



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9566

Our File Reference Number: Erf 288, Raithby

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 AND REZONING ON ERF 288, RAITHBY

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - a) That approval be granted in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the following applications on Erf 288; Raithby:
 - b) The Rezoning from Agriculture Zone I to Subdivisional Area to make provisions for four(4) Residential land portions.
 - c) The Subdivision of the property into four (4) Erf Portions namely Portion A ($\pm 615\text{m}^2$), Portion B ($\pm 806\text{m}^2$), Portion C ($\pm 611\text{m}^2$) and Portion D ($\pm 601\text{m}^2$). With the registration of a 5 m wide private right of way and services servitude proportionally over all four (4) portions and a 3 m services servitude over Portion C in favour of Portion D as shown on Subdivisional plan (Ref No. RAITH288) (See **Appendix 2**), drawn by FBV Consultants, dated 17 April 2019.

BE APPROVED in terms of Section 60 of the said Bylaw for the following reasons:

- (a) The proposal is located within the existing urban area that has been identified for redevelopment and infill opportunities.
- (b) The proposal has no negative impact on the character and amenity of the area.
- (c) The proposal will have a positive impact on the social and economic development of the area.

That such approval BE SUBJECT to the following conditions in terms of Section 66 of the said Bylaw:

- 2.1 The approval applies only to the Rezoning and Subdivision and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- 2.2 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
- 2.3 No building plans will be approved prior to the submission of an approved SG diagram (Electronic or hard copy, containing a SG number and signed by the Office of the SG);
- 2.4 The building plans will only be approved when all conditions of subdivision have been complied with;
- 2.5 A Tittle deed condition that compel the owners of the four properties to contribute equally to the maintenance of the servitude road must be inserted on the owner's tittle deeds.
- 2.6 The following conditions imposed by the Directorate: Development Services (Engineering Services), dated 26/05/2020 (See **Appendix 6**) must be complied with:-

Water Connections

- a) Each Erf must have its own water connection and water meter installed.

- b) Once the subdivision is formally approved, the Municipality can be contacted to install the water connections.
- c) The cost of the installation is for the account of the owner.

Sewer Connections

- d) Each erf must have its own sewer connection.
- e) The cost of the installation of the sewer connection is for the account of the owner.
- f) Once the subdivision is formally approved. The engineers drawing indicating the new sewer layout and connection point must be submitted for approval.
- g) A quotation for the sewer connection inspection can be provided by the Water Services Department.
- h) 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.
- i) 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.

Roads

- j) The width of the registered servitude must be a minimum of 5 m. The "Developer" will be responsible for the registration of the required servitude, as well as the cost thereof.
- k) The proposed 5m servitude will be maintained by the owners as per the email attached dated 19/05/2020 and not by the municipality.
- l) Proof of registration of the servitude must be supplied to the municipality prior to clearance.

Development Charges (DCs)

- m) Based on the information provided, the Development Charges payable by the developer is R261 034.38 (Vat incl.) as per attached Development Charges calculation.
- n) 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.
- o) The appropriate DC's are payable before a Clearance certificate can be issued.

General

- p) Any changes to any existing civil engineering services of Stellenbosch Municipality is for the account of the owner.

Clearance Certificates

- q) The Municipality reserves the right to withhold any clearance certificates until such time as the applicant has complied with the above mentioned conditions.

- 2.7 That the approval shall lapsed if not acted upon within a period of as prescribed in terms of the said By-Law
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



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

18/6/20.

DATE:

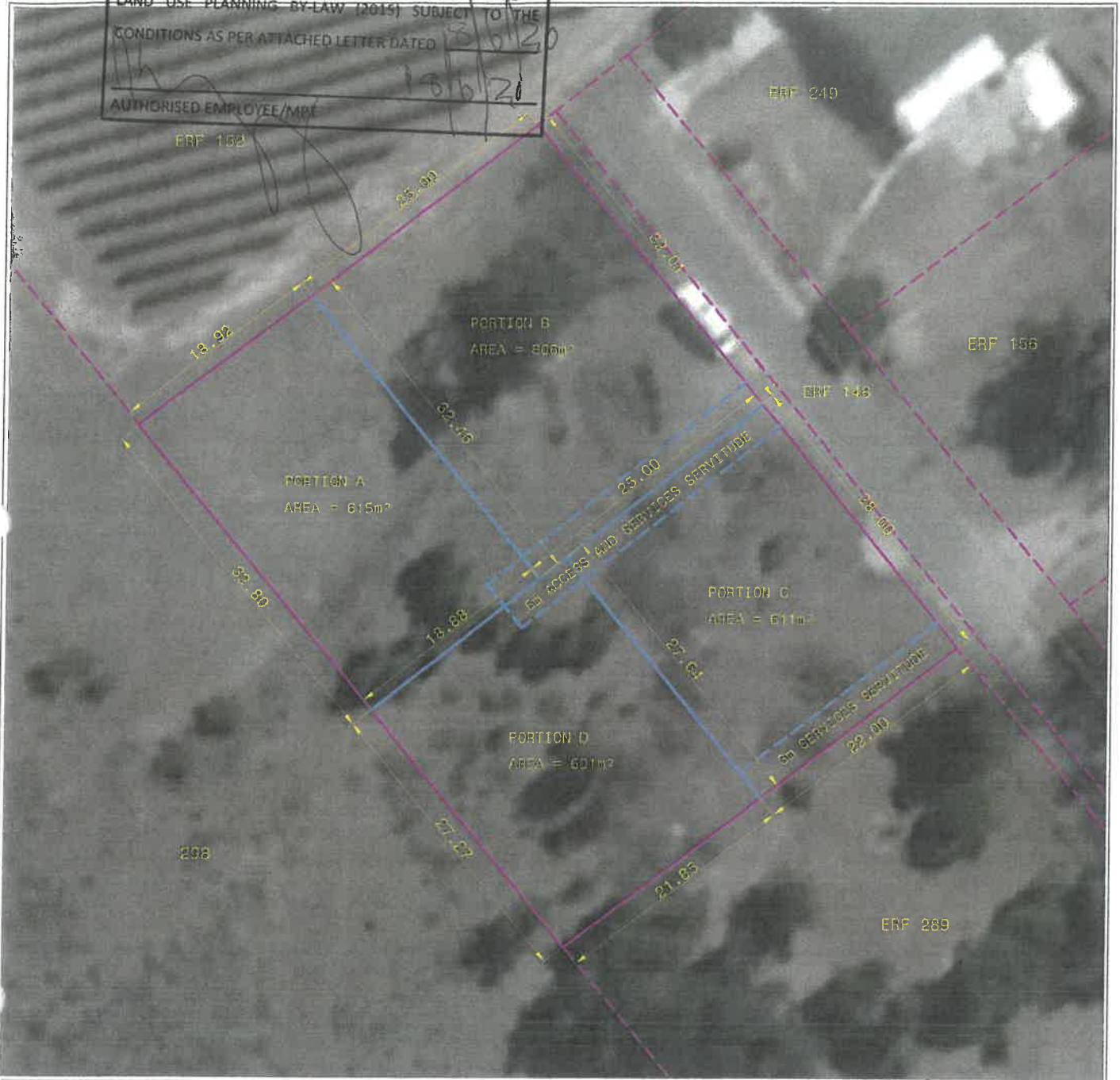
CC:

sglodgementwc@drdlr.gov.za

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 30/12/20

AUTHORISED EMPLOYEE/MPE



Legend:	Cadastral Boundary	Proposed Subdivision
	Adjoining Cadastral	Proposed Servitude

Caveat

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



Scale 1:500 @A4	Date:17/04/2019	Contours:N/A	System: WG 19
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PROPOSED SUBDIVISION OF ERF 288 RAITHBY	 friedlaender, burger & volkmann PROFESSIONAL LAND SURVEYORS SECTIONAL TITLE CONSULTANTS MAPPING CONSULTANTS 39 Herle Street / Herlestraat PO Box / Posbus 154, Stellenbosch, 7599 TEL: 27 21 8884004, FAX 27 21 8878088 E-mail: info@fbv.co.za
Ref :RAITH288	Dwg:RAITH288_Proposed subdivision.dwg



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APPENDIX 6: COMMENT FROM THE MANAGER: ENGINEERING SERVICES



MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

To ▫ Aan: Director: Planning + Economic Development
Att Aandag A Hardouim
From ▫ Van: Abdullah Daniels (Development)
Date ▫ Datum: 26/05/2020
Our Ref ▫ Ons Verw: Civil Lu 1877
Re ▫ Insake: Erf 288 Raithby: Application for subdivision

The application is for the following items:

- i. The subdivision of Erf 288 into four(4) erf portions, of Portion A (+-615m²), portion B (806m²), Portion C (611m²) and Portion D (601m²) with the registration of a 5m wide private right of way and services servitude proportionally over all four portions and a 3m wide services servitude over portion C in favor of portion D.

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. 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. Roads

3.1 The width of the registered servitude must be a minimum of 5 m. The "*Developer*" will be responsible for the registration of the required servitude, as well as the cost thereof.

3.2 The proposed 5m servitude will be maintained by the owners as per the email attached dated 21/05/2020 and not by the municipality.

3.3 Proof of registration of the servitude must be supplied to the municipality prior to clearance.

4. Development Charges (DCs)

4.1 Based on the information provided, the Development Charges payable by the developer is R261 034.38 (Vat incl.) as per attached Development Charges calculation.

4.2 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.

4.3 The appropriate DC's are payable before a Clearance certificate can be issued.

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.

ABDULLAH DANIELS

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\1817 (AD) Erf 288, Raithby, Subdivision\1817 (AD) Erf 288, Raithby, Subdivision.doc

Bongiwe Zondo

From: Emile van der merwe <emilevdm@adept.co.za>
Sent: Tuesday, 19 May 2020 14:57
To: Abdullah Daniels; Tyrone King
Subject: [EX] FW: Erf 288
Attachments: SMFD-Eikest20051913200.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hallo Abdullah/Tyron

Jul aangehegte Memo ten opsigte van die aansoek om hersonering en onderverdeling in 4 erwe verwys.

Die beplanningsdepartement verlang graag 'n kort motivering waarom jul departement tevrede is met die 5m serwituut in plaas van 'n privaat/publieke pad.

- As motivering gaan die bou en onderhoud van die van die serwituutpad alleenlik deur die onderskeie eienaars gedra word en is daar geen verantwoordelikheid by die Munisipaliteit nie.
- Die skaal van die ontwikkeling (3 addisionele erwe) is van so aard dat dit nie nodig is om 'n formele privaatpad as 'n aparte erf te registreer nie.
- Die wydte van die serwituut is voldoende vir 4 erwe.

Kan jul asb dit so per email aan Bongiwe en Craig Alexander stuur. Dit is al wat hul benodig om die aansoek af te teken.

Dankie
Emile

From: Bongiwe Zondo [mailto:Bongiwe.Zondo@stellenbosch.gov.za]
Sent: 19 May 2020 01:25 PM
To: Emile van der merwe
Subject: Erf 288



Kind regards / Vriendelike groete

Bongiwe Zondo
Senior Town Planner
Planning & Economic
Development

T: +27 21 808 8951

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION	
Application Number	Monday, 30/Sep/2019
Date	2019-20
Financial Year	Stellenbosch Town
Erf Location	
Erf No	288
Erf Size (m ²)	2 633
Suburb	Railthby
Applicant	
Approved Building Plan No.	

SUMMARY OF DC CALCULATION							
Unit(s)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
Total Increased Services Usage	kl/day 2,000	kl/day 1,900	ha°C 0,064	l/week 0,120	trips/day 12,00	person 12,0	
Total Development Charges before Deductions	R 52 344,79	R 47 693,32	R 6 307,65	R 6 146,81	R 75 679,96	R 38 813,89	R 226 986,42
Total Deductions							
Total Payable (excluding VAT)	R 52 344,79	R 47 693,32	R 6 307,65	R 6 146,81	R 75 679,96	R 38 813,89	R 226 986,42
VAT	R 7 851,72	R 7 154,00	R 946,15	R 922,02	R 11 351,99	R 5 822,08	R 34 047,96
Total Payable (including VAT)	R 60 196,51	R 54 847,32	R 7 253,80	R 7 068,83	R 87 031,95	R 44 635,97	R 261 034,38

APPLICANT INFORMATION	
Application Processed by:	Abdullah Daniels
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/ha	area (m2)	du/ha	du	m2 GLA							
Infrastructure Type applicable? (yes/no)														
Single Residential >1000m2	du		0		0			R -31 406,87	R -17 571,22	R -4 730,74	R -2 048,94	R -25 226,65	R -12 937,96	R -99 922,39
Single Residential >500m2	du		0		0		R 83 751,66	R 65 264,54	R 11 038,39	R 8 195,75	R 100 906,61	R 51 751,85	R 320 908,80	
Single Residential >250m2	du		0		0									
Single Residential <250m2	du		0		0									
Less Formal Residential >250m2	du		0		0									
Less Formal Residential <250m2	du		0		0									
Group Residential >250m2	du		0		0									
Group Residential <250m2	du		0		0									
Medium Density Residential >250m2	du		0		0									
Medium Density Residential <250m2	du		0		0									
High Density Residential - flats	du		0		0									
High Density Residential - student rooms	du		0		0									
Local Business - office	m2 GLA		0%		0%									
Local Business - retail	m2 GLA		0%		0%									
General Business - office	m2 GLA		0%		0%									
General Business - retail	m2 GLA		0%		0%									
Community	m2 GLA		0%		0%									
Education	m2 GLA		0%		0%									
Light Industrial	m2 GLA		0%		0%									
General Industrial - light	m2 GLA		0%		0%									
General Industrial - heavy	m2 GLA		0%		0%									
Noxious Industrial - heavy	m2 GLA		0%		0%									
Resort	m2 GLA		0%		0%									
Public Open Space	m2		0%		0%									
Private Open Space	m2		0%		0%									
Natural Environment	m2		0%		0%									
Utility Services	m2 GLA		0%		0%									
Public Roads and Parking	m2		0%		0%									
Transport Facility	m2		0%		0%									
Limited Use														
To be calculated based on equivalent demands														
Complete yellow/green cells.														
u = dwelling unit, GLA=Gross lettable area.														
d = Development Charges before Deductions														
ed = Deductions per service (%)														
ed = Deductions per service (amount)														
ed = Deductions per service - from Service Agreement (sum)														
Total after Deductions (excluding VAT)														

*** displays red if not equal to existing area

R52 344 79	R47 693 32	R6 307 65	R6 146 81	R75 679 96	38 813,89	R226 986 42
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	
R52 344 79	R47 693 32	R6 307 65	R6 146 81	R75 679 96	38 813,89	R226 986 42
R7 851 72	R7 154 00	R946 15	R922 02	R11 351 99	5 822,08	R34 047 96
R60 196 51	R54 947 32	R7 253 80	R7 068 83	R87 031 95	44 635,97	R261 034 38

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Kind regards / Vriendelike groete

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