# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14982

Our File Reference Number: Erven: 276, 277,278 & 279, Koelpark

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

**PER E-MAIL:** [redacted]

Sir / Madam

**APPLICATION FOR A CONSOLIDATION, PERMANENT DEPARTURE AND A PERMISSION IN TERMS OF A CONDITION OF APPROVAL FOR THE APPROVAL OF SITE DEVELOPMENT PLAN: ERVEN 276, 277, 278 & 279, KOELPARK**

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 on Erven 276, 277 and 278, Nooitgedacht, Koelpark, namely:

   3.1 Consolidation of Erven 276, 277 and 278, Koelpark, in terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning Bylaw 2015.

   3.2 Permanent departure on consolidated erf 276, 277 and 278, in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for the following:

   a. To provide 68 on-site parking bays in lieu of the required 108 parking bays.
   b. To increase the permissible floor factor from 0.75 to 1.4.
   c. To relax the street building line from 4.5m to 3.8m.
   d. To relax the 2nd and 3rd floors' common building lines from 6m to 4.5m.

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

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

4.1. The approval only applies to the applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

4.2. The development be undertaken in accordance with the Consolidation Plan dated 22/11/2022, drawn by TV3, as attached as **ANNEXURE A**.

4.3. Erf 279 and unregistered consolidated erf 276, 277, 278, Koelpark are notarially tied in the Deed's Registry at the cost of the applicant prior to the first residential unit being transferred, to which the Municipality must be cited as an interested party without whom's consent the subject notarial tie may not be cancelled.

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

i. Newly allocated Erf Numbers
ii. Co-ordinates
iii. Survey Dimension
iv. Street names (if approved by Council)

4.5. The development be undertaken in accordance with the Site Development Plan No. 3817/C/1010, 3817/C/2001 to 2005 & 3817/C/3001-3002, dated 22/11/2022 drawn by TV3, as attached as **ANNEXURE B**.

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

4.7. Should the full extent of permissible development rights, as approved herein-above, not be implemented initially or development is phased, a pro rata Development Charge will be levied in accordance with the extent to which the development rights will be implemented, provided that the remaining development charges will be levied for the remaining permissible development rights when implemented in future. Remaining Development Charges will be levied in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or approval of any building plans, whichever occurs first.

4.8. 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 must include and comply with the conditions as imposed by the Directorate Infrastructure Services in their memo dated 4 May 2023, attached as **ANNEXURE C**.

4.9. The conditions imposed by the Director: Engineering Services in their memo dated 4 May 2023, attached as **ANNEXURE C**, be adhered to.

4.10. The conditions imposed by the Western Cape Government, Transport and Public Works, Roads Network Management Department in their memo DATE: 4 October 2023, Ref No: 16/9/6/1-25/57 (Job 22332), attached as **ANNEXURE G**, be adhered to.

4.11. Building plans submitted be generally in accordance with the Site Development Plan No. 3817/C/1010, 3817/C/2001 to 2005 & 3817/C/3001-3002, dated 22/11/2022 drawn by TV3, as attached as **ANNEXURE B**.

4.12. Building plans be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.

4.13. Detailed landscaping plan be submitted for approval by the Department Community Services of the Municipality with the building plan application for the soft and hard top area of the development.

4.14. The landscaping plan be implemented prior to an occupation certificate being issued or the first residential unit being transferred.

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

5.1. The approval of the consolidation application will not adversely affect the surrounding area.

5.2. The Land Use Departures applied for will have no impact on the surrounding residential area due to the location of the proposal and the abutting land uses e.g. railway line, Open Space, Communal Parking area and main collector road.

5.3. The proposed building is not out of scale with the surrounding area due to its location and the land use surrounding it within Nooitgedacht Village.

5.4. Adequate parking has been provided for the proposed development through the registration of the notarial tie registered over the adjoining erf 279.

5.5. Notwithstanding the departure for the under provision of onsite parking adequate parking will be available to the tenants and visitors of the building on the adjoining property erf 279, that is to be notarially tied to the subject property. (Consolidated erf 276, 277and 278, Koelpark)

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

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

7.1 The personal particulars of the Appellant, including:

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

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

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

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.

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

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

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

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

7.8 The relief sought by the appellant.

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

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

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

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

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

10. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za.

11. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
    (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
    (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
    (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
    (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

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

13. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

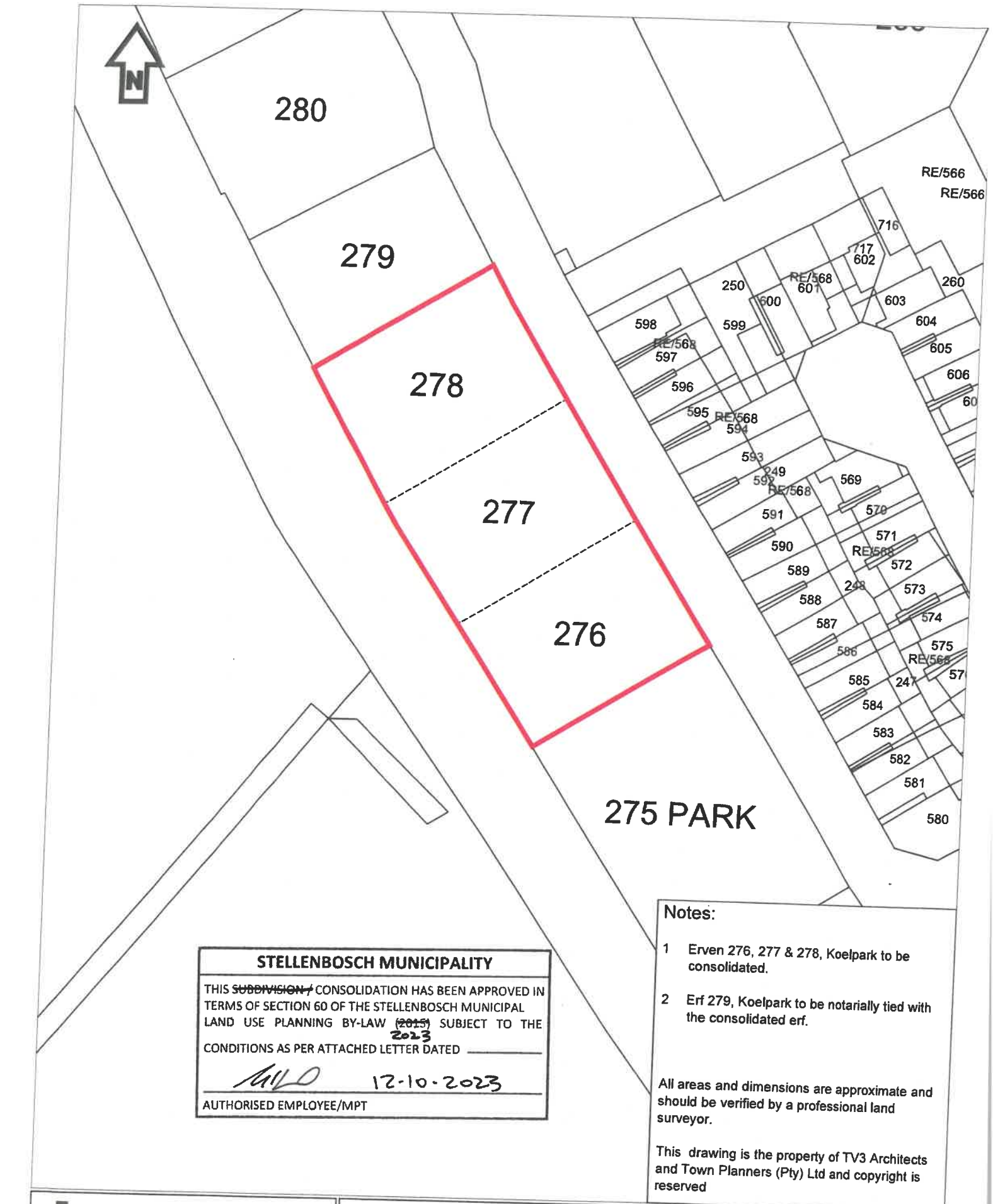
**FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT** **DATE:** 12·10·2023

**Copies to be sent to:**

[redacted]
[redacted]
Dennesig
[redacted]
Email: [redacted]

[redacted]s
[redacted]
NOORGEDACHT Village, Krome Knee Road
[redacted]
7609
[redacted]

# ANNEXURE A




**STELLENBOSCH MUNICIPALITY**

THIS ~~SUBDIVISION /~~ CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW ~~(2015)~~ 2023 SUBJECT TO THE CONDITIONS AS PER ATTACHED LETTER DATED _____

12-10-2023

AUTHORISED EMPLOYEE/MPT

## Notes:

1 Erven 276, 277 & 278, Koelpark to be consolidated.

2 Erf 279, Koelpark to be notarially tied with the consolidated erf.

All areas and dimensions are approximate and should be verified by a professional land surveyor.

This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

tv3
ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS
[redacted]
www.tv3.co.za

# Nooitgedacht Village

Property Description:
Erven 276 -279, Koelpark

| Drawing: | Plan no.: |
|---|---|
| Proposed Consolidation | 2 |
| Date: 22/11/2022 | Scale: 1:1000 (A4) |
| Project no.: 3625-P | Drawn: WH / Checked: Ch |

# ANNEXURE B

1 VILLAGE WALK
2.1 VILLAGE SQUARE
2.2 VILLAGE TERRACE
2.3 VILLAGE SQUARE PHASE 2
2.4 VILLAGE SQUARE PHASE 2
3 VILLAGE JUNCTION & VILLAGE FOUNDRY
4 VILLAGE CORNER
5 NOOITGEDACHT MANOR
6 HOTEL / CLUBHOUSE
7 VILLAGE OFFICE PARK & MEDICAL FACILITY
8 VILLAGE RETREAT
9 NOOITGEDACHT MANOR
10 VILLAGE RETREAT
11 SIMONSBERG CLOSE
12 VILLAGE RETREAT
13 SIMONSBERG MANOR
14 VILLAGE CLOSE
15 VILLAGE CLOSE
16 VILLAGE PARK

| SITE 2.3 & 2.4 | | | |
|---|---|---|---|
| Unit Type | Amount | Parking Provided | Garages Provided |
| Town Houses | 54 | 5 | 103 |
| Apartments | 317 | 216 | 0 |
| Total | 371 | 221 | 103 |

| SITE 3 | | | |
|---|---|---|---|
| Unit Type | Amount | Parking Provided | Garages Provided |
| Apartments | 73 | 115 | 0 |
| Mixed Use (Proposed $m^2$) | 865 | 33 | 0 |
| Total | | 146 | 0 |

| SITE 6 | | | |
|---|---|---|---|
| Unit Type | Amount | Parking Required | Garages Provided |
| Town Houses | 12 | 12 | 12 |
| Apartments | 57 | 86 | 0 |
| Total | 69 | 98 | 12 |

| SITE 7 | | | |
|---|---|---|---|
| Unit Type | Amount | Parking Provided | Garages Provided |
| Town Houses | 28 | 28 | 28 |
| Apartments | 57 | 87 | 0 |
| Total | 85 | 115 | 28 |

| SITE 8 (Retirement) | | | |
|---|---|---|---|
| Unit Type | Amount | Parking Provided | Garages Provided |
| Town Houses | 20 | 20 | 20 |
| Apartments | 20 | 30 | 0 |
| Total | 40 | 50 | 20 |

| SITE 10 (Retirement) | | | |
|---|---|---|---|
| Unit Type | Amount | Parking Provided | Garages Provided |
| Town Houses | 37 | 37 | 37 |
| Apartments | 14 | 14 | 0 |
| Total | 51 | 51 | 37 |

| SITE 12 (Retirement) | | | |
|---|---|---|---|
| Unit Type | Amount | Parking Provided | Garages Provided |
| Town Houses | 33 | 33 | 33 |
| Apartments | 24 | 24 | 0 |
| Total | 57 | 57 | 33 |

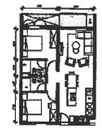
| SITE 15 | | | |
|---|---|---|---|
| Unit Type | Amount | Parking Provided | Garages Provided |
| Town Houses | 18 | 21 | 18 |
| Apartments | 21 | 32 | 0 |
| Total | 39 | 53 | 18 |

| Common Property/ Green Areas | | | |
|---|---|---|---|
| Unit Type | Area($m^2$) | Parking Provided | Garages Provided |
| Clubhouse (Proposed $m^2$) | 590 | 35 | 0 |

| Combined (Sites 2.3, 2.4, 3,6, 7, 8, 10, 12 & 15) | | | |
|---|---|---|---|
| Unit Type | Amount | Parking Provided | Garages Provided |
| Town Houses | 202 | 156 | 251 |
| Apartments | 382 | 604 | 0 |
| Mixed Use | | 31 | 0 |
| Clubhouse | | 35 | 0 |
| Total | 584 | 826 | 351 |

## TYPICAL APARTMENT UNITS

APARTMENT TYPE 1
2 BED | 2 BATH



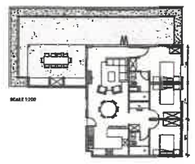
APARTMENT TYPE 2
2 BED | 2 BATH

APARTMENT TYPE 3
2 BED | 2 BATH

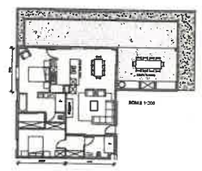
APARTMENT TYPE 4
1 BED | 1 BATH

APARTMENT TYPE 5
1 BED | 1 BATH

APARTMENT TYPE 6 A
3 BED | 2 BATH



APARTMENT TYPE 6 B
2 BED | 2 BATH



APARTMENT TYPE 7
2 BED | 2 BATH

APARTMENT TYPE 8
2 BED | 2 BATH

APARTMENT TYPE 9
3 BED | 3 BATH

STELLENBOSCH MUNICIPALITY

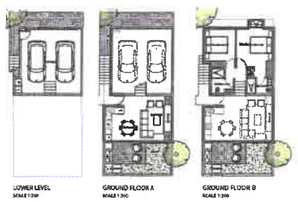
THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

12-10-23

MUNICIPAL MANAGER

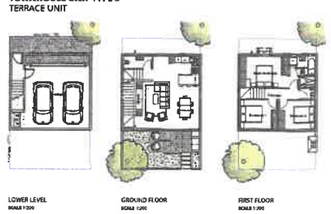
## TYPICAL TOWNHOUSE UNITS

TOWNHOUSE UNIT TYPE 1
SMALL SPLIT LEVEL - 2 BEDROOM

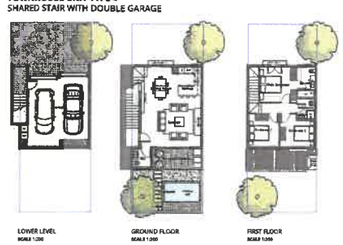



TOWNHOUSE UNIT TYPE 2
LARGE SPLIT LEVEL UNIT - 3 BEDROOM

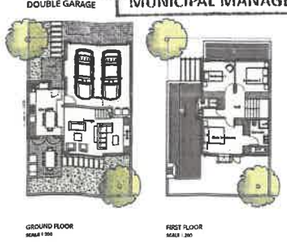
TOWNHOUSE UNIT TYPE 3
TERRACE UNIT



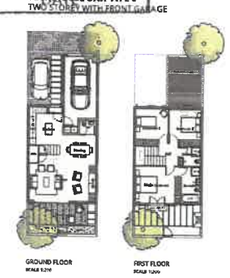

TOWNHOUSE UNIT TYPE 4
SHARED STAIR WITH DOUBLE GARAGE




TOWNHOUSE UNIT TYPE 5
DOUBLE GARAGE




TOWNHOUSE UNIT TYPE 6
TWO STOREY WITH FRONT GARAGE

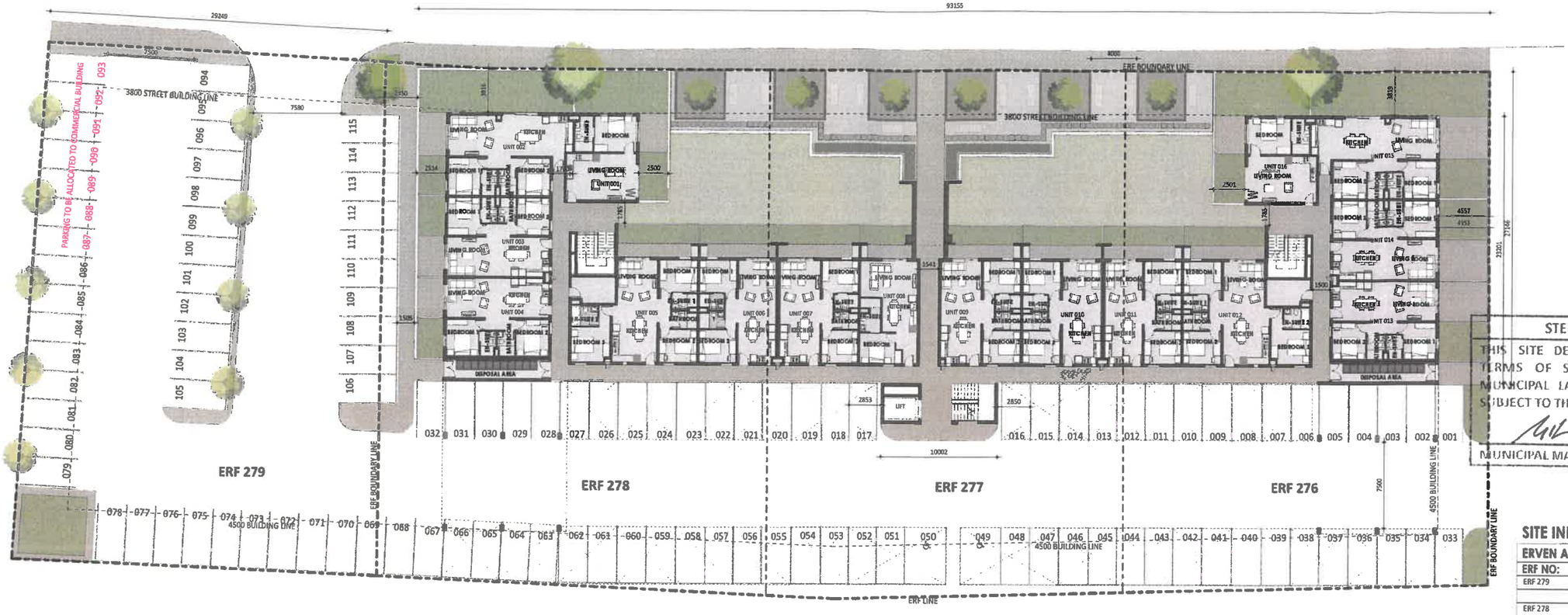



tv3 since 1991 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
RÉMEY

**NOOITGEDACHT SDP**
SITE DEVELOPMENT PLAN

SITE DEVELOPMENT PLAN
SCALE 1:1000
07 July 2023 - Rev 10

3817




**PLAN:** GROUND FLOOR PLAN
SCALE: 1 : 200

STELLENBOSCH MUNICIPALITY

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER — DATE: 12.10.23

## SITE INFORMATION:

### ERVEN AREAS:

| ERF NO: | AREA (m²): |
|---|---|
| ERF 279 | 1352.2 |
| | |
| ERF 278 | 1518.6 |
| ERF 277 | 1406.9 |
| ERF 276 | 1424.0 |
| ERF 276,277,278 KOELPARK (TO BE CONSOLIDATED) | |

### AREA SCHEDULE:

**MULTI-UNIT RESIDENTIAL:**

| | COVERAGE (m²): | BULK (m²): |
|---|---|---|
| PROVIDED: | 39.75% | 139.62% |
| ALLOWED: | 50% | 75% |
| | HEIGHT: | |
| PROVIDED: | 4 STOREYS | |
| ALLOWED: | 4 STOREYS | |

### PARKING LEGEND:

**PARKING:**

| | | |
|---|---|---|
| PARKING REQUIRED: | 1:1.5 | 108 Bays |
| PARKING PROVIDED: | 1:1.6 | 115 Bays |

| ERF: | TOTAL BAYS: | BAY NUMBERS: |
|---|---|---|
| ERF 279 | 47 | 069-115 |
| | (7 BAYS TO BE ALLOCATED TO COMMERCIAL BUILDING) | |
| ERF 278 | 25 | 021-032; 056-068 |
| ERF 277 | 19 | 013-020; 045-055 |
| ERF 276 | 24 | 001-012; 033-044 |

ORIGINAL DOCUMENT DATE: 22.11.2022

DOCUMENT VARIATIONS REGISTER:

| NO | DATE | DESCRIPTION |
|---|---|---|
| | | |
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| | | |
| | | |

PROJECT DESCRIPTION:
**NEW APARTMENT BLOCK 3 - Nooitgedacht Village**
**ERVEN 276, 277, 278 (279)**

PROJECT / CLIENT:
**Rémey Development**

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

DRAWING DESCRIPTION:
**SITE PLAN**

DRAWING STATUS CODES:
A: Design • B: Motivating • C: Municipal • D: Tender • E: Construction • F: As Built

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS - REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RELEVANT CONSULTANTS. THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS AND COPYRIGHT IS RESERVED.

DATE: 22/11/2022
DRAWN: C.MULLER/G.JONES
CHECKED: K.SMIT
SIZE / SCALE: A1 / As indicated
DRAWING No: **3817/C/1010** REV

**SDP SUBMISSION**

**PLAN:** GROUND FLOOR PLAN
SCALE: 1 : 150

**STELLENBOSCH MUNICIPALITY**

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER — DATE: 12.10.23

| | 1 BEDROOM | 2 BEDROOMS | 3 BEDROOMS | UNITS PER FLOOR |
|---|---|---|---|---|
| GROUND FLOOR | 3 | 11 | 2 | 16 |
| FIRST FLOOR | 2 | 16 | 2 | 20 |
| SECOND FLOOR | 2 | 16 | 2 | 20 |
| THIRD FLOOR | 0 | 12 | 4 | 16 |
| | | | TOTAL UNITS | 72 |

ORIGINAL DOCUMENT DATE: 22.11.2022

DOCUMENT VARIATIONS REGISTER:

| NO | DATE | DESCRIPTION |
|---|---|---|
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PROJECT DESCRIPTION:
**NEW APARTMENT BLOCK 3 - Nooitgedacht Village ERVEN 276, 277, 278 (279)**

PROJECT / CLIENT:
**Rémey Development**

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS

DRAWING DESCRIPTION:
**GROUND FLOOR**

DRAWING STATUS CODES:
A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS - REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS AND COPYRIGHT IS RESERVED.

DATE:
DRAWN: C.MULLER/G.JONES
CHECKED: K.SMIT
SIZE / SCALE: A1 / As Indicated
DRAWING No: **3817/C/2001** REV

**SDP SUBMISSION**

**PLAN:** FIRST FLOOR PLAN
SCALE: 1 : 150

STELLENBOSCH MUNICIPALITY

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER

12·10·23
DATE

| | 1 BEDROOM | 2 BEDROOMS | 3 BEDROOMS | UNITS PER FLOOR |
|---|---|---|---|---|
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| THIRD FLOOR | 0 | 12 | 4 | 16 |
| | | | TOTAL UNITS | 72 |

ORIGINAL DOCUMENT DATE: 22.11.2022

DOCUMENT VARIATIONS REGISTER:

| NO | DATE | DESCRIPTION |
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PROJECT DESCRIPTION:
**NEW APARTMENT BLOCK 3 - Nooitgedacht Village ERVEN 276, 277, 278 (279)**

PROJECT / CLIENT:
**Rémey Development**

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

DRAWING DESCRIPTION:
**FIRST FLOOR PLAN**

DRAWING STATUS CODES:
A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

ALL STATUTORY REQUIREMENTS / NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS - RISER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS FOR DESIGN AND DETAILS ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWN PLANNERS AND COPYRIGHT IS RESERVED.

DATE:
DRAWN: C.MULLER/G.JONES
CHECKED: K.SMIT
SIZE / SCALE: A1 / As Indicated
DRAWING No: **3817/C/2002** REV

**SDP SUBMISSION**

**PLAN:** -02 Second Floor
SCALE: 1 : 150

STELLENBOSCH MUNICIPALITY
THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.
MUNICIPAL MANAGER
12.10.23
DATE

| | 1 BEDROOM | 2 BEDROOMS | 3 BEDROOMS | UNITS PER FLOOR |
|---|---|---|---|---|
| GROUND FLOOR | 3 | 11 | 2 | 16 |
| FIRST FLOOR | 2 | 16 | 2 | 20 |
| SECOND FLOOR | 2 | 16 | 2 | 20 |
| THIRD FLOOR | 0 | 12 | 4 | 16 |
| | | | TOTAL UNITS | 72 |

ORIGINAL DOCUMENT DATE: 22.11.2022

DOCUMENT VARIATIONS REGISTER:

| NO | DATE | DESCRIPTION |
|---|---|---|
| | | |

PROJECT DESCRIPTION:
**NEW APARTMENT BLOCK 3 - Nooitgedacht Village**
**ERVEN 276, 277, 278 (279)**

PROJECT / CLIENT:
**Rémey Development**

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

DRAWING DESCRIPTION:
**SECOND FLOOR PLAN**

DRAWING STATUS CODES:
A: Design + B: Marketing + C: Municipal + D: Tender + E: Construction + F: As Built

ALL STATUTORY REQUIREMENTS ( NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKE PREFERENCE OVER SCALED DIMENSIONS - ERRORS AND/OR ALL DEVIATIONS FROM DRAWINGS TO BE REPORTED TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS AND COPYRIGHT IS RESERVED.

DATE:
DRAWN: C.MULLER/G.JONES
CHECKED: K.SMIT
SIZE / SCALE: A1 / As indicated
DRAWING No:
**3817/C/2003**
REV

**SDP SUBMISSION**

**PLAN:** -03 Third Floor
SCALE: 1 : 150

STELLENBOSCH MUNICIPALITY

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER — DATE: 12-10-23

| | 1 BEDROOM | 2 BEDROOMS | 3 BEDROOMS | UNITS PER FLOOR |
|---|---|---|---|---|
| GROUND FLOOR | 3 | 11 | 2 | 16 |
| FIRST FLOOR | 2 | 16 | 2 | 20 |
| SECOND FLOOR | 2 | 16 | 2 | 20 |
| THIRD FLOOR | 0 | 12 | 4 | 16 |
| | | | TOTAL UNITS | 72 |

ORIGINAL DOCUMENT DATE: 22.11.2022

DOCUMENT VARIATIONS REGISTER:

| NO | DATE | DESCRIPTION |
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PROJECT DESCRIPTION:
**NEW APARTMENT BLOCK 3 -**
**Nooitgedacht Village**
**ERVEN 276, 277, 278 (279)**

PROJECT / CLIENT:
**Rémey Development**

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

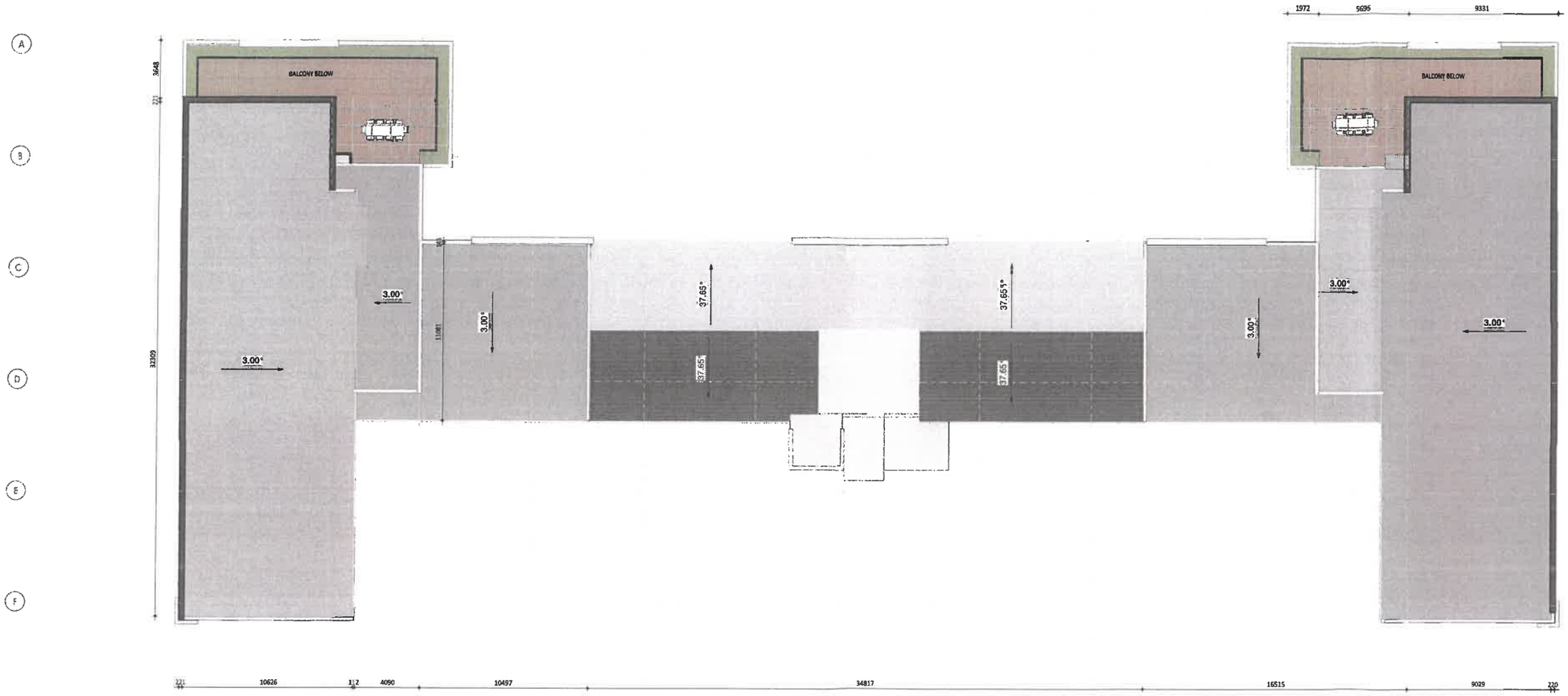
DRAWING DESCRIPTION:
**THIRD FLOOR PLAN**

DRAWING STATUS CODES:
A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

ALL STATUTORY REQUIREMENTS ( NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKE PREFERENCE OVER SCALED DIMENSIONS - REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWN PLANNERS AND COPYRIGHT IS RESERVED.

DATE:
DRAWN: C.MULLER/G.JONES
CHECKED: K.SMIT
SIZE / SCALE: A1 / As indicated
DRAWING No: **3817/C/2004** REV

**SDP SUBMISSION**




**PLAN:** -04 Roof
SCALE: 1 : 150

STELLENBOSCH MUNICIPALITY

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER — DATE: 12·10·23

ORIGINAL DOCUMENT DATE: 22.11.2022

DOCUMENT VARIATIONS REGISTER:

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PROJECT DESCRIPTION:
**NEW APARTMENT BLOCK 3 -**
**Nooitgedacht Village**
**ERVEN 276, 277, 278 (279)**

PROJECT / CLIENT:
**Rémey Development**

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

DRAWING DESCRIPTION:
**ROOF PLAN**

DRAWING STATUS CODES:
A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO. - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS - REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS AND COPYRIGHT IS RESERVED.

DATE:
DRAWN: C.MULLER/G.JONES
CHECKED: Checker
SIZE / SCALE: A1 / 1 : 150
DRAWING No: **3817/C/2005** REV

**SDP SUBMISSION**

**ELEVATION:** North
SCALE: 1:150

**ELEVATION:** East1
SCALE: 1:150

STELLENBOSCH MUNICIPALITY

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER

12.10.23
DATE

ORIGINAL DOCUMENT DATE: 22.11.2022

DOCUMENT VARIATIONS REGISTER:

| NO | DATE | DESCRIPTION |
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PROJECT DESCRIPTION:
**NEW APARTMENT BLOCK 3 -**
**Nooitgedacht Village**
**ERVEN 276, 277, 278 (279)**

PROJECT / CLIENT:
**Rémey Development**

tv3 ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS
[redacted]

DRAWING DESCRIPTION:
**NORTH & EAST ELEVATION**

DRAWING STATUS CODES:
A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO :- CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS. REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS BEFORE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS AND COPYRIGHT IS RESERVED.

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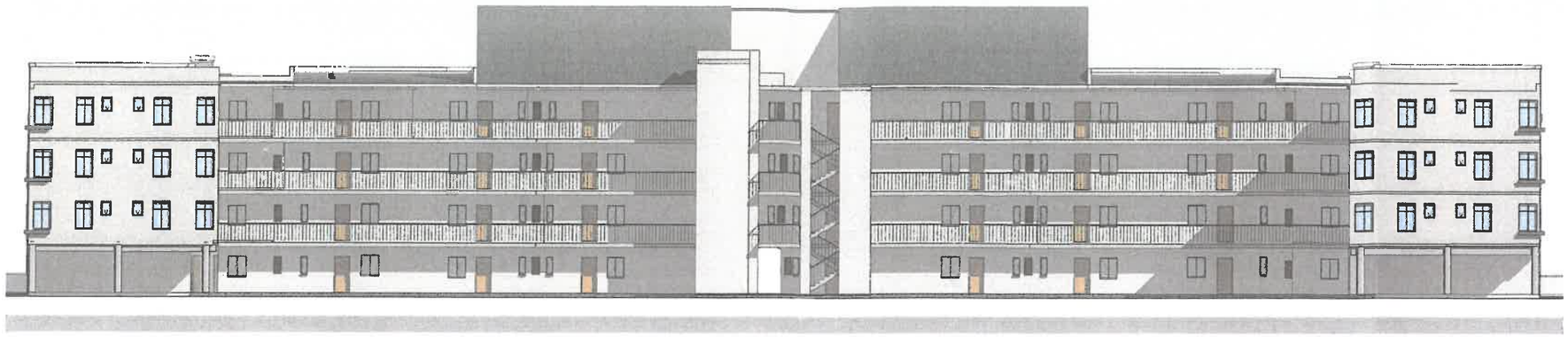
|---|---|
| DATE: | |
| DRAWN: | C.MULLER/G.JONES |
| CHECKED: | Checker |
| SIZE / SCALE: | A1 / 1 : 150 |
| DRAWING No: | 3817/C/3001 |
| REV | |

**SDP SUBMISSION**



**ELEVATION:** South1
SCALE: 1 : 150

**ELEVATION:** West1
SCALE: 1 : 150

STELLENBOSCH MUNICIPALITY

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER

12.10.23
DATE

ORIGINAL DOCUMENT DATE: 22.11.2022

DOCUMENT VARIATIONS REGISTER:

| NO | DATE | DESCRIPTION |
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PROJECT DESCRIPTION:
**NEW APARTMENT BLOCK 3 -**
**Nooitgedacht Village**
**ERVEN 276, 277, 278 (279)**

PROJECT / CLIENT:
**Rémey Development**

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
FIRST FLOOR | LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
[redacted]

DRAWING DESCRIPTION:
**SOUTH & WEST ELEVATIONS**

DRAWING STATUS CODES:
A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS - REFER KEY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS AND COPYRIGHT IS RESERVED.

DATE:
DRAWN: C.MULLER/G.JONES
CHECKED: Checker
SIZE / SCALE: A1 / 1 : 150
DRAWING No: REV
**3817/C/3002**

**SDP SUBMISSION**

# ANNEXURE C

# STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

# MEMORANDUM

**DIREKTORAAT: INGENIEURSDIENSTE**
**DIRECTORATE: ENGINEERING SERVICES**

| | |
|---|---|
| **To ▫ Aan:** | **Director: Planning + Economic Development** |
| **Att Aandag** | **Nolusindiso Momoti** |
| **From ▫ Van:** | **Manager: Development (Infrastructure Services)** |
| **Author ▫ Skrywer:** | **Tyrone King** |
| **Date ▫ Datum:** | **4 May 2023** |
| **Our Ref ▫ Ons Verw:** | **Civil LU 2448** |
| **Your Ref:** | **LU/14982** |
| **Re ▫ Insake:** | **Erven 276-279, Stellenbosch: Application is made in terms of Section 15.2(e) of the Stellenbosch Municipality Planning By-Law, 2015 for the consolidation of Erven 276, 277 and 278, Koelpark. A Consolidation Plan is included in this submission for your approval. Application is made in terms of Section 15.2(b) of the Stellenbosch Municipality Planning By-Law, 2015 for the following permanent departures: To provide 68 on-site parking bays (in lieu of 108 parking bays); To increase the permissible floor factor from 0.75 to 1.4; To relax the street boundary building line from 4.5m to 3.8m; and to relax the 2nd and 3'd floors' common boundary building lines from 6m to 4.5m. Application is made in terms of Section 15.2(l) of the Stellenbosch Municipality Planning By-Law, 2015 for permission in terms of a condition of approval for the approval of the development's Site Development Plan (SDP). A detailed SDP is included in this submission for your approval.** |

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

- Site Development Plan 3817/C/1010 Rev - by TV3
- Report on Civil Engineering Services, by Bart Senekal Consulting Civil & Structural Engineers, dated 14 April 2023, incl Basket of Rights reconciliation in Annexure D thereof;
- ITS Transport Statement dated 24 Nov 2022 incl trip generation basket of rights;

**Background**

Water and Sewer

In the engineering approval conditions (Memo dated 2014-10-22), a "basket of rights" was confirmed for the overall Nooitgedacht Village Development namely:

| | |
|---|---|
| Sewerage: | 355, 549 kl/day |
| Water: | 469, 218 kl/day |

No further development than the existing right will be allowed until such time that capacity at the waste water treatment works is confirmed and storage capacity in terms of water provision is secured.

The information contained in the civil engineering services report of the current application confirms that with the inclusion of this application, the development to date is still within these parameters:

| | |
|---|---|
| Sewerage: | 289 kl/day |
| Water: | 366 kl/day |

Roads

In terms of the Roads, clause 45 of the aforementioned Memo states that certain upgrades will be required once the Nooitgedacht Village reaches the 50% stage. The information contained in the Transport Basket of Rights letter of the current application confirms that with the inclusion of this application, the development to date is still within these parameters, namely 35%.

**Notwithstanding the aforementioned, and since the original conditions for this development was done in 2014, and the fact that the capacity status of the roads has changed in the years since then, it has been recommended that this application be circulated to the provincial roads authority for comment and conditions. Any condition that they might have regarding road upgrades must be met prior to clearance.**

**Development Conditions**

The above-mentioned land-use **application is supported, subject to the following conditions:**

**General**

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 metropolitan municipality, 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: Engineering 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"*;

3. that the "*Developer*" must ensure that he / she has an acceptable public liability insurance policy in place;

4. **that the "*Developer*" approaches the Provincial Roads Authority for their comment and conditions on this application. Such conditions must be adhered to before any clearance or any further development approvals will be issued;**

5. 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;

6. 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);

7. 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 building plans will be recommended for approval by the Directorate: Engineering Services before the approval of internal – and external civil engineering services drawings;

   c.) that no building plans will be recommended for approval by the Directorate: Engineering Services before a clearance in terms of the Stellenbosch Municipal Land Use Planning By-law is issued

**Site Developement Plan**

8. 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";

9. that although the 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;

10. 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 therof and any costs associated therewith;

11. 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**

12. that it be noted that the roads on the said erven 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 HOA;

13. that the "*Developer*", at his/her cost, construct the internal (on-site) private 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 before subdivision clearance;

14. that plans of all the internal civil services and such municipal link services as required by the Directorate: Engineering Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;

15. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "*Engineer*";

16. that the "*Developer*" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (BS1028) and that his/her design engineer will comply to the mentioned document or as otherwise agreed in writing with the Directorate: Engineering Services;

17. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Engineering Services;

18. that all internal - and link services be inspected by the "*Engineer*" on request by the "*Developer*" or his Consulting Engineer;

19. that a practical completion certificate be issued prior to transfer of individual units or utilization of buildings;

20. 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 a monthly basis;

21. that the "*Developer*" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;

22. 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;

23. 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*";

24. It has previously been confirmed that there is a bulk water meter outside the boundary of the development for the entire Nooitgedacht Village development which is read by the Municipality. All internal water meters are sub meters and are managed and monitored by the HOA;

25. that subdivion clearance will only be issued there is proof that a municipal account for the existing bulk water meter is activated;

26. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;

***Servitudes***

27. that the "*Developer*" ensures that all main services to be taken over by the Directorate: Engineering Services, all existing municipal – and or private services crossing private - and or other institutional property and any other services crossing future private land/erven are protected by a registered servitude before final Section 28 Clearance will be given;

28. 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;

29 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***

30. 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;

31. 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;

32. 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: Engineering Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans;

33. 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: Engineering Services;

34. 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.

35. 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.

***Roads***

36. **the proposed notarial tie for the parking shortfall of 40 bays to be provided on erf 279 must be in place prior to clearance;**

37. that, when it becomes applicable, the *"Developer"* will enter into a Services Agreement with the *"Municipality"* in respect of the implementation of the identified infrastructure as reflected in the Traffic Impact Assessment;

38. that no access control will be allowed in public roads;

39. that provision be made for acceptable stacking distances in front of access control gates;

40. that, where access control is being provided, a minimum of 2 to 3 visitor's parking bays be provided on site, but outside the entrance gate, for vehicles not granted access to the development;

41. The design and lay-out of the development must be such that emergency vehicles can easily drive through and turn around where necessary.

42. That, when it becomes applicable, i.e. at development of up 50% of the Nooitgedacht Village, **or if required earlier by the provincial roads authority** the *"Developer"* will be responsible for the design, construction, supervision and implementation of the following infrastructure as reflected in the Transport Impact Assesment by ITS Consulting Engineers, dated October 2013:

    i) R304/Bottelary/Kromme Rhee Road intersection: upgrade with a dedicated westbound right-turn lane along Kromme Rhee Road.

43. 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;

44. that provision be made for a stacking distance of 6 meters for a dual entrance, or 12 meters for a single entrance, measured from the public road kerb to the entrance gate;

***Wayleaves***

45 that way-leaves / work permits be obtained from the Directorate: Engineering Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property;

46. that wayleaves will only be issued after approval of relevant engineering design drawings;

***Development Contributions***

47. That the conditions 53 to 66 regarding Development Contributions contained in the Memo dated 2014-10-22 of the previous approval letter dated 2015-03-17 be applicable.

48. No Development Contributions are however applicable to this application, as the thresholds of the existing rights have not yet been reached.

**Solid Waste**

49. that the "*Developer*" will enter into a service agreement with the "Municipality" for the removal of refuse;

50. 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, unless specifically agreed with the Solid Waste department of Stellenbosch Municipality;

51. Access to all properties via public roads shall be provided in such a way that collection vehicles can complete the beats with a continuous forward movement;

52. Access shall be provided with a minimum travelable surface of 5 meters width and a minimum corner radii of 5 meters;

53. Refuse storage areas are to be provided for all premises other than single residential erven;

54. 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 – contact Clayton Hendricks at 021 – 808 8241;

55. 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;

56. 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;

57. Where the premises might be utilised 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;

58. 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:*** | ***585mm wide x 730mm deep x 1100mm high*** |

59. 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;

60. 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 colour high gloss enamel. The height of the room to the ceiling shall be not less than 2.21 metres.

**Ventilation and Lighting**

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

**Water Supply and Drainage**

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

61. 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;

62. 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;

63. Any containers or compaction equipment acquired by the building owner must be approved by the Directorate: Engineering Services, to ensure their compatibility with the servicing equipment and lifting attachments;

64. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;

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

66. All refuse storage areas shall be approved by the Directorate: Engineering 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**

67. The "*Developer*" shall provide the "*Municipality*" with:

a. a complete set of as-built paper plans, signed by a professional registered engineer;

b. a CD/DVD containing the signed as-built plans in an electronic DXF-file format reflecting compatible layers and formats as will be requested by the "*Engineer*" and is reflected herewith as Annexure X;

c. a completed Asset Verification Sheet in Excell format, reflecting the componitization of municipal services installed as part of the development. The Asset Verification Sheet will have to be according to the IMQS format, as to be supplied by the "Engineer", and is to be verified as correct by a professional registered engineer;

d. a complete set of test results of all internal – and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer;

e. Written verification by the developer's consulting engineer that all professional fees in respect of the planning, design and supervision of any services to be taken over by the "*Municipality*" are fully paid;

68. 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*";

69. 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;

70. 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;

71. Subdicvision Clearance shall not be issued unless said services have been inspected by the "*Engineer*" and written clearance given, by the "*Engineer*";

**Subdivision Clearance / Occupation Certificate**

72. It is specifically agreed that the "*Developer*" undertakes to comply with all conditions of subdivision and rezoning as laid down by the "*Municipality*" before clearance certificates shall be issued, unless otherwise agreed herein;

73. 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 is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "*Municipality*" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;

74. that clearance will only be given per phase and the onus is on the "*Developer*" to phase his development accordingly;

75. 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 Certificate;

76. 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**

77. Where in the opinion of the "*Municipality*" a lack of maintenance of any service constitutes a nuisance, health or other risk to the public the "*Municipality*" may give the "*Developer*" and or HOA 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 HOA.

**Streetlighting**

78. 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 electro technical engineer and under the supervision of the consulting engineer, appointed by the "*Developer*";

79. 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 Services, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;

80. 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 Services for approval before any construction work commences;

81. 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*";

82. The maintenance and servicing of all private internal street lighting shall be the responsibility and to the cost of the "*Developer*" and or Home Owners Association.

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

**Myra Francis**
**SENIOR MANAGER: DEVELOPMENT SERVICES, ASSET MANAGEMENT AND SYSTEMS & PROJECT MANAGEMENT UNIT (PMU)**

5/5/2023

**Shane Chandaka**
**DIRECTOR: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

**W:\2.0 DEVELOPMENT\01 Land Use applications\2448 () Erven 276-279 Stellenbosch (LU-14982) Koelpark, Nooitgedacht Village\2448 () Erven 276-279 Stellenbosch (LU-14982)_1.doc**

**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 |
| 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 |
| SUBURB | Polygon with suburb name, where new suburb / township extension created |
| ESTATE | Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are) |

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

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

For road layer shapefiles; the road name, the from_street and to_street where applicable as well as the start en end street numbers needs to be included as part

of the attributes. A rotation field needs to be added to give the street name the correct angle on the map.

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

Nooitgedagt 276-279

| GENERAL COMMENT: |
| --- |
| 1. Outside Stellenbosch area of supply. |
| 2. All Electrical requirements should be directed to ESKOM |
| **CONDITIONS** |
| 3. No conditions. |

SIGNATURE

DATE 24/5/2023

# ANNEXURE G

Western Cape Government

Infrastructure
**Vanessa Stoffels**
Chief Directorate: Road Planning
Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

**Ref:** 16/9/6/1-25/57 (Job 22332)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
**STELLENBOSCH**
7599

Attention: Mr U von Molendorff

**ERVEN 276, 277, 278 AND 279, KOELPARK, STELLENBOSCH: DIVISIONAL ROAD 1085, MAIN ROAD 174 AND 187: APPLICATION FOR CONSOLIDATION, PERMANENT DEPARTURES AND APPROVAL OF SDP**

1. The following refer:

1.1. The email from TV3 Architects, Town Planners & Urban Designers dated 17 April 2023;

1.2. The Planning Motivation Report prepared by TV3 Architects, Town Planners & Urban Designers dated 25 November 2022;

1.3. Site Development Plan (Drawing No. 3817/C/1010) prepared by TV3 Architects, Town Planners & Urban Designers dated 22 November 2022;

1.4. The letter ITS 3201.2 from Innovative Transport Solutions to Rémey dated 24 November 2023 containing the Transport Statement;

1.5. Our letter 13/3/5/1-25/237 (Job 2848) dated 15 February 2013;

1.6. Our letter 13/3/5/1-25/237 (Job 2848) dated 18 November 2013;

1.7. Our letter 13/3/5/1-25/237 (Job 2848) dated 25 July 2014;

1.8. Our letter 16/9/6/1-25/243 (Job 17124) dated 10 February 2020;

1.9. Various emails between yourselves and this Branch in August and September; and

1.10. Several emails between this Branch and Innovation Transport Solutions in August and September.

2. This application has an impact on Divisional Road 1085 (Kromme Rhee Road), Main Road 174 (R304) and Main Road 187 (Bottelary Road).

3. This application entails the construction of a new apartment building (72 units) on the consolidated erf of Erven 276, 277 and 278 with a notarial tied to the abutting Erf 279 to accommodate the additional parking bays required for the development.

4. The Transport Statement highlights the following:

4.1. Approximately 35% of the approved rights has been taken up to date which includes the 72 residential units applied for in this application;

4.2. The change in land use from industrial to residential for these erven will in total generate less trips than what was previously approved; and

4.3. The left and right-turn lanes on the eastern approach along Kromme Rhee Road at the R304 / Bottelary Road / Kromme Rhee Road intersection is included in the detail design already submitted to the Design Directorate of this Branch as part of the conditions of approval for the next phases of the Devonbosch Development.

5. The following should be noted from our previous letters of comment:

5.1. Paragraph 6 in our letter dated 15 February 2013: "Please note that any future Section 31 requests for clearance will require the TIA to be updated to determine the trigger date for the implementation of the dedicated right turn lane on the western approach of the MR174/MR187/DR1085 signalised intersection as well as the installation of street lighting on all the approaches to the intersection." (Erratum - Western approach should read eastern approach)

5.2. Paragraph 4.4 in our letter dated 18 November 2013: "The construction of a dedicated right turn lane on the eastern approach of the R304/Bottelary Road/Kromme Rhee Road or; a capital deposit to the construction value (2013 Rand value) into a secure account or; a bank guarantee in favour of Stellenbosch Municipality or the Cape Winelands District Municipality that would secure the funds for future road infrastructure upgrading related to the Nooitgedacht Development. This Branch has the prerogative to choose the final option as set out above. Should the capital deposit be the preferred option this Branch will only Grant Section 31 clearance once the funds have been secured for this development to the satisfaction of this Branch."

5.3. Paragraph 4.2 in our letter dated 25 July 2014: "Immediate construction of a dedicated right turn lane, for northbound traffic on Divisional Road 1085, at the signalised Main Road 174 / Main Road 187 / Divisional Road 1085 intersection."

5.4. Paragraph 4.4 in our letter dated 25 July 2014: "Installing a complete streetlight system for the signalised Main Road 174 / Main Road 187 / Divisional Road 1085 intersection with immediate effect".

6. This Branch offers no objection to the application to develop 72 residential units on Erven 276, 277, 278 and 279, Koelpark, subject to the following conditions:

6.1. The right-turn lane on the eastern approach of the R304/Bottelary Road/Kromme Rhee Road intersection must be constructed before a certificate of occupation is issued for this development by Stellenbosch Municipality;

6.2. The conditions listed in paragraph 4.1, 4.3, 4.5, 4.6, 4,7 and 4.8 of our letter dated 25 July 2014 remain applicable.

7. Herewith this Branch waves the condition for the installation of streetlights as it will be installed as part of the Devonbosch Development's conditions as listed in our letter

16/9/6/1-25/243 (Job 17124) for which the design is currently being evaluated by the Design Directorate at this Branch.

8. It is recommended that the developer negotiate the funding for the construction of the right-turn lane with the management of the Devonbosch Development should the proposed upgrade of the R304/Bottelary Road/Kromme Rhee Road intersection be approved and constructed before this development applies for a certificate of occupation from Stellenbosch Municipality.

Yours Sincerely

**SW CARSTENS**
***For* DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE**
**DATE: 4 October 2023**

**ENDORSEMENTS**

1. Stellenbosch Municipality

   Attention: Mr U von Molendorff (e-mail: ulrich.vonmolendorff@stellenbosch.gov.za)

   Attention: Mr S Carstens (e-mail: stiaan.carstens@stellenbosch.gov.za)

2. TV3 Architects, Town Planners & Urban Designers

   Attention: Mr C Heys (e-mail: clifford@tv3.co.za)

3. Innovative Transport Solutions

   Attention: Mr P Arangie (e-mail: pietera@itsglobal.co.za)

4. Me S du Preez (e-mail)
5. Mr SW Carstens (e-mail)
6. Mr B du Preez (e-mail)