



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12126

Our File Reference Number: Erf 6430, Stellenbosch

Your Reference Number: None

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:** [johnnysa@webmail.co.za](mailto:johnnysa@webmail.co.za)

Sir / Madam

## **APPLICATION FOR A PERMANENT DEPARTURE: ERF 6430, IDASVALLEY, STELLENBOSCH**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 That the application for a departure on Erf 6430, Stellenbosch in terms of Section 15(2) (b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 in order to accommodate the proposed swimming pool as indicated on Drawing No. HAO-0215-11, dated October 2020 and drawn by Beau Tech,

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

- (a) That the approval shall lapse if not acted upon within a period of five years from the date of approval;
- (b) The approval shall be taken to cover only the departure applied for and shall not be construed as authority to depart from any other Council requirements or legal provisions;
- (c) Building plans must be submitted to this Municipality for approval prior to any building work commencing on site.

## 2.2 The Reasons for the above decisions are as follows:

- (a) The proposed land use is in line with the zoning and the use of the property.
- (b) All other land use parameters will still be complied with.

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](mailto: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:**



**STELLENBOSCH**

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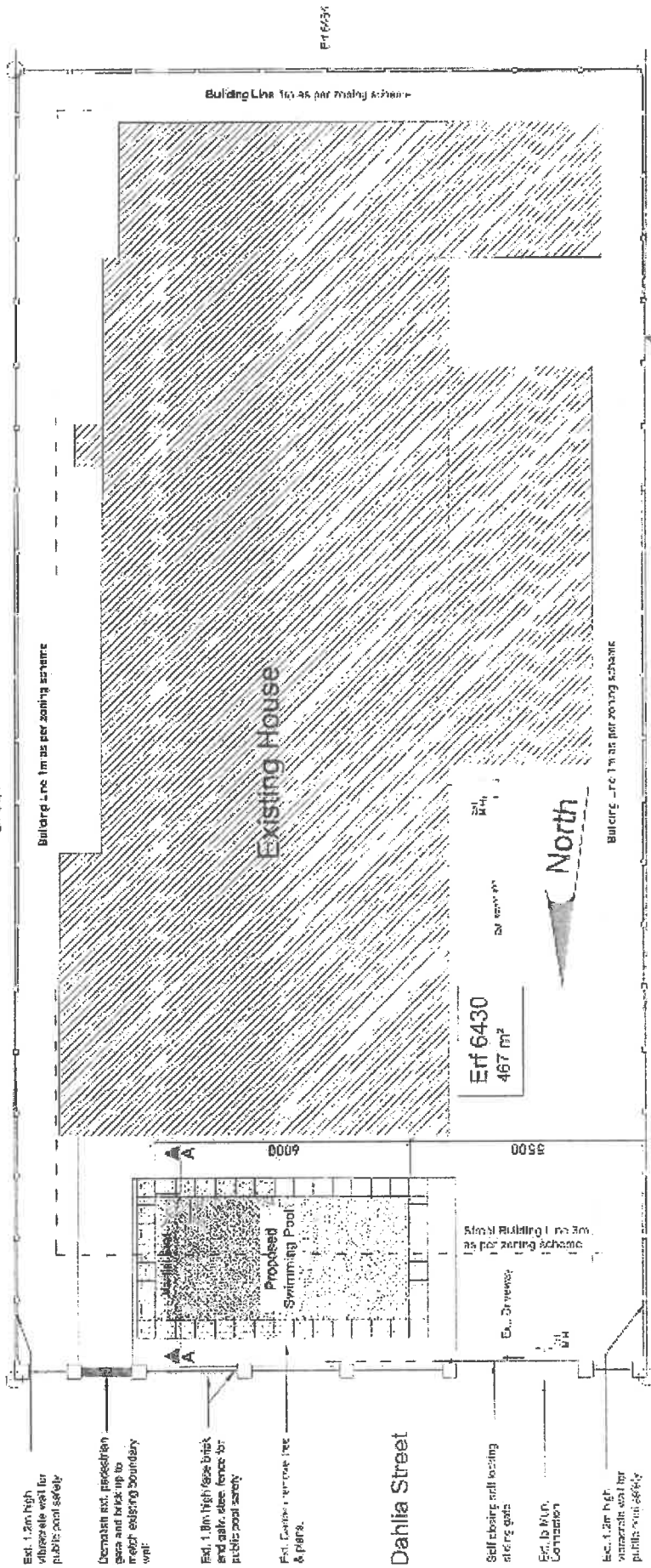
# ANNEXURE B

**(DEPARTURE TO RELAX THE STREET BUILDING LINE FROM 3M TO 1,1M ON ERF 6430,  
STELLENBOSCH)**

**SITE PLAN**

Erf 6431

Building Line 1m as per zoning scheme



Site Plan  
1:100

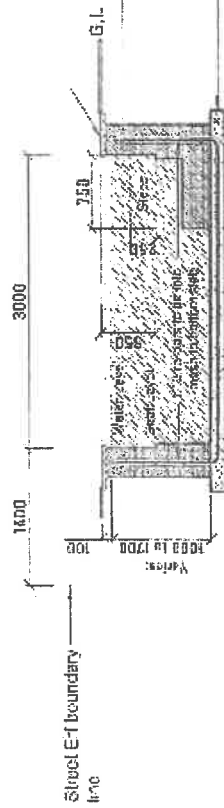
Erf 6432F

*Attended*  
*[Signature]*

Coupling detail to client specification

Brick built and internal pool wall plastered and fibre glass lined

Swimming pool construction by specialist contractor 150mm concrete slab and re enforced with mesh to comply with NBR and SABS 1:380 regulation & conditions.



Section A-A  
1:50

- Ext. 1.2m high vibrosecrete wall for public pool safety
- Demolish ext. precipitation pipe and brick up to meet existing boundary wall
- Ext. 1.0m High/Gaze brick and oak, steel fence for public pool safety
- Ext. Garden entrance gate & path.
- Dahlia Street
- Self closing anti locking sliding gate
- Ext. to M.U.N. Connection
- Ext. 1.2m high vibrosecrete wall for public pool safety

**Checked By:**  
 I. Mearic SACAP registration no: D1574

**Drawn By:**  
 S. Jacobs

**General:**

- All relevant levels, dimensions and details to be verified on site.
- All building work to be done in accordance with the NBR and SABS standards
- The site to be kept tidy during construction and all rubble to be removed regularly and at the end of construction by the builder

**HAWKI**  
 205 CH. J. PRETORIA

**Beau Tech**  
 27 Thabo Molekane Street  
 Corner Thom Street  
 Johannesburg  
 2001

**Proposed Swimming Pool to Existing Dwelling on Erf 6430, 30 Dahlia Street, Idas Valley, Stellenbosch for Mr R Pedro**

**Site Plan & Section**

PROJECT NO: 2-00-020-11  
 DATE: Oct. 2020  
 DRAWN BY: S. Jacobs  
 CHECKED BY: I. Mearic  
 SCALE: As Shown  
 DRAWN BY: S. Jacobs  
 CHECKED BY: I. Mearic  
 SCALE: D 15%

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