



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13762

Our File Reference Number: 1417/2P

Your Reference Number: STEL/11583/AC

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR SUBDIVISION AND CONSOLIDATION: FARM 1417/2, PAARL DIVISION.

1. The above application refers.
2. The duly authorised decision maker hereby decides 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, promulgated by notice number 354/2015, dated 20 October 2015 on Farm No 1417/2, Paarl Division, namely:
 - 2.1.1 **Subdivision** in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated October 2015, of Farm 1417/2, Paarl Division into two (2) portions, namely:
 - 2.1.1.1 Portion A (±4,2954ha), and
 - 2.1.1.2 Remainder (±59,2029ha)
 - 2.1.2 **Consolidation** in terms of Section 15(2)(e) of the said by-law, of Portion A (±4,2954ha) with Farm 875/2, Paarl Division (3,4261ha) to create a ±7,7215ha farming unit;

BE APPROVED in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.

3. Conditions of approval:

- 3.1 The approval applies only to the subdivision and consolidation in question 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 development be undertaken in accordance with the subdivision and consolidation plan dated September 2020, Ref No. PRL/11583/AC/MV and drawn by C.K Rumboll & Partners Professional Land Surveyors attached as **APPENDIX B**.
- 3.3 An electronic copy (shp, dwg, dxf) of the approved General Plan be submitted to the Directorate Planning and Economic Development for record purposes, which plan must indicate the following information:
 - (i) Newly allocated erf numbers
 - (ii) Co-ordinates
 - (iii) Survey dimensions
 - (iv) Street names and numbering
- 3.4 The consolidation of Portion A ($\pm 4,2954$ ha) and Farm No. 875/2, Paarl Division (3,4261ha) simultaneously be registered at the Registrar of Deeds, with the registration of the subdivision of Portion A.
- 3.5 Where required, development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or as may be agreed on in writing with the relevant directorate.
- 3.6 Agriculture must remain the primary use on the property.
- 3.7 All services at all times be provided to the satisfaction of the Directorate: Infrastructure Service.

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

- 4.1 The proposed subdivision and consolidation represent a boundary adjustment, which was supported and approved by the competent agricultural authority (See **APPENDIX C**) and all other relevant departments.
- 4.2 No precedent will be created, considering that a bigger property is created with the consolidation and that the Remainder of Farm No. 1417/2, Paarl Division is still bigger than the average agricultural properties in the immediate surrounding area.

4.3 Access for the proposed new land units will be obtained from an existing access points on the proclaimed road.

5. **Matters to be noted:**

5.1 The subdivision and consolidation be implemented as approved by the Department of Agriculture, Forestry and Fisheries in their approval letter dated 15/03/2021, in terms of Act 70 of 1970 (See **APPENDIX C**).

6. 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.

7. 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:

7.1 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;

7.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

7.3 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 concluding, it did.

7.4 whether the appeal is lodged against the whole decision or a part of the decision;

7.5 if the appeal is lodged against a part of the decision, a description of the part;

7.6 if the appeal is lodged against a condition of approval, a description of the condition;

- 7.7 the factual or legal findings that the appellant relies on;
- 7.8 the relief sought by the appellant; and
- 7.9 any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- 7.10 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.
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 approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
11. 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:
 - 11.1 Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - 11.2 The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

- 11.3 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.
- 11.4 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 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

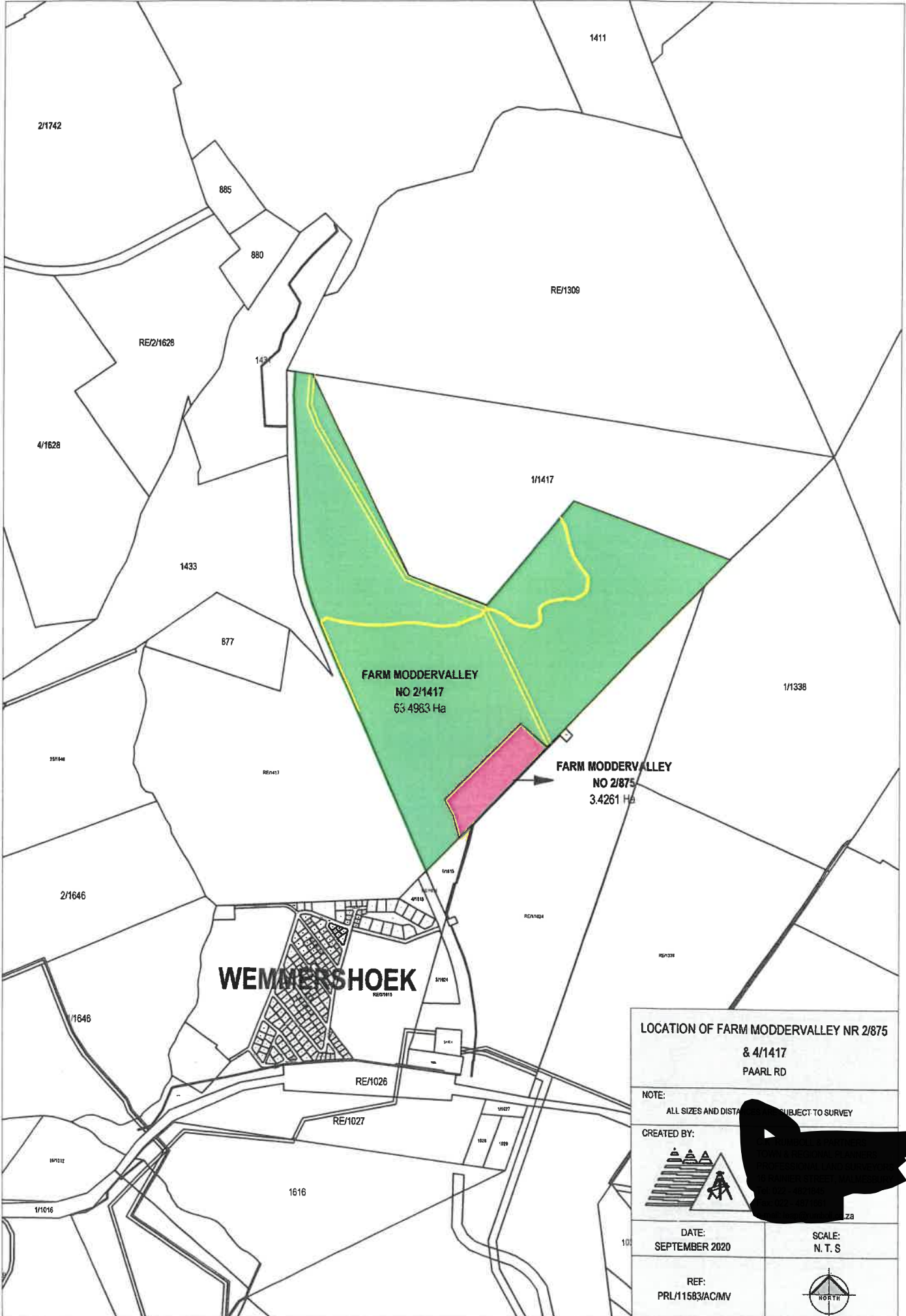


DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

30-11-2022

DATE:

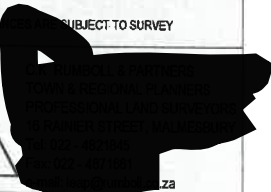
APPENDIX A
Locality Plan



**LOCATION OF FARM MODDERVALLEY NR 2/875
& 4/1417
PAARL RD**

NOTE:
ALL SIZES AND DISTANCES SUBJECT TO SURVEY

CREATED BY:



DATE:
SEPTEMBER 2020

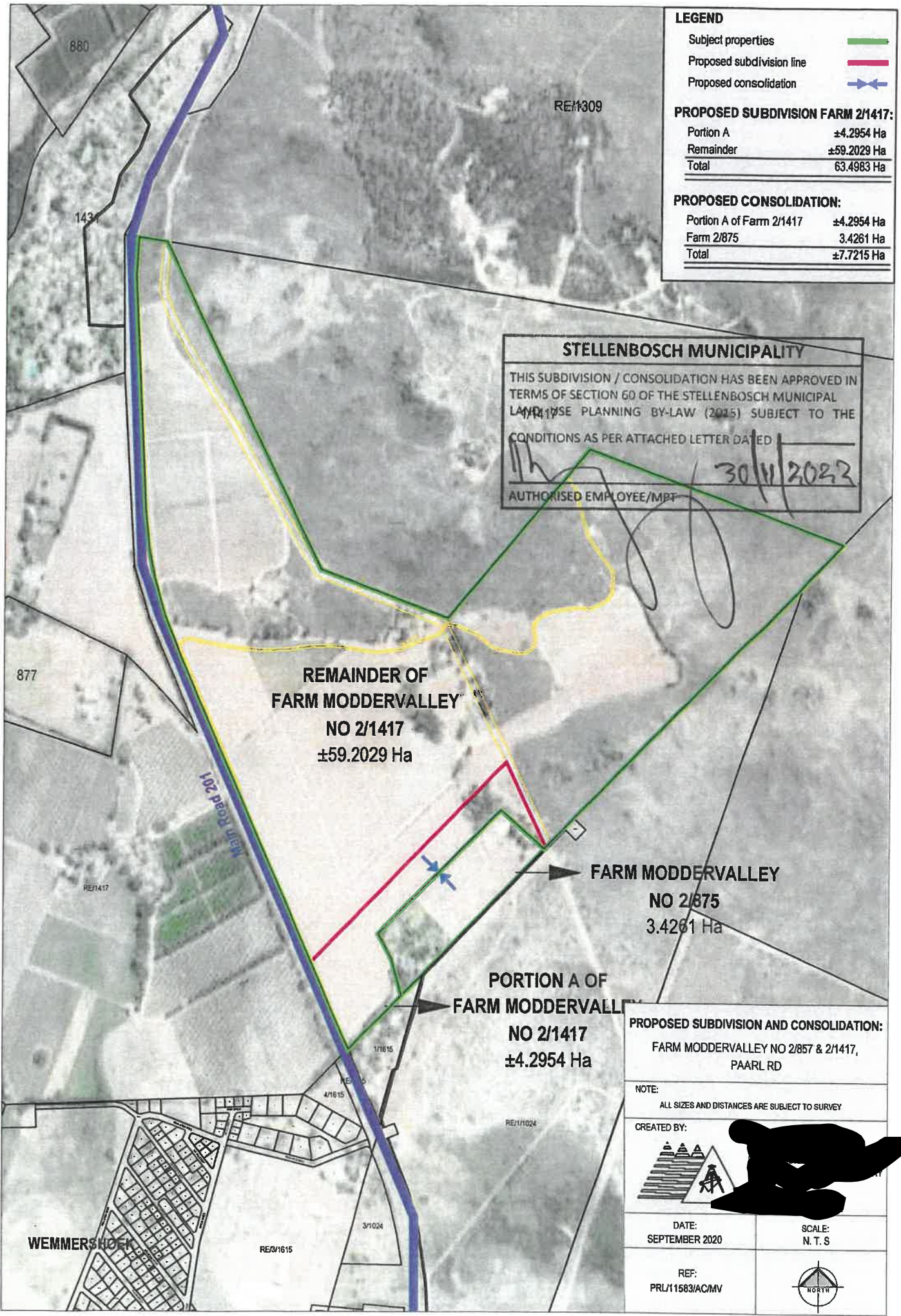
SCALE:
N. T. S

REF:
PRL/11583/AC/MV



APPENDIX B

Subdivision and Consolidation Plan



LEGEND

- Subject properties —
- Proposed subdivision line —
- Proposed consolidation ↔

PROPOSED SUBDIVISION FARM 2/1417:

Portion A	±4.2954 Ha
Remainder	±59.2029 Ha
Total	63.4983 Ha

PROPOSED CONSOLIDATION:

Portion A of Farm 2/1417	±4.2954 Ha
Farm 2/875	3.4261 Ha
Total	±7.7215 Ha

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER ATTACHED LETTER DATED

[Signature] 30/11/2020

AUTHORISED EMPLOYEE/MPT

**REMAINDER OF
FARM MODDERVALLEY
NO 2/1417
±59.2029 Ha**

**FARM MODDERVALLEY
NO 2/875
3.4261 Ha**

**PORTION A OF
FARM MODDERVALLEY
NO 2/1417
±4.2954 Ha**

PROPOSED SUBDIVISION AND CONSOLIDATION:
FARM MODDERVALLEY NO 2/857 & 2/1417,
PAARL RD

NOTE:
ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY

CREATED BY: *[Redacted Signature]*

DATE:
SEPTEMBER 2020

SCALE:
N. T. S

REF:
PRL/11583/AC/MV



WEMMERSHOOP

880

RE/1309

1431

LEGEND

- Subject properties —
- Proposed subdivision line —
- Proposed consolidation ↔

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30/11/2022

AUTHORISED EMPLOYEE/MPT

**REMAINDER OF
FARM MODDERVALLEY
NO 2/1417
±59.2029 Ha**

Main Road 201

**FARM MODDERVALLEY
NO 2/857
3.4261 Ha**

**PORTION A OF
FARM MODDERVALLEY
NO 2/1417
±4.2954 Ha**

PROPOSED SUBDIVISION AND CONSOLIDATION:

FARM MODDERVALLEY NO 2/857 & 2/1417,
PAARL RD

NOTE:

ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY

CREATED BY:



DATE:
SEPTEMBER 2020

SCALE:
N. T. S

REF:
PRL/11583/AC/IV



377

RE/1417

RE/11024

WEMMERSHOEK

RE/1615

3/1024

2/1024

APPENDIX C

Department of Agriculture, Land Reform
and Rural Development approval letter.



**agriculture, land reform
& rural development**

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria, 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land and Soil Management
Tel: 012-319-7634 Fax: 012-329-5938, Email: LUAHelpdesk@Dalrrd.gov.za
Enquiries: Helpdesk Ref: 2020_10_0062

CK Rumboll Partners
P. O. Box 211
MALMESBURY
7299

For attention: Anelia Coetzee

**APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 70 OF
1970: PORTION 2 OF THE FARM MODDERVALLEY NO. 1417, DIVISION PAARL, WESTERN
CAPE PROVINCE**

Your letter bearing reference PRL/11583/AC/MV dated 14 September 2020 refers.

With reference to the above-mentioned subject, the Department wishes to inform you that the application has been granted.

Consent No.**55613**... issued in terms of section 4 of the Act is enclosed.

To facilitate registration, the conveyancer must lodge the signed copy of the consent with the Registrar of Deeds together with the documents for registration.

Kindly note that the properties concerned are subject to the provisions of the Conservation of Agricultural Resources Act (Act 43 of 1983).

Yours faithfully

DR I.B. KGAKATSI
**ACTING CHIEF DIRECTOR: NATURAL RESOURCES
AND DISASTER MANAGEMENT**
DELEGATE OF THE MINISTER

DATE: 15/03/2021

CC: The Surveyor-General Private Bag X 9028 CAPE TOWN 8000
CC: Land Use and Soil Management, Private Bag x2, SANLAMHOF, 7532
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSENBURG 7607

FM 2021 MODDERVALLEY NO. 1417



**agriculture, land reform
& rural development**

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

VERW/REF.

2020_10_0062

TOESTEMMING
KRAGTENS DIE WET OP DIE ONDERVERDELING
VAN LANDBOUGGROND, 1970

CONSENT
IN TERMS OF THE SUBDIVISION OF
AGRICULTURAL LAND ACT, 1970

55613

By virtue of the powers delegated to me by the Minister of Agriculture, Land Reform and Rural Development, consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

PORTION 2 OF THE FARM MODDERVALLEY NO. 1417, IN EXTENT 63,4983 HECTARES, DIVISION PAARL, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

The subdivision of the above-mentioned agricultural land into two Portions measuring approximately 4,2954 hectares and 59,2029 hectares respectively represented by the figures marked Portion A and Remainder as shown on the sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer, the Portion measuring approximately 4,2954 hectares (Portion A) must be consolidated with the farm Portion 2 of the farm Moddervalley No. 857, in extent 3,4261 hectares.
- 3.2 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.3 This consent does not exempt the property from the provisions of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.4 This consent is valid for 5 years from date of this grant. Should it not be registered within the time frame, a new complete application must be lodged which will be considered on its own merits.

15/03/2021
DATE

DR I.B. KGAKATSI
ACTING CHIEF DIRECTOR: NATURAL
RESOURCES AND DISASTER MANAGEMENT
DELEGATE OF THE MINISTER

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REFERRED IN CONSENT




RE/1309

No. 55613

No.

15/08/2021

LEGEND

- Subject properties 
- Proposed subdivision line 
- Proposed consolidation 

PROPOSED SUBDIVISION FARM 2/1417:

Portion A	±4.2954 Ha
Remainder	±59.2029 Ha
Total	63.4983 Ha

PROPOSED CONSOLIDATION:

Portion A of Farm 2/1417	±4.2954 Ha
Farm 2/875	3.4261 Ha
Total	±7.7215 Ha

143

1/1417

**REMAINDER OF
FARM MODDERVALLEY
NO 2/1417
±59.2029 Ha**

Main Road 201

RE/1417

**FARM MODDERVALLEY
NO 2/857
3.4261 Ha**

**PORTION A OF
FARM MODDERVALLEY
NO 2/1417
±4.2954 Ha**

RE/1024

PROPOSED SUBDIVISION AND CONSOLIDATION:

**FARM MODDERVALLEY NO 2/857 & 2/1417,
PAARL RD.**

NOTE:
ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY

CREATED BY:



**C.K. RUMBOLL & PARTNERS
TOWN & REGIONAL PLANNERS
PROFESSIONAL LAND SURVEYORS
18 RAINIER STREET, MALMEBURY
Tel: 022 - 482 1845
Fax: 022 - 487 1881
e-mail: leep@rumboll.co.za**

DATE:
SEPTEMBER 2020

SCALE:
N.T.S.

REF:
PRL/11583/AC/MV



377

WEMMERSHOEK

RE/1815

2/1024

2/1024