



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9739

Our File Reference Number: Erf 208, Jamestown

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: mark@fbvsurvey.co.za

Sir / Madam

APPLICATION FOR SUBDIVISION AND DEPARTURE: ERF 208, CNR OF WEBERSVALLEY ROAD AND SELEKTA STREET, JAMESTOWN

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 208, Jamestown, namely:

2.1.1 The **subdivision** of the subject property into five portions measuring $\pm 299\text{m}^2$ (remainder); $\pm 257\text{m}^2$ (portion A); $\pm 258\text{m}^2$ (portion B); $\pm 248\text{m}^2$ (portion C) and $\pm 265\text{m}^2$ (portion D) as indicated on subdivisional plan Pr-an.dwg a4, drawn by Friedlaender, Burger & Volkmann, dated 16 April 2019, in terms of Section 15(2)(d) of the said By-Law;

2.1.2 The **departure** to relax the common building lines on the remainder portion **2,0m** to **1,0** to accommodate the existing historical dwelling as indicated on plan Pr-an.dwg a4, drawn by Friedlaender, Burger & Volkmann, dated 16 April 2019, in terms of Section 15(2)(b) of the said By-Law.

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

2.2 Reasons for the above Decision

The application is supported for the following reasons:

- (a) The zoning of the subject land parcels will remain the same.
- (b) The proposed subdivision will result in the creation of land portions that are in line with the existing character of the surrounding area.
- (c) The proposed building line relaxation will have no impact on any of the surrounding properties as it only could impact the subdivided portion.
- (d) The proposal will result in a sensible increase in density and will not alter the character of the area.
- (e) The proposal is not inconsistent with the principles of the Stellenbosch Municipal Spatial Development Framework.
- (f) The increase in traffic in the area will be insignificant.
- (g) The proposal will provide for new tenure and ownership opportunities.

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 and departure in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- (b) The approval granted shall not exempt the application from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use;
- (c) The approval for the subdivision and departure will lapse if not implemented within the timeframe stipulated in the subject By-Law;
- (d) The Surveyor General approved diagrams of the newly created units must be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purposes;
- (e) The conditions imposed by the **Director: Engineering Services** as contained in their memo dated 02 December 2019, and stipulated below, be complied with (see **ANNEXURE I**):
 - i. *Each erf must have its own water connection and water meter installed;*

- ii. *Once the subdivision is formally approved, the Municipality can be contacted to install the water connections.*
- iii. *Each erf must have its own sewer connection.*
- iv. *The cost of the installation of the water and sewer connections is for the account of the owner.*
- v. *Once the subdivision is formally approved, an engineering drawing indicating the new sewer layout and connection point must be submitted for approval.*
- vi. *A quotation for the sewer connection inspection can be provided by the Water Services Department.*
- vii. *Installation must be done by the suitable contractor appointed by the owner. The cost of the installation of the sewer connection is for the account of the owner.*
- viii. *No clearance certificate will be issued unless Water Services Department has confirmed in writing that the sewer connection has been installed to their satisfaction.*
- ix. *That the development contributions are payable before the approval of building plans or the transfer of any subdivided erf. Whichever is first, and which amount will be calculated in accordance with the council tariffs in force at the time of payment.*
- x. *Portion D vehicle access will be restricted to Seleka Street only and setback as close to Portion C.*
- xi. *Any changes to any existing civil engineering services of Stellenbosch Municipality are for the account of the owner.*
- xii. *The Municipality reserves the right to withhold any clearance certificates until such time as the applicant has complied with the above mentioned conditions.*

2.4 Matters on the application TO BE NOTED

- (a) The necessary permission needs to **BE OBTAINED** from Heritage Western Cape for any additions and/or alternation to the existing historical dwelling.
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: ACTING DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

2/6/20.

DATE:



CC:

The Surveyor-General

Private Bag X9028

CAPE TOWN

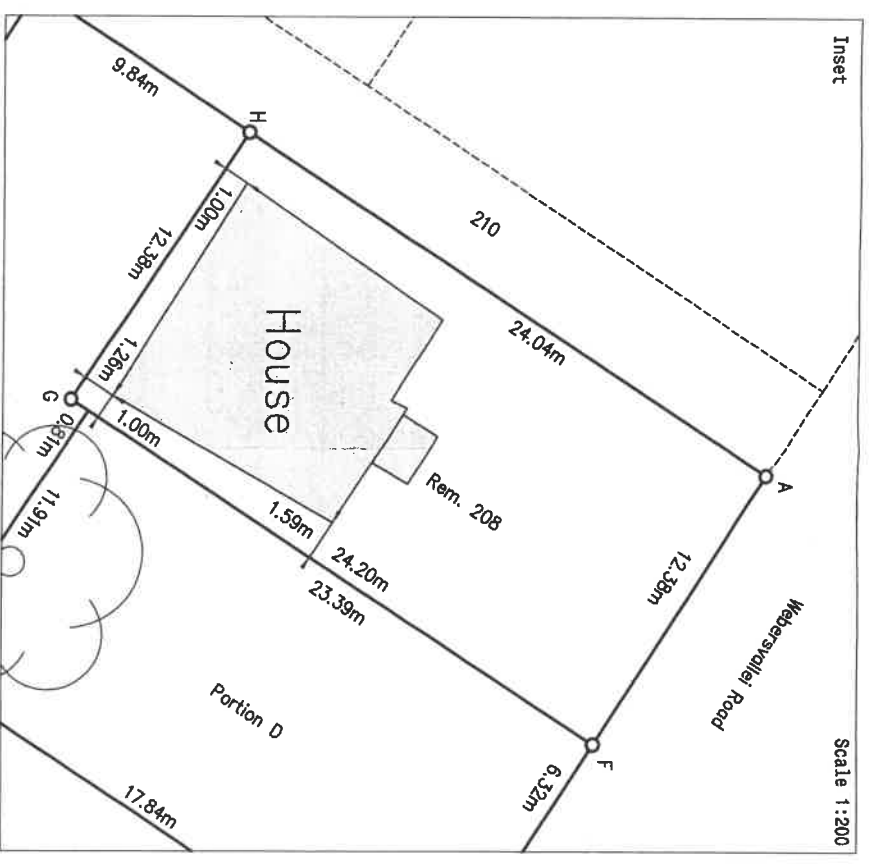
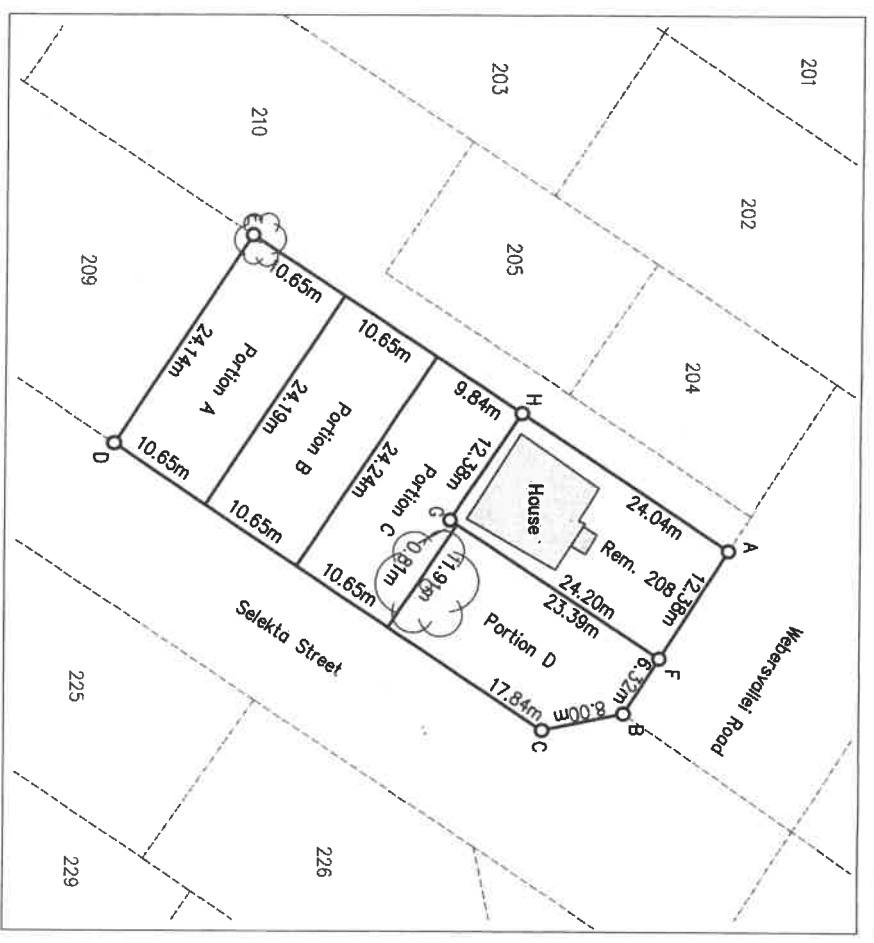
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PER EMAIL: sglodgementwc@drdlr.gov.za

ANNEXURE C

**SUBDIVISION AND DEPARTURE:
ERF 208, CNR OF WEBERSVALLEY ROAD AND
SELEKTA STREET, JAMESTOWN**

SUBDIVISIONAL PLAN



Portion	Zone	Use
A	Single Residential	Dwelling
B	Single Residential	Dwelling
C	Single Residential	Dwelling
D	Single Residential	Dwelling
Rem. Erf 208	Single Residential	Dwelling

STELLENBOSCH MUNICIPALITY

1. The side boundary building line on common boundary FG of proposed remainder of erf 208 to be relaxed from 2.00m to 1.00m to accommodate the existing house, as shown

2. The side boundary building line on common boundary GH of proposed remainder of erf 208 to be relaxed from 2.00m to 1.00m to accommodate the existing house, as shown

Permanent departures: side building line relaxation

Authorised Employee/MPT
 2620

The figure ABCDE represents 1327m² of land being Erf 208, Jamestown, situate in the Municipality of Stellenbosch, Administrative District Stellenbosch

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

Scale 1:500 A4 Date: 16 Apr 2019 Contours: 1m System: WG 19

Proposed Subdivision
 Erf 208, Jamestown
 Stellenbosch Municipality

Ref: JT208 Dwg: pr-on.dwg 04

friedlaender, burger & volkmann
 FRIEDLAENDER, BURGER & VOLKMANNS ARCHITECTS, ENGINEERS, PLANNERS AND DESIGNERS
 20 Jans Smal Street, Stellenbosch, 7800 • P.O. Box 1111, Stellenbosch, 7800
 Tel: 021 21 98 000 • Email: info@fbo.co.za

ANNEXURE I

**SUBDIVISION AND DEPARTURE:
ERF 208, CNR OF WEBERSVALLEY ROAD AND
SELEKTA STREET, JAMESTOWN**

**COMMENT FROM THE DIRECTOR: ENGINEERING
SERVICES**



MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

To ▫ Aan: Director: Planning + Economic Development
Att Aandag N Katts
From ▫ Van: Colin Taylor (Development)
Date ▫ Datum: 2/12/2019
Our Ref ▫ Ons Verw: Civil Lu 1910
Re ▫ Insake: Erf 208 Jamestown: Application for subdivision

The application is for the following items:

- i. A subdivision of Erf 208, Jamestown into five portions measuring $\pm 299\text{m}^2$ (remainder); $\pm 257\text{m}^2$ (portion A); $\pm 258\text{m}^2$ (portion B); ± 248 (portion C) and $\pm 265\text{m}^2$ (portion D) as indicated on subdivisional plan Pr-an.dwg a4, drawn by Friedlaender, Burger & Volkmann, dated 16 April 2019.
- ii. Permanent Departure to relax the common building lines on the remainder portion from 2,0m to 1,0m to accommodate the existing dwelling.

Comments from the Transport, Roads and Stormwater, Water Services, Traffic Engineering and Development Departments will be reflected in this memo and is to be regarded as development conditions to be reflected in the land-use approval.

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

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. An engineer's 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 R328 196.27 (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 Portion D vehicle access will be restricted to Selektta Street only and setback as close to portion C.

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 any clearance certificates until such time as the applicant has complied with the above mentioned conditions.



COLIN TAYLOR

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\1910 (CT) Erf 208 Jamestown\1910 (CT) Erf 208, Jamestown, Subdivision.doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	Wednesday, 27-Nov-2019
Date	2019-20
Financial Year	Stellenbosch Town
Erf Location	Erf 208 Jamestown
Erf No	1 327
Erf Size (m ²)	Mark Straugham
Suburb	
Applicant	
Approved Building Plan No.	

SUMMARY OF DC CALCULATION

Unit(s)	Water kl/day	Sewer kl/day	Storm-water ha°C	Solid-Waste t/week	Roads trips/day	Community Facilities person	Totals
Total Increased Services Usage	2,300	2,300	0,067	0,160	16,00	16,0	
Total Development Charges before Deductions	R 60 196,51	R 57 734,02	R 6 603,32	R 8 195,75	R 100 906,61	R 51 751,85	R 285 388,06
Total Deductions							
Total Payable (excluding VAT)	R 60 196,51	R 57 734,02	R 6 603,32	R 8 195,75	R 100 906,61	R 51 751,85	R 285 388,06
VAT	R 9 029,48	R 8 660,10	R 990,50	R 1 229,36	R 15 135,99	R 7 762,78	R 42 808,21
Total Payable (including VAT)	R 69 225,98	R 66 394,12	R 7 593,82	R 9 425,11	R 116 042,61	R 59 514,63	R 328 196,27

APPLICANT INFORMATION

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

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
		area (m2)	du / m ² GLA	du / ha	% GLA								
Residential	Single Residential >1000m2	du	1	0	0	-1	R -31 406,87	Yes	Yes	Yes	R -2 048,94	R -12 937,96	R -93 922,39
	Single Residential >500m2	du		0	0	0	R -				R -	R -	R -
	Single Residential >250m2	du		0	0	5	R 91 603,38	Yes	Yes	Yes	R 10 244,68	R 64 689,82	R 379 310,45
	Single Residential <250m2	du		0	0	0	R -				R -	R -	R -
	Less Formal Residential >250m2	du		0	0	0	R -				R -	R -	R -
	Less Formal Residential <250m2	du		0	0	0	R -				R -	R -	R -
	Group Residential >250m2	du		0	0	0	R -				R -	R -	R -
	Group Residential <250m2	du		0	0	0	R -				R -	R -	R -
	Medium Density Residential >250m2	du		0	0	0	R -				R -	R -	R -
	Medium Density Residential <250m2	du		0	0	0	R -				R -	R -	R -
	High Density Residential - flats	du		0	0	0	R -				R -	R -	R -
	High Density Residential - student rooms	du		0	0	0	R -				R -	R -	R -
Commercial	Local Business - office	m2 GLA		0%	0%	0	R -				R -	R -	R -
	Local Business - retail	m2 GLA		0%	0%	0	R -				R -	R -	R -
	General Business - office	m2 GLA		0%	0%	0	R -				R -	R -	R -
	General Business - retail	m2 GLA		0%	0%	0	R -				R -	R -	R -
	Community	m2 GLA		0%	0%	0	R -				R -	R -	R -
	Education	m2 GLA		0%	0%	0	R -				R -	R -	R -
	Light Industrial	m2 GLA		0%	0%	0	R -				R -	R -	R -
	General Industrial - light	m2 GLA		0%	0%	0	R -				R -	R -	R -
	General Industrial - heavy	m2 GLA		0%	0%	0	R -				R -	R -	R -
	Noxious Industrial - heavy	m2 GLA		0%	0%	0	R -				R -	R -	R -
Other	Resort	m2 GLA		0%	0%	0	R -				R -	R -	R -
	Public Open Space	m2				0	R -				R -	R -	R -
	Private Open Space	m2				0	R -				R -	R -	R -
	Natural Environment	m2				0	R -				R -	R -	R -
	Utility Services	m2 GLA				0	R -				R -	R -	R -
	Public Roads and Parking	m2				0	R -				R -	R -	R -
	Transport Facility	m2				0	R -				R -	R -	R -
	Limited Use					0	R -				R -	R -	R -
	To be calculated												
	based on equivalent demands												
*** displays red if not equal to existing area													
* Complete yellow/green cells.													

Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
R60 196,51	R57 734,02	R6 603,32	R8 195,75	R100 906,61	51 751,85	R285 388,06
0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	R 0,00
R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00
R60 196,51	R57 734,02	R6 603,32	R8 195,75	R100 906,61	51 751,85	R285 388,06
R9 029,48	R8 660,10	R990,50	R1 229,36	R15 135,99	7 762,78	R42 808,21
R69 229,98	R66 394,12	R7 593,82	R9 425,11	R116 042,61	59 514,63	R328 196,27
Sub-Total after Deductions (excluding VAT)						
VAT						
Total						

** du = dwelling unit, GLA=Gross lettable area.
 Total Development Charges before Deductions
 % Deductions per service (%)
 % Deductions per service (amount)
 Additional Deduction per service - from Service Agreement (sum)
 Sub-Total after Deductions (excluding VAT)
 VAT
 Total