



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15535(TP354/2023)

Our File Reference Number: Erf 2241 & 7337, Stellenbosch

Your Reference Number:

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:** [REDACTED]

Sir / Madam

## **APPLICATION FOR CONSOLIDATION ON ERF 2241 & 7337, STELLENBOSCH**

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

2.1 That the following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 on Erf 2241, Stellenbosch:

2.2 That the application for consolidation of Erf 2241 and Erf 7337, Stellenbosch to create a land unit measuring 3211m<sup>2</sup> in extent.

**BE APPROVED** in terms of Section 60 of the said By-Law and subject to conditions of approval.

2.2.1 The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:

2.2.2 The approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

2.2.3 The development be undertaken in accordance with consolidation plan no: Erven 2241 & 7337, Stellenbosch dated, 02/05/2023, drawn by WH attached as Annexure D

2.2.4 An electronic copy (shp, dwg, dxf) of the approved General Plan be submitted to the Directorate Planning and Economic Development for record purposes, which plan indicate the following information:

aa) Newly allocated erf numbers

bb) Co-ordinates

cc) Survey dimensions

- 2.2.5 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.
- 2.2.6 Should the full extent of permissible development rights, as approved herein-above, not be implemented initially or development is phased, a pro rata Development Charge will be levied in accordance with the extent to which the development rights will be implemented, provided that the remaining development charges will be levied for the remaining permissible development rights when implemented in future. Remaining Development Charges will be levied in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or approval of any building plans, whichever occurs first.
- 2.2.7 The conditions imposed by the Infrastructure Services Department contained in memo dated 27 July 2023, attached as **Annexure E**, be compiled with.
- 2.2.8 A detailed site development plan as contemplated in terms of Section 16 of the Zoning Scheme Bylaw, 2019 be submitted to the Municipality for approval prior to the submission of any building plans, which site development plan must satisfactorily address, but are not necessarily limited to, all the conditions of this approval, compliance with relevant development parameters of the said Bylaw, any relevant matters relating to Section 16(4) of the said Bylaw.

3. The reasons for the above decision are as follows:

- 3.1 The proposed consolidation will create a more practical erf that is considered in keeping with the size of existing surrounding area.

4. 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.

5. 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

5.1 Reference to this correspondence and the relevant property details on which the appeal is submitted.

5.2 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.

5.3 Whether the appeal is lodged against the whole decision or a part of the decision.

5.4 If the appeal is lodged against a part of the decision, a description of the part.

5.5 If the appeal is lodged against a condition of approval, a description of the condition.

5.6 The factual or legal findings that the appellant relies on.

5.7 The relief sought by the appellant.

5.8 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

5.9 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.

6. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: [landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za).

7. Any party (applicant or other) 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.

8. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at [landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za)

9. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

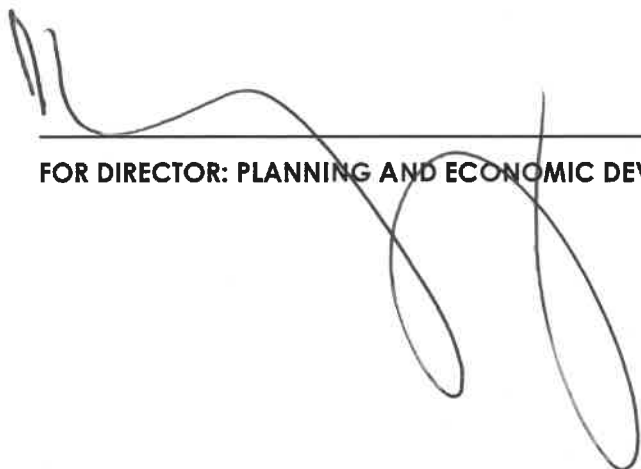
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

- (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.

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

11. Kindly note the above decision in the case of any approval, is suspended, and 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**

24/11/2028  
DATE



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## **ANNEXURE D**

CONSOLIDATION DIAGRAM



BANGHOEK ROAD

7335

GROENEWEIDE ROAD

2390

7337

Existing Building

2241

Existing Building

2242

**STELLENBOSCH MUNICIPALITY**

THIS SUBMISSION / 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

16375

2023

24/11/2023

AUTHORISED EMPLOYEE/MP

**Notes:**

- 1 Erven 2241 & 7337, Stellenbosch to be consolidated.
- 2 New consolidated extent ±3211m<sup>2</sup>.

All areas and dimensions are approximate and should be verified by a professional land surveyor.

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FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 07 2022 0700  
STELLENBOSCH 7600 |

Erven 2241 & 7337,  
Stellenbosch

Drawing:	Proposed Consolidation		Plan no.:	3
Date:	02/05/2023	Scale:	1:400 (A4)	
Project no.:	3896-P	Drawn:	WH	Checked: JvR



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## **ANNEXURE E**

COMMENT FROM INFRASTRUCTURE SERVICES  
DEPARTMENT



**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH · PNIEL · FRANSCHHOEK

# MEMORANDUM

**DIREKTORAAT: INFRASTRUKTUURDIENSTE**  
**DIRECTORATE: INFRASTRUCTURE SERVICES**

**CIVIL ENGINEERING SERVICES**

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**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag:** Salome Newman  
**From ▫ Van:** Principal Technician: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Kurt Titus  
**Date ▫ Datum:** 27 July 2023  
**Our Ref ▫ Ons Verw:** Civil LU 2529  
**Town Planning Ref:** LU/15535  
**Re ▫ Insake:** Erf 2241, Stellenbosch: Application in terms of section 15(2)(e) of the Stellenbosch Municipality Planning By-law, 2015 for the consolidation of Erf 2441 (1245m<sup>2</sup>) with Erf 7337 (1966m<sup>2</sup>), Stellenbosch to create an Erf measuring 3211m<sup>2</sup>.

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The application is for the following items:

- i. Consolidation of Erf 2441 with Erf 7337 Stellenbosch into one proposed Erf.

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

**1. Water**

- 1.1 The new consolidated erf must only have one (1) water connection.

**2. Sewer Connections**

- 2.1 The new consolidated erf must only have one (1) sewer connection.
- 2.2 A site layout plan must be submitted indicating the decommissioned water and sewer erf connections as well as the connections kept in operation.

**3. Engineering and Building Plan Approval**

- 3.3 Any engineering or building plans submitted by the applicant for further development on the proposed consolidated erven. The Municipality reserves the right to withhold any plan approval until such time as the applicant has complied with the above-mentioned conditions.



**4. Municipal Infrastructure (Civil Engineering Services)**

4.3 Any changes to existing municipal infrastructure due to this application will be for the account of the owner.

*K Titus*

**Kurt Titus  
Principal Technician: Development  
Infrastructure Services**

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