



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Our File Reference Number: Erf 602, Koelpark

Application Number: LU/10611

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: bradley@dmp.co.za

Sir / Madam

APPLICATION FOR SUBDIVISION, CONSOLIDATION AND CONSENT USE: ERF 602, KOELPARK, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following applications in terms of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015, namely:
 - a. The **subdivision** of Remainder Erf 566, Koelpark into two portions namely Portion A ($\pm 71\text{m}^2$) and the Remainder ($\pm 4\,073.03\text{m}^2$) as indicated on Drawing Nr.PL001, Dated 21 October 2019 and Drawn by Dennis Moss Partnership in terms of Section 15(2)(d) of the said Bylaw;
 - b. The **consolidation** of Portion A ($\pm 71\text{m}^2$) with Erf 602, Koelpark to form a land unit of $\pm 360\text{m}^2$ in terms of Section 15(2)(e) of the said Bylaw; and
 - c. A **consent use** to utilize Portion A for town housing purpose in terms of Section 15(2)(o) of the said Bylaw.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

2.2 Conditions of approval:

- a. The approval applies only to the subdivision, consolidation and consent use in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- b. The approval granted does not exempt the applicant/operator from complying with any other legal prescriptions or requirements that might have a bearing on the activity;
- c. The Surveyor General approved diagram/s of the newly created unit must be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purpose;
- d. This approval may not be acted upon prior to the issuing of a certificate of consolidated title.

2.3 The reasons for the above decision are as follows:

- a. The proposal will not have a negative impact on the surrounding properties as it is in keeping with the character of the area.
- b. The proposed subdivision, consolidation and consent use will not give the owner any additional land use rights.
- c. The proposal will not have any negative impact on the rights currently enjoyed by the owner and surrounding property owners.

2.4 Matters on the application TO BE NOTED:

- a. The property is outside of the Stellenbosch area of supply and that all electrical requirements should be directed to Eskom.
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

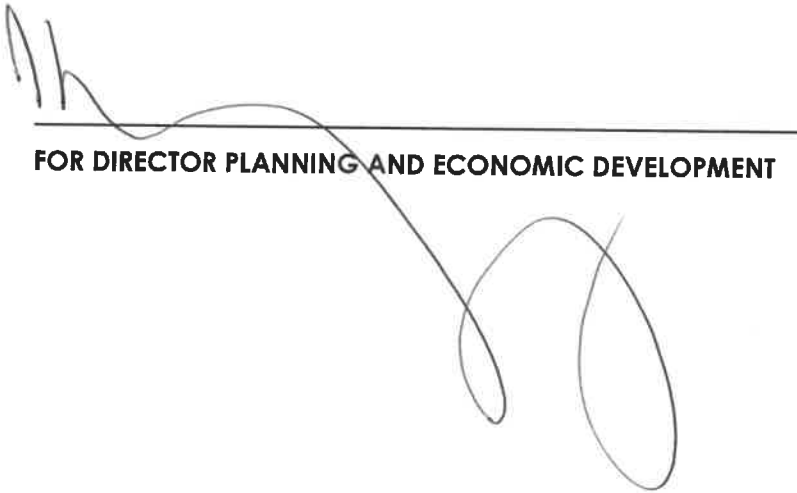
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

- (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



FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

21/1/2021

DATE

ANNEXURE A

**SUBDIVISION, CONSOLIDATION AND CONSENT USE:
ERF 602 & REMAINDER ERF 566, KOELPARK,
STELLENBOSCH**

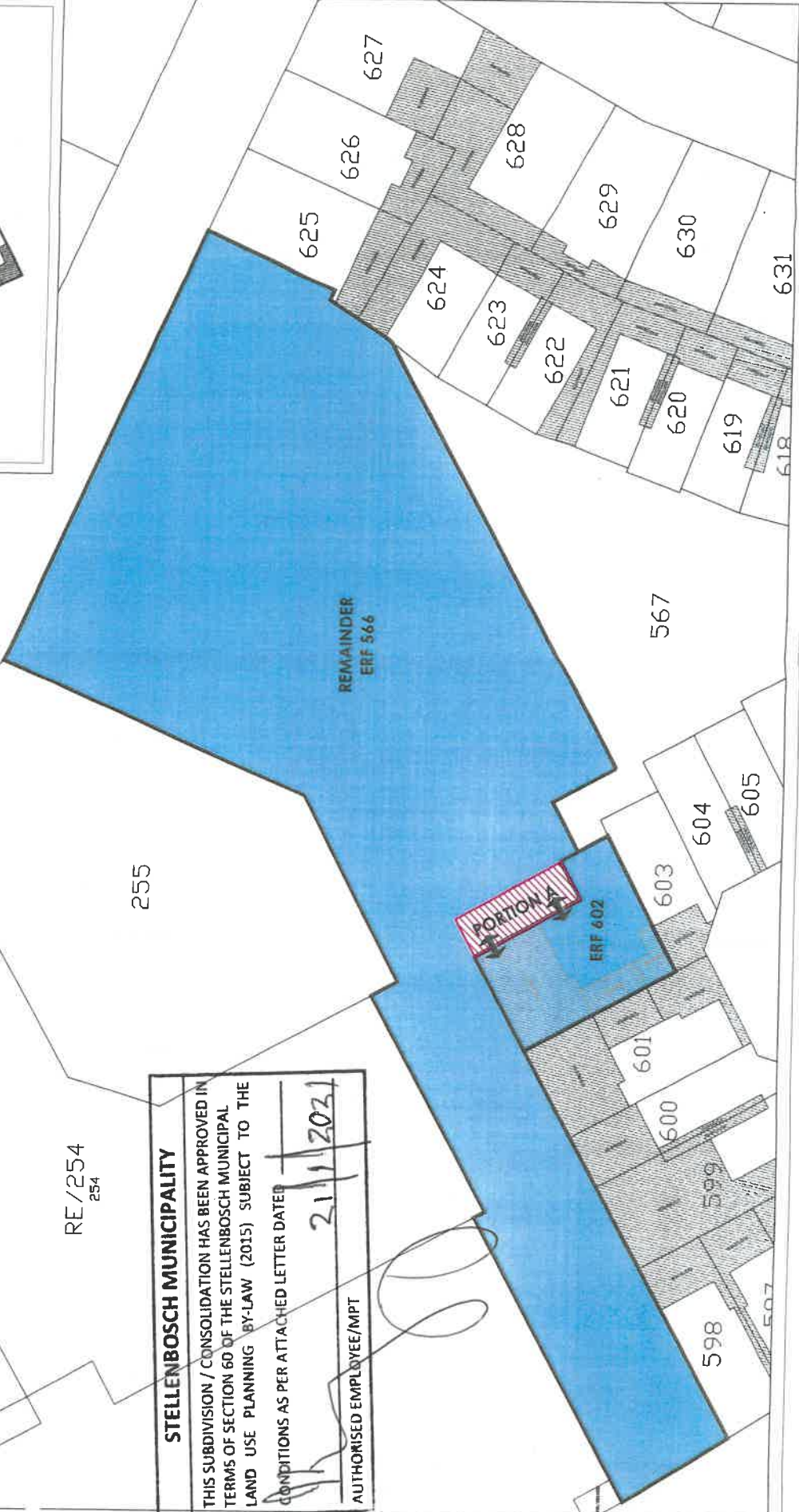
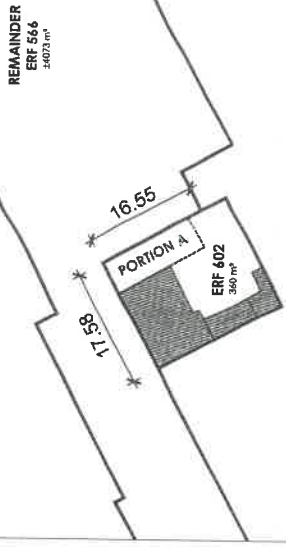
LOCALITY PLAN

**SUBDIVISION & CONSOLIDATION
ERF 602 & REMAINDER 566**

ERF/PORZION	AREA (m ²)	NEW AREA (m ²) (post subdivision and consolidation)	CURRENT ZONING /LAND USE	PROPOSED LAND USE
Remainder Erf 566	41.44	±4073.03	Business Zone 1	(remains)
Portion A	±71	Consolidate with Erf 602	Business Zone 1	Business Zone 1 (Consent for Town House)
Erf 602	289	±360	Business Zone 1 (Consent for Town House)	(remains)

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
 21/11/2021
 AUTHORIZED EMPLOYEE/MPT

**PROPERTIES EXTENTS - POST
SUBDIVISION AND CONSOLIDATION**



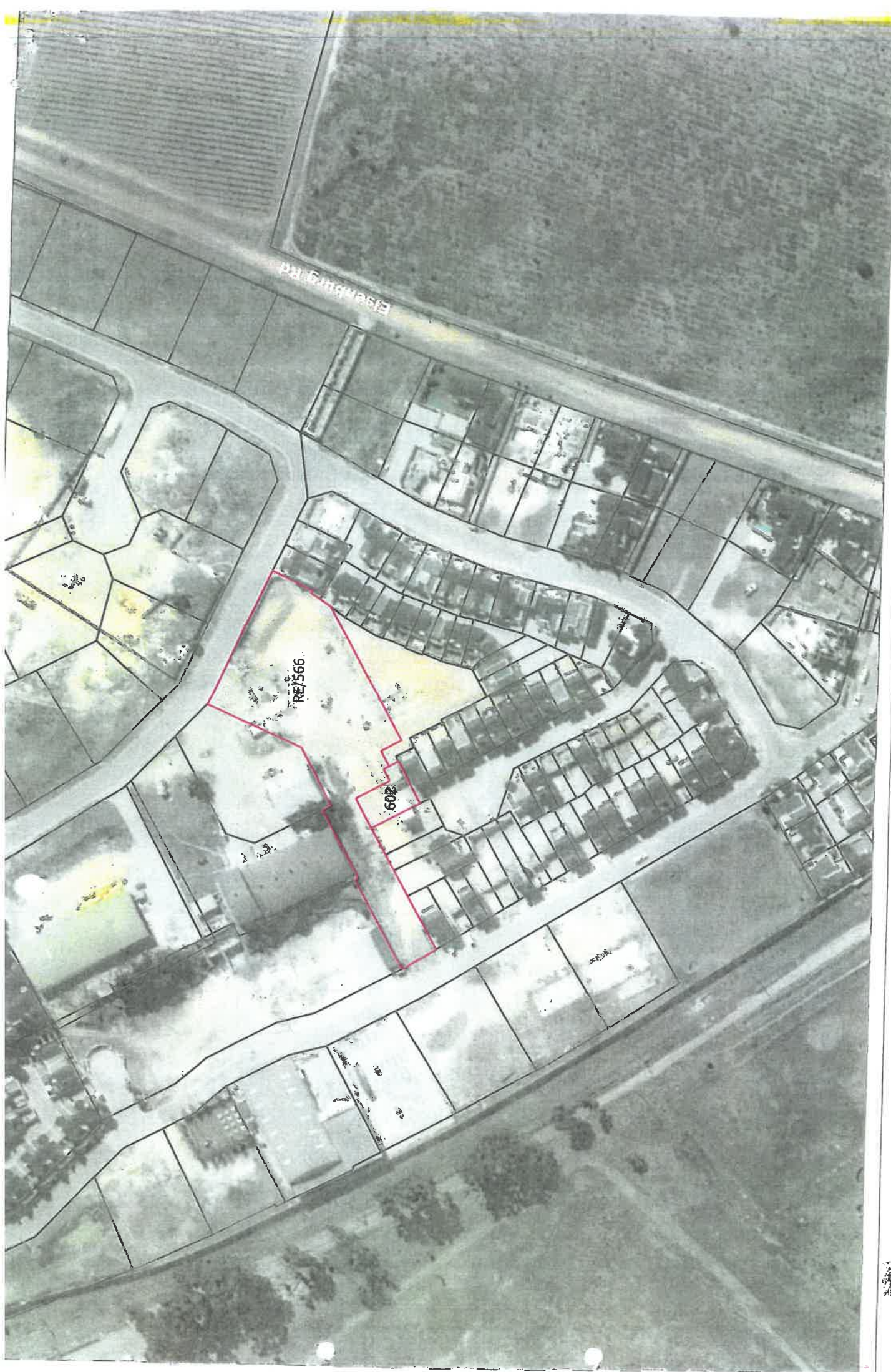
PRODUCT TYPE:
**SUBDIVISION
 AND CONSOLIDATION
 ERF 566 AND 602
 KOELPARK**

DOCUMENT TYPE:
**SUBDIVISION AND
 CONSOLIDATION PLAN**

PROJECT NO:	K2010	SCALE:	1:500
ISSUE NO:	PL001	DATE:	21/11/2021
BY:		DESIGNED BY:	BBS
		CHECKED BY:	GRK

FOR SUBMISSION

This drawing and all the information contained therein is the property of the author and shall remain confidential and shall not be disclosed to a third party without the written consent of the author.



Eisenberg Rd

RE/566

602



**SUBDIVISION AND CONSOLIDATION - RE/566 AND 602
LOCALITY PLAN
2019-10-10**



DENNIS MOSS PARTNERSHIP