

Annexure H: Previous Approvals



Municipal Manager
Munisipale Bestuurder
Umphati kaMasipala
Privaatsak / Private Bag x12
VREDENBURG
7380

MUNISIPALITEIT • MUNICIPALITY • uMASIPALA

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www.saldanhabay.co.za

MELD ASB ONS VERW NR:
PLEASE QUOTE OUR REF NO:
NGESICELO BONISA INOMBOLO:

PL293/2

Navrae:

Enquiries:

iMibuzo:

L Gaffley

18 May 2012

BCD Beplanners
PO Box 11333
BLOUBERGRANT
7443

Dear Sir

**LAND USE PLANNING AND CONTROL: APPLICATION FOR REZONING
AND SUBDIVISION OF PORTION 2 OF THE FARM MEEUWEKLIP NO. 293,
LANGEBAAN**

Your application for the abovementioned dated 1 November 2004, refers.

You are hereby informed that your application (PFKP07/04-12), in the above-mentioned matter, was discussed at the Planning and Strategic Services Committee meeting held on 12 April 2012 and the following resolution were made:

That the application for the rezoning and subdivision of Portion 2 of the farm Meeuweklip No. 293, Malmesbury, from Agricultural zone to Subdivisional Area in order to accommodate not more than 178 Residential Zone II erven (10.86ha), 64 Residential Zone II erven (2.22ha), 9 Residential Zone III erven (comprising of not more than 289 units), 1 Residential Zone III erf with a consent use for a retirement village comprising no more than 120 units, a Business Zone II premises with a consent use for a restaurant, an institutional premises and 12 Open Space Zone II erven for nature conservation and recreation purposes, be approved in terms of Section 16(1) and 24(1) of the Land Use Planning Ordinance, No 15 of 1985, subject to the following conditions:

- a) that the applicant be held responsible for all costs, that might be required as a result of this application;
- b) that the development be in accordance with the attached standard conditions of the Municipal Engineer: Civil (version 2006-a). Refer to

Annexure "AA" to "DD" to this report and that the items below be added to the standard conditions;

- c) that the following street names have already been used and that alternative names be provided to the satisfaction of the Manager: Spatial Planning and Development prior to the endorsement of the subdivision plan:
 - Tern
 - Fulmar
 - Teal
 - Avocet
- d) that the revised and approved street names be indicated on the subdivision plan for endorsement;
- e) that an updated Landscape Framework Plan inclusive of a detailed landscaping plan be submitted to the satisfaction of the Manager: Spatial Planning and Development and the Municipal Engineer prior to endorsement of the Subdivision Plan;
- f) that pedestrian footpaths (pedestrian linkages) to the surrounding urban areas over or around the open space system be provided on the above-mentioned plan/s to satisfaction of the Manager: Spatial Planning and Development and the Municipal Engineer: Civil;
- g) that capital contributions for the bulk services be payable in accordance with the approved Interim Policy of Council, approved per Council's Resolution R104/4-10 of 28 April 2010 in terms of the Acknowledgement of Debt agreed to by the developer and attached as Annexure FF to the report;
- h) that all services which are not within road reserves be within registered servitudes in the name of the service owner;
- i) that the applicant be responsible for the provision of all bulk services to the proposed development due to there not being sufficient capacity in the existing infrastructure system in the vicinity to accommodate the proposed development;
- j) that all costs in the above-mentioned regard be to cost of the applicant;
- k) that the applicant appoints the firm CES / GLS of 11 Electron Street, Stellenbosch, 7599 to supply a water and sewerage network connection certificate to Council as well as to the applicant / developer. That the applicant be responsible for cost incurred in appointing CES / GLS;
- l) that the applicant appoints the firm CES / GLS of 4 Electron Street, Stellenbosch, 7599 to update the water and sewerage master plans of Saldanha Bay Municipality with the detail of the as-built plans for this

development. That the applicant be responsible for cost incurred in appointing CES / GLS;

- m) that the full detail in this regard be referred to in the attached annexure AA and BB;
- n) that the developer be liable for the construction of all access roads to this development;
- o) that sewage effluent from this development be discharged into the existing municipal system. That if the effluent has a negative effect on the existing foul sewer network the developer be liable to upgrade the existing foul sewer system;
- p) that a study be conducted regarding the matter referred to in o) above and be presented to the Council for approval;
- q) that the developer is required to put a storm water management system (as approved by the Municipal Engineer: Civil Services) into place to deal with the storm water from this development;
- r) That before any application for clearance certificates be considered all of the following already have been completed and/or provided:-
 - r.1) that all conditions as stipulated by statutory bodies as well as by Council have been adhered to and/or been provided;
 - r.2) that the appropriate capital contributions have been paid;
 - r.3) that the correct and applicable water and sewerage network connection certificate have been received from CES / GLS;
 - r.4) that CES / GLS have certified that they have received the correct "As-Built" detail from the developer and CES / GLS have certified that they have added the detail to their system;
 - r.5) that the approved General Plans and/or Erf Diagrams already have been submitted to Council in the required format. That the approved road names be provided on the General Plans and/or erf diagrams before registration;
 - r.6) that all services be within registered servitudes in the name of the service owner;
 - r.7) that all services, including service connections have been certified as being fully complete by a registered professional civil engineer. That this engineer be proficient in designing and inspecting the type of service which he is certifying;
 - r.8) that "As-Built" detail of all services already have been provided to Council in the required formats.
- s) that the applicant apply to Council for any advertisement signage that may be required and the amount of signage is limited as determined by Council's bylaws and all requirements according to SAMOC be adhered to;

- t) that sufficient dust control measures be implemented during construction phase;
- u) that fire hydrants be provided to the satisfaction of the Council;
- v) that the area be made accessible for Council's refuse removal vehicles;
- w) that a loading area be provided at the business premises and situated in such a manner that it is out of view and does not obstruct traffic;
- x) that the extension of Breë Street up to Sunbird Drive form part of the road network design in order for the additional future storm water runoff to be taken into consideration with the storm water runoff plan;
- y) that a plan indicating development phasing needs to be lodged prior to the endorsement of the subdivision plan and to the satisfaction of the Manager: Spatial Planning and Development and the Municipal Engineer: Civil services in order to ensure that the provision of additional services capacity be undertaken timeously;
- z) that the building control manual inclusive of Architectural Design Guidelines be updated in accordance with the requirements set by the Environmental Authorisation (inclusive of the height restrictions as imposed) and to the satisfaction of the Manager: Spatial Planning and Development;
- aa) that detail regarding building material as well as green building principles be incorporated in the Architectural Design Guidelines;
- bb) that all houses need to make use of sun panel geysers and all lighting to be energy conserving systems;
- cc) that all properties need to be fitted with a grey water system to catch runoff water;
- dd) that all acknowledged and best practices regarding green building principles be incorporated into the building control manual in order to ensure that the impact of the development is minimised as far as possible;
- ee) that the Architectural Design Guidelines include measures to address the undesirability of shallow founding conditions as noted in the Geotechnical report by Messrs Kantey and Templer;
- ff) that the Architectural Design Guidelines include measures to address the runoff control in and around exposed cut surfaces as noted in the Geotechnical report by Messrs Kantey and Templer;
- gg) that the guidelines comply to the minimum requirements as stated in the guidelines for compilation of Architectural guidelines. (Refer to the attached Annexure EE);

- hh) that the updated building control manual inclusive of Architectural Design Guidelines be submitted to Council's Aesthetics Committee, the Planning and Strategic Services [Delegated Authority] Portfolio Committee and a public participation process for comment/ recommendations and for approval by the Manager: Spatial Planning and Development prior to any application for clearance certificates being considered;
- ii) that traffic circles be constructed at the intersections of Oostewal and Breë Street, Oostewal and Sleigh Street as well as at the intersection of Salamander and Gull Street and at the intersection of Breë, Avocet and Turnstone Avenue;
- jj) that all the conditions of approval of the revised Environmental Authorisation be complied with, with specific reference to the height restrictions as stipulated in the letter from the Ministry of Local Government, Environmental Affairs and Development Planning dated 05/05/2009;
- kk) that the conditions as stipulated by the Department of Transport and Public Works in their letter dated 30 June 2005, Ref: R/P583/84/4/8), be adhered to:
 - kk.i) that the land use on the property not exceed the following limits: 559 residential units: 135 retirement residential units and 5000m² Gross Leasable Area (GLA) retail (unless otherwise stipulated by the Department of Transport and Public Works);
 - kk.ii) that on-site parking be provided as follows :
2 bays/unit for residential units, 1 bay/unit plus 0.25 bays per unit for visitors, 4 bays per unit for visitors, 4 bays per 100m² GLA for single shops and 6 bays per 100m² GLA for shopping centres. Parking must be provided for all other land uses in accordance with this Branch's Road Access Guidelines dated September 2002 (unless otherwise stipulated by the Department of Transport and Public Works);
 - kk.iii) that the extension of Breë Street, intended to provide access to the property development and to link it with Oostewal Road (Main Road No.233) have a minimum reservation width of 25 meters and extend on a continuous alignment across the access road to the sites of the proposed commercial centre and retirement village;
 - kk.iv) that site development plans for the proposed retirement village and the commercial centre for the approval of access and parking layout be submitted to the Department of Transport and Public Works for approval prior to the commencement of construction;
 - kk.v) that should the intersection of Breë and Sleigh Streets with Oostewal Road require any future upgrades due to traffic

implications, the conceptual geometric layout designs and analyses for both roundabouts and the alternative signal controlled intersections be submitted to the Department of Transport and Public Works: Director of Design for consideration until such time that Oostewal Street is transferred to Saldanha Bay Municipality;

- kk.vi) that any minor deviation from the above must be approved by the Local Authority and must not encroach on natural areas as defined in the approved layout or result in additional environmental impacts. Any significant amendments must be submitted to the Department for approval;
- ll) that the Construction Phase Environmental Management Plan and Operational Phase Environmental Management Plan be submitted to Council for their input and comment prior to final approval by the Department of Environmental Affairs and Development Planning;
- mm) that the developer/owner appoint an adjudicating architect for the recommendation of all building plans prior to any application for clearance certificates being considered;
- nn) that a Home Owner's Association ("HOA") with a Constitution, which incorporates the conditions of the Environmental Authorisation, as well as the building control manual and Architectural Design Guidelines be established, and be responsible for all matters regarding the operational phase of the development;
- oo) that the Constitution of the body corporate/HOA be submitted to Council in terms of Section 29 of the Land Use Planning Ordinance (No15 of 1985), and be finalised to the satisfaction of the Manager: Spatial Planning and Development after Council's legal advisors have made a recommendation (to the cost of the applicant), and that this prior to any application for clearance certificates being considered;
- pp) that compulsory membership to the body corporate/ association be stipulated on each of the individual Title Deeds of the properties;
- qq) that a condition be stipulated in the Constitution of the Home Owners Association which states that the adherence to the Building Control Plan and Architectural Design Guidelines and and/or guidelines which may supersede it, is compulsory;
- rr) that no pre-cast or vibracrete walls be permitted in the development;
- ss) that central refuse areas be provided that is hidden from view and screened behind a solid build wall with a minimum height of 1.8 meters for Residential Zone III and Business zone II premises;
- tt) that the property be revalued and taxed accordingly in terms of Council policy;

- uu) that application for provision of electricity to the proposed development is subject to a copy of the agreement between the developer and Eskom in connection with the provision of electricity being provided to Council prior to clearance being granted;
- vv) that no clearance/occupation be allowed prior to the compliance of all requirements;
- ww) that prior to application for clearance certificates be considered, the right on property be obtained on all public open spaces, streets and servitudes which might result from this subdivision, by registration in Council's name;
- xx) that this approval does not exempt the owner/applicant from complying with any other relevant statutory guidelines, where applicable; and
- yy) that the applicant confirm in writing that the conditions of approval be accepted and if not, that the prescribed procedure be followed in order to appeal against the conditions.

Note that you have the right to appeal to the Council in terms of Section 62 of the Municipal Systems Act, No 32 of 2000 and to the Premier of the Western Cape, in terms of Section 44(i)(a) of the Land Use Planning Ordinance, No 15 of 1985. If an appeal is lodged this decision is suspended until the outcome of the appeal process, first in terms of the Municipal Systems Act No 32 of 2000, and thereafter in terms of the Land Use Planning Ordinance, No 15 of 1985 .

Should you wish to exercise your right of appeal in terms of Section 62 of the Municipal Systems Act, the following procedures should be adhered to, failure to adhere there to may render an appeal invalid:

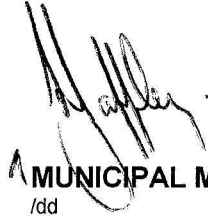
- the appeal must be in writing,
- the appeal in terms of the Municipal Systems Act No 32 of 2000 must be addressed to : The Municipal Manager, Private Bag X12, Vredenburg, 7380, by registered post,
- the appeal must be accompanied by all relevant documentation,
- the appeal must set out the grounds on which it is based,
- the right of appeal must be lodged within 21 days of the date of registration of this letter. Council will regard your acting on the right of appeal to be the date on which your appeal is received by the administrative offices of Council.

Should you wish to appeal in terms Section 44(1)(a) of the Land Use Planning Ordinance, No 15 of 1985 the appeal should be addressed to : the Department of Environmental Affairs and Development Planning, Private Bag X9086, Cape Town, 8000 by registered post, a copy of which must be submitted to this Council at the above mentioned address, within the mentioned period.

- the appeal must be accompanied by all relevant documentation,
- the appeal must set out the grounds on which it is based,
- the right of appeal must be lodged within 21 days of the date of registration of this letter. Council will regard your acting on the right of

appeal to be the date on which your appeal is received by the administrative offices of Council.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M. J. Miller', is written over the printed name 'MUNICIPAL MANAGER'.

MUNICIPAL MANAGER

/dd

SALDANHA BAY MUNICIPALITY
This subdivision has been approved by the Council in terms of Section 25 (1) of Ordinance No. 15 of 1985, read with section 3.2 of the Regulations promulgated under P.N. 334/1986

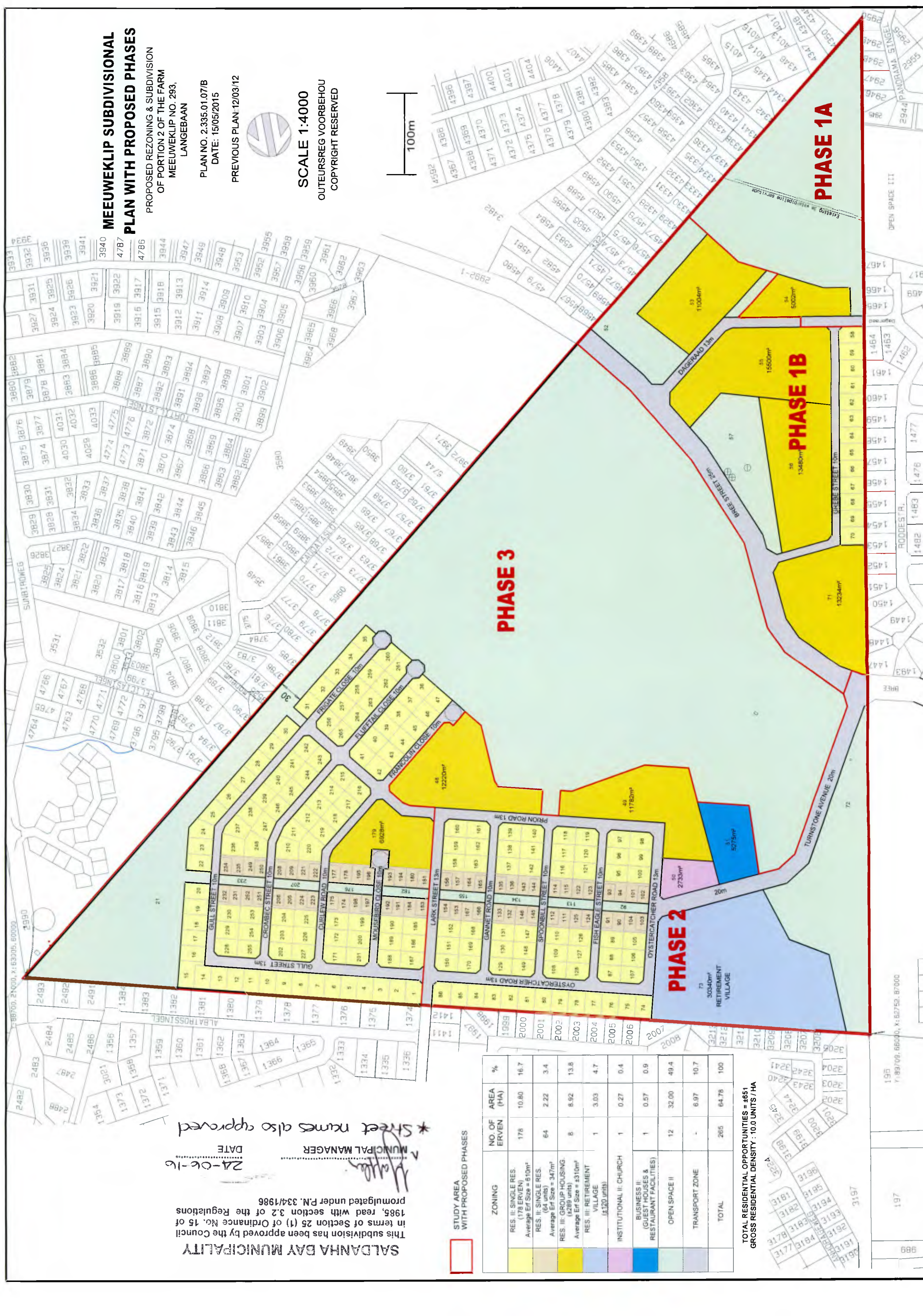
MUNICIPAL MANAGER
DATE: 24-06-16

* Street names also approved

STUDY AREA WITH PROPOSED PHASES

ZONING	NO. OF ERVEN	%	AREA (HA)
RES. II: SINGLE RES. (178 ERVEN) Average Erf Size = 610m²	178	16.7	10.80
RES. II: SINGLE RES. (64 units) Average Erf Size = 347m²	64	3.4	2.22
RES. III: GROUP HOUSING (289 units) Average Erf Size = 5310m²	8	13.8	8.92
RES. III: RETIREMENT VILLAGE (120 units)	1	4.7	3.03
INSTITUTIONAL II: CHURCH	1	0.27	0.4
BUSINESS II: (GUEST HOUSES & RESTAURANT FACILITIES)	1	0.57	0.9
OPEN SPACE II	12	49.4	32.00
TRANSPORT ZONE	-	6.97	0.97
TOTAL	265	100	64.78

TOTAL RESIDENTIAL OPPORTUNITIES = 4651
GROSS RESIDENTIAL DENSITY: 10.0 UNITS / HA



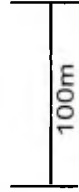
**MEEUWEKLIP SUBDIVISIONAL
PLAN WITH PROPOSED PHASES**

PROPOSED REZONING & SUBDIVISION
OF PORTION 2 OF THE FARM
MEEUWEKLIP NO. 293,
LANGEBAAN

PLAN NO. 2.335.01.07/B
DATE: 15/05/2015
PREVIOUS PLAN 12/03/12



SCALE 1:4000
OUTEURSREG VOORBEHOU
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IWAN VAN WYK
BCD TOWN & REGIONAL PLANNERS
P.O. BOX 11333
BLOUBERGRANT
7443

11 FEBRUARY 2020

LAND USE PLANNING AND DEVELOPMENT CONTROL: PROPOSED APPLICATION FOR AMENDMENT OF AN APPROVED SUBDIVISIONAL PLAN IN TERMS OF THE SALDANHA BAY MUNICIPAL LAND USE PLANNING BY-LAW: PORTION 2 OF THE FARM MEEUWEKLIP, NO. 293, LANGEBAAN

The application in the above-mentioned matter refers.

Herewith you are informed that the Senior Manager: Land Use Planning & Development Control resolved, the application 27 January 2020, in terms of delegated powers in terms of Council's resolution R61/6-15, as follows:

1. That the application for the Amendment of an Approved Subdivision Plan, Plan No. 2.335.01.07/B, dated 15 May 2015 (for Phase 1 only consisting of 5 Residential Zone II pockets; 2 Open Space Zone II; 13 Residential Zone II erven and roads), **be approved** in terms of Section 60(a) of the Municipal Land Use Planning By-Law ***and replaced with Plan No. 2.335.01.07/C, dated 13 September 2019 (for Phase 1 only consisting of 1 Residential Zone III (with an approved consent use for retirement village) pocket; 2 Open Space Zone II and Transport Zone)***;
2. That the applicant and affected parties be advised of his right to appeal in terms of Section 79 of the Saldanha Bay Land Use Planning By-Law against the approval and/or conditions of approval.
3. That the approval is subject to the following conditions imposed in terms of Section 60(b) of the Municipal Land Use Planning By-Law:

Senior Manager: Land Use and Development Control

- a) That all previous conditions imposed by the municipality and applicable to Portion 2 of the Farm 293, Meeuweklip, be adhered to at all times;
- b) That a site development plan for Phase 1, and/or its sub-phases be submitted to the satisfaction and for approval by the Senior Manager: Land Use and Development

Control, prior to a positive recommendation on building plan applications and/or property clearance;

- c) That this approval does not exempt the owner/applicant from complying with any other relevant statutory guidelines;

Manager Water and Sanitation

- a) That the developer must ensure that the water and sewer impact studies are done by GLS consulting engineers and that it is line with the proposed changes to the development;
- b) That the previously submitted GLS study must be updated by the developer;

Manager: Waste Management

- c) That gated developments must provide unrestricted access to refuse collection vehicles. Saldanha Bay Municipality will not be responsible for damages to road infrastructure due to refuse collection vehicles utilising the internal roads;
- d) That when a refuse room will be utilised for storage of bins, collection will be made from the refuse room and adequate off-street area must be available for refuse collection vehicle to park while empty bins without causing any traffic congestion.
- e) That the refuse room must be in accordance and to the satisfaction of the Manager: Waste Management;
- f) That cul-de-sac roads must be kept to a minimum and adequate turning circle must be provided to ensure refuse collection vehicle can turn within the cul-de-sac;
- g) That it shall be the responsibility of the owner of the property to apply for a wheelie bin on receipt of occupation and will be charged for refuse removal from date of occupation
- h) That during construction of houses, contractors must ensure builder's rubble is contained on the erf and removed regularly. Litter which can cause wind-blown litter problems must be kept separate within an enclosure which prevents litter being blown onto adjacent properties

Manager: Support Services (Land Surveying)

- i) That the applicant/developer take note that Sleigh Street must be realigned in future.

Manager: Support Services

- j) That the development be according to the attached Standard Conditions for Civil Engineering (2006-b);
- k) That the developer will be responsible to upgrade any water, sewer, stormwater or road infrastructure that might be required because of this development;
- l) That the developer is responsible for the provision of all internal and external civil services as well as any amendments to any service which may be required because of this development;

- m) That the developer will be responsible for the cost of the movement of any civil infrastructure which may be required because of the development;
- n) That the developer will be responsible for the cost of registering servitudes which may be required because of the development;
- o) That the detail and design of the civil infrastructure be approved by the Director: Engineering and Planning Services before the developer asks for tenders;
- p) That the Director: Engineering and Planning Services be invited to all site meetings;
- q) That capital contributions is payable with VAT which includes. These amounts escalate yearly on 1 July as per the SAFCEC indices using the month of May as base in accordance with the approved Interim Policy of Council, approved per Council's Resolution R81/6-19 of 2019. The contributions will be payable with the lodging of building plans or transfer of property whichever is first;
- r) That the developer must ensure all conditions are met before the occupation or clearance certificates is issued by the municipality

You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79 of the Saldanha Bay Land Use Planning By-law. The attached appeal form must be completed and should be directed to the Municipal Manager, Saldanha Bay Municipality, Private Bag X12, Vredenburg, 7380 and received by the municipality within 21 days of notification of this decision together with the information set out in section 80 of the By-law.

Please note that you must simultaneously serve notice of the appeal on the objector and any other persons as the Municipality may determine (available on request). Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.

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

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

Yours faithfully



For MUNICIPAL MANAGER
sdb

STUDY AREA
WITH PROPOSED PHASES

PHASE 1: PORTIONS 64-67
PHASE 2: PORTIONS 59-62, 68-167
PHASE 3: PORTIONS 1 - 58, 63, 168-253

ZONING	NO. OF ERVEN	AREA (HA)	%
RES. II: SINGLE RES. (165 ERVEN) Average Erf Size = 610m ²	165	10.05	15.5
RES. II: SINGLE RES. (64 units) Average Erf Size = 347m ²	64	2.22	3.4
RES. III: GROUP HOUSING. (±200 units) Average Erf Size = ±306m ²	4	6.12	9.5
RES. III: RETIREMENT VILLAGE (±100 units)	1	7.46	11.5
INSTITUTIONAL II: CHURCH	1	0.27	0.4
BUSINESS II: (GUEST HOUSES & RESTAURANT FACILITIES)	1	0.53	0.8
OPEN SPACE II	12	31.92	49.3
TRANSPORT ZONE (PUBLIC ROADS)	5	6.21	9.6
TOTAL	253	64.78	100

TOTAL RESIDENTIAL OPPORTUNITIES = ±529
GROSS RESIDENTIAL DENSITY : 8.2 UNITS / HA

AMENDMENTS

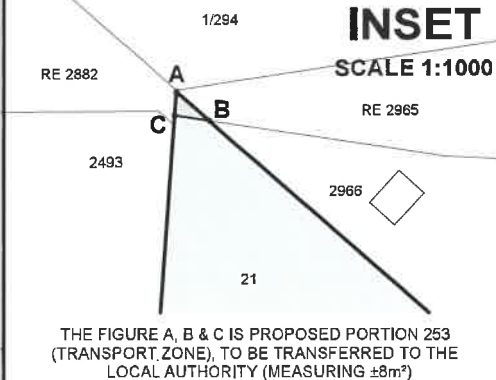
15/04/2019
NEW PLAN:
2.335.01.07/C

13/09/19

REMOVE PORTIONS 53 - 71,
DAGERAAD AND GREBE STREETS
SWOP GROUP HOUSING AND
RETIREMENT VILLAGE PORTIONS
(APPROVED PORTION 73)
RE-NUMBER AND RE-CALCULATE
AREAS AND DENSITIES
ADD PORTION 253 IN PHASE 3

INSET

SCALE 1:1000



THE FIGURE A, B & C IS PROPOSED PORTION 253
(TRANSPORT ZONE), TO BE TRANSFERRED TO THE
LOCAL AUTHORITY (MEASURING ±8m²)

MEEUWEKLIP SUBDIVISIONAL PLAN WITH PHASES

REZONING & SUBDIVISION
OF PORTION 2 OF THE FARM
MEEUWEKLIP NO. 293,
LANGEBAAN

PLAN NO. 2.335.01.07/C
DATE: 13 SEPTEMBER 2019

PREVIOUS PLAN:
PLAN NO. 2.335.01.07/B
DATED 15/05/15
(ENDORSED 24-06-2016)



SCALE 1:4000
Outeursreg Voorbehoud
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100m

SALDANHA BAY MUNICIPALITY
Subdivision (amendment) of Farm 293/2 is hereby approved in
terms of Section 60 (a) of the Saldanha Bay Municipal Land Use
Planning By-law, in accordance with the approval dated 11
February 2020 (as well as Appeal Outcome).

Municipal Manager: [Signature] Date: 16-09-2020

PHASE 3
34.56HA

PHASE 2
(16.19HA)

PHASE 1C
3.24 HA

PHASE 1B
6.90 HA

PHASE 1
14.03 HA

PHASE 1A
3.89 HA

64
4.96 HA

65
RES. III:
RETIREMENT
VILLAGE
7.46 HA

66
1.01 HA

67

68

69
2.25 HA

61
0.27 HA

62
0.53 HA

60
1.18 HA

59
1.22 HA

176
0.69 HA

21
23.15 HA

253

SEE INSET
253