



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13914

Our File Reference Number: Erf 896, Kylemore

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 SUBDIVISION AND STREETNUMBERING ON ERF 896, KYLEMORE

1. The above application refers.
2. The duly authorised decision maker hereby decides on the above application as follows.
 - 2.1 That the application for subdivision in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning by-law dated 20 October 2015, in order to subdivide Erf 896, Kylemore into two portions namely;
 - a) Portion 1 ($\pm 434\text{m}^2$) and
 - b) a Remainder ($\pm 434\text{m}^2$) in accordance with subdivision plan no. APS/896_Kyle/SubR2 dated March 2022.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

2.2 Conditions of approval

- i. The approval applies only to the subdivision in question (See **ANNEXURE C**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.
- ii. The development must be undertaken generally in accordance with the subdivision plan referenced as APS/896_Kyle/Sub R2 dated March 2022 and attached as Annexure C.
- iii. Endorsed Erf diagrams must be submitted to the municipality for record purposes together with the request for clearances certificates.

- iv. It is the responsibility of the applicant to inform external departments of the new street numbering, such as 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.
- v. Each erf must have its own water & sewer connection and water meter installed.
- vi. Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to building plans being submitted.

2.3 The reasons for the above decision are as follows:

- 2.3.1 The proposal presents a moderate form of densification within an urban edge, which is promoted by the Stellenbosch Municipal Spatial Development Framework.
- 2.3.2 The proposed new land unit sizes are not out of character with the current surrounding properties sizes, it will therefore will not compromise the existing residential character of the surrounding area.
- 2.3.3 Sufficient services and safe access could be provided to the proposed land units.

3. Matters to be noted:

- 3.1 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.
- 3.2 Installation must be done by a suitable contractor appointed by the owner of the subject property. The cost of the installation of the water & sewer connection is for the account of the owner.
- 3.3 Once the subdivision is formally approved, the Municipality can be contacted to install the water connections.
- 3.4 Once the subdivision is formally approved. The engineers drawing indicating the new sewer layout and connection point must be submitted for approval.
- 3.5 No clearance certificate will be issued unless the Water Services Department has confirmed in writing that the sewer connection has been installed to their satisfaction.

4. Application wording for additional matters to be noted

- a) The decision maker is delegated to simultaneously approve new street numbering together with a subdivision plan.
- b) No separate delegation is required to approve new street numbering together with a subdivision application.

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:
 - 6.1 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
 - 6.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.
 - 6.3 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.
 - 6.4 Whether the appeal is lodged against the whole decision or a part of the decision.
 - 6.5 If the appeal is lodged against a part of the decision, a description of the part.
 - 6.6 If the appeal is lodged against a condition of approval, a description of the condition.
 - 6.7 The factual or legal findings that the appellant relies on.
 - 6.8 The relief sought by the appellant.
 - 6.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision
 - 6.10 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

- iv. It is the responsibility of the applicant to inform external departments of the new street numbering, such as 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.
- v. Each erf must have its own water & sewer connection and water meter installed.
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- 2.3.3 Sufficient services and safe access could be provided to the proposed land units.

3. Matters to be noted:

- 3.1 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.
- 3.2 Installation must be done by a suitable contractor appointed by the owner of the subject property. The cost of the installation of the water & sewer connection is for the account of the owner.
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 - 6.7 The factual or legal findings that the appellant relies on.
 - 6.8 The relief sought by the appellant.
 - 6.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision
 - 6.10 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.
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.
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 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.
10. 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.
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 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

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

26/4/2023
DATE:

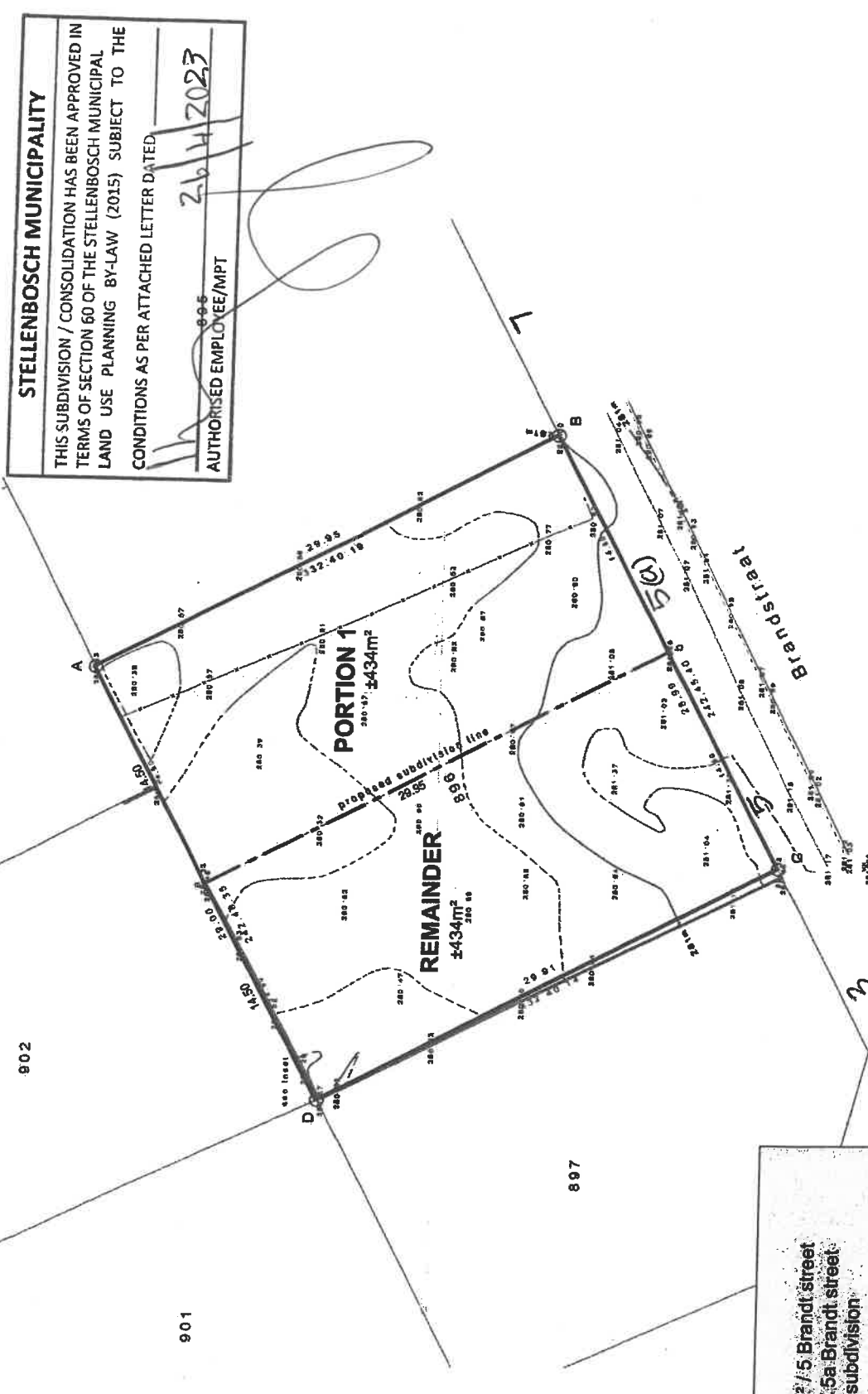
Annexure C: Subdivision Plan

Subdivision Proposal: Erf 896, Kylemore

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: 26/4/2023

[Signature]
AUTHORISED EMPLOYEE/MPT



Key:

Remainder: 434m² / 5 Brandt street

Portion 1: 434m² / 5a Brandt street

--- Line of subdivision

Zoning: Conventional Residential zone

DATE: MARCH 2022

REF NO: AFS/896_Kyle/Sub R2

SCALE 1:250

[REDACTED]

[REDACTED]

[REDACTED]