



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14204

Our File Reference Number: Farm 1202/1, Johannesdal

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 AMENDMENT OF AN APPROVED SUBDIVISION PLAN: FARM 1202/1, JOHANNESDAL

1. The above application refers.
2. The duly authorised decision maker hereby decides on the above application as follows.
3. That the Amendment of an approved subdivision plan approval in terms of Section 15(2)(k) of the Stellenbosch Municipal Land Use Planning By-law dated 20 October 2015, in order to amend the approved subdivision plan to allow the proposed changes.

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

4. Conditions of Approval:

- 4.1 The approval applies only to the application under consideration as indicated on Plan Number: 2 (Project no: P 3144), drawn by W.H (TV3 Architects and Town Planners), dated 07/11/2022, attached as **Annexure E** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- 4.2 Building plans be submitted for approval which are generally in accordance with the approved Site Development Plan prior to any building work taking place;
- 4.3 The conditions imposed by the Director: Engineering Services as contained in their memo dated 01 August 2022, attached as **Annexure G**, be complied with;
- 4.4 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.

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

5.1 The amended subdivisional plan only entails minor changes, and the changes are in line with Stellenbosch Municipality Zoning Scheme By-law.

5.2 These land uses will be contained in the development envelope already approved.

5.3 All other land use parameters will still be complied with as initially approved

6. 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.

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:

7.1. 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

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

7.3 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.

7.4 Whether the appeal is lodged against the whole decision or a part of the decision.

- 7.5 If the appeal is lodged against a part of the decision, a description of the part.
- 7.6 If the appeal is lodged against a condition of approval, a description of the condition.
- 7.7 The factual or legal findings that the appellant relies on.
- 7.8 The relief sought by the appellant.
- 7.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

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

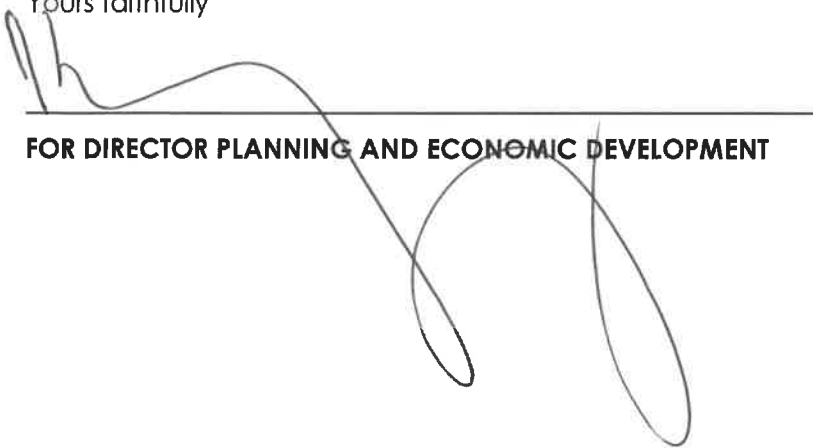
- i. The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
 - ii. That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers 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.
8. 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.
9. 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.
10. 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.
11. 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.

12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

13. 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

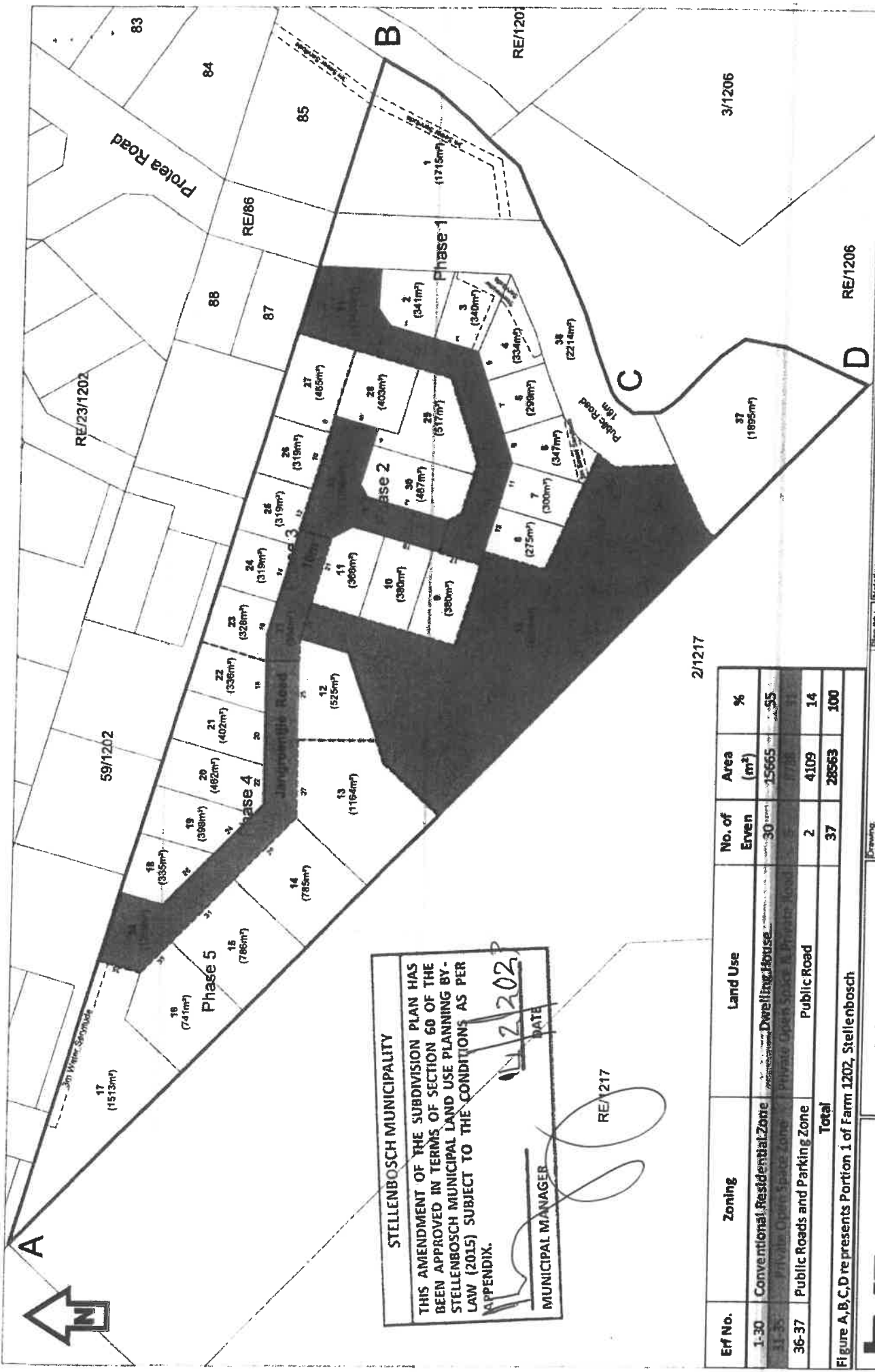


A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a solid horizontal line.

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

14/2/2023
DATE:

ANNEXURE E: AMENDED SUBDIVISIONAL PLAN



STELLENBOSCH MUNICIPALITY

THIS AMENDMENT OF THE SUBDIVISION PLAN HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER

DATE: 11/2/2023

Erft No.	Zoning	Land Use	No. of Erven	Area (m ²)	%
1-30	Conventional Residential Zone	Dwelling House	30	15665	55
36-37	Public Roads and Parking Zone	Public Road	2	4109	14
Total			37	28563	100

Figure A,B,C,D re presents Portion 1 of Farm 1202, Stellenbosch

TVS ARCHITECTS TOWN PLANNERS URBAN DESIGNERS

STREETS 48 CHARLETTOWN BUILDING | 7700 PEAR STREET
STELLENBOSCH 7600 | TEL: 027 212 2111 | WWW.TVSD.CO.ZA

Property Description:
Portion 1 of Farm 1202, Paarl

Proposed Subdivision

Date: 07/11/2022 Scale: 1:1000 (A3)

Project no.: P 3144 Drawn: MH Checked: MW

Notation:
Each phase will be developed on an ad hoc basis and not in a specific order.

Cadastral information obtained from Surveys and Mapping (ORDLR).

All areas and dimensions are approximate and should be verified by a professional land surveyor.

This drawing is the property of TVS Architects and Town Planners (Pty) Ltd and copyright is reserved.

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



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag Nolusindiso Momoti
From ▫ Van: Manager: Development (Infrastructure Services)
Author ▫ Skrywer: Tyrone King
Date ▫ Datum: 1 Aug 2022
Our Ref ▫ Ons Verw: Civil LU 2352
Your Ref: LU/14204
Re ▫ Insake: Farm 1202/1, Johannesdal: Application is made in terms of Section 15 (2)(k) of the Stellenbosch Land Use Planning By- Law for an amendment of an approved subdivision plan in order to amend the approved subdivision plan to allow the proposed changes on Farm 1202/1, Johannesdal.

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

1. **Civil Engineering Services**
 - 1.1 No objection, this is a minor amendment. All previous conditions of approval remain valid. The DCs are recalculated based on the revised layout.

Tyrone King Pr Tech Eng
PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\2352 () Farm 1202-1 Johannesdal (LU-14204)\2352 () Farm 1202-1 Johannesdal(LU-14204).doc

SEARCHED	SERIALIZED	INDEXED	FILED
Euf 1202/1 JD			
AUG 2022			
STELLENBOSCH MUNICIPALITY			


STELLENBOSCH MUNICIPALITY PLANNING AND DEVELOPMENT SERVICES
31 AUG 2022
RECEIVED

Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION	
Application Number:	2352 (0 Farm 1202-1 Johannesdal)(U-14204)
Development Name:	
Date:	01 August 2022
Financial Year:	2022/2023
Erf Location (Select from 7 Locations):	Dwarsrivier
Vehicle Ownership (Select Normal or Low):	Normal
Erf Region (Select Urban or Rural):	Urban
Erf No:	Farm 1202/1
DC Parameters Reference:	Proposed Subdivision Plan No 2 dated 12/05/2022 by TV3

SUMMARY OF DC CALCULATION									
Service:	Water kl/day	Sewer kl/day	Stormwater ha°C	Solid Waste t/week	Roads & Transport trips/day	Community persons	Totals		
Total Increased Services Usage:	18	15	0,54	1,2	112,5	120			
Total Services Usage Reduction:	0	0	0	0	0,0	0			
Total Services Usage after Reduction:	18,00	15,00	0,54000	1,200	112,5	120			
Total Development Charges before Deductions:	R 549 104,56	R 338 248,23	R 46 859,87	R 105 124,80	R 732 037,50	R 414 600,00	R	2 185 974,77	
Total Deductions:	R -	R -	R -	R -	R -	R -	R	-	
Total Payable (excluding VAT):	R 549 104,56	R 338 248,23	R 46 859,87	R 105 124,80	R 732 037,50	R 414 600,00	R	2 185 974,77	
VAT:	R 82 365,68	R 50 737,23	R 7 028,95	R 15 768,72	R 109 805,63	R 62 190,00	R	327 896,22	
Total Payable (including VAT):	R 631 470,25	R 388 985,47	R 53 888,82	R 120 893,52	R 841 843,13	R 476 790,00	R	2 513 870,99	

APPLICANT INFORMATION	
Application Processed by:	T. King
Signature:	
Notes:	

