STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14608 (TP53/2022)
Our File Reference Number: Erf 17404-17406, 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 OF ERF 17404 AND UNREGISTERED ERVEN 17405 AND 17406, HELSHOOGTE VILLAGE, STELLENBOSCH DIVISION

1. The above application refers.

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

2.1 Application in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2023 for the Rezoning of erf 17404 and unregistered erven 17405 & 17406 from Conventional Residential Zone with a consent for group housing to Private Open Space Zone, as indicated on the Zoning Plan, Dated 24 June 2022, Plan No: P001, Drawn by Dennis Moss Partners, attached as **Annexure B.**

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

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

3.1 The approval only applies to the proposed application under consideration 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.

3.2 The approval shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposal under consideration.

3.3 The development be implemented and Landscaped in line with the Revised Site & Landscaping Plan attached as **Annexure B**, Dated 30/06/2021, Plan No: SDP001, Drawn by Dennis Moss Partners, prior to being transferred to the Owner's Association.

3.4 The newly created private open spaces be landscaped and transferred to the owners' association by the applicant at his cost, prior to any building plans for phase 2 being approved.

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

4.1 The proposed land use planning application is located within an established group housing development and no infrastructural upgrades or improvements will be required to facilitate the application.

4.2 The application will improve the existing open space ratio of the residential development.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw 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:
a) First names and surname
b) ID number
c) Company of Legal person's name (if applicable)
d) Physical Address
e) Contact details, including a Cell number and E-Mail address

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

7.1 The grounds of the appeal which may include the following grounds:

a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
b) 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.

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

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

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

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

7.6 The relief sought by the appellant.

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

7.8 That the appeal includes the following declaration by the Appellant:

a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

b) 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 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.

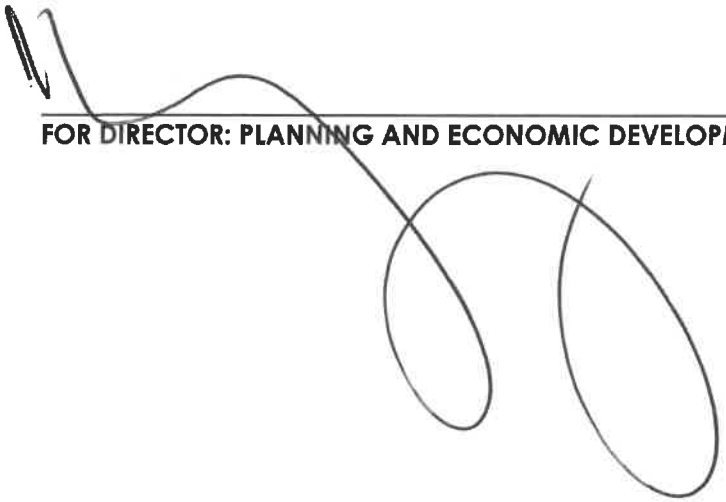
(c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.

(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



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

15/11/2024

DATE

STELLENBOSCH
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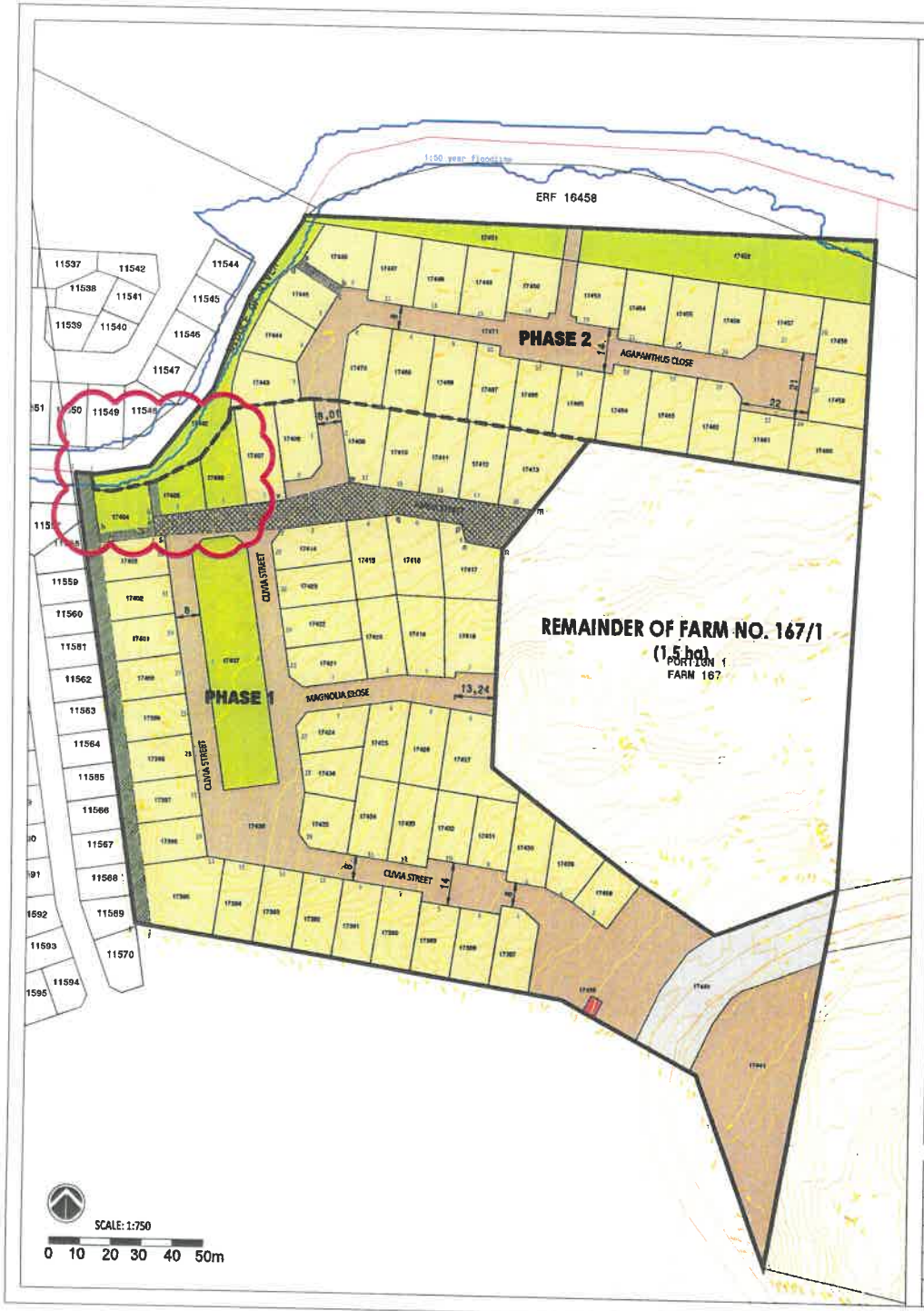
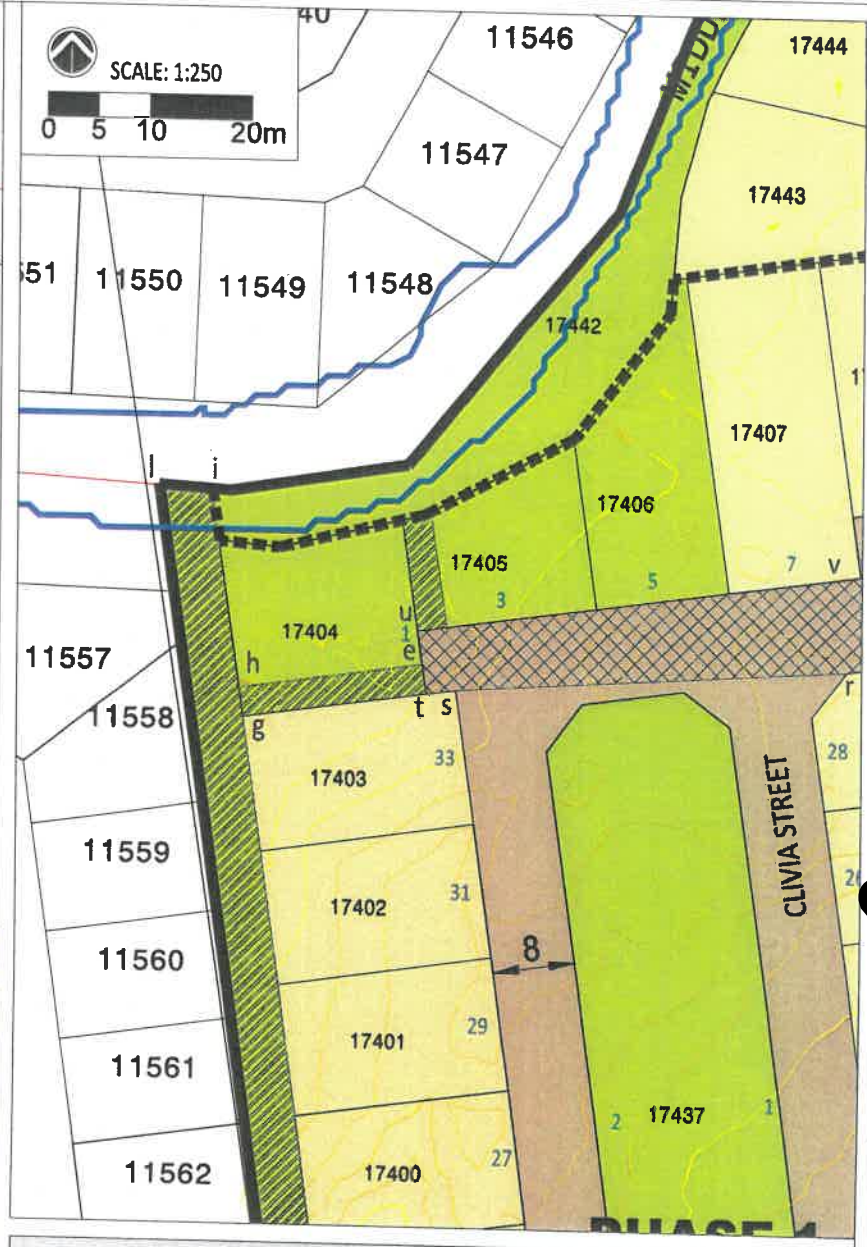
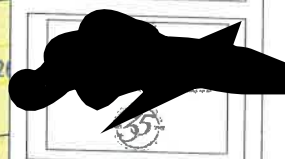
ANNEXURE B





REZONING TABLE

ERF	AREA (m²)	CURRENT ZONING	PROPOSED LAND USE	NEW ZONING
17404	302	Conventional Residential Zone	Private Park	Private Open Space Zone
17405	241	Conventional Residential Zone	Private Park	Private Open Space Zone
17406	303	Conventional Residential Zone	Private Park	Private Open Space Zone



TANDEM TRUST

HELSHOOGTE VILLAGE
REZONING ERVEN
17404, 17405 & 17406

REZONING PLAN

P4179	AS ON PLAN
P001	24 JUNE 2022
-	BBB JLV

FOR SUBMISSION

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DENNIS MOSS PARTNERSHIP

CLIENT:
TANDEM BELEGGINGS (PTY) LTD.

PROJECT TITLE:
HELSHOOGTE VILLAGE

DRAWING TITLE:
REVISED
SITE & LANDSCAPE
DEVELOPMENT PLAN

PROJECT No.: P4179	SCALE: 1:500	
DRAWING No.: SDP001	DATE: 30/08/2021	
REV. /	DRAWN: ADP	CHECKED: GDK

FOR APPROVAL

[redacted]

GENERAL NOTE:
1. UNIT TYPES AND UNITS HEIGHTS ARE INTERCHANGEABLE ON THE SITE PLAN IN ALL PHASES.
2. DRIVEWAYS AND UNIT TYPES CAN BE MIRRORED
3. FINAL UNIT POSITION TO BE APPROVED BY HOA

TREES

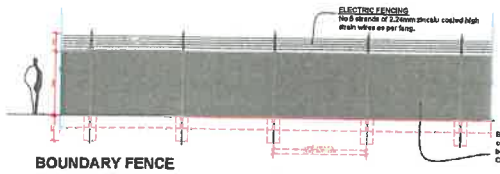
Focal Trees
Quercus spp. (Oak Trees)
Erythrina lysistemon (Coral Tree)
Syzygium guineense (Water Pear)

Street Trees
Celtis africana (White Stinkwood)
Liquidamber styraciflua (Liquidamber)
Syzygium contatum (Water Berry)

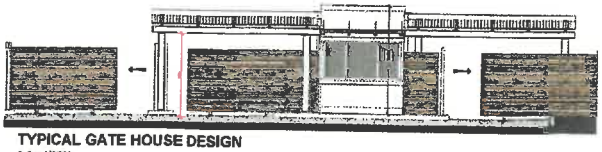
Open space Trees
Buddleja saligna (False Olive)
Salix mucronata (Cape Willow)
Combretum erythrophyllum (River Bush Willow)
Searsia (Rhus) pendulina (White Karee)

Orchard Trees
Olive Mission
Citrus Lemon
Prunus spp.

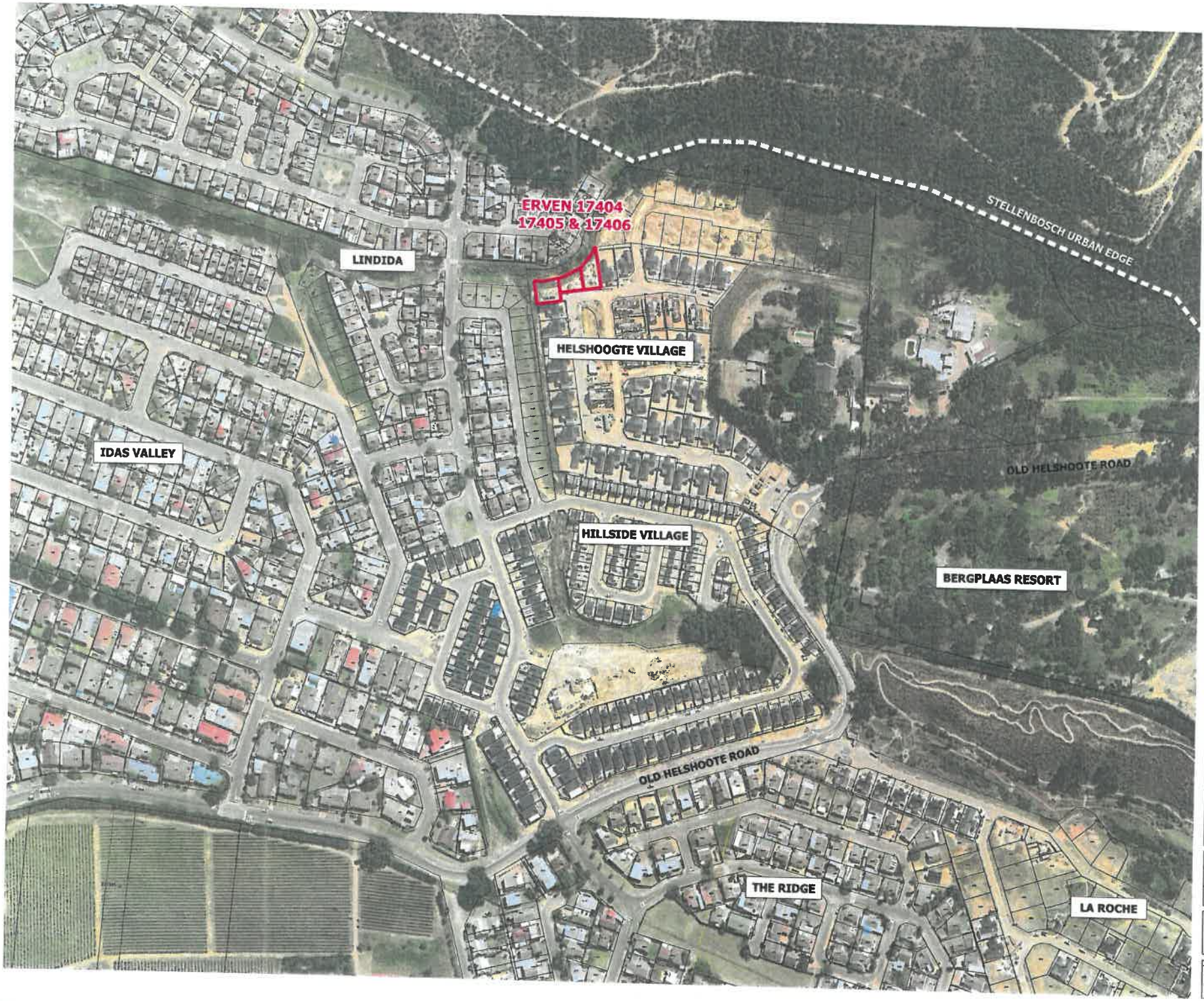
- Soft Landscaping in Common Areas
- Private Gardens
- Roads
- Detention facility
- Low Cape walls



BOUNDARY FENCE
PERIMETER FENCE, 2.1m HIGH WITH ELECTRIC FENCING OF 0.450 m HIGH, ON TOP



TYPICAL GATE HOUSE DESIGN
3.6m HIGH



0 25 50 75 100 m

[redacted]

CLIENT:
TANDEM BELEGGINGS (PTY) LTD.

PROJECT TITLE:
[redacted]

DRAWING TITLE:
LOCALITY PLAN

PROJECT NO.: P4179	SCALE: 1:1500
DRAWING NO.: PL003	DATE: 29 JUNE 2022
REV. /	DRAWN: BRS CHECKED: RJV

FOR SUBMISSION

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