



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11728

Our File Reference Number: Erf 14601, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL

Sir / Madam

APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE, DEPARTURES, APPROVAL OF DEVELOPMENT NAME, APPROVAL OF SITE DEVELOPMENT PLAN AND ALLOCATION OF STREET NAMES AND NUMBERS: ERF 14601, STELLENBOSCH

1. The above application refers.
2. The Municipal Planning Tribunal on 22 April 2022 resolved as follows:
 - 2.1 That the following applications made in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 14601, Stellenbosch, namely:
 - 2.1.1 **Rezoning** in terms Section 15(2)(a) of Erf 14601, Stellenbosch from Industrial Zone to Subdivisional-Area allowing for:
 - 2.1.1.1 Three (3) Mixed-Use Zone properties for business and flats, inclusive of roads:
 - (a) Portion 1 ($\pm 20291\text{m}^2$)
 - (b) Portion 2 ($\pm 1320\text{m}^2$)
 - (c) Portion 4 ($\pm 2090\text{m}^2$)
 - 2.1.1.2 One (1) Public Road and Parking Zone property for public road purposes (Portion 3 = $\pm 3200\text{m}^2$).

2.1.2 **Subdivision** in terms of Section 15(2)(d) of Erf 14601, Stellenbosch into 4 portions, as depicted in subdivisions plan dated 14 February 2022, File Number FP/0220/977, drawn by First Plan Town Planners, namely;

2.1.2.1 Portion 1 ($\pm 20291\text{m}^2$ - Mixed-Use Zone),

2.1.2.2 Portion 2 ($\pm 1320\text{m}^2$ - Mixed-Use Zone),

2.1.2.3 Portion 3 ($\pm 3200\text{m}^2$ - for a 16m road reserve zoned Public Road and Parking Zone) and

2.1.2.4 Portion 4 ($\pm 2090\text{m}^2$ - Mixed-Use Zone).

2.1.2.5 The registration of a 3m wide pedestrian servitude on the southern boundary of Portion 1, in favor of the general public and the municipality.

2.1.2.6 The registration of a pedestrian access servitude which average from 2.8m to 6m on the western boundary of Portion 1, in favor of the general public and the municipality.

2.1.3 **Departures** in terms of Section 15(2)(b) on Portion 1 (Mixed-Use Zone erf), as indicated on the plans described as "SDP_OVERALL", "SDP_RESIDENTIAL", "SDP_BUSINESS PREMISES" and "SDP_PARKING" dated 15/02/2022 and drawn by Boogerman Partners attached as part of **APPENDIX 13**, to relax on;

Portion 1 (Mixed Use Development – flats and commercial land uses)

2.1.3.1 To relax the common building line (adjacent to Erf 7602) from 4.5m to 3.0m for Block 3, 4 and 6.

2.1.3.2 To relax the street building line (adjacent to the newly created Portion 3) from 4.5m to 1.5m to allow for the Mill House.

2.1.3.4 To provide 405 parking bays in lieu of 454 parking bays for the residential (flats) components of the Mixed-Use development on Portion 1.

Portion 2 (Manor House)

1.3.4 To provide only 22 parking bays in lieu of 24 parking bays.

Portion 4 (The Shed)

2.1.3.5 To provide 22 parking bays in lieu of 27 parking bays.

2.2 **Consent Use** in terms of Section 15(2)(o) of Land Use Planning By-law to allow a Place of Entertainment (pub) in the existing storage facility located on Portion 4.

2.3 A **permission** required in terms of the zoning scheme, in terms of Section 15(g); to allow for flats on the ground floors in a Mixed-Use Zone for Blocks 1, 2, 3 and 4 and partially for blocks 5 and 6 on Portion 1.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval in terms of Section 66 of the said Bylaw.

3 Conditions of approval:

- 3.1 The approval applies only to the rezoning, subdivision, departures and consent use in question (See **APPENDIX 13 and 14**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.
- 3.2 The development be undertaken in accordance with the Subdivisional Plan dated 14 February 2022, File Number FP/0220/977 and attached as **APPENDIX 13**.
- 3.3 An electronic copy (shp, dwg, dxf) of the approved General Plan be submitted to the Directorate Planning and Economic Development for record purposes, which plan must indicate the following information:
 - a) Newly allocated erf numbers
 - b) Co-ordinates
 - c) Survey dimensions
 - d) Street names and numbering
- 3.4 A phasing plan which indicates the spatial phasing and associated timeframe of the development be submitted to the Municipality for approval.
- 3.5 All land designated for the provision of municipal service infrastructure and amenities on the subdivision plan be transferred to the Municipality upon transfer of the first unit/erf in the subdivision, of which the cost for the surveying and transfer of such public land will be for the account of the applicant/developer.
- 3.6 The servitude rights for pedestrian right of way in favor of the general public and the municipality be registered in the title deeds of the applicable property/ies on registration.
- 3.7 A service agreement regarding the responsibilities for the provision of engineering services be entered into with the Municipality prior to the construction of any Engineering services or infrastructure in terms of Section 66(3) and Section 82(4) of the said Bylaw, which service agreement must include and comply with the conditions as imposed by the Directorate Infrastructure Services in their letter attached as **APPENDIX 9**.
- 3.8 Development charges be payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.

- 3.9 Should the full extent of permissible development rights, as approved herein-above, not be implemented initially or development is phased, a pro rata Development Charges will be levied in accordance with the extent to which the development rights will be implemented, provided that the remaining development contributions will be levied for the remaining permissible development rights when implemented in future. Remaining Development Charges will be levied in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.
- 3.10 A detailed site development plan as contemplated in terms of Section 16 of the Zoning Scheme Bylaw, 2019 which is substantially in accordance with the plans described as "SDP Overall, SDP Residential, SDP Business Premises and SDP Parking" dated 15 02 22 by Boogertman Partners, be submitted for approval to the Municipality prior to the submission of any building plans, which site development plan must satisfactorily address, but are not necessarily limited to, all the conditions of this approval, compliance with relevant development parameters of the said Bylaw, any relevant matters relating to Section 16(4) of the said Bylaw, and the following specific matters to illustrate the conformity of the development to any prevailing principles of the Adam Tas Corridor development:
- 3.10.1 Development parameters conforming to the zoning scheme provisions and taking the principles of the Adam Tas Corridor into account,
 - 3.10.2 provide and promote strong internal and external public and NMT connections with the surrounding area,
 - 3.10.3 provide adequate social facilities for the daily retail needs of residents,
 - 3.10.4 a 16m road reserve to provide sufficient space for a dedicated NMT to ensure that public transport and NMT routes are addressed pro-actively,
 - 3.10.5 provide a public open space system next to the Plankenberg River with public access points between the public road and open space system.
- 3.11 Building plans be submitted for all changes of use in the existing buildings and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.
- 3.12 The revised Traffic Impact Assessment be submitted to the Western Cape Government: Transport and Public Works for their consideration, their recommendations be considered with the finalization of the service-level agreement with the municipality, if need to, and all conditions be adhered to.

- 3.13 Building plans for any future proposed alterations to the "Manor" House and the warehouse building be submitted to Heritage Western Cape for approval, prior to the submission of final building plans to the Municipality for approval.
- 3.14 Archaeological monitoring of the subsurface excavations when demolition of the large warehouse occurs, to confirm the presence or footprint of the original mill remains.
- 3.15 The retention and display of the mill workings within the Mill House to the satisfaction of Heritage Western Cape.
- 3.16 A landscaping plan (as part of the site development plan), which is substantially in accordance with Drawing no LAN/sdp13 Rev 13 dated 12/02/2022 by JDV Landscape Studio be submitted for approval by the Municipality prior to the registration of the first property or the submission of any building plan application, whichever occurs first.
- 3.17 The approved landscaping plan be implemented at the cost of the developer and to the satisfaction of the municipality prior to 50% of the erven be transferred or 50% of building plans be approved, whichever occurs first. Such landscaping plan to illustrate the use of suitable indigenous vegetation.
- 3.18 The developer contacts the Municipal Department: Community Services whilst the site is being prepared for construction and access to the river is imposed, to identify trees and biomass to be removed and implement such maintenance work prior to the implementation of the proposed development.
- 3.19 Blocks 5, 6 and the Manor House may not be fenced in to impede the access of the business interface with Distillery Road.
- 3.20 The developer and the municipality, represented by the Director: Planning and Economic Development or his delegated official, enter into an agreement on the satisfactory provision of inclusionary housing within 12 months from final notification of the approval and prior to the submission of building plans, which agreement must inter alia, but not necessarily limit thereto, address the following matters:
 - 3.20.1 The proposed development to contain a fair and reasonable number of dwelling units, of no less than 31%, falling within the affordability thresholds for rental or ownership within the new mixed-use development (i.e. 87 units out of the 285 dwelling units proposed).
 - 3.20.2 The inclusionary housing units be provided on-site as part of the market-related development i.e. in the same building or on the same land parcel and should be spread throughout the development as indicated on the subject Site Development Plan.

- 3.20.3 Building plans submitted in terms of the National Building Regulations and Building Standards Act No. 103 of 1977 shall indicate the location of the units.
- 3.20.4 The type of housing typologies of the inclusionary housing units to be bachelor/studio units with a minimum floor area of 28m², and each unit to include at least one bedroom, a kitchen, and a bathroom.
- 3.20.5 Units to be spread throughout the development and its architectural style of the units be similar to the rest of the development, with differences in the interior allowed.
- 3.20.6 Residents of the inclusionary housing units to have indiscriminate access to all entrances and amenities of the development.
- 3.20.7 The inclusionary housing units are not intended for community residential buildings, communes, employee housing, hostels, and less formal residential. The inclusionary housing units should only be used for permanent residence and excludes any of the land uses associated with transient guest (i.e. home lodging, bed and breakfast, hotel, tourist accommodation establishment, tourist dwelling units, etc.)
- 3.20.8 The inclusionary housing units will be reserved for qualifying recipients with a total combined monthly household income with a maximum of R15 000 (social housing) for rental, and R3 501 to R22 000 (FLISP subsidy measure) or to a maximum of the Financial Services Charter Measure as defined and updated yearly for ownership (e.g. R26 100 2020 rates);
- a) Monthly rent or repayments may not be more than 30% of the total monthly household income; and
 - b) The sale price or rental amount may not escalate annually beyond inflation, based on the Consumer Price Index (CPIX) as published by StatsSA.
- 2.20.9 The inclusionary housing units be retained as such in perpetuity using a suitable management mechanism, to the satisfaction of the Director: Planning and Economic Development.
- a) Prior to the approval of any building plan, the developer shall submit to the Director: Planning and Economic Development for approval, a mechanism to ensure the abovementioned condition (insert condition nr.), as well as the affordability criteria of the qualifying recipients. The approval mechanism shall be implemented to the satisfaction of the Director prior to the occupation of any building on the relevant portion.
 - b) If rented, the qualifying household income criteria and rent may not escalate annually beyond inflation (based on the CPIX). Lease agreements need to

ensure that the tenants are subject to annual income certification and the units as allocated remains available to the intended income group; or

- c) If sold, a restrictive condition must be included in the deed of sale capping the sale price to comply with the definition of affordability and must only be sold to pre-approved buyers that meet the affordability criteria.
- d) Approval on resale prices of units needs to be sought from the Director: Planning and Economic Development before such a transaction take place.

2.20.10 The developer or managing agent (HOA or Body Corporate) to provide the Director: Planning and Economic Development with the list of registered inclusionary housing units, annually.

2.20.11 If in due course, the Stellenbosch Municipal policy on Inclusionary Zoning is adopted and the provisions and requirements thereof are preferred to the above conditions, the developer/owner has the option (but no obligation) to adopt and adhere to the policy requirements instead.

4 The reasons for the above decision are as follows:

- 4.10 The development proposal for a high-density mixed-use development on Erf 14601, Stellenbosch, with minor parking shortfalls, is not out of character in the context of the identified Adam Tas Corridor initiative and are subsequently promoted by the principles of the Stellenbosch Municipal Spatial Development Framework.
- 4.11 Access to the property is obtained over existing public road infrastructure which are in process of being upgraded to standards that will provide safe access to the proposed development, while the proposed development also makes provision for new road infrastructure to improved road linkage, movement collector streets and accesses to the property and the Adam Tas Corridor.
- 4.12 Provision has been made for Inclusionary Housing as subsidized student rental accommodation.
- 4.13 The development of a public open space system next to the Plankenberg River with public access points between the public road and open space system and the provision for flats on the ground floor facilitate the development of active public streetscapes and places.

5 **Matters to be noted:**

- 4.1 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 4.2 The subdivision only comes into effect once all suspensive conditions or relevant legislative provisions have been complied with.
- 4.3 All engineering services and infrastructure as required in terms of the conditions and services agreement must be complied with to the satisfaction of the municipality and/or the relevant authority prior to the issuing of a Section 28 Certification.
- 4.4 Building plans must be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.
- 4.5 Development proposal plans, landscaping plans and development names does not represent application requiring an approval in terms of Section 15 of the Stellenbosch Municipal Land Use Planning Bylaw (2015) and could all be finalized with the submission of the Site Development Plans for considering an approval, prior to the building plan submission.
- 4.6 Application for the Approval of the development's name: The Mill and the naming and numbering of streets as per the Street Naming and Numbering Plan, be obtained from the Authorised Official.
- 4.7 The land use shall not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulations (PN627 dated 20 November 1998) made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).
- 4.8 The selling or supply of liquor to non-guests of the place of entertainment is prohibited and the operation of video games or pinball tables is not permitted on the premises.

6 You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

7 Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

(a) The personal particulars of the Appellant, including:

- (I) First names and surname;
- (II) ID number;
- (III) Company of Legal person's name (if applicable)
- (IV) Physical Address;
- (V) Contact details, including a Cell number and E-Mail address;

(b) Reference to this correspondence and the relevant property details on which the appeal is submitted.

(c) The grounds of the appeal which may include the following grounds:

- (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
- (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

(d) whether the appeal is lodged against the whole decision or a part of the decision;

(e) if the appeal is lodged against a part of the decision, a description of the part;

(f) if the appeal is lodged against a condition of approval, a description of the condition;

(g) the factual or legal findings that the appellant relies on;

(h) the relief sought by the appellant; and

(i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(j) That the appeal includes the following declaration by the Appellant:

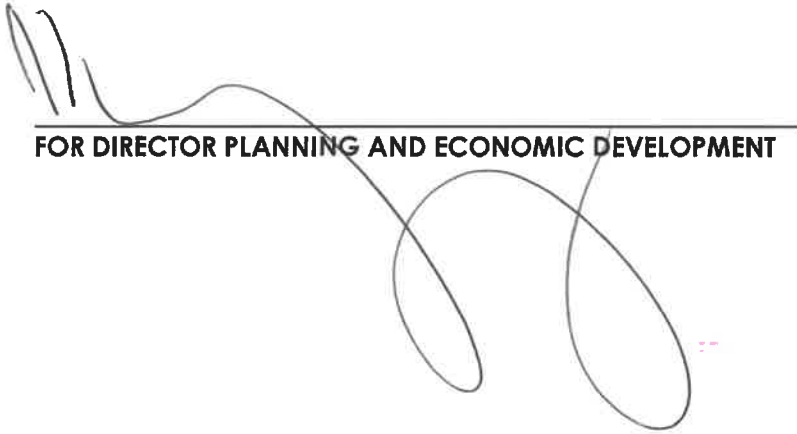
- (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

- (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

- 8 Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: landuse.appeals@stellenbosch.gov.za
- 9 Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
- 10 The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
- 11 An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
- 12 Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

13 Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

12/5/2022
DATE:

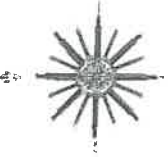
COPIES TO:

[REDACTED]

[REDACTED]

APPENDIX 13

Revised subdivision plan.



TECHNICAL INFORMATION

ZONING	LAND USE	PURPOSE	AREA	%
Mixed-Use Zone	Plans & Community Facilities	1	3 0227m ²	79
Mixed-Use Zone	Commercial & Office	2 & 4	60 341m ²	21
Public Road Zone	Public Road	3	60 320m ²	15
TOTAL			123 683m²	100

NOTES

- Rhedral areas subject to a site survey and/or certification by a registered Land Surveyor
- 3m wide pedestrian servitude in favour of general public and municipality
- Pedestrian access servitude in favour of general public and local municipality.

AMENDMENTS

REV.	DESCRIPTION	DATE
1	Amend Partials 2, 3, and 4	22/04/2021
2	Add Bus Embayment to Partial 3	14/08/2021
3	Amended Road Reserves/Servitudes	14/02/2022
4		

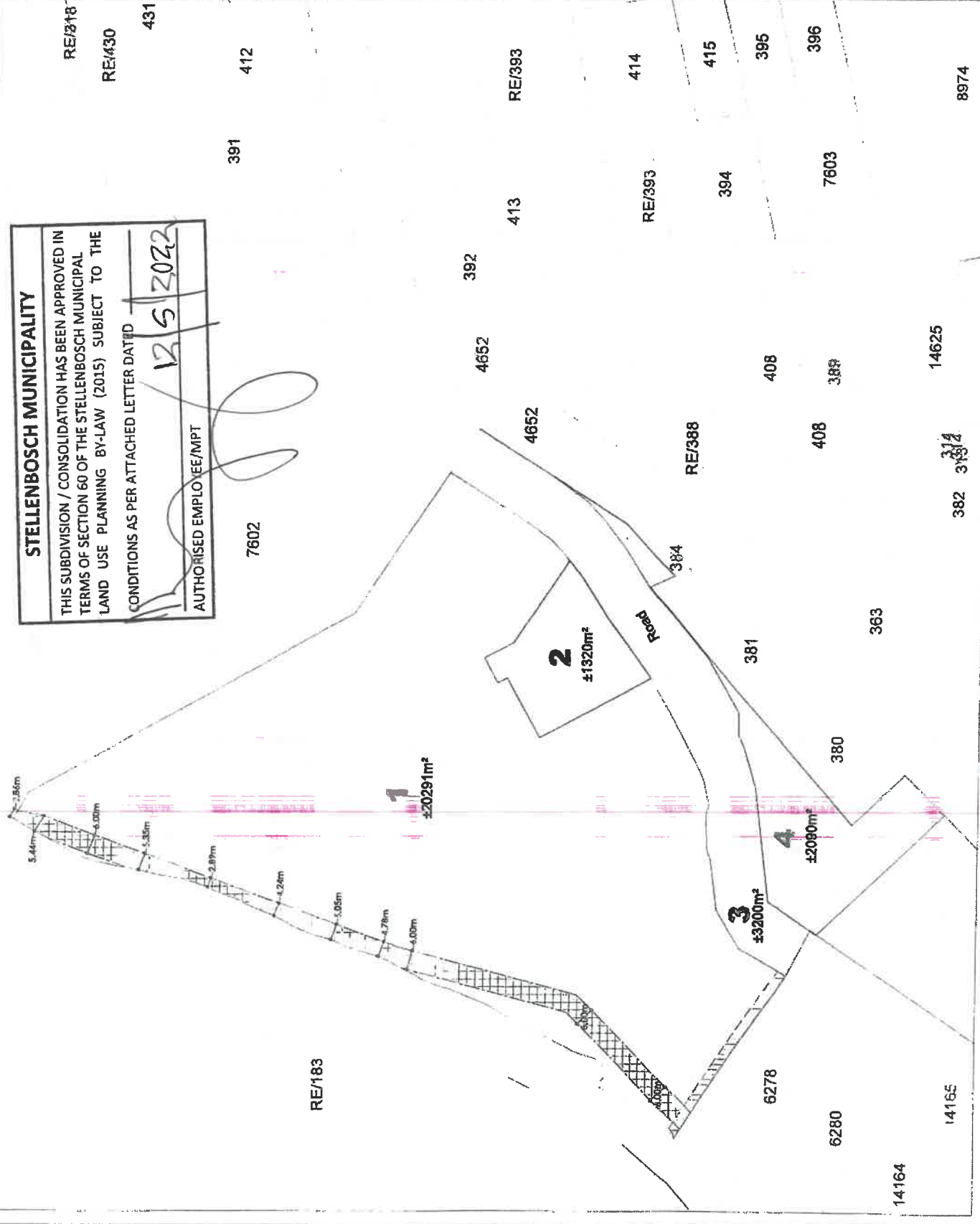
PROPOSED SUBDIVISION PLAN ERF 14601 STELLENBOSCH
 Situate in the Local Area of Stellenbosch Administrative District of the Cape Province of the Western Cape

Date	14 February 2022
Scale	1:1250 AS
File Number	FP/2020/877
Client	Carwell Investments 355m (Pty) Ltd

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER ATTACHED LETTER DATED 12/5/2022

AUTHORISED EMPLOYEE/MPT



APPENDIX 14

Revised Development Plans.

BUSINESS PREMISES PARKING REQUIREMENTS

Area	Area (m²)	Number of Parking Spaces Required
WINDUP HOUSE (PORTION 01)	1024m²	22
THE BIRD (PORTION 04)	64m²	2
TOTAL:	1 272m²	44

NON-RESIDENTIAL PARKING REQUIREMENTS

Area	Area (m²)	Number of Parking Spaces Required
WINDUP HOUSE (PORTION 02)	370m²	4
THE BIRD (PORTION 04)	200m²	8
TOTAL:	470m²	18

DEVELOPMENT DATA: ZONING TABLE

STREET BOUNDARY BUILDER LINES (m):	COMMOUR BOUNDARY BUILDER LINES (m):		HEIGHT:
	Proposed:	Precedent:	
0m	0m	0m	6 storeys @ 15% @ 947m²
0m	0m	0m	1 - 2 storeys

DEVELOPMENT DATA: BUSINESS PREMISES (SUMMARY)

	PORTION 02	PORTION 04
SITE AREA (OVERALL):	28 906m²	2090m²
SITE AREA (SUBDIVISION):	1320m²	2090m²
BUILDING AREAS:		
WINDUP & SHED FLOOR GLA:	992m²	884m²
COMMERCIAL/AMENITIES FLOOR AREAS:	42m²	42m²
BULK:	0.44	0.34
BUILDING COVERAGE:		
WINDUP & SHED COVERAGE:	287m²	623m²
AMENITIES COVERAGE:	42m²	42m²
TOTAL SITE COVERAGE:	21.7 %	31 %
PARKING:		
TOTAL PARKING REQUIRED:	24	27
TOTAL PARKING PROVIDED:	22	22
PROVIDED PARKING RATIO:	3.7 BAYS/100m²	3.2 BAYS/100m²

NOTE ON BUSINESS PREMISES GLA:

BUSINESS PREMISES GLA CALCULATED AS 85% OF BUSINESS PREMISES GBA (GLU) AS PER STELLENBOSCH DC POLICY 2020/2021, SECTION 19.4

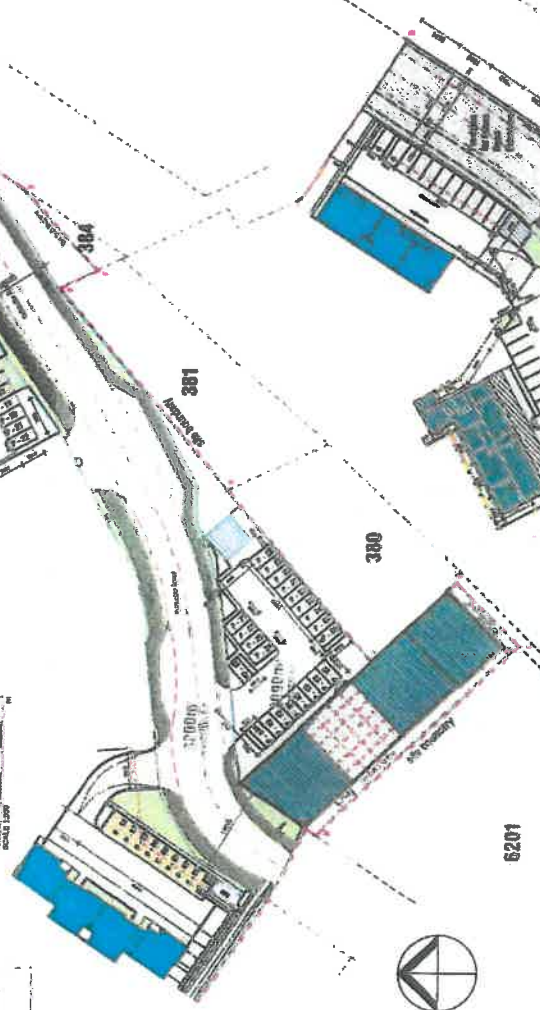
Area Schedule	GBA	GLA
GBA - GENERAL FLOOR AREA	100%	100%
GBA - COMMERCIAL FLOOR AREA	100%	100%
GBA - RESIDENTIAL FLOOR AREA	85%	1147m²
GBA - PARKING	100%	100%
GBA - OTHER	100%	100%
TOTAL GBA:	1320m²	1147m²

PERIMETER WALL/FENCE LEGEND

- PERMEABLE FENCE
- SOLID WALL
- SOLID & PER AND PERMEABLE PANEL

NOTE: FENCING ON STREET FACING BOUNDARIES TO BE 50% SOLID AND 50% PERMEABLE

2 BUSINESS PREMISES PARKING LAYOUT



LEGEND:

- NEW UNIT FOOTPRINT
- AMENITIES FOOTPRINT
- EXISTING BUILDING FOOTPRINT BUSINESS PREMISES
- NEW SEWER LINE SERVITUDE
- NEW NON-RESIDENTIAL USE ON GROUND FLOOR
- NEW 3m PEDESTRIAN ROAD RESERVE

ZONING KEY:

- PORTION 01 MIXED-USE (Residential (Studs of this & ancillary area))
- PORTION 02&04 PUBLIC ROADS & PARKING (Public Access Road)
- PORTION 03 MIXED-USE Business Premises

4 BOUNDARY WALL TYPICAL

1:100

GENERAL

1. All works to be in accordance with the relevant South African standards and the applicable provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) and the applicable provisions of the National Environmental Management Act, 1989 (Act No. 107 of 1989) and the applicable provisions of the National Water Act, 1956 (Act No. 108 of 1956).

2. The site is situated within the... The development is... The site is... The development is... The site is... The development is...

NO.	REVISION
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CLIENT

Booysman RE388 **Partners**
 CATHWALK INVESTMENTS 385 (PTY) LTD
 15/02/2022
 SCALE: 1:500
 THE MILL
 STELLENBOSCH

PROJECT

1 SDP BUSINESS PREMISES
 1:500
 SCALE: 1:500

TITLE

15/02/2022
 SCALE: 1:500
 THE MILL
 STELLENBOSCH

APPENDIX 9

Comments from Directorate: Infrastructure Services



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

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

FOR ATTENTION : **Salome Newman**

FROM : **Manager: Development (Infrastructure Services)**

AUTHOR : **Tyrone King**

DATE : **19 August 2021**

RE. : **Erf 14601: Oude Molen redevelopment: 259 flats + 1 276m2 Business GLA**

YOUR REF : **LU/11728**

OUR REF : **2060 CIVIL LU**

Details, specifications and information reflected in the following documents refer:

- Motivation report by First Plan, dated August 2020 Rev 1;
- Proposed Site Development Plan No. SDP Overall drawing by Bogertman Partners Rev A dated 6 Aug 2021;
- Proposed subdivision plan Rev 2 dated 16/08/2021 by First Plan;
- Traffic Impact Assessment (TIA) by ICE Group, dated 10 Aug 2021;
- Clarification letter in by First Plan dated 10 August 2021 (in response to our Memo dated 30 Oct 2020);
- Traffic Engineering clarification letter by UDS, dated 28 July 2021 regarding road upgrades and SDP matters;
- Water and Sewer capacity analysis report by GLS, dated 17 March 2021;
- Report on Civil Engineering Services, by Engineering Advice & Services Western Cape, dated June 2020;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)

Although there is not enough spare capacity to accommodate new developments in this catchment area, it is recognized that this erf does have existing buildings of 11 208m² GLA. This equates to a water demand of 44kl/day. Therefore, this rezoning application can be approved, but building plans in excess of a water demand of 44kl/day will only be approved if a contractor has been appointed for the construction of the Papegaaiberg reservoir and occupation certificates for any buildings in excess of this 44kl/day water demand will only be approved once the reservoir has been commissioned. At this stage, completion is expected to be in June 2024, but this may change should the municipal budget be re-prioritised. The Developer must plan the implementation of his development accordingly.

In order to manage the above, each building plan submission must be accompanied by a professional engineer's report confirming the cumulative water demand of the development that will be generated by that building plan.

- ii. There is sufficient capacity in the bulk water reticulation network in the vicinity of the development to accommodate the development. A suitable connection point will be identified during detail design drawing approval stage. The Developer will be responsible for any link water pipelines between the development and the municipal network.
- c. **Sewer Network:** There is sufficient capacity in the bulk sewer reticulation network to accommodate the proposed development:
- i. The development will connect to the existing 500mm diameter Plankenbrug Outfall Sewer on the western boundary of the site. The exact position and detail of the connection must be determined during detail design drawing approval stage.
- d. **Roads Network:** The items as indicated in the TIA must be constructed:
- i. As indicated on the subdivision plan: a public road reserve 13m wide must be subdivided from Erf 14601 and zoned as "public road", which will be a future link to George Blake road via the subject property. It is envisaged that the actual road must have a 7.4m blacktop with minimum 2.4m NMT facilities along both sides of the road (wider where additional space exists within the

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road reserve). Details of the road are to be finalized at detail design stage before construction commences.

- ii. If not implemented timeously by the already approved Erf 15804 Development, then the following upgrades needs to be done: A dedicated left-turn lane along the western Adam Tas Road approach and the extension of the existing dedicated right turn lane along the eastern Adam Tas Road approach.

Estimated cost: R 1 200 000 ex VAT (as per Erf 15804 DC Services Agreement)

Funding: Can be offset from DC's

When: Must be completed before occupation certificate approval.

- iii. Adam Tas Road / Oude Libertas Street intersection: a continuous left-slip lane on the Oude Libertas Street approach;

Estimated cost: R 1 600 000 ex VAT

Funding: Can be offset from DCs – this road section forms part of future link road through the Plankenbrug industrial area.

When: Must be completed before occupation certificate approval.



Diagram 3 : Schematic layout of proposed upgrade at Adam Tas Road/Oude Libertas Street inters

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- iv. Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signal and road widening to define a left turn lane. Please note that a traffic circle is also considered as an alternative – the final alternative will be agreed at detail design stage.

Estimated cost: R 2 300 000 ex VAT

Funding: Can be offset from DCs – this road section forms part of future link road through the Plankenbrug industrial area.

When: Must be completed before occupation certificate approval.

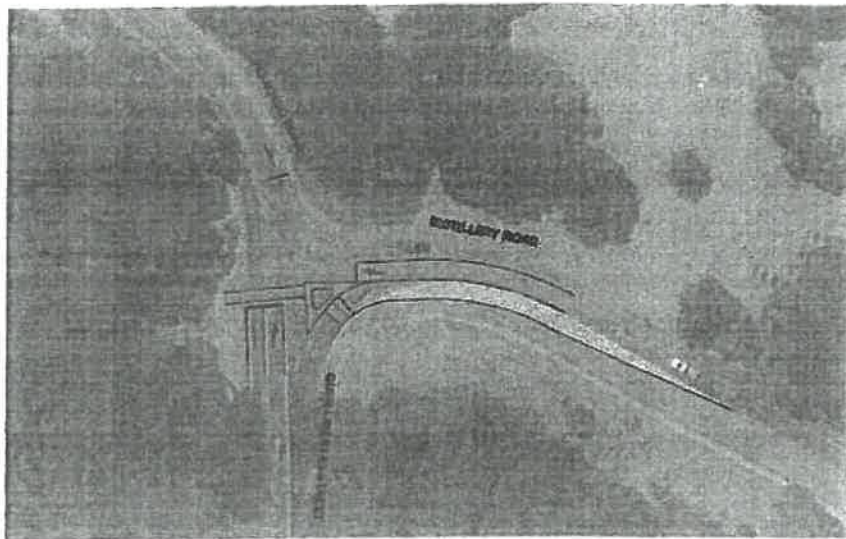


Diagram 2 : Schematic layout of proposed upgrade at Oude Libertas Street/Distillery Road/Flamingo Road intersection

- v. Bosmans Crossing Bridge Repair: The municipality is currently doing structural repairs to this bridge. No construction activities may commence before these repairs have been completed. Building plan approval will therefore not be issued prior to the Senior Manager: Roads, Transport, Stormwater & Traffic Engineering has given the go-ahead.

e. Stormwater Network:

- i. Overland escape routes must be provided in the final engineering design to ensure that there are no trapped low points on the site. If the system gets blocked, the stormwater must be led towards discharge points leading into the adjacent Plankenbrug River.

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- ii. 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: Infrastructure Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans for approval;

f. **Solid Waste:**

- i. The Municipality will provide a solid waste removal service, unless agreed otherwise in writing the Solid Waste Department;
- ii. For large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site. The Developer will have to indicate and provide evidence of safe re-use or proper disposal at an alternative, licensed facility. This evidence must be presented to the Manager: Solid Waste (021 808 8241; clayton.hendricks@stellenbosch.gov.za), before building plan approval and before implementation of the development. Clean rubble can be utilized by the Municipality and will be accepted free of charge, providing it meets the required specification.

g. **Funding source breakdown (all costs excl VAT):**

Total DCs available for civil services (excl Community facilities)	R 7 469 562
Upgrades cost	
Adam Tas Road / Oude Libertas Street intersection: a continuous left-slip lane on the Oude Libertas Street approach	R 1 600 000
Oude Libertas Street/Distillery Road/Flamingo Road intersection: The provision of traffic signal and road	R 2 300 000

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widening or define a left turn lane.	
If not implemented timeously by the already approved Erf 15804 Development, then the following upgrades needs to be done: A dedicated left-turn lane along the western Adam Tas Road approach and the extension of the existing dedicated right turn lane along the eastern Adam Tas Road approach.	R 1 200 000
Total cost	R 5 100 000
Surplus	R 2 369 562
Comment	Based on the estimates, there are sufficient DCs to cover the costs of the upgrades to be done in lieu of DCs

5. that the upgrades mentioned above be met by the "Developer" before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be given or on discretion of the Directorate: Infrastructure Services, the "Developer" furnish the Council with a bank guarantee equal to the value of the outstanding construction work as certified by an independent engineering professional, prior to a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law being given;
6. **Bulk infrastructure projects not on municipal budget:** Bulk projects not on municipal budget: Any of the projects listed above, that are not currently on the Municipality's approved budget will be the Developer's responsibility to implement. Where upgrades may be offset against the Development Charges, and should the Development Charges be sufficient, the "Developer" may enter into a Services Agreement with the "Municipality" to do these upgrades in-lieu of Development Charges. Should the Development Charges not be sufficient, the Developer may decide to cover the shortfall. If the Developer is not in a position to cover the shortfall, then the implementation of the development must be re-planned around the availability of the bulk services in question. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates will not be supported by the Directorate: Engineering Services for this development if all bulk services are not available.

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)**Development Charges**

7. that the "*Developer*" hereby acknowledges that Development Charges are payable towards the following bulk civil services: water, sewerage, roads, stormwater, solid waste and community facilities as per Council's Policy;
8. that the "*Developer*" hereby acknowledges that the development charges 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;
9. that the "*Developer*" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;
10. that the "*Developer*" may enter into an engineering services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services;
11. that the Development Charges levy to the amount as reflected on the DC calculation sheet, attached herewith as **Annexure DC**, 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.
12. that the Development Charges levy be paid by the "*Developer*" per phase –
- prior to the approval of any building- and/or services plans;
13. 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. more than 259 units, or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than 1 276 m², or a change in land use on which the current DC calc is based, will result in the recalculation of the Development Charges;
14. Bulk infrastructure Development Charges 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;

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29. that the "Developer" will be held liable for any damage to municipal infrastructure within the road reserves (or elsewhere), caused as a direct result of the development of the subject property. The "Developer" will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services;

Electricity

30. Please refer to the conditions attached as Annexure: Electrical Engineering;

D. General conditions of approval: The following general development conditions are applicable. If there is a contradiction between the specific and general development conditions, the specific conditions will prevail:

31. that the "Developer" will enter into an Engineering Services Agreement with the "Municipality" in respect of the implementation of the infrastructure to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;
32. 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: Infrastructure 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 any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
33. 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 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.
34. that the "Developer" must ensure that he / she has an acceptable public liability insurance policy in place;

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35. that, if applicable, the "*Developer*" approach the Provincial Administration: Western Cape (District Roads Engineer) for their input and that the conditions as set by the Provincial Administration: Western Cape be adhered to before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued;
36. 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;
37. 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 3rd Edition (2015);
38. 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. Only if the programme clearly indicates that occupation is planned after completion of the bulk services, will approval be considered. If such proposal is approved, it must still be noted that no occupation certificate will be issued prior to the completion and commissioning of the bulk services. Therefore should the proposal for proceeding with the development's construction work parallel with the provision of the bulk services be agreed to, the onus is on the "*Developer*" to keep up to date with the status in respect of capacity at infrastructure listed above in order for the "*Developer*" to programme the construction of his/her development and make necessary adjustments if and when required. **The Developer is also responsible for stipulating this condition in any purchase contracts with buyers of the properties;**
39. 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;

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67. 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;
68. 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: Infrastructure Services;
69. 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;
70. 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: Infrastructure Services.
71. that the approved management plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services. The management plan, which is to include an attenuation facility, is to be submitted concurrent with the detail services plans;
72. 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 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.

Roads

73. that, where applicable, the application must be submitted to the District Roads Engineer for comment and conditions. Any conditions set by the District Roads Engineer will be applicable;
74. that no access control will be allowed in public roads;
75. that, prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Infrastructure Services for

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approval, and that the approved plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services;

76. 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;

Wayleaves

77. that way-leaves / work permits be obtained from the Directorate: Infrastructure Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;
78. that wayleaves will only be issued after approval of relevant engineering design drawings;
79. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

Owner's Association (Home Owner's Association or Body Corporate)

80. that an Owner's Association be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
81. that the Owner's Association take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
82. that in addition to the responsibilities set out in **section 29** of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
83. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;
84. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

Erf 14601: Rezoning and Subdivision (Oude Molen redevelopment)**Solid Waste**

85. The reduction, reuse and recycle approach should be considered to waste management:

- Households to reduce waste produced
- Re-use resources wherever possible
- Recycle appropriately

To give effect to the above, the following are some typical waste minimization measures that should be implemented by the Developer, to the satisfaction of the Stellenbosch Municipality:

- Procedures should be stipulated for the collection and sorting of recyclable materials;
- Provision should be made for centralized containers for recyclable materials including cardboard, glass, metal, and plastic and green waste;
- A service provider should be appointed to collect recyclable waste. Such service provider must be legally compliant in terms of all Environmental Legislation and/or approved by the Municipality's Solid Waste Management Department;
- Procedures for removal of waste (materials that cannot be reused or recycled) from the site should be stipulated;
- General visual monitoring should be undertaken to identify if these measures are being adhered to;
- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

Where an Owner's Association is to be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Constitution of the Owner's Association shall incorporate the above in the Constitution and:

- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
- A set of penalties for non-compliance should be stipulated in the Constitution

86. 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;

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87. that the "Developer" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person: Senior Manager: Solid Waste (021 808 8241; clayton.hendricks@stellenbosch.gov.za)
88. 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" prior to clearance certificate or occupation certificate (where clearance not applicable);
89. that if the "Developer" removes the waste by private service provider, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
90. 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;
91. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
92. 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: Infrastructure 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;
93. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
94. Road foundation shall be designed to carry a single axle load of 8.2 tons;
95. Refuse storage areas are to be provided for all premises other than single residential erven;
96. 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;

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97. 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;
98. 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;
99. 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;
100. 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;
101. 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

102. 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;
103. 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
104. 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).

Walls and Roof

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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.

105. 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;
106. 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;
107. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Infrastructure Services, to ensure their compatibility with the servicing equipment and lifting attachments;
108. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
109. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;

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110. All refuse storage areas shall be approved by the Directorate: Infrastructure 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

111. 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 componitization 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;

112. 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*";

113. 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;

114. 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;

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115. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law shall not be issued unless said services have been inspected by the "Engineer" and written clearance given, by the "Engineer";

Occupation Certificate in terms of Section 14 of the the National Building Regulations and Building Standards Act 103 of 1977

116. It is specifically agreed that the "Developer" undertakes to comply with all conditions of approval as laid down by the "Municipality" before occupation certificates shall be issued, unless otherwise agreed herein;
117. that the "Municipality" reserves the right to withhold any occupation 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 occupation certificate until such time as the amount owing has been paid;
118. 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 an occupation certificate in terms of the National Building Regulations. Verifying documentation (proof of payment in respect of Development Charges, services installation, etc.) must be submitted as part of the application before an application will be accepted by this Directorate;

Avoidance of waste, nuisance and risk

119. Where in the opinion of the "Municipality" a nuisance, health or other risk to the public is caused due to construction activities and/or a lack of maintenance of any service, the

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"Municipality" may give the "Developer" and or OWNER'S ASSOCIATION 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 OWNER'S ASSOCIATION.



TYRONE KING Pr Tech Eng

MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

WS2.0 DEVELOPMENT\00 Developments\2080 (TK) Erf 14601 Stellenbosch (LU-11728) (Oude Molen), C2080 (TK) Erf 14601 Stellenbosch (LU-11728) (Oude Molen).doc

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.

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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 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

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	2060 Civil LU; LU-11728
Date	Tuesday, 10/Aug/2021
Financial Year	2021/22
Erf Location	Stellenbosch Town
Erf No	14601 (Oude Molen development)
Erf Size (m ²)	
Suburb	
Applicant	
Approved Building Plan No.	Ex buildings GLA drawing by Bogertman Partners Rev A dated 05/08/2021 (See First Plan letter 10 Aug 2021); GLA as per SDP Overall drawing by Bogertman Partners Rev A dated 5 Aug 2021. (See First Plan letter 10 Aug 2021)

SUMMARY OF DC CALCULATION

Units	Water kl/day	Sewer kl/day	Storm-water ha°C	Solid-Waste t/week	Roads trips/day	Community Facilities person	Totals
Total Increased Services Usage	76,822	68,838	0,493	6,387	602,93	602,9	
Total Development Charges before Deductions	R 2 085 240,77	R 1 792 088,05	R 50 379,74	R 339 317,45	R 3 375 436,38	R 3 327 227,30	R 10 959 688,69
Total Deductions							
Total Payable (excluding VAT)	R 2 085 240,77	R 1 792 088,05	R 50 379,74	R 339 317,45	R 3 375 436,38	R 3 327 227,30	R 10 959 688,69
VAT	R 312 786,12	R 288 813,21	R 7 556,96	R 50 897,62	R 506 316,31	R 499 084,09	R 1 645 453,30
Total Payable (including VAT)	R 2 398 026,88	R 2 080 901,26	R 57 936,71	R 390 215,06	R 3 881 750,69	R 3 826 311,39	R 12 615 141,99

APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

Stellenbosch Town

Use Category	Infrastructure Type applicable? (yes/no)	Proposed New Usage		Increased Usage		Stormwater		Solid Waste		Community Facilities	
		Area (m2)	% GLA	Area (m2)	% GLA	Yes	No	Yes	No	Yes	No
Residential	Single Residential >1000m2	du	0%	0	0%	0	0%	0	0%	0	0%
	Single Residential >500m2	du	0%	0	0%	0	0%	0	0%	0	0%
	Single Residential >250m2	du	0%	0	0%	0%	0	0%	0%	0	0%
	Single Residential <250m2	du	0%	0	0%	0%	0	0%	0%	0	0%
	Low Formal Residential >250m2	du	0%	0	0%	0%	0	0%	0%	0	0%
	Low Formal Residential <250m2	du	0%	0	0%	0%	0	0%	0%	0	0%
	Group Residential >250m2	du	0%	0	0%	0%	0	0%	0%	0	0%
	Group Residential <250m2	du	0%	0	0%	0%	0	0%	0%	0	0%
	Medium Density Residential >250m2	du	0%	0	0%	0%	0	0%	0%	0	0%
	Medium Density Residential <250m2	du	0%	0	0%	0%	0	0%	0%	0	0%
Commercial	High Density Residential - student rooms	du	0%	0	0%	0	0%	0	0%	0	0%
	Local Business - office	m2 GLA	0%	0	0%	0	0%	0	0%	0	0%
	Local Business - retail	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	
	General Business - office	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	
	General Business - retail	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	
	Community	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	0%
	Education	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	0%
	Light Industrial	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	0%
	General Industrial - light	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	0%
	Warehousing	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	0%
Industrial	General Industrial - heavy	m2 GLA	0%	0	0%	0	0%	0	0%	0	0%
	Medium Industrial - heavy	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	0%
	Resort	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	0%
	Public Open Space	m2	0%	0	0%	0%	0	0%	0%	0%	0%
	Private Open Space	m2	0%	0	0%	0%	0	0%	0%	0%	0%
	Natural Environment	m2	0%	0	0%	0%	0	0%	0%	0%	0%
	Utility Services	m2 GLA	0%	0	0%	0%	0	0%	0%	0%	0%
	Public Roads and Parking	m2	0%	0	0%	0%	0	0%	0%	0%	0%
	Transport Facility	m2	0%	0	0%	0%	0	0%	0%	0%	0%
	Limited Use	m2	0%	0	0%	0%	0	0%	0%	0%	0%
Special	To be calculated based on equivalent demands										
	Complete yellowgreen cells.										
	du = dwelling unit, GLA=Gross habitable area.										
	Total Development Charges before Discounts										
	% Discounts per service (%)										
	Additional Discount per service - from Service Agreement (sum)										
	SUB Total after Discounts (excluding VAT)										
	VAT										
	Total										

Category	Area (m2)	% GLA	Area (m2)	% GLA	Yes	No	Yes	No	Yes	No	Yes	No	
Residential	3 163 603.53	0%	2 697 061.54	0%	R	R	211 789.54	R	550 370.86	R	4 656 641.09	R	3 475 304.18
Commercial	138 541.94	0%	116 265.22	0%	R	R	10 494.11	R	27 114.80	R	834 588.25	R	19 023.97
Industrial	-1 216 910.70	0%	-1 021 238.71	0%	R	R	-171 843.91	R	-238 168.21	R	-2 117 803.96	R	-167 100.85
Other	0	0%	0	0%	R	R	0	R	0	R	0	R	0
Special	0	0%	0	0%	R	R	0	R	0	R	0	R	0
Total	2 085 240.77	0%	1 792 088.05	0%	R	R	130 379.74	R	339 317.45	R	3 372 435.38	R	3 327 227.30
Total Development Charges before Discounts	R 0.00		R 0.00		R	R	R 0.00		R 0.00		R 0.00		R 0.00
% Discounts per service (%)													
Additional Discount per service - from Service Agreement (sum)													
SUB Total after Discounts (excluding VAT)	R 0.00		R 0.00		R	R	R 0.00		R 0.00		R 0.00		R 0.00
VAT	R 2 085 240.77		R 1 792 088.05		R	R	R 130 379.74		R 339 317.45		R 3 372 435.38		R 3 327 227.30
Total	R 2 085 240.77		R 1 792 088.05		R	R	R 130 379.74		R 339 317.45		R 3 372 435.38		R 3 327 227.30

*** duplicate cell if not equal to existing area

ELETRICITY SERVICES: CONDITIONS OF APPROVAL
Erf 14601

GENERAL COMMENT:

1. Development Bulk Levy Contributions are payable

CONDITIONS:

2. The electrical consulting engineer responsible for the development shall schedule an appointment with Manager Electricity Services (Engineering Services) before commencing with the construction of the development. As well as to discuss new power requirements if required.

3. The development's specifications must be submitted to Stellenbosch Municipality (Engineering Services) for approval, i.e.

- a) The design of the electrical distribution system
- b) The location of substations(s) and related equipment.

4. A separate distribution board/s shall be provided for municipal switchgear and metering. (Shall be accessible & lockable). Pre-paid metering systems shall be installed in domestic dwellings.

5. 24-hour access to the location of the substation, metering panel and main distribution board is required by Technical Services. (On street boundary)

6. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity, should damage occur, the applicant will be liable for the cost involved for repairing damages.

7. On completion of the development, Stellenbosch Municipality (Technical Services) together with the electrical consulting engineer and electrical contractor will conduct a take-over inspection.

8. No electricity supply will be switched on (energised) if the Development contributions, take-over inspection and Certificate(s) of Compliance are outstanding.

9. All new developments and upgrades of supplies to existing projects are subject to SANS 10400-XA energy savings and efficiency implementations such as:

- Solar water Heating or Heat Pumps in Dwellings
- Energy efficient lighting systems
- Roof insulation with right R-value calculations .
 - In large building developments;
 - Control Air condition equipment tied to alternative efficiency systems
 - Preheat at least 50% of hotwater with alternative energy saving sources
 - All hot water pipes to be clad with insulation with R-value of 1
 - Provide a professional engineer's certificate to proof that energy saving measures is not feasible.

Bradley Williams

Date.....25/09/2020.....

Signature 