



**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12343

Our File Reference Number: Farm 748/19, Paarl

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:** [bcbgabriel@yahoo.com](mailto:bcbgabriel@yahoo.com)

Sir

**APPLICATION FOR THE EXTENSION OF THE VALIDITY PERIOD FOR SUBDIVISION AND REMOVAL OF RESTRICTIONS ON PORTION 19 OF FARM NO 748, PAARL DIVISION**

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 the **extension of validity period** in terms of Section 15(2)(i) of the Stellenbosch Municipality Land Use Planning By- Law, promulgated by notice number 354/2015, dated 20 October 2015, as indicated and sited on Drawing No. 1-1 , drawn by David Hellig & Abrahamse professional land Surveyors , dated March-May 2014 and attached as part of **(ANNEXURE B)**:
    - 2.1.1 The **Subdivision** of Farm 748 portion 19 into two portions, namely Portion A ( $\pm 354\text{m}^2$ ) in extent and the remainder ( $\pm 350\text{m}^2$ ) in extent, as indicated in the subdivision plan, Plan No 1-1
    - 2.1.2 The **Removal of restrictive** title conditions applicable to Farm 748/19 Paarl Division to enable owner to subdivide property into two portions (Portion A ( $\pm 354\text{m}^2$ ) and the remainder ( $\pm 350\text{m}^2$ ) and to erect a dwelling on Portion A for residential purposes.

**BE APPROVED** in terms of Section 60 of the said Bylaw and be subject to conditions in terms of Section 66 of the said By-Law.

3. Conditions of Approval:

3.1 The extension of validity only applies to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

3.2 The extension of validity is valid for a further 5 years from the date **26 August 2020**;

3.3 Compliance to the satisfaction of the Director Infrastructure Services to conditions of the Directorate Engineering Services as depicted in Memorandum dated 04/02/2015 and attached as **(ANNEXURE G)**.

4. The reasons for the decision

4.1 The request was received timeously and the rights are still applicable.

4.2 No other extensions were granted previously, the applicant can therefore be granted the extension of the development rights

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 consent use 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)

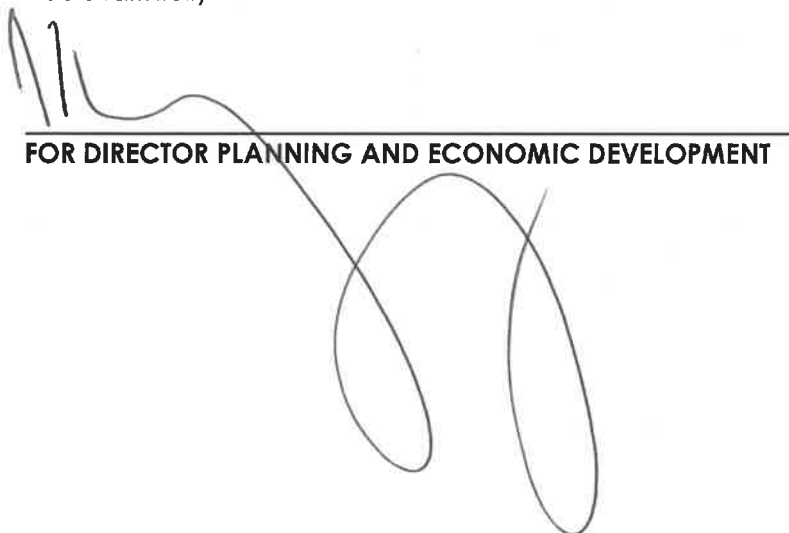
8. An applicant who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

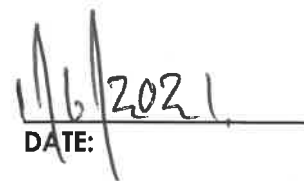
9. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website

<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:**

**ANNEXURE B:**  
SUBDIVISION PLAN

Y+11550

Y+11600

**STELLENBOSCH MUNICIPALITY**

**LAND USE MANAGEMENT**

THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 25 OF ORDINANCE 15 OF 1985, SUBJECT TO THE CONDITIONS AS PER ANNEXURE

10/4/14  
DATE

DIRECTOR: PLANNING & ENVIRONMENT

Ref : 1) Co-ordinate System Lo 19°  
2) S. G. Noting 3758

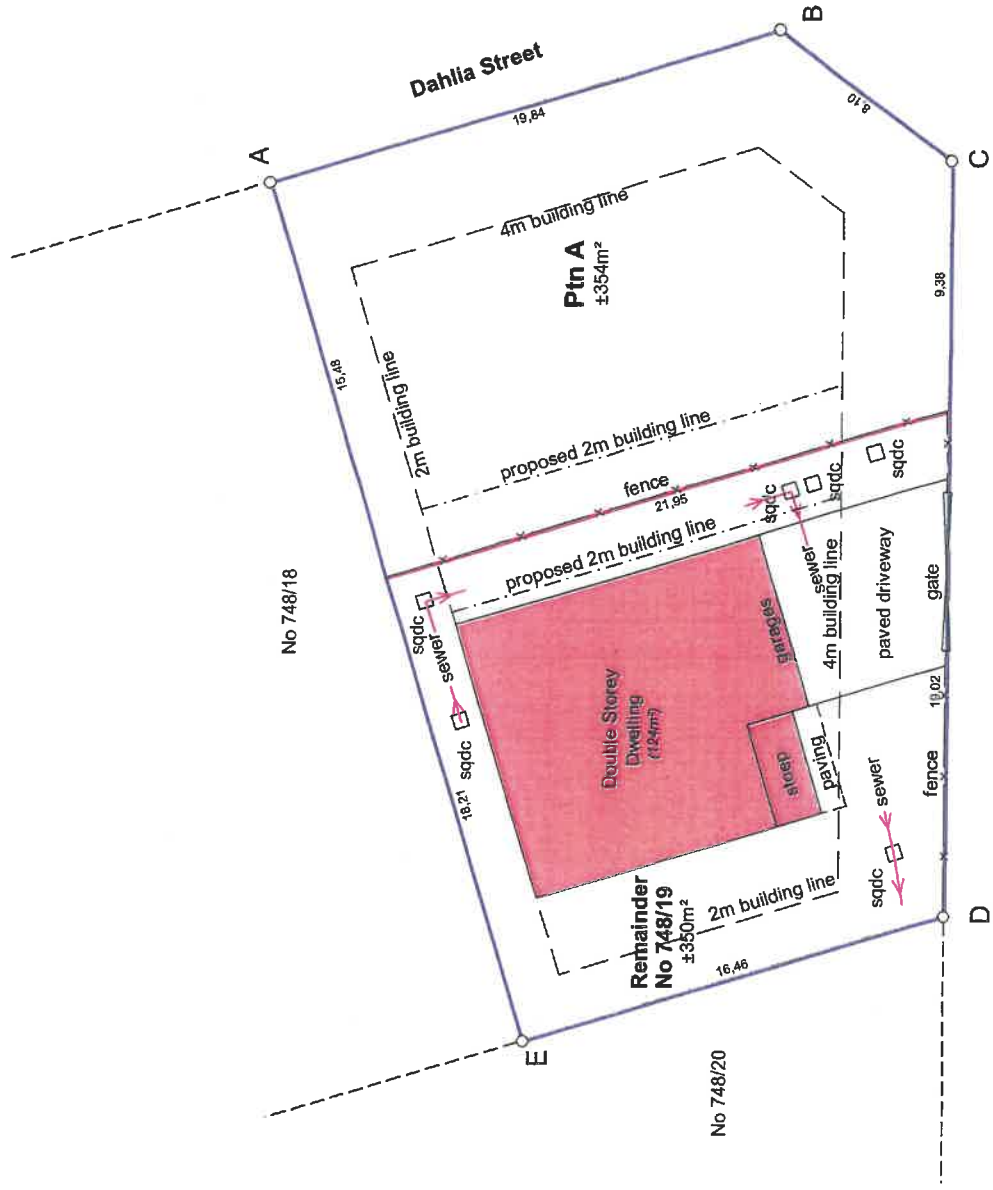
**dh&a**  
david hellig & abrahamse  
professional land surveyors  
258 Main Street  
PAARL 7646

Telephone : 021-8724086  
Telefax : 021-8722676  
web site : www.dh&a.co.za  
email : dhellig@kingstley.co.za

project **Plan of Subdivision**

Portion 19 of the Farm  
Bronkhorst No 748 Paarl

Scale	1 / 200 @ A3
Date	March - May 2014
File No	P3492/14
Plan No	1 - 1



T N

X+4:1900

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



STELLENBOSCH MUNICIPALITY  
STELLENBOSCH·PNIEL·FRANSCHHOEK

# MEMORANDUM

DIREKTEUR: INGENIEURSDIENSTE  
DIRECTORATE: ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development  
Att Aandag Ms. B Mdoda  
From ▫ Van: JJ. Fourie (Development Services)  
Date ▫ Datum: 04/02/2015  
Our Ref ▫ Ons Verw: Lupo 785  
Re ▫ Insake: Farm 748/19 Paarl (Klip Street, Klapmuts): Application for  
subdivision and departures



This memo replaces our memo dated 02/10/2014.

The following application refers.

1. Subdivision of property into two portions, namely Portion A of  $\pm 354\text{m}^2$  and the Remainder of  $\pm 350\text{m}^2$ .
2. Removal of restrictive conditions
3. Encroachment of building lines.

Comments from the Directorate Engineering Services i.e Roads + Stormwater, Water Services, Traffic Engineering and Development Services will be reflected in this memo.

## Background

As the proposed newly subdivided erf falls within the waste water and sewage catchment area of the existing Klappmuts Waste Water Treatment Works (KWWTW) the effluent generated on the erf has to be treated at the KWWTW. The current capacity of the KWWTW does not allow for any new developments which generate waste water and sewage to deliver it to the KWWTW for treatment.

SCAN NR:	F 748/19P
COLLABORATOR NR:	357048



However, planning and sourcing of funding for the upgrade of the KWWTW has commenced. It is anticipated that the commissioning of the first phase of the upgraded KWWTW to accommodate waste water and sewage from new developments will be at the end of the 2015/2016 financial year. (June 2016)

The application for the subdivision of the property is recommended for approval **subject to the following conditions.**

**1. Water Supply**

- 1.1 The Remainder of Erf 748/19 has to be provided with a new water connection as indicated on the drawing of David Hellig + Abrahamse no. P3492/14 dated May 2014.
- 1.2 The new water connection for Remainder Erf 748/19 has to be constructed by means of a road crossing. Cost of road crossing is R 18 251.77 according to the 2014/2015 tariff structure.
- 1.3 The existing connection will be disconnected from the Remainder ERf 748/19 and be allocated to Portion A.

**2. Waste Water and Sewage**

- 2.1 The existing sewer of the Remainder Erf 748/19 has to be retained for the existing building.
- 2.2 A sewer connection for Portion A has to be constructed from point A to B as indicated on the drawing of David Hellig + Abrahamse.
- 2.3 The cost of the construction of the sewer is for the account of the applicant.
- 2.4 A servitude has to be registered over the sewer of Portion A where it is situated on Remainder Erf 748/19.
- 2.5 A inspection fee of R 1 226.60 is payable. Tariff applicable for the 2014/2015 financial year.

**3. Entrances to properties**

- 3.1 Each erf must have its own access to a public street.
- 3.2 The cost of the installation of the access is for the account of the applicant.

#### 4. Bulk Infrastructure Contribution Levies (BICL's)

The appropriate BICL's (Development Contributions) are payable before a Section 31 Clearance certificate can be issued.

The following BICL's are payable

Service	Amount	VAT	Total
Roads	R 17 990.70	R 2 518.70	R 20 509.40
Solid Waste	R 674.48	R 94.43	R 768.90
Stormwater	-	-	-
Sewerage	R 10 423.50	R 1 459.29	R 11 882.79
Water	R 8 771.49	R 1 228.01	R 9 999.50
Total Vat Included			R 43 160.59

The BICL's were calculated by using the 2014/2015 tariff structure. If BICL's are paid after 30 June 2015 it will have to be recalculated by using the tariff structure applicable at date of payment.



**J.J. FOURIE**

**HEAD: DEVELOPMENT SERVICES (ENGINEERING SERVICES)**

JJF/jj W:\USERS\Joy\KobusF\Memorandums\Wemo Farms\Wemo Farm 748-19 Paarl Lupo 785.doc

**Erf 748/19 Klapmuts (704m<sup>2</sup>)**

**Bulk Infrastructure Contribution Levies (BICL's)**

**(2014/2015 Tariff Structure)**

<b>Service</b>	<b>748/19 – 704m<sup>2</sup></b>	<b>Portion A - 354 m<sup>2</sup></b>	<b>Remainder-350m<sup>2</sup></b>	<b>Total</b>
<b>Roads</b>	3,9 trips/day -R 17 990.70	3,9 trips/day R 17 990.70	3,9 trips/day R 17 990.70	R 17 990.70
<b>Solid Waste</b>	0,04 ton/week -R 674.48	0,04 ton/week R 674.48	0,04 ton/week R 674.48	R 674.48
<b>Stormwater</b>	C=0,5 -R 4 522.04	C=0,5 R 2 273.87	C=0,5 R 2 248.17	-
<b>Sewerage</b>	0,75 kℓ/day -R 10 423.50	0,75 kℓ/day R 10 423.50	0,75 kℓ/day R 10 423.50	R 10 423.50
<b>Water</b>	1,17 kℓ/day -R 16 289.91	0,9 kℓ/day R 12 530.70	0,9 kℓ/day R 12 530.70	R 8 771.49
<b>Subtotal</b>				R 37 860.17
<b>+ 14% VAT</b>				R 5 300.42
<b>Total</b>				<b>R 43 160.59</b>

Y+11600

Y+11550

MUNICIPAL SEWER

No MUNICIPAL SEWER AVAILABLE

No 748/18

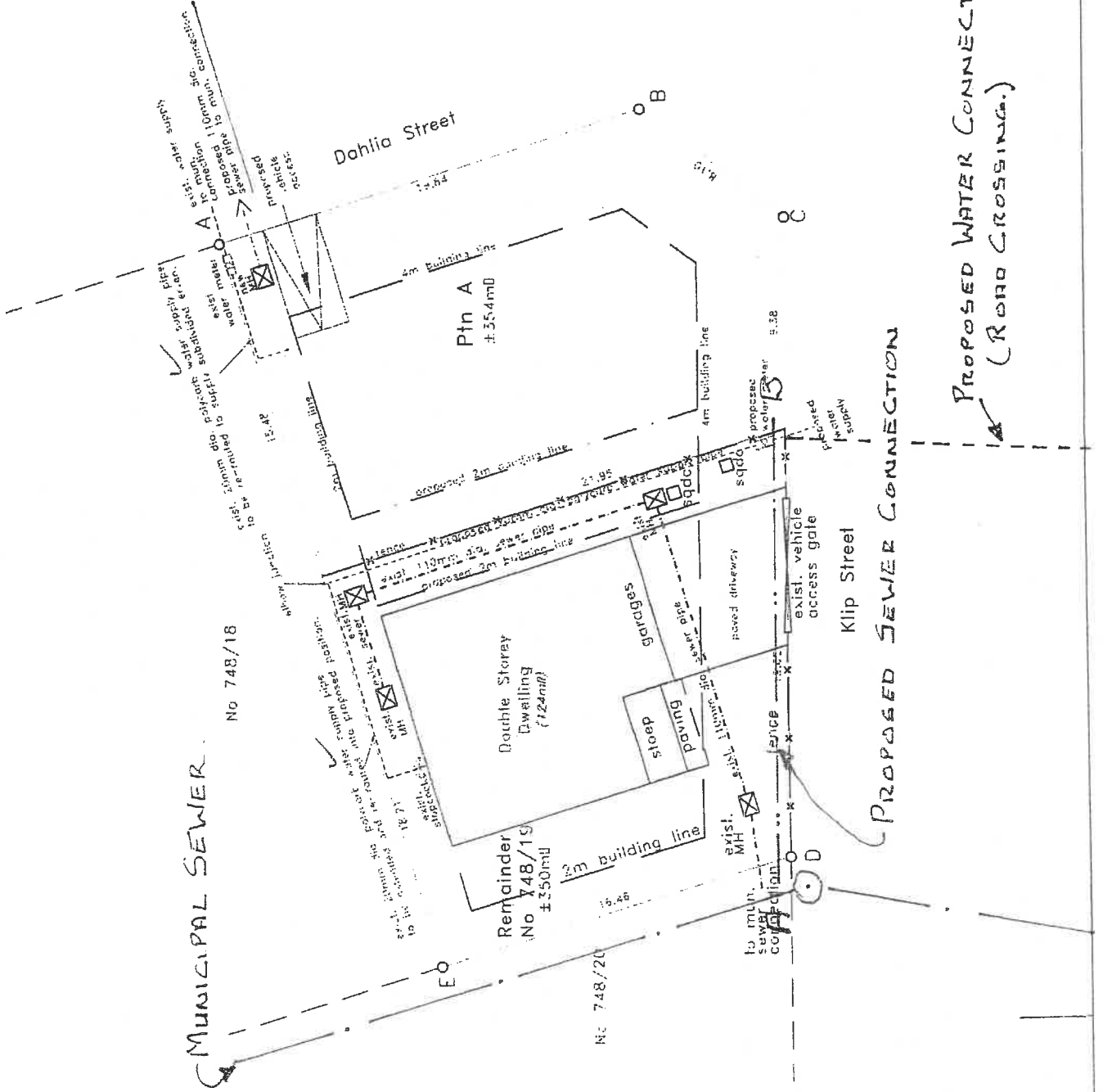
Remainder No 748/19 ±350m<sup>2</sup>

Ptn A ±354m<sup>2</sup>

No 748/20

T.N.

X+41900



Ref : 1) Co-ordinate System Lo 19  
 2) S. G. Noting 3758

**dh&c**  
 david hellig & abrahamse  
 professional land surveyors  
 258 Main Street  
 PAARL 7646

email: dh@dh&c.co.za web site: www.dh&c.co.za  
 Telephone: 021-8724466 021-8724676 email: david@dh&c.co.za

Project

Plan of Subdivision

Portion 19 of the Farm  
 Bronkhorst No 748 Paarl

Scale 1 / 200 @ A

Date March - May 2014

File No P3492/14

Plan No 1 - 1

Proposed WATER CONNECTION  
 (Road Crossing.)

Proposed SEWER CONNECTION