Application Number: LU/10599
Our File Reference Number: Erven 2151, 2152, 2153 and 11191, Stellenbosch
Your Reference Number: L926-GS-mb-210832C
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: serhard@udwc.co.za

Sir / Madam

APPLICATION FOR A REMOVAL OF RESTRICTIVE CONDITIONS, CONSOLIDATION, REZONING AND DEPARTURES: ERVEN 2151, 2152, 2153 AND 11191, STELLENBOSCH

1. The above application refers.

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

2.1 That the application for a permanent departure, in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law (2015), pertaining to the provisions of Section 10.2.3(a)(f) of the Stellenbosch Zoning Scheme (1996), for the proposed development on erven RE 2151, 2152, 2153 and 11191, Stellenbosch, to allow the following building line relaxations:

- A street building line of 1m in lieu of 5m, to accommodate the proposed residential buildings;
- A lateral building line of 1m in lieu of 3m, to accommodate the proposed residential buildings;
- A lateral building line of 0m, to accommodate a refuse area as required by the Municipality.

NOT BE APPROVED in terms of Section 60 of the said Bylaw.
Reasons for the above Decision

a) The proposed raised deck will have a negative impact on the streetscape as the raised deck is seen to be a foreign structure on the street front within this area;

b) The relaxation of the lateral building line to accommodate the proposed raised decks will have a negative impact on the adjoining property owner’s privacy at ground level.

c) The relaxation of the street and lateral building line for the proposed raised decks will inhibit proper use of the private open spaces provided between the proposed building and the property boundary.

d) The structures will also limit the amount of landscaping that can be introduced into these areas due to the raised deck;

e) The refuse room will have a negative impact on the adjoining residential property.

2.2 That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the proposed development on erven RE 2151, 2152, 2153 and 11191, Stellenbosch, namely:

2.2.1 The consolidation, in terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law (2015), of the following properties, to create an unregistered property of ± 4 059m² in size consisting of Rem Erf 2151, Erf 2152, Erf 2153 & Erf 11191, Stellenbosch;

2.2.2 The rezoning of the unregistered consolidated property, in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law (2015), from Single Residential Zone to Group Housing Zone to accommodate a town housing development;

2.2.3 The removal of the following restrictive title deed conditions, in terms of Section 15(2)(f) of the Stellenbosch Municipal Land Use Planning By-Law (2015).
| Erf/ Erf 2151 Stellenbosch | T37247/2009 | H  
|                           |            | J(G)  
|                           |            | J(iv)(d)  
|                           |            | J(iv)(b)  
|                           |            | J(iv)(c)  
|                           |            | J(ii)  
|                           |            | J(iii)  
|                           |            | J(D)  
|                           |            | J(E)  
|                           |            | J(F)  
| Erf 2152 Stellenbosch    | T24042/2011 | H  
|                           |            | J(g)  
|                           |            | J(iv)(d)  
|                           |            | J(iv)(b)  
|                           |            | J(iv)(c)  
|                           |            | J(iv)(a)  
|                           |            | J(ii)  
|                           |            | F  
|                           |            | G  
|                           |            | J(iii)  
|                           |            | J(d)  
|                           |            | J(e)  
|                           |            | J(f)  
| Erf 2153 Stellenbosch    | T37432/2010 | E  
|                           |            | F(i)(4)(7)  
|                           |            | F(i)(4)(d)  


**BE APPROVED** in terms of Section 60 of the said Bylaw.

**Reasons for the above Decision**

(i) The proposal adheres to the general recommendations made in the MSDF pertaining to densification within existing developed areas;

(ii) The land use and scale of the proposed development is not seen to be foreign to the area;

(iii) The subject property has access to higher order roads such as Merriman and Cluver Streets and is located on the edge of Simonswyk;
(iv) Schoongezicht Street has a very wide road reserve and thus the proposed development will have minimal visual impact on the adjoining residential area of Simonswyk;

2.3 That such approval BE SUBJECT to the following conditions in terms of Section 66 of the said Bylaw:

(i) The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

(ii) The basement parking area may not protrude above ground level at any point of the subject properties;

(iii) The refuse room must be relocated / placed on the north western side of the property adjoining the servitude area and still complies to the street building line;

(iv) A plastered and painted boundary wall must be constructed along Schoongezicht Street that complies with the parameters set for boundary wall and fences in the Stellenbosch Municipality Zoning Scheme By-Law, 2019.

(v) An Urban Designer be formally appointed by the applicant at his cost to undertake an urban design study to aid in reducing the impact of the building on the surrounding area;

(vi) A revised Site Development Plan with detailed landscaping plan be submitted for approval by the Director: Planning and Economic Development which is endorsed by the urban designer;

(vii) The revised landscaping plan must include sidewalk planting plan but must also make provision for pedestrian movement on the sidewalk area of Schoongezicht Street;

(viii) The applicant submits an electronic copy (shp, dwg, dxf) or A4 hard copy of the SG diagrams, which was preliminary approved by the SG. The following information must be indicated:

- Newly allocated Erf Numbers
- Co-ordinates
- Survey Dimensions

(ix) The consolidated property be registered with the Deeds Office prior to a building plan being submitted for consideration;

(x) The building plans may only be submitted once the revised Site Development Plan has been approved;

(xi) That the conditions imposed by the Director: Infrastructure Services in its memo, dated 10 December 2019 be adhered to as attached as Appendix G.
(xii) That development contributions be calculated by the Directorate: Infrastructure Services on the revised Site Development Plan should this plan differ sustainability and which amount will be calculated in accordance with the approved council tariffs in force at the time of payment;

3. 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.

4. 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.

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

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


8. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

(a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

(b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
(c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.

(d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.


10. Kindly note 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

3-11-20
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Kommandeurslaan 3  
Simonswyk  
STELLENBOSCH  
7600

4. Adriaan Louw Brink namens die A.L Brink Trust  
Erl 2203  
Drommedarislaan 5  
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    E-mail: leonora@biltrken.co.za

16. Nadine Swart
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    STELENBOSCH
    7600

17. Mev D.S. Visagie
    Reygerlaan 3
    Simonswyk
    STELENBOSCH
    7600
18. Renee Malan
   Erf 2231
   Drommedarislaan 10
   Simonswyk
   STELLENBOSCH
   7600

19. Dirk Cilliers names Winckler Family Trust
   Schoongezicht 2
   STELLENBOSCH
   7600

20. Stellenbosch Interest Group (Pat Botha)
    PO Box 2217
    Dennesig
    STELLENBOSCH
    7601
    E-mail: info@stellenboschinterestroup.org

21. Stellenbosch Ratepayers Association (Rehanne Lambrechts - Secretary)
    PO Box 399
    STELLENBOSCH
    7599
    E-mail: info@stellenboschratepayers.org

22. CF Vermeulen
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28. DM Allwright
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### STELLENBOSCH MUNICIPALITY

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

**AUTHORISED EMPLOYEE/MPT:**

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### CO-ORDINATES & DISTANCES (WGS849)

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### STELLENBOSCH

**ERVEN 2151 to 2153 & 11191**

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### CONSOLIDATION PLAN

- **Consolidation Area** (Application Area) ±4 059 m²
- **Access Servitude** (4.00m wide)
- **Component Lines**

### COMPONENTS:

1. **Erf 11191 (Stellenbosch)** ±788 m²
2. **RE/2151 (Stellenbosch)** ±985 m²
3. **Erf 2152 (Stellenbosch)** ±1220 m²
4. **Erf 2153 (Stellenbosch)** ±1068 m²
ANNEXURE G
MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUURDIENSTE

TO: The Director: Planning and Development
FOR ATTENTION: N Katts
FROM: Manager: Development (Infrastructure Services)
AUTHOR: Tyrone King
DATE: 10 December 2019
RE.: Erven Re 2151, 2162, 2163, and 11191: Development of 42 residential units (town houses)
YOUR REF: LU/10599
OUR REF: 1934 CIVIL LU

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

- The abovementioned application dated 13 November 2019 and motivation report by Urban Dynamics Western Cape, dated October 2019;
- Proposed Site Development Plan (Site Plan) No. SK01 dated 2019/11/04 by Cala Moller Argitai;
- Traffic Impact Statement (TIS) by ICE Group, dated 23 October 2019 ref ICE/S/1304;
- Report on Civil Engineering Services, by Bart Senekal Inc, dated 15 October 2019 ref 1411/A2;
- GLS water and sewer capacity analysis report dated 20 September 2019

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

- Total Units: 42 town houses (group housing)

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:

Engineering Conditions (major developments) rev 3
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

A. Definitions

B. Recommendation to decision making authority

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

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

A. Definitions

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

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

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

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

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

B. Recommendation:

3. The development is recommended for approval, subject to the conditions as stated below.
4. that the following upgrades are required to accommodate the development:

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

b. Water Network: There is sufficient capacity in the bulk water reticulation network to accommodate the proposed development.
   i. The development will connect to the existing 150mm diameter municipal water line in Schoongezicht Street (Annexure A). The link water line will be for the Developers cost.

c. Sewer Network: There is sufficient capacity in the bulk sewer reticulation network to accommodate the proposed development
   i. The development will connect to the existing 150mm diameter municipal sewer line in Schoongezicht Street (Annexure B). The link sewer line will be for the Developers cost.

d. Roads Network:
   i. Roundabout at the Cluver Street/Schoongezicht Road intersection, to accommodate the background traffic
      Funding: Can be offset from DCs

e. Stormwater Network:
   i. As the four erven are currently developed sites with hardened surfaces, and due to the limited size of the development, no peak stormwater attenuation is proposed for the development and this is regarded as acceptable. The surface stormwater will be collected and discharged into the concrete open channel in the centre of Schoongezicht Street;
Erven Re 2151, 2162, 2163, and 11191: Development of 42 residential units (town houses)

f. Solid Waste:
   i. The Municipality will provide a solid waste removal service

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 2 771 688. 60 (Excluding VAT) as reflected on the DC calculation sheet, dated 10 December 2019, 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 in the case of a Sectional title erf in that phase or where a clearance certificate is not applicable and/or;
   - prior to the approval of Section 28 Certification in terms of the Stellenbosch Municipal Land Use Planning By-law in all cases and or;
   - prior to the erf or portion thereof being put to the approved use;

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
Erven Re 2161, 2162, 2163, and 11191: Development of 42 residential units (town houses)

Development Plan, once approved, which might lead to an increase in the number of units i.e. more than 42 units, will result in the recalculation of the Development Charges;

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

Site Development Plan

13. that provision be made for a stacking distance of 20m between the edge of Schoongezicht Road and the proposed access booms, as prescribed in the TIS;

14. that the proposed access will be of a 6.0 m width, as prescribed in the TIA. The following guidelines apply and must be indicated on the building plans: 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.

15. that the refuse bay along Schoongezicht Street as indicated on the SDP may be omitted as the street is wide enough to accommodate a parked refuse vehicle without traffic flows or traffic sight lines being affected too significantly;

16. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";

17. 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

18. that it be noted that as per Site Development Plan (Site Plan) No. SK01 dated 2019/11/04 by Cale Moller Argitak, 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

19. 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;
Erven Re 2161, 2152, 2153, and 11191: Development of 42 residential units (town houses)

20. that sustainable water usage including re-use of water by means of rainwater harvesting and recycling of grey water, as described in par 6 of the engineering report, is supported and encouraged. Details of such systems to be provided with the submission of building plans/engineering drawings;

**Bulk Water Meter**

21. 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**

22. 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 Saleem Haider; 021 808 8241; salem.haider@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.

**Servitudes**

23. The 4m wide servitude along the south-east boundary of the site must remain, as indicated on the SDP. It is not clear from the application, but it seems as if this servitude provides access to erf 2289. All servitudes and existing access arrangements to neighbouring properties must be clearly indicated on the building plans.

**Roads**

24. 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;

**Bulk Electricity**

25. Please refer to the conditions attached as **Annexure: Electrical Engineering**;
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

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:

26. 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;

27. that should the “Developer” not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Infrastructure Services by the “Developer” for further comment and conditions. Should this revised Engineering report confirm that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as any clearances for the development will not be supported by the Directorate: Infrastructure Services for this development if bulk services are not available upon occupation or taking up of proposed rights;

28. 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.

29. that the “Developer” must ensure that he / she has an acceptable public liability insurance policy in place;

30. 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;

31. 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);

32. that the “Developer” takes cognizance and accepts the following:
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

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

33. 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";

34. 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;
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

35. 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;

36. 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

37. 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;

38. 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;

39. 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;

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

41. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the “Engineer”;

42. 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;

43. that a suitably qualified professional resident engineer be appointed to supervise the construction of all internal – and external services;
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

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

45. 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;

46. 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);

47. 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;

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

49. 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;

50. 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".

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

52. that the "Developer", at his/her cost, will be responsible for the maintenance of all the internal (on-site) municipal – and private civil engineering services constructed for this development until at least 80% of the development units (i.e. houses, flats or GLA) is constructed and occupied whereafter the services will be formally handed over to the Owner's Association, in respect of private services, and to the Municipality in respect of public services;

Servitudes
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

53. 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;

54. 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;

55. 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

56. Taking into account the recent water crisis, and associated increase in borehole usage, it is important that the groundwater be recharged as much as possible. One way of achieving the above is to consider using Sustainable Drainage Systems (SuDS) approach wrf SW management. From Red Book: "SuDS constitute an approach towards managing stormwater runoff that aims to reduce downstream flooding, allow infiltration into the ground, minimise pollution, improve the quality of stormwater, reduce pollution in water bodies, and enhance biodiversity. Rather than merely collecting and discarding stormwater through a system of pipes and culverts, this approach recognises that stormwater could be a resource." The Developer is encouraged to implement SuDS principles that are practical and easily implementable. Details of such systems can be discussed and agreed with the Municipality and must be indicated on the engineering drawings.

57. 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;

58. 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;
Erven Re 2151, 2152, 2163, and 11191: Development of 42 residential units (town houses)

59. 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;

60. 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;

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

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

Roads

63. 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;

64. that visibility splay shall be provided and maintained on each side of the new access in accordance with the standard specifications as specified in the Red Book with regard to sight triangles at intersections;

Wayleaves

65. that wayleaves / 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;

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

67. 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)
Erven Re 2161, 2162, 2163, and 11191: Development of 42 residential units (town houses)

68. 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;

69. 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;

70. 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;

71. 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;

72. 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;

Green Technologies

73. It is encouraged that peak water demand should be accommodated with supplementary storage and recycling (e.g. rainwater tanks, grey water recycling) of water so that municipal water only be used to satisfy the base demand;

74. Technologies that facilitate the efficient use of irrigation water is encouraged;

75. Planting of waterwise flora is encouraged;

76. In accordance with the new SANS 10400-XA standard, all new housing should install solar water heating devices;

77. All non-subsidy housing is encouraged to meet the portion of their electrical demand that exceeds 300 kWh per month by generators such as solar photovoltaic panels and solar hot water heating devices;

78. SANS 10400-XA energy efficiency standards should be adhered to in all planning applications for new buildings, major renovations and usage changes;
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

Solid Waste

79. 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

80. 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;

81. 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
Erven Re 2161, 2152, 2153, and 11191: Development of 42 residential units (town houses)

( where clearance not applicable). Contact person Mr Salim Haider, 021 808 8241; salim.haider@stellenbosch.gov.za;

82. 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);

83. that if the "Developer" wishes to remove the waste by private contractor, provision must still be made for a refuse room should this function in future revert back to the "Municipality";

84. 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;

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

86. 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;

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

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

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

90. 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;

91. 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;
Erven Re 2151, 2152, 2163, and 11191: Development of 42 residential units (town houses)

92. 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 wheeile bin;

93. 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;

94. 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;

95. All black 85 ℓ refuse bins or black refuse bags 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

96. 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;

97. 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

98. 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
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

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.

99. 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;

100. 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;

101. 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;

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

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

104. 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
105. The "Developer" shall provide the "Municipality" with:
   a. a complete set of as-built paper plans, signed by a professional registered engineer;
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

110. 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;

111. 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;

112. 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

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

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

ATTACHMENT X

Geographic Information System (GIS) data capturing standards

In drawing up the As-build Plans relating to this development, the consultant
Erven Re 2151, 2152, 2163, and 11191: Development of 42 residential units (town houses)

must create the following separate layers in ESRI .shp, electronic file format in order for the
data to reflect spatially correct.

<table>
<thead>
<tr>
<th>Layer name</th>
<th>Content</th>
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<tbody>
<tr>
<td>TITLE</td>
<td>Title information, including any endorsements and references</td>
</tr>
<tr>
<td>NOTES</td>
<td>All noted information, both from the owner / surveyor and SG</td>
</tr>
<tr>
<td>PARENT_PROPLINES</td>
<td>Parent property lines</td>
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<tr>
<td>PARENT_PROPNUM</td>
<td>Parent erf number (or portion number)</td>
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<tr>
<td>PROPLINES</td>
<td>New portion boundaries</td>
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<tr>
<td>STREET_NAMES</td>
<td>Road centre lines with street names</td>
</tr>
<tr>
<td>STREET_NUMBERS</td>
<td>Points with street numbers</td>
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<tr>
<td>COMPLEX</td>
<td>Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are)</td>
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<tr>
<td>BOUNDARIES</td>
<td>Polygon with suburb name, where new suburb / township extension created</td>
</tr>
<tr>
<td>ESTATE</td>
<td>Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)</td>
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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 : 0.000000000
Erven Re 2151, 2152, 2153, and 11191: Development of 42 residential units (town houses)

- False northing: 0.00000000
- Central meridian: 19.00000000
- Scale factor: 1.00000000
- Origin latitude: 0.00000000
- Linear unit: Meter
### Stellenbosch Municipality - Development Charge Calculation

#### APPLICATION INFORMATION

**Application Number:** 2020-CIV-00123

**Date:** Monday, 30 March 2020

**Financial Year:** 2019/20

**Plot Location:** Green Rd 121, 123, 125, and 127

**Plot Size (m²):**

**Suburb:**

**Applicant:**

**Department:** Building Plan No.

**Proposed Site Development Plan:** Site Plan No. 123, dated 2020/11/04 by Cole Muller Architects

#### SUMMARY OF DC CALCULATION

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<th>Stormwater</th>
<th>Solid-Waste</th>
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| **Total Development Charges Before Deductions** | R 664 718.01 | R 664 718.01 | R 66 225.42 | R 77 635.30 | R 685 382.88 | R 491 642.00 | R 2 771 688.40 |
| **Total Deductions** | R 664 718.01 | R 664 718.01 | R 66 225.42 | R 77 635.30 | R 685 382.88 | R 491 642.00 | R 2 771 688.40 |
| **Total Payable (excluding VAT)** | R 164 718.01 | R 164 718.01 | R 66 225.42 | R 77 635.30 | R 685 382.88 | R 491 642.00 | R 2 771 688.40 |
| **VAT** | R 99 715.82 | R 99 715.82 | R 12 032.58 | R 11 718.04 | R 139 858.29 | R 79 748.20 | R 416 752.20 |
| **Total Payable (including VAT)** | R 264 433.83 | R 264 433.83 | R 78 258.00 | R 89 353.34 | R 825 241.17 | R 575 390.20 | R 3 187 441.60 |

#### APPLICANT INFORMATION

**Application Processed by:**

**Signature:**

**Date:**

**Amount Paid:**

**Date Payment Received:**

**Receipt Number:**