



Application Number: LU/12575

Our File Reference Number: Erf 644 & 645, Franschhoek

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 OF ERF 644 & 645, FRANSCHHOEK**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 An application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated October 2015, on Erf 644 and Erf 645, Franschhoek, for the following:
    - 2.1.1 **Consolidation** in terms of Section 15 (2)(e) of the Stellenbosch Municipality Land Use Planning By-law, 2015 for Erf 644 (736m<sup>2</sup> in extent) and Erf 645 (779m<sup>2</sup> in extent) Franschhoek, to create one large unit of 1515 m<sup>2</sup> in extent.

**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 application under consideration as indicated on Consolidation Plan no: 21-FR-1, drawn by Anton Mitchell, dated 2 April 2021 (See **Annexure D**); 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 23 June 2021, attached as **ANNEXURE F**, be complied with;
- 3.4 The approval will lapse if not confirmed within 5 years from date of final notification of approval of the application.
- 3.5 Building plans may not be submitted prior to the issuing of a certificate of consolidated title deed and endorsement of the relevant title deed by the Register of deeds.

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

- 4.1 The scale and nature of the proposal 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

  
For: **DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

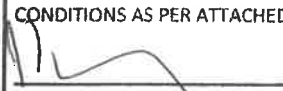
  
DATE: 19/10/2021

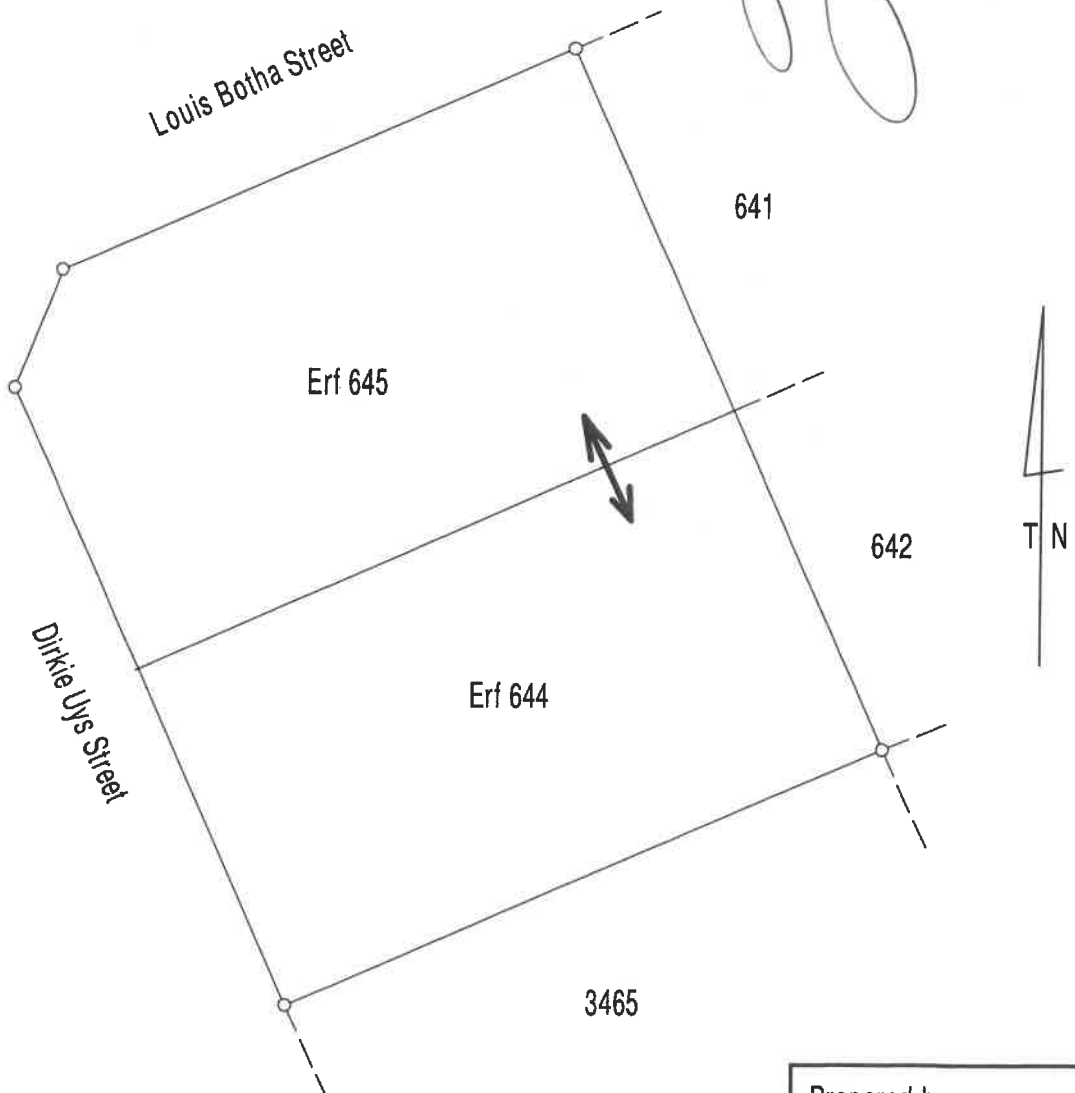
**ANNEXURE D: PROPOSED CONSOLIDATION PLAN**

Proposed consolidation of:  
(1) Erf 644 Franschoek, 736 sq.m. in extent, and  
(2) Erf 645 Franschoek, 779 sq.m. in extent  
situate in the Stellenbosch Municipality  
Administrative District Paarl

Province Western Cape

Sketch  
Scale 1:400

| 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  |            |
|    | 18/10/2021 |
| AUTHORISED EMPLOYEE/MPT  |            |



New Street Number: 31 Dirkie Uys Street.

Prepared by:  
Anton Mitchell, Land Surveyor  
  
Plan No. 21-FR-1  
Date: 2 April 2021

**ANNEXURE F: COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES**



**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH·PNIEL·FRANSCHHOEK

# MEMORANDUM

**DIREKTEUR: INFRASTRUKTUURDIENSTE**  
**DIRECTORATE: INFRASTRUCTURE SERVICES**

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**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag** Salome Newman  
**From ▫ Van:** Manager: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Tyrone King  
**Date ▫ Datum:** 23 June 2021  
**Our Ref ▫ Ons Verw:** Civil LU 2178  
**Your Ref:** LU/12575  
**Re ▫ Insake:** Erf 644 and 645, FH: Consolidation of Erf 644 with Erf 645 for the purpose of making alterations and extensions to the existing house

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

1. **Civil Engineering Services**
  - 1.1 The newly consolidated erf will only be allowed to have one sewer and one water connection. The second connections must be decommissioned.
  - 1.2 All access points (driveways) of the newly created erf must be indicated on future building plans for approval by the Roads department. This is to ensure that the location and number of access points comply with municipal standards.
  
2. **Electrical Engineering**
  - 2.1 Refer to **Annexure: Electrical** for conditions.

**Tyrone King Pr Tech Eng**

**MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

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**Tyrone King**

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**From:** Martin Slabber  
**Sent:** Wednesday, 23 June 2021 08:25  
**To:** Joy Julius  
**Subject:** RE: ERF 644 & 645, FRANSCHHOEK: APPLICATION FOR CONSOLIDATION: SPATIAL PLANNING (COMMENTS BY EMAIL)

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

6.fired appliances 6.Control air condition equipment with energy saving devices 7.Preat at least 50% of hot water with alternative energy savings devices

TX

**Groete:**

**Martin Slabber**

**Supt. Dwarsrivier Elect.**

Engineering Services



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[twitter.com/StellMun](https://twitter.com/StellMun)

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**From:** Joy Julius <wayleave@stellenbosch.gov.za>

**Sent:** Tuesday, 22 June 2021 14:04

**To:** Martin Slabber <Martin.Slabber@stellenbosch.gov.za>