



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15792 (TP404/2023)

Our File Reference Number: Erf 235, Johannesdal

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

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

PER E-MAIL:

Sir / Madam

APPLICATION FOR SUBDIVISION AND PERMISSION REQUIRED IN TERMS OF A CONDITION OF APPROVAL ON ERF 235, JOHANNESDAL

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(d) and (l) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023, for:

3.1 **Subdivision** of Erf 235, Johannesdal into two portions measuring $\pm 491\text{m}^2$ (Portion A) and $\pm 804\text{m}^2$ (Portion B); and

3.2 **Permission required in terms of a condition of approval** to allow for the approval of the amended constitution of the Oakview Boutique Estate Homeowners Association.

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 proposal under consideration, attached as **ANNEXURE B & C**, 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 approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 4.3 The development must be undertaken accordance with the subdivision plan as referenced PROP_SUB-REV1, dated 29 March 2023, and attached as **ANNEXURE B**.
- 4.4 New erf diagrams or general plans for the newly created land units be submitted to this municipality for clearance and record purposes.
- 4.5 The conditions imposed by the **Director: Engineering Services** in their memo dated 12 October 2023, attached as **ANNEXURE E**, be adhered to.
- 4.6 The conditions imposed by the **Manager: Health Services (Cape Winelands)** in their memo dated 16 November 2023, attached as **ANNEXURE F**, be adhered to.
- 4.7 The conditions imposed by the **Manager: Electrical Services** in their memo dated 24 November 2023, attached as **ANNEXURE H**, be adhered to.
- 4.8 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director Infrastructure Services.
- 4.9 The remaining conditions imposed by council in its approval letter dated 23 July 2020, attached as **ANNEXURE I**, are still applicable.
- 4.10 Building plans must be submitted to this municipality for approval.

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

- 5.1 The proposed density and character of the development compliments the existing development trends in Johannesdal.
- 5.2 There will be no negative impact on existing infrastructure and additional traffic can be accommodated on the local road network.
- 5.3 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.

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.

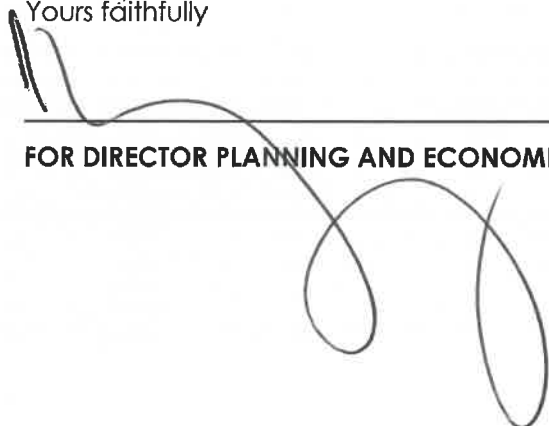
7.10 That the appeal includes the following declaration by the Appellant:

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

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

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

22/2/2024
DATE:

ANNEXURE B

**PERMISSION REQUIRED IN TERMS OF A CONDITION
OF APPROVAL: ERF 235, JOHANNESDAL**

SUBDIVISION PLAN

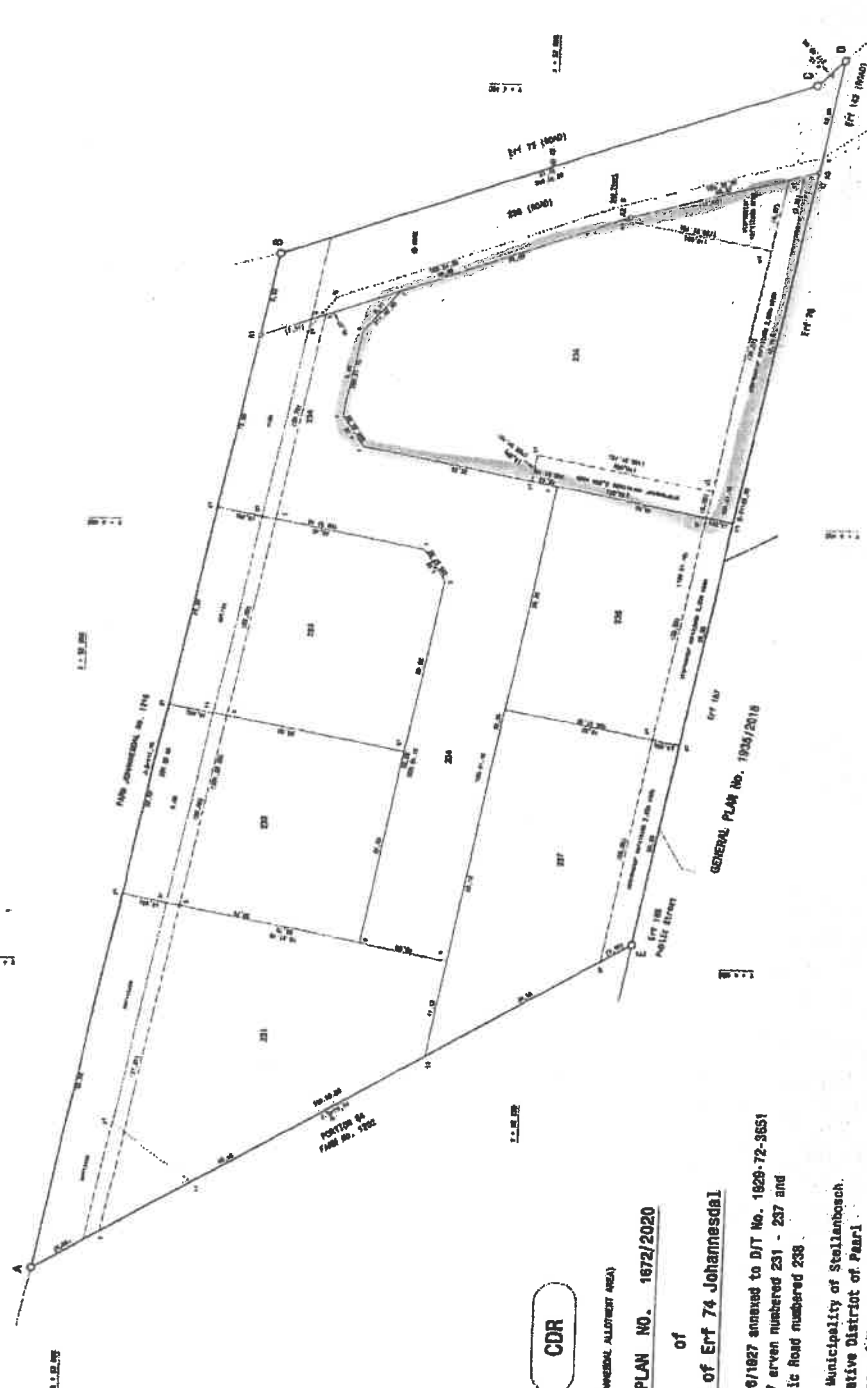
2. pseudo:

RECEIVED IN TOWN OF SECTION 05 OF
THE STERILIZATION MATRICAL LAND
ON PLANNING BY-LAW 1994
DATE: 1 SEPTEMBER
TIME: 1:00 PM - 1:15 PM 2002

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1. 2010年10月10日

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Smith, George

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NEW YORK

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For more information, call 1-800-368-5848.

MSA 100-42

SCALE 1:200

CDR

JOHN W. ALSTON, JR.

GENERAL PLAN NO. 1672/2020

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Subdivision of Erf 74 Johannesdal

vide S.G. Diagram No. A28/1827 annexed to D/T No. 1829-72-3651

1 Public Road numbered 239

Situate in the Municipality of Stellenbosch.

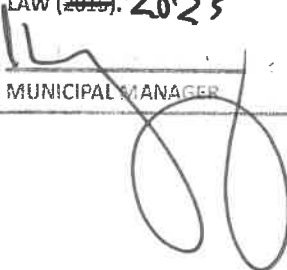
Administrative District of Pa
Province of Western Cape

SCALE 1:200

ANNEXURE C

**PERMISSION REQUIRED IN TERMS OF A CONDITION
OF APPROVAL: ERF 235, JOHANNESDAL**

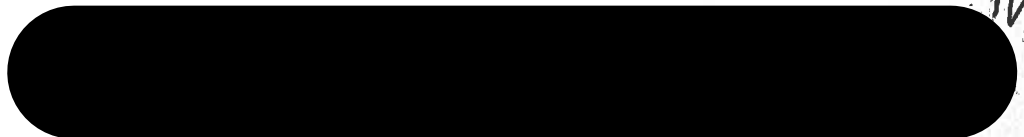
**OAKVIEW BOUTIQUE ESTATE HOME
OWNERS ASSOCIATION
CONSTITUTION**

STELLENBOSCH MUNICIPALITY	
THE OWNERS ASSOCIATION CONSTITUTION IS HERESY APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY- LAW (2015). 2023	
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CONSTITUTION OF
OAKVIEW BOUTIQUE ESTATE
HOME OWNERS' ASSOCIATION



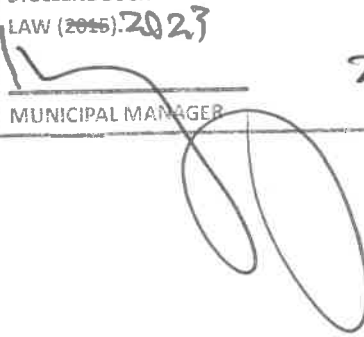
DEVELOPER:



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STELLENBOSCH MUNICIPALITY

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1. ESTABLISHMENT IN TERMS OF STATUTE

The Oak View Boutique Estate Home Owners' Association have been established in accordance with the conditions of approval imposed in terms of Section 60 of the Stellenbosch Municipal Land Planning By-Law when approving the rezoning, subdivision and regulation departures of Erf 74 Johannesburg, situated in the Municipality and Division of Stellenbosch, Province of the Western Cape.

2. INTERPRETATION

2.1 The following words shall, unless the context otherwise requires, have the meanings hereinafter assigned to them:

2.1.1 "Association" means the Oak View Boutique Estate Homeowners' Association;

2.1.2 "Business day" means weekdays other than Saturdays, Sundays and public holidays;

2.1.3 "Chairman" means the chairman of the trustee committee;

2.1.4 "Common area" means the land comprising of private roads and private open spaces situated within the Oak View Boutique Estate;

2.1.5 "Council" means the Stellenbosch Municipality;

2.1.6 "Architectural and Landscape Design Framework" means the design guidelines approved by the Council to control all aspects of design and landscaping of the development and annexed hereto.

2.1.7 "Erven" means 7 subdivided conventional residential erven

2.1.8 "the Developer" means The O Auto Investments (Pty) Ltd, Registration Number 2013/174340/07.

2.1.9 "Controlling Architect" means Newton Fincham Architects.

2.1.10 "Member" means a member of the Association as defined in this document.



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2.1.11 "Person" with regard to membership of the Association, shall include a company, club, partnership, trustees of a trust, or other association of persons entitled in law to hold title of immovable property;

2.1.12 "Services" means inter alia, the roads and road system, verges, parking bays, water supply, sewerage pipes, electricity cables, stormwater, and all other municipal services within the common area and erven and includes the communication systems, street lighting, boundary wall and main entrance gate;

2.1.13 Words importing the singular number shall include the plural number and words importing the masculine and feminine genders shall include the neuter gender and the converse shall apply.

3. PURPOSE DESCRIBING MAIN BUSINESS

The main business of the Association is to carry on the promotion, maintenance, advancement and protection of the common areas in the township area as well as the collective interests of the registered owners of the erven and retain the value of the land assets. The Association will also be responsible for the maintenance of the internal private services. The Association shall exercise the duties, functions and powers assigned to it as contemplated in this Constitution, and the Community Scheme Ombud Service Act (Act 9 of 2011).

4. MAIN OBJECT

The main object of the Association is:

4.1 the control over the external of:

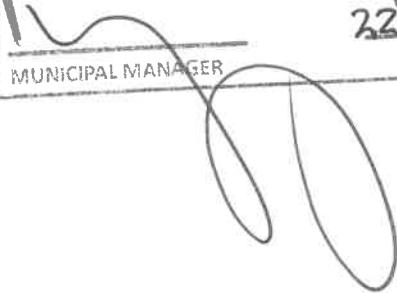
4.1.1 all buildings, and/or structures and/or services erected or to be erected on the erven;

4.1.2 the maintenance of all buildings and/or structures erected or to be erected on the erven; and

4.1.3 the maintenance of all buildings, roads, services and amenities on the common areas; and

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4.1.4 the compliance with the architectural design and landscaping manual;

4.1.5 the promotion, advancement and protection of the communal and group interests of the members generally;

4.1.6 to take transfer of the common areas simultaneously with the first passing of transfer of the erven.

5. STATUS OF THE ASSOCIATION

5.1 The Association has been established in accordance with the conditions of approval imposed in terms of Section 60 of the Stellenbosch Municipal Land Planning By-Law, when approving the rezoning, subdivision and regulation departures of Erf 74 Johannesdal, situated in the Municipality and Division of Stellenbosch, Western Cape Province.

5.2 The Association shall have legal personality and shall be capable of suing and being sued in its own name.

5.3 The Association shall be not for profit, but for the benefit of its members.

5.4 The Association shall come into being upon the separate registration of the first transfer of the first deducted land unit in the residential component arising from the subdivision. The Developer shall accordingly assume the responsibilities of the Home Owners' Association until the establishment of the Association.

6. FINANCIAL YEAR END

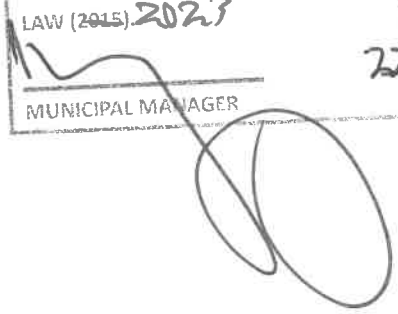
The financial year-end of the Association is the end of February of each year.

7. MEMBERSHIP OF THE ASSOCIATION AND TITLE DEED CONDITION

7.1 Membership of the Association shall be compulsory for every registered owner of an erf.

7.2 Such membership shall commence simultaneously with the transfer of the erf into the name of the transferee.



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- 7.3 Membership of the Association shall be limited to the registered owners of the erven provided that:
- 7.3.1 a person who is entitled to obtain a certificate of registered title to any such erf shall be deemed to be the registered owner thereof;
 - 7.3.2 where any such owner is more than one person, all the registered owners of that erf shall be deemed jointly and severally to be one member of the Association and nominate one owner to represent them and vote at meetings of the Association.
- 7.4 When a member ceases to be the registered owner of an erf, he shall ipso facto cease to be a member of the Association.
- 7.5 A member shall not be entitled to:
- 7.5.1 sell or transfer an erf unless it is a condition of sale and transfer that:
 - 7.5.1.1 the transferee becomes a member of the Association and that such condition is contained in the Title Deed;
 - 7.5.1.2 the registration of transfer of that erf into the name of that transferee shall ipso facto constitute the transferee as a member of the Association;
 - 7.5.1.3 he first obtains the written consent of the Association which consent shall be given provided the transferor has complied with his obligations in terms of this Constitution and the transferee of such erf agrees in writing to abide by the rules of the constitution of the Association as at the date of transfer of the erf;
 - 7.5.2 without the prior written approval of the trustees to:
 - 7.5.2.1 erect any new buildings and/or structures of any nature whatsoever on his erf;



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7.5.2.2 make any changes or alternations to existing buildings and/or structures on his erf, including changes to the external colour scheme.

7.6 The approval of the trustees as contemplated in clause 7.5.2 shall always be given provided the proposed change complies substantially with the municipal by-laws as well as with the architectural design and landscaping manual: The foregoing shall not be interpreted as detracting from the final responsibility of the Council to approve plans in terms of the applicable legislation.

7.7 The registered owner of an erf may not resign as a member of the Association and shall remain a member for as long as such owner is the registered owner of any erf in the development.

7.8 The rights and obligations of a member shall not be transferrable and every member shall:

7.8.1 to the best of his ability further the objects and interests of the Association;

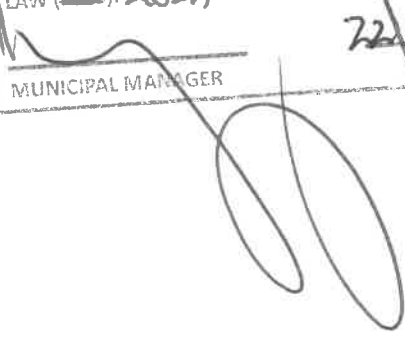
7.8.2 observe all by-laws and regulations made by the Association or the trustee committee; provided that nothing contained in this constitution shall prevent a member from ceding his rights in terms of this constitution as security to the mortgagee of that member's erf.

7.9 No member ceasing to be a member of the Association for any reason shall, (nor shall any such member, executor, curators, trustees or liquidators) have any claim upon or interest in the funds or other property of the Association, but this clause shall not detract from the Association's right to claim from such member or his estate any or other sums due from him to the Association at the time of his so ceasing to be a member.



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8. LEVIES PAYABLE BY THE MEMBERS

- 8.1 Members are jointly liable for the expenditure incurred in connection with the Association, provided such expenditure has been pre-approved by the members in accordance with this Constitution and any applicable rules.
- 8.2 The trustee committee shall from time to time, impose levies upon the members for the purpose of meeting all the expenses which the Association has incurred, or to which the trustee committee reasonably anticipates the Association will be put by way of maintenance, repair, improvement and keeping in order and condition of the common areas including, specifically landscaping, all township services, sewage treatment, the security systems to be installed on the common areas and/or for payment of all rates and other charges payable by the Association in respect of the common areas; and/or for the services rendered to it, and/or for payment of all expenses necessary or reasonably incurred in connection with the management of the Association. The trustee committee shall take into account, income, if any, earned by the Association in determining the monthly levy payable by members.
- 8.3 The trustee committee shall estimate the amount which shall be required by the Association to meet the expenses during each year, together with such estimated deficiency, if any, as shall result from the preceding year, and shall make a levy upon the member's equal as nearly as is reasonably practical to such estimated amount. The trustee committee may include in such levies an amount to be held in reserve to meet anticipated future expenditure not of an annual nature. Every such levy shall be made payable by equal monthly instalments due in advance on the first day of each and every succeeding month of such year. The estimates for the next year shall be submitted to the members at the annual meeting preceding the next year, for consideration.
- 8.4 The trustee committee may from time to time and with a 75% majority approval by way of a voting of members at a special meeting of the Association, make special levies levied upon the members in respect of all such expenses as are mentioned in this clause 8 (which are not included in any estimate made in terms of clause 8.3) and such levies may be made in the sum or by such instalments and at such time or times as the trustee committee shall think fit.

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- 8.5 Any amount due by a member by way of a levy shall be a debt due by him to the Association. The obligation of a member to pay a levy shall cease upon his ceasing to be a member of the Association, without prejudice to the Association's right to recover arrear levies. No levies paid by a member shall under any circumstances be repayable by the Association upon his ceasing to be a member. A member's successor in title to an erf shall be liable as from the date upon which he becomes a member pursuant to the transfer of that erf, to pay the levy attributable to that erf.
- 8.6 The total estimated levy as contemplated in clause 8.2 and 8.4 shall be apportioned between the members pro rata to the area of their respective erven, subject to the provisions of clause 8.7 below.
- 8.7 Any special levies imposed by the trustees in terms of clause 8.4 may be apportioned between the members by the trustees in a manner, which the trustees may regard as reasonable, regard being had of the direct benefits which the member(s) may derive from the proposed expenditure for which the special levies are imposed.
- 8.8 No member shall be entitled to any of the privileges of membership, such as voting, unless and until he shall have paid every levy and other sum (if any) which shall be due and payable to the Association in respect of his membership thereof.
- 8.9 The Developer shall not be obliged to pay a levy on any undeveloped Erf registered in the name of the Developer.

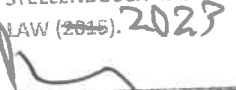
9. ARCHITECTURAL DESIGN AND LANDSCAPING MANUAL

- 9.1 The trustees may, subject to a 75% majority vote of members at a General Meeting, amend, amplify, clarify or add to the provisions of the Architectural and Landscape Design Framework.
- 9.2 The trustees shall by written notice inform all members of any amendment or addition to the architectural design and landscaping manual.



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- 9.3 All buildings and other structures erected on any erf shall materially comply with the provisions of the architectural design and landscaping manual. In the event of there being a dispute as to compliance, the matter shall be referred to the Controlling Architect for a final and binding decision on all parties, which shall be communicated to all parties within 7 (Seven) days of any submission being made to the Controlling Architect.

10. DEALING WITH THE COMMON AREA

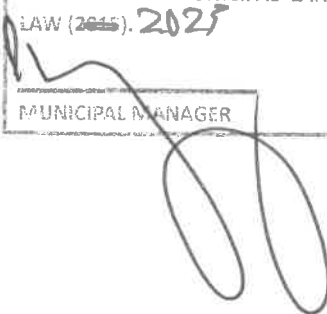
Neither the whole nor any portion of the common area shall be:

- 10.1 sold, let, alienated, otherwise disposed of, subdivided or transferred; or
- 10.2 mortgaged; or
- 10.3 subjected to any rights, whether registered in a deeds registry or not, of use, occupation or servitude, (save those enjoyed by the members in terms hereof); or
- 10.4 built upon, improved or enhanced in value by the construction of buildings, erections, facilities or amenities, without the sanction of a special resolution of the Association.

11. RESPONSIBILITY FOR THE COMMON AREA

- 11.1 The Association shall take title to the common area simultaneously with the first separate registration of an erf.
- 11.2 The Association acknowledges that the Association shall be solely responsible for the care, repair, maintenance, cleaning, upkeep, improvement and proper control of the common area, all services therein and any structure or thing erected on or contained therein, including the private road and parking thereon. Members of the Association shall, however, be solely liable, at their own expense, for the maintenance of the sidewalk in front of the erf that they are owners, notwithstanding that such sidewalk is common property.
- 11.3 The street lighting installation will remain the responsibility of the Association.



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12. AMENDMENTS TO CONSTITUTION

- 12.1 This constitution, or any part thereof, shall not be repealed or substantially and materially amended, and no significant new provisions shall be made, save by a special resolution adopted at an annual general meeting or a general meeting of the members and subject further to the prior written consent of the Council being obtained.

13. EFFECTIVE DATE

This Constitution shall come into force when the first erf in the development, is registered in the Deeds Office.

14. FIRST MEETING OF THE ASSOCIATION AND ASSOCIATED PROVISIONS

- 14.1 The Association shall hold its first annual general meeting within 4 (Four) months from date of establishment.
- 14.2 The Developer shall have one vote for each erf registered in its name at all meetings of the members of the Association. It is recorded that this shall be the case until each and every erf is transferred to purchasers thereof.
- 14.3 Until such time, the Developer shall collect levies and act as interim Trustees of the Association.
- 14.4 After 51% of Erven have been sold, the members shall elect at least 3 (Three) Trustees who shall manage the Association in accordance with the Constitution of Association and the Developer shall hand over all records and bank accounts to the elected Managing Agent, on request.
- 14.5 Every Trustee shall be entitled to a quarterly expense amount of R100.00 (ONE HUNDRED RAND) to cover telephone charges etc. incurred while on Trustee duties. This amount will be reviewed at every annual meeting of the Association.
- 14.6 Apart from the above, the Trustees shall not be entitled to any remuneration for the execution of their duties, unless 100% of the Trustees agree otherwise and the remuneration in question is for extraordinary expenses.



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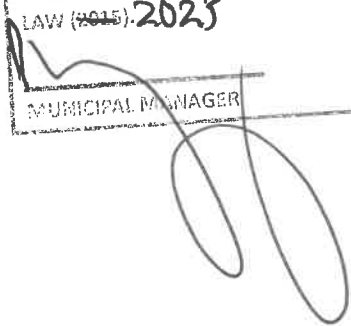
32/2/2024
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- 14.7 The Developer shall, upon opening of the township register, be authorized to contract with such service providers as it may deem necessary, including a Managing Agent who in turn shall appoint a handyman to manage the day to day care of the complex under the Managing Agent's control (remove dustbins to road on rubbish collection day and return them to the Erven, replace common are light bulbs, sweep and clean common area, perform maintenance landscaping duties etc) and thereafter, if required, contract with a Landscaping Maintenance contractor and such other service providers as are deemed necessary, including an accountant to manage the financial and accounting functions required of the Association. At the first meeting of owners as referred to in clause 14.1 above, the rights and obligations of all contracts so concluded by the Developer shall be ceded to the Association.
- 14.8 The Developer shall furthermore be authorized to open a bank account in the name of the Association. At the first meeting as is referred to in clause 14.1, the trustees shall take over any account in the name of the Association that has already been opened.
- 14.9 The Trustees shall be entitled to appoint committees consisting of such member of their Members and such outsiders, as they may deem fit and to delegate to such committees such of their functions, powers and duties as they may deem fit, with further power to vary or revoke such appointments and delegations, as the Trustees may from time to time deem necessary

15. DEVELOPMENT OF ERVEN

- 15.1 All building plans shall first be submitted to the Controlling Architect for approval prior to submission to Council. Council shall not approve Building Plans unless such plans bear the official stamp and signature of approval from the Controlling Architect.
- 15.2 The submission of Building Plans by an owner for the erection of a new structure in accordance with the Building Plans contained in the architectural design and landscaping manual will not attract a fee for submission and approval by the Controlling Architect.



STELLENBOSCH MUNICIPALITY	
THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY- LAW (2015). 2023	
 MUNICIPAL MANAGER	32/2/2024 DATE

All submissions for alterations, additions and new constructions where there are deviations from the aesthetically approved Building Plans originally submitted, shall attract a fee as determined by the Controlling Architect from time to time, which fee shall be payable to the Controlling Architect to check and approve the submission. Subsequent corrected submissions shall attract an additional review fee as determined by the Controlling Architect from time to time, which fee shall be payable to the Controlling Architect to check and approve the submission.

- 15.3 The Controlling Architect's decision shall be final and binding on all members and the Association. In the event of a proposed purchaser of an Erf requesting changes to an existing building on an erf prior to becoming a member, the same submissions process will apply, and such proposed purchaser will be bound by the decision of the Association. The proposed seller of an erf shall indemnify the Association against any claims brought against the Association from a would-be purchaser and arising from such review.

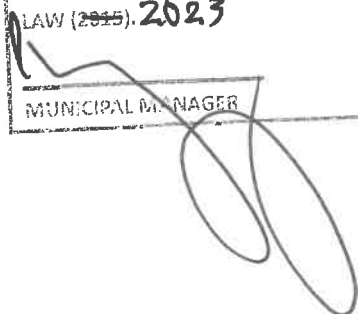
16. CONDUCT RULES

- 16.1 The Association may make such conduct rules, including rules to control access and egress and building operations, as it may deem necessary for the promotion of safe and harmonious community-living in the Estate and for the control, management, administration, use and enjoyment of the common property of the Association.
- 16.2 The conduct rules made by the Association, and any addition thereto, or substitution, amendment or repeal thereof, may not be in conflict or irreconcilable with any provision of this Constitution. In the event of any such conflict or irreconcilability, the provision of the Constitution shall prevail.

17. PENALTIES DETERMINED BY THE TRUSTEES

- 17.1 The Trustees may from time to time determine the penalties to be imposed for the breach of a provision of this Constitution or the Conduct Rules, including the amount of an initial and subsequent fine.



STELLENBOSCH MUNICIPALITY	
THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY- LAW (2015). 2023	
 MUNICIPAL MANAGER	22/2/2024 DATE

17.2 Any fine imposed on, or cost of the remedying of a breach of the provisions of this Constitution or the Conduct Rules claimed from, a member may, if it is not paid within 10 (ten) days after the member has been notified of the imposition of the fine or the claim, be added to the monthly levy payable by that member in terms of clause 8 and claimed as if it were part of such levy.

17.3 Any fine imposed on, or cost of the remedying of a breach of the provisions of this Constitution or the Conduct Rules claimed from a person who is not a member, may, if it is not paid within 7 (seven) days after the offender has been notified of the imposition of the fine or the claim, be claimed through due process of law.

18. **BINDING NATURE OF CONSTITUTION AND CONDUCT RULES**

18.1 The provisions of this Constitution and of the Conduct Rules shall be binding on all members and also on all other persons who, for whatever purpose, enter the Estate.

18.2 It shall be the duty of a member to ensure compliance with the provisions of this Constitution and the Conduct Rules by her or his lessee or any other occupant of her or his dwelling, including the employee, worker, guest and any member of the family of the member concerned or of her or his lessee or the other occupant of her or his dwelling.

19. **ELECTRICITY METERS AND WATER READINGS**

19.1 Each erf will have a prepaid electrical meter installed to ensure that the electrical consumption of each erf can be recorded separately.

19.2 The Developer shall, on behalf of the Association, contract with a metering company, who shall forthwith attend to the monthly readings of each erf's consumption. The metering company shall submit a monthly reconciliation to the Association, who will thereafter submit each erf's consumption to the owners thereof, together with the levy statement, for payment.



STELLENBOSCH MUNICIPALITY

THE OWNERS ASSOCIATION CONSTITUTION IS HERESY
APPROVED IN TERMS OF SECTION 60 OF THE
STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-
LAW (2015). 2023

MUNICIPAL MANAGER

DATE

22/3/2024

ANNEXURE E

**PERMISSION REQUIRED IN TERMS OF A CONDITION
OF APPROVAL: ERF 235, JOHANNESDAL**

**COMMENT FROM THE DIRECTOR:
ENGINEERING SERVICES**



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Nolusindiso Momoti
From ▫ Van: Manager: Development (Infrastructure Services)
Author ▫ Skrywer: Tyrone King
Date ▫ Datum: 12 October 2023
Our Ref ▫ Ons Verw: Civil LU 2592
Town Planning Ref: LU/15792 – TP404/2023
Re ▫ Insake: Erf 235, Johannesburg: Application is made in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-law, promulgated by notice number 354/2015, dated 20 October 2015 for a Subdivision of Erf 235, Johannesburg into two portions measuring $\pm 491\text{m}^2$ (Portion A) and $\pm 804\text{m}^2$ (Portion B) respectively. Application is made in terms of Section 15(2)(l) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 for permission required in terms of a condition of approval to allow for the approval of the constitution of the Oakview Boutique Estate Homeowners Association.

The application is recommended for approval, subject to the following conditions:

1. **Civil Engineering services**
- 1.1 New water and sewer erf connections for the new erf to be installed by Owner at his cost.

- 1.2 New connections and services to be generally in accordance with Drawing No 1393/02A by Bart Senekal. Detail drawings to be submitted for approval and variations to design may be applicable.

2. Roads

- 2.1 Access to all erven must be from inside the private estate. Indicate clearly on building plans.

3. Development Charges (DCs)

- 3.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage – final calculation will be provided prior to payment.
- 3.2 The DC's were calculated by using the 2023/2024 tariff structure. If DC's are paid after 30 June 2024 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 3.3 The appropriate DC's are payable before subdivision clearance.



Tyrone King Pr Tech Eng
Manager: Development (Infrastructure Services)

Stellenbosch Municipality

Development Charge Calculation

Application Number:	2592 0 Erf 235 Johannesburg (LJ- 15792 TP40-4-2023)
Development Name:	Oak View Estate
Date:	12 October 2023
Financial Year:	2023/2024
Erf Location (Selected from 7 Locations):	
Erf Region (Select Urban or Rural):	
Erf No. / Farm No.:	Erf 235
DC Parameters Reference:	Proposed subdivision Erf 235 Johannesburg; Ref JCH235; Dwg: Prop_Sub-Rev1; Date: 29 March 2023 by FSV

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals	
Unit(s):	kl/day	kl/day	ha°C	1/week	trips/day		persons		
Total Increased Services Usage:	0.3	0.55	0.003	0.04	4				
Total Service Usage Reduction:	0	0	0	0	0.0		4		
Total Service Usage after Reduction:	0.30	0.55	0.00300	0.040	4.0		0		
Charges before adjusting for positive only, before Deductions	R 10 218.10	R 13 847.57	R 280.67	R 3 912.46	R 29 060.78	R 57 329.59	R 15 430.31	R 72 759.89	
Charges adjusted for positive only, before Deductions	R 10 218.10	R 13 847.57	R 280.67	R 3 912.46	R 29 060.78	R 57 329.59	R 15 430.31	R 72 759.89	
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -	
Total Development Charges Payable (excluding VAT):	R 10 218.10	R 13 847.57	R 280.67	R 3 912.46	R 29 060.78	R 57 329.59	R 15 430.31	R 72 759.89	
VAT:	R 1 532.72	R 2 077.14	R 43.60	R 568.87	R 4 358.12	R 8 596.44	R 2 314.55	R 10 913.98	
Total Development Charges Payable (including VAT):	R 11 750.82	R 15 924.70	R 334.27	R 4 481.33	R 33 418.90	R 65 926.02	R 17 744.85	R 83 670.87	

Application Processed by:	Tyrone King
Signature:	
Notes:	

Dwarfed by the

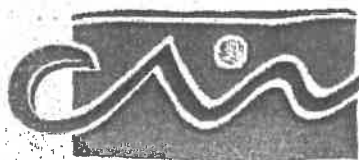
Unit Type		Existing Usage		Proposed New Usage		Increased Usage		Value		Sewer		Stormwater		Solid Waste		Roads & Transport		Sub Total		Community		Total		
Unit	Area (m2)	Unit Amount	Result	Area (m2)	Unit Amount	Result	Amount	Value	Yr	Yr	Yr	Yr	Yr	Yr	Yr	Yr	Yr	Yr	Yr	Yr				
Residential	Single Residential >100m2	du					-1	R	40 872.42	R	17 624.18	R	4 890.85	R	-3 912.40	R	-20 060.78	R	99 120.44	R	15 430.31	R	111 660.70	
	Single Residential >500m2	du					1	R	27 246.26	R	18 385.31	R	2 712.89	R	3 912.40	R	20 060.78	R	79 280.71	R	15 430.31	R	94 738.01	
	Single Residential <250m2	du					1	R	23 842.24	R	15 108.44	R	2 220.43	R	3 912.40	R	20 060.78	R	74 180.38	R	15 430.31	R	89 868.97	
	Second Dwelling	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Use Formed Residential	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
Accommodation	Group Residential	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Apartment	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Retirement Village	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Old age home	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Student Accommodation/Communal/Herbals	rooms					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
Commercial	Guest House	rooms					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Converted Guest House	rooms					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Hotel, Residential	rooms					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	General Business	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Clinic	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
Industrial	Retail/Shop	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Restaurant	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Outdoor Function / Picnic Area	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Conference Facility/Place of assembly	persons					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Hospital/Clinic/Medical Rooms	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	University/College	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Schooling Care	student					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Industrial - light	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Industrial - heavy	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Warehousing/Light Manufacturing	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
Non demand	Storage Facilities	unit					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Open Space/Natural Environment/Utility Site	ha					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	Roads and Parking	ha					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
	To be calculated	n/a					0.0000	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
Other	(Based on equivalent demands)	n/a					0.0000	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	
Total Area		0	Total Area		0		Total Area		0		Total Area		0		Total Area		0		Total Area		0		Total Area	

Charges before adjusting for positive only, before Deductions																
Charges adjusted for positive only, before Deductions																
Deductions per service (from usage reductions)																
Discount Deduction (%)																
Additional Deduction per service - from Service Agreement (sum)																
Sub Total after Adjustments and Deductions (including VAT)																
VAT																
Total Development Charges																
Product	R	10 218.10	R	13 847.57	R	280.87	R	3 912.48	R	28 060.78	R	57 328.58	R	15 430.31	R	72 789.89
	R	10 218.10	R	13 847.57	R	280.87	R	3 912.48	R	28 060.78	R	57 328.58	R	15 430.31	R	72 789.89
	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Percentage: 0.00%	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
Totals	R	10 218.10	R	13 847.57	R	280.87	R	3 912.48	R	28 060.78	R	57 328.58	R	15 430.31	R	72 789.89
	R	1 532.72	R	2 077.14	R	43.80	R	588.87	R	4 335.12	R	8 589.44	R	2 314.55	R	10 913.80
	R	1 775.02	R	15 224.70	R	324.27	R	4 499.35	R	32 418.91	R	65 918.02	R	17 744.86	R	83 662.87

ANNEXURE F

**PERMISSION REQUIRED IN TERMS OF A CONDITION
OF APPROVAL: ERF 235, JOHANNESDAL**

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



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

MEMORANDUM TO/ AAN : N.Katts
(Planning Economic &
Development Services: Stellenbosch Municipality)
Official / Beampte : Ms. N. Ngola
Your ref/ U vrew. : Erf 235
Ref No / Verw. No : 15/2/6/1
Date / Datum : 16/11/2023

**APPLICATION FOR CONSENT USE AND DEPARTURE: FARM NR LU/15792 ERF235,
LUMELEY STREET JOHANNESDAL, STELLENBOSCH, WESTERN CAPE**

There are no objections from an Environmental Health point regarding this application, subject to compliance with the following:

Your letter dated 29 June 2023, in the above regard refers.

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

1. Sewerage system from the proposed development must be connected to the Municipal sewerage system according to Stellenbosch Municipality's specifications, conditions, and approval.
2. Sewage disposal on the premises must always take place in a nuisance-free manner and shall be the owner's responsibility.
3. The quality of the potable water on the premises must always comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.
4. Refuse collection and storage must be done in a way that will not cause a health nuisance.
5. The proposed development must be provided with a refuse area that is large enough to store all the refuse generated on the premises, inaccessible to the public (ie equipped with a lockable door or gate)
6. All areas where food is handled must comply with the minimum requirements for food handling premises as determined in Regulation R638 (General Hygiene Requirements for Food Premises Regulations) in terms of the Foodstuffs, Cosmetics and Disinfectants Act, of 22 June 2018 under the National Health Act.
7. Said food handling areas may in no circumstances be operated without application being made to the Environmental Health Department of the Cape Winelands District Municipality

for a Compliance Certificate. This certificate will only be issued after inspection and if the premises meet the requirements of Regulation R638.

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



Nolusindiso Nqola
Environmental Health Practitioner
Obo. MUNICIPAL MANAGER

ANNEXURE H

**PERMISSION REQUIRED IN TERMS OF A CONDITION
OF APPROVAL: ERF 235, JOHANNESDAL**

**COMMENT FROM THE MANAGER:
ELECTRICAL SERVICES**

Johannesdal-Pniel erf 235

GENERAL COMMENT:

1.

CONDITIONS:

2. The proposed subdivided portion of Erven 235 new erf must have its own electricity supply cable separate of the existing erf.
3. Installation cost for the new electrical service cable is the responsibility of the applicant.
4. All electrical wiring for the building on the proposed subdivided portion A should be carried out in accordance with SANS 10142 & SANS104 XA and if -if connecting a generator or solar pannels for backup, the setup needs to comply to SANS10142 and Municipal by-laws
5. No electricity supply will be switched on if the Certificate of Compliance is outstanding.

ANNEXURE I

**PERMISSION REQUIRED IN TERMS OF A CONDITION
OF APPROVAL: ERF 235, JOHANNESDAL**

PREVIOUS APPROVAL



STELLENBOSCH

Application Number: LU/8672
Our File Reference Number: Erf 74, Johannesdal
Your Reference Number: None
Enquiries: Ulrich von Molendorff
Contact No: 021 - 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

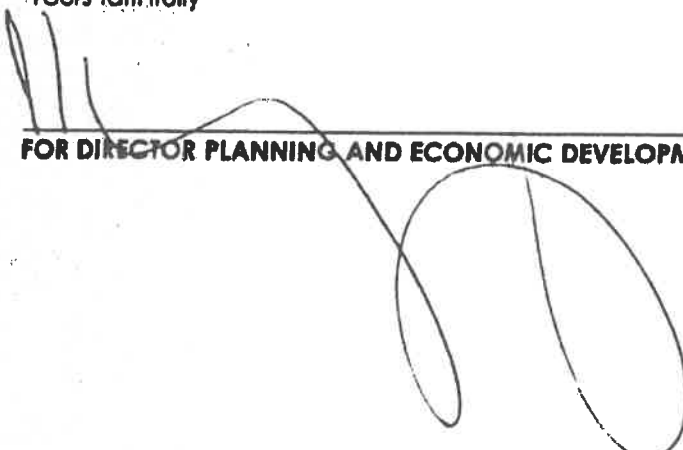
PER E-MAIL: Emile@vdm@adept.co.za

Sir

APPLICATION FOR REZONING, SUBDIVISION, REGISTRATION OF SERVITUDE, APPROVAL OF HOME OWNER'S ASSOCIATION, APPROVAL OF ARCHITECTURAL & LANDSCAPE DESIGN FRAMEWORK AND APPROVAL OF STREET NAME AND NUMBERING ON ERF 74, JOHANNESDAL

1. This Municipality's letter dated 23 July 2020, refers.
2. I wish to advise that the appeal process has now been concluded and herewith confirm that no appeal has been lodged with the Municipality as contemplated in section 79(2) of the Stellenbosch Municipal Land Use Planning By-law.
3. Accordingly, you may now act on the decision detailed in my letter dated 23 July 2020, subject to compliance with the conditions of approval.

Yours faithfully



FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

21/9/20.
DATE



STELLENBOSCH
STELLENBOSCH • FNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/8672

Our File Reference Number: Erf 74, Johannesburg

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: emilevdm@adept.co.za

Sir / Madam

APPLICATION FOR REZONING, SUBDIVISION, REGISTRATION OF SERVITUDE, APPROVAL OF HOME OWNER'S ASSOCIATION, APPROVAL OF ARCHITECTURAL & LANDSCAPE DESIGN FRAMEWORK AND APPROVAL OF STREET NAME AND NUMBERING ON ERF 74, JOHANNESDAL

1. The above applications refer.
2. The duly authorised decision maker has decided on the above applications 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 Erf 74, Johannesburg for:
 - 2.1.1 The rezoning of the said property from Agricultural Zone I to Subdivisional Area in terms of Section 15(2)(a) of the said by-law to allow for the following uses as depicted on plans with reference nr. SUB74(1), SUB74(2), SUB74(3), dated 08 August 2019 and 05 December 2019, and drawn by Red Atlantic:
 - a. Six (6) Residential Zone I erven measuring $\pm 1\,372\text{m}^2$ (portion 1); $\pm 515\text{m}^2$ (portion 2); $\pm 625\text{m}^2$ (portion 3); $\pm 1\,300\text{m}^2$ (portion 4); $\pm 587\text{m}^2$ (portion 5) and $\pm 605\text{m}^2$ (portion 6) to accommodate freestanding single residential units;
 - b. One (1) Open Zone II erf measuring $\pm 992\text{m}^2$ for purposes of a private road;
 - c. The phasing of the development into three (3) phases;

2.1.2 The **subdivision** in terms Section 15(2)(d) of the said by-law in accordance with the subdivision plan SUB74(1), SUB74(2), SUB74(3), dated 08 August 2019 and 05 December 2019, and drawn by Red Atlantic, allow for the development in accordance with the subdivisional zone above; and inclusive of the registration of a 3m wide storm water servitude on the southern boundary.

BE APPROVED in terms of Section 60 of the said By-Law.

2.2 Reasons for the above Decision

The application is supported for the following reasons:

- a. The proposed density and character of the development compliments the existing development trends in Johannesburg;
- b. The proposed residential development constitutes infill development and therefore in line with the principles of the SDF;
- c. The proposal would not impact negatively on the safety and welfare of the members of the community or have an effect on existing rights concerned;
- d. There will be no negative impact on existing infrastructure and additional traffic can be accommodated on the local road network;
- e. The proposed development will have a positive impact on the town's local economy as it will create many new employment opportunities during the construction phase;
- f. The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.
- g. The proposal will result in more efficient utilization of the subject property which cannot be viably utilized in terms of its current zoning.
- h. Registration of right-of-way servitude of 6.5m as per conditions from the Engineering Department.
 - (i) The required right-of-way servitude must remain unobstructed and as such no building work or landscaping may be construed within such servitude.
 - (ii) Integration into the existing Johannesburg Neighbourhood

- (iii) The proposed development will be first and only security "gated" estate within the Johannesburg neighbourhood. The reason for the private roads, was due to the developer not being able to bore the cost for the construction of the road, and also to not comply with standard engineering standards.
- (iv) This however does not provide sufficient reasons why this development cannot be integrated with the existing neighbourhood, and thus the physical closing of this development by means of an entrance gate, boom or walled areas are not supported at the entrance to this development.

3. That such approval BE SUBJECT to the following conditions in terms of Section 56 of the said Bylaw:

- 3.1 The approval applies only to the applications in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- 3.2 The approval is valid for **5 years** from date of final notification;
- 3.3 New erf diagrams or general plans for the newly created land units be submitted to this municipality for clearance and record purposes;
- 3.4 The applicant submits and electronic copy (shp, dwg, dxf) of the General Plan which was preliminary approved by the SG. The following information must be indicated:
 - Newly allocated erf numbers
 - Co-ordinates
 - Survey Dimensions
 - Street Names (if approved by Council)
- 3.5 A revised Constitution for such Association, inclusive of the Architectural and Landscape Design Guidelines, be submitted for approval by the Director: Planning and Economic Development and that the OA comply with such requirements as may be imposed;
- 3.6 The common property be formally transferred in favour of the Owners Association with the first residential property being transferred;
- 3.7 The private road must be part of Phase 2 of the development;
- 3.8 The 6.5m portion on Erf 74 must be reserved by means of a servitude in favour of the Municipality and must be indicated on the approved general plan.
- 3.9 All servitudes must reflect on the title deeds of the affected properties;

3.10 That all public places and public streets be transferred to the Local Authority upon transfer of the first unit/erf in that subdivision.

3.11 A detailed landscaping plan be submitted to the Municipality for approval by the Director: Planning and Economic Development for all common areas within the development;

3.12 The entrance gates, refuse yard and all external boundary walls are to comply with the boundary walls & fences by-law of Council;

3.13 The conditions imposed by the Directorate: Engineering Services in their memo dated 03 February 2020, attached as Annexure M be adhered to;

3.14 The conditions imposed by the Manager: Electrical Services in their memo dated 25 April 2019, attached as Annexure L be adhered to;

3.15 Building plans will only be approved when all conditions of approval have been compiled with.

3.16 That no entrance gates or boom gates be allowed at the main entrance of the subject development and that the architectural guidelines and the Home Owners Association be amended to incorporate this condition, where applicable.

4. Matters on the application to be noted

4.1 That the approval in the name of the development and the naming of the streets as per proposed subdivision plan, with reference to **ANNEXURE B; BE OBTAINED** from the Executive Mayor of Stellenbosch as the duly authorised decision maker on such matters.

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

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

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

(i) First names and surname;

(ii) ID number;

- (III) Company of Legal person's name (if applicable)
- (IV) Physical Address;
- (V) Contact details, including a Cell number and E-Mail address;

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

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

- (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
- (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

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

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

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

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

(h) the relief sought by the appellant; and

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

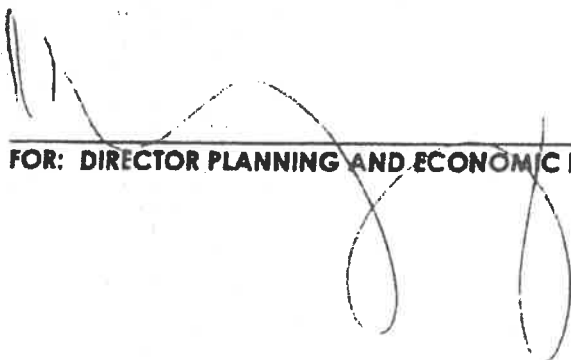
(j) That the appeal includes the following declaration by the Appellant:

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

7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: Londrina.Kamindath@stellenbosch.gov.za

8. An applicant who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The LU Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
9. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
10. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully


FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

23/7/20.
DATE:

CC:

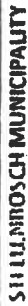
The Surveyor-General

Private Bag X9028

CAPE TOWN

8000

PER EMAIL: sqlodgementwc@dtdl.gov.za



THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 50 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER APPENDIX.

21720
DATE

MUNICIPAL MANAGER

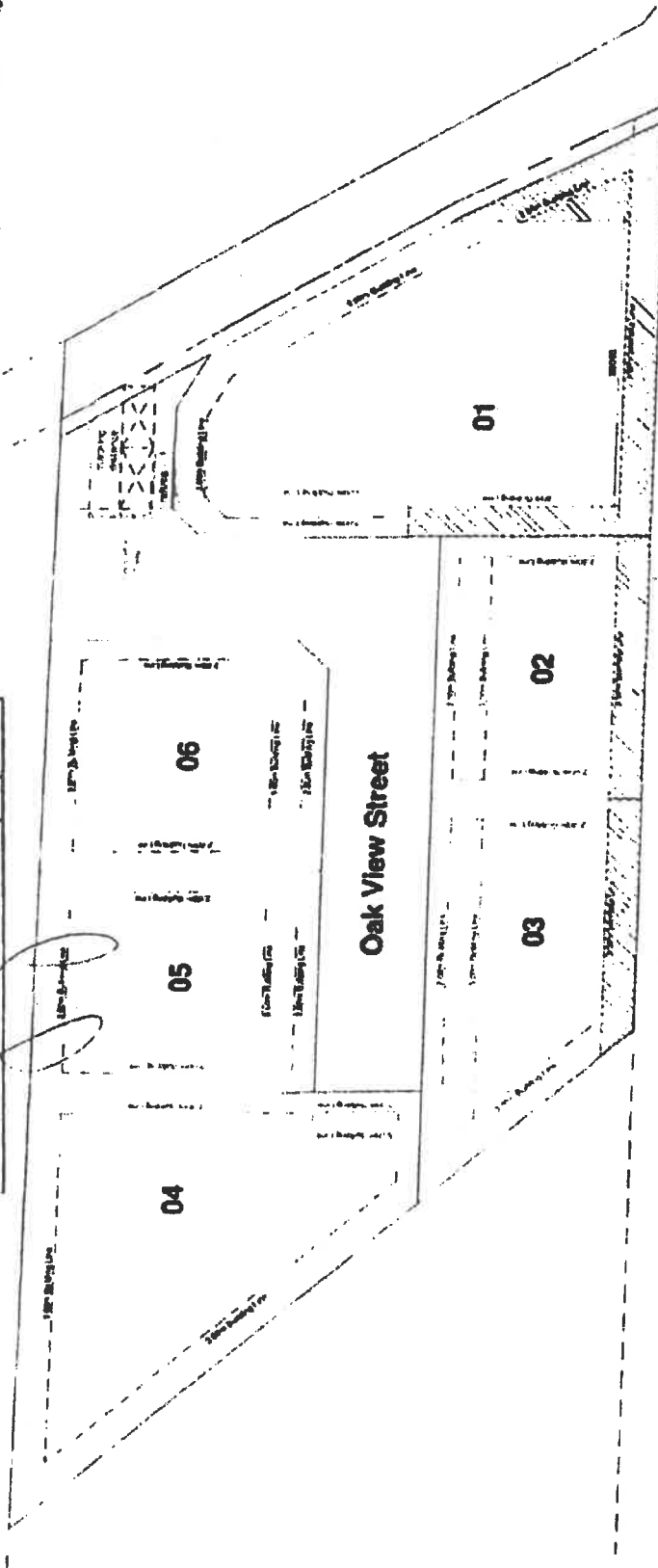
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Ergebnis

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STUDYING

Land Use	Zoning	Estimate (sqm)
Residential	Single Residential 1	1372.00 sqm
Residential	Single Residential 1	515.00 sqm
Residential	Single Residential 1	825.00 sqm
Residential	Single Residential 1	1003.00 sqm
Residential	Single Residential 1	587.00 sqm
Residential	Single Residential 1	605.00 sqm
Road reserve	Open Space Zone 2	982.00 sqm
Existing Road		452.00 sqm



OAK VIEW ESTATE

**Proposed New Development Erf 74, Johannesburg,
STELLENBOSCH**

2019-08-08 (SUB 741)

[illegible]

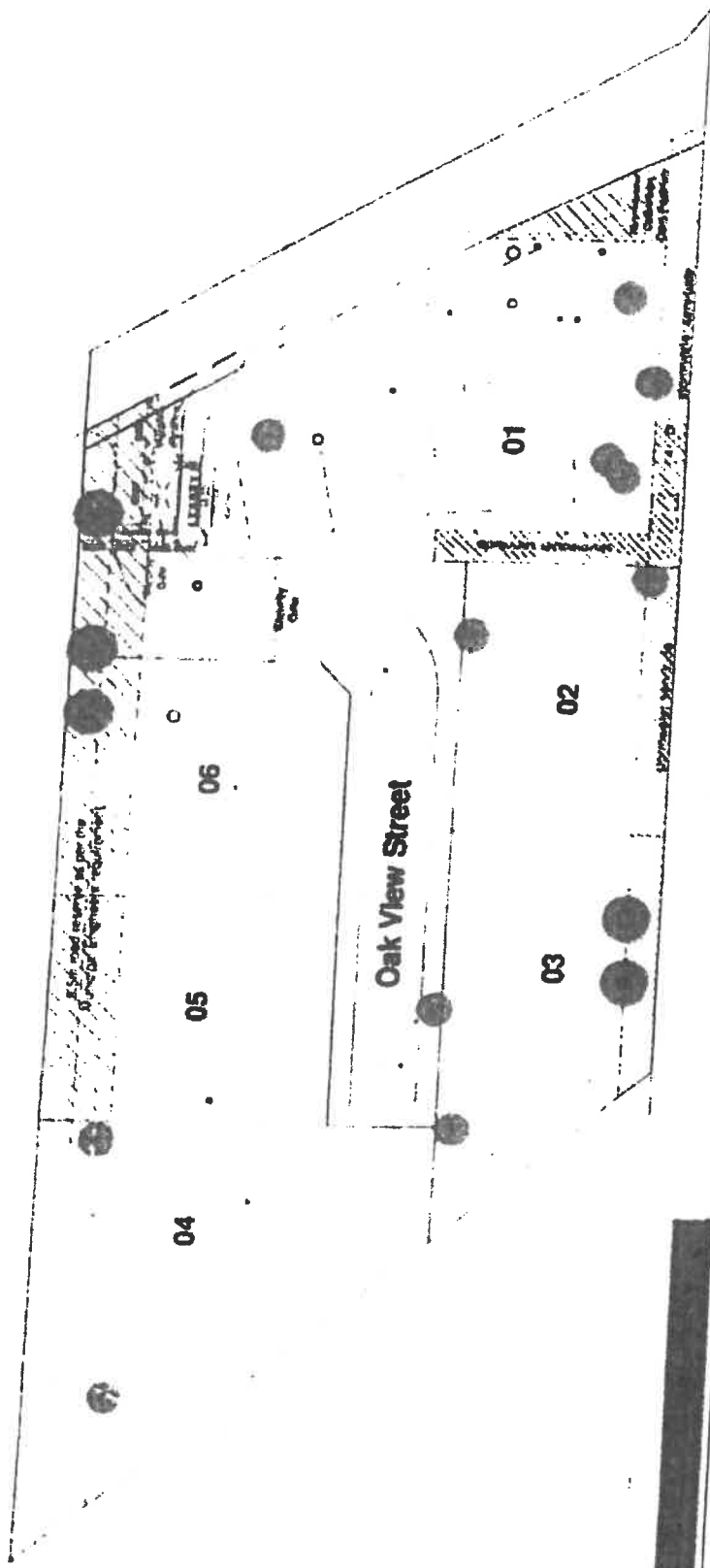
RED ATLANTIC

DEVELOPMENT DATA

Site Area:

Phase	Est No.
Phase 01	01
Phase 02	02
Phase 03	03
Phase 04	04
Phase 05	05
Phase 06	06
Phase 07	07

Land Use	Zoning	Estimate (sqm)
Residential	Single Residential	1377.00 sqm
Residential	Single Residential	515.00 sqm
Residential	Single Residential	525.00 sqm
Residential	Single Residential	1020.00 sqm
Residential	Single Residential	587.00 sqm
Road reserve	Open Space Zone 2	905.00 sqm
Existing Road		452.00 sqm



RED ATLANTIC
architecture

OAK VIEW ESTATE

Proposed New Development Erf 74, Johannesburg,
STELLENBOSCH

2019-03-08 (SUB 74(2))

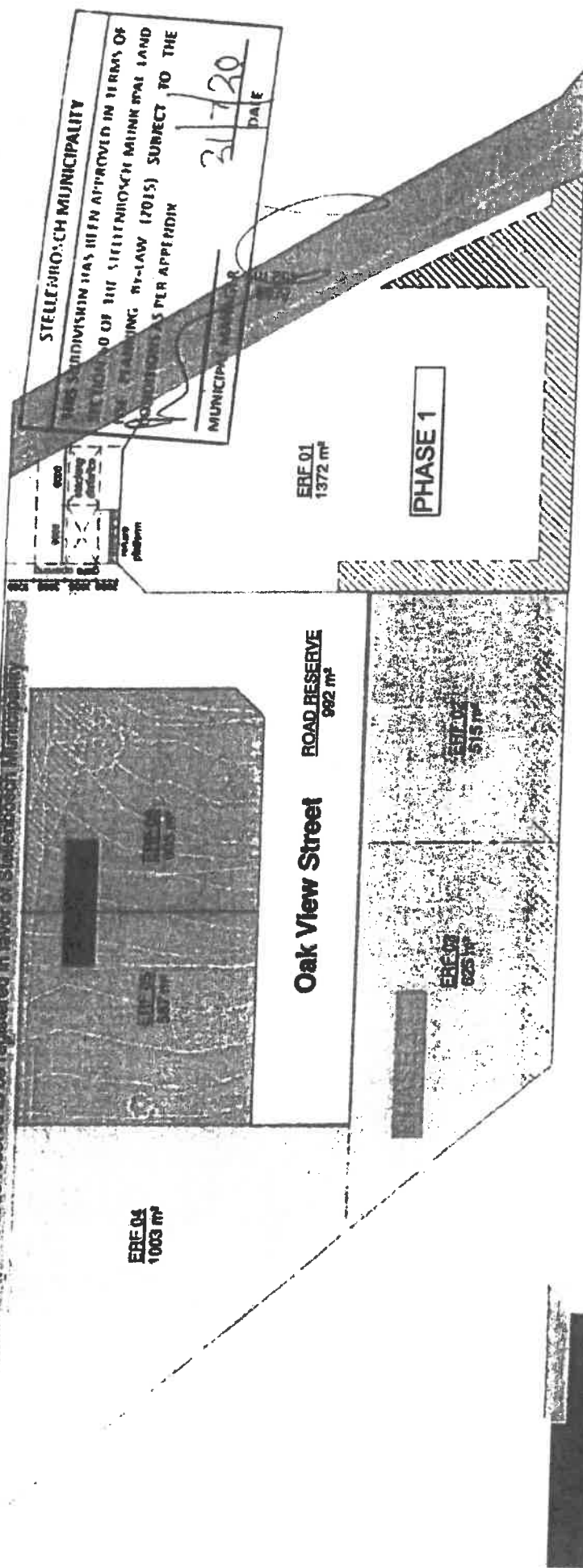
CONSENT NOTICE
The Board of the City of Johannesburg has received the application for the proposed development of the site and has considered the application in accordance with the provisions of the City of Johannesburg Municipal Planning and Development Act, 2015 (Act No. 15 of 2015). The Board has resolved to grant the application for the proposed development, subject to the conditions set out in the attached resolution. The applicant is required to comply with the conditions of the resolution and to submit a report to the Board of the City of Johannesburg within the time frame specified in the resolution. The Board of the City of Johannesburg reserves the right to withdraw its consent at any time if the applicant fails to comply with the conditions of the resolution.



8123.00 sqm	Extra (sqm)
1372.00 sqm	
515.00 sqm	
625.00 sqm	
1003.00 sqm	
587.00 sqm	
605.00 sqm	
992.00 sqm	
452.00 sqm	

Erft No.	Land Use	Zoning	Extent (sqm)
01	Residential	Single Residential 1	1372.00 sqm
Phase 01	Residential	Single Residential 1	515.00 sqm
Phase 02	Residential	Single Residential 1	625.00 sqm
Phase 03	Residential	Single Residential 1	1003.00 sqm
Phase 04	Residential	Single Residential 1	587.00 sqm
Phase 05	Residential	Single Residential 1	982.00 sqm
Phase 06	Road reserve	Open Space Zone 2	452.00 sqm
Phase 07	Existing Road		

8.5m wide public road reserve to be registered in favor of Stutterbush Municipality



OAK VIEW ESTATE

Proposed New Development E7 74, Johannesburg,
STELLENBOSCH

Sub 74(3)

2019-12-05

[illegible]

RED ATLANTIC
architects



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO : The Director: Planning and Development
FOR ATTENTION : B Mdoda
FROM : Manager: Development (Infrastructure Services)
AUTHOR : Tyrone King
DATE : 3 February 2020
RE: Erf 74, Johannesdal: Rezoning and subdivision for the development of 6 single residential erven
YOUR REF : LU/8672
OUR REF : 1790 CIVIL LU

05 FEB 2020

This Memo replaces the Memo dated 14 November 2019. This new Memo makes provision for the revised phasing plan.

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

- The revised application and layout – letter dated 2019-09-16 by Emile van der Merwe;
- Proposed Site Development Plan dated 2019-08-08 by Red Atlantic Architecture;
- Proposed Subdivision and Street Name and Numbering Plan dated 2019-08-08 by Red Atlantic Architecture;
- Proposed Phasing Plan dated 2019-12-05 by Red Atlantic Architecture;
- Traffic Impact Statement by ITS, dated 2 Oct 2019;
- Revised Engineering Services Report by Bart Senekal Inc dated 29 Aug 2019, Ref 1393/A2 Rev 1

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

- Total Units: 6No. (single residential erven)

FILE NR:

SCAN NR:

COORDINATOR NR:

Engineering Conditions (major developments only)

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

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

This document consists of the following sections:

A. Definitions

B. Recommendation to decision making authority

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

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

A. Definitions

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

- (a) "Municipality" means the STELLENBOSCH MUNICIPALITY, a Local Authority, duly established in terms of section 9 of the Local Government Municipal Structures act, Act 117 of 1998 and Provincial Notice (489/200), establishment of the Stellenbosch Municipality (WC024) promulgated in Provincial Gazette no. 5590 of 22 September 2000, as amended by Provincial Notice 675/2000 promulgated in Provincial Gazette;
- (b) "Developer" means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;
- (c) "Engineer" means an engineer employed by the "Municipality" or any person appointed by the "Municipality" from time to time, representing the Directorate: Infrastructure Services, to perform the duties envisaged in terms of this land-use approval.

B. Recommendation:

2. The development is recommended for approval, subject to the conditions as stated below

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

C. Specific conditions of approval

3. that the following upgrades are required to accommodate the development.

- a. **Pniel WWTW (Waste Water Treatment Works):** The proposed development falls within the catchment area of the existing Pniel WWTW (Waste Water Treatment Works). There is currently insufficient capacity at the WWTW for the proposed development. However, the Municipality is currently busy with the upgrading of the WWTW to create spare capacity. The current estimated completion date for the project is December 2021. A more accurate date will be available when a Contractor has been appointed and an approved programme is available. Phase 1 (one erv) and Phase 2 (2 erven) can get clearance before completion of the WWTW, but clearance for Phase 3 erven (3 erven) will only be given when the WWTW upgrade has been completed.
- b. **Water Network:** There is sufficient capacity in the bulk water reticulation network to accommodate the proposed development. The appropriate connection point will be identified during the detail design stage.
 - i. The Developer will be responsible for any link water pipelines between the development and the municipal network.
- c. **Sewer Network:** There is sufficient capacity in the bulk sewer reticulation network to accommodate the proposed development. The appropriate connection point will be identified during the detail design stage.
 - i. The Developer will be responsible for any link water pipelines between the development and the municipal network.
- d. **Roads Network:**
 - i. A 6.5m portion of land along the northern boundary of the site, as indicated on the SDP, must be registered as a servitude in favour of the municipality must be reserved for future municipal road purposes. The intention is that

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

this 6.5m portion will in future be consolidated with a 6.5m portion of Farm 1216, to create a 13m road reserve linking Lumley Street and Simonsberg Street. See Annexure A for future roads layout.

- ii. The 6.5m portion on Erf 74 must be reserved by means of a servitude in favour of the Municipality and must be indicated on the approved General Plan. The deed of servitude must indicate that should the Municipality in future implement the road, that the 6.5m portion of land be transferred to the Municipality in order to rezone it to a municipal road. This must also be indicated on the title deeds of the erven 4, 5, 6 and the road reserve.
- iii. Currently, the access to the proposed development will be from Lumley Street, but once the future 13m road has been constructed, the access shall move to the 13m road and the Lumley Street access shall be closed. The costs involved to move the access shall be for the developer's cost.
- iv. When detail engineering drawings are submitted for approval, the layout should indicate both the current access from Lumley Street, as well as the future access of the 13m road. This is to ensure that the layout of the development is compatible with the future road network and access points.

e. Stormwater Network:

- i. The consulting engineer, appointed by the "Developer", must analyse the existing stormwater systems and determine the expected stormwater run-off for the proposed development, for both the minor and the major storm event. Should the existing municipal stormwater system not be able to accommodate the expected stormwater run-off, the difference between the pre- and post-development stormwater run-off must be accommodated on site, or the existing system must be upgraded to the required capacity at the cost of the "Developer" and to the standards and satisfaction of the Directorate Infrastructure Services. The aforementioned stormwater analysis is to be submitted concurrent with the detail services plans for approval.

f. Solid Waste:

- i. The Municipality will provide a solid waste removal service.
- ii. Provision must be made for a refuse platform for the purposes of waste collection, as indicated on the SDP.
- iii. 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

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area. The desirability and detail design of the refuse bay will be further discussed during the detail design stage.

Development Charges

4. 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;
5. that the "Developer" hereby acknowledges that the development charges levy as determined by the "Municipality" and or the applicable scheme tariffs will be paid by the "Developer" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;
6. 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;
7. 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;
8. that the Development Charges levy, as reflected on the DC calculation sheet, dated 20 Jan 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.

Phase 1 (1 erf) – Credit for the mother erf – No DC payable

Phase 2 (2 erven)

Water	R 49 235. 48
Sewer	R 40 941. 15
Stormwater	R 9 027. 81
Solid Waste	R 3 544. 15
Roads	R 28 440. 06
Community Facilities	R 25 875. 93

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

14. that any amendments to cadastral layout and or site-development plan to accommodate the above requirements will be for the cost of the "Developer" as these configurations were not available at land-use application stage.

Ownership and Responsibility of services

15. that it be noted that as per SDP, dated 2019-08-08, 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

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

Bulk Water Meter

17. 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

18. For large spoil volumes from excavations, to be generated during the construction of this development, will not be accepted at the Stellenbosch landfill site. The Developer will have to indicate and provide evidence of safe re-use or proper disposal at an alternative, licensed facility. This evidence must be presented to the Manager: Solid Waste (Mr Saliem Haider; 021 808 8241; saliem.haider@ecm.gov.za), before building plan approval and before implementation of the development. Clean rubble can be utilized by the Municipality and will be accepted free of charge, providing it meets the required specification.

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

Total (Phase 2 Civil Services) exclusive of VAT: R 157 064. 59

Phase 3 (3 erven)

Water	R 73 853. 23
Sewer	R 61 411. 73
Stormwater	R 13 541. 72
Solid Waste	R 5 316. 22
Roads	R 42 660. 09
Community Facilities	R 38 813. 89
Total (Phase 3 Civil Services) exclusive of VAT:	<u>R 235 596. 88</u>

9. that the Development Charges levy be paid by the "Developer" per phase –
 - prior to the approval of Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law in all cases;
10. 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 six (6) units, will result in the recalculation of the Development Charges.
- 11 Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended.

Site Development Plan

12. that provision be made for a stacking distance of 12m minimum The stacking distances shall be measured from the edge of the closest sidewalk or cycle lane to the entrance gate. The guiding principle is that vehicle and pedestrian traffic should not be obstructed by stacking vehicles.
13. that sufficient entrance and exit widths will be created at the vehicle access points: 2.7m minimum and 4,0m maximum width for a single entrance or exit way; 5,0m min and 8,0m maximum for a combined entrance and exit way. To accommodate emergency vehicles, at least one lane should be 4, 0 metres wide and have a minimum height clearance of 4.3 m.

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

Servitudes

19. A 3m wide stormwater and detention pond servitude is indicated on the southern boundary of the site as well as on erf 01 – see SDP. Either registration, or proof of appointment of attorneys will suffice for clearance.

Roads

20. that the "Developer" will be held liable for any damage to municipal infrastructure within the road reserves, 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;

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:

21. that the "Developer" will enter into an Engineering Services Agreement with the "Municipality" in respect of the implementation of the infrastructure to be implemented in lieu of DCs if the need for such infrastructure is identified at any stage by the Municipality;
22. that should the "Developer" not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Infrastructure Services by the "Developer" for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
23. that the "Developer" indemnifies and keep the "Municipality" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

interruption of or interference with the municipalities' services or apparatus or otherwise) arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.

24. that the "Developer" must ensure that he / she has an acceptable public liability insurance policy in place;
25. that, 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;
26. 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;
27. 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);
28. 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,
29. that the "Developer" takes cognizance and accepts the following:

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

- a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
- b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;
- c.) that no approval of internal – and external civil engineering services drawings will be given before the "Developer" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;
- d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;
- e.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before the approval of internal – and external civil engineering services drawings;
- f.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued unless the "Developer" obtains the approval of the "Engineer" for construction work of his development parallel with the provision of the bulk services.

Site Development Plan

- 30. 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";
- 31. 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;

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

32. 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;
33. 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

34. that the Directorate: Infrastructure Services may require the "Developer" to construct internal municipal services and/or link services to a higher capacity than warranted by the project, for purposes of allowing other existing or future developments to also utilise such services. The costs of providing services to a higher capacity could be offset against the Development Charges payable in respect of bulk civil engineering services if approved by the Directorate: Infrastructure Services,
35. that the detailed design and location of access points, circulation, parking, loading and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;
36. that plans of all the internal civil services 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;
37. that construction of services may only commence after municipal approval has been obtained;
38. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
39. 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;

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

40. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal - and external services.
41. that all the internal civil services (water, sewer and stormwater). be indicated on the necessary building plans for approval by the Directorate: Infrastructure Services;
42. 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,
43. 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);
44. that a complete set of test results of all internal - and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt). approved and verified by a professional registered engineer be submitted to the "Engineer" on request;
45. that the "Developer" shall adhere to the specifications of Telkom (SA) and or any other telecommunications service provider;
46. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
47. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the "Developer" to determine the location of existing civil and electrical services;
48. that all connections to the existing services be made by the "Developer" under direct supervision of the "Engineer" or as otherwise agreed and all cost will be for the account of the "Developer".
49. 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

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

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

50. 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;
51. 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;
52. 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

53. 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;
54. 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;
55. 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;
56. 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;

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

Roads

57. 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;
58. 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;
59. 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

60. 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;
61. that wayleaves will only be issued after approval of relevant engineering design drawings;
62. 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)

63. 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;
64. 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;

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

65. 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;
66. 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;
67. 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

68. 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;
69. that the "Developer" must apply and get approval from the Municipality's Solid Waste Department for a waste removal service prior to clearance certificate or occupation certificate (where clearance not applicable). Contact person Mr Saliem Haider, 021 808 8241; saliem.haider@ Stellenbosch.gov.za;
70. 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);
71. Refuse should not be visible from a street or public place. Suitable screen walls may be required in certain instances;
72. Access must be denied to unauthorized persons, and refuse storage areas should be designed to incorporate adequate security for this purpose;
73. 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;

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

AS-BUILTs

74. 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;
75. 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".
76. 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:
- 77 All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

78. 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

79. 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;
80. 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 "Municipality" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;
81. that clearance will only be given per phase and the onus is on the "Developer" to phase his development accordingly;
82. 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;
83. 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

84. 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

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

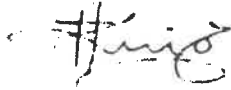
remedy the defect failing which the "Municipality" may carry out the work itself or have it carried out, at the cost of the "Developer" and or OWNER'S ASSOCIATION.

Streetlighting

85. 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".
86. 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;
87. 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;
88. 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".

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

89. 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)

W9.0 DEVELOPMENT00 Developments\1780 (TK) Erf 74 Johannesburg\1780 - Erf 74, Johannesburg_2 (Errata discussion).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 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.

PROPOSED REZONING AND SUBDIVISION OF ERF 74, JOHANNESDAL

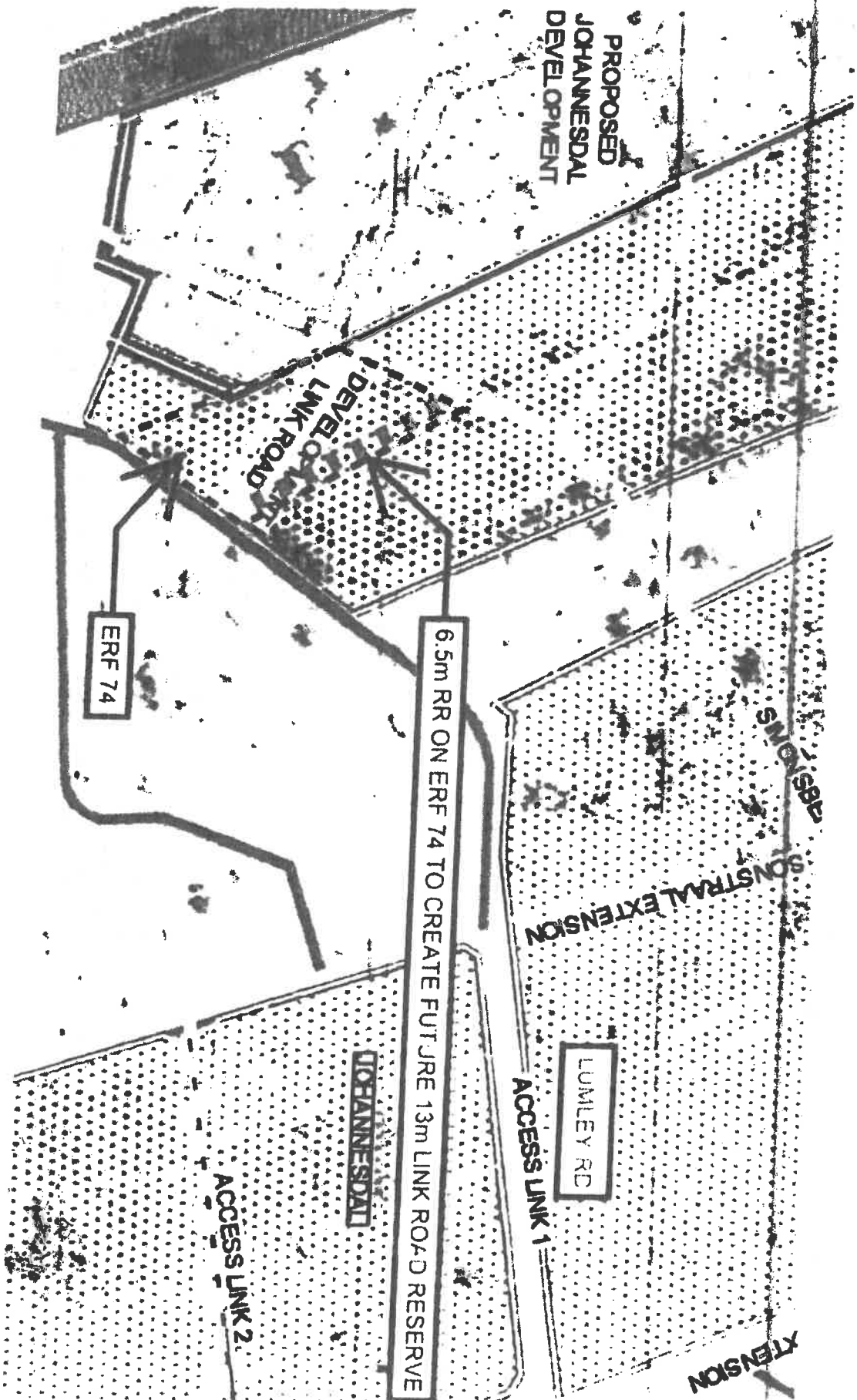
It is important that different geographical elements for the GIS capture process remains separate. That means that political boundaries like wards or suburbs be kept separate from something like rivers. The same applies for engineering data types like water lines, sewer lines, electricity etc. that it 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

ANNEXURE A: FUTURE ROADS LAYOUT



Note: Phase 1/1 ed No DC payable credit for mother ed

Stellenbosch Municipality - Development Charge Calculation

ANNEXURE DC

Application Number
04 1790 (Form Planning Ref: U/M/721)

Date
Monday, 28/Jan/2020

Financial Year
2019-20

Site Location
24, Johannesdal - PHASE 2

Site No

Site Size (m²)

Site Use

Applicant

Approved Building Plan No.

APPLICATION INFORMATION

SUMMARY OF DC CALCULATION

Item	Value	Unit	Rate	Amount	Comments
Total Interest Savings Unpaid					
Total Development Charges before Deductions	R 49 235.40			R 49 235.40	
Total Deductions					
Total Payable (including VAT)				R 49 235.40	
Total Payable (including VAT)				R 49 235.40	

APPLICANT INFORMATION

Applicant's Name

Address

City

Province

Postcode

Telephone

E-mail

Signature

Date

Amount Paid

Outstanding Amount

Receipt Number

[illegible]

Stellenbosch Municipality - Development Charge Calculation



Application Number	CDL 1750 (Town Planning Ref 10/06/21)
Date	Monday, 20/06/2019
Financial Year	2018-20
Erf Location	74, Johannesburg, PHASE 3
Erf No.	
Erf Size (m ²)	
Suburb	
Applicant	

Approved Building Plan No. Proposed Site Development Plan dated 2015-08-08 by Red Atlantic Architects • Proposed Planning Plan dated 2015-12-05 by Red Atlantic Architects									
SUMMARY OF DC CALCULATION									
Unsite	Water	Waste	Sewer	Stormwater	Solid Waste	Roads	Impervious	Community Facilities	Total
Total Increased Services Usage									
Total Development Charges before Deductions	R 73 453.23	3,800	2,100		0,120		12,00		R 28 813.89
Total Deductions									
Total Payable (excluding VAT)									
VAT									
Total Payable (including VAT)									
	R 73 453.23		R 67 411.73		R 5 316.22		R 42 650.09		R 235 596.89
	R 11 077.94		R 9 211.76		R 316.22		R 6 399.01		R 235 596.89
	R 84 031.21		R 76 623.49		R 5 632.44		R 49 049.10		R 35 338.53
									R 44 635.97
									R 270 936.42

Application Proposed by	
Signature	
Date	
Amount Paid	
Other Payment Received	
Receipt Number	

Line Item	Description	Unit Type	Quantity	Unit Price	Amount	Tax	Subtotal	Net Total	Grand Total
Structure Type applicable? (yes/no)									
1	General Excise Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
2	State Income Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
3	Local Income Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
4	State Sales Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
5	Local Sales Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
6	State Property Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
7	Local Property Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
8	State Unemployment Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
9	Local Unemployment Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
10	State Disability Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
11	Local Disability Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
12	State Workers' Compensation Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
13	Local Workers' Compensation Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
14	State Pension Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
15	Local Pension Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
16	State Health Insurance Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
17	Local Health Insurance Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
18	State Life Insurance Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
19	Local Life Insurance Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
20	State Motor Vehicle Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
21	Local Motor Vehicle Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
22	State Boat Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
23	Local Boat Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
24	State Aircraft Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
25	Local Aircraft Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
26	State Amusement Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
27	Local Amusement Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
28	State Lottery Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
29	Local Lottery Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
30	State Casino Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
31	Local Casino Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
32	State Gambling Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
33	Local Gambling Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
34	State Entertainment Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
35	Local Entertainment Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
36	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
37	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
38	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
39	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
40	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
41	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
42	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
43	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
44	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
45	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
46	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
47	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
48	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
49	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
50	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
51	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
52	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
53	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
54	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
55	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
56	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
57	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
58	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
59	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
60	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
61	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
62	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
63	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
64	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
65	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
66	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
67	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
68	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
69	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
70	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
71	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
72	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
73	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
74	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
75	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
76	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
77	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
78	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
79	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
80	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
81	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
82	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
83	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
84	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
85	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
86	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
87	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
88	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
89	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
90	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
91	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
92	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
93	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
94	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
95	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
96	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
97	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
98	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
99	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
100	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
101	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
102	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
103	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
104	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
105	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
106	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
107	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
108	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
109	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
110	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
111	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
112	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
113	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
114	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
115	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
116	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
117	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
118	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
119	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
120	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
121	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
122	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
123	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
124	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
125	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
126	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
127	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
128	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
129	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
130	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
131	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
132	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
133	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
134	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
135	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
136	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
137	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
138	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
139	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
140	State Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
141	Local Amusement Machine Tax	0%	0	0.00	0.00	0.00	0.00	0.00	0.00
142	State Amusement Machine Tax	0%	0	0.00	0.00</				

Site Area:

Land Use	Zoning	Eastern (sqm)	6123.20 sqm
Residential	Single Residential 1	1372.00 sqm	
Residential	Single Residential 1	315.00 sqm	
Residential	Single Residential 1	625.00 sqm	
Residential	Single Residential 1	1003.00 sqm	
Residential	Single Residential 1	587.00 sqm	
Head room	Open Source Zone 2	595.00 sqm	
Existing Road		592.00 sqm	
		452.00 sqm	

PHASE 01
PHASE 02
PHASE 02
PHASE 02
PHASE 02
PHASE 02
PHASE 02

6.5m wide public road reserve to the naturalised stream.

Oak View Street
ROAD RESERVE
992 m²

REF ID: A326

PHASE 1

OAK VIEW ESTATE

**Proposed New Development Erf 74, Johannesburg,
STELLENBOSCH**

2019-12-05

RED ATLANTIC
architecture

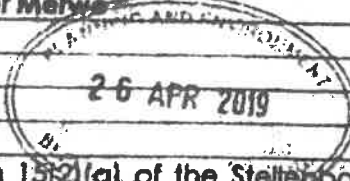
INTERDEPARTMENTAL CIRCULATION FORM

LAER VERW/ FILE REF Erf 74, Johannesburg DATE: 21 February 2019
 AANSOERNOMMER/ APPLICATION NUMBER LU/8472

MEMO AAN/ TO :

Director : Traffic Engineer / Engineering Services
 X Manager : Electrical Department
 Manager : Building Development Management
 Manager : Fire Services
 Manager : Spatial Planning / Heritage / Environment / Signage
 Manager : Health Department (Winelands Health)
 Manager : Community Services: Albert Van Der Merwe
 Manager : Property Management (P Smit)
 Chief Financial Officer
 Legal Services
 Manager : Local Economic Development

Elect 1790
 22/2/2019



Application

Application in terms of Section 15(2)(a) of the Stellenbosch Municipality Land Use Planning By-Law for the rezoning of the property from Agricultural Zone II to Subdivisional Area to accommodate a town housing scheme;

Application in terms of Section 15(2)(d) of the Stellenbosch Municipality Land Use Planning By-Law for the subdivision of the property into 16 town housing property, remainder road and two private open space erven; and

Application for the registration of a 3m wide storm water servitude alongside the southern boundary;

Application for the constitution of the Home Owners Association
 Application for the street names and numbering.

Adres / Address

Lumley Street, Johannesburg

Aansoek Datum Application Date

17 October 2018

Aansoeker Applicant

Emile Van Der Merwe

Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op:
 Please hand deliver the memorandum to me on or before : 21 March 2019

B Mdoda

For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT
 ALGEMENE KOMMENTAAR / GENERAL COMMENT:

FILE NO. _____
 SEARCHED _____
 COLLABORATION NO. _____
 E-74-SB

ELECTRICITY SERVICES: CONDITIONS OF APPROVAL
JD Priel 74

GENERAL COMMENT:

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

CONDITIONS

1. The electrical consulting engineer responsible for the development shall schedule an appointment with Manager Electricity Services (Engineering Services) before commencing with the construction of the development. As well as to discuss new power requirements if required.
2. The development's specifications must be submitted to Stellenbosch Municipality (Engineering Services) for approval. i.e.
 - a) The design of the electrical distribution system
 - b) The location of substations(s) and related equipment.
3. A separate distribution board/s shall be provided for municipal switchgear and metering. (Shall be accessible & lockable). Pre-paid metering systems shall be installed in domestic dwellings.
4. 24-hour access to the location of the substation, metering panel and main distribution board is required by Technical Services. (On street boundary)
5. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity, should damage occur, the applicant will be liable for the cost involved for repairing damages.
6. On completion of the development, Stellenbosch Municipality (Technical Services) together with the electrical consulting engineer and electrical contractor will conduct a take-over inspection.
7. No electricity supply will be switched on (energised) if the Development contributions, take-over inspection and Certificate(s) of Compliance are outstanding.
8. All new developments and upgrades of supplies to existing projects are subject to SANS 10400-XA energy savings and efficiency implementations such as:
 - Solar water Heating or Heat Pumps in Dwellings
 - Energy efficient lighting systems
 - Roof insulation with right R-value calculations.
 - In large building developments;
 - Control Air condition equipment tied to alternative efficiency systems
 - Preheat at least 50% of hot water with alternative energy saving sources
 - All hot water pipes to be clad with insulation with R-value of 1
 - Provide a professional engineer's certificate to proof that energy saving measures is not feasible.
9. All electrical wiring should be accordance with SANS 10142 and Municipal by-laws.


Signature


Date

