STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/18536(TP1008/2024)

Our File Reference Number: Erf 16105, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MA [redacted]

Sir /Madam

APPLICATION FOR PERMANENT DEPARTURE ON ERF 16105, STELLENBOSCH

1. The above application refers.

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

2.1. That the application for permanent departure in terms of section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, 2023 to permit the following:

a. The swimming pool to be 1.5m in lieu of 3m from the street building line (Rivier Avenue)
b. The swimming pool to be 1.2m in lieu of 3m from the street building line (Sewende slot)

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 **condition**s imposed in terms of Section 66 of the said Bylaw:

i. The approval applies only to the proposed application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from the Municipality or other legislation or By-laws or Regulations that may be applicable.
ii. 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.
iii. Building plans must be generally in accordance with the site plan / floor layout plan as referenced in drawing number: STL 16105 001, dated 11 November 2024, drawn by I. Marais attached as **Annexure A.**

iv. Building plans must be submitted for all work, as well as changes of use of the existing building / structures and which building plan (s) must be approved and related occupancy certificate be issued prior to the vesting of any of the related approvals.

2.3. The **reasons** for the above decision are as follows:

a. The proposal is in line with the existing land use of the property and is considered minor as they will not detract from the prevailing character of Brandwacht Aan Rivier Estate.
b. The proposal will have no impact on municipal services.

3. 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.

4. Appeals must be submitted by completing the required form 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.

5. **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**

6. 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.

7. The appeal form and 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 or 021- 808 8684.

8. 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.

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

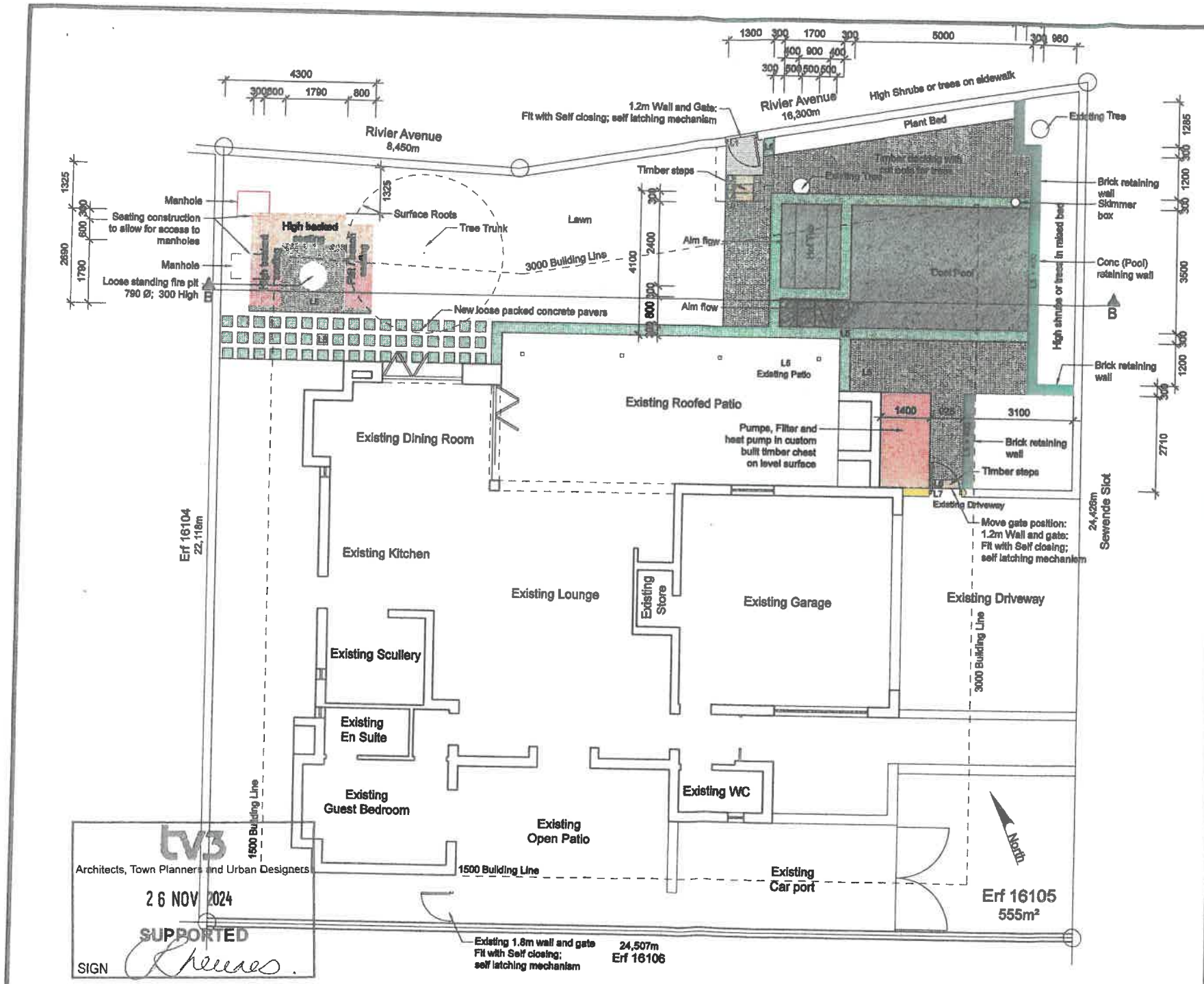
10. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised, and you've been advised accordingly.

Yours faithfully

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

16/7/2025

DATE



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Architects, Town Planners and Urban Designers

26 NOV 2024

SUPPORTED

SIGN

General Notes:

- All relevant levels, dimensions and details to be verified on site.
- All SANS 10400 applicable codes of practice to be used.
- All materials and work undertaken must comply with all local authority regulations.
- The site to be kept tidy during construction and all rubble to be removed regularly and at the end of construction by the builder.
- All materials and uncertainties for work to be done to be checked with owner and/or architect.

Notes to owner:

- The attention of the owner is drawn to the fact that changes to the plan and/or spec. after official approval are likely to invalidate that approval.

- Concrete (Coping / tiles)
- Elevated Coping / tiles
- Timber Deck
- Furniture
- Water Surface

[redacted]

29 Tibbetts Crescent
Jamestown
Stellenbosch
7600

Project:

Pool and Hard Landscaping Additions to Existing House at 2 Sewende Slot, Brandwacht Aan Rivier,

[redacted]

Plan

Drawing No: STL 16105 001

Date: 11 November 2024

Scale: 1 : 100

Drawn By:

I.Marais

SACAP No: 1374