



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/10621

Our File Reference Number: Erf 3738, Stellenbosch

Your Reference Number: S4278

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: jacques@dmp.co.za

Sir

**APPLICATION FOR REZONING, DEPARTURE, SITE DEVELOPMENT PLAN, REMOVAL OF TITLE DEED
CONDITIONS: ERF 3738, DENNESIG, 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 3738, Stellenbosch, namely:
 - 2.1.1 The rezoning of the property, as illustrated on Drawing No. S4278-LDP001 rev. 06/08/2020, dated 29 October 2019, from Conventional Residential to Multi-Unit Residential to develop 24 residential units within a 4 storey building in terms of Section 15(2)(a) of the said Bylaw;
 - 2.1.2 Permanent departures in terms of Section 15(2)(b) of the said Bylaw to permit the following:
 - 2.1.2.1 To permit development on the property (less than 1000m² in extent) in terms of Multi-Unit Residential Zone land use parameters.
 - 2.1.2.2 To relax the required number of parking bays from 36 bays to 29 bays.

2.1.2.3 To exceed the permissible floor factor from 0.75 to 1.57.

2.1.2.4 To relax the following building lines:

(i) Street building line from 4.5m to 0.0m

(ii) Common building line (adjacent to erf 16406) from:

- 4.5m to 0.0m for the ground- and first floor of the building; and
- 6.0m to 0.0m for the second- and third floor of the building.

(iii) Common building line (adjacent to erf 15886) from:

- 4.5m to 0.0m for the ground- and first floor of the building;
- 4.5m to 2.7m for the first floor of the building; and
- 6.0m to 2.7m for the second- and third floor of the building.

(iv) Common building line (adjacent to erven 8718 & Rem. 194) from:

- 4.5m to 0.0m for the ground floor of the building;
- 4.5m to 2.2m for the first floor of the building; and
- 6.0m to 2.2m for the second- and third floor of the building.

2.2 The removal of the following restrictive title conditions in terms of Section 15(2)(f) of the By-Law:

2.2.1 Condition D(c) on page 4 of the property title deed:

"That not more than one dwelling be erected on above lot and that not more than one-third of the area of the above lot be built upon."

2.2.2 Condition D(d) on page 4 of the property title deed:

"That all buildings to be erected on this property shall stand back not less than 10 feet from the line of any street or avenue on which the lot may abut. Such space may be used for gardens, but shall not be built upon."

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

(i) The approval only applies to the proposed development in question, as indicated on the SDP, Drawing No. S4278-LDP 001 rev. 06/08/2020, dated 29 October 2019, S4278-SK001 to SK003 dated 22 October 2019, drawn by Dennis Moss Partnership, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

(ii) The conditions imposed by the Director: Infrastructure Services in its memo dated 16 September 2020 be adhered and complied with as attached as **Annexure G**;

- (iii) That a detailed Landscaping Plan is to be submitted for approval with the building plans and that the landscaping plan be implemented prior to any occupation's certificates being issued;
- (iv) The applicant must after the publication of a notice in the Provincial Gazette apply to the Registrar of Deeds to make the appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal of the restrictive conditions for which approval has been granted;
- (v) That the subject property form part of the newly established Master Homeowners' Association (MHOA) of Dennesig and that this condition be registered against the title deed of the subject property;
- (vi) Building plans be submitted to the building department for approval which are substantially in accordance with the approved SDP;

3. The reasons for the above decision are as follows.

- 3.1 The property is located in an area where high density residential development is promoted by the IDP and SDF of the Municipality and the subject property is located within the urban edge of Stellenbosch;
- 3.2 The proposal also complies with the Dennesig Neighbourhood Guidelines that has been compiled to ensure that the Dennesig area is developed as a cohesive neighbourhood;
- 3.3 The proposed building is not out of scale and character with its surrounding as similar applications have been approved on properties in the surrounding area by the Municipality;
- 3.4 The development promotes none motorised transport within the area as a detailed NMT plan has been approved by the Directorate: Infrastructure Services for the Dennesig area which will be implemented as redevelopment of properties occur within the Dennesig neighbourhood.
- 3.5 The removal of the restrictive title deed conditions will facilitate the redevelopment of the subject property without having a negative impact on its surroundings.

4. 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.

5. 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

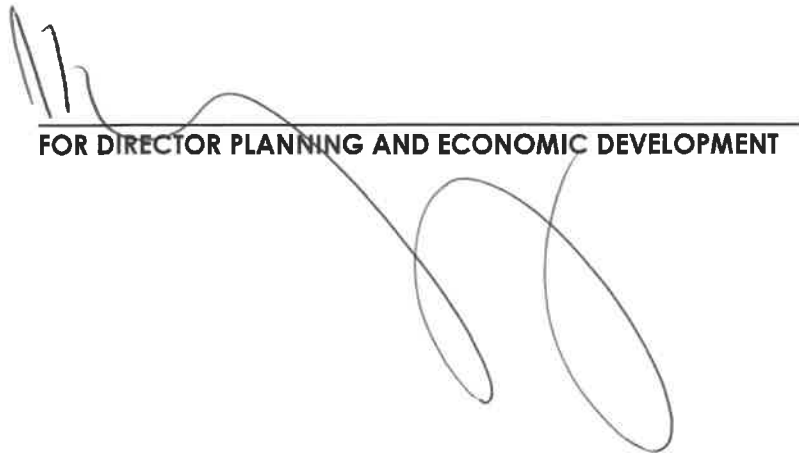
(i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(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.
6. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: Lenacia.Kamineth@stellenbosch.gov.za.
 7. An applicant who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
 8. 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>).
 9. 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.
 10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

11. 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

22/1/2021
DATE:

COPY:

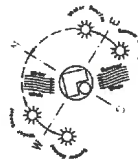
Stellenbosch Interest Group
Email: info@stellenboschinterestgroup.org



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ANNEXURE B



DENNIS MOSS PARTNERSHIP
 ARCHITECTS
 111 ...
 ...



JDV
 ARCHITECT

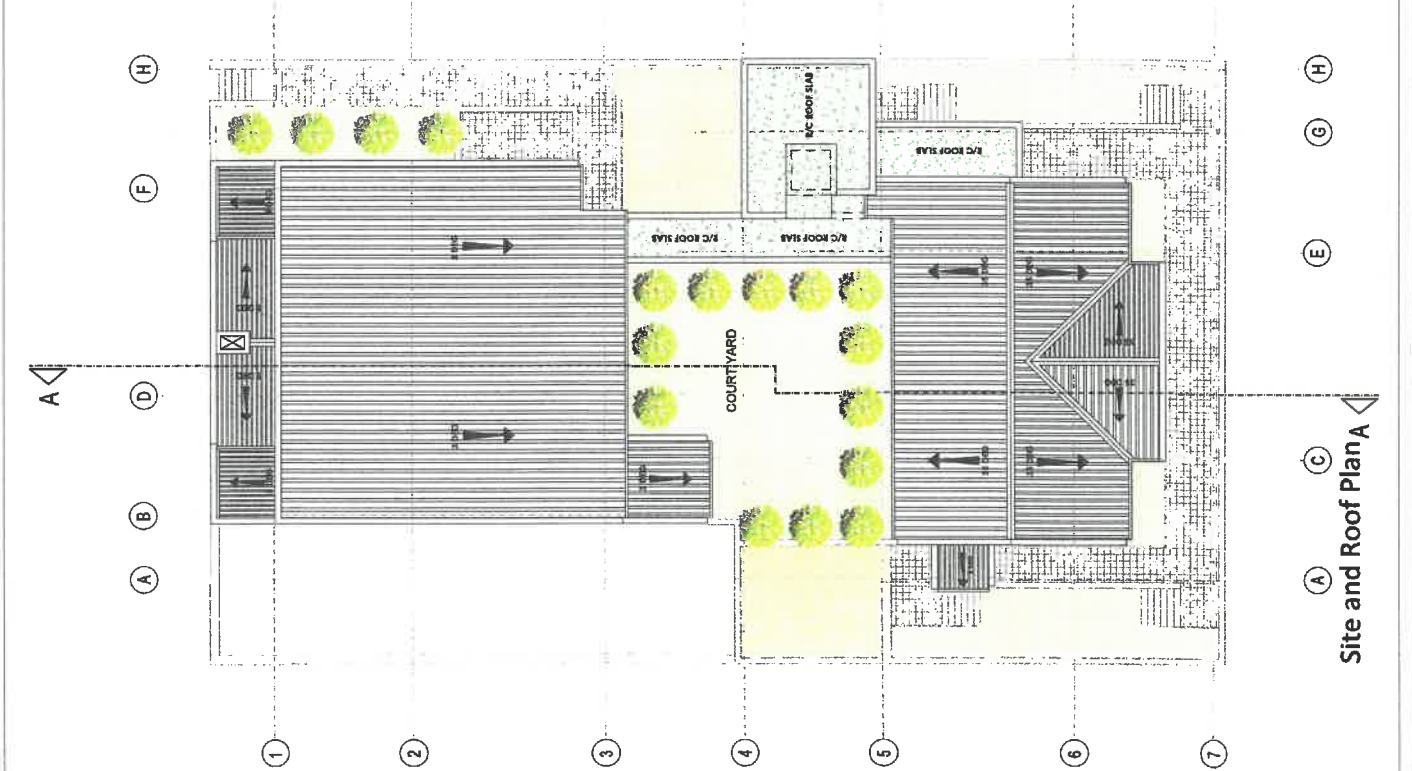
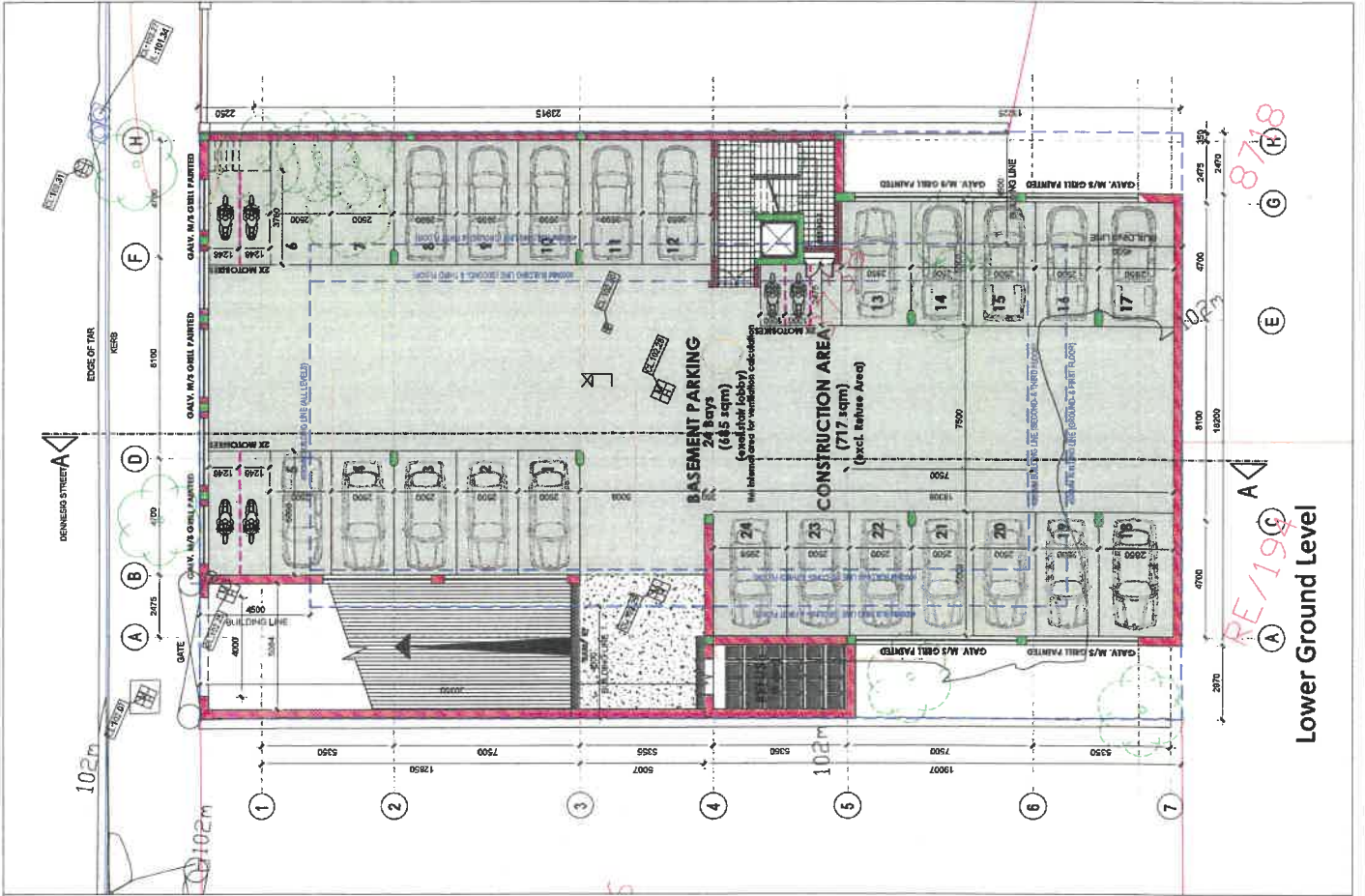
ERF 3738
DEVELOPMENT
DENNESSIG STREET
STELLENBOSCH

SITE PLAN &
ROOF LEVEL
LOWER GROUND LEVEL

PROJECT NO.	54278	SCALE	1:100
DATE	22 OCTOBER 2019		
NO.	01		

FOR APPROVAL

This drawing and all the information contained therein is the property of the architect and is to be used only for the project for which it was prepared. It is not to be used for any other project without the written consent of the architect.



Lower Ground Level

Site and Roof Plan A



DENNIS MOSS PARTNERSHIP
 ARCHITECTS
 111 DENNIS STREET, STELLENBOSCH
 7700



JDV

**ERF 3738
 DEVELOPMENT
 DENNISIG STREET
 STELLENBOSCH**

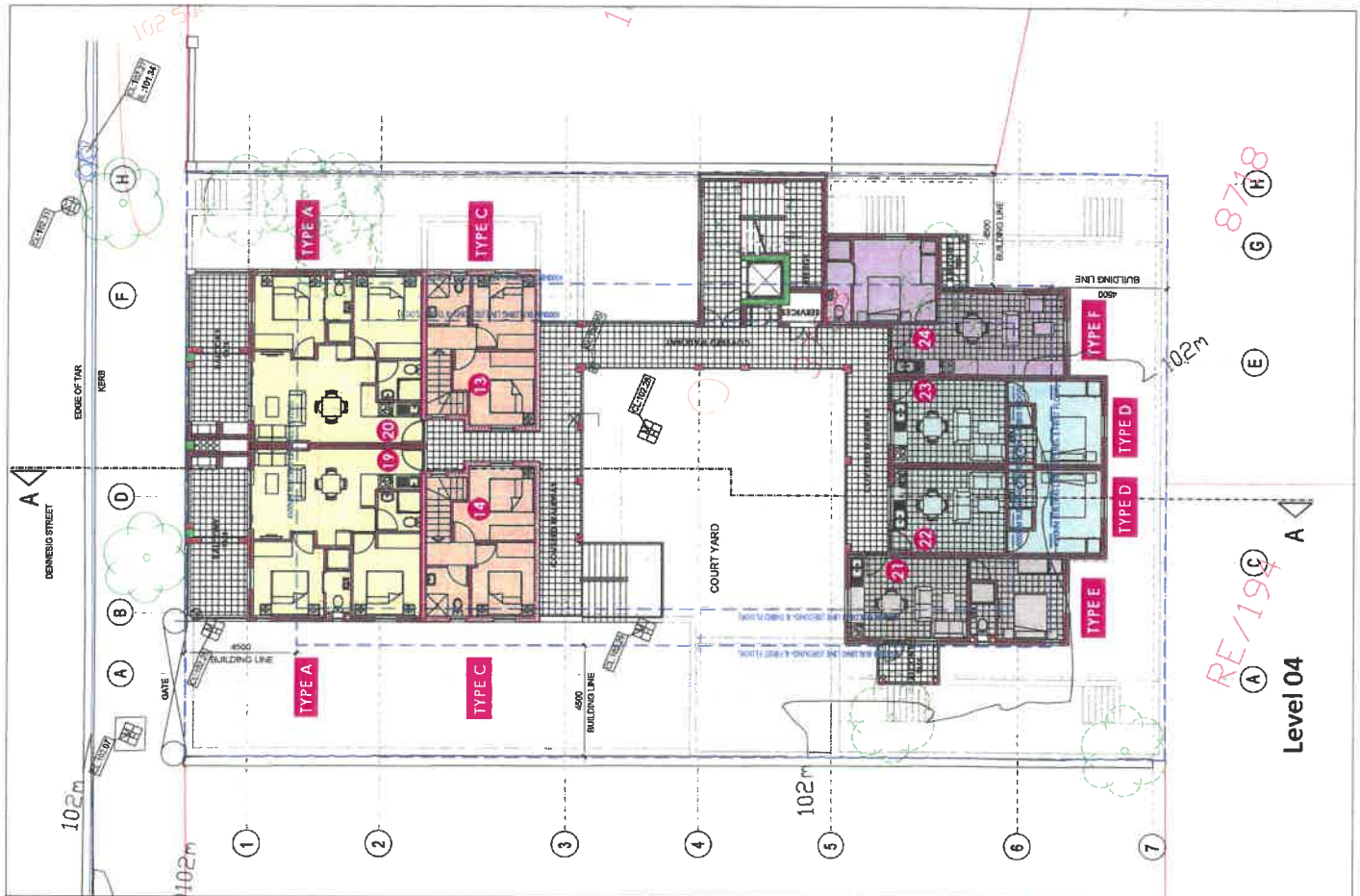
DATE: 22 OCTOBER 2019

LEVEL 03 & LEVEL 04

PROJECT:	64278	SCALE:	1:100
DATE:	22 OCTOBER 2019	DRAWN BY:	JDV
NO.:	01	CHECKED BY:	JDV

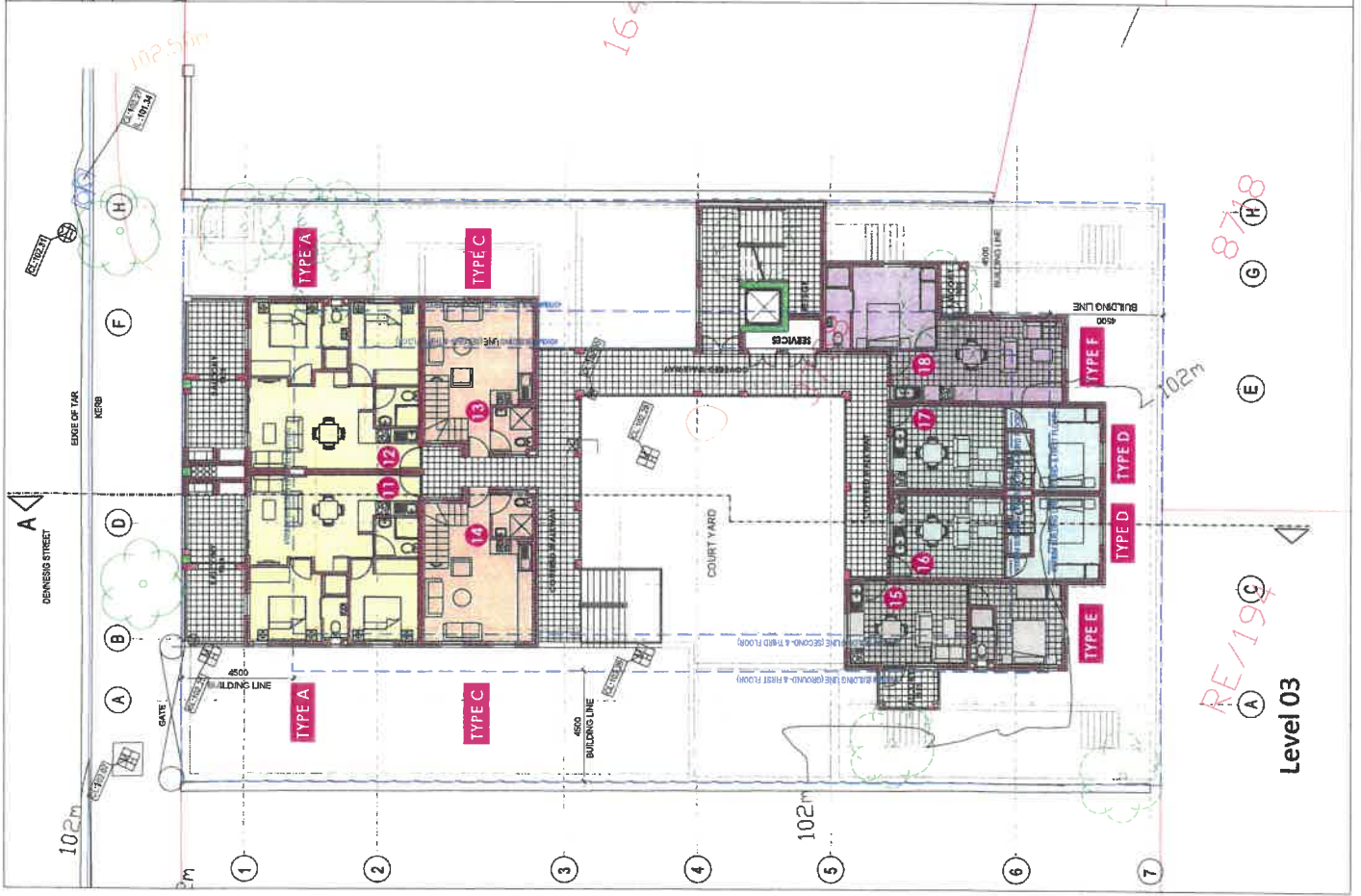
FOR APPROVAL

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RE/194
 (A) (B) (C) (D) (E) (F) (G) (H)

Level 04



RE/194
 (A) (B) (C) (D) (E) (F) (G) (H)

Level 03



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ANNEXURE G



MEMO

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE 17 SEP 2020

RECEIVED

TO : The Director: Planning and Development

FOR ATTENTION : Robert Fooy

FROM : Manager: Development (Infrastructure Services)

DATE : 16 September 2020

RE. : Erven 3738, Dennesig Street, Stellenbosch: development of 24 flats

YOUR REF : LU/10621

OUR REF : CIVIL LU 1973

FILE NR:

SCAN NR:

COLLABORATOR NR:

E 3738 S

693377

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

- The land use application dated 14 Jan 2020 by Urban Dennis Moss;
- Level 01 & Level 02 Drawing No S4278-SK002 dated 22 Oct 2019 rev 0, by Dennis Moss
- Site Development Plan and landscape plan S4278-LDP 001 dated 29 Oct 2019, Rev 06/08/2020, by Dennis Moss
- Dennesig Densification Area Transport Impact Assessment dated November 2019 (Final Version 2) by ITS;
- Addendum addressing stacking distance dated 31 July 2020 (to be approved by Johan Fullard)
- E-mail by Johan Brink (ITS) dated Tue 2020/07/21 10:03, re motivation for limited stacking distance;
- Civil Engineering Services Report, by DVP INC Consulting Engineers, dated 20 September 2019;
- Letter by Dennis Moss dated 5 Aug 2020, addressing the engineering concerns of Tyrone King's Memo dated 2 June 2020.

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

- Total flat units: 24 No.

Any development beyond these parameters would require a further approval and/or a recalculation of the Development Charges from this Directorate.

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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;
 - (d) "*Dennesig Developers*" means the entities on behalf of which the applications are submitted (i.e. landowner) or their successors in title, and will include all applications within the Dennesig Neighbourhood Area, bordered by Adam Tas Road, Molteno Road, Bird Street and Merriman Avenue. The "*Dennesig Developers*" currently consists of the following developments:

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Development	Property No	Entity on behalf the application was submitted (i.e. landowner)
Dennesig 1	Erven 143 – 145 & 166 – 170 Stellenbosch	Buffshelfco 54 Pty Ltd
The Edge	Erven 139 & 140 Stellenbosch	Cabzis (Pty) Ltd
The Den 2	Erven 141 – 142 & 163 – 165 Stellenbosch	Scandals African Footwear CC Joz Investments Trust Daniel Jacobus & Sara Da Luz Winterbach Saper Investments (Pty) Ltd. Ingrid Kirsten Blumer & Christopher Vernon Swart
Abacus	Erf 184 Stellenbosch-	Dennesig Properties (Pty) Ltd
Erf 3738	Erf 3738 Stellenbosch	Sarah da Luz Winterbach

(e) *"Master Home Owner's Association (MHOA)"* means the Master Homeowners Association that shall be established by the *"Dennesig Developers"*.

B. Recommendation:

- Despite the considerable investment in the creation of housing opportunities through numerous government programmes, there is still a significant housing need across the country and indeed in Stellenbosch. Many of the government subsidised housing opportunities have been developed on cheaper land parcels, mainly outside of the urban core, further exacerbating apartheid spatial divides. This has placed significant strain on the lower- and middle-income residents who find it increasingly difficult to purchase or rent affordable, well-located properties in Stellenbosch. We have current and future housing backlog, half of which are for middle and upper-income households. As the population has grown, the release of land for development and housing has not kept pace. Housing has become so expensive that many of those who work in the Stellenbosch municipal area commute from outside this area and for these and others, the most basic shelter – even of a temporary nature – within this municipal domain remains an unattainable dream. It is recognised that housing challenges cannot be addressed by the public sector alone and the development of the Dennesig Precinct presents an ideal opportunity for private sector (in partnership with the municipality) to extend its role in catering to an affordable housing market. This is why part of the scope of works for the urban design study done was to indicate how these developments propose to respond to the need for affordable housing for young families in the broader Stellenbosch area. None of the current applications indicate that there will be specifically catered for affordable units and

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we advise the decision making authority to take cognisance of this when making their final decision and setting approval conditions.

3. From an engineering services perspective, the development is recommended for approval, subject to the conditions as stated below.

C. Specific condition 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 network to accommodate the proposed development. Any network upgrades will be identified when engineering drawings/building plans are submitted for approval. The Municipality may request a capacity analysis report at that stage which will be for the Developer's cost. Any network upgrades required will be the Developer's responsibility and for their cost.
- c. **Sewer Network:** There is sufficient capacity in the bulk sewer network to accommodate the proposed development. Any network upgrades will be identified when engineering drawings are submitted for approval. The Municipality may request a capacity analysis report at that stage which will be for the Developer's cost. Any network upgrades required will be the Developer's responsibility and for their cost.
- d. **Roads Network:** A Transport Master Plan (TMP) (see **Annexure A**) has been approved as part of the Dennesig Densification Area Transport Impact Assessment and indicate the prioritization of transport projects to be implemented. This TMP (as amended) will be used as a guideline for the implementation of the identified projects, in parallel with the development of the Dennesig Precinct. Fourteen transport items have been listed to be implemented by the Dennesig developers over time. The focus of the TMP is to improve pedestrian and cycling facilities and activity in an attempt to reduce private car usage over time. The TMP prioritises these transport projects to guide the implementation of the full TMP. It also states the threshold in number of units developed, at which point each of the upgrade items will be triggered. The goal of the Municipality as well as the Developers is to implement

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as many of the projects listed as soon as possible to create a holistic pedestrianized environment that will be connected to the external Non-Motorized Transport (NMT) network of the Municipality. The items as per the TMP must be implemented in a phased approach.

The process is outlined as follows:

- i. A Memorandum of Agreement must be concluded between the "Dennesig Developers" in which they undertake to establish a Master Home Owners Association "MHOA" as a vehicle to implement the relevant items of the Dennesig Transport Master Plan. The Municipality must approve the conceptual Memorandum of Agreement.
- ii. The Memorandum of Agreement must be concluded and signed by all parties and the MHOA must be established before the Municipality will approve any building plans of the "Dennesig Developers".
- iii. The MHOA must set up a trust account held by an attorney firm into which the DCs of the individual developments will be paid. The trust account will be an interest bearing account, which interest will be for the benefit of the municipality;
- iv. The DCs of any one of the "Dennesig Developers" requesting building plan approval, must be paid into the trust account before the building plans will be approved;
- v. Each building plan submission must be accompanied by an updated schedule from the Consulting Engineer appointed by the MHOA, indicating the number of units so far approved versus the thresholds in terms of units developed that will trigger project implementation. This schedule needs to identify if the current building plan submission triggers the implementation of one or more of the projects identified in the transport master plan;
- vi. Should a project/s be triggered, an Engineering Services Agreement (ESA) for the implementation of that project must be concluded between the MHOA and the Municipality. The ESA must be concluded before building plans can be approved;
- vii. The projects as per the ESA must then be completed and certified as complete by the Municipality, before further clearance certificates (i.e. occupation certificates) for the development will be issued;

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- viii. The trust fund will be terminated once all projects identified in the Transport Masterplan have been implemented. Any balance of paid DCs with interest earned thereon will be paid back to the Municipality;
- ix. The Municipality reserves the right to give instruction to the Attorney firm in whose trust account the DC's were paid that the DCs within the trust fund be paid over to the Municipality at any point, should the Municipality wish to do any infrastructure upgrades themselves.

e. Shuttle Service:

- i. Shuttle Service: A shuttle service must be provided, operated and maintained by MHOA or a service provider approved by the Municipality;
- ii. The funding and management of this service must be stipulated in the Memorandum of Agreement between "The Dennesig Developers";
- iii. The threshold for providing a shuttle service must be agreed and stipulated in the MOA;
- iv. The shuttle service shall be managed and operated by the MHOA and can only be terminated with mutual agreement of the Stellenbosch Municipality;
- v. The shuttle service route must be approved by the Stellenbosch Municipality

- f. Comments and conditions from Senior Manager: Roads, Transport, Stormwater & Traffic Engineering, Mr Johan Fullard: Dennesig Densification Area, Traffic Impact Assessment by ITS (November 2019), is herewith supported, with the following conditions being applicable:**

The Dennesig precinct falls within the Adam Tas Corridor (ATC) which comprises an area of approx. 300Ha. Within the ATC area, the principals of Transit-Oriented Development (TOD) is promoted, these principals encourage walking, cycling use of public transport with the aim to reduce the amount of private vehicles.

Chapter 6 of the SDF, highlights strategies such as the provision of remote parking facilities and the management of the private vehicle demand. Other Municipal strategies (contained, both in the CITP and SDF) includes the, promotion of Non-Motorized Transport (NMT), promotion of Public Transport and the reducing the usage of Motor Vehicles.

The Dennesig Development promotes both NMT, and Public Transport by providing adequate facilities for NMT and by providing a scheduled Public Transport Service.

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In support of the municipal strategies, i.e: provision of remote parking facilities, management the private vehicle demand, promotion of NMT and Public Transport, reductions to the zoning scheme off-street parking requirements may be considered.

Where individual developments have reduced their off street-parking provision, and the parking is not in line with the current zoning scheme, the following will be applicable:

- i. The standard Stellenbosch Municipal practice, currently in place, allows for the reduced parking provision (difference between the approved zoning scheme and the number of bays provided) to be accommodated, by the payment of a municipal approved Parking Development Contribution (Parking DC) tariff. The 2020/2021 Parking DC tariff is R 158 647. 41 ex VAT per bay and is subject to annual escalation. **The parking shortfall is 4 bays and the DC for parking will thus be 33 (required) – 29 (provided) = 4 bays x R 158 647. 41 = R 634 589. 64 ex VAT (see 3.2.5 of motivation report). This Parking DC is payable prior to building plan approval.**
- ii. Guidelines for allowable reductions to off-street parking are set out in the - above mentioned TIA, these reductions relate to off-street parking requirements that are similar to the City of Cape Town's Public Transport (PT1) zone, which has shared characteristics to the municipality's envisaged ATC.
- iii. Funding from the Parking DC's will be set aside for, remote municipal parking facilities and the introduction of a municipal public transport services.

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

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- iii. that no overland discharge of stormwater will be allowed into a public road for erven with catchment areas of more than 1500m² and for which it is agreed that no detention facilities are required. The "Developer" needs to connect to the nearest piped municipal stormwater system with a stormwater erf connection which may not exceed a diameter of 300mm.

h. Solid Waste:

- i. For large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site. The Developer will have to indicate and provide evidence of safe re-use or proper disposal at an alternative, licensed facility. This evidence must be presented to the Manager: Solid Waste (021 808 8241; clayton.hendricks@stellenbosch.gov.za) before building plan approval and before implementation of the development. Clean rubble can be utilized by the Municipality and will be accepted free of charge, providing it meets the required specification.
- ii. Due to the limited airspace capacity available, waste arriving at the site needs to be dramatically reduced in order to extend the lifespan of the landfill site. All new developments must have a mandatory separation-at-source programme to encourage recycling, possible organic waste separation to tie in with the municipality's future diversion programme, and adequate storage facilities to enable waste removal. This programme must be enforced by the HOA and provision must be made therefore in the Constitution and Rules of the HOA.

Development Charges

5. The "Developer" hereby acknowledges that Development Charges are payable towards the following bulk civil services: water, sewerage, roads, stormwater, solid waste, parking (if there is a parking shortfall applied for and approved) and community facilities as per Council's Policy;
6. 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;

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7. The "*Developer*" immediately familiarise himself with the latest Development Charges applicable to his/her development;
8. 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. 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. Development Charges as reflected on the DC calculation sheet, dated **18 May 2020**, 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. **The parking shortfall is 4 bays and the DC for parking will thus be 33 (required) – 29 (provided) = 4 bays x R 158 647. 41 = R 634 589. 64 ex VAT (see 3.2.5 of motivation report). This Parking DC is payable prior to building plan approval.**
12. Development Charges levy be paid by the "*Developer*"
 - prior to the approval of any building- and/or services plans;
13. 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 or which might lead to an increase in the Gross Leasable Area, will result in the recalculation of the Development Charges;
14. Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

Site Development Plan

15. The layout of the proposed development shall be generally in accordance with the spatial provisions of the Transport Master Plan. It is the Developer's responsibility to ensure that his SDP is aligned with the Transport Master Plan in terms of inter alia: access points, sidewalks, refuse truck and public transport embayments etc.

Erven 3738, Dennesig Street, Stellenbosch: development of 24 flats

16. The limited stacking distance as indicated on the SDP has been motivated by the consulting Traffic Engineer, namely that the 90th percentile queue length is less than 1 vehicle. In this situation this is regarded as acceptable as it complies with the provisions of the Dennesig Densification Area Transport Impact Assessment (Addendum addressing stacking distances dated 31 July 2020);
17. Sufficient entrance and exit widths must be created at the vehicle access points: The 5.1m functional width on Drawing SK001 is acceptable;
18. Due to the narrow shape of the site, the refuse room could not be positioned according to the normal municipal standard, ie it is located too far away from the road. The intention of having the refuse room close to the road is to have access to it as close as possible to where the refuse truck will stop, so that the bins can be taken directly from the refuse room to the truck, without having to place the bins on the sidewalk, which creates a nuisance and hampers pedestrian movement. Also to prevent the refuse removal workers from walking long distances with the heavy bins. **In order to address this, it has been agreed that on refuse removal days, the bins will be placed on a demarcated area on the access ramp, close to the vehicle entrance, to give easy access to the bins to the refuse removal workers, and prevent the bins from cluttering up the sidewalk.** This arrangement is indicated on the Site Development Plan and landscape plan S4278-LDP 001 dated 29 Oct 2019, Rev 06/08/2020. It is the Developer's/HOA's responsibility to ensure that the bins do not cause an obstruction to vehicles using the access.
19. Provision be made for a refuse embayment off the roadway/sidewalk to accommodate refuse removal which (Embayment to be minimum 15m x 2.5m). This must be clearly indicated on the engineering drawings when submitted for approval. The specifications of such embayment shall be as per the standard development conditions below unless otherwise agreed with the Municipality at building plan approval stage;
20. Any amendments to the 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

21. 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

Erven 3738, Dennesig Street, Stellenbosch: development of 24 flats

22. 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, water and sewer connections

23. 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;
24. Each erf may only have a single water connection and a single sewer connection. Multiple connections are not allowed. Details of connection points must be indicated on all building plans submitted for approval;

Roads

25. 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;

Bulk Electricity

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

D. General conditions of approval

27. 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;
28. 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

Erven 3738, Dennesig Street, Stellenbosch: development of 24 flats

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;

29. 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.
30. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
31. that the "*Developer*" takes cognizance and accepts the following:
 - a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
 - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
 - c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
 - d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;
 - e.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before the approval of internal – and external civil engineering services drawings;
 - f.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued;

Site Development Plan

32. 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

Erven 3738, Dennesig Street, Stellenbosch: development of 24 flats

detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the "Developer";

Internal- and Link Services

33. 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;
34. that the Directorate: Infrastructure Services may require the "Developer" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services;
35. 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;
36. that plans of all the internal civil services as may be required by the Directorate: Infrastructure Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
37. Construction of services may only commence after municipal approval has been obtained;
38. Construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
39. 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;
40. Suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;

Erven 3738, Dennesig Street, Stellenbosch: development of 24 flats

41. that prior to the issuing of the Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1, all internal, link and bulk 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 any clearance will be issued;
43. 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;
44. The "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property should this be required;
45. The "Developer" will 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;

Servitudes

46. The "Developer" ensures that all main services including roads to be taken over by the Directorate: Infrastructure Services, all existing municipal – and or private services including roads, crossing private - and or other institutional property and any other services/roads crossing future private land/erven are protected by a registered servitude before any clearance will be given;
47. The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "Developer" will be responsible for the registration of the required servitude(s), as well as the cost thereof;
48. that the "Developer" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party before final approval of engineering drawings be obtained.

Stormwater Management

49. 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;

Erven 3738, Dennesig Street, Stellenbosch: development of 24 flats

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;
51. 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. 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. Prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Infrastructure Services for approval, and that the approved plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services;
54. Visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;

Wayleaves

55. 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;
56. that wayleaves will only be issued after approval of relevant engineering design drawings;
57. 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

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



STELLENBOSCH

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Application Number: LU/10621

Our File Reference Number: Erf 3738, Stellenbosch

Your Reference Number: S4278

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: jacques@dmp.co.za

Sir

**APPLICATION FOR REZONING, DEPARTURE, SITE DEVELOPMENT PLAN, REMOVAL OF TITLE DEED
CONDITIONS: ERF 3738, DENNESIG, 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 3738, Stellenbosch, namely:
 - 2.1.1 The rezoning of the property, as illustrated on Drawing No. S4278-LDP001 rev. 06/08/2020, dated 29 October 2019, from Conventional Residential to Multi-Unit Residential to develop 24 residential units within a 4 storey building in terms of Section 15(2)(a) of the said Bylaw;
 - 2.1.2 Permanent departures in terms of Section 15(2)(b) of the said Bylaw to permit the following:
 - 2.1.2.1 To permit development on the property (less than 1000m² in extent) in terms of Multi-Unit Residential Zone land use parameters.
 - 2.1.2.2 To relax the required number of parking bays from 36 bays to 29 bays.

- 2.1.2.3 To exceed the permissible floor factor from 0.75 to 1.57.
- 2.1.2.4 To relax the following building lines:
- (i) Street building line from 4.5m to 0.0m
 - (ii) Common building line (adjacent to erf 16406) from:
 - 4.5m to 0.0m for the ground- and first floor of the building; and
 - 6.0m to 0.0m for the second- and third floor of the building.
 - (iii) Common building line (adjacent to erf 15886) from:
 - 4.5m to 0.0m for the ground- and first floor of the building;
 - 4.5m to 2.7m for the first floor of the building; and
 - 6.0m to 2.7m for the second- and third floor of the building.
 - (iv) Common building line (adjacent to erven 8718 & Rem. 194) from:
 - 4.5m to 0.0m for the ground floor of the building;
 - 4.5m to 2.2m for the first floor of the building; and
 - 6.0m to 2.2m for the second- and third floor of the building.

2.2 The removal of the following restrictive title conditions in terms of Section 15(2)(f) of the By-Law:

- 2.2.1 Condition D(c) on page 4 of the property title deed:
"That not more than one dwelling be erected on above lot and that not more than one-third of the area of the above lot be built upon."
- 2.2.2 Condition D(d) on page 4 of the property title deed:
"That all buildings to be erected on this property shall stand back not less than 10 feet from the line of any street or avenue on which the lot may abut. Such space may be used for gardens, but shall not be built upon."

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

- (i) The approval only applies to the proposed development in question, as indicated on the SDP, Drawing No. S4278-LDP 001 rev. 06/08/2020, dated 29 October 2019, S4278-SK001 to SK003 dated 22 October 2019, drawn by Dennis Moss Partnership, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- (ii) The conditions imposed by the Director: Infrastructure Services in its memo dated 16 September 2020 be adhered and complied with as attached as **Annexure G**;

- (iii) That a detailed Landscaping Plan is to be submitted for approval with the building plans and that the landscaping plan be implemented prior to any occupation's certificates being issued;
- (iv) The applicant must after the publication of a notice in the Provincial Gazette apply to the Registrar of Deeds to make the appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal of the restrictive conditions for which approval has been granted;
- (v) That the subject property form part of the newly established Master Homeowners' Association (MHOA) of Dennesig and that this condition be registered against the title deed of the subject property;
- (vi) Building plans be submitted to the building department for approval which are substantially in accordance with the approved SDP;

3. The reasons for the above decision are as follows.

- 3.1 The property is located in an area where high density residential development is promoted by the IDP and SDF of the Municipality and the subject property is located within the urban edge of Stellenbosch;
- 3.2 The proposal also complies with the Dennesig Neighbourhood Guidelines that has been compiled to ensure that the Dennesig area is developed as a cohesive neighbourhood;
- 3.3 The proposed building is not out of scale and character with its surrounding as similar applications have been approved on properties in the surrounding area by the Municipality;
- 3.4 The development promotes none motorised transport within the area as a detailed NMT plan has been approved by the Directorate: Infrastructure Services for the Dennesig area which will be implemented as redevelopment of properties occur within the Dennesig neighbourhood.
- 3.5 The removal of the restrictive title deed conditions will facilitate the redevelopment of the subject property without having a negative impact on its surroundings.

- 4. 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.

5. 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

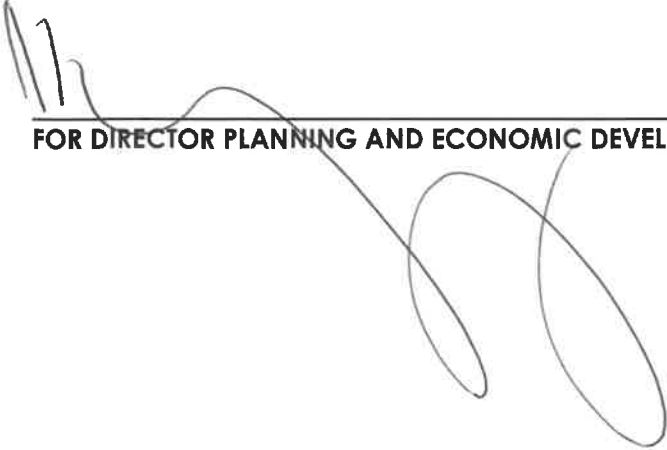
(i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(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.
6. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: Lenacia.Kamineth@stellenbosch.gov.za.
7. An applicant who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
8. 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>).
9. 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.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

11. 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

22/1/2021
DATE:

COPY:

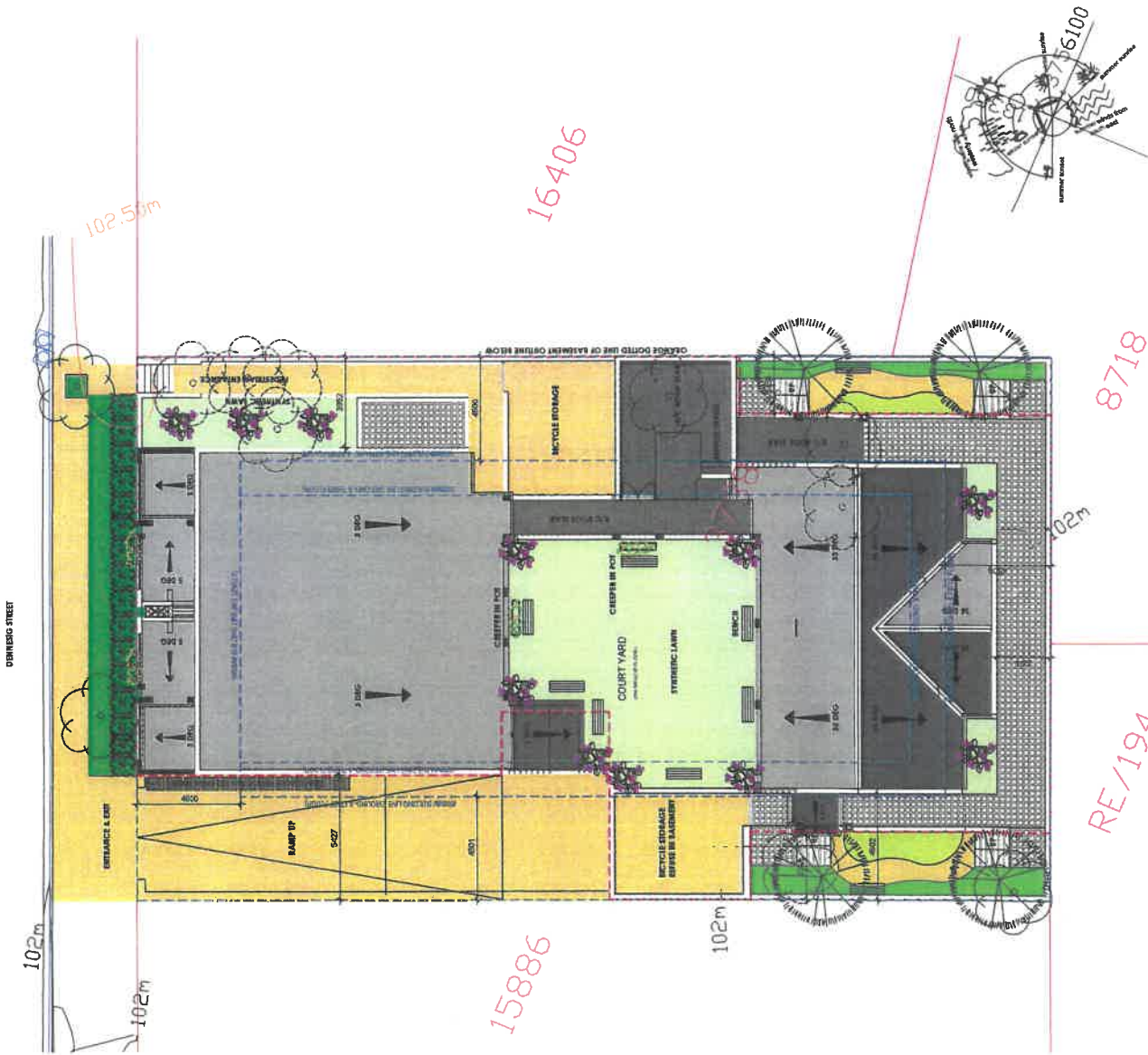
Stellenbosch Interest Group
Email: info@stellenboschinterestgroup.org



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

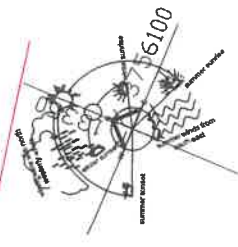
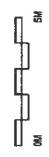
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ANNEXURE B



LEGEND

- POT PLANTS**
 - Nerium oleander
 - Anacardium occidentale
 - Anaca Murraysana
 - Euphorbia - diamond leaf
- CLIMBER PLANTS**
 - Ipomoea pes-caprae
 - Senecio macroglossus
- SHRUBS**
 - Dorylalis hedge (2 plants /m²)
 - Convolvulaceae (5 plants /m²)
 - Crataegus mollis (5 plants /m²)
 - Capparis ovata (7 plants /m²)
 - Melaleuca maritima (5 plants /m²)
 - Melaleuca maritima (5 plants /m²)
 - Aloe ferox/moedi
- TREES**
 - Persea indica (5 plants /m²)
 - Cordyline frutescens (leopard tree)
 - Eucalyptus
 - Eucalyptus (to be removed)
- OTHER FEATURES**
 - 100mm Ø Brown stone gravel on blain with 10mm edge
 - Pole on slab
 - Bench
 - Synthetic lawn
 - Paving
 - Tiles
 - Area for the temporary storage of refuse bin on site removed 50%



DENNIS MOSS PARTNERSHIP
 121/123 DENNIS STREET, STELLENBOSCH, WESTERN CAPE
 021 885 1111

PROJECT TITLE: **JDV**

PROJECT NO: **ERF 3738**
DEVELOPMENT
DENNISG STREET
STELLENBOSCH

SITE DEVELOPMENT PLAN
LANDSCAPE PLAN

PROJECT NO:	84278	SCALE:	1:100
DATE:	26 October 2010	DATE:	26 October 2010
PROJECT NO:	84278/JDP 001	DATE:	26 October 2010
PROJECT NO:	00082000	DATE:	26 October 2010

FOR SDP APPLICATION

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DENNIS HOSS PARTNERSHIP
 ARCHITECTS
 101 GARDENSIDE DRIVE, SUITE 201, STERLING HEIGHTS, MI 48306
 PH: 588.233.3300 FAX: 588.233.3301 WWW: DENNISHOSS.COM



COUNTY: JOV

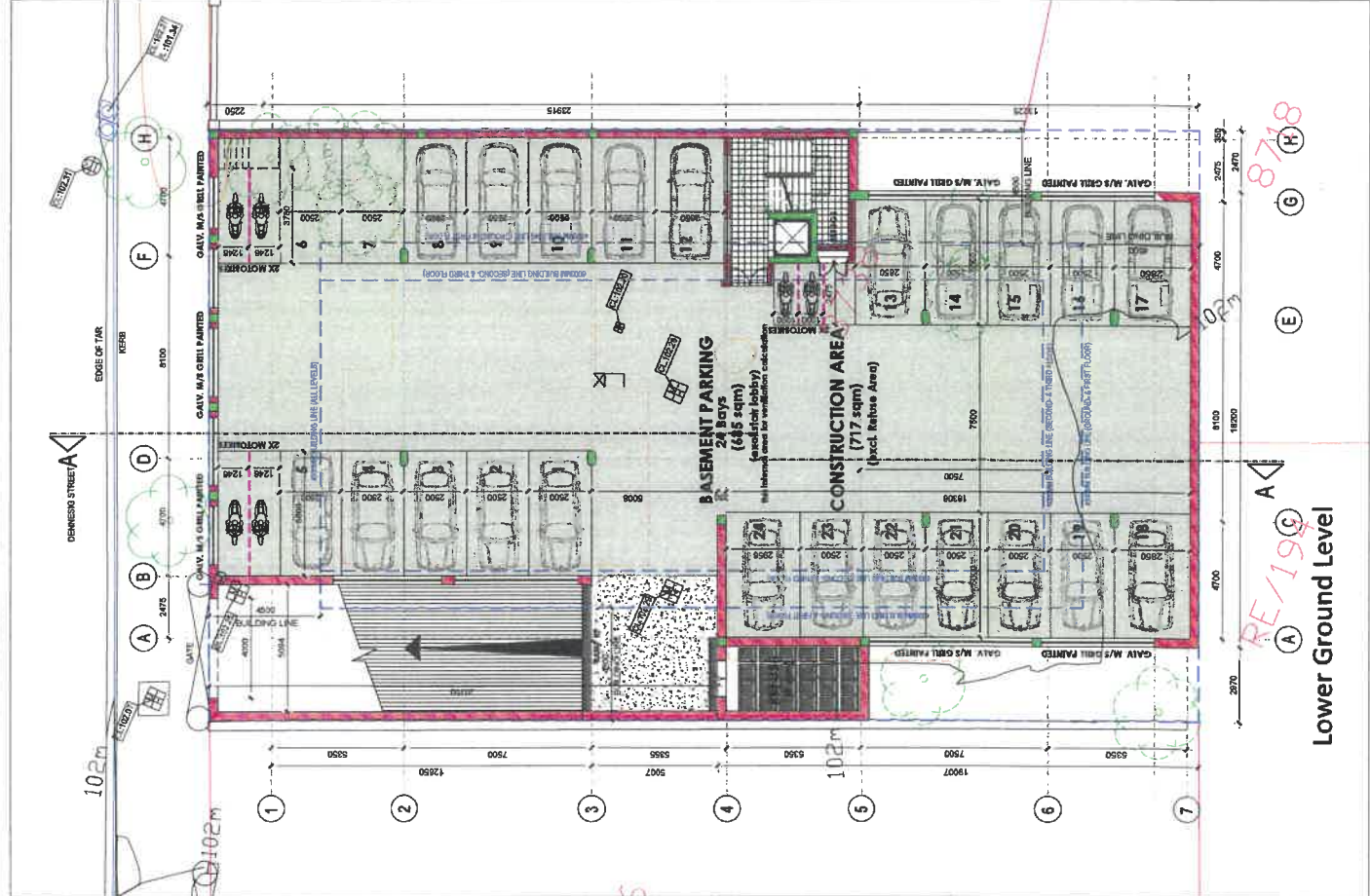
PROJECT NO: ERF 3738
**DEVELOPMENT
 DENNESIG STREET
 STELLENBOSCH**

TRANSMITTED:
**SITE PLAN &
 ROOF LEVEL
 LOWER GROUND LEVEL**

PROJECT NO:	56278	SCALE:	1:100
DATE:	22 OCTOBER 2019	DRAWN BY:	MJM
NO.:	01	CHECKED BY:	JL

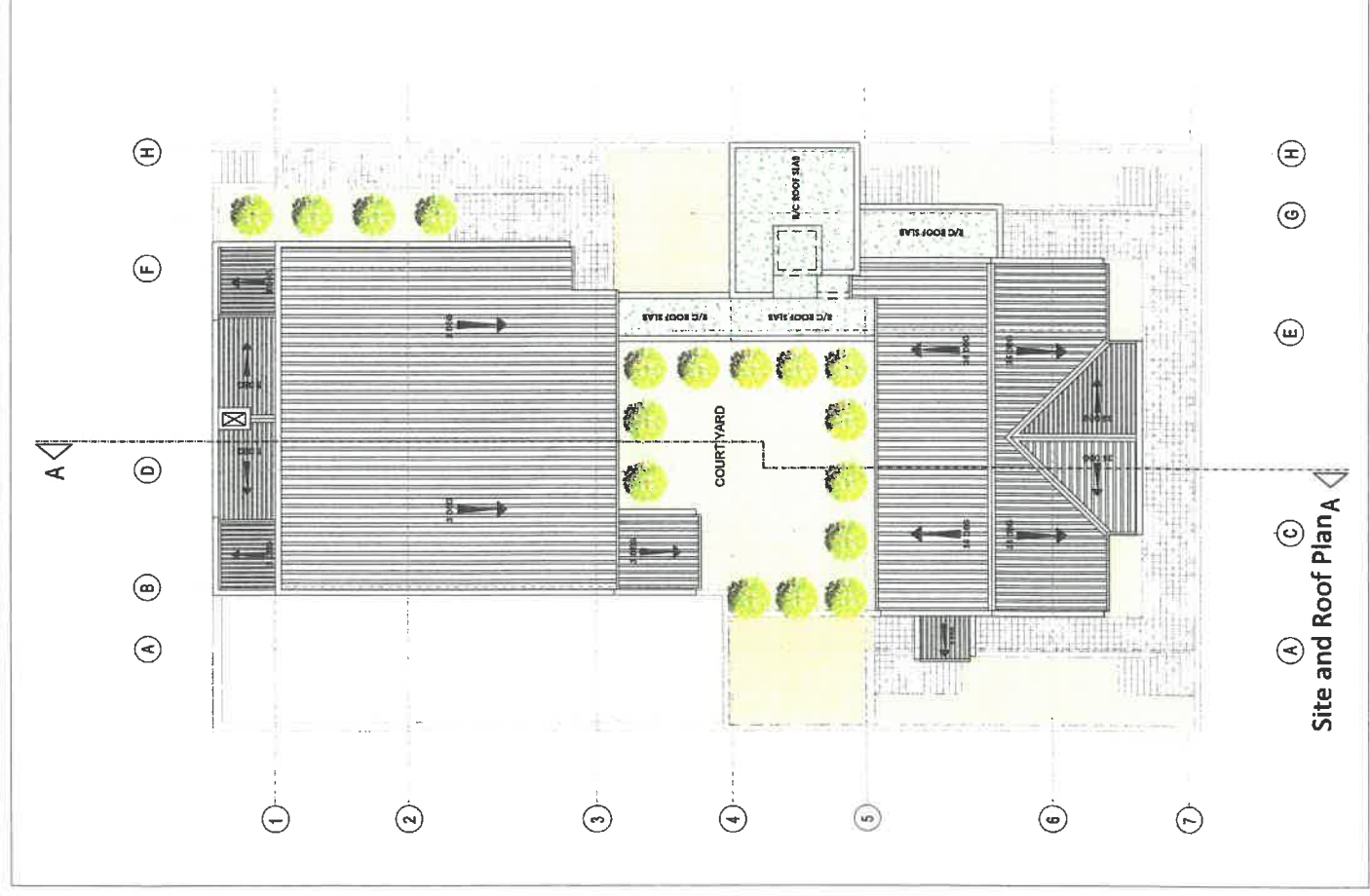
FOR APPROVAL

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RE/19C

Lower Ground Level



Site and Roof Plan A

DEVELOPMENT SCENARIO	
TYPE 1: 100%	100%
TYPE 2: 100%	100%
TYPE 3: 100%	100%
TYPE 4: 100%	100%
TYPE 5: 100%	100%
TYPE 6: 100%	100%
TYPE 7: 100%	100%
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TYPE 98: 100%	100%
TYPE 99: 100%	100%
TYPE 100: 100%	100%



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 ARCHITECTS & INTERIORS
 10000 10th Street, Suite 100
 Denver, CO 80231
 Phone: (303) 733-1100
 Fax: (303) 733-1101
 Website: www.dennis-moss.com

CLIENT: JDV

PROJECT: ERF 3738
 DEVELOPMENT
 DENNISIG STREET
 STELLENBOSCH

LEVEL 01 & LEVEL 02

DATE: 04/27/18	SCALE: 1:100
DATE: 22 OCTOBER 2018	
NO: 01	

FOR APPROVAL

This drawing and all the information contained herein is the property of Dennis Moss Partnership and shall remain confidential and shall not be disclosed to a third party without their written consent.





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WWW.DENNISMOSS.COM



DATE: 2019

PROJECT: ERV 3738

**DEVELOPMENT
DENNESIG STREET
STELLENBOSCH**

PROJECT NO:

LEVEL 03 & LEVEL 04

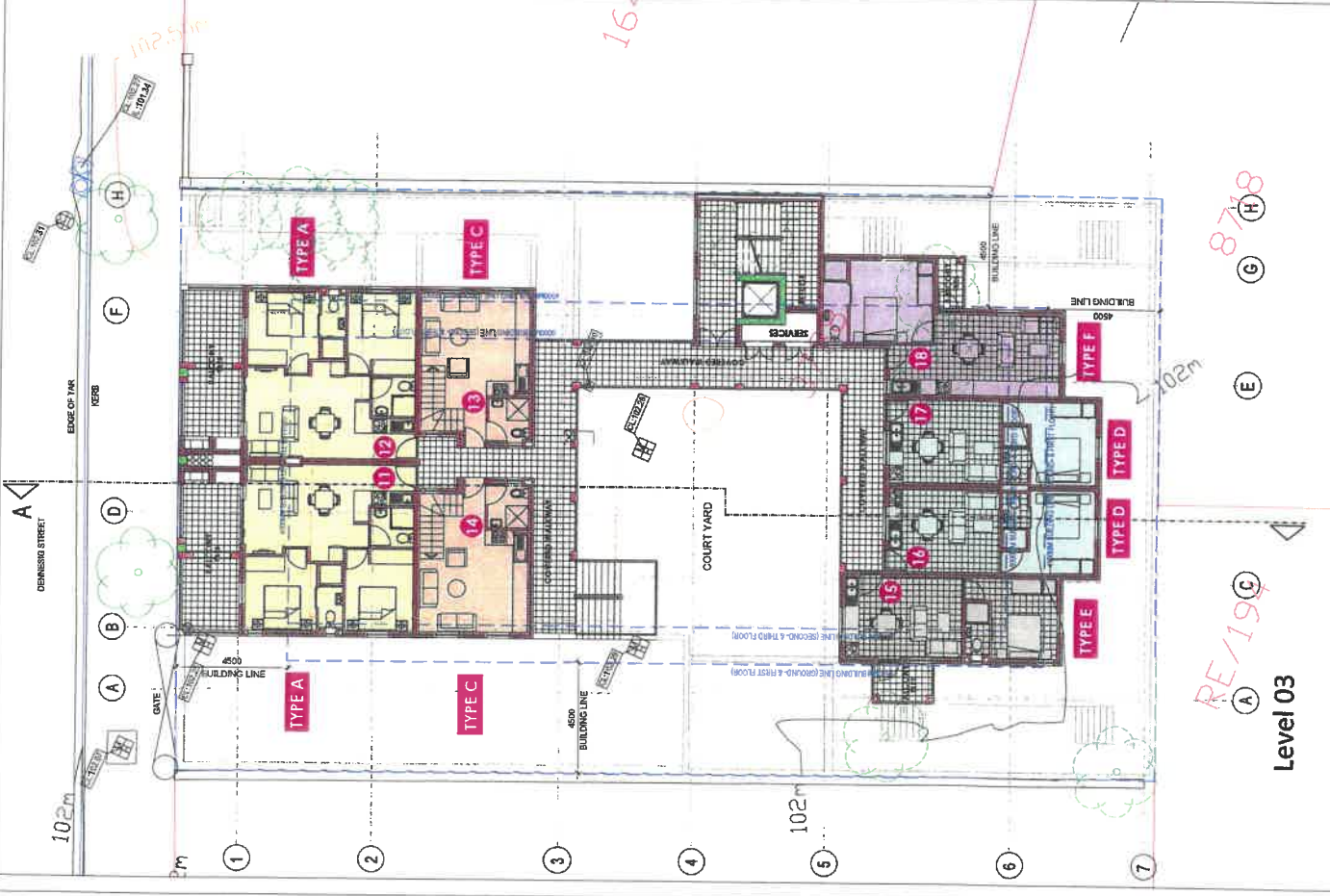
PROJECT NO:	94278	SCALE:	1:100
DATE:	22 OCTOBER 2019	PROJECT:	ERV 3738
DESIGNED BY:	DM	DRAWN BY:	DM
CHECKED BY:	DM	DATE:	22 OCTOBER 2019

FOR APPROVAL

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Level 04
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RE/19C
Level 03
8718
A B C D E F G H



STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE G

27



MEMO

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE 17 SEP 2020

RECEIVED

TO : The Director: Planning and Development

FOR ATTENTION : Robert Fooy

FROM : Manager: Development (Infrastructure Services)

DATE : 16 September 2020

RE. : Erven 3738, Dennesig Street, Stellenbosch: development of 24 flats

YOUR REF : LU/10621

OUR REF : CIVIL LU 1973

FILE NR:	
SCAN NR:	E 3738 S
COLLABORATOR NR:	693377

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

- The land use application dated 14 Jan 2020 by Urban Dennis Moss;
- Level 01 & Level 02 Drawing No S4278-SK002 dated 22 Oct 2019 rev 0, by Dennis Moss
- Site Development Plan and landscape plan S4278-LDP 001 dated 29 Oct 2019, Rev 06/08/2020, by Dennis Moss
- Dennesig Densification Area Transport Impact Assessment dated November 2019 (Final Version 2) by ITS;
- Addendum addressing stacking distance dated 31 July 2020 (to be approved by Johan Fullard)
- E-mail by Johan Brink (ITS) dated Tue 2020/07/21 10:03, re motivation for limited stacking distance;
- Civil Engineering Services Report, by DVP INC Consulting Engineers, dated 20 September 2019;
- Letter by Dennis Moss dated 5 Aug 2020, addressing the engineering concerns of Tyrone King's Memo dated 2 June 2020.

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

- Total flat units: 24 No.

Any development beyond these parameters would require a further approval and/or a recalculation of the Development Charges from this Directorate.

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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;
 - (d) "Dennesig Developers" means the entities on behalf of which the applications are submitted (i.e. landowner) or their successors in title, and will include all applications within the Dennesig Neighbourhood Area, bordered by Adam Tas Road, Molteno Road, Bird Street and Merriman Avenue. The "Dennesig Developers" currently consists of the following developments:

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Development	Property No	Entity on behalf the application was submitted (i.e. landowner)
Dennesig 1	Erven 143 – 145 & 166 – 170 Stellenbosch	Buffshelfco 54 Pty Ltd
The Edge	Erven 139 & 140 Stellenbosch	Cabzis (Pty) Ltd
The Den 2	Erven 141 – 142 & 163 – 165 Stellenbosch	Scandals African Footwear CC Joz Investments Trust Daniel Jacobus & Sara Da Luz Winterbach Saper Investments (Pty) Ltd. Ingrid Kirsten Blumer & Christopher Vernon Swart
Abacus	Erf 184 Stellenbosch-	Dennesig Properties (Pty) Ltd
Erf 3738	Erf 3738 Stellenbosch	Sarah da Luz Winterbach

(e) "Master Home Owner's Association (MHOA)" means the Master Homeowners Association that shall be established by the "Dennesig Developers".

B. Recommendation:

- Despite the considerable investment in the creation of housing opportunities through numerous government programmes, there is still a significant housing need across the country and indeed in Stellenbosch. Many of the government subsidised housing opportunities have been developed on cheaper land parcels, mainly outside of the urban core, further exacerbating apartheid spatial divides. This has placed significant strain on the lower- and middle-income residents who find it increasingly difficult to purchase or rent affordable, well-located properties in Stellenbosch. We have current and future housing backlog, half of which are for middle and upper-income households. As the population has grown, the release of land for development and housing has not kept pace. Housing has become so expensive that many of those who work in the Stellenbosch municipal area commute from outside this area and for these and others, the most basic shelter – even of a temporary nature – within this municipal domain remains an unattainable dream. It is recognised that housing challenges cannot be addressed by the public sector alone and the development of the Dennesig Precinct presents an ideal opportunity for private sector (in partnership with the municipality) to extend its role in catering to an affordable housing market. This is why part of the scope of works for the urban design study done was to indicate how these developments propose to respond to the need for affordable housing for young families in the broader Stellenbosch area. None of the current applications indicate that there will be specifically catered for affordable units and

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we advise the decision making authority to take cognisance of this when making their final decision and setting approval conditions.

3. From an engineering services perspective, the development is recommended for approval, subject to the conditions as stated below.

C. Specific condition 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 network to accommodate the proposed development. Any network upgrades will be identified when engineering drawings/building plans are submitted for approval. The Municipality may request a capacity analysis report at that stage which will be for the Developer's cost. Any network upgrades required will be the Developer's responsibility and for their cost.
- c. **Sewer Network:** There is sufficient capacity in the bulk sewer network to accommodate the proposed development. Any network upgrades will be identified when engineering drawings are submitted for approval. The Municipality may request a capacity analysis report at that stage which will be for the Developer's cost. Any network upgrades required will be the Developer's responsibility and for their cost.
- d. **Roads Network:** A Transport Master Plan (TMP) (see **Annexure A**) has been approved as part of the Dennesig Densification Area Transport Impact Assessment and indicate the prioritization of transport projects to be implemented. This TMP (as amended) will be used as a guideline for the implementation of the identified projects, in parallel with the development of the Dennesig Precinct. Fourteen transport items have been listed to be implemented by the Dennesig developers over time. The focus of the TMP is to improve pedestrian and cycling facilities and activity in an attempt to reduce private car usage over time. The TMP prioritises these transport projects to guide the implementation of the full TMP. It also states the threshold in number of units developed, at which point each of the upgrade items will be triggered. The goal of the Municipality as well as the Developers is to implement

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as many of the projects listed as soon as possible to create a holistic pedestrianized environment that will be connected to the external Non-Motorized Transport (NMT) network of the Municipality. The items as per the TMP must be implemented in a phased approach.

The process is outlined as follows:

- i. A Memorandum of Agreement must be concluded between the "Dennesig Developers" in which they undertake to establish a Master Home Owners Association "MHOA" as a vehicle to implement the relevant items of the Dennesig Transport Master Plan. The Municipality must approve the conceptual Memorandum of Agreement.
- ii. The Memorandum of Agreement must be concluded and signed by all parties and the MHOA must be established before the Municipality will approve any building plans of the "Dennesig Developers".
- iii. The MHOA must set up a trust account held by an attorney firm into which the DCs of the individual developments will be paid. The trust account will be an interest bearing account, which interest will be for the benefit of the municipality;
- iv. The DCs of any one of the "Dennesig Developers" requesting building plan approval, must be paid into the trust account before the building plans will be approved;
- v. Each building plan submission must be accompanied by an updated schedule from the Consulting Engineer appointed by the MHOA, indicating the number of units so far approved versus the thresholds in terms of units developed that will trigger project implementation. This schedule needs to identify if the current building plan submission triggers the implementation of one or more of the projects identified in the transport master plan;
- vi. Should a project/s be triggered, an Engineering Services Agreement (ESA) for the implementation of that project must be concluded between the MHOA and the Municipality. The ESA must be concluded before building plans can be approved;
- vii. The projects as per the ESA must then be completed and certified as complete by the Municipality, before further clearance certificates (i.e. occupation certificates) for the development will be issued;

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- viii. The trust fund will be terminated once all projects identified in the Transport Masterplan have been implemented. Any balance of paid DCs with interest earned thereon will be paid back to the Municipality;
- ix. The Municipality reserves the right to give instruction to the Attorney firm in whose trust account the DC's were paid that the DCs within the trust fund be paid over to the Municipality at any point, should the Municipality wish to do any infrastructure upgrades themselves.

e. Shuttle Service:

- i. Shuttle Service: A shuttle service must be provided, operated and maintained by MHOA or a service provider approved by the Municipality;
- ii. The funding and management of this service must be stipulated in the Memorandum of Agreement between "The Dennesig Developers";
- iii. The threshold for providing a shuttle service must be agreed and stipulated in the MOA;
- iv. The shuttle service shall be managed and operated by the MHOA and can only be terminated with mutual agreement of the Stellenbosch Municipality;
- v. The shuttle service route must be approved by the Stellenbosch Municipality

f. Comments and conditions from Senior Manager: Roads, Transport, Stormwater & Traffic Engineering, Mr Johan Fullard: Dennesig Densification Area, Traffic Impact Assessment by ITS (November 2019), is herewith supported, with the following conditions being applicable:

The Dennesig precinct falls within the Adam Tas Corridor (ATC) which comprises an area of approx. 300Ha. Within the ATC area, the principals of Transit-Oriented Development (TOD) is promoted, these principals encourage walking, cycling use of public transport with the aim to reduce the amount of private vehicles.

Chapter 6 of the SDF, highlights strategies such as the provision of remote parking facilities and the management of the private vehicle demand. Other Municipal strategies (contained, both in the CITP and SDF) includes the, promotion of Non-Motorized Transport (NMT), promotion of Public Transport and the reducing the usage of Motor Vehicles.

The Dennesig Development promotes both NMT, and Public Transport by providing adequate facilities for NMT and by providing a scheduled Public Transport Service.

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In support of the municipal strategies, i.e: provision of remote parking facilities, management the private vehicle demand, promotion of NMT and Public Transport, reductions to the zoning scheme off-street parking requirements may be considered.

Where individual developments have reduced their off street-parking provision, and the parking is not in line with the current zoning scheme, the following will be applicable:

- i. The standard Stellenbosch Municipal practice, currently in place, allows for the reduced parking provision (difference between the approved zoning scheme and the number of bays provided) to be accommodated, by the payment of a municipal approved Parking Development Contribution (Parking DC) tariff. The 2020/2021 Parking DC tariff is R 158 647. 41 ex VAT per bay and is subject to annual escalation. **The parking shortfall is 4 bays and the DC for parking will thus be 33 (required) – 29 (provided) = 4 bays x R 158 647. 41 = R 634 589. 64 ex VAT (see 3.2.5 of motivation report). This Parking DC is payable prior to building plan approval.**
- ii. Guidelines for allowable reductions to off-street parking are set out in the - above mentioned TIA, these reductions relate to off-street parking requirements that are similar to the City of Cape Town's Public Transport (PT1) zone, which has shared characteristics to the municipality's envisaged ATC.
- iii. Funding from the Parking DC's will be set aside for, remote municipal parking facilities and the introduction of a municipal public transport services.

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

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- iii. that no overland discharge of stormwater will be allowed into a public road for erven with catchment areas of more than 1500m² and for which it is agreed that no detention facilities are required. The "*Developer*" needs to connect to the nearest piped municipal stormwater system with a stormwater erf connection which may not exceed a diameter of 300mm.

h. Solid Waste:

- i. For large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site. The Developer will have to indicate and provide evidence of safe re-use or proper disposal at an alternative, licensed facility. This evidence must be presented to the Manager: Solid Waste (021 808 8241; clayton.hendricks@ Stellenbosch.gov.za) before building plan approval and before implementation of the development. Clean rubble can be utilized by the Municipality and will be accepted free of charge, providing it meets the required specification.
- ii. Due to the limited airspace capacity available, waste arriving at the site needs to be dramatically reduced in order to extend the lifespan of the landfill site. All new developments must have a mandatory separation-at-source programme to encourage recycling, possible organic waste separation to tie in with the municipality's future diversion programme, and adequate storage facilities to enable waste removal. This programme must be enforced by the HOA and provision must be made therefore in the Constitution and Rules of the HOA.

Development Charges

5. The "*Developer*" hereby acknowledges that Development Charges are payable towards the following bulk civil services: water, sewerage, roads, stormwater, solid waste, parking (if there is a parking shortfall applied for and approved) and community facilities as per Council's Policy;
6. 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;

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7. The "*Developer*" immediately familiarise himself with the latest Development Charges applicable to his/her development;
8. 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. 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. Development Charges as reflected on the DC calculation sheet, dated **18 May 2020**, 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. **The parking shortfall is 4 bays and the DC for parking will thus be 33 (required) – 29 (provided) = 4 bays x R 158 647. 41 = R 634 589. 64 ex VAT (see 3.2.5 of motivation report). This Parking DC is payable prior to building plan approval.**
12. Development Charges levy be paid by the "*Developer*"
 - prior to the approval of any building- and/or services plans;
13. 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 or which might lead to an increase in the Gross Leasable Area, will result in the recalculation of the Development Charges;
14. Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

Site Development Plan

15. The layout of the proposed development shall be generally in accordance with the spatial provisions of the Transport Master Plan. It is the Developer's responsibility to ensure that his SDP is aligned with the Transport Master Plan in terms of inter alia: access points, sidewalks, refuse truck and public transport embayments etc.

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16. The limited stacking distance as indicated on the SDP has been motivated by the consulting Traffic Engineer, namely that the 90th percentile queue length is less than 1 vehicle. In this situation this is regarded as acceptable as it complies with the provisions of the Dennesig Densification Area Transport Impact Assessment (Addendum addressing stacking distances dated 31 July 2020);
17. Sufficient entrance and exit widths must be created at the vehicle access points: The 5.1m functional width on Drawing SK001 is acceptable;
18. Due to the narrow shape of the site, the refuse room could not be positioned according to the normal municipal standard, ie it is located too far away from the road. The intention of having the refuse room close to the road is to have access to it as close as possible to where the refuse truck will stop, so that the bins can be taken directly from the refuse room to the truck, without having to place the bins on the sidewalk, which creates a nuisance and hampers pedestrian movement. Also to prevent the refuse removal workers from walking long distances with the heavy bins. **In order to address this, it has been agreed that on refuse removal days, the bins will be placed on a demarcated area on the access ramp**, close to the vehicle entrance, to give easy access to the bins to the refuse removal workers, and prevent the bins from cluttering up the sidewalk. This arrangement is indicated on the Site Development Plan and landscape plan S4278-LDP 001 dated 29 Oct 2019, Rev 06/08/2020. It is the Developer's/HOA's responsibility to ensure that the bins do not cause an obstruction to vehicles using the access.
19. Provision be made for a refuse embayment off the roadway/sidewalk to accommodate refuse removal which (Embayment to be minimum 15m x 2.5m). This must be clearly indicated on the engineering drawings when submitted for approval. The specifications of such embayment shall be as per the standard development conditions below unless otherwise agreed with the Municipality at building plan approval stage;
20. Any amendments to the 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

21. 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

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22. 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, water and sewer connections

23. 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;
24. Each erf may only have a single water connection and a single sewer connection. Multiple connections are not allowed. Details of connection points must be indicated on all building plans submitted for approval;

Roads

25. 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;

Bulk Electricity

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

D. General conditions of approval

27. 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;
28. 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

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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;

29. 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.
30. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
31. that the "*Developer*" takes cognizance and accepts the following:
 - a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
 - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
 - c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
 - d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;
 - e.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before the approval of internal – and external civil engineering services drawings;
 - f.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued;

Site Development Plan

32. 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

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detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the "Developer";

Internal- and Link Services

33. 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;
34. that the Directorate: Infrastructure Services may require the "Developer" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services;
35. 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;
36. that plans of all the internal civil services as may be required by the Directorate: Infrastructure Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
37. Construction of services may only commence after municipal approval has been obtained;
38. Construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
39. 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;
40. Suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;

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41. that prior to the issuing of the Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1, all internal, link and bulk 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 any clearance will be issued;
43. 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;
44. The "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property should this be required;
45. The "Developer" will 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;

Servitudes

46. The "Developer" ensures that all main services including roads to be taken over by the Directorate: Infrastructure Services, all existing municipal – and or private services including roads, crossing private - and or other institutional property and any other services/roads crossing future private land/erven are protected by a registered servitude before any clearance will be given;
47. The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "Developer" will be responsible for the registration of the required servitude(s), as well as the cost thereof;
48. that the "Developer" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party before final approval of engineering drawings be obtained.

Stormwater Management

49. 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;

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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;
51. 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. 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. Prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Infrastructure Services for approval, and that the approved plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services;
54. Visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;

Wayleaves

55. 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;
56. that wayleaves will only be issued after approval of relevant engineering design drawings;
57. 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

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

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- Recycle appropriately

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

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

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

- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
 - A set of penalties for non-compliance should be stipulated in the Constitution
59. The Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
60. that the "Developer" must apply and obtain 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;
61. 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

Erven 3738, Dennesig Street, Stellenbosch: development of 24 flats

service provider approved by the "Municipality" prior to clearance certificate or occupation certificate (where clearance not applicable);

62. Should the "Developer" wish 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";
63. Refuse storage areas are to be provided for all premises other than single residential erven;
64. 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 Municipality;
65. 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;
66. 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;
67. 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

68. Flats and townhouses, require 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;
69. Building specifications for the refuse storage is available on request.
70. 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;
71. 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

Erven 3738, Dennesig Street, Stellenbosch: 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. The Municipality will confirm the need for a refuse bay during the building plan approval stage, based on the site specific conditions;

72. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;

AS-BUILTs

73. All relevant as-built detail, 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";

74. 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;

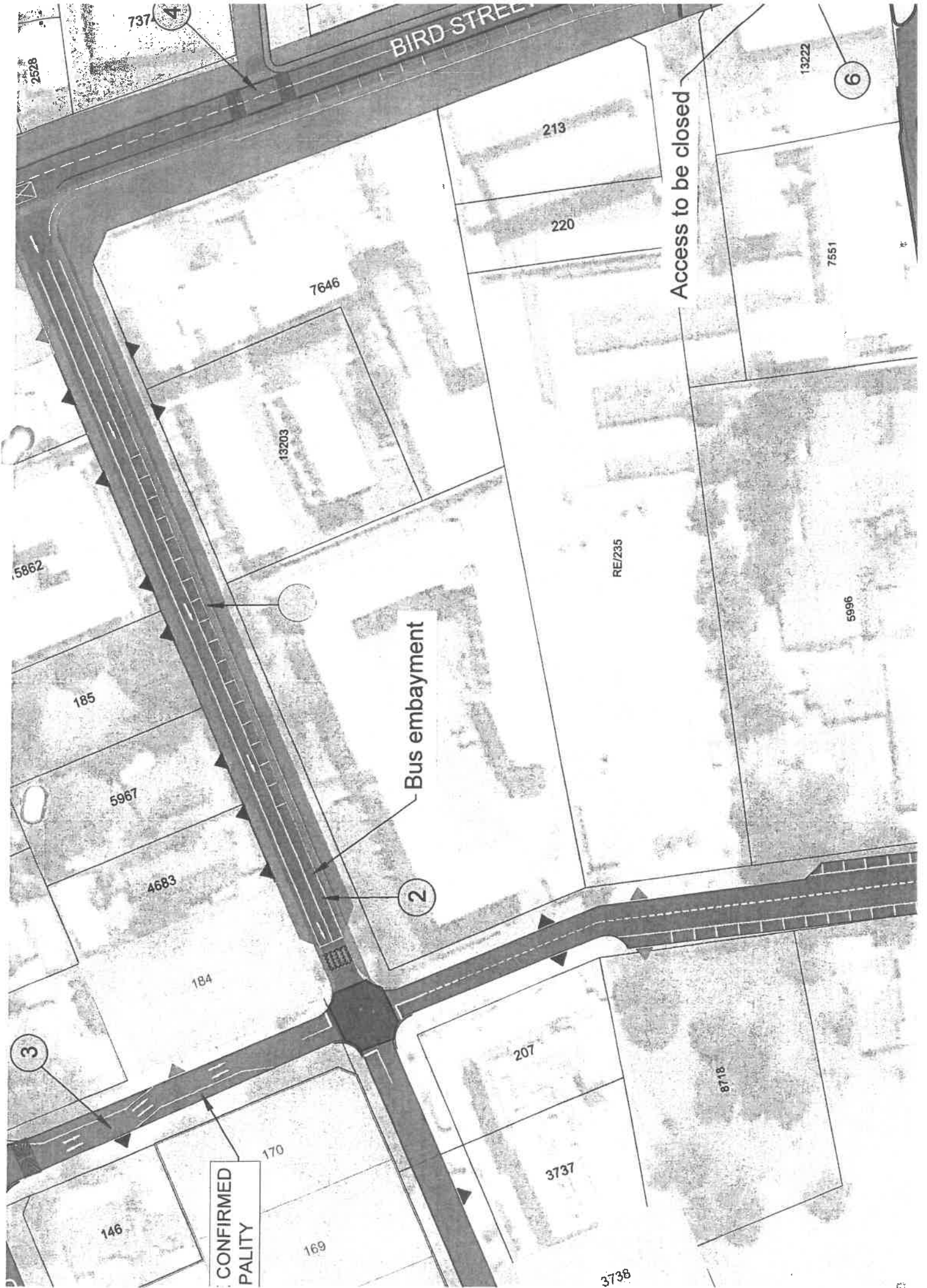
Avoidance of waste, nuisance and risk

75. 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)



BIRD STREET

Access to be closed

Bus embayment

CONFIRMED
PALITY

737

2528

13222

6

213

220

7646

13203

RE/235

7551

5996

5862

185

5967

4683

184

3

2

207

8718

146

170

169

3737

3738

#s	73	40	24	402	117	Submitted	Short	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
student	304	508	112	211	662	Submitted	Short	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
adation	70	42	8	13	53	Approved	Short	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
adation	377	881	187	328	1231	Approved	Short	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
ats	138	28	41	173	35	149	Medium	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
ats	595	105	88	183	342	342	Medium	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
ats	19	19	12	12	52	52	Medium	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
ats	22	22	14	14	61	61	Medium	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
adation	387	19	4	6	24	24	Medium	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
adation	116	77	116	484	77	484	Medium	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
adation	595	859	247	448	1483	1483	Medium	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2
ats	972	1750	474	772	2684	2684	Medium	17343	R	63067	R	759759	R	11778	R	10469	R	478762	R	3765	R	8786	R	014	R	394	R	788	R	16395	R	768	R	2

Priority	Description	Term	Area
1	DenneSIG Road woonef	short	
2	DenneSIG Road PT Facility (e.g. embayments, shelter, signs)	short	
3	Hofman Road woonef & chicanes	short	
4	Reconfiguration of Bird Street cross section and raised pedestrian crossing	short	
5	Parking area pedestrian and cycle lane	short	
6	Closure of Culvercross in Bird Street	short	
Total			
7	Paul Kruger Road woonef	medium	
8	Molteno Road woonef	medium	
9	Bird Street Extension on N/VT facilities south of Merriman	medium	
10	DenneSIG Road woonef extension	medium	
Total			
11	Merriman/Adam Tas upgrade & signal changes*	medium	
12	Molteno/Adam Tas upgrade*	medium	
13	Molteno/Adam Tas signalisation*	medium	
14	Merriman/Adam Tas upgrade*	medium	
Total			
Overall Total			

* Item 11 to 14 to be upgraded by the municipality



Estimated Development Charges per Development

DenneSIG DEVELOPMENT CHARGE ESTIMATE FOR ROADS

ELETRICITY SERVICES: CONDITIONS OF APPROVAL
Erf 3738

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


Date