



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/10896

Our File Reference Number: Erf 131, Klapmuts

Your Reference Number: P3632/19

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: david@dhaa.co.za

Sir / Madam

APPLICATION FOR SUBDIVISION: ERF 131, KLAPMUTS

1. The above application refers.

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

2.1 That the application in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law, 2015 for the subdivision of Erf 131, Klapmuts into two portions namely, Portion A ($\pm 436\text{m}^2$) and Portion B ($\pm 337\text{m}^2$) **BE APPROVED** in terms of Section 60 of the said By-Law as indicated on plan number 2 August 2019.

2.2 Conditions of approval in terms of Section 66 of the said By-Law:

2.2.1 The approval applies only to the subdivision in question, and shall be construed as authority to depart from any other legal prescriptions or requirements from Council;

2.2.2 The approval is only valid for 5 years from date of initial notification;

2.2.3 The Surveyor General approved diagrams of the newly created units and the new erf number must be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purposes;

2.2.4 The following conditions imposed by the **Director: Engineering Services** as contained in their comments dated 19 October 2020, as stipulated below, be compiled with (see **Appendix E**):

2.2.4.1 **Water Connections**

- (a) Each erf must have its water connect and water meter installed.
- (b) Once the subdivision is formally approved, the Municipality can be contacted to install the water connection.
- (c) The cost of the installation is for the account of the owner.

2.2.4.2 **Sewer Connections**

- (a) Each erf must have its own sewer connection.
- (b) The cost of the installation of the sewer connection is for the account of the owner.
- (c) Once the subdivision is formally approved, the engineers drawing indicating the new sewer layout and connection must be submitted for approval.
- (d) A quotation for the sewer connection inspection can be provided by the Water Services Department.
- (e) Installation must be done by a suitable contractor appointed by the owner. The cost of the installation of the sewer connection is for the account of the owner.
- (f) No clearing certificate will be issued unless the Water Services Department has confirmed in writing that the sewer connection has been installed to their satisfaction.

2.2.4.3 **Development Charges**

- (a) Based on the information provided, the Development Charges payable by the developer is R 76 409.42 (Vat incl.) as per attached Development Charges calculation.
- (b) The DC's were calculated for the 2020/2021 financial year. If the account is paid after 30 June 2021 it has to be recalculated using the then applicable tariffs.
- (c) The appropriate DC's are payable before a Clearance can be issued.

2.2.4.4 **General**

- (a) Any changes to any existing civil engineering services of Stellenbosch Municipality if for the account of the owner.

2.2.4.5 Electrical

- (a) Appropriate caution shall be taken during construction, to prevent damage to existing electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages.

2.2 Reasons for the above Decision

- (a) The proposal will not have a negative impact on the surrounding properties as it is in keeping with the character of the area;
- (b) The proposal will not have any negative impact on the rights currently enjoyed by the owners and surrounding property owners.

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.Kamineth@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.
7. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).

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

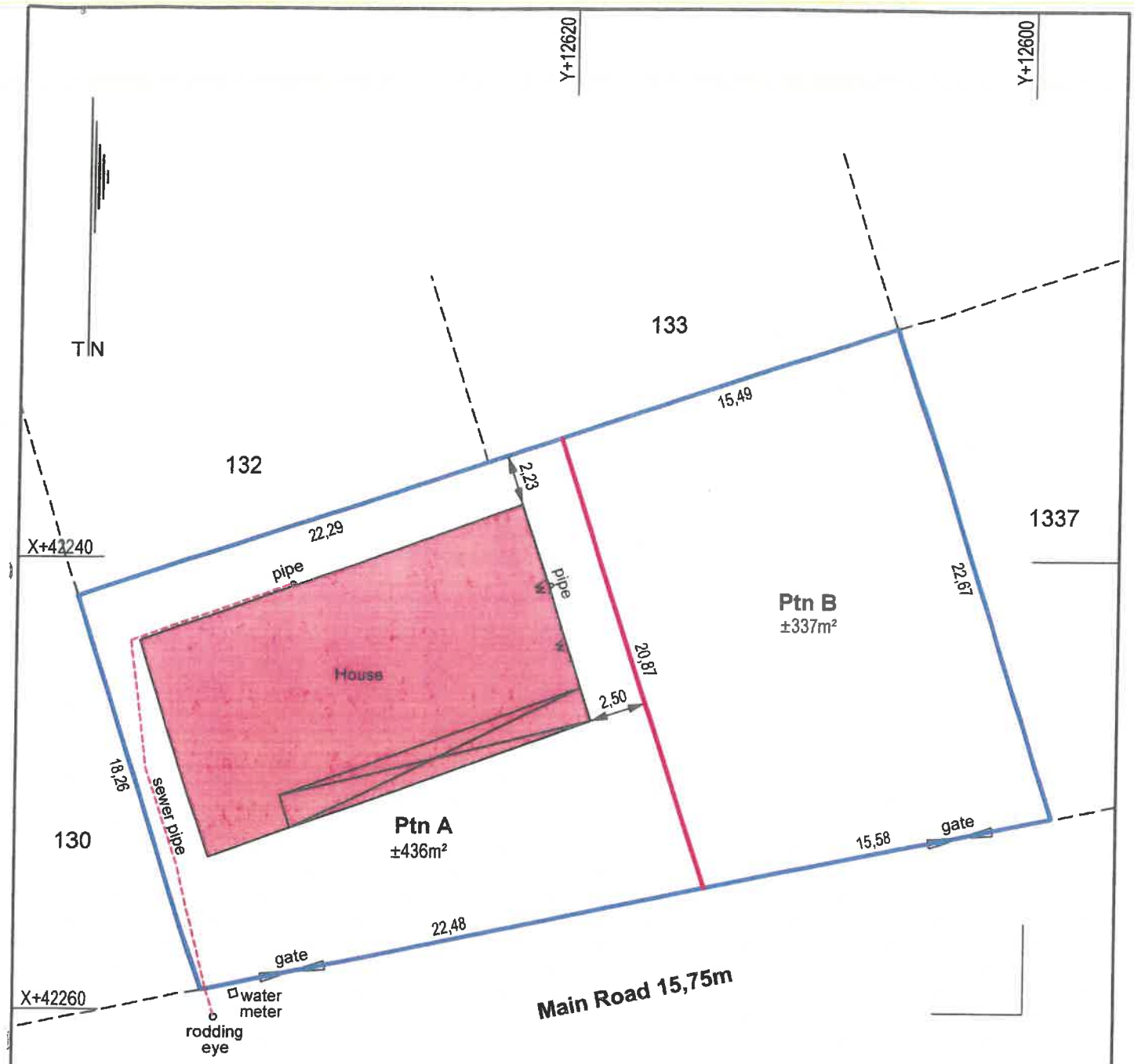
21/1/2021

DATE:



ANNEXURE B

Subdivision Plan



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 DATED

21/1/2021

AUTHORISED EMPLOYEE/MPT

Ref : 1) Co-ordinate System WGS 84/19⁰
 2) S. G. Noting 1236

dh&a
 david hellig & abrahamse
 professional land surveyors
 258 Main Street
 PAARL 7646

Telephone : 021-8724086 web site : www.dhale.co.za
 email : david@dhaa.co.za

project
PLAN OF SUBDIVISION
Erf 131 Klapmuts

Scale	1 / 500@A4
Date	August 2019
File No	P3632/19
Plan No	2

ANNEXTURE E

Comment from the Director: Engineering Services



MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES
DIREKTORAAT: INFRASTRUKTUUR DIENSTE

To ▫ Aan: Director: Planning + Economic Development
Att Aandag S Newman
From ▫ Van: Abdullah Daniels (Development)
Date ▫ Datum: 19/10/2020
Our Ref ▫ Ons Verw: Civil Lu 2086
Re ▫ Insake: Erf 131 Klapmuts: Application for subdivision

The application is for the following items:

- i. The subdivision of Erf 131 into two portions, namely Portion A (436m²) and Portion B (337m²);

The above application is **recommended for approval**, Subject to the following:

1. Water Connections

- 1.1 Each erf must have its own water connection and water meter installed.
- 1.2 Once the subdivision is formally approved, the Municipality can be contacted to install the water connection.
- 1.3 The cost of the installation is for the account of the owner.

2. Sewer Connections

- 2.1 Each erf must have its own sewer connection.
- 2.2 The cost of the installation of the sewer connection is for the account of the owner.
- 2.3 Once the subdivision is formally approved. The engineers drawing indicating the new sewer layout and connection point must be submitted for approval.

- 2.4 A quotation for the sewer connection inspection can be provided by the Water Services Department.
- 2.5 Installation must be done by a suitable Contractor appointed by the Owner. The cost of the installation of the sewer connection is for the account of the owner.
- 2.6 No Clearance certificate will be issued unless the Water Services Department has confirmed in writing that the sewer connection has been installed to their satisfaction.

3. Development Charges (DCs)

- 3.1 Based on the information provided, the Development Charges payable by the developer is R76 409.42 (Vat incl.) as per attached Development Charges calculation.
- 3.2 The DC's were calculated for the 2020/2021 financial year. If the account is paid after 30 June 2021 it has to be recalculated using the then applicable tariffs.
- 3.3 The appropriate DC's are payable before a Clearance certificate can be issued.

4. General

- 4.1 Any changes to any existing civil engineering services of Stellenbosch Municipality is for the account of the owner.

5. Clearance Certificates

- 5.1 The Municipality reserves the right to withhold any clearance certificates until such time as the applicant has complied with the above mentioned conditions.

6. Electrical

- 6.1 Refer to annexure A for electrical comments



Abdullah Daniels

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\2086 (AD) Erf 131 Klapmuts (LU-10896)\2086 (AD) Erf 131, Klapmuts, Subdivision signed.doc



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag Nolusindiso Momoti
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Colin Taylor
Date ▫ Datum: 20 October 2020
Our Ref ▫ Ons Verw: Civil LU 2025
Your Ref: LU/11394
Re ▫ Insake: Erf 941: Permanent departure and the relaxation of the title deed restriction

FILE NR:	
SCAN NR:	E 941 S

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

1. **Civil Engineering Services**
 - 1.1 No objection, no municipal services are affected
2. **Electrical Engineering**
 - 2.1 Refer to Annexure: Electrical Engineering



Colin Taylor Pr Technl Eng
PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)
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Annexure Electrical Engineering

ERF 941

GENERAL COMMENT:

. No Comment

1.

CONDITIONS:

2. Appropriate caution shall be taken during construction, to prevent damage to existing electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages.

Bradley Williams

Date.....16/10/2020.....

Signature 

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	
Date	
Member of Staff/Prop	
Financial Year	2017/18
Erf. Location	
Erf. No.	117
Erf. Size (m ²)	950
Suburb	Franschhoek
Applicant	
Approved Building Plan No.	

SUMMARY OF D.C. CALCULATION

	Water	3/16/16	sewer	1/1/16	Storm-water	1/1/16	SP/1/16	Drinks	4/1/16	Drinks	4/1/16	Community Facilities	4/1/16	Total
Total Development Charges Before Deductions	R 8 474,74	R 11 817,17	R 11 817,17	R 11 817,17	R 2 356,18	R 2 356,18	R 2 832,44	R 2 832,44	R 30 018,79	R 30 018,79	R 13 038,97	R 13 038,97	R 13 038,97	R 98 442,87
VAT	R 8 474,74	R 11 817,17	R 11 817,17	R 11 817,17	R 2 356,18	R 2 356,18	R 2 832,44	R 2 832,44	R 30 018,79	R 30 018,79	R 13 038,97	R 13 038,97	R 13 038,97	R 98 442,87
Total Payable (including VAT)	R 17 349,48	R 23 634,34	R 23 634,34	R 23 634,34	R 4 712,36	R 4 712,36	R 5 664,88	R 5 664,88	R 60 037,58	R 60 037,58	R 26 077,94	R 26 077,94	R 26 077,94	R 196 885,74
Total Payable (excluding VAT)	R 16 502,01	R 21 717,17	R 21 717,17	R 21 717,17	R 2 356,18	R 2 356,18	R 2 832,44	R 2 832,44	R 57 018,79	R 57 018,79	R 23 044,97	R 23 044,97	R 23 044,97	R 178 442,87

APPLICANT INFORMATION

Application Processed by:	Additional Details
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	