



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15874 (TP427/2023)

Our File Reference Number: Farm 510/702, Jamestown

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 DEPARTURE IN TERMS OF SECTION 15(2)(B) OF THE STELLENBOSCH MUNICIPALITY BY-LAW ON MUNICIPAL LAND USE PLANNING 2023 FOR A PERMANENT DEPARTURE ON FARM NO. 510/702, STELLENBOSCH DIVISION (JAMESTOWN)

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

2.1 That the application in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning 2023 for a permanent departure to relax the western common building line from 5m to 1m and the eastern common building line from 5m to 3.8m to permit the proposed dwellings on Farm No. 510/702, Stellenbosch Division;

BE APPROVED in terms of Section 60 of the said Bylaw.

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

2.2.1 The approval only applies to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Stellenbosch Municipality or other legislation or By-Laws or Regulations that may be applicable.

2.2.2 The development must be undertaken generally in accordance with the referenced Site/Roof Plan with Drawing No. 17639-M101, Ground & 1st Floor Plans

with Drawing No. 17639-M201, Sections A & B Plan with Drawing No. 17639-M301, Sections C & D Plan with Drawing No. 17639-M302, and Elevations Plan with Drawing No. 17639-M303, all drawn by Lotz-Smith Architecture-Interior Design and dated 17/03/2023, attached as **Annexure B**

2.2.3 Building plans must be generally in accordance with the referenced Site/Roof Plan with Drawing No. 17639-M101, Ground & 1st Floor Plans with Drawing No. 17639-M201, Sections A & B Plan with Drawing No. 17639-M301, Sections C & D Plan with Drawing No. 17639-M302, and Elevations Plan with Drawing No. 17639-M303, all drawn by Lotz-Smith Architecture-Interior Design and dated 17/03/2023, attached as **Annexure B**.

2.3 The reasons for the above decision are as follow:

2.3.1 The proposed encroachment of the building lines will not detract from the agricultural character of the area, and the placement of the proposed buildings will not restrict access or vehicular movement on the property.

2.3.2 The adjoining property owners' consents have been obtained.

3. 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.

4. 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:

4.1 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

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

4.3 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.

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

4.5 If the appeal is lodged against a part of the decision, a description of the part.

4.6 If the appeal is lodged against a condition of approval, a description of the condition.

4.7 The factual or legal findings that the appellant relies on.

4.8 The relief sought by the appellant.

4.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

4.10 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.

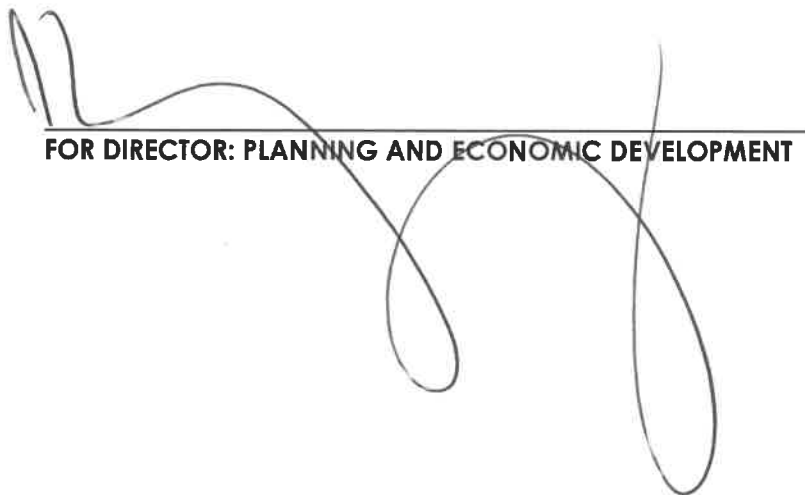
- 5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@ Stellenbosch.gov.za
- 6. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved 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.
- 7. 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
- 8. 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.

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

10. 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 large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned over the printed text.

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

20/9/2023
DATE:

ROOF TYPE 01:

PITCH ROOF CONSTRUCTION (SANS 10400, PART 1)
Pitch roof construction (35° pitch) Concealed fox roof sheeting (colour TBC) to be installed as per supplier and/or manufacturer specification and detail on treated SABS approved 75 x 50mm SA pine timber battens at max. 1200 Centres as per manufacturer specification, onto SABS approved superior double radiant barrier underlay on SABS Approved treated SA pine prefabricated engineered roof Trusses/ Rafters. Trusses/ Rafters to be strapped down to 38x114mm treated SA pine wallplate tied down with 2 strands of 4mm galv. Wire roof anchors taken 4 courses into brickwork, all to engineers specifications and details.

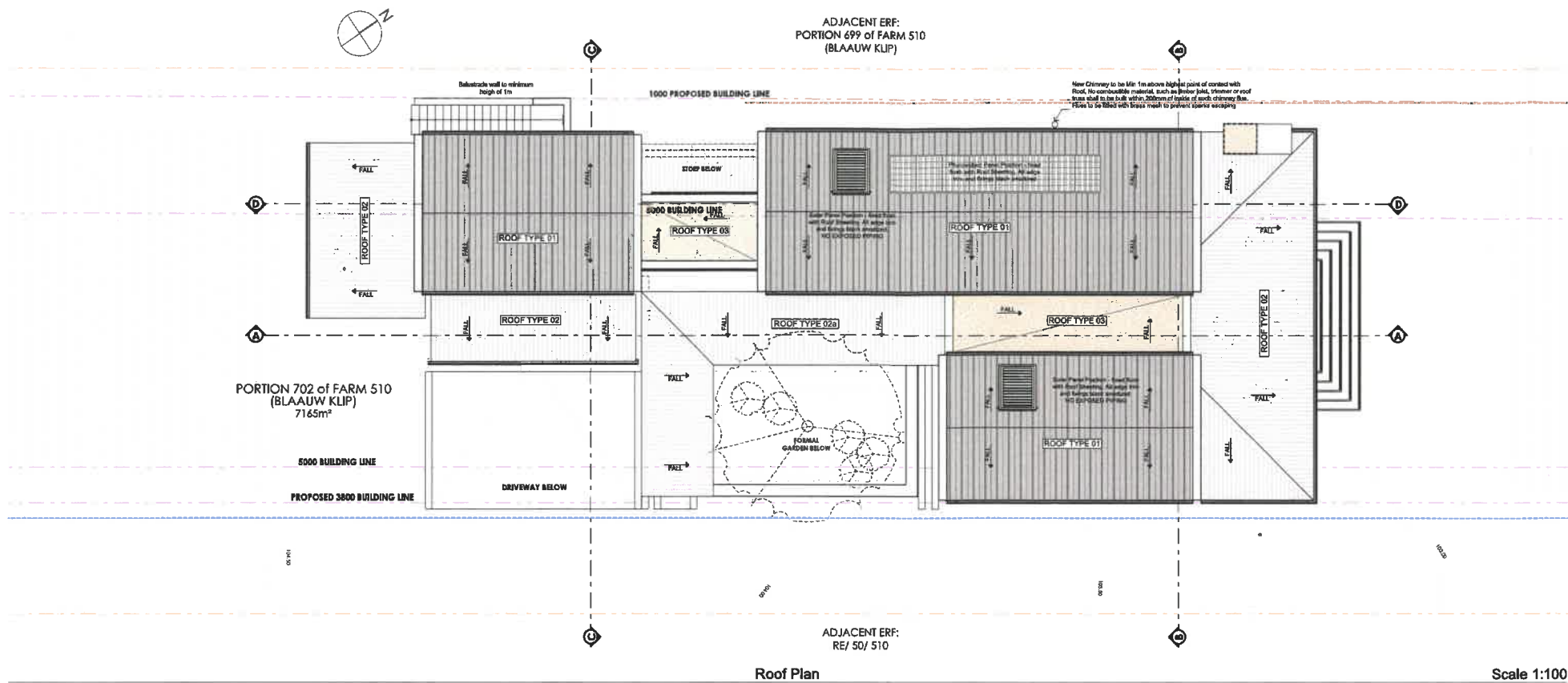
Ceilings: refer to ceiling specifications elsewhere

ROOF TYPE 02/ 02a:

PITCH ROOF CONSTRUCTION (SANS 10400, PART 1)
Pitch roof construction (7° 1.5° pitch) Concealed fox roof sheeting (colour TBC) to be installed as per supplier and/or manufacturer specification and detail on treated SABS approved 75 x 50mm SA pine timber battens at max. 1200 Centres as per manufacturer specification, onto SABS approved superior double radiant barrier underlay on SABS Approved treated SA pine prefabricated engineered roof Trusses/ Rafters. Rafters to be strapped down to 38x114mm treated SA pine wallplate tied down with 2 strands of 4mm galv. Wire roof anchors taken 4 courses into brickwork, all to engineers specifications and details.

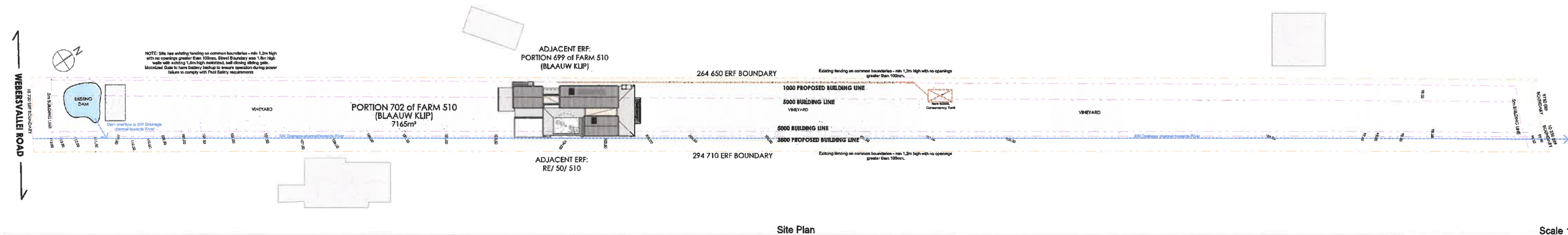
ROOF TYPE 03:

CONCRETE ROOF CONSTRUCTION (SANS 10400, PART 1)
13mm nominal granite gravel crushed laid to a thickness of 50mm on "BEDIM" or similar approved geotextile membrane on 80mm thick isoboard insulation with tongue and groove profile on form-on waterproofing system or similar approved spray on water proofing by approved applicator on min. 170mm or 200mm thick concrete slab with min. 25mm thick, 40mpa wood trowelled screed with an min. 1:50 to outline as shown. RC roof slab all to engineers specifications and details.



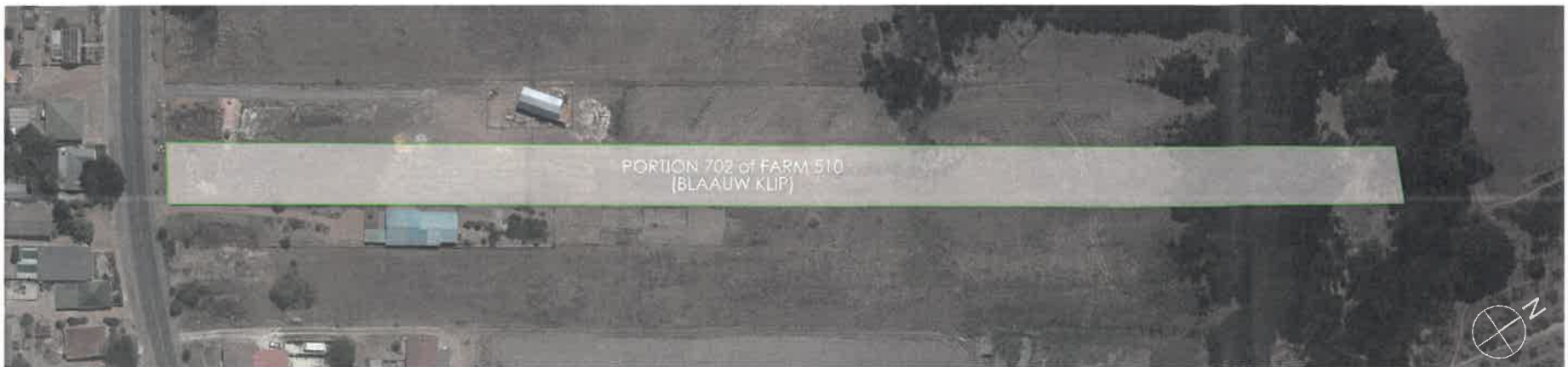
Roof Plan

Scale 1:100



Site Plan

Scale 1:500



LOCALITY PLAN
N.T.S

GENERAL NOTES

THE FOLLOWING NOTES ARE TO BE READ IN CONJUNCTION WITH THE CONSTRUCTION DOCUMENTS:

1. Architect & Engineer's drawings to be read in conjunction with each other.
2. All construction to take place in strict accordance with SANS 10400 standard code of practice.
3. All dimensions to be checked on site. No work is to be taken in hand before measurements are checked on site.
4. Do not scale plans.
5. Setting out: setting out is the responsibility of the main contractor. A "setting out certificate" by a registered professional land surveyor is to be issued to the principal agent by the main contractor. This certificate should state that the set out was done with coordinates. The land surveyor should also be present at the site handover to indicate the set points.
6. Earthing and lightning protection. Please note on all projects where there is no electrical engineer at time of tendering, the quantity surveyor should include a provisional amount in the bill of quantities for earthing and lightning protection of your building.
7. Any discrepancy between engineering and architectural drawings or specifications is to be reported to the architect immediately.
8. Appointment for earthing to be done before foundations have been cast. The appointment should be done right after site handover.
9. Note when costing without an electrical engineer: please make sure, that the electrician will install the surge protection at the Distribution boards in accordance with the latest SANS codes of practice 10199 (2010) and 10113 (2011) in conjunction with SANS 62325-1-3:2011 and IEC 62325-1-3:2011. The electrician can also install the surge protection to the Distribution Boards if required, this would require additional cost.
10. A minimum of 2 garden taps to be provided, one on each side of the building unless otherwise specified, by the architect.
11. Any dimensional error or incorrect or incomplete specification is to be reported to the architect immediately.
12. Any discrepancy between the drawings and the bill of quantities must be reported to the architect immediately.
13. All construction to take place in strict accordance with the relevant municipal regulations.
14. No finishes to be taken in hand without prior approval of a sample of adequate size.
15. All installations in strict accordance with manufacturer's specifications.
16. Contractor must verify all levels and dimensions on site before commencing work or making any shop drawings. All shop drawings to be approved by the architect before any manufacturing takes place.
17. Any discrepancies and or errors to be reported to architect.

DESIGN RESPONSIBILITY:

1. The Contractor may not assume design responsibility without the prior written approval of the Architect.
2. Any variation order resulting from the above is to be documented by means of an Architect's Instruction.
3. In all aspects pertaining to structures the Engineer's specifications take precedence.

DOCUMENT VARIATIONS REGISTER:

REV	DATE	DESCRIPTION
1	2023-03-17	CHRONIC CONSTRUCTION

COUNCIL SUBMISSION

DRAWING TITLE

SITE/ ROOF PLAN

DATE	DRAWN	SCALE
2023-03-17	L.S.A	AS SHOWN

DRAWING N°	REVISION
17639-M101	-

all dimensions to be verified on site before construction commences
any discrepancies to be brought to the attention of the architect



PROJECT

HOUSE VAN NIEKERK
PORTION 702 of FARM 510 (BLAAUW KLIP)
JAMESTOWN

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AREAS:

SITE:	7195m²
GROUND FLOOR	
Ground Floor:	144.7m²
Double Garage:	60m²
Covered Car Port:	21.6m²
Covered Entrance:	37m²
Covered Shop:	6.8m²
Covered Patio:	58.7m²
Total Ground Floor Coverage:	328.8m² =5.2%
FIRST FLOOR	
First Floor:	171.3m² excluding stairs
TOTAL BUILT STRUCTURE:	374m²

ROOF TYPE 01:

PITCH ROOF CONSTRUCTION (SANS 10400, PART 1)
Pitch roof construction: (35° pitch) Concealed fix roof sheeting (colour TBC) to be installed as per supplier and/or manufacturer's specification and detail on treated SABS approved 75 x 50mm SA pine timber battens at max. 1200 Centres as per manufacturer's specification, onto SABS approved superior double radiant barrier underlayment on SABS Approved treated SA pine prefabricated engineered roof Trusses/ Rafters. Trusses/ Rafters to be strapped down to 38x114mm treated SA pine wallplate tied down with 2 strands of 4mm galv. Wire roof anchors taken 4 courses into brickwork, all to engineers specifications and details.

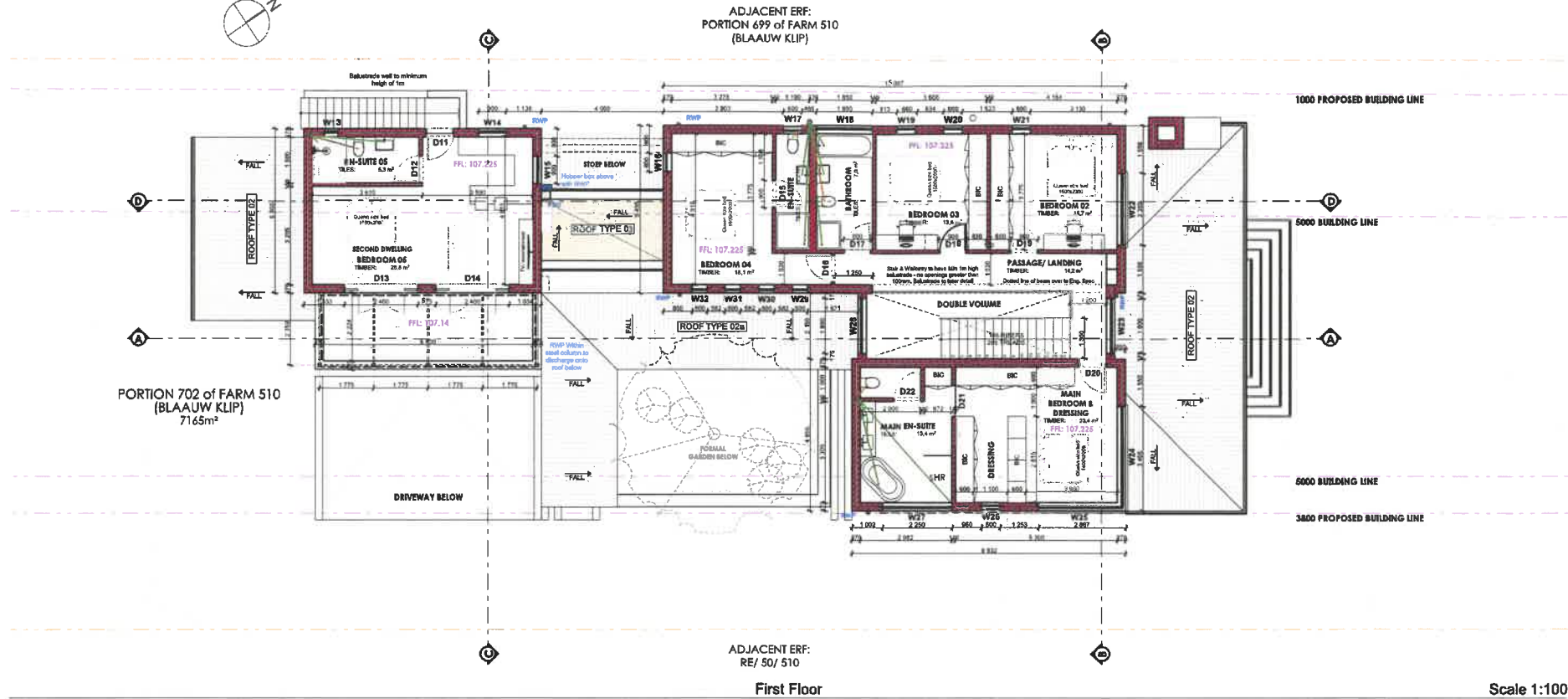
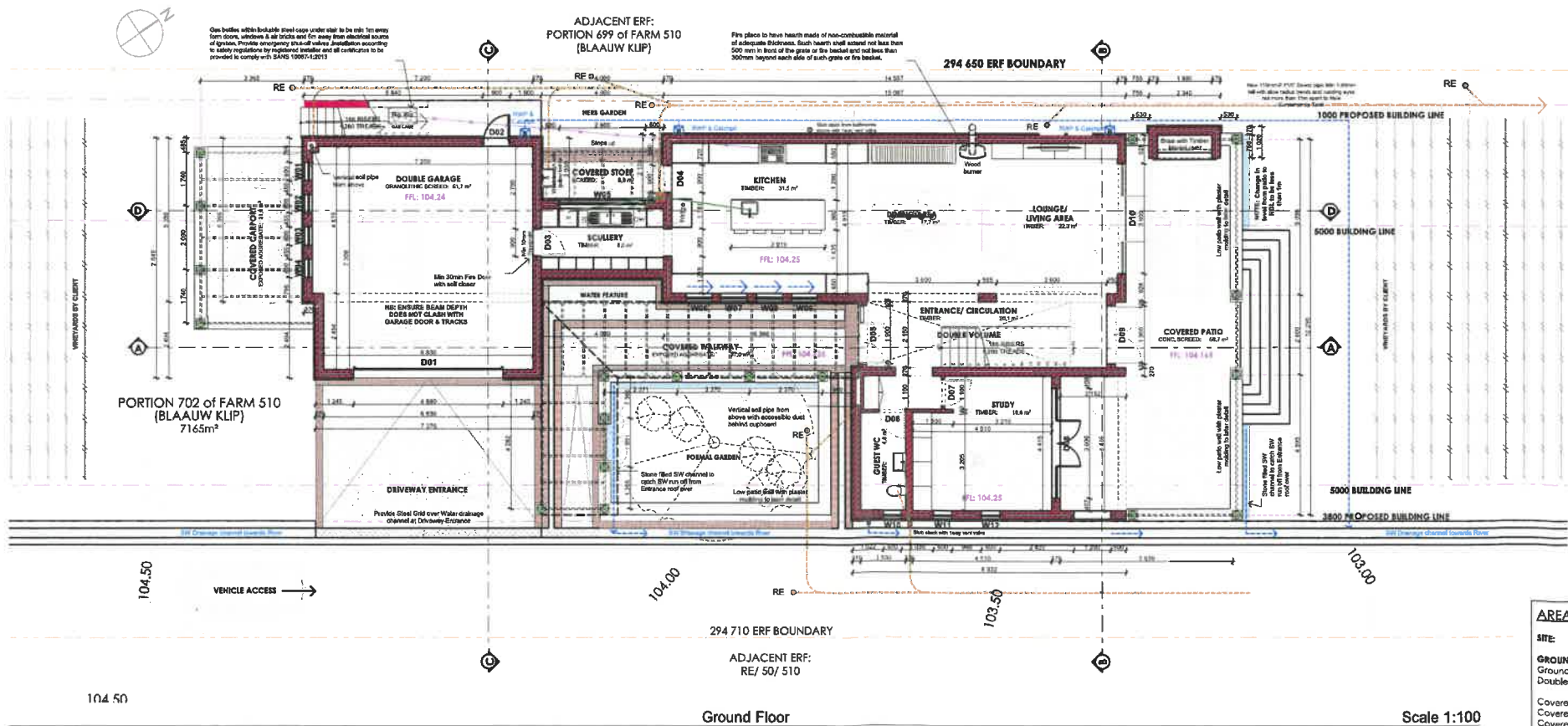
Ceilings: refer to ceiling specifications elsewhere

ROOF TYPE 02/ 02a:

PITCH ROOF CONSTRUCTION (SANS 10400, PART 1)
Pitch roof construction: (7° 15' pitch) Concealed fix roof sheeting (colour TBC) to be installed as per supplier and/or manufacturer's specification and detail on treated SABS approved 75 x 50mm SA pine timber battens at max. 1200 Centres as per manufacturer's specification, onto SABS approved superior double radiant barrier underlayment on SABS Approved treated SA pine prefabricated engineered roof Trusses/ Rafters. Trusses/ Rafters to be strapped down to 38x114mm treated SA pine wallplate tied down with 2 strands of 4mm galv. Wire roof anchors taken 4 courses into brickwork, all to engineers specifications and details.

ROOF TYPE 03:

CONCRETE ROOF CONSTRUCTION (SANS 10400, PART 1)
13mm nominal granitic gravel crushed laid to a thickness of 50mm on "BED" or similar approved geotextile membrane on 80mm thick isoboard insulation with tongue and groove profile on torch-on waterproofing system or similar approved spray on water proofing by approved applicator on min. 170mm or 200mm thick concrete slab with min. 25mm thick, 40mm spaced rebar with an min. 150 to outlets as shown. RC roof also all to engineers specifications and details



GENERAL NOTES

THE FOLLOWING NOTES ARE TO BE READ IN CONJUNCTION WITH THE CONSTRUCTION DOCUMENTS:

1. Architect & Engineer's drawings to be read in conjunction with each other.
2. All construction to be checked on site. No work is to be taken in hand before measurements are checked on site.
3. Do not scale plans.
4. Setting out: setting out is the responsibility of the main contractor. A "setting out certificate" by a registered professional land surveyor is to be issued to the project agent by the main contractor. This certificate should state that the set out was done with coordinates. The land surveyor should also be present at the site handover to indicate the set points.
5. Earthing and lightning protection. Please note on all projects where there is no electrical engineer at time of tendering, the quantity surveyor should include a provisional amount in the bill of quantities for earthing and lightning protection of your building.
6. Any discrepancy between engineering and architectural drawings or specifications is to be reported to the architect immediately.
7. Appointment for building to be done before foundations have been cast. The appointment should be done right after site handover.
8. Note when costing without an electrical engineer: please make sure, that the electrician will install the surge protection at the Distribution boards in accordance with the latest SANS codes of practice (10199 (2010) and 10133 (2011) in conjunction with SANS 62205-1:2011 and sec 62205-1:2011. The electrician can also install the surge protection to the Distribution Boards if required, this would require additional cost.
9. A minimum of 2 garden taps to be provided, one on each side of the building unless otherwise specified, by the architect.
10. Any dimensional error or incorrect or incomplete specification is to be reported to the architect immediately.
11. Any discrepancy between the drawings and the bill of quantities must be reported to the architect immediately.
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1. The Contractor may not assume design responsibility without the prior written approval of the Architect.
2. Any variation order resulting from the above is to be documented by means of an Architect's instruction.
3. In all aspects pertaining to structure the Engineer's specifications take precedence.

DOCUMENT VARIATIONS REGISTER:

REV	DATE	DESCRIPTION
1	2023-03-17	CONTRACT SUBMISSION

COUNCIL SUBMISSION

DRAWING TITLE
GROUND & 1ST FLOOR PLANS

DATE
2023-03-17

DRAWN
L.S.A

SCALE
AS SHOWN

DRAWING N°
17639-M201

REVISION
-

all dimensions to be verified on site before construction commences
any discrepancies to be brought to the attention of the architect

LOTZ-Smith
architecture-interior design

PROJECT
HOUSE VAN NIEKERK
PORTION 702 of FARM 510 (BLAAUW KLIP)
JAMESTOWN

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AREAS:	
SITE:	7195m²
GROUND FLOOR:	
Ground Floor:	144,7m²
Double Garage:	40m²
Covered Car Port:	21,6m²
Covered Entrance:	37m²
Covered Slope:	6,5m²
Covered Patio:	58,7m²
Total Ground Floor Coverage:	328,8m² =5,2%
FIRST FLOOR:	
First Floor:	171,3m² excluding stair
TOTAL BUILT STRUCTURE:	374m²

GENERAL NOTES

THE FOLLOWING NOTES ARE TO BE READ IN CONJUNCTION WITH THE CONSTRUCTION DOCUMENTS:

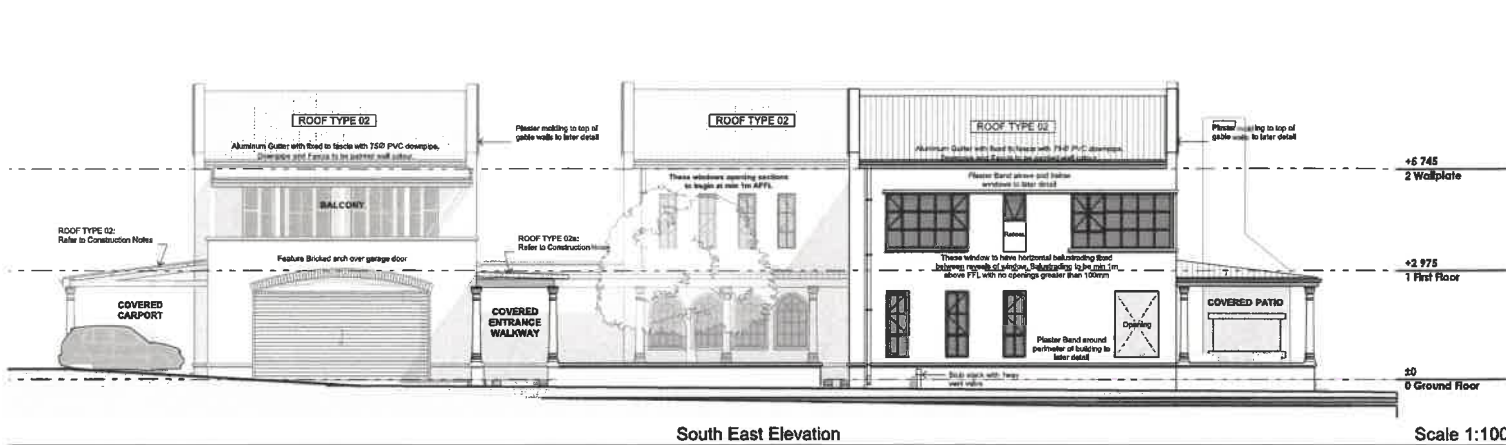
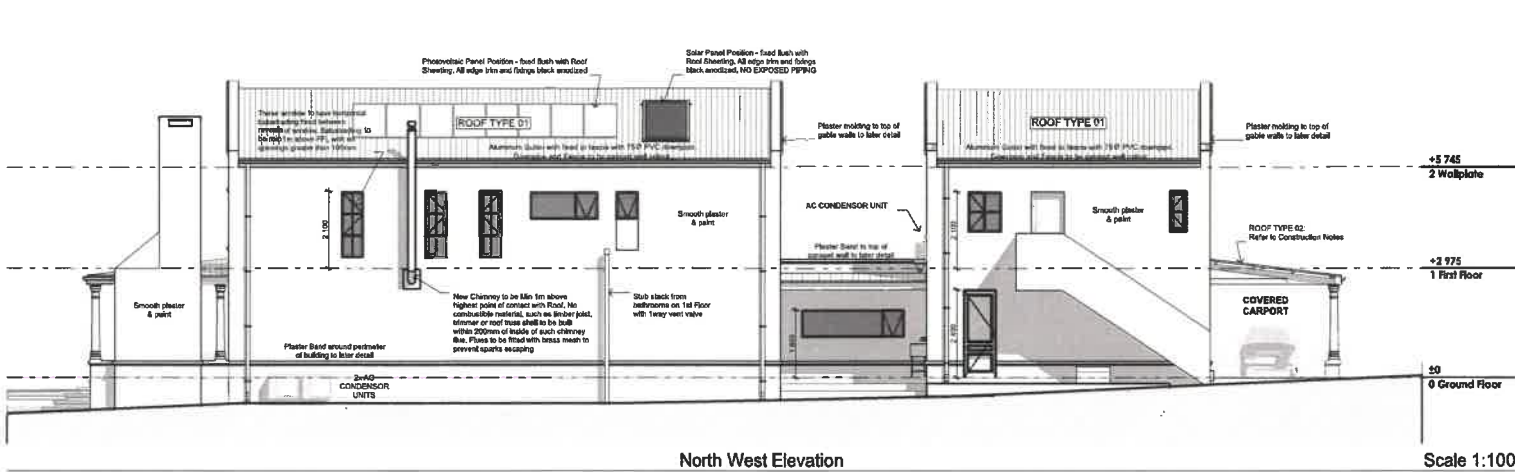
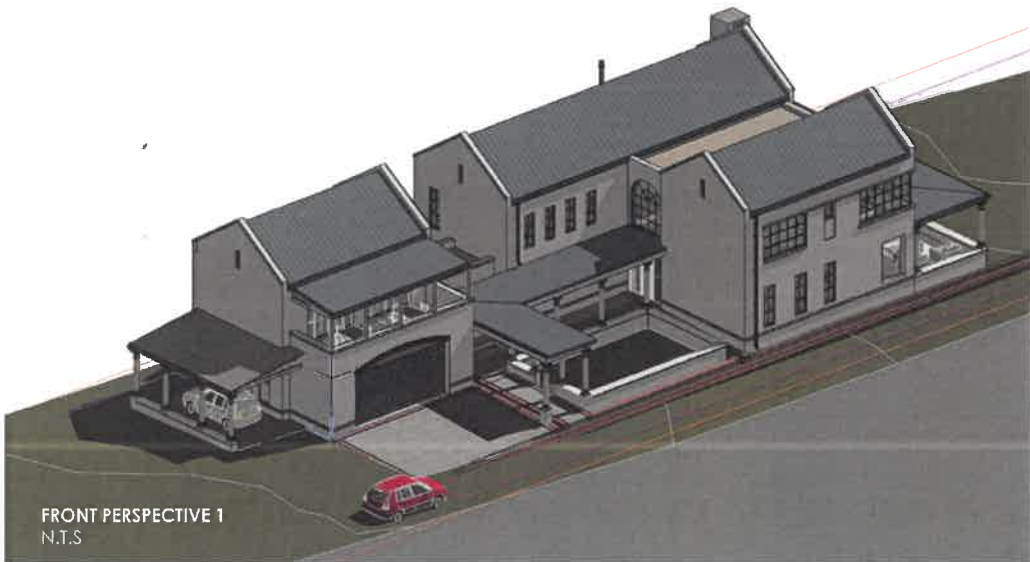
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8. Appointment for earthing to be done before foundations have been cast. The appointment should be done right after site handover.
9. Note when casting without an electrical engineer: please make sure that the electrician will install the surge protection at the Distribution boards in accordance with the latest SANS codes of practice 10189 (2010) and 10113 (2011) in conjunction with SANS 62035-2-2:2011 and IEC 62305-1:2004-2:2011. The electrician can also install the surge protection to the Distribution Boards if required, this would require additional cost.
10. A minimum of 2 garden taps to be provided, one on each side of the building unless otherwise specified, by the architect.
11. Any dimensional error or inaccuracy or incomplete specification is to be reported to the architect immediately.
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DOCUMENT VARIATIONS REGISTER:

REV	DATE	DESCRIPTION
1	2023-03-17	CONSTRUCTION DOCUMENT



COUNCIL SUBMISSION

DRAWING TITLE
ELEVATIONS

DATE	DRAWN	SCALE
2023-03-17	L.S.A	AS SHOWN
DRAWING N°		REVISION
17639-M303		-

all dimensions to be verified on site before construction commences
any discrepancies to be brought to the attention of the architect



PROJECT
HOUSE VAN NIEKERK
PORTION 702 of FARM 510 (BLAAUW KLIP)
JAMESTOWN
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