



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13632

Our File Reference Number: Erf 2361, Stellenbosch

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 DEPARTURE, REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND PERMISSION REQUIRED IN TERMS OF THE ZONING SCHEME ON ERF 2361, STELLENBOSCH**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 That the following applications in terms of Section 15 (2) of the Stellenbosch Municipality Land Use Planning By-law, promulgated by notice number 354/2015, dated October 2015:
    - 2.1.1 **The Removal of restrictive title deed conditions** in terms of Section 15(2)(f) of the said bylaw in order to facilitate the proposed block of flats; The restrictive title deed conditions (as held on page 3 in the title deed No. T41998/2015) to be removed are conditions Clause (v)(A) 1 and Clause (v)(A)4 which reads as follows:
      - a) Clause(v)(A)1 – Dat hierdie erf slegs vir bewoningsdoeleindes gebruik word.
      - b) Clause(v)(A)4 - Dat geen gebou of struktuur of enige gedeelte behalwe grensmure en heinings binne 20 voet van 'n straatlyn wat 'n grens van hierdie erf vorm opgerig mag word nie. Geen sodanige gebou of struktuur mag binne 10 voet van die sygrens van 'n aangrensende erf gelee wees nie.

**BE REFUSED** in terms of Section 60 of the said Bylaw for the following reasons:

- (i) The removal of the restrictive title deed condition is not required as the title deed conditions are not restrictive.

- (ii) The application to remove the restriction for the use of property for residential purposes only and title deed building lines contains no grounds or motivation for removal and is not supported by an application for a new land use change or encroachment on title deed building lines.
- (iii) Title deed restrictions constitutes property rights and when it is proposed and considered to have same removed, the application must be fully motivated and accompanied by a proposal which will enable all interested and affected parties to be able to fully comprehend and consider the possible impact that such removal may have.

3. That the following applications in terms of Section 15 (2) of the Stellenbosch Municipality Land Use Planning By-law, promulgated by notice number 354/2015, dated October 2015:

3.1 **The Removal of restrictive title deed conditions** in terms of Section 15(2)(f) of the said bylaw in order to facilitate the proposed block of flats; The restrictive title deed conditions (as held on page 3 and page 6 in the title deed No. T41998/2015) to be removed are conditions, Clause (v)(A)2, (v)(A)3, & Clause (vii) which reads as follows:

- a) Clause(v)(A)2 – Dat net een woonhuis of 'n woongebou, tesame met die nodige buitegeboue op hierdie erf opgerig word.
- b) Clause(v)(A)3 - Dat nie meer as een -derde van die oppervlakte van hierdie erf behou mag word nie.
- c) Clause(vii) – Dat die einaar van hierdie erf nie geregtig sal wees om woonstelle op hierdie erf op te rig nie en verder dat die ontwerp, konstruksie en aansigte van die geboue wat hy gaan oprig by die omgewing moet pas.

3.2 **Permanent Departure** in terms of Section 15 (2) (b) of the said by-law to allow for a bulk of 82% in lieu of 75% in order to accommodate new block of flats.

3.3 **Permission required in terms of the zoning scheme** in terms of Section 15 (2) (g) of the said bylaw to allow for 3 x motor vehicle parking bays to be substituted with 18 x bicycle bays (equal to 3 motor vehicle bays).

**BE APPROVED** in terms of Section 60 of the by law and subject to the following conditions in terms of Section 66 of the said Bylaw:

#### 4. Conditions of approval

- 4.1 The approval applies only to the application under consideration as referenced as Project No: 21-208 (Sheet nr: 999-1002), dated 2022/05/13 & drawn by RVJ (Red Atlantic Architects), and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
- 4.2 The development shall be implemented substantially in accordance with the Site Development Plan referenced as Project No: 21-208 (Sheet nr: 999-1002), dated 2022/05/13 & drawn by RVJ (Red Atlantic Architects), and attached as **Annexure C**.
- 4.3 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.
- 4.4 Building plans must be generally in accordance with the layout plans as referenced as Project No: 21-208 (Sheet nr: 999-1002), dated 2022/05/13 & drawn by RVJ (Red Atlantic Architects), and attached as **Annexure C**.
- 4.5 The conditions imposed by the Director: Engineering Services as contained in their memo dated 18 February 2022, attached as **Annexure H**, be complied with.
- 4.6 Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.
- 4.7 Should the full extent of permissible development rights, as approved herein-above, not be implemented initially or development is phased, a pro rata Development Charges will be levied in accordance with the extent to which the development rights will be implemented, provided that the remaining development contributions will be levied for the remaining permissible development rights when implemented in future. Remaining Development Charges will be levied in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.

5. The reasons for the above decision are as follows:

3.1 The subject property is located within the approved urban edge of Stellenbosch, and infill development and densification are encouraged in terms of the MSDF.

3.2 The proposed development is not out of character and compatible with the surrounding and current land uses.

3.3 The parking requirements proposal is considered valid as each unit will have one parking bay for vehicle and one parking bay for bicycle allocated to, plus and an additional five parking bays for visitors.

3.4 The basic civil engineering services (potable water, sewerage and solid waste removal) can be accommodated by the Stellenbosch Municipality in their existing infrastructure.

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

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

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

(I) First names and surname;

(II) ID number;

(III) Company of Legal person's name (if applicable)

(IV) Physical Address;

(V) Contact details, including a Cell number and E-Mail address;

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

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

(i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);

(ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

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

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

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

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

(h) the relief sought by the appellant; and

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

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

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

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

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

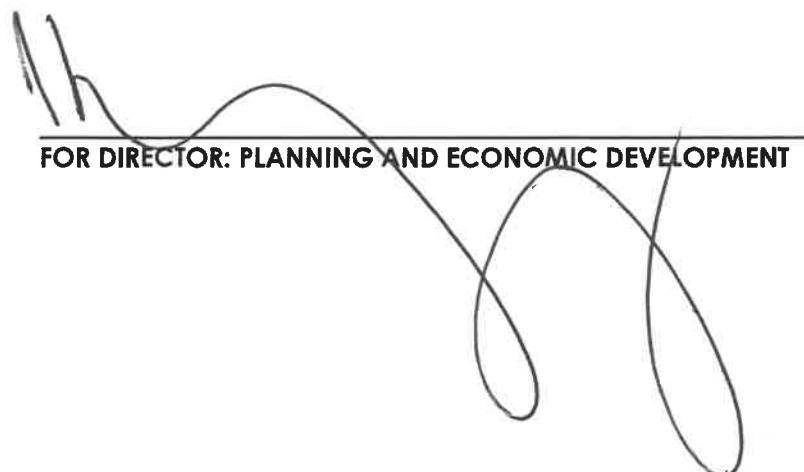
9. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

10. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking

details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).

11. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
  - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
  - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
  - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
  - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

27/3/2023  
DATE:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## **ANNEXURE C: SITE DEVELOPMENT PLAN**













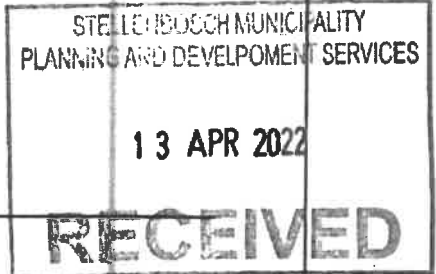
**ANNEXURE H: COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES**



# MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES  
DIREKTORAAT: INFRASTRUKTUURDIENSTE

**TO** : **The Director: Planning and Development**  
**FOR ATTENTION** : **Nicole Katts**  
**FROM** : **Manager: Development (Infrastructure Services)**  
**AUTHOR** : **Tyrone King**  
**DATE** : **18 Feb 2022**  
**RE.** : **Erf 2361: 24 Flats**  
**YOUR REF** : **LU/13632**  
**OUR REF** : **2269 CIVIL LU**



Type text here

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

- Total Units: 24 flats

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:

FILE NR:

SCAN NR:

COLLABORATOR NR:

E 2361 S

A. Definitions

**ERF 2361: DEVELOPMENT OF 24 FLATS**

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;
  - (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

**ERF 2361: DEVELOPMENT OF 24 FLATS**

(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. Engineering drawings must be submitted for approval to confirm the size and position of connections.
- c. **Sewer Network:** There is sufficient capacity in the bulk sewer reticulation network to accommodate the proposed development. Engineering drawings must be submitted for approval to confirm the size and position of connections.
- d. **Roads Network:** No upgrades identified in TIS.
- e. **Solid Waste:**
  - i. The Municipality will provide a solid waste removal service, unless agreed otherwise in writing the Solid Waste Department;
  - ii. For large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site. The Developer will have to indicate and provide evidence of safe re-use or proper disposal at an alternative, licensed facility. This evidence must be presented to the Manager: Solid Waste (021 808 8241; [clayton.hendricks@stellenbosch.gov.za](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.

- 5. that the upgrades mentioned above be met by the "Developer" before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be given or on discretion of the Directorate: Infrastructure Services, the "Developer" furnish the Council with a bank guarantee equal to the value of the outstanding construction work as certified by an independent engineering professional, prior to a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law being given;



**ERF 2361: DEVELOPMENT OF 24 FLATS**

**Development Charges**

6. 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;
7. that the "*Developer*" hereby acknowledges that the development charges levy as determined by the "*Municipality*" and or the applicable scheme tariffs will be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;
8. that the "*Developer*" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;
9. 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;
10. that the Development Charges levy to the amount of R 1 561 167. 12 (Excluding VAT) as reflected on the DC calculation sheet, dated ....., and attached herewith as Annexure DC, be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy.
11. that the Development Charges levy be paid by the "*Developer*" per phase –
  - prior to the approval of any building- and/or services plans in the case of a Sectional title erf in that phase or where a clearance certificate is not applicable and/or;
12. 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 24 units, will result in the recalculation of the Development Charges;
13. 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;

#### **ERF 2361: DEVELOPMENT OF 24 FLATS**

14. 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;
15. that the "Developer" will enter into an Engineering Services Agreement with the "Municipality" in respect of the implementation of any infrastructure or community facilities to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;

#### **Site Development Plan**

16. that provision be made for a stacking distance of 12m. The stacking distances shall be measured from the edge of the closest sidewalk or cycle lane to the entrance gate. The guiding principle is that vehicle and pedestrian traffic should not be obstructed by stacking vehicles;
17. that provision be made for a refuse room as per the specification of the standard development conditions below the exact position and details must be determined in conjunction with the Municipality at detail design stage.

#### **Ownership and Responsibility of services**

18. all internal services on the said erf will be regarded as private services and will be maintained by the "Developer" and or Owner's Association;

#### **Bulk Water Meter**

19. that the "Developer" shall install a bulk water meter conforming to the specifications of the Directorate: Engineering Services at his cost at the entrance gate and that clearance will only be issued if the bulk watermeter is installed, a municipal account for the said meter is activated and the consumer deposit has been paid;

#### **Electricity**

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

#### **Damage to municipal infrastructure and assets**

**ERF 2361: DEVELOPMENT OF 24 FLATS**

21. 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:**

22. that should the "*Developer*" not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Infrastructure Services by the "*Developer*" for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
23. 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.
24. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
25. 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;
26. that the "*Developer*" takes cognizance and accepts the following:

**ERF 2361: DEVELOPMENT OF 24 FLATS**

- 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**

27. 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";
28. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;

**ERF 2361: DEVELOPMENT OF 24 FLATS**

29. 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;
30. 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;

**Wayleaves**

31. 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;
32. that wayleaves will only be issued after approval of relevant engineering design drawings;
33. 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**

34. The reduction, reuse and recycle approach should be considered to waste management:
  - Households to reduce waste produced
  - Re-use resources wherever possible
  - Recycle appropriately

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

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

**ERF 2361: DEVELOPMENT OF 24 FLATS**

- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

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

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

35. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
36. that the "Developer" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person: Senior Manager: Solid Waste (021 808 8241; clayton.hendricks@stellenbosch.gov.za)
37. that should it not be an option for the "Municipality" to enter into an agreement with the "Developer" due to capacity constraints, the "Developer" will have to enter into a service agreement with a service provider approved by the "Municipality" prior to clearance certificate or occupation certificate (where clearance not applicable);
38. that if the "Developer" removes the waste by private service provider, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
39. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;
40. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;
41. 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

**ERF 2361: DEVELOPMENT OF 24 FLATS**

- turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Infrastructure Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;
42. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;
  43. Road foundation shall be designed to carry a single axle load of 8.2 tons;
  44. Refuse storage areas are to be provided for all premises other than single residential erven;
  45. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;
  46. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
  47. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 l Municipal wheelie bin;
  48. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;
  49. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;
  50. All black 85 l refuse bins or black refuse bags is in the process of being replaced with 240 l black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

**ERF 2361: DEVELOPMENT OF 24 FLATS**

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

51. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;
52. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224
53. Building specifications for refuse storage area:
  - Floor**

The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).
  - Walls and Roof**

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

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

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe which discharges to a sewer gully outside the building. In some cases a grease gully may be required.
54. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;
55. 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



**ERF 2361: DEVELOPMENT OF 24 FLATS**

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;

56. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Infrastructure Services, to ensure their compatibility with the servicing equipment and lifting attachments;
57. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
58. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
59. 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;

**Occupation Certificate in terms of Section 14 of the the National Building Regulations and Building Standards Act 103 of 1977 (where a subdivision and clearance certificate is not applicable)**

60. It is specifically agreed that the "Developer" undertakes to comply with all conditions of approval as laid down by the "Municipality" before occupation certificates shall be issued, unless otherwise agreed herein;
61. that the "Municipality" reserves the right to withhold any occupation certificate until such time as the "Developer" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "Municipality" reserves the right to withhold any occupation certificate until such time as the amount owing has been paid;
62. The onus will be on the "Developer" and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for an occupation certificate in terms of the National Building Regulations. Verifying documentation (proof of payment in respect of Development Charges, services installation, etc.) must be submitted as part of the application before an application will be accepted by this Directorate;

**ERF 2361: DEVELOPMENT OF 24 FLATS**

**Avoidance of waste, nuisance and risk**

63. 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.



**TYRONE KING Pr Tech Eng**

**MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

W:\2.0 DEVELOPMENT\00 Developments\2269 () Erf 2361 Stellenbosch (LU-19632)\2269 () Erf 2361 Stellenbosch (LU-19632).doc

## Stellenbosch Municipality - Development Charge Calculation



### APPLICATION INFORMATION

Application Number	2250 (1 of 201 Stellenbosch (LU-13532))
Date	Friday, 18/Feb/2022
Financial Year	2021/22
Erf Location	Stellenbosch Town
Erf No	
Erf Size (m <sup>2</sup> )	
Suburb	
Applicant	
Approved Building Plan No.	BDP 21-088 by real estate dated 2021/01/13

### SUMMARY OF DC CALCULATION

Units	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
	lit/day	lit/day	lit/day	lit/day	lit/day	person	
Total Increased Services Usage	12.420	86.950	0.228	1.093	77.24	77.3	
Total Development Charges before Deductions	R 337 128.94	R 281 968.87	R 23 306.03	R 84 171.44	R 606 272.06	R 362 226.77	R 1 661 167.12
Total Deductions							
Total Payable (excluding VAT)	R 337 128.94	R 281 968.87	R 23 306.03	R 84 171.44	R 606 272.06	R 362 226.77	R 1 661 167.12
VAT	R 66 868.88	R 42 769.89	R 3 495.76	R 6 738.72	R 76 780.81	R 52 834.02	R 234 176.07
Total Payable (including VAT)	R 403 997.82	R 324 738.76	R 26 801.79	R 90 910.16	R 683 052.87	R 415 060.79	R 1 795 343.19

### APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	Credit for 8 existing boarding rooms as per approved BP
Date	As above
Amount Paid	
Date Payment Received	
Receipt Number	



**ELETRICITY SERVICES: CONDITIONS OF APPROVAL**  
**Erf 2361**

**GENERAL COMMENT:**

1. Development Bulk Levy Contributions are payable.

**CONDITIONS**

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

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

a) The design of the electrical distribution system

b) The location of substations(s) and related equipment.

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

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

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

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

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

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

- Solar water Heating or Heat Pumps in Dwellings

- Energy efficient lighting systems

- Roof insulation with right R-value calculations .

- In large building developments;

-Control Air condition equipment tied to alternative efficiency systems

-Preheat at least 50% of hotwater with alternative energy saving sources

-All hot water pipes to be clad with insulation with R-value of 1

-Provide a professional engineer's certificate to proof that energy saving measures is not feasible.



Signature

\_01/04/2022.....

Date