



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9283

Our File Reference Number: Erf 230, Klapmuts

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

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

PER E-MAIL: [REDACTED]

Sir/Madam

APPLICATION FOR THE SUBDIVISION OF ERF 230, BELL STREET, KLAPMUTS INTO SIX PORTIONS AND A REMAINDER AND APPLICATION FOR A PERMANENT DEPARTURE FOR THE UNDER PROVISION OF ONSITE PARKING OF ERF 230, BELL STREET, KLAPMUTS

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

2.1 That the following land use applications for:

- 2.1.1 An application in terms of Section 15(2)(d) of the Stellenbosch Municipal Planning By-Law for the subdivision of Erf 230, Klapmuts, into six portions, namely, Portion 1 (118m²), Portion 2 (120m²), Portion 3 (170m²), Portion 4 (154m²), Portion 5 (117m²), Portion 6 (125m²) and Remainder (353m²).
- 2.1.2 An application in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law, August 2015 for a permanent departure for the under provision of onsite parking to provide 1 onsite parking bay in lieu 2 parking bays per town house.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

3. Conditions

3.1 The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities. **(See Annexure C: Plan No-7 REV 1)**

3.2 The conditions of the Director: Engineering Services as specified in their memo dated 08/10/2019, shall be complied with. **(See Annexure D)**

3.3 The applicant submits an electronic copy (shp, dwg, dxf) or A4 hard copy of the SG diagrams, which was preliminary approved by the SG. The following information must be indicated:

- Newly allocated Erf Numbers
- Co-ordinates
- Survey Dimensions
- Street Number

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

4.1 To regulate an existing establishment of 6 town house erven

4.2 The proposal presents a moderate form of densification within the urban edge.

4.3 The proposal will not set a precedent in the area and ensure that the existing infrastructure is optimally used.

5. 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.

6. 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:

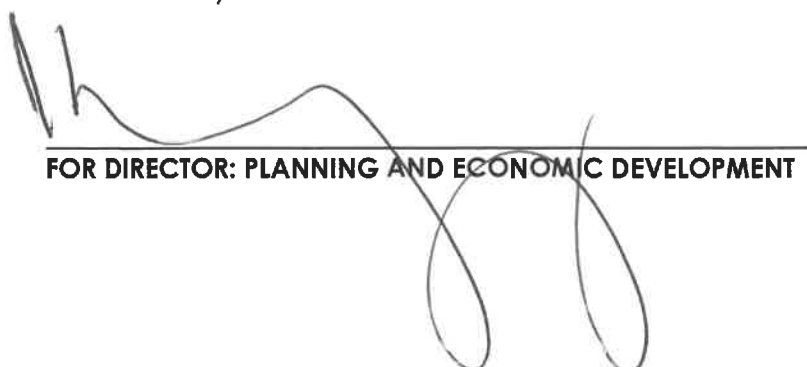
- (I) First names and surname;
- (II) ID number;
- (III) Company of Legal person's name (if applicable)
- (IV) Physical Address;

- (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.

7. 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

8. 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.
9. 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>).
10. 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.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. 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



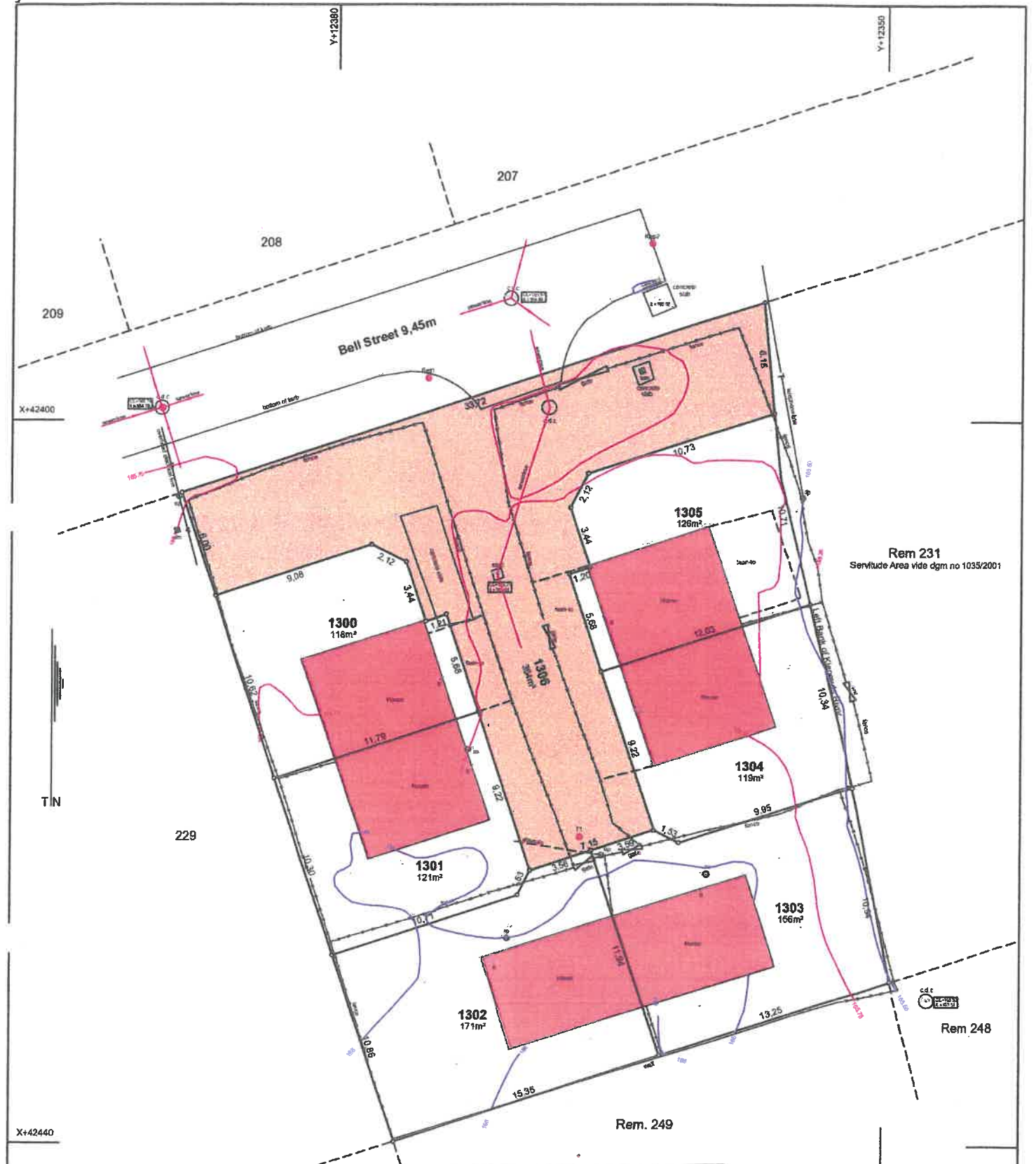
FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

26/1/2022
DATE:

COPY TO:



ANNEXURE C



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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

26/1/2022

AUTHORISED EMPLOYEE/MPT

- Ref: 1) Co-ordinate System WGS 84
 2) Height Datum : M.S.L
 3) S. G. Noting 1236

dh&a
 david heilig & abrahamse
 professional land surveyors
 258 Main Street
 PAARL 7040

Telephone : 021-8724036 web site : www.dh&a.co.za
 email : dh@dh&a.co.za

project **PLAN OF SUBDIVISION**
Erf 230 Klamputs

Scale	1 / 200 @ A3
Date	May 2017 - Febr 2019
File No	P3267/06
Plan No	7 REV 1

ANNEXURE D

(C-7)

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INTERDEPARTMENTAL CIRCULATION FORM

LEER VERW/ FILE REF Erf 230, Klappmuts DATE: 20 August 2019

AANSOEKNUMMER/APPLICATION NUMBER LU/9283

MEMO AAN/ TO :

- X Director : Infrastructure Services (Traffic Engineer / Engineering Services / Electrical Services)
- Manager : Building Development Management
- Manager : Fire Services
- Manager: Spatial Planning / Heritage / Environment / Signage
- Manager: Health Department (Winelands Health)
- Manager: Community Services (Parks): **Albert Van Der Merwe**
- Manager: Property Management (**P Smit**)
- Manager: Local Economic Development

UL / CIVIL 1889

10 OCT 2019

Application

Application is made in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law, August 2015 for the **subdivision** of Erf 2030, Klappmuts into six(6) portions namely, Portion 1 (118m²), Portion 2 (120m²), Portion 3 (170m²), Portion 4 (154m²), Portion 5 (117m²), Portion 6 (125m²) and Remainder Portion (353m²)

Application is made in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law, August 2015 for the **rezoning** of Portions 1- 6 from Residential Zone I to Residential Zone III, as well as the rezoning of the Remainder Portion to Private Open Zone II.

Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law, August 2015 for a **departure** to relax the parking requirements from 2 parking bays per town house to 1.5 parking bays per town house.

Adres / Address 91 Bell Street, Klappmuts

Aansoek Datum / Application Date 29 January 2019

Aansoeker / Applicant Michael Back (Backsberg Estates Cellars CC)

Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil oplê indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op:
 Please hand deliver the memorandum to me on or before : **27 September 2019**

B Mdoda
 For **DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT**

FILE NR: []

SCAN NR: **E 230 KL**

COLLABORATOR NR: **bb4637**

ALGEMENE KOMMENTAAR / GENERAL COMMENT:

.....

.....

.....

VOORWAARDES/CONDITIONS:

Refer attached memo dated 9/10/2019

.....

.....

[Signature]

HANDTEKENING / SIGNATURE

9/10/2019

DATUM / DATE



MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

To ▫ Aan: Director: Planning + Economic Development
Att Aandag B Mdoda
From ▫ Van: Colin Taylor (Development)
Date ▫ Datum: 8/10/2019
Our Ref ▫ Ons Verw: Civil Lu 1889
Re ▫ Insake: Erf 230 Klapmuts: Application for subdivision

The application is for the following items:

- i. The subdivision of Erf 230, Klapmuts into six(6) portions namely, Portion 1 (118m²), Portion 2 (120m²), Portion 3 (170m²), Portion 4 (154m²), Portion 5 (117m²), Portion 6 (125m²) and Remainder Portion (353m²);
- ii. Rezoning of Portion 1-6 from Residential Zone I to Residential Zone III, as well as the rezoning of the Remainder Portion to Private Open Zone II; and
- iii. Departure to relax the parking requirement from 2 parking bays per town house to 1.5 parking bays per town house.

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 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.

3. Development Charges (DCs)

- 3.1 Based on the information provided, the Development Charges payable by the developer is R321 252.11 (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.

FILE NR:

meter installed.

SCAN NR:

COLLABORATOR NR:

the account of the owner.

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.



COLIN TAYLOR

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\1889 - Erf 230 Klapmuts (Bell Street)\1889 (CT) Erf 230, Klapmuts, Subdivision.doc

Klamnuts

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage		Water	Sewer	Stormwater	Solids-Waste	Roads	Community Facilities	Total					
		du	m ² GLA	du	m ² GLA	du	m ² GLA								du	m ² GLA			
Infrastructure Type applicable? (yes/no)																			
Single Residential >1000m2	du	1	9					R -12 849,46	R -15 050,16	R -6 242,49	R -2 613,10	R -29 787,92	R -12 937,96	R -79 481,10					
Single Residential >600m2	du		0					R	R	R	R	R	R	R					
Single Residential >260m2	du		0					R	R	R	R	R	R	R					
Single Residential <250m2	du		0					R	R	R	R	R	R	R					
Less Formal Residential >250m2	du		0					R	R	R	R	R	R	R					
Less Formal Residential <250m2	du		0					R	R	R	R	R	R	R					
Group Residential >250m2	du		0					R	R	R	R	R	R	R					
Group Residential <250m2	du		0					R 38 548,39	R 64 500,68	R 14 045,61	R 15 678,62	R 145 216,10	R 77 627,78	R 355 617,18					
Medium Density Residential >250m2	du		0					R	R	R	R	R	R	R					
Medium Density Residential <250m2	du		0					R	R	R	R	R	R	R					
High Density Residential - flats	du		0					R	R	R	R	R	R	R					
High Density Residential - student rooms	du		0					R	R	R	R	R	R	R					
Local Business - office	m2 GLA		0%					R	R	R	R	R	R	R					
Local Business - retail	m2 GLA		0%					R	R	R	R	R	R	R					
General Business - office	m2 GLA		0%					R	R	R	R	R	R	R					
General Business - retail	m2 GLA		0%					R	R	R	R	R	R	R					
Community	m2 GLA		0%					R	R	R	R	R	R	R					
Education	m2 GLA		0%					R	R	R	R	R	R	R					
Light Industrial	m2 GLA		0%					R	R	R	R	R	R	R					
General Industrial - light	m2 GLA		0%					R	R	R	R	R	R	R					
General Industrial - heavy	m2 GLA		0%					R	R	R	R	R	R	R					
Noxious Industrial - heavy	m2 GLA		0%					R	R	R	R	R	R	R					
Resort	m2 GLA		0%					R	R	R	R	R	R	R					
Public Open Space	m2		0%					R	R	R	R	R	R	R					
Private Open Space	m2		0%					R	R	R	R	R	R	R					
Natural Environment	m2		0%					R	R	R	R	R	R	R					
Utility Services	m2 GLA		0%					R	R	R	R	R	R	R					
Public Roads and Parking	m2		100%					R	R	R 3 213,58	R	R	R	R 3 213,58					
Transport Facility	m2		0%					R	R	R	R	R	R	R					
Limited Use	m2		0%					R	R	R	R	R	R	R					
To be calculated based on equivalent demands																			
*** displays red if not equal to existing area																			
		1 170		1 170		1 170		R25 698,93		R49 450,52		R11 016,70		R13 065,51		R115 428,18		R279 349,66	
								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	
								R25 698,93		R49 450,52		R11 016,70		R13 065,51		R115 428,18		R279 349,66	
								R3 854,84		R7 417,58		R1 652,50		R1 959,83		R17 314,23		R41 902,45	
								R29 553,77		R56 868,10		R12 669,20		R15 025,34		R132 742,41		R321 252,11	

* Complete yellow/green cells.

** du = dwelling unit, GLA=Gross lettable area.

Total Development Charges before Deductions

% Deductions per service (%)

% Deductions per service (amount)

Sub Total after Deductions (excluding VAT)

VAT

Total

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	Tuesday, 08-Oct-2019
Date	2019-20
Financial Year	Klapmuts
Erf Location	Erf 230 Klapmuts (Bell Sreet)
Erf No	
Erf Size (m ²)	
Suburb	
Applicant	Michael Back (Baschberg Estates Cellars CC)
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	2,400	2,300	0,085	0,200	15,50	15,5	
Total Development Charges before Deductions	R 25 698,93	R 49 450,52	R 11 016,70	R 13 065,51	R 115 428,18	R 64 689,82	R 279 349,66
Total Deductions							
Total Payable (excluding VAT)	R 25 698,93	R 49 450,52	R 11 016,70	R 13 065,51	R 115 428,18	R 64 689,82	R 279 349,66
VAT	R 3 854,84	R 7 417,58	R 1 652,50	R 1 959,83	R 17 314,23	R 9 703,47	R 41 902,45
Total Payable (including VAT)	R 29 553,77	R 56 868,10	R 12 669,20	R 15 025,34	R 132 742,41	R 74 393,29	R 321 252,11

APPLICANT INFORMATION

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