



Application Number: LU/12152

Our File Reference Number: Farm 550 & 550/1, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

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

Sir

APPLICATION FOR SUBDIVISION AND CONSOLIDATION ON FARM 550 & 550/1, 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 applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Farm No. 550 & 550/1, Stellenbosch Division, namely:
 - a. Subdivision of Farm No. 550, Stellenbosch Division into two portions namely: Portion A (± 13 ha) and a remainder ($\pm 18,29$ ha) in accordance with Subdivision plan No. 2.537-S1-02 dated 10 July 2016 (as submitted by FBV on 10/01/2020) in terms of Section 15(2)(d) of the said by-law;
 - b. Consolidation of subdivided Portion A with Farm No. 550/1, Stellenbosch Division to form a land unit of $\pm 43,2021$ ha in terms of Section 15(2)(e) of the said by-law.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

2.2 Conditions of approval

- a. This approval applies only to the subdivision and consolidation approval in question as per subdivision Plan No. 2.537-S1-02 dated 10 July 2016 (as submitted by FBV on 10/01/2020) and shall not be construed as authority to depart from any legal prescriptions or requirements;

- b. 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 land use;
- c. An electronic copy (shp, dwg, dxf) or A4 hard copy of the SG diagrams, which was preliminary approved by the SG must be submitted with the following information indicated:
 - Co-ordinates
 - Survey Dimensions
- d. Portion A must be consolidated with Farm 550/1, Stellenbosch Division.
- e. Conditions as imposed by Department of Agriculture, forestry & fisheries in their letter dated 5 April 2019, be adhered to (See **Annexure G**).

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

- a. The application is a minor boundary adjustment between two properties and will not create any additional farm portions or change the zonings of the farms, nor will it create any new or additional development rights.
- b. The application will not undermine the application area's agricultural potential or lead to any loss of agricultural land or amenities.
- c. The Department of Agriculture, forestry & fisheries has approved the application i.t.o. Act 70 of 1970.

4. 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.

5. 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.

6. 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

7. 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.
8. 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>).
9. 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.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
11. 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

01/07/2021

DATE:



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

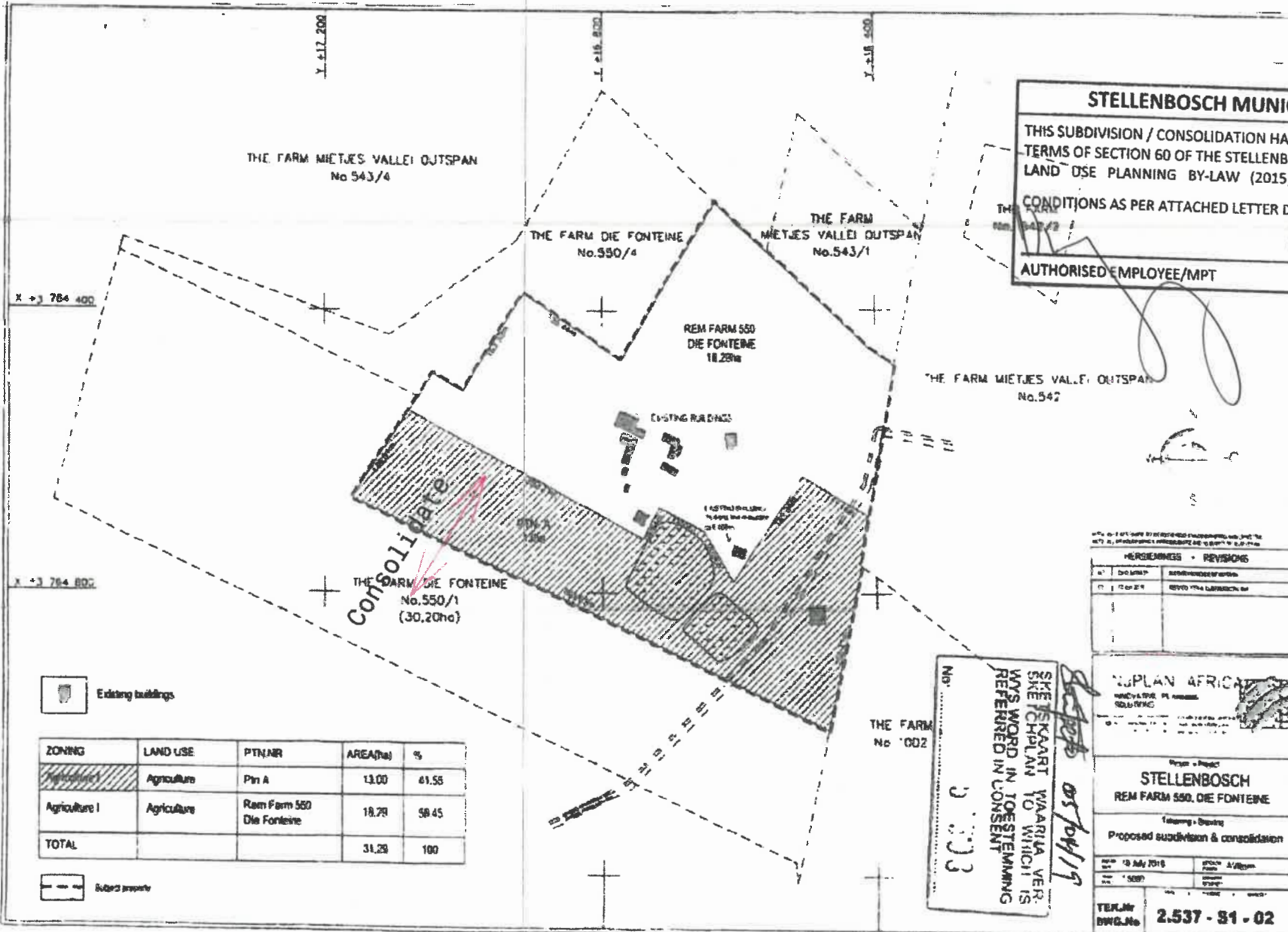
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ANNEXURE C

(APPLICATION FOR SUBDIVISION AND CONSOLIDATION ON FARM No. 550 AND 550/1,
STELLENBOSCH DIVISION)

SUBDIVISION PLAN

ANNEXURE B



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 17/7/2021
 AUTHORIZED EMPLOYEE/MPT

No. 3003
 SKEI SKAART WARTIA VER- MOES WORD IN TOESTEMMING REFERERED IN CONSENT
 19/11/20

HEROENHES • REVISIONS

No	Doorn	Revisie/verandering
1	10/20	REVISIE 10/20/20

NOPLAN AFRICA

Project: Project
STELLENBOSCH
 REM FARM 550, DIE FONTEINE
 Planning & Drawing
 Proposed subdivision & consolidation
 Date: 19 July 2016
 Scale: N/A
 Drawn: [Signature]
 Check: [Signature]

TEL. No **2.537 - 81 - 02**

Notes

Caveat Scale: N/A Date: 10/01/2020 Contours: N/A System: WG 19

TN

PROPOSED CONSOLIDATION

friedlaender, burger & volkmann

Ref: SA550 Dwg: CONSOL



STELLENBOSCH

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ANNEXURE G

**(APPLICATION FOR SUBDIVISION AND CONSOLIDATION ON FARM No. 550 AND 550/1,
STELLENBOSCH DIVISION)**

ACT 70 OF 1970 APPROVAL



**agriculture,
forestry & fisheries**

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

VERW/REF.

2018_07_0075

TOESTEMMING
KRAGTENS DIE WET OP DIE ONDERVERDELING
VAN LANDBOUGROND, 1970

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

5 333

By instruction of the Minister of Agriculture, Forestry and Fisheries 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

REMAINDER OF THE FARM DIE FONTEINE NO. 550, IN EXTENT 31,2941 HECTARES,
DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

The subdivision of the above mentioned agricultural land into two portions measuring approximately 13 hectares and 18,29 hectares respectively represented by the figures marked Ptn A and Rem Farm No 550 Die Fonteine as shown on the sketch plan which is attached to this Consent.

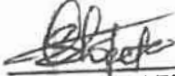
PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer the portion measuring approximately 13 hectares (Ptn A) must be consolidated with the Remainder of Portion 1 of the farm Die Fonteine No. 550, measuring approximately 30,2 hectares, Division Stellenbosch, Western Cape Province.
- 3.2 The portions created in paragraphs 2 & 3.1 above, may only be used for agricultural and related purposes.
- 3.3 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.4 This consent does not exempt any person from any provision of any other law, with special reference to the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.

3.5 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.

05/04/19

DATE



MS T.S. CHIPETA
CHIEF DIRECTOR: FORESTRY AND NATURAL RESOURCES
MANAGEMENT
DELEGATE OF THE MINISTER