



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16369 & 16371

Our File Reference Number: Erf 3108, 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 THE DELETION OF APPROVAL CONDITIONS AND A CONSENT USE TO EXPAND THE COMMUNE ON ERF 3108, 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, 2023 on Erf 3108, Stellenbosch, namely:
 - 2.2 Application in terms of Section 15(2)(h) of the said bylaw for the deletion of condition 2.10, in respect of the existing approval dated 31/05/2019.
 - 2.3 Application in terms of Section 15(2)(o) of the said bylaw, for a Consent Use to expand the existing Commune by an additional 2 bedrooms to have a maximum of 6 bedrooms.
- 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 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 granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 3.3 The development be undertaken generally in accordance with the site development plan / building plan, Drawing No: 2018/06/01 and attached as **Annexure B**.
- 3.4 The commune be limited to 6 bedrooms and a maximum of 6 lodgers shall be permitted at any one time.
- 3.5 The onsite parking bays dimensions be a min of 2,5m wide by 5m long.
- 3.6 A minimum of 8 onsite parking bays be provided to accommodate the lodgers.
- 3.7 That the parking bays provided be with a hard top surface to the satisfaction of the Municipality.
- 3.8 The condition of approval imposed in the initial approval dated 31/05/2019, has been waived by the Directorate Infrastructure as a building plan has been approved indicating the two access points to the subject property and all civil works within the road reserve to formalise the second access to be to the satisfaction of the Directorate Infrastructure Service.
- 3.9 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.
- 3.10 Compliance with the conditions relating to infrastructure services contained in Director Infrastructure Services memorandum, dated 21 December 2023 and attached as **Annexure E**.

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

- 4.1 The use of the property is for residential purposes and no alterations and additions are proposed.
 - 4.2 No complaints have been received from the public or surrounding neighbours regarding the existing approval for the existing commune.
 - 4.3 Adequate onsite parking can be provided for the intended use of the property.
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. The relief sought by the appellant.

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

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

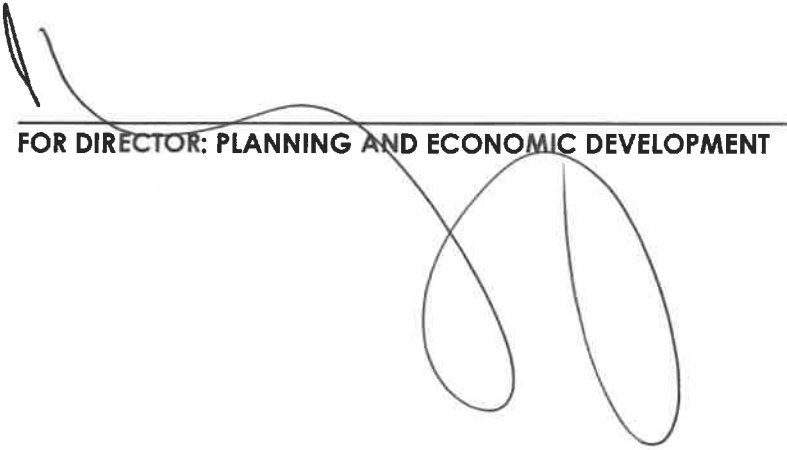
- a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- b) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in 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.

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

13/6/2024
DATE

COPIES TO:

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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ANNEXURE B

[illegible]

DRAFTING SERVICES

TEL: 01208223344
FAX: 01208223345
E-MAIL: info@derby.gov.uk

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10578

ENCLOSURE NO D228

100-1627

ITERATIONS & ADDITION

MRS OSCILLANS ERIC
31500SHEN 300N

IDAS VALLEY

STELLENTIELLS

GILBERT / 25

MUNICIPAL DRAWING

PLANS SECTION
WINDOW & DOOR SCHEDULE

FENESTRATION

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KEY	DATE	DESCRIPTION
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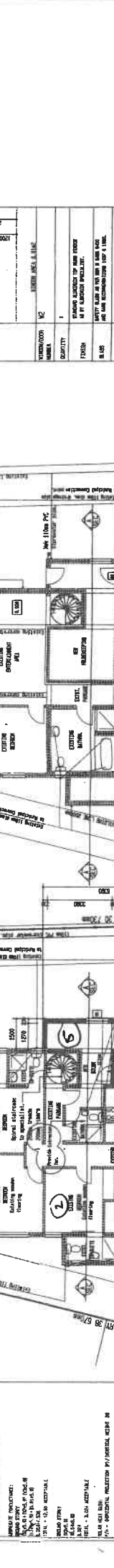
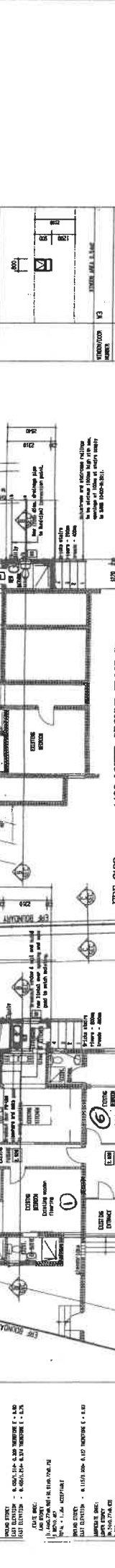
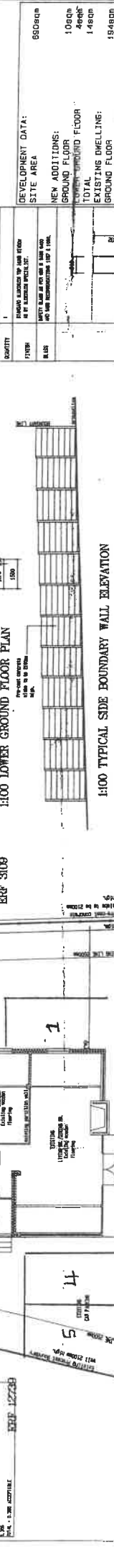
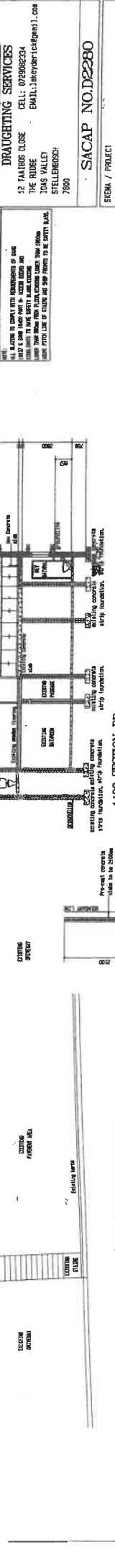
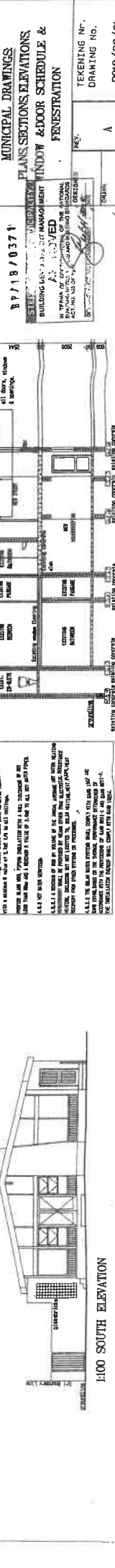
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ALL DIMENSIONS AND TOLERANCES MUST BE CORRELATED BEFORE ANY MATERIALS ARE ORDERED OR ALLOWED UNDER CONSTRUCTION. ANY DIFFERENCES MUST BE BROUGHT UNDER THE ATTENTION OF THE ARCHITECT IMMEDIATELY. COPYRIGHT IS RESERVED OF ALL DIMENSIONS AND TOLERANCES.

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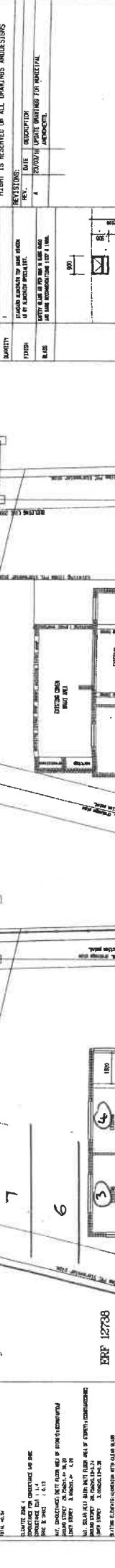
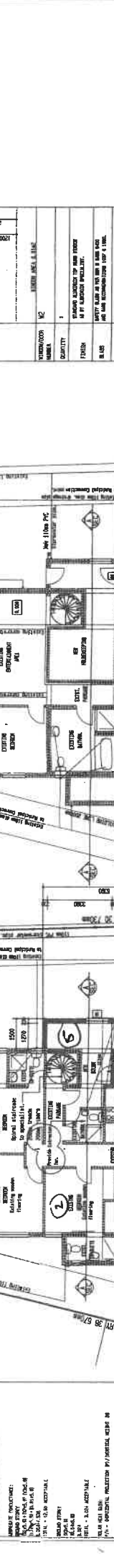
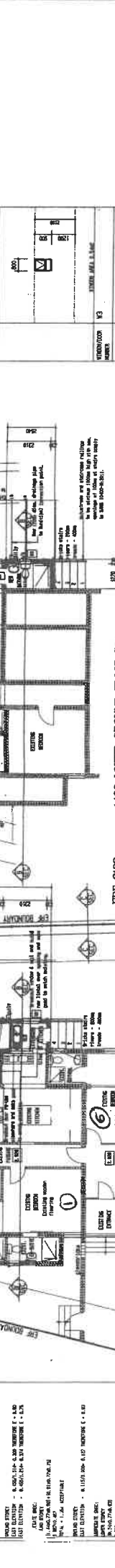
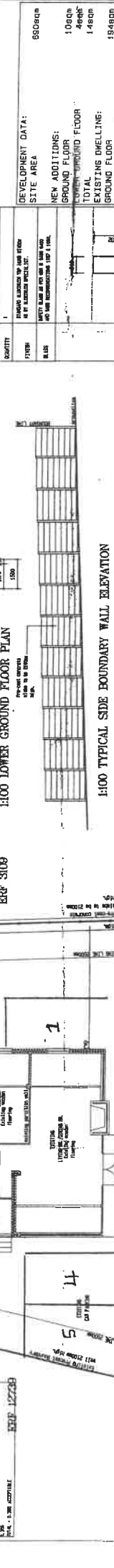
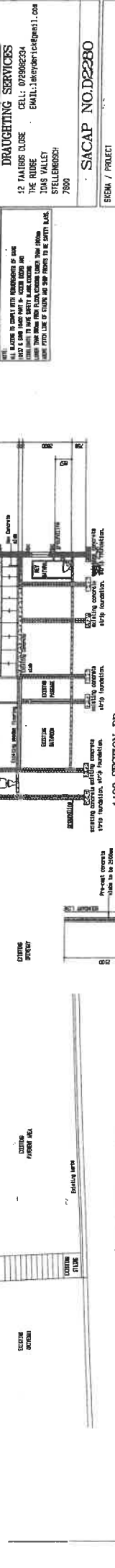
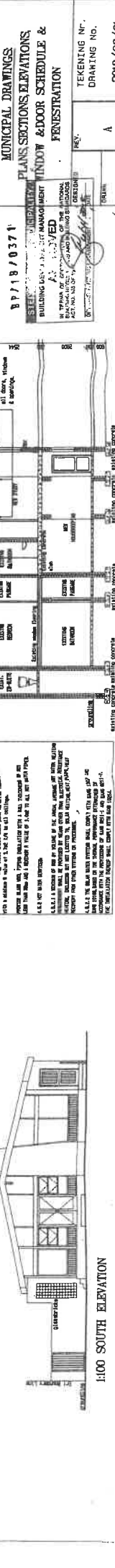
1:100 LOWER GROUND FLOOR PLAN

1:100 TYPICAL SIDE BOUNDARY WALL ELEVATION



1:100 SOUTH ELEVATION

1:100 SITE- & GROUND FLOOR PLAN



1:100 SITE- & GROUND FLOOR PLAN

1:100 SITE- & GROUND FLOOR PLAN



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ANNEXURE E



STELLENBOSCH MUNICIPALITY
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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To • Aan:	Director: Planning + Economic Development
Att Aandag:	Salome Newman
From • Van:	Principal Technician: Development (Infrastructure Services)
Author • Skrywer:	Ilze Fillies
Date • Datum:	21 December 2023
Our Ref • Ons Verw:	Civil LU 2626
Town Planning Ref:	LU/16369 -16371
Re • Insake:	Erf 3108, Stellenbosch: Application is made in terms of Section 15(2)(h) of the Stellenbosch Municipality By-law on Municipal Land Use Planning, 2023 for deletion of condition 2.10 (the approval is only valid for 5 years from date of notification) in respect of an existing approval dated 27/05/2019 in order to remove the validity period of an existing approval allowing a 4 (four) bedroom commune on Erf 3108, Stellenbosch. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality By-law on Municipal Land Use Planning, 2023 for consent use in order to expand the existing commune by an additional 2 (two) bedrooms, with the maximum number of commune bedrooms totalling 6 (six) on Erf 3108, Stellenbosch.

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

1. **Civil Engineering services**
- 1.1 **None.**

2. Development Charges (DCs)

- 2.1 The following DC's are payable: See Development Charge Calculation attached.
- 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
- 2.3 The appropriate DC's are payable immediately after the approval of this land use application.

Ilze Fillies

Ilze Fillies

Principal Technician: Development (Infrastructure Services)

N:\2.0 DEVELOPMENT\01 Land Use applications\2626 (IF) Erf 3108 Stellenbosch (LU-16369-16371)\2626 (IF) Erf 3108 Stellenbosch (LU-16369-16371).doc



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	2606 (P) Ef 3108 Stellenbosch (ALL-00388-0007)
Development Name:	
Date:	21 December 2023
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Firm No.:	Erf 3108
DC Parameters Reference:	Alterations and additions for the Williams erf 3108 RD 06 Stellenbosch Municipality (near A D Lacey)

SUMMARY OF DC CALCULATION									
Service	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (containing services)	Community	Taxable	
Unit(s):	Ml/day	Ml/day	litre/s	Week	Weekday		persons		
Total Increased Services Usage:	0,64	0,46	0,012	0,046	3,75		3		73 636,65
Total Services Usage Reduction:	0	0	0	0	0,0		0		
Total Services Usage after Reduction:	0,64	0,46	0,01200	0,046	3,8		3		
Charges before adjusting for positive only, before Deductions	R 16 822,40	R 16 520,85	R 2 485,89	R 4 401,52	R 22 632,14	R			
Charges adjusted for positive only, before Deductions	R 16 822,40	R 16 520,85	R 2 485,89	R 4 401,52	R 22 632,14	R			73 636,65
Total Deductions:	R -	R -	R -	R -	R -	R			73 636,65
Total Development Charges Payable (including VAT):	R 16 822,40	R 16 520,85	R 2 485,89	R 4 401,52	R 22 632,14	R			73 636,65
VAT:	R 2 538,36	R 2 326,13	R 372,80	R 660,23	R 3 304,82	R			11 000,34
Total Development Charges Payable (including VAT):	R 19 400,76	R 17 846,97	R 2 858,69	R 5 061,75	R 26 026,96	R			84 636,99

APPLICANT INFORMATION	
Application Processed by:	Boo Piller
Signature:	<i>Boo Piller</i>
Notes:	



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	2020 (JF) Erf 3 108 Stellenbosch (LU-16349-16371)
Development Name:	
Date:	21 December 2023
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	Erf 3108
DC Parameters Reference:	Alterations and additions for Mrs Williams erf 3108 NO 65 Heethoogse laan Valley Stellenbosch Rev A D Luchty

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub-Total (Cmvl Eng Services)	Community	Totals	
Unit(s):	W/day	W/day	litre/s	Week	trip/day		persons		
Total Increased Services Usage:	0,64	0,45	0,012	0,045	3,75		3		
Total Service Usage Reduction:	0	0	0	0	0,0		0		
Total Service Usage after Reduction:	0,64	0,45	0,01200	0,045	3,8		3		
Changes before adjusting for positive only, before Deductions:	R 16 822,40	R 15 520,85	R 2 485,99	R 4 401,52	R 22 632,14	R 91 982,90	R 11 572,73	R 73 585,63	
Changes adjusted for positive only, before Deductions:	R 16 822,40	R 15 520,85	R 2 485,99	R 4 401,52	R 22 632,14	R 91 982,90	R 11 572,73	R 73 585,63	
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -	
Total Development Charges Payable (excluding VAT):	R 16 822,40	R 15 520,85	R 2 485,99	R 4 401,52	R 22 632,14	R 91 982,90	R 11 572,73	R 73 585,63	
VAT:	R 2 538,36	R 2 328,13	R 372,90	R 660,23	R 3 384,82	R 9 294,34	R 1 735,91	R 11 030,34	
Total Development Charges Payable (including VAT):	R 19 400,76	R 17 848,97	R 2 858,89	R 5 061,75	R 26 020,96	R 71 287,24	R 13 308,64	R 84 645,88	

Application Processed by:	liza Fries
Signature:	<i>l Fries</i>
Notes:	