



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9968

Our File Reference Number: Erf 16567, Stellenbosch

Your Reference Number: 2010 / 046526 / 23

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: exactplan@gmail.com

Sir / Madam

APPLICATION FOR REZONING, SUBDIVISION AND CONSOLIDATION: ERF 16567, WELTEVREDE HILLS, STELLENBOSCH

1. The above applications refer.
2. The duly authorised decision maker has decided on the above applications as follows:
 - 2.1 That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 16567:
 - 2.1.1 Rezoning of Erf 16566, Stellenbosch in terms of Section 15(2)(a) of the said by-law from Agricultural to subdivisational Area to make provisions for:
 - 2.1.1.1 1 x group Housing Zone Erf measuring $\pm 479\text{m}^2$ in extent;
 - 2.1.1.2 1 x Agriculture Zone Erf measuring $\pm 2,2112\text{ha}$
 - 2.2 Subdivision in terms of Section 15(2)(d) of the said by-law of Erf 16566 to give effect to the Subdivisational Area in plan no. NEW SUB_REV4;
 - 2.3 Consolidation in terms of Section 15(2)(e) of the said by-law of Portion A ($\pm 479\text{m}^2$) with Erf 16567 Stellenbosch ($\pm 600\text{m}^2$), in order to form a new land unit of $\pm 1079\text{m}^2$.

BE APPROVED in terms of Section 60 of the said By-Law.

2.4 Reasons for the above Decision

- (a) The proposal will not create an additional land unit but will only facilitate better utilization of the property;
- (b) The concerns raised in the objection have been mitigated by the applicant as confirmed by the onsite inspection;
- (c) The property is to be used for residential purposes and will need to comply with the design guidelines applicable to all the properties in the estate and thus will not be out of character with its surroundings;

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

- (a) This approval applies only to the applications being applied for as shown on Subdivision and Consolidation plan no. NEW SUB_REV 4, dated 17 February 2020 and shall not be construed as authority to depart from any legal prescriptions or other requirements;
- (b) The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed land use;
- (c) An electronic copy (shp, dwg, dxf) or A4 hard copy of the SG diagrams, which was preliminary approved by the SG must be submitted with the following information indicated:
 - Newly allocated Erf numbers
 - Co-ordinated
 - Survey Dimentions
- (d) At building plan stage a land surveyor must be appointed to confirm that the proposed dwelling as submitted complied with the height restrictions imposed in the design guidelines of the development;
- (e) The existing water and sewer connection must be utilized;

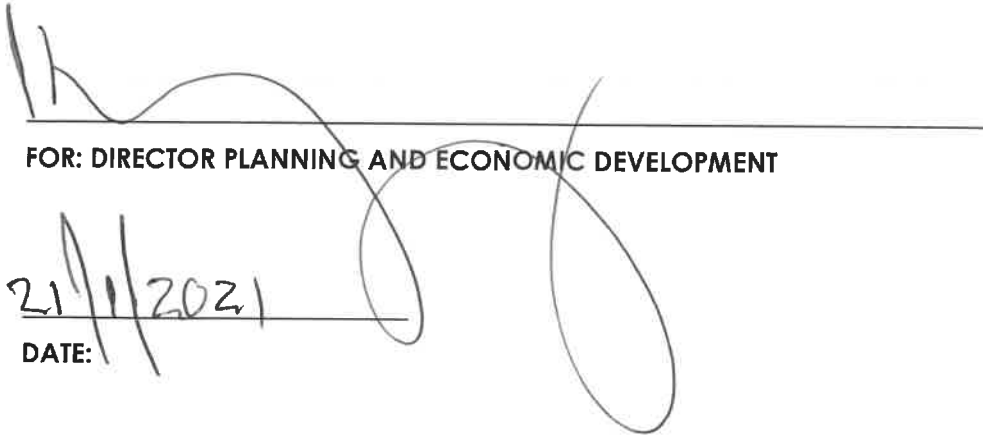
3. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of 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



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a solid horizontal line.

FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

21/1/2021

DATE:

CC: OBJECTOR

Stellenbosch Interest Group (Pat Botha)

PO Box 2217

Dennesig

STELLENBOSCH

7601

E-mail: info@stellenboschinterestgroup.org

FARM NO. 1048

PROPOSED REZONING
PORTION A GROUP HOUSING (FROM AGRICULTURE)

STELLENBOSCH MUNICIPALITY

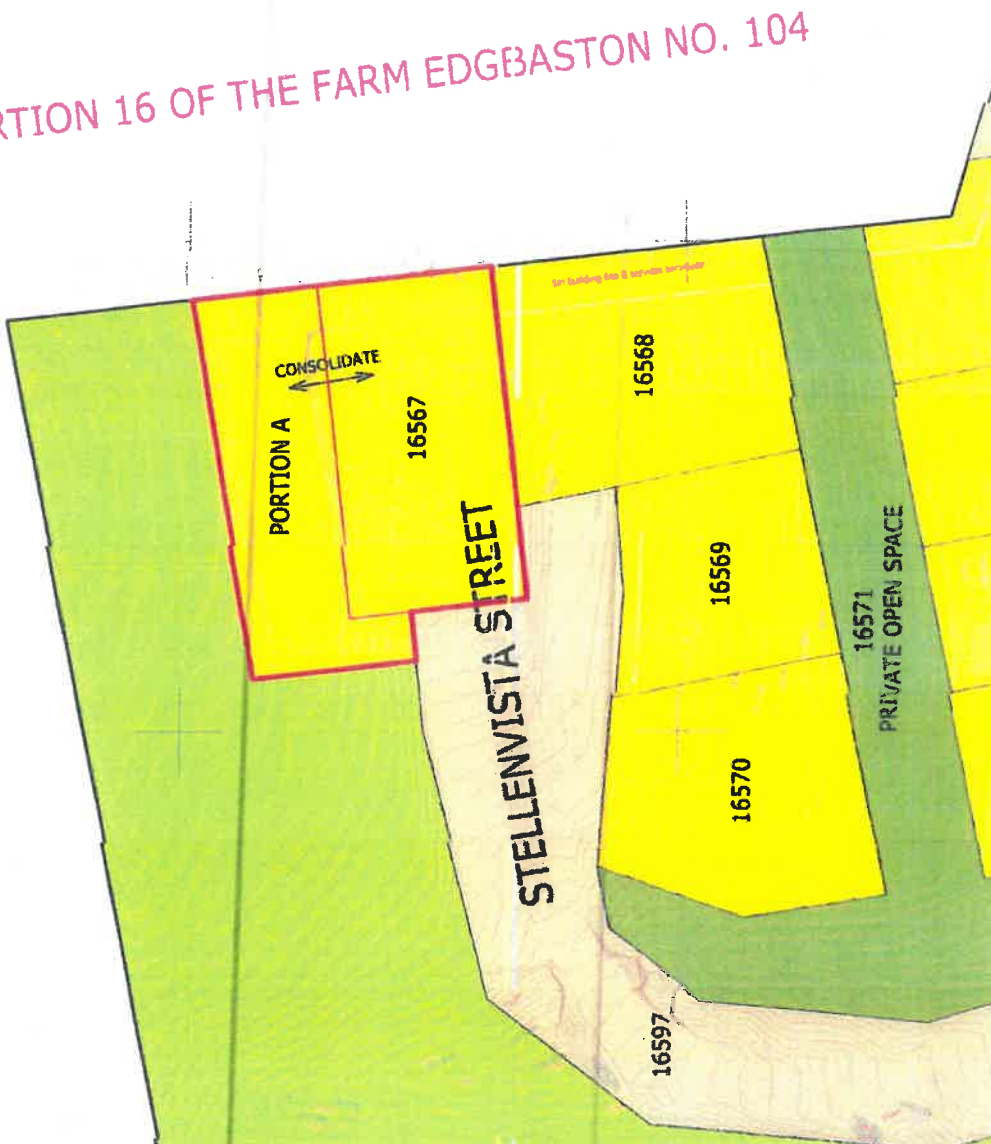
THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND-USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER ATTACHED LETTER DATED

21/11/2021

AUTHORISED EMPLOYEE/MP/T

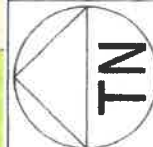
REM16566
 AGRICULTURE

PORTION 16 OF THE FARM EDGEBASTON NO. 104



Notes:

1. Subdivision of Erf16566 - Portion A = 479m²
2. Portion A to be consolidated with Erf16567



Caveat
 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
 2. All levels are to be confirmed prior to construction.

Scale 1:500 eA3 Date: 17/02/2020
 PROPOSED SUBDIVISION AND REZONINGS
 ERVEN 16566
 STELLENBOSCH
 Ref: ERF15746 [4] Dwg: NEW SUB_REV4

Contours: 0.50m System: WG 19

ibv
 friedlaender, burger &
 25 Hoop Street / Corner of De Waalsekerk Street, Stellenbosch, 7785
 Tel: 77 71 0800 / Fax: 77 71 8700 / Email: info@ibv.co.za