



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/6136

Our File Reference Number: Farm 124/85, Kylemore (Known as Erf 84 Kylemore)

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:** [elton.swartz39@gmail.com](mailto:elton.swartz39@gmail.com)

Sir / Madam

## **APPLICATION FOR REQUEST TO IMPOSE CONDITIONS, TO COMPLY WITH A PREVIOUS CONDITION OF APPROVAL: FARM 124/85, STELLENBOSCH (KNOWN AS ERF 84, KYLEMORE)**

1. The above application refers.

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

2.1 That **approval be granted** for the conditions of approval to be imposed in terms of Section 66 of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the application made in terms of Section 15(2)(h) of the said by-law;

3. **Conditions of approval:**

3.1 The approval applies only to the subdivision of Farm No. 124/85 Stellenbosch Division (Now Erf 84, Kylemore. See **APPENDIX 3**) into two equal portions of 279m<sup>2</sup> each and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.

3.2 Land Surveyor approved Erf diagrams must be submitted to the Municipality for record purposes together with the request for clearances certificates.

3.3 The approval shall lapse if not implemented within 5 years from the date of final notification.

3.4 It is the responsibility of the applicant to inform external departments of the new street numbering on the subdivisional plan, as such the Surveyor-General, Telkom, Post Office, the South African Police Service, Emergency Services, National Place Names Committee and map producers, etc. after the registration of the properties.

3.5 A demolition certificate and new building plans for any structure must be submitted to this municipality for approval prior to demolition of any structure and construction commencing on site.

3.6 The conditions of approval in the memorandum dated, 16 July 2021 from the Directorate: Engineering Services in the attached **APPENDIX 5**, must at all times be adhered to.

4. 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.

5. 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.

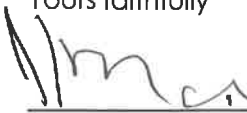
6. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: [landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za)

7. 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.

8. 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>).

9. 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.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
11. 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

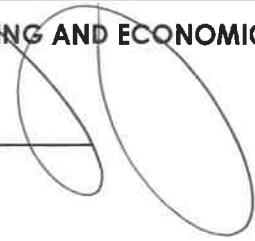


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**FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

20/9/2021

**DATE:**




## **APPENDIX 3**

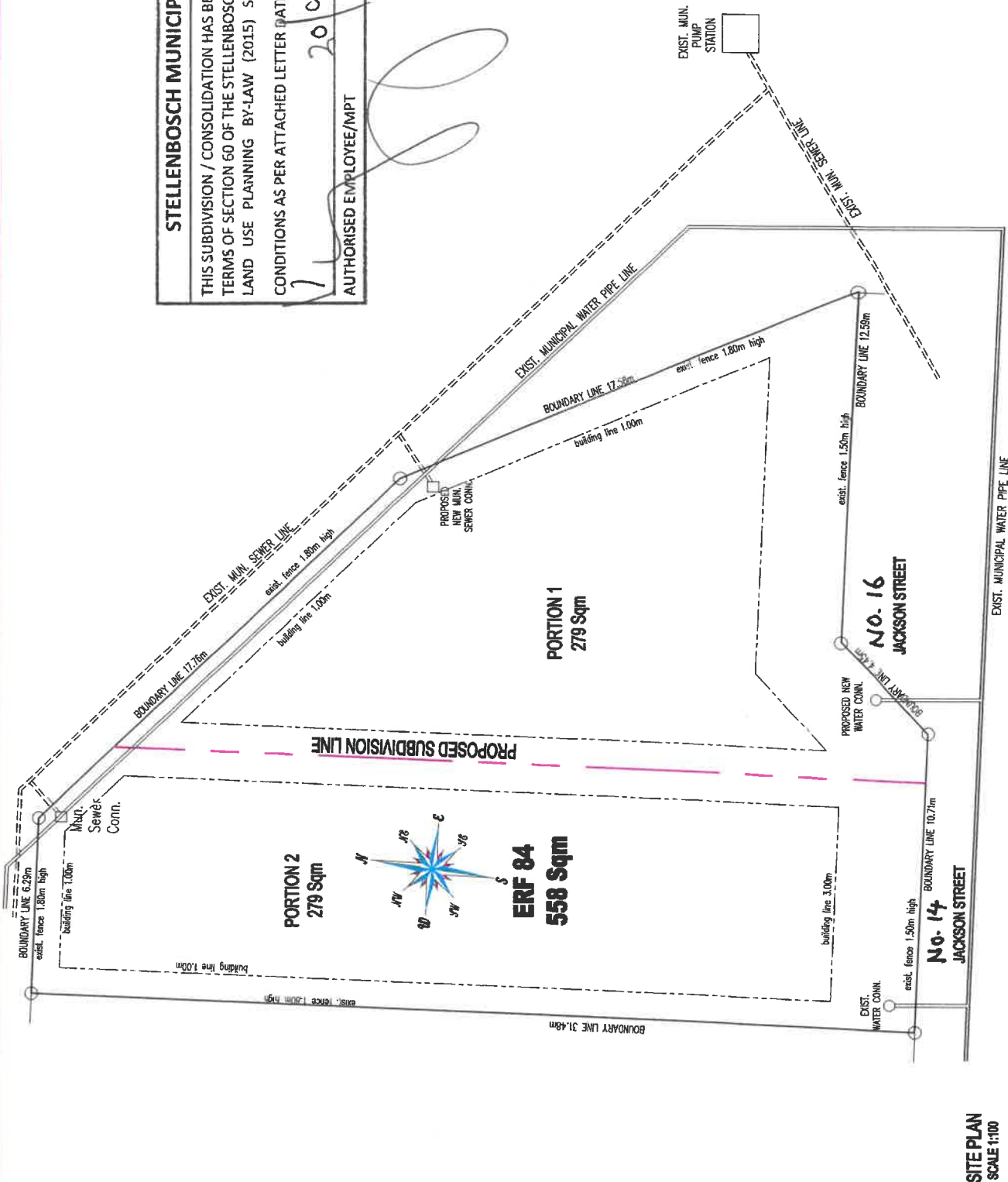
Proposed subdivisional plan and erf diagrams

**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 20/9/2021

AUTHORISED EMPLOYEE/MPT *[Signature]*

<b>Project</b>	
PROPOSED SUBDIVISION AT ERF 84, JACKSON STREET, KYLEMORE	
<b>Drawn by:</b>	ELTON BRINARTZ
<b>Client:</b>	OLDBOURG VINEYARDS
<b>PLAN No.</b>	202021
<b>Date:</b>	2021-06-19
<b>SACAP registered:</b>	1:100
 [ EAB CONSULTANTS ] [ School Street 03, Kylemore, Stellenbosch, 7608 ] [ elton.brinartz39@gmail.com ] [ CELL: 061 882 7284 ]	



**SITE PLAN**  
SCALE 1:100

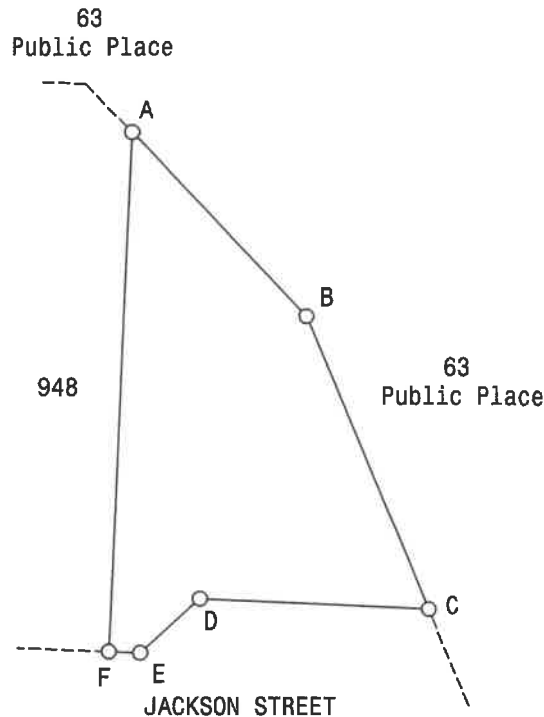
Friedlaender, Burger & Volkmann - Land Surveyors

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES System WG 19°		S.G. No.
		Y	X	
Constants :		0,00	0,00	Approved.  for Surveyor - General Date :
A B	14,03	316 48 20	A +4 876,26 +3 753 851,40	
B C	17,58	337 33 20	B +4 866,66 +3 753 861,63	
C D	12,59	92 33 20	C +4 859,94 +3 753 877,88	
D E	4,45	47 33 20	D +4 872,52 +3 753 877,31	
E F	1,74	92 32 20	E +4 875,81 +3 753 880,32	
F A	28,87	182 33 20	F +4 877,55 +3 753 880,24	

493	JOUBERT	△	+5 744,28	+3 751 959,02
66	STEL 8	△	+7 021,78	+3 756 541,33

Beacon Descriptions

B C ..... 12mm Drill hole in concrete  
 All other beacons ..... 12mm Iron peg



SCALE 1 : 400

The figure ABCDEF represents 279 square metres of land, being

**ERF 947 (PORTION OF ERF 84) KYLEMORE**

Situate in the Stellenbosch Municipality  
 Administrative District of Stellenbosch  
 Surveyed in June to July 2021  
 by me

*M Stuart-Fox*

Province of Western Cape

PLS 1354 M R Stuart-Fox Pr Land Surveyor

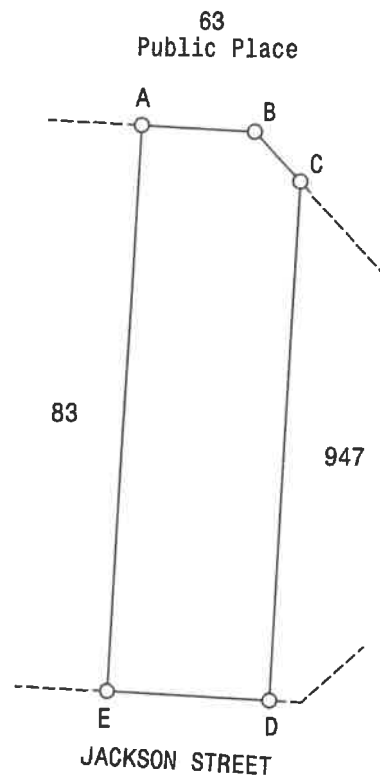
This diagram is annexed to No. Dated i.f.o. Registrar of Deeds	The original diagram is No. 3393/1967 Annexed to D/T 1976- -26286	File No. S.R. No. Comp. BH-8DB/X3 (1484) LPI C0670014
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Friedlaender, Burger & Voikmann - Land Surveyors

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES System WG 19°		S.G. No.	
		Y	X		
Constants :		0,00	0,00	Approved.  for Surveyor - General Date :	
A B	6,30	272 33 20	A +4 885,10		+3 753 848,39
B C	3,74	316 48 20	B +4 878,82		+3 753 848,67
C D	28,87	2 33 20	C +4 876,26		+3 753 851,40
D E	8,97	92 32 20	D +4 877,55		+3 753 880,24
E A	31,48	182 33 20	E +4 886,51		+3 753 879,85
	493 Joubert	△	+5 744,28	+3 751 959,02	
	66 Stel 8	△	+7 021,78	+3 756 541,33	

Beacon Descriptions

A ..... Vibracrete pillar  
 All other beacons ..... 12mm Iron peg



SCALE 1 : 400

The figure ABCDE represents 279 square metres of land, being

**ERF 948 (PORTION OF ERF 84) KYLEMORE**

Situate in the Stellenbosch Municipality  
 Administrative District of Stellenbosch  
 Surveyed in June to July 2021  
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Province of Western Cape

*M Stuart-Fox*

PLS 1354 M R Stuart-Fox Pr Land Surveyor

This diagram is annexed to No. Dated i.f.o. Registrar of Deeds	The original diagram is No. 3393/1967  Annexed to D/T 1976- -26286	File No. S.R. No. Comp. BH-8DB/X3 (1484)  LPI C0670014
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## **APPENDIX 5**

Directorate: Infrastructure Services comments



STELLENBOSCH MUNICIPALITY  
STELLENBOSCH·PNIEL·FRANSCHHOEK

# MEMORANDUM

DIREKTEUR: INGENIEURSDIENSTE  
DIRECTORATE: ENGINEERING SERVICES

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To ▫ Aan: Director: Planning + Economic Development  
Att Aandag Nicole Katts  
From ▫ Van: Tyrone King (Development Services and Project Management)  
Date ▫ Datum: 16 July 2021  
Our Ref ▫ Ons Verw: Lupo 1466  
Your Ref ▫ U Verw: LU 6136  
Re ▫ Insake: Erf 124 Portion 85, Kylemore: Subdivision (Revised application for 2 erven subdivision)

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Details, specifications and information reflected in the following documentation refers:

- Revised Subdivision Plan Nr 20/2020 dated 2021-06-08 by EJS Consultants;
- Sketch plan indicating proposed services received by Nortje & De Villiers Raadgewende Ingenieurs Mon 2021/07/12 16:28 (**Annexure A**)

**This Memo supercedes the one dated 13 September 2017.**

The proposed subdivision is recommended for approval, subject to the following conditions:

**1. Waste Water and Sewage**

- 1.1 Each erf must have its own sewer connection before subdivision clearance can be issued.
- 1.2 The sewer connection layout to be generally in accordance with the Site Layout Plan (**Annexure A**).

- 1.3 The consulting engineer (or another ECSA professionally registered Engineer) who prepared the conceptual drawings must submit a formal detail engineering drawing for approval before installation commences.
- 1.4 Once the engineering drawing has been approved, a quotation for the sewer connection inspection can be provided by the Water Services Department.
- 1.5 Installation must be done by a suitable Contractor appointed by the Owner. The cost of the installation of the sewer connection is for the account of the Owner.

## **2. Water**

- 2.1 Each erf must have its own water connection before subdivision clearance can be issued.
- 2.2 The water connection layout to be generally in accordance with the Site Layout Plan **(Annexure A)**.
- 2.3 The consulting engineer (or another ECSA professionally registered Engineer) who prepared the conceptual drawings must submit a formal detail engineering drawing for approval before installation commences.
- 2.4 Installation of the water connections are normally done by the Municipality. Once the engineering drawing has been approved, the cost of the installation of the water connections is for the account of the applicant. A quotation for the installation of the water connection can be provided by the Water Services Department Tanya Carstens – 021 808 8209.
- 2.5 Please note that an existing 75mm municipal water line is located inside the private erven (in the building line). Therefore no future application for construction in the building line will be supported.

## **3. Roads**

- 3.1 Each erf must have its own access to a public/private street.
- 3.2 The cost of the installation of the access is for the account of the applicant.
- 3.3 The existing access road to the property (Jackson Street) is a gravel road. According to the engineering report the current access is sufficient and should the Developer require a permanent surface prior to the Municipality's planning thereof, it must be implemented at the Developer's cost.

**4. Development Charges (DCs)**

4.1 The following DC's are payable: See **Annexure DCs**.

4.2 The DC's were calculated by using the 2021/22 tariff structure. If DC's are paid after 30 June 2022 it will have to be recalculated by using the tariff structure applicable at date of payment.

4.3 The appropriate DC's are payable before subdivision clearance can be issued.

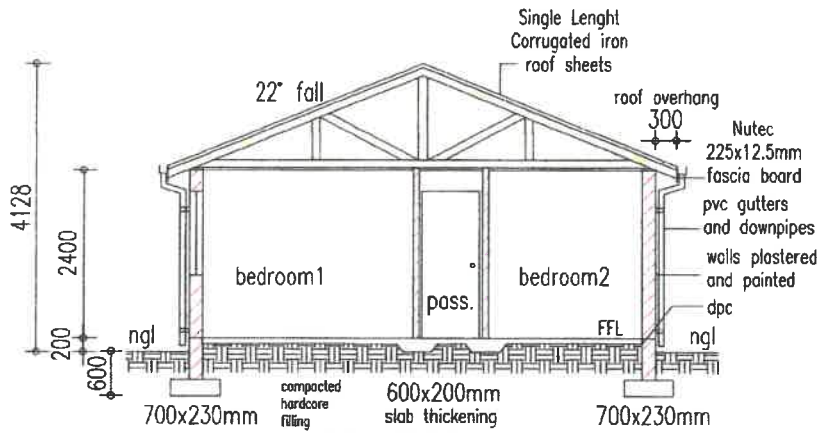


**TYRONE KING Pr Tech Eng**

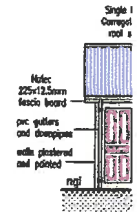
**HEAD: DEVELOPMENT SERVICES AND PROJECT MANAGEMENT (ENGINEERING SERVICES)**

W:\2.0 DEVELOPMENT\00 Developments\1466 - Erf 124 Pt 85 - Kylemore (LU 6136) (New erf no 84)\Revised application 2021\1466 - Erf 124 Pt 85 - Kylemore\_2.doc

# ANNEXURE A - PROPOSED SERVICES LAYOUT



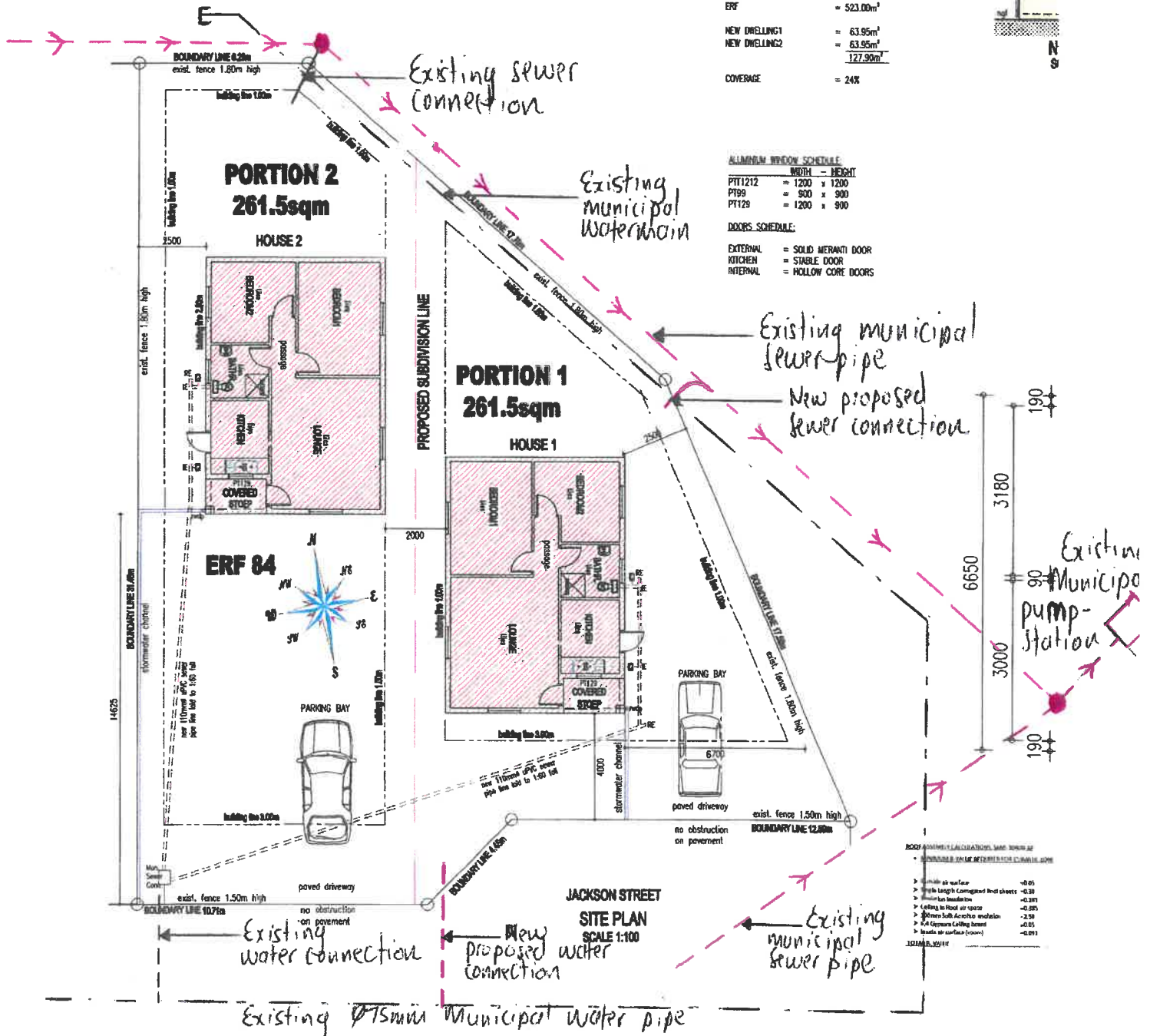
**SECTION A-A**  
SCALE 1:50



ERF	= 521.00m <sup>2</sup>
NEW DWELLING1	= 63.95m <sup>2</sup>
NEW DWELLING2	= 63.95m <sup>2</sup>
	<b>127.90m<sup>2</sup></b>
COVERAGE	= 24%

ALUMINIUM WINDOW SCHEDULE	
WIDTH	HEIGHT
P11212	= 1200 x 1200
P1129	= 900 x 900
P1129	= 1200 x 900

DOORS SCHEDULE:	
EXTERNAL	= SOLID MERANTI DOOR
KITCHEN	= STABLE DOOR
INTERNAL	= HOLLOW CORE DOORS



**PORTION 2**  
261.5sqm  
HOUSE 2

**PORTION 1**  
261.5sqm  
HOUSE 1

**ERF 84**

**JACKSON STREET**  
SITE PLAN  
SCALE 1:100

ROOF CONSTRUCTION CALCULATION (BASED ON 20% WIND SPEED)	
Roof Slope	-0.01
Roof Length Corrugated Iron sheets	-0.30
Roof Insulation	-0.30
Ceiling to Floor air space	-0.30
Roof to Ceiling insulation	-0.30
Roof to Ceiling ceiling board	-0.05
Roof to Ceiling air space (room)	-0.01
<b>TOTAL</b>	<b>-0.97</b>

# Stellenbosch Municipality - Development Charge Calculation



## APPLICATION INFORMATION

Application Number	DC 1466 - Erf 124 Pt 85 - Kylemore_2
Date	Friday, 16/Jul/2021
Financial Year	2021/22
Erf Location	Dwarskloof
Erf No	Farm 124 Pt 85
Erf Size (m <sup>2</sup> )	
Suburb	
Applicant	
Approved Building Plan No.	Revised Subdivision Plan Nr 20/2020 dated 2021-06-08 by EIS Consultants;

## SUMMARY OF DC CALCULATION

Unit(s)	Water kl/day	Sewer kl/day	Storm-water ha°C	Solid-Waste t/week	Roads trips/day	Community Facilities person	Totals
Total Increased Services Usage	0.600	0.550	0.018	0.040	4.00	4.0	
Total Development Charges before Deductions	R 12 765.72	R 16 680.99	R 1 755.54	R 1 837.85	R 14 747.82	R 13 418.16	R 61 206.08
Total Deductions							
Total Payable (excluding VAT)	R 12 765.72	R 16 680.99	R 1 755.54	R 1 837.85	R 14 747.82	R 13 418.16	R 61 206.08
VAT	R 1 914.86	R 2 502.15	R 263.33	R 275.68	R 2 212.17	R 2 012.72	R 9 180.91
Total Payable (including VAT)	R 14 680.58	R 19 183.14	R 2 018.87	R 2 113.52	R 16 959.99	R 15 430.89	R 70 386.99

## APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

**Dwarstvier**

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage	Water	Sewer	Development Charge Incentive (incl VAT)			Total
		area (m2)	du/ha % GLA	area (m2)	du/ha % GLA				Storm-water	Solid-Waste	Roads	
Infrastructure Type applicable? (yes/no)												
	du m2 GLA	area (m2)	du/ha % GLA	du/ha % GLA	area (m2)	du/ha % GLA	R	YES	YES	YES	YES	R
Residential	Single Residential >100m2		0	0		0	R	-	-	-	-	R
	Single Residential >60m2	1	0	0		0	R	-17 020.96	-19 713.90	-2 730.84	-14 747.82	R
	Single Residential <250m2		0	0	2	0	R	29 786.68	36 394.89	4 486.38	29 495.63	R
	Single Residential <250m2		0	0		0	R	-	-	-	-	R
	Less Formal Residential >250m2		0	0		0	R	-	-	-	-	R
	Less Formal Residential <250m2		0	0		0	R	-	-	-	-	R
	Group Residential >250m2		0	0		0	R	-	-	-	-	R
	Group Residential <250m2		0	0		0	R	-	-	-	-	R
	Medium Density Residential >250m2		0	0		0	R	-	-	-	-	R
	Medium Density Residential <250m2		0	0		0	R	-	-	-	-	R
Commercial	High Density Residential - flats		0	0		0	R	-	-	-	-	R
	High Density Residential - student rooms		0	0		0	R	-	-	-	-	R
	Local Business - office		0%	0%		0%	R	-	-	-	-	R
	Local Business - retail		0%	0%		0%	R	-	-	-	-	R
	General Business - office		0%	0%		0%	R	-	-	-	-	R
	General Business - retail		0%	0%		0%	R	-	-	-	-	R
	Community		0%	0%		0%	R	-	-	-	-	R
	Education		0%	0%		0%	R	-	-	-	-	R
	Light Industrial		0%	0%		0%	R	-	-	-	-	R
	General Industrial - light		0%	0%		0%	R	-	-	-	-	R
Industrial	Warehousing		0%	0%		0%	R	-	-	-	-	R
	General Industrial - heavy		0%	0%		0%	R	-	-	-	-	R
	Noxious Industrial - heavy		0%	0%		0%	R	-	-	-	-	R
	Resort		0%	0%		0%	R	-	-	-	-	R
	Public Open Space		0%	0%		0%	R	-	-	-	-	R
	Private Open Space		0%	0%		0%	R	-	-	-	-	R
	Natural Environment		0%	0%		0%	R	-	-	-	-	R
	Utility Services		0%	0%		0%	R	-	-	-	-	R
	Public Roads and Parking		0%	0%		0%	R	-	-	-	-	R
	Transport Facility		0%	0%		0%	R	-	-	-	-	R
Special	Unlimited Use		0%	0%		0%	R	-	-	-	-	R
	To be calculated based on equivalent demands											
		0			0							

\*\*\* displays red if not equal to existing area

Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
R12 765.72 0.00% R 0.00	R16 680.99 0.00% R 0.00	R1 755.54 0.00% R 0.00	R1 837.85 0.00% R 0.00	R14 747.82 0.00% R 0.00	13 418.16 0.00% R 0.00	R61 206.08 R 0.00 R 0.00
R12 765.72 R1 914.86 R14 680.58	R16 680.99 R2 502.15 R19 183.14	R1 755.54 R263.33 R2 018.87	R1 837.85 R275.68 R2 113.52	R14 747.82 R2 212.17 R15 959.99	13 418.16 2 012.72 15 430.89	R61 206.08 R9 180.91 R70 386.99

\* Complete yellow/green cells.  
 \*\* du = dwelling unit, GLA=Gross lettable area.  
 Total Development Charges before Deductions  
 % Deductions per service (%)  
 % Deductions per service (amount)  
 Additional Deduction per service - from Service Agreement (sum)  
 VAT  
 Sub Total after Deductions (excluding VAT)  
 Total