



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9261

Our File Reference Number: Erf 231, Klapmuts

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: emilevdm@adept.co.za

Sir / Madam

APPLICATION FOR SUBDIVISION: ERF 231, 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 231, Klapmuts into five(5) portions namely; Portion 1 (300m²), Portion 2(416m²), Portion 3 (391m²), Portion 4 (166m²) and the Remainder (1091m²) **BE APPROVED** in terms of Section 60 of the said By-Law.

2.1 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.

2.1 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 10 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 223 547.24(VAT incl.)as per attached Development Charge 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. Floodplain Management

- 4.1 The 1:50 and 1:100 year flood lines of the Klapmuts River be shown on all plans submitted. The flood lines are to be verified by a suitable qualified registered

engineering professional. Where flood lines have not previously been determined, the "Developer" must procure the services of a suitably qualified registered engineering professional to undertake such determinations at his/her own cost. No new development will be allowed under the 1:100 year flood line.

4.2 The floor level of all buildings be at least 100mm above the 1:100 year flood level. These levels must be certified by a registered Professional Engineer.

5. **General**

5.1 Any changes to any existing civil engineering services of Stellenbosch Municipality is 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.
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: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

22/10/20
DATE:

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f f f f

ANNEXURE B

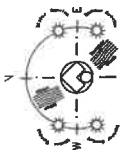
Subdivision Plan

PROPOSED SUB DIVISION ERF 231

PROPOSED SUB DIVISIONAL PLAN

ERF NO.	ERF SIZE	ZONING	LAND USE
PORTION 1	300.0 sqm	RES 1	RESIDENTIAL
PORTION 2	416.0 sqm	RES 1	RESIDENTIAL
PORTION 3	391.0 sqm	RES 1	RESIDENTIAL
PORTION 4	166.0 sqm	RES 1	RESIDENTIAL
REMAINDER	1091.0 sqm	OPEN SPACE II	P.O.S

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
 PLANNING CONSULTANT

BL WILLIAMS

PROPOSED SUBDIVISION
 ON ERF 231
 KLAPMUTS

SUBDIVISION PLAN

PROJECT NO.	103
DATE	FEBRUARY 2018

FOR APPROVAL

BELL STREET

P.O.S

RE 231

Portion 1
300 sqm

232

Portion 4
166 sqm

Portion 2
416 sqm

Portion 3
391 sqm

Remainder = P.O.S
 SERVITUDE
 1035/2001001
 (1091 sqm)

1305

1304

1303

247

246

RE 248

Remainder = P.O.S
 SERVITUDE
 1036/2001001

RE/249

80/1997001

771

2132

MERCHANT STREET



207

06 Erven 230

02

ANNEXTURE E

Comment from the Director: Engineering Services



MEMO

JA

11 FEB 2020
RECEIVED

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

To ▫ Aan: **Director: Planning + Economic Development**
Att Aandag **A Petersen**
From ▫ Van: **Colin Taylor (Development)**
Date ▫ Datum: **10/02/2020**
Our Ref ▫ Ons Verw: **Civil Lu 1881**
Re ▫ Insake: **Erf 231 Klappmuts: Application for subdivision**

FILE NR:	
SCAN NR:	E 231 KL
COLLABORATOR NR:	678527

Details, specifications and information reflected the following refers:

- Application i.t.o. Stellenbosch Municipality Land Use Planning By-law, dated 31 July 2019;
- Water and Sewer connections-Layout Drawing 1406/04 by Bart Senkekal Inc, dated 17 September 2019 (Annexure A)

The application is for the following items:

- i. Subdivide Erf 231, Klappmuts into five portions namely Remainder (1091m²) and Portion 1 (300m²), Portion 2 (416m²), Portion 3 (391m²), Portion 4 (166m²).

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.
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COLIN TAYLOR

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\1881 (CT) Erf 231, Klapmuts\1881 (CT) Erf 231, Klapmuts, Subdivision.doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	
Date	Monday, 10-Feb-2020
Financial Year	2019-20
Erf Location	
Erf No	231
Erf Size (m ²)	2 364
Suburb	Bell Street
Applicant	Emile Van Der Merwe Town Planning Consultant
Approved Building Plan No.	

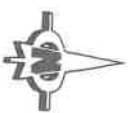
SUMMARY OF DC CALCULATION

Units)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
	Kl/day	Kl/day	haC	t/week	trips/day	person	
Total Increased Services Usage	1,500	1,500	0,061	0,120	12,00	12,0	
Total Development Charges before Deductions	R 16 061,83	R 34 400,36	R 7 909,76	R 7 839,31	R 89 363,75	R 38 813,89	R 194 388,90
Total Deductions							
Total Payable (excluding VAT)	R 16 061,83	R 34 400,36	R 7 909,76	R 7 839,31	R 89 363,75	R 38 813,89	R 194 388,90
VAT	R 2 409,27	R 5 160,05	R 1 186,46	R 1 175,90	R 13 404,56	R 5 822,08	R 29 158,34
Total Payable (including VAT)	R 18 471,10	R 39 560,42	R 9 096,22	R 9 015,20	R 102 768,32	R 44 635,97	R 223 547,24

APPLICANT INFORMATION

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

Annex A



P.O.S

BELL STREET

Remainder = P.O.S
SERVITUDE
1035/2001001
(1091 sqm)

LEGEND

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

BART SENEKAL INC.
Civil & Structural Consulting
17 Abingdon Street
Stellenbosch 7600

APPROVED	DATE

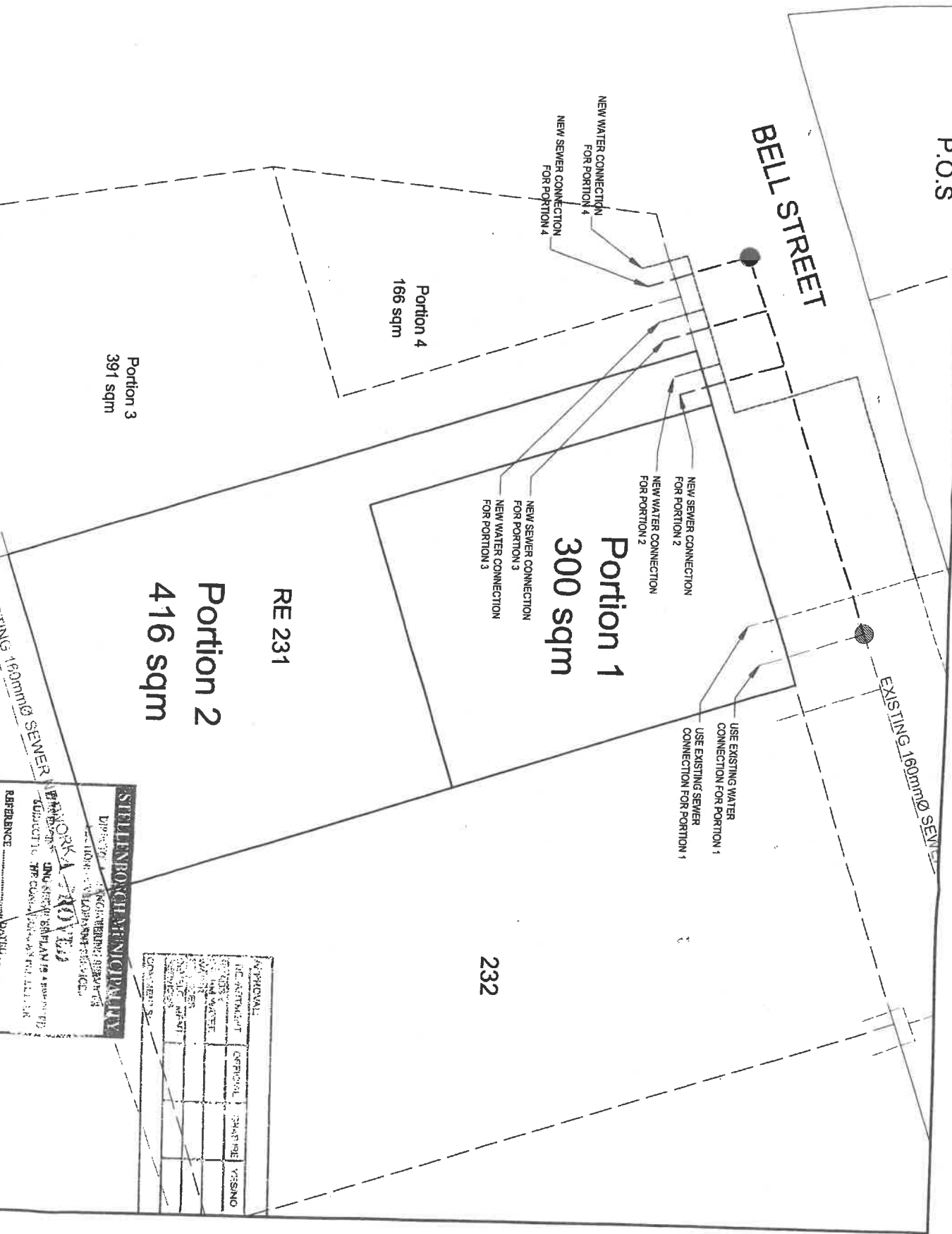
BART SENEKAL INC.
2019-09-17

BL WILLIAMS

NO.	DATE

PROPOSED DEVELOPMENT OF ERF 231, KLAPMUTS
WATER AND SEWER CONNECTIONS - LAYOUT

Scale	1:200
Page No.	A3



STELLENBOSCH MUNICIPALITY
Director: Engineering Services
Date: _____

APPROVAL	DATE	BY