CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Case ID 1500126281

Erven 53569, 53570, 53571 and 53572, 9 Third Avenue, Claremont

Development Management

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WESTERN CAPE GOVERNMENT

DEPARTMENT OF INFRASTRUCTURE

PROPERTY PORTFOLIO

AND ASSET MANAGEMENT SERVICES

ROSMEAD CENTRAL PRIMARY SCHOOL

CONSOLIDATION, REZONING, SUBDIVISION &

PERMANENT DEPARTURE REPORT

PREPARED BY

ARG DESIGN

ISSUE: 2

SUBMISSION DATE: 7 JANUARY 2026

arg design | architecture city planning urban design

afroteq

TPW PROPERTY PORTFOLIO AND ASSET MANAGEMENT SERVICES:

ROSMEAD CENTRAL PRIMARY SCHOOL

LAND USE MANAGEMENT REPORT DOCUMENT CONTROL FORM

DIVISION	Western Cape Government Infrastructure		
PROJECT TITLE	WCG: TPW Property Portfolio and Asset Management Services		
DESCRIPTION	Land Use Management Rosmead Central Primary School		
DOCUMENT REF		REVISION	2
DATE	7 JANUARY 2026	No OF PAGES	41

VERIFICATION OF TECHNICAL CONTENT			
TECHNICAL EXPERT	DESIGNATION	DATE	SIGNATURE
Pr. Pln Khiara Smith	ARG Design	7 JANUARY 2026	

Afroteq Advisory (Pty) Ltd
Unit 181, Block F, Millennium Business Park
19 Edison Way, Century City, 7441

ISO 9001 / ISO 45001
QHS
CERTIFIED BY SANCERT

EXECUTIVE SUMMARY

PROJECT NAME	ROSMEAD CENTRAL PRIMARY SCHOOL	ERF NUMBER
Erf 53569, 53570, 53571, and 53572		
SUMMARY OF PROJECT	The WCG requires assistance in submitting the following applications: 1. 42 (a) Rezoning of land 53571, 53570, 53569 and 53572 from GR4 to CO1; 2. 42(b) Permanent departure for the western street boundary of 0 m in lieu of 3 m, northern common boundary 1 m in lieu of 3m and eastern common boundary 3 m in lieu of 3 m for existing buildings on erf 53569 in terms of Section 42(b). 3. 42 (d) Subdivision of Land – Road to be Subdivided off; 4. 42 (f) Consolidation of Land; 5. 42(g) Removal of Title Deed Restrictive Condition.	
CURRENT ZONING	Community 1: Local and General Residential 4	
TITLE DEED RESTRICTION	Yes, the following title deed restrictions will be removed as part of this LUMS application: 1. Not less than 15 feet from the boundary, 2. Not more than one building. 3. Not more than half of the area be built upon.	
CONSOLIDATION REQUIRED	Yes	
PUBLIC PLACES	No	
HIA REQUIRED	A Notice of Intention to Development (NID) must be submitted to HWC for consolidation of three or more sites and /or change in nature of a site larger than5000m^2. The site falls within a Proposed Heritage Protection Overlay Zone (HPOZ) with a Grade 3B rating, indicating medium Heritage significance. (Refer to section 10) However, since the purpose of the LUMS application is to regularize the existing school and does not involve any new development on the premises, it will not diminish the historical significance of the school and site. Please refer to correspondents with HWC, which further reiterates their support of this application in this regard.	

APPLICATIONS	The WCG requires assistance in submitting the following applications: 1. 42 (a) Rezoning of land 53571, 53570, 53569 and 53572 from GR4 to CO1; 2. 42(b) Permanent departure for the western street boundary of 0 m in lieu of 3 m, northern common boundary 1 m in lieu of 3m and eastern common boundary 3 m in lieu of 3 m for existing buildings on erf 53569 in terms of Section 42(b). 3. 42 (d) Subdivision of Land – Road to be Subdivided off; 4. 42 (f) Consolidation of Land; 5. 42(g) Removal of Title Deed Restrictive Condition.

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1. INTRODUCTION

ARG Design was appointed as Town Planners as part of the Property Planning & Statutory Information Compliance Consultants Team for the TPW Property Planning & Information Directorate (PP&I).

2. DESCRIPTION OF THE PROJECT

The Western Cape Government is the custodian of Rosmead Central Primary School, which consists of Erf 53569, 53570, 53571, and 53572, Claremont.

The WCG requires assistance in submitting the following applications:

1. 42 (a) Rezoning of land 53571, 53570, 53569 and 53572 from GR4 to CO1;
2. 42(b) Permanent departure for the western street boundary of 0 m in lieu of 3 m, northern common boundary 1 m in lieu of 3 m and eastern common boundary 3 m in lieu of 3 m for existing buildings on erf 53569 in terms of Section 42(b).
3. 42 (d) Subdivision of Land – Road to be Subdivided off;
4. 42 (f) Consolidation of Land;
5. 42(g) Removal of Title Deed Restrictive Condition.
   Actioning these applications will ensure that these erven can be optimally managed.



FIGURE 2.1: FRONT VIEW OF THE SCHOOL

3. LOCATION SUMMARY

The site consists of Erf 53569, 53570, 53571, and 53572 and is situated in the suburb of Claremont, (refer to Figure 3.1) and is situated in a residential area in close proximity to the Chichester Rd Claremont mixed-used corridor. The school is surrounded by commercial activity towards the north and residential activity along east, south, and west boundary. The school is also within a 1 km walking distance to Kenilworth and Access Park Shopping Centre, which makes the school accessible and surrounded by a wide variety of existing infrastructure and social facilities. (Refer to Figure 3.2).

The address of the site is – 8 Rosmead Ave, Claremont, Cape Town, 7708

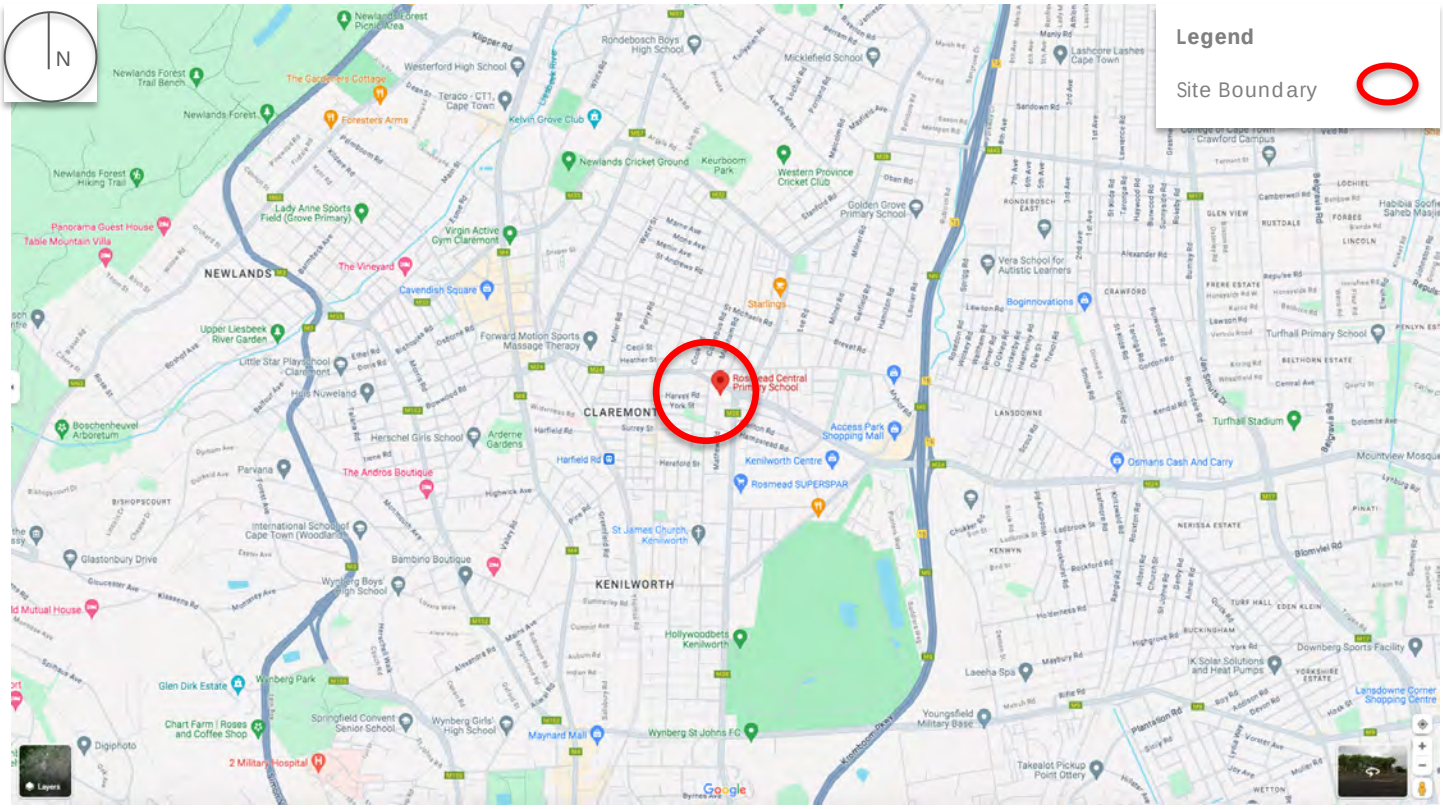


Figure 3.1: Site Locality (regional)

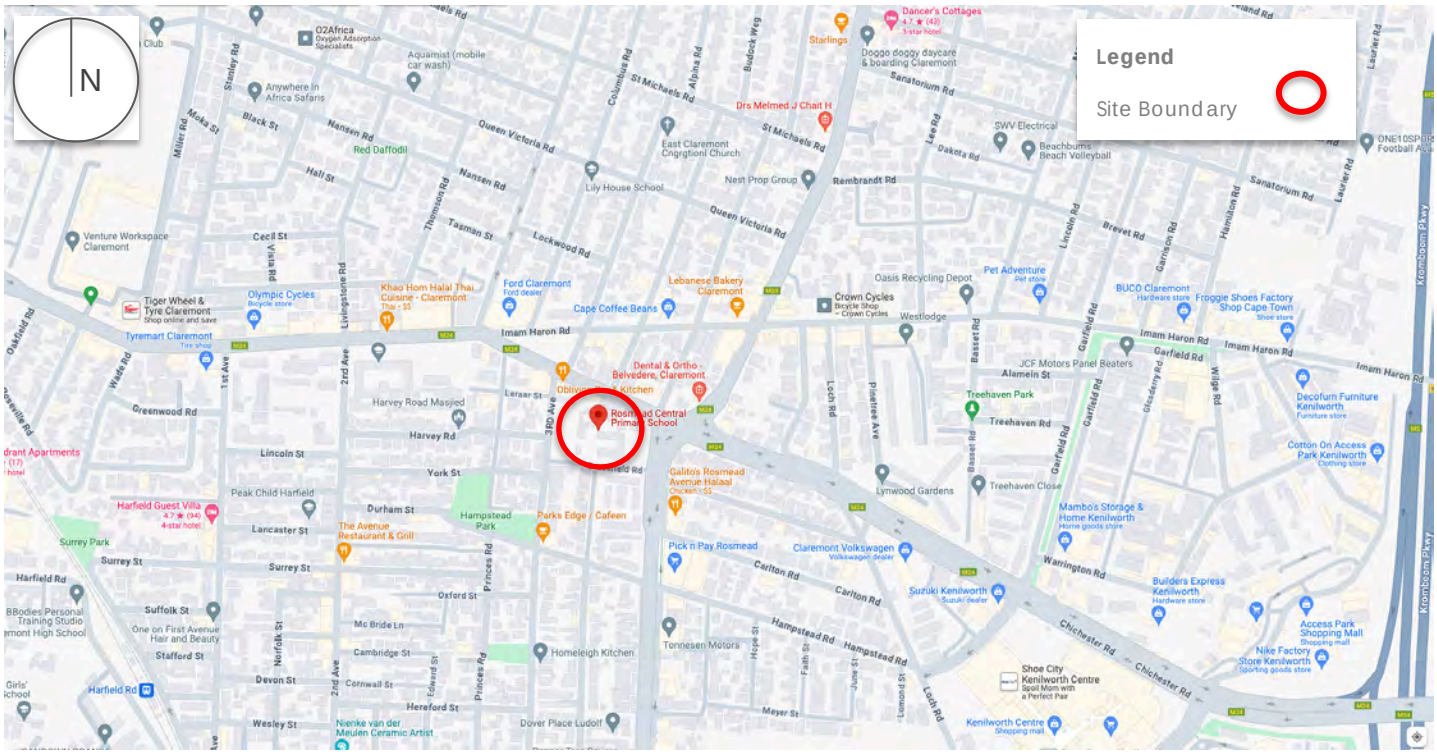


FIGURE 3.2: SURROUNDING ACTIVITY

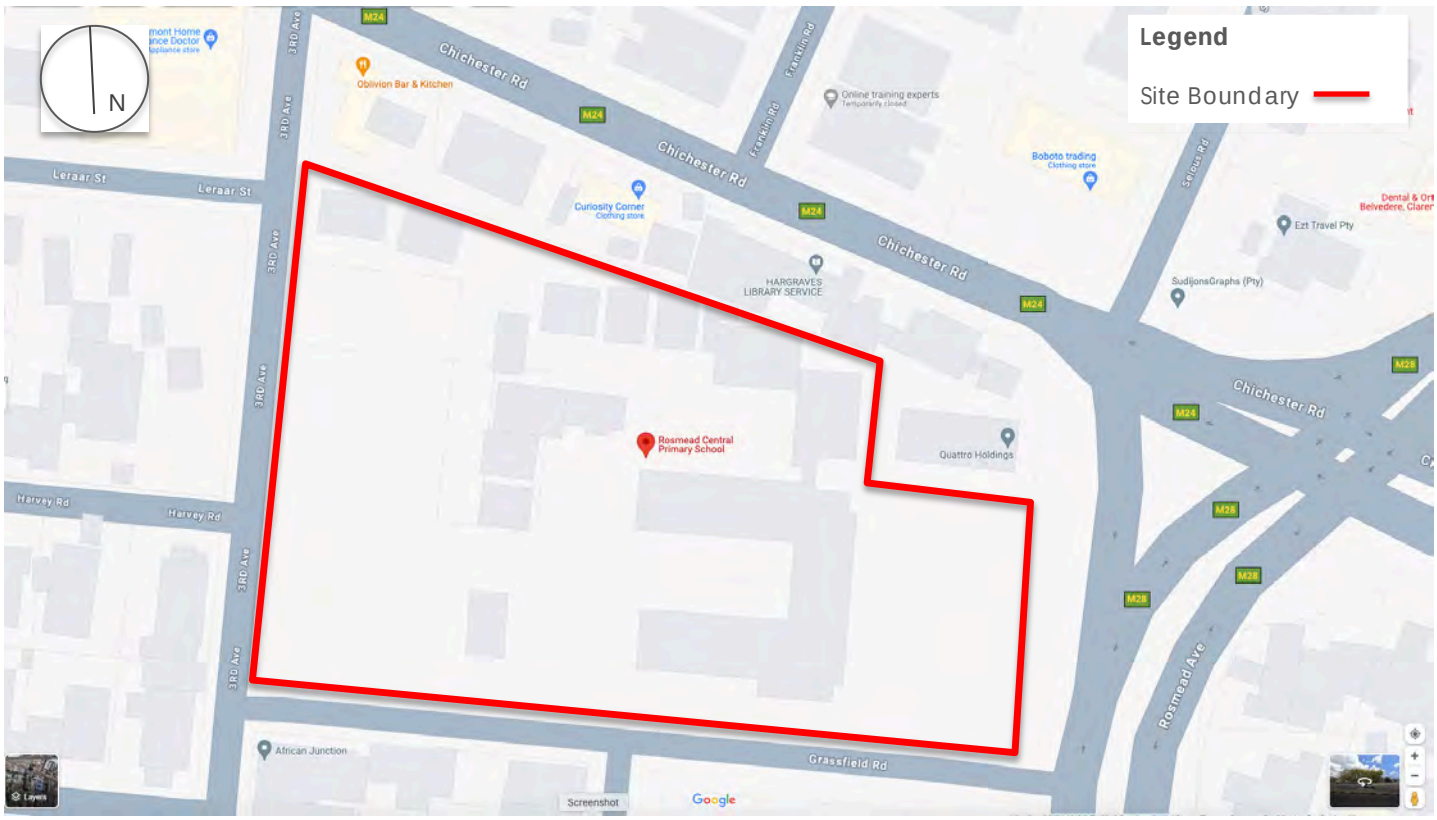


FIGURE 3.3: SITE LOCALITY

ERF NUMBERS	TITLE DEED	DATE OF REGISTRATION	DEED DIAGRAM	RESTRICTIVE TITLE CONDITIONS	OWNERSHIP	ZONING
Erf 53572		14/12/1967		Not less than 15 feet from the boundary, Not more than one building. Not more than half of the area be built upon.	Two ownerships, Provincial Government-Western Cape	General Residential 4, Transport 2: Public Road and Public Parking
Erf 53571		14/12/1967	1		Two ownerships, Provincial Government-Western Cape	General Residential 4
Erf 53570		14/12/1967			Two ownerships, Provincial Government-Western Cape	General Residential 4
Erf 53569		14/12/1967			Two ownerships, Provincial Government-Western Cape	Community 1: Local, General Residential 4, General Residential 4, Transport 2 : Public Road and Public Parking, Transport 2 : Public Road and Public Parking

TABLE 3.4: ERF STATUS



FIGURE 3.5: CADASTRAL BOUNDARY OVERLAID OVER AERIAL PHOTOGRAPH

4. SG Diagram

Rosmead Central Primary School does not have any registered servitudes.

Erf 53569 and Erf 53572 have a split zoning of TR2 and GR4, which are proclaimed as public roads. We spoke with Transport from the City of Cape Town, and they confirmed that these roads need to be formally subdivided off as they form part of the road-widening scheme, communication with transport from CoCT is attached below (see figure 4.1-4.3). Please see figure 4.4, it provides the indicative blue outline indicating the road, which should be subdivided off. The approximate area for these subdivisions is 9650 sqm indicated by the proposed consolidation plan attached below (see figure 4.5).

From:
Sent: Wednesday, 05 June 2024 13:46

Subject: RE: Follow-up - Assistance Needed with Road Closure for School Consolidation Project - SACS Newlands and Rosemead Primary

Good afternoon Khiara
Please see the Road Widening required for Newlands Avenue
Road Widening for Third Avenue will be 25 Cape Feet (7,87m) from the centre line of the co-ordinates of points CL7 – CL1
Thank you

From:
Sent: Friday, 24 May 2024 14:52
To:
Cc: rn.gov.za>; Mark Pinder <Mark.Pinder@capetown.gov.za>; Shafiek Martin <smartin@afroteq.co.za>; Alastair Rendall <alastair@argdesign.co.za>; Craig Alexander

Subject: RE: Follow-up - Assistance Needed with Road Closure for School Consolidation Project - SACS Newlands and Rosemead Primary

Hi Khiara,

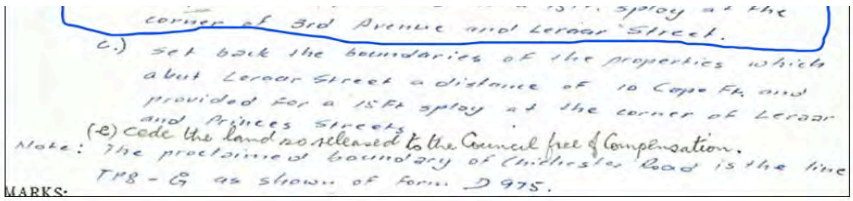
Unfortunately I have no knowledge of the LUMS process – Craig Alexander (cc'd) should be able to advise. Apart from the TR2 coordinates (refer below), I'm not aware of anything else I can provide you with.

@Johan de Goede – are you able to provide Khiara with the TR2 coordinates for this section of Newlands Ave as well as 3rd Ave at Chichester?



obe Acrobat

FIGURE 4.1: CORRESPONDENCE FROM COCT TRANSPORT CONFIRMING THAT THE ROADS FORM PART OF THE ROAD WIDENING SCHEME


corner of 3rd Avenue and Leraar Street.
c.) Set back the boundaries of the properties which abut Leraar Street a distance of 10 Cape Ft and provided for a 15Ft splay at the corner of Leraar and Princes Streets.
(d) Cede the land so cleared to the Council free of Compensation.
Note: The proclaimed boundary of Chichester Road is the line TP8 - G as shown of Form. D 975.
MARKS:

Kind regards

Johan Meyer Pr Eng

From:
Sent: Tuesday, 11 June 2024 11:59

Subject: FW: Follow-up - Assistance Needed with Road Closure for School Consolidation Project - SACS Newlands and Rosemead Primary

Good morning Khiara
Please see the extract for Third Avenue, I have highlighted the area which states both sides of Third Avenue
Thank you

Kind regards,

Johan William de Goede

Sent: Wednesday, 05 June 2024 13:46

Subject: RE: Follow-up - Assistance Needed with Road Closure for School Consolidation Project - SACS Newlands and Rosemead Primary

Good afternoon Khiara
Please see the Road Widening required for Newlands Avenue
Road Widening for Third Avenue will be 25 Cape Feet (7,87m) from the centre line of the co-ordinates of points CL7 – CL1
Thank you

From:
Sent: Friday, 24 May 2024 14:52

Subject: RE: Follow-up - Assistance Needed with Road Closure for School Consolidation Project - SACS Newlands and Rosemead Primary

Hi Khiara,

Unfortunately I have no knowledge of the LUMS process – Craig Alexander (cc'd) should be able to advise. Apart from the TR2 coordinates (refer below), I'm not aware of anything else I can provide you with.

@Johan de Goede – are you able to provide Khiara with the TR2 coordinates for this section of Newlands Ave as well as 3rd Ave at Chichester?

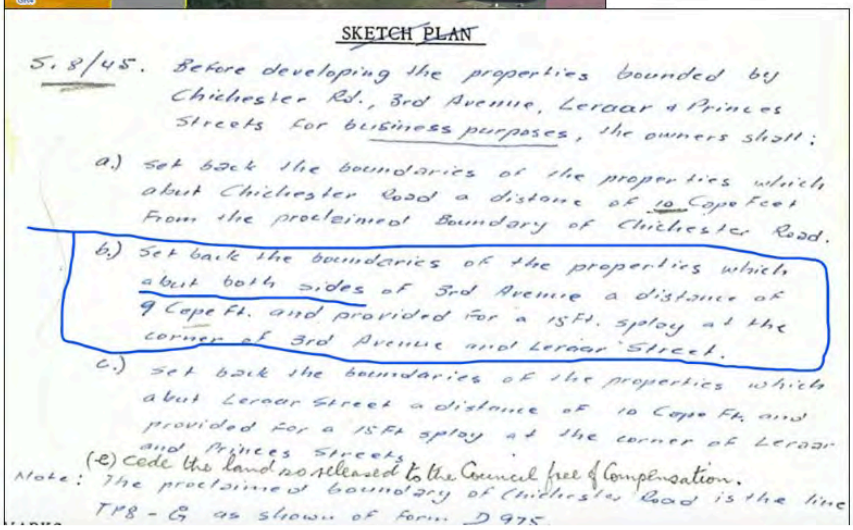
FIGURE 4.2: CORRESPONDENCE FROM COCT TRANSPORT CONFIRMING THAT THE ROADS FORM PART OF THE ROAD WIDENING SCHEME

Noted thanks Johan.

@Khiara, the snippet below indicates the dimensions of the TR2 zoned portion of the School property as per the survey diagram received from Johan De Goede. Note that **9 Cape Ft** equals **2,833m** – on the snippet below it's being rounded to 2,8m.

@Craig, with reference to the emails below, could you please advise Khiara on the process to be followed so her client (WC Education Dept) can cede the TR2 zoned land to CoCT.





SKETCH PLAN

5.8/45. Before developing the properties bounded by Chichester Rd., 3rd Avenue, Leraar & Princes Streets for business purposes, the owners shall:

a.) Set back the boundaries of the properties which abut Chichester Road a distance of 10 Cape feet From the proclaimed Boundary of Chichester Road.

b.) Set back the boundaries of the properties which abut both sides of 3rd Avenue a distance of 9 Cape Ft. and provided for a 15Ft. splay at the corner of 3rd Avenue and Leraar Street.

c.) Set back the boundaries of the properties which abut Leraar Street a distance of 10 Cape Ft. and provided for a 15 Ft splay at the corner of Leraar and Princes Streets.

(e) Cede the land so released to the Council free of Compensation.

Note: The proclaimed boundary of Chichester Road is the line TP8 - G as shown of Form D 975

FIGURE 4.3: CORRESPONDENCE FROM COCT TRANSPORT CONFIRMING THAT THE ROADS FORM PART OF THE ROAD WIDENING SCHEME

Figure 4.4 also indicates the remainder portions, which will be consolidated. The consolidated portion is outlined in red. The approximate size of this consolidation is 9650 sqm (see figure 4.5). All Surveyor General Diagrams are attached in Annexure 1.



FIGURE 4.4: PROPOSED CONSOLIDATION AND SUBDIVISION DIAGRAM

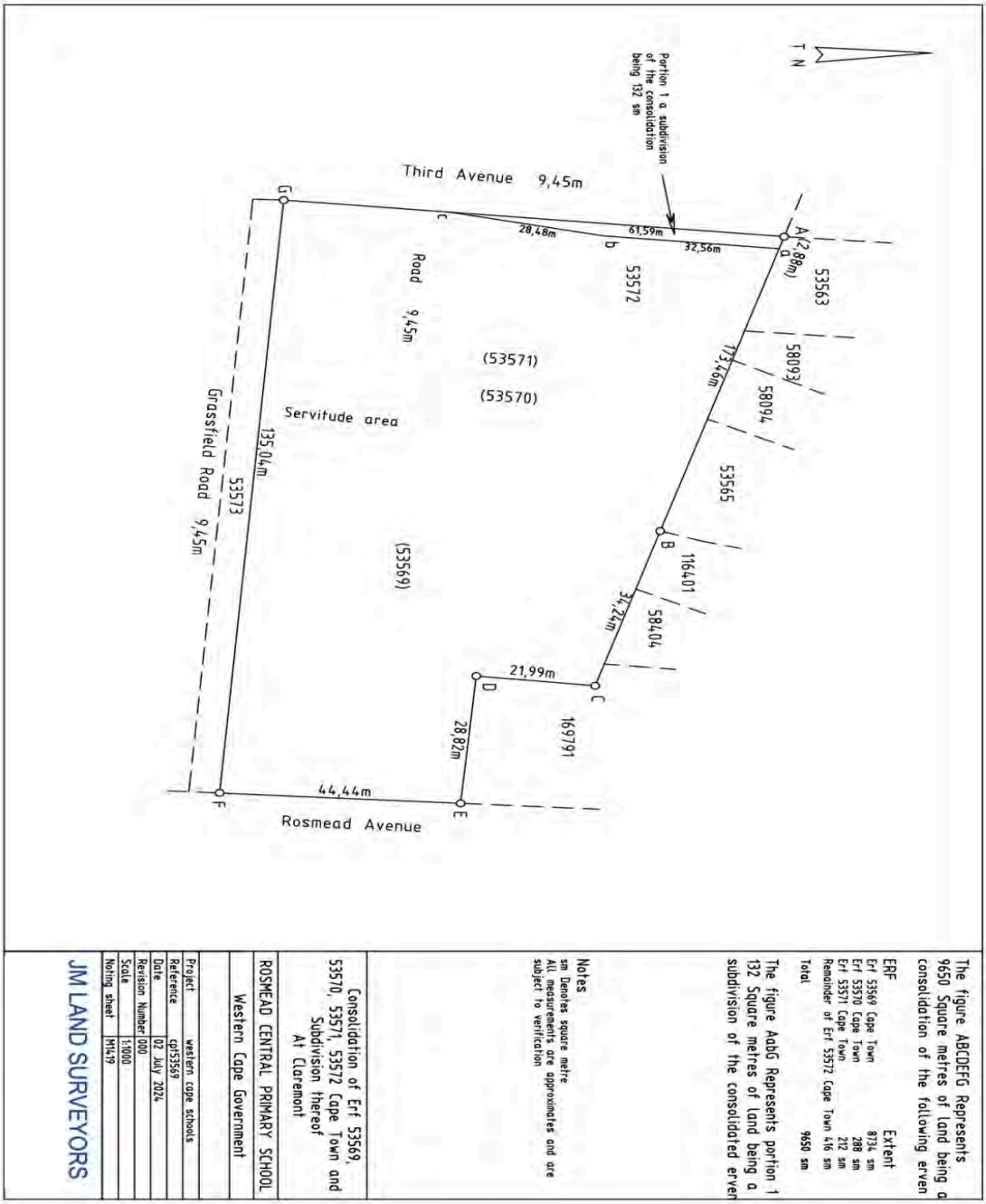


FIGURE 4.5: PROPOSED CONSOLIDATION DIAGRAM

5. ZONING AND LAND USE

Erf 53569 and 53572 have a split TR2 and GR4 zoning. Communication with transport from the City of Cape Town has taken place, they confirmed that these roads need to be formally subdivided off as they form part of the road widening scheme (see figure 4.1-4.3) above. The remainder of Erf 53569 and 53572 will need to be rezoned from GR4 to CO1.

Erf 53571 and Erf 53570 are currently zoned GR4 and will need to be rezoned to CO1, which is the appropriate zone for the current institutional land use.

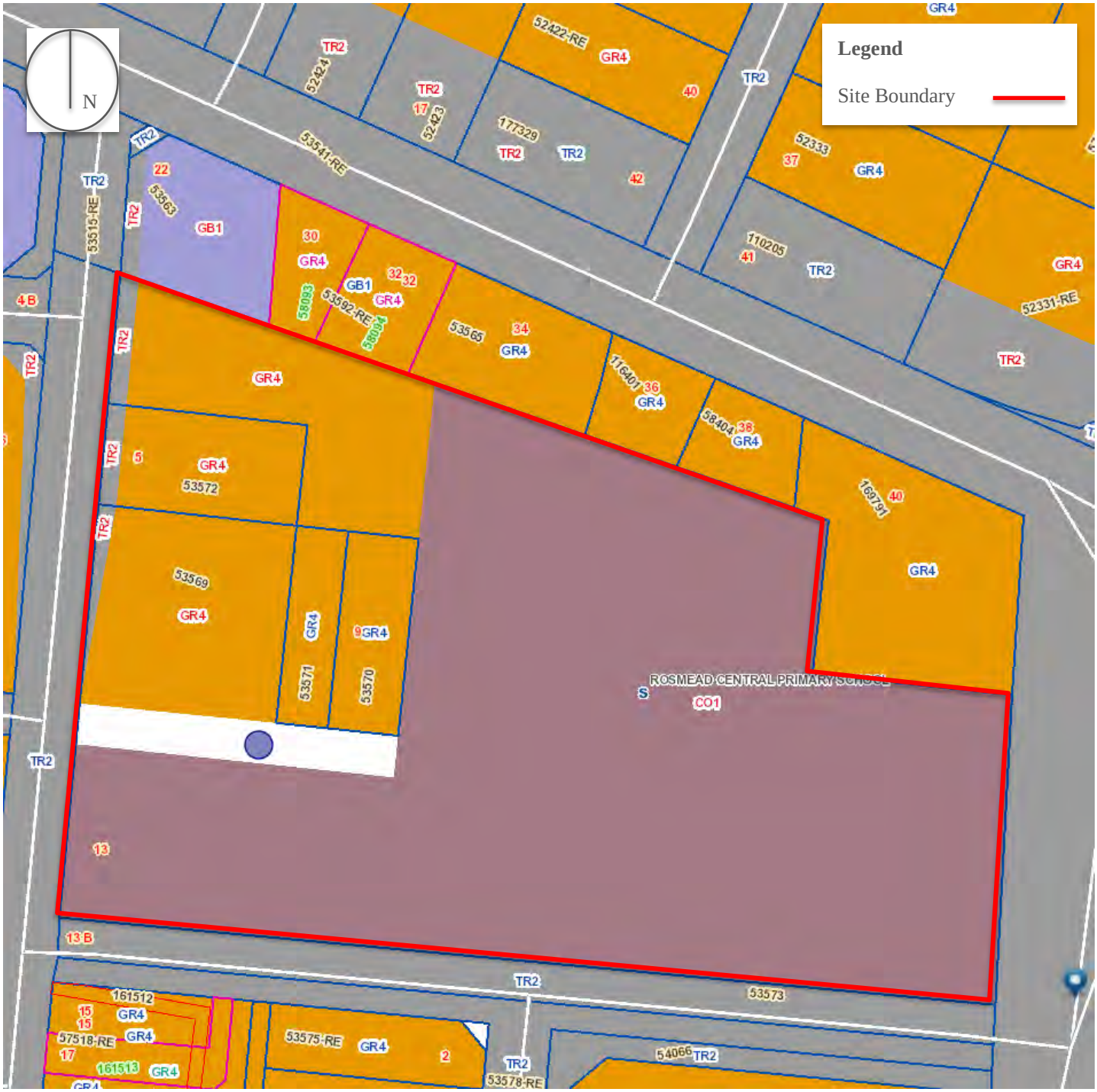
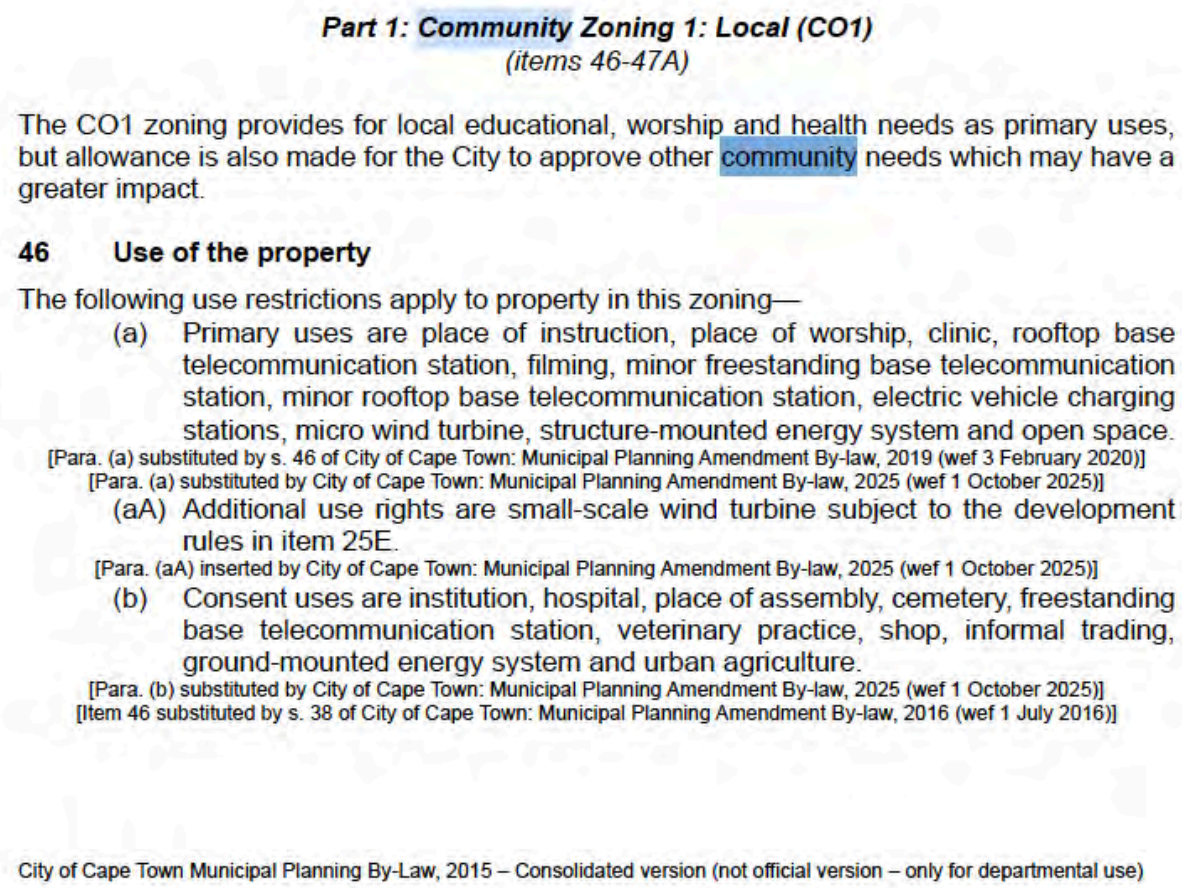


FIGURE 5.1. ZONING MAP

6. MPBL DEVELOPMENT RULES

Erf 53569, 53570, 53571, and 53572, Claremont will require an application to be consolidated into one site, with the TR2 portions to be subdivided off. All remainder Erven will need to be zoned as Community 1 (refer to figure 6.1 below). The table 6.3 below provides a summary of the development rules that are applicable to the CO1 zone.



Part 1: Community Zoning 1: Local (CO1)
(items 46-47A)

The CO1 zoning provides for local educational, worship and health needs as primary uses, but allowance is also made for the City to approve other community needs which may have a greater impact.

46 Use of the property

The following use restrictions apply to property in this zoning—

(a) Primary uses are place of instruction, place of worship, clinic, rooftop base telecommunication station, filming, minor freestanding base telecommunication station, minor rooftop base telecommunication station, electric vehicle charging stations, micro wind turbine, structure-mounted energy system and open space.

[Para. (a) substituted by s. 46 of City of Cape Town: Municipal Planning Amendment By-law, 2019 (wef 3 February 2020)]
[Para. (a) substituted by City of Cape Town: Municipal Planning Amendment By-law, 2025 (wef 1 October 2025)]

(aA) Additional use rights are small-scale wind turbine subject to the development rules in item 25E.

[Para. (aA) inserted by City of Cape Town: Municipal Planning Amendment By-law, 2025 (wef 1 October 2025)]

(b) Consent uses are institution, hospital, place of assembly, cemetery, freestanding base telecommunication station, veterinary practice, shop, informal trading, ground-mounted energy system and urban agriculture.

[Para. (b) substituted by City of Cape Town: Municipal Planning Amendment By-law, 2025 (wef 1 October 2025)]
[Item 46 substituted by s. 38 of City of Cape Town: Municipal Planning Amendment By-law, 2016 (wef 1 July 2016)]

City of Cape Town Municipal Planning By-Law, 2015 – Consolidated version (not official version – only for departmental use)

FIGURE 6.1: EXTRACT FROM COCT ZONING SCHEME (AS AMENDED)

47 Development rules

The following development rules apply—

(a) Floor factor

The floor factor on a land unit shall not exceed 0,8.

(b) Coverage

The coverage for all buildings on a land unit shall not exceed 80%.

[Para. (b) substituted by City of Cape Town: Municipal Planning Amendment By-law, 2025 (wef 1 October 2025)]

(c) Height

(i) The maximum height of a building, measured from existing ground level to the top of the roof, is 12 m, provided that there is no height limit for a bell tower, steeple, minaret or similar architectural feature designed to accentuate the significance of a building.

[Sub-para. (i) substituted by s. 47 of City of Cape Town: Municipal Planning Amendment By-law, 2019 (wef 3 February 2020)]

(ii) Earth banks and retaining structures are subject to item 126.

(d) Street boundary building line

The street boundary building line is 3 m, subject to the general building line encroachments in item 121.

[Para. (d) substituted by City of Cape Town: Municipal Planning Amendment By-law, 2025 (wef 1 October 2025)]

(e) Common boundary building line

Common boundary building lines are 3 m, subject to the general building line encroachments in item 121.

[Para. (e) substituted by City of Cape Town: Municipal Planning Amendment By-law, 2025 (wef 1 October 2025)]

(f) Parking and access

Parking and access shall be provided on the land unit in accordance with Chapter 15.

(g) Loading

Loading bays shall be provided on the land unit in accordance with item 144.

(h) Screening

The City may require screening in accordance with item 125.

(i) Noise mitigation

The City may require the owner to implement noise mitigation measures if excessive noise is created or likely to be created.

47A Informal trading

Informal trading is permitted only on a site demarcated in terms of the City's by-law on informal trading.

[Item 47A inserted by City of Cape Town: Municipal Planning Amendment By-law, 2025 (wef 1 October 2025)]

FIGURE 6.2: EXTRACT FROM COCT ZONING SCHEME (AS AMENDED)

Table 1(e) Summary of land uses and development rules for Community Zoning 1: Local (CO1)

LAND USES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE EXISTING GROUND LEVEL TO TOP OF BUILDING	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
				Street boundary	Common boundaries		
PRIMARY USES Place of instruction, place of worship, clinic, rooftop base telecommunication station, open space, minor freestanding base telecommunication station, minor rooftop base telecommunication station, electric vehicle charging stations, micro wind turbine, structure-mounted energy system and filming **ADDITIONAL USE RIGHTS** Small-scale windturbine **CONSENT USES** Institution, hospital, place of assembly, cemetery, freestanding base telecommunication station, urban agriculture, shop, informal trading, ground-mounted energy system and veterinary practice	0,8 Refer to item 47(a)	80% Refer to item 47(b)	12,0 m Refer to item 47(c)	3,0 m Refer to item 47(d)	3,0 m Refer to item 47(e)	N/a	Parking and access Loading Screening Noise mitigation Informal trading

FIGURE 6.3: EXTRACT FROM COCT ZONING SCHEME (AS AMENDED)

7. REQUIRED DEPARTURE

To comply with the current CO1 zoning regulations, we will need a permanent departure for the western street boundary of 0 m in lieu of 3 m, northern common boundary 1 m in lieu of 3m and eastern common boundary 3 m in lieu of 3 m for existing buildings on erf 53569 in terms of Section 42(b). This will allow the school's physical structures are in line with CoCT zoning regulations.

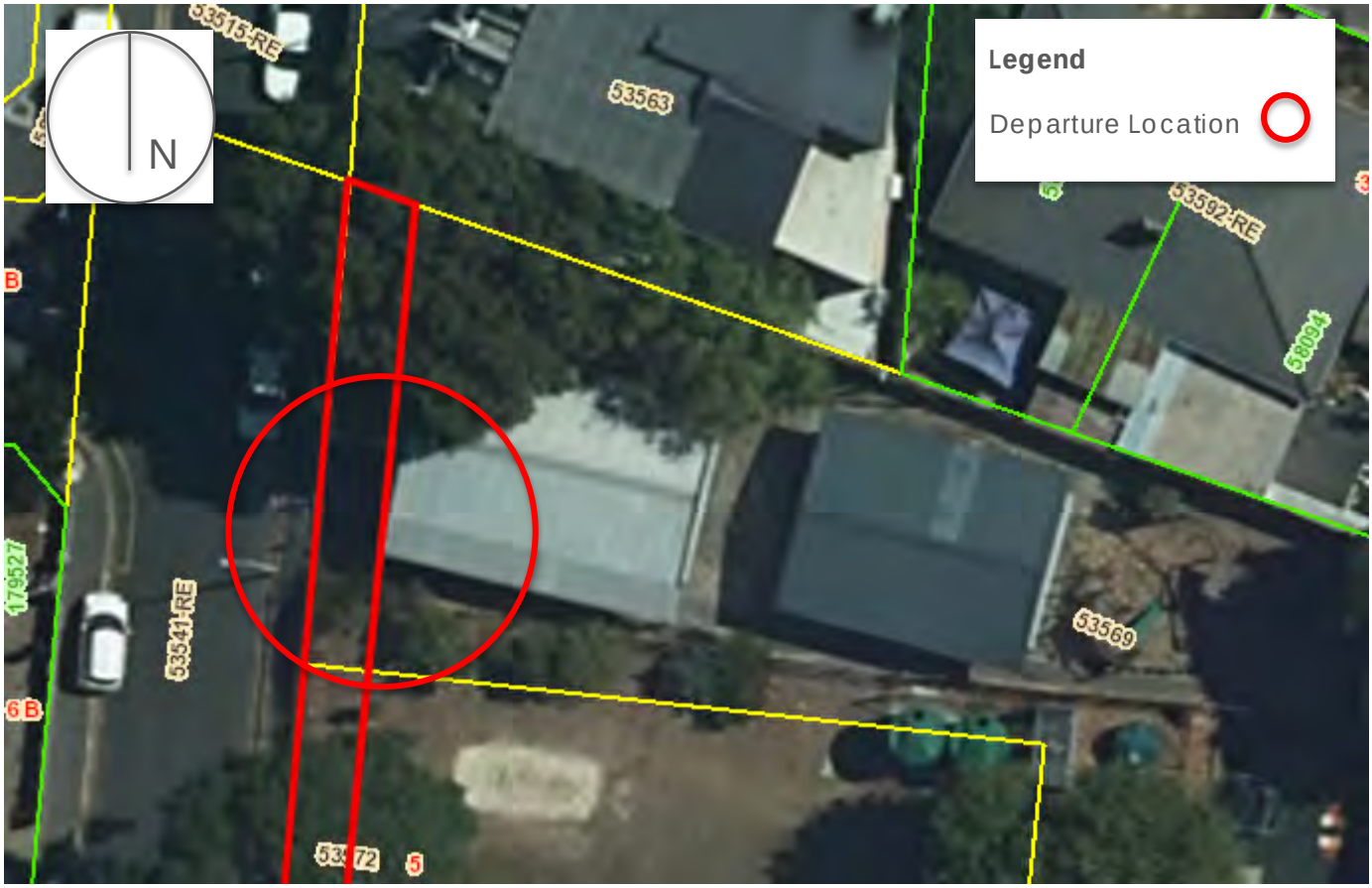


FIGURE 7.1: 0M DEPARTURE REQUIRED ON THE WESTERN STREET BOUNDARY



FIGURE 7.2: 1M DEPARTURE REQUIRED ON THE NORTHERN COMMON BOUNDARY



FIGURE 7.3: 3M DEPARTURE REQUIRED ON THE EASTERN COMMON BOUNDARY

8. SUBDIVISION REQUIRED

In terms of Section 42 (d) of the MPBL we will be requesting be a subdivision of the highlighted section that is currently zoned as TR2, outlined in red (refer to figure 8.3 below). These TR2 portions have been identified by the CoCT Transport Department as part of their future Road Widening Scheme (refer to figure 8.1). These portions will need to be transferred to CoCT.

Good morning Khiara
Regarding Rosemead Primary School and South African College High School, the erven in question form part of a Road Widening Scheme, and cannot be transferred to the school until the Scheme is no longer required
Johan: can you please confirm if the TR2 zoned areas form part of an active Road Widening Scheme
Thank you

From:
Sent: Thursday, 16 May 2024 09:58
To:
Subject: FW: Follow-up - Assistance Needed with Road Closure for School Consolidation Project

Fyi

Kind regards,

Aldré de Goede
SPO Technical Section Head: Tygerberg Region
Property Holding, Property Transactions Dept, ECONOMIC GROWTH

From:
Sent: Tuesday, 14 May 2024 13:13

Subject: Fwd: Follow-up - Assistance Needed with Road Closure for School Consolidation Project

CAUTION: This email originated outside of the City of Cape Town's network. Please do not click on any links or open attachments unless you kn and trust the source. STOP. THINK. VERIFY.

To whom it may concern

I received an automatic 'out of office' notification from Pieter Strumpher to contact you regarding addressing the below road closures.

Please feel free to call or email for further clarification if needed.

I hope you have a lovely day further, and look forward to hearing from you.
Kind Regards,

Dear Khiara,

Correct, both are road widening schemes so the TR2 portions must be subdivided off to form part of the road reserve.

Kind regards,

Johan Meyer Pr Eng

Sent: Thursday, 23 May 2024 11:27

Subject: RE: Follow-up - Assistance Needed with Road Closure for School Consolidation Project

Good morning Khiara
Johan Meyer must make the call if the TR2 zoned portions are still required for a Road Widening Scheme
Thank you

Sent: Thursday, 23 May 2024 10:23

Subject: Re: Follow-up - Assistance Needed with Road Closure for School Consolidation Project

CAUTION: This email originated outside of the City of Cape Town's network. Please do not click on any links or open attachments unless you know and trust the source. **STOP. THINK. VERIFY.**

Good morning Johan

Thank you for your guidance regarding SACS and Rosemead.

I am just following up to confirm if these portions in questions and highlighted below are indeed part of the Road widening Scheme, and if so will we then be needing to subdivide these portions off?

Please also note that I am also available to set up a virtual meeting if that will be easier for discussing a way forward.

Rosemead Primary School

<image007.png>

<image008.png>

South African College High School

<image009.png>

FIGURE 8.1: CORRESPONDENCE WITH COCT TRANSPORT REGARDING THE ROAD WIDENING OF ROSEMEAD PRIMARY SCHOOL



FIGURE 8.2 : ERVEN FORMING PART OF THE ROAD WIDENING SCHEME HIGHLIGHTED IN RED.

9. PLANNING POLICY

The following planning document is of specific relevance to the site.

9.1 City of Cape Town Southern Suburbs District Spatial Development Framework

As outlined in the Southern Suburbs District Plan Spatial Development Framework (SDF) of 2023, these Erven reside within a suburban setting, designated as "Institutional Structuring Open Space" within a "Mixed-Use Intensification Corridor." The proposed land uses align with the types of development envisioned for these areas. Hence, the consolidation and rezoning adhere to the directives laid out in the District Plan (see Figure 9.1.2).

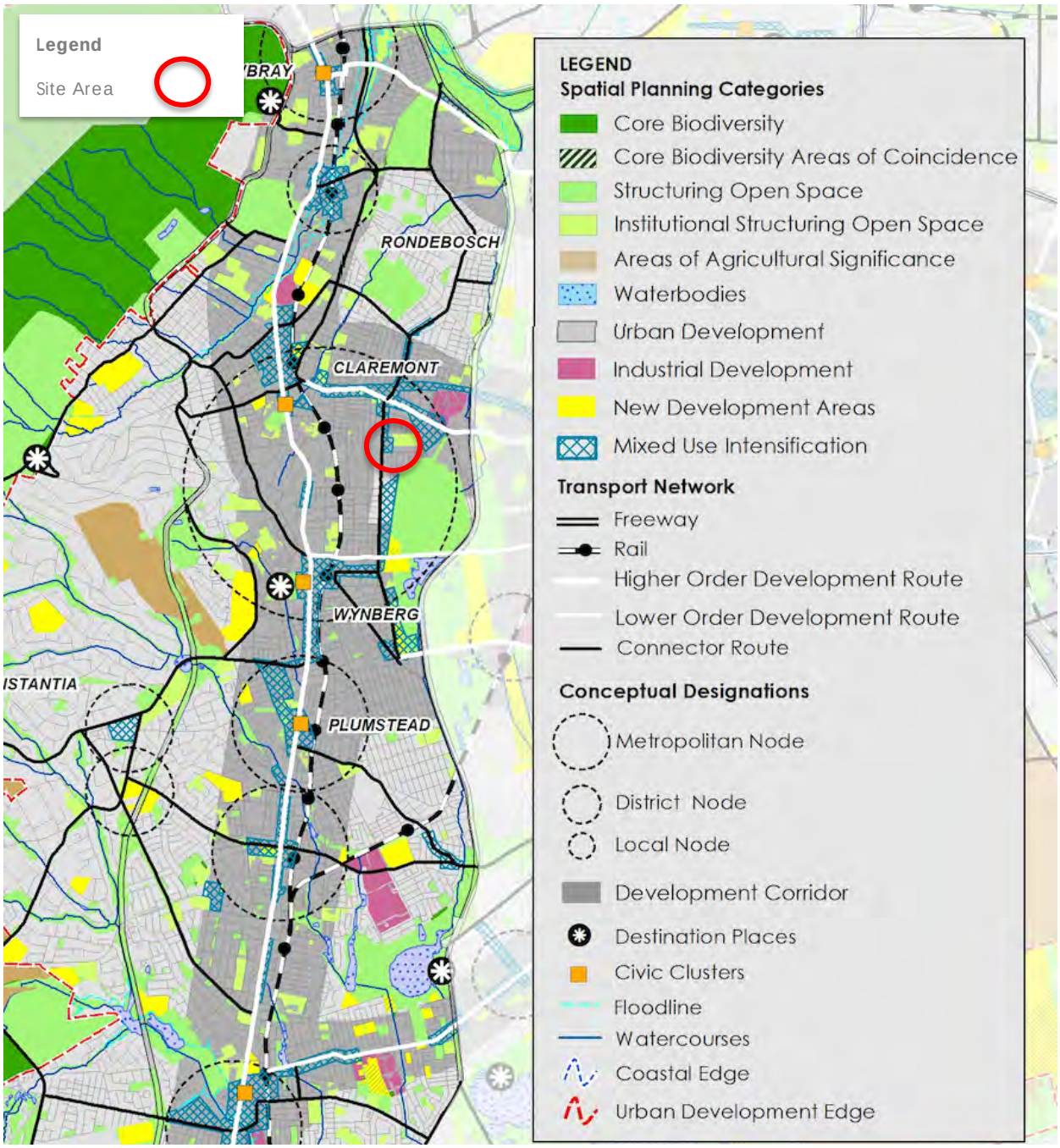


FIGURE 9.1.2: EXTRACT FROM THE CITY OF CAPE TOWN SOUTHERN SUBURBS DISTRICT SPATIAL DEVELOPMENT (2023)

10. HERITAGE

The site falls within a Proposed Heritage Protection Overlay Zone (HPOZ) with a Grade 3B rating, indicating medium Heritage significance (see figure 10.1). Grade 3B imposes restrictions such that no Grade IIIB building or structure, as approved by HWC, can be demolished, altered, or externally extended without the Municipality's special consent. Furthermore, no new building or structure can be erected on the property without such consent, and the Municipality will not grant it if the proposed actions would be detrimental to the character and/or significance of the graded building or structure, or the environment, or the Heritage Area where it is situated. (refer to figure 10.7)

However, since the purpose of the LUMS application is to regularize the existing school and does not involve any new development on the premises, it will not diminish the historical significance of the school and site.

Photos dating back to 1935 (refer to figure 10.2 – 10.5) indicate the presence of a school on the site, indicating that the building is older than 60 years old. Therefore, if a demolition is proposed then, a demolition permit will be required from Heritage Western Cape before commencement. In addition, as the site is larger than 5000m2 and involves the consolidation of three or more erven, therefore the need for a Notice of Intention to Develop (NID) is triggered.

The historical aerial photography also reveals the reasons behind the diverse zoning of the sites, with signs of residential dwelling activity apparent along the Western boundary. This area may have served as accommodation for teachers or students in the past. As noted in the zoning sections, it will be necessary to rezone these sites from GR4 to CO1.

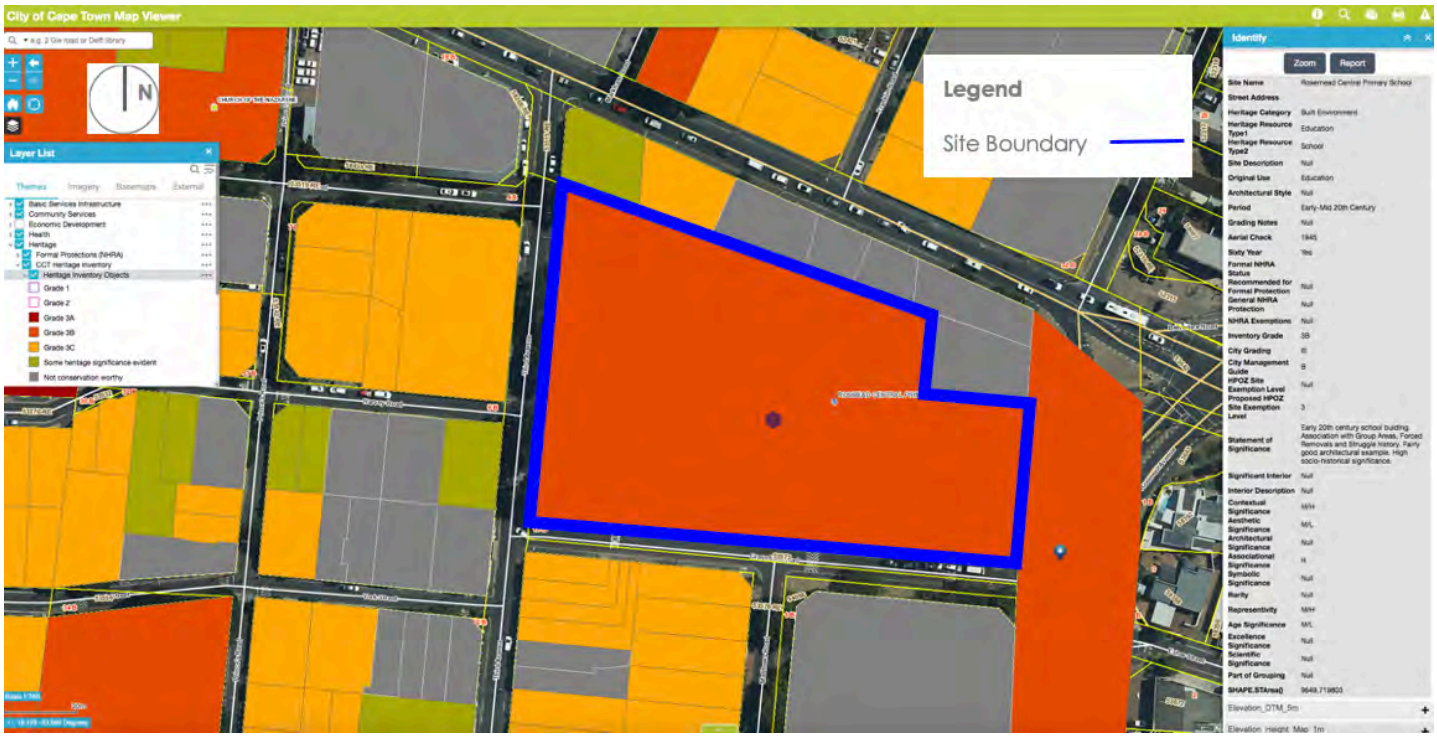


FIGURE 10.1: PROPOSED HERITAGE PROTECTION OVERLAY ZONE (HPOZ) WITH A GRADE 3B



FIGURE 10.2: 1935 HISTORICAL AERIAL IMAGERY



FIGURE 10.3: 1945 HISTORICAL AERIAL IMAGERY



FIGURE 10.4: 1953 HISTORICAL AERIAL IMAGERY

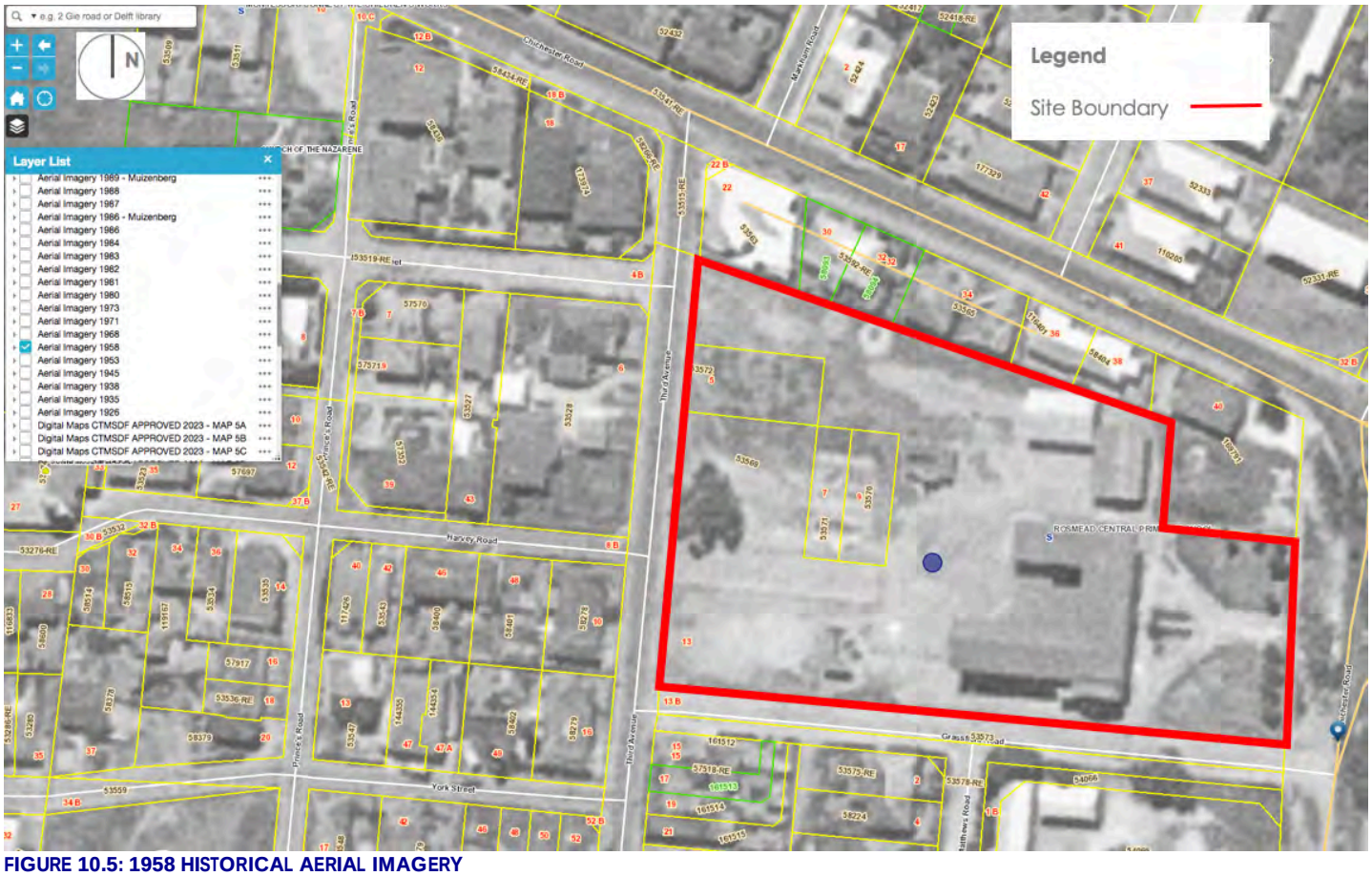


FIGURE 10.5: 1958 HISTORICAL AERIAL IMAGERY

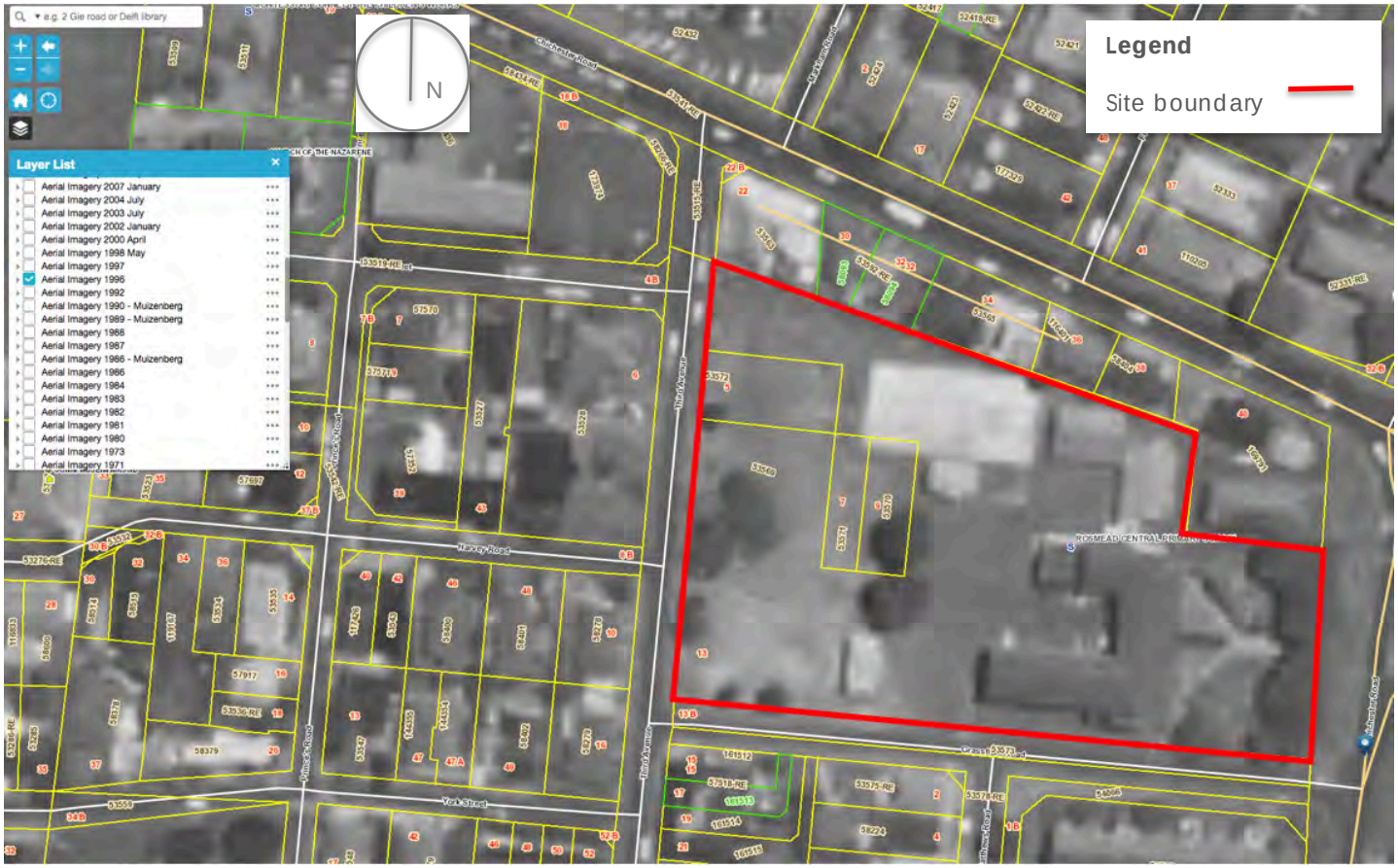


FIGURE 10.6: 1996 HISTORICAL AERIAL IMAGERY

Our Ref: HM/ VARIOUS WESTERN CAPE GOVERNMENT SCHOOLS
Enquiries:
E-mail:
Tel

Khiara Smith
ARG Design

iLifa leMveli leNtshona Koloni
Erfenis Wes-Kaap
Heritage Western Cape

REQUEST FOR COMMENT: CONSOLIDATION OF ERVEN COMPRISING SCHOOL SITES IN THE WESTERN CAPE
In terms of Section 38(1) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

Heritage Western Cape is in receipt of the letter dated 19 April 2024 requesting for comment on the proposed consolidation of various Erven for the following schools under ownership of the Western Cape Government:

1. Ferndale Primary School
2. Rosmead Central Primary School
3. Sid G. Rule Primary School
4. Westerford High School
5. Zeekoevlei Primary
6. Zeekoevlei Primary High School
7. Zwaanswyk High School
8. South African College Junior School

It is confirmed that the proposed consolidation does not affect heritage resources and no further action in terms of the National Heritage Resources Act (25 of 1999) is applicable.

This comment is related to the consolidation of the Erven and any other proposed activities which may trigger the National Heritage Resources Act will be applicable when required.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above.

Waseefa Dhansay

Digitally signed by Waseefa Dhansay
Date: 2024.04.19 15:14:25 +02'00'

Waseefa Dhansay
Assistant Director: Professional Services

FIGURE 10.5: HWC RESPONSE

11. IMPACT ON EXISTING RIGHTS AND DEVELOPMENT POTENTIAL

The existing CO1 zoning permits a maximum building coverage of 60% (see figure 10.2). Currently, only 26% of the total allowable coverage is being utilized, meaning that the existing building footprint remains well within the permissible limits and will remain unchanged under the proposed zoning. This demonstrates that the current institutional use has a modest physical impact on the site, with no encroachment on adjoining properties or alteration to the existing massing and character of the area.

In terms of bulk, the CO1 zoning allows for a maximum floor factor of 0.8. The existing development achieves a calculated floor factor of 0.25, which is significantly below the allowable maximum. This indicates that the site operates at a low intensity relative to its zoning potential, allowing for substantial capacity for future development or expansion should operational needs arise.

When comparing the existing and proposed rights, the proposal does not increase the development envelope or introduce any new structures that would alter the built form or intensity of use. Instead, it retains the existing footprint and scale, ensuring that the site remains compatible with surrounding land uses and maintains the existing spatial character. The proposal therefore preserves existing rights while making the site more conducive to accommodating future development in a manner consistent with municipal regulations and spatial development policies.

COVERAGE CALCULATION CO1
Total building footprint/Total area x 100= 2431,4 SQM/9650 SQM X 100=26%
FLOOR FACTOR CALCULATION CO1
Total building factor/Total area x number of storeys= 2431,4 sqm/ 9650 sqm x 1=0,25

TABLE 11.1: COVERAGE AND FLOOR FACTOR CALCULATION

COMMUNITY ZONINGS	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE EXISTING GROUND LEVEL	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
			To top of roof	Street boundary	Common boundaries		
COMMUNITY ZONING 1: LOCAL (CO1) **PRIMARY USES** Place of instruction, place of worship, clinic, rooftop base telecommunication station, open space, minor freestanding base telecommunication station, minor rooftop base telecommunication station and filming **CONSENT USES** Institution, hospital, place of assembly, cemetery, freestanding base telecommunication station, urban agriculture and veterinary practice	0,8 Refer to item 47(a)	60% Refer to item 47(b)	12,0 m Refer to item 47(c)	5,0 m Refer to item 47(d)	5,0 m Refer to item 47(e)	N/a	Parking and access Loading Screening Noise mitigation
COMMUNITY ZONING 2: REGIONAL (CO2) **PRIMARY USES** Institution, hospital, place of instruction, place of worship, place of assembly, rooftop base telecommunication station, minor freestanding base telecommunication station, minor rooftop base telecommunication station, open space and filming **CONSENT USES** Boarding house, conference facility, cemetery, crematorium, funeral parlour, freestanding base telecommunication station, wind turbine infrastructure, urban agriculture and veterinary practice	2,0 Refer to item 49(a)	60% Refer to item 49(b)	18,0 m Refer to item 49(c)	5,0 m Refer to item 49(d)	5,0 m Refer to item 49(e)	N/a	Parking and access Loading Screening Noise mitigation

TABLE 11.2:CO1 ZONING DEVELOPMENT RULES SUMMARY

12. ENVIRONMENTAL

The site is located within an established residential area with an existing school building on site. There are no environmental features on site that need to be considered or that trigger an environmental listed activity. Based on the fact that no construction is planned, other than the consolidation of the various properties, in order to establish the school on one site, we are of the opinion that environmental authorisation is not required.

13. TRAFFIC IMPACT STUDY AND PARKING

Due to the site not changing its current land use and function, a Traffic Impact Assessment is not needed. However, if a demolition or building expansion is ever required, a Traffic Impact Assessment will be required.

14. EXTERNAL ENGINEERING SERVICES STUDIES

This application is for the purpose of regularizing the school's multiple erven into a single erf, as such the process does not entail applying for a change to the current land use or for additional land use rights; rather bringing the current land use in line with the Municipal Planning By-Law.

There will be no change in the land uses or the intensity of the land use and therefore there will be no additional impact on external engineering services, for the purpose of this exercises (being a consolidation application) an engineering services report will not be required.

15. TITLE DEEDS

The sites are held under the following title deeds and diagrams: The appointed Conveyancer provided the following information on the various title deeds, deed diagrams and title deed restrictions. All Title deeds are attached in Annexure 2. Conditions imposed on Title Deed: T28972/1967, will need to be removed as part of the LUMS application.

ERF NUMBERS	TITLE DEED	DATE OF REGISTRATION	DEED DIAGRAM	RESTRICTIVE TITLE CONDITIONS
Erf 53572		14/12/1967		1. Not less than 15 feet from the boundary, 2. Not more than one building. 3. Not more than half of the area be built upon.
Erf 53571		14/12/1967		
Erf 53570		14/12/1967		
Erf 53569		14/12/1967		

16. TOWN PLANNING MOTIVATION

16.1 Compliance with Bylaw

The proposal requires a rezoning, consolidation and a departure to conform to all development parameters. This will allow that the school's physical structures are in line with zoning regulations, making the consolidation a suitable course of action to bring it into compliance with the bylaw.

16.2 Consistency with CoCT Southern Suburbs

As outlined in the Southern Suburbs District Plan Spatial Development Framework (SDF) of 2023, the school reside within a suburban setting, designated in a "Mixed-use Intensification" corridor and 'Institutional Structuring Open Space'. The activity of an institutional land use aligns with the types of development envisioned for these areas. Hence, the consolidation adheres to the directives laid out in the District Plan (see Figure 9.1.2).

Consequently, the proposed consolidation of the school's properties is consistent with the guidelines provided in the Southern Suburbs District Plan, ensuring that the development remains in harmony with the overall district planning.

16.3 NEMA Compliance

A Notification of Intent to Develop (NID) was submitted to the Heritage Western Cape (HWC) to assess the need for a Heritage Impact Assessment regarding the consolidation. The response from HWC indicated that no such assessment was required, implying that the proposed changes will not have an adverse impact on heritage resources in the area. This supports compliance with the National Environmental Management Act (NEMA).

16.4 Desirability

The following considerations are relevant to the assessment of the proposed land use to determine if it would be desirable –

In terms of section 99(2) of the MPBL the decision-maker must consider the following when making a decision, where relevant to the application at hand:

Section 99(2) of the DMS: Points of consideration when making a decision –

Section in MPBL	Criteria	This application's motivation & conclusion
99(2)(a)	Development proposal must align any applicable spatial development framework relevant to the area	Development proposal aligns with The Southern Suburbs District Plan Spatial Development Framework (2023)

99(2)(b)	The proposal must adhere to the relevant criteria contemplated in the development management scheme.	The proposal adheres to the City of Cape Town Municipal Planning By LAW (2015) as amended
99(2)(d)	Extent of desirability	Application is desirable, see below discussion of desirability
99(2)(f)	In case of a consolidation - The application for the consolidation of land units must evaluate the scale and design of the development, the building massing, and its impact on surrounding properties	Complies (refer to below motivation) **1. Scale and Design of the Development** The proposed consolidation of Erf 53569, 53570, 53571, and 53572, along with the subdivision of TR2 road portions, formalises the existing school layout. No new development is proposed; the consolidation serves to improve administrative efficiency, land management, and cadastral clarity across the site. **2. Impact of the Building Massing** The existing school buildings will remain unchanged in scale, footprint, and form. This ensures compatibility with the surrounding residential and mixed-use environment while maintaining the visual character of the neighbourhood. **3. Impact on Surrounding Properties** The consolidation will not affect neighbouring properties, access, traffic, or operations. The legal and cadastral regularisation supports the continued functioning of the school while preserving the existing relationship with adjacent land uses. **Summary** The consolidation enhances land administration, tenure security, and management of the school across multiple erven, without introducing new development or altering the existing built form. The surrounding neighbourhood character is preserved, ensuring the school remains integrated and functional within its suburban context.

In terms of section 99(3) of the MPBL the decision-maker must consider the following when making a decision, where relevant to the application at hand:

Section 99(3) of the DMS: Points of consideration when making a decision –

Section in MPBL	Criteria	This application's motivation & conclusions
99(3)(a)	The application must evaluate and outline the potential socio-economic impact of the proposed development	Complies (see section 16.5 below)
99(3)(d)	The application must assess the compatibility of the proposed development with surrounding land uses	Complies (see section 16.6)
99(3)(e)	The application must evaluate the potential impact of the development on external engineering services	Complies (see section 16.7)
99(3)(f)	The application must consider and address any potential impacts on the safety, health, and wellbeing of the surrounding community	Complies (see section 16.8)
99(3)(g)	The application must assess the potential impact of the development on heritage resources, including cultural and historical sites	Complies (see section 16.9)
99(3)(h)	The application must evaluate the potential impacts on the biophysical environment, including air quality, water quality, noise pollution	Complies (see section 16.10)
99(3)(i)	The application must include an analysis of the traffic impacts, parking provision, access routes, and other transport-related considerations	Complies (see section 16.11)

16.5 99(3)(a) Socio-Economic Impact

The consolidation, subdivision of TR2 road portions, building line departures, and removal of restrictive title deed conditions formalise the existing Rosmead Central Primary School layout. This supports socio-economic benefits including continued access to quality primary education, retention of teaching and support staff, and efficient operation of an essential community-serving institution. The proposal strengthens the school's administrative and operational efficiency while maintaining its critical role in the local community.

16.6 99(3)(b) Compatibility with Surrounding Uses

The proposal is fully compatible with surrounding land uses, which are predominantly residential and mixed-use. No new or conflicting uses are introduced, and the existing character, scale, and function of the school and surrounding area are maintained.

16.7 99(3)(c) Impact on External Engineering Services

The proposal will have no impact on external engineering services. Existing infrastructure adequately supports the school's operations, and no upgrades or extensions are required.

16.8 99(3)(d) Impact on Safety, Health, and Wellbeing of the Surrounding Community

The proposal has negligible impact on safety, health, or wellbeing, as no new development or operational changes are proposed. The school's positive role in the community is maintained.

16.9 99(3)(e) Impact on Heritage

The application regularises the existing school layout without any new construction. A Notice of Intention to Develop (NID) will be submitted as required for consolidation of multiple erven over 5,000 m². The proposal will not negatively affect any heritage resources or the historical character of the site.

16.10 99(3)(f) Impact on the Biophysical Environment

No sensitive environmental features are present on site, and no physical works are proposed. The consolidation and associated administrative actions will have no biophysical or ecological impact.

16.11 99(3)(g) Traffic, Parking, Access, and Other Transport Considerations

Existing access, parking, and circulation arrangements remain sufficient. The proposal does not increase traffic or parking demand, nor does it alter transport operations.

16.12 99(3)(h) Mitigation of Adverse Impacts through Conditions

The proposal is administrative in nature and formalises existing land uses. No adverse impacts are anticipated, and any future site improvements can be managed through standard conditions of approval.

16.6 Other National and Provincial planning laws

16.6.1 Impact on existing rights

The proposal will not affect existing rights, ensuring it complies with relevant planning regulations.

16.6.2 SPLUMA and LUPA Development Principles

Spatial Justice

The spatial justice principle requires that past spatial and development imbalances should be redressed through improved access to and utilization of land. It requires that persons who were previously excluded

(especially the poor) must be included in land use planning policies, especially in order to address widespread poverty and deprivation. Access to land and opportunities for all (including disadvantaged communities) should be facilitated.

Spatial justice is indirectly achieved by providing access to educational opportunities for learners residing in the area, or in close proximity to the area.

16.6.3 Spatial sustainability

The principle of spatial sustainability will be achieved by a development if it is spatially compact, resource frugal and within the means of the municipality to provide services.

The consolidation of the erven into one erf will achieve spatial sustainability by limiting resources need for administration of multiple erven.

16.6.4 Efficiency principle

The efficiency principle requires that development should optimize the use of existing resources, including infrastructure, and requires that integrated cities and towns be developed whereby social, economic and institutional aspects of land development is integrated and residential opportunities are provided close to employment opportunities.

The regularization of the erven into one will result in a more efficient administration of the school.

16.7 Section 42 (1) (c) of the City of Cape Town Municipal Planning By Laws 2015

In terms of Section 42(1)(c) of the Municipal Planning By-law (MPBL), the decision-maker is required to consider a range of factors when assessing land use applications. The proposed rezoning, departures, subdivision, consolidation, and removal of restrictive title deed conditions associated with Erf 53569, 53570, 53571, and 53572, Claremont, are assessed below against the relevant criteria.

16.7.1 Public Interest (Section 42(1)(c)(i))

The proposal serves a clear and demonstrable public interest by facilitating the continued lawful operation of Rosmead Central Primary School, a long-established public educational institution. Schools constitute essential social infrastructure and play a vital role in supporting community wellbeing, access to education, and socio-economic development.

The application does not introduce a new or intensified land use, but rather seeks to **regularise an existing institutional use** that has historically operated on the site. Formalising the appropriate zoning and associated land use rights ensures regulatory compliance, long-term operational certainty, and improved governance of public land assets owned by the Western Cape Government (WCG).

Furthermore, the site is well-located within walking distance of public transport routes, commercial amenities, and residential neighbourhoods, which supports accessibility and aligns with principles of spatial justice and sustainable urban form.

16.7.2 Constitutional Transformation Imperatives and Duties of the State (Section 42(1)(c)(ii))

The application aligns with the constitutional obligations of the State to progressively realise the right to basic education and to promote equitable access to public facilities. By regularising the zoning and land use rights of a public school, the proposal supports transformation imperatives aimed at correcting historical land use inconsistencies and ensuring that public institutions are appropriately accommodated within the planning system.

The proposal further supports spatial transformation objectives by reinforcing the role of social infrastructure within a mixed-use, well-serviced urban area, thereby reducing travel distances, promoting walkability, and supporting inclusive access to education.

16.7.3 Facts and Circumstances Relevant to the Application (Section 42(1)(c)(iii))

The site comprises four erven (Erf 53569, 53570, 53571, and 53572) currently utilised as a single, integrated school campus. Portions of Erf 53569 and Erf 53572 are zoned Transport Zone 2 (TR2), corresponding with land identified by the City of Cape Town Transport Department for future road widening. These portions are proposed to be formally subdivided off and transferred to the City, in accordance with confirmed municipal requirements.

The remainder of the site is currently zoned General Residential 4 (GR4), which is not appropriate for the existing institutional use. Rezoning to Community 1 (CO1) is therefore required to reflect the actual land use and ensure alignment with the Cape Town Zoning Scheme.

The proposal also includes a permanent departure to regularise existing building line encroachments on Erf 53569. These encroachments relate to long-standing structures and do not result in any additional development or adverse spatial impacts.

16.7.4 Rights and Obligations of Affected Parties (Section 42(1)(c)(iv))

The proposal does not adversely affect the rights of surrounding property owners, as it does not introduce new development, intensify land use, or alter the existing built form. The school has historically operated on the site, and the surrounding land uses comprising residential properties and nearby commercial activity are already compatible with the existing institutional function.

The consolidation of the erven and removal of restrictive title deed conditions will improve land administration and ensure that the property is regulated under a single, coherent set of land use rights and obligations. The subdivision of TR2 portions supports the City's transport planning objectives and fulfils the WCG's obligation to align land ownership with functional road infrastructure.

16.7 5 Engineering Services, Social Infrastructure and Open Space (Section 42(1)(c)(v))

The site is located within a fully serviced urban area with access to existing engineering infrastructure, including roads, water, sanitation, and electricity. As the application does not propose any additional development or increase in intensity, no additional burden is placed on existing engineering services.

Rosmead Central Primary School itself constitutes a key component of social infrastructure within the area. The existing building coverage (approximately 26%) and floor factor (approximately 0.25) remain well below the maximum permissible thresholds under CO1 zoning, indicating that the site operates at a low intensity relative to its zoning potential.

Open space requirements are met through the existing layout of the school grounds, and no changes are proposed that would diminish the availability or quality of on-site open spaces.

16.7.6 Prescribed Factors and Timeframes (Section 42(1)(c)(vi))

The application complies with applicable municipal and district-level spatial planning policies, including the Southern Suburbs District Plan (2023), which identifies the area as part of a Mixed-Use Intensification Corridor with an institutional role. The proposal aligns with this designation by retaining and formalising an established educational use.

The site falls within a Proposed Heritage Protection Overlay Zone (HPOZ) with a Grade 3B heritage grading. However, the application does not propose demolition, alteration, or new development. Heritage Western Cape has been engaged, and the proposal is supported on the basis that it does not negatively affect the heritage significance or character of the site. Where required, a Notice of Intention to Develop (NID) will be submitted in compliance with heritage legislation.

The application therefore meets all prescribed procedural and substantive requirements, and no unreasonable delays or deviations from statutory timeframes are anticipated.

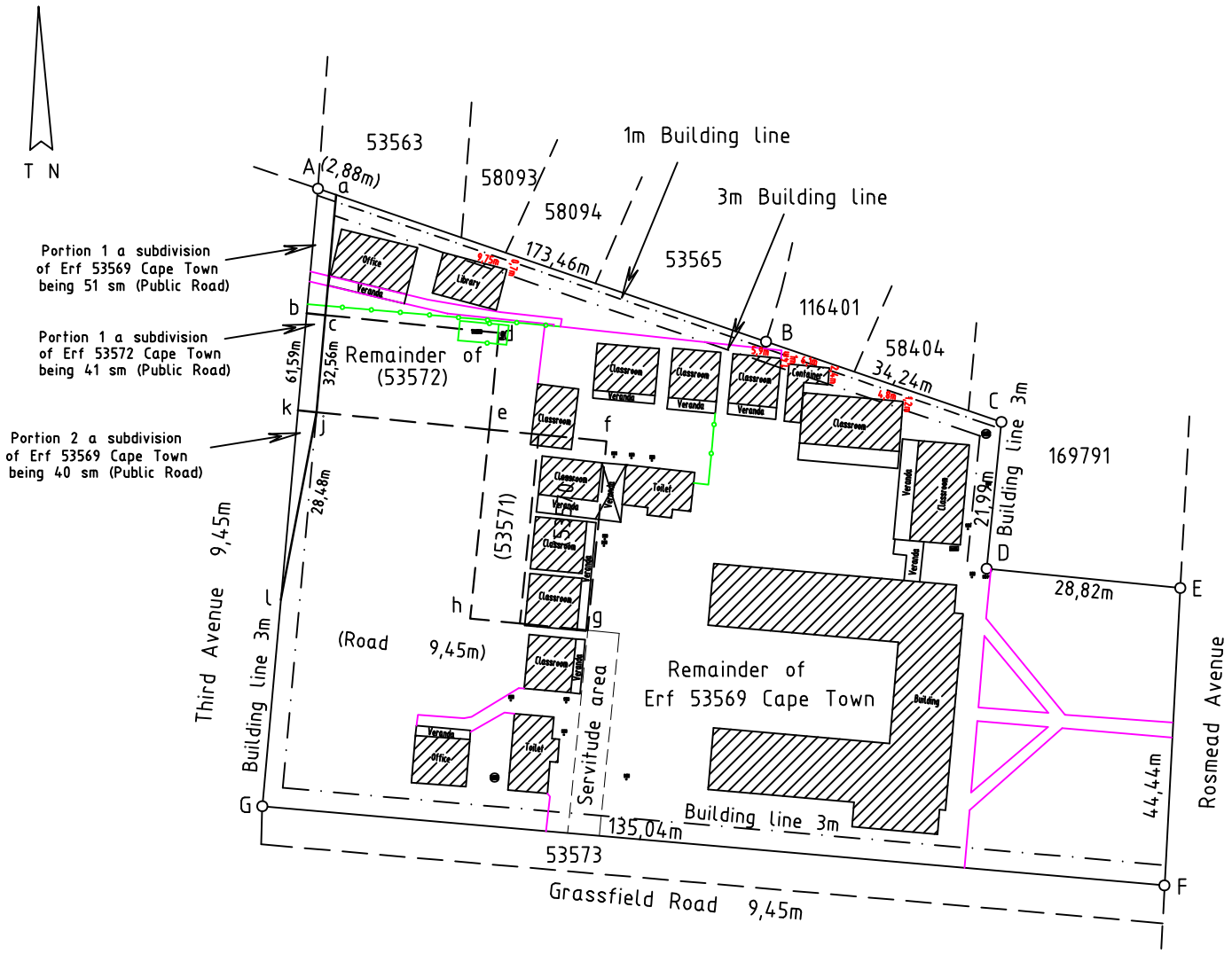
17. CONCLUSIONS

The proposed consolidation and departure will have no negative impact on surrounding land uses or rights of surrounding owners. The proposal will have only a positive impact on the administration of the school.

Therefore, the application should be approved:

PROJECT NAME	ROSMEAD CENTRAL PRIMARY SCHOOL	ERF NUMBER
Erf 53569, 53570, 53571, and 53572		
SUMMARY OF PROJECT	The WCG requires assistance in submitting the following applications: 1. 42 (a) Rezoning of land 53571, 53570, 53569 and 53572 from GR4 to CO1; 2. 42(b) Permanent departure for the western street boundary of 0 m in lieu of 3 m, northern common boundary 1 m in lieu of 3m and eastern common boundary 3 m in lieu of 3 m for existing buildings on erf 53569 in terms of Section 42(b). 3. 42 (d) Subdivision of Land – Road to be Subdivided off; 4. 42 (f) Consolidation of Land; 5. 42(g) Removal of Title Deed Restrictive Condition.	
CURRENT ZONING	Community 1: Local and General Residential 4	
TITLE DEED RESTRICTION	Yes, the following title deed restrictions will be removed as part of this LUMS application: 1. Not less than 15 feet from the boundary, 2. Not more than one building. 3. Not more than half of the area be built upon.	
CONSOLIDATION REQUIRED	Yes	
PUBLIC PLACES	No	
HIA REQUIRED	A Notice of Intention to Development (NID) must be submitted to HWC for consolidation of three or more sites and /or change in nature of a site larger than5000m^2. The site falls within a Proposed Heritage Protection Overlay Zone (HPOZ) with a Grade 3B rating, indicating medium Heritage significance. (Refer to section 10) However, since the purpose of the LUMS application is to regularize the existing school and does not involve any new development on the premises, it will not	

	diminish the historical significance of the school and site. Please refer to correspondents with HWC, which further reiterates their support of this application in this regard.
APPLICATIONS	The WCG requires assistance in submitting the following applications: 1. 42 (a) Rezoning of land 53571, 53570, 53569 and 53572 from GR4 to CO1; 2. 42(b) Permanent departure for the western street boundary of 0 m in lieu of 3 m, northern common boundary 1 m in lieu of 3m and eastern common boundary 3 m in lieu of 3 m for existing buildings on erf 53569 in terms of Section 42(b). 3. 42 (d) Subdivision of Land – Road to be Subdivided off; 4. 42 (f) Consolidation of Land; 5. 42(g) Removal of Title Deed Restrictive Condition.



The figure aBCDEFGlj Represents 9516 Square metres of land being a consolidation of the following erven

ERF	Extent
Remainder of Erf 53569 Cape Town	8641 sm
Erf 53570 Cape Town	288 sm
Erf 53571 Cape Town	212 sm
Remainder of Erf 53572 Cape Town	376 sm
Total	**9517 sm**

The figure bcjk Represents portion 1 132 Square metres of land being a subdivision of Erf 53572 Cape Tow

The figure Aacb Represents portion 1 51 Square metres of land being a subdivision of Erf 53569 Cape Town

The figure kjl Represents portion 2 40 Square metres of land being a subdivision of Erf 53569 Cape Town

Notes

sm Denotes square metre

All measurements are approximates and are subject to verification

Measurements in red on the northern boundary are encroachments on the 3m building line

Subdivision of Erf 53569 and 53572, Consolidation of the remainders with Erf 53570, 53571 Cape Town and At Claremont

ROSMEAD CENTRAL PRIMARY SCHOOL

Western Cape Government

Project	western cape schools
Reference	cpt53569 v.3
Date	21 July 2026
Revision Number	002
Scale	1:1000
Noting sheet	M1419

JM LAND SURVEYORS