STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17842 (TP923/2024)
Our File Reference Number: Farm 1202/23, Paarl Division
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 AMENDMENT OF AN APPROVED SUBDIVISION PLAN, PHASING PLAN, AMENDMENT OF A CONDITION OF APPROVAL, CONSOLIDATION, DEPARTURE, REGISTRATION OF SERVITUDES AND STREET NAMING AND NUMBERING ON FARM 1202/23, JOHANNESDAL, PAARL DIVISION

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 on Farm No. 1202/23, Paarl Division for the:

2.1.1 Amendment and cancellation of an approved subdivision plan or part thereof including a general plan or diagram in terms of Section 15(2)(k) of the Stellenbosch Municipality Planning By-Law as per initial approved condition 1 of letter of approval dated 22-05-2013 (See **Appendix 2**);

2.1.1.1 To amend the approved Subdivision Plan, in order to allow for 45 Conventional Residential Zone Erven, 1 Public Open Space Zone Erf (Public Place) and 1 Public Roads and Parking Zone Erf (Public Road) and subsequent re-subdivision of the remainder (excluding the vested subdivisions as depicted in Phase 1 - Erf 207).

2.1.1.2 Amendment and cancellation of an approved subdivision plan or part thereof, including a general plan and diagram in terms of Section 15(2)(k) of the

Stellenbosch Municipality Planning By-Law to cancel the following approved Diagrams and General Plans:

(a) Surveyor General No. 1932/2018 and General Plan No. 1935/2018, depicting the subdivision of Erf 157, Johannesdal.
(b) Surveyor General No. 1933/2018 and General Plan No. 1936/2018, depicting the subdivision of Erf 186, Johannesdal.

2.1.2 Amendment of the approved Phasing Plan in terms of Section 15(2)(h), in order to omit Phases 1 and 2, as approved in terms of condition 1 of the letter of approval dated 12-05-2015 (See **Appendix 2**).

2.1.3 Amendment of condition of approval in terms of Section 15(2)(h), Condition No 2 as indicated in the letter of approval dated 12-05-2015 regarding the amendment of the subdivision to accommodate the phasing imposed by the Directorate Engineering Services Memorandum dated 24/11/2014, with specific reference to the Memorandum's condition No. 3: *Bulk Infrastructure Contribution Levies will be payable per phase and will have to be recalculated by using the applicable tariff structure at date of payment.* To be amended in order to permit the landowner to make the BICL payments on individual erf basis once clearance certificates are applied as per the proposed amended subdivision plans.

2.1.4 Consolidation in terms of Section 15(2)(e) of subdivided Erf 45 (unregistered subdivided erf of remainder Portion 23 of Farm 1202) with Erf 76, Johannesdal to create a single consolidated Erf (±1768m²). See **Appendix 2.**

2.1.5 Departure in terms of Section 15(2)(b) of the Stellenbosch Municipality Planning By-Law for a permanent departure to relax the Street- and Common boundary building lines of erven with an Area between 501m² and 1500m², applicable to the complete residential development on Portion 23 of Farm No 1202 [including the vested Phase 3 -Erf 207 component] and the unregistered Phases 1 and 2 (to be amended).

2.1.5.1 To permit a Street Building line of 3.0m in lieu of 4.0m;
2.1.5.2 To permit Common Boundary Building lines of 1.5m in lieu of 2.5m.

2.1.6 Registration of servitudes in terms of Section 15(2)(d) of the Stellenbosch Municipality Planning By-Law 2023) for the registration Service Servitudes over Portion 2, 3, 4, 5, 6, 8, 10, 14, 20, 27, 31, 33, 34, 35, 43 and 44 as depicted on Plan No 4, Project No. 3990-P, Drawing; Servitudes, dated 05/05/2026 and drawn by TV3 Architects, Town Planners and

Urban Designers, as it relates to the remainder of Portion 23 of the Farm 1202, Paarl Division (See **Appendix 2**).

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 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.

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 application.

3.3 The subdivision must be undertaken in accordance with the subdivision plans, as indicated on the referenced plan;

3.3.1 Amended Subdivision Plan: Plan No 1, Project No. 3990-P, Drawing; Amended Subdivision [Rev 4], dated 05/05/2026 and drawn by TV3 Architects, Town Planners and Urban Designers (See **Appendix 2**).

3.3.2 Proposed Consolidated Plan: Plan No 2A & 2B, Project No. P-3990, Drawing; Consolidation [Rev3], dated 05/05/2026 and drawn by TV3 Architects, Town Planners and Urban Designers (See **Appendix 2**).

3.3.3 Servitudes Plan: Plan No 4, Project No. 3990-P, Drawing; Servitudes, dated 05/05/2026 and drawn by TV3 Architects, Town Planners and Urban Designers (See **Appendix 2**).

3.4 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the properties or approval of any building plans, whichever occurs first, or as may be agreed on in writing with the Municipal Director Infrastructure Services.

3.5 Conditions imposed by the Municipal Infrastructure Department as contained in the memorandum dated 06 March 2025 attached as **Appendix 10**, be complied with.

3.6 An electronic copy (shp, dwg, dxf) of the approved General Plan or surveyor general diagram(s) be submitted to the GIS Manager in the Directorate Planning and Economic

Development for record purposes, which plan indicates the following information in the format as determined:

(a) Newly allocated erf numbers
(b) Co-ordinates
(c) Survey dimensions
(d) Street names and numbering

3.7 Proof of such e-mail transmission referred to in 2.6 must accompany any application for a Section 28 Transfer Certificate.

3.8 All land designated for the provision of municipal service infrastructure and amenities on the subdivision plan be transferred to the Municipality upon transfer of the first unit/erf in the amended subdivision, of which the cost for the surveying and transfer of such land be for the account of the applicant/developer.

3.9 The services servitude rights be registered in the title deeds of the applicable property/ies on registration.

3.10 The proposed subdivisional portions must have its own electricity supply cable, and its installation will be for the account of the applicant.

3.11 All electrical wiring should be carried out in accordance with SANS 10142 & SANS104XA and if connecting a generator or solar panels for backup, the setup needs to comply to SANS10142 and all municipal by-laws.

3.12 The approval for subdivision will still only be valid for the 5year validity period of the last extension granted on 03-05-2024 till 03-05-2029, with the effect that all approval lapses if all new erf diagrams are not registered and individual properties are not transferred in the Deeds Registry before or on 03 May 2029.

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

4.1 The proposed amended subdivision is still in line with the previous municipal approval granted and still present a moderate form of densification inside an urban edge, which is promoted by the principals of the Stellenbosch Municipal Spatial Development Framework.

4.2 Safe accesses off a public road are created and municipal service could be provided to the satisfaction of the Municipal Director: **Infrastructure Services.**

4.3 All zoning scheme bylaw parameters, except the departures from the building lines for street and common boundaries for all portions, will still be able to be complied with, with minimum effect on surrounding neighbouring properties.

4.4 The proposals would not have a significant impact on traffic generation, which would be detrimental to the area.

4.5 It provides for accessible land ownership and housing opportunities.

5. **Matters to be noted:**

5.1 No electrical supply will be switched on if the Certificate of Compliance is outstanding.

5.2 The application for the approval of the Street names and numbers in terms of the Stellenbosch Municipal Street Naming and Numbering Policy, must be submitted for consideration to the delegated functionary in accordance with the Delegations of the Policy for the Naming and Renaming of Streets, Public Places, Natural Areas, Artefacts and Council-Owned Buildings and Facilities, July 2022 as approved by Council vide Item 11.8.3 and dated 23 November 2022.

5.3 That the street name and numbers for the development south of the subject development will be continuous and simultaneously approved with this application as per reference plan; Proposed Street names & numbering (Rev5) Plan No 3, dated 05/05/2026 and drawn by TV3 Architects, Town Planners and Urban Designers.

5.4 Erf diagrams must be approved by the Surveyor-General within the validity period (03-05-2024 till 03-05-2029) and the certification for the confirmation of the subdivision in terms of Section 21(3) of the Stellenbosch Municipal Land Use Planning Bylaw be obtained from the Municipality, failing which the approval for the subdivision will lapse.

5.5 The enforceability of architectural guidelines for a Homeowners Association (HOA) where no specific conditions were imposed requiring the establishment of one, during the initial development approval is therefore a complex legal matter, that generally depends on the structure of the HOA and the registration of rules in title deeds of the new properties. There is therefore no municipal administrative mechanism for approving a set of Architectural Guidelines for this subdivision. It is therefore recommended that the developer continue or consider these proposed guidelines, which cannot be more restrictive than the municipal zoning scheme bylaw (except where departures has been approved), as part of the

purchase agreements and enforceable via the registration in new title deeds, should they still want to continue imposing it.

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.

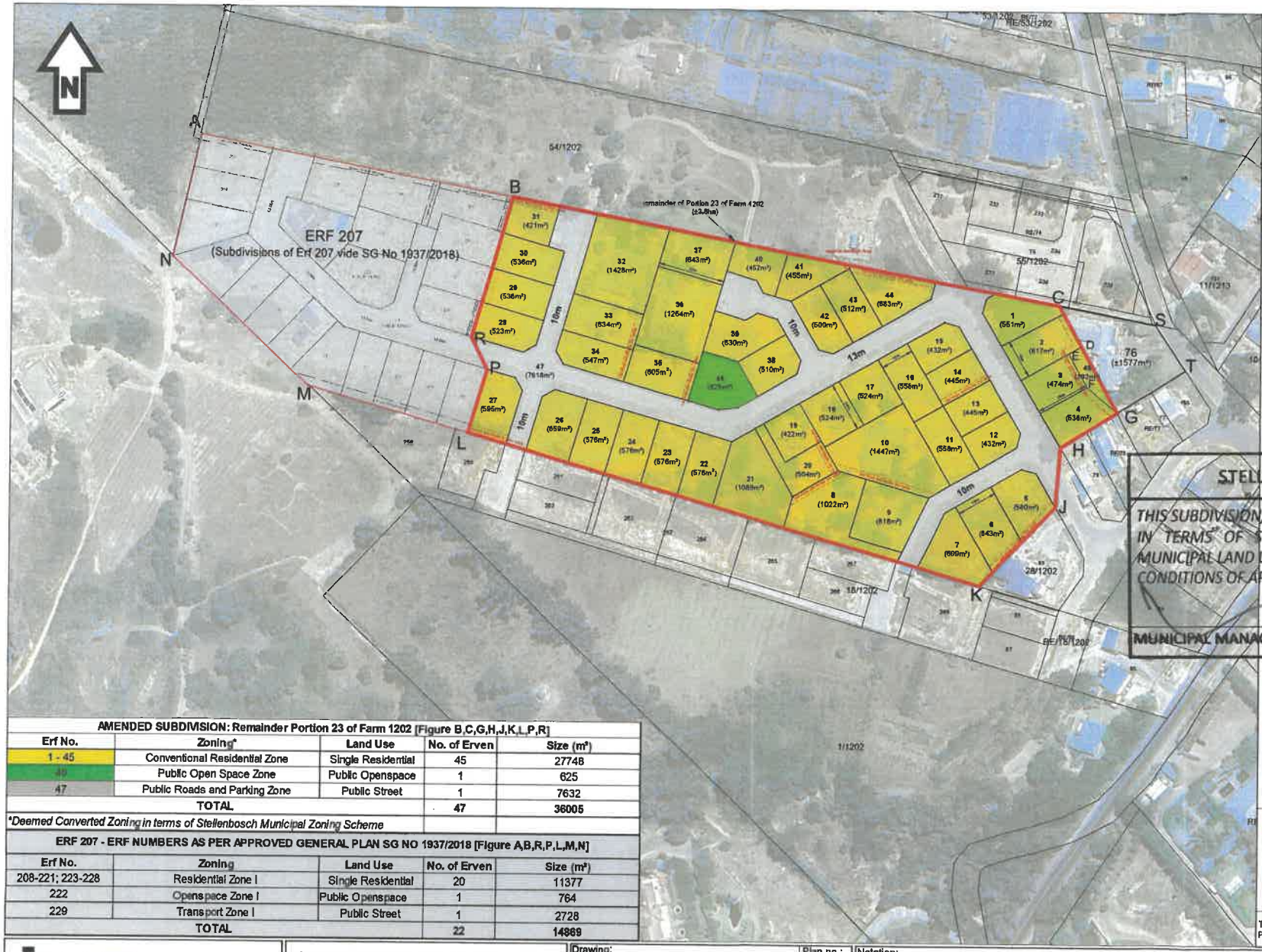
Yours faithfully

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

5/6/2026.

DATE

Appendix 2:
Proposed amended subdivision plans.



Notation:

Application Area

1. Figure A,B,C,D,G,H,J,K,L,M,N represents extent of approved Subdivision relating to Portion 23 of Farm 1202.
2. Figure A,B,R,P,L,M,N represents Erf 207 [vested Phase 3 as Approved and reflected on General Plan No 1937/2018- equating to ±1.4865ha].
3. Figure B,C,D,G,H,J,K,L,P,R represents remainder Portion 23 of Farm 1202 equating to ±3.62ha.
4. Figure D,E,F,G represents proposed subdivided Erf 45 equating to ±193m² to be consolidated with Erf 76.

Services Servitudes

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION/CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW SUBJECT TO THE CONDITIONS OF APPROVAL.

MUNICIPAL MANAGER — DATE 4/6/2026

AMENDED SUBDIVISION: Remainder Portion 23 of Farm 1202 [Figure B,C,G,H,J,K,L,P,R]

Erf No.	Zoning*	Land Use	No. of Erven	Size (m²)
1 - 45	Conventional Residential Zone	Single Residential	45	27748
48	Public Open Space Zone	Public Openspace	1	625
47	Public Roads and Parking Zone	Public Street	1	7632
TOTAL			47	36005

*Deemed Converted Zoning in terms of Stellenbosch Municipal Zoning Scheme

ERF 207 - ERF NUMBERS AS PER APPROVED GENERAL PLAN SG NO 1937/2018 [Figure A,B,R,P,L,M,N]

Erf No.	Zoning	Land Use	No. of Erven	Size (m²)
208-221; 223-228	Residential Zone I	Single Residential	20	11377
222	Openspace Zone I	Public Openspace	1	764
229	Transport Zone I	Public Street	1	2728
TOTAL			22	14869

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

Amendment of Approved Subdivision

Property Description:
remainder Portion 23 of Farm 1202

Drawing:		Plan no.:
Amended Subdivision [Rev 4]		1
Date:	Scale:	
05/05/2026	1:2 500	
Project no.:	Drawn:	Checked:
3990-P	AP	#####

Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained on Google Earth.

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

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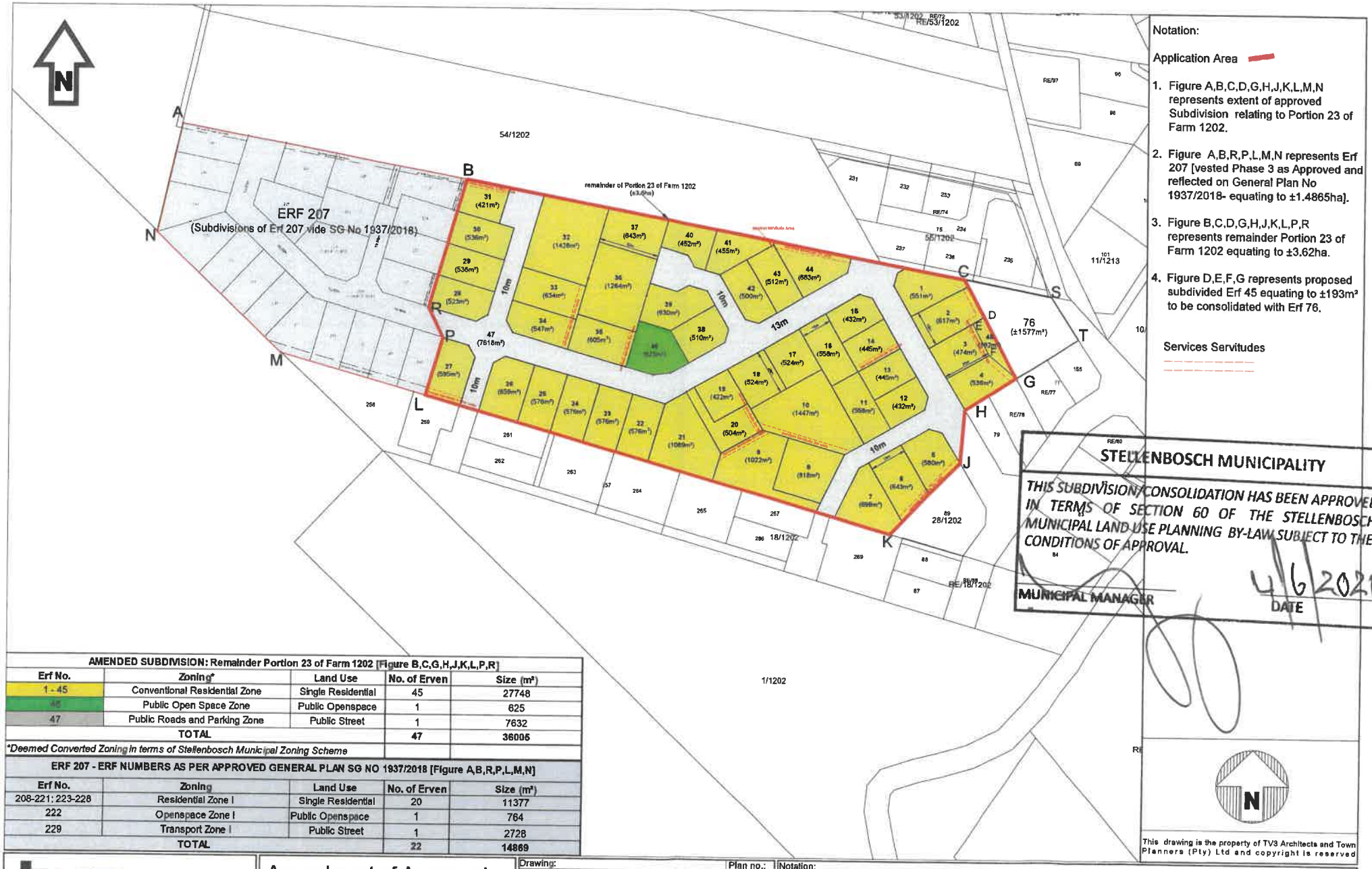

Notation:

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2. Figure A,B,R,P,L,M,N represents Erf 207 [vested Phase 3 as Approved and reflected on General Plan No 1937/2018- equating to ±1.4865ha].
3. Figure B,C,D,G,H,J,K,L,P,R represents remainder Portion 23 of Farm 1202 equating to ±3.62ha.
4. Figure D,E,F,G represents proposed subdivided Erf 45 equating to ±193m² to be consolidated with Erf 76.

Services Servitudes

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION/CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW SUBJECT TO THE CONDITIONS OF APPROVAL.

MUNICIPAL MANAGER

4/6/2026
DATE

AMENDED SUBDIVISION: Remainder Portion 23 of Farm 1202 [Figure B,C,G,H,J,K,L,P,R]

Erf No.	Zoning*	Land Use	No. of Erven	Size (m²)
1 - 45	Conventional Residential Zone	Single Residential	45	27748
46	Public Open Space Zone	Public Openspace	1	625
47	Public Roads and Parking Zone	Public Street	1	7632
TOTAL			47	36005

**Deemed Converted Zoning in terms of Stellenbosch Municipal Zoning Scheme*

ERF 207 - ERF NUMBERS AS PER APPROVED GENERAL PLAN SG NO 1937/2018 [Figure A,B,R,P,L,M,N]

Erf No.	Zoning	Land Use	No. of Erven	Size (m²)
208-221; 223-228	Residential Zone I	Single Residential	20	11377
222	Openspace Zone I	Public Openspace	1	764
229	Transport Zone I	Public Street	1	2728
TOTAL			22	14869

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

Amendment of Approved Subdivision

Property Description:
remainder Portion 23 of Farm 1202

Drawing:		Plan no.:
Amended Subdivision [Rev 4]		1
Date:	Scale:	
05/05/2026	1:2 500	
Project no.:	Drawn:	Checked:
3990-P	AP	#####

Notation:

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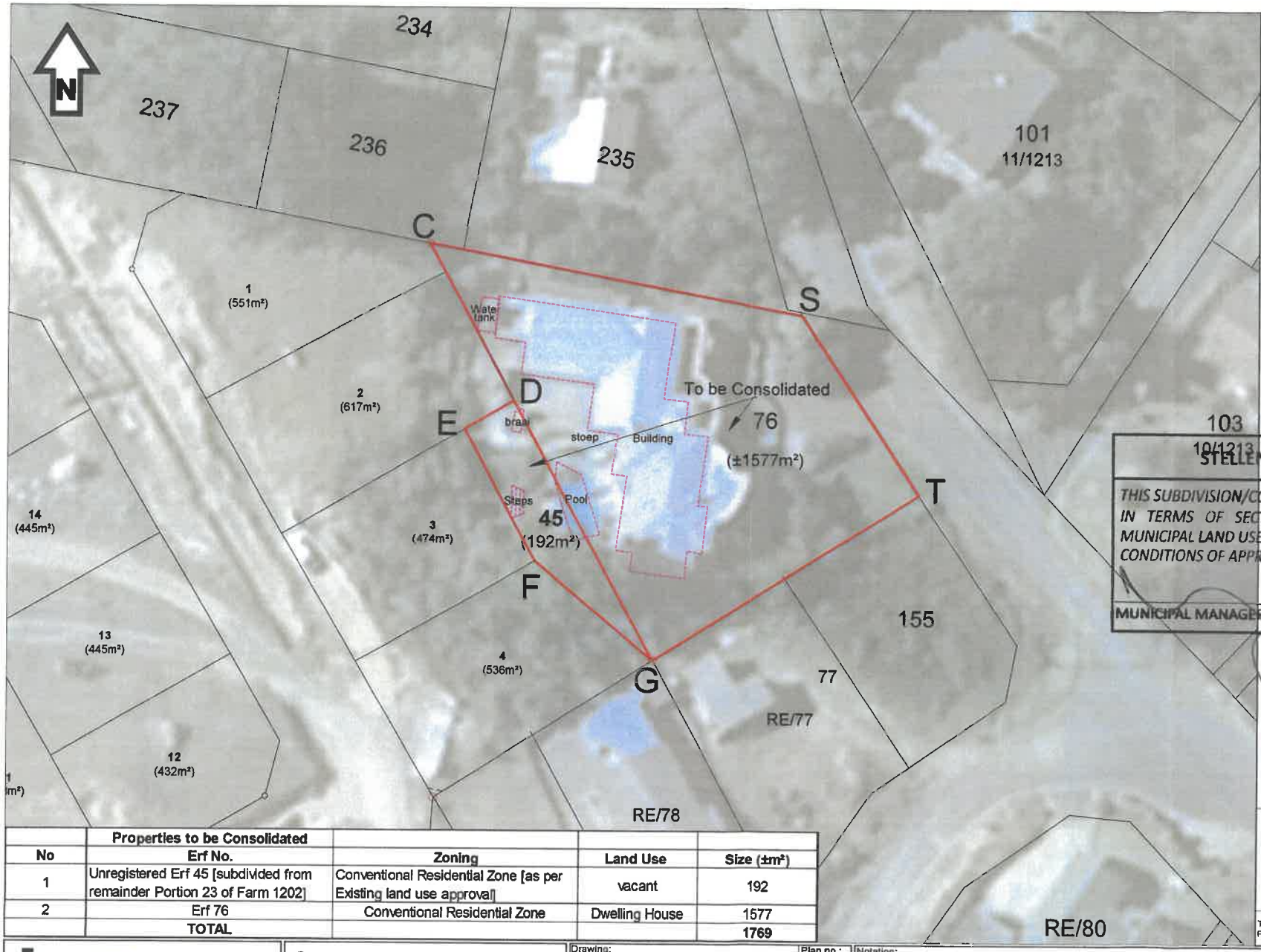

Notation:

Application Area

1. Figure C,S,T,G represents Erf 76 equating to ±1577m².
2. Figure E,D,G,F represents unregistered subdivided Portion / Erf 45 equating to ±192m².
3. Figures C,S,T,G and E,D,G,F to be consolidated into a single Erf equating to ±1769m². Refer to Plan 2B for Consolidation Plan.
4. Existing Structures / Buildings Survey on Erf 76 [Survey by Mark Jakins Pr Land Surveyor].

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION/CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW SUBJECT TO THE CONDITIONS OF APPROVAL.

MUNICIPAL MANAGER

DATE 4/6/2026

	Properties to be Consolidated			
No	Erf No.	Zoning	Land Use	Size (±m²)
1	Unregistered Erf 45 [subdivided from remainder Portion 23 of Farm 1202]	Conventional Residential Zone [as per Existing land use approval]	vacant	192
2	Erf 76	Conventional Residential Zone	Dwelling House	1577
	TOTAL			1769

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[redacted]

Consolidation Plan Properties

Property Description: unregistered Erf 45 and Erf 76

Drawing:	Plan no.:
Consolidation[Rev3]	2A
Date: 05/05/2026	Scale: 1:2 000
Project no.: P-3990	Drawn: AP / Checked: #####

Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).
Existing Survey of Erf 76 obtained from Mark Jakins (Pr Land Surveyor)
Aerial Photography obtained from Surveys and Mapping (DRDLR).
Aerial Photography obtained on Google Earth.

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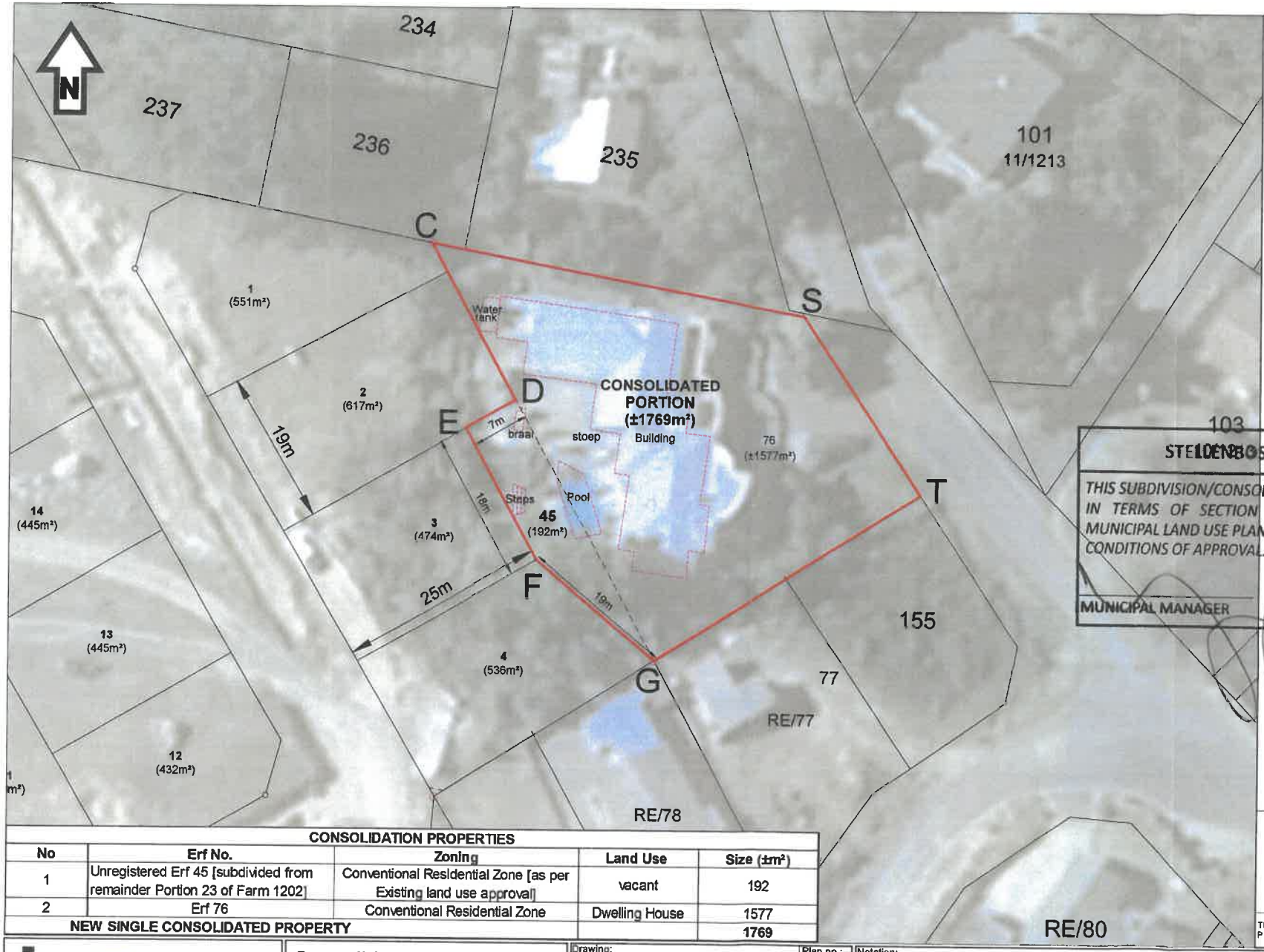

Notation:

Application Area

1. Figure C,S,T,G represents Erf 76 equating to ±1577m².
2. Figure E,D,G,F represents unregistered subdivided Portion / Erf 45 equating to ±192m².
3. Figures C,S,T,G,F,E,D to be consolidated into a single Erf equating to ±1769m².
4. Existing Structures / Buildings Survey on Erf 76 [Survey by Mark Jakins Pr Land Surveyor].

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION/CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW SUBJECT TO THE CONDITIONS OF APPROVAL.

MUNICIPAL MANAGER

4/6/2026
DATE

N

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CONSOLIDATION PROPERTIES

No	Erf No.	Zoning	Land Use	Size (±m²)
1	Unregistered Erf 45 [subdivided from remainder Portion 23 of Farm 1202]	Conventional Residential Zone [as per Existing land use approval]	vacant	192
2	Erf 76	Conventional Residential Zone	Dwelling House	1577
NEW SINGLE CONSOLIDATED PROPERTY				1769

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

Consolidation Plan

Property Description: unregistered Erf 45 and Erf 76

Drawing:		Plan no.:
Consolidation - Rev3		2B
Date:	Scale:	
05/05/2026	1:2 000	
Project no.:	Drawn:	Checked:
P-3990	AP	#####

Notation:

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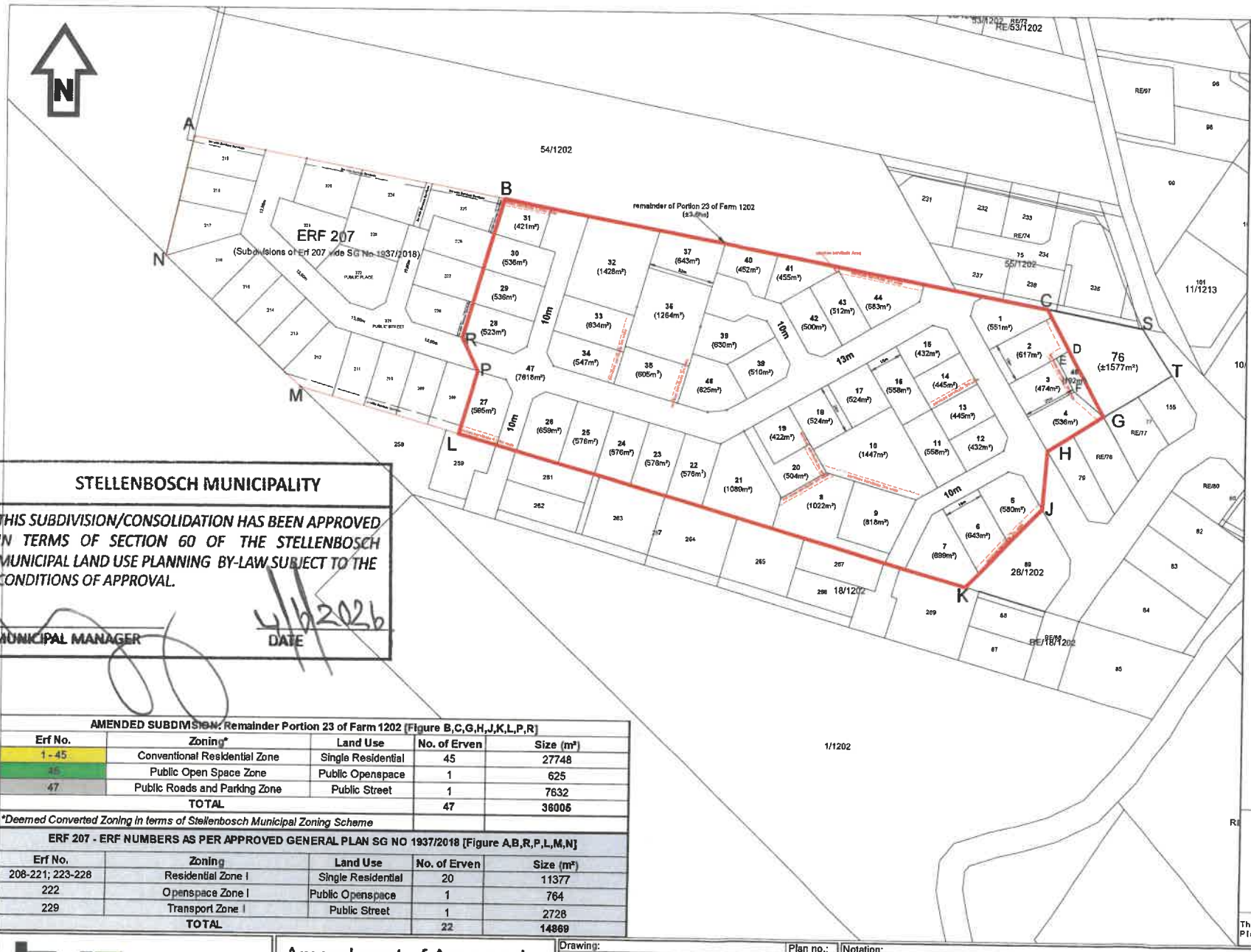

Notation:

Application Area

1. Figure A,B,C,D,G,H,J,K,L,M,N represents extent of approved Subdivision relating to Portion 23 of Farm 1202.
2. Figure A,B,R,P,L,M,N represents Erf 207 [vested Phase 3 as Approved and reflected on General Plan No 1937/2018- equating to ±1.4865ha].
3. Figure B,C,D,G,H,J,K,L,P,R represents remainder Portion 23 of Farm 1202 equating to ±3.62ha.
4. Figure D,E,F,G represents proposed subdivided Erf 45 equating to ±193m² to be consolidated with Erf 76.

Services Servitudes [widths shown]

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION/CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW SUBJECT TO THE CONDITIONS OF APPROVAL.

MUNICIPAL MANAGER — DATE 4/2/2026

AMENDED SUBDIVISION: Remainder Portion 23 of Farm 1202 [Figure B,C,G,H,J,K,L,P,R]

Erf No.	Zoning*	Land Use	No. of Erven	Size (m²)
1 - 45	Conventional Residential Zone	Single Residential	45	27748
46	Public Open Space Zone	Public Openspace	1	625
47	Public Roads and Parking Zone	Public Street	1	7632
TOTAL			47	36005

**Deemed Converted Zoning in terms of Stellenbosch Municipal Zoning Scheme*

ERF 207 - ERF NUMBERS AS PER APPROVED GENERAL PLAN SG NO 1937/2018 [Figure A,B,R,P,L,M,N]

Erf No.	Zoning	Land Use	No. of Erven	Size (m²)
208-221; 223-228	Residential Zone I	Single Residential	20	11377
222	Openspace Zone I	Public Openspace	1	764
229	Transport Zone I	Public Street	1	2728
TOTAL			22	14869

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS
[redacted]

Amendment of Approved Subdivision

Property Description: remainder Portion 23 of Farm 1202

Drawing:		Plan no.:
SERVITUDES		4
Date:	Scale:	
05/05/2026	1:2 500	
Project no.:	Drawn:	Checked:
3990-P	AP	#####

Notation:

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Appendix 10:
Municipal Infrastructure Services memorandum, dated 06 March 2025.

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Nolusindiso Momoti**
From ▫ Van:	**Manager: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Tyrone King**
Date ▫ Datum:	**6 March 2025**
Our Ref ▫ Ons Verw:	**Civil LU 2860**
Town Planning Ref:	**LU/17542**
Re ▫ Insake:	**Farm 1202/23, Johannesdal: The following land use planning applications are made in respect of remainder of Portion 23 of the Farm 1202, Johannesdal, Paarl Division: i) Application is made i.t.o Section 15.2(k) of the Stellenbosch Municipality Planning By-Law (2023) for an amendment or cancellation of an approved subdivision plan or part thereof as approved per Condition 1 of the Letter of Approval dated 22-05-2013, including a general plan or diagram; i.e to amend the approved Subdivision Plan, in order to allow for 45 Conventional Residential Zone Erven, 1 Public Open Space Zone Erf (Public Place) and 1 Public Roads and Parking Zone Erf (Public Road) excluding the vested subdivisions as depicted in Phase 1 (Erf 207) and subsequent subdivisions thereof. ii) Application is made i.t.o Section 15.2(k) of the Stellenbosch Municipality Planning By-Law (2023) for an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram; i.e to cancel the following approved General Plans:**

(a) General Plan No 1935/2018 (depicting Subdivisions of Erf 157, Johannesdal)(b) General Plan No1936/2018 (depicting Subdivisions of Erf 186, Johannesdal) ii) Application is made in terms of Section 15(2)(h) for the Amendment of the approved Phasing Plan, in order to omit Phases1 and 2, as approved in terms of Condition 1 of the Letter of Approval dated 12-05-2015 attached hereto as Annexure H3.iv) Application is made in terms of Section 15(2)(h) for the Amendment of Condition of Approval No 2 as indicated in the Letter of Approval dated 2015-05-12 regarding the amendment of the subdivision to accommodate phasing imposed by the Directorate Engineering Services Memorandum dated 24/11/2014, with specific reference to the Memorandum's condition No 3: Bulk Infrastructure Contribution Levies will be payable per phase and will have to be recalculated by using the applicable tariff structure at date of payment. To be amended in order to permit the landowner to make the BICL payments on individual erf basis once clearance certificates are applied for and not for a complete phase in total (letter of approval attached as Annexure H3) as it relates to the amended Subdivision Plan. v) Application is made in terms of Section 15(2)(e) for Consolidation of subdivided Erf 65 (unregistered subdivided erf of remainder Portion 23 of Farm 1202) with Erf 76 to create a single consolidated erf depicted in the Consolidation Plan No 2 B vi) Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipality Planning By-Law (2023) for a permanent departure to relax the Street- and Common boundary building lines of erven with an Area between 501m² and 1500m², applicable to the complete residential development on Portion 23 of Farm No 1202 [including the vested Phase 3 -Erf 207 component] and the unregistered Phases 1 and 2.(a) To permit a Street Building line of 3.0m in lieu of 4.0m;

(b) To permit Common Boundary Building lines of 1.5m in lieu of 2.5m. vii) Application is made in terms of the Stellenbosch Municipality Planning By-Law (2023) for the registration of various Service Servitudes as depicted on Plan No 4 [Servitudes Plan], as it relates to the remainder of Portion 23 of the Farm 1202, Paarl. viii) Application for the approval for the Street Names and Street Numbers as indicated on Plan No 3 [Street Names and Numbers]. ix) Application for approval of the Architectural and Landscape Design Framework prepared by Red Atlantic Architecture [dated 26 September 2024].

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

1. Civil Engineering services

1.1 The Developer is reminded of the Engineering Services Agreement (ESA) for this development, dated 20 Dec 2019 (date of municipality's signature). Proof of payment to Ms A Parks, (as described in the ESA) must be provided before any of the erven can receive clearance.

1.2 As-built proof of services and a certificate of completion by a professional engineer must be provided prior to subdivision of any erf.

1.3 It is acknowledged that the services have already been installed a few years ago. The current status of the services is not known to the Municipality. Therefore, prior to clearance for any of the erven, the professional consulting engineering must confirm in writing that the services required by that erf is still in a functional condition. If not, the required remedial works must first be done at the developer's cost.

2. Development Charges (DCs)

2.1 The appropriate DC's will be payable before subdivision clearance.

2.2 DCs will be calculated by using the tariff structure and DC Policy principles applicable at date of payment.

2.3 The professional consulting engineering must provide an updated DC register for the municipality's approval prior to the clearance of any erf.

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

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