



**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13675

Our File Reference Number: Farm 510/52, Stellenbosch Division

Your Reference Number: 3527-P

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 THE AMENDMENT OF A SUBDIVISION PLAN: PORTIONS 52, 53, 54, AND 71 OF FARM NO. 510, STELLENBOSCH**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:

That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 on Portion 52, 53, 54 and 71 of Farm No. 510, Stellenbosch:

2.1 The amendment of an approved subdivision plan, Project No. D2002, Plan No. 4 dated 14/08/2018 and drawn by TV3 Architects and Town Planners, and to replace it with Subdivision Plan, Project No. 3527-P, Plan No. 1 dated 15/12/2021 and drawn by TV3 Architects Town Planners and Urban Designers on Portion 52, 53, 54, 71 of Farm No. 510, Stellenbosch Division made in terms of Section 15(2)(k) of the said by-law.

**BE APPROVED** in terms of Section 60 of the said bylaw.

**3. Conditions of approval:**

The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:

Conditions of approval which should be complied with as required in terms of Section 66(11) of the subject By-law, before the registration of a subdivided portion, or before the sale, development or transfer of the land:

3.1 Before subdivision clearance can be issued, the contractor for the new 7ML reservoir must at least be appointed and construction commenced with.

General conditions of approval with no requirement for compliance prior to the registration of the subdivided portion, or before the sale, development or transfer of the land as contemplated in terms of Section 66(11) of the subject By-Law:

3.2 The approval only applies to the proposed amendment of the subdivisional plan under consideration, as indicated on the referenced Subdivision Plan, Project No. 3527-P, Plan No. 1 dated 15/12/2021 and drawn by TV3 Architects Town Planners and Urban Designers, attached as **ANNEXURE C** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or by-laws or regulations that may be applicable.

3.3 The previous engineering conditions (Memo dated 1 July 2020) remain valid.

3.4 Before occupation certificates can be issued (if reservoir is not yet completed): to improve water supply to the existing reservoir, while the new one is under construction the newly laid 355mm supply line from Paradyskloof must be connected to the existing Jamestown reservoir – SSWB1 as shown in **ANNEXURE F**.

3.5 An electronic copy (shp, dwg, dxf) of the approved erf diagrams be submitted to the Directorate Planning and Economic Development for the record purposes, which plan must indicate the following information:

3.5.1 Newly allocated erf/farm numbers

3.5.2 Co-ordinates

3.5.3 Survey dimensions

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

4.1 The approved number of residential units will not increase which may have impacted on the traffic generation at the proposed access point.

4.2 The proposed amendment will therefore not create any additional development rights nor will it change the residential density, average erf size, land uses and character of the approved residential development.

4.3 The internal change will only improve the architecture of the proposed residential development.

4.4 The proposal is not inconsistent with Stellenbosch Municipal Spatial Development Framework, which promotes infill development and densification with an urban edge, which this proposal intends to achieve.

**5. Matters to be noted:**

5.1 The subdivision and consolidation only come into effect once all suspensive conditions or relevant legislative provisions have been complied with.

5.2 All electrical requirements be directed to Eskom.

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:

(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.

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](mailto: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 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>).
11. 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.

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 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



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**FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

18/5/2022.

**DATE:**

# **ANNEXURE C**

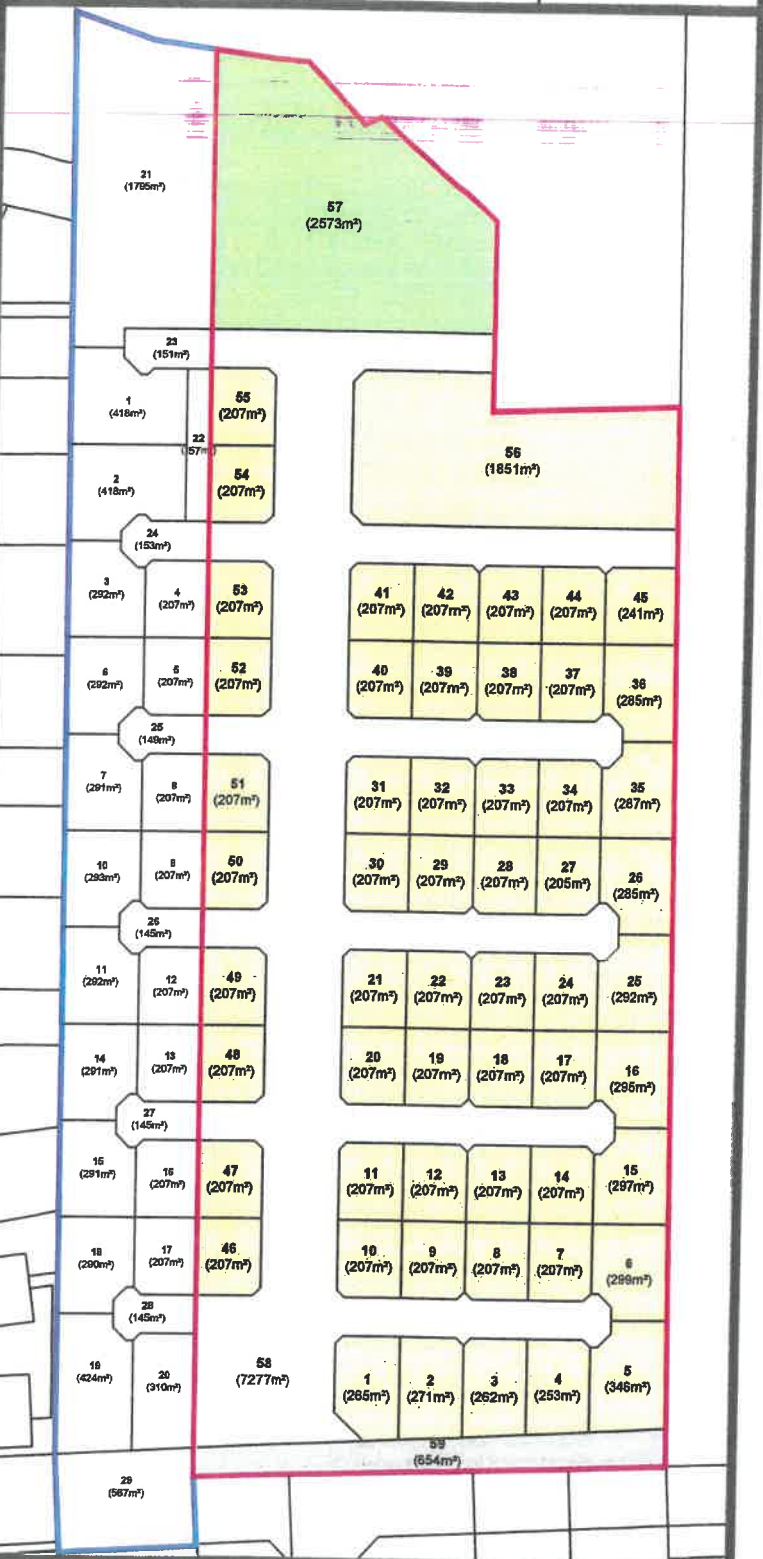
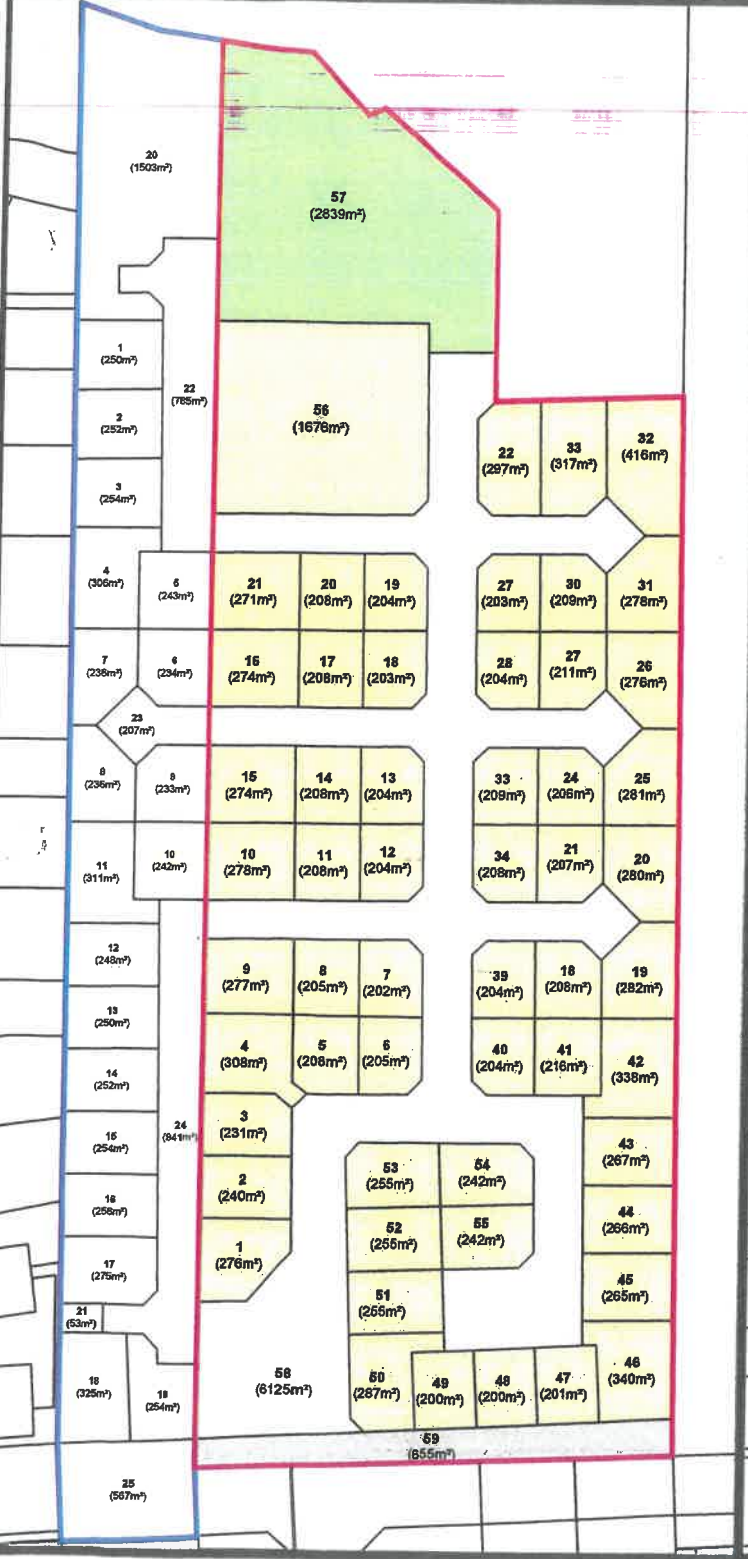
## Proposed amended subdivision plan

# Approved Subdivision Plan

# Amended Subdivision Plan

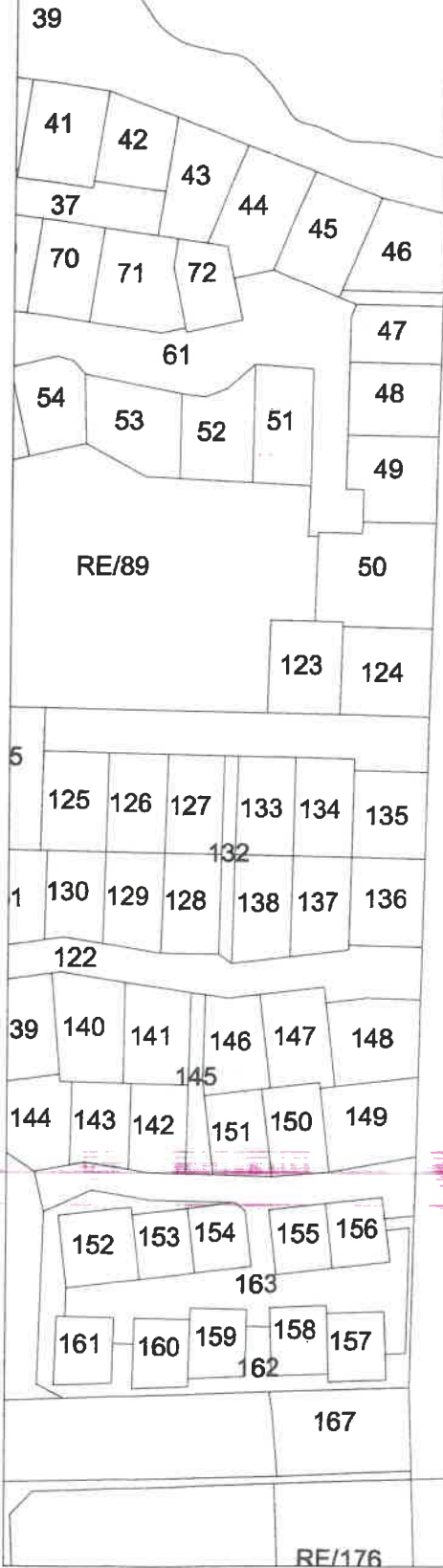
Land Use	No. of Units	Area
Group Housing	55	13426m <sup>2</sup>
Flats	24	1676m <sup>2</sup>
Open Space		2839m <sup>2</sup>
Private Road		6125m <sup>2</sup>
Public Road		654m <sup>2</sup>
<b>Total</b>	<b>79</b>	<b>24720m<sup>2</sup></b>

Land Use	No. of Units	Area
Group Housing	55	12365m <sup>2</sup>
Flats	24	1851m <sup>2</sup>
Open Space		2573m <sup>2</sup>
Private Road		7277m <sup>2</sup>
Public Road		654m <sup>2</sup>
<b>Total</b>	<b>79</b>	<b>24720m<sup>2</sup></b>





Erf No.	Zoning	Land Use	No. of Units	Area	%
1-55	Conventional Residential	Group Housing	55	12365m <sup>2</sup>	50.02
56	Multi-Unit Residential	Flats	24	1851m <sup>2</sup>	7.49
57	Private Open Space	Open Space		2573m <sup>2</sup>	10.41
58	Private Open Space	Private Road		7277m <sup>2</sup>	29.44
59	Public Roads and Parking	Public Road		654m <sup>2</sup>	2.65
<b>Total</b>			<b>79</b>	<b>24720m<sup>2</sup></b>	<b>100.00</b>



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.

18/5/2022

MUNICIPAL MANAGER DATE



## Blaauwklippen Residential

Property Description:  
Portions 52, 53, 54 & 71 of Farm 510, Stellenbosch

Drawing: Subdivision		Plan no.: 1	
Date: 15/12/2021	Scale: 1:1500 (A4)	Project no.: 3527-P	Drawn: WH
			Checked: CH



# **ANNEXURE F**

Comments from the Municipal  
Infrastructure Services  
department



**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH · PNIEL · FRANSCHHOEK

# MEMORANDUM

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

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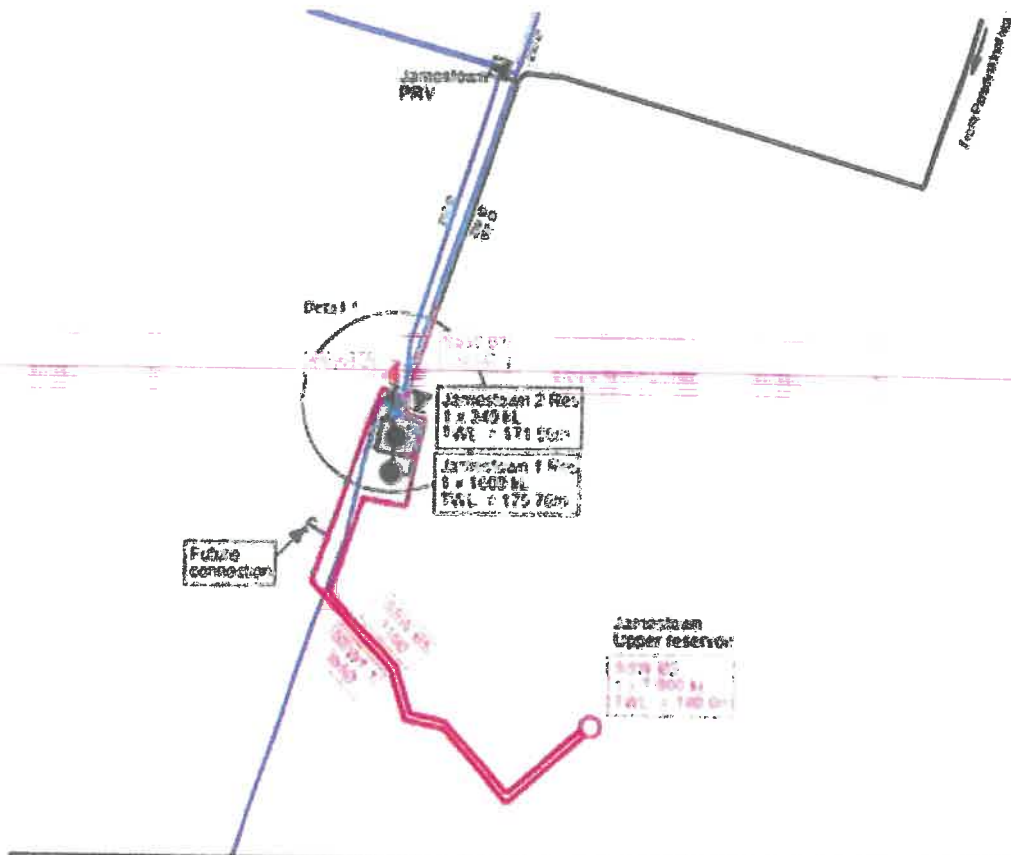
**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag** Nicole Katts  
**From ▫ Van:** Manager: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Tyrone King  
**Date ▫ Datum:** 7 March 2022  
**Our Ref ▫ Ons Verw:** Civil LU 2277  
**Your Ref:** LU/13675  
**Re ▫ Insake:** Erf 510/52, Jamestown: Application is made in terms of Section 15.2(k) of the Stellenbosch Municipality Planning Bylaw (2015) for an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram, in order to amend the approved Subdivision Plan on Portion 52, 53, 54 and 71 of Farm No. 510, Stellenbosch Division

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

1. **Civil Engineering Services**
  - 1.1 No objection, to the revised subdivision layout.
  - 1.2 The previous engineering conditions (Memo dated 1 July 2020) remain valid.
  - 1.3 Before subdivision clearance can be issued, the contractor for the new 7ML reservoir must at least be appointed and construction commenced with.
  - 1.4 Before occupation certificates can be issued (if reservoir is not yet completed): to improve water supply to the existing reservoir, while the new one is under construction – the newly laid 355mm supply line from Paradyskloof must be connected to the existing Jamestown reservoir – SSWB1 shown below.

2



0		<b>Figure 2</b> Proposed Development Portions 52, 53, 54, 71 & 845 of Farm 510 Water Master Plan
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2.

3. **Electrical Engineering**

3.1 Refer to **Annexure: Electrical**



**Tyrone King Pr Tech Eng**  
**MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

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JT 510/52

**GENERAL COMMENT:**

1. Outside Stellenbosch area of supply.
2. All Electrical requirements should be directed to Eskom.

**CONDITIONS**

3. No conditions.

Bradley Williams

Date.....08/05/2022.....



Signature