



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16536 (TP600/2023)

Our File Reference Number: Erven 251, 254, 255, 566 & 666, Koelpark

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL [REDACTED]

Dear Sir/Madam

APPEAL LODGED IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW: APPLICATION FOR SUBDIVISION, CONSOLIDATION, PERMANENT DEPARTURES AND PERMISSION REQUIRED IN TERMS OF CONDITION OF APPROVAL: ERVEN 251, 254, 255, 566 & 666, KOELPARK

1. This Municipality's decision letter dated 12 February 2025, refers.
2. The Appeal Authority resolved on 29 August 2025 that the appeal submitted against the approval of the Authorised Decision-maker dated 10 February 2025, in respect of the subject application on Erven 251, 254, 255, 566 & 666, Koelpark, insofar as the appeal submitted by the objector, **BE DISMISSED** and that the subject decision **BE CONFIRMED** in terms of Section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law, as follows:
3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-law, on Erven 251, 254, 255, 566 & 666, Koelpark, namely:
 - 3.1 **Consolidation** of Erven 251, 254, 255, 566 and 666, Koelpark in terms of Section 15.(2)(e) of the Stellenbosch Municipality Planning By-law, 2023.

3.2 **Subdivision** of the consolidated property into 57 Multi-Unit Residential Zone erven with associated access and services servitudes in terms of Section 15.(2)(d) of the of the Stellenbosch Municipality Land Use Planning By-law, 2023.

3.3 **Permanent Departures** in terms of Section 15.(2)(b) of the Stellenbosch Municipality Planning By-law, 2023 to accommodate the following proposed buildings as indicated on Project 3625-P, Plan 5, Dated: 30/11/2023, Attached as **Annexure C**:

3.3.1 **Portion 57 (SDP1 - Phase B)**

- To relax all the second-floor common boundary building line from 6m to 4.5m to accommodate the proposed Multi-Unit Residential Zone building/(flats)
- To increase the permissible floor area from 0.75 to 1.06 to accommodate the proposed Multi-Unit Residential Zone building (flats).

3.3.2 **Portion 56 (SDP 2 - Phase A)**

- To relax all the second-floor common boundary building line from 6m to 4.5m to accommodate the proposed Multi-Unit Residential Zone building(flats).
- To increase the permissible floor area ration from 0.75 to 1.49 for the proposed Multi-Unit Residential Zone building(flats).
- To increase the permissible coverage from 50% to a maximum coverage of 64% for the proposed Multi-Unit Residential Zone building (flats).

3.3.3 **Portions 1 – 55 (SDP 3 - Phase C to H)**

- To relax all the external street boundary building line applicable to a group housing development from 3m to 2.5m to accommodate the proposed Group Houses.

- To relax all the external common boundary building line applicable to a group housing development from 3m to 0m to accommodate the proposed Group Houses.
- To increase the permissible coverage from 50% to 78% applicable to Group Houses.

BE APPROVED in terms of Section 60 of the said By-law and subject to conditions of approval.

4. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said By-law:

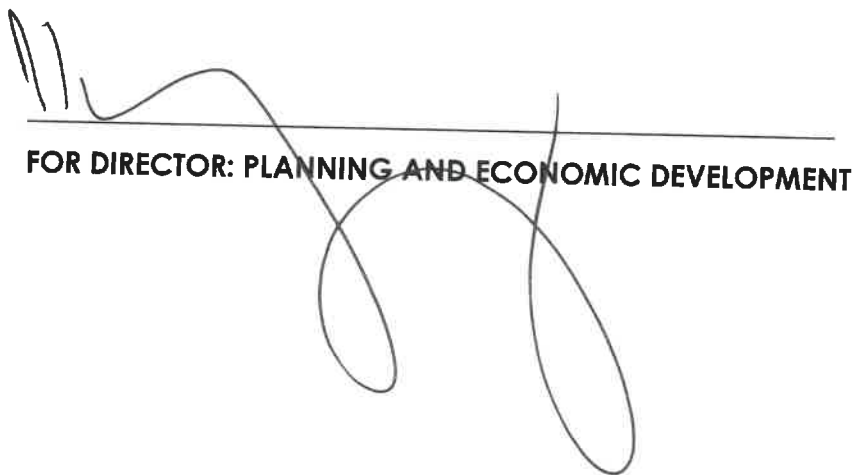
- 4.1 The approval only applies to the applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or By-laws or Regulations that may be applicable.
- 4.2 The consolidation be undertaken in accordance with the Consolidation Plan, Plan No. 3, dated 30/11/2023, drawn by TV3 Architects, Town Planners, Urban Designers, attached as **Annexure A**.
- 4.3 The subdivision be undertaken in accordance with the Subdivision, Phasing and Zoning Plan, Plan No. 4, dated 09/07/2024, drawn by TV3 Architects, Town Planners, Urban Designers, attached as **Annexure B**.
- 4.4 New erf diagrams or general plans for the newly created land units be submitted to the Municipality for clearance and record purposes.
- 4.5 All common property, inclusive of private road/s and open space/s and land required for services by the owners' association, be transferred to the Master Owners Association / Owners' Association, with the transfer or registration of the first land unit or prior to the first building plan approval, whichever occurs first.

- 4.6 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or approval of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.
- 4.7 A street naming and numbering plan attached as **Annexure D**, be approved by the Stellenbosch Municipality prior to issuing of a section 28 certificate.
- 4.8 The development be undertaken in accordance with the **Site Development Plan 1**: No. 3817/C2000 Rev. A, dated 2024-02-23, **Site Development Plan 2** : Plan No. 3817/C/2003, dated 2024.02.21; **Site Development Plan 3** : Plan No. 3817/C1000, dated 2024.02.22, Plan No. 3817/C/2010, dated 21.11.2023, Plan No. 3817/C/2020, dated 21.11.2023, Plan No. 3817/C/2020, dated 21.11.2023, Plan No. 3817/C/2040, dated 21.11.2023, Plan No. 3817/C/2041, dated 21.11.2023, Plan No. 3817/C/2060, dated 21.11.2023, drawn by TV3 Architects, Town Planners, Urban Designers, attached as **Annexure E**.
- 4.9 Building plans must be generally in accordance with the site development plan, above.
- 4.10 Building plans must be submitted and approved by the Municipality prior to the commencing of any building work, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.
- 4.11 A service agreement regarding the responsibilities for the provision of engineering services be entered into with the Municipality prior to the construction of any Engineering services or infrastructure in terms of Section 66(3) and Section 82(4) of the said By-law, which service agreement includes and complies with the conditions as imposed by the Directorate Infrastructure Services in their Memo dated 24 June 2024, attached as **Annexure F**.

- 4.12 The conditions imposed by the Transport Infrastructure Branch in their letter dated 5 June 2024, attached as **Annexure G**, be adhered to.
- 4.13 A detailed landscaping plan be submitted for approval with the submission of the first building plan for each phase of the development and be implemented at the cost of the developer prior to an occupation certificate being issued for the last unit of each phase.
- 4.14 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.
5. **The reasons for the above decision are as follow:**
- 5.1 The grounds for appeal were also submitted as objection to the proposed development during the land use application process and taken into consideration by the Decision-maker.
- 5.2 The proposed development forms an integral part and is an extension of the of the existing surrounding group housing properties of which the Appellant's property forms part of.
- 5.3 The registration of the service servitudes adjacent to the Appellant's property is not a requirement from the Directorate: Infrastructure Services and the developer is therefore not obligated to proceed with registration. The Applicant has indicated that the proposed servitude is no longer required.
- 5.4 The Applicant has offered to design the layout of the dwelling unit proposed adjacent to the Appellant's dwelling unit in such a way to accommodate the existing windows of the Appellant's dwelling unit located 0m from the common boundary. This is reflected in the SDP.

- 5.5 The Directorate: Infrastructure Services has approved the proposed development subject to conditions and the Appellant's concerns regarding the integrity of his dwelling unit will be assessed and addressed in terms of the National Building Regulations as part of the building plan application process.
6. Accordingly, the decision detailed in this letter may be implemented, subject to compliance with the conditions of approval.
7. The appeal process has now been concluded.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

12/9/2025
DATE

COPIES:

1)

Email: [c](#)

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ANNEXURE A



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STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN
TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL
LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE
CONDITIONS AS PER ATTACHED LETTER DATED

AUTHORISED EMPLOYEE/MPT

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**Erven 251, 254, 255,
566 & 666, Koelpark
to be consolidated.**

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Notes:

- 1 Erven 251, 254, 255, ⁵⁶⁶~~256~~ & 666, Koelpark
to be consolidated.

All areas and dimensions are approximate and
should be verified by a professional land
surveyor.

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reserved



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TOWN PLANNERS
URBAN DESIGNERS**

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

Nooitgedacht Village

Property Description:**Erven 251, 254, 255, 566 & 666, Koelpark**

Drawing:		Plan no.:
Proposed Consolidation		3
Date:	Scale:	
30/11/2023	1:1250 (A4)	
Project no.:	Drawn:	Checked:
3625-P	WH	Ch



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ANNEXURE B



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494

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN
TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL
LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE
CONDITIONS AS PER ATTACHED LETTER DATE 12/2/2025

AUTHORISED EMPLOYEE/MP

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Phasing not necessarily to be done in
chronological order. Phases A1 & A2 are
construction phases.

All areas and dimensions are approximate and
should be verified by a professional land
surveyor.

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Nooitgedacht Village

Property Description:

Erven 251, 254, 255, 566 & 666, Koelpark

Drawing:		Plan no.:	
Proposed Subdivision, Phasing & Zoning Plan		4	
Date:	09/07/2024	Scale:	1:1250 (A4)
Project no.:	3625-P	Drawn:	WH
		Checked:	CH



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ANNEXURE C



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Flats Erf
4.5m Building Line
for all levels

Flats Erf
4.5m Building
Line for all
levels

Grouphousing Erven
2.5m Street Boundary Building Line
0m Common Boundary Building Line

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Nooitgedacht Village

Property Description:

Erven 251, 254, 255, 566 & 666, Koelpark

Drawing:	Plan no.:		
Building Lines		5	
Date:	30/11/2023	Scale:	1:1250 (A4)
Project no.:	3625-P	Drawn:	WH
		Checked:	Ch



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ANNEXURE D



All areas and dimensions are approximate and should be verified by a professional land surveyor.

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Nooitgedacht Village

Property Description:

Erven 251, 254, 255, 566 & 666, Koelpark

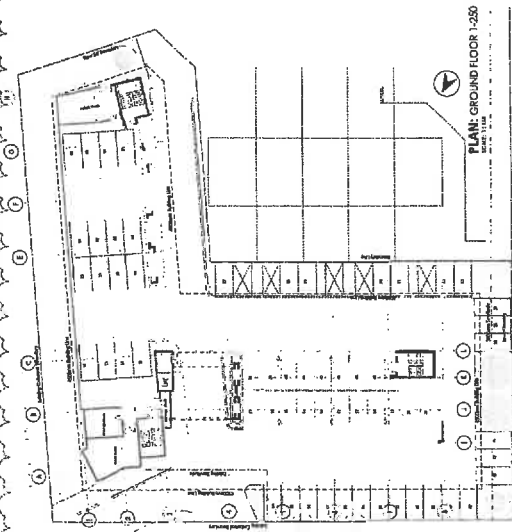
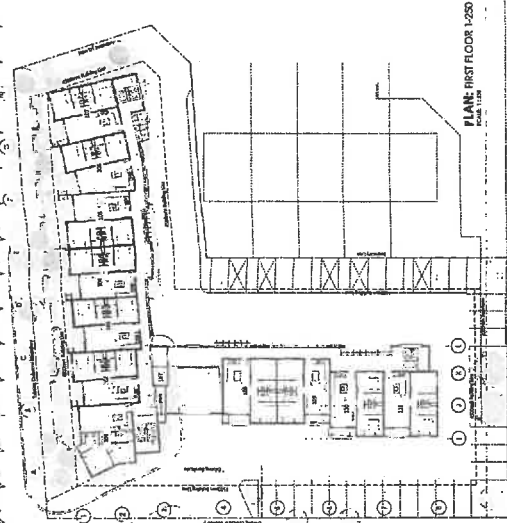
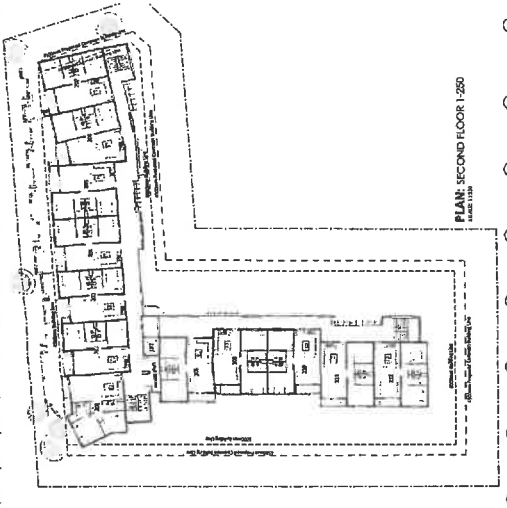
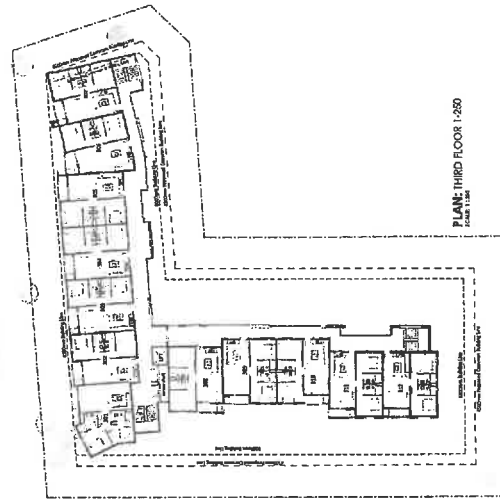
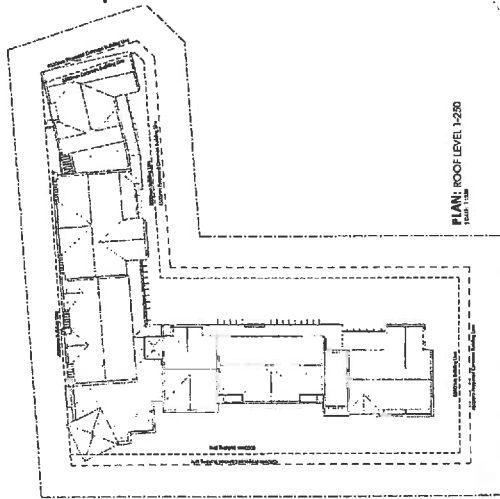
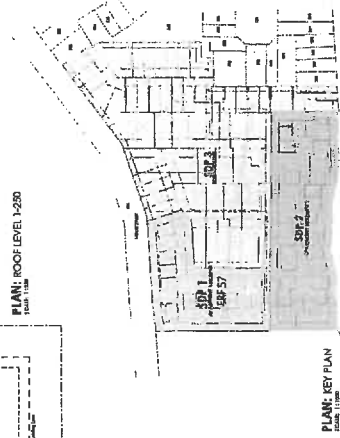
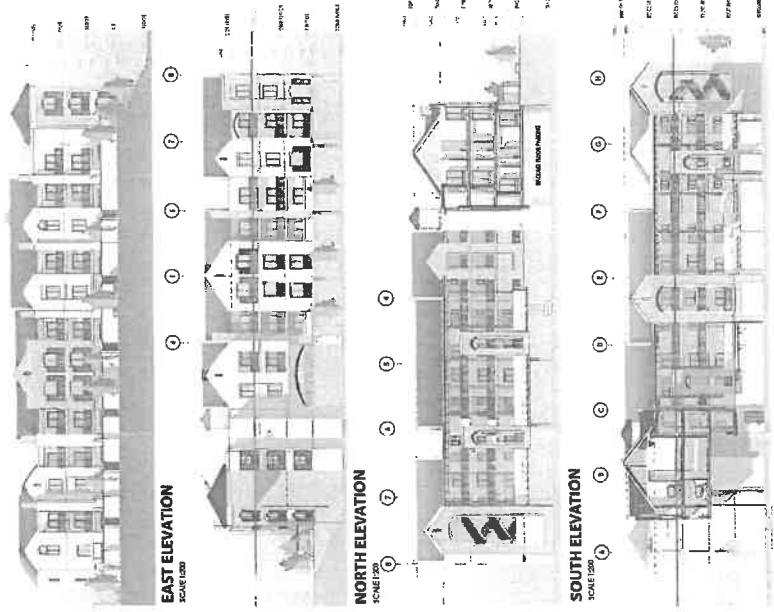
Drawing:	Plan no.:		
Street Names and Numbers			6
Date:	Scale:		
30/11/2023	1:1250 (A4)		
Project no.:	Drawn:	Checked:	
3625-P	WH	Ch	



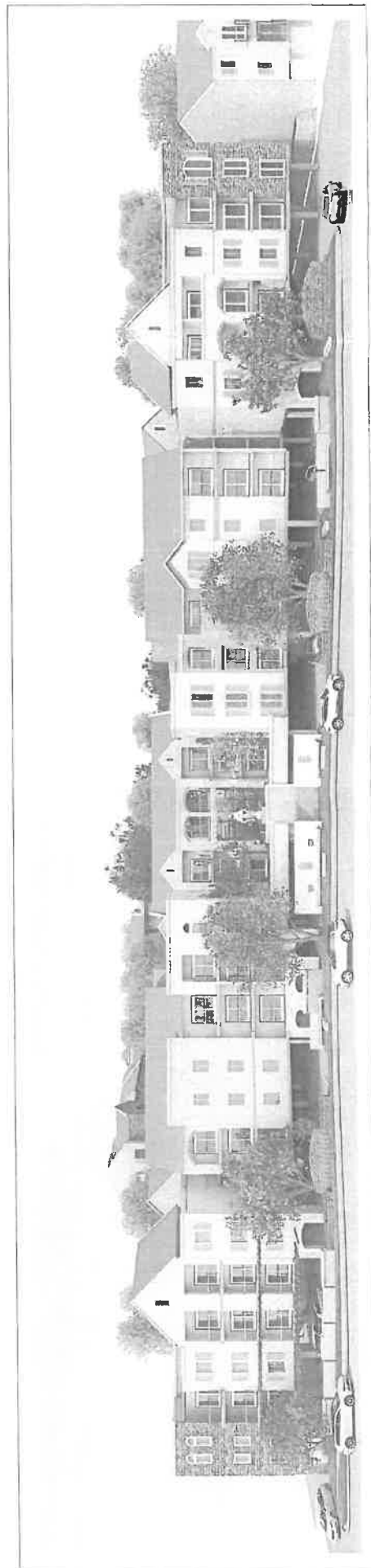
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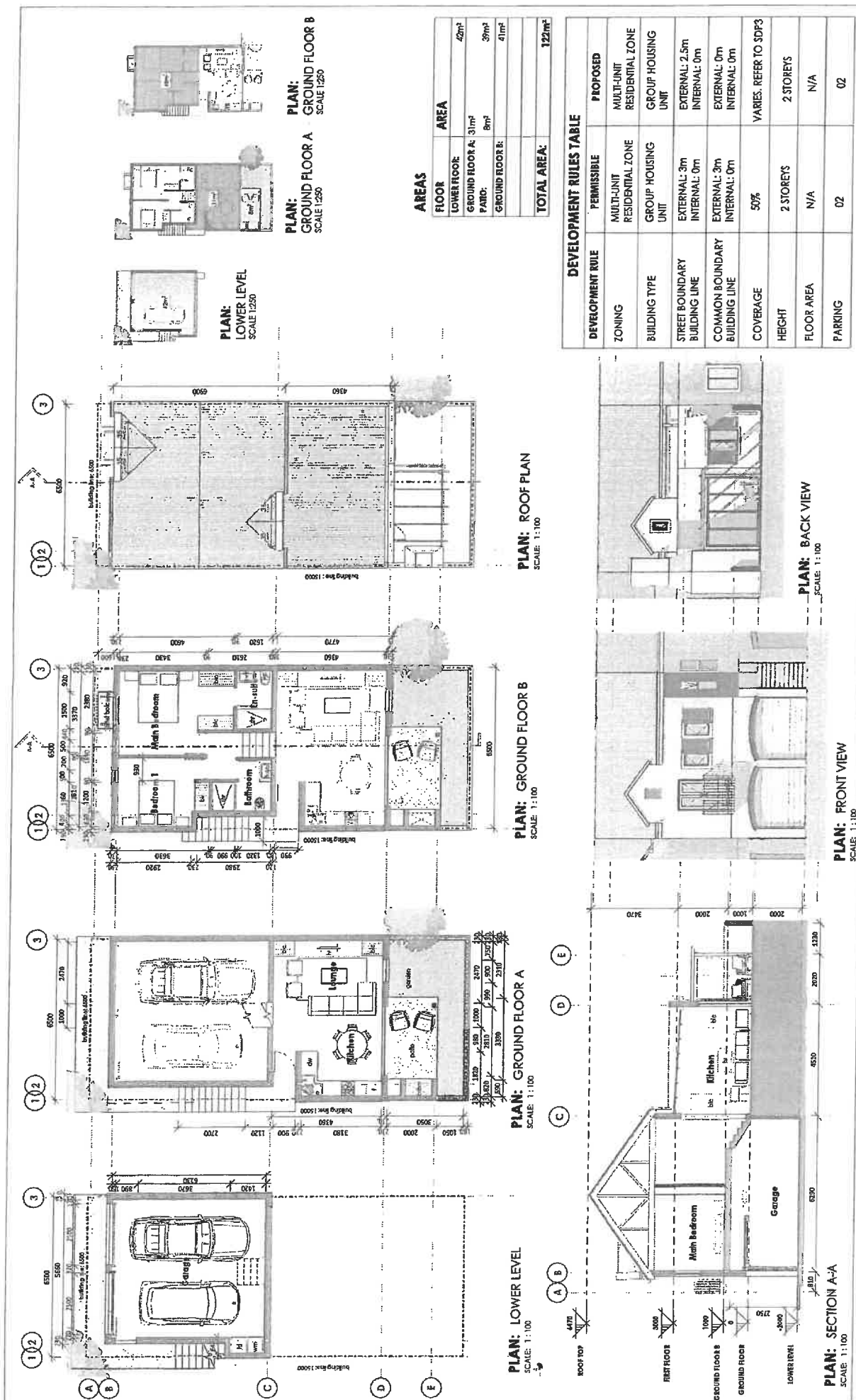
ANNEXURE E

[illegible][illegible]

PLAN: ROOF PLAN
SCALE: 1:200



South Elevation- Street View



AREAS

FLOOR	AREA
LOWER FLOOR	42m ²
GROUND FLOOR A	31m ²
PATIO	8m ²
GROUND FLOOR B	41m ²
TOTAL AREA	122m ²

DEVELOPMENT RULES TABLE

DEVELOPMENT RULE	PERMISSIBLE	PROPOSED
ZONING	MULTI-UNIT RESIDENTIAL ZONE	MULTI-UNIT RESIDENTIAL ZONE
BUILDING TYPE	GROUP HOUSING UNIT	GROUP HOUSING UNIT
STREET BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 2.5m INTERNAL: 0m
COMMON BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 0m INTERNAL: 0m
COVERAGE	50%	VARIES. REFER TO SDP3
HEIGHT	2 STOREYS	2 STOREYS
FLOOR AREA	N/A	N/A
PARKING	02	02

DATE: 21-11-2023

DRAWN: C. MULLER/A. CHETEE

CHECKED: K. SMIT

SIZE / SCALE: A2 / AS Indicated

DRAWING NO: 3817/C/2010

REV: -

ORIGINAL DOCUMENT DATE: 2023-09-18

DOCUMENT VARIATION REGISTER:

NO. DATE DESCRIPTION

71-11-2023 ISSUED FOR SDP SUBMISSION

PROJECT / CLIENT: RÉMÉY

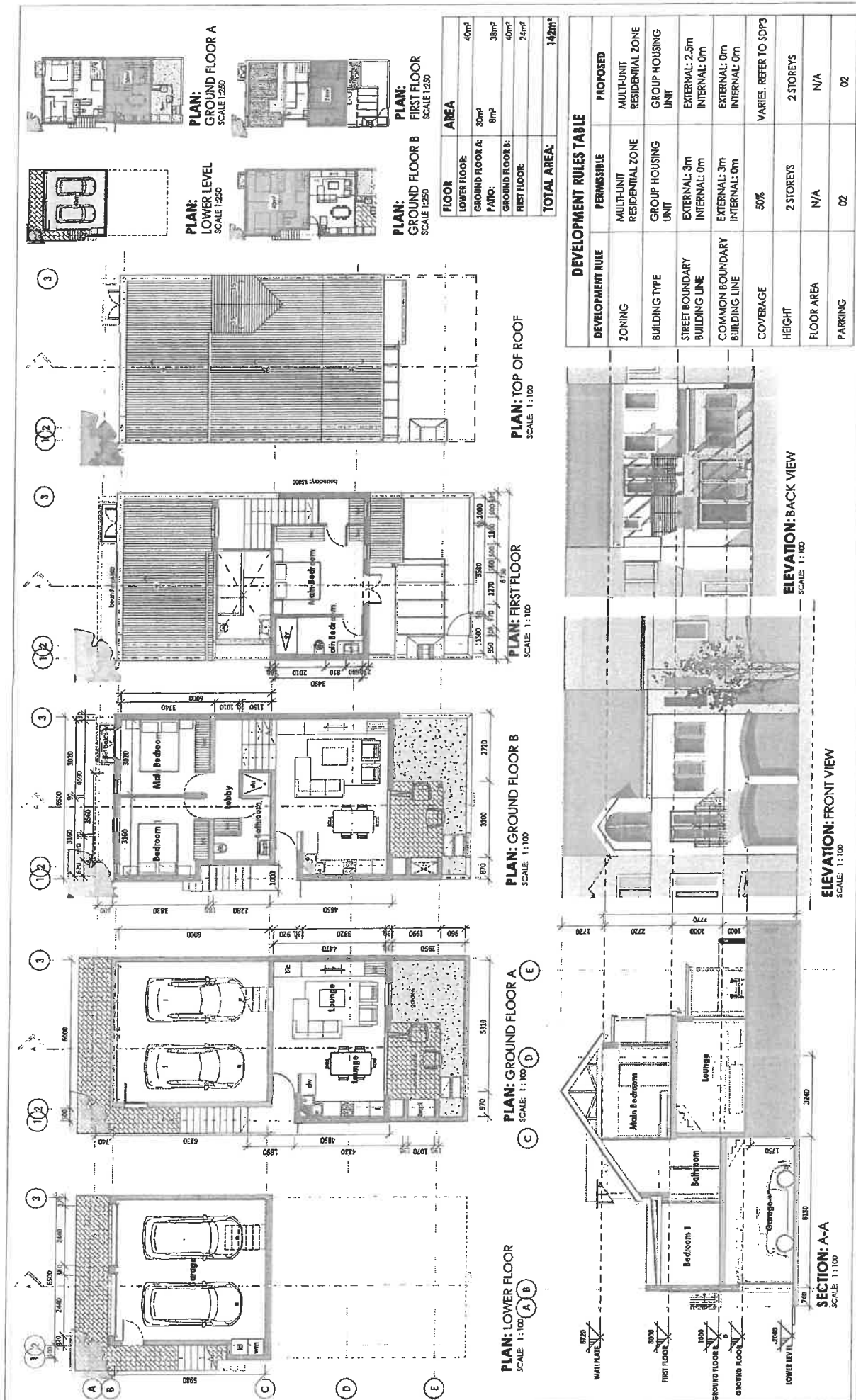
ARCHITECTS: TOWN PLANNERS URBAN DESIGNERS

NOOITGEDACHT VILLAGE SITE DEVELOPMENT PLAN

DRAWING DESCRIPTION: TYPICAL TOWNHOUSE UNIT TYPE 1 - SMALL SPLIT LEVEL, 2 BEDROOM

DRAWING STATUS CODES: A: As Shown - B: As Shown - C: As Shown - D: As Shown - E: As Shown

ALL STRUCTURE REQUIREMENTS (WALLS, CEILING, FLOORING, ROOFING, ETC.) MUST BE COMPLIED WITH THE REQUIREMENTS OF THE BUILDING ACT AND THE BUILDING REGULATIONS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE STRUCTURAL DESIGN OF THE BUILDING. THE ARCHITECT IS NOT RESPONSIBLE FOR THE STRUCTURAL DESIGN OF THE BUILDING. THE ARCHITECT IS NOT RESPONSIBLE FOR THE STRUCTURAL DESIGN OF THE BUILDING.



FLOOR	AREA
LOWER FLOOR	40m ²
GROUND FLOOR A:	30m ²
PATIO:	8m ²
GROUND FLOOR B:	40m ²
FIRST FLOOR:	24m ²
TOTAL AREA:	142m ²

DEVELOPMENT RULE	PERMISSIBLE	PROPOSED
ZONING	MULTI-UNIT RESIDENTIAL ZONE	MULTI-UNIT RESIDENTIAL ZONE
BUILDING TYPE	GROUP HOUSING UNIT	GROUP HOUSING UNIT
STREET BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 2.5m INTERNAL: 0m
COMMON BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 0m INTERNAL: 0m
COVERAGE	50%	VARIES: REFER TO SDP3
HEIGHT	2 STOREYS	2 STOREYS
FLOOR AREA	N/A	N/A
PARKING	02	02

ORIGINAL DOCUMENT DATE: 2023-06-13
DOCUMENT VARIATIONS REGISTER:
NO. DATE DESCRIPTION
1 2023-11-21 ISSUED FOR SDP SUBMISSION

PROJECT DESCRIPTION:
**NOOITGEDACHT VILLAGE
SITE DEVELOPMENT PLAN**

PROJECT / CLIENT:
RÉMÉY

DRAWING DESCRIPTION:
**TYPICAL TOWNHOUSE UNIT TYPE 2 -
LARGE SPLIT LEVEL UNIT, 3 BEDROOM**

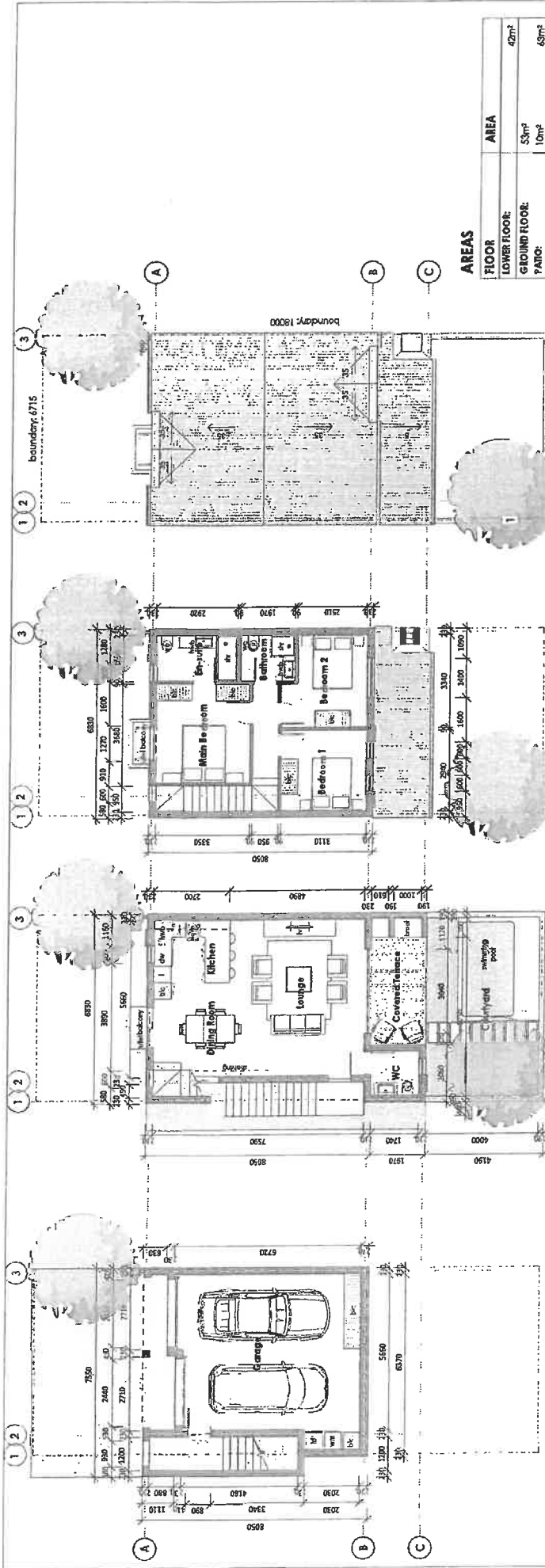
ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

DATE: 2023-11-21
DRAWN: C.MULLER/JA.COETZEE
CHECKED: K.SMIT
SIZE / SCALE: A2 / As indicated
DRAWING NO: **3817/C/2020**
REV: -

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AREAS

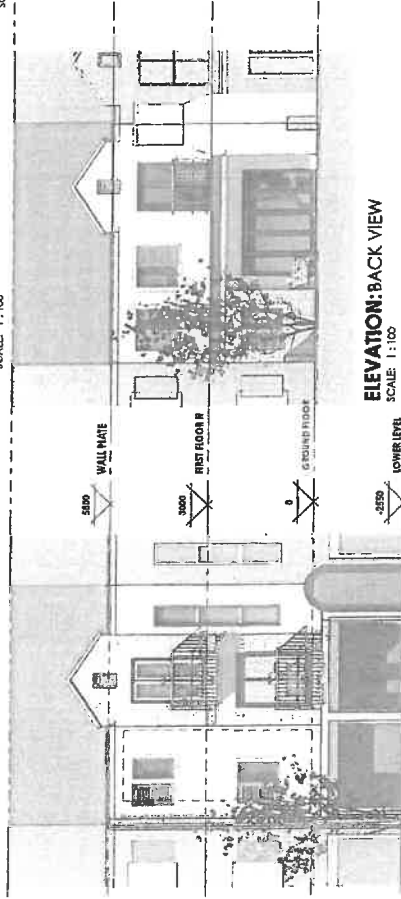
FLOOR	AREA
LOWER FLOOR	42m ²
GROUND FLOOR	53m ²
PATIO	10m ²
FIRST FLOOR	46m ²
TOTAL AREA:	151m ²

PLAN: LOWER GROUND FLOOR
SCALE: 1:100

PLAN: GROUND FLOOR
SCALE: 1:100

PLAN: FIRST FLOOR
SCALE: 1:100

PLAN: ROOF
SCALE: 1:100



ELEVATION: FRONT VIEW
SCALE: 1:100

ELEVATION: BACK VIEW
SCALE: 1:100

DEVELOPMENT RULE	PERMISSIBLE	PROPOSED
ZONING	MULTI-UNIT RESIDENTIAL ZONE	MULTI-UNIT RESIDENTIAL ZONE
BUILDING TYPE	GROUP HOUSING UNIT	GROUP HOUSING UNIT
STREET BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 2.5m INTERNAL: 0m
COMMON BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 0m INTERNAL: 0m
COVERAGE	50%	VARIES. REFER TO SDP3
HEIGHT	2 STOREYS	2 STOREYS
FLOOR AREA	N/A	N/A
PARKING	02	02

DEVELOPMENT RULES TABLE

ORIGINAL DOCUMENT DATE: 2023-04-14
DOCUMENT/WORKSHEET REGISTER:
NO. DATE DESCRIPTION
2023-11-21 ISSUED FOR SDP SUBMISSION

PROJECT DESCRIPTION:
**NOOTGEDACHT VILLAGE
SITE DEVELOPMENT PLAN**

PROJECT / CLIENT:
RÉMY

DATE: 2023-11-21
DRAWING: N.BAATH/A.COPELLEE
CHECKED: K.SMIT
SIZE / SCALE: A2 / AS INDICATED
DRAWING NO.: 3817/C/2040

3817/C/2040

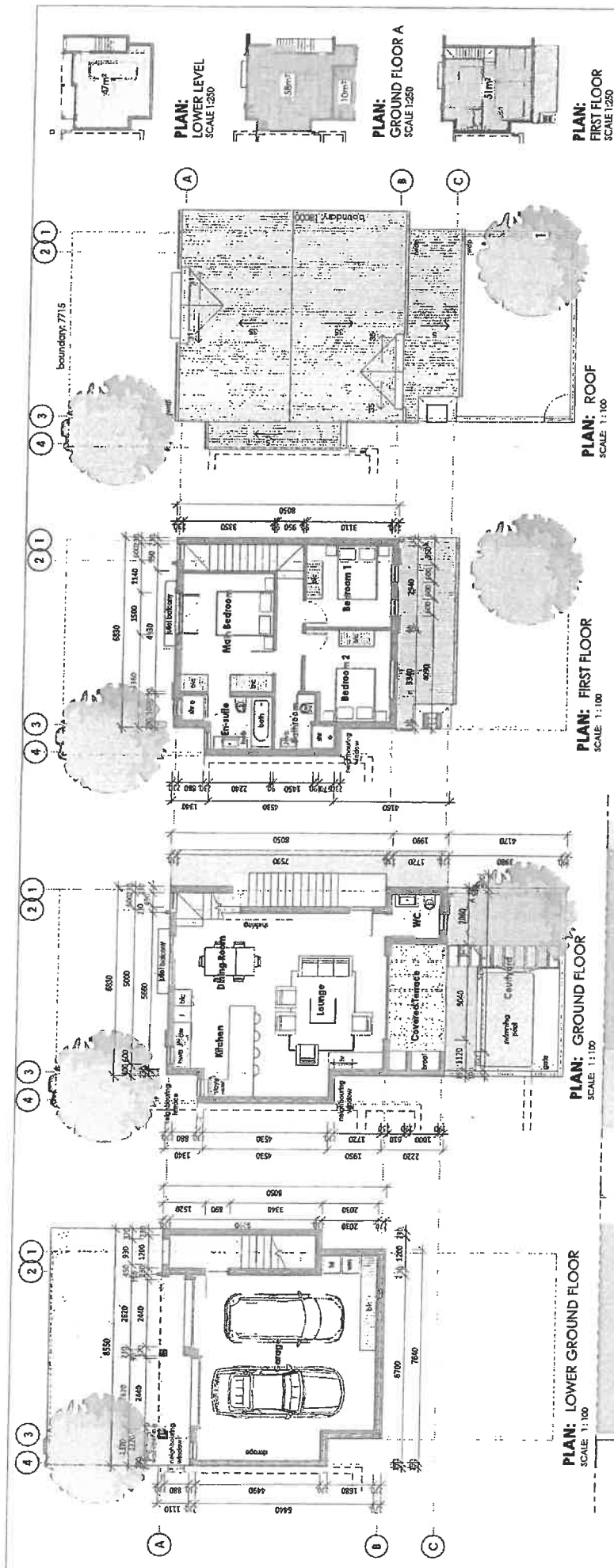
MUNICIPAL

DRAWING DESCRIPTION:
**TYPICAL TOWNHOUSE UNIT TYPE 4 -
SHARED STAIR WITH DOUBLE GARAGE**

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TOWN PLANNERS
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URBAN DESIGNERS

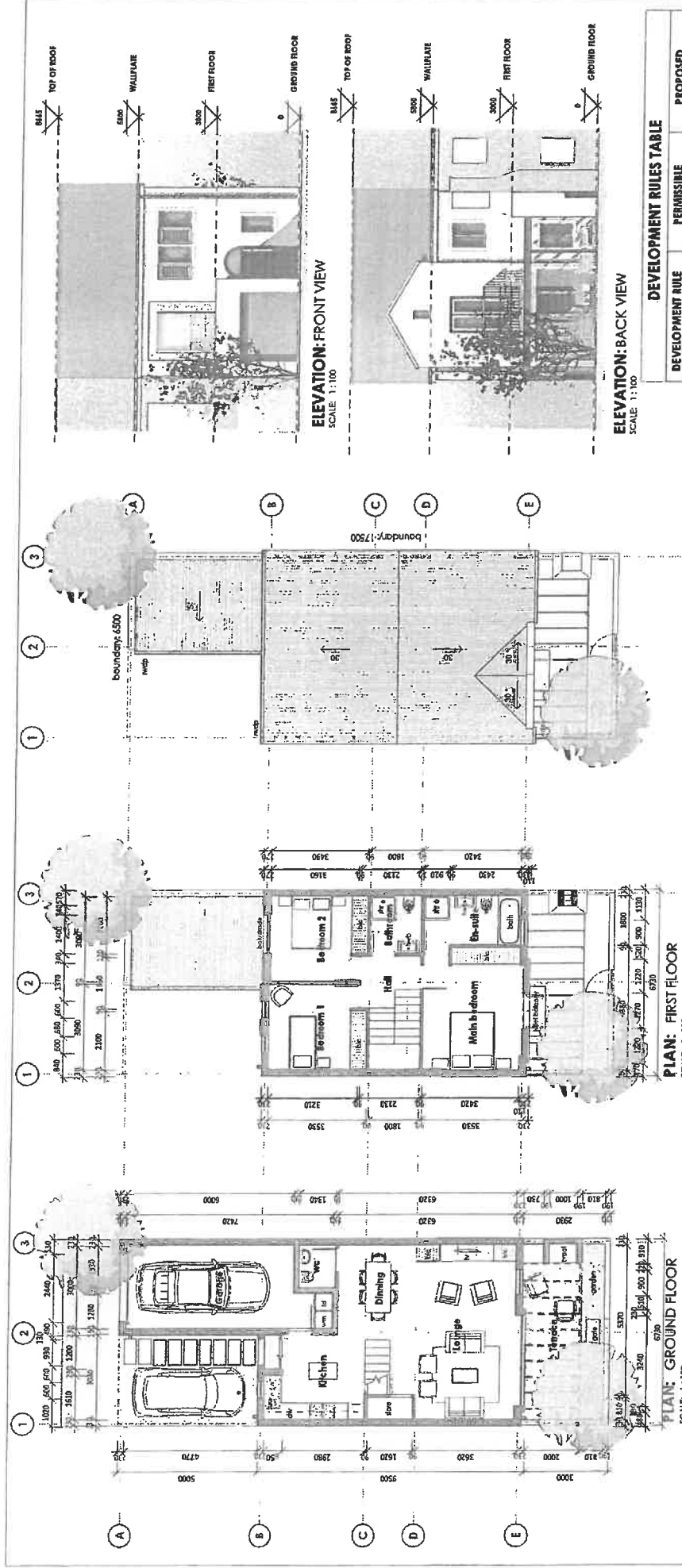
DRAWING STATUS CODES:
A-Project is Approved - 1-5 Modified - 6-Error - 7-Completed - 8-As Built
ALL EXISTING INFORMATION (INTERNAL, EXTERNAL, EXISTING, AND NEW) IS TO BE USED TO
COMPLEMENT THE EXISTING INFORMATION AND NOT TO REPLACE IT. THE EXISTING INFORMATION
SHOULD BE USED TO COMPLEMENT THE EXISTING INFORMATION AND NOT TO REPLACE IT.
THE EXISTING INFORMATION SHOULD BE USED TO COMPLEMENT THE EXISTING INFORMATION
AND NOT TO REPLACE IT.



DEVELOPMENT RULES TABLE		
DEVELOPMENT RULE	PERMISSIBLE	PROPOSED
ZONING	MULTI-UNIT RESIDENTIAL ZONE	MULTI-UNIT RESIDENTIAL ZONE
BUILDING TYPE	GROUP HOUSING UNIT	GROUP HOUSING UNIT
STREET BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 2.5m INTERNAL: 0m
COMMON BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 0m INTERNAL: 0m
COVERAGE	50%	VARIES. REFER TO SDP3
HEIGHT	2 STOREYS	2 STOREYS
FLOOR AREA	N/A	N/A
PARKING	02	02

AREAS	
FLOOR	AREA
LOWER FLOOR:	47m ²
GROUND FLOOR:	58m ²
PATIO:	10m ²
FIRST FLOOR:	68m ²
	51m ²
TOTAL AREA:	166m²

[illegible]



PLAN: ROOF
SCALE: 1:100

PLAN: FIRST FLOOR
SCALE: 1:100

PLAN: GROUND FLOOR
SCALE: 1:100

AREAS

FLOOR	AREA
GROUND FLOOR	75m ²
PATIO	14m ²
FIRST FLOOR	55m ²
TOTAL AREA:	144m ²

PLAN: GROUND FLOOR
SCALE: 1:250

PLAN: FIRST FLOOR
SCALE: 1:250

DEVELOPMENT RULES TABLE

DEVELOPMENT RULE	PERMISSIBLE	PROPOSED
ZONING	MULTI-UNIT RESIDENTIAL ZONE	MULTI-UNIT RESIDENTIAL ZONE
BUILDING TYPE	GROUP HOUSING UNIT	GROUP HOUSING UNIT
STREET BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 2.5m INTERNAL: 0m
COMMON BOUNDARY BUILDING LINE	EXTERNAL: 3m INTERNAL: 0m	EXTERNAL: 0m INTERNAL: 0m
COVERAGE	50%	VARIES. REFER TO SDP3
HEIGHT	2 STOREYS	2 STOREYS
FLOOR AREA	N/A	N/A
PARKING	02	02

DATE: 2023-11-21
DRAWN: N.BEYERS/A. OETZEE
CHECKED: NLSMIT
SIZE / SCALE: A2 / As Indicated
DRAWING NO: 3817/C/2060
REV: -

DRAWING DESCRIPTION:
TYPICAL TOWNHOUSE UNIT TYPE 6 - TWO STOREY WITH FRONT GARAGE

DRAWING STATUS CODES:
A: Project as a whole
C: Client
D: Design
E: Engineering
F: Final
G: General
H: Hatched
I: Information
J: Job
K: Kitchen
L: Landscape
M: Mechanical
N: Notes
O: Other
P: Plumbing
R: Road
S: Structural
T: Title
U: Utilities
V: Vertical
W: Windows
X: X-section
Y: Yard
Z: Zone

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ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

PROJECT / CLIENT:
RÉMÉY

ORIGINAL DOCUMENT DATE: 2023-04-14
DOCUMENT VARIATIONS REGISTER:
NO. DATE DESCRIPTION
1 2023-11-21 ISSUED FOR SDP

PROJECT DESCRIPTION:
**NOOTGEDACHT VILLAGE
SITE DEVELOPMENT PLAN**

MUNICIPAL



STELLENBOSCH
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ANNEXURE F



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:	24 June 2024
Our Ref ▫ Ons Verw:	Civil LU 2710
Town Planning Ref:	LU/16536 – TP600/2023
Re ▫ Insake:	Erf 251, 254, 255, 566 & 666: Nooitgedacht Village: Village Junction: Consolidation of erven, and subdivision for the development of two apartment buildings (36 + 84 units = 120 flats) and 55 group housing erven.

This Memo replaces the Memo dated 14 June 2024 - a typing error wrt the water demand figure on page 2 has been corrected.

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

- Civil engineering services report by Bart Senekal dated 5 December 2023
- TIS by ITS dated 7 December 2023

<u>Background</u>

Water and Sewer

In the engineering approval conditions (Memo dated 2014-10-22), an “existing right” was confirmed for the overall Nooitgedacht Village Development. Any usage/demand beyond this will require

confirmation of bulk system capacity and will trigger the payment of DCs. The "existing right" demand for water and sewer is:

Sewerage:	355, 549 kl/day
Water:	469, 218 kl/day

The demand caused by this application is as follows:

Sewerage:	370 kl/day (exceeds existing rights demand by 14.541 kl/day)
Water:	446 kl/day

At the moment, there is sufficient WWTW and bulk network capacity for the additional sewer, but DCs will be applicable for the run-off exceeding the existing right.

Roads

In terms of the Roads, clause 45 of the aforementioned Memo states that certain upgrades will be required once the Nooitgedacht Village reaches the 50% stage. The information contained in the Transport Basket of Rights letter of the current application confirms that with the inclusion of this application, the development to date is still within these parameters, namely 39%.

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. Roads

- 1.1 Any conditions stated by the Provincial Roads Engineer must be complied with.

2. Installation of Engineering Services

- 2.1 Each newly created erf (or each building where subdivision is not applicable) must be fully serviced to water- and sewer connections, stormwater drainage and roads/access points and all internal and link engineering services for the development must be installed by the developer and at his cost.

- 2.2 Detail engineering drawings must be submitted for approval prior to the commencement of construction. The approved drawings and municipal approval letter issued by the Municipality will constitute the "engineering services agreement" for the provision and installation of services between the municipality and the land owner / developer.

3. Development Charges (DCs)

- 3.1 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.
- 3.2 DCs are payable for the **14.541 kl/day sewer**, as set out in the "Background" section. A final calculation will be provided prior to payment. DCs for the other service categories are not applicable.

4. As - Builts

- 4.1 Upon completion, a complete set of as-built drawings, must be submitted in a format acceptable to the Municipality. These drawings must be signed by a professionally registered engineer.

5. General

- 5.1 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.

General Conditions

6. The provision and installation of the services for the development must comply with the Design Guidelines and Minimum Standards for Civil Engineering Services.
7. The internal services are private. Therefore, all internal services will be maintained by the Developer and/or Owner's Association.



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

W:\2.0 DEVELOPMENT\01 Land Use applications\2710 (TK) Erf 251, 254, 255 & 566 Koelpark (LU-16536 TP600-2023) Nooitgedacht Village - Village Junction\2710 (TK) Erf 251, 254, 255 & 566 (LU-16536 TP600-2023) Nooitgedacht Village_2 correction.doc



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ANNEXURE G



**Western Cape
Government**

Department of Infrastructure

Vanessa Stoffels

Chief Directorate: Road Planning

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

Ref: 16/9/6/1-25/57 (Application 22332-4)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr U von Molendorff

Dear Sir

ERVEN 251, 254, 255, 566 AND 666, KOELPARK, STELLENBOSCH: DIVISIONAL ROAD 1085, MAIN ROAD 174 AND 187: APPLICATION FOR CONSOLIDATION, PERMANENT DEPARTURES AND APPROVAL OF SDP (MULTI-UNIT RESIDENTIAL DEVELOPMENT/VILLAGE SQUARE)

1. The following refer:
 - 1.1. The email from TV3 Architects, Town Planners & Urban Designers dated 25 March 2024;
 - 1.2. The Planning Motivation Report prepared by TV3 Architects, Town Planners & Urban Designers dated 8 December 2023;
 - 1.3. Proposed Consolidation Plan prepared by TV3 Architects, Town Planners & Urban Designers dated 30 November 2023;
 - 1.4. Proposed Subdivision, Phasing and Zoning Plan prepared by TV3 Architects, Town Planners & Urban Designers dated 4 April 2024;
 - 1.5. Site Development Plan (Drawing No. 3817/C/1000) prepared by TV3 Architects, Town Planners & Urban Designers dated 22 February 2024;
 - 1.6. The letter ITS 3201.2 from Innovative Transport Solutions to Rémeý dated 7 December 2023 containing the Transport Impact Statement;
 - 1.7. Our letter 13/3/5/1-25/237 (Job 2848) dated 15 February 2013;
 - 1.8. Our letter 13/3/5/1-25/237 (Job 2848) dated 18 November 2013;
 - 1.9. Our letter 13/3/5/1-25/237 (Job 2848) dated 25 July 2014;
 - 1.10. Our letter 16/9/6/1-25/243 (Job 17124) dated 10 February 2020;
 - 1.11. Our letter 16/9/6/1-25/57 (Job 22332) dated 4 October 2023; and
 - 1.12. Our letter 16/9/6/1-25/57 (Job 22332) dated 14 May 2023.

2. This application has an impact on Divisional Road 1085 (Kromme Rhee Road), Main Road 174 (R304) and Main Road 187 (Bottelary Road).
3. This application entails the following:
 - 3.1. The consolidation of Erven 251, 254, 255, 566 and 666;
 - 3.2. The subdivision of the consolidated erf into 57 Multi-Unit Residential Zone erven;
 - 3.3. Approval of Village Square's Site Development Plan (SDP);
 - 3.4. The Village Square which will consist of 2 apartment buildings (120 apartments) and 55 group housing units.
4. The Transport Statement highlights the following:
 - 4.1. Approximately 39% of the approved rights have been utilized to date, including the 175 residential units applied for in this application;
 - 4.2. Erven 251, 254, 255, 566 & 666 were previously shown as 69 town housing units, 100 apartments and approximately 11 000m² GLA Business use. the proposed change in land use will result in less peak hour trips than what was previously approved.; and
 - 4.3. The detail design already submitted to the Design Directorate of this Branch includes the left and right-turn lanes on the eastern approach along Kromme Rhee Road at the R304/Bottelary Road/Kromme Rhee Road intersection, as part of the conditions of approval for the next phases of the Devonbosch Development.
5. The following should be noted from our previous letters of comment:
 - 5.1. Paragraph 6 in our letter dated 15 February 2013: "Please note that any future Section 31 requests for clearance will require the TIA to be updated to determine the trigger date for the implementation of the dedicated right turn lane on the western approach of the MR174/MR187/DR1085 signalised intersection as well as the installation of street lighting on all the approaches to the intersection." (Erratum - Western approach should read eastern approach)
 - 5.2. Paragraph 4.4 in our letter dated 18 November 2013: "The construction of a dedicated right turn lane on the eastern approach of the R304/Bottelary Road/Kromme Rhee Road or; a capital deposit to the construction value (2013 Rand value) into a secure account or; a bank guarantee in favour of Stellenbosch Municipality or the Cape Winelands District Municipality that would secure the funds for future road infrastructure upgrading related to the Nooitgedacht Development. This Branch has the prerogative to choose the final option as set out above. Should the capital deposit be the preferred option this Branch will only Grant Section 31 clearance once the funds have been secured for this development to the satisfaction of this Branch."
 - 5.3. Paragraph 4.2 in our letter dated 25 July 2014: "Immediate construction of a dedicated right turn lane, for northbound traffic on Divisional Road 1085, at the signalised Main Road 174 / Main Road 187 / Divisional Road 1085 intersection."

- 5.4. Paragraph 4.4 in our letter dated 25 July 2014: "Installing a complete streetlight system for the signalised Main Road 174 / Main Road 187 / Divisional Road 1085 intersection with immediate effect".
6. This Branch offers no objection to the application to develop 2 apartment buildings (120 apartments) and 55 group housing units on the consolidated erf of erven 251, 254, 255, 566 and 666, Koelpark, subject to the following conditions:
 - 6.1. The right-turn lane on the eastern approach of the R304/Bottelary Road/Kromme Rhee Road intersection must be constructed before a certificate of occupation is issued for this development by Stellenbosch Municipality;
 - 6.2. The conditions listed in paragraph 4.1, 4.3, 4.5, 4.6, 4.7 and 4.8 of our letter dated 25 July 2014 remain applicable.
7. In our letter 16/9/6/1-25/57 (Job 22332) dated 4 October 2023, this Branch waived the condition for the installation of streetlights as they will be installed as part of the Devonbosch Development's conditions, as listed in our letter 16/9/6/1-25/243 (Job 17124) dated 10 February 2020, for which the design is currently being evaluated by the Design Directorate at this Branch.
8. It is recommended that the developer negotiate the funding for the construction of the right-turn lane with the management of the Devonbosch Development should the proposed upgrade of the R304/Bottelary Road/Kromme Rhee Road intersection be approved and constructed before this development applies for a certificate of occupation from Stellenbosch Municipality.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 5 JUNE 2024