



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11701

Our File Reference Number: Farm 510/844, Jamestown

Your Reference Number: 3686-P

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR REZONING, SUBDIVISION, DEPARTURE, SITE DEVELOPMENT PLAN, ADOPTION OF THE DEVELOPMENT'S NAME AND STREET NAMING AND NUMBERING: UNREGISTERED FARM NO. 510/844, STELLENBOSCH DIVISION (JAMESTOWN)

1. The above application refers.
2. The Municipal Planning Tribunal on 19 November 2021 resolved as follows:
 - 2.1 That the following application in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Unregistered Farm No. 510/844, Stellenbosch Division (Jamestown), namely:
 - 2.2 The **rezoning** in terms of section 15(2)(a) of the said bylaw from Agriculture and Rural Zone to Subdivisional Area to allow for the following uses:
 - a) Multi-Unit Residential Zone even for group housing purposes; Utility zone for an electrical substation; Private Open Space Zone for private open space purposes and private road purposes; with a total extent of $\pm 7\,827\text{m}^2$.
 - b) A density of maximum 50 dwelling units per hectare; with an open space requirement as per the Stellenbosch Municipality Zoning Scheme By-Law.

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:

3. Conditions of approval:

- 3.1 A **Subdivisional Plan**, be submitted to the Municipality for approval. The amended proposal must include the following:
- a) *Density requirements (maximum of 50 dwelling units per hectare);*
 - b) *Open Space requirements (as per the Stellenbosch Municipality Zoning Scheme By-Law)*
 - c) *Land uses and extent thereof;*
 - d) *Phasing plan;*
 - e) *Street naming and numbering.*
- 3.2 A **Site Development Plan** be submitted to the Municipality for approval. The amended proposal must include the following:
- a) *The position, use and extent of all proposed buildings;*
 - b) *Elevations of the new development;*
 - c) *The details of proposed vehicle access, roads and parking areas;*
 - d) *Details of the proposed fencing or walls around the perimeter of the land unit;*
 - e) *The position and extent of proposed private, public and communal space and general landscaping proposals;*
 - f) *The building development parameters as per the Stellenbosch Municipality Zoning Scheme By-Law, 2019.*
- 3.3 The approval will lapse if not exercised within **5 years** from date of final notification.
- 3.4 The conditions imposed by the **Manager: Community Services** in their memo dated 20 October 2020, attached as **Annexure J**, be adhered to.
- 3.5 The conditions imposed by the **Cape Winelands District Municipality (Health Services)** in their letter dated 21 October 2020, attached as **Annexure K**, be adhered to.
- 3.6 A service agreement regarding the responsibilities for the provision of engineering services be entered into with the Municipality prior to the construction of any engineering services or infrastructure in terms of Section 66(3) and Section 82(4) of the said Bylaw, which service agreement include and comply with the conditions as imposed by the **Directorate Infrastructure Services** in their memo dated 14 April 2021, and attached as **Annexure M**.
- 3.7 Development contributions are payable in accordance with the prevailing and applicable Council tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Directorate Infrastructure Services.

3.8 An agreement on the provision of Inclusionary Housing opportunities in pursuance of settlement restructuring be concluded with the Municipality prior to the approval of any building plans.

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

4.1 The proposal will develop underutilized land within the urban edge for urban development.

4.2 The proposed residential development constitutes infill development and is therefore in line with the principles of the Spatial Development Framework.

4.3 The proposed development of the subject property will not impact negatively on the safety and welfare of the members of the community or have an effect on existing rights concerned.

5. 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 Unregistered Farm No. 510/844, Stellenbosch Division (Jamestown), namely:

5.1 The **departure** in terms of Section 15(2)(b) of the said by-law to exceed the **density** of 50 dwelling units per hectare to **61** dwelling units per hectare;

5.2 The **departure** in terms of Section 15(2)(b) of the said by-law for the relaxation of the development's external building lines from **3,0m** to **1,3m** and **1,5m**; and

5.3 The **departure** in terms of Section 15(2)(b) of the said by-law to increase the permissible coverage from **50%** to **67%**

BE REFUSED in terms of Section 60 of the said Bylaw.

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

6.1 The property sizes and departures for building lines and coverage will result in the "over-development" of the property which will have a negative impact on the character of the existing residential area.

6.2 The density proposed for this development will not be compatible with the density of the surrounding residential area.

6.3 The under-provision of outdoor space will have a negative impact on the inhabitants of this development.

7. Matters on the application TO BE NOTED:

7.1 That the approval on the name of the development and the naming and numbering of streets as per the proposed subdivision plan, BE OBTAINED from the Executive Mayor of Stellenbosch as the duly authorised decision maker on such matters.

8. 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.

9. 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.

10. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: landuse.appeals@ Stellenbosch.gov.za

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

12. 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>).

13. 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:

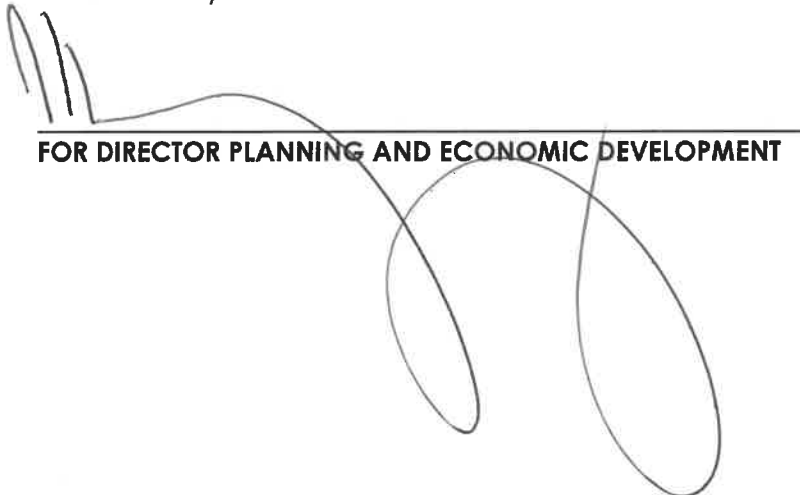
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

- (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.

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

15. 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



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

11/12/2021
DATE:

COPIES TO:

- 1) Stellenbosch Interest Group
Email: info@stellenboschinterestgroup.org

- 2) HC Eggers
Email: eggers@sun.ac.za

- 3) De Zalze Winelands Golf Estate
Email: rec@dezalzeestate.com

- 4) Jamestown Heritage
Email: jamestownherfenis1902@gmail.com / chrisbenjf@hotmail.com

ANNEXURE J

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE
MANAGER: COMMUNITY
SERVICES**

6

**INTEROFFICE
MEMORANDUM**



STELLENBOSCH
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MUNICIPALITEIT MASBOSCH • MUNISIPALITEIT
STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

DEPARTMENT: COMMUNITY SERVICES
Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

20 OCT 2020

To:	Administrative Officer: Land Use Management Nicole Katts	From:	Senior Environmental Planner Schalk van der Merwe
CC:	Manager: Community Services Albert van der Merwe	Date:	20 October 2020
Re:	APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES ON PORTION 844 OF FARM 510, JAMESTOWN – LU/11701		

The above application refers. From an environmental planning point of view this department has no objection to the approval of the application subject to the following:

1. Activities on site, during construction and thereafter, must comply with the Western Cape Noise Control Regulations.
2. During construction the owner, developer or any agent acting on his/her behalf, must take all reasonable steps to prevent nuisance caused by dust in accordance with the National Dust Control Regulations.

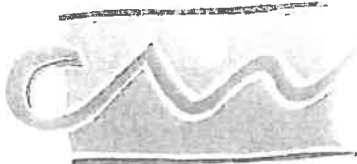
**S VD MERWE
SENIOR ENVIRONMENTAL PLANNER:
COMMUNITY SERVICES**

FILE NR:	
SCAN NR:	F 510 / 844 JT
COLLABORATOR NR:	696114

ANNEXURE K

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE
MANAGER: HEALTH
SERVICES (CAPE
WINELANDS)**



CAPE WINELANDS DISTRICT

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NAVRAE/ENQUIRIES/IMIBUZO:
TELEFOON/TELEPHONE/UMNXEBA:
FAKS/FAX/IFEKSI:
E-POS/E-MAIL/E-MAIL:
U VERW/YOUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

Ms Tracey-Lee Mouton
021 888 5836
021 887 9365
tracey-lee@capewinelands.gov.za
LU/11701
15/2/61

Alexanderstraat 46 Alexander Street
100
STELLENBOSCH
7599

21 October 2020

The Municipal Manager
Stellenbosch Municipality
P.O. Box 17
Stellenbosch
7599

ATTENTION: Ms Salome Newman

APPLICATION FOR CONSENT USE/REZONING/SUBDIVISION/DEPARTURE: FARM 510/844, JAMESTOWN (LU/11701)

From an environmental health perspective this application may be recommended for approval; provided that the following conditions are complied with:

1. Environmental pollution
 - 1.1 No pollution such as water, air, dust or noise pollution may occur on any part of the premises during the construction phase of the "The James II". Proper preventative measures must be put in place beforehand.
2. Sewerage/Sanitary facilities
 - 2.1 The sewerage system from the proposed development must be connected to the Municipal sewerage system according to Stellenbosch Municipality's specifications, conditions and approval.
3. General conditions
 - 3.1 This Department reserves the right to set further requirements during the running of the business.

Please contact me if you have any further questions or comments in this regard.

Yours faithfully

Tracey-Lee Mouton
Obo. MUNICIPAL MANAGER

ANNEXURE L

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE
MANAGER: SPATIAL
PLANNING**



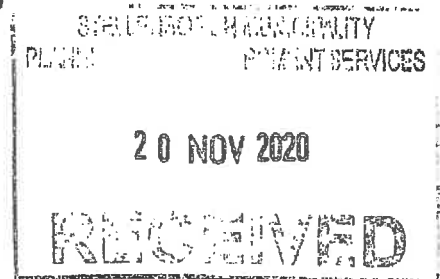
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Spatial Planning

To : **Manager: Land Use Management**
 From : **Manager: Spatial Planning**
 Reference : **Farm 510/844 Jamestown**
 LU No : **LU/11701**
 Date : **19 November 2020**
 Re : **Application for rezoning, subdivision and departures on Farm 510/844 Jamestown**



I refer to your request for comment on the above application.

Application is made for the following:

- **Rezoning from Agriculture and Rural Zone to Subdivisional Area to allow for the following uses and in accordance with the land use framework plan as depicted in plan with reference "Proposed Subdivision Plan Nr. 4", dated 13 July 2020, and drawn by TV3 Architect and Town Planners:**
 - a) 48 x Multi-Unit Residential erven and approximately 5194m² in extent, for group housing purposes.
 - b) 1 x Private Open Space erf (portion 49) and approximately 2 608m² in extent, for private road and private open space purposes.
 - c) 1 x Utility Services erf (portion 48) and approximately 25m² in extent for purposes of an electric substation.
- **Subdivision said property in accordance with Subdivision Plan Nr 4, dated 13 July 2020, and drawn by TV3 Architect and Town Planners; to allow for the residential development in accordance with the sub-divisional zone above.**
- **Departure to: i) relax the development's external building lines from 3,0m to 1,3m and 1,5m; iii) to increase the townhouse erven's permissible coverage from 50% to 67%.**
- **Adoption of the development's name: The James II.**
- **Approval for the naming and numbering of internal street as per the proposed subdivision plan.**
- **Approval of the development's Site Development Plan as indicated on Drawing Nr. 3637/A/100, dated 29 June 2020, drawn by TV3 Architects and Town Planners.**

FILE NR:

SCAN NR:

F 510/844 ST

698433

1) Opinion/reasoning:

The new approved Municipal Spatial Development Framework for the WC024 area was approved by Council in November 2019 and recognises that the spatial decisions and actions of many make what settlements are.

In terms of this approved document, seven principles need to be considered:

1. Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
2. Respect and grow cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and potentials of existing settlements;
5. Clarify and respect the roles and functions of different elements of movement structure;
6. Ensure balanced, sustainable communities;
7. Focus collective energy on a few catalytic lead projects.

With the enactment of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), a new planning regime was introduced in South Africa. It replaced disparate apartheid era laws with a coherent legislative system as the foundation for all spatial planning and land use management activities in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making. Other objectives include addressing historical spatial imbalances and the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments.

Chapter 2 of SPLUMA sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land. These principles are the following:

- Spatial Justice
- Spatial Efficiency
- Spatial Sustainability
- Spatial Resilience
- Good Administration

The subject property is located within an urban area and within the urban edge in the residential town of Jamestown. It is a piece of undeveloped land, ideally suited for infill urban development.

Infill development and densification is encouraged in terms of the approved Municipal Spatial Development Framework (MSDF). The development of future developments must be contained within existing urban areas to promote compact towns in close proximity to existing services. Stellenbosch municipal area is in need for the provision of more affordable residential units.

It is located in an area with mixed land uses and will be compatible with the integrated and mixed surrounding area. The proposed development will act as a buffer and transition zone between the commercial land use (Stellenbosch Square) and the Jamestown residential land uses. Currently the back of the mall is creating a dead space for the residents of Jamestown and the proposed development will create integration.

2) Supported / not supported:

This department therefore supports the proposal, but encourage the developer to have a look at inclusionary housing options.



BJG de la Bat
MANAGER: SPATIAL PLANNING



ANNEXURE M

**REZONING, SUBDIVISION,
DEPARTURE, SITE DEVELOPMENT
PLAN, ADOPTION OF THE
DEVELOPMENT'S NAME AND STREET
NAMING AND NUMBERING:
UNREGISTERED FARM NO. 510/844,
STELLENBOSCH DIVISION
(JAMESTOWN)**

**COMMENT FROM THE
DIRECTOR: ENGINEERING
SERVICES**



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : The Director: Planning and Development

FOR ATTENTION : Salome Newman

FROM : Manager: Development (Infrastructure Services)

AUTHOR : Tyrone King

DATE : 14 April 2021

RE. : Farm 510/844: The James 2: Rezoning and subdivision for the development of 48 residential erven (The James II)

YOUR REF : LU/11701

OUR REF : 2093 CIVIL LU

SCAN NR:	ES10/844 J1
COLLABORATOR NR:	712562

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

26 AUG 2021

RECEIVED

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

- Proposed Subdivision Plan: Plan No. 4, by TV3, dated 12/04/20201(sic);
- Site Development Plan: Plan No. 3637/A/100 Rev B, by TV3, dated 2021-03-03;
- Report on Civil Engineering Services, by Bart Senekal, dated 13 July 2020;
- Traffic Impact Statement (TIS) dated 14 July 2020, By ICE Group (ref ICE/S/1308A)
- GLS Water and Sewer capacity Analysis report dated 30 March 2021

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

- Total Units (townhouses): 48 erven

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

This document consists of the following sections:

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)**A. Definitions****B. Recommendation to decision making authority**

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

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

A. Definitions

1. that the following words and expressions referred to in the development conditions, shall have the meanings hereby assigned to except where the context otherwise requires:

(a) "*Municipality*" means the STELLENBOSCH MUNICIPALITY, a Local Authority, duly established in terms of section 9 of the Local Government Municipal Structures act, Act 117 of 1998 and Provincial Notice (489/200), establishment of the Stellenbosch Municipality (WC024) promulgated in Provincial Gazette no. 5590 of 22 September 2000, as amended by Provincial Notice 675/2000 promulgated in Provincial Gazette;

(b) "*Developer*" means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;

(c) "*Engineer*" means an engineer employed by the "*Municipality*" or any person appointed by the "*Municipality*" from time to time, representing the Directorate: Infrastructure Services, to perform the duties envisaged in terms of this land-use approval;

2. that all previous relevant conditions of approval to this development application remain valid and be complied with in full unless specifically replaced or removed by the "*Engineer*";

B. Recommendation:

Comment on the absence of affordable housing: 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. Young families living in areas like Jamestown cannot afford housing within Stellenbosch and are forced to move away to towns where housing is more affordable. This

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

phenomenon is not aligned with the SPLUMA principles of spatial justice, spatial sustainability and spatial resilience. It is recognised that housing challenges cannot be addressed by the public sector alone and this development in Jamestown presents an ideal opportunity for private sector (in partnership with the municipality) to extend its role in catering to an affordable housing market.

- a. Due to the location of this proposed development and the need for affordable housing for young families living in Jamestown, the topic of affordable housing was discussed at the pre-application meeting with the Developer. The Developer was requested to indicate how this development can respond to this need. In our opinion, the application received does not address this.
- b. The motivation report itself acknowledges the inadequate supply of affordable housing, but it does not respond to this in the context of the Jamestown socio-economic situation.
- c. In its current format the desirability and benefits of the development to the community/average resident of Jamestown in terms of affordable housing opportunities, of which there is a huge demand, is questioned.
- d. It should also be noted that this is one of two high density residential development applications on the vacant strip of land adjacent to the Jamestown Mall (Stellenbosch Square).
- e. The exclusion of the affordable housing market in developments such as these, will have a direct impact on the municipality's ability to sustainably provide services to all its residents over the long term. For instance: unless more opportunity is provided for ordinary people in those communities where developments are taking place, it will be difficult to impact on the number of people commuting to and from Stellenbosch town in private vehicles on a daily basis. Furthermore, when seen in isolation (eg this development), this problem might not seem significant, however, over time, there will be a cumulative effect on the larger Stellenbosch.
- f. It is therefore our request that the above be taken into consideration when evaluating the application for approval.
- g. We do however provide our comment and conditions on the application in its current format – see below.

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

3. In terms of engineering services, the development is recommended for approval, subject to the conditions as stated below:

C. Specific conditions of approval

4. that the following upgrades are required to accommodate the development. No taking up of proposed rights including Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law / building plan approval / occupation certificates (whichever comes first) will be allowed until the following upgrades have been completed and/or conditions have been complied with:

a. **Stellenbosch WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Stellenbosch WWTW (Waste Water Treatment Works). There is sufficient capacity at the WWTW for the proposed development.

b. **Water Network:**

i. Additional reservoir storage capacity (7ML Jamestown Upper Reservoir) is required to accommodate new developments in Jamestown. The current draft budget indicates R28m over 3 years allocated to this project, with completion estimated in June 2024:

1. Before subdivision clearance can be issued, the Contractor must at be appointed by the Municipality and construction on the reservoir project must have commenced.
2. Before occupation certificates can be issued (if reservoir is not yet completed): to improve water supply to the existing reservoir, while the new one is under construction – the newly laid 355mm supply line from Paradyskloof must be connected to the existing Jamestown reservoir – SSWB1 (Annexure: Water). (This is a relatively short line and can also be done by the Developer with DCs, if need be.)

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

- ii. The water can connect to the existing water reticulation network in the vicinity of the site. The exact position and details of the connection will be determined during engineering drawing approval stage;
- iii. The water connection and bulk water meter from Stellenpark Business Park must be relocated to the entrance of the James 2 development to enable better access for the water meter readers. This will be for the Developer's cost.
- iv. The section of the watermain on the subject property running parallel with Fresno Road must be relocated to the eastern side of Fresno Road – either within the road reserve or if not possible to be protected by a servitude in favour of the Municipality.

Funding: may be done in lieu of DCs.

c. Sewer Network:

- i. The existing Stellenbosch reticulation and bulk sewer system downstream of the proposed connection point has sufficient capacity to accommodate the proposed development.
- ii. The sewer can connect to the existing sewer reticulation network in the vicinity of the site. The exact position and details of the connection will be determined during engineering drawing approval stage;
- iii. The existing sewer connection and sewer main on the subject property will be accommodated below the units with the manholes accessible, as agreed by the Developer with the Director: Infrastructure Services. This will be an interim solution, to allow the development to go ahead and until the Municipality can relocate the pipe to its permanent position the road reserve. Maintenance will be done via the manholes, until the pipe is relocated and at which time the existing pipe will be sealed. The Municipality must be given access for all such maintenance purposes.
- iv. A servitude (or another applicable mechanism) must be registered before clearance can be issued, stipulating the roles and responsibilities of all parties (HOA/Municipality) regarding the maintenance of the sewer line, access arrangements, and including costs implications i.e. should property

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

be damaged due to maintenance activities and/or for interim sewer collection and discharge should the Municipality carry out repairs. The Developer must submit a document (servitude or similar) for scrutiny and approval by the Director: Infrastructure Services.

d. Roads and NMT network: (The cost estimates provided below include construction costs, professional fees, ECO, H&S, construction monitoring and disbursements)

- i. The following upgrade at the R44/Webersvallei Road intersection has been identified, to mitigate the additional traffic impact on the intersection, which is already experiencing congestion problems. Also see **Annexure – Road upgrades**.

Option 3: Third through lane at the intersection along the R44 southbound

Estimated Cost: R 2 012 120. 01 ex VAT

Responsible: Developer

Funding: May be offset from DCs

Please note that the intention is that Options 1 and 2 are to be implemented by a different development namely Farm 510 portions 52 and 71 (Kreefgat), which is anticipated to be implemented before this "The James II" development.

Option 3 is also a condition of approval of the James I development on Erf 510/845 and must be implemented by whoever develops first.

Should the sequence of implementation of the three developments change, the Municipality may revisit which option/s are to be implemented for the Farm 510/845 development. The final decision will be recorded in the Agreement between the Municipality and Developer for the offsetting of DCs against these upgrades.

- ii. Sidewalks must be provided along School Street, between the refuse/public transport bay and the existing sidewalk at Fresno Street.

Responsible: Developer

Funding: Developer's own cost

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

e. Stormwater Network

- i. The difference between the 1:50 year pre- and post-development run-off must be attenuated on-site. A dry pond in combination with a stone filled, storage cell below the road surface at the southern end of the development is proposed for this purpose. Details of this infrastructure must be provided at engineering drawing approval stage for further evaluation and approval by the Municipality.

f. Solid Waste:

- i. The Municipality will provide a solid waste removal service

g. Funding source breakdown (all costs excl VAT):

Total DCs available for civil services (excl Community facilities)	R 2 554 281. 79
Upgrades cost	
Road upgrade Option 3 (if not implemented by Farm 510-845 – The James I)	R 2 012 120. 01
Water SSW.B1 (if not done by Municipality in time)	R 510 000. 00
Total cost	R 2 522 120
Surplus	R 32 161
Comment	Based on the estimates, there are sufficient DCs to cover the required upgrades but any shortfall that may be encountered will have to be for the Developer's account.

Development Charges

5. that the "Developer" hereby acknowledges that Development Charges are payable towards the following bulk civil services: water, sewerage, roads, stormwater, solid waste and community facilities as per Council's Policy;
6. that the "Developer" hereby acknowledges that the development charges levy as determined by the "Municipality" and or the applicable scheme tariffs will be paid by the "Developer"

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towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;

7. that the "*Developer*" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;
8. that the "*Developer*" may enter into an engineering services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services;
9. that the Development Charges levy to the amount of R 3 180 500. 25 (Excluding VAT) as reflected on the DC calculation sheet, dated 17 Nov 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.
10. that the Development Charges levy be paid by the "*Developer*" per phase –
 - prior to the approval of subdivision clearance (Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law);
11. that the development shall be substantially in conformance with the Site Development Plan submitted in terms of this application. Any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of units i.e. more than 48 townhouses units, will result in the recalculation of the Development Charges;
12. 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;
13. that the "*Developer*" will enter into an Engineering Services Agreement with the "*Municipality*" in respect of the implementation of any infrastructure or community facilities to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;

Site Development Plan

14. that access widths be generally in accordance with the SDP and TIS: one lane in (4,0m) and one lane out (3.2m);

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15. that the stacking distance be generally in accordance with the SDP and TIS (10m between the access booms and the edge of the sidewalk);
16. Accommodation of visitors not granted immediate access be by means of a parking bay (over and above the parking requirements) to the outside of the security control booms as indicated on the SDP and in the TIS;
17. that provision be made for a refuse room and refuse embayment along School Street as indicated on the SDP and to the specification of the standard development conditions below. The refuse embayment must be designed and positioned in such a way so that it can also function as a public transport embayment. Final details will be agreed during engineering drawing approval stage;
18. 8.0m road reserves for this development is acceptable, as agreed with the Roads Department. Sufficient traffic calming measures and landscaping in strategic places must be indicated on detail design drawings, to provide a relative safe "play street" concept;
19. Turning space is provided at both ends of the road to accommodate passenger vehicles and must be indicated on detail design drawings;
20. that any amendments to cadastral layout and or site-development plan to accommodate the above requirements will be for the cost of the "Developer";

Ownership and Responsibility of services

21. that it be noted that as per Subdivisional Plan, the roads are reflected as private roads. Therefor 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

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;
23. Any alterations to existing services necessitated by the new development will be for the Developer's cost;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)**Bulk Water Meter**

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

Solid Waste

25. 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 Senior Manager: Solid Waste (021 808 8241; clayton.hendricks, 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.

Roads

26. that the "Developer", at his/her cost, implement the recommendations of the approved Traffic Impact Statement, and where required, a sound Traffic Management Plan to ensure traffic safety shall be submitted for approval by the Directorate: Infrastructure Services and the approved management plan shall be implemented by the "Developer", at his/her cost. If any requirement of the TIA is in conflict with one of the conditions of approval, the conditions of approval shall govern;

Bulk Electricity

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

Damage to municipal infrastructure and assets

28. that the "Developer" will be held liable for any damage to municipal infrastructure, caused as a direct result of the development of the subject property. The "Developer" will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services, prior to any clearance (or occupation certificate where clearance is not applicable) being given;

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

29. that should the "*Developer*" not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Infrastructure Services by the "*Developer*" for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
30. that the "*Developer*" indemnifies and keep the "*Municipality*" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the municipalities' services or apparatus or otherwise) arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.
31. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;
32. that, if applicable, the "*Developer*" approach the Provincial Administration: Western Cape (District Roads Engineer) for their input and that the conditions as set by the Provincial Administration: Western Cape be adhered to before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued;
33. that the "*Developer*" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;
34. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 3rd Edition (2015);

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35. Should the "Developer" wish to discuss the possibility of proceeding with construction work parallel with the provision of the bulk services listed above, he must present a motivation and an implementation plan to the "Engineer" for his consideration and approval. The implementation plan should include items like programmes for the construction of the internal services and the building construction. Only if the programme clearly indicates that occupation is planned after completion of the bulk services, will approval be considered. If such proposal is approved, it must still be noted that no occupation certificate will be issued prior to the completion and commissioning of the bulk services. Therefore should the proposal for proceeding with the development's construction work parallel with the provision of the bulk services be agreed to, the onus is on the "Developer" to keep up to date with the status in respect of capacity at infrastructure listed above in order for the "Developer" to programme the construction of his/her development and make necessary adjustments if and when required. **The Developer is also responsible for stipulating this condition in any purchase contracts with buyers of the properties;**
36. that the "Developer" takes cognizance and accepts the following:
- a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
 - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
 - c.) that no approval of internal – and external civil engineering services drawings will be given before the "Developer" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
 - d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;
 - e.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before the approval of internal – and external civil engineering services drawings;
 - f.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued unless the "Developer" obtains the approval of the "Engineer" for construction work of his development parallel with the provision of the bulk services.

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37. that it is recognized that the normal Site Development Plan, submitted as part of the land-use application, is compiled during a very early stage of the development and will lack engineering detail that may result in a later change of the Site Development Plan. Any later changes will be to the cost of the "Developer";
38. that even if a Site Development Plan is approved by this letter of approval, a further fully detailed site plan be submitted for approval prior to the approval of engineering services plans and or building- and/or services plans to allow for the setting of requirements, specifications and conditions related to civil engineering services. Such Plan is to be substantially in accordance with the approved application and or subdivision plan and or precinct plan and or site plan, etc. and is to include a layout plan showing the position of all roads, road reserve widths, sidewalks, parking areas with dimensions, loading areas, access points, stacking distances at gates, refuse removal arrangements, allocation of uses, position and orientation of all buildings, the allocation of public and private open spaces, building development parameters, the required number of parking bays, stormwater detention facilities, connection points to municipal water- and sewer services, updated land-use diagram and possible servitudes;
39. that if the fully detailed Site Development Plan, as mentioned in the above item, contradicts the approved Site Development Plan, the "Developer" will be responsible for the amendment thereof and any costs associated therewith;
40. that an amended Site Development Plan be submitted for approval prior to the approval of building plans for new buildings not indicated on the Site Development Plan applicable to this application and or changes to existing buildings or re-development thereof;

Internal- and Link Services

41. 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;
42. 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

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

43. 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;
44. that plans of all the internal civil services and such municipal link services as required by the Directorate: Infrastructure Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
45. that construction of services may only commence after municipal approval has been obtained;
46. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
47. that the "Developer" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (as amended) and that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with this document, unless otherwise agreed with the Engineer. The said document is available in electronic format on request;
48. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
49. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
50. that prior to the issuing of the Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1, all internal - and link services be inspected for approval by the "Engineer" on request by the "Developer's" Consulting Engineer;
51. that a Certificate of Practical Completion, in terms of GCC 2015 Clause 5.14.1 be issued before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be issued (prior to transfer of individual units or utilization of buildings);
52. that Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will only be issued if the bulk watermeter is installed;

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53. 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;
54. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
55. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the "Developer" to determine the location of existing civil and electrical services;
56. that all connections to the existing services be made by the "Developer" under direct supervision of the "Engineer" or as otherwise agreed and all cost will be for the account of the "Developer".
57. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;
58. that the "Developer", at his/her cost, will be responsible for the maintenance of all the internal (on-site) municipal – and private civil engineering services constructed for this development until at least 80% of the development units (i.e. houses, flats or GLA) is constructed and occupied whereafter the services will be formally handed over to the Owner's Association, in respect of private services, and to the Municipality in respect of public services;

Servitudes

59. that the "Developer" ensures that all main services including roads to be taken over by the Directorate: Infrastructure Services, all existing municipal – and or private services including roads, crossing private - and or other institutional property and any other services/roads crossing future private land/erven are protected by a registered servitude before Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will be given;
60. 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;

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61. 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

62. Taking into account the recent water crisis, and associated increase in borehole usage, it is important that the groundwater be recharged as much as possible. One way of achieving the above is to consider using Sustainable Drainage Systems (SuDS) approach wrt SW management. From Red Book: "SuDS constitute an approach towards managing stormwater runoff that aims to reduce downstream flooding, allow infiltration into the ground, minimise pollution, improve the quality of stormwater, reduce pollution in water bodies, and enhance biodiversity. Rather than merely collecting and discarding stormwater through a system of pipes and culverts, this approach recognises that stormwater could be a resource." The Developer is encouraged to implement SuDS principles that are practical and easily implementable. Details of such systems can be discussed and agreed with the Municipality and must be indicated on the engineering drawings.
63. that the geometric design of the roads and/or parking areas ensure that no trapped low-points are created with regard to stormwater management. All stormwater to be routed to the nearest formalized municipal system;
64. 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;
65. that the design engineer needs to apply his/her mind to ensure a design that will promote a sustainable urban drainage system which will reduce the impacts of stormwater on receiving aquatic environments;
66. that no disturbance to the river channel or banks be made without the prior approval in accordance with the requirements of the National Water Act;
67. 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

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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;

68. that for larger developments, industrial developments or developments near water courses a stormwater management plan for the proposed development area, for both the minor and major storm events, be compiled and submitted for approval to the Directorate: Infrastructure Services.
69. that the approved management plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services. The management plan, which is to include an attenuation facility, is to be submitted concurrent with the detail services plans;
70. 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.

Roads

71. that, where applicable, the application must be submitted to the District Roads Engineer for comment and conditions . Any conditions set by the District Roads Engineer will be applicable;
72. that the layout must make provision for all deliveries to take place on-site. Movement of delivery vehicles may not have a negative impact on vehicular – and pedestrian movement on public roads and or public sidewalks;
73. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary;
74. that, prior to commencement of any demolition / construction work, a traffic accommodation plan for the surrounding roads must be submitted to the Directorate: Infrastructure Services for approval, and that the approved plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Infrastructure Services;

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75. that visibility splays shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;
76. that each erf has its own access (drive-way), *(the new access(es) (dropped kerb(s)) to the proposed parking bays be)* constructed to standards as set out by the the Directorate: Infrastructure Services and in line with the Road Access Guideline;

Wayleaves

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

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

80. that an Owner's Association be established in accordance with the provisions of section 29 of the Stellenbosch Municipal Land Use Planning By-law and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
81. that the Owner's Association take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
82. that in addition to the responsibilities set out in section 29 of the Stellenbosch Municipal Land Use Planning By-law, the Owner's Association also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
83. that the Constitution of the Owner's Association specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;

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84. that the Constitution of the Owner's Association specifically describes the responsibility of the Owner's Association to deal with refuse removal as described in the "Solid Waste" section of this document;

Solid Waste

85. The reduction, reuse and recycle approach should be considered to waste management:

- Households to reduce waste produced
- Re-use resources wherever possible
- Recycle appropriately

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

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

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

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86. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
87. that the "Developer" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person Mr Clayton Hendricks, Senior Manager: Solid Waste, 021 808 8241; clayton.hendricks@ Stellenbosch.gov.za;
88. that should it not be an option for the "Municipality" to enter into an agreement with the "Developer" due to capacity constraints, the "Developer" will have to enter into a service agreement with a service provider approved by the "Municipality" prior to clearance certificate or occupation certificate (where clearance not applicable);
89. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";
90. Road foundation shall be designed to carry a single axle load of 8.2 tons;
91. Refuse storage areas are to be provided for all premises other than single residential erven;
92. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;
93. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
94. 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;
95. 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;

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96. Where the premises might be utilized by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;

97. 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

98. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;

99. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224

100. Building specifications for refuse storage area:

Floor

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

Walls and Roof

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

Ventilation and Lighting

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

Water Supply and Drainage

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe

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which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

101. 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;
102. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;
103. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Infrastructure Services, to ensure their compatibility with the servicing equipment and lifting attachments;
104. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
105. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
106. All refuse storage areas shall be approved by the Directorate: Infrastructure Services, to ensure that the Council is able to service all installations, irrespective of whether these are currently serviced by Council or other companies;

AS-BUILTs

107. The "Developer" shall provide the "Municipality" with:
 - a. a complete set of as-built paper plans, signed by a professional registered engineer;
 - b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format, reflecting compatible layers and formats as will be requested by the "Engineer" and is reflected herewith as Annexure X;
 - c. a completed Asset Verification Sheet in Excell format, reflecting the componentization of municipal services installed as part of the development. The Asset Verification Sheet

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will have to be according to the IMQS format, as to be supplied by the "Engineer", and is to be verified as correct by a professional registered engineer;

- d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;
 - e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "Municipality" are fully paid;
108. All relevant as-built detail, as reflected in the item above, of civil engineering services constructed for the development, must be submitted to the "Engineer" and approved by the "Engineer" before any application for Certificate of Clearance will be supported by the "Engineer";
109. The Consulting Civil Engineer of the "Developer" shall certify that the location and position of the installed services are in accordance with the plans submitted for each of the services detailed below;
110. 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;
111. Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law shall not be issued unless said services have been inspected by the "Engineer" and written clearance given, by the "Engineer";

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

112. It is specifically agreed that the "Developer" undertakes to comply with all conditions of approval as laid down by the "Municipality" before clearance certificates shall be issued, unless otherwise agreed herein;
113. that the "Municipality" reserves the right to withhold any clearance certificate until such time as the "Developer" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the

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"Municipality" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;

114. that clearance will only be given per phase and the onus is on the *"Developer"* to phase his development accordingly;
115. The onus will be on the *"Developer"* and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law. Verifying documentation (proof of payment in respect of Development Charges, services installation, etc.) must be submitted as part of the application before an application will be accepted by this Directorate;
116. that any application for Certificate of Clearance will only be supported by the *"Engineer"* once all relevant as-built detail, as reflected in the item "AS-BUILT's" of this document, is submitted to the *"Engineer"* and approved by the *"Engineer"*

Avoidance of waste, nuisance and risk

117. Where in the opinion of the *"Municipality"* a nuisance, health or other risk to the public is caused due to construction activities and/or a lack of maintenance of any service, the *"Municipality"* may give the *"Developer"* and or OWNER'S ASSOCIATION written notice to remedy the defect failing which the *"Municipality"* may carry out the work itself or have it carried out, at the cost of the *"Developer"* and or OWNER'S ASSOCIATION.

Streetlighting

118. The *"Developer"* will be responsible for the design and construction at his own expense of all internal street lighting services and street lighting on link roads leading to his development (excluding Class 1, 2 and 3 Roads) according to specifications determined by the municipality's Manager: Electrical Services and under the supervision of the consulting engineer, appointed by the *"Developer"*;
119. Prior to commencing with the design of street lighting services, the consulting electrical engineer, as appointed by the *"Developer"* must acquaint himself with, and clarify with the municipality's Manager: Electrical Engineering, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;

Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

120. The final design of the complete internal street lighting network of the development must be submitted by the consulting electrical engineer, as appointed by the "Developer", to the municipality's Manager: Electrical Engineering for approval before any construction work commences;
121. Any defect with the street lighting services constructed by the "Developer" which may occur during the defects liability period of 12 (TWELVE) months and which occurs as a result of defective workmanship and/or materials must be rectified immediately / on the same day the defect was brought to the attention of the consulting electrical engineer, appointed by the "Developer". Should the necessary repair work not be done within the said time the "Municipality" reserves the right to carry out the repair work at the cost of the "Developer";
122. The maintenance and servicing of all private internal street lighting shall be the responsibility and to the cost of the "Developer" and or Home Owner's Association.



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



**JERI-LEE MOWERS
SENIOR MANAGER: DEVELOPMENT, ASSET MANAGEMENT AND SYSTEMS & PROJECT
MANAGEMENT UNIT (PMU)**

Farm 51/B45, Jamestown: Development of 48 townhouses (The James II)

ATTACHMENT X

Geographic Information System (GIS) data capturing standards

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

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

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

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

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

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

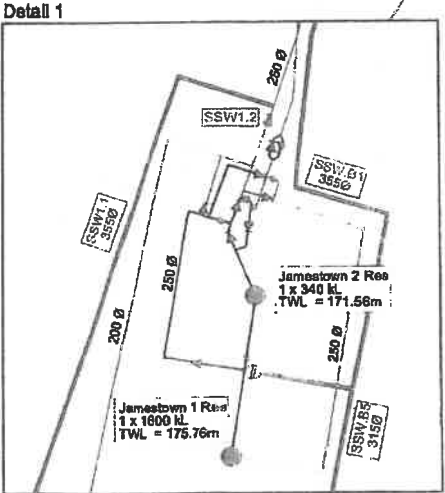
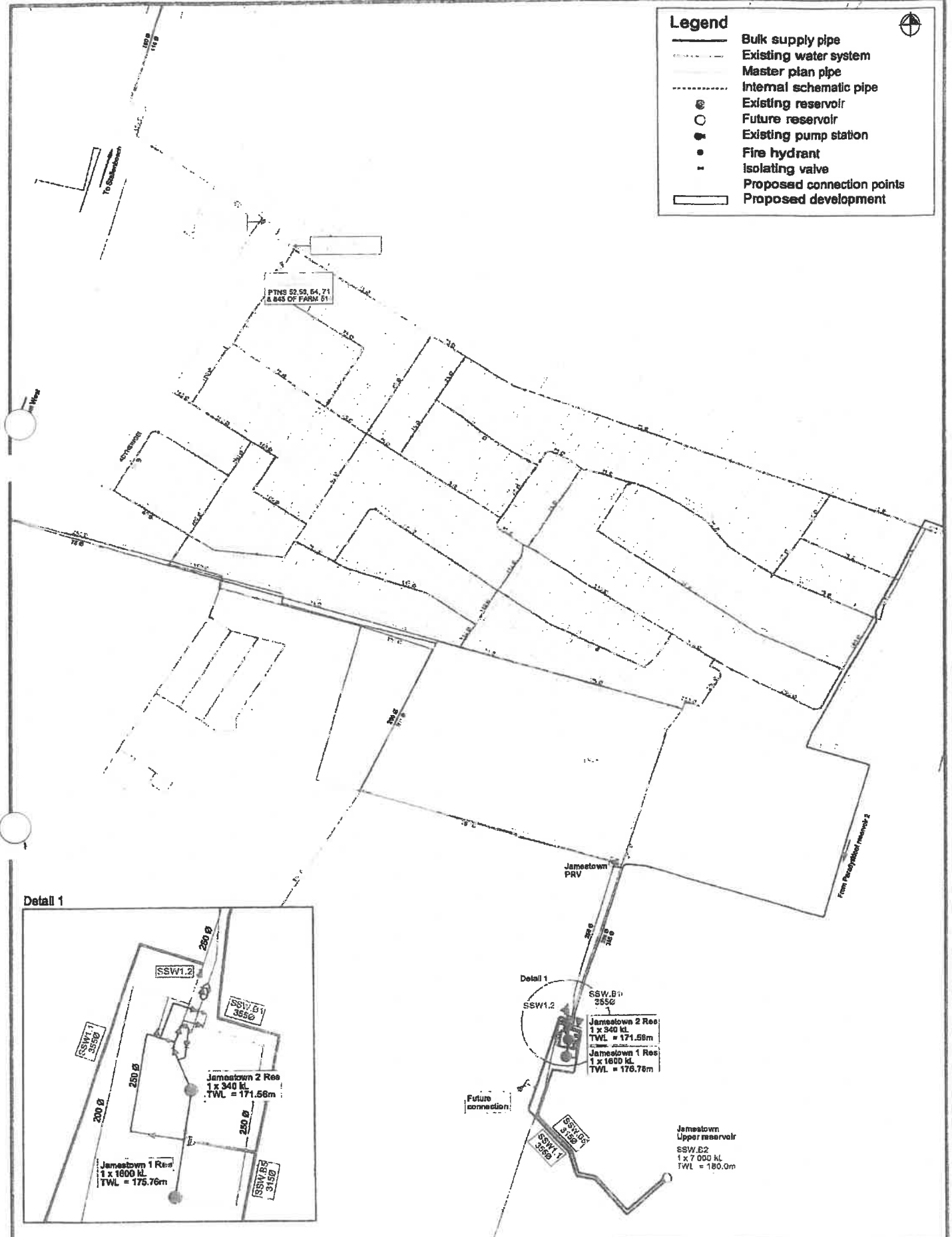
Farm 51/845, Jamestown: Development of 48 townhouses (The James II)

Municipality standard as follows:

- Datum : Hartebeeshoek WGS 84
- Projection : Transverse Mercator
- Central Longitude/Meridian 19
- False easting : 0.00000000
- False northing : 0.00000000
- Central meridian : 19.00000000
- Scale factor : 1.00000000
- Origin latitude : 0.00000000
- Linear unit : Meter

Legend

- Bulk supply pipe
- Existing water system
- Master plan pipe
- Internal schematic pipe
- Existing reservoir
- Future reservoir
- Existing pump station
- Fire hydrant
- Isolating valve
- Proposed connection points
- Proposed development



ANNEXURE - ROAD UPGRADES

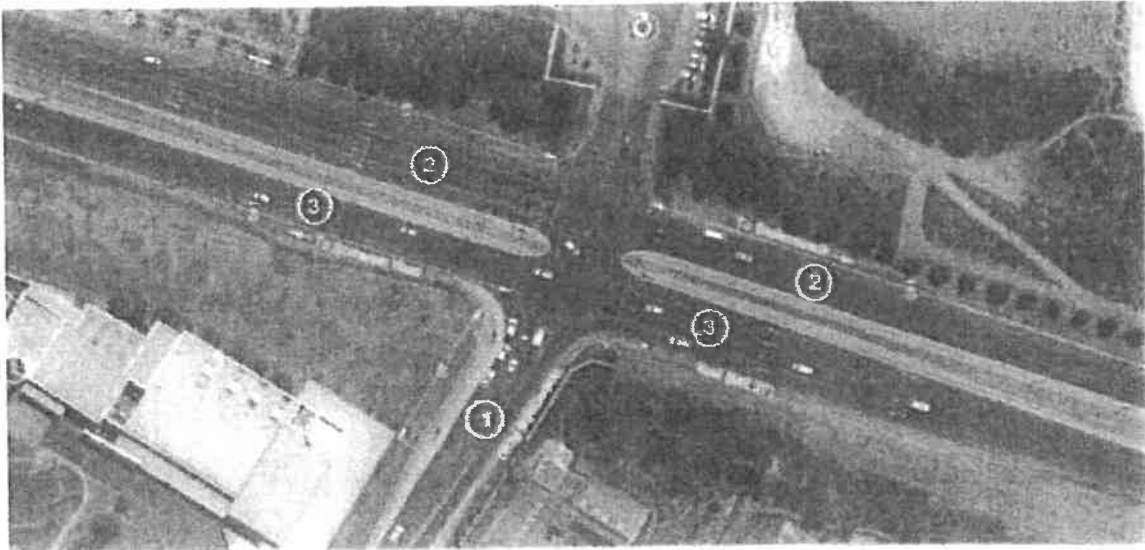


Diagram 1 : Possible upgrade options at R44/Webersvallei Road signalised intersection

- Option 1 : Dedicated left-turn lane along Webersvallei Road
- Option 2 : Third through lane at the intersection along the R44 northbound
- Option 3 : Third through lane at the intersection along the R44 southbound

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	Chili LN 2003 (LU 15703)
Date	Thursday, 17/Mar/2020
Financial Year	2020/21
Erf Location	
Erf No	Erf 520-004, Rondestroom
Erf Size (m ²)	
Suburb	
Applicant	
Approved Building Plan No.	Proposed Substitution Plans: Plan No. 4, by TV3, dated 23/07/2020

SUMMARY OF DC CALCULATION

Units	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
	litres/day	M ³ /day	litres	litres/week	litres/day	person	
Total Increased Services U _{app}	28,908	34,088	6,762	1,930	158,25	189,1	
Total Development Charges before Deductions	R 762 269,87	R 608 344,84	R 75 848,28	R 89 630,73	R 1 007 387,67	R 628 238,46	R 3 180 500,25
Total Deductions							
Total Payable (excluding VAT)	R 762 269,87	R 609 344,84	R 75 848,28	R 89 630,73	R 1 007 387,67	R 628 238,46	R 3 180 500,25
VAT	R 114 340,48	R 91 461,73	R 11 347,39	R 14 844,61	R 151 108,06	R 93 932,77	R 477 076,04
Total Payable (including VAT)	R 876 610,35	R 700 746,57	R 86 996,68	R 144 575,33	R 1 158 495,73	R 720 151,23	R 3 657 676,29

APPLICANT INFORMATION

Application Processed by:	Tyrene Dig
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

ANNEXURE:
ELECTRICAL
ENGINEERING

510-844 Jamestown (LU-11701)

GENERAL COMMENT:

1. Outside Stellenbosch area of supply.
2. All Electrical requirements should be directed to ESKOM

CONDITIONS

3. No conditions.



SIGNATURE

DATE 14/4/21



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

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

FOR ATTENTION : **Salome Newman**

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

AUTHOR : **Tyrone King**

DATE : **22 December 2020**

RE. : **Farm 510/844: The James 2: Rezoning and subdivision for the development of 48 residential erven (The James II)**

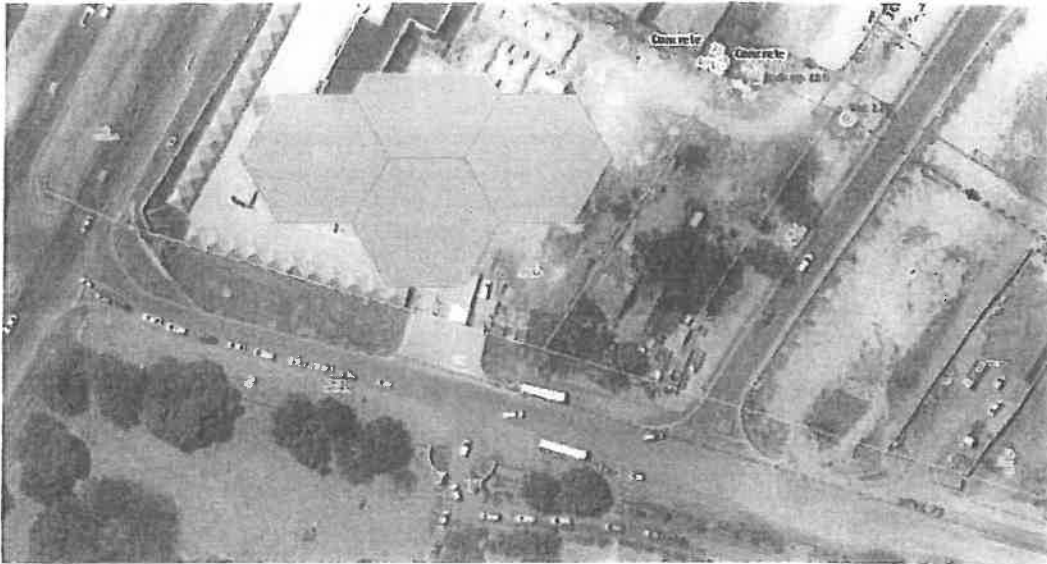
YOUR REF : **LU/11701**

OUR REF : **2093 CIVIL LU**

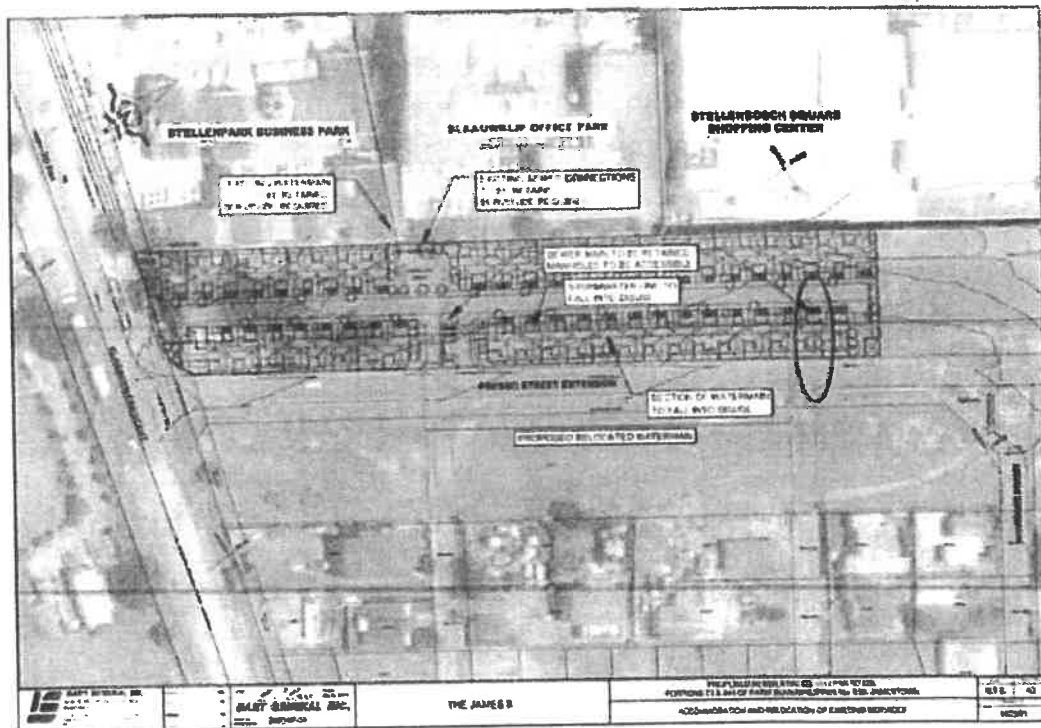
Herewith find our preliminary comments, which are to be addressed before the application can be further evaluated and approved:

1. **Water and Sewer – comments based on consultation with the Senior Manager: Water Services, Mr Adriaan Kurz:**
 - 1.1 The position of the water connection and bulk water meter of Stellenpark Business Park will be problematic when the private, gated development is established. It must be relocated to the entrance of the business park in Klaradyn Crescent. There is an existing 75mm dia municipal water line to which to connect (see GIS screenshot below). The existing water connection and bulk water meter for Stellenpark Business Park is to be abandoned. Please amend your proposal accordingly. It will be a

condition of approval that the arrangements and cost for this work is to be negotiated between the Developer of the James 2 and Stellenpark Business Park.



- 1.2 It is acknowledged that in principle approval was given by the Director and Senior Manager: Water Services to the Developer to develop over the sewer line, as long as municipal access to the manholes was not compromised. Now that more detail is available, the section of sewer line circled below is found to be undesirable. This is where the pipe makes a 90 bend and could be more prone to blockages and spillages – an unobstructed pipe route will enable easier maintenance and/or emergency work to be carried out should it be required and cause less interruption and inconvenience to the home owners. Please amend the erf layout so that there is no structure on this portion of the line – perhaps consider having the road turning shunt here and shifting the houses more to the north. +



1.3 The Municipality are still deciding which appropriate mechanisms or conditions are to be put in place to ensure effective maintenance on the sewer line if and when required. This is a municipal line, but will be located on private property – normally a servitude would address this issue, but in this case there will be houses over the sewer line. We will further engage with the Developer on this matter in due course. If the Developer has any suggestions, please feel free to share.

2. Traffic Engineering

2.1 Final comment and conditions are still being awaited from the Roads and SW department, and will be forwarded as soon as it is received. You may however follow up with Mr Nigell Winter in this regard – 021 808 8223; nigell.winter@stellenbosch.gov.za.

3. Electrical Engineering

- 3.1 Final comment and conditions are still being awaited from the Electrical Engineering department, and will be forwarded as soon as it is received. You may however follow up with Mr Bradley Williams in this regard – 021 808 8336; bradley.williams@stellenbosch.gov.za.

**Tyrone King Pr Tech Eng****MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

W:\2.0 DEVELOPMENT\00 Developments\2093 (TK) Erf 510-844 Jamestown (LU-11701) (The James 2)\2093 (TK) Erf 510-844 Jamestown (LU-11701) The James II_1_not approved.doc

