



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12973

Our File Reference Number: Erf 384, Raithby

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 SUBDIVISION: ERF 384 RAITHBY

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)(d) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 on (Erf 384, Raithby), namely:
 - 2.1.1 The Subdivision of Erf 384 Raithby, into two portions, namely the Remainder $\pm 1257\text{m}^2$ and Portion 1 $\pm 600\text{m}^2$ to potentially develop further for residential purposes in Winelands Village Estate and to register a 4m servitude right of way over the panhandle of Erven 381 and 382 and a 3m wide service servitude on the Remainder and Ptn 1.
- BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.
3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:
 - 3.1 The approval only applies to the proposed subdivision and servitudes under consideration, as indicated on the referenced subdivision plan No. C5128E/Sub, drawn by, Diesel & Munns Inc, dated AUG 2020 (attached as **Annexure B**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

- 3.2 The development must be undertaken generally in accordance with the street numbering plan and subdivision plan No. C5128E/Sub, drawn by, Diesel & Munns Inc, dated SEP 2022 (attached as **Annexure B**).
 - 3.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
 - 3.4 The Surveyor General approved diagrams of the newly created units must be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purposes
 - 3.5 The conditions of approval in the memorandum dated 28/01/2022 from the Directorate: Infrastructure Services in the attached **Annexure F**, must at all times be adhered to.
 - 3.6 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.
 - 3.7 Right of way servitude must be registered to allow access to the proposed development. This needs to be clearly indicated on the Subdivision plan.
 - 3.8 It is the responsibility of the applicant to inform external departments of the new street numbering such as the Surveyor General, Telkom, Post Office, the South African Police Service, Emergency Services, National Place Names Committee, map producers, etc. after the registration of the properties.
4. The reasons for the above decision are as follows:
- 4.1 There is enough service capacity to accommodate the proposed development.
 - 4.2 The proposal will not have a negative impact with regards to the existing built form and it will fit with the surrounding context.
5. Matters to be noted:
- 5.1 Building plans be approved by the Municipality before any building work commences.
 - 5.2 All electrical requirements are directed to Eskom.

- 5.3 The subdivision only comes into effect once all suspensive conditions or relevant legislative provisions have been complied with.
- 5.4 The decision maker is delegated to simultaneously approve new street numbering together with a subdivisional plan as requested in the street naming and numbering policy. No separate delegation is required to approve new street numbering together with a subdivision application.
6. 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.
7. 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;

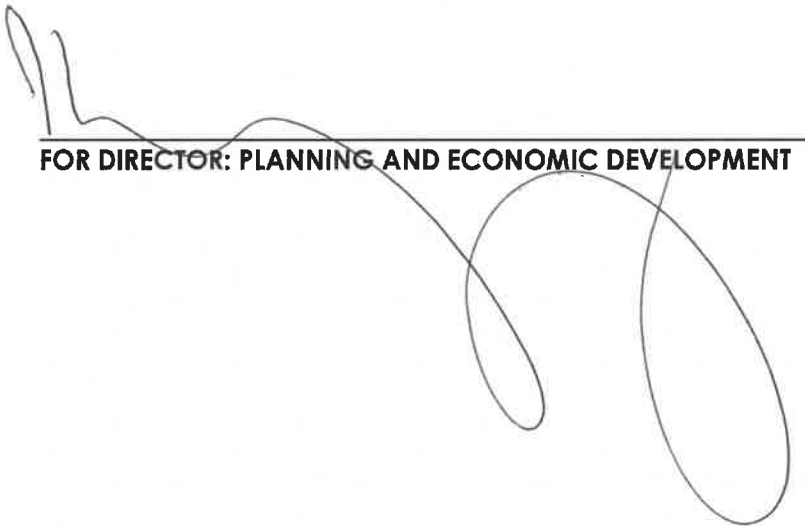
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- (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.

8. 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
9. 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.
10. 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>).
11. 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.

- 12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
- 13. 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, positioned above a horizontal line.

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

11/8/2022
DATE:

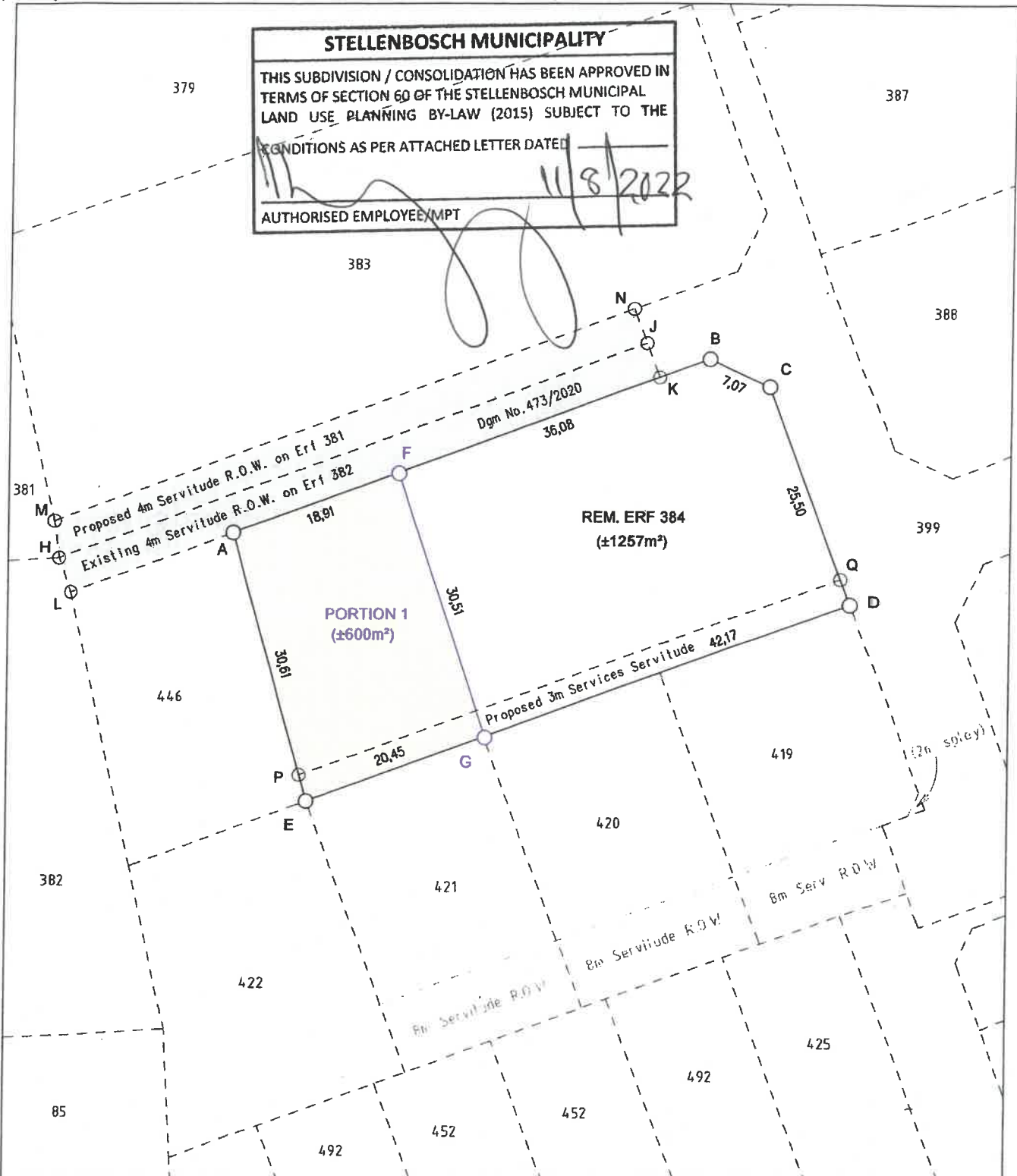
ANNEXURE B: SUBDIVISIONAL PLAN

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

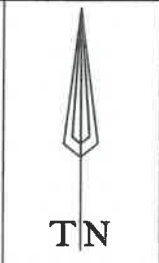
11/8/2022

AUTHORISED EMPLOYEE/MPT



LEGEND:

- ABCDE — ERF 384 RAITHBY
- FBCDG — REMAINDER ERF 384
- AFGE — PROPOSED PORTION 1
- MNJH — 4m SERVITUDE RIGHT OF WAY (381)
- HJKL — 4m SERVITUDE RIGHT OF WAY (382)
- PQDE — 3m SERVICES SERVITUDE



**SUBDIVISION PLAN OF
REMAINDER ERF 384 RAITHBY**

Situate in Stellenbosch Municipality
Administrative District Stellenbosch
Province Western Cape.

NOTES:

- 1) ALL AREAS AND DIMENSIONS ARE APPROXIMATE
- 2) COMPILATION SHEET: AH - 2BAA (3282)
- 3) ZONING: CONVENTIONAL RESIDENTIAL ZONE

SCALE 1/600 (A4)

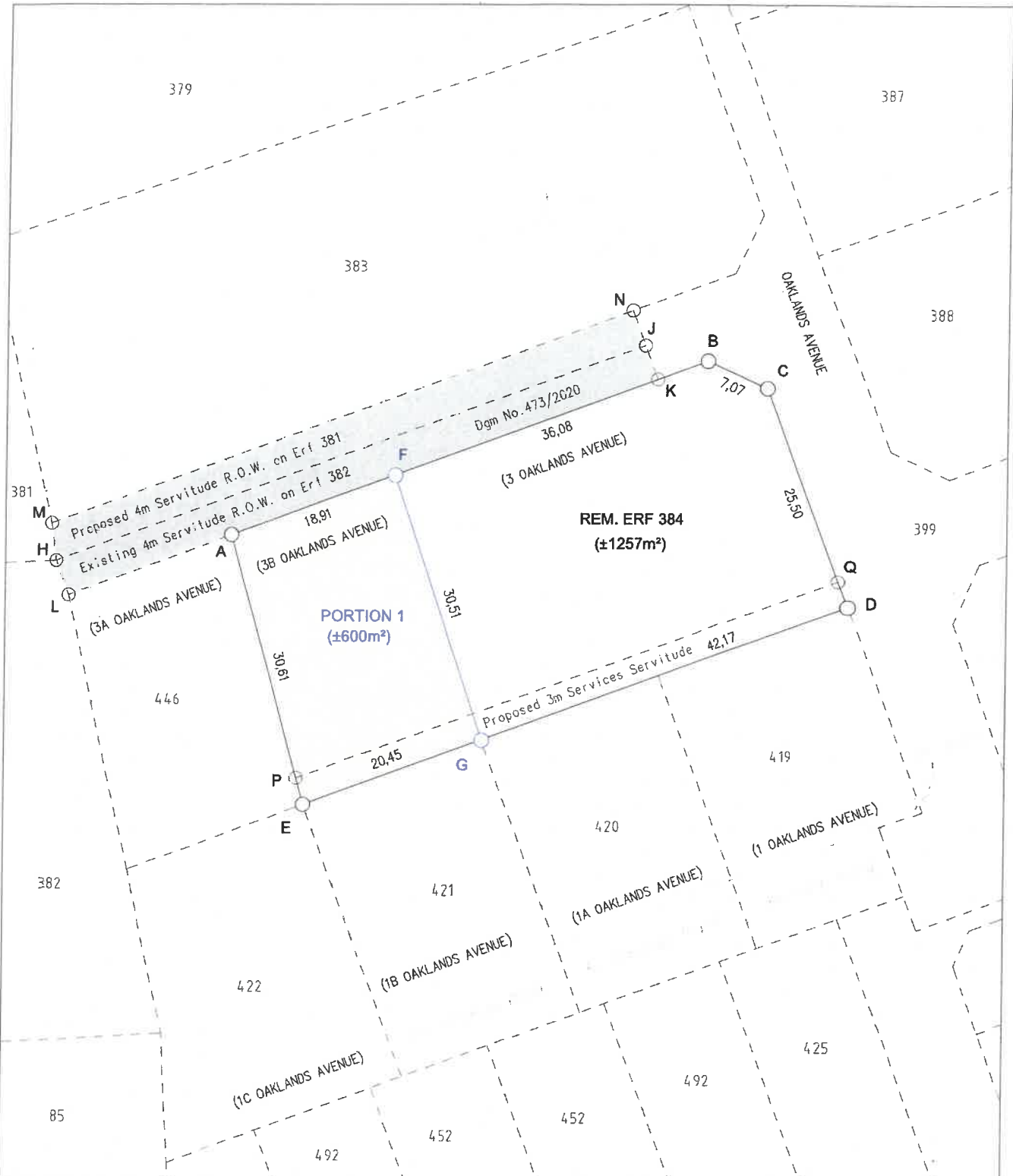
DATE : AUG. 2020

PLAN NO: C5128E/Sub



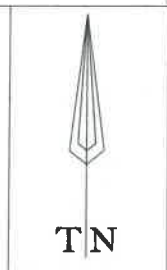
DIESEL & MUNNS Inc.

PROFESSIONAL LAND SURVEYORS : TOWN AND REGIONAL PLANNERS
PROFESSIONELE LANDMETERS : STADS- EN STREEK BEPLANNERS
SECTIONAL TITLE CONSULTANTS : ENGINEERING AND TOPOGRAPHICAL SURVEYORS
DEEL TITEL KONSULENTS : INGENIEUR EN TOPOGRAFIESE ONTWERPERS



LEGEND:

- ABCDE — ERF 384 RAITHBY
- FBCDG — REMAINDER ERF 384
- AFGE — PROPOSED PORTION 1
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**SUBDIVISION PLAN OF
REMAINDER ERF 384 RAITHBY**

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SCALE 1/600 (A4)

DATE : SEP. 2022

PLAN NO: C5128E/Sub



DIESEL & MUNNS Inc.

PROFESSIONAL LAND SURVEYORS : TOWN AND REGIONAL PLANNERS
 PROFESSIONELE LANDMETERS : STADS- EN STREEK BEPLANNERS
 SECTIONAL TITLE CONSULTANTS : ENGINEERING AND TOPOGRAPHICAL SURVEYORS
 DEELTIETEL KONSULTANTE : INGENIEURS EN TOPOGRAFIESE OPMETERS

ANNEXURE F: COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES



MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

To ▫ Aan: Director: Planning + Economic Development

Att Aandag Nolusindiso Momoti

From ▫ Van: Colin Taylor (Development)

Date ▫ Datum: 28/01/2022

Our Ref ▫ Ons Verw: Civil Lu 2232

Your Ref: LU/12973

Re ▫ Insake: Erf 384, Raithby: Application Subdivision

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICE

07 FEB 2022

RECEIVED

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.
- 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 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.
- 2.5 All servitudes must be clearly indicated on the engineering services drawing.
- 2.6 The servitude over the newly constructed main sewer has to be indicated on the site development plan.
- 2.7 Proof of servitude registration to be furnished prior to Section 28 clearance being issued.

3. Roads

- 3.1 Sufficient parking must be provided and indicated on the SDP.
- 3.2 Right of way servitudes must be registered to allow access to the proposed development. This needs to be clearly indicated on the site development plan.

4. Development Charges (DCs)

- 4.1 Based on the information provided, the Development Charges payable by the developer is R 95 685.61 (Vat incl.) as per attached Development Charges calculation.

FILE NR:	
SCAN NR:	E 384 RB
COLLABORATOR NR:	723310

- 4.2 The DC's were calculated for the 2021/2022 financial year. If the account is paid after 30 June 2022 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. 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.

6. Electrical

- 6.1 See annexure B for electrical comments.



COLIN TAYLOR

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\2232 (CT) Erf 384 Raithby (LU-12973)\2232 (CT) Erf 384 Raithby, Subdivision_1.doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	
Date	Friday, 28/Jun/2022
Financial Year	2021/22
Erf Location	
Erf No	384
Erf Size (m ²)	1 257
Suburb	Rethby
Applicant	
Approved Building Plan No.	

SUMMARY OF DC CALCULATION

Unit(s)	Water k/ds	Sewer k/ds	Storm-water ha°C	Solid-Waste t/week	Roads trip/ds	Community Facilities person	Totals
Total Increased Services Usage	0,800	0,650	0,028	0,040	4,00	4,0	
Total Development Charges before Deductions	R 21 715,04	R 16 921,72	R 2 862,02	R 2 124,98	R 26 162,95	R 13 418,16	R 83 204,88
Total Deductions							
Total Payable (excluding VAT)	R 21 715,04	R 16 921,72	R 2 862,02	R 2 124,98	R 26 162,95	R 13 418,16	R 83 204,88
VAT	R 3 257,26	R 2 535,26	R 429,30	R 318,75	R 3 824,44	R 2 012,72	R 12 480,73
Total Payable (including VAT)	R 24 972,28	R 19 458,98	R 3 291,32	R 2 443,73	R 30 087,40	R 15 430,89	R 95 685,61

APPLICANT INFORMATION

Application Processed by:	Colin Taylor
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)	% GLA	area (m2)	% GLA								
Infrastructure Type applicable? (yes/no)													
	m2 GLA	area (m2)	% GLA	area (m2)	% GLA	m2 GLA							
Residential	Single Residential >100m2	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	Single Residential >600m2	0	0%	1	0%	1	R 21 715,04	R 16 921,72	R 2 862,02	R 2 124,98	R 26 162,95	R 13 418,16	R 83 204,88
Residential	Single Residential <250m2	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	Single Residential <250m2	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	Less Formal Residential >250m2	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	Less Formal Residential <250m2	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	Group Residential >250m2	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	Group Residential <250m2	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	Medium Density Residential >250m2	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	Medium Density Residential <250m2	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	High Density Residential - flats	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Residential	High Density Residential - student rooms	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Commercial	Local Business - office	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Commercial	Local Business - retail	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Commercial	General Business - office	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Commercial	General Business - retail	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Commercial	Community	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Commercial	Education	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Industrial	Light Industrial	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Industrial	General Industrial - light	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Industrial	Warehousing	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Industrial	General Industrial - heavy	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Industrial	Noxious Industrial - heavy	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Other	Resort	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Other	Public Open Space	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Other	Private Open Space	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Other	Natural Environment	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Other	Utility Services	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Other	Public Roads and Parking	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Other	Transport Facility	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Other	Limited Use	0	0%	0	0%	0	R -	R -	R -	R -	R -	R -	R -
Special	To be calculated based on equivalent demands	0	0%	0	0%	0							

Development Charges before Deductions

	R21 715,04	R16 921,72	R2 862,02	R2 124,98	R26 162,95	13 418,16	R83 204,88
% Deductions per service (%)	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%
% Deductions per service (amount)	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00
Additional Deduction per service - from Service Agreement (sum)							
Sub Total after Deductions (excluding VAT)	R21 715,04	R16 921,72	R2 862,02	R2 124,98	R26 162,95	13 418,16	R83 204,88
VAT	R3 257,26	R2 538,26	R429,30	R318,75	R3 924,44	2 012,72	R12 480,73
Total	R24 972,29	R19 459,98	R3 291,32	R2 443,73	R30 087,40	15 430,89	R95 685,61

Raith 384

GENERAL COMMENT:

1. Outside Stellenbosch area of supply.
2. All Electrical requirements should be directed to Eskom.

CONDITIONS

3. No conditions.



SIGNATURE

DATE 14/01/22