



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9263

Our File Reference Number: Erf 248, Klapmuts

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 248, 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 248, Klapmuts into five (5) portions namely; Portion 1 (300m<sup>2</sup>), Portion 2 (416m<sup>2</sup>), Portion 3 (438m<sup>2</sup>), Portion 4 (365m<sup>2</sup>) and the Remainder (980m<sup>2</sup>) **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 11 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 No internal sewer pipes may cross the lateral boundary, unless protected by a registered servitude.
- 2.3 A servitude must be registered over proposed municipal sewer pipe servicing portion 4 and portion 1.
- 2.4 The width of the registered servitude must be a minimum of 3m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "Developer" will be responsible for the registration of the required servitude(s), as well as the cost thereof.
- 2.5 The cost of the installation of the sewer connection is for the account of the owner.
- 2.6 Once the subdivision is formally approved. The engineers drawing indicating the new sewer layout and connection point must be submitted for approval.
- 2.7 A quotation for the sewer connection inspection can be provided by the Water Services Department.
- 2.8 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.
- 2.9 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 224 735.58(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 suitable 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.

(d) The conditions imposed by the **Manager: Fire Services** as contained in their comments dated 07 August 2019, as stipulated below, be complied with (see **Appendix H**):

1. Fire requirements will be given when plans are submitted to Council.

#### **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**

22/10/20.

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**DATE:**

**ANNEXURE B**

Subdivision Plan

P.O.S

BELL STREET

### PROPOSED SUB DIVISION ERF 248

#### PROPOSED SUB DIVISIONAL PLAN

ERF NO.	ERF SIZE	ZONING	LAND USE
PORTION 1	300,0 sqm	RES I	RESIDENTIAL
PORTION 2	416,0 sqm	RES I	RESIDENTIAL
PORTION 3	438,0 sqm	RES I	RESIDENTIAL
PORTION 4	365,0 sqm	RES I	RESIDENTIAL
REMAINDER	980,0 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 (7015) SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER

DATE

22/10/20

RE 231

232

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

1305

1304

1303

Portion 3  
438 sqm

Portion 2  
416 sqm

247

246

RE/249

771

Remainder = P.O.S  
SERVITUDE  
1036/2001001  
(980 sqm)

Portion 4  
365 sqm

Portion 1  
300 sqm

RE 248

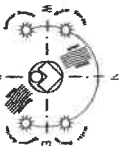
MERCHANT STREET

0m

25m

50m

2132



EMILE VAN DER MERWE  
TOWN PLANNING CONSULTANTS

BL WILLIAMS

PROPOSED SUBDIVISION  
ON ERF 248  
KLIPMUTS

SUBDIVISION PLAN

FOR APPROVAL



**ANNEXURE H**

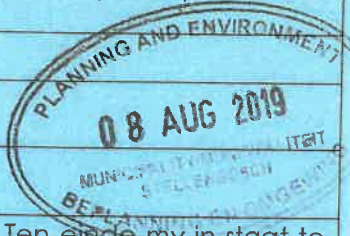
Comment from the Manager: Fire Services

File 13

INTERDEPARTMENTAL CIRCULATION FORM

LÊER VERW/ FILE REF	Erf 248, Klapmuts	DATE: 31 July 2019
AANSOEKNUMMER/APPLICATION NUMBER	LU/9263	
MEMO AAN/ TO:		
Director : Traffic Engineer / Engineering Services		
Manager : Electrical Department		
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)		
Chief Financial Officer		
Legal Services		
Manager: Local Economic Development		

Application	Application is made in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law, August 2015 to subdivide unregistered Erf 248, Klapmuts into five (5) portions, namely Remainder (980m <sup>2</sup> ), Portion 1 ( 300m <sup>2</sup> ), Portion 2 (416m <sup>2</sup> ), Portion 3 (438m <sup>2</sup> ) and Portion 4 (356m <sup>2</sup> )
Adres / Address	Beyers & Bell Street
Aansoek Datum / Application Date	25 March 2019
Aansoeker / Applicant	Emile Van Der Merwe Town Planning Consultant



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 opleë 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: **23 Augustus 2019**  
Please hand deliver the memorandum to me on or before : **23 August 2019**

C Petersen  
For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

ALGEMENE KOMMENTAAR / GENERAL COMMENT:

FILE NR	
SCAN NR	In order
COLLABORATION NR	E 248 KL
	656723

VOORWAARDES/CONDITIONS:

Fire requirements will be given when plans are submitted to Council

HANDTEKENING / SIGNATURE	07/08/2019
	DATUM / DATE

**ANNEXTURE E**

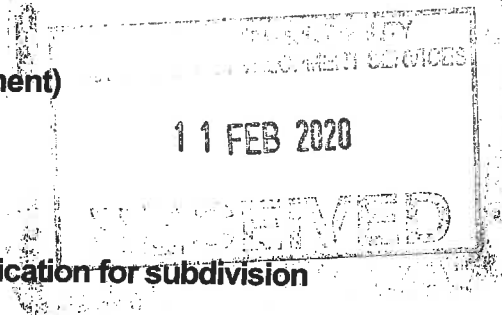
Comment from the Director: Engineering Services



# MEMO

DIRECTORATE: INFRASTRUCTURE SERVICES  
DIREKTORAAT: INFRASTRUKTUURDIENSTE

**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag** A Petersen  
**From ▫ Van:** Colin Taylor (Development)  
**Date ▫ Datum:** 11/02/2020  
**Our Ref ▫ Ons Verw:** Civil Lu 1876  
**Re ▫ Insake:** Erf 248 Klapmuts: Application for subdivision



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 1406/05 by Bart Senkekal Inc, dated 17 September 2019 (Annexure A)

The application is for the following items:

- The subdivision of Erf 248 into five(5) portions, namely Remainder (980m<sup>2</sup>), Portion 1 (300m<sup>2</sup>), Portion 2 (416m<sup>2</sup>), Portion 3 (483m<sup>2</sup>) and Portion 4 (356m<sup>2</sup>).

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

- Each erf must have its own water connection and water meter installed.
- Once the subdivision is formally approved, the Municipality can be contacted to install the water connections.
- The cost of the installation is for the account of the owner.

## 2. Sewer Connections

- Each erf must have its own sewer connection.

FILE NR:	
SCAN NR:	E 248 KL
COLLABORATOR NR:	678528

- 2.2 No internal sewer pipes may cross the lateral boundary, unless protected by a registered servitude.
- 2.3 A servitude must be registered over proposed municipal sewer pipe servicing portion 4 and portion 1.
- 2.4 The width of the registered servitude must be a minimum of 3 m or twice the depth of the pipe (measured to invert of pipe), whichever is the highest value. The "Developer" will be responsible for the registration of the required servitude(s), as well as the cost thereof.
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### **3. Development Charges (DCs)**

- 3.1 Based on the information provided, the Development Charges payable by the developer is R224 735.58 (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.
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### **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 suitably 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 100 mm above the 1:100 year flood level. These levels must be indicated on all building plans submitted and must be certified by a Registered Professional Engineer.

### **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\1876 (CT) Erf 248 Klapmuts\1876 (CT) Erf 248, Klapmuts, Subdivision.doc

# Stellenbosch Municipality - Development Charge Calculation



## APPLICATION INFORMATION

Application Number	
Date	Monday, 02-Dec-2019
Financial Year	2019-20
Erf Location	
Erf No	248
Erf Size (m <sup>2</sup> )	2 499
Suburb	Merchant Street
Applicant	Emile Van Der Merwe Town Planning Consultant
Approved Building Plan No.	

## SUMMARY OF DC CALCULATION

Unit(s)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
	kl/day	kl/day	ha°C	t/week	trips/day	person	
Total Increased Services Usage	1,600	1,700	0,044	0,120	12,00	12,0	
Total Development Charges before Deductions	R 17 132,62	R 36 550,39	R 5 722,29	R 7 839,31	R 89 363,75	R 38 813,89	R 195 422,24
Total Deductions							
Total Payable (excluding VAT)	R 17 132,62	R 36 550,39	R 5 722,29	R 7 839,31	R 89 363,75	R 38 813,89	R 195 422,24
VAT	R 2 569,89	R 5 482,56	R 858,34	R 1 175,90	R 13 404,56	R 5 822,08	R 29 313,34
Total Payable (including VAT)	R 19 702,51	R 42 032,94	R 6 580,63	R 9 015,20	R 102 768,32	R 44 635,97	R 224 735,58

## APPLICANT INFORMATION

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

Land Use Category	Unit Type	Existing Usage			Proposed New Usage			Increased Usage			Water		Sewer		Stormwater		Solid Waste		Roads		Community Facilities		Total		
		du	area (m2)	% GLA	du	area (m2)	% GLA	du	area (m2)	% GLA	du	area (m2)	% GLA	du	area (m2)	% GLA	du	area (m2)	% GLA	du	area (m2)	% GLA		du	area (m2)
Residential	Single Residential >1000m2	m2 GLA	2 499	4																					
	Single Residential >500m2	du		0																					
	Single Residential >250m2	du		0	1 519	26																			
	Single Residential <250m2	du		0																					
	Less Formal Residential >250m2	du		0																					
	Less Formal Residential <250m2	du		0																					
	Group Residential >250m2	du		0																					
	Group Residential <250m2	du		0																					
	Medium Density Residential >250m2	du		0																					
	Medium Density Residential <250m2	du		0																					
Commercial	High Density Residential - flats	du		0																					
	High Density Residential - student rooms	du		0																					
	Local Business - office	m2 GLA		0%																					
	Local Business - retail	m2 GLA		0%																					
	General Business - office	m2 GLA		0%																					
	General Business - retail	m2 GLA		0%																					
	Community	m2 GLA		0%																					
	Education	m2 GLA		0%																					
	Light Industrial	m2 GLA		0%																					
	General Industrial - light	m2 GLA		0%																					
Industrial	General Industrial - heavy	m2 GLA		0%																					
	Noxious Industrial - heavy	m2 GLA		0%																					
	Resort	m2 GLA		0%																					
	Public Open Space	m2		0%																					
	Private Open Space	m2		0%																					
	Natural Environment	m2		0%																					
	Utility Services	m2 GLA		0%																					
	Public Roads and Parking	m2		0%																					
	Transport Facility	m2		0%																					
	Limited Use	m2		0%																					
Special	To be calculated based on equivalent demands																								
	* Complete yellow/green cells.																								

Water	Sewer	Stormwater	Solid Waste	Roads	Community Facilities	Total
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
R 29 982,08	R 51 600,55	R 11 964,78	R 10 452,41	R 119 151,67	R 51 751,85	R 274 903,34
R 17 132,62	R 36 550,39	R 5 722,29	R 7 839,31	R 89 363,75	R 38 813,89	R 195 422,24
R 2 569,89	R 482,56	R 858,34	R 1 175,90	R 13 404,56	R 5 822,08	R 19 422,24
R 19 702,51	R 442 032,94	R 6 580,63	R 9 015,20	R 102 768,32	R 44 635,97	R 224 735,58

\*\*\* displays red if not equal to existing area  
 du = dwelling unit, GLA=Gross lettable area.  
 Total Development Changes before Deductions  
 % Deductions per service (%)  
 Additional Deduction per service - from Service Agreement (sum)  
 Sub Total after Deductions (excluding VAT)  
 VAT  
 Total



Portion 3  
391 sqm

247

Portion 2  
416 sqm

Portion 1  
300 sqm

Portion 3  
438 sqm

RE 248

Portion 4  
365 sqm

Remainder = P.O.S  
SERVITUDE  
1036/2001001

EXISTING 100mm SEWER NETWORK

USE EXISTING SEWER CONNECTION FOR PORTION 2

NEW SEWER CONNECTION FOR PORTION 3

NEW SEWER CONNECTION FOR PORTION 1

NEW SEWER CONNECTION FOR PORTION 4

NEW WATER CONNECTION FOR PORTION 1

NEW WATER CONNECTION FOR PORTION 1

NEW WATER CONNECTION FOR PORTION 4

NEW WATER CONNECTION FOR PORTION 4

**LEGEND**

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

EXISTING WATERMAIN  
SHELLBOSCH MUNICIPALITY REET

**APPROVED**  
DIRECTORATE: ENGINEERING SERVICES  
SECTION: DEVELOPMENT SERVICES  
THIS ENGINEERING SERVICES PLAN IS APPROVED SUBJECT TO THE CONDITIONS AS SET OUT.  
REFERENCE: ..... DATED: .....  
Date: .....  
Director: Engineering Services

**APPROVAL**


**COMMENTS:**

**BART SENEKAL INC.**  
Civil & Structural Consulting  
Engineers  
12 Alhambra Street  
Sandown  
7580

DESIGNED	BY	DATE
DRAWN	BY	DATE
CHECKED	BY	DATE
APPROVED	BY	DATE

FOR: *[Signature]*  
DATE OF PREPARED: 2018-09-17

BL WILLIAMS

PROPOSED DEVELOPMENT OF ERF 248, KLAPMUTS  
WATER AND SEWER CONNECTIONS - LAYOUT

Scale	Figure Size
1:200	A3
Drawing No.	1406/05

247