STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11384

Our File Reference Number: Erf 3480, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [redacted]

Dear Mrs Bolz

APPEAL LODGED IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW: APPLICATION FOR REZONING AND PERMANENT DEPARTURE: ERF 3480, STELLENBOSCH [LU/11384]

1. This Municipality's decision letter dated 17 August 2023, refers

2. The Appeal Authority resolved on 13 September 2024 that the appeal submitted against the decision of the Authorised Decision Maker dated 11 July 2023, in respect of the subject application on Erf 3480, Stellenbosch, **BE DISMISSED** and that the subject decision **BE CONFIRMED** in terms of Section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law, as follows:

   2.1 That the following application(s) in terms of Section 15(2)(a) & (b) of the Stellenbosch Municipal Land Use Planning By-Law on Erf 3480, Stellenbosch namely:

      2.1.1 The Rezoning of Erf 3480, Stellenbosch in terms of Section 15(2)(a) of the said Bylaw from Conventional Residential Zone to Multi-Unit Residential Zone to allow for the development of flats.

      2.1.2 The Departure application on Erf 3480, Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 in order to:

         (a) Relax the 4.5m Northern common building line to 3.15m for the existing building on the ground floor level.

(b) Relax the 4.5m Southern common building line to 3.205m for the existing building on ground floor level.

(c) Relax the 4.5m Southern common building line to 3.205m for the refuge room.

(d) Relax the 6.0m Northern common building line to 4.5m for the balconies on the second floor of the proposed building.

(e) Relax the 4.5m Western common building line to 1.25m on the ground and first floor for the proposed outside staircase.

(f) Relax the 6.0m Western Common building line to 1.25m on the second floor for the proposed outside staircase.

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

3. **Conditions of approval:**

3.1 The approval only applies to the proposed rezoning and departure applications under consideration, as indicated on the site development plan, drawing no: **SD-3462-M101** & **SD-3462-M102** drawn by: S-Design Architects, dated: 2020-09-28 and attached as **Annexure B** 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.

3.2 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.

3.3 The development must be undertaken generally in accordance with the site development plan, drawing no: **SD-3462-M101** & **SD-3462-M102** drawn by: S-Design Architects, dated: 2020-09-28 and attached as **Annexure B.**

3.4 Building plans must be generally in accordance with the site development plan, drawing no: **SD-3462-M101** & **SD-3462-M102** drawn by: S-Design Architects, dated: 2020-09-28 and attached as **Annexure B.**

T: +27 21 808 8111 • F: +27 21 886 6899
Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

3.5 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.

3.6 The conditions of approval as imposed by the Directorate Infrastructure Services in their Memo dated 21 January 2021, attached as **Annexure E** are applicable.

3.7 The conditions of approval as imposed by the Directorate Infrastructure Services, Electrical Services in their comment dated 25/08/2020, attached as **Annexure E** are applicable.

3.8 Heritage Western Cape to endorse all the building plans to be submitted to the Municipality for approval.

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

4.1 After having independently considered and weighed all the relevant information obtained, it was evident that there are no additional information or arguments that are deemed relevant, and which were not already fully taken into account during the original assessment and decision on the land use application. There was consequently no new information which would serve as compelling grounds to warrant that the decision be reviewed.

4.2 The proposal is subject to Heritage Western Cape approval and the submission of endorsed building plans to be submitted to the Municipality for approval is included as a condition of approval.

4.3 The application at hand complies with all Stellenbosch Municipality Spatial Development Framework and will create much needed additional housing opportunities in Stellenbosch town.

T: +27 21 808 8111 • F: +27 21 886 6899
Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

4.4 The proposed use of the property remains residential in nature and is not seen to be out of character with its surroundings as similar land uses occur in the surrounding area.

4.5 The proposal is not out of scale with its surroundings as the proposal is for a 3-storey building and complies with the coverage and bulk development parameters applicable to the proposed zone.

5. Accordingly, the decision detailed in this letter may be implemented, subject to compliance with the conditions of approval.

6. The appeal process has now been concluded.

Yours faithfully

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

1 Oct. 2024.

DATE

COPIES TO:

[redacted]

E-mail: [redacted]

[redacted]

E-mail: [redacted]

[redacted]

E-mail: [redacted]

[redacted]

E-mail: [redacted]

Erf 3480 Stellenbosch- LU/11384

T: +27 21 808 8111 • F: +27 21 886 6899
Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

[redacted]

E-mail: [redacted]

[redacted]

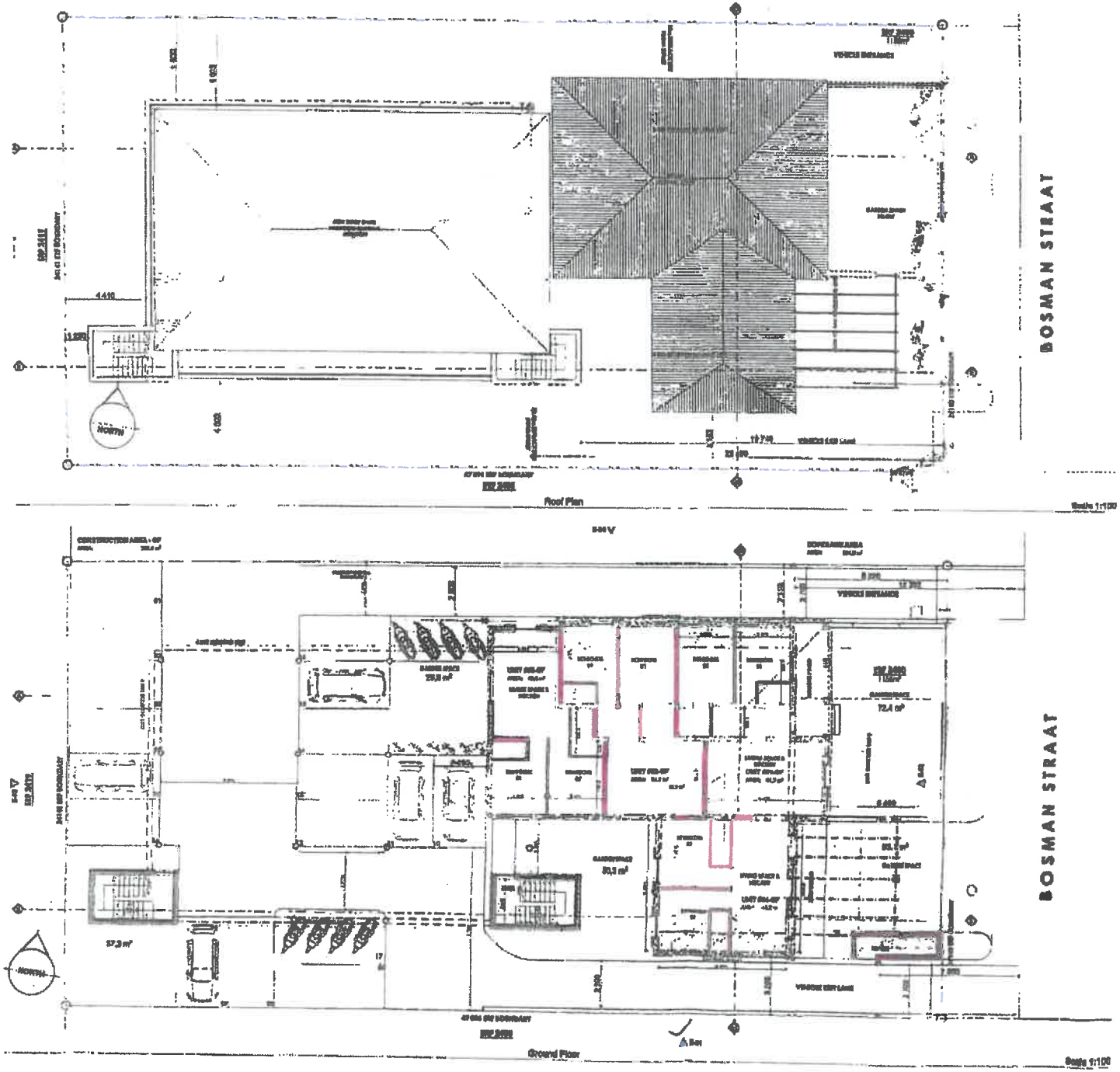
E-mail: [redacted]

T: +27 21 808 8111 • F: +27 21 886 6899
Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE B



Encroachment wave

GREEN SPACE:

REQUIRED = 70% = 236m²

PROVIDED GF = 236,9m²

TOTALS: 236,9m²

PROPOSED SCHEME - ERF 3462 :
ERF SIZE: 1100m²

Coverage allowed: 50% = 570m²
Coverage proposed: 49% = 560m²

Bulk allowed: 0,75 = 888,9m²
Proposed bulk on ERF:
Existing house = 195,9m²
First Floor = 251m²
Second Floor = 180m²
TOTALS: 888,9m² = 0,75 BULK

Note: for bulk all walkways excluded and stairways only measured on GF.

Parking Provided:
Car Parking bays = 16 bays
Bicycle for 6 = 1 bays
Motorcycle 4 = 2 bays

Total Parking = 18
Parking REQUIRED = of 1,5 X 12 UNITS =18

18 - PARKINGS REQUIRED
18 - PARKINGS PROVIDED

ACCOMODATION LIST:

GROUND FLOOR = 4 UNITS
(Nx 2 Bedroom Units)
FIRST FLOOR = 5 UNITS
(4 x 2 Bedroom Units and 1 Bedroom X 1)
SECOND FLOOR = 3 UNITS
(Nx 2 Bedroom Units)

TOTALS 12 UNITS

Parking/Refuse/Bulk/Bicycle stored bike park

CONSTRUCTION AREAS:

Ground Floor (renovation) = 279,9m²

First Floor (new build) = 336,9m²
Second Floor (new build) = 263,9m²

TOTALS: = 877m²

1:100 @ A1 2020-09-28

SD-3462-M101. AM

SITE/ ROOF & GROUND FLOOR PLAN

BOSMAN STREET

SDP - APPLICATION

S·DESIGN

1:100 @ A1 2020-09-28

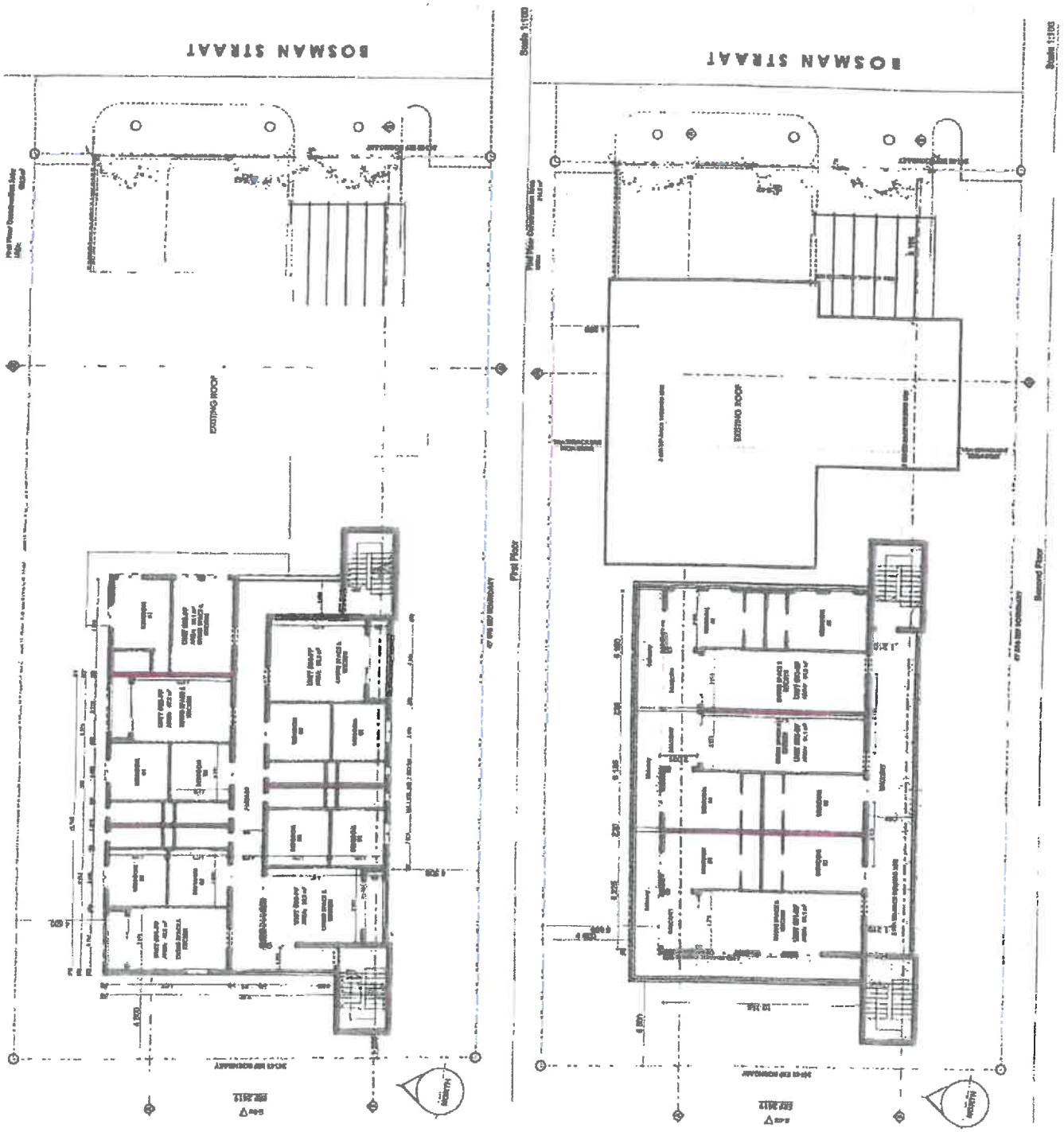
SD-3443-M102 AM

FIRST & SECOND FLOOR PLAN

BOSMAN STREET

SDP - APPLICATION

S·DESIGN



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE E

MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag	**Nicole Katts**
From ▫ Van:	**Manager: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Tyrone King**
Date ▫ Datum:	**21 January 2021**
Our Ref ▫ Ons Verw:	**LU Civil 1992**
Your Ref:	**LU/11384**
Re ▫ Insake:	**Erf 3480: Rezoning and building line departure for the development of a block of flats (13 units)**

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

- The abovementioned application and motivation report by Arch Town Planners dated Feb 2020;
- Site/Roof & Ground Floor Plan SD-3462-M101 Rev A dated 2020-09-28 by S-Design Architects;
- Report on Civil Engineering Services, dated March 2020 by Andre Franzsen and Associates;

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

- Total Units: 12 apartments

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

PROPOSED REZONING ERF 3480: 12 FLATS

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

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

A. Definitions

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

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

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

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

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

B. Recommendation:

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

C. Specific conditions of approval

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

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

    b. **Water Network:** The existing water connection is to be utilized. If required, any upgrade to the connection must be applied for from the Water Services Department.

        i. The existing water connection is to be utilized. If required, any upgrade to the connection must be applied for from the Water Services Department and will be for the Developer's cost.

    c. **Sewer Network:**

        i. The existing sewer connection is to be utilized.

    d. **Solid Waste:**

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

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

Development Charges

5. that the "*Developer*" hereby acknowledges that Development Charges are payable towards the following bulk civil services: water, sewerage, roads, stormwater, solid waste and community facilities as per Council's Policy;

6. that the "*Developer*" hereby acknowledges that the development charges levy as determined by the "Municipality" and or the applicable scheme tariffs will be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved;

7. that the "*Developer*" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made;

8. that the "*Developer*" may enter into an engineering services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services;

9. that the Development Charges levy to the amount of **R 569 721. 55** (Excluding VAT) as reflected on the **DC calculation sheet**, dated **4 Sept 2020**, and attached herewith as **Annexure DC**, be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy.

10. that the Development Charges levy be paid by the "*Developer*" per phase –
    - prior to the approval of any building- and/or services plans

11. that the development shall be substantially in conformance with the Site Development Plan submitted in terms of this application. Any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of units i.e. more than **12 units**, or which might lead to an increase in the Gross Leasable Area i.e. a GLA of more than **0 m²**, will result in the recalculation of the Development Charges;

12. Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

Site Development Plan

13. that a minimum stacking distance of 7.5m (from road edge to the gate) as indicated on the be provided;

14. that a minimum entrance and exit width of 2.7m as indicated on the be provided;

15. a door that is accessible from the public street must be provided and indicated on the final building plans – on the SDP the door is not accessible to the Municipality as it is behind the security gate;

16. 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

17. 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;

Bulk Water Meter

18. 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;

Roads

19. 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;

Electricity

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

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

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 any clearances for the developmnent 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 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 the "*Developer*" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;

26. 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);

27. that the "*Developer*" takes cognizance and accepts the following:

a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;

b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;

c.) that no approval of internal – and external civil engineering services drawings will be given before the "*Developer*" obtains the written approval of all affected owners where the route of a proposed service crosses the property of a third party;

d.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before land-use and or SDP approval is obtained;

e.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before the approval of internal – and external civil engineering services drawings;

f.) that no building plans will be recommended for approval by the Directorate: Infrastructure Services before a Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law is issued unless the *"Developer"* obtains the approval of the *"Engineer"* for construction work of his development parallel with the provision of the bulk services.

Site Development Plan

28. 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";

29. 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;

30. 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;

31. 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

32. 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;

33. 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;

34. that the detailed design and location of access points, circulation, parking, loading - and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;

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

36. that construction of services may only commence after municipal approval has been obtained;

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

38. that the "*Developer*" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (as amended) and that the design and construction/alteration of all civil engineering infrastructure

48. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;

Servitudes

49. 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;

50. 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;

51. 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.

Roads

52. 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;

Wayleaves

53. 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;

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

55. 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)

56. 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;

57. 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;

58. 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;

59. 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;

60. 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

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

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

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

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

- Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Development;

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

- Each party's (Developer/Owner's Association/Home Owner) responsibilities w.r.t. waste management and waste minimization should be clearly defined in such constitution
- A set of penalties for non-compliance should be stipulated in the Constitution

62. 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;

63. 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: Senior Manager: Solid Waste (021 808 8241; clayton.hendricks@stellenbosch.gov.za)

64. 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);

65. that if the "Developer" removes the waste by private service provider, provision must still be made for a refuse room should this function in future revert back to the "Municipality";

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

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

68. Maximum depth of cul-de-sac shall be 20 meters or 3 erven, whichever is the lesser. Where this requirement is exceeded, it will be necessary to construct a turning circle with a minimum

turning circle radius of 11m or, alternatively – a turning shunt as per the Directorate: Infrastructure Services' specifications. With respect to the latter, on street parking are to be prohibited by way of "red lines" painted on the road surface as well as "no parking" signboards as a single parked vehicle can render these latter circles and shunts useless;

69. Minimum turning circle radius shall be 11 meters to the center line of the vehicle;

70. Road foundation shall be designed to carry a single axle load of 8.2 tons;

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

72. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch;

73. A single, centralized, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;

74. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 ℓ Municipal wheelie bin;

75. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;

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

77. All black 85 ℓ refuse bins or black refuse bags is in the process of being replaced with 240 ℓ black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

Commercial and Domestic : 585 mm wide x 730 mm deep x 1100 mm high

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

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

80. Building specifications for refuse storage area:

Floor

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

Walls and Roof

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

Ventilation and Lighting

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

Water Supply and Drainage

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

81. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;

82. A refuse bay with minimum dimensions of 15 meters in length x 2, 5 meters in width plus 45 degrees splay entrance, on a public street, must be provided where either traffic flows or traffic

sight lines are affected. The refuse bays must be positioned such that the rear of the parked refuse vehicle is closest to the refuse collection area;

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

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

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

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

AS-BUILTs

87. 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;

88. 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*";

89. 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;

90. 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;

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

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

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

93. that the "*Municipality*" reserves the right to withhold any occupation certificate until such time as the "*Developer*" has complied with conditions set out in this contract with which he/she is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "*Municipality*" reserves the right to withhold any occupation certificate until such time as the amount owing has been paid;

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

Avoidance of waste, nuisance and risk

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

Damage to municipal infrastructure and assets

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

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

W:\2.0 DEVELOPMENT\00 Developments\1992 (TK) Erf 3480 Stellenbosch (LU-11384),C\1992 (TK) Erf 3480 Stellenbosch (LU-11384)_1.doc

ATTACHMENT X

Geographic Information System (GIS) data capturing standards

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

PROPOSED REZONING ERF 3480: 12 FLATS

- Central meridian : 19.00000000
- Scale factor : 1.00000000
- Origin latitude : 0.00000000
- Linear unit : Meter

PROPOSED REZONING ERF 3480: 12 FLATS

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

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

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

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

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

- Datum : Hartebeeshoek WGS 84
- Projection : Transverse Mercator
- Central Longitude/Meridian 19
- False easting : 0.00000000
- False northing : 0.00000000

ELETRICITY SERVICES: CONDITIONS OF APPROVAL
Erf 3480

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

25/08/20
Date

Stellenbosch Municipality - Development Charge Calculation

APPLICATION INFORMATION

Application Number	Civil LU 1592 (LU/11384)
Date	Friday, 04/Sep/2020
Financial Year	2020/21
Erf Location	
Erf No	3480
Erf Size (m^2)	
Suburb	
Applicant	
Approved Building Plan No.	Site and Roof Plan SD-3462-M101 Rev A by S-Design Architects

SUMMARY OF DC CALCULATION

	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
Unit(s)	kl/day	kl/day	ha*C	t/week	trips/day	person	
Total Increased Services Usage	4.260	4.100	0.048	0.440	29.00	29.0	
Total Development Charges before Deductions	R 110 779.70	R 103 718.27	R 4 767.56	R 22 713.74	R 184 316.88	R 143 425.40	R 569 721.55
Total Deductions							
Total Payable (excluding VAT)	R 110 779.70	R 103 718.27	R 4 767.56	R 22 713.74	R 184 316.88	R 143 425.40	R 569 721.55
VAT	R 16 616.96	R 15 557.74	R 715.13	R 3 407.06	R 27 647.53	R 21 513.81	R 85 458.23
Total Payable (including VAT)	R 127 396.66	R 119 276.01	R 5 482.70	R 26 120.80	R 211 964.41	R 164 939.20	R 655 179.78

APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	Credit for existing house (1158m2 erf); DCs for 13 No flats
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	