

CITY OF CAPE TOWN
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DEVELOPMENT MANAGEMENT

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BLUM022

17 FEBRUARY 2021

CASE ID : 70505134

MLH PLANNERS AND ARCHITECTS

C/o Mr A. Goosen

Email: alleng@mlh.co.za

FINAL NOTIFICATION LETTER

Dear Sir

APPLICATION FOR CONSOLIDATION, SUBDIVISION, REZONING AND CONSENT IN TERMS OF THE DENSITY OVERLAY ZONE: ERF 448 (UNREGISTERED ERVEN 610 AND 800), SANDOWN

The previous correspondence dated 16 February 2021 refers.

I wish to advise that the appeal process has now been concluded and that the decision as per the City's previous letter of approval is therefore now considered final. Accordingly, the decision may now be acted upon, subject to compliance with the conditions detailed in the letter dated 16 February 2021.

Note that in the case of a rezoning, consent use or departure, the owner must notify the City in writing within the lapsing period or extended lapsing period that the land is being used in accordance with the approval, failing which the rezoning, consent use or departure is presumed to have lapsed.

Yours faithfully


E Mardis

for **DIRECTOR: DEVELOPMENT MANAGEMENT**

cc GIS officer



CITY OF CAPE TOWN
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DEVELOPMENT MANAGEMENT

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BLUM017

16 FEBRUARY 2021

70505134

MLH PLANNERS AND ARCHITECTS

C/o Mr A. Goosen

Email: alleng@mlh.co.za

Dear Sir

APPLICATION FOR CONSOLIDATION, SUBDIVISION, REZONING AND CONSENT IN TERMS OF THE DENSITY OVERLAY ZONE: ERF 448 (UNREGISTERED ERVEN 610 AND 800), SANDOWN

The application with reference 70505134, refers.

The authorised official on 16 February 2021 **approved** in terms of section 98 (b)(iii) of the City of Cape Town Municipal Planning By-Law, 2015 (MPBL), the applications for:

- a. Consolidation of unregistered erven 610 Sandown and 800 Sandown, as per consolidation plan with Drawing Number LP-0629-01, Revision B; dated June 2020;
- b. Subdivision into six portions of the consolidated of unregistered erven 610 Sandown and 800 Sandown as per subdivision plan with Drawing Number LP-0629-02, Revision C; dated June 2020;
- c. Rezoning of central through-road from General Business Subzoning GB1 to Transport Zone 2 (TR2), a portion of the unregistered erven 610 Sandown and 800 Sandown;
- d. Approval in respect of the Koeberg Restriction Area Overlay Zoning to permit the above-mentioned development application within the Urgent Protective Action Zone.

This approval is subject to the conditions set out in **attached** Annexure A.

Kindly note, this subdivision and consolidation approval will lapse within 5 years after the effective date of decision (as contemplated in section 105(2) [see footnote] of the MPBL), unless it complies with section 55(1) [see footnote] of the MPBL.

Kindly note, this rezoning approval will lapse within 5 years after the effective date of decision (as contemplated in section 105(2) [see footnote] of the MPBL), unless it complies with section 47(1) [see footnote] of the MPBL.

In the case of a rezoning, consent use or departure, the owner must notify the City in writing within the lapsing period or extended lapsing period that the land is being used in accordance with the approval, failing which the rezoning, consent use or departure is presumed to have lapsed.

Kindly also note where applicable, the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally passed.

Should the reasons for the above decision not be contained in this notification you are advised in terms of section 104(2)(c) of the MPBL and section 5 of the Promotion of Administrative Justice Act, No 3 of 2000 that you are entitled to request in writing reasons for the above decision.

In terms of section 108(1) of the City of Cape Town Municipal Planning By-Law, 2015, you may appeal to the Appeal Authority against the above decision by giving written notice of the appeal and grounds of appeal and by completing and signing the prescribed form.

An appeal, including the written notice and the grounds of appeal (and not only the intention to appeal), must be lodged on the prescribed form (the form can be downloaded here: <http://www.capetown.gov.za/LandUseAppeals>) with the City Manager, c/o the Blaauwberg District Manager, at the following email address: [appeals.blaauwberg@capetown.gov.za] within **21 days of the date of notification of the decision**. See definition of notification date to be read together with the provisions of the Interpretation Act 1957 in footnote below to determine the closing date for submission. Failure to comply with the above requirements and provisions within section 108 of the MPBL will result in the appeal being ruled invalid.

Kindly note that the operation of the approval of this application is suspended and may therefore not be acted on until such time as the City gives notice that no appeal has been lodged and the decision is effective or the date that the appeal is decided by the appeal authority. If an appeal is lodged against a condition of approval the City may determine that the operation of the approval of the application is not suspended.

Yours faithfully



S SHABALALA

for **DIRECTOR: DEVELOPMENT MANAGEMENT**

Annexure A: Conditions of approval
 Annexure B1: Consolidation Plan
 Annexure B2: Subdivision Plan
 Annexure C: Eskom Distribution conditions

Notes and extracts from sections of the City of Cape Town Municipal Planning By-Law, 2015

**[Include paragraphs 55 & 54 only if there is a subdivision
 Include paragraph 47 only if there is a rezoning, consent or departure
 Always keep paragraph 105 and notification date- delete this note]**

55 Confirmation of subdivision

- (1) Within a period of five years after the effective date of decision, the applicant must, in respect of the approved general plan or diagram –
- (a) meet all of the requirements in section 54(1); and
 - (b) obtain the registration of transfer in terms of the Deeds Registries Act of at least one land unit.

54 Transfer of land unit arising out of approved subdivision

- (1) No person may obtain transfer of a land unit arising out of an approved subdivision or the relevant phase unless –
- (a) the Surveyor-General has granted the approval contemplated in section 53;
 - (b) the engineering services required by the conditions of approval contemplated in section 52(4) and any other applicable legislation in respect of the area or the relevant phase on the approved general plan or diagram have been completely installed;
 - (c) all other conditions of subdivision or the conditions relating to the relevant phase on the approved general plan or diagram and all conditions precedent to the transfer of the land unit have been met; and
 - (d) where an owners' association is required,
 - (i) the City has certified the constitution of the association (as contemplated in section 62(2));
 - (ii) the association has been or will be established upon transfer of the first land unit (as contemplated in section 61(5)); and
 - (iii) all land designated in terms of the conditions of approval to be transferred to the owners' association including private roads and private open space, arising from the subdivision or relevant phase have been, or together with the transfer of the first land unit, will be transferred to the association, without compensation.

38 General lapsing provision

- (1) Unless otherwise specified in this By-Law, an approval granted or deemed to have been granted in terms of this By-Law to use or develop land lapses two years after the effective date of decision
- (a) where the land is not used in accordance with the approval; or
 - (b) where an improvement of land is required in order to use the land in accordance with the approval, lawful commencement of construction has not occurred.

47 Lapsing of rezoning, consent use or departure

- (1) A rezoning, other than a rezoning to a subdivisional area zoning, consent use or permanent departure approved or deemed to have been approved in terms of this By-Law lapses five years after the effective date of the decision –
- (a) where the land is not used in accordance with the approval; or
 - (b) where an improvement of land is required in order to use the land in accordance with the approval, lawful commencement of construction has not occurred.

105 Effective date of decision

- (2) The effective date of a decision in terms of this By-Law is –
- (a) the date that the City gives notice that no appeal has been timeously lodged and that the decision is accordingly effective; or
 - (b) subject to subsection (3), if an appeal is timeously lodged, the date that the appeal is decided by the appeal authority.
- (3) If an appeal is lodged only against a condition imposed in terms of section 100, the City may determine that the operation of the approval of the application is not suspended

Method and date of notification

The date of notification is determined as follows:

if the notification is provided –

- (a) orally, it is the date of oral communication;
- (b) by hand, it is the date of delivery or collection;
- (c) by registered post, it is regarded as the fourth day after the date stamped upon the receipt for registration issued by the post office which accepted the notice; or
- (d) by email or fax, it is the date that the email or fax is sent,

Interpretation Act No 33 of 1957 section 4

- (4) Reckoning of number of days. – When any particular number of days is prescribed for the doing of any act, or for any other purpose, the same shall be reckoned exclusive of the first and inclusive of the last day, unless the last day happens to fall on a Sunday or on any public holiday, in which case the time shall be reckoned exclusive of the first day and exclusive also of every such Sunday or public holiday.

As an example, if the date of notification is 1 October, then the first day of calculation of the 21 day appeal period will be 2 October and the 21st day would be 22 October. If 22 October is either a Sunday or a public holiday, then the closing date will be the next following day that is not either a Sunday or a public holiday.

ANNEXURE A

In this annexure:

"City" means the City of Cape Town

"The owner" means the registered owner of the property

"The property" means **erf 448, 64 Sandown Road East Road, Sandown**

"Bylaw" and "Development Management Scheme" has the meaning assigned thereto by the City of Cape Town Municipal Planning Bylaw, 2015 (as amended)

"Item" refers to the relevant section in the Development Management Scheme

"Dir: DM" means Director: Development Management or his/her delegatee.

CASE ID: 70505134

1. APPLICATIONS GRANTED IN TERMS OF SECTION 98 (b) OF THE BY-LAW

- 1.1. Consolidation of unregistered erven 610 Sandown and 800 Sandown, as per consolidation plan with Drawing Number LP-0629-01, Revision B; dated June 2020;
- 1.2. Subdivision into six portions as per subdivision plan with Drawing Number LP-0629-02, Revision C; dated June 2020;
- 1.3. Rezoning of central through-road from General Business Subzoning GB1 to Transport Zone 2 (TR2);
- 1.4. Approval in respect of the Koeberg Restriction Area Overlay Zoning to permit the above-mentioned development application within the Urgent Protective Action Zone.

2. CONDITIONS OF APPROVAL IMPOSED IN TERMS OF SECTION 100 OF THE BY-LAW

DEVELOPMENT MANAGEMENT

- 2.1. The consolidation of unregistered erven 610 Sandown and 800 Sandown shall be generally in accordance with the endorsed plan with Drawing Number LP-0629-01, Revision B; dated June 2020, attached hereto as annexure B1.
- 2.2. The subdivision into six portions shall be generally in accordance with the endorsed plan with Drawing Number LP-0629-02, Revision C; dated June 2020, attached hereto as annexure B2.
- 2.3. The consolidation and subdivision shall be registered in the Deed's Registry prior to submission of any building plans subsequent to this approval.
- 2.4. Site Development Plans for the development of the new land portions (1-5_ shall be submitted and approved, prior to building plan submission.

ROADS INFRASTRUCTURE AND MANAGEMENT

General Conditions of Approval

Development Contributions/ Bulk

- 2.5. The bulk to the individual properties is not in line with the DMS. The bulk allocated to the subdivided portions shall be drawn from the Sandown Commercial bulk pool, of which 15500m² is allocated to portions 1 to 5 at a bulk

factor of 0.5 and not 2 as stipulated by the DMS. Additional bulk purchases to be captured in the Commercial Bulk Pool and be registered against the title deed of the subdivided portions.

Engineering Services

General

- 2.6. The developer at their cost shall provide all the required internal and link engineering services to the satisfaction of Council, prior to transfer of individual properties.
- 2.7. Detailed engineering services plans prepared by a registered engineer shall be submitted for approval by Council prior to the commencement of any works.
- 2.8. All engineering services comply with the following standards and policies of Council and services shall be in accordance with approved subdivision plan:
 - 2.8.1. Minimum Standards for Civil Engineering Services in Townships
 - 2.8.2. Management of Urban Stormwater Impacts Policy
 - 2.8.3. Catchment, Stormwater and River Management Policies & Guidelines
- 2.9. All public services shall be handed over to or inspected by Council on completion of the works and a completion certificate shall be obtained prior to transfer of properties.
- 2.10. Where municipal services traverse private properties or fall outside a public road reserve, a minimum 3m wide servitude shall be registered in favour of Council, for the developer's account; and the servitude width shall be finalised once the engineering services design is submitted at final subdivision stage.
- 2.11. As-built drawings shall be prepared from a survey carried out by an independent surveyor and submitted to Council prior to Section 137 clearance being issued.
- 2.12. The developer shall be responsible for the reinstatement of all damaged municipal infrastructure after completion of the construction work to full municipal standards.
- 2.13. The Developer shall confirm that the duct required by the various Telecommunication Authorities has been provided in the design.

Private Developments

- 2.14. The following shall be applied to all private developments:
 - 2.14.1. An Owners' association shall be established in accordance with the provisions Section 61 of the Municipal Planning By-Law (2015) and shall address the maintenance of all internal services and roads within the development.
 - 2.14.2. All engineering services for private developments shall comply with the same standards and procedures as above, and the Body Corporate or Owners' association shall be responsible for the maintenance of internal private services.

- 2.14.3. Bulk connection points for services (water, sewer, stormwater and access) shall be accessible to the Municipal Maintenance Departments from the public road reserve.

Specific Engineering Services

Stormwater

- 2.15. All stormwater run-off shall be detained to a pre-developed flow volume on site (analysis to be submitted) and the run-off shall be conveyed to the municipal stormwater system in accordance with an approved stormwater management plan. The management plan shall conform to the overall master planning of the area and the Management of Urban Stormwater Impacts Policy in order to address water quality and quantity.
- 2.16. The geometric design of roads, parking areas and overland escape routes shall ensure that no trapped low points are created and where required, the layout shall be amended to ensure uninterrupted overland stormwater management within road reserves or public open spaces (no overland flow over private properties).
- 2.17. The floor level of all buildings shall be a minimum of 100mm above the 1:100-year flood level and shall be a minimum of 300mm above the surrounding natural ground level.
- 2.18. The applicant shall confirm the capacity of the downstream municipal system.

Roads / Parking

- 2.19. NMT facilities (pedestrian and cycle) as well as universal access at intersections shall be provided along the public streets abutting the property.
- 2.20. The Sandown Road Access Management Plan shall be reviewed prior to considering any left-in / left-out access points to individual properties.
- 2.21. The maximum width of the vehicular access shall be 8,0m with dropped kerbs and no bellmouth.
- 2.22. The access to Portion 1 at the taper shall be reviewed to the satisfaction of the Roads, Infrastructure and Management branch.
- 2.23. A servitude shall be registered over the Public Open Space on erf 801 Sandown in order to formalise the splay.
- 2.24. A minimum of 5m x 5m splay shall be provided at intersections/accesses and the required sight triangles shall be maintained and be free of any obstruction (landscaping, electrical/telecommunication infrastructure). Alternatively, visually permeable fence panels shall be provided at the entrance to the site
- 2.25. Provision shall be made for electrical substations and kiosks within the property boundary abutting the public roads.
- 2.26. The developer shall ensure that the duct requirements for the development have been obtained from the telecommunication authorities and from Eskom.

GIS

- 2.27. For the consolidation of erf 610 Sandown and erf 800 Sandown, the address shall remain as 2 Cedar Street.
- 2.28. The physical street addresses for all the portions of the consolidation and subdivision shall be allocated as follows:
 - 2.28.1. Portion 1 shall be allocated 3 Cannock Street
 - 2.28.2. Portion 2 shall be allocated 11 Cannock Street
 - 2.28.3. Portion 3 shall be allocated 19 Cannock Street
 - 2.28.4. Portion 4 shall be allocated 15 Searsia Street
 - 2.28.5. Portion 5 shall be allocated as 4 Cannock Street
 - 2.28.6. Portion 6 shall be allocated as 10B Cedar Street
- 2.29. Sandown Street shall be correctly indicated as 'Sandown East Road' on the Proposed Subdivision Plan.
- 2.30. Prior to transfer clearance, the signed and approved SG diagrams for the subdivision and consolidation shall be submitted to the GIS branch at pvccadastral.queries@capetown.gov.za.

ENVIRONMENTAL MANAGEMENT DEPARTMENT

- 2.31. A Site Development Plan, together with a Landscape Plan, shall be submitted for each developable erf.
- 2.32. The Landscape Plans shall be in accordance with Landscape Master Plan for Cedar Square (Drawing No: 77025A.LMP.0 Rev D, dated January 2021). The plant list shall comprise indigenous plants selected from the approved Sandown Plant List.
- 2.33. A Construction Environmental Management Plan (CEMP) for Cedar Square for the pre-construction, bulk earthworks, construction of the roads, services and the top structures shall be submitted for approval by the Authorised official, prior to any work commencing on site.
- 2.34. The owner/developer shall appoint, at his/her cost, an independent Environmental Control Officer ("ECO"), with appropriate environmental qualifications and experience, for the duration of the works contemplated in the CEMP, in order to monitor compliance by all parties with the CEMP. Such an appointment shall be submitted to the Authorised official for approval, prior to any work construction commencing on site.
- 2.35. The owner/developer shall enter into a contract with the ECO detailing the minimum hours per week, how often the ECO must be on site, and conferring the power on the ECO to stop the construction on site if there is non-compliance with the CEMP or to issue penalties as listed in the CEMP.
- 2.36. The owner/developer shall submit notification of the commencement of work on site to the Environmental Management Department; and the ECO must be on site at commencement.
- 2.37. An Environmental Site Closure inspection will be undertaken by the Environmental Management Department.

WATER AND SANITATION

- 2.38. All subdivided erven shall have separate water and sewer connections.
- 2.39. Detailed Civil Engineering services plans shall be submitted to the Water & Sanitation branch for approval, showing how the new proposed subdivision will be serviced with a new water and sewer connection. All services shall comply with the "Minimum Standards of Civil Engineering Services in Townships (as amended) document".
- 2.40. Before commencement of construction, all wayleave applications shall be in place and approved.
- 2.41. All new service connections shall be constructed and inspected by Council on completion before section 137 for transfer will be approved.
- 2.42. The developer shall be responsible for the payment of the development contributions for bulk civil engineering services, if any, as determined annually by Council.
- 2.43. All internal services shall be private and thus not be taken over by The City of Cape Town.

RECREATION AND PARKS

- 2.44. Future Site Development Plan submissions for the newly created portions shall include detailed Landscape Plans addressing on-site as well as road verge landscaping and shall be generally in accordance with the Landscape Master Plan (dwg no: 77025A.LMP.0_Rev D, January 2021).
- 2.45. Detailed Landscape Plans shall comply with the standard requirements for landscape plans submission, attached as Appendix 1.
- 2.46. Landscaping shall be implemented by and at the cost of the developer and to the satisfaction of the authorised official at onset of the first winter rainfall after completion of construction. The standard 12-month maintenance period will be applicable to the newly installed landscaping (calculated from the date of completion).
- 2.47. Trees, once planted on Council owned land, may not be removed or pruned without prior consultation with and written approval from the Director: Recreation and Parks.
- 2.48. In the event of any trees being removed without written permission from an Authorised official, the applicant will be in contravention of applicable legislation and may be prosecuted and/or liable for any replacement or rehabilitation measures as determined by an Authorised official.

General (for noting)

- The requirements from Eskom: Distribution, attached as annexure C.
- The standard administrative requirements as per Appendix 2.

STANDARD REQUIREMENTS FOR THE SUBMISSION OF LANDSCAPING PLANS

Depending on the nature of the proposed development, a Landscape plan should include the following basic information:

- Development or owner(s) name
- Erf number(s), suburb and street address of subject property, as well as abutting erf numbers,
- Name and contact information of landscape architect or author of the plan,
- Plan must be drawn to scale (1:500; 1:250, 1:100 or 1:50), bar scale and north point,
- Site boundaries, area and dimensions, as well as any existing and proposed servitudes,
- Name and position of abutting street(s),
- Existing and proposed contours at minimum 1m intervals,
- Existing and finished ground levels to be shown,
- Entrances and windows of the ground floor of the proposed development,
- Location of existing mature trees to be retained relocated and/or removed within the property, as well as any street trees. Trunk diameter, drip lines, height and botanical names of trees should also be indicated. Where trees are to be retained, existing and proposed ground levels around the routes should be indicated,
- Location of proposed trees and vegetation, with their botanical names and sizes, and densities to which ground covers and shrubs will be planted – use of locally indigenous plant species are encouraged as these are more water wise and generally more cost effective in the long term with regard to maintenance,
- Tree staking diagram to be included,
- All landscaping on levels other than natural ground e.g. balconies and roof gardens,
- Existing and proposed structures and hard surfaces to be retained – specify surface material to be used (e.g paving, permeable paving to encourage stormwater infiltration, lawn etc.);
- All landscaping features, including fences, walls, retaining walls, street furniture, lighting and play equipment (indicating detailed specifications,
- Vehicular and pedestrian circulation,
- Development on adjacent properties (e.g. buildings, landscaping etc.)
- Irrigation and drainage in general landscaped areas and planters. Landscaping plans to show a metered connection and/or irrigation plan as well as detailed planting plans (if required)

- Location of all underground and overhead services (both existing and proposed), e.g. water, electricity, telephone, stormwater, sewer etc.
- Stormwater flow paths, detention and treatment facilities (indicated schematically). -
- Position and extent of any special site features, such as rocky outcrops, channels, fountains/natural springs, wetlands etc. and
- Any existing cultural, heritage or conservation resource or asset on site.

Additional general requirements:

- Landscape plans may not be smaller than A4 or larger than A0 and must be folded to A4 size,
- Any alterations on a Landscape plan must be made in ink, signed and dated,
- When requested, the estimated cost of/budget for the proposed landscaping works and a development programme must be attached as an annexure to the Landscape plan,
- A Landscape plan must be prepared by a suitably qualified professional. For larger or more complex cases, Council may require that a qualified professional Landscape Architect registered with the South African council for Landscape Architectural Profession (SACLAP) in terms of the South African Council of Landscape Architect Professional Act, No 45 of 2000, undertake this task. In such case, the registration number of the professional must be provided on all plans submitted.

GENERAL ADMINISTRATIVE REQUIREMENTS

In addition to the conditions of approval listed in Annexure A, the following further processes and standard administrative requirements are to be noted and complied with in full timeously and where applicable.

Further processes in the case of subdivision (or consolidation) approval

- 1 Generally, the further processes following subdivision / consolidation approval involve the following sequence of events:
 - Actual site surveying and preparation of a survey diagram or General Plan by the owner / applicant's appointed land surveyor
 - Submission to and approval by the Surveyor General (SG) of the diagram or General Plan
 - Once services infrastructure have been installed and all conditions of subdivision have been complied with, upon application, transfer clearance certification issued by City in terms of Section 137(3) of the City of Cape Town Municipal Planning By-law, 2015 (MPBL)
 - Once Section 137(3) transfer clearance issued, upon application, rates clearance certification issued by the Chief Financial Officer in terms of Section 118 of the Municipal Systems Act, No 32 of 2000
 - Supported by the above clearances, conveyancer application to the Registrar of Deeds for separate registration and/or transfer of newly subdivided portions
 - Upon individual registration, building plan approval, followed by construction, subsequent building completion certification by the City and eventual occupation

- 2 Kindly note, the subdivision approval in the accompanying decision letter will lapse unless separate registration of at least one land unit is effected in the Deed's office within 5 years of the date of the City's final notification letter of this approval (which letter will follow in due course), unless extension of the validity thereof has been granted in terms of Section 107 of the MPBL prior to such lapsing.

- 3 After final notification of this subdivision / consolidation approval, the SG will require preparation of a diagram or General Plan (illustrating any servitudes where applicable) of the newly created land unit(s) for its approval. Such diagram or General Plan is to be prepared by a land surveyor appointed by the owner / applicant. The owner / applicant or its surveyor is required to liaise directly with the SG in this regard. Upon approval thereof, the SG will indicate by means of an endorsement the date and reference number of this subdivision / consolidation approval on the back of the diagram(s) of the newly created erven or on the front of the General Plan, whichever are applicable.

- 4 Upon or prior to submission to the SG office of such diagram(s) or General Plan for approval, an electronic copy thereof must be e-mailed to the Senior GIS technician in the district Planning office where the approval was issued at the relevant address reflected below. Proof of such e-mail transmission must accompany any transfer clearance application or building plan submission to the Development Management Department, whichever may occur first.

District	e-mail address
Table Bay	p&bdev.tablebay@capetown.gov.za
Blaauwberg	p&bdev.blaauwberg@capetown.gov.za
Northern	p&bdev.northern@capetown.gov.za
Tygerberg	p&bdev.tygerberg@capetown.gov.za
Helderberg	p&bdev.east@capetown.gov.za
Mitchell's Plan / Khayelitsha	p&bdev.mitchellsplainkhayelitsha@capetown.gov.za
Cape Flats	p&bdev.capeflats@capetown.gov.za
Southern	p&bdev.southern@capetown.gov.za

- 5 Once the diagram(s) or a General Plan has been approved by the SG and all the conditions of subdivision have been met by the developer, application may be made by the owner (or his appointed conveyancing attorney) to the Director : Development Management at your nearest

district Planning office for transfer clearance certification in terms of Section 137 of the (MPBL). Such application must be accompanied by the following:

- Completed and signed application form
- Information sheet (partially completed)
- Draft Power of Attorney (where necessary)
- SG approved General Plan / diagram(s) (original)
- Copy of original approval letter (including conditions of approval and approved plan of subdivision)
- Application fee / payment receipt
- Proof of e-mail transmission of electronic copy of General Plan / diagram to the district Senior GIS technician
- Any other supporting evidence necessary to substantiate condition compliance

Where servitudes are to be created as part of the subdivision / consolidation or there is a requirement for a owners' association to be established of which new owners are required to be members, a copy of the draft power of attorney to pass registration / transfer must be submitted to the Director: Planning & Building Development Management as part of the above application.

- 6 Required to effect registration and/or transfer, a rates clearance certificate in terms of Section 118 of the Municipal Systems Act, No 32 of 2000 may only be applied for to the Chief Financial Officer once the Director: Planning and Building Development Management has certified that all conditions of subdivision have been complied with to its satisfaction, as per the foregoing paragraphs. Such applications for rates clearance certificates must therefore be accompanied by the above subdivision clearance (condition compliance) certificate in terms of Section 137 of the (MPBL).
- 7 The Registrar of Deeds will not permit registration of individual portion(s) or servitude area(s) and/or transfer of such new land unit(s) unless the Chief Financial Officer has issued the above rates clearance certificate in terms of Section 118 of the Municipal Systems Act, No 32 of 2000 in respect of such land unit(s).

Geographic Information System (GIS) data capturing standards

- 8 In drawing up the General Plan or diagram(s) relating to this subdivision / consolidation, the land surveyor must create the following separate layers in ESRI .shp or .dxf electronic file format in order for the data to reflect spatially correct:

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

- 9 Such drawing of the approved subdivision / consolidation must include the following information:
 - property boundaries
 - co-ordinates
 - parent erf number(s)
 - newly allocated erf number(s)
 - extent of all erven

- approved street name(s), including whether public or private
- approved street number(s) and/or unit numbers (if applicable)
- complex name (in case of a complex development, eg group housing or flats)
- suburb name (in case of creation of a new suburb / township)

No additional information other than that described above may be included with the different layers / features. Should it be necessary to include any additional information with the diagram / General Plan, such information may not be included with any of the layers described above, but should rather be included in any other separately named layer.

- 10 It is important that each portion / servitude boundary is complete and forms a closed polygon, ie the line endpoints must touch each other (eg no undershoots or overshoots). In addition, each property number anchor must be located within the respective property's boundaries. Kindly also note, split remainders are not permitted and except for a single remainder, each cadastral unit should have a separate erf number.

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 City of Cape Town Standard as follows:

- Datum: Hartebeeshoek WGS 84
- Projection: Transverse Mercator
- False easting: 0.00000000
- False northing: 0.00000000
- Central meridian: 19.00000000
- Scale factor: 1.00000000
- Origin latitude: 0.00000000
- Linear unit: Metre

- 11 The following is to be noted in respect of all public roads and places resulting from the subdivision:
- All newly created public roads (including road splays where relevant) and places to vest in the City in terms of Section 58(1) of the MPBL must be clearly defined, be provided with separate portion / erf numbers (and not indicated as remainders) and be indicated as such on the SG approved diagram or General Plan.
 - All such public roads and places are to be registered as individual portions and transferred to the City upon transfer of the first unit / erf in the subdivision or phase concerned, the cost of surveying, registration and transfer of which shall be borne by the applicant.

- 12 The above electronic data must be delivered (preferably by e-mail to the address supplied above) to the Senior GIS technician in the district Planning office where the subdivision / consolidation approval was issued in standard dxf or shapefile format. If the data is to be supplied in shapefile format, then separate shapefiles are required for street names and numbers.

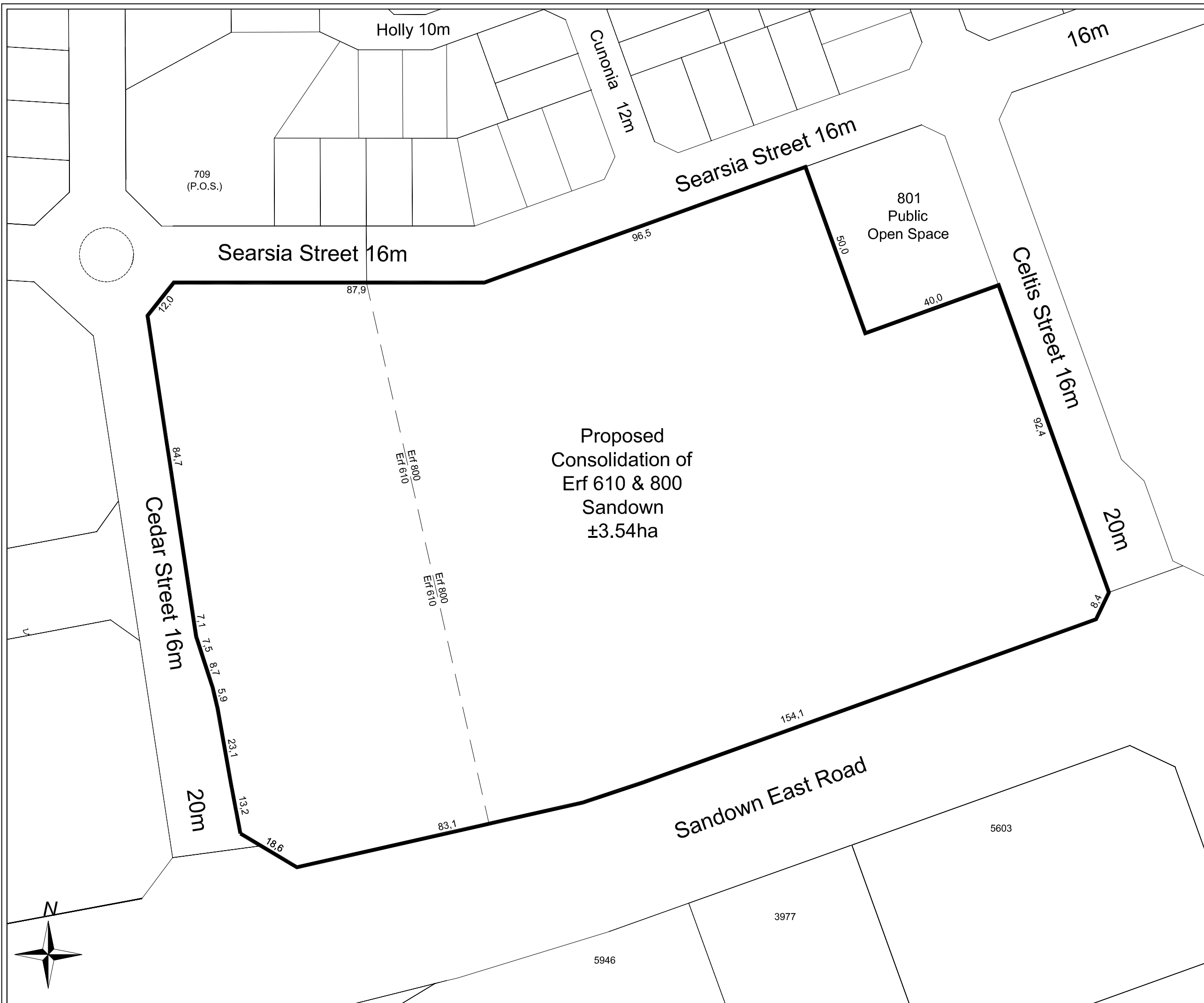
Building plan applications

- 13 Kindly note, building plan applications will not be accepted by the Development Management Department (Building Control office) if the above electronic data has not been submitted to the SG office and such office approved the new or amended diagrams. The City's cadastre layer is only updated after the SG office approved the diagram and provided it to the City.
- 14 Except where construction of buildings on unregistered land units for good reason are specifically provided for in the conditions of approval, it is to be noted that building plan applications will not be approved before:
- a Site Development Plan (SDP) if required, was approved,
 - all applicable conditions of approval have been complied with in full prior to subdivision clearance,
 - a hard and electronic copy of the approved diagram or General Plan has been submitted to the Senior GIS technician at the relevant district Planning office and
 - the transfer attorney / owner has submitted proof that the subdivision concerned has been confirmed (in that the first erf / unit in the subdivision has been registered and/or transferred) and the relevant subject premises has been registered in the Deed's office.

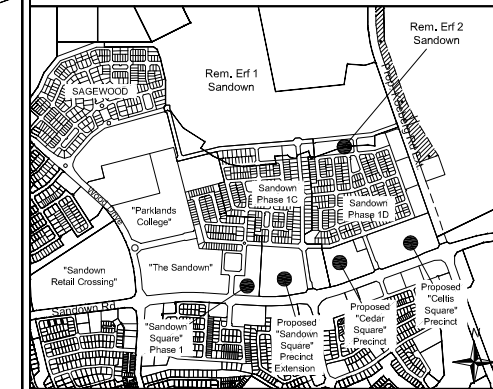
- 15 Notwithstanding the above and upon proper motivation, application may be made in terms of Section 55(4)(b) of the MPBL to the Director : Planning & Building Development Management for the commencement of construction on unregistered subdivided portions prior to confirmation of a subdivision or registration of individual portions (eg development of show units), if the conditions of approval made specific allowance for this (but subject to submission of an approved SG diagram or General Plan in the case of show units).

General standard requirements

- 16 Your attention is drawn to Section 59 of the MPBL, which provides for a general servitude over property in respect of services arising from a subdivision and which requires that the person who at any time is the owner of any land unit resulting from such subdivision, without compensation
- allow any service relating to the approval of the subdivision to be conveyed across or installed on the land unit in the manner and position that the City or organs of state from time to time reasonably requires. The services include gas mains, electricity infrastructure, telephone cables, television cables, internet cables, other electronic infrastructure, main and other water pipes, sewers, stormwater pipes, ditches and channels, and surface installations such as mini-substations, meter kiosks and service pillars; and
 - allow access to the works and infrastructure contemplated above on the land unit at any reasonable time including for the purpose of constructing, altering, repairing, maintaining, removing or inspecting the works; and
 - receive such material or permit such excavation on the land unit as may be required to allow use of the full width of an abutting street and provide a safe and proper slope to its bank necessitated by differences between the level of the street as finally constructed and the level of the land unit, unless the owner elects to build retaining walls to the satisfaction of and within a period determined by the City.
- 17 Where the City of Cape Town is not the electricity service provider, it remains the duty of the developer / owner to timeously liaise directly with the relevant service provider for connection to the power grid.
- 18 Should it be required, provision and installation of telecommunication services to individual units is to be arranged timeously by the developer / owner with a relevant service provider at his/her own expense.



Locality Map: Erven 610 & 800 Sandown



Notes:
All distances and areas provided are approximate, and subject to final survey.

Refer to Subdivision & Zoning Plan (ref: LP-0629-02, Rev C)

CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Case ID: 70505134

This CONSOLIDATION plan has been APPROVED in terms of section 98 of the City of Cape Town Municipal Planning By-law, 2015 subject to the conditions as per the decision letter dated: 16.02.2021

Authorised Official:

Rev.	Description	Date
A.	Minor Amendment to cadastral boundary of Erf 610 Sandown to allow for road widening of Cedar Str.	2020.09.21
B.	Amendment of "Sandown Road" to "Sandown East Road", per GIS Comment dated 15/10 /2020.	2020.11.23

mlh architects & planners

GRAPHIC CENTRE, 199 LOOP STREET, CAPE TOWN, PO BOX 15002, VLAEBERG 8018
TELEPHONE (021) 424 3210, FAX (021) 424 7510
E-MAIL: mlh@mlh.co.za

Client: **MILNERTON ESTATES**
PROPERTY DEVELOPERS

Project: **CEDAR SQUARE PRECINCT ERVEN 610 & 800 SANDOWN**

Drawing: **CONSOLIDATION PLAN**

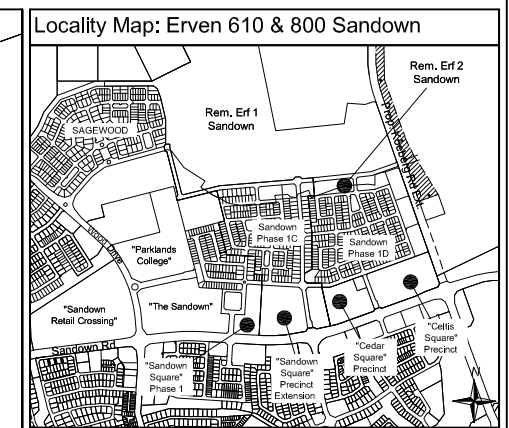
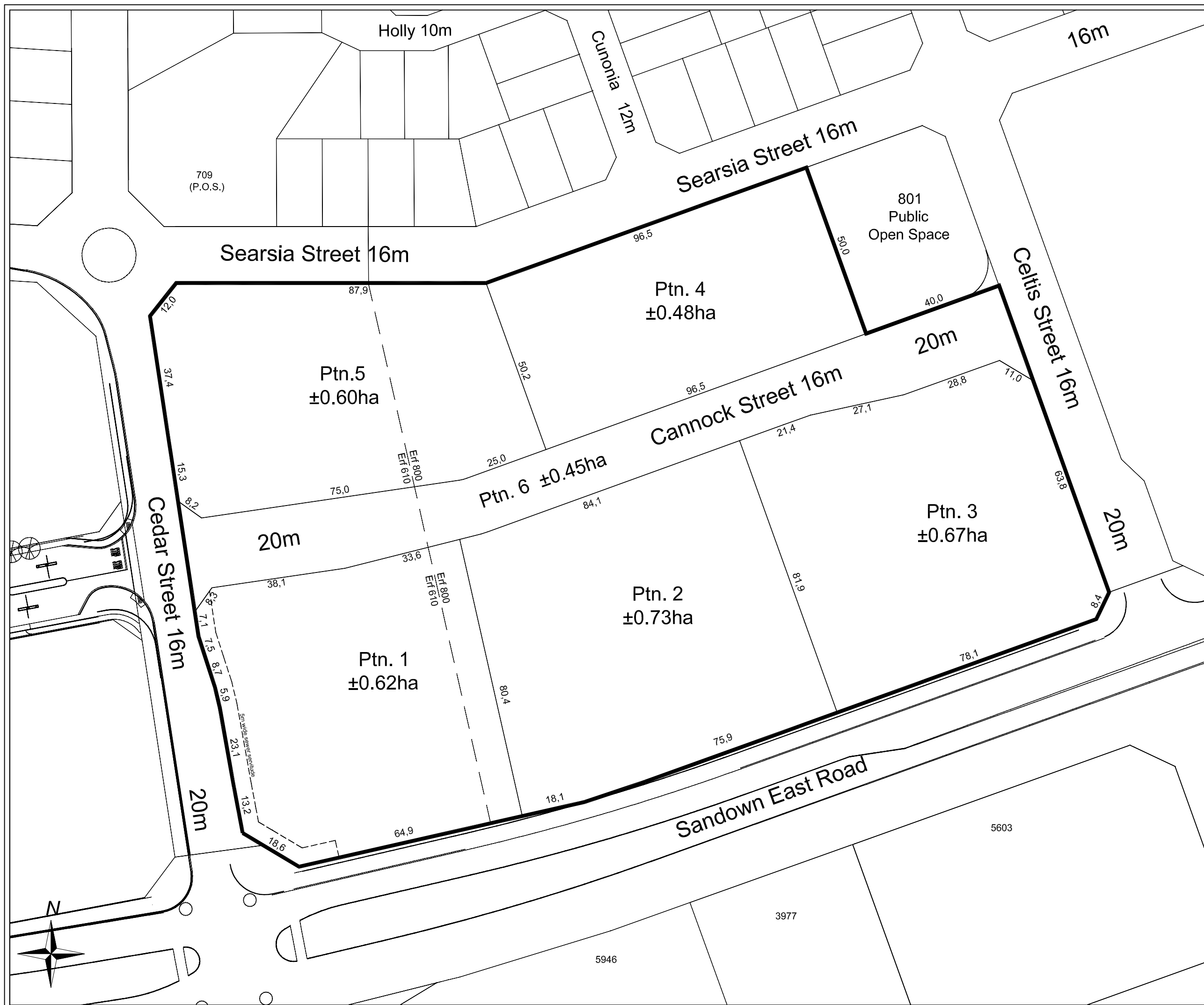
Drawn: AG/CM

Date: JUNE 2020

Scale: 1:1000 @A3

Project Number: 2020 629	Drawing Number: LP-0629-01	Revision: B
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CAD Filename: 2020-11-23_Sandown_LP-0629-01_Consolidation Plan Rev B.dwg
Plot Date: 2020-11-23



CEDAR SQUARE PRECINCT - LAND USE & ZONING

PTN. NO.	ZONING	LAND USE	AREA (ha)	%
1	General Business 1 (GB1)	General Business 1 Primary Uses *3	0.62	17
2	General Business 1 (GB1)	General Business 1 Primary Uses *3	0.73	21
3	General Business 1 (GB1)	General Business 1 Primary Uses *3	0.67	19
4	General Business 1 (GB1)	General Business 1 Primary Uses *3	0.48	13
5	General Business 1 (GB1)	General Business 1 Primary Uses	0.60	13
6	Transport Zone 2	Public Street	0.45	17
TOTAL:			3.55	100

CITY OF CAPE TOWN
 ISIXEKO SASEKAPA
 STAD KAAPSTAD

Case ID: 70505134

This SUBDIVISION plan has been APPROVED in terms of section 98 of the City of Cape Town Municipal Planning By-Law, 2015 subject to the conditions as per decision letter dated: 16.02.2021

Authorised Official:

Notes:
 All distances and areas provided are approximate, and subject to final survey.

Refer to LP-0629-01 Consolidation Plan (Rev B)
 Refer to LP-0629-03 Access & Parking Plan (Rev C)

Rev.	Description	Date
A.	Minor Amendment to cadastral boundary of Erf 610 Sandown to allow for road widening of Cedar Str.	2020.09.21
B.	Inclusion of 5m sewer servitude.	2020.10.28
C.	Amendment of "Sandown Road" to "Sandown East Road", per GIS Comment dated 15/10 /2020.	2020.11.23

mlh architects & planners

GRAPHIC CENTRE, 199 LOOP STREET, CAPE TOWN, PO BOX 15002, VLAIEBERG 8018
 TELEPHONE: (021) 424 3210, FAX: (021) 424 7610
 E-MAIL: mlh@mlh.co.za

Client: **MILNERTON ESTATES**
PROPERTY DEVELOPERS

Project: **CEDAR SQUARE PRECINCT**
ERVEN 610 & 800 SANDOWN

Drawing: **SUBDIVISION & ZONING**

Drawn: AG/CM	Project Number: 2020 629	Drawing Number: LP-0629-02	Revision: C
Date: JUNE 2020	Scale: 1:1000 @A3		Plot Date: 2020-11-23
CAD Filename: 2020-11-23_Sandown_LP-0629-02_Subdivision & Zoning Plan Rev C.dwg			



MLH Architects & Planners (Cape) PTY Ltd

Date: 2020/07/07

beryl.shamrock@capetown.gov.za

Enquiries:

WayleavesWesternOU@eskom.co.za

WAYLEAVE APPLICATION: Subdivision : 64 Sandown Road East Road, Sandown : Sandown

YOUR REF: 70505134

ESKOM REF: 01676-20

THIS IS NOT AN APPROVAL TO START CONSTRUCTION

I hereby inform you that Eskom has no objection to the proposed work indicated on your drawing in principle. This approval is valid for **12 months** only, after which reapplication must be made if the work has not been completed.

1. Eskom services are affected by your proposed works and the following must be noted:.

- a) Eskom has no objection to the proposed work and include a drawing indicating Eskom 11kV/LV underground services in close proximity.
- b) Please note that underground services indicated are only approximate and the onus is on the applicant to verify its location.
- c) There may be LV overhead services / connections not indicated on this drawing.
- d) The successful contractor must apply for the necessary agreement forms and additional cable information not indicated on included drawing, in order to start construction.

Application for Working Permit must be made to:

Customer Network Centre: Carbon

Mikhaile Ryklief

021 983 4159 / 071 680 4445

RyklieMi@eskom.co.za

Include Eskom Wayleave as-built drawings and all documentation, when applying for Working Permit.

Should it be necessary to move, relocate or support any existing services for possible future needs, it will be at the developer's cost. Application for relocating services must be made to Customer Services on 08600 37566 or customerservices@eskom.co.za

2. Underground Services

The following conditions to be adhered to at all times:

- a) Works will be carried out as indicated on plans.
- b) No mechanical plant to be used within 3.0m of Eskom underground cables.
- c) All services to be verified on site.
- d) Cross trenches to be dug by hand to locate all underground services before construction work commences.
- e) If Eskom underground services cannot be located or is grossly misplaced from where the wayleave plan indicates, then all work is to be stopped and Graham Hector from the Land Development Office to be contacted on 021 980 3551 / HectorG@eskom.co.za, to arrange the capturing of such services.
- f) In cases where proposed services run parallel with existing underground power cables the greatest separation as possible should be maintained with a minimum of 1000mm.
- g) Where proposed services cross underground power cables the separation should be a minimum of **300mm** with protection between services and power cables. (Preferably a concrete slab)
- h) No manholes; catch- pits or any structure to be built on top of existing underground services.
- i) Only walk-behind (2 ton Bomac type) compactors to be used when compacting on top of and 1 metre either side of underground cables.
- j) If underground services cannot be located then the Customer Network Centre (CNC) should be consulted before commencement of any work.
- k) **No work can take place within the servitude of a 66kV Cable or 132kV Cable if indicated.** Should you need to undertake any work within the proximity of our 66kV or 132kV Cables please contact Graham Hector on 082 7720 359 or graham.hector@eskom.co.za

3. O.H. Line Services:

- a) The following building and tree restriction on either side of centre line of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11 / 22kV	9.0 m
66kV	11.0 m
132kV	15.5 m

- b) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.
- c) No work or no machinery nearer than the following distances from the conductors:

Voltage	Not closer than:
11 / 22kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- d) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- e) That a minimum ground clearance of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11 / 22kV	6.3 m
66kV	6.9 m
132kV	7.5 m

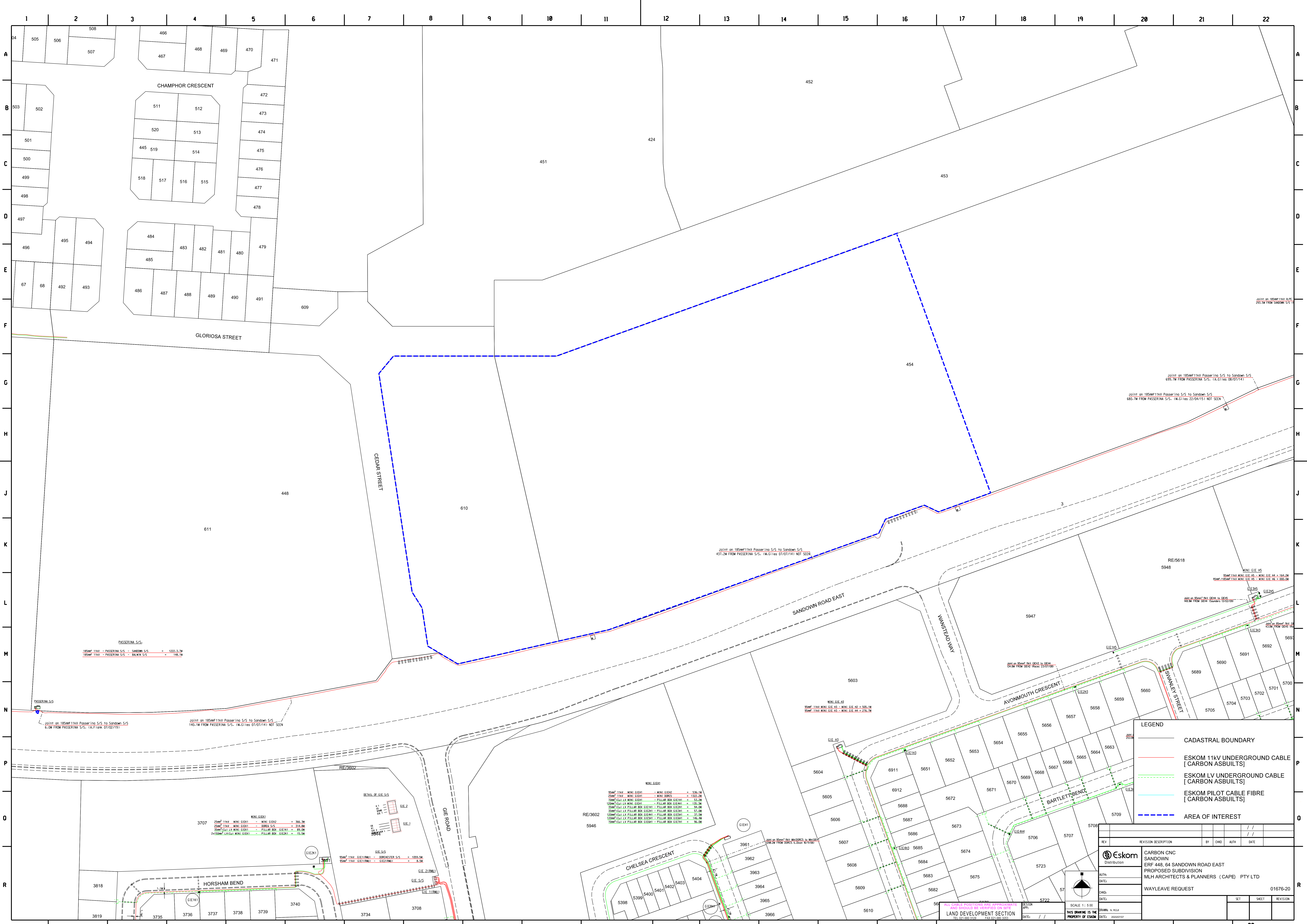
- f) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- g) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
 - i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- h) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- i) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- j) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- k) Eskom shall at all times have unobstructed access to and egress from its services.
- l) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
- m) Lungile Motsisi, Eskom: Transmission must be contacted on 011 800 5734 to comment on behalf of the 400 kV OVERHEAD POWERLINES, NO WORK WITIN THIS SERVITUDE OR UNDERNEATH POWERLINES IS ALLOWED until comment from Eskom Transmission has been obtained.

4. **NOTE**

Wayleaves, Indemnity form (working permit) and all as-built drawings issued by Eskom to be kept on site at all times during construction period.

Yours faithfully

LAND DEVELOPMENT (BRACKENFELL)



PASSERINA S/S:
 185mm² 11kV - PASSERINA S/S - SANDOWN S/S = 1222.37M
 185mm² 11kV - PASSERINA S/S - BALWIN S/S = 146.14M

Joint on 185mm² 11kV Passerina S/S to Sandown S/S
 6.0M FROM PASSERINA S/S. (A.7 FROM DT/22/19)

Joint on 185mm² 11kV Passerina S/S to Sandown S/S
 140.1M FROM PASSERINA S/S. (M.G.1165 DT/27/14) NOT SEEN

Joint on 185mm² 11kV Passerina S/S to Sandown S/S
 431.2M FROM PASSERINA S/S. (M.G.1165 DT/27/14) NOT SEEN

Joint on 185mm² 11kV Passerina S/S to Sandown S/S
 695.7M FROM PASSERINA S/S. (A.G.1165 DT/27/14)

Joint on 185mm² 11kV Passerina S/S to Sandown S/S
 480.7M FROM PASSERINA S/S. (M.G.1165 DT/27/14) NOT SEEN

Joint on 185mm² 11kV Passerina S/S to Sandown S/S
 431.2M FROM PASSERINA S/S. (M.G.1165 DT/27/14) NOT SEEN

Joint on 185mm² 11kV Passerina S/S to Sandown S/S
 695.7M FROM PASSERINA S/S. (A.G.1165 DT/27/14)

Joint on 185mm² 11kV Passerina S/S to Sandown S/S
 480.7M FROM PASSERINA S/S. (M.G.1165 DT/27/14) NOT SEEN

LEGEND

- CADASTRAL BOUNDARY
- ESKOM 11kV UNDERGROUND CABLE [CARBON ASBULTS]
- ESKOM LV UNDERGROUND CABLE [CARBON ASBULTS]
- ESKOM PILOT CABLE FIBRE [CARBON ASBULTS]
- AREA OF INTEREST

MINI GIE#1

20mm ² 11kV MINI GIE#1 - MINI GIE#2	= 536.1M
20mm ² 11kV MINI GIE#1 - MINI GIE#3	= 1322.0M
20mm ² 11kV MINI GIE#1 - PILLAR BOX GIE#1	= 53.2M
20mm ² 11kV MINI GIE#1 - PILLAR BOX GIE#2	= 175.0M
20mm ² 11kV PILLAR BOX GIE#1 - PILLAR BOX GIE#2	= 34.0M
20mm ² 11kV PILLAR BOX GIE#2 - PILLAR BOX GIE#3	= 31.0M
20mm ² 11kV PILLAR BOX GIE#3 - PILLAR BOX GIE#4	= 146.0M
20mm ² 11kV PILLAR BOX GIE#4 - PILLAR BOX GIE#5	= 96.0M

MINI GIE#1

3707 20mm ² 11kV MINI GIE#1 - MINI GIE#2	= 346.7M
20mm ² 11kV MINI GIE#1 - 300M S/S	= 376.8M
20mm ² 11kV MINI GIE#1 - PILLAR BOX GIE#1	= 89.0M
2x20mm ² 11kV MINI GIE#1 - PILLAR BOX GIE#2	= 35.0M

SIE S/S

30mm ² 11kV SIE 110M - DORPMEER S/S	= 1059.2M
30mm ² 11kV SIE 110M - GIE 110M	= 8.2M

REV	REVISION DESCRIPTION	BY	CHKD	AUTH	DATE

Eskom
Distribution

CARBON CNC
SANDOWN
ERF 448, 64 SANDOWN ROAD EAST
PROPOSED SUBDIVISION
MLH ARCHITECTS & PLANNERS (CAPE) PTY LTD
WAYLEAVE REQUEST 01676-20

SCALE 1:1500
DATE: 2020/07/07

SET	SHEET	REVISION

ALL CABLE PROFILES AND APPROXIMATE
 AND SHOULD BE VERIFIED ON SITE
 LAND DEVELOPMENT SECTION
 TEL: 021 550 3329 FAX: 021 550 3323

