



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9255

Our File Reference Number: Erf 204, Klappmuts

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL:** [emilevdm@adept.co.za](mailto:emilevdm@adept.co.za)

Sir / Madam

## **APPLICATION FOR SUBDIVISION: ERF 204, KLAPMUTS**

1. The above applications refer.
2. The duly authorised decision maker has decided on the above applications 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 unregistered Erf 204, Klappmuts into two (2) portions namely; Portion 1 (309m<sup>2</sup>) and the Remainder (405m<sup>2</sup>) **BE APPROVED** in terms of Section 60 of the said By-law.

### **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 proposed subdivision will not give rights to a change in zoning;
- (c) The application from a town planning point of view is not inconsistent with the municipal planning policies.

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

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

- (b) The surveyor General approved diagrams of the newly created units must be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purposes;
- (c) The conditions imposed by the **Director: Engineering Services** as contained in their comments dated 04 February 2020, as stipulated below, be complied with (see **Appendix E**);

**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 connections.
- 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 (DC's)**

- 3.1 Based on the information provided, the Development Charges payable by the developer is R 75 891.24(VAT incl.) as per attached Development Charges calculation.
- 3.2 The DC's were calculated for the 2019/2020 financial year. If the account is paid after 30 June 2020 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. **Roads**

4.1 A minimum panhandle width of 3.0m is required to give access.

5. **General**

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

6. **Clearance Certificates**

6.1 The Municipality reserves the right to withhold clearance certificates in terms of Section 28 of the Stellenbosch Municipal Land Use Planning By-Law, until such time as the applicant has complied with the above mentioned conditions.

**To be noted:**

This approval will lapse after 5 years from date of final notification, if not implemented.

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](mailto: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>).

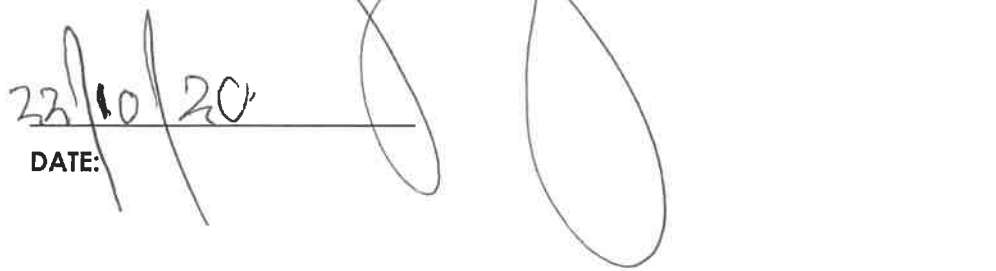
8. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
  - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
  - (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



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**FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**



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**DATE:** 23/10/20

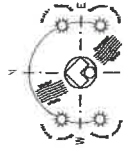
STELLENBOSCH MUNICIPALITY

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

MUNICIPAL MANAGER

DATE

22/10/20



EMILE VAN DER MERWE  
Urban Planning Consultants

BL WILLIAMS

PROPOSED SUBDIVISION  
ON ERF 204  
KLAPMUTS

SUBDIVISION PLAN

PROJECT NO: 103  
DATE: FEBRUARY 2018  
SCALE: 1:500

FOR APPROVAL



PROPOSED SUB DIVISION ERF 204

PROPOSED SUB DIVISIONAL PLAN			
ERF NO.	ERF SIZE	ZONING	LAND USE
PORTION 1	309.0 sqm	RES 1	RESIDENTIAL
REMAINDER	405.0 sqm	RES 1	RESIDENTIAL

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## **ANNEXTURE E**

Comment from the Director: Engineering Services



Annexure A

BEYERS STREET

Portion 1  
300 sqm

USE EXISTING SEWER  
CONNECTION FOR PORTION 1  
NEW WATER CONNECTION  
FOR PORTION 1

USE EXISTING WATER  
CONNECTION FOR REMAINDER  
NEW SEWER CONNECTION  
FOR REMAINDER

Portion 1  
309 sqm

204

205

203

Remainder  
405 sqm

202

210

208

**LEGEND**

- EXISTING SEWER
- NEW MANHOLE
- NEW SEWER
- EXISTING WATERMAIN
- EXISTING WATER METER
- NEW WATER CONNECTION
- NEW WATER METER

**APPROVED**  
 THIS ENGINEERING SERVICES PLAN IS APPROVED  
 SUBJECT TO THE CONDITIONS AS PER LETTER  
 REFERENCE

DIRECTOR, ANTE ENGINEERING SERVICES  
 SECTION: DEVELOPMENT SERVICES

DATED: \_\_\_\_\_  
 Director: Engineering Services

**BART GENERAL INC.**  
 Civil & Structural Engineering  
 17 Amersfoort Street  
 Tel: 021 953 1111  
 Fax: 021 953 1112  
 Email: info@bartgeneral.com

DATE	NO	DESCRIPTION

**BART GENERAL INC.**  
 2016-09-17

BL WILLIAMS

PROPOSED DEVELOPMENT OF BRP 204, KILAMUTS

WATER AND SEWER CONNECTIONS - LAYOUT

Scale	1:200
Sheet No.	A3
Project No.	140901

Annexure A



# Stellenbosch Municipality - Development Charge Calculation



## APPLICATION INFORMATION

Application Number	
Date	Monday, 02-Dec-2019
Financial Year	2019-20
Erf Location	
Erf No	204
Erf Size (m <sup>2</sup> )	714
Suburb	Beyer Street
Applicant	Emile Van Der Merwe Town Planning Consultant
Approved Building Plan No.	

## SUMMARY OF DC CALCULATION

Units)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
	klday	klday	ha°C	Uweek	trips/day	person	
Total Increased Services Usage	0,600	0,550	0,018	0,040	4,00	4,0	
Total Development Charges before Deductions	R 6 424,73	R 11 925,13	R 2 340,93	R 2 613,10	R 29 787,92	R 12 937,96	R 65 929,78
Total Deductions							
Total Payable (excluding VAT)	R 6 424,73	R 11 925,13	R 2 340,93	R 2 613,10	R 29 787,92	R 12 937,96	R 65 929,78
VAT	R 963,71	R 1 773,77	R 351,14	R 391,97	R 4 468,19	R 1 940,69	R 9 889,47
Total Payable (including VAT)	R 7 388,44	R 13 698,99	R 2 692,08	R 3 005,07	R 34 256,11	R 14 878,66	R 75 819,24

## APPLICANT INFORMATION

Application Processed by:	Collin Taylor
Signature	
Date	As Above
Amount Paid:	
Date Payment Received	
Receipt Number	

