STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13918
Our File Reference Number: Erf 16442, Stellenbosch
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 AMENDMENT OF A CONDITION OF APPROVAL TO AMEND AN APPROVED SITE DEVELOPMENT PLAN ON ERF 16442 STELLENBOSCH.

1. The above application refers.

2. The duly authorised decision maker hereby decides on the above application as follows.

3. 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 Erf 16442, Stellenbosch, namely;

   3.1. **Amendment of condition of approval** in terms of Section 15 (2)(h) of the said by-law to amend an approved site development plan on Erf 16442 Stellenbosch in order to accommodate the additional apartment on the third floor,

BE APPROVED in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.

4. Conditions of Approval:
   4.1. The approval applies only to the proposed application under consideration as indicated on Site Development Plan No:3584/C/101, 201, 202, 203, 204, 205 drawn by TV3 Architects and Town Planners, dated 2023/04/12 (See **Annexure A**); and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

   4.2. 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;

   4.3. The development must be undertaken in accordance with Site Development Plan No:3584/C/101, 201, 202, 203, 204, 205 drawn by TV3 Architects and Town Planners, dated 2023/04/12 (See **Annexure A**) to this report.

   4.4. Building plans must be submitted in accordance with the site plan, and be approved by this Municipality, prior to any building work commencing on site.

4.5. Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.

5. The reasons for the above decision are as follows:

5.1. The proposed amendment on the SDP only entails internal design changes, and the changes are in line with Stellenbosch Municipality Zoning Scheme By-law.

5.2. These land uses will be contained in the development envelope already approved.

5.3. All other land use parameters will still be complied with as initially approved.

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 201be 5, 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.
(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 and 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

T: +27 21 808 8111 • F: +27 21 886 6899
Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

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.

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 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.

11. 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.

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 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,

SENIOR MANAGER: DEVELOPMENT MANAGEMENT
DATE: 21/4/2023

T: +27 21 808 8111 • F: +27 21 886 6899
Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
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ANNEXURE A: SITE DEVELOPMENT PLAN

DEVELOPMENT PARAMETERS:
(According to Stellenbosch Zoning Scheme Regulations)

ERF SIZE	= 2589 m²
Current Zoning	= Mixed-Use
Building Occupancy	= H3
Bulk as per approved SDP	TOTAL = 5683.2 m²
Proposed Bulk	TOTAL = 4857.0 m²

Permissable Coverage:

GF	= 85%
FF	= 70%
SF	= 70%
TF	= 50%

Proposed Coverage:

GF	= 2200 m² (84%)
FF	= 1815 m² (70%)
SF	= 1765 m² (68%)
TF	= 835 m² (30%)

Permissible Height	= 5 storeys with boundary line setbacks above 10m per SDP
Building Lines	= 0m
Parking Required	= 114 Bays (70 apartments & GF retail)
Parking Provided	= 120 Bays

PARKING CALCULATIONS:

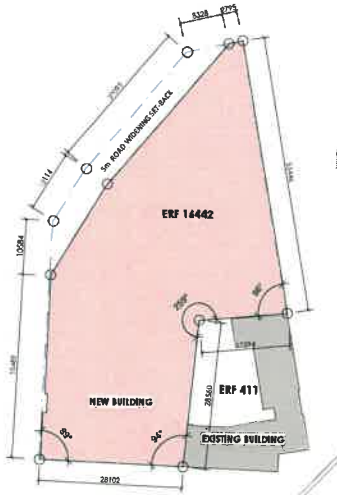
Parking Required:

1.5 bays x 44 apartments (1 & 2bed)	= 66 bays
1.75 bays x 16 apartments (3bed)	= 28 bays
2 bays x 10 apartments (4 bed):	= 20 bays
1 bays for 150m² of GLA = 06 bays	
TOTAL	**= 120 BAYS**

Parking Provided:

Basement Level	= 72 bays
Ground Floor	= 39 bays
+ 18 x Bicycle bays	= 3 bays
+ 24 x Motorcycle bays	= 6 bays
TOTAL	**= 120 BAYS**

NOTE: 12 bays on ERF 411 & 1 tandem bay @ BF excluded.



ERF DIAGRAM
SCALE 1 : 500

Area Schedule ('Bulk/Floor Area')		
Level	Name	Area
GROUND FLOOR	Area	750 m²
FIRST FLOOR	Area	1796 m²
SECOND FLOOR	Area	~~1668 m²~~
THIRD FLOOR	Area	708 m²
		4922 m²

RCP GROUND FLOOR
SCALE 1 : 750

RCP FIRST FLOOR
SCALE 1 : 750

RCP SECOND FLOOR
SCALE 1 : 750

RCP THIRD FLOOR
SCALE 1 : 750

SITE DEVELOPMENT PLAN
SCALE 1 : 200

ORIGINAL DOCUMENT DATE: DATE
DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION
A	2023 04 22	ADDITIONAL UNIT ADDED TO 3RD FLOOR

ENGINEERING SERVICES & NOTES:
For all external services - refer to Civil Engineers Drawings.
For all Wet Services - refer to Wet Services Engineers Drawings.
For all mechanical equipment - refer to Mechanical Engineers Drawings.
For all fire equipement & espcae routes - refer to Fire Consulatants Drawings.

DRAWING STATUS CODES:
A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO • CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON SITE BUILDING SITE BEFORE WORK COMMENCES • FIGURED DIMENSIONS AND LARGE SCALE DETAIL TAKES PREFERENCE OVER SCALED DIMENSIONS • REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS • THE DESIGN AND DETAIL ON THIS DRAWING IS THE PROPERTY OF TV3 ARCHITECTS AND TOWN PLANNERS (PTY) LTD, AND COPYRIGHT IS RESERVED.

PROJECT DESCRIPTION:
ERF 16442 STELLENBOSCH
NEW APARTMENT BUILDING

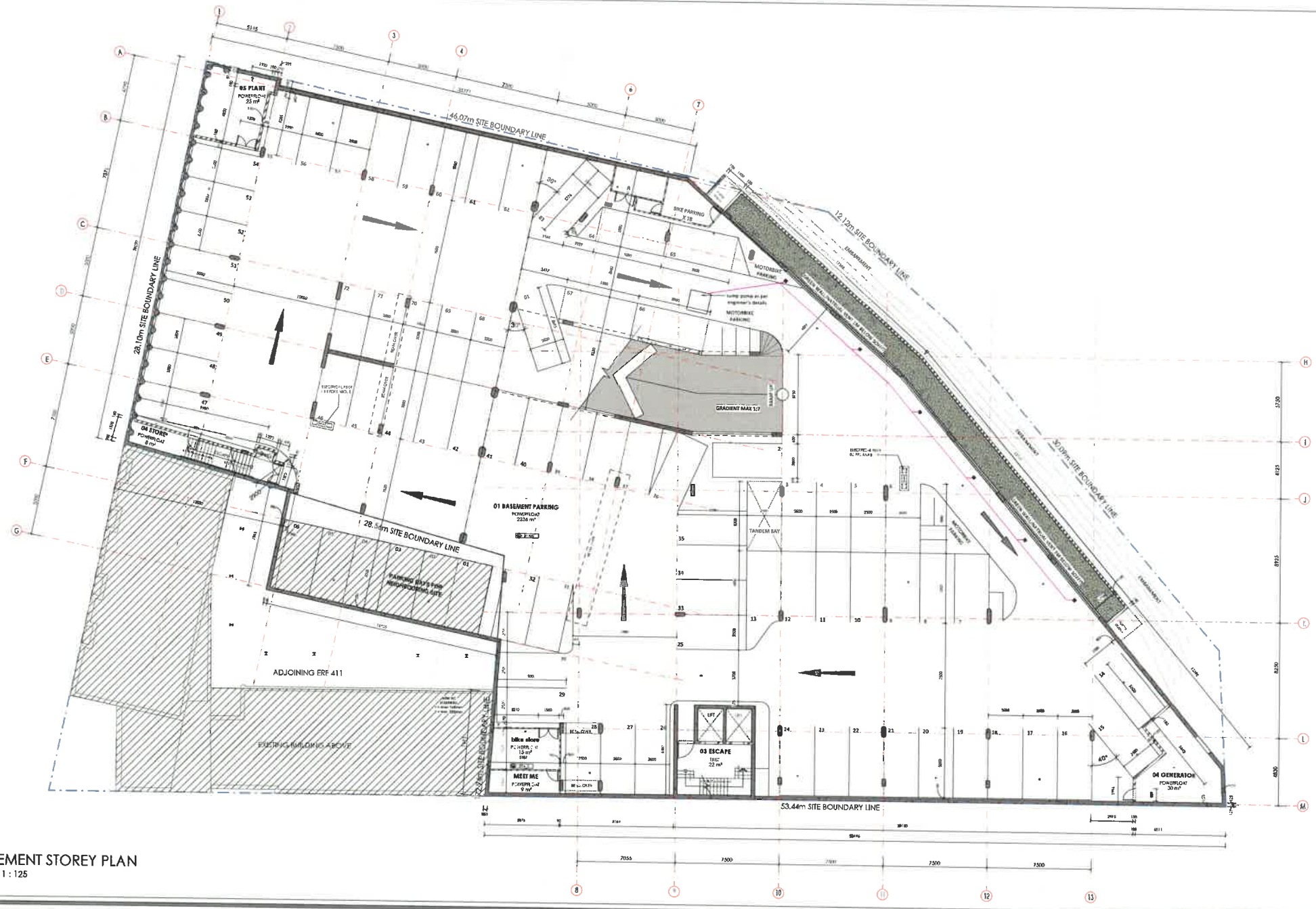
DRAWING DESCRIPTION:
SDP SITE PLAN

PROJECT / CLIENT:
No2. DORP_MySpace

tv3 [redacted]
ARCHITECTS AND TOWN PLANNERS

DATE: 2023 04 12
DRAWN: N. CRANK PrArch 24745109
CHECKED: NC
SCALE: As Indicated
DRAWING No.: **3584 /C /101**
REVISION: **A**

FOR INFORMATION



BASEMENT STOREY PLAN

SCALE 1 : 125

GENERAL DOCUMENT DATE: DATE
DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION

DRAWING STATUS CODES:

A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

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PROJECT DESCRIPTION:
ERF 16442 STELLENBOSCH
NEW APARTMENT BUILDING

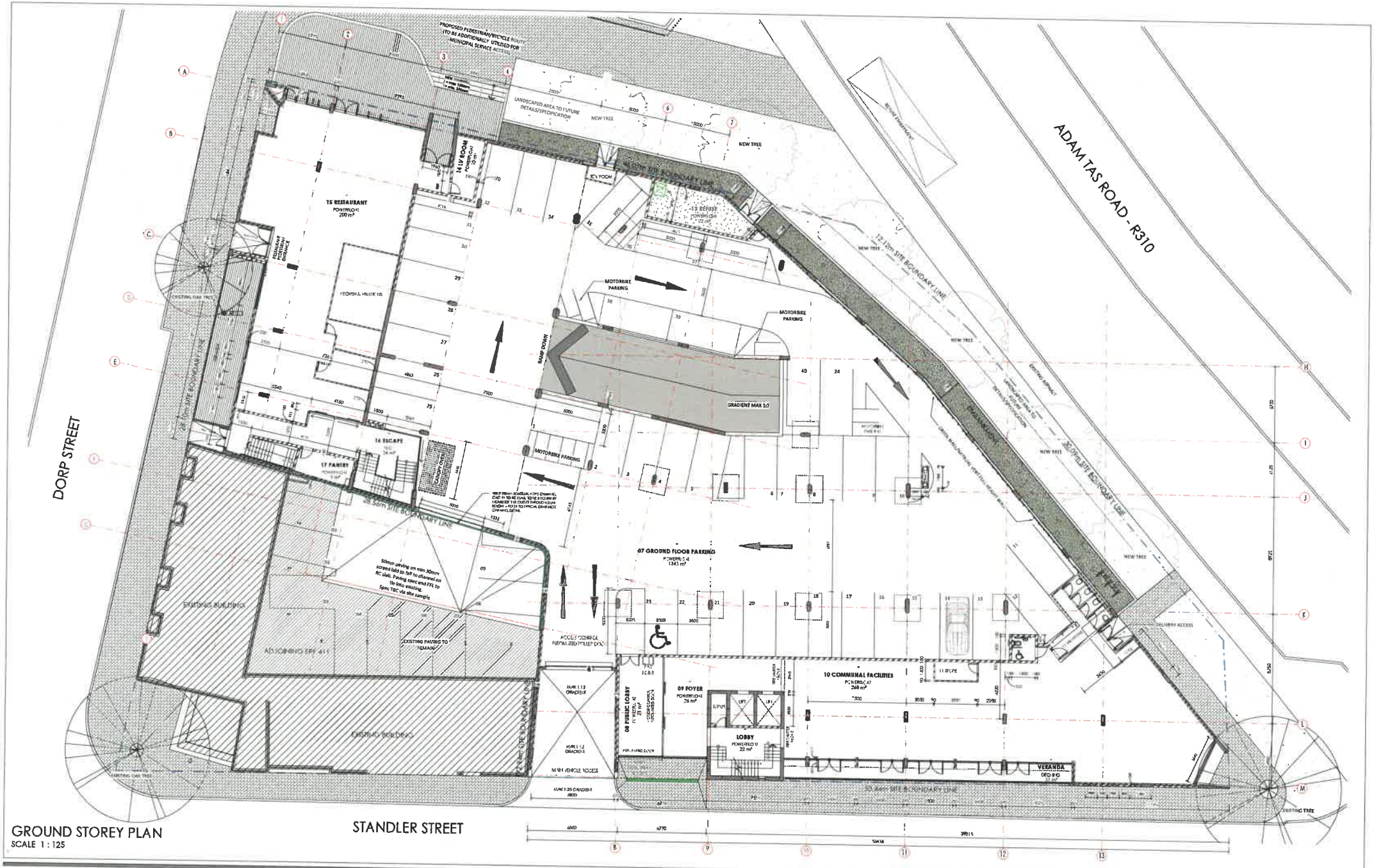
DRAWING DESCRIPTION:
SDP BASEMENT PLAN

PROJECT / CLIENT:
No2. DORP_MySpace

tv3 [redacted]
ARCHITECTS AND TOWN PLANNERS

DATE:
DRAWN: N. CRANK PrArch 24745109
CHECKED: NC
SCALE: 1 : 125
DRAWING No.:
3584 /C /201
REVISION:

FOR INFORMATION



GROUND STOREY PLAN
SCALE 1 : 125

ORIGINAL DOCUMENT DATE:
DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION

DRAWING STATUS CODES:

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PROJECT DESCRIPTION:
ERF 16442 STELLENBOSCH
NEW APARTMENT BUILDING

DRAWING DESCRIPTION:
SDP GROUND FLOOR

PROJECT / CLIENT:
No2. DORP_MySpace

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DATE:
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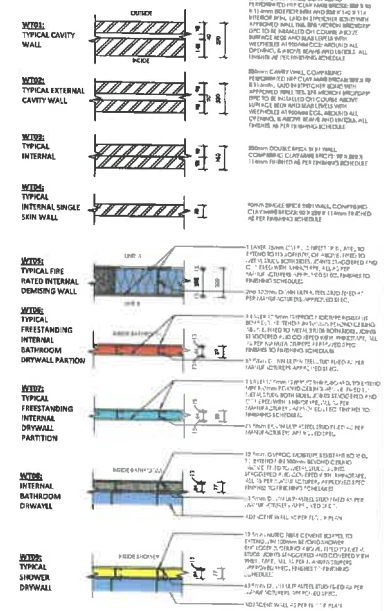
CHECKED: NC
SCALE: 1 : 125
DRAWING No.:
3584 /C /202
REVISION:

FOR INFORMATION

FIRST STOREY PLAN
SCALE 1 : 125

WALL TYPE LEGEND
SCALE 1 : 20



DEFINITIVE DOCUMENT DATE: DATE
DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION

DRAWING STATUS CODES:
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PROJECT DESCRIPTION:
ERF 16442 STELLENBOSCH
NEW APARTMENT BUILDING

DRAWING DESCRIPTION:
SDP FIRST FLOOR

PROJECT / CLIENT:
No2. DORP_MySpace

tv3 [redacted]
ARCHITECTS AND TOWN PLANNERS

DATE:
DRAWN: N. CRANK PrArch 24745109
CHECKED: NC
SCALE: As indicated
DRAWING No.: **3584 /C /203**
REVISION:
FOR INFORMATION

SECOND STOREY PLAN
SCALE 1 : 125

WALL TYPE LEGEND
SCALE 1 : 20

ORIGINAL DOCUMENT DATE: DATE
DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION

DRAWING STATUS CODES:
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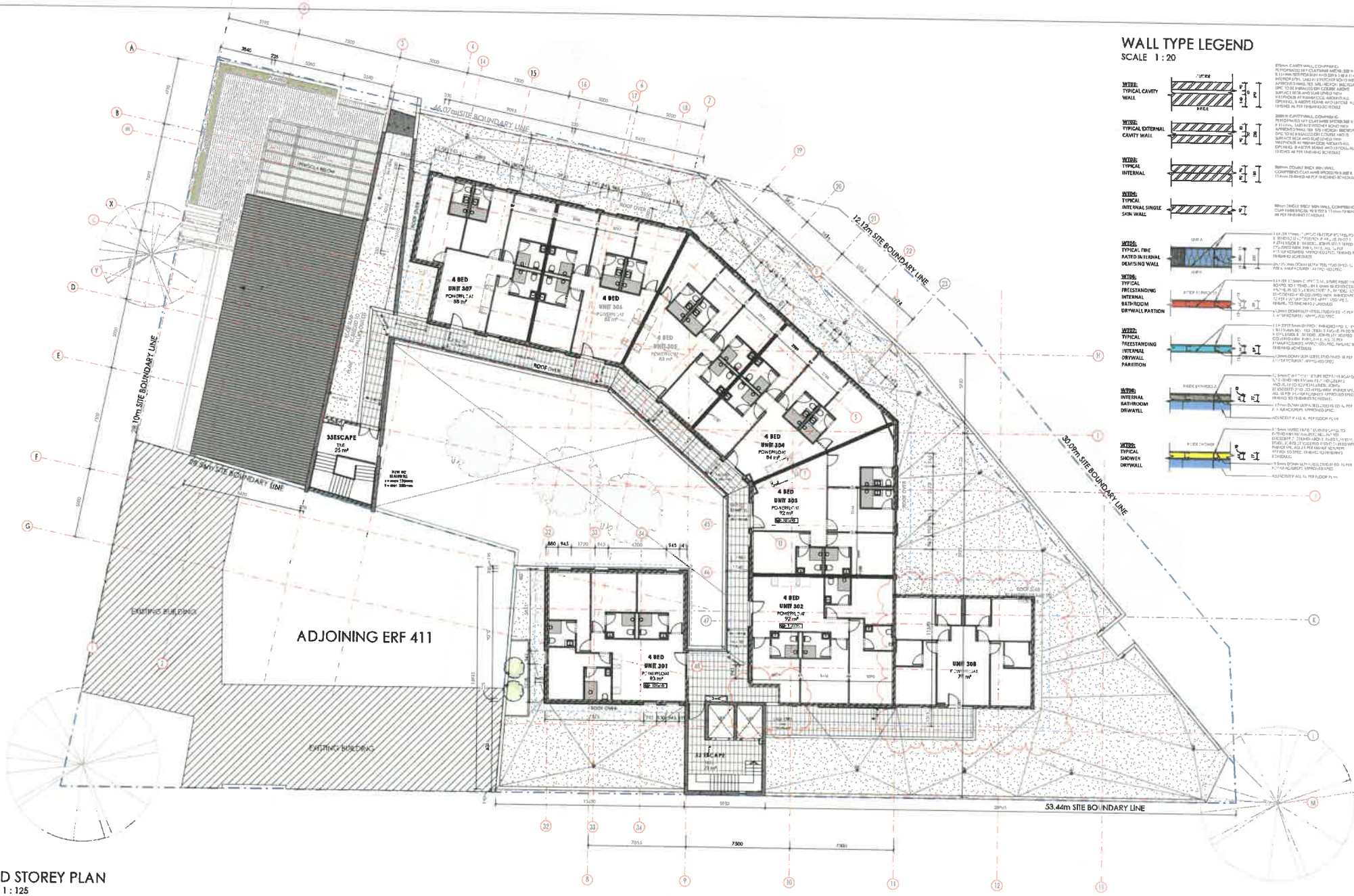
PROJECT DESCRIPTION:
ERF 16442 STELLENBOSCH
NEW APARTMENT BUILDING

DRAWING DESCRIPTION:
SDP SECOND FLOOR

PROJECT / CLIENT:
No2. DORP_MySpace

tv3 [redacted]
ARCHITECTS AND TOWN PLANNERS

DATE:
DRAWN: N. CRANK PrArch 24745109
CHECKED: NC
SCALE: As indicated
DRAWING No.: **3584 /C /204**
REVISION:
FOR INFORMATION



THIRD STOREY PLAN
SCALE 1 : 125

WALL TYPE LEGEND
SCALE 1 : 20

ORIGINAL DOCUMENT DATE: DATE:
DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION
A	2023 04 12	ADDITIONAL UNIT ADDED TO 3RD FLOOR

DRAWING STATUS CODES:
A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO • CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES • FIGURED DIMENSIONS AND LARGE SCALE DETAIL TAKES PREFERENCE OVER SCALED DIMENSIONS • REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS • THE DESIGN AND DETAIL ON THIS DRAWING IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS (PTY)LTD, AND COPYRIGHT IS RESERVED.

PROJECT DESCRIPTION:
ERF 16442 STELLENBOSCH
NEW APARTMENT BUILDING

DRAWING DESCRIPTION:
SDP THIRD FLOOR

PROJECT / CLIENT:
No2. DORP_MySpace

tv3 [redacted]
ARCHITECTS AND TOWN PLANNERS

DATE: 2023 04 12
DRAWN: N. CRANK PrArch 24745109
CHECKED: NC
SCALE: As Indicated
DRAWING No.: **3584 /C /205**
REVISION: A

FOR INFORMATION