



Application Number: LU/17776 – TP1002/2024

Our File Reference Number: Farm 81/33, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-

Sir / Madam

APPLICATION FOR A DEPARTURE: FARM 81/33, STELLENBOSCH DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
3. The application in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 for a permanent departure to permit the following on Unregistered Erf 18217, Portion 531, Phase E, a Portion of Farm 81/33, Newinbosch:
 - 3.1 The relaxation of the 4.5m street building line to 0.0m on Cloetesdal Road and Isikolo Street to permit shade ports to be constructed on the subject property.
 - 3.2 The relaxation of the 4.5m side building line to 0.0m adjoining Unregistered Erf 18218, Portion 561, Newinbosch, to permit shade ports to be constructed on the subject property.

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

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

- 4.1 The approval only applies to the applications 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.

4.2 The development and building plans be generally in accordance with the site plan, section, and elevations as referenced in Drawing No. SDP1101-0, dated 05/09/2024, and drawn by Osmond Lang, Architects and Planners (Pty) Ltd, Cape Town, attached as **Annexure A**.

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

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

5.1 The overall impact of the proposal will not have a negative impact on the surrounding properties, land uses and properties.

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 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.

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.

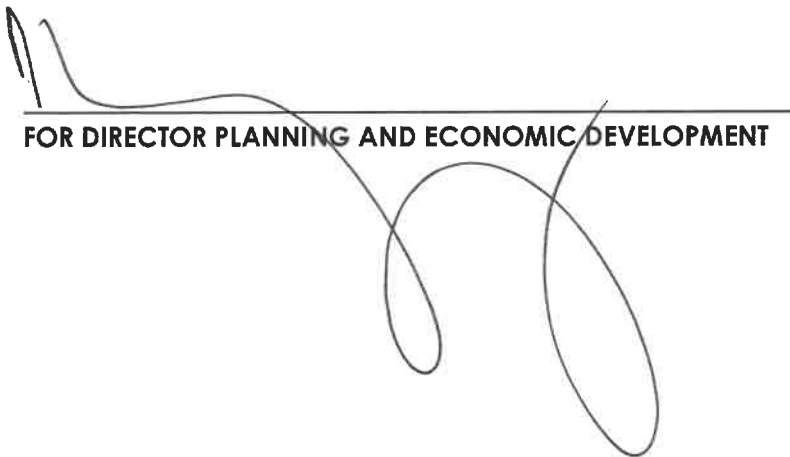
10. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021 – 808 8684.

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

11/3/2025
DATE:

Annexure A

1. THE MAPS, THE LAYOUT, THE DESIGN, THE CONSTRUCTION, THE MAINTENANCE AND THE REPAIRS OF THE INFRASTRUCTURE AND THE BUILDINGS AND THE LANDS THEREON SHALL BE THE RESPONSIBILITY OF THE DEVELOPER AND THE OWNER OF THE PROJECT.

2. THE DEVELOPER AND THE OWNER OF THE PROJECT SHALL BE RESPONSIBLE FOR THE PROVISION OF THE INFRASTRUCTURE AND THE BUILDINGS AND THE LANDS THEREON IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWN AND COUNTRY PLANNING ACT, 1976 (ACT NO. 103 OF 1976) AND THE TOWN AND COUNTRY PLANNING REGULATIONS, 1977 (REGULATIONS NO. 103 OF 1977).

3. THE DEVELOPER AND THE OWNER OF THE PROJECT SHALL BE RESPONSIBLE FOR THE PROVISION OF THE INFRASTRUCTURE AND THE BUILDINGS AND THE LANDS THEREON IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWN AND COUNTRY PLANNING ACT, 1976 (ACT NO. 103 OF 1976) AND THE TOWN AND COUNTRY PLANNING REGULATIONS, 1977 (REGULATIONS NO. 103 OF 1977).

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SITE INFORMATION			
ERF NO.	18218	LOCALITY	Isikolo
ERF AREA (sqm)	11331.0	ERF TYPE	Residential Zone
ERF ZONE	Residential Zone	ERF SUB-ZONE	Residential Zone
ERF SUB-ZONE	Residential Zone	ERF SUB-ZONE	Residential Zone

PERMISSIBLE REQUIREMENTS			
STREETS	PERMISSIBLE	ACTUAL	
STREET FRONTAGE	All floors	All floors	4.5m
STREET FRONTAGE	Ground floor	Ground floor	4.5m
STREET FRONTAGE	First floor	First floor	6.0m
STREET FRONTAGE	Second floor	Second floor	6.0m

COMMON SETBACK LINE			
South Boundary	4.5m	4.5m	6.0m
East Boundary	4.5m	4.5m	6.0m
West Boundary	4.5m	4.5m	6.0m
North Boundary	4.5m	4.5m	6.0m

COVERAGES			
COVERAGES	PERMISSIBLE	ACTUAL	
COVERAGES	50% of total site area	50% of total site area	5677.0
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PARKING CALCULATION:

112 one & three-bedroom flats @ 1.5 bays per flat = 168 parking bays
 23 three-bedroom flats @ 1.75 bays per flat = 40.25 parking bays

Parking bays required: 168 + 40.25 = 208.25 parking bays

Parking bays provided = 212 parking bays

SITE PLAN

1:250

ERF 18218

SDP101-1

8

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES System WG 19°			S.G. No.
		Constants :	Y	X		
			0,00	0,00		
A B	4,35	204 03 20	A	+14 512,07	+3 753 613,23	Approved. for Surveyor - General Date :
B C	94,77	247 40 40	B	+14 510,30	+3 753 609,26	
C D	10,44	339 54 10	C	+14 422,63	+3 753 573,26	
D E	22,08	342 27 40	D	+14 419,04	+3 753 583,07	
E F	83,00	343 46 00	E	+14 412,39	+3 753 604,12	
F G	7,82	352 41 40	F	+14 389,19	+3 753 683,81	
G H	7,82	10 32 40	G	+14 388,19	+3 753 691,57	
H J	3,41	10 38 40	H	+14 389,62	+3 753 699,26	
J K	89,33	88 39 20	J	+14 390,25	+3 753 702,61	
K A	97,08	160 25 50	K	+14 479,56	+3 753 704,70	

389 GROOTVLEI  +15 854,92 +3 753 551,10
403 WELTEVREDEN  +14 157,07 +3 752 027,55

SHEET 1 OF 2 SHEETS

The figure ABCDEFGHJK
represents 1,1134 hectares of land, being

ERF 18217 (PORTION OF ERF 17944) STELLENBOSCH

Situate in the Stellenbosch Municipality
Administrative District of Stellenbosch
Surveyed in March 2024
by me

Province of Western Cape



PLS 1354 M R Stuart-Fox Pr Land Surveyor

This diagram is annexed to No. Dated i.f.o.	The original diagram is No. Annexed to	File No. S.R. No. E Comp. BHSZ-1162 (M3216) LPI C0670022
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Registrar of Deeds

Erf 18217 Stellenbosch

Beacon Description

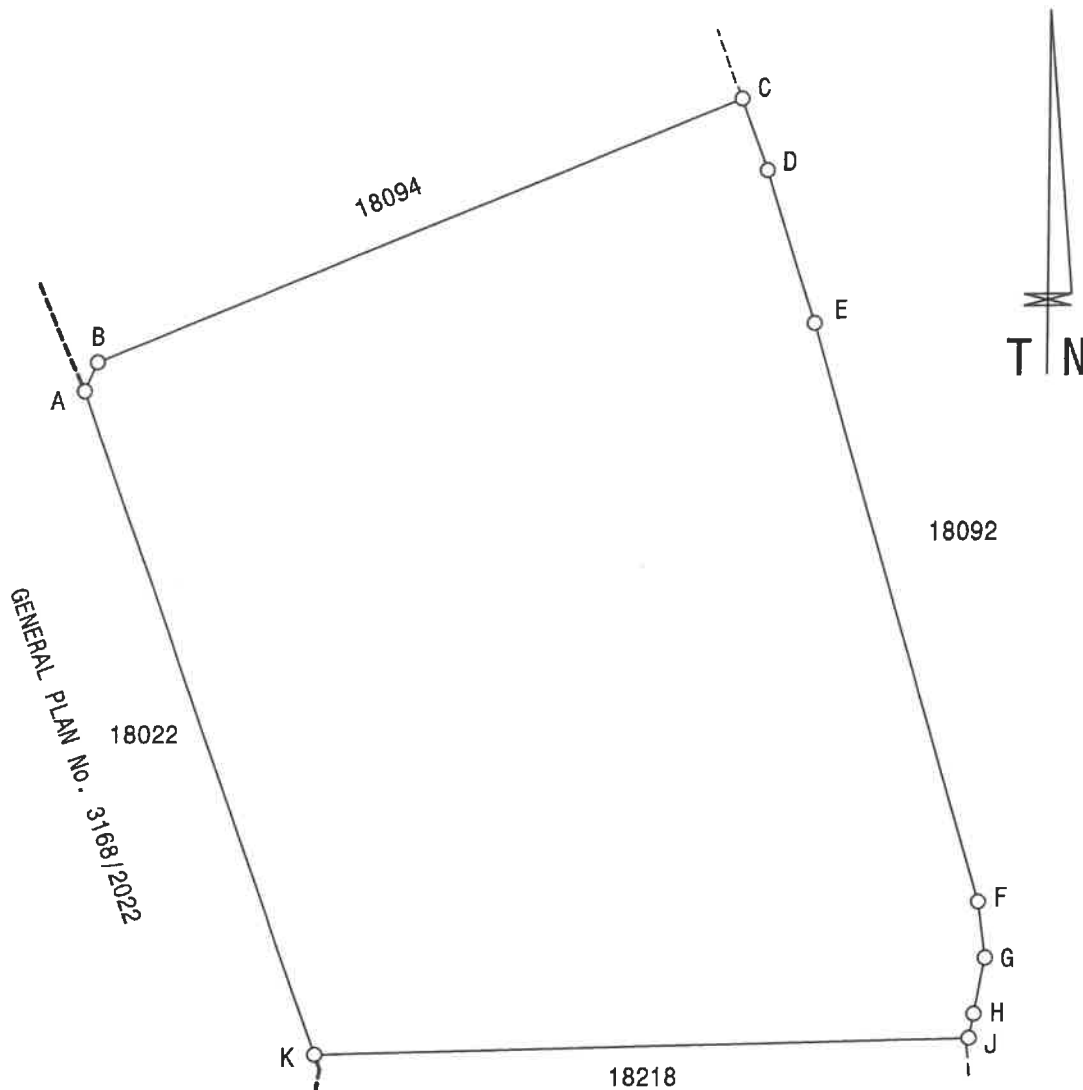
All beacons are 12mm Iron peg

S.G. No.

Approved.

for
Surveyor - General
Date :

SHEET 2 OF 2 SHEETS



ERF 18217 (PORTION OF ERF 17944) STELLENBOSCH

Administrative District of Stellenbosch

Surveyed in March 2024
by me

M Stuart-Fox

SCALE 1 : 1000

PLS 1354 M R Stuart-Fox Pr Land Surveyor

Erf 18217 Stellenbosch

ZONING SCHEME REQUIREMENTS				
SITE INFORMATION				
TOTAL SITE AREA (sqm)	11134,0			
ZONING	Multi-Unit Residential Zone			
PRIMARY USES	Flats			
SETBACKS				
STREET SETBACK LINE		All floors:		4.5m
North, East & West Boundary				
COMMON SETBACK LINE				
South Boundary		Ground floor:		4.5m
		First Floor:		4.5m
		Second Floor:		6.0m
		Ground floor:		6.0m
		First Floor:		6.0m
		Second Floor:		6.0m
COVERAGE				
PERMISSIBLE		ACTUAL		
ILEX 1		504,94		
ILEX 2		475,61		
ILEX 3		475,61		
ILEX 4		1097,30		
REFUSE 1 - 4		100,86		
REFUSE HOLDING AREA		28,61		
TOTAL COVERAGE		5567,00	2682,93	24%
FLOOR AREA				
PERMISSIBLE		ACTUAL		
ILEX 1		1665,29		
ILEX 2		1572,16		
ILEX 3		1572,16		
ILEX 4		3384,54		
REFUSE 1 - 4		100,86		
REFUSE HOLDING AREA		28,61		
TOTAL FLOOR AREA		8350,5	8323,62	75%
See table 1 for breakdown per floor.				
HEIGHT				
PERMISSIBLE		ACTUAL		
ILEX 1		4 Stories		
ILEX 2		4 Stories		
ILEX 3		4 Stories		
ILEX 4		4 Stories		
REFUSE 1 - 4		4 Stories		
REFUSE HOLDING AREA		4 Stories		
UNIT TYPES				
1 & 2 BED		3 BED		
ILEX 1		3		
ILEX 2		1		
ILEX 3		1		
ILEX 4		18		
TOTAL		23		
PARKING				
PERMISSIBLE		ACTUAL		
1 & 2 BED (1,5 bays per unit)		168		
3 BED (1,75 bays per unit)		44		
TOTAL		212		

TABLE 1	Ground Floor	1st Floor	2nd Floor	3rd Floor	TOTAL
ILEX 1	354,60	438,78	438,52	433,38	1665,29
ILEX 2	407,20	408,83	408,27	347,85	1572,16
ILEX 3	407,20	408,83	408,27	347,85	1572,16
ILEX 4	656,61	900,31	956,14	871,49	3384,54
REFUSE	100,86				100,86
REFUSE HOLDING AREA	28,61				28,61

PARKING CALCULATION:

112 one and three-bedroom flats @ 1.5 bays per flat = 168 parking bays

23 three-bedroom flats @ 1.75 bays per flat = 40.25 parking bays

Parking bays required: 168 + 40.25 = 208.25 parking bays

Parking bays provided = 212 parking bays



- NOTES:
1. THE DESIGN ON THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF THE ARCHITECT.
 2. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE N.B.R. SALES 10000 AND LOCAL AUTHORITY REGULATIONS.
 3. THE DRAWING IS NOT TO BE SCALED.
 4. ANY DISCREPANCIES ARE TO BE IMMEDIATELY REPORTED TO THE ARCHITECT.
 5. ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION.

Date	Change	Description	Revised By
2024/11/14	01	SDP 1101.1	4
2024/11/14	02	SDP 1101.1	5

Owner: *[Signature]*

Date: *[Signature]*

Architect: *[Signature]*

Date: *[Signature]*

City: *[Signature]*

Project: *[Signature]*

Project: NEWINBOSCH APARTMENTS PHASE E FOR 5801.41

Form 31 (Rev. 03) Clotiesdal

DRAWING TITLE: SITE PLAN

BUILDING CLASSIFICATION: A1, F2, G1, H3

CLIMATIC ZONE: 4

RESPONSIBLE PERSON: DATE: APPROVED

DESIGN: S. K. Mingo 2024/11/14

DRAWN: *[Signature]*

SHEET SIZE: A1

PROJECT No: CT1395

DRAWING NUMBER: SDP1101.1

REVISION: B