



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15495 (TP272/2023)

Our File Reference Number: Erf 3890, 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 REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, SUSPENSION OF TITLE DEED AND
SUBDIVISION: ERF 3890, STELLENBOSCH**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 3890, Stellenbosch for:
 - 3.1. the removal the following title deed conditions, Clause B(6)(a) of T26613/1980 and clause 6(a) of T19882/1969 not permitting subdivision of the property, in terms of Section 15(2)(f) of the said Bylaw.
 - 3.2. the subdivision of Erf 3890, Stellenbosch into two portions of Portion A (±891m²) and a Remainder (±1040m²) and the registration of a 3m wide services servitude in favor of the Remainder over Portion A, in terms of Section 15(2)(d) of the said Bylaw.
 - 3.3. the suspension of 3.15m common title deed building line between the Remainder and Portion A to 3.010m, 2.909m, 3.132 and 2.902m to accommodate the existing dwelling on the Remainder, in terms of Section 15(2)(f) of the said Bylaw.

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 proposed applications 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.
 - 4.2. 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.
 - 4.3. The subdivision and suspension of a title deed condition, must be undertaken generally in accordance with the subdivision plan, as indicated on the referenced Project Nr 366.2022 dated November 2024 and drawn by Urban Rural South Africa, Planning +Lan Use Specialist, attached as **ANNEXURE B** and Site Plan; Project No. 22-126, dated 31/01/2025 drawn by RedAtlantic Architecture attached as **ANNEXURE C**.
 - 4.4. Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director Infrastructure Services.
 - 4.5. Conditions imposed by the Infrastructure Services Department as contained in the memorandums dated 03 October 2023 and 21 January 2025 attached as **ANNEXURE D**, be complied with.
 - 4.6. An electronic copy (shp, dwg, dxf) of the approved erf diagrams be submitted to the Directorate Planning and Economic Development for record purposes, which plan must indicate the following information:
 - 4.6.1 Newly allocated erf/farm numbers
 - 4.6.2 Co-ordinates
 - 4.6.3 Survey dimensions
 - 4.7. The proposed subdivision portion of Erf 3890 must have its own electrical supply cable separate of the existing building, for the cost of the owner and pro-rata fees are payable.
 - 4.8. All electrical wiring for the building on the proposed subdivided portion A should be carried out in accordance with SANS 10142 & SANS 104 XA and if connecting a generator or solar panels for backup, the setup needs to comply to SANS 10142 and Municipal by-laws.

- 4.9. No electricity supply will be switched on if the Certificate of Compliance is outstanding.

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

- 5.1. The proposed subdivision is a moderate form of densification inside an urban edge, which is promoted by the principals of the Stellenbosch Municipal Spatial Development Framework and is compliant with the Stellenbosch Municipal Subdivision Policy.
- 5.2. New safe accesses off a public road are created and the new municipal service connections could be provided to the satisfaction of the Director: Infrastructure Services.
- 5.3. All zoning scheme bylaw parameters for both portions and all title deed restrictions for Portion A will still be able to be complied with, for any new construction, with minimum effect on surrounding neighbouring properties.
- 5.4. The scale and nature of the proposed suspension of the common title deed building line between Portion A and the Remainder, will not compromise the existing character of the surrounding landscape as it will only affect the proposed subdivision portions.
- 5.5. The proposals would not have a significant impact on traffic generation, which would be detrimental to the area.

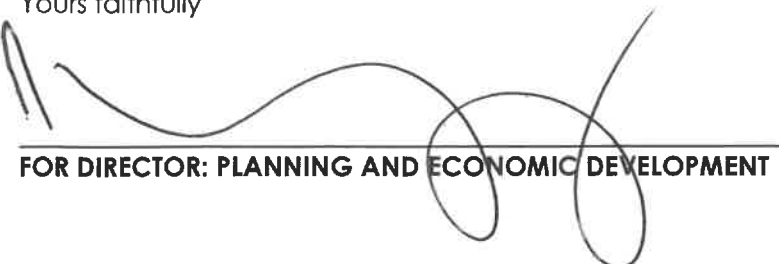
6. **Matters to be noted:**

- 6.1. The applicant, after publication of a notice in the *Provincial Gazette* to apply to the Registrar of Deeds to make appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal and suspension of the restrictive conditions.

7. 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.

8. 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.
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 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.
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

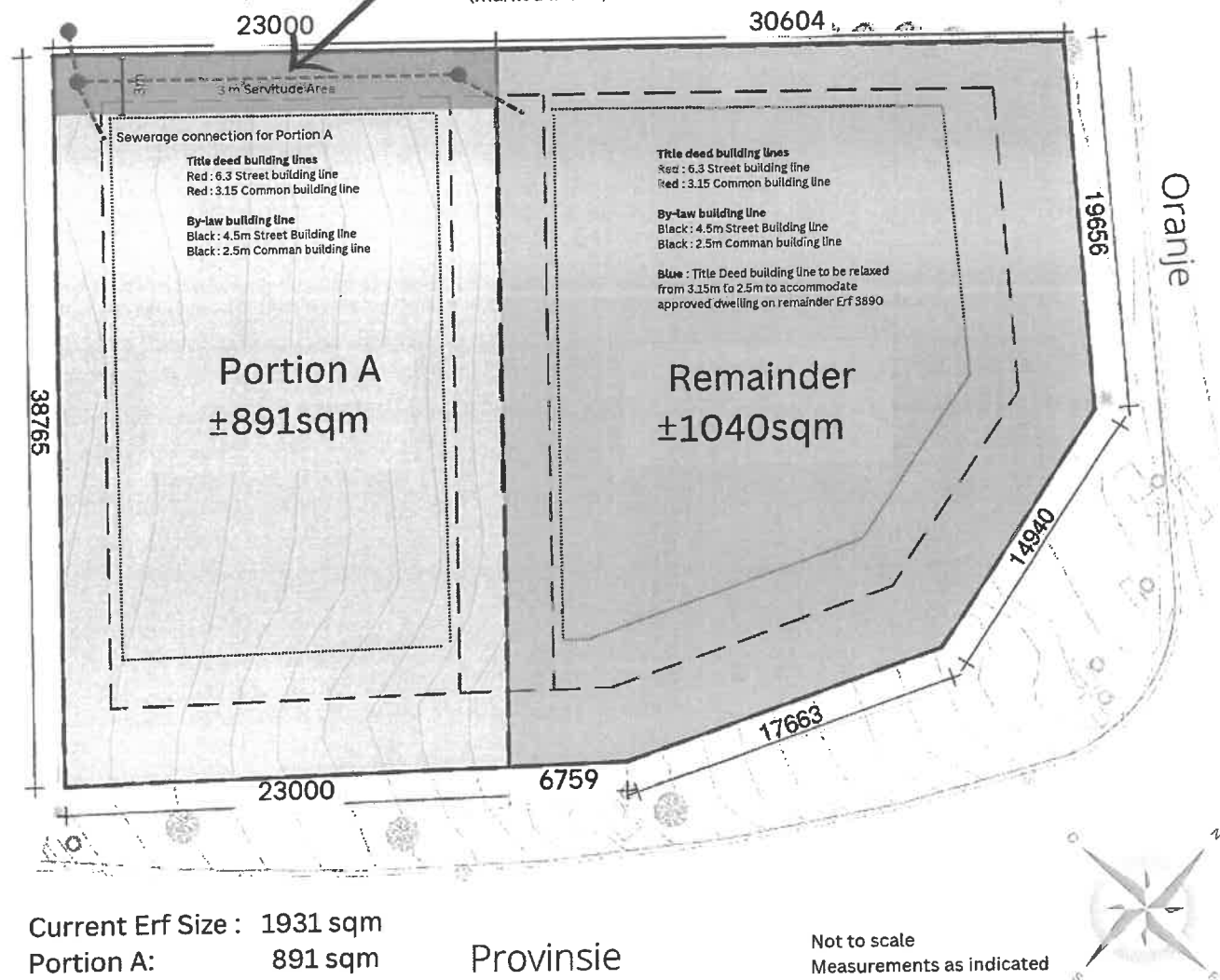

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT


DATE

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ANNEXURE B

- Register a 3-meter servitude (indicated in blue) over Portion A in favor of Remainder Erf 3890, Stellenbosch, to accommodate a sewerage line as indicated on the engineering plan 9469/02 by Bart Senekal Inc dated 22/11/2023
- Refer to the above engineering plan for the accurate location of the sewerage line (marked in red).



The area available to develop on the smaller Portion A, calculates to approximately 440 sqm footprint, which can be considered sufficient for a sizable house to be erected.

The above is achievable without relaxing the title deed building lines of 6.3m and 3.15 or the standard building lines of 4m (street) and 2.5m (side and rear) on a conventional residential zone property.

Revised PROPOSED SUBDIVISION PLAN

Property : Erf 3890
Town : Stellenbosch
Municipality : Stellenbosch Municipality
Location : 1 Oranje Street, Uniepark
Date : Revised November 2024
Scale : Unknown or as Indicated
Source : Client
Project Nr : 366.2022

URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

A THEART | Tch.Pln (SA) MPhil NHDip NDip PPRE CEA
ALWI THEART T/A URBAN RURAL SA PLANNING PRACTITIONERS
REGISTERED WITH THE SOUTH AFRICAN COUNCIL FOR PLANNERS
SOUTH AFRICAN COUNCIL FOR PLANNERS | REG NR B.8133.2005

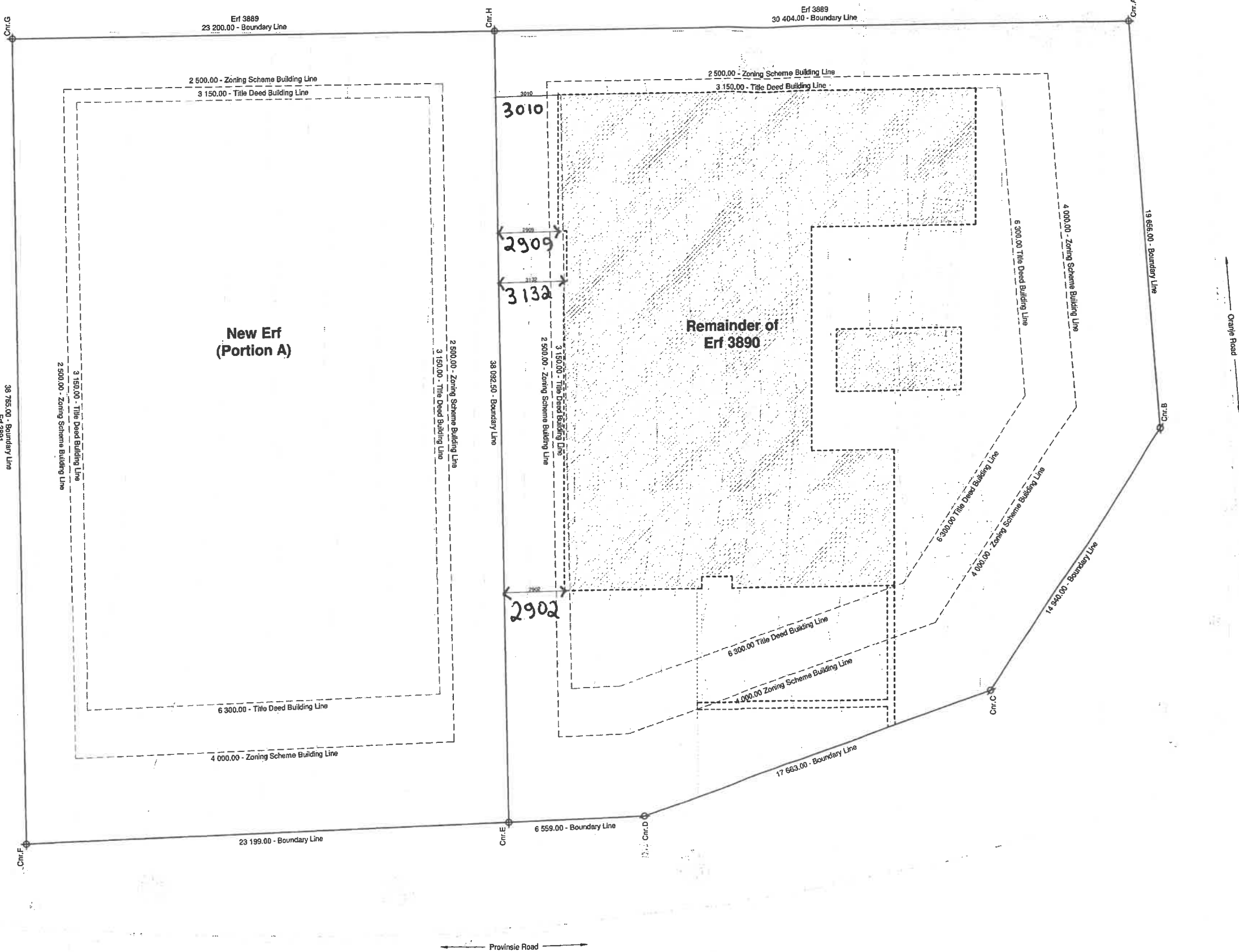
PLAN

B06

STELLENBOSCH MUNICIPALITY	
THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER APPENDIX.	
MUNICIPAL MANAGER	DATE
	11/2/2025



ANNEXURE C



COPYRIGHT NOTICE
Copyright © 2011 (Red Atlantic Architecture). Copyright subsists in this drawing. The person or entity whose name appears in the title block of this drawing, is hereby granted a non-exclusive license to use, display, print and / or reproduce this drawing to the extent necessary to carry out and complete the project described in the title block of this drawing.
This license in respect of the copyright is expressly limited as aforesaid and the person and/or entity referred to above shall not be entitled to grant sub-licenses in respect of the copyright in this drawing to any other entity.
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Requests and enquiries concerning this drawing and the rights subsisting therein should be addressed to the copyright owner.
DISCLAIMER
All drawings and dimensions must be correlated by the owner and contractor before any materials are ordered or building work commences. Any differences must be brought to the attention of the Architect in writing immediately.
Upon submitting this document to the Local Authority for approval, the owner of this property confirms that all the information on this document is to the owner's final wishes and to their satisfaction. The owner understands that any changes hereafter for whatever reason, must be resubmitted to the Local Authority for approval.
The owner of this property acknowledges that they will be responsible and liable for any deviation from this document without the Architect's knowledge.

Remainder of Erf 3890	891.00 sqm
New Erf (Portion A)	1040.00 sqm
Coverage on Remainder of Erf 3890	365.00 sqm
	35.1% of RE/3890

Municipal Approval Stamps

Owner Signature	Date
Architect Signature	Date

H4 - Dwelling House



RED ATLANTIC
ARCHITECTURE

House Kritzingen

Property description
Remainders of Erf 3890, Stellenbosch
C/o Oranje Road & Provinsie Road, Uniepark

Project description
Erf Subdivision

Sheet description
Site Plan

Project number	Sheet no	Rev	Project status
22-126	102		Rev
Project Date	Designed by	Scale	
2022-07-01	RvJ	as indicated	
Issue Date	Drawn by	Page Size	
2025/01/31 08:55:46	NA	A1	

ANNEXURE D



STELLENBOSCH MUNICIPALITY
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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Nolusindiso Momoti
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Kurt Titus
Date ▫ Datum: 03 October 2023
Our Ref ▫ Ons Verw: Civil LU 2525
Town Planning Ref: LU/15495
Re ▫ Insake: Erf 3890, Stellenbosch:

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

1. Civil Engineering services

2. Roads

Engineering drawings to be submitted, to Infrastructure Services, Stellenbosch Municipality and scrutinized by the Roads Department.

The following to be included:

- Site layout plan, indicating the entrances for the proposed new plots.
- Indicate the road name from where one enters both proposed properties.

3. Water and Sewer

Engineering drawings to be submitted, to Infrastructure Services, Stellenbosch Municipality and scrutinized by the Water Services Department.

The following to be included:

- Site layout plan indicating the existing sewer and water connection of ERF 3890.
- Indicate all new proposed connections to service the two properties created by this proposed subdivision.

- The developer must engage the Stellenbosch Municipality Water Services Department Leandro Hendricks - 021 808 8209 to arrange a site visit. This is to discuss new connection points for both sewer and water and the cost involve prior to submitting plans.
- All cost involved with any new water and sewer connections is for the developers account. The developer is also liable for any cost as a result of any damages to municipal infrastructure during any construction on the properties.
- A possible servitude will have to be registered for the municipal sewer pipe running through the property with the developer liable for the cost.

4. Development Charges

4.1 Development Charge are payable.

4.2 The DC's will be 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.

K Titus

Kurt Titus
Principal Technician: Development (Infrastructure Services)

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Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	LU 2525
Development Name:	ERF 3890 1 Oranje Straat_ Subdivision
Date:	24 July 2023
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	3890
DC Parameters Reference:	DC_Subdivision_LU2525_UnlePark_Oranje Straat_ERF3890_PLAN No_ B05_Urban Rural South africa

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:	0.8	0.65	0.028	0.04	4		4		
Total Service Usage Reduction:	0	0	0	0	0.0		0		
Total Service Usage after Reduction:	0.80	0.65	0.02800	0.040	4.0		4		
Charges before adjusting for positive only, before Deductions	R 25 070.22	R 22 419.00	R 5 800.65	R 3 912.46	R 24 140.95	R 81 343.29	R 15 430.31	R	96 773.59
Charges adjusted for positive only, before Deductions	R 25 070.22	R 22 419.00	R 5 800.65	R 3 912.46	R 24 140.95	R 81 343.29	R 15 430.31	R	96 773.59
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R	-
Total Development Charges Payable (excluding VAT):	R 25 070.22	R 22 419.00	R 5 800.65	R 3 912.48	R 24 140.95	R 81 343.29	R 15 430.31	R	96 773.59
VAT:	R 3 780.53	R 3 362.85	R 870.10	R 566.87	R 3 821.14	R 12 201.49	R 2 314.55	R	14 516.04
Total Development Charges Payable (including VAT):	R 28 850.75	R 25 781.85	R 6 670.75	R 4 495.33	R 27 962.09	R 93 544.78	R 17 744.85	R	111 295.63

APPLICANT INFORMATION	
Application Processed by:	Kurt Titus
Signature:	<i>K. Titus</i>
Notes:	

Stellenbosch Town

Development Category	Land Use Category		Existing Usage			Proposed New Usage			Development Change Level (DEL/VAL)					Community	Total									
	Unit Type	Description	Area (m²)	Unit/Amount	Feature	Area (m²)	Unit/Amount	Result	Water	Sewer	Stormwater	Solid Waste	Roads & Transport			Sub-Total (m²/Ent Services)								
Residential	du	Single Residential <100m2		1				1	R	-	-	-	R	-	R	-	R							
	du	Single Residential >500m2						1	R	25 070.22	R	22 416.00	R	5 800.65	R	3 812.46	R	24 140.05	R	81 343.28	R	15 340.31	R	98 773.69
	du	Single Residential >250m2							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	du	Single Residential <250m2							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	du	Second Dwelling							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	du	Leis Formal Residential							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	du	Group Residential							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	du	Apartments							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	du	Retirement Village							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	du	Old age home							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Accommodation	rooms	Student Accommodation/Commune/Hostels							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	rooms	Guest House							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	rooms	Converted Guest House							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	rooms	Hotel, Residential							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	m2 GLA	General Business							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Commercial	m2 GLA	Office							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	m2 GLA	Retail/Shop							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	m2 GLA	Restaurant							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	m2 GLA	Outdoor Dining/Function Area (area)							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	persons	Outdoor Dining/Function Area (persons)							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	m2 GLA	Conference Facility/Place of assembly							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	m2 GLA	Hospital/Clinic/Medical Rooms							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	student	University/College							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	student	School/Day Care							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	m2 GLA	Industrial - light							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Industrial	m2 GLA	Industrial - heavy							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	m2 GLA	Warehousing/Light Manufacturing							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	unit	Storage Facilities							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Non demand	ha	Open Space/Natural Environment/Utility Site							0.0000	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	ha	Roads and Parking							0.0000	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	n/a	To be calculated							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	n/a	(Based on equivalent demands)							0	R	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Total Area:		0																					
					Total Area:	0																		

[illegible]



STELLENBOSCH MUNICIPALITY
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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Nolusindiso Momoti
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Kurt Titus
Date ▫ Datum: 21 January 2025
Our Ref ▫ Ons Verw: Civil LU 2525
Town Planning Ref: LU/15495
Re ▫ Insake: Erf 3890, Stellenbosch:

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1. **Civil Engineering services**
2. **Water and Sewer**
 - 2.1 Both proposed subdivided properties must each have its own water and sewer connection point serving the properties. The cost of this would be for the account of the owner.
 - 2.2 The registration of a proposed servitude over portion A is supported where the sewer pipe is running through to provide sewer service to portion B, the developer will be liable for the cost.

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