



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14679 (TP112/2022)

Your Reference Number:

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: [REDACTED]

Sir/Madam

## APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: ERF 2183, KLAPMUTS

1. The above application refers.

2. The Municipal Planning Tribunal on 1 March 2024 resolved as follows:

2.1 That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw namely:

2.1.1 **Rezoning** in terms of Section 15(2)(a) of the said bylaw, of Erf 2183, Klapmuts, from Agriculture and Rural Zone to Subdivisional Area indicated on Development Proposal Plan, Drawing No: KL/11996/ZN\_ZA, Dated: February 2024, drawn by CK Rumboll & Associates, and attached as **Annexure B**, to create:

- a) 109 Less Formal Residential Zone erven (5174m<sup>2</sup>)
- b) 1 Public Open Space Zone (342m<sup>2</sup>)
- c) 1 Public Road and Parking Zone (4157m<sup>2</sup>)

2.1.2 **Subdivision** in terms of Section 15(2)(d) of the said bylaw, of Erf 2183, Klapmuts, as indicated on Subdivision Plan, Drawing No: KL/11996/ZN\_ZA, Dated: February 2024, drawn by CK Rumboll & Associates, and attached as **Annexure B**, into the following:

- d) 109 Less Formal Residential Zone erven (5174m<sup>2</sup>)
- e) 1 Public Open Space Zone (342m<sup>2</sup>)
- f) 1 Public Road and Parking Zone (4157m<sup>2</sup>)

2.1.3 **Departure** in terms of Section 15(2)(b) of the said bylaw, to relax the 1m street building line of all the resulting subdivided residential erven that are located on the internal roads to 0m but excluding the street building line applicable on Groenfontein Road.

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

3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:

3.1 The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

3.2 The development be undertaken in accordance with the Subdivision Plan, Drawing No: KL/11996/ZN\_ZA, Dated: February 2024, drawn by CK Rumboll & Associates, and attached as **Annexure B**.

3.3 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 residential 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.

3.4 The applicant submits an electronic copy (shp,dwg,dxf) of the Subdivision Plan which was preliminary approved by the SG. The following information must be indicated:

3.4.1 Newly allocated Erf Numbers

3.4.2 Co-ordinates

3.4.3 Survey Dimensions

3.4.4 Street names (if approved by Council)

3.5 A Street Naming and Numbering plan be submitted for approval prior to the issuing of the Section 28 Certification.

3.6 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first residential property or approval of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.

3.7 Should the full extent of permissible development rights, as approved herein-above, not be implemented initially or development is phased, a pro rata Development Charge will be

levied in accordance with the extent to which the development rights will be implemented, provided that the remaining development charges 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 approval of any building plans, whichever occurs first.

3.8 Compliance with the conditions relating to Directorate Infrastructure Services contained in memorandum, dated 8 December 2023, as amended to reflect the omission of the condition relating to the construction of the second Access Road (Southern Access) and attached as **Annexure E**.

3.9 All engineering services and infrastructure as required in terms of the conditions and services agreement be complied with to the satisfaction of the Municipality prior to the issuing of a Section 28 Certification.

3.10 The final SDP must consider the inclusion of functional recreation space and greening in support of a liveable environment.

**4. The reasons for the above decision are as follows:**

4.1 The proposed development is regarded as being consistent with the MSDF and desirable in terms of its locational context

4.2 The proposed development will have no impact on the character of the existing surrounding area as the development is seen as an infill development.

4.3 The development will provide much needed housing opportunities for vulnerable households of Stellenbosch.

**5. Matters to be noted:**

5.1 The subdivision only comes into effect once all suspensive conditions or relevant legislative provisions have been complied with.

5.2 That Environmental Authorization be obtained from the Department of Environmental Affairs and Development Planning as noted in the letter of comment dated 29 November 2023, attached as **Annexure F** and that the conditions of approval contained in the Environmental Authorization be complied with prior to the approval above being acted on.

5.3 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.

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw 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:

7.1 The personal particulars of the Appellant, including:

- a) First names and surname
- b) ID number
- c) Company of Legal person's name (if applicable)
- d) Physical Address
- e) Contact details, including a Cell number and E-Mail address

7.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

7.3 The grounds of the appeal which may include the following grounds:

- a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
- b) 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.

7.4 Whether the appeal is lodged against the whole decision or a part of the decision.

7.5 If the appeal is lodged against a part of the decision, a description of the part.

7.6 If the appeal is lodged against a condition of approval, a description of the condition.

7.7 The factual or legal findings that the appellant relies on.

7.8 The relief sought by the appellant.

7.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

7.10 That the appeal includes the following declaration by the Appellant:

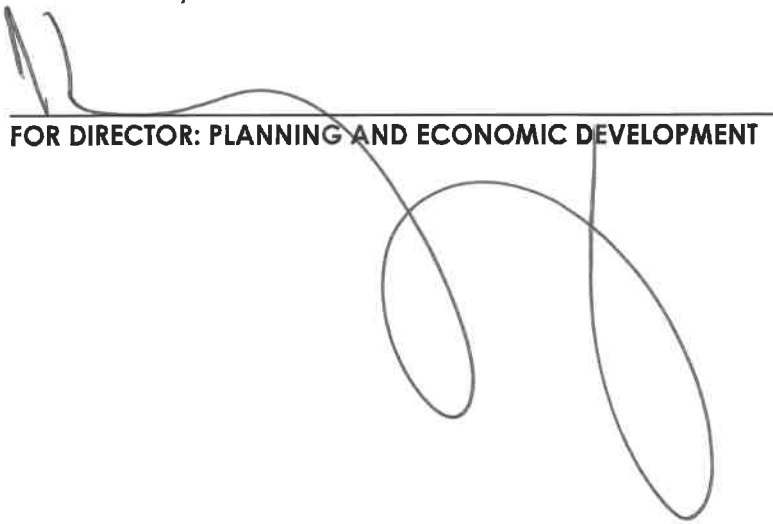
- a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

b) 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](mailto: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 and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at [landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za)
11. An applicant who lodges 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 in the case of any approval, is suspended, and 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**

20/3/2024  
DATE



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## **ANNEXURE B**



DEVELOPMENT PROPOSAL: ERF 2183 KLAPMUTS LA ROCHELLE

DRAFT 8A

**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 2023  
 FARM 117/1  
 Cadcor Pty Ltd 2023 2024  
 AUTHORISED EMPLOYEE/MPT

2182 Groenfontein Road

2182

FARM 742/2  
 Breamer Fam Development Pty  
 Ltd

Subdivided Portion  
 (new erf number to be confirmed)

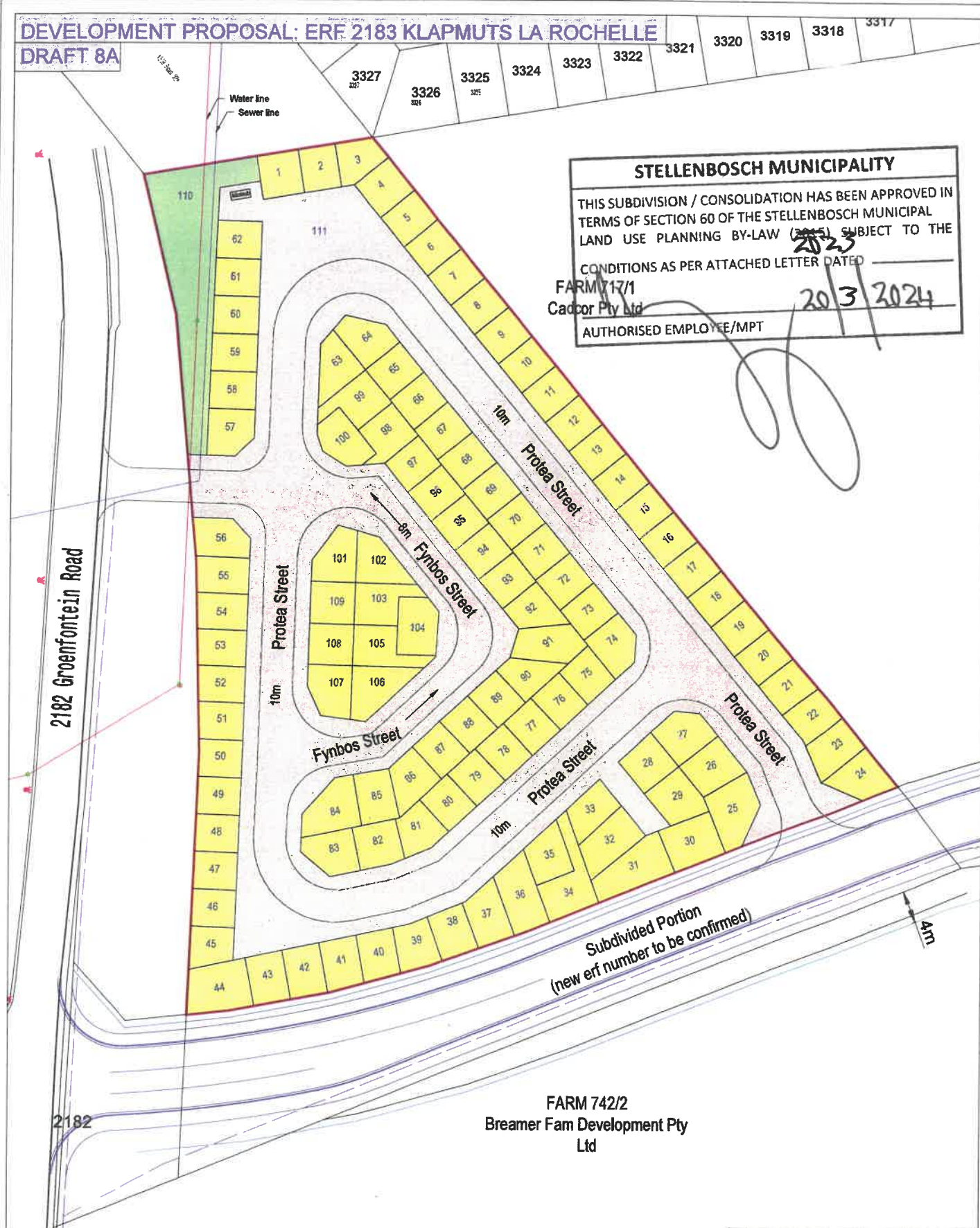
NOTE:  
 ALL MEASUREMENTS AND DISTANCES ARE SUBJECT TO SURVEYING  
 COMPILED BY: [Redacted]  
 DATE: February 2024  
 REF: KLI16962N\_8A

**LEGEND**  
 DEVELOPMENT AREA  
 Total area: ±9673m<sup>2</sup>  
 52m<sup>2</sup> to 50m<sup>2</sup> average sized erven  
 INFRASTRUCTURE  
 Sewer pipeline  
 Water Pipeline



**109 UNITS**

UNITS	SUBDIVISIONAL AREA - ZONING	COLOUR	TOTAL AREA	% OF AREA
1 - 109	LESS FORMAL RESIDENTIAL ZONE	Yellow	5174m <sup>2</sup>	53 %
110	PUBLIC OPEN SPACE ZONE	Green	342m <sup>2</sup>	3 %
111	PUBLIC ROADS AND PARKING ZONE	Grey	4157m <sup>2</sup>	44 %
TOTAL			9673m <sup>2</sup>	100 %







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## **ANNEXURE E**



# MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES  
DIREKTORAAT: INFRASTRUKTUURDIENSTE

**CIVIL ENGINEERING SERVICES**

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**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag:** Salome Newman  
**From ▫ Van:** Manager: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Tyrone King  
**Date ▫ Datum:** 8 December 2023  
**Our Ref ▫ Ons Verw:** Civil LU 2570  
**Town Planning Ref:** LU/14679  
**Re ▫ Insake:** Erf 2183, Klappmuts: The Rezoning of erf 2183, Klappmuts from Subdivisional Area Overlay Zone and Agriculture & Rural Zone to Subdivisional Area Overlay Zone in terms of Section 15(2)(a) of said By-law to create the following zonings: 109 Less Formal Residential Zone erven- 1 Public Open Space Zone erf- 1 Public Road and Parking Zone erf Subdivision of Erf 2183, Klappmuts, in terms of, Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law 2015, into the following erven: - 109 Less Formal Residential Zone erven - 1 Public Open Space Zone erf - 1 Public Road and Parking Zone erf The Departure from street building line in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law 2015, to allow a 0m street building line in lieu of a 1.0m street building line. Application for the Naming of the Development and Street Naming and Numbering of the Streets are indicated on the Subdivision and Zoning Plans of Erf 2183, Klappmuts

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

## PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS

- Subdivisional Plan Draft 8\_SDP Ref KL/11996/ZN\_8 dated Sept 2022;
- Engineering Services report by UDS dated April 2022 Rev 0;
- Traffic Impact Statement UDS dated 29 April 2022;

These comments and conditions are based on the following proposed development parameters:

- Total Units: 109 residential erven

Any development beyond these parameters would require a further approval and/or a recalculation of the Development Charges 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 117 of 1998 and Provincial Notice (489/200), establishment of the Stellenbosch Municipality (WC024) promulgated in Provincial Gazette no. 5590 of 22 September 2000, as amended by Provincial Notice 675/2000 promulgated in Provincial Gazette;
  - (b) "*Developer*" means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

- (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;
- (d) Where it is stated that a condition must be complied with prior to "subdivision clearance" and where a subdivision is not applicable, that condition will then apply to the next applicable stage of development approval i.e. building plan approval;

**B. Recommendation:**

2. The development is recommended for approval, subject to the conditions as stated below:

**C. Specific conditions of approval**

3. 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";
4. that the following conditions relating to the upgrades and arrangements for the effective provision of services are required to accommodate the development. No taking up of proposed rights including subdivision clearance / building plan approval / occupation certificates (whichever comes first) will be allowed until these conditions have been complied with;
5. **Klapmuts WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Klapmuts WWTW (waste water treatment works). There is currently insufficient capacity at the Klapmuts WWTW for this development. It should be noted that there is available budget over the next 3 financial years to upgrade the WWTW from 2.4 Ml/day to 4.8 Ml/day. This upgrade will create spare capacity for proposed new developments in Klapmuts. The upgrade will have to be completed prior to new developments connecting to the municipal sewer network and prior to subdivision clearance of this development. The estimated construction period is from 1st June 2024 until Dec 2025 (this period/timeframes is subject to change).

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

**6. Water:**

- a. There is sufficient capacity in the bulk water reticulation network to accommodate the proposed development.
- b. The Developer will be responsible for any link pipelines to connect their development to the external network.

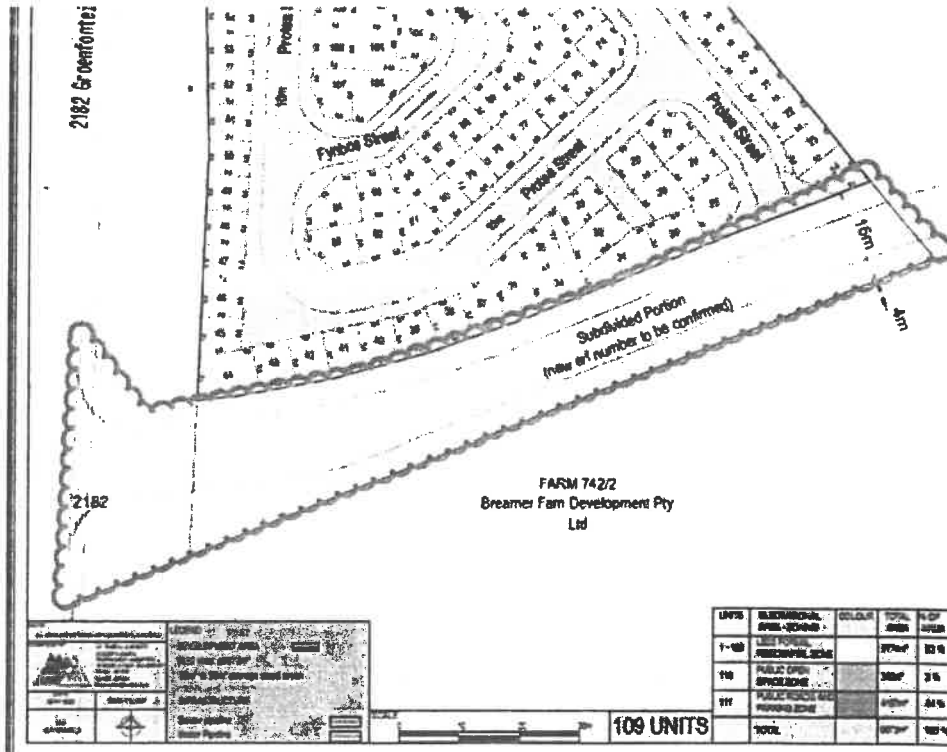
**7. Sewer:**

- a. There is sufficient capacity in the bulk sewer reticulation network to accommodate the proposed development.
- b. The Developer will be responsible for any link pipelines to connect their development to the external network.
- c. It is possible that some minor network upgrades will be identified at detail design stage, when more detail becomes available.

**8. Roads:**

- a. The following upgrades must be implemented:
  - i. The new 16 m road (indicated below with green cloud) from its intersection with Groenefontein Road up until at least the eastern boundary of erf 2183 must be constructed to municipal standards, prior to subdivision clearance.

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**



**9. Stormwater Network:**

- a. State anything specific to this development.
- b. 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;

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

**10. Solid Waste:**

- a. The Municipality will provide a solid waste removal service, unless agreed otherwise in writing the Solid Waste Department;
- b. 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](mailto: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.

**Site Development Plan**

11. that the final road layout must accommodate continuous forward movement by service trucks and all cul-de-sacs have a minimum of 11 m radius turning circle, to ensure continuous forward movement;
12. that any amendments to cadastral layout and or site-development plan to accommodate the above requirements will be for the cost of the "Developer" as these configurations were not available at land-use application stage;

**Internal- and Link Services**

13. that all link services, internal services and erf connections must be complete and commissioned by the "Developer", at his/her cost, prior to subdivision clearance;
14. that any alterations to existing services necessitated by the new development will be for the Developer's cost;

**Ownership and Responsibility of services**

15. that it be noted that the roads are reflected as public roads. Therefor all internal services on the said erf will be regarded as public services and will be maintained by the "Municipality";



**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

**Development Charges (DCs)**

16. 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 and approved tariffs;
17. that the following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and will be amended based on the detail information provided on subsequent applications ie building plans;
18. that the "*Developer*" hereby acknowledges that the development charges 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;
19. 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 approved tariff structure and according to the DCs Policy principles at the time that payment is made;
20. 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;
21. that the Development Charges levy be paid by the "*Developer*" per phase –
  - prior to the approval of subdivision clearance;
22. 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 109 units, will result in the recalculation of the Development Charges;
23. 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;

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

24. The Municipality may approach the Developer at any stage, before completion of the Development, to implement any infrastructure / community facilities, in lieu of DCs payable, should the need for such infrastructure / facilities be identified;

**Damage to municipal infrastructure and assets**

25. that the "Developer" will be held liable for any damage to municipal infrastructure, 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, prior to any clearance (or occupation certificate where clearance is not applicable) being given;

**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:**

26. 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 are not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services or the necessary upgrades must be done, as any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available;
27. 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.
28. that the "Developer" must ensure that he / she has an acceptable public liability insurance policy in place;

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

29. 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 subdivision clearance;
30. 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;
31. 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 – as revised;
32. 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 subdivision clearance is issued;

**Site Development Plan**

33. 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";
34. 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

#### PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS

and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;

35. 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;
36. 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

37. that the "Developer", at his/her cost, construct the internal (on-site) civil engineering services for the development, as well as any link (service between internal and available bulk municipal service) municipal services that need to be provided;
38. 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;
39. 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;

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

40. 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;
41. that construction of services may only commence after municipal approval has been obtained;
42. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
43. 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;
44. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
45. that all the internal civil services (water, sewer, roads and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
46. 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;
47. that a Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1 be issued before subdivision clearance will be issued;
48. 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;
49. that the "Developer" shall adhere to the specifications of Telkom (SA) and or any other telecommunications service provider;
50. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

51. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the "Developer" to determine the location of existing civil and electrical services;
52. 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".
53. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;

**Servitudes**

54. 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 subdivision clearance will be given;
55. 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;
56. 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**

57. 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

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

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.

58. 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;
59. 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;
60. 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;
61. 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;
62. 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;
63. 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.



#### PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS

64. 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;
65. that in the case of a sectional title development, the internal stormwater layout be indicated on the necessary building plans to be submitted for approval.
66. 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 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

67. 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;
68. that no access control will be allowed in public roads;
69. that the layout must make provision for all deliveries to take place on-site. Movement of delivery vehicles may not have a negative impact on vehicular – and pedestrian movement on public roads and/or public sidewalks;
70. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
71. 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;
72. 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;

#### PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS

73. that each erf has its own access (drive-way), (*the new access(es) (dropped kerb(s)) to the proposed parking bays be*) constructed to standards as set out by the the Directorate: Infrastructure Services and in line with the Road Access Guideline;
74. 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;
75. that no parking be allowed in the road reserve;

#### Wayleaves

76. 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;
77. that wayleaves will only be issued after approval of relevant engineering design drawings;
78. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

#### AS-BUILTs

79. 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;

**PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS**

- 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;
- 80. 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";
- 81. 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;
- 82. 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;
- 83. 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";

**Subdivision clearance in terms of the Stellenbosch Municipal Land Use Planning By-law**

- 84. 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;
- 85. 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 document with which he/she is in default. Any failure to pay monies payable in terms of these conditions within 30 (thirty) days after an account has been rendered shall be regarded as a breach of these conditions and the "Municipality" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;
- 86. that clearance will only be given per phase and the onus is on the "Developer" to phase his development accordingly;

## PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS

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";

94. The maintenance and servicing of all private internal street lighting shall be the responsibility and to the cost of the "Developer" and or Home Owner's Association.

**Tyrone King Pr Tech Eng**

**Manager: Development (Infrastructure Services)**

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## 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

## PROPOSED REZONING AND SUBDIVISION OF ERF 2183, KLAPMUTS

ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)
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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 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:	DC 2570 (0) Erf 2163 Klipmuts (LU-14679)_1
Development Name:	La Rochelle
Date:	09 December 2023
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Klipmuts
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	2163
DC Parameters Reference:	Subdivisional Plan Draft 5_SDP Ref KU11996/ZN_8 dated Sept 2022

SUMMARY OF DC CALCULATION									
Service	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals	
Unit(s):	l/day	l/day	ha °C	l/week	lps/day		persons		
Total Increased Services Usage:	65.4	54.5	1.982	4.36	436		436		
Total Services Usage Reduction:	0	0	0	0	0.0		0		
Total Service Usage after Reduction:	65.40	54.50	1.98200	4.360	436.0		436		
Charges before adjusting for positive only, before Deductions	R 639 468.02	R 1 735 635.74	R 136 472.73	R 426 458.65	R 2 590 179.91	R 5 028 210.06	R 1 661 903.40	R 7 210 118.46	
Charges adjusted for positive only, before Deductions	R 639 468.02	R 1 735 635.74	R 136 472.73	R 426 458.65	R 2 590 179.91	R 5 028 210.06	R 1 661 903.40	R 7 210 118.46	
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -	
Total Development Charges Payable (excluding VAT):	R 639 468.02	R 1 735 635.74	R 136 472.73	R 426 458.65	R 2 590 179.91	R 5 028 210.06	R 1 661 903.40	R 7 210 118.46	
VAT:	R 85 920.20	R 260 345.36	R 20 470.91	R 63 668.90	R 366 526.99	R 629 232.28	R 252 295.51	R 1 081 517.77	
Total Development Charges Payable (including VAT):	R 725 388.22	R 1 995 981.10	R 156 943.64	R 490 127.45	R 2 978 706.90	R 5 657 442.32	R 1 914 198.91	R 6 331 636.23	

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature:	
Notes:	







**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **ANNEXURE F**



**REFERENCE:** 16/3/3/6/B4/23/1401/23

**DATE:** 29 November 2023

CK Rumboll & Vennote / Partners  
PO Box 211  
Rainierstr 16  
**MALMESBURY**  
7299

**Attention: Ms Zanelle Nortie**

Tel: 022 482 1845  
Email: zanelle@rumboll.co.za

Dear Sir

**APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) TO THE PROPOSED REZONING, SUBDIVISION AND DEPARTURE OF ERF NO. 2183, KLAPMUTS.**

1. The electronic copy of the abovementioned documents received by the Department on 13 September 2023, refer.
2. This serves as an acknowledgement of receipt of the aforementioned documents by this Department.
3. According to the information submitted to this Department, the following is noted:
  - 3.1 The proposal entails the amendment of conditions of an existing approval, rezoning and subdivision of Erf No.2183 in Klappmuts, and a departure from the street building line.
  - 3.2 It is indicated that the site was approved as part of the Environmental Authorisation ("EA") that was issued on 4 May 2007, which approved a low-cost housing development on Portion 4 of Farm No.744, Klappmuts. The farm portion was subsequently registered as Erf No. 342, and further subdivided to create Erf No. 2183.
  - 3.3 However, it is not clear from the information provided to determine whether the proposed layout is in accordance with the Site Development Plan ("SDP") that was authorised as part of the aforementioned EA.
4. Your attention is drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 as defined in Listing Notices 1, 2 and 3. Although the site forms a component of the low-cost housing development that was approved in the EA issued on 4 May 2007, it is not clear whether the proposed layout is in accordance with the Site Development Plan ("SDP") that was authorised as part of the aforementioned EA. The Department can therefore not confirm whether the existing EA is valid, whether the proposal will require an amendment of the existing EA, or whether any additional requirements in terms of the EIA Regulations, 2014 (as amended) are applicable.

5. Adequate information must therefore be provided to demonstrate and confirm that the proposed development and layout is in accordance with the SDP that was authorised as part of the EA that was for the development on 4 May 2007, as specified, before the Department can advise on the applicability of the EIA Regulations, 2014, (as amended).
6. This Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.

Yours faithfully

**Andrea  
Thomas**

Digitally signed by  
Andrea Thomas  
Date: 2023.11.29  
11:39:23 +02'00'

**PP HEAD OF COMPONENT**

**ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Schalk van der Merwe (Stellenbosch.Municipality)

Email: [Schalk.vandermerwe@stellenbosch.gov.za](mailto:Schalk.vandermerwe@stellenbosch.gov.za)