



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12019

Our File Reference Number: Erf 435 & 436, Pniel

Your Reference Number:

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:** [REDACTED]

Sir / Madam

## **APPLICATION FOR CONSOLIDATION, TECHNICAL APPROVAL AND DEPARTURE: ERF 435 & 436, PNIEL**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 **Consolidation** in terms of Section 15 (2)(e) of the Stellenbosch Municipal Land Use Planning By-Law 2015, of Erf 435 (458m<sup>2</sup> in extent) with Erf 436 (475m<sup>2</sup> in extent);
  - 2.2 **Permission/Technical approval** in terms of Section 15 (2) (g) of the Land Use Planning By-law to accommodate a second dwelling unit in terms of Section 13 of the Stellenbosch Municipality Zoning scheme by-law on the new consolidated erf;
  - 2.3 **Permanent Departure** in terms of Section 15 (2)(b) of the Stellenbosch Municipality Land Use Planning By law 2015 to relax the following on the new consolidated erf:
    - 2.3.1 Street boundary line from 4m to 2m,
    - 2.3.2 Common building line (Adjacent to 265) from 2.5m to 0.8m and common building line (adjacent to Erf 354) from 2.5m to 0.5m,
    - 2.3.3 Rear building line (adjacent to Erf 439) from 2.5m to 0.5m,

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

**3. Conditions of approval:**

- 3.1 The approval applies only to the applications under consideration as indicated on consolidation Plan & site and drainage layout plan drawn by J. F Solomons, dated July 2020 (See **Annexure C**); and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
- 3.2 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.
- 3.3 The conditions imposed by the Director: Engineering Services as contained in their memo dated 26 May 2021, attached as **Annexure E**, must be complied with.
- 3.4 The conditions imposed by the Manager: Electrical Services as contained in their email dated 08 June 2021, attached as **Annexure F**, must be complied with.
- 3.5 Building plans must be submitted in accordance with the site plan, and be approved by this Municipality, prior to any building work commencing on site.
- 3.6 The consolidation of Erf 435 and 436 occur in the Deeds registry before building plan approval.
- 3.7 The approval will lapse if not confirmed within 5 years from date of final notification of approval of the application.

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

- 4.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape considering that no change in land use is proposed.
5. 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.
6. 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:

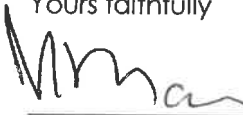
- (a) The personal particulars of the Appellant, including:
  - (I) First names and surname;
  - (II) ID number;
  - (III) Company of Legal person's name (if applicable)
  - (IV) Physical Address;
  - (V) Contact details, including a Cell number and E-Mail address;
- (b) Reference to this correspondence 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.

7. 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](mailto:landuse.appeals@stellenbosch.gov.za)
8. 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.
9. 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>).
10. 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.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

12. 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.

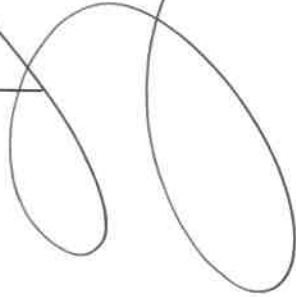
Yours faithfully

A handwritten signature in black ink, appearing to be 'Mman', written above a horizontal line.

**FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

6/10/2021

**DATE:**

A large, stylized handwritten scribble or signature in black ink, consisting of several overlapping loops, positioned below the 'DATE:' label.

## **ANNEXURE C: PROPOSED CONSOLIDATION 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

6/10/2021

AUTHORISED EMPLOYEE/MPT

**NOTES :**

**GENERAL :**

All levels and dimensions to be checked before any work commences. Preference to be given to written dimensions above reading from plan. All work must comply with National Building Regulations and Local Ordinances, by-laws. Any discrepancy must be referred to the Designer.

**COVERAGE CALCULATIONS :**

PROPOSED CONSOLIDATION OF ERF 435 & 436

EXIST. ERF 415, AREA = 450 M<sup>2</sup>  
 EXIST. ERF 436, AREA = 475 M<sup>2</sup>

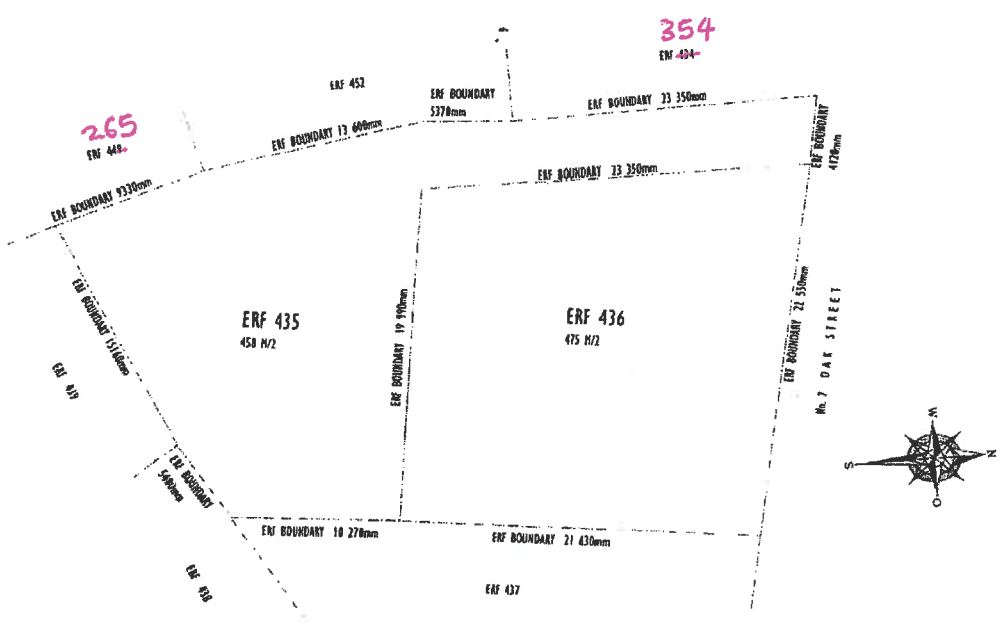
TOTAL AREA AFTER CONSOLIDATION = 925 M<sup>2</sup>

ERF 415, BUILDING COVER = 146 M<sup>2</sup>  
 EXIST. BUILDING COVER = 146 M<sup>2</sup>  
 EXIST. PAVED STREET = 31 M<sup>2</sup>

TOTAL AREA = 925 M<sup>2</sup>  
 TOTAL COVER = 177 M<sup>2</sup>  
 PERCENTAGE COVER = 19 %

EXIST. SWIMMING POOL 2.00 ERF 436  
 GROUND SURFACE = 95 M<sup>2</sup>  
 EXIST SWIMMING POOL = 10 M<sup>2</sup>

TOTAL AREA = 925 M<sup>2</sup>  
 TOTAL COVER = 187 M<sup>2</sup>  
 PERCENTAGE COVER = 20 %



**SITE LAY-OUT PLAN :**  
 SCALE : 1 : 200

**J. F. S. Prodraft & Design**  
 James Bolomons

project  
 Proposed Consolidation  
 of existing property.

owner  
 Erf 435 & 436,  
 7 Dak Street, Priel  
 Stellenbosch.

drawing no.  
 datum: July, 2020  
 staal: 1: 200  
 gesamen: J. F. Bolomons

*Handwritten signatures:*  
 J. F. S. Prodraft  
 J. Bolomons  
 A. E. Felman

**ANNEXURE E: COMMENT FROM THE DIRECTORATE: ENGINEERING SERVICES**





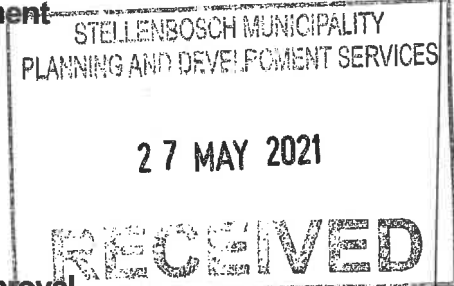
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STELLENBOSCH · PNIEL · FRANSCHHOEK

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# MEMORANDUM

DIREKTEUR: INGENIEURSDIENSTE  
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Director: Planning + Economic Development  
Att Aandag N Katts  
From ▫ Van: Abdullah Daniels (Development)  
Date ▫ Datum: 26/05/2021  
Our Ref ▫ Ons Verw: Civil Lu 2118  
Re ▫ Insake: Erf 435 & 436 Stellenbosch: Technical approval  
*Pniel*



The application is for the following items:

- i. Technical approval of Erf 435 and Erf 436 Pniel Second dwelling.

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

FILE NR:	
SCAN NR:	E 435 & 436 PNI
COLLABORATOR NR:	707734

## 1. Water Connections

- 1.1 The consolidated erf is allowed only one 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 The consolidated erf is allowed only one sewer connection.
- 2.2 The cost of the installation of the sewer connection is for the account of the owner.



**ABDULLAH DANIELS**

**PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

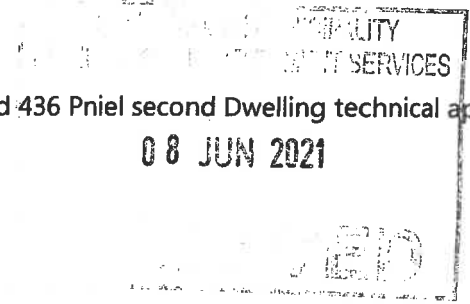
W:\2.0 DEVELOPMENT\00 Developments\2118 (AD) Erf 435 and 436 Priel (LU-12019)\2118 (AD) erf 435 and 436 Priel second Dwelling technical approval.doc

**ANNEXURE F: COMMENT FROM THE MANAGER: ELECTRICAL SERVICES**

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**Charlene Williams**

**From:** Nicole Katts  
**Sent:** 08 June 2021 11:42 AM  
**To:** Charlene Williams  
**Subject:** FW: Emailing: 2118 (AD) erf 435 and 436 Priel second Dwelling technical approval revised comments



Hi Charlene

Plaas asb op leer.

Kind regards / Vriendelike Groete  
 Nicole Katts  
 Administrative Officer  
 Land Use Management  
 Planning & Economic Development

TELE NR:	
FAX NR:	
COLLABORATOR NR:	E 435 & 436 PV
	708250

T: +27 21 808 8318  
 43 Andringa Str, Eikestad Mall, 3rd Floor [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)

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-----Original Message-----

**From:** Martin Slabber  
**Sent:** Tuesday, 08 June 2021 11:41  
**To:** Nicole Katts <Nicole.Katts@stellenbosch.gov.za>  
**Subject:** RE: Emailing: 2118 (AD) erf 435 and 436 Priel second Dwelling technical approval revised comments

GENERAL: None

CONDITIONS: If any electrical services have to move-, remove-, change or upgrade - apply via recoverable cost application, for applicants cost.

Subject to SANS 10142,204-1-2008, energy savings and efficiency implementation and Municipal bylaws - Only existing electrical connection is available.

1. Installation of 10A electrical control units
2. Solar water heating/heat pump installation
3. Energy efficient lighting
4. Roof insulation
5. Cooking with gas fired appliances
6. Control air condition equipment with energy saving devices
7. Pre-heat at least 50% of hot water with alternative energy saving devices TX

Groete:  
 Martin Slabber  
 Supt. Dwarsrivier Elect.  
 Engineering Services

Martin.slabber@stellenbosch.gov.za