

8.2.3	APPLICATION FOR A SPECIAL DEVELOPMENT ON ERF 7588, STELLENBOSCH
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1. PURPOSE OF REPORT

To enable a decision on the abovementioned application. The application is **recommended for approval**.

2. BACKGROUND

Erf 7588, Stellenbosch is zoned *Specific Business*; i.e. the erf has development rights as permitted in the *General Business* zone (to be finalised through negotiations with Council). The application under consideration is for the land owner to develop basement parking with offices and flats above ground floor level on the subject property. The proposed development will consist of a three-storey building.

3. APPLICATION FOR CONSIDERATION

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development to permit the construction of a mixed use building consisting of basement parking with offices and flats above ground floor level. A locality plan attached as **APPENDIX 1**.

4. PROPERTY INFORMATION

Erf number	7588
Location	Stellentia Road, Stellenbosch (see APPENDIX 1)
Zoning/Zoning Scheme	Specific Business / Stellenbosch Municipality Zoning Scheme Regulations, July 1996.
Current Land Use	Vacant
Unauthorized land use/building work / date when notice served	No
Property size	18391m ²
Applicant	TV3 Architects & Town Planners
NHRA Applicable	No
Title deed conditions	No

5. DISCUSSION

5.1 Legal requirements and Public Participation

The application for a Special Development was submitted in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development to permit the construction of a mixed use building consisting of basement parking with offices and flats above ground floor level. The application was sent to the surrounding affected property owners and associations for comment in terms of the Public Participation Policy for the Land Use Management section. The application was also circulated to the relevant internal departments of Council and the proposal is supported. One letter of objection was received from the Stellenbosch Ratepayers' Association. (Refer to **APPENDIX 3**).

5.2 Summary of objections and comments received

Refer to APPENDIX 3

STELLENBOSCH RATE PAYERS' ASSOCIATION (Objection against development on Erven 7586 and 7588)		
OBJECTIONS / ISSUES RAISED	APPLICANT'S COMMENTS	PLANNING DEPARTMENT'S COMMENTS
1. Both erven are zoned Specific Business. There are no normal developments for Specific Business and only uses as permitted in the general business zone is permitted. It is strange that no business uses were indicated with the 1984 approval.	Noted.	Noted
2. The Specific Business zoning was created to limit development and must be negotiated with Council and should take cognisance of the environment.	The Specific Business zoning was not created to limit development. The Zoning Scheme Regulations only state that the detail of the development proposal must be negotiated with Council.	The proposal under consideration has taken the surrounding land uses into consideration and thus should have not had a negative impact on its surroundings.
3. The applications requests an extension of the Specific Business Zoning and a special development for certain land uses.	A legal opinion has been obtained and it is not necessary to apply for the extension of the Specific Business zoning as it has already vested. The application is therefore only for a special development.	The subject property has the development rights applicable to Specific Business and the application under consideration is to be able to act on the existing land use rights.
4. There is a capacity crisis with the municipal waste water treatment plant.	The Municipality is currently busy with the upgrading of the waste water treatment plant which should be completed by the end 2017.	The subject properties will only be developed once capacity is in place within the waste water treatment plant of Council.
5. With such a development the developer must pay bulk infrastructure contribution levies (BICLs).	The required BICLs will be paid in accordance with Council's policy.	This detail is determined by the Engineers Department and the owner will be informed of the relevant contributions that must be paid.
6. The Erf 7586 special development application asks for retail, shops, offices, wine shop and offices. These are land uses of General Business and not the purpose of Specific Business.	The proposed land uses on Erf 7586 will be limited to shops and offices – which are permissible land uses i.t.o. the Specific Business zoning. The proposed restaurant will not be developed.	The land uses which are allowed within a general business zoned property is similar to that of a specific business zoned property with the exception that approval is granted for only the land use rights approved and indicated on the Site Development Plan attached to the approval granted.

7. The Erf 7588 special development application asks for offices and flats.	Noted.	Noted.
8. The applicant claims the site is located in the town's CBD.	Stellenbosch's proclaimed historic core acts as an indication of the town's CBD. The site is located in the town's historic core and it can therefore be accepted that it is also located in the town's CBD.	The subject property forms part of the Historical Core of Stellenbosch and is also located on the edge of the CBD area of Stellenbosch.
9. We disagree with the claim that the development will acknowledge the area's heritage or conserve the built, agricultural, rural and natural environment.	The development proposal was the subject of an extensive heritage impact assessment and an urban design study. These specialist input dictated the final development proposal. For this reason we are of the opinion that the development proposal does acknowledge the area's heritage and conserve the environment.	The application has been endorsed by Heritage Western Cape and will comply with the conditions of approval as imposed by Heritage Western Cape as determined by the heritage study.
10. The applicant claims that employment opportunities must be created close to housing opportunities.	The development will create new employment opportunities and the idea is to link the area with Die Boord via pedestrian and bicycle paths.	The proposed development will create short and long term employment opportunities within Stellenbosch.
11. The applicant's motivation is not reconcilable.	This is only the objector's opinion.	This comment is noted and the department uses a number of sources to determine the impact of the development on its surroundings.
12. The site is located in the town's historic core and is subject to the rules of construction in the historical centre of Stellenbosch.	Noted. The proposed development is compliant with all of these rules.	The development does comply with the development parameters applicable to the heritage core and is supported by Heritage Western Cape
13. Council must facilitate development and provide engineering services on a sustainable manner.	The necessary bulk infrastructure upgrades will be undertaken (in conjunction with the engineering department) for the proposed development.	This comment is noted and will be addressed by the relevant departments.
14. Council now has the opportunity to do the right thing since the erven have no existing development rights.	The site is zoned Specific Business. The development detail must be negotiated with Council but the permissible land uses are the same as those of General Business. It is therefore incorrect of the objector to claim the site has no existing rights.	As noted above the subject property has the land use rights of specific business and complies with all the relevant departments' requirements and the requirements of Heritage Western Cape.

15. The development will place an additional burden on the traffic problem and engineering services.	The development is an opportunity for Council to upgrade and improve the town's bulk infrastructure.	The Engineers Department of Council has addressed this issue and the relevant infrastructure will be upgraded by the developed as part of the approval granted.
16. Dr. Anton Rupert planted vineyards on these erven (in the late 1980's / early 1990's) to alleviate development pressure in Stellenbosch.	In the 1999 Dr. Rupert planned to construct the Rupert International head office building on Erf 7586. Even though it never materialised he did develop the Rupert Museum on one of the vineyard erven (Erf 7587).	The subject property is not zoned for agricultural purposes and thus the planting of vineyards was an interim use of the subject property. The proposal as submitted is in line with the zoning of the property and the proposal has taken the surrounding land uses into consideration.

5.3 Site Description and Assessment

The proposed development is seen to be desirable as the site is already zoned for business purposes (which provides for offices and flats). The proposed development will actualise the development potential of the property which is currently vacant.

The application area is located on the edge of the town's central business district and thus the proposed land uses (offices and flats) will not be foreign to the area and will be seen to be compatible with the surrounding commercial land uses (Inanda (offices), Oude Rozenhof (retail), Protea Hotel Dorpshuis, Rupert Museum, Distell's head office, Shell Garage (Service station and KFC), Agrimark (retail), De Wagenweg Office Park, Weidenhof Street apartment buildings, etc.)

The proposed development will be done in accordance with the recommendations of the Lower Dorp Street urban design framework (as drafted by Piet Louw urban designers). The proposed development will complete the Lower Dorp Street precinct and create a destination. Currently only sections of Dorp Street are actively visited. The proposed development of the Lower Dorp Street area will attract more people to the area and these people will move up and down Dorp Street, contributing to further redevelopment / development of this area.

The proposed development will give the local economy a boost by creating a number of temporary employment opportunities (during the construction phase) and permanent employment opportunities within the commercial facility when the project will be created.

The densification of the existing urban area within the urban edge will lead to the optimal use of a town's existing bulk infrastructure and contain urban sprawl thereby protecting the agricultural hinterland around Stellenbosch.

The densification will further contribute to making public transport and non-motorised transport a viable alternative. Pedestrian walkways and cycle paths will be provided.

A heritage impact assessment was undertaken by Dr. Elzet Albertyn and Heritage Western Cape has given their approval for the proposed development in terms of the National Heritage Resources Act, 1999.

In light of the above the application is supported from a town planning point of view.

6. APPENDICES

Appendix 1 : Locality Map

Appendix 2 : Site Development Plan

Appendix 3 : Comment on objections and objections received

Appendix 4 : Comments received from Directorate: Engineering Services

Appendix 5 : Letter of undertaking received from Remgro Limited

7. RECOMMENDATION

that **approval is granted** in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development on Erf 7588, Stellenbosch to permit the construction of a mixed use building consisting of basement parking, offices and flats above ground level, subject to the following conditions:

1. The approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
2. That the development shall be limited to a 3 storey building with basement parking, shops, restaurants, liquor store, offices and flats above ground floor only as indicated on the attached Site Development Plan, Plan number J3083-A-101-2, dated October 2013;
3. That building plans must be submitted to this municipality for approval, prior to any building work commencing onsite; That the building plans submitted to Council for approval is substantially the same as the approved Site Development;
4. That the building plans must comply with the conditions imposed by Heritage Western Cape and must be endorsed by the relevant Heritage body;
5. That the conditions imposed by the Directorate: Engineering Services in their memo dated 15 July 2017 attached as **APPENDIX 4** be adhered to prior to building plans being submitted to Council for approval;
6. That a detailed landscaping plan is submitted for approval with the building plans and that the landscaping plan be to the satisfaction of the Directorate Community Services;
7. That the landscaping shall be implemented prior to an occupational certificate being issued for the building;
8. That the refuse room be placed in such a position on the property to have minimal impact on the streetscape and to form part of architecture of the building;
9. That any vehicle servicing the refuse room should at all times have minimal impact on the existing traffic flow within the street;

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10. That an advertising theme be submitted to the Municipality for approval and that the theme complies with the relevant signage policy of Council prior to any signage being fixed to the building;
 11. That the relevant business licence be obtained if required;
 12. That the developments proposed on erven 7587, 7588 and 7592 be considered as one application and that the bulk infrastructure cost applicable to each property be paid simultaneously;
 13. That the developer submits a motivation and implementation plan to the Municipality for consideration. That the implementation plan should include items like programmes for the construction of the internal services and the building construction;
 14. That all the conditions of approval listed above need to be complied with prior to any building plans being submitted or considered by the Municipality;
 15. That this Council reserves the right to impose further conditions if deemed necessary.

REASONS FOR RECOMMENDATION

The proposed development of the subject property is considered desirable as it is in line with the municipal planning policies and principles and constitutes infill development of underutilised land. The proposal is compatible with the surrounding land uses. The proposal will have a positive impact on the local economy and will broaden the municipal tax base. The proposal will also facilitate the efficient use of existing services and facilities.

8. ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE: 2018-05-08: ITEM 5.1.2

Cllr F Adams requested that it be minuted that he is of the view that this matter should be dealt with at the Planning Tribunal Committee.

RESOLVED

that **approval is granted** in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development on Erf 7588, Stellenbosch to permit the construction of a mixed use building consisting of basement parking, offices and flats above ground level, subject to the following conditions:

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REASONS FOR RECOMMENDATION

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Cllr F Adams requested that his vote of dissent be minuted.

9. FURTHER COMMENTS FROM THE ACTING MUNICIPAL MANAGER: 2018-05-18

Further comments to the Resolutions taken by the Economic Development and Planning Services Committee on 8 May 2018.

The minutes of the Economic Development and Planning Services Committee containing the resolutions taken at the committee meeting on 8 May 2018 was provided to the Acting Municipal Manager as part of the process to inform applicants of the outcome of the resolutions. I enquired as to how the resolutions get reported to the Executive Mayor as Section 80 (3) (b) – (d) provides the process on how the resolutions of the delegated powers of the Section 80 committees should be dealt with. I was informed that it is not current practise to report the resolutions that has been taken to Council or the Executive Mayor. It is good practise to report the delegated resolutions as the delegation does not divest the delegated authority of the responsibility concerning the exercise of the power or the performance of the duty. The delegated authority has the right to confirm, vary or rescind the decision taken in terms of the delegation subject to any vested rights (similar to the provisions in section 80(3)).

The current System of Delegations (as per appendix) indicated that Council delegated the decisions on LUPO applications where there is substantive objections to the Economic Development and Planning Committee. The delegations were not given to the Executive Mayor who then further delegated it to the Committee. It was delegated directly to the Committee by Council. The impact of the delegation delegated in this manner is that the Executive Mayor cannot execute the provisions of section 80(3)(b) – (d) and the reporting on delegations taken must be reported to Council on a regular basis. I requested administration not to inform the applicants of the outcome of the meeting until the reports served before Council.

It is recommended that Council consider the report.



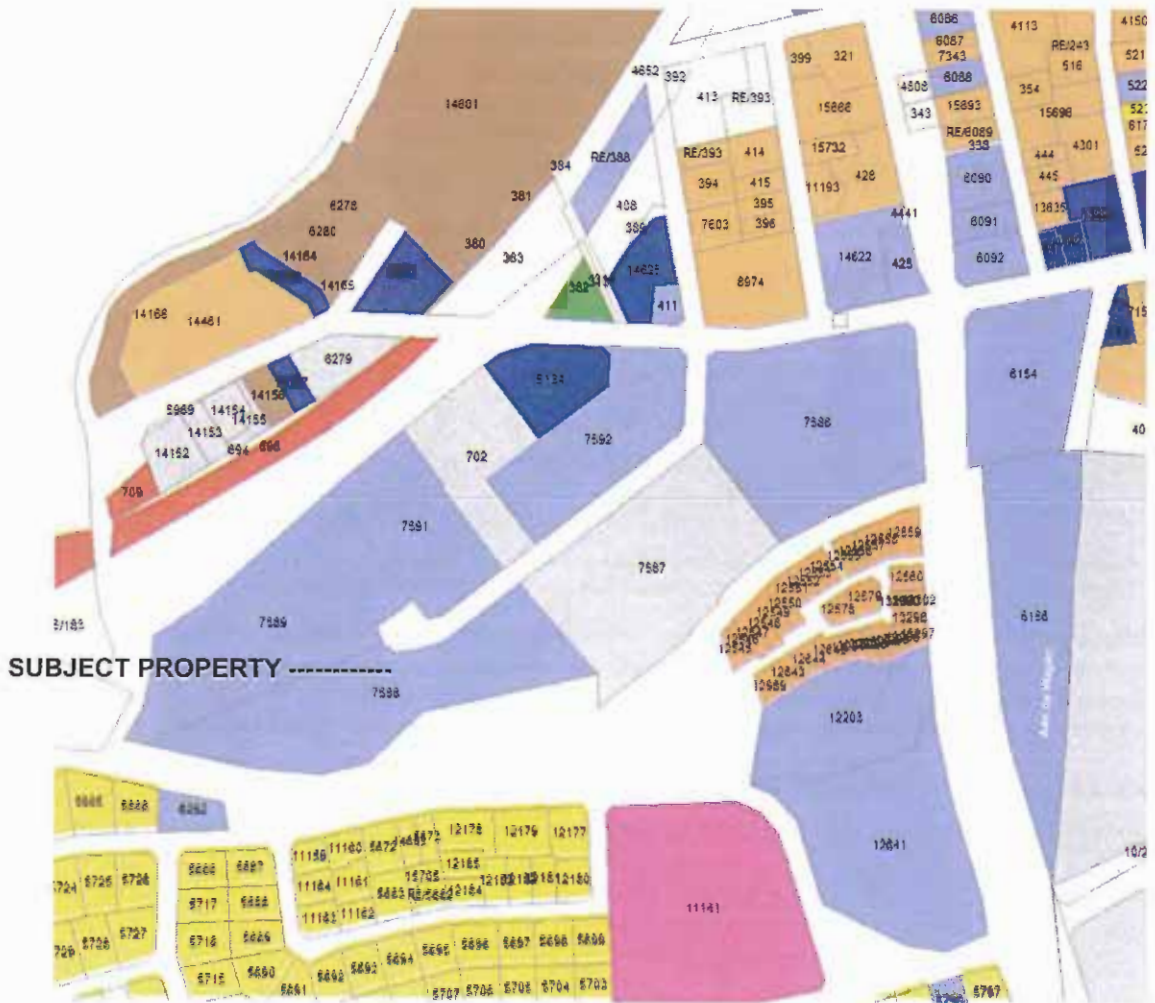
APPENDIX 1

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development on erf 7588, Stellenbosch, to permit the construction of a 3 storey mixed use building consisting of basement parking with shops, restaurants, liquor store, offices and flats above ground floor level.

LOCALITY PLAN



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LOCALITY PLAN



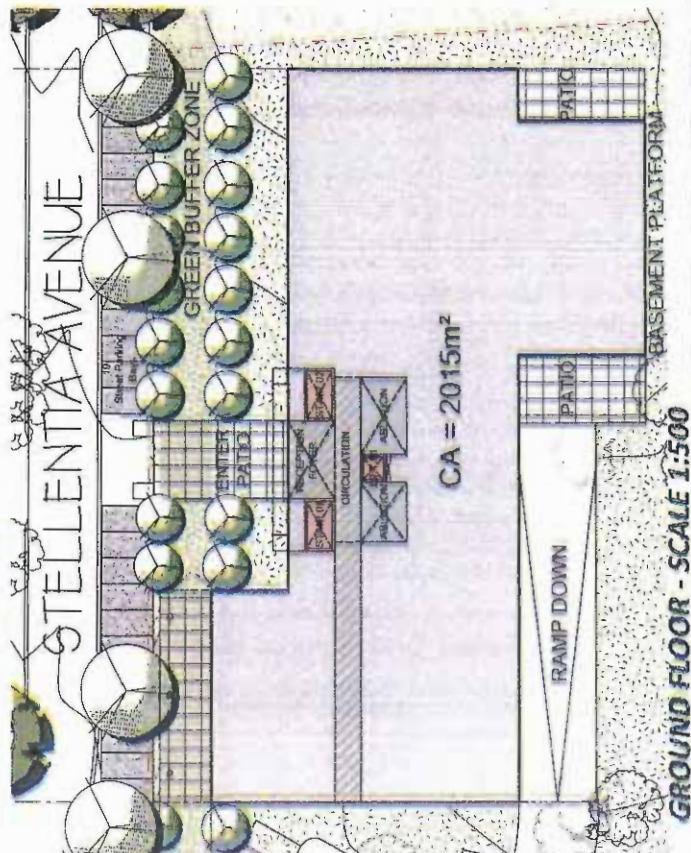
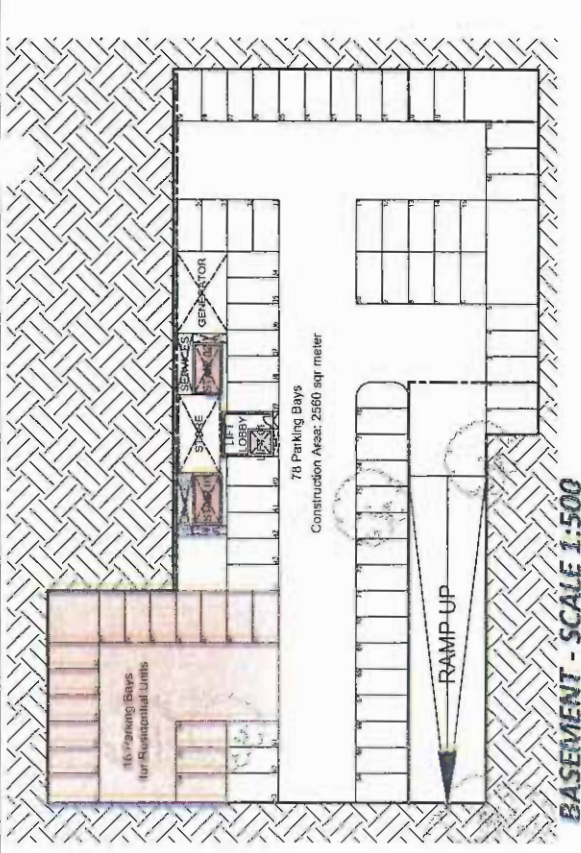
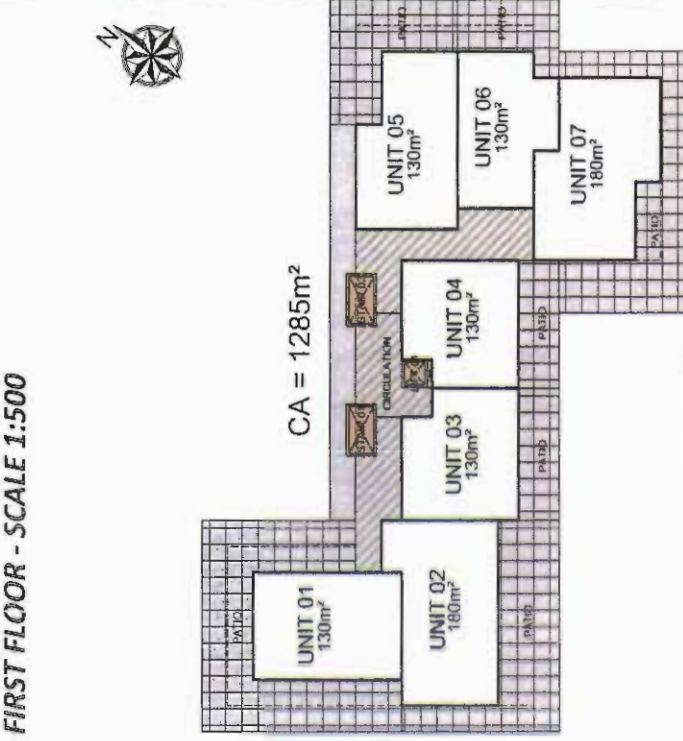
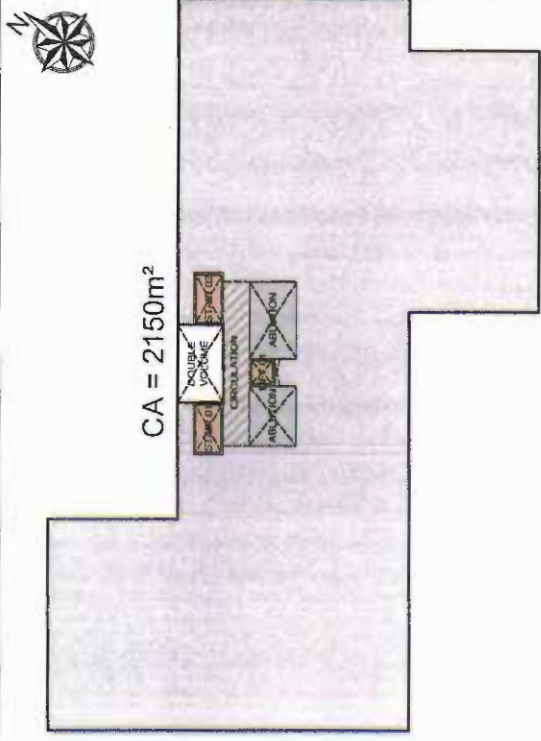
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APPENDIX 2

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development on erf 7588, Stellenbosch, to permit the construction of a 3 storey mixed use building consisting of basement parking with shops, restaurants, liquor store, offices and flats above ground floor level.

SITE DEVELOPMENT PLAN

Permissible and Proposed Development		TV3'S PROPOSAL	
DEVELOPMENT PARAMETERS		PERMISSIBLE DEVELOPMENT RIGHTS	
ERF	7588		
ZONING	SPECIFIC BUSINESS		
BUILDING LINES	18 391 m ²		
COVERAGE	0 m	REFER TO PLAN	
HEIGHT	85 % 12 632m ²	14% 2150m ²	
BULK	G+4	G+2	
CA	N/A		
BASEMENT		2560 m ²	
GROUND	OFFICE	2015m ²	
FIRST	OFFICE	2150 m ²	
SECOND	RESIDENTIAL	1285m ²	
TOTAL =		8019m ²	
G&A			
BASEMENT			
GROUND	OFFICE	2015m ²	
FIRST	OFFICE	2150 m ²	
SECOND	RESIDENTIAL	1285m ²	
TOTAL =		5450m ²	
G.L.A			
GROUND	OFFICE	1775m ² (476m ² extra for circulation & structure)	
FIRST FLOOR	OFFICE	1900m ² (476m ² extra for circulation & structure)	
SECOND FLOOR	RESIDENTIAL	2 x 180m ² - Units (2 per floor unit)	
		5 x 130m ² - Units (5 per floor unit)	
		10 (0m ² extra for circulation & structure)	
		TOTAL 4769m ² (476m ² extra for circulation & structure)	
PARKING REQUIREMENTS		PROVIDED	
1 FPER 20m ² - OFFICES			
GROUND - OFFICE		16 OPEN level bays	
FIRST		76 bay surface bays	
		86 OPEN External surface bays	
		50 OPEN Internal surface bays	
SECOND		14 BAYS PER RES UNIT	
		10.5 bays required	
TOTAL PARKING:		16 BAYS PROVIDED	
		207 BAYS PROVIDED	



SITE PLAN - SCALE 1:5000

DRAWN: ALMA MENTZ
 CHECKED: EDWIN SWANEPOEL
 DATE: OKTOBER 2013 | SCALE/SHEET SIZE: TBC
 DRAWING NO.: J3083-A-102
 REVISION: -

First Floor • La Gratitude Office Building
 97 Dorp Street • Stellenbosch 7600
 Tel: (021) 861 5800
 Fax: (021) 862 8025
 e-mail: info@tvp3.co.za
 web: www.tvp3.co.za

tvp3
 ARCHITECTS AND TOWN PLANNERS

PROJECT DESCRIPTION:
 PROPOSED DEVELOPMENT
 STELLENBOSCH, Erf No. 7588

DRAWING DESCRIPTION:
 FLOOR LAYOUTS

ALSO FOR REQUIREMENTS: NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS MUST BE REFERRED TO • CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES • FLOOR FINISHINGS AND LARGE SCALE LOCAL TILES PREFERENCE OVER SMALL DIMENSIONS • PRESENT AND ALL CONDUITS IN ACCORDANCE WITH THE SOUTH AFRICAN AND RELEVANT RESPONSIBLE CONSULTANTS THE DESIGN AND TOTAL ON THIS DRAWING IS THE PROPERTY OF TVP3 ARCHITECTS AND TOWN PLANNERS (PTY) LTD. AND COPYRIGHT IS RESERVED.

DRAWING STATUS CODES:
 A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built



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APPENDIX 3

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development on erf 7588, Stellenbosch, to permit the construction of a 3 storey mixed use building consisting of basement parking with shops, restaurants, liquor store, offices and flats above ground floor level.

COMMENT ON OBJECTIONS AND OBJECTIONS RECEIVED



ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPLANNERS

Our Reference: 3251-P
Your Reference: Erf 7586, 7588 & 7592

97 DORP STREET
FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
STELLENBOSCH 7600
TEL +27(21)861 3800
FAX +27(21)862 8025
EMAIL info@tv3.co.za

2 August 2016

Director: Planning and Development Services
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

Attention: Mr. Robert Fooy

Sir

**REMGRO ERVEN 7586, 7588 AND 7592, STELLENBOSCH: REPLY ON BEHALF
OF THE APPLICANT TO OBJECTIONS RAISED AGAINST ITS SPECIAL
DEVELOPMENT APPLICATIONS**

1. Background to the special development applications

The following land use planning applications were submitted to the Stellenbosch Municipality:

- On 24 June 2013 we submitted a special development application (for offices and shops) on Erf 7586.
- On 25 June 2013 we submitted a special development application (for offices and flats) on Erf 7588.
- On 26 June 2013 we submitted a special development application (for offices, shops and flats) on Erf 7592.

TV3 PROJECTS (PTY) LTD • REGISTRATION NO : 2006/015278/07
DIRECTORS: JHJ van Rensburg | E Swanepoel | JG Brink | NJ Smit | LR Heungs | MM Walters
ASSOCIATES: J Greuning | WC Fourie | CR Keys | A Prinsloo | H Hugo

These land use planning applications were submitted separately and were also advertised separately. However, we have now been informed by the planning and engineering officials that these three applications must be processed as one application. Consequently we hereby provide you with our comments on the objections received against all three applications.

2. Public letters received

After advertising of these three special development applications five letters of comments / objections were received from the following parties:

- Stellenbosch Ratepayers' Association
- Stellenbosch Interest Group
- Liesl Marais
- Kaap Agri
- Werkmans Attorneys

3. Public support for the proposed developments

The Stellenbosch Interest Group submitted a letter of support stating they *"support the change of land use"*.

Kaap Agri and Werkmans submitted objections against the proposed development on Erf 7592. We met with them, discussed the development proposals and addressed their concerns. They have consequently withdrawn their objections. Find attached hereto copies of their e-mails stating they have no objection (see **Annexure A**).

It is therefore only the Stellenbosch Ratepayers' Association and Liesl Marais that have objected to the proposed developments (although Liesl Marais is not in principle opposed to the development).

4. Applicant's response to the public's comments / objections raised

Find attached hereto a table listing each comment / objection received as well as the applicant's response (see *Annexure B*).

5. Conclusion

We are still of the opinion that the proposed mixed land use developments on the Remgro erven will lead to the optimal use of underutilised land, the densification of an urban area located along important mobility corridors and give rise to sustainable developments with significant socio-economic benefits for the broader community of Stellenbosch. These developments are deemed desirable and we recommend that it be approved.

Yours faithfully

A handwritten signature in black ink, appearing to read 'RH', is written over a light grey rectangular background.

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

TVS ARCHITECTS AND TOWN PLANNERS

ANNEXURE A

E-MAILS OF "NO OBJECTION"

Clifford Heys

From: Jan van Rensburg
Sent: 02 August 2016 09:45 AM
To: Clifford Heys
Subject: FW: Dorpstraat-opgradering voorstelle : terugtrek van beswaar deur Kaap-Agri
Attachments: Prelim design 2014-01-17b.pdf

Clifford, hier's hy.

JH (Jan) Janse van Rensburg
Pr Pln (TRP SA), B Sc, M (T&RP), MSAPI
Cell: +27 (0)83 441 7002

From: James Matthee <james.matthee@kaapagri.co.za>
Date: Wednesday 22 January 2014 at 4:23 PM
To: Ilze Couvaras <Ilze.Couvaras@stellenbosch.gov.za>, Louisa Guntz <Louisa.Ollyn@stellenbosch.gov.za>
Cc: Jan van Rensburg <Jan@tv3.co.za>, "piet@icegroup.co.za" <piet@icegroup.co.za>, "Johan van Rensburg (Stellenbosch)" <johan.vrensburg@kaapagri.co.za>, Francois Swanepoel <fswanepoel@kaapagri.co.za>
Subject: Dorpstraat-opgradering voorstelle

Ons verwys na die beswaarkennisgewing (Aansoek LU/3073 – Ontwikkeling erf 7592, Stellenbosch) en ons vorige beswaar / bekommernis van 11 November 2013 wat ons uitgespreek het oor die verkeersituasie.

Ons het intussen vergader met die argitekthe en padontwerpers.

Die aangehegte voorgestelde wysings aan die paaie is aan ons voorgehou as deel van en voorwaardes van die aansoek om ontwikkeling van die genoemde erf.

Kaap Agri Beperk (Agrimark), eienaar van erf 702 bevestig hiermee dat, indien die padontwikkeling soos aan ons voorgehou inderdaad wel deel van die voorwaardes uitmaak, ons, ons beswaar ten die ontwikkeling terugtrek. Indien dit nie deel van die ontwikkeling uitmaak nie, of in wesentlike opsigte verander word, bevestig ons dat ons beswaar steeds geld.

Die uwe

James Matthee
Finansiële Direkteur.

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DORP STREET - ADAM TAS ROAD TO R44
CONCEPTUAL LAYOUT

FIGURE 13

POSSIBLE STELLESSIG ROAD LAYOUT
WITH DOUBLE RIGHT TURN LANES



Clifford Heys

Subject: FW: WITHOUT PREJUDICE: RE: DE WAGENWEG BODY CORPORATE IN RE. REMGRO ONTWIKKELINGS

From: Justin Truter <jtruter@werksmans.com>

Date: Wednesday 02 April 2014 at 8:52 AM

To: Jan van Rensburg <Jan@tv3.co.za>

Cc: Donovan Comerma <donovan@atmg.co.za>

Subject: FW: WITHOUT PREJUDICE: RE: DE WAGENWEG BODY CORPORATE IN RE. REMGRO ONTWIKKELINGS



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Dear Jan

Our client is satisfied with the proposal, as set out in our e-mail of 17 February 2014 (copied below) and will withdraw their objection on condition that these assurances are worked into the LUPO decision by the Municipality as conditions of approval.

You requested that we provide the wording of the proposed conditions to be incorporated into any rezoning decision. Please see below.

1. *The Applicant must widen the road reserve to accommodate the future construction of a second right turn lane as indicated on the diagram _____ prepared by Piet Van Blerk and this must be incorporated as a servitude for this purpose in the relevant property title deed.*
2. *Should the De Wagenweg Body Corporate require that a second right turn lane be constructed in the future to ease any traffic congestion or other traffic impacts on Stellentia Road, based on an independent traffic impact study that confirms the need to do so, the Applicant agrees to construct the second right turn lane in accordance with the Van Blerk Diagram (_____) at its own cost and within a period of _____.*
3. *The Applicant will ensure that any statutory permits or authorisations that are required to construct the second right turn lane are obtained as part of the current development applications so as to prevent any delays should the second right turn lane be required in the future.*
4. *The phasing of the road upgrades are to be undertaken strictly in accordance with the Transport Impact Assessment dated _____ prepared by Piet Van Blerk. The timing of the road upgrades and associated works is to be planned so as to prevent or limit as far as possible any inconvenience to road users along Stellentia, Adam Tas and Dorp Street and specifically to avoid inconvenience to the De Wagenweg Body Corporate's members.*

Finally, an issue which we have not discussed in our meetings but which is a concern to our client is that the proposed developments do not have an adverse effect on our client and its members' electrical power supply. For this purpose we ask that the necessary letters confirming adequate

electrical supply be furnished by the Municipality and that the adequacy of the supply be confirmed by an independent electrical engineering expert.

Kind regards,

Justin Truter
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From: Justin Truter
Sent: 17 February 2014 08:46 AM
To: 'Jan van Rensburg'
Subject: WITHOUT PREJUDICE: RE: REMGRO ONTWIKKELINGS

Hi Jan

You are correct – the agreement was that provision must be made for the additional right turn lane (if required in future) by widening the proposed new Stellantia road reserve to accommodate this additional right turn lane. We would also seek your client's undertaking that they will construct the second right turn lane (at their cost) as per Piet's diagram in the event that it is reasonably required to ease any traffic impacts on Stellantia Road in future. How we determine whether the second right turn lane is reasonably required must be fleshed out and agreed between the parties and once this has been done we would like these requirements to be recorded in any conditions of rezoning approval.

As far as the phasing of the road upgrades is concerned, we want this to be expressly recorded in the zoning conditions to the effect that the road upgrades are to be undertaken strictly in accordance with the TIA and that the timing of the road works is to be planned so as to prevent or limit as far as possible any inconvenience to our client.

Kindly note that these proposals still require our client (the body corporate's) final approval which we hope to have today.

Kind regards,

Justin

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From: Jan van Rensburg [<mailto:Jan@tv3.co.za>]
Sent: 07 February 2014 12:35 PM
To: Justin Truter
Cc: donovan@atmg.co.za; Edwin Swanepoel; Clifford Heys
Subject: Re: REMGRO ONTWIKKELINGS : BESWAAR

Justin – thanks for the response. Please see comments in red below.

JH (Jan) Jause van Rensburg

Pr Pln (TRP SA), B Sc. M (T&RP), MSAPI

Cell: +27 (0)83 441 7002

From: Justin Truter <jtruter@werksmans.com>
Date: Friday 07 February 2014 12:00 PM
To: Jan van Rensburg <jan@tv3.co.za>
Cc: Donovan Comerma <donovan@atmg.co.za>
Subject: RE: REMGRO ONTWIKKELINGS : BESWAAR



This email and its attachments are private, confidential, may be subject to legal professional privilege and are only for the use of the intended recipient.

Dear Jan

Our instructions are that our client requires firm undertakings and guarantees **How do you propose we deal with this or are the proposed conditions referred to below sufficient?** relating to the following points that we discussed at our meeting before the planning objection can be withdrawn:

The phasing of the road upgrades relative to the phasing of the development – to ensure that the road capacity is always adequate to accommodate the increased demand; **Piet van Blerk's TIA-report as submitted to Council prescribes this phasing – is your client happy that any Council approval of the proposed development plans be based on the TIA?**

The construction of a double right turn lane from Stillentia road (as per Piet van Blerk's attached diagram). Piet explained that in his traffic analysis, the additional right turn lane is not a requirement for reasonable traffic flow from Stillentia east bound (right turn movement at the proposed new traffic light), but that as a precautionary measure we can widen the proposed new Stillentia road reserve to accommodate this additional right turn lane, if it proves to be necessary in future. Although Remgro will hereby sacrifice more land, I have sold this solution to them (as neighbouring stakeholder with many employees they would obviously not want to struggle with traffic themselves). However, from your comment it appears as if your client now want this additional lane to be "constructed" - is this thus a deviation from the suggestion in our meeting or do I misinterpret? If indeed it is a deviation I would need to test this with Remgro.

Our client asks that these requirements be incorporated as (suitably worded) conditions in any rezoning approval by agreement between the parties. A fair request – can you assist in the drafting of such conditions to your clients satisfaction, so that you can incorporate those in your letter to the Municipality withdrawing the objections? Perhaps you can forward us the draft of this letter for me to clarify the wording with Remgro? Please give me some indication of the time frame for you to attend to this letter.

Kind regards,

Justin

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ANNEXURE B

**TABLE 1: SUMMARY OF THE OBJECTIONS /
COMMENTS RECEIVED AND APPLICANT'S
RESPONSE**

Table 1: Summary of the objections / comments received and applicant's response

OBJECTIONS / ISSUES RAISED	APPLICANT'S COMMENTS
STELLENBOSCH RATE PAYERS' ASSOCIATION (Objection against development on Erven 7586 and 7588)	
1. Both erven are zoned Specific Business. There are no normal developments for Specific Business and only uses as permitted in the general business zone is permitted. It is strange that no business uses were indicated with the 1984 approval.	Noted.
2. The Specific Business zoning was created to limit development and must be negotiated with Council and should take cognisance of the environment.	The Specific Business zoning was not created to limit development. The Zoning Scheme Regulations only state that the detail of the development proposal must be negotiated with Council.
3. The applications requests an extension of the Specific Business zoning and a special development for certain land uses.	A legal opinion has been obtained and it is not necessary to apply for the extension of the Specific Business zoning as it has already vested. The application is therefore only for a special development.
4. There is a capacity crisis with the municipal waste water treatment plant.	The Municipality is currently busy with the upgrading of the waste water treatment plant which should be completed by the end of 2017.
5. With such a development the developer must pay bulk infrastructure contribution levies (BICLs).	The required BICLs will be paid in accordance with Council's policy.
6. The Erf 7586 special development application asks for retail, shops, offices, wine shop and offices. These are land uses of General Business and not the purpose of Specific Business.	The proposed land uses on Erf 7586 will be limited to shops and offices – which are permissible land uses i.t.o. the Specific Business zoning. The proposed restaurant will not be developed.

7. The Erf 7588 special development application asks for offices and flats.	Noted.
8. The applicant claims the site is located in the town's CBD.	Stellenbosch's proclaimed historic core acts as an indication of the town's CBD. The site is located in the town's historic core and it can therefore be accepted that it is also located in the town's CBD.
9. We disagree with the claim that the development will acknowledge the area's heritage or conserve the built, agricultural, rural and natural environment.	The development proposal was the subject of an extensive heritage impact assessment and an urban design study. These specialist input dictated the final development proposal. For this reason we are of the opinion that the development proposal does acknowledge the area's heritage and conserve the environment.
10. The applicant claims that employment opportunities must be created close to housing opportunities.	The development will create new employment opportunities and the idea is to link the area with Die Boord via pedestrian and bicycle paths.
11. The applicant's motivation is not reconcilable.	This is only the objector's opinion.
12. The site is located in the town's historic core and is subject to the rules of construction in the historical centre of Stellenbosch.	Noted. The proposed development is compliant with all of those rules.
13. Council must facilitate development and provide engineering services on a sustainable manner.	The necessary bulk infrastructure upgrades will be undertaken (in conjunction with the engineering department) for the proposed development.
14. Council now has the opportunity to do the right thing since the owners have no existing development rights.	The site is zoned Specific Business. The development detail must be negotiated with Council but the permissible land uses are the same as those of General Business. It is therefore incorrect of the objector to claim the site has no existing rights.
15. The development will place an additional burden on the traffic.	The development is an opportunity for Council to upgrade and improve the

problem and engineering services.	town's bulk infrastructure.
16. It is requested that the application rather be further investigated to ensure an applicable development in the historic core.	The possible development of the site has been investigated for the last couple of decades. The development proposal (submitted in 2013) has been the subject of numerous specialist studies (heritage, urban design, environmental, visual impact, etc.) as well as many meeting with the relevant planning, engineering and heritage officials and also meetings with surrounding land owners and affected parties. An appropriate development proposal for the site has been thoroughly investigated and agreed on.
17. Dr. Anton Rupert planted vineyards on these erven (in the late 1980's / early 1990's) to alleviate development pressure in Stellenbosch.	In the 1999 Dr. Rupert planned to construct the Rupert International head office building on Erf 7586. Even though it never materialised he did develop the Rupert Museum on one of the vineyard erven (Erf 7587). The objector's claim that Dr. Rupert never envisaged the development of these vineyard erven is therefore false.
LIESL MARAIS (Objection against development on Erf 7586)	
1. The applicant's claim that Erf 7586 is located in the CBD and is surrounded by primarily commercial land uses is incorrect. The erf borders on Die Boord (a residential area).	Stellenbosch's proclaimed historic core acts as an indication of the town's CBD. The site is located in the town's historic core and it can therefore be accepted that it is also located in the town's CBD. Erf 7586 is primarily surrounded by commercial facilities. It is only to the south that the erf borders onto the De Oewer residential development. However, the Eerste River forms a natural buffer that cuts the site off from De Oewer.
2. The development will lead to an increase in noise and traffic. This will impact on surrounding residents.	Any development on the erf will lead to an increase in traffic and noise. However, the scale of proposed development will be limited. The development will have a coverage of only $\pm 10\%$ and a bulk of only ± 0.2 . This equates to a very small development on a commercially zoned erf in central Stellenbosch. For this reason the traffic and noise impact of the proposed development on surrounding properties will be acceptable.

<p>3. Any after-hours commercial activities will negatively impact on the De Oever residents. A restaurant will cause a disturbance in the evenings. Sound travels and can be one of the most disruptive forms of pollution.</p>	<p>The proposed development will consist of shops and offices – not a restaurant – that trade normal business hours. Furthermore, the necessary measures will be taken to limit the impact on surrounding properties.</p>
<p>4. The location of the service yard (with accompanying activities such as trucks and waste) will cause a nuisance. The service yard should be located in the basement</p>	<p>The service and refuse yard will be screened and enclosed to prevent any disturbance or pollution. Unfortunately the basement will not be big enough to accommodate delivery trucks and municipal refuse trucks. For this reason the service and refuse yard will have to be located outside.</p>
<p>5. It appears as if the river front of the building will be used for other service areas. It is requested that the air conditioning units not be placed on this side of the building.</p>	<p>Noted. Any air conditioning units will not be placed along the building's southern wall.</p>
<p>6. The location of the service yard (with a refuse area) will cause unnecessary pollution. The service yard should therefore be located within the basement</p>	<p>The service and refuse yard will be screened and enclosed to prevent any disturbance or pollution. Unfortunately the basement will not be big enough to accommodate delivery trucks and municipal refuse trucks. For this reason the service and refuse yard will have to be located outside.</p>
<p>7. All outward shining lights must not be placed higher than 2.5m and must be angled downwards to shine along the ground.</p>	<p>Noted. The necessary measures will be taken to limit the impact of external lighting on surrounding properties.</p>
<p>8. River security is a problem. If the building is open towards the river it will help with the security problem.</p>	<p>Noted. The proposed building will be open towards the river to encourage activities along the river (benches to sit, foot paths, bicycle routes, etc) to enjoy the river and to increase security along the river.</p>



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

APPENDIX 4

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development on erf 7588, Stellenbosch, to permit the construction of a 3 storey mixed use building consisting of basement parking with shops, restaurants, liquor store, offices and flats above ground floor level.

COMMENT RECEIVED FROM EXTERNAL & INTERNAL DEPARTMENTS



STELLENBOSCH
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Spatial Planning, Heritage and Environment

To : Head: Customer Interface & Administration
From : Manager: Spatial Planning, Heritage & Environment
Date : 25 May 2017
Re : Application for rezoning and development of Erven 7592, 7586 and 7587 Stellenbosch (Remgro)

1. With reference to the application for a special development on Erven 7592, 7586 and 7587 for the purposes of developing a mixed use commercial, residential and office precinct, please find my comments below.

A: SUMMARY

2. The application for the development of the vacant erven is supported conditionally and in principle for the following reasons:

- 2.1 The development is largely in line with the approved urban design framework for the precinct.
- 2.2 The Planning Advisory Committee and Heritage Western Cape approved the development in principle.
- 2.3 The development of a mixed use precinct will enhance tourism and business opportunities in this area and upgrade an area in need of upgrading. This improvement will have a positive impact on the local economy with particular reference to the tertiary sector.
- 2.4 The development is within walking distance of the Stellenbosch Station and will complement the envisioned Transit Orientated Development to take place in close proximity.
- 2.5 The development is not primarily planned for private motor vehicles but can be accessed by foot, bicycle or public transport and will support the NMT policies of council.

B: DISCUSSION

3. Separate applications were submitted for the following developments:

4.1 Erf 7586



E 7592, 7586, 7587

S/ 9283

- Special development to permit a commercial facility consisting of retail, shops, restaurant, wine shop and offices
 - Gross Leasable Area (GLA) of 3 065m²
- 4.2 Erf 7588
- Special development in order to develop offices and apartments (7 units)
 - GLA of 3 755²
- 4.3 Erf 7592
- Special development to permit a commercial facility consisting of shops, restaurant, liquor store, offices and apartments (46 units).
 - GLA of 8 478m²
4. The true impact of the developments can only be evaluated as a combined development proposal hence this report will deal with all applications jointly. The combined GLA for the development is 15 290m². This substantial development will generate significant amounts of traffic and parking.
 5. In order to accommodate the expected increase in traffic approval is required to double the existing section of Dorp Street from the intersection of Dorp Street with the R44 up to the intersection of Dorp Street with Adam Tas Road. This request should also be evaluated against the background of the recent approval of a commercial center on the Saw Mills property which will eventually be in the region of 114 000m² of GLA which will generate even larger traffic volumes that will make use of the lower part of Dorp Street. Without the proposed doubling of the road Dorp Street will simply not be able to cope with the traffic volume.
 6. Messrs. Piet Louw and Dave Dewar were appointed to prepare an urban design framework for lower Dorp Street in February 2015 which includes all the above properties. The report which deals with the possible dueling of Lower Dorp Street is attached as **ANNEXURE 1**
 7. The properties are located within the urban edge of Stellenbosch as per the approved MSDF.
 8. The properties falls within the historical core of Stellenbosch hence the Conservation Strategy for Stellenbosch is applicable.
 9. Because of the historic significance of the area an urban design framework for the Remgro Precinct: lower Dorp Street was also prepared in June 2013 by Messrs Piet Louw and Dave Dewar to guide the development plan for the precinct. The Urban design Framework is attached as **ANNEXURE 2**. The main proposals of the urban design concept are the following:

- *The existing vineyard, which carries with it considerable symbolism as a gateway site, given the role of Stellenbosch in the Winelands, is retained, to create an agricultural edge to the precinct in the south and east. The south-eastern edge of the existing vineyard is the site for a 'tread-lightly' architectural intervention (glass and steel) on stilts as an elegant modern flat-roofed background building overlooking the vineyard and with views of the mountains. The roof silhouette of this building should promote the idea of horizontality, as reflected in the tops of the rows of vines.*
- *Four new buildings are inserted to create an impressive large forecourt space announcing and celebrating the museum. The corner of the northern building is cut-back to define a splay which, in conjunction with the building across the street from it, creates a gateway space announcing entry into the Dorp Street precinct.*
- *To the west of the existing office complex are opportunities for up-market, residential pavilions on large plots. Alternatively, this development could take the form of two storey terrace or row housing.*
- *The extreme west of the site, adjacent to the river, is transformed into a small park serving residents, office workers and the public at large. There is thus a defined density gradient from east to west.*

10. The above report concludes that:

- *The proposal outlined in this document be considered and approved;*
- *a follow-up integrating and detailed urban design layout for the public and common domains within the scope of the project be undertaken in conjunction with consultants responsible for town planning, heritage, transportation, landscape treatment, architecture and civil engineering, prior to the finalization of a site development plan. This task should include liaison with the Municipality;*
- *the Municipality considers the content of this proposal in the context of larger scale transportation aspects and, as a way forward, to resolve conflicts within the overall movement network of the town and the sub-region;*
- *the Municipality undertakes an urban design study to clarify the current and future role and nature of the station precinct and to explore its potential as a place of public significance;*
- *the Municipality undertakes a detailed urban design layout for the precinct at the junction of lower Dorp Street and the R310 with particular emphasis on heritage, transportation, landscape treatment and urban design considerations*

11. The Planning Advisory Committee supported the proposed urban design framework and road works at a meeting held on 27-06-2106.
12. Heritage Western Cape, as responsible Heritage Authority, issued a permit for the development (5-09-2016) and the road works (15-12-2015) respectively subject to conditions recorded in the permit.
13. The proposed development largely conforms to the urban design framework as prepared by Piet Louw and Dave Dewar with the exception of the public/private place/square to be provided in Stellantia Road on erf 7592 and 7587. The applicant proposes to use this public/private space for surface parking rather than an open urban space. One of the mitigating conditions of the HWC permit specifically states that "the proposed parking on ground level must preferably be accommodated in the basement.
14. The latter requirement was introduced by the urban design framework (approved by HWC) as it promotes the strengthening of the linkage between the public space in front of the Stellenbosch Station and this precinct (in particular the proposed new public/private place) along an axis as defined by Stadler Street. The motivation for this proposal is to link and promote the use of public transport as a real option for visitors to this precinct and to activate businesses along Stadler Street.
15. The lower part of Dorp Street is distinctively different from the upper section in that there is a general lack of mixed land uses that creates a destination to live, work and play. Although some tourist facilities are located in this area i.e. Ya Ya café and the Dorp Street Hotel the tourist sector can benefit tremendously from this development. The proposed mixed land uses is thus seen as a positive contribution to inject the much needed revival of the area. This use has the potential to provide significant employment opportunities.
16. Of some concern is the proposed treatment of the intersection of Dorp Street with Stellantia Street. A signalized intersection should be the last resort as this will impact negatively on the character of the area and will not necessarily improve traffic flow. Consideration to other forms of intersection control should be investigated.
17. The financial implications of the development of a double road with extensive landscaping is not yet fully understood. It is suggested that the approval of the development be subject to a clear understanding of all developments in this vicinity and an agreement with respect to the funding model of the required infrastructure upgrade before the application is approved. This precinct is not included as a priority focus area for major public investment in infrastructure and can potentially result in funds that were originally allocated for other Council priorities are relocated to this area in order to enable private developers to undertake private development. Although development contributions are payable it will mostly be allocated for the provision of infrastructure and particularly the road at this particular property and not for the provision of bulk services generally.

The principle to use public funds almost exclusively for private development is questioned.

C: CONCLUSION

18. This department is in support of the development of the Remgro properties which are located within the urban edge, historical core and which are accessible by rail. This particular section of Stellenbosch urgently requires investment to upgrade the area to its full potential. Such an upgrade will enhance and support tourism development and the services sector which forms the backbone of the economy. In terms of the approved MSDF the area should be densified rather than to allow urban sprawl. Based on the urban design framework the development is view as appropriate.
19. The proposed development is located in the vicinity of the Stellenbosch station and proposed future Transit Oriented Development and will serve as to strengthen such a development in future.
20. Substantial traffic will be generated by the development that will be exacerbated by the development of the Saw Mills site. In order to manage such high traffic volumes it is essential to double the lower part of Dorp Street. It is questioned however if it is appropriate for the municipality to finance the costs for the roads improvement in order to enable private developers to optimize their land use rights.
21. The design of the individual buildings should be undertaken against the backdrop of the Piet Louw and Dave Dewar Urban Design Strategy in order to ensure the appropriate design of the buildings, public places and landscaping. This aspect of the development is seen as critical for success of the development. It is therefore suggested the authors of the report be appointed as architects and urban designers to oversee and evaluate the finale design to ensure compliance with the reports for both the prescient and the road.

P. Benning

BJG de la Ba

MANAGER: SPATIAL PLANNING, HERITAGE AND ENVIRONMENT



MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

TO : **The Director: Planning and Development**

FOR ATTENTION : **Robert Fooy**

FROM : **Tyrone King (Head: Development Services and Project Management)**

DATE : **15 July 2016**

RE. : **Application for special development: Erven 7586, 7588 and 7592, Lower Dorp Street (Remgo)**

Reference : **Erven 7586, 7588 and 7592, Stellenbosch**

Details, specifications and information reflected in the following documentation refers:

Erf 7586

- Land Use application document, dated 28 June 2013;
- Site Development Plan titled Floor Layouts Dwg No 2970-A-103 Rev -, dated 4 February 2013;
- Traffic Impact Assessment by ICE Group dated 1 July 2013;
- Cost Estimates and Funding letter by ICE Group dated 14 June 2016;
- GLS report on water and sewer dated 2 February 2016;
- Engineering Services Report No 1258 / 1B by Bart Senekal Inc dated April 2016;
- Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1258 / A4) and associated drawings 1258/07A and 10258/02B

Erf 7588

- Land Use application document, dated 28 June 2013;
- Site Development Plan titled Floor Layouts Dwg No 2970-A-103 Rev -, dated 4 February 2013;
- Traffic Impact Assessment by ICE Group dated 1 July 2013;
- Cost Estimates and Funding letter by ICE Group dated 14 June 2016;
- GLS report on water and sewer dated 2 February 2016;
- Engineering Services Report No 1282 by Bart Senekal Inc dated April 2016;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

- Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1282 / A1) and associated drawings 1282/02A

Erf 7592

- Land Use application document, dated 28 June 2013;
- SDP Ground Floor Dwg No J2892-A-101 Rev e, dated 25 June 2013;
- Traffic Impact Assessment by ICE Group dated 1 July 2013;
- Cost Estimates and Funding letter by ICE Group dated 14 June 2016;
- GLS report on water and sewer dated 2 February 2016;
- Engineering Services Report No 1281 by Bart Senekal Inc dated April 2016;
- Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1281 / A1)

Application is made for following:

Erf 7586 (Shops and offices):

- A Special Development to permit the development of a commercial facility consisting of retail, shops, restaurant, wine shop and offices
- Business GLA: 3065m² (Areas as per Floor Layouts Dwg No 2970-A-103 Rev -, dated 4 February 2013)

Erf 7588 (Offices and residential):

- A Special Development in order to develop offices and apartments
- Business GLA: 3755m²
- Residential: 7 units (1285m² floor area) Areas as per Floor Layouts Dwg No J3083-A-102 Rev -, dated Oct 2013

Erf 7592 (Offices and residential):

- A Special Development to permit the construction of a commercial facility consisting of shops, restaurant, liquor store, offices and apartments
- Business GLA: 8478m²
- Residential: 46 units (3731m² floor area) (No of units defined in TIA) (Areas from SDP Ground Floor Dwg No J2892-A-101 Rev e, dated 25 June 2013)

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

Comments from the Directorate: Engineering Services i.e. Roads & Stormwater, Water Services, Traffic Engineering and Development Services will be reflected in this memo and is to be regarded as development conditions to be reflected in the land-use approval. It must be noted that Electrical Services will comment in a separate memo.

The above-mentioned land-use application is supported, subject to the following conditions:

General

1. that the following words and expressions referred to in the development conditions, shall have the meanings hereby assigned to except where the context otherwise requires:
 - (a) "*Municipality*" means the STELLENBOSCH MUNICIPALITY a metropolitan municipality, Local Authority, duly established in terms of section 9 of the Local Government Municipal Structures act, Act 117 of 1998 and Provincial Notice (489/200), establishment of the Stellenbosch Municipality (WC024) promulgated in Provincial Gazette no. 5590 of 22 September 2000, as amended by Provincial Notice 675/2000 promulgated in Provincial Gazette;
 - (b) "*Developer*" means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;
 - (c) "*Engineer*" means an engineer employed by the "*Municipality*" or any person appointed by the "*Municipality*" from time to time, representing the Directorate: Engineering Services, to perform the duties envisaged in terms of this land-use approval;
2. that all previous relevant conditions of approval to this development application remain valid and be complied with in full unless specifically replaced or removed by the "*Engineer*";
3. that no occupation certificates will be issued or taking up of proposed rights will be allowed until sufficient capacity in the following infrastructure is confirmed by the "*Engineer*":
 - a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). The current capacity of the existing Stellenbosch WWTW **does not** allow for any new developments at this stage. However, construction for the upgrade of the Stellenbosch WWTW with a design capacity of

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

20.4 ML/day, to a 35 ML/day treatment works is underway. Commissioning of the first phase to accommodate sewage from new developments is dependent on the Contractor's adherence to the programme and is estimated to be in December 2017.

b. Sewer:

- i. Plankenbrug Main Outfall Sewer Phase 1 (WWTW to Plankenbrug River at Bosman's Crossing) and Phase 2 (Plankenbrug River at Bosman's Crossing to Merriman Avenue):

The existing 600 mm, 375 mm and 625 mm diameter bulk outfall sewers to which the proposed developments are to connect, are at capacity and have insufficient capacity to accommodate any additional development within the Adam Tas drainage area. A new 1 200 mm diameter pipe is however currently being constructed by the Stellenbosch Municipality parallel to the existing 600 mm, 375 mm and 625 mm pipes. This will provide sufficient capacity to accommodate future developments. Commissioning of Phase 1 to accommodate sewage from new developments is dependent on the Contractor's adherence to the programme and is estimated to be in December 2017. Commissioning of Phase 2 to accommodate sewage from new developments is dependent on the Contractor's adherence to the programme and is estimated to be in July 2019.

- ii. The following items as indicated in the GLS report on water and sewer dated 2 February 2016:

- SSS1.18 :45m x 355 dia upgrade existing sewer

At this stage it is not clear if this pipeline section is included within the scope of the Plankenbrug Main Outfall Sewer project as described above. If not, this will have to be implemented by the Developer in lieu of DC's, or if DCs are not sufficient, at the Developer's own cost.

- c. **Water link services (to be implemented by the Developer and at the Developer's cost):** The items as indicated in the GLS report on water and sewer dated 2 February 2016:

- i. Item 1 : 330 m x 160 mm dia replace existing 100mm dia pipe

- d. **Road infrastructure:** All upgrades listed below as identified in the Traffic Impact Assessment by ICE Group dated 1 July 2013. The Cost Estimates and Funding letter by ICE Group dated 14 June 2016 (**Annexure A**) indicates the funding

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requirements and it is clear that the Municipal funding and Development Contributions of the proposed developments on erven 7586, 7588 and 7592 are not sufficient to fund the required upgrades. It is also evident that in order to achieve sufficient funding for the road upgrades, this Development is dependent on the Development Contributions of Farm 183/57 and 183/58 (Woodmill), which also triggers the upgrading of Dorp Street. Without the required upgrades, the proposed development cannot be implemented. Therefore, no further approval i.e. engineering drawing approval and/or building plan approval will be granted until a financial commitment and implementation plan for these upgrades is presented and agreed between all the relevant parties and the Municipality and the approval mentioned in Condition 3e below is granted by the Municipality. It is further recommended that the Developer, in conjunction with the Municipality, engage with the Western Cape Government: Transport and Public Works (stated as PGWC in the letter) to discuss their contribution to these upgrades.

Improvements required at the various intersections with Dorp Street as per TIA:

i. No development

Adam Tas Road-intersection: provide an additional right turn lane on the southern approach (Adam Tas Road), 55 metres long; provide a dedicated left turn lane on the northern approach (Adam Tas Road), 35 metres long; provide two lanes on Dorp Street eastbound to accommodate two right turn lanes from Adam Tas Road; change the dedicated right turn lane on Dorp Street (westbound) to a left/right right lane.

Stellentia Avenue/Stadler Street-intersection: provide traffic signals.

R44-intersection: provide a dedicated left turn lane on the southern approach (R44 from Somerset West) 50 metres long; extend the dedicated right turn lane on the southern approach (Adam Tas Road) to 75 metres (maximum to before bridge over Eerste River); provide an additional dedicated right turn lane on the western approach (Dorp Street) 65 metres long; change the through lane on the eastern approach (Dorp Street) to a through/left turn lane.

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ii. Erf 7586 development

Adam Tas Road-intersection: No further improvements required

Stellentia Avenue-intersection: No further improvements required

R44-intersection: No further improvements required

iii. Erf 7586 and Erf 7592 developments

Adam Tas Road-intersection: No further improvements required

Stellentia Avenue-intersection: No further improvements required

R44-intersection: No further improvements required

Dorp Street: The road should be dualled from Adam Tas Road to the R44 as indicated in Figure 15 of the TIA

iv. Erf 7586, Erf 7592 and Erf 7588 developments

Adam Tas Road-intersection: No further improvements required

Stellentia Avenue-intersection: No further improvements required

R44-intersection: No further improvements required

Dorp Street: No further improvements required

- e. Should the "Developer" wish to discuss the possibility of proceeding with construction work parallel with the provision of the bulk services listed above, he must present a motivation and an implementation plan to the "Engineer" for his consideration and approval. The implementation plan should include items like programmes for the construction of the internal services and the building construction;
4. that should the "Developer" not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Engineering Services by the "Developer" for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as rate clearance in terms of Section 31 of LUPO will not be supported by the Directorate: Engineering Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
5. that the "Developer" indemnifies and keep the "Municipality" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or

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interruption of or interference with the municipalities' services or apparatus or otherwise arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.

6. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
7. that the "*Developer*" approach the Western Cape Government: Transport and Public Works for their input and that the conditions as set by the Western Cape Government: Transport and Public Works be adhered to before Section 31 Clearance Certificate will be issued;
8. that the "*Developer*" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;
9. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 2nd Edition of 2010;
10. that the "*Developer*" takes cognizance and accepts the following:
 - a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
 - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
 - c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
 - d.) that no building plans will be recommended for approval by the Directorate: Engineering Services before land-use and or SDP approval is obtained;
 - e.) that no building plans will be recommended for approval by the Directorate: Engineering Services before the approval of internal – and external civil engineering services drawings;
 - f.) that no building plans will be recommended for approval by the Directorate: Engineering Services before a Clearance Certificate in terms of Section 31 of the Land-use Planning Ordinance is issued.

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET**Site Development Plan**

11. that it is recognized that the normal Site Development Plan, submitted as part of the land-use application, is compiled during a very early stage of the development and will lack engineering detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the "Developer";
12. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;
13. that if the fully detailed Site Development Plan, as mentioned in the above item, contradicts the approved Site Development Plan, the "Developer" will be responsible for the amendment thereof and any costs associated therewith;
14. that an amended Site Development Plan be submitted for approval prior to the approval of building plans for new buildings not indicated on the Site Development Plan applicable to this application and or changes to existing buildings or re-development thereof;

Internal- and Link Services

15. that it be noted that as per the Site Development Plans, the roads are reflected as private roads. Therefore all internal services on the said erven will be regarded as private services and will be maintained by the "Developer" and or HOA;
16. that the "Developer", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;

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17. that the "*Developer*", at his/her cost, construct the internal (on-site) private civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;
18. that the Directorate: Engineering Services may require the "*Developer*" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development Contributions payable in respect of bulk civil engineering services if approved by the Directorate: Engineering Services;
19. that the detailed design and location of access points, circulation, parking, loading - and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;
20. that plans of all the internal civil services and such municipal link services as required by the Directorate: Engineering Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
21. that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with the Standard Conditions imposed by the Directorate: Engineering Services in this respect or as otherwise agreed. The Standard Conditions is available in electronic format and available on request;
22. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "*Engineer*";
23. that the "*Developer*" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services and that his/her design engineer will comply to the mentioned document or as otherwise agreed in writing with the Directorate: Engineering Services;
24. that engineering design drawings will only be approved once Final Notice of LUPO approval is issued;
25. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Engineering Services;

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26. that all internal - and link services be inspected by the "Engineer" on request by the "Developer" or his Consulting Engineer;
27. that a practical completion certificate be issued prior to transfer of individual units or utilization of buildings;
28. that a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer be submitted to the "Engineer" on a monthly basis;
29. that the "Developer" shall adhere to the specifications of Telkom (SA) and or any other telecommunications service provider. Copies of all correspondence with Telkom shall be handed over to the "Engineer";
30. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
31. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the "Developer" to determine the location of existing civil and electrical services;
32. that all connections to the existing services be made by the "Developer" under direct supervision of the "Engineer" or as otherwise agreed and all cost will be for the account of the "Developer".
33. that the "Developer" shall install a bulk water meter conforming to the specifications of the Directorate: Engineering Services at his cost at the entrance gate of all private developments before the practical completion inspection is carried out;
34. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;
35. that Section 31 Clearance will only be issued if the bulk watermeter is installed, a municipal account for the said meter is activated and the consumer deposit has been paid;

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36. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
37. that the "*Developer*", at his/her cost, will be responsible for the maintenance of all the internal (on-site) municipal – and private civil engineering services constructed for this development until at least 80% of the development units (i.e. houses, flats or GLA) is constructed and occupied whereafter the services will be formally handed over to the HOA, in respect of private services, and to the Municipality in respect of public services;

Servitudes

38. that the "*Developer*" ensures that all main services to be taken over by the Directorate: Engineering Services, all existing municipal – and or private services crossing private - and or other institutional property and any other services crossing future private land/erven are protected by a registered servitude before final Section 31 Clearance will be given or building plans are approved;
39. The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "*Developer*" will be responsible for the registration of the required servitude(s), as well as the cost thereof;
40. that the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party before final approval of engineering drawings be obtained.

Stormwater Management

41. that it be noted that the section of the Eersteriver to which these developments drain, is very sensitive to the impact of any additional stormwater generated by new development;
42. that the stormwater management generally be in accordance with the Engineering services reports, which indicates that detention facilities will be provided;
43. that the geometric design of the roads and/or parking areas ensure that no trapped low-points are created with regard to stormwater management. All stormwater to be routed to the nearest formalized municipal system;

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44. that the design engineer needs to apply his/her mind to ensure a design that will promote a sustainable urban drainage system which will reduce the impacts of stormwater on receiving aquatic environments;
45. that no disturbance to the river channel or banks be made without the prior approval in accordance with the requirements of the National Water Act;
46. that the consulting engineer, appointed by the "*Developer*", analyses the existing stormwater systems and determine the expected stormwater run-off for the proposed development, for both the minor and the major storm event. Should the existing municipal stormwater system not be able to accommodate the expected stormwater run-off, the difference between the pre- and post-development stormwater run-off must be accommodated on site, or the existing system must be upgraded to the required capacity at the cost of the "*Developer*" and to the standards and satisfaction of the Directorate: Engineering Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans;
47. that for larger developments, industrial developments or developments near water courses a stormwater management plan for the proposed development area, for both the minor and major storm events, be compiled and submitted for approval to the Directorate: Engineering Services.
48. that the approved management plan be implemented by the "*Developer*", at his/her cost, to the standards of the Directorate: Engineering Services. The management plan, which is to include an attenuation facility, is to be submitted concurrent with the detail services plans;
49. that overland stormwater escape routes be provided in the cadastral layout at all low points in the road layout, or that the vertical alignment of the road design be adjusted in order for the roads to function as overland stormwater escape routes. If this necessitates an amendment of the cadastral layout, it must be done by the "*Developer*", at his/her cost, to the standards of the Directorate: Engineering Services;
50. that in the case of a sectional title development, the internal stormwater layout be indicated on the necessary building plans to be submitted for approval.
51. that no overland discharge of stormwater will be allowed into a public road for erven with catchment areas of more than 1500m² and for which it is agreed that no detention facilities are

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required. The "Developer" needs to connect to the nearest piped municipal stormwater system with a stormwater erf connection which may not exceed a diameter of 300mm.

Floodplain Management

52. that the 1:50 and 1:100 year flood lines of the Eersteriver be shown on all plans submitted. The flood lines are to be verified by a suitably qualified registered engineering professional. Where flood lines have not previously been determined, the "Developer" must procure the services of a suitably qualified registered engineering professional to undertake such determinations at his/her own cost. No new development will be allowed under the 1:100 year flood line;
53. that the floor level of all buildings be at least 100 mm above the 1:100 year flood level. These levels must be indicated on all building plans submitted and must be certified by a Registered Professional Engineer;
54. that the engineering design of the internal road, basement parking ramps and ramp retaining walls be generally in accordance with the following:
 - Erf 7586: Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1258 / A4) and associated drawings 1258/07A and 10258/02B
 - Erf 7588: Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1281 / A1) and associated drawing 1282/02A
 - Erf 7592: Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1281 / A1)
55. that all perimeter fencing below the 1:50 year flood line be visually permeable from ground level and not adversely effects the free flow of water (e.g. palisade fencing). No fences will be allowed across the watercourse;

Roads

56. that the "Developer" will enter into a Services Agreement with the "Municipality" in respect of the implementation of the identified infrastructure as reflected in the Traffic Impact Assessment by ICE Group dated 1 July 2013;
57. that no access control will be allowed in public roads;
58. that provision be made for acceptable stacking distances in front of access control gates;

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59. than any amendments to cadastral erven to accommodate access control gates will be for the cost of the "*Developer*" as these configurations were not available at rezoning and subdivision stage;
60. that, where access control is being provided, a minimum of 2 to 3 visitor's parking bays be provided on site, but outside the entrance gate, for vehicles not granted access to the development;
61. that the layout must make provision for all deliveries to take place on-site. Movement of delivery vehicles may not have a negative impact on vehicular – and pedestrian movement on public roads and or public sidewalks;
62. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
63. that, prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Engineering Services for approval, and that the approved plan be implemented by the "*Developer*", at his/her cost, to the standards of the Directorate: Engineering Services;
64. that the "*Developer*" will be responsible for the design, construction, supervision and implementation of the infrastructure as reflected in the Traffic Impact Assessment by ICE Group dated 1 July 2013 and summarized in Condition 3d above. Clearance / building plan approval will only be given once the construction of these infrastructure is completed to the satisfaction of the Engineer.
65. that Condition 64 above be met by the "*Developer*" before a Certificate in terms of Section 31 will be given / building plans approved or on discretion of the Directorate: Engineering Services, the "*Developer*" furnish the Council with a bank guarantee equal to the value of the required construction work in Condition 64 above as certified by an independent engineering professional, prior to a Certificate in terms of Section 31 will be given or building plans approved;
66. that during the construction stage, access to the site be strictly via the following route only:
Stellentia Avenue;

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67. that the "*Developer*" will be held liable for any damage to municipal infrastructure within the road reserves of the roads mentioned in Condition 66 above, 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: Engineering Services;
68. that, after the construction work on site has been completed, the sidewalk, kerbs and channeling in Stellantia Avenue, over the length of the road reserve abutting Erven 7586, 7588 and 7592, be re-established / constructed by the "*Developer*" and to the cost of the "*Developer*" in compliance with the Design and Construction Standards of the Directorate: Engineering Services;
69. that no direct access shall be permitted onto Dorp Street;
70. that access to the properties concerned shall be in accordance with the recommendations of the Traffic Impact Assessment by ICE Group dated 1 July 2013. The TIA further states that it is also not clear from the drawings whether there will be security gates at the various accesses to the proposed developments but should this be the case the spacing between the gates/booms and the edge of Stellantia Avenue should be determined based on the type of control, i.e. remote control, disks, sign in, etc;
71. that visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;
72. that on-site parking be provided by the owner of the property in the ratios as per the Stellenbosch Municipality Zoning Scheme;
73. that the area of land required for the dualling of Dorp Street, be surrendered by the "*Developer*" to Stellenbosch Municipality, at his/her cost, in order for construction of the road to take place and prior to Section 31 Clearance;
74. that compensation from Stellenbosch Municipality for the aforementioned land required for the dualling of Dorp Street, if any, be based on the value of the land in terms of its current zoning, i.e., Specific Business (erven 7586 and 7592);

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75. that the parking area be provided with a permanent surface and be clearly demarcated and accessible. Plans of the parking layout, pavement layerworks and stormwater drainage are to be approved by the Directorate: Engineering Services before commencement of construction and that the construction of the parking area be to the standards of the Directorate: Engineering Services;
76. that no parking be allowed closer than 9 metres from the intersection of Stellantia Avenue and Dorp Street (measured from the closest kerb);
77. that no parking be allowed in the road reserve;
78. that provision be made for a stacking distance of 12 metres for a dual entrance, or 18 metres for a single entrance, measured from the public road kerb to the entrance gate, or as otherwise determined by the "Engineer" when civil engineering services drawings / building plans are submitted for approval (also see Condition 70 above);
79. that provision be made for a 3-point turning head in front of the entrance gate, to the satisfaction of the Directorate: Engineering Services in order to enable a vehicle to turn around;
80. that the "Developer", at his/her cost, implement the recommendations of the approved Traffic Impact Assessment by ICE Group dated 1 July 2013, and where required, a sound Traffic Management Plan to ensure traffic safety shall be submitted for approval by the Directorate: Engineering Services and the approved management plan shall be implemented by the "Developer", at his/her cost;
81. that provision be made for a refuse embayment and hardened store area off the roadway/sidewalk to accommodate refuse removal. (Embayment to be minimum 9.5m x 2.5m);
82. that the design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary.

Wayleaves

83. that way-leaves / work permits be obtained from the Directorate: Engineering Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;

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84. that wayleaves will only be issued after approval of relevant engineering design drawings;

Development Contributions

85. that the "*Developer*" hereby acknowledges that development contributions are payable towards the following civil services: water, sewerage, roads, stormwater and solid waste as per Council's Policy;
86. that the "*Developer*" hereby acknowledges that the development contribution levy as determined by the "*Municipality*" and or the applicable scheme tariffs will be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;
87. that the "*Developer*" immediately familiarise himself with the latest development contributions applicable to his/her development;
88. that the "*Developer*" accepts that the development contributions will be subject to annual escalation up to date of payment. The amount payable will therefore be the amount as calculated at the time that payment is made;
89. that the "*Developer*" may enter into a services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Contributions payable in respect of bulk civil engineering services;
90. that the "*Developer*" is aware that a contribution is required for municipal services to permit the development at this stage;
91. that the "*Developer*" accepts the average amount, as reflected in this document as the amount required for the provision of municipal services in the event that the development is approved;
92. that the Development Contribution levy as set out below and as reflected on the BICLS Contribution calculation sheet, dated 25 May 2016 (erven 7586, 7592) and 15 July 2016 (erf 7588), and attached herewith as Annexure BICLS, be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy.

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Based on the 2016/2017 tariff structure and the proposed lay-out, the following amounts are payable:

Erf 7586

Water	:	R 88 640, 00
Sewerage	:	R 66 360, 00
Roads	:	R 1 615 286, 00
Stormwater	:	R 104 772, 00
Solid Waste	:	R 10 734, 00
Total (Erf 7586 Civil Services) exclusive of VAT:		<u>R1 885 792, 00</u>

Erf 7588

Water	:	R 169 327, 00
Sewerage	:	R 131 819, 00
Roads	:	R 2 109 717, 00
Stormwater	:	R 109 202, 00
Solid Waste	:	R 18 054, 00
Total (Erf 7588 Civil Services) exclusive of VAT:		<u>R2 538 119, 00</u>

Erf 7592

Water	:	R 644 280, 00
Sewerage	:	R 515 539, 00
Roads	:	R 5 327 496, 00
Stormwater	:	R 122 317, 00
Solid Waste	:	R 61 912, 00
Total (Erf 7592 Civil Services) exclusive of VAT:		<u>R 6 671 544, 00</u>

Total all erven:

Water	:	R 902 247, 00
Sewerage	:	R 713 718, 00
Roads	:	R 9 052 499, 00
Stormwater	:	R 336 291, 00
Solid Waste	:	R 90 700, 00
Total (All Erven Civil Services) exclusive of VAT:		<u>R 11 095 455, 00</u>

93. that the Development Contribution levy be paid by the "Developer" per erf –

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- prior to the approval of any building- and/or services plans in the case of a Sectional title erf in that erf and or;
- prior to the approval of a Certificate in terms of Section 31 in all cases and or;
- prior to the erf or portion thereof being put to the approved use;

94. that it be noted that the Development Contributions as reflected on the BICLS Contribution calculation sheet will be subject to annual escalation up to date of payment. The final amount payable will therefore be the amount as calculated at the time that payment is made;

95. that the development shall be substantially in conformance with the Site Development Plan submitted in terms of this application. Any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of units i.e.

Erf 7586: more than 0 units (residential), or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 3065m² (All Business) -,

Erf 7588: more than 7 units (residential), or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 3755m² (All Business) -,

Erf 7592: more than 46 units (med/high income flats), or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 8478m² (All Business) -,

will result in the recalculation of the Development Contributions;

96. Bulk infrastructure contribution levies and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

Home Owners Association

97. that a Home Owners Association (HOA) be established in accordance with the provisions of section 29 of the Land Use Planning Ordinance no 15 of 1985 and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;

98. that the HOA take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;

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99. that in addition to the responsibilities set out in section 29, the HOA also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
100. that the Constitution of the HOA specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;

Green Technologies

101. Peak water demand should be accommodated with supplementary storage and recycling (e.g. rainwater tanks, grey water recycling) of water so that municipal water only be used to satisfy the base demand;
102. Technologies that facilitate the efficient use of irrigation water must be used;
103. Planting of waterwise flora is encouraged;
104. In accordance with the new SANS 10400-XA standard, all new housing should install solar water heating devices;
105. All non-subsidy housing is encouraged to meet the portion of their electrical demand that exceeds 300 kWh per month by generators such as solar photovoltaic panels and solar hot water heating devices;
106. SANS 10400-XA energy efficiency standards should be adhered to in all planning applications for new buildings, major renovations and usage changes;

Solid Waste

107. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
108. that detail design be generally in accordance with refuse room positions as indicated on the following drawings:
Erf 7586: Site Development Plan 2970-A-102 Rev A by TV3, dated 3 April 2014 and received by this office on 9 June 2016 (Our Ref LUPO #1259). The position of the refuse room does not comply with Condition 107 above and the position of the refuse room should therefore be amended;

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Erf 7588: Site Development Plan J3083-A-101 Rev B by TV3, dated 3 March 2016 and received by this office on 9 June 2016 (Our Ref LUPO #1259);

Erf 7592 Site Development Plan Z 2892-A-101 Rev f by TV3, dated 3 March 2016 and received by this office on 9 June 2016 (Our Ref LUPO #1259);

109. that the "*Developer*" will enter into a service agreement with the "*Municipality*" for the removal of refuse;
110. that should it not be an option for the "*Municipality*" to enter into an agreement with the "*Developer*" due to capacity constraints, the "*Developer*" will have to enter into a service agreement with a service provider approved by the "*Municipality*";
111. that if the "*Developer*" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "*Municipality*";
112. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;
113. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
114. Maximum depth of cul-de-sac shall be 20 meters or 3 erven, whichever is the lesser. Where this requirement is exceeded, it will be necessary to construct a turning circle with a minimum turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Engineering Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;
115. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
116. Road foundation shall be designed to carry a single axle load of 8.2 tons;
117. Refuse storage areas are to be provided for all premises other than single residential erven;
118. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

119. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
120. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 ℓ Municipal wheelie bin;
121. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;
122. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;
123. All black 85 ℓ refuse bins or black refuse bags is in the process of being replaced with 240 ℓ black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

Commercial and Domestic : 585 mm wide x 730 mm deep x 1100 mm high

124. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;
125. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224
126. Building specifications for refuse storage area:
- Floor**
- The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET**Walls and Roof**

The Refuse Storage Area shall be roofed to prevent any rainwater from entering. The walls shall be constructed of brick, concrete or similar and painted with light color high gloss enamel. The height of the room to the ceiling shall be not less than 2.21 meters.

Ventilation and Lighting

The refuse storage area shall be adequately lit and ventilated. The room shall be provided with a lockable door which shall be fitted with an efficient self-closing device. The door and ventilated area shall be at least 3 metres from any door or window of a habitable room. Adequate artificial lighting is required in the storage area.

Water Supply and Drainage

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

127. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;
128. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
129. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Engineering Services, to ensure their compatibility with the servicing equipment and lifting attachments;
130. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
131. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

132. All refuse storage areas shall be approved by the Directorate: Engineering Services, to ensure that the Council is able to service all installations, irrespective of whether these are currently serviced by Council or other companies;

AS-BUILTs

133. The "*Developer*" shall provide the "*Municipality*" with:
- a. a complete set of as-built paper plans, signed by a professional registered engineer;
 - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the "*Engineer*" and is reflected herewith as Annexure X;
 - c. a completed Asset Verification Sheet in Excell format, reflecting the componentization of municipal services installed as part of the development. The Asset Verification Sheet will have to be according to the IMQS format, as to be supplied by the "*Engineer*", and is to be verified as correct by a professional registered engineer;
 - d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;
 - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "*Municipality*" are fully paid;
134. All relevant as-built detail, as reflected in the item above, of civil engineering services constructed for the development, must be submitted to the "*Engineer*" and approved by the "*Engineer*" before any application for Certificate of Clearance will be supported by the "*Engineer*";
135. The Consulting Civil Engineer of the "*Developer*" shall certify that the location and position of the installed services are in accordance with the plans submitted for each of the services detailed below;
136. All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

137. Section 31 Clearance certificates shall not be issued unless said services have been inspected by the "Engineer" and written clearance given, by the "Engineer";

Section 31 Clearance Certificate

138. It is specifically agreed that the "Developer" undertakes to comply with all conditions of subdivision and rezoning as laid down by the "Municipality" before clearance certificates shall be issued, unless otherwise agreed herein;
139. It is specifically agreed that the "Developer" undertakes to ensure that ALL applicable development conditions and requirements are met before submitting an application for the issuing of a Clearance Certificate in terms of Section 31. A list stipulating ALL conditions must be attached to the application and ALL conditions to the list must be ticked, indicating that it has been complied to, and evidence of such compliance also needs to be attached;
140. that the "Municipality" reserves the right to withhold any clearance certificate until such time as the "Developer" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "Municipality" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;
141. that clearance will only be given per phase and the onus is on the "Developer" to phase his development accordingly;
142. The onus will be on the "Developer" and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for a Section 31 Certificate. Verifying documentation (proof of payment in respect of development contributions, services installation, etc.) must be submitted as part of the Section 31 Certificate application before an application will be accepted by this Directorate;
143. that any application for Certificate of Clearance will only be supported by the "Engineer" once all relevant as-built detail, as reflected in the item "AS-BUILT's" of this document, is submitted to the "Engineer" and approved by the "Engineer".

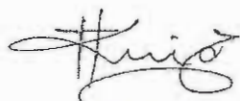
APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

Avoidance of waste, nuisance and risk

144. Where in the opinion of the "Municipality" a lack of maintenance of any service constitutes a nuisance, health or other risk to the public the "Municipality" may give the "Developer" and or HOA written notice to remedy the defect failing which the "Municipality" may carry out the work itself or have it carried out, at the cost of the "Developer" and or HOA.

Streetlighting

145. The "Developer" will be responsible for the design and construction at his own expense of all internal street lighting services and street lighting on link roads leading to his development (excluding Class 1, 2 and 3 Roads) according to specifications determined by the municipality's electro technical engineer and under the supervision of the consulting engineer, appointed by the "Developer";
146. Prior to commencing with the design of street lighting services, the consulting electrical engineer, as appointed by the "Developer" must acquaint himself with, and clarify with the municipality's electro technical engineer, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;
147. The final design of the complete internal street lighting network of the development must be submitted by the consulting electrical engineer, as appointed by the "Developer", to the municipality's electro technical engineer for approval before any construction work commences;
148. Any defect with the street lighting services constructed by the "Developer" which may occur during the defects liability period of 12 (TWELVE) months and which occurs as a result of defective workmanship and/or materials must be rectified immediately / on the same day the defect was brought to the attention of the consulting electrical engineer, appointed by the "Developer". Should the necessary repair work not be done within the said time the "Municipality" reserves the right to carry out the repair work at the cost of the "Developer";
149. The maintenance and servicing of all private internal street lighting shall be the responsibility and to the cost of the "Developer" and or Home Owners Association.



TYRONE KING
HEAD: DEVELOPMENT SERVICES AND PROJECT MANAGEMENT

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

ATTACHMENT X

Geographic Information System (GIS) data capturing standards

In drawing up the As-build Plans relating to this development, the consultant must create the following separate layers in ESRI .shp, electronic file format in order for the data to reflect spatially correct.

Layer name	Content
TITLE	Title information, including any endorsements and references
NOTES	All noted information, both from the owner / surveyor and SG
PARENT_PROPLINES	Parent property lines
PARENT_PROPNUM	Parent erf number (or portion number)
PROPLINES	New portion boundaries
PROPANNO	New erf numbers
SERVLINES	Servitude polygons
SERVANNO	Servitude type
STREET_NAMES	Road centre lines with street names
STREET_NUMBERS	Points with street numbers
COMPLEX BOUNDARIES	Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are)
SUBURB	Polygon with suburb name, where new suburb / township extension created
ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)

When data is provided in a .shp format it is mandatory that the .shx, .dbf, files should accompany the shapefile. The prj file containing the projection information must also accompany the shapefile.

It is important that different geographical elements for the GIS capture process remains separate. That means that political boundaries like wards or suburbs be kept separate from something like rivers. The same applies for engineering data types like water lines, sewer lines, electricity etc. that it is kept separate from one another. When new properties are added as part of a development, a list of erf numbers with its associated SG numbers must be provided in an electronic format like .txt, .xls or .csv format.

For road layer shapefiles; the road name, the from_street and to_street where applicable as well as the start en end street numbers needs to be included as part of the attributes. A rotation field needs to be added to give the street name the correct angle on the map.

In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the Stellenbosch

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

Municipality standard as follows:

- Datum : Hartebeeshoek WGS 84
- Projection : Transverse Mercator
- Central Longitude/Meridian 19
- False easting : 0.00000000
- False northing : 0.00000000
- Central meridian : 19.00000000
- Scale factor : 1.00000000
- Origin latitude : 0.00000000
- Linear unit : Meter



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PRELIMINARY

Based on data as per TV3
Drawing: "Floor Layouts" Dwg
No 2970-A-103

2016-05-25

Development Contributions

Project No: 2015/120/00
Alt Project Ref: Erf 7586 (Remgro)
Town Plan Ref:
Project Name: Erf 7586 (Remgro)
Location: Stellenbosch
Developer: The Developer / Owner / Applicant
Contact:
Tel No's:
Developer Ref:
VAT No:

Registration Date: 25-May-16
BICLS FY: 2015/6
BICLS Date: 25-May-16
Project Status: Estimate

Active:

Address:

New/Existing	Development	Usage Category	Area (m ²)	Units	UOM	Contribution	VAT
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TOTAL CONTRIBUTION: 20 869

1 885 792 264 010

GRAND TOTAL (VAT Incl):

R 2 149 802

SubTotal Contribution for New: 20 869

1 885 792 264 010

New	Shops and Offices	ALL Business	3 065	3 065	m ² GLA	1 817 830	254 496
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	11.000	337.150	trips/day	4 791	1 615 286	226 140	1 841 426
Solid Waste	per Ha	ha	2.000	0.613	t/week	17 511	10 734	1 503	12 237
Stormwater	per Ha	C	0.900	0.276	ha * C	133 417	36 810	5 153	41 963
Sewerage	per Ha	ha	15.000	4.598	kl/day	14 434	66 360	9 290	75 650
Water	per Ha	ha	20.000	6.130	kl/day	14 460	88 640	12 410	101 050

New	Open Space	Open Space	14 739	0	m ² Area	39 331	5 506
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	0.000	0.000	trips/day	4 791	0	0	0
Solid Waste	per Ha	ha	0.000	0.000	t/week	17 511	0	0	0
Stormwater	per Ha	C	0.200	0.295	ha * C	133 417	39 331	5 506	44 837
Sewerage	per Ha	ha	0.000	0.000	kl/day	14 434	0	0	0
Water	per Ha	ha	0.000	0.000	kl/day	14 460	0	0	0

New	Parking/Roads	Road Reserves	3 065	0	m ² Area	28 631	4 008
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	0.000	0.000	trips/day	4 791	0	0	0
Solid Waste	per Ha	ha	0.000	0.000	t/week	17 511	0	0	0
Stormwater	per Ha	C	0.700	0.215	ha * C	133 417	28 631	4 008	32 639
Sewerage	per Ha	ha	0.000	0.000	kl/day	14 434	0	0	0
Water	per Ha	ha	0.000	0.000	kl/day	14 460	0	0	0



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PRELIMINARY

Based on data as per TV3
Drawing: "Floor Layouts"
Dwg No 2970-A-103

2016-05-25

Development Contributions (Services Summary)

Project No: 2015/120/00
Alt Project Ref: Erf 7586 (Remgro)
Town Plan Ref:
Project Name: Erf 7586 (Remgro)
Location: Stellenbosch
Developer: The Developer / Owner / Applicant
Contact:
Tel No's:
Ref No:
VAT No:

Registration Date: 25-May-16

Active:

BICLS FY: 2015/6

BICLS Date: 25-May-16

Project Status: Estimate

Address:

Area (m²)

Contribution + VAT = TOTAL

TOTAL CONTRIBUTION:

20 869

1 885 792 + 264 010 = 2 149 802

Service	Usage	UOM	Contribution	VAT	TOTALS
Roads	337.150	trips/day	1 615 286	226 140	1 841 426
Solid Waste	0.613	t/week	10 734	1 503	12 237
Stormwater	0.785	ha * C	104 772	14 667	119 439
Sewerage	4.598	kl/day	66 360	9 290	75 650
Water	6.130	kl/day	88 640	12 410	101 050

SubTotal Contribution for New:

20 869

1 885 792 + 264 010 = 2 149 802

Service	Usage	UOM	Contribution	VAT	TOTALS
Roads	337.150	trips/day	1 615 286	226 140	1 841 426
Solid Waste	0.613	t/week	10 734	1 503	12 237
Stormwater	0.785	ha * C	104 772	14 667	119 439
Sewerage	4.598	kl/day	66 360	9 290	75 650
Water	6.130	kl/day	88 640	12 410	101 050



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PRELIMINARY

BASED ON DATA AS PER TV3
DRAWING: J38083-A-102 REV-
DATED OCT 2013

2016-07-15

Development Contributions

Project No: 2015/121/01
Alt Project Ref:
Town Plan Ref:
Project Name: Erf 7588 (Remgro)
Location: Stellenbosch
Developer: The Developer / Owner / Applicant
Contact:
Tel No's:
Developer Ref:
VAT No:

Registration Date: 15-Jul-16
BICLS FY: 2015/6
BICLS Date: 15-Jul-16
Project Status: Estimate

Active:

Address:

New/Existing Development	Usage Category	Area (m ²)	Units	UOM	Contribution	VAT
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TOTAL CONTRIBUTION: 18 391 2 538 119 355 334

GRAND TOTAL (VAT Incl): R 2 893 453

SubTotal Contribution for New: 18 391 2 538 119 355 334

New	Flats	Flats (Med/high income)	0	7	Flat	246 948	34 572
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per Each	Flat	3.900	27.300	trips/day	4 791	130 794	18 311	149 105
Solid Waste	per Each	Flat	0.040	0.280	t/week	17 511	4 903	686	5 589
Stormwater	per Ha	C	0.800	0.000	ha * C	133 417	0	0	0
Sewerage	per Each	Flat	0.500	3.500	kL/day	14 434	50 519	7 073	57 592
Water	per Each	Flat	0.600	4.200	kL/day	14 460	60 732	8 502	69 234

New	Offices	ALL Business	3 755	3 755	m ² GLA	2 227 064	311 788
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	11.000	413.050	trips/day	4 791	1 978 923	277 049	2 255 972
Solid Waste	per Ha	ha	2.000	0.751	t/week	17 511	13 151	1 841	14 992
Stormwater	per Ha	C	0.900	0.338	ha * C	133 417	45 095	6 313	51 408
Sewerage	per Ha	ha	15.000	5.633	kL/day	14 434	81 300	11 382	92 682
Water	per Ha	ha	20.000	7.510	kL/day	14 460	108 595	15 203	123 798

New	Open Space	Open Space	10 881	0	m ² Area	29 032	4 064
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	0.000	0.000	trips/day	4 791	0	0	0
Solid Waste	per Ha	ha	0.000	0.000	t/week	17 511	0	0	0
Stormwater	per Ha	C	0.200	0.218	ha * C	133 417	29 032	4 064	33 096
Sewerage	per Ha	ha	0.000	0.000	kL/day	14 434	0	0	0
Water	per Ha	ha	0.000	0.000	kL/day	14 460	0	0	0

New/Existing	Development	Usage Category	Area (m ²)	Units	UOM	Contribution			
New	Roads/Parking	Road Reserves	3 755	0	m ² Area	35 075 4 910			
Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	0.000	0.000	trips/day	4 791	0	0	0
Solid Waste	per Ha	ha	0.000	0.000	t/week	17 511	0	0	0
Stormwater	per Ha	C	0.700	0.263	ha * C	133 417	35 075	4 910	39 985
Sewerage	per Ha	ha	0.000	0.000	kl/day	14 434	0	0	0
Water	per Ha	ha	0.000	0.000	kl/day	14 460	0	0	0



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PRELIMINARY

Based on data as per "SDP
Ground Floor" Dwg No Z
2892-A-101 RevE dated 25
June 2013.

2016-05-25

Development Contributions

Project No: 2015/122/00
Alt Project Ref: Erf 7592 (Remgro)
Town Plan Ref:
Project Name: Erf 7592 (Remgro)
Location: Stellenbosch
Developer: The Developer / Owner / Applicant
Contact:
Tel No's:
Developer Ref:
VAT No:

Registration Date: 25-May-16
BICLS FY: 2015/6
BICLS Date: 25-May-16
Project Status: Estimate

Active:

Address:

New/Existing	Development	Usage Category	Area (m ²)	Units	UOM	Contribution	VAT
TOTAL CONTRIBUTION:						10 675	6 671 544 934 017
GRAND TOTAL (VAT Incl):							R 7 605 561

SubTotal Contribution for New: 10 675 6 671 544 934 017

New	Flats	Flats (Med/high income)	0	46	Flat	1 622 803	227 192		
Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per Each	Flat	3.900	179.400	trips/day	4 791	859 505	120 331	979 836
Solid Waste	per Each	Flat	0.040	1.840	t/week	17 511	32 220	4 511	36 731
Stormwater	per Ha	C	0.800	0.000	ha * C	133 417	0	0	0
Sewerage	per Each	Flat	0.500	23.000	kl/day	14 434	331 982	46 477	378 459
Water	per Each	Flat	0.600	27.600	kl/day	14 460	399 096	55 873	454 969

New	Shops and offices	ALL Business	8 478	8 478	m ² GLA	5 028 221	703 952		
Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	11.000	932.580	trips/day	4 791	4 467 991	625 519	5 093 510
Solid Waste	per Ha	ha	2.600	1.696	t/week	17 511	29 692	4 157	33 849
Stormwater	per Ha	C	0.900	0.763	ha * C	133 417	101 797	14 252	116 049
Sewerage	per Ha	ha	15.000	12.717	kl/day	14 434	183 557	25 698	209 255
Water	per Ha	ha	20.000	16.956	kl/day	14 460	245 184	34 326	279 510

New	Roads/Parking	Road Reserves	2 197	0	m ² Area	20 520	2 873		
Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	0.000	0.000	trips/day	4 791	0	0	0
Solid Waste	per Ha	ha	0.000	0.000	t/week	17 511	0	0	0
Stormwater	per Ha	C	0.700	0.154	ha * C	133 417	20 520	2 873	23 393
Sewerage	per Ha	ha	0.000	0.000	kl/day	14 434	0	0	0
Water	per Ha	ha	0.000	0.000	kl/day	14 460	0	0	0



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PRELIMINARY

Based on data as per "SDP Ground Floor" Dwg No Z 2892-A-101 RevE dated 25 June 2013.

2016-05-25

Development Contributions (Services Summary)

Project No: 2015/122/00
 Alt Project Ref: Erf 7592 (Remgro)
 Town Plan Ref:
 Project Name: Erf 7592 (Remgro)
 Location: Stellenbosch
 Developer: The Developer / Owner / Applicant
 Contact:
 Tel No's:
 Ref No:
 VAT No:

Registration Date: 25-May-16

Active:

BICLS FY: 2015/6

BICLS Date: 25-May-16

Project Status: Estimate

Address:

Area (m²)

Contribution + VAT = TOTAL

TOTAL CONTRIBUTION:

10 675

6 671 544 + 934 017 = 7 605 561

Service	Usage	UOM	Contribution	VAT	TOTALS
Roads	1111.980	trips/day	5 327 496	745 850	6 073 346
Solid Waste	3.536	t/week	61 912	8 668	70 580
Stormwater	0.917	ha * C	122 317	17 125	139 442
Sewerage	35.717	kl/day	515 539	72 175	587 714
Water	44.556	kl/day	644 280	90 199	734 479

SubTotal Contribution for New:

10 675

6 671 544 + 934 017 = 7 605 561

Service	Usage	UOM	Contribution	VAT	TOTALS
Roads	1111.980	trips/day	5 327 496	745 850	6 073 346
Solid Waste	3.536	t/week	61 912	8 668	70 580
Stormwater	0.917	ha * C	122 317	17 125	139 442
Sewerage	35.717	kl/day	515 539	72 175	587 714
Water	44.556	kl/day	644 280	90 199	734 479

ANNEXURE A

Contact Address:

iCE Group (Stellenbosch), **Tel No:** +27 (0) 21 880 0443
 P O Box 131, **Fax No:** +27 (0) 21 880 0390
 Stellenbosch, 7599 **e-mail:** piet@icegroup.co.za



Contact Person: Piet van Blerk

Your Ref:

Our Ref: 884 –Woodmill, Stellenbosch

Date: 14 June 2016

Stellenbosch Municipality
 PO Box 17
STELLENBOSCH
 7599

Attention: Mr Tyrone King

Sir

**PROPOSED DEVELOPMENT OF PORTIONS 57 & 58 OF FARM 183,
 STELLENBOSCH, WOODMILL – COST ESTIMATES AND FUNDING**

The Traffic Impact Assessment (TIA) for the above-mentioned project, your mr King's e-mail of 19 May 2016, the meeting at the office of mr Marius Wüst with messrs Willem Pretorius, Nigell Winter and John Muller to discuss funding for the proposed road improvements as well as the meeting with your mr Tyrone King on 13 June 2016 refer.

The TIA for the Woodmill project suggested that the following road improvements are required:

1. Adam Tas Road (Stellenbosch Arterial)/Baden Powell Road-intersection
2. Adam Tas Road/Vredenburg Street-intersection and related road works
3. Adam Tas Road/Devon Valley Road-intersection and related road works
4. Adam Tas Road/Oude Libertas Road-intersection
5. Adam Tas Road/Dorp Street-intersection that
6. Adam Tas Road/Strand Road (R44)/Alexander Street-intersection
7. R44/Merriman Avenue-intersection
8. Lower Dorp Street dualling

With regard to Point 1 in your e-mail of 19 May 2016 – It is not correct that all the intersections are over capacity. The Oude Libertas Road-intersection with Adam Tas Road still have capacity whilst only the right turning traffic experience problems at the Vredenburg Road- and Devon Valley Road-intersections. It is correct that the other intersections as discussed are over capacity.

At the meeting at the office of mr Wüst the funding budgeted for intersections applicable was as given below (14% VAT excluded) (mr Nigell Winter confirmed this in an e-mail dated 1 June 2016):

Consulting Services

- Civil Engineering Services
- Roads
- Traffic Engineering

Stellenbosch office:

Tel : 021 8800 443
 Fax: 021 8800 390

Directors:

P.J.van Blerk, Pr Eng.

ICE Group (Overberg) I/a
 ICE Group (Stellenbosch)
 Reg No:2006/133238/23



Budget 2016/17	- R 2 580 000-00
Budget 2017/18	- R 2 120 000-00
Budget 2018/19	- R <u>300 000-00</u>
Total budget	R 5 000 000-00

We prepared a spread sheet showing the costs of all the required road improvements relating to the Woodmill project, the Distell Offices project, the Remgro project (Erf 7586, 7588 and 7592, Lower Dorp Street), the land cost for acquiring land for road purposes, the DC's payable for the Woodmill- and Remgro-projects as well as the anticipated contributions by the municipality, PGWC and the developer (own account). The spread sheet is attached. The land cost was NOT included in the calculation to determine the PGWC/Municipality contributions. Whether the PGWC will contribute with regard to land cost needs to be investigated. The Adam Tas Road (Stellenbosch Arterial)/Baden Powell Road-intersection was not included in the spreadsheet as the intersection will be upgraded as part of the PGWC's project to upgrade Baden Powell Road to a dual carriageway.

A summary of the spread sheet is as follows:

Total cost of projects (14% VAT included) based on May 2016 rates	- R 61 581 534-60
Total cost of land required for road purposes*	- <u>R 17 860 000-00</u>
TOTAL COSTS	R 79 441 534-60
(*- The values per m ² for land was assumed for each area and should be verified)	
DC's anticipated to be paid by Woodmill- and Remgro project (14% VAT included)	- R 72 475 749-30
Municipal budget (14% VAT included)	- <u>R 5 700 000-00</u>
TOTAL INCOME/FUNDING (excluding PGWC-funding)	R 78 175 749-30
PGWC-FUNDING	<u>R 16 632 317-28</u>
TOTAL INCOME/FUNDING (including PGWC-funding)	R 94 808 066-58

The cost split between the municipality and PGWC was taken as Municipality 20% and PGWC 80% (land cost excluded). Based on this, the cost split is as follows (14% VAT included):

Municipality	- R 4 158 079-32
PGWC	- R 16 632 317-28

Although the spreadsheet shows that the PGWC will not contribute to the upgrade of the Adam Tas Road/Vredenburg Road- and Adam Tas Road/Devon Valley Road-intersections it is the opinion that the PGWC should be approached for a contribution as both intersections are relocated as a result of the positions thereof as indicated on the Access Management Plan for Adam Tas Road. Funding for the Adam Tas Road/Oude Libertas Road-intersection is also not shown as the required improvements are as a result of the proposed Distell-offices development. It was assumed that the upgrade of Lower Dorp Street will be funded without any PGWC-funding although a case can be made that the cost of the improvements to the intersections with Adam Tas Road and the R44 should also be partially funded by the PGWC.

The approved municipal budget for intersections over the next three years (R 5 700 000-00, 14% VAT included) is sufficient to fund the 20% portion that has to be contributed by the municipality (R 4 158 079-32).



From the spread sheet and depending on the finalization of the DC's payable for the Woodmill- and Remgro Projects it can be concluded that sufficient funding should be available for all the projects envisaged if the PGWC contributes 80% of the cost for the road improvements and the DC's as calculated by your mr Tyrone King realizes.

Please contact the undersigned should you require any further information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. van Blerk'. The signature is written in a cursive style with some loops and is positioned above a horizontal line.

Piet van Blerk Pr. Eng
ICE GROUP (STELLENBOSCH)

Table 1B : Woodmill, Upgrading of Intersections - Cost Estimates and funding

Costs are based on May 2016 rates



Item	1 Adam Tas Road/Vredenburg Street intersection including sidewalk	2 Adam Tas Road/Devon Valley Road intersection including relocation and sidewalk	3 Adam Tas Road/Oude Libertas Road intersection including sidewalk	4 R44/Dorp Street intersection including sidewalk along R44	5 R44/Adam Tas Road/Alexander Road Int	6 R44/Merriman Ave intersection	7 Lower Dorp Street (dualling) including NMT facility	TOTAAL
Planning and Construction Cost	R 7,976,600.00	R 11,800,500.00	R 1,700,000.00	R 1,750,590.00	R 12,158,200.00	R 4,123,400.00	R 13,697,200.00	R 53,206,290.00
Plus								
Topographical Survey/Land Surveyor	R 10,000.00	R 12,500.00	R 5,000.00	R 0.00	R 10,000.00	R 7,500.00	R 52,600.00	R 97,600.00
Materials investigation	R 7,500.00	R 15,000.00	R 5,000.00	R 5,000.00	R 7,500.00	R 5,000.00	R 50,000.00	R 95,000.00
Monitoring of construction	R 80,000.00	R 120,000.00	R 10,000.00	R 15,000.00	R 80,000.00	R 50,000.00	R 200,000.00	R 555,000.00
Disbursements	R 5,000.00	R 7,500.00	R 2,500.00	R 2,500.00	R 15,000.00	R 7,500.00	R 25,000.00	R 65,000.00
Sub total	R 8,078,500.00	R 11,955,500.00	R 1,722,500.00	R 1,773,090.00	R 12,270,700.00	R 4,193,400.00	R 14,024,800.00	R 54,018,890.00
Plus 14% VAT	R 1,131,046.00	R 1,673,770.00	R 241,150.00	R 248,232.60	R 1,717,898.00	R 587,076.00	R 1,963,472.00	R 7,562,644.60
TOTAL PROJECT COST (EXCLUDING LAND COST)	R 9,209,546.00	R 13,629,270.00	R 1,963,650.00	R 2,021,322.60	R 13,988,598.00	R 4,780,476.00	R 15,988,272.00	R 61,581,534.60
Proposed funding (including 14% VAT)								
Municipality	R0.00	R0.00		R404,264.52	R2,797,719.60	R956,095.20		R 4,158,079.32 Mun
PGWC	R0.00	R0.00		R1,617,058.08	R11,190,878.40	R3,824,380.80		R 16,632,317.28 PGWC
Developer (Development Contributions)	R31,292,187.00	R31,292,187.00						R 72,475,749.30 DC's
Developer (own account)			R1,963,650.00				R9,891,375.30	R 1,963,650.00 Developer
TOTAL FUNDING	R31,292,187.00	R31,292,187.00	R1,963,650.00	R2,021,322.60	R13,988,598.00	R4,780,476.00	R9,891,375.30	R 95,229,795.90
Shortfall (-)/Surplus on road costs	R22,082,241.00	R17,662,917.00	R0.00	R0.00	R0.00	R0.00	-R6,096,896.70	R33,648,261.30
Land required for road purposes (m ²)	3,230.00	0.00	0.00	0.00	52.90	0.00	2,850.00	6,132.90
Land cost/m ²	R2,000.00						R4,000.00	
LAND COST	R6,460,000.00	R0.00	R0.00	R0.00	R0.00	R0.00	R11,400,000.00	R17,860,000.00

NOTE 1: The DC's for 1 and 2 are the total provisional payable for the Woodmill project - R 62 584 374-00

NOTE 2: The DC's for Erf 7586, 7588 and 7592 are the total provisionally payable - R 8 676 645-00 - see Intersection no 7

NOTE 3: Land costs are not included. The areas shown that are required for road purposes are approximate

NOTE 4: The June 2015 rates have been escalated by 6%

NOTE 5: The land required for road purposes at Int 2 equals the area of road that can be swapped



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APPENDIX 5

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1995) for a Special Development to permit the construction of a commercial building consisting of shops and offices.

LETTER OF UNDERTAKING RECEIVED FROM REMGRO LIMITED

8.2.4	APPLICATION FOR A SPECIAL DEVELOPMENT ON ERF 7586, STELLENBOSCH
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1. PURPOSE OF REPORT

To enable a decision on the abovementioned application. The application is **recommended for approval**.

2. BACKGROUND

Erf 7586, Stellenbosch is zoned *Specific Business*; i.e. the erf has development rights as permitted in the *General Business* zone (to be finalised through negotiations with Council). The application under consideration is for the land owner to develop a two storey building comprising basement parking with shops and offices on the ground and first floor of the building.

3. APPLICATION FOR CONSIDERATION

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development to permit the construction of a two storey commercial building comprising basement parking with shops and offices on the ground and first floor of the building. A locality plan is attached as **APPENDIX 1**.

4. PROPERTY INFORMATION

Erf number	7586
Location	Stellentia Road, Stellenbosch (see APPENDIX 2)
Zoning/Zoning Scheme	Specific Business / Stellenbosch Municipality Zoning Scheme Regulations, July 1996.
Current Land Use	Vacant
Unauthorized land use/ building work / date when notice served	No
Property size	20869m ²
Applicant	TV3 Architects & Town Planners (Power of Attorney attached as Appendix 6)
NHRA Applicable	No
Title deed conditions	No

5. DISCUSSION

5.1 Legal requirements and Public Participation

The application for a Special Development was submitted in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development to permit the construction of a two storey commercial building comprising basement parking with shops and offices on the ground and first floor of the building. The application was advertised to the surrounding affected property owners and associations via registered mail for comment in terms of the Public Participation Policy for the Land Use Management section. The application was also circulated to the relevant internal departments of Council and is supported with conditions approval.

Two letters of objection were received from the Stellenbosch Ratepayers' Association and Liesl Marais. (Refer to **APPENDIX 4**).

5.2 Summary of objections and comments received

Refer to APPENDIX 4

STELLENBOSCH RATE PAYERS' ASSOCIATION (Objection against development on Erven 7586 and 7588)		
OBJECTIONS / ISSUES RAISED	APPLICANT'S COMMENTS	PLANNING DEPARTMENT'S COMMENTS
1. Both erven are zoned Specific Business. There are no normal developments for Specific Business and only uses as permitted in the general business zone is permitted. It is strange that no business uses were indicated with the 1984 approval.	Noted.	Noted
2. The Specific Business zoning was created to limit development and must be negotiated with Council and should take cognisance of the environment.	The Specific Business zoning was not created to limit development. The Zoning Scheme Regulations only state that the detail of the development proposal must be negotiated with Council.	The proposal under consideration has taken the surrounding land uses into consideration and thus should have not had a negative impact on its surroundings.
3. The applications requests an extension of the Specific Business Zoning and a special development for certain land uses.	A legal opinion has been obtained and it is not necessary to apply for the extension of the Specific Business zoning as it has already vested. The application is therefore only for a special development.	The subject property has the development rights applicable to Specific Business and the application under consideration is to be able to act on the existing land use rights.
4. There is a capacity crisis with the municipal waste water treatment plant.	The Municipality is currently busy with the upgrading of the waste water treatment plant which should be completed by the end of 2017.	The subject properties will only be developed once capacity is in place within the waste water treatment plant of Council.
5. With such a development the developer must pay bulk infrastructure contribution levies (BICLs).	The required BICLs will be paid in accordance with Council's policy.	This detail is determined by the Engineers Department and the owner will be informed of the relevant contributions that must be paid.
6. The Erf 7586 special development application asks for retail, shops, offices, wine shop and offices. These are land uses of General Business and not the purpose of Specific Business.	The proposed land uses on Erf 7586 will be limited to shops and offices – which are permissible land uses i.t.o. the Specific Business zoning. The proposed restaurant will not be developed.	The land uses which are allowed within a general business zoned property is similar to that of a specific business zoned property with the exception that approval is granted for only the land use rights approved and indicated on the Site Development Plan attached to the approval granted.

7. The applicant claims the site is located in the town's CBD.	Stellenbosch's proclaimed historic core acts as an indication of the town's CBD. The site is located in the town's historic core and it can therefore be accepted that it is also located in the town's CBD.	The subject property forms part of the Historical Core of Stellenbosch and is also located on the edge of the CBD area of Stellenbosch.
8. We disagree with the claim that the development will acknowledge the area's heritage or conserve the built, agricultural, rural and natural environment.	The development proposal was the subject of an extensive heritage impact assessment and an urban design study. These specialist input dictated the final development proposal. For this reason we are of the opinion that the development proposal does acknowledge the area's heritage and conserve the environment.	The application has been endorsed by Heritage Western Cape and will comply with the conditions of approval as imposed by Heritage Western Cape as determined by the heritage study.
9. The applicant claims that employment opportunities must be created close to housing opportunities.	The development will create new employment opportunities and the idea is to link the area with Die Boord via pedestrian and bicycle paths.	The proposed development will create short and long term employment opportunities within Stellenbosch.
10. The applicant's motivation is not reconcilable.	This is only the objector's opinion.	This comment is noted and the department uses a number of sources to determine the impact of the development on its surroundings.
11. The site is located in the town's historic core and is subject to the rules of construction in the historical centre of Stellenbosch.	Noted. The proposed development is compliant with all of these rules.	The development does comply with the development parameters applicable to the heritage core and is supported by Heritage Western Cape
12. Council must facilitate development and provide engineering services on a sustainable manner.	The necessary bulk infrastructure upgrades will be undertaken (in conjunction with the engineering department) for the proposed development.	This comment is noted and will be addressed by the relevant departments.
13. Council now has the opportunity to do the right thing since the erven have no existing development rights.	The site is zoned Specific Business. The development detail must be negotiated with Council but permissible land uses are the same as those of General Business. It is therefore incorrect of the objector to claim the site has no existing rights.	As noted above the subject property has the land use rights of specific business and complies with all the relevant departments' requirements and the requirements of Heritage Western Cape.

14. The development will place an additional burden on the traffic problem and engineering services.	The development is an opportunity for Council to upgrade and improve the town's bulk infrastructure.	The Engineers Department of Council has addressed this issue and the relevant infrastructure will be upgraded by the developed as part of the approval granted.
15. Dr. Anton Rupert planted vineyards on these erven (in the late 1980's / early 1990's) to alleviate development pressure in Stellenbosch.	In the 1999 Dr. Rupert planned to construct the Rupert International head office building on Erf 7586. Even though it never materialised he did develop the Rupert Museum on one of the vineyard erven (Erf 7587).	The subject property is not zoned for agricultural purposes and thus the planting of vineyards was an interim use of the subject property. The proposal as submitted is in line with the zoning of the property and the proposal has taken the surrounding land uses into consideration.

5.3 Site Description and Assessment

The proposed development can be deemed desirable as the site is already zoned for business purposes. The subject property is located on the edge of the central business district of Stellenbosch.

The proposed commercial land uses (consisting of shops and offices) is not foreign to the area and should complement the existing surrounding commercial land uses already located in the area such as Inanda (offices), Oude Rozenhof (retail), Protea Hotel Dorpshuis, Rupert Museum, Distell's head office, Shell Garage (service station and car dealership), Agrimark (retail), De Wagenweg Office Park, etc.

The proposed development will comply with the recommendations of the Lower Dorp Street urban design framework (as drafted by Piet Louw urban designers) and will complete the Lower Dorp Street precinct. It is foreseen that the proposal will create a destination to which people will be drawn as currently only sections of lower Dorp Street are actively visited. Due to this people will move up and down lower Dorp Street contributing to the existing pedestrian movement in this area.

The proposed development will contribute to the local economy as numerous temporary employment opportunities will be created during the construction phase and a number of permanent employment opportunities will be created within the commercial facility once the building is occupied. The development of the subject property and those around will lead to the optimal use of the town's existing bulk infrastructure and will aid in containing urban sprawl and protect the agricultural areas around Stellenbosch.

The densification will further contribute to making public transport and non-motorised transport a viable alternative. A heritage impact assessment was undertaken by Dr. Elzet Albertyn and Heritage Western Cape has approved the proposed development i.t.o. the National Heritage Resources Act, 1999.

In light of the above the application is supported from a town planning point of view.

5.4 APPENDICES

- Appendix 1: Locality Map
- Appendix 2: Site Development Plan
- Appendix 3: Objections received and Comment on objections by applicant
- Appendix 4: Comments received from Internal Departments
- Appendix 5: Letter of undertaking received from Remgro Limited

6. RECOMMENDATION

that **approval is granted** in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development on Erf 7586, Stellenbosch to permit the construction of a commercial building consisting of shops and offices, subject to the following conditions:

1. The approval applies only to the Special Development as applied for and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
2. That the development shall be limited to shops and offices only;
3. That the development shall be limited to a 2 storey building, with flat roof only, with basement parking, shops, restaurants, liquor store, offices and flats above ground floor only as indicated on the attached Site Development Plan, Plan number 2970-A-102, Dated 03 April 2014, attached as **APPENDIX 2**;
4. That building plans must be submitted to this municipality for approval, prior to any building work commencing onsite;
5. That the conditions imposed by the Directorate Engineering Service in their memo dated: 15 July 2017 attached as **APPENDIX 4** be adhered to;
6. That an advertising theme be submitted to the Municipality for approval and that the theme complies with the relevant signage policy of Council prior to any signage being fixed to the building;
7. That the relevant business licence be obtained if required;
8. That the developments proposed on erven 7587, 7588 and 7592 be considered as one application and that the bulk infrastructure cost applicable to each property be paid simultaneously;
9. That the developer submits a motivation and implementation plan to the Municipality for consideration. That the implementation plan should include items like programmes for the construction of the internal services and the building construction;
10. That all the conditions of approval listed above need to be complied with prior to any building plans being submitted or considered by the Municipality;
11. That this Council reserves the right to impose further conditions if deemed necessary.

REASONS FOR RECOMMENDATION

The land use is considered desirable as it is in line with the municipal planning policies and principles; constitutes infill development of underutilised land; will lead to the optimal use and appropriate densification; is compatible with and will complement the surrounding land uses; will have a positive impact on the local economy; will broaden the municipal tax base; and will lead to efficient use of existing services and facilities

**7. ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE: 2018-05-08:
ITEM 5.1.3**

Cllr F Adams requested that it be minuted that he is of the view that this matter should be dealt with at the Planning Tribunal Committee.

RESOLVED (majority vote)

that **approval is granted** in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development on Erf 7586, Stellenbosch to permit the construction of a commercial building consisting of shops and offices, subject to the following conditions:

1. The approval applies only to the Special Development as applied for and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
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-
10. That all the conditions of approval listed above need to be complied with prior to any building plans being submitted or considered by the Municipality;
 11. That this Council reserves the right to impose further conditions if deemed necessary.

REASONS FOR RECOMMENDATION

The land use is considered desirable as it is in line with the municipal planning policies and principles; constitutes infill development of underutilised land; will lead to the optimal use and appropriate densification; is compatible with and will complement the surrounding land uses; will have a positive impact on the local economy; will broaden the municipal tax base; and will lead to efficient use of existing services and facilities

Cllr F Adams requested that his vote of dissent be minuted.

8. FURTHER COMMENTS FROM THE ACTING MUNICIPAL MANAGER: 2018-05-18

Further comments to the Resolutions taken by the Economic Development and Planning Services Committee on 8 May 2018.

The minutes of the Economic Development and Planning Services Committee containing the resolutions taken at the committee meeting on 8 May 2018 was provided to the Acting Municipal Manager as part of the process to inform applicants of the outcome of the resolutions. I enquired as to how the resolutions get reported to the Executive Mayor as Section 80 (3) (b) – (d) provides the process on how the resolutions of the delegated powers of the Section 80 committees should be dealt with. I was informed that it is not current practise to report the resolutions that has been taken to Council or the Executive Mayor. It is good practise to report the delegated resolutions as the delegation does not divest the delegated authority of the responsibility concerning the exercise of the power or the performance of the duty. The delegated authority has the right to confirm, vary or rescind the decision taken in terms of the delegation subject to any vested rights (similar to the provisions in section 80(3)).

The current System of Delegations (as per appendix) indicated that Council delegated the decisions on LUPO applications where there is substantive objections to the Economic Development and Planning Committee. The delegations were not given to the Executive Mayor who then further delegated it to the Committee. It was delegated directly to the Committee by Council. The impact of the delegation delegated in this manner is that the Executive Mayor cannot execute the provisions of section 80(3)(b) – (d) and the reporting on delegations taken must be reported to Council on a regular basis. I requested administration not to inform the applicants of the outcome of the meeting until the reports served before Council.

It is recommended that Council consider the report.



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Department: Planning and Economic Development

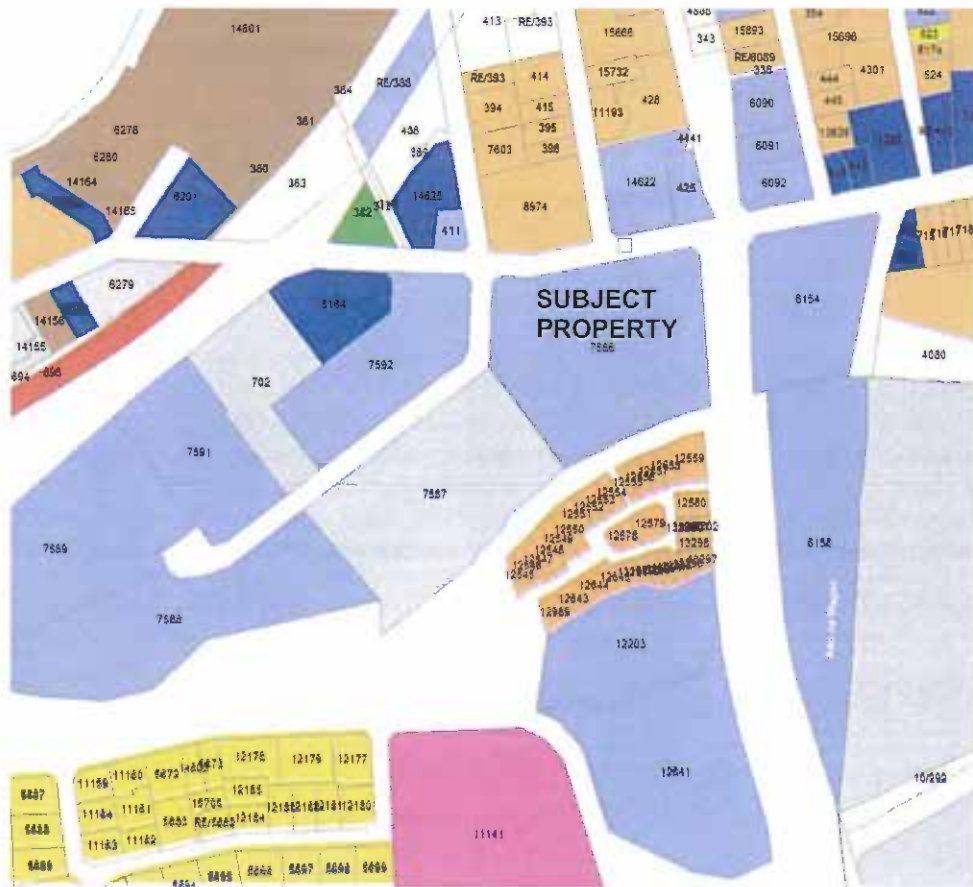
APPENDIX 1

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development to permit the construction of a commercial building consisting of shops and offices.

LOCALITY PLAN



STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT
Department: Planning and Economic Development



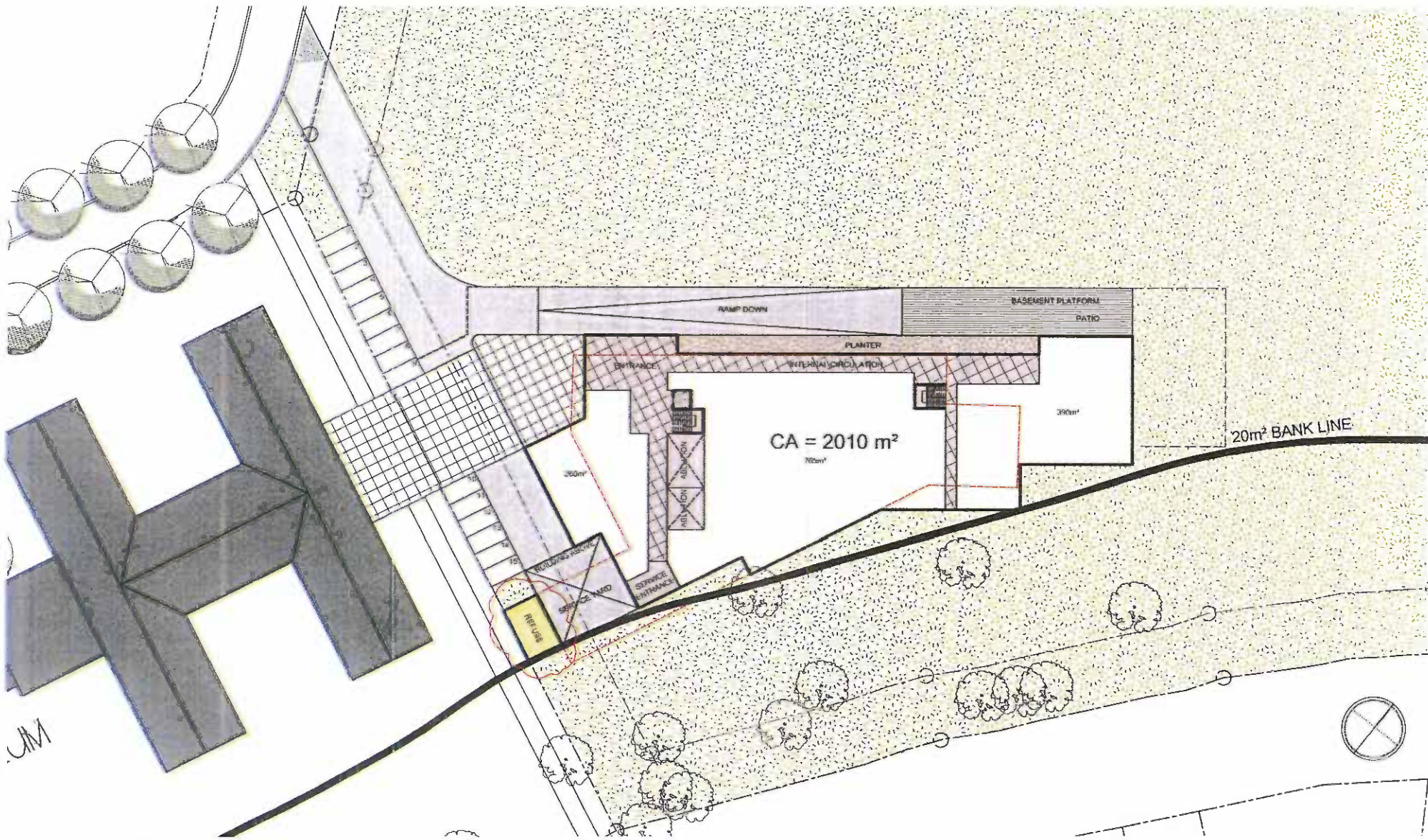
LOCALITY PLAN



APPENDIX 2

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development to permit the construction of a commercial building consisting of shops and offices.

SITE DEVELOPMENT PLAN



GROUND FLOOR - SCALE 1:500

ALL STATUTORY REQUIREMENTS, NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS MUST BE ADHERED TO. CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES. FIGURED DIMENSIONS AND LARGE SCALE DETAIL TAKES PREFERENCE OVER SCALED DIMENSIONS. REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS. THE DESIGN AND DETAIL ON THIS DRAWING IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS (PTY) LTD, AND COPYRIGHT IS RESERVED.

DRAWING STATUS CODES:

A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

PROJECT DESCRIPTION:

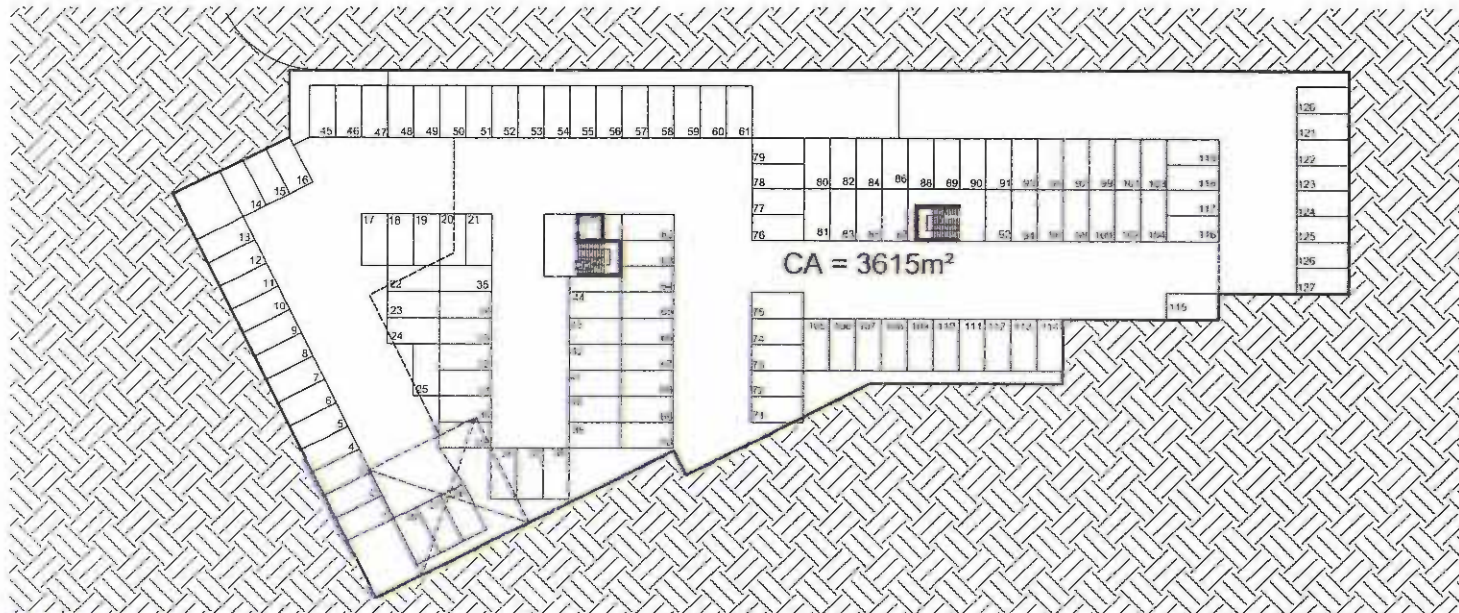
PROPOSED DEVELOPMENT
 STELLENBOSCH, Erf No. 7586

DRAWING DESCRIPTION:
 FLOOR LAYOUTS



First floor • La Gratitude Office Building
 97 Dorp Street • Stellenbosch 7600
 tel (021) 861 3800
 fax (021) 882 8025
 e-mail: stel@tv3.co.za
 web: www.tv3.co.za

DRAWN: RJ KILMISTER
 CHECKED: EDWIN SWANEPOEL
 DATE: 03 APRIL 2014 | SCALE/SHEET SIZE: TBC
 DRAWING No.: 2970-A-102
 REVISION: A



BASEMENT - SCALE 1:500



FIRST FLOOR - SCALE 1:500

Permissible and Proposed Development

VELOPED PARAMETERS	PERMISSIBLE DEVELOPMENT RIGHTS	TV3'S PROPOSAL
USE	2500	
FORMING SITE AREA	SPECIFIC BUSINESS	
10 868 m ²		
BUILDING LINES	REFER TO PLAN	
0 m		
COVERAGE	25 % 17 739m ²	14% 2150m ²
HEIGHT	G+1	G+2
BULK	N/A	
AREA		
BASEMENT		3615 m ²
GROUND	SHOPS	2010m ²
FIRST	OFFICE	2015 m ²
TOTAL =		7640m ²
AREA		
BASEMENT		
GROUND	SHOPS	2010m ²
FIRST	OFFICE	2015 m ²
TOTAL =		4025m ²
AREA		
GROUND	SHOPS	1415m ²
FIRST FLOOR	OFFICE	1690m ²
TOTAL =		3065m ²
PARKING REQUIREMENTS		
REQUIRED		PROVIDED
1 PER 25m ² - OFFICES		
GROUND - OFFICE	17 bays required	
FIRST	06 bays required	15 OPEN Formal surface bays 127 Basement Parking Bays
TOTAL PARKING		
123 BAYS		142 BAYS PROVIDED

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO • CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES • FIGURED DIMENSIONS AND LARGE SCALE DETAIL TAKES PRECEDENCE OVER SCALED DIMENSIONS • REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THIS DRAWING IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS (PTY) LTD, AND COPYRIGHT IS RESERVED.

DRAWING STATUS CODES:

A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

PROJECT DESCRIPTION:

PROPOSED DEVELOPMENT
STELLENBOSCH, Erf No. 7586

DRAWING DESCRIPTION:
FLOOR LAYOUTS



First floor • La Gratitude Office Building
97 Dorp Street • Stellenbosch 7600

tel (021) 861 2800
fax (021) 862 8025
e-mail: tel@tv3.co.za
web: www.tv3.co.za

DRAWN:

CHECKED:

DATE:

DRAWING No.:

2970-A-103

RJ KILMISTER

EDWIN SWANEPOEL

SCALE/SHEET SIZE:

TBC

REVISION

-



APPENDIX 3

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development to permit the construction of a commercial building consisting of shops and offices.

COMMENT ON OBJECTIONS BY APPLICANT AND OBJECTIONS RECEIVED.



ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPLANNERS

97 DORP STREET
FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
STELLENBOSCH 7600
TEL +27(21)861 3800
FAX +27(21)882 8025
EMAIL ste@tv3.co.za

Our Reference: 3251-P
Your Reference: Erf 7586, 7588 & 7592

2 August 2016

Director: Planning and Development Services
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

Attention: Mr. Robert Fooy

Sir

REMGRO ERVEN 7586, 7588 AND 7592, STELLENBOSCH: REPLY ON BEHALF OF THE APPLICANT TO OBJECTIONS RAISED AGAINST ITS SPECIAL DEVELOPMENT APPLICATIONS

1. Background to the special development applications

The following land use planning applications were submitted to the Stellenbosch Municipality:

- On 24 June 2013 we submitted a special development application (for offices and shops) on Erf 7586.
- On 25 June 2013 we submitted a special development application (for offices and flats) on Erf 7588.
- On 26 June 2013 we submitted a special development application (for offices, shops and flats) on Erf 7592.

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DIRECTORS: (H) van Rensburg | E Swaneveld | J B Brink | N de Smit | LP Peunes | M M Walters

ASSOCIATES: J Brauningel | W D Fourie | J P Heys | A Prinsloo | H Hugo

These land use planning applications were submitted separately and were also advertised separately. However, we have now been informed by the planning and engineering officials that these three applications must be processed as one application. Consequently we hereby provide you with our comments on the objections received against all three applications.

2. Public letters received

After advertising of these three special development applications five letters of comments / objections were received from the following parties:

- Stellenbosch Ratepayers' Association
- Stellenbosch Interest Group
- Liesl Marais
- Kaap Agri
- Werkmans Attorneys

3. Public support for the proposed developments

The Stellenbosch Interest Group submitted a letter of support stating they "*support the change of land use*".

Kaap Agri and Werkmans submitted objections against the proposed development on Erf 7592. We met with them, discussed the development proposals and addressed their concerns. They have consequently withdrawn their objections. Find attached hereto copies of their e-mails stating they have no objection (see **Annexure A**).

It is therefore only the Stellenbosch Ratepayers' Association and Liesl Marais that have objected to the proposed developments (although Liesl Marais is not in principle opposed to the development).

4. Applicant's response to the public's comments / objections raised

Find attached hereto a table listing each comment / objection received as well as the applicant's response (see **Annexure B**).

5. Conclusion

We are still of the opinion that the proposed mixed land use developments on the Remgro erven will lead to the optimal use of underutilised land, the densification of an urban area located along important mobility corridors and give rise to sustainable developments with significant socio-economic benefits for the broader community of Stellenbosch. These developments are deemed desirable and we recommend that it be approved.

Yours faithfully



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

ANNEXURE A

E-MAILS OF "NO OBJECTION"

Clifford Heys

From: Jan van Rensburg
Sent: 02 August 2015 09:45 AM
To: Clifford Heys
Subject: FW: Dorpstraat-opgradering voorstelle en terugtrek van beswaar deur Kaap-Agr.
Attachments: Preim design 2014-01-17b.pdf

Clifford, hier's hy.

JH (Jan) Janse van Rensburg

Pr Pin (TRP SA), B Sc, M (T&RP), NSAP1
 Cell: +27 (0)83 441 7002

From: James Matthee <james.matthee@kaapagri.co.za>
Date: Wednesday 22 January 2014 at 4:23 PM
To: Ilze Couvaras <Ilze.Couvaras@stel.enbosch.gov.za>, Louisa Guntz <Louisa.O'lynn@stel.enbosch.gov.za>
Cc: Jan van Rensburg <Jan@t:3.co.za>, "piet@iregroup.co.za" <piet@iregroup.co.za>, "Johan van Rensburg (Stellenbosch)" <johan.vrensburg@kaapagri.co.za>, Francois Swanepoel <fswanepoel@kaapagri.co.za>
Subject: Dorpstraat-opgradering voorstelle

Ons verwys na die beswaarkennisgewing (Aansoek LL/3073 – Ontwikkeling erf /S92, Stellenbosch) en ons vorige beswaar / bekommernis van 11 November 2013 wat ons uitgespreek het oor die verkeersituasie.

Ons het intussen vergader met die argitek en padontwerpers.

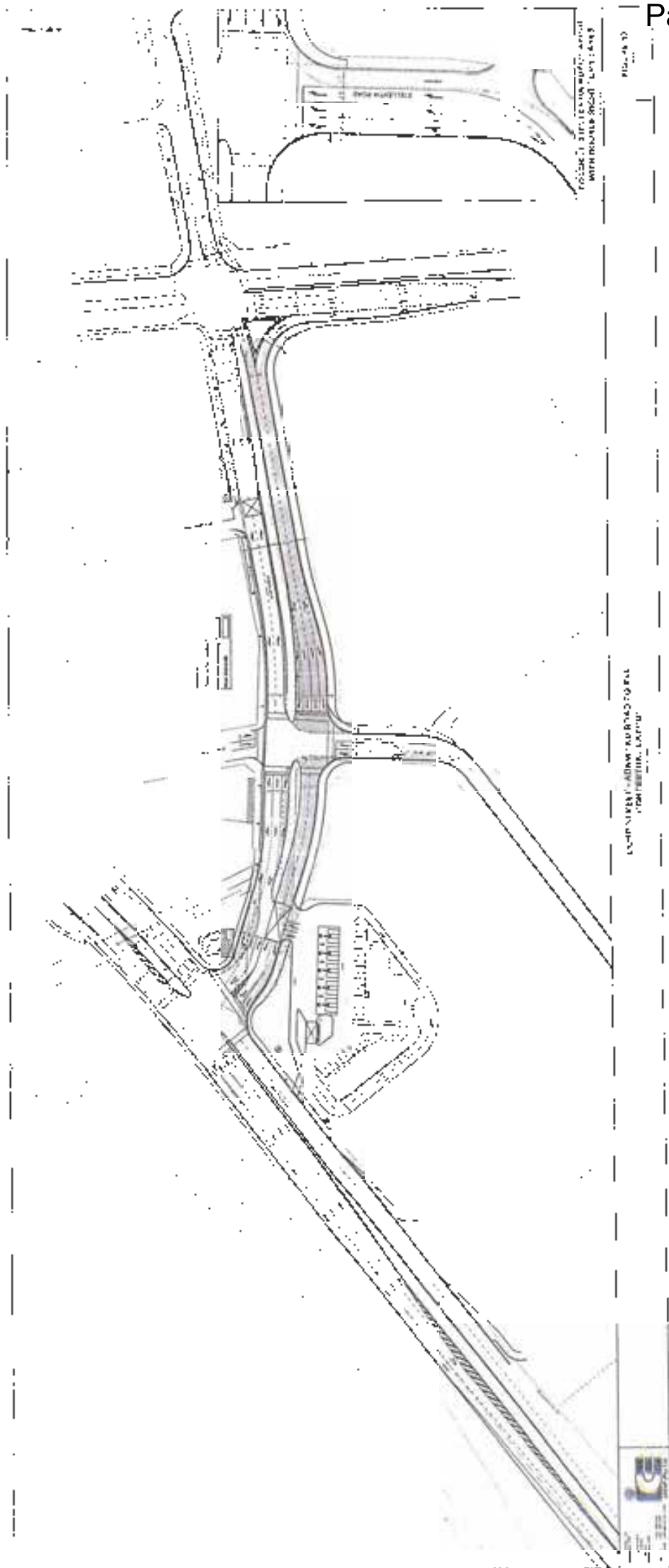
Die aangehegte voorgestelde wysings aan die plan is as so ons voorgesthou as deel van en voorwaardes van die aansoek om ontwikkeling van die gemeenskap.

Kaap Agri Bepark (AgriMarkt), beheer van erf 707 bevestig hiermee dat, indien die padontwikkeling soos aan ons voorgesthou inderdaad deel van die voorwaardes uitmaak, ons, ons beswaar ten die ontwikkeling terugtrek. Indien dit nie deel van die ontwikkeling uitmaak nie, of in wesenlike opsigte verander word, bevestig ons dat ons beswaar steeds geld.

Die uwe

James Matthee
 Finansiële Direkteur.

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EXISTING LOT
NEW BUILDING
EXISTING ROAD



Clifford Heys

Subject: FW: WITHOUT PREJUDICE: RE: DE WAGENWEG BODY CORPORATE IN RE. REMGRO ONTWIKKELINGS

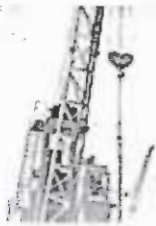
From: Justin Truter <jtruter@werksmans.com>

Date: Wednesday 02 April 2014 at 8:52 AM

To: Jan van Rensburg <Jan@tv3.co.za>

Cc: Donovan Comerma <donovan@atmg.co.za>

Subject: FW: WITHOUT PREJUDICE: RE: DE WAGENWEG BODY CORPORATE IN RE. REMGRO ONTWIKKELINGS



THE WERKSMANS CONSTRUCTION AND ENGINEERING PRACTICE

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This email and its attachments are private, confidential, may be subject to legal professional privilege and are only for the use of the intended recipient.

Dear Jan

Our client is satisfied with the proposal, as set out in our e-mail of 17 February 2014 (copied below) and will withdraw their objection on condition that these assurances are worked into the LUPO decision by the Municipality as conditions of approval.

You requested that we provide the wording of the proposed conditions to be incorporated into any rezoning decision. Please see below.

1. *The Applicant must widen the road reserve to accommodate the future construction of a second right turn lane as indicated on the diagram _____ prepared by Piet Van Blerk and this must be incorporated as a servitude for this purpose in the relevant property title deed.*
2. *Should the De Wagenweg Body Corporate require that a second right turn lane be constructed in the future to ease any traffic congestion or other traffic impacts on Stellentia Road, based on an independent traffic impact study that confirms the need to do so, the Applicant agrees to construct the second right turn lane in accordance with the Van Blerk Diagram (_____) at its own cost and within a period of _____.*
3. *The Applicant will ensure that any statutory permits or authorisations that are required to construct the second right turn lane are obtained as part of the current development applications so as to prevent any delays should the second right turn lane be required in the future.*
4. *The phasing of the road upgrades are to be undertaken strictly in accordance with the Transport Impact Assessment dated _____ prepared by Piet Van Blerk. The timing of the road upgrades and associated works is to be planned so as to prevent or limit as far as possible any inconvenience to road users along Stellentia, Adam Tas and Dorp Street and specifically to avoid inconvenience to the De Wagenweg Body Corporate's members.*

Finally, an issue which we have not discussed in our meetings but which is a concern to our client is that the proposed developments do not have an adverse effect on our client and its members' electrical power supply. For this purpose we ask that the necessary letters confirming adequate

additional supply be provided by the Municipality and that the accuracy of the supply be confirmed by an independent electrical engineering expert.

Kind regards,

Justin Truter
Director
T +27 (0)21 435 5211
F +27 (0)21 515 9011
<mailto:justin@workmans.co.za>

Workmans Attorneys
13th Floor, 1 The Guild Square, Cape Town 8001
P.O. Box 1474, Cape Town, 8000
Cape Town, South Africa
T +27 (0)21 435 5100
F +27 (0)21 435 5200

From: Justin Truter
Sent: 17 February 2014 08:46 AM
To: 'Jan van Rensburg'
Subject: WITHOUT PREJUDICE: RE: REMGRO ONTWIKKELINGS

Hi Jan

You are correct – the agreement was that provision must be made for the additional right turn lane (if required in future) by widening the proposed new Stellantia road reserve to accommodate this additional right turn lane. We would also seek your client's undertaking that they will construct the second right turn lane (at their cost) as per Piet's diagram in the event that it is reasonably required to ease any traffic impacts on Stellantia Road in future. How we determine whether the second right turn lane is reasonably required must be fleshed out and agreed between the parties and once this has been done we would like these requirements to be recorded in any conditions of rezoning approval.

As far as the phasing of the road upgrades is concerned, we want this to be expressly recorded in the zoning conditions to the effect that the road upgrades are to be undertaken strictly in accordance with the TIA and that the timing of the road works is to be planned so as to prevent or limit as far as possible any inconvenience to our client.

Kindly note that these proposals still require our client (the body corporate's) final approval which we hope to have today.

Kind regards,

Justin

Justin Truter
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From: Jan van Rensburg [<mailto:Jan@remgro.co.za>]
Sent: 07 February 2014 12:35 PM
To: Justin Truter
Cc: doreen@remgro.co.za; Edwin Swanepoel; Clifford Hoys
Subject: Re: REMGRO ONTWIKKELINGS : BESWAAR

Justin - thanks for the response. Please see comments in red below

JH (Jan) Janse van Rensburg

1275-1185 1/185 - 1185 1/185 1/185

Cel: +27 (0)687 111 7002

From: Justin Truter <jtruter@wurkmanj.co.za>
 Date: Friday 07 February 2014 12:00 PM
 To: Jan van Rensburg <jan@tv3.co.za>
 Cc: Donovan Comerma <donoovan@almj.co.za>
 Subject: RE: REMGRO ONTWIKKELINGS : BESWAAR

[x]

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Dear Jan

Our instructions are that our client requires firm undertakings and guarantees. How do you propose we deal with this or are the proposed conditions referred to below sufficient? relating to the following points that we discussed at our meeting before the planning objection can be withdrawn:

The phasing of the road upgrades relative to the phasing of the development - to ensure that the road capacity is always adequate to accommodate the increased demand, Piet van Blerk's TIA-report as submitted to Council prescribes this phasing - is your client happy that any Council approval of the proposed development plans be based on the TIA?

The construction of a double right turn lane from Stellenia road (as per Piet van Blerk's attached diagram). Piet explained that to his traffic analysis, the additional right turn lane is not a requirement for reasonable traffic flow from Stellenia east bound (right turn movement at the proposed new traffic light), but that as a precautionary measure we can widen the proposed new Stellenia road reserve to accommodate this additional right turn lane, if it proves to be necessary in future. Although Remgro will hereby sacrifice more land, I have sold this solution to them (as neighbouring stakeholders with many employees they would obviously not want to struggle with traffic themselves). However, from your comment it appears as if your client now want this additional lane to be "constructed" - is this thus a deviation from the suggestion in our meeting or do I misinterpret? If indeed it is a deviation I would need to test this with Remgro.

Our client asks that these requirements be incorporated as (suitably worded) conditions in any rezoning approval by agreement between the parties. A fair request - can you assist in the drafting of such conditions to your clients satisfaction, so that you can incorporate those in your letter to the Municipality withdrawing the objections? Perhaps you can forward us the draft of this letter for me to clarify the wording with Remgro? Please give me some indication of the time frame for you to attend to this letter.

Kind regards,

Justin

ANNEXURE B

**TABLE 1: SUMMARY OF THE OBJECTIONS /
COMMENTS RECEIVED AND APPLICANT'S
RESPONSE**

Table 1: Summary of the objections / comments received and applicant's response

OBJECTIONS / ISSUES RAISED	APPLICANT'S COMMENTS
STELLENBOSCH RATE PAYERS' ASSOCIATION (Objection against development on Erven 7586 and 7588)	
1. Both erven are zoned Specific Business. There are no normal developments for Specific Business and only uses as permitted in the general business zone is permitted. It is strange that no business uses were indicated with the 1984 approval.	Noted.
2. The Specific Business zoning was created to limit development and must be negotiated with Council and should take cognisance of the environment.	The Specific Business zoning was not created to limit development. The Zoning Scheme Regulations only state that the detail of the development proposal must be negotiated with Council.
3. The applications requests an extension of the Specific Business zoning and a special development for certain land uses.	A legal opinion has been obtained and it is not necessary to apply for the extension of the Specific Business zoning as it has already vested. The application is therefore only for a special development.
4. There is a capacity crisis with the municipal waste water treatment plant.	The Municipality is currently busy with the upgrading of the waste water treatment plant which should be completed by the end of 2017.
5. With such a development the developer must pay bulk infrastructure contribution levies (BICLs).	The required BICLs will be paid in accordance with Council's policy.
6. The Erf 7586 special development application asks for retail, shops, offices, wine shop and offices. These are land uses of General Business and not the purpose of Specific Business.	The proposed land uses on Erf 7586 will be limited to shops and offices – which are permissible land uses i.t.o. the Specific Business zoning. The proposed restaurant will not be developed.

7. The Eri 7583 special development application asks for offices and flats.	Noted.
8. The applicant claims the site is located in the town's CBD.	Stellenbosch's proclaimed historic core acts as an indication of the town's CBD. The site is located in the town's historic core and it can therefore be accepted that it is also located in the town's CBD.
9. We disagree with the claim that the development will acknowledge the area's heritage or conserve the built, agricultural, rural and natural environment.	The development proposal was the subject of an extensive heritage impact assessment and an urban design study. These specialist input dictated the final development proposal. For this reason we are of the opinion that the development proposal does acknowledge the area's heritage and conserve the environment.
10. The applicant claims that employment opportunities must be created close to housing opportunities.	The development will create new employment opportunities and the idea is to link the area with Die Baard via pedestrian and bicycle paths
11. The applicant's motivation is not reconcilable.	This is only the objector's opinion
12. The site is located in the town's historic core and is subject to the rules of construction in the historical centre of Stellenbosch.	Noted. The proposed development is compliant with all of these rules
13. Council must facilitate development and provide engineering services on a sustainable manner	The necessary bulk infrastructure upgrades will be undertaken (in conjunction with the engineering department) for the proposed development.
14. Council now has the opportunity to do the right thing since the erven have no existing development rights.	The site is zoned Specific Business. The development detail must be negotiated with Council but the permissible land uses are the same as those of General Business. It is therefore incorrect of the objector to claim the site has no existing rights.
15. The development will place an additional burden on the traffic	The development is an opportunity for Council to upgrade and improve the

problem and engineering services.

16. It is requested that the application rather be further investigated to ensure an applicable development in the historic core.

town's bulk infrastructure.

The possible development of the site has been investigated for the last couple of decades. The development proposal (submitted in 2013) has been the subject of numerous specialist studies (heritage, urban design, environmental, visual impact, etc.) as well as many meetings with the relevant planning, engineering and heritage officials and also meetings with surrounding land owners and affected parties. An appropriate development proposal for the site has been thoroughly investigated and agreed on.

17. Dr. Anton Rupert planted vineyards on these erven (in the late 1980's / early 1990's) to alleviate development pressure in Stellenbosch.

In the 1990 Dr. Rupert planned to construct the Rupert International head office building on Erf 7586. Even though it never materialised he did develop the Rupert Museum on one of the vineyard erven (Erf 7587). The objector's claim that Dr. Rupert never envisaged the development of these vineyard erven is therefore false.

LIESL MARAIS (Objection against development on Erf 7586)

1. The applicant's claim that Erf 7586 is located in the CBD and is surrounded by primarily commercial land uses is incorrect. The erf borders on Die Boord (a residential area).

Stellenbosch's proclaimed historic core acts as an indication of the town's CBD. The site is located in the town's historic core and it can therefore be accepted that it is also located in the town's CBD. Erf 7586 is primarily surrounded by commercial facilities. It is only to the south that the erf borders onto the De Oewer residential development. However, the Eerste River forms a natural buffer that cuts the site off from De Oewer.

2. The development will lead to an increase in noise and traffic. This will impact on surrounding residents.

Any development on the erf will lead to an increase in traffic and noise. However, the scale of proposed development will be limited. The development will have a coverage of only ±10% and a bulk of only ±0.2. This equates to a very small development on a commercially zoned erf in central Stellenbosch. For this reason the traffic and noise impact of the proposed development on surrounding properties will be acceptable.

<p>3. Any after-hours commercial activities will negatively impact on the De Dower residents. A restaurant will cause a disturbance in the evenings. Sound travels and can be one of the most disrupting forms of pollution.</p>	<p>The proposed development will consist of shops and offices – not a restaurant – that trade normal business hours. Furthermore, the necessary measures will be taken to limit the impact on surrounding properties.</p>
<p>4. The location of the service yard (with accompanying activities such as trucks and waste) will cause a nuisance. The service yard should be located in the basement.</p>	<p>The service and refuse yard will be screened and enclosed to prevent any disturbance or pollution. Unfortunately the basement will not be big enough to accommodate delivery trucks and municipal refuse trucks. For this reason the service and refuse yard will have to be located outside.</p>
<p>5. It appears as if the river front of the building will be used for other service areas. It is requested that the air conditioning units not be placed on this side of the building.</p>	<p>Noted. Any air conditioning units will not be placed along the building's southern wall.</p>
<p>6. The location of the service yard (with a refuse area) will cause unnecessary pollution. The service yard should therefore be located within the basement.</p>	<p>The service and refuse yard will be screened and enclosed to prevent any disturbance or pollution. Unfortunately the basement will not be big enough to accommodate delivery trucks and municipal refuse trucks. For this reason the service and refuse yard will have to be located outside.</p>
<p>7. All outward shining lights must not be placed higher than 2.5m and must be angled downwards to shine along the ground.</p>	<p>Noted. The necessary measures will be taken to limit the impact of external lighting on surrounding properties.</p>
<p>8. River security is a problem. If the building is open towards the river it will help with the security problem.</p>	<p>Noted. The proposed building will be open towards the river to encourage activities along the river (benches to sit, foot paths, bicycle routes, etc) to enjoy the river and to increase security along the river.</p>



APPENDIX 4

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development: to permit the construction of a commercial building consisting of shops and offices.

COMMENT RECEIVED FROM EXTERNAL & INTERNAL DEPARTMENTS

→ ERF 7586, SB

Our Ref: HM/CAPE WINELANDS/STELLENBOSCH/EPF 7586
 Case No.: 16071915JW0720M
 Enquiries: Jonathan Windvogel
 E-mail: jonathan.windvogel@westerncape.gov.za
 Tel: 021 483 9736
 Date: 17 August 2016



Dr. Elzet Albertyn
 12 Timberlon Street
 PAARL
 7646

E 7586 S

RECORD OF DECISION

In terms of Section 38(4) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

HERITAGE IMPACT ASSESSMENT: PROPOSED COMMERCIAL DEVELOPMENT ON ERF 7586, CORNER OF THE R44 AND LOWER DORP STREET, STELLENBOSCH, SUBMITTED IN TERMS OF SECTION 38(4) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 16071915JW0720M

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 20 July 2016. This matter was discussed at the impact Assessment Committee (IACom) meeting held on 10 August 2016.

RECORD OF DECISION

This report meets the requirements of section 38(3) of the NHRA (Act 25 of 1999). On the basis of this, and in terms of section 38(4) of the NHRA, HWC approves the proposed development on Erf 7586, and allows the development to proceed to the next phase, subject to the development being substantially in accordance with TV3 Architectural Drawings presented in this report and the following mitigation measures applied:

- Implementing the mitigation measures proposed in the Lower Dorp Street HIA Case No. 15031805GT0313E approved by IACom on 15 December 2015: (6) An additional row of (*Quercus canariensis* /Algerian oak) oak trees be planted on the southern side of the proposed water furrow/ditch, on the northern periphery of Erf 7586 parallel to the NMT pathway to accommodate 4 rows of oak trees in the Lower Dorp Street precinct; (7) Riverine corridor to be enhanced by a proposed water furrow/ditch. This can visually link the Eerste River and if signposted provide users and visitors with an indication of the historic association of the former island and flow of the northern tributary (Louw & Dewar cross-section October 2015 (iii)2) Annexure I of this report; (8) Feasibility of an underground parking garage be investigated for Erf 7586 (as a separate project), however to maintain a portion of the vineyard character as an undeveloped gateway and forecourt space; (9) A qualified and experienced Landscape Architect must be employed during the planning, design and construction phase to draw up detailed landscaping plans that adheres to all the indicators and guidelines and to monitor implementation thereof;
- The historic dumpsite be suitable signposted and demarcated as a point of interest on the site;
- Retain and supplement the existing mature trees along river edge and service area;
- Install an aesthetically pleasing boundary fence to enhance the river view experience;
- Plant indigenous trees on the western border of Erf 7586 Stellenbosch to enhance the Stellingia NMT pathway;
- Draw up and enforce lighting guidelines;
- Bicycle storage and facilities for cyclists must be incorporated in the SDP;
- Detailed architectural sketch plans must be resubmitted to Stellenbosch Planning Advisory Committee (PAC) for approval, prior to any final building plan submission. It must be accompanied by integrated and refined architectural and landscaping detailing.



11/11/2014

11/11/2014

11/11/2014

- The applicant is granted an appeal period of 14 working days
- The applicant will have a formal hearing with the applicant and interested parties. The hearing will be held at the office of the Director of Section 32 appeals. The appeal period will be taken from the date above if you do not attend the hearing. The appeal to be deemed valid if must refer to the decision. It must be supported by the date of the date and it must set out the grounds of the appeal. Appeals must be addressed to the office named above and it is the responsibility of the applicant to confirm that the appeal has been received within the appeal period.
- **Work may NOT be initiated during this 14 day appeal period.**
- If any unexpected circumstances arise that prevent the applicant from attending the hearing during the appeal period, the applicant must be notified immediately.
- The applicant must not undertake any work on the site during the appeal period. Any work on the site during the appeal period must be notified immediately.
- **A copy of this letter must be displayed in a prominent place on the site until the work is completed.**

Copy of this letter must be displayed in a prominent place on the site until the work is completed and a copy of this letter must be kept on file.

11/11/2014

M. M. M. M. M.
Chief Executive Officer, Kerlago Western Cape



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Spatial Planning, Heritage and Environment

To : Head: Customer Interface & Administration
 From : Manager: Spatial Planning, Heritage & Environment
 Date : 25 May 2017
 Re : Application for rezoning and development of Erven 7592, 7586 and 7587 Stellenbosch (Remgro)

1. With reference to the application for a special development on Erven 7592, 7586 and 7587 for the purposes of developing a mixed use commercial, residential and office precinct, please find my comments below.

A: SUMMARY

2. The application for the development of the vacant erven is supported conditionally and in principle for the following reasons:
 - 2.1 The development is largely in line with the approved urban design framework for the precinct.
 - 2.2 The Planning Advisory Committee and Heritage Western Cape approved the development in principle.
 - 2.3 The development of a mixed use precinct will enhance tourism and business opportunities in this area and upgrade an area in need of upgrading. This improvement will have a positive impact on the local economy with particular reference to the tertiary sector.
 - 2.4 The development is within walking distance of the Stellenbosch Station and will complement the envisioned Transit Orientated Development to take place in close proximity.
 - 2.5 The development is not primarily planned for private motor vehicles but can be accessed by foot, bicycle or public transport and will support the NMT policies of council.

B: DISCUSSION

3. Separate applications were submitted for the following developments:
 - 4.1 Erf 7586



E 7592, 7586, 7587

S/9283

- Special development to permit a commercial facility consisting of retail, shops, restaurant, wine shop and offices
- Gross Leasable Area (GLA) of 3 065m²

4.2 Erf 7588

- Special development in order to develop offices and apartments (7 units)
- GLA of 3 755²

4.3 Erf 7592

- Special development to permit a commercial facility consisting of shops, restaurant, liquor store, offices and apartments (46 units).
- GLA of 8 478m²

4. The true impact of the developments can only be evaluated as a combined development proposal hence this report will deal with all applications jointly. The combined GLA for the development is 15 290m². This substantial development will generate significant amounts of traffic and parking.
5. In order to accommodate the expected increase in traffic approval is required to double the existing section of Dorp Street from the intersection of Dorp Street with the R44 up to the intersection of Dorp Street with Adam Tas Road. This request should also be evaluated against the background of the recent approval of a commercial center on the Saw Mills property which will eventually be in the region of 114 000m² of GLA which will generate even larger traffic volumes that will make use of the lower part of Dorp Street. Without the proposed doubling of the road Dorp Street will simply not be able to cope with the traffic volume.
6. Messrs. Piet Louw and Dave Dewar were appointed to prepare an urban design framework for lower Dorp Street in February 2015 which includes all the above properties. The report which deals with the possible dueling of Lower Dorp Street is attached as **ANNEXURE 1**
7. The properties are located within the urban edge of Stellenbosch as per the approved MSDF.
8. The properties falls within the historical core of Stellenbosch hence the Conservation Strategy for Stellenbosch is applicable.
9. Because of the historic significance of the area an urban design framework for the Remgro Precinct: lower Dorp Street was also prepared in June 2013 by Messrs Piet Louw and Dave Dewar to guide the development plan for the precinct. The Urban design Framework is attached as **ANNEXURE 2**. The main proposals of the urban design concept are the following:

- *The existing vineyard, which carries with it considerable symbolism as a gateway site, given the role of Stellenbosch in the Winelands, is retained, to create an agricultural edge to the precinct in the south and east. The south-eastern edge of the existing vineyard is the site for a 'tread-lightly' architectural intervention (glass and steel) on stilts as an elegant modern flat-roofed background building overlooking the vineyard and with views of the mountains. The roof silhouette of this building should promote the idea of horizontality, as reflected in the tops of the rows of vines.*
- *Four new buildings are inserted to create an impressive large forecourt space announcing and celebrating the museum. The corner of the northern building is cut-back to define a splay which, in conjunction with the building across the street from it, creates a gateway space announcing entry into the Dorp Street precinct.*
- *To the west of the existing office complex are opportunities for up-market, residential pavilions on large plots. Alternatively, this development could take the form of two storey terrace or row housing.*
- *The extreme west of the site, adjacent to the river, is transformed into a small park serving residents, office workers and the public at large. There is thus a defined density gradient from east to west.*

10. The above report concludes that:

- *The proposal outlined in this document be considered and approved;*
- *a follow-up integrating and detailed urban design layout for the public and common domains within the scope of the project be undertaken in conjunction with consultants responsible for town planning, heritage, transportation, landscape treatment, architecture and civil engineering, prior to the finalization of a site development plan. This task should include liaison with the Municipality;*
- *the Municipality considers the content of this proposal in the context of larger scale transportation aspects and, as a way forward, to resolve conflicts within the overall movement network of the town and the sub-region;*
- *the Municipality undertakes an urban design study to clarify the current and future role and nature of the station precinct and to explore its potential as a place of public significance;*
- *the Municipality undertakes a detailed urban design layout for the precinct at the junction of lower Dorp Street and the R310 with particular emphasis on heritage, transportation, landscape treatment and urban design considerations*

11. The Planning Advisory Committee supported the proposed urban design framework and road works at a meeting held on 27-06-2106.
12. Heritage Western Cape, as responsible Heritage Authority, issued a permit for the development (5-09-2016) and the road works (15-12-2015) respectively subject to conditions recorded in the permit.
13. The proposed development largely conforms to the urban design framework as prepared by Piet Louw and Dave Dewar with the exception of the public/private place/square to be provided in Stellantia Road on erf 7592 and 7587. The applicant proposes to use this public/private space for surface parking rather than an open urban space. One of the mitigating conditions of the HWC permit specifically states that "the proposed parking on ground level must preferably be accommodated in the basement.
14. The latter requirement was introduced by the urban design framework (approved by HWC) as it promotes the strengthening of the linkage between the public space in front of the Stellenbosch Station and this precinct (in particular the proposed new public/private place) along an axis as defined by Stadler Street. The motivation for this proposal is to link and promote the use of public transport as a real option for visitors to this precinct and to activate businesses along Stadler Street.
15. The lower part of Dorp Street is distinctively different from the upper section in that there is a general lack of mixed land uses that creates a destination to live, work and play. Although some tourist facilities are located in this area i.e. Ya Ya café and the Dorp Street Hotel the tourist sector can benefit tremendously from this development. The proposed mixed land uses is thus seen as a positive contribution to inject the much needed revival of the area. This use has the potential to provide significant employment opportunities.
16. Of some concern is the proposed treatment of the intersection of Dorp Street with Stellantia Street. A signalized intersection should be the last resort as this will impact negatively on the character of the area and will not necessarily improve traffic flow. Consideration to other forms of intersection control should be investigated.
17. The financial implications of the development of a double road with extensive landscaping is not yet fully understood. It is suggested that the approval of the development be subject to a clear understanding of all developments in this vicinity and an agreement with respect to the funding model of the required infrastructure upgrade before the application is approved. This precinct is not included as a priority focus area for major public investment in infrastructure and can potentially result in funds that were originally allocated for other Council priorities are relocated to this area in order to enable private developers to undertake private development. Although development contributions are payable it will mostly be allocated for the provision of infrastructure and particularly the road at this particular property and not for the provision of bulk services generally.

The principle to use public funds almost exclusively for private development is questioned.

C: CONCLUSION

18. This department is in support of the development of the Remgro properties which are located within the urban edge, historical core and which are accessible by rail. This particular section of Stellenbosch urgently requires investment to upgrade the area to its full potential. Such an upgrade will enhance and support tourism development and the services sector which forms the backbone of the economy. In terms of the approved MSDF the area should be densified rather than to allow urban sprawl. Based on the urban design framework the development is view as appropriate.
19. The proposed development is located in the vicinity of the Stellenbosch station and proposed future Transit Oriented Development and will serve as to strengthen such a development in future.
20. Substantial traffic will be generated by the development that will be exacerbated by the development of the Saw Mills site. In order to manage such high traffic volumes it is essential to double the lower part of Dorp Street. It is questioned however if it is appropriate for the municipality to finance the costs for the roads improvement in order to enable private developers to optimize their land use rights.
21. The design of the individual buildings should be undertaken against the backdrop of the Piet Louw and Dave Dewar Urban Design Strategy in order to ensure the appropriate design of the buildings, public places and landscaping. This aspect of the development is seen as critical for success of the development. It is therefore suggested the authors of the report be appointed as architects and urban designers to oversee and evaluate the finale design to ensure compliance with the reports for both the prescient and the road.

P. Benning.....
BJG de la Bat

MANAGER: SPATIAL PLANNING, HERITAGE AND ENVIRONMENT



MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

TO : The Director: Planning and Development

FOR ATTENTION : Robert Fooy

FROM : Tyrone King (Head: Development Services and Project Management)

DATE : 15 July 2016

RE. : Application for special development: Erven 7586, 7588 and 7592, Lower Dorp Street (Remgo)

Reference : Erven 7586, 7588 and 7592, Stellenbosch

Details, specifications and information reflected in the following documentation refers:

Erf 7586

- Land Use application document, dated 28 June 2013;
- Site Development Plan titled Floor Layouts Dwg No 2970-A-103 Rev -, dated 4 February 2013;
- Traffic Impact Assessment by ICE Group dated 1 July 2013;
- Cost Estimates and Funding letter by ICE Group dated 14 June 2016;
- GLS report on water and sewer dated 2 February 2016;
- Engineering Services Report No 1258 / 1B by Bart Senekal Inc dated April 2016;
- Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1258 / A4) and associated drawings 1258/07A and 10258/02B

Erf 7588

- Land Use application document, dated 28 June 2013;
- Site Development Plan titled Floor Layouts Dwg No 2970-A-103 Rev -, dated 4 February 2013;
- Traffic Impact Assessment by ICE Group dated 1 July 2013;
- Cost Estimates and Funding letter by ICE Group dated 14 June 2016;
- GLS report on water and sewer dated 2 February 2016;
- Engineering Services Report No 1282 by Bart Senekal Inc dated April 2016;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

- Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1282 / A1) and associated drawings 1282/02A

Erf 7592

- Land Use application document, dated 28 June 2013;
- SDP Ground Floor Dwg No J2892-A-101 Rev e, dated 25 June 2013;
- Traffic Impact Assessment by ICE Group dated 1 July 2013;
- Cost Estimates and Funding letter by ICE Group dated 14 June 2016;
- GLS report on water and sewer dated 2 February 2016;
- Engineering Services Report No 1281 by Bart Senekal Inc dated April 2016;
- Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1281 / A1)

Application is made for following:

Erf 7586 (Shops and offices):

- A Special Development to permit the development of a commercial facility consisting of retail, shops, restaurant, wine shop and offices
- Business GLA: 3065m² (Areas as per Floor Layouts Dwg No 2970-A-103 Rev -, dated 4 February 2013)

Erf 7588 (Offices and residential):

- A Special Development in order to develop offices and apartments
- Business GLA: 3755m²
- Residential: 7 units (1285m² floor area) Areas as per Floor Layouts Dwg No J3083-A-102 Rev -, dated Oct 2013

Erf 7592 (Offices and residential):

- A Special Development to permit the construction of a commercial facility consisting of shops, restaurant, liquor store, offices and apartments
- Business GLA: 8478m²
- Residential: 46 units (3731m² floor area) (No of units defined in TIA) (Areas from SDP Ground Floor Dwg No J2892-A-101 Rev e, dated 25 June 2013)

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

Comments from the Directorate: Engineering Services i.e. Roads & Stormwater, Water Services, Traffic Engineering and Development Services will be reflected in this memo and is to be regarded as development conditions to be reflected in the land-use approval. It must be noted that Electrical Services will comment in a separate memo.

The above-mentioned land-use application is supported, subject to the following conditions:

General

1. that the following words and expressions referred to in the development conditions, shall have the meanings hereby assigned to except where the context otherwise requires:
 - (a) "*Municipality*" means the STELLENBOSCH MUNICIPALITY a metropolitan municipality, Local Authority, duly established in terms of section 9 of the Local Government Municipal Structures act, Act 117 of 1998 and Provincial Notice (489/200), establishment of the Stellenbosch Municipality (WC024) promulgated in Provincial Gazette no. 5590 of 22 September 2000, as amended by Provincial Notice 675/2000 promulgated in Provincial Gazette;
 - (b) "*Developer*" means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;
 - (c) "*Engineer*" means an engineer employed by the "*Municipality*" or any person appointed by the "*Municipality*" from time to time, representing the Directorate: Engineering Services, to perform the duties envisaged in terms of this land-use approval;
2. that all previous relevant conditions of approval to this development application remain valid and be complied with in full unless specifically replaced or removed by the "*Engineer*";
3. that no occupation certificates will be issued or taking up of proposed rights will be allowed until sufficient capacity in the following infrastructure is confirmed by the "*Engineer*":
 - a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). The current capacity of the existing Stellenbosch WWTW **does not** allow for any new developments at this stage. However, construction for the upgrade of the Stellenbosch WWTW with a design capacity of

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20.4 ML/day, to a 35 ML/day treatment works is underway. Commissioning of the first phase to accommodate sewage from new developments is dependent on the Contractor's adherence to the programme and is estimated to be in December 2017.

b. **Sewer:**

- i. Plankenbrug Main Outfall Sewer Phase 1 (WWTW to Plankenbrug River at Bosman's Crossing) and Phase 2 (Plankenbrug River at Bosman's Crossing to Merriman Avenue):

The existing 600 mm, 375 mm and 625 mm diameter bulk outfall sewers to which the proposed developments are to connect, are at capacity and have insufficient capacity to accommodate any additional development within the Adam Tas drainage area. A new 1 200 mm diameter pipe is however currently being constructed by the Stellenbosch Municipality parallel to the existing 600 mm, 375 mm and 625 mm pipes. This will provide sufficient capacity to accommodate future developments. Commissioning of Phase 1 to accommodate sewage from new developments is dependent on the Contractor's adherence to the programme and is estimated to be in December 2017. Commissioning of Phase 2 to accommodate sewage from new developments is dependent on the Contractor's adherence to the programme and is estimated to be in July 2019.

- ii. The following items as indicated in the GLS report on water and sewer dated 2 February 2016:

- SSS1.18 : 45m x 355 dia upgrade existing sewer

At this stage it is not clear if this pipeline section is included within the scope of the Plankenbrug Main Outfall Sewer project as described above. If not, this will have to be implemented by the Developer in lieu of DC's, or if DCs are not sufficient, at the Developer's own cost.

- c. **Water link services (to be implemented by the Developer and at the Developer's cost):** The items as indicated in the GLS report on water and sewer dated 2 February 2016:

- i. Item 1 : 330 m x 160 mm dia replace existing 100mm dia pipe

- d. **Road infrastructure:** All upgrades listed below as identified in the Traffic Impact Assessment by ICE Group dated 1 July 2013. The Cost Estimates and Funding letter by ICE Group dated 14 June 2016 (*Annexure A*) indicates the funding

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

requirements and it is clear that the Municipal funding and Development Contributions of the proposed developments on erven 7586, 7588 and 7592 are not sufficient to fund the required upgrades. It is also evident that in order to achieve sufficient funding for the road upgrades, this Development is dependent on the Development Contributions of Farm 183/57 and 183/58 (Woodmill), which also triggers the upgrading of Dorp Street. Without the required upgrades, the proposed development cannot be implemented. Therefore, no further approval i.e. engineering drawing approval and/or building plan approval will be granted until a financial commitment and implementation plan for these upgrades is presented and agreed between all the relevant parties and the Municipality and the approval mentioned in Condition 3e below is granted by the Municipality. It is further recommended that the Developer, in conjunction with the Municipality, engage with the Western Cape Government: Transport and Public Works (stated as PGWC in the letter) to discuss their contribution to these upgrades.

Improvements required at the various intersections with Dorp Street as per TIA:

i. No development

Adam Tas Road-intersection: provide an additional right turn lane on the southern approach (Adam Tas Road), 55 metres long; provide a dedicated left turn lane on the northern approach (Adam Tas Road), 35 metres long; provide two lanes on Dorp Street eastbound to accommodate two right turn lanes from Adam Tas Road; change the dedicated right turn lane on Dorp Street (westbound) to a left/right right lane.

Stellentia Avenue/Stadler Street-intersection: provide traffic signals.

R44-intersection: provide a dedicated left turn lane on the southern approach (R44 from Somerset West) 50 metres long; extend the dedicated right turn lane on the southern approach (Adam Tas Road) to 75 metres (maximum to before bridge over Eerste River); provide an additional dedicated right turn lane on the western approach (Dorp Street) 65 metres long; change the through lane on the eastern approach (Dorp Street) to a through/left turn lane.

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ii. Erf 7586 development

Adam Tas Road-intersection: No further improvements required

Stellentia Avenue-intersection: No further improvements required

R44-intersection: No further improvements required

iii. Erf 7586 and Erf 7592 developments

Adam Tas Road-intersection: No further improvements required

Stellentia Avenue-intersection: No further improvements required

R44-intersection: No further improvements required

Dorp Street: The road should be dualled from Adam Tas Road to the R44 as indicated in Figure 15 of the TIA

iv. Erf 7586, Erf 7592 and Erf 7588 developments

Adam Tas Road-intersection: No further improvements required

Stellentia Avenue-intersection: No further improvements required

R44-intersection: No further improvements required

Dorp Street: No further improvements required

- e. Should the "Developer" wish to discuss the possibility of proceeding with construction work parallel with the provision of the bulk services listed above, he must present a motivation and an implementation plan to the "Engineer" for his consideration and approval. The implementation plan should include items like programmes for the construction of the internal services and the building construction;
4. that should the "Developer" not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Engineering Services by the "Developer" for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as rate clearance in terms of Section 31 of LUPO will not be supported by the Directorate: Engineering Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
5. that the "Developer" indemnifies and keep the "Municipality" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or

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interruption of or interference with the municipalities' services or apparatus or otherwise) arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.

6. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
7. that the "*Developer*" approach the Western Cape Government: Transport and Public Works for their input and that the conditions as set by the Western Cape Government: Transport and Public Works be adhered to before Section 31 Clearance Certificate will be issued;
8. that the "*Developer*" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;
9. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 2nd Edition of 2010;
10. that the "*Developer*" takes cognizance and accepts the following:
 - a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
 - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
 - c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
 - d.) that no building plans will be recommended for approval by the Directorate: Engineering Services before land-use and or SDP approval is obtained;
 - e.) that no building plans will be recommended for approval by the Directorate: Engineering Services before the approval of internal – and external civil engineering services drawings;
 - f.) that no building plans will be recommended for approval by the Directorate: Engineering Services before a Clearance Certificate in terms of Section 31 of the Land-use Planning Ordinance is issued.

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Site Development Plan

11. that it is recognized that the normal Site Development Plan, submitted as part of the land-use application, is compiled during a very early stage of the development and will lack engineering detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the "Developer";
12. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;
13. that if the fully detailed Site Development Plan, as mentioned in the above item, contradicts the approved Site Development Plan, the "Developer" will be responsible for the amendment thereof and any costs associated therewith;
14. that an amended Site Development Plan be submitted for approval prior to the approval of building plans for new buildings not indicated on the Site Development Plan applicable to this application and or changes to existing buildings or re-development thereof;

Internal- and Link Services

15. that it be noted that as per the Site Development Plans, the roads are reflected as private roads. Therefore all internal services on the said erven will be regarded as private services and will be maintained by the "Developer" and or HOA;
16. that the "Developer", at his/her cost, construct the internal (on-site) municipal civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;

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17. that the "*Developer*", at his/her cost, construct the internal (on-site) private civil services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;
18. that the Directorate: Engineering Services may require the "*Developer*" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development Contributions payable in respect of bulk civil engineering services if approved by the Directorate: Engineering Services;
19. that the detailed design and location of access points, circulation, parking, loading - and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;
20. that plans of all the internal civil services and such municipal link services as required by the Directorate: Engineering Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
21. that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with the Standard Conditions imposed by the Directorate: Engineering Services in this respect or as otherwise agreed. The Standard Conditions is available in electronic format and available on request;
22. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "*Engineer*";
23. that the "*Developer*" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services and that his/her design engineer will comply to the mentioned document or as otherwise agreed in writing with the Directorate: Engineering Services;
24. that engineering design drawings will only be approved once Final Notice of LUPO approval is issued;
25. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Engineering Services;

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26. that all internal - and link services be inspected by the "Engineer" on request by the "Developer" or his Consulting Engineer;
27. that a practical completion certificate be issued prior to transfer of individual units or utilization of buildings;
28. that a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer be submitted to the "Engineer" on a monthly basis;
29. that the "Developer" shall adhere to the specifications of Telkom (SA) and or any other telecommunications service provider. Copies of all correspondence with Telkom shall be handed over to the "Engineer";
30. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
31. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the "Developer" to determine the location of existing civil and electrical services;
32. that all connections to the existing services be made by the "Developer" under direct supervision of the "Engineer" or as otherwise agreed and all cost will be for the account of the "Developer".
33. that the "Developer" shall install a bulk water meter conforming to the specifications of the Directorate: Engineering Services at his cost at the entrance gate of all private developments before the practical completion inspection is carried out;
34. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;
35. that Section 31 Clearance will only be issued if the bulk watermeter is installed, a municipal account for the said meter is activated and the consumer deposit has been paid;

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36. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
37. that the “*Developer*”, at his/her cost, will be responsible for the maintenance of all the internal (on-site) municipal – and private civil engineering services constructed for this development until at least 80% of the development units (i.e. houses, flats or GLA) is constructed and occupied whereafter the services will be formally handed over to the HOA, in respect of private services, and to the Municipality in respect of public services;

Servitudes

38. that the “*Developer*” ensures that all main services to be taken over by the Directorate: Engineering Services, all existing municipal – and or private services crossing private - and or other institutional property and any other services crossing future private land/erven are protected by a registered servitude before final Section 31 Clearance will be given or building plans are approved;
39. The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The “*Developer*” will be responsible for the registration of the required servitude(s), as well as the cost thereof;
40. that the “*Developer*” obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party before final approval of engineering drawings be obtained.

Stormwater Management

41. that it be noted that the section of the Eersteriver to which these developments drain, is very sensitive to the impact of any additional stormwater generated by new development;
42. that the stormwater management generally be in accordance with the Engineering services reports, which indicates that detention facilities will be provided;
43. that the geometric design of the roads and/or parking areas ensure that no trapped low-points are created with regard to stormwater management. All stormwater to be routed to the nearest formalized municipal system;

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44. that the design engineer needs to apply his/her mind to ensure a design that will promote a sustainable urban drainage system which will reduce the impacts of stormwater on receiving aquatic environments;
45. that no disturbance to the river channel or banks be made without the prior approval in accordance with the requirements of the National Water Act;
46. that the consulting engineer, appointed by the "Developer", analyses the existing stormwater systems and determine the expected stormwater run-off for the proposed development, for both the minor and the major storm event. Should the existing municipal stormwater system not be able to accommodate the expected stormwater run-off, the difference between the pre- and post-development stormwater run-off must be accommodated on site, or the existing system must be upgraded to the required capacity at the cost of the "Developer" and to the standards and satisfaction of the Directorate: Engineering Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans;
47. that for larger developments, industrial developments or developments near water courses a stormwater management plan for the proposed development area, for both the minor and major storm events, be compiled and submitted for approval to the Directorate: Engineering Services.
48. that the approved management plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Engineering Services. The management plan, which is to include an attenuation facility, is to be submitted concurrent with the detail services plans;
49. that overland stormwater escape routes be provided in the cadastral layout at all low points in the road layout, or that the vertical alignment of the road design be adjusted in order for the roads to function as overland stormwater escape routes. If this necessitates an amendment of the cadastral layout, it must be done by the "Developer", at his/her cost, to the standards of the Directorate: Engineering Services;
50. that in the case of a sectional title development, the internal stormwater layout be indicated on the necessary building plans to be submitted for approval.
51. that no overland discharge of stormwater will be allowed into a public road for even with catchment areas of more than 1500m² and for which it is agreed that no detention facilities are

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

required. The "Developer" needs to connect to the nearest piped municipal stormwater system with a stormwater erf connection which may not exceed a diameter of 300mm.

Floodplain Management

52. that the 1:50 and 1:100 year flood lines of the Eersteriver be shown on all plans submitted. The flood lines are to be verified by a suitably qualified registered engineering professional. Where flood lines have not previously been determined, the "Developer" must procure the services of a suitably qualified registered engineering professional to undertake such determinations at his/her own cost. No new development will be allowed under the 1:100 year flood line;
53. that the floor level of all buildings be at least 100 mm above the 1:100 year flood level. These levels must be indicated on all building plans submitted and must be certified by a Registered Professional Engineer;
54. that the engineering design of the internal road, basement parking ramps and ramp retaining walls be generally in accordance with the following:
 - Erf 7586: Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1258 / A4) and associated drawings 1258/07A and 10258/02B
 - Erf 7588: Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1281 / A1) and associated drawing 1282/02A
 - Erf 7592: Letter re Flood protection of basement by Bart Senekal Inc, dated 25 February 2016 (ref 1281 / A1)
55. that all perimeter fencing below the 1:50 year flood line be visually permeable from ground level and not adversely effects the free flow of water (e.g. palisade fencing). No fences will be allowed across the watercourse;

Roads

56. that the "Developer" will enter into a Services Agreement with the "Municipality" in respect of the implementation of the identified infrastructure as reflected in the Traffic Impact Assessment by ICE Group dated 1 July 2013;
57. that no access control will be allowed in public roads;
58. that provision be made for acceptable stacking distances in front of access control gates;

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59. than any amendments to cadastral erven to accommodate access control gates will be for the cost of the "Developer" as these configurations were not available at rezoning and subdivision stage;
60. that, where access control is being provided, a minimum of 2 to 3 visitor's parking bays be provided on site, but outside the entrance gate, for vehicles not granted access to the development;
61. that the layout must make provision for all deliveries to take place on-site. Movement of delivery vehicles may not have a negative impact on vehicular – and pedestrian movement on public roads and or public sidewalks;
62. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
63. that, prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Engineering Services for approval, and that the approved plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Engineering Services;
64. that the "Developer" will be responsible for the design, construction, supervision and implementation of the infrastructure as reflected in the Traffic Impact Assessment by ICE Group dated 1 July 2013 and summarized in Condition 3d above. Clearance / building plan approval will only be given once the construction of these infrastructure is completed to the satisfaction of the Engineer.
65. that Condition 64 above be met by the "Developer" before a Certificate in terms of Section 31 will be given / building plans approved or on discretion of the Directorate: Engineering Services, the "Developer" furnish the Council with a bank guarantee equal to the value of the required construction work in Condition 64 above as certified by an independent engineering professional, prior to a Certificate in terms of Section 31 will be given or building plans approved;
66. that during the construction stage, access to the site be strictly via the following route only:
Stellentia Avenue;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER CORP STREET

67. that the "Developer" will be held liable for any damage to municipal infrastructure within the road reserves of the roads mentioned in Condition 66 above, 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 Engineering Services;
68. that, after the construction work on site has been completed, the sidewalk, kerbs and channeling in Stellenia Avenue, over the length of the road reserve abutting Erven 7586, 7588 and 7592, be re-established / constructed by the "Developer" and to the cost of the "Developer" in compliance with the Design and Construction Standards of the Directorate Engineering Services;
69. that no direct access shall be permitted onto Corp Street;
70. that access to the properties concerned shall be in accordance with the recommendations of the Traffic Impact Assessment by ICE Group dated 1 July 2013. The TIA further states that it is also not clear from the drawings whether there will be security gates at the various accesses to the proposed developments but should this be the case the spacing between the gates/booms and the edge of Stellenia Avenue should be determined based on the type of control, i.e. remote control, disks, sign in, etc;
71. that visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;
72. that on-site parking be provided by the owner of the property in the ratios as per the Stellenbosch Municipality Zoning Scheme;
73. that the area of land required for the dualling of Corp Street, be surrendered by the "Developer" to Stellenbosch Municipality, at his/her cost, in order for construction of the road to take place and prior to Section 31 Clearance;
74. that compensation from Stellenbosch Municipality for the aforementioned land required for the dualling of Corp Street, if any, be based on the value of the land in terms of its current zoning, i.e., Specific Business (erven 7586 and 7592);

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

75. that the parking area be provided with a permanent surface and be clearly demarcated and accessible. Plans of the parking layout, pavement layerworks and stormwater drainage are to be approved by the Directorate: Engineering Services before commencement of construction and that the construction of the parking area be to the standards of the Directorate: Engineering Services;
76. that no parking be allowed closer than 9 metres from the intersection of Stellantia Avenue and Dorp Street (measured from the closest kerb);
77. that no parking be allowed in the road reserve;
78. that provision be made for a stacking distance of 12 metres for a dual entrance, or 18 metres for a single entrance, measured from the public road kerb to the entrance gate, or as otherwise determined by the "Engineer" when civil engineering services drawings / building plans are submitted for approval (also see Condition 70 above);
79. that provision be made for a 3-point turning head in front of the entrance gate, to the satisfaction of the Directorate: Engineering Services in order to enable a vehicle to turn around;
80. that the "Developer", at his/her cost, implement the recommendations of the approved Traffic Impact Assessment by ICE Group dated 1 July 2013, and where required, a sound Traffic Management Plan to ensure traffic safety shall be submitted for approval by the Directorate: Engineering Services and the approved management plan shall be implemented by the "Developer", at his/her cost;
81. that provision be made for a refuse embayment and hardened store area off the roadway/sidewalk to accommodate refuse removal. (Embayment to be minimum 9.5m x 2.5m);
82. that the design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary.

Wayleaves

83. that way-leaves / work permits be obtained from the Directorate: Engineering Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

84. that wayleaves will only be issued after approval of relevant engineering design drawings;

Development Contributions

85. that the "Developer" hereby acknowledges that development contributions are payable towards the following civil services: water, sewerage, roads, stormwater and solid waste as per Council's Policy;
86. that the "Developer" hereby acknowledges that the development contribution levy as determined by the "Municipality" and or the applicable scheme tariffs will be paid by the "Developer" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;
87. that the "Developer" immediately familiarise himself with the latest development contributions applicable to his/her development;
88. that the "Developer" accepts that the development contributions will be subject to annual escalation up to date of payment. The amount payable will therefore be the amount as calculated at the time that payment is made;
89. that the "Developer" may enter into a services agreement with the "Municipality" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Contributions payable in respect of bulk civil engineering services;
90. that the "Developer" is aware that a contribution is required for municipal services to permit the development at this stage;
91. that the "Developer" accepts the average amount, as reflected in this document as the amount required for the provision of municipal services in the event that the development is approved;
92. that the Development Contribution levy as set out below and as reflected on the BICLS Contribution calculation sheet, dated 25 May 2016 (erven 7586, 7592) and 15 July 2016 (erf 7588), and attached herewith as Annexure BICLS, be paid by the "Developer" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy.

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

Based on the 2016/2017 tariff structure and the proposed lay-out, the following amounts are payable:

Erf 7586

Water	:	R 88 640, 00
Sewerage	:	R 66 360, 00
Roads	:	R 1 615 286, 00
Stormwater	:	R 104 772, 00
Solid Waste	:	R 10 734, 00
Total (Erf 7586 Civil Services) exclusive of VAT:		<u>R1 885 792, 00</u>

Erf 7588

Water	:	R 169 327, 00
Sewerage	:	R 131 819, 00
Roads	:	R 2 109 717, 00
Stormwater	:	R 109 202, 00
Solid Waste	:	R 18 054, 00
Total (Erf 7588 Civil Services) exclusive of VAT:		<u>R2 538 119, 00</u>

Erf 7592

Water	:	R 644 280, 00
Sewerage	:	R 515 539, 00
Roads	:	R 5 327 496, 00
Stormwater	:	R 122 317, 00
Solid Waste	:	R 61 912, 00
Total (Erf 7592 Civil Services) exclusive of VAT:		<u>R 6 671 544, 00</u>

Total all erven:

Water	:	R 902 247, 00
Sewerage	:	R 713 718, 00
Roads	:	R 9 052 499, 00
Stormwater	:	R 336 291, 00
Solid Waste	:	R 90 700, 00
Total (All Erven Civil Services) exclusive of VAT:		<u>R 11 095 455, 00</u>

93. that the Development Contribution levy be paid by the "Developer" per erf –

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

- prior to the approval of any building- and/or services plans in the case of a Sectional title erf in that erf and or;
- prior to the approval of a Certificate in terms of Section 31 in all cases and or;
- prior to the erf or portion thereof being put to the approved use;

94. that it be noted that the Development Contributions as reflected on the BICLS Contribution calculation sheet will be subject to annual escalation up to date of payment. The final amount payable will therefore be the amount as calculated at the time that payment is made;

95. that the development shall be substantially in conformance with the Site Development Plan submitted in terms of this application. Any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of units i.e.

Erf 7586: more than 0 units (residential), or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 3065m² (All Business) -,

Erf 7588: more than 7 units (residential), or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 3755m² (All Business) -,

Erf 7592: more than 46 units (med/high income flats), or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 8478m² (All Business) -,

will result in the recalculation of the Development Contributions;

96. Bulk infrastructure contribution levies and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

Home Owners Association

97. that a Home Owners Association (HOA) be established in accordance with the provisions of section 29 of the Land Use Planning Ordinance no 15 of 1985 and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;

98. that the HOA take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

99. that in addition to the responsibilities set out in section 29, the HOA also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
100. that the Constitution of the HOA specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;

Green Technologies

101. Peak water demand should be accommodated with supplementary storage and recycling (e.g. rainwater tanks, grey water recycling) of water so that municipal water only be used to satisfy the base demand;
102. Technologies that facilitate the efficient use of irrigation water must be used;
103. Planting of waterwise flora is encouraged;
104. In accordance with the new SANS 10400-XA standard, all new housing should install solar water heating devices;
105. All non-subsidy housing is encouraged to meet the portion of their electrical demand that exceeds 300 kWh per month by generators such as solar photovoltaic panels and solar hot water heating devices;
106. SANS 10400-XA energy efficiency standards should be adhered to in all planning applications for new buildings, major renovations and usage changes;

Solid Waste

107. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
108. that detail design be generally in accordance with refuse room positions as indicated on the following drawings:
Erf 7586: Site Development Plan 2970-A-102 Rev A by TV3, dated 3 April 2014 and received by this office on 9 June 2016 (Our Ref LUPO #1259). The position of the refuse room does not comply with Condition 107 above and the position of the refuse room should therefore be amended;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

Erf 7588: Site Development Plan J3083-A-101 Rev B by TV3, dated 3 March 2016 and received by this office on 9 June 2016 (Our Ref LUPO #1259);

Erf 7592 Site Development Plan Z 2892-A-101 Rev f by TV3, dated 3 March 2016 and received by this office on 9 June 2016 (Our Ref LUPO #1259);

109. that the "Developer" will enter into a service agreement with the "Municipality" for the removal of refuse;
110. that should it not be an option for the "Municipality" to enter into an agreement with the "Developer" due to capacity constraints, the "Developer" will have to enter into a service agreement with a service provider approved by the "Municipality";
111. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
112. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;
113. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
114. Maximum depth of cul-de-sac shall be 20 meters or 3 erven, whichever is the lesser. Where this requirement is exceeded, it will be necessary to construct a turning circle with a minimum turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Engineering Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;
115. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
116. Road foundation shall be designed to carry a single axle load of 8.2 tons;
117. Refuse storage areas are to be provided for all premises other than single residential erven;
118. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

119. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
120. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 l Municipal wheelie bin;
121. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;
122. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;
123. All black 85 l refuse bins or black refuse bags is in the process of being replaced with 240 l black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

Commercial and Domestic : 585 mm wide x 730 mm deep x 1100 mm high

124. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;
125. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224
126. Building specifications for refuse storage area:
- Floor**
- The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

Walls and Roof

The Refuse Storage Area shall be roofed to prevent any rainwater from entering. The walls shall be constructed of brick, concrete or similar and painted with light color high gloss enamel. The height of the room to the ceiling shall be not less than 2.21 meters.

Ventilation and Lighting

The refuse storage area shall be adequately lit and ventilated. The room shall be provided with a lockable door which shall be fitted with an efficient self-closing device. The door and ventilated area shall be at least 3 metres from any door or window of a habitable room. Adequate artificial lighting is required in the storage area.

Water Supply and Drainage

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

127. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;
128. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
129. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Engineering Services, to ensure their compatibility with the servicing equipment and lifting attachments;
130. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
131. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

132. All refuse storage areas shall be approved by the Directorate: Engineering Services, to ensure that the Council is able to service all installations, irrespective of whether these are currently serviced by Council or other companies;

AS-BUILTs

133. The "*Developer*" shall provide the "*Municipality*" with:
- a. a complete set of as-built paper plans, signed by a professional registered engineer;
 - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the "*Engineer*" and is reflected herewith as Annexure X;
 - c. a completed Asset Verification Sheet in Excell format, reflecting the comptonization of municipal services installed as part of the development. The Asset Verification Sheet will have to be according to the IMQS format, as to be supplied by the "*Engineer*", and is to be verified as correct by a professional registered engineer;
 - d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;
 - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "*Municipality*" are fully paid;
134. All relevant as-built detail, as reflected in the item above, of civil engineering services constructed for the development, must be submitted to the "*Engineer*" and approved by the "*Engineer*" before any application for Certificate of Clearance will be supported by the "*Engineer*";
135. The Consulting Civil Engineer of the "*Developer*" shall certify that the location and position of the installed services are in accordance with the plans submitted for each of the services detailed below;
136. All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

137. Section 31 Clearance certificates shall not be issued unless said services have been inspected by the "Engineer" and written clearance given, by the "Engineer";

Section 31 Clearance Certificate

138. It is specifically agreed that the "Developer" undertakes to comply with all conditions of subdivision and rezoning as laid down by the "Municipality" before clearance certificates shall be issued, unless otherwise agreed herein;
139. It is specifically agreed that the "Developer" undertakes to ensure that ALL applicable development conditions and requirements are met before submitting an application for the issuing of a Clearance Certificate in terms of Section 31. A list stipulating ALL conditions must be attached to the application and ALL conditions to the list must be ticked, indicating that it has been complied to, and evidence of such compliance also needs to be attached;
140. that the "Municipality" reserves the right to withhold any clearance certificate until such time as the "Developer" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "Municipality" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;
141. that clearance will only be given per phase and the onus is on the "Developer" to phase his development accordingly;
142. The onus will be on the "Developer" and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for a Section 31 Certificate. Verifying documentation (proof of payment in respect of development contributions, services installation, etc.) must be submitted as part of the Section 31 Certificate application before an application will be accepted by this Directorate;
143. that any application for Certificate of Clearance will only be supported by the "Engineer" once all relevant as-built detail, as reflected in the item "AS-BUILT's" of this document, is submitted to the "Engineer" and approved by the "Engineer".

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

Avoidance of waste, nuisance and risk

144. Where in the opinion of the "Municipality" a lack of maintenance of any service constitutes a nuisance, health or other risk to the public the "Municipality" may give the "Developer" and or HOA written notice to remedy the defect failing which the "Municipality" may carry out the work itself or have it carried out, at the cost of the "Developer" and or HOA.

Streetlighting

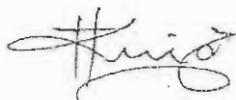
145. The "Developer" will be responsible for the design and construction at his own expense of all internal street lighting services and street lighting on link roads leading to his development (excluding Class 1, 2 and 3 Roads) according to specifications determined by the municipality's electro technical engineer and under the supervision of the consulting engineer, appointed by the "Developer";

146. Prior to commencing with the design of street lighting services, the consulting electrical engineer, as appointed by the "Developer" must acquaint himself with, and clarify with the municipality's electro technical engineer, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;

147. The final design of the complete internal street lighting network of the development must be submitted by the consulting electrical engineer, as appointed by the "Developer", to the municipality's electro technical engineer for approval before any construction work commences;

148. Any defect with the street lighting services constructed by the "Developer" which may occur during the defects liability period of 12 (TWELVE) months and which occurs as a result of defective workmanship and/or materials must be rectified immediately / on the same day the defect was brought to the attention of the consulting electrical engineer, appointed by the "Developer". Should the necessary repair work not be done within the said time the "Municipality" reserves the right to carry out the repair work at the cost of the "Developer";

149. The maintenance and servicing of all private internal street lighting shall be the responsibility and to the cost of the "Developer" and or Home Owners Association.



TYRONE KING
HEAD: DEVELOPMENT SERVICES AND PROJECT MANAGEMENT

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

ATTACHMENT X

Geographic Information System (GIS) data capturing standards

In drawing up the As-build Plans relating to this development, the consultant must create the following separate layers in ESRI .shp, electronic file format in order for the data to reflect spatially correct.

Layer name	Content
TITLE	Title information, including any endorsements and references
NOTES	All noted information, both from the owner / surveyor and SG
PARENT_PROPLINES	Parent property lines
PARENT_PROPNUM	Parent erf number (or portion number)
PROPLINES	New portion boundaries
PROPANNO	New erf numbers
SERVLINES	Servitude polygons
SERVANNO	Servitude type
STREET_NAMES	Road centre lines with street names
STREET_NUMBERS	Points with street numbers
COMPLEX BOUNDARIES	Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are)
SUBURB	Polygon with suburb name, where new suburb / township extension created
ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)

When data is provided in a .shp format it is mandatory that the .shx, .dbf, files should accompany the shapefile. The prj file containing the projection information must also accompany the shapefile.

It is important that different geographical elements for the GIS capture process remains separate. That means that political boundaries like wards or suburbs be kept separate from something like rivers. The same applies for engineering data types like water lines, sewer lines, electricity etc. that it is kept separate from one another. When new properties are added as part of a development, a list of erf numbers with its associated SG numbers must be provided in an electronic format like .txt, .xls or .csv format.

For road layer shapefiles; the road name, the from_street and to_street where applicable as well as the start en end street numbers needs to be included as part of the attributes. A rotation field needs to be added to give the street name the correct angle on the map.

In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the Stellenbosch

APPLICATION FOR SPECIAL DEVELOPMENT: ERVEN 7586, 7588 AND 7592 LOWER DORP STREET

Municipality standard as follows:

- Datum : Hartebeeshoek WGS 84
- Projection : Transverse Mercator
- Central Longitude/Meridian 19
- False easting : 0.00000000
- False northing : 0.00000000
- Central meridian : 19.00000000
- Scale factor : 1.00000000
- Origin latitude : 0.00000000
- Linear unit : Meter



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PRELIMINARY

BASED ON DATA AS PER TV3
DRAWING: J38083-A-102 REV-
DATED OCT 2013

2016-07-15

Development Contributions

Project No: 2015/121/01
Alt Project Ref:
Town Plan Ref:
Project Name: Erf 7588 (Remgro)
Location: Stellenbosch
Developer: The Developer / Owner / Applicant
Contact:
Tel No's:
Developer Ref:
VAT No:

Registration Date: 15-Jul-16 Active:
BICLS FY: 2015/6
BICLS Date: 15-Jul-16
Project Status: Estimate

Address:

New/Existing	Development	Usage Category	Area (m ²)	Units	UOM	Contribution	VAT
TOTAL CONTRIBUTION:						18 391	2 538 119 355 334
GRAND TOTAL (VAT Incl):						R 2 893 453	

SubTotal Contribution for New: 18 391 2 538 119 355 334

New	Flats	Flats (Med/high income)	0	7	Flat	246 948	34 572		
Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per Each	Flat	3.900	27.300	trips/day	4 791	130 794	18 311	149 105
Solid Waste	per Each	Flat	0.040	0.280	t/week	17 511	4 903	686	5 589
Stormwater	per Ha	C	0.800	0.000	ha * C	133 417	0	0	0
Sewerage	per Each	Flat	0.500	3.500	kl/day	14 434	50 519	7 073	57 592
Water	per Each	Flat	0.600	4.200	kl/day	14 460	60 732	8 502	69 234

New	Offices	ALL Business	3 755	3 755	m ² GLA	2 227 064	311 788
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	11.000	413.050	trips/day	4 791	1 978 923	277 049	2 255 972
Solid Waste	per Ha	ha	2.000	0.751	t/week	17 511	13 151	1 841	14 992
Stormwater	per Ha	C	0.900	0.338	ha * C	133 417	45 095	6 313	51 408
Sewerage	per Ha	ha	15.000	5.633	kl/day	14 434	81 300	11 382	92 682
Water	per Ha	ha	20.000	7.510	kl/day	14 460	108 595	15 203	123 798

New	Open Space	Open Space	10 881	0	m ² Area	29 032	4 064
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Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	0.000	0.000	trips/day	4 791	0	0	0
Solid Waste	per Ha	ha	0.000	0.000	t/week	17 511	0	0	0
Stormwater	per Ha	C	0.200	0.218	ha * C	133 417	29 032	4 064	33 096
Sewerage	per Ha	ha	0.000	0.000	kl/day	14 434	0	0	0
Water	per Ha	ha	0.000	0.000	kl/day	14 460	0	0	0

New/Existing	Development	Usage Category	Area (m ²)	Units	UOM	Contribution			
New	Roads/Parking	Road Reserves	3 755	0	m ² Area	35 075	4 910		
Service	Calc Type	UOM	Demand	Usage	UOM	Service Tariff	Contribution	VAT	TOTALS
Roads	per 100m ² GLA	100m ²	0.000	0.000	trips/day	4 791	0	0	0
Solid Waste	per ha	ha	0.000	0.000	t/week	17 511	0	0	0
Stormwater	per Ha	C	0.700	0.263	ha * C	133 417	35 075	4 910	39 985
Sewerage	per Ha	ha	0.000	0.000	kl/day	14 434	0	0	0
Water	per Ha	ha	0.000	0.000	kl/day	14 460	0	0	0



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PRELIMINARY

BASED ON DATA AS PER TV3
DRAWING: J38083-A-102 REV-
DATED OCT 2013

2016-07-15

Development Contributions (Services Summary)

Project No: 2015/121/01

Registration Date: 15-Jul-16

Active:

Alt Project Ref:

BICLS FY: 2015/6

Town Plan Ref:

BICLS Date: 15-Jul-16

Project Name: Erf 7588 (Remgro)

Project Status: Estimate

Location: Stellenbosch

Address:

Developer: The Developer / Owner / Applicant

Contact:

Tel No's:

Ref No:

VAT No:

Area (m²)

Contribution + VAT = TOTAL

TOTAL CONTRIBUTION:

18 391

2 538 119 + 355 334 = 2 893 453

Service	Usage	UOM	Contribution	VAT	TOTALS
Roads	440.350	trips/day	2 109 717	295 360	2 405 077
Solid Waste	1.031	t/week	18 054	2 527	20 581
Stormwater	0.819	ha * C	109 202	15 287	124 489
Sewerage	9.133	kl/day	131 819	18 455	150 274
Water	11.710	kl/day	169 327	23 705	193 032

SubTotal Contribution for New:

18 391

2 538 119 + 355 334 = 2 893 453

Service	Usage	UOM	Contribution	VAT	TOTALS
Roads	440.350	trips/day	2 109 717	295 360	2 405 077
Solid Waste	1.031	t/week	18 054	2 527	20 581
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Sewerage	9.133	kl/day	131 819	18 455	150 274
Water	11.710	kl/day	169 327	23 705	193 032

ANNEXURE A

Contact Address:

ICE Group (Stellenbosch), Tel No: +27 (0) 21 880 0443
 P O Box 131, Fax No: +27 (0) 21 880 0390
 Stellenbosch, 7599 e-mail: piet@icegroup.co.za



Contact Person: Piet van Blerk

Your Ref:

Our Ref: 884 -Woodmill, Stellenbosch

Date: 14 June 2016

Stellenbosch Municipality
 PO Box 17
 STELLENBOSCH
 7599

Attention: Mr Tyrone King

Sir

**PROPOSED DEVELOPMENT OF PORTIONS 57 & 58 OF FARM 183,
 STELLENBOSCH, WOODMILL – COST ESTIMATES AND FUNDING**

The Traffic Impact Assessment (TIA) for the above-mentioned project, your mr King's e-mail of 19 May 2016, the meeting at the office of mr Marius Wüst with messrs Willem Pretorius, Nigell Winter and John Muller to discuss funding for the proposed road improvements as well as the meeting with your mr Tyrone King on 13 June 2016 refer.

The TIA for the Woodmill project suggested that the following road improvements are required:

1. Adam Tas Road (Stellenbosch Arterial)/Baden Powell Road-intersection
2. Adam Tas Road/Vredenburg Street-intersection and related road works
3. Adam Tas Road/Devon Valley Road-intersection and related road works
4. Adam Tas Road/Oude Libertas Road-intersection
5. Adam Tas Road/Dorp Street-intersection that
6. Adam Tas Road/Strand Road (R44)/Alexander Street-intersection
7. R44/Merriman Avenue-intersection
8. Lower Dorp Street dualling

With regard to Point 1 in your e-mail of 19 May 2016 – It is not correct that all the intersections are over capacity. The Oude Libertas Road-intersection with Adam Tas Road still have capacity whilst only the right turning traffic experience problems at the Vredenburg Road- and Devon Valley Road-intersections. It is correct that the other intersections as discussed are over capacity.

At the meeting at the office of mr Wüst the funding budgeted for intersections applicable was as given below (14% VAT excluded) (mr Nigell Winter confirmed this in an e-mail dated 1 June 2016):

Consulting Services

- Civil Engineering Services
- Roads
- Traffic Engineering

Stellenbosch office:

Tel : 021 8800 443
 Fax: 021 8800 390

Directors:

P.J.van Blerk, Pr Eng.

ICE Group (Overberg) t/a
 ICE Group (Stellenbosch)
 Reg No 2006/133233/23



Budget 2016/17	- R 2 580 000-00
Budget 2017/18	- R 2 120 000-00
Budget 2018/19	- R 300 000-00
Total budget	R 5 000 000-00

We prepared a spread sheet showing the costs of all the required road improvements relating to the Woodmill project, the Distell Offices project, the Remgro project (Erf 7586, 7588 and 7592, Lower Dorp Street), the land cost for acquiring land for road purposes, the DC's payable for the Woodmill- and Remgro-projects as well as the anticipated contributions by the municipality, PGWC and the developer (own account). The spread sheet is attached. The land cost was NOT included in the calculation to determine the PGWC/Municipality contributions. Whether the PGWC will contribute with regard to land cost needs to be investigated. The Adam Tas Road (Stellenbosch Arterial)/Baden Powell Road-intersection was not included in the spreadsheet as the intersection will be upgraded as part of the PGWC's project to upgrade Baden Powell Road to a dual carriageway.

A summary of the spread sheet is as follows:

Total cost of projects (14% VAT included) based on May 2016 rates	- R 61 581 534-60
Total cost of land required for road purposes*	- R 17 860 000-00
TOTAL COSTS	R 79 441 534-60
(*- The values per m ² for land was assumed for each area and should be verified)	
DC's anticipated to be paid by Woodmill- and Remgro project (14% VAT included)	- R 72 475 749-30
Municipal budget (14% VAT included)	- R 5 700 000-00
TOTAL INCOME/FUNDING (excluding PGWC-funding)	R 78 175 749-30
PGWC-FUNDING	R 16 632 317-28
TOTAL INCOME/FUNDING (including PGWC-funding)	R 94 808 066-58

The cost split between the municipality and PGWC was taken as Municipality 20% and PGWC 80% (land cost excluded). Based on this, the cost split is as follows (14% VAT included):

Municipality	- R 4 158 079-32
PGWC	- R 16 632 317-28

Although the spreadsheet shows that the PGWC will not contribute to the upgrade of the Adam Tas Road/Vredenburg Road- and Adam Tas Road/Devon Valley Road-intersections it is the opinion that the PGWC should be approached for a contribution as both intersections are relocated as a result of the positions thereof as indicated on the Access Management Plan for Adam Tas Road. Funding for the Adam Tas Road/Oude Libertas Road-intersection is also not shown as the required improvements are as a result of the proposed Distell-offices development. It was assumed that the upgrade of Lower Dorp Street will be funded without any PGWC-funding although a case can be made that the cost of the improvements to the intersections with Adam Tas Road and the R44 should also be partially funded by the PGWC.

The approved municipal budget for intersections over the next three years (R 5 700 000-00, 14% VAT included) is sufficient to fund the 20% portion that has to be contributed by the municipality (R 4 158 079-32).



From the spread sheet and depending on the finalization of the DC's payable for the Woodmill- and Remgro Projects it can be concluded that sufficient funding should be available for all the projects envisaged if the PGWC contributes 80% of the cost for the road improvements and the DC's as calculated by your mr Tyrone King realizes.

Please contact the undersigned should you require any further information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. van Blerk', written over a horizontal line.

Piet van Blerk Pr. Eng
ICE GROUP (STELLENBOSCH)

Table 1B : Woodmill, Upgrading of Intersections - Cost Estimates and Funding

Costs are based on May 2015 rates

Item	1 Adam Tas Road/Wed- burg Street Intersection Including sidewalk	2 Adam Tas Road/Devon Valley Road Intersection Including relocation and sidewalk	3 Adam Tas Road/Quide Libertas Road Intersection Including sidewalk	4 R44/Dorp Street Intersection Including sidewalk along R44	5 R43/Adam Tas Road/ Alexander Road Int	6 R44/Merriman Ave Intersection	7 Lower Dors Street (dualling) including NMT facility	TOTAL
Planning and Construction Cost	R 7,975,400.00	R 11,800,500.00	R 1,700,000.00	R 1,750,590.00	R 12,158,200.00	R 4,123,400.00	R 13,697,200.00	R 53,206,290.00
Plus								
Topographical Survey/Land Surveyor	R 10,000.00	R 12,500.00	R 5,000.00	R 0.00	R 10,000.00	R 7,500.00	R 52,500.00	R 97,600.00
Materials Investigation	R 7,500.00	R 15,000.00	R 5,000.00	R 5,000.00	R 7,500.00	R 5,000.00	R 50,000.00	R 95,000.00
Manufacturing of construction	R 80,000.00	R 120,000.00	R 10,000.00	R 15,000.00	R 80,000.00	R 50,000.00	R 200,000.00	R 555,000.00
Disbursements	R 5,000.00	R 7,500.00	R 2,500.00	R 2,500.00	R 15,000.00	R 7,500.00	R 25,000.00	R 65,000.00
Sub total	R 8,078,000.00	R 11,955,500.00	R 1,722,500.00	R 1,773,090.00	R 12,270,700.00	R 4,193,400.00	R 14,074,800.00	R 54,038,890.00
Plus 14% VAT	R 1,131,046.00	R 1,673,770.00	R 241,150.00	R 248,232.60	R 1,717,898.00	R 587,076.00	R 1,963,472.00	R 7,562,644.60
TOTAL PROJECT COST (EXCLUDING LAND COST)	R 9,209,046.00	R 13,629,270.00	R 1,963,650.00	R 2,021,322.60	R 13,988,598.00	R 4,780,476.00	R 15,988,272.00	R 61,581,534.60
Proposed funding (including 14% VAT)								
Municipality	R0.00	R0.00	R0.00	R404,264.52	R2,797,719.60	R956,095.20		R 4,158,079.32 Mun
PGWC	R0.00	R0.00	R0.00	R1,617,058.08	R11,190,878.40	R3,824,380.80		R 16,632,317.28 PGWC
Developer (Development Contributions)	R31,292,187.00	R31,292,187.00	R1,963,650.00				R9,891,375.30	R 72,475,746.30 DC's
Developer (own account)								R 99,229,796.90 Developer
TOTAL FUNDING	R31,292,187.00	R31,292,187.00	R1,963,650.00	R2,021,322.60	R13,988,598.00	R4,780,476.00	R9,891,375.30	R 99,229,796.90
Shortfall (-)/Surplus on road costs	R22,082,241.00	R17,569,917.00	R0.00	R0.00	R0.00	R0.00	-R6,096,896.70	R33,648,861.30
Land required for road purposes (m ²)	3,230.00	0.00	0.00	0.00	52.90	0.00	2,850.00	6,132.90
Land cost/m ²	R2,000.00	R0.00	R0.00	R0.00	R0.00	R0.00	R4,000.00	
LAND COST	R6,460,000.00	R0.00	R0.00	R0.00	R0.00	R0.00	R11,400,000.00	R17,860,000.00

NOTE 1: The DC's for 1 and 2 are the total provisional payable for the Woodmill project - R 62 584 374.00

NOTE 2: The DC's for E1 7586, 7588 and 7592 are the total provisionally payable - R 8 676 645.00 - see intersection no 7

NOTE 3: Land costs are not included. The areas shown that are required for road purposes are approximate

NOTE 4: The June 2015 rates have been escalated by 6%

NOTE 5: The land required for road purposes at Int 2 equals the area of road that can be swapped





APPENDIX 5

Application is made in terms of Section 10.7.2 of the Stellenbosch Municipality's Zoning Scheme Regulations (1996) for a Special Development to permit the construction of a commercial building consisting of shops and offices.

LETTER OF UNDERTAKING RECEIVED FROM REMGRO LIMITED

9.	MATTERS FOR NOTIFICATION
9.1	REPORT BY THE EXECUTIVE MAYOR
9.1.1	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JANUARY 2018 TO APRIL 2018

File No: 8/1/3/3/8
 Collaborator No: 563503
 IDP KPA Ref No: N/A
 Meeting Date: 2018-05-23

1. PURPOSE OF THE REPORT

To inform Council of the decisions taken by the Executive Mayor from January 2018 to April 2018 (see **APPENDIX 1**).

2. BACKGROUND

In terms of the Municipal Structures Act 117 of 1998 Section 56 (5) it is stated that:

“An Executive Mayor must report to the municipal council on all decisions taken by the Executive Mayor.”

According to the Municipal Systems Act 60 (1)(b)

“(1) the following powers may, within policy framework determined by the municipal council be delegated to an executive committee or executive mayor only (b) the determination or alternation of the remuneration, benefits or other conditions of service of the municipal manager or managers directly responsible to the municipal manager.

3. FINANCIAL IMPLICATIONS

None

4. FOR NOTING

the decisions taken by the Executive Mayor for the period January to April 2018 attached as **APPENDIX 1**.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	OFFICE MANAGER: EXECUTIVE MAYOR
DIRECTORATE	CORPORATE AND STRATEGIC SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	Donovan.Muller@ Stellenbosch.gov.za
REPORT DATE	03 May 2018

DELEGATIONS EXERCISED FOR PERIOD [JANUARY 2018 – APRIL 2018]

EXECUTIVE MAYOR

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
15/01/2018	110	FINANCE	S 71 monthly budget monitoring report for December 2017	15/01/2018	15/01/2018	Approved
14/02/2018	110	FINANCE	S 71 monthly budget monitoring report for January 2018	14/02/2018	14/02/2018	Approved
14/03/2018	110	FINANCE	S71 monthly budget monitoring report for February 2018	14/03/2018	14/03/2018	Approved
16/01/2018	110	FINANCE	S 52 Quarterly budget monitoring report 2nd quarter 2017-18	16/01/2018	16/01/2018	Approved
31/03/2018	110	IDP	Final Annual Report	31/03/2018	31/03/2018	Approved
17/01/2018		PLANNING	Appeal in terms of section 62 of the Municipal Systems Act (Act 32 of 2000) against Council decision to approve an application for rezoning of a portion of farm 130/3, Stellenbosch Division.	17/01/2018	30/01/2018	Referred to sec 62 appeal committee
26/03/2018		PLANNING	Appeal in terms of section 79(2) of the Stellenbosch Municipality Land Use Planning by-Law (2015) against the decision by the authorised employee to approve the rezoning and special development application to erect six town houses on remaining extent of erf 5343, Stellenbosch.	26/03/2018	04/04/2018	See attached document (ANNEXURE A)



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/4659
 Our File Reference Number: Erf 5343, Stellenbosch
 Enquiries: Lenacia Kamineth
 Contact No: 021 808 8697
 E-mail address: Lenacia.Kamineth@stellenbosch.gov.za
 Date: 20 March 2018

Per E-mail: emilevdm@adept.co.za

REGISTERED MAIL

Emile van der Merwe Town Planning
 P.O. Box 204
Stellenbosch
 7599

Dear Mr Van der Merwe

APPEAL IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) AGAINST THE DECISION BY THE AUTHORISED EMPLOYEE TO APPROVE THE REZONING AND SPECIAL DEVELOPMENT APPLICATION TO ERECT SIX TOWN HOUSES ON REMAINING EXTENT OF ERF 5343, STELLENBOSCH

1. I refer to the appeals submitted against the approval of the Authorised Official of the Municipality, as recorded in the letter of the Municipality dated 31 January 2017.
2. The appeals raised a number of complex legal questions which necessitated the appointment of an external Legal Advisor to advise and assist me with regard to such matters which included concerns raised regarding the procedural fairness of the process followed by the Municipality.
3. As far as the procedural fairness is concerned, I record the following:
 - 3.1 The first application was submitted on 17 May 2016 and entailed the development of 6 townhouse units (the First Application). The First Application was advertised in the Eikestadnuus on 2 June 2016.
 - 3.2 A number of objections were submitted against the granting of the application. The main resistance to the First Application was in respect of the density of 6 townhouse units. Subsequent to negotiations with the objectors, the land-use application was amended by the Applicant to comprise only 5 townhouse units (Amended Application) and the objections were withdrawn. The Amended Application was advertised in the Eikestadnuus on 15 September 2016. A number of the objections were then re-instated for different reasons.

Page 1 of 2

Emile

- 3.3 On 19 October 2016, the Town Planning consultant of the Applicant, submitted comments on the objections and I specifically refer to the following paragraphs in these comments:
- "The owner in consultation with the professional team in terms of this letter therefore has opted to re-instate the proposal (6 town housing units) as the preferred option (50 units per gross hectare). Please refer to Appendix 1. Should the Municipality for some or other reason decide not to approve the proposal for 6 town housing units, your attention drawn to Appendix 2 as an alternative option that makes provision for 5 town housing units."*
- 3.4. I understand the aforementioned 're-instatement' of the First Application to mean the following:
- 3.4.1 That the application for 5 townhouse units is amended to provide for 6, as previously applied for (the Second Amendment Application);
- 3.4.2 The Municipality is requested to approve the application in whole (6 townhouse units) or if not amenable to approve the whole application to then approve it in part (5 townhouse units).
- 3.5 Section 52(1) of the By-Law provides that an applicant may amend his/her application at any time before approval of the application.
4. In my view, all parties who commented on or objected against the First and Amended Applications should have been notified of the Second Amendment Application and that the town planning consultant's letter of 19 October 2016 as well as the First Application be made available to such parties and that they be afforded an opportunity to comment on the further amendment.
5. I intend to correct this error in the following manner:
- 5.1 The Administration will attend to the serving of a further notice to all the aforementioned parties, which notice must comply with the provisions of Section 47 of the By-Law read with the changes required by the context of the appeal, affording them the opportunity to submit comments on the documents referred to in paragraph 4, which comments must comply with the provisions of Section 50 of the By-Law.
- 5.2 You may submit a written reply to the comments, of which your reply must comply with the provisions as set out in Section 55 of the Stellenbosch Land Use Planning By-Law.
- 5.3 I will finally consider and determine the appeal on receipt of the aforementioned information.

Yours faithfully,



Advocate Gesie van Deventer
EXECUTIVE MAYOR STELLENBOSCH MUNICIPALITY
(Appeal Authority in terms of Section 79(1) of the Stellenbosch Municipal Land Use Planning By-Law)

9.2	REPORT BY THE SPEAKER
-----	-----------------------

NONE

9.3	REPORT BY THE MUNICIPAL MANAGER
-----	---------------------------------

NONE

10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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10.1	MOTION 1 BY COUNCILLOR LK HORSBAND (MS): INCREASE OF THE EXISTING FIRE KIT MATERIAL LIST
-------------	---

A Notice of a Motion, dated 2018-05-08, was received from Councillor LK Horsband (Ms) regarding the increase of the existing fire kit material list.

The said Motion is attached as **APPENDIX 1**.

FOR CONSIDERATION

Meeting:	17 th Council meeting: 2018-05-23	Submitted by Directorate:	Office of the Municipal Manager
Ref No:	3/4/1/4	Author:	Municipal Manager: (Ms G Mettler)
Collab:		Referred from:	



7 May 2018

The Single Whip
Stellenbosch Municipal Council
Plein Street
STELLENBOSCH
7600



Attention : Clr W Pietersen (Ms)

Dear Whip

RE NOTICE OF MOTIONS TO SERVE AT THE MAY 2018 COUNCIL MEETING

Motion NO 1

That Council increase existing fire kit material list which are being supplied to victims who lost their homes during disasters. This fire kit to allow for a 3m x 6m structure to be build.

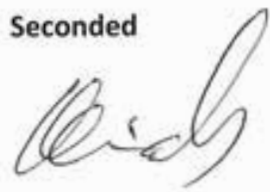
MOTIVATION

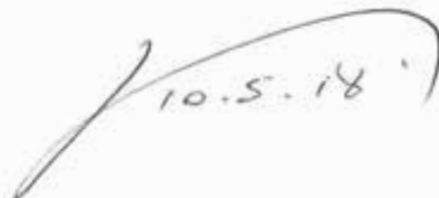
The current materials in the fire kit which the municipality supply are not sufficient for the victims of disasters to rebuild their homes as it barely allow for a 3m x 3m structure to be build. A family of 4 to 6 people cannot slive in a 3m x 3m structure.

Mover

Seconded


Clr L Horsband


Clr. D. A. Hendriks



10.2	MOTION 2 BY COUNCILLOR LK HORSBAND (MS): TRAUMA COUNSELLING TO VICTIMS OF DISASTERS
-------------	--

A Notice of a Motion, dated 2018-05-08, was received from Councillor LK Horsband (Ms) regarding trauma counselling to victims of disasters.

The said Motion is attached as **APPENDIX 1**.

FOR CONSIDERATION

Meeting:	17 th Council meeting: 2018-05-23	Submitted by Directorate:	Office of the Municipal Manager
Ref No:	3/4/1/4	Author:	Municipal Manager: (Ms G Mettler)
Collab:		Referred from:	



7 May 2018

The Single Whip
Stellenbosch Municipal Council
Plein Street
STELLENBOSCH
7600

Attention : Clr W Pietersen (Ms)



Dear Whip

RE NOTICE OF MOTIONS TO SERVE AT THE MAY 2018 COUNCIL MEETING

Motion NO 2

That Council make resources available to assist needy victims of disasters to get trauma counselling. Especially in circumstance where people have lost their lives and the community goes through trauma. This assistance to be in the form of providing qualified trauma counselling.

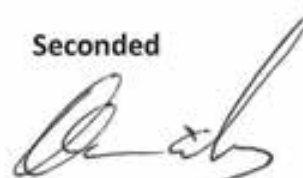
MOTIVATION

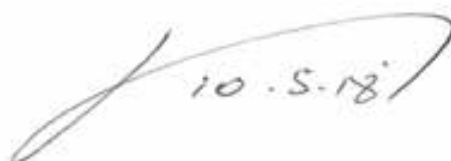
Two instances that happened in Klapmuts recently where two people lost their lives in a fire in an informal settlement and the other where a young boy's body was found in the dam, highlighted the need for the effected families and children to receive trauma counselling. There is no standard municipal assistance in place that addresses this need.

Mover


Clr L Horsband

Seconded


Clr P. A Hendriks


10.5.18

10.3	QUESTION 1 BY COUNCILLOR DA HENDRICKSE: NEW ORGANISATIONAL STRUCTURE AND PLACEMENT AGREEMENT
-------------	---

A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2018-05-07, was received from Councillor DA Hendrickse.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

Meeting:	17 th Council meeting: 2018-05-23	Submitted by Directorate:	Office of the Municipal Manager
Ref No:	3/4/1/4	Author:	Municipal Manager: (Ms G Mettler)
Collab:		Referred from:	



MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH

07 MAY 2018

Charbelle
OFFICE OF THE SPEAKER

7 May 2018

The Single Whip
Stellenbosch Municipal Council
Plein Street
STELLENBOSCH
7600

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
07 MAY 2018
S Arendse
OFFICE OF THE SINGLE WHIP

Attention : Clr W Pietersen (Ms)

Dear Whip

RE NOTICE OF QUESTIONS TO SERVE AT THE MAY 2018 COUNCIL MEETING

QUESTION NO 1

What is the current details on the implementation of the councils' **APPROVAL OF NEW ORGANISATIONAL STRUCTURE AND PLACEMENT AGREEMENT ?**

MOTIVATION

At the council meeting held on 25 October 2017 council passed resolutions on item 7.3.2 APPROVAL OF NEW ORGANISATIONAL STRUCTURE AND PLACEMENT AGREEMENT (see attached minutes)

To date no report has been brought before Council as to how the administration has implemented the Council resolutions taken on 25 October 2017. Thus it is now more the 6 months where council got no report on this matter nor has Council been inform as to what provisions has been made in the 2018/2019 draft "Budget" approved by Council at the March 2018 council meeting.

QUESTION NO 2

What is the legality of the lease of Farm 369 which is leased to KWV (Pty)Ltd, seeing that not item ever serve before Council to give effect to the approval that the lease can be ceded as the shareholding and directors of KWV (Pty)Ltd has changed ?



MEMORANDUM

*Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder*

To : SPEAKER
From : ACTING MUNICIPAL MANAGER
Date : 15 MAY 2018
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE RULES OF ORDER: ORGANISATIONAL STRUCTURE

Dear Speaker,

With reference to the question received from the EFF, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, received by my office on 07 May 2018.

Question 1:

"What is the current details on the implementation of the council's Approval of New Organisational Structure and Placement Agreement?"

Response

Since the approval of the Organisational Structure placement sessions has been held with the different directorates. This has been a lengthy process, and have not been finalized with all the Directorates.

We are hoping to finalise the placement of employees with no change and minor change positions by end of May 2018. Placement letters are sent out as the placements per Directorate is completed. The trade unions are part of this extended process.

Employees retain their current salary provisions and it has been budgeted accordingly.

A report will be provided to Council on the finalization of the total process, including alternative job offers where applicable.

Kind regards

**Annalene de Beer
Acting Municipal Manager**

10.4	QUESTION 2 BY COUNCILLOR DA HENDRICKSE: LEASE OF FARM 369
-------------	--

A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2018-05-07, received from Councillor DA Hendrickse.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

Meeting:	<i>17th Council meeting: 2018-05-23</i>	Submitted by Directorate:	<i>Office of the Municipal Manager</i>
Ref No:	<i>3/4/1/4</i>	Author:	<i>Municipal Manager: (Ms G Mettler)</i>
Collab:		Referred from:	



MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH

07 MAY 2018

Charbelle
OFFICE OF THE SPEAKER

7 May 2018

The Single Whip
Stellenbosch Municipal Council
Plein Street
STELLENBOSCH
7600

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
07 MAY 2018
S Arendse
OFFICE OF THE SINGLE WHIP

Attention : Clr W Pietersen (Ms)

Dear Whip

RE NOTICE OF QUESTIONS TO SERVE AT THE MAY 2018 COUNCIL MEETING

QUESTION NO 1

What is the current details on the implementation of the councils' **APPROVAL OF NEW ORGANISATIONAL STRUCTURE AND PLACEMENT AGREEMENT ?**

MOTIVATION

At the council meeting held on 25 October 2017 council passed resolutions on item 7.3.2 APPROVAL OF NEW ORGANISATIONAL STRUCTURE AND PLACEMENT AGREEMENT (see attached minutes)

To date no report has been brought before Council as to how the administration has implemented the Council resolutions taken on 25 October 2017. Thus it is now more the 6 months where council got no report on this matter nor has Council been inform as to what provisions has been made in the 2018/2019 draft "Budget" approved by Council at the March 2018 council meeting.

QUESTION NO 2

What is the legality of the lease of Farm 369 which is leased to KWV (Pty)Ltd, seeing that not item ever serve before Council to give effect to the approval that the lease can be ceded as the shareholding and directors of KWV (Pty)Ltd has changed ?



MEMORANDUM

*Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder*

To : SPEAKER
From : ACTING MUNICIPAL MANAGER
Date : 15 MAY 2018
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE RULES OF
ORDER: FARM 369 – KWV (PTY) LTD

Dear Speaker,

With reference to the question received from the EFF, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, received by my office on 7 May 2018.

Question 1:

"What is the legality of the lease of Farm 369 which is leased to KWV (Pty) Ltd, seeing that not item ever serve before Council to give effect to the approval that the lease can be ceded as the shareholding and directors of KWV (PTY) Ltd has changed?"

Response

Upon becoming aware of the change in ownership the Municipality contracted KWV (PTY) Ltd requesting clarity on their legal status. This was also followed up via e-mail.

To date, no response was received. Please see attached communication.

As soon as the administration has received feedback in this regard, same will be reported to Council.

The lease agreement's legality is not automatically influenced by the ceding arrangements. If the lessee is in contravention of a provision in the contract, the lessor must put the lessee on terms and should the lessee not comply with the provisions within the timeframe, the lessor may invoke the cancellation clause or force the lessee to comply through a court order process.

Kind regards

Annalene de Beer
Acting Municipal Manager

10.5	QUESTION 1 BY COUNCILLOR F ADAMS: TEN YEAR CONTRACT
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A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2018-05-08, received from Councillor F Adams.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

Meeting:	<i>17th Council meeting: 2018-05-23</i>	Submitted by Directorate:	<i>Office of the Municipal Manager</i>
Ref No:	<i>3/4/1/4</i>	Author:	<i>Municipal Manager: (Ms G Mettler)</i>
Collab:		Referred from:	

U EERSTE  YOU FIRST

CONTACT: oackcity2010@yahoo.com
 P.O BOX 12445
 DIE BOORD
 7613



07 May 2018

RE: Question

I hereby submit the following Question in terms of the Rules of Order to serve at the May 2018 Council Meeting.

Motivation/Background

The appointment of senior management is governed by the Local Government systems Act, 2000 (Act No. 32 of 2000), more specifically the Local Government: Regulations on appointment and conditions of employment of senior managers.

I refer specifically to the appointment of the Director Corporate Services and her unique ten year contract.

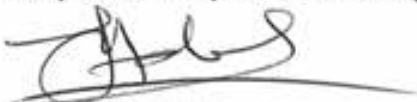
Although Council approved the recommendation on consensus for a five year contract at the October 2016 meeting.

Taking in account the letter by Adv. A M C De Beer, dated 2 November 2016. This is there she acknowledge the authority to request a ten year contract but never served at any Council meeting.

Question:

1. Who authorized the ten year contract without Council authority and the motivation?

I request the Mayor to answer my question in writing.



Clr. Franklin Adams

Secunder :



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

**Kantoor van die Uitvoerende Burgemeester
Office of the Executive Mayor
iOfisi kaSodolophu olawulayo**

Cllr F Adams
DNCA
Stellenbosch Municipality
STELLENBOSCH
7600

QUESTION BY CLLR F ADAMS:

WHO AUTHORIZED THE TEN YEAR CONTRACT WITHOUT COUNCIL AUTHORITY AND THE MOTIVATION

Council resolved as follows on 26 – 10 – 2016 as follows:

**3RD COUNCIL MEETING [IN-COMMITTEE]: 2016-10-26: ITEM 14.1
RESOLVED (majority vote)**

- (a) that an offer of employment as Director Strategic and Corporate Services be extended to the preferred candidate, Ms AMC de Beer ;

- (b) that the Acting Municipal Manager be authorised to enter into an employment contract on behalf of Council with the successful candidate. Such employment contract to comply with the relevant legislative prescripts;

Adv GMM van Deventer
EXECUTIVE MAYOR

Date: 2018-05-17

10.6	QUESTION 2 BY COUNCILLOR F ADAMS: TENDERS
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A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2018-05-08, received from Councillor F Adams.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

Meeting:	<i>17th Council meeting: 2018-05-23</i>	Submitted by Directorate:	<i>Office of the Municipal Manager</i>
Ref No:	<i>3/4/1/4</i>	Author:	<i>Municipal Manager: (Ms G Mettler)</i>
Collab:		Referred from:	



CONTACT: oackcity2010@yahoo.com
P.O BOX 12445
DIE BOORD
7613



07 May 2018

RE: Question

I hereby submit the following Question in terms of the Rules of Order to serve at the May 2018 Council Meeting.


Motivation/Background

1. I refer you to the Municipal Systems Act Section 83. Competitive bidding-
(e) Takes into account the need to promote the empowerment of small and emerging enterprises.
2. I also refer to the promises made by the Mayor regarding job creation and local economic empowerment in the Eikestadnuus of 5 April 2018

Question:

1. What are the total amounts per tender category that were put out by the Supply Chain Management during the previous financial year?
2. How many of those tenders per category were awarded to tenderers per BEE accreditation and
3. How many of those per category mentioned in (2) were rewarded to local tenderers, and what was the total amount of the combined awards?

I request the Municipal Manager to answer my question in writing.


Cnr. Franklin Adams

Seconder :



MEMORANDUM

*Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder*

To : SPEAKER
From : ACTING MUNICIPAL MANAGER
Date : 15 MAY 2018
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE RULES OF ORDER:
TENDERS

Dear Speaker,

With reference to the question received from the DNCA, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, received by my office on 08 May 2018.

Question 1 :

- "1. What are the total amounts per category that were put out by the Supply Chain Management during the previous financial year?
2. How many of these tenders per category awarded to tenderers per BEE accreditation.
3. How many of those per category mentioned were awarded to local tenderers, and what was the total amount of the combined awards?"

Response

In the questions, the councillor refers to "per category". It is unclear for me what is meant by "per category", but find answers to the questions below :

1. In terms of the approved SCM Policy and regulations, tenders are awarded for expenditure above R200 000.

The Municipality reports on a yearly basis in the Annual Report on the awarding of tenders and the information is contained on page 133 of the 2016/2017 Annual Report.

2. It is a prerequisite for successful tenderers to provide a B-BBEE compliance certificate when bidding. Tenderers who do not have a valid B-BBEE certificate are disqualified. Given that the Municipality received a clean Audit, I can safely indicate 100% B-BBEE accreditation for all tenders (awards above R200 000) was achieved.
3. Tender criteria are set out in our SCM Policy and the SCM Regulations. Local business may not be favoured in terms of the SCM Regulations unless specific provisions are contained in the SCM policy to that effect. Our policy at present does not contain such provisions. Tenders are therefore awarded based on specifications, price and B-BBEE status.

In all tenders where semi-skilled and unskilled labour is required the tenderers are required to use a % of local labour. In the case of unskilled, it is 100% local labour.

The results of the jobs created with this process must be reported to LED by the tenderers and is also reflected in the Annual Report as part of the job creation results by LED.

The specifications committee also ensures, wherever possible, that tender specifications are written in such a manner that local business / smaller business can benefit from the process.

Kind regards

A handwritten signature in black ink, appearing to read 'Annalene de Beer', written over a horizontal line.

Annalene de Beer
Acting Municipal Manager

11.	CONSIDERATION OF URGENT MOTIONS
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12.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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13.	CONSIDERATION OF REPORTS
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13.1	REPORTS SUBMITTED BY THE SPEAKER
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NONE

13.2	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

14.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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SEE PINK DOCUMENTATION