STELLENBOSCH

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Application Number: LU/15904 (TP446/2023)

Our File Reference Number: Unregistered Erf 17982, 17983, 17984, 17985, 17986, 18000, 18001, 18002, 18003, 18004, 18005 & 18007, 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 SUBDIVISION AND CONSOLIDATION: UNREGISTERED ERF 17982, 17983, 17984, 17985, 17986, 18000, 18001, 18002, 18003, 18004, 18005 & 18007, 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(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw namely:

2.1.1 **Consolidation** in terms of Section 15(2)(e) of the said bylaw, of the unregistered Erven 17982, 17983, 17984, 17985 and 17986, Stellenbosch to create a single property and the **Subdivision** in terms of Section 15(2)(d) of the said bylaw, of the unregistered consolidated property (Portion A) into 10 portions.

2.1.2 **Consolidation** in terms of Section 15(2)(e) of the said bylaw, of the unregistered Erven 18000, 18001, 18002, 18003, 18004 and 18005, Stellenbosch to create a single property and the **Subdivision** in terms of Section 15(2)(d) of the said bylaw, of the unregistered consolidated property (Portion B) into 11 portions.

2.1.3 **Subdivision** in terms of Section 15(2)(d) of the said bylaw, of the unregistered Erf 18007, Stellenbosch into 2 portions.

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

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

3.1 The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

3.2 The development be undertaken in accordance with the Consolidation Plan No. 2 dated 25/05/2023, drawn by TV3, as attached as **ANNEXURE A**.

3.3 The development be undertaken in accordance with the Subdivision Plan No. 3 dated 25/05/2023, drawn by TV3, as attached as **ANNEXURE B**.

3.4 The applicant submits an electronic copy (shp,dwg,dxf) of the Subdivision Plan which was preliminary approved by the SG. The following information must be indicated:

3.4.1 Newly allocated Erf Numbers
3.4.2 Co-ordinates
3.4.3 Survey Dimensions
3.4.4 Street names (if approved by Council)

3.5 The conditions imposed by the Director: Engineering Services in their memo dated 19 October 2023, attached as **ANNEXURE C**, be adhered to.

3.6 Development charges 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 approval of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.

3.7 The subdivision only comes into effect once all suspensive conditions or relevant legislative provisions have been complied with.

3.8 Building plans be submitted and approved by the Stellenbosch Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.

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

4.1 The additional erven will increase the density of the development in line with the Adam Tas Corridor's development principles.

4.2 The additional erven created will still be within the development's "basket of rights" which is limited to a minimum of 1 455 housing units or a maximum of 1 756 housing units.

4.3 The impact of the additional erven on the bulk engineering services and transport infrastructure will be minimal.

4.4 The proposal is only an internal amendment to the approved Subdivision Plan and will have no adversely impact on the surrounding area / landowners.

5. Matters to be noted:

5.1 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.

5.2 The revised Street Naming and Numbering plan be approved by the delegated official.

6. 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.

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:
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

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

8.1 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.

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

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

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

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

8.6 The relief sought by the appellant.

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

8.8 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.

9. 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

10. 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.

11. 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

12. 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.

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

14. 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

13/2/2024
DATE

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ANNEXURE A

Application for:

1) The Consolidation of Unregistered Erven 17982-17986, Stellenbosch into Portion A ±1605m² in extent.

2) The Consolidation of Unregistered Erven 18000-1805, Stellenbosch into Portion B ±1798m² in extent.

Notation:

Cadastral information obtained from Friedlaender Burger & Volkmann Professional Land Surveyors.

All areas and dimensions are approximate and should be verified by a professional land surveyor.

This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

newinbosch NEIGHBOURHOOD

Property Description:
Unregistered Erven 17982-17986 & 18000-18005 & 18007, Stellenbosch

Drawing:		Plan no.:
Proposed Consolidation		2
Date:	Scale:	
25/05/2023	1:1000 (A4)	
Project no.:	Drawn:	Checked:
3629-P	WH	CH

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ANNEXURE B

Application for:

1) The Subdivision of Portion A into 10 erven,
2) The Subdivision of Portion B into 11 erven &
2) The Subdivision of Unregistered Erf 18007 into 2 erven.

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 13/2/2024

AUTHORISED EMPLOYEE/MPT

Narrow

Isikolo

Cloetesdal

Werf

Grappa

Induli

1 (158m²)
2 (158m²)
3 (158m²)
4 (158m²)
5 (158m²)
6 (158m²)
7 (158m²)
8 (158m²)
9 (158m²)
10 (185m²)
11 (187m²)
12 (158m²)
13 (158m²)
14 (158m²)
15 (158m²)
16 (158m²)
17 (158m²)
18 (158m²)
19 (158m²)
20 (161m²)
21 (188m²)
22 (145m²)
23 (146m²)

538 (12082m²)
568 (991m²)
531 (11134m²)
545 (444m²)

17973 17974 17975 17976 17977 17978 17979 17980 17981 17982 17983 17984 17985 17986 17987 17988 17989 17990 17991 17992 17993 17994 18050 18051 18052 18053 18054 18055 18056 18057 18058 18074 18089 18017 18016 18015 18014 18013 18012 18011 18010 18009 18008 18006 18034

Notation:

Cadastral information obtained from Friedlaender Burger & Volkmann Professional Land Surveyors.

Urban design done by Osmond Lange Architects.

All areas and dimensions are approximate and should be verified by a professional land surveyor.

This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

Property Description:
Unregistered Erven 17982-17986 & 18000-18005 & 18007, Stellenbosch

Drawing:		Plan no.:
Proposed Subdivision		3
Date:	Scale:	
25/05/2023	1:1000 (A4)	
Project no.:	Drawn:	Checked:
3629-P	WH	CH

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ANNEXURE C

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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Bulelwa Mdoda**
From ▫ Van:	**Manager: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Tyrone King**
Date ▫ Datum:	**19 Oct 2023**
Our Ref ▫ Ons Verw:	**Civil LU 2595**
Town Planning Ref:	**LU/15904 – TP 446/2023**
Re ▫ Insake:	**Erf 17982, Stellenbosch: a) Application is made i.t.o. Section 15.2(e) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 lor the consolidation of unregistered Erven 17982, 17983, 17984, 17985 and 17986, Stellenbosch to create a single property. b) Application is made i.t.o. Section 15.2(d) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the subdivision of the unregistered consolidated erf into 10 erven. (Consolidation of unregistered Erven 17982, 17983, 17984, 17985 and 17986) c) Application is made i.t.o. Section 15.2(e) of the Stellenbosch Municipality Land Use Planning by-Law, 2015 for the consolidation of unregistered Erven 18000, 18001, 18002, 18003, 18004 and 18005, Stellenbosch to create a single property. d) Application is made i.t.o. Section 15.2(d) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the subdivision of the consolidated property into 11 erven. (Consolidation of unregistered Erven 18000, 18001, 18002, 18003, 18004 and 18005)**

e) Application is made i.t.o. Section 15.2(d) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the subdivision of unregistered Erf 18007 Stellenbosch into 2 erven.

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1. Civil Engineering services

1.1 Each newly created erf must have its own water and sewer connection.

1.2 Only one erf connection allowed per erf.

1.3 The services layout as per Drawing No 1398/200A by Bart Senekal dated 2023-04-12 is in principle supported, however final comment and approval will be provided when these drawings are formally submitted for approval.

2. Development Charges (DCs)

2.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and a final calculation will be done prior to payment. Consultants to provide a recon of DCs paid and upgrades in lieu of DCs to enable the final calculation.

2.2 The DC's were calculated by using the 2023/2024 tariff structure. If DC's are paid after 30 June 2024 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.

2.3 The appropriate DC's are payable before subdivision clearance.

Tyrone King Pr Tech Eng
Manager: Development (Infrastructure Services)

W:\2.0 DEVELOPMENT\01 Land Use applications\2058 (TK) Farm 81-33 Stellenbosch (LU-10917) (Newinbosch)\2595 (TK) Erf 17982 Stellenbosch (LU-15904 TP446-2023)\2595 () Erf 17982 Stellenbosch (LU-15904 TP446-2023).doc

Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION	
Application Number:	DC 2595 () Erf 17982 Stellenbosch (LU-15904 TP446-2023)
Development Name:	Newinbosch
Date:	19 October 2023
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	17982
DC Parameters Reference:	Par 5 of TV3 motivation report dated 24 July 2023 (SG diagram sketches shown existing and new erven)

SUMMARY OF DC CALCULATION

Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals
Unit(s):	kl/day	kl/day	ha*C	t/week	trips/day		persons	
Total Increased Services Usage:	6.6	5.5	0.198	0.44	41.25		44	
Total Service Usage Reduction:	0	0	0	0	0.0		0	
Total Service Usage after Reduction:	6.60	5.50	0.19800	0.440	41.3		44	
Charges before adjusting for positive only, before Deductions	R 206 829.31	R 189 699.25	R 41 018.89	R 43 037.11	R 248 953.53	R 729 538.10	R 169 733.37	R 899 271.47
Charges adjusted for positive only, before Deductions	R 206 829.31	R 189 699.25	R 41 018.89	R 43 037.11	R 248 953.53	R 729 538.10	R 169 733.37	R 899 271.47
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R 206 829.31	R 189 699.25	R 41 018.89	R 43 037.11	R 248 953.53	R 729 538.10	R 169 733.37	R 899 271.47
VAT:	R 31 024.40	R 28 454.89	R 6 152.83	R 6 455.57	R 37 343.03	R 109 430.71	R 25 460.01	R 134 890.72
Total Development Charges Payable (including VAT):	R 237 853.70	R 218 154.14	R 47 171.73	R 49 492.68	R 286 296.57	R 838 968.81	R 195 193.38	R 1 034 162.19

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature:	Indicative Calc
Notes:	Please note that this calculation is indicative at this stage and a final calculation will be done prior to payment. Consultants to provide a recon of DCs paid and upgrades in lieu of DCs to enable the final calculation. Phase F has already received subdivision clearance - DCs requiremetns for the existing erven have been complied with by the Developer and the existing erven qualify for a DC credit for the existing 11 Group Residential erven.

Stellenbosch Town

	Land Use Category	Unit Type	Existing Usage			Proposed New Usage			Increased Usage	Development Charge Levied (excl VAT)							
	Description	Unit	Area (m2)	Unit Amount	Result	Area (m2)	Unit Amount	Result	Amount	Water Yes	Sewer Yes	Stormwater Yes	Solid Waste Yes	Roads & Transport Yes	Sub Total (Civil Eng Services)	Community Yes	Total
Residential	Single Residential >1000m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential >500m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential >250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential <250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Second Dwelling	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Less Formal Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Group Residential	du		12			23		11	R 206 829.31	R 189 699.25	R 41 018.89	R 43 037.11	R 248 953.53	R 729 538.10	R 169 733.37	R 899 271.47
	Apartments	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Retirement Village	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Old age home	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Accommodation	Student Accommodation/Commune/Hostels	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
	Guest House	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
	Converted Guest House	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
	Hotel, Residential	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	General Business	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Office	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Retail/Shop	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Restaurant	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Outdoor Function / Picnic Area	persons							0	R -	R -	R -	R -	R -	R -	R -	R -
	Conference Facility/Place of assembly	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Hospital/Clinic/Medical Rooms	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	University/College	student							0	R -	R -	R -	R -	R -	R -	R -	R -
	School/Day Care	student							0	R -	R -	R -	R -	R -	R -	R -	R -
Industrial	Industrial - light	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Industrial - heavy	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Warehousing/Light Manufacturing	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Storage Facilities	unit							0	R -	R -	R -	R -	R -	R -	R -	R -
Non demand	Open Space/Natural Environment/Utility Site	ha							0	R -	R -	R -	R -	R -	R -	R -	R -
	Roads and Parking	ha							0	R -	R -	R -	R -	R -	R -	R -	R -
Other	To be calculated	n/a							0.0000	R -	R -	R -	R -	R -	R -	R -	R -
	(Based on equivalent demands)	n/a							0.0000	R -	R -	R -	R -	R -	R -	R -	R -
		Total Area:	0		Total Area:	0			0	R -	R -	R -	R -	R -	R -	R -	R -

	Charges before adjusting for positive only, before Deductions	R 206 829.31	R 189 699.25	R 41 018.89	R 43 037.11	R 248 953.53	R 729 538.10	R 169 733.37	R 899 271.47
Deduct	Charges adjusted for positive only, before Deductions	R 206 829.31	R 189 699.25	R 41 018.89	R 43 037.11	R 248 953.53	R 729 538.10	R 169 733.37	R 899 271.47
	Deductions per service (from usage reductions)	R -	R -	R -	R -	R -	R -	R -	R -
	Discount Deduction (%) Percentage: 0.00%	R -	R -	R -	R -	R -	R -	R -	R -
	Additional Deduction per service - from Service Agreement (sum)	R -		R -	R -	R -	R -	R -	R -
Totals	Sub Total after Ajustments and Deductions (excluding VAT)	R 206 829.31	R 189 699.25	R 41 018.89	R 43 037.11	R 248 953.53	R 729 538.10	R 169 733.37	R 899 271.47
	VAT	R 31 024.40	R 28 454.89	R 6 152.83	R 6 455.57	R 37 343.03	R 109 430.71	R 25 460.01	R 134 890.72
	Total Development Charges	R 237 853.70	R 218 154.14	R 47 171.73	R 49 492.68	R 286 296.57	R 838 968.81	R 195 193.38	R 1 034 162.19