



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Case ID 1500155192

**Erf 39608, 19A Link Road,
Belgravia, Bellville**

Development Management

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MOTIVATION REPORT

**APPLICATION MADE IN TERMS OF SECTION 42(a) AND 42(b) OF
THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW OF
2015, FOR THE REZONING AND PERMANENT DEPARTURE ON
ERF 39608 IN BELLVILLE.**

**APPLICATION SITE:
ERF 39608 IN BELLVILLE.**

12 August 2026

Submitted by:



TABLE OF CONTENTS

1. The Application.....	4
1.1 Application.....	4
2. General information	4
2.1 Locality.....	4
2.2 Ownership	4
2.3 Bond information	4
2.4 Property size.....	4
2.5 Conditions of title	4
2.6 Current land use rights.....	5
2.7 Surrounding zoning regime	5
2.8 Proposed Land Use Rights	5
3. Services	6
3.1 Water	6
3.2 Sanitation	6
3.3 Electricity	6
3.4 Access	6
3.5 Parking.....	6
3.6 Summary	6
4. Development concept.....	7
4.1 Background.....	7
5. Prevailing policy environment	7
5.1 Spatial Planning and Land Use Management Act, 2013 (SPLUMA).....	7
5.2. Integrated Development Plan, 2022-2027	8
5.3. Cape Town Municipal Spatial Development Framework of 2023	9
5.4. Tygerberg District Plan of 2023.....	9
5.5. Densification Policy of 2012.....	10
5.6. Urban Design Policy of 2024	10
5.7. City of Cape Town Municipal Planning By-Law of 2015.....	10
6. Motivation	10
6.1. Need	10
6.2. Desirability	11
6.2.1. Context and compatibility	11
6.2.2. Sustainability	11

6.2.3. Impact on heritage	13
6.2.4. Traffic impacts, parking, access, and other transport related considerations.....	13
6.2.5. Whether the imposition of conditions to mitigate an adverse impact of the proposed use or development of land.....	13
7. Conclusion.....	13
6. References.....	15

1. The Application

1.1 Application

Proplan Dynamics (Pty) Ltd has been appointed by _____ to compile and submit this application for Rezoning from Residential Zone 1 to General Residential Zone 2 in terms of section 42(a), and Permanent Departure of the Northern building line to be 3,279m in lieu of 4,5m, Eastern building line to be 1,531m in lieu of 4,5m, Southern building line to be 1,563m in lieu of 4,5m, Street (Link Road) building line to be 2,274m in lieu of 4,5m, and parking bays to be 3 in lieu of 13 in terms of section 42(b) of the City of Cape Town Municipal Planning By-Law of 2015, to permit a boarding house on Erf 39608 in Bellville.

2. General information

2.1 Locality

From an administrative perspective, the property is situated within the area of jurisdiction of the City of Cape Town Municipality in the District of Tygerberg.

Geographically, the property is situated in Bellville.

Refer to Annexure 1: Locality Map

2.2 Ownership

Erf 39608 in Bellville is registered in the name of _____ by virtue of Deed of Transfer Number: _____. Furthermore, the power of attorney authorising Proplan Dynamics (Pty) Ltd to compile and submit this application on behalf of _____ is attached.

Refer to Annexure 5: Power of Attorney

2.3 Bond information

There is no bond registered over the property under application.

Refer to Annexure 2: Deed of Transfer

2.4 Property size

Erf 39608 in Bellville, measures 489 m² in extent.

Refer to Annexure 2: Deed of Transfer

Refer to Annexure 3: Surveyor General Diagram – Bellville.

2.5 Conditions of title

There are no restrictive conditions in the deed of transfer.

Refer to Annexure 2: Deed of Transfer

2.6 Current land use rights

The property under application is currently zoned as follows:

Zoning:	Residential Zone 1
Floor Factor:	1,0
Coverage:	75%
Density:	9,0m

Building Lines	
Street Boundary	3,5 m
Common Boundaries	0,0 m (12,0 m from street and 60%) and 1,5 m rest
Street Centreline Setback	n/a

Parking - 2 bays per dwelling unit.

2.7 Surrounding zoning regime

The zoning of the properties in the area surrounding Erf 39608 in Bellville are as indicated in the table below:

Property Description	Zoning
Erven 6378, 6379, 6380, 6381, 6382, 6383, 6384, 6385, 6393, 6394, 6395, 6981-RE, 6930-RE, 41389, and 41388 in Bellville.	"Residential Zone 1"
Erven 35884, 35885, 35886, 35887, 35890, 6919-RE, and 6928 in Bellville.	"General Residential Zone 2"
Erven 6924, 6987, and 6934-RE in Bellville.	"Public Open Space"
Erf 6926 in Bellville.	"Local Business Zone 1"
Erf 41536 in Bellville.	"Community Zone 1"

2.8 Proposed Land Use Rights

The property under application is proposed to be rezoned to the following zoning:

Zoning:	General Residential Zone 2
Floor Factor:	1,0
Coverage:	60%
To top of the roof:	15,0 m

Building Lines

Street Boundary	4,5 m
Common Boundaries	4,5 m or 0,6 H (0,0 m up to 15,0 m height for 18,0 m from street)
Street Centreline Setback	n/a

Parking: 1 bay per bedroom for the first 10 bedrooms, thereafter, 0,5 bays for each bedroom in excess of 10. However, this application also applies for Permanent Departure of parking bays to be 3 in lieu of 13 due to space availability on the site. Moreover, this application supports objective 12 of the Integrated Development Plan (2022-2027: 91). Furthermore, most students do not own motor vehicles.

3. Services

3.1 Water

The property under application has access to the municipal water supply.

3.2 Sanitation

The property under application is connected to the municipal bulk sewer network.

3.3 Electricity

The property under application has access to the municipal electricity supply.

3.4 Access

The property under application is accessible from the Link Road.

3.5 Parking

Erf 39608 in Bellville, its parking is proposed to be 1 bay per bedroom for the first 10 bedrooms, thereafter, 0,5 bays for each bedroom in excess of 10. However, this application also applies for Permanent Departure of parking bays to be 3 in lieu of 13 due to space availability on the site. Moreover, this application supports objective 12 of the Integrated Development Plan (2022-2027: 91). Furthermore, most students do not own motor vehicles.

Refer to Annexure 4: Site Plan

3.6 Summary

The property under application is serviced in terms of water, sanitation, and electricity, and it is accessible. Should the increase in demand for any of the services listed above as a result of the proposed rezoning and

permanent departure require the installation of service infrastructure, the once-off bulk service contribution payable to the Municipality will cover all costs incurred.

4. Development concept

4.1 Background

The property under application is currently occupied by a dwelling house which is converted to a boarding house that already exists. The site belongs to _____ and it is situated on Erf 39608 in Bellville. The site's zoning is currently Residential Zone 1 and the application submitted by Proplan Dynamics (Pty) Ltd is for Rezoning it to General Residential Zone 2, and Permanent Departure of the Northern building line to be 3,279m in lieu of 4,5m, Eastern building line to be 1,531m in lieu of 4,5m, Southern building line to be 1,563m in lieu of 4,5m, Street (Link Road) building line to be 2,274m in lieu of 4,5m, and parking bays to be 3 in lieu of 13 in order to permit a boarding house on the subject property.

5. Prevailing policy environment

5.1 Spatial Planning and Land Use Management Act, 2013 (SPLUMA)

The proposed development complies with the following development principles set out in the Spatial Planning and Land Use Management Act 16 of 2013:

The principle of spatial resilience

The principle of spatial resilience states that the environment must be able to absorb shocks and disturbances. The rezoning and permanent departure of the subject property will not cause any shock or disturbance to the environment.

The principle of spatial sustainability

The principle of spatial sustainability requires among others, that land development should be promoted in locations that are sustainable and which limit urban sprawl. This application is compliant as it proposes the rezoning and permanent departure on Erf 39608, located in an area earmarked as an "Urban Inner Core", and urban development is encouraged in this area. The application prevents urban sprawl, and by linking into existing bulk infrastructure and utilising the current road network, therefore, the application is spatially sustainable.

The principle of efficiency

The principle of efficiency requires that land development optimises the use of existing resources and infrastructure. Furthermore, this principle requires that the decision-making procedures should minimise any negative financial, social, economic or environmental impacts.

As aforementioned, the application complies with this principle as it proposes rezoning and permanent departure on the said land within a proclaimed suburb and the dwelling house is connected to the existing bulk service and road infrastructure. The rezoning and permanent departure of the subject property will result in a minimal impact, if any, on the bulk service infrastructure, and the use of the property have no negative economic, social or environmental impact.

The principle of good administration

The existence and use of a policy document such as the City of Cape Town Municipal Planning By-Law of 2015, indicates that there are procedures in place to regulate development. The application supports the principle of good administration in that it follows the correct application procedures set out by the Municipality. Furthermore, this application for the rezoning and permanent departure on Erf 39608 in Bellville will undergo thorough and transparent public participation.

5.2. Integrated Development Plan, 2022-2027

Among other things, the Integrated Development Plan states that the City of Cape Town is committed to supporting these developers and property owners to build safer and better-quality homes, recognising their valuable contribution to a more compact, densified Cape Town and a more inclusive housing market. It further states that housing construction is a labour-intensive economic activity offering significant potential for growth in response to the high housing demand. Support for micro-developers and the development of additional dwellings will result in skills development, job creation and greater property wealth for lower-income families. Therefore, this application for rezoning and permanent departure aligns with the objectives of the City of Cape Town Integrated Development Plan.

5.3. Cape Town Municipal Spatial Development Framework of 2023

Erf 39608 in Bellville is within the jurisdiction of the City of Cape Town Municipality. The property is situated in an area earmarked as an “Urban Inner Core” in terms of the MSDF (2023: Map 5d).

5.3.1. Development corridors: As stated in the MSDF that corridors designated as structuring are typified by intensified and diversified land use. They reflect the targeted, prioritised areas earmarked for the largest spectrum of land use mix associated with the highest density of population and employment. The subject property is situated in an area earmarked as an “Urban Inner Core”. Therefore, this application for rezoning and permanent departure is consistent with the aforementioned, as the zoning of the subject property will be changed from Residential Zone 1 to General Residential Zone 2 to promote land use diversity.

5.3.2. Nodes and civic clusters: Nodes are characterised by the density, diversity and clustering of urban activities and land use found within them. Nodes often contain central access points to municipal or other civic services and centrally located community facilities/social infrastructure. The subject property is in close proximity to the public open spaces, residential sites, community zone, and business zones.

5.4. Tygerberg District Plan of 2023

The City of Cape Town has created a series of District Plans that serve as recommendations for how the city will develop and expand. Erf 39608 in Bellville falls inside this district and is thus governed by the Tygerberg District Plan. This District plan highlights the City's most recent efforts and methods to managing growth and development in this area of the city in greater detail.

For instance, Strategy 1: Intensifying existing regional, district and local nodes, states that Bellville is one of the areas where the District Plan encourages commercial, mixed use development and densification, altogether with areas such as Parow, Goodwood, Kuils River and Delft CBD (Tygerberg District Plan, 2023: 25). Having said that, the proposed rezoning of Erf 39608 from Residential Zone 1 to General Residential Zone 2 will promote land use intensification in the neighbourhood.

Furthermore, the Tygerberg District Plan of 2023 promotes appropriate mixed use development (e.g. including local retail development) and densification in line with guidelines for the associated urban nodes and areas for mixed use intensification (Tygerberg District Plan, 2023: 54). Therefore, this rezoning and permanent departure application supports the objectives of the Tygerberg District Plan of 2023.

5.6. Urban Design Policy of 2025

5.7. City of Cape Town Municipal Planning By-Law of 2015

6. Motivation

6.1. Need

REZONING AND PERMANENT DEPARTURE ON ERF 39608 IN BELLVILLE

availability on the site and supporting objective 12 of the Integrated Development Plan (2022-2027: 91). Furthermore, most students do not own motor vehicles. To satisfy this demand the said owner proceeded with the assistance of the appointed Proplan Dynamics (Pty) Ltd to lodge an application to amend the land use rights accordingly to permit a boarding house on Erf 39608 in Bellville. Having said that, the key objective of the Municipal Spatial Development Framework of 2023 is to pursue a new spatial form that will ensure that Cape Town becomes a city that is more equitable, liveable, sustainable, resilient and efficient. The MSDF also seeks to undo the separate development patterns put in place by the apartheid government and aims to rectify existing imbalances in the distribution of different types of residential developments by avoiding the creation of new structural imbalances in the delivery of services.

6.2. Desirability

Section 99 of the City of Cape Town Municipal Planning By-Law of 2015, states that certain criteria need to be addressed in a land use application before a decision can be made. The application will be assessed based on the following criteria: the socio-economic impact, compatibility with surrounding land uses, impact on the external engineering services, impact on safety, health and wellbeing of the community, impact on heritage, impact on the biophysical environment, traffic impacts, parking, access and other transport related conditions.

6.2.1. Context and compatibility

The property under application is located in close proximity to various land uses, such as residential sites, business sites, community zone, and public open spaces. It creates a vibrant, dynamic neighbourhood with a range of activities and services. The rezoning and permanent departure application of the subject property poses no negative impacts on the safety, health, and well-being of the surrounding community and the natural environment.

6.2.2. Sustainability

The economic, environmental, infrastructural, institutional, and social sustainability of the proposed rezoning and permanent departure is discussed below:

Economic sustainability

Given that the proposed rezoning and permanent departure will facilitate the operation of a boarding house, it can be considered to be economically sustainable because the students will purchase goods and services in the shopping centre and Malls in Bellville, therefore the Gross Domestic Product of the area will increase. Furthermore, the change in land use rights for the property under application will result in a once-off bulk service contribution to be payable to the City of Cape Town Municipality, as well as an increase in the revenue from rates and taxes.

It is stated in the Inclusive Economic Growth Strategy (2022), that its key principles are inclusivity, competitiveness, connectivity, resilience, embedded sustainability and collaboration. Having said that, this rezoning and permanent departure will increase the opportunity for economic activity in the surroundings by means of purchasing goods and services in the shopping centre and Malls in Bellville, that way the Gross Domestic Product will increase.

Environmental sustainability and impact on the biophysical environment

The proposed rezoning and permanent departure application will not take place in an environmentally protected area, no additional environmental authorisation is required, and the application is considered to be environmentally sustainable. Furthermore, the rezoning and permanent departure application of the subject property will not have any negative impact on the environment and residents. As stated in section 24 of the Constitution of the Republic of South Africa, 1996, everybody has a right to an environment that is liveable and not harmful to their well-being, and this application abides by that.

Infrastructural sustainability and impact on the external engineering services

The proposed rezoning and permanent departure application of the property is considered to be infrastructural sustainable as the property under application is located in an area that is serviced and well-connected to existing municipal service infrastructure. Therefore, should any potential upgrades to municipal service infrastructure be required, the once-off bulk service contribution payable to the Municipality will cover all costs incurred.

Social sustainability and impact on safety, health, and well-being of the surrounding community

The proposed rezoning and permanent departure on the property under application can be considered socially sustainable as it will provide accommodation for students from different locations who wish to reside in Bellville to be near their higher learning institution, whilst not affecting the neighbouring residents negatively.

Institutional sustainability

The proposed rezoning and permanent departure application of the property under application is institutionally sustainable as it:

- Supports the development principles of the Spatial Planning and Land Use Management Act 16 of 2013;

- Supports the Inclusive Economic Growth Strategy of 2022 key principles;
- Consistent with the Integrated Development Plan of 2022-2027 objectives;
- Consistent with the Cape Town Municipal Spatial Development Framework of 2023 objectives;
- Consistent with the Tygerberg District Plan of 2023 objectives;
- Consistent with the Densification Policy of 2012 objectives;
- Consistent with the Urban Design Policy of 2025 objectives;
- Adheres to the prescribed application processes stipulated in the City of Cape Town Municipal Planning By-Law of 2015, which includes a thorough and transparent public participation process;

6.2.3. Impact on heritage

According to the National Heritage and Resources Act 25 of 1999, heritage areas are areas that are unique, non-renewable and precious locations that includes sites and landscapes of historical significance, areas of scenic beauty, and places of spiritual and/or cultural importance. The rezoning and permanent departure application of the subject property will have no impact in the areas mentioned above.

6.2.4. Traffic impacts, parking, access, and other transport related considerations

The rezoning and permanent departure application of the subject property will not trigger any transport studies, as the proposed development will utilize the existing space for parking bays and the access from Link Road will remain the same.

6.2.5. Whether the imposition of conditions to mitigate an adverse impact of the proposed use or development of land

There are no necessary conditions to be imposed, as the boarding house have no negative impacts that need to be mitigated.

7. Conclusion

As aforementioned Proplan Dynamics (Pty) Ltd has been appointed by _____ to compile and submit this application in terms of section 42(a), for Rezoning from Residential Zone 1 to General Residential Zone 2, and section 42(b), for Permanent Departure of the Northern building line to be 3,279m in lieu of 4,5m, Eastern building line to be 1,531m in lieu of 4,5m, Southern building line to be 1,563m in lieu of 4,5m, Street (Link Road) building line to be 2,274m in lieu of 4,5m, and parking bays to be 3 in lieu of 13 due to space availability on the site and this application also supports objective 12 of the Integrated Development Plan (2022-2027: 91). Furthermore, most students do not own motor vehicles. The appointed Proplan

Dynamics (Pty) Ltd compiled and submits this application to amend the land use rights accordingly to permit a boarding house on Erf 39608 in Bellville. The application is considered to be desirable, apart from the fact that it poses no negative impacts on the safety, health, and well-being of the surrounding community and the natural environment. Additionally, it is in compliance with the relevant and applicable National, Provincial, and Local legislation, by-laws and policies. Given the information provided in this motivation report, we trust the City of Cape Town Municipality officials and Municipal Planning Tribunal to support this application. Furthermore, we hereby request that the rezoning and permanent departure application be advertised for public participation.

6. References

City of Cape Town, 2022. Inclusive Economic Growth Strategy, Cape Town: City of Cape Town.

City of Cape Town, 2023. Tygerberg District Plan, Cape Town: City of Cape Town.

City of Cape Town, 2023. Cape Town Municipal Spatial Development Framework, Cape Town: City of Cape Town.

City of Cape Town, 2012. Densification Policy, Cape Town: City of Cape Town.

City of Cape Town, 2017-2022. Integrated Development Plan, Cape Town: City of Cape Town.

City of Cape Town, 2015. Cape Town Municipal Planning By-Law, Cape Town: City of Cape Town.

City of Cape Town, 2025. Urban Design Policy, Cape Town: City of Cape Town.

National Heritage and Resources Act 25, 1999.

Spatial Planning and Land Use Management Act 16, 2013.

The Constitution of the Republic of South Africa, 1996.