



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15976

Our File Reference Number: Erf 582, Pniel

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 ON ERF 582, PNIEL

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 Stellenbosch Municipal Land Use Planning By-Law, 2023, on Erf 582 Pniel, namely:
 - 2.2 **Subdivision** in terms of Section 15 (2) (d) of the said By-law, into:
 - i. Remainder of Erf 582 (435 m² in extent) and
 - ii. Portion A (325 m² in extent)
 - iii. 5m wide access and service 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. Conditions of Approval:
 - 3.1 The approval applies only to the proposed subdivision under consideration as indicated on subdivision plan referenced as Project No. CCT-P-E-582, drawn by BBS Town and regional planning consultant, dated 13-11-2023 (See **Annexure D**); and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
 - 3.2 The development must be undertaken in accordance with the subdivision and consolidation Plan referenced as Project No. CCT-P-E-582, drawn by BBS Town and regional planning consultant, dated 13-11-2023 attached as **Annexure D** to this report.

- 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 imposed by the Director: Infrastructure Services as contained in their memo dated 17 January 2024, attached as **Annexure G**, be complied with;
- 3.6 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.
- 3.7 The servitude rights in favour of Portion A be registered in the title deeds of the applicable properties on registration.

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

4.1 The proposed subdivision size will have no negative impact on the surrounding properties, therefore will not compromise the existing character of the surrounding landscape.

4.2 Sufficient services and safe access could be provided to the proposed subdivided units.

5. Matters to be noted:

5.1 Building plans be approved by the Municipality prior to any building work commencing.

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw 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:
 - a) First names and surname

- b) ID number
- c) Company of Legal person's name (if applicable)
- d) Physical Address
- e) Contact details, including a Cell number and E-Mail address

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

8. The grounds of the appeal which may include the following grounds:

- a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
- b) 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.
- c) Whether the appeal is lodged against the whole decision or a part of the decision.

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

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

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

8.4 The relief sought by the appellant.

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

8.6 That the appeal includes the following declaration by the Appellant:

- a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- b) 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



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT


DATE

ANNEXURE D: PROPOSED SUBDIVISION PLAN

**ANNEXURE G: COMMENT FROM THE DIRECTORATE:
INFRASTRUCTURE SERVICES**



STELLENBOSCH MUNICIPALITY
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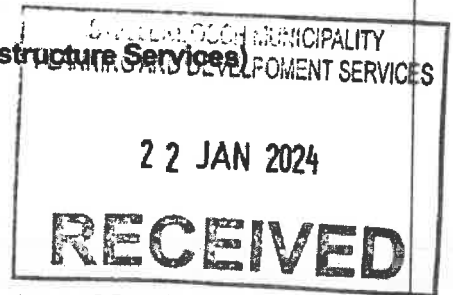
MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

Erf 582 PN

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Salome Newman
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Ilze Fillies
Date ▫ Datum: 17 January 2024
Our Ref ▫ Ons Verw: Civil LU 2588
Town Planning Ref: LU/15976
Re ▫ Insake: Erf 582, Pniel: An application is made in terms of Section 15 (2) (d) Stellenbosch Municipal Land Use Planning By-Law, 2023 on Erf 582, Pniel for the Subdivision into the following: a) Remainder of Erf 582 (435 m² in extent) and b) Portion A (325 m² in extent)



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

1. **Water connection**
 - 1.1 Each erf must have its own water connection and water meter installed generally in accordance with the Engineering service layout Subdivision of erf 582 Pniel Stellenbosch Rev 01 dated 13 November 2023 by BBS Town and Regional planning consultant,
 - 1.2 The civil engineering drawing indicating the new water layout and connection point must be submitted for formal approval before construction commences.
 - 1.3 Once the subdivision is formally approved, the Municipality can be contacted to install the water connections.
 - 1.4 The cost of the installation is for the account of the owner.

- 1.5 No Clearance certificate will be issued unless the Water Services Department has confirmed in writing that the water connection has been installed to their satisfaction.

2. Sewer connection

- 2.1 Each erf must have its own sewer connection installed generally in accordance with the Engineering service layout Subdivision of erf 582 Pniel Stellenbosch Rev 01 dated 13 November 2023 by BBS Town and Regional planning consultant.
- 2.2 The civil engineering drawing indicating the new sewer layout and connection point must be submitted for formal approval before construction commences.
- 2.3 The cost of the installation of the sewer connection is for the account of the owner.
- 2.4 A quotation for the sewer connection inspection can be provided by the Water Services Department contact person Leandro Hendricks 021 808 8725.
- 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 Sufficient parking must be provided according to the Zone scheme and indicated at Building plan stage.
- 3.2 Proof of servitude registration to be furnished prior to Section 28 clearance being issued.

4. General

- 4.1 Any changes to any existing civil engineering services of Stellenbosch Municipality are for the account of the owner.
- 4.2 A Civil Engineering service inspection with the municipal engineering must be requested by the responsible civil engineer before clearance will be issued.

5. Development Charges (DCs) Subdivision

- 5.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and will be amended prior to clearance.

- 5.2 The DC's were calculated by using the 2023/2024 tariff structure. If DC's are paid after 30 June 2024 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 5.3 The appropriate DC's are payable before subdivision clearance.

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.



Ilze Fillies
Principal Technician: Development (Infrastructure Services)

N:\2.0 DEVELOPMENT\01 Land Use applications\2588 (IF) Erf 582 Priel (LU-15976)\2588 Erf 582 Priel (LU-15976) - Copy.doc

Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION

Application Number:	2588 (IF) Erf 582 Pniaj (LU-15078)
Development Name:	
Date:	18 January 2024
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	582
DC Parameters Reference:	Subdivision and servitude plan Rev 01 dated 13 November 2023 by BBS Town and Regional planning consultant

SUMMARY OF DC CALCULATION

Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub-Total (Civl Eng Services)	Community	Total
Unit(s):	kl/day	kl/day	ha°C	t/week	tips/day		persons	
Total Increased Services Usage:	0,6	0,55	0,018	0,04	4		4	
Total Service Usage Reduction:	0	0	0	0	0,0		0	
Total Service Usage after Reduction:	0,50	0,55	0,01800	0,040	4,0		4	
Charges before adjusting for positive only, before Deductions	R 18 802,66	R 18 968,83	R 3 728,99	R 3 912,46	R 24 140,95	R 69 554,89	R 15 430,31	R 84 985,30
Charges adjusted for positive only, before Deductions	R 18 802,66	R 18 968,83	R 3 728,99	R 3 912,46	R 24 140,95	R 69 554,89	R 15 430,31	R 84 985,30
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R 18 802,66	R 18 968,83	R 3 728,99	R 3 912,46	R 24 140,95	R 69 554,89	R 15 430,31	R 84 985,30
VAT:	R 2 820,40	R 2 845,49	R 559,35	R 586,87	R 3 621,14	R 10 433,25	R 2 314,55	R 12 747,79
Total Development Charges Payable (including VAT):	R 21 623,06	R 21 815,41	R 4 288,34	R 4 499,33	R 27 762,09	R 79 988,14	R 17 744,85	R 97 735,99

APPLICANT INFORMATION

Application Processed by:	Ize Filles
Signature:	<i>Ize Filles</i>
Notes:	

Stellenbosch Town

Land Use Category	Land Use	Existing Usage	Proposed New Usage		Increased Usage	Development Charge Levels (incl VAT)								Sub Total (incl Dev charges)	Community	Total
			Area (m²)	Use		Water	sewer	Stormwater	Solid Waste	Waste & Transport						
			Area (m²)	Use		Yes	Yes	Yes	Yes	Yes						
Residential	Single Residential <300m²	du			0											
	Single Residential >300m²	du			1											
	Single Residential >350m²	du			2	R 43 072,48	R 41 388,03	R 9 520,64	R 7 824,60	R 40 281,00	R 150 868,28	R 30 860,51	R 181 788,89			
	Group Dwelling	du			0											
	Less Formal Residential	du			0											
	Group Residential	du			0											
	Apartments	du			0											
	Retirement Village	du			0											
	Old age home	du			0											
	Accommodation	Student Accommodation/Communal hostels	rooms			0										
Guest Houses		rooms			0											
Converted Guest House		rooms			0											
Hotel, Residential		rooms			0											
Commercial	General Business	m2 GLA			0											
	Office	m2 GLA			0											
	Retail/Shop	m2 GLA			0											
	Restaurant	m2 GLA			0											
	Customs Function / Plaza Area	persons			0											
	Conference Facility/Place of assembly	m2 GLA			0											
	Hospital/Clinic/Medical Rooms	m2 GLA			0											
	University/College	student			0											
	School/Day Care	student			0											
	Industrial	Industrial - light	m2 GLA			0										
Industrial - heavy		m2 GLA			0											
Warehousing/light Manufacturing		m2 GLA			0											
Storage Facilities		m2 GLA			0											
Non-Formal	Open Space/Natural Environment/Utility Site	ha			0											
	Roads and Parking	ha			0											
	To be established	ha			0,0000	R -	R -	R -	R -	R -	R -	R -	R -	R -	R -	R -
Other	Based on equivalent demands	ha			0,0000	R -	R -	R -	R -	R -	R -	R -	R -	R -	R -	R -
	Total Area	0			Total Area: 0											

Category	Water	sewer	Stormwater	Solid Waste	Waste & Transport	Sub Total	Community	Total
Charges before adjusting for positive only, before Deductions	R 18 802,06	R 18 969,93	R 3 728,90	R 3 912,46	R 24 140,95	R 69 554,90	R 15 430,31	R 84 985,20
Charges adjusted for positive only, before Deductions	R 18 802,06	R 18 969,93	R 3 728,90	R 3 912,46	R 24 140,95	R 69 554,90	R 15 430,31	R 84 985,20
Deductions per service (from usage reductions)	R -	R -	R -	R -	R -	R -	R -	R -
Discount Deduction (%)	R -	R -	R -	R -	R -	R -	R -	R -
Additional Deduction per service - Item Service Agreement (sum)	R -	R -	R -	R -	R -	R -	R -	R -
Sub Total after Adjustments and Deductions (excluding VAT)	R 18 802,06	R 18 969,93	R 3 728,90	R 3 912,46	R 24 140,95	R 69 554,90	R 15 430,31	R 84 985,20
VAT	R 2 920,40	R 2 845,48	R 559,35	R 598,87	R 3 621,14	R 10 435,28	R 2 314,55	R 12 749,79
Total Development Charges	R 21 722,46	R 21 815,41	R 4 288,25	R 4 511,33	R 27 762,09	R 80 000,18	R 17 744,86	R 97 745,04