



Application Number: LU/8597

Our File Reference Number: Erf 2175, Stellenbosch

Your Reference Number: L0086-PO-JVT-AW-210765C

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL:** [paul@udwc.co.za](mailto:paul@udwc.co.za)

Sir / Madam

**APPLICATION FOR SUBDIVISION, CONSOLIDATION, REZONING AND AMENDMENT OF THE MUNICIPAL URBAN EDGE: ERF 2175, KAYAMANDI**

1. The above application refers.
2. The Stellenbosch Municipal Planning Tribunal on 27 November 2020 resolved as follows:
  - 2.1 That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 2175, Kayamandi namely:
    - 2.1.1 The subdivision in terms of Section 15(d) of the said Bylaw of the following properties:
      - 2.1.1.1 Erf 1832 into Partion A ( $\pm 0.14$ ha) and Remainder ( $\pm 1.49$ ha);
      - 2.1.1.2 Farm 183 into Portion B ( $\pm 4.49$ ha), Portion C ( $\pm 2.94$ ha), and the Remainder ( $\pm 119.54$ ha);
      - 2.1.1.3 Farm 181 into Portion D ( $\pm 14.44$ ha) and the Remainder ( $\pm 36.33$ ha);
      - 2.1.1.4 Portion 5 of Farm 175 into Portion E ( $\pm 0.90$ ha) and Remainder (0.13ha);
      - 2.1.1.5 Remainder of Portion 33 of Farm 175 into Portion F ( $\pm 7.86$ ha) and Remainder ( $\pm 14.84$ ha).
    - 2.1.2 The consolidation in terms of Section 15(e) of the said Bylaw of Portions A, B, C, D, E, F, Erf 2175 and Erf 2183 in order to create the consolidated area G known as Enkanini Development Area.

2.1.3 The rezoning in terms of Section 15(a) of the said Bylaw of the consolidated Area G as the development area from Agricultural Zone to Subdivisional Area in order to accommodate the following development of the subject land as indicated on the plan attached as **ANNEXURE "B"** and as compiled by A. Ellis (for Urban Dynamics URP), dated September 2018:

2.1.3.1 Street Zone Erf measuring approximately 7.3ha in extent (Road Network: 14m & 8m Reserves);

2.1.3.2 Open Space Zone erven measuring approximately 10.59ha in extent (Public Open Space);

2.1.3.3 Single Residential Zone erven measuring approximately 9.36ha in extent (Subdivided Erven);

2.1.3.4 General Residential Zone erven measuring approximately 3.18ha in extent (Flats);

2.1.3.5 Place of Worship / Educational Institution Zone erven measuring approximately 1.04ha in extent (Community Facilities);

2.1.3.6 General Business Zone erven measuring approximately 0.72ha in extent (Mixed use incl. retail).

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

**2.2 That such approval BE SUBJECT to the following conditions in terms of Section 66 of the said Bylaw:**

2.2.1 The approval only applies to the proposed development in question, as indicated on attached **ANNEXURE "B"**, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

2.2.2 The approval will lapse if not implemented within the timeframe stipulated in the subject Bylaw;

2.2.3 The conditions imposed by the **Director: Engineering Services** as contained in their memo dated 16 March 2020, attached as **ANNEXURE P** be complied with;

2.2.4 The conditions imposed by the **Manager: Electrical Services** as contained in their memo dated 05 June 2019, attached as **ANNEXURE O** be complied with;

2.2.5 The conditions imposed by **Heritage Western Cape** as contained in their memo dated 15 October 2018 attached as **ANNEXURE J** be noted;

2.2.6 The Rates clearances will only be granted once all the conditions of approval for the development have been complied with;

2.2.7 The TIA be updated with specific focus on the impact of the additional trips on the intersections of interest, prior to the submission of a subdivision plan for approval in

accordance with the conditional support of the **Department of Transport and Public Works**, attached as **ANNEXURE H**,.

2.2.8 A phasing plan be submitted together with the first application for subdivision.

2.2.9 Physical means and design elements should be used to define and protect the urban edge and manage urban creep.

### 2.3 Reasons for the above Decision

2.3.1 The proposed development will formalise an existing informal settlement;

2.3.2 The proposal is not inconsistent with the provincial and municipal policies and legislation;

2.3.3 The proposal will result in the implementation of basic services, including the construction of roads.

2.3.4 The application is consistent with the SDF.

### 2.4 To be noted:

(a) The ±1.1 ha portion occupied by the proposed development on a portion of Farm 181, Stellenbosch Division forming part of the Papegaaiberg Nature Reserve be de-proclaimed by the competent authority prior to any development being undertaken on this subject portion of land;

3. 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.

4. 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.

5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: [Lenacia.Kamineth@stellenbosch.gov.za](mailto:Lenacia.Kamineth@stellenbosch.gov.za).

6. An applicant 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.

7. 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>).
8. 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.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. 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



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**FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

2/12/20

---

DATE:

**COPY OF LETTER**

**CC: OBJECTORS**

**1. Roelof Feenstra Inc**

E-mail: [roelof@feenstrainc.co.za](mailto:roelof@feenstrainc.co.za) / [conveyancing@feenstrainc.co.za](mailto:conveyancing@feenstrainc.co.za)

**2. Stellenbosch Agricultural Society**

E-mail: [stlandbo@mweb.co.za](mailto:stlandbo@mweb.co.za) / [infostlandbo@mweb.co.za](mailto:infostlandbo@mweb.co.za)

**3. Stellenbosch Ratepayers Association**

E-mail: [info@stellenboschratedpayers.org](mailto:info@stellenboschratedpayers.org)

**4. Western Cape Department of Education**

E-mail: [unathi.mayongo@westerncape.gov.za](mailto:unathi.mayongo@westerncape.gov.za) / [melodie.campbell@westerncape.gov.za](mailto:melodie.campbell@westerncape.gov.za)

# STELLENBOSCH ENKANINI

**PROPOSED  
SUBDIVISIONAL & REZONING PLAN:  
PREFERRED ALTERNATIVE**

- Application Area (±32.1 ha)
- Cadastral Boundaries

**PLEASE NOTE:**  
All boundary lines, dimensions and property sizes need to be verified by a Professional Land Surveyor.

**REP:** Landscape Architecture  
Indipendence, Durban, Kwa. Zulu.

**COMPILED BY:** A. ELIAS

**INCUMBENT:**

**DATE:** SEPTEMBER 2011

**SCALE:** SEE LINESCALE

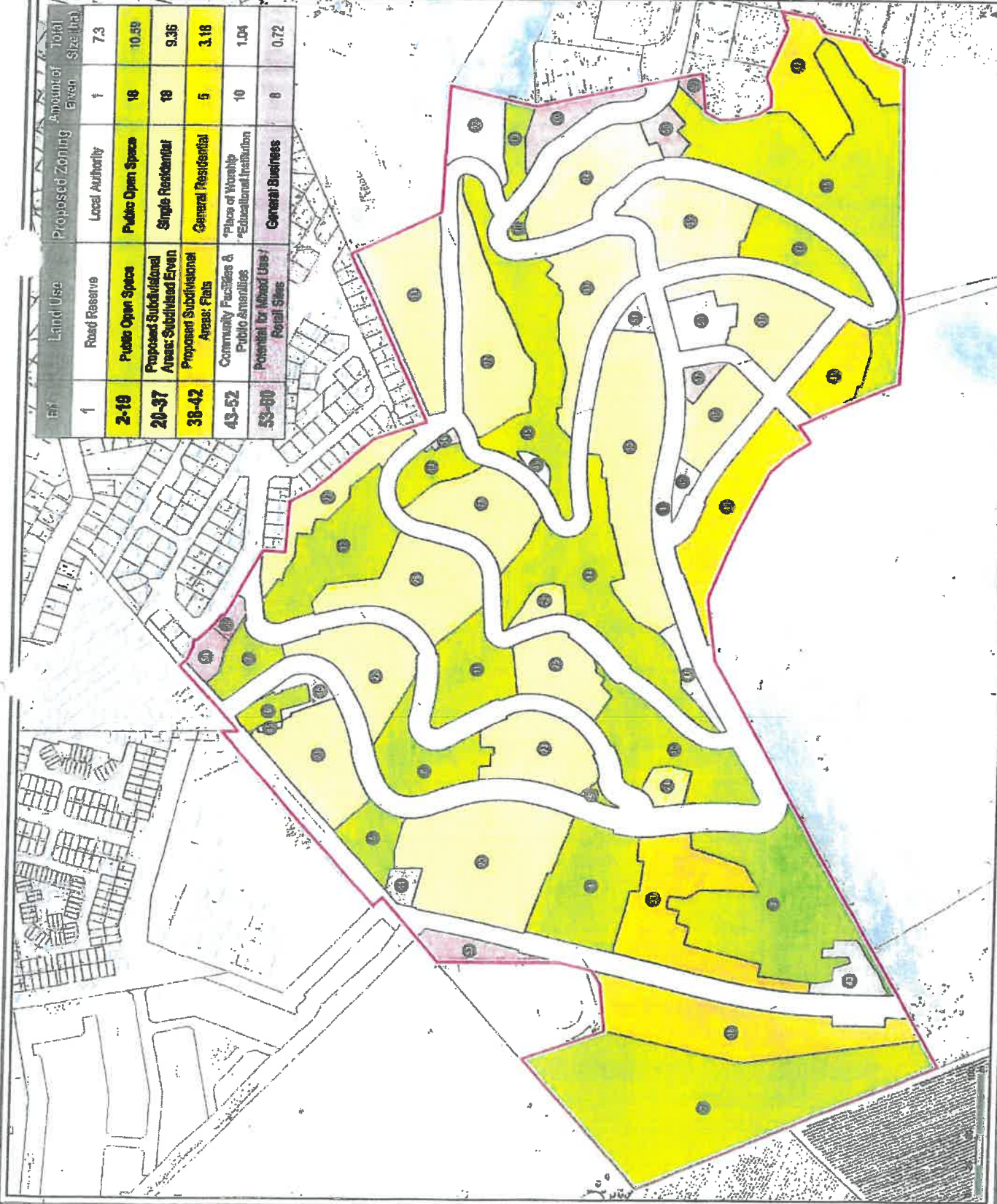
**PLAN NO.:**

**TAX MAP:**

**CLIENT:**

**URBAN INFRASTRUCTURE WESTERN CAPE**  
CITY OF CAPE TOWN  
URBAN INFRASTRUCTURE  
DEPARTMENT OF PUBLIC WORKS  
PO BOX 280  
Cape Town 8000  
TEL: 021 424 1111  
WWW.CAPE.TOWN.GOV.ZA

Ref	Land Use	Proposed Zoning	Amount of Erven	Total Size (ha)
1	Road Reserve	Local Authority	1	7.3
2-19	Public Open Space	Public Open Space	19	10.59
20-37	Proposed Subdivisional Areas: Subdivided Erven	Single Residential	19	9.36
38-42	Proposed Subdivisional Areas: Flats	General Residential	5	3.18
43-52	Community Facilities & Public Amenities	*Place of Worship *Educational Institution	10	1.04
53-60	Potential for Mixed Uses: Retail Sites	General Business	8	0.72



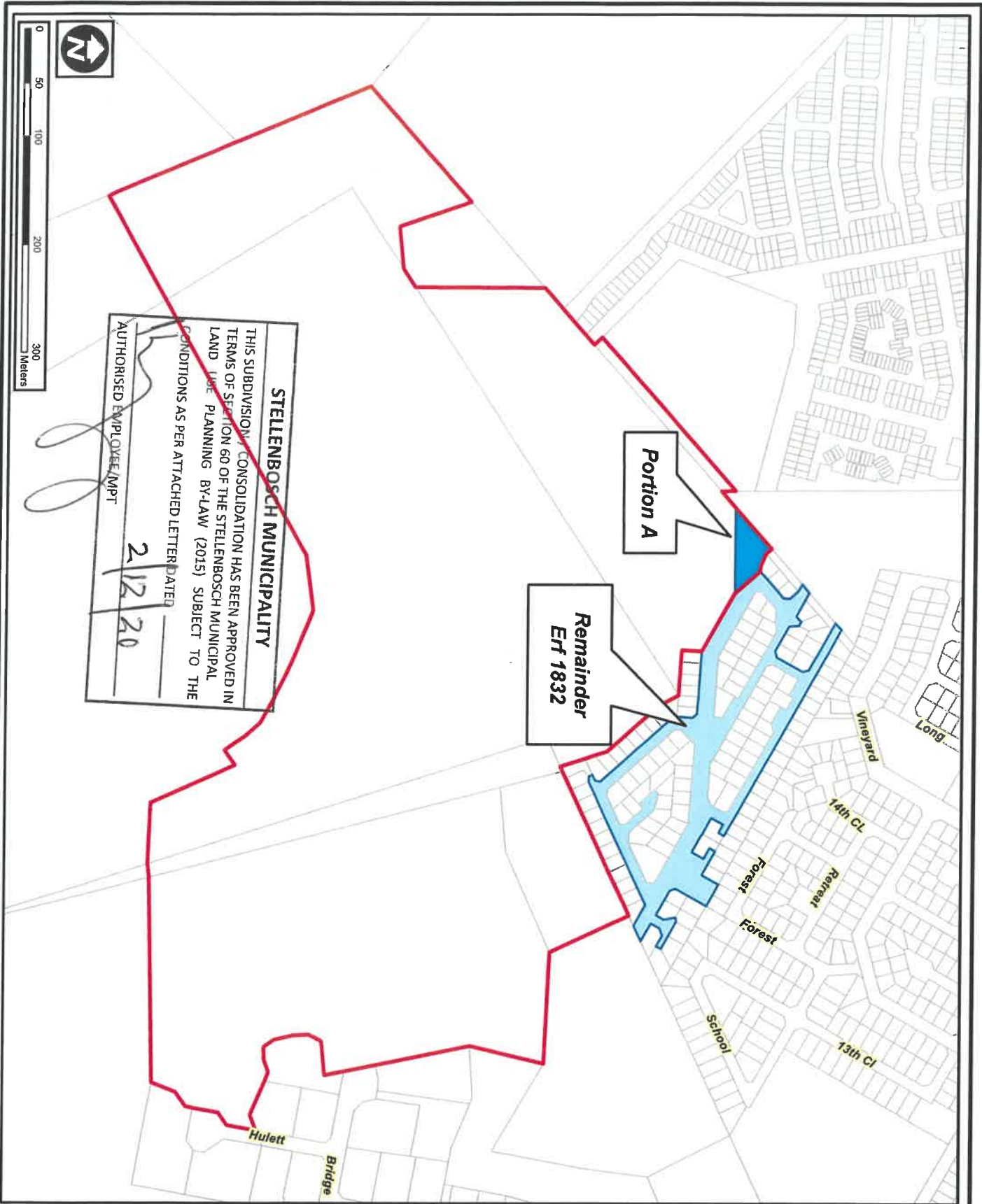
STELLENBOSCH 2019 SDF APPROVED URBAN EDGE



**Legend**

- 2019 SDF Approved Urban Edge
- Application\_Area
- Papegaaiberg\_Bound\_2015
- Proposed\_Subdivision\_Prefered\_Alternative**
- Proposed\_Zoning**
- Street
- Open Space Zone I
- Residential Zone I
- Residential Zone II
- Institutional Zone III
- Mixed Use
- Other Municipalities
- Stellenbosch
- EPF
- Farm Portions





**STELLENBOSCH MUNICIPALITY**

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

AUTHORISED EMPLOYEE/MP/PT

2/12/20



**ENKANINI**  
STELLENBOSCH

**SUBDIVISION PLAN**  
ERF 1832 KAYA MANDI

- Enkanini Development: Application Area (±32.1ha)
- Cadastral Boundaries
- Portion A (a portion of Erf 1832 Kaya Mandi) = ±0.14ha
- Remainder Erf 1832 Kaya Mandi = ±1.49ha

**PLEASE NOTE:**  
All boundary/line positions, distances and property areas need to be verified by a Professional Land Surveyor.

COMPILED BY: F. BIR

INDIVIDUALITY

DATE: September 2018

SCALE: See Limscale

PLAN NO. 10

CLIENT

**HERMAN OYERLINGS** SURVEILLING ENGINEER

2ND FLOOR, TOWNHALLITY CHAMBERS FIVE

201 WILHELMUSSTRAAT, WILHELMUSSTRAAT

PO BOX 2448

7500 STELLENBOSCH

RELEVANTE

TEL: (021) 948 1042

FAX: (021) 948 1044

WWW.HERMANOYERLINGS.CO.ZA

South African Council for the Engineering Professions (SACEP) Reg. No. 99200082027

**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 2/12/20

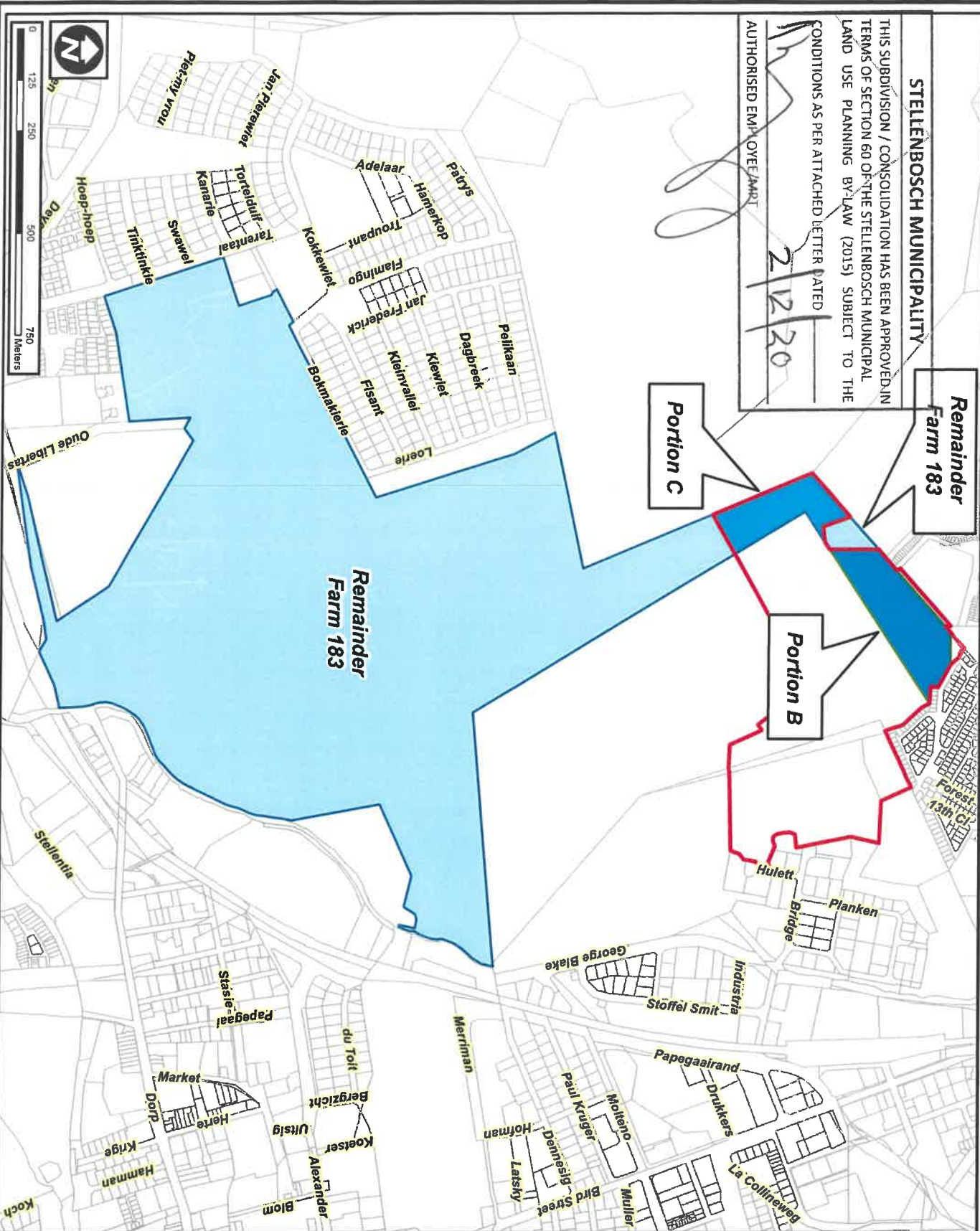
AUTHORISED EMPLOYE/JAAR

**Remainder Farm 183**

**Portion C**

**Portion B**

**Remainder Farm 183**



**ENKANINI STELLENBOSCH**

**SUBDIVISION PLAN FARM 183 STELLENBOSCH**

- Enkanini Development: Application Area (432.1ha)
- Cadastral Boundaries
- Portion B (a portion of Farm 183 Stellenbosch) = ±4.49ha
- Portion C (a portion of Farm 183 Stellenbosch) = ±2.94ha
- Remainder Farm 183 Stellenbosch = ±119.54ha

**PLEASE NOTE:**  
All boundary line portions, distances and property sizes need to be verified by a Professional Land Surveyor.

REF: \_\_\_\_\_

COMPILED BY: F. BRZ

INDENTINITY: \_\_\_\_\_

DATE: September 2018 CLIENT: \_\_\_\_\_

SCALE: Sea Level

PLAN NO: 11

**URBAN DYNAMICS SOUTH AFRICA**  
 2ND FLOOR, TRINOVATE, CHAMBERS FIVE  
 2700 ELIZABETHWOOD AVENUE  
 POST BOX 2445  
 STELLENBOSCH  
 TEL: (021) 554 155  
 FAX: (021) 554 156  
 WWW.URBANDYNAMICS.CO.ZA

# ENKANINI STELLENBOSCH

## SUBDIVISION PLAN FARM 181 STELLENBOSCH

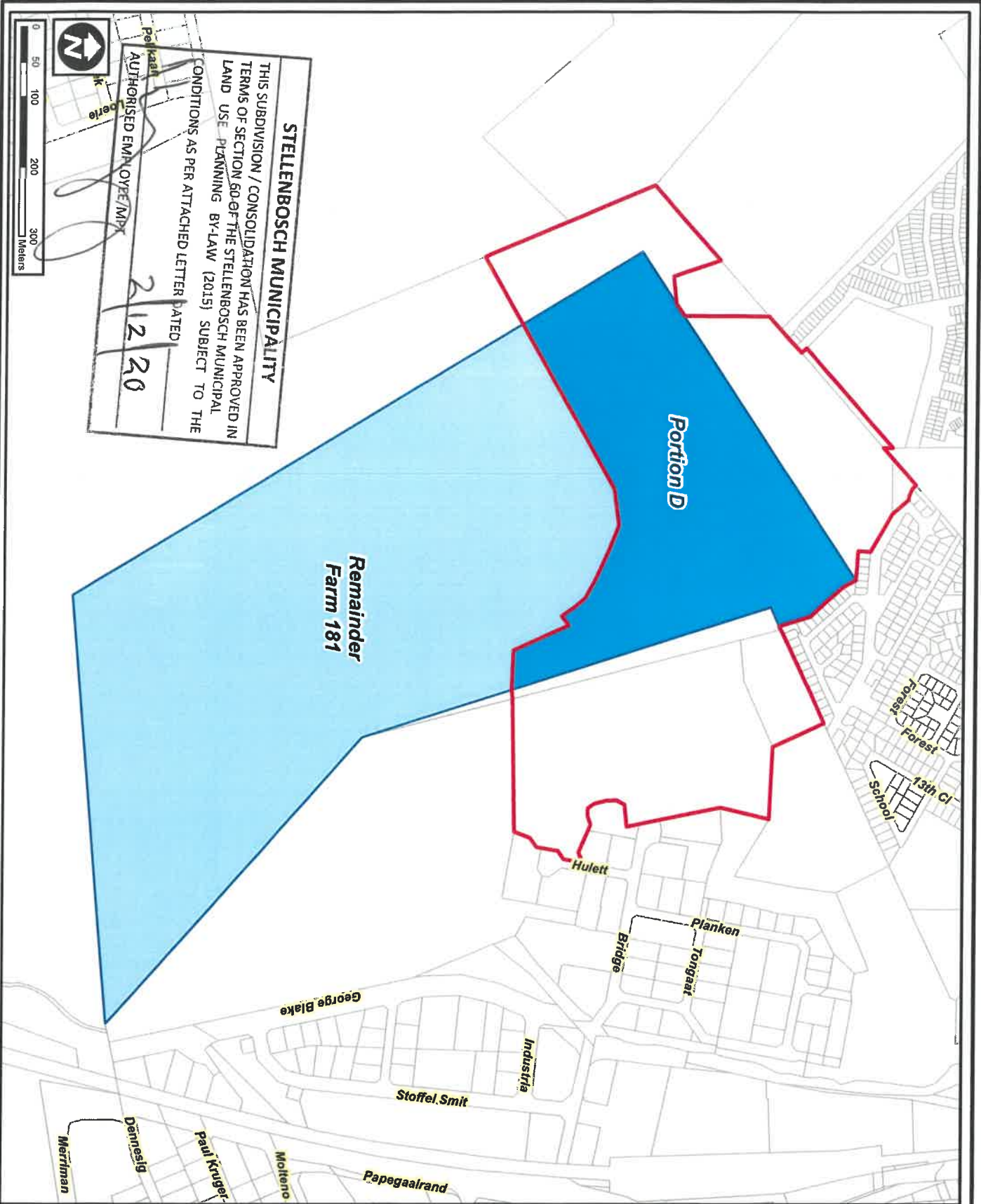
- Enkanini Development:  
Application Area (±32,1ha)
- Cadastral Boundaries
- Portion D (a portion of  
Farm 181 Stellenbosch)  
= ±14,44ha
- Remainder Farm 181  
Stellenbosch  
= ±36,33ha

PLEASE NOTE:  
The applicant's, distances and property sizes need  
to be verified by a Professional Land Surveyor.

REF: \_\_\_\_\_  
COMPLETED BY: F. BR  
INDENTMENT: \_\_\_\_\_  
DATE: September 2018 CLIENT: \_\_\_\_\_  
SCALE: See Linework  
PLAN NO.: 12

URBAN DEVELOPMENTS SOUTH AFRICA  
260 TROMPSBURG AVENUE, SUITE 505  
BELLVILLE, 7520  
PO BOX 240  
7520  
TEL: (021) 561 195  
FAX: (021) 564 186  
WWW.UDSA.CO.ZA

Urban Developments South Africa (Pty) Ltd Reg. No. 198700682077



**STELLENBOSCH MUNICIPALITY**  
THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN  
TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL  
LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE  
CONDITIONS AS PER ATTACHED LETTER DATED  
AUTHORISED EMPLOYEE/MP  
21/2/20

# ENKANINI STELLENBOSCH

SUBDIVISION PLAN  
FARM 5/175 STELLENBOSCH

- Enkanini Development:  
Application Area (±32.1ha)
- Cadastral Boundaries
- Portion E (a portion of  
Farm 5/175 Stellenbosch)  
= ±0.90ha
- Remainder Farm 5/175  
Stellenbosch  
= ±0.13ha

**PLEASE NOTE:**  
All boundary line positions, distances and property sizes need  
to be verified by a Professional Land Surveyor.

REF: \_\_\_\_\_

COMPILED BY: F. BNC

INDIVIDUALITY: \_\_\_\_\_

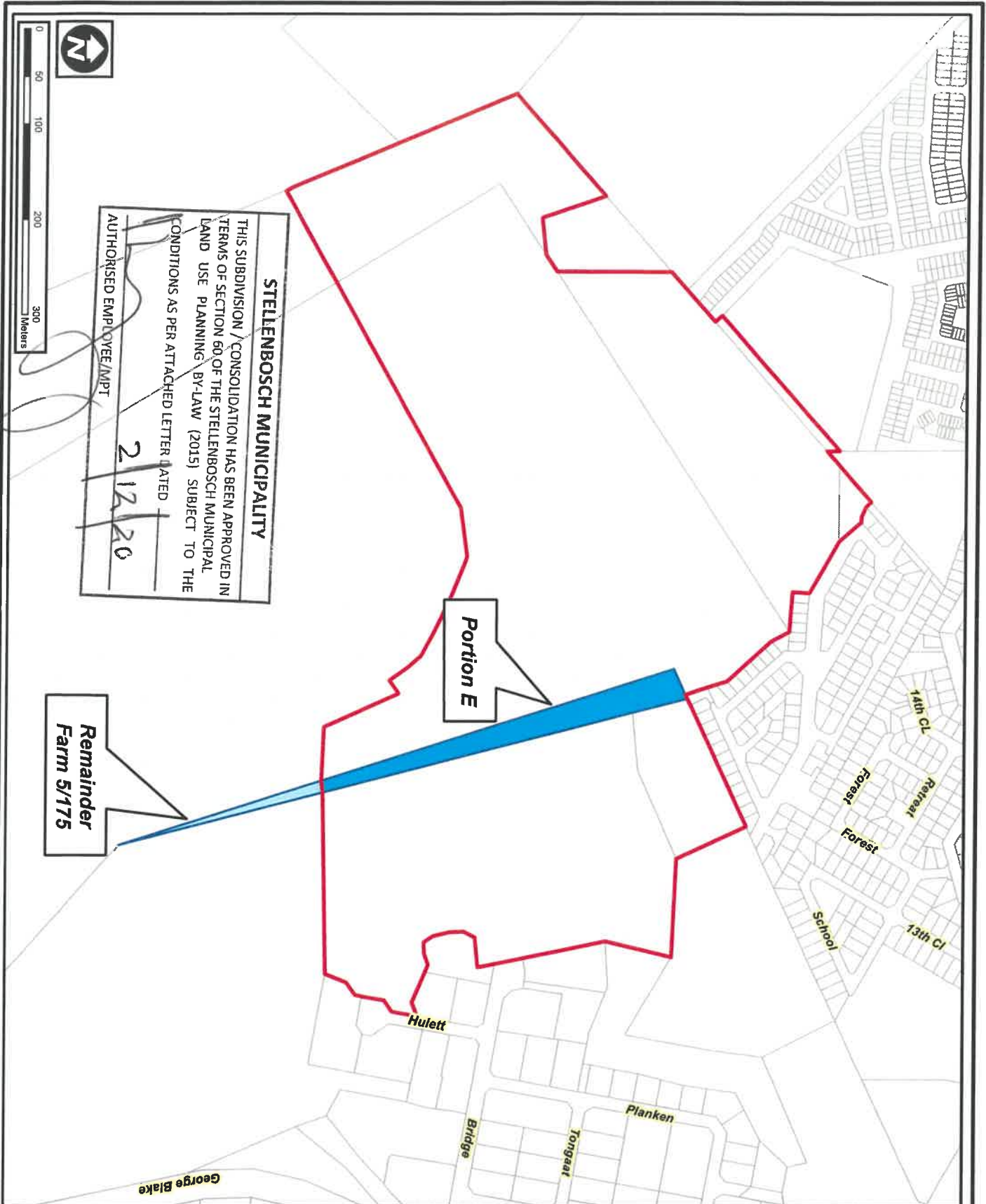
DATE: September 2018

SCALE: See Unseals

PLAN NO: 13

CLIENT: \_\_\_\_\_

TELEPHONE: 021 881 1944 / 881 1956  
FAX: 021 881 1956  
Mobile: 082 908 4833  
Email: fbl@enkanini.co.za  
Unit 13, Wessels Road, Camp RT111, DO. Reg. No. 19720/001/0972



# ENKANINI STELLENBOSCH

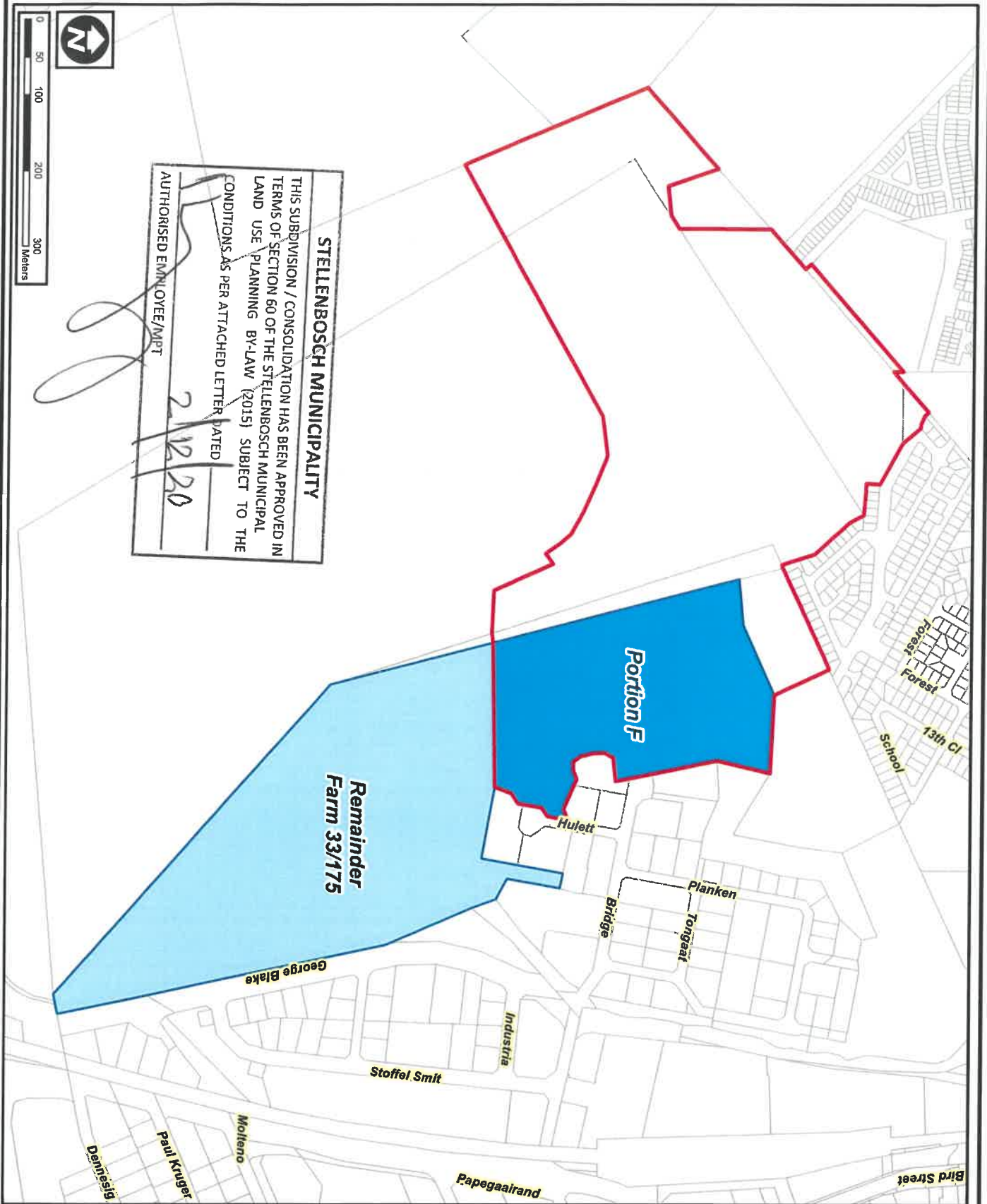
SUBDIVISION PLAN  
FARM 33/175 STELLENBOSCH

- Enkanini Development:  
Application Area (±32.1ha)
- Cadastral Boundaries
- Portion F (a portion of  
Farm 33/175 Stellenbosch)  
= ±7.891ha
- Remainder Farm 33/175  
Stellenbosch  
= ±14.84ha

PLEASE NOTE:  
All boundary line positions, distances and property sizes need  
to be verified by a Professional Land Surveyor.

REF: \_\_\_\_\_  
 COMPILED BY: F. SIBU  
 INDEMNITY: \_\_\_\_\_  
 DATE: September 2018 CLIENT: \_\_\_\_\_  
 SCALE: Sea Linescale  
 PLAN NO: 14

TEL: (021) 885 186  
 FAX: (021) 885 188  
 WWW: www.enkanini.co.za  
 280 FLOORS, TOWNWALKER CHAMBERS FIVE  
 27 MILLERSON ROAD, WINDERMERE  
 PORTER 2415  
 BELLVILLE



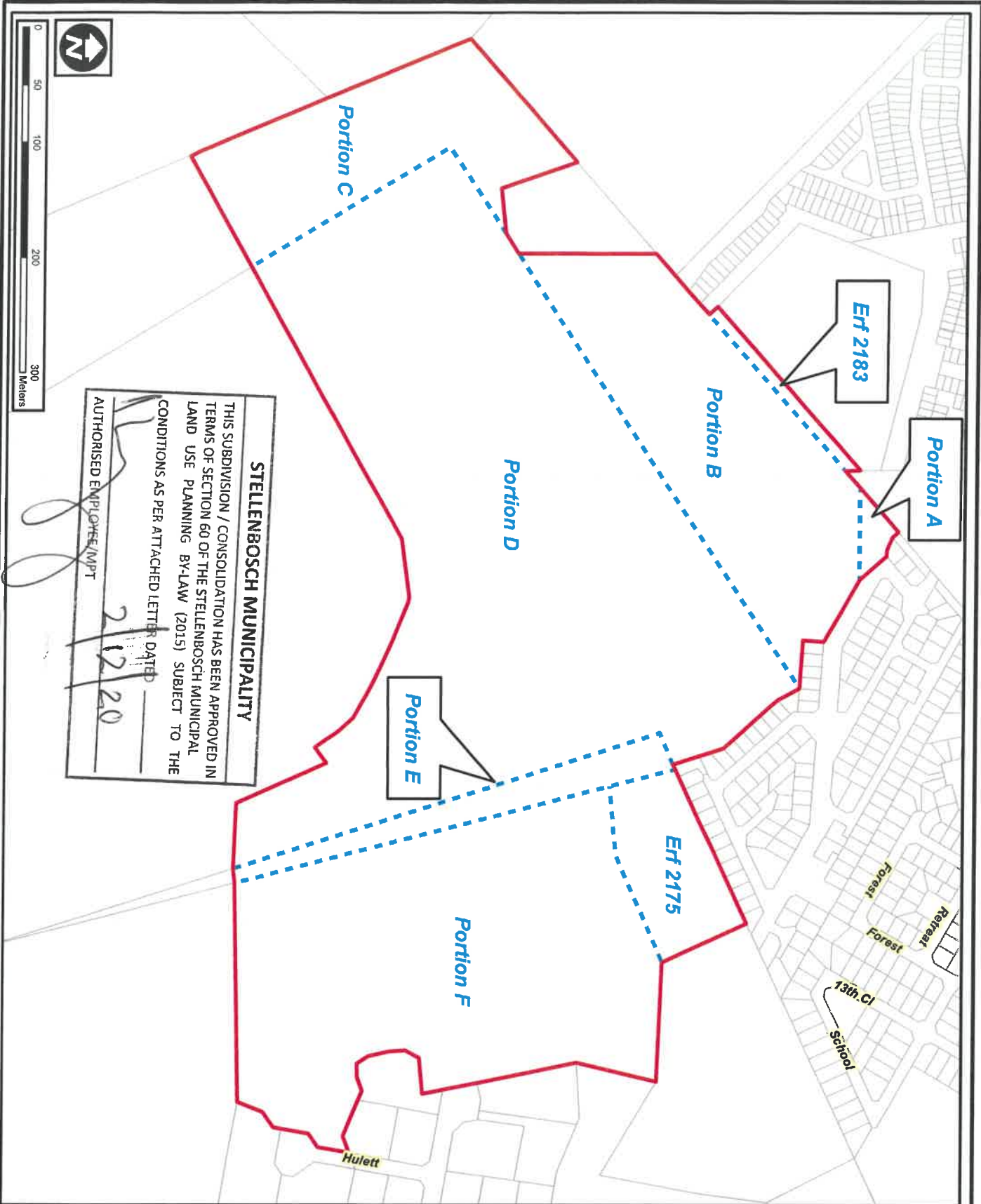
**STELLENBOSCH MUNICIPALITY**

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

21/09/20

AUTHORISED EMPLOYEE/MP





# ENKANINI

## STELLENBOSCH

### CONSOLIDATION PLAN

- Consolidated Area G  
Enkanini Development:  
Application Area (±32.1ha)
- Cadastral Boundaries
- Component Lines

**Components:**

- Erf 2175 Kaya Mandi
- Erf 2183 Kaya Mandi
- Portion A  
(a portion of Erf 1832 Kaya Mandi)
- Portion B  
(a portion of Farm 183 Stellenbosch)
- Portion C  
(a portion of Farm 183 Stellenbosch)
- Portion D  
(a portion of Farm 181 Stellenbosch)
- Portion E  
(a portion of Farm 5/175 Stellenbosch)
- Portion F  
(a portion of Farm 39/175 Stellenbosch)

**PLEASE NOTE:**  
All boundary line positions, distances and property sizes need to be verified by a Professional Land Surveyor.

COMPILED BY: F. BAR	CLIENT:
INDIVIDUALITY	DATE: September 2018
SCALE: Sea Lussella	PLAN NO: 15

**URBAN DYNAMICS SOUTH AFRICA**  
250 FLORENCE TROSCHEWITZ CHAMBERS 17E  
27 MILLER VAN SCHOOOR AVENUE  
ROSEBUD 7459  
BELLVILLE  
7520

TEL: (021) 544 1545  
FAX: (021) 544 1522  
WWW.URBANDYNAMICSOUTH.AZ  
Urban Dynamics South Africa (Pty) Ltd Reg. No. 2012/002787/27

**STELLENBOSCH MUNICIPALITY**

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

AUTHORISED EMPLOYEE/MPT

2/12/20

**ANNEXURE P**

COMMENT FROM THE MANAGER: ENGINEERING SERVICES

TK 636

## INTERDEPARTMENTAL CIRCULATION FORM

Civil 1828

LêER VERW/ FILE REF	Erf 2175, Kayamandi	DATUM DATE	11 April 2019
AANSOEKNUMMER/APPLICATION NUMBER	LU/8597		
MEMO AAN/ TO :			
<input checked="" type="checkbox"/> Director : Engineering Services			
<input checked="" type="checkbox"/> Manager : Electrical Department			
<input checked="" type="checkbox"/> Manager : Building Development Management			
<input checked="" type="checkbox"/> Manager : Fire Services			
<input checked="" type="checkbox"/> Manager : Community Services			
<input checked="" type="checkbox"/> Manager: Spatial Planning / Heritage / Environment			
<input checked="" type="checkbox"/> Manager: Local Economic Development			
<input checked="" type="checkbox"/> Chief Financial Officer			
<input checked="" type="checkbox"/> Manager : Property Management			

ENKANINI

12/5/19

FILE NR:	
Storage	E2175 Km
COLLABORATOR NR:	

**Application**

(i) Application is made in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law, August 2015 for the following subdivision of land:

- a. Subdivision of Erf 1832 into Portion A (±0.14ha) and Remainder (±1.49ha);
- b. Subdivision of Farm 183 into Portion B (±14.49ha), Portion C (±2.94ha), and the Remainder (±119.54ha);
- c. Subdivision of Farm 181 into Portion D (±14.44ha) and the Remainder (±36.33ha);
- d. Subdivision of Portion 5 of Farm 175 into Portion E (±0.90ha) and Remainder (±10.13ha);
- e. Subdivision of Remainder of Portion 33 of Farm 175 into Portion F (±417.86ha) and Remainder (± 14.84ha).

(ii) Application is made in terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law, August 2015 for the consolidation of Portions A, B, C, D, E, F, Erf 2175 and Erf 2183 in order to create the consolidated area G known as Enkanini Development Area.

(iii) Application is made in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law, August 2015 for the rezoning of the consolidated Area G from Agricultural Zone to Subdivisional Area in order to create the following:

- a. 1 Street Zone Erf (Road Network, 14m & 8m Reserves);
- b. 18 Open Space Zone erven (Public Open Space);
- c. 18 Single Residential Zone erven (Subdivided Erven);
- d. 5 General Residential Zone erven (Flats);
- e. 10 Place of Worship / Educational Institution Zone erven (Community Facilities);
- f. 8 General Business Zone erven (Mixed use incl. retail).

(iv) Application is made to amend the Municipal Urban Edge as per the Spatial Development Framework (2018).

<b>Adres / Address</b>	Enkanini Informal Settlement
<b>Aansoek Datum / Application Date</b>	03 October 2019
<b>Aansoeker / Applicant</b>	Urban Dynamics Western Cape

STELLENBOSCH MUNICIPALITY  
 PLANNING AND DEVELOPMENT SERVICES  
20 MAY 2020

RECEIVED

Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Indien my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging te stel, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.



Gelieve die memorandum per hand aan my terug te besorg voor of op: 13 Mei 2019  
Please hand deliver the memorandum to me on or before: 13 May 2019

A. Hardouin

For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

ALGEMENE KOMMENTAAR / GENERAL COMMENT:

*Recommend*

*for approval*

VOORWAARDES/CONDITIONS:

*See Memo dated*

*16 March 2020*

*[Signature]*  
HANDTEKENING / SIGNATURE

*17/03/2020*  
DATUM / DATE



# MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES  
DIREKTORAAT: INFRASTRUKTUURDIENSTE

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

**FOR ATTENTION** : **B Mdoda**

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

**AUTHOR** : **Tyrone King**

**DATE** : **16 March 2019**

**RE.** : **Erf 2175, Kayamandi (Enkanini): Subdivision, consolidation and rezoning from Agricultural Zone to subdivisional area: 1 Road reserved zone erf, 18 POS zone erven, 18 Single Res Zone erven, 5 general residential zone erven (flats), 10 community facility zone erven, 8 General business zone erven (as per Plan 9: rezoning to subdivisional area plan) for +/- 892 subsidised erven, 210 reblocked units, 417 flats and 16 900 m<sup>2</sup> GLA (as per Eng services report)**

**YOUR REF** : **LU/8597**

**OUR REF** : **1828 CIVIL LU**

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

- The abovementioned application dated 3 October 2018 and motivation report by Urban Dynamics Western Cape, dated September 2018;
- General Arrangement Drawings Layout 3 (plan No. 8 in application), by Jakuba, dated March 2018 Drawing No 1707 SK Rev UDP110R02
- Proposed rezoning to subdivisional area (plan No. 9 in application), by Urban Dynamics Western Cape, dated September 2018;
- Transport Impact Assessment by JG Africa dated Aug 2018;
- Civil Engineering Services Report, by ICE Group, dated 31 Aug 2018;
- GLS water and sewer master plans 2019 dated June 2019;
- The GLS Water and Sewer capacity report dated 21 May 2019 (Erf 2183 – Zone O) was consulted as it is in the same catchment area as Enkanini wrt water and sewer bulk infrastructure

## SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI

It is noted that as per 5.1 of the motivation report, that the detailed subdivision layouts do not form part of this statutory land use application, but merely serve as informants to the potential of the layout options that could be applied for approval at a later stage of the project. These comments and conditions are given taking this statement into account. Further conditions will be given when a land use application is received for the detail subdivision.

These comments and conditions are based on the following proposed development parameters (5.1 of Town Planning Motivation report and 5.2 of Engineering Services Report

- Flats (Social Housing): 417 flats
- Erf 2175 (reblocking): 210 housing units
- Subsidised erven: 892 housing units
- Commercial, community, other: 15 900m<sup>2</sup> GLA

*It is noted that the engineering services report and demand calculations are based on the assumption that there will be 2 households per erf, namely a formal dwelling plus a backyard informal dwelling.*

Any development beyond these parameters would require a further approval from this Directorate.

This document consists of the following sections:

A. Definitions

B. Recommendation to decision making authority

C. Specific conditions of approval: These conditions must be complied with before clearance certificate, building plan or occupation certificate approval; whichever is applicable to the development in question.

D. General conditions of approval: These conditions must be adhered to during implementation of the development to ensure responsible development takes place. If there is a contradiction between the specific and general conditions, the specific conditions will prevail:

### A. Definitions

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 Local Authority, duly established in terms of section 9 of the Local Government Municipal Structures act, Act

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANNI**

117 of 1996 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: Infrastructure 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"*;

**B. Recommendation:**

3. **The development is recommended for approval, subject to the conditions as stated below**

**C. Specific conditions of approval**

4. that the following upgrades are required to accommodate the development. No taking up of proposed rights including Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be allowed until the following upgrades have been completed and/or conditions have been complied with:
- a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.
  - b. **Water Network:** There is sufficient capacity in the bulk water reticulation network to accommodate the proposed development.

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

c. **Sewer Network:** The sewer from the development will connect to existing pipes in Bridge Street and Tongaat Street, through the industrial area and to a lifting pumpstation from where it is lifted to the bulk outfall sewer. There is insufficient capacity in the bulk sewer reticulation network to accommodate the proposed development. The following bulk infrastructure is required (See Annexure A):

i. SSS5.1 12m x 250 mm dia upgrade existing gravity sewer

Estimated cost: R 148 800\*

ii. SSS5.2 Upgrade existing pumpstation

Estimated cost: R 22 400\*

iii. SSS1.40b 1400 m x 600 mm dia upgrade existing outfall sewer

Estimated cost: R 7 627 000\*

**Funding:** The total cost of the above-mentioned projects are R 7 798 200. According to the latest version of the draft 2020-23 municipal budget received, there is no funding allocated to these projects. It must be noted that this Directorate will not be able to give any further approvals i.e. engineering services drawing approval before a financial commitment has been made by council to fund this project.

iv. The capacity of the existing 160 mm dia pipelines in bridge Street and Tongaat Street needs to be investigated by the consulting engineers at detail design stage to determine if these pipes should not be upgraded as well. Funding for any upgrades identified should be allowed for in the housing project's budget.

v. The engineering services report makes allowance for a formal house plus a backyard dwelling in the demand calculations, as this can realistically be expected to occur in the future. Therefore, erf connections should be designed and positioned in such a way that will allow future backyard dwellings to also be able to easily connect to the sewer network. If backyard dwellings cannot connect to the sewer system, it will lead to pollution of the stormwater and ultimately of the Plankenbrug and Eerste rivers.

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI****d. Public Transport and non-motorised transport (NMT):**

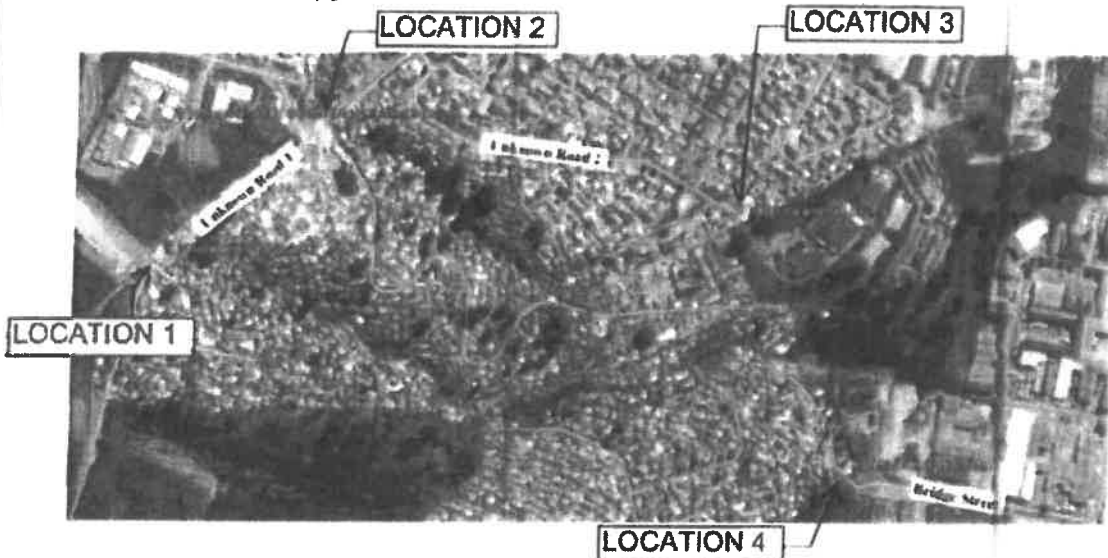
- i. Minibus taxis serving the area operate predominantly along the R304, resulting in long walking distances for residents within Enkanini. Additional public transport services will be required such as more frequent services and/or routes/stops within the proposed site, to serve the public transport demand. Additional public transport infrastructure (taxi embayments etc) must be included in the final design and must be indicated on the engineering services drawings.
- ii. Surfaced sidewalks, with widths no less than 1.5m, with barrier kerbs protecting pedestrians from through traffic and preventing motor vehicles from parking on sidewalks must be provided for all roadways as well as pedestrian crossings with associated road signs at adequate locations. These should be indicated on the engineering services drawings. The Municipality may at that stage request sidewalks wider than the 1.5m, where warranted.

**e. Road network**

- i. The engineering services report motivates that due to the extreme cross-grades of the topography, in order to prevent excessive cross cut and fills, and associated higher construction costs, the road widths need to be at the lower limit of acceptable ranges. Due to these constraints, the following design standards are acceptable:
- ii. Primary roads 6m wide with a 1.5m sidewalk
- iii. Secondary roads 4.5m wide with a 1.5m sidewalk. All roads should be checked for turning movements of emergency vehicles and municipal refuse vehicles. Where 4.5m are not enough to allow safe turning movements, these sections should be widened to an acceptable width.
- iv. Appropriate road reserve widths must be determined by the consulting engineer and indicated on the detail subdivision layouts for approval

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

**f. Road upgrades**



- i. Location 1 must be upgraded to a 3-way intersection with stop control on the north approach
- ii. The informal intersections at Location 2 be consolidated and upgraded to a 4-way intersection with stop control on the north and south approaches
- iii. Location 3 be upgraded to a 3-way intersection with stop control on all approaches
- iv. The road at Location 4 be upgraded and tied into Bridge Street, the existing road linking Enkanini to the industrial area (Plankenberg).

The funding for these upgrades must be included in the housing projects budget.

**g. Parking:** According to the town planning motivation report, a reduced parking ratio of 0.1 bays per unit is proposed, due to a low ownership profile and in accordance with statistical studies for such developments. The parking bays will not be provided on the erven, but alongside roads, distributed evenly throughout the development:

- i. A current vehicle ownership ratio of 0.05 per household has been confirmed by the Manager, Informal Settlements. Therefore the proposed parking ratio of 0.1 bays per unit is acceptable, as it is double the current vehicle ownership ratio.

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

**h. Stormwater Network:** The detail design must be conducted in terms of the stormwater management plan included in the Engineering Services Report. The following aspects are highlighted:

- i. Stormwater run-off from the development drains toward the Plankenbrug River, which feeds into the Eerste River. The water of the Plankenbrug River is highly polluted and some of this pollution can be ascribed to a lack of sewerage systems in the informal settlement, backyard dwellings that are not connected to a sewer system, and blocked and dysfunctional sewer systems. Therefore, a proper sewerage system, complying with the municipal standards, must be installed to the proposed development. All units, including backyard dwellings must have a proper sewer connection and accordingly a significant reduction of the sewer contamination of the stormwater and rivers can be expected.
- ii. A stormwater connection to the underground stormwater system should be provided to each erf as, due to the steep slopes, the run-off will need to be controlled to prevent erosion. This must be indicated on the engineering services drawings;
- iii. Runoff impacts due to development and increased hardened surfaces must be reduced to pre-development levels – attenuation ponds in the form of regional ponds or on-site ponds should be investigated and indicated on detail design engineering services drawings;
- iv. The downstream system through the industrial area must also be checked to determine if it can accommodate the post development flow and if not, what upgrading measures will need to be implemented, for both the underground and/or overland flow. This information must be provided with and indicated on the engineering services drawings. The funding of any such upgrades must form part of the housing project's budget.

**i. Solid Waste:**

- i. The Municipality will provide a solid waste removal service. Roads should be designed to be able to safely accommodate refuse vehicles.
- ii. Consideration should be given to refuse removal arrangements considering the steep slopes and moving refuse from the individual dwellings towards the refuse pick up points. The consulting engineer must submit proposals concurrent with engineering services drawings.



**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

**Development Charges**

5. The applicability and quantum of Development Charges will be assessed at the subsequent approval stages i.e. detail subdivision approval;

**Ownership and Responsibility of services**

6. All roads within the development are public roads, therefore all internal services on the said erf will be regarded as public services and will be maintained by the Municipality;

**Solid Waste**

7. Spoil volumes from excavations must be kept to a minimum, due to the capacity constraints at the landfill site.

**Floodplain Management**

8. The 1:50 and 1:100 year flood lines of the streams/rivers must 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;
9. 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;
10. that all perimeter fencing below the 1:50 year flood line be visually permeable from ground level and not adversely affect the free flow of water (e.g. palisade fencing). No fences will be allowed across the watercourse;

**Bulk Electricity**

11. 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:**

12. 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

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

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;

13. 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.
14. that the "Developer" must ensure that he / she has an acceptable public liability insurance policy in place;
15. 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;
16. 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 3<sup>rd</sup> Edition (2015);
17. 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

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

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;

18. 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: Infrastructure Services before land-use and or SDP approval is obtained;
  - e.) that no building plans will be recommended for approval by the Directorate: Infrastructure 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: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued unless the "Developer" obtains the approval of the "Engineer" for construction work of his development parallel with the provision of the bulk services.

**Site Development Plan**

19. 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";
20. 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

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

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;

21. 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;
22. 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**

23. 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;
24. that the Directorate: Infrastructure 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 Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services;
25. 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;
26. that plans of all the internal civil services and such municipal link services as required by the Directorate: Infrastructure Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
27. that construction of services may only commence after municipal approval has been obtained;

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

28. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
29. that the "Developer" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (as amended) and that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with this document, unless otherwise agreed with the Engineer. The said document is available in electronic format on request;
30. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
31. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
32. that prior to the issuing of the Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1, all internal - and link services be inspected for approval by the "Engineer" on request by the "Developer's" Consulting Engineer;
33. that a Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1 be issued before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued (prior to transfer of individual units or utilization of buildings);
34. that Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law 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;
35. 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 request;
36. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
37. 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

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

sub-contractor of the "Developer" to determine the location of existing civil and electrical services;

38. 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".

**Servitudes**

39. that the "Developer" ensures that all main services including roads to be taken over by the Directorate: Infrastructure Services, all existing municipal – and or private services including roads, crossing private - and or other institutional property and any other services/roads crossing future private land/erven are protected by a registered servitude before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be given;
40. 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;
41. 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**

42. Taking into account the recent water crisis, and associated increase in borehole usage, it is important that the groundwater be recharged as much as possible. One way of achieving the above is to consider using Sustainable Drainage Systems (SuDS) approach wrt SW management. From Red Book: "SuDS constitute an approach towards managing stormwater runoff that aims to reduce downstream flooding, allow infiltration into the ground, minimise pollution, improve the quality of stormwater, reduce pollution in water bodies, and enhance biodiversity. Rather than merely collecting and discarding stormwater through a system of pipes and culverts, this approach recognises that stormwater could be a resource." The Developer is encouraged to implement SuDS principles that are practical and easily implementable. Details of such systems can be discussed and agreed with the Municipality and must be indicated on the engineering drawings.

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

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;
44. 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;
45. 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;
46. 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;
47. 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;
48. 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.
49. 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;
50. that no overland discharge of stormwater will be allowed into a public road for even with catchment areas of more than 1500m<sup>2</sup> and for which it is agreed that no detention facilities are

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

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**

51. 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;
52. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
53. 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 approval, and that the approved plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services;
54. that the access road to the existing facility be kept in an acceptable condition, i.e. maintained to a standard which will result in a comfortable ride for a standard passenger vehicle and to a standard which will not endanger the lives or property of road users;

**Bridge Requirement:**

55. that any bridge(s) in the proposed road lay-out be designed and constructed to not impact on the natural flow of water, and to be able to accommodate the 1:50 year flood. The underside of the bridge(s) must be above the 1:100 year flood level;
56. that the bridge(s) be constructed by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services. An adequate level of supervision by a suitably qualified Registered Engineering Professional must be provided for the full duration of the works. The Registered Engineering Professional shall arrange for any tests that may be necessary to determine whether the workmanship and materials conform to the required standards;
57. that a certificate stating that all work has been carried out in accordance with the Directorate: Infrastructure Services's specifications and requirements, signed by the Registered Engineering Professional, must be submitted with the "As Built" drawings on completion of the bridge(s). The certificate must make reference to all material testing, and confirm that the test results meet or exceed the requirements of the specifications;



**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI****Culvert Requirement:**

58. that any proposed culverts be designed and constructed by a professional engineer and to the satisfaction of all affected institutions i.e. Provincial Government, Stellenbosch Municipality, Metrorail, PRASA, etc;
59. that the culvert be constructed by the "Developer", to the standards of the Directorate: Infrastructure Services. An adequate level of supervision by a suitably qualified Registered Engineering Professional must be provided for the full duration of the works. The Registered Engineering Professional shall arrange for any tests that may be necessary to determine whether the workmanship and materials conform to the required standards;
60. that a certificate stating that all work has been carried out in accordance with the Directorate: Infrastructure Services's specifications and requirements, signed by the Registered Engineering Professional, must be submitted with the "As Built" drawings on completion of the culvert. The certificate must make reference to all material testing, and confirm that the test results meet or exceed the requirements of the specifications;
61. that stormwater in the culvert be addressed without utilizing mechanical pumps to the satisfaction of the "Engineer".

**Wayleaves**

62. 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;
63. that wayleaves will only be issued after approval of relevant engineering design drawings;
64. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

**Solid Waste**

65. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
66. Maximum depth of cul-de-sac shall be 20 meters or 3 even, 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:

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

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;

67. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
68. Road foundation shall be designed to carry a single axle load of 8.2 tons;
69. 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;
70. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
71. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
72. 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**

73. 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;

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

- 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;
74. 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";
75. 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;
76. 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;
77. 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";

**Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law**

78. It is specifically agreed that the "Developer" undertakes to comply with all conditions of approval as laid down by the "Municipality" before clearance certificates shall be issued, unless otherwise agreed herein;
79. 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;

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

80. that clearance will only be given per phase and the onus is on the "Developer" to phase his development accordingly;
81. 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 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law. 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;
82. 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".

**Avoidance of waste, nuisance and risk**

83. 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 "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.

**Streetlighting**

84. 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 Manager: Electrical Services and under the supervision of the consulting engineer, appointed by the "Developer".
85. 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 Manager: Electrical Engineering, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;
86. 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 Manager: Electrical Engineering for approval before any construction work commences;

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

87. 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".
88. The maintenance and servicing of all private internal street lighting shall be the responsibility and to the cost of the Municipality.

**TYRONE KING Pr Tech Eng****MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

**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.

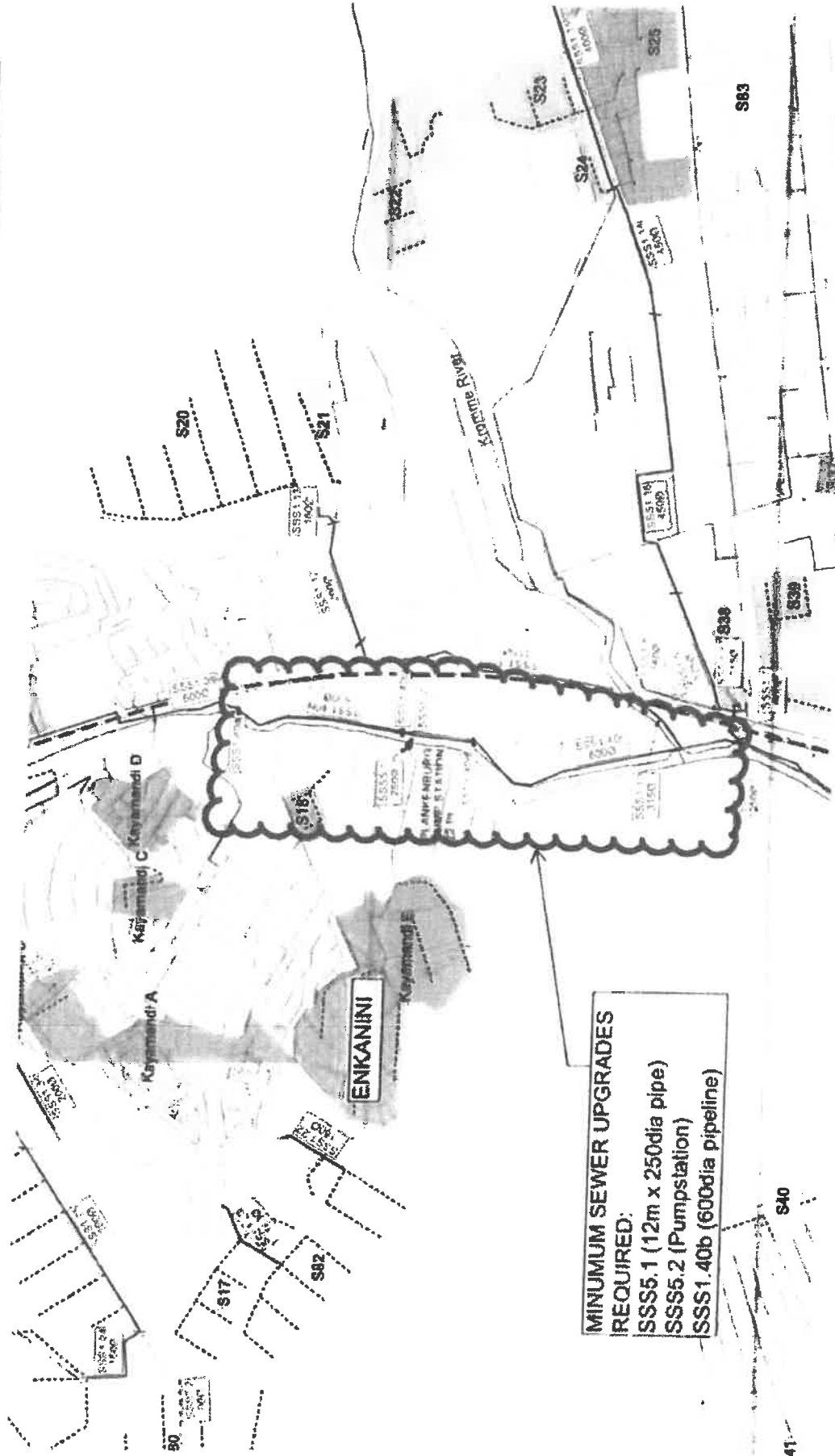
In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the Stellenbosch

**SUBDIVISION, CONSOLIDATION AND REZONING TO ALLOW THE FORMALISATION OF ENKANINI**

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

ANNEXURE A: SEWER UPGRADES



MINIMUM SEWER UPGRADES  
 REQUIRED:  
 SSS5.1 (12m x 250dia pipe)  
 SSS5.2 (Pumpstation)  
 SSS1.40b (600dia pipeline)





**ANNEXURE O**

**COMMENT FROM THE MANAGER: ELECTRICAL SERVICES**

ERF 2175  
ELECTRICITY SERVICES: CONDITIONS OF APPROVAL**GENERAL COMMENT:**

1. 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. (021 8068335)

**CONDITIONS**

2. Development Bulk Levy Contributions are payable.
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. (Street side of property) *With no obstruction.*
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
  - Cooking with gas
  - In large building developments:
    - Control Air condition equipment tied to alternative efficiency systems
    - Preheat at least 50% of water 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.

  
Signature

  
Date

**ANNEXURE J**

COMMENT FROM HERITAGE WESTERN CAPE

**Our Ref:** HM/CAPE WINELANDS/STELLENBOSCH/REM OF FARM 183, 181,  
FARM 175/5, 175/33 AND 2175  
**Case No.:** 18092711A5103E  
**Enquiries:** Andrew September  
**E-mail:** [andrew.september@westerncape.gov.za](mailto:andrew.september@westerncape.gov.za)  
**Tel:** 021 483 9543  
**Date:** 15 October 2018



Cindy Postlethwayt  
7 Ritchie Avenue  
Kenilworth  
7708

**RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL**  
In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape  
Provincial Gazette 6061, Notice 296 of 2003

**NOTIFICATION OF INTENT TO DEVELOP: PROPOSED SERVICES UPGRADES, NEW HOUSES AND FORMALISATION OF EKANINI INFORMAL SETTLEMENT, REM OF FARM 183, 181, FARM 175/5, 175/33 AND 2175, STELLENBOSCH, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

**CASE NUMBER: 18092711A5103E**

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 03 October 2018. This matter was discussed at our Heritage Officials Meeting (HOMS) on the 8<sup>th</sup> October 2018.

You are hereby notified that, since there is no reason to believe that the proposed development will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully

  
.....  
Mxolisi Dlamuka  
Chief Executive Officer, Heritage Western Cape

[www.westerncape.gov.za/cao](http://www.westerncape.gov.za/cao)

Street Address

• Tel

Street Address

• Postal Address

• Fax

**ANNEXURE H**

COMMENT FROM THE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS



Western Cape  
Government

Transport and Public Works

**ROAD NETWORK MANAGEMENT**

Email: [Grace.Swanepoel@westerncape.gov.za](mailto:Grace.Swanepoel@westerncape.gov.za)

tel: +27 21 483 4669

Rm 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

**REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-25/327 (Job 27098)**

**ENQUIRIES: Ms GD Swanepoel**

**DATE: 1 September 2019**

Stellenbosch Municipality  
PO Box 17  
**STELLENBOSCH**  
7599

Attention: Mr U vom Molendorff

Dear Sir

16 SEP 2019

17 SEP 2019

FILE NR:	
SCAN NR:	E2175 km
COLLABORATOR NR:	

**FARM 183, FARM 181, PORTION 5 OF FARM 175 AND REMAINDER OF PORTION 33 OF FARM 175, STELLENBOSCH AND ERVEN 2175, 1832, 2183, KAYAMANDI: MAIN ROAD 174: APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION AND AMENDMENT/DEVIATION OF COUNCIL POLICY (URBAN EDGE)**

1. The following refer:
  - 1.1. The letter L0140-PO-JvT-210765C from Urban Dynamics Western Cape dated 22 June 2019 to the Head of Department, Department of Transport and Public Works;
  - 1.2. The Application for Rezoning, Subdivision, Consolidation and Amendment/Deviation of Council Policy (Urban Edge) prepared for the Upgrade of the Enkanini Informal Settlement dated 2018 and prepared by Urban Dynamics Western Cape and
  - 1.3. The Traffic Impact Assessment (TIA) 4402 prepared by JG Afrika dated 31 August 2017.
2. The application entails the rezoning to subdivisional area to allow for the upgrade of the Enkanini Informal Settlement in Kayamandi, Stellenbosch. The final Subdivision plan will be submitted as a separate application.
3. Although not directly affected the additional trips (±510 peak hour trips) generated by the development will have an impact on Main Road 174 (R304/Bird Street) at the Sokuqala Street, Masitandane Street and George Blake Street intersections.

4. This Branch offers no objection to this application subject to the TIA be updated before the final Subdivision plan are submitted with specific focus on the impact that the additional trips will have on Main Road 174 at the intersections listed above.

Yours faithfully



**S CARSTENS**  
For **CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**