



Application Number: LU/13998

Our File Reference Number: Erf 6086, 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 REZONING AND CONSENT USE ON ERF 6086, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following application 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 6086, Stellenbosch, namely:
 - 2.1.1 **Rezoning** in terms of Section 15(2)(o) of the said by-law from Local Business Zone (Restricted to office) to Local Business Zone to allow a consent use for a place of education.
 - 2.1.2 **Consent use** in terms of Section 15(2)(a) of the said by-law for a consent use for a place of education in order to allow the operation of a private school.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

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

Conditions of approval which should be complied with as required in terms of Section 66(11) of the subject By-Law, before the development of the land:

- 2.2.1 Building plans be submitted to Stellenbosch Municipality for approval for the change in land use from offices to an educational facility, including all proposed internal alteration to the building.
- 2.2.2 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of submission of building plans or as may be agreed on in writing with the Director: Infrastructure Services.

General conditions of approval with no requirement for compliance prior to the development of the land as contemplated in terms of Section 66(11) of the subject By-Law:

- 2.2.3 The approval only applies to the proposed rezoning and consent use, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or bylaws or regulations that may be applicable.
- 2.2.4 The development must be undertaken generally in accordance with the building plan, as indicated on the referenced Project No 0027, Drawing No. 0027 A101 & A102, dated 12-09-2022 and drawn by Berto Plan Draughtsman, attached as **ANNEXURE B**.
- 2.2.5 The operating hours of the school be restricted to 07:00am to 15:00pm Mondays to Fridays for education purposes.
- 2.2.6 The maximum number of students be restricted to 95 students.
- 2.2.7 The on-site traffic flow be regulated as an entrance from Stasie Street and exit on Herold Street.
- 2.2.8 The conditions listed in the memorandum dated 18/11/2022 from the Municipal Director: Infrastructure Services attached as **ANNEXURE E** be complied with.
- 2.2.9 The conditions listed in the letter dated 21 February 2023 from the Cape Winelands District Municipality (Environmental Health Practitioner) attached as **ANNEXURE F** be complied with.

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

- 3.1 A maximum capacity of 95 Students will not be an over-capacitation of the onsite buildings and sufficient onsite parking can be provided.

3.2 The trip generation for the 95 students during drop-off (07:00 to 08:00) and pick-up (13:45) timeframes will not be detrimental to the traffic flow in the surrounding streets.

3.3 The aesthetic appearance of the structure will not be altered and the heritage worthiness of the main building will be conserved.

3.4 The operation of a school to a maximum capacity of 95 students between business activities and multi-unit residential developments (flats) will not detrimentally alter the character of the affected streets and area, which no longer have a single dwelling characteristic.

4. Matters to be noted:

4.1 The application for the registration of an independent school, must be submitted to the Provincial Department of Education.

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:

(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:

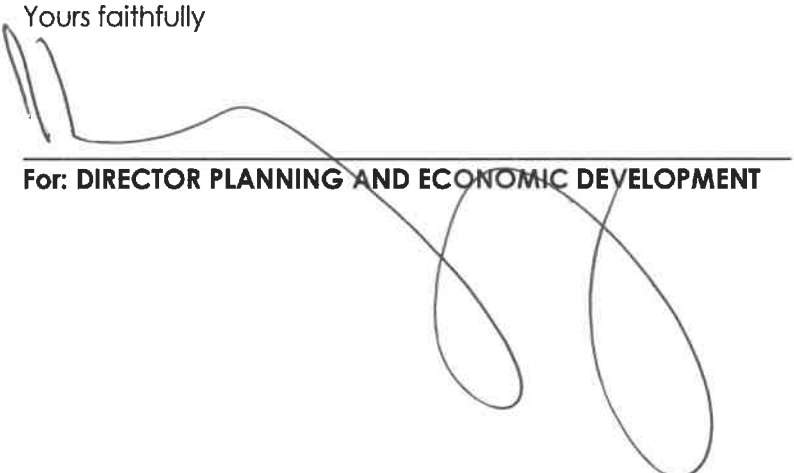
- (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);

- (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
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 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**

2/6/2023
DATE:

COPIES TO:

Daniel Pretorius

Email: [REDACTED]

Werner Roux

Email: [REDACTED]

Stellenbosch Interest Group

Email: [REDACTED]

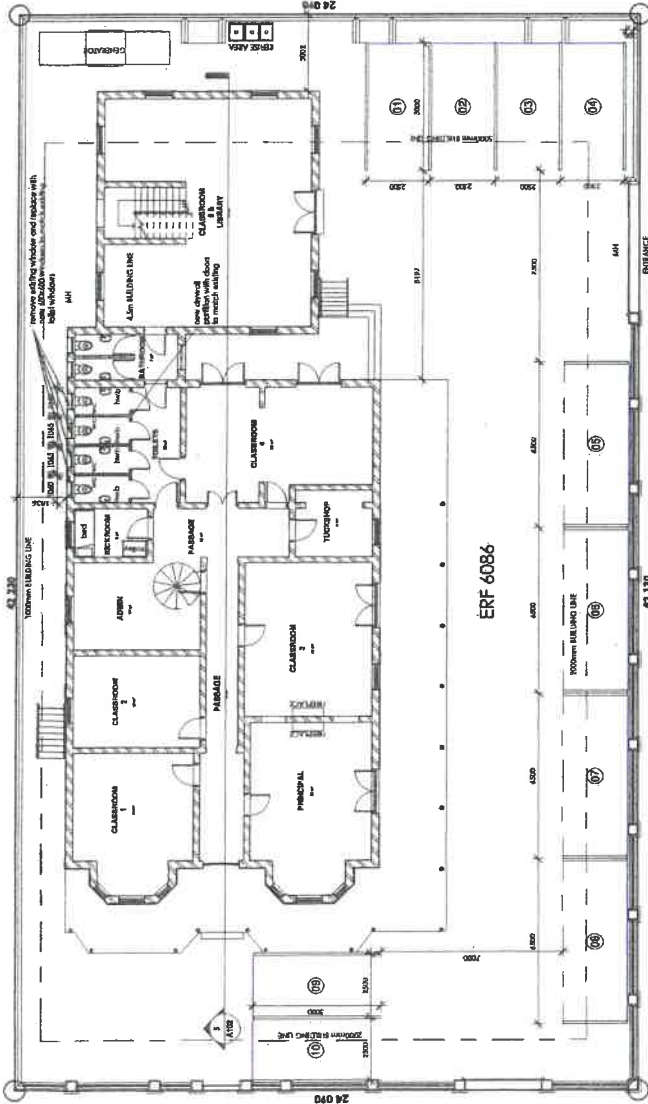
ANNEXURE B

Site, building and Zoning Plans

NOTES

ERF SIZE: 1 017m²
COVERAGE: 412m²
COVERAGE PERCENTAGE: 40.51%

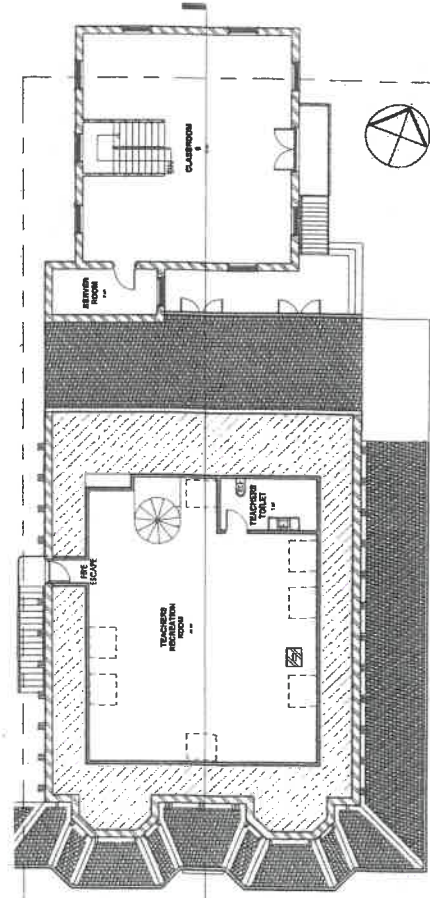
ERF 6087



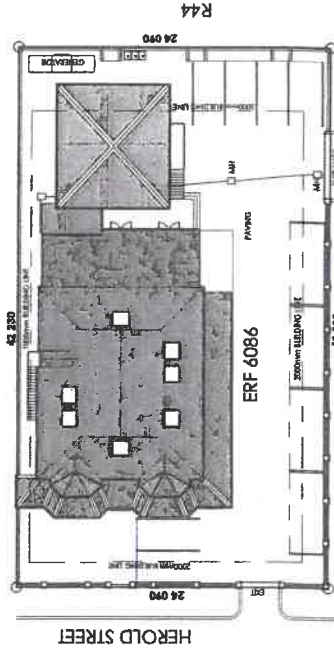
00 - GROUND FLOOR
1:100



STATION AVE.



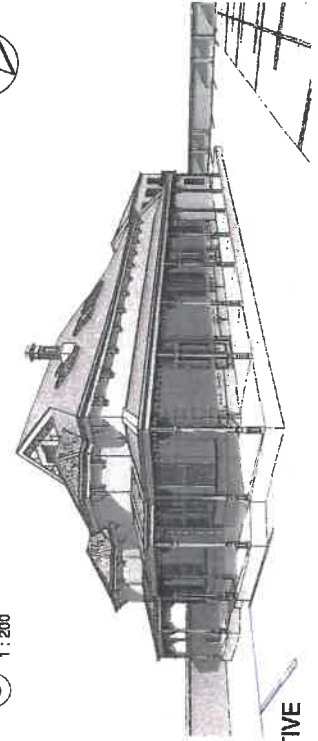
01 - FIRST FLOOR
1:100



Site
1:200



STATION AVE.



PERSPECTIVE
1:200

ARCHITECT'S SIGNATURE
CLIENT'S SIGNATURE

BERTO PALM
DRAUGHTSMAN

Delcium Education
Centre - ERF 6086 - 19
Herold Street -
Stellenbosch

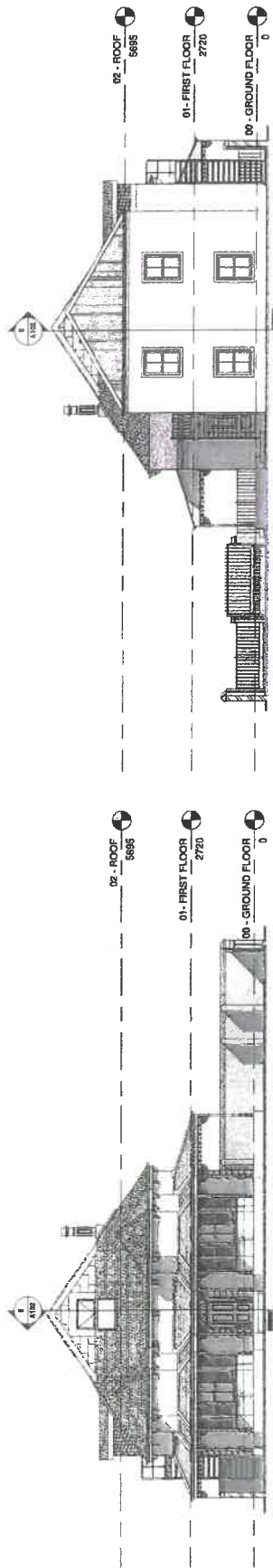
Project number: 0027
Date: 12-09-2022
Drawn by: BP
Checked by: BP

PLAN DRAWINGS

0027

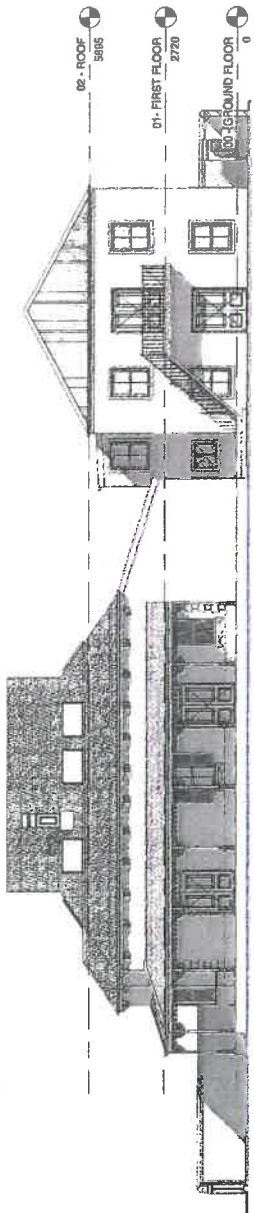
A101

Scale
As indicated

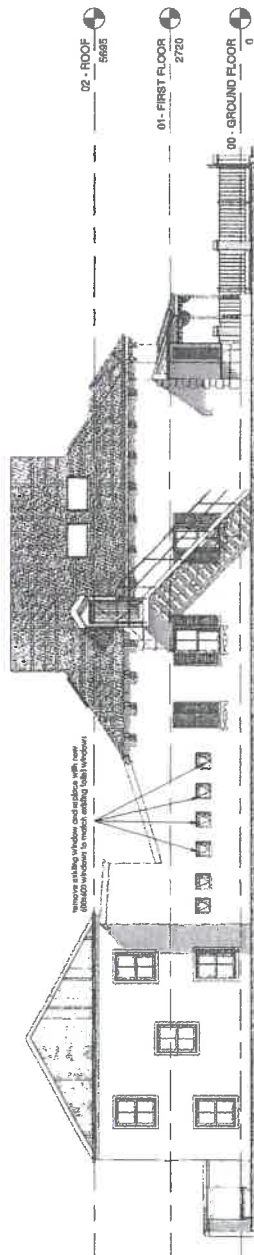


1 EAST ELEVATION
1 : 100

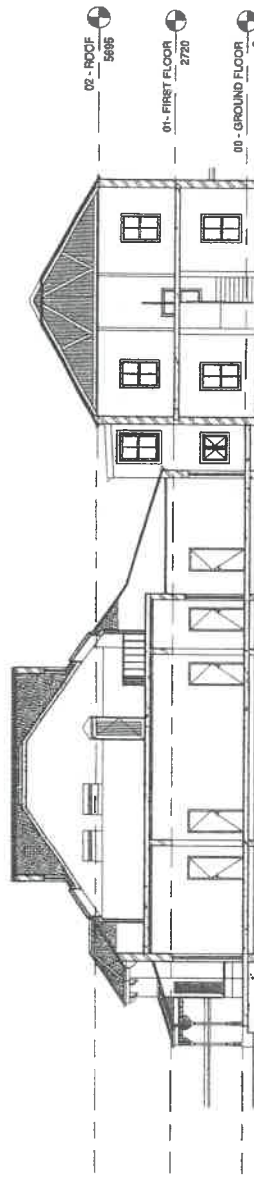
2 WEST ELEVATION
1 : 100



3 NORTH ELEVATION
1 : 100



4 SOUTH ELEVATION
1 : 100



5 Section 1
1 : 100

ARCHITECT'S SIGNATURE:
CLIENT'S SIGNATURE:

BERTO PALM
DRAUGHTSMAN

Delcium Education
Centre - ERF 6086 - 19
Herold Street -
Stellenbosch

Project number: 0027
Date: 12-09-2022
Drawn by: BP
Checked by: BP

ELEVATIONS &
SECTIONS

0027 A102
Scale: 1 : 100

ANNEXURE E

Comments from Director: Infrastructure Services



STELLENBOSCH MUNICIPALITY

STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Salome Newman
From ▫ Van:	Principle Technician: Development (Infrastructure Services)
Author ▫ Skrywer:	Colin Taylor
Date ▫ Datum:	18 November 2022
Our Ref ▫ Ons Verw:	Civil LU 2360
Your Ref:	LU/13998
Re ▫ Insake:	Erf 6086, Stellenbosch: Application for rezoning in terms of Section 15(2)(a) of the Stellenbosch Municipal land Use Planning bylaw (2015) for the rezoning of Erf 6086, Stellenbosch Division from Local Business Zone (Restricted to office) to Local Business Zone to allow a consent use for a place of education. Application is also made in terms of Section 15(2)(o) of the Stellenbosch Municipal land Use Planning bylaw (2015) for a consent use for place of education in order to allow the operation of a private high school on Erf 6086, Stellenbosch.

The application is recommended for approval, subject to the following:

1. Water

- 1.1 The existing water connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.

2. Sewer

- 2.1 The existing sewer connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.

3. Roads

- 3.1 Sufficient parking must be provided and indicated on the SDP at building plan submission stage.

4. Civil Engineering Services

- 4.1 Any changes to any existing civil engineering services of Stellenbosch Municipality is for the account of the owner.

5. Civil Engineering Services

- 5.1 No objection, no municipal services are affected.

6. Development Charges (DCs)

- 6.1 The following DC's are payable: See **Development Charge Calculation** attached.
- 6.2 The DC's were calculated by using the 2022/2023 tariff structure. If DC's are paid after 30 June 2023 it will have to be recalculated by using the tariff structure applicable at date of payment.
- 6.3 The appropriate DC's are payable before building plan approval (consent use/sectional title).

7. Electrical Engineering

- 7.1 Refer to **Annexure: Electrical**



Colin Taylor Pr Tech Eng

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\2360 (CT) Erf 6086 Stellenbosch (LU-13998)\2360 (CT) Erf 6086 Stellenbosch (LU-13998).doc



Stellenbosch Municipality

Development Charge Calculation



Application Number:	2360 (CT) Erf 6086 Stellenbosch (LU-13998)
Development Name:	Delcolum
Date:	18 November 2022
Financial Year:	2022/2023
Erf Location (Select from 7 Locations):	Stellenbosch Town
Vehicle Ownership (Select Normal or Low):	Normal
Erf Region (Select Urban or Rural):	Urban
Erf No:	Erf 6086
DC Parameters Reference:	2360 (CT) Erf 6086 Stellenbosch (LU-13998)

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Community	Totals		
Unit(s):	kl/day	kl/day	ha°C	1/week	trips/day	persons			
Total Increased Services Usage:	8,5	6,725	0,0575	0,425	168,75	-2,5			
Total Service Usage Reduction:	0	0	0	0	0,0	0			
Total Service Usage after Reduction:	8,50	6,73	0,05750	0,425	168,8	-3			
Total Development Charges before Deductions:	R 238 572,60	R 207 744,10	R 10 668,91	R 37 231,70	R 1 013 512,50	-R 3 837,64	R	1 503 892,17	
Total Deductions:	R -	R -	R -	R -	R -	R -	R	-	
Total Payable (excluding VAT):	R 238 572,60	R 207 744,10	R 10 668,91	R 37 231,70	R 1 013 512,50	-R 3 837,64	R	1 503 892,17	
VAT:	R 35 785,89	R 31 161,62	R 1 600,34	R 5 584,76	R 152 026,88	-R 575,65	R	225 583,83	
Total Payable (including VAT):	R 274 358,49	R 238 905,72	R 12 269,25	R 42 816,46	R 1 165 539,38	-R 4 413,29	R	1 729 476,00	

Application Processed by:	
Signature:	
Notes:	1.)It is proposed a maximum of 95 learners will be accommodated, from Gr. 5 - Gr. 12. 2.)That the existing development rights on the subject property is for 250 m2 GLA offices

Stellenbosch Town

[illegible]

Product	R	238 573	R	207 744	R	10 889	R	37 232	R	1 019 513	R	3 836	R	1 593 892
Total Development Charges before Deductions														
Deductions per service (amount)														
Additional Deduction per service - from Service Agreement (sum)														
Sub Total after Deductions (excluding VAT)														
VAT														
Total	R	238 572.80	R	207 744.10	R	10 889.91	R	37 231.70	R	1 019 512.50	R	3 837.64	R	1 593 892.17
	R	35 785.89	R	31 161.82	R	1 800.34	R	5 864.76	R	152 026.88	R	575.55	R	229 933.83
	R	274 286.91	R	238 900.72	R	12 200.25	R	42 096.46	R	1 171 539.38	R	4 413.19	R	1 823 826.00

ERF 6086

1. No Objection

CONDITIONS:

2. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages.
3. **All electrical work to comply with SANS142 and Municipal electrical by-laws**
4. If connecting a generator for backup, the generator needs to comply to SANS10142

Bradley Williams

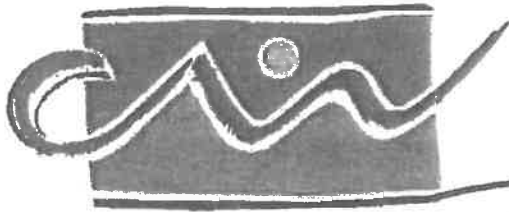
Date.....21/02/2023.....



Signature

ANNEXURE F

Comments from Cape Winelands District Municipality



CAPE WINELANDS DISTRICT
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

MEMORANDUM TO/ AAN : S.Newman
Official / Beampste : For Director : Planning & Development Services
Your ref/ U vrew. : Mr T.Hector
Ref No / Verw. No : Erf 6086, (LU/13998), Stellenbosch
Date / Datum : 15/2/6/1
2023-02-21

**APPLICATION FOR DEPARTURE: ERF 6086, 19 Herold Street,
STELLENBOSCH: APPLICATION FOR REZONING & CONSENT USE: SPATIAL
PLANING**

There are no objections from an Environmental Health point regarding this application, subject to compliance with the following:

1. Premises where food will be prepared, handled, or served to the students, the applicant must apply in writing to the Municipal health services department for a Certificate of Acceptability for Food Premises in terms of R962 of 22 June 2018.
2. Food premises must comply with the provisions of Regulations 5 and 6 of GNR.638 of 22 November 2023 : Regulations governing general hygiene requirements for food premises and the transport of food, promulgated in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972)
3. The building can accommodate 130 children.
4. Subsequent to the above, the applicant should also comply with all other relevant Departments legislation.

Yours faithfully

T.Hector
for MUNICIPAL MANAGER