



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9008

Our File Reference Number: Erf 2425, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

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

PER E-MAIL [REDACTED]

Sir/Madam

APPLICATION FOR REZONING AND PERMANENT DEPARTURE ON ERF 2425, 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 the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 2425, C/o Banghoek and De Beers Street, Stellenbosch, namely:
 - 2.2 **The Rezone of Erf 2425, Stellenbosch** in terms of Section 15(2)(a) of the said By-Law, **from Single Residential to Restricted Business.**
 - 2.3 **Permanent Departures on Erf 2425, Stellenbosch** in terms of Section 15(2)(b) of the said By-Law for the following.
 - a) To exceed the maximum coverage of 50% to develop residential units with a coverage of 53% (Applicable only to the residential component of the proposal);
 - b) The relaxation of the street building lines (Banghoek street) from 7.6m to 2.5m for the residential component located on the 1st and 2nd floor of the proposed building;
 - c) The relaxation of the street building lines (De Beer) from 7.6m to ± 1.5 m for the residential component of the building located on the 1st and 2nd floor and to 0m for the proposed refuse room.

BE APPROVED in terms of Section 60 of the said Bylaw and **BE SUBJECT** to conditions in terms of Section 66 of the said Bylaw:

3. **CONDITIONS** of approval:

- 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 That approval be granted for a basement parking area, ±180m² of retail and associated service facilities on ground floor and 24 flats in total located on the 1st and 2nd floor of the proposed building, as indicated on the Site Development Plan, Drawn by: Smuts & De Kock, Dated: 12 July 2021; Page 1-6, attached as **Annexure B**.
- 3.3 The development be undertaken generally in accordance with the Site Development and building plans be submitted for approval which do not differ substantially from the approved Site Development Plan prior to any building work taking place (Attached as **Annexure B**, drawn by: Smuts & de Kock, Dated: 12 July 2021; Page 1-6).
- 3.4 A detailed landscaping plan be submitted with the building plans for approval by Directorate: Community Services (Greening Department) and be implemented prior to an occupational certificate being issued by the building department for the building.
- 3.5 The conditions imposed by the Directorate: Infrastructure Services as contained in their memo dated 30 March 2022, attached as **Annexure F**, be complied with prior to an occupation certificate being issued for the building.
- 3.6 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.
- 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 Contribution 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 Contributions 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.

4. The **REASONS** for the above decisions are as follows:

4.1 The redevelopment of the property is seen as a form of urban renewal or infill development which is not out of character with its surroundings.

4.2 The redevelopment of the subject property will ensure that the existing infrastructure within the urban edge is optimally used.

4.3 The mixed-use building will ensure that the building is sustainable, engages with the street and will provide services not currently found in this part of Stellenbosch town for the passing students and residents in general.

5. 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.

6. 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.

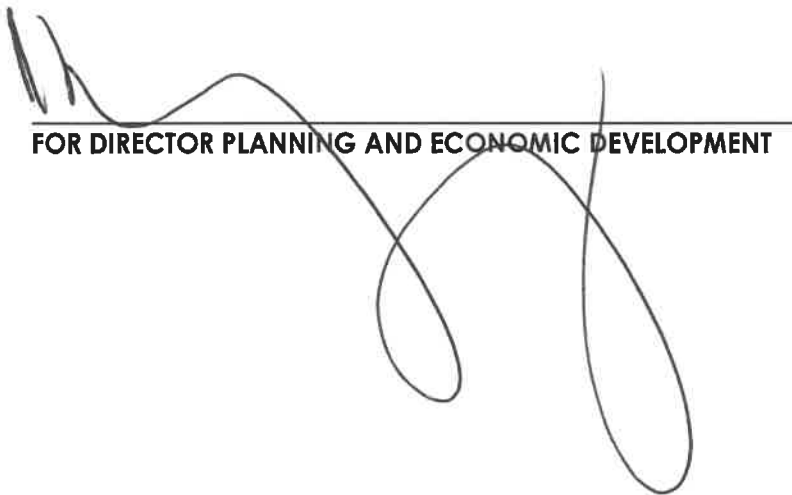
7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: landuse.appeals@stellenbosch.gov.za
8. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal 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.
9. 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>).
10. 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.

11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

12. 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

8/4/2022.
DATE:

[REDACTED]

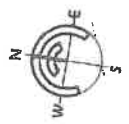


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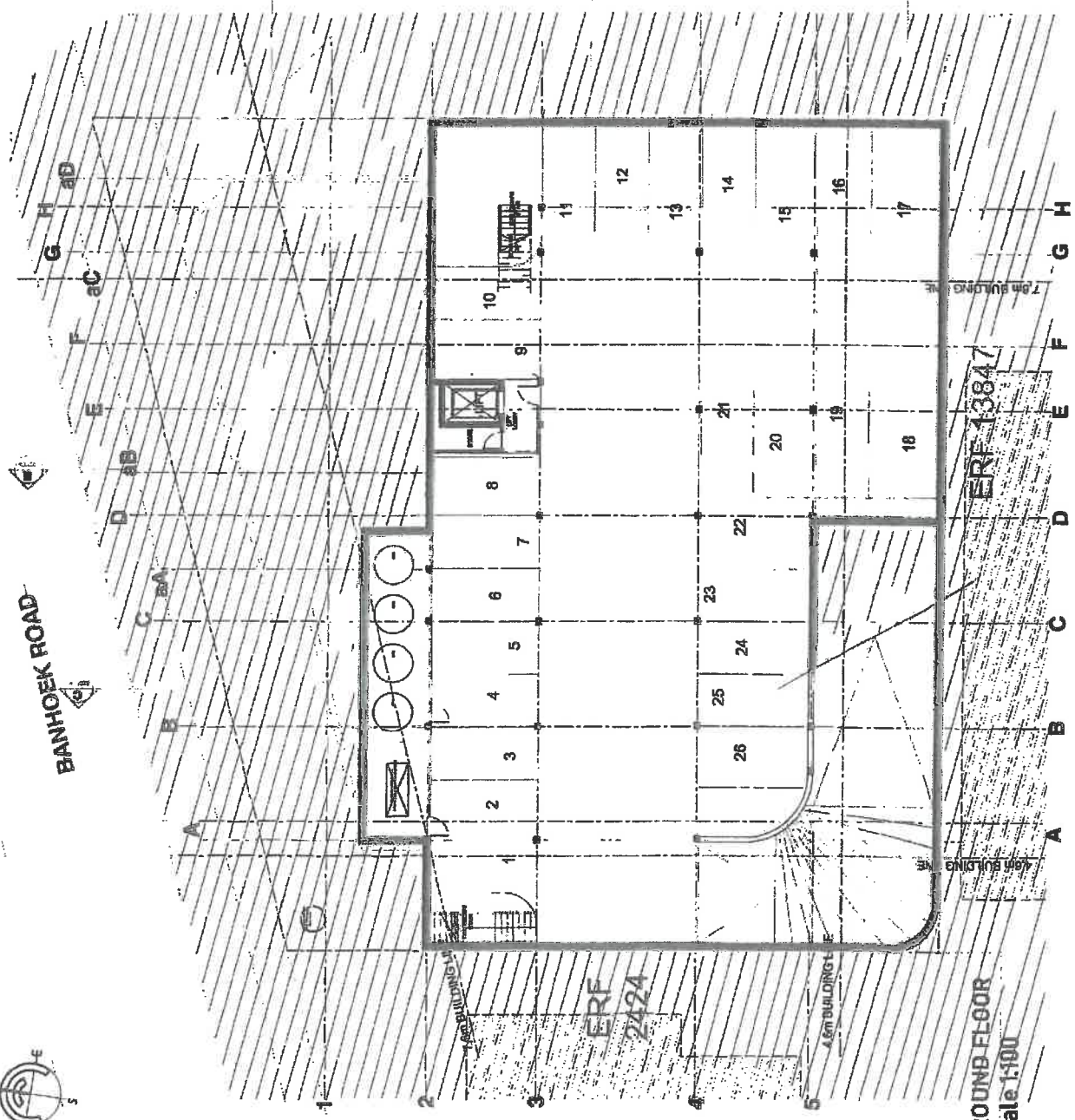
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE B

PLEASE NOTE:
 1. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 4. DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.



BANHOEK ROAD



ERF 2419
 ERF 2421
 ERF 6257

DE BEER STREET

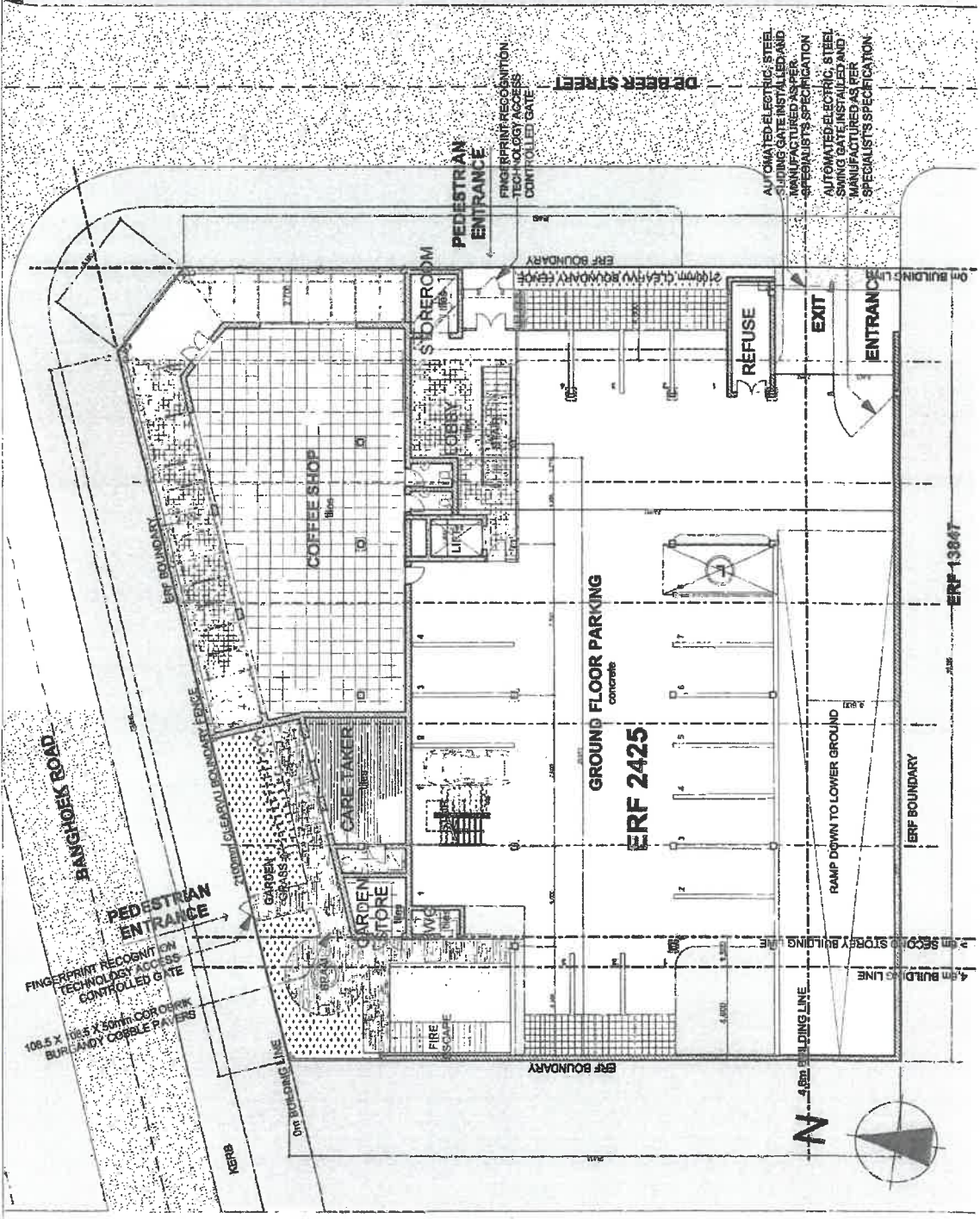
GROUND FLOOR
 Scale: 1:100

PROPOSED
 DEVELOPMENT, ERF 2425,
 c/o BANHOEK & DE BEER
 STREET, STELLENBOSCH



PROPOSED DEVELOPMENT, ERF 2425, c/o BANHOEK & DE BEER STREET, STELLENBOSCH	DATE: 1/11/18
PLANS	NO. 1
BASEMENT	NO. 1
SCALE: 1:100	DATE: 1/11/18
PROJECT NO. 1883	DATE: 1/11/18

ARCHICAD EDUCATION VERSION	VERSION
COFFEE SHOP	179.60
CARE TAKER	31,7
GARDEN STORE	7,83
STORE ROOM	6,7
OUTSIDE WC	2,84
LOBBY	44
PEDESTRIAN ENTRANCE	7,4
GRASSED AREA AT PEDESTRIAN ENTRANCE	12,88
STOEP	82,61
RECREATIONAL AREA	107,2
REFUSE	10,73
PARKING	639,83



Page 2-6

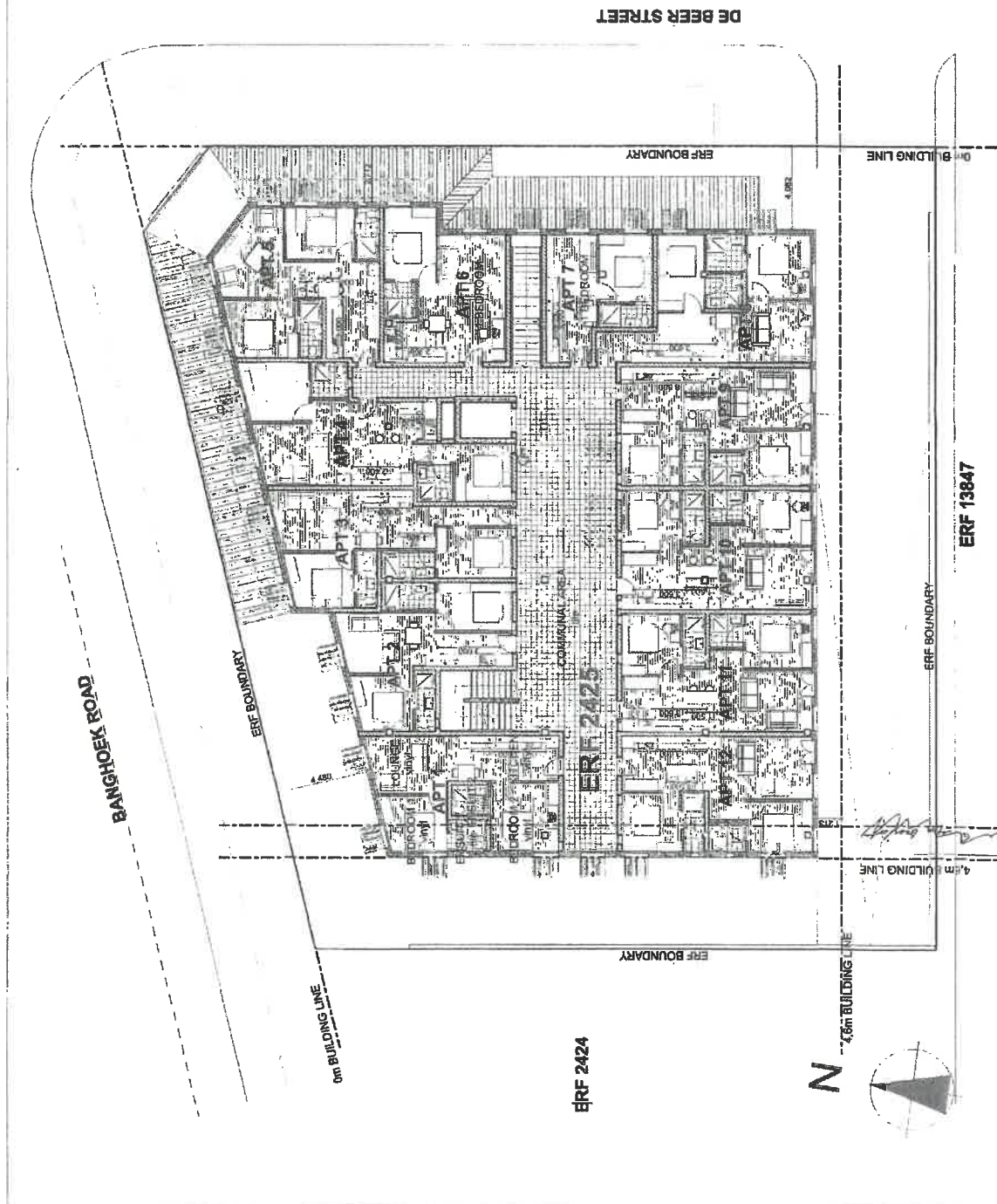


MEYER BUILDING, STELLENBOSCH
 c/o DE BEER ST & BANGHOEK RD
 12 JULY 2021 > SCALE 1:200 @ A3

GROUND FLOOR PLAN
ERF 2425

ARCHIGAD EDUCATION PERMISION

APARTMENT 1	50,82	2
APARTMENT 2	44,16	2
APARTMENT 3	51,88	2
APARTMENT 4	57,11	2
APARTMENT 5	57,43	2
APARTMENT 6	40,99	1
APARTMENT 7	27,43	1
APARTMENT 8	51,68	2
APARTMENT 9	54,44	2
APARTMENT 10	54,59	2
APARTMENT 11	54,16	2
APARTMENT 12	54,05	2



ERF 2421

ERF 2419

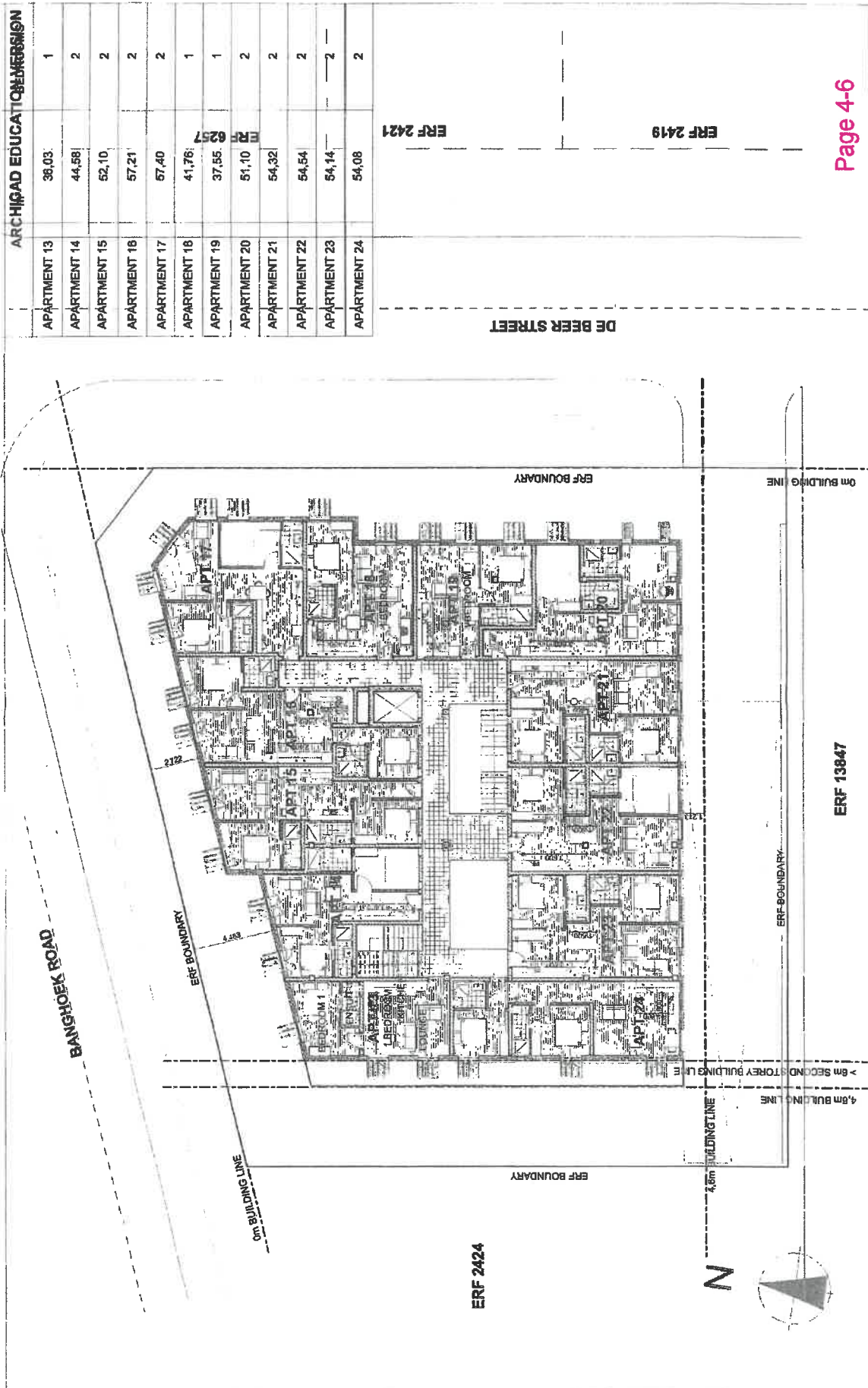
Page 3-6

FIRST FLOOR PLAN
ERF 2425

MEYER BUILDING, STELLENBOSCH

c/o DE BEER ST & BANGHOEK RD
11 JULY 2021 - SCALE 1:200 @ A3





APARTMENT	AREA	NO. OF UNITS	REVISION
APARTMENT 13	38,03	1	
APARTMENT 14	44,58	2	
APARTMENT 15	52,10	2	
APARTMENT 16	57,21	2	
APARTMENT 17	57,40	2	
APARTMENT 18	41,76	1	
APARTMENT 19	37,55	1	
APARTMENT 20	51,10	2	
APARTMENT 21	54,32	2	
APARTMENT 22	54,54	2	
APARTMENT 23	54,14	2	
APARTMENT 24	54,08	2	

ERF 2421

ERF 2419

DE BEER STREET

ERF 13847

ERF 2424

ERF 2425

ERF 2421

ERF 2419

ERF 2421

ERF 2419

ERF 2421

ERF 2419

ERF 2421

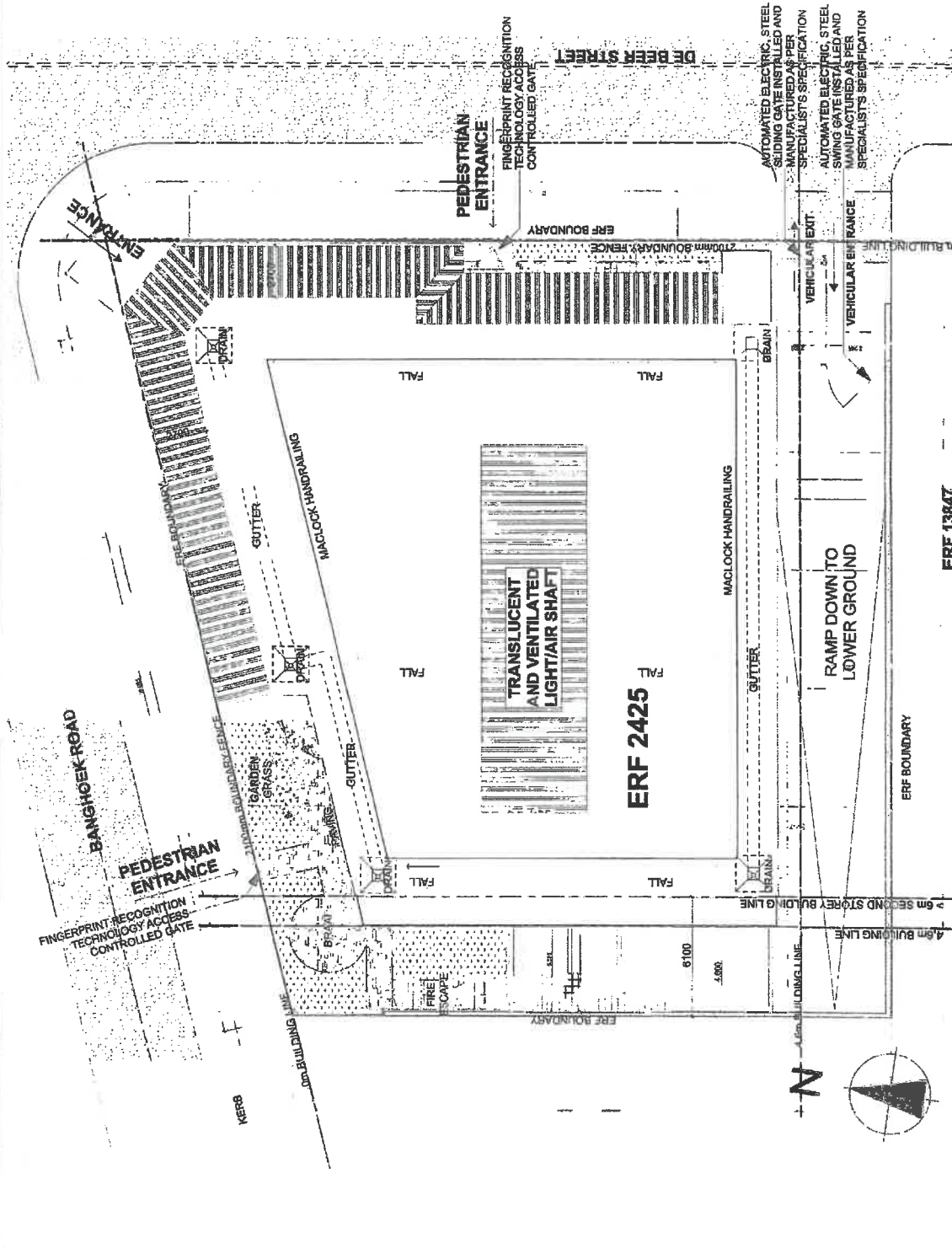
ERF 2419

ERF 2421

MEYER BUILDING, STELLENBOSCH
 C/O DE BEER ST & BANGHOEK RD
 12 JULY 2021 > SCALE 1:200 @ A3

SECOND FLOOR PLAN
ERF 2425





ERF 6257

ERF 2421

ERF 2419

Page 5-6

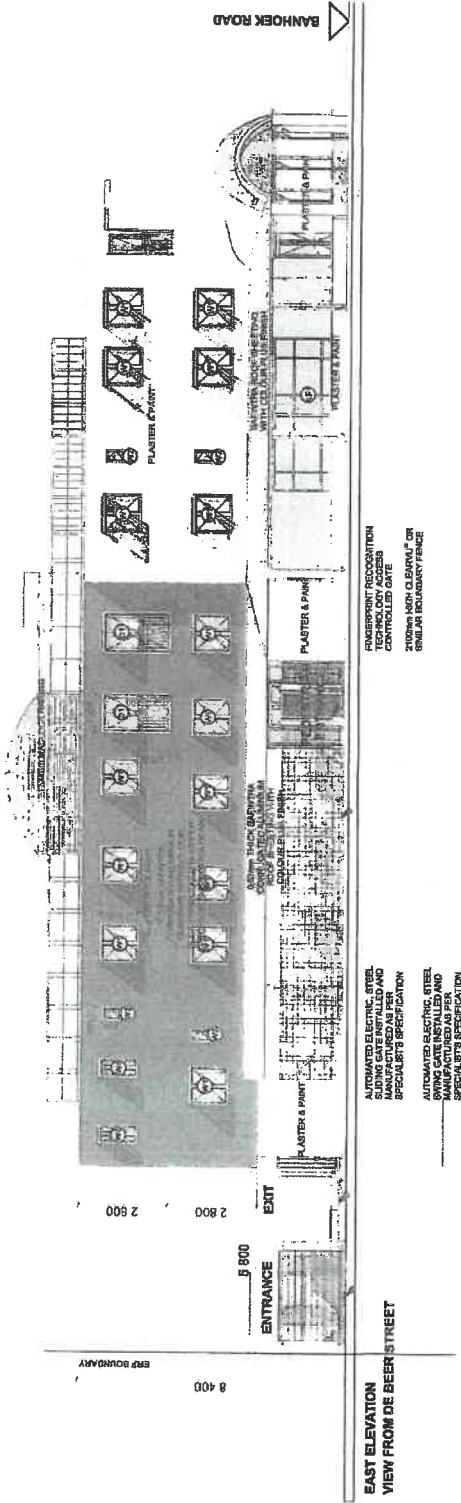
MEYER BUILDING, STELLENBOSCH

c/o DE BEER ST & BANGHOEK RD
12 JULY 2021 > SCALE 1:200 @ A3

SITE/ROOF PLAN ERF 2425

ERF 13647

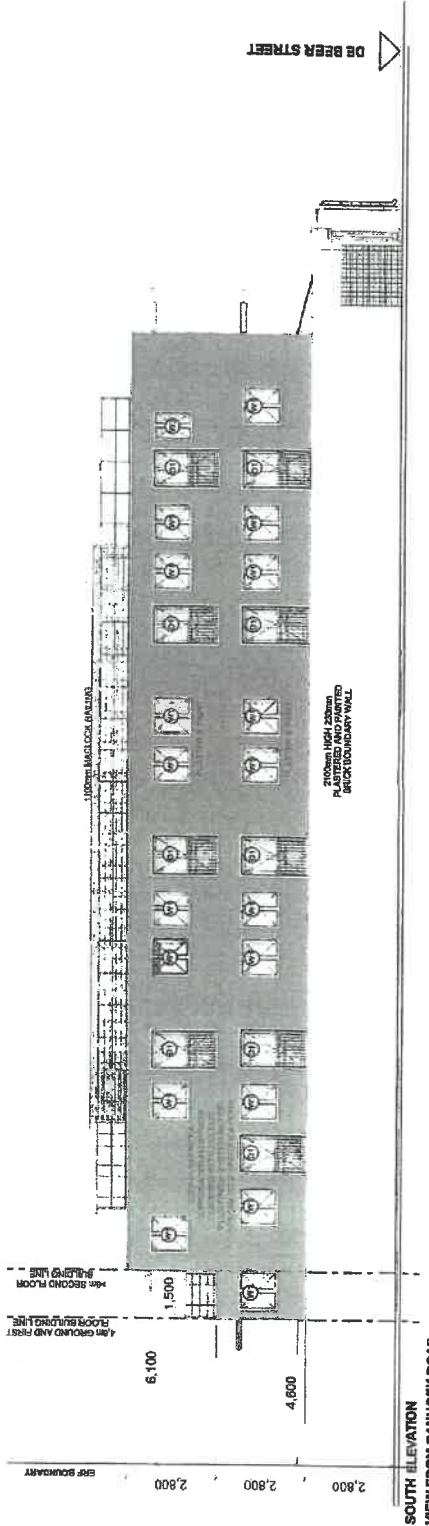




EAST ELEVATION
VIEW FROM DE BEER STREET

AUTOMATED ELECTRIC, STEEL SLIDING GATE INSTALLED AND SPECIALIST'S SPECIFICATION
 AUTOMATED ELECTRIC, STEEL SLIDING GATE INSTALLED AND MANUFACTURED AS PER SPECIALIST'S SPECIFICATION

FRAMING RECOGNITION TECHNOLOGY ACCESS CONTROLLED GATE
 PLASTER & PAINT
 BRICK BOUNDARY WALL



SOUTH ELEVATION
VIEW FROM BANHOEK ROAD

MEYER BUILDING, STELLENBOSCH

c/o DE BEER ST & BANGHOEK RD
12 JULY 2021 > NTS

STREET VIEWS

ERF 2425



**STELLENBOSCH
ZONING SCHEME REGULATIONS
JULY 1996**

BUILDING LINES*:

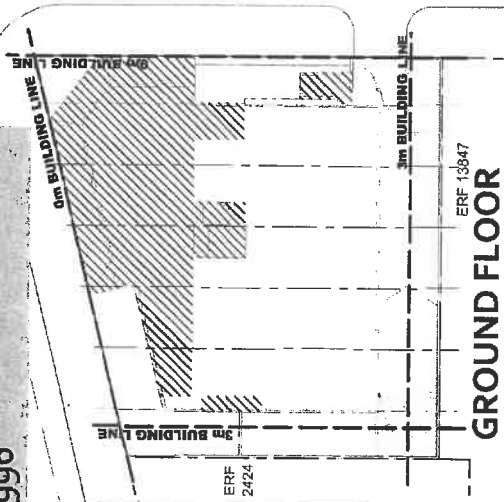
*AS PER JULY 1996 ZONING SCHEME REGULATIONS

JULY 1996 RESTRICTED BUSINESS ZONE COMMON

GROUND FLOOR ALLOWED PROVIDED 0m 3m 4,6m

FIRST FLOOR ALLOWED PROVIDED 7,6m 2,75m (CORNER SHOP) 4,6m 4,9m (BALANCE OF BUILDING)

SECOND FLOOR ALLOWED PROVIDED 7,6m 2,75m (CORNER SHOP) 6m 4,9m (BALANCE OF BUILDING)



GROUND FLOOR

**STELLENBOSCH MUNICIPALITY
ZONING SCHEME BY-LAW
MAY 2019**

BUILDING LINES*:

*AS PER MAY 2019 ZONING SCHEME BY-LAW

MAY 2019 MIXED-USE ZONE COMMON

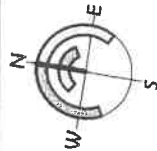
GROUND FLOOR ALLOWED PROVIDED 0m 0m 4,5m

FIRST FLOOR ALLOWED PROVIDED 4,5m 2,75m (CORNER SHOP) 4,5m 4,5m (BALANCE OF BUILDING)

SECOND FLOOR ALLOWED PROVIDED 4,5m 2,75m (CORNER SHOP) 6m 4,5m (BALANCE OF BUILDING)



GROUND FLOOR



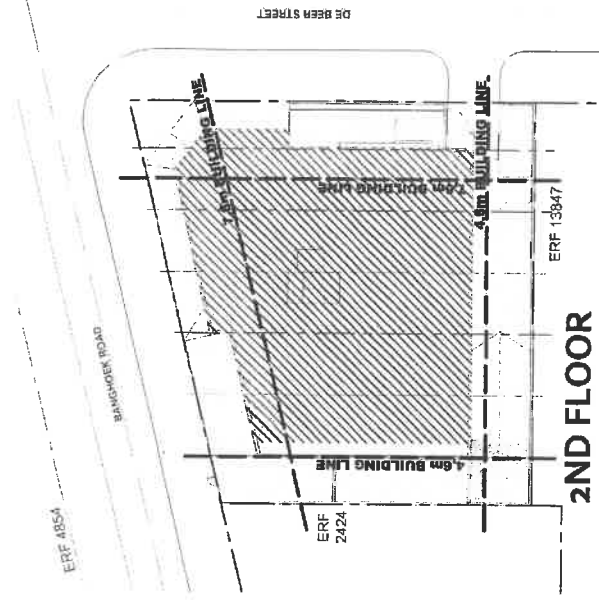
**SKETCHPLANS
> DEPARTURES**

MEYER DEVELOPMENT

ERF 2425, c/o BANGHOEK & DE BEER

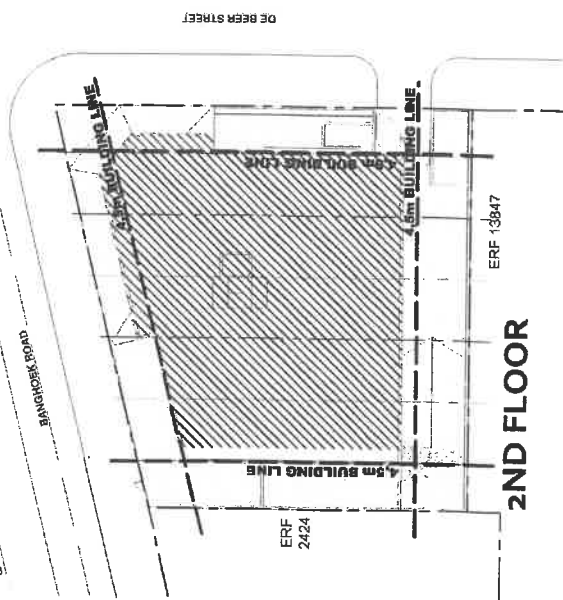
Smuts
de Kock
ARCHITECTS

30/11/2020



2ND FLOOR

**BUILDING WITHIN BUILDING LINE
DEPARTURE**



2ND FLOOR



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ANNEXURE F



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

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

FOR ATTENTION : **B Mdoda**

FROM : **Principal Technician: Development (Infrastructure Services)**

AUTHOR : **Colin Taylor**

DATE : **30 March 2022**

RE. : **Rezoning from Single Residential to Restricted Business on Erf 2425**

YOUR REF : **LU/9008**

OUR REF : **1865 CIVIL LU**

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

- The abovementioned application dated 28 November 2019;
- Plan Ground Floor Layout Shops and Parking with Drawing No. 206 by Smuts de Kock Architects, dated 16 August 2021;
- Transport Impact Statement (TIS) by ITS Engineers (Pty) Ltd, dated November 2019;
- Report on Civil Engineering Services by Castens Consulting Engineers, dated 20 November 2019;
- GLS water and sewer analysis report dated 22 November 2019.

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

- Erf size: 1385m²
- Total apartment units: 24
- Total caretaker units: 1
- Total retail GLA: 196.9m²

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

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;
 - (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"*;

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

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:
- a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.
 - b. **Water Network:** There is sufficient capacity in the bulk water reticulation network to accommodate the proposed development. The appropriate connection point will be identified during the detail design stage.
 - i. The Developer will be responsible for any link water pipelines between the development and the municipal network.
 - c. **Sewer Network:** There is sufficient capacity in the bulk sewer reticulation network to accommodate the proposed development. The appropriate connection point will be identified during the detail design stage.
 - i. The Developer will be responsible for any link sewer pipelines between the development and the municipal network.
 - d. **Roads Network:** As per the TIS no bulk road upgrades are required for the proposed development.
 - e. **Stormwater Network:**
 - i. 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

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

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 and any internal or link stormwater infrastructure identified will be for the Developer's cost.

f. **Solid Waste:**

- i. Large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site due to capacity constraints. 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, 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.
- ii. The Municipality will provide a solid waste removal service to the new development.

Development Charges

5. 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;
6. 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;
7. 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;
8. 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;

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

14. that provision be made for a refuse room as per the specification of the standard development conditions below;
15. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
16. that provision be made for a refuse embayment off the roadway/sidewalk to accommodate refuse removal. (Embayment to be minimum 15m x 2.5m). This must be clearly indicated on the engineering drawings when submitted for approval.
17. 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;

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;

Internal- and Link Services

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

Bulk Water Meter

20. An Occupation Certificate (in the case of a sectional title erf) 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;

Roads

21. that the "Developer" will be held liable for any damage to municipal infrastructure within the road reserves of the roads, 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;
22. that on-site parking be provided by the owner of the property in the ratio as prescribed by the zoning scheme;

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

Bulk Electricity

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

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

24. that the “*Developer*” will enter into an Engineering Services Agreement with the “*Municipality*” in respect of the implementation of the infrastructure to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;
25. 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;
26. 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.
27. that the “*Developer*” must ensure that he / she has an acceptable public liability insurance policy in place;
28. 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;
29. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 3rd

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services;

34. 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;
35. 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;
36. that construction of services may only commence after municipal approval has been obtained;
37. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
38. 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;
39. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
40. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
41. 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;
42. that a Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1 be issued before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued (prior to transfer of individual units or utilization of buildings);

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

43. that Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will only be issued if the bulk watermeter is installed, a municipal account for the said meter is activated and the consumer deposit has been paid;
44. 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;
45. that the “Developer” shall adhere to the specifications of Telkom (SA) and or any other telecommunications service provider;
46. that the “Developer” shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property should thus be required;
47. 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;
48. 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”.

Stormwater Management

49. 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;
50. 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;

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

51. 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;
52. 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;

Roads

53. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
54. 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;
55. 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;
56. that the parking area be provided with a permanent surface and be clearly demarcated and accessible. Plans of the parking layout, pavement layerworks and stormwater drainage are to be approved by the Directorate: Infrastructure Services before commencement of construction and that the construction of the parking area be to the standards of the Directorate: Infrastructure Services;
57. that no parking be allowed in the road reserve;

Wayleaves

58. 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;
59. that wayleaves will only be issued after approval of relevant engineering design drawings;
60. that it is the Developer's responsibility to obtain wayleaves from any other authorities/service provider's who's services may be affected.

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

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

61. that in addition to the responsibilities set out in **section 29** of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
62. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;
63. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

Solid Waste

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

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

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

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

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
65. 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;
66. 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 Mr Saliem Haider, 021 808 8241; saliem.haider@stellenbosch.gov.za;
67. 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);
68. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
69. Refuse storage areas are to be provided for all premises other than single residential erven;
70. 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;
71. 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;

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

72. 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;
73. All black 85 ℓ refuse bins or black refuse bags is in the process of being replaced with 240 ℓ black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:
- Commercial and Domestic : 585 mm wide x 730 mm deep x 1100 mm high
74. 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;
75. 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
76. Building specifications for refuse storage is available on request.
77. 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;
78. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area. The Municipality will confirm the need for a refuse bay during the building plan approval stage, based on the site specifics conditions:
79. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
80. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

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

AS-BUILTs

82. The “Developer” shall provide the “Municipality” with:
- a. a complete set of as-built paper plans, signed by a professional registered engineer;
 - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the “Engineer” and is reflected herewith as Annexure X;
 - c. a completed Asset Verification Sheet in Excell format, reflecting the componitization of municipal services installed as part of the development. The Asset Verification Sheet will have to be according to the IMQS format, as to be supplied by the “Engineer”, and is to be verified as correct by a professional registered engineer;
 - d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;
 - e. Written verification by the developer’s consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the “Municipality” are fully paid;
83. 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”;
84. 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;
85. 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;

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

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

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

87. 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;
88. 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;
89. The onus will be on the “*Developer*” and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for an occupation certificate in terms of the National Building Regulations. Verifying documentation (proof of payment in respect of Development Charges, services installation, etc.) must be submitted as part of the application before an application will be accepted by this Directorate;

Avoidance of waste, nuisance and risk

90. 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.



COLIN TAYLOR Pr Tech Eng

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

PROPOSED REZONING AND DEPARTURES OF ERF 2425, STELLENBOSCH

ATTACHMENT X

Geographic Information System (GIS) data capturing standards

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

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

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

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

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

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

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION	
Application Number	Wednesday, 01/Dec/2021
Date	2021/22
Financial Year	Stellenbosch Town
Erf Location	
Erf No	2425
Erf Size (m ²)	1 385
Suburb	Banjhoek
Applicant	Meyer Development
Approved Building Plan No.	Plans-Ground Drawing Number: 206 (Dated 15-08-2021)

SUMMARY OF DC CALCULATION									
Unit(s)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals		
	kl/day	kl/day	ha°C	t/week	trips/day	person			
Total Increased Services Usage	10,938	9,989	0,168	1,039	82,47	82,5			
Total Development Charges before Deductions	R 294 173,61	R 260 051,66	R 17 146,78	R 55 183,71	R 552 299,97	R 324 971,50			R 1 503 827,24
Total Deductions									
Total Payable (excluding VAT)	R 294 173,61	R 260 051,66	R 17 146,78	R 55 183,71	R 552 299,97	R 324 971,50			R 1 503 827,24
VAT	R 44 126,04	R 39 007,75	R 2 572,02	R 8 277,56	R 82 845,00	R 48 745,73			R 225 574,09
Total Payable (including VAT)	R 338 299,66	R 299 059,41	R 19 718,79	R 63 461,27	R 635 144,97	R 373 717,23			R 1 729 401,32

APPLICANT INFORMATION	
Application Processed by:	Colin Taylor
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage		Development Charge levied (excl VAT)				Total			
		area (m2)	du m ² GLA m ²	du/ha % GLA	area (m2)	du m ² GLA m ²	du/ha % GLA	du m ² GLA m ²	Water	Sewer	Storm-water		Solid-Waste	Roads	Community Facilities
Infrastructure Type applicable? (yes/no)															
	du m ² GLA m ²	area (m2)	du m ² GLA m ²	du/ha % GLA	area (m2)	du m ² GLA m ²	du/ha % GLA	du m ² GLA m ²	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
Residential	Single Residential >1000m2	du	0	0%		0	0%	-1	R -32 572,56	R -18 223,39	R -4 906,32	R -2 124,98	R -26 162,95	R -13 418,16	R -97 408,37
	Single Residential >500m2	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
	Single Residential >250m2	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
	Single Residential <250m2	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
	Less Formal Residential >250m2	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
	Less Formal Residential <250m2	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
	Group Residential >250m2	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
	Group Residential <250m2	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
	Medium Density Residential >250m2	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
	Medium Density Residential <250m2	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
Commercial	High Density Residential - flats	du	25	0%	25	0	0%	25	R 305 367,72	R 260 334,13	R 20 443,01	R 53 124,60	R 449 675,78	R 335 454,07	R 1 424 399,30
	High Density Residential - student rooms	du	0	0%		0	0%	0	R -	R -	R -	R -	R -	R -	R -
	Local Business - office	m2 GLA	0%	0%		0%	0%	0	R -	R -	R -	R -	R -	R -	R -
	Local Business - retail	m2 GLA	0%	0%	197	197	0%	197	R 21 378,45	R 17 940,93	R 1 610,09	R 4 184,09	R 128 787,14	R 2 935,60	R 176 836,30
	General Business - office	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	General Business - retail	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Community	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Education	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Light Industrial	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	General Industrial - light	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
Industrial	Warehousing	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	General Industrial - heavy	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Noxious Industrial - heavy	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Resort	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Public Open Space	m2	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Private Open Space	m2	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Natural Environment	m2	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Utility Services	m2 GLA	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Public Roads and Parking	m2	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
	Transport Facility	m2	0%	0%			0%	0	R -	R -	R -	R -	R -	R -	R -
Special	Limited Use														
	To be calculated based on equivalent demands														

* Complete yellow/green cells.

** du = dwelling unit, GLA=Gross lettable area.

Total Development Charges before Deductions

% Deductions per service (%)

% Deductions per service (amount)

Additional Deduction per service - from Service Agreement (sum)

Sub Total after Deductions (excluding VAT)

VAT

Total

*** displays red if not equal to existing area

R294 173 61	R260 051 66	R17 146 78	R55 183 71	R552 299 97	324 971 50	R1 503 827 24
0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	R 0.00
R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
R294 173 61	R260 051 66	R17 146 78	R55 183 71	R552 299 97	324 971 50	R1 503 827 24
R44 126 04	R39 007 75	R2 572 02	R6 277 56	R82 845 00	48 745 73	R225 574 09
R358 299 66	R299 059 41	R19 718 79	R63 461 27	R695 144 97	373 717 23	R1 729 401 32

Annexure: Electrical Engineering

ELECTRICITY SERVICES: CONDITIONS OF APPROVAL ERF 2425

GENERAL COMMENT:

1. Please note that the Stellenbosch Municipality Electrical Department is the supply authority for the new development
2. Development Bulk Levy Contributions are payable

CONDITIONS

1. The electrical consulting engineer responsible for the development shall schedule an appointment with Manager Electricity Services (Engineering Services) before commencing with the construction of the development. As well as to discuss new power requirements if required.
2. 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.
3. 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.
4. 24-hour access to the location of the substation, metering panel and main distribution board is required by Technical Services. (On street boundary)
5. 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.
6. On completion of the development, Stellenbosch Municipality (Technical Services) together with the electrical consulting engineer and electrical contractor will conduct a take-over inspection.
7. No electricity supply will be switched on (energised) if the Development contributions, take-over Inspection and Certificate(s) of Compliance are outstanding.
8. 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 hot water with alternative energy saving sources
 - All hot water pipes to be clad with insulation with R-value of 1
 - Provide a professional engineer's certificate to proof that energy saving measures is not feasible.
9. All electrical wiring should be accordance with SANS 10142 and Municipal by-laws.



Signature



Date