Application Number: LU/11308
Our File Reference Number: Erf 15845, Stellenbosch
Your Reference Number: None
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: damien@fbvsurvey.co.za

Sir / Madam

APPLICATION FOR TECHNICAL APPROVAL TO ACCOMMODATE A SECOND DWELLING: ERF 15845, 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 in terms of Section 15 (2) of the Stellenbosch Municipality Land Use Planning By-law, 2015:

a) Permission/Technical Approval in terms of Section 15 (2) (g) of the Land Use Planning By-law to accommodate a second dwelling unit in terms of Section 13 of the Stellenbosch Zoning By-law as indicated on drawing Erf 15845 APPLICATION, Ref: 15845 , drawn by Friedlaender, Burger & Volkmann Consultants, dated 05/02/2020;

BE APPROVED subject to the following conditions in terms of Section 66 of the said Bylaw:

2.2 The approval applies only to the application in question as indicated on drawing Erf 15845 APPLICATION, Ref: 15845 , drawn by Friedlaender, Burger & Volkmann Consultants, dated 05/02/2020 attached (See Annexure D) and shall not be construed as authority to depart from any other legal prescriptions or requirements:

2.3 The following conditions imposed by the Director: Engineering Services as contained in their memo dated 13 August 2020, attached as ANNEXURE E, be complied with;
(a) **Water**

i. The existing water connection must be utilized for the proposed development: No upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.

(b) **Sewer**

i. The existing sewer connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.

ii. Any damages to the municipal sewer line will be for the account of the owner.

(c) **Floodplain Management**

i. That the 1:50 and 1:100 year flood lines of the Eerste River be shown on all plans submitted.

ii. That the floor level of all buildings be at least 100mm above the 1:100 year flood level. These levels must be indicated on all building plans submitted and must be certified by a Registered Professional Engineer.

iii. That no disturbance to the river channel or banks be made without the prior approval in accordance with the requirements of the National Water Act.

(d) **Development Charges (DCs)**

i. Based on the information provided in application, the Development Charges payable.

ii. The Development Charges will be calculated once more detail is provided for the second dwelling unit.

iii. Development Charges are payable prior to building plan approval.

(e) **General**

i. Any changes to any existing civil engineering services of Stellenbosch Municipality is for the account of the owner.

2.4 The following conditions imposed by the Manager: Electrical Department as contained in their memo dated 30 September 2020, attached as **ANNEXURE F**, be complied with;

(a) Electricity Supply to new Additional Dwelling should be fed from the main Distribution Board, which is situated outside the main building.

(b) If the current electricity supply is not adequate, an application for an increase in electricity supply must be submitted to Stellenbosch Municipality: Electrical Engineering Services.

(c) Appropriate caution shall be taken during construction, to prevent damage to existing electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involve repairing damages

(d) All electrical work to comply with SANS142 and Municipal Bylaws.
2.5 Building plans must be submitted, and be approved by this Municipality, prior to any building work commencing on site;
2.6 The approval will lapse if not implemented within 5 years from date of final notification of approval of the application.

The Reasons for the above Decision are as follows:

(a) The proposed development is not in conflict with the Stellenbosch Municipal Spatial Development Framework;
(b) The proposed application would not negatively affect the aesthetic appearance of the structure, property or surrounding environment and the primary use of the property will still remain residential.

3 You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, 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 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:

(I) First names and surname;
(II) ID number;
(III) Company of Legal person’s name (if applicable)
(IV) Physical Address;
(V) Contact details, including a Cell number and E-Mail address;

(b) Reference to this correspondence and the relevant property details on which the appeal is submitted.

(c) The grounds of the appeal which may include the following grounds:
(i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);

(ii) 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.

(d) whether the appeal is lodged against the whole decision or a part of the decision;

(e) if the appeal is lodged against a part of the decision, a description of the part;

(f) if the appeal is lodged against a condition of approval, a description of the condition;

(g) the factual or legal findings that the appellant relies on;

(h) the relief sought by the appellant; and

(i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(j) That the appeal includes the following declaration by the Appellant:

(i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

(ii) 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.

Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: Lenacia.Kamineth@stellenbosch.gov.za

An applicant 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.

An applicant who lodge 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.

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

Kindly note the above decision is suspended, and in the case of any approval, 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: 26/10/20
ANNEXURE D: PROPOSED SITE DEVELOPMENT PLAN
ANNEXURE B

Thibault street

1500

Canopy

EXISTING HOUSE

POPROSED Garage

POPROSED SECOND DWELLING

ERF 15845

15846

RE/16517

16518

RE/16517

16519

Notes

Caveat
1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
2. All levels are to be confirmed prior to construction.

Scale 1:400 Date: 05/02/2020 Contours: N/A System: WG 19

PROPOSED SECOND DWELLING
ERF 15845
STELLENBOSCH

Ref: ERF 15845 Dwg: ERF 15845 APPLICATION

friedlaender, burger

35 Monte Street, Johannesburg, PO Box, Postbox 134, Stellenbosch, 7600
Tel: 011 273 8364 2543 Fax: 011 27 96 7011 Email: info@tfv.co.za
ANNEXURE E: COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES
MEMORANDUM

DIREKTEUR: INFRASTRUKTURDienSTe
DIRECTORATE: INFRASTRUCTURE SERVICES

To = Aan: Director: Planning + Economic Development
Att Aandag B Zondo
From = Van: A Daniels (Development)
Date = Datum: 13/08/2020
Our Ref = Ons Verw: Civil LU 1999
Re = Insake: Erf 15845 Stellenbosch: Technical approval second dwelling

The above mentioned application for the following refers.

1) Technical approval to build a second dwelling on Erf 15845 Stellenbosch.

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

1. Water

1.1 The existing water connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.

2. Sewer

2.1 The existing sewer connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.

2.2 Any damages to the municipal sewer line will be for the account of the owner.
ANNEXURE F: COMMENT FROM THE MANAGER: ELECTRICAL DEPARTMENT
CONDITIONS:

1. Electricity Supply to new Additional Dwelling should be fed from the main Distribution Board, which is situated outside the main building.

2. If the current electricity supply is not adequate, an application for an increase in electricity supply must be submitted to Stellenbosch Municipality: Electrical Engineering Services.

3. Appropriate caution shall be taken during construction, to prevent damage to existing electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages?

4. All electrical work to comply with SANS142 and Municipal Bylaws.

Bradley Williams

Date......30/09/2020......

Signature .........