LOCAL AUTHORITY	SDP SUBMISSION FOR TOWNPLANNING APPROVAL
B	2024 02 21	CLIENT	PARKING & FIRE ESCAPE UPDATES
C	2024 03 14	LOCAL AUTHORITY	APARTMENT BUILDING REVISED
D	2025 01 16	TOWN PLANNER	FIRST FLOOR CHANGED TO APARTMENT, GROUND FLOOR INTERNAL LAYOUT REVISED, STAIR POSITION REVISED.
E	2025 02 11	QS & ENGINEER	ISSUED FOR COSTING & INFORMATION
F	2025 02 24	QS & ENGINEER	RESIDENTIAL ROOF & ROOFTOP UPDATE
G	2025 07 08	TOWN PLANNER	REVISED SDP
H	2025 08 01	HERITAGE COMMITTEE	SUBMITTED TO HERITAGE COMMITTEE
I	2025 10 13	TRIBUNAL MEETING	SDP REVISED

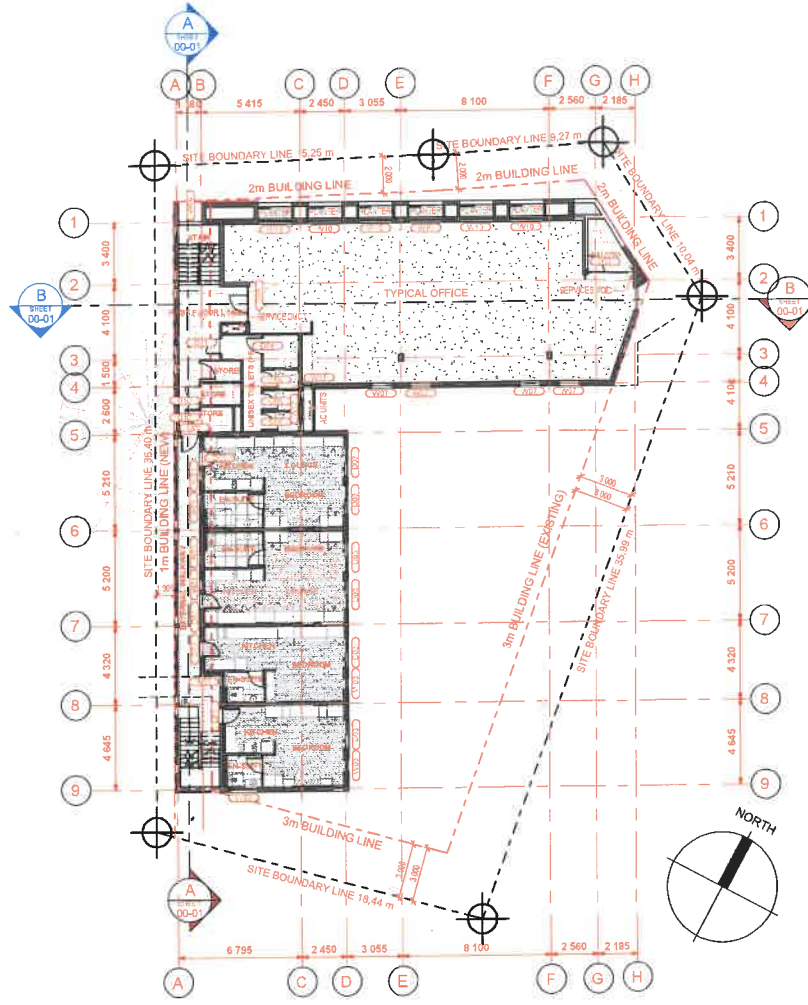
CLIENT/ ARCHITECT SIGNATURE	
ARCHITECT SIGNATURE:.....	SACAP REG NO:.....
CLIENT SIGNATURE:.....	

	NEO ARCHITECTS VS DOOP STREET, LA GRATIITUDE STELLENBOSCH WESTERN CAPE
	skil@neoarchitect.co.za www.neoarchitect.co.za

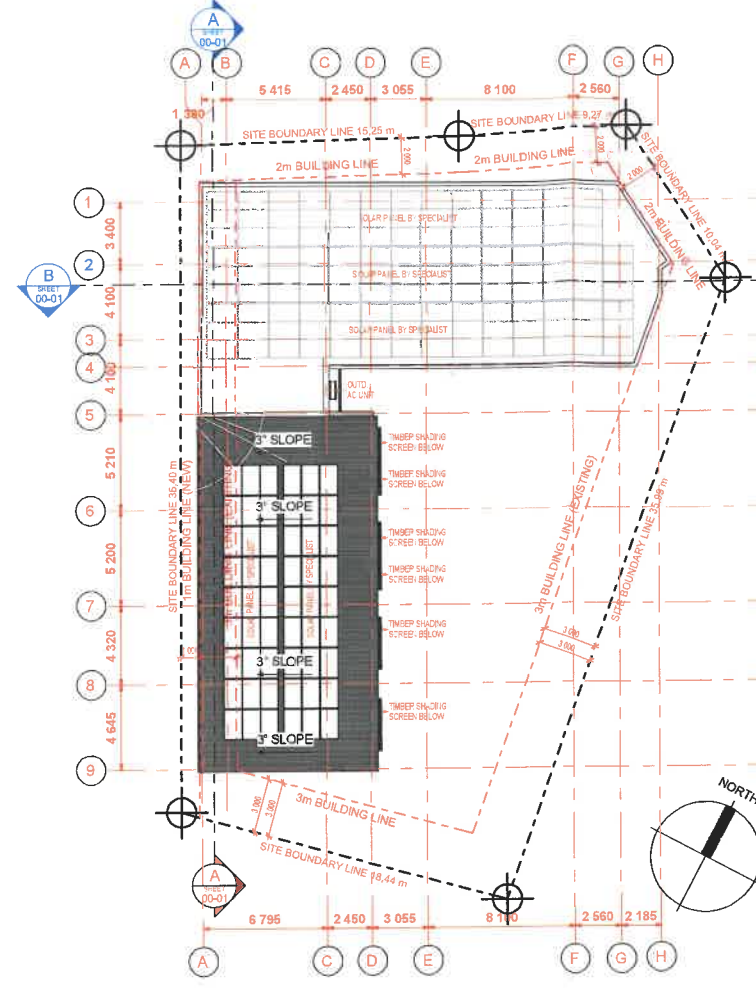
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workstage	WORKSTAGE 4.1		
project title	ONE ON ALEXANDER 1 ALEXANDER STREET, STELLENBOSCH, ERF 346		
drawing name	SDP - SITE PLAN	project no.	S025-23
date	2025/10/13 16:07:49	scale	As indicated
drawn	WV	checked	JR
drawn no.	00-00	rev.	1



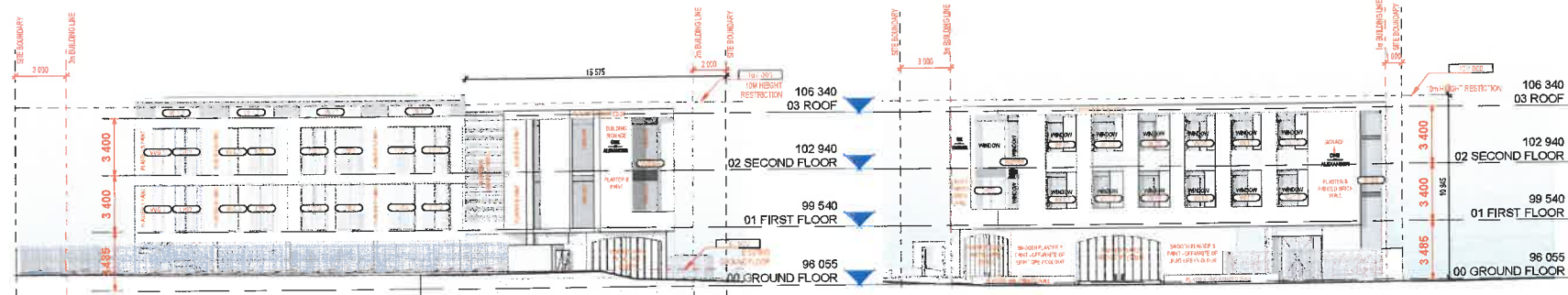
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REFERENCE PLAN - FIRST & SECOND FLOOR
Scale = 1 : 200

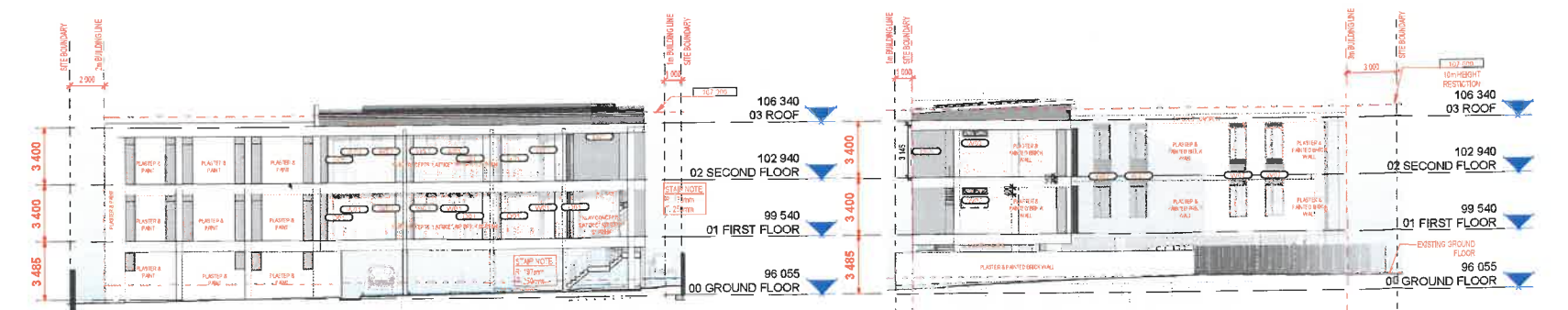


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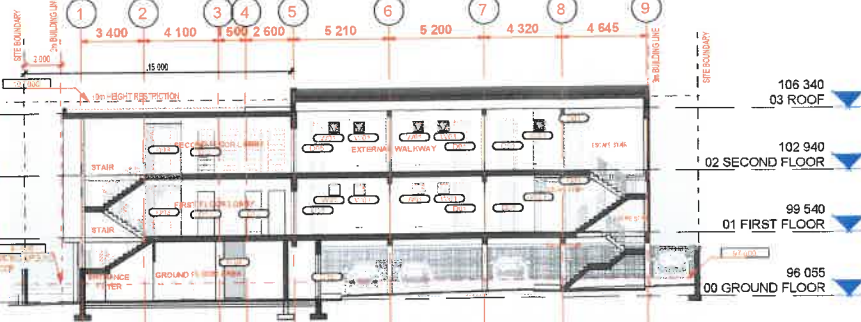
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NORTH WEST ELEVATION
Scale = 1 : 200

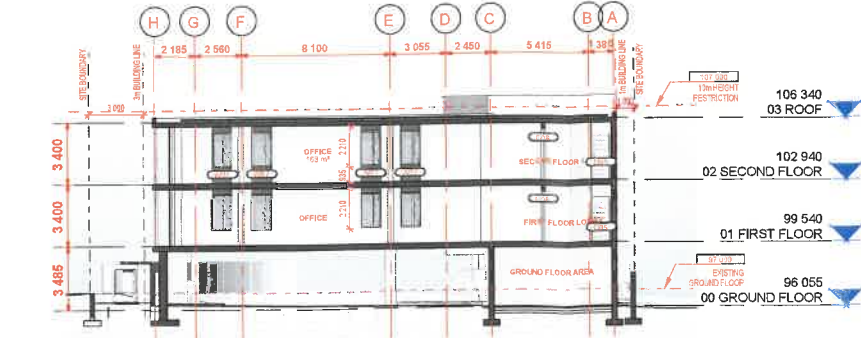


SOUTH WEST ELEVATION
Scale = 1 : 200

SOUTH EAST ELEVATION
Scale = 1 : 200



SECTION A-A (REFERENCE)
Scale = 1 : 200



SECTION B-B (REFERENCE)
Scale = 1 : 200

GENERAL NOTES

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- Do not scale plans.
- Setting out: setting out is the responsibility of the main contractor. A "setting out certificate" by a registered professional land surveyor to be issued to the principal agent by the main contractor. This certificate should state that the set out was done with coordinates. The land surveyor should also be present at the site handover to indicate the set points.
- Earth and lightning protection: Please note on all projects where there is no electrical engineer at the time of tendering, the quantity surveyor should include a provisional amount in the bill of quantities for earth and lightning protection of your building. Any discrepancy between engineering and architectural drawings or specifications is to be reported to the architect immediately.
- Appointment for earth to be done before foundations have been cast. The appointment should be done right after the site handover.
- Note when costing without an electrical engineer: please make sure, that the electrical engineer at the time of tendering, the quantity surveyor should include a provisional amount in the bill of quantities for earth and lightning protection of your building. Any discrepancy between engineering and architectural drawings or specifications is to be reported to the architect immediately.
- Minimum of 2 garden taps to be provided for the building unless otherwise specified, by the architect.
- Any dimensional error or incorrect or incomplete specification is to be reported to the architect immediately.
- Any discrepancy between the drawings and the bill of quantities must be reported to the architect immediately.
- All construction to take place in strict accordance with the relevant municipal regulations.
- No finishes to be taken in hand without prior approval of a sample of adequate size.
- All consultants' drawings to be coordinated & approved by architect prior to commencement of work on site.
- All subcontractor's specialist's shop drawings to be provided and approved by architect before manufacture commences.
- All materials to be in strict accordance with the manufacturer's specifications. Contractor must verify all levels and dimensions on site before commencing work or making any shop drawings. All shop drawings are to be approved by the architect before any manufacturing takes place.
- Any discrepancies and/or errors to be reported to the architect.
- Soft roof insulation: Sikafoam to be installed under purlin to create a void between roof sheeting and roof structure. 75-150mm ISOVER Aerogel glass wool to be installed between purlins. Substructure or specified otherwise.
- Concrete roof insulation: Iso Board® inverted roof insulation to be installed above water-proofing membranes (unless otherwise specified).

DESIGN RESPONSIBILITY:

- NEO welcomes practical suggestions from the Contractor. The Contractor may, however, not assume design responsibility without the prior written approval of the Architect.
- Any variation order resulting from the above is to be documented by means of an Architect's instruction.
- In all aspects pertaining to the Engineer's specifications take precedence. However, any discrepancies with the architect's drawings must be reported.
- It is assumed that an experienced contractor will know when drawings are defective and therefore has an obligation to raise concerns.

NEO ARCHITECTS - SPECIFICATIONS & STANDARDS: (GENERAL NOTES & DISCLAIMERS)



FOR INFORMATION

REVISIONS				
No.	Date	Issued to	Description	
A	2024 02 15	LOCAL AUTHORITY	SDP SUBMISSION FOR TOWNPLANNING APPROVAL	
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C	2024 03 14	LOCAL AUTHORITY	APARTMENT BUILDING REVISION	
D	2025 01 16	TOWN PLANNER	FIRST FLOOR CHANGED TO APARTMENT. GROUND FLOOR INTERNAL LAYOUT REVISED. STAIR POSITION REVISED.	
E	2025 02 11	QS & ENGINEER	ISSUED FOR COSTING & INFORMATION	
F	2025 07 08	TOWN PLANNER	REVISED SDP	
G	2025 08 01	HERITAGE COMMITTEE	SUBMITTED TO HERITAGE COMMITTEE	
H	2025 09 03	HERITAGE COMMITTEE	ENTRANCE GATES REVISED TO SOLID GATES. BUILDING BASED COLOUR CHANGED TO A LIGHT COLOUR. ENTRANCE CANOPY OMITTED. ALL EXTERNAL FENCING TO BE CLEARVIEW	
I	2025 10 13	TRIBUNAL MEETING	SDP REVISED	

CLIENT/ ARCHITECT SIGNATURE

ARCHITECT SIGNATURE: _____

CLIENT SIGNATURE: _____ SACAP REG NO: _____



client	WEC PROPERTY INVESTMENTS			
workstage	WORKSTAGE 4.1			
project title	ONE ON ALEXANDER			
	1 ALEXANDER STREET, STELLENBOSCH, ERF 346			
drawing name	SDP - PLANS, SECTIONS & ELEVATIONS			project no.
				S025-23
date	2025/01/13 16:08:18	scale	1 : 200	drawn
				checked
				JS
				dwg no.
				00-01
				rev.
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APPENDIX 3

Motivational Report

CK RUMBOLL & VENNOTE / PARTNERS



PROFESSIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTK

Date: 13 October 2025

ONS VERW/OUR REF: STB/13442/ZN

U VERW./YOUR REF: TP780/2024

PER EMAIL

Attention: Pedro April Pedro.April@ Stellenbosch.gov.za

Stellenbosch Municipality
Plein Street
STELLENBOSCH
7600

PROPOSED REZONING, DEPARTURE AND PERMISSION OF ERF 346, STELLENBOSCH

Our telephonic discussion 13 October 2025 has reference.

There is a furrow servitude of 1 foot and a right of way servitude of 3 feet, to maintain the furrow, which runs over the site on the eastern boundary in favour of the Republic of South Africa (Railways and Harbours Administration), which is now the Passenger Rail Agency of South Africa (PRASA). The furrow was never dug and, according to previous owners, no one utilised the right of way servitude due to the furrow which doesn't exist and does not need maintenance. After contacting Transnet, they referred the request to PRASA, who confirmed that they are the authorised department to give consent to cancel the servitudes. PRASA confirmed that they will not be using the servitudes and it can be cancelled by an attorney, which is in process. The letter written to request consent and the feedback from PRASA is attached.

The Site Development Plan was amended, see attached, to include additional parking spaces for motorcycles and bicycles, see extract below. The application is thus amended as follows:

Original Application	Amended application
The proposed departure on Erf 346, Stellenbosch, in terms of <i>Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law 2015</i> , to depart from the required <u>29 parking</u> bays to 25 parking bays.	The proposed departure on Erf 346, Stellenbosch , in terms of <i>Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law 2015</i> , to depart from the required <u>28 parking</u> bays to 24 parking bays.

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: zanelle@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIE

Parking required	
<u>Scheme regulations:</u>	<u>Development:</u>
1 bedroom flats: 1.5 bays per flat	8 flats * 1.5 = 12 bays
Offices: 4 bays/ 100m ² GLA	400m ² GLA/ 100m ² = 16 bays
	Total required: 28 bays

The development provides for 26 parking bays, of which 8 are tandem parking bays which only counts as 4 parking bays, as per the Scheme Regulations, giving a total of 22 parking bays. In addition, 4 motorcycle parking bays (under P14) and 8 bicycles parking bays (under the southern staircase) are also provided adding an additional 2 parking bays to the parking bays count provided. In total the parking provided, according to the Scheme Regulations, are 24 Parking bays.

The parking can be summarised below:

- 18 parking bays = 18 parking bays
- 4 motorcycle bays = 1 parking bay
- 8 bicycle bays = 1 parking bay
- 8 tandem bays = 4 parking bays
- Total = 24 parking bays

VENNOTE / PARTNERS:

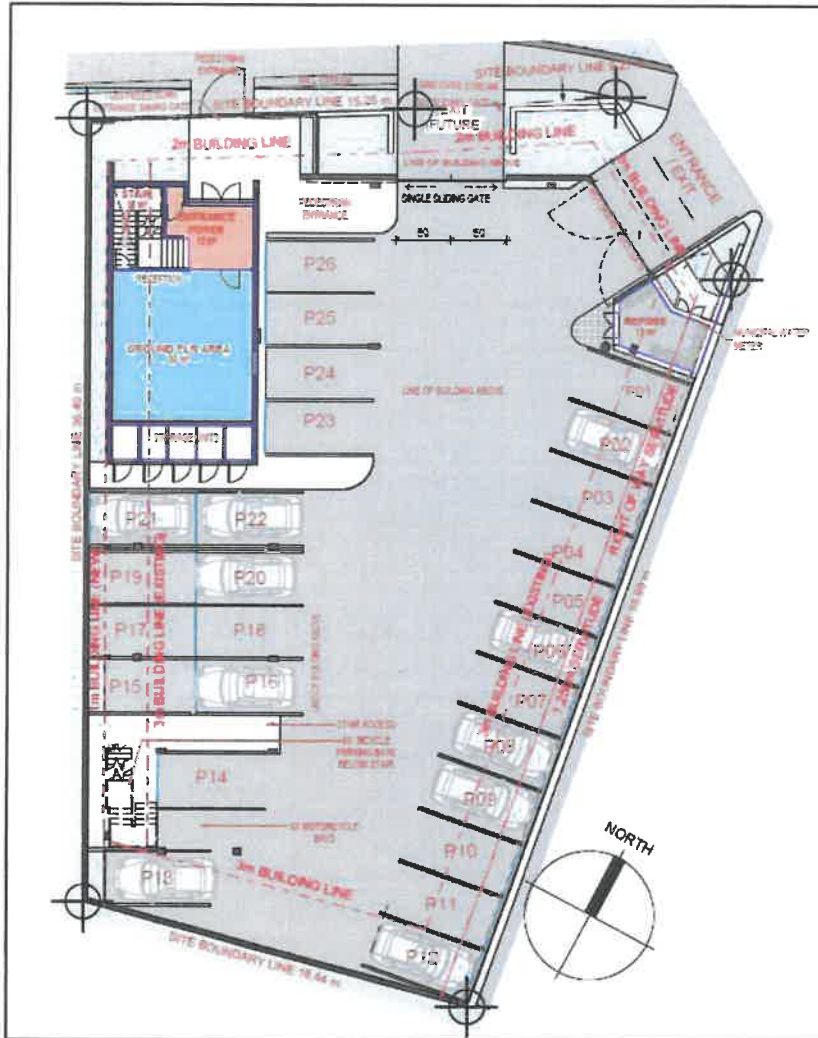
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CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIK



I hope you find the above in order. Please don't hesitate to contact us if you have further queries.

Kind regards

Zanelle Nortje

For: CK RUMBOLL and PARTNERS

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: zanelle@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

MOTIVATIONAL REPORT:
PROPOSED REZONING AND DEPARTURE
OF ERF 346, STELLENBOSCH

Our reference: STB/13442/ZN



REVISION 1: SEPTEMBER 2024

Compiled by:



CK RUMBOLD
& PARTNERS

FILE NR:	OUTGOING POST
ERF 346 EB	
SCAN NR:	
COLLABORATOR NR:	774702

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ANNEXURE A: POWER OF ATTORNEY AND COMPANY RESOLUTION

ANNEXURE B: APPLICATION FORM

ANNEXURE C: CONVEYANCER CERTIFICATE, TITLE DEED AND DIAGRAMS

ANNEXURE D: LOCALITY MAP

ANNEXURE E: TOPOGRAPHICAL SURVEY

ANNEXURE F: PRASA CONSENT

ANNEXURE G: ENVIRONMENTAL OPINION

ANNEXURE H: SITE DEVELOPMENT AND BUILDING PLANS

ANNEXURE I: NEIGHBOURS CONSENT

ANNEXURE J: PARKING LAYOUT

ANNEXURE K: PRE-SCURTINY COMMENT

ANNEXURE L: TRAFFIC IMPACT STATEMENT

ANNEXURE M: ELECTRICAL REPORT

ANNEXURE N: ENGINEERING REPORT

1. INTRODUCTION

CK Rumboll and Partners has been appointed by WEC Property Investments Pty Ltd to undertake an application for the rezoning and departure on Erf 346, Stellenbosch, to allow for 12 apartments and 2 open plan offices on the property. Power of Attorney and Company Resolution are attached as **Annexure A**.

2. PURPOSE

The purpose of this document is to apply for the following:

- The proposed **rezoning of Erf 346, Stellenbosch**, in terms of *Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law 2015*, from Multi-Unit Residential Zone to Local Business Zone to accommodate 12 flats and 2 offices;
- The proposed **departure on Erf 346, Stellenbosch**, in terms of *Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law 2015*, to depart from the required 29 parking bays to 25 parking bays.

A copy of the application form is attached as **Annexure B**.

3. PROPERTY DESCRIPTION

	Erf 346, Stellenbosch
Extent	961 m ²
Registered Owner	WEC Property Investments PTY LTD
Local Authority	Stellenbosch Municipality
Servitudes	Furrow servitude and right of way servitude
Current Zoning	Multi-Unit Residential Zone
Current Land Use	Dwelling
Coordinates	33.936996°S 18.852422°E
Title Deed	T46819/2023
Title Deed Restrictions	None, except servitudes
SG number	2775/1945
Applicable Zoning Scheme	<i>Stellenbosch Municipality Zoning Scheme By-Law 2019 (PG 8153)</i>
Borders: North	Alexander Street
East	Erf 514
South	Erf 10825
West	Erf 440

Diagram, Conveyancer Certificate and Title Deed are attached as **Annexure C**.

4. LOCALITY

On a Regional level the town Stellenbosch is located in the Stellenbosch Local Municipal area in the Cape Winelands District Municipality. On a Local level the proposed developable area is located within the edge of Stellenbosch Central. The erf gains access from Alexander Street on its north-eastern boundary, which connects to the R44/Adam Tas Road to the west. Locality Map attached as **Annexure D**.



Figure 1: Locality of Erf 346 Stellenbosch

5. SITE DETAILS

5.1. ZONING AND SURROUNDING LAND USES

Erf 346, Stellenbosch, is zoned as Multi-unit Residential Zone according to the Stellenbosch Zoning Scheme By-law and there is an existing dwelling house and outbuilding on site. The existing dwelling house and outbuilding have been vacant for a few years and has been damaged and stripped by thieves. All structures on site will be demolished through the correct permits.

The surrounding area consist of the following uses and possible zonings according to the 2018 Zoning Scheme Maps, see figure 2 below for zoning map extract and figure 1 above for aerial view.

Location	Use on site	Possible zoning (2018)
Bordering North	Alexander Road (and the Mill Stream)	Public Street and Parking Zone
Northern area	Open spaces and single dwelling houses	Public Open Space Zone, Limited Use Zone and Conventional residential Zone
Bordering East	Erf 514 – town housing	Multi-unit Residential Zone
Eastern area	NG Stellenbosch West Church	Community Zone
Bordering South	Erf 10825 – Amatoni apartments	Multi-unit Residential Zone
Southern area	Several apartment blocks	Multi-unit Residential Zone
Bordering West	Erf 440 – African Invite Guesthouse	Multi-unit Residential Zone
Western Area	The R 44 , Stellenbosch train station and railway tracks	Mixed Use Zone

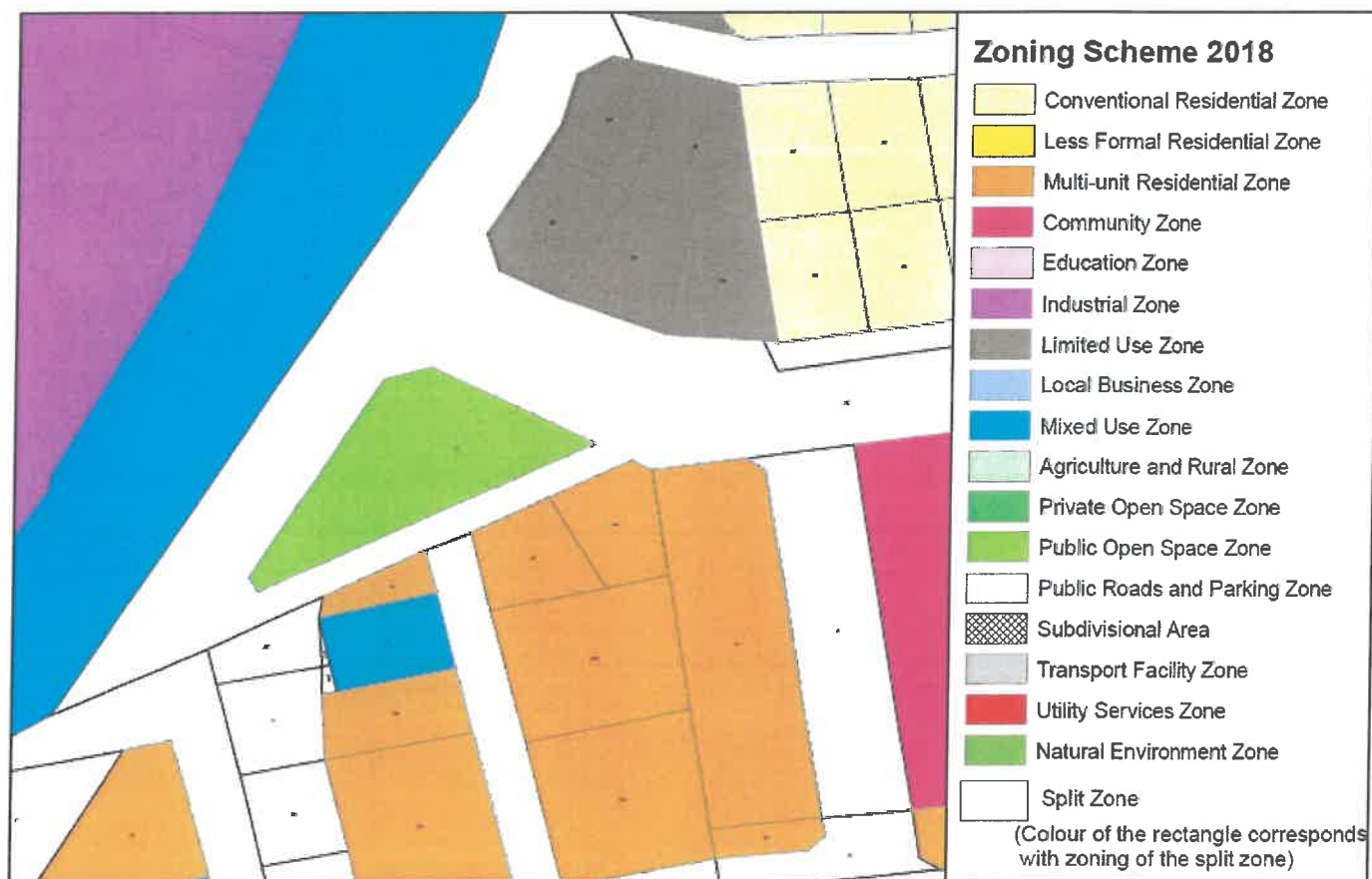


Figure 2: 2018 Zoning Scheme Map Extract

5.2. PHYSICAL FEATURES

A topographical study has been done by CK Rumboll and Partners and 0.5m contours were plotted, see attached as **Annexure E**. The data gathered and compiled, which includes the contours, existing buildings and the Mill Stream can be seen in the figure below. The site is mostly flat and only falls 1m to the north-west, to the Mill Stream on the northern boundary.

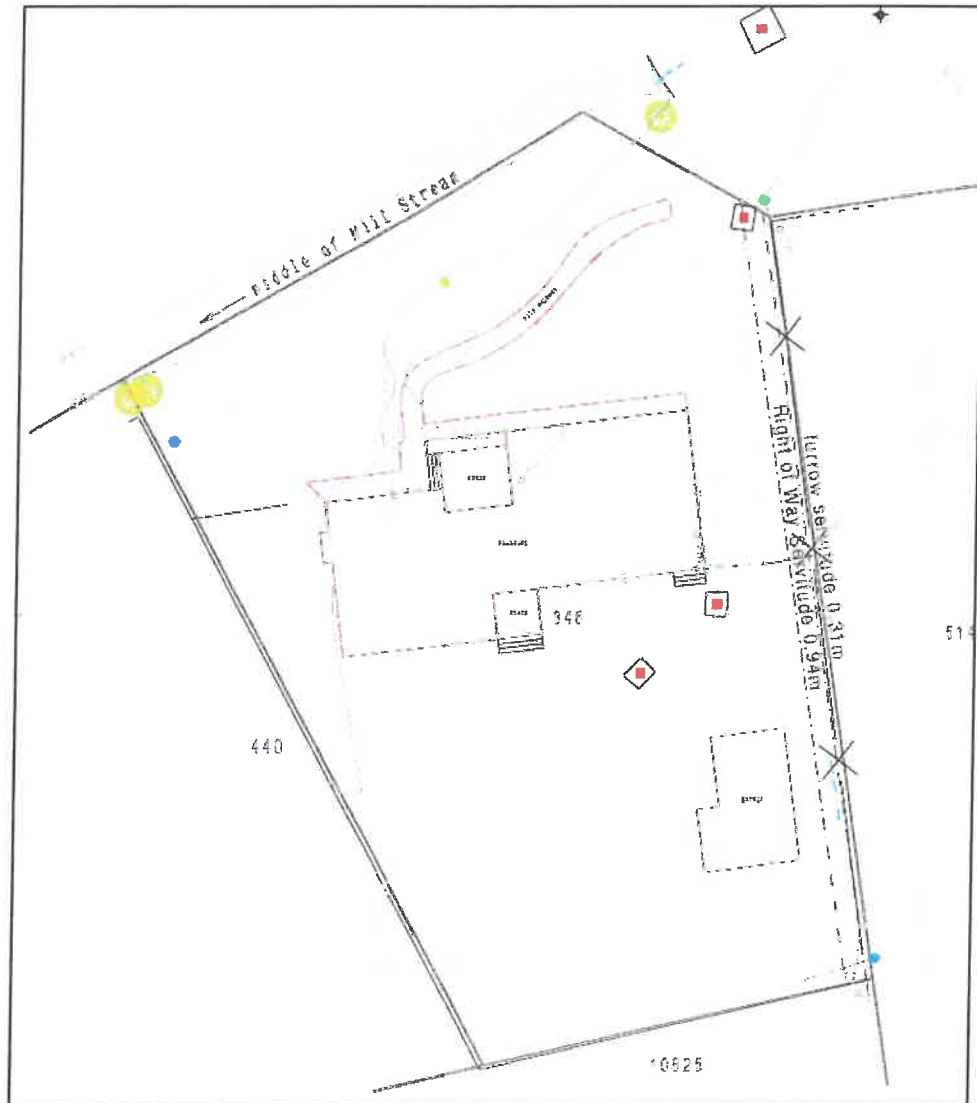


Figure 3: 0.5 metre Contour map of Erf 346, Stellenbosch

5.3. REAL RIGHTS

A Conveyancers Certificate was obtained for Erf 346 to ensure there are no real rights on the property that will affect the proposed development. The conveyancer confirmed that there are no restrictive title conditions in the Title Deed that will affect the proposed development. There is a furrow servitude of 1 foot and a right of way servitude of 3 feet, to maintain the furrow, which runs over the site on the eastern boundary in favour of the Republic of South Africa (Railways and Harbours Administration), which is now the Passenger Rail

Agency of South Africa (PRASA). Conveyancer certificates, Title Deeds and Diagrams are attached as **Annexure C**.

The furrow was never dug and, according to previous owners, no one utilised the right of way servitude due to the furrow which doesn't exist and does not need maintenance. After contacting Transnet, they referred the request to PRASA, who confirmed that they are the authorised department to give consent to cancel the servitudes. PRASA confirmed that they will not be using the servitudes and they can be cancelled by an attorney. The letter written to request consent and the feedback from PRASA is attached as **Annexure F**. This allows the proposed parking area to be located on the eastern boundary of the property.

6. SPECIALIST STUDIES AND APPROVALS

6.1. Heritage Western Cape

The existing buildings on site is not older than 60 years and although the Mill Stream on the northern boundary is seen has an historical feature through town, it is not registered as such and the proposed development will not affect the stream. The rezoning is also on a property less than 5000m² in size. The proposed development will not affect any heritage resources and a Notice of Intend to Development (NID) does not need to be submitted for Heritage Western Cape for approval.

6.2. Environmental Authorisation

Due to locality of the site next to the Mill Stream, an Environmental Consultant was contacted to determine if the development will trigger a listed activity in accordance with the National Environmental Management Act (NEMA). The opinion of Pieter de Villiers, from Cornerstone Environmental Consultants Pty Ltd, concluded that there would not be a requirement for Environmental Authorisation for the proposed development based on:

- The Erf is within the urban area as well as the urban edge of Stellenbosch, and
- The Mill Stream is not defined as a watercourse according to environmental legislation.

The proposed development can thus be done without an Environmental Authorisation. The opinion letter is attached as **Annexure G**.

6.3. Department of Transport and Public Works

The proposed development does not border a Provincial road, thus approval from Department of Transport and Public Works will not be needed.

7. THE PROPOSED DEVELOPMENT

7.1. REZONING

To allow the proposed development, application is being made for:

- The proposed **rezoning of Erf 346, Stellenbosch**, in terms of *Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law 2015*, from Multi-Unit Residential Zone to Local Business Zone to accommodate flats and offices;

The purpose of Local Business Zone is to allow for low-density commercial uses within residential areas and supports a mix of land uses that can co-exist without negatively impacting on each other. A business premises (including offices) and flats are primary uses under Local Business Zone, which make the zoning ideal for the proposed development, suggesting 2 open offices and 12 flats on site.

As mentioned previously the existing house and outbuilding will be demolished and the necessary demolish permits have been applied for. The proposed new building will be located on the north-western corner of the property in an L-shape, allowing for a three storey building. The ground floor is earmarked for an office, an area for a kitchen/ablutions and a lobby. The first storey allows for an office with an area for kitchen/ablution and 4 studio apartments and the second storey allows for 4 studio apartments and 4 one-bedroom apartments. The Site Development Plan, sections and elevations can be seen below and are attached as **Annexure H**.

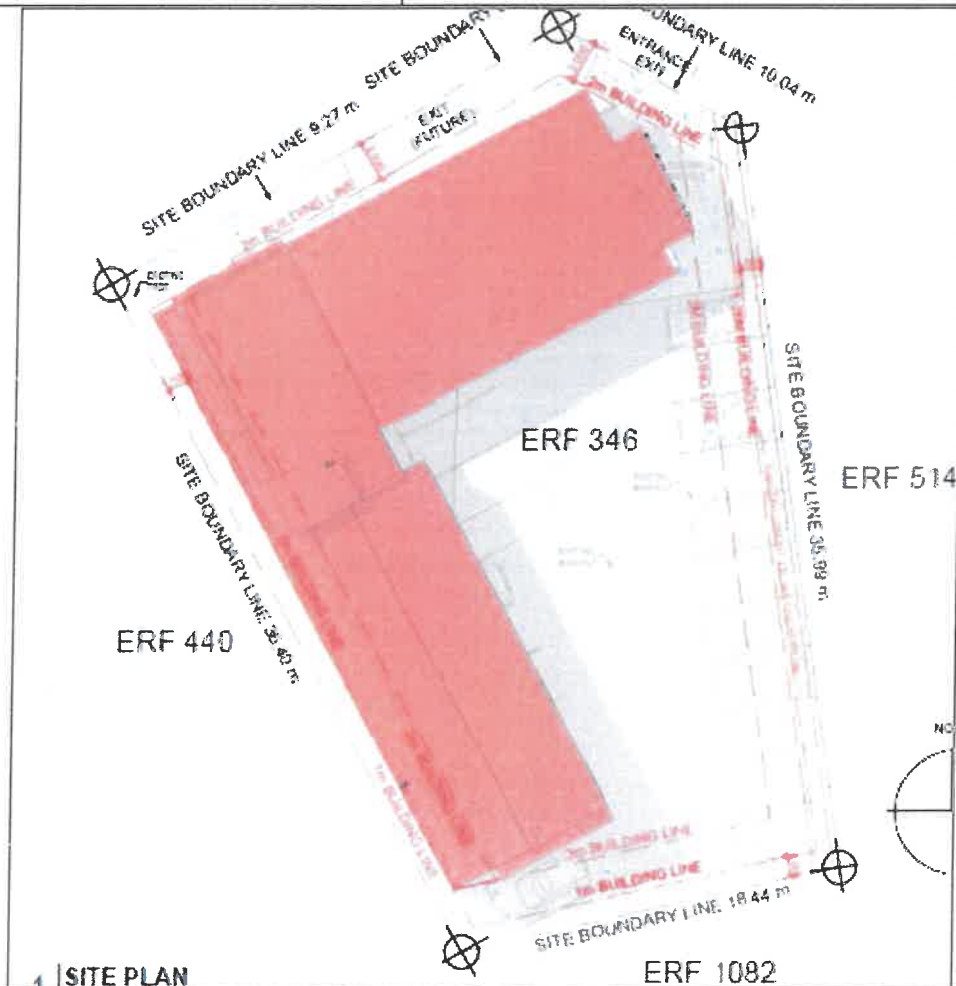
According to the parameters set out in the Stellenbosch Municipal Zoning Scheme By-law there will be a 3m building line on the common boundary if the neighbouring property is not zoned Business or Industrial. This building line is deemed automatically relaxed if the neighbouring owner grants permission in writing and signing the relevant building plans. The proposed building is located 1m from the western common boundary, next to Erf 440, which is zoned Multi-unit Residential Zone. The owner of Erf 440, Gecolo Investment Trust, consented to the proposed relaxation of the building line to 1m and the signed forms and building plans are attached as **Annexure I**.

The building design is elegant, with simple yet bold features. The building design is similar to apartment blocks in the surrounding area, although provision is being made for offices as well. The building will fit into the built up area surrounding it and will densify the uses of Stellenbosch Central. The locality of the erf further supports the densifying of uses, seeing that it is within 250m of the R44, a regional connector, and within 700m from town hall, where commercial and University uses intensifies, which is also within walking distance. The residential nature of the flats will integrate with the neighbouring residential uses and will not have any adverse effect like noise pollution or other. The offices are also seen as a low impact use with little

to no impact on the surrounding area. The areas not used for services, building support or parking areas will be landscaped with grass and trees to ensure an aesthetic development that fits into the surrounding area which is abundant with trees and greenery.

The following parameters apply to Local Business Zone:

Parameters according to the scheme	Development Proposal	Compliance
Street boundary building line: 2m	2m Building line allowed	Compliant
Common boundary building line: 1m Common boundary with other zone: 3m	Common boundary east: 3m building line allowed Common boundary south: 3m building line allowed Common boundary west: 1m building line allowed	Compliant
Coverage: 75%	Coverage: 395m ² = 41%	Compliant
Height: 3 storeys	3 storeys allowed	Compliant
Parking: 1 bedroom flats: 1.5 bays per flat Offices: 4 bays/ 100m ² GLA	12 flats: 18 bays 289m ² GLA: 11 bays Total required: 29 bays Allowed bays: 25 bays	Not compliant, refer to section 7.2 below.



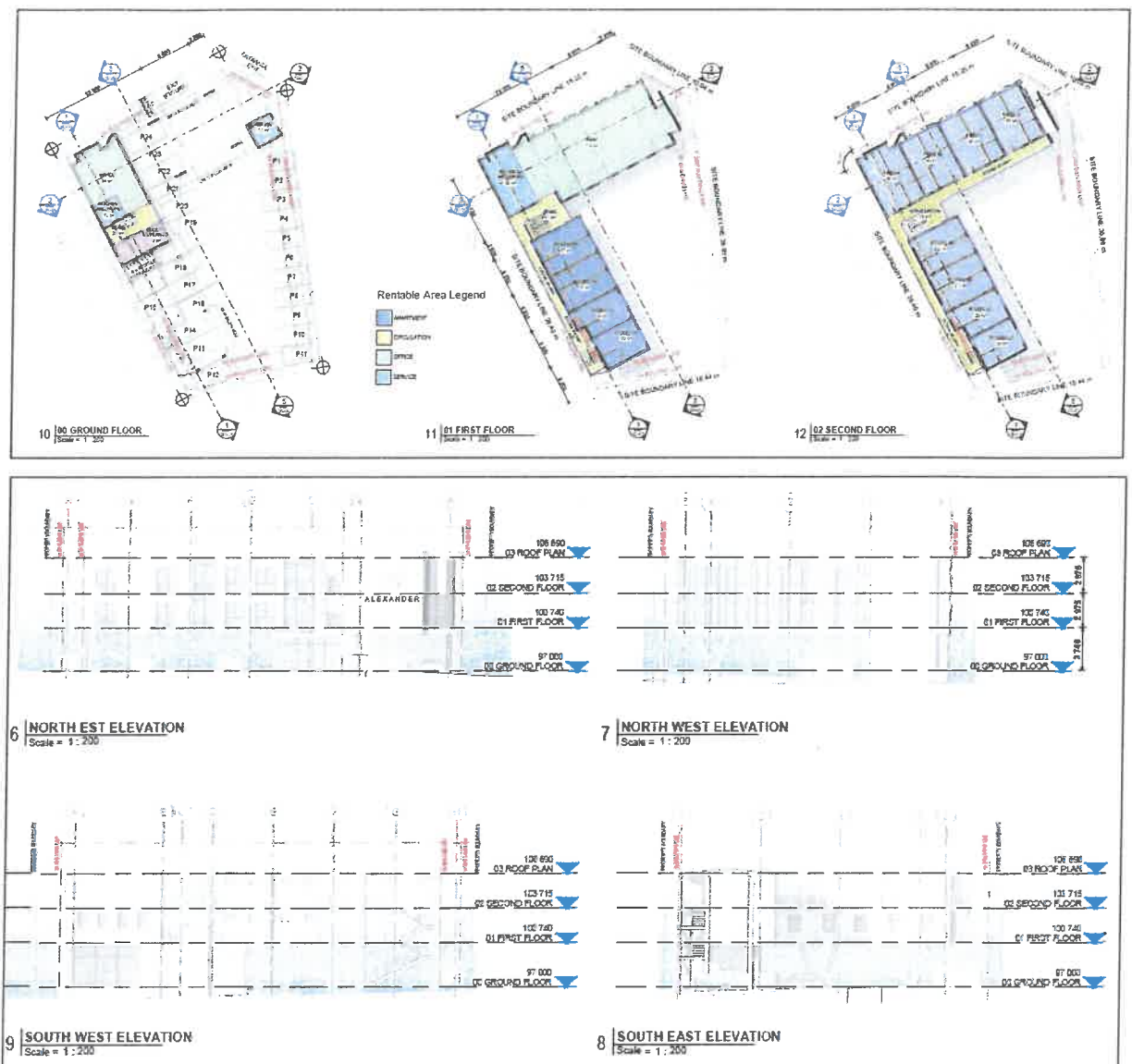


Figure 4: Site Development Plan and Elevations

The building envelope allows for the following:

Residential Flats		
First storey	4 one bedroom units	132m ² area
Second storey	8 one bedroom units	311m ² area
Total:	12 one bedroom units	443m²
Offices		
Ground storey	Office & Kitchen/ablution & Lobby	83m ² GLA
First storey	Office & Kitchen/ablution	206m ² GLA
	Total:	289m² GLA

Access is proposed on the north-eastern boundary of the site where the current entrance to the erf is located of Alexander Street. An additional exit only area will be reserved on the north-western boundary if the future intersection upgrade between Alexander Street / R44/ Adam Tas Road comes into effect. If the upgrade does not take place the original access will continue to be used as is. A refuse area is also located near the entrance for easy access to the road for refuse removal.

7.2. DEPARTURE

The proposed development does not comply with the proposed parking bay requirements, thus the following departure is applied for:

- The proposed **departure on Erf 346, Stellenbosch**, in terms of *Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law 2015*, to depart from the required 29 parking bays to 25 parking bays.

Parking required	
<u>Scheme regulations:</u>	<u>Development:</u>
1 bedroom flats: 1.5 bays per flat	12 flats * 1.5 = 18 bays
Offices: 4 bays/ 100m ² GLA	289m ² GLA/ 100m ² = 11 bays
	Total required: 29 bays

The development provides for 24 parking bays, of which 2 are tandem parking bays which only counts as 1 parking bay, as per the Scheme Regulations, giving a total of 23 parking bays. The development also provides for 4 motorcycle parking bays, which counts as 1 parking bay, and 8 bicycle parking areas, which also counts as 1 parking bay. In total the parking provided, according to the Scheme Regulations, are 25 Parking bays. The parking can be summarised below:

- 22 parking bays = 22 parking bays
- 2 tandem bays = 1 parking bay
- 4 motorcycle bays = 1 parking bay
- 8 bicycle bays = 1 parking bay
- Total = **25 parking bays**

Locality of the property allows for easy walkability to the main centre of the town, which is within 700m. This supports the departure from parking bays, seeing that the residents of the flats will not always require a vehicle and can walk to the town centre which can supply in all the necessary needs of the resident. The erf is further located within 350m from the Stellenbosch train station and public transport pick up and drop off zone, taxi rank, allowing them access to public transport if they need to visit areas outside of walking distance.

The location of two uses on the property allows for the sharing of parking areas as well, ensuring less wasted space and using it in the best possible way. During the day most, or even half, of the residents will possibly not be on site and would've taken their vehicles to go to work or the University during working hours. This will allow the opportunity for their parking bays to be used by the office personnel during working hours.

Parking areas take up a lot of hard surfaced space which cannot be used for leasable areas or areas that are economically viable. By making use of public transport and the locality of the services within walking distance, it ensures less waste of space on parking areas. To ensure the site is used to its full potential 11 of the parking bays are located below the building on the ground floor.

As per the motivation above there are sufficient reasoning why the parking requirements can be departed from allowing only 25 parking bays and not 29 parking bays. See Parking Layout attached as **Annexure J**.

7.3. PRE-SCRUTINY FEEDBACK

A pre-application scrutiny form and annexures were submitted to Stellenbosch Municipality on 1 March 2024. Pre-Scrutiny feedback was received from Pedro April and is attached as **Annexure K**. The following is a summary and response of the feedback received which needed to be clarified:

- a) A Conveyancer Certificate must be submitted – attached as **Annexure C**.
- b) Relating to the proposed access and traffic increase, the Municipal roads department must be contacted to determine if a Traffic Impact Assessment (TIA) will be needed – the department was contacted and a Traffic Impact Statement was required, which is discussed in section 8.1 below and attached as **Annexure L**.
- c) Confirmation must be submitted with the final land use application that approval was granted by the municipal property management department, Environmental Planner from the Community Services Department, and the Heritage Planner that an future exit may be constructed over the Mill Stream and over a Public Open Space, if it is integral to the access requirements of the development – the future exit is only allowed for if the interchange upgrade between Alexander Street / R44 and Adam Tas Road is implemented by the Municipality / Province. It is not required for the development to function and only reserved if the upgrade is implemented. It is further discussed in section 8.1 below.
- d) Confirmation must be given on plan that the parking bays will conform to the standard Zoning Scheme Bylaw parameter in Section 33(10) – the parking area will comply with the parameters, a parking plan is attached as **Annexure J**.
- e) The 1:50 flood line for the Mile Stream must also be indicated if the stream is not channelled along the properties northern border, see erf diagram for the property – the Mill Stream is linked to a massive storm water system in town that starts from the Eerste River. Conducting a flood line analysis will be a large, expensive, report taking into consideration the Eerste River and multiple

other systems through town. There has not been any historical flooding of the Mill Stream outside its banks as most of the water is split in town between multiple systems. It is further known that an intersection upgrade is proposed in the future where the Mill Stream will be piped. Johan Fullard from the Civil Engineering Department was contacted to confirm if the Municipality has historical information and /or if the study is needed. Feedback has not been received to date and comment will be required during the process from said department.

- f) The right of way servitude on the eastern border of the property must be cancelled, or be excluded from the parking area – the necessary consent was received to cancel the servitudes, which will be done by an attorney, refer to **Annexure F** attached.
- g) Please note that kitchens and ablution facilities is not excluded from gross leasable area if it is used by only one tenant of office space. It should subsequently be include for parking ratio calculations if it is not used by more than one tenant as a communal space – the kitchen/ ablutions areas were included in the parking area calculations as per section 7.2 above.
- h) Consideration must be given to Section 97(2)(g) of the Zoning Scheme Bylaw (2023) for the building line alongside a Public Open Space Zone Erf on the common property, if applicable – the entire western boundary is allocated as Alexander Street, as per the Noting Sheet from the Survey General, attached as **Annexure C**, see extract below. The 2018 Stellenbosch Zoning Scheme maps also indicate the northern boundary of the erf as Alexander street and then a public open space erf, known as Erf 303, is located north of the road, see extract below. It is thus confirmed that the erf does not border a public open space and a 2m street building line is applicable.



Figure 5: Noting Sheet extract

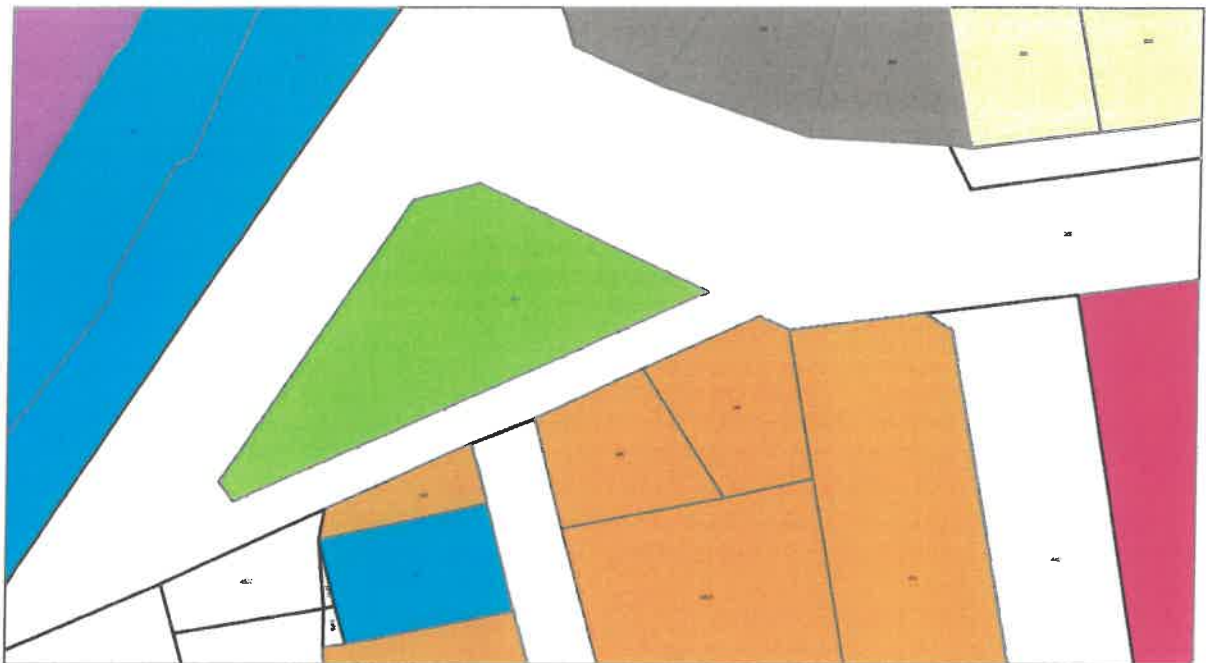


Figure 6: Zoning map extract

8. SPECIALIST REPORTS

8.1. TRAFFIC IMPACT STATEMENT

Compiled by: UDS Africa

Attached as **Annexure L**, the report is summarised below.

The subject property is situated along Alexander Street, between its intersections with the R44 and Papegaai Street. Access to the subject property is currently obtained from Alexander Street.

Access is proposed to remain in a similar position. Upgrades are planned at the R44/Alexander Street intersection which involves the realignment of Alexander Street to intersect the R44 to opposite Adam Tas Road, see figure below. If the realignment of Alexander Street is implemented, it would be the intention to relocate all possible access along the relevant section of Alexander Street to side streets where possible. The subject property is unfortunately not abutted by, or in proximity to, available side street access. Access is thus proposed to remain via Alexander Street, but will accommodate left-turn movements only.

Until such a time that the R44/Alexander Street intersection is upgraded, the existing access configuration is proposed to remain. With upgrade in place, it is proposed to split the inbound- and outbound-lanes, this is considered sufficient to accommodate the proposed development traffic. See extract from the TIS below showing the proposed access points.

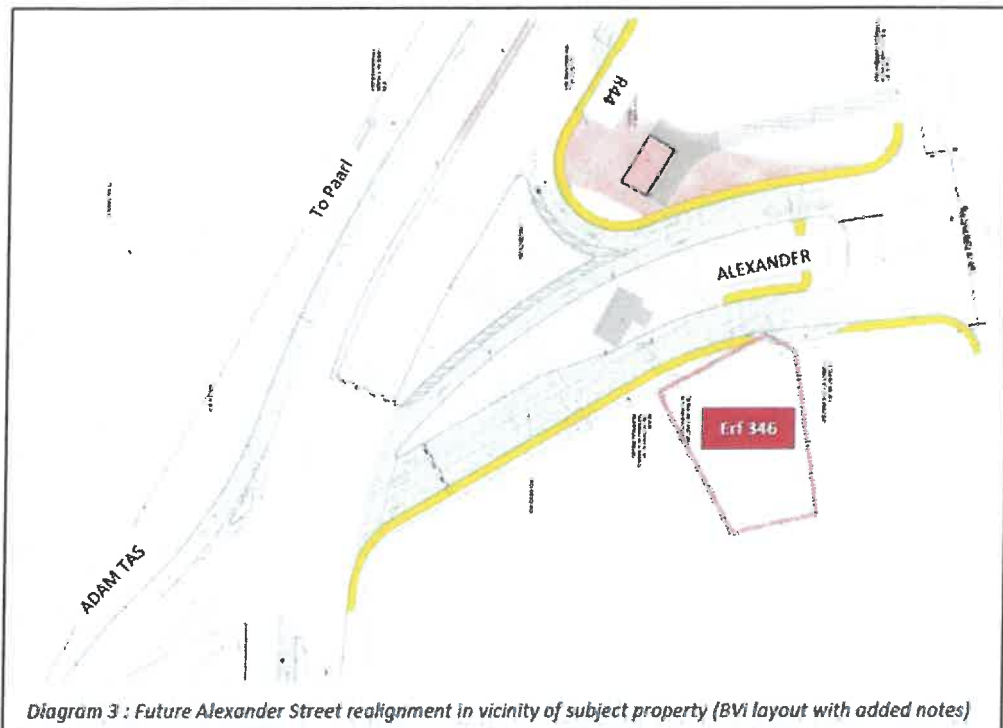
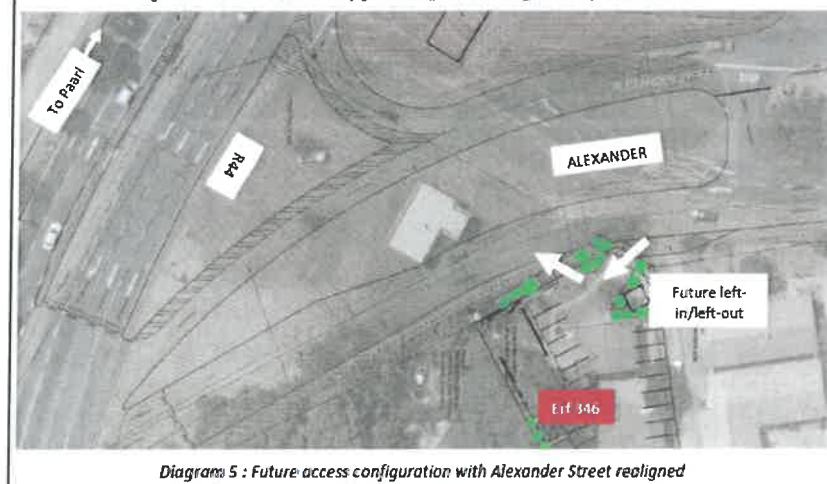


Figure 7: intersection upgrade of Alexander Street and Adam Tas Road



The following can be concluded from the report:

- The proposed development would have the potential to generate 12 peak hour trips (6 in, 6 out), which is not considered significant, and for which external road upgrades are not considered necessary;
- The realignment of Alexander Street to opposite Adam Tas road at its intersection with the R4 is planned, which will impact on the proposed development access, and that based thereon, interim- and future access configuration are proposed to tie in with the existing alignment of Alexander Street until such a time that the realignment is implemented;
- The proposed access (interim and future) consist of sufficient widths to accommodate the proposed development, and that with the detail design of the future access it should be ensured that sufficient / acceptable bell mouth radii are provided;
- Refuse removal will remain via Alexander Street, with a refuse room proposed at the access, and that a dedicated embayment is not considered necessary for the few bins of the proposed development;
- The subject property is situated in the vicinity of the railway station and available taxis and that no additional formal public- or non-motorised transport facilities are considered necessary to accommodate the proposed development.

From the above, it is recommended that the proposed office- and apartment development on erf 346, Stellenbosch, be considered for approval from a traffic flow point of view.

8.2. ELECTRICAL REPORT

Compiled by: DM Consulting Engineers Cape Pty Ltd

Attached as **Annexure M**, the report is summarised below.

The available electrical capacity/load for this development will need to be confirmed in writing with Stellenbosch Municipality as well as their point of supply. Allowance for a recessed metering panel will be required on the boundary wall of the erf to house the meters as well as the circuit breakers for the various tenants for this development. This metering panel will only be accessible by Stellenbosch Municipality once all meters have been installed.

From load calculations, it is recommended to apply for a 200A @ 400V electrical supply for this development. In turn, this indicates that an application for a low voltage supply will be done, and no miniature substation will be required by the client. Load calculation, further indicate the following energy saving measures by the developer:

- Internal LED lighting to be implemented for the development.
- LED lighting to be implemented for the parking spaces as well.
- Energy efficient equipment to be installed throughout the development.

It is recommended that Stellenbosch Municipality confirms the capacity availability for this development in writing.

8.3. CIVIL ENGINEERING REPORT

Compiled by: WEC Property Investments Pty Ltd

Service Report is attached as **Annexure N**.

The following summary was extracted from the civil service report:

- There is existing sewer manholes and pipeline leading to the municipal sewer network.
- There is an existing earth-lined swale channel near the northern property boundary.
- No provision needs to be made for connection to future networks, the existing infrastructure is sufficient.
- Stellenbosch Municipality has not yet confirmed if the water network has capacity to supply the peak demand flow of the proposed development on the site.
- The capacity of the existing storm water network has not yet been determined, but it is assumed that the Stellenbosch Municipality's Storm water Management Plan makes provision for the storm water runoff capacities of the existing residential properties in the area. No increase in the quantity of storm water runoff will be caused by this development.
- The perimeter of the roads and parking will receive a BK2-type barrier kerb in combination with a C1-type channel kerb in areas where storm water will be running on the paved surface.

9. PLANNING POLICY

PROVINCIAL POLICY CONTEXT

The **Western Cape Provincial Spatial Development Framework (PSDF)** was approved and published in March 2014. The main guiding principle on which the PSDF is based is spatial justice, sustainability and resilience, spatial efficiency, accessibility, quality and liveability.

The PSDF supports and contributes to the National Development Plan (NDP) of 2012 which strives to eliminate poverty and reduce inequality by creating jobs and livelihoods, transform urban spaces, expand infrastructure and provide capable public services. The PSDF further supports the OneCape 2040 initiative on the following key transition areas of the OneCape vision:

- Integrated neighbourhoods and upgrading the built environment
- Integrated services planning and provision
- Design and produce settlements that addresses resource scarcity
- Healthy, accessible, liveable, multi-opportunity communities

The proposed development focus on the integration with the surrounding areas to create integrated sustainable uses/nodes by providing complementary uses on one erf. The design of the development must incorporate the use of the natural fall of the land and incorporate service-effective design in the building to ensure the sustainable use of service resources.

The following PSDF's key transitions (p. 32) are relevant to the proposed development:

- Develop mixed-use and compact settlements through competitiveness, social inclusion, quality of life, efficient delivery of affordable services and resilience to environmental hazards and human safety – *the proposed development support integration and mixed uses to support social inclusion and effective usage of land within the town centre;*
- Increase densities in appropriate locations aligned with resources and space economy – *with the Stellenbosch town being the main focus point of development in the Stellenbosch Area, increased pressure is noticed daily as more people move to the western cape from other provinces results in the need for more and more affordable residential opportunities;*
- Integration of complementary land uses – *the site is bordered by other apartment blocks and a guesthouse, the proposal will integrate with these uses by providing similar uses like the flats and supporting uses like offices, which is a low impact use;*
- Cluster activities and promote urban settlements rather than suburban settlements – *the development is proposed within Stellenbosch Central area, ensuring upgrading and densifying stays within the towns urban edge;*

LOCAL POLICY CONTEXT

The **Stellenbosch Spatial Development Framework (SDF)** was approved in 2019 and guides all future development in the municipal area.

Stellenbosch is identified as a potentially significant centre for economic activity and residence within the metropolitan region and SM (as identified in the GCM RSIF). The SDF stipulates that Stellenbosch Town will remain the major settlement within the municipality; a significant centre comprising extensive education, commercial and government services with a reach both locally and beyond the borders of the municipality, tourism attractions, places of residence, and associated community facilities. The town has grown

significantly as a place of study, work, and tourism. With the increase of the local population in the Stellenbosch area, the demand for residential opportunities and spaces to work has also increased.

The SDF further states that residential growth in the town should be provided at higher densities within the town, ensuring a reduction of commuting by private vehicles to and within Stellenbosch town. This development is the perfect example of densifying in an appropriate area to support walkability in the town. The proposed flats will also be available for rent to different price ranges, allowing working individuals and/or students the opportunity for residence.

According to the Stellenbosch Proposal Plan within the SDF, Erf 346, Stellenbosch, is located within a Settlement Centre and shown as existing and proposed urban character areas. The development complies with the following elements and proposals for the town:

- Protective actions – urban edge – contain the footprint of Stellenbosch town as far as possible within the existing urban edge.
- Change actions – areas for residential densification and infill – pro-actively support higher density infill residential opportunity in the town centre, areas immediately surrounding it and along major routes.
- Change actions – areas for mixed land use and improved economic opportunity – retain and actively support mixed use redevelopment and building within the town centre and surrounding areas.
- New development actions – significant new residential development – support infill development on private land within Stellenbosch town in a manner which serves to compact the town.

The **Adam Tas Corridor Local Spatial Development Framework**, September 2021, identifies the development potential next to Adam Tas Road and the future growth next to this corridor. Erf 346 is however outside this area and there are no development suggestions made for the area. Even if the area is not included in the Adam Tas Corridor Proposals, it should also be noticed that the development proposals in the document suggest significant infill development, of which the proposed development complies with.

10. PRINCIPLES FOR LAND USE PLANNING

The criteria for the assessment of application as per Chapter VI Section 59 of the Land use Planning Act, 2014 (Act 3 of 2014) and Chapter 2 Section 7 of the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) are addressed as follows:

- **Spatial Justice**

The proposed development meets the growing demand for residential opportunities in response to the ongoing trend of urbanisation. With the population continuously increasing due to natural

growth and in-migration, urbanization remains a significant factor. The demand for residential and economic opportunities within the town Centre continues to rise, creating a constant need for more space in a town with limited area for infill. It is crucial to utilize underdeveloped land within the urban centre for urban development to prevent urban sprawl and promote efficient land use.

The development proposal is fully aligned with the *Stellenbosch SDF*. These spatial planning instruments guide future development at the local municipal level. The physical footprint of the proposed development supports an urban type of development, promoting an integrated settlement that discourages further segregation within the community. The aim is to provide residential opportunities and economic opportunities for all, including those who have historically faced disadvantages in accessing suitable accommodation.

By offering 12 new flats and 2 offices, the development contributes to addressing residential and economic need within the town centre. It ensures that individuals, regardless of their background, have increased opportunities to find appropriate living space and economic opportunities. This development is consistent with the principles of inclusivity and equity, promoting a more balanced and integrated community.

- **Spatial Sustainability**

The proposed development exemplifies spatial compactness and sustainable resource utilization within the designated Urban Edge of Stellenbosch. It is designed with long-term viability and sustainability in mind, ensuring its economic and environmental feasibility. To ensure financial sustainability, the development will not be implemented in phases, promoting both short and long-term financial stability. By maximizing the use of existing infrastructure and optimizing the site's potential, the development minimizes any financial burden on the Municipality. On the contrary, it serves as an economic boost to the town and the Municipality.

The development prioritizes the equitable use of resources to enhance the quality of life for its residents. The physical footprint of the proposed development aligns with the objective of fostering compact and integrated settlements. This approach encourages a sense of cohesion and inclusivity within the community, ensuring that residents have access to essential amenities and fostering a sense of belonging.

Crucially, the development aims to provide residential opportunities for all, including previously disadvantaged individuals. With the provision of 12 residential units, the development actively addresses residential needs and increases access to suitable accommodation within the Urban

Edge of Stellenbosch. This contributes to reducing disparities in residential and economic opportunities and aligns with the objective of promoting equitable options for all.

- **Efficiency**

The proposed development aims to enhance the utilization of existing services and spaces, promoting the densification of Stellenbosch Central within the designated Urban Edge. By establishing uses that offers more opportunities compared to the current land use, the development seeks to maximize the potential of the property. Currently derelict, the relevant property presents an opportunity to increase the efficiency of the land by developing it to its full potential. This approach aligns with the guidelines outlined in the *Stellenbosch MSDF* and the Zoning Scheme, ensuring that future development is regulated appropriately.

The proposed development optimizes the efficiency of both the land and services available, making the most effective use of these resources. By doing so, it contributes to the meaningful utilization of the land for a much-needed and beneficial land use. This approach supports the overarching goal of maximizing the potential of the property while adhering to the principles of sustainable development

- **Principles of good Administration**

The proposed development will be subject to a public participation process whereby all interested and affected individuals and departments will be approached to comment. The decision making process will be guided by statutory land use planning systems.

- **Spatial resilience**

The principle of spatial resilience allows more flexibility in spatial plans, policies, and systems. The proposed development will contribute to spatial resilience by creating more flexible and adaptable land use patterns. The development will be resilient in terms of the multiple uses that may be permitted on the erf with council's approval.

11.CONCLUSION

The proposed application for the rezoning and departure of Erf 346 to accommodate 12 flats and 2 offices, comply with the goals of the Local and Provincial Planning Policies with regards to service provision as follows:

- The proposed development enhances the principles of **LUPA and SPLUMA**.
- The proposal complies with the **Stellenbosch MSDF** as the main forward planning documents for Stellenbosch and the District as a whole.

- The proposal will be subject to the development parameters of as set out in the **Stellenbosch Municipal Zoning Scheme By-law**.
- The development as envisaged complies with the **Western Cape PSDF** policy initiatives on densification and the optimal utilization of infrastructure and services within the urban context. This development will promote smart growth by ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill development.
- The development proposal will **complement the character of the area** and not adversely affect any natural conservation areas or surrounding agricultural practices.
- The implementation of this proposed development will effectively **integrate with the existing mixed use areas** to ensure the sustainability of the proposal and contribute to the viability of the town.
- There are **no physical restrictions** on the property that will negatively affect the proposed development.
- There is a **need for residential and economic opportunities** within the town centre to accommodate the urbanisation of the town.
- **Job opportunities** will be created during the construction phase and more opportunities will be available in the offices, promoting economic growth within the area.
- The **optimal utilisation of existing services**, as it reduces past expenditure on infrastructure.
- The development is easily accessible and there will be **no major negative effects on the surrounding built or natural environment**.
- The development area is located within the **Urban Edge** of Stellenbosch.

This office supports the proposed development of Erf 346, Stellenbosch, providing for better and more effective utilisation of land, infrastructure and services within the designated area with densification and mixed use opportunities. In light of the above, we herewith respectfully request the application to be consider favourably.



Zanelle Nortjé

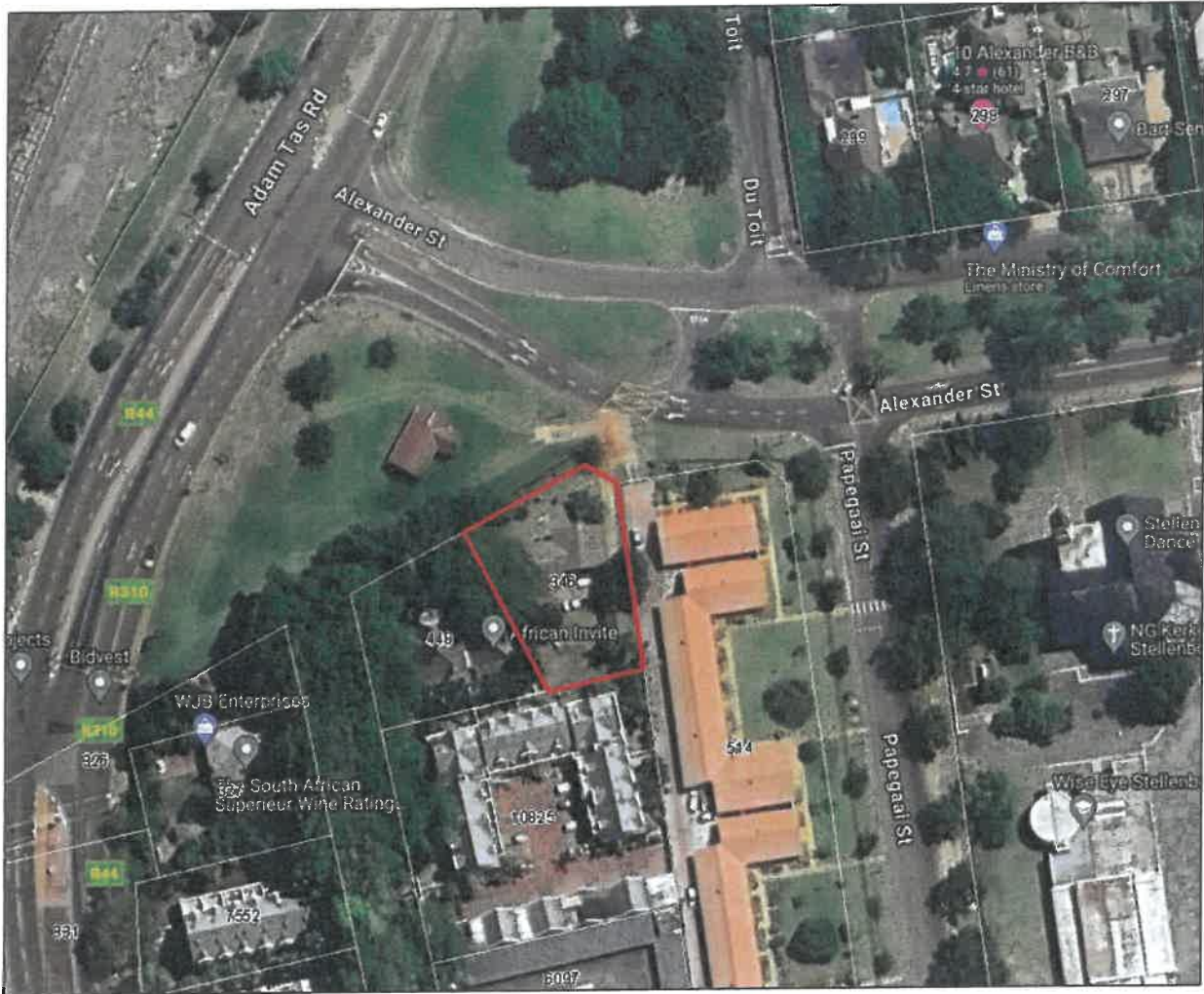
For CK Rumboll and Partners

APPENDIX 4

Portfolio of Evidence

PORTFOLIO OF EVIDENCE ADDENDUM: **PROPOSED REZONING AND DEPARTURE** **OF ERF 346, STELLENBOSCH**

Our reference: STB/13442/ZN



REVISION 2: JULY 2025

Compiled by:



CK RUMBOLL
& PARTNERS

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1. INTRODUCTION

CK Rumboll and Partners was appointed by WEC Property Investments Pty Ltd to undertake an application for the rezoning and departure on Erf 346, Stellenbosch, to allow for 12 apartments and 2 open plan offices on the property. The application was submitted in June 2024 and followed the necessary public participation process. It is the purpose of this document to compile all comments received during the proses and respond where necessary. This document will also set out the proposed amendment of the Site Development Plan (SDP) to accommodate the objections received.

2. INTERNAL DEPARTMENTS OF STELLENBOSCH

The following comments were received from the internal departments of Stellenbosch Municipality:

a) Fire and Disaster Management:

- No objection on the application. Comment will be submitted on building plan stage

b) Department of Health:

- No objections from an environmental health point with regards to the application

c) Infrastructure Services: Civil Engineering Services

- Water: utilised existing water connection and a bulk water meter must be installed
- Sewer: existing sewer connection is to be utilised.
- Roads: until the R44/Alexander Street intersection is upgraded, the existing access may remain. When the upgrade is in place, the inbound and outbound lanes must be split at the cost of the developer.
- Solid waste: refuse room must be completed according to municipal standards.
- Development Charges (DCs): the DC are given and applicable to the development
- General: all services should comply with Municipal standards and guidelines. All internal services are private and should be maintained by the developer/HOA.

d) Spatial planning:

- Further engagement is required and review by the Conservation Advisory Committee (CAC).

Letters are attached as **Annexure J**.

As per the comment from Spatial Planning the Site Development Plan (SDP) was presented to Conservation Advisory Committee (CAC). The necessary amendments to the SDP was made after meetings on the 5th of May 2025 and 26th of May 2025 with the CAC and the SDP was supported by the CAC at the meeting dated 30th of June 2025. The following extract is from the minutes, see email attached as **Annexure R**.

"ITEM 5.1

APPLICATION IN TERMS OF STELLENBOSCH ZONING SCHEME REGULATION: PROPOSED NEW BUILDING IN THE HISTORICAL AREA. ERF 346: 1 ALEXANDER STREET: STELLENBOSCH.

RECOMMENDATIONS:

The SDP is supported.

CONDITIONS

The final drawings are to be returned to the committee before they are submitted for final approval at the Building Plans Department."

3. EXTERNAL DEPARTMENT: WC DEPT OF TRANSPORT

Western Cape Department of Transport and Public Works (Department of Transport) was asked to comment on the proposed application, as the development affects the R44, which is a provincial road managed by Stellenbosch Municipality. Department of Transport requested Stellenbosch Municipality's comment on the development before they finalise their comment, see communication attached as **Annexure G**. The support letter from Stellenbosch Civil Engineering Department was received and sent to Department of Transport for their final comment.

Department of Transport sent their final letter, dated 14 March 2025, attached as **Annexure K**. The Department of Transport offered no objection against the application, provided that the recommendations of the Traffic Impact Statement from UDS Africa Consultants are implemented.

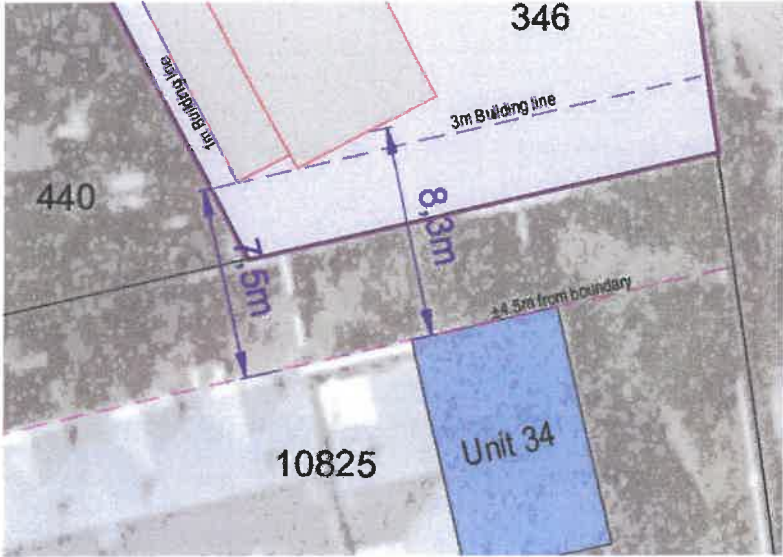
4. INTERESTED AND AFFECTED PARTIES / NEIGHBOURS

4.1. SUPPORTING COMMENTS

There was one comment received from Interested and Affected parties, being Mr Johan van der Merwe, owner of Erf 299, Stellenbosch, who had no objection against the proposed development. See his comment attached as **Annexure L**.

4.2 OBJECTIONS

An objection was received from the owners of Erf 10825, Unit 34 of the Amatoni flats, and is attached as **Annexure M**. The objection was summarised and our response is tabled below:

Comment from Objector	Response
<p>A. The proximity of the new residential units are too close to Unit 34 of the Amatoni building, with only a 5m gap between buildings, privacy is compromised.</p> <p>B. Apartments 1D and 2D will have direct line of sight into the main bedroom, living room and private garden, this disregards the right to privacy.</p>	<p>A. On the common boundary between Erf 10825 and Erf 346 the building complies with the prescribed building line of 3m as per the Stellenbosch Zoning Scheme By-law 2023. The space between Unit 34 of the Amatoni flats and the proposed building is approximately 8m wide, which minimises any impact on the existing buildings. The figure below shows the position of the buildings.</p>  <p>B. No windows are proposed on the southern side of the building, looking onto Erf 10825. Windows are only proposed on the eastern side of the building. The view sheds from the windows are shown in the figure below. As can be seen from the figure the proposed apartments cannot look onto the buildings on Erf 10825 and can only overlook the garden if leaning out the window.</p> 

<p>C. The noise pollution that will inevitably result from close quarters is an issue. The constant presence of residents and the associated sounds within such proximity will disrupt the peaceful environment.</p> <p>D. The traffic congestion on the R44 is already at a critical point. Addition of new residents, retail space and vehicles will exacerbate this, leading to further delays and safety hazards on an already strained intersection.</p> <p>E. It is noted that the intersection will be upgraded in the future, but without a timeline and completed upgrade the infrastructure cannot support the development.</p> <p>F. The building and site plan needs to be reviewed and only reconsidered after the necessary upgrades to local infrastructure have been implemented or proven successful.</p>	<p>C. The current zoning of Erf 346 is Multi-Unit Residential Zone, which allows flats as a primary use. The presence of residents are allowed on the property and the suggested flats under a Local Business Zone will not cause more disturbance. The surrounding properties are all used for residential purposes, which demonstrates that residential use is compatible in the area and will be an expansion of existing uses in the area. There is no evidence to suggest that the proposed development of flats and offices will generate more noise than are already audible in the area. Sufficient legislation are in place that can be used to regulate noise pollution if it exceeds the acceptable limit, for example the Stellenbosch Municipality Noise Policy of 2018.</p> <p>D. A Traffic Impact Statement (TIS) was drafted to assess the impact of the proposed development on the surrounding road infrastructure, the TIS was submitted with the application. The conclusion of the TIS was that the development will only generate 12 peak hour trips, which is not considered significant, and thus external road upgrades are not considered necessary. The TIS and access configuration was accepted by Stellenbosch Civil Engineering Department, attached as Annexure J, and the Western Cape Department of Transport, attached as Annexure K. The expertise of the consultant and relevant departments are sufficient to assess the impact of the proposed development on the road infrastructure.</p> <p>E. The TIS assessed and made suggestions for both the current access and the future access onto the upgraded intersection. Both access configurations are sufficient for the proposed development, as per the TIS conclusion and the support letters mentioned in discussion point D above.</p> <p>F. Although the proposed building design submitted with the motivational report, proposing 12 flats and 2 offices, complies with the Zoning Scheme parameters and the relevant spatial proposals of the Spatial Development Framework (SDF), the developer has reconsidered the layout and proposed uses of the building. As the objector is mostly concerned with the residents in the flats the Site Development Plan</p>
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	(SDP) was amended to allow for three office spaces and a deduction to only 8 flats. The proposed amendment is explained in detail below. Refer to discussion points D and E above with regards to the impact of the development on the upgrading of the intersection.
--	---

5. THE PROPOSED DEVELOPMENT – AMENDMENT

As mentioned above the land owners amended the Site Development Plan (SDP) after receiving the objection, as summarised above. The concern of the objector was mainly aimed at the residential proposal of the development. The SDP was thus amended to allow for more office space and less residential flats. The application is thus amended as follows:

Original Application	Amended application
The proposed rezoning of Erf 346, Stellenbosch, in terms of <i>Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law 2015</i> , from Multi-Unit Residential Zone to Local Business Zone to accommodate <u>12 flats and 2 offices</u> ;	The proposed rezoning of Erf 346, Stellenbosch , in terms of <i>Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law 2015</i> , from Multi-Unit Residential Zone to Local Business Zone to accommodate 8 flats and 3 offices ;
The proposed departure on Erf 346, Stellenbosch, in terms of <i>Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law 2015</i> , to depart from the required <u>29 parking</u> bays to 25 parking bays.	The proposed departure on Erf 346, Stellenbosch , in terms of <i>Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law 2015</i> , to depart from the required 28 parking bays to 22 parking bays.
	The proposed permission in terms of the zoning scheme on Erf 346, Stellenbosch , in terms of <i>Section 15(2)(g) of the Stellenbosch Municipal Land Use Planning By-Law 2015</i> , for a new building in the Urban and Rural Conservation Overlay Zone.

The detail with regards to the proposed amendment is set out below.

5.1. REZONING

The proposal remains to **rezoning of Erf 346, Stellenbosch**, in terms of *Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law 2015*, from Multi-Unit Residential Zone to Local Business Zone, but the building layout has changed to allow 3 offices and 8 flats. This will lessen the impact of the development outside of business hours with regards to movement on the property of less residents.

The purpose of Local Business Zone is to allow for low-density commercial uses within residential areas and supports a mix of land uses that can co-exist without negatively impacting on each other. A business premises (including offices) and flats are primary uses under Local Business Zone, which make the zoning ideal for the proposed development, suggesting 3 open offices and 8 flats on site.

The position of the proposed building remains the same, only structural amendments were made to comply with the objectors concerns and the design requirements of the Conservation Advisory Committee (CAC). The building will still be located on the north-western corner of the property in an L-shape, allowing for a three storey building. The uses per storey is as follows:

- The ground floor is earmarked for an office, an entrance foyer and storage units.
- The first floor is earmarked for a foyer, an office, communal bathrooms and 4 one-bedroom apartments.
- The second floor is earmarked for a foyer, an office, communal bathrooms and 4 one-bedroom apartments.
- A portion of the roof will be allocated as a rooftop terrace which will be accessible to all the offices and residents for recreational purposes.

The Amended Site Development Plan is attached as **Annexure N**.

According to the parameters set out in the Stellenbosch Municipal Zoning Scheme By-law there will be a 3m building line on the common boundary if the neighbouring property is not zoned Business or Industrial. This building line is deemed automatically relaxed if the neighbouring owner grants permission in writing and signing the relevant building plans. The proposed building is located 1m from the western common boundary, next to Erf 440, which is zoned Multi-unit Residential Zone. The owner of Erf 440, Gecolo Investment Trust, consented to the proposed relaxation of the building line to 1m and the signed forms and building plans are attached as **Annexure Q**.

The building design is elegant, with simple yet bold features. The building design is similar to apartment blocks in the surrounding area, although provision is being made for offices as well. The building will fit into the built up area surrounding it and will densify the uses of Stellenbosch Central. The main focus of the internal design of the building is to maximise the space by allowing multiple use areas like communal bathrooms, rooftop terrace and meeting rooms. The locality of the erf further supports the densifying of uses, seeing that it is within 250m of the R44, a regional connector, and within 700m from town centre, where commercial and University uses intensifies, which is also within walking distance. The residential nature of the flats will integrate with the neighbouring residential uses and will not have any adverse effect like noise pollution or other. The offices are also seen as a low impact use with little to no impact on the surrounding area. The areas not used for services, building support or parking areas will be landscaped with grass and

trees to ensure an aesthetic development that fits into the surrounding area which is abundant with trees and greenery.

The following parameters apply to Local Business Zone:

Parameters according to the scheme	Development Proposal	Compliance
Street boundary building line: 2m	2m Building line allowed	Compliant
Common boundary building line: 1m Common boundary with other zone: 3m	Common boundary east: 3m building line allowed Common boundary south: 3m building line allowed Common boundary west: 1m building line allowed	Compliant
Coverage: 75%	Coverage: 395m ² = 41%	Compliant
Height: 3 storeys	3 storeys allowed	Compliant
Parking: 1 bedroom flats: 1.5 bays per flat Offices: 4 bays/ 100m ² GLA	8 flats: 12 bays 400m ² GLA: 16 bays Total required: 28 bays Allowed bays: 22 bays	Not compliant, refer to section 5.2 below.

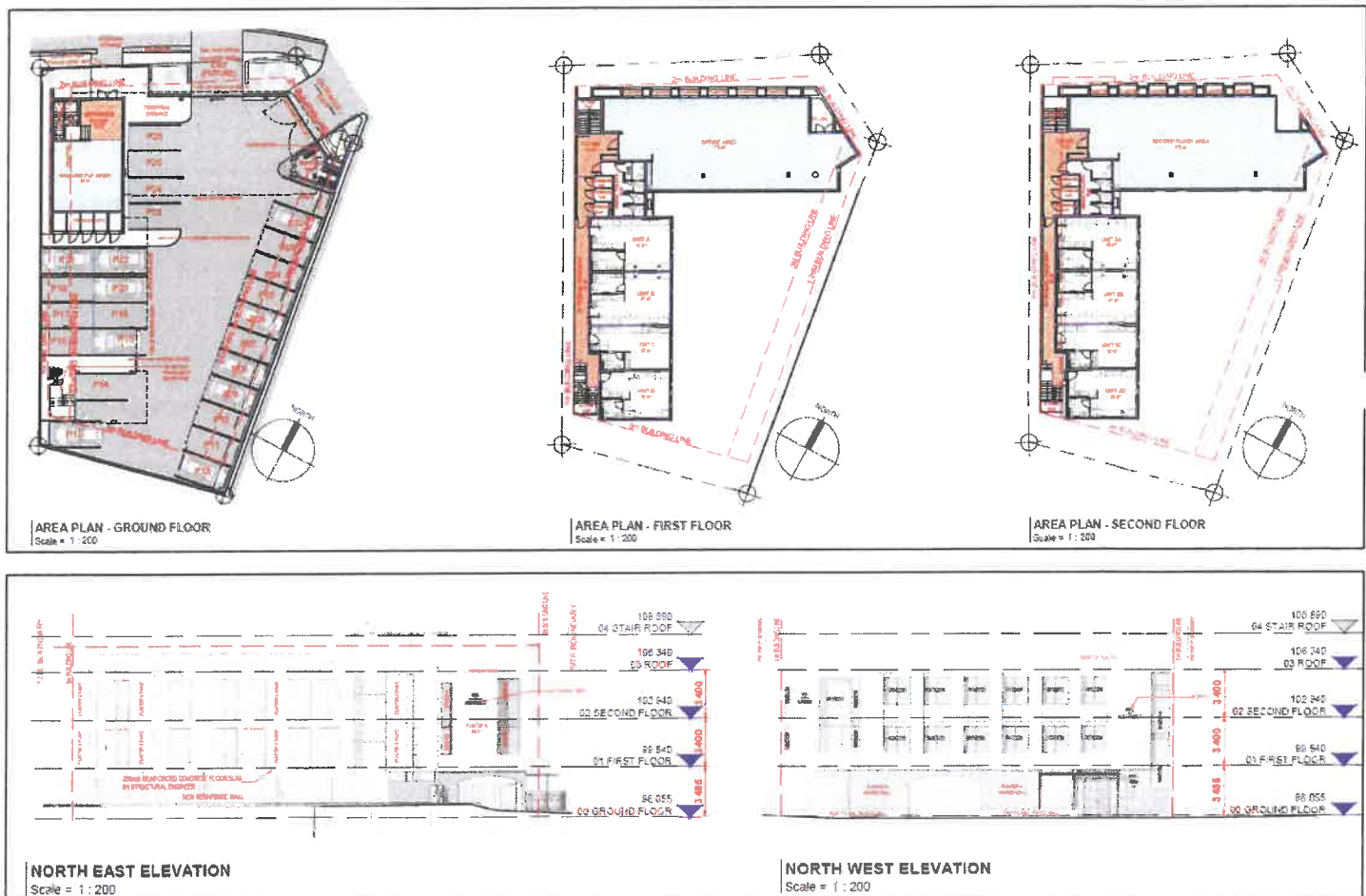


Figure 1: Site Development Plan and Elevations

The building envelope allows for the following:

Residential Flats		
First floor	4 one bedroom units	152m ² area
Second floor	4 one bedroom units	152m ² area
Total:	8 one bedroom units	304m²
Offices		
Ground floor	Office & ablution	50m ² GLA
First floor	Office & ablution	175m ² GLA
Second floor	Office & ablution	175m ² GLA
	Total:	400m² GLA

The communal areas like ablution and rooftop terrace is not calculated as part of the Gross Leasable Area (GLA) as per the definition in the Zoning Scheme.

Access is proposed on the north-eastern boundary of the site where the current entrance to the erf is located of Alexander Street. An additional 'exit only' area will be reserved on the north-western boundary if the future intersection upgrade between Alexander Street / R44/ Adam Tas Road comes into effect. If the upgrade does not take place the original access will continue to be used as is. A refuse area is also located near the entrance for easy access to the road for refuse removal.

5.2. DEPARTURE

The proposed development does not comply with the proposed parking bay requirements, although after the amendment the building plan less parking is required and it is proposed to **departure from parking on Erf 346, Stellenbosch**, in terms of *Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law 2015*, from the required 28 parking bays to 22 parking bays.

Parking required	
<u>Scheme regulations:</u>	<u>Development:</u>
1 bedroom flats: 1.5 bays per flat	8 flats * 1.5 = 12 bays
Offices: 4 bays/ 100m ² GLA	400m ² GLA/ 100m ² = 16 bays
	Total required: 28 bays

The development provides for 26 parking bays, of which 8 are tandem parking bays which only counts as 4 parking bays, as per the Scheme Regulations, giving a total of 22 parking bays. In total the parking provided, according to the Scheme Regulations, are 22 Parking bays.

The parking can be summarised below:

- 18 parking bays = 18 parking bays
- 8 tandem bays = 4 parking bays
- Total = 22 parking bays

Locality of the property allows for easy walkability to the main centre of the town, which is within 700m. This supports the departure from parking bays, seeing that the residents of the flats will not always require a vehicle and can walk to the town centre which can supply in all the necessary needs of the resident. The erf is further located within 350m from the Stellenbosch train station and public transport pick up and drop off zone, taxi rank, allowing them access to public transport if they need to visit areas outside of the comfortable walking distance.

The location of two uses on the property allows for the sharing of parking areas as well, ensuring less wasted space and using it in the best possible way. During the day most, or even half, of the residents will possibly not be on site and would've taken their vehicles to go to work or the University during working hours. This will allow the opportunity for their parking bays to be used by the office personnel during working hours.

Parking areas take up a lot of hard surfaced space which cannot be used for leasable areas or areas that are economically viable. By making use of public transport and the locality of the services within walking distance, it ensures less waste of space on parking areas. To ensure the site is used to its full potential 13 of the parking bays are located below the building on the ground floor. A total of 8 tandem parking bays are located underneath the building which can be effectively managed by the offices, seeing that business hours will potentially be the same for the users of the offices. The second tandem parking bay can also be allocated to visitors.

As per the motivation above there are sufficient reasoning why the parking requirements can be departed from allowing only 22 parking bays (with an additional 4 tandem parking bays) and not the required 28 parking bays.

5.3. PERMISSION

Due to the locality of Erf 346, Stellenbosch, within the Urban and Rural Conservation Overlay Zone, application is made for **permission in terms of the zoning scheme** in terms of *Section 15(2)(g) of the Stellenbosch Municipal Land Use Planning By-Law 2015*, for a new building.

According to the Stellenbosch Zoning Scheme the purpose of the Urban and Rural Overlay Zone is to control development in order to protect and enhance the character of an area. Erf 346 is located in the Stellenbosch Urban Conservation Area. A new buildings or structures propose in this area needs to be assessed by the

Conservation Advisory Committee (CAC). After three presentations to the CAC and amending the plans as per their suggestions, the CAC supported the latest SDP. They also imposed a conditions that the final plans should be assessed by the committee again before final building plan approval. The proposed building will comply with all the parameters set out in the overlay zone, which includes, but not limited to, building material, façade, paint, fencing, etc.

After the necessary amendments were made to the plan to ensure the building complies and fit into the architectural style of the area, it is with confidence that the application for permission in terms of the zoning scheme can be supported.

6. SPECIALIST REPORTS

6.1. TRAFFIC IMPACT STATEMENT - ADDENDUM

Compiled by: UDS Africa

Addendum to the TIS is attached as **Annexure P**.

The Traffic Impact Statement (TIS) was submitted with the original application, which support the proposed development with no additional road upgrades needed. As mentioned before two access options were considered, one for the current access and then one for the upgrade of the Alexander Street, Adam Tas Road and the R44 intersection.

With the proposed amendment to allow 3 offices and 8 apartments, UDS Africa assessed the impact of the amendment on their findings and compiled an addendum, attached as **Annexure P**.

The changes were seen as minor internal changes and it is not expected to result in any significant changes in terms of traffic point of view. The amendment will result in 1 additional trip during peak hour, which is not considered significant. The recommendation of the TIS thus remains applicable.

The recommendations of the TIS were accepted by Stellenbosch Civil Engineering Department, attached as **Annexure J**, and the Western Cape Department of Transport, attached as **Annexure K**. The amendment will not change the impact of these decisions.

6.2. CIVIL ENGINEERING REPORT - ADDENDUM

Compiled by: WEC Property Investments Pty Ltd

Addendum to the Service Report is attached as **Annexure O**.

WEC Property Investments Pty Ltd compiled a service report, which was submitted with the original motivation report. They assessed the impact of the proposed amendment on services and confirmed that the revision will not affect the required services. The amendment does not impact any proposed civil services, including water supply, sewer and storm water flow, electrical supply, parking, road access and solid waste management. The recommendations of the service report remains applicable.

The recommendations of the service report were accepted by Stellenbosch Civil Engineering Department, attached as **Annexure J** and the amendment will not change the impact of these decisions

7. PLANNING POLICY

The motivation for the development in the original application remains applicable. The proposed development still complies and supports the **Western Cape Provincial Spatial Development Framework (PSDF)** and **Stellenbosch Spatial Development Framework (SDF)**

8. PRINCIPLES FOR LAND USE PLANNING

The criteria for the assessment of application as per Chapter VI Section 59 of the Land use Planning Act, 2014 (Act 3 of 2014) and Chapter 2 Section 7 of the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) are addressed in the original motivation and remains applicable. The proposed development still complies and support **Spatial Justice, Spatial Sustainability, Efficiency and Spatial Resilience**. In terms of the **Principles of good Administration**, the instruction to advertise was complied with and the public participation was done as prescribed.

9. CONCLUSION

The proposed application for the rezoning, permission and departure of Erf 346, Stellenbosch, to accommodate 8 flats and 3 offices, comply with the goals of the Local and Provincial Planning Policies with regards to service provision as follows:

- The proposed development enhances the principles of **LUPA and SPLUMA**.
- The proposal complies with the **Stellenbosch MSDF** as the main forward planning documents for Stellenbosch and the District as a whole.
- The proposal will be subject to the development parameters, if not departed from, as set out in the **Stellenbosch Municipal Zoning Scheme By-law**.

- The development as envisaged complies with the **Western Cape PSDF** policy initiatives on densification and the optimal utilization of infrastructure and services within the urban context. This development will promote smart growth by ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill development.
- The development proposal will **complement the character of the area** and not adversely affect any natural conservation areas or surrounding agricultural practices.
- The implementation of this proposed development will effectively **integrate with the existing mixed use areas** to ensure the sustainability of the proposal and contribute to the viability of the town.
- There are **no physical restrictions** on the property that will negatively affect the proposed development.
- There is a **need for residential and economic opportunities** within the town centre to accommodate the urbanisation of the town.
- **Job opportunities** will be created during the construction phase and more opportunities will be available in the offices, promoting economic growth within the area.
- The **optimal utilisation of existing services**, as it reduces past expenditure on infrastructure.
- The development is easily accessible and there will be **no major negative effects on the surrounding built or natural environment**.
- The development area is located within the **Urban Edge** of Stellenbosch.

This office supports the proposed development of Erf 346, Stellenbosch, providing for better and more effective utilisation of land, infrastructure and services within the designated area with densification and mixed use opportunities. In light of the above, we herewith respectfully request the application to be considered favourably.



Zanelle Nortjé

For CK Rumboll and Partners

ANNEXURE A: POE CHECKLIST AND DECLARATION



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July 2021v2

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

SUBMIT COMPLETED FORM TO RELEVANT LAND USE MANAGEMENT ADMINISTRATOR

LAND USE PLANNING APPLICATION: PUBLIC PARTICIPATION PROCESS

PORTFOLIO OF EVIDENCE (POE) CHECKLIST AND DECLARATION

Sections 45, 46 and 55 of the Stellenbosch Municipal Land Use Planning By-Law (2015)

Erf / Farm no	Erf 346	Portion(s) if farm	-	Allotment Area	Stellenbosch		
Owner/ Applicant	Zanelle Nortje (applicant)			LU/#	LU/17275 (TP780/2024)		
Notice Period	From:	10 October 2024		To:	13 November 2024		
CONFIRMATION OR DOCUMENTATION SUBMITTED				OWNER/APPLICANT			ADMIN VERIFY
				YES	NO	N/A	
1. The declaration is duly signed				X			☒
2. Applicant confirms that the public participation process was duly undertaken as instructed and attached				X			
3. Municipality informed of the start date and closure date				X			
4. The advertisement period complies with the required 30 days (60 days for municipal departments and organs of state)				X			
5. If applicable, confirms that the site notice was placed and kept on site for the full duration of the public participation process				X			
6. All communications (other than notices) in respect of the public participation process attached				X			
Proof of notices published							
7. If applicable, photo evidence to confirm site notice (one close up and one from across the street)				X			
8. Wording of the advertisement accurate and copy attached				X			
9. Proof of notices published (publication date visible)				X			
Proof of notices served							
10. Wording of notice accurate and example attached				X			
11. Proof of all notices served to neighbouring properties attached				X			
12. Proof of all notices served to interest and community groups attached				X			
13. Proof of all notices served to municipal departments and organs of state (government dept's and entities) attached				X			
Comments received							
14. All objections and comments received attached, including amended comments if relevant				X			
15. All comments from municipal departments and organs of state received (must also be attached to POE)				X			
16. Consent from abutting property owners obtained and attached				X			
17. Applicant's written reply / responding comments on all the objections attached				X			

KINDLY NOTE:

1. The POE may only be submitted once all relevant municipal departments and organs of state have submitted their comment, inclusive of the applicant's written reply thereto.
2. When any comments have been discussed or amended terms negotiated with the relevant commenting entity, the amended comments and the applicant's written reply thereto must be attached to the POE.
3. The decision-making period will only commence after receipt and confirmation of a complete POE in accordance with section 57 of the Bylaw.

COMPLETE AND SIGN THE FOLLOWING DECLARATION**DECLARATION**

I, (full names & surname) ZANELLE NORTJE

and ID No: 9101110077085, as the Applicant for the above application, hereby confirms:

- 1) the public participation process for the subject application was duly undertaken in accordance with the instruction for such process and the associated requirements stipulated in the Stellenbosch Municipal Land Use Planning Bylaw;
- 2) the information contained in the above checklist and the accompanied information and documentation in the Portfolio of Evidence for the concluded public participation process, are accurate and complete; and
- 3) the personal information (e.g. name, address, contact details) of interested and affected parties as supplied by the Municipality was only used for official municipal communication matters with reference to the Protection of Personal Information Act 4 of 2013 (POPI).

Duly signed on **7 APRIL 2025**
Date

at **MALMESBURY**
Place



Signature

For office use only

CHECKED BY ADMINISTRATIVE OFFICER

CHECKED BY TOWN PLANNER

DATE VERIFIED

NOTES TO BE RECORDED:

Received 29/07/2025

**ANNEXURE J: COMMENTS RECEIVED FROM
INTERNAL DEPARTMENTS STELLENBOSCH**

Zanelle Nortje

From: Bulelwa Mdoda <Bulelwa.Mdoda@ Stellenbosch.gov.za>
Sent: Monday, 30 September 2024 10:56
To: zanelle@rumboll.co.za
Subject: FW: COMMENTS ON LAND USE APPLICATION: ERF 346 STELLENBOSCH

Good day Zanelle;

Please see comment below from Fire.



Kind regards,
Bulelwa Mdoda
 Land Use Management
 Planning & Economic Development

T: +27 21 808 8690
 1st Floor, NPK Building
 Cnr Plein and Ryneveld Street
 Stellenbosch
 7600
www.stellenbosch.gov.za



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TID ROLLOVER DEADLINE

24 NOV 2024

→ www.tidrollover.com

The Municipality has been visiting all residents within the Municipality's electricity supply areas to reset prepayment meters to meet the November 2024 deadline, after which meters will not be able to accept electricity tokens if meters are not reset.



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 STYLSIE ROLLOVER • PREL • 021 808 8690
 MOONPAST 1011 • 021 808 8690 • 021 808 8690



About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.
 Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

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From: John Aaron <John.Aaron@ Stellenbosch.gov.za>
Sent: Monday, 30 September 2024 09:05
To: Bulelwa Mdoda <Bulelwa.Mdoda@ Stellenbosch.gov.za>
Subject: RE: COMMENTS ON LAND USE APPLICATION: ERF 346 STELLENBOSCH

Good day Bulelwa

No objections from Fire Services regarding application, Fire requirements will be given when plans are submitted to council.



Kind regards,

John Aaron

Station Commander: Fire Safety

Fire & Disaster Management

Community & Protection Services

T: +27 21 808 8889 | Cell: 083 655 5381

c/o Cluver & Helshoogte Road,

Stellenbosch, 7600

www.stellenbosch.gov.za



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Zanelle Nortje

From: Bulelwa Mdoda <Bulelwa.Mdoda@ Stellenbosch.gov.za>
Sent: Tuesday, 01 October 2024 11:43
To: zanelle@rumboll.co.za
Subject: FW: COMMENTS ON LAND USE APPLICATION: ERF 346 STELLENBOSCH

Hi Zanelle;

Please find below comments received from Health.

Kind regards
 Bulelwa



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 MUNISIPALITEIT • MUNICIPALITY



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From: Tony Hector <thector@capewinelands.gov.za>
Sent: Tuesday, 01 October 2024 11:41
To: Bulelwa Mdoda <Bulelwa.Mdoda@ Stellenbosch.gov.za>
Cc: Fabian van Wyk <fabian@capewinelands.gov.za>
Subject: [EX] FW: COMMENTS ON LAND USE APPLICATION: ERF 346 STELLENBOSCH

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day Ms Mdoda

FARM NUMBER & APPLICATION NUMBER - Erf 346 Stellenbosch (LU/17275)

There are no objections from an environmental health point regarding this application.

Regards
 T.Hector

From: Bulelwa Mdoda <Bulelwa.Mdoda@ Stellenbosch.gov.za>

Sent: Monday, September 30, 2024 9:01 AM

To: Tyrone King <Tyrone.King@ Stellenbosch.gov.za>; Kurt Titus <Kurt.Titus@ Stellenbosch.gov.za>; Ilze Fillies <Ilze.Fillies@ Stellenbosch.gov.za>; Siyanda Sodo <Siyanda.Sodo@ Stellenbosch.gov.za>; Xolani Tika (Development Technician) <Xolani.Tika@ Stellenbosch.gov.za>; Barbara-Ann Henning <Barbara-Ann.Henning@ Stellenbosch.gov.za>; Bradley Williams <Bradley.Williams@ Stellenbosch.gov.za>; John Aaron <John.Aaron@ Stellenbosch.gov.za>; Yolande van den Berg <Yolande.vandenBerg@ Stellenbosch.gov.za>; Fabian van Wyk <fabian@ capewinelands.gov.za>; Ferencia September <ferencia@ capewinelands.gov.za>

Cc: Charne Williams <Charne.Williams@ Stellenbosch.gov.za>; Viola Anthony <Viola.Anthony@ Stellenbosch.gov.za>

Subject: COMMENTS ON LAND USE APPLICATION: ERF 346 STELLENBOSCH

Dear All;

Attached please find the relevant documentation regarding the abovementioned application.

Kindly furnish me with your comment by email, in order to enable me to submit the application to the decision making authority for consideration.

FARM NUMBER & APPLICATION NUMBER

Erf 346 Stellenbosch (LU/17275)

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- Application for rezoning of Erf 346, Stellenbosch in terms of Section 15(2)(a) of the Stellenbosch Municipal Bylaw on Municipal Land use Planning (2023) from Multi Unit Residential Zone to Local Business Zone to accommodate 12 flats and 2 offices.
- Application for departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Bylaw on Municipal Land use Planning (2023) to provide 25 parking bays instead of the required 29 parking bays

APPLICANT

Zanelle Nortje (CK Rumboll & Partners)

PROPERTY ADDRESS:

1 Alexander Street, Stellenbosch

Please note that your comments must be submitted on or before 30 October 2024 from the date of this email.



Kind regards,
Bulelwa Mdoda
 Land Use Management
 Planning & Economic Development

T: +27 21 808 8690
 1st Floor, NPK Building
 Cnr Plein and Ryneveld Street
 Stellenbosch
 7600
www.stellenbosch.gov.za



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About Stellenbosch Municipality

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



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

Disclaimer:

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Fabian van Wyk

Chief Environmental Health
 Cape Winelands District Municipality



C/o Langenhoven and Bird Street,
 Stellenbosch, 7600,



021 888 5828



082 375 7663



021 887 9365



fabian@capewinelandsgov.za



Tony Hector

Environmental Health Practitioner
Cape Winelands District Municipality



C/o Langenhoven and Bird Street,
Stellenbosch, 7600,



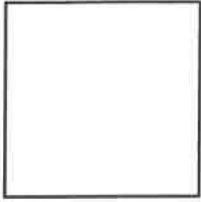
021 888 5808



021 887 9365



thector@capewinelands.gov.za





STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

To : Manager: Land Use Planning

From : Manager: Spatial Planning

Reference : Spatial Planning - Preliminary Review Letter

Date : 17 March 2025

Land Use/TPAMS no. : LU/17275 (TP780/2024)

Dear Colleagues,

This letter refers to the following application:

1. Property Description:

Erf 346, Stellenbosch

2. Land Use Application:

- Permanent departure from the development parameters of the zoning scheme.
- Rezoning of land.

3. Preliminary Review Outcome:

Following a preliminary review by the Spatial Planning Department, it has been determined that **further engagement is required**. The assessment has identified the following preliminary factors for consideration:

- The subject property is located within the Urban and Rural Conservation Overlay Zone (Stellenbosch Urban Conservation Area – URCO1).
- The subject property falls part of the Alexander Precinct Plan.

In addition to the above, the following requirements must be communicated to the applicant:

- The application will need to be submitted for review by the Conservation Advisory Committee (CAC).

A handwritten signature in black ink, appearing to read "Bernabé de la Bat". The signature is fluid and cursive, with the first name "Bernabé" and last name "de la Bat" clearly distinguishable.

Bernabé de la Bat (Manager: Spatial Planning)

Date: 17/3/25

**ANNEXURE K: DEPARTMENT OF TRANSPORT
FINAL COMMENT**



**Western Cape
Government**

Department of Infrastructure

Vanessa Stoffels

Chief Directorate: Road Planning

Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: DOI/CFS/RN/LU/REZ/SUB-25/517 (Application No: 2024-10-0082)

The Municipal Manager
Stellenbosch Municipality
PO Box 17

STELLENBOSCH
7599

Attention: Mr U von Molendorff

Dear Sir

ERF 346, STELLENBOSCH: ALEXANDER STREET AND MAIN ROAD 27: APPLICATION FOR REZONING AND DEPARTURE

1. The following refer:
 - 1.1. The email from CK Rumboll and Partners dated 10 October 2024 containing the Notice of Land Development Application to Interested and Affected Parties for Comment (Application Reference: LU/17275 (TP780/2024)); and
 - 1.2. The Subdivision Plan (Dwg: 00-00, Rev C) prepared by NEO ARCHITECTS dated 15 March 2024;
 - 1.3. The Realignment of The R44/R310 and Alexander Street Junction, Plan Number 34092.00-110-02 D prepared by BVi dated 30 August 2023; and
 - 1.4. The Motivation Report (Reference: STB/13442/ZN)) prepared by CK Rumboll and Partners dated Revision 1: September 2024; and
 - 1.5. The Traffic Impact Statement prepared by UDS Africa Consultants dated 28 February 2024.
2. The development entails construction of a building that will accommodate the following:
 - Offices - 224m² GLA
 - Apartments - 12 units
3. Access to the property will be taken from Alexander Street, a municipal road. Due to the location and spacing of interim and future access points, this development will

impact traffic on Main Road 27 (MR27: Adam Tas Road) at the Alexander Street signalised intersection at approximately km 34.37 right-hand side (RHS).

4. Stellenbosch Municipality is the Road Authority in terms of Section 26 of the Roads Ordinance 19 of 1976 while this Branch remains the Approving Authority.
5. The key findings and recommendations of the TIA are summarised as follows:
 - 5.1. The proposed development is expected to generate 12 peak hour trips (6 in, 6 out), which is not deemed significant, and therefore external road upgrades are not required.
 - 5.2. The planned realignment of Alexander Street to opposite Adam Tas Road at its intersection with the R44 will affect the proposed development access, necessitating interim- and future access configurations to align with the current alignment of Alexander Street until the realignment is completed.
 - 5.3. The proposed interim and future access widths are adequate for the development, and the detailed design of the future access should ensure sufficient bellmouth radii.
 - 5.4. If security controls are implemented at the access, it is essential to provide stacking space for at least one passenger vehicle between the access control and the future edge of Alexander Street.
 - 5.5. Based on the zoning scheme, 27 parking bays are required. However, applying the shared parking principle per the AMG 2020 of WCG, 23 bays would suffice for the combined office/apartment land uses. Therefore, 23 parking bays, plus 2 'equivalent bays' (4 motorcycle + 8 bicycle) and 1 tandem bay, providing a total of approximately 26 bays, are considered adequate for the proposed offices and apartments.
 - 5.6. The property is near a railway station and accessible taxis, and no additional formal public or non-motorised transport facilities are needed for the proposed development.
 - 5.7. Future change in access for Erf 346: With the planned realignment upgrade, it is proposed to separate the inbound and outbound lanes. The proximity of the proposed left-out access to the MR27 intersection is anticipated not to pose issues regarding weaving due to the low trip generation from the development. The future left-in/left-out configuration is considered adequate to manage the expected development traffic.
6. As the Approving Authority of the MR27, this Branch must approve the geometric design of the proposed realignment of Alexander Street and all affected property accesses, including Erf 346, after it has been reviewed by your Roads and Stormwater Department, to ensure compliance with all elements affecting the Functional Boundary Area of the MR27 intersection.

7. This Branch offers no objection to the Rezoning and Departure application for Erf 346, Stellenbosch, provided that the recommendations in the Traffic Impact Statement prepared by UDS Africa Consultants dated 28 February 2024 are implemented. These recommendations include final approval of the future access position and geometric design for Erf 346 as part of the realignment of Alexander Street at its intersection with the MR27 signalised intersection, prior to the commencement of construction.

Yours Sincerely



DD FORTUIN

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 14 MARCH 2025

ENDORSEMENTS

1. Stellenbosch Municipality
Attention : Mr U von Molendorff (e-mail : landuse.enquiries@stellenbosch.gov.za)
Mr J Fullard (e-mail: johan.fullard@stellenbosch.gov.za)
2. CK Rumboll and Partners
Attention: Zanelle Nortje (e-mail: zanelle@rumboll.co.za)
3. UDS Africa
Attention: T Koch (e-mail: tian@udsafrika.co.za)
4. Mr DD Fortuin (e-mail)
5. Mr B du Preez (e-mail)
6. Mr E Smith (e-mail)
7. Ms R Beukes (e-mail)

ANNEXURE L: NEIGHBOUR SUPPORT LETTER

Zanelle Nortje

From: johandavidgerhardus@gmail.com
Sent: Sunday, 24 November 2024 12:32
To: 'Zanelle Nortje'
Subject: RE: Erf 299: Notice of Land Development Application Erf 346 Stellenbosch

Ons het GEEN objeksie teen die voorgestelde ontwikkeling nie

Baie groete
 Johan vd Merwe
 Trustee: Erica Trust
 Erf 299

Groete

Johan
 082 491 4220

From: Zanelle Nortje <zanelle@rumboll.co.za>
Sent: Thursday, 10 October 2024 10:09
To: johandavidgerhardus@gmail.com
Subject: Erf 299: Notice of Land Development Application Erf 346 Stellenbosch

To Whom It May Concern,

You were identified as an interested and affected party for the proposed development of Erf 346, Stellenbosch.
 Please
 see attached notice for your attention.

Kind regards



Zanelle Nortje
Professional Town Planner
 Reg. No.: (A/2299/2016)

16 Rainer Street, Malmesbury,
 Western Cape, 7299
 022 482 1845
 076 721 1725
 zanelle@rumboll.co.za
 www.ckrumboll.co.za

ANNEXURE M: OBJECTION FROM NEIGHBOUR

Zanelle Nortje

From: amatoni@adept.co.za
Sent: Thursday, 17 October 2024 16:28
To: 'Zanelle Nortje'; Anthony.Barnes@ Stellenbosch.gov.za
Cc: magda@wmvbehusing.co.za; Anchen@stbproperties.co.za; municipal.manager@ Stellenbosch.gov.za
Subject: RE: Erf 10825 Unit 34 and 60 : Notice of Land Development Application Erf 346 Stellenbosch
Attachments: Objection Letter ERF 346 STELLENBOSCH OCT 2024.pdf

17 October 2024

CK Rumboll & Partners
 16 Reiner Street
 Malmesbury
 7299

per email

Dear Zanelle Nortje,

**OBJECTION TO PROPOSED DEVELOPMENT OF ERF 346, STELLENBOSCH
 APPLICATION REFERENCE: LU/17275 (TP780/2024)**

We, the undersigned residents and owners of Unit 34, Amatoni Flats, Harold Street, Stellenbosch, hereby express our strong objection to the proposed development of ERF346, Stellenbosch. Our opposition stems from several significant concerns that we believe have not been adequately addressed in the current proposal.

Firstly, the proposed proximity of the new residential units to our building is alarmingly close. With a mere 5-meter gap, our privacy is severely compromised. Proposed Studio apartments 1D and 2D. The direct line of sight into our main bedroom windows, living room, and private garden is unacceptable and disregards our right to privacy.

Secondly, the noise pollution that will inevitably result from such close quarters is a major issue. The constant presence of residents and the associated sounds within such proximity will disrupt the peaceful enjoyment of our property.

Furthermore, the current traffic congestion on R44, also known as Adam Tas Road, is already at a critical point. The addition of new residents, retail spaces and vehicles from the proposed development will exacerbate this situation, leading to further delays and potential safety hazards at the already strained intersections and crossings.

We also note the mention of future upgrades to the R44, also known as Adam Tas Road. However, without a concrete timeline and a completed upgrade, the current infrastructure cannot support additional strain from the development.

In light of these points, we urge a comprehensive review and drastic revision of the building and site layout plans. We propose that the development be reconsidered only after the necessary upgrades to the local infrastructure have been implemented and proven effective.

We trust that our concerns will be taken into consideration, and we expect a written response that acknowledges and addresses the issues raised. Until then, we stand firm in our objection and will not support the application for approval as it currently stands.

Sincerely,

Michael Scheepers
Unit 34, Amatoni Flats

Michael Scheepers

Mandated for: Amatoni Flats (Pty) Ltd
Jonkershoek Road, Stellenbosch, South Africa
PO Box 3029, Matieland, 7602
M: +27 82 464 6263
E: amatoni@adept.co.za

From: Zanelle Nortje <zanelle@rumboll.co.za>

Sent: Thursday, 10 October 2024 11:13

To: amatoni@adept.co.za

Subject: Erf 10825 Unit 34 and 60 : Notice of Land Development Application Erf 346 Stellenbosch

To Whom It May Concern,

You were identified as an interested and affected party for the proposed development of Erf 346, Stellenbosch.
Please
see attached notice for your attention.

Kind regards



Zanelle Nortje
Professional Town Planner
Reg. No.: (A/2299/2016)

16 Ramer Street, Malmesbury,
Western Cape, 7299
022 482 1845
076 721 1725
zanelle@rumboll.co.za
www.ckrumboll.co.za

PROPOSED DEVELOPMENT IN RELATION TO AMATONI FLATS**Affected Property:**

Amatoni Flats Unit 34
Amatoni Flats (Pty) Ltd

17 October 2024

CK Rumboll & Partners
16 Reiner Street
Malmesbury
7299

per email

Dear Zanelle Nortje,

OBJECTION TO PROPOSED DEVELOPMENT OF ERF 346, STELLENBOSCH

We, the undersigned residents and owners of Unit 34, Amatoni Flats, Harold Street, Stellenbosch, hereby express our strong objection to the proposed development of ERF346, Stellenbosch. Our opposition stems from several significant concerns that we believe have not been adequately addressed in the current proposal.

Firstly, the proposed proximity of the new residential units to our building is alarmingly close. With a mere 5-meter gap, our privacy is severely compromised. Proposed Studio Apartment 1D & 2D. The direct line of sight into our main bedroom windows, living room, and private garden is unacceptable and disregards our right to privacy.

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We also note the mention of future upgrades to the R44, also known as Adam Tas Road. However, without a concrete timeline and a completed upgrade, the current infrastructure cannot support additional strain from the development.

In light of these points, we urge a comprehensive review and drastic revision of the building and site layout plans. We propose that the development be reconsidered only after the necessary upgrades to the local infrastructure have been implemented and proven effective.

We trust that our concerns will be taken into consideration, and we expect a response that acknowledges and addresses the issues raised. Until then, we stand firm in our objection and will not support the application for approval as it currently stands.

Sincerely,

Michael Scheepers

Jonkershoek Road, Stellenbosch, South Africa
PO Box 3029, Matieland, 7602
M: +27 82 464 6263
E: amatoni@adept.co.

APPENDIX 5

Conservation Advisory Committee

**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Our ref: Erf 346
Mr K Makati

2025-07-29

NEO Architects
95 Dorp Street
Stellenbosch
7600

**APPLICATION IN TERMS OF STELLENBOSCH ZONING SCHEME REGULATION:
PROPOSED NEW BUILDING IN THE HISTORICAL AREA. ERF 346: 1 ALEXANDER STREET:
STELLENBOSCH.**

The Stellenbosch Municipality Conservation Advisory Committee considered the above-mentioned application on the 30th of June 2025, and the following recommendation was made:

The SDP plans and application for re-zoning were supported.

CONDITIONS

The Architect to return the final layouts to the Committee before they submit their final building plans to the Building Plans Department.

For further information or any clarification regarding above-mentioned application, you can contact the Office of Development Planning, Heritage Section.

Yours sincerely

Katherine Robinson
Senior Heritage Planner

**MINUTES: STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY
COMMITTEE HELD ON 25TH AUGUST 2025**

**ADOPTED RESOLUTION AND DECISIONS OF STELLENBOSCH MUNICIPALITY
CONSERVATION ADVISORY COMMITTEE**

**HELD ON MONDAY, 25 AUGUST 2025 at 9AM, 2ND FLOOR BOARDROOM, NPK
BUILDING.**

Ref. no: meeting No:1

2025-08-25

Committee Members Present

Dr R Pool-Stanvliet

Mr. P Lotz

Mrs. C Smart

Mr. R Bouma

Officials

Mrs. K Robinson: Senior Heritage Planner

Mr. K Makati: Heritage Officer

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

15 SEP 2025

RECEIVED

ITEM	SUBJECT
ITEM 1	OPENING AND WELCOME
	Dr R Pool-Stanvliet, elected acting chairperson, welcomed all.
ITEM 2	LEAVE OF ABSENCE
	Mr. B Howard Mr. P Dekker
ITEM 3	ELECTING OF A CHAIRPERSON
	The item was deferred to the next meeting.
ITEM 4	MATTERS FOR CONSIDERATION

**MINUTES: STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY
COMMITTEE HELD ON 25TH AUGUST 2025**

ITEM 4.1

**APPLICATION IN TERMS OF STELLENBOSCH ZONING SCHEME: PROPOSED NEW DEVELOPMENT ON
ERF 7592, STELLENTIA AVENUE: STELLENBOSCH. (REVIZED PLANS)**

RECOMMENDATIONS:

Option 1 is the preferred and supported option.

CONDITIONS

The final drawings must be submitted to the Committee.

ITEM 4.2

**APPLICATION IN TERMS OF STELLENBOSCH ZONING SCHEME REGULATION: PROPOSED NEW BUILDING
IN THE HISTORICAL AREA. ERF 346: 1 ALEXANDER STREET: STELLENBOSCH. (REVISED PLANS)**

The following recommendation was made:

1. The pedestrian access on Alexander Street must be setback inside the building, and the canopy must be removed
2. The applicant is advised to use the same white color of the building on the bottom wall.
3. The entrance gates must be revised and should be solid.

RECOMMENDATIONS

The revised plans were generally supported.

ITEM 4.3

**APPLICATION IN TERMS OF STELLENBOSCH ZONING SCHEME BY-LAW: PROPOSED NEW HEALTH PLUS
FACILITY: FARM 1194/8, PNIEL.**

RECOMMENDATIONS

The proposed two-story building in this landscape (a listed IIIB heritage landscape) is not supported.

A heritage report which presents the street elevations up to 200 m on both sides of the proposed building, and from both Helshoogte and Main Roads, must be prepared and submitted to the Committee.

**MINUTES: STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY
COMMITTEE HELD ON 25TH AUGUST 2025**

ITEM 4.4

APPLICATION IN TERMS OF SECTION 38 OF THE NATIONAL HERITAGE RESOURCES ACT: PROPOSED NEW DEVELOPMENT ON FARM 74/13, CNR BOTTELARY ROAD AND R 304, STELLENBOSCH.

DISCUSSION

The Committee raised concern in terms of the three-story buildings in close proximity to the R304 which is a scenic drive.

RECOMMENDATIONS

The Committee requested the applicant to provide the original NID application, which was submitted to HWC in 2019, to enable the Committee to review it.

ITEM 4.5

APPLICATION IN TERMS OF SECTION 34 OF THE NATIONAL HERITAGE RESOURCES ACT: PROPOSED TOTAL DEMOLITION OF A BUILDING OLDER THAN 60 YEARS, ERF 876, 9 PIET RETIEF STREET, KRIGEVILLE, STELLENBOSCH

RECOMMENDATIONS

The application is supported.

CONDITIONS

A permit from HWC must be obtained.

ITEM 4.6

APPLICATION IN TERMS OF STELLENBOSCH ZONING SCHEME REGULATION: PROPOSED ALTERATIONS AND ADDITIONS TO A BUILDING IN THE HISTORICAL AREA: ERF 435, 6 HUGUENOT STREET, FRANSCHHOEK

RECOMMENDATIONS

The application is supported.

OTHER MATTERS

None

**MINUTES: STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY
COMMITTEE HELD ON 25TH AUGUST 2025**

CLOSURE:

The meeting adjourned at 12 PM.

The next meeting is scheduled for 29 September 2025 at 09:00.

Dr R Pool-Stanvliet

Acting Chairperson: Stellenbosch Municipality Conservation Advisory Committee

APPENDIX 6

Director: Infrastructure Services & Electrical Engineering



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Bulelwa Mdoda
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	3 Feb 2025
Our Ref ▫ Ons Verw:	Civil LU 2798
Town Planning Ref:	LU/17275
Re ▫ Insake:	Erf 346, Stellenbosch: • Application for rezoning of Erf 346, Stellenbosch in terms of Section 15(2)(a) of the Stellenbosch Municipal Bylaw on Municipal Land use Planning (2023) from Multi Unit Residential Zone to Local Business Zone to accommodate 12 flats and 2 offices. • Application for departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Bylaw on Municipal Land use Planning (2023) to provide 25 parking bays instead of the required 29 parking bays

The following engineering documents were evaluated as part of this application:

- Civil engineering services report by WEC Consult dated Feb 2024
- TIS by UDS dated 28 Feb 2024
- SDP - Site Plan S025-23 drwg no 00-00 rec C by Neo Architects dated 2024/03/15

Background: The development is described as 12 flats and 2 offices (224m² GLA)

In consideration of provisions related to Civil Engineering Services the application is supported subject to the following conditions:

Specific Conditions: These conditions must be complied with prior to transfer of the first property or approval of any building plans, whichever occurs first.

1. Water

- 1.1 The existing water connection is to be utilized. Please indicate the position clearly on the building plans.
- 1.2 A bulk water meter conforming to municipal specifications must be installed prior to occupation certificate. Please indicate the position of and details of the bulk water meter on the building plans.

2. Sewer

- 2.1 The existing sewer connection is to be utilized. Please indicate the position clearly on the building plans.

3. Roads

- 3.1 Until the R44/Alexander Street intersection is upgraded, the existing access may remain. When the upgrade is in place, the inbound and outbound lanes must be split (see below). The cost hereof will be for the Developer.

To ensure that the access design for the present scenario (before upgrade of R44/Alexander) will be compatible with the future scenario (after upgrade of R44/Alexander), the Consultant must provide detail designs for both scenarios when submitting engineering drawings / building plans for approval.



Diagram 4 : Interim access configuration (prior to realignment of Alexander Street)



Diagram 5 : Future access configuration with Alexander Street realigned

- 3.2 Details of stacking distances and access control (if any) must be indicated on building plans for approval. Should access control be considered, stacking for at

least one passenger vehicle must be available between the access gate and the future edge of Alexander Street.

4. Solid Waste

- 4.1 The refuse room as indicated on the SDP must be completed according to municipal standards and specifications – prior to occupation certificate.

5. Development Charges (DCs)

- 5.1 DCs are payable in accordance with the prevailing and applicable Council DCs Tariffs and DCs Policy at the time of payment prior to the transfer of the first property or approval of any building plans, whichever occurs first. The amount payable will therefore be the amount as calculated according to the approved tariff structure and according to the DCs Policy principles at the time that payment is made.
- 5.2 A DCs estimate is provided in **Annexure DC**. This calculation is provisional, based on the information available at this stage, and a final calculation will be provided prior to payment and based on the final/approved development parameters.

<u>General Conditions</u>

6. The implementation of the development wrt the provision of civil engineering services, must comply with the “*General guidelines and standard practices for the provision of civil engineering services for new developments*” as published on the municipality’s website and as amended from time-to-time.
7. The design of the civil engineering services for the development must comply with the “*Design Guidelines and Minimum Standards for Civil Engineering Services*” as published on the municipality’s website and as amended from time-to-time.
8. The internal services are **private**. Therefore, all internal services will be maintained by the **Developer and/or Owner’s Association**.
9. The Developer will be held liable for any damage to municipal infrastructure, caused as a direct result of the development of the subject property. The Developer will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services, prior to transfer of the first

property or approval of any building plans or occupation certificate, whichever occurs first.



Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\01 Land Use applications\2798 (TK) Erf 346 Stellenbosch (LU-17275)\2798 () Erf 346 Stellenbosch (LU-17275)_1.doc



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	2798 () Erf 346 Stellenbosch (LU-17275)_1
Development Name:	One on Alexander
Date:	03 February 2025
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	345
DC Parameters Reference:	SDP - Site Plan S025-23 drwg no 00-00 rec C by Neo Architects dated 2024/03/15

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals	
Unit(s):	kl/day	kl/day	ha°C	t/week	trips/day		persons		
Total Increased Services Usage:	5,496	4,934	0,1016	0,4848	48,04		46,24		
Total Service Usage Reduction:	0	0	0	0	0,0		0		
Total Service Usage after Reduction:	5,50	4,93	0,10160	0,485	48,0		46		
Charges before adjusting for positive only, before Deductions	R 181 016,26	R 178 856,52	R 22 121,53	R 49 837,45	R 318 138,41	R 749 970,17	R 182 424,75	R 932 394,92	
Charges adjusted for positive only, before Deductions	R 181 016,26	R 178 856,52	R 22 121,53	R 49 837,45	R 318 138,41	R 749 970,17	R 182 424,75	R 932 394,92	
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -	
Total Development Charges Payable (excluding VAT):	R 181 016,26	R 178 856,52	R 22 121,53	R 49 837,45	R 318 138,41	R 749 970,17	R 182 424,75	R 932 394,92	
VAT:	R 27 152,44	R 26 828,48	R 3 318,23	R 7 475,62	R 47 720,76	R 112 495,53	R 27 363,71	R 139 859,24	
Total Development Charges Payable (including VAT):	R 208 168,70	R 205 685,00	R 25 439,76	R 57 313,06	R 365 859,17	R 862 465,69	R 209 788,47	R 1 072 254,16	

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature:	Estimate
Notes:	Erf size = 961m2 (p4 of motivation report). Ex house to be demolished - credit.

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage	Development Charge Levies (incl VAT)										Total
		Area (m2)	Unit Amount	Result	Area (m2)		Unit Amount	Result	Amount	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	
	Unit								Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Residential	Single Residential >1000m2	du				0		R	-	R	-	R	-	R	-	R	-
	Single Residential >500m2	du	1			-1		-R	25 348,80	-R	23 562,37	-R	6 096,48	-R	4 112,00	-R	25 372,14
	Single Residential >250m2	du						R	-	R	-	R	-	R	-	R	-
	Single Residential <250m2	du						R	-	R	-	R	-	R	-	R	-
	Second Dwelling	du						R	-	R	-	R	-	R	-	R	-
	Less Formal Residential	du						R	-	R	-	R	-	R	-	R	-
	Group Residential	du						R	-	R	-	R	-	R	-	R	-
	Apartments	du						R	-	R	-	R	-	R	-	R	-
	Retirement Village	du				12	12	R	177 654,40	R	173 999,05	R	20 902,23	R	49 344,01	R	209 320,13
	Old age home	du					0		R	-	R	-	R	-	R	-	R
Accommodation	Student Accommodation/Commune/Hotels	rooms						R	-	R	-	R	-	R	-	R	-
	Guest House	rooms						R	-	R	-	R	-	R	-	R	-
	Converted Guest House	rooms						R	-	R	-	R	-	R	-	R	-
	Hotel Residential	rooms						R	-	R	-	R	-	R	-	R	-
	General Business	rooms						R	-	R	-	R	-	R	-	R	-
Commercial	Office	m2 GLA				0		R	-	R	-	R	-	R	-	R	-
	Retail/Shop	m2 GLA				224	224	R	29 510,66	R	28 419,85	R	7 315,78	R	4 805,44	R	134 190,41
	Restaurant	m2 GLA						R	-	R	-	R	-	R	-	R	-
	Outdoor Function / Picnic Area	persons						R	-	R	-	R	-	R	-	R	-
	Conference Facility/Places of assembly	m2 GLA						R	-	R	-	R	-	R	-	R	-
	Hospital/Clinic/Medical Rooms	m2 GLA						R	-	R	-	R	-	R	-	R	-
	University/College	student						R	-	R	-	R	-	R	-	R	-
	School/Day Care	student						R	-	R	-	R	-	R	-	R	-
	Industrial - light	m2 GLA						R	-	R	-	R	-	R	-	R	-
	Industrial - heavy	m2 GLA						R	-	R	-	R	-	R	-	R	-
Industrial	Warehousing/Light Manufacturing	m2 GLA						R	-	R	-	R	-	R	-	R	-
	Storage Facilities	unit						R	-	R	-	R	-	R	-	R	-
	Open Space/Natural Environment/Utility Site	ha						R	-	R	-	R	-	R	-	R	-
Non demand	Roads and Parking	ha				0,0000		R	-	R	-	R	-	R	-	R	-
	To be calculated	n/a				0,0000		R	-	R	-	R	-	R	-	R	-
Other	Based on equivalent demands)	n/a						R	-	R	-	R	-	R	-	R	-
Total Area:		0				0	Total Area:										

Charges before adjusting for positive only, before Deductions		R	181 016,28	R	178 856,52	R	22 121,53	R	49 837,45	R	318 138,41	R	749 970,17	R	182 424,75	R	932 394,92
Charges adjusted for positive only, before Deductions		R	181 016,28	R	178 856,52	R	22 121,53	R	49 837,45	R	318 138,41	R	749 970,17	R	182 424,75	R	932 394,92
Deductions per service (from usage reductions)		R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Discount Deduction (%)		R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Additional Deduction per service - from Service Agreement (sum)		R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Sub Total after Adjustments and Deductions (excluding VAT)		R	181 016,28	R	178 856,52	R	22 121,53	R	49 837,45	R	318 138,41	R	749 970,17	R	182 424,75	R	932 394,92
VAT		R	27 152,44	R	26 828,46	R	5 318,23	R	7 475,62	R	47 720,76	R	112 495,53	R	27 983,71	R	138 859,24
Total Development Charges		R	208 168,70	R	205 684,98	R	27 439,76	R	57 313,06	R	365 859,17	R	862 465,69	R	210 408,47	R	1 071 254,16

APPENDIX 7

Western Cape Government – Chief Directorate Road Planning



**Western Cape
Government**

Department of Infrastructure

Vanessa Stoffels

Chief Directorate: Road Planning

Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: DOI/CFS/RN/LU/REZ/SUB-25/517 (Application No: 2024-10-0082)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr U von Molendoff

Dear Sir

ERF 346, STELLENBOSCH: ALEXANDER STREET AND MAIN ROAD 27: APPLICATION FOR REZONING AND DEPARTURE

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

07 APR 2025

FILE NR: E 346 S

SCAN NR:

COLLABORATOR NR: 783353

1. The following refer:
 - 1.1. The email from CK Rumboll and Partners dated 10 October 2024 containing the Notice of Land Development Application to Interested and Affected Parties for Comment (Application Reference: LU/17275 (TP780/2024)); and
 - 1.2. The Subdivision Plan (Dwg: 00-00, Rev C) prepared by NEO ARCHITECTS dated 15 March 2024;
 - 1.3. The Realignment of The R44/R310 and Alexander Street Junction, Plan Number 34092.00-110-02 D prepared by BVi dated 30 August 2023; and
 - 1.4. The Motivation Report (Reference: STB/13442/ZN) prepared by CK Rumboll and Partners dated Revision 1: September 2024; and
 - 1.5. The Traffic Impact Statement prepared by UDS Africa Consultants dated 28 February 2024.
2. The development entails construction of a building that will accommodate the following:
 - Offices - 224m² GLA
 - Apartments - 12 units
3. Access to the property will be taken from Alexander Street, a municipal road. Due to the location and spacing of interim and future access points, this development will

impact traffic on Main Road 27 (MR27: Adam Tas Road) at the Alexander Street signalised intersection at approximately km 34.37 right-hand side (RHS).

4. Stellenbosch Municipality is the Road Authority in terms of Section 26 of the Roads Ordinance 19 of 1976 while this Branch remains the Approving Authority.
5. The key findings and recommendations of the TIA are summarised as follows:
 - 5.1. The proposed development is expected to generate 12 peak hour trips (6 in, 6 out), which is not deemed significant, and therefore external road upgrades are not required.
 - 5.2. The planned realignment of Alexander Street to opposite Adam Tas Road at its intersection with the R44 will affect the proposed development access, necessitating interim- and future access configurations to align with the current alignment of Alexander Street until the realignment is completed.
 - 5.3. The proposed interim and future access widths are adequate for the development, and the detailed design of the future access should ensure sufficient bellmouth radii.
 - 5.4. If security controls are implemented at the access, it is essential to provide stacking space for at least one passenger vehicle between the access control and the future edge of Alexander Street.
 - 5.5. Based on the zoning scheme, 27 parking bays are required. However, applying the shared parking principle per the AMG 2020 of WCG, 23 bays would suffice for the combined office/apartment land uses. Therefore, 23 parking bays, plus 2 'equivalent bays' (4 motorcycle + 8 bicycle) and 1 tandem bay, providing a total of approximately 26 bays, are considered adequate for the proposed offices and apartments.
 - 5.6. The property is near a railway station and accessible taxis, and no additional formal public or non-motorised transport facilities are needed for the proposed development.
 - 5.7. Future change in access for Erf 346: With the planned realignment upgrade, it is proposed to separate the inbound and outbound lanes. The proximity of the proposed left-out access to the MR27 intersection is anticipated not to pose issues regarding weaving due to the low trip generation from the development. The future left-in/left-out configuration is considered adequate to manage the expected development traffic.
6. As the Approving Authority of the MR27, this Branch must approve the geometric design of the proposed realignment of Alexander Street and all affected property accesses, including Erf 346, after it has been reviewed by your Roads and Stormwater Department, to ensure compliance with all elements affecting the Functional Boundary Area of the MR27 intersection.

7. This Branch offers no objection to the Rezoning and Departure application for Erf 346, Stellenbosch, provided that the recommendations in the Traffic Impact Statement prepared by UDS Africa Consultants dated 28 February 2024 are implemented. These recommendations include final approval of the future access position and geometric design for Erf 346 as part of the realignment of Alexander Street at its intersection with the MR27 signalised intersection, prior to the commencement of construction.

Yours Sincerely



DD FORTUIN

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 14 MARCH 2025

APPENDIX 8

Site photos





