



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13832

Our File Reference Number: Erf 387, 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 AND STREET NUMBERING ON ERF 387, RAITHBY

1. The above application refers.

2. The duly authorised decision maker hereby decides on the above application as follows.

2.1 That the application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated October 2015, on Erf 387, Raithby for the following:

2.1.1 **Subdivision** in terms of Section 15 (2) (d) of the said By-law, 2015, into:

- i. Rem of Erf 387 (± 0.11 ha in extent)
- ii. Portion 1 (± 0.06 ha in extent)
- iii. Portion 2 (± 0.06 ha in extent)
- iv. 4m wide access servitude

BE APPROVED in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.

3. That the application for street numbering on Erf 387 Raithby as contemplated in Section 98 of the Stellenbosch Municipal Land Use Planning Bylaw 2015, and indicated on the subdivisional plan dated 04 November 2021,

BE APPROVED in terms of the Policy for the Naming and Renaming of Streets, Public Places, Natural Areas, Artefacts and Council-Owned Buildings and Facilities, July 2022.

4. **Conditions of Approval:**

- 4.1. The approval applies only to the proposed subdivision under consideration as indicated on Subdivisional Plan, dated 04 November 2021 (See **Annexure C**); and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
- 4.2. The subdivision be undertaken in accordance with the Subdivisional Plan, dated 04 November 2021, attached as **Annexure C**.
- 4.3. 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.
- 4.4. The 4m right of way servitude be registered over Portion 1 and Rem of Erf 387 in favour of Remainder of Erf 387 and Portion 2 respectively and the maintenance of the servitude road is the responsibility of the respective owners.
- 4.5. An adequate drainage system to the satisfaction of municipal infrastructure services be established to ensure proper run off management.
- 4.6. The Surveyor General approved diagrams of the newly created units be submitted to the Stellenbosch Municipality for clearance and record purposes.
- 4.7. The conditions imposed by the Director: Engineering Services as contained in their memo dated 27 September 2022, attached as **Annexure H**, be complied with.
- 4.8. Development contributions 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.
- 4.9. Each Erf to have its own water and sewer connection, generally in accordance with the engineering services report by UDS Africa attached as **Annexure I**.

5. **The reasons for the above decision are as follows:**

- 5.1. The proposed subdivision size is not out of character with the current surrounding properties sizes, therefore will not compromise the existing character of the surrounding landscape.
- 5.2. Sufficient services and safe access could be provided to the proposed subdivided units.
- 5.3 The street numbering conforms to the criteria and rules contained in the Policy.

6. Matters to be noted:

- 6.1 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.
- 6.2 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, and map producers, etc. after the registration of the properties.
- 6.3 The display of street numbers must comply with Section 31 of the Roads and Streets By-Law, 2021.
- 6.4 It is the responsibility of the applicant to inform essential services, other relevant authorities and departments of the new street naming and numbering, e.g., the South African Police Service, Post Office, Telkom, emergency, and ambulance services, etc. after the registration of the properties.
- 6.5 Copies of the decision will be internally circulated to the municipal departments responsible for finance, fire management, engineering services and GIS for their action.

7. 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.

8. 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:

8.1 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

8.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

8.3 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.

8.4 Whether the appeal is lodged against the whole decision or a part of the decision.

8.5 If the appeal is lodged against a part of the decision, a description of the part.

8.6 If the appeal is lodged against a condition of approval, a description of the condition.

8.7 The factual or legal findings that the appellant relies on.

8.8 The relief sought by the appellant.

8.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

8.10 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.

9. 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.

10. 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.

11. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za.

12. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

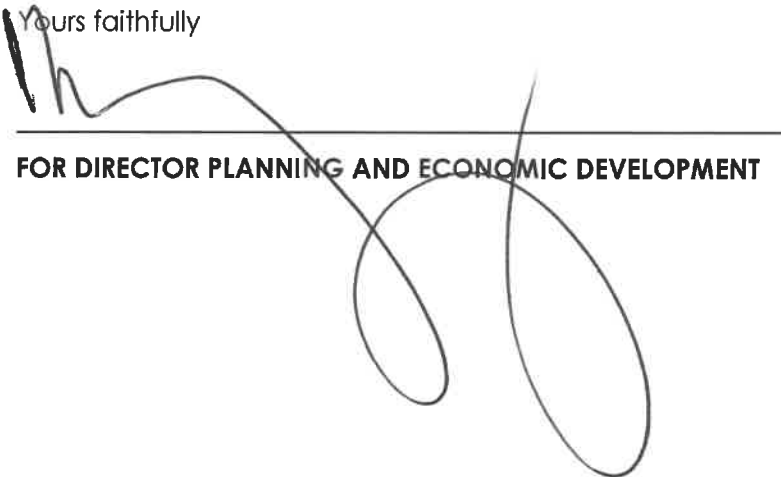
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

- (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.

13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

14. Kindly note the above decision in the case of any approval, is suspended, and 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, is written over a solid horizontal line.

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

27/3/2023
DATE:

Copy of the letter to:

[REDACTED]

ANNEXURE C: PROPOSED SUBDIVISIONAL PLAN

Proposed subdivision of Erf 387, Raithby

Legend



Erf



Servitude Area

Street Addresses:

- Ptn 1 - Oaklands Avenue 11
- Remainder - Oaklands Avenue 11A
- Ptn 2 - Oaklands Avenue 11B

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 DATE

AUTHORISED EMPLOYEE: *[Signature]*
27/3/2023

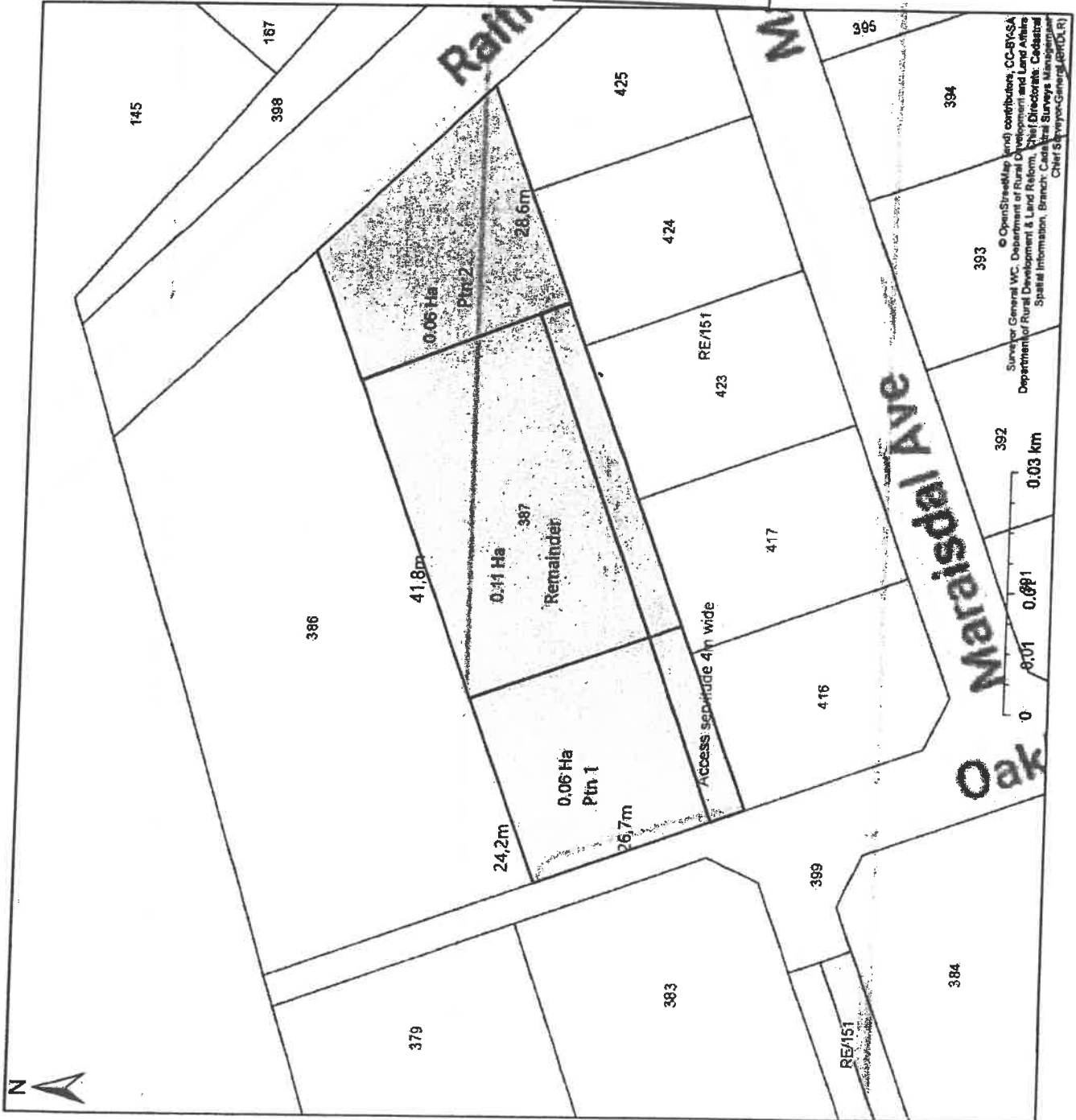
Scale: 1:750
Date created: November 4, 2021

Compiled with CapeFarmMapper



Western Cape Government

FOR YOU



© OpenStreetMap and contributors, CC-BY-SA
Surveyor General WC, Department of Rural Development and Land Affairs
Department of Rural Development & Land Reform, Chief Directorate, Coastal Spatial Information, Branch: Cadastral Surveys Management
Chief Surveyor-General (SRD, R)

ANNEXURE H: COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag Nicole Katts
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Colin Taylor
Date ▫ Datum: 27 September 2022
Our Ref ▫ Ons Verw: Civil LU 2297
Your Ref: LU/13758
Re ▫ Insake: Erf 387 Raithby: Application is made in terms of Section 15 (2) (d) of the Stellenbosch Municipality Land Use Planning By-law, 2015 for the Subdivision of Erf 387, Raithby into: - 1) Remainder of Erf 387 - (± 0,11 ha in extent) 2) Portion 1 - (±0.06 ha in extent) 3) Portion 2 - (±0.06 ha in extent)

The above application is recommended for approval, subject to the following conditions:

- 1. Water Connections**
 - 1.1 An engineer's plan indicating the water system and water connection to the Municipal water must be submitted for approval. The plan must incorporate the following requirements:
 - 1.2 Each subdivided portion must have its own water connection. Please indicate existing and proposed connections.
 - 1.3 No internal water pipes may cross the lateral boundary, unless protected by a registered servitude.
 - 1.4 The cost of the installation is for the account of the owner.

2. Sewer Connections

- 2.1 Once the subdivision is formally approved an engineer's plan indicating the sewer system and sewer connection to the Municipal sewer must be submitted for approval. The plan must incorporate the following requirements:
- 2.2 Each subdivided portion must have its own sewer connection. Please indicate existing and proposed connections.
- 2.3 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.
- 2.4 No internal sewer pipes may cross the lateral boundary, unless protected by a registered servitude.

3. Development Charges (DCs)

- 3.1 The following DC's are payable: See Development Charge Calculation attached.
- 3.2 The DC's were calculated by using the 2022/2023 tariff structure. If DC's are paid after 30 June 2023 it will have to be recalculated by using the tariff structure applicable at date of payment.
- 3.3 The appropriate DC's are payable before a Clearance certificate can be issued.

4. Roads

- 4.1 The access servitude road is required to have a hardened surface and must be built according to the specifications set out in the municipality's standard guidelines.
- 4.2 The cost of the installation of the access is for the account of the owner.
- 4.3 The proposed servitude will be maintained by the owners.
- 4.4 Proof of registration of the servitude must be supplied to the municipality prior to clearance.

5. Electrical Engineering

- 5.1 Refer to Annexure: Electrical



Colin Taylor Pr Tech Eng

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\2297 (CT) Erf 387 Raithby (LU-13832)\2297 (CT) Erf 387 Raithby (LU-13832)_C.doc

Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION	
Application Number:	2287 (C) Erf 387 Raitlby (LU-13832)
Development Name:	Winelands Village
Date:	27 September 2022
Financial Year:	2022/2023
Erf Location (Select from 7 Locations):	Raitlby
Vehicle Ownership (Select Normal or Low):	Normal
Erf Region (Select Urban or Rural):	Urban
Erf No.:	Erf 387
DC Parameters Reference:	Proposed Subdivision Plan of Erf 387, Raitlby

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Community	Totals		
Unit(s):	k/day	k/day	ha°C	l/week	trips/day	persons			
Total Increased Services Usage:	1,6	1,3	0,056	0,08	8	8			
Total Service Usage Reduction:	0	0	0	0	0,0	0			
Total Service Usage after Reduction:	1,60	1,30	0,05600	0,080	8,0	8			
Total Development Charges before Deductions:	R 14 979,15	R 15 840,19	R 7 648,37	R 7 008,32	R 84 866,40	R 27 640,00	R	157 982,44	
Total Deductions:	R -	R -	R -	R -	R -	R -	R	-	
Total Payable (excluding VAT):	R 14 979,15	R 15 840,19	R 7 648,37	R 7 008,32	R 84 866,40	R 27 640,00	R	157 982,44	
VAT:	R 2 246,87	R 2 376,03	R 1 147,26	R 1 051,25	R 12 729,96	R 4 146,00	R	23 697,37	
Total Payable (including VAT):	R 17 226,03	R 18 216,22	R 8 795,63	R 8 059,57	R 97 596,36	R 31 786,00	R	181 679,81	

APPLICANT INFORMATION	
Application Processed by:	C. Taylor
Signature:	
Notes:	

Rathby

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage Amount	Water		Sewer		Solid Waste		Roads & Transport		Community	Total	
		Area (sqm)	Unit Amount	Area (sqm)	Unit Amount		Year	Year	Year	Year	Year	Year					
Residential	Single Residential >100m2	du				0	R	R	R	R	R	R	R	R	R	R	
	Single Residential >200m2	du				0	R	R	R	R	R	R	R	R	R	R	
	Single Residential <200m2	du				0	R	R	R	R	R	R	R	R	R	R	
	Second Dwelling	du				0	R	R	R	R	R	R	R	R	R	R	
	Less Formal Residential	du				0	R	R	R	R	R	R	R	R	R	R	
	Group Residential	du				0	R	R	R	R	R	R	R	R	R	R	
	Residential	du				0	R	R	R	R	R	R	R	R	R	R	
	Refined Village	du				0	R	R	R	R	R	R	R	R	R	R	
	Old age home	du				0	R	R	R	R	R	R	R	R	R	R	
	Student Accommodation	rooms				0	R	R	R	R	R	R	R	R	R	R	
Accommodation	Converted Guest House	rooms				0	R	R	R	R	R	R	R	R	R	R	
	Hotel Residential	rooms				0	R	R	R	R	R	R	R	R	R	R	
	General Business	rooms				0	R	R	R	R	R	R	R	R	R	R	
	Office	m2 G/A				0	R	R	R	R	R	R	R	R	R	R	
	Retail/Shop	m2 G/A				0	R	R	R	R	R	R	R	R	R	R	
	Restaurant	m2 G/A				0	R	R	R	R	R	R	R	R	R	R	
	Conference Facility/Place of assembly	m2 G/A				0	R	R	R	R	R	R	R	R	R	R	
	Hospital/Childminded Rooms	m2 G/A				0	R	R	R	R	R	R	R	R	R	R	
	School/University/College/Day Care	student				0	R	R	R	R	R	R	R	R	R	R	
	Industrial - light	m2 G/A				0	R	R	R	R	R	R	R	R	R	R	
Industrial	Industrial - heavy	m2 G/A				0	R	R	R	R	R	R	R	R	R	R	
	Warehousing/Light Manufacturing	m2 G/A				0	R	R	R	R	R	R	R	R	R	R	
	Public Open Space	ha				0	R	R	R	R	R	R	R	R	R	R	
	Private Open Space	ha				0	R	R	R	R	R	R	R	R	R	R	
	Natural Environment	ha				0	R	R	R	R	R	R	R	R	R	R	
	Public Roads and Parking	ha				0	R	R	R	R	R	R	R	R	R	R	
	To be calculated	ha				0	R	R	R	R	R	R	R	R	R	R	
	Based on equivalent demands	ha				0	R	R	R	R	R	R	R	R	R	R	
	Total Area:		0			0											

Category	Water	Sewer	Solid Waste	Roads & Transport	Community	Total
Residential	14,979 R	15,840 R	7,009 R	84,886 R	27,640 R	187,892 R
Accommodation	14,979.15 R	15,840.18 R	7,009.32 R	84,886.40 R	27,640.00 R	187,892.48 R
Industrial	2,248.67 R	2,378.03 R	1,147.26 R	12,729.96 R	4,146.00 R	23,897.37 R
Other	1,728.03 R	1,818.22 R	8,098.57 R	97,896.30 R	31,746.00 R	116,476.11 R
Total	20,934.75 R	21,876.33 R	16,064.17 R	189,502.66 R	61,152.00 R	309,553.91 R

Total Development Charges before Deductions
 Deductions per service (amount)
 Additional Deductions per service - from Services Agreement (sum)
 Sub Total after Deductions (excluding VAT)
 Total

ANNEXURE I: ENGINEERING SERVICES REPORT



Date: 13 September 2022

Our Ref: UDS602/Reports/Civil Services_Rev00

Virdus Works (Pty) Ltd
77 Buitekring
Dalsig
STELLENBOSCH
7600

Attention: Mr Dupre Lombaard

Dear Sir,

**ENGINEERING SERVICES REPORT FOR THE PROPOSED SUBDIVISION OF ERF 387:
11 OAKLANDS AVENUE: RAITHBY: STELLENBOSCH MUNICIPALITY**

UDS Africa was appointed by Virdus Works (Pty) Ltd to prepare an engineering services report to support the proposed subdivision of Erf 387 in Raithby.

1. Background

The subject property is located in Raithby on 11 Oaklands Avenue, just of the Raithby-Annandale Road. Refer to Annexure A for a locality plan. The site is approximately 2 375m² in size and for the purpose of this report, erf 387 will be referred to as the site.

The natural drainage pattern of the site is from Northeast to Southwest with an average slope of approximately 8.6%.

2. The development

The intention is to subdivide the site into three smaller properties ranging from 600m² to 1 100m² with a 4m wide servitude for access and services along the southern border. Refer to Annexure B for the proposed site development plan. The area of the proposed erven will align with the size of other properties in the area.

head office
Suite 5, 1 Floor UDS House
27 Gordian Wilhams Avenue
Pardieshof Somerset West

PH: 021 50487
VBA Waterfront
0612

T: 27 (0)21 851 7185
F: 27 (0)21 523 8727
robur@udsafrika.co.za

@enquiries
Ceter Loca Ekz 493 5200

Managing Member:
Akhon Pfitz

Associates
JW Wessels Pfitz
Danielle Coetzee (Arch)
P. Blom Pfitz
Ariëtte Pfitz
M. Louw (Arch)

offices
Claremont, Stellenbosch
West Stellenbosch

Reg. Co. 2015/0142/064

urban development solutions



8. Conclusion

Stellenbosch Municipality has confirmed that there is adequate capacity in the water and sewer system to support the proposed subdivision of Erf 387 in Raithby. We trust that the above-mentioned information provided will be sufficient for the purposes of the subdividing of erf 387, Raithby.

Please do not hesitate to contact the undersigned should you require any additional information.

Yours faithfully,



Compiled by:
Cobus van der Merwe (Pr Eng)

Attachments:

Annexure A – Locality Plan

Annexure B – Site Development Plan

Annexure C – Water As-Built

Annexure D – Sewer As-Built

Annexure E – Sewer & Water As-Builts